



From: Harrison Johnson
 To: Hildale City Planning & Zoning Commission; Hildale City Mayor
 Date: December 6, 2022
 Subject: Zone Change request

Applicant Name: United Effort Plan Trust
Agent: John Barlow
Application Type: Zone Change request
Project Address: RA-1
Requested Zoning: RA-.05
Date: January 5th, 2023
Prepared by: Harrison Johnson

Summary of Application

The Applicant is requesting approval of a Zone Change.

Amend the zoning map to re-zone Parcel HD-SHCR-6-3, commonly addressed as 785 North Lauritzen Hildale, Utah from the current Residential Agricultural-1 (RA-1) to Residential Agriculture-.5 (RA-.5)

Background

The applicant submitted the application on January 4th, 2023 to the Hildale City offices and paid the fee of \$100.

The applicant submitted all required documents identified in the application.

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

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

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

General Plan and Zoning

The property is bounded on the North by Utah Avenue abutting public lands and the Canaan Mountain Wilderness; On the East by Lauritzen Street On the South by a residential property addressed at 745 N Lauritzen Street; and on the West residential property addressed as 345 W Utah Ave; Surrounding properties are zoned RA-1 and Open Space.

Analysis

The zone change request complies with required standards for approval, as identified in Hildale Planning and Zoning ordinance, section 152-14-3 Uses allowed; and Sec 152-14-4 Development Standards In Residential Agriculture Zones, as follows:

1. Permitted And Conditional Uses:
 Permitted and conditional uses allowed within residential agriculture zones shall be as set forth in table 152-14-1 of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on table 152-14-1 of this section shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 152-7-18E4 of this chapter.

TABLE 152-14-1 PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL AGRICULTURE ZONES

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL AGRICULTURE ZONES		
	Zones	
Agricultural uses:	RA-1	RA-.5
Agricultural business	P	N
Agricultural industry	N	N
Agriculture	P	P
Animal specialties	P	P
Animals and fowl for recreation and family food production	P	p³
Stable, private	P	P
Residential uses:		

Assisted living facility	P	P
Boarding house	N	N
Building, accessory	P	P
Dwelling, earth sheltered	P	P
Dwelling, multiple-family	N	N
Dwelling, single-family	P	P
Dwelling, single-family with accessory dwelling unit	P	P
Dwelling, temporary	P	P
Dwelling, two-family	N	N
Guesthouse	P	P
Manufactured home	P	P
Manufactured/mobile home park	N	N
Manufactured/mobile home subdivision	N	N
Protective housing facility	P	P
Residential facility for elderly persons ¹	P	P
Residential facility for persons with a disability ¹	P	P
Residential facility for troubled youth	C	C
Short term rental ⁴	P	P
Public and civic uses:		
Auditorium or stadium	N	N
Cemetery	P	P
Church or place of worship	P	P
Club or service organization	N	N
Convalescent care facility	N	N
Cultural service	P	P
Golf course	P	P
Hospital	N	N
Park	P	P
Protective service	P	P
Reception center	N	N
Stable, public	P	N
Utility, minor	P	P
Utility substation	P	P
Commercial uses:		
Agricultural sales and service	N	N

Animal hospital	P	P
Bed and breakfast, home	C	C
Bed and breakfast inn	C	C
Camping Hosting Facility	N	N
Family child daycare facility ²	P	P
Licensed family child care ²	C	C
Residential certificate child care ²	P	P
Garden center	N	N
Kennel, residential	P	P
Media service	N	N
Off Road Recreational Vehicle Rental	C	C
Personal care service, home based ²	P	P
Personal instruction service, home based ²	P	P
Produce stand	P	P
Recreational vehicle park	N	N
Residential hosting facility	P	P
Temporary trailer	P	P
Veterinary service	N	N
Warehouse, self-service storage	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title	

2. Notes:

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

3. Accessory

Uses:

Permitted and conditional uses set forth in table 152-14-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

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

Sec 152-14-4 Development Standards In Residential Agricultural Zones

Development standards within residential agriculture zones shall be as set forth in table 152-14-2 of this section.

TABLE 152-14-2

DEVELOPMENT STANDARDS IN RESIDENTIAL AGRICULTURE ZONES		
Development Standard	Zones	
	RA-1	RA-5
Lot standards:		
Average lot area ¹	1 acre	0.5 acre

Minimum lot area ²	0.8 acre	0.4 acre
Minimum lot width	100 feet	100 feet
Building standards:		
Maximum height, main building ³	35 feet	35 feet
Maximum height, accessory building	20 feet	20 feet
Maximum size, accessory building ⁴	2,000 square feet	2,000 square feet
Building coverage	50% of lot (see subsection 10-37-12I of this title)	
Distance between buildings	No requirement	No requirement
Setback standards - front yard:		
Any building ⁵	25 feet	
Setback standards - rear yard:		
Main building	30 feet	30 feet
Accessory building, including private garage	If located 10 feet from main building: 2 feet. If not, same as main building	
Setback standards - interior side yard:		
Main building	10 feet one side and 20 feet other side	10 feet
Accessory building, including private garage	If located 10 feet from main building: 2 feet. If not, same as main building	
Setback standards - street side yard:		
Main building	20 feet	20 feet
Accessory building	Not permitted	Not permitted

Notes:

1. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.
2. The indicated number is 80 percent of average lot area requirement.
3. Except as otherwise permitted by subsection 152-14-7C of this chapter.
4. Except as otherwise permitted by subsection 152-14-7B of this chapter.
5. Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.

Sec 152-14-5 Regulations Of General Applicability

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

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

Sec 152-14-6 Regulations For Specific Uses

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

Sec 152-14-7 Special Regulations

1. Animals:
Within RA-1 and RA-.5 zones, where permitted by the zone the keeping of animals shall normally be simultaneous with occupied residential use.
2. Larger Accessory Buildings:
Notwithstanding the maximum building size limitation shown in section 152-14-4, table 152-14-2 of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit.
3. Increased Height:
Notwithstanding the height limitations shown in section 152-14-4, table 152-14-2 of this chapter a greater building height may be allowed in residential zones pursuant to a conditional use permit.



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Recommendation

Staff recommends approval of the zone change request as it remains consistent with Hildale City' General Plan. Additionally, it may accommodate the city's goal of increased density.

Sample Motions – ZONING CHANGE

1. I move to recommend approval of the zoning map amendment requested for Parcel HD-SHCR-6-3 commonly addressed as 780 N Lauritzen from the current Residential Agricultural-1 (RA-1) to Residential Agriculture -.5 (RA_.5)

Attachments

- a. Zone Change Application
 - a. Warranty Deed
 - b. Affidavit
 - c. Check
 - d. Zoning Map
- b. Washington County Property Report for parcel HD-SHCR-6-3
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice