

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

**MEETING DATE:** December 16, 2019  
**PLACE:** Huntsville Town Hall, 7309 E. 200 S.  
**TIME:** 7:00 p.m.

NAME	TITLE	STATUS
Doug Allen	Planning Commission Chair	Present
Sandy Hunter	Planning Commissioner	Present
Liz Poulter	Planning Commissioner	Present
Jeff Larsen	Planning Commissioner	Excused
Larel Parkinson	Planning Commissioner	Present
Allen Endicott	Planning Commissioner	Present
Wendy McKay	Town Council Liaison	Excused
Blake Bingham	Town Council Liaison	Present
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

**Citizens: Rex Harris, Ron Gault, Lewis Johnson, Phillip Winston, Dave Robinson, Brian Cornell, Robert Fuller, Richard Sorenson**

1 – Roll call: Chairman Doug Allen called the meeting to order and introduced the Planning Commission.

2 – Approval of Minutes for Planning Commission Meeting November 14, 2019. **Sandy Hunter motioned to approve the minutes from November 14, 2019 with 4 grammatical corrections noted.** Liz Poulter seconded the motion. All votes aye. Motion is approved.

3 – Discussion and/or action on Land Use Permit for Aimee McConkie, 6560 E 100 South, parcel #200140013. **(See Attachment #1)** Phillip Winston explained they are seeking a Land Use Permit to enclose the front porch and create additional space for dining. Sandy confirmed with Mr. Winston that the property is referred to as Pineview Point now. Phillip Winston explained the subdivision and development is owned by Bill White. The Winston’s and McConkie’s own the cabin on the property. Rex commented he has reviewed the plans. They are not expanding the size of the cabin, just enclosing the porch. Phillip stated the porch already has a roof and posts, they are just enclosing it for additional space. **Liz Poulter motioned to approve the Land Use Permit for the McConkie/Winston site to enclose the cabin porch at Pineview Point, parcel #200140013.** Allen seconded the motion. All votes aye. Motion passes. Land Use Permit was signed by Chairman Allen.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

Phillip Winston asked if he should go to Weber County for a building permit. Blake explained that until January 1, 2020 the County was still providing the building permits. After the 1<sup>st</sup> of January, Huntsville Town will be providing their own building permit services. Huntsville Town will contract with an outside service.

4 – Discussion and/or action on Land Use Permit for Ron Gault, wiring of barn, 515 S 7700 East, parcel #240090031. Ron explained the barn has been sided and it has a small amount of electrical. He would like to tear out the electrical work and add some additional outlets. He is not in a rush but would like to get the Land Use Permit tonight. Doug stated Ron could hold off on a building permit and go through that process with the Town, if desired. **Sandy made a motion to approve the Land Use Permit for Ron Gault, parcel #240090031 to put in new electrical.** Seconded by Liz. All votes aye. Motion passes. **(See Attachment #2)** Land Use Permit was signed by Chairman Allen. Rex stated they will need plans when a building permit is issued. Rex asked that Ron file those plans with the Town when that happens.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

5 –Discussion and/or action on Land Use Permit for Blake Bingham, 581 S 7700 East, parcel #240090001. **(See Attachment #3)** Blake presented plans for an addition to his home. He explained the plans show a bump out that is not part of the foundational wall on the front of the home. Blake stated the bump out looks like an encroachment on paper. Blake was concerned about this and contacted Rex to review the ordinance. Blake read over the ordinance and stated that his interpretation is that the “bump out” would be prohibited on the side yard set-back, but there is nothing about that on a front yard set-back.

Rex believes the ordinance is vague and he would like to side in favor of the home owner. Rex stated the side yard would need more specifics since it could potentially encroach on a neighboring home. The Planning Commission reviewed the plan for set-backs and height. All were appropriate.

**Sandy motioned to approve the Land Use Permit for Blake Bingham, parcel #240090001.** Seconded by Allen Endicott. All votes aye. Motion passes. The Land Use Permit was signed by Chairman Allen.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

6 – Public Hearing on ordinance 2019-12-19-B an ordinance to prohibit manned aircraft from taking off or landing in the Town of Huntsville.

Doug asked Blake Bingham to introduce this ordinance. Blake stated the Town Council asked the Planning Commission to address the taking off and landing of manned aircraft within Huntsville Town Limits. Blake explained that drones are not addressed in this ordinance. The ordinance prohibits all manned aircraft (balloons, helicopters and other aircrafts) within the Huntsville Town Limits. Manned aircraft can be given permission by the Town Council under certain conditions which are outlined in the ordinance.

**Doug closed the Regular Commission Meeting and Opened the Public Hearing by unanimous consent.** There were no objections.

**Ron Gault:** Ron wanted to ask if the Town Council had considered banning unmanned aircraft. Blake responded that they had not heard any concerns regarding drones or other unmanned aircraft.

**Lewis Johnson:** He wanted to know if an emergency landing had to take place, for example Life Flight, would that type of landing be allowed. Blake stated that emergency landings are permitted under this ordinance.

**By unanimous consent Doug Allen closed the public hearing and reopened the regular commission meeting.** There were no objections.

7- Discussion and/or action on ordinance 2019-12-19-B an ordinance to prohibit manned aircraft from taking off or landing in the Town of Huntsville. (See Attachment #4) Sandy and Liz both commented that they read the ordinance and felt like the ordinance was well written. Allen

commented he is comfortable with it. Larel asked if a resident had been landing an aircraft, if the landing would continue if grandfathered. Chairman Allen stated there would not be any recognized grandfathering of residents using their aircraft in Huntsville Town.

**Sandy motioned to recommend approval of Ordinance 2019-12-19-B to the Town Council.** Liz seconded the motion. All votes aye. Motion passes. Ordinance 2019-12-19-B will be moved on to the Town Council for consideration.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

**8 - Discussion and/or action on Title 4 Edits, Ordinance 2019-12-19-C. (See Attachment #5)**

Rex asked Blake to introduce the changes to Title 4 Edits. Doug Allen commented the first set of edits were sent to the Town Council for approval. The last set of edits the Planning Commission passed to the Town Council included Land Use Permit requirements for any structure, even those under 200 square feet. The purpose of the requirement was to make sure that set backs were being observed and neighbors would not encroach on other neighbors. The Town Council felt this requirement was too far reaching. They wanted the Planning Commission to readdress the edits and voted to send the ordinance back to the Planning Commission.

After additional Planning Commission discussion, Rex has removed the requirement for a Land Use Permit for structures under 200 square feet. However, the Planning Commission would like to see some way to track or encourage residents to abide by the set-backs. Rex also commented that although there was not a requirement for a Land Use Permit for those structures under 200 square feet, the land owner is never exempt from following the ordinances.

**Doug Allen closed the regular commission meeting by unanimous consent and opened the public hearing.** There were no objections.

**Rex Harris** commented that in 4.2 it does state that the structures under 200 square feet must abide by Huntsville Town Ordinances.

There were no additional public comments.

**Doug closed the public hearing and reopened the regular commission meeting by unanimous consent.** There were no objections.

9 – Discussion and/or action on Title 4 Edits, Ordinance 2019-12-19-C. Sandy commented the main discussion on Title 4 was about Land Use Permit Requirements. She feels the requirements have been clearly expressed. She wanted to ask about 4.2.3 and what that statement was trying to detail. Rex explained that it was stating regulation. She stated that in the past the Planning Commission has not required a Land Use Permit when the footprint of the home has not changed. Those remodels that required a Building Permit did not necessarily require a Land Use Permit. She cited the example of the Probasco’s where the remodel was not changing the site plan in any way, so the Planning Commission did not require a Land Use Permit. Blake commented the previous edits that Rex had made are not showing as red lined on the current ordinance. The Town Council did not say anything about those additions to the code and they are considered acceptable, even though they have not been adopted yet. Blake pointed out that Rex has been working on the edits for months and this section was edited, and such work would require a Land Use Permit. Blake gave 4.2.4.A as an example. This part of the code was added months ago, but still has yet to be adopted.

**Ron Gault** asked about a furnace and whether you would need a Land Use Permit. Blake read 4.2.3 which stated that if there is a replacement of something in like kind, you do not need a permit. Doug noted that these requirements were under remodel requirements.

**Sandy motioned to recommend approval for the Title 4 edits, Ordinance 2019-12-19-C to the Town Council.** Allen seconded the motion. All votes aye. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

10 - Public Hearing on Rezone of Dave Booth property, parcel #241170001, #241170002, #241170003, Ordinance 2019-12-19-D. (See Attachment #6)

**Doug closed the regular meeting and opened the public hearing on Ordinance 2019-12-19-D by unanimous consent.** There were no objections.

Chairman Allen explained Dave Booth came to the Planning Commission in 2015 to propose a rezone to a commercial zone based on a commercial concept development plan. The time has expired on the CDP. The set amount of time is 2 years. There hasn’t been any development of the CDP. Huntsville Town is looking to revert the zoning back to residential.

There were no public comments.

**Chairman Allen closed the public hearing on Ordinance 2019-12-19-D and opened the regular meeting by unanimous consent. There were no objections.**

11 – Discussion and/or action on Rezone of Dave Booth property, parcel #241170001, parcel #241170002, and parcel #241170003, Ordinance 2019-12-19-D. **Liz motioned to recommended approval on Ordinance 2019-12-19-D rezoning Dave Booth property from C-1 to R-1, parcel #241170001, parcel #241170002, and parcel #241170003.** Larel seconded the motion. All votes aye. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

12 - Public hearing on Ordinance 2019-12-19-A on amending procedure to revert zone after concept development plans expire. (See Attachment #7) Chairman Allen explained that based on this experience with the Dave Booth property, this amendment to our ordinance was being proposed. Huntsville Town is having to go through the entire process of rezoning, including a public hearing, because a concept development plan had not been acted upon within the set time frame. The proposed amendment would allow the property to automatically revert to previous zoning if the CDP is not enacted upon in the specified time.

Allen read the new verbiage in 15.16.8.

**Doug closed the regular meeting and opened the public hearing on Ordinance 2019-12-19-A by unanimous consent.** There were no objections.

**Ron Gault** – Ron wanted to know if the land owner would be notified. Sandy stated the ordinance details that 60 days prior notice would be given to the land owner. They would have the opportunity to appear before the Town Council.

**Doug closed the public hearing and reopened the regular commission meeting by unanimous consent.** There were no objections.

13 – Discussion and/or action on Ordinance 2019-12-19-A. **Sandy motioned to recommend approval of 2019-12-19-A to the Town Council.** Seconded by Liz. All votes aye. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Allen Endicott Commissioner Sandy Hunter Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	
EXCUSED:	Commissioner Jeff Larsen

14 - Chairman's Report:

Doug wanted to thank the Planning Commission on the last meeting of the year. He wanted to extend his appreciation to every member of the Planning Commission for all their efforts.

15 - Public Comments:

**Rex Harris** – He would like to have a regular space on the agenda for updates on the Land Use. This idea was well received by the Commission and Beckki will add a space on each agenda for Rex to provide updates to the Planning Commission.

Rex also wanted to remind everyone that the Town has learned a lot about Land Use in the last couple of years. They have learned to go through the set process, affix a set of plans to the Land Use Permit and use dates and references.

Rex wanted to provide an update on Richard Sorenson's Mercantile. Over a year ago, a Land Use Permit was issued for four overnight units on the Mercantile Property. Richard had a set of plans and has been going through the building permit process. Rex didn't know if they affixed a set of plans at the time of the Land Use Permit, but Richard has a set of plans that he has been working with Weber County through the building permit process. Rex didn't have a set of plans and he wanted to contact Richard since there has been additional work going on at the Mercantile. Rex explained that Richard has needed to make changes to the plans. Rex has met with Richard and gone over the changes that have been made and admonished Richard to come back to the Planning Commission when all the revisions are completed. When he comes back to the Planning Commission, the plans that he will present will be affixed to the Permit so that moving forward Huntsville Town will know exactly what is on the plan.

Richard stated that there haven't been any changes on the plans. Rex stated that he did notice one change on the site plan. Richard explained that there hadn't been any changes until the day that he met with Rex. Those changes that were made were based on a new landscape plan. Rex is aware of the changes. When the revisions are finished, Richard will come back to the Planning Commission for an update and site plan revision.

**Dave Robinson** – Dave wanted to address the idea of more hotels in Town. He explained there was a lot of division in Town when the hotel was put in Town. After the hotel was approved, he stated that residents were told there would be limits on the hotel space in Town. Now, he is

hearing that the limits are not permanent, that there can be an overlay zone that would allow for additional hotel space. Dave wants to address this right away. He is requesting that the Planning Commission have a special meeting with the residents to see if this is something that the residents want. He believes that the standard should be set and decided ahead of the plan. He doesn't like the idea of Time Shares or additional hotel space in Town. Dave is requesting that the overlay zone not be allowed. He is willing to go out and get signatures to get this meeting.

**Doug Allen** – He wanted to respond to Dave's comments. He received a call from Dave several weeks ago regarding a letter that was mailed out to some of the residents in Town. The letter was a print out of the Town's Work Session Minutes from June 2019 regarding the Hyde's phase II project. Doug stated the Planning Commission has not received anything from the Hyde's. He assured Dave that there is a process and that process includes public hearings and public comments.

**Dave Robinson** – Dave's response is that some of the residents feel that the Planning Commission already makes up their mind by the time that the public is invited to participate. He stated that in reading the minutes, it looks like the Town Council has already decided what they are going to do.

**Larel Parkinson** – Larel explained the ordinances are on the website. That is where the mechanism is to start a change.

**Dave Robinson** – He stated it was too hard to read through the ordinances.

**Allen Endicott** – He commented that going through the ordinances is the process.

**Blake** – Blake stated this is a delicate balance. As a governing body there shouldn't be too much prejudging before something happens. There is no way to prevent property owners from applying to do whatever they want to do. Blake stated he read through those minutes after they were brought up. Blake stated that there had to be a way for property owners to have a path forward. He stated he probably stated too much opinion in the work session when the plan had not even ever come before them.

**Rex** – Rex stated there was always a plan for a phased development at the Hyde's. He stated the plans reflected the phased developments. Rex stated even the septic system was designed for the multiple phases. After the first phase of development the Allowable Use Table was changed to prohibit more hotels in Town. The ordinance to remove hotels happened after they built the initial phase. Rex stated he had been working with the Hyde's on some ways that they could move into a phase II. At the time of the work session in June, the plan the Hyde's were starting to work towards was more of a time share model. The way that they could accomplish this is through an overlay zone. The Hyde's have not proposed anything to the Planning Commission. The plan could change. The Hyde's are still in the planning stages. Huntsville Town does not know what the Hyde's will propose. When the Hyde's propose something to the Planning Commission, there will be plenty of opportunities for the public to be involved.

**Dave** – Dave wanted to make a correction in what Rex stated. Dave stated that the change for no additional hotels was made before the Hyde’s built the hotel. Sandy commented that the hotel was approved and then the change to the Use Table occurred.

**Larel** – Larel stated before he was put on the Planning Commission, he remembers being a resident during a time of those hotel debates. Now that he is a member of the Planning Commission, he sees that the public has access to the process at any time. He stated, as a member of the Planning Commission he is bound by the Town Ordinances. If there is an ordinance that Dave thinks needs to be changed, then that proposal should be made now. Larel explained that a member of the public can be put on the agenda every single month.

**Dave** – Dave stated he read in the minutes from the June Work Session that Rex said that additional hotel space was against the ordinances. But later in the minutes the idea of the overlay zone was brought up. Dave would like to see something more concrete in the code.

**Blake** stated that if Dave wanted to propose an ordinance that would do away with the overlay zone, then he could do that. Blake expressed that doing away with the overlay zone would do away with a lot of flexibility in the Town, but Dave could propose that if he wanted.

**Dave** – Dave stated he didn’t know what members of the Town Council and Planning Commission were “progressive,” and what members were not “progressive.” He explained that some residents believe that growth is okay for Huntsville, but others want it to stay the way it is. He is afraid that Huntsville will lose its charm. Dave stated the candidates needed to be asked these questions before they are elected. He is asking that when major issues come before the Town, that the residents be given notice. He thinks the Town government should try harder to inform their public.

**Beckki** asked Dave how he would like to see this happen. She expressed that for this meeting tonight, it had been published on the website and Facebook page, it was posted in three other places, she is available for calls and questions, and it was published in the Valley News. For all the noticing, there had been zero comments. She also gave the example of the public comment period that is in effect for the Balloon Fest proposal. There have only been 15 comments.

**Sandy** wanted to comment that a copy of the General Plan for Huntsville is on the Website. This document states that they want to keep Huntsville quaint. The Planning Commission refers to this document when considering changes or ordinances. She stated the Planning Commission is heading in the direction of the General Plan.

**Dave** suggested that the agenda be put in the water bill, that is the document he pays attention to.

**Sandy motioned to adjourn the Planning Commission Meeting.** Liz seconded the motion.  
**Meeting is adjourned at 8:49 p.m.**

  
Beckki Endicott, Recorder



# LAND USE PERMIT

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

Tax ID # 200140013

Address of Structure 6560 E 100 South

Name & Address of Owner/Owners Pineview Point LLC, Bryant + Aimee McKenzie  
Phillip Winston

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 12/16/2019

Set Backs Approved: Yes  No

Any special stipulations and conditions of the Site Plan Review: NA

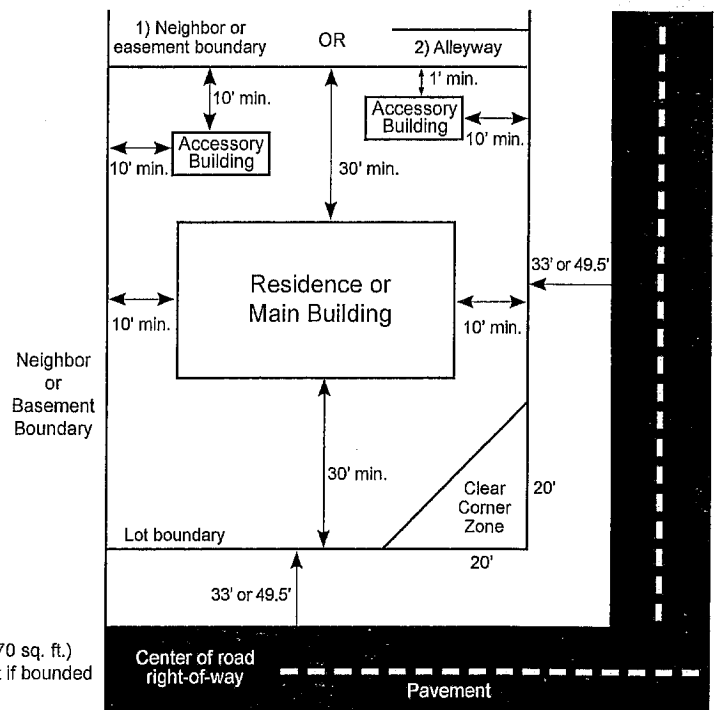
Huntsville Planning Commission Chairman

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

























# LAND USE PERMIT

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

Tax ID # 240090031

Address of Structure 515 S 7700 East

Name & Address of Owner/Owners Ron Gault

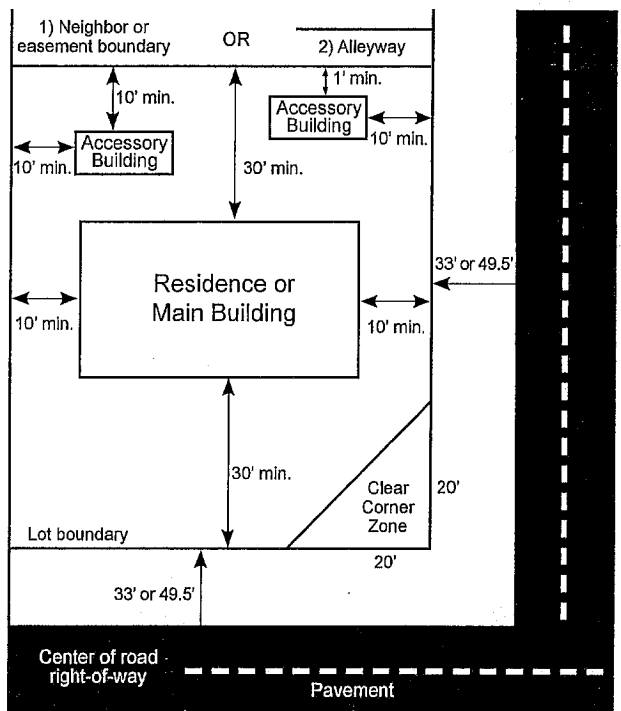
The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 12/16/19

Set Backs Approved: Yes  No

N/A - not expanding site

Any special stipulations and conditions of the Site Plan Review: Wiring of the barn

### Huntsville Town Residential Zone Setbacks



[Signature]  
Huntsville Planning Commission Chairman

[Signature]  
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."

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PART OF E. 1/2, SEC. 18, T.6N., R. 2E., S.L.B. & M.

HUNTSVILLE SURVEY  
BLOCKS 1, 2, 4, & 5, PLAT A

TAXING UNIT: 35

SCALE 1" = 100'

SEE PAGE 10



CENTER OF SEC. 18 T.6N., R.2E.

SEE PAGE 23

BLOCK 3, PLAT A

SEE PAGE 18

SEE PAGE 19

SEE BOOK 21, PAGE 28

\*\*SEE STREET NAME CHANGE E#2195484

\*NOTE: STREET NUMBERS ACCORDING TO COUNTY SURVEYOR

SEE PAGE 18



# LAND USE PERMIT

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

Tax ID # 240090001

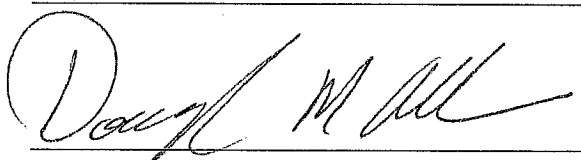
Address of Structure 581 South 7700 East

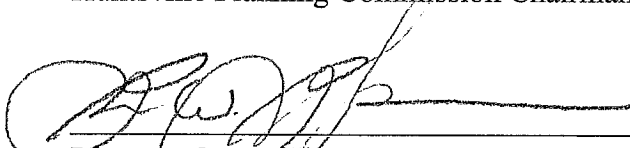
Name & Address of Owner/Owners Blake Bingham

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 12/16/19

Set Backs Approved: Yes  No

Any special stipulations and conditions of the Site Plan Review: Adding an addition to the home.

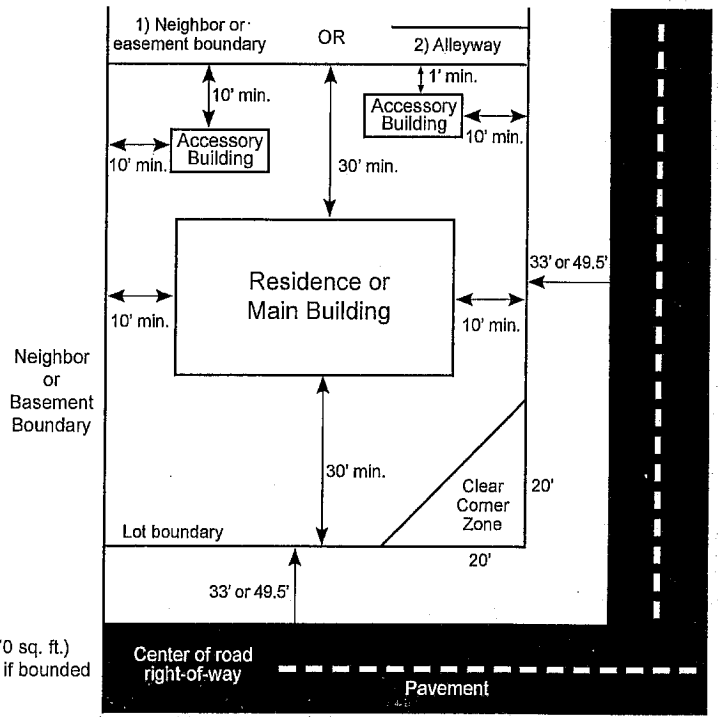
  
Huntsville Planning Commission Chairman

  
Property Owner Signature

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### Huntsville Town Residential Zone Setbacks

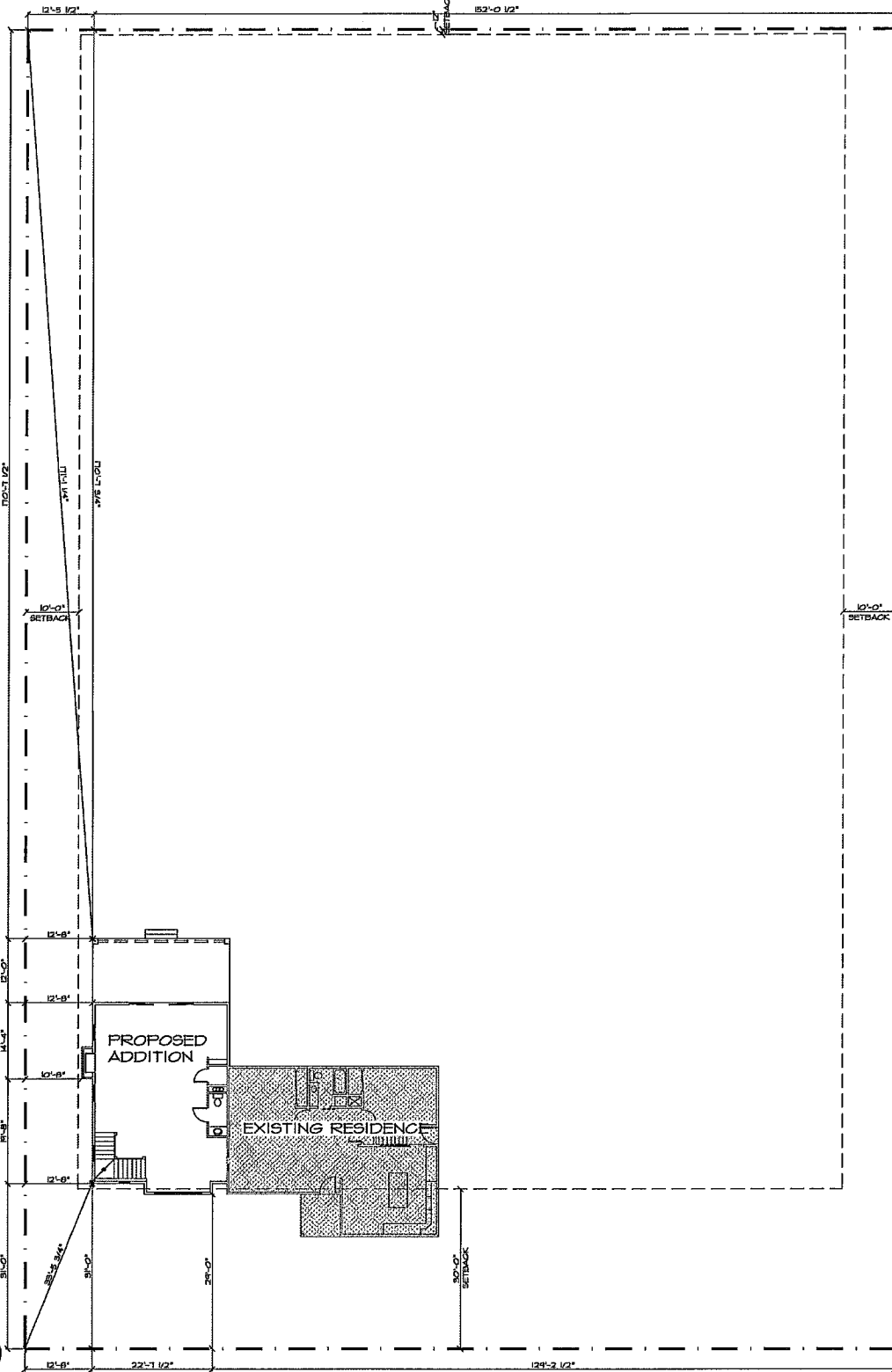


164.50'  
N 01°25'11" W

600 SOUTH STREET

247.63'  
S 88°39'00" W

247.83'  
S 88°39'00" W



RECEIVED

DEC 16 2019

Huntsville Town

*Bendisatt*  
Land Use Permit  
12/16/19

SCALE : 1" = 20'

164.50'  
N 01°21'00" W

7700 EAST STREET

BINGHAM ADDITION  
581 S. 7700 E.  
HUNTSVILLE, UT

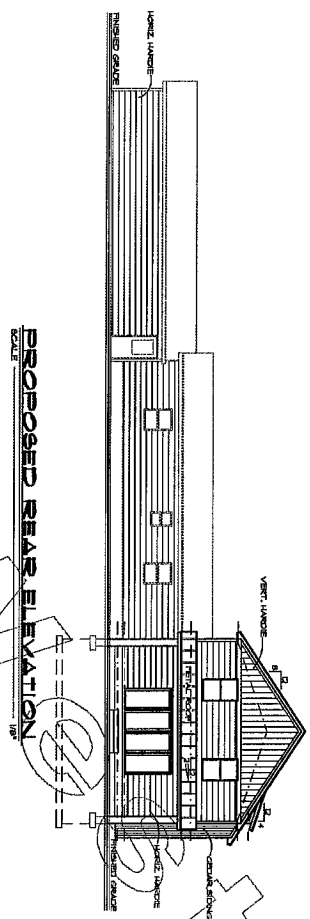
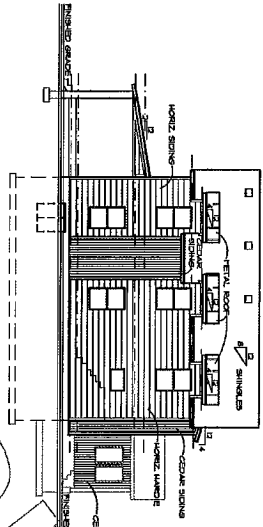
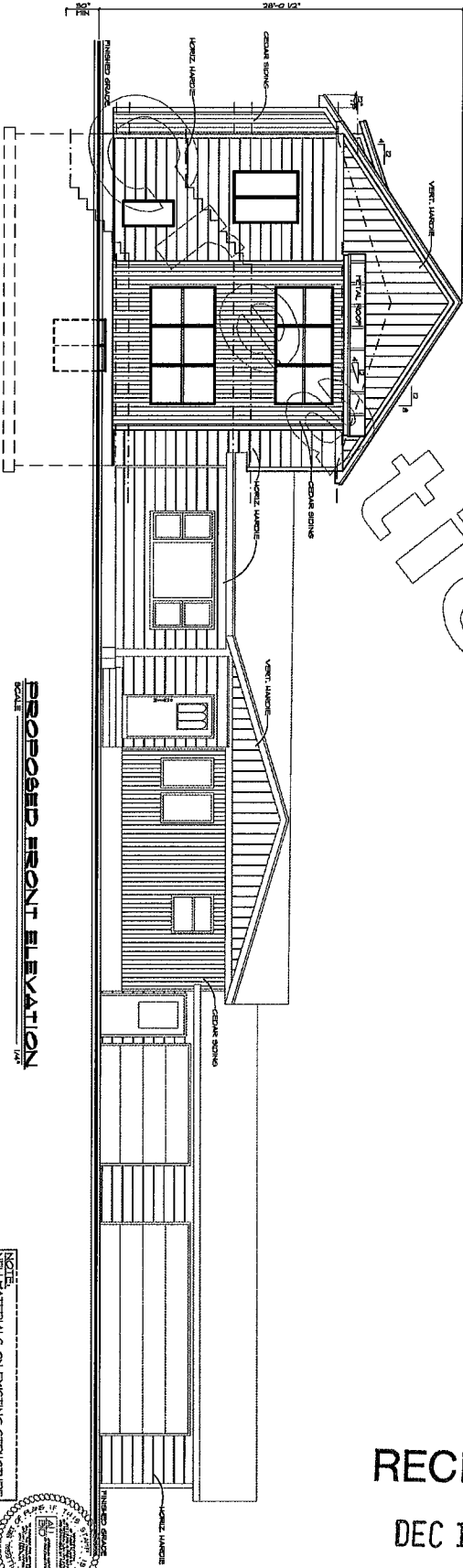
**GENERAL NOTES:**  
 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.  
 2. FINISH GRADE IS TO BE SHOWN BY A DASHED LINE.  
 3. EXISTING CONDITIONS ARE SHOWN BY A DOTTED LINE.  
 4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
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**GENERAL NOTES:**  
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 2. FINISH GRADE IS TO BE SHOWN BY A DASHED LINE.  
 3. EXISTING CONDITIONS ARE SHOWN BY A DOTTED LINE.  
 4. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
 5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.  
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**PROPOSED FRONT ELEVATION**  
 SCALE 1/8\"/>

**PROPOSED LEFT ELEVATION**  
 SCALE 1/8\"/>

**PROPOSED REAR ELEVATION**  
 SCALE 1/8\"/>

**PROPOSED RIGHT ELEVATION**  
 SCALE 1/8\"/>

**NOTE:**  
 1. ALL MATERIALS ON EXISTING STRUCTURES.  
 2. VERIFY ALL DIMENSIONS ON SITE.



RECEIVED  
 DEC 16 2019

Huntsville Town  
 Bendiatt - Land Use Permit 12/16/19



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 Anthon Idaho 83406 208.325.9555  
 plans@creationswest.com

PLANNED FOR:  
**BINGHAM ADDITION**  
 HUNTSVILLE, UT

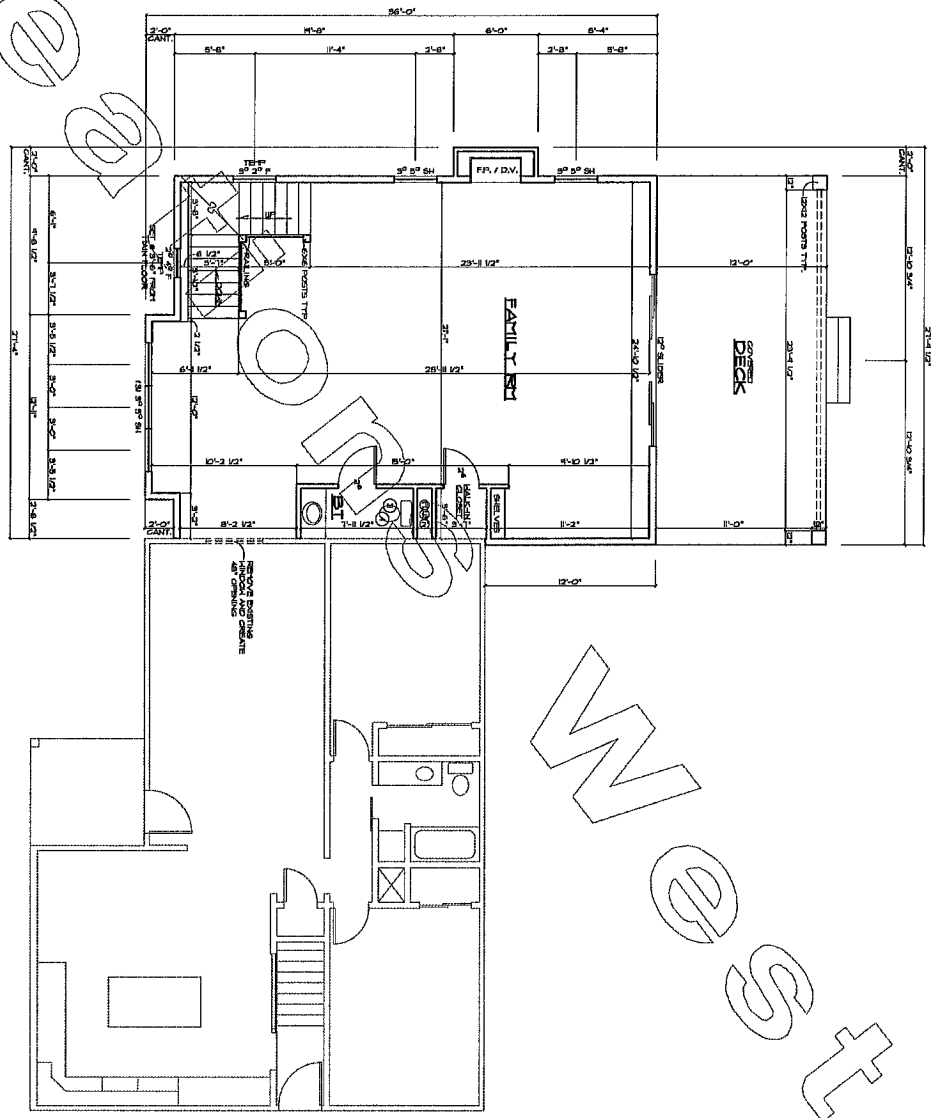
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PLAN NUMBER  
 AR-1755-19UE

DATE  
 OCT. 16 19

**GENERAL NOTES:**

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**PROPOSED MAIN FLOOR PLAN**

SCALE: 1/8" = 1'-0" (AS SHOWN)

DATE: 10/16/15

PROJECT: 1424 LEGEND HILLS DR., SUITE #120, CLEARFIELD, UT 84015

ARCHITECT: CREATIONS WEST, 1424 LEGEND HILLS DR., SUITE #120, CLEARFIELD, UT 84015

PHONE: 801-525-6700

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801-525-6700  
plans@creationswest.com

South Jordan  
Utah 84091  
801-525-6700

Armon  
Idaho 83406  
208-325-8555

PLANNED FOR  
**BINGHAM ADDITION**  
HUNTSVILLE, UT

DATE: OCT. 16, 15  
SHEET: 2

PLAN NUMBER  
AR-1755-19UE

DATE: 08/28/2018 10:00 AM

PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091  
 DRAWING: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091  
 SHEET: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091  
 SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: 08/28/2018

PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

DRAWING: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SHEET: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: 08/28/2018

PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

DRAWING: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SHEET: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: 08/28/2018

PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

DRAWING: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SHEET: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]

CHECKED BY: [Name]

DATE: 08/28/2018

PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

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CHECKED BY: [Name]

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SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]

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DATE: 08/28/2018

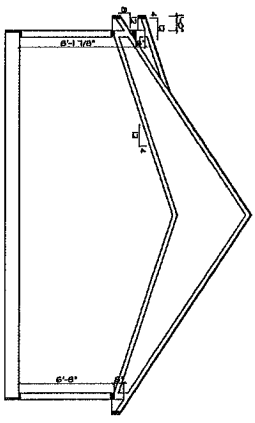
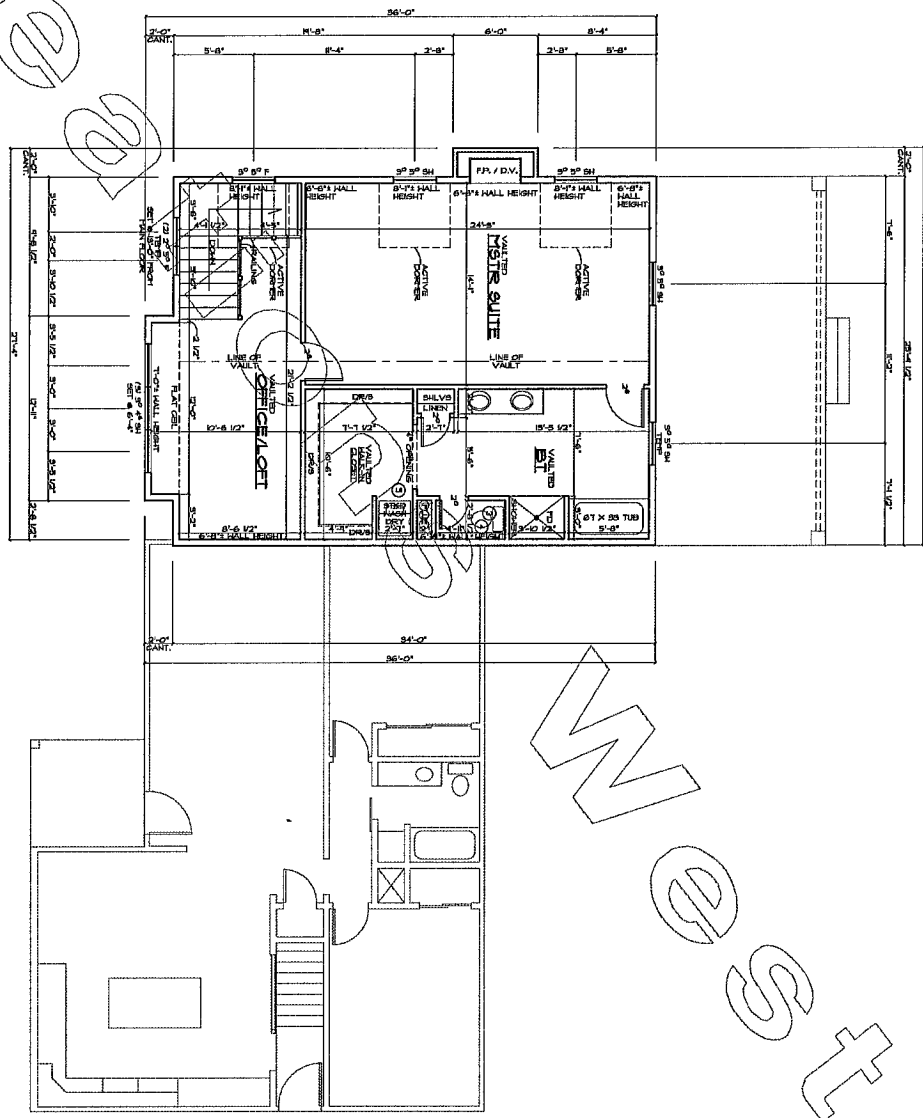
PROJECT: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

DRAWING: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SHEET: 1424 Legend Hills Dr., Suite # 120, Clearfield, Utah 84091

SCALE: 1/8" = 1'-0"

DESIGNED BY: [Name]



NOTE: VERIFY ALL DIMENSIONS ON SITE  
 NOTE: 9'-1 7/8" CELL HEIGHT TYP.  
 2'x6" EXTERIOR WALLS (8 1/2")

PROPOSED UPPER FLOOR PLAN  
 3/8" = 1'-0" UPPER LEVEL



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 phns@creationswest.com

South Jordan  
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AMMON  
 IDAHO 83406  
 208-325-9355

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 the time of construction, the contractor shall be responsible for  
 the holder/general contractor assumes full responsibility.

