MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: August 24th, 2023
PLACE: Ogden Valley Library

131 S 7400 E, Huntsville Utah

TIME: 6:30 p.m.

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

Citizens: Aaron Ellison, Emerald Pools

<u>1–Roll Call</u>: Chairman Endicott welcomed all who are attending the meeting.

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

PC Chair Endicott motioned to approve the amended minutes from July 26th, 2023. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

3- Discussion and/or action on Land Use Permit for Larsen New Home 335 N 6700 E, Parcel #201850002(See attachment #2)

Shannon commented that the contractor called last minute stating the homeowner was not ready to move forward with this Land Use permit as they were going to delay building. PCM Hessenauer motioned to table the Land Use Permit for Larsen New Home, 335 N 6700 E, Parcel #201850002. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

4-Discussion and/or action on Land Use Permit DeGeorge Pool, 320 N 6900 E, Parcel #200590020 (See Attachment #3)

Aspen Pools was present to speak on behalf of the proposed pool. Setbacks were discussed and the PC agreed there were no issues.

PCM Songer motioned to approve the Land Use Permit for the DeGeorge Pool, 320 N 6900 E, Parcel #200590020. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

5-Discussion and/or action on Land Use Permit for Falls remodel, 7315 E. 300 S, Parcel #240110012 (See Attachment #4)

TCM Hunter commented that she spoke with the contractor at the TC meeting the other night. There was discussion regarding the setbacks. The front property line is the main concern. As the setback looks very close to the 30 feet allowed by code. Shannon stated that she had a conversation with the contractor that since the front property line is not marked, that the contractor will be responsible for making sure that the site plan, as submitted to the Planning commission, is the binding contract of where the home will be as well as any additions to the home. To ensure that the home is at least 30 feet from the front property line, that property line will need to be determined and measured with accuracy and checked by the building inspector.

PCM Songer commented that in the street by the house, there is a marker that they can calculate the property line. He also commented that Doug Allen looked at this with Artie Powell, but the findings of this are not on record.

PCM Hessenauer motioned to approve the Land Use Permit for Falls remodel, with the condition as stated on the land use permit, that the setback on the front property line be verified and in compliance with the Huntsville Town Municipal Code, 7315 E. 300 S, Parcel #240110012. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

6- Discussion and/or action on Land use Permit for Gardner Pool, 125 N 6500 E, Parcel #201770001 (See Attachment #4)

Emerald Pools was present to speak on behalf of this project. Setbacks were discussed. The fence was discussed as far as not being an accurate representation on the property line.

PMC Songer motioned to approve the Land Use Permit for Gardner Pool, 125 N 6500 E, Parcel #201770001. PCM Hessenauer seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

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

5-Discussion and/or action on C2 Zone and Acceptable Use Table (See Attachment #5)

There was a discussion on limiting the number of establishments serving alcohol in town. TCM Hunter was interested in limiting the number of establishments serving of alcohol to four. Not including places that sell alcohol as "carry out". It was the opinion that this information should be included in the Acceptable Use Table, 15-1. There was a discussion on the different kinds of establishments that can sell alcohol and how they are classified.

TCM Hunter discussed the parking and vehicle access part of the proposed C2 Zone. She stated that the Town currently has a parking code in 15.4, but it needs to be revised. 15.24 should reference the state code as it is currently out of date. PCM Hessenauer volunteered to look at the town code 15.24 and draft the changes needs.

PC Chair Endicott motioned to move Ordinance 2023.6.22, C2 Zone and Acceptable Use Table 15-1 to public hearing, with the following changes, table 15-1 to modify restaurants with alcohol service and limit to 2, also limit Bars and taverns to 2. In sections 15.8 A- adding a reference to Town Code 15.24 for motor vehicle access, also adjusting town code 15.24 to be in compliance with Utah state code. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

8- Sandy's PC Updates

TCM Hunter mentioned adding the term "event" after reception center in table 15-1.

The TC has passed the Land Use Ordinance. They slightly altered the language on whether an alternate was necessary. The TC also approved an extension on the development agreement for the Compass Rose expansion project. This agreement was extended 24 months.

The TC had a discussion on raising the water rates. Expenses have increased and as a result the Town needs to consider a rate increase to cover costs. The connection fees were increased for both in town and out of town culinary water connections.

9-Public Comment. There were none.

<u>10-Chairman's Remarks</u>. Chairman Endicott thanked all for the discussion. He also asked about the status of a barn in town that is currently undergoing reconstruction/renovations.

11-Motion to adjourn.

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

Meeting is adjourned at 8:02 p.m.

Shannon Smith, Clerk

MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: July 26th, 2023

PLACE:

Ogden Valley Library

131 S 7400 E, Huntsville Utah

TIME:

6:30 p.m.

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

Citizens: Mike, Workman, Radul Daly, Mike Engston

1-Roll call: Acting Chair Steve Songer welcomed all who are attending the meeting.

TCM Hunter gave a brief update on Ordinance 2022.5.22 that up for public hearing tonight. She highlighted the main changes that this Ordinance presents.

PCM Poulter motions to close regular meeting and open public hearing on Ordinance 2022.5.22-Land Use. PCM Larsen seconded the motion.

