

**HARRISVILLE CITY
ORDINANCE NO. 496**

750 WEST ZONING MAP AMENDMENT

**AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE
OFFICIAL ZONING MAP FOR CERTAIN PARCELS ON 750 WEST BASED
UPON AN APPLICATION FILED BY BRYAN BAYLES; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Harrisville City is a municipal corporation, duly organized and existing under the laws of the State of Utah;

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

WHEREAS, the City has adopted an Official General Plan and Zoning Map to govern land use within the City;

WHEREAS, the City received an Application to amend the Official Zoning Map of Harrisville City filed by Bryan Bayles and desired to act upon the same;

WHEREAS, the attached Exhibit "A" contains the required Conceptual Plan for the area of the proposed amendment to the Zoning Map;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on October 10, 2018, to take public comment on the proposed ordinance, and on November 14, 2018, the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on _____, 2018 to act upon this Ordinance;

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

Section 1: Zoning Map Amendment. That the Zoning Map for certain real property identified as Weber County Parcel Numbers 17-065-0042 and 17-065-0038 and as set forth in the attached Exhibit "A" which is hereby adopted and incorporated herein by this reference, is hereby changed from A-1 Agriculture Zone to the R-1-10 Residential Zone.

Section 2: Concept Plan and Reversion. The Concept Plan attached in Exhibit "A" which is hereby adopted and incorporated herein by this reference is adopted as the required Concept Plan for this Zoning Map Amendment. Any development must substantially conform to this Concept Plan. In the event that any development fails to substantially conform to the

Concept Plan, or in the event that the final plat is not recorded with Weber County within eighteen (18) months of the effective date of this Ordinance, then the property is automatically reverted to its prior zoning of A-1 Agriculture.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this ordinance is unconstitutional or invalid, then such portion of the 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.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2018.

MICHELLE TAIT, Mayor
Harrisville City

ATTEST:

JENNIE KNIGHT, City Recorder

Roll call vote is as follows: Mrs. Pearce Mr. Robinson Mr. Wilhelmsen Mr. Beecher Mr. Weiss

RECORDED this ____ day of _____, 2018.
PUBLISHED OR POSTED this ____ day of _____, 2018.

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)_____ 2)_____ and 3)_____ on the above referenced dates.

City Recorder DATE:_____



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-1449 Fax

Uniform Land Use & Development Application

For office use

Zone: A-1 Filing Date: 9-24-18 Fee Paid: \$300

Cash/Check/Credit Card (Circle One) Receipt #: 049041 Taken by: JB

Applicant's Name: Bryan Bayles

Applicant's Address: 1656 Equestrian Park Way, Kayville

Property Owner's Name: Elite Properties of Utah

Harrisville Property Address: 750 West 2100 North

Name of Project: _____ Project Engineer: Andy Hubbard
Crest Basin Engineering

Property Acreage: 28.25

County Parcel Number: 17-065-0042 AND 17-065-0038

Is site in the flood plan YES ☒ NO ☐ Is the site in a hazard area YES ☒ NO ☐

Select Type of Application/Action Requested	
<input type="checkbox"/> Site Plan/Use Permit <input type="checkbox"/> Amended Site Plan/Use Permit <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Amended Conditional Use Permit <input type="checkbox"/> Home Occupation without Visiting Clientele <input type="checkbox"/> Home Occupation with Visiting Clientele <input type="checkbox"/> Other: _____	<input type="checkbox"/> Lot Consolidation <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Expand Nonconforming Use <input type="checkbox"/> Sign Ordinance Review <input checked="" type="checkbox"/> Zoning Map Amendment <input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Agriculture Protection Area <input type="checkbox"/> Vacate Public Right-of-way

Please describe your request:
See attachment

Code Compliance (Enter the Code Sections Supporting this Application):
See attachment

I hereby certify to the best of my knowledge that I have attached all the required plans, met the required codes and regulations, and paid all fees. I understand incomplete applications will be returned unprocessed:

Bryan Bayles
Applicant's Signature

Chris Williams
Property Owner Signature and Authorization

9/21/2018
Date

9/27/2018
Date



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-1449 Fax

Uniform Land Use & Development Application

For office use

Zone: A-1 Filing Date: 09-24-18 Fee Paid: \$300.00

Cash ☒ Check ☐ Credit Card (Circle One) Receipt #: 049041 Taken by: JB

Applicant's Name: Bryan Bayles
Applicant's Address: 1656 Equestrian Park Way, Kayville
Property Owner's Name: Elite Properties of Utah
Harrisville Property Address: 750 West 2100 North
Name of Project: _____ Project Engineer: Andy Hubbard
Property Acreage: 28.25 Cocan Basin Engineering
County Parcel Number: 17-065-0042 AND 17-065-0038
Is site in the flood plain YES ☒ NO ☐ Is the site in a hazard area YES ☒ NO ☐

Select Type of Application/Action Requested	
<ul style="list-style-type: none">Site Plan/Use PermitAmended Site Plan/Use PermitConditional Use PermitAmended Conditional Use PermitHome Occupation without Visiting ClienteleHome Occupation with Visiting ClienteleOther: _____	<ul style="list-style-type: none">Lot ConsolidationLot Line AdjustmentExpand Nonconforming UseSign Ordinance Review<input checked="" type="checkbox"/> Zoning Map AmendmentGeneral Plan AmendmentAgriculture Protection AreaVacate Public Right-of-way

Please describe your request:
See attachment

Code Compliance (Enter the Code Sections Supporting this Application):
See attachment

I hereby certify to the best of my knowledge that I have attached all the required plans, met the required codes and regulations, and paid all fees. I understand incomplete applications will be returned unprocessed:

Bryan Bayles
Applicant's Signature
Andy Hubbard
Property Owner Signature and Authorization

9/21/2018
Date
9/21/18
Date

IMG_7526.JPG

HARRISVILLE CITY

APPLICATION TO AMEND THE HARRISVILLE CITY
GENERAL PLAN / ZONING MAP

Fee Amount \$ 300
(General Plan \$300 / Zoning Map \$300)

Receipt Number 049041
Date 9-24-18

Land Serial Number 17-065-0042 AND 17-065-0038

Owner(s) of Record Elite Properties, L.P. Utah
Address 2681 E 6425 S.
Ogden, UT 844035
Phone _____

Applicant's Name Bryan Bayler
Address 1656 Equestrian Park Way
Kaysville UT 84037
Phone 801-634-2129

Street address or location of property for which a change in zoning is requested. approximately
750 West 2100 North, Harrisville City

Present General Plan Land Use designation Semi-Rural Residential Zoning designation A-1
Present use of the property is: Farming and livestock

Proposed General Plan Land Use designation Semi-Rural Resi. Zoning designation R-1-20
Proposed use of the property is: Residential Community

Have any Conditional Use Permits been granted for this property? YES X NO. If YES,
give details: _____

This petition must be signed by the property owner of record or the petitioner must furnish an affidavit from the owner giving
authorization to appear before any city administrative or legislative body to act on behalf of the owner in matters pertaining to
this petition.

Date 9-24-2018

Petitioner: Shirley Williams

- ☒ The petitioner must provide the names and addresses of all property owners within 500 feet of this property. Attach a list and include postage to cover notice to the property owners listed.
- ☒ Petitioner must provide a copy of the county plat and include the legal description of the property to be included in the amendment.
- ☒ Give the reason for requesting an amendment.
- ☒ Explain how the proposed amendment is in harmony with the City General Plan Land Use Map, including what conditions exist in the general area to warrant such a change. How is the change in the public interest as well as the applicant's desire?



HARRISVILLE CITY

363 West Independence • Harrisville, Utah 84404 • (801) 782-4100

PLANNING COMMISSION OFFICE

Date: September 25, 2018

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET OF THE PROPERTY LOCATED AT 750 W 2100 N OWNED BY ELITE PROPERTIES OF UTAH.

The Planning Commission will review a **rezoning ordinance** for the property located at 750 W 2100 N at their next meeting. The lot will be rezoned from an A-1 zone to an R-1-20 zone.

The Planning Commission will meet to discuss the rezoning for this property and make a recommendation for it on **Wednesday, October 10, 2018 at 7:00 p.m.** at the city office, 363 W Independence Blvd, Harrisville, Utah. You are invited to attend this meeting to voice your concerns about, support for or against this rezoning ordinance. You may also contact the city office between the hours of 8:00 a.m. and 5:00 p.m., Monday through Thursday, 8:00 a.m. and 12:00 p.m. Friday, at (801) 782-4100 prior to the meeting.

Sincerely,

A handwritten signature in cursive script that reads 'Laurence Boswell'.

Laurence Boswell
Land Use Coordinator

Jay Bowcutt
6149 S 6300 W
Hooper, UT 84315

Kristy L Rose
2102 N 950 W
Ogden, UT 84404

Amber & Tyler Bingham
2106 N 950 W
Ogden, UT 84404

Mcintosh Sandra S Living Trust
2110 N 950 W
Ogden, UT 84404

Jonathan N Nauman
2114 N 950 W
Ogden, UT 84404

Ryan C & Jennifer Law Law
2118 N 950 W
Ogden, UT 84404

Tyler Eyres
2122 N 950 W
Ogden, UT 84404

Austin Tracy
1825 N Highway 89
Ogden, UT 84404

Robert L Proudfit Iii
PO Box 150208
Ogden, UT 84415

Ryric Associates Llc
2221 N Highway 89
Ogden, UT 84404

Kimberly-Clark Worldwide Inc
400 Goodys Ln #100
Knoxville, TN 37922

Heidi G Smith
795 Willowbrook Ln
Ogden, UT 84404

Jose A Roriguez
799 Willowbrook Ln
Ogden, UT 84404

Adam Beus
803 Willowbrook Ln
Ogden, UT 84404

Trevor R & Adrienne Rees
813 Willowbrook Ln
Ogden, UT 84404

Madison M Reed
825 Willowbrook Ln
Ogden, UT 84404

Breanne R & Kale B Moore
833 Willowbrook Ln
Ogden, UT 84404

Christopher D & Shantel M Spatig
470 W 1800 N #102
Logan, UT 84341

Wesley & Bashford M M
861 Willowbrook Ln
Ogden, UT 84404

Daniel & Nirda Judd
875 Willowbrook Ln
Ogden, UT 84404

Shaun & Brenda Minnoch
899 Willowbrook Ln
Ogden, UT 84404

Stewart & Caroline Peterson
905 Willowbrook Ln
Ogden, UT 84404

Michael & Andrea Hodson
915 Willowbrook Ln
Ogden, UT 84404

Harrisville City
363 Independence Blvd
Ogden, UT 84404

Oregon Short Line Railroad Company
198 W 28Th St
Ogden, UT 84401

Kirk L & Tracy Teuscher
1827 W 1800 N
Farr West, UT 84404

Michael S & Nannetta R Petersen
1854 N 750 W
Ogden, UT 84404

Utah Department Of Transportation
PO Box 148420
Salt Lake City, UT 84114

Union Pacific Land Resources
Corporation
110 N 14Th St #1000
Omaha, NE 68102

Oregon Short Line Railroad Company
198 W 28Th St
Ogden, UT 84401

Moyes Family Trust
410 Jackson Ave
Ogden, UT 84404

Oregon Short Line Railroad Company
198 W 28Th St
Ogden, UT 84401

State Road Commission Of Utah
, UT

Moyes Family Trust
410 Jackson Ave
Ogden, UT 84404

Elite Properties Of Utah
2681 E 6425 S
Ogden, UT 84403

Elite Properties Of Utah Llp
2681 E 6425 S
Ogden, UT 84403

Stettler Investment Llc
663 N Adamswood Rd
Layton, UT 84040

William N & Dianna J Gooch
1900 N 750 W
Ogden, UT 84404

Willow Brook Village Pud Plat & A
Homeowners Association
153 N 4950 W
Clearfield, UT 84015

Willow Brook Village Pud & Plat B Hoa
2138 Pebblebrook Rd
Ogden, UT 84404

Willow Brook Village Pud & Plat B Hoa
2138 Pebblebrook Rd
Ogden, UT 84404

Willow Brook Villages & Homeowners
Association Inc
2138 Pebblebrook Rd
Ogden, UT 84404

Utah Department Of Transportation
PO Box 148420
Salt Lake City, UT 84114

Stettler Investment Llc
663 N Adamswood Rd
Layton, UT 84040

Amanda Clark
921 W 2100 N
Ogden, UT 84404

Joshua Sontag
923 W 2100 N
Ogden, UT 84404

Isaiah & Melissa Salazar
929 W 2100 N
Ogden, UT 84404

Shiloh & Andrea Lloyd
935 W 2100 N
Ogden, UT 84404

Shaquella Cretain & Raneshia
Robinson-Cretain
943 W 2100 N
Ogden, UT 84404

Tiffany Orton
2100 N 2100 N
Pleasant View, UT 84404

Eleanor P Jenson
1755 N 750 W
Ogden, UT 84404

Eleanor P Jenson
1755 N 750 W
Ogden, UT 84404

Gae D & James E Leishman
1765 N 750 W
Ogden, UT 84404

Clark Dawna R Trust
1782 N 750 W
Ogden, UT 84404

Barrow Blaine & Launa Trust
1785 N 750 W
Ogden, UT 84404

Rick Corwin
1797 N 750 W
Ogden, UT 84404

Ruby Ann Wall
1806 N 750 W
Ogden, UT 84404

Colin J Fisher
1811 N 750 W
Ogden, UT 84404

Medora E Durrant
1812 N 750 W
Ogden, UT 84404

Stephen W & Mary Lynn Bond
1825 N 750 W
Ogden, UT 84404

Marvin B Downard
1842 N 750 W
Ogden, UT 84404

Nathan & Elizabeth Musgrave
1843 N 750 W
Ogden, UT 84404

Michael & Nannetta Petersen
1854 N 750 W
Ogden, UT 84404

Micheal & Sherry Farrell Trust
1855 N 750 W
Ogden, UT 84404

Roger W & Lynette Shuman
1870 N 750 W
Ogden, UT 84404

Roybal Family Trust
1890 N 750 W
Ogden, UT 84404

William N & Dianna J Gooch
1900 N 750 W
Ogden, UT 84404

Farrell Donald & Gaylene Trust
1933 N 750 W
Ogden, UT 84404

Donald & Gaylene Farrell Family Trust
1933 N 750 W
Ogden, UT 84404

Mg Rich Family Trust
1990 N 750 W
Ogden, UT 84404

Von Hubbard
PO Box 364
Willard, UT 84340

E Blair E & Colleen M Burdess
2121 N 750 W
Ogden, UT 84404

Campbell Clan Llc
PO Box 13243
Ogden, UT 84412

James D Ward
2104 N 925 W
Ogden, UT 84404

Camren & Ashley Applegate
2107 N 925 W
Ogden, UT 84404

James M & Heidi M Pearson
2108 N 925 W
Ogden, UT 84404

Breann Orton & Eduardo Agavo
2109 N 925 W
Ogden, UT 84404

Craig & Constance Merrill Merrill
3423 Viking Dr
Eden, UT 84310

Curtis Leavitt
2115 N 925 W
Ogden, UT 84404

Josh Riedesel
2116 N 925 W
Ogden, UT 84404

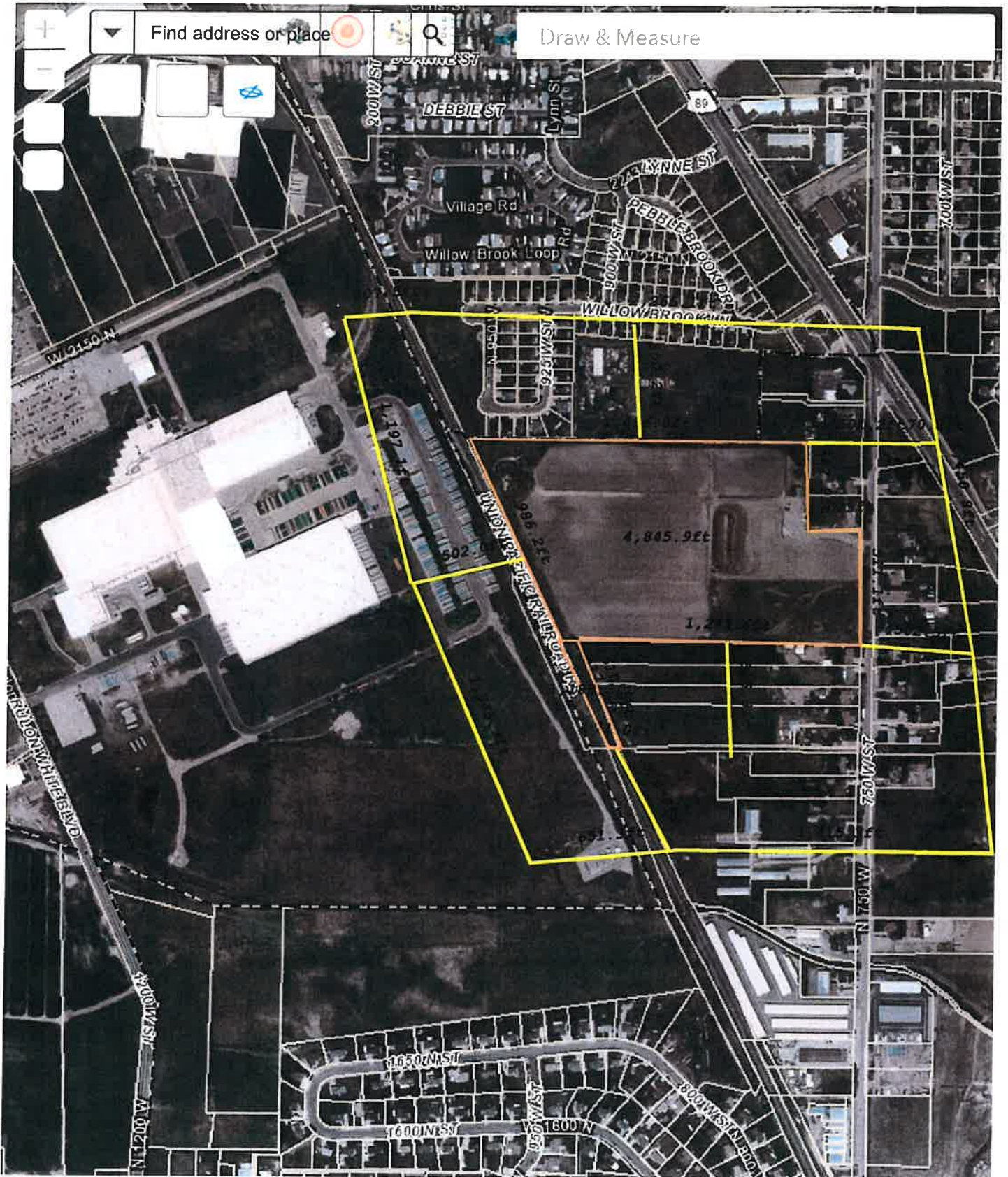
Lewis M & Kylee A Jenkins
2119 N 925 W
Ogden, UT 84404

Tonya Jarrett
2120 N 925 W
Ogden, UT 84404

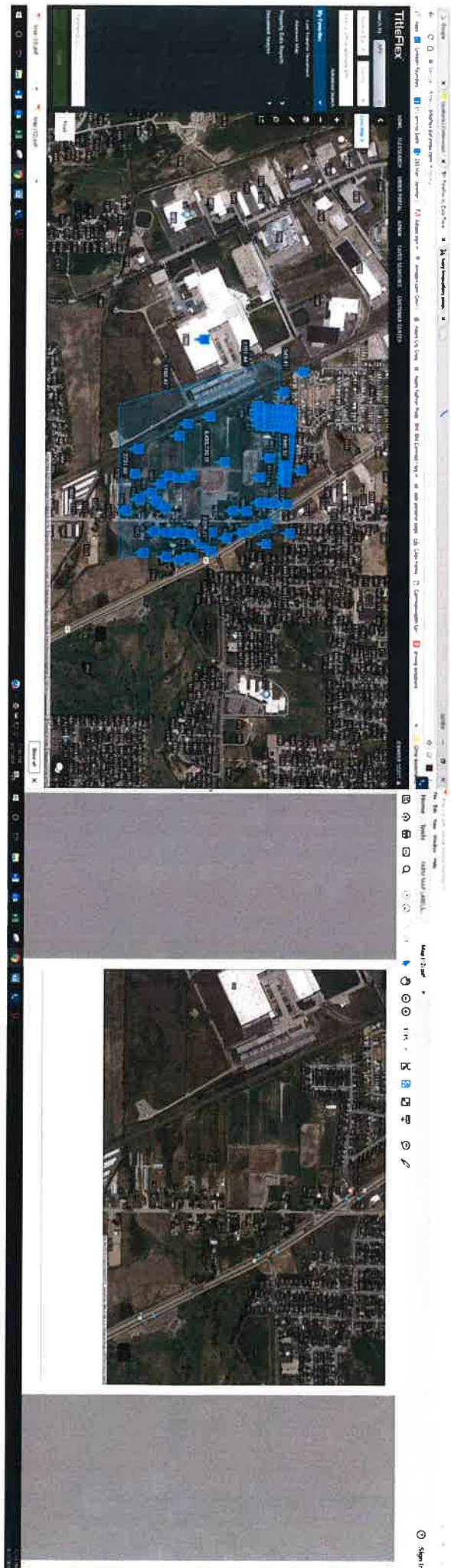
James & Jamie Hutchison
2121 N 925 W
Ogden, UT 84404



Weber County Geo-Gizmo



600ft





S.W. 1/4
SECTION 31, T.7N., R.1W., S.L.B. & M.

TOWNS OF HARRISVILLE & PLEASANT VIEW & HARRISVILLE DISTRICT

65

TAXING UNIT: 17, 20, 64,

SCALE 1" = 200'

SEE PAGE 66

SEE 17060002

QUAD D PROPERTY SUB
SEE PAGE 270

WILLOW BROOK
VILLAGE SUB

SEE PAGE 217

WILLOW
BROOK

VILLAGE PUD
PLAT A

SEE PAGES 332 & 333

WILLOW BROOK VILLAGE PUD
PLAT B

P. 369

SEE P. 217

MOYES FAMILY TRUST
DTD DEC. 11, 2014

170650017

2.47 AC±

TU G1

MOYES FAMILY TRUST
DTD DEC. 11, 2014

170650035

TU 20

E BLAIR BURDESS
& WF COLLEEN H

170650032

1.88 AC±

TU 20

VON HUBBARD

170650003

1.81 AC±

TU 20

CONRAD & CARLENE
FA-RELL FAMILY

170650045

1.80 AC±

TU 20

ELITE PROPERTIES OF UTAH LLP

170650042

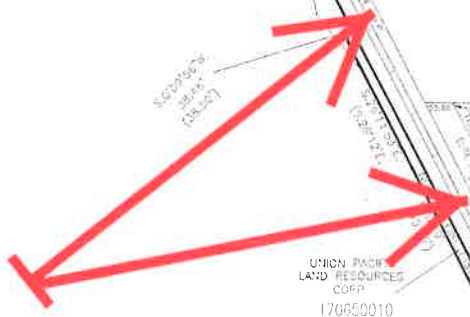
27.62 AC± (NOT INC. ST)

TU 20

SEE 190410076

SEE BOOK 19
PAGE 41-2

SEE PAGE
64



UNION PACIFIC
LAND RESOURCES
CORP.
170650010
TU 20

MICHAEL & SHERRY FARRELL FAMILY TRUST
170650043

3.14 AC±

TU 20

NATHAN MUSGRAVE & ELIZABETH MUSGRAVE

170650025

2.69 AC±

TU 20

STEPHEN W BOND & WF MARY LYNN

170650027

2.32 AC± TU 20

TRAVIS ADAM CROWTHER
170650007

4.51 AC±

TU 20

TRAVIS ADAM CROWTHER

170650004

23.000 AC±

TU 20

COUN J FISHER

170650005

NOTE: NO SECTION LINE DATA AVAILABLE
AS OF 1-67
THIS MAYBE AN OVERSIZED 1/4 SECTION.

SEE BOOK 11, PAGE 20

J.C.F. 12-66

This plat is made solely for the purpose of assisting in locating the property and Cottonwood Title Insurance Agency, Inc. assumes no liability for variation, if any, with actual survey.



Zoning Map Amendment explanation for 29-acre property (address:750 West 2100 North)

The proposed Zoning Map Amendment of R-1-20 is in harmony with Harrisville City's General Plan Land Use Map of Semi-Rural Residential. The proposal anticipates using the cluster subdivision with a bonus density (Harrisville City Municipal Code Section 11.016). The conditions that exist in the general area to warrant such a change include the following:

- The property is located in a somewhat industrial area, with the train tracks and Kimberly Clark as well as various other industrial uses to the west
- The higher density homes, including trailer parks, to the north
- Direct access to major transportation corridors including the Freeway and commercial uses avoids longer commutes creating congestion on surface streets
- The property is just over a mile from the Pleasant View Front Runner Station which has the potential to allow residents to avoid congestion on surface streets

The proposed community anticipates using the cluster subdivision with a bonus density. The ordinance (Section 11.016.050) identifies a menu of items that allow for bonus densities to be achieved. Our application will utilize the following items:

1. 5% for porches
2. 5% for Landscaped strips
3. 5% for landscaped entry monuments
4. 25% for two of the amenities mentioned, including a volley ball court and playground equipment
5. 10% for trails as shown on city trail map
6. 10% for energy efficient homes as acceptable to the Planning Commission

The average lot size is over 10,000 SF. The ordinance says: "Uses permitted in the cluster development shall conform to the most closely related zone as determined by the land use authority". As a result, our proposal has followed the building and development standards for the R-1-10 zone.

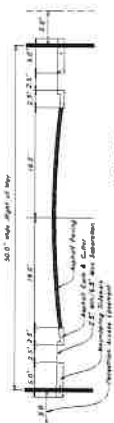
More broadly, the proposed rezone would help Harrisville City and thus the public accomplish the objectives as outlined in the General Plan:

- One of the City's main objectives is supporting an environment for existing and new retail to be economically viable. The General Plan states, *"To encourage the establishment and continued viability of basic retail and commercial stores and services which will satisfy the shopping needs of Harrisville residents, which will enhance the city's sales and property tax revenues, and provide the highest quality goods and services for local residents."* Additional roof tops are one of the major drivers to provide the environment for new and existing retail to succeed.
- The city has expressed interest in providing new housing stock. The general plan says "It is the goal for the city to provide a balance of land uses that meet the needs of the residents of the city. One of the challenges facing Harrisville is the aging housing stock. The city encourages property owners to maintain and improve their properties in order to stabilize neighborhoods." Our proposal would help support that objective while meeting regional expectations for quality residential development.
- The City has acquired approximately 13 acres and is "currently planning to construct a municipal park complex on 750 West that will include a playground, recreation center, baseball diamond, city hall, and police station. This is a priority of the city." The proposed community would be located within 200 yards of the City facility.
- Lot sizes in the 10,000 SF range are more affordable for a greater portion of the public at large, require less maintenance than larger lots, and are consistent with regional and national residential market trends.
- Our proposed community will support the City's focus from the General Plan of, *"Guide future growth and development into areas that can be efficiently and effectively served by public infrastructure, and facilities and new developments shall only be permitted to the degree that the city has capacity to provide the necessary services and facilities."* The property is adjacent to existing roads and utilities so significant system upgrades and corresponding expenses are not required.
- Our proposed community will support the City's focus from the General Plan of, *"Access management is an important tool to help arterial corridors reduce accidents and preserve capacity. The limiting of driveway access and proper spacing of local road intersections when planned properly will insure a longer life and functional capacity of the arterial system... Frequent and direct property access is more compatible with the function of local and collector roadways."* The traffic from our proposed community minimizes driveway access onto to collector streets (750 West) and will not increase the need for additional traffic signals in that the majority of the traffic from the proposed community will utilize existing traffic signals and routes.
- Our proposed community will support the City's focus from the General Plan of, *"As much as practical, all areas of the city and all future development areas should be connected together through linked and connected roads, streets, sidewalks, trails, open space and park areas."* The proposed community includes an equestrian trail that the City has identified on the "Pathways Master Plan (page 20 of the General Plan).
- *The General Plan states, "Provide well planned, clean, safe, livable areas and neighborhoods... Encourage property owners to keep their property clean and free of weeds and debris through a community beautification program."* Our proposed community will support that objective through the establishment of an HOA to establish standards higher than those of the City.



Site Details

Roughing
 281,182 Sq. Ft. (6.45 Acres)
 22,516
 Open Space
 139,332 Sq. Ft. (3.18 Acres)
 1,146
 Lots
 806,807 Sq. Ft. (18.52 Acres)
 63,738
 Overall Site
 1,223,221 Sq. Ft. (28.17 Acres)
 Average lot Size
 10,685 Sq. Ft. (0.24 Acres)
 (Open Space to be maintained
 by Home Owners Association)



50.0' Right of Way Road Section

Conceptual Plan

Whispering Willows



GREAT BASIN CO.

10 Sept. 2018

1

[11.16 Clustered Development](#)
[11.16.010 Purpose And Intent](#)
[11.16.020 Limitations](#)
[11.16.030 General Regulations](#)
[11.16.040 Uses](#)
[11.16.050 Bonus Density](#)
[11.16.060 Conformance To Law](#)

[11.16.010 Purpose And Intent](#)

Subdivisions in certain single-family residential zones may be approved under clustering concepts as set forth in this chapter. The purpose of this chapter is to allow a developer to save infrastructure costs that would be incurred in a conventional subdivision, encourage open space conservation, encourage imagination in subdivision development, and provide for efficient utilization of land by providing greater flexibility in the location clustered dwelling units. This chapter also allows a developer to more closely tailor a development project to a specific group of prospective owners, such as retired persons or equestrian oriented developments. The applications of cluster concepts is intended to encourage good neighborhood design and preserve open space while insuring substantial compliance with the intent of the city's land use ordinances.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

Amended by Ord. [429](#) on 9/28/2010

[11.16.020 Limitations](#)

No petition or other application for a development shall be approved under this chapter unless the development meets the regulations of the single-family residential zone, subject to the concepts and incentives provided in this chapter.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

Amended by Ord. [429](#) on 9/28/2010

[11.16.030 General Regulations](#)

1. Minimum size. A minimum of ten (10) acres of land area is required for any clustered subdivision, unless the planning commission enters findings that a smaller but not less than five (5) acre development furthers the purpose and intent of this chapter.
2. Application and ownership. A clustered development is initiated by an application filed with the city and forwarded to the project management committee as the initial land use authority. The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
3. Planning and mitigation. The initial land use authority shall require that the arrangement of structures, open spaces, and amenities be developed in such a manner to assure that adjacent properties will not be adversely affected, and account for all preliminary subdivision approval requirement and other ordinance set forth in the municipal code.
4. Planning commission. Upon recommendation of the project management committee, the planning commission shall make its recommendation to the city council for preliminary action after any required public hearing.
5. Density. The maximum number of units, allowed in a clustered development shall be equal to the number of units that can be developed in the current zone, plus any applicable bonuses as set forth in this chapter.
6. Lot area, lot width, setbacks and lot coverage regulations shall be determined by approval of the development plan. The minimum distance between any part(s) of the main buildings shall be ten (10) feet, and the minimum side yard for any single lot shall not be less than ten (10) feet.
7. Open space. Every cluster development shall provide open space within the development. No streets, sidewalks, common space, or parking areas will be included as part of the required open

space.

1. The open space may be:
 1. Totally landscaped.
 2. Utilized as agricultural land.
 3. Incorporated into recreation areas as agreed by the city.
 4. Set aside in accordance with sensitive lands or other policies of the city.
2. Preservation of the open space area shall be ensured by a perpetual conservation easement deeded to an appropriate entity designated by the city.
 1. The conservation easement shall be submitted by the applicant with the initial application, or, if the land use authority allows, may be prepared and approved by the city at a later date in conjunction with the final subdivision plat approval.
 2. The conservation easement shall address the preservation, use, maintenance, and ownership of all open space within the development.
 3. Ownership of the open space may be by:
 1. A homeowners' association.
 2. A duly created special service district.
 3. Harrisville City or its designee.
 4. Ownership of the conservation easement may be by:
 1. A 501(c)(3) corporation approved by the city.
 2. A duly created special service district.
 3. Harrisville City or its designee.
 5. At no time shall both the open space and conservation easement be owned by the same party.
 3. Notwithstanding other provisions of this section, all common space shall be landscaped by the developer and maintained from the onset through a lawfully organized and fully functional homeowners' association or by the home owner for the duration of the development.
8. General design. The general design of public improvements shall comply with the city's public works standards except where such exceed the quality set forth in the standards or as mutually agreed by the parties in a development agreement approved by the city in order to enhance the development.
 1. Theme. A common building theme shall be required and approved by the planning commission for each clustered development. The design shall provide unification of exterior architectural style, color, and size of each unit, however, with an appropriate housing mix.
 2. Covenants. The applicant shall provide for covenants, conditions, and restrictions relating to the clustered development as approved by the city.
 3. Site development. Lot layout, setbacks, and site development in a clustered development shall be consistent with the zone closest to the overall average lot size. For example, if the average lot size in the clustered development is 15,000 square feet, then the site development standards of the RE-15 zone (or its successor) apply.
 1. Because of the varying nature of lots in a clustered development the location, size and general footprint of all dwellings and other main buildings shall be shown on the plans submitted for review.
 2. Proposed traffic management, storm water management, grading, sewer, secondary water, landscaping, fencing, and all other improvement plans shall be submitted for approval to the land use authority and shall be in a form and manner similar to regulations for a conventional subdivision unless otherwise agreed by a development agreement approved by the city.
 3. The proposed development shall be connected to a state approved sewer system.
9. Service capabilities. The proposed development shall not exceed the service capabilities of the city or an affected entity, nor shall such be detrimental to the health, safety, or general welfare of persons residing in the vicinity. In the event that service capabilities of the city or any affected entity are exceeded, this will constitute grounds for disapproval. It is presumed that service

capabilities are exceeded if the city engineer or an affected entity provides a letter indicating the service capabilities exceeded. Service providers include, but are not limited to the following: North View Fire Department, Bona Vista Water District, Rocky Mountain Power, Questar Gas, Qwest, Pine View Water or secondary irrigation water, U.S. Postal Service, Comcast, city storm water control, Army Corp of Engineers.

