

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

MEETING DATE: February 27, 2020

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	Present
Larel Parkinson	Planning Commissioner	Excused
Allen Endicott	Planning Commissioner	Excused
Wendy McKay	Town Council Liaison	Excused
Blake Bingham	Town Council Liaison	Present
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

Citizens: Rex Harris, Laurie Van Zandt, Casey Pratt, Paul Avner, Jeff Hyde, Dakota Hyde, Brian Saunders, Brooke Saunders, Willow Buttars, Red Erickson, Brenda Hadley, Bill White, Alane White, Trina White, Cody Hadley, Amanda Hadley, Ron Gault, Jim Truett

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

2 – Approval of Minutes for Planning Commission Meeting January 23, 2020. (See Attachment #1) **PCM Sandy Hunter motioned to approve the minutes from January 23, 2020.** PCM Jeff Larsen seconded the motion. All votes aye. Motion is approved.

3 – Public Comment regarding the Specific Overlay Zone Application submitted by Club Rec. Chairman Allen invited Club Rec to come forward and make their presentation regarding their application for a Specific Overlay Zone and the building project they are pursuing. Paul Avner introduced himself from Club Rec. He stated they would like to add an additional building to the commercial lot they already have a storage unit on. They want to make it look like a horse barn, and have it blend in with the surrounding area. They would also like to give a “facelift” to the current building. Paul stated they have been storing boats in the existing building. When they purchased the lot, they came before the Planning Commission and stated what they would like to do, to add another building. Since the time they purchased the property, the Acceptable Use Table has changed to disallow boat storage in a commercial zone. He stated he would like to address the concerns of the neighbors but would also like to develop his business. He believes they have addressed the concerns about lights in the windows with regards to the way in which the building is situated. The entrance would be on 7300 East. The boat trailers would enter, back into their unit and pull forward out of the storage onto 100 South. If the Specific Overlay Zone was approved, they would like to come back and work with the Town Council and neighbors about how they design and develop the building.

Chairman Allen asked how many boats are currently stored. Paul stated they have 10 boats in the current storage, but there is a need for this service in the area. They have a list of 50 individuals who are requesting storage.

Casey Pratt showed an example of what the “horse barn” would look like. He emphasized that it would look like a pole barn.

PCM Liz Poulter asked about the size of the new building. Paul explained the original drawings were 120 ft x 115 ft. The original building is 120 ft x 65 ft or 70 ft width. Paul stated these were the dimensions of the original drawings, but they are willing to work with the Council on what the building will look like. The existing building is 12 bays for boats and the new building would have room for 20 bays. He explained that it would have to be taller in height because of the “horse barn” design. Paul wanted everyone know that they would like to work with the neighbors to find an acceptable design.

Chairman Allen explained there are criteria for a Specific Overlay Zone in the Huntsville Code. He also explained some history behind the code on the Specific Overlay Zone. Chairman Allen wanted Club Rec to know that public input was important to the Planning Commission. He believes when the public is involved, the process goes better. PCM Hunter would like to hear from the neighbors first.

Brian Saunders: Brian explained that he lives just west of the storage sheds. He stated that he does not want to be near commercial businesses. Brian likes the residential feel of Huntsville Town. The proposed “horse barn” looks nice, but the additional building will bring commercial business even closer to his home. Brian is concerned about his and his in-law’s property being devalued. Aside from headlights in his home, he is concerned about the noise at night of backing up the boats and people yelling to each other. Usually when people put their boats away, it is late at night. Brian added that he believes the use table changed because the residents of Huntsville didn’t want additional storage units in Town. He doesn’t see any reason for this to change back to allowing storage units. Brian has some concerns with the Specific Overlay Zone. Any time that someone doesn’t like the use on their property, it seems they can just add an Overlay Zone to change it. He supports the current use table and believes it to be in the best interest of the Town.

Willow Buttars: She would like to echo the comments of Brian Saunders. She is concerned about safety, increased traffic, noise and the economic impact to surrounding properties. Willow explained they have a piece of property for sale right next to Club Rec. They have had a lot of interest in the property but when they ask about the commercial property next door, the interested parties are concerned. Willow owns the lot just south of Club Rec. Doug pointed out that the Town Shop was built right in front of Willow’s own home. Now, there is another proposed commercial building in front of her other property. Willow stated that while the Town Shed is nice looking, having it in the residential neighborhood is not ideal. The same goes for the current project on Club Rec’s property.

Laurie Van Zandt: She asked the Planning Commission about the history of the lot and the change in the zoning. Sandy rehearsed the history of the lot. **(See Attachment #2)** She stated that it was a residential lot until 2008. Thompson's owned it from 2004-2014 when it was sold. Cory Thompson owned an asphalt company and ran the business out of his home. Cory Thompson built the shed to store equipment for his business. Sandy stated in order to store commercial equipment, it would have to be zoned C-1. Laurie Van Zandt wanted to know if a C-1 lot had the same setbacks as a residential lot. Sandy answered there is no setback requirement on a commercial lot. PCM Hunter pointed out that there is a coverage requirement of 60% on the entire lot. Laurie asked Club Rec if they had worked out the turning radii with the new set up. Club Rec confirmed that they have worked on those details.

PCM Hunter went on to say that the majority of 2015 in Planning Commission Meetings the Commission had worried about the "conditional use" status in a commercial zone. The Planning Commission expressed concern that conditional use permitted all the uses instead of just designing those purposes. The Planning Commission worked through those changes to the Use Table during most meetings of 2015. Sandy stated that there wasn't a discussion about Club Rec with regards to the Acceptable Use Table. She explained that each meeting they would talk about the use and whether it was in the Town's best interest. PCM Hunter said that the middle of 2015 that the storage unit use table changed from conditional use to not permitted on storage units.

Ron Gault: Ron introduced himself as the former Planning Commission Chair. He wanted to add additional history to the discussion. November 2014, a new Club Rec came before the Planning Commission with their plan for running their business out of the storage shed. Ron stated that there was not a proposal made for a building and nothing was agreed upon. Club Rec did present an idea of an additional building in their plans, but there wasn't a formal proposal or motion made or any other official agreement. Ron stated he has gone through his notes for several years after that and there was not any appearance by Club Rec. Ron stated that 2015 was a year the Planning Commission evaluated the use table one use at a time. That was when they changed the table.

Bill White: Bill wanted to ask Ron and other members of the committee what the intentions of Club Rec was at that first meeting. Bill White was serving on the Planning Commission at the time. It was his recollection that Club Rec wanted to store their own boats and equipment in the building at the time. He doesn't recall a discussion about commercial storage of boats.

PCM Hunter stated that October 30, 2014 Club Rec's realtor appeared before the Planning Commission. Then November 19, 2014 Casey, Paul and Levi came to the Planning Commission Meeting. Sandy quoted from the minutes "right now they have plans to rent out storage unit space like it is currently being used...but in the future if they needed to they want to know if they could run their rental business out of the storage unit." Sandy said that in 2014 they did talk about using the storage unit as a rental.

TCM Bingham wanted to ask a follow up question. He wanted to know if there was a Land Use Permit issued for the use of a rental space. Chairman Allen responded that Beckki has been looking for such a document and hasn't been able to find any reference to that kind of document.

Beckki wanted some clarification on TCM Bingham's question. TCM Bingham replied he wanted to know if there was a Land Use Permit issued to change the nature of the use for that property.

Bill White: He was on the Planning Commission at the time that Club Rec bought this commercial piece of property. He wanted to express publicly he appreciated Club Rec is making an effort to make the project look nice, fit in with the neighborhood and work with the neighbors.

Bill has heard from others there was a past agreement and promises made to Club Rec. Bill White commented he believes this is not relevant. When a use changes on a property and there is a Land Use application, the change in use becomes a public issue. The public has the right to comment on the change in use. If the use isn't noticed in a public way, the change in use isn't valid. The public needs a chance to comment.

The other comment he hears a lot is that if we don't allow this to happen, then Club Rec will build something much worse. He doesn't think that this could happen because our ordinances don't allow permitted use on most commercial uses. Almost everything in the commercial zone is conditional. The Town Council has control of the circumstances surrounding the use in that zone. Regarding the status of the uses, Bill referred to the months of meetings regarding the changes in the use table. There was much discussion, thought and public input before all these uses were changed. The Planning Commission at the time was very convinced that storage units were not right for the Town.

Bill White stated several years ago Kerry Wangsgard came before the Planning Commission and wanted annexation into Town to build storage units. The Planning Commission and Town Council told him no. They believed that the storage units were unsightly and not conducive to the old rural farmhouse style of Huntsville Town. Sandy commented that specific event occurred in June 2015. It was a few months after Club Rec bought their property.

Kerry has gone on to develop those storage units and they are unsightly in his opinion. Bill White stated the problem with Huntsville Town is it really is a residential subdivision and you have people who own very valuable property right next door. He believes it wasn't a good idea to zone Thompson's property commercial because he had unsightly vehicles stored all over the property anyway. He stated the surrounding property would be devalued. The Buttars lot now has a view of the lake, but if approved, they will be looking at a giant storage shed. He doesn't feel we need to accommodate boat owners who come from Salt Lake over the residents who live here full time.

Jake Songer: He wanted to address the Planning Commission. He stated there was discussion from the public when the Allowable Use Table was changed. When the Buttars bought their lot two years ago the Use Table reflected no storage sheds in Town. He pointed out that the Buttars had an expectation of that shed not expanding. Jake asked what the purpose of a Specific Overlay Zone is.

Chairman Allen related the purpose and intent of a Specific Development Plan Overlay Zone in 15.29.

Jake stated he didn't see this as a benefit to the residents of Huntsville Town. He would have the Planning Commission uphold the current use table.

Brent Weil: He owns the home directly across the street from Club Rec. When he bought his lot, his realtor assured them that there wouldn't be additional storage on that lot because of the ordinances in place at the time. He stated his home would be devalued if there is additional storage added to the Club Rec property. He believes if we are to make an exception in Town, it should benefit those that live here.

Rex Harris: Rex explained that in June last year, as the Land Use Coordinator, he was approached by Club Rec about storage units. He explained to them that storage units were not allowed in Huntsville Town and they were surprised at the change. Rex gave them the option to petition the Town on the Specific Development Plan Overlay Zone.

Rex was on the Planning Commission in 2015 and there was a lot of discussion about conditional use versus not permitted use. He stated the Planning Commission reviewed this and then took this to the public. Rex wanted to correct what Jake stated. The public didn't petition the Planning Commission. The plan of changing the Use Table was taken from the Planning Commission to the public for public comment. Rex stated they had the public hearing and the hearing wasn't that well attended.

Paul Avner: He stated he bought his commercial property with the expectation that he could make some money. He stated he has looked through the Use Table at what was allowed. Paul stated the Use Table allows him to do repair service. He thinks that boat storage would be less of an impact on the neighborhood.

