



Hildale City Planning Commission

Wednesday, October 20, 2021 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Agenda

Notice is hereby given to the members of the Hildale City Planning Commission and to the public, that the Planning Commission will hold a regular meeting on **Wednesday, October 20, 2021**, at 320 East Newel Avenue, Hildale, Utah 84784 at **6:00 pm (MDT)**.

<https://www.facebook.com/hildalecity/live/>

Join Zoom Meeting

<https://zoom.us/j/95770171318?pwd=aUVSU0hRSFFHcGQvcUIPT3ZYK0p5UT09>

Meeting ID: 957 7017 1318

Passcode: 993804

Comments during the public comment or public hearing portions of the meeting may be emailed to manager@hildalecity.com or privately messaged to Hildale City's Facebook page. All comments sent before the meeting may be read during the meeting and messages or emails sent during the meeting may be read at the Chair's discretion.

Call to Order: Presiding Officer

Roll Call: Presiding Officer

- [1.](#) Introduction of Zoning Administrator

Pledge of Allegiance: Invitation of Presiding Officer

Public Comment: Discretion of Presiding Officer

Approval of Minutes: Presiding Officer and Commission Members

- [2.](#) Consideration, discussion, and approval of meeting minutes for August 19, 2021.

Public Hearing:

Public hearing to receive public comment on zoning map amendment to re-zone Parcel HD-SHCR-1-40, commonly known as 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (RM-1-8).

- [3.](#) Public Hearing Notice

New Commission Business:

Consideration, discussion, and possible recommendation to Hildale City Council to adopt a zoning map amendment to re-zone Lot HD-SHCR-1-40, 685 N. Willow, from Residential Agricultural 1 (RA-1) to Residential 1-8 (R1-8). (CM Duthie)

- [4.](#) Staff Report and attachments

Adjournment: Presiding Officer

Agenda items and any variables thereto are set for consideration, discussion, approval, or other action. The Hildale City Planning Commission may, by motion, recess into executive session, which is not open to the public, to receive legal advice from the City attorney(s) on any agenda item, or regarding sensitive personnel issues, or

concerning negotiations for the purchase, sale, or lease of real property. Hildale City Planning Commission Members may be attending by telephone. Agenda may be subject to change up to 24 hours prior to the meeting. Individuals needing special accommodations should notify the City Recorder at 435-874-2323 at least three days prior to the meeting.



Hildale City
Attn: Eric Duthie, City Manager
manager@hildalecity.com
(435) 874-2323
P.O. Box 840490
Hildale, UT 84784

September 16, 2021

RE: PLANNING STAFF SUPPORT/AUGMENTATION (FY 2021-2022)

Mr. Duthie,

The purpose of this letter is to provide information about a potential partnership with Hildale City and our firm, Rural Community Consultants, for professional planning staff support/augmentation for fiscal year 2021-2022.

ABOUT OUR FIRM

Rural Community Consultants (RCC), with our parent company, Jones & DeMille Engineering, has 30+ years of experience serving local governments. RCC has worked all over the State of Utah and has completed over 50 major planning initiatives in the last five years.

As experts in land use policy and code, we have driven plans and implementation at every level of government. We have loved working with communities across the State of Utah and beyond to solve unique and controversial problems surrounding growth, community character, private property rights, fees and rates, economic development, and various other issues. Our unique experience with public outreach and land use law, along with our experience with infrastructure, presence, and transparency when dealing with the public have made our previous projects extremely successful.

PROJECT UNDERSTANDING

Our understanding is that Hildale City is looking for a third-party consultant to provide professional planning staff support/augmentation for fiscal year 2021-2022 or until not needed by the City.

We understand the importance of maintaining a competent, neutral, experienced, and professional team to manage the demanding workloads of community development/planning departments. We also realize that in today's competitive job market, attracting and retaining qualified staff is often difficult and expensive for rural jurisdictions to do. Our proposal would allow the City the ability to scale up and down its planning department and services based on its development needs.

CORE TEAM MEMBERS



Mike Hansen, AICP
MA—Political Economy
MS—Public Administration
BS—Urban Planning

Mike Hansen has worked in strategy, land use, and organ development for 20+ years. His career has been marked by successful leadership of progressively difficult challenges. Working in all levels of government, he has worn the hats of a strategic planner, demographer, administrator, and change leader. He has led small entrepreneurial teams, statewide initiatives, and even served in the Utah Governor’s Cabinet. In the private sector, Mike has orchestrated projects with citizen groups, city staff, and engineers. Focusing on short-term implementation strategies and the long-term return on investment, Mike has drafted roadmaps for cities, counties, and the state with results seen in land use, industry investment, economic development, and state code compliance.



