

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: May 25th, 2023
PLACE: Ogden Valley Library
 131 S 7400 E, Huntsville Utah
TIME: 6:30 p.m.

NAME	TITLE	STATUS
Allen Endicott	Chairman	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Excused
Liz Poulter	Planning Commissioner	Present
Suzanne Ferre	Planning Commissioner	Present
Amanda Hessenauer	Alt Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Ron Gault, Bill White, Karen and Scott Klin, Thomas Freeman, Chad Roberts, Joe and Wendy Farr, David Owen, David Morse

1-Roll call: Chairman Endicott welcomed all who are attending the meeting.

2-Approval of minutes for Planning Commission meeting April 26th, 2023.
 (See Attachment #1)

PCM Poulter motioned to approve the amended minutes from April 26th , 2022. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

<u>VOTES:</u>	
<u>AYES:</u>	<u>Chairman Allen Endicott</u> <u>Commissioner Liz Poulter</u> <u>Commissioner Steve Songer</u> <u>Commissioner Sezanne Ferre</u> <u>Alt Commissioner Hessenauer</u>
<u>NAYS:</u>	

3- Discussion and or action on Land Use Permit for Dewsnup pool 280 N. 7600 E, Parcel #201650005 (See Attachment #3)

Shannon Discussed coverage as given per mail by designer, 29.12% was the number provided. Chairman Endicott had a concern about the setbacks. PCM Hessenauer brought up the issue of the pool equipment also needing to be 10 feet from the property line. PC wanted calcification on the property line and the exact setbacks. There was also a grey area on the plan that was not labeled and came under question.

PCM Poulter motioned to approve to table on Land Use Permit for Dewsnup pool 280 N. 7600 E, Parcel #201650005. PCM Hessenauer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Sezanne Ferre <u>Alt Commissioner Hessenauer</u>
NAYS:	

4- Discussion and or action on CUP for Davis Owen/ Imagine Music 7300 E, 200 S, Parcel # 240110022 (See attachment #2)

Mr. Owen was available to present on his CUP application. He explained his vision for his space and the type of small events/ weddings he would like to host. He is thinking 60 people would be about the max. He stated he is vey open to feedback from neighbors in order to respect those that live close to the building.

TCM Songer was concerned that the Kline’s, who were at last months meeting, where not present at this meeting to give their feedback. Mr. Owen clarified that he had spoke with Karen Klein on the phone and communicated over e-mail as well. Shannon also commented that she had spoke with Karen after her and Mr. Owen had touched base and that the Klein’s had a few concerns but were happy with Mr. Owens answers and comfortable with him moving forward with this as it was presented.

Mr, Owen expressed his desire to make this venue agreeable with Town and surrounding neighbors.

PCM Songer motioned to approve the CUP for Davis Owen/ Imagine Music 7300 E, 200 S, Parcel # 240110022, with the conditions 1-lighting limited to business hours and during events (10pm), 2- Parking on site/property, 3- Guest limited to 60 people, 4- Onsite staff person during events. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Sezanne Ferre Alt Commissioner Hessenauer
NAYS:	

5- Discussion and/or action on Land Use Permit for Freeman roof extension/ covered patio, front and back 384 S. 7400 E Parcel #240110002 (See Attachment #3)
4

Chad Roberts was present as the contractor to speak to this project. The homeowner, Tom Freeman was also present. Chad explained the scope of this project and why the homeowner is looking to do these improvements.

Chairman Endicott questioned the setbacks, Chad explained that the roof additions are well within the front and back setbacks.

PCM Hessenauer motioned to approve the Land Use for Freeman roof extension/ covered patio, front and back 384 S. 7400 E Parcel #240110002. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

6-Discussion and/ or action on Land use Permit for Joe Farr home additions 7065 E 200 S., Parcel #241540003 (See Attachment #4)
5

Mr. Farr was present to speak on behalf of this home re-model project, which includes additions to the house. PCM Songer expressed a concern about the setback on the carport. The plan shows 8 feet, Mr. Farr stated that he measured that area and he said it was 12 feet. It was the conscious of the PC that Mr. Farr should have no issue enclosing the existing carport.

PMC Hessenauer motioned to approve the Land Use Permit for Joe and Wendy Farr home additions 7065 E 200 S., Parcel #241540003. PCM Poulter seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Allen Endicott Alt Commissioner Hessenauer
NAYS:	

7- Discussion and/or action on Land Use Permit David Morse rebuild of storage shed, 6834 E. 200 S, Parcel #240170002 (See Attachment #6)

Mr. Morse had a shed collapse due to the snow. He is looking to rebuild the shed. Since Mr. Morse is planning on re-pouring the foundation, he will need to bring the shed into compliance with the 1 (one) foot setback off the alley way. This is indicated in his site plan presented.

PCM Songer motioned to approve the Land Use permit for David Morse rebuild of storage shed, 6834 E. 200 S. Parcel #240170002. PCM Hessenauer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

8- Discussion and or action on Land Use permit for Huntsville Town, new Town Hall Parcel #240140040 (See attachment #7)

Wendy McKay was in attendance to speak on behalf of the plans for the New Town Hall. Wendy presented and discuss the sight plan for the Town Hall building. Wendy then went to further describe the project, including lay out, design and function.

PCM Songer commented that they decided to move the building slightly closer to 200 S. The PC was agreeable with this change.

PCM Hessenauer questioned the septic situation. Wendy commented that the current septic system that the Town Shops uses was designed with the intent to tie into the future Town Hall.

