

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

MEETING DATE: May 23th, 2024
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	Excused
Jeff Larsen	Planning Commissioner	Excused
Liz Poulter	Planning Commissioner	Present
Suzanne Ferre	Planning Commissioner	Excused
Amanda Hessenauer	Alt Planning Commissioner	Present
Sandy Hunter	TC Liaison	Excused
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Travis Rumsey

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

2-Approval of minutes for Planning Commission meeting April 24th 2024.
(See Attachment #1)

PCM Hessenauer motioned to approve the amended minutes from April 24th 2024. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

<u>VOTES:</u>	
<u>AYES:</u>	<u>Chairman Endicott</u> <u>Commissioner Liz Poulter</u> <u>Alt Commissioner Hessenauer</u>
<u>NAYS:</u>	

3-Discussion and/ or action on Land use Permit for Weil Pole Barn, 663 S. 7700 E., Parcel #240180032 (See Attachment #2)

PC Poulter commented on this project as the Weils's are her next-door neighbors. She stated the Height set to be 20 ft, set backs look good and the structure is though to be about 24x24 ft. No electrical or water at this time.

PCM Poulter motioned to approve Land Use Permit for Weil Pole Barn, 663 S. 7700 E.,

Parcel #240180032. PCC Endicott seconds the motion. All votes Aye, Motions passes. Votes are reflected below.

<u>VOTES:</u>	
<u>AYES:</u>	<u>Chairman Endicott</u> <u>Commissioner Liz Poulter</u> <u>Alt Commissioner Hessenauer</u>
<u>NAYS:</u>	

4-Discussion on initial review of Huntsville Town Subdivision Code (See Attachment #3)

PC Poulter had a question about the 3 cycles listed. Shannon will get clarification on this from the Hansen group. It was discussed whether the town should still have major and minor subdivision processes. The PC agreed that they prefer the 2 step process for subdivision, going through the preliminary and final review process.

5-Discussion on new roof, Liz Poulter

PC Poulter is wanting to replace her roof. Her concern is that she is unsure of her front property line. She wants to make sure her eaves will be allowable. It is the opinion of the PC that according to her estimates her eaves will be allowable within the code. As up to 18” is allowed to overhang into the setback.

6-Public Comment. There were none.

7-Chairman’s Remarks. Chairman Endicott mentioned the project of reviewing title 15. There are still inconsistencies in the code the PC needs to be aware and make note to make appropriate changes.

8-Motion to adjourn.

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

Meeting is adjourned at 6:58 p.m.


Shannon Smith, Clerk

PCM Meeting 5.23.24
Att: #1

MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

MEETING DATE: April 25th, 2024
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	Present
Liz Poulter	Planning Commissioner	Present
Suzanne Ferre	Planning Commissioner	Excused
Amanda Hessenauer	Alt Planning Commissioner	Present
Sandy Hunter	TC Liaison	Present
Shannon Smith	Town Clerk	Present
Bill Morris	Town Attorney	Excused

Citizens: Travis Rumsey

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

2-Approval of minutes for Planning Commission Meeting March 28th, 2024.
(See Attachment #1)

PCM Larsen motioned to approve the minutes from March 28th, 2024. PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

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

3- Discussion and/or action of Land Use Permit for North Arrow Lofts, 7400 E 200 S, Huntsville, Parcel #24-120-0004

The PC reviewed the site plan for the North Arrow Lofts. PCM Songer questioned the septic. The Hydes have stated in past meetings that the new building will connect to the existing building. They will need to provide approval from Weber/ Morgan before they can be issued a building permit.

PCM Hessenauer motioned to approve the Land Use Permit for North Arrow Lofts, 7400 E 200 S, Huntsville, Parcel #24-120-0004. PCM Songer seconds the motion. All votes Aye, Motions passes. Votes are reflected below.

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

4- Discussion and/or action to define “light manufacturing”

The Town Council has asked the Planning Commission to define “light manufacturing” if they would like to make it conditional in the use table, 15-1. Several definitions have been suggested and reviewed. PCM Songer has concerns that even if the Town defines this, if there is no one to enforce then this is a moot point.

The discussion continued on whether keep light manufacturing as Not Allowed or how the PC could define it. PCM Songer was concerned about a few items, like noise and smell (chemicals), that might be a concern to residents. TCM Hunter questioned if this was listed as a Not Allowed on the table if the Planning Commission would be able to take requests on a case by case basis. There is some contradiction on that in the code. But the allowable use table states “Any use not listed it is not allowed”.

Chairman Endicott motioned to table defining “light manufacturing”. PCM Larsen seconds the motion. All votes Aye, Motions passes. Votes are reflected below.

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

5- Discussion of Title 15 review by the Planning Commission

Chairman Endicott let the rest of the commission know that Title 15 will be split up between the commission members to review and edit. Title 15 was divided up amongst the members.

6- Sandy's TC Update

The TC approved the Agricultural zone additions and changes. The setback requirement for "above ground structures" was discussed. The TC agreed to add that and above ground structures that require footings need to meet setbacks. This verbiage was added to the Ordinance.

TCM Hunter updated the PC on the company that will soon be hosting the Town Code.

7-Public Comment. Liz Poulter asked that the site plans presented to the PC be held to a higher standard.

8-Chairman's Remarks. Chairman Endicott thanked all for the discussion and for helping with the Title 15 review project. Also expressed a sentiment for the wonderful community of Huntsville.

9-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 7:32 p.m.

Shannon Smith, Clerk



PC Meeting 5.23.24
Attach: # 2

LAND USE PERMIT

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

Tax ID # 240180032

Address of Structure 603 S. 7700 E

Name & Address of Owner/Owners Weil

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 5-23-24

Set Backs Approved: Yes No

Any special stipulations and conditions of the Site Plan Review: NONE

[Signature]

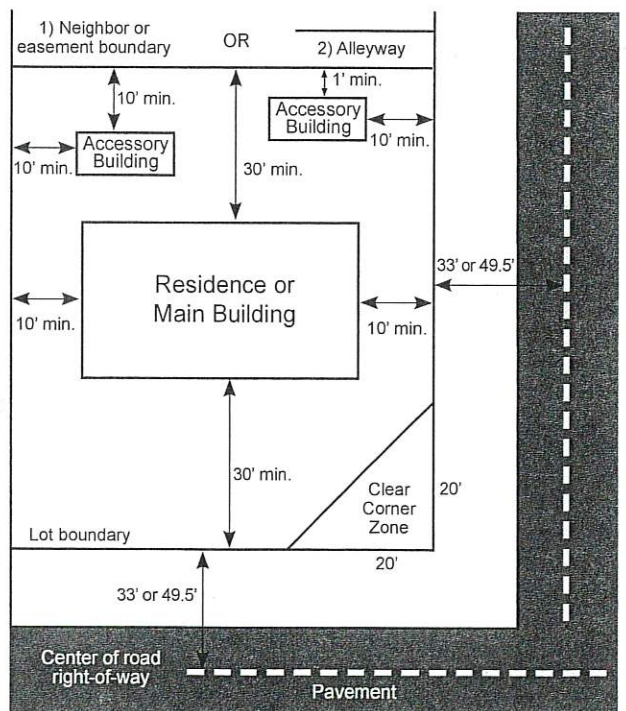
Huntsville Planning Commission Chairman

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



C lot

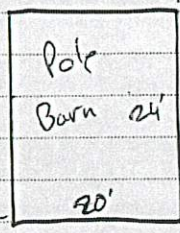
663 S. 7700 E. Huntsville, UT

4 29 24

Alley

126'

Back Prop. Line



20'

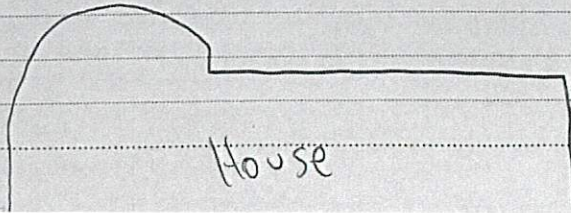
side

180'

side

180'

Backyard



Front 7700 E. ↓

TOL



PC meeting 5.23.24
AH: #3
Discuss w/ T
Bill: Allen

801.550.5075
HansenPlanningGroup.com
124 B Street
Springville UT, 84663

Mayor Sorensen and members of the Huntsville Planning Commission:
(c/o clerk@huntsvilletown.com)

May 20, 2024

RE: INITIAL REVIEW OF HUNTSVILLE’S SUBDIVISION CODE

Thank you for partnering with our firm to update your subdivision code. My team has completed its initial audit of Huntsville’s subdivision ordinances. While many existing provisions are well designed and relevant, others have fallen out of compliance with state law (specifically with Utah Code §10-9a-6). Still other provisions could be adjusted to enhance administrative efficiency.

