



# HARRISVILLE CITY

363 W. Independence Blvd · Harrisville, Utah 84404 · 801-782-4100  
[www.cityofharrisville.com](http://www.cityofharrisville.com)

PLANNING  
COMMISSION:  
  
Angie Francom  
Nathan Averill  
Chad Holbrook  
Isaac Thomas

**Harrisville City Planning Commission  
Harrisville City Offices  
363 W Independence Blvd – Harrisville  
Wednesday, April 9, 2025**

**AGENDA**

[\*\*Zoom Meeting Link\*\*](#)

**Meeting ID: 874 4153 6329  
Passcode: 478451**

**6:00 WORK SESSION**

- 1. DISCUSSION** – Ordinance 562: Housing Affordability

**7:00 MEETING**

- 1. CALL TO ORDER**
- 2. CONSENT APPROVAL** – of Planning Commission meeting minutes from March 12, 2025.
- 3. DISCUSSION/ACTION/RECOMMEND** – to grant Preliminary Subdivision Plat approval for Ben Lomond Views Phase 2D located at approximately 1800 North Highway 89.
- 4. DISCUSSION/ACTION/RECOMMEND** – to recommend adoption of Ordinance 562: Housing Affordability.
- 5. PUBLIC COMMENTS** – (3 minute maximum)
- 6. COMMISSION/STAFF FOLLOW-UP**
- 7. ADJOURN**

**Certificate of Posting and Notice**

I, Cynthia Benson, certify that I am the Deputy Recorder of Harrisville City, Utah, and that the foregoing Planning Commission agenda was posted and can be found at City Hall, on the City's website [www.cityofharrisville.com](http://www.cityofharrisville.com), and at the Utah Public Meeting Notice Website at <http://pmm.utah.gov>. Notice of this meeting has also been duly provided as required by law. In accordance with the Americans with Disabilities Act (ADA), the Harrisville City will make reasonable accommodations for participation in the meeting. Please make a request for accommodation with the City Offices at 801-782-4100, x1004, at least three (3) business days prior to any meeting.



# Harrisville City Planning Commission Minutes

Harrisville City Offices

Wednesday, March 12, 2025 – 7:00 PM

**Commissioners:** Angie Francom  
Nathan Averill  
Chad Holbrook  
Isaac Thomas

**Staff:** Jennie Knight (City Administrator)  
Cynthia Benson (Deputy Recorder)  
Justin Shinsel (Public Works Director)  
Sarah Wichern (City Planner)  
Brandon Green (City Planner)

**Visitors:** Glade McCombs, Randy Smith, Lane Monson, Shauna Iverson, Mikel Iverson, Mandy Lynch, Charlie Lynch, Kirk Nigro, Michelle Nigro, Mike Farrell, Sherry Farrell, Shanna Edwards, Lynn Edwards, Kathleen Hohosh, Pia Bick, Rodney Dopp, Greg Montgomery.

## 1. CALL TO ORDER

Chair Francom opened the meeting and welcomed those in attendance.

## 2. CONSENT APPROVAL – of Planning Commission meeting minutes from February 12, 2025.

**MOTION:** Chair Francom motioned to approve Planning Commission from February 12, 2025, as written. Commissioner Averill seconded the motion.

Angie Francom	Yes
Nathan Averill	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

The motion passed with all voting in the affirmative.

## 3. PUBLIC HEARING – to take comments for/against Ordinance 562: Housing Affordability.

Jennie Knight, City Administrator, introduced the city's new contracted city planner, Sarah Wichern, and informed the audience the speakers were not working well. Ms. Wichern began a brief presentation on Ordinance 562: Housing Affordability by stating the reason homes are so expensive in Utah is for two factors: lack of supply and zoning requirements. The State enacted UCA 10-9a-403; a code requiring municipalities to incorporate an affordable housing plan into their communities. She stressed without affordable housing, we are missing a very important subset of our population, generally an important part of the population whose contributions are crucial to a community.

Mr. Green continued the presentation by stating Harrisville has been proactive in creating affordable housing. Since last October, the city has attempted to find ways to combat some of the deficiencies such as product availability for those wishing to upsize from a condo or townhome. Ordinance 562 states Critical Homeownership Developments in Harrisville offer a new approach to affordable housing. The zone overlay creates a path to homeownership for a wider range of residents by providing attainable housing without compromising quality or aesthetics. Echoing

Harrisville's rich history of multigenerational communities. These developments foster diverse, inclusive neighborhoods where families can thrive, put down roots and build a strong foundation for their future. Through innovative design and efficient land use, they create attractive living spaces where affordability and a strong sense of community go hand in hand. He emphasized this is what Harrisville is trying to achieve. He reviewed what the ordinance does, gave examples on how it may be utilized, and the purpose behind it. He concluded by saying the city is trying to achieve affordable attainable housing for residents to stay long term.

Chair Francom reviewed the rules for a public hearing. She added she appreciated the decorum of prior public hearing meetings and hoped it could be maintained throughout the hearing tonight.

