

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

**MEETING DATE:** January 26th, 2023  
**PLACE:** Huntsville Library  
 131 S 7400 E, Huntsville Utah  
**TIME:** 6:30 p.m.

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

**Citizens: Kristin Carver**

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

2-Administration of the Oath of Office for Planning Commissioners Liz Poulter, Suzanne Ferree and Alternate Amanda Hessenauer

Oath of office is taken by Liz Poulter and Amanda Hessenauer

3-Approval of Minutes for Planning Commission Meeting December 8th. (See Attachment #1)

**PCM Poulter motioned to approve the amended minutes from December 8th, 2022.** PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Alt Amanda Hessenauer
NAYS:	

4- Discussion and/or action on Land Use Permit for Green House Signage and lighting, 7341 E. 200 S., Parcel # 240110036 (See Attachment #2)

Kristin Carver was present to represent Green House. She explained their vision of the sign. Size will be about 6x3.3 feet. The sign will be well above the 10-foot limit. The lighting will be downcast and not aimed at any other buildings.

**PCM Larsen motioned to approve the Land Use permit for Green House Signage and lighting, 7341 E. 200 S., Parcel # 240110036.** PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Alt. Amanda Hessenauer
NAYS:	

5- Discussion and/or action on Ordinance 2022.11.16; Appeal amendments, nonconforming lots and wastewater (See Attachment #3)

TC Hunter mentioned that this document was forwarded to Attorney Keller. Beckki has yet to hear back with Keller’s response/thoughts on this matter. TC Hunter has made some edits and suggestions to this Ordinance. One particular verbiage she thought was of importance was the term “legally conforming lot”.

There was some discussion on the timing for this Ordinance. The current moratorium on building on non-conforming lots is set to expire on Mid-March. And this will still need to go through the TC for discussion and approval. Jeff voiced his support of TC Hunter Comments. PCM Poulter wanted to add to section B, the word “current” for requirements of subdivision.

PCM Hessenauer also suggested that a definition on the term legally created. PCM Hessenauer, also posed the question if any lots in town would be able to get around this ordinance as written. Looking at it from that perspective to analyze if anything needs to be added or changed.

PC discussed the options of tabling this Ordinance until next month or recommending for approval with Sandy’s changes as well as changes discussed in this meeting and also to include input from Mr. Keller.

Looking at the wastewater section, the term “user” was discussed, and a clear definition was found to be lacking by the PC. After some discussion it was agreed that the term user was agreeable, but a clear definition was needed.

PC Chair Endicott motioned to recommend to the Town Council, approval of Ordinance 2022.11.16; Appeal amendments, nonconforming lots and wastewater, with the recommended adjustments from TCM Hunter as well as the PC and also consider any recommendations from Attorney Keller. Also to include the addition of a definition for the term” Legally Created” and “user”, as well as review of zoning requirements on lots previously created. PCM Songer seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Alt. Amanda Hessenauner
NAYS:	

6- Sandy’s TC Updates

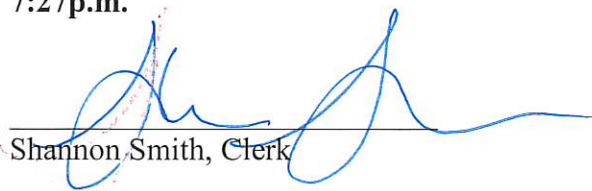
A TC and PC training will be held on Jan. 31<sup>st</sup>, 2023, as well as a joint work session.

7-Public Comment. There were none.

8-Chairman’s Remarks. Chairman Endicott thanked all for the discussion and welcomed the new members of the PC.

9-Motion to adjourn.

**PCM Songer made a motion to adjourn the meeting, by acclamation meeting is adjourned at 7:27p.m.**

  
Shannon Smith, Clerk

## MINUTES OF THE HUNTSVILLE TOWN PLANNING COMMISSION MEETING

**MEETING DATE:** December 8th, 2022  
**PLACE:** Huntsville Library  
131 S 7400 E, Huntsville Utah  
**TIME:** 6:30 p.m.

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

### **Citizens: Ron Gault, Bruce Ahlstrom**

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

### 2 &3- Public Hearing on General Plan with Map updates and Annexation Policy Plan

~~See Attachment #1~~ See Attachment #3 & 4.  
Ron Gault has been working on these two items for the Town and was asked to present them to the Planning Commission. Mr. Gault gave an overview of the changes he had made. He made it a point to include the sentiment that the Town is more interested in annexation within areas the Town could feasibly provide services, most importantly water.

