



Hildale City Planning Commission

Tuesday, June 16, 2026 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 Wednesday, June 16, 2026 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. Members of the public may watch the City of Hildale through the scheduled Zoom meeting.

Join Zoom Meeting

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

Meeting ID: 957 7017 1318

Passcode: 993804

One tap mobile

+16699006833,,95770171318#,,,,*993804# US (San Jose)

+12532158782,,95770171318#,,,,*993804# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose) +1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston) +1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC) +1 312 626 6799 US (Chicago)

Comments during the public comment or public hearing portions of the meeting may be emailed to recorder@hildalecity.gov. 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 Mayor's discretion.

Roll Call of Commission Attendees: City Recorder

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. Approval of Minutes from May 19, 2026.

Public Hearing:

2. The Purpose of this hearing is to receive public comments concerning a request to rezone Parcel HD-SHCR-12-2 commonly addressed as 1320 North Canyon Street, Hildale UT from Agriculture 5 (A-5) to Residential Agriculture 1 (RA-1).

New Commission Business:

3. Consider approval of a request to rezone parcel HD-SHCR-12-2 commonly addressed as 1320 North Canyon Street, Hildale UT from Agriculture 5 (A-5) to Residential Agriculture 1 (RA-1).

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

Commissioners Comments: (10 minutes total)

Commissioners comments of issues not previously discussed in the meeting.

Continuing Education

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

Tuesday, May 19, 2026 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Minutes

Roll Call of Commission Attendees: City Recorder

PRESENT

Chair Elissa Wall
Commissioner Rex Jessop
Commissioner Teresa Barlow
Commissioner Jeff Smith

ABSENT

Commissioner Jeromy Williams
Commissioner Russel Jessop
Commissioner Thomas Timpson

Welcome, Introduction and Preliminary Matters: Presiding Officer

Chair Wall called the meeting to order at 6:03 pm.

Chair Wall welcomed those in attendance and acknowledged the recent resignations of Commissioner Thirkle Nielsen and Commissioner Russel Jessop, expressing the Commission's appreciation for their service to the community.

The Mayor then introduced newly appointed Commissioner Jeff Smith. Commissioner Smith provided a brief background, noting that he grew up in Flagstaff, Arizona, where he joined his father's family business designing and installing wastewater systems. Over time, the business expanded from small residential projects to mid-size and full commercial work, including parking areas, tiny home villages, and glamping camps. Commissioner Smith and his wife, Shelby, relocated to the area approximately one and a half to two years ago. Chair Wall expressed gratitude for Commissioner Smith's willingness to serve on the Commission. The Mayor noted that one vacancy on the Commission remains, with interviews of other applicants ongoing.

Pledge of Allegiance: By Invitation of Presiding Officer

Chair Wall led the pledge.

Conflict of Interest Disclosures: Commissioners

None

Approval of Minutes of Previous Meetings: Commissioners

1. Approval of Minutes for March 16, 2026.

Commissioners confirmed they had reviewed the minutes from the March 16, 2026 meeting.

Motion made by Chair Wall to approve the meeting minutes for March 16, 2026, Seconded by Commissioner Barlow.

Voting Yea: Chair Wall, Commissioner Jessop, Commissioner Barlow, Commissioner Smith

Motion Carried

Reports:

None

Public Hearing:

2. The Purpose of this hearing is to receive public comments concerning a request to rezone Parcel number HD-SHCR-6-1-A commonly addressed as 385 W Utah Ave, Hildale, UT from Residential Agriculture .5 (RA -.5) to Single Family Residential 8 (R1-8) Zone.

Unfinished Commission Business:

None

New Commission Business:

3. Consider approval to re-zone parcel number HD-SHCR-6-1-A commonly addressed as 385 W Utah Ave, Hildale, UT from Residential Agriculture .5 (RA -.5) to Single Family Residential 8 (R1-8) Zone.

The Mayor presented the staff recommendation. The subject parcel is zoned RA-.5 but is marginally smaller than the half-acre minimum required under that designation, preventing the applicant from placing an additional building on the property. The applicant, Dale Timpson Jr., was present and addressed the Commission. Staff noted that the applicant had previously received incorrect zoning guidance from a prior administration and that the city had been working with him for several months to rectify the situation. Staff confirmed that the R1-8 zone, which requires a minimum lot size of 8,000 square feet, is the only designation that properly accommodates the intended use of a single lot split to create two residential units on the property.

