

From: Harrison Johnson

To: Hildale City Planning & Zoning Commission; Hildale City Mayor

Date: October 7<sup>th</sup>, 2022

Subject: Zone Change request

Applicant Name: United Effort Plan Trust

Agent: Paul Wilson, John Barlow

Application Type: Zone Change request

Project Address: 1025 N Canyon Street

Current Zoning: RA-1
Requested Zoning: R1-8

Date: October 7<sup>th</sup>, 2022

Prepared by: Harrison Johnson

#### **Summary of Application**

The Applicant is requesting approval of a Zone Change.

#### Request 1:

Amend the zoning map to re-zone Parcel HD-SHCR-10-8, commonly addressed as 740 N Uzona, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 8 R1-8. Should the zone change be approved, the applicant intends to submit an application for a subdivision on the same parcel.

435-874-2323435-874-2603

### **Background**

Below is a summary of actions taken in relation to this zone change application:

- The applicant submitted the application on October 5<sup>th</sup>, 2022 to the Hildale City offices and paid the fee of \$100.
- 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 HD-SHCR-10-8 On the East by Canyon Street; On the South by Jessop Ave; and on the West by HD-SHCR-10-7; Surrounding properties are zoned RA-1, Open Space, Residential Multi-family and RA-.5.

# <u>Analysis</u>

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

### 1. Permitted And Conditional Uses:

Permitted and conditional uses allowed within residential zones shall be as set forth in table 152-13-1 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 152-13-1 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 152-13-1 PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES									
	Zones								
	R1-15 R1-10 R1- 8 RM-1 RM-2 RM-3 MH/8								
Agricultural uses:									
Accessory building	Р	Р	P	Р	Р	Р	Р		
Agricultural business	N	N	N	N	N	N	N		



♣ 435-874-2603♦ www.hildalecity.com

Agricultural industry	N	N	N	N	N	N	N
Agriculture	N	N	N	N	N	N	N
Agriculture residential	Р	Р	P	Р	Р	Р	Р
Animal specialties	Р	Р	N	N	N	N	N
Animals and fowl for recreation and family food production	P <sup>3</sup> /C	P <sup>3</sup> /C	P <sup>3</sup>	N	N	N	N
Stable, private	N	N	N	N	N	N	N
Residential uses:							
Assisted living facility	С	С	C	N	N	N	N
Boarding house	N	N	N	N	N	N	N
Building, accessory	Р	Р	P	Р	Р	Р	Р
Dwelling, earth sheltered	Р	Р	P	Р	Р	Р	N
Dwelling, multiple-family	N	N	N	Р	Р	Р	N
Dwelling, single-family	Р	Р	P	Р	Р	Р	Р
Dwelling, single-family with accessory dwelling unit	Р	Р	P	N	N	N	N
Dwelling, temporary	Р	Р	P	Р	Р	Р	Р
Dwelling, two-family	N	N	N	Р	Р	Р	N
Guesthouse or casita with direct access to main dwelling unit	Р	Р	P	N	N	N	N
Guesthouse or casita without direct access to main dwelling unit	С	С	C	N	N	N	N
Manufactured home	Р	Р	P	N	N	N	Р
Manufactured/mobile home park	N	N	N	N	N	N	Р
Manufactured/mobile home subdivision	N	N	N	N	N	N	Р
Protective housing facility	N	N	N	N	N	N	N
Rehabilitation/treatment facility	N	N	N	N	N	N	N
Residential facility for elderly persons <sup>1</sup>	Р	Р	P	Р	Р	Р	Р
Residential facility for persons with a disability <sup>1</sup>	Р	Р	P	Р	Р	Р	Р
Residential facility for troubled youth	N	N	N	N	N	N	N
Short term rental <sup>4</sup>	Р	Р	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	Р	Р	P	Р	Р	Р	Р
Church or place of worship	Р	Р	P	Р	Р	Р	Р
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



