



# HARRISVILLE CITY

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[www.harrisvillecity.gov](http://www.harrisvillecity.gov)

PLANNING  
COMMISSION:

Angie Francom  
Chad Holbrook  
Isaac Thomas

**Harrisville City Planning Commission**  
**Harrisville City Offices**  
**363 W Independence Blvd – Harrisville**  
**Wednesday, October 8, 2025**

**AGENDA**

[Zoom Meeting Link](#)

**Meeting ID: 874 4153 6329**

**Passcode: 478451**

- 1. CALL TO ORDER**
- 2. CONSENT APPROVAL** – of Planning Commission meeting minutes from August 13, 2025.
- 3. DISCUSSION/ACTION/RECOMMEND** – to recommend Ordinance 562: Housing Affordability.
- 4. PUBLIC COMMENTS** – (3 minute maximum)
- 5. COMMISSION/STAFF FOLLOW-UP**
- 6. 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.harrisvillecity.gov](http://www.harrisvillecity.gov), and at the Utah Public Meeting Notice Website at <http://pmn.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 at least three (3) business days prior to any meeting.



## Harrisville City Planning Commission Minutes

Harrisville City Offices

363 W Independence Blvd – Harrisville

Wednesday, August 13, 2025 – 7:00 PM

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

**Staff:** Sarah Wichern (City Planner)  
Matt Robertson (City Engineer)  
Cynthia Benson (Deputy Recorder)

**Excused:** Jennie Knight (City Administrator)

**Visitors:** Sascha Martinez, Cecil Satterthwaite, Christina Palmer, Greg Montgomery.

### 1. CALL TO ORDER

Chair Francom called the meeting to order and welcomed all in attendance. Jennie Knight, City Administrator, was excused.

### 2. CONSENT APPROVAL – of Planning Commission meeting minutes from June 11, 2025.

**MOTION:** Commissioner Thomas motioned to approve meeting minutes from June 11, 2025, as written. Commissioner Holbrook seconded the motion.

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

The motion passed with all voting in the affirmative.

### 3. DISCUSSION/ACTION/RECOMMEND – to grant Preliminary Site Plan approval for Harrisville Commercial development located at approximately 2550 N 750 W.

Matt Robertson, City Engineer, said the recommendation for this project is preliminary approval since there are comments which still need to be addressed for this review. Chair Francom asked if they are still waiting for feedback from Pleasant View. Mr. Robertson said yes. However, the developer has met with Pleasant View to review utility connections and storm drain tie ins. They have also met with the city to discuss engineer memo comments.

Cecil Satterthwaite, developer, reviewed memo items and gave commission updates. His team has received the memo from Pleasant View and found the items to be similar to Harrisville's memo. Mr. Satterthwaite reviewed the process he would need to do with the soil to ensure proper construction of the building. He is proposing an underground retention system. Mr. Robertson stated the requirements for this. Mr. Satterthwaite ended his comments by saying that the house on the property has been utilized for training with the Harrisville Police Department and North View Fire District. It will be demolished tomorrow. With no further discussion, Chair Francom entertained a motion.

**MOTION:** Commissioner Holbrook motioned to grant Preliminary Site Plan approval for Harrisville Commercial development located at approximately 2550 N 750 W subject to all circumstances and comments mentioned in the Engineer's Memo dated June 5, 2025, Harrisville City Code, and any other staff or agency requirements. Chair Francom seconded the motion.

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

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

**4. DISCUSSION/ACTION/RECOMMEND – to grant proposed Conditional Use Permit #148 for esthetician services located at approximately 207 W 2150 N.**

Sascha Martinez, applicant, proposed to the Planning Commission her desire to run a home occupation for esthetician services out of a room in her home she does not utilize. The commission reviewed the requirements for a home occupation asking Ms. Martinez her hours of operation, parking, employees, cliental length of stay and quantity at one time. They also asked if there would be any storage or sale of products. Ms. Martinez replied stating her client sessions are typically 60 – 90 minutes long. She has one client at a time with around 5 – 6 in one day. As for her hours of operation she is thinking she would be Tuesday – Saturday from 9 am – 6 pm. She has two parking spaces in her driveway for clients. There would be no storage of chemicals or additional products on site or any other employees. She would have all her supplies kept within the room. Her focus is eye lash extensions. She is a licensed esthetician and the room is under the 25% requirement. With no further discussion, since all agreed this was an approved use for the zone and code, Chair Francom entertained a motion.

