

**HUNTSVILLE TOWN  
ORDINANCE 2022-5-26-B**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH AMENDING TITLE 15.8  
COMMERCIAL ZONE C-1**

**RECITALS**

**WHEREAS**, Huntsville Town (hereafter referred to as “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the Town to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

**WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the Town to regulate land use and development;

**WHEREAS**, the Huntsville Town Planning Commission desires to update the standards in the commercial zone C-1;

**WHEREAS**, the Huntsville Town Planning Commission desires to establish additional update the Allowable Use Table;

**WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on May 21, 2022, to take public comment on this Ordinance, and subsequently gave its recommendation to adopt this Ordinance on May 26<sup>th</sup>, 2022;

**WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on June 2, 2022, and desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the Huntsville Town Council 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1:**     **Repealer.** Any ordinance or portion of the municipal code inconsistent with this ordinance is hereby repealed and any reference thereto is hereby vacated.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:

## **15.8 COMMERCIAL ZONE C-1**

- 15.8.1 Purpose
- 15.8.2 Use Regulations
- 15.8.3 Front Yard Regulations
- 15.8.4 Side Yard Regulations
- 15.8.5 Rear Yard Regulations
- 15.8.6 Height Regulations
- 15.8.7 Coverage Regulations
- 15.8.8 Architectural, Landscape and Screening Standards
- 15.8.9 Parking

### **15.8.1 Purpose**

The purpose of the C-1 zone is to designate regulations on areas to be used for commercial business purposes and to assure the retention of the character of the commercial district in the center of Huntsville.

### **15.8.2 Use Regulations**

All uses allowed in the Commercial Zone C-1 are designated either as permitted in Table 15.4-1, or as conditional and approved pursuant to a Conditional Use Permit by the Town Council. All uses shall be free from objections because of odor, dust, smoke, noise, vibration or other causes. Signage regulations are contained in the Huntsville Town Signs Title, with additional considerations in this Chapter.

### **15.8.3 Front Yard Regulations**

Front yard regulations for single family homes regulations are the same as for Residential Zone R-1 for dwellings. For non-residential buildings, none, except for outdoor dining and leisure/gathering spaces are encouraged within a flexible ten-foot setback. On-street parking may encroach beyond the street-side property line by four (4) feet.

### **15.8.4 Side Yard Regulations**

Side yard regulations are the same as for Residential Zone R-1 for dwellings. For other buildings none, except that wherever a building is located upon a lot adjacent to a residential zone boundary, there shall be provided a side yard of not less than ten (10) feet on the side of the building adjacent to the zone boundary line and on corner lots the side yard which faces on a street shall be not less than ten (10) feet. For setbacks where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

### **15.8.5 Rear Yard Regulations**

Lots which rear upon the side yard of another lot in a residential zone, the minimum rear yard shall be ten (10) feet. For setbacks where the boundary is a natural stream or river corridor, see Huntsville Town Sensitive Lands Title.

### **15.8.6 Height Regulations**

No pitched roof building or structure shall be erected to a height greater than two and one-half (2-1/2) stories, or thirty-five (35) feet unless the height is for a unique architectural feature(s) in a Commercial (C-1) Zone, recommended by the Planning Commission and approved by the Town Council. The unique structure(s) height cannot exceed forty feet (40), be no greater in area than 150 sq. ft. each and no greater

in length than 20 feet each (e.g. bell tower, etc.) There shall not be more than two unique structures per acre. Flat roof buildings shall not exceed 2 stories or 24' whichever is greater.

### **15.8.7 Coverage Regulations**

No building or structures or group of buildings with their accessory buildings shall cover more than sixty (60) percent of the area of the lot.