♣ 435-874-2603♦ www.hildalecity.com

Go	<mark>lf course</mark>	Р	Р	P	Р	Р	Р	Р
Go	vernment service	N	N	N	N	N	N	N
Hos	spital	N	N	N	N	N	N	N
Ор	erations center	N	N	N	N	N	N	N
Par	rk	Р	Р	P	Р	Р	Р	Р
Pos	st office	N	N	N	N	N	N	N
Pro	otective service	Р	Р	P	Р	Р	Р	Р
Red	ception center	N	N	N	N	N	N	N
Sch	nool, elementary, middle, high or private	Р	Р	P	Р	Р	Р	Р
Sch	nool, vocational	N	N	N	N	N	N	N
Sta	able, public	N	N	N	N	N	N	N
Uti	ility, major	N	N	Ζ	N	N	N	N
Uti	ility, minor	Р	Р	P	Р	Р	Р	Р
Com	mercial uses:							
Agr	ricultural sales and service	N	N	N	N	N	N	N
Ani	imal hospital	N	N	N	N	N	N	N
Bai	il bond service	N	N	N	N	N	N	N
Bar	nk or financial institution	N	N	N	N	N	N	N
Bed	d and breakfast, home (Less than or Equal to 2; Owner Occupied)	С	С	C	N	N	N	С
				_				
	d and breakfast inn (Between 3 and 10)	С	С	C	N	N	N	С
Bed	d and breakfast inn (Between 3 and 10) siness equipment rental, services, and supplies	C N	C N	C N	N N	N N	N N	C N
Bec								
Bus Car	siness equipment rental, services, and supplies	N	N	N	N	N	N	N
Bus Car	siness equipment rental, services, and supplies mping Hosting Facility	N N						
Bus Car Car	siness equipment rental, services, and supplies mping Hosting Facility r wash	N N N						
Bus Car Car Clu	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private	N N N						
Bus Car Car Clu Cor	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  nstruction sales and service	N N N N	N N N N	N N N N	N N N N N N	N N N N	N N N N N	N N N N
Bus Car Car Clu Cor Cor	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  nstruction sales and service  nvenience store	N N N N N N N	N N N N N N N	N N N N	N N N N N N N N N N	N N N N N N N N N	N N N N N N N	N N N N N N N N
Bed Bus Car Car Clu Cor Far	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup>	N N N N N N P	N N N N N P	N N N N N P	N N N N N N N P	N N N N N N P	N N N N N N P	N N N N N N P
Become Business Care Cluster Conference Conf	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup>	N N N N N C	N N N N N C	N N N N N P	N N N N N C	N N N N N C	N N N N N C	N N N N N C
Bed Bus Car Car Clu Cor Far Lice Res Chi	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup> sidential certificate child care <sup>2</sup>	N N N N N C P	N N N N N C P	N N N N N P C	N N N N N C P	N N N N N C P	N N N N N C P	N N N N N C P
Bed Bus Car Car Clu Cor Far Lice Res Chi Fur	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup> sidential certificate child care <sup>2</sup> ild care center	N N N N N C P N	N N N N N C P N	N N N N N P C P	N N N N N C P N	N N N N N C P N	N N N N N C P N	N N N N N C P C
Bed Bus Car Car Clu Cor Far Lice Res Chi Fur	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ab, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup> sidential certificate child care <sup>2</sup> ild care center  ineral home	N N N N N C P N N	N N N N N C P N N	N N N N N N N N N N N N N N N N N N N	N N N N N C P N N	N N N N N C P N N	N N N N N C P N N	N N N N N N C P N N
Bed Bus Car Car Clu Cor Far Lice Res Chi Fur Gas	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup> sidential certificate child care <sup>2</sup> ild care center  ineral home  rden center	N N N N N N P C P N N N	N N N N N N P C P N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N C P N N N N
Bed Bus Car Car Clu Cor Cor Far Lice Res Chi Fur Gas Gas	siness equipment rental, services, and supplies  mping Hosting Facility  r wash  ub, private  instruction sales and service  invenience store  mily child daycare facility <sup>2</sup> ensed family child care <sup>2</sup> sidential certificate child care <sup>2</sup> ild care center  ineral home  rden center  s and fuel, storage and sales	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N
Bed Bus Car Car Clu Cor Cor Far Lice Res Chi Fur Gas Gas	siness equipment rental, services, and supplies  Imping Hosting Facility  In wash  In private  Instruction sales and service  Invenience store  Invenience store  Invenience store  Invenience store  Invenience facility <sup>2</sup> Invenience facility faci	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N
Bed Bus Car Car Clu Cor Far Lice Res Chi Fur Gas Gas Hos	siness equipment rental, services, and supplies  Imping Hosting Facility  In wash  In private  Instruction sales and service  Invenience store  Invenience store  Invenience store  Invenience store  Invenience facility <sup>2</sup> Invenience facility faci	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N	N N N N N N N N N N N N N N N N N N N



♣ 435-874-2603♦ www.hildalecity.com

	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
	Off Road Recreational Vehicle Rental	С	С	C	N	N	N	N
	Parking garage, public	N	N	N	N	N	N	N
	Parking lot, public	N	N	N	N	N	N	N
	Pawnshop	N	N	N	N	N	N	N
	Personal care service, home based <sup>2</sup>	Р	Р	P	Р	Р	Р	Р
	Personal instruction service, home based <sup>2</sup>	Р	Р	P	Р	Р	Р	Р
	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	Р
	Repair service	N	N	N	N	N	N	N
	Research service	N	N	N	N	N	N	N
	Residential hosting facility	Р	Р	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	Z	N	Ζ	N	Z	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	Р	Р	P	Р	Р	P	Р
	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 see	ction 10	-50-5,	table 1	0-50-1	of this t	itle
I	ndustrial uses:							
	Automobile wrecking yard	N	N	N	N	N	N	N
<u> </u>			l	<u> </u>	l		l	<u> </u>