PCM Ferre motioned to approve the Land Use permit for Huntsville Town, new Town Hall Parcel #240140040 motioned. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre <u>Alt Commissioner Hessenauer</u>
NAYS:	

10- Discussion and/or action on PC Ordinance (See attachment #7)

TCM Hunter reviewed the changes she made to this Ordinance. A few of the main points of change that have been previously discussed are, term limits for a PC member, who appoints the Chairman, the ability of the town to hire/appoint a Land Use Authority, this person would manage certain smaller Land use Items independently from the PC. Currently the PC is the Land Use authority. This ordinance also includes some changes on the appeals authority. Currently it is a board of people and this Ordinance would allow for a 1 person appeal authority. The PC discussed having a professional, paid appeal authority person. Chairman Endicott commented that the process to get to and then through appeals authority is currently too long.

TCM Hessenauer questioned section 5, 15.5.020 #5 where there is a discrepancy in days as contested as there is ten days and 15 days stated. The PC will need to decide what they would like. 10 Business days was decided to be the preference. The process of contesting a land use permit was discussed. PCM Hessenauer was concerned with the transparency of the process using a one person Land Use Authority. There was some concern with the PC with how the land use permits would be made available to the public.

The PC would like some clarification and more time to review this Ordinance. Shannon volunteered to look up some referenced to the State Code. The PC would also like to have a plan for how the Land use permits being reviewed and approved can be made available to the public.

PCM Endicott motioned to table the PC Ordinance. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
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AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre <u>Alt Commissioner Hessenauer</u>
NAYS:	

11- Sandy's TC Updated

The TC had approved the breezeway changes the PC were working on.

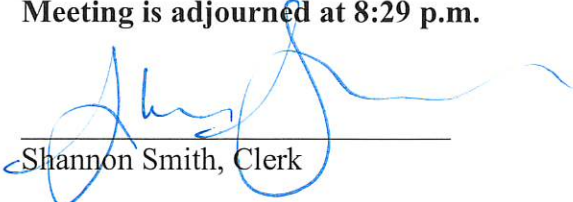
11-Public Comment. There were none.

12-Chairman's Remarks. Chairman Endicott thanked all for the discussion. Chairman Endicott suggested that PC spend some time reviewing and updating the code. Sandy agreed that this was a good idea and that the PC should come back with specific wording for any changes that they see fit. Chairman Endicott expressed appreciation to the PC and for the work they do.

13-Motion to adjourn.

PCM Songer made a motion to adjourn the meeting. By acclamation. All votes Aye. Motion Passes.

Meeting is adjourned at 8:29 p.m.



Shannon Smith, Clerk

**MINUTES OF THE HUNTSVILLE TOWN
PLANNING COMMISSION MEETING**

MEETING DATE: April 26th, 2023
PLACE: Ogden Valley Library
131 S 7400 E, Huntsville Utah
TIME: 6:30 p.m.

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Allen Endicott	Chairman	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Excused
Liz Poulter	Planning Commissioner	Present
Suzanne Ferre	Planning Commissioner	Present
Amanda Hessenauer	Alt Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Ron Gault, Bill White, Karen and Scott Klein

1-Roll call: Chairman Endicott welcomed all who are attending the meeting.

2- Public Hearing on Annexation Map (See attachment #1)

Ron Gault was presented to represent and present data on behalf of the Huntsville Town culinary water committee. The information Mr. Gault presented was based on facts he has gathered on the Towns water system. Mr. Gault spoke to the State requirements for the water company.

The Town has a “Wishing well” contract with the Monastery for its secondary source of water. The primary source of water is the three springs owned by the Town. Currently the Town has 390 registered connections.

Mr. Gault expressed concern that the Town’s current water system, which is currently operating at an acceptable State standard, will be able to handle the possible influx of new connections if we annex more land into the Town. It was discussed that the Town has an obligation to provide water connections to residents. Mr. Gault made some rough calculations about how many additional connections could be needed if the Town annexed the land outlined in the map presented at this meeting. He is worried what the current water system will not be able to support that possible connections and that a substantial investment into the water plant will be needed in order to accommodate the increase in connections.

Mr. White also spoke on behalf of the Town’s water situation and his matched Mr. Gault’s concern that the current water system could support additional connections. Since the Town has many part time home owners the stress to the system is less then it would be if everyone connected to the

opinion

could

system lived in their homes full time. Mr. White is concerned with the water supply and the cost of expanding the current water system.

Chairman Endicott motioned to close the Close Public Hearing and open regular planning commission meeting. *PCM* seconded the motions. All votes Aye. Motions passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

3-Discussion and/or action on recommendation for Annexation map. (See Attachment #1)

TCM Hunter commented that she had done some research on the out-of-Town water connections to the East of Town. She calculated a possible 76 new water hook ups in the area proposed to annex. TCM Hunter questioned what benefit it would be to the Town to annex the land in East Huntsville. The idea of keeping Huntsville Town a small town with the current form of government is what many residents are in support of according to TCM Hunter.

The area north of Huntsville is mostly Forest Service land. There was also some interest in the area south of town, close to Chris's as that area is potential commercial land. The river bottoms are also an area of discussion and a concern for the town.

liked Chairman Endicott had some clarifying questions that were discussed. Mr. White spoke to the out of Town water connections and the Towns obligations to them legally. He expressed concerns about what benefit annexation of more land would bring to the Town. Chairman Endicott stated he like the Town the way it is and considering the best interest of the Town he does not believe annexation would provide any benefits. He does not believe an annexation is necessary.

PCM Hessenauer questioned Mr. White about the out-of-Town water connections and how they came to be.

Chairman Endicott motioned to recommend to modify the current annexation map to include the current boundaries of Huntsville Town, not to include any other land. PCM Hessenauer seconded the motions. All votes Aye. Motions passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

4-Approval of Minutes for Planning Commission Meeting March 23rd, 2023.

(See Attachment #1) 2

PCM Songer motioned to approve the amended minutes from March 23rd, 2023. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

5-Approval of minutes for Planning Commission meeting April 6th, 2023.

