

WORK SESSION – JANUARY 14TH, 2021
PLANNING COMMISSION

Minutes of the Huntsville Town Council Work Session held on Zoom. The meeting is regarding edits on the Conditional Use Table

Attending: PCM Sandy Hunter, PCM Liz Poulter, PC Chair Doug Allen, PCM Jeff Larsen, PCM Steve Songer, TCM Blake Bingham, Beckki Endicott - Recorder

PC Chairman Doug Allen welcomed the members and thanked PCM Sandy Hunter and PCM Liz Poulter for all their hard work on the Conditional Use Committee. Chairman Allen turned the time over to Sandy to go over the changes on the Conditional Use Table.

PCM Sandy Hunter wanted to go over the documents and changes that would go through the public hearing on January 28th. PCM Hunter stated the Conditional Use Table and the 15.4 ordinance change would be available for comment at the public hearing. The section of 15.8 for the C-2 zone has not been fully composed at this time. This section of the ordinance will wait for another day. TCM Blake Bingham has started this ordinance but the work is not complete. The PC concurred it would be best to publish the completed table with the conditions needed by ordinance before the moratorium on conditional use expired.

PCM Sandy Hunter wanted to go over the 15.4 ordinance at the beginning of this meeting. **(See Attachment #1)**. TCM Bingham stated he revised this ordinance based on the Utah State Code. PCM Jeff Larsen stated concern over using the word “detrimental.” He asked the PC if the word is too vague for the ordinance. He is okay with leaving the word but wants to make sure it is what the committee wants. TCM Bingham stated he used the word “detrimental” to be consistent with the State Code.

PCM Sandy Hunter went through various edits on the 15.4 Ordinance. PCM Steve Songer went back to the word “detrimental.” It is a word that is used a lot in the Code. PCM Sandy Hunter suggested defining the word in our Town Definitions.

PCM Liz Poulter wanted to address the S-1 zone. PCM Sandy Hunter shared her zoning map. The area behind the Davis property is S-1. This is the only land zoned S-1. PCM Poulter wanted to know why there is not more S-1 zone. Chairman Allen explained that most of the land is in Forest Service jurisdiction. The Town is mostly zoned R-1. Since there is only a small parcel that is located in the S-1 zone, the PC discussed removing some of the specified conditional uses from the table. PCM Liz Poulter stated she doesn't want permitted uses in most of the S-1 zone, but is okay with conditional uses.

PCM Hunter came back to the Conditional Use Table and pointed out the new column of C-2. She explained that in the future the Conditional Use Committee felt that there were commercial businesses that would be better suited in a highway zone than in Town. PCM Hunter stated she did not have a redline copy of this document but would try to point out more changes as they examined the document.

PCM Hunter went over the many changes to the conditional use tables. The following are highlights of the changes and topics for more in depth conversation regarding the use table. **(See Attachment #2)**

- 1) PCM Hunter wanted to address “fractional ownership.” She suggested talking to our Town attorney regarding this issue. TCM Blake Bingham suggested leaving the line in the Conditional Use Table for discussion.
- 2) Recreational facilities were discussed in an R-1 zone. The committee wanted to avoid landowners putting in recreational facilities covering their lots without a dwelling unit on the parcel. The recreation facility should also be no more than a certain percentage of the parcel. PCM Larsen and TCM Blake Bingham stated that this idea spills over into some of the nuisance ordinances. It can be hard to know where to draw the line between property rights and nuisance. PCM Sandy Hunter agreed that if the Conditional Use Table reflected a “C” she did not want to mandate a permit for every slide put up in a backyard. She is asking whether conditions could be put on recreational facilities in an R-1 zone with a ‘P’ for permitted use. The PC came up with several examples where permitted uses were given conditions. TCM Blake Bingham suggested the footprint of the recreational facilities be included in the totals for all buildings and outbuildings in the coverage requirements. The PC suggested revising 15.6.2 to add the conditions on recreational facilities. TCM Blake Bingham will add the revisions to this ordinance. The Use Table will reflect P for permitted, but ordinance will reflect the conditions.
- 3) The PC discussed the differences between childcare, daycare, preschool and also that type of business as a home business. TCM Blake Bingham looked up the State Code definitions of daycare and preschool. Preschool is a type of childcare by state statute. Chairman Allen stated there are several different classifications of this.
- 4) Mayor Truett asked the Planning Commission to look at Cell Towers as a Use. The PC agreed this would be covered in the utility facilities. Currently utility facilities are “C” in a C-1 zone. The PC did not want to prevent communication systems in the C-1 zone. PCM Steve Songer suggested cell towers should be conditional because of the lucrative nature of the business. Chairman Allen reminded the PC that the money taken in is usually for leases of land not necessarily for just having a cell tower. TC Blake Bingham gave the example of the Hyde’s. If they wanted to put a cell tower in on their property, they could. PCM Liz Poulter suggested adding a separate line for a cell tower on the conditional use table and then not permitting that use.
- 5) TCM Blake Bingham asked about outdoor storage. PCM Sandy Hunter stated they were not specific about indoor or outdoor storage. It is permitted in R-1. They will specify in a commercial zone.
- 6) There were discussions about food/restaurants and types that would be allowed.

