



# HARRISVILLE CITY

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

## PLANNING COMMISSION:

Angie Francom  
Chad Holbrook  
Isaac Thomas  
Christina Palmer  
Ruben Morales  
Steven Hempel

### **Harrisville City Planning Commission Harrisville City Offices 363 W Independence Blvd – Harrisville Wednesday, October 14, 2026**

#### **AGENDA**

- 1. CALL TO ORDER**
- 2. CONSENT APPROVAL** – of Planning Commission meeting minutes from September 9, 2026.
- 3. DISCUSSION/ACTION/RECOMMEND** – to grant Preliminary / Final site plan amendment for Lot #1 of the Harrisville Retail Subdivision, located at approximately 534 North Harrisville Road.
- 4. DISCUSSION** on Land Use Code edits to Replace R-5-6 and R-3.
- 5. PUBLIC COMMENTS** – (3 minute maximum)
- 6. COMMISSION/STAFF FOLLOW-UP**
- 7. ADJOURN**

#### Certificate of Posting and Notice

I, the Deputy Recorder of Harrisville City, Utah, certify that the foregoing Planning Commission agenda was posted according to UCA §52-4-103(7) 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>. Audio of this meeting can be found on the city's YouTube channel of @HarrisvilleCity1962 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

Harrisville City Offices

363 W Independence Blvd – Harrisville

Wednesday, September 9, 2026 – 7:00 PM

**Commissioners:** Angie Francom, Chair  
Chad Holbrook, Vice Chair  
Isaac Thomas  
Christina Palmer  
Steven Hempel

**Staff:** Jennie Knight, City Administrator  
Sarah Wichern, City Planner  
Cynthia Benson, Deputy Recorder  
Bryan Fife, Public Works Director

**Excused:** Commissioner Ruben Morales

**Visitors:** Stephen K Everts, Luke Lynch, Charles Lynch, Shawn Douglas, Jan Douglas, Gayle Dalpais, Mike Dalpais, Kevin Varble, Janet Varble, Joyce Stoddard, JaNeal Shaw, Lisa LaRose, Andy Bick, Norma Wakayama, Frances Hood, Warren Child, Kathryn Child, Shari Malan, Lynnae Dopp, Rodney Dopp, Clair Christensen, Mishelle Ensign, Lee Ensign, Shanna Edwards, Kirk Nigro, Shauna Iverson, Mikel Iverson, Tim Feltner, Randy Smith, Jay Behunin, Preston Mobius, Regine Hoanson, Ashkeya Hanes.

### 1. CALL TO ORDER

Chair Francom called the meeting to order and welcomed all in attendance. Commissioner Ruben Morales was excused from the meeting.

### 2. CONSENT APPROVAL – of Planning Commission meeting minutes from August 5, 2026.

**MOTION: Commissioner Hempel motion to approve the Planning Commission meeting minutes of August 5, 2026. Commissioner Palmer second the motion. Motion passed with all in favor.**

### 3. PUBLIC HEARING – to take comments for/against Ordinance 575: an ordinance adopting a master development agreement for Weber County Parcel Number 11-021-0009 located at approximately 640 West Harrisville Road.

Sarah Wichern presented the history of the application. The applicant originally applied to apply an overlay zone to this parcel with a request for thirty (30) new single-family homes with one (1) existing. This request received a negative recommendation. Reasoning, inconsistent with the neighborhood. The applicant applied again this time as a development agreement. This new application presented tonight is for twelve (12) new single-family homes with one (1) existing. By-right development, which would be consistent with the current zone, would be able to build three (3) one (1) acre lots. The city is requiring in the developer agreement for a storm water management system with the provision to move storm water offsite. The applicant considered the neighborhood compatibility, infrastructure benefits, and tax revenue.

Staff feel this proposal aligns more in the direction of the neighborhood than prior concepts due to nine (9) of the thirty-one (31) existing nearby properties along West Harrisville Road are already non-conforming with smaller lot sizes and/or frontages.

The option the developer chose to present this time, which is different from the last proposal, is with a standard street section consisting of curb and gutter attached to a wider sidewalk with no park strip. The concept plan reflects this.

Sarah Wichern added that this matter is a legislative decision. Therefore, staff findings and recommendations are advisory and non-binding. The Planning Commission's recommendation and the City Council's final determination rest entirely within the discretion of those governing bodies.

Chair Francom said when discussing administrative actions items are subject to the Harrisville Municipal Code, Planner / Engineer Memos, and other staff or agency requirements. Administrative actions include site plan approvals, preliminary / final approvals, etc. Legislative Actions are not subject to the same as administrative actions unless there is a specific item to change, add, or remove from the code. Legislative actions include recommendations to the City Council, etc. She then read the rules for a Public Hearing adding all comments sent into the city prior to the meeting have been recorded as part of the public record. These comments have been reviewed by staff and by the commission. Out of respect, she asked for those comments not to be repeated.

**MOTION: Commissioner Thomas motion to open the public hearing. Commissioner Holbrook second the motion. Motion passed with all in favor.**

Jay Behunin said I submitted written comments on Ordinance 575 and ask they be included with the official minutes. My comments reflect my opposition. This proposal is much better than the previous one. The developer listened and reduced the number of homes. I appreciate that but better does not necessarily mean appropriate. I am not anti-growth nor anti-construction. I make my living in construction. My concern is how and where we grow. I live in Harrisville because I value a slower pace of life, ground work, animals to raise, and a way of life that comes with real chores and real messes. I work through the night because the hay was finally ripe. I have gotten up at ridiculous hours because that is when the irrigation came. And I have been out late at night when a surprised skunk delivered its package of plenty. Cows stink. Horses stink. Skunks really stink. This is agricultural land. Tractors run when the work needs to be done, irrigation makes mud, and sometimes animals have to be dispatched. Those are not complaints about where I live, they are part of why I choose to live here. My concern with putting small subdivision lots in this environment is not just for those already living here, nor the fairness to the people buying those homes either. Eventually normal agricultural activities become conflicts between neighbors and someone calls Harrisville's finest, people we know, love, and appreciate, to sort it out. Except the supposed offender may not be doing anything wrong. He may be simply irrigating, running equipment, attending animals, or dealing with predators. Activities he has every right to be doing and that have been done here for generations. We should not knowingly create conflicts through incompatible development. Would I rather see this property remain agricultural? Absolutely! But it is not my property and I respect the owner's right to develop it. I also recognize the right to ask for greater density. They bought this property intending on developing knowing it was agricultural ground. That is a legitimate business decision, but it is also a calculated risk. Sometimes greater density will be approved and sometimes existing zoning should stand. The existing A-1 zoning already allows development at approximately one (1) acre lots. That is the compromise already established by the existing zoning. I do not support maintaining agricultural zoning in name while using a development agreement to create substantially smaller residential lots in practice. This is not about stopping growth. It is about allowing growth without erasing the character of the community that is already here. I respectfully ask you to recommend denial of Ordinance 575.