Ryan Robinson
MS—Public Administration
BS—Political Science

Ryan is originally from Parowan Utah with a passion for working with rural communities. He has worked with various government agencies, including multiple municipalities as well as the Utah State legislature. His professional experience includes being a City Planner, Field Representative for a federal political office and campaign, leadership team for a University political center, and working in construction management. Ryan has successfully worked on numerous projects on a local municipality level and brings experience on rural issues for a variety of projects. Prior to his current role, he was with Francis Town in Summit County.



Kendall Welch
ICC Certified

Kendall is a certified International Code Council (ICC) Permit Technician, Residential Plans Examiner, Zoning Inspector, and Property Maintenance and Housing Inspector. She has over 7 years of experience in various community development capacities, working primarily with local municipalities in both Utah and Arizona. From small rural towns to large urban cities, she has served in various staff positions including: building permit technician, residential plans examiner, planner I/II, addressing official, planning commission secretary, and more. Kendall has extensive experience with ordinance amendments including drafting, codification, publication, and enforcement.

PROPOSED RATES

We believe that professional planning staff support/augmentation can be provided by various members of our team, based on our different professional strengths and areas of focus. Hourly billing rates for services provided by our team members typically range from \$64.00 - \$190.00 depending on the type of service being provided.

The table below illustrates an estimate of the minimum number of hours required by project type our team believes would be required to properly review various applications.

Application Type	Minimum Hours Required For Review/Processing
Zoning Clearance for Business License	.5 (Residential) / 1.0 (Commercial)
Zoning Clearance for Building Permits	.5 (Residential) / 1.0 (Commercial)
Text Amendment / Lot Split	2.5
Conditional Use Permit	3.0
General Plan Amendment / Rezone / Zone Overlay / Preliminary Site Plan	3.5
Preliminary Plat / Final Site Plan / Amendment	5.0
Final Plat/Amended Plat	6.0
Sensitive Lands	7.5

In order to move forward, we believe that a simple work order with a not-to-exceed amount of **up to \$15,000** could be issued. This type of agreement would be structured to ensure that the City would only be invoiced for work they request, including the option to quit at any time.

If travel is required by the City for things such as: in-person meeting attendance, site inspections, etc., vehicle mileage is charged typically at a rate of approximately \$0.56 per mile. If the City would also prefer RCC to answer general day-to-day inquiries (phone, e-mail, etc.) from the public regarding development opportunities within the City, we also would recommend either setting aside a portion of the \$15,000 mentioned above or funds above and beyond that amount specifically to be used for public interaction.

Sincerely,



Mike Hansen
RURAL COMMUNITY CONSULTANTS



Hildale City Planning Commission

Thursday, August 19, 2021 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Call to Order:

Chairman Holm

Roll Call:

City Recorder Cawley gave roll call.

PRESENT

Chair Brigham Holm
Commissioner Rex Jessop
Commissioner Charles Hammon
Commissioner Derick Holm
Commissioner Jennifer Kesselring
Commissioner Tracy Barlow

ABSENT

Commissioner Nathan Fischer

Pledge of Allegiance:

Chairman Holm led the pledge of allegiance.

Public Comment:

No Public Comments

Commissioner Comment:

No Comments

Approval of Minutes:

1. July 22, 2021 Meeting Minutes

Commissioners discussed meeting minutes.

Motion made by Commissioner Hammon, to approve Meeting Minutes for July 22, 2021. Seconded by Commissioner Jessop.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

ACTION ITEMS

2. **Public hearing, discussion, and possible recommendation on adoption of a zoning map amendment to re-zone Lot HD-SHCR-8-9-B, 345 East Utah Avenue, from Residential Agricultural .5 (RA-.5) to Multi-Family Residential 1 (RM-1).**

City Attorney Christian Kesselring explained the new agenda format and that a role call vote is not needed by state statute to open a public hearing. Hearings can be opened and closed by the chair. He presented the rezone application for 345 East Utah Avenue.

Chairman Brigham Holm opened the public hearing.

Jeremy & Adriana Frehner gave a public comment about their intention to build a duplex and they would not be doing a lot split. They expressed an interest in putting in curb and gutter when the project happens.

Commissioner Hammon explained that a site plan is required for multifamily homes.

Motion made by Commissioner Kesselring, recommend that the City Council approve zoning map amendment requested for Lot HD-SHCR-8-9-B, commonly addressed as 345 East Utah Avenue, based on the findings set forth in the staff report. Seconded by Commissioner Hammon.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

3. **Discussion and possible approval of conditional use permit for oversized accessory building at 765 N Willow Street, Hildale, Utah.**

City Attorney Christian Kesselring gave a brief explanation of the city code in reference to conditional use permits. He presented the applicants proposed conditional use is for a temporary canvas tent for the storage purposes that is 2,550 square feet.

