



# Hildale City Planning Commission

Thursday, July 18, 2024 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 public meeting on **Thursday, July 18, 2024** at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784.

Commission members may be participating electronically by video or telephone conference. The meeting will be broadcast to the public on Zoom.

Join Zoom Meeting

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

Meeting ID: 957 7017 1318

Comments during the public comment or public hearing portions of the meeting may be emailed to [manager@hildalecity.com](mailto:manager@hildalecity.com). 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.

**Roll Call of Commission Attendees:** City Recorder Barlow

**Welcome, Introduction and Preliminary Matters:** Presiding Officer

**Pledge of Allegiance:** By Invitation of Presiding Officer

**Conflict of Interest Disclosures:** Commissioners

**Approval of Minutes of Previous Meetings:** Commissioners

**Public Comments:** (3 minutes each - Discretion of Presiding Officer)

**Public Hearing:**

1. The purpose of this hearing is to receive public comment concerning a request to rezone parcel HD-SHCR-3-44 & HD-SHCR-3-45, commonly addressed as 920 N Oak St., Hildale, Utah from Residential Agriculture 1 (RA-1) to Residential 1-8 (R1-8).
2. The purpose of this hearing is to receive public comment concerning a request to rezone parcel HD-11-M, commonly addressed as 260 E Utah Ave., Hildale, Utah from General Commercial (GC) to Residential 1-10 (R1-10).

**Unfinished Commission Business:**

**New Commission Business:**

3. Consideration, Discussion, and possible action concerning a request to rezone parcel HD-SHCR-3-44 & HD-SHCR-3-45, commonly addressed as 920 N Oak St., Hildale, Utah from Residential Agriculture 1 (RA-1) to Residential 1-8 (R1-8).
4. Consideration, discussion, and possible action concerning a request to rezone parcel HD-11-M, commonly addressed as 260 E Utah Ave., Hildale, Utah from General Commercial (GC) to Residential 1-10 (R1-10).

**Commissioners Comments:** (10 minutes total)

Commissioners comments of issues not previously discussed in the meeting.

**Executive Session:** As needed

**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 Public Hearing PZ Commission Rezone 920 N Oak

Thursday, July 18, 2024 at 6:00 PM  
320 East Newel Avenue, Hildale City, Utah 84784

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### 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 will hold a public hearing as part of the regular meeting on Thursday, July 18, 2024 at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784.

The purpose of this hearing is to receive public comment concerning a request to rezone parcel HD-SHCR-3-44 & HD-SHCR-3-45, commonly addressed as 920 N Oak St., Hildale, Utah from Residential Agriculture 1 (RA-1) to Residential 1-8 (R1-8).



## Hildale City Public Hearing PZ Commission Rezone 260 E Utah Ave

Thursday, July 18, 2024 at 6:00 PM  
320 East Newel Avenue, Hildale City, Utah 84784

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### 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 will hold a public hearing as part of the regular meeting on Thursday, July 18, 2024 at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784.

The purpose of this hearing is to receive public comment concerning a request to rezone parcel HD-11-M, commonly addressed as 260 E Utah Ave., Hildale, Utah from General Commercial (GC) to Residential 1-10 (R1-10).



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

# ZONE CHANGE APPLICATION

Fee: Same as original plat fee

*For Office Use Only:*

File No. \_\_\_\_\_  
Receipt No. 200715670

Name: Richard Lee Barlow Telephone: 435.817.7741

Address: 920 North Oak Street, Hildale, Utah 84784 Fax No. \_\_\_\_\_

Agent (If Applicable): John Barlow & Jeff Barlow Telephone: 801.824.4232

Email: johnroybarlow@gmail.com

Address/Location of Subject Property: 920 North Oak Street, Hildale, Utah 84784 \*

Tax ID of Subject Property: HD-SHCR-3-44 & 35 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Requested Zone: ~~RM-10~~ R1-S

Purpose: to allow for smaller residential lots.

*CORRECTED  
UPON  
CONFIRMATION  
FROM  
JOHN BARLOW*

**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

Date application deemed to be complete: \_\_\_\_\_ Completion determination made by: \_\_\_\_\_

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc.). Zoning occurs to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the City's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.



Account 0926987

Location

Account Number 0926987  
 Parcel Number HD-SHCR-3-44  
 Tax District 02 - Hildale Town  
 Acres 1.01  
 Situs 0, 0  
 Legal Subdivision: SHORT CREEK 3  
 (HD) Lot: 44  
 Parent Accounts 0148117  
 Parent Parcels HD-0-3-33-421

Owner

Name BARLOW RICHARD LEE  
 PO BOX 3316  
 COLORADO CITY, AZ 86021

Value

Market (2023) \$115,100  
 Taxable \$115,100  
 Tax Area: 02 Tax Rate: 0.007218  
 Type Actual Assessed Acres  
 Non  
 Primary \$115,100 \$115,100 1.010  
 Land

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

Recording Date

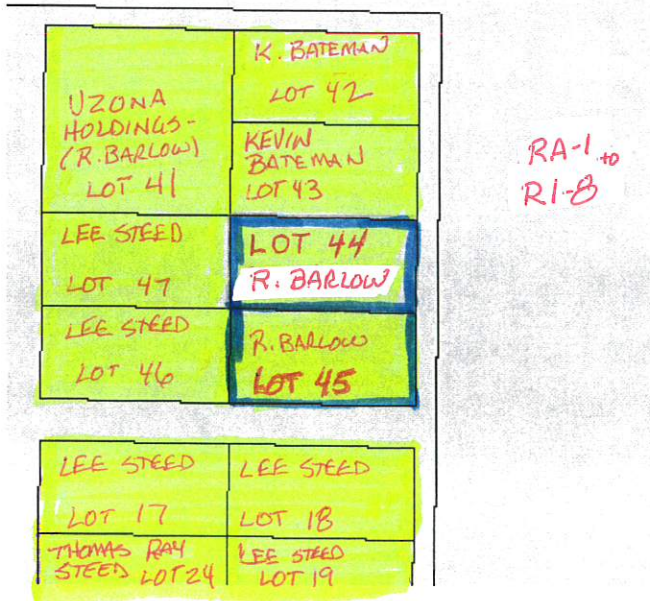
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<u>00953497</u>	<u>06/24/2005 02:22:00 PM</u>	<u>B: 1758 P: 2339</u>
<u>20140018625</u>	<u>06/20/2014 11:43:33 AM</u>	
<u>20150039674</u>	<u>11/12/2015 04:57:50 PM</u>	
<u>20220028022</u>	<u>05/24/2022 03:25:02 PM</u>	

Tax

Images

<u>Tax Year</u>	<u>Taxes</u>
2023	\$830.79
2022	\$587.06

- GIS



## Legal Description of Property to be Re-Zoned

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**Account Number** 0926987  
**Parcel Number** HD-SHCR-3-44  
**Tax District** 02 - Hildale Town  
**Acres** 1.01  
**Situs** 0, 0  
**Legal** Subdivision: SHORT CREEK 3 (HD) Lot: 44  
**Parent Accounts** 0148117  
**Parent Parcels** HD-0-3-33-421  
**Child Accounts**  
**Child Parcels**  
**Sibling Accounts**  
**Sibling Parcels**

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**Account Number** 0926994  
**Parcel Number** HD-SHCR-3-45  
**Tax District** 02 - Hildale Town  
**Acres** 1.01  
**Situs** 945 N OAK ST , HILDALE  
**Legal** Subdivision: SHORT CREEK 3 (HD) Lot: 45  
**Parent Accounts** 0148117  
**Parent Parcels** HD-0-3-33-421  
**Child Accounts**  
**Child Parcels**  
**Sibling Accounts**  
**Sibling Parcels**



AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )

COUNTY OF )