Shanna Edwards began comments by addressing the non-confirming lots. The reason these lots are non-confirming is because they are historical homes that were here in the late 1800's before there was any zoning or anything else. North Harrisville Road and West Harrisville Road is the historic area of Harrisville. But since some of you are new to the commission, I want to use my three (3) minutes to give a quick background in addition to what has already been given on Ordinance 562. Ordinance 562 is what is allowing this kind of development because it overlays and ignores the protection of the zoning and general plan maps by allowing pockets of spot zoning like what is being proposed in any residential zone including agricultural. It allows such development with a developer's agreement which puts the developer in the driver's seat not the city elected and appointed officials. The developer purchased the property as A-1. March 12, 2025, Ordinance 562 was presented at a public hearing. Many of the people here tonight were present and opposed what was being proposed. Planning Commission listened to the people and did not recommend it to the City Council for approval but on May 14, 2025, the Planning Commission held a work session before their meeting and city staff suggested the Planning Commission schedule a work session with City Council on this proposed ordinance. September 9, 2025, was a joint work session with Planning Commission and the City Council and at the next Planning Commission meeting, October 8, 2025, the Planning Commission recommended approval of 562 with revisions as outlined in the city planner's memo. On November 18, 2025, the City Council discussed the ordinance and tabled it. Then again on December 9, 2025, on the previous administration's way out, the City Council held another work session before the regular meeting and added additional amendments. Then during the regular meeting the City Council passed the ordinance 562 including the additional amendments. The public never got to review or comment on the final ordinance 562 which allows this kind of development. Ordinance 562 needs to be repealed, and the cluster development ordinance also needs to be removed. As long as these are on the books, we will continue to see these proposals like the one we are reviewing tonight and soon rural Harrisville will no longer be recognizable. I know this is true because I read the project management meeting agenda for tomorrow and there is another track of land in our agricultural land wanting to do the same in this historical area.

Shawn Douglas said it is my understanding, of a city having a Planning Commission, is to create a general plan and zoning in accordance with the general plan which you have done. Everyone in the neighborhood likes and agrees with the general plan and zoning with this neighborhood. I will never understand why the Planning Commission goes through process of creating a general plan if we are going to change it every time a developer comes in and spot zone in the middle of a zone. The current proposal matches neither the general plan nor the zoning for the neighborhood. Currently, we have thirty-two (32) homes in the neighborhood between the railroad tracks and Highway 89. The proposal puts thirteen (13) new homes on small lots which is a 40% increase in homes for the neighborhood. The way it is being presented and done also skips the normal steps of zoning and rezoning even though it may be legal. Typically, when a city does a master development agreement there are benefits for the city, current residents, and the developer. In this proposal everything seems to be gear driven towards the developer concessions. I do not see anything the city is receiving back. I did hear the city will be getting a new storm drain system which may be a benefit. If they developed on the site with the current zoning, they could easily retain the storm water on site. Storm water retention is easy on that site. The other thing is the concessions. The sidewalk behind the curb and gutter is legal, yah, and, in the plans, but it creates problems. It takes away the curb appeal. It does not soften the front of the homes. The guys when snowplowing are gonna fill the sidewalks with snow all winter. The residents are not going to be able to shovel it off. If they do, it is going to be troublesome for them. The sidewalks will not be useable during the winter because of all the snow from the roads is stacked on them. The narrow width of the road also creates areas where it would be single lane, pretty much. The dead ends at the end of the cul-

de-sac, not a cul-de-sac but a hammerhead, everyone that goes in there, whether it is a snowplow or a garbage truck or whatever will have to back out. There is no way for them to back out at the dead end. There are two (2) dead ends. They cannot get out of either one. Snowplow drivers, delivery drivers, all of them have to create an illegal activity to get out of the end of the subdivision with no turnarounds. You should ask the city staff what benefits the city and residents receive from this master development agreement besides the storm water. It seems it is geared towards the subdivider. The subdivision will look and totally feel out of place in the existing neighborhood. All of the concerns previously raised about farming activities will still be a problem with the residents and a huge concern. I have spoken with the councilmembers and the mayor and all of them are in favor of following the general plan and current zoning for this neighborhood. If the developer brings in a proposal that meets the current zoning you will not hear a word from me.

Charles Lynch said I did email in comments to you folks. This is the same topic but a different one. Thank you for your time and consideration in this matter. When we applied for a building permit it was denied by Harrisville for eight (8) months due to parcel numbers. This cost our family thousands of dollars, had to live with my in-laws plus pay the mortgage. Weber County had to step in to say the two (2) parcels were combined. One of the reasons my family moved from West Haven was the former mayor of West Haven decided that our acre lots could be split in half allowing an additional home to be built on corner lots. This of course was an attempt to boost housing and increase city revenue. The residents stood their ground and stated the property was not for sale, and it did not meet the cities master plan. She, the mayor, was forced to come to alternative plan. Of course, high-density housing quickly followed and if we want high-density housing then this is what will happen to Harrisville. And that is a choice you folks get to make.

Mike Iverson said in the last sessions, the commission is familiar with the water issues and the desire of Harrisville residents. I would like to address the impact developments have in general on the overall water and air quality crisis we are now facing. Quote; *"I tell you gentlemen you are piling up a heritage of conflict and litigation over water rights for there is not sufficient water to supply these lands."* – John Wesley Powell in 1893 after he had completed his survey of what he called the arid west. Over the past 130 years, Powell warned us that we would need to eventually place a moratorium on water use in the west. Ironically, the reservoir named after him is now drying up precisely because we did not heed his warning. I have a couple of questions for the room. How many have noticed what you would consider an excessive amount of both traditional and high-density housing being built along the Wasatch Front? This is development that will add to the water and air quality crisis now confronting us. I also want you to think about the limited amount of water and the fact the only source of that water is the mountains to our East. We are already exceeding the limit of sustainable water use and it is apparent by the water level of the Great Salt Lake. I believe it is safe to say anyone willing to believe their own eyes can easily see that this is true. As we look at the Great Salt Lake, many of us have come to the realization that the time to put a moratorium on expanded water use along the Wasatch Front was probably at least ten (10) years ago. Not now and certainly not the future. If you need proof just think of the toxicants already blowing in our communities from the dry lake bed. I know the development before you is the preverbal drop in the bucket, at least compared to the crisis we are now facing, but we have to take a stand sometime. That time is now!

Lynnae Dopp said my husband and I have lived in Harrisville for the past forty-six (46) years. We have reared our family there. We live on two and a half (2 ½) acres. West of us is a house on two and a half (2 ½) acres. East of them is a home on two (2) acres. In the last meeting, there was an ordinance mentioned that the developer needs five (5) acres in order to build and that plot is short of five acres. This area of

our city is a rural neighborhood. There are cows, horses, and smells. A development of this kind across the street from us would be a total anomaly in this area and spoil our country feel. There is huge low-income terribly dense neighborhood the city sanctioned being built across the highway on the old golf course land. This should satisfy any state mandate for affordable housing in our small city. Please do not allow this development in our area.

Steve Everts said I think the zoning should stay the same. We like our neighborhood. This would be a bad development for our neighborhood. We do not like it. It would just be trouble. The zoning is one (1) house on one (1) acre. That is the way it ought to stay.

