

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

MEETING DATE: May 19th, 2022
PLACE: Electronic Zoom Meeting with anchor location at Huntsville Library
 131 S 7400 E, Huntsville Utah
TIME: 6:00 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Liz Poulter	Planning Commissioner	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Present
Allen Endicott	Planning Commissioner	Excused
Suzanne Ferre	Alt. Planning Commissioner	Excused
Sandy Hunter	TC Liaison	Zoom
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Boy Scout Troop #129, John Janson, Bill White, Dale Maxwell, Ron Gault, Bruce Ahlstrom, Tommy Christy

1-Roll call: Chairman Allen welcomed all who are attending the meeting. Chairman Allen recognized Boy Scout Troop #129, who lead the group in the pledge of allegiance.

Chairman Allen asked Mr. Janson to introduce himself. Mr. Janson commented that he has been hired by Huntsville to update and re-write the Town Ordinances. Mr. Janson said that the conditional Use Chapter does need updating as well. Per state code conditional use permits are now harder to deny. He also commented on some other areas he is planning on updating in the future.

PCM Poulter motions to close the regular meeting and open the public hearing on the Ordinances as reflected on the agenda. PCM Songer seconds the motion. All votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

2- Public Hearing on Ordinance 2022-5-26- A3 Zone* And Ordinance 2022-5-26 B- C1 Zone *

*Also, to reference the Allowable Use Table (**Attachment #1 & #2**)

PCM Larsen reviewed the changes in the **C1 Zone**.

Chairman Allen welcomed Public Comment. A comment was made about lighted signs. Chairman Allen commented on the “Storm Drain” wordage, the Town does not have a Storm Drain system. A few other minor adjustments were referred to and Mr. Janson will fix.

Tommy Christy commented on the Ordinance and is interested in its progress.

PMC Larsen reviewed the changes to the **A3 Zone**.

John Janson spoke on behalf of the changes make to the Ordinances above. He will make the changes addressed by the PC and consider the public comments. PCM Poulter mentioned signage issues. Mr. Janson did say he would like to come back to the signage issue and address it with appropriate zones. The conditional use table also needs to be modified.

PCM Poulter motioned to close public hearing and Open regular Planning Commission meeting. PCM Songer seconded the motion. All votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

3-Approval of Minutes for Planning Commission Meeting April 28th, 2022. (See Attachment #3)

Chairman Allen asked that TCM Hunter review the minutes concerning the Tom Freeman agenda item. It was clarified and agreed that Tom Freeman/Frank Clawson needed to provide written documentation of any evidence to the claims he made at the April 2022 PC meeting.

PCM Songer motioned to approve the amended minutes from April 28th, 2022. 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 Jeff Larsen
NAYS:	

4-Discussion and/or action on Land Use Permit for Maxwell Pool, 6880 E. 200 N., Parcel # 200590006 (See Attachment #4)

Chairman Allen questioned the difference between the plans presented and the original plans presented about a year ago. The pool contractor was present to speak to the plans presented. The setbacks of the pool were discussed. He stated the pool will be fenced and covered.

PCM Poulter commented on the coverage issue. The PC agreed that the coverage would need to be calculated by the Homeowner. This was added as a stipulation on the Land Use Permit.

PCM Larsen motioned to approve the Land Use permit for Maxwell Pool, 6880 E. 200 N., Parcel # 200590006, with the condition to be at or under the 35% allowable coverage. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

6- Discussion and/or action on Planning Commission Ordinance (See Attachment #5)

Term periods were discussed in relation to the Ordinance. The new Ordinance suggests a 2-year term as compared to the current 5-year term. PCM Larsen was in favor of the 2-year term with an option with renewing. Bruce Ahlstrom commented on the Town Council's view on the 2-year term limit. The issue of the alternate PC member was discussed.

PCM Larsen questioned the review process as defined in the proposed Ordinance. Ron Gault commented on the intent of the Land Use Permit. The current process is PC votes on whether the permit meets the Ordinance or not. It's not an opinion but a decision based on the code. If it does not meet code, then there is an option to go to the TC, who gets to give its opinion. And then the Appeals authority is the final step of the decision process.

PCM Larsen would like clarification on the intent of section 6 and the review process. Mr. Ahlstrom comments on the review process in the Town Code. Also questions the options of an appeals authority as a board or one person. Bill White gave his personal opinion as an appeals authority member. He did not agree with one person from intown to make these decisions, but he agreed with the suggestion of one person hired from out of town to make these decisions. Mr. Ahlstrom comments that the TC discussed having a professional, that lives outside of town, to fill that role.

Chairman Allen comments that in his opinion government works more efficiently on checks and balances. PCM Poulter commented on 3 E, about a quorum and electronically present is accessible.

PMC Larsen motioned to Table the Planning Commission Ordinance, until the next schedules PM meeting. PCM Poulter seconded the motion. Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen
NAYS:	

7- Discussion and/or action on Annexation Agreement (See Attachment #3)

Ron Gault present to speak on behalf of his changes. Ron has in general brought this plan up to date. Ron requests that any comments by the PC to be forwarded to him. Mr. Gault went over the map and the proposed primary annexation area, he has created. Water is a large issue when considering annexation.

The issue of impact fees was brought up and discussed by the PC and the public.

The map is important because if the Town wants the option to annex then the area needs to be included in this new map. It does not mean that the Town is obligated to annex, but it will have the option to do so. Chairman Allen spoke in favor of a larger annexation area. Bill White spoke with caution on large annexation with regards to water. PCM Larsen posed the question on weather leaving the Towns potential annexation area smaller rather than larger could be an issue for a town in the future.

The map is the issue the PC debated. The area of potential annexation is a large concern as far as the issue of water and the water treatment system.

PCM Larsen motioned to Table the Annexation Agreement, for no later than July PC meeting. 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 Jeff Larsen
NAYS:	

8- Sandy's TC Updates- TCM Hunter was out of town and unable to connect via Zoom.

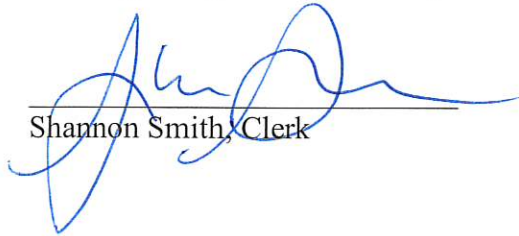
9-Public Comment. There were none.

10-Chairman's Remarks. Chairman Allen commented on the previous Town meeting about the Sage Development. He was concerned about the building envelopes in that development. Chairman Allen stated he felt this information was important to include in the development agreement. Chairman Allen also expressed concerns about the transparency on some of the issues with Sage development.

11-Motion to adjourn.

PCM Songer made a motion to adjourn the meeting. PCM Larsen seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned at 8:49 p.m.



Shannon Smith, Clerk

**HUNTSVILLE TOWN
ORDINANCE 2022-5-26**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH ADDING DEFINITIONS TO
TITLE 15.0; AMENDING 15.1 ALLOWABLE USE TABLE; AMENDING TITLE 15.10
AGRICULTURAL ZONE A3**

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, the Huntsville Town Planning Commission desires to update the use standards for the A-3 zone;

WHEREAS, the Huntsville Town Planning Commission desires to establish additional definitions and update the Allowable Use Table;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on May 26, 2022, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on May 26th, 2022;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on June 2, 2022, 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:

15.0 Definitions

- A. Planned Residential Unit Development (PRUD) or Planned Residential Development (PRD) –

15.1 Allowable Use Table

- A. Change “Construction equipment storage” from not permitted to permitted in the A-3 zone.
- B. Add “Public Utility Substation” as Permitted in the C-1, C-2 and A-3 zone.
- C. Add “Internal ADU’s” as Conditional in the R-1 and A-3 zone with note that refers to title 15.18.

Title 15.10 AGRICULTURAL ZONE A-3

15.10.1 Purpose

15.10.2 Agriculture Preferred Use

15.10.3 Permitted Uses

15.10.4 Permitted Uses Requiring Five (5) Acres Minimum Lot Area

15.10.5 Conditional Use Standards

15.10.6 Single Family Dwellings

15.10.7 Permitted Signs

15.10.8 Planned Residential Unit Developments (PRUDs)

15.10.1 Purpose

The purpose of the A-3 Zone is to designate farm areas which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of animals, and to direct orderly low density residential development in a continuing rural environment. This zone requires a three-acre minimum lot size.