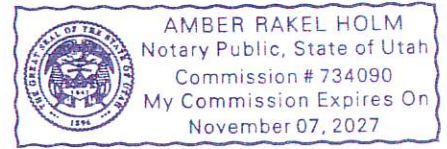
I (we), Richard Lee Barlow, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

[Signature]  
\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 24<sup>th</sup> day of May 2024

Amber Rakel Holm  
\_\_\_\_\_  
(Notary Public)



Residing in: Hildale, Utah

My Commission Expires: 11-7-2027

Agent Authorization

I (we), Richard Lee Barlow, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) John Barlow & Jeff Barlow to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]  
\_\_\_\_\_  
(Property Owner)

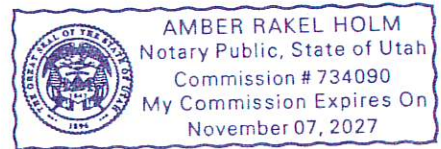
N/A  
\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 24<sup>th</sup> day of May 2024

Amber Rakel Holm  
\_\_\_\_\_  
(Notary Public)








Residing in: Hildale, Utah

My Commission Expires: 11-7-2027



### Hildale Zoning

#### Zoning Districts

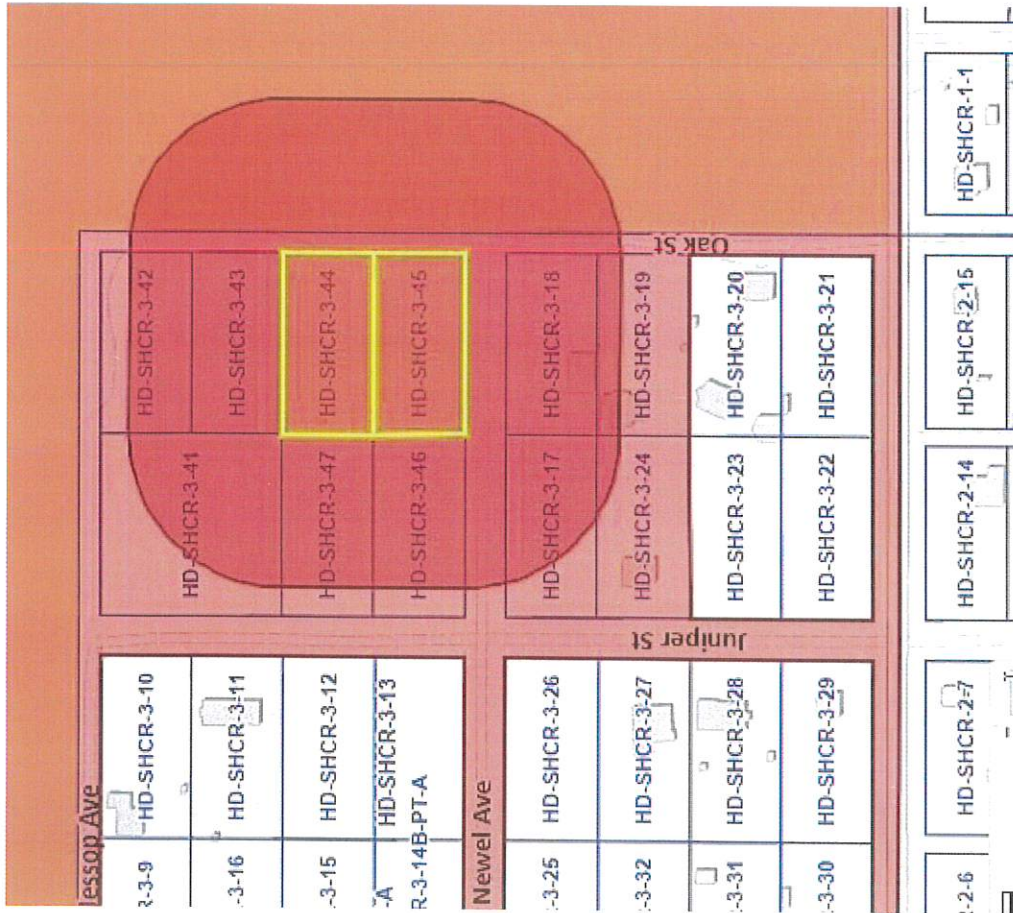
-  A-40 - Agricultural 40
-  A-20 - Agricultural 20
-  A-10 - Agricultural 10
-  A-5 - Agricultural 5
-  RA-1 - Residential-agricultural 1
-  RA-5 - Residential-agricultural .5
-  R1-15 - Single-family residential 15
-  R1-10 - Single-family residential 10
-  R1-8 - Single-family residential 8
-  R1-6 - Single-family residential 6
-  RM-1 - Multiple-family residential 1
-  RM-2 - Multiple-family residential 2
-  RM-3 - Multiple-family residential 3
-  MH/RV - Mobile home/RV park
-  NC - Neighborhood commercial
-  GC - General commercial
-  HC - Highway commercial
-  PC - Planned commercial
-  POC - Pedestrian-oriented commercial
-  BMP - Business/manufacturing park
-  PO - Professional office



**Mailing List of Properties within 250 Feet**

TAX_ID	FIELD5	FIELD6	FIELD8	FIELD9	FIELD10
HD-SHCR-3-44	BARLOW RICHARD LEE	PO BOX 3316	COLORADO CITY	AZ	86021
HD-SHCR-3-18	STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185
HD-SHCR-3-43	BATEMAN KEVIN	2041 VISTA CT	SAINT GEORGE	UT	84790
HD-SHCR-3-19	STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185
HD-SHCR-3-46	STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185
HD-SHCR-3-41	UZONA HOLDINGS LLC	PO BOX 841518	HILDALE	UT	84784-1518
HD-SHCR-3-24	STEED THOMAS RAY	PO BOX 843277	HILDALE	UT	84784
HD-SHCR-3-42	BATEMAN KEVIN	2041 VISTA CT	SAINT GEORGE	UT	84790
HD-SHCR-3-17	STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185
HD-SHCR-3-45	BARLOW RICHARD LEE	PO BOX 3316	COLORADO CITY	AZ	86021
HD-SHCR-3-47	STEED LEE	PO BOX 843185	HILDALE	UT	84784-3185





From: Eric Duthie, Hildale City Manager  
 To: Hildale City Council  
 Date: June 9, 2024  
 Subject: Zone Change request

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**Applicant Name:** Richard Barlow  
**Agent:** John Barlow/Jeff Barlow  
**Application Type:** Zone Change request  
**Project Address:** 920 N. Oak St., Hildale, UT 84784  
**Current Zoning:** Residential Agriculture 1 (RA1)  
**Requested Zoning:** Residential 1-8 (R1-8)  
**Date:** June 9, 2024  
**Prepared by:** City Manager Eric Duthie

### **Summary of Application**

The Applicant is requesting approval of a Zone Change.

Amend the zoning map to re-zone Parcel HD-SHCR-3-44 and HD-SHCR-3-45, commonly addressed as 920 N. Oak St., Hildale, Utah from the current Residential Agriculture 1 Zone (RA1) to Residential 1-8 (R1-8).

### **Background**

The applicant submitted the application on May 24, 2024, to the Hildale City offices and paid the fee of \$580.

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 (included).

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

### **General Plan and Zoning**

The property is bounded on the North by Jessop Avenue; On the East by Juniper Street; On the South by structures zoned RA-1; and on the West by structures zoned RA-1.

**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**

Residential uses:	R1-8
Assisted living facility	C
Boarding house	N
<b>Building, accessory</b>	<b>P</b>
<b>Dwelling, earth sheltered</b>	<b>P</b>
Dwelling, multiple-family	N
<b>Dwelling, single-family</b>	<b>P</b>
<b>Dwelling, single-family with accessory dwelling unit</b>	<b>P</b>
<b>Dwelling, temporary</b>	<b>P</b>
Dwelling, two-family	N
<b>Guesthouse or casita with direct access to main dwelling unit</b>	<b>P</b>
Guesthouse or casita without direct access to main dwelling unit	C
<b>Manufactured home</b>	<b>P</b>
Manufactured/mobile home park	N
Manufactured/mobile home subdivision	N
Protective housing facility	N
Rehabilitation/treatment facility	N
<b>Residential facility for elderly persons</b>	<b>P</b>
<b>Residential facility for persons with a disability</b>	<b>P</b>
Residential facility for troubled youth	N
<b>Short term rental.</b>	<b>P</b>
Transitional housing facility	N

**Sec 152-13-4 Development Standards In Residential Zones**

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES	
	<b>ZONES</b>
Development Standard	<b>R1-8</b>
<b>Lot standards:</b>	
Average lot area <sup>2</sup>	<b>8,000 sq. ft.</b>
Minimum lot area or acreage	<b>6,400 sq. ft.</b>
Minimum lot width and/or project frontage	<b>70 ft.</b>
<b>Building standards:</b>	
Maximum height, main building <sup>3</sup>	<b>35 ft.</b>
Maximum height, accessory building <sup>4</sup>	<b>20 ft.</b>
Maximum size, accessory building	<b>500 sq. ft.</b>
Building coverage: See subsection 10-37-12I of this title	<b>50% of lot</b>
Distance between buildings	<b>No requirement</b>
<b>Setback standards - front yard:</b>	
Any building <sup>5</sup>	<b>25 ft.</b>
<b>Setback standards - rear yard:</b>	
Main building	<b>10 ft.</b>
Accessory building, including private garage <sup>6</sup>	<b>10 ft.</b>
<b>Setback standards - interior side yard:</b>	
Main building	<b>10 ft.</b>
Accessory building, including private garage	<b>See note 6</b>
<b>Setback standards - street side yard:</b>	
Main building <sup>7</sup>	<b>20 ft.</b>
Accessory building	<b>See note 6</b>

Notes:

**6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.**

**Recommendation**

Staff recommends approval of the zone change request.





📞 435-874-2323  
📠 435-874-2603  
🌐 [www.hildalecity.com](http://www.hildalecity.com)

Date: June 10, 2024  
RE: Notice of Public Hearing — Re-zone Request  
Parcel Numbers: HD-SHCR-3-44 & HD-SCHR-3-45  
Address: 920 North Oak St., Hildale, Utah

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to rezone the above-listed parcel from Residential Agriculture 1 (RA-1) to Residential 1-8 (R1-8).

Residential agriculture zones allow a mix of agricultural and residential uses on large lots. Limited agriculture activities, the keeping of limited numbers of animals, and the enjoyment of a "gentleman farmer" type neighborhood are the purpose of these zones. RA-1 zone fosters very low- and low-density development with little impact on its surroundings and municipal services; to preserve the character of the city's semi-rural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of farm animals and fowl. Other major uses in these zones are small farms, hobby farms and agricultural developments. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

Residential zones protect the stability of neighborhoods and encourage, collectively, diverse types of desirable new residential development and protect existing residential uses. The purpose of the R1-8 zone is to permit development of detached single-family homes on individual lots at medium to high densities. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

Details of Zones are found in the Hildale City Land Use Ordinance, available from City Hall, or at [https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER\\_13\\_RESIDENTIAL\\_ZONES](https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_13_RESIDENTIAL_ZONES)

The hearing will be held Thursday, June 10, 2024. Objections, questions or comments can be submitted in person at the Hildale City Hall, or by mail to:

City of Hildale Zoning Administrator  
P.O. Box 840490, Hildale, Utah 84784  
or Zoning Administrator (435) 874-2323  
or at [manager@hildalecity.com](mailto:manager@hildalecity.com).

Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after the day of the public hearing. Each written objection filed with the municipality will be provided to the Hildale City Council.