- 7) The last line of the retail sales is “vehicle and equipment sales or rental.” It was commented that this line seems redundant. TCM Blake Bingham and PCM Jeff Larsen recommended they change that line to “recreational vehicle and boat sales.”

The public hearing is scheduled for January 28th at the Town Hall. Beckki will facilitate a Zoom meeting as well.

PCM Jeff Larsen made a motion to adjourn. PCM Liz Poulter seconded the motion. All votes aye.

Meeting was adjourned at 9:04 p.m.



Beckki Endicott, Recorder

**HUNTSVILLE TOWN
ORDINANCE 2021-XX-XX**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING TITLE 15.4
CONDITIONAL USE REGULATIONS.**

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's conditional use regulations have been deemed inadequate to appropriately mitigate potential detrimental effects of conditional uses due to the lack of identifiable standards as required by Subsection 10-9a-507 of the *Utah Code Annotated*, 1953, as amended;
- D. **WHEREAS**, the proposed change to the ordinance brings the Town's conditional use regulations in compliance with Subsection 10-9a-507 of the *Utah Code Annotated*, 1953, as amended;
- 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

15.4 CONDITIONAL USES

15.4.1 Purpose

The purpose of Conditional Uses is to allow a land use that, because of its unique characteristics or potential impact on the Town, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts in certain areas, compatible integration of such uses as special exceptions but which are related to the permitted uses of the zone, but which may be

~~suitable and desirable only in certain locations in that particular zone due to conditions and circumstances peculiar to that location and/or only if such uses as designed, laid out and constructed on the proposed site in a particular manner.~~

15.4.2 Conditional Use Permit

A Conditional Use Permit shall be required for all uses not specifically listed for a given zone. The Conditional Use Permit shall be approved by the Huntsville Town Council after review and recommendation by the Huntsville Town Planning Commission. A Conditional Use Permit may be revoked at a later time by the Huntsville Town Council, after review and recommendation by the Huntsville Town Planning Commission, upon the permittee's failure to comply with the conditions imposed with the original approval of the permit.

15.4.3 Review Procedure

- A. Application for a Conditional Use Permit shall be made to the Huntsville Town Planning Commission. A site plan showing details and other requirements shall accompany the completed application forms provided by the Huntsville Town Clerk or Huntsville Town Building Official.
- B. The application together with all pertinent information shall be considered by the Huntsville Town Planning Commission at its next regularly scheduled meeting. The applicant shall be notified of the date, time, and place of each public meeting.
- C. The Huntsville Town Planning Commission may call a special public hearing on any application after adequate notice if it is deemed in the public interest. The applicant shall be notified of the date, time, and place of each public hearing.

15.4.4 Determination

After the completion of the review procedure in 15.4.3, the Huntsville Town Planning Commission will pass their decision to recommend or not recommend a Conditional Use on to the Huntsville Town Council. In recommending any Conditional Use, the Huntsville Town Planning Commission shall impose such requirements and conditions necessary to mitigate the reasonably anticipated detrimental effects of the proposed use for the protection of adjacent properties and the public welfare. The applicant shall be notified of the decision.

The Huntsville Town Council may adopt, modify, or reject~~uphold or reverse~~ the recommendation of the Huntsville Town Planning Commission and impose any additional conditions that it may deem necessary if granting a Conditional Use Permit.