**MOTION: Commissioner Holbrook motioned to open the public meeting for Ordinance 562: Housing Affordability. Commissioner Thomas seconded the motion.**

<b>Angie Francom</b>	<b>Yes</b>
<b>Nathan Averill</b>	<b>Yes</b>
<b>Chad Holbrook</b>	<b>Yes</b>
<b>Isaac Thomas</b>	<b>Yes</b>

**The motion passed with all voting in the affirmative.**

Mandy Lynch spoke about the principles of urban planning, emphasizing community participation and transparency. She stated that zoning laws govern land use and development, reflecting residents' vision for the city's future. These laws aim to ensure order, predictability, and balance in neighborhood growth. Ms. Lynch noted that public input and oversight are integral to the zoning process, requiring open discussion when changes to zoning or development are proposed to maintain a democratic process and trust in the city. Ms. Lynch addressed concerns about developments bypassing public hearings, ignoring zoning laws, or using mechanisms like overlays to obtain their desired goal. She explained that such actions shift decision-making power from the community to unelected city staff and developers, reducing public accountability. She outlined the role of the Planning Commission and elected officials to ensure decisions benefit the entire community, not only developers or special interest groups.

Charles Lynch gave examples on home prices individually, with acreage, and bank interest rates. He feels affordable housing is gone. Affordable housing only makes sense to developers and contractors. He would like to see affordable housing removed from the ordinance.

Mikel Iverson began his comments by summarizing his view on the ordinance in one sentence. "I believe it to be a tool municipalities can use to force through high density housing despite existing zoning regulations." He expressed the love the residents have for the community due to the rural flavor. He expressed his concern about what the residents will lose if preservation is not considered. He noted open space is not mentioned in the ordinance and how the proposed ordinance is a mess. He mentioned this ordinance is the same as another in Lehi and has been reworked for Harrisville. He ended his comments by thanking the commissioners for their service and recommended the ordinance be tabled for further review.

Pia Bick said she had always wanted to live here for the community, wide open space, and family. One of the considerations which brought them to Harrisville is the larger agricultural lots and farm-like community. She feels Harrisville is a rare treat and is close enough to the opera as

it is to snowcapped peaks. They have made an investment and have a stake in Harrisville. A developer's interest is in developing the land. As residents, by changing the zoning, their investment is being cheated. She gave an example of how lower density changes a community. She feels strongly the city has an obligation to the residents to keep and uphold the community they love.

Randy Smith applauded the city for the ordinance and for considering the future generations. He gave an example of how the standards for developing have changed. He sees the ordinance as a way to include public process, accountability, and holding the developer to the fire with creating an affordable product.

Kirk Nigro said he was grateful for the work the Planning Commission is doing and for their dedication. He expressed the rural feeling, and neighbors were the draw for him to choose to live in Harrisville. He questioned the zoning laws when he first moved in and understood the city was not in the process of making any big changes. He has been in economic meetings with the governor and understands affordable housing is a balancing act. The concerns he hears from the neighbors are whether the city is appropriately planning. They do not wish to see pockets of high density throughout the city and the infrastructure impacted. His concern is to make certain there are no shortcuts in place which developers can take advantage of. He would like to see a vetted process which preserves and allows growth in a responsible and well-illuminated process.

Greg Montgomery displayed an 1884 silver dollar. He gave an example of how the value of the coin changes with the person. He said Realty and building go in cycles. He gave examples of the lending bail-out in 2008 and the cost for when he built his home. He continued but saying a key thing when talking about affordability is to look at how to determine the standards for affordable housing. He feels this determination is lacking in the ordinance. He feels the ordinance alludes to potential homes, such as town homes, despite the ordinance being specifically specified to be for single-family homes.

Shanna Edwards said she concurs with Mr. Montgomery's comments. She feels the overlay gives far too much power in the administration to determine where this overlay will work.

Michelle Nigro briefly stated the ordinance will change the type of people who move here.

Chair Francom thanked all who had commented during the public comments.

**MOTION: Commissioner Averill motioned to close the public meeting for Ordinance 562: Housing Affordability. Commissioner Holbrook seconded the motion.**

<b>Angie Francom</b>	<b>Yes</b>
<b>Nathan Averill</b>	<b>Yes</b>
<b>Chad Holbrook</b>	<b>Yes</b>
<b>Isaac Thomas</b>	<b>Yes</b>

**The motion passed with all voting in the affirmative.**

**4. DISCUSSION/ACTION/RECOMMEND** – to recommend adoption of Ordinance 562: Housing Affordability.

Commissioner Averill recommended tabling the ordinance due to the recent Legislative session.

Commissioner Thomas asked what the procedural difference for zoning changes and the use of the overlay. Ms. Knight said the procedure for a zoning change would be to hold a public hearing before the Planning Commission and have the Planning Commission give a recommendation to City Council. There would be public input received at the Planning Commission level. If the overlay zone is applied, there are restrictions within the ordinance which requires the developer to show what the current zoning would allow and what they are proposing. During the discussion, the city and the developer would discuss what is attainable and what is affordable for that area. The procedural difference would be to utilize the overlay the developer would be required to complete two (2) steps, a zoning change application and a development agreement. A zoning change would only be one (1) step, the public hearing and approval through City Council. She continued by saying once the zoning change is made the process becomes administrative.

Commissioner Averill further clarified when the city rezones the property to a specified zone, they are essentially rezoning it to a negotiated zone. Mr. Green added the key is the development agreement restricts and requires the developer to develop the property a certain way. The overlay zone would allow the developer to purchase the property at a price that is a "true value". If the city attaches a density to the land, it has the potential of becoming more valuable to the developer. The ordinance places responsibility on the developer to approach the city with an overlay which meets the target price. He pointed out, state law changed allowing residential developments one approval process. A preliminary plat is shown at the Planning Commission with all other reviews being an administrative act. Mr. Green encouraged the commission to read HB0037 to familiarize themselves with the changes.