(PCM Songer enters the meeting 6:42)

Mr. Gault has slightly updated the Towns vision statement as well as included more current changes to the Town code. He has incorporated some other key issues the Town has recently or is currently dealing with.

Mr. Gault presented the potential annexation map and the boundaries it represents.

Mr. Gault asked for any feedback via email.

Chairman Endicott moves to close the Public Hearing

PCM Poulter motions to close the Public Hearing. PCM Songer seconded the motion. All Votes Aye. Motions passes, Votes reflected below

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

4- Discussion and/or action on the approval of minutes for November 16<sup>th</sup>, 2022  
(See attachment #1)

PMC Poulter motioned to approve the minutes from November 16<sup>th</sup>, 2022. PCM Songer seconded the motion. All Votes Aye. Motion passes, votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

5-Discussion and/or action on the approval of minutes for December 1<sup>st</sup>, 2022.  
(See attachment #2)

PMC Songer motioned to the amended minutes from December 1<sup>st</sup>, 2022. PCC Endicott seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

6-Discussion and/or action on recommendation on General Plan (See Attachment #3)

**PCM Poulter mentioned a possible typo to Mr. Gault to fix. TCM Hunter also made some notes on small typo's/misspellings. Also, on the subject of cluster sub-divisions. There was also a question to clarify the wording that was used for the sewer system part.**

**PCM Poulter motioned to recommend for approval of the General Plan. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.**

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

7-Discussion and/or action on recommendation on Annexation Policy Plan  
(See Attachment #4)

TCM Hunter had a question on B.3- agriculture space.

**PCM Songer motioned to recommend to the Town Council, approval of the Annexation policy plan, with the changes discussed.** PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

8-Discussion and/or action on Land Use Permit for the Green Haus sign and lighting, 7341 E. 200 S. Parcel #240110036. (See Attachment #5)

It was noted by TCM Hunter that the sign ordinance restricts any signage below 10 feet to the ground. The proposed signage does not meet that requirement.

**PCC Endicott motioned to table the Land Use Permit for the Green Haus sign and lighting, 7341 E. 200 S. Parcel #240110036.** PCM Poulter seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

9-Discussion and/or action on renewal of Land Use Permit for Jenkins new deck addition on home re-build, 7585 E 200 S., Parcel #240110036 (See Attachment #6)

It was explained that this home was burnt down and is now going through the process of re-building. The Jenkins are going through the process for getting their building permit. It was

brought to the attention of the office that the deck was an addition, so there for needed a separate land use permit.

**PCM Songer motioned to approve the Land Use Permit for the Jenkins new deck addition on home re-build, 7585 E. 200 S., Parcel # 240100036.** PCM Poulter seconded. All Votes Aye. Motions passes, votes are reflected below.

VOTES:	
AYES:	Chairman Allen Endicott Commissioner Liz Poulter Commissioner Steve Songer
NAYS:	

10-Administrative oath of office for planning Commission Chair Allen Endicott

Chairman Endicott took the oath of office.

11-Handout for 2023 meeting schedule

12- Sandy's TC Updates

Sandy gave an update on the Sage development. She read an email from Beckki Endicott on the latest information regarding Sage. Sage is on track and doing any improvements as their permits allow.

13- Public Comment- Bruce Ahlstrom questioned the timing of Chairman Endicott's oath and it was clarified that Mr. Endicott was previously appointed Intern. Chair by the mayor. The Oath he took tonight made him officially the Planning Commission chair.

13-Chairman's Remarks. Chairman Endicott thanked all for the discussion. And wished all a happy holidays.

14-Motion to adjourn.