2- Open to Public Hearing on Ordinance 2022.5.22- Land Use (See Attachment #1)

Mr. Engstrom commented that he did not see many changes. TCM Hunter commented on the appeals authority changes.

3- Close Public Hearing and open regular Planning meeting

PCM Poulter motions to close the public hearing and open the regular planning commission meeting. PCM Ferre seconded the motion.

4- Discussion and or action on recommendation for Ordinance 2022.5.22

TCM Hunter commented on the appeals authority changing from a board of community members to a professional 3rd party. This person will need to meet certain qualifications and will most likely live out of town.

PCM Poulter motioned to recommend approval of Ordinance 2022.5.22- Land Use. PCM Ferre seconded the motion. Roll Call Vote. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	

5-Approval of minutes for Planning Commission meeting June 22nd, 2023. (See Attachment #2)

PCM Larsen motioned to approve the amended minutes from June 22nd, 2023. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	

6-Discussion and/or action on Land Use Permit for Larsen New home, 335 N 6700 E, Parcel # 201850002 (See attachment #3)

Mike with Pineview Builders was here to represent this project. There were some questions on the setbacks from the front of the property. There was no indication on the site plan that the front setback is 30 feet from the front property line.

The PC requests to resubmit the site plan with proper setbacks indicated on the plans. The coverage came into question. It was concluded that the coverage for the home was within the allowable limits. The retaining area on one side of the property came into question. The PC requested that the grading area be more clearly defined as far as what the plan is for that area and requested that it be shown on the property in question.

PCM Poulter motioned to table the Land Use Permit for Larsen new home. PCM Hessenauer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	20155015

7-Discussion and/or action on Land Use Permit Stair addition Engstrom Home, Parcel # 240090009 (See attachment #4)

Mike Engstrom was present on behalf on the stairs and the roof extension project (below). PCM Ferre was concerned about the setback being too close to the alley, as presented is in the setback. TCM Hunter recited the code and the PC agreed that the only part of a house that was allowed in the setback was 18" of the roof evel It was questioned why the property owner would not just shift the house 4 feet. PCM Songer was in the opinion that the PC cannot approve these two items as they are specifically against the code.

PCM Ferre motioned to deny the Land Use Permit Stair addition Engstrom Home, Parcel # 240090009. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	

8- Discussion and or action on Land Use permit for Roof expansion on Engstrom Home, Parcel # 240090009 (See Attachment #4)

PCM Hessenauer motioned to deny the Land Use Permit for Roof expansion on Engstrom Home, Parcel # 240090009. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	
	1,179.04

9- Discussion on possible rezone & overlay zone for the Valley House 7310 E. 200 S., Parcel # 240140026

Rachel, the owner of the Valley House, was present to speak on behalf of her proposed project. Rachel commented that she would like to expand the Valley House and the amount of people she can accommodate and possibly hosting events. She wants to maintain the originality of the Valley House and continue to operate her business close to how she is now. In order to re-zone Rachel will need to submit a concept development plan. She stated that when the valley House operated previously it was a total of 9 rooms and currently, she has 4. She is asking to restore 6 rooms that were previously part of the inn. She also voiced concerns that other Bed and Breakfast's in town do not actually operate per code.

Rachel would like to add small cabins on her property. She would operate them as part of the bed and breakfast. It was recommended by the PC that she present a simple concept plan with more detail to the PC. It could be possible to rezone Rachel's property from R1 to C1 then she could apply for an overlay zone to accommodate her vision, as a possible way to achieve what she envisions.

PCM Poulter questioned whether Rachel was currently doing events. She stated that she currently was not doing events, but she would like the ability to possibly host events in the future. There was concern from the PC that Rachel's plan would be approved by the town. Rachel commented that she is confident that her expansion would bring in much increased tax revenue for the Town.

10- Discussion and/or action on C2 Zone (See attachment #5

TCM Hunter explained that the C2 Zone was proposed years back, but was never developed. This Zone was thought to be a commercial highway zone. TCM Hunter modeled the C2 after the C1 Zone, but made some adjustments as they would pertain to a highway area. The question of what UDOT would allow off a highway came into question. The areas that would possibly fall into the C2 would be the American Legion, the Chevron shopping center and possibly Chris's in the future. Steve Songer commented that the PC should table this for now and get the opinion town resident and UDOT employee Rex Harris for his opinion on what would be possible. TCM Hunter will review what she has worked on with Mr. Harris.

It was also discussed that the Allowable Use Table be changed as needed to accommodate the C2 Zone. TCM Hunter requested that the PC review the Ordinance as is as well as the Use table for discussion at the next months meeting,

PCM Liz Poulter motioned to table the Discussion and/or action on the C2 Zone. PCM Ferre seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Commissioner Liz Poulter
	Commissioner Steve Songer
	Commissioner Jeff Larsen
	Commissioner Suzanne Ferre
	Alt Commissioner Hessenauer
NAYS:	

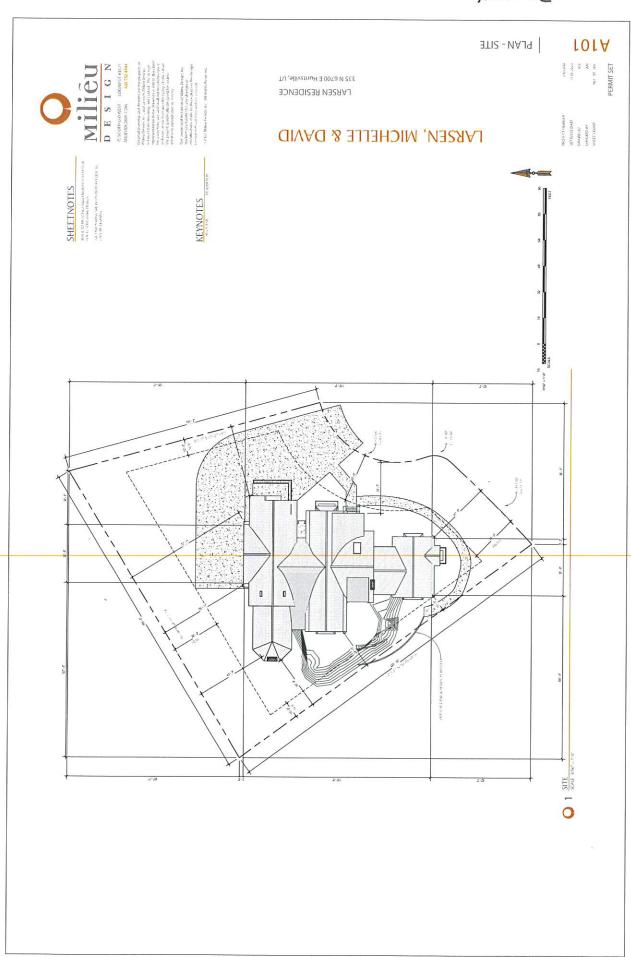
- 11-Public Comment. There were none.
- 12-Chairman's Remarks. Acting Chair Songer thanked all for the discussion.
- 13-Motion to adjourn. There was none

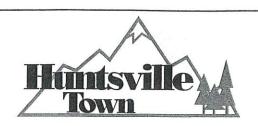
PCM Ferre made a motion to adjourn the meeting. PCM Larsen seconded the motion. All votes Aye. Motion Passes.

Meeting is adjourned at 8:21 p.m.

Shannon Smith, Clerk

Pewering 8.24.2023





Permeeting 8.24.2023

LAND USE PERMIT

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

Tax ID# 2005 90020
Address of Structure 320 N. 6900 E
Name & Address of Owner/Owners
The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 8.24.2023
Set Backs Approved: Yes No
Any special stipulations and conditions of the Site Plan Review:

or

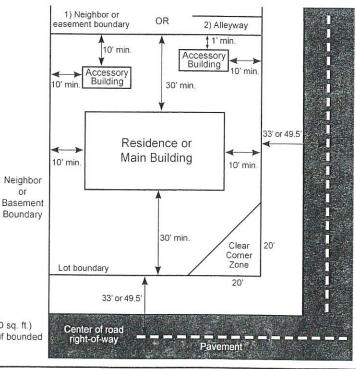
Huntsville Planning Commission Chairman

"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

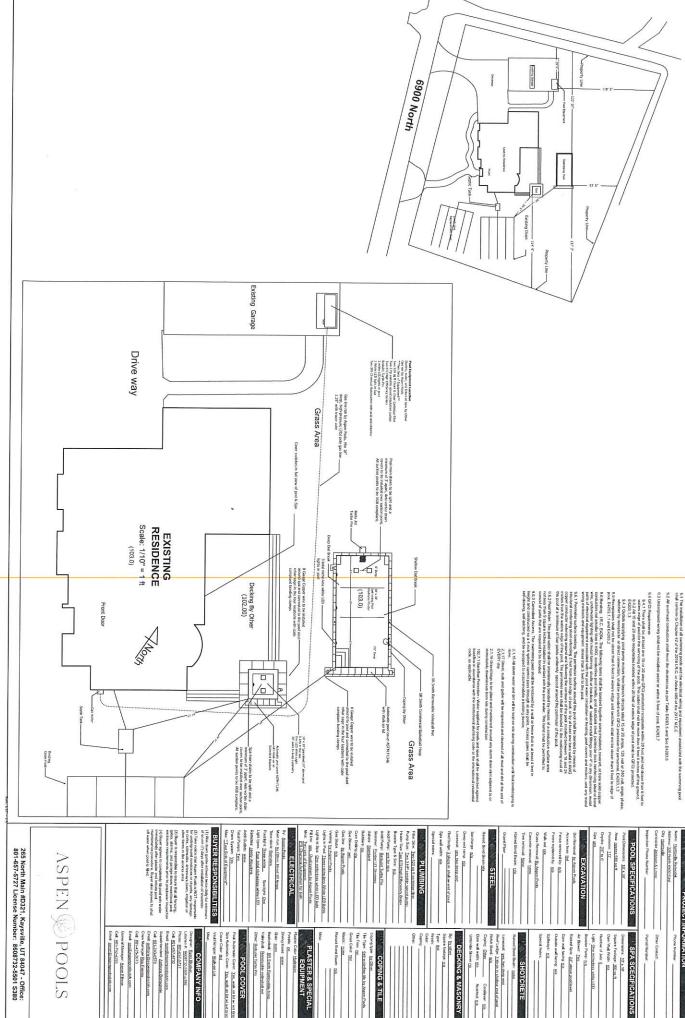
Huntsville Town Residential Zone Setbacks



