

**HUNTSVILLE TOWN
ORDINANCE 2020-11-19**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, EXTENDING A
TEMPORARY LAND USE REGULATION THAT PLACES A MORATORIUM
ON THE ISSUANCE OF CONDITIONAL USE PERMITS.**

- A. WHEREAS**, Huntsville Town (hereafter referred to as "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 the Town to regulate land use and development;
- C. WHEREAS**, Section 10-9a-504 of the *Utah Code Annotated*, 1953, as amended, enables the Town to enact temporary land use regulations;
- D. 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 Section 10-9a-507a of the *Utah Code Annotated*, 1953, as amended;
- E. WHEREAS**, certain conditional uses listed in the Town's Allowable Use Table are vague and potentially inconsistent with the Town's General Plan;
- F. WHEREAS**, the inadequacy of the Town's conditional use regulations constitutes a compelling public interest to extend the existing moratorium on the issuance of conditional use permits for an additional two (2) months in order to provide the Town with adequate time to cure the defects;

NOW, THEREFORE, be it ordained by the Huntsville Town Council as follows:

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. The *Huntsville Municipal Code* is hereby temporarily amended as follows:

Extension of Temporary Moratorium on the Issuance of Conditional Use Permits

Huntsville Town shall extend the temporary suspension of the issuance of conditional use permits under Title 15.4 of the Huntsville Municipal Code for an additional two (2) months. The extended moratorium shall not exceed a total of six (6) months beyond the enactment date of the original moratorium and shall expire automatically on February 6, 2021, unless first repealed by

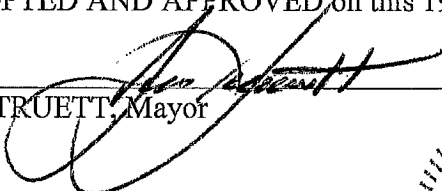
the Town Council. During the moratorium, the Town shall not accept conditional use permit applications, but shall return any conditional use permit application(s) to the respective applicant(s) without further action and/or consideration.

Section 3: 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 remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.


VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Jim Truett	X			
CM Max Ferre'	X			
CM Wendy McKay	X			
CM Richard Sorensen	X			
CM Blake Bingham	X			

ADOPTED AND APPROVED on this 19th day of November, 2020.



JIM TRUETT, Mayor

ATTEST:



BECKKI ENDICOTT, Recorder



RECORDED this 19th day of November, 2020.