



Harrisville City Planning Commission Minutes

Harrisville City Offices

Wednesday, January 8, 2025 – 7:00 PM

Commissioners: Nathan Averill
Chad Holbrook
Angie Francom
Isaac Thomas

Staff: Jennie Knight (City Administrator)
Cynthia Benson (Deputy Recorder)
Justin Shinsel (Public Works Director)

Excused: Brandon Green (City Planner)

Visitors: Jason Harris, Randy Smith, Greg Montgomery, Frances Hood, Shanna Edwards.

Nathan Averill, Chair, called the meeting to order. He turned the time over to Jennie Knight, City Administrator, to lead the discussion.

7:00PM WORK SESSION

1. DISCUSSION – Critical Homeownership Development Ordinance.

Ms. Knight began the work session by stating that the intent of the meeting is to introduce the goals identified by staff and discuss how to move forward with the matter of affordable and attainable housing. Staff is proposing an overlay zone. The definition of a zone is a specific land-use regulation applied to an area within the city. An overlay zone refers to additional layers placed on top of an existing zone. Overlay zones are used to address unique features of the land that may restrict normal development, or the development goals set by the city. The main purpose of this meeting is to identify and establish the goals the city would like this ordinance to achieve.

Ms. Knight reviewed the goals outlined in the proposed ordinance. The first goal incorporated into the ordinance is to ensure and provide balanced opportunities for homeownership in Harrisville, specifically to serve critical and essential workers as well as first-time homebuyers.

Ms. Knight briefly reviewed a map created for the Legislative Open House held by Weber County right after the election last year. The map displays the impact of development on communities and infrastructure, as well as what the city already has in place to address both moderate-income housing requirements and what needs to happen to accommodate further development. This map identifies all approved, entitled developments in Harrisville through a development agreement or by-right zoning. The deficiencies identified were sewer, storm drain, secondary water, roadways, and transportation. The data came from the city's impact fees facilities plan. Also included are demographic details of the city, such as median income, property ownership, and the total number of entitled units, which totals over 1,200. She emphasized that the commission needs to focus on

critical elements, such as what the city currently has and what is coming into the city, compared to how we would like to see the city grow.

The next goal recommended by staff is homeownership. Chair Averill asked if this zoning would impact current developments. Ms. Knight explained that this overlay will only apply to new developments. Commissioner Francom inquired whether this was published anywhere on the city website. Ms. Knight replied that these goals were outlined for tonight's discussion.

Commissioner Francom suggested the following as a city vision statement: "To ensure and provide balanced opportunities for homeownership in Harrisville, specifically to serve critical and essential workers, as well as first-time homebuyers."

Ms. Knight told the commissioners these goals are not final. The meeting tonight is to allow the commission to add or take away items they feel are relevant to the ordinance. She asked the commission to define critical and essential workers as part of the goals for the ordinance. Staff are proposing that the ordinance be specific to single-family housing with a variety of options that are appropriate for all stages of life, making homeownership more attainable for critical and essential workers. She suggested avoiding language specific to demographics.

The next goal is to provide development options for single-family detached housing where the current lot standards and current development standards are not providing availability. The lowest zone the city allows for development is the Residential R-10 zone, which has a minimum lot size 10,000 square feet. With the current climate in our housing market, homes this size are not attainable. She gave an example of a development in Draper, where a subdivision with 10,000 square foot lots led to housing prices ending up over a million dollars.

Another goal staff would like to protect is architectural design, building setbacks, parking, and other cost-related savings. Ms. Knight stressed what the definition for "other cost-related savings" is currently undetermined. She gave examples of what staff have looked at. Chair Averill mentioned his experience when he moved into the city. He felt the city was creating housing similar to Ogden, with no parking on the lot. He was interested to know if this is where the staff were heading. Ms. Knight responded that this is the reason for the discussion.

Ms. Knight identified the next goal, which seeks to support reductions in development costs and ongoing maintenance costs to help significantly reduce the cost of the homes being built in the Critical Homeownership Overlay Zone (CHOZ). Another goal is to provide for efficient use of public services and improvements such as snow plowing. Discussion occurred about other ideas for cost savings such as building up rather than out, deed restrictions, future Frontrunner TRAX station developments, liability issues facing a developer constructing condos, and the upcoming Legislative session. Ms. Knight said the top of the housing bills being presented this upcoming session focus on homeownership. One of the purposes of this meeting is to get ahead of the game since this overlay zone is one of the bills slated to be presented.