(801) 792-4255 Fame

SON IN OUR E 20059002

PROJECT INFORMATION

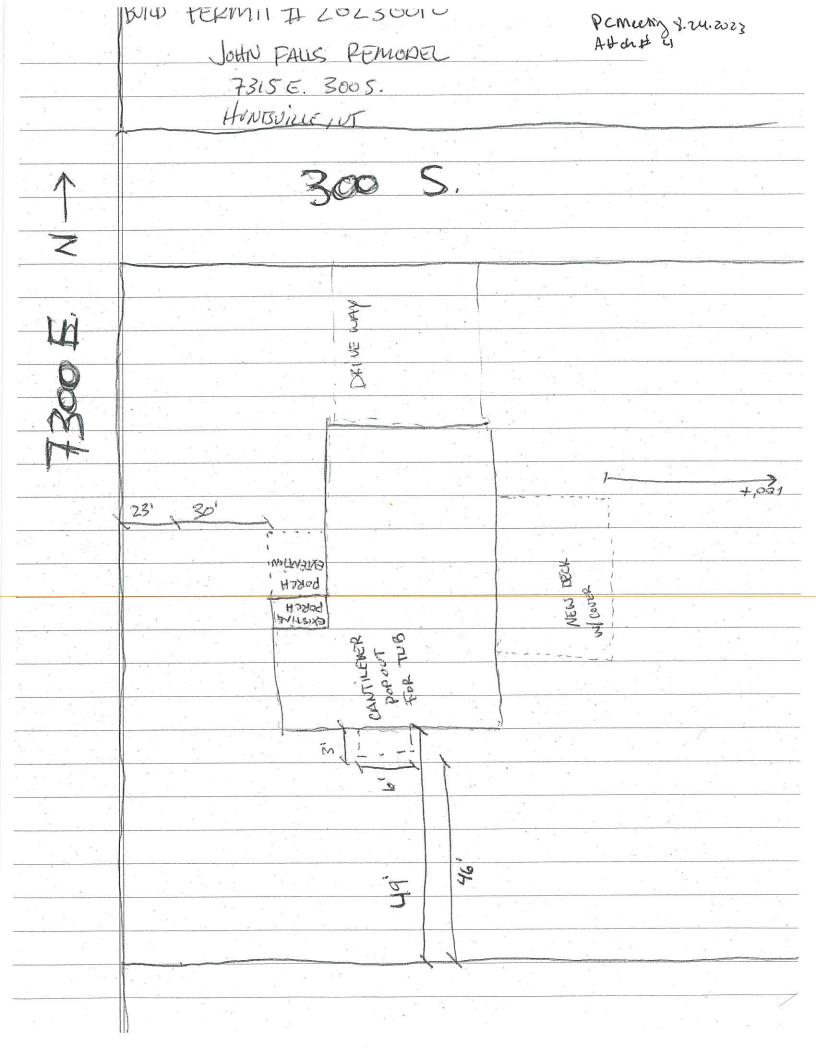


DECKING & MASONRY

SHOTCRETE

COMPANY INFO

POOL COVER Caver: Yes, walk on let w



2023-634

20'

Clear

Corner

Pavement



LAND USE PERMIT

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

P.O. Box 267, Huntsville, U1 84317
Tax ID # 240110017 (801) 745-3420
Address of Structure 7315 E 3005
Name & Address of Owner/Owners
The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on:
Set Backs Approved: Yes No
Any special stipulations and conditions of the Site Plan Review: All modifications
of Front property ine and set backs Huntsville Town Residential Zone Setbacks
1) Neighbor or easement boundary OR 2) Alleyway 10' min. Accessory Building 10' min. Huntsville Planning Commission Chairman
Property Owner Signature Neighbor or Basement Boundary Neighbor and the state of
"By signing this form, the applicant agrees that they understand that the

"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."

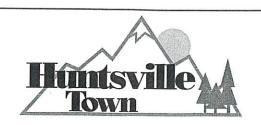
- Minimum lot size = 0.75 acre (32,670 sq. ft.)
- Minimum width = 130 feet (120 feet if bounded by an alleyway

Lot boundary

Center of road right-of-way

33' or 49.5'

2023.0037 Permeting 8,24.2023 Attach & 5



LAND USE PERMIT

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

Tax ID#
Address of Structure 175 N. 6500 E.
Name & Address of Owner/Owners
The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on:
Set Backs Approved: Yes No
Any special stipulations and conditions of the Site Plan Review:
Huntsville Town Residential Zone Setbacks
1) Neighbor or easement boundary OR 2) Alleyway

