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HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

Application Type: Re-Zone (Amendment to Zoning Map)
Applicant Name: Frehner Properties LLC (Agents Jeremy & Adriana Frehner)
Project Address: 345 E Utah Ave
Current Zoning: RA-.5
Proposed Zoning: RM-1
Legislative/Administrative Proceeding: Legislative
Approval Authority: Hildale City Council
Appeal Authority: Hildale City Hearing Officer

Date of Public Hearing: August 19, 2021
Location of Public Hearing: Hildale City Hall
Notice to Mailed to Neighbors: August 4, 2021

Summary of Application

The applicant is requesting an amendment to the zoning map to change lot HD-SCHR-8-9-B from Residential Agricultural 5 (RA-.5) to Multiple-Family Residential 1 (RM-1).

Background

The subject lot is located on the south side of Utah Avenue between Hildale Street and Memorial Street (see map). The parent lot was zoned RA-1 with the adoption of the zoning map in 2018 and was re-zoned to RA-.5 in May 2020. Subsequently, it was split from the parent lot.

The applicant plans to build a two-family dwelling (“duplex”) on the subject lot. The RA-.5 zone does not permit two-family dwellings. The RM-1 zone would permit the use.

General Plan and Zoning

The general plan designated this lot for low-density residential.

Mayor: Donia Jessop
City Council: Maha Layton, Lawrence Barlow
Stacy Seay, JVar Dutson, Jared Nicol

320 East Newel Ave.
P.O. Box 840490
Hildale, UT 84784

Standards for Approval/Denial

Hildale City Code 152-7-7(e) outlines the minimum considerations the Commission should consider when making this recommendation to the Council:

1. Whether the proposed amendment is consistent with 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.

Staff Analysis

Please keep in mind that the list of consideration above and discussed below are NOT a comprehensive list of consideration, but the minimum amount of consideration.

PZ Commission can make a recommendation based on: ANY RATIONAL BASIS. This is the most flexible level of discretion given to you under the law.

Is the applicant request consistent with the General Plan's (GP) goals, objectives, and policies?

No.

The General Plan has designated the area as low-density residential, which in the general plan indicates 1-3 dwelling units per acre and primarily detached, single-family housing with accessory dwelling units and on-site agriculture. The RM-1 zone allows for up to six dwelling units per lot, and minimum lot sizes of 10,000 square feet, which would not be consistent with low-density residential.

The requested zoning designation would otherwise be consistent with the "Land Use and Circulation Goals, Policies, Objectives, and Actions" listed in the General Plan. (See page 23, 24 and 28 of GP: http://hildalecity.com/wp-content/uploads/2016/12/HildaleCityGeneralPlan_IDFinal-v1op4.pdf).



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Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

Yes. The existing development surrounding this location is generally zoned as Residential Agricultural, consisting of single-family homes on large lots, and Multiple-Family Residential, consisting primarily of duplexes.

Will the proposed amendment adversely affect adjacent property?

No. There is no reason to believe granting the requested zoning will adversely affect adjacent property. While the RM-1 zone can reasonably be expected to increase traffic and noise in the vicinity, the subject lot is located adjacent to an existing RM-1 district, and is situated on Utah Avenue, a residential collector street. With respect to the neighboring single-family residential development, the permitted uses in the RM-1 zone are generally equally as restrictive on permitted uses as single-family residential and residential agricultural zones.

Is there 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, stormwater drainage systems, water supplies, and wastewater and refuse collection?

There are adequate facilities to support the requested level of density.

Staff Recommendation

Staff recommends granting the requested zone change. As explained above, the analysis weighs in favor of the applicant.



Caution

Ask yourself the following questions before voting.

1. Do I have a conflict of interest that has not been disclosed?
2. Am I granting this application based on who the applicant is?
3. In our discussion or in my own personal deliberations, did I/we consider the applicant's:
 - Color
 - Disability
 - Family Status
 - Sex/Gender
 - Race
 - Religion
 - National Origin
 - Familial Status
 - Military Service

If the answer is yes to any of the questions above, STOP. Consult with City Planning and Zoning Administrator, City Manager, City Attorney or Court Appointed Monitor Roger Carter ((435) 319-0840 or rrcivicus@gmail.com).