Kirk Nigro said the concern I have is if someone comes and says hey, I want to buy your car but you say it is not for sale. I want to buy your car. You say it is not for sale. I do not want to sell my car. I do not want to change the rules. We have rules in place. This is my car, I like it, and the guy goes okay but then comes back and says, I want to buy your car. Well no. I do not want to sell my car. I am willing to give you more for it or I am willing to negotiate with you. You need to negotiate with me. We do not need to negotiation. This does not need to be a negotiation. They came with an idea which was rejected. Which we said does not fit our neighborhood. They came back with a counter. We do not need to negotiate our ordinances and our zoning. They are in place to protect our community. No is okay. In my position I tell people we have to protect everyone. We have to be fair with everyone. So, the answer is no. There is no negotiation. As soon as we negotiate, we have to negotiate with everyone, and that creates chaos. The whole point of a community is to have a sense of reason, a sense of culture, a standard. I reject the idea of violating what we hold dear in our ordinances and what we have accepted and what we can live with. I strongly object to this ordinance. If they want to abide by the rules, and they want to try and appeal the zone, go for it. They can follow those rules for the do-process. They can do that. But at the end of the day, we have a long-term planning map. Just because the space is available, we do not need to negotiate. I firmly believe that.

Warren Child said I am immediately adjacent to this property. The draft agreement says it leaves A-1 in place. It does not. Recital A calls this a five (5) acre parcel. Exhibit A of the same agreement says it is 4.964 acres. A-1 requires 40,000 square feet per lot with one hundred (100) feet frontage, thirty (30) foot front and rear setbacks. This plan is square acre lots, ninety (90) foot frontage, and twenty (20) for the setbacks. On 216,248 square feet, the A-1 allows for the most dwellings including houses already there. December, Fieldstone told the Project Management Committee that the by-right plan under the current zoning is four (4) lots. This is thirteen (13). I am a business man, when I make a deal to buy something I do it for a reason. They bought this lot knowing they could make money with four (4) lots. It was in their statement not mine. It was thirty (30), now it is thirteen (13). Four (4) lots are profitable. This is way beyond that. 2019 General Plan still governs this area. In Land Use element, rural residents is very low density not more than one (1) dwelling for 4,000 square foot. Typically zoned agricultural. Land Use policy #1 requires consistency with the plan. Land Use policy #2 requires to weigh the impact of the adjoining uses, infrastructure, and flood control. Land Use policy #11 calls for housing that mitigates storm water. Environmental considerations policy requires projects hit high ground water areas to show they will not create further or ongoing problems. Thirteen (13) small lots with a storm basin against an already existing home is not rural residential. Ordinance 571 already asks the extra density here through the housing. This commission did not recommend it. Basin sits on our east land. Our crawl space already floods with responsible irrigation ditch and storm water. Our problem is groundwater and hydrostatic pressure which means as that pressure builds in that storm water basin and creates pressure, the pressure goes somewhere. It is coming into our house. It is pretty obvious.

Randy Bick said I am listening to all my neighbors and their comments and I cannot agree with them more. We do not need this in our neighborhood. Like Kirk said, they keep trying to up sale us something we do not want. We do not want this. They bought this knowing they could put certain amount of homes in there. We like our neighborhood. We want it to stay the same. I strongly oppose this. They knew what they bought and now they are trying to cram as many homes in. That is business and I get it, but this is our community and we are neighborly people. We will accept the neighbors who move in here if they are following our ordinances. We want them to fit into our community.

Mike Dalpiaz said these are the same people, same concerns, same objections, same everything. Everyone cares about the community. I just do not think this is compatible with the existing stuff that is there. The other thing that I will say bothered me is in the developer's presentation, when he talked about the house bill that did not pass, I felt threatened. I took this as a threat that there is going to be another one. I do not take threats very well and hope you do not. That does not go well. At some point, as a city, we need to stand up and tell them, the people in Salt Lake, that we know what Harrisville needs. Quit telling us what we need to do.

Michelle Ensign said the past Harrisville leadership chose a master plan for vacant lots. We all understood the zoning limitations of our property purchases when we decided to buy our homes. This new plan is still three (3) times in more housing lots then the current zoning lots. If this area was devaluating or blighted area and the homes were not being kept up or it looked like there needed to be some new energy put into this area, I could see putting in a new subdivision like this. We have houses on that road that are brand new and they are huge and they got farms, agricultural plans, and it is a really special place that keeps rebuilding. The older homes keep rebuilding. I think that right now this would be a bad decision to have even thirteen (13) homes come in. You have seen the area. You know how close those houses will be and they would be smaller homes then the homes that surround it right now. I would vote no. I will still continue to fight as long as you have these meetings about having a subdivision. The houses he put up last time were great, but they just do not look like places that you should put an area that is still live with agriculture things going on.

Kevin Varble said I am not on West Harrisville Road but with all the studying and contacting the contractors in the state, my concern, and I realize we have talked about the state at length, we was here until ten o'clock last night. The Planning Commission is here to hear the voice of the people. I will do my best. I believe in one ear is out the other and both ears it stays. So, I will say it again. Our concern is not only the existing, which has been covered well. My concern is the overflow onto North Harrisville Road and if we do this with this contractor who bought it for four (4) homes. My concern is we have to listen to his request, but we do not have to keep overlaying to accommodate his request. His request becomes almost valid if we keep overlaying it to make it easier for him. I do not believe that should be done. My concern is based upon the road studies, we had Mr. Robertson here saying this has to happen, this has to happen. The road is handling the flow right now. If we put that in there is safety hazards. Before it was mentioned we could park down by JB lanes but that is against city code for parking. Where are these cars going to park? That cannot park on the road. There is not enough room to park on the road to have two-way traffic especially with multiple emergency vehicles. My concern is it feels like with all this widening, even with Bona Vista and Western Irrigation. Last time we discussed the costs and who pays for it and who does not pay. It feels like we are fighting over the width of the road because it is not the city taking responsibility then Bona Vista would have to take responsibility and Western Water for the property. With the Rod's, it has been a long time ago, there has been plenty of evidence since. My request is the Planning Commission listens to it and forgoes the overlays and the requests and simply looks at, listens to the people, and it is not viable to the community.

**MOTION: Commissioner Hempel motion to close the public hearing. Commissioner Thomas second the motion. Motion passed with all in favor.**

- 4. DISCUSSION/ACTION/RECOMMEND** – to recommend Ordinance 575: an ordinance adopting a master development agreement for Weber County Parcel Number 11-021-0009 located at approximately 640 West Harrisville Road.

Jennie Knight made a point of clarification on the ordinances referenced in public comments. This application is an application for a development agreement. It is not falling under the HOAZ ordinance or affordable housing. That element was removed from this new application. In staff's effort to make certain the public knew this was a new development agreement, staff renumbered the ordinance from the last public hearing. Staff did not want any confusion about what was being presented. Again, to be clear, this is a new development agreement proposed. The concept has been updated from the original proposal and under state law we are allowed to receive applications for development agreements. This is a new ordinance being presented and it is not under the HOAZ.

Sarah Wichern said to be clear, with any municipality, with any set of code, a developer can come and propose a developer agreement or a rezone, and the city is required to hear it. She reiterated, the city suggested the storm drain be included in development agreement.