(See Attachment #3)

PCM Poulter motioned to approve the amended minutes from April 6th, 2023. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

6-Discussion and/or action on Land Use Permit for Stevenson New home, 380 S. 7700 E. Parcel # 24-019-0024 (See Attachment #3)

As Chairman Endicott explained this is a non-conforming lot due to insufficient frontage. TCM Hunter went on to explain that it has been grandfathered in as a buildable lot. Setbacks were discussed. Mr. Stevenson was there to answer questions on his project.

PCM Songer motioned to approve Land Use Permit for Stevenson New home, 380 S. 7700 E. Parcel # 24-019-0024 . PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

7-Discussion and/or action on Land Use Permit for Dave Booth, accessory building, 7762 E. 500 S. Parcel # 241170002 (See Attachment #4) §

Mr. Booth was present to discuss the project. He will be building a Barn. Mr. Booth currently has 3 lots and would like to build his barn on one of the lots. Setbacks discussed per plan. Even though Mr. Booth owns all 3 lots he still needs to respect boundary lines and setbacks. TCM Hunter questioned the height of the structure. Mr. Booth stated it was about 29 feet. He clarified it would be under 35 feet.

PMC Poulter motioned to the Land Use Permit for Dave Booth, accessory building, 7762 E. 500 S. Parcel # 241170002. PCM Songer seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	<i>Allen Endicott</i>
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Allen Endicott Alt Commissioner Hessenauer
NAYS:	

8-Discussion and/or action on Land Use Permit for Steve Songer, hoop house/green house, 138 S. 6900 E. Parcel #240160017 (See Attachment #4) ©

Steve Spoke on behalf of his project.

Chairman Endicott motioned to recommend for approval the Land Use Permit for Steve Songer, hoop house/green house, 138 S. 6900 E. Parcel #240160017. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

9-Discussion and/or action on Land Use Permit for John Bowen, hoop house/green house, 6895 E. 200 N. Parcel # 240110022. (See Attachment #4) 7

Mr. Bowen speaks about the circumstance of the alley behind his property that is now private property.

PCM Hessenauer motioned to approve Land Use Permit for John Bowen, hoop house/green house, 6895 E. 200 N. Parcel # 240110022. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

10- Discussion and/or action on Conditional Use Permit for Imagine Music/David Owen, 7300 E. 200 S. Parcel# 240110022 (See attachment #5) 8

Mr. Owen was not able to attend this meeting. He did include some more information based on the response from the previous meeting. Shannon read the letter submitted by Mr. Owen.

A neighbor, Mrs. Kline, was present at this meeting who had some questions about the size of the events to be held in this space. Mrs. Kline was concerned about the parking and crowds that these events would involve. *frequency*

Parking issue
TCM Hunter was also concerned about parking and suggested that stipulations could be placed for parking. The neighbors are agreeable to this but would appreciate some clarity.

* The PC would like to outline conditions, with the input from the neighbors working with Mr. Owen. *

Chairman Endicott motioned to table the CUP for Imagine Music/ David Owen, 7300 E. 200 S. Parcel# 240110022 . PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Suzanne Ferre Alt Commissioner Hessenauer
NAYS:	

11-Public Comment. There were none.

12-Chairman's Remarks. Chairman Endicott thanked all for the discussion.

13-Motion to adjourn.

PCM Poulter made a motion to adjourn the meeting. PCM Hessenauer seconded the motion. All votes Aye. Motion Passes.

The meeting is adjourned at 8:33 p.m.

Shannon Smith, Clerk

HUNTSVILLE TOWN Filing Fee: \$450.00
CONDITIONAL USE PERMIT (CUP) APPLICATION

PROJECT INFORMATION:
Project Name: Old Town Hall Huntsville
Project Use: Weddings & Events Space
Project Address: 7309 E 200 S Huntsville
Parcel ID Number(S) 24-011-0022, 24-011-0037 ?
Applicant Information
Applicant Name: David Owen DBA Imagine Music Huntsville
Applicant's Mailing Address: 753 E 3800 N North Ogden 84414
Email: imaginemusichuntsville@gmail.com
Property Owners Name: Imagine Holdings Huntsville LLC (David Owen)
Owner's Mailing Address: 753 E 3800 N North Ogden 84414
Owner's Phone: 801-644-7027
Architect/Engineer's Name: NA
Architect/Engineer's Phone: Email: NA
Date of Planning Commission Meeting: March/April 2023
Date of Town Council Meeting: March/April 2023

These questions need to be answered when considering the proposed use:

1. What are your days and hours of operation(s)? Weekends

2. Describe the use you are proposing. If there is more than one business planned, please list each one and its intended use. If unsure at time of permitting, list the range of uses you anticipate. If a non-listed use is proposed subsequent to the granting of a permit, its acceptance is not guaranteed.

Old Town Hall is currently being used as a small boutique music lessons school Mondays-Fridays. In order to produce more income and utilize the remaining three days of the week, we would like to hold small weddings and events at our beautiful space underneath the pines.

3. How is this use(s) compatible with the surrounding properties? Hosting small events pairs perfectly with our neighbor across the street, Valley House Inn, and provides a third and unique option, alongside Compass Rose/Huntsville Town Square and The Mercantile.

HUNTSVILLE TOWN Filing Fee: \$450.00
CONDITIONAL USE PERMIT (CUP) APPLICATION

- 4. Does the proposed use(s) produce any outside noise, smell or waste products? If so, how will they be treated? It is our intention to keep any noise to an absolute minimum, out of our great respect for our neighbors. Any and all of the above will be carefully and thoughtfully monitored.

- 5. Are changes being made to the building to accommodate the use(s)? If so, please describe. No changes to the building are currently being considered.

- 6. **IMPORTANT****Are changes being made to the site to accommodate the use(s)? If so, please submit a Site Plan in addition to this application.

Applicant understands that only uses in the Allowable Use Table 15-1 of Title 15 will be allowed, and the use identified in the business license permit application. I have read the application and hereby certify that the information is correct and that I understand that the Conditional Use approval is valid for one year from the approval date. If the use does not begin within one year, the approval is void.