Ms. Knight added other goals include promoting an attractive and safe living environment, along with providing stability through homeownership to future generations. These goals are suggestions that staff have drafted into the ordinance.

Commissioner Francom asked for a language adjustment in the fourth bullet where the goal is to provide flexible development options for single-family detached housing. She suggested adding something like “the *current* standard lot pattern and typical development standards do not provide attainability.” Ms. Knight suggested using terms like “by-right” which means if someone were to develop under an existing zone, the zoning regulations would not make homeownership attainable. However, under the overlay, it would. Commissioner Francom feels as it reads the goal has a negative connotation and is not easy to understand. Chair Averill asked for clarity on the definition of attainability.

Ms. Knight asked if there were other goals the commission would like to add to the ordinance. Commissioner Holbrook asked for more definition of the word “attractive”. He gave an example of a development where the housing is so dense that there is no green space for the residents to enjoy or beautify. He wants to ensure we do not lose what makes Harrisville, Harrisville. Ms. Knight agreed and added that since this ordinance focuses on single-family homes, there will be some green space between and around the homes. A discussion on verbiage ensued between the commissioners regarding the definition of "attractive." Ms. Knight asked for clarification on the statement “promote an attractive and safe living environment”. She asked the commissioners to keep in mind the development utilizing this overlay zone would be subject to a master development agreement. There are areas in the city where this overlay zone will not work, but there are others that would benefit from it. Chair Averill asked if manufactured homes fit into this ordinance. Ms. Knight stated the municipal code already defines this. Those present discussed how manufactured homes could be used to create affordability.

Ms. Knight brought up the draft ordinance to review next. The goals are in the ordinance as it is currently drafted. The ordinance is adapted to what staff feels represents Harrisville. Commissioner Francom asked where the motivation coming from this definition and purpose to provide affordable housing to critical and essential workers. Ms. Knight replied that it is a general gesture of goodwill. Commissioner Thomas liked this option since it creates a community which appeals to all kinds of people. There was discussion on how the term "Critical and Essential Workers" is defined and who to include. In the end, the commissioners wanted to broaden the statement.

Ms. Knight continued with the remaining definitions of the ordinance as written. “Legitimate Offer” means a qualified offer to purchase a residential unit, with assurances of the means to complete the purchase, of at least the average sales price of other comparable units in the Development over the past twelve months. “Harrisville Resident” means a person whose permanent residence has been within the boundaries of Harrisville City for each of the past twelve

months. Ms. Knight paused and asked the commission if they would like to change the wording to “consecutive” or leave it as past. They agreed to leave as is. “Owner Occupied” means occupied by the owner of the residential unit or their immediate family member. “Hardship” means significant medical emergencies, loss of employment or significant loss of income, divorce, relocation for employment, military service, religious service, or death of a spouse or co-owner. In the event of a Hardship, owners shall be allowed an exemption to the owner-occupancy requirement. Staff added “Minor Revision” means a modification or adjustment to an approved subdivision plat, plan, or associated documents that does not substantially alter the original intent, design, layout, or conditions of approval. Justin Shinsel, Public Works Director, asked for clarification on whether this would include every home in the overlay zone or only a certain amount of those qualifying for deed restrictions. For instance, phase one has thirty (30) lots which has the deed restrictions, but phase 2 does not. Everyone agreed this is a possible scenario.

The purpose of the ordinance was read through. Commissioner Holbrook asked for clarification on the meaning of “diverse”. The commissioners discussed this. Ms. Knight reminded the commissioners this is just the beginning of the review process.

Chair Averill asked if the commissioners want to place an overlay on the general plan or allow the city council to amend it at will. In the Density and Design section, the second sentence reads, "development standards will be determined by the City Council." He wanted to know if we should have the overlay in a set place rather than allowing the city council to apply it everywhere. Commissioner Francom felt they needed to find a middle ground. Ms. Knight said the staff could add an exhibit showing which areas of the city the overlay zone would be applicable to. Chair Averill clarified that he would like to see the overlay used consistently, not in a hodgepodge manner throughout the city. A discussion occurred on where the overlay would be eligible and how it would be applied or considered for specific areas.

Ms. Knight continued the ordinance review by stating this next section is that of the goals we have already reviewed. Ms. Knight reviewed the changes the commissioners had for clarification purposes. There was a language change to the fourth bullet point and more definition on what it means to promote an attractive and safe living environment.

Ms. Knight reviewed the next sections of the ordinance, which included the description and allowed uses. She stated that the goal of the ordinance is to offer attainable housing, and this will be achieved by adding cost-adjusting factors, such as target-priced homeownership. Mr. Harris gave an example of a development Fieldstone built by more efficiently using the land to reduce the cost of the land, ultimately creating a more affordable home price. The second consideration they used was looking at the square footage of the home. By implementing these strategies, they were able to reduce the prices of homes to the \$550,000 range. He reviewed active listings, which sparked a discussion on building new homes versus purchasing existing ones. Mr. Shinsel gave examples of current developments in process, and how their price points made the homes more attainable. Commissioner Francom shared an example from her own buying experience. Mr. Harris

said that another factor to consider is the services to the lot and relieving the tax burden on future homeowners. The commissioners discussed lot sizes, services, property taxes, and how to solve affordable housing by focusing on price points.

Commissioner Holbrook feels the city needs to have a vision first then everything will flow from there. Commissioner Francom gave a personal example of her family experience with buying their first home and how living in a townhome or smaller lot for first time homeowners is preferred for their lifestyle. We are not seeing the older generations leaving their homes, which is pushing the younger generations to look elsewhere. Mr. Harris gave examples of why downsizing is not an option. He feels they need to increase the supply and housing options. Commissioner Holbrook gave an example of how housing is becoming multi-generational in one home. He does not want to see us lose the vision of Harrisville. Ms. Knight feels we are because our children are leaving the city. Multi-generational families are not able to afford to live here. If we do not create other housing options, we are forcing the next generation to look elsewhere. Commissioner Francom added that by allowing this flexibility and broadening our vision this will contribute to the diversity we need to keep our vision and be a functional circle.

Mr. Harris said that by looking over this ordinance and beginning these discussions it allows Harrisville to keep control of the direction the city will develop. These conversations are very real and are happening at the state level. He does not wish to see Harrisville lose control to the state. Ms. Knight reiterated Mr. Harris' statement and added by adopting this ordinance Harrisville is defining the city's vision. By getting ahead of legislation, essentially, we are letting the state know we are aware of the city's deficiencies and are doing our part to accommodate the affordable housing legislation. Mr. Harris concluded his point by saying the ordinance is broad enough to keep Harrisville's vision and is not bound geographically allowing the ordinance to be utilized differently for each development.

Ms. Knight continued the presentation by reviewing the content included in the ordinance. In the section Allowed Uses, the allowed use is defined as single-family detached residential types. Chair Averill asked if this would include ADU's (Accessory Dwelling Unit). Ms. Knight said at this time the ordinance does not include this. However, the city does allow for IDU's (Internal Dwelling Unit). There is nothing in this ordinance which would prohibit an IDU from being built within the footprint of a single-family residential unit. Mr. Harris added if we are going for affordability, adding an IDU would increase the cost. This strategy would come naturally later. Examples were given of what this would look like and where it might be appropriately applied along with what goal the city is trying to achieve.

Ms. Knight moved the discussion onto the requirements for Critical Homeownership Overlay Zone projects in leu of time. Critical Homeownership Developments may be allowed at the discretion of the City Council, with review and recommendation by City Staff and the Planning Commission. Chair Averill asked the City Council to define areas where the overlay could be used. Ms. Knight said our experience with the Mixed-Use map, having the defined areas has not prevented it from

happening elsewhere. It just happens in a different way. For instance, Harrisville Fields and Oak Hollow are all developments with a Master Development Agreement (MDA) outside of the adopted Mixed-Use/In-fill Overlay map. If this is the direction the council and commission would like to proceed, the staff will do their due diligence in identifying areas where this overlay could be applied. In a recent meeting, Ms. Knight gave feedback to the State about meeting the Moderate-Incoming House. She stated that in order for the cities to meet the Moderate-Income Housing requirements, the state is forcing cities to go outside of their code. In turn, this pits the city against its current residents. By forcing all the requirements on cities, the legislation creates a knowledge disconnect between the city and the residents.