Randy Smith, Fieldstone homes, was invited to the podium. The city staff are excellent. They watch out for the interests of the city. We can request a zoning with lots sizes and setbacks. If it is approved, then those are the rights we have. We can also request a development agreement when it does not fit exactly under a zone. That is what we have requested which comes with lots sizes, setbacks, and standards that apply to that such as road sections. Standards that are not addressed in the development agreement will refer to current city standards. We are asking for approval of this development agreement that says the lots sizes, the setbacks, and shows this is how it is going to fit onto this specific property.

With the development agreement, we have talked about the offsite storm sewer. It will be about 760 feet down West Harrisville Road. It will serve the whole community. The development agreement says that we as a developer will pay for that with no reimbursement. This is one of the benefits or a tradeoff for the city. The development agreement says in exchange for higher density or a change in setbacks this is what we are requesting.

When we first met with staff and talked about a cul-de-sac here, it was suggested making the road a hammerhead which is in the fire code standards. This will set the future road network up for future connectivity. This is another benefit to the city. We have talked about five (5) acres or 4.96 acres. This pertained more to the HOAZ ordinance. This development agreement is independent of that. Unfortunately, this is not an affordable product. This is defiantly a different application.

We are excited about it and have talked with Mr. Childs. I have been in his home and seen the issue. I am an engineer and understand hydrostatic pressure. We anticipate the development will greatly improve that situation since we will stop flood irrigating this property. There will be a storm water basin but because of the offsite storm water sewer we are installing the water will be carried away. The basin will be dry within six (6) hours. It depends on how big the storm is but that will be as long as the water is in there. This is another improvement for the region.

We love Harrisville. They love Harrisville. We love building homes. Those missing tonight are the future homeowners who cannot be here tonight to represent themselves. He said he would love to answer the

commission's questions and address any concerns they may have. He would like to see this go for approval to City Council. He added if this does not feel right, if this feels like something where you will say no I will not recommend this, he asked the commission to think about what they would recommend. The motion can say something a little more or a little different or recommend approval on the condition they make this change or these changes. My preference is to make a motion to recommend approval. This is legislative, it is discretionary, and you get to decide.

Commissioner Thomas asked how large he thought the homes would be and what price point. Randy Smith replied he did not have all that information. These homes will not have basements because we know the ground water is shallow here. The lots are a quarter ( $\frac{1}{4}$ ) acre or larger lots. These homes are not going to fall into affordability or attainable. Building homes in any market will increase supply and demand problems which create affordability.

Commissioner Hempel asked what kind of density the developer would categorize this to be. Randy Smith said everyone defines it differently, but he would defiantly not call this high density, not even medium density. Based on other developments, this falls in low density. Each city defines density on its own. There is lower density then and higher density then, but this will end up being thirteen (13) homes on 4.96 acres.

Commissioner Palmer asked for clarification on the future connectivity for the roads. Randy Smith replied the stubs are city roads stubbed so that in the future, if the neighboring properties nearby want to sell, then they now have another point of connection with utilities stubbed to those properties ready to go with pressured irrigation, culinary water, sanitary water, sewer, power, and gas. While in the interim they will be fenced and blocked so people are not messing with the neighboring properties. But provides future connectivity as opposed to coming in and doing a cul-de-sac and have no connectivity beyond this property.

Commissioner Hempel asked if the developer was having any discussions with nearby property owners. Randy Smith said they are not.

Chair Francom asked the developer to remind the commission if there was sidewalk being installed on the south side of the property. Randy Smith said there is existing sidewalk. Jennie Knight said the road widening plans are not affecting them.

Chair Francom said she likes the project and feels it integrates well with the community. She knows not all agree with that statement. She felt it is important to consider for future needs of the city. It is a good step for the area and potentially a good happy medium. It is important to consider the storm basin and water infrastructure which is part of the development agreement if this moves forward. It is a need for this area and will make a huge difference.

Commissioner Holbrook asked how large the storm basin was going to be. Randy Smith said that it was not engineered yet. This is a place holder. It is most likely going to be a quarter ( $\frac{1}{4}$ ) to a third ( $\frac{1}{3}$ ) of an acre with landscape and dedicated to the city as part of the storm water system.

Chair Francom said she knows there are a lot of concerns about the road configuration, but there are a lot of steps from the time the application is introduced to it being finalized. They have meetings with the Project Management Committee, with Fire, and utility management. There is nothing being presented that does not meet city regulations.

Commissioner Palmer respectfully disagreed. She said to see the lot sizes, the potential for future connectivity, the road, to even think of what it will do to the surrounding properties, and to the City of Harrisville, I am fully against. We have enough new buildings, new houses, at the golf course down the way

creating more townhomes in Harrisville. Let us keep building there. Let us leave West Harrisville Road alone. I think about the new people who do not live in Harrisville now. We do not need conflict in this peaceful area. There are people not used to growing up around agricultural. Different noises at early times would be disruptive to them, if this were approved, but it is also disruptive to them that have lived here for years and years. Randy Smith said he would respectfully challenge this a little bit. Development does not automatically create conflict. Commissioner Palmer added technically it has already created conflict with the residents who are here now because of the lot size, because of the one-way in and one-way out safety seems to be something the developer does not care about with the backing in and backing out. She said it does not fit in this location for her.

Chair Francom asked the developer to sit back down with the reserved right to call him back up while the commission deliberates. She said this is agricultural vs suburban communities. She knows of a number of people who buy homes in agricultural or adjacent to agricultural areas because they like farms. They want to be around the horses. They want to be around the cows. They want to be around the alfalfa. She feels this is something to consider as well. For as many who may not like it, others seek it out. She does understand the concerns for the community and the neighborhood and for the lifestyle on West Harrisville Road.

Commissioner Hempel asked what the city would define this density as. Jennie Knight replied if they are about a quarter (1/4) acre lot then they would fall into our R-1-10 which would be our highest single-family density without going to mixed-use. The R-1-10 zone is the smallest lots allowed for a detached single-family home other than the new HOAZ ordinance just adopted. The commission and staff discussed the levels of density. They discussed examples of the density throughout the city.

Commissioner Thomas said he feels it is a good plan with a lot of good elements and noticeable improvements. His main concern is it goes against the long-term general plan. He is concerned with changing the neighborhood for those who live there and for those who moved into it. Otherwise, he feels it is an overall good plan with lots of benefits.

Commissioner Hempel said he echoed Commissioner Thomas' concern. This type of neighborhood would be very concerning for him to have this many homes in my backyard. He did not feel he could support this. This does not fit the character of the rest of the area. Perhaps maybe four (4) to five (5) homes instead. He was adamant that six (6) homes would be too much and felt even five (5) homes would be pushing the limits.

Commissioner Holbrook added maybe wrong place. He liked the idea of larger lots of a third (1/3) acre lots with eight (8) to nine (9) homes instead. The commission continued to discuss the development and what would be an alternative for the number of lots.

