HARRISVILLE CITY ORDINANCE 539

HARRISVILLE GENERAL PLAN AMENDMENTS

AN ORDINANCE OF HARRISVILLE CITY, UTAH, AMENDING THE GENERAL PLAN, AMENDING SECTION 10.01.040 ENTITLED "GENERAL PLAN ELEMENTS" AS PART OF THE MUNICIPAL CODE; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

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

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

WHEREAS, the City adopted the most recent version of its General Plan on October 8, 2019 and now desires to adopt an update;

WHEREAS, after publication of the required notice, the Planning Commission held a public hearing on January 11, 2023 and subsequently gave its recommendation to adopt this ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on February 14, 2023, to act upon this Ordinance:

WHEREAS, the City Council finds the proposed update contains all elements mandated by the Utah Code and has been updated to meet current and future moderate income housing needs of the City:

WHEREAS, the attached Exhibit "A" contains the 2022 Moderate Income Housing Report;

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

- **Section 1:** Repealer. Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- **Section 2:** Amendment. Section 10.01.040 of the *Harrisville Municipal Code* is hereby respectively amended to read as follows:

10.01.040 GENERAL PLAN ELEMENTS

- 2. Required Elements. The City implements the following Elements:
 - a. Land Use Element. A land use element that provides for long term goals and the proposed extent, general distribution, and location of land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space, and other categories of public and private uses of land as appropriate; and may include a

- statement of the projections for and standards of population density and building intensity recommended for the various land use categories covered by the General Plan.
- b. Transportation Element. A transportation and traffic circulation element that consists of the general location and extent of existing and proposed highways, arterial, collector streets, mass transit, and any other modes of transportation that the City considers appropriate as correlated with the population projections and proposed land uses.
- c. Moderate Income Housing. A moderate income housing element that:
 - A. <u>Provides a realistic opportunity to meet the need for additional moderate income housing within the next five years;</u>
 - B. Selects three or more moderate income housing strategies described in Subsection (2)(b)(iii) for implementation, including one additional moderate income housing strategy as provided in Subsection (2)(b)(iv) for a specified municipality that has a fixed guideway public transit station; and
 - C. Includes an implementation plan as provided in Subsection (2)(c); and
 - D. In drafting the moderate income housing element, the planning commission:
- (A) rezone for densities necessary to facilitate the production of moderate income housing:
- (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
- (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;
- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;

Strategy/Goal 1:

(A)Rezone for densities necessary to facilitate the production of moderate-income housing;

Strategy/Goal 2:

(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;

Strategy/Goal 3:

(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones

Strategy/Goal 4:

(F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;

Strategy/Goal 5:

(K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;

Strategy/Goal 6:

(O) Apply for or partner with an entity that applies for state or federal funds or tax incentives

- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund:
- (L) reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
- (O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11. Chapter 13. Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that

to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

- promote the construction or preservation of moderate income housing;
- (P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
- (Q) create a housing and transit reinvestment zone pursuant to <u>Title 63N</u>, <u>Chapter 3</u>, <u>Part 6</u>, <u>Housing and Transit Reinvestment Zone Act</u>;
- (R) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-9a-530;
- (S) create a program to transfer development rights for moderate income housing;
- (T) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
- (U) develop a moderate income housing project for residents who are disabled or 55 years old or older;
- (V) develop and adopt a station area plan in accordance with Section 10-9a-403.1;
- (W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones; and
- (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing; and

to address an estimate of the need for the development of moderate income housing within the City, and a strategy to provide an opportunity to meet estimated needs for moderate income housing if long term

projections for land use and development occur. The City has denoted in the General Plan issues related to public transit stations in order to comply with state law and may implement policies for the same. Also, the City has identified in the General Plan three (3) or more strategies prescribed in statute that the City may modify from time to time as needed to implement an effective Moderate Income Housing Plan.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this

ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of the ordinance, shall be severed from the remainder, which shall continue in

full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting after final

passage, approval, and posting.

PASSED AND ADOPTED by the City Council on this 14th day of February, 2023.