The major issues and opportunities for improvement are as follows:

* Review w/ Weber county

Add a new subdivision application review process for 1-2 family residential use. SB 174 (the recent bill requiring state-wide subdivision ordinance updates) introduces a new review and approval process for subdivision applications involving one- or two-family residential development. The Town’s code will need a new section to implement this process. Key points to keep in mind are these:

- Town Council can no longer be the decision maker (the Town currently requires the Council to approve preliminary and final subdivision applications). The reason for this is that the state is trying to make reviewing and approving subdivision applications an administrative, not legislative process. For the same reason, the Planning Commission can no longer be the decision maker for final applications (but can for preliminary applications). Although these bodies are restricted from making some approval decisions, they can still be involved on the back end in the review process. The Town can therefore continue to consider comments from the Mayor, Town Council, and Planning Commission at all stages in the process. If it’s important to the Town that members of the Town Council and Planning Commission still make final approval decisions, a potential workaround would be to create a “Subdivision Review Committee” that includes members of the Town Council and Planning Commission or other Town staff. Ideally, this committee would be filled with individuals who have relevant technical backgrounds.
- The Town needs to describe an expedited timeline for review and approval. The Town’s current code gives the Town an unlimited amount of time to review and approve preliminary or final applications. Under SB 174, the Town is required to complete an initial review of 1-2 family residential applications within **30 business days** after the developer submits a “complete” application that includes a subdivision improvement plan. The Town can require modifications, but can take no longer than **120 business days** total to review improvement plans (including preliminary and final).

- The new law permits only one public hearing in the preliminary review process (and none in the final review process). The Town's code does not currently require a public hearing, but it should keep this limitation in mind.
 - The new law restricts the Town to considering subdivision improvement plans (including construction drawings) in *either* the preliminary or final applications. Many municipalities prefer to consider them in the preliminary phase, as that is when the Planning Commission can be involved. But it's also possible to delegate this responsibility to the Town Engineer, staff, or a "Subdivision Review Committee." Another workaround would be to combine the preliminary and final applications into one application.
 - The new law gives the Town a maximum of four "review cycles" when considering improvement plans for 1-2 family residential subdivisions.
 - The new law *requires* municipalities to approve subdivision applications for 1-2 family residential use if those applications "check all the boxes" and are compliant with local ordinances. This would replace the Town's discretion to approve with conditions or deny applications in some cases. The solution is to make sure that the Town's land use ordinances and technical subdivision requirements are thorough and up to date.
 - The new law also provides potential subdivision applicants the right to an *optional* pre-application meeting with the Town. The Town should acknowledge this and describe how these meetings will run in its code.
- **Add definitions to the subdivision title.** We highly recommend that all necessary definitions for the subdivision title be found in the subdivision title, not to be searched for in other areas of the code. Many words pertaining to subdivisions have definitions given in the State Code, and importing such definitions can help ensure that the Town's code is compliant with State law.
 - **Adjust the Conflict Provision.** Presently, the code requires that when there is a conflict between titles of the code, the most stringent requirement prevails. It may be helpful to provide that the subdivision title prevails specifically in the context of subdivisions.
 - **Clarify and improve plat requirements.** The Town code is relatively thorough in this area, but it is missing a few plat requirements, and a few other requirements could be clarified to guarantee state compliance.
 - **Adjust the Town's building permit requirements.** Under state law, the Town must issue a building permit if it accepts a completion assurance for an improvement or if the improvement is not essential under the building and fire codes. The Town should note this, but also clarify that it may deny building permits in all other situations.