Staff further clarified that the rezone itself does not constitute approval of any lot split; the applicant must separately apply for a simple lot split pursuant to HCC 152-39-4 following City Council approval of the rezone, and that application will be subject to departmental reviews, joint utility committee review, and a certificate of approval. The applicant must also comply with R1-8 development standards under HCC 152-13, and any future construction must meet applicable building, fire, and utility codes.

The applicant confirmed his intent to place his family home on one portion of the lot and develop two overnight rental units on the other portion, and indicated that the rezoning of only the upper portion of the parcel was being sought.

Commissioner Jessop raised concerns regarding the broader policy implications of approving a higher-density zone in the middle of a residential area, particularly along Richard Street and Utah Avenue, a primary arterial corridor, without a corresponding requirement for infrastructure improvements such as sidewalks and stormwater drainage. He noted that other applicants seeking similar zone changes had been asked to make public improvements as a condition of approval, and he expressed a desire for consistency. He acknowledged, however, that the R1-8 zone is single-family residential and would accommodate only one dwelling unit per 8,000-square-foot lot, limiting the density to two units on the split parcel.

Staff and Chair Wall acknowledged the validity of Commissioner Jessop's concerns but noted that current city code does not contain a mechanism to require street or infrastructure improvements as a condition of a rezone or simple lot split. Mayor Jessop explained that requiring full subdivision-level improvements only triggers when three or more splits are made, creating four or more lots, a threshold that constitutes a minor subdivision. Mayor Jessop indicated that the stormwater master plan and transportation master plan are currently being developed, and that a text amendment to the Land Use Code would be needed to formally attach infrastructure improvement requirements to rezones or simple lot splits. Chair Wall noted that this issue has been discussed in previous Commission sessions and confirmed that it will be placed on the agenda for future work sessions.

The Commission also acknowledged, in broader terms, that Utah Avenue has been identified as an appropriate corridor for higher-density development as part of the city's long-range planning goals, and that the R1-8 designation is consistent with that vision.

Commissioner Barlow asked about the impact of the rezone on the agricultural use of the remaining portion of the property. The applicant confirmed that there was sufficient space on the remainder of the

lot to continue keeping animals, and that the rezone of the upper portion would not interfere with that use.

Motion made by Chair Wall to approve the rezone of Parcel No. HD-SHCR-6-1-A, commonly addressed as 385 West Utah Avenue, Hildale, Utah, from Residential Agriculture .5 (RA-.5) to Single Family Residential 8 (R1-8), Seconded by Commissioner Barlow.

Voting Yea: Chair Wall, Commissioner Barlow, Commissioner Smith

Voting Nay: Commissioner Jessop

Motion Carried

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

The public comment period was opened at 6:26 PM. No public comments were received in person or online. The public comment period was closed at 6:27 PM.

Commissioners Comments: (10 minutes total)

Commissioners comments of issues not previously discussed in the meeting.

Commissioner Jessop noted the zone map was missing.

No additional commissioner comments were recorded. Commissioners reiterated that the broader discussion regarding infrastructure improvement requirements in connection with rezones and lot splits should be scheduled for a future work session.

Continuing Education

NO WORK SESSION

Executive Session: As needed

NA

Adjournment: Presiding Officer

There being no further business, Chair Wall adjourned the Hildale City Planning Commission meeting. The meeting was adjourned at approximately 6:28 PM.

Minutes were approved at the Planning Commission Meeting on _____.

Maxene Jessop, City Recorder



☎ 435-874-2323

☎ 435-874-2603

🌐 www.hildalecity.com

Item 2.

ZONE CHANGE APPLICATION

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

For Office Use Only:

File No. _____

Receipt No. _____

Name: Taylor E. Barlow Telephone: [REDACTED]

Address: PO Box 0815, Hildale, UT 84784 Fax No. _____

Agent (If Applicable): _____ Telephone: _____

Email: [REDACTED]

Address/Location of Subject Property: 1320 N. Canyon Street, Hildale, UT 84784

Tax ID of Subject Property: HD-SHCR-12-2 Existing Zone District: A-5

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

RA-1 to bring property into compliance and future split of agriculture facilities.

