

From: Harrison Johnson
 To: Hildale City Planning & Zoning Commission; Hildale City Mayor
 Date: August 1, 2022
 Subject: Zone Change request

Applicant Name: Don & Jill Paulsen
Agent: N/A
Application Type: Zone Change request
Project Address: 320 E Field Ave
Current Zoning: RM-1
Requested Zoning: NC
Date: August 1, 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-8-14, commonly addressed as 320 East Field Avenue, Hildale, Utah from the current Residential Multifamily-1 (RM-1) to Neighborhood Commerical (NC). Should the zone change be approved, the applicant intends to use the property to host short term rentals.

Background

The applicant submitted the application on July 7th, 2022, 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 HD-SHCR-8-15; On the East by HD-SHCR-8-13; On the South by Field Ave; and on the West by Hildale Street; Surrounding properties are zoned RM-1, Public Facilities, and Neighborhood Commercial.

Analysis

The zone change request complies with required standards for approval, as identified in Hildale Planning and Zoning ordinance, section 152-15-1 Uses allowed; and Sec 152-15-4 Development Standards In Commercial Zones, as follows:

Sec 152-13-3 Uses Allowed

Permitted And Conditional Uses:

Permitted and conditional uses allowed within Commercial Zones shall be as set forth in table 152-15-1 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 152-15-1 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 152-15-1

PERMITTED AND CONDITIONAL USES ALLOWED IN COMMERCIAL ZONES					
	Zones				
	NC	GC	HC	PC	POC
Residential uses:					
Building, accessory	P	N	N	P	P
Dwelling, multiple-family ⁴	C	N	N	P	P
Dwelling, single-family ⁴	C	N	N	P	N
Dwelling, temporary	C	N	N	N	N
Dwelling, two-family ⁴	C	N	N	P	P

Manufactured home	N	N	N	N	N
Manufactured/mobile home park	N	N	N	N	N
Protective housing facility	N	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P	P
Residential facility for elderly persons ¹	P	N	N	P	P
Residential facility for persons with a disability ¹	P	N	N	P	P
Residential facility for troubled youth	N	N	N	N	N
Transitional housing facility	N	N	N	N	N
Public and civic uses:					
Auditorium or stadium	N	P	P	P	N
Bus terminal	N	P	P	P	N
Cemetery	P	P	P	P	P
Church or place of worship	P	P	P	P	P
Club or service organization	P	P	P	P	P
Convalescent care facility	N	P	P	P	N
Cultural service	P	P	P	P	P
Golf course	P	P	P	P	P
Government service	N	P	P	P	N
Hospital	N	P	P	P	N
Operations center	N	P	P	P	P
Park	P	P	P	P	P
Post office	P	P	P	P	P
Protective service	P	P	P	P	P
Reception center	C	P	P	P	P
Utility, major ³	N	N	N	C	C
Utility, minor ³	P	P	P	P	P
Utility substation ³	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	N	P	P	P	N
Animal hospital	P	P	P	P	N
Bail bond service	N	P	P	P	N
Bank or financial institution	P	P	P	P	P
Bed and breakfast, home	C	N	N	N	N
Bed and breakfast inn	C	P	P	P	N
Business equipment rental, services, and supplies	P	P	P	P	P
Car wash	P	P	P	P	P
Club, private	N	P	P	P	N

Construction sales and service	N	P	P	N	N
Convenience store	P	P	P	P	P
Family child daycare facility ²	P	N	N	N	N
Licensed family child care ²	P	N	N	N	N
Residential certificate child care ²	P	N	N	N	N
Child care center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	N	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel, commercial	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N
Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	N	P
Recreation and entertainment, indoor	P	P	P	P	P
Recreation and entertainment, outdoor	N	P	P	P	N
Recreational vehicle park	N	N	P	P	N
Repair service	P	P	P	P	P
Research service	N	P	P	P	N
Restaurant, fast food	P	P	P	P	P
Restaurant, general	P	P	P	P	P
Retail, general	P	P	P	P	P

Secondhand store	P	P	P	P	P
Shopping center	P	P	P	P	P
Takeoff and landing of aircraft	N	N	N	N	N
Tattoo establishment	P	P	P	N	N
Tavern	P	P	P	P	P
Temporary trailer	P	P	P	P	P
Transportation service	N	P	P	P	N
Vehicle and equipment rental or sale	N	P	P	P	N
Vehicle and equipment repair, general	N	P	P	N	N
Vehicle repair, limited	N	P	P	P	P
Veterinary service	P	P	P	N	N
Warehouse, self-service storage	P	P	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title				
Industrial uses:					
Alcoholic Beverage Manufacturing 30,000 square feet and under	N	P	P	P	N
Laundry services	N	N	N	P	N
Wholesale and warehousing, general	N	N	N	P	N
Wholesale and warehousing, limited	N	N	N	N	N

1. Notes:

1. See chapter 46 of this chapter.
2. See chapter 42 of this chapter.
3. See chapter 45 of this chapter.
4. In the area designated as Downtown District on the General Plan map, existing single family residential uses may continue as permitted residential uses. Use and development standards for an R-1-8 Zone shall apply. Existing approved multi-family and two family uses may continue as permitted residential uses. Use and development standards for an RM-2 Zone would apply. No new residential uses are permitted.

2. Accessory

Permitted and conditional uses set forth in table 152-15-1 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. 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 commercial zones shall include, but not be limited to, the following: Accessory dwelling units attached to a commercial permitted use structure or on the same lot and under same ownership as a permitted use structure. Accessory dwelling units for security and maintenance personnel. Cafeterias, dining halls and similar food service facilities when located within the main use and operated primarily for the convenience of employees, residents, clients, or visitors to the main use. Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this chapter. Recreational areas and facilities for the use of employees. Recycling collection stations. Refreshment stands and food and beverage sales located in uses involving public assembly. Temporary uses, subject to applicable standards of chapter 48, "Temporary Uses", of this chapter.

Sec 152-15-4 Development Standards In Commercial Zones

Development standards within residential zones shall be as set forth in table 152-15-2 of this section.

TABLE 152-15-2

DEVELOPMENT STANDARDS IN COMMERCIAL ZONES					
Development	Zones				
Standard	NC	GC	HC	PC	POC
Lot standards:					
Minimum lot area	No requirement	No requirement	No requirement	5 acres	5 acres
Minimum lot width	No requirement	No requirement	No requirement	No requirement	No requirement
Building standards:					
Maximum height, main building ¹	35 feet	35 feet	55 feet	55 feet	55 feet
Maximum height, accessory building	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards - front yard:					
All buildings ²	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards - rear yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet				
Accessory building	Otherwise: No requirement				
Setback standards - interior side yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet				
Accessory building	Otherwise: No requirement				
Setback standards - street side yard:					
Main building	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

Notes:

- 1.Except as otherwise permitted by subsection 152-15-7A of this chapter.
- 2.Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.

Sec 152-15-5 Regulations Of General Applicability

The use and development of real property in commercial 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 152-15-6 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 152-15-7 Special Regulations

1. Increased Height:
Notwithstanding the height limitations shown in section 152-15-4, table 152-15-2 of this chapter a greater building height may be allowed in a commercial zone for a commercial use pursuant to a conditional use permit.
2. Use Within An Enclosed Building:
Each use specified in section 152-15-3, table 152-15-1 of this chapter shall be conducted completely within a completely enclosed building, except for the parking of motor vehicles and services to persons therein.
3. Dust, Odor, Smoke, Noise, And Vibration:
Each use specified in section 152-15-3, table 152-15-1 of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.
4. Highway Commercial Zone Location:
For property abutting SR-59, the Highway Commercial Zone shall begin at the highway right-of-way line and shall extend a distance of five hundred feet (500') from the State highway right-of-way line, except as otherwise depicted by the zoning map.

5. Vendor

Carts:

Vendor carts are subject to the following definitions, rules and limitations:

1. Definitions:

1. LONG TERM VENDOR CART: A vendor cart that is not removed from its site and is properly stored when not in use.

NEXT QUALIFIED APPLICANT: An applicant for a vendor cart business license who has submitted a complete application for a specific location and paid the applicable application fee based on the date application fee was paid and determination of a complete application made, whichever shall be last.

SEASONAL VENDOR CART: A vendor cart meeting all the requirements of this section which is permitted for a specific season, either summer or winter. Summer seasonal permits allow operation from April 1 to September 30 and winter seasonal permits allow operation from October 1 to March 31. The holder of a seasonal vendor cart permit may renew up to thirty (30) days prior to the first date of the season if the location where the permit is sought is not occupied by another seasonal vendor cart and the seasonal vendor cart business license has been renewed.

SHORT TERM VENDOR CART: A vendor cart that is removed from its site and properly stored out of public view each day.

SPECIAL EVENT CART: A wagon, cart, booth, or similar temporary structure designed and used for the sale of goods and services at a special event for which the City has issued a special event permit pursuant to title 11, chapter 112 of this Code.

VENDOR CART: A temporary structure in the form of a wagon, cart trailer, truck, or other mobile structure designed and intended for the sale of goods and services. The term "vendor cart" includes a long term vendor cart, or a short term vendor cart.

