

# **ANNEXATION POLICY PLAN**

**for**

**HUNTSVILLE TOWN, UTAH**

**February 2023**

## 1. HUNTSVILLE TOWN ANNEXATION POSITION

Huntsville Town is a small, semi-rural town located in the Ogden Valley of the State of Utah. With improved transportation access, the rapid growth of Northern Utah, the entire Ogden Valley is experiencing its own rapid growth. This growth is affecting the demographics 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 manner that strives to maintain its' unique character. The Town's architecture is a blend of everything from original pioneer to large, modern home styles. The Town's recent growth reflects the benefits and desirability of life in Ogden Valley with the emergence of large vacation homes and rapid escalation of the average home price. These results are changing the Valley's demographics to that of an older, higher income population (median age in 2020 is 48 years), with many of the newcomers possessing different viewpoints than long term residents on some issues.

The Town was originally laid out around a farming/agricultural grid format, with large lots, wide streets, and alleyways. It recognizes the shortage and escalating cost of housing ownership these features entail; but in order to maintain the lifestyle that has made the Town so livable and popular, the Town desires, which is reflected in its General Plan, to continue maintaining the current ordinances that support this desire. The Town recognizes this will place burdens on some residents, but believes it is an unfortunate result of growth that must be accepted to maintain the desired character and lifestyle of the Town. As stated in the Huntsville General Plan, the **primary theme** of the Town's Vision Statement is to preserve as much of this semi-rural character of Huntsville as possible in the coming years. From the General Plan:

### 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 and welcome the diversity that new residents offer the Town. The residents are desirous of maintaining our high-quality lifestyle by managing and shaping our future growth via ordinances that encourage and preserve this lifestyle.**

This Annexation Policy Plan reflects the Town's position to be open to considering annexation in the future, but under conditions that reflect the planning goals reflected in the Vision Statement and the Huntsville Town General Plan. In general, the Town will consider annexation of areas surrounding the Town when such annexation supports the maintenance of its unique and desirable lifestyle. The Annexation Policy Plan herein is intended to reflect this position as it considers annexation in the future under conditions that reflect the planning goals as stated in the Vision Statement and the Huntsville Town General Plan.

## **2. CRITERIA FOR DECISIONS ON FUTURE ANNEXATION**

- A. As part of its ongoing effort to anticipate responsible growth, Huntsville Town has identified land adjacent to its present Huntsville Town boundaries that could possibly be annexed, including where some property owners have expressed an interest in possibly becoming a part of Huntsville Town in the future. Areas considered for annexation must fall within the boundary designated for future possible annexation contained in this Huntsville Town Annexation Policy Plan. Even though property proposed for annexation is located within this boundary area, there is no guarantee that any annexation request will be approved by the Huntsville Town Council or that the Town Council would initiate one of its own.
- B. Huntsville Town will determine prior to any annexation if it is feasible to serve the proposed new area with utilities and other municipal services within a reasonable amount of cost and time. The primary determining factor is Huntsville Town's ability to provide and deliver culinary water. The Town has limited additional capacity to do so. For areas it does not have the capability to provide municipal services, annexation would not be approved unless the property owners in the area agree to pay sufficient impact fees that would allow for the necessary expansion of existing service capabilities.
- C. The character of the Huntsville Town community is primarily residential, with a small mix of commercial, recreational, and agricultural. Areas considered for annexation should be compatible with this character.
- D. Annexation will eliminate existing, and not create islands or peninsulas of unincorporated territory. When the determination of a peninsula is in question, the Weber County Surveyor will make the determination.
- E. Areas considered for annexation shall not be located within the corporate limits of another incorporated town, be within another annexation proclamation boundary, or be part of a previously approved annexation petition.
- F. Annexation should prevent overlapping functions of government, promote efficient delivery of services, and encourage the equitable distribution of community resources and obligations.
- G. Annexation should give consideration to the tax consequences to property owners within the area to be annexed, as well as the property owners within Huntsville Town, to prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers within Huntsville Town.

### 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 at 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, which includes the Town cemetery and 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 Highway Route 39. State Highway 39 is a designated scenic highway passing through Ogden Canyon, running south of Pineview reservoir, turning north, and heading east of Huntsville 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 tip of Pineview and connects with Eden and the North Ogden Pass Road. The intersection of State Highway 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 Highway 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. Most of the Town's streets are paved, but alleys running north-south midway through some of the blocks are not. All streets and the alleys are owned by Huntsville Town. To the north, south and east of State Highway 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 Huntsville is State Highway Route 167 commonly referred to as Trapper's Loop Highway that winds over mountains to the south and connects the Valley with Mountain Green and Interstate 84 in Morgan County.

Weber County's population was 268,369 in July 2022 with a growth rate of nearly 1% per year. According to the U.S. Census, Huntsville's population was 553 in 1970, 557 in 1980, 541 in 1990, 649 in 2000, 608 in 2010 and 645 in 2020. There are approximately 350 dwelling units in Huntsville, with approximately 327 occupied by year-round residents. At this point, the Town is continuing to grow, however the growth has slowed due to the recent recession and is contained by natural and man-made barriers or boundaries. Due to there being few remaining building lots available in Town, unless the Town annexes more land, growth will stagnate. One important consideration of annexation is the impact on the Town's population and its effect on the cost of

administering and managing the Town and its resources and services. Should Huntsville's population exceed 1000, Utah State law would require a transition to a Class 5 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, AV-3, S-1 and CR-1 zones exist. The potential for a C-2 zone is being considered to allow for uses in certain areas that are not allowed in C-1. Annexation will be considered as an opportunity to gain greater control over the growth in the immediate vicinity of Huntsville Town. No annexation will be undertaken without first assessing the ability to deliver services currently provided to residents and ensuring the potential deficit of revenue against expense to the city is not unreasonable. A 70+ acre parcel of land immediately east of the Town boundaries, bounded on the north by 100 South and on the south by 500 South, was recently annexed with its' existing zoning of A-3.

### 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 (47%). It includes large garden areas, pastures, barns, corrals and other farm or utility out buildings. There are currently no multifamily dwellings, nor do the ordinances allow such. The residential area is zoned as R-1, with a minimum lot requirement of  $\frac{3}{4}$  acre, which dates back to the original Town survey.

### 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. The traditional Town center is small (8.5 acres) and provides the Town with small amount of property and sales tax revenue. This area includes several small stores, the well-known Shooting Star Saloon, a reception hall, a small restaurant, two small Town-owned buildings, a storage barn, and the Compass Rose Lodge. The southeastern commercial area on the east side of Town houses the South Fork Village, the US Post Office, the American Legion, and a parcel due north of the post office that was rezoned to C-1 and back to R-1 in 2019.

### 3) Agriculture and Open Space

Huntsville originated as a Latter-day Saint agricultural village where the residents lived in Town and farmed the surrounding area. Agriculturally available space within the Town boundaries is relatively small (134 acres), currently composed of undeveloped R-1 lots. These areas are mostly used for light agriculture purposes such as gardening, grazing, or maintaining animals.

#### 4) Institutional, Parks and Recreation

Institutional use (24 acres) refers to public and government buildings, facilities or land (e.g., the 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 field in the SE corner of the block due north of the park. 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 66-foot secondary roads. 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 Highway 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). The Town intends to maintain the streets as they are, with the current width requirements, and without curb and gutter, to maintain the rural feel.

#### 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.

### **C. Generating Zoning Regulations**

The Town land use ordinances are created in coordination between the Town Planning Commission and Town Council and legislated by the Town Council. As identified in 3.B., they contain numerous 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 allowing for independence and 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. A C-2 zone is under consideration to allow further controlling what types of commercial enterprises can be allowed in commercial zones, especially when surrounded by residential zoning. 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 land use 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 account for only a small percentage of daily traffic in the vicinity of the Town. At busy times during the summer season, the congestion at the intersections of Highway 39 and First and Fifth South is extreme. 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 grant or low-cost loan monies in the past to help with its road maintenance. 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 not be enough money to maintain the roads in good condition.

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 very few 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.

2) Public Safety

a. Law Enforcement

Huntsville contracts with the Weber County Sheriffs Office for police protection. The Weber County Sheriff offers a range of resources, especially well-coordinated 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 the 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 the Town has no traffic lights. The Town supports the Dark Skies movement, and the lighting ordinance requires certain restrictions on outdoor lighting in support of reducing light pollution.