Chair Francom asked the developer if the commission recommended up to five (5) homes instead of twelve (12) would he still include the storm water off-site infrastructure. Randy Smith said he thinks it would be an issue. The idea of taking the storm water off-site versus sending it to a spot and waiting for it to infiltrate, especially with a place with high ground water. When discussing four (4) lots or eight (8) lots, at that point you look at each lot doing its own stormwater retention. This is a typical system. When the lot count gets too low, the project no longer has the budget for a quarter of a million dollars for off-site items. This is the tradeoff. He did not have the exact number he needed, but with this small number of homes then it would be own lot retention. Sarah Wichern said on lot retention is a maybe. If it is not feasible, based on the soil analysis, this is the option available based on our code. If they increase the density at all then this would be mandatory. If not, then the developer would have the option to go with the development agreement or to abandon ship and develop by-right and roll the dice with on-site retention. Randy Smith said if the on-site retention does not work, then it becomes the developer's obligation to build a storm water system. He would still need to build the storm water system for my project but then it becomes reimbursable through

proportionate share. He would rather see a recommendation then table. Going month to month is not feasible. He really wants to build the storm water system while the road is cut up and have it in place by next spring.

Sarah Wichern said she would recommend keeping the development agreement as is with any other agency requirements or based on legal negotiations. The development agreement does include the storm drain. She recommended regardless of what the commission determines for density she asks they keep the storm drain mandatory. The commissioners discussed the motion.

**MOTION: Commissioner Holbrook motioned to recommend a negative recommendation to adopt Ordinance 575: an ordinance adopting a master development agreement for Weber County Parcel Number 11-021-0009 located at approximately 640 West Harrisville Road. Commissioner Palmer seconded the motion.**

**ROLL CALL VOTE:**

|                  |     |
|------------------|-----|
| Steven Hempel    | Yes |
| Christina Palmer | Yes |
| Isaac Thomas     | Yes |
| Chad Holbrook    | Yes |
| Angie Francom    | No  |

**The motion passed with voting being four (4) in the affirmative and one (1) in the negative.**

Chair Francom paused the meeting to allow the audience to leave to limit the disruption of the remaining meeting proceedings.

**5. DISCUSSION/ACTION/RECOMMEND – to grant Preliminary Plat for Dixon Creek 2B located at 1243 North Washington Blvd.**

Jennie Knight said there is not a lot of new to report on the plat itself. The flood plain is still going through the process with FEMA. They are looking for preliminary plat approval. These are the buildings removed from the original Phase 2. We are asking that the approval be subject to the LOMR approved by FEMA and Weber County approval. Jennie Knight gave a brief explanation of the project for the new commissioner. Dixon Creek is located off Washington Boulevard. It has a flood plain running through the development as shown by the hatching. They have been working with FEMA for the past two (2) years to get this area remapped. While they were waiting, they have pretty much completed Phase 1 of the project and are building Phase 2A now. This concept is for Phase 2B.

**MOTION: Commissioner Palmer motioned to grant Preliminary Plat for Dixon Creek 2B located at 1243 North Washington Blvd subject to Harrisville Municipal Code and any other staff or agency requirements and subject to LOMR approval from FEMA. Commissioner Hempel seconded the motion. Motion passed with all in favor.**

**6. DISCUSSION on residential zoning requirements for repealed R-3 and R5-6 Land Use Zones.**

Sarah Wichern said she wanted to get a baseline of what the Planning Commission is thinking. The R-3 zone was geared towards 3,000 sq foot lots. Harrisville in its history did have zones that were much denser then we currently building out. In 2010, the General Plan changed and these zones were repealed. The problem is the city did not have a replacement zone and we are running into some conflicts such as

entitlements made before the rezone happened. Due to this, we need to come up with standards for a higher density zone. Not that we will apply it to any land. It may come into effect for any of the grandfathered properties. Right now, we have the HOAZ overlay that is meant for single family detached attainable homes. We also have a mixed-use ordinance where we see townhomes possibly apartments. She feels the HOAZ will work well for the R5-6 zone. R-3 for the townhomes code which we can apply when the mixed-use ordinance is updated. The HOAZ gave us a standard if someone wanted an affordable single-family home. We have not found a suitable place to apply this yet, but we may in the future. At least we have the mechanism in place when developers come in asking for townhomes.

For townhomes she has seen around eleven (11) units per acre. If you get any higher than that then the units are too tight with too many linked together. Sarah Wichern asked the commissioners what they would like to see in a townhome community by way of parking or community amenities when dealing with attached homes. These are HOA communities. We would like them to be affordable to a certain degree and an asset to the community.

Chair Francom said the preference she has heard in the community is that townhomes look a lot better if they have at least one car garage rather than all open parking. Some say they do not care about carports. Townhomes generally sell better if they have a garage. A lot of developers feel pressure of a garage is an extra room. We are discussing how much parking per unit is required or design preferences.

Commissioner Hempel said he loves the garage concept and does not think anyone should be without one. Commissioner Holbrook agreed. Commissioner Hempel said the best neighborhoods to live in where when the garage access was at the back of the home. It was safer for the community. Sarah Wichern agreed as well and said she is insistent on this because she does not feel it is very safe to have a row of garages in a row on a public street. She would want to see in the code garages must be accessed via an alley way. Garage doors aligned with public streets are not as safe.

Sarah Wichern asked the commissioners what they would like to see for a setback from the front of the townhome to the street. Chair Francom gave an example of an apartment complex in Ogden where there is no setback from the road outside of the sidewalk. Commissioner Thomas said as we are considering this, it would depend on what street they are on. He gave an example of the town homes he saw in New York City recently and an example of another set of town homes he once lived in Ogden. He pointed out the setbacks, the fact the community was always outside, and the rear garage access as positive highlights.

Sarah Wichern said for a house right now it is twenty-five (25) feet for houses. We do need ten (10) feet for public utility access. Fifteen (15) feet is the closest she feels comfortable in allowing for the front setback. The commissioners agreed that fifteen (15) feet for the front setback sounded good.

Commissioner Palmer asked if the garages were single car or double. Sarah Wichern said our ordinance requires two (2) parking spaces. A single car is not in ordinance. We may look at this as an overlay for some affordability aspect later on. Jennie Knight added existing townhomes require two (2) car garages such as those across from Orion or on 2550 North. The only ones we allowed single car garages are in Dixon Creek. They have a smaller middle unit with a single car garage to make units more affordable. We did make some concessions there. Ironically, the data coming back said their three-story units sold fastest. They were super popular. As you are talking about density, as brought up tonight on the golf course, in 2019, when we started negotiations with the golf course developers none of the moderate-

income housing legislative mandate existed. We were targeting an unknown number. When it did role out, we landed right on with what the state requirements are, which is six (6) units per acre. The golf course was built on this number of six (6) units per acre. Golf course development is a good example of a variety of homes. This was intentional to give those living in the neighborhood a chance to move up and stay in their same community. But when we talk about townhomes what is the target the commission would feel comfortable with as in number of units per acre.

Sarah Wichern stated that the six (6) units per acre are what the Council is comfortable with for a single family detach home. We may not see much by-right. We will pattern our mixed-use overlay based on these codes. An overlay will always come with a development agreement. With a development agreement, we can then mandate things by state we cannot mandate otherwise. These zones will be the framework for our mixed-use overlay. Her recommendation is to use the HOAZ framework to replace the R5-6 zone with the standards we put in the HOAZ. Then for the R-3 zone, let us look at our townhomes, which will be mixed-use, and put those standards together. Then we will place those standards in our mixed-use overlay.

