

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

MEETING DATE: May 28th, 2020

PLACE: Electronic Zoom Meeting,

TIME: 7:00 p.m.

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

Citizens: Justin Blair, Rex Harris, Ron Gault

1–Roll call: Sandy Hunter introduced herself. She is acting chair while Doug Allen is out of Town.

2–Approval of Minutes for Planning Commission Meeting April 23, 2020. (See Attachment #1)
PCM Jeff Larsen motioned to approve the minutes from the Planning Commission Meeting dated April 23, 2020 as amended. Liz Poulter seconded the motion. All votes aye. Motion passes.

3–Discussion and/or action on Land use Permit for volleyball court construction on parcel number #240140027, 140 S. 7300 East. Developer Justin Blair presenting for Starling Family. Justin Blair explained the Starling Family is thinking of buying this lot to put sand volleyball courts on the lot for the family recreation. He is coming to the Planning Commission because the family would like to put a 12-foot fence around the lot and that is higher than the code allows. PCM Sandy Hunter shared the plans for the lots that Justin had shared with them. **(See Attachment #2)** Sandy Hunter asked Justin Blair if this is for private use. Justin confirmed this was for private use. The family has another home in Town. They would use the lot for family recreation when they are in Town.

PCM Sandy Hunter identified that recreational facilities in an R-1 zone are not allowed. She would consider what Justin Blair gave them as a site plan to be recreational facilities. PCM Sandy Hunter stated that if there was a home there, they probably wouldn't question it. However, this looks like a recreational use without a home in an R-1 zone.

Rex Harris responded the PC should be careful in interpreting this. He stated that many residents have volleyball or other types of courts in their yard. PCM Jeff Larsen commented this plan he would consider would fit into an AV-3 zone but not an R-1 zone. PCM Liz Poulter asked about the site plan which lists two volleyball courts, one pickleball court and a tiny home (to be built at

a later date). She asked what the family would be doing with the facilities. Justin explained they would use them privately when they were here.

PCM Sandy Hunter commented back to Rex that he was considering this to be a yard, yet there isn't a home on the property, so to her, it wasn't a yard. She does see that this use is approved in a C-1 zone. She asked about rezoning the property to C-1.

PCM Liz Poulter read the Huntsville Title regarding fencing should be no higher than 6 feet and be made of natural material. Rex Harris stated that a 12-foot fence would potentially impact the neighbors. PCM Sandy Hunter proposed the idea of rezoning as commercial with conditions. This is a way to allow the 12-foot fence.

Rex Harris suggested that he and Justin get together offline and talk about the current ordinances. He also suggested the Planning Commission put the use table for recreational facilities up for discussion. They need to look at whether this use was intended for commercial or private facilities. He stated that if the Starlings had an adjacent lot to their current home that they put two volleyball courts on, the residents might not think anything about it. But because this lot is separate, and it is a concept they haven't seen before the Planning Commission is thinking about this differently. PCM Sandy Hunter said she agreed with Rex. She pointed out that when they put the Use Table together, they allowed private parks in an R-1 zone and stated this could be considered a private park. She asked the rest of the PC if they were thinking the intent not allowing recreation facilities in an R-1 zone was meant for commercial facilities or if they should limit private recreational facilities.

PCM Liz Poulter stated she was more concerned about a 12-foot fence. PCM Larel Parkinson is also concerned about a 12-foot fence. PCM Jeff Larsen wanted to know about parking for visitors and what that would look like. Justin responded that the lot was wide and would allow for parking on both sides of the tiny home, if there needed to be a home on the property. He also stated if the 12-foot fence was an issue, they could just not do that.

PCM Jeff Larsen stated there is room in the use table to do what needs to be done here. He suggested that he meet with Rex to develop the proposal. Beckki will send the information to Rex and he will contact Justin.

Steve Songer joined the meeting at 7:33 p.m.

4-Discussion and/or action on Land Use Permit for new home parcel #240140013, 7432 E. 100 South, Phil & Merilee Clawson. Phil Clawson stated this lot was his grandmothers and his Uncle Frank bought the property. They prepared a site plan. They would like to tear down the old home, build a new home and refinish the barn. He explained that this lot with the old home on it does not have enough frontage to meet the code. He is coming to the Planning Commission to look for suggestions.

PCM Sandy Hunter explained this was a non-conforming lot because it only has 110 feet of frontage and the lot is undersized. But according to our ordinances if the lot has a house on it prior to 1992, it is considered a conforming buildable lot. Sandy added the ordinance does stated

that the house needs to not be abandon. She asked if the home was empty. Phil commented it was occupied until 2005. Sandy is worried that this doesn't comply with the code, 15.17.A.

Rex states there are a couple of issues. The home was put on the Database of homes as a non-conforming lot because although it has always had a home on it, it was considered undersized. Rex states he is not sure that the PC can get around it being on the Database of Huntsville Homes as a non-conforming lot without going through the variance process.

Phil oriented the PC to the site plan. He stated they are planning on doing a bed and breakfast. Rex stated Huntsville has ordinance regarding bed and breakfasts and they would need to follow that ordinance. Phil asked about the variance process: what the process looked like and how long it would take. Sandy also asked about the definition of abandonment. Phil Clawson stated the intent was not to abandon the home. He stated the home was rented to a person with animals that had caused much damage. The uncle tried to gut the home, but the foundation was not in good shape. The owners plan to remodel came to a stop when his wife was diagnosed with cancer. He stated the intent was never to abandon the home.

Rex stated he believes that the Town made a decision on the Database spreadsheet that this was a non-complying lot. It wouldn't matter if there was a home on the lot or not. This would need to be appealed. In order for the PC to make a decision, the Clawson's need to be under contract. Rex would like to consult with our Town Attorney about the legality of the document. The Clawson's will go ahead and purchase the property from the family. The PC will schedule a meeting in the in next week to take action on a Land Use Permit.

Steve Songer wanted to comment on the Bed and Breakfast proposal. He stated when he was on the Town Council when the use table was being put together, you could not build a building that could house a bed and breakfast. You had to convert the existing home to a bed and breakfast. Rex stated the intent was that the building is not built as a bed and breakfast. However, you can build the home first and then apply for a business license. He believes there is a work around for them to do that. Phil stated he understands that concept. They would like to convert the old barn, which is existing. Rex stated that having the barn be the bed and breakfast might be an issue, and other PC members agreed. Rex told the Clawson's that the owners must occupy the building where the customers are staying. Sandy confirmed the intent of the ordinance is for the owners to occupy the same home, however; the ordinance currently says the owner must occupy the same "property" not "home." PCM Liz Poulter stated she would hate the Clawson's to be intent on converting the barn when the nightly rentals are a major item they are discussing at this moment in time. Merilee stated they would still fix the barn for the family. Liz just wanted to make sure that the bed and breakfast in the barn was not a make or break item for them in building a home. Merilee stated they would like to remodel the barn at the same time as the house.

Rex stated the Planning Commission should spend some time talking about the bed and breakfast wording in the ordinance.

Merilee asked about renting out the barn for more than 30 days if they can't do the bed and breakfast. PCM Sandy Hunter explained that you can only have one single family home on a property. You could rent that home to another person, but you can't rent part of your home or an

accessory building. Phil Clawson clarified that you could have a bed and breakfast as long as it was a part of your home and TCM Blake Bingham added to that clarification that the bed and breakfast could be attached to the home. Blake went on to clarify that the intent is to have the bed and breakfast in the home.

Phil will get Beckki the contract for the home and tentatively plan for June 4th for action on a Land Use Permit.

5-Public Hearing on Ordinance 2020-4-23: Update of 15.31.5 Penalties. **Steve Songer motioned to go to a public hearing for Ordinance 2020-4-23. (See Attachment #4)** PCM Liz Poulter seconded the motion. All votes aye. Roll Call votes. All votes reflected below.

VOTES:	
AYES:	Commissioner Sandy Hunter Commissioner Jeff Larsen Commissioner Liz Poulter Commissioner Larel Parkinson
NAYS:	
ALTERNATE:	Commissioner Steve Songer

TCM Blake Bingham gave some history regarding this ordinance. He stated these are some changes that our Town Attorney proposed to strengthen this section. There were additional clauses added to the first paragraph that stated we can seek other remedies allowed by law when trying to enforce an action. Also added in subparagraph A are ways that we can reimburse the expenses and court costs in enforcing those actions. Blake explained these changes were more bookkeeping changes.

There were no public comments. There were no public comments received by mail.

6-Close Public Hearing on Ordinance 2020-4-23: Update of 15.31.5 Penalties. **PCM Sandy Hunter motioned to close the public hearing and go back to the regular session.** PCM Jeff Larsen seconded the motion. All votes aye.

7-Discussion and/or action on Ordinance 2020-4-23: Update of 15.31.5 Penalties. There were no additional comments given by the Planning Commission. **PCM Jeff Larsen motioned to recommend for adoption Ordinance 2020-4-23: Update of 15.31.5.** PCM Liz Poulter seconded the motion. Roll Call Vote. All votes aye. The votes are reflected below. Motion passes.

VOTES:	
AYES:	Commissioner Sandy Hunter Commissioner Jeff Larsen Commissioner Liz Poulter Commissioner Larel Parkinson

NAYS:	
ALTERNATE:	Commissioner Steve Songer

8-Discussion and/or action on revision of the General Plan. Ron Gault presented a new copy of the General Plan with edits from the last PC Meeting. **(See Attachment #5)**

PCM Sandy Hunter asked about the survey that was referred to in the General Plan. Ron stated the survey was done in 2012 probably needs to come out of the General Plan.

Sandy stated that in the physical description section of the plan that Huntsville has 246 dwellings and 221 are occupied year-round by residents. PCM Liz Poulter suggested adding a year to the counted dwellings, Compass Rose Lodge and pickleball courts.

TCM Blake Bingham suggested moving the Huntsville Cemetery to the in-town Boundary.

In the current edit of the General Plan there is a reference to the amount of water the Town currently produces. PCM Liz Poulter believes this should be taken out of the plan if the Town is not open to development. Ron will take that out.

PCM Liz Poulter asked Ron to put in a reference to the VIPS program in law enforcement. Liz asked about the development of the 40-car parking lot on the Town lots near the library. There was discussion on what exactly our commitments were to the Weber County Library. Ron will research Huntsville's legal commitments there and put them in writing.

There were various items given to Ron to research. Some of the items just need some updating and "cleaning up." Beckki will notice the intent to work on the General Plan. Ron will forward a clean document to Beckki for the website.

9-Discussion and/or action on 15.6.2.A & L regarding Accessory Buildings. (See Attachment #6) PCM Sandy commented that she likes the wording Blake has edited. Blake stated as he edited the document, he was trying to strengthen the wording of the ordinance to prevent renting parts of single-family dwellings. He has been discussing it with residents and reports that this sentiment for no rentals is not always desired by residents. He wanted the Planning Commission to understand that not all residents want this.

Blake added the reference to the Appendix for table 15.1 (Acceptable Uses by Zone). PCM Jeff Larsen likes what has happened with the language in this document. He believes the intent is clearer. PCM Jeff Larsen wanted to know if the ordinance changes allowed a couple, who has an accessory building with bedrooms in it, to move into the accessory building and leave the main home for the family. TCM Blake Bingham believes the wording changes prevents the renting or in-kind donations, but probably doesn't prevent a multigenerational family from occupying the property all together. PCM Sandy Hunter stated she believes it does prevent this because of the reference of a single-family dwelling. TCM Blake Bingham pointed out that they discussed this last meeting when they asked if the whole family, multiple generations, could live in one house. The question was posed about whether a family lived in the accessory building or the house, did this really matter.

PCM Sandy Hunter felt the PC needed to address the requirements for Bed and Breakfasts. TCM Blake Bingham felt they needed to change the requirement from “proprietor or owner must occupy the property” to “proprietor or owner must occupy the home.”

Blake will edit the document and email the edits to the PC members. Beckki will publish the upcoming public hearing.

10-Land Use Coordinator Update: Rex Harris.

Rex has had a good deal of discussions with residents regarding setbacks on corner lots. TCM Blake Bingham stated the PC updated the ordinance to read that if your garage entrance is not on your frontage, the requirement is a 20-foot set back. The PC addressed additional concerns regarding various buildings on corner lots and evaluated the ordinances regarding those concerns.

Rex received the subdivision plat for Pineview Point. Rex redlined the plan and they have made corrections. Rex stated he has reviewed the subdivision plan and it is ready for review at the Planning Commission level. He will send the plans to the PC for review.

11-Chaiman’s Report – There was none.

12- Public Comment – There was none.

PCM Liz Poulter encouraged all the PC Members to listen to the Town Council Minutes from 5-21-20. She stated it’s important to address the issues of lighting in Huntsville Town.

13-PCM Larel Parkinson motioned to adjourn the PC meeting. PCM Steven Songer seconded the motion. All votes aye. Meeting is dismissed.

Meeting is adjourned at 9:31 p.m.

Beckki Endicott, Recorder

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

MEETING DATE: April 23, 2020
PLACE: Electronic Zoom Meeting,
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
Blake Bingham	Town Council Liaison	Present
Beckki Endicott	Recorder	Present
Bill Morris	Town Attorney	Excused

Citizens:

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

2–Approval of Minutes for Planning Commission Meeting February 27, 2020. (See Attachment #1) PCM Liz Poulter and PCM Sandy Hunter had several questions and corrections. PCM Sandy Hunter motioned to approve the minutes from February 27, 2020 with the corrections discussed. PCM Liz Poulter seconded the motion. Roll Call Vote. Four votes aye, one abstention. Votes reflected below. Motion passes.

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

3–Discussion on outside permit requests for home repairs and upgrades. Beckki asked the Planning Commission if they had any advice for companies seeking a permit from the Town. For example, to replace a water heater, our code requires a permit. Beckki wanted to know how the Planning Commission would envision that process, or what should happen. There is no fee or process associated with this. She asked Rex how to handle this and Rex suggested that she ask the Planning Commission.

PC Chairman Doug Allen suggested the Huntsville Code has requirements in Title 4. PCM ^{Sandy}~~Liz~~ Hunter suggested the app Rex was working on might help her work through the process.

PC Chairman Doug Allen commented his previous assignment on the Town Council was to oversee excavation permits. He stated it only happened one time. He believes there is a form and excavation permits should be overseen by the Town Council Member in charge of roads. He believes this is for those that desire to cut the road in the Town right of way. TCM Blake Bingham stated the TC Member Max Ferre should sign off on excavation and third party permits. He stated it didn't make sense to have the customer come in for a Land Use Permit for a water heater.

TC Blake Bingham would like to make some recommendations regarding some requirements and edits in Title 4. PC Chairman Doug Allen stated he would like to see an update.

4-Discussion on new Building Permit Process. Blake explained he had drawn up the new Building Permit Application based on several applications that Beckki had given him from other cities. (See Attachment #2) Beckki explained more about the new software, iworq. She stated as soon as a Land Use Permit is issued, she uploads all the permits and plans to iworq. From there she submits a Building Permit with the attachments to Sunrise through the software. Sunrise does the plan check and then issue the fee for the building permit. Once the fees are paid, she can issue the permit and that will also be indicated in iworq.

Larel asked about using the form with a remodel. Beckki stated she had an applicant for a basement finish this week. Blake asked if it was a self-remodel permit. Beckki replied it was for a regular remodel with hired contractors. She stated she had done a self-remodel in previous weeks. Blake asked about the Land Use Permit. Beckki replied she didn't require a Land Use Permit because the project was finishing a basement and didn't alter or expand the use of the Land. She also stated that a Land Use Permit cost \$50 but the applicant would still have to pay for a plan review and building permit for his remodel. PCM Jeff Larsen suggested looking at the title to be able to update this requirement.

Beckki also described the self-remodel permit done in the past couple of weeks. Rex recommended the applicant have inspections for electrical upgrade. Because there isn't a self-remodel permit fee, she recommended the applicant pay for the electrical inspection. She didn't ask the applicant to get a Land Use Permit.

PCM Liz Poulter asked if the remodel would include plumbing and whether they needed to be concerned about the septic. TCM Blake Bingham explained that these changes would be addressed in the building permit and involve Weber Morgan Health for sign off. Beckki explained she felt like this was going to happen at the time of plan review. When she sends the building permit to sunrise, they determine what inspections will be needed. If a septic upgrade will be needed, they should know at that point. Beckki will keep reviewing this process. She will also check with Sunrise about the septic check point.

TCM Blake Bingham oriented the PC to the rest of the Building Permit Form.

5-Discussion and/or action on Ordinance 2020-4-23: Update of 15.31.5 Penalties. (See Attachment #3) Sandy commented that the wrong numbering system is in the body of the ordinance. It should read 15.31.5 and it reads 15.30.1.4. These ordinance changes were

recommended by our Town Attorney, Bill Morris. Beckki posted a public hearing notice for this ordinance for May 28, 2020. TCM Blake Bingham stated that in subsection A. The new ordinance has added the language to read "In addition to all other remedies as authorized by law, *including but not limited to removal, abatement, injunctive relief, revocation of any permit, or otherwise*, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of any land use provision established by the Town. *The Town is also entitled to reimbursement of all costs relating to enforcement, including, but not limited to: removal, abatement, injunctive relief, or otherwise, including all court costs and attorney fees.*"

PCM Sandy Hunter motioned to hold a public hearing to amend Ordinance 2020-4-23 which updates Land Use Title 15.31.5, Land Use Penalties. PCM Jeff Larsen seconded the motion. Roll Call Vote. All votes aye. Motion passes. Votes are reflected below.

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

6-Discussion and/or action on revision of the General Plan. Ron Gault has been working on some edits to the General Plan but was not able to be here tonight. Each member of the PC has received a copy of the edits. Chairman Allen asked TCM Blake Bingham to prepare the Council for the edits. He will send a draft to the TC. The PC requested hard copies of the General Plan. PC Jeff Larsen would like to have Ron be able to comment on the changes to understand the intent. **PCM Liz Poulter motioned to table this item until the next meeting.** PCM Larel Parkinson seconded the motion. All votes aye. Motion Passes.

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

7-Discussion and/or action on 15.6.2.A & L regarding Accessory Buildings.

The Planning Commission reviewed the definitions of “single family dwelling” and also “family” in the Huntsville Municipal Code. PCM Sandy Hunter stated section 15.6.2.A is defined by the definitions reviewed by the Planning Commission. She read the definition of Single-Family Dwelling: *building arranged or designed to be occupied exclusively by one (1) family, the structure having only one (1) dwelling unit.*

15.6.2.A states:

Single-family dwellings. Only one single-family dwelling is allowed on an approved R-1 building lot. No residential dwelling or a portion of a residential dwelling shall be rented for a term less than 30 days. Violations will be subject to a Class B Misdemeanor.

PCM Sandy stated that her objective was to have only one single family dwelling on one lot. She thinks that changing the wording to single-family dwelling *unit* might be a good idea so that it isn't misinterpreted. She doesn't want single family dwelling to mean that there is one-unit upstairs and one-unit downstairs. TCM Blake Bingham feels that the current definition is clear. As the discussion progressed, PCM Sandy Hunter believes the current wording is good. PCM Jeff Larsen stated Doug's comment from the last meeting which stated the PC is not trying to prohibit accessory structures that have bedrooms or bathrooms, it's the Use down the road gives this discussion more clarity. The PC is trying to prohibit short term rentals. PC Chairman Doug Allen stated ~~he stated~~ this is about structures and space and not about enforcement issues and rentals.

TCM Blake Bingham reviewed the ordinance regarding accessory buildings which was sent to the Town Council the last year. The ordinance contained wording for one sink and one toilet. The TC didn't like the ordinance and sent it back to the Planning Commission. At the public hearing, the public didn't want to put restrictions on what was in the building.

PCM Sandy Hunter stated they should discuss “Use.” PCM Larel Parkinson stated the “Use” in the Huntsville Code is no rentals shorter than 30 days. The wording for both structure and “use” are clear. PCM Liz Poulter stated if the intention is to prevent rentals, then they needed to be clear that accessory buildings couldn't be rented. TCM Blake Bingham and PCM Sandy Hunter agreed with PCM Poulter.

TCM Bingham stated he will work on the wording to prevent rentals of accessory buildings and the rentals of portions of the home in which you already live. He would like to put the prohibition of rentals on accessory buildings on that section.

8-Land Use Coordinator Update: Rex Harris. Rex was not available for comments.

9-Chairman's Report. Chairman Allen expressed appreciation for the Planning Commission Members and asked if there were improvements to be made that they be able to come to him. They are always looking for ways to improve.

10-Public Comment. There were none.

11-Motion to adjourn. **PCM Sandy Hunter motioned to adjourn.** PCM Larel Parkinson seconded the motion. All votes aye. Meeting is adjourned at 9:17 p.m.

Beckki Endicott, Recorder

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

HUNTSVILLE SURVEY

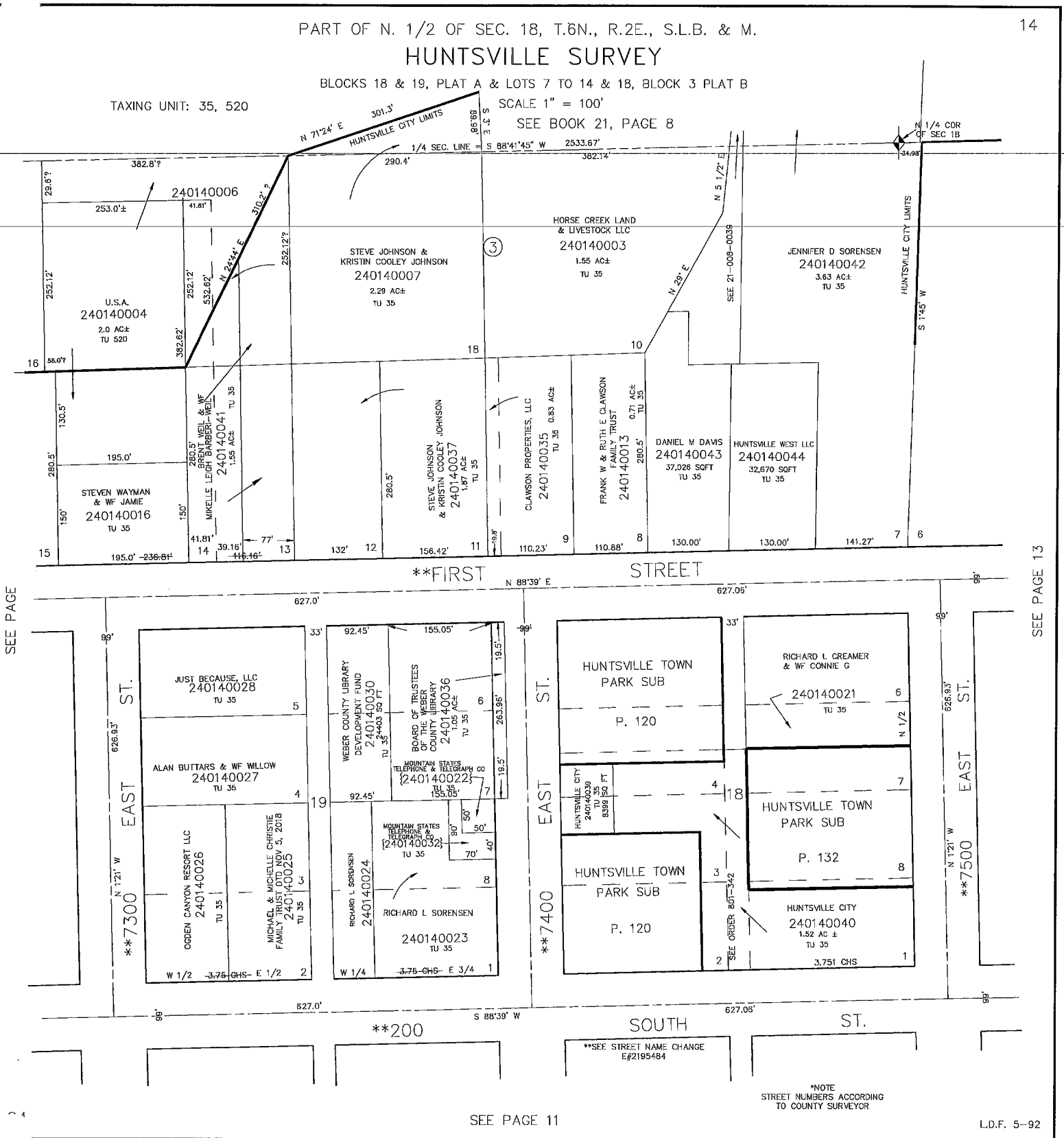
BLOCKS 18 & 19, PLAT A & LOTS 7 TO 14 & 18, BLOCK 3 PLAT B

TAXING UNIT: 35, 520

SCALE 1" = 100'

SEE BOOK 21, PAGE 8

14



SEE PAGE 13

SEE PAGE 11

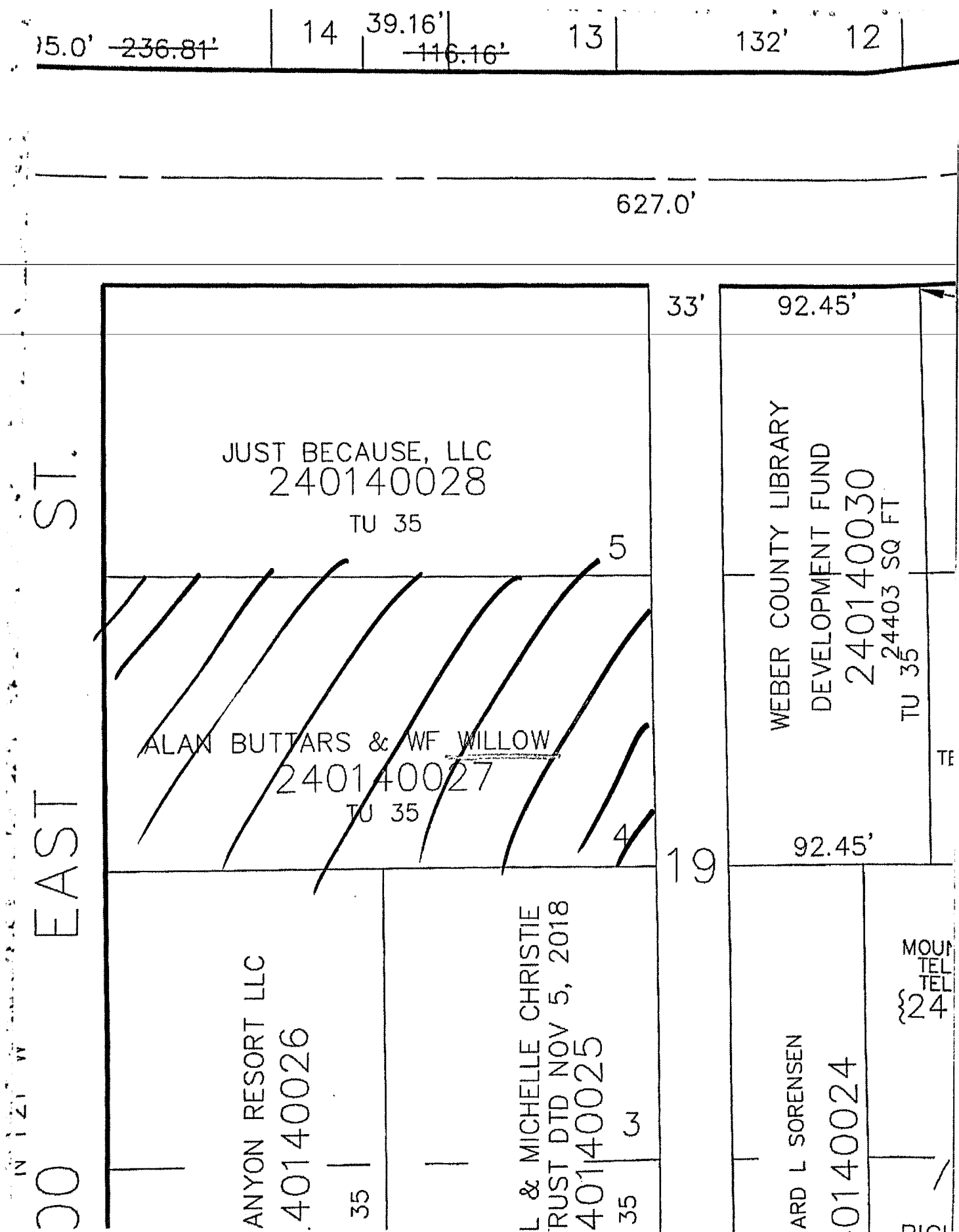
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Huntsville Town Fence Ordinance⁵⁰**15.30 Fencing**

The materials used in a constructed fence are limited to materials made of wood, metal, concrete, masonry, stone or vinyl. The materials used to construct the fence shall be of dimensions and design commonly intended for typical fence construction and shall not be materials or reused materials that have been designed for another function and are now being used to create a fence. Where a fence is erected upon a retaining wall or where, for other reasons, there is a difference in the elevation of the surface of the land on either side of the fence, height of the fence shall be measured from a point halfway between the top of the retaining wall and the land on the lower side or from the average elevation of the surface of the land on either side of the fence, but nothing herein contained shall be construed to restrict to less than four feet (4') in height measured from the surface of the land on the site having the highest elevation.

- A. In residential zones fences that have razor ribbon or barbed wire are prohibited. A barbed wire fence would not be considered to be in violation of this provision if such fence material is used to repair or replace existing barbed wire fences where such fencing is for existing agricultural or pasture fences.
1. No fence or other similar structure shall be erected, installed, planted or maintained in any required front yard of a dwelling (portion of yard from front of house to the front property line) to a height in excess of four feet (4'); nor shall any fence or similar structure be erected in any side or rear yard to a height in excess of six feet (6') except fences created solely of living plant material. Decorative gates guarding a driveway may be erected to a height of eight feet (8').
 2. On corner lots in a residential zone, a fence may be erected, installed, planted or maintained in any side yard facing a street on a corner lot to a maximum height of four feet (4'), or to a maximum height of six feet (6') if the following conditions are met:
 - a. The fence shall not extend into the side yard area between the dwelling and street and shall be located exclusively in the side yard area immediately adjacent to the rear yard.
 - b. A clear view zone shall be maintained free of fencing when a driveway exists on the adjacent lot within ten feet (10') of the shared property line. The "clear view zone" refers to that portion of the corner lot lying within a triangular area formed by measuring back ten feet (10') from the point where the interior property line shared with the adjacent lot meets the property line along the public right of way.
- B. In commercial zones fences that have razor ribbon are prohibited. Security fences may have up to three (3) strands of barbed wire provided that no strand of barbed wire shall be permitted less than six feet (6') high. The barbed wire strands shall not slant more than sixty degrees (60°) from a vertical line and shall not project over Town property. Fences with barbed wire shall not be allowed in the front yard setback.
1. No fence or other similar structure shall be erected, installed, planted or maintained to a height in excess of six feet (6') except fences created solely of living plant material.
 2. Decorative gates guarding a driveway may be erected to a height of eight feet (8').

⁵⁰ Amended 7-2-2015: To add Fencing Ordinance Section.



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140 south 7300 East Hur X

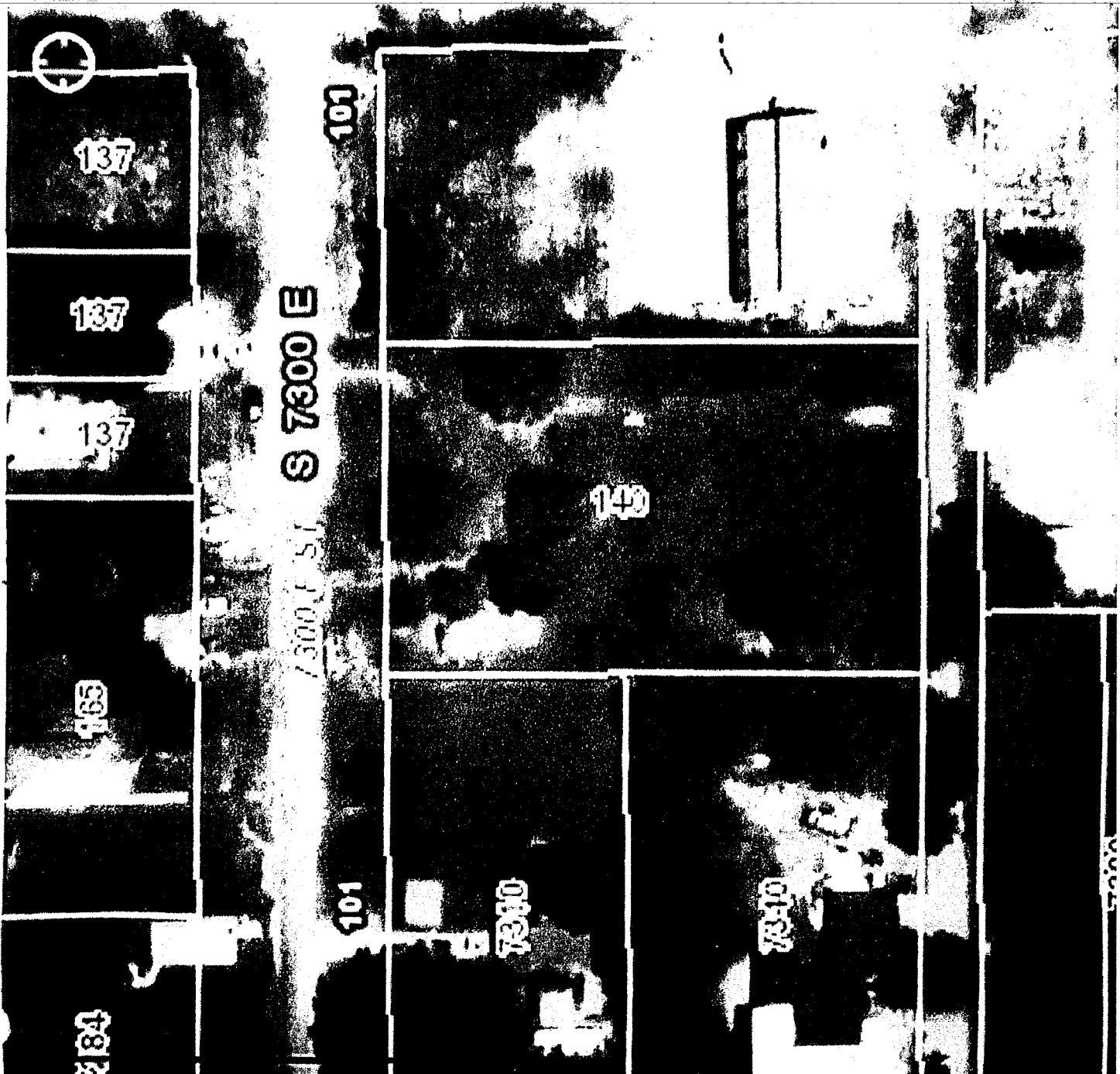
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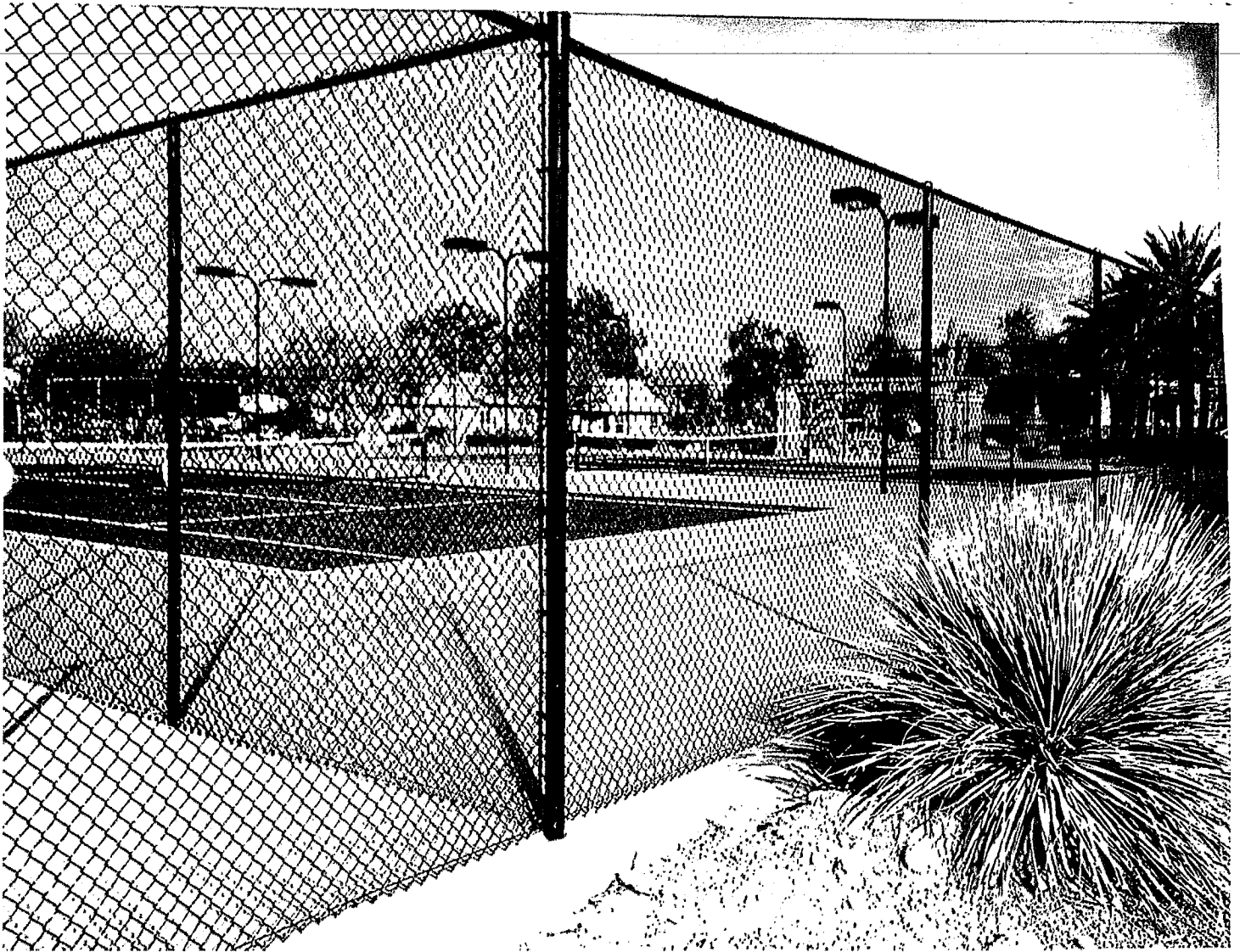
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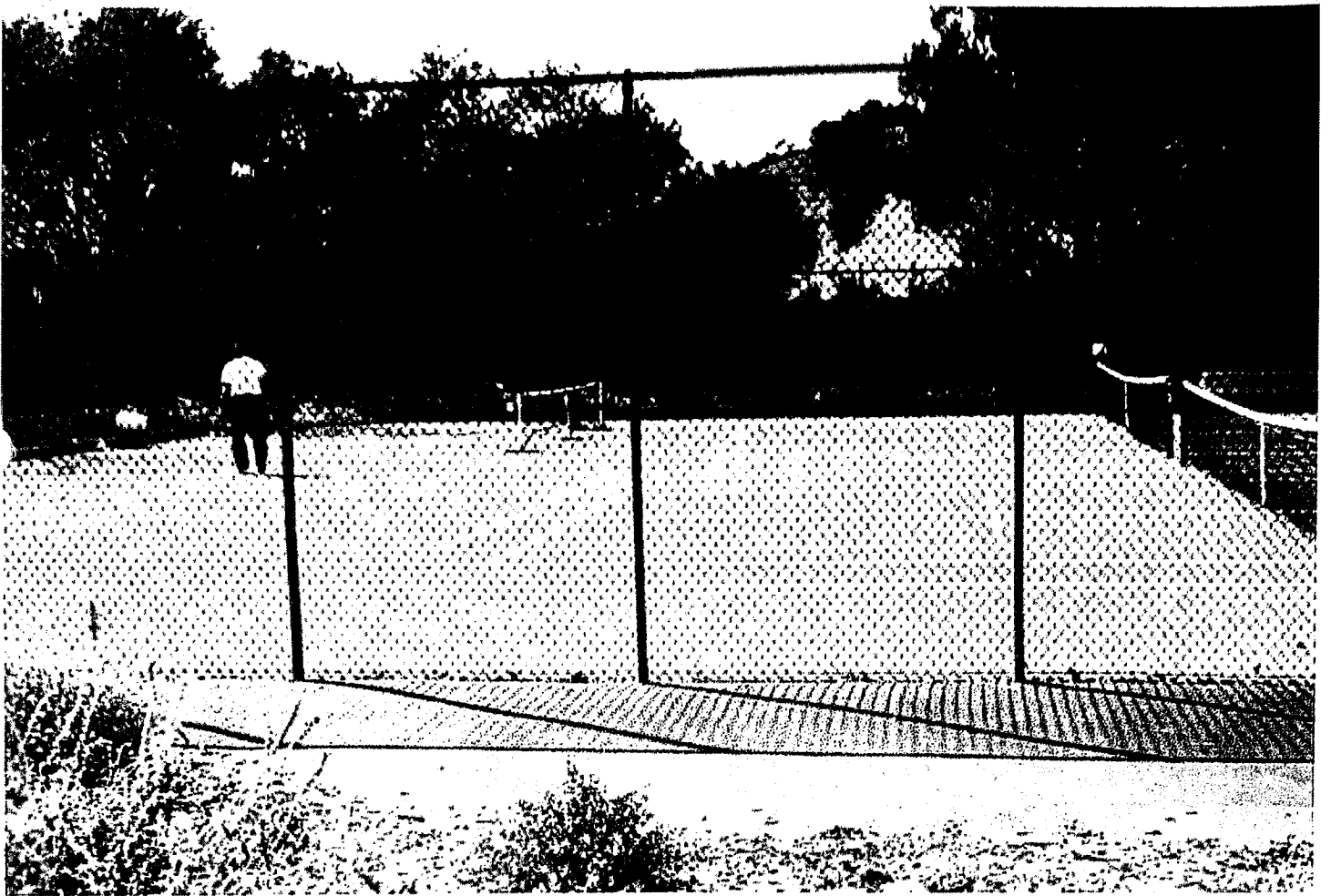
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— ALLEY WAY —

190' APPROX

12' fence

15' APPROX

SAND
VOLLEYBALL
COURT

50'

80'

SAND
VOLLEYBALL
COURT

50'

PICKLE BALL
COURT

30'

55'

40'

TINY
HOME
@ LATER DATE..

20'

30'

WATER
METER

12' fence

4' fence

front of neighbors home... for reference...

1300 EAST

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

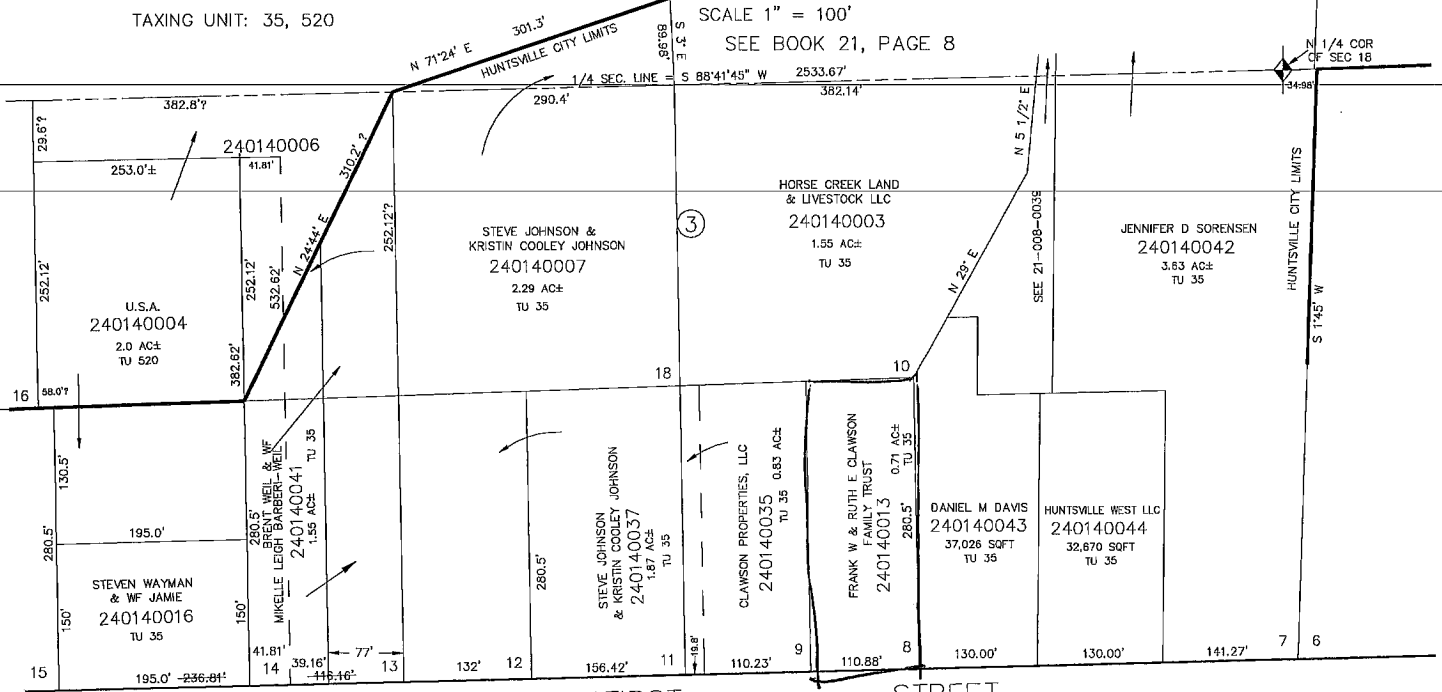
HUNTSVILLE SURVEY

BLOCKS 18 & 19, PLAT A & LOTS 7 TO 14 & 18, BLOCK 3 PLAT B

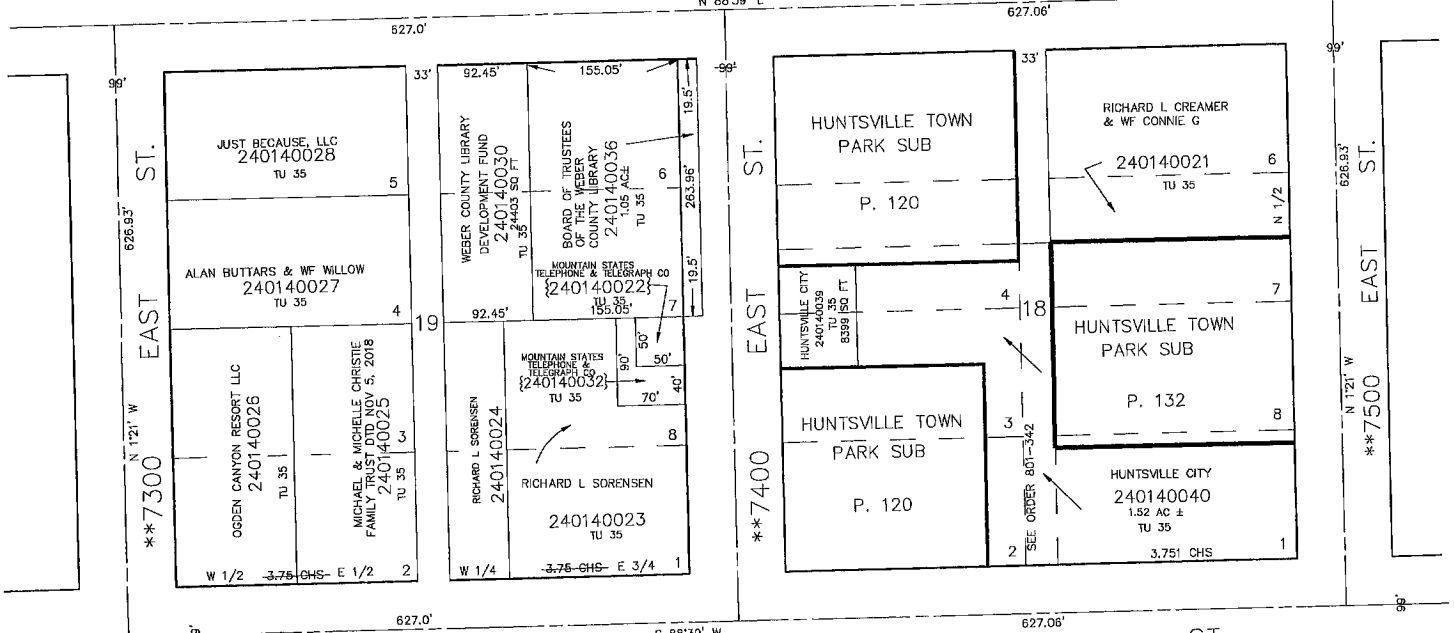
TAXING UNIT: 35, 520

SCALE 1" = 100'

SEE BOOK 21, PAGE 8



**FIRST STREET



**200

SOUTH

ST.

**SEE STREET NAME CHANGE E#2195484

*NOTE
STREET NUMBERS ACCORDING
TO COUNTY SURVEYOR

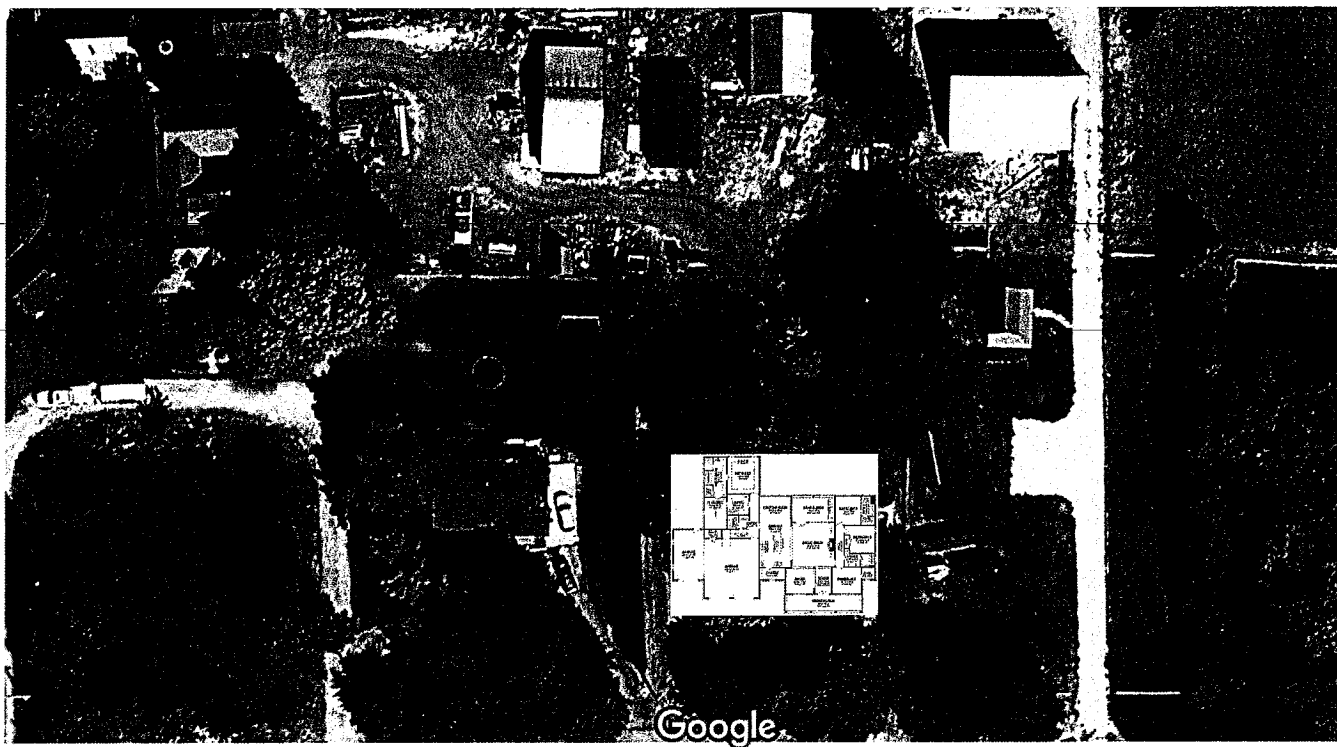
SEE PAGE 11

L.D.F. 5-92

SEE PAGE

SEE PAGE 13

Google Maps



Imagery ©2020 State of Utah, Map data ©2020 20 ft

**HUNTSVILLE TOWN
ORDINANCE 2020-4-23**

**LAND USE ADMINISTRATION AND ENFORCEMENT
PENALTIES UPDATE**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, ADOPTING UPDATES TO
TITLE 15.31.5 OF THE HUNTSVILLE TOWN CODE PRESCRIBING FINES AND
PENALTIES**

RECITALS

- A. WHEREAS**, Huntsville Town (hereafter “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 municipalities to regulate land use and development;
- C. WHEREAS**, The Town desires to update penalties for land use violations.
- C. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on May 28, 2020, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on May 28, 2020;
- D. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on June 4, 2020 and desires to act on this Ordinance;

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: Amendment.** The Huntsville Municipal Code is hereby amended to read as follows:

15.31.5 Penalties

The following penalties apply to any violation of the land use regulations of the Town as follows:

- A. **Civil Penalty.** In addition to all other remedies as authorized by law, including but not limited to removal, abatement, injunctive relief, revocation of any permit, or otherwise, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of any land use provision established by law may be fined up to \$750.00, per violation, per day, in addition to reasonable attorney's fees and costs incurred by the Town. The Town is also entitled to reimbursement of all costs relating to enforcement, including, but not limited to: removal, abatement, injunctive relief, or otherwise, including all court costs and attorney fees.
- B. **Criminal Penalties.** In addition to other remedies as authorized by law, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of the provisions of any land use provision established by law shall be guilty of a class C misdemeanor and punishable as provided by law, each day being a separate offense.

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 shall take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the Town Council on this 4th day of JUNE, 2020.

JIM TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Recorder

RECORDED this 4th day of JUNE, 2020

15.31 LAND USE COMPLIANCE AND ENFORCEMENT⁵¹

- 15.31.1 Applicability
- 15.31.2 Compliance
- 15.31.3 Enforcement
- 15.31.4 Notice
- 15.31.5 Penalties

15.31.1 Applicability

Provisions of this Chapter shall apply to all land use regulations in the municipal code.

15.31.2 Compliance

Any land use permit granted shall comply with the approval granted by the Planning Commission, Town Council, other governing agency, and as follows:

- A. No permit or license is valid to the extent that it conflicts with any approval of the municipal code.
- B. Any Permit or license issued that is in violation of the municipal code is deemed null and void.
- C. The Building Inspector shall not issue any building permit unless the plans for the proposed erection, construction, reconstruction, alteration and use fully conform to all regulations then in the effect.

15.31.3 Enforcement

The Town Council shall designate one or more enforcement officials to enforce the land use regulations of the Town. Enforcement of any land use regulation shall be in accordance with municipal code, as amended. The Town, including its officials, employees, contractors, agents, and volunteers—when acting in their official capacity—retain full governmental immunity and are not subject to the enforcement or penalties in the municipal code.

15.31.4 Notice

To commence an enforcement action under this section for land use violations, the Town shall adhere to the following provisions.

- A. Upon commencement of an enforcement action, the Town shall provide:
 - 1. Written notice, by regular mail or hand delivery, of each ordinance violation to the address of the respective owner of record on file in the office of the Weber County Recorder; and
 - 2. A schedule of civil and criminal penalties that may be imposed upon the expiration of the period of time required under 15.31.4.B.
- B. The Town shall allow no less than sixty (60) calendar days – from the date upon which written notice was served – to cure the noticed violations(s) prior to imposing any penalties. One 30 day extension may be granted on due cause.
- C. The expiration of the period of time required under 15.31.4.B shall constitute a final decision for any uncured violations for which written notice was served.
- D. Written notice under 15.31.4.A is considered served the date of mailing or hand delivery.

15.31.5 Penalties

The following penalties apply to any violation of the land use regulations of the Town as follows:

- A. Civil Penalty. In addition to other remedies as authorized by law, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of any land use provision

⁵¹ 15.31 Land Use Compliance and Enforcement adopted 11-1-2018.



established by law may be fined up to \$750.00, per violation, per day, in addition to reasonable attorney's fees and costs incurred by the Town.

- B. Criminal Penalties. In addition to other remedies as authorized by law, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of the provisions of any land use provision established by law shall be guilty of a class C misdemeanor and punishable as provided by law, each day being a separate offense.

15.31.6 Appeal

- A. Appeals shall be made as follows:
1. All appeals shall be in accordance with Title 15.5 of the Huntsville Town municipal code.
 2. All appeals shall be filed, in writing, with the Town Clerk within ten (10) days of any final decision under 15.31.4.C.
 3. Appeals shall only be made from land use decisions that are administrative in nature and not legislative enactments that include an ordinance or resolution.
- B. Exhaustion. No person may challenge in district court a municipal land use decision made under any municipal land use ordinance until that person has exhausted, or the Town has waived, all administrative remedies.
- C. District Court. Any appeal to the district court must be made within ten (10) days of the final decision of the appeal authority of the decision is final.

GENERAL PLAN

for

HUNTSVILLE TOWN, UTAH

The Utah State law requires every community to adopt a general plan that states the present and future needs of a town and plans for the growth and development on the lands within that town. This general plan outlines the objectives selected for guiding Huntsville Town's future development. In this regard, it reflects the present and predicted future needs and desires of the residents of Huntsville as expressed in a comprehensive survey in regard to the community's growth and development of its land.

This plan is organized to:

- 1) State a Ttown vision statement,
- 2) Break that vision statement into objectives,
- 3) Describe the **current status** of Huntsville Ttown,
- 4) State the **general approach** selected to meet the objectives.

MARCH ~~XX~~7, 20~~20~~13

1. HUNTSVILLE TOWN VISION STATEMENT

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

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Commented [RG1]: This is too far in the past to be relevant for today?

The most striking feature of the Town is ~~generally considered to be~~ the visual perspective given via the large lots and house setbacks, which combined with numerous trees and varieties of vegetation, imparts a village atmosphere. ~~The small, quaint downtown, large central park and Blended with the surrounding~~ mountain vistas, ~~provide the~~ feeling of a spacious, comfortable, western-country living environment. The ~~Town's~~ character has been deeply influenced by the pioneer spirit, tolerance for and support of individual rights and sense of working together for the common good. It is not uncommon to see people on horseback or horse drawn carriages on the streets, or to spot migrating birds or even an occasional deer or moose. The Town was originally laid out around a farming/agricultural grid format, with wide streets and alleyways.

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

Vision Statement for Huntsville Town

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

2. GENERAL PLAN OBJECTIVES

In order to enact the goals of the vision statement in Huntsville Town, its main components have been converted into objectives for this General Plan. Obviously, there is no plan that will satisfy the desires of every resident on every issue. The compromises that were established herein attempt to follow a majority consensus where one was expressed via the Town survey which is on file at the Town Hall. When appropriate, this plan is harmonious with the overall Master Plan for Ogden Valley prepared for and approved by the Weber County Commissioners. This General Plan is not so detailed that it stands alone, rather it provides the theme/goals to guide us in our decision making through the upcoming years.

Overall Objectives Derived from the Huntsville Town Vision Statement

- 1) Managing and shaping growth via land use planning
- 2) Wise management of our natural resources
- 3) Increasing community involvement of residents
- 4) Optimizing the quality of our public facilities and services

3. CURRENT STATUS OF HUNTSVILLE TOWN

A. Physical Description

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

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

Weber County's population was 251,866 in 2017, with a growth rate nearly 2% per year. According to the U.S. Census, Huntsville Town's population was 553 in 1970, 557 in 1980, 541 in 1990, 649 in 2000, 608 in 2010, and 638 in 2018. There are approximately 241 dwelling units in Huntsville Town, with approximately 205 occupied by year-round residents. At this point, the Town is continuing to grow at a slow pace due to, however the growth has slowed due to the recent recession a shortage of vacant lots, there being few remaining building lots available in Town without resorting to subdividing. Should Huntsville's population exceed 1000, Utah State law would require a transition to a Class 3 city, which would require a new form of municipal government.

B. Current and Proposed Land Use in Huntsville Town Boundaries

Huntsville Town has nine classes of zoned land use: 1) Residential (R-1), 2) Commercial (C-1), 3) Commercial Resort (CR-1), 4) Agricultural (A-3), 5) Park (P), 6) Shoreline (S), 7) Open Space,,8) Flood Plain (FP), and 9) Recreational (RC).. Figure One is a zoning map of the Town that shows currently only the R-1, C-1 and RC zones exist. Using a Geographic Information System (GSI) and a base map provided by Weber County Planning Department, the following acreage of various land uses were estimated:

Acres Per Land Use

Residential	259 acres
Commercial	13 acres
Agriculture/ Open Space	62 acres
Institutional and Parks/Recreation	24 acres
Roads	111 acres
Shoreline	12 acres
Reservoir/Wetland	46 acres
Culinary waterworks property	3 acres
Ogden Boat Club property	7.6 acres

Commented [RG2]: This area has shrunk due to new homes, developments

Total 537.6 acres in Town boundaries

Water treatment plant and storage ~~reservoir~~ tanks	1.3 acres
Cemetery	9 acres
Landfill	40 acres

Total: 50.3 acres additional land owned by Town

1) Residential

Although residential land use is by far the largest category of land use, it comprises slightly less than half of the total area (48%). ~~The large lots include features such as large garden areas, pastures, barns, corrals and other farm out buildings. There are currently no multifamily dwellings, nor do the ordinances allow [such].~~ The area is zoned as R-1, with a minimum lot requirement of $\frac{3}{4}$ acre, which dates back to the original Town survey. ~~There are a few smaller lots that exist from the past that are grandfathered to allow residential use.~~ The residential area includes two buildings listed on the State Register of Historic buildings. They are the birthplace and home of David O. McKay, former president and prophet of the Church of Jesus Christ of Latter Day Saints, located at the corner of 200 South and 7600 East and the "Valley House" at 200 South and 7318 East, now a bed and breakfast inn.

Commented [RG3]: Do you want to expand on this statement about the acceptable use of buildings on a property?

2) Commercial

Commercial zones are located in two areas, the traditional center of town and ~~a strip of land along the southeastern corner of Town-including a lot for the post office.~~ The traditional town center is small (8.5 acres) and provides the Town with a small amount of property and sales tax revenue. This area includes ~~several a building divided into small stores,~~ the well-known Shooting Star Saloon, a reception hall, a church, a small restaurant, and ~~the recently built Compass Rose Lodge~~vacant land where the Valley Elementary School once stood. The southeastern commercial area on the east side of State Route 39 at 500 South ~~contains the post office~~Town houses a small commercial development and major businesses of the Town, the South Fork Village; ~~the US Post Office, and a parcel due north of the post office that was rezoned to C-1 and recently rezoned back to R-1.~~ It is feasible that it could be rezoned to C-1 again in the future.

3) Agriculture and Open Space

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

Commented [RG4]: This area has shrunk due to new homes, developments

4) Institutional, Parks and Recreation

Institutional use (24 acres) refers to public and government buildings, facilities or land (e.g. the former elementary school, library, church, post office, town hall, town maintenance building, etc.), and a community park encompassing a square block bounded by 200 to 300 South and 7400 to 7500 East and an approximately 8-acre playing field being developed in the SE corner of the Valley School property off the block due north of the park. Pickleball courts have recently been built in this area. There is also an area zoned RC for private recreation owned by the Ogden Boat Club.

5) Roads

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

Commented [RG5]: This refers to the 66-foot roads in Town, which have increased. Do you want to mention something about this in the future?

6) Reservoir and Wetland

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

7) Shoreline

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

8) Cemetery

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

9) Landfill

The Town owns 40 acres of land approximately 4 miles east of Town that straddles the South Fork of the Ogden River. A portion on the north side of the river is used for a green waste landfill and 11 acres on the south side of the river is potential buildable land, although it is in the 100-year

flood plain. The landfill has been utilized as a licensed Class 4 landfill, which allows dumping yard-waste and some approved demolition materials. Currently Town ordinances allow only yard waste. The soil/rock displaced from the holes dug at the landfill have been used as backfill and road base material in Town projects. Yard waste burns are scheduled once a year.

10) Water Treatment Plant

The Town added a water treatment plant to its culinary water system in 2000, with a 1,000,000 gallons storage reservoir. The plant uses inline filtration and chlorine injection to provide excellent quality water to the community. The plant is capable of producing more water than the Town currently uses, and consideration has been given to selling water to nearby developments to increase Town revenues.

C. Present Zoning Regulations

Current land usage in Huntsville Town consists of property zoned in three of the nine zones, Residential, Commercial and Recreational. As mentioned in Section B. above, with the exception of three small commercial zones and one small private recreational zone, the entire town is zoned R-1. The Town land use ordinances contain additional zones that allow for flexibility with any land that might be annexed by the town. The R-1 (3/4-acre lot minimum) zone requirements reflect the western attitude of flexibility with the use of private property. The commercial areas are zoned C-1. The C-1 ordinance regulates business types, signage, and lot use issues under a conditional use arrangement. The AV-3 zone includes the possibility of cluster housing to provide for additional spacing options on large tracts of land. Figure One is a zoning map identifying the immediately adjacent areas to Huntsville Town that would be the first to be annexed and the concerns/zoning considerations for these areas.

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

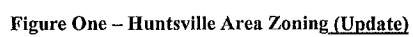
D. Community Services

1) Transportation

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

a. Road Maintenance

Huntsville Town obtains its road maintenance monies from the State Class B and Class C Road Funds. This State B & C Fund is maintained by taxes collected from gasoline sales and is distributed by a formula that divides monies among all roads in the state. Different categories of roads receive a specified number of points, which determines how much money can be obtained from the fund. This money must be used for buying road equipment, road materials, maintenance and snow removal expenses, etc. Huntsville Town has received monies in the past to help with its road maintenance, such as CDBG (Community Development Block Grant) funds. As the roads age and the traffic increases, roads have become the largest budget item in the Huntsville Town budget and future projections are there will be a shortage of money to maintain the roads in good condition.



In 1998, the Utah Technology Transfer Center at Utah State University conducted a survey and presented the Town a written report recommending several possible road maintenance plan options. Several of the recommendations were adopted by the Huntsville Town Council, thereby forming a basic road maintenance plan. With the consistently increasing costs of road maintenance and the changes that the roads have undergone since 1998, the Town needs to review the plan and adopt a revised/new Master Road Plan. The most significant road maintenance is required on First Street which sees large volumes of traffic in the warmer months since the addition of a boat ramp established Cemetery Point as the gateway to the Pineview Reservoir recreational area. After lengthy negotiations with the Cemetery Point concessionaire, Huntsville Town receives a portion of the entrance fees to help with the maintenance of First Street.

Alleyways, which are Town property, are a persistent problem. There are 23 alleyways in Town which a recent survey found 4 blocked with residents belongings or illegally fenced off.

b. Pedestrian needs

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

c. Parking

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

Commented [RG6]: Is this still the case?

2) Public Safety

a. Law Enforcement

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

b. Fire

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

illegally blocked to an extent that they would prevent fire vehicles from getting close to buildings.

c. Animal Control.

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

d. Lighting

The Town has a lighting ordinance that specifies the type, size and location of lighting with the intent of protecting open (dark) skies. Overhead streetlights are located at numerous intersections, but there are no traffic lights in Town.

e. Signing

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

3) Public Utilities

a. Culinary Water Supply

Currently Huntsville Town receives its culinary water supply from three springs, flowing out of what is known as Bennett Springs, located on unincorporated property southeast of Town owned by the Abbey of Our Holy Trinity. Huntsville Town owns water rights to two of the springs and shares the rights to the third spring with the Abbey. The Town also owns a well near the culinary water plant and Hawkins Springs that are currently not in use. The Town has a modern water treatment plant housing ~~three~~ two styles of filters (media, ~~and bag and cartridge~~), which allow for filtering down to the micron level. ~~The plant is currently undergoing refurbishment to replace obsolete equipment.~~ The plant includes room for more filtering units in the event of future increased demand for water. After the treatment process, the water is pumped to a one-million-gallon storage tank. The overall system is capable of handling additional residences, allowing for modest future growth. If substantial growth, e.g., a major sub-division, were to take place, upgraded facilities and distribution infrastructure would be required. In the 2000s, follow-on CBD grants allowed for several new water lines in Town to be installed, replacing and upgrading old lines and fire hydrants. 2018 CBDG and CIB grants allowed drilling for a secondary water source and after one unsuccessful attempt, a good production well was developed that is under testing for State approval.

b. Irrigation Water Supply

The Town receives irrigation water from an underground delivery water system using a holding reservoir along the South Fork of the Ogden River east of Huntsville Town. The system is owned by the Huntsville Waterworks Corporation, composed primarily of Town residents, but independent of the Town government.

c. Power

The Town obtains electrical power from Rocky Mountain Power. Natural gas is available in Town from a natural gas feeder line paralleling the Trapper's Loop Highway from Mountain Green. A gas regulator station is located east of State Route 39 near the north side of the

American Legion building, reducing the gas pressure to 50 psi. Interim High Pressure (IHP) lines were routed throughout the town. At the edge of each property, the IHP line is tapped and fitted to a service line (1/2" to 3/4" diameter at 15 psi, depending on household needs) which is then connected to a gas meter. The lines within the house or structure are reduced down to flow with four ounces of pressure.

d. Refuge

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

e. Sewage

All homes in Town are currently on individual septic systems. Due to continuing Valley growth, especially around the perimeter of Pineview Reservoir, the State of Utah has been promoting a Valley-wide sewer system to hopefully mitigate a declining Pineview Reservoir water quality. The Ogden Valley Master Plan points out that Weber County is seriously encouraging a Valley-wide sewer district to be instituted in the future. The Huntsville Town Council ~~agreed to contract~~ for conduct a sewer feasibility study that provided recommendations and a draft Wastewater Capital Facilities Plan. After review of the benefits vs. the impacts to Town residents, the Council decided to continue using the current septic systems in the foreseeable future.

E. Environment

1) Soils

Huntsville Town contains three major soil types as defined by the US Soil conservation Service- Utaba cobbly loam, warm (Uba), Phoebe fine sandy loam (PhA); and Parley's loam, high rainfall (PaA). Soils are important to the future development of Huntsville because of their permeability or absorption rate, surface runoff, rate of erosion, and depth of the soil to the water table.

The Utaba cobbly loam, warm is a soil type formed by alluvium from stream flooding. It is characterized by the large rock fragments found on or close to the surface. Flooding on Utaba soils occurs mostly during late winter and spring. Most of the land is abandoned or fallow cropland, which can support fields of alfalfa and small grains with the use of commercial fertilizers and manure.

Flooding potential has hampered urban and recreational development of this soil, even though the threat for flooding has been greatly reduced with the introduction of Pineview and Causey reservoirs. In the town of Huntsville, the Utaba soils are found mostly along the north boundary and along the northern shore of the peninsula leading to the cemetery. The water table is at a depth greater than six feet and is good for septic tanks unless flooded. There is also the possibility of ground water contamination.

The Phoebe fine sandy loam is found in the eastern half of Huntsville, bordered on the north by the Utaba soils and to south by a steep escarpment with the South Fork flood plain below. It is also found in the northwest part of town near the reservoir. This soil is good for homesites and other development; however, problems with septic tank drainage may occur during flooding, and contamination of ground water in such instances is likely.

Parley's loam, high rainfall is a soil that has a slow permeability and a slow runoff because it is mostly flat, although some of the soil must be leveled to insure proper distribution of irrigation water. It lies mainly on the western side of the town including most of the peninsula and the cemetery. While flooding is not an immediate threat because of its location above the South Fork floodplain, the slow absorption of water may cause septic tank problems. Contamination of ground water is also possible with the use of cesspools for sewage.

Immediately to the east of State Highway 39 the soils are mostly Eastcan loam (EaA), Canburn silt loam (Cb), and Crooked Creek silty clay loam (Ct). These soils have a slower permeability than the soils to the west, and also have a shallow depth to the water table, making them more susceptible to flooding. Of these three soils, the Eastcan loam has the best potential for building homes; however, it has a low load support, and septic tank problems can readily occur. Much of the Crooked Creek soil is classified as wetlands or wet meadows because the clay in the soil and lack of slope retards normal drainage. It occurs mostly to the northeast of the present town boundaries, close to Huntsville Spring Creek.

In the areas lying to the south of Huntsville Town are three very different soils: the Sunset loam (SwA), Nebeker clay loam (NrA), and the Ostler-Casey complex (OcG). The sunset loam is the floodplain of the south fork of the Ogden River and is rich in gravel and other sediments. While there is a possibility for future development, the high-water table makes flooding a potential problem, especially during the spring runoff. The high-water table also makes it difficult to have septic tank drainage, and cesspools may pollute ground water supplies. Much of this land is under consideration by the US Army Corps of Engineers for possible wetlands.

The Nebeker clay loam is found around the junction of State Routes 167 and 39 (Trapper's Loop) near the south shore of Pineview Reservoir. While suitable for homesites, it is a clay soil and therefore slow absorption and runoff poses a slight flooding hazard. Septic tanks can also pose a threat to water quality. The Ostler-Casey complex occurs along the foothills of the mountains along State Route 39 near the intersection with SR 167. Because it is a soil formed on the sides of mountains and foothills, it is susceptible of high erosion and slippage. Roads built in this area must conform to the low load capacity, and therefore high-density urban development is unlikely. Its location on the mountain makes it an excellent possibility for water storage; however, cesspools or septic tanks should not be used in this area.

2) Climate

Because of its location in a high mountain valley, Huntsville's climate is slightly different than that of Ogden City. Ogden Valley receives on average about 30 inches of precipitation a year, most of it as snow. During the spring and winter, cold mountain air frequently settles into the valley, creating a temperature inversion with temperatures that often dip well below zero. The coldest month is January with an average temperature of about 17 degrees Fahrenheit. Snow can occur anytime from September to early May, and heavy snowstorms have closed access to Ogden Canyon for several hours. Despite the cold winters, Huntsville does enjoy a warm summer. The frost-free season of approximately 110 days makes it difficult to grow temperature sensitive fruits and vegetables. July is the warmest month, when the temperature averages 70 degrees.

a. Air Quality

The State of Utah Division of Air Quality is part of the Utah Department of Environmental Quality. Huntsville air quality must meet the standards set for Weber County, and the Federal government, which has not been a problem to date, although poor quality air from west of the Wasatch Mountains occasionally enter the Valley. Reduced use of wood as a primary source of winter heat has reduced the particulate emissions, which result. Since Huntsville residents register their cars with Weber County, they are required to pass vehicle exhaust emission standards.

3) Sensitive Areas

a. Wetlands

Jurisdiction and management of wetlands are dependent upon the U.S. Army Corps of Engineers. Wetlands can become centers of controversy and therefore it is very important that the Corps of Engineers is contacted before development on any questionable land begins. The Corps has the right to condemn any structure or use that is not in accordance with wetland legislation. They also have the power to coordinate a mitigation plan with the property owner, e.g., replacing a wetlands spot by creating a similar wetlands area on another part of their property.

A small stream on the northeast corner of the town runs through and eventually joins the Huntsville Spring Creek. Since the area there is very flat and is inundated with water most of the year, this small pasture classifies as a wetland. The North Branch of the South Fork of the Ogden River, which lies in a floodplain south of Town, also might be classified as wetland. If annexation of either area was to occur, care must be taken to resolve the wetland issues.

b. Floodplain

The only areas currently identified that are within a Federally determined floodplain are located south of Town where the South Forks of the Ogden River enter Pineview Reservoir. This floodplain and the associated shoreline areas are classified Zone A (probable 100-year flood occurrence) with no houses or development allowed without approved mitigative measures in place.

c. Slope

Most of Huntsville Town lies within the 0-8% slope classification, which is suitable for all forms of development. Proposed annexation to the east of Town would also fall into this category. Development on the escarpment dropping off to the South Fork flood plain and on the floodplain should be approached carefully.

d. Erosion

Because the townsite is on a flat lakebed of ancient Lake Bonneville, there is very little slope to the land and little erosion. The exception is near the southern boundary of the Town, where an escarpment drops approximately 40 feet to the South Fork flood plain. The slope is quite well vegetated and does not appear to have serious continuing erosion problems.

F. Financial Condition

The Town has a history of sound fiscal responsibility, consistently maintaining a balanced budget in the range of \$400,000. The Town has no large sources of revenue, the largest amounts coming from intergovernmental sources reflecting a proportional distribution of monies collected by the state and county in property, gasoline and sales taxes. Beyond these revenues are property taxes and charges for Town services such as refuse collection and culinary water. The following are the categories of current revenue sources for the town:

- a. Taxes – property, franchise, sales, liquor and gas.
- b. Rental income from Town owned property (two small buildings in the town center, landfill area).
- c. User/permit fees (park, building, cemetery, portion of boat ramp/beach fees).

- d. Enterprise funds (water and refuge).
- e. Fines and penalties.
- f. Donations, grants, 4th of July, and Huntsville Utah Marathon.

4. APPROACH TO MEETING GENERAL PLAN OBJECTIVES

4.1 Managing and Shaping Growth via Land Use Planning

While it enjoys a good relationship with the Weber County Commissioners, Huntsville Town has little influence over how surrounding land in Weber County is developed. Residing within incorporated Huntsville Town offers local residents the opportunity to play a greater role in how the/their property is developed. Based on the Town survey results and experience with developers, ~~and if affected property owners are willing,~~ the Town has explored ~~interested in~~ annexing nearby land as a step in gaining greater control over the growth in its immediate vicinity. The Town desires to preserve ~~its~~ existing grid system layout as much as land conditions and topography allows to maintain the feel of the historic Town. ~~However,~~ the Town's A-3 zoning allows for some ~~clustering of houses to take advantage of~~ preserve the natural features of the land and to maintain some open space. Where it represents the preservation of natural resources or open space, the Town ordinances allow for transfer of development rights and the Town supports placing land into trusts such as the Ogden Valley Land Trust. No annexation petition will be accepted without first assessing the Town's ability to deliver critical infrastructure (culinary water, traffic safety, road maintenance, etc.) currently provided to existing residents and ensuring the potential deficit of revenue vs. expense to the Town is not unreasonable. If the impacts required would be substantial enough in cost, the Town would levy impact fees on the developers of that land as a condition of the annexation approval. The Town does not own the secondary water system and being annexed does not have any bearing on whether a property can be hooked into the secondary irrigation system. Culinary water is not permitted for irrigation purposes. Property will be annexed into Town under its current zoning whenever possible. The Town ordinances have similar zones to Weber County but does not have a RE-20 (20,000 sq ft lots) zone. Figure Two represents the vision Huntsville Town has for the areas immediately surrounding the current Town boundaries.

Commented [RG7]: Is this something you want to review? We deleted the Cluster subdivision title, but it's still mentioned as a conditional use in the A-3 zone.

A major impact that could result from annexation is the State law that should Huntsville's population exceed 1000 it would be required to transition to a Class 3 city, which would require a new form of municipal government. This would require extensive planning, reorganization, hiring, etc.

4.1.1 The land currently qualifying for annexation is immediately north, east, and south of Town bordering either side of State Route 39 which roughly circles the Town and represents the major transportation corridor for this end of the Valley. No development will be allowed that requires the main vehicular access off State Route 39 unless safety and traffic concerns are adequately addressed with the Utah Department of Transportation.

The Town's future character will be reinforced or redefined by what happens at three critical locations:

4.1.1.1 Several pieces of Weber County property along Highway 39 to the immediate north and south of South Fork Village are currently zoned for commercial development (reference Figure One). With the building of the US Postal facility on the southwestern corner of the intersection of 500 South and State Route 39, this area was further established as one of two future hubs of the Town's commercial

development. This location has also been identified by Weber County as a receiving zone for transferred development rights. ~~The Town is not in favor of one long strip mall type spread along State Route 39,~~ rather believing that this land would best be developed with a mix of residential, commercial, and open spaces in park-type uses.

4.1.1.2 The area immediately south of the current Town boundary and west of State Route 39 has been proposed to the Town for ~~annexation and development in the past.~~ This area ~~is zoned RE-20 and S-1 in Weber County,~~ incorporates a FEMA-designated flood plain and any development would require careful planning to accommodate such. The Town recognizes that some type of hotel facilities are desired by local businesses (e.g., ski resorts, etc.) to accommodate the tourists that visit the Valley and believes there is possibility of incorporating a mix of hotel/residential, commercial and park-like uses in this area, with a stress on the park uses to accommodate the land's sensitive nature.

Commented [RG8]: Do we still want to be this encouraging?)

4.1.1.3 Huntsville Town will continue to encourage suitable public and commercial development in the historic commercial center of Town, with a goal in hopes of maintaining its unique character. The demolition of Valley Elementary School made a significant negative impact on this area. ~~and has left the Town at a historic crossroads in its development based on the usage outcome of this approximately 5 acres of R-1 zoned property.~~ The Town was able to negotiate the purchase of this land and rezoned it C1. The southwest portion of the property was sold to a developer and now houses the Compass Rose hotel and space for another building. ~~A Request For Proposal (RFP) was issued by the Town in fall 2012 to solicit interested potential developers.~~

4.1.2. **Annexation Proclamation boundary.** The area that would be considered for annexation into Huntsville Town is depicted by the black border in Figure Three and is contained in the Huntsville Town Annexation Policy Plan. The boundary line represents a maximum potential town boundary and is based on elevation, which dictates the areas that could be supplied adequate culinary water pressure with the current culinary water system. The shaded area on the map depicts areas immediately adjacent to the present Town boundaries that Huntsville Town is currently considering for annexation.

4.1.3 **Specific Development Plan Zoning.** An SDP overlay ordinance specifically for the C-1 zone was adopted to allow more flexibility in bringing about the goals and objectives of the General Plan in future developments. The regulations and development standards of an SDP overlay may vary from the standards of the C-1 zone, but only after a detailed review and approval of the Town government.

4.2 Wise Management of our Natural Resources

Huntsville Town recognizes that wildlife specific habitat, wetlands and open space are necessary to support the maintenance of the Valley's wildlife species, which in turn enriches the quality of life in the Valley. Of primary concern are the impacts involving wetlands, water aquifers and floodplains.

4.2.1 The Town recognizes there are natural sensitivities existing on much of the surrounding undeveloped land and feels it necessary to require appropriate sensitive land studies be conducted to evaluate the impacts of any rezoning or development prior to issuing building permits. Sensitive lands analyses must consider the impacts to both human and wildlife habitats. The Town has a Sensitive Lands ordinance and supports maintaining a cooperative relationship with the State Division of Wildlife Resources to foster continuing a sustainable wildlife population.

4.2.2 Huntsville Town believes that trail systems support improved quality of life through better health and enjoyment of our natural resources. The Town supports participation in groups promoting the development of trail systems throughout Ogden Valley. ~~The Town intends on submitting received a 2014 RAMP grant and in cooperation with the Trails Foundation of request for an Ogden Valley Pathways~~ Northern Utah, built a trailhead kiosk to be constructed in the SE corner of the field just north of

the Town park being developed by the Town on the old Valley School Property, to include a kiosk, benches, and a restroom.

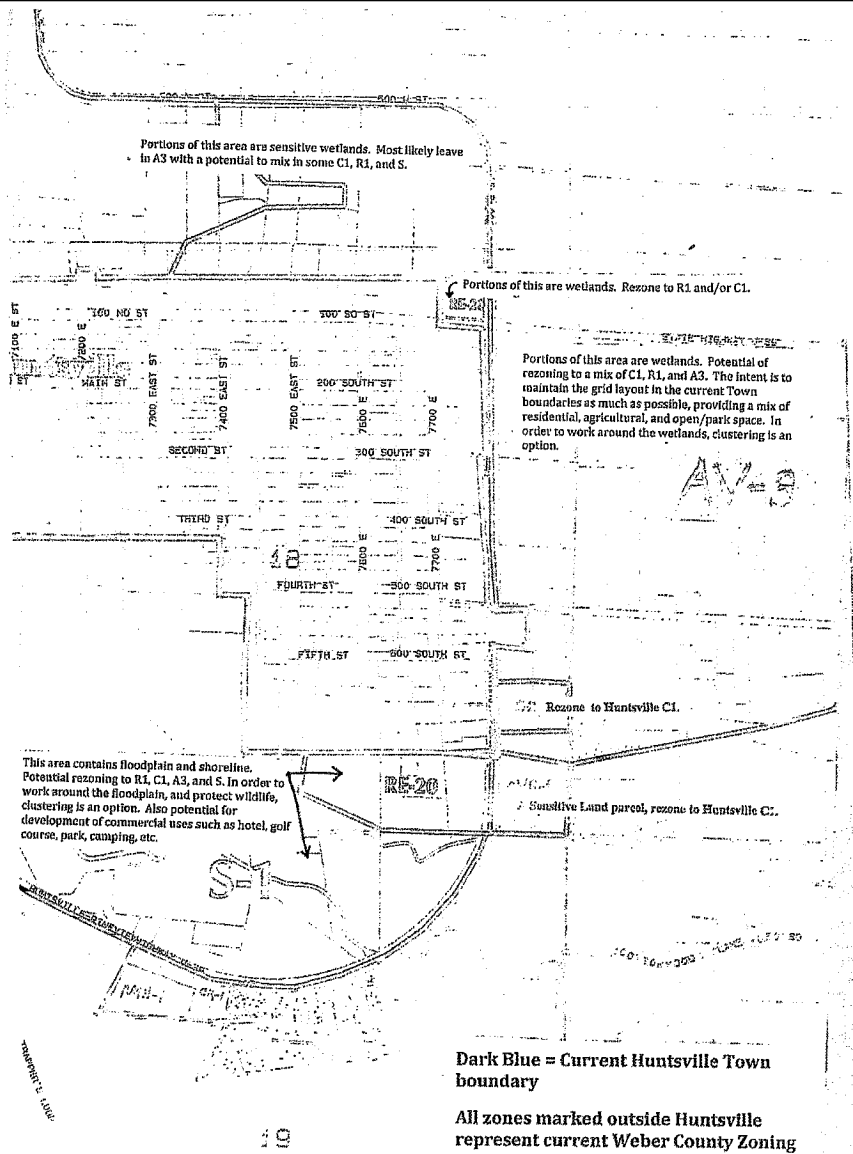


Figure Two – Potential Uses for Land Surrounding Huntsville Town (Revise?)