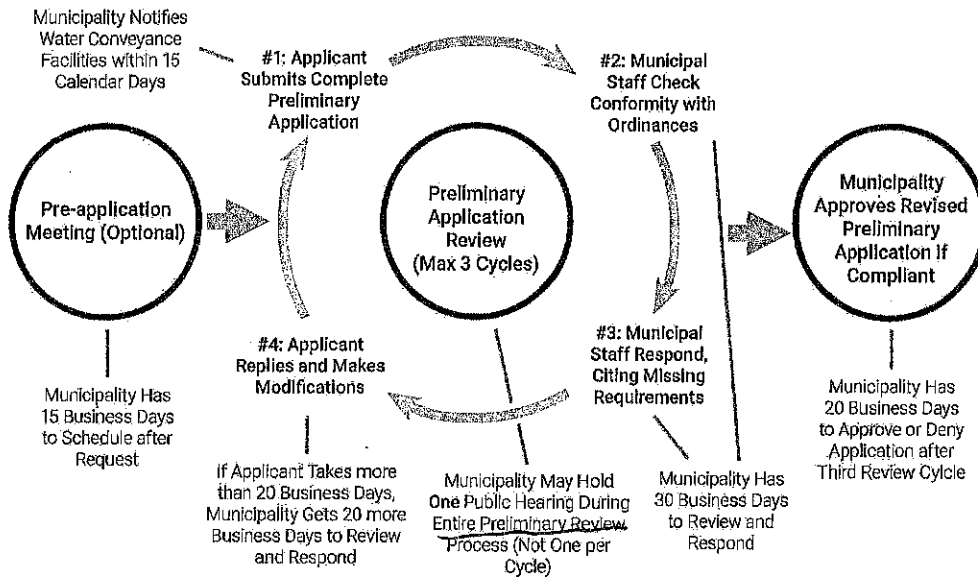
- **Clarify language around performance guarantees and required improvements.** The improvement completion assurance chapter of the Town code will need some clarifying, especially after the code is adjusted to comply with SB 174.
- **Acknowledge and incorporate the state-wide plat exemption for agricultural land** as found in Utah Code §10-9a-605(2).
- **Add a requirement for the Town to notify affected entities, water conveyance facilities, and the Utah Geospace Resource Center.** At various points in the subdivision proposal, review, and approval processes, Utah Code §10-9a-603 requires the municipality to notify various parties and receive feedback from them.
- **Clarify roles and expectations throughout.** While the Town’s existing code contains many elements required by state law, many sections could benefit from more explicit language about the Town’s limitations and powers and what applicants are expected to do.
- **Clarify the Amendment Process.** The Town’s existing code explains an amendment process, but it’s fairly vague. Making this section more robust can help ensure that those seeking an amendment know exactly what is expected of them.
- **Add a section addressing condominiums.** State code (§10-9a-603(8)) requires that subdivision plats for "condominiums" contain additional elements. Stating these in the code will help both the Town and developers be in compliance. (Note: this does not mean that the Town has to change its zoning to permit condos or other multi-family development.)
- **Add a provision noting that the Town may void transfers of land not done in accordance with a valid subdivision plat.** State law provides this remedy.
- **Edit for “plain language” throughout.** In addition to the material changes suggested above, more minor edits throughout could increase readability in the Town’s code.

A Note on the New Review and Approval Process for 1-2 Family Residential Applications:

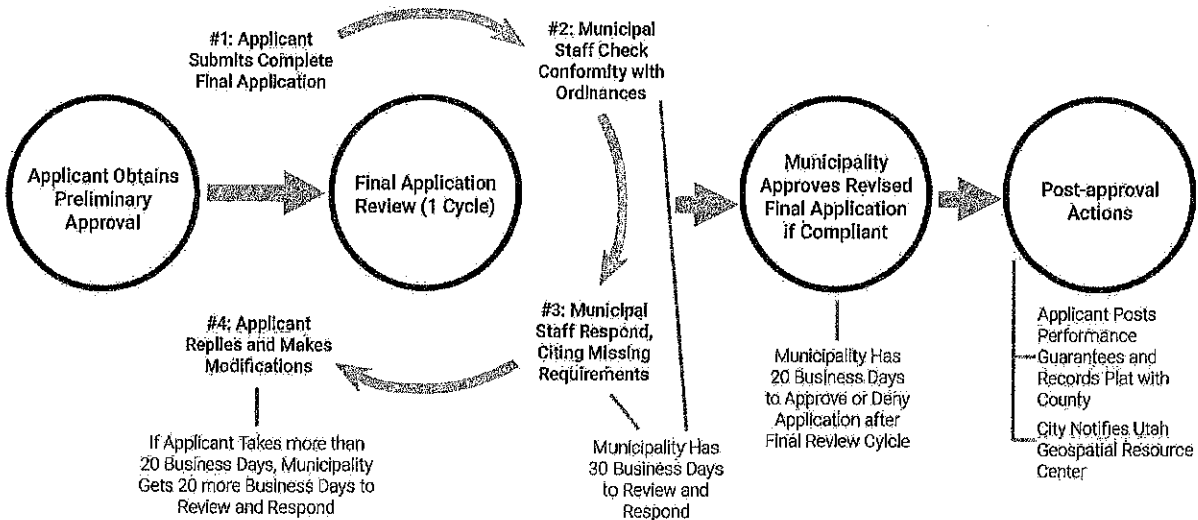
The Utah Legislature designed the SB 174 (and the recent HB 476) process to streamline development. The law does this by (1) limiting the Town to four “review cycles” of back and forth with a developer when considering subdivision improvement plans and one public hearing in the preliminary review phase, (2) instituting review deadlines, (3) prohibiting the Town from considering subdivision improvement plans in both “preliminary” and “final” application phases, (4) making subdivision decisions administrative, and (5) requiring the Town to approve applications that are compliant with local ordinances.