No Public Comment

Commissioners discussed the color and height of the structure fitting in with the residential surrounding areas. Chairman Brigham Holm entertained a motion.

Motion made by Commissioner Barlow, to approve conditional use permit allowing a 2,550 square foot tent for storage purposes as presented for lot HD-SHCR-1-3 based on the findings set forth in the staff report and for the following additional reasons. Seconded by Commissioner Holm.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

4. **Public hearing, discussion, and possible recommendation on adoption of Hildale City General Plan.**

Ryan Robinson with Rural Community Consultants presented the draft of the General Plan. There were more comments added from previous City Manager, John Barlow, which referenced community context, vision and housing goals, and limited use of conditional permits.

City Attorney Christian Kesselring gave an example of how mitigation can have impacts to the community and the surrounding areas.

There was discussion from the commission that referenced a few changes. Ryan recommended that they send it forward to the City Council with the proposed changes.

Chairman Brigham Holm opened the public hearing for the General Plan.

No Public comments

Motion made by Commissioner Hammon, to recommend the City Council adopt the Hildale City General Plan with revisions of tonight. Seconded by Commissioner Kesselring.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

5. Consideration, discussion, and possible approval of a site plan for Parcel HD-HDIP-21, commonly addressed as 1385 W Field Avenue, Hildale, Utah for the establishment of a storage facility.

Commissioner Rex Jessop disclosed conflict of interest for this item.

City Attorney Christian Kesselring presented and gave a recap of the application site plan for 1385 W Field Avenue that was presented from last meeting. There was concern from the commission that there needed to be an adjustment for the site plan to account for the Garkane right away to the south side of the lot. A revised plan was presented to include the structure being moved up 15 feet to clear the easement from the power poles, and with these changes the plan meets the standards of the code.

Rex Jessop addressed the public and explained the purpose of the building is for storage and an incubator business for startup companies.

Motion made by Commissioner Hammon, to approve site plan for Parcel HD-HDIP-21, commonly addressed as 1385 W Field Avenue, Hildale, Utah for the establishment of a storage facility. Seconded by Commissioner Barlow.

Voting Yea: Chair Holm, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

Voting Abstaining: Commissioner Jessop

6. Public hearing, discussion, and possible recommendation on adoption of a text amendment to Section 152-7-4 of the Hildale Land Use Ordinance to update the notice requirements for general plan and ordinance adoptions and amendments.

City Attorney Christian Kesselring previewed with the Planning Commission the amendments in consideration for the Land Use Ordinance referencing Sec 152-7-4. He explained striking out the requirement to publish in the newspaper and adding the requirement to add on the Utah Public website. Also, to include the word Public Hearing instead of Public Meeting.

Chairman opened the public hearing.

No public comment

Motion made by Commissioner Hammon, to recommend the City Council adoption of a text amendment to Section 152-7-4 of the Hildale Land Use Ordinance to update the notice requirements for general plan and ordinance adoptions and amendments. Seconded by Commissioner Jessop.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

7. Public hearing, discussion, and possible recommendation on adoption of a text amendment to Section 156-08 of the Hildale Development Standards Ordinance to re-adopt the APWA design standards.

City Attorney Christian Kesselring explained the need to clarify our development standards given by the American Public Works Association. These standard specifications for infrastructure projects apply to all construction under our development standards.

Chairman Holm opened the public hearing
No public comment

Motion made by Commissioner Hammon, to recommend the City Council adoption of a text amendment to Section 156-08 of the Hildale Development Standards Ordinance to re-adopt the APWA design standards. Seconded by Commissioner Kesselring.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Holm, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

8. Public hearing, discussion, and possible recommendation on adoption of a text amendment to Chapter 52 of the Hildale Land Use Ordinance and related sections regarding standards applicable to Camping Hosting Facilities.

City Attorney Christian Kesselring presented the need for change regarding the Hildale Land Use Ordinance related to sections regarding standards applicable to Camping Hosting Facilities. This change includes sight plan approval, and new development standards to become legally compliant. The goal is not to put anyone out of business, but to give them a clear channel in which to guide them to become legal and legitimate.

Eric explained that potential owners and operators have recently expressed interest to know the standards for Camping Hosting Facilities. There was an extensive discussion with the planning commission concerning health and safety compliance.

Chairman Holm opened the public hearing
No public comment

Derick Holm excused himself from the meeting at 8:57pm

Motion made by Commissioner Hammon, to recommend the City Council adoption of a text amendment to Chapter 52 of the Hildale Land Use Ordinance and related sections regarding standards applicable to Camping Hosting Facilities with changes made today. Seconded by Commissioner Jessop.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

9. Public hearing, discussion, and possible recommendation on adoption of a text amendment to Sections 152-3-4 and 152-39-3 of the Hildale Land Use Ordinance to update definitions of words and phrases consistent with recent legislation.

City Attorney Christian Kesselring presented the suggested text amendment changes to Section 152-3-4 and 152-39-3 of Hildale City Land Use Ordinance. Updates to include, adjacent property owners are required to notify their neighbors of rezoning. These changes in the code include defining fencing and height requirements, also terms defining camping and living facility. Some discriminative wording towards women has been removed from the code.

Chairman Holm opened the public hearing
No public comment

Motion made by Commissioner Hammon, to recommend the City Council adoption of a text amendment to Sections 152-3-4 and 152-39-3 of the Hildale Land Use Ordinance to update definitions of words and phrases consistent with recent legislation. Seconded by Commissioner Barlow.

Voting Yea: Chair Holm, Commissioner Jessop, Commissioner Hammon, Commissioner Kesselring, Commissioner Barlow

Public Hearing was closed, and Chairman Brigham Holm continued to the next item.

10. Discussion and possible action on selection of Board Chair and other officers. (Meeting Chair)

Chairman Holm is going on 2 years as meeting chair, and this is to be annual appointment.

City Attorney Christian Kesselring explained that it is term of one year and the new Chairperson is to appoint an alternant Chairperson with the advice of the Planning Commission.

Item was tabled for next meeting, to allow all members to be present.

NEW COMMISSION BUSINESS

11. Discussion and possible direction to staff on minimum number of lots for small subdivisions and subdivision enforcement practices.

Item was tabled

Adjournment: Chairman Holm

Adjourned at 9:28 pm

Minutes were approved at Planning Commission Meeting on_____.

Athena, City Recorder



Hildale City Public Hearing Planning Commission

Wednesday, October 20, 2021 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Public Hearing Planning Commission

Notice is hereby given to the members of the Planning Commission and the public, that the City Council will hold a public hearing on **Wednesday, October 20, 2021 at 6:00 p.m. (MDT)**, at 320 East Newel Avenue, Hildale City, Utah 84784 to receive public comment and possible approval of request to rezone HD-SHCR-1-40 (685 N. Willow St.) parcel from RA-1 (Residential Agriculture 1 Acre) to R1-8 (Single Family Residential).

Commissioners may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.

Hildale City Planning Commission Staff Report

Applicant Name: Carl Timpson /NBJC, LLC
Agent: Thomas Timpson
Application Type: Zone Change request
Project Address: 685 N. Willow Street
Current Zoning: RA-1
Requested Zoning: R 1-8
Date: October 14, 2021
Prepared by: City Manager Eric Duthie

Summary of Application

The Applicant is requesting approval of a Zone Change.

Request 1:

Amend the zoning map to re-zone Parcel HD-SHCR-1-40, commonly addressed as 685 N. Willow Street, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Residential Zone (R 1-8). Should the zone change be approved, the applicant intends to submit an application for a lot split of the same parcel.

Background

The applicant submitted the application on September 24, 2021, to the Hildale City offices and paid the fee of \$300.

The applicant submitted all required documents identified in the application.

The applicant provided addressed, stamped envelopes for all property owners within the required boundary of the subject property.

City staff prepared a Rezone Letter for Neighboring Properties and mailed the letters within the required notice time.

The Public Hearing for this zone change request was noticed, as required.

General Plan and Zoning

The property is bounded on the North by Field Avenue; On the East by Willow Street; On the South by 665 N Willow Street; and on the West by a water channel, commonly used as a small street. The Property immediately across the water channel is zoned RA.5

Analysis

The zone change request complies with required standards for approval, as identified in Hildale Planning and Zoning ordinance, section 152-13-3 Uses allowed; and Sec 152-13-4 Development Standards In Residential Zones, as follows:

Sec 152-13-3 Uses Allowed

1. Permitted And Conditional Uses:
 Permitted and conditional uses allowed within residential zones shall be as set forth in table 152-13-1 of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 152-13-1 of this section shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 152-7-18E4 of this chapter.