Commissioner Holbrook asked if the house bill created any potential conflicts to the overlay ordinance. Ms. Knight replied she did not see any potential conflicts. However, staff were already discussing this ordinance prior to the Legislative Session. She asked the commission to keep in mind that staff are not pushing the ordinance through. They were simply trying to get ahead of state legislation. Staff agreed with the commission about the benefit to review the Legislative changes before giving a recommendation.

The state is trying to give cities a way to become compliant with the moderate incoming housing requirements. Kudos to the Mayor who sits as chair on the Weber County Sub-Housing Committee in asking for credit be given to the cities wishing to address the affordable housing in their communities. The city will obtain credit for all three of the proposed strategies if we work towards affordable and attainable housing. Staff are trying to implement what the state is mandating in a responsible manner. Staff will not allow housing to go into places where there is inadequate infrastructure to support the development.

Commissioner Holbrook emphasized the city's efforts to stay transparent and effectively align state laws within the community. He highlighted the importance of staying ahead of potential challenges to shape the city as desired. He also expressed gratitude for the staff's dedication and the city's commitment to doing its best for Harrisville.

Mr. Green reviewed the options the Planning Commission has for their recommendation for Ordinance 562. Commissioner Thomas asked staff if they would like the chance to revisit the ordinance. Ms. Knight reviewed how the staff would like to proceed and how the motion needed to be completed if the commission desired to table the ordinance.

**MOTION: Chair Francom motioned to table adoption of Ordinance 562: Housing Affordability based on commissioner discussion. Commissioner Thomas seconded the motion.**

Angie Francom	Yes
Nathan Averill	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

**The motion passed with all voting in the affirmative.**

**5. DISCUSSION/ACTION/RECOMMEND** – to grant Preliminary Plat approval for Summit Views Phase 2 subdivision located at approximately 125 W 1100 N.

Ms. Knight reviewed the engineer's memo for Summit View Phase 2. The comments were to add the addresses to the plat; make the final corrections on the plat per red-line comments; and obtain final approval of the subdivision improvement drawings from the City's Administrative Land Use Authority. Commissioners reviewed comments and the subdivision plat.

**MOTION: Commissioner Holbrook motioned to grant Preliminary Plat approval for Summit Views Phase 2 subdivision located at approximately 125 W 1100 N subject to Harrisville City Municipal Code, City Engineer's Memo dated March 6, 2025, and any other staff or agency requirements. Commissioner Averill seconded the motion.**

Angie Francom	Yes
Nathan Averill	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

**The motion passed with all voting in the affirmative.**

**6. DISCUSSION/ACTION/RECOMMEND** – to grant Preliminary Plat approval for Butter's Heritage subdivision located at approximately 122 E. Larsen Ln.

Ms. Knight reviewed the engineer's memo. The comments included submit a recent Title Report to the City and to the County covering the proposed subdivision property; Submit the Subdivision Plat to the Weber County Surveyor's Office for their review and approval; Show Public and Municipal Utility Easements on the plat and include any other existing or proposed easements on the plat; and address all red-line comments. Commissioners reviewed comments and parcels on the plat. Ms. Knight pointed out one of the staff requests is for the developer to clean up the lot lines. Concerns were expressed about the turnout which currently resides in the northwest portion of the property. It was discovered this concern is notated within the engineer's memo. Mr. Shinsel pointed out the right-of-way will supersede this once it is constructed to clarify the notation.

**MOTION: Chair Francom motioned to grant Preliminary Plat approval for Butter's Heritage subdivision located at approximately 122 E. Larsen Ln subject to Harrisville City Municipal Code, City Engineer's Memo dated March 4, 2025, and any other staff or agency**

**requirements. Commissioner Thomas seconded the motion.**

<b>Angie Francom</b>	<b>Yes</b>
<b>Nathan Averill</b>	<b>Yes</b>
<b>Chad Holbrook</b>	<b>Yes</b>
<b>Isaac Thomas</b>	<b>Yes</b>

**The motion passed with all voting in the affirmative.**

## **7. PUBLIC COMMENTS – (3 minute maximum)**

Mandy Lynch asked if there would be another public hearing now that the ordinance is tabled. Ms. Knight answered there is no requirement to hold another public hearing.

Charles Lynch added to his prior comments by saying the reason they moved here was because West Haven did this similar thing. He thanked the commission for tabling this. He gave an example of how West Haven's version of the ordinance created a one mile stretch of development with a mixture of high-rise apartments, million-dollar homes, and a strip club.

Pia Bick expressed her concern about the proposed designs and their potential impact on property values. She urged the commission to consider the residents' interests before allowing zoning changes that could affect the community.

Greg Montgomery suggested revising the motion to continue the public hearing instead of closing it.

Mikel Iverson added to his earlier comments by reading a portion of the newspaper articles he mentions. These articles were about how a similar ordinance turned out in another city. The speaker in the article feels the ordinance throws the general plan aside. The speaker also stated her concerns about using the local municipal authority to manipulate the price of land. He encouraged the commission to eventually send a negative recommendation onto the City Council. He ended his comments by stating he hopes the commission will choose a course which meets the needs of affordable residential housing without ripping apart that which makes Harrisville, Harrisville.