MICHELLE TAIT

Mayor

JENNIE KNIGHT

City Administrator

Roll Call Vote is as follows:

Council Member Wilhelmsen Council Member Weiss Council Member Christensen Council Member Jackson Council Member Loveland



RECORDED this Hay of February, 2023.
PUBLISHED OR POSTED this Had day of February, 2023.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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

City Administrator

____ DATE: 2/14/2023



HARRISVILLE CITY

MODERATE INCOME HOUSING PLAN 2022 ANNUAL UPDATE REPORT

February 14, 2023

Approved by the Legislative Body

Harrisville City 363 W. Independence Boulevard Harrisville, Utah 84404 (801) 782-4100

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MODERATE INCOME HOUSING PLAN – 2022 ANNUAL UPDATE REPORT

1. INTRODUCTION

This Moderate-Income Housing Plan 2022 Annual Update Report (Report) is in accordance with Utah Code Annotated §10-9a-408. This state statute provides that the City Council, acting in its capacity as the legislative body of Harrisville City, Utah (City), is to make an annual Report on its Moderate-Income Housing Plan (MIHP). Harrisville City adopted its Moderate-Income Housing Plan on February 14, 2023. This Report is the required annual update of that Plan.

A MIHP is required as an element of the General Plan as set forth in Utah Code Annotated §10- 9a-403. The purpose of the MIHP is to address the need for the development of additional moderate-income housing within the City, and to provide a realistic opportunity to meet estimated needs for additional moderate income housing if long-term projections for land use and development occur. Utah Code Annotated §10-9a-103 defines "moderate income housing" as "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."

The annual review of the MIHP provides the opportunity to give this Report on the implementation of the MIHP along with the City's findings made during the review. The primary objective of the City's MIHP is to promote home-ownership opportunities for moderate income households. It also seeks to allow households of moderate income to benefit from and fully participate in all aspects of neighborhood and community life. To accomplish this, the MIHP makes projections of housing needs and factors that may affect housing for households of moderate income.

2. ANNUAL REPORTING REQUIREMENT

In accordance with Utah Code Annotated §10-9a-408, the City Council shall submit a written moderate income housing report as follows:

- a. A description of each moderate income housing strategy selected by the City Council for implementation; and
- b. An implementation plan.

3. GEOGRAPHY AND DEMOGRAPHICS

A. Geography and Demographics.

Harrisville City is located at 41°17′7″N, 111°59′12″W (41.285169, -111.986584) GR1. According to the United States Census Bureau, the City consists of 2.98 square miles. The U.S. Census Bureau estimates the current population of the City to be 7,004 (Census 7/1/2021) which is an increase from 5,567 in 2010. The Weber County Assessor's Office currently estimates 2,110 housing units in the City. The home ownership rate has increased to 81.1% since the last report of 78%.

Harrisville City is located in the Ogden-Clearfield Metropolitan Statistical Area (MSA). Based upon data from the U.S. Census Bureau, the 2020 median household income level for a household is \$77,426 per year. Moderate income is a household that earns 80% of the median income which calculates to \$61,940 per year.

It should also be noted that there are many more elements that involve the housing market beyond the City. These elements include inflation, interest rates, unemployment, and similar. These elements may negatively affect moderate income housing opportunities notwithstanding all the efforts made by the City to encourage the same. The City is only a small part of a greater whole in the housing market.

B. Moderate Income Housing Profile.

The City Council finds that Harrisville City has an interest in providing for moderate income housing for its residents. This policy promotes individuals who want to live near their family and relatives in the community. The City desires to maintain its local culture and lifestyle in conjunction with its housing policies. The City Council also recognizes the need to promote community pride, unity, history, open space, aesthetics, and recreation.

Moderate income housing is defined by Utah Code Annotated §10-9a-103(40). This statute provides that moderate income housing is housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income of the City. Therefore, a moderate-income household in Harrisville City earns 80% of \$77,426 which is \$61,940 per year.

Since the last Report in 2018, approximately 72 new single-family housing units have been constructed in the City, with 4 new multi-family housing units constructed in this same time. As of the 2020 Census, 81.1% of housing units are owner-occupied with the median property value of \$285,000 and the average monthly mortgage of \$1,568. As of 2021, 18.9% of housing units are rental units, with an average monthly rent of \$1,121; Harrisville City has approximately 2,110 housing units with 1,711 units owner occupied and 398 rental units.

Harrisville City Single Family and Multi-Family housing units:

2022			
Total Housing Units	2,110	100%	
Single Family Units	1,632	77.3%	
Multi-Family Units	478	22.7%	

The number of dwelling units as provided by the Weber County Assessor's Office and updated with new permits is as follows:

# of Units	Price Range	# of Units	Price Range
0	Under \$150,000	74	\$600,001 to \$650,000
1	\$150,001 to \$200,000	38	\$650,001 to \$700,000
2	\$200,001 to \$250,000	22	\$700,001 to \$750,000
158	\$250,001 to \$300,000	15	\$750,001 to \$800,000
438	\$300,001 to \$350,000	6	\$800,001 to \$850,000
352	\$350,001 to \$400,000	6	\$850,001 to \$900,000
399	\$400,001 to \$450,000	6	\$900,001 to \$950,000

305	\$450,001 to \$500,000	2	\$950,001 to \$1,000,000,00	
172	\$500,001 to \$550,000	4	Over \$1,000,000,00	
110	\$550,001 to \$600,000			
Total Single-family Housing Units: 2,110				

Harrisville City has encouraged a variety of housing and residential opportunities by drafting and adopting a Mixed-Use/In-fill Ordinance and establishing a range of allowed densities and lot sizes. Harrisville has currently, in various stages of approval, an additional 542 single family housing units and 489 multi-family housing units within seven development applications.

Historically, Harrisville City has constructed mainly single-family units. In 2018, 73% of the housing stock in Harrisville was available to moderate income households. Although the increase to home values over the past eighteen months has impacted housing classified as moderate income significantly, development applications in recent years are focused toward multi-family units; townhomes, condos, and apartments. This focus in development for multi-family units will help address new moderate income housing challenges.

4. ANNUAL REPORT FINDINGS.

According to the statute, this Report includes the municipalities efforts to facilitate a reasonable opportunity to include a variety of housing, including moderate income housing:

- To meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
- To allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;

A. Moderate Income Housing 2022 Strategies.

To provide an analysis of how the City will provide a realistic opportunity for the development of moderate income housing within the next five year, Harrisville City has identified the following six moderate income housing strategies including timelines (in accordance with UCA §10-9a-403(2)(c)):

- 1. UCA §10-9a-403(2)(b)(iii)(A) Rezone for densities necessary to facilitate the production of moderate-income housing;
- 2. UCA §10-9a-403(2)(b)(iii)(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
- 3. UCA §10-9a-403(2)(b)(iii)(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- 4. UCA §10-9a-403(2)(b)(iii)(F) Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- 5. UCA §10-9a-403(2)(b)(iii)(K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;
- 6. UCA §10-9a-403(2)(b)(iii)(O) Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income

housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing.

The attached "Exhibit A" includes a description of each moderate income housing strategy selected for implementation, an implementation plan, and timeline for implementation. In the event that an identified strategy is encumbered by barriers that constrain implementation, the City Council will identify and adopt a new strategy.

B. Moderate Income Housing 2023 Strategy Outline.

- 1. A description of each action, whether one-time or ongoing, taken by the specified municipality during the next fiscal year to implement the moderate income housing strategies identified for implementation above.
- 2. A description of each land use regulation or land use decision made by the city during the next fiscal year to implement the moderate income housing strategies, including an explanation of how the land use regulation or land use decision supports the City's efforts to implement the moderate income housing strategies;
- 3. A description of any barriers encountered by the City in the next fiscal year in implementing the moderate income housing strategies;
- 4. Information regarding the number of internal and external or detached accessory dwelling units located with the City for which the City:
 - a. Issued a building permit to construct; or
 - b. Issued a business license to rent;
- 5. A description of how the market has responded to the selected moderate income housing strategies, including the number of entitled moderate income housing units or other relevant data; and
- 6. Any recommendations on how the state can support the City in implementing the moderate income housing strategies.

5. CONCLUSION

The City Council acts as the legislative body for Harrisville City. The City Council policies have been effective in reducing, mitigating, or eliminating barriers to moderate income households. The City coordinates its moderate income housing planning with other nearby municipalities in the county, and forwards its reports to the appropriate agencies. The City should continue to evaluate trends and development as it continues to make its annual reports relating to moderate income housing.

