

# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

### 15.25.1 SUBDIVISION GENERAL PROVISIONS

|            |  |
|------------|--|
| 15.25.1.1  | Purpose  |
| 15.25.1.2  | Variations and Exceptions                                |
| 15.25.1.3  | Scope of Title   |
| 15.25.1.4  | Preliminary Plan, General Requirements                   |
| 15.25.1.5  | Subdivision Preliminary Plan Requirements and Statements |
| 15.25.1.6  | Subdivision Preliminary Plan Recommendation and Approval |
| 15.25.1.7  | Limitations  |
| 15.25.1.8  | Final Plat and Improvements                              |
| 15.25.1.9  | Final Improvement Plans                                  |
| 15.25.1.10 | Approval of Final Plat                                   |
| 15.25.1.11 | Final Plat – Minor Subdivision                           |
| 15.25.1.12 | Vacating or Changing a Subdivision Plat                  |
| 15.25.1.13 | Parcel Consolidation                                     |
| 15.25.1.14 | Boundary Line Adjustments                                |

#### 15.25.1.1 Purpose

The underlying purpose and intent of this Title is to promote the health, safety, convenience and general welfare of the inhabitants of the Huntsville Town in the matter of the subdivision of land and related matters affected by such a subdivision. Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and the neighborhood development of Huntsville Town, and the subdivider shall present evidence to this effect when requested to do so by the Huntsville Town Planning Commission.

#### 15.25.1.2 Variations and Exceptions

In cases where unusual topographical or other exceptional conditions exist, variations and exceptions from this Title may be made by the Huntsville Town Council and/or the Appeal Authority. The Huntsville Town Council and the Appeal Authority will consider the recommendations of the Huntsville Town Planning Commission.

#### 15.25.1.3 Scope of Title

No person shall subdivide any tract of land which is located wholly or in part in Huntsville Town, except in compliance with this title. No person shall sell or exchange or offer to sell or exchange any parcel of land which is part of a subdivision of a larger tract of land, nor offer for recording in the office of the Weber County Recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this Title, provided that this Title shall not apply to any lots or lots forming a part of a subdivision created and recorded prior to July 27, 1994.

No lot within a subdivision approved by the Huntsville Town Council and recorded in Weber County Recorder's Office in accordance with the provisions of this Ordinance, shall be further divided,

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

rearranged, added to or reduced in area nor shall the boundaries of any lot be altered in any manner so as to create more lots than initially recorded or any non-conforming lot without first obtaining the approval of the Huntsville Town Council.

### **15.25.1.4 Preliminary Plan, General Requirements**

- A. Preliminary information. Each person who proposes to subdivide land within the incorporated limits of Huntsville Town shall confer with the Huntsville Town Planning Commission before submitting any plats, charts, or plans in order to become familiar with the requirements of this Title. The subdivider shall also discuss the proposed plan of development of the tract with the Huntsville Town Planning Commission.
- B. Preliminary Plan Filing. A preliminary plan shall be prepared in conformation with the standards, rules, and regulations contained herein and eight (8) black and white prints thereof shall be submitted to the Huntsville Town Clerk who will disburse copies to each of the following for their information and recommendations of such officials and departments as needed; the Huntsville Town Council, other Utah State agencies and any company furnishing telephone, electric, water or gas service.
- C. Preliminary Plan Application Fee. At the time of filing the preliminary plan, the subdivider shall deposit with the Huntsville Town Planning Commission office a non-refundable fee made payable to Huntsville Town, The Huntsville Town Council, shall by resolution from time to time, prescribe the amount of such fee, which shall be for the purpose of reimbursing Huntsville Town for the expense incidental in connection with the checking and approving of such subdivision plans.

### **15.25.1.5 Subdivision Preliminary Plan Requirements and Statements**

- A. Subdivision Preliminary Plan Requirements. The subdivision preliminary plan shall be drawn to a scale not smaller than one hundred (100) feet to the inch and shall show:
  - 1. The proposed name of the subdivision.
  - 2. The location as forming a part of a larger tract or parcel, where the plat submitted covered only a part of the subdivider's tract or only a part of a larger vacant area. In such case, a sketch of the prospective future street system of the unplatted parts, shall be submitted; and the street system of the part submitted shall be considered in the light of adjustments and connections with the future street system of the larger area.
  - 3. Sufficient information to locate accurately the property shown on the plan, including Section Corner Ties.
  - 4. The individual or company names and addresses of the subdivider, the licensed engineer and licensed land surveyor for the subdivision, and the owners of the land immediately adjoining the land to be subdivided.
  - 5. Contour map at intervals of no less than two (2) feet minor and five (5) feet major,

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

- or as recommended by the Huntsville Town Planning Commission.
6. The boundary lines of the tract to be subdivided showing bearings and distances.
  7. The location, widths and other dimensions of all existing or platted streets and other important features, such as water courses, irrigation ditches and structures, exceptional topography, easements and buildings within or immediately adjacent to the tract to be subdivided.
  8. Existing and proposed septic systems, storm drains, water supply mains, water wells, land drains, and culverts within the tract and immediately adjacent thereto.
  9. The location, widths and other dimensions of proposed public streets, private streets, or private access rights-of-way, alleys, utility easements, parks, other open spaces and lots with proper labeling of spaces to be dedicated to the public or designated as private streets or private rights-of-way.
  10. North-pointing arrow, scale and date of drawing creation.
- B. Plans or written Engineering Statements prepared by a Utah-Licensed engineer regarding the width and type of proposed pavement, location, size, and type of proposed septic wastewater treatment system, proposed water mains and fire hydrants, proposed storm water drainage facilities, and other proposed improvements such as sidewalks, planting, parks, and any grading of individual lots.
- C. A written Statement of Feasibility from the Weber County Health Department or the Utah State Division of Water Quality which states recommendations regarding sanitary sewage disposal shall be provided to the Huntsville Town Planning Commission prior to the recommendation of Preliminary Approval.

### **15.25.1.6 Subdivision Preliminary Plan Recommendation and Approval**

- A. Recommendations of the Huntsville Town Planning Commission. Following a review of the preliminary plan, the Huntsville Town Planning Commission shall act on the Subdivision Preliminary Plan as submitted. If it is deemed by the Huntsville Town Planning Commission that modifications are required, the subdivider may resubmit the preliminary plan to the Huntsville Town Planning Commission.

Regardless of the recommendations of the Huntsville Town Planning Commission, the subdivider may request approval of the Subdivision from the Huntsville Town Council at the next regularly scheduled Huntsville Town Council meeting.

The Huntsville Town Planning Commission shall express its Written Recommendations with whatever suggestions and conditions to the subdivider and to the Huntsville Town Council within fifteen (15) days. If the preliminary plan is not recommended for approval by the Huntsville Town Planning Commission, the Huntsville Town Planning Commission shall indicate this in writing within fifteen (15) days to the subdivider and to the Huntsville Town Council.

- B. Approval/Disapproval of the Preliminary Plan by the Huntsville Town Council. The Huntsville Town Council, at its next regularly scheduled meeting after receiving the Written Recommendations of the Huntsville Town Planning Commission, shall consider and act on the

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

matter of the Subdivision Preliminary Plan.

If it is deemed by the Huntsville Town Council that the Preliminary Plan is incomplete or is in violation of the Land Use Title of any other Ordinance of Huntsville Town, or that modifications to the Preliminary Plan are required, the Huntsville Town Council may deny approval of the Preliminary Plan.

And if it is acceptable to the subdivider, the Huntsville Town Council may also table approval/disapproval of the Preliminary Plan until the next regularly scheduled Town Council meeting, or a future Town Council meeting.

The Preliminary Plan shall then be resubmitted to the Huntsville Town Council for approval of the modifications. If approved, the Huntsville Town Council shall express its Written Approval, with accompanying conditions, to the subdivider within fifteen (15) days. If the Preliminary Plan is disapproved, the Huntsville Town Council shall express its Written Disapproval in writing, and reasons therefore, within fifteen (15) days to the subdivider. Written Approval of the Preliminary Plan shall be authorizations for the subdivider to proceed with the preparation of the Final Plat and Improvement Plan (specifications for the minimum improvement(s) required in this Title.

### **15.25.1.7 Limitations**

- A. Time Limitation. Approval of the Subdivision Preliminary Plan by the Huntsville Town Council shall be valid for eighteen (18) months from the date of approval. Extensions of time may be granted by the Huntsville Town Council for a period of not longer than twelve (12) months upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval.

No other time extensions shall be granted. The subdivider will have to start the subdivision process over. Self-imposed, and economic hardships are not basis for granting and extension. If the final plat has not been submitted within the twelve (12) months, the preliminary plan must again be submitted with appropriate fees to the Huntsville Town Planning Commission for review and re-approval; however, preliminary approval of a large tract shall not be voided provided that the final plat of the first section is submitted for final approval within the twelve (12) month period, and recorded within twelve (12) months from the date of final approval by the Huntsville Town Council. Subsequent phases will have to be recorded within twelve (12) months from the date of recording of the previous phase.

The subdivider will have twelve (12) months from the date of final plat submittal to obtain final plat approval and record a phase of the subdivision. Each phase of the subdivision after the first phase will have twelve (12) months from the date of recording of the prior phase to receive final approval of the next phase, and to record that phase of the subdivision. Extensions of time may be granted by the Huntsville Town Planning Commission for a period of no longer than twelve (12) months upon submittal of a request for extension of time, and showing of good cause prior to the expiration of the initial approval, or an approved extension of time. A second time extension may be requested, and if granted, the extension can be no longer than six (6) months.

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

No other time extensions shall be granted. The subdivider will have to start the subdivision process over. Self-imposed, and economic hardships are not a basis for granting an extension.

- B. Grading Limitation. No large-scale excavation, grading or re-grading as determined by the Huntsville Town Planning Commission or the Huntsville Town Council shall take place on any land for which a preliminary subdivision plan has been submitted until such plan have been given preliminary approval by the Huntsville Town Planning Commission and then only in accordance with the Huntsville Town Excavation Title.

Preliminary Plan approval is required for any subdivision that requires new road improvements or engineering plans.

### 15.25.1.8 Final Plat and Improvements

- A. Final Plat Required. After Subdivision Preliminary Plan approval, the subdivider shall submit a Final Plat with four (4) copies thereof to the Huntsville Town Planning Commission. Such plat shall be accompanied by a Letter of Certification by the subdivider's registered Land Surveyor, indicating that all lots meet the requirements of the Huntsville Town Land Use regulations.

The final plat and accompanying information shall be submitted to the Huntsville Town Planning Commission at least thirty-five (35) days prior to a regularly scheduled Huntsville Town Planning Commission meeting. Notice of said meeting will be mailed to or emailed to

- 1. Affected entities if multi-unit residential, commercial, or industrial subdivision,
- 2. a) to the record owner of each parcel within specified parameters of that property, or b) posted, on the property to give notice to passer-by.

- B. Final Plat Requirements

- 1. The Final Plat shall consist of a sheet of approved tracing linen or mylar to the outside or trim dimension of twenty-four (24) by thirty-six (36) inches and the border line of the plat shall be drawn in heavy lines leaving a space of a minimum of one-half (.5) inch or a maximum of one and one-half (1.5) inch margin on all four sides of the sheet. The final plat shall be signed and stamped by a Professional Lan Surveyor, licensed in the State of Utah. The plat shall be so drawn that the top of the sheet faces either north or east, whichever accommodates the drawing best. All lines, dimensions and marking shall be made on the tracing linen or mylar with approved waterproof, black "India Drawing Ink." The plat shall be made to scale large enough to clearly show all details in any case not smaller than one hundred (100) feet to the inch and the workmanship on the finished drawing shall be neat, clean cut and readable. The plat shall be signed by all parties mentioned in sub-paragraph 15.25.1.8.B.9 of this subtitle, duly authorized and required to sign, and shall contain the additional following information:
- 2. A subdivision name approved by the Weber County Recorder, and the general location of the subdivision in bold letters at the top of the sheet, The Township, Range, and Quarter Section shall be shown on the top of the plat.

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

3. Where a subdivision complies with the Cluster Subdivision provision of this Title, the final plat shall indicate underneath the subdivision name the words, “Cluster Subdivision.”
4. A north point and scale of the drawing and the date. (Meaning the date, year, and month the survey markers were placed).
5. Accurately drawn boundaries, showing the distance and bearings of all lines traced or established by the survey, and dimensions of all boundary lines of the subdivision. These lines should be slightly heavier than street and lot lines. If such a line is a curve, the radius, arc length, and central angle must be shown. If the curve is a non-tangent curve, the chord bearing, and distance must be shown as well.

The word “Basis of Bearings” must be shown on the plat between two existing, described government monuments. The government monuments may be section corners, city or county street monuments, or horizontal network stations maintained by a government agency. The State Plane Grid Bearings (where available) shall be used in the survey and noted on the plat and the Basis of Bearing sufficient for retracement shall also be noted on the final plat. A measurable mathematical relationship between the property and the monument from which it is described shall exist. If that monument is not in place, its mathematical location must be shown as well as a mathematical relationship to a monument in place. All measured bearings or distances or bearings and distances calculated from measurements shall be separately indicated from those of record if not in agreement. The mathematical relationship between all monuments found or set.

6. The names, widths, lengths, bearings, and curve data on center lines of proposed streets, alleys and easements, also the boundaries, bearings, and dimensions of all portions within the subdivision as intended to be dedicated to the use of the public; the lines, dimensions, bearings, areas and numbers of all lots, blocks and parts reserved for any reason within the subdivision. All lots are to be numbered consecutively under a definite system approved by the Huntsville Town Surveyor. All proposed streets shall be named or numbered consecutively under a definite system acceptable to the Huntsville Town Surveyor and conform as far as practicable to the adopted street naming and numbering system of Huntsville Town.
7. A house number indicating the street address for each lot in the subd shall be assigned by the Huntsville Town Surveyor marked on each lot so as to face the street frontage. Corner lots shall have a house number assigned for frontage. Homes that are built on approved flag lots or rights of way shall have the address assigned and posted at the access point from a Huntsville Town road or private road.
8. Parcels of land to be dedicated as public park or to be permanently reserved for private common open space shall be included in the lot numbering system and shall also be titled “Public Park” or “Private Common Open Space,” whichever is applicable.
9. The standard forms approved by the Huntsville Town Planning Commission for all subdivision plats lettered for the following:

# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

- a. Description of land to be included in subdivision;
  - b. Registered land surveyor's certificate of survey;
  - c. Owner's dedication certificate;
  - d. Notary Public's acknowledgment;
  - e. Huntsville Town Council's certificate of approval;
  - f. Huntsville Town Engineer's certificate of approval;
  - g. Huntsville Town Attorney's certificate of approval;
  - h. Huntsville Town Clerk's Engineer's certificate of attest;
  - i. Approved Surveyor's certificate of approval;
  - j. Weber-Morgan Health Department certificate of approval.
10. A three (3) inch by three (3) inch space in the lower right-hand corner of the drawing for recording information.
11. The subdivision boundary corners and lot corners not affected by road construction shall be set on the site prior to recording of the final plat. Lot corners affected by road construction shall be set prior to issuance of a residential building permit. Front lot line corners may be permanently referenced in curbs after completion of streets. The subdivision boundary corners, lot corners and center line street monuments shall be noted on the final plat in conformance to the record of survey requirements.
12. Map Narrative:
- a. The map shall contain a written narrative the explains and identifies;
    - i. The purpose of the survey.
    - ii. The basis on which lines were established. The surveyor should explain what decisions he made in formulating the boundary such as the basis of bearing for the description or the use of any proration methods.
    - iii. The found monuments or deed elements that controlled the established or re-established lines. If the description call for any monuments in a broad sense of the term (right-of-way lines, subdivision boundaries, fences, etc.) the surveyor should indicate what he found relating to these calls.
  - b. If the narrative is a separate document, it shall also contain:
    - i. Location by quarter section or lot number, section number, township and range.
    - ii. Date of survey.
    - iii. Surveyor's stamp or seal and signature.
    - iv. Surveyor's business name and address.
  - c. The map and narrative shall be referenced to each other if they are separate documents.
13. Boundary Monument:
- A. The minimum standard for a boundary monument shall be a number five rebar 24 inches in length. Where ground conditions do not permit such monumentation, substitute monuments must be durably and visibly marked or tagged with the