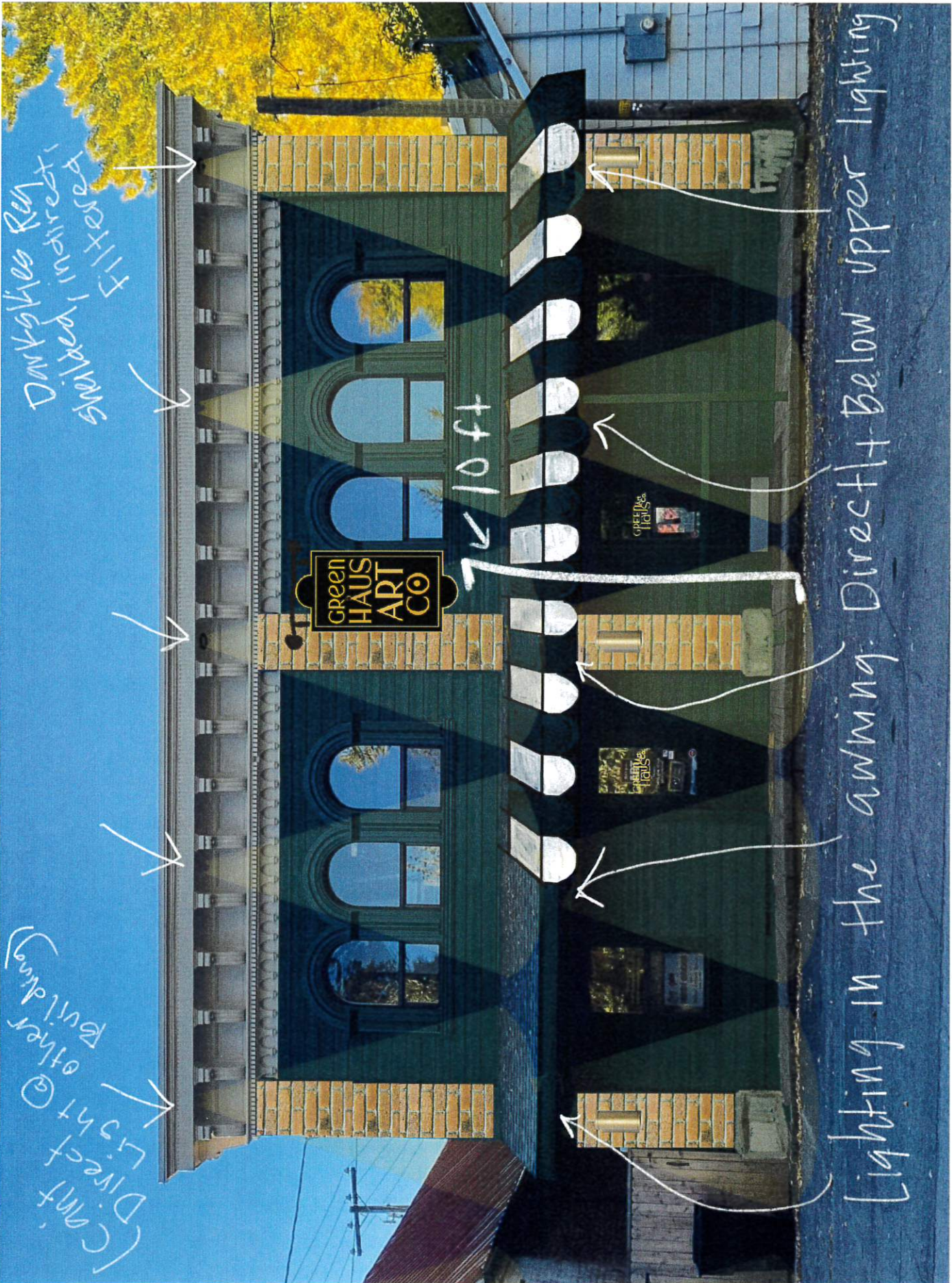
**PCM Songer made a motion to adjourn the meeting.** PCM Poulter seconded the motion. All votes Aye. Motion Passes

**Meeting is adjourned at 7:28p.m.**

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Shannon Smith, Clerk





(Can't Direct @ other Building)

Dark skies Res  
Small dark  
Fittered

$10\text{ft}$

Lighting in the awning - Directly Below upper lighting

awn to FT tall x 5.3 wide



2023 0002



# LAND USE PERMIT

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

Tax ID # 240110036

Address of Structure 7341 E. 200S. - The Green House

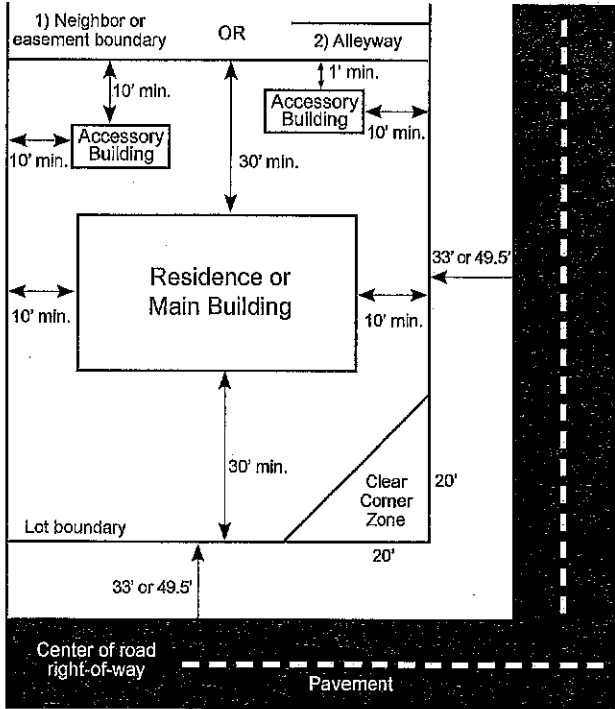
Name & Address of Owner/Owners representative - Krista Carver (Hinkley LLC)

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: ~~10/25/2023~~ 1.26.2023

Set Backs Approved: Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

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

### Huntsville Town Residential Zone Setbacks



Huntsville Planning Commission Chairman

Property Owner Signature

"By signing this form, the applicant agrees that they understand that the Huntsville Town R-1 zone, which their lot is zoned, only allows for one single family dwelling on the lot. The applicant also agrees that they understand that if any changes to their site plan are made after the Land Use Permit is issued, that those changes must be approved by the Planning Commission."

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

PC Meeting 1.26.23  
Attachment #3

**HUNTSVILLE TOWN  
ORDINANCE NO. \_\_\_\_\_**

**APPEAL AMENDMENTS, NONCONFORMING LOTS, AND WASTEWATER**

**AN ORDINANCE OF HUNTSVILLE TOWN AMENDING THE  
HUNTSVILLE MUNICIPAL CODE TO ELIMINATE DUPLICATIVE OR  
SUCCESSIVE APPEALS; AMENDING NONCONFORMING LOTS OR  
PARCELS OF RECORD; ADOPTING WASTEWATER REGULATIONS;  
SEVERABILITY; AND EFFECTIVE DATE.**

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

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

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

**WHEREAS**, the Town finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare;

**WHEREAS**, the Utah Department of Environmental Quality adopted R317 to govern wastewater systems which the Town seeks to implement by this Ordinance;

**WHEREAS**, after publication of the required notice the Planning Commission held its public hearing on \_\_\_\_\_, to take public comment on the proposed Ordinance, after which the Planning Commission gave its recommendation to \_\_\_\_\_ this Ordinance;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on \_\_\_\_\_;

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

**Section 1: Repealer.** Any code, chapter, or section in conflict with this Ordinance is hereby repealed in its entirety and referenced thereto vacated.

**Section 2: Appeals.** In accordance with *Utah Code* §10-9a-701(4), and comply with the state law to eliminate "duplicate or successive appeals", the Huntsville Municipal Code is amended to repeal all instances of the Town Council hearing or deciding any

appeal. Appeals of any Planning Commission decision shall be forwarded directly to the Appeal Authority.

**Section 3: Adoption.** Section 15.17.14 of the *Huntsville Municipal Code* are hereby adopted to read as follows:

**15.17.14 Nonconforming Lots or Parcels of Record.**

- A. A parcel nonconforming as to area and frontage requirements, containing a single-family residence that has not been abandoned, and was created and recorded prior to \_\_\_\_\_ the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law; shall be considered to be a legally complying lot entitled to the same rights as lots conforming to current Huntsville Town area and frontage requirements.
- B. A parcel nonconforming as to current area and frontage requirements which was created and recorded prior to \_\_\_\_\_ the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law; and met area and frontage requirements for the zone in which it was created at the time it was created; may submit an application for subdivision approval provided that it meets all other applicable requirements of the Huntsville Town Subdivision and Zoning Titles. The Landowner will have the burden to prove that their lot met area and frontage requirements for the zone in which it was created at the time it was created.
- C. A non-conforming lot shall be considered a legal building lot entitled to the same rights as a conforming lot, if the lot was created prior to \_\_\_\_\_ July 1992.

**Chapter 15.33**

**Regulations Applicable to More than One Zone**

**15.33.010 Approved Septic System Required.**

The Town only permits lawful septic systems as mandated and to the extent required by state law and the regulations of local health department. Only one user is permitted to connect to a septic system which shall be wholly operated and lawfully maintained by the user.

**Section 4: 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 5: Effective date.** This Ordinance take effect immediately upon mayoral approval and posting.

*(Signatures on the following page)*