Casey Pratt: Casey stated he sympathizes with the property owners who are adjacent to them. He recognizes they have concerns with their property values. Casey stated that Club Rec has the same problem. Their company will not be able to expand its value if the decision goes the other way. They bought this property to be able to make some money.

Beckki asked Chairman Allen to make sure that the letters they received are read and recognized. PCM Poulter read a letter from the Michelony's. **(See Attachment #3)** There are two additional letters in the packet. One of the authors is here tonight and had the opportunity to comment **(Laurie Van Zandt – See Attachment #4)**. The other letter is a Town Council Member and will have the opportunity to express himself during Town Council Meeting **(Richard Sorensen – See Attachment #5)**.

4) Discussion and/or action on recommendation to Town Council regarding the Specific Overlay Zone Application submitted by Club Rec. Chairman Allen explained to the public that the role of the Planning Commission is to research issues and make recommendations based on the current Huntsville Ordinances to the Town Council. The Planning Commission can draft new ordinances through a public process and make those recommendations to the Town Council. It is the role of the Town Council to approve the recommendations or not. After the Planning

Commission has researched the history and heard from the public, Chairman Allen wanted to know what the individual Planning Commissioners think.

PC Member Jeff Larsen stated he is new on the Planning Commission. He stated that it was unfortunate that Club Rec purchased the property as the Use Table was changed. CM Larsen stated there is a general plan and feels that the Planning Commission needs to adhere to the General Plan. That said, there is a process for applying for exceptions.

PC Member Liz Poulter commented that she feels that the guidance is given in 15.8.10.B. She read from 15.8.10.B:

B. In order to approve an SDP Overlay zone, at least one of the following findings shall be made by the Town Council:

- 1. The SDP Overlay zone is necessary to provide land use or design standards tailored to a specific geographic area and development program that cannot otherwise be provided through C1 zoning.*
- 2. The SDP Overlay zone provides equal or greater compatibility with surrounding land uses than what would likely occur with C-1 zoning.*
- 3. The SDP Overlay zone promotes efficient land use by allowing housing and commercial development at densities that are deemed appropriate for the area.*
- 4. The SDP Overlay zone would encourage mixed-use development where appropriate. where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.*

She believes the Club Rec application doesn't meet any of these requirements laid out in the code and these requirements.

PCM Sandy Hunter agrees with PCM Poulter that the standards in 15.8.10.B can't be met with this application. She also cited 15.29.1 and read from number 4 (purpose and intent):

(4) It is the Town's intent to use SDP Overlay zones to encourage imaginative and efficient utilization of land, to develop a sense of community, and to insure compatibility with the surrounding neighborhoods and environment.

She believes the Club Rec Application doesn't apply to this standard either. PCM Hunter explained as a member of the Planning Commission during the Use Changes in 2015, it certainly wasn't their intent to change the Use Table to keep Club Rec from developing. She stated Club Rec could have another kind of development on that piece of property, but she didn't see a large building was something that Huntsville wanted for their Town.

Chairman Allen stated the Allowable Use Table is different now then in the past. There isn't a formal agreement between Club Rec and the Town. Chairman Allen sympathizes with Club Rec. He thinks it was a mistake to rezone this property to commercial for Cory Thompson. The

Planning Commission tried to remedy a problem by rezoning the Cory Thompson property to legalize what was happening on the property on the time. Chairman Allen stated he was on the Council when Club Rec came to them. They had also proposed mixed use to the Town. The Town explained the process they would need to go through in order to change the Use, and yet, there is no formalized agreement. He doesn't support moving forward with this application.

PCM Liz Poulter motioned to not recommend to the Town Council the overlay zone for Just Because, LLC. (Club Rec). Seconded by Jeff Larsen. Roll call vote. Motion passes.

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

5) Discussion on subdivision and Right of Way for parcel #240130021 and #240130018 for Cody Hadley. Rex started the presentation. He stated that Cody Hadley came to him wanting to build a home on his mother's property. There is a little over 2 acres of land. It would meet the acreage requirement for two homes. However, the frontage is limited. The ordinance requires 130 feet. Rex has been working with the family on some solutions to this problem. (See Attachment #6)

Cody Hadley wanted his driveway to come off the cul-de-sac at 200 North. Rex tried to figure out a different configuration on the block system. However, in the end, Rex drew up a potential lot off a cul-de-sac on 200 North. Depending on the single point of the radius there is enough frontage, but it intersects with the neighbor's property. Rex showed the lot line configurations.

Rex is purposing that the cul-de-sac be shifted east. The land the Town owns could shift with that in exchange for property that the neighbors own. Both neighbors would have to agree with the swap, but essentially nothing physical would change on the property, just the boundary lines. Brenda Hadley will have to negotiate with the neighbors if this is something the Town is willing to do. If the Town is willing, the Hadley's will draw up engineered plans for the exchange. There would be boundary line adjustments. Rex stated the new home would have to be situated on the south side of the lot. The north side of the lot is too wet.

PCM Hunter commented the Planning Commission would not want an orphan lot on the north side. PCM Jeff Larsen recommended splitting the lot in two but not three lots. Rex agreed.

Rex is here with the Hadley's to see if the Town is willing to enter into an MOU with the Hadley's in this regard.

Beckki stated that it is not an action item on the agenda. TCM Blake Bingham commented twhile he was a consultant, if someone wanted to add on to the subdivision, they would have to pay for the road improvements to add on to that subdivision. This may be an issue. Rex stated that they are just at the feasibility part of this project.

Chairman Allen stated this is not an action item, so they are not taking a vote tonight. TCM Blake Bingham suggested the Hadley's come before the Town Council to see if this situation would be acceptable. Mayor Truett is the executive agent and would be able to start the ball rolling on an MOU. TCM Blake Bingham asked the Hadley's to get the neighbors on board first. Brenda stated she would be out of Town for a couple of more days and will then approach the neighbors.

6) Discussion and/or action on Land Use Permit for Reuben & Aimee Erickson, 6650 East 100 South. (See Attachment #7) Rex presented the plans Reuben submitted. The Erickson's are seeking to expand their home. Rex explained the addition fits well within the setbacks. He has also checked the location of the drain field. In terms of the Land Use Permit, Rex doesn't have any reservations. Sandy wanted to confirm they were only adding to the west side of the home. Rueben confirmed they were adding just on the west side. Liz asked if any height was being added to the home. Reuben stated no height was being added to the home. **PCM Hunter motioned to approve the Land Use Permit for Reuben & Aimee Erickson parcel #240220006.** Seconded by PCM Poulter. All votes aye. Motion passes.

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

Reuben stated that they are planning to start the addition in the Spring or Summer. Beckki stated there is a fee for the Land Use Permit and will coordinate.

7) Ethics and Disclosure agreements for Planning Commission Members. Beckki reminded the Planning Commission about getting their Ethics and Disclosure forms to her.

8) Discussion and/or action on update to the General Plan. Chairman Allen explained there are several references in our General Plan regarding Weber Pathways. The organization is changing its name a little. He believes we need to update this document. TCM Blake Bingham believes that only the last sentence needs to be stricken from the General Plan. Ron Gault stated the plan has not been revised for years. He thinks there are other things that need updating. Ron volunteered to go through the plan and make some changes.

The changes to the General Plan would need a public hearing.

9) Discussion on the Annexation Proclamation. Chairman Allen stated in the current General Plan there is a document which describes land that Huntsville Town would like to annex. Ron explained that document is in the General Plan in case other municipalities wanted to annex the same property. The intent of it being included in the General Plan is to make sure that Huntsville would have a vote in what happens with lands on its borders. It is Ron's opinion that the Annexation Proclamation should be left in the General Plan. TCM Blake Bingham stated he felt the Annexation Proclamation is completely viable based on his current discussions with Weber County.

10) Land Use Permit Link. Rex has been developing an online questionnaire that can answer the question about whether a resident would need a Land Use Permit. He is just showing that it can be done. It would up to the Town to adopt this for the website, etc. He stated that this type of device would capture the data people would enter even if they did not need a Land Use Permit.

PCM Liz Poulter thought this tool would be helpful. Rex stated this is a prototype. It could be helpful for pre permit information. Beckki thought it was a great tool for the website.

11) Land Use Coordinator Update: Rex Harris.

- a) UDOT doesn't build roundabouts on State route. Rex stated that there are some safety benefits which the State is starting to recognize. UDOT is going to study and possibly build 4 roundabouts throughout the Wasatch Front. One of the locations is the 4-way stop at Valley Market. The other location is 100 South in Huntsville. They are also looking at the potential signalization at both locations.
- b) Last Fall we talked about the potential for a roundabout in the Town. Rex has been in contact with Jones & Assoc. to engineer some of the possibilities to update the lighting, crosswalks, bulb outs and other items that would beautify the Town. If the Planning Commission has any other ideas to pass on to Rex, they would welcome any ideas.

12) Chairman's Report: Chairman Allen thanked the Planning Commission for their input tonight. He thanked Rex for all that he is doing to help make the Planning Commission's job easier. He turned the time over to PCM Sandy Hunter for comment.

- a) She wanted to comment that Club Rec's lot is commercial and they are still allowed to build repair services on their site. Sandy wanted the Planning Commission to think about what kind of conditions would be appropriate for a repair services business.
- b) PCM Sandy Hunter wanted to look at 15.8.10.A.2. She was thinking it would need an amendment. She asked the Planning Commission to think about if they wanted to include a public comment period in the procedure. Beckki recommended that they look at the rezone and make the procedures consistent. Beckki let the PC know that the courtesy notice to surrounding property owners will be generated upon a Land Use Application. TCM Blake Bingham and PCM Liz Poulter think this would be a

good idea. Rex wanted the Planning Commission to know that they have the option of gathering information and researching any way that they like. TCM Blake Bingham suggested the detail of the public hearing in step 6 be conducted at the Planning Commission level. Beckki will put this on the agenda for the next meeting.

- c) PCM Hunter wanted to comment on the Land Use Permit that was denied to Kerry Wangsgard. She stated she and Liz went over to the current mobile home to make sure of the size. 52 feet 2 inches long by 13 feet 10 inches wide. She wanted to make note of the size. The Appeals board voted to be able to have Kerry Wangsgard replace his trailer but with one that was no bigger than the current size. PCM Hunter wanted to make sure we knew what the size was when he approaches the Planning Commission again.

PCM Sandy Hunter motioned to adjourn. Chairman Allen seconded the motion. All votes aye. Meeting is adjourned at 9:11 p.m.


Beckki Endicott, Recorder

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

MEETING DATE: January 23, 2020
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	Excused
Jeff Larsen	Planning Commissioner	Present
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: Regen Sorensen, Richard Sorensen, Paul Avner

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

2 – Approval of Minutes for Planning Commission Meeting December 16, 2019. (See Attachment #1) CM Allen Endicott motioned to approve the minutes from December 16, 2019, with 2 grammatical corrections noted. CM Sandy Hunter seconded the motion. All votes aye. Motion is approved.