2. Rules And Limitations:

1. Vendor Cart Locations:

Long term vendor carts and short term vendor carts are permitted only in those land use zones where commercial uses are an allowed or conditional land use. Special event vendor carts are permitted anywhere within the City if authorized by a special event permit issued by the City or at a special event sponsored by the City.

2. Vendor Cart General Design Standards: Long term vendor carts and short term vendor carts are subject to the following general design standards:

1. All long term vendor carts and short term vendor carts must be constructed of a professional quality for use as a vending cart.
2. All long term vendor carts and short term vendor carts must be in good working condition, with no broken or rusty parts. All exterior materials must be kept clean and in neat appearance. Metal and/or wood may be used as exterior finishes. Metal surfaces shall be suitable for long term use in an exterior location. Metal vendor cart exteriors must have finished edges, concealed seams, and overlapping joints. Wood details and finishes must be suitable for long wear in an exterior location and finished in a craftsmanlike manner.
3. Siding and other compatible materials used on a vendor cart must wrap all sides of the vendor cart.
4. Long term vendor carts must be windproof, waterproof and locked when not in operation.
5. Vendor cart must be on wheels.

3. Additional Requirements For All Vendor Carts:

1. Vendor carts must be located on private property except food vendors granted space by permit at city owned recreation sites if such permit is established.
2. Vendor cart owners shall improve the immediate area around their business through the installation of pavers, landscaping, awnings, and/or short term decks to help the vendor carts to look less temporary, and to blend into the surrounding character.
3. When a vendor cart is independently connected to the city's culinary or irrigation water systems, power system or the sewer system, all applicable fees must be paid.
4. Generators are prohibited for vendor carts, except for use as an emergency source of power when the permanent source of power to the vendor cart is temporarily unavailable.
5. Property owner and/or vendor shall maintain the premises and the cart in a clean, safe, and orderly condition at all times.
6. Operators of vendor carts must obtain and maintain in full force and effect throughout the permit a valid city of Hildale business license.
7. Customer seating for a vendor cart is limited to a maximum of either four (4) seats or one picnic table not to exceed eight feet (8') in length or diameter. Additionally, vendor carts may have one condiment table.
8. The operator of a vendor cart shall comply with all applicable health regulations.
9. All storage boxes, cartons, and coolers used in connection with the operation of a vendor cart shall be hidden from public view.
10. Short term vendor carts must be removed from the site and properly stored out of public view each day.
11. Umbrellas or shade structures may be used on a vendor cart. Tents on or at vendor carts are prohibited.
12. All signage must be attached to a vendor cart. Freestanding signage on or for a short term vendor cart is prohibited except for one two foot by three foot (2' x 3') A-frame sign that may be displayed when the vendor cart is in operation. Said sign may not be located on a public sidewalk.
13. A vendor cart site must not create a public safety hazard. Accordingly, no aboveground pipes are permitted. Extension cords may be used only if the cord is located outside an area where the public has access.
14. Vendor carts must comply with regulations for grease traps and waste disposal must be at an approved facility.

4. Special Event Carts:

Special event carts may be approved only in connection with and pursuant to the procedures for the review and approval of an event permit issued by the city pursuant to title 11, chapter 112 of this code or at a special event sponsored by the city or at an event held at Maxwell Park. Special event carts are subject to the applicable terms and conditions of the event permit. The provisions of this chapter do not apply to special event vendor carts.

5. Limitation On Number Of Vendor Cart Permits:

1. The total number of vendor carts permits that may be issued by the city under this chapter are seven (7) for all areas of the city, limited to four (4) year round permits and three (3) seasonal permits for each season. Two (2) additional full time permits may be issued in the gateway industrial area.
2. The limitations of subsection E2e(1) of this section do not require the closure or removal of any vendor cart operating within the city as of the effective date of this section, pursuant to a valid business license.
3. If the holder of a vendor cart business license is not operating the vendor cart at the licensed location such that the vendor cart is not open for business for at least fifty percent (50%) of the normal operating hours for a continuous period of ninety (90) days, the license shall be revoked and the next qualified applicant for a vendor cart business license shall be issued a permit. Use of the cart at special events does not constitute operation of a vendor cart.
4. If the total number of vendor carts permitted by the city ever drops below the cap number established in subsection E2e(1) of this section, the zoning administrator shall authorize a new vendor cart permit submitted by the next qualified applicant to be processed. A qualified applicant must have: a) submitted a completed application; and b) paid the required application fee. If the next qualified applicant is not issued a business license within thirty (30) days of publicthey are eligible for a vendor cart permit, the applicant will be moved to the bottom of the list and the next qualified applicant notified.

