



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. 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

- [1.](#) **Consideration, discussion, and possible approval of Planning and Zoning Minutes for May 16, 2024**

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

Public Hearing:

- [2.](#) 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).
- [3.](#) 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:

- [4.](#) 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).

- [5.](#) 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 Planning Commission

Thursday, May 16, 2024 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Welcome, Introduction and Preliminary Matters:

Vice Chair Wall opened meeting at 6:04pm

Roll Call of Commission Attendees: City Recorder Barlow

PRESENT

Vice Chair Elissa Wall
Commissioner Rex Jessop
Commissioner Thirkle Nielsen
Commissioner Jeromy Williams

ABSENT

Chair Charles Hammon
Commissioner Tracy Barlow
Commissioner Lawrence Stubbs

Pledge of Allegiance:

Vice Chair Wall lead the pledge.

Conflict of Interest Disclosures:

No Conflict

Approval of Minutes of Previous Meetings:

1. **Consideration, discussion, and possible approval of Planning and Zoning Minutes for March 21, 2024.**

Commissioners reviewed the meeting minutes.

Motion made by Vice Chair Wall to approve Planning and Zoning Minutes for March 21, 2024,
Seconded by Commissioner Williams.

Voting Yea: Vice Chair Wall, Commissioner Jessop, Commissioner Nielsen, Commissioner Williams

Motion Carries.

Public Comments:

Marylou Lane-presented a packet to the Council. Has spent many hours doing research.

City Manager Duthie explained that public comments are not for discussion of items on the agenda.

Jared Nicole would like clarification on where a public comment can be talked about for an agenda item.

Reports:

Court Monitor Roger Carter to present information to Commission concerning the Utah Conflict of Interest statutes. (10 minutes Mr. Carter)

Roger Carter spoke and educated the board and public on Conflict of Interest. He went into great detail.

Public Hearing: NONE

Unfinished Commission Business:

2. **Consideration, discussion, and possible recommendation to the Hildale City Council to approve a request to re-zone Parcel HD-SHCR-3-10 & 3-41, commonly addressed as 985 N. Juniper St., Hildale, Utah from Residential Agricultural 1 (RA-1) to Recreational Resort (RR).**

The applicant Jeff Barlow spoke to the Commissioners on the justifications of why this property is not in compliance with the city.

New Commission Business: NONE

Commissioners Comments:

Commissioners comments of issues not previously discussed in the meeting.

Executive Session: As needed

Adjournment:

Vice Chair Wall adjourned the meeting at 8:05pm

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.

Minutes were approved at the Planning Commission Meeting on _____.

Sirrene J. Barlow, City Recorder



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

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 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

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 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 & 3545 Existing Zone District: RA-1

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

Requested Zone: RI-10

Purpose: to allow for smaller residential lots.

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 0926987Location

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

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

Parent Accounts 0148117

Parent Parcels HD-0-3-33-421

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

TransfersEntry NumberRecording Date

<u>00952300</u>	<u>06/20/2005 01:58:00 PM</u>	<u>B: 1756 P: 2167</u>
<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>	

TaxImagesTax YearTaxes

2023	\$830.79
2022	\$587.06

- GIS



RA-1 to
RI-B

Legal Description of Property to be Re-Zoned

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

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)

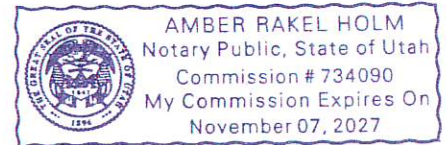
(Property Owner)

Subscribed and sworn to me this 24th 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

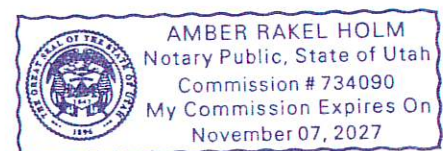
(Property Owner)

Subscribed and sworn to me this 24th day of May 2024

Amber Rakel Holm
(Notary Public)

Residing in: Hildale, Utah

My Commission Expires: 11-7-2027



Hildale Zoning

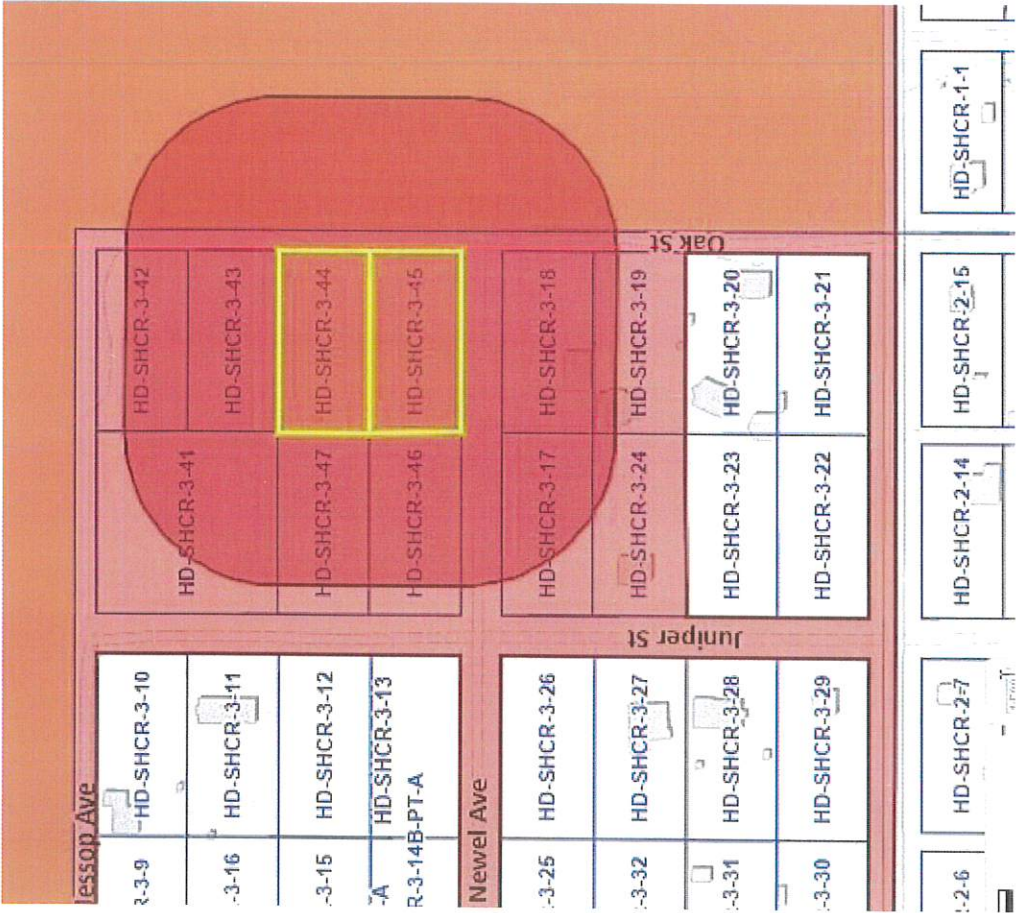
Zoning Districts

- 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

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

Sec 152-13-4 Development Standards In Residential Zones

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

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.



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.

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

PROPOSED

Item 4.

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
Development Standard	Zones						
	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 10-37-12I 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

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 ¹	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	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 ²	P	P	P	P	P	P	P
	Family child group daycare facility ²	C	C	C	C	C	C	C
	Family child residential certificate care facility ²	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 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

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
Transaction Number: 219516104 Visa — XXXX-XXXX-XXXX-0699 Status: Successful			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$508.00
Notes: ZONE CHANGE + postage			

TOTAL: \$508.00

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/mailling notice
For Office Use Only:
File No. _____
Receipt No. 202212115

 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:

- X a. The name and address of every person or company the applicant represents.
- X b. An accurate property map showing the existing and proposed zoning classifications.
- X c. All abutting properties showing present zoning classifications.
- X d. An accurate legal description of the property to be rezoned.
- X e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- X 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

Location		Owner	Value	
Account Number	1089856	Name HIGGINS MISTY PO BOX 1424 HILDALE, UT 84784	Market (2024)	\$950,200
Parcel Number	HD-11-M		Taxable	\$522,610
Tax District	02 - Hildale Town		Tax Area: 02	Tax Rate: 0.007265
Acres	0.52		Type	Actual Assessed Acres
Situs 260 E UTAH AVE , HILDALE		Primary \$950,200 \$522,610 0.520		

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
ld Parcels

AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~COUNTY OF ~~Washington~~

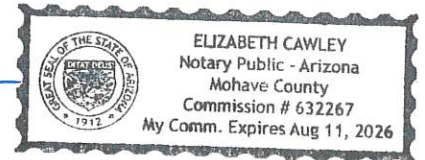
I (we), Misty Finicum, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained, and the information provided identified in the attached plans and other exhibits are in all respects true and correct 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
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 13 day of June 2024

E. Cawley
(Notary Public)

Residing in: Mohave County, AZMy 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

1:2,257
0 0.02 0.04 0.07 0.08 mi
0 0.03 0.07 0.13 km

Maxar, Microsoft, Esri Community Maps Contributors, Coconino 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 5.

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

Sec 152-13-4 Development Standards In Residential Zones

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

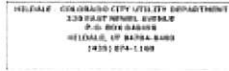
Notes:

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
Transaction Number: 220592680 Visa — XXXX-XXXX-XXXX-5476 Status: Successful			
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