PLAN NUMBER  
 AR-1755-19UE

DATE  
 OCT. 16 11

3

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PLANNED FOR  
**BINGHAM ADDITION**  
 HUNTSVILLE, UT

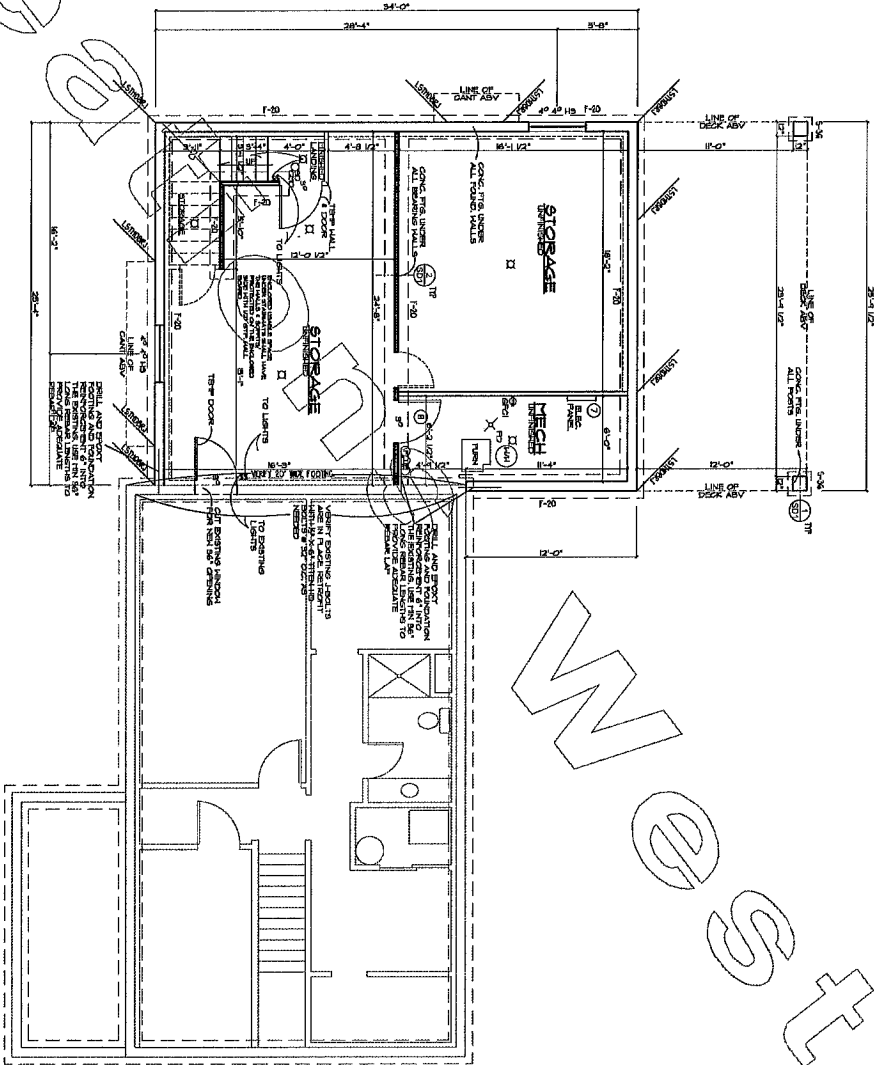
1424 Legend Hills Dr. South Jordan Utah 84091  
 Suite # 120 Clearfield, Utah 84015  
 801.525.6700 801.525.6700  
 phns@creationswest.com

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DATE: OCT. 16 19  
 SHEET: 4

PLAN NUMBER  
**AR-1755-19UE**



**FOUNDATION SCHEDULE**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
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**INTERNAL SCHEDULE**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
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**EXTERNAL SCHEDULE**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL PRICE
1	...	...	...	...
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**CONTRACTOR'S RESPONSIBILITIES**  
 The contractor shall be responsible for the design and construction of the electrical system in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations. The contractor shall also be responsible for obtaining all necessary permits and for coordinating with the building department and other relevant agencies.

**GENERAL NOTES**

1. All work shall be in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.  
 2. The contractor shall be responsible for obtaining all necessary permits and for coordinating with the building department and other relevant agencies.  
 3. The contractor shall be responsible for the design and construction of the electrical system in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.

**LEGEND**

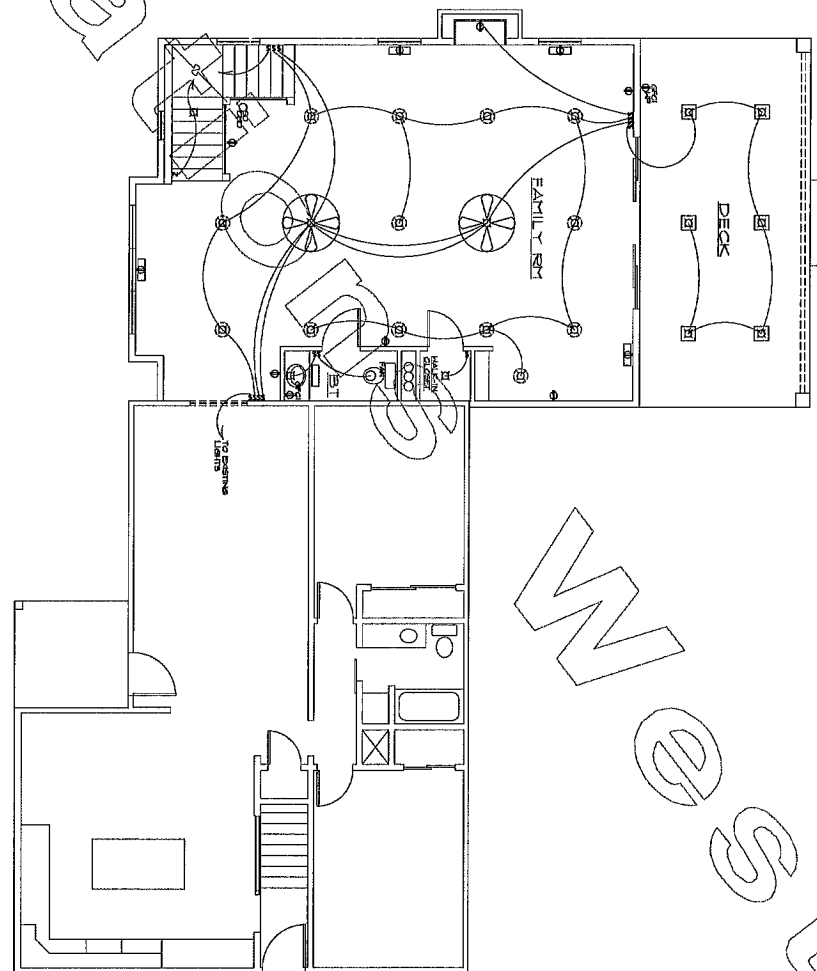
1. All work shall be in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.  
 2. The contractor shall be responsible for obtaining all necessary permits and for coordinating with the building department and other relevant agencies.  
 3. The contractor shall be responsible for the design and construction of the electrical system in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.

**NOTES**

1. All work shall be in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.  
 2. The contractor shall be responsible for obtaining all necessary permits and for coordinating with the building department and other relevant agencies.  
 3. The contractor shall be responsible for the design and construction of the electrical system in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.

**REVISIONS**

1. All work shall be in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.  
 2. The contractor shall be responsible for obtaining all necessary permits and for coordinating with the building department and other relevant agencies.  
 3. The contractor shall be responsible for the design and construction of the electrical system in accordance with the National Electrical Code (NEC) and all applicable local codes and regulations.



NOTE:  
 VERIFY ALL DIMENSIONS ON SITE

MAIN ELEC./HVAC PLAN



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PLAN NUMBER  
 AR-1755-19UE

DATE  
 OCT. 16, 19  
 SCALE  
 5/8"



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 phns@creationswest.com

Armon  
 Idaho 83406  
 208.523.9355

PLANNED FOR  
**BINGHAM ADDITION**  
 HUNTSVILLE, UT

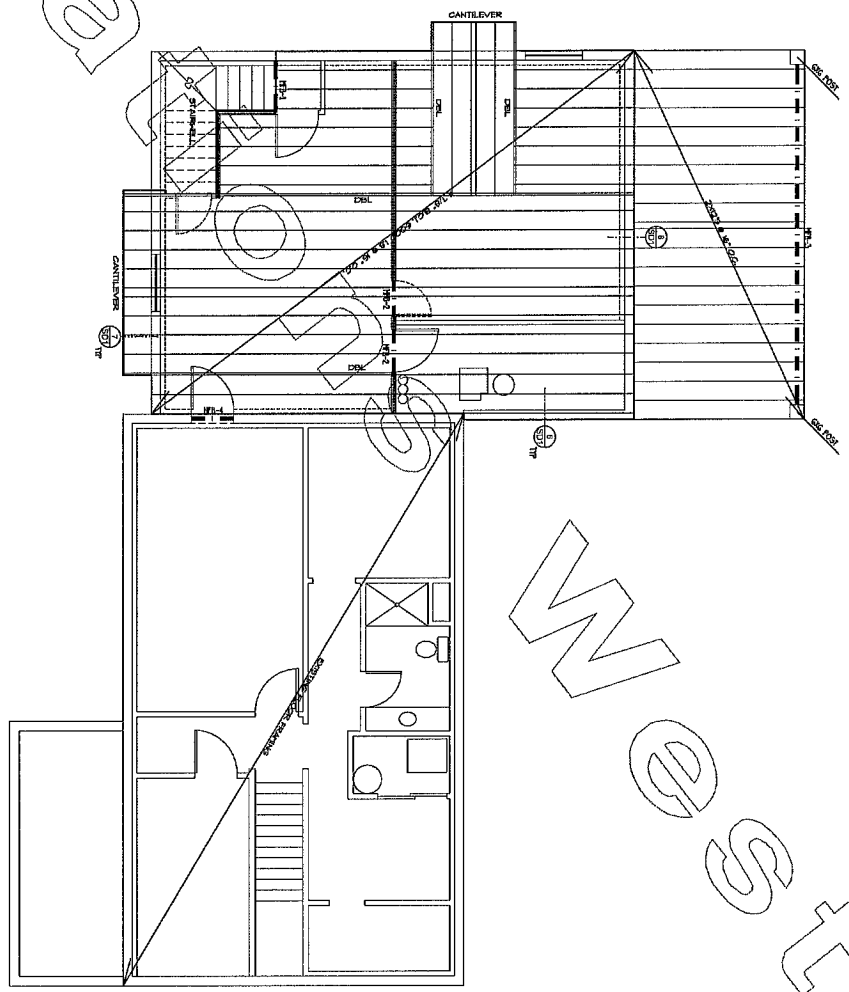


**NOTES:**  
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**GENERAL NOTES:**

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TYPE	SPACING	SIZE	FIELD	SPAN	TO BE ATTACHED	SPACING	SIZE	FIELD	SPAN	TO BE ATTACHED
TYPICAL	7/8\"/>									

**MAIN FLOOR FRAMING PLAN**  
 SCALE: 1/4\"/>



CREATIONS WEST  
 1755 S. 1000 E.  
 SUITE 100  
 HUNTSVILLE, UT 84306  
 (801) 525-6700



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 Utah 84091  
 801.525.6700

Ammon  
 Idaho 83406  
 208.325.8356

PLANNED FOR:  
**BINGHAM ADDITION**  
 HUNTSVILLE, UT

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PLAN NUMBER:  
**AR-1755-19UE**

DATE:  
 05/11/18

SCALE:  
 7/8\"/>

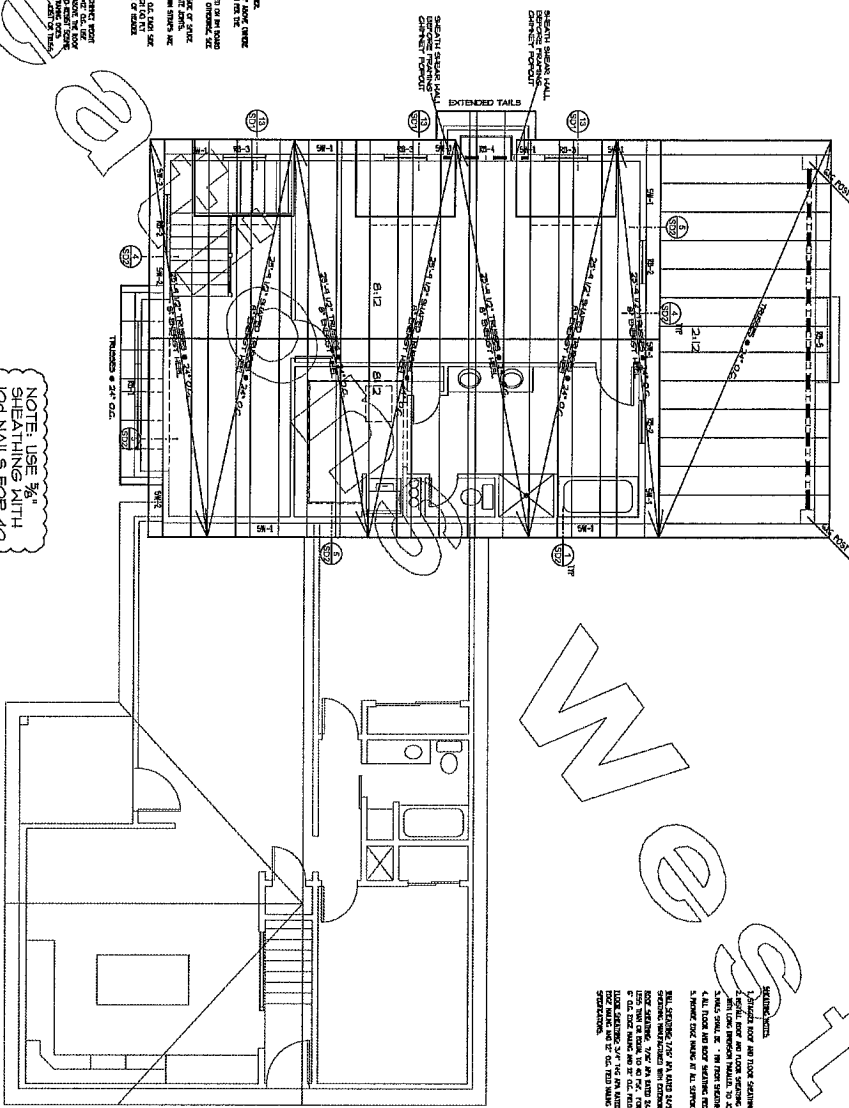


As the architect, the contractor, or other responsible party, shall be responsible for the design and construction of the building. The architect shall be responsible for the design and construction of the building. The contractor shall be responsible for the construction of the building. The other responsible party shall be responsible for the design and construction of the building.

**DESIGN CRITERIA**

CONTRACT NO.	2018-001
PROJECT NO.	18-001
CLIENT	CREATIONS WEST
PROJECT LOCATION	1111 S. 1000 E. HUNTSVILLE, UT
PROJECT TYPE	RESIDENTIAL
DESIGNER	CREATIONS WEST
DATE	11/15/18
SCALE	AS SHOWN
PROJECT NO.	18-001
PROJECT LOCATION	1111 S. 1000 E. HUNTSVILLE, UT
PROJECT TYPE	RESIDENTIAL
DESIGNER	CREATIONS WEST
DATE	11/15/18
SCALE	AS SHOWN

NOTE: THIS DRAWING IS A PRELIMINARY DESIGN. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE CONSTRUCTION OF THE BUILDING. THE OTHER RESPONSIBLE PARTY SHALL BE RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF THE BUILDING.



NOTE: USE 3/8" SUEATHING FOR 40 PBF SMOA LOAD

**REBAR SCHEDULE**

TYPE	SHAPE	SIZE	SPACING	START	STOP	REMARKS
1	3/8"	40	12"	0'	12'	CONCRETE FLOOR
2	3/8"	40	12"	12'	24'	CONCRETE FLOOR
3	3/8"	40	12"	24'	36'	CONCRETE FLOOR
4	3/8"	40	12"	36'	48'	CONCRETE FLOOR
5	3/8"	40	12"	48'	60'	CONCRETE FLOOR
6	3/8"	40	12"	60'	72'	CONCRETE FLOOR
7	3/8"	40	12"	72'	84'	CONCRETE FLOOR
8	3/8"	40	12"	84'	96'	CONCRETE FLOOR
9	3/8"	40	12"	96'	108'	CONCRETE FLOOR
10	3/8"	40	12"	108'	120'	CONCRETE FLOOR

ALL DIMENSIONS UNLESS OTHERWISE NOTED SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.

**ROOF FRAMING PLAN**

SCALE: 1/4" = 1'-0"

NOTE: VERIFY ALL DIMENSIONS ON SITE.

NOTE: 1/2" OVERLAP TRIF.

1/4" PITCH TRIF.

**CREATIONS WEST**

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801.525.6700

South Jordan  
Utah 84091  
801.525.6700

Ammon  
Idaho 83406  
208.525.9353

PLANNED FOR  
**BINGHAM ADDITION**  
1111 S. 1000 E.  
HUNTSVILLE, UT

DATE: OCT. 16 18  
SHEET: 9

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The builder/general contractor (construction professional) must verify the accuracy of the information provided on this drawing. The builder/general contractor shall be responsible for the design and construction of the building. The architect shall be responsible for the design and construction of the building. The contractor shall be responsible for the construction of the building. The other responsible party shall be responsible for the design and construction of the building.