Applicant's Signature: Date: DocuSigned by:
David Owen
495A6892D8ED455...

Plans accepted by: Date:

Fee Paid: Date:

Parking space Em



Old Town Hall Huntsville

Since acquiring Huntsville's Town Hall property in 2022, Imagine Music has been operating a private music lesson studio, serving 60-70 students per week. We are grateful for the broad community support and are looking forward to future growth to offset the costs of building ownership; the music school covers most expenses however additional revenue is necessary to fund future infrastructure improvements/upgrades, remodels, and building maintenance.

In July 2022, a good friend needed an affordable wedding venue and asked if he and his fiancé could use the old Town Hall building. We happily donated our space for one Saturday, and witnessed an incredibly peaceful and beautiful wedding. Hosting the marriage ceremony gave us the idea to offer our property – with its unique and shaded outdoor space – as a venue and vehicle to generate reinvestment dollars.

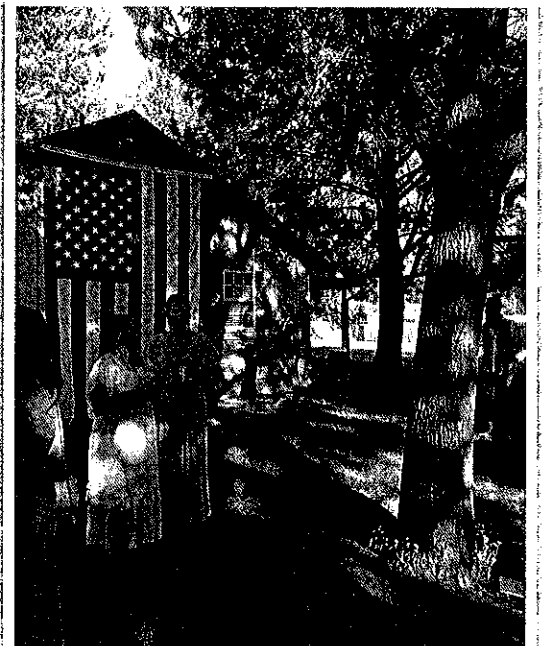
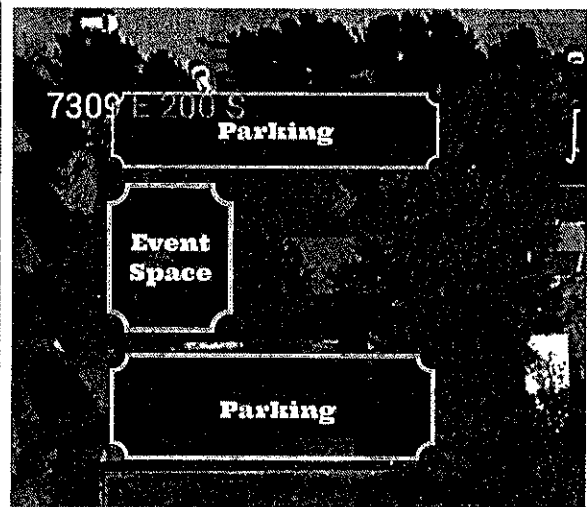
The small footprint of both the indoor and outdoor areas guarantees smaller, more intimate events with a maximum capacity of ~50 people. We're targeting weekends only (Friday, Saturday, Sunday) primarily during the summer (June-August). Parking is wholly contained within the property, accommodating ~30 vehicles between the front & rear pavements.



Clients who wish to book events on our property will receive a list of rules to which they must conform (e.g., designated parking, capacity limits, curfews, etc). Imagine Music, our music school, is our primary means of utilizing the Town Hall building. Events, if they occur, will be occasional and small in size. Our goal is to be a respectful neighbor. To be thoughtful, considerate, quiet, and peaceful.

If you have any additional questions, concerns, or ideas I am happy to chat by phone 801-644-7027.