15.10.2 Agriculture Preferred Use

Agriculture is the preferred use in this agricultural zone. All agricultural operations shall be permitted at any time, including the operation of farm machinery. No agricultural use shall be subject to restriction because it interferes with other uses permitted in the zone.

15.10.3 Permitted Uses

Refer to Appendix One, Table 15.1 (Allowable Use Table) for all permitted uses in A3 zone.

15.10.4 Permitted uses Requiring Five (5) Acres Minimum Lot Area

- A. Farms devoted to hatching, raising (including fattening as an incident to raising) of chickens, turkeys, or other fowl, rabbits, fish, frogs, or beaver.
- B. Fruit and vegetable storage and packing plant for produce grown on premises.
- C. The raising and grazing of horses, cattle, sheep, or goats as part of a farming operation, including the supplementary or full feeding of such animals provided that such raising and grazing when conducted by a farmer in conjunction with any livestock feed yard, livestock sales or **slaughterhouse** shall:
 - a. Not exceed a density of twenty-five (25) head per acre of used and;
 - b. Be carried on during the period of September 15 through April 15 only;
 - c. Be not closer than two hundred (200) feet to any dwelling, public or semi-public building on an adjoining parcel of land; and,
 - d. Not include the **construction** of any permanent fences, corrals, chutes, structures, or other building normally associated with a feeding operation.
- D. The use of farm equipment by a farm operator for off-farm contracting work to supplement farm income.

15.10.5 Conditional Use Standards

The following are permitted uses with conditions in the A3 zone. Conditional uses must receive approval on a case-by-case basis from the Planning Commission and Town Council after an application is submitted.

- A. Animal hospital, veterinary clinic; dog breeding; dog kennels; or dog training school on a minimum of three (3) acres and not exceeding 10 dogs of more than 10 weeks old per acre at any time; provided any building or enclosure for animals shall be located not less than one hundred (100) feet from a public street and not less than fifty (50) from any side or rear property line.
 - 1. Animal hospital or clinic, or dog training school on a minimum of three (3) acres and not exceeding 10 dogs of more than 10 weeks old per acre at any time; provided any building or enclosure for animals shall be located not less than one hundred (100) feet from a public street and not less than fifty (50) feet from any side or rear property line.
 - 2. Dog breeding and dog kennels on a minimum of three (3) acres, as an accessory use to a single-family dwelling, limited to 10 dogs of more than 10 weeks old. Any building or enclosure for the dogs shall be located not less than one hundred (100) feet from a public street and not less than fifty (50) feet from any side or

rear property line, as well as being located not closer than 40 feet from the residence and not closer than 70 feet from the nearest adjacent residence.

3. Raising and slaughtering of rabbits limited to a maximum of five hundred (500) rabbits at any one time.
 4. Slaughtering, dressing, and marketing on a commercial scale of chickens, turkeys or other fowl, rabbits, fish, frogs or beaver in conjunction with the hatching and raising of such animals on farms having a minimum area of five (5) acres.
- B. Greenhouse and Nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.
- C. Private Equestrian Training and Stable facilities on a minimum of 5 acres of land and at a density of not more than ten (10) horses per acre of land devoted exclusively to the keeping of the horses.
- D. Public equestrian Training and Stable Facilities on a tract of land with a minimum of 10 acres in area and at a density of not more than 5 horses per acre.
- E. Construction equipment storage: the overnight parking of not more than one vehicle other than an automobile, light truck or recreation vehicle, of not more than twenty-four thousand (24,000) pounds net weight, on property of not less than three (3) acres in area and upon which the operator has his permanent residence provided that the vehicle is parked at least fifty feet from a public street.
- F. The storage and use of light construction equipment such as a backhoe, front end loader or up to a ten-wheel truck for off-premise contract work by the owner resident of property of not less than five acres in area.

(notes – took out child day care because there were no conditions; took out home occupations; took out public storage facilities its on the allowable use table; took out public utility substations but should be added to the use table; took out residential facility for handicapped persons and residential facility for elderly persons; took out school bus parking; moved all conditional uses that had to do with animals and farming to letter A; please consider overnight parking and storage E & F; took out waste water treatment and cluster subdivisions; also please consider PRUD's....they need to be added to the use table and a definition added to the code)

15.10.6 Single Family Dwellings

A. Use Regulations for Single Family Dwellings

Single-family dwelling use regulations are subject to the respective conditions in the R-1 zone. Please see 15.6.2.

B. Area Regulations

The minimum lot area for a single-family dwelling shall be not less than three (3) acres.

C. Frontage Regulations

1. The minimum width of a lot, for a single-family dwelling, along the street frontage shall be one hundred thirty (130) feet **on a three (3) acre lot or three hundred feet (300) on a five (5) acre lot**. Where the lot frontage is on a cul-de-sac, the 130-foot width requirement shall be along the front property boundary line running from one radial property side boundary to the other and measured perpendicular to the circumference of the cul-de-sac. Alleys shall not be considered street frontage unless the Town Designates it as such where no other street frontage is available.
2. All other frontage regulations from the R-1 zone apply. Please see 15.6.4.

D. Every Dwelling is to be on a “Lot”

Every dwelling shall be located and maintained on a “lot” as defined in this ordinance; such lot shall have the required frontage on a public street or on a right-of-way which has been approved by Huntsville Town. No building may be located upon any area on the lot covered by an easement.

E. Front, Side and Rear Yard and Height Regulations

1. Front, Side and Rear Yard and Height Regulations from the R-1 zone apply. Please see 15.6.6, 15.6.7, 15.6.8, 15.6.9.
2. For setbacks where the boundary is a natural stream or river corridor see the Huntsville Town Sensitive Lands Title – see 15.15.

F. Coverage Regulations

1. No single building shall cover more than twenty-five (25) percent of the area of the lot or parcel upon which it resides.

2. No group of buildings (including dwellings and accessory structures), in aggregate, shall cover more than thirty-five (35) percent of the area of the lot or parcel upon which they reside.

G. Special Provisions

Special provisions from the R-1 zone apply. Please see 15.6.11 through 15.6.15

H. Swimming Pools

Swimming Pool regulations from the R-1 zone apply. Please see 15.6.16

15.10.7 Permitted Signs

The height, size, and location of permitted Commercial signs shall be in accordance with the regulations set forth in the Huntsville Town Signs Title.

15.10.8 Planned Residential Unit Developments (PRUDS)

Planned Residential Unit Developments (PRUDS) are not allowed in the A3 zone.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

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

ADOPTED AND APPROVED on this 26th day of May, 2022.

RICHARD L SORENSEN, Mayor

ATTEST:

BECKKI ENDICOTT, Town Clerk

RECORDED this 26th day of May, 2022.

POSTED this 26th day of May, 2022.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, Utah, hereby certify that foregoing Ordinance was duly passed and posted at 1) Huntsville Town Hall and 2) www.pmn.org on the above referenced dates.

BECKKI ENDICOTT, Town Clerk

DATE: 5/26/22

PC meeting 5.19.2022
A tch. # 2

**HUNTSVILLE TOWN
ORDINANCE 2022-5-26-B**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH AMENDING TITLE 15.8
COMMERCIAL ZONE C-1**

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, the Huntsville Town Planning Commission desires to update the standards in the commercial zone C-1;

WHEREAS, the Huntsville Town Planning Commission desires to establish additional update the Allowable Use Table;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on May 26, 2022, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on May 26th, 2022;

WHEREAS, the Town Council received the recommendation from the Planning Commission and held its public meeting on June 2, 2022, 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 COMMERCIAL ZONE C-1

15.8.1 Purpose

15.8.2 Use Regulations

15.8.3 Front Yard Regulations

15.8.4 Side Yard Regulations

15.8.5 Rear Yard Regulations

15.8.6 Height Regulations

15.8.7 Coverage Regulations

15.8.8 Architectural, Landscape and Screening Standards

15.8.9 Parking

15.8.1 Purpose The purpose of the C-1 zone is to designate regulations on areas to be used for commercial business purposes and to assure the retention of the character of the commercial district in the center of Huntsville.

15.8.2 Use Regulations All uses allowed in the Commercial Zone C-1 are designated either as permitted in Table 15.4-1, or as conditional and approved pursuant to a Conditional Use Permit by the Town Council. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes. Signage regulations are contained in the Huntsville Town Signs Title, with additional considerations in this Chapter.

15.8.3 Front Yard Regulations for single family homes same as for Residential Zone R-1 for dwellings. For non-residential buildings, ~~other buildings,~~ none, except for outdoor dining and leisure/gathering spaces are encouraged within a flexible ten foot setback. On-street parking may encroach beyond the street-side property line by 4'.

15.8.4 Side Yard Regulations Same as for Residential Zone R-1 for dwellings. For other buildings none, except that wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten (10) feet on the side of the building adjacent to the zone boundary line and on corner lots the side yard which faces on a street shall be not less than ten (10) feet. For setbacks where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

15.8.5 Rear Yard Regulations Lots which rear upon the side yard of another lot in a residential zone, 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.

15.8.6 Height Regulations²⁷ No pitched roof building or structure shall be erected to a height greater than two and one-half (2-1/2) stories, or thirty-five (35) feet unless the height is for a unique architectural feature(s) in a Commercial (C-1) Zone, recommended by the Planning Commission and approved by the Town Council. The unique structure(s) height cannot exceed forty feet (40), be no greater in area than 150 sq. ft. 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 2 stories or 24' whichever is greater.


15.8.7 Coverage Regulations No building or structures or group of buildings with their accessory buildings shall cover more than sixty (60) percent of the area of the lot.

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

General requirements for all buildings:

No HVAC located on a roof to be visible from the street.

Pitched roofs to be angled in such a manner to prevent accumulated snow from sliding into pedestrian areas. Where pitched roofs or awnings are angled toward the street, they shall include a gutter to move roof water away from pedestrians.

 Roof, driveways, 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.

Metal roofs shall be painted or of a non-reflective nature.

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.

Fencing shall be three to four rail type fencing when visible from the street.

For pitched roofed buildings exterior walls to be composed of board and batten siding, but may contain stone or brick features.

Pitched roof eaves shall overhang a minimum of 1.5 feet measured horizontally

No stucco, aluminum and/or vinyl siding is allowed on any exterior wall. Soffits and fascia are considered part of a wall.

All buildings shall have at least one entrance that faces the street.

Bike racks and/or hitching posts are required with one required per business or every 100', whichever is fewer.

Buildings Design Options – choose a minimum of five architectural features from the following list:

Exterior historical brick

Native Stone with board and batten siding – stone to cover at least 25% of the front facade

Exterior painted brick (earth tones including white)

Decorative Parapets including dentals, cornice differentiation, and the date of construction in letters discernable from across the street

A projecting sign at least 10' above grade, no exterior lighting, no more than 12 square feet, and extending from the building no more than 5 feet.

Windows covering at least 30% of the front first story face

Windows and/or doors with transom windows

Second floor street facing windows to include window accents such as visible sills, window grids, window trim, headers (rectangular or curved), boxed windows

Doors recessed at least 2' with entry walls angled or perpendicular to the street

Natural or stained timber supported galvanized or painted metal secondary add-on roof awnings, including a gutter where pedestrians can be expected

Front yard gathering place including seating, shade, WIFI, flowering potted plants, and a focal point of art/sculpture based on a pioneering/hunting and/or fishing theme, art with movement via the wind is encouraged, art that emits sounds from different wind speeds, historical information plaques detailing the history of Huntsville and the Ogden Valley, propane fire pit with seating, etc. A covered porch with seating that wraps the front façade and extends at least 10^{feet} along the sides of the building may substitute for the gathering place.

Building façade variation – no more than 50' of any front facing façade can be built before a material, color, accent through a change in material or brick pattern, awning, or offset or projection (1' minimum) is constructed

Timber structural accents to support eaves, second floor porches, or front entryways

15.8.9 Parking As permitted in the Huntsville Town Vehicle Parking and Loading Title, except that if parking on-street can not meet the standards required, such additional parking shall be located to the side or the rear of the building. Parking lots located to side shall be buffered with a three or four rail fence located 5' from the ROW and a xeriscaped landscaped area between the fence and the ROW that includes rock mulches, boulders, shrubs/plants and one medium sized tree planted for every 30' of parking lot frontage. Such areas shall employ water-wise drip irrigation systems. Shared driveways with adjacent properties are encouraged.

Sign Chapter amendments 15.21

A. Commercial Resort Zone CR-1 1.

Commercial Uses – same as 15.21.6.B, except:

a. Freestanding Signs.

Areas: No freestanding sign shall be larger than (50) square feet in total area nor taller than 12'.

2. Residential Uses – same as 15.21.6.C, plus

a. Rental units of less than eight (8) units. One (1) wall sign identifying the name of the owner and/or property, not to exceed six (6) square feet is permitted.

b. Rental units of eight (8) units or more. One (1) wall sign not to exceed ten (10) square feet in area is permitted.

c. Subdivision Sign. One (1) ground/monument not to exceed six (6) feet in height and ten (10) feet in width. The sign may be placed on a landscaped, mounted berm up to two (2) feet from grade.

B. Commercial Zone C-1

1. Commercial Uses (C-1 and CR-1)

a. Freestanding Signs.

Areas: No freestanding sign shall be larger than (50) square feet in total area.

Conditional Use chapter 15.4

15.41 The purpose of Conditional Uses is to allow a land use that, because of its unique characteristics or potential ~~impact~~ detrimental effects ~~on the Town~~ within the zone, surrounding neighbors, or on adjacent land uses, ~~may not be compatible in some areas or may be compatible~~ allowed only if certain conditions are required that mitigate or eliminate the identified detrimental effects ~~impacts~~.

15.4.2 Conditional Use Permit A Conditional Use Permit shall be required for all ~~uses not specifically listed for a given zone~~

Use table

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

Add "Any use not listed is not allowed"

Section 3: **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

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

ADOPTED AND APPROVED on this 26th day of May, 2022.

RICHARD L SORENSEN, Mayor

ATTEST:

BECKKI ENDICOTT, Town Clerk

RECORDED this 26th day of May, 2022.

POSTED this 26th day of May, 2022.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, Utah, hereby certify that foregoing Ordinance was duly passed and posted at 1) Huntsville Town Hall and 2) www.pmn.org on the above referenced dates.

BECKKI ENDICOTT, Town Clerk

DATE: 5/26/22

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	
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 (4 ?)	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	

Revised and Adopted 2-4-2021

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

<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>
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	N	C	C	N	C	N	N	N	

Revised and Adopted 2-4-2021

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

<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>
Recreation and athletic facilities	P	C	C	N	C	C	C	N	See 15.6.2.1
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	

Revised and Adopted 2-4-2021

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

Use – Retail Sales	R-1	C-1	C-2	A-3	CR1	S	O	RC	Additional Reference
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	

Revised and Adopted 2-4-2021

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

<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	

Revised and Adopted 2-4-2021

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

MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: April 28th, 2022
PLACE: Electronic Zoom Meeting with anchor location at Huntsville Library
131 S 7400 E, Huntsville Utah
TIME: 6:30 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Liz Poulter	Planning Commissioner	Present
Steve Songer	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Excused
Allen Endicott	Planning Commissioner	Present
Susanne Ferre	Planning Commissioner-Alt	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Tom Freeman, Frank Clawson, Artie Powell, Ron Gault
Via Zoom: Laurel Parkinson, John Janson

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

2-Approval of Minutes for Planning Commission Meeting March 24th, 2022.
(See Attachment #1)

Corrections were made to the Minutes.

PCM Poulter motioned to approve the amended minutes from March 24th, 2022. PCM Songer 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
NAYS:	

3-Discussion on property expansion for Tom Freeman (See Attachment #2)

Tom Freeman spoke on behalf of this subdivision proposal. Tom Freeman recently purchased this property from Christy B. Mr. Freeman would like to subdivide his property into 3 lots. The back 2.5 acers of this property has a conservation easement, no structures can be built there. Mr. Clawson stated that when this piece of land was sold to the previous owner, Christy B. There was an authorization for it to be a buildable flag lot. The Clawson estate granted Christy a 20-foot

easement to access her property. He stated that there was an agreement that 1 home would be allowed to build on the property. Mr. Clawson stated they are proposing a PUD, where there is a 30 foot easement/ access granted. He also said that they would be responsible for maintaining that road, as is common with PUD's.

Chairman Allen questioned whether Mr. Clawson had any written verification from Christy that building would be approved on that land. TC Hunter questioned who approved that land to be build on. Mr. Clawson stated it was the Town, at the time, but he was not involved in that part of the process. Chairman Allen encouraged Mr. Clawson to look into any past agreements concerning that property and find something in writing to support his claims. *Build*

Chairman Allen addressed the frontage issue. Mr. Clawson has 130 ft of frontage and currently there is about a 20-foot easement. If Mr. Clawson takes those 20 feet off his lot that will create a non-conforming lot for Mr. Clawson.

Tom Freeman did mention that previous to the current plan ~~of~~ Steve Johnson, who owed property nearby, had planned to provide a road with his property for proper access to the land in discussion. Mr. Freeman is concerned that he now owns this property and there is not official access. Mr. Freeman is asking the steps he needs to take to move a plan like he has presented forward.

Chairman Allen commented that a concern of his is that currently the Town Ordinance require a 66 foot road, which the plan presented does not include. Any process requires approval by the PC before it moves forward to the Town Council for final decision. Chairman Allen commented that tis plan is not up to Town Ordinances, and will need some re-working on a few different things

TCM Hunter mentions PC meeting minutes from May 25th 2006, that state that in that meting it was discussed possibly approving one house with a 33 foot right of way, which is the size of an alley. Also PC Minutes from April 2017, which say the same thing. ^e

Zoning on this property was discussed, this property is currently in the A3 Zone which include different lot size requirements.

4) Discussion and/or action on Land Use Permit for Laurel Parkinson for Hoop house/green house, 325 N. 6700 E., Parcel #201850001 (See Attachment #3)

Chairman Allen stated that he had been in contact with Mr. Parkinson to verify his measurements per the plan he submitted. It was discovered that Mr. Parkinson did underestimate his measurements. From the Hoop House to the pavement it is actually 45 feet, and 10 feet to the property line.

TCM Hunter commented that since this structure is more then 200 sq ft it does qualify for a Land Use Permit. Laurel commented that this structure is 30x90 feet. This is a temporary structure. PCM Hunter questioned if it will have electrical, Laurel says possibly an extension cord and possibly connected to secondary water. *Point?*

TCM Hunter commented that she considers this an accessory building, and it should meet the setbacks in the code for such a structure in 15.6.6a. The code does not address setbacks of

accessory buildings as clearly as id should. PC feels that with the new measurements mentioned here tonight that the set backs are allowable.

PMC Songer motioned approve to the Land Use Permit for Laurel Parkinson for Hoop house/green house, 325 N. 6700 E., Parcel #201850001. 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
NAYS:	

5-Discussion and/or action on Land Use Permit for signage for David Owen, Imagine Music, 7309/7300 E. 200 S., Parcel #240110022. (See Attachment #3)

Lighting was questioned. PC does not approve any lighting for this project at this time.

PCM Endicott motioned to recommend for approval the Land Use Permit, with stipulations on lighting as stated on Permit, for signage for David Owen, Imagine Music, 7309/7300 E. 200 S., Parcel #240110022. 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
NAYS:	

6-Updates on The General Plan – Ron Gault

Mr. Gault reviewed his ideas for changes and updates to the GP. He asked the PC to get him any notes/ideas that they would like him to include in the General Plan.

Discussion included what area the Town would like to consider for its possible annexation area. Ron presented a map for the PC to consider the land they might want to think about including.

Mr. Powell asked to make a public comment, in his opinion including certain land in the annexation plan is a good idea to least give the Town an option in the future.

7-Discussion and/or action on changes to Title 15.8; C-1 Zone. (See Attachment #5)

The Commissioners discussed the proposed changes to the C-1 Zone. Comments were made to include in the revision. John Janson has been working on updating the Towns C-1 Zone. He was on via the phone, he will be present at the Public Hearing where the C-1 And A-3 will be up for discussion, this meeting is tentatively scheduled for May 19th 2022.

8-Discussion and/or action on Updating Title 15.10; A-3 Zone. (See Attachment #6)

A-3 Zone changes were presented to mirror the R-1 Zone. The TC is urging the changes for the A-3 Zone be finished in by May in order to include them in the Sage Development agreement that is currently close to being finished.

The issue of referencing the R-1 code in the A-3 Zone was brought up by TC Hunter. There were several small changes the PC recommended with the Ordinance as presented.

9-Discussion and/or action to Update Allowable Use Table (See Attachment #7)

PMC Endicott motioned to Table the discussion on the allowable use table until next month's meeting. PCM Poulter seconded the Motion. All votes Aye. Motion passes. Votes reflected below

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

10-Discussion and/or action on Annexation Policy Plan- Sandy Hunter. (See Attachment #8)

This item was discussed above with item #6

11-Sandy TC Updates.

John Janson has been approached to review and update the Town's Ordinance's over the next few years.

TCM Hunter updated the PC on the Wangsgard's subdivision application. There were some issues with the TC as far as appropriate access/ frontage with the lot in question.

12-Public Comment. There were none.

13-Chairman's Remarks. Chairman Allen thanked all for the discussion.

14-Motion to adjourn.

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

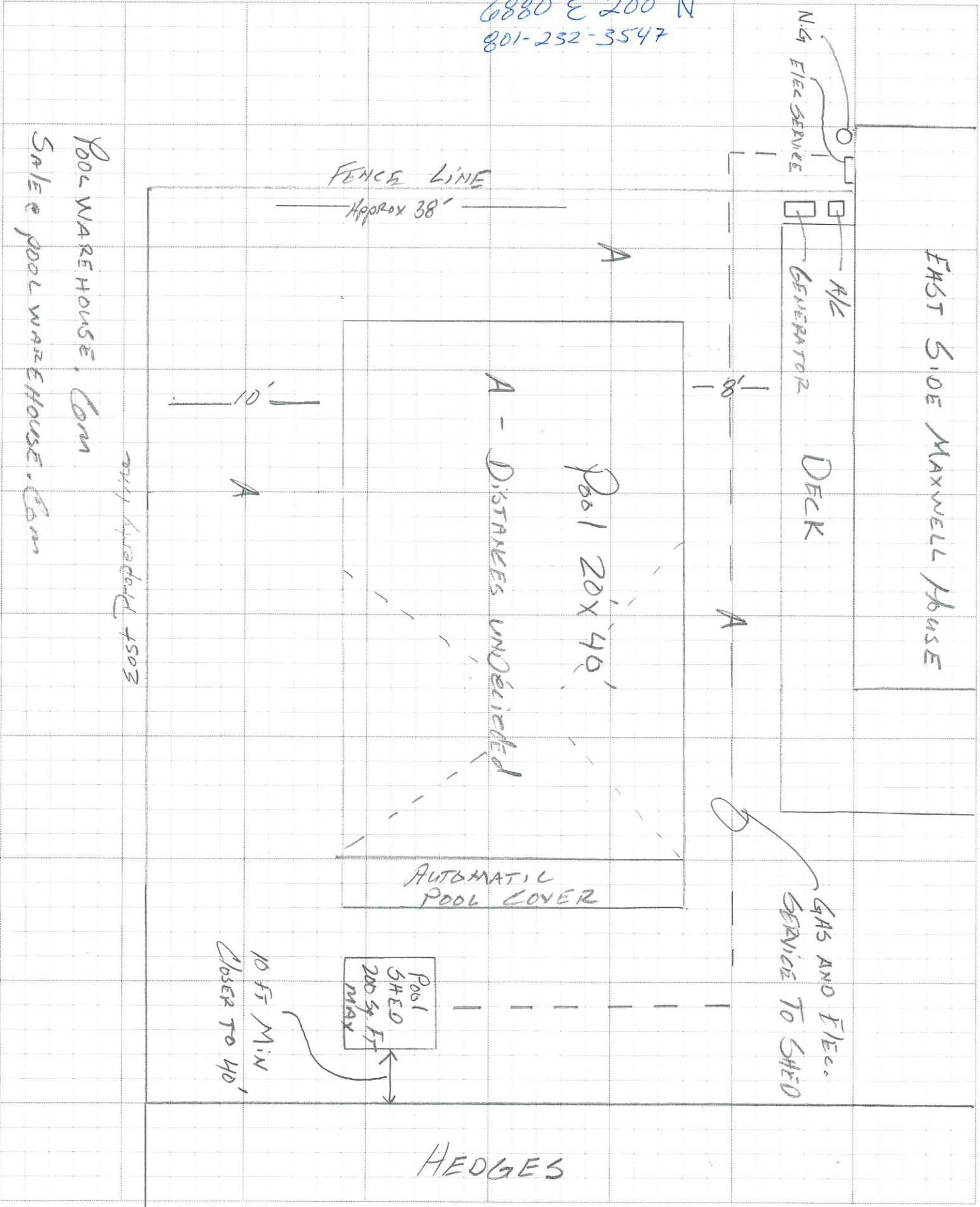
Meeting is adjourned at 8:48 p.m.

Shannon Smith, Clerk

DRAFT



6880 E 200 N
801-232-3547





20220015

LAND USE PERMIT

Huntsville Town Building Inspection
7309 E. 200 S.
P.O. Box 267, Huntsville, UT 84317
(801) 745-3420

Tax ID # 200590000

Address of Structure W 880E 200N

Name & Address of Owner/Owners Maxwell

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 5/19/2022

Set Backs Approved: Yes No

Any special stipulations and conditions of the Site Plan Review: total coverage of lot to be at or below 35% per code

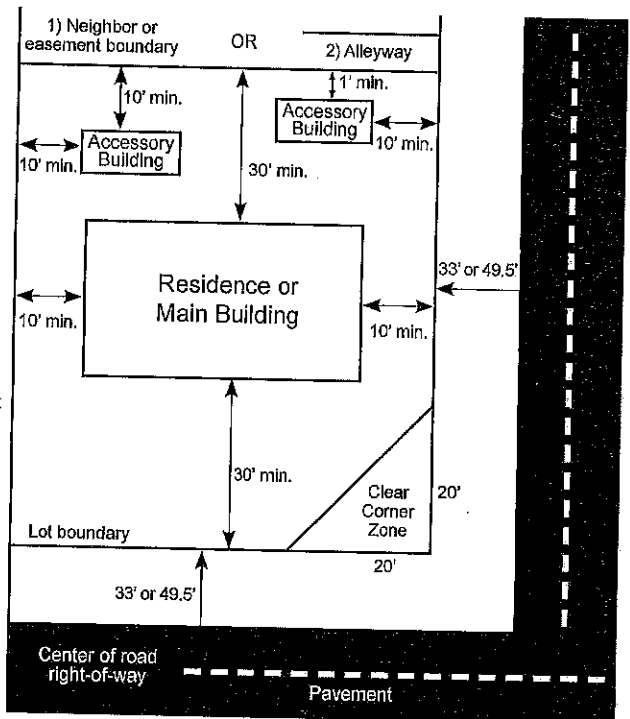
Huntsville Planning Commission Chairman

Property Owner Signature

"By signing this form, the applicant agrees that they understand that the Huntsville Town R-1 zone, which their lot is zoned, only allows for one single family dwelling on the lot. The applicant also agrees that they understand that if any changes to their site plan are made after the Land Use Permit is issued, that those changes must be approved by the Planning Commission."

- Minimum lot size = 0.75 acre (32,670 sq. ft.)
- Minimum width = 130 feet (120 feet if bounded by an alleyway)

Huntsville Town Residential Zone Setbacks



**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 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. *majority?*
3. Term. Each member of the Planning Commission shall serve a term of two (2) years. Terms may be staggered.
4. Vacancy. Any vacancy in the Planning Commission is filled for a two (2) 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. 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.

New?
X

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 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 (10) days of decision by the Administrative Hearing Officer.
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.
- 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. 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.
- 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 **decision** 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.

Suggested Changes:

I feel that an appeal board of 5 members better protects the property rights of citizens. Five Appeal Authority members will usually come up with many more ideas and solutions to often times complicated matters that may be brought before the board.

- 2. Appointment. **The Appeal Authority shall consist of a board of five members appointed by the**

Mayor subject to the advice and consent of the Town Council. Each board member shall serve for a term of two years after which the member may be reappointed by the mayor with the advice and consent of the Town Council.

3. Procedures of the Appeal Authority. The Huntsville Town Appeal Authority shall:

- a. Organize and elect a Chairperson;
- b. Adopt rules that comply with any Ordinance adopted by the Huntsville Town Council;
- c. Notify each of its Members of any meeting or hearing of the Appeal Authority;
- d. Provide each of its Members with the same information and access to municipal resources as any other Member;
- e. Convene only if a quorum of three or more of its Members are present; and
- f. Act only upon the vote of a majority of its convened Members.

— electronic participation

ANNEXATION POLICY PLAN

for

HUNTSVILLE, UTAH

June XX, 2022

1. HUNTSVILLE TOWN VISION STATEMENT

Huntsville Town is a small, semi-rural town located in the Ogden Valley of the State of Utah. With improved transportation access, the rapid growth of Northern Utah, ~~and the impact of the 2002 Winter Olympics,~~ the entire Ogden Valley is experienced its own rapid growth ~~in the latter 2000's~~. This growth is affecting the lifestyle of the Ogden Valley. While it is impossible to remain a town undergoing no changes, the citizens of Huntsville Town desire to grow in a planned and orderly manner. The Town's architecture is a blend of everything ~~from original pioneer,~~ from original pioneer to large, modern home styles. The Town's recent growth reflects the desirability of life in Ogden Valley and the emergence of ~~a few~~ large vacation homes and ~~rapid~~ the trending escalation of the average home price. These results are changing the Valley's demographics to that of an older, ~~population and~~ higher income population level.

The most striking feature of the Town is generally considered to be the the visual perspective given via the large lots and deep house setbacks and no curb and gutter, which combined with numerous trees and varieties of vegetation, imparts a quiet village atmosphere. Blended with the surrounding mountain vistas, the feeling is of a spacious, comfortable, western country living environment. The character has been deeply influenced by the pioneer spirit, tolerance for and support of individual rights and sense of working together for the common good. It is not uncommon to see people on horseback or horse drawn carriages on the streets, or to spot migrating birds or even an occasional deer or moose. The Town was originally laid out around a farming/agricultural grid format, with wide streets and alleyways.

Therefore, the **primary theme** ~~proposed for of~~ the General Plan Vision Statement is to preserve as much of this semi-rural character of Huntsville as possible in the coming years. The recent resident survey results emphasized that this is the essence of Huntsville Town and that residents want to preserve this character.

Vision Statement for Huntsville Town

Huntsville Town residents enjoy a low population density, outdoor influenced, mountain country lifestyle conducive to raising families and fostering positive community spirit. Huntsville Town residents realize that growth is taking place all through Ogden Valley, including the immediate vicinity of the Town. We and welcome the diversity that new residents offer the Town. The residents, but are desirous of maintaining our high-quality lifestyle by managing and shaping our future growth in a way that preserves and hopefully enhances this lifestyle. via ordinances that encourage and preserve this lifestyle.

2. CRITERIA FOR DECISIONS ON FUTURE ANNEXATION

- A. As part of its ongoing effort to anticipate responsible growth, Huntsville Town has identified territory adjacent to its present Huntsville Town boundaries ~~wherethat~~ some of the owners have expressed an interest in becoming a part of Huntsville Town in the future. Areas considered for annexation must fall within the areas designated for future possible annexation contained in this Huntsville Town Annexation Policy Plan. Even though property proposed for annexation is located within the potential annexation expansion area, there is no guarantee that any annexation request will be approved by the Huntsville Town Council ~~or that the Town Council would initiate one of its own.~~
- B. The character of the Huntsville Town community is primarily residential, with a small mix of commercial, recreational, and agricultural. Areas considered for annexation should be compatible with this character. The annexed land shall be zoned to be compatible with surrounding uses within Huntsville Town and its nearby vicinity.
- C. Areas considered for annexation must be contiguous to the Corporate Limits of Huntsville Town at the time of submission of an annexation request.
- D. Areas considered for annexation shall not be located within the corporate limits of another incorporated town or be part of a previously filed annexation petition that has not been either denied, accepted, or approved.
- E. When feasible, Huntsville Town will consider as appropriate petitions for annexation, along ~~the~~ boundaries ~~serviceable by its current-of~~ culinary water systemimprovements, special service districts, or other taxing entities.
- F. Annexation will eliminate existing, and not create islands and peninsulas of unincorporated territory. When the determination of a peninsula is in question, the Weber County Surveyor will make the determination.
- G. Annexation should prevent overlapping functions of government, promote efficient delivery of services, and encourage the equitable distribution of community resources and obligations.
- H. Annexation should give consideration to the tax consequences to property owners within the area to be annexed, as well as the property owners within Huntsville Town, ~~in order to~~ prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers within Huntsville Town. ~~Further, giving~~

~~consideration that~~ If at all possible, any annexation that brings the cost of additional infrastructure services shall not burden current residents of Huntsville Town.

- I. Huntsville Town will determine prior to any annexation if it is feasible to serve the proposed new area with utilities and other municipal services within a reasonable amount of cost and time. Huntsville Town does not favor the annexation of areas for which it does not have the capability nor the intention to provide municipal services, unless the proposed property owners in the area agree to pay impact fees that would allow for the necessary expansion of existing service capabilities. All agreements would be formalized in a written Memorandum of Understanding prior to starting the formal annexation process.
- J. Huntsville Town will not conduct an annexation if such would create an enclave.

3. CURRENT STATUS OF HUNTSVILLE TOWN

A. Physical Description

Huntsville Town is a small community located in the southern part of Ogden Valley, twelve miles east of Ogden City at the head of Ogden Canyon. It is the only incorporated community in Ogden Valley, which offers the residents more direct control over what happens in their immediate surroundings. Two unincorporated communities, Liberty and Eden are located in the north and central regions of the Valley. Most of the Valley's open land is used as pasture; land that is farmed is mostly irrigated fields of alfalfa or small grains. The town lies on a mostly level terrace on the Eastern Shore of Pineview Reservoir, at an elevation of nearly 5,000 feet. There is a small peninsula jutting into the reservoir on the western edge, which includes the town cemetery and several very popular swimming beaches and boating launching ramps. The U.S. Forest Service administers the beaches and shoreline, subcontracting the concessions and boat launching business.

The incorporated area of Huntsville Town is primarily west of State Route 39. State Highway 39 is a designated scenic highway passing through Ogden Canyon, running south of Pineview reservoir, turning north, and heading east of Huntsville until it intersects with County Road 166 where it turns east again and heads to Monte Cristo and Woodruff in Rich County. County Road 166 follows the northern tip of Pineview and connects with Eden and the North Ogden Pass Road. The intersection of State Route 39 and County Road 166 is one of the busiest in the entire valley. There are only two streets that access the Town, both coming off the north-south running portion of State Route 39, which currently forms a large portion of the eastern Town boundary. All traffic entering or leaving town uses one of these two streets. Most of the town's streets are paved, but alleys running north-south midway through some of the blocks are not. All streets and alleys are owned and maintained by Huntsville Town. To the north, south and east of State Route 39 lies unincorporated Weber County land. To the south is a steep escarpment of about 40 feet, portions of it that are within the 100-year flood plain of the South Fork of the Ogden River. An additional connector road to Huntsville is State Route 167 commonly referred to as Trapper's Loop Highway that winds over mountains to the south and connects the Valley with Mountain Green and Interstate 84 in Morgan County.

Weber County's population was 231,236262,223 in 20240 with a growth rate of nearly 2% per year. According to the U.S. Census, Huntsville's population was 553 in 1970, 557 in 1980, 541 in 1990, 649 in 2000, and 608 in 2010 and 645 in 2020. There are approximately 249-XXX dwelling units in Huntsville, with approximately YYY204 occupied by year-round residents. At this point, the town is continuing to grow, however the growth has slowed due to the recent recession and is contained by area unless the Town annexes more land, there being few remaining building lots available in Town without subdividing. Should Huntsville's population exceed 1000, Utah State law would

require a transition to a Class 53 city, which would require a new form of municipal government.

B. Current and Proposed Land Use in Huntsville Town Boundaries

Huntsville Town has nine classes of zoned land use: 1) Residential (R-1), 2) Commercial (C-1), 3) Commercial Resort (CR-1), 4) Agricultural (A-3), 5) Park (P), 6) Shoreline (S), 7) Open Space, 8) Flood Plain (FP), and 9) Recreational (RC). Figure One is a zoning map of the Town that shows currently only the R-1, C-1, AV-3, S-1 and CR-1 zones exist.

1) Residential

Although residential land use is by far the largest category of land use, it comprises slightly less than half of the total area (47%). It includes large garden areas, pastures, barns, corrals and other farm out buildings. There are currently no multifamily dwellings, nor do the ordinances allow such. The area is zoned as R-1, with a minimum lot requirement of $\frac{3}{4}$ acre, which dates back to the original Town survey.

2) Commercial

Commercial zones are located in two areas, the traditional center of town and a strip of land along the southeastern corner of town ~~including a lot for the post office~~. The traditional town center is small (8.5 acres) and provides the town with ~~very little~~ small amount of property ~~and/or~~ sales tax revenue. This area includes ~~a building divided into several~~ small stores spaces, the well-known Shooting Star Saloon, a reception hall, ~~a small restaurant building currently used as a church~~, two small Town-owned buildings, ~~a small restaurant, and vacant land where the Valley Elementary School once stood~~ storage barn, and the Compass Rose Lodge. The southeastern commercial area on the east side of ~~State Route 39 at 500 South~~ contains the major businesses of the Town, the Town houses the South Fork Village, the US Post Office, the American Legion, and a parcel due north of the post office that was rezoned to C-1 and back to R-1 in 2019.

3) Agriculture and Open Space

Huntsville originated as ~~a Latter Day Saint -a Mormon~~ agricultural village where the residents lived in town and farmed the surrounding area. Agriculturally available space within the Town ~~boundaries itself~~ is relatively small (62 acres), currently composed of undeveloped R-1 lots. These areas are mostly used for light agriculture purposes such as gardening, grazing, or maintaining small animals.

4) Institutional, Parks and Recreation

Institutional use (24 acres) refers to public and government buildings, facilities or land (e.g., the ~~former elementary school~~, library, church, post office, town hall, town maintenance building, etc.), and a community park

encompassing a square block bounded by 200 to 300 South and 7400 to 7500 East, and an approximately .8 acre field being developed in the SE corner of the Valley School property block due north of the park. There is also an area zoned RC for private recreation owned by the Ogden Boat Club.

5) Roads

Roads, street right of ways, and alleys comprise the second largest land use in the community, 111 acres (21%). The width for the combination of street and right of way is generally 99 feet, with some 66-foot secondary roads variances. The width combined with the required building setbacks, increases the overall setback of homes, adding to the open feeling. The width for the paved portion of roads itself varies from 18 to 20 feet depending on the location in town. For example, the paved portion of 100 South (First Street) is wider than the rest of the town's streets because it is the primary road to Pineview Reservoir from State Route 39 and sees heavy use. Many residents use the unpaved portion of the right of way (the verge) as part of their yards. The alleys were originally created to give access to barns, corrals and outbuildings, by providing a 33-foot-wide easement where animals could be driven from home to pasture without using the main streets. Today, they are used by some residents for property access and by the Town and Huntsville Water Works Corporation for utilities (underground culinary and secondary water lines). The Town intends to maintain the streets as they are, with the current width requirements, and without curb and gutter, to maintain the rural feel.

6) Reservoir and Wetland

This area of the Town, comprising 45 acres (8.5%) maintains the overflow volume for Pineview Reservoir. The water level varies from season to season and year to year, creating a wetland type area during times of high water.

7) Shoreline

A small portion of land around Huntsville is shoreline along Pineview Reservoir. Portions of this shoreline attract very large crowds during the summer months.

8) Cemetery

Huntsville's cemetery consists of 9 acres and is located at the tip of the peninsula, which juts out into the reservoir.