6. Right To Continue:

On the effective date of this section, all vendor carts for which a valid business license exists may continue to be operated under the terms and conditions of their existing approved site plan and business license until the first to occur of:

1. the business license is revoked by city in accordance with its procedures;
 2. the business license is voluntarily surrendered or expires;
 3. the lease on the property is not renewed by the landowner; or
 4. the vendor cart is otherwise required to be closed or removed for any lawful reason. Upon the occurrence of any event described in the preceding section, the owner or operator of the vendor cart that was previously permitted must obtain a new approval and in connection therewith must be brought into compliance with the requirements of this section.
7. Conditions Of Approval:
The zoning administrator may impose reasonable conditions when approving a vendor cart permit under this section. Such conditions may include, if appropriate, the requirement that the permittee provide a monetary guarantee to the city, in a form acceptable to the city attorney, ensuring the complete removal of the vendor cart, site cleanup, and site revegetation, when the vendor cart license expires without being renewed, or is revoked.

Recommendation

Staff recommends denial of the zone change request as it reduces the existing housing availability in Hildale, is already abutting another neighborhood commercial zone and is inconsistent with the General Plan. (see addendum A for future land use map from General Plan)

It should be noted that the Planning and Zoning Commission is currently working on updating the future land use map and it will likely include recreation and resort districts where non-owner occupied vacation rentals will be permitted and encouraged.

Sample Motions – ZONING CHANGE

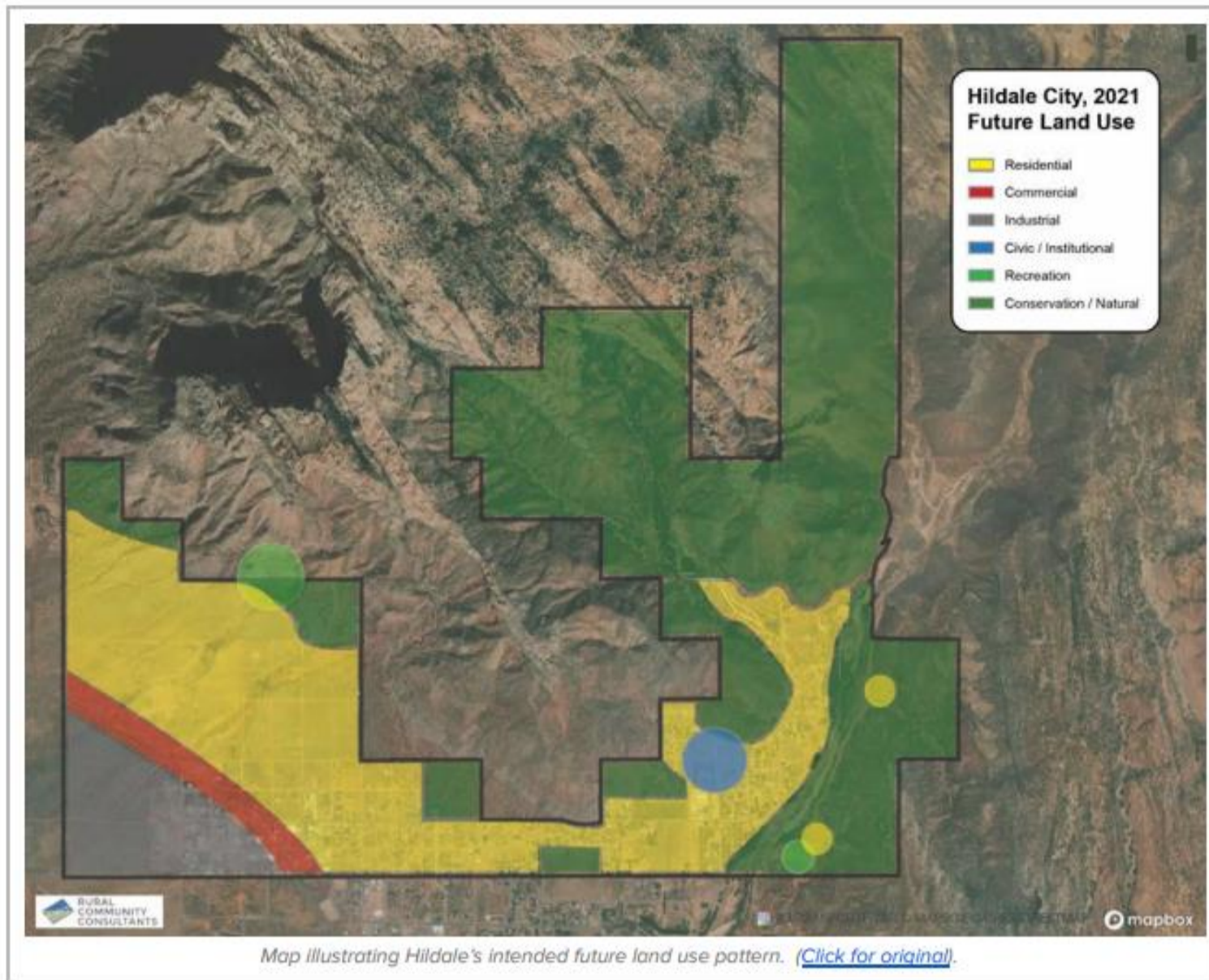
1. I move to recommend denial of the zoning map amendment requested for Parcel HD-SHCR-8-14, commonly addressed as 320 E Field Street Hildale, Utah from the current Residential Multi-family (RM-1) to Neighborhood Commercial (NC).

Attachments

- a. Zone Change Application
 - a. Warranty Deed
 - b. Affidavit
 - c. Check
 - d. Zoning Map
- b. Washington County Property Report for parcel HD-SHCR-8-14
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice

DRAFT

Addendum A- Future Land Use Map from General Plan



DR

Zone Tax Performance Analysis

Applicant Name: Dan & Jill Paulsen
Agent: N/a
Application Type: Zone Change request
Project Address: 320 East Field Avenue
Current Zoning: RM-1
Requested Zoning: NC
Date: August 1, 2022
Prepared by: Harrison Johnson



Figure 1 Location of Lots to be Rezoned

Current Tax Value Per Acre (CTVA)

CTVA is estimated by looking at the previous tax year's assessment to calculate the amount of tax value per acre. This helps identify it's tax performance currently with what may be built a result of the rezone.

Acreage: .53

Chairperson: Charles Hammon

Vice-Chairperson: Elyssa Wall

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



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

Tax Assessed Value 2022: \$112,100

CTVA: \$211,509

Current Average Zone Performance (CAZP)

CAZP is measured by calculating the average tax assessed value of all properties in Hildale with similar zoning.

Current Zone: Residential Multi-family 1

CAZP: \$ \$202,356.85

Proposed Average Zone Performance (PAZP)

PAZP is measured by calculating the average tax assessed value of all properties in Hildale with similar zones of the proposed zone.

Proposed Zone: NC

PAZP: \$290,004.87

Hildale Tax Analysis

Hildale tax analysis will identify what taxes are collected from the applicant properties and what taxes may be collected from the property once full project completion.

Hildale Tax Rate: .9859%

Current Annual Tax Per Acre: \$2,085.27

Estimated Proposed Tax Per Acre: \$2,859.14

Narrative: As with most commercial zones the zone tax performance is generally higher than any residential and that proves out in the previous tax year of 2021. Neighborhood Commercial zones do not necessarily perform as well as their commercial zoning counterparts but if street and utility infrastructure remains residential in nature and cost, it may become tax sustainable in the future. Therefore, this move to Neighborhood Commercial would help the city with its net residential property tax deficit.

Chairperson: Charles Hammon

Vice-Chairperson: Elyssa Wall

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



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JUL 07 2022

BY:

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☎ 435-874-2603
🌐 www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: \$100

For Office Use Only:

File No. _____

Receipt No. _____

Name: Dan & Jill Paulsen Telephone: 435-414-4048

Address: 3246 S. 2240 E St. George, UT 84790 Fax No. n/a

Agent (If Applicable): _____ Telephone: _____

Email: jillpaulsensellshomes@gmail.com

Address/Location of Subject Property: 320 E. Field Ave. Hildale

Tax ID of Subject Property: HD-511CR-8-14 Existing Zone District: multi-family res 1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
We would like to get this property zoned as Neighborhood Commercial so we can do vacation rentals.

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 6:30 p.m. The deadline date to submit the application is 10 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



📞 435-874-2323

📠 435-874-2603

Date application deemed to be complete: _____ Completion determination made by: www.hildalecity.com

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

COUNTY OF)

I (we), Dan & Jill Paulsen, 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)

[Signature]

(Property Owner)

Subscribed and sworn to me this 6th day of July 2022.

[Signature]

(Notary Public)

Residing in: St. George, Ut.

My Commission Expires: Jan 20, 2025



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: _____

Request from Dan and Jill Paulsen for re-zoning of property in Hildale, Ut with Parcel ID of HD-SHCR-8-14 from Multiple Family Residential 1 to Neighborhood Commercial.