Strategy Identified	Strategy Objective - Goal	Implementation/Action Plan	Timeline
UCA §10-9a-403(2)(b)(iii) (A) Rezone for densities necessary to facilitate the production of moderate income housing.	Address the loss of moderate income housing by creating additional zoning options.	Collect data through development applications, code complaints, parking enforcement, and other resources. Design overlay maps for the identified areas of focus. Utilize a moderate income housing check list for early development discussions. Consider the possibility of zoning overlays to allow for higher density for connected single family homes, multi-family units or patio homes for senior developments.	Collect data and complete a comprehensive study in 2023. Draft ordinance language in early in 2024 with adoption by the end of 2024.
UCA §10-9a-403(2)(b)(iii)(B) Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing.	Update and adopt a new Capital Improvement Plan to rehabilitate aging or expand existing infrastructure.	Conduct annual inspections of sewer, storm water lines through one half of the city each year. Apply for infrastructure grants through appropriate programing, i.e. CDBG. Identify aging infrastructure (mainly sewer but also storm water) through our annual inspections to rehabilitate aging sewer infrastructure. Identify new infrastructure needs for anticipated growthy due to development of Ben Lomond Golf Course, Dixon Creek, and Harrisville Field projects. Partner with local entities to maintain shared infrastructure.	Adopt updated Capital Improvements Plan by end of 2023. Complete sewer and storm water inspections with a half city rotation each year.
UCA §10-9a-403(2)(b)(iii)(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.	Allow for additional internal or detached accessory dwelling units in low density zones. Identify ADU zones and create an overlay map	Monitor ADU development through building permits and business license applications. Possibly create standards for External ADU's in low density zones. Review and/or modify definitions of "Family" in Land Use Code. Consider the impact on local communities through complaints received or increased parking on public right of way. Assess ADU eligible zones since adoption of the Internal ADU ordinance in September of 2021 and identify areas where additional Internal ADU's could be allowed. Consider the impact of whether or not External ADU's should be allowed.	Monitor development through 2023. Ordinance amendment proposal for detached/internal ADU's to be prepared and presented for review and possible adoption the last quarter of 2024.
UCA §10-9a-403(2)(b)(iii)(F) Zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.	Allow for zones for higher density near our traffic and commercial corridors; mainly Washington Blvd, Highway 89, and Wall Ave.	Create a MIHP checklist for proposed development applications with regard to their proximity to these corridors and work with developers through development agreements to help increase density. Conduct a review of the existing mixed use areas, expand the Mixed-Use Overlay map for areas that meet the "near major transit, commercial, employment corridors" which include Washington Blvd, Highway 89, and Wall Ave.	Create checklist in 2023 and continue monitoring applications through development application process. Currently have three developments in process that meet these standards. Review existing Mixed-Use Overlay map for possible expansion of target areas during 2024. Draft new overlay map for adoption by end of 2025.
UCA §10-9a-403(2)(b)(iii) (K) Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund;	Preserve existing and new moderate income housing by utilizing a landlord incentive program.	Locate and/or create a good landlord training program with options and provide an annual training for landlords to receive a reduction in the business license fee. Adopt a business license requirement for all landlord licensing for rental properties and promote reduction eligibility by participation in an annual good landlord training program.	Seek program options 2023, conduct training Fall of 2023 with consideration for reduction to 2024 business licenses.

UCA §10-9a-403(2)(b)(iii) (O) Apply for or partner	Develop and maintain	Collaborate with Weber County Economic Development and Community	Meet with local partners and collect current
with an entity that applies for state or federal	community partnerships with a	Development Teams to identify needs in our community for adequate	statistics in 2023, develop community
funds or tax incentives to promote the	local housing authority - Weber	affordable housing, food, child care, employment, etc. with the goal of	outreach program in 2024.
construction of moderate income housing, an	County Economic Development	providing tangible resources and strengthening the community. Partner	
entity that applies for programs offered by the	and Community Development	with these entities to apply for grants to improve services within Harrisville	Apply for grants in 2024 and/or 2025.
Utah Housing Corporation within that agency's	Coordinators to identify areas	City.	
funding capacity, an entity that applies for	where federal or state funding		Schedule project timeline when grant funding
affordable housing programs administered by the	could help promote	Obtain current Moderate Income Housing Statistics for Harrisville from	is awarded.
Department of Workforce Services, an entity that	development for construction of	Weber County. Identify programs that are available, including the Your	
applies for affordable housing programs	moderate income housing or	Land, Your Plan initiative through the state.	
administered by an association of governments	programs that support		
established by an interlocal agreement under Title	community needs.	Promote an understanding of housing needs regardless of income, age	
11, Chapter 13, Interlocal Cooperation Act, an		and ability and identify resources available to support these needs to	
entity that applies for services provided by a		create a successful economy as well as community through future	
public housing authority to preserve and create		partnerships by implementing a community outreach program. Utilize the	
moderate income housing, or any other entity that		city newsletter, website, and social media to advertise available programs	
applies for programs or services that promote the		and resources and conduct community surveys.	
construction or preservation of moderate income			
housing.			