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 the Town previously owned by the former Abbey of Our Holy Trinity, the “Monastery”. Owners of lots in Town are connected to the Town’s culinary water system. Property being annexed must bring their own water rights and source capacity (wet water) or purchase it from the Town. Huntsville Town owns portions of water rights out of two of the springs and shares the rights to the third spring with the owners of the Monastery property. The Town also owns a non-producing well near the current culinary water plant, and Hawkins Springs, that is currently not in use. The Town has a modern water treatment plant housing three styles of filters (media, bag, and cartridge), which allow for filtering down to the several micron levels. The plant is currently undergoing refurbishment to replace obsolete equipment. After the treatment process, the water is pumped to a one-million-gallon storage tank. In 2015, the Town contracted for a Hydrogeological Evaluation and Assessment of Groundwater Development Potential. It identified areas where a second source of culinary might be achievable. 2018 CBDG and CIB grants allowed using this information in drilling for a Utah State-mandated secondary water source. On April 9, 2018, the Town entered into an agreement with the owners of the Monastery that allowed the Town to drill a culinary water well on their property. Under the terms of the agreement, the Town is only allowed to withdraw water from the well during times of drought and if the total discharge of all the Town’s spring sources falls below 150 gallons per minute. The Town is limited to a maximum withdrawal rate of 100 gpm and Huntsville Abbey Farm owns all the well’s capacity beyond the first 100 gpm. After one unsuccessful attempt, a good production well was developed that is under testing for State approval as a permanent source. The state has informed the Town that it is currently exceeding the calculated user limit, so if any future development requiring hookups were to take place, upgraded facilities and distribution infrastructure might be required.

b. Irrigation Water Supply

The Town receives irrigation water from a holding reservoir east of Town fed by the South Fork of the Ogden River. An underground delivery system supplies to water to the Town. The system is owned by the Huntsville Waterworks Corporation, composed primarily of Town residents, but independent of the Town government. Low pressure issues exist on the far west side of Town during busy watering times. Recent drought conditions may introduce the need for rationing in the future. Residents are requested to follow a voluntary schedule of days they can water. Metering may become a state requirement and the Town could be forced to comply.

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 Highway 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 flow to appliances with four ounces of pressure.

d. Refuse

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 a recycling program with a second container provided for recycle 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 conduct a sewer feasibility study that provided recommendations and a draft Wastewater Capital Facilities Plan. After review of the benefits and the impacts to Town residents, the Council decided to continue using the current septic systems for the foreseeable future.

## **4. HUNTSVILLE TOWN ANNEXATION PROCLAMATION**

### **A. Current Development Status of Huntsville Town**

Huntsville Town recognizes most of the open space available for Town growth is east of State Highway Route 39, which roughly circles the Town. Several pieces of Weber County property along Highway 39 to the immediate south of South Fork Village are currently zoned for commercial development. With the building of the US Post Office building on the southwestern corner of the intersection of 500 South and Highway 39, this area was further established as one of two hubs of the Town's future commercial development. A large tract (~72 acres) was recently annexed alongside Highway 39, bounded by Highway 39 where it turns and heads north and 500 South on the south. The annexation also included the Weber County Fire Station on 500 South. Huntsville Town accepts this general area will be one to experience growth, and offers ideal conditions for commercial uses, but will continue to encourage suitable public and commercial development in the traditional commercial center of Town, in hopes of maintaining its unique character. A new Town Hall/Community Building is currently under consideration for this area. The Town's character will be reinforced or redefined by what happens at these two critical locations.

The single most expressed desire from Town residents is preserving the small-town character. A critical factor to the Town's future is that the current Town boundaries will keep the Town population under 1000 so a reorganized government would not be required, maintains the character of the Town, would not pressure the Town into annexing land due to islands created by Valley-wide incorporation, and not require major infrastructure upgrades to culinary water or potential sewer system development.

### **B. How Extension of Town Services Would Be Financed**

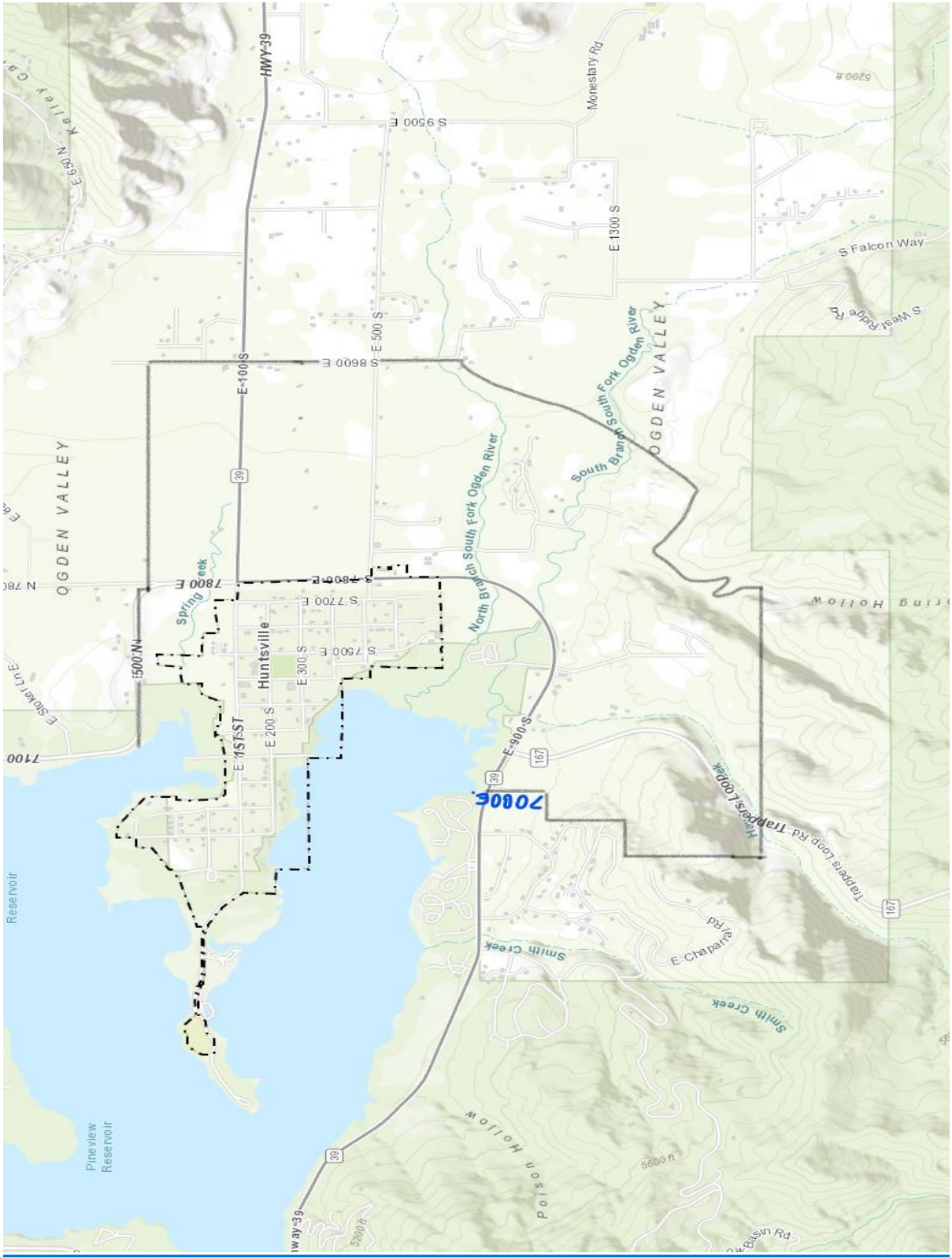
Huntsville Town currently receives a tax levy in addition to the amount charged unincorporated property in Ogden Valley. It amounts to approximately .08% of the taxable value. That portion is used to help Huntsville Town finance the services identified in Section 3.D of this document and would be attached to any land annexed into Huntsville Town. In addition, the Town would levy impact fees on the developers of that land to provide the necessary services. Even if the developer would agree to providing the needed infrastructure, it does not mean the Town would necessarily accept an annexation petition.

### **C. Huntsville Town Annexation Proclamation**

Huntsville Town has limited input over how surrounding land in Weber County is developed. Being within incorporated Huntsville Town offers residents the opportunity to play a greater role in how property within Town boundaries is developed. Based on Town survey results, the Town showed a majority preference to remain a small community and only accept an annexation request from nearby land if that status can be maintained and critical infrastructure (culinary and secondary water, traffic safety, road maintenance, etc.) can be provided without increased burden on current residents. The primary

determining factor is Huntsville Town's ability to provide and delivery culinary water, which the Town has limited additional capacity to do so. Prior to any annexation, Huntsville Town will determine if it is feasible to serve the proposed new area with these utilities and other municipal services within a reasonable amount of cost. For areas it does not have the capability to provide municipal services, annexation would not be approved unless the property owners in the area agree to pay impact fees that would allow for the necessary expansion of existing service capabilities. In the case of culinary, that might mean developing a new source of water. All agreements would be formalized in a written Memorandum of Understanding prior to starting the formal annexation process.

Huntsville Town's annexation proclamation boundary is depicted by the black border in Figure One. If the Valley residents outside of Huntsville Town decide to incorporate some portion of the unincorporated area in the Valley, the Town does not desire to be merged into that area. Should any land within Huntsville's Annexation Proclamation Boundary be part of this incorporation effort, it would have to receive the approval of Huntsville Town. The Town desires to preserve its existing grid system layout as much as land conditions and topography allows. The Town further 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. Of primary concern are the impacts involving wetlands, water aquifers and floodplains.



**Figure One – Annexation Proclamation (in bold line) showing land areas that would be considered for annexation.**