

Harrisville City Planning Commission Meeting  
Held at 363 W. Independence Boulevard  
7:00 p.m. September 8, 2010

Commissioners: Jeff Pearce  
Ed Saunders  
Roger Shuman  
Paula Knighton  
Kathy Hohosh

Visitors: Ruth Pearce  
David Waldron  
Gary Stringham  
Eric Sadler  
Patrick Erskine  
Yvette Palau

Staff: Bill Morris (Administrator)  
Wayne Crowther (City Council)  
Shanna Edwards (Secretary)

Commissioner Norseth moved from the city and resigned as of September 1, 2010.  
Commissioners Howard and Weiss were excused. Chairman Pearce called the meeting to order at 7:20 p.m.

**1. PUBLIC HEARING / review / recommend amendment to the Land Use Ordinance table of uses in Chapter 11.12 under SALES to include “rental of automobiles and noncommercial trucks.”**

OPEN PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Knighton seconded with unanimous approval to open the public hearing.

*Public Comments:*

Patrick Erskine explained he would like to establish a vehicle rental business to rent noncommercial trucks, trailers, etc. at 811 North Harrisville Road. Owner, Yvette Palau, said she will continue to operate the detail shop within a portion of the existing building.

CLOSE PUBLIC HEARING: Commissioner Saunders motioned and Commission Knighton seconded with unanimous approval to close the public hearing.

*(Commissioner Hohosh arrived)*

DISCUSSION: Chairman Pearce asked for commissioner discussion but there were no comments.

MOTION: Commissioner Saunders motioned to recommend the city council amend the Land Use Ordinance table of uses in Chapter 11.12 under “Sales” to include “rental of automobiles and noncommercial trucks.” Commissioner Knighton seconded the motion.

VOTE: Chairman Pearce, Commissioners Saunders, Shuman, Knighton, voted aye. Commissioner Hohosh was not present for the discussion and did not vote.

**2. PUBLIC HEARING / review / recommend General Plan Map and Zoning Map amendment from the Commercial, CP-2 Zone, to Rural Residential, A-1 Zone, to accommodate a church-owned garden on the property north of the Deseret Industries building.**

OPEN PUBLIC HEARING: Commissioner Shuman motioned and Commissioner Saunders seconded with unanimous approval to open the public hearing.

STAFF REPORT: Bill Morris stated that the L.D.S. Church wants to change a portion of the Deseret Industry property presently zoned CP-2 to Zone A-1 to accommodate a garden. He informed the applicant that Shain Dusenberry, the property owner on the north, feels there is an overlap on the north boundary line of the property, but he is willing to work with the Church to resolve the matter. The architect has provided a conceptual plan. Bill Morris said that since the down zone to A-1 is strictly for an agricultural use, site plan approval for the garden is not required.

*Comments:*

Engineer Eric Sadler explained they plan to enclose the garden with fencing. They will water from a 5,000 gallon underground tank which has been approved by the irrigation company. He explained that a couple of portable sheds will be placed on the property for equipment storage.

CLOSE PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Hohosh seconded with unanimous approval to close the public hearing.

Commissioner Knighton mentioned that she has accepted a church calling in connection with the garden. It was the consensus of commissioners and staff that this would not present a conflict of interest.

MOTION: Commissioner Shuman motioned to recommend to the city council to amend the General Plan Map and Zoning Map from Commercial, CP-2 Zone to Rural Residential, A-1 Zone to accommodate a church-owned garden on property north of the Deseret Industries building because an agricultural use is not allowed in the Commercial CP-2 Zone. Commissioner Hohosh seconded the motion and voting was unanimous.

**3. Review / approve amended Deseret Industries site plan to allow for a garden to locate on property north of the commercial building.**

STAFF: Bill Morris commented that this is an amendment to the Deseret Industries site plan to reflect the area that will be used for the garden. The architect has provided a legal description of the portion of property affected by the amendment which will accompany the General Plan Map and Zoning Map amendment ordinance as Exhibit A.

MOTION: Commissioner Hohosh motioned to approve the amended Deseret Industries site plan to allow for the garden to locate on property described in Exhibit A. The motion was seconded by Commissioner Saunders and voting was unanimous.

