

**HARRISVILLE CITY
ORDINANCE 560**

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING AND RESTATING THE MASTER DEVELOPMENT AGREEMENT FOR BEN LOMOND VIEWS DEVELOPMENT LOCATED AT APPROXIMATELY 1800 NORTH HIGHWAY 89 BASED UPON AN APPLICATION FILED WITH THE CITY; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Harrisville City (hereinafter “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, 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, Title 10, Chapter 9a of the *Utah Code Annotated* enables municipalities to regulate land use and development and *Utah Code Ann.*

WHEREAS, the City has received an application to amend and restate the Master Development Agreement for the Ben Lomond Views Development of Harrisville City filed by the putative property owner, BLV LLC, and desires to act upon the same

WHEREAS, the attached Exhibit contain the required Plan Maps and Master Development Plan for the area of the proposed amendment;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on October 9th, 2024, to take public comment on this proposed ordinance and gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on October 29, 2024, to act upon this Ordinance;

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

Section 1: Plan Map and Master Development Plan Amendment and Restatement. The Plan Maps and Master Development Plan attached herein as Exhibits “A” which are hereby amended and incorporated herein by this reference are amended and restated as the required Plan Maps and Master Development Plan for the Zoning Map Amendment. Any development must substantially conform to these Plan Maps and Master Development Plan

Section 2: 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 remainder shall continue in full force and effect.

Section 3: Effective Date. This Ordinance takes effect immediately after approval and

posting.

PASSED AND APPROVED by the City Council on this 29 day of October, 2024


MICHELLE TAIT, Mayor



ATTEST:


JACK FOGAL, City Recorder

RECORDED this 29 day of October, 2024.

PUBLISHED OR POSTED this 29 day of October, 2024.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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


City Recorder

DATE: 10/29/24