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

registered business name of the letter “P.L.S” followed by the license number of the licensed surveyor performing the survey.

- B. If the monument is set by a public officer, it shall be marked with the official title of the office.

- 14. Remaining Parcel. When a division of property leaves a remaining area of 5.00 acres or greater, then the remaining property will be described by metes and bounds descriptions, on subdivision plat with the note: REMAINING AGRICULTURAL PARCEL, NOT APPROVED FOR DEVELOPMENT. This description can be on survey or prepared from records. If the description is prepared from records, then this shall so be stated.
- 15. For subdivisions that are located in areas of Huntsville Town which are zoned for agriculture (A-3), the following statement shall be required on each page of the final plat;

“Agriculture is the preferred use in the agricultural zones, Agricultural operations as specified in the Huntsville Town Land Use regulations for a particular zone are permitted at any time including the operation of farm machinery and no allowed agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of the subdivision.”

- 16. For subdivisions that include lots, which will be partially or completely in the base flood plain (15.13) of any river, stream, watercourse, lark, or other body of standing water; a flood plain boundary and elevations of the flood plain shall be shown on the final plat. The lowest elevation of any inhabitable floor in any structure for each lot shall also be shown on the final plat.
- 17. On final subdivision plats with three (3) lots, and where no preliminary subdivision plans are required to be submitted, the location of buildings or structures within or immediately adjacent to (within 30 feet) the tract of land to be subdivided shall be shown.

### 15.25.1.9 Final Improvement Plans

The subdivider shall furnish to the Huntsville Town Engineer at the same time of submittal of the Final Plat a complete set of Final Improvement Plans, signed and stamped by a Utah Licensed Professional Engineer for all streets, existing and proposed, and all utilities to be constructed within the subdivision together with the final plat. All such utility and road construction shall be in accordance with the adopted Huntsville Town Public Works Standards.

In addition, the following shall be required:

- A. Copies of Utility Contracts with applicable companies such as electric, gas, and telephone for services to the subdivision.
- B. As-built Plans shall be required prior to Huntsville Town Council acceptance for maintenance of roads. Upon the developer’s completion of the construction of roads and utility lines, the developer’s Engineer shall prepare and submit As-built Plans for all improvements for the approval of the Huntsville Town Engineer and the acceptance of roads for maintenance by Huntsville Town at which time the financial guarantee can be released.



# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

### 15.25.1.10 Approval of Final Plat

- A. After approving and signing the Final Plat, the Huntsville Town Council shall submit the plat for approval to the Huntsville Town Engineer, who shall check the engineering requirements of the Final Plat and the Final Improvement Plans for the correct amount of Financial Guarantee, to assure the construction and completion of the required improvements.

### 15.25.1.11 Final – Minor Subdivisions

An expedited process is adopted for minor subdivisions (subdivisions of three (3) lots or less):