Sample Motions

(Approve without conditions) I move we recommend that the City Council approve the zoning map amendment requested for lot(s) HD-SHCR-8-9-B, commonly addressed as 345 East Utah Avenue, based on the findings set forth in the staff report [*and (if applicable) for the following additional reasons:*]

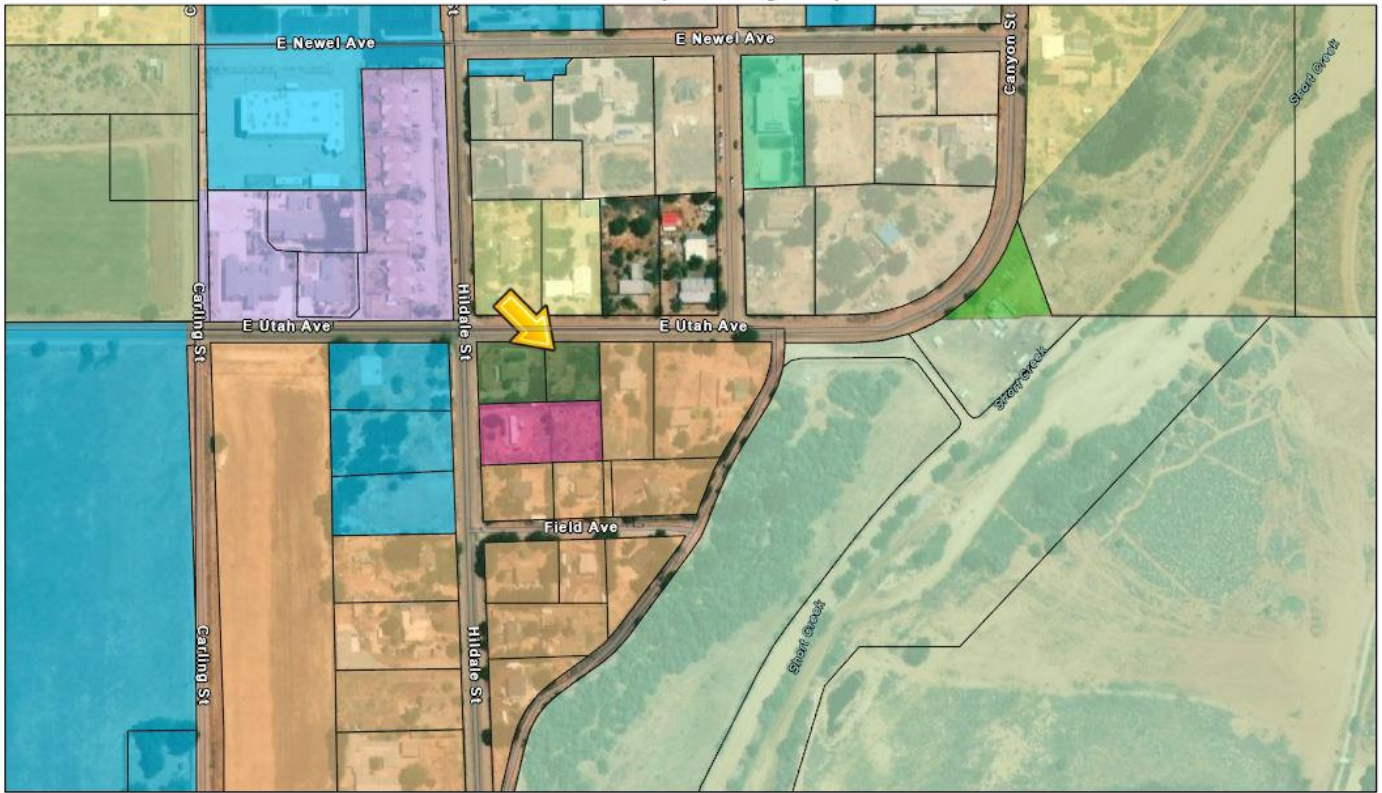
(Approve with conditions) I move we recommend that the City Council approve the zoning map amendment requested for lot(s) HD-SHCR-8-9-B, commonly addressed as 345 East Utah Avenue, with the following conditions: [*list conditions*].

[e.g. The lot split is approved within a stated deadline.]

(Deny) I move we recommend the City Council deny the zoning map amendment requested for lot(s) HD-SHCR-8-9-B, commonly addressed as 345 East Utah Avenue, based on the findings set forth in the staff report [*and (if applicable) for the following additional reasons:*]

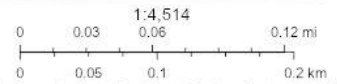
(Postpone) I move we postpone considering the zoning map amendment application to the next regular planning commission meeting, and direct staff to provide more information about _____
_____.

Hildale City Zoning Map



8/18/2021, 11:34:07 AM

- | | | | |
|-------------------------|--------------------------------------|--------------------------------------|-------------------------|
| Municipal Boundary | A-5 - Agricultural 5 | R1-8 - Single-family residential 8 | GC - General commercial |
| Parcels | RA-1 - Residential-agricultural 1 | RM-1 - Multiple-family residential 1 | OS - Open space |
| Zoning Districts | RA-5 - Residential-agricultural .5 | RM-2 - Multiple-family residential 2 | PF - Public facilities |
| A-10 - Agricultural 10 | R1-10 - Single-family residential 10 | NC - Neighborhood commercial | |



Esri Community Maps Contributors, Coconino County, Utah AGRC, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI, NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Sunrise Cloud SMART GIS®, Maxar

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