9) Landfill

The Town owns 40 acres of land approximately 4 miles east of Town that straddles the South Fork of the Ogden River. A portion on the north side of the river is used for a green waste landfill and 11 acres on the south side of the river is potential buildable land, although it is in the 100-year flood plain. The landfill has been utilized as a licensed Class 4 landfill, which allows dumping yard waste and some approved demolition materials. Currently Town ordinances allow only

yard waste. The soil/rock displaced from the holes dug at the landfill have been used as backfill and road base material in Town projects. Yard waste burns are scheduled once a year.

C. Present Zoning Regulations

The Town land use ordinances contain numerous zones that allow for flexibility with any land that might be annexed by the town. The R-1 (3/4-acre lot minimum) zone requirements reflect the western attitude of flexibility with the use of private property. The commercial areas are zoned C-1. The C-1 ordinance regulates business types, signage, and lot use issues. A C-2 zone is under consideration to allow further controlling what types of commercial enterprises can be allowed in commercial zones, especially when surrounded by residential zoning. The A-3 zone includes the possibility of cluster housing or three-acre residential lot development to provide for additional spacing options on large tracts of land. Annexation will be considered as an opportunity to gain greater control over the growth in the immediate vicinity of Huntsville Town. No annexation will be undertaken without first assessing the ability to deliver services currently provided to residents and ensuring the potential deficit of revenue against expense to the city is not unreasonable. A large area of land immediately east of the then current boundaries, bounded on the north by 100 South and on the south by 500 South, was recently annexed.

No site construction is allowed until a building permit is approved. The Building Official cannot issue a building permit if the proposed structure does not conform to the Town ordinances. A certificate of occupancy must be applied for along with an application for a building permit. A Building Inspector approved final inspection is required before a house may be occupied.

D. Community Services

1) Transportation

Traffic counts on local roads show a steady increase over the past decade in the number of vehicles using the roads and that Huntsville residents ~~actually~~ account for only a small percentage of daily traffic in the vicinity of the Town. Traffic within the town boundaries has seen a similar increase, with some problems resulting due to speeding in residential areas.

a. Road Maintenance

Huntsville Town obtains its road maintenance monies from the State Class B and Class C Road Funds. This State B & C Fund is maintained by taxes collected from gasoline sales and is distributed by a formula that divides monies among all roads in the state. Different categories of roads receive a

specified number of points, which determines how much money can be obtained from the fund. This money must be used for buying road equipment, road materials, maintenance and snow removal expenses, etc. Huntsville Town has received grant or low-cost loan monies in the past to help with its road maintenance, such as CDBG (Community Development Block Grant) funds. As the roads age and the traffic increases, roads has become the largest budget item in the Huntsville Town budget and future projections are there will not be enough money to maintain the roads in good condition.

b. Pedestrian needs

Walking is a popular pastime in town and poses a conflict at times due to unleashed dogs (see Animal Control). There are no sidewalks in Town and streets are often narrower and very slick in the wintertime.

c. Parking

There are no Town parking lots. The LDS church building in the center of town and the streets around the Town Park are used to park vehicles during large events, such as the Fourth of July. The Town is planning to develop a 40+ car stall parking lot immediately east of the Weber County Library. The Town has an ordinance that does not allow camping in vehicles overnight on public streets. During the summer season, visitors to the reservoir often park on Town streets and walk to gain access to the water or the facilities at Cemetery Point. This creates issues with trash, sanitation, vandalism, trespassing, and traffic congestion. The Town has passed a parking ordinance and now posts 'No Parking' signs around town that don't allow for reservoir visitor parking during the busy reservoir usage season.

2) Public Safety

a. Law Enforcement

Huntsville contracts with the Weber County Sheriffs Office for police protection. The Weber County Sheriff offers a range of resources, especially well-coordinated backup officers for the occasional large crowds experienced during summer (May through September) recreational activities. Crime has traditionally been non-violent and infrequent, but with the increase in expensive, often vacant homes in the Valley, burglary has increased. The Town has occasionally contracted a part-time Ordinance Control Officer to aid in dealing with ordinance enforcement, primarily nuisance, animal control and land use issues.

b. Fire

Huntsville Town chose to be annexed into the Weber Fire District and contracts with them for emergency services. A new fire station recently opened several blocks east of Town. The response time to Huntsville Town from this station is approximately 1-2 minutes, while crews traveling from Ogden City take approximately 15-20 minutes depending on urgency and

location of the emergency. A recent survey of Town alleyways discovered several that are illegally blocked to an extent that they would prevent fire vehicles from getting close to buildings.

c. Animal Control.

At the present time, Huntsville Town employs Weber County Animal Control to handle domestic animal control concerns within the Town, supplemented by the Ordinance Control Officer. Huntsville Town has a dog leash requirement in its Animal Control ordinance that prohibits allowing dogs to roam freely, but occasional encounters with unleashed dogs occur.

d. Lighting

The Town has a lighting ordinance that specifies the type, size, and location of lighting with the intent of protecting open (dark) skies. Overhead streetlights are located at numerous intersections, but there are no traffic lights in Town. The Town supports the Dark Skies movement, and the lighting ordinance requires certain restrictions on outdoor lighting in support of reducing light pollution.

e. Signing

The Town has a sign ordinance that specifies the use, type, size, quantity, and location of signs.

3) Public Utilities

a. Culinary Water Supply

Currently Huntsville Town receives its culinary water supply from three springs, flowing out of what is known as Bennett Springs, located on unincorporated property southeast of the Abbey of Our Holy Trinity. Huntsville Town owns water rights to two of the springs and shares the rights to the third spring with the Abbey. The Town also owns a well near the current culinary water plant, and Hawkins Springs, that are currently not in use. The Town has a modern water treatment plant housing two styles of filters (media filter and bag), which allow for filtering down to the several micron levels. The plant is currently undergoing refurbishment to replace obsolete equipment. The plant includes room for more filtering units in the event of future increased demand for water. After the treatment process, the water is pumped to a one-million-gallon storage tank. The overall system is capable of handling more residences, allowing for modest future growth. If substantial growth were to take place, e.g., a major sub-division, upgraded facilities would be required. In the 2000s, follow-on CBD grants have allowed for several new water lines in Town to be installed, replacing and upgrading old lines and fire hydrants. [In 2015, the Town contracted for a Hydrogeological Evaluation and Assessment of Groundwater Development](#)

Potential. It identified areas where a second source of culinary might be achievable. 2018 CBDG and CIB grants allowed using this information in drilling for a Utah State mandated secondary water source. On April 9, 2018, the Town entered into an agreement with Huntsville Abbey Farm, LLC, the owner of the former Monastery farm, that allowed the Town to drill a culinary water well on Abbey property. Under the terms of the agreement, the Town is only allowed to withdraw water from the well during times of drought and if the total discharge of all the Town's spring sources falls below 150 gallons per minute. The Town is limited to a maximum withdrawal rate of 100 gpm and Huntsville Abbey Farm owns all the well's capacity beyond the first 100 gpm. After one unsuccessful attempt, a good production well was developed that is under testing for State approval as a permanent source.

b. Irrigation Water Supply

The Town receives irrigation water from an underground delivery water system using a holding reservoir along the South Fork of the Ogden River east of Huntsville Town. The system is owned by the Huntsville Waterworks Corporation, composed primarily of Town residents, but independent of the Town. Being annexed into Huntsville Town does not have any bearing on whether the annexed property can be hooked into the irrigation water system. Culinary water is not permitted for irrigation purposes.

c. Power

The Town obtains electrical power from Rocky Mountain Power. Natural gas is available in Town from a natural gas feeder line paralleling the Trapper's Loop Highway from Mountain Green. A gas regulator station is located east of State Route 39 near the north side of the American Legion building, reducing the gas pressure to 50 psi. Interim High Pressure (IHP) lines were routed throughout the town. At the edge of each property, the IHP line is tapped and fitted to a service line (1/2" to 3/4" diameter at 15 psi, depending on household needs) which is then connected to a gas meter. The lines within the house or structure flow to appliances with four ounces of pressure.

d. Refuge

Huntsville Town contracts refuse disposal to a private company, which picks up containers at each household and exports the refuse to the Weber County Transfer Station who delivers it to the East Carbon County Landfill. The Town recently began a recycling program with a second container provided for recycle materials.

e. Sewage

All homes in Town are currently on individual septic systems. Due to continuing Valley growth, especially around the perimeter of Pineview Reservoir, the State of Utah has been promoting a Valley-wide sewer system to hopefully mitigate a declining Pineview Reservoir water quality. The

Ogden Valley Master Plan points out that Weber County is seriously encouraging a Valley-wide sewer district to be instituted in the future. The Huntsville Town Council agreed to conduct a sewer feasibility study that provided recommendations and a draft Wastewater Capital Facilities Plan. After review of the benefits vs. the impacts to Town residents, the Council decided to continue using the current septic systems in the foreseeable future.

4. ANNEXATION PROCLAMATION FOR HUNTSVILLE TOWN

A. Current Status of Huntsville Town

Huntsville Town recognizes the majority of open space available for growth is east of State Route 39, which roughly circles the Town. Several pieces of Weber County property along Highway 39 to the immediate south of South Fork Village are currently zoned for commercial development. With the building of the US Post Office building on the southwestern corner of the intersection of 500 South and Highway 39, this area was further established as one of two hubs of the Town's future commercial development. ~~This area has also been identified by Weber County as a receiving zone for transferred development rights.~~ Huntsville Town accepts this area will be one to experience growth trend but will continue to also encourage suitable public and commercial development in the traditional commercial center of town, in hopes of maintaining it's unique character. ~~The demolition of Valley Elementary school left the Town at a crossroads in the uses of this approximately 5 acres then zoned R1.~~ The Town character will be reinforced or redefined by what happens at these two critical locations. ~~The Town was able to negotiate the purchase of this land and rezoned it C1. A Request For Proposal (RFP) was issued by the Town in fall 2012 to solicit interested potential developers.~~

B. How Extension of Town Services Will Be Financed

Huntsville Town current receives a tax levy over the amount charged unincorporated property in Ogden Valley that amounts to an approximately additional levy of .08% of the taxable value (approximately ~~\$300+50~~ on an average house). That portion is used to help Huntsville Town finance the services identified in Section 3.D of this document and would be attached to any land annexed into Huntsville Town. In addition, if the impacts required were substantial enough in cost, the Town would levy impact fees on the developers of that land to provide the necessary services, in particular to hookup to the Town's culinary water system.

C. Huntsville Town Annexation Proclamation

Huntsville Town has little say over how surrounding land in Weber County is developed. Being within incorporated Huntsville Town offers ~~local residents~~ residents the opportunity to play a greater role in how the/their property is developed. Based on Town survey results, the Town showed a majority preference ~~would prefer~~ to annex nearby land

~~if up to the point that~~ critical infrastructure (culinary and secondary water, traffic safety, road maintenance, etc.) can be provided without increased burden on current residents. Huntsville Town will determine prior to any annexation if it is feasible to serve the proposed new area with these utilities and other municipal services within a reasonable amount of cost and time. For areas which it does not have the capability to provide municipal services, annexation would not be approved unless the property owners in the area agree to pay the impact fees that would allow for the necessary expansion of existing service capabilities. All agreements would be formalized in a written Memorandum of Understanding prior to starting the formal annexation process.

The maximum area that would be considered for annexation into Huntsville Town is depicted by the black border in Figure One and is the Town's Annexation Proclamation. The boundary line represents the area that could possibly be supplied adequate culinary water pressure with the current culinary water system. The orange-shaded area on the map depicts the areas Huntsville Town is considering for near-term annexation. The red-shaded area just outside the orange is area the Town would consider were the Valley residents outside of the Town start to incorporate the entire unincorporated areas in the Valley. The Town desires to preserve its existing grid system layout as much as land conditions and topography allows. The Town further recognizes there are natural sensitivities existing on much of the surrounding undeveloped land and feels it necessary to require appropriate sensitive land studies be conducted to evaluate the impacts of any rezoning or development. Of primary concern are the impacts involving wetlands, water aquifers and floodplains. Property will be annexed into the Town under its current zoning whenever possible. The Town ordinances have similar zones to Weber County but does not have an RE-20 (20,000 sq foot lots) zone. The Town's A-3 zoning, similar to Weber County's AV-3, allows for some clustering of houses to take advantage of/preserve the natural features of the land while still maintaining some open space. ~~Town ordinances also allow for transfer of development rights~~. Huntsville Town supports the use of land trusts such as the Ogden Valley Land Trust. No development will be allowed that requires the main vehicular access be off State Route 39 unless safety and traffic concerns are adequately addressed with the Utah Department of Transportation.

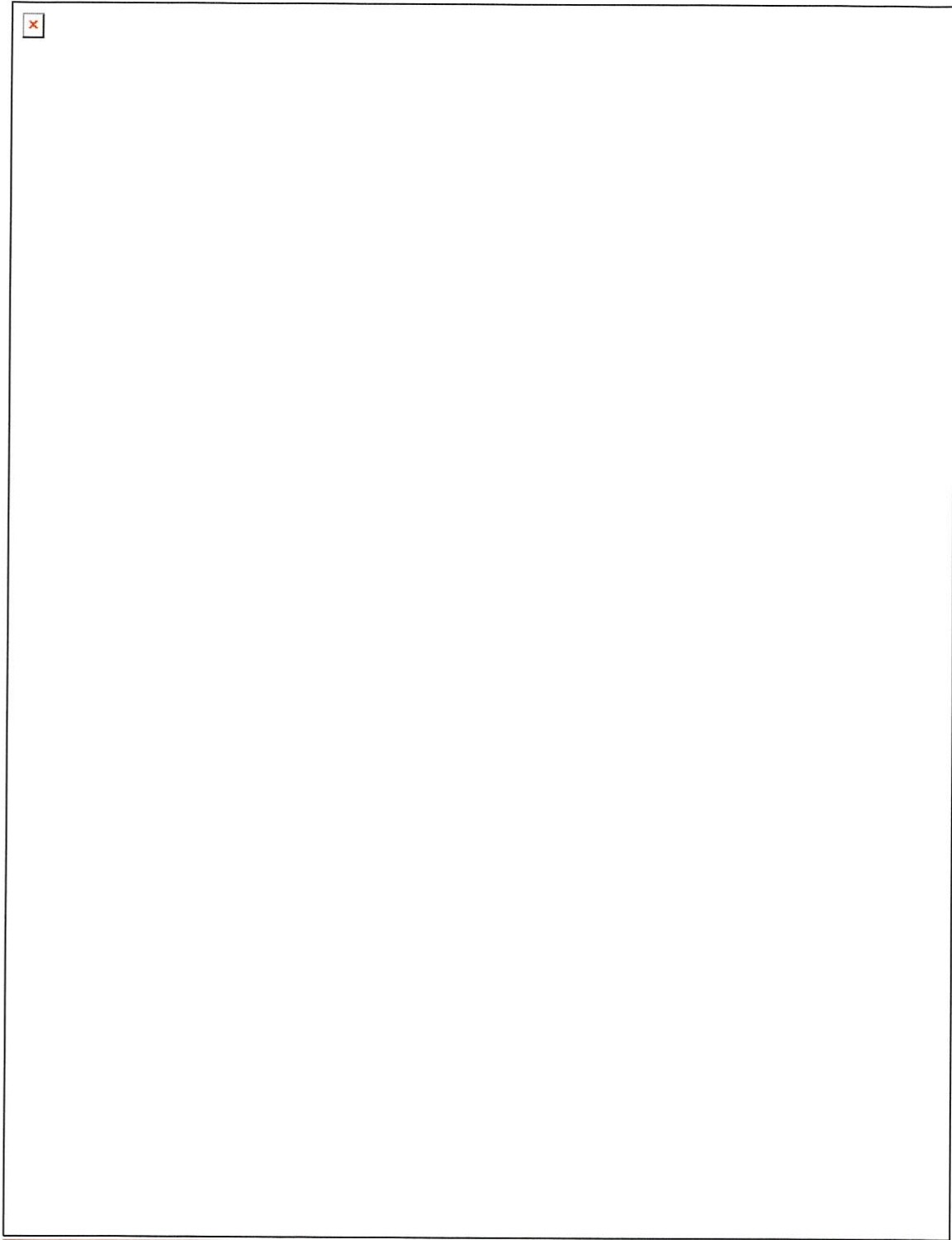


Figure One – Annexation Proclamation (in bold line) with color shading depicting approximate land areas considered for near-term annexation.