



CHAPTER 22 HISTORIC AREA MIXED-USE OVERLAY ZONE

Commented [1]: Policy Discussion: Zoning District Or Overlay?

152-22-1 Purpose And Intent

The purpose of the Historic Area Mixed-Use (HA-MU) overlay zoning district is to maintain and preserve the special character of pioneer homes located within the City while encouraging the continued use, maintenance, and special character of these homes.

This chapter contains provisions allowing for the mixed use of land for residential and limited commercial, and other identified uses to encourage flexibility and creativity in the design, development, or redevelopment of these properties that would not be possible under the conventional zoning districts previously outlined in this code.

The specific purposes of this zone are to:

- A. Promote the reuse of existing historic structures for the purpose of stabilizing and improving property values;
- B. Protect and enhance the City's attractions for tourists and visitors; and
- C. Encourage residential uses in conjunction with limited commercial and other compatible activities in order to enhance the vitality of businesses and maintain the special character of specific areas within the City.

152-22-2 Applicability

The provisions of this chapter shall apply to all lands, buildings, structures, natural features, or uses located within those areas that are defined by the HA-MU overlay zoning district and designated on the official zoning map for the City.

If there is a conflict between the provisions of this chapter and any other provisions of this title, the specific provisions of this chapter shall take precedence and control.

- A. Mapping of the HA-MU overlay zoning district. The applicability of the HA-MU overlay zoning district to a specific area shall be shown on the City's official zoning map.
- B. Permitted uses, permit requirements, and development standards. Except as otherwise provided by this chapter:
 1. Any land use normally allowed within the base zoning district (permitted or conditional) may be allowed within the HA-MU overlay zoning district, subject to any additional requirements as outlined in this chapter.
 2. Development within the HA-MU overlay zoning district shall obtain the zoning approvals as required by this title for the base zoning district; and
 3. Development within the HA-MU overlay zoning district shall comply with all applicable development standards of the base zoning district, and all other applicable provisions of this title.

152-22-3 Permitted Uses

In addition to the permitted uses of the base zoning district, permitted uses within the HA-MU overlay zoning district may include:

Chairperson: Charles Hammon

Vice-Chairperson: Elyssa Wall

Commissioners: Lawrence Stubbs, Derick Holm, Nation Fischer, Tracy Barlow, Rex Jessop



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

- A. Agriculture;
- B. Additional Dwelling Unit
- C. Assisted Living Facility, Convalescent Care Facility;
- D. Bank or Financial Institution;
- E. Bed And Breakfast, Home;
- F. Bed And Breakfast Inn;
- G. Boarding House;
- H. Club or Service Organization;
- I. Condominium, Condominium Project;
- J. Cultural Services;
- K. Dwelling, Multiple-Family;¹
- L. Home Based Business;
- M. Licensed Family Child Care;
- N. Medical Service;
- O. Office, General;
- P. Personal Care Service;
- Q. Reception Center;
- R. Restaurant, General;
- S. Residential Hosting;
- T. School, Elementary, Middle, or High;
- U. Vacation Rental, Owner-Occupied; and
- V. Produce Stand.

152-22-4 Conditional Uses

In addition to the conditional uses of the base zoning district, conditional uses within the HA-MU overlay zoning district may include:

- A. Club, Private;
- B. Laundry or Dry Cleaning, Limited;
- C. Vehicle Repair, Limited; and
- D. Other Uses, as determined to be in harmony with the intent and purpose of this chapter and compatible with adjacent properties by the Planning Commission.

NOTES:

1. Multi-Family, Dwelling use will comply with RM-1 Development Standards as stated in Sec 152-13-4 Development Standards In Residential Zones

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- Commented [2]: Recommend + ?
- Commented [3]: AGRICULTURE: The tilling of soil, raising of crops, horticultural activities, gardening, keeping or grazing of domestic animals and noncommercial feed yards, but not including any agricultural business or industry.
- Commented [4]: Recommend + ?
- Commented [5]: Recommend +
- Commented [6]: BED AND BREAKFAST, HOME: A limited commercial activity within an owner occupied residential structure where not more than three (3) sleeping rooms may be rented to paying guests on a nightly basis and the breakfast meal is provided for in the rental rate pursuant to the requirements of chapter 51 of this chapter.
- Commented [7]: Recommend +
- Commented [8]: BED AND BREAKFAST INN: A commercial activity within a residential structure where not less than four nor more than ten (10) rooms may be rented to paying guests on a nightly basis and the breakfast meal is provided for in the rental rate pursuant to the
- Commented [9]: Recommend + ?
- Commented [10]: BOARDING HOUSE: A building
- Commented [11]: Recommend + ?
- Commented [12]: Recommend + ?
- Commented [13]: HOME BASED BUSINESS: A
- Commented [14]: Recommend +
- Commented [15]: Recommend +
- Commented [16]: PERSONAL CARE SERVICE: An
- Commented [17]: Recommend +
- Commented [18]: RECEPTION CENTER: A facility
- Commented [19]: Recommend +
- Commented [20]: RESIDENTIAL HOSTING: A limited
- Commented [21]: City notes state permitted, BUT:
- Commented [22]: CLUB, PRIVATE: Any nonprofit
- Commented [23]: Define specific criteria for use? i.e.
- Commented [24]: Policy Discussion: Any concerns
- Commented [25]: What about Vehicle Repair, limited?
- Commented [26]: City notes state permitted, BUT:
- Commented [27]: VEHICLE REPAIR, LIMITED: An
- Commented [28]: A lot of these business have lots of