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 21 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 for approval, approval with modifications, or denial of 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.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

COUNTY OF)

I (we), Taylor Barton, 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 1st day of June, 2026.

Maxene Jessop
(Notary Public)

Residing in: Utah

My Commission Expires: April 3, 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: _____

WHEN RECORDED MAIL TO
AND MAIL TAX NOTICE TO:
Taylor E Barlow,
1320 N Canyon Street
Hildale, UT 84784

WARRANTY DEED

File No.: 086358
APN: HD-SHCR-12-2

Joseph E Barlow,

Grantor(s), of , County, State of , hereby convey(s) and warrant(s) to

Taylor E Barlow,

Grantee(s), of Hildale, Washington County, State of Utah, for the sum of ten dollars and other good and valuable consideration, the following tract of land located in Washington County, Utah, to wit:

See Exhibit A attached hereto and made a part hereof.

Subject to easements, restrictions, and rights of way appearing of record or enforceable in law or equity.

Witness the hand(s) of said Grantor(s) this 19 day of March, 2025.

Joseph E Barlow
Joseph E Barlow

STATE OF UTAH)

:ss)

COUNTY OF Washington)

The foregoing instrument was acknowledged before me the 19 day of March, 2026 by Joseph E Barlow.

Maxene Jessop
Notary Public

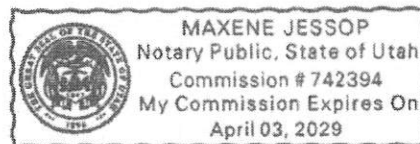


EXHIBIT "A"

Lot 2, Short Creek Subdivision #12, Amended & Extended, according to the Official Plat thereof, as recorded in the records of Washington County, State of Utah.

Situated in Washington County, State of Utah

MAIL TAX NOTICE TO:
TAYLOR BARLOW
1320 N CANYON STREET
HILDALE, UT 84784

Tax ID No. HD-SHCR-12-2

QUIT-CLAIM DEED

TAYLOR E. BARLOW, Grantor, of Washington County, State of Utah, hereby QUIT-CLAIM to **TAYLOR E. BARLOW**, Grantee, of Hildale, Washington County, State of Utah, for the sum of Ten Dollars and other good and valuable consideration, all of Grantor's right, title, and interest in and to the following described tract of land in Washington County, Utah, described as follows:

A PORTION OF LOT 2, SHORT CREEK SUBDIVISION #12, AMENDED & EXTENDED BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHWEST CORNER OF LOT 2, SHORT CREEK SUBDIVISION #12, AMENDED & EXTENDED, RECORDED AS DOCUMENT 20220037684 IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, SAID POINT ALSO BEING ON A POINT OF CURVATURE TO THE LEFT OF WHICH THE RADIUS POINT LIES SOUTH 86°47'06" WEST, A RADIAL DISTANCE OF 783.00 FEET, AND RUNNING THENCE NORTHERLY ALONG THE ARC AND WESTERLY LINE OF SAID LOT 2, THROUGH A CENTRAL ANGLE OF 10°14'50", A DISTANCE OF 140.04 FEET; THENCE ALONG A LINE NON-TANGENT TO SAID CURVE, SOUTH 89°01'59" EAST 144.28 FEET; THENCE NORTH 0°12'05" EAST 107.00 FEET; THENCE SOUTH 89°01'59" EAST 128.00 FEET; THENCE SOUTH 0°56'39" WEST 245.00 FEET; THENCE NORTH 89°01'59" WEST 248.33 FEET ALONG THE SOUTH LINE OF SAID LOT 2 TO THE POINT OF BEGINNING.
CONTAINS 49,157 SQUARE FEET OR 1.13 ACRES, MORE OR LESS.

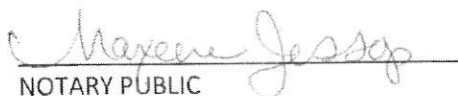
Subject to taxes and assessments not delinquent, reservations, restrictions, easements and rights of way of record.

WITNESS the hand of said Grantor, this 7 day of May, 2026.

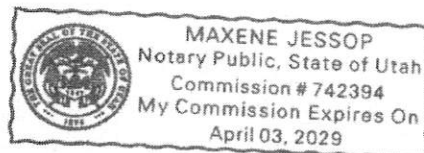

TAYLOR E. BARLOW

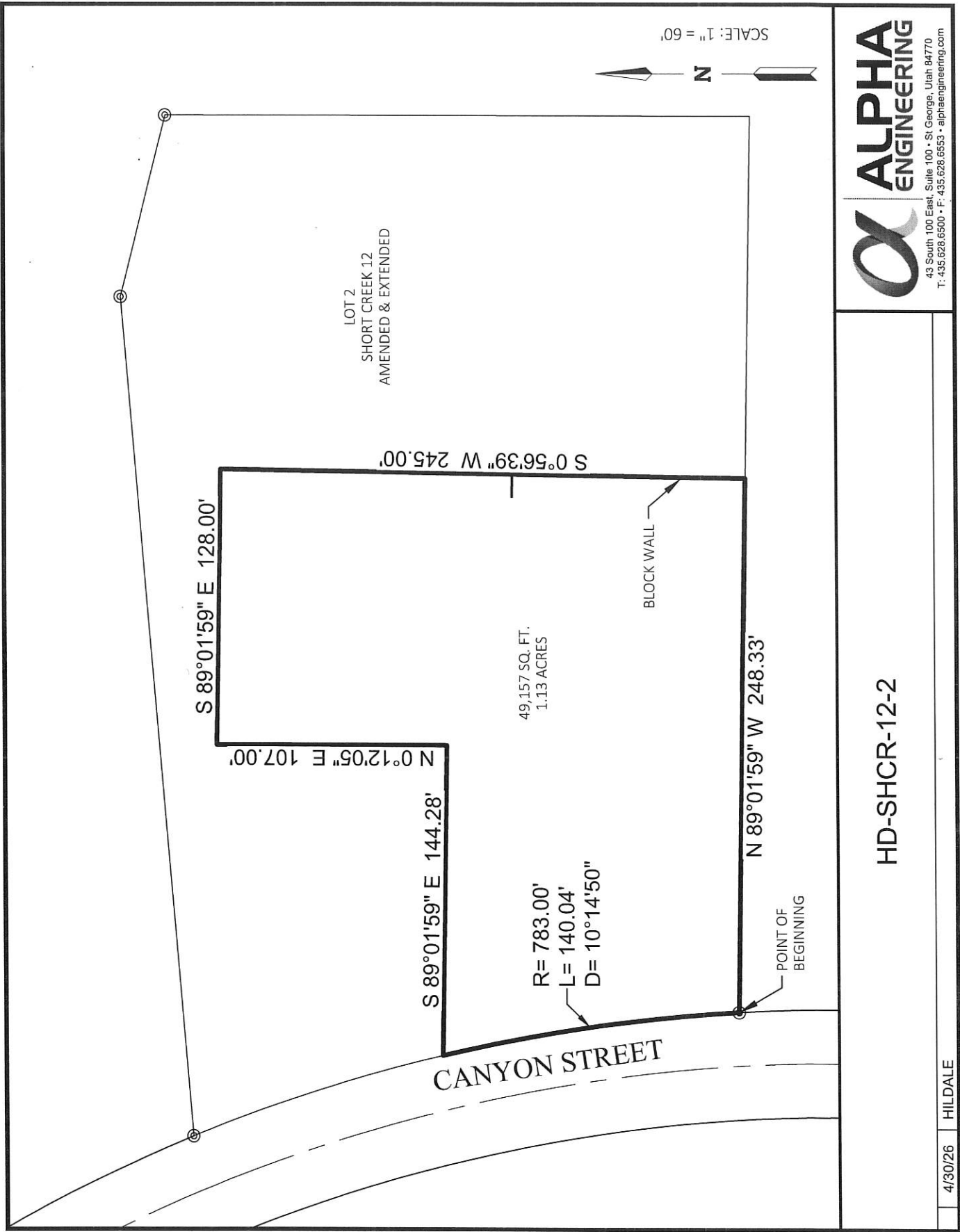
STATE OF UTAH)
 §
COUNTY OF WASHINGTON)

On the 7 day of May, 2026, personally appeared before me **TAYLOR E. BARLOW**, the signer of the foregoing Quit-Claim Deed, who duly acknowledged to me that he executed the same.