-David Owen



PC meeting 5.25.2023
 A#: #3

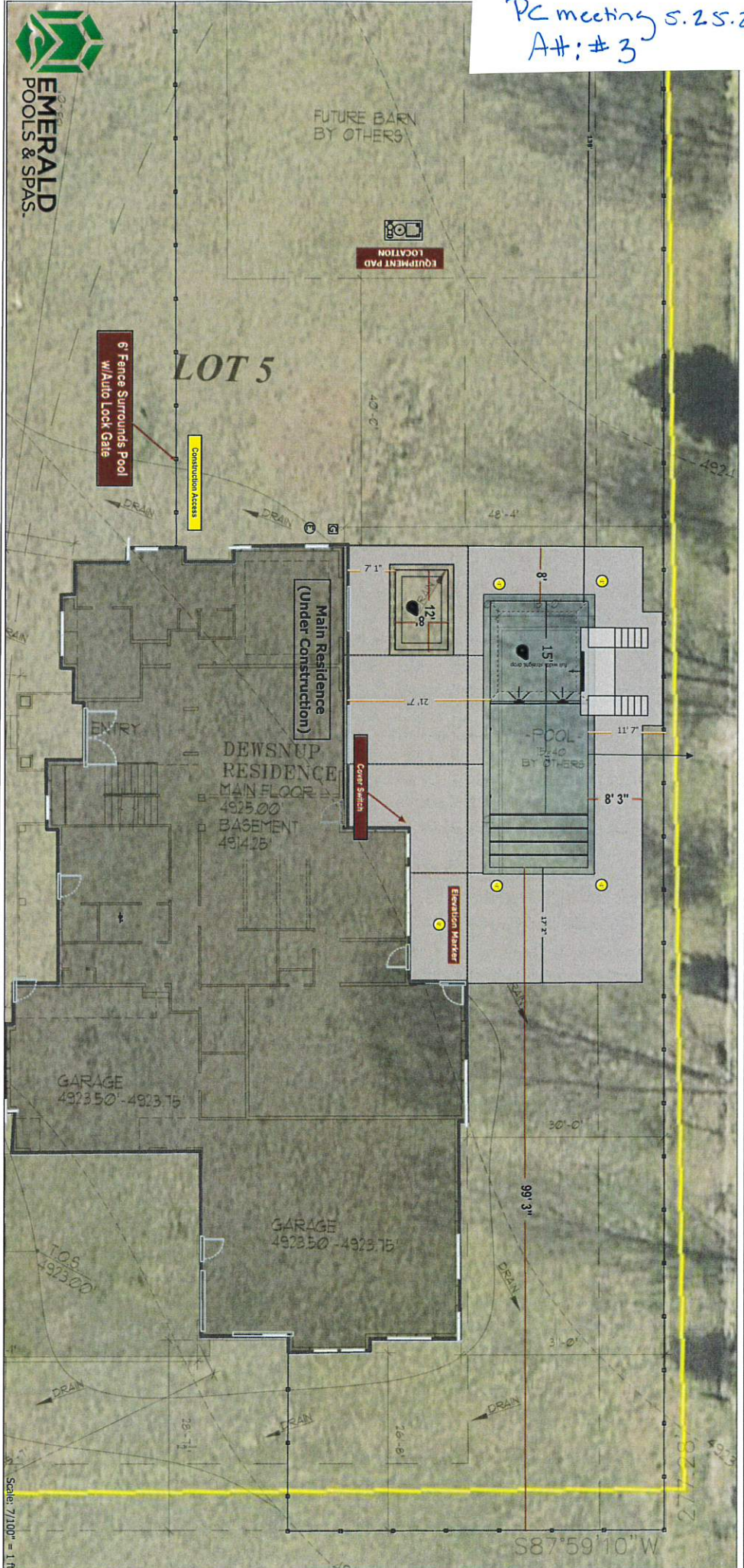
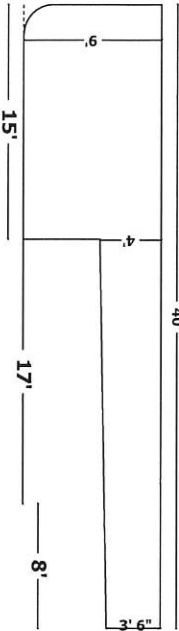


**EMERALD
 POOLS & SPAS.**

Project Info

CLIENT NAME: Erin Dewsnup
 ADDRESS: 280 N 6700
 CITY: Huntsville
 STATE/PROVINCE: UT
 ZIP/POSTAL CODE: 84317
 DESIGNER NAME: Carly Bateman

15 x 40 Scuba Pool Depth Profile



Permit Plan

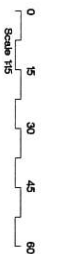
- Lined Concrete Washout by Durosey for All Concrete, Joint, Seams, and Masonry.
- Water Draining Away From Home, Berms or Swales May Be Required Along Property Lines To Prevent Storm Water From Over-Adjacent Lots, Final Grading Shall Be Maintained With Adjacent Lots.
- The Grade Away From The Foundation Walls Shall Fall a Minimum of 6" Within The First 10' (8.5) R401.3.15.
- Gravel bags or equivalent will be placed and maintained around storm drain inlets adjacent to downstream from site.
- Street Curb and Gutter Will Be Inspected and Cleaned Of All Mud and Dirt At The End Of Every Day As Well.
- All Storm Water and Dirt Will Be Kept On Site During Construction Until Final Landscaping Is Complete. General Contractor Will Be Held Responsible For Keeping All Dirt/Mud Onsite During Installation Water For Site Cleanup.
- Excavation Observation Report Will Be Condensed Post Excavation.
- Gas Line Upgrade May Be Necessary.
- 6' Fence Surrounding Pool With Locking Gate Will Be Has Been Installed.
- Electrical Location Marked Elevation Marked Property Lines and Distances from Water's Edge Marked Automatic Cover On All Bodies of Water.

Scale: 7/100" = 1' ft

PC meeting 5.25.2023
Att. #4



RESIDENCE - ~~400~~ ⁵²⁵ SOUTH 7400 EAST
HUNTSVILLE, UTAH



CONCEPTUAL SITE PLAN
 THIS SITE PLAN IS FOR CONCEPTUAL PLANNING
 PURPOSES ONLY. IT DOES NOT CONSTITUTE A
 GUARANTEE OF ACCURACY OR A PROFESSIONAL
 OPINION. THE CLIENT IS RESPONSIBLE FOR
 VERIFYING ALL INFORMATION AND FOR
 OBTAINING ALL NECESSARY PERMITS AND
 CONFIRMING ACCESS LOCATIONS, AND WETLANDS.

Fwd: ALTA-ENSIGN (002).pdf

Tom Freeman/USA <Tom.Freeman@cushwake.com>

Mon 5/22/2023 10:54 PM

To: Shannon Smith <ssmith@huntsvilletown.com>; Robert Parise/USA <Robert.Parise@cushwake.com>

📎 1 attachments (341 KB)

ALTA-ENSIGN (002).pdf;

Shannon

Please find attached my ALTA Survey showing the existing structures. I took measurements of the existing structures, as well as used information from the county. I have provided dimensions based on BOMA Standards of measurements using exterior dimensions.

As you can see from the recent ALTA survey my lot is .75 acres. My structures total 5,214 square feet. Given these measurements the city will be pleased to know that with the current structures, my coverage ratio is 16%, well below the acceptable levels of 35%.

Thank you so much for reaching out on this in preparation for our meeting on Thursday. Please let me know you are in receipt and if you will require additional information.