**4. PUBLIC HEARING / review / recommend amended Cluster Development Concept Chapter 11.16 of the Land Use Ordinance to allow increased density and bonuses for amenities - Bill Morris**

MOTION TO OPEN THE PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Hohosh seconded with unanimous approval to open the public hearing.

*Public Comments:* None.

MOTION TO CLOSE PUBLIC HEARING: Commissioner Hohosh motioned and Commissioner Saunders seconded to close the public hearing.

DISCUSSION: Bill Morris and commissioners went over each page of the ordinance, and Bill Morris noted the changes that were suggested. (See attachment). Some discussion centered on putting a cap on

the percentage of bonuses, and commissioners agreed to cap the maximum density at 100 percent. Commissioner Shumen mentioned mixed residential uses in years past where some communities allowed single family and some duplexes mixed. Bill Morris said this does not include a mix of that type but this could be considered in the future.

MOTION: Commissioner Hohosh motioned to recommend to the city council to approve the Cluster Development concept Chapter 11.16 of the Land Use Ordinance with the amendments as noted. The motion was seconded by Commissioner Saunders and voting was unanimous.

**5. PUBLIC HEARING / review / recommend amendments to Chapter 11.10, “Residential Zone Special Use Regulations” to amend or repeal animals in front yards.**

OPEN PUBLIC HEARING: Commissioner Saunders motioned and Commissioner Hohosh seconded with unanimous approval to open the public hearing.

*Public comments:* None.

CLOSE PUBLIC HEARING: Commissioner Knighton motioned and commissioner Saunders seconded with unanimous approval to close the public hearing.

DISCUSSION: Bill Morris pointed out that the present ordinance allows for animals kept in a fenced area in front of the house but does not set any perimeters. Commissioners agreed that there are still a few properties in the city that may want to set back from the road, especially on the highway, with pasture in front as a buffer. After some discussion, commissioners agreed to amend the reference to keeping of animals in the front yard to read: “Except in the A-1 Zone where the front yard accommodates a minimum of 20,000 square feet of pasture area not including 30 feet of front yard space to accommodate landscaping.”

Bill Morris mentioned that the municipal code does not address parking of campers, trailers, RVs, etc. on front lawns. The code only addresses vehicles. This is a problem for the enforcement official to ask for removal of these other objects from front yards. It was suggested to amend the code to read “vehicles, trailers, or RVs of any kind,” instead of only the word “vehicles.” George Archibeque, City Code Enforcement Officer, was in the hallway and Shanna Edwards invited him into the council chambers to meet the commissioners. He reported that his study of the municipal code, even for parking on streets, only referred to motorized vehicles and does not make mention of trailers or other vehicles that are not motorized.

MOTION: Commissioner Saunders motioned to recommend to the city council to amend Chapter 11.10, to replace “the A-1 Zone animals may be kept in a fenced area in front of the house” to read: “Except in the A-1 Zone where the front yard accommodates a minimum of 20,000 square feet of pasture area not including 30 feet of front yard space to accommodate landscaping.” Commissioner Saunders included in the motion to modify the references to parking of vehicles in front yards to read, “vehicles, trailers, or RVs of any kind” in front yards. The motion was seconded by Commissioner Shuman and voting was unanimous.

**6. Approval of Minutes of meeting held July 14, 2010.**

MOTION: Commissioner Saunders motioned and Commissioner Knighton seconded to approve minutes of the planning commission meeting held July 14, 2010. The motion passed with a unanimous vote.

**7. Public Comments.**

Commissioner Shuman mentioned some businesses are advertising on public property with makeshift signs that resemble campaign signs that are being left up permanently. He referred to some presently located on both ends of 750 West advertising Hart commercial property. Shanna Edwards said she will provide the code enforcement officer with the current sign ordinance and have him take a look at the issue.

**8. City Council Report - Chairman Pearce and Commissioner Hohosh**

Commissioner Hohosh reported on the last council meeting including the new sports site where residents can register on line, and the increase in the sports program fee. She mentioned work being done to prepare to apply for a grant for the new main park master plan.

**9. Adjournment.** At 8:30 p.m., Commissioner Shuman motioned and Commissioner Saunders seconded to adjourn the meeting. The next regular planning commission meeting will be held October 13, 2010, 7:00 p.m. at the city hall.

Shanna C. Edwards  
Secretary

Jeff Pearce  
Chairman