**MOTION: Commissioner Thomas motioned to grant proposed Conditional Use Permit #148 for esthetician services located at approximately 207 W 2150 N subject to Staff Memo dated August 13, 2025, Harrisville Municipal City Code, and any other staff or agency requirements. Commissioner Holbrook seconded the motion.**

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

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

Ms. Martinez was informed there was a 15-day appeal period which would need to be met before the issuance of the conditional use permit. Staff would be in touch after the appeal period is over to sign the permit and to review the steps to obtain a business license.

**5. DISCUSSION/ACTION/RECOMMEND – to grant proposed Conditional Use Permit #147 for Public Safety/City Hall building located at approximately 686 W 1750 N.**

Sarah Wichern, City Planner, reviewed the staff memo for the placement of the Public Safety / City Hall building on city property near 750 West. Public service buildings are allowed in the Open Space Zone with a conditional use permit. Staff took a few minutes to explain the orientation of the 20,000 square foot building and parking for the commission. Much of the parking lot is hidden behind the building and a large landscape buffer separates the building from the adjacent rural residential zone.

Ms. Wichern continued by saying part of the improvements in the project include the construction of 1750 North and the extension to Highway 89. This connection is scheduled for completion before the new city offices become operational. The link to Highway 89 is expected to mitigate traffic impacts on surrounding local streets. Permitted land uses in the area range significantly, from rural residential to industrial. Lighting is dark sky approved and focused downward in consideration of the surrounding uses. A large green area is planned for the south side of the building to allow for public engagement opportunities. This area is approximately 68 feet x 77 feet.

Ms. Wichern explained the importance and need for public comments during administrative and legislative business. She stated with administrative actions, if the project meets the requirements of the municipal code, the Planning Commission is obliged to approve. Public comments should not be allowed to sway an administrative item. This project has already been through the legislative decision process. At this time, it would be her recommendation not to allow public comments to affect the decision.

Matt Robertson, City Engineer, gave a quick review of the timeline for the project by stating that the city is hoping to send out the request for bid by fall with construction to begin shortly thereafter. Staff recommend approving the conditional use permit based on compliance with Harrisville Municipal Code. With no further discussion, Chair Francom entertained a motion.

**MOTION: Commissioner Holbrook motioned to grant proposed Conditional Use Permit #147 for Public Safety/City Hall building located at approximately 686 W 1750 N subject to Staff Memo dated July 9, 2025. Commissioner Thomas seconded the motion.**

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

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

Chair Francom mentioned a 15-day appeal period which would need to be met before the issuance of the conditional use permit.

**6. DISCUSSION/ACTION/RECOMMEND – to grant Preliminary and Final Site Plan approval for Public Safety/City Hall building located at approximately 686 W 1750 N.**

Ms. Wichern reviewed staff memo and presentation packet for the commission. The proposed two-story building design serves as a transition in both scale and appearance between the rural residential and industrial zones. The building is currently designed to be 35-feet, 10-feet under the maximum height requirement.

Mr. Robertson explained the storm water system by saying there will be a storm drain line on 1750 North which connects to the detention basin at the Public Works building. Most of the runoff will go to a regional pond to the north. This will capture flow from the building and highway.

Ms. Wichern noted the Landscaping Plan is missing the irrigation portion. This will need to be provided before final. Other mentions in the memo are the storm drain issues need to be resolved before construction can start. Commissioner Holbrook asked if the building is designed to meet the needs of the growing population. Mr. Robertson said the city was sensitive to the budget and what the needs will be when designing this building. They wanted something to meet the current and future needs of the city.

Ms. Wichern said the city is waiting for the remaining entity letters. They are confident they will receive the approvals since the necessary discussions and preliminary approvals have been completed. Utility lines have been installed. Fire hydrants are already stub. The entities are looking at the final fixture count for the remaining letters.

Commissioners quickly reviewed the staff memo. Chair Francom entertained a motion.

**MOTION: Commissioner Thomas motioned to grant Preliminary and Final Site Plan approval for Public Safety/City Hall building located at approximately 686 W 1750 N subject to Staff Memo dated July 9, 2025, Harrisville City Code, and any other staff or agency requirements. Chair Francom seconded the motion.**

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

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

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

No public comments.

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

Chair Francom said there are no items from staff. Commissioner Holbrook asked about the progress with Ben Lomond. Mr. Robertson said there are three (3) excavation crews working on the project. They have the roads mostly cut. Curb and gutter should be installed shortly.

Commissioner Holbrook asked for the timeline for the fire station. Mr. Robertson said this is a separate project from the city. He is aware North View has approved the design but as for construction timeline, he is unaware.

Commissioner Holbrook asked if there were any commercial business discussions with the commercial area for either project. He was referred to Jennie Knight, City Administrator.

#### **9. ADJOURN**

**MOTION: Commissioner Holbrook motioned to adjourn. Commissioner Thomas seconded the motion.**

Angie Francom	Yes
Chad Holbrook	Yes
Isaac Thomas	Yes

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

Meeting adjourned at 7:49 PM.



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PLANNING  
COMMISSION

Angie Francom  
Chad Holbrook  
Isaac Thomas  
Christina Palmer

## Staff Report

Housing Affordability Overlay Zone Ordinance  
October 8<sup>th</sup>, 2025

### MEMORANDUM

**To:** Harrisville City Planning Commission  
**From:** Sarah Wichern, City Planner  
**Agenda Date:** October 8, 2025  
**Subject:** Consideration of the Housing Affordability Overlay Zone Ordinance

### Background

Housing affordability has become a pressing issue in Utah. To address this challenge, the state legislature passed House Bill 37, which encourages municipalities to adopt increased housing density options. Harrisville City has likewise felt the impact of rising housing costs. The proposed Housing Affordability Overlay Zone (HAOZ) Ordinance aligns with the incentives of House Bill 37 while tailoring solutions to Harrisville's specific needs. Staff have worked with Harrisville's elected officials, planning commission and various stakeholders in the housing community to draft the HAOZ ordinance. This ordinance responds to the growing need for attainable housing within the City by establishing an overlay zoning tool that encourages development of single-family homes priced within reach of Harrisville residents, particularly first-time buyers and essential workers.

The HAOZ is intended to expand homeownership opportunities, foster long-term community stability, and implement the City's objectives regarding housing variety, affordability, and neighborhood vitality.

### Overview:

The proposed **Chapter 11.16 – Housing Affordability Overlay Zone (HAOZ)** includes the following sections:

1. **Definitions (11.16.010):** Establishes key terms such as "Affordable Housing," "Critical and Essential Workers," "Owner Occupied," and "Hardship."
2. **Purpose (11.16.020):** Describes the goals of the HAOZ, including creating affordable homeownership opportunities, supporting critical and essential workers, and promoting multigenerational neighborhoods.
3. **Description (11.16.030):** Defines "Housing Affordability Developments" as subdivisions designed to balance affordability with quality design.

4. **Allowed Uses (11.16.040):** Permits a range of single-family detached residential types consistent with the overlay's purpose.
5. **Requirements for HAOZ Projects (11.16.050):**
  - **Qualifying Districts:** Limited to General Plan-supported areas with City Council approval.
  - **Minimum Acreage:** Projects must be at least 5 acres.
  - **Density and Design Standards:** Includes flexible lot sizes, setbacks, and frontage requirements to reduce costs while maintaining neighborhood quality.
  - **Park Connectivity:** Requires sidewalk/trail connections to existing City parks.
  - **Critical and Essential Housing:** Imposes deed restrictions (20 years) ensuring owner occupancy, hardship allowances, and priority sales to Harrisville residents, first-time homebuyers, and critical workers.
6. **Approval Process (11.16.060):** Establishes a multi-step process including concept plan submission, development agreement negotiation, zone change adoption, and subsequent plat reviews.
7. **Amendments to Development Plan (11.16.070):** Provides a process for future modifications, with allowances for minor revisions.

## Analysis:

The proposed HAOZ ordinance:

1. Creates a **clear framework** for increasing affordable homeownership opportunities.
2. Prioritizes housing for **first time home buyers and critical and essential workers** while still serving the broader Harrisville community.
3. Provides **flexibility in development standards** that encourage cost savings without compromising design or neighborhood character.

Proposed draft revisions to consider:

1. **Owner Occupied [11.16.010 (e)]:** The state definition reads as follows: "Owner-occupier" means an individual who owns, solely or jointly, a housing unit in which the individual lives as the individual's primary residence. The current language allows for the use of trusts to establish ownership. Changing to the state definition would limit loopholes trusts create.
2. **Lot Width and Lot Frontage [11.16.050 C.3. (c)]:** This section outlines the rare exception when a house is on the outside curve of a street right-of-way. Because the ordinance allows for exceptions on the basis of a "compelling reason" this section could be eliminated as it would fall under the "compelling reason" exception.
3. **Concept Plans [11.16.060 B.1. (b) & (c)]:** The current draft requires developers to submit cost estimates and "expected margins" as part of their concept plans. While well-intended, this approach may create challenges. Tying design standards to a developer's self-reported costs could allow applicants to contest requirements based on their individual land and material expenses, rather than community planning objectives. In addition, requiring disclosure of projected margins may reduce the incentive to present accurate or competitive pricing.

Eliminating these two subsections would ensure that affordability is guided by market conditions and suggested design standards, rather than by individual developer cost assumptions. This change maintains the City's authority to establish reasonable affordability expectations and community standards while still giving developers flexibility in their design approach.

**Recommendation:**

Staff recommends the Planning Commission:

1. Review the draft ordinance and discuss and consider the proposed draft revisions.
2. Forward a positive recommendation of the Housing Affordability Overlay Zone (with possible revisions based on discussion) to the Harrisville City Council.



## **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.**

**Housing Affordability 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. 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 Housing Affordability 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.

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

- A. Qualifying Districts. Housing Affordability 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. Minimum Acreage. To be considered for the Housing Affordability Overlay the overall project acreage must be a minimum of 5 acres.

- C. **Density and Design.** The following design standards shall be followed unless the developer can present a compelling reason to deviate from the given standards.
1. Allowed Density: Total units allowed in any given area shall be no more than the gross area divided by 5,000 sf,
  2. Minimum Lot Area for a Dwelling: 3000 sf
  3. Lot Width and Lot Frontage:
    - (a) Dwelling without a Public-Street-Facing Garage Door: 40 feet
    - (b) Dwelling with a Public-Street-Facing Garage Door: 50 Feet
    - (c) Dwelling where Lot Frontage is on the outside curve of a street right-of-way, required Lot Frontage can be reduced by 10 feet.
  4. Front Yard Setback:
    - (a) Dwelling without a Public-Street-Facing Garage Door: 12 feet
    - (b) Dwelling with a Public-Street-Facing Garage Door: 25 Feet
  5. Side Yard Setback:
    - (a) Single Story: 5 feet
    - (b) More Than One Story: 7 feet
    - (c) Corner Lot Without a Public-Street-Facing Garage Door: 12 feet
    - (d) Corner Lot with Public-Street-Facing Garage Door: 20 feet
    - (e) Zero side yard setbacks may be considered, provided a minimum separation of 10 feet is maintained between all buildings and appropriate access and maintenance easements are recorded with the affected properties.
  6. Rear Yard Setback:
    - (a) Dwelling: 20 feet
    - (b) Garage Door Facing Ally or Share Private Lane: 5 feet
- D. **Park Connectivity.** Proposed Developments must show a possible connection to an existing city park. Developers shall be required to complete connectivity within their development through sidewalk and/or trails in addition to all or part of the pathway connecting the development to an existing park facility.
- E. **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.

**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) for a minimum of 75% of the units

**Section 11.16.060. Approval Process.**

Housing Affordability 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 a price that qualifies the home as Affordable Housing (“**Target Price**”).
- B. Concept Plans. Applicants shall submit three concept plans simultaneously to the City Council for consideration at the time of rezoning application. Developer’s concept plans shall include:
  1. Two 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.
    - (e) Homes of varying lot size, building size, and price points should be distributed throughout the development.
  2. A concept plan showing an off-street-path connecting the proposed development to an existing city park. The path may consist of sidewalk completion, paved trail completion, or gravel/natural pathway completion.
- 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, unit design, and park connection plan 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 Housing Affordability 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 Housing Affordability Development will meet all the requirements of this Chapter, the concept plan, and development agreement.

The preliminary application requirements for a Housing Affordability 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 Housing Affordability Development plans. All requests for revisions shall be submitted in writing to the City. Changes and amendments to approved preliminary and final Planned Housing Affordability 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.