**FOUNDATION SCHEDULE**

FOUNDATION TYPE	NO. FOUNDATIONS	FOOTING DIMENSIONS	FOOTING DEPTH	FOOTING CONC. STRENGTH	FOOTING CONC. QUANTITY	FOOTING CONC. WEIGHT	FOOTING CONC. COST	FOOTING CONC. TOTAL
1. 12" DIA. x 12" DEEP	1	12" x 12"	12"	4000 PSI	0.15	1200	1.80	1.80
2. 12" DIA. x 18" DEEP	1	12" x 18"	18"	4000 PSI	0.25	2400	3.60	3.60
3. 12" DIA. x 24" DEEP	1	12" x 24"	24"	4000 PSI	0.40	4800	7.20	7.20
4. 12" DIA. x 30" DEEP	1	12" x 30"	30"	4000 PSI	0.55	7200	10.80	10.80
5. 12" DIA. x 36" DEEP	1	12" x 36"	36"	4000 PSI	0.70	9600	14.40	14.40
6. 12" DIA. x 42" DEEP	1	12" x 42"	42"	4000 PSI	0.85	12000	18.00	18.00
7. 12" DIA. x 48" DEEP	1	12" x 48"	48"	4000 PSI	1.00	14400	21.60	21.60
8. 12" DIA. x 54" DEEP	1	12" x 54"	54"	4000 PSI	1.15	16800	25.20	25.20
9. 12" DIA. x 60" DEEP	1	12" x 60"	60"	4000 PSI	1.30	19200	28.80	28.80
10. 12" DIA. x 66" DEEP	1	12" x 66"	66"	4000 PSI	1.45	21600	32.40	32.40
11. 12" DIA. x 72" DEEP	1	12" x 72"	72"	4000 PSI	1.60	24000	36.00	36.00
12. 12" DIA. x 78" DEEP	1	12" x 78"	78"	4000 PSI	1.75	26400	39.60	39.60
13. 12" DIA. x 84" DEEP	1	12" x 84"	84"	4000 PSI	1.90	28800	43.20	43.20
14. 12" DIA. x 90" DEEP	1	12" x 90"	90"	4000 PSI	2.05	31200	46.80	46.80
15. 12" DIA. x 96" DEEP	1	12" x 96"	96"	4000 PSI	2.20	33600	50.40	50.40
16. 12" DIA. x 102" DEEP	1	12" x 102"	102"	4000 PSI	2.35	36000	54.00	54.00
17. 12" DIA. x 108" DEEP	1	12" x 108"	108"	4000 PSI	2.50	38400	57.60	57.60
18. 12" DIA. x 114" DEEP	1	12" x 114"	114"	4000 PSI	2.65	40800	61.20	61.20
19. 12" DIA. x 120" DEEP	1	12" x 120"	120"	4000 PSI	2.80	43200	64.80	64.80
20. 12" DIA. x 126" DEEP	1	12" x 126"	126"	4000 PSI	2.95	45600	68.40	68.40
21. 12" DIA. x 132" DEEP	1	12" x 132"	132"	4000 PSI	3.10	48000	72.00	72.00
22. 12" DIA. x 138" DEEP	1	12" x 138"	138"	4000 PSI	3.25	50400	75.60	75.60
23. 12" DIA. x 144" DEEP	1	12" x 144"	144"	4000 PSI	3.40	52800	79.20	79.20
24. 12" DIA. x 150" DEEP	1	12" x 150"	150"	4000 PSI	3.55	55200	82.80	82.80
25. 12" DIA. x 156" DEEP	1	12" x 156"	156"	4000 PSI	3.70	57600	86.40	86.40
26. 12" DIA. x 162" DEEP	1	12" x 162"	162"	4000 PSI	3.85	60000	90.00	90.00
27. 12" DIA. x 168" DEEP	1	12" x 168"	168"	4000 PSI	4.00	62400	93.60	93.60
28. 12" DIA. x 174" DEEP	1	12" x 174"	174"	4000 PSI	4.15	64800	97.20	97.20
29. 12" DIA. x 180" DEEP	1	12" x 180"	180"	4000 PSI	4.30	67200	100.80	100.80
30. 12" DIA. x 186" DEEP	1	12" x 186"	186"	4000 PSI	4.45	69600	104.40	104.40
31. 12" DIA. x 192" DEEP	1	12" x 192"	192"	4000 PSI	4.60	72000	108.00	108.00
32. 12" DIA. x 198" DEEP	1	12" x 198"	198"	4000 PSI	4.75	74400	111.60	111.60
33. 12" DIA. x 204" DEEP	1	12" x 204"	204"	4000 PSI	4.90	76800	115.20	115.20
34. 12" DIA. x 210" DEEP	1	12" x 210"	210"	4000 PSI	5.05	79200	118.80	118.80
35. 12" DIA. x 216" DEEP	1	12" x 216"	216"	4000 PSI	5.20	81600	122.40	122.40
36. 12" DIA. x 222" DEEP	1	12" x 222"	222"	4000 PSI	5.35	84000	126.00	126.00
37. 12" DIA. x 228" DEEP	1	12" x 228"	228"	4000 PSI	5.50	86400	129.60	129.60
38. 12" DIA. x 234" DEEP	1	12" x 234"	234"	4000 PSI	5.65	88800	133.20	133.20
39. 12" DIA. x 240" DEEP	1	12" x 240"	240"	4000 PSI	5.80	91200	136.80	136.80
40. 12" DIA. x 246" DEEP	1	12" x 246"	246"	4000 PSI	5.95	93600	140.40	140.40
41. 12" DIA. x 252" DEEP	1	12" x 252"	252"	4000 PSI	6.10	96000	144.00	144.00
42. 12" DIA. x 258" DEEP	1	12" x 258"	258"	4000 PSI	6.25	98400	147.60	147.60
43. 12" DIA. x 264" DEEP	1	12" x 264"	264"	4000 PSI	6.40	100800	151.20	151.20
44. 12" DIA. x 270" DEEP	1	12" x 270"	270"	4000 PSI	6.55	103200	154.80	154.80
45. 12" DIA. x 276" DEEP	1	12" x 276"	276"	4000 PSI	6.70	105600	158.40	158.40
46. 12" DIA. x 282" DEEP	1	12" x 282"	282"	4000 PSI	6.85	108000	162.00	162.00
47. 12" DIA. x 288" DEEP	1	12" x 288"	288"	4000 PSI	7.00	110400	165.60	165.60
48. 12" DIA. x 294" DEEP	1	12" x 294"	294"	4000 PSI	7.15	112800	169.20	169.20
49. 12" DIA. x 300" DEEP	1	12" x 300"	300"	4000 PSI	7.30	115200	172.80	172.80
50. 12" DIA. x 306" DEEP	1	12" x 306"	306"	4000 PSI	7.45	117600	176.40	176.40
51. 12" DIA. x 312" DEEP	1	12" x 312"	312"	4000 PSI	7.60	120000	180.00	180.00
52. 12" DIA. x 318" DEEP	1	12" x 318"	318"	4000 PSI	7.75	122400	183.60	183.60
53. 12" DIA. x 324" DEEP	1	12" x 324"	324"	4000 PSI	7.90	124800	187.20	187.20
54. 12" DIA. x 330" DEEP	1	12" x 330"	330"	4000 PSI	8.05	127200	190.80	190.80
55. 12" DIA. x 336" DEEP	1	12" x 336"	336"	4000 PSI	8.20	129600	194.40	194.40
56. 12" DIA. x 342" DEEP	1	12" x 342"	342"	4000 PSI	8.35	132000	198.00	198.00
57. 12" DIA. x 348" DEEP	1	12" x 348"	348"	4000 PSI	8.50	134400	201.60	201.60
58. 12" DIA. x 354" DEEP	1	12" x 354"	354"	4000 PSI	8.65	136800	205.20	205.20
59. 12" DIA. x 360" DEEP	1	12" x 360"	360"	4000 PSI	8.80	139200	208.80	208.80
60. 12" DIA. x 366" DEEP	1	12" x 366"	366"	4000 PSI	8.95	141600	212.40	212.40
61. 12" DIA. x 372" DEEP	1	12" x 372"	372"	4000 PSI	9.10	144000	216.00	216.00
62. 12" DIA. x 378" DEEP	1	12" x 378"	378"	4000 PSI	9.25	146400	219.60	219.60
63. 12" DIA. x 384" DEEP	1	12" x 384"	384"	4000 PSI	9.40	148800	223.20	223.20
64. 12" DIA. x 390" DEEP	1	12" x 390"	390"	4000 PSI	9.55	151200	226.80	226.80
65. 12" DIA. x 396" DEEP	1	12" x 396"	396"	4000 PSI	9.70	153600	230.40	230.40
66. 12" DIA. x 402" DEEP	1	12" x 402"	402"	4000 PSI	9.85	156000	234.00	234.00
67. 12" DIA. x 408" DEEP	1	12" x 408"	408"	4000 PSI	10.00	158400	237.60	237.60
68. 12" DIA. x 414" DEEP	1	12" x 414"	414"	4000 PSI	10.15	160800	241.20	241.20
69. 12" DIA. x 420" DEEP	1	12" x 420"	420"	4000 PSI	10.30	163200	244.80	244.80
70. 12" DIA. x 426" DEEP	1	12" x 426"	426"	4000 PSI	10.45	165600	248.40	248.40
71. 12" DIA. x 432" DEEP	1	12" x 432"	432"	4000 PSI	10.60	168000	252.00	252.00
72. 12" DIA. x 438" DEEP	1	12" x 438"	438"	4000 PSI	10.75	170400	255.60	255.60
73. 12" DIA. x 444" DEEP	1	12" x 444"	444"	4000 PSI	10.90	172800	259.20	259.20
74. 12" DIA. x 450" DEEP	1	12" x 450"	450"	4000 PSI	11.05	175200	262.80	262.80
75. 12" DIA. x 456" DEEP	1	12" x 456"	456"	4000 PSI	11.20	177600	266.40	266.40
76. 12" DIA. x 462" DEEP	1	12" x 462"	462"	4000 PSI	11.35	180000	270.00	270.00
77. 12" DIA. x 468" DEEP	1	12" x 468"	468"	4000 PSI	11.50	182400	273.60	273.60
78. 12" DIA. x 474" DEEP	1	12" x 474"	474"	4000 PSI	11.65	184800	277.20	277.20
79. 12" DIA. x 480" DEEP	1	12" x 480"	480"	4000 PSI	11.80	187200	280.80	280.80
80. 12" DIA. x 486" DEEP	1	12" x 486"	486"	4000 PSI	11.95	189600	284.40	284.40
81. 12" DIA. x 492" DEEP	1	12" x 492"	492"	4000 PSI	12.10	192000	288.00	288.00
82. 12" DIA. x 498" DEEP	1	12" x 498"	498"	4000 PSI	12.25	194400	291.60	291.60
83. 12" DIA. x 504" DEEP	1	12" x 504"	504"	4000 PSI	12.40	196800	295.20	295.20
84. 12" DIA. x 510" DEEP	1	12" x 510"	510"	4000 PSI	12.55	199200	298.80	298.80
85. 12" DIA. x 516" DEEP	1	12" x 516"	516"	4000 PSI	12.70	201600	302.40	302.40
86. 12" DIA. x 522" DEEP	1	12" x 522"	522"	4000 PSI	12.85	204000	306.00	306.00
87. 12" DIA. x 528" DEEP	1	12" x 528"	528"	4000 PSI	13.00	206400	309.60	309.60
88. 12" DIA. x 534" DEEP	1	12" x 534"	534"	4000 PSI	13.15	208800	313.20	313.20
89. 12" DIA. x 540" DEEP	1	12" x 540"	540"	4000 PSI	13.30	211200	316.80	316.80
90. 12" DIA. x 546" DEEP	1	12" x 546"	546"	4000 PSI	13.45	213600	320.40	320.40
91. 12" DIA. x 552" DEEP	1	12" x 552"	552"	4000 PSI	13.60	216000	324.00	324.00
92. 12" DIA. x 558" DEEP	1	12" x 558"	558"	4000 PSI	13.75	218400	327.60	327.60
93. 12" DIA. x 564" DEEP	1	12" x 564"	564"	4000 PSI	13.90	220800	331.20	331.20
94. 12" DIA. x 570" DEEP	1	12" x 570"	570"	4000 PSI	14.05	223200	334.80	334.80
95. 12" DIA. x 576" DEEP	1	12" x 576"	576"	4000 PSI	14.20	225600	338.40	338.40
96. 12" DIA. x 582" DEEP	1	12" x 582"	582"	4000 PSI	14.35	228000	342.00	342.00
97. 12" DIA. x 588" DEEP	1	12" x 588"	588"	4000 PSI	14.50	230400	345.60	345.60
98. 12" DIA. x 594" DEEP	1	12" x 594"	594"	4000 PSI	14.65	232800	349.20	349.20
99. 12" DIA. x 600" DEEP	1	12" x 600"	600"	4000 PSI	14.80	235200	352.80	352.80
100. 12" DIA. x 606" DEEP	1	12" x 606"	606"	4000 PSI	14.95	237600	356.40	356.40
101. 12" DIA. x 612" DEEP	1	12" x 612"	612"	4000 PSI	15.10	240000	360.00	360.00
102. 12" DIA. x 618" DEEP	1	12" x 618"	618"	4000 PSI	15.25	242400	363.60	363.60
103. 12" DIA. x 624" DEEP	1	12" x 624"	624"	4000 PSI	15.40	244800	367.20	367.20
104. 12" DIA. x 630" DEEP	1	12" x 630"	630"	4000 PSI	15.55	247200	370.80	370.80
105. 12" DIA. x 636" DEEP	1	12" x 636"	636"	4000 PSI	15.70	249600	374.40	374.40
106. 12" DIA. x								

**HUNTSVILLE TOWN  
ORDINANCE 2019-XX-XX**

2019-12-19-B

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15,  
REGULATING THE LANDING AND TAKEOFF OF MANNED AIRCRAFT WITHIN  
HUNTSVILLE TOWN.**

- A. WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;
- C. WHEREAS**, Huntsville Town desires to establish ordinances governing the landing and takeoff of manned aircraft within Town;
- D. WHEREAS**, the proposed change in the ordinance would prohibit the landing or takeoff of manned aircraft within Town unless otherwise excepted;
- E. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on <Month/Day/Year>, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on <Month/Day/Year>;
- F. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on <Month/Day/Year> and desires to act on this Ordinance;

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

- Section 1: Repealer.** Any word, sentence, paragraph, or phrase 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:

**15.32 Manned Aircraft Landings and Takeoffs**

The landing or takeoff of manned aircraft (including, but not limited to, hot air balloons, helicopters, fixed-wing aircraft, etc.) is prohibited within the municipal boundary of Huntsville Town, subject to the following exceptions:

- A. In the event of an emergency involving the safety of any manned aircraft or its passengers.
- B. In those instances where the manned aircraft is involved in the performance of official search, rescue, law enforcement, medical evacuation, or civil defense duties.
- C. The Town Council may grant temporary approval for spot manned aircraft landings and/or takeoffs at specific locations subject to the following requirements:
  - 1. The applicant desiring such approval shall submit a written application to the town which shall describe fully the time and place of the proposed landing/takeoff, the purpose, the aircraft to be used, the pilot, insurance coverage applicable, and all crowd control measures to be employed to safeguard the safety of life and property at the site.
  - 2. The applicant shall agree to reimburse the town for all reasonable costs incurred on the applicant's behalf.
  - 3. The applicant shall agree in writing to indemnify the town against all risk of loss from any cause for injury or death to any person or for property damage arising out of the landing/takeoff.
  - 4. The applicant shall establish to the satisfaction of the Town Council that the landing/takeoff of the aircraft poses no risk to the safety of pedestrians, motor vehicles, or structures.
  - 5. The landing of the aircraft and the subsequent takeoff after completion of the promotional activities shall be supervised by a law enforcement officer at the expense of the applicant. The law enforcement officer shall remain in attendance on the ground location during the entirety of the proposed operation.
  - 6. The applicant shall secure written approval from owners of any adjoining parcels to the temporary landing/takeoff site.
  - 7. The Town Council may waive any of the foregoing requirements if the landing/takeoff is conducted on town property or as part of a town-sponsored event.

**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.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				

CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Blake Bingham				

ADOPTED AND APPROVED on this <DATE>.

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JIM TRUETT, Mayor

ATTEST:

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BECKKI ENDICOTT, Recorder

RECORDED this <DATE>.

**HUNTSVILLE TOWN  
ORDINANCE 2019-12-19-C**

**HUNTSVILLE TITLE 4 EDITS – LAND USE PERMIT UPDATE**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 4 –  
LAND USE PERMIT UPDATES**

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

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019 to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT this ordinance on December 16, 2019;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

**ORDINANCE**

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

**Section 1: Repealer.** Any word, sentence, paragraph, or phrase 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:

**4.1 Purpose**

Building/Land Use permits are essential for the management of building, construction and land use in Huntsville Town, provide an effective vehicle for complying with State laws and adopted building standards, and are necessary to effectively administrate building and construction procedures and to cover the costs of the administration thereof.

Additional information to help clarify the steps needed to follow this Title as outlined in 4.2 can be found on the Town Website or by contacting the Town Building Official.

## **4.2 Building/Land Use Permit Required**

### **4.2.1 Land Use Permit**

Any owner desiring to change (e.g. build a new residence) or add a use of the land shall not proceed until a Land Use Permit has been issued by the Huntsville Town Planning Commission. The only exception to this requirement is for the construction of a structure under 200 square feet that does not contain any combination of electrical, gas, mechanical, or plumbing features, as explained in 4.2.2.1. Any permanent structure being placed on land shall adhere to all land use regulations established for the zone in which that land resides. If the Huntsville Town Planning Commission deems it necessary due to extenuating circumstances, they will submit the permit application to the Huntsville Town Council for their review and approval.

### **4.2.2 Building Permit**

#### **4.2.2.1 New Structures Less than 200 Square Feet**

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint less than 200 square feet and has any combination of electrical, gas, mechanical, or plumbing improvements shall only commence work after acquiring a Land Use Permit from the Huntsville Planning Commission. A Land Use Permit is not required for new construction of a structure with a footprint less than 200 square feet that does not include any combination of electrical, gas, mechanical, or plumbing features. No building permit is required for a new structure less than 200 square feet unless electrical, gas, mechanical, or plumbing installation is required; then the owner or authorized agent must follow the requirements of 4.2.2.2 New Structures 200 Square Feet or Greater.

#### **4.2.2.2 New Structures 200 Square Feet or Greater**

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint 200 square feet or greater shall only commence work after first, having received a Land Use Permit from the Huntsville Planning Commission, and then, secondly, upon issuance of a Building Permit from the Huntsville Building Official or authorized delegate of the Huntsville Building Official. Exceptions to this rule can be found in 4.2.3 Remodel Permit or 4.2.4 Self Performed Remodel Permit -- Residential.

### **4.2.3 Remodel Permit**

For the sake of the safety of the public, any structure owner or authorized agent who intends to install, alter, remove, convert or replace any existing electrical, gas, mechanical or plumbing system, the installation of which is regulated by the adopted Huntsville Town Building Official. Minor replacement or repair of such systems, especially to replace like kind (i.e., replace a water faucet, light switch, light fixture, toilet, etc.), replacement of roof shingles or siding does not require a permit. If the land use change involves excavating,

an excavation permit may be required as specified in Title 17. Exception to these requirements can be found in 4.2.4 Self Performed Remodel Permit – Residential.

#### **4.2.4 Self Performed Remodel Permit – Residential**

A Self-Performed Remodel Permit can be granted by the Huntsville Town Building Official or their designee if all the following stipulations are met:

- a. A Land Use Permit is obtained from the Huntsville Planning Commission.
- b. Work is for a remodel/repair of an existing home or for the construction/remodel/repair of an auxiliary building greater than 200 square feet (electrical and plumbing changes for any size building). If more than 25% of the square footage of the home or auxiliary building is over 200 square feet it will be considered as a new construction and will require a Remodel Permit.
- c. Work is self-performed by the owner or a close associate. This means that no compensation either monetarily or in kind for work performed on the project can be tendered.
- d. The homeowner declares on the Self-Performed Remodel Permit form all of the work that will be performed on the project receiving the Self-Performed Remodel Permit.
- e. The home owner certifies by signing the Self-Performed Remodel Permit that they will abide by all of the Utah State construction Code requirements in the construction of their project (including all applicable stamped plans by professionals licensed by the State of Utah).

#### **4.2.5 Validity Period**

##### **4.2.5.1 Land Use Permit Validity Period**

Land Use Permits shall be valid for a period of one year. If at any time the Land Use Permit expires, the owner or authorized agent must reapply for a Land Use Permit as outlined in 4.2.1. A Land Use Permit will be required to continue work on any unfinished items listed on the Land Use Permit. The owner will be responsible to pay any fees associated with the issuance of this new Land Use Permit.

##### **4.2.5.2 Building Permit Validity Period**

Building Permits shall be valid only during the period that a valid Land Use Permit is in effect. The owner may be subject to any penalties that may result from allowing the permit to expire before completion and final inspection of the work is completed.

#### **4.3 Huntsville Town Building Official**

The Huntsville Town Building Official, appointed by the Huntsville Town Council, is hereby designated and authorized as the officer charged with the enforcement of this and other applicable titles of the Huntsville Town Ordinances in regards to all building in Huntsville Town. The Huntsville Town Council, by resolution or ordinance, may from time to time entrust such administration and enforcement, in whole or in part, to any other officer or designee of Huntsville Town without amendment to this Title. The Huntsville Town Building Official is authorized to execute the duties required herein including the issuance of building permits.

#### **4.4 Permits to Comply with Title**

The Huntsville Town Building Official shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration would be in violation of any of the provisions of the Huntsville Town Land Use Title, nor shall any Huntsville Town Officer grant any permit or license for the use of any building or land if such use would be in violation of this Title.

#### **4.5 Powers and Duties of Huntsville Town Building Official**

It shall be the duty of the Huntsville Town Building Official to inspect or cause to be inspected all buildings in the course of construction or repair. They shall enforce all of the provisions of this Title, entering actions in the courts when necessary, and their failure to do so shall not legalize any violation of such provisions. The Huntsville Town Building Official shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration and use fully conform to all Huntsville Town Land Use Title regulations then in effect.

#### **4.6 Building Inspector**

The Huntsville Town Building Inspector(s) shall be appointed by resolution of the Huntsville Town Council and be authorized to execute the duties of that office under the direction of the Huntsville Town Council. The appointed Building Inspector must possess a valid combination level State of Utah Building Inspector license including valid International Code Council (ICC, formerly ICBO) certificates for building, electrical, plumbing, and mechanical inspectors.

#### **4.7 Certificate of Occupancy Required**

No land shall be used or occupied and no building hereafter structurally altered or erected shall be used or changed in use, except for agricultural purposes, in accordance with Utah State Law until a Certificate of Occupancy shall have been issued by the Huntsville Town Building Official stating that the building or the proposed use thereof, complies with the provisions of this Title. A Certificate of Occupancy either for the whole or a part of a building or structure shall be applied for when the builder is ready. A temporary occupancy permit may be issued for a period of not more than one (1) year and shall be issued within seven (7) days after the erection or structural alteration of such building or structure, or part thereof, shall have been completed and inspected by the Huntsville Town Building Inspector to be in conformity with the provisions of this Title.

#### **4.8 Zones Requiring a Land Use Permit**

In order to verify the requirements of the Land Use Title in general, and setbacks for permitted or conditional uses in the A-3, CR-1, S, O, FP, and RC Zones, no structure, including agricultural structures, shall be constructed, changed in use, or altered, as provided or as restricted, until and unless a Building/Land Use Permit is approved and issued by the Huntsville Town Building Permit Official.

The site plan requirements for these zones are specified in the Land Use Title.

#### **4.9 Zones Requiring Site Plan Approval**

The location of main and accessory buildings on a site in relation to one another, the provision of off-street parking space, the provision for driveways for ingress and egress, and the provision of other open space on a requested site, and the display of signs, shall be in accordance with a site plan or plans or subsequent amendment thereof, reviewed by the Huntsville Town Planning Commission prior to the issuance of a Building/Land Use permit by the Huntsville Town Building Official.

In considering any site plan hereunder, the Huntsville Town Planning Commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and

beneficial relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods.

#### **4.10 Building Permit Fees**

Building/Land Use permit and renewal fee valuations and schedules shall be adopted by resolution of the Huntsville Town Council.

#### **4.11 Impact Fees**

An impact fee per building lot shall be assessed of each builder at the time of issuance of a building permit. Such impact fee amount, as described in the Impact Fees Title, shall be adopted by resolution of the Huntsville Town Council.

#### **4.12 Plan Reviewer**

The Huntsville Town Planning Commission shall direct the Huntsville Town Building Official, or Building Inspector, to review building and site plans, make a recommendation on plans that are non-compliant with applicable codes to the Huntsville Town Planning Commission and the Huntsville Town Council.

The Huntsville Town Engineer shall review site plans for engineering considerations such as storm drain facilities, structural calculations, and the design of improvements.

#### **4.13 Licensing**

All departments, officials and public employees of Huntsville Town, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this Title and shall issue no permit or license for uses, buildings, purposes where the same would be in conflict with the provisions of this Title, and any such permit or license, if issued in conflict with the provisions of the Title, shall be null and void.

#### **4.14 Penalties**

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this Title shall be guilty of a Class C misdemeanor and punishable as provided by law. Such person, firm or corporation who intentionally violates this Title shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Title is committed, continued, or permitted by such person, firm or corporation, and shall be punishable as herein provided.

#### **4.15 Responsibility for Damage to Huntsville Town Streets**

The real property owner is responsible to maintain an orderly construction site so as not to cause risk of injury to the public or to Huntsville Town streets. Any debris on or damage to Huntsville Town streets must be immediately remedied at the expense of the real property owner or their authorized agent.

#### **4.16 Appeal Authority**

In order to hear and decide appeals in orders, decisions or determinations made by the Huntsville Town Building Official and the Huntsville Town Planning Commission relative to the application and interpretation of this Title, there shall be a Huntsville Town Appeal Authority. The creation, office, and duties of the Huntsville Town Appeal Authority is described in the Appeal Authority Title. The Appeal Authority shall consist of members who are qualified to determine if the intent of the applicable adopted codes have been satisfied. They will not have authority to waive requirements of the code.

**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.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Bill White				

ADOPTED AND APPROVED on this 21st day of November, 2019.

\_\_\_\_\_  
JIM TRUETT, Mayor

ATTEST:

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\_\_\_\_\_  
BECKKI ENDICOTT, Recorder

RECORDED this 19<sup>th</sup> day of September, 2019

**HUNTSVILLE TOWN  
ORDINANCE 2019-12-19-C**

**HUNTSVILLE TITLE 4 EDITS – LAND USE PERMIT UPDATE**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 4 –  
LAND USE PERMIT UPDATES**

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

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019 to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT this ordinance on December 16, 2019;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

**ORDINANCE**

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

**Section 1: Repealer.** Any word, sentence, paragraph, or phrase 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:

**4.1 Purpose**

Building/Land Use permits are essential for the management of building, construction and land use in Huntsville Town, provide an effective vehicle for complying with State laws and adopted building standards, and are necessary to effectively administrate building and construction procedures and to cover the costs of the administration thereof.

Additional information to help clarify the steps needed to follow this Title as outlined in 4.2 can be found on the Town Website or by contacting the Town Building Official.

## **4.2 Building/Land Use Permit Required**

### **4.2.1 Land Use Permit**

Any owner desiring to change (e.g. build a new residence) or add a use of the land shall not proceed until a Land Use Permit has been issued by the Huntsville Town Planning Commission. The only exception to this requirement is for the construction of a structure under 200 square feet that does not contain any combination of electrical, gas, mechanical, or plumbing features, as explained in 4.2.2.1. Any permanent structure being placed on land shall adhere to all land use regulations established for the zone in which that land resides. If the Huntsville Town Planning Commission deems it necessary due to extenuating circumstances, they will submit the permit application to the Huntsville Town Council for their review and approval.

### **4.2.2 Building Permit**

#### **4.2.2.1 New Structures Less than 200 Square Feet**

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint less than 200 square feet and has any combination of electrical, gas, mechanical, or plumbing improvements shall only commence work after acquiring a Land Use Permit from the Huntsville Planning Commission. A Land Use Permit is not required for new construction of a structure with a footprint less than 200 square feet that does not include any combination of electrical, gas, mechanical, or plumbing features. No building permit is required for a new structure less than 200 square feet unless electrical, gas, mechanical, or plumbing installation is required; then the owner or authorized agent must follow the requirements of 4.2.2.2 New Structures 200 Square Feet or Greater.

#### **4.2.2.2 New Structures 200 Square Feet or Greater**

Any owner or authorized agent who intends to engage in new construction of a structure with a footprint 200 square feet or greater shall only commence work after first, having received a Land Use Permit from the Huntsville Planning Commission, and then, secondly, upon issuance of a Building Permit from the Huntsville Building Official or authorized delegate of the Huntsville Building Official. Exceptions to this rule can be found in 4.2.3 Remodel Permit or 4.2.4 Self Performed Remodel Permit – Residential.

### **4.2.3 Remodel Permit**

For the sake of the safety of the public, any structure owner or authorized agent who intends to install, alter, remove, convert or replace any existing electrical, gas, mechanical or plumbing system, the installation of which is regulated by the adopted Huntsville Town Building Official. Minor replacement or repair of such systems, especially to replace like kind (i.e., replace a water faucet, light switch, light fixture, toilet, etc.), replacement of roof shingles or siding does not require a permit. If the land use change involves excavating,

an excavation permit may be required as specified in Title 17. Exception to these requirements can be found in 4.2.4 Self Performed Remodel Permit – Residential.

#### **4.2.4 Self Performed Remodel Permit – Residential**

A Self-Performed Remodel Permit can be granted by the Huntsville Town Building Official or their designee if all the following stipulations are met:

- a. A Land Use Permit is obtained from the Huntsville Planning Commission.
- b. Work is for a remodel/repair of an existing home or for the construction/remodel/repair of an auxiliary building greater than 200 square feet (electrical and plumbing changes for any size building). If more than 25% of the square footage of the home or auxiliary building is over 200 square feet it will be considered as a new construction and will require a Remodel Permit.
- c. Work is self-performed by the owner or a close associate. This means that no compensation either monetarily or in kind for work performed on the project can be tendered.
- d. The homeowner declares on the Self-Performed Remodel Permit form all of the work that will be performed on the project receiving the Self-Performed Remodel Permit.
- e. The home owner certifies by signing the Self-Performed Remodel Permit that they will abide by all of the Utah State construction Code requirements in the construction of their project (including all applicable stamped plans by professionals licensed by the State of Utah).

#### **4.2.5 Validity Period**

##### **4.2.5.1 Land Use Permit Validity Period**

Land Use Permits shall be valid for a period of one year. If at any time the Land Use Permit expires, the owner or authorized agent must reapply for a Land Use Permit as outlined in 4.2.1. A Land Use Permit will be required to continue work on any unfinished items listed on the Land Use Permit. The owner will be responsible to pay any fees associated with the issuance of this new Land Use Permit.

##### **4.2.5.2 Building Permit Validity Period**

Building Permits shall be valid only during the period that a valid Land Use Permit is in effect. The owner may be subject to any penalties that may result from allowing the permit to expire before completion and final inspection of the work is completed.

#### **4.3 Huntsville Town Building Official**

The Huntsville Town Building Official, appointed by the Huntsville Town Council, is hereby designated and authorized as the officer charged with the enforcement of this and other applicable titles of the Huntsville Town Ordinances in regards to all building in Huntsville Town. The Huntsville Town Council, by resolution or ordinance, may from time to time entrust such administration and enforcement, in whole or in part, to any other officer or designee of Huntsville Town without amendment to this Title. The Huntsville Town Building Official is authorized to execute the duties required herein including the issuance of building permits.

#### **4.4 Permits to Comply with Title**

The Huntsville Town Building Official shall not grant a permit for the construction or alteration of any building or structure if such construction or alteration would be in violation of any of the provisions of the Huntsville Town Land Use Title, nor shall any Huntsville Town Officer grant any permit or license for the use of any building or land if such use would be in violation of this Title.

#### **4.5 Powers and Duties of Huntsville Town Building Official**

It shall be the duty of the Huntsville Town Building Official to inspect or cause to be inspected all buildings in the course of construction or repair. They shall enforce all of the provisions of this Title, entering actions in the courts when necessary, and their failure to do so shall not legalize any violation of such provisions. The Huntsville Town Building Official shall not issue any permit unless the plans for the proposed erection, construction, reconstruction, alteration and use fully conform to all Huntsville Town Land Use Title regulations then in effect.

#### **4.6 Building Inspector**

The Huntsville Town Building Inspector(s) shall be appointed by resolution of the Huntsville Town Council and be authorized to execute the duties of that office under the direction of the Huntsville Town Council. The appointed Building Inspector must possess a valid combination level State of Utah Building Inspector license including valid International Code Council (ICC, formerly ICBO) certificates for building, electrical, plumbing, and mechanical inspectors.

#### **4.7 Certificate of Occupancy Required**

No land shall be used or occupied and no building hereafter structurally altered or erected shall be used or changed in use, except for agricultural purposes, in accordance with Utah State Law until a Certificate of Occupancy shall have been issued by the Huntsville Town Building Official stating that the building or the proposed use thereof, complies with the provisions of this Title. A Certificate of Occupancy either for the whole or a part of a building or structure shall be applied for when the builder is ready. A temporary occupancy permit may be issued for a period of not more than one (1) year and shall be issued within seven (7) days after the erection or structural alteration of such building or structure, or part thereof, shall have been completed and inspected by the Huntsville Town Building Inspector to be in conformity with the provisions of this Title.

#### **4.8 Zones Requiring a Land Use Permit**

In order to verify the requirements of the Land Use Title in general, and setbacks for permitted or conditional uses in the A-3, CR-1, S, O, FP, and RC Zones, no structure, including agricultural structures, shall be constructed, changed in use, or altered, as provided or as restricted, until and unless a Building/Land Use Permit is approved and issued by the Huntsville Town Building Permit Official.

The site plan requirements for these zones are specified in the Land Use Title.

#### **4.9 Zones Requiring Site Plan Approval**

The location of main and accessory buildings on a site in relation to one another, the provision of off-street parking space, the provision for driveways for ingress and egress, and the provision of other open space on a requested site, and the display of signs, shall be in accordance with a site plan or plans or subsequent amendment thereof, reviewed by the Huntsville Town Planning Commission prior to the issuance of a Building/Land Use permit by the Huntsville Town Building Official.

In considering any site plan hereunder, the Huntsville Town Planning Commission shall endeavor to assure safety and convenience of traffic movement both within the area covered and in relation to access streets, harmonious and

beneficial relation among the buildings and uses in the area covered, and satisfactory and harmonious relation between such area and contiguous land and buildings and adjacent neighborhoods.

#### **4.10 Building Permit Fees**

Building/Land Use permit and renewal fee valuations and schedules shall be adopted by resolution of the Huntsville Town Council.

#### **4.11 Impact Fees**

An impact fee per building lot shall be assessed of each builder at the time of issuance of a building permit. Such impact fee amount, as described in the Impact Fees Title, shall be adopted by resolution of the Huntsville Town Council.

#### **4.12 Plan Reviewer**

The Huntsville Town Planning Commission shall direct the Huntsville Town Building Official, or Building Inspector, to review building and site plans, make a recommendation on plans that are non-compliant with applicable codes to the Huntsville Town Planning Commission and the Huntsville Town Council.

The Huntsville Town Engineer shall review site plans for engineering considerations such as storm drain facilities, structural calculations, and the design of improvements.

#### **4.13 Licensing**

All departments, officials and public employees of Huntsville Town, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this Title and shall issue no permit or license for uses, buildings, purposes where the same would be in conflict with the provisions of this Title, and any such permit or license, if issued in conflict with the provisions of the Title, shall be null and void.

#### **4.14 Penalties**

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this Title shall be guilty of a Class C misdemeanor and punishable as provided by law. Such person, firm or corporation who intentionally violates this Title shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Title is committed, continued, or permitted by such person, firm or corporation, and shall be punishable as herein provided.

#### **4.15 Responsibility for Damage to Huntsville Town Streets**

The real property owner is responsible to maintain an orderly construction site so as not to cause risk of injury to the public or to Huntsville Town streets. Any debris on or damage to Huntsville Town streets must be immediately remedied at the expense of the real property owner or their authorized agent.

#### **4.16 Appeal Authority**

In order to hear and decide appeals in orders, decisions or determinations made by the Huntsville Town Building Official and the Huntsville Town Planning Commission relative to the application and interpretation of this Title, there shall be a Huntsville Town Appeal Authority. The creation, office, and duties of the Huntsville Town Appeal Authority is described in the Appeal Authority Title. The Appeal Authority shall consist of members who are qualified to determine if the intent of the applicable adopted codes have been satisfied. They will not have authority to waive requirements of the code.

**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.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Bill White				

ADOPTED AND APPROVED on this 21st day of November, 2019.

\_\_\_\_\_  
JIM TRUETT, Mayor

ATTEST:

—

\_\_\_\_\_  
BECKKI ENDICOTT, Recorder

RECORDED this 19<sup>th</sup> day of September, 2019

**HUNTSVILLE TOWN  
ORDINANCE 12-19-2019**

**ZONING MAP AMENDMENTS**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, REVERTING THE ZONING MAP FOR PARCELS WHERE A ZONING AMENDMENT APPLICATION WAS FILED BUT THE DEVELOPMENT WAS NOT TIMELY PERFORMED; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

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

**WHEREAS**, the Town received an Application to Amend the Zoning Map from Dave Booth and Eco Design LLC, (hereafter “Applicant”) in or about March 4, 2016, requesting that Weber County Parcels 24-117-0001, 24-117-0002, and 24-117-0003 (hereafter “Property”) be amended from the R-1 (Residential) Zone to the Commercial Zone for a proposed Development;

**WHEREAS**, the Huntsville Municipal Code requires that the Development be completed within two years or the Zoning Map Amendment will be reverted;

**WHEREAS**, the Development was not completed with the time period required by The Huntsville Municipal Code and now the City seeks to revert the Zoning Map;

**WHEREAS**, after publication of the required notice the Planning Commission held its public hearing on December 16, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to approve this Ordinance;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019, and now desires to act upon this Ordinance;

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville, Utah 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:**     **Zoning Map Amendment.** The Official Zoning Map of Huntsville Town, Utah is hereby reverted to the prior Zoning Map designation for Weber County Parcel Numbers 24-117-0001, 24-117-0002, and 24-117-0003, from the C-1 (Commercial) Zone to R-1 (Residential) 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 shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the Town Council on this 19 day of December, 2020.

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JIM TRUETT, Mayor

ATTEST:

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Town Clerk

RECORDED this 19<sup>th</sup> day of December, 2019.

PUBLISHED OR POSTED this 19th day of December, 2019.



P.O. Box 267  
Huntsville, UT 84317

Phone 801.745.3420  
Fax 801.745.1792  
Web HuntsvilleTown.com

Mayor  
James A. Truett

Town Council  
Blake Bingham  
Max Ferre'  
Wendy McKay  
Bill Wangsgard

Town Clerk/Recorder  
Beckki Endicott

Treasurer  
Kay Larrison

Attorney  
Bill Morris

November 25, 2019

To Whom It May Concern:

Huntsville Town hereby gives notice to all concerned parties that the Huntsville Town Council will hold a public hearing on December 16th at 7:00 p.m., to discuss the Re-zone of the Dave Booth property from C-1 (Commercial) back to R-1 (Residential). On October 24th, 2019, the Huntsville Town Planning Commission evaluated the Concept Development Plan for the Booth property which has expired. The Planning Commission recommended the parcels be zoned back to R-1 (Residential). The property is located at the corner of 500 S. 7700 E. just north of the Huntsville Post Office.

**(PARCEL NUMBERS: 24-117-0001, 24-117-0002, and 24-117-0003)**

*ALL OF LOT 1, LOT 2, and LOT 3, 498 S. 7700 E. Subdivision Phase 1, Weber County, UT. HUNTSVILLE TOWN SURVEY, Weber County, Utah.*

Any protest to this request can be mailed to Huntsville Town, P.O. Box 267, Huntsville, UT, 84317, or emailed to [clerk@huntsvilletown.com](mailto:clerk@huntsvilletown.com), no later than 5:00 p.m. on December 16th, 2019. A Public Hearing to discuss this matter is scheduled to take place on December 16th, 2019 at 7:00 p.m. in the Huntsville Town Hall, located at 7309 E. 200 S. Huntsville, Utah. All interested persons shall be given the opportunity to be heard.

Sincerely,

Beckki Endicott  
Huntsville Town Clerk

# Huntsville Town Rezoning Petition – Part I

Date: 2/18/16

Applicant(s) Name: David Booth / Eco Design LLC

Applicant Mailing Address: P.O. Box 149 Huntsville, Utah 84317

Property Location: 498 South 7700 East

Legal Description of Property: All of Parcel #5 24-117-0001, 24-117-0002  
24-117-0003

Property(ies) Owner(s): Eco Design LLC

Current Zone: R-1 Requested Zone: C-1

A Concept Development Plan (Huntsville Town Ordinances Title 15.16.4) will be required prior to approval of any rezoning. Give a brief description of the Concept for Development of this Property:

To create a small commercial  
village in a very mindful way.

Is Subdivision Required? No If yes, brief description (must be compliant with Huntsville Town

Ordinances title 15.25):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Property Owner(s) Permission for Rezoning Request:

I (we) authorize Huntsville Town to request a change in the Zoning classification of my (our) property from R-1 to C-1.

David C. Booth / Eco Design LLC  
Property Owner Property Owner

David C. Booth  
Applicant Signature

Fees Paid: 250<sup>00</sup>

Huntsville Town Clerk: Paul Antstrow Receipt Date: Feb. 18, 2016

## Huntsville Town Rezoning Petition – Part II

Upon Receipt of the Concept Development Plan (Huntsville Town Ordinances Title 15.16.4), the Official Rezoning Request Review process will commence.

Concept Development Plan Receipt Date: \_\_\_\_\_

Huntsville Town Clerk: \_\_\_\_\_

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

**MEETING DATE:** February 25<sup>th</sup>, 2016  
**PLACE:** Huntsville Town Hall, 7309 E. 200 S.  
**TIME:** 7:00 P.M.

**Commissioners:** Ron Gault Rex Harris Brent Ahlstrom  
Sandy Hunter Preston Cox

**Excused:** Karen Klein

**Admin Staff:** Gail Ahlstrom Mike Engstrom

**Citizens:** Tom Freeman Greg Stuart Dave Booth  
Gina Myrberg Artie Powell

Ron Gault called the meeting to order, there is a quorum present.

Discussion on "Stop Work Order" for Greg Stuart's home: (7400 E. 340 S.) (See Attachment #1)  
Tom Freeman presented a drawing of the work his Father-in-law is doing above their garage. Tom stated that Greg has 8 children and the home is used for family purposes only. It has never been rented, and never will be rented. Multiple families use the home on the 4<sup>th</sup> of July and other holidays. Ron stated that the Town only allows for one single family dwelling per residential lot. The septic was upgraded to accommodate the additional bathrooms. Greg said he made a mistake, when he called the septic contractor and he said he would pull a permit, Greg assumed that was a permit for the entire project. Greg is here tonight to correct this misunderstanding. Mike asked if the Stuarts use 4-wheelers when they visit. The answer was yes. Mike stated that he has received complaints from their neighbors about this. Gail remarked that the Town has an ordinance that states anyone driving a 4-wheeler on Town streets must wear a helmet and be 16 years old or they will be ticketed. Greg acknowledged this and will talk to his family about it. Rex asked about the washer and dryer, it doesn't show them on the plans. Tom replied that they will be downstairs at the base of the stairs. Mike reminded the Stuarts that this cannot become an apartment.

**Ron made a motion to approve the land use permit as presented. Rex seconded. All votes aye. Motion passed.**

	<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
<b>ROLL:</b> Ron Gault	X		Sandy Hunter	X	
Rex Harris	X		Brent Ahlstrom	X	
Karen Klein	Excused		Preston Cox	X	

Discussion about a Lot Consolidation with Allen Endicott: (228 S. 7100 E.)

This item was tabled.

Review of Dave Booth's Re-zone request: (7700 E. 500 S.) (See Attachment #2)

Dave Booth presented the commissioners with a site plan for his property. Dave said the maximum number of buildings he can have on this property is 7. After meeting with the Health Dept., the types of businesses that go in the development will control the number of buildings drastically. Dave used the square footage of the property and footage of each building and allowing space for septic with primary and secondary use to come up with this number. Summer Day suggested that instead of trying to keep all the drain fields on the east side of the property, he runs drain fields under some of the public spaces. She also suggested putting in smaller system for three of the buildings and one for the other four. Mike asked what percentage of the property will be covered by buildings. Dave replied 22,000 sq. ft. There is four acres for this development. Dave said they are within the regulations. If a full scale restaurant were to go in, restaurant water use is considerable and could push another business out. Perk tests have been done on the properties. After speaking with Summer Day, she said the drainage is good. The septic system will need to be designed by an engineer. They don't know what businesses are going to be built yet, so septic plans can't be finalized just yet. Summer said she is willing to work with Dave on this. When the development gets moving and they get a feel for how the septic needs to be, there will be a maximum use for the property. They will be limited to what type of businesses can come into the development. Dave's drawings show the very maximum of what could be built.

Dave said he was hoping to have the CC&R's ready for this meeting, but they aren't done yet. All exterior materials will be will be natural; wood and stone. The roofing will be a minimum quality of a 40-year architectural shingle or better. The barn might have a steel roof. Dave is hoping to have a grocery store/café shop in the corner. Sandy asked where the driveway would be placed. Dave replied that it will be further west than the post office entrance. With the road design, Dave said he is addressing issues with the fire department. In talking with engineers and the firemen, they suggested there needs to be a good flow of traffic in and out so you don't get a bottle neck.

Dave said he spoke with Rocky Mtn. Power a year ago about moving the power pole that is right on the corner of 500 S. 7700 E. He has hit it twice with the snowplow. As this project progresses he hopes to be able to move the pole. Rex agreed that it would be in the best interest of the town to get the pole moved, it is a safety issue. The retention pond is to help with subsurface discharge; the banks will be natural grass. Rex said generally you design a detention pond so it drains within a couple days. Dave said it will look nice.

Rex stated that the item to be discussed tonight is the re-zone application request. Currently the three properties are zoned Residential. Gail said this will be different from anything the Commissioners have dealt with because Dave is planning to just sell the footprint of the building, not a parcel of land. Dave commented that there will be an HOA to manage the subdivision, for grounds keeping, snow removal, and garbage. The Commissioners reviewed the Commercial zone requirements. Rex said the Commissioners need to talk about what Dave wants and if it is covered in the C-1 zone. Ron said the C-1 zone has regulations and the development can also be controlled through the building permit process.

The coverage percentage, architecture, landscape, screening, and parking are all addressed in the ordinance. There is no on-street parking. Rex asked if C-1 has any requirements as to ownership of the property or how businesses are owned as opposed to the land under them. Ron replied that the ordinance doesn't address these topics.

Dave said he will not release ownership of the property until it is completely built out. The owners of the businesses and the HOA will then own the property. They will own the footprint and have a separate land serial number. Ron asked who owns the open space areas. Dave remarked that he needs to figure this out before the final documents are drawn up. Dave intends to keep ownership of the community center. Dave said he and Gina plan to build and start the grocery store and eventually sell it. The PC needs to research how the C-1 zone will handle selling the property under the footprint of the building. Rex said the Commissioners need to research the C-1 zone to make sure it can handle what is being proposed. Ron wondered about subdividing, there are three separate properties right now. There is no minimum lot size in the C-1 zone, and no setback requirements. Dave said he has no plans to make this a mixed-use development.

Ron said this development could be competing with another proposed development, they could be competing. We don't want to be in a position of conflict. The Commissioners need to address this objectively. Rex said there will be push back about the re-zone.

Mike said decisions need to be made on whether the proposal fits the Master Plan and does it meet the standards of the Town. Rex said it does meet the intent of the Master Plan. In order to do a re-zone, the town will need a concept development plan. Mike went through the standards of Title 15.16.4: Concept Development Plan: The Concept Development Plan to be submitted with a rezoning petition shall indicate general land use types, approximate locations and arrangements of buildings, structures and facilities, general open space, parking, access traffic patterns, letters of feasibility from the appropriate state or county agencies wastewater provision, and, for review by the Huntsville Town Engineer, a general plan from the Petitioner's Project Engineer discussing the mitigation and treatment of storm water run-off. More specific development plans shall be reviewed by Huntsville Town at a later date as part of its site plan design review, conditional use approval, and building permit issuance process. The information shown on the Concept Development Plan may vary in detail depending on the size of projects. Small projects shall be more detailed than larger projects which may be described in broad general terms in plan and/or narrative form.

Mike said Dave's concept is good, but asked if Dave has a written narrative relating to the project. Ron encouraged Dave to come up with a one page summary description of his proposal, something that could be put in the Ogden Valley Newspaper. Gina replied that she has already planned to write a couple of articles to put in the paper, leading up to the development.

Rex said when a property is re-zoned; he hates to do a re-zone based on a pending development. If a piece of property is re-zoned it should be on the merits of whether or not the town wants commercial property there. The ordinances ask for a narrative. Rex hates to rezone the property just because someone likes the project or not. Mike agreed, but thinks it's applicable to say the commissioners are comfortable re-zoning because they are comfortable with a proposed development.

Rex remarked that if the property gets rezoned because everyone likes what the development is going to be and the project doesn't happen. Now the property is re-zoned and the same process doesn't need to be followed. Someone else can sell the property without having to meet any rezoning requirements. Mike said Title 15.16.8 addresses this. Reversion to Original Zoning Designation: A. If development does not occur as proposed at the time of zoning approval, the public benefits expected from the development cannot be realized and the effect of the rezoning is therefore without merit in terms of improving the public economic prosperity, general welfare, safety, health and convenience to Huntsville Town's residents. If in such cases Huntsville Town finds that the zoning purpose has not been attained, Huntsville Town then may declare its intent to revert the zoning to its former or other appropriate zone so future opportunities for similar development in the same general area may be shared by all properties deemed suitable and so that a speculative zoning monopoly is not created. Mike said there is a two year time limit on the development.

Dave wants this to development to look like a residential project being used as commercial. The issue tonight is the re-zone application, nothing else. Mike said the CC&R's are beyond the scope of the concept development plan. Rex suggested that Dave not develop past this point until it goes through the rezone process. Once a Concept Development Plan goes to PC, it is forwarded to the TC, the TC will set a public hearing date, notices will be mailed out and posted, the TC will hold a public hearing and make a motion to approve or deny the re-zone. After the re-zone the Land Use Permit process takes place. The Town will also need a letter of feasibility from the Health Dept.

**Ron made a motion that the PC forwards this re-zone application onto the TC and that the TC consider the re-zone petition from Eco Design LLC, Dave Booth, based on the review of the proposed design, and that the PC feels it is in the town's best interest and it meets the intent of the Master Plan for this property to be Commercial.** Brent seconded. All votes aye. Motion passed. Rex stressed the point that the reasons for the Town Council to hold a public hearing is to re-zone the property not approve a development plan.

		<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
<b>ROLL:</b>	Ron Gault	X		Sandy Hunter	X	
	Rex Harris	X		Brent Ahlstrom	X	
	Karen Klein	Excused		Preston Cox	X	

Dave will need to decide how he intends to sell the property. It seems that Dave would need to consolidate all three lots and then carve out the footprints for the businesses. Dave agreed that he wants the three parcels to be combined into one. Ron said Dave will need to consult with an attorney because there is common ground in this development, who is going to own that. Rex asked, if there is multiple property owners will they be allowed to share a septic system, there will need to be a body politic to manage the system. It is apparent that there needs to be more research done. Dave said he met with his attorney and she suggested that Dave come to the Town, listen to what is said, and if it feels better to the community, then Dave would maintain ownership of the common ground. Dave plans to form an HOA so each business owner has to pay a fee for grass cutting and snow removal, but Eco Design LLC could still retain ownership of the common grand and septic system. If it's easier for the Town to do it that way, Dave is willing to do this. Rex complimented Dave on what has been presented.



**HUNTSVILLE TOWN**  
**NOTICE OF PUBLIC MEETING OF THE HUNTSVILLE**  
**TOWN COUNCIL, MARCH 17<sup>th</sup>, 2016**  
**7309 East 200 South, Huntsville, UT**

Phone 801.745.3420  
Fax 801.745.1792  
Web HuntsvilleTown.com

P.O. Box 267  
Huntsville, UT 84317

**Mayor**  
James A. Truett

**Town Council**  
Doug Allen  
Bill White  
Mike Engstrom  
Bill Wangsgard

**Town Clerk/Recorder**  
Gail Ahlstrom

**Treasurer**  
Linda Laws

**Attorney**  
Morris

(1)

Public notice is hereby given that the Town Council of Huntsville, Utah, Weber County will hold a Joint Work Session on March 17<sup>th</sup>, 2016, at 6:15 p.m. to discuss the following item:

1)-Public Hearing Training.

(2)

Public notice is hereby given that the Huntsville Town Council will hold a Regular Council meeting at the time and place set forth below to consider the following items:

**MEETING PLACE:** Huntsville Town Hall

**TIME:** 7:00 PM

**AGENDA:** 1. Call Meeting to Order – Mayor Truett.

2. Pledge of Allegiance- by invitation.

3. Opening Ceremony.

4. Public comments: residents attending meeting will be allotted three (3) minutes to address the Town Council regarding concerns or ideas.

5. Motion to adjourn the Regular Council Meeting to hold a public hearing.

6. Public Hearing on proposed rezone of property owned by Eco Designs LLC, to rezone from Residential-1 to Commercial-1. (Located at 498 S. 7700 E.)

7. Motion to close the Public Hearing and re-convene to the Regular Council Meeting.

**Council Member Reports:**

**\*Mayor Truett:**

- Discussion and/or action on proposed Resolution for W.C. Pre-Disaster Mitigation Plan. (Eli Johnson with Weber County)
- Referendum Petition Results.
- Discussion and/or action on proposed Resolution to Repeal Ordinance 2016-2 (01-21).
- Discussion and/or action on RAMP Funding.
- 2016 CDBG discussion.
- Department reports.

**\*Councilmember Engstrom:**

- Discussion and/or action on proposed re-zone of property owned by Eco Designs LLC, from Residential to Commercial. (Dave Booth property located at 498 S. 7700 E.)
- Department Reports.

**\*Councilmember Wangsgard:**

- Department Reports.

**\*Council Member Allen:**

- Discussion and/or action on proposed street sweeping project.
- Department Reports.

**\*Council Member White:**

- Department Reports.

8. Approval of Town Council minutes for meeting held March 3<sup>rd</sup>, 2016.

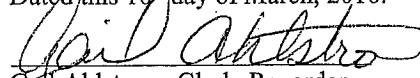
9. Approval of Work Session minutes for meeting held March 3<sup>rd</sup>, 2016.

10. Council Member Presentations.

11. Citizen Comments.

12. Adjournment of Meeting.

Dated this 16<sup>th</sup> day of March, 2016.

  
Gail Ahlstrom, Clerk, Recorder

Posted: Post Office  
Town Hall  
[www.huntsvilletown.com](http://www.huntsvilletown.com)  
[www.pmn.utah.gov](http://www.pmn.utah.gov)

In compliance with the Americans with Disabilities Act, persons needing assistance with attendance to these meetings should call Gail Ahlstrom @ 745-3420, giving at least a 48 hour advance notice. This agenda is subject to change up to 24 hours prior to meeting date. For last minute changes to agenda check town website, [www.huntsvilletown.com](http://www.huntsvilletown.com). Huntsville Town is an equal opportunity provider.

Huntsville Town, P.O. Box 267, Huntsville, UT 84317 (801-745-3420)

~Relay Utah 711~Spanish Relay Utah 1-888-346-3162

Huntsville Town is an Equal Opportunity Employer.

# MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, March 17<sup>th</sup>, 2016

7:00 p.m.

Huntsville Town Hall

**Town Council:** Mayor James A. Truett  
Council Member Mike Engstrom  
Council Member Bill White  
Council Member Doug Allen  
Council Member Bill Wangsgard  
Clerk/Recorder Gail Ahlstrom

**Citizens:** Ernest L. Goff            Brenda Cooper            Robert Hauck  
Richard Hansen            Brian Cornell            Ruston McKay  
Gina Myrberg            Dave Booth            Karen Klein  
Alane White            Ken Peterson            Wayne Hadley  
Dawson Hedges            Star Primm            Wayne Rollo  
Jan Rollo            Julie Powell            Artie Powell  
Rex Harris            Pam Hauck            Dpt. Allen  
Eli Johnson            Dakota Hyde            Kensie Hyde  
Karoline Peterson

Mayor Truett called the meeting to order and welcomed all in attendance. There is a full quorum present.

The pledge was led by Dakota Hyde.

Opening Ceremony was led by Ruston McKay.

## Citizen Comments:

There was none.

## Information about proposed development for property located at 498 S. 7700 E.:

(See Attachment #1) Dave Booth stated that he owns a business in Huntsville called Eco Builders Inc. He purchased the property on the corner of 500 S. and 7700 E. north of the post office about a year ago. He has cleaned up the property and is now proposing a beautiful commercial development to help enhance the Town of Huntsville. CM Engstrom asked Dave to explain his plans further. Dave explained that Hwy 39 runs parallel to the east of this property, with 7700 E. on the west side, and 500 S. on the south of the property. Then entry way into the development will be west of the post office entry to lessen the conflict to traffic. The materials used will be all natural, stone and wood, and eco-friendly. All materials used for the roads and infra structure will be recycled material. CM Engstrom asked what types of businesses they are hoping for. Dave remarked that he has had a lot of interest from America First Credit Union for the building in the SE corner.

There will be four buildings for retail space. One of the larger buildings will hopefully be a medical clinic. In the SW corner will be a small grocery store, café and coffee shop. Dave won't know what business are coming until the project gets started. The large barn structure will be a community center that can be rented out with the second story for office space. There will only be one two story building in the entire development. Dave said the first buildings to be built will be the bank and community center. Dave will retain ownership of the barn. They will build the buildings as they are sold. The buyer will own the footprint that the building sits on, the rest of the property will remain in his company's ownership and he will maintain the property. CM Allen asked for the proposed square footage of each of the buildings. Dave replied that the bank will be about 4000 sq. ft. the two smaller buildings will be about 2,000 sq. ft. the medical will be 4,000 sq. ft. and the grocery store 4,000 sq. ft. The building in the center will be 1750 sq. ft. and the barn will be 4200 sq. ft. on the main level. The buildings will not exceed 26' in height. The standard height of a single story building is 26'. Most of the buildings sound like the size of a home. Dave remarked that he didn't want this to look like a commercial center; he wanted this to look like a residential subdivision. Dave feels that this will be more appealing to the residents and set precedence for future developments in Town.

Pam Hauck asked what about the people that has to look at this every day. When she looks out her front window all she will see is buildings. She said this is a shame, taking away from their view of the mountains. Star Primm asked if the property can be accessed from the Hwy, she is concerned about traffic along 7700 E. Rex Harris replied that because he works for UDOT he is aware of their access management policies. There could be access off of Hwy 39, but Rex felt that UDOT would highly discourage it, and Huntsville should as well because it would actually create a higher risk. UDOT generally likes to funnel traffic onto city streets. It's safer to deal with traffic at an intersection than create an access point near an intersection. Star asked if this development gets approved will it create enough traffic to require a traffic light. Rex replied not necessarily, traffic lights actually create more accidents.

CM Engstrom asked if longer turning lanes or other improvements were necessary to handle traffic, who would bear those costs. Rex replied that unless the Town can prove the impacts on a town street can't handle the traffic, the burden of the cost would go to the developer. Rex said he doesn't believe this development would generate that much traffic. Mayor Truett asked Rex if he was any issues with the ingress/egress on 500 S. and 7700 E. Rex didn't see a problem with either of those. It is better to offset the access from the post office. Star asked if it's necessary to have the drive way onto 7700 E. this will impact neighbors. Rex replied that having two exits provides greater public safety. Brian Cornell asked about the parking. Dave replied that there is plenty of parking throughout the project. They accounted for maximum parking capacity, and there is 20 more parking spaces than all 7 buildings would require if they were complete full. His plan is to have all on-site parking. The two entrances eliminate congestion.

Ruston McKay asked about the sewer, and would it be possible to switch the community center so it's is further away from 7700 E. and closer to Hwy 39, that way people will be drawn into the development to park and won't park on the street. Dave replied that this is a possibility; however, the septic system is designed to be a split system. There are four buildings on the Hwy side, which is the larger side of the property to utilize the septic systems. The west side has limited space, so there has to be fewer buildings.

One section of the leach field is along the Hwy and the other one is behind two of the buildings on the west. The health department requires a backup leach field in a commercial project. Dave said the barn will have its own septic tank. Mayor Truett said the way the buildings sit off of 7700 E. there is a grass buffer between the back of the buildings and the road. The buildings will not be built close to the road. Ruston asked if there will be windows on the second floor of the barn. Dave replied that there will be dormers. Ruston asked if the clinic be tied into a medical facility. Dave replied that at this point he doesn't know. Artie Powell asked about the septic, someone else was thinking about dividing this property for four or five residential lots. This project has a maximum of 7 buildings which will create more waste water, how do you compensate for that? How do you get 7 buildings as opposed to 5? Dave commented that one of the things the health department looks at as far as determining the sq. footage of area for the septic system is use of washers and dryers, how many showers, and dishwashers. These retail shops shouldn't have as much impact as a residential home. CM Engstrom asked Dave if he has received a feasibility letter from the Health Department yet. Dave said he is still waiting to get that. He said he has sent his septic design to the Health Dept., so they know exactly what is planned. When he gets the letter of feasibility it will be for the system he will be using. Dave will submit the approved septic design with the letter from the Health Department to the Council when he gets it. CM Engstrom said this conversation is to gather information about the project. Ernest Goff asked how tall the barn would be. Dave is still undecided about how tall to make the walls on the first floor, but he estimated about 34 feet.

CM Allen mentioned that there is 785 feet of frontage on the two streets. Dave could have 5 homes on that property. Most people have a home plus a barn and a shed on their lot. CM Allen pointed out that there could be 7 buildings vs 15 buildings on this property with some of them larger than what is being proposed. Wouldn't it be nice if we could dictate what our neighbors did? Star asked about the access on 7700 E., how far off the north property line with it be? And are the rules the same with commercial property as with residential? CM Allen thought there was if it was next to a residential lot. Dave stated that the access is about 30 feet off the north property line. CM Engstrom said CM Allen is correct, if a commercial property is adjacent to a residential zone there is a 10 foot side yard setback requirement. Wayne Rollo said he is concerned about the water level on this property; there is a small stream that comes up to the north. CM Allen mentioned that when the Huntsville Irrigation Company piped their ditches this stream has dried up. Richard Hansen asked how many culinary water hook ups will there be? Dave remarked that they will run the main line in from the street and each building will have its own meter.

Motion to adjourn the Regular Council Meeting to hold a public hearing:

CM White made a motion to adjourn the regular council meeting to hold a public hearing. CM Wangsgard seconded. All votes aye. Motion passed. Mayor Truett stated that public hearings are not a debate, pep rally, unofficial election, open house, information dispensers, or a venue for intimidation. Public Hearings are when the Council listens to the public input and concerns.

Public Hearing on proposed rezone of property owned by Eco Designs LLC, to rezone from Residential-1 to Commercial-1: (Located at 498 S. 7700 E.) Mayor Truett invited the public to come to the mic and give their three minute comments.

**Brian Cornell:** is concerned about parking on 7700 E. sometimes employees are told to park off-site so there is plenty of parking for customers, is there some way to regulate this issue.

**Ruston McKay:** mentioned that the town already has three community centers, he doesn't think the town needs another one. He suggested if Dave has one that it be moved closer to the Hwy.

**Dawson Hedges** said as he was driving by the east side of Park City, it struck him again how there is an incoherent placement with commercial development with residential zones. As he drove into Huntsville he wondered if the Town is headed in the same direction by haphazardly placing commercial next to residential zones. Dawson thought it might be more reasonable to see how the project on the Huntsville Town Square works out first and then reassess the town's need for further commercial development and to do this in a more cohesive fashion.

**Pam Hauck:** said this will take away from their view out their front window. If this is approved all they will see is buildings. What will a grocery store here do to the Valley market's business?

**Star Primm:** agreed with Dawson, the Hyde's have scaled down their development and she wants that to be a successful project for them. Star is worried that there will be vacant buildings with all the commercial retail planned.

**Richard Hansen:** said he would rather have commercial development by the highway than in the center of town.

\*Comments received in writing have been added to these minutes as Attachment #2.

Motion to close the Public Hearing and re-convene to the Regular Council Meeting:  
CM Engstrom made a motion to close the public hearing. CM Wangsgard seconded. All votes aye. Motion passed.

#### **Council Member Reports:**

##### **\*Mayor Truett:**

Discussion and/or action on proposed Resolution for W.C. Pre-Disaster Mitigation Plan: (Eli Johnson with Weber County) (See Attachment #2) Mayor Truett stated that this item was on the last TC agenda and there were some questions about it so he asked Eli Johnson, with Weber County, to come up to explain the proposed Resolution for the W.C. Pre-Disaster Mitigation Plan. Eli Johnson stated that they are at the end of a two year process in writing a pre-disaster mitigation protection plan for all of Weber County. FEMA required the county to write a plan. As they started down the road with this they realized they needed to get all local governments and special districts on board as part of their planning process. The first year of the process they identified all critical infrastructures owned by governmental agencies within W.C. They then performed a threat, hazard, and risk identification process for each of those infrastructures. They identified ways of lessening the impact of a disaster. They had a public comment period which

Mayor Truett said the Council has been working with Lt. Talbot with the Sheriff's Department and as The Point gets full First Street will be shut down and traffic will be routed out of town using 7700 E. instead of trying to turn around on First Street. Brenda Cooper said they are also looking at permitting vendors and parade entrants; the permit will allow them to get into Town. CM Engstrom stated that there were also comments about how the celebration pulls families together. People suggested reducing the advertising in Ogden and see what happens. The Council will gather the information and input and try to make adjustments to the celebration. The theme for this year's parade is "We the People".

<b>Roll Call:</b>	Mayor Truett	Yea	CM White	Yea
	CM Engstrom	Yea	CM Allen	Yea
	CM Wangsgard	Yea		

**\*Council Member Engstrom:**

Discussion and/or action on proposed re-zone of property owned by Eco Designs LLC, from Residential to Commercial: (Dave Booth property located at 498 S. 7700 E.) (See Attachment #1)

CM Engstrom wanted to address the public comments brought up during the public hearing to see if there needs to be any further action. 1-There was concern about parking on 7700 E. Dave Booth replied that there should be enough parking to facilitate the development. CM Engstrom stated that this is not a one step process, the first step is to rezone the property from residential to commercial, after which a land use permit would need to be obtained, during these steps the town will be able to control how the development happens. The Development Agreement (DA) could include restrictions against on-street parking. 2-Does the town need another community center or not, and whether to move the barn closer to the highway to lessen impact to the neighbors. CM Engstrom said the Town can't dictate to a private property owner whether or not they can build a community center, it is in the Allowable Use Table. CM Engstrom agreed that it is a good idea to move the barn closer to the Hwy. It would certainly have less impact to the neighbors to have the taller building as far away from them as possible. CM Engstrom said he noted that the sq. footage of the barn is 4200 sq. ft. and the medical center is 4000 sq. ft. Dave responded by saying the medical facility has a higher septic demand than the community center because of the consistent everyday use. CM White said it's not the Council's job to tell someone they can't build a cool barn if they want to.

3-There was a comment about haphazardly allowing commercial next to residential. Wait to see how commercial works on the school property and then make the decision on whether the town needs more commercial. CM Engstrom doesn't feel that this is haphazard, it is part of the Town's General Plan for over a dozen years to encourage commercial along the Hwy. A lot of public comments from past public hearings were to push commercial development out to the highway. The Town doesn't own property by the Hwy. 4-There was a comment made about the impact of the view scape that will happen if the development is allowed. CM Allen already addressed this earlier. CM Allen asked the Hauck's how they enjoyed their view the last couple of years where there was a continual yard sale for weeks on end, and a dilapidated home. For almost 30 years that property has been an eyesore. If the development isn't allowed there could eventually be 15 buildings on that property. The council can't keep people from developing their property or telling them what they can build. However, it is the council's decision to determine zoning.

CM Allen stated that commercial property has more restrictions than residential property. CM White remarked that a good example of this was the house that was there before, it was an eyesore at the entry way into town and the town couldn't do anything about it. Dave's proposed project will have CC&R's; Dave Booth has a track record of building beautiful property and will take good care of this development. This will be a lot more attractive than a hodge podge of homes. CM White feels that this is a far better use of the property and the design is beautiful. Mayor Truett said he likes the natural products on the buildings and the landscaping. There will be an HOA fee associated with the properties to pay for snow removal, yard care, and garbage. Mayor Truett asked Dave if this is approved, what would be the first thing he would do with the property. Dave replied he would cut the weeds and clean it up while they wait for buyers. Dave would like to start the infrastructure for the roads so potential buyers can see the property. When a building goes up landscaping will follow.

CM Engstrom asked about the impact to the neighbors on the north, will there be some type of privacy fence or wall? Dave replied that they will probably put up a cedar fence along that property line. 5-There was concern expressed about the Hyde's development and that it would sit vacant because of the competition with the additional commercial space. Mayor Truett remarked that he sees these as two different projects. CM Allen agreed. He said he approached a couple different people about bringing a bank up there to go on the old school property, and they weren't interested because the property wasn't on a main road. Mayor Truett said Paul Newey would be greatly impacted by this development. CM Allen said he spoke with Paul about this and he said he is for it. 6-The final comment was about having commercial along the highway instead of in the middle of town.

CM White said when this idea was discussed about a year ago with the Planning Commission it was suggested that a simple Development Agreement (DA) be put together so if something happened to Dave and the property fell into someone else's hands, the town would still get the same type of development. Dave replied that there has been no DA yet. CM White said it's always possible that the property could change hands before the project was completed. He hopes it doesn't happen but feels that the town should require a DA. CM Engstrom remarked that there is a requirement in the ordinances that a Conceptual Plan be presented and that it is attached to the rezoning. CM Engstrom read from Title 15.16.5: Concept Development Plan Attached to Rezoning: "At the time of rezoning approval by the Huntsville Town Council, the Concept Development Plan is also approved and becomes attached to the rezoning and the rezoned land. The petitioner/owner and any assigns or successors in interest, becomes committed to develop only in accordance with the proposals outlined in the plan. Any materially different concept, use, building arrangement, etc., will not be approved nor will building permits be issued by Huntsville Town until and unless such plan is amended by Huntsville Town Council after recommendations of the Huntsville Town Planning Commission and after public hearing as per the procedure followed for original approval. If Huntsville Town denies such changes or amendments and/or the Concept Plan is abandoned, Huntsville Town may institute steps to revert the zoning to its former or other appropriate zone as herein outlined." CM Engstrom said the Council has all the pieces but they aren't written down. He would like to see the Conceptual Plan in a written document saying what will be accomplished.

Dave said he understands the concerns of the Council but he doesn't know who is going to be purchasing the pads yet or what types of businesses will go in. Dave said he is having CC&R's drawn up right now. Any business will need to come to the Council to obtain a business license. The PC has already recommended this rezone. CM Engstrom commented that he would like to see the Conceptual Plan explained in more detail. The Council would also like to see the letter of feasibility from the health department in regards to the septic system. Dave replied that the CC&R's will cover most of these items and will be more restrictive than the Town. Mayor Truett asked if the PC was unanimous. Rex answered yes, the development met the intent of the General Plan, where the Town Government wanted to see commercial development take place.

CM Engstrom recapped that the Council would like to see the CC&R's, the feasibility letter from the health depart, and the Concept Plan that brings in all the details of the development. The Council is not quite ready to approve this rezone. CM White agrees; this is important for the next person who wants to do a project. The Plan should include the number of parking stalls, total maximum number of buildings, how much open space, the maximum sq. footage for entire project, the maximum total of footprint, and a list of materials. These things would be really helpful. In fairness to the Hyde's and the residents, the Council needs to see these documents. CM Allen said Dave has followed the rules and has provided everything the Town Government has asked for. He appreciates that Dave has followed the rules. CM Engstrom made a motion to this item until the next TC meeting. CM White seconded. All votes aye. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM White	Yea
	CM Engstrom	Yea	CM Allen	Yea
	CM Wangsgard	Yea		

Gina Myrberg said she had the original vision for this project. Gina stated that her background is in creating communities. She is all about creating a sustainable community where you can walk to the grocery store and take care of the senior citizens. This is the point of this project, where you can have a medical clinic, juice drinks, and a healthier mind set. She doesn't want this to be a competition with the Hyde's.

**\*Council Member Wangsgard:**

Department Reports:

CM Wangsgard reported that he met with the CERT Committee; they would like to address the Council and take some time during the next TC meeting.

CM Wangsgard reported that the Town Clean-up is scheduled for May 7<sup>th</sup>. CM Wangsgard asked the Council for possible projects.

CM Wangsgard asked the Council about installing doggie stations around the park so citizens can clean up after their dogs. The intention is not to encourage dogs in the park, but on the 4<sup>th</sup> of July there needs to be some way for people to clean up after their dogs. The Council agreed that there will be no dogs allowed in the park on the 4th of July. CM Wangsgard received a \$200 donation to buy the clean-up stations.



**NOTICE OF PUBLIC HEARING OF THE HUNTSVILLE TOWN COUNCIL  
OF HUNTSVILLE TOWN, UTAH, APRIL 7<sup>th</sup>, 2016**

Public notice is hereby given that the Town Council of Huntsville, Utah, Weber County, will hold Public Hearings on April 7<sup>th</sup>, 2016, at 7:00 p.m. at the Huntsville Town Hall located at 7309 E. 200 S.

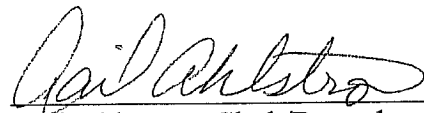
**To discuss the following items:**

- Re-zone petition of property owned by Eco Designs LLC, from Residential-1 to Commercial-1. (Dave Booth & Gina Myrberg, property located at 498 S. 7700 E.)
- Public Hearing on proposed Ordinance: Title 20: to set fines for code violations.

All interested parties are invited to attend.

Dated this 24th day of March, 2016.

Posted: Town Hall  
Post Office  
huntsvilletown.com

  
Gail Ahlstrom, Clerk/Recorder

In compliance with the Americans with Disabilities Act, persons needing assistance with attendance to these meetings should call Gail Ahlstrom @ 745-3420, giving at least a 48 hour advance notice.

Phone 801.745.3420  
Fax 801.745.1792  
Web HuntsvilleTown.com

P.O. Box 267  
Huntsville, UT 84317

**Mayor**  
James A. Truett

**Town Council**  
Doug Allen  
Bill White  
Mike Engstrom  
Bill Wangsgard

**Town Clerk/Recorder**  
Gail Ahlstrom

**Treasurer**  
Linda Laws

**Attorney**  
Morris



**HUNTSVILLE TOWN**  
**NOTICE OF PUBLIC MEETING OF THE HUNTSVILLE**  
**TOWN COUNCIL, APRIL 7<sup>th</sup>, 2016**  
**7309 East 200 South, Huntsville, UT**

(1)

Public notice is hereby given that the Town Council of Huntsville, Utah, Weber County will hold a Joint Work Session on April 7<sup>th</sup>, 2016, at 6:00 p.m. to discuss the following item:

- 1)-Review of Parking Restrictions. 2)-Review of proposed Resolution to set misdemeanor fees.

(2)

Public notice is hereby given that the Huntsville Town Council will hold a Regular Council meeting at the time and place set forth below to consider the following items:

**MEETING PLACE:** Huntsville Town Hall

**TIME:** 7:00 PM

**AGENDA:** 1. Call Meeting to Order – Mayor Truett.

2. Pledge of Allegiance- by invitation.

3. Opening Ceremony.

4. Public comments: residents attending meeting will be allotted three (3) minutes to address the Town Council regarding concerns or ideas.

5. Presentation by Marlin Jensen: Unified Park District.

6. CERT presentation.

7. Motion to adjourn Regular Council meeting to hold Public Hearings.

8. Public Hearing on Ordinance to Re-zone petition of property owned by Eco Designs LLC, from Residential-1 to Commercial-1. (Property located at 498 S. 7700 E.)

9. Public Hearing on proposed Ordinance: Title 20: to set fines for code violations.

10. Motion to adjourn the Public Hearings and re-convene to the Regular Council Meeting.

**Council Member Reports:**

**\*Mayor Truett:**

- Discussion and/or action on proposed Ordinance, Adopting Title 20 of the Huntsville Town Code Prescribing Fines and Penalties for Code Violations.
- Discussion and/or action on proposed Resolution to set fees for a Conditional Use Permit.
- Department reports.

**\*Councilmember Wangsgard:**

- Discussion and/or action on Unified Park District.
- Discussion on Town Clean-Up Day.
- CERT update.
- Department Reports.

**\*Council Member Allen:**

- Department Reports.

**\*Council Member White:**

- Department Reports.

**\*Councilmember Engstrom:**

- Discussion and/or action on proposed Ordinance to re-zone property owned by Eco Designs, LLC, from Residential-1 Zone to Commercial-1 Zone. (Dave Booth property located at 498 S. 7700 E.)
- Department Reports.

11. Approval of Town Council minutes for meeting held March 17<sup>th</sup>, 2016.

12. Approval of Work Session minutes for meeting held March 17<sup>th</sup>, 2016.

13. Approval of Town Council minutes for meeting held March 22<sup>nd</sup>, 2016.

14. Approval of Bills for February, 2016.

In compliance with the Americans with Disabilities Act, persons needing assistance with attendance to these meetings should call Gail Ahlstrom @ 745-3420, giving at least a 48 hour advance notice. This agenda is subject to change up to 24 hours prior to meeting date. For last minute changes to agenda check town website, [www.huntsvilletown.com](http://www.huntsvilletown.com). Huntsville Town is an equal opportunity provider.

Huntsville Town, P.O. Box 267, Huntsville, UT 84317 (801-745-3420)

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Web HuntsvilleTown.com

P.O. Box 267  
Huntsville, UT 84317

**Mayor**  
James A. Truett

**Town Council**

Doug Allen  
Bill White  
Mike Engstrom  
Bill Wangsgard

**Town Clerk/Recorder**

Gail Ahlstrom

**Treasurer**

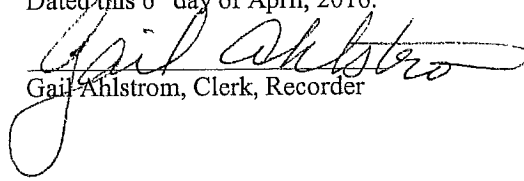
Linda Laws

**Attorney**

Chris

15. Council Member Presentations.
16. Citizen Comments.
17. Adjournment of Meeting.

Dated this 6<sup>th</sup> day of April, 2016.



Gail Ahlstrom, Clerk, Recorder

Posted: Post Office  
Town Hall  
[www.huntsvilletown.com](http://www.huntsvilletown.com)  
[www.pmn.utah.gov](http://www.pmn.utah.gov)

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## MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, April 7<sup>th</sup>, 2016

7:00 p.m.

Huntsville Town Hall

**Town Council:** Mayor James A. Truett  
Council Member Mike Engstrom  
Council Member Doug Allen  
Council Member Bill Wangsgard  
Council Member Bill White  
Clerk/Recorder, Gail Ahlstrom

**Citizens:** Marlin Jensen            Gina Myrberg            Dave Booth  
Nicholas Froerer            Ruston McKay            Ron Gault  
Brian Cornell            Steve Waldrip            Ross Mertlich  
Artie Powell            Vickie McKinney

Mayor Truett called the meeting to order and welcomed all in attendance. There was a full quorum present tonight.

The pledge was led by Gina Myrberg.

Opening Ceremony was led by Marlin Jensen.

### Citizen Comments:

There was none.

### Presentation by Marlin Jensen: Unified Park District:

Marlin Jensen thanked the Council for allowing him to take up some of their time. Marlin introduced Nicholas Froerer who is the chairman for the Eden Park District, Steve Waldrip who owns property adjacent to the Liberty Park, and Ross Mertlich who is the chairman of the Liberty Park District. Marlin gave some background about an idea that has been incubating for some time. The idea is to take the existing park districts, Eden and Liberty and a potential park, which is a 7 acre parcel on the east side of Trapper's Loop, which is owned by the Holding family. In Snow Basin's development agreement with Weber County they have dedicated the 7 acres for a future park.

For about a year there has been some planning, under direction of Janet Muir. There is potential for another park in the valley. He is here tonight to inform the Council and see if they would like the Huntsville Park to become part of Unified Valley Wide Park District. In the 1980's, when Marlin was in the Stake Presidency, they saw the time come when what had once been church owned parks in Eden, Liberty, and Huntsville, had now become community parks. So, with consent of Presiding Church Office, the Stake Presidency cooperated in creating a Special Service District for the Liberty & Eden Parks.

She met with the Fire Departments to have them look at the containers to see what has been done. CERT will purchase locks that will all have the same combinations so the firemen can have access all the CERT sheds. Vickie brought a search and rescue back packs, which were purchased with the money that was raised. These packs will go out with CERT trained members in pairs, as they go out to check homes. There will be 8-10 rescue packs in the Huntsville trailer; they are full of anything you could possibly need when going out to check on people during a disaster. The inventory will include picks, shovels, cribbing, tables, chairs, and first aid supplies.

Motion to adjourn Regular Council meeting to hold Public Hearings:

CM White made a motion to adjourn the regular council meeting to hold the public hearings. CM Wangsgard seconded. All votes aye.

Public Hearing on Ordinance to Re-zone petition of property owned by Eco Designs LLC, from Residential-1 to Commercial-1: (Property located at 498 S. 7700 E.)(See Attach. 1, 2, &3)

CM Engstrom said the Council has already held the public hearing on this rezone petition. This public hearing is to adopt the Ordinance allowing the rezone. The Booths were asked to come back with a written Concept Development Plan and a letter from Summer Day at the Health Department saying the proposed septic is feasible. Dave Booth has turned in both of these documents. The letter from the health department reads "Anticipated ground water tables not to exceed 42 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater System as a means of wastewater disposal." CM Engstrom said this sentence seems to indicate that this is feasible. Dave said the property has already been perked. CM Engstrom isn't too concerned because the property will be held to W.C. standards. The Council has received the Concept Development Plan that was asked for, it addresses building specs, finishes, framing, roofing material, side area, and 52% will be landscaped & 14% will be actual buildings & 34% will be sidewalks, roads, and parking. It addresses landscaping, parking, engineer site plans, and CC&R's which the Council hasn't seen yet. Dave said the CC&R's are almost complete. CM White said this is everything the council has asked for. The meeting was opened for public comment. There was none.

Public Hearing on proposed Ordinance, General Penalties: Title 20: to set fines for code violation: (See Attach. #4)

Mayor Truett explained that the Council held a work session tonight at 6:00 p.m. to go through this ordinance and made three changes on page 2. 1) Title 11: Cemetery Violations: Violations of Title 11 relating to damage or abuse of the town cemetery and related violations shall be a class B misdemeanor with a fine not to exceed \$1,500 per violation. 2) Title 12: Parking and Overnight Camping Violations. Parking and camping violations shall be an infraction punishable by a fine not to exceed \$100. 3) Title 14: Traffic Code Violations and Violation of Toll Road. Any traffic violation not governed by the Utah Code shall be an infraction punishable by a fine not to exceed \$100. Violations of the toll road shall be an infraction punishable by a fine not to exceed \$100. The meeting was opened to public comment. There was none.

Motion to adjourn the Public Hearings and re-convene to the Regular Council Meeting:

CM Allen made a motion to adjourn the public hearings and re-convene to the regular council meeting. CM Engstrom seconded. All votes aye. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM White	Yea
	CM Allen	Yea	CM Engstrom	Yea
	CM Wangsgard	Yea		

**\*Councilmember Engstrom:**

Discussion and/or action on proposed Ordinance to re-zone property owned by Eco Designs, LLC, from Residential-1 Zone to Commercial-1 Zone. (Dave Booth property located at 498 S. 7700 E. (See Attachment #3) CM Engstrom reported that the Council has received the additional requested information from the Dave Booth. The public hearing has been held, the PC was in favor of the rezone. CM Engstrom read the proposed Ordinance No. 2016-04-07-01. **CM White made a motion to adopt Ordinance 2016-04-07-01: An Ordinance of Huntsville Town, Weber County, Re-zoning property located at 498 S. 7700 E. from Residential-1 Zone to Commercial-1 Zone.** CM Enstrom seconded. Mayor Truett asked the Dave what his next step will be. Dave replied they will start the infrastructure and clear the property. CM Engstrom brought up a discussion from a year ago concerning the fence on the northern boundary; there was some dispute as to whether the fence needed to be moved 30' to the north. The existing fence is 30' into Dave's property. Dave has agreed to leave the fence in place. CM Allen commented that the residents are so fortunate to have the level of professionalism on the PC and the way CM Engstrom handles difficult issues. There was a call on the motion. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM White	Yea
	CM Allen	Yea	CM Engstrom	Yea
	CM Wangsgard	Yea		

Discussion and/or action on proposed Resolution 2016-04-07 to set fees for a Conditional Use Permit: (See Attachment #6) CM Engstrom read from proposed Resolution 2016-04-07 to establish Conditional Use Permit Application Fees. The conditional use permit application fee will be set at \$250. A conditional use permit is a permit to do what is currently conditionally allowed, which means there could be some conditions set. Ron mentioned that almost all of the businesses Dave has mentioned are listed in the Allowable Uses Table under conditional use, so he will need to turn in a conditional use application. After the permit is turned in, Dave will work with the PC on how the development will look. **CM Engstrom made a motion to adopt the Resolution 2016-04-07 as presented.** Mayor Truett seconded. All votes aye. Motion passed.

<b>Roll Call:</b>	Mayor Truett	Yea	CM White	Yea
	CM Allen	Yea	CM Engstrom	Yea
	CM Wangsgard	Yea		

Department Reports:

CM Engstrom reported on the last PC meeting held March 24<sup>th</sup>. Will Lewis asked to place a sign for his business, Lewis Tree Services, on his residential lot. Currently the only signage allowed for residential is a 1'X 2' sign. The PC felt that an exception should be made for him because his home is on Hwy 39. Bill Morris was asked to revise the current sign ordinance to allow for this exception. Mr. Morris will also clean up the sign ordinance verbiage. The PC reviewed a land use permit from CM Allen on behalf of the Town, for a building at the cemetery. It was determined that the placement of the building met all setback requirements.



**ORDINANCE NO: 2016-04-07-01**

Phone 801.745.3420  
Fax 801.745.1792  
Web HuntsvilleTown.com

P.O. Box 267  
Huntsville, UT 84317

**Mayor**  
James A. Truett

**Town Council**  
Doug Allen  
Bill White  
Mike Engstrom  
Bill Wangsgard

**Town Clerk/Recorder**  
Sail Ahlstrom

**Treasurer**  
Linda Laws

**Attorney**  
Bill Morris

**Short Title**

*An Ordinance of Huntsville Town, Weber County, Re-Zoning property located at 498 S. 7700 E. from Residential-1 Zone to Commercial-1 Zone.*

**Whereas**, The Huntsville Town Council of Weber County, Utah, find that the proposed rezoning will comply with the goals and objectives of the Huntsville Town General Plan and will promote property rights; and

**Whereas**, this property is currently zoned Residential-1, and,

**Whereas**, the Huntsville Town Planning Commission received a Rezone Application from Eco Design LLC, (Dave Booth) for a retail development on February 26<sup>th</sup>, 2016. The Huntsville Town Planning Commission determined at that time, that the rezone application was in compliance with the Town's processes. The Planning Commission made a recommendation to forward the rezone application to the Huntsville Town Council for their review. The Huntsville Town Council received the Rezone Application on March 4<sup>th</sup>, 2016.