Sarah Wichern asked the commission when they lived in a townhome what were the amenities they liked having. Commissioner Holbrook said a grassy or open space for families together. Commissioner Thomas said a grassy area similar to a public park with connectivity to the rest of the community. Serves community primarily. Chair Francom said playground equipment despite objections to it in the past and green space. Another would be no common laundry. Sarah Wichern said the items she would like to work towards are setbacks between buildings, how many units can be together, and have a target for what percentage of the area needs to be open and contiguous. If it is a larger development then the percentages would be for this, you would have to have this. And detention basins do not count as greenspace.

Commissioner Hempel said with all the talk on water in the conference today, do we need to mandate grass. Sarah Wichern said the city does not normally do this, but we can in a development agreement. Jennie Knight said there are a variety of drought resistant grasses being developed. This can be an amenity we can request or something we can negotiate with the developer in a development agreement. Chair Francom asked if we have rules like this already where there is a percentage of open space required. Sarah Wichern said this is something we need to look at. There is a balance. We do not want so much that it will be unaffordable for both the purchase price and the HOA, but big enough that there is somewhere to go.

Sarah Wichern to draw up various designs on the percentages of open space. They discussed four (4) or five (5) connected together. Six (6) units if they are mini mansions. She also mentioned she is thinking a minimum of four (4) parking stalls per unit or two (2) parking stalls per unit or one (1) per bedroom. They all agreed there is never enough parking in townhome subdivisions and that walkability is a big deal.

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

Jay Behunin said thanks for doing this. I really do appreciate it. This is a big deal, and it is a big job and sometimes it is a thankless job, but we do appreciate it. We appreciate you looking out for our best interest and thinking. Put fits where it fits and put what does not fit somewhere else. I appreciate you. That is all. He added if we are going to go to dense then we need to rezone so everyone knows what they expect. We have people who just moved here and say they are doing what next door? That is my

backyard for them. Zoning is a process. If our land use changes to be more dense then we need to adapt to that. But if we are not then we need to abstain.

Commissioner Holbrook said it is important to know how hard the staff work and how hard we all work to make Harrisville a beautiful place. Sometimes, it does not look like it, but there are so many powers in the back end of these things. I have been on the Planning Commission for over eleven (11) years. I have seen evidence, after evidence, after evidence of the effort our city makes to try and make this a beautiful place to live.

Kevin Varble said he is grateful as well. I can look and know a fair amount of you over time, and I do appreciate the time. I think about, I do not know the hours you spend, but I do know the hours we spend as citizens talking to our neighbors, researching, praying, crying, getting mad, all those feelings, maybe both sides. I understand that part. So, we do appreciate the work you do. We truly do and as mentioned, we appreciate you representing the city. More importantly listening to the voice of the people even when there are objections. I thank you for that. I thank you for the time spent.

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

Sarah Wichern expressed her thanks to the citizens who stayed to express their appreciation. She has been in all the various seats of this process and appreciates the citizen input. It is important to the process. Dixon Creek is very dense, but it produced some of the most affordable housing. What some do not realize, including other developers who come in asking for 250 townhomes, is in order for them to reach this density they donated nine (9) acres of land. They were not handed the density. There was an ask, a give, and an exchange. Jennie Knight added they not only donated the park but there will be commercial pads along Washington Boulevard.

## **9. ADJOURN**

**MOTION: Commissioner Holbrook motioned to adjourn the meeting. Chair Francom seconded the motion. Motion passed with all in favor.**

**Meeting adjourned at 8:53 PM.**

**Angie Francom  
Chair**

**Cynthia Benson  
Deputy Recorder**



## Land Use Code Edits To Replace R-5-6 and R-3

### 11.04 Zone Districts

#### 11.04.010 Establishment Of Zones

For the purpose of Title 11 of the municipal code, the city is divided into various zones in which land uses shall be classified and limited as specified in the municipal code. Zone classification may be determined on the basis of location, topographic features, transportation corridors, the natural environment, suitability and sustainability of development, and other reasonable considerations to guide the orderly physical growth, neighborhood compatibility and overall stability of the city.

1. Open-space zone O-1
2. Agricultural zone A-1
3. Low Density Residential R-1-20
4. Residential Estate Zone RE-15
5. Single Family Residential Zone R-1-10
6. [Compact Single Family Residential Zone R-5](#)
7. [Single Family Attached Residential Zone R-SA](#)
8. Planned Community Commercial Zone CP-2
9. Planned Manufacturing Zone MP
10. Mixed-Use Zone MU

#### [11.04.015 Repealed Zones](#)

[The following zoning district designations are amended as follows:](#)

1. [The R-5-6 Residential Zone is renamed and designated as the R-5 Compact Single Family Residential Zone. The boundaries of the R-5 Zone shall remain unchanged from the boundaries previously designated as R-5-6 on the official zoning map.](#)
2. [The R-3 Residential Zone is renamed and designated as the R-SA Single Family Attached Residential Zone. The boundaries of the R-SA Zone shall remain](#)

[unchanged from the boundaries previously designated as R-3 on the official zoning map.](#)

## 11.08 Residential Land Use

### 11.08.010 Purpose and Intent

1. A-1 Zone. The purpose of the A-1 zone is to provide areas which are to be retained and used for a mixture of farming or agricultural uses and single family low density rural residential development. The zone is to be applied in areas with a high water table or where access to public roads is limited and the utilization of the open land areas for the keeping of animals has low impact on residential uses or the combination of residential large lots and agricultural uses is consistent with the general plan.
2. R-1-20 Zone. The purpose of the R-1-20 zone is to provide regulated areas for single family residential land use at low density levels. The zone is to be used to promote and preserve in appropriate areas conditions favorable to large lot family life and when appropriate farm animals.
3. RE-15 Zone. The purpose of the RE-15 zone is to provide and protect residential development at a single family low density in a semi-agricultural or transition from a rural environment. It is also to provide for certain rural amenities on large lots, in conjunction with the primary residential nature of the zone.
4. R-1-10 Zone. The purpose of the R-1-10 zone is to provide regulated areas for single family residential development in a typical neighborhood setting fronting local roads and having all necessary utilities for residential development.
5. [R-5 Zone. The purpose of the R-5 Zone is to provide areas for single-family detached residential development in walkable neighborhoods with smaller lots that support efficient use of land and infrastructure.](#)
6. [R-SA Zone. The purpose of the R-SA is to provide areas for single-family-attached residential development to provide the most efficient and affordable housing zoning available in Harrisville.](#)

### [11.08.020 Uses](#)

1. This section designates the land uses allowed in each residential zone district in Harrisville City. More than one of the non-dwelling unit land uses permitted in the respective zone may be allowed on a parcel or lot provided each use meets the lot area, setback requirements and any other special conditions established by Harrisville City Land Use Regulations.
2. All permitted and conditional land uses shall comply with all applicable regulations of Chapters 11.09 and 11.10 of the Land Use Regulations of Harrisville City and any other regulation governing the specific use prior to a building permit being issued for such a use to be constructed or to convert an existing structure to the permitted or conditional use.
3. Any land use that is not listed in this section is not permitted in that zone where the use is desired.
4. Any use in the following table is permitted if such use has a "P" designation in the zone where the use is listed. A "C" designation indicates that a conditional use permit is required according to the procedures of Chapter 11.18 of this Land Use Ordinance before the use can be allowed. An "N" indicates the use is not allowed in the specific zone where it is listed. If the last column in the use table includes a number this refers to a section in chapter 15 to a specific regulation that is required to be followed in order to allow the use in the specific zone.