Kindest Regards

Tf

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<https://www.cushmanwakefield.com/en/privacy-and-cookies>

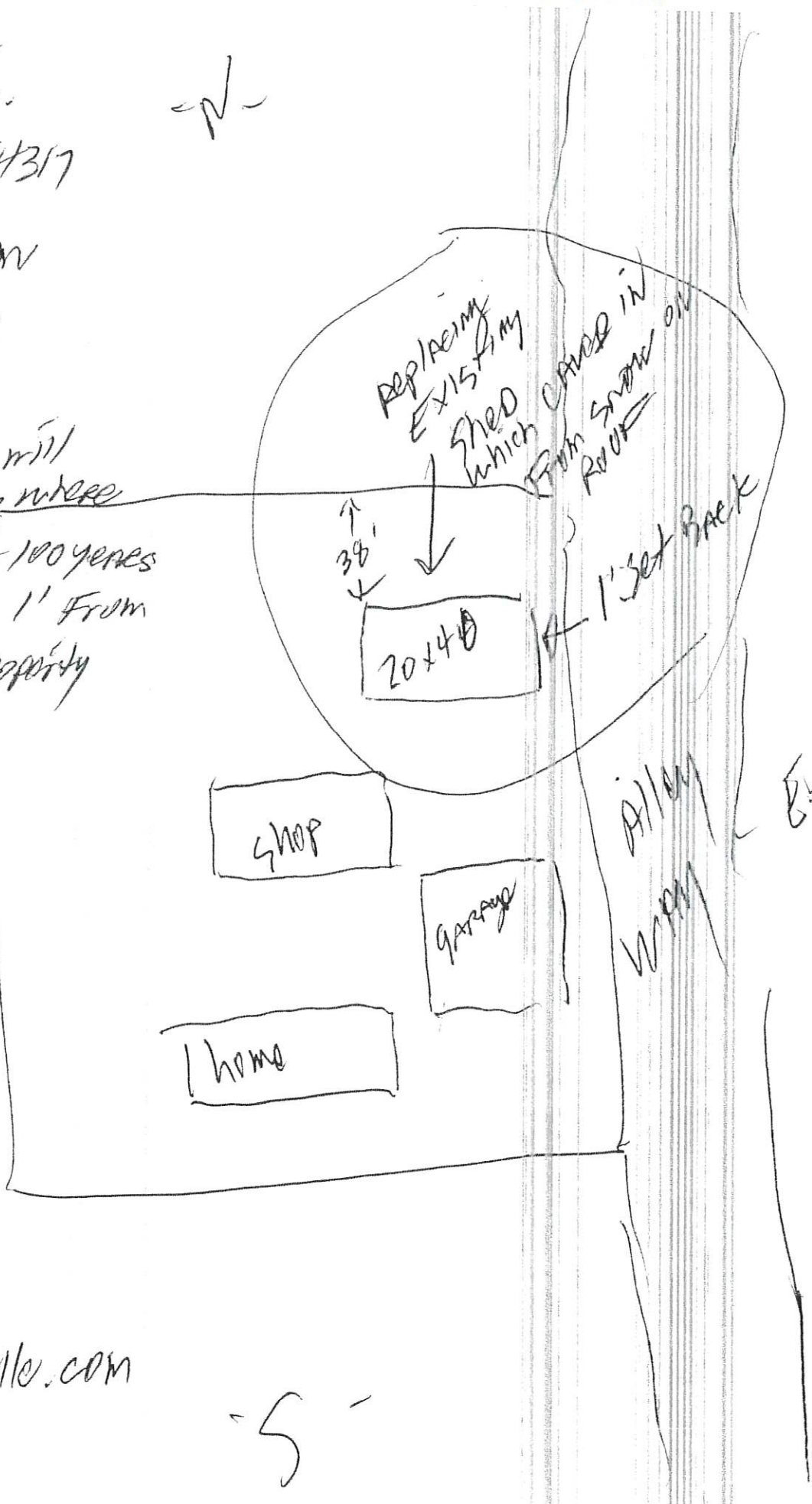
DAVID MORSE
6834 E. 200 S.
Huntsville, UT 84317

Site plan
5/17/2023

-N-

Replace shed. It will
go right back to where
it's been the past 100 years
then move it 1' from
East Alley way property
line

-W-



gg mith @huntsville.com

-S-

PC meeting 5.25.2023
ATTACH: # 07

Fwd: Site Plan

Wendy McKay <olderockhouse@gmail.com>

Wed 5/24/2023 9:52 AM

To: Shannon Smith <ssmith@huntsvilletown.com>

Sent from my iPhone

Begin forwarded message:

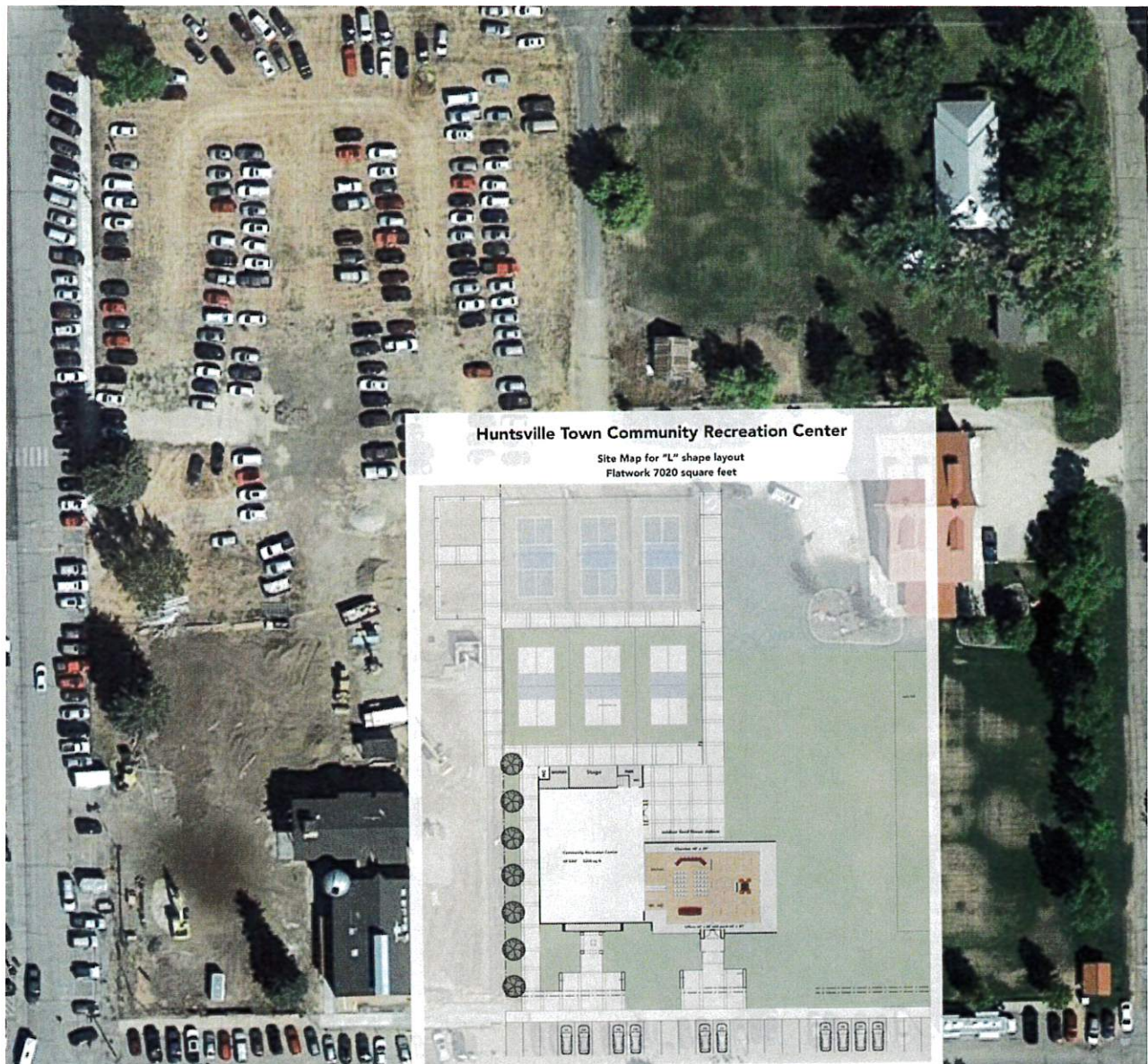
From: Chad & Wendy McKay <olderockhouse@gmail.com>

Date: May 23, 2023 at 7:56:37 PM MDT

To: Sheree Evans <sevens@huntsvilletown.com>, Wendy McKay <OldeRockHouse@gmail.com>, Steve Songer <steve@songerfamily.com>

Subject: Site Plan

Overlay of Site Map for Huntsville Town Hall & Community Center



**HUNTSVILLE TOWN
ORDINANCE NO. _____**

LAND USE ADMINISTRATIVE AMENDMENTS

AN ORDINANCE OF HUNTSVILLE TOWN, REPEALING, RE-ENACTING AND AMENDING THE LAND USE AUTHORITY AND PLANNING COMMISSION ADMINISTRATIVE STRUCTURE; LAND USE DUTIES AND POWERS; LAND USE APPEALS; SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter “Town”) 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 Town;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the Town finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on _____, to take public comment on the proposed Ordinance, after which the Planning Commission gave its recommendation to _____ this Ordinance;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on _____;

NOW, THEREFORE, be it ordained by the Town Council of Huntsville Town as follows:

Section 1: Repealer. Section 15.3.4 of the *Huntsville Municipal Code* entitled “Planning Commission” is repealed. Chapter 15.5 of the *Huntsville Municipal Code* entitled “Appeal Authority” is repealed and re-enacted as Land Use Authorities and Appeals. Any other ordinance or portion of the *Huntsville Municipal Code* inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Administrative Actions. The *Huntsville Municipal Code* is amended to repeal all instances requiring administrative action, or non-legislative action, on a land use application by the Town Council, excepting subdivisions over ten (10) lots.

Section 3: Adoption. The following portions of the *Huntsville Municipal Code* are hereby adopted to read as follows:

15.5.010 Planning Commission.

1. Establishment. In accordance with Utah Code Annotated §10-9a-301, Town hereby establishes the Planning Commission subject to this Section.
2. Membership. The Planning Commission is composed of five (5) members and one alternate who shall be residents, and registered voters, of the Town duly appointed by the Mayor, subject to the advice and consent of the Town Council. The alternate will be invited to all meetings and in the event of one of the five (5) members being absent, the alternate is eligible to vote.
3. Term. Each member of the Planning Commission shall serve a term of two three (3) years. Terms may be staggered. Members may be reappointed.
4. Vacancy. Any vacancy in the Planning Commission is filled for a two (2) three (3) year term by appointment of the Mayor, subject to the advice and consent of the Town Council.
5. Removal. A member may be removed for missing sixty (60) percent of the meeting in a during a calendar year, or by majority vote of the Town Council.
6. Powers and Duties. The Planning Commission shall only exercise the powers and duties set forth in Utah Code §10-9a-302, and as follows:
 - a. Recommendation. Review and make a recommendation to the legislative body for:
 - i. A general plan and amendments to the general plan.
 - ii. Land use regulations, including:
 1. Ordinances regarding the subdivision of land.
 2. Amendments to existing land use regulations;
 - b. Decision. The Planning Commission shall hear and decide all land use applications, subject to review by the Town Council.
 - c. Review. The Mayor or any member of the Town Council may request to review a decision by the Planning Commission by filing a written request with the Town Clerk within ten (10) days of any decision. The Town Council by majority vote may amend, modify, approve, or deny a land use application under review by the Town Council.
7. Presiding Officer. One member will be appointed by the Mayor with the advice and consent of the Town Council to serve as the Chairman. The Planning Commission shall, at its first meeting each year, elect a Chair and Vice chair from its membership. Each member shall rotate serving as chair for a period of one year commencing the first meeting of each year.
8. Quorum. A quorum of the Planning Commission consists of three (3) members present at a public meeting. A decision of the Planning Commission based upon the majority vote

of the quorum present and voting at a public meeting. Each member present at a meeting shall vote on an issue, yea or nay, except when a member declares a conflict of interest. A tie vote fails, or is deemed to be a negative recommendation, as the case may be.