**Whereas**, the Huntsville Town Council, after appropriate noticing, held a public hearing on March 17<sup>th</sup>, 2016, to allow the general public to comment on the proposed rezone.

**Now Therefore**, on April 7<sup>th</sup>, 2016, the Huntsville Town Council took action on the proposed rezoning of Parcels: 24-117-0001- 24-117-0002 and 24-117-0003 from Residential-1 Zone to Commercial-1 Zone.

**Now Therefore**, the proposed Concept Development Plan for of the Huntsville Tow is set forth in Exhibit A.

**Now Therefore**, this ordinance is being adopted for the purpose of recording the rezone with Weber County Recorder's Office, and,

**Now Therefore**, The Huntsville Town Council of Weber County, Utah, ordains that the following legal description is hereby rezoned from Residential-1 Zone to a Commercial-1 Zone.

**LEGAL DESCRIPTION OF PROPERTY**

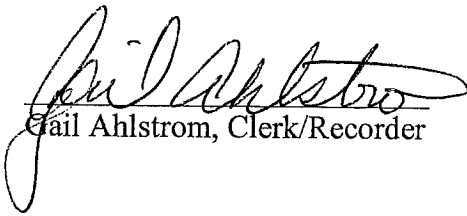
**Parcel No.: 24-117-0001, 24-117-0002, and 24-117-0003:**

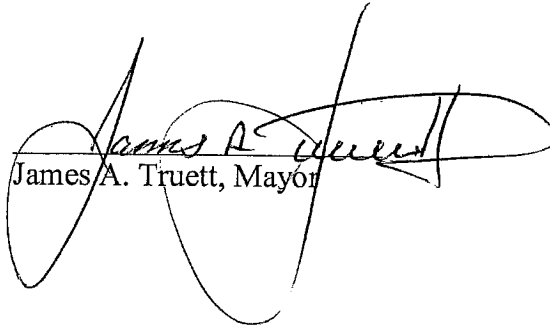
*ALL OF LOT 1, 498 S. SUBDIVISION PHASE 1, WEBER COUNTY, UTAH.  
ALL OF LOT 2, 498 S. SUBDIVISION PHASE 1, WEBER COUNTY, UTAH.  
ALL OF LOT 3, 498 S. SUBDIVISION PHASE 1, WEBER COUNTY, UTAH.  
HUNTSVILLE TOWN SURVEY, WEBER COUNTY, UTAH.*

	<u>Yea</u>	<u>Nay</u>
Mayor James A. Truett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CM Doug Allen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CM Bill Wangsgard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CM Mike Engstrom	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CM Bill White	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Passed and adopted on the 7<sup>th</sup> day of April, 2016.

ATTEST:

  
Gail Ahlstrom, Clerk/Recorder

  
James A. Truett, Mayor

# **Concept Development Plan**

## **Pineview Village/ Huntsville, Utah**

### **The Vision**

The Vision of Pineview Village, a Sustainable Development, is a community based project that will enhance the infrastructure for the present Town of Huntsville, with keeping in mind the potential future growth. The Prophets of the plan understand the necessity of setting a solid precedence that the environmental integrity of the land upon which The Village will be placed is protected and carefully built in a way that is aligned with integrity, stability and beauty. The Village will be safe, clean, energy efficient and sincere mindfulness of its neighbors will be of great importance.

### **The Mission**

---

We believe in local economics and that human beings thrive in communities where there are local businesses, with a local workforce and a local community that participates in "Buy Local First". We are committed to participate in a project that will co-create a local tax base, improve the current town infrastructure and generate community wellness within Huntsville and the Ogden Valley.

### **Technical Design Plan**

Eco Design, LLC's plan is to develop an infrastructure upon the property and sell building pads to businesses who will own the footprint of the pad. The common area will be maintained through an HOA and business owners will be guided by CCNR's that will maintain the integrity of the infrastructure. The common area will remain in the ownership of Eco Design, LLC and the HOA will be managed by Eco Design, LLC.

### **Building Specs**

1. Exterior finish on all buildings will be of cedar siding, fur timbers and natural stone.
2. The frame of the buildings will be stick frame construction of fur studs and OSB sheathing with some timber framing.
3. The building pads will be slab on grade concrete to code.
4. Roofing materials will be 40 years arch. shingles or better with steel roof accents.
5. All construction shall conform to Weber County Standards.

## **Site Area**

1. The total site area is 153,906 square feet.
2. Total building area is 22,210 square feet (14.4% of space).
3. Total impervious area is 52,089 square feet (33.9% of space).
4. Total landscape area is 79,607 square feet (51.7%)

## **Landscape Area**

1. Drought tolerant grasses and native plants
2. Herbs and vegetables
3. Community friendly outdoor gathering spaces

## **Parking**

1. 68 total parking stalls (8 adaptive/60 typical)

## **General Provision Notes**

See Engineered Site Plans

## **Waste Water Disposal System**

See Letter of Feasibility from Weber Morgan Health Department

**Conditions Covenants and Restrictions (CC&R's) and HOA See attached documents**

## **Review Village will provide many perks to locals:**

Create a Thriving Local Tax Base

Reduce the Local Carbon Foot Print by encouraging walking or biking instead of driving

Create a base for Personal and Community Health and Wellness

Encourage an Environmental Ethic that Reuses and Recycles rather than discards

Provide spaces where The Local Community can interact and connect with friends and neighbors

Set a precedence for future locals to maintain the same respect we have for the beautiful place we live

## **Businesses we are Visioning and Seeking:**

Small Local Grocery with Café and Health Foods

Community Yoga Barn and Gym with classes and fun for all ages

Health Clinic that provides Conventional and Holistic Healing Modalities

Hair Salon and Barber

Seamstress

Consignment/ Reuse Shop

Credit Union

Mortgage Broker

Tax Accountant

Hat/Boot Shop for Work and Play

Fine Dining Restaurant

Local, mindful businesses seeking a retail space (we are open to ideas!!)

## **Pineview Village/ Eco Design, LLC Bios**

Dave Booth and Gina Myrberg along with Dr. Doug Hasbrouck and Faye Anderson are the current owners of the property and curators of The Pineview Village project.

Dave Booth has lived in Huntsville, Utah for 25 years where he has worked for himself as a General Contractor. He has been building since he was a child and learned from his Grandfather Henry.

Gina Myrberg has lived in the Ogden Valley for 8 years, she was born and raised in Utah. Gina is a community builder and health enthusiast who has an educational background and work experience in Recreational Therapy, Holistic Health Counseling and Energy Medicine.

Dave and Gina were originally business partners in a Health Food Store, Café and Healing Arts Center on 25<sup>th</sup> Street in Ogden, Utah called Dragonfly Health Foods.

Doug Hasbrouck, M.D. is a licensed physician, board certified in internal medicine and has also explored many avenues of alternative healing methods. His current interest is in bridging the gap between "mainstream" and "alternative" health and wellness cultures.

Faye Anderson, R.N. has worked for the VA for more than 30 years with Veterans. She loves horses, gardening and nature.

Fee to be paid for subdivision/adjustment/consolidation review by Huntsville Town Planning Commission.  
Fee set by Resolution 02-09-5. \$100.00 plus \$10.00 for each lot contained in the subdivision plat.

## NOTICE OF APPROVAL

HUNTSVILLE TOWN, WEBER COUNTY, UTAH

Whereas, The ( ) Minor Subdivision,  
( ) Parcel Line Adjustment,  
 Consolidation of Parcels,

complies with the allowed exemptions enumerated in Utah Code 10-9a-103 and applicable Huntsville Town Title 15 Land Use Ordinance.

Whereas, the following land owner(s) have applied for, and complied with, the applicable State laws and Huntsville Town Land Use Ordinances relating to the approval of the above noted action; combining lots 241170003, 241170002, and 241170001 into a single lot

Whereas, In accordance with Utah Code 10-9a-605 the authorized agent of Huntsville Town does hereby sign and acknowledge this Notice of Approval in accordance with the provision of Title 57, Chapter 2a, Recognition of Acknowledgements Act;

Now Therefore, as the authorized agent of Huntsville Town, I, Ron Gault, Chairman of the Huntsville Town Planning Commission, do hereby approve the action as noted and set forth therein;

Ronald J. Gault  
Ron Gault, Planning Commission Chairman

6/23/2016

Attest:

Gail Ahlstrom  
Gail Ahlstrom, Clerk/Recorder



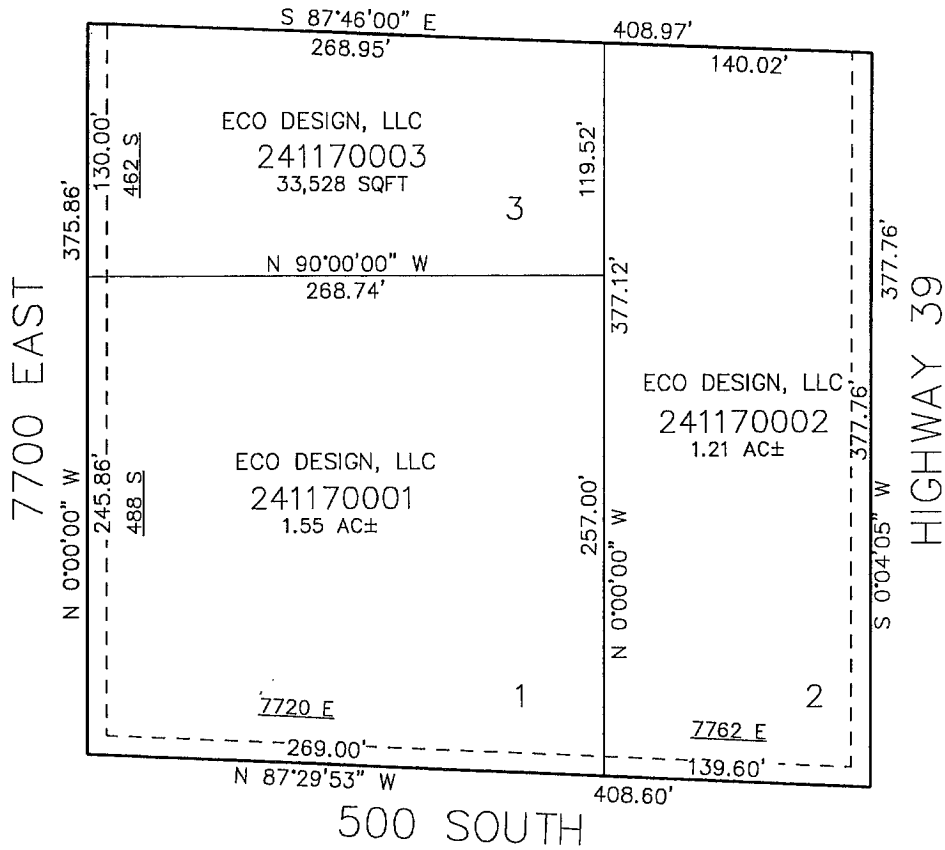
PART OF THE SE.1/4, OF SECTION 18, T.6N., R.2E., S.L.B. & M.  
498 SOUTH SUBDIVISION - PHASE 1

IN WEBER COUNTY

SCALE 1" = 50'

TAXING UNIT: 35

SEE PAGE 19



SEE PAGE 19

SEE PAGE 19

SEE PAGE 19

10' UTILITY & DRAINAGE EASEMENTS EACH  
SIDE OF PROPERTY LINES AS INDICATED  
BY DASHED LINES EXCEPT AS OTHERWISE  
SHOWN.

FOR COMPLETE ENG DATA SEE  
ORIGINAL DEDICATION PLAT IN  
BOOK 70, PAGE 07 OF RECORDS.

Mike said a condition could be that the development won't vary from the presented site plan. Ron said the PC is approving a CUP tonight not the site plan. When approving a CUP the PC is saying they agree to the uses that have been applied for. Dakota restated that the CUP they are applying for is a commercial village. Ron said this is not the approval for the site plan, the plans need to show the exact footprints of the buildings and setbacks, the Hyde's will need to come back. Mike said there are enough sufficient protection in the steps ahead to protect the town to make sure the town gets what it wants. Preston stated that the Hyde's CUP application gives an explanation of the intended use the Hyde's are planning: it will be a mixed use village, there will be a variety of business amenities, and these uses are all under the current C-1 zoning. Mike remarked that the PC needs to determine if there is something on the list that would be detrimental to the community. Artie commented that there should be security lighting. A condition on the use would be to make sure that lighting doesn't impose on existing residential areas. Artie said another condition to think about would be with landscaping. Jeff replied that landscaping details are included in the DA. The only conditions imposed with landscaping would be blocking views on corners; there are ordinances to cover those details. Jeff remarked that the DA states they will have 70% landscaping and 30% footprint, their current plan is to have 78.5% landscaping and 21.5% footprint. Rex said sidewalks and parking lots are not landscaping. Dakota wants to make sure that the CUP is complete and ready to pass onto the TC. The site plan is submitted as an attachment to the CUP.

**Ron made a motion that the PC approves this Conditional Use Permit for the Project Titled Huntsville Square Village and recommend it be submitted to the Town Council, as provided tonight by the Hyde's.** Preston seconded. Rex wanted to stress that if there are any changes made the Hyde's will need to come back to the PC and present them. All votes aye. Motion passed.

	<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
<b>Roll Call:</b>	Ron Gault	X	Rex Harris	X	Preston Cox	X		

Review of Lot Consolidation for Dave Booth: (498 S. 7700 E.) (See Attachment #2)

Dave Booth is asking for a lot consolidation to convert three lots into one lot for the purpose of the Pineview Village Development. It will be easier to have this development as one large lot. Rex asked about the issue with the north property line bordering Sharon Wangsgard's property. Dave replied that the property line has been recorded to where the fence line is currently. Dave spoke with the Wangsgard's and expressed an interest in buying that property from Sharon Wangsgard. Ron asked Dave about the sale of individual pads, how will that work? Dave said he will sell the footprint the building will sit on. It's called a Planned Unit Development (PUD). The business owner would own the footprint of the building. Each footprint will have its own tax ID number. The HOA will retain ownership of the remaining property. Mike asked if this will require a subdivision. Dave said he didn't think so. Mike questioned if the town ordinances address PUD's, the town might not have the vehicle to support this type of development. The town would provide services to each one of the buildings within the development, and the business license permits. It's not really a subdivision. Mike wondered if this should be deferred to the Town's Attorney. The CC&R's will provide more in depth information. The CC&R's for the development will be the binding contract for anyone wanting to participate in the development.

Ron made a motion to approve Dave Booth's request to combine his three lots into one large lot, Parcels #24-117-0001, #24-117-0002, and #24-117-0003. Rex seconded. All votes aye. Motion passed.

	<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>		<u>Yea</u>	<u>Nay</u>
<b>Roll Call:</b>	Ron Gault	X	Rex Harris	X	Preston Cox	X		

Review request for annexation from Kerry Wangsgard: (Hwy 39 Storage Sheds)

Mike reported that Kerry Wangsgard wants to build three additional storage sheds on his property along Hwy 39. The current zoning of this property is Commercial Manufacturing. Kerry's interest in being annexed into the Town is to escape the arduous requirements being imposed by the county. The town would have to create a zone specifically for this. The Allowable Use Table doesn't allow for storage sheds. Rex said would be problematic, the town doesn't have a way to annex this property; there is no zone to put it in. Preston asked if the property could be re-zoned as C-1. Rex asked what the benefit to Huntsville would be. Mike replied that the discussion has been about the benefits to his business. The County is being requiring him to install a rod iron fence around the property. Ron said he walked that property, and if Kerry builds additional buildings they will block Danny Walton's view. The proposed building will be 20' off the property line and will be right next to the Walton's.

Mike said if the town continues to annex property outside of town there may be zoning that could be allowed outside of town that wouldn't be allowed inside the town. The annexation ordinance says property would be annexed with the current zoning.

Bill White strenuously objected to the idea of annexing this property. Bill said it would ruin the neighbors view and he doesn't want the town responsible for that. Kerry should know that the town isn't going to be any less restrictive than the county would be. Annexing property into town shouldn't make things easier. Bill said it's an outrage that Kerry would come to the Town and ask us to destroy other people's property values, their views, and annihilate their quality of life. Bill said the existing storage sheds are a complete eyesore from the highway. The town doesn't have to annex that property, Bill said this is not a good idea. Your property rights have to be weighed against your neighbor, that's why there are zoning laws. If there isn't a benefit to the town why would we consider it?

Review Allowable Use Table: (See Attachment #3)

Mike stated that the TC passed a 6 month moratorium on any additional Conditional Use Permits so the PC can review the Allowable Use Table, to strengthen what conditional really means. The Hyde's CUP is the first time the conditional use table has been used. The council is thinking that if the table specifies a use as conditional it means there would be a yes or no vote, but conditional means yes, the use is allowed and mitigate problems. Mike suggested that the commissioners go through the list one more time and if there is anything on this list that the they would not want to see in the town then it needs to be changed from conditional (C) to not permitted (N). Rex asked if there are uses in commercial zones that might work out on the highway but not in town. If more property is annexed into town, it is more likely that there would be more permitted uses. The idea of creating different types of commercial zones was discussed. There are only three areas that have commercial properties in town.

**HUNTSVILLE TOWN  
ORDINANCE 2019-12-19-A**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.16,  
REGULATING THE PROCEDURES FOR REZONING.**

- A. **WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. **WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;
- C. **WHEREAS**, Huntsville Town desires to revise the ordinance governing the reversion of zoning designations within Town;
- D. **WHEREAS**, the proposed change in the ordinance would automatically revert the zoning designation of a parcel to its former zone upon failure of the applicant to commence the approved concept development plan within the prescribed time frame unless otherwise extended;
- E. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on December 16, 2019, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on December 16, 2019;
- F. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on December 19, 2019 and desires to act on this Ordinance;

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

**Section 1: Repealer.** Any word, sentence, paragraph, or phrase 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:

**15.16.5 Concept Development Plan Attached to Rezoning**

At the time of rezoning approval by the Huntsville Town Council, the Concept Development Plan is also approved and becomes attached to the rezoning and the rezoned land. The petitioner/owner and any assigns or successors in interest, becomes committed to develop only in accordance with the proposals outlined in the plan. Any materially different concept, use,

building arrangement, etc., will not be approved nor will building permits be issued by Huntsville Town until and unless such plan is amended by Huntsville Town Council after recommendations of the Huntsville Town Planning Commission and after public hearing as per the procedure followed for original approval.

#### **15.16.6 Procedure for Processing Development Plan**

After rezoning is completed, a Final Development Plan shall be processed and specific plans for all or a phase of the development on the rezoned land shall be reviewed as required by the appropriate zoning titles and other applicable regulations and codes in effect. The Final Development Plan shall be in accordance with the approved Concept Development Plan and any conditions attached thereto.

#### **15.16.7 Development To Take Place Only in Accordance with Approved Plans**

Where a Concept Development Plan has been approved in conjunction with the rezoning of land, and where more specific plans, such as a Final Development Plan, which includes engineered site plans, and detailed architectural plans, among other items, have been approved as part of the zoning process for obtaining building permits, such Building Permits shall be issued only for uses, buildings, structures, and site designs approved on the plan. Permits shall be issued and development shall only proceed in such a manner as to assure that all amenities and features of the plan are constructed and all conditions are complied with as development proceeds.

#### **15.16.8 Reversion to Original Zoning Designation**

If construction of the development, in accordance with the approved Concept Development Plan and Final Development Plan, has not commenced within two (2) years from the date of zoning, the respective property automatically reverts to its previously designated zone subject to the following provisions:

- A. Upon petition and due cause shown, the Town Council may extend the time-period by one (1) additional year. Said petitioner, or authorized agent, must appear before the Town Council prior to the expiration of the period of time in order to seek an extension of time.
- B. The Town shall provide written notice, by regular mail or hand delivery to the address on file, of the pending reversion of the respective property to its previously designated zone no less than sixty (60) calendar days prior to the expiration of the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A.
  1. If the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A., concludes prior to the service of the written notice by the Town, the property shall not revert to its previously designated zone until sixty (60) calendar days have elapsed from the date upon which written notice was served.
  2. Written notice is considered served the date of mailing or hand delivery.

C. The expiration of the period of time allowed under 15.16.8, or as extended pursuant to 15.16.8.A. or 15.16.8.B.1., shall constitute a final decision for the reversion of the property to its previously designated 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.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett				
CM Max Ferre'				
CM McKay				
CM Bill Wangsgard				
CM Blake Bingham				

ADOPTED AND APPROVED on this 19<sup>th</sup> day of December.

\_\_\_\_\_  
JIM TRUETT, Mayor

ATTEST:

\_\_\_\_\_  
BECKKI ENDICOTT, Recorder

RECORDED this 19<sup>th</sup> day of December.