### **15.8.8 Architectural, Landscape and Screening Standards**

As permitted in the Huntsville Town Architectural, Landscape, Screening, , and Waste Disposal Standards Title 15.20.3 and as required below:

#### **General requirements for all main buildings facing the public street:**

1. No HVAC located on a roof to be visible from the street.
2. Pitched roofs to be angled in such a manner to prevent accumulated snow from sliding into pedestrian areas. Where pitched roofs or awnings are angled toward the street, they shall include a gutter to move roof water away from pedestrians.
3. All runoff from the roof and other impervious surfaces such as the parking lot are required to be distributed to the landscaped areas on the lot and retained on site. Rain barrel water catchments are encouraged for roof runoff.
4. Metal roofs shall be painted or of a non-reflective nature.
5. Shingled roofs shall be composed of at least a 25-year guaranteed quality and simulate the look of wood shingles or as a minimum have greater depth than standard shingles.
6. Fencing shall be historical in nature. No vinyl, chainlink, barbed wire or security fences when visible from the street.
7. For pitched roofed building's exterior walls are encouraged to be composed of board and batten siding but may also use stone or brick or similar materials.
8. Pitched roof eaves shall overhang a minimum of 1.5 feet measured horizontally.
9. No stucco, aluminum and/or vinyl siding is allowed on any exterior wall. Soffits and fascia are not considered part of a wall.
10. All buildings shall have at least one entrance that faces the street (or an interior access or gathering place).
11. Bike racks and/or hitching posts are required with one required per business or every 100', whichever is fewer.

#### **Buildings Design Options** – choose a minimum of three (3) architectural features from the following list:

1. Exterior historical brick
2. Native Stone with board and batten siding – stone to cover at least 25% of the front facade
3. Exterior painted brick (earth tones including white)
4. Decorative Parapets including dentals, cornice differentiation, and the date of construction in letters discernable from across the street
5. A projecting sign at least ten (10) feet above grade, no exterior lighting, no more than 12 square feet, and extending from the building no more than 5 feet.
6. Windows covering at least thirty (30) percent of the front first story face
7. Windows and/or doors with transom windows

8. Second floor street facing windows to include window accents such as visible sills, window grids, window trim, headers (rectangular or curved), boxed windows
9. Doors recessed at least two (2) feet with entry walls angled or perpendicular to the street
10. Natural or stained timber supported galvanized or painted metal secondary add-on roof awnings, including a gutter where pedestrians can be expected
11. Front yard gathering place including seating, shade, WIFI, flowering potted plants, and a focal point of art/sculpture based on a pioneering/hunting and/or fishing theme, art with movement via the wind is encouraged, art that emits sounds from different wind speeds, historical information plaques detailing the history of Huntsville and the Ogden Valley, propane fire pit with seating, etc. A covered porch with seating that wraps the front façade and extends at least ten (10') feet along the sides of the building may substitute for the gathering place.
12. Building façade variation – no more than fifty (50) feet of any front facing façade can be built before a material, color, accent through a change in material or brick pattern, awning, or offset or projection (1' minimum) is constructed
13. Timber structural accents to support eaves, second floor porches, or front entryways

### **15.8.9 Parking**

As permitted in the Huntsville Town Vehicle Parking and Loading Title, except that if parking on-street cannot meet the standards required, such additional parking shall be located to the side or the rear of the building. Parking lots located to side shall be buffered with historic fencing consistent to other fences in the commercial zone located 5' from the ROW and a xeriscape landscaped area between the fence and the ROW that includes rock mulches, boulders, shrubs/plants and one medium sized tree planted for every 30' of parking lot frontage. Such areas shall employ water-wise drip irrigation systems. Shared driveways with adjacent properties are encouraged.

### ***Conditional Use chapter 15.4***

15.4.1 The purpose of Conditional Uses is to allow a land use that, because of its unique characteristics or potential detrimental effects within the zone, or on adjacent land uses, may be allowed only if certain conditions are required that mitigate or eliminate the identified detrimental effects.

### ***Use table***

TABLE 15-1 HUNTSVILLE TOWN ACCEPTABLE USES BY ZONE

Add "Any use not listed is not allowed"

**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.

ADOPTED AND APPROVED on this 2nd day of June, 2022.

  
RICHARD L SORENSEN, Mayor

ATTEST:

  
BECKKI ENDICOTT, Town Clerk



RECORDED this 2<sup>nd</sup> day of June, 2022.  
POSTED this 2<sup>nd</sup> day of June, 2022.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, Utah, hereby certify that foregoing Ordinance was duly passed and posted at 1) Huntsville Town Hall and 2) [www.huntsvilletown.com](http://www.huntsvilletown.com) 3) [www.pmn.org](http://www.pmn.org) on the above referenced dates.

  
BECKKI ENDICOTT, Town Clerk

DATE: 6-2-22