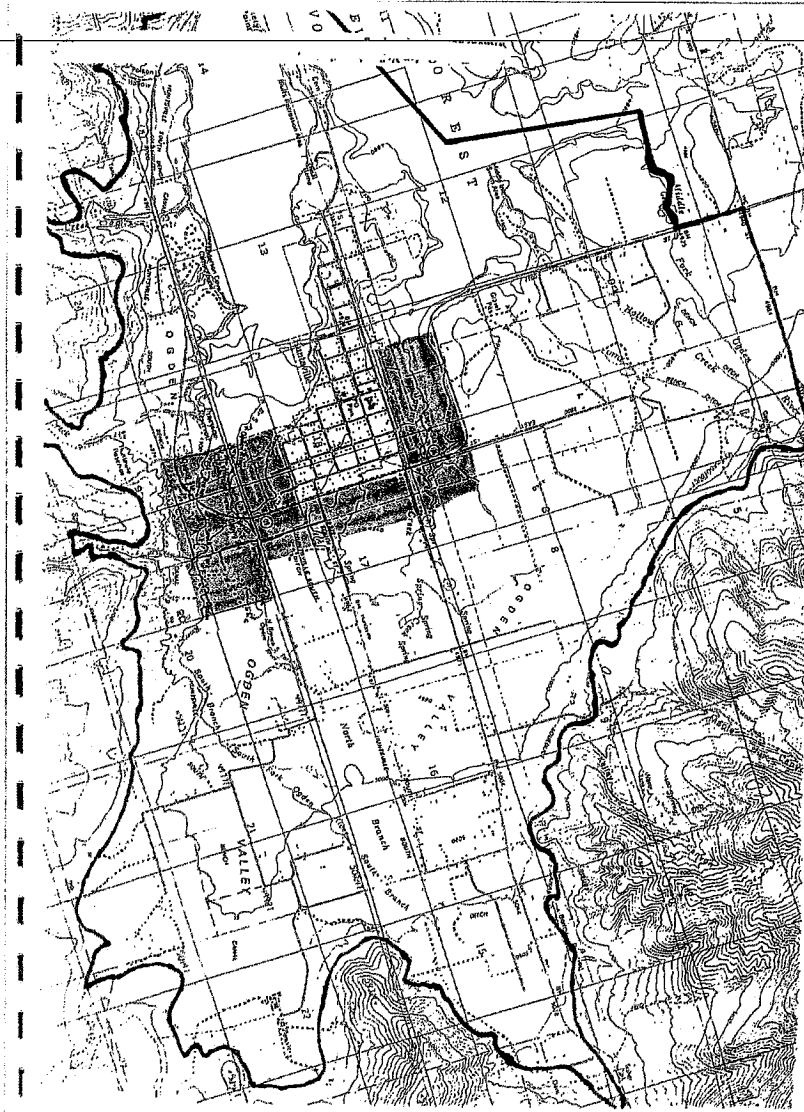


Figure Three – Annexation Proclamation with color shading depicting approximate land areas considered for near-term annexation. (Revise?)

4.3 Increasing Community Involvement of Residents

A broad range of skills exist within the town's citizenry. Huntsville Town encourages greater involvement of its citizenry in helping to achieve our mutual goals and supports efforts to foster community service, good will, spirit, etc. Many of the amenities that exist in Town would not have been possible without the gracious donation of citizen's time and skills. The annual Fourth of July celebration is well known throughout Northern Utah as an example of a community that lives and plays together. The first ever 2012 Huntsville Utah Marathon was a resounding success, involved many residents, and promises to be a perennial standout event. The Town supports the fostering of activities such as this that brings citizens together in a mutually beneficial manner.

4.4 Optimizing the Quality of Public Facilities and Services

Public facilities are important to the residents of Huntsville Town. The Town plans to maintain, improve and develop new facilities in a prudent manner and as budgets allow.

4.4.1 The Town maintenance buildings are being replaced with a new Maintenance building funded by a CBDG grant. The building is being erected along the east side of the old Valley School property. The old maintenance area is currently under a purchase contract with the Weber County Library System for use in enlarging their current facilities.

4.4.2 The Ogden Valley Master Plan identifies the possibility of a valley-wide sewage system in the future. The Huntsville Town Council recognized that prudent planning required a detailed definition of the issues and impacts involved. The Town Council, in coordination with the Weber County Commission, agreed to conducting a wastewater collection and treatment capital facilities study, which was completed in 2012. Due to the enormous impact on residents and indefinite benefits to water quality identified in the study results, the Town Council does not support building a Valley-wide sewage system at the present time.

**HUNTSVILLE TOWN
ORDINANCE 2020-XX-XX**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.6.2 USE
REGULATIONS FURTHER DEFINING AUTHORIZED AND CONDITIONAL USES IN
RESIDENTIAL (R-1) ZONE.**

RECITALS

- A. WHEREAS**, Huntsville Town (hereafter "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 municipalities to regulate land use and development;
- C. WHEREAS**, Title 15.6.2 currently does not clearly define limitations associated with the rental of dwelling units and accessory buildings and structures in Residential Zone R-1.
- D. WHEREAS**, the proposed change to the ordinance specifies the extent that the renting of dwelling units accessory structures or buildings in Residential Zone R-1 is allowed; refers to Appendix One, Table 15-1 Huntsville Town Acceptable Uses by Zone; and eliminates redundant references for permitted uses.
- E. WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on <DATE> to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on <DATE>.
- F. WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on <DATE> and desires to act on this Ordinance;

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: Amendment. The Huntsville Municipal Code is hereby amended to read as follows:

15.6.2 Use Regulations

Refer to Appendix One, Table 15.1 (Acceptable Uses by Zone) for all permitted uses in Residential Zone R-1.

In Residential Zone R-1, ~~no building or structure or land shall be used, and no building shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses~~ the following uses are subject to the respective conditions:

A. Single-family dwellings. Only one single-family dwelling is allowed on an approved R-1 building lot. No ~~residential~~ single-family dwelling, or a portion thereof, ~~of a residential dwelling~~ shall be rented for a term less than 30 days. No single-family dwelling, or portion thereof, shall be rented while occupied by the respective owner. ~~Violations will be subject to a Class B Misdemeanor.~~

~~B. Churches.~~

~~C. Cemeteries.~~

~~D. Libraries, museums, public art galleries.~~

~~E. Public schools, pre-school, child day care or nursery.~~

FB. Agriculture; nurseries and greenhouse, provided sale of goods is limited to materials produced on the premises and there is no retail shop operated in connection therewith.

~~G. Large animals and household pets, in accordance with the Huntsville Town Animal Control Title.~~

HC. A Residential Zone Bed and Breakfast subject to the following standards:

1. Two parking spaces shall be provided for the family plus one space for each guest room. No parking may be located on the public thoroughfare;
2. Proprietor or owner must occupy the property;
3. Meals may only be served to overnight guests;
4. Not more than three (3) guests sleeping rooms per dwelling;
5. Allowed only in existing dwellings with no exterior additions nor change in residential character;
6. Business license must be obtained;
7. No traveler or guest may rent a room for more than seven (7) consecutive nights;

~~ID. Signage as regulated under Title 15.21 is restricted. These regulations are contained in the Huntsville Town Signs Title.~~

~~JE. Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If an existing residence dwelling is used as a temporary residence dwelling during construction of a new residence dwelling, upon issuance of the occupation permit for the new residence dwelling, the old residence dwelling must be removed within thirty (30) days.~~

~~KF. Home occupations as regulated under Title 15.18, in accordance with the Home Occupations Title of this Ordinance.~~

~~LG.~~ Accessory ~~uses~~ Structures or Buildings. ~~(e.g., garage, shop, storage, etc.)~~ No accessory structure or building, or portion thereof, shall be rented as a dwelling unit—including in-kind considerations.

~~MH.~~ No mobile homes or recreational vehicles may be placed on a lot for use as a permanent or temporary (greater than 30 days) ~~residence~~ dwelling, except as outlined in ~~JE.~~ above.

~~N.~~ ~~Hotels, Motels, and condominiums are not allowed.~~

VOTES:	AYES	NAYS	EXCUSED	RECUSED
Mayor Truett				
CM Max Ferre'				
CM Blake Bingham				
CM Wendy McKay				
CM Richard Sorenson				

PASSED AND ADOPTED by the Town Council on this <DATE>.

JIM TRUETT, Mayor

ATTEST:

BECKKI ENDICOTT, Recorder

RECORDED this <Month/Day/Year>

15.6 RESIDENTIAL ZONE R-1

- 15.6.1 Purpose
- 15.6.2 Use Regulations
- 15.6.3 Area Regulations
- 15.6.4 Frontage Regulations
- 15.6.5 Every Dwelling is to be on a “Lot”
- 15.6.6 Front Yard Regulations
- 15.6.7 Side Yard Regulations
- 15.6.8 Rear Yard Regulations
- 15.6.9 Height Regulations
- 15.6.10 Coverage Regulations
- 15.6.11 Special Provisions
- 15.6.12 Lots in Separate Ownership
- 15.6.13 Yard Space for One Building Only
- 15.6.14 Sale or Lease of Required Space
- 15.6.15 Sale of Lots below Minimum Space Requirements

15.6.1 Purpose¹¹

The purpose of the R-1 zone is to designate regulations on areas to be designated for use for residential purposes.

15.6.2 Use Regulations

In Residential Zone R-1, no building or structure or land shall be used, and no building shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

- A. Single-family dwellings. Only one single-family dwelling is allowed on an approved R-1 building lot.¹²¹³ No residential dwelling or a portion of a residential dwelling shall be rented for a term less than 30 days. Violations will be subject to a Class B Misdemeanor.¹⁴
- B. Churches.
- C. Cemeteries.
- D. Libraries, museums, public art galleries.
- E. Public schools, pre-school, child day care or nursery.
- F. Agriculture; nurseries and greenhouse, provided sale of goods is limited to materials produced on the premises and there is no retail shop operated in connection therewith.
- G. Large animals and household pets, in accordance with the Huntsville Town Animal Control Title.
- H. A Residential Zone Bed and Breakfast subject to the following standards:
 - 1. Two parking spaces shall be provided for the family plus one space for each guest room. No parking may be located on the public thoroughfare;
 - 2. Proprietor or owner must occupy the property;

¹¹ Amended 11-07-2013: To add a Specific Development Plan Overlay Zone.

¹² Amended 9-06-2012: Added: If a single family dwelling is rented for less than 90 days, you need a business license.

¹³ Amended 10-16-2014: Deleted: If a single family dwelling is rented for less than 90 days, you need a business license.

¹⁴ Amended 10-16-2014: Added: No residential dwelling or a portion of a residential dwelling shall be rented for a term less than 30 days. Violations will be subject to a Class B misdemeanor.

3. Meals may only be served to overnight guests;
4. Not more than three (3) guests sleeping rooms per dwelling;
5. Allowed only in existing dwellings with no exterior additions nor change in residential character;
6. Business license must be obtained;
7. No traveler or guest may rent a room for more than seven (7) consecutive nights;

I. Signage is restricted. These regulations are contained in the Huntsville Town Signs Title.

J. Temporary buildings for uses incidental to construction work, which buildings must be removed upon the completion or abandonment of the construction work. If an existing residence is used as a temporary residence during construction of a new residence, upon issuance of the occupation permit for the new residence, the old residence must be removed within thirty (30) days.

K. Home occupations, in accordance with the Home Occupations Title of this Ordinance.

L. Accessory uses (e.g., garage, shop, storage, etc.)¹⁵

M. No mobile homes or recreational vehicles may be placed on a lot for use as a permanent or temporary (greater than 30 days) residence, except as outlined in J. above.

N. Hotels, Motels, and condominiums are not allowed.¹⁶

15.6.3 Area Regulations

The minimum lot area for a single family dwelling shall be not less than thirty-two thousand six hundred and seventy (32,670) square feet, which is three-quarters (3/4) of an acre.

15.6.4 Frontage Regulations¹⁷

A. The minimum width of a lot, for a single family dwelling, along the street frontage shall be one hundred thirty (130) feet. Where the lot frontage is on a cul-de-sac, the 130 foot width requirement shall be along the front property boundary line running from one radial property side boundary to the other and measured perpendicular to the circumference of the cul-de-sac. Alleys shall not be considered street frontage unless the Town designates it as such where no other street frontage is available.

B. The frontage requirement minimum is one hundred twenty (120) feet when an alleyway is the only reason for not being able to provide one hundred thirty (130) feet of frontage.

D. Transverse lot splitting will not be allowed if the frontage requirements stated in items A. and B. are not met for the newly formed lots.

E. Primary vehicular access to the lot shall be from the frontage,¹⁸ unless lot is on corner of two public streets. If so, vehicular access can be from either street. If vehicular access on a corner lot is not designated as the frontage, the driveway or garage set-back should be no less than 20 feet from the property line and the frontage set-back no less than 30 feet from the property line. Primary vehicular access is defined as the access used to access the residence the majority of the time.

F. Primary vehicular access to lot must be identified on submitted site plan.

¹⁵ Amended 4-16-2015: Deleted last sentence to paragraph L.

¹⁶ Amended 9-06-2012: Added (N) to 15.6.2.

¹⁷ Amended 2-3-2011: Added last sentence to paragraph A. and paragraphs D. and E.

¹⁸ Amended 11-21-2019: Added from "unless lot is on corner.....no less than 30 feet from the property line."