Kathleen Hohosh thanked the commission for tabling. She recommended the commission read the bill Legislation passed. She expressed concerns about developers finding loopholes, which could lead to them taking advantage of the city. She also inquired about the location of a copy of the ordinance, as she was unable to locate it before the meeting.

## **8. COMMISSION/STAFF FOLLOW-UP**

Chair Francom expressed deep appreciation for former Chair Nathan Averill, recognizing his exemplary service, meticulous attention to detail, and dedication to understanding the commission's needs. She highlighted the Planning Commission's strength in its diversity of skills, perspectives, and professional and educational backgrounds, emphasizing the collective effort to serve the community effectively. Chair Francom recognized the fact that the commissioners are citizens of Harrisville and decisions made affect them as much as they will the community. She stated she had learned a lot on the commission and knows they all are doing

their best as the city moves forward.

Commissioner Averill thanked Chair Francom for the shout out. He responded to public comments by stating where the residents could find a link to the packet and agendas for the meeting on the city website. He urged the public to subscribe to the Utah Public Notice Website. Chair Francom added the packet posted is the same information the commissioners receive.

Ms. Knight expressed her appreciation to Mr. Green for his service and welcomed Ms. Wichern to the team as the new contract city planner. She also stated the bill mentioned is House Bill 0037 – Utah Housing Amendments. The section for municipalities begins around line 400.

## **9. ADJOURN**

**MOTION: Chair Francom motioned to adjourn the meeting. Commissioner Averill seconded.**

<b>Angie Francom</b>	<b>Yes</b>
<b>Nathan Averill</b>	<b>Yes</b>
<b>Chad Holbrook</b>	<b>Yes</b>
<b>Isaac Thomas</b>	<b>Yes</b>

**The motion passed with all voting in the affirmative.**

**Meeting adjourned at 8:17 PM.**

**Angie Francom**  
Chair

**Cynthia Benson**  
Deputy Recorder

**HARRISVILLE CITY  
ORDINANCE 562**

**HOUSING AFFORDABILITY OVERLAY ZONE**

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, REPEALING  
AND REPLACING TITLE 11 SECTION 16 OF THE  
HARRISVILLE CITY CODE TO BE ENTITLED "HOUSING  
AFFORDABILITY OVERLAY ZONE; SEVERABILITY; AND  
PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Harrisville City (hereafter "City") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, Title 10, Chapter 9a of the *Utah Code Annotated* enables municipalities to regulate land use and development;

**WHEREAS**, Utah Code Annotated §10-8-84 and §10-8-60 allow municipalities in the state of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, after publication of the required notice the City's Planning Commission held its public hearing on March 12, 2025, to take public comment on the proposed ordinance, and subsequently gave its recommendation to \_\_\_\_\_ this ordinance;

**WHEREAS**, the City Council received a \_\_\_\_\_ recommendation from the Planning Commission and held a public meeting on this Ordinance and now desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of Harrisville City as follows:

**Section 1: Repealer.** Title 11 Section 16 entitled "Clustered Development" is hereby repealed along with any word, sentence, paragraph, or phrase inconsistent with this Ordinance and any reference thereto is hereby vacated.

**Section 2: Replaced.** Title 11 Section 16 entitled "Housing Affordability Overlay Zone" set forth as Exhibit "A", incorporated herein by this reference, is hereby adopted.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of the Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall be effective immediately upon posting after final passage, approval, and posting.

**MICHELLE TAIT**, Mayor  
Harrisville City

**ATTEST:**

**Jack Fogal**, City Recorder

**RECORDED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**PUBLISHED OR POSTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING**

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Harrisville City, hereby certify that foregoing ordinance was duly passed and published, or posted at 1) City Hall 2) 2150 North and 3) Harrisville Cabin on the above referenced dates.

**City Recorder**

DATE: \_\_\_\_\_

DRAFT

## **HARRISVILLE CITY DEVELOPMENT CODE CHAPTER**

### **HOUSING AFFORDABILITY OVERLAY ZONE (HAOZ)**

- Section 11.16.010. Definitions.
- Section 11.16.020. Purpose.
- Section 11.16.030. Description.
- Section 11.16.040. Allowed Uses.
- Section 11.16.050. Requirements for HAOZ Projects.
- Section 11.16.060. Approval Process.
- Section 11.16.070. Amendments to Development Plan.

#### **Section. 11.16.010. Definitions**

For purposes of this Chapter, the following definitions apply:

- a) “Affordable housing” means a dwelling:
  - i) offered for sale to an owner-occupier at a purchase price affordable to a household with a gross income of no more than 120% of area median income for the county in which the residential unit is offered for sale.
- b) “Critical and Essential Workers” means persons who are actively employed within Harrisville City and surrounding cities at jobs considered critical and essential, including employees of Harrisville City, and employees in the sectors of health care, law enforcement, first responders, education, military and veterans, other government entities.
- c) “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.
- d) “Harrisville Resident” means a person whose permanent residence has been within the boundaries of Harrisville City for each of the past twelve months.
- e) “Owner Occupied” means occupied by the owner of the residential unit or their immediate family member, including the trustee or beneficiary of a trust or their immediate family member in which the owner lives and the primary residence.
- f) “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.
- g) “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. Such revisions typically address minor corrections, clarifications, or updates and do not significantly impact the subdivision’s infrastructure, lot configuration, public improvements, or compliance with applicable ordinances and regulations.