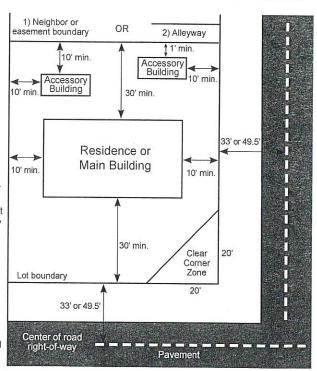
Huntsville Planning Commission Chairman

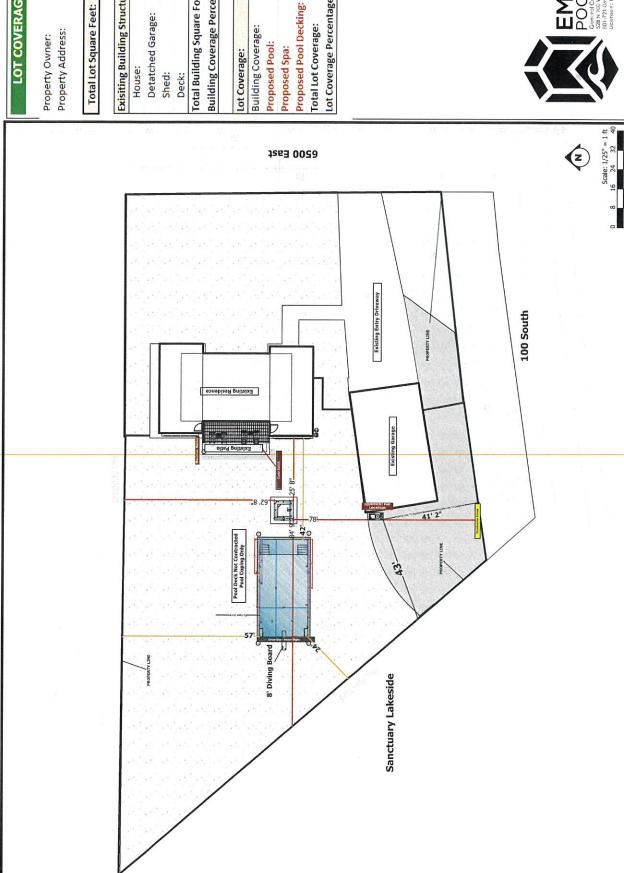
Property Owner Signature

Neighbor or Basement Boundary

"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





LOT COVERAGE ANALYSIS

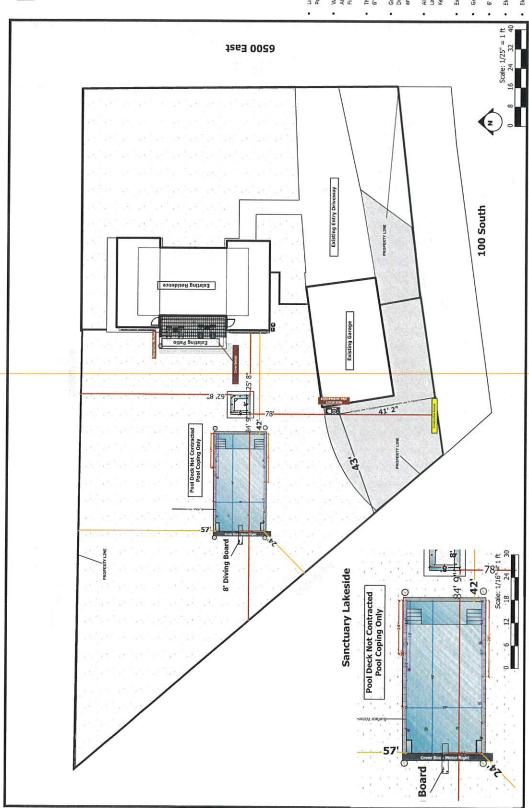
Gardner 125 N 6500 E

32,670

Exisiting Building Structures:	SQFT
House:	2620
Detatched Garage:	1477
Shed:	0
Deck:	325
Total Building Square Footage:	4,422
Building Coverage Percentage:	13.54%

Lot Coverage:	SQFT
Building Coverage:	4,422
Proposed Pool:	1581
Proposed Spa:	142
Proposed Pool Decking:	0
Total Lot Coverage:	6,145
Lot Coverage Percentage:	18.81%







PROJECT INFORMATION

CLIENT NAME: Jono Gardne ADDRESS: 6500 East STATE/PROVINCE: UT
ZIP/POSTAL CODE: 84317
DESIGNER NAME: Carly Batem

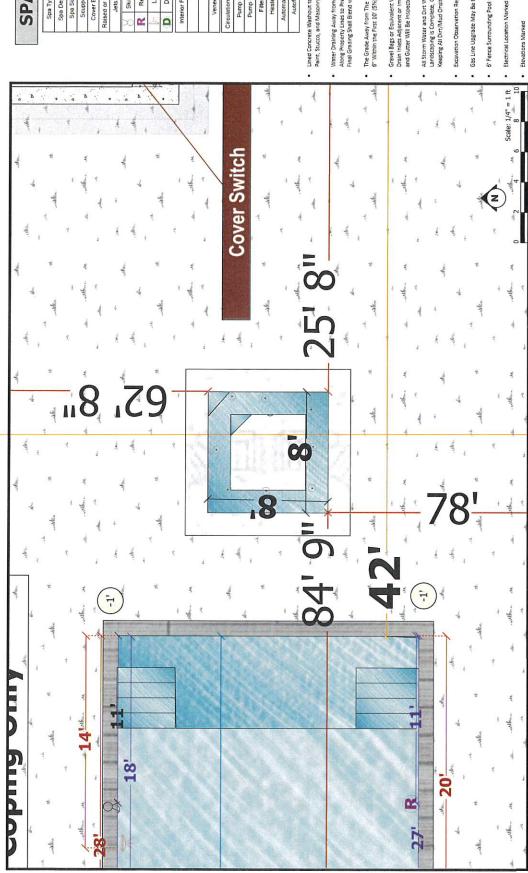
EMERALD POOLS & SPAS... General compater of the SPAS... 228 N 493 W 2 Keepwille, UT 84337 Leenwer 11993179, 5501

CITY: Huntsville

3HP Variable Spe antridge 400K No DET Drains Anchors X Deck Jets B Bubblers

POOL DETAILS

- Lined Concrete Washout to be Placed by Driveway for All Concrete, Paint, Stucco, and Masonry.
- Along Property Lines to Prevent Storm Water Flow onto Adjacent Lots, Final Grading Shall Blend with Adjacent Lots. Water Draining Away from Homes, Berms or Swales May Be Required
- The Grade Away from The Foundation Walls Shali Fall a Minimum of 6" Within the First 10" (5%) R401.3.15.
- Gravel Bags or Equivalent. Will Be Placed and Maintained Around Storm Drain Inlers Adjacent or Immediately Downstream from Site Street Curb and Gutter Will Be Inspected and Cleaned of All Mud and Dirt at The End of Every.
- All Storm Water and Dirt Will Be Kept on Site During Construction Until Final Landscaping is Complete, General Contractor Will Be Held Responsible for Keeping All Dirt/Mud Onsite During Indement Water for Sub Cleanup.
- Excavation Observation Report Will Be Conducted Post Excavation
- Gas Line Upgrade May Be Necessary.
- 6' Fence Surrounding Pool with Auto Locking Gate Will Be/Has Been Installed
- Electrical Location Marked
 - Elevations Marked
- Property Lines and Distances from Structures to Water's Edge Have Been Marked
- Automatic Cover Will Be Installed on All Bodies of Water, With a Cover | Switch in Full View of Pool.
 - No Windows Within 5' of Water's Edge
- Swim outs Provided.
- Returns Every 300ft.
- Equipment Will Have Proper Venting and Access Per Industry and Equipment Standards and Not Within 4" Horizontally or 10" Vertically of Windows or Doors.



SPA DETAILS

Spa	Spa	Spa	Scul	Cove	Raised	Je	X X	R	4		Interior Fin		Circulation	Pum	Pum	歪	He	Auton	
Spa Type:	Spa Depth:	Spa Size:	Scupper:	Cover Box:	Raised or Flush:	Jets:	Skimmers Returns Lights Drains or Finlah:	Circulation Pump:	Pump #1:	Pump #2:	Filter	Heater:	Automation:	A Ell.					
Gunite	3,	8.×8.	No	Standard	Raised	8	1	2	-	1 Set	TBD	Provided By Homeowner / White Brick	Shared	Jet Pump 3HP					

- Lined Concrete Washout to be Placed by Driveway for All Concrete, Paint, Stucco, and Masonry.
- Water Draining Away from Homes, Berms or Swales May Be Required Along Property Lines to Prevent Storm Water Flow onto Adjacent Lots, Final Grading Shall Blend with Adjacent Lots.
- The Grade Away from The Foundation Walls Shall Fall a Minimum of 6" Within the First 10' (5%) R401.3.15.
- Gravel Bags or Equivalent Will Re Placed and Mainrained Arround Storm Orain Inless Adjacent or Immediately Downstream from Site. Street Curb and Gutter Will Be Inspected and Cleaned of All Mud and Dirt at The End of Every.
- All Storm Water and Dirt Will Be Kept on Site During Construction Until Final Landscaping is Complete, General Contractor Will Be Held Responsible for Keeping All Dirt/Mud Onsite During Indement Water for Sub Cleanup.
- Excavation Observation Report Will Be Conducted Post Excavation
- Gas Line Upgrade May Be Necessary
- 6" Fence Surrounding Pool with Auto Locking Gate Will Be/Has Been Installed
- Property Lines and Distances from Structures to Water's Edge Have Been Marked

PROJECT INFORMATION:

CLIENT NAME: Jono Gardner

ADDRESS: 6500 East CITY: Huntsville

EMERALD POOLS & SPAS... SAR NOTINGER W ZEADWING JE 2027

a: 11893170-5501

DESIGNER NAME: Carly Bateman

STATE/PROVINCE: UT
ZIP/POSTAL CODE: 84317

- Automatic Cover Will Be Installed on All Bodies of Water, With a Cover | Switch in Full View of Pool.
- No Windows Within 5' of Water's Edge
- Returns Every 300ft.

Swim outs Provided.

- Equipment Will Have Proper Venting and Access Per Industry and Equipment Standards and Not Within 4" Horizontally or 10" Vertically of Windows or Doors.

PCM ceting 8. 24.2023 Attch #6

HUNTSVILLE TOWN ORDINANCE 2022.6.22

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH ADDING TITLE 15.8A HIGHWAY COMMERCIAL ZONE C-2

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, after public	ation of the required notice,	the Planning Commission held its
public hearing on		n this Ordinance, and subsequently
gave its recommendation to adop		:
•		
WHEREAS, the Town C	ouncil received the recomm	nendation from the Planning
Commission and held its public r		, 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)

Purpose
Use Regulations
Single-Family Dwellings Use and Regulations
Front Yard Regulations
Side Yard Regulations
Rear Yard Regulations
Height Regulations
Coverage Regulations
Architectural, Landscape, and Screen Standards
Parking
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 X1 5.27 + Motor Word Ause 715,24

As permitted in the Huntsville Town Vehicle Parking and Loading Title 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.

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

Hee	D 4	6.1	100	1	1 004	Τ.	T =	T ==	T
<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	CR1	<u>S</u>	0	RC	Additional Reference
Accessory Building, Private	Р	С	С	Р	C	С	C	С	
Adult/sex-oriented facilities	N	N	N	N	N	N	N	N	
and businesses									
Agriculture	Р	N	N	Р	С	Р	Р	N	
Amusement Park or Business	N	N	N	N	N	N	N	N	
Animal or Fowl Slaughter	N	N	N	С	N	N	N	N	
Auto impoundment yard	N	N	N	N	N	N	N	N	
and towing services									
Auto rental	N	N	N	N	N	N	N	N	
Auto repair, service and detailing	N	N	N	N	N	Ň	N	N	
Auto wrecking yard	N	N	N	N	N	N	N	N	
Banks and financial services	N	С	С	N	С	N	N	N	
Bars, taverns, clubs	N	NC	NC	N	N	N	N	N	* limit of bomore the
Bed and breakfast	С	С	С	С	С	С	N	N	See 15.6.2.C
Bike Path	Р	С	С	Р	С	Р	Р	Р	Charles and Charle
Botanical or zoological garden	N	N	С	С	С	С	Р	N	
Campground	N	N	(Ĉ)	С	С	С	Р	Р	
Car wash, commercial	N	N	- C-	N	N	N	N	N	
Cell Tower	N	N	N	N	N	N	N	N	
Cemetery	С	N	N	Р	С	Р	Р	N	
Childcare center with less than 9	С	С	С	С	С	С	N	N	
children									
Childcare center with more	N	N	С	С	С	N	N	N	
than 9 children									
Childcare, in home	С	С	С	С	С	С	N	N	
Churches	С	С	С	С	С	N	N	N	
Commercial kennels	N	N	С	С	N	С	N	N	
Construction equipment rental	N	N	С	N	N	N	N	N	
Construction equipment storage	N	N	С	Ν	N	Ν	N	N	
Construction equipment sales,	N	N	С	Ν	N	N	N	N	
wholesale									
Construction services office	N	N	С	N	N	Ν	N	N	
Dwelling unit, accessory	N	N	N	N	N	Ν	N	N	
Dwelling unit, multi-family (Apts)	N	N	N	Ν	N	Ν	N	Ν	
Dwelling unit, nightly rentals	N	N	N	N	N	Ν	N	Ν	
Dwelling unit, single-family attached	N	N	N	Ν	N	Ν	N	N	
(Condominiums, Townhomes)									
Dwelling unit, single family	Р	Р	Р	Р	Р	Р	N	N	
<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	CR1	<u>s</u>	<u>0</u>	<u>RC</u>	Additional Reference

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

Dwelling unit, two-family or duplex	N	N	N	N	N	N	N	N	
Fishing Ponds (Private or Public)	С	N	С	С	С	C	Р	N	
Funeral services	N	С	С	N	С	N	N	N	
Gas and fuel, storage and sales	N	N	N	N	N	N	N	N	
Gasoline service station	N	N	С	N	С	N	N	N	
with convenience store		0.503							
Golf courses	N	N	С	C	C	С	С	N	
Golf Course, (miniature)	N	N	С	N	N	N	N	N	
Golf Driving Range with Golf Course	N	N	С	С	С	С	С	N	
Group home for juveniles	N	N	С	N	N	N	N	N	
Healthcare facilities	N	С	С	N	N	N	N	N	
Historic structures, preservation of,	С	С	С	С	С	С	N	N	
including related accessory uses						8			
Home based businesses	С	С	С	С	С	С	N	N	
Horse boarding	С	N	С	С	С	N	С	N	
Horse stables and riding academy	N	N	С	С	С	N	С	N	
Hospitals	N	N	С	N	N	N	N	N	
Hotel, motel or inn with fewer	N	N	N	N	N	N	N	N	
than 16 rooms				1299					
Hotel, motel or inn with	N	N	N	N	N	N	N	N	
16 or more rooms									
Manufacturing, heavy	N	N	N	N	N	N	N	N	
Manufacturing, light	N	N	С	N	N	N	N	N	
Medical equipment supply	N	С	С	N	N	N	N	N	
Mining, resource extraction	N	N	N	N	N	N	N	N	
Movie Theater	N	N	С	N	С	N	N	N	
Museum	С	С	С	С	С	С	С	С	
Nursing home, Assisted Living	N	С	С	N	N	N	N	N	
Offices, general	N	С	С	N	N	N	N	N	
Offices, medical and dental	N	С	С	N	N	N	N	N	
Outdoor display of merchandise	N	С	С	N	С	С	N	N	
Park and ride	N	N	С	N	С	N	N	N	
Parking lot	N	С	С	- N	С	С	N	N	
Parks, Public	N	С	С	Р	С	Р	Р	N	
Parks, Private	Р	С	С	Р	С	Р	Р	Р	
Performing Arts Center	N	С	С	N	С	С	N	N	
Personal improvement services	С	С	С	С	С	С	N	N	
Property management offices/check	N	N	N	N	N	Ν	N	N	
in facilities									
Reception Center (20 mt)	N	С	С	N	С	Ν	N	N	
<u>Use</u>	<u>R-1</u>	<u>C-1</u>	<u>C-2</u>	<u>A-3</u>	CR1	<u>S</u>	<u>o</u>	RC	Additional Reference

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

Recreation and athletic facilities	Р	С	С	N	С	С	С	N	See 15.6.2.I
Recreation Equipment Rentals	N	С	С	N	С	С	С	N	
Recreation, public	N	С	С	N	С	Р	С	N	
Recycling facilities	N	N	N	N	N	N	N	N	
Rehearsal or teaching studio for	С	С	С	С	С	С	N	N	
creative, performing and/or martial									
arts with no public performances									
Repair services, Motorized	N	N	С	С	С	С	N	N	
Repair services, Non-motorized	С	С	С	С	С	N	N	N	
Residential treatment facility	N	N	N	N	N	N	N	N	
Retail Sales (See Chart Below)									See Below
Schools	N	С	С	N	N	N	N	N	
Skating Rink, Indoor	N	С	С	N	С	N	N	N	
Stockyards	N	N	N	N	N	N	N	N	
Storage, Indoor, Commercial	С	С	N	N	N	N	N	N	*See Applicable
					15.00	1			Conditional Uses
									Defined (Attached to
									this document)
Storage, RV, boat or vehicle, Private	Р	N	С	Р	С	С	N	Р	
Storage, RV, boat or vehicle,	N	N	N	N	С	N	N	N	
Commercial (Indoor or Outdoor)						775-787			
Temporary Structures	С	С	С	С	С	С	N	N	
Timeshares	N	N	N	Ν	N	N	N	N	
Trailhead Parking	С	С	С	С	С	С	С	N	
Trails	С	С	С	Р	С	Р	Р	С	
Transportation/Shuttle Services	N	С	С	Ν	С	С	N	N	
Truck Stop	N	N	N	Ν	N	N	N	N	
Utility Facilities	N	С	С	N	С	N	N	N	
Vehicle Control Gate	С	С	С	С	С	С	С	С	
Veterinarian	С	С	С	С	С	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	С	С	С	Р	Р	N	
			02						

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>	CR1	<u>s</u>	0	RC	Additional Reference
Agricultural sales and service	N	N	С	С	С	N	N	N	
Antique Shop	N	С	С	С	С	N	N	N	
Art Supply Store	N	С	С	N	С	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	С	С	N	С	N	N	N	
Barber or beauty shop	С	С	С	С	С	N	N	N	
Big box retail	N	N	N	N	N	N	N	N	
Bookstore	N	С	С	N	С	N	N	N	
Bowling Alley	N	N	С	N	Ν	N	N	N	
Camera Shop	N	С	С	N	С	N	N	N	
Clothing/Boutique Shop	N	С	С	С	N	N	N	N	
Convenience Store	N	С	С	N	С	N	N	N	
Department or discount store	N	N	N	N	N	N	N	N	
Florist Shop	С	С	С	С	С	С	Ν	N	
Food Truck	С	С	С	С	С	С	N	N	
Furniture/appliance store	N	N	N	N	N	N	N	N	
Garden Shop, Plant Sales, Nursery	N	С	С	С	N	N	Ν	N	
Grocery Store	N	С	С	N	С	N	N	N	
Hardware Store	N	С	С	N	С	N	N	N	
Kiosk	N	С	С	С	С	N	N	N	
Laundromat, Laundry	N	N	С	N	С	N	N	N	
Locksmith or Key Shop	С	С	С	С	С	N	Ν	N	
Medical/Dental/Optical Clinic	N	С	С	N	С	N	Ν	N	
Mobile Home Sales	N	N	Ν	N	N	N	Ν	Ν	
Mortuary	N	N	С	N	N	N	N	N	
Music Store	N	С	С	N	N	N	N	N	
Optical Shop	N	С	С	N	N	N	N	N	
Pawnshop	N	N	N	N	N	N	N	N	
Pet Shop	N	С	С	N	N	N	N	N	
Pet Services and Grooming	С	С	С	С	С	С	N	N	
Pharmacy	N	С	С	N	С	N	N	N	
Print Shop	N	С	С	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-Though	N	N	N	N	N	N	N	N	
Restaurant, Deli or Take-out	N	С	С	N	С	N	N	N	
Restaurant, Full Service	N	С	С	N	С	_	N	N	
Seasonal Outdoor Vendor	N	С	С	С	С	С	758	N	
Shoe Store	N	С	С	N	N	-		N	-
-Restaurat, wi Adul Surre		<u> </u>	C	IN	IN	IN	IN	IN :	* 2all Dwel

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

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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>	CR1	<u>s</u>	0	RC	Additional Reference
Smoke Shops	N	N	N	N	N	N	N	N	
Studio, Artist or Photography	С	С	С	С	С	С	N	N	
Studio, decorator and display	N	С	С	N	С	N	N	N	
Studio, Health or Exercise	N	С	С	N	С	N	N	N	
Tent Vendor	N	С	С	N	С	N	N	N	Selling from a tent
Variety Store	N	С	С	N	N	N	N	N	

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