

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

MEETING DATE: February 24th, 2022
PLACE: Electronic Zoom Meeting with anchor location at Town Hall
 7309 East 200 South, Huntsville Utah
TIME: 7:00 p.m.

| NAME | TITLE | STATUS |
|----------------|---------------------------|---------|
| Doug Allen | Planning Commission Chair | Present |
| Liz Poulter | Planning Commissioner | Present |
| Steve Songer | Planning Commissioner | Present |
| Jeff Larsen | Planning Commissioner | Present |
| Allen Endicott | Planning Commissioner | Present |
| Susane Ferre | Alt Planning Commissioner | Present |
| Sandy Hunter | TC Liaison | Present |
| Shannon Smith | Town Clerk | Present |
| Bill Morris | Town Attorney | Excused |

Citizens in Attendance: Bill White, Zoom: Ron Gault, Chris and Ken Bair, Candace Ross

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

2-Approval of Minutes for Planning Commission Meeting 1-27-2022. (See Attachment #1)

PCM Larson motioned to approve the amended minutes from January 27th, 2022. PCM Songer seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

| | |
|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

3- Discussion and/or action on Land Use renewal for Ken & Chris Bair, 175 N. 6800 E., Parcel # 240170014 (See Attachment #2)

Bair site plan was reviewed. Setbacks were discussed. PCM Songer clarified that the connection between the new and existing structure will need to have a foundation and be part of the building.

PCM Poulter verified with the Bair's that the addition will not be used as a rental.

PCM Songer motioned to approve the renewal of the Land Use renewal for Ken & Chris Bair, 175 N. 6800 E., Parcel # 240170014. PCM Endicott seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

| | |
|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

4-Discussion and/or action on Land Use Permit for Robinson: demolition of existing barn and guest house to be rebuilt in existing location, 7130 E. 200 S. Parcel # 240150009
(See attachment #3)

Candace is on via Zoom to speak on the owner's behalf. PCM Songer commented that a livable structure outside the primary residence is not allowed per Town code. Chairman Allen questioned whether there was existing plumbing and electrical in the “guest house” and Candace stated that there was. Chairman Allen commented that no one would be allowed to live in a structure as this. And Candace commented that no one would be living in it, but it would be for family to visit. Chairman Allen clarified that no he meant to human habitation would be allowed.

PCM Endicott questioned the floor in the buildings, it was stated by Candace it was slab on grade. Next question was if the existing foundations would be kept or removed, and it was stated that they would be removed.

PCM Songer stated that in his opinion there is no issue with rebuilding the barn, but the guest house poses concerns with the code. Chairman Allen questions the statute of limitations for a building that has been abandoned from use. TCM Hunter stated that the code says 1 yr., if a building has been abandoned for a year it is no longer allowed to be used as a dwelling if it is out of code. 15.17.7 was read by PCM Larson on this topic.

Chairman Allen agrees that Barn is not an issue but the “guest house” cannot be built with the intent or purpose to have people staying in it.

PCM Poulter questions the connection of the “guest house” to a septic system.

The Land Use permit was clarified by the PC and Candace, that they could approve for both, with the stipulation that the “guest house” is not to have human habitation. “Guest house” can be rebuilt and used for storage. Dimension’s of the “guest house” were discussed. It was calculated the footprint was 214 sq. ft. It was stated by Candace that the information she received from the property owner that the “guest house” does have existing electrical and plumbing.

PMC Songer motioned to the Land Use Permit for Robinson: demolition of existing barn and guest house. Approval for the Barn to be rebuilt in existing location. Guest house can be rebuilt as an outbuilding with no plumbing or human habitation. 7130 E. 200 S. Parcel # 240150009. PCM Hunter seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

| | |
|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

5-Discussion and/or action on Flag Lot Ordinance. (See Attachment #4)

PCM Songer presented two drawings of flag lots, one that he feels should be allowed and one that should not be allowed.

Placement if this addition was discussed as falling under 15.17.16, which was agreeable to the PC. TCM Hunter Specified that the definition will also need to be placed in the definition section, Title 0, of the Town code. Public Meeting on this topic to be scheduled with next regular PC meeting.

6-Discussion and/or action on Town alleyways.

Chairman Allen commented on his concerns on Town alleyways. Mr. White discussed legal issues in regard to fencing and property lines. TCM Hunter commented that residents that currently have personal property or fencing in Town alleyways will most likely need to all be sent a letter for a code violation.

PCM Songer is not in favor of neighbors having to report violations, but the Town should be proactive to enforce its Ordinances. PMC Endicott agrees the Town needs to uphold the Ordinances and follow through on enforcement.

7-Discussion and/or action on General Plan Updates

Ron has sent an updated draft of the GP he is currently working on. Ron feels a joint session to work on the GP will be beneficial at some point. Chairman Allen agrees that a joint session with TC will be needed before the GP goes to Public Hearing.

The subject of the Park and trees and power lines were discussed.

Ron commented that he plans to add wordage about alleyways in the GP, based on discussion during this meeting. Ron reviewed other items he would like to add or address in the GP.

8-Sandy's PC Updates

TCM Hunter addressed the CW Lands Permit that was up for discussion last month at the PC meeting. Some confusion came about in what CW Lands wanted to move forward with at this time. And the issue was tabled at the TC. A TC work session was scheduled to include Bill Morris and Jared Anderson as well as CW Lands to clarify the request. The excavation permit was changed to only moving dirt. Final Plat is expected to be ready in 2-3 months.

TCM Hunter commented that per Town Code the A-3 Zone is missing many of the requirements of R-1. In specific addressing roads and frontage.

TCM Hunter commented on the 2 lots across the street from the library that are owned by the Town, the Town has one of the lots for sale, but is considering selling both lots. If this was the case the Town would like to develop a master plan for those 2 lots. A joint work session is scheduled along with other members of the community to discuss this topic.

TC amended its meeting time to start at 6:30pm, starting in April when the meetings will be held at the library.

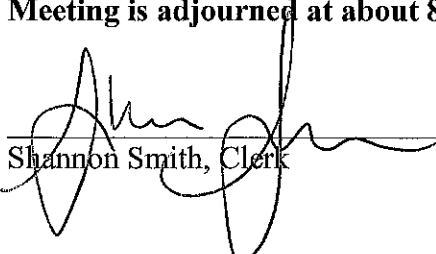
PC Ordinance change will also need a joint work session to finalize.

9-Public Comment. There were none.

10-Motion to adjourn.

Chairman Allen made a motion to adjourn the meeting. No opposition.

Meeting is adjourned at about 8:49 p.m.


Shannon Smith, Clerk

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

MEETING DATE: January 27th, 2022
PLACE: Electronic Zoom Meeting with anchor location at Town Hall
7309 East 200 South, Huntsville Utah
TIME: 7:00 p.m.

| NAME | TITLE | STATUS |
|----------------|---------------------------|---------|
| Doug Allen | Planning Commission Chair | Present |
| Liz Poulter | Planning Commissioner | Present |
| Steve Songer | Planning Commissioner | Present |
| Jeff Larsen | Planning Commissioner | Present |
| Allen Endicott | Planning Commissioner | Present |
| Susan Feree | Planning Commissioner-Alt | Present |
| Sandy Hunter | PC/TC Liaison | Present |
| Shannon Smith | Town Clerk | Present |
| Bill Morris | Town Attorney | Excused |

Citizens: Artie Powell, Todd Meyers Zoom: Jeff Larsen, Liz Poulter, Steve Songer, Ron Gault, Jared Anderson

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

2-Approval of Minutes for Planning Commission Meeting for December 9th, 2021
(See Attachment #1)

PCM Larsen and Poulter had made electronic edits before the meeting. Adjustments reviewed by Shannon.

PCM Poulter motioned to approve the amended minutes from December 9th, 2021. PCM Larsen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

| | |
|---------------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

3-Discussion and/ or action on Land Use Permit for Dewsnap new home, 280 N. 6700 E., Parcel # 20-165-0005 (See Attachment #2)

Coverage was discussed per the 35% or less code requirement. The following numbers were given by Jed Dewsnap, 11,425 sq ft would be the total allowable coverage for their lot. Per their plan 9,605 sq ft is the total of all structures, including a future pool, that is not currently up for approval.

TC Hunter commented that a ¾ acre, as the Dewsnap's have, lot is equivalent to 32,670 sq ft. Height requirements check out.

PCM Poulter motioned to approve the Land Use permit for Dewsnap new home, 280 N. 6700 E., Parcel # 20-165-0005. PCM Allen seconded the motion. All votes Aye. Motion passes. Votes are reflected below.

| | |
|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Jeff Larsen Commissioner Steve Songer Commissioner Allen Endicott |
| NAYS: | |

4- Discussion and/or action on Excavation & Grading Permit for CW Lands (Attachment #3)

Mr. Meyers present at the meeting to represent CW Lands. Mr. Meyers stated that similar to Weber County Code, Huntsville Town code allows the landowner to precede with development at their own risk after preliminary plot is approved as well as the improvement plans. Mr. Meyers stated that CW Lands submitted this permit request on December 9th, understanding that final plat is not yet approved. Mr. Meyers stated that CW Lands plans to move some dirt onto the property. Mr. Meyers stated that excavation will not begin until after their current project is finished.

Jared Anderson commented that he has had discussions on this matter with both Mr. Meyers and Town Attorney Bill Morris. Mr. Anderson corrected Mr. Meyers comment on the Huntsville Town Permit being similar to Weber County's. Excavation permits are more commonly required when a party needs to disturb a Town, City or County right of way. Mr. Anderson stated that the Huntsville Town Excavation Title could be re-worded to make a few things more inline with state code. Despite this issue it was the advice of Mr. Morris to move forward with the Huntsville code as is. Mr. Anderson went on to reference 17.8 (A) and (B).

Mr. Anderson commented that if over an acre of land is disturbed a UPDES permit is required by the State also an NOI needed with excavation.

Chirman Allen questioned how the process of Final Plat is coming with CW Lands. His concerns were also about road. Mr. Meyers stated that the per the development agreement the road will be built to Town standards but will remain private and owned and maintained by the HOA.

Mr. Anderson commented that he would suggest two stipulations of CW Lands,

- 1) If more than an acre is disturbed the State storm water permit or UPDES be obtained.
- 2) Per the delineation wetland report that was submitted the Town restrict disturbance to wetland areas.

Jared Anderson was under the impression that CW Lands has no intent at this time to disturb Town right of way.

Chairman Allen was concerned with getting the Planning Commissions stipulations relayed to the Town Council.

PCM Larsen questioned the status of the Army Corps of Engineers report. Mr. Anderson went over the procedure of the Army Corps. This is in process for CW Lands and needs to be submitted for final approval. Mr. Larsen asked whether the PC needed the Army Corps approval before they can approve the Excavation permit. Mr. Anderson clarifies that the Town is not the authority on wetland disturbance on private land. That the Army Corps is the authority on that matter.

Mr. Andersen commented that State Law 71-7-102, states that County's, Cities' and Town's can require an excavation Permit inside the Right of way. Mr. Anderson mentioned possibly asking the applicant to mark out areas where they will come close to the wetland so it was be clearly seen. Mr. Anderson states that this might not be something the Town can enforce but was can for.

PCM Endicott stated that his understanding was the CW Lands is excepting all responsibility for any actions that occur on this property in reference to this permit. Mr. Anderson concurs with this statement.

Shannon stated that she would be able to draft an email to forward on to the TC with the points Mr. Anderson suggested that reflects the PC's recommendations for this permit.

TCM Hunter asked Jared to further explain the stipulation he referred to about the CW Lands not disturbing the Wet Land areas. Mr. Anderson clarified it is not a requirement by Ordinance. But the PC does have the ability, with the map CW Lands has submitted with the wetlands, to ask them to stay away from said wetlands. He further stated that this should not be dependent on Army Corp Approval, it might be a few months before the status of that is known.

PCM Poulter questioned Town Code 17.7, referring to a rehabilitation plan. Mr. Anderson replied that this is not applicable as that code refers to areas in the Town's right of way. The Ordinance refers to 300 ft into the public right of way. PCM Poulter also mentioned the wetlands both on 100 S. and 500 S. that could be affected.

Mr. Meyers stated that the only encroachment on to the city is on 500 S. Beckki clarified that the Town did annex the area by 500 S., as to be contiguous with the fire station. Mr. Meyers stated the encroachment in that area will be for connection to the waterline. He did concede that yes, they would need to restore that area. Mr. Meyers stated that on the North end there will be an encroachment onto the UDOT right of way. And that has been approved by UDOT.

Mr. Meyers reviewed the wetland status and commented that there was additional delineation made to the original map. The permit CW Lands has into the Army Corps in considered a Nationwide permit. The goal is you don't disturb more then a 1/10th of an acre. The further explains the plans and where that disturbance will occur. MR. Meyers asked the PC for approval of this permit to be forwarded to the Town Council with the condition that the wetlands areas are not touched before the Nationwide Permit is approved. Mr. Meyers stated that he thought the 60 days would start when CW Lands submitted for the Permit on December 8th.

PCM Poulter questioned the planned UDOT round-about that is close to the property in discussion. CW Lands is aware of this situation.

Chairman Allen asked Shannon to review her notes on the stipulations Mr. Anderson mentioned, that will be passed onto the Town Council. Mr. Meyers commented to the State Storm water permit and said that this was a routine permit and their contractor will be responsible to obtaining that permit.

PCM Songer expressed concerns with CW Lands following through on their end. And how the Town can hold CW Lands responsible for the things the Town is requiring or asking of them. PCM Larsen stated he would recommend moving this forward, to recommend for approval, subject to the TC approval. He mentioned the sensitive lands Ordinance, 15.15.1, and the Army Corp approval.

Chairman Allen stated that he is comfortable making a recommendation for this permit in conjunction with notes from Shannon and Sandy.

PMC Endicott motioned to recommend approval of the excavation permit and grading permit for CW Lands to the Town Council, using notes from Shannon and Sandy as well as a review from Town Engineer, Jared Andersen. PCM Songer seconded the motion. Roll call vote. All Votes Aye. Motion Passes. Votes are reflected below.

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|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

5-Discussion and/or action on Ordinance for flag lots (See Attachment #4)

Shannon presented a rough draft for this new ordinance. Definitions for a flag lot were discussed. PCM Songer suggested adding a diagram for reference and clarification. It was agreed that Shannon and Allen will refine the proposed Ordinance and represent next month. TCM Hunter suggested looking at 16.2 for placement.

PCM Endicott motions to table this discussion until next month. PCM Poulter Seconded the motion. All Votes Aye. Motion Passes. Votes are reflected below.

| | |
|--------|---|
| VOTES: | |
| AYES: | Chairman Doug Allen Commissioner Liz Poulter Commissioner Steve Songer Commissioner Jeff Larsen Commissioner Allen Endicott |
| NAYS: | |

6-Discussion and/or action on Planning Commission meeting dates for 2022.
(See Attachment #5)

The meeting schedule for 2022 was presented. The Commissioners had no issues with the new year's schedule.

7- Discussion on Noticing the updating of the General Plan

Ron Gault was present via Zoom, to discuss the General Plan Update. He presented a redlined version with his thoughts on adjustments/changes and will take any suggestions from the PC throughout this process. He will email this document for the PC to review. Mr. Gault reviewed some key points for revision. Chairman Allen thanked Ron for his work on this project.

8-Update on Town Hall sale and moving

TCM Hunter summarized the sale and moving details. The public meetings will be moved to the library, most likely starting the beginning of April. The library is willing to give the Town until 9:15 to 9:30pm to finish the monthly meetings. The Admin part of the office will be relocated to the Old Post Office, and all other items will be moved into storage.

10-Sandy's TC Updates

TCM Hunter gave some advice based on a training she recently attended about Powers and Duties. She reviewed important policy and procedures on a few different matters.

TCM Hunter commented on the Town Council's current project on Ordinance 15.3.4. This Ordinance will address details of the PC structure. She also commented on a proposed change to the Appeals authority.

11-Public Comment.

Artie Powell was present to discuss an issue regarding a Town alley near property owned by his family members, the Falls. Mr. Powell stated that the Falls are interested in having the Town vacate this alley way as described. He was interested in being advised by the PC on how the landowners should proceed. Chairman Allen commented based on past history, it could be an option that the Town could sell the alleyway to the Falls. TCM Hunter commented that in general Town alleyways need to be looked at more closely and discussed.

Beckki briefly described the procedure for selling Town property.

Mayor Sorenson was present to Thank the Planning Commission. He commented that one of his goals as Mayor is to unify the Town in particular the relationship between the Planning Commission and the Town Council. Mayor Sorenson encouraged open communication between the committees.

13-Motion to adjourn.

Chairman Allen made a motion to adjourn the meeting. No opposition.

Meeting is adjourned at 9:31 p.m.

Shannon Smith, Clerk

PC meeting 2-24-22
Attachment #2



Permit #
20210015

Paid check
#167
30.00

LAND USE PERMIT

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

Tax ID # 240170014

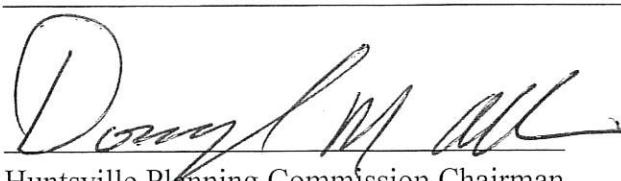
Address of Structure 175 N 6800 E

Name & Address of Owner/Owners Ken & Chris Bair

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 1/28/21 Renewal 2/24/22 Expiration 1/28/23
Set Backs Approved: Yes No

Rex will verify the set back - set back pending

Any special stipulations and conditions of the Site Plan Review: Addition may not be used as a rental.

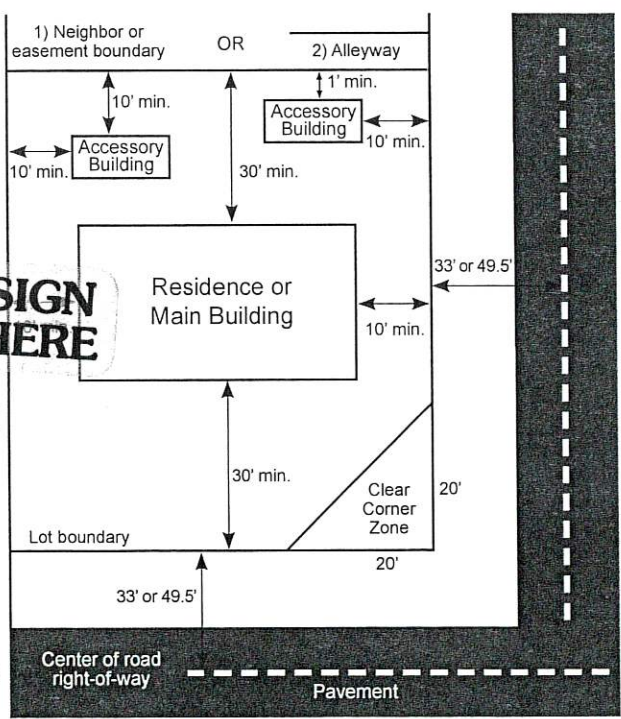

Huntsville Planning Commission Chairman

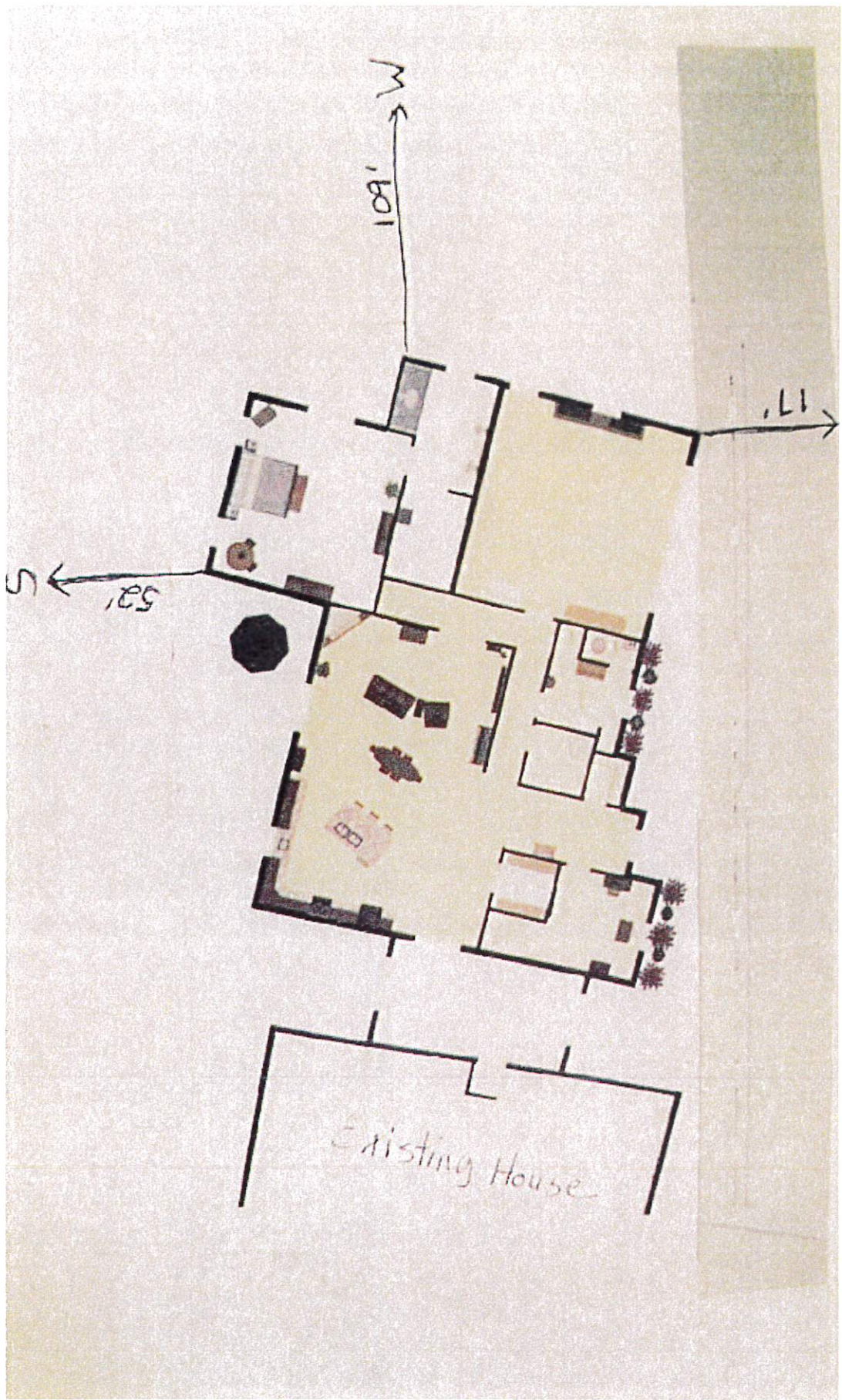
Property Owner Signature

"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)

Huntsville Town Residential Zone Setbacks



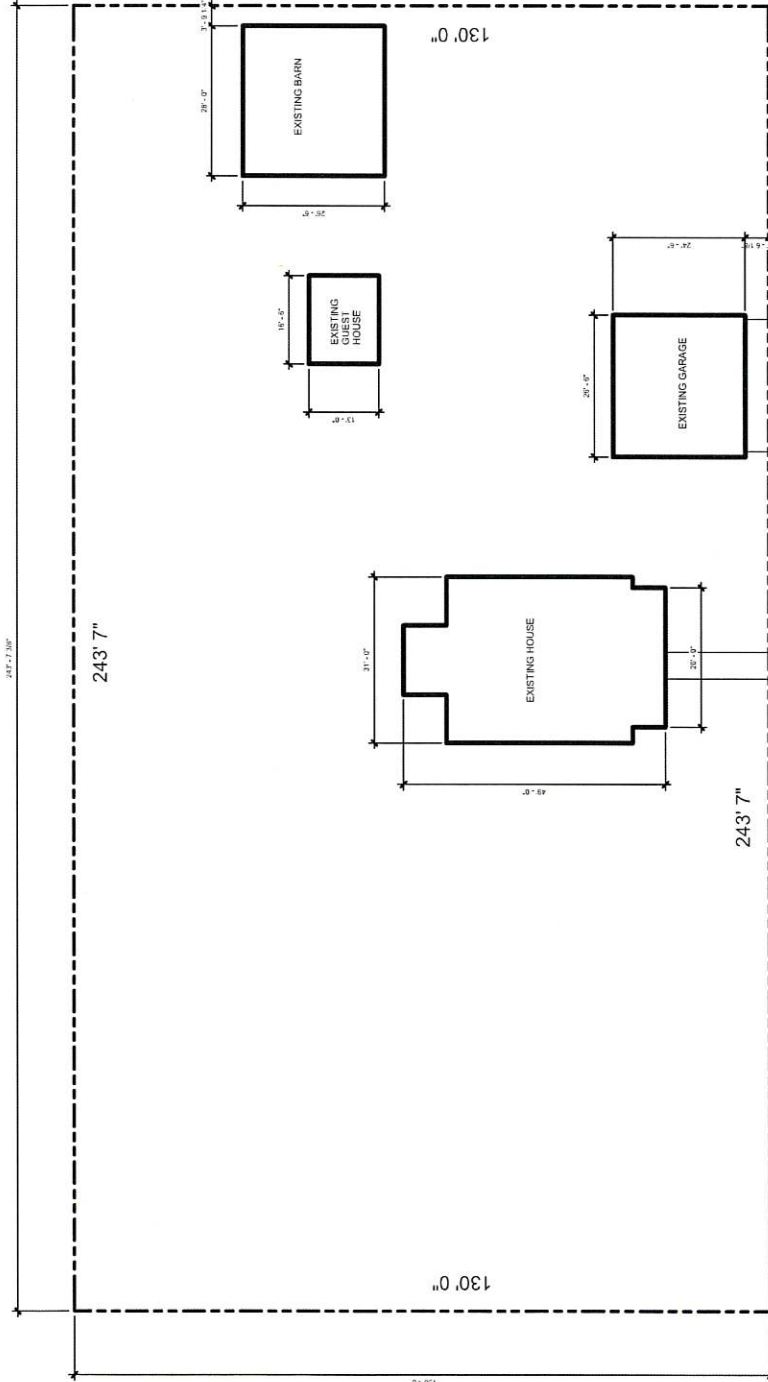


PC Meeting 2.24.22
Attachment # 3

7130 E 200 S HUNTSVILLE UT, 84317
SF TOTAL=32,665 SF
PARCEL #= 240150009

NOTES:

- EXISTING BARN AND GUEST HOUSE ARE UNSTABLE. DESIRE IS TO DEMO EXISTING BARN AND GUEST HOUSE AND REBUILD STRUCTURE IN SAME AREA.
- BARN WILL HAVE ELECTRICAL
- GUEST HOUSE WILL HAVE ELECTRICAL AND PLUMBING



ROBINSON SITE PLAN
7130 E 200 S HUNTSVILLE UT, 84317
1/2022

NOT FOR CONSTRUCTION

240150009



LAND USE PERMIT

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

Tax ID # 24 015 0009

Address of Structure ~~1511 6800~~ 7130E 200S.

Name & Address of Owner/Owners Robinson, David & Michelle

The above described Site Plan has been reviewed for setback compliance by the Huntsville Town Planning Commission on: 2-24-2022

Set Backs Approved: Yes No

Any special stipulations and conditions of the Site Plan Review: Approval of demolition

of both buildings. Barn is ok to rebuild in existing location. "Guesthouse"

Approval with limitations ① No Plumbing as an out building ② No human habitation

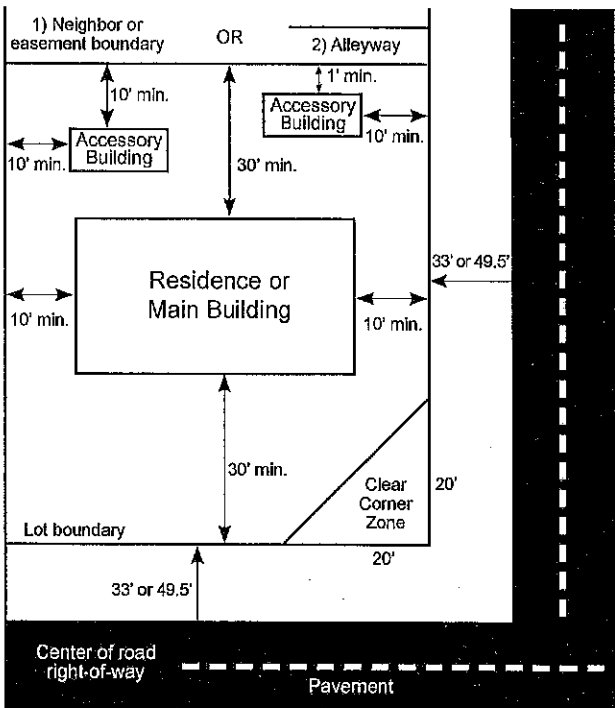
Douglas M. [Signature]
Huntsville Planning Commission Chairman

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)

Huntsville Town Residential Zone Setbacks



Huntsville Town
Ordinance 2021-12-09

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, FLAG LOTS

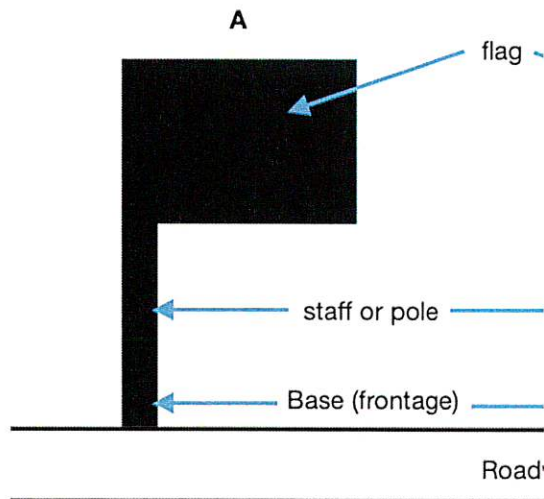
RECITALS

- A. WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;
- C. WHEREAS, Title 15 currently does not address flag lots
- D. WHEREAS, the proposed change to the ordinance specifies the desires of the Town on the subject of flag lots.
- 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;

DEFINATION - title (0)

A flag or L-shaped lot, of which the major portion has access to a road or street by means of a narrow strip of land called the "staff" or "Pole", which leaves the bulk of property, the "flag" portion, with very little frontage. Refer to diagram A below:

as an example



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:

15.17 Nonconforming Buildings, Nonconforming Uses, and Parcels

~~(15.17.14~~ Nonconforming Lots or Parcels of Record)

15.17.16. Flag Lots

~~D.~~ Flag lots shall not be permitted in any Zone in Huntsville Town. (What Letter?)

| Votes | Ayes | Nays | Excused | Recused |
|----------------|------|------|---------|---------|
| Mayor Sorenson | | | | |
| CM Andersen | | | | |
| CM Hunter | | | | |
| CM Powell | | | | |
| CM Ahlstrom | | | | |

PASSED AND ADOPTED by the Town Council on this (Date)

Richard Sorenson, Mayor

ATTEST:

Beckki Endicott, Clerk

Recorded this (DATE)

Hi Shannon. In our discussion last week we addressed **flag lots** and how to define them. Below are some ideas that may help to put across the idea with a bit more clarity. j

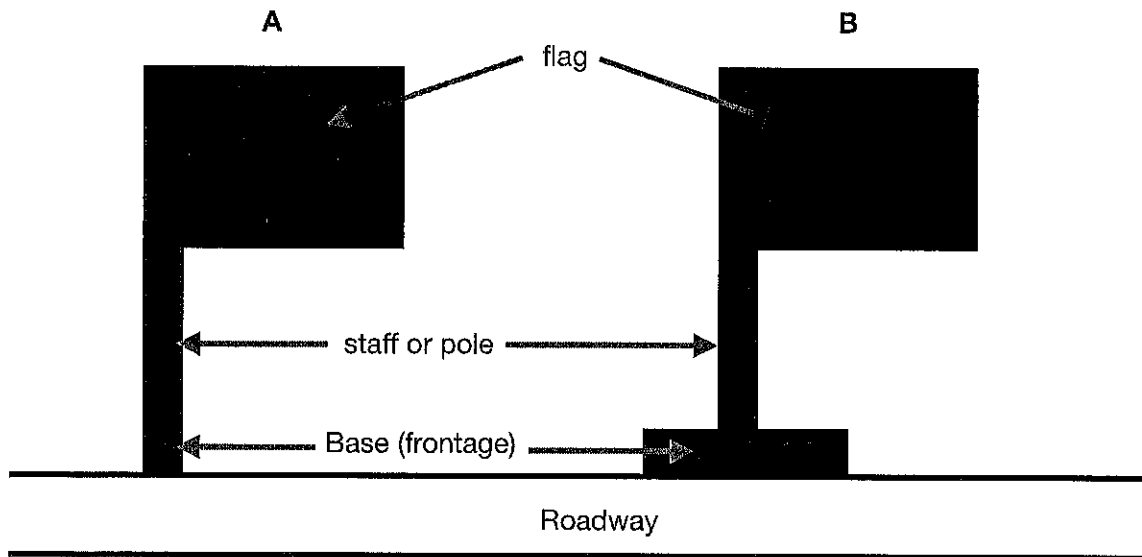


Figure A is an actual flag lot and probably should not be allowed. If the base in figure B meets the frontage requirements, it technically is probably not a flag lot and therefore would be allowed. There is precedence for this in the Holt lot on 6900 east. Just some thoughts for you and Alan to throw around and possibly discuss in our next meeting.

Thanks

Steve