Ms. Knight moved onto the next sections, asking the commissioners to keep in mind what the target price will be once development is complete. The commissioners discussed how target prices would be different based on location within the city. Commissioner Francom asked if the ten (10) years mark is an industry accepted standard for deed restricted areas. Mr. Harris replied it is a starting point and gave an example of a recently completed project where this was applied. This section in the ordinance was to encourage consideration. The commission discussed what deed restrictions are and if this is something they wished to have applied to their own home. Commissioner Francom appreciated the differentiation between owner occupied and deed restriction. Chair Averill gave examples of why the city would desire to have deed restrictions. He would like to see twenty (20) years on this section. Ms. Knight mentioned there is no need to decide anything tonight. This can be placed on the agenda for further discussion.

Ms. Knight reviewed the next section owner occupancy requirement. She said there is no other consideration outside of hardship. Commissioner Francom said one of the biggest concerns in the neighborhoods is an investor coming in and buying up one side of the street creating rentals units. Chair Averill said by keeping the focus on homeownership and deed restrictions this keeps the units from becoming rentals. Ms. Knight said in this section priority is given to critical and essential workers, a Harrisville resident who does not currently own a home, or a first-time homebuyer. It also explains general public sales. Limitation on initial sales means at the time of occupancy. Mr. Harris said this section includes consideration for inflation while developing the subdivision and home by establishing a percentage above the target price. Discussion occurred about what the percentage should be.

Ms. Knight circled back to the initial conversation on the price on the land and how it affects the establishment of the target price. Part of the purpose the commission needs to identify is what the target price at the beginning of the project is to not lose focus of the end goal. Mr. Harris gave examples of what other cities are doing in relation to similar discussions. He is interested in knowing what the commission wants. Do they want to have housing more attainable or merely reduce housing costs? A discussion occurred with establishing a baseline cost to achieve attainable housing. Chair Averill would like to see a set price and not a percentage established. He gave an example of the price being set at \$450,000 for a home with a deed restriction of ten (10) years. He asked, what kind of home would be built in ten (10) years to meet that target price requirement?

Ms. Knight said there are two (2) things going on with the target price. The first is we put in the language of a set price it will become outdated quickly. In development history, the city has never been involved with the purchase price of the land. This creates a consideration and discussion between the city and the developer which has never been seen before. The ordinance overlayed on a development determines the target price.

In this section, the approval process, the developer is going to submit two (2) concept plans during application. The first concept plan will be a base concept plan showing the development under the current ordinance. The second concept plan is going to show the attainable concept with the target price being the goal and how the property will be used to obtain the target price. Mr. Harris said this process forces the developer to look at the target price and then figure out how to obtain it. It is the opposite of how developments are completed. Chair Averill asked instead of using the target price, we could use the average median price of a house, within Harrisville, at the time of development. This way the developer and city are not arguing what the target price should be. Ms. Knight said the problem she sees with this concept is the market value of the property is different throughout the city. Discussion occurred on what the median prices are, inflation, and how attainable setting such a restriction would be for future generations.

Commissioner Francom voiced her concerns about limiting the median price only to Harrisville. She feels the county would be better due to the availability of current homes on the market. She gave her experience with looking at comps between counties and how close they are to each other. She is not certain if this is something the city needs to do in order to achieve this goal. Mr. Harris gave an example comparing building a home at the north end of the city compared to building a home to the south. He added comparing existing homes to building homes are vastly different pricing markets and do not provide an adequate base to make a target price.

Ms. Knight spoke up and said the commission does not need to define this tonight. Other items to consider include are the word disclosed. The developer will need to disclose the per unit cost and infrastructure costs. Mr. Harris added this is meant to create a trusting relationship between the city and the developer. Ms. Knight added this identifies zoning changes and adoptions of MDA's along with approvals through the Planning Commission and City Council. The city has a lot of this already in place. One of the items discussed amongst staff is the length of the process being extended by outside factors not controlled by the city or the developer. This section also outlines the process for amending an MDA or final plat.

Another review at the next regularly scheduled Planning Commission meeting for February 12, 2025, was discussed. Mr. Harris suggested when making any rule make certain it will not create a disadvantage to the city or the developer. Ms. Knight added the city already has the mechanism for moving developments through this process. The city is becoming very familiar with meeting with developers about their proposals and concepts. Nothing on this ordinance has been finalized despite the months of discussions amongst the staff.

Chair Averill declared the meeting adjourned at 9:02 PM.

Nathan Averill
Chair

Cynthia Benson
Deputy Recorder