Sincerely,  
  
Eric Duthie, City Manager / Zoning Administrator

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
Development Standard	Zones						
	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
<b>Lot standards:</b>							
Average lot area <sup>2</sup>	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
<b>Building standards:</b>							
Maximum height, main building <sup>3</sup>	34 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Maximum height, accessory building <sup>4</sup>	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 10-37-12l 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.
<b>Setback standards - front yard:</b>							
Any building <sup>5</sup>	24 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
<b>Setback standards - rear yard:</b>							
Main building	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage <sup>6</sup>	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
<b>Setback standards - interior side yard:</b>							
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
<b>Setback standards - street side yard:</b>							
Main building <sup>7</sup>	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



PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

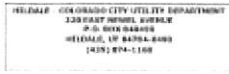
	Zones						
	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
<b>Agricultural uses:</b>							
Accessory building	P	P	P	P	P	P	P
Agricultural business	N	N	N	N	N	N	N
Agricultural industry	N	N	N	N	N	N	N
Agriculture	N	N	N	N	N	N	N
Agriculture residential	P	P	P	P	P	P	P
Animal specialties	P	P	N	N	N	N	N
Animals and fowl for recreation and family food production	P <sup>3</sup> /C	P <sup>3</sup> /C	P <sup>3</sup>	N	N	N	N
Stable, private	N	N	N	N	N	N	N
<b>Residential uses:</b>							
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 <sup>1</sup>	P	P	P	P	P	P	P
Residential facility for persons with a disability <sup>1</sup>	P	P	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N	N	N
Short term rental <sup>1</sup>	P	P	P	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N
<b>Public and civic uses:</b>							
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
<b>Commercial uses:</b>							
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	C	C	C	N	N	N	C
Bed and breakfast inn: Between 3 and 8	C	C	C	N	N	N	C

PG 1

R1-B

Business equipment rental, services, and supplies	N	N	N	N	N	N	N
Camping/Hosting Facility	C	C	C	N	N	N	C
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 <sup>2</sup>	P	P	P	P	P	P	P
Family child group daycare facility <sup>2</sup>	C	C	C	C	C	C	C
Family child residential certificate care facility <sup>2</sup>	P	P	P	P	P	P	P
Family childcare 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	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
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 <sup>2</sup>	P	P	P	P	P	P	P
Personal instruction service, home based <sup>2</sup>	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						
<b>Industrial uses:</b>							
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

PG 2



Hildale City  
320 E.Newel Ave  
Hildale, UT 84784  
(435) 874-1160  
ar@hildalecity.com

XBP Confirmation Number: 200715670

▶ Transaction detail for payment to Hildale City.		Date: 05/24/2024 - 12:20:48 PM MT	
<b>Transaction Number: 219516104</b> <b>Visa — XXXX-XXXX-XXXX-0699</b> <b>Status: Successful</b>			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$508.00
Notes: ZONE CHANGE + postage			
			<b>TOTAL: \$508.00</b>

**Billing Information**  
JOHN ROY BARLOW  
920 NORTH OAK STREET  
HILDALE, UT 84784  
johnroybarlow@gmail.com

Transaction taken by: Admin AChatwin





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

# ZONE CHANGE APPLICATION

Fee: \$500 + \$2 p/ mailing notice

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	<u>202212115</u>

6/13/2024  
AC

Name: Misty Finicum (was Higgins) Telephone: 435-899-1621

Address: 260 E Utah Ave Fax No. \_\_\_\_\_

Agent (If Applicable): \_\_\_\_\_ Telephone: \_\_\_\_\_

Email: mistyfinicum@gmail.com

Address/Location of Subject Property: 260 E Utah Ave

Tax ID of Subject Property: 1089856 Existing Zone District: Commercial

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Residential - , I just found out that my homeowners insurance will not cover loss if it is zoned commercial. I also cannot get home equity loan if zoned commercial.