Attached please find the required items:

1. A Plat map
2. Property map and all abutting properties showing zoning classifications on second page of county profile page. Each property has been given a number on the plat map that corresponds with the county profile information page showing zoning classification on second page and is summarized below:
 - Subject Property HD-SHCR-8-14 currently zoned Multiple Family Residential 1 with a request to rezone to Neighborhood Commercial
 - Abutting property HD-SHCR-8-15 currently zoned Neighborhood Commercial
 - Abutting property HD-SHCR-8-13 currently zoned Multiple Family Residential 1
3. Legal description as outlined on Washington County Ownership page
 - SHORT CREEK 8 (HD) Lot 14
4. Stamped envelopes of names and addresses within 250 feet of subject property as well as a map showing the radius search
5. Evidence of ownership of Dan and Jill Paulsen



MAIL TAX NOTICE TO GRANTEE:
OP Retreat, L.L.C.
3246 S. 2240 E
St. George, UT 84790

WARRANTY DEED

Daniel Paulsen and Jill Paulsen

GRANTOR

for the sum of TEN DOLLARS and other good and valuable consideration hereby CONVEYS and WARRANTS to

OP Retreat, L.L.C., a Utah Limited Liability Company

GRANTEE


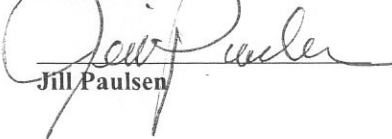
the following tract of land in Washington County, State of Utah, to-wit

Lot 14, SHORT CREEK SUBDIVISION #8, according to the official plat thereof, on file and of record in the office of the Washington County Recorder, State of Utah.

TAX ID NUMBER FOR PROPERTY: HD-SHCR-8-14

Subject to any easements, restrictions and rights of way appearing of record and enforceable in law and subject to general property taxes for the year 2022 and thereafter.

Effective as of this 6th day of July, 2022.