- A. Engineering Statements, as described in Title 15.25.1.5.B will not be required.
- B. Where the subdivision does not require any street dedication, the name and address of the subdivider's licensed engineer will not be required.
- C. Map elevation contours intervals will not be required on the Subdivision Preliminary Plan.
- D. In cases of minor subdivisions where there are no improvement requirements beyond the installation of water line laterals from an existing main in the street, water meters, and approval from the Weber County Health Department for a septic system, Final Improvement Plans will not be required. The subdivider shall provide such improvements within the subdivision, and any other improvements as shall be required by the Huntsville Town Council. Final Improvement Plans will not be required, at the discretion of the Huntsville Town Planning Commission, where all of the following conditions exist:
  - 1. The subdivision consists of not more than three (3) lots.
  - 2. The subdivision does not require the dedication of any land for roads, right-of-ways, or other public purposes.
  - 3. The subdivision is not traversed by the mapped lines of a proposed roadway or other dedications or easements required for public purposes.
  - 4. Each of the lots in the subdivision meets the frontage, width, and area requirements of the Zone in which it lies.
- E. A Final Subdivision Plat, as specified in this Title, will still be required for any subdivision within the Huntsville Town limits.

These subdivisions shall be offered for recording within eighteen (18) months from the date of the submittal of the Subdivision Preliminary Plan and the payment of all required fees to the Huntsville Town Planning Commission for processing. If the Final Subdivision Plat is not offered for recording within this time frame, the subdivision proposal is void. A subdivision that is considered void will require a new submittal of the proposed subdivision with the accompanying appropriate fees, to bring the subdivision process for the same parcel of land.

Additional documents, unusual conditions of development or other restriction to the use of the lot or lots resulting from topography, geologic or environmental conditions or potential hazards, location or zoning regulations, etc, shall be identified in the actual location of the condition or restriction on the subdivision drawing if applicable, and/or shall be recorded as a protective covenant attached to the lot or lots so affected rather than being described as notes on the plat.

# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

### 15.25.1.12 Vacating or Changing a Subdivision Plat<sup>1</sup>

The subdivision amendment process shall comply with Part 6, Chapter 91 of Title 10 of the Utah Code annotated, including any amendments to the same.

### 15.25.1.13 Parcel Consolidation<sup>2</sup>

Upon favorable recommendation of the Huntsville Town Planning Commission and approval of the Huntsville Town Council, contiguous parcels (or lots) may be combined to form one (1) parcel (or lot) unless a subdivision amendment is required under Title 15.25.1.12. such parcels (or lots) will be considered consolidated and shall meet all requirements concerning parcel consolidation. Once two (2) or more contiguous parcels (or lots) have been consolidated, they may not be divided without meeting all applicable zoning requirements.

- A. Petition: Petitions for a parcel consolidation may be approved and executed upon the recordation of an appropriate deed if:
1. The parcel consolidation does not involve a recorded subdivision plat.
  2. The proposed parcel consolidation does not result in the creation of a parcel (or lot) of size or shape that does not conform to all Town zoning regulations, site development standards, and uses as approved in Appendix One, Table 15-1 (Acceptable Uses by Zone). If the proposed change is to a legally existing nonconforming lot, the change may not perpetuate nonconformity.
  3. The proposed parcel consolidation does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other site land use requirement.
  4. If the subject parcels are zoned differently, the Huntsville Town Council may require the applicant to proceed with a rezone petition under Title 15.16 prior to approval of a parcel consolidation petition.<sup>3</sup>
- B. Application: Application materials for the parcel consolidation shall include the following:
1. Completed Parcel Consolidation application signed by all affected property owners.
  2. Legal description of the whole piece of property to be consolidated.
  3. Copies of deeds reflecting the new property boundaries; and
  4. One (1) eleven by seventeen (11 x 17) inch drawing to scale of the proposed consolidated parcel (or lot). All drawings shall show all structures on the property, fence lines, easements, driveways, and streets, and include a measurement scale and north arrow.
- C. Recordation: parcel consolidation shall be accomplished by recording an appropriate deed with the County Recorder's Office. The new legal description shall not create a remnant parcel or violate existing zoning ordinances.

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<sup>1</sup> Amended 11-18-2022: Ordinance #2022-10-27: Subdivision amendments updated on noticing requirements for vacation or changing subdivision plat.

<sup>2</sup> Amended 10-4-2018: Ordinance #2018-10-4-A. Added Title 15.25.1.13 Parcel Consolidation 10-4-2018.