3 – Approval of the Planning Commission Schedule for 2020. (See Attachment #2) CM Sandy Hunter wanted to make the adjustment for November and December 2020 which were both holidays. Beckki suggested that they have a meeting earlier in December and then cancel the meeting in November. Chairman Allen suggested taking the month of July off. CM Jeff Larsen suggested if they need a meeting in July, they could add another. **CM Sandy Hunter motioned to adopt the Planning Commission Meeting Schedule for 2020 canceling the July 2020 meeting and combining meetings for November and December on December 10th.** CM Larel Parkinson seconded the motion. All votes aye. Motion passes.

VOTES:	
AYES:	Chairman Doug Allen Commissioner Sandy Hunter Commissioner Jeff Larsen Commissioner Larel Parkinson Commissioner Allen Endicott
NAYS:	

ALTERNATE:	
EXCUSED:	Commissioner Liz Poulter

4 – Reminder about yearly training. Two options: Wednesday, January 29th 7 p.m. in Marriott-Slaterville OR Wednesday, February 19th at Huntsville Town Hall at 7 p.m.

5 – Ethics and Disclosure agreements for Planning Commission Members. (See Attachment #3) Chairman Allen reminded the Commissioners to fill this form out and get them notarized by Ramona. Beckki also suggested that the notary at the Ogden Valley Library is free.

6 – Discussion and/or action on Land Use Permit for Richard Sorensen, 469 South 7500 East, parcel #240230004. (See Attachment #4) Richard presented the house plans and the site plan. He explained the history of this lot, stating it was a subdivided lot that has been grandfathered. The lot is .71 acres. CM Sandy Hunter reviewed the set-backs on all the sides of the home. CM Sandy Hunter motioned to approve the land use permit for Richard Sorensen, 469 South 7500 East, parcel #240230004 with the set-backs and height approved per the site plan. CM Allen Endicott seconded the motion. All votes aye. Motion passes. Chairman Allen signed the Land Use Permit.

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

7 – Discussion on Special Overlay Zone Requirements. (See Attachment #5) Paul Avner was in attendance. Originally, Paul contacted Beckki and told her that they were ready to have a presentation at the Planning Commission. Beckki rescheduled the meeting but Paul didn't get that message. He is here tonight ready to make a presentation, but the meeting was rescheduled and noticed for February 27th. During the past month, Beckki reviewed the requirements for the Special Overlay Zone. They are different requirements than a regular rezone. Blake summarized the procedure for the Special Overlay Zone. The application is received, reviewed by the Planning Commission and PC makes a recommendation to the Town Council. The Town Council evaluates the project, and based on their recommendation, a committee is formed to create a development agreement. The property owner works out a development agreement with this special committee and will bring forth a document. This document/ordinance will then go through a public hearing and another round of votes. Beckki pointed out that the courtesy notice

is done to surrounding property owners. The notice has gone to the surrounding property owners and they have been invited to a public meeting on February 27th for comment.

CM Allen Endicott asked when the Use Table was changed to disallow boat storage. He asked if it was possible to amend the Use Table to make this change instead of going through the long time period for a Special Overlay Zone. He stated he understands the procedure for a Special Overlay Zone is intended to be difficult because it shouldn't happen very often. CM Endicott is wondering if it would be easier to amend the Use Table.

Paul Avner wanted to ask why he was granted a business license if the current use of the property wasn't allowed. Beckki stated that there isn't a current business license. Paul stated they have had a business license in the past and will pay the current fee tomorrow. In his mind, he is thinking that he already has been granted the use per the table. He thinks the look of the structure is more important than whether the use is allowed because he has been currently operating with the same use as originally grandfathered.

Chairman Allen stated the Use Table was changed in response to the opinions of the public. CM Hunter gave the example of the change to the Use Table in regards hotels.

CM Sandy Hunter reviewed minutes from previous years regarding the plan for use of this property. CM Sandy Hunter quoted from the previous minutes which showed concerned over how the storage units would look. She wanted to make sure the storage units were in line with the General Plan for the Town. CM Sandy Hunter also wanted to make sure that the coverage requirements were met for a C-1 lot. The current ordinance states that the building can cover no more than 60% of the lot. The ordinance is 15.8.7.

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

Blake pointed out that when they create a development agreement for the overlay zone, they wouldn't need to meet the standard criteria in commercial zone.

Richard Sorensen commented that Club Rec's current storage unit is better than the storage units across the highway. He attended the Town Council Meeting where residents voiced their concerns about how the boat storage would affect their neighborhood with lights. Paul responded that he spoke with Brian Saunders a long time after the meeting about how to mitigate the effect on the neighbors.

Chairman Allen went over the arrangements for the structuring the discussion on the agenda for February 2020.

8 – Land Use Coordinator Update: Rex Harris. There were no comments. Rex not in attendance.

9 – Chairman's Report. Chairman Allen stated that there is good education in the public process serving on the Planning Commission. It is the Commission's job to protect Huntsville and its

processes. Chairman Allen expressed his thanks for those that serve with him on the Planning Commission.

10 – Public Comments: There were none.

Sandy motioned to adjourn the Planning Commission Meeting. Jeff seconded the motion. Meeting is adjourned at 8:10 p.m.

Beckki Endicott, Recorder

HISTORY

PC started creating Use Table in September 2013. PC had discussions at PC meetings on 3/27/14, 3/26/14, and 4/24/14. Use table was finally approved by the PC and sent onto the Town Council with recommendation for approval on June 26, 2014. I don't have access to the TC minutes for the months starting July 2014 to know how the Use table was adopted or if it had a public hearing. The PC did not hold a public hearing on the Use Table any time between September 2013 and June 2014. Per PC minutes of 10/30/14 and 11/19/14 Commercial Storage in C-1 was listed as a conditional use.

There were ongoing discussions in PC meetings from February 2015 through the Fall of 2015 to change many uses in the C-1 zone from conditional use to "Not Permitted." It was determined that a "conditional use" is a permissible use so the PC reviewed every conditional use to determine if it was a use the Town would allow, call that conditional, and prohibit everything else. Commercial Storage use was changed to not permitted in C-1 at the 3/26/15 PC Meeting.

There was a public hearing held to amend the Use Table at PC meeting 8/10/17 to add Indoor Storage units as a conditional use only in the R-1 zone and only to a "repurpose an historic building."

Club Rec Property

Owners:

Thompsons 2004-2006

Telford-Stoker family Trust – 2007-2014

Just Because LLC (Club Rec) 2015-present

See PC Minutes of 9/25/08 and TC minutes of 11/08 for approval of Cory Thompson's storage building and rezone from R-1 to C-1. (Beckki will give us copies of these minutes)

See PC Minutes of 10/30/14 and 11/19/14 for discussion just prior to purchase of property by Club Rec about continuing storage use and possible addition to storage use. (In our packet)

Huntsville Town Rezoning Petition – Part I (Fee-\$250.00)

Applicant(s) Name: Cassey Pratt Date: 11/20/19

Applicant Mailing Address: [REDACTED]

Property Location: 7350 E 100 S.

Legal Description of Property: (Attach to Petition) parcel # 240140028
All lot 5, Block 19, Plat A, Huntsville Survey

Property Owner(s): Just Because

Current Zone: _____ Requested Zone: _____

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:

When we purchased this property, we planned on building another building for storing boats. Since then the zoning changed. We need an overlay to the current zoning.

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 Just Because to request a change in the Zoning classification of my (our) property from _____ to Overlay C1 Zone.

Property Owner

Property Owner

[Signature]
Applicant Signature

*****Petitioner will assume ALL publication, engineering and installation fees associated with project.**

Fees paid: \$ 250

Fees set by Resolution No: 2008-08-21-1

Huntsville Town Clerk: Bekki Endicott Receipt Date: 11/25/17 # 8063

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: _____

*****Petitioner will assume ALL publication, engineering and installation fees associated with project.**

Title 15.29 Specific Development Plan Overlay Zone.

- 15.29.1 Purpose and Intent.
- 15.29.2 Use In Combination.
- 15.29.3 Variations to Underlying Zone Permitted.
- 15.29.4 Specific Development Plan Overlay Zone Maps.
- 15.29.5 Specific Development Plan Overlay Zone Text.
- 15.29.6 Exceptions to Development and Design Standards after Adoption of Plan and Zone.

15.29.1 Purpose and Intent.

- (1) The purpose of the Specific Development Plan ("SDP") Overlay zone is to create a regulatory tool to implement specific development plans adopted by the Town Council in the exercise of its legislative discretion as supplemental to Huntsville Town's General Plan, by creating a broad policy framework for enacting unique overlay zone regulations for a geographic area where a SDP is adopted.
- (2) A SDP shall describe a development planned for a specific area in more detail than the General Plan. The SDP shall be adopted through a process involving input from the Planning Commission, property owners, neighbors, and key stakeholders, with final authority to approve the SDP vested with the Town Council. An SDP Overlay zone for a given area is written specifically to bring about the goals and objectives of an adopted SDP. The regulations and development standards of a SDP Overlay zone may vary from the standards of the underlying zone with which it is combined.
- (3) As SDP Overlay zone districts are to be adopted in the C-1 zone only, following the process contained therein. They will be listed as sub-titles to Title 15.8, Commercial Zone C-1.
- (4) It is the Town's intent to use SDP Overlay zones to encourage imaginative and efficient utilization of land, to develop a sense of community, and to insure compatibility with the surrounding neighborhoods and environment. It is also the Town's intent to provide land use and design standards that are tailored to a specific geographic area so that development outcomes are more predictable; provide greater compatibility with surrounding land uses than what may occur with conventional zoning; protect significant natural resources and avoid development on lands subject to natural hazards; and coordinate the development and design of properties, including large-scale facilities.

15.29.2 Use in Combination.

The SDP Overlay zone may only be used in combination with the existing C-1 zone and shall become supplementary to the provisions of that zone. The SDP Overlay zone shall not be applied to a land area as an independent zone. Property to which an SDP Overlay zone has been applied shall be developed only in conformance with an approved SDP.

15.29.3 Variations to Underlying Zone Permitted.

Upon combining an SDP Overlay zone with the existing C-1 zone, variations from the development standards of the C-1 zone may be permitted provided the variations are specifically adopted as part of an approved SDP or approved supporting documents. Variations from the underlying zone shall only be considered for the purpose of achieving better design as determined by the Town Council.

15.29.4 Specific Development Plan Overlay Zone Maps.

A SDP Overlay zone shall include the following plan maps:

- (1) A boundary map shall be prepared by the Town for every SDP Overlay zone. The boundary map, based on parcel boundaries or other surveyed boundaries, shall be used to delineate areas of the zoning district that lie within the Town's boundaries on the official zoning map. The zoning map shall identify such areas as "SDP", and shall include the name of the SDP area.
- (2) Where a developer is interested in doing a development requiring an SDP, a conceptual development plan prepared by the developer, based on the proposed SDP, shall accompany each application for rezoning to a SDP Overlay zone.