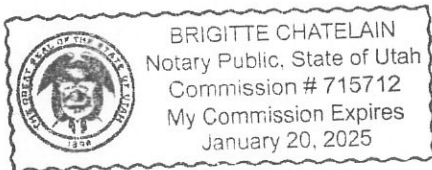

Daniel Paulsen

Jill Paulsen

STATE OF: Utah

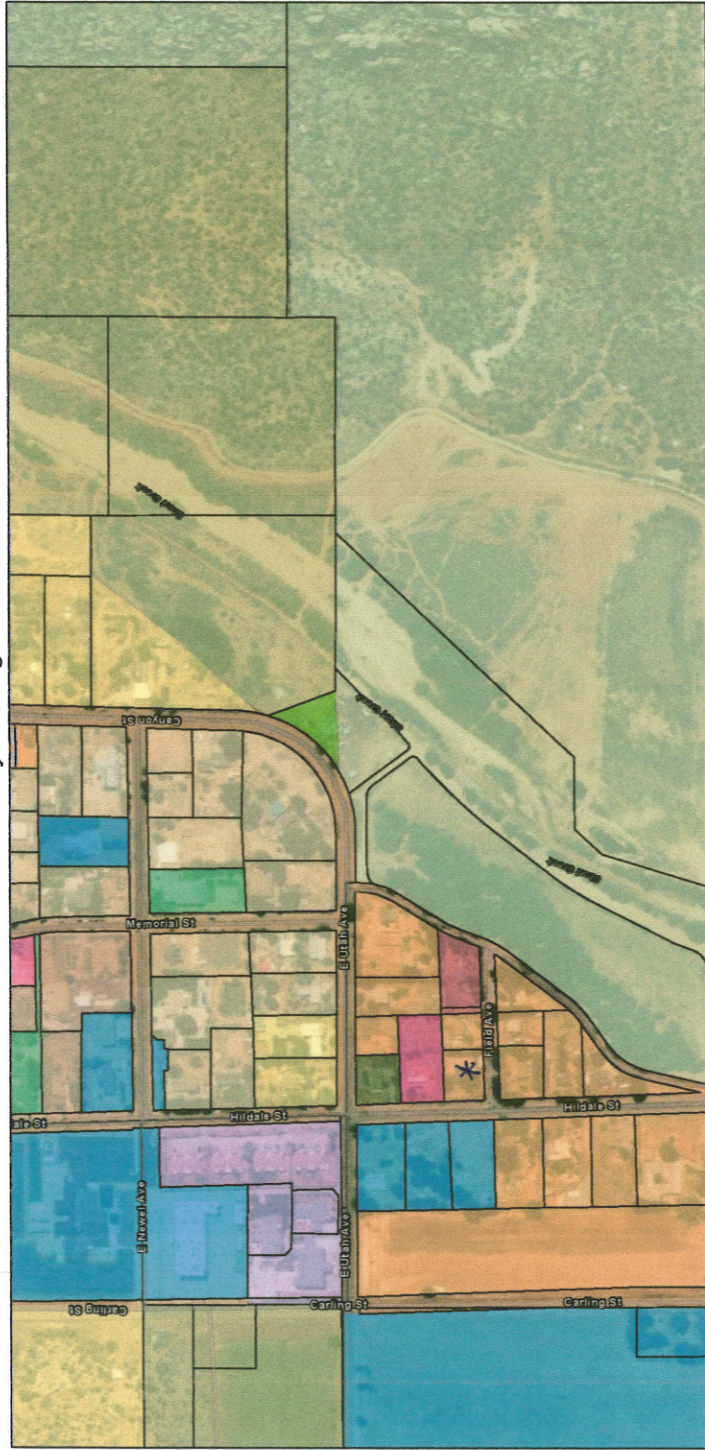
COUNTY OF: Washington

The foregoing instrument was acknowledged before me this 6th day of July, 2022 by **Daniel Paulsen and Jill Paulsen**

Notary Public
Commission Expires:



Hildale City Zoning districts



7/5/2022, 12:07:45 PM

Municipal Boundary

Parcels

Zoning Districts

A-10 - Agricultural 10

A-5 - Agricultural 5

RA-1 - Residential-agricultural 1

RA-5 - Residential-agricultural .5

R1-10 - Single-family residential 10

R1-8 - Single-family residential 8

RM-1 - Multiple-family residential 1

RM-2 - Multiple-family residential 2

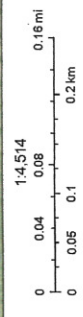
NC - Neighborhood commercial

GC - General commercial

OS - Open space

PF - Public facilities

OTH - Other



1:4,514
0 0.04 0.08 0.16 mi
0 0.05 0.1 0.2 km

Eri Community Maps Contributors, Coconino County, Utah AGRC, OpenStitchery, Mapbox, Mapbox Inc, MET/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, Sunrise

Hildale City
Sunrise Cloud SMART GIS®

320 E. Newell Ave.
Harrison Johnson

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 of approval, approval with modifications, or denial 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.

SHORT CREEK SUBDIVISION #9

SHORT CREEK SUBDIVISION #9

FEEMA FLOOD ZONE A AS SHOWN ON
 FIRM# 40063 C1186G, PANEL 1185
 OF 1825, APRIL 2, 2009

DETAIL "B"
 INTERSECTION OF
 UTAH AVENUE AND
 PUBLIC ALLEY.
 NOT TO SCALE.

PUBLIC ALLEY
 CENTER LINE,
 SOUTH OF
 UTAH AVENUE
 N 0°00'27" E

FOUND
 NAIL & WASHER

SEE DETAIL "B"
 (CORNER TO CORNER) L19, L22

EAST 1/4 CORNER OF
 SECTION 34, TOWNSHIP 43
 SOUTH, RANGE 10 WEST,
 SALT LAKE BASE AND
 MERIDIAN (NOT FOUND)
 (GLO PROBATED LOCATION)

(S)



7.21' MEASURED)
 (S 0°03'18" E 1247.33' GLO)
 (N 0°03'18" W 3887.27' GLO)

U.E.P. TRUST PROPERTY

A FLOOD ZONE A

ES

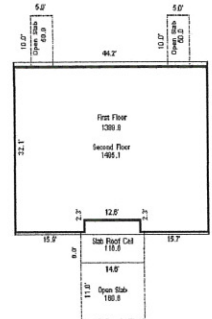
1- Subject Property

Property Report for Parcel HD-SHCR-8-14

Selected Assessor CAMA data below updated weekly.



0148125071
320 E. FIELD



Sketch by Apex IT/Modem**

Account Summary

Account Number: 0928123
Parcel ID: HD-SHCR-8-14
Account Type: Commercial
Owner Name: Paulsen Dan & Jill

Subdivision: Short Creek
Situs Address: 320 E Field Ave
Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Duplex
Year Built: N/A
Square Feet: 2875
Occupancy Type: N/A
Built-As Description: N/A
Units: N/A
Stories: N/A
Percent Complete: N/A
Exterior: N/A

Roof Type: N/A
Roof Cover: N/A
HVAC Desc: N/A
Bedrooms: N/A
Bathrooms: N/A
Garage Square Feet: N/A
Basement Sq. Ft.: N/A
Basement Sq. Ft. Finished: N/A
Swimming Pool: N/A
Fireplaces: N/A
Finished Attic: N/A

NOTE: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

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Property Report for Parcel HD-SHCR-8-14

Selected Assessor CAMA data below updated weekly.