15.4.5 Basis for Issuance of Conditional Use Permit

- A. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the applicable standards set forth in 15.4.6.
- B. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

~~The Huntsville Town Planning Commission shall not recommend a Conditional Use Permit unless evidence is presented to establish:~~

- ~~A. That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community, and~~
- ~~B. That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs, and~~
- ~~C. That the proposed use will comply with the regulations and conditions specified in this Ordinance for such use, and~~
- ~~D. That the proposed use conforms to the goals, policies and governing principles for land use as stated in the Huntsville Town General Plan.~~
- ~~E. That the proposed use will not lead to the deterioration of the environment or ecology of the general area, nor will produce conditions or emit pollutants of such a type or of such a quantity so as to detrimentally effect, to any appreciable degree, public and private properties including the operation of existing uses thereon, in the immediate vicinity of the community or area as a whole.~~

15.4.6 Conditional Use Standards

- A. The following conditions may be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use:
 - 1. On-site security, security system, or security plan.
 - 2. Additional set-backs or landscaping.
 - 3. Additional storm water facilities or retention.
 - 4. Sign limitations.
 - 5. Easements, covenants, deed restrictions, or similar limitations.

6. Limits on hours of operation, in whole or part.
7. Limits on hours of operation of equipment or machinery.
8. Limits on the types of equipment or machinery.
9. Height limits.
10. Size limits.
11. Density limits.
12. Structural limits.
13. Time limits for construction, temporary uses, limited uses, or limited operation.
14. Limits on number of objects or animals.
15. Conditions to limit light, glare, or heat.
16. Conditions to limit vibration, movement, odor, or noise.
17. Architectural, fencing, landscaping, or design mitigation.
18. Limits on number of employees, patrons, or automobiles.
19. Traffic regulations, congestion reduction measures, and limited access.
20. Limitations to improve public health.
21. Limitations to improve public safety.
22. Any other condition to mitigate anticipated detrimental impacts.

15.4.67 Building Permit and Improvement Guarantee

Following the issuance of a Conditional Use Permit, the Huntsville Town Building Permit Official shall approve an application for a building permit and shall ensure that development is undertaken and completed in compliance with said permits and conditions pertaining thereto.

Prior to the issuance of an Occupancy Permit, the developer shall guarantee to Huntsville Town, the completion of any uncompleted improvements or conditions of approval, which shall be included in the Assurance Bond held by Huntsville Town.

15.4.78 Expiration

Unless there is substantial action under a Conditional Use permit within a maximum period of one (1) year of its issuance, the Conditional Use Permit shall expire. The Huntsville Town Council may grant a maximum extension of six (6) months under exceptional circumstances. Upon expiration of any extension of time granted by the Huntsville Town Council, or failure to complete all conditions and requirements of the Conditional Use Permit within an eighteen (18)

month period of time, the approval for the Conditional Use Permit shall expire and become null and void.

15.4.89 Discontinued Use

When an approved Conditional Use has been discontinued and/or abandoned for a period of one (1) year, the Conditional Use Permit becomes null and void. In order to restore the Conditional Use, a new application shall be filed for review and consideration by the Huntsville Town Planning Commission and Huntsville Town Council. If two (2) years expire with discontinued use and/or abandonment, the owner will remove the structure or use it for an approved use. If the owner does not remove the structure, Huntsville Town will remove the structure and place a lien on the property for the cost of removal and disposition.

| 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>

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|-----------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Accessory Building, Private | P | C | C | P | C | C | C | C | |
| Adult/sex-oriented facilities and businesses | N | N | N | N | N | N | N | N | |
| Agriculture | P | N | N | P | C | P | P | N | |
| Amusement Park or Business | N | N | N | N | N | N | N | N | |
| Animal or Fowl Slaughter | N | N | N | C | N | N | N | N | |
| Auto impoundment yard and towing services | N | N | N | N | N | N | N | N | |
| Auto rental | N | N | N | N | N | N | N | N | |
| Auto repair, service and detailing | N | N | N | N | N | N | N | N | |
| Auto wrecking yard | N | N | N | N | N | N | N | N | |
| Banks and financial services | N | C | C | N | C | N | N | N | |
| Bars, taverns, clubs | N | C | C | N | C | N | N | N | |
| Bed and breakfast | C | C | C | C | C | C | N | N | See 15.6.2.C |
| Bike Path | P | C | C | P | C | P | P | P | |
| Botanical or zoological garden | N | N | C | C | C | C | P | N | |
| Campground | N | N | C | C | C | C | P | P | |
| Car wash, commercial | N | N | C | N | N | N | N | N | |
| Cemetery | C | N | N | P | C | P | P | N | |
| Childcare center with less than 9 children | C | C | C | C | C | C | N | N | |
| Childcare center with more than 9 children | N | N | C | C | C | N | N | N | |
| Childcare, in home | C | C | C | C | C | C | N | N | |
| Churches | C | C | C | C | C | N | N | N | |
| Commercial kennels | N | N | C | C | N | C | N | N | |
| Construction equipment rental | N | N | C | N | N | N | N | N | |
| Construction equipment storage | N | N | C | N | N | N | N | N | |
| Construction equipment sales, wholesale | N | N | C | N | N | N | N | N | |
| Construction services office | N | N | C | N | N | N | N | N | |
| Dwelling unit, accessory | N | N | N | N | N | N | N | N | |
| Dwelling unit, multi-family (Apts) | N | N | N | N | N | N | N | N | |
| Dwelling unit, nightly rentals | N | N | N | N | N | N | N | N | |
| Dwelling unit, single-family attached (Condominiums, Townhomes) | N | N | N | N | N | N | N | N | |
| Dwelling unit, fractional ownership | N | N | N | N | N | N | N | N | See 15.6.2.A.2 |
| Dwelling unit, single family | P | P | P | P | P | P | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|------------------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Dwelling unit, two-family or duplex | N | N | N | N | N | N | N | N | |
| Fishing Ponds (Private or Public) | C | N | C | C | C | C | P | N | |
| Funeral services | N | C | C | N | C | N | N | N | |
| Gas and fuel, storage and sales | N | N | N | N | N | N | N | N | |
| Gasoline service station with convenience store | N | N | C | N | C | N | N | N | |
| Golf courses | N | N | C | C | C | C | C | N | |
| Golf Course, (miniature) | N | N | C | N | N | N | N | N | |
| Golf Driving Range with Golf Course | N | N | C | C | C | C | C | N | |
| Group home for juveniles | N | N | C | N | N | N | N | N | |
| Healthcare facilities | N | C | C | N | N | N | N | N | |
| Historic structures, preservation of, including related accessory uses | C | C | C | C | C | C | N | N | |
| Home based businesses | C | C | C | C | C | C | N | N | |
| Horse boarding | C | N | C | C | C | N | C | N | |
| Horse stables and riding academy | N | N | C | C | C | N | C | N | |
| Hospitals | N | N | C | N | N | N | N | N | |
| Hotel, motel or inn with fewer than 16 rooms | N | N | N | N | N | N | N | N | |
| Hotel, motel or inn with 16 or more rooms | N | N | N | N | N | N | N | N | |
| Manufacturing, heavy | N | N | N | N | N | N | N | N | |
| Manufacturing, light | N | N | C | N | N | N | N | N | |
| Medical equipment supply | N | C | C | N | N | N | N | N | |
| Mining, resource extraction | N | N | N | N | N | N | N | N | |
| Movie Theater | N | N | C | N | C | N | N | N | |
| Museum | C | C | C | C | C | C | C | C | |
| Nursing home, Assisted Living | N | C | C | N | N | N | N | N | |
| Offices, general | N | C | C | N | N | N | N | N | |
| Offices, medical and dental | N | C | C | N | N | N | N | N | |
| Outdoor display of merchandise | N | C | C | N | C | C | N | N | |
| Park and ride | N | N | C | N | C | N | N | N | |
| Parking lot | N | C | C | N | C | C | N | N | |
| Parks, Public | N | C | C | P | C | P | P | N | |
| Parks, Private | P | C | C | P | C | P | P | P | |
| Performing Arts Center | N | C | C | N | C | C | N | N | |
| Personal improvement services | C | C | C | C | C | C | N | N | |
| Property management offices/check in facilities | N | N | N | N | N | N | N | N | |
| Reception Center | N | C | C | N | C | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|-------------------------------------------------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------------------------------------------------------|
| Recreation and athletic facilities | C | C | C | N | C | C | C | N | See 15.6.2.1 |
| Recreation Equipment Rentals | N | C | C | N | C | C | C | N | |
| Recreation, public | N | C | C | N | C | P | C | N | |
| Recycling facilities | N | N | N | N | N | N | N | N | |
| Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances | C | C | C | C | C | C | N | N | |
| Repair services, Motorized | N | N | N | C | C | C | N | N | |
| Repair, services, Non-motorized | C | C | C | C | C | N | N | N | |
| Residential treatment facility | N | N | N | N | N | N | N | N | |
| Retail Sales (See Chart Below) | | | | | | | | | See Below |
| Schools | N | C | C | N | N | N | N | N | |
| Skating Rink, Indoor | N | C | C | N | C | N | N | N | |
| Stockyards | N | N | N | N | N | N | N | N | |
| Storage, Indoor, Commercial | C | C | N | N | N | N | N | N | <i>*See Applicable Conditional Uses Defined (Attached to this document)</i> |
| Storage, RV, boat or vehicle, Private | P | N | C | P | C | C | N | P | |
| Storage, RV, boat or vehicle, Commercial | N | N | N | N | C | N | N | N | |
| Temporary Structures | C | C | C | C | C | C | N | N | |
| Timeshares | N | N | N | N | N | N | N | N | |
| Trailhead Parking | C | C | C | C | C | C | C | N | |
| Trails | C | C | C | P | C | P | P | C | |
| Transportation/Shuttle Services | N | C | C | N | C | C | N | N | |
| Truck Stop | N | N | N | N | N | N | N | N | |
| Utility Facilities | N | C | C | N | C | N | N | N | |
| Vehicle Control Gate | C | C | C | C | C | C | C | C | |
| Veterinarian | C | C | C | C | C | N | N | N | |
| Warehousing and Distribution | N | N | N | N | N | N | N | N | |
| Wholesale Construction Supply | N | N | N | N | N | N | N | N | |
| Wildlife Sanctuary | N | N | C | C | C | P | P | N | |

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Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use – Retail Sales</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|---------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Agricultural sales and service | N | N | C | C | C | N | N | N | |
| Antique Shop | N | C | C | C | C | N | N | N | |
| Art Supply Store | N | C | C | N | C | N | N | N | |
| Auto Parts Store | N | N | N | N | N | N | N | N | |
| Automotive Sales | N | N | N | N | N | N | N | N | |
| Bakery | N | C | C | N | C | N | N | N | |
| Barber or beauty shop | C | C | C | C | C | N | N | N | |
| Big box retail | N | N | N | N | N | N | N | N | |
| Bookstore | N | C | C | N | C | N | N | N | |
| Bowling Alley | N | N | C | N | N | N | N | N | |
| Camera Shop | N | C | C | N | C | N | N | N | |
| Clothing/Boutique Shop | N | C | C | C | N | N | N | N | |
| Convenience Store | N | C | C | N | C | N | N | N | * |
| Department or discount store | N | N | N | N | N | N | N | N | |
| Florist Shop | C | C | C | C | C | C | N | N | |
| Food Truck | N | C | C | C | C | C | N | N | |
| Furniture/appliance store | N | N | N | N | N | N | N | N | |
| Garden Shop, Plant Sales, Nursery | N | C | C | C | N | N | N | N | |
| Grocery Store | N | C | C | N | C | N | N | N | |
| Hardware Store | N | C | C | N | C | N | N | N | |
| Kiosk | N | C | C | C | C | N | N | N | |
| Laundromat, Laundry | N | N | C | N | C | N | N | N | |
| Locksmith or Key Shop | C | C | C | C | C | N | N | N | |
| Medical/Dental/Optical Clinic | N | C | C | N | C | N | N | N | |
| Mobile Home Sales | N | N | N | N | N | N | N | N | |
| Mortuary | N | N | C | N | N | N | N | N | |
| Music Store | N | C | C | N | N | N | N | N | |
| Optical Shop | N | C | C | N | N | N | N | N | |
| Pawnshop | N | N | N | N | N | N | N | N | |
| Pet Shop | N | C | C | N | N | N | N | N | |
| Pet Services and Grooming | C | C | C | C | C | C | N | N | |
| Pharmacy | N | C | C | N | C | N | N | N | |
| Print Shop | N | C | C | N | N | N | N | N | |
| Restaurant, Fast Food | N | N | N | N | N | N | N | N | |
| Restaurant, Drive-In or Drive-Through | N | N | N | N | N | N | N | N | |
| Restaurant, Deli or Take-out | N | C | C | N | C | N | N | N | |
| Restaurant, Full Service | N | C | C | N | C | N | N | N | |
| Seasonal Outdoor Vendor | N | C | C | C | C | C | N | N | |
| Shoe Store | N | C | C | N | N | N | N | N | |
| Smoke Shops | N | N | N | N | N | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use – Retail Sales</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|---------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Studio, Artist or Photography | C | C | C | C | C | C | N | N | |
| Studio, decorator and display | N | C | C | N | C | N | N | N | |
| Studio, Health or Exercise | N | C | C | N | C | N | N | N | |
| Tent Vendor | N | C | C | N | C | N | N | N | Selling from a tent |
| Variety Store | N | C | C | N | N | N | N | N | |
| Vehicle and equipment sales or rental | N | N | N | N | N | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
 Uses: P-Permitted, C-Conditional, N-Not Permitted

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|-----------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Accessory Building, Private | P | C | C | P | C | C | C | C | |
| Adult/sex-oriented facilities and businesses | N | N | N | N | N | N | N | N | |
| Agriculture | P | N | N | P | C | P | P | N | |
| Amusement Park or Business | N | N | N | N | N | N | N | N | |
| Animal or Fowl Slaughter | N | N | N | C | N | N | N | N | |
| Auto impoundment yard and towing services | N | N | N | N | N | N | N | N | |
| Auto rental | N | N | N | N | N | N | N | N | |
| Auto repair, service and detailing | N | N | N | N | N | N | N | N | |
| Auto wrecking yard | N | N | N | N | N | N | N | N | |
| Banks and financial services | N | C | C | N | C | N | N | N | |
| Bars, taverns, clubs | N | C | C | N | C | N | N | N | |
| Bed and breakfast | C | C | C | C | C | C | N | N | See 15.6.2.C |
| Bike Path | P | C | C | P | C | P | P | P | |
| Botanical or zoological garden | N | N | C | C | C | C | P | N | |
| Campground | N | N | C | C | C | C | P | P | |
| Car wash, commercial | N | N | C | N | N | N | N | N | |
| Cell Tower | N | N | N | N | N | N | N | N | |
| Cemetery | C | N | N | P | C | P | P | N | |
| Childcare center with less than 9 children | C | C | C | C | C | C | N | N | |
| Childcare center with more than 9 children | N | N | C | C | C | N | N | N | |
| Childcare, in home | C | C | C | C | C | C | N | N | |
| Churches | C | C | C | C | C | N | N | N | |
| Commercial kennels | N | N | C | C | N | C | N | N | |
| Construction equipment rental | N | N | C | N | N | N | N | N | |
| Construction equipment storage | N | N | C | N | N | N | N | N | |
| Construction equipment sales, wholesale | N | N | C | N | N | N | N | N | |
| Construction services office | N | N | C | N | N | N | N | N | |
| Dwelling unit, accessory | N | N | N | N | N | N | N | N | |
| Dwelling unit, multi-family (Apts) | N | N | N | N | N | N | N | N | |
| Dwelling unit, nightly rentals | N | N | N | N | N | N | N | N | |
| Dwelling unit, single-family attached (Condominiums, Townhomes) | N | N | N | N | N | N | N | N | |
| Dwelling unit, fractional ownership | N | N | N | N | N | N | N | N | See 15.6.2.A.2 |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
 Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|------------------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Dwelling unit, single family | P | P | P | P | P | P | N | N | |
| Dwelling unit, two-family or duplex | N | N | N | N | N | N | N | N | |
| Fishing Ponds (Private or Public) | C | N | C | C | C | C | P | N | |
| Funeral services | N | C | C | N | C | N | N | N | |
| Gas and fuel, storage and sales | N | N | N | N | N | N | N | N | |
| Gasoline service station with convenience store | N | N | C | N | C | N | N | N | |
| Golf courses | N | N | C | C | C | C | C | N | |
| Golf Course, (miniature) | N | N | C | N | N | N | N | N | |
| Golf Driving Range with Golf Course | N | N | C | C | C | C | C | N | |
| Group home for juveniles | N | N | C | N | N | N | N | N | |
| Healthcare facilities | N | C | C | N | N | N | N | N | |
| Historic structures, preservation of, including related accessory uses | C | C | C | C | C | C | N | N | |
| Home based businesses | C | C | C | C | C | C | N | N | |
| Horse boarding | C | N | C | C | C | N | C | N | |
| Horse stables and riding academy | N | N | C | C | C | N | C | N | |
| Hospitals | N | N | C | N | N | N | N | N | |
| Hotel, motel or inn with fewer than 16 rooms | N | N | N | N | N | N | N | N | |
| Hotel, motel or inn with 16 or more rooms | N | N | N | N | N | N | N | N | |
| Manufacturing, heavy | N | N | N | N | N | N | N | N | |
| Manufacturing, light | N | N | C | N | N | N | N | N | |
| Medical equipment supply | N | C | C | N | N | N | N | N | |
| Mining, resource extraction | N | N | N | N | N | N | N | N | |
| Movie Theater | N | N | C | N | C | N | N | N | |
| Museum | C | C | C | C | C | C | C | C | |
| Nursing home, Assisted Living | N | C | C | N | N | N | N | N | |
| Offices, general | N | C | C | N | N | N | N | N | |
| Offices, medical and dental | N | C | C | N | N | N | N | N | |
| Outdoor display of merchandise | N | C | C | N | C | C | N | N | |
| Park and ride | N | N | C | N | C | N | N | N | |
| Parking lot | N | C | C | N | C | C | N | N | |
| Parks, Public | N | C | C | P | C | P | P | N | |
| Parks, Private | P | C | C | P | C | P | P | P | |
| Performing Arts Center | N | C | C | N | C | C | N | N | |
| Personal improvement services | C | C | C | C | C | C | N | N | |
| Property management offices/check in facilities | N | N | N | N | N | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|-------------------------------------------------------------------------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------------------------------------------------------|
| Reception Center | N | C | C | N | C | N | N | N | |
| Recreation and athletic facilities | P | C | C | N | C | C | C | N | See 15.6.2.1 |
| Recreation Equipment Rentals | N | C | C | N | C | C | C | N | |
| Recreation, public | N | C | C | N | C | P | C | N | |
| Recycling facilities | N | N | N | N | N | N | N | N | |
| Rehearsal or teaching studio for creative, performing and/or martial arts with no public performances | C | C | C | C | C | C | N | N | |
| Repair services, Motorized | N | N | C | C | C | C | N | N | |
| Repair services, Non-motorized | C | C | C | C | C | N | N | N | |
| Residential treatment facility | N | N | N | N | N | N | N | N | |
| Retail Sales (See Chart Below) | | | | | | | | | See Below |
| Schools | N | C | C | N | N | N | N | N | |
| Skating Rink, Indoor | N | C | C | N | C | N | N | N | |
| Stockyards | N | N | N | N | N | N | N | N | |
| Storage, Indoor, Commercial | C | C | N | N | N | N | N | N | <i>*See Applicable Conditional Uses Defined (Attached to this document)</i> |
| Storage, RV, boat or vehicle, Private | P | N | C | P | C | C | N | P | |
| Storage, RV, boat or vehicle, Commercial (Indoor or Outdoor) | N | N | N | N | C | N | N | N | |
| Temporary Structures | C | C | C | C | C | C | N | N | |
| Timeshares | N | N | N | N | N | N | N | N | |
| Trailhead Parking | C | C | C | C | C | C | C | N | |
| Trails | C | C | C | P | C | P | P | C | |
| Transportation/Shuttle Services | N | C | C | N | C | C | N | N | |
| Truck Stop | N | N | N | N | N | N | N | N | |
| Utility Facilities | N | C | C | N | C | N | N | N | |
| Vehicle Control Gate | C | C | C | C | C | C | C | C | |
| Veterinarian | C | C | C | C | C | N | N | N | |
| Warehousing and Distribution | N | N | N | N | N | N | N | N | |
| Wholesale Construction Supply | N | N | N | N | N | N | N | N | |
| Wildlife Sanctuary | N | N | C | C | C | P | P | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| <u>Use – Retail Sales</u> | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | <u>Additional Reference</u> |
|---------------------------------------|------------|------------|------------|------------|------------|----------|----------|-----------|-----------------------------|
| Agricultural sales and service | N | N | C | C | C | N | N | N | |
| Antique Shop | N | C | C | C | C | N | N | N | |
| Art Supply Store | N | C | C | N | C | N | N | N | |
| Auto Parts Store | N | N | N | N | N | N | N | N | |
| Automotive Sales | N | N | N | N | N | N | N | N | |
| Bakery | N | C | C | N | C | N | N | N | |
| Barber or beauty shop | C | C | C | C | C | N | N | N | |
| Big box retail | N | N | N | N | N | N | N | N | |
| Bookstore | N | C | C | N | C | N | N | N | |
| Bowling Alley | N | N | C | N | N | N | N | N | |
| Camera Shop | N | C | C | N | C | N | N | N | |
| Clothing/Boutique Shop | N | C | C | C | N | N | N | N | |
| Convenience Store | N | C | C | N | C | N | N | N | |
| Department or discount store | N | N | N | N | N | N | N | N | |
| Florist Shop | C | C | C | C | C | C | N | N | |
| Food Truck | N | C | C | C | C | C | N | N | |
| Furniture/appliance store | N | N | N | N | N | N | N | N | |
| Garden Shop, Plant Sales, Nursery | N | C | C | C | N | N | N | N | |
| Grocery Store | N | C | C | N | C | N | N | N | |
| Hardware Store | N | C | C | N | C | N | N | N | |
| Kiosk | N | C | C | C | C | N | N | N | |
| Laundromat, Laundry | N | N | C | N | C | N | N | N | |
| Locksmith or Key Shop | C | C | C | C | C | N | N | N | |
| Medical/Dental/Optical Clinic | N | C | C | N | C | N | N | N | |
| Mobile Home Sales | N | N | N | N | N | N | N | N | |
| Mortuary | N | N | C | N | N | N | N | N | |
| Music Store | N | C | C | N | N | N | N | N | |
| Optical Shop | N | C | C | N | N | N | N | N | |
| Pawnshop | N | N | N | N | N | N | N | N | |
| Pet Shop | N | C | C | N | N | N | N | N | |
| Pet Services and Grooming | C | C | C | C | C | C | N | N | |
| Pharmacy | N | C | C | N | C | N | N | N | |
| Print Shop | N | C | C | N | N | N | N | N | |
| Recreation Vehicle and Boat Sales | N | N | N | N | N | N | N | N | |
| Restaurant, Fast Food | N | N | N | N | N | N | N | N | |
| Restaurant, Drive-In or Drive-Through | N | N | N | N | N | N | N | N | |
| Restaurant, Deli or Take-out | N | C | C | N | C | N | N | N | |
| Restaurant, Full Service | N | C | C | N | C | N | N | N | |
| Seasonal Outdoor Vendor | N | C | C | C | C | C | N | N | |
| Shoe Store | N | C | C | N | N | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
Uses: P-Permitted, C-Conditional, N-Not Permitted

| Use – Retail Sales | <u>R-1</u> | <u>C-1</u> | <u>C-2</u> | <u>A-3</u> | <u>CR1</u> | <u>S</u> | <u>O</u> | <u>RC</u> | Additional Reference |
|-------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-----------------|-----------------|------------------|-----------------------------|
| Smoke Shops | N | N | N | N | N | N | N | N | |
| Studio, Artist or Photography | C | C | C | C | C | C | N | N | |
| Studio, decorator and display | N | C | C | N | C | N | N | N | |
| Studio, Health or Exercise | N | C | C | N | C | N | N | N | |
| Tent Vendor | N | C | C | N | C | N | N | N | Selling from a tent |
| Variety Store | N | C | C | N | N | N | N | N | |

Zones: R-1-Residential, C-1-Commercial, C-2-Commercial Highway, A-3-Agriculture, CR-1-Commercial Recreation, S-Shoreline, O-Open Space, RC-Recreation Zone
 Uses: P-Permitted, C-Conditional, N-Not Permitted