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 6:00 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

Date application deemed to be complete: \_\_\_\_\_ Completion determination made by: \_\_\_\_\_

**Account 1089856**

<u>Location</u>	<u>Owner</u>	<u>Value</u>
<b>Account Number</b> 1089856	<b>Name</b> HIGGINS MISTY	<b>Market (2024)</b> \$950,200
<b>Parcel Number</b> HD-11-M	PO BOX 1424	<b>Taxable</b> \$522,610
<b>Tax District</b> 02 - Hildale Town	HILDALE, UT 84784	<b>Tax Area: 02 Tax Rate: 0.007265</b>
<b>Acres</b> 0.52		<b>Type Actual Assessed Acres</b>
		Primary \$950,200 \$522,610 0.520
		Improved

**Situs** 260 E UTAH AVE , HILDALE  
**Legal S:** 34 T: 43S R: 10W COMMENCING AT THE CLOSING COR FOR SECTION 34 AND 35, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN (A BLM 1994 ALUMINUM CAP); THENCE NORTH 00°31'43"WEST, ALONG THE SECTION LINE A DISTANCE OF 1392.13 FEET; THENCE NORTH 90°00'00"WEST, A DISTANCE OF 1592.07 FEET TO THE POINT OF BEGINNING SAID POINT BEING ON THE EASTERLY SIDE OF AN EXISTING WALL; THENCE SOUTH 02°18'28" EAST ALONG SAID WALL A DISTANCE OF 135.19 FEET TO A CORNER OF SAID WALL; THENCE SOUTH 45°52'53" WEST ALONG SAID WALL A DISTANCE OF 29.34 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF UTAH AVENUE (800 NORTH STREET); THENCE SOUTH 89°37'10" WEST, ALONG SAID RIGHT OF WAY A DISTANCE OF 127.68 FEET; THENCE NORTH 00°21'13" WEST ALONG THE EASTERLY SIDE OF AN EXISTING WALL A DISTANCE OF 155.70 FEET, TO A POINT ON THE NORTHERLY SIDE OF AN EXISTING WALL; THENCE SOUTH 88°03'49" EAST, ALONG SAID WALL A DISTANCE OF 17.26 FEET; THENCE NORTH 89°26'23" EAST, ALONG SAID WALL A DISTANCE OF 127.01 FEET TO THE POB.

**Parent Accounts** 0390875

**Parent Parcels** HD-11-C-3

**Child Accounts**

**Child Parcels**



AFFIDAVIT  
PROPERTY OWNER

STATE OF ~~UTAH~~ Arizona  
COUNTY OF ~~Washington~~ Mohave

I (we), Misty Finicum, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained, and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

Misty Finicum Misty Finicum  
(Property Owner)

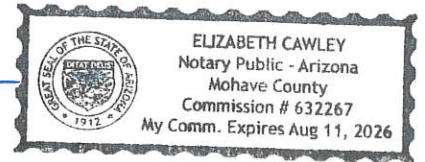
(Property Owner)

Subscribed and sworn to me this 13 day of June 2024

E. Cawley  
(Notary Public)

Residing in: Mohave County, AZ

My Commission Expires: Aug 11, 2026



Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

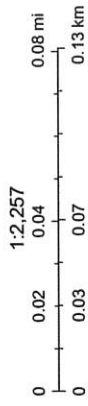
# REZONE 260 E Utah Finicum



7/15/2024, 11:09:07 AM

Municipal Boundary

Washington County Parcels



Maxar, Microsoft, Esri Community Maps Contributors, Cocentino County, Utah Geospatial Resource Center, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

Hildale City  
Sunrise Cloud SMART GIS®

Item 4.



From: Eric Duthie, Hildale City Manager  
To: Hildale City Council  
Date: July 10, 2024  
Subject: Zone Change request

---

**Applicant Name:** Misty (Higgins) Finicum  
**Application Type:** Zone Change request  
**Project Address:** 260E Utah, Hildale, UT 84784  
**Current Zoning:** General Commercial (GC)  
**Requested Zoning:** Residential 1-15 (R1-15)  
**Date:** July 10, 2024  
**Prepared by:** City Manager Eric Duthie

**Summary of Application**

The Applicant is requesting approval of a Zone Change.

Amend the zoning map to re-zone Parcel HD-11-M, commonly addressed as 260 E. Utah Ave., Hildale, Utah from the current General Commercial (GC) Zone to Residential 1-15 (R1-15) Zone.

**Background**

The applicant submitted the application on June 13, 2024, to the Hildale City offices and paid the fee of \$504.

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 (included).

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

**General Plan and Zoning**

The property is bounded on the North, East and West by General Commercial properties; On the South by Utah Avenue.

**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**

Residential uses:	R1-15
Assisted living facility	C
Boarding house	N
<b>Building, accessory</b>	<b>P</b>
<b>Dwelling, earth sheltered</b>	<b>P</b>
Dwelling, multiple-family	N
<b>Dwelling, single-family</b>	<b>P</b>
<b>Dwelling, single-family with accessory dwelling unit</b>	<b>P</b>
<b>Dwelling, temporary</b>	<b>P</b>
Dwelling, two-family	N
<b>Guesthouse or casita with direct access to main dwelling unit</b>	<b>P</b>
Guesthouse or casita without direct access to main dwelling unit	C
<b>Manufactured home</b>	<b>P</b>
Manufactured/mobile home park	N
Manufactured/mobile home subdivision	N
Protective housing facility	N
Rehabilitation/treatment facility	N
<b>Residential facility for elderly persons</b>	<b>P</b>
<b>Residential facility for persons with a disability</b>	<b>p</b>
Residential facility for troubled youth	N
<b>Short term rental.</b>	<b>P</b>
Transitional housing facility	N

**Sec 152-13-4 Development Standards In Residential Zones**

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES	
	<b>ZONES</b>
Development Standard	<b>R1-15</b>
<b>Lot standards:</b>	
Average lot area <sup>2</sup>	<b>15,000 sq. ft.</b>
Minimum lot area or acreage	<b>12,000 sq. ft.</b>
Minimum lot width and/or project frontage	<b>90 ft.</b>
<b>Building standards:</b>	
Maximum height, main building <sup>3</sup>	<b>35 ft.</b>
Maximum height, accessory building <sup>4</sup>	<b>20 ft.</b>
Maximum size, accessory building	<b>1,200 sq. ft.</b>
Building coverage: See subsection 10-37-12l of this title	<b>50% of lot</b>
Distance between buildings	<b>No requirement</b>
<b>Setback standards - front yard:</b>	
Any building <sup>5</sup>	<b>25 ft.</b>
<b>Setback standards - rear yard:</b>	
Main building	<b>20 ft.</b>
Accessory building, including private garage <sup>6</sup>	<b>20 ft.</b>
<b>Setback standards - interior side yard:</b>	
Main building	<b>10 ft.</b>
Accessory building, including private garage	<b>See note 6</b>
<b>Setback standards - street side yard:</b>	
Main building <sup>7</sup>	<b>20 ft.</b>
Accessory building	<b>See note 6</b>

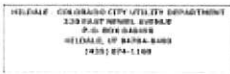
Notes:

**6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.**

The purpose of the rezone is to designate a long existing residential structure to a residential zone. Apparently, the General Commercial designation was attached to the property when the Zoning Map was established. The homeowner recently discovered problems with insurance and potential loans. The homeowner requests the rezone.

**Recommendation**

Staff recommends approval of the zone change request.



Hildale City  
320 E. Newel Ave  
Hildale, UT 84784  
(435) 874-1160  
ar@hildalecity.com

XBP Confirmation Number: 202212775

▶ Transaction detail for payment to Hildale City.		Date: 06/13/2024 - 1:39:58 PM MT	
<b>Transaction Number: 220592680</b> <b>Visa — XXXX-XXXX-XXXX-5476</b> <b>Status: Successful</b>			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$504.00
Notes: ZONE CHANGE APPLICATION			

**TOTAL: \$504.00**

**Billing Information**  
MISTY FINICUM  
260 EAST UTAH AVENUE  
HILDALE, UT 84784  
mistyfinicum@gmail.com

Transaction taken by: Admin AChatwin