15.29.5 Specific Development Plan Overlay Zone Text.⁴⁶

Each SDP Overlay zone ordinance shall include the following provisions and standards:

- (1) The name and purpose of the zone. This section shall describe the zone in sufficient detail as to clarify the purpose and intent of the SDP Overlay zone regulations. It shall include maps, text, and conceptual development plan for the site in question.
- (2) Permitted land uses. This section shall identify permitted, conditional, and accessory land uses.
- (3) Land use standards. This section shall specify any required land use conditions (i.e., land use mix, density, buffering, etc.), and the review procedure required to review and approve each land use (design review, project plan review, conditional use, etc.).
- (4) Lot standards. This section shall specify requirements for new lots such as lot area, dimensions, and density, as applicable.
- (5) Building setbacks. This section shall provide setback standards for front, side and rear yards, as applicable.
- (6) Design standards. Each SDP Overlay zone shall include design standards to address building heights, building orientation, common and private open space, natural resource protection, architectural design, and any other provisions unique to the district.

15.29.6 Exceptions to Development and Design Standards After Adoption of Plan and Zone.

When an SDP is adopted and the subject property has been placed in an SDP Overlay Zone, the SDP and development standards associated with the zone shall be strictly construed. No variations shall be made from the SDP and standards adopted in the zone unless expressly reviewed by the Town Planning Commission and approved by the Town Council for the purpose of achieving better design. In taking such action, the guiding principle shall be that the amendment will result in better design, as determined by the Town Council.

⁴⁶ Amended 11-07-13: Added Specific Development Plan Overlay Zone.

15.8.10 Special Development Plan Overlay Zone

A Special Development Plan (SDP) Overlay zone may be established within an existing C-1 zone, following the requirements of Title 15.29, which allows variations from the regulations of the C-1 zone. The Town council may establish a SDP Overlay zone when it deems it beneficial, or a developer may propose a SDP Overlay zone be established to support a proposed development. Adoption of an SDP Overlay zone shall conform to the following:

- A. An SDP Overlay zone shall be adopted for a given area by following the normal ordinance amendment process, including:
 - 1. If being proposed by a developer, they shall submit an application for a rezoning, including a Conceptual Plan outlining their ideas for the development.
 - 2. The rezoning application will be reviewed by the Planning Commission at their next regularly scheduled meeting and their recommendations passed on to the Town Council.
 - 3. The Town Council will review the rezoning application and if they determine that the concept presented in the application merits further consideration, the Mayor will establish a Development Review Committee (the "DRC") consisting of two members of the Town Council and two members of the Planning Commission. The DRC will schedule a meeting with the Applicant and will attempt to define the areas of initial agreement between the Town and the Applicant and will, to the extent possible, enumerate the issues that must be investigated and resolved by the Applicant prior to the Town Council giving its final consent to the application.
 - 4. The DRC, in cooperation with the Applicant, will draft a Development Agreement (DA) that will define the scope and nature of the proposed development in as much detail as reasonably possible.
 - 6. The completed draft DA will be sent to the Town Council for review and comments. If the Town Council determines that the DA is in the best interest of the Town, the Council will schedule a public hearing to gather comments from the public.
 - 7. After the Town Council has received public comments regarding the application and the draft DA, the Town Council may elect to execute the DA. After the DA has been signed by both Parties the Town Council will enact an ordinance establishing the DA as the SDP Overlay Zone.
- B. In order to approve an SDP Overlay zone, at least one of the following findings shall be made by the Town Council:
 - 1. The SDP Overlay zone is necessary to provide land use or design standards tailored to a specific geographic area and development program that cannot otherwise be provided through C1 zoning.
 - 2. The SDP Overlay zone provides equal or greater compatibility with surrounding land uses than what would likely occur with C-1 zoning.
 - 3. The SDP Overlay zone promotes efficient land use by allowing housing and commercial development at densities that are deemed appropriate for the area.
 - 4. The SDP Overlay zone would encourage mixed-use development where appropriate.
where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION

MEETING DATE: September 25th, 2008
PLACE: Huntsville Town Hall, 7309 E. 200 S.
TIME: 7:00 P.M.

Present: Jack Cox Suzanne Ferre' Paul Newey
Carol Stoker Alan Clapperton Sandy Hunter
Gail Ahlstrom

Citizens: Ron Gault Cory Thompson

Jack Cox called the Planning Commission meeting to order.

Approval of minutes for meeting held August 28th, 2008:

Alan made a motion to approve the August 28th minutes as prepared. Paul seconded. All votes aye. Minutes are approved.

Discussion and/or action on petition for re-zone from Cory Thompson, for property located at 7340 E. and First Street, from Residential to Commercial:

Cory Thompson explained his Concept Development Plan to the commission. The barn is 65 X 88 feet and is on the east side of the property perpendicular with the alley and next to the town's sheds. There will be road base around the barn for driving and parking of heavy equipment. There are power lines along the north side of the property so Cory talked to Steve Songer about what types of trees would be good to plant along the road. Cory is basically planning on leaving the lot as pasture.

Sandy asked if the setbacks were adhered to. The answer was yes. Paul asked where the town's commercial zone is. The town has commercial zoned property along 200 S. from 7300 E. to 7200 E. and on the corner of 500 S. and Hwy 39. There is no commercial zone on First Street. The commission reviewed a copy of the town's zoning map. Cory's home and the Valley House are both commercial properties. Paul asked how a rezone request happens. Ron replied that it is generally the property owner who approaches the town and requests the rezone. A letter will be mailed to all adjoining property owners in regards to the rezone request. The rezone procedure is in the Land Use Ordinance, section 15.16.3. The planning commission reviewed the rezone procedures. A rezone doesn't require the three consecutive publications like an annexation request does because there isn't as much of an impact that takes place. Jack stated that there is a rezone request doesn't have to take into consideration if it creates an island, this relates to annexation requests only. A rezone is taking a lot and changing what is allowed to happen on the property. A discussion ensued about whether or not to include Cory Thompson's home in his Concept Development Plan. Cory has a town business license and runs his business from his home; he doesn't want to run it from the barn. Sandy asked if the rezone will affect Cory's property taxes.

Ron remarked that taxes are based on the value of the property and a commercial property would probably be valued higher. Suzanne made a motion to accept Cory Thompson's rezone petition to change his property located at 7300 E. and First Street from Residential to Commercial and to accept his Concept Development Plan as presented. Carol seconded. All votes aye. Motion does pass. Cory gave Gail his Rezone petition, Concept Development Plan, and his filing fee of \$100.00.

Roll:	Jack Cox	<u>Yea</u>	Paul Newey	<u>Yea</u>
	Suzanne Ferre'	<u>Yea</u>	Carol Stoker	<u>Yea</u>
	Alan Clapperton	<u>Yea</u>		

Carol asked if the call was ever made to have Stuart Murray check out the barn built on the corner of 6800 E. and 200 S. to see what kind of facilities were installed. Jack replied that he hasn't heard any feedback. Rumor is that it has been plumbed for a kitchen and bathroom, this would be a non-compliant building, you can't have two residences on one lot.

Ron stated that he had meetings with the property owners and with Stuart Murray and it was made quite clear and put into writing that they could not make the barn into a residence.

Discussion on the percentage of the lot designated for the residential building:

Jack commented that this item was discussed at last month's commission meeting. The ordinance reads "no buildings or group of buildings shall cover more than 60% of the area of the lot, and no accessory building or group of out buildings shall cover more than 25% of the area of the lot". Sandy's question is could this be changed to say the total of the residential area could not be more than 30-35%? Ron answered yes. This would limit the size of an allowed home to be about 11,000 sq. ft. Jack recommended just changing the 60% and making it less. The way the ordinance is worded you could have a single structure that could be very large. Paul asked what is wrong with large structures. Sandy commented that the large homes take away from the openness of the town. Jack stated that when it comes to property rights, people have the right to do what they want with their property within reasonable limits. Sandy would like to limit the ratio of open space around a home.

Sandy made a motion to add an additional section to the Land Use Ordinance section 15.6.10, to say that no residential building can be more than 35% of the area of a lot.

Alan seconded the motion. There was a call on the motion.

Roll:	Jack Cox	<u>Nay</u>	Paul Newey	<u>Nay</u>
	Suzanne Ferre'	<u>Yea</u>	Carol Stoker	<u>Yea</u>
	Alan Clapperton	<u>Yea</u>		

Alan asked, in regards to procedure matters relative to the alternate planning commission member, if a full quorum is present can the alternate make a motion, or are they just allowed to be involved with the discussion and abstain from voting, unless a member of the commission is missing. Jack stated that the alternate is a member of the planning commission. They can't vote unless a member is missing, this should not restrict their ability to make comments. Ron reviewed the Land Use Ordinance, Section 15.3.4, which explains the planning commission responsibilities as well as the alternate planning commission member.

HUNTSVILLE TOWN
PLANNING COMMISSION

October 15, 2008

Dear Huntsville Town Council:

In the Huntsville Town's Planning Commission's meeting, September 25th, the Planning Commission discussed the following items:

1)-Cory Thompson's request to rezone his property located at 7300 E. and First Street, from Residential to Commercial. The Planning Commission reviewed Cory's petition and Concept Development Plan and is recommending that Cory present his rezone request to the Town Council for their review and decision.

2)-The Planning Commission is also recommending that a paragraph be added to the Land Use Ordinance, Section 15.6.10, to say that a house cannot take up more than 35% of the area of the building lot.

3)-The Planning Commission is recommending that the Huntsville Town Council contracts with Danny Mason to develop a long range feasibility study that would incorporate a village type atmosphere that would not interfere with the preservation of Huntsville Town as it is currently, and that the feasibility study would include property bordering Huntsville to the south and to the east.

Sincerely,

Huntsville Town Planning Commission

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday November 6, 2008

7:00 p.m.

Huntsville Town Hall

Present: Mayor James McKay
Council Member Max Ferre'
Council Member Steve Johnson
Council Member Richard Sorensen
Council Member Jim Truett
Legal Council Jerald Engstrom
Clerk/Recorder, Gail Ahlstrom

Citizens:	Deputy Chatelain	Ruth Brunker	Steve Brunker
	Franco Mortarotti	Sandy Hunter	Ron Gault
	Cory Thompson	Carol Stoker	Kathy Allen
	Steve Clarke	Jack Cox	John Posnien
	Jeff Holt	Ruston McKay	Wes Welch

Mayor McKay called the meeting to order. The Mayor welcomed the visitors and scouts to the meeting. There is a quorum present tonight.

The pledge was led by former Mayor Jack Cox.

Motion to adjourn Regular Council Meeting to hold Public Hearing:

CM Truett made a motion to adjourn the regular council meeting to hold a public hearing. CM Johnson seconded. All votes aye. Motion does pass.

Public Hearing on request for a re-zone of Cory Thompson's property located at 7300 E. and First Street, from R-1 to C-1 Zone:

Roll:	Deputy Chatelain	Ruth Brunker	Steve Brunker
	Franco Mortarotti	Sandy Hunter	Ron Gault
	Cory Thompson	Carol Stoker	Kathy Allen
	Steve Clarke	Jack Cox	John Posnien
	Jeff Holt		

CM Johnson reported that Cory Thompson has gone through the procedure required for a re-zone. He has turned in his application request, paid his fees, and met with the planning commission. His petition has been posted, published and mailed to all adjoining property owners within 150 feet of his property, and Cory is now seeking approval from the town council. The meeting was opened up for public comment.

Jack Cox reported that the Planning Commission reviewed Cory's request. Two items made it possible for the commission to approve his request.

One is that many years ago this was commercial property. Secondly, Cory already has a building on the property and he has agreed to do landscaping on the property. He will plant some trees and plant grass. The commission felt it would be an asset to the town; his future plan is not to have a commercial business on the property. The commission felt it was a reasonable request and have recommended that the town council approve his request.

Ruth Brunker wanted to know if this change to the zoning on the property would be a change to what is already happening there. Would there be any actual change in what people see?

Cory Thompson replied that basically it will look better than it has over the past 20 years. He plans on cleaning up his property and move his trailer, boat, and other equipment into the new barn on this property. There will be no change in how he is running his business out of his home.

John Posnien asked what the purpose and reason of re-zoning this property commercially to another use that would be. This would change the whole zoning on the block. Mayor McKay commented that all but two lots on that block are currently commercial. There isn't a request to rezone the vacant lot between Cory's property and Ruth Brunker's. The Mayor remarked that from a planning perspective he appreciates the contiguity issue. John wondered if there was another alternative to accomplish the same thing for the user. The town should look at solving problems before they arise.

Jeff Holt asked if the barn is torn down then could the property be used for any commercial use. Ron Gault replied that every use is conditional. Jeff asked if a conditional use could be given in a residential zone so Cory can park his equipment in his barn, without changing the zoning to commercial.

Deputy Chatelain asked if there was an intended use for the building that would require the rezone to commercial. Ron replied that in a residential zone it is not conditional use, there is a list of permitted uses, and this type of use isn't listed.

Jack Cox stated that Cory isn't asking to move his business to the new barn, it is only a storage area. Cory is planning to continue to run his business from his home as he is currently. He could have the barn the way it is and remain a residential lot because it meets all the requirements in the residential ordinance. Mayor McKay asked if equipment for the paving business is being stored there wouldn't that be a commercial use. Jack replied no, because it is storage. By definition, where he runs his business out of should be commercial, which is his home.

Motion to close Public Hearing and re-convene the regular council meeting:

CM Johnson made a motion to close the public hearing. CM Truett seconded. All votes aye. Motion does pass.

Steve Clarke: GEM Committee presentation: (See Attachment #1)

Mayor McKay welcomed and introduced Steve Clarke, who is representing the GEM Committee, Ogden Valley Growth with Excellence Mandate Committee. They are a citizen orchestrated committee that has been working on various projects here in the valley from a planning perspective.

***Council Member Johnson:**

Discussion and/or action on request for a rezone of Cory Thompson's property:

CM Johnson asked if there was any more discussion on Cory's request for a rezone. Cory has gone through the required procedure, notices have been posted and published and the time period has been met. There has been no verbal or written response received about this request to rezone. Mr. Engstrom replied that the council needs to be sure that this property will be used for storage, not to extend his business. CM Truett stated that at this time there is no power or lights in the shed, it is just a storage area.

Mayor McKay mentioned a couple of concerns he has in regards to this request. Through the years there has been concern expressed by Jim May about the early morning noise from the equipment, when the trucks are started and left running, as well as odors relative to asphalt. Jim May felt that the council had made a mistake in allowing that type of use on the property. The town council has denied other business licenses. The vision for the down town commercial area in Huntsville was to be for bed and breakfasts, restaurants, gift shops, and offices. When the Thompson's originally applied for a business license in May of 1998, it was denied, because this type of business is not allowed in the ordinances and because of the equipment. In June of 1998, Kathy Thompson came back to the council. Mayor McKay read from a copy of the minutes: "Mrs. Thompson indicated that she and her husband were correcting their business license application, they want to have a business license for an office only. They had originally applied for a business license for an asphalt business. The equipment will now be parked at job sites and not at residence." The business license was then granted.

The Mayor's concern with this request to re-zone another lot, which essentially gives license for Cory's business to expand his business, which the Mayor has concerns over the applicability for how this type of business fits into Huntsville Towns down town business district. The town has been negligent in not over seeing this issue when the business licenses are renewed each year. This would create two commercial lots dedicated to an asphalt business which is an industrial application and is not what was planned for the town's business district. CM Ferre' felt that if Cory is moving his equipment to the other property that will help solve some of the problems.

Ruth Brunker replied that she has never had any problems with odors from Cory's business, and if the equipment was moved to the other property it would solve the other issues. Sandy Hunter asked if the lot remained residential could Cory still store his equipment there. Jack replied that there is nothing in the ordinances that says he can't. CM Truett asked Cory if the purpose he built the barn to put his equipment in it and to clean up around his current property. Cory replied exactly. He just wants to clean up his place and make it look better. The purpose of the barn wasn't to run his business out of? Mayor McKay explained that the question he raised is that back when the business license was applied for it was denied, and then a month later Kathy came and indicated that they would run their business out of the home and park their equipment off site. Cory didn't remember this. Cory admitted that his business has grown, and he could possibly be out of compliance, but by changing the zoning this could help solve the problem. Cory is planning on putting in a sprinkling system and planting trees. Franco M. asked if changing the zoning to commercial would increase the value of the property. The answer was yes.

Mr. Engstrom asked if Cory planned on stock piling asphalt or gravel on the lot. Cory answered no. In the summer he might leave a couple piles of road base there which he uses himself as well as for the town, but these piles disappear within a couple of weeks. CM Johnson clarified that if the lot was not rezoned, would it make any difference to store his equipment. Jack responded no. Ron commented on CM Johnson's question, the wording in the R-1 zoning of acceptable uses in residential: accessory use, such as garage and storage, customarily and primarily incidental and subordinate to the above and devoted to the exclusive use of the permitted use of the premise. So, in relation to residential storage would relate to motor homes, boats, snowmobiles, etc. If the lot is zoned commercial then you could store anything related to a commercial business. Cory's purpose and design for this barn was to store his business and personal equipment in it. There is a one year time period for Cory to get his landscaping done.

Sandy Hunter mentioned that the council approves business licenses, so the town will be able to control what happens on this property with the issuance of a business license. Wes Welch wanted the council to take a good look at this request. He's not sure that an industrial business is what Huntsville had in mind. No one likes to wake up hearing the backup signal from a commercial truck early in the morning. Wes feels that industrial businesses should be outside of town. Cory defended himself by saying this incident with Wes happened 5 years ago, he did start work on First Street at 7:00 a.m. and woke Wes up, but that was only one time, and he unplugged the backup alarm. This hasn't happened since. Cory starts up two trucks in the morning about 7:30 and then pulls his equipment out of town to head to the job sites. CM Johnson asked Cory if there was any other reason to be commercial besides parking equipment in the barn. Cory replied that he just wants to be in compliance with what's allowed in town. There was debate about the interpretation of the residential ordinance. **CM Truett made a motion to approve Cory Thompson's request to rezone his property from R-1 to C-1, with the condition that he landscapes the property within a year.** CM Ferre' seconded. There was a call on the vote. The vote was unanimous and motion passes.

Roll Call:	Mayor McKay	Nay	CM Sorensen	Yea
	CM Ferre'	Yea	CM Johnson	Yea
	CM Truett	Yea		

Discussion on Planning Commission's recommendations: (See Attachments #2, #3 & #4)

1-Amend Land Use Ordinance Section 15.6.10:

CM Johnson read from the current Land Use Ordinance, section 15.6.10, B "No accessory building, nor group of accessory buildings in any residential zone shall cover more than 25% of the rear yard." Sandy Hunter clarified that the ordinance currently says, the total amount of buildings on a lot cannot cover be more than 60% of the foot print of the lot, it further states, no accessory building or group of buildings can cover more than 25% of the lot. The P & Z is recommending an addition stating "no house can be more than 35% of the lot." **CM Sorensen made a motion to set a public hearing on December 4th @ 7:00 p.m. to amend Title 15: Land Use Ordinance, to add paragraph (C) to say "a house cannot take up more than 35% of the area of the building lot."** CM Johnson seconded. All votes aye. Motion does pass.

Roll Call:	Mayor McKay	Yea	CM Sorensen	Yea
	CM Ferre'	Yea	CM Johnson	Yea
	CM Truett	Yea		

Beckki Endicott

From: Bob Michelony [REDACTED]
Sent: Tuesday, January 14, 2020 8:02 PM
To: Beckki Endicott
Subject: Rezone Petition re: Casey Pratt of Club Rec

To: Huntsville Town Council
Via: Beckki Endicott, Huntsville Town Clerk
Fm: Bob and Fay Michelony
[REDACTED]

Dear Members of Huntsville Town Council,

Thank you for inviting the public to voice our opinions on the subject Rezone Petition. My wife and I are not in favor of rezoning a residential area to accommodate an addition storage unit, and feel that Huntsville Town is and should continue to be a residential community. An additional storage unit, in our opinion, would create an industrial feel to our beloved town. Also, we do not relish the idea of forever looking out our kitchen window and viewing an additional storage unit. One is okay since it is already done; Two....would be moving our town in the wrong direction.

Thank you for your consideration.

Respectfully,
Bob and Fay Michelony

Beckki Endicott

From: Laurie Van Zandt [REDACTED]
Sent: Wednesday, January 8, 2020 10:21 AM
To: Beckki Endicott
Subject: Public hearing

Regarding the petition to rezone Parcel #240140028: in principal, I am against most rezoning. The land was set at that zone for a reason, and Storage Units are currently not allowed in Huntsville Town. It does not make sense to rezone this property when Storage Units were **specifically disallowed** with a new ordinance. If this property is allowed to be rezoned, I don't see how the City could deny anyone a rezone to either make money or to make their land more usable. There needs to be consistency on the part of the government of Huntsville, otherwise, they are continually make exceptions for some people and not others. There should be very, very few exceptions made to existing ordinances.

IF, the commission and council decide to allow this exception, the very minimum consideration should be given for allowable access hours, headlight concerns, and heavy landscaping to minimize the impact of the building from the street view. Access into the units should be on a non-readily visible side of the building.

I appreciate the ability to express my concerns. Laurie Van Zandt

Laurie Van Zandt

[REDACTED] Design & Project Coordination

[REDACTED]

Phone [REDACTED]

On [REDACTED] (The Ardent Gardener/The Ardent Gardener Landscaping)

Web [REDACTED]

On [REDACTED]

On Facebook [REDACTED] (The Ardent Gardener Landscaping) Phone: (256) 252-47882

On LinkedIn [REDACTED]

All,

I am unable to attend the Thursday meeting, but wanted to provide some input.

For some background, 10-15 years ago, I was a hardliner with regards to development and construction. I thought we should say no to everyone. I have softened some in recent years, realizing that property and business owners have rights.

While not necessarily for or against at this time, I think there is more to be considered.

- Club Rec purchased the property years ago. At that time, it was zoned commercial and was operating as boat storage. They inherited the zoning and the business model when they purchased the land.
- The town changed the allowable use table a couple of years ago to disallow storage sheds. I believe their current business model has been grandfathered.
- While the current building is far from perfect, it is far different than a typical row of storage units such as the ones on the highway near the American Legion.
- The boat storage business has been operating longer than many of the neighbors have lived nearby. It was likely in operation when they purchased their property and they may or may not have even known a storage business was in operation.
- The proposed footprint of the new building may be a bit large and could likely be downsized.

Additionally, Club Rec, as property owners, has property rights too. They have talked about expanding for some time - even before they purchased the property - but the town turned the lights out on them a couple of years ago by changing the allowable use table, without Club Rec's knowledge.

Further, as stated, the existing building and layout is not perfect, but it may be possible to work with both Club Rec and the neighbors to come up with a construction and design plan that alleviates some of the neighbor's concerns while improving the overall aesthetics of the property in question. Specifically, the neighbors across the street have lights shining on their home during the summer from boat traffic, but a new design could possibly improve upon that problem.

Also, the business owners need to be able to have a viable business plan, and the town should support local businesses not hamper them. Some may not realize that if they are prohibited from expanding their current business with another shed, then they are likely entitled to add a business that is listed on the allowable use table, be it a gas station, convenience store, charter school, etc.

We had a similar example a few years ago when residents were outraged over a multi use project in downtown that included businesses on the ground floor with housing above. During the outrage, the petitioners changed their plan by simply selecting another business that was permitted by the allowable use table.

Saying no for the sake of stopping any construction or development could easily backfire, and we could end up with a less desirable business.

One last example. The town purchased some property in the middle of nowhere east of town more than fifty years ago, and they created a dump (landfill). Over time, Huntsville sprawled and some neighbors built homes near the dump. People complained and EPA regulations changed.

The dump is now limited to green waste; however, some of the neighbors still complain about the burning of the materials, which happens every year or two. Who knows what the future holds, but it may be that the dump will eventually be forced to shut down and could potentially mean many building lots. If I were a neighbor of the dump, I think that I would prefer to deal with the occasional burning rather than end up with a subdivision full of many houses.

Thanks for your consideration.

Respectfully,

Richard Sorensen
Huntsville

Cody Hadley

Concept for Lot line Adjustment



PART OF N.E. 1/4 OF SEC. 18, T.6N., R.2E., S.L.B. & M.

13

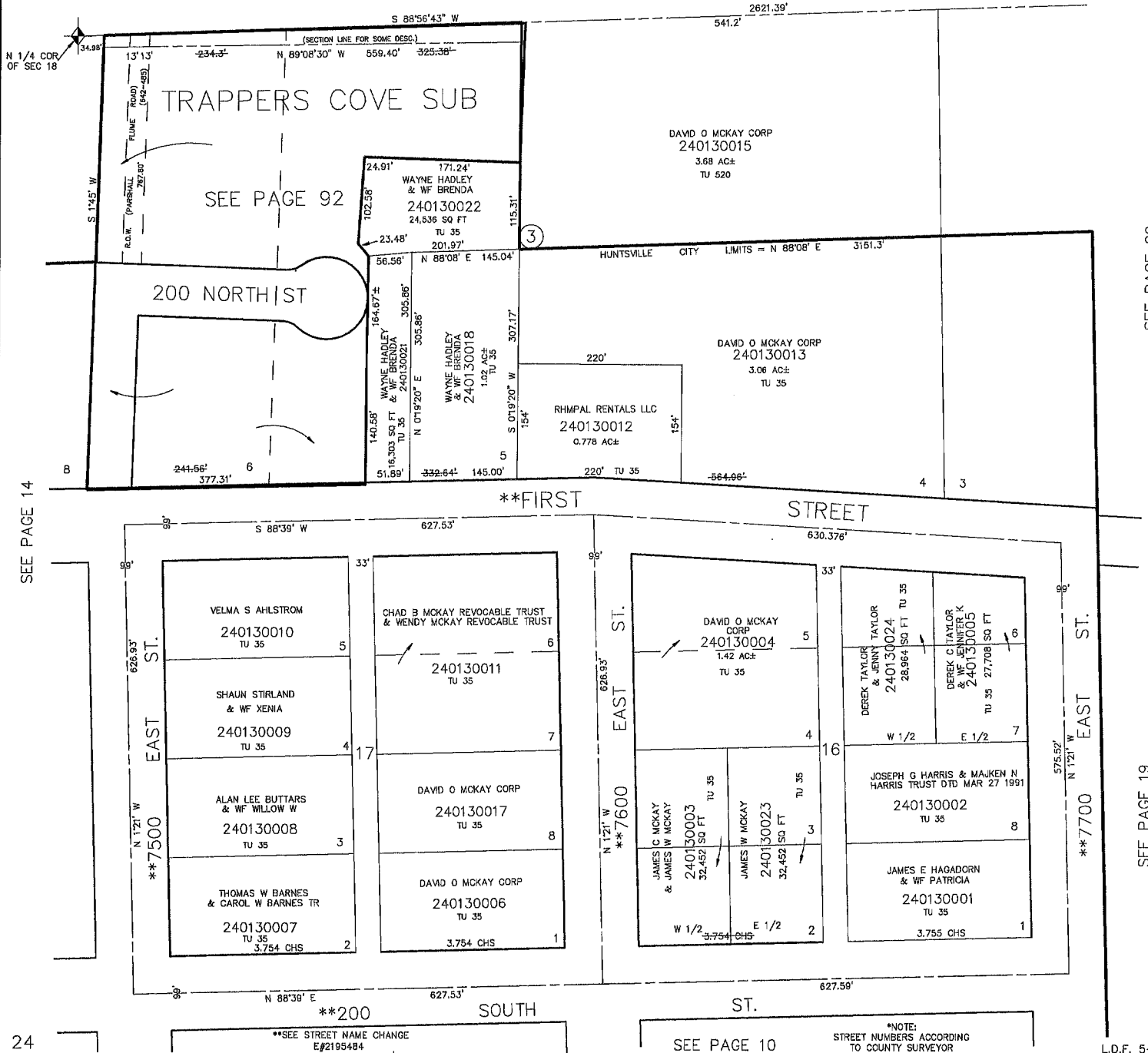
HUNTSVILLE SURVEY

TAXING UNIT: 35, 520

BLOCKS 16 & 17, PLAT A & LOTS 4 TO 6, BLOCK 3, PLAT B

SCALE 1" = 100'

SEE BOOK 21, PAGE 7



24

SEE PAGE 19

SEE PAGE 20

L.D.F. 5-92



LAND USE PERMIT

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

Tax ID # 240220006

Address of Structure 6650 East 100 South

Name & Address of Owner/Owners Reuben + Aimee Erickson

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 2/27/2020

Set Backs Approved: Yes X No

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

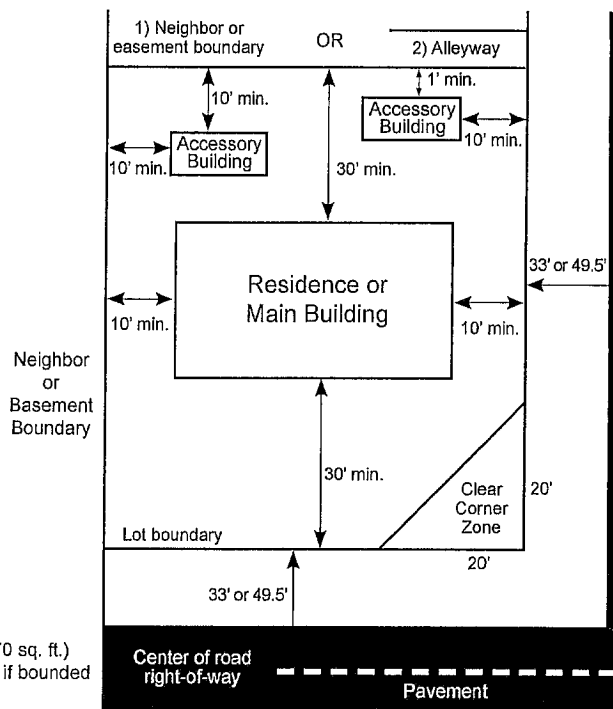

Huntsville Planning Commission Chairman


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

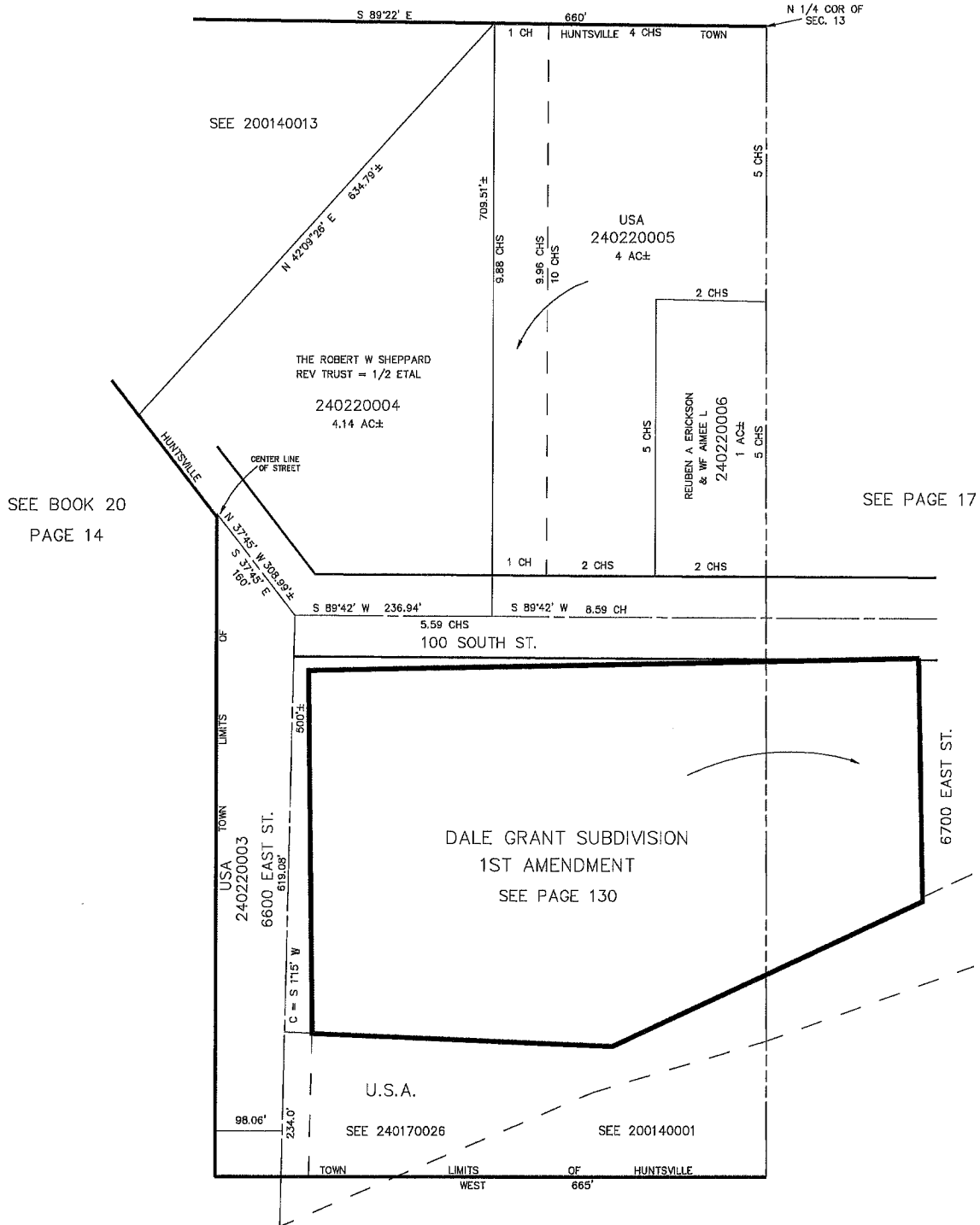


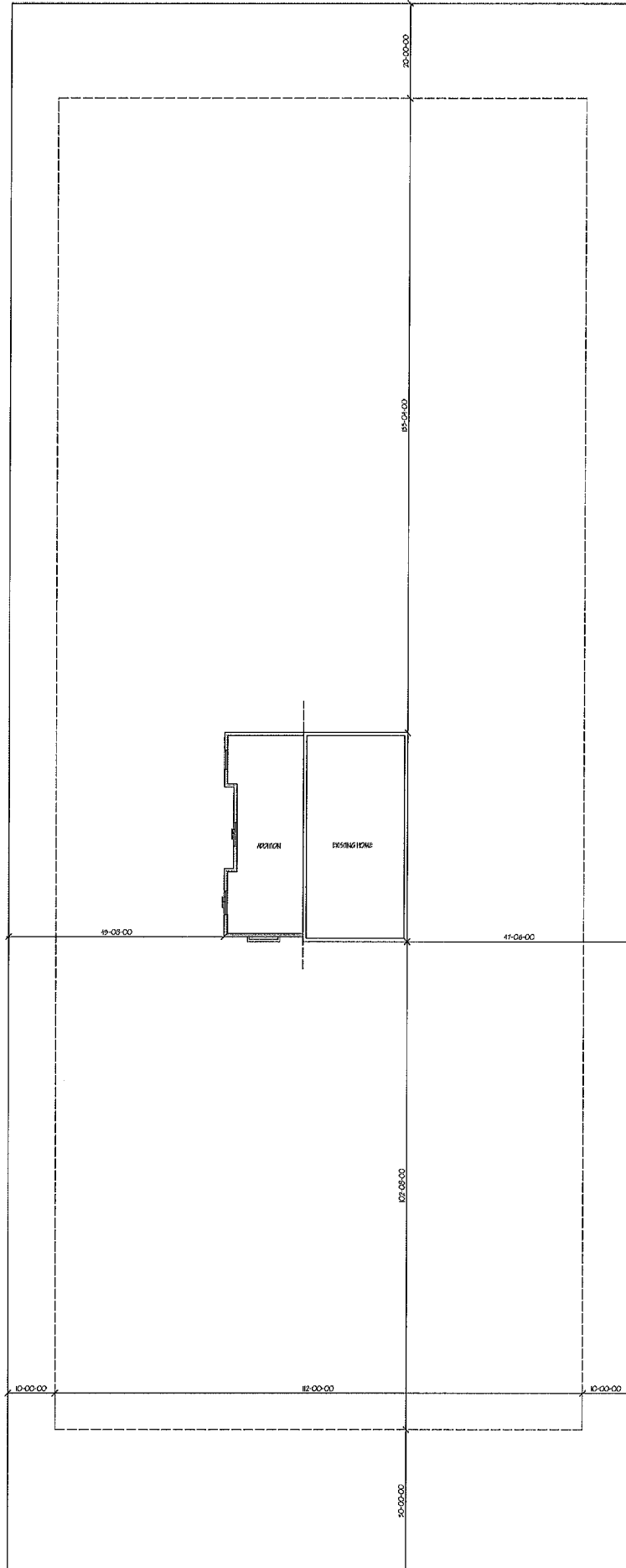
PART OF N.W. 1/4
SECTION 13, T.6N., R.1E., S.L.B. & M.

IN TOWN OF HUNTSVILLE

SCALE 1" = 100'

TAXING UNIT: 35





330'-00"

132'-00"

Not to scale

6650 E 100 S

Job Name:	Building Code:	Customer:	City, ST, ZIP:
	Loading:		
	Sales Rep:		
	Designer:		

REVIEWED BY: _____

APPROVED BY: _____

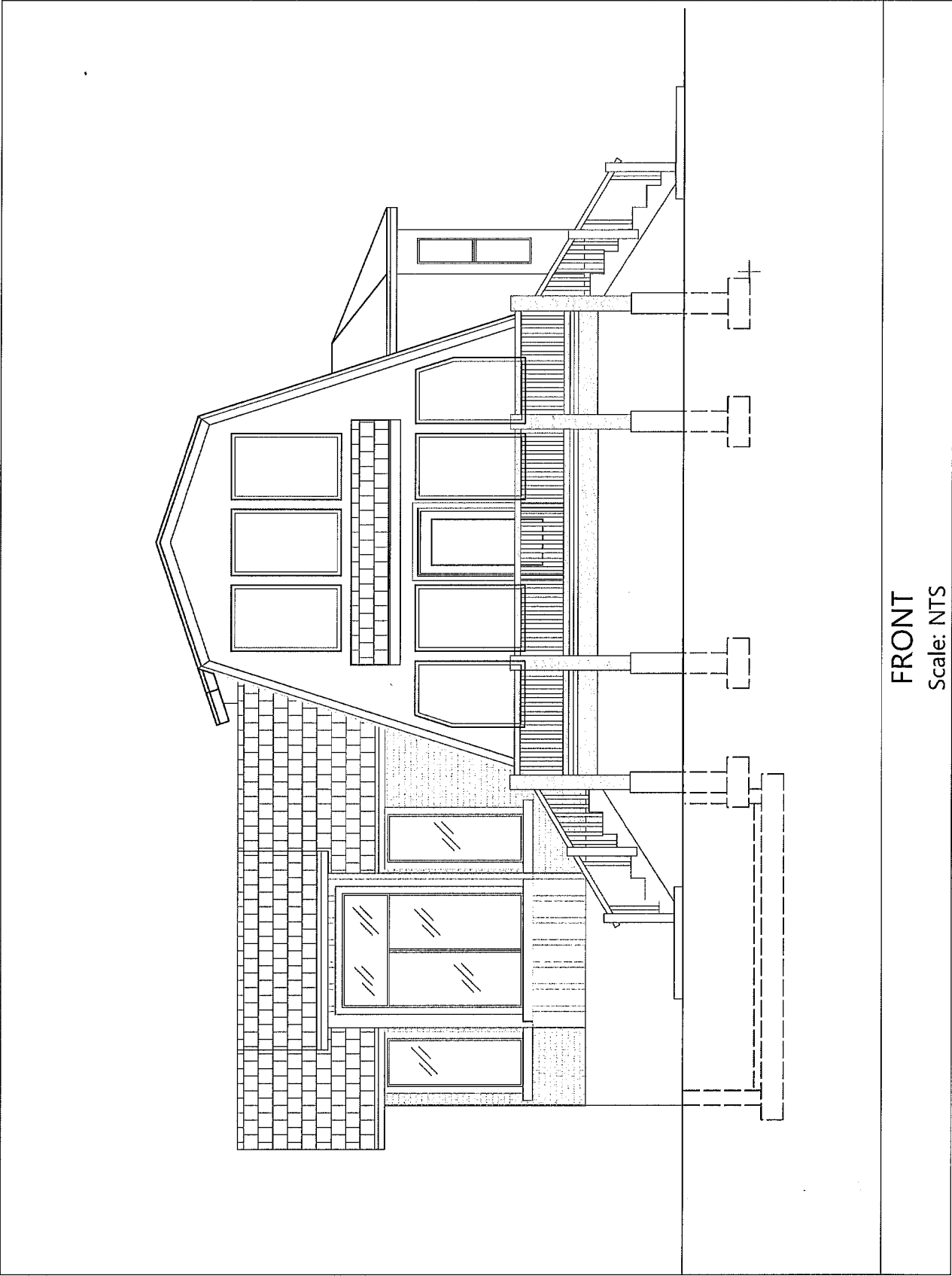
DATE: _____

THIS IS A TRUSS PLACEMENT DIAGRAM ONLY

SHOP DRAWING APPROVAL

These trusses are designed as individual building components to be incorporated into the building design at the specification of the building designer. See individual design sheets for each truss design identified on the placement drawing. The building designer is responsible for bearing and permanent bracing of the roof and floor system and for the overall structure. The design of the truss support structure including headers, beams, walls, and columns is the responsibility of the building designer. For general guidance regarding bracing, consult "Bracing of Wood Trusses" available from the Truss Plate Institute, 583 Donoho Drive, Madison, WI 53719.

THIS LAYOUT IS THE SOLE SOURCE FOR FABRICATION OF TRUSSES AND VOIDS ALL PREVIOUS ARCHITECTURAL OR OTHER TRUSS LAYOUTS. REVIEW AND APPROVAL OF THIS LAYOUT MUST BE RECEIVED BEFORE ANY TRUSSES WILL BE BUILT. VERIFY ALL CONDITIONS TO INSURE AGAINST CHANGES THAT WILL RESULT IN EXTRA CHARGES TO YOU.



Job Name:	Building Code:	Customer:	Site Address:	City, ST, ZIP:
	Loading:			
	Sales Rep:			
	Designer:			

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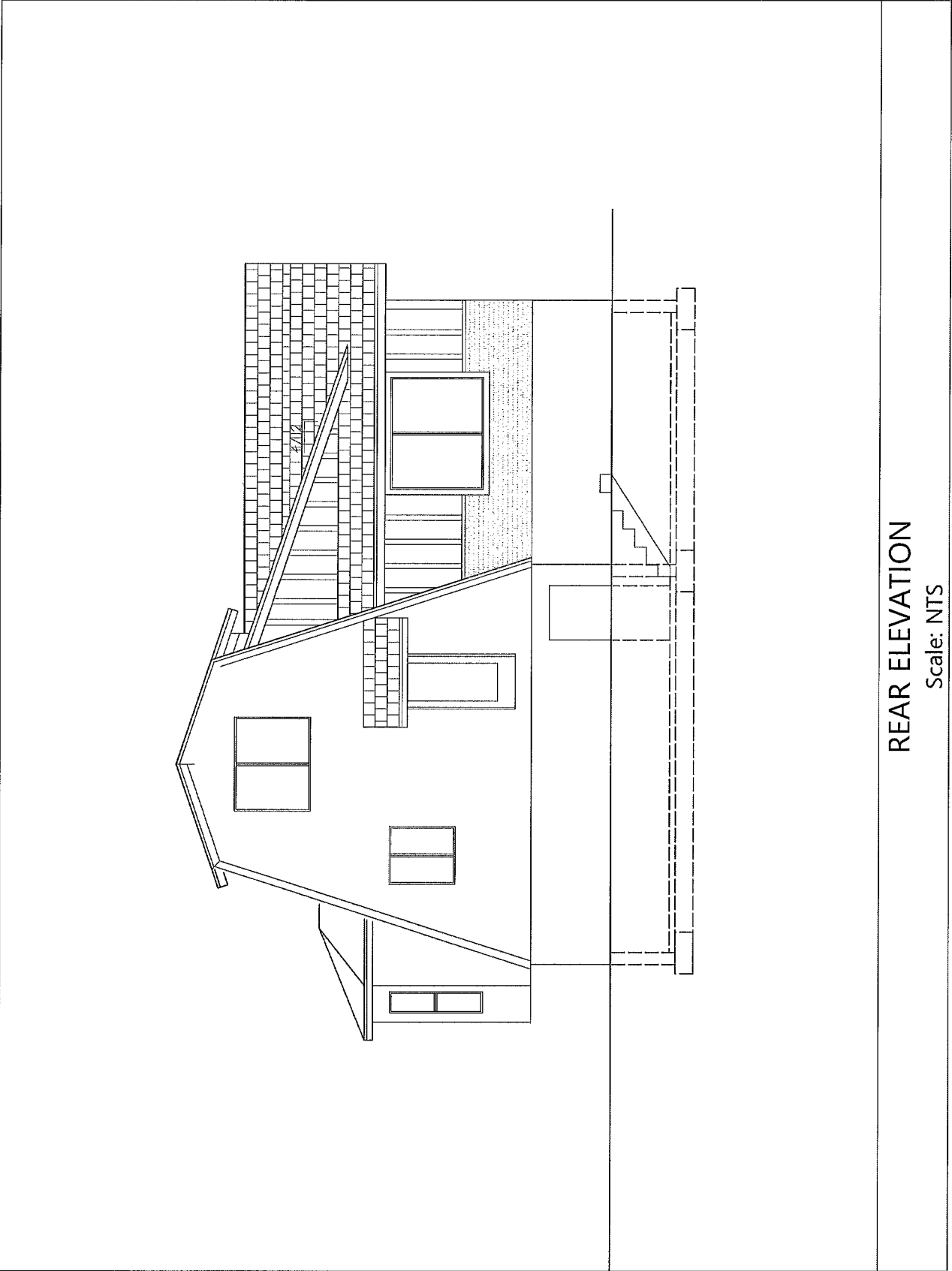
REVIEWED BY: _____

APPROVED BY: _____

DATE: _____

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SHOP DRAWING APPROVAL



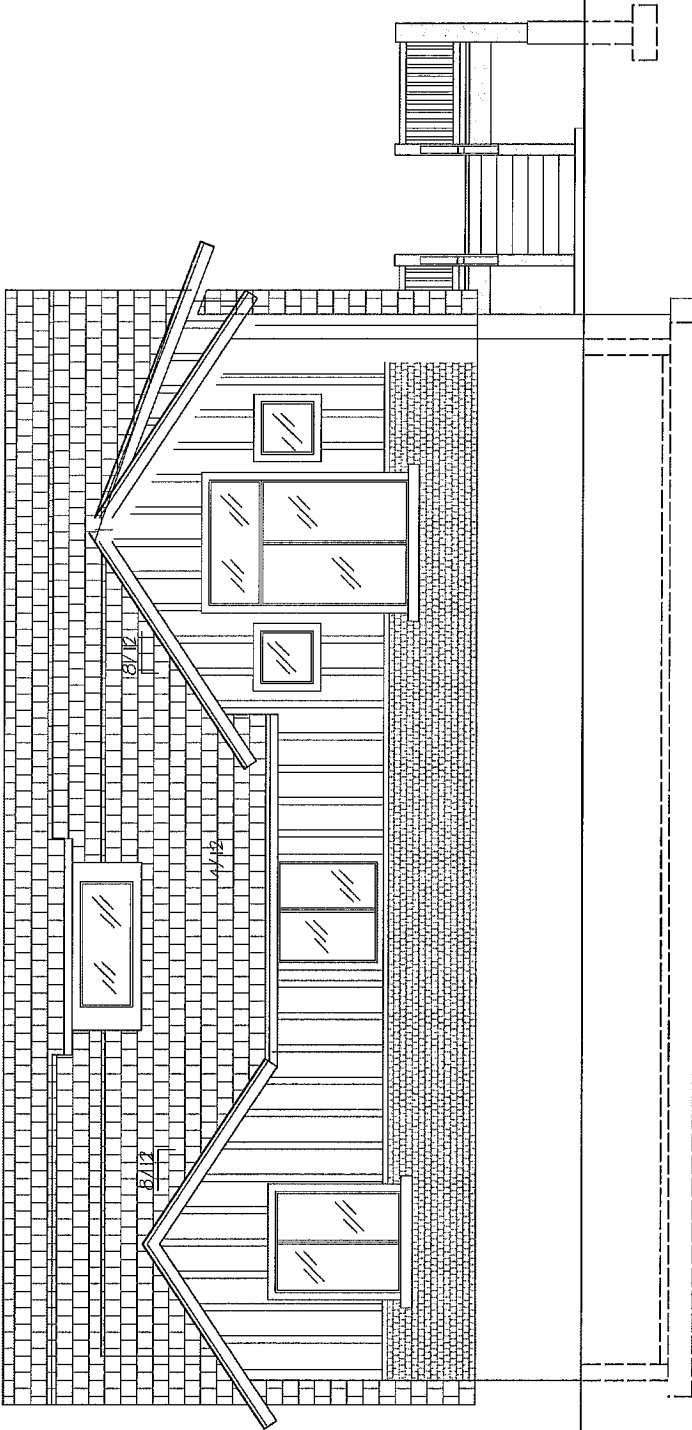
Job Name:	Building Code:	Customer:	Loading:	Sales Rep:	Designer:	City, ST, ZIP:
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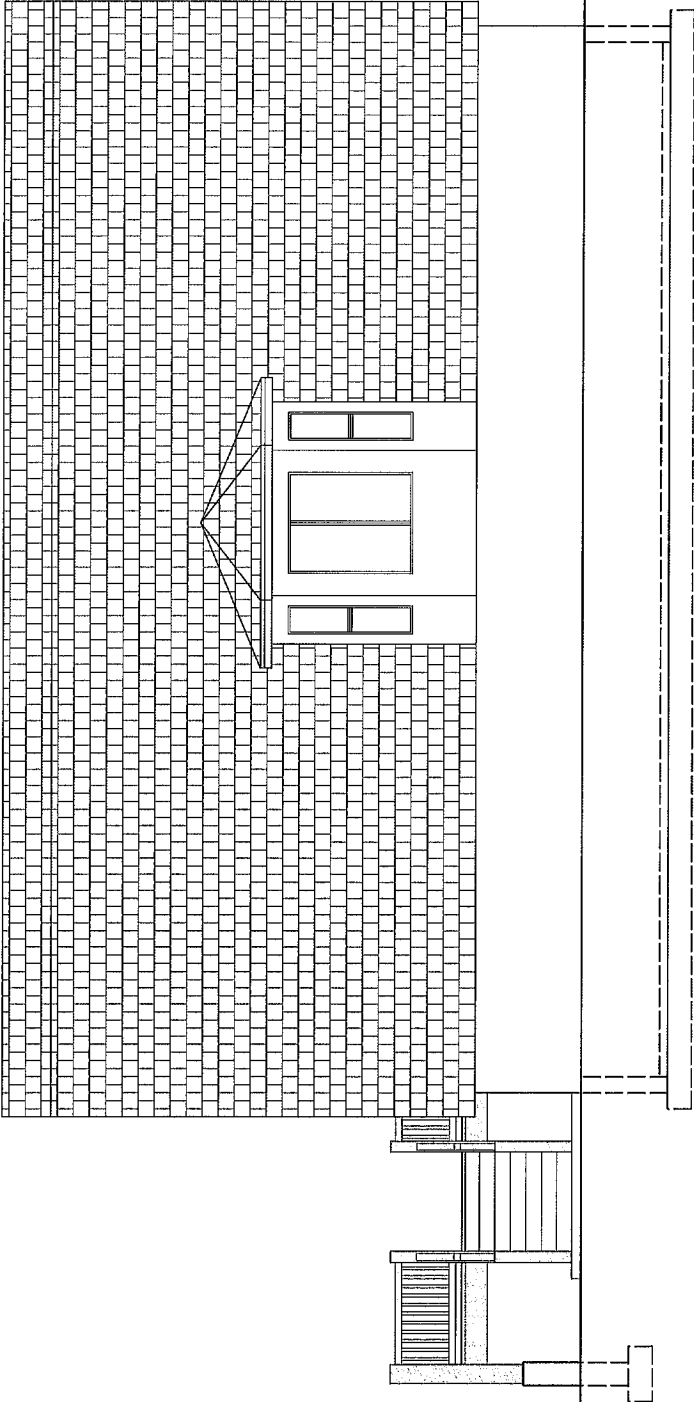
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APPROVED BY: DATE: SHOP DRAWING APPROVAL

THIS IS A TRUSS PLACEMENT DIAGRAM ONLY



LEFT ELEVATION
Scale: NTS

Job Name: Customer: Site Address: City, ST, ZIP:		Building Code:	Loading:	Designer: Sales Rep:
REVIEWED BY: APPROVED BY: DATE:				
THIS IS A TRUSS PLACEMENT DIAGRAM ONLY SHOP DRAWING APPROVAL				
RIGHT ELEVATION Scale: NTS 				

Job Name:	Customer:	City, ST, ZIP:
Building Code:	Loading:	Site Address:
Reviewed By:	Sales Rep:	Designer:
Approved By:		
Date:		

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SHOP DRAWING APPROVAL

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