

**HUNTSVILLE TOWN PLANNING COMMISSION**

**DATE:** APRIL 28<sup>th</sup>, 2017  
**PLACE:** Huntsville Town Hall, 7309 E. 200 S.  
**TIME:** 6:30 P.M.

NAME	TITLE	STATUS
Ron Gault	Planning Commission Chair	Came Late
Brent Ahlstrom	Planning Commissioner	Present
Preston Cox	Planning Commissioner	Present
Rex Harris	Planning Commissioner	Present
Sandy Hunter	Planning Commissioner	Present
Karen Klein	Planning Commissioner	Present
Mike Engstrom	Town Council Member	Present
Gail Ahlstrom	Clerk/Recorder	Present

**Citizens:** John Purcell                      Cindy Purcell                      Traci Wixon  
                          Michael Wixon                      Larel Parkinson

Sandy Hunter called the meeting to order and welcomed everyone.

2-John Purcell: American Legion Signage: (See Attachment #1)

John Purcell explained that this winter the state plow truck threw snow through their sign. John showed a picture of what their old sign looked like, the girls had a hard time putting letters on the sign when it is cold and windy and the letters often blow away. The new sign John is proposing is an LED sign that can be programed with menus and other information about events, it could benefit the Town as well. The top of the sign is not LED and will say “Welcome to Huntsville American Legion Post 129.” The Town has a Dark Sky Ordinance; the new sign can be programmed to dim at dusk automatically and then shut off. Cindy had an idea of adding a roof to the top of the sign to help shield the light. John feels that the sign could be beneficial to the Legion and Town. They would like the sign to be either 4X8 or 4X6. Their old sign was 4X8. Their old sign was lit on the inside; the Chevron sign is also lit. John would like to place the new sign on a cement stand at the required height. They want to make sure it is high enough that the snow won’t break it. There is an electrical box where the old sign sat which will supply the power for the new sign. John felt that this sign will be cleaner and nicer and the Town is welcome to use it. Cindy said it shouldn’t be as bright as their old sign.

Rex read from Title 15.21.6.B: No internal lighting shall be permitted: “lighting shall be permitted only if it is an indirect type and both shielded and filtered. No flood lights shall be installed in any way which would penetrate light rays into another’s residential property.” The ordinance would allow for this type of sign if it is properly shielded. John felt that their older sign was brighter than the new one will be. The Legion closes at 10 pm during the week, weekends about 12 am. The brightness can be adjusted with the computer. Rex remarked that the Town can’t permit anything within the state right of way. The sign will need to be on the Legion’s property. The Legion has had a sign on their property since 1961. John said they have a canon that’s probably on the State right of way, and the Chevron sign is probably on the State right of way too. The State gave the Legion \$600 towards a new sign. The new LED sign will be about \$14,000. Mike made a rough guess on the measurements from the center of the road to where the sign will be placed; it’s approximately 85-90’. The Chevron sign is 60’ from the center line. Move the sign 60’ back.

Ron joined the meeting.

Mike is concerned about the height regulation. The ordinance says no free standing signs shall be 6’ above the grade of the property. Right now the Legion’s property is sunken and needs to be filled in to meet the grade of their parking lot.

Rex said the PC will need to see a drawing of the location of where the sign will be placed and the exact dimensions of the sign. The sign needs to be 60' from center line of the road, and no higher than 6'. John would like to get the ball rolling. The Legion will bring the ground up to grade. The sign may be placed on a landscaped mounded berm up to two feet from grade. The sign can only be 6', but can be placed on a 2' berm. The PC came up with some stipulations for the Legion to follow. They are as follows:

- 1-The American Legion wants a 4'x8' or a 4'x6' programmable LED sign.
  - 8' high from the grade of the parking lot, 2' berm, 6' above that.
  - 4'x8' size acceptable.
  - Shielded so light will not go up.
  - Will be dimmed at dusk.
  - Shut off at close of business.
  - Huntsville Town cannot approve installation on State Right of Way; placement must be on American Legion's property.
  - When constructing berm, cannot raise State right of way without State permit.
  - LED variable message sign is acceptable.
- 2-Drawing for final approval shall be presented to the PC or Ron Gault for final approval.

**Rex motioned that the PC approves the proposed American Legion sign pending they meet the requirements as stipulated in this meeting, and with their site plan being reviewed and signed by Ron Gault.** Brent seconded. All votes aye. Motion passed.

<b>VOTES: APPROVED</b>	
AYES:	Commissioner Ron Gault Commissioner Preston Cox Commissioner Sandy Hunter Commissioner Karen Klein Commissioner Brent Ahlstrom Commissioner Rex Harris
NAYS:	

3-Review of Larel Parkinson's road to his north property: (200 N. 6886 E.) (See Attachment #2)

Larel Parkinson approached the PC; he spoke with an engineer with West Point City and got some help drawing up his road plan for his subdivision. There were a couple changes that needed to be made in regards to lot sizes. Larel stated that all lots will conform to the ¾ acre regulation. Larel wanted to show plan to the PC and get their approval before he gets the Mylar prepared. Larel does not own Lots 3 & 4, they are owned by the Davis'.

Rex said he has been studying this plan. There are two steps in getting a subdivision recorded. The first step is getting Preliminary plat approval, and then the final plat is recorded. These are done in two different stages. Once the Preliminary plat approval is done; you have 18 months to complete everything that the drawing contains, so that lots can be sold. When everything is completed, you come back to the PC and the final Mylar gets signed and recorded.

The road needs to be in prior to the subdivision. Asphalt doesn't need to be laid, but the road needs to be built with road base etc. This is allowed because construction vehicles could damage the asphalt. What needs to be done to get preliminary approval? The ordinances are pretty thorough as to what has to be done. The PC needs two sets of plans, 1)-the survey needs to be drawn with bearing lines, widths, size, and all details. This plan needs to be stamped and approved by a licensed surveyor. Because this is a subdivision that will require improvements, you will need a set of plans supporting all the engineering for improvements. Larel remarked that Shaun Durant will be doing the road. Boyd Davis will need to engineer the road to meet all Town road standards. That set of plans needs to be stamped by a licensed engineer. You also need an approval letter from the W.C. Health Department that each lot proposed as buildable can be built on, plus Will Serve letters from the power and fuel companies.

Then those are brought before the PC, for Preliminary approval and then it is forwarded to the TC where they take action. The 18 month time period starts after the TC's approval. You have 18 months to complete building the road, install water lines, meters and stubs for each buildable lot.

Rex clarified that Larel is proposing a 5 lot subdivision. You can't subdivide someone else's property. The subdivider needs to be the sole owner of all the properties. It will be a lot easier to do one subdivision instead of two. Larel will need to work out an agreement with the Davis' and form an LLC, or one entity, to combine the properties into one subdivision. Regardless of how this is done, the subdivider needs to legally own all the property being subdivided. The Town needs to know that all property owners are in agreement. The Town won't make an agreement with two separate parties if the property is not tied together somehow. Karen explained that the LLC would spell out who owns what lot, and who is responsible for what, but the subdivision would be recorded as one property. Larel wanted to make sure he is on the right track before he proceeds further. He doesn't want to go to the engineer and prepare the Mylar and then come back and there are more questions.

Rex said lot frontage requirements on a cul-de-sac are taken from the radius at the 30' setback. Ron brought up road widths. Rex said the Town has approved a couple of subdivisions with 66' right of ways. The ordinances don't say that, they say road widths are 99'. Mike said the definitions have two categories for streets; major streets or collector streets; a collector street is defined as 66' wide. In Title 15.2.5 the ordinance requires a 99' wide street. The PC can address this by agreeing that this is a collector street, or, change the definition to have harmony between the ordinances. Ron would like to see the ordinance amended. The Town allows a cul-de-sac when there is no reasonable way to connect to a through street. Rex feels that it's appropriate to have a cul-de-sac here. A collector road cannot be more than 650' and can't serve more than 14 homes, whichever is greater. Once all requirements are met, that's when preliminary approval is given. A subdivision fee is required at the time of preliminary approval. The Commissioners agreed that Larel's plan would be acceptable.

Larel asked about moving one property line so he can sell his existing house and build a new one. He is talking about changing his plans from a subdivision to just modifying a property line. This would be considered a minor subdivision and would be a much simpler process. Larel won't need to build a road. Brent asked why this would be a subdivision instead of a lot line adjustment, if Larel is only moving one property line. Larel already has two lots he just wants to move a property line. Rex argued that its two pieces of property with two different parcel numbers, but they haven't been created as building lots. Rex felt that this would be a minor subdivision because Larel would be creating two buildable lots. Brent stated that Larel is not creating two buildable lots, just one; the back lot won't be buildable until a subdivision is created and a road is put in. Mike said a minor subdivision has 3 lots or less, will not require dedication of any land for roads or right of ways, subdivision is not traversed by other easements or right of way purposes, and each lot meets frontage and area regulations for the zone in which it resides. The PC will need to see and approve the Mylar before it's signed.

#### Dale Grant Subdivision:

Rex wanted to discuss Dale Grant's subdivision. The PC approved a minor subdivision for Dale Grant a couple years ago and now he wants to create one more lot. Dale is making an amendment to the Dale Grant Subdivision. Mike read the ordinance that addresses vacating or changing a subdivision plat. Any petition to vacate or change a subdivision plat will be reviewed by the TC at a public hearing, notice of said meeting will be mailed to effected entities, and it will also be mailed to each property owner within parameters of that property, and published in a newspaper for four consecutive weeks. For this change to be recorded, technically, all utilities will need to be stubbed out. Dale will need to get Will Serve letters from the fuel and power companies.

He will also need a letter from Weber/Morgan Health saying the lot passed its perk test and it is an approved building lot. Ron and Rex will sign the Mylar after all the Will Serve letters are submitted.

#### Commission Presentations:

Mike said he would still like to pursue his desire to create a storage facility in his barn. Rather than try to package this barn as historical, it might make sense to make the use conditional. If something is a conditional use, there needs to be conditions set. Mike's concept is setting standards of what conditions would be required to allow storage units in a residential area. Set the conditions first and then make it conditional use.

Come up with restrictions so it will be acceptable. Mike said he spoke with three of four members of TC about this idea and they said they would be willing to consider it. Ron clarified that the PC would make the use conditional and be restrictive and clear on the use. Mike spoke with Attorney Bill Morris about this matter and was told that the more restrictive the use is the better. Rex said it seemed to him that when things were excluded from Acceptable Use Table, the big issue is the look and number of units. If the Town allowed storage unit what are the restrictions that would need to be set in order to make the conditional use acceptable. Mike was interested in the PC's opinions on the type of restrictions they would like to see. Restrictions might be; the type of structure, number of units per lot, no outdoor storage, distance from a home, security, fencing, and hours of operation. Karen said Mike's barn isn't large enough for boat or RV storage. Rex reported that he counted all the large barns in Town, and ended up with 19 large barns in Town that could be large enough for storage. Brent brought up the matter of signage, business signs are not allowed in the residential zone. Rex recommended having Mike put together a proposal.

Rex wanted to give the Commissioners an update; he asked Attorney Bill Morris' opinion about the situation with Steve Johnson wanting to subdivide his property without doing any improvements. Rex went through the ordinances and explained the situation to Bill Morris and asked if the Town had a vehicle that would allow Steve to be able to record a subdivision without putting in the infrastructure. There are four things that can be done. Steve would need to get preliminary approval and before the Mylar is recorded Steve would need to put the infrastructure in. The next two are similar but need to be backed up with money. The Town could require a bond in case of default the money could be used to put in the infrastructure. Or, Steve could set up an escrow account with the money required to build the infrastructure. And, fourth; is some type of agreement but money is still be required to assure the improvements. However, Bill Morris agreed that the Town doesn't have a vehicle to allow Steve to do what he was asking to do.

Rex made a motion to close the meeting. Karen seconded. All votes aye. Motion passed.

**Meeting adjourned at 9:05 p.m.**

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Gail Ahlstrom, Clerk/Recorder