Property Information

Acres: 0.53
Zoning: Multiple-Family Residential 1
Is Property in a Special Flood Hazard Area? Yes
Is Property in a 0.2% Annual Chance Flood Area? No
Is Property in a Floodway? No

** Determination of flood zone information is based upon 2009 FEMA Digital Flood Insurance Rate Map Database but does not substitute for a Flood Verification letter. For more information, please visit the FEMA Flood Map Service Center website <https://msc.fema.gov/portal/home> or contact your municipal Engineering department.
City zoning information is based on the best available information and should be independently verified by contacting each municipality directly.*

Voting Districts

Washington County Precinct: HIL01
U.S. Senate District: 27
U.S. Congressional District: 2
Utah House District: 72
Washington County School Board District: 5

** Visit Vote.Utah.gov or <https://geoprodm.washco.utah> for more voting information.*

Tax Information

Tax District: Hildale Town
Residential Classification: Non-primary
Book & Page: N/A
Reference Document: 20210035697

Community/Public Services

Law Enforcement: Hildale
Fire Protection: Colorado City Fire Dept
** In an emergency, ALWAYS dial 9-1-1!*
Schools:
Water Canyon Elementary
Water Canyon High

** For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

Utilities

Culinary Water: Hildale - Colorado City
Sewer: Hildale
Electricity: Garkane Energy Cooperative, Inc
Natural Gas: N/A
Internet Service Providers (Cable): AWI

** For more information on Internet services available in your area, see Decision Data.org, <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

Solid Waste Collection Day: N/A

** For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcsww.org/>*

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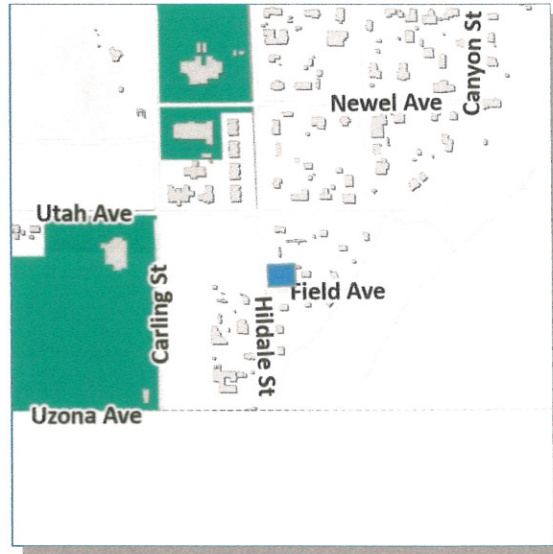


Property Report for Parcel HD-SHCR-8-14

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

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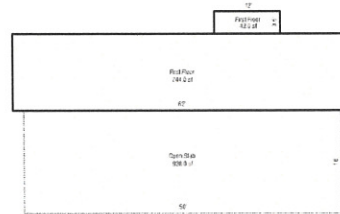
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2

Property Report for Parcel HD-SHCR-8-15

Selected Assessor CAMA data below updated weekly.



Account Summary

Account Number: 0928130
Parcel ID: HD-SHCR-8-15
Account Type: Residential
Owner Name: Knudson Joseph C

Subdivision: Short Creek
Situs Address: 760 N Hildale St
Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Mobile Home
Year Built: 1980
Square Feet: 786

Occupancy Type: MH on Vacant Land
Built-As Description: Single Wide
Units: 1
Stories: 1
Percent Complete: 100
Exterior: Metal Siding

Roof Type: Flat
Roof Cover: Metal
HVAC Desc: Forced Air
Bedrooms: 2
Bathrooms: 1
Garage Square Feet: N/A
Basement Sq. Ft.: N/A
Basement Sq. Ft. Finished: N/A
Swimming Pool: N/A
Fireplaces: N/A
Finished Attic: N/A

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Property Report for Parcel HD-SHCR-8-15

Selected Assessor CAMA data below updated weekly.

Property Information

Acres: 0.97
Zoning: Neighborhood Commercial
Is Property in a Special Flood Hazard Area? Yes
Is Property in a 0.2% Annual Chance Flood Area? No
Is Property in a Floodway? No

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Voting Districts

Washington County Precinct: HIL01
U.S. Senate District: 27
U.S. Congressional District: 2
Utah House District: 72
Washington County School Board District: 5

** Visit Vote.Utah.gov or <https://geoprodvm.washco.utah> for more voting information.*

Utilities

Culinary Water: Hildale - Colorado City
Sewer: Hildale
Electricity: Garkane Energy Cooperative, Inc
Natural Gas: N/A
Internet Service Providers (Cable): AWI

** For more information on Internet services available in your area, see DecisionData.org, <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

Tax Information

Tax District: Hildale Town
Residential Classification: Primary
Book & Page: N/A
Reference Document: 20160045730

Community/Public Services

Law Enforcement: Hildale
Fire Protection: Colorado City Fire Dept
** In an emergency, ALWAYS dial 9-1-1!*

Schools:
Water Canyon Elementary
Water Canyon High

** For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

Solid