

**Huntsville Town
Ordinance 2021-6-24**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, AMMENDING TITLE
15.17.14 NONCONFORMING LOTS OR PARCELES OF RECORD**

- 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 15.17.14 currently includes footnote 37 that is decidedly important enough to be included as part of the Huntsville Town Code 15.17.14;
- D. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on July 29, 2021 to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT this Ordinance on July 29, 2021;
- E. **WHEREAS**, the Planning Commission is recommending this to the Town Council for approval;
- F. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on August 5, 2021 and desires to act on this Ordinance;

ORDINANCE

NOW, THEREFORE, be it ordained by the Planning Commission of Huntsville Town, Utah as follows:

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference therto is hereby vacated.

Section 2: Amendment. The Huntsville Municipal Code is hereby amended to read as follows:

15.17.14 Nonconforming Lots or Parcels of Record

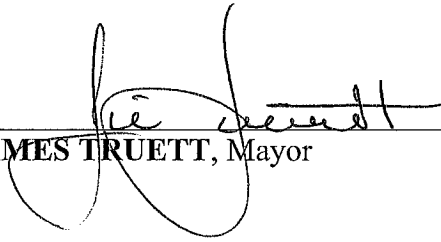
- A. A parcel nonconforming as to area and frontage requirements, containing a single family residence that has not been abandoned, and was created and recorded prior to the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law; shall be considered to be a legally complying lot entitled to the same rights as lots conforming to current Huntsville Town area and frontage requirements.
- B. A parcel nonconforming as to current area and frontage requirements which was created and recorded prior to the July 1992 amendments to the Municipal Land Use, Development, and Management Act, Utah Code Ann. §10-9a-101 et. seq., Subdivision Law,; and met area and frontage requirements for the zone in which it was created at the time it was created; may submit an application for subdivision approval provided that it meets all other applicable requirements of the Huntsville Town Subdivision and Zoning Titles. The Landowner will have the burden to prove that their lot met area and frontage requirements for the zone in which it was created at the time it was created.

C. A non-conforming lot shall be considered a legal building lot entitled to the same rights as a conforming lot, if the lot was created prior to July 1992.

ADOPTED AND PASSED by the Town Council this 5th day of August, 2021.

Municipal Roll Call Vote:

VOTES:	AYES	NAYS	EXCUSED	RECUSED
Mayor Truett	X			
CM Max Ferre'	X			
CM Wendy McKay	X			
CM Richard Sorenson	X			



JAMES TRUETT, Mayor



ATTEST:



BECKKI ENDICOTT, Town Clerk

RECORDED this 5th day of August, 2021.
 POSTED this 5th day of August, 2021.

CERTIFICATE OF PASSAGE AND POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing Ordinance was duly passed and published, or posted on the above-referenced dates at the following locations: 1) Town Hall, 7309 East 200 South 2) Huntsville Town Post Office 3) www.huntsvilletown.com 4) www.pmn.gov



 Beckki Endicott, Town Clerk

DATE: 8-5-2021