#### **Section. 11.16.020. Purpose.**

**Critical Homeownership Developments in Harrisville offer a new approach to affordable housing. The zone overlay creates a path to homeownership for a wider range of residents by providing attainable housing without compromising quality or aesthetics. Echoing Harrisville's rich history of multigenerational communities, these developments foster diverse, inclusive neighborhoods where families can thrive, put down roots, and build a strong foundation for their future. Through innovative design and efficient land use, they create attractive living spaces where affordability and a strong sense of community go hand in hand.**

The Housing Affordability Overlay Zone (HAOZ) is an overlay zone to be applied over an underlying zoning designation. There is no minimum acreage requirement for the HAOZ, and it does not need to be adjacent to other HAOZ zones.

The provisions of the HAOZ in this code establish a zoning district aimed at creating homeownership opportunities for Critical and Essential Workers, as well as others, by increasing the availability of financially attainable single-family detached homes within the City.

The intent of the HAOZ is to provide accessible and affordable homeownership opportunities in Harrisville City, fostering a multigenerational community where families can thrive across generations, promoting long-term residency and stability. By encouraging homeownership, the HAOZ seeks to:

- Provide single family housing at a significantly more attainable price for the majority of current and future Harrisville residents who desire to own a home.
- Provide priority opportunities for homeownership to Critical and Essential Workers.
- Provide a variety of housing choices into all parts of Harrisville City appropriate for residents in all stages of life.
- Allow flexible development options for single-family detached housing in areas where existing zoning, lot configurations, and standard development requirements make housing unattainable.
- Provide flexibility in architectural design, placement of buildings, setbacks, parking, and other related cost saving considerations.
- Support reductions in development costs and ongoing maintenance costs to aid in significantly reducing the cost of the homes being built in the HAOZ.
- Provide for efficient use of public services and improvements.
- Promote an attractive and safe living environment.
- Provide pride and stability through homeownership that will provide city residents with a higher life satisfaction and increased control over their lives.

#### **Section 11.16.030. Description.**

**A Critical Homeownership Development is a subdivision designed to offer more attainable housing by incorporating price adjusting factors generally restricted by traditional zoning ordinances. The primary goal is to ensure and provide a balanced opportunity for home ownership in Harrisville; specifically, to serve the critical and essential workers as well as the first-time homebuyers in Harrisville. These developments must be planned and designed in a coordinated, functional, and unified manner, with the home's sale price driving the design strategy. By focusing on creating more affordable housing options, the zone allows for greater flexibility in development standards while maintaining the aesthetic appeal and desirability of Harrisville.**

#### **Section 11.16.040. Allowed Uses.**

The Housing Affordability Overlay Zone allows a variety of single family detached residential types that meet the purpose outlined above as a permitted use. Attached residential homes may be considered when they provide attainable, target-priced homeownership opportunities in areas where land constraints prevent single-family detached homes, but where residential development remains viable and supports affordability.

#### **Section 11.16.050. Requirements for Housing Affordability Overlay Zone Projects.**

A. Qualifying Districts. Critical Homeownership Developments may be allowed at the discretion of the City Council, following a public hearing by the Planning Commission and review with recommendations

from City Staff. These developments are only allowed in areas designated as permitted uses in the General Plan and shall be governed by an approved Master Development Agreement.

B. Density and Design. The overall project density within a Critical Homeownership Overlay Zone, along with the subdivision design unit layouts, and applicable development standards will be determined by the City Council in concert with the Target Price goals. These details will be formalized in a development agreement after receiving a recommendation from the Planning Commission. No minimum density is required.

C. Critical and Essential Housing. To ensure that all units within the Housing Affordability Overlay Zone (HAOZ) remain attainable to the target customers, the units shall be subject to recorded deed restrictions, that contain at least the following:

1. Duration of Deed Restrictions: The deed restrictions shall be in effect and applicable to the units for no less than twenty years following the issuance of the first certificate of occupancy for each home. Following the expiration of the deed restriction, they shall have no further force nor effect.
2. Owner Occupancy Requirement: Units must be owner occupied, unless the owner experiences a documented Hardship. In such case the unit may be rented for a temporary period of up to 12 months. This period may be extended for an additional 12 months upon proof that the Hardship continues.
3. Enforceability: The deed restriction shall be enforceable by the City, or another entity as identified in the deed restriction.
4. Priority for ownership: For the first 30 days after a unit is listed or advertised for sale, (including any subsequent sales after the initial sale) the owner may not accept an offer to purchase unless such offer comes from one or more of the following:
  - (a) Critical and Essential Workers,
  - (b) a Harrisville Resident who does not currently own a home, or
  - (c) a first-time homebuyer.
5. General Public Sales: If, after 30 days of listing or advertising the unit for sale (including on, but not limited to, the local MLS) an owner has not received a Legitimate Offer from a qualified buyer under section 4, the owner may offer the property to the general public and accept offers from any buyer.
6. Limitation on Initial Sales: For the initial sale of the property, the developer shall, accept a price no more than the Target Price (as defined below).

#### **Section 11.16.060. Approval Process.**

Critical Homeownership Developments, are to be reviewed and approved in accordance with the following process:

- A. Establishment of Target Price. Target home price for developments in the HAOZ shall be set at 80% of the then current median home price measured in a four-mile radius of the development. (“**Target Price**”).
- B. Concept Plans. Applicant shall submit two concept plans simultaneously to the City Council for consideration at the time of rezoning application:
  1. Developer’s concept plans shall include concept plans of single-family detached lots, showing a typical “unattainable” development with standard lot sizes and development standards, contrasted against a concept plan with adjusted development standards that meet the Target Price for attainable development.
    - (a) Base Concept: The first concept plan must show the lot count and lineal footage of infrastructure under the current zoning district of the subject property.

- (b) Attainable Concept: The second concept plan shall show the lot count and lineal footage of infrastructure required to enable initial unit sales at the Target Price.
- (c) A table outlining the estimated per-unit costs to the Developer under each plan, including infrastructure costs and Developer's expected margins.
- (d) Developer's concept plan should avoid the creation of a Homeowner's Association (HOA) that can impose assessments, when possible, unless specific conditions determined by the City Council require an HOA.

C. Development Agreement. The applicant and City Staff shall prepare a Development Agreement that formalizes the accepted Target Price, proposed lot and building area criteria, subdivision design, and unit design, in accordance with the Developer's Concept Plan. The Development Agreement shall also include an exhibit detailing the form of the deed restrictions, which outlines the qualification, terms and conditions, and the party responsible for enforcing the deed restriction.

D. Zone Change and Development Agreement Adoption. Once the Development Agreement and Concept Plan have been prepared, the Developer shall apply to the City for adoption of the Housing Affordability Overlay Zone and the Development Agreement. Approval of Critical Homeownership Developments is subject to the requirements of this Chapter and the procedures outlined in this Code. The approval of both the Housing Affordability Overlay Zone and the accompanying Development Agreement are legislative decisions made by the City Council and are subject to established procedures for zone changes, including a public hearing at Planning Commission stage. If approved, the overlay zone should be approved first, followed by the approval of the Development Agreement.

E. Preliminary Plat. Following the approval and adoption of the HAOZ and the Development Agreement, the review of the preliminary plat becomes an administrative and technical process. The Preliminary Plat assesses the subdivision design in accordance with the approved concept plan and development agreement. Preliminary approval shall only be granted when there is reasonable certainty that the Critical Homeownership Development will meet all the requirements of this Chapter, the concept plan, and development agreement.

The preliminary application requirements for a Critical Homeownership Development are the same as those for a preliminary subdivision plat as identified in Section 12.02.06.02, except where conflicts arise between this code, the Concept Plan, or the Development Agreement, in which case the former controls. The Planning Commission will approve the Preliminary Plat after review by the appropriate city departments.

F. Final Plat. Review of the final plat is an administrative and technical process. The applicant shall submit all detailed and technical information necessary to demonstrate compliance with all City standards, requirements, and conditions. Final approval shall only be granted if the final plat conforms to the preliminary plat approval and meets the City requirements for final subdivision plat approval as outlined in Section 12.02.06.04.

#### **Section 11.16.070. Amendments to the Development Plan.**

Applicants may request revisions to approved preliminary or final Critical Homeownership Development plans. All requests for revisions shall be submitted in writing to the City. Changes and amendments to approved preliminary and final Planned Critical Homeownership Development plans will be processed using the same procedure as the original review and approval, unless the changes qualify as a Minor Revision as identified in Section 11.16.010 of this Code.

# MEMORANDUM

TO: Harrisville City Planning Commission

FROM: Matt Robertson, P.E.  
City Engineer

RE: **BEN LOMOND SUBDIVISION PHASE 2D**  
**Preliminary Plat Review**

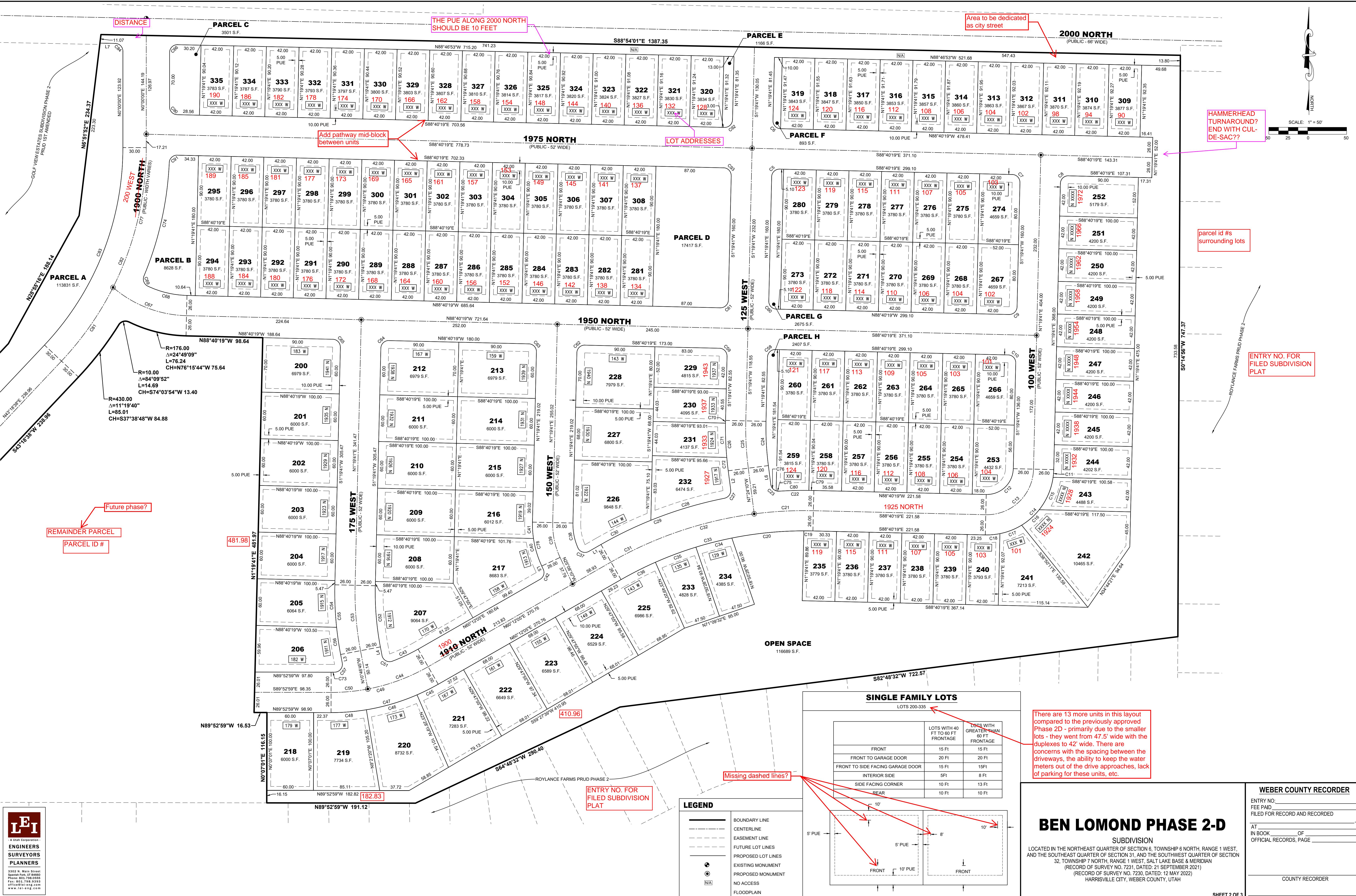
Date: April 3, 2025

Our office has completed a review of the preliminary subdivision plat for the referenced subdivision. This preliminary plat is an updated plat for this previously approved phase of the mixed-use development in the northeast corner of the golf course property. The updated plat includes 135 single-family residential units which is an increase of 13 units compared to the previously approved subdivision. The main change in the proposed subdivision is changing the duplexes to single family units and decreasing the frontage width of many of these single-family units from 47.5' to 42'. We recommend preliminary approval of the plat at this time with the following comments to be resolved with the City's Administrative Land Use Authority prior to final approval:

1. Add the lot addresses to the plat and make the final corrections per our red-line comments.
2. Submit the updated plat to the Weber County Surveyor's office and receive approval.
3. Submit an updated landscape plan for this phase per the requirements of the MDA. A previous plan had been submitted; however, it should be updated to incorporate the changes and to include the larger park along 1900 North, which is not a part of this phase.
4. We would recommend adding a pathway between the units somewhere between 200 West and 125 West to break up the row of homes and to provide more connectivity.
5. Obtain final approval of the subdivision improvement drawings from the City's Administrative Land Use Authority.
6. Obtain all will serve/final approval letters from outside agencies (Bona Vista, Pineview Water, RMP, Enbridge, North View Fire). Some of these may have been obtained with the old approval, but the updated plans need to be sent, and new approvals obtained.

Please let us know if you have any questions.





CURVE TABLE				CURVE TABLE				LINE TABLE				
CURVE	RADIUS	DELTA	LENGTH	CHORD	CURVE	RADIUS	DELTA	LENGTH	CHORD	LINE	DIRECTION	LENGTH
C5	10.00	90°00'00"	15.71	N46°19'41"E 14.14	C50	250.00	10°52'49"	47.47	N84°40'36"E 47.40	L1	S60°12'05"W	17.86
C6	10.00	90°00'00"	15.71	N43°40'19"W 14.14	C51	10.00	99°39'57"	17.39	S60°36'44"E 15.28	L2	S7°24'10"E	24.42
C7	10.00	90°00'00"	15.71	S43°40'19"W 14.14	C52	374.00	12°06'27"	79.03	S4°43'32"E 78.88	L3	S10°46'45"E	11.08
C8	10.00	90°00'00"	15.71	N46°19'41"E 14.14	C53	400.00	12°06'27"	84.53	N43°32'W 84.37	L4	S10°46'45"E	11.10
C9	10.00	90°00'00"	15.71	S46°19'41"W 14.14	C54	426.00	7°21'14"	54.68	S2°20'56"E 54.64	L5	N25°08'10"W	4.61
C10	10.00	90°00'00"	15.71	S43°40'19"E 14.14	C55	426.00	12°06'27"	90.02	S4°43'32"E 89.85	L6	N7°24'10"W	24.42
C11	86.00	6°40'39"	10.02	N44°00'16"E 10.02	C56	426.00	4°45'13"	35.34	S8°24'09"E 35.33	L7	N88°50'56"W	19.76
C12	34.00	90°00'00"	53.41	S46°19'41"W 48.08	C57	10.00	99°42'12"	17.40	S39°04'21"W 15.29			
C13	60.00	90°00'00"	94.25	N46°19'41"E 84.85	C58	10.00	90°00'00"	15.71	N46°19'41"E 14.14			
C14	86.00	90°00'00"	135.09	N46°19'41"E 121.62	C59	10.00	90°00'00"	15.71	S43°40'19"W 14.14			
C15	86.00	30°31'35"	45.82	N23°16'07"E 45.28	C60	10.00	90°00'00"	15.71	N43°40'19"W 14.14			
C16	86.00	90°00'00"	135.09	N46°19'41"E 121.62	C61	10.00	90°00'00"	15.71	S46°19'41"W 14.14			
C17	86.00	20°05'16"	30.15	N68°41'29"E 30.00	C62	10.00	90°00'00"	15.71	N46°19'41"E 14.14			
C18	86.00	90°00'00"	135.09	N46°19'41"E 121.62	C63	10.00	90°00'00"	15.71	N43°40'19"W 14.14			
C19	474.00	1°24'39"	11.67	S89°22'38"E 11.67	C64	10.00	90°00'00"	15.71	S46°19'41"W 14.14			
C20	474.00	11°15'23"	93.12	N84°17'21"E 92.97	C65	10.00	90°00'00"	15.71	S43°40'19"W 14.14			
C21	500.00	8°43'52"	76.19	N86°57'45"E 76.12	C66	10.00	91°13'07"	15.92	S45°36'33"W 14.29			
C22	526.00	4°52'48"	44.80	S88°53'17"W 44.79	C67	150.00	39°23'28"	103.13	S68°58'35"E 101.11			
C23	10.00	64°51'57"	11.32	N39°50'09"W 10.73	C68	124.00	24°05'54"	52.15	N76°37'21"W 51.77			
C24	374.00	8°43'52"	56.99	N3°02'15"W 56.94	C69	10.00	87°10'01"	15.21	N20°59'24"W 13.79			
C25	400.00	8°43'52"	60.95	N3°02'15"W 60.90	C70	426.00	0°28'05"	3.48	S1°05'39"W 3.48			
C26	426.00	8°43'52"	64.92	S3°02'15"E 64.83	C71	426.00	5°56'08"	44.13	S2°06'28"E 44.11			
C27	10.00	86°08'56"	15.04	S35°40'18"W 13.66	C72	426.00	2°19'39"	17.31	S6°14'21"E 17.30			
C28	526.00	10°46'23"	98.90	S73°21'34"W 98.75	C73	224.00	1°11'34"	4.66	S89°31'14"W 4.66			
C29	526.00	18°32'41"	170.25	S69°28'25"W 169.51	C74	430.00	20°01'33"	150.29	N12°34'50"E 149.53			
C30	526.00	7°46'18"	71.35	S64°05'14"W 71.29	C75	10.00	21°16'59"	3.71	N82°54'37"W 3.69			
C31	500.00	22°23'45"	195.44	N71°23'57"E 194.20	C76	10.00	64°51'57"	11.32	N39°50'09"W 10.73			
C32	500.00	31°07'37"	271.63	N75°45'53"E 268.31	C77	400.00	26°42'27"	186.45	N13°21'13"E 184.77			
C33	474.00	31°07'37"	257.51	N75°45'53"E 254.35	C78	126.00	26°27'51"	58.20	N11°54'14"W 57.68			
C34	474.00	5°45'46"	47.67	N75°46'46"E 47.65	C79	526.00	4°17'53"	39.46	S89°10'45"W 39.45			
C35	474.00	6°43'13"	55.60	N69°32'17"E 55.56	C80	526.00	4°17'53"	39.46	S89°10'45"W 39.45			
C36	474.00	5°58'36"	49.44	N63°11'22"E 49.42	C81	400.00	16°36'11"	115.91	N35°00'32"E 115.51			
C37	10.00	95°47'43"	16.72	N71°54'04"W 14.84	C82	400.00	43°18'38"	302.36	N21°39'19"E 295.22			
C38	74.00	25°19'56"	32.72	N11°20'16"W 32.45	C83	370.00	43°18'38"	279.69	N21°39'19"E 273.08			
C39	100.00	26°27'51"	46.19	N11°54'14"W 45.78	C84	10.00	88°50'56"	15.51	N44°25'28"W 14.00			
C40	126.00	16°52'47"	37.12	N16°41'46"W 36.99	C85	570.00	16°55'45"	168.42	N51°46'31"E 167.81			
C41	126.00	9°35'04"	21.08	N3°27'51"W 21.05	C86	600.00	16°55'45"	177.28	N51°46'31"E 176.64			
C42	10.00	85°20'14"	14.89	N17°31'57"E 13.56	C87	370.00	29°52'38"	192.94	N75°10'42"E 190.76			
C43	224.00	9°21'13"	36.57	N64°52'41"E 36.53	C88	400.00	29°52'38"	208.58	N75°10'42"E 206.23			
C44	250.00	19°02'07"	83.06	N69°43'08"E 82.68	C89	1500.00	20°14'37"	529.98	N79°59'42"E 527.22			
C45	276.00	6°19'36"	30.48	N63°21'53"E 30.46	C90	10.00	88°40'19"	15.48	S44°20'09"E 13.98			
C46	276.00	14°06'59"	68.00	N73°35'10"E 67.83	C91	10.00	88°45'38"	15.49	N46°56'53"E 13.99			
C47	276.00	29°54'56"	144.11	N75°09'33"E 142.48	C92	10.00	90°00'00"	15.71	N46°19'41"E 14.14			
C48	276.00	9°28'21"	45.63	N85°22'50"E 45.58	C93	10.00	90°00'00"	15.71	S43°40'19"E 14.14			
C49	250.00	29°54'56"	130.53	N75°09'33"E 129.05								

