

**HUNTSVILLE TOWN  
ORDINANCE 2023.6.22**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH ADDING TITLE 15.8A  
HIGHWAY COMMERCIAL ZONE C-2**

**RECITALS**

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

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the Town 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 the Town to regulate land use and development;

**WHEREAS**, Table 15-1, Huntsville Town Acceptable Uses by Zone, in Title 15 designates a Commercial Highway Zone C-2, the Huntsville Town Planning Commission desires to establish the standards of the Commercial Highway Zone C-2 into Title 15, Land Use;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on Thursday September 28<sup>th</sup> 2023, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on September 28<sup>th</sup> 2023;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on November 2, 2023 and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the Huntsville Town Council 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**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this ordinance is hereby repealed and any reference thereto is hereby vacated.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:

## **15.8.A COMMERCIAL HIGHWAY ZONE (C-2)**

- 15.8A.1 Purpose
- 15.8A.2 Use Regulations
- 15.8A.3 Single-Family Dwellings Use and Regulations
- 15.8A.4 Front Yard Regulations
- 15.8A.5 Side Yard Regulations
- 15.8A.6 Rear Yard Regulations
- 15.8A.7 Height Regulations
- 15.8A.8 Coverage Regulations
- 15.8A.9 Architectural, Landscape, and Screen Standards
- 15.8A.10 Parking
- 15.8A.11 Special Development Plan Overlay Zone

### **15.8A.1 Purpose**

The purpose of the C-2 Zone is to designate areas within Huntsville Town that are close to Highway 39 and not in the center of Huntsville Town and would accommodate other uses in a commercial zone that are not permitted in the center of old Huntsville Town.

### **15.8A.2 Use Regulations**

All uses allowed in the Commercial Highway Zone C-2 are designated either as permitted in Table 15-1, or as conditional and approved pursuant to a Conditional Use Permit by the Town Council. Signage regulations are contained in the Huntsville Town Signs Title, with additional considerations in this Chapter.

### **15.8A.3 Single-Family Dwellings Use and Regulations**

All Use, Area, Frontage, Coverage, Yard, Height Regulations and Special Provisions pertaining to single-family dwellings are listed in the Agricultural Zone A-3 under Single Family Dwellings.

### **15.8A.4 Front Yard Regulations**

The depth of the front yard shall be thirty (30) feet from the property line for all structures.

### **15.8A.5 Side Yard Regulations**

The minimum side yard shall be ten (10) feet. The measurement of the side yard shall be the distance between the wall of a structure (above or below ground) and the side property line. If the wall is built straight up from the foundation, the measurement can be made from the foundation wall. The only portion of the structure allowed to violate the ten (10) foot setback is a roof eave extending out 18 inches or less.

#### **15.8A.6 Rear Yard Regulations**

Lots which rear upon the side yard of another lot in a residential zone R-1 or agricultural zone A-3, the minimum rear yard shall be ten (10) feet. For setbacks where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

#### **15.8A.7 Height Regulations**

No pitched roof building or structure shall be erected to a height greater than two and one-half- (2 ½) stories, or thirty-five (35) feet unless the height is for a unique architectural feature(s) recommended by the Planning Commission and approved by the Town Council. The unique structure(s) height cannot exceed forty (40) feet, be no greater than 150 sf each and no greater in length than 20 feet each (e.g. bell tower, etc.) There shall not be more than two unique structures per acre. Flat roof buildings shall not exceed two (2) stories or twenty-four (24) feet, whichever is greater.

#### **15.8A.8 Coverage Regulations**

No buildings or structures or group of buildings with their accessory buildings shall cover more than 45 percent of the area of the lot.

#### **15.8A.9 Architectural, Landscape and Screening Standards**

As permitted in the Huntsville Town Architectural, Landscape, Screening, and Waste Disposal Standards Title 15.20.3 and as required below:

##### **General requirements for all main buildings facing the public street:**

1. No HVAC located on a roof to be visible from the street.
2. Pitched roofs to be angled in such a manner to prevent accumulated snow from sliding into pedestrian areas.
3. Roof and impervious parking lot surface runoff is encouraged to be returned to the landscaped areas on the lot and not engage the public stormwater system. Rain barrel water catchments are encouraged for roof runoff.
4. Metal roofs shall be painted or of a non-reflective nature.
5. Shingled roofs shall be composed of at least a 25-year guaranteed quality and simulate the look of wood shingles or as a minimum have greater depth than standard shingles.
6. Fencing shall be three to four rail type fencing when visible from the street.
7. For pitched roofed buildings, exterior walls to be composed of board and batten siding but may contain stone or brick features for up to 25% of the front facade.
8. Pitched roof eaves shall overhang a minimum of 1.5 feet measured horizontally.
9. No stucco is allowed.

### **15.8A.10 Parking**

As permitted in the Huntsville Town Vehicle Parking and Loading Title 15.24 except location of parking spaces shall be on the same lot as the main building.

### **15.8A.11 Specific Development Overlay Zone**

As permitted in the Huntsville Town Commercial Zone C-1, Title 15.8.10, and following the requirements of Title 15.29, Specific Development Plan Overlay Zone.

### **15.8A.12 Motor Vehicle Access**

All property that must use Utah State Highway 39 for motor vehicle access shall meet the requirements specified in Utah Administrative Code R930-6.

### **15.6.2.A.3**

No single-family dwelling, or portion therefor, shall be rented or used while occupied by the respective owner, except as provided for in the Title 15.18.5

### **15.24.2 Businesses Requiring Motor Vehicle Access**

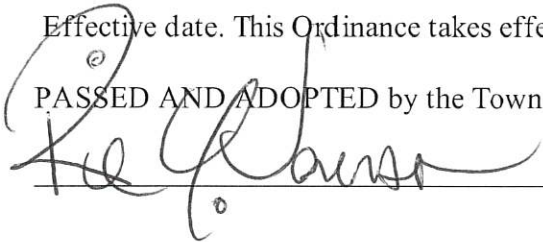
A. All businesses bordering Utah State Highway 39 shall meet the requirements specified in Utah Administrative Rule, R930-6.

B. All businesses, roadside stands, and public parking lots requiring motor vehicle access on Huntsville Town streets shall meet the following requirement: Access to the business or other structure or parking lot shall be by not more than two roadways for each one hundred (100) feet or fraction thereof of frontage on any street, no two of said roadways shall be not more than thirty-four (34) feet in width and shall not be closer than twenty (20) feet to the point of intersection of two property lines or at any street corner; and a curb, hedge, or fence of not more than two (2) feet in height shall be provided by the owner to limit access to the permitted roadway. Exception: service stations in a commercial zone may have a maximum roadway width of fifty (50) feet.

Section :3

Effective date. This Ordinance takes effect immediately upon approval and posting.

PASSED AND ADOPTED by the Town Council on this 2 day of November, 2023.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Town Clerk



#### CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) Huntsvilletown.com, 2) Huntsville Town Office Building, and 3) Utah Public Notice Website on the above referenced dates.

  
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DATE: 11-2-2023

Town Clerk