<sup>3</sup> Amended 5-2-2019: Ordinance #2019-4-25. Changed #4 from: "The proposed parcels are in the same zone", to "If the subject parcels are zoned differently".

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

- D. General: If necessary, the Planning Commission may require the following additional information:
1. A plat (drawn to scale) prepared in ink by a licensed surveyor or engineer to scale not smaller than one hundred (100) feet to the inch and shall be of such size as is acceptable for filing in the Office of the County Recorder. The plat shall:
    - a. Be accompanied by one (1) reduced eleven by seventeen (11 x 17) inch copy of the full-size drawing(s).
    - b. Be presented to the Town Clerk at least thirty (30) days prior to a regular meeting of the Planning Commission to review the plat and prepare for its consideration at a regular meeting held for such purpose.

### 15.25.1.14 Boundary Line Adjustment<sup>4</sup>

Upon favorable recommendation of the Huntsville Town Planning Commission and approval of the Huntsville Town Council, any adjoining property owners may submit an application, proposed map, and proposed legal descriptions for a boundary line adjustment unless a subdivision amendment is required under Title 15.25.1.12.

- A. Petition: Petitions for a boundary line adjustment may be approved and executed upon the recordation of an appropriate deed if:
1. The change in boundary lines does not result in the creation of a new lot or parcel.
  2. The change in boundary does not involve a recorded subdivision plat.
  3. The proposed change to a parcel does not result in the creation of a parcel of size or shape that does not conform to all Town zoning regulations, site development standards, and uses as approved in Appendix One, Table 15-1 (Acceptable Uses by Zone). If the proposed change is to a legally existing nonconforming parcel, the change may not perpetuate the nonconformity.
  4. The proposed change to a parcel (or lot) does not result in changing a conforming structure into a nonconforming structure as a result of setbacks, proximity to other structures, use, landscaping, or any other land use requirement,
  5. The petition to change the boundaries must include signatures from representatives of each parcel affected by the boundary line adjustment.
  6. If the subject parcels are zoned differently, the Huntsville Town Council may require the applicant to proceed with a rezone petition under Title 15.16 prior to approval of a boundary line adjustment petition.<sup>5</sup>
- B. Application: Application materials for the boundary line adjustment shall include the following:
1. Completed application signed by all affected property owners.
  2. Legal descriptions of each parcel involved in the boundary line adjustment.
  3. Copies of deeds reflecting the new property boundaries; and

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<sup>4</sup> Amended 10-4-2018: Ordinance #2018-10-4-A: Added Title 15.25.1.14 Boundary Line Adjustment on 10-4-2018.

<sup>5</sup> Amended 10-4-2018: Ordinance #2018-10-4-A. Requirement #6 changed from "The parcels are in the same zone." To "If the subject parcels are zoned differently..."

# TITLE 15 - Land Use Regulations

---

## Huntsville Town Ordinance – Title 15.25.1 Subdivision General Provisions

4. One (1) eleven by seventeen (11 x 17) inch drawing to scale of the existing plat and one (1) eleven by seventeen (11 x 17) inch drawing to scale of the proposed plat. All plats shall show all structures on the property, fence lines, easements, driveways, and streets, and include a measurement scale.
- C. Recordation: Boundary line adjustment shall be accomplished by recording appropriate deeds with the County Recorder's Office. The new legal descriptions shall not create a remnant parcel or violate existing zoning ordinances.
- D. General: If necessary, the Huntsville Town Planning Commission may require the following additional information:
  1. A plat (drawn to scale) prepared in ink by a licensed land surveyor or engineer to a scale not smaller than one hundred (100) feet to the inch and shall be of such size as is acceptable for filing in the Office of the County Recorder. The plat shall:
    - a. Be accompanied by one (1) reduced eleven by seventeen (11 x 17) inch copy of the full-size drawing(s).
    - b. Be presented to the Town Council at least thirty (30) days prior to a regular meeting of the Planning Commission to review the plat and prepare for its consideration at a regular meeting held for such purpose.