

**HUNTSVILLE TOWN
ORDINANCE 2022.6.22**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH ADDING TITLE 15.8A
HIGHWAY COMMERCIAL ZONE C-2 AND MODIFYING TITLES 15.6 AND 15.24**

RECITALS

WHEREAS, Huntsville Town (hereafter referred to as “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 authorizes the Town 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 the Town to regulate land use and development;

WHEREAS, Table 15-1, Huntsville Town Acceptable Uses by Zone, in Title 15 designates a Commercial Highway Zone C-2, the Huntsville Town Planning Commission desires to establish the standards of the Commercial Highway Zone C-2 into Title 15, Land Use;

WHEREAS, Title 15, Chapter 6, the Huntsville Town Planning Commission desires to revise verbiage;

WHEREAS, Title 15, Chapter 24, the Huntsville Town Planning Commission desires to refer to UDOT permitting,

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on Thursday September 28th 2023, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on _____;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on _____, and desires to act on this Ordinance;

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

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby amended to read as follows:

15.8.A COMMERCIAL HIGHWAY ZONE (C-2)

- 15.8A.1 Purpose
- 15.8A.2 Use Regulations
- 15.8A.3 Single-Family Dwellings Use and Regulations
- 15.8A.4 Front Yard Regulations
- 15.8A.5 Side Yard Regulations
- 15.8A.6 Rear Yard Regulations
- 15.8A.7 Height Regulations
- 15.8A.8 Coverage Regulations
- 15.8A.9 Architectural, Landscape, and Screen Standards
- 15.8A.10 Parking
- 15.8A.11 Special Development Plan Overlay Zone

15.8A.1 Purpose

The purpose of the C-2 Zone is to designate areas within Huntsville Town that are close to Highway 39 and not in the center of Huntsville Town and would accommodate other uses in a commercial zone that are not permitted in the center of old Huntsville Town.

15.8A.2 Use Regulations

All uses allowed in the Commercial Highway Zone C-2 are designated either as permitted in Table 15-1, or as conditional and approved pursuant to a Conditional Use Permit by the Town Council. Signage regulations are contained in the Huntsville Town Signs Title, with additional considerations in this Chapter.

15.8A.3 Single-Family Dwellings Use and Regulations

All Use, Area, Frontage, Coverage, Yard, Height Regulations and Special Provisions pertaining to single-family dwellings are listed in the Agricultural Zone A-3 under Single Family Dwellings.

15.8A.4 Front Yard Regulations

The depth of the front yard shall be thirty (30) feet from the property line for all structures.

15.8A.5 Side Yard Regulations

The minimum side yard shall be ten (10) feet. The measurement of the side yard shall be the distance between the wall of a structure (above or below ground) and the side property line. If the wall is built straight up from the foundation, the measurement can be made from the foundation wall. The only portion of the structure allowed to violate the ten (10) foot setback is a roof eave extending out 18 inches or less.

15.8A.6 Rear Yard Regulations

Lots which rear upon the side yard of another lot in a residential zone R-1 or agricultural zone A-3, the minimum rear yard shall be ten (10) feet. For setbacks where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

15.8A.7 Height Regulations

No pitched roof building or structure shall be erected to a height greater than two and one-half (2 ½) stories, or thirty-five (35) feet unless the height is for a unique architectural feature(s) recommended by the Planning Commission and approved by the Town Council. The unique structure(s) height cannot exceed forty (40) feet, be no greater than 150 sf each and no greater in length than 20 feet each (e.g. bell tower, etc.) There shall not be more than two unique structures per acre. Flat roof buildings shall not exceed two (2) stories or twenty-four (24) feet, whichever is greater.

15.8A.8 Coverage Regulations

No buildings or structures or group of buildings with their accessory buildings shall cover more than 45 percent of the area of the lot.

15.8A.9 Architectural, Landscape and Screening Standards

As permitted in the Huntsville Town Architectural, Landscape, Screening, and Waste Disposal Standards Title 15.20.3 and as required below:

General requirements for all main buildings facing the public street:

1. No HVAC located on a roof to be visible from the street.
2. Pitched roofs to be angled in such a manner to prevent accumulated snow from sliding into pedestrian areas.
3. Roof and impervious parking lot surface runoff is encouraged to be returned to the landscaped areas on the lot and not engage the public stormwater system. Rain barrel water catchments are encouraged for roof runoff.
4. Metal roofs shall be painted or of a non-reflective nature.
5. Shingled roofs shall be composed of at least a 25-year guaranteed quality and simulate the look of wood shingles or as a minimum have greater depth than standard shingles.
6. Fencing shall be three to four rail type fencing when visible from the street.
7. For pitched roofed buildings exterior walls to be composed of board and batten siding but may contain stone or brick features for up to 25% of the front facade.
8. Pitched roof eaves shall overhang a minimum of 1.5 feet measured horizontally.
9. No stucco is allowed.

15.8A.10 Parking

As permitted in the Huntsville Town Vehicle Parking and Loading Title 15.24 except location of parking spaces shall be on the same lot as the main building.

15.8A.11 Specific Development Overlay Zone

As permitted in the Huntsville Town Commercial Zone C-1, Title 15.8.10, and following the requirements of Title 15.29, Specific Development Plan Overlay Zone.

15.6.2.A.3

No single-family dwelling, or portion thereof, shall be rented while occupied by the respective owner, except as provided for in Title 15.18.5.

15.24 ACCESS MANAGEMENT

All businesses requiring motor vehicle access shall meet the requirements specified in *Utah Administrative Code* §§ 930-6 – Access Management.

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Accessory Building, Private	P	C	C	P	C	C	C	C	
Adult/sex-oriented facilities and businesses	N	N	N	N	N	N	N	N	
Agriculture	P	N	N	P	C	P	P	N	
Amusement Park or Business	N	N	N	N	N	N	N	N	
Animal or Fowl Slaughter	N	N	N	C	N	N	N	N	
Auto impoundment yard and towing services	N	N	N	N	N	N	N	N	
Auto rental	N	N	N	N	N	N	N	N	
Auto repair, service and detailing	N	N	N	N	N	N	N	N	
Auto wrecking yard	N	N	N	N	N	N	N	N	
Banks and financial services	N	C	C	N	C	N	N	N	
Bars, taverns, clubs	N	N	N	N	N	N	N	N	* limit of 60 more than 9
Bed and breakfast	C	C	C	C	C	C	N	N	See 15.6.2.C
Bike Path	P	C	C	P	C	P	P	P	
Botanical or zoological garden	N	N	C	C	C	C	P	N	
Campground	N	N	C	C	C	C	P	P	
Car wash, commercial	N	N	C	N	N	N	N	N	
Cell Tower	N	N	N	N	N	N	N	N	
Cemetery	C	N	N	P	C	P	P	N	
Childcare center with less than 9 children	C	C	C	C	C	C	N	N	
Childcare center with more than 9 children	N	N	C	C	C	N	N	N	
Childcare, in home	C	C	C	C	C	C	N	N	
Churches	C	C	C	C	C	N	N	N	
Commercial kennels	N	N	C	C	N	C	N	N	
Construction equipment rental	N	N	C	N	N	N	N	N	
Construction equipment storage	N	N	C	N	N	N	N	N	
Construction equipment sales, wholesale	N	N	C	N	N	N	N	N	
Construction services office	N	N	C	N	N	N	N	N	
Dwelling unit, accessory	N	N	N	N	N	N	N	N	
Dwelling unit, multi-family (Apts)	N	N	N	N	N	N	N	N	
Dwelling unit, nightly rentals	N	N	N	N	N	N	N	N	
Dwelling unit, single-family attached (Condominiums, Townhomes)	N	N	N	N	N	N	N	N	
Dwelling unit, single family	P	P	P	P	P	P	N	N	
<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>

Revised and Adopted 6-2-22

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone

Uses: P-Permitted, C-Conditional, N-Not Permitted

Any use not listed is not allowed

Dwelling unit, two-family or duplex	N	N	N	N	N	N	N	N	
Fishing Ponds (Private or Public)	C	N	C	C	C	C	P	N	
Funeral services	N	C	C	N	C	N	N	N	
Gas and fuel, storage and sales	N	N	N	N	N	N	N	N	
Gasoline service station with convenience store	N	N	C	N	C	N	N	N	
Golf courses	N	N	C	C	C	C	C	N	
Golf Course, (miniature)	N	N	C	N	N	N	N	N	
Golf Driving Range with Golf Course	N	N	C	C	C	C	C	N	
Group home for juveniles	N	N	C	N	N	N	N	N	
Healthcare facilities	N	C	C	N	N	N	N	N	
Historic structures, preservation of, including related accessory uses	C	C	C	C	C	C	N	N	
Home based businesses	C	C	C	C	C	C	N	N	
Horse boarding	C	N	C	C	C	N	C	N	
Horse stables and riding academy	N	N	C	C	C	N	C	N	
Hospitals	N	N	C	N	N	N	N	N	
Hotel, motel or inn with fewer than 16 rooms	N	N	N	N	N	N	N	N	
Hotel, motel or inn with 16 or more rooms	N	N	N	N	N	N	N	N	
Manufacturing, heavy	N	N	N	N	N	N	N	N	
Manufacturing, light	N	N	C	N	N	N	N	N	
Medical equipment supply	N	C	C	N	N	N	N	N	
Mining, resource extraction	N	N	N	N	N	N	N	N	
Movie Theater	N	N	C	N	C	N	N	N	
Museum	C	C	C	C	C	C	C	C	
Nursing home, Assisted Living	N	C	C	N	N	N	N	N	
Offices, general	N	C	C	N	N	N	N	N	
Offices, medical and dental	N	C	C	N	N	N	N	N	
Outdoor display of merchandise	N	C	C	N	C	C	N	N	
Park and ride	N	N	C	N	C	N	N	N	
Parking lot	N	C	C	N	C	C	N	N	
Parks, Public	N	C	C	P	C	P	P	N	
Parks, Private	P	C	C	P	C	P	P	P	
Performing Arts Center	N	C	C	N	C	C	N	N	
Personal improvement services	C	C	C	C	C	C	N	N	
Property management offices/check in facilities	N	N	N	N	N	N	N	N	
Reception Center <i>Events</i>	N	C	C	N	C	N	N	N	
Use	R-1	C-1	C-2	A-3	CR1	S	O	RC	Additional Reference

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Uses: P-Permitted, C-Conditional, N-Not Permitted

Any use not listed is not allowed

Recreation and athletic facilities	P	C	C	N	C	C	C	N	See 15.6.2.I
Recreation Equipment Rentals	N	C	C	N	C	C	C	N	
Recreation, public	N	C	C	N	C	P	C	N	
Recycling facilities	N	N	N	N	N	N	N	N	
Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances	C	C	C	C	C	C	N	N	
Repair services, Motorized	N	N	C	C	C	C	N	N	
Repair services, Non-motorized	C	C	C	C	C	N	N	N	
Residential treatment facility	N	N	N	N	N	N	N	N	
Retail Sales (See Chart Below)									See Below
Schools	N	C	C	N	N	N	N	N	
Skating Rink, Indoor	N	C	C	N	C	N	N	N	
Stockyards	N	N	N	N	N	N	N	N	
Storage, Indoor, Commercial	C	C	N	N	N	N	N	N	<i>*See Applicable Conditional Uses Defined (Attached to this document)</i>
Storage, RV, boat or vehicle, Private	P	N	C	P	C	C	N	P	
Storage, RV, boat or vehicle, Commercial (Indoor or Outdoor)	N	N	N	N	C	N	N	N	
Temporary Structures	C	C	C	C	C	C	N	N	
Timeshares	N	N	N	N	N	N	N	N	
Trailhead Parking	C	C	C	C	C	C	C	N	
Trails	C	C	C	P	C	P	P	C	
Transportation/Shuttle Services	N	C	C	N	C	C	N	N	
Truck Stop	N	N	N	N	N	N	N	N	
Utility Facilities	N	C	C	N	C	N	N	N	
Vehicle Control Gate	C	C	C	C	C	C	C	C	
Veterinarian	C	C	C	C	C	N	N	N	
Warehousing and Distribution	N	N	N	N	N	N	N	N	
Wholesale Construction Supply	N	N	N	N	N	N	N	N	
Wildlife Sanctuary	N	N	C	C	C	P	P	N	
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<u>Use – Retail Sales</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Agricultural sales and service	N	N	C	C	C	N	N	N	
Antique Shop	N	C	C	C	C	N	N	N	
Art Supply Store	N	C	C	N	C	N	N	N	
Auto Parts Store	N	N	N	N	N	N	N	N	
Automotive Sales	N	N	N	N	N	N	N	N	
Bakery	N	C	C	N	C	N	N	N	
Barber or beauty shop	C	C	C	C	C	N	N	N	
Big box retail	N	N	N	N	N	N	N	N	
Bookstore	N	C	C	N	C	N	N	N	
Bowling Alley	N	N	C	N	N	N	N	N	
Camera Shop	N	C	C	N	C	N	N	N	
Clothing/Boutique Shop	N	C	C	C	N	N	N	N	
Convenience Store	N	C	C	N	C	N	N	N	
Department or discount store	N	N	N	N	N	N	N	N	
Florist Shop	C	C	C	C	C	C	N	N	
Food Truck	C	C	C	C	C	C	N	N	
Furniture/appliance store	N	N	N	N	N	N	N	N	
Garden Shop, Plant Sales, Nursery	N	C	C	C	N	N	N	N	
Grocery Store	N	C	C	N	C	N	N	N	
Hardware Store	N	C	C	N	C	N	N	N	
Kiosk	N	C	C	C	C	N	N	N	
Laundromat, Laundry	N	N	C	N	C	N	N	N	
Locksmith or Key Shop	C	C	C	C	C	N	N	N	
Medical/Dental/Optical Clinic	N	C	C	N	C	N	N	N	
Mobile Home Sales	N	N	N	N	N	N	N	N	
Mortuary	N	N	C	N	N	N	N	N	
Music Store	N	C	C	N	N	N	N	N	
Optical Shop	N	C	C	N	N	N	N	N	
Pawnshop	N	N	N	N	N	N	N	N	
Pet Shop	N	C	C	N	N	N	N	N	
Pet Services and Grooming	C	C	C	C	C	C	N	N	
Pharmacy	N	C	C	N	C	N	N	N	
Print Shop	N	C	C	N	N	N	N	N	
Recreation Vehicle and Boat Sales	N	N	N	N	N	N	N	N	
Restaurant, Fast Food	N	N	N	N	N	N	N	N	
Restaurant, Drive-In or Drive-Through	N	N	N	N	N	N	N	N	
Restaurant, Deli or Take-out	N	C	C	N	C	N	N	N	
Restaurant, Full Service	N	C	C	N	C	N	N	N	
Seasonal Outdoor Vendor	N	C	C	C	C	C	N	N	
Shoe Store	N	C	C	N	N	N	N	N	

Restaurant, w/ Alcohol service

** 2 all dwell*

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<u>Use – Retail Sales</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	<u>CR1</u>	<u>S</u>	<u>O</u>	<u>RC</u>	<u>Additional Reference</u>
Smoke Shops	N	N	N	N	N	N	N	N	
Studio, Artist or Photography	C	C	C	C	C	C	N	N	
Studio, decorator and display	N	C	C	N	C	N	N	N	
Studio, Health or Exercise	N	C	C	N	C	N	N	N	
Tent Vendor	N	C	C	N	C	N	N	N	Selling from a tent
Variety Store	N	C	C	N	N	N	N	N	

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