NOTARY PUBLIC

My Commission Expires: 4-3-29





A PORTION OF LOT 2, SHORT CREEK SUBDIVISION #12, AMENDED & EXTENDED

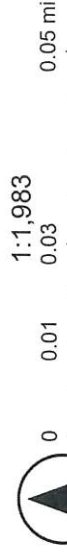
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CONTAINS 49,157 SQUARE FEET OR 1.13 ACRES, MORE OR LESS.

Zoning Classifications



5/27/2026, 1:21:37 PM



- Municipal Boundary**
- Washington County Parcels**
- Zoning Districts**
 - RA-1 - Residential-agricultural 1
 - RA-2 - Residential-agricultural 2
 - RA-3 - Residential-agricultural 3
 - RA-4 - Residential-agricultural 4
 - RA-5 - Residential-agricultural 5
 - RA-6 - Residential-agricultural 6
 - RA-7 - Residential-agricultural 7
 - RA-8 - Residential-agricultural 8
 - RA-9 - Residential-agricultural 9
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 - RA-99 - Residential-agricultural 99
 - RA-100 - Residential-agricultural 100
- Other**
 - HC - Highway commercial
 - PC - Planned commercial
 - POC - Pedestrian-oriented commercial
 - BMP - Business/manufacturing park
 - PO - Professional office
 - M-1 - Light industrial
 - M-2 - Heavy industrial
 - OS - Open space
 - PF - Public facilities
 - RPZ - Runway protection
 - RR - Recreation resort
 - MU - Mixed Use
 - TC - Special Town Center District
 - OTH - Other
 - Zoning District Overlays
 - APD - Agriculture protection overlay
 - HDO - Historic district overlay
 - PDO - Planned development overlay
 - SLO - Sensitive lands overlay
 - EIO - Extraction industries
 - World Imagery
 - Low Resolution 15m Imagery
 - High Resolution 60cm
 - High Resolution 30cm
 - Citations

**HILDALE CITY**

320 East Newel Ave.
P.O. Box 840490
Hildale, UT 84784
Phone: (435) 874-2323

STAFF REPORT – ZONE CHANGE APPLICATION

Hildale City Planning & Zoning

FROM:	Office of the Zoning Administrator
DATE:	Tuesday, June 16, 2026
SUBJECT:	Zone Change, A-5 to RA-1, 1320 N Canyon Street
APPLICANT:	Taylor E. Barlow
PROPERTY OWNER:	Taylor E. Barlow
PROPERTY:	1320 N Canyon Street, Hildale, Utah
PARCEL NO.:	HD-SHCR-12-2 (Lot 2, Short Creek Subdivision #12, Amended & Extended)
OWNERSHIP:	Warranty Deed from Joseph E. Barlow, recorded Washington County, File No. 086358
REQUEST:	Rezone the 1.13-acre residential lot (created by a concurrent lot line adjustment) from A-5 Agricultural to RA-1 Residential-Agricultural
FLU DESIGNATION:	Residential (General Plan Future Land Use Map, p. 18)

■ Application Summary

Taylor E. Barlow, owner of the property at 1320 N Canyon Street (parcel HD-SHCR-12-2, Lot 2 of Short Creek Subdivision #12, Amended & Extended), requests a zone change from A-5 Agricultural to RA-1 Residential-Agricultural. In the applicant's own words, the request is made "to bring property into compliance" and to support separating the agricultural facilities from the residence. The property holds an existing single-family residence, a barn, a small dairy operation, and a planned creamery storefront.

The request before the Commission is narrow. It applies only to the 1.13-acre lot that will hold the residence, which a concurrent lot line adjustment is creating by relocating the boundary between two parcels Mr. Barlow owns. The remaining agricultural land is not being rezoned. The entire purpose of the application is to bring an existing, established property into conformance with the City's land use ordinances so that it can be financed, used, and improved without the obstacles created by its current classification.