| Land Use                                                          | Zone |        |       |        |     |      | Specific Use Regulation |
|-------------------------------------------------------------------|------|--------|-------|--------|-----|------|-------------------------|
|                                                                   | A-1  | R-1-20 | RE-15 | R-1-10 | R-5 | R-SA |                         |
| Agricultural Uses                                                 |      |        |       |        |     |      |                         |
| Agricultural accessory structure<br>e.g. greenhouse, cold storage | P    | P      | P     | P      | P   | N    | 11.10.020.1             |
| Commercial crop and fruit<br>production                           | P    | P      | P     | P      | N   | N    |                         |
| Produce Stand                                                     | P    | P      | P     | P      | P   | N    | 11.10.020.2             |

|                                                            |   |   |   |   |   |   |                     |
|------------------------------------------------------------|---|---|---|---|---|---|---------------------|
| Crop and fruit production for property owners personal use | P | P | P | P | P | P |                     |
| Plant Nursery                                              | P | P | P | N | N | N | 11.10.020.3         |
| Animal Raising                                             |   |   |   |   |   |   |                     |
| Accessory building                                         | P | P | P | P | P | P |                     |
| Animals for family food production                         | P | P | P | P | P | N | 11.10.020.4         |
| Animal Boarding Establishment                              | C | N | N | N | N | N | 11.09.020 11.10.020 |
| Dairy farm                                                 | P | N | N | N | N | N | 11.10.020.5         |
| Horse raising                                              | P | P | P | N | N | N | 11.10.020.6         |
| Household Pets                                             | P | P | P | P | P | P |                     |
|                                                            |   |   |   |   |   |   |                     |
| Veterinarian Clinic                                        | P | N | N | N | N | N | 11.09.020 11.10.020 |
| Recreation, Education, Institutional                       |   |   |   |   |   |   |                     |
| Church, place of worship                                   | P | P | P | P | P | P | 11.10.020.7         |
| Public office or service buildings                         | P | P | P | P | P | P |                     |
| Public or private school grades K-12                       | P | P | P | P | P | P |                     |
| Golf Course, full size                                     | P | P | P | P | P | P |                     |
| Public park or recreation facility                         | P | P | P | P | P | P |                     |
| Eleemosynary Uses                                          | P | C | C | C | C | C |                     |
| Residential                                                |   |   |   |   |   |   |                     |
| Accessory building                                         | P | P | P | P | P | P |                     |

|                                                       |   |   |   |   |   |   |              |
|-------------------------------------------------------|---|---|---|---|---|---|--------------|
| Accessory swimming pool                               | P | P | P | P | P | P | 11.10.020.8  |
| Home occupation                                       | C | C | C | C | C | C | 11.10.020.9  |
| Residential facility for persons with a disability    | P | P | P | P | P | P | 11.10.020.12 |
| Residential facility for the elderly                  | P | P | P | P | P | P | 11.10.020.13 |
| Single family dwelling                                | P | P | P | P | P | P |              |
| Two family dwelling                                   | N | N | N | N | N | P | 11.10.020.15 |
| Transportation, Communication, Utilities              |   |   |   |   |   |   |              |
| Public utility substation, electric, water tank, etc. | C | C | C | C | C | C | 11.10.020.16 |
| Telecommunication tower                               | P | P | N | N | N | N | 11.10.020.17 |
| Television or radio transmitting tower                | C | N | N | N | N | N |              |
| Television or satellite dish                          | P | P | P | P | P | N | 11.10.020.18 |

5. Land which is not being used for any of the permitted uses, shall be left in its natural condition and with its natural vegetation. Clearing of the ground or removal of vegetation excluding those plants considered to be abated for the public good (dyers woad, yellow star thistle, Canadian thistle, etc.) is not permitted. In cases deemed a potential fire hazard the mowing of the vegetation to appropriate heights is not considered removal of the vegetation.

~~6.—Special provisions for certain repealed zones. The R-1-6 and R-3 zones that have been repealed shall continue on the zoning map as if such zone were in existence. Uses allowed in the R-1-6 and R-3 zones that were permitted, conditional, or not permitted shall continue as such until another zoning designation is adopted on the zoning map. The R-5/6 zone shall follow the regulations of the R-1-6 zones wherever the R-5/6 zone is indicated on the zoning map.~~

## 11.09.010 Purpose And Intent

The purpose of development standards in the residentially zoned areas of Harrisville is to provide for the orderly development of land by setting size and area requirement for proposed lots and to ensure that development on each lot or parcel provides adequate room for the use of the lot, sets the character of the neighborhood in the placement of buildings and types of uses, and considers the need of the land owner and the impact of such uses to adjacent land owners and the community overall.

### HISTORY

Adopted by Ord. ~~811~~ on 7-8-2017

Amended by Ord. ~~966~~ on 7-8-86

## 11.09.020 Main Building Development Standards

### 1. Lot Area and Frontage Requirements

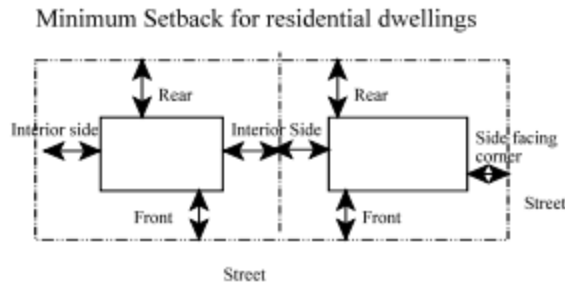
Each lot or parcel in the respective zone shall comply with the minimum requirements of this regulation as provided below except when such lot or parcel has a noncomplying right.

|                                | A-1             | R-1-20          | RE-15           | R-1-10          | R-5      | R-SA |
|--------------------------------|-----------------|-----------------|-----------------|-----------------|----------|------|
| Maximum Density<br>(Unit/Acre) | -               | -               | -               | -               | 5        | 11   |
| Minimum lot area               | 40,000 sq<br>ft | 20,000 sq<br>ft | 15,000 sq<br>ft | 10,000 sq<br>ft | 5,000 sf | -    |
| Minimum lot<br>frontage        | 100 ft          | 100 ft          | 100 ft          | 90 ft           | 50 ft    | -    |

### 2. Detached Single Family Residential Building Setbacks

Any structure intended for use as a residential dwelling, including any accessory structure attached to the dwelling structure such as a garage, shall maintain a minimum distance in feet from the property line to the building according to the following table. Notwithstanding the setback requirement, easements or other recorded restrictions to portions of a property are not superseded by setback

requirements and must be considered when locating structures:



| Type of <del>yard</del> Setback | Zone  |        |       |        |       |
|---------------------------------|-------|--------|-------|--------|-------|
|                                 | A-1   | R-1-20 | RE-15 | R-1-10 | R-5   |
| Front to House                  | 30 ft | 30 ft  | 30 ft | 25 ft  | 20 ft |
| Front to Garage                 | 30 ft | 30 ft  | 30 ft | 25 ft  | 25 ft |
| Interior Side                   | 12 ft | 10 ft  | 10 ft | 8 ft   | 7 ft  |
| Side facing corner              | 20 ft | 20 ft  | 20 ft | 20 ft  | 20 ft |
| Rear                            | 30 ft | 30 ft  | 30 ft | 25 ft  | 20 ft |

### 3. Single Family Attached Development Standards

Single Family Attached developments shall comply with the following standards:

- Maximum Number of Attached Units. No more than five (5) dwelling units may be connected in a single building.
- Building Width. Each residential unit shall have a minimum width of twenty-four (24) feet where the primary entrance is not on the same side as the garage or thirty (30) feet where the garage and primary entrance are on the same side.
- Garage Orientation. Garages shall not face a public street.
- Front, Side, and Rear Setbacks. Buildings shall maintain a minimum front and side setback of fifteen (15) feet and a minimum rear setback of twenty (20) feet to adjacent properties or streets.
- Building-to-Building Separation.