Ν

Ν

Ν

Ν

Ν

Ν

Ν

**435-874-2603** 

WELCOME HOME							
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

Page | 5

#### 2. Notes:

1. See chapter 46 of this chapter.

Wholesale and warehousing, limited

- 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 152-13-1 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 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, when used for family food production. Playhouses, patios, porches, gazebos, and incidental storage buildings. Swimming pools and hot tubs for use by residents and their guests.

4.

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

Development standards within residential zones shall be as set forth in table 152-13-2 of this section.

# TABLE 152-13-2

DEVELOPMENT STANDARDS IN RESIDEN	NTIAL ZONES						
		Zones					
Development Standard	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
Lot standards:							
Average lot area <sup>2</sup>	15,000 sq. ft.	15,000 sq. ft.	10,000 sq. ft.	8,000 sq. ft.	n/a	n/a	n/a
Minimum lot area or acreage	12,000 sq. ft.	12,000 sq. ft.	8,000 sq. ft.	6,400 sq. ft.	10,000 sq. ft.	1 acre	1 acre
Minimum lot width and/or project frontage	ect 89 ft. 90 ft. 80 ft. <mark>70 ft.</mark>	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	<mark>n/a</mark>	6 units/lots	10 units/lots	15 units/lots
Building standards:		<u> </u>					
Maximum height, main building <sup>3</sup>	34 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
Maximum height, accessory building <sup>4</sup>	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Maximum size, accessory building	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	500 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	500 sq. ft.
Building coverage: See subsection 10-37-12I of this title	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot	50% of lot



435-874-2323435-874-2603

Page | 6

Distance between buildings	No requirement	No requirement	No requirement	No requirement	20 ft.	20 ft.	20 ft.
Setback standards - front yard:						1	
Any building <sup>5</sup>	24 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Setback standards - rear yard:						_ <b>I</b>	
Main building	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
Accessory building, including private garage <sup>6</sup>	19 ft.	20 ft.	20 ft.	10 ft.	10 ft.	10 ft.	10 ft.
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 <sup>7</sup>	19 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Accessory building	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6	See note 6

#### Notes:

- 1. Duplex only permitted on first 10,000 square feet. Any additional units must meet density per acre standards.
- 2. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.
- 3. Except as otherwise permitted by subsection 152-13-7C of this chapter.
- 4. Except as otherwise permitted by subsection 152-13-7B of this chapter.
- 5. Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.
- 6. If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.
- 7. When this side setback is required, rear setback may be reduced to 10 feet.

## Sec 152-13-5 Regulations Of General Applicability

The use and development of real property in residential 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 title.
- 2. Landscaping and screening:
  - See chapter 32 of this title.
- 3. Motor vehicle access:
  - See chapter 35 of this title.
- 4. Natural resource inventory:
  - See chapter 31 of this title.
- 5. Off street parking:
  - See chapter 34 of this title.
- 6. Signs:
  - See chapter 36 of this title.
- 7. Supplementary development standards:
  - See chapter 37 of this title.

## Sec 152-13-6 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 152-13-7 Special Regulations

- 1. Animals:
  - Within R1, RM, and MH/RV 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 on table 152-13-2 in section 152-13-4 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 on table 152-13-2 in section 152-13-4 of this chapter a greater building height may be allowed in residential zones pursuant to a conditional use permit.



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

4. Visual Barriers:

Fencing or other method of providing privacy and a visual barrier to adjacent property shall be constructed around the perimeter of a multiple-family development.

- 1. The height of such barrier shall be at least six feet (6').
- 2. The barrier material and location shall be identified on an approved site plan.
- Open Space:

In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area.

Page | 7

#### **Recommendation**

Staff recommends approval of the zone change request as it is consistent with Hildale City' General Plan.

#### Sample Motions – ZONING CHANGE

1. I move to recommend approval of the zoning map amendment requested for Parcel HD-SHCR-10-8, commonly addressed as 1025 N Canyon Street Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Single-family residential 8 R1-8

#### **Attachments**

- a. Zone Change Application
  - a. Warranty Deed
  - b. Affidavit
  - c. Check
  - d. Zoning Map
- b. Washington County Property Report for parcel HD-SHCR-2-26
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice