

**HUNTSVILLE TOWN
ORDINANCE 2018-10-4-D**

ZONING MAP AMENDMENT

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMENDING THE ZONING MAP FOR A CERTAIN PARCEL WHERE A ZONING AMENDMENT APPLICATION WAS FILED; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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 received an Application to Amend the Zoning Map (“Application”) from Jack J. Davis Family Trust (“Applicant”) and said proposed amendment is consistent with the Town’s General Plan;
- D. WHEREAS**, Applicant previously filed on or about January 7, 2014, application with Town to annex Weber County Parcels Numbers 24-014-0001 and 21-008-0007 (“Property”)—as depicted in Exhibit “A” attached hereto—into the municipal boundaries of Huntsville Town;
- E. WHEREAS**, the official annexation occurred on or about February 6, 2014;
- F. WHEREAS**, as the Property was annexed into the Town with the same zoning as under Weber County, and Applicant did not request another zoning designation or change of use at that time;
- G. WHEREAS**, the Huntsville Municipal Code 15.27.C requires any person annexing property into Town to provide Town with sufficient water rights and water source capacity to serve the anticipated uses of the annexed property;
- H. WHEREAS**, notice of the requirement to provide Town with sufficient water rights and water source capacity is stated on the annexation application;
- I. WHEREAS**, the Property annexed into Town was designated as Agricultural Zone (A-3) and Shoreline Zone (S) for agricultural and shoreline uses only and Applicant represented to Town that Applicant owned water rights sufficient to provide water to the Property in the event of a change of use;
- J. WHEREAS**, the Town recognizes the Applicant’s inability to provide additional water source capacity to the Town’s culinary system through direct connection to the Town’s existing infrastructure without incurring significant cost to the Applicant;
- K. WHEREAS**, the Applicant acknowledges the requirement to acquire the necessary water rights and permits to drill and develop one or more culinary well(s) sufficient for the uses identified in the Concept Development Plan attached hereto as Exhibit “B”;

- L. **WHEREAS**, the Applicant acknowledges the requirement to develop, operate, and maintain said culinary well(s) in compliance with all applicable federal, state, and local laws;
- M. **WHEREAS**, the Town desires to enter a Development Agreement to satisfy the requirement for a change in use of the Property to residential;
- N. **WHEREAS**, the Town has agreed to allow the amendment of the Zoning Map of the Property subject to the terms of the Development Agreement;
- O. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on September 27, 2018, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to conditionally approve the Application for parcel 24-014-0001 and reject the Application for parcel 21-008-0007 due to concerns arising from the mixed zoning configuration of the respective parcel;
- P. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on October 4th, 2018;

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:** **Zoning Map Amendment.** The Official Zoning Map of Huntsville Town, Utah is hereby amended for Weber County Parcel Number 24-014-0042 from A-3 to R-1.
- Section 3:** **Concept Development Plan.** The Concept Development Plan associated with this Zoning Map Amendment is attached hereto as Exhibit "B" and incorporated herein by this reference. Any subdivision and site construction shall be substantially similar to the Concept Development Plan adopted in this Section. Any subdivision with less density than the Concept Development Plan is presumed to be substantially similar.
- Section 4:** **Water Rights and Water Source Capacity.** The Applicant will be required to secure appropriately authorized water rights and provide independent water source capacity in the form of one or more culinary well(s) sufficient for the uses identified in the respective Concept Development Plan. It will be the responsibility of the Applicant to develop, operate, and maintain said culinary well(s) in compliance with all pertinent federal, state, and local laws.
- Section 5:** **Conditional Culinary Service.** In the event that the Town executes its contractual option to acquire additional source capacity from Huntsville Abbey Farms, LLC and Huntsville Rangeland Company, LLC ("Abbey"), the Town may elect to provide culinary water service to the Applicant in accordance with the terms of the Development Agreement. If the Town elects to provide culinary water service to the Applicant, the Applicant shall reimburse the Town for all applicable expenses associated with the acquisition of the required source capacity in addition to any customary Development Impact Fees assessed

required source capacity in addition to any customary Development Impact Fees assessed by the Town under Title 7 of the Huntsville Municipal Code. Upon reimbursement to the Town for the expenses associated with the acquisition of the required source capacity and the payment of the respective Development Impact Fees, the requirement for the Applicant to develop, operate, and maintain one or more culinary well(s) shall be waived. Notwithstanding this waiver, the requirement for the Applicant to convey sufficient water rights to the Town shall remain in full force and effect.

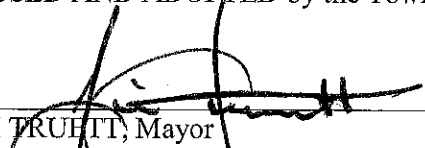
Section 6: Development Agreement and Reversion. That this Zoning Map amendment is subject to the Town and Applicant entering a Development Agreement that requires the Applicant to provide water rights and water source capacity—as described hereinabove—sufficient for the uses identified in the respective Concept Development Plan. If the Parties fail to enter the Development Agreement within eighteen (18) months, unless extended by the Town Council, then the zoning shall automatically revert to the prior zoning.

Section 7: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 8: Effective date. This Ordinance shall take effect immediately upon mayoral approval and posting.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett	X			
CM Max Ferre'	X			
CM McKay	X			
CM Bill Wangsgard	X			
CM Bill White	X			

PASSED AND ADOPTED by the Town Council on this 7th day of March, 2019.



 JIM TRUETT, Mayor

ATTEST:


 Town Clerk

RECORDED this 7th day of March, 2019.



SPRING CREEK

Zoned from A-3 to

~~A~~R-1

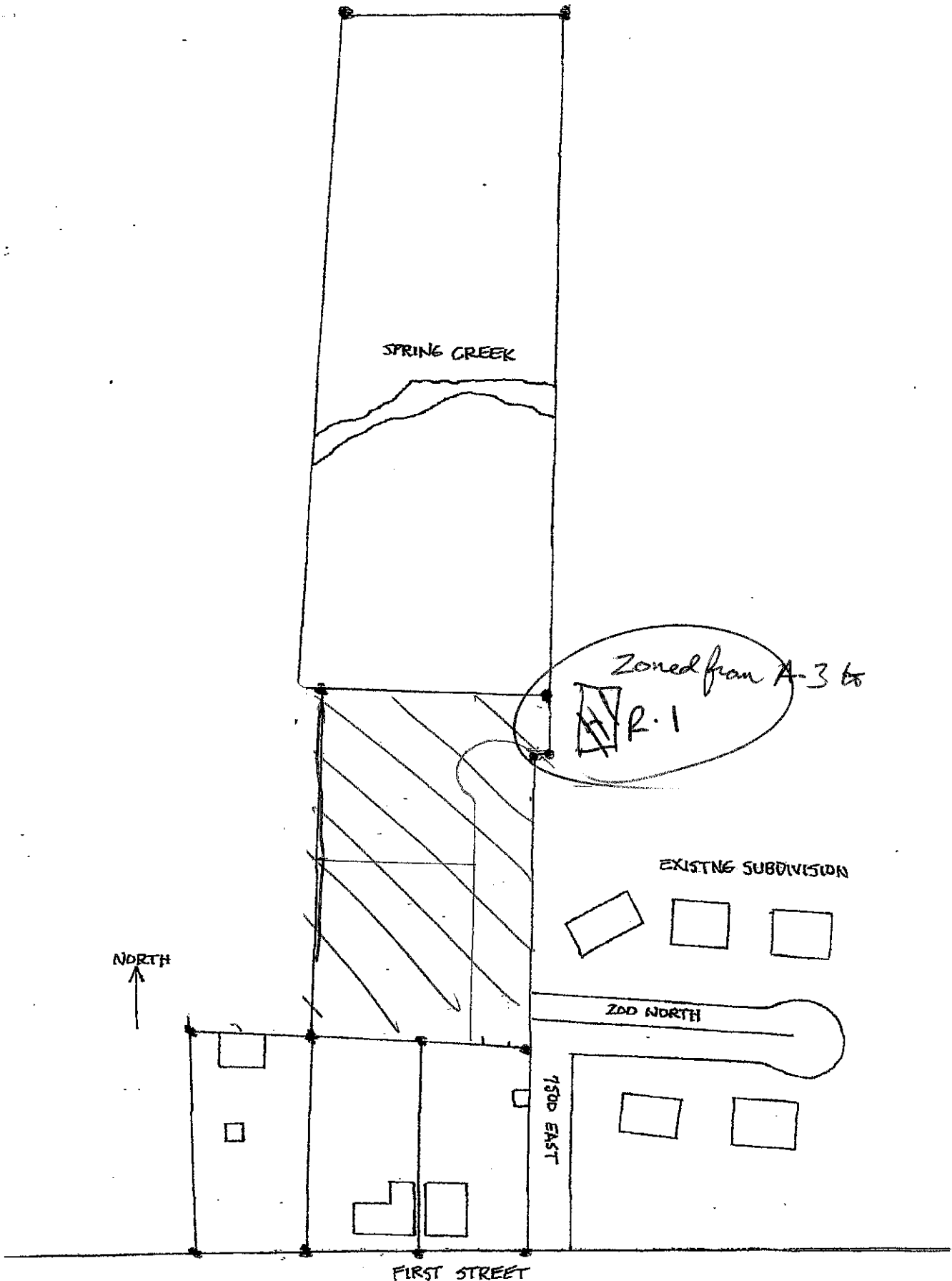
EXISTING SUBDIVISION

NORTH

200 NORTH

7500 EAST

FIRST STREET





Weber County Parcel Search

2380 Washington Blvd Ogden, Utah

Weber County Home - Parcel Search - Interactive Maps

Print this page

Current Taxes	Ownership Info	Tax History	Property Characteristics	Delinquent Taxes
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Todays Date: 03/05/2019

<--Back to Search
<--Back to Search Results

Parcel # 24-014-0042

Ownership Info

Owner SORENSEN, JENNIFER D [View in Geo-Gizmo](#)

Plat Map

Property Address 24-014 View PDF
Updated: January 14 2019

Mailing Address 7458 E FIRST ST
HUNTSVILLE UT 843179803

Tax Unit 35

Prior Year Plats

Plats as of Dec 31st of each year

2017 - 24-014 View PDF

2016 - 24-014 View PDF

2015 - 24-014 View PDF

2014 - 24-014 View PDF

Dedication Plat

No Dedication Plats found

Current References

Entry #	Book	Page	Recorded Date
2963293			30-JAN-19
Kind of Instrument SP WARRANTY DEED			

Prior Parcel Numbers

- 210080007 (Dead)
- 240140001 (Dead)
- 240140009 (Dead)
- 240140010 (Dead)

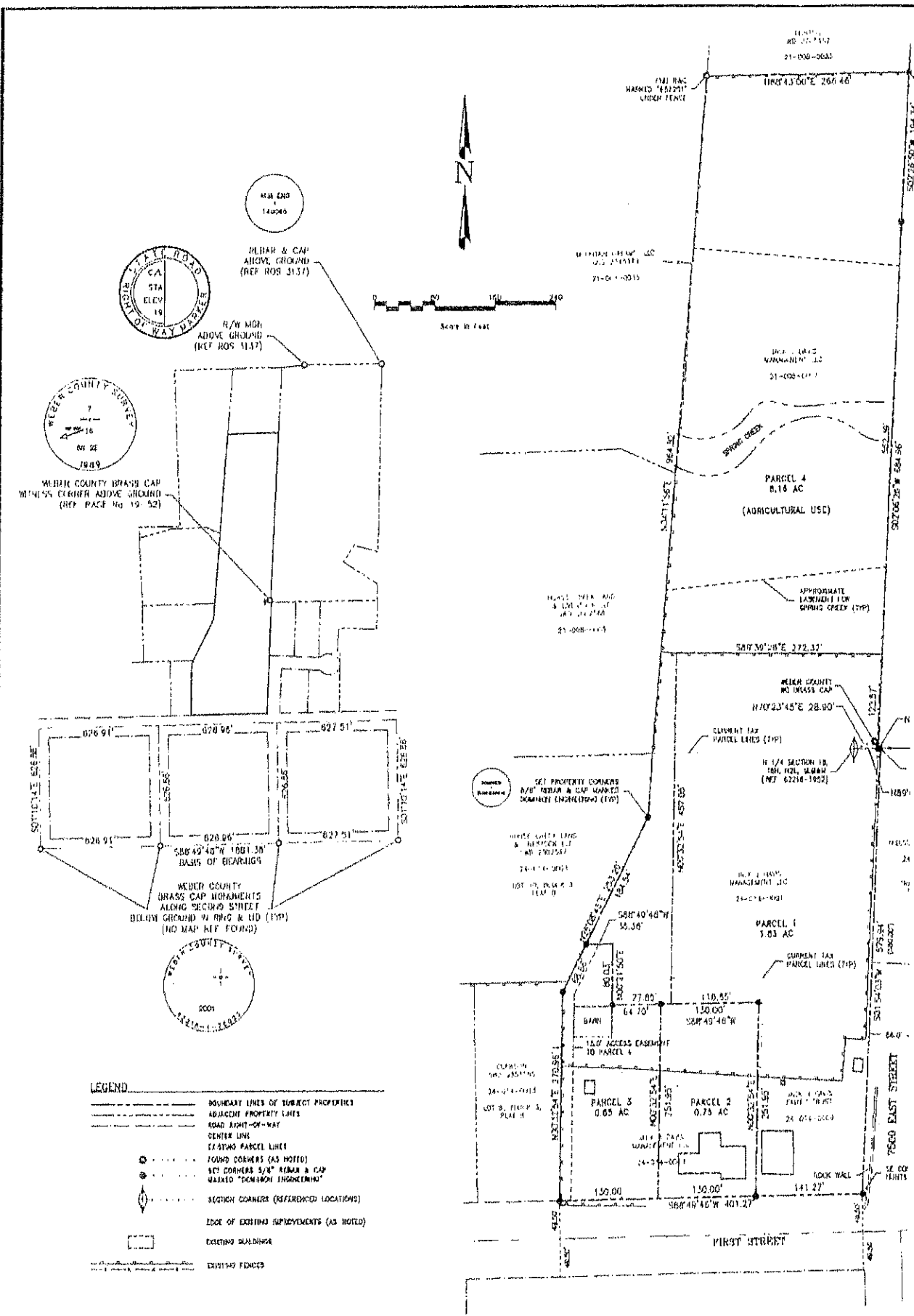
Legal Description

** For Tax Purposes Only **

PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER AND NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 6 NORTH, RANGE 2 EAST SALT LAKE BASE & MERIDIAN AND IN LOT 7, BLOCK 3, PLAT B, HUNTSVILLE SURVEY; HUNTSVILLE TOWNSITE, WEBER COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 7, WHICH IS ALSO THE SOUTHWEST CORNER OF TRAPPERS COVE SUBDIVISION RECORDED AS ENTRY NO. 1872231 IN THE OFFICE OF THE WEBER COUNTY RECORDER 34.98

FEET NORTH 89D05'46" EAST AND 579.94 FEET SOUTH 01D54'03" WEST FROM THE NORTH QUARTER CORNER OF SAID SECTION 18 AS REFERENCED ON SAID SUBDIVISION, AND RUNNING THENCE SOUTH 88D49'46" WEST 141.27 FEET ALONG THE NORTHERLY BOUNDARY AND RIGHT-OF-WAY LINE OF FIRST STREET; THENCE NORTH 00D32'54" EAST 251.95 FEET; THENCE SOUTH 88D49'46" WEST 116.85 FEET; THENCE NORTH 00D32'54" EAST 457.05 FEET TO AN EXISTING FENCE; THENCE SOUTH 89D39'26" EAST 272.32 FEET ALONG SAID FENCE TO A FENCE LINE SURVEY PREPARED BY F. LEWIS PRATT, FILED IN WEBER COUNTY AS RECORD OF SURVEY NO. 3137 AND THE WESTERLY BOUNDARY OF 21-007-0015 AS DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED, ENTRY NO. 2345372; THENCE SOUTH 02D06'26" WEST 122.57 FEET ALONG SAID LINE TO A FENCE CORNER; THENCE NORTH 89D05'46" EAST 2.70 FEET ALONG SAID FENCE TO SAID TRAPPERS COVE SUBDIVISION; THENCE SOUTH 01D54'03" WEST 579.94 FEET ALONG SAID SUBDIVISION TO THE POINT OF BEGINNING.