10. Security and guarantee. The developer is required to follow the escrow and guarantee period requirements set forth in the Subdivision Ordinance and elsewhere in the municipal code for any development in conjunction this chapter.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

Amended by Ord. [429](#) on 9/28/2010

11.16.040 Uses

Uses permitted in the cluster development shall conform to the most closely related zone as determined by the land use authority, as identified in a development agreement, or as specified in the covenants, conditions and restrictions for the clustered development so long as said development consists of separate and single-family dwellings.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

Amended by Ord. [429](#) on 9/28/2010

11.16.050 Bonus Density

The planning commission may award a density bonus of increased units and/or decreased lot size for each clustered development as provided in this section up to a maximum of 100% in bonuses. Density bonuses are available to be awarded as follows upon the planning commission entering a finding that the applicant's subdivision and site plans do substantially comply with the following:

1. Open space preservation. Up to a 50% density bonus shall be awarded if up to a minimum of 50% of the total development remains open space.
2. Building design. A 10% density bonus shall be awarded if the covenants, conditions, and restrictions within the development require a minimum of 70% brick or rock on exterior finishes for homes within the development.
3. Front porch. A 5% density bonus shall be awarded if the covenants, conditions, and restrictions within the development include the construction of front porches that accommodate seating.
4. Landscaped park strips. A 5% density bonus shall be awarded if the applicant includes as part of the development planting approved trees species with minimum 2" caliper every 50 feet in park strips, or by an approved informal placement together with moving the sidewalk 4 feet closer to the homes or by using serpentine sidewalks in a fashion to "meander" through the park strip and front yard areas.
5. Landscaped entrance ways. A 5% density bonus shall be awarded if the applicant provides all entryways to the subdivision development include a landscaped entryway and a city approved monument style identification sign. A maintenance plan is also required to receive this bonus.
6. Amenities. A 25% density bonus shall be awarded if the development provides at least two approved amenities such as playground equipment, volleyball courts, tennis courts, pool, recreation center, community center, or similar amenity.
7. Special amenities. A 75% density bonus shall be awarded if the development provides for a standard golf course or public swimming pool.
8. Park. A 50% density bonus shall be awarded if the development provides for a fully landscaped and developed public park of five (5) or more acres with playground equipment or other features approved by development agreement.
9. Pathways and trails. A 10% density bonus shall be awarded where applicable to pathways and trails as specified on the city trails map.
10. Performance. A 10% density bonus shall be awarded for energy efficient homes and appliances as acceptable to the Planning Commission.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

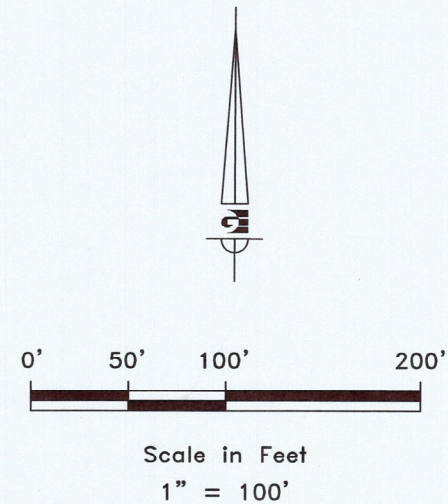
11.16.060 Conformance To Law

A development under this chapter is a special type of subdivision approved by the city which shall meet the public works standards, the subdivision ordinance, land use regulations, and other laws applicable to development.

HISTORY

Repealed & Reenacted by Ord. [397](#) on 7/22/2008

Amended by Ord. [429](#) on 9/28/2010



TOTAL AREA (EXCLUDING 1100 NORTH AND REMAINDER PARCEL): 301,309 SF
PROPOSED UNIT FOOTPRINT ≈ 1500 SF

R-1-10 ZONE MINIMUM LOT SIZE 10,000 SF

BONUS DENSITY
OPEN SPACE PRESERVATION (UP TO 50%)
BUILDING DESIGN W/ MIN 70% BRICK (10%)
FRONT PORCH W/ SEATING (5%)
LANDSCAPE PARK STRIPS (5%)
LANDSCAPED ENTRANCE WAY (5%)
AMENITIES (MUST INCLUDE TWO OF THE FOLLOWING:
PLAYGROUND, BALL COURTS, POOL, REC CENTER, ETC (25%))

CONCEPT PLAN "A"
FOR RUSS AND HEIDI WAHLEN
1100 NORTH CLUSTER SUBDIVISION
HARRISVILLE, UTAH

**GARDNER
ENGINEERING**
CIVIL • LAND PLANNING
MUNICIPAL • LAND SURVEYING



SI

Revisions		Date	Description

Date: 10-18-18
Scale: 1" = 100'
Designed: DESIGN
Drafted: SGP
Checked: CHECKED

Path: R:\2318 - WAHLEN, RUSS\SUBDIVISION PLAT\SURVEY\DWG\SPENCER WORKING