- i. A minimum separation of thirty (30) feet shall be maintained between adjacent buildings where any of the building walls are the front or rear walls of the building.
  - ii. A minimum separation of twenty (20) feet shall be maintained between the side walls of separate buildings.
- f. Private Road/Alley Width. An alley serving a townhome development shall have a minimum width of:
  - i. Thirty (30) feet where no driveway is located between the alley/road and a garage; or
  - ii. Twenty-four (24) feet where a driveway is provided between the alley/road and a garage.
- g. Detached Garage. No minimum Side setback is required for a detached garage that shares a common wall with a similarly proportioned and appearing garage on the adjacent lot, as long as both garages are built at the same time.
- h. Open Space. A minimum of 200 square feet of improved open space per residential unit shall be provided for attached residential housing. Required setbacks shall not be counted toward required common open space. Common open space shall:
  - i. Be provided in contiguous areas of at least 2,500 square feet, regardless of the size of the development;
  - ii. Have a minimum width of 30 feet;
  - iii. Be accessible to and usable by residents of the development;
  - iv. Be designed and maintained for active or passive recreational use; and
  - v. May not include parking areas, drive aisles, drainage facilities, or other areas that are not reasonably usable for recreational or outdoor living purposes.
- i. Private Yard Alternative. A development may satisfy the required open-space requirement through dedicated and individually owned private backyard space associated with each residential unit. Private backyard space shall:
  - i. Have a minimum depth of 20 feet;

- ii. Extend across the full width of the dwelling; and
  - iii. Not be subject to the minimum area, minimum width, or setback requirements applicable to common open space.
- j. Design Standards for Three (3) or More Attached Units. All buildings shall be designed in accordance with the following minimum design standards:
  - i. Rooflines. Rooflines shall be broken every 50 feet, with no less than a 12-inch shift between adjacent rooflines.
  - ii. Building massing. The wall massing of building facades shall be broken at least every 30 feet with no less than a six-inch shift in the plane of adjacent walls.
  - iii. Building material. Each building facade that faces the street shall consist of brick, stone, or wood, or a faux material, such as fiber cement, that is hard for the Land Use Authority to distinguish from real brick, stone, or wood. Metal may be used for accent material covering less than 25 percent of any facade, excluding area for window and door openings. At least one of the building materials used on the building facade shall also be used on all other sides of the building.
  - iv. Colors. At least two muted earth-toned colors generally visible from the site are required.
  - v. Repetitious building facades. When multiple dwelling units with substantially similar floor plans, whether mirrored or not, will be located on the same street-block, no less than seven unique dwelling unit facade patterns that use unique architectural design features and materials shall be used and distributed in a manner that avoids the obvious repetition of the same pattern, whether mirrored or not, within visual proximity of another. This provision shall not apply to any dwelling unit with a street-facing facade that gives the visual appearance of a single-family dwelling.
  - vi. Parking. Three (3) off-street parking spaces shall be provided for each unit.
  - vii. Fencing. Private yards shall be enclosed by a fence that meets the following regulations:

(1) Front and Side Yard Fences. Front and side yard fences shall be constructed of decorative vinyl, metal, or wood materials that are compatible with the building design. Chain-link fencing is prohibited. Fences shall be a minimum of thirty (30) inches in height and shall not exceed forty-eight (48) inches in height. Any fence exceeding thirty-six (36) inches in height shall be a minimum of seventy-five percent (75%) open.

(2) Backyard fences must be at least five (5) feet tall.

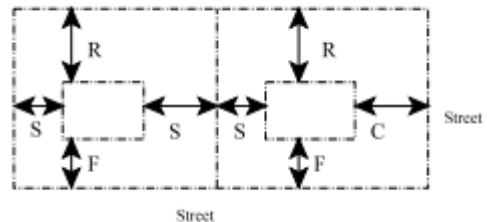
#### ~~Additions to existing homes~~

~~Any single family dwelling structure having been occupied for a minimum of five years may make an expansion of the dwelling that extends into the area of the rear yard setback for the main portion of the home provided the expansion:~~

- ~~1.—Maintains the sideyard setbacks of the respective zone;~~
- ~~2.—Maintains a minimum setback of 15 feet from the rear property line, and~~
- ~~3.—Is no wider than half the width of the existing house~~

#### 4. Other Main Building Setback

Nonresidential buildings or structures which are used for the main permitted land use shall maintain a minimum distance in feet from the property line to the building



or structure according to the following table:

| Zone                                          | A-1 and R-1-20 |     |     |     | RE-15 |   |   |   | R-1-10 / R-5 / R-SA |   |   |   |
|-----------------------------------------------|----------------|-----|-----|-----|-------|---|---|---|---------------------|---|---|---|
| Type of setback                               | F              | S   | C   | R   | F     | S | C | R | F                   | S | C | R |
| Barn or farm<br>Animal Boarding Establishment | 100'           | 15' | 70' | 15' |       |   |   |   |                     |   |   |   |

|                                           |     |     |     |     |     |     |     |     |     |     |     |     |
|-------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Church                                    | 30' | 30' | 25' | 30' | 30' | 30' | 25' | 30' | 25' | 30' | 20' | 20' |
| Golf course building                      | 30' | 30' | 30' | 30' | 30' | 30' | 30' | 30' | 30' | 30' | 30' | 30' |
| Produce stand                             | 30' | 10' | 30' | 10' | 30' | 10' | 25' | 30' | 25' | 10' | 20' | 20' |
| Plant nursery sales office                | 30' | 10' | 30' | 10' | 30' | 10' | 25' | 30' |     |     |     |     |
| Plant greenhouse                          | 60' | 10' | 30' | 10' | 60' | 10' | 30' | 10' |     |     |     |     |
| School                                    | 30' | 30' | 25' | 30' | 30' | 20' | 30' | 30' | 25' | 20' | 20' | 20' |
| Substation                                | 75' | 75' | 75' | 75' | 75' | 75' | 75' | 75' | 75' | 75' | 75' | 75' |
| T.V., radio, telecommuni-<br>cation tower | 75' | 75' | 75' | 75' |     |     |     |     |     |     |     |     |

F = Front setback, S = Side setback, C = Corner side setback, R= Rear setback

5. Main Building height Minimum- 10 feet Maximum-

Residential, other main building- 35 feet

Fruit or vegetable stand, green house, coop- 15 feet