9. Rules. The Planning Commission shall follow the Rules of Procedure and Order adopted by the Town Council.
10. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

15.5.020 Land Use Authority.

1. Appointment. In accordance with Utah Code §10-9a-302(1)(c), the Mayor, subject to the advice and consent of the Town Council may appoint an Administrative Hearing Officer as the Land Use Authority to review and approve routine and uncontested land use applications, including:
 - a. Land Use Permits (including proper and accurate site plans).
 - b. Conditional Use Permits.
 - c. Subdivisions of three (3) lots or less in accordance with Utah Code §10-9a-605, notwithstanding a plat and compliance with Chapter 15.25 is required.
2. Qualification. The individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field.
3. Applicability. The Administrative Hearing Officer shall serve until removed by the Town Council or a successor is appointed. In the event that an Administrative Hearing Officer is not appointed, or in the event an application is contested, the Planning Commission is hereby designated as the Land Use Authority.
4. Standard. A land use decision is an administrative act and shall be made in accordance with Utah Code §10-9a-306.
5. Contested. A land use application is only deemed contested if an adversely affected party files a written contest with the Town Clerk on a complete land use application duly filed with the Town regarding a land use application under this Section prior to action by the Administrative Hearing Officer or within ten (15) days of decision by the Administrative Hearing Officer. ** ten business days*
6. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

15.5.030 Appeal Authority.

1. Establishment. In accordance with Utah Code (§10-9a-701), the Mayor, subject to the advice and consent of the Town Council may appoint an Appeal Authority to hear and decide the appeal of any land use applications decided by the Planning Commission or Town Council.
2. Appointment. The Mayor shall appoint an individual, including alternates, as the Appeal Authority subject to the advice and consent of the Town Council.
3. Qualification. The individual appointed should have qualified experience in land use as a professional surveyor, attorney, civil engineer, educator, or other land use related field.
4. Compensation. The Mayor may fix per diem and compensation as established by the Town Council.

5. Authority. The Appeal Authority is quasi-judicial and serves as the final arbiter of issues involving the interpretation or application of the municipal code in the course of hearing and deciding all appeals, including:
 - a. Appeals set forth in Utah Code 10-9a-701(1)(b).
 - b. Variances in accordance with Utah Code §10-9a-702.
 - c. Appeals regarding geological hazards shall be administered in accordance with Utah Code §10-9a-703.
 - d. Any other appeal specified in the municipal code. ⁷
6. Time. In accordance with Utah Code §10-9a-704, a written appeal of any land use decision shall be filed with the Town Clerk within ten (10) calendar days of the decision issued by the land use authority. An applicant present at a meeting where a decision is made is presumed to have actual notice of the decision which shall be deemed as the commencement of the ten (10) calendar day appeal period. ⁷
7. Burden. In accordance with Utah Code §10-9a-705, the appellant has the burden of proving error.
8. Due Process. Due process is afforded in accordance with Utah Code §10-9a-706. ⁷
9. Scope. Subject to the scope set forth in Utah Code §10-9a-707, the standard of review for the appeal authority is as follows:
 - a. For factual matters, the Appeal Authority may review the matter de novo.
 - b. The Appeal Authority shall determine the correctness of a decision of the Land Use Authority in its interpretation and application.
 - c. An appeal may be made where a Land Use Authority has applied a land use regulation to a particular application, person, or parcel.
 - d. All other standards for making a shall be based upon the preponderance of the evidence.
 - e. The appealing party is limited in raising claims only to those claims that were initially raised at the time the decision was made upon the land use application.
10. Final Decision. The Appeal Authority shall issue a final decision in accordance with Utah Code §10-9a-708.
11. District Court. No person may challenge in district court any land use decision of the Town until that person has complied with Utah Code §10-9a-801, and otherwise exhausted all administrative remedies and in accordance with Utah Code §10-9a-701(2). The following limitations apply:
 - a. No adversely affected parties shall present a theory of relief in district court that was not first presented to the appeal authority.
 - b. Adversely affected parties are precluded from pursuing duplicate or successive appeals before the same or separate appeal authorities as a condition of the adversely affected party's duty to exhaust administrative remedies.
 - c. The Appeal Authority may provide that a matter be appealed directly to the district court.

Notes on the PC Ordinance

Points of significance;

15.5.010 Planning Commission

3- 3 year PC term ok?

10- will the PC receive compensation?

5.5.020 Land Use Authority

4. Utah Code 10-9a-306 land use decision...

Effective 5/9/2017

10-9a-306. Land use authority requirements -- Nature of land use decision.

- (1) A land use authority shall apply the plain language of land use regulations.
- (2) If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.
- (3) A land use decision of a land use authority is an administrative act, even if the land use authority is the legislative body.

5. change to 10 business days

*Discussion points: What is a procedure for the Land use authority to follow with any Land use permits, CUP or minor subdivisions (3 lots or less) making these applications and decisions available to the public. There was some previous discussion that the land use authority would meet with the town clerk on a monthly basis, who would make a record of the findings. If the decision is contested it would go to the PC and then the appeals board.

Also make the PC aware of what is in process/approved at the monthly PC meetings.

15.5.030 Appeal Authority

2- Do you like the idea of a 1 person appeal authority, do we need an alternate as stated here? What is the role of that alternate?

6. change to 10 calendar days for an appeal