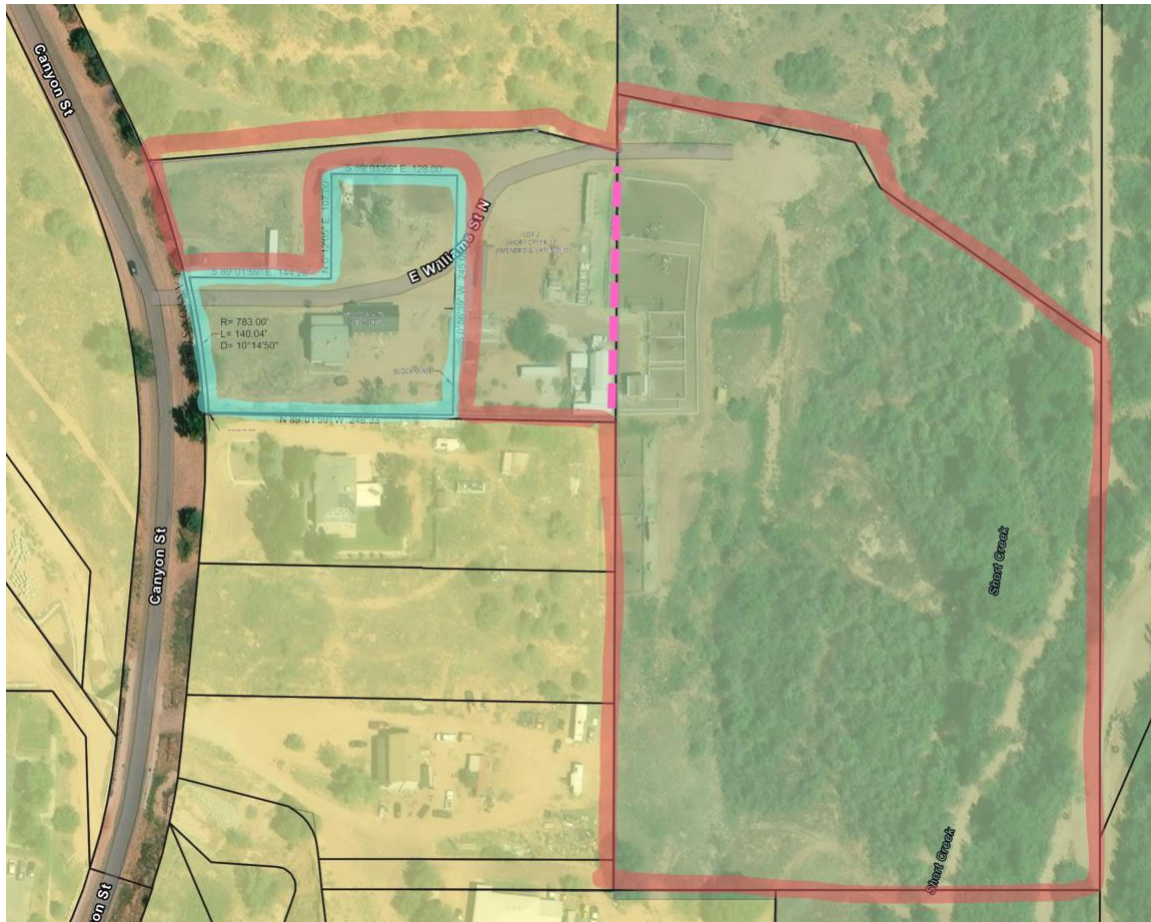
The only before the Planning Commission is the rezone of the lot shown in blue on Exhibit A. The lot line adjustment that creates that lot by moving an existing boundary, and that at the same time consolidates the remaining land into a single agricultural parcel, is an administrative action handled by City staff. It is described in this report so the Commission can see how the rezone fits the overall correction, but it is not before the Commission for action.



HILDALE CITY

320 East Newel Ave.
P.O. Box 840490
Hildale, UT 84784
Phone: (435) 874-2323

■ Exhibit A: Lot Line Adjustment and the Lot Proposed for Rezone



The 1.13-acre residential lot proposed for rezone to RA-1 is outlined in blue. The agricultural parcel outlined in red combines Mr. Barlow's two contiguous agricultural pieces into a single parcel that exceeds the A-5 five-acre minimum. The pink dashed line is the existing boundary being relocated by the lot line adjustment to form the residential lot. Only the rezone of the blue lot is before the Planning Commission.