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WEBER COUNTY SURVEY
 7
 18
 08 2E
 1989

WEBER COUNTY BRASS CAP MONUMENTS CENTER ABOVE GROUND (REF PAGE No 19: 52)

WEBER COUNTY SURVEY
 140965

DEBAR & CAP ABOVE GROUND (REF ROS 31.37)

R/W MON ABOVE GROUND (REF ROS 31.37)

WEBER COUNTY SURVEY
 2001

WEBER COUNTY BRASS CAP MONUMENTS ALONG RECORD SHEET BELOW GROUND W/ RING & LTD (TYP) (NO MAP REF FOUND)

588'49'40"W 1001.38'
 BASIS OF BEARINGS

LEGEND


- BOUNDARY LINES OF SUBJECT PROPERTIES
- ADJACENT PROPERTY LINES
- ROAD RIGHT-OF-WAY
- CENTER LINE
- (EARTH) PARCEL LINES
- FOUND CORNERS (AS NOTED)
- SET CORNERS 5/8" DEBAR & CAP
- UNLIXED "DOWN-TOWN ENGINEERING"
- SECTION CORNERS (REFERENCED LOCATIONS)
- EDGE OF EXISTING IMPROVEMENTS (AS NOTED)
- ▭ EXISTING BUILDINGS
- EXISTING FENCES

DRAWN BY JACK DAVIS SURV 2018 10/10/2018 7:10 AM DATE October 21 2018 PERMITTED BY JING

DRAWN	DATE	CHECKED	DATE
DESIGNED	DATE	PROJECT NUMBER	
APPROVED	DATE	PROJECT MANAGER	

JACK J. DAVIS FAMILY TRUST

HUNTSVILLE TOWNSITE, WEBER COUNTY, UTAH



TH 210080021 TU:520 S.I.

U.S.A.
210080011
TU:520

38.24 CHS
S71°24'W
301.3
4.40 CH
89.98'
SEE 240140007

357.71' 58.03' 1232' 808.24'
N3°00'W N2°39'43"W

HUNTSVILLE CITY LIMITS

MOUNTAIN DREAMS LLC
210080032
TU:520 4 AC±
N2°39'43"W 808.24'

HORSE CREEK LAND
& LIVESTOCK LLC
210080008
3.58 AC±
TU:35

MOUNTAIN DREAMS LLC
210080035
5.07 AC±
TU:520

310.84'
R.O.W.(E#2705460)

370.57' S 4° W 881.10' 853.23'
HUNTSVILLE CITY LIMITS

DANIEL M DAVIS
210080039
5.37 AC±
TU:35

341.77'
162.67'
26°R.O.W.(E#2705460)
SPENCER W BURTON LIVING TRUST DTD 02-18-2018 ETAL
210080033
1.99 AC±
TU:520 340.57'
86.31'

SEE 240140042

N1°41'E HUNTSVILLE CITY LIMITS NORTH 879.97'

WEBER COUNTY RECORDER / SURVEYOR
OWNERSHIP / DESCRIPTION REPORT

SERIAL NUMBER: 24-014-0001



PRIOR SERIAL NUMBER(S):

DEAD

OWNER: JACK J DAVIS MANAGEMENT LLC

MAILING ADDRESS:

509 W CAGNEY ST
MERIDIAN ID

836466507

TAX UNIT

35

CHANGE DATES:

Name: 19-SEP-2017

Tax Unit: 28-DEC-2017

PROPERTY ADDRESS:

ADDITIONAL NAMES:

CURRENT REFERENCES:

Seq	EntryNbr	Book	Page	Kind of Instrument	Deed Date	Recorded Date
1	2802073			WARRANTY DEED	25 / 06 / 2016	06-JUL-2016

COMMENTS:

DEAD

30-JAN-2019

2019 DEAD

DESCRIPTION OF PROPERTY: As Of: ~~02-DEC-1978~~ *30-JAN-2019* Change Year/Code: ~~1975-COMB~~ ACRES: 2.54

PART OF LOT 7, BLOCK 3, PLAT B, HUNTSVILLE SURVEY, BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7; THENCE SOUTH 1D45' WEST ALONG THE EAST LINE OF SAID LOT 7 TO A POINT ON THE NORTH LINE OF HUNTSVILLE CITY LIMITS LYING NORTH 1D45' EAST 280.5 FEET FROM THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTH 88D08' WEST 405.91 FEET ALONG SAID LIMITS; THENCE TO WEST LINE OF SAID LOT; THENCE NORTH 29D EAST AND NORTH 5D30' EAST ALONG THE WEST LINE OF SAID LOT TO THE NORTH LINE OF SAID LOT; THENCE EAST ALONG LOT LINE 289.01 FEET TO BEGINNING. CONTAINING 2.54 ACRES, M/L.

*** RUN DATE: 14-FEB-2019 01:10 PM ***

IAN 2 11 2019 BT

SEE 21-008-0039 & 24-014-0042 & 0043 FOR ASSESSMENT