TABLE 152-13-1 PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES							
	Zones						
	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
Agricultural uses:							
Accessory building	P	P	P	P	P	P	P
Agricultural business	N	N	N	N	N	N	N
Agricultural industry	N	N	N	N	N	N	N
Agriculture	N	N	N	N	N	N	N
Agriculture residential	P	P	P	P	P	P	P
Animal specialties	P	P	N	N	N	N	N

Animals and fowl for recreation and family food production	P ³ /C	P ³ /C	P ³	N	N	N	N
Stable, private	N	N	N	N	N	N	N
Residential uses:							
Assisted living facility	C	C	C	N	N	N	N
Boarding house	N	N	N	N	N	N	N
Building, accessory	P	P	P	P	P	P	P
Dwelling, earth sheltered	P	P	P	P	P	P	N
Dwelling, multiple-family	N	N	N	P	P	P	N
Dwelling, single-family	P	P	P	P	P	P	P
Dwelling, single-family with accessory dwelling unit	P	P	P	N	N	N	N
Dwelling, temporary	P	P	P	P	P	P	P
Dwelling, two-family	N	N	N	P	P	P	N
Guesthouse or casita with direct access to main dwelling unit	P	P	P	N	N	N	N
Guesthouse or casita without direct access to main dwelling unit	C	C	C	N	N	N	N
Manufactured home	P	P	P	N	N	N	P
Manufactured/mobile home park	N	N	N	N	N	N	P
Manufactured/mobile home subdivision	N	N	N	N	N	N	P
Protective housing facility	N	N	N	N	N	N	N
Rehabilitation/treatment facility	N	N	N	N	N	N	N
Residential facility for elderly persons ¹	P	P	P	P	P	P	P
Residential facility for persons with a disability ¹	P	P	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N	N	N
Short term rental ⁴	P	P	P	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N
Public and civic uses:							
Airport	N	N	N	N	N	N	N
Auditorium or stadium	N	N	N	N	N	N	N
Bus terminal	N	N	N	N	N	N	N
Cemetery	P	P	P	P	P	P	P
Church or place of worship	P	P	P	P	P	P	P
Club or service organization	N	N	N	N	N	N	N
College or university	N	N	N	N	N	N	N
Convalescent care facility	N	N	N	N	N	N	N
Correctional facility	N	N	N	N	N	N	N
Cultural service	N	N	N	N	N	N	N
Golf course	P	P	P	P	P	P	P
Government service	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N

Park	P	P	P	P	P	P	P
Post office	N	N	N	N	N	N	N
Protective service	P	P	P	P	P	P	P
Reception center	N	N	N	N	N	N	N
School, elementary, middle, high or private	P	P	P	P	P	P	P
School, vocational	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N
Utility, minor	P	P	P	P	P	P	P
Commercial uses:							
Agricultural sales and service	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N
Bed and breakfast, home (Less than or Equal to 2; Owner Occupied)	C	C	C	N	N	N	C
Bed and breakfast inn (Between 3 and 10)	C	C	C	N	N	N	C
Business equipment rental, services, and supplies	N	N	N	N	N	N	N
Camping Hosting Facility	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N
Club, private	N	N	N	N	N	N	N
Construction sales and service	N	N	N	N	N	N	N
Convenience store	N	N	N	N	N	N	N
Family child daycare facility ²	P	P	P	P	P	P	P
Licensed family child care ²	C	C	C	C	C	C	C
Residential certificate child care ²	P	P	P	P	P	P	P
Child care center	N	N	N	N	N	N	N
Funeral home	N	N	N	N	N	N	N
Garden center	N	N	N	N	N	N	N
Gas and fuel, storage and sales	N	N	N	N	N	N	N
Gasoline service station	N	N	N	N	N	N	N
Hostel	N	N	N	N	N	N	N
Hotel	N	N	N	N	N	N	N
Kennel, commercial	N	N	N	N	N	N	N
Kennel, residential	P	P	P	P	P	P	P
Laundry or dry cleaning, limited	N	N	N	N	N	N	N
Liquor store	N	N	N	N	N	N	N
Media service	N	N	N	N	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N

Medical service	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N
Office, general	N	N	N	N	N	N	N
Off Road Recreational Vehicle Rental	C	C	C	N	N	N	N
Parking garage, public	N	N	N	N	N	N	N
Parking lot, public	N	N	N	N	N	N	N
Pawnshop	N	N	N	N	N	N	N
Personal care service, home based ²	P	P	P	P	P	P	P
Personal instruction service, home based ²	P	P	P	P	P	P	P
Printing and copying, limited	N	N	N	N	N	N	N
Printing, general	N	N	N	N	N	N	N
Produce stand	N	N	N	N	N	N	N
Recreation and entertainment, indoor	N	N	N	N	N	N	N
Recreation and entertainment, outdoor	N	N	N	N	N	N	N
Recreational vehicle park	N	N	N	N	N	N	P
Repair service	N	N	N	N	N	N	N
Research service	N	N	N	N	N	N	N
Residential hosting facility	P	P	P	N	N	N	N
Restaurant, fast food	N	N	N	N	N	N	N
Restaurant, general	N	N	N	N	N	N	N
Retail, general	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N
Shopping center	N	N	N	N	N	N	N
Tattoo establishment	N	N	N	N	N	N	N
Tavern	N	N	N	N	N	N	N
Temporary trailer	P	P	P	P	P	P	P
Transportation service	N	N	N	N	N	N	N
Vehicle and equipment rental or sale	N	N	N	N	N	N	N
Vehicle and equipment repair, general	N	N	N	N	N	N	N
Vehicle repair, limited	N	N	N	N	N	N	N
Veterinary service	N	N	N	N	N	N	N
Warehouse, self-service storage	N	N	N	N	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title						
Industrial uses:							
Automobile wrecking yard	N	N	N	N	N	N	N
Freight terminal	N	N	N	N	N	N	N
Heavy industry	N	N	N	N	N	N	N
Junk or salvage yard	N	N	N	N	N	N	N
Laundry services	N	N	N	N	N	N	N

Manufacturing, general	N	N	N	N	N	N	N
Manufacturing, limited	N	N	N	N	N	N	N
Mineral extraction	N	N	N	N	N	N	N
Wholesale and warehousing, general	N	N	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N	N	N

2. Notes:

1. See chapter 46 of this chapter.
2. See chapter 42 of this chapter.
3. See section 152-37-15 of this chapter for permitted animals and fowl.
4. See licensing and operations requirements in title 11 of this code.

3. Accessory Uses:

Permitted and conditional uses set forth in table 152-13-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this chapter.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in residential zones shall include, but not be limited to, the following: Garage sales, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter. Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this chapter. Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other city ordinance. Home based businesses, subject to applicable standards of chapter 42, "Home Based Businesses", of this chapter. Household pets. Nurseries and greenhouses, when used for family food production. Playhouses, patios, porches, gazebos, and incidental storage buildings. Swimming pools and hot tubs for use by residents and their guests.

4.

Sec 152-13-4 Development Standards In Residential Zones

Development standards within residential zones shall be as set forth in table 152-13-2 of this section.

TABLE 152-13-2

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
	Zones						
Development Standard	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
Lot standards:							
Average lot area ²	15,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	n/a	n/a	n/a
Minimum lot area or acreage	12,000 sq. ft.	12,000 sq. ft.	8,000 sq. ft.	6,400 sq. ft.	10,000 sq. ft.	1 acre	1 acre
Minimum lot width and/or project frontage	89 ft.	90 ft.	80 ft.	70 ft.	80 ft. project	100 ft. project	200 ft. project
					30 ft. unit	30 ft. unit	30 ft. unit
/	n/a	n/a	n/a	n/a	6 units/lots	10 units/lots	15 units/lots
Building standards:							
Maximum height, main building ³	34 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Maximum height, accessory building ⁴	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Maximum size, accessory building	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	500 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	500 sq. ft.
Building coverage: See subsection 10-37-121 of this title	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot
Distance between buildings	No requirement	No requirement	No requirement	No requirement	20 ft.	20 ft.	20 ft.
Setback standards - front yard:							
Any building ⁵	24 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Setback standards - rear yard:							

Main building	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage ⁶	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Setback standards - interior side yard:							
Main building	9 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6
Setback standards - street side yard:							
Main building ⁷	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Accessory building	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6

Notes:

1. Duplex only permitted on first 10,000 square feet. Any additional units must meet density per acre standards.
2. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.
3. Except as otherwise permitted by subsection 152-13-7C of this chapter.
4. Except as otherwise permitted by subsection 152-13-7B of this chapter.
5. Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.
6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.
7. When this side setback is required, rear setback may be reduced to 10 feet.

Sec 152-13-5 Regulations Of General Applicability

The use and development of real property in residential zones shall conform to regulations of general applicability as set forth in the following chapters of this chapter:

1. Design and compatibility standards:
See chapter 33 of this title.
2. Landscaping and screening:
See chapter 32 of this title.
3. Motor vehicle access:
See chapter 35 of this title.
4. Natural resource inventory:
See chapter 31 of this title.
5. Off street parking:
See chapter 34 of this title.
6. Signs:
See chapter 36 of this title.
7. Supplementary development standards:
See chapter 37 of this title.

Sec 152-13-6 Regulations For Specific Uses

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in Article VI of this chapter, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

Sec 152-13-7 Special Regulations

1. Animals:
Within R1, RM, and MH/RV zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use.
2. Larger Accessory Buildings:
Notwithstanding the maximum building size limitation shown on table 152-13-2 in section 152-13-4 of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.
3. Increased Height:
Notwithstanding the height limitations shown on table 152-13-2 in section 152-13-4 of this chapter a greater building height may be allowed in residential zones pursuant to a conditional use permit.
4. Visual Barriers:
Fencing or other method of providing privacy and a visual barrier to adjacent property shall be constructed around the perimeter of a multiple-family development.
 1. The height of such barrier shall be at least six feet (6').
 2. The barrier material and location shall be identified on an approved site plan.
5. Open Space:
In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area.

Recommendation

Staff recommends approval of the zone change request.

Sample Motions – ZONING CHANGE

1. I move to recommend that the City Council approve the zoning map amendment requested for Parcel HD-SHCR-1-40, commonly addressed as 685 N Willow Street, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Residential Zone (RM 1-8).
2. I move we recommend the City Council deny the zoning map amendment requested for Parcel HD-SHCR-1-40, commonly addressed as 685 N Willow Street, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Residential Zone (RM 1-8).

Attachments

- a. Zone Change Application
- b. Washington County Property Report for parcel HD-SHCR-1-40
- c. Washington County Overview Map
- d. Hildale City Zoning District map
- e. Warranty Deed (2 pages)
- f. Fee payment receipt from NBJC, LLC (account redacted)
- g. Draft copy Rezone Letter for Neighboring Properties
- h. Public Hearing Notice



435-874-2323
435-874-2603
www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: \$100

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	<u>1050196</u>

09/24/2021
Angela

Name: Carl Timpson / NBJC, LLC Telephone: (435) 881-5886

Address: 2863 Saint Rose PKWY, Henderson, NV 89052 Fax No. _____

Agent (If Applicable): Thomas Timpson Telephone: (435) 619-6477

Email: t.c.timpson@live.com

Address/Location of Subject Property: 685 N. Willow St., Hildale, UT 84784

Tax ID of Subject Property: HD-SHCR-1-40 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
Rezoned parcel to R1-8 to allow for lot split.

Legal Description: Short Creek Subdivision #1, Lot #40 (0.91 acres)

Submittal Requirements: The zone change application shall provide the following:

- a. The name and address of every person or company the applicant represents;
- b. An accurate property map showing the existing and proposed zoning classifications;
- c. All abutting properties showing present zoning classifications;
- d. An accurate legal description of the property to be rezoned;
- e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the third Monday of each month at 6:30 p.m. The deadline date to submit the application is 10 business days prior to the scheduled meeting. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES NO



📞 435-874-2323

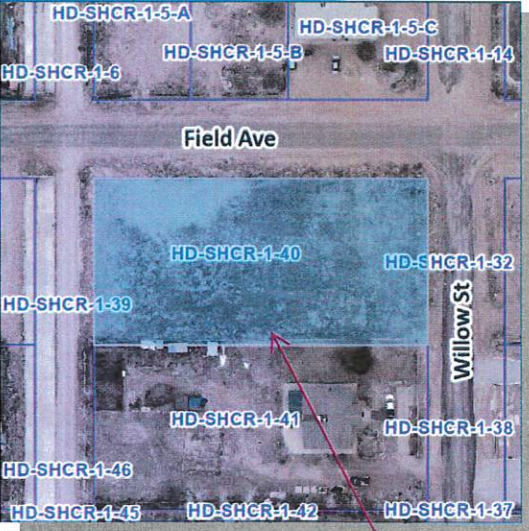
📠 435-874-2603

Date application deemed to be complete: _____ Completion determination made by www.hildalecity.com

Carl Timpson does not represent other companies or individuals

Property Report for Parcel HD-SHCR-1-40

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

Rezone parcel from RA-1 to R1-8.

NOTE: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

Report Generated 9/8/2021 by Washington County GIS

Washington County, Utah
County Administration Building
197 E. Tabernacle Street
St. George, UT 84770-3443
www.washco.utah.gov



Title



- Legend**
- Ownership**
- U.S. Forest Service
 - U.S. Forest Service Wildemess
 - Bureau of Land Management
 - Bureau of Land Management Wide
 - National Park Service
 - Shirah's Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Water
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim



Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

188.1 0 94.04 188.1 Feet

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Item 4.

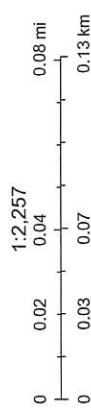
22

Hildale City Zoning districts



9/8/2021, 4:11:41 PM

- Municipal Boundary
- Parcels
- RA-5 - Residential-agricultural .5
- GC - General commercial



Zoning Districts
RA-1 - Residential-agricultural 1

Maxar, Microsoft, Esri Community Maps Contributors, Coconino County, Utah AGRC, Esri, HERE, Garmin, © OpenStreetMap contributors, Microsoft, SafeGraph, INCREMENT P, METUNASA, USGS, Bureau of Land Management, EPA, NPS, US Census

Hildale City
Sunrise Cloud SMART GIS®

Item 4.

Warranty Deed Page 1 of 2

Gary Christensen, Washington County Recorder
08/13/2021 03:25:24 PM Fee \$40.00 By EAGLE
GATE TITLE INSURANCE AGENCY, INC.

Recording requested by:
Eagle Gate Title Insurance Agency, Inc.

Mail Tax Notice To:
NBJC LLC
2816 Sourcing Peak Ave
Henderson, NV 89052

File Number: STG-93464-LH
Parcel ID: HD-SHCR-1-40

Warranty Deed

RICHARD CURTIS JESSOP,

Grantor, hereby CONVEY(S) IN WARRANTY to

NBJC LLC, a Utah Limited Liability Company,

Grantee, for the sum of TEN AND NO/DOLLARS and other good and valuable consideration, the following tract of land in Washington County, State of Utah, to-wit

92466

Lot 40, SHORT CREEK SUBDIVISION #1, according to the Official Plat thereof on file and of record in the Washington County Recorder's Office.

APN: HD-SHCR-1-40

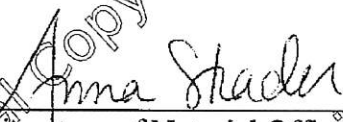
Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2021 taxes and thereafter.

WITNESS, the hand of said grantor, this 28 day of July, 2021


Richard Curtis Jessop

STATE OF NORTH DAKOTA
COUNTY OF WILLIAMS

On this 28th day of July, 2021, before me personally appeared Richard Curtis Jessop known to me (or proved to me on the oath of N.D. Brian [unclear]) to be the person who is described in and who executed the within instrument, and acknowledged to me that that he/she/they executed the same.


Signature of Notarial Officer
Title of Office

ANNA STRADER
Notary Public
State of North Dakota
My Commission Expires Nov. 28, 2022

My commission expires: 11/28/2022

1006
31-297/12-40 2863

Photo Deposit*
Details on back

Date 9.10.21 \$ 100.00 Dollars

NBJC, LLC 09/19
2863 SAINT ROSE PKWY
HENDERSON, NV 89052-4806

Pay to the Order of Hildale city

one hundred dollars 00/100

WELLS FARGO
Wells Fargo Bank, N.A.
Utah
wellsfargo.com

MP

For _____

Hildale City
320 East Newel Avenue
P. O. Box 840490
Hildale UT 84784-0490 435-874-2323

Receipt No: 1.050196 Sep 24, 2021

CARL TIMPSON	
Previous Balance:	.00
MISCELLANEOUS	
ZONE CHANGE APP	100.00
Total:	100.00
Check - Zions Bank	
Check No: 1006	100.00
Payor:	
CARL TIMPSON	
Total Applied:	100.00
Change Tendered:	.00

09/24/2021 11:16 AM



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

October 7, 2021

Property Owner Neighbor

RE: Notice of Public Hearing — Re-Zone Request

Parcel Numbers: HD-SHCR-1-40

Address: 685 N. Willow St. Hildale, Utah 84784

Dear Property Owner:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel from RA-1 (Residential Agricultural 1 Acre) to R1-8 (Single Family Residential). The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Hildale City Land Use Ordinance, available in the City Recorder's office or at:

https://hildale.municipalcodeonline.com/book?type=ordinances#name=TITLE_XV_LAND_DEVELOPMENT

The hearing will be held October 21, 2021, at 6:00 PM. MDT, at Hildale City Hall, which is located at 320 East Newel Avenue, Hildale, Utah.

Any objections, questions or comments can be directed by mail to the City of Hildale, Attn: Planning and Zoning Administrator, P.O. Box 840490, Hildale, Utah 84784, or in person at the Hildale City Hall. The Planning and Zoning Administrator can be reached by phone at (435) 874-2323, or by email at manager@hildalecity.com.

Written objections to the proposed zoning map amendment may be submitted, not later than 10 days after day of the first public hearing. Each written objection filed with the municipality will be provided to the Hildale Zoning Commission.

Sincerely,

Eric Duthie
Hildale City Manager



Hildale City Public Hearing Planning Commission

Wednesday, October 20, 2021 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Public Hearing Planning Commission

Notice is hereby given to the members of the Planning Commission and the public, that the City Council will hold a public hearing on **Wednesday, October 20, 2021 at 6:00 p.m. (MDT)**, at 320 East Newel Avenue, Hildale City, Utah 84784 to receive public comment and possible approval of request to rezone HD-SHCR-1-40 (685 N. Willow St.) parcel from RA-1 (Residential Agriculture 1 Acre) to R1-8 (Single Family Residential).

Commissioners may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Facebook Live under Hildale's City page. Members of the public may also watch the City of Hildale through the scheduled Zoom meeting.