■ Background: The Compliance Problem

When the City adopted its current zoning classifications in 2019, parcel HD-SHCR-12-2, an established residential and agricultural property of approximately 2.78 acres, was placed in the A-5 zone. The A-5 zone requires a minimum lot area of five acres and a minimum lot width of 300 feet (HCC §152-12-4, Table 152-12-2). The property meets neither standard. It is well under five acres, and its frontage on Canyon Street is approximately 261 feet, short of the 300-foot width the zone requires. It has therefore been a legal non-conforming lot of record, as to both area and width, since that adoption. Under HCC



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§152-8-6, such a lot may lawfully continue to be occupied and used, **but the non-conformity creates real obstacles whenever the owner attempts to finance, divide, or otherwise act on the property.**

The applicant encountered exactly that obstacle. A lender's appraisal review identified the zoning non-conformity as a condition that must be corrected before financing could proceed, and a proposed division of the residence from the agricultural operation could not be approved while the parcel remained in A-5. The mix of a residence, a dairy, and a planned storefront on a single under-sized agricultural parcel left the property unfinanceable through either agricultural or commercial channels. The applicant approached the City to correct the underlying classification. The City is processing the matter as a city-sponsored correction, consistent with the City Council's commitment, made at the time of the 2019 adoption, to assist where an original classification later caused unintended difficulty for a resident.

■ The Coordinated Path to Compliance

This correction is accomplished through a lot line adjustment paired with the rezone, of which only the rezone is before the Commission. A lot line adjustment is the relocation of a lot line between two adjoining parcels that does not create a new lot (HCC §152-39-3). Here it moves the existing boundary between two contiguous parcels Mr. Barlow owns so that the existing residence sits on its own 1.13-acre lot (Alpha Engineering survey dated April 30, 2026), and that lot is the subject of the rezone. Because the boundary moves between two parcels that already exist, no new lot is created and no lot split is required. The rezone and the adjustment move together: the 1.13-acre lot fails the A-5 five-acre minimum but satisfies RA-1, which requires 0.8 acre and 100 feet of width (HCC §152-14-4, Table 152-14-2), so the RA-1 zoning must be in effect when the adjusted boundary records in order for the residential lot to be a conforming lot at the moment it takes its new shape. The Commission is therefore reviewing a zone change for a lot being reconfigured concurrently with this action.

The same adjustment consolidates the remaining agricultural land into a single parcel that exceeds the five-acre A-5 area minimum, joining Mr. Barlow's contiguous agricultural pieces. This keeps the dairy and the conditional-use creamery storefront on A-5 land rather than RA-1, where those uses are not permitted. That agricultural parcel comes into conformance on area, but it cannot meet the A-5 300-foot lot width, for the reason explained in the next section, and it continues as a legal non-conforming lot of record as to width under HCC §152-8-6.

■ The Remaining Agricultural Parcel and Lot Width

In preparing this report, staff examined whether the agricultural parcel that remains after the lot line adjustment meets the A-5 standards. It does not meet the 300-foot lot width, and staff wants the Commission to understand why and how that is handled.

The A-5 lot width is measured as the distance between the side lot lines at the front setback line, not as the length of street frontage (HCC Ch03, definitions of "Lot Width" and "Lot Frontage"). The entire



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property has approximately 261 feet of frontage on Canyon Street, already short of the 300-foot width the zone requires. When the boundary is adjusted, that frontage divides between the two lots: approximately 134.6 feet to the residential lot, which is more than RA-1 requires, and approximately 126.3 feet to the agricultural parcel. Measured at the front setback line, the agricultural parcel's lot width is at least 126 feet, still well below the 300 feet A-5 requires. No configuration of the boundary can produce a 300-foot-wide A-5 parcel, because the land itself has only 261 feet at the street.

The agricultural parcel therefore continues as a legal non-conforming lot of record as to width under HCC §152-8-6, exactly as the undivided property has been since 2019. The lot line adjustment does not create this condition and does not make it worse. It improves the property by bringing the area into conformance, which reduces the overall non-conformity rather than expanding it, consistent with the purpose of HCC Chapter 8 (HCC §152-8-1). The established agricultural use continues as it lawfully has.

This width question lies entirely on the A-5 side of the line. The A-5 parcel is not the subject of this application, and the Commission is not being asked to act on it.

■ Departmental Review

The rezone itself does not introduce new development or intensify the use of the property. It formalizes the zoning of an existing residence that is already served by existing utilities, so it does not increase demand on roadways, water, wastewater, fire protection, or other facilities and services. The detailed utility review for the reconfigured residential lot is handled with the lot line adjustment rather than at the rezone stage. Because the adjustment places a new boundary between the residence and the agricultural operation, the Utility Director will review a utility plan showing existing service and the proposed service to the residential lot, and the City will require that each parcel be served without utility lines crossing the new boundary before a building permit issues for new construction on the lot. That on-site utility-line review is being coordinated through the Utilities department.

■ Land Use Analysis

General Plan Consistency

State law and HCC §152-7-7(e)(1) require that a zone change be evaluated for consistency with the General Plan. The subject property lies within the Residential designation on the General Plan Future Land Use Map (General Plan p. 18). The proposed RA-1 zone is a residential-agricultural zone that the General Plan describes as allowing "a mix of agricultural and residential uses on large lots" in a "gentleman farmer type neighborhood" (General Plan, Land Use Designations, p. 14). That description fits a one-acre residential lot adjoining a working family farm precisely. The rezone implements General Plan Goal G3-1, which directs the City to "encourage appropriate land uses" and to "provide for the regulation of these uses through appropriately defined zoning districts." Correcting an under-sized residential lot from an agricultural zone it cannot satisfy to a residential-agricultural zone it does satisfy



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is a direct application of that goal. The rezone is consistent with the General Plan and does not require a General Plan amendment.

Zone Comparison

Standard or Use	A-5 (Current)	RA-1 (Proposed)	Staff Analysis
Minimum lot area	5 acres	0.8 acre (1-acre average)	<i>The 1.13-acre lot fails A-5 but conforms to RA-1.</i>
Minimum lot width	300 feet	100 feet	<i>The lot's Canyon Street frontage exceeds 100 feet; fails A-5, conforms to RA-1.</i>
Single-family dwelling	Permitted	Permitted	<i>The existing residence is permitted in both zones.</i>
Agriculture and animal specialties	Permitted	Permitted	<i>Customary residential agriculture continues on the lot.</i>
Short-term rental and bed and breakfast	STR not permitted; B&B conditional	STR permitted; B&B conditional	<i>RA-1 accommodates the future bed-and-breakfast use described for the residence.</i>
Agricultural sales and service	Conditional	Not permitted	<i>Confirms the farm and storefront must remain on A-5 land, not RA-1.</i>

Compatibility With the Surrounding Area

The surrounding area is an established pattern of residential and agricultural lots fronting Canyon Street and the adjacent streets, the same low-density residential and agricultural character the General Plan documents for this part of the City. RA-1 is harmonious with that character (HCC §152-7-7(e)(2)). The action does not adversely affect adjacent property (HCC §152-7-7(e)(3)); it reduces, rather than increases, the intensity question by separating the residence onto its own conforming residential lot while leaving the agricultural operation on agricultural land. Because the rezone formalizes existing conditions rather than authorizing new development, the facilities and services serving the property are adequate (HCC §152-7-7(e)(4)).

Reasonably Debatable Standard

A zone change is a legislative action governed by the reasonably debatable standard (HCC §152-7-5(a)(2); USC §10-9a-535). Correcting an originally non-conforming classification on an under-sized parcel, supported by the parcel's actual size, its established residential use, and the General Plan's Residential designation, is at least reasonably debatable as an action that promotes the public interest, conserves property values, and encourages appropriate use and development.

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■ Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to approve the zone change of HD-SHCR-12-2 (the 1.13-acre lot shown in blue on Exhibit A) from A-5 Agricultural to RA-1 Residential-Agricultural, subject to the following conditions:

1. Before the City issues a land use permit, or building permit that relies on the RA-1 zoning, the property owner shall record a lot line adjustment that places the residence on a lot conforming to the RA-1 dimensional standards (HCC §152-14-4, Table 152-14-2) and consolidates the remaining agricultural land into a single parcel meeting the A-5 five-acre area minimum, that agricultural parcel continuing as a legal non-conforming lot of record as to width under HCC §152-8-6.
2. The approval applies only to the 1.13-acre residential lot being created by the lot line adjustment.
3. The lot line adjustment shall be recorded within twelve months of the effective date of the zone change. If it is not recorded within that period, the applicant may request an extension from the City Council.

Mayor Donia Jessop

Zoning Administrator