The Town's current ordinances use a two-phase review process for residential subdivisions: an applicant must get both a preliminary approval and a final approval. This is a common approach. One way the Town could become compliant with SB 174 is to adapt its current approach to reviewing 1-2 family residential subdivision applications to match the process described in the following flowcharts.

SUBDIVISION APPLICATION FOR 1-2 FAMILY RESIDENTIAL PRELIMINARY REVIEW PROCESS



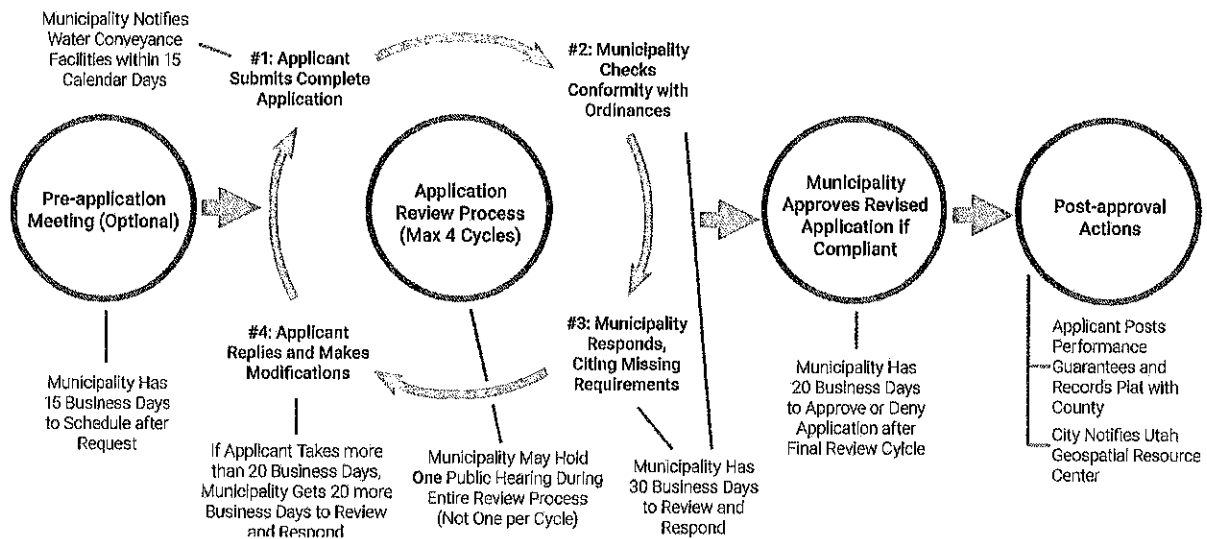
SUBDIVISION APPLICATION FOR 1-2 FAMILY RESIDENTIAL FINAL REVIEW PROCESS



Another option authorized by SB 174 is to combine the preliminary and final processes into one. We think this process would be beneficial for the Town to consider because it simplifies the process for everyone involved and gives the Town maximum flexibility with the limited review cycles. The following flowchart shows an example of how this combined process could work.



SUBDIVISION APPLICATION FOR 1-2 FAMILY RESIDENTIAL TIMELINE + PROCESS [COMBINED APPROACH]



Before my team and I proceed with our edits, *please let us know your preferences on the following:*

1. Whether you would like to proceed with a two-phase or a combined approach for 1-2 family residential subdivisions.
2. If you prefer to stick with the two-phase approach, please let us know whether you would like to review subdivision improvement plans in preliminary *or* final phases. Note that the Planning Commission cannot be the land use authority for the final phase. Given this, many municipalities choose to review improvement plans in the preliminary phase. *Yes!*
3. Whether you would like the process we develop to apply only to applications for 1-2 family residential use, or whether you would like all subdivisions in the Town to follow the same process. If you prefer having one process for all applications, then we can lengthen the review timeline and allow for more review cycles and/or hearings for applications not covered by SB 174. We can also make the Planning Commission or City Council the land use authorities for other applications.

My team will soon begin drafting an amendment to the Town's subdivision ordinances based on your feedback.

Respectfully,



Mike Hansen, Hansen Planning Group

✓ question about cycles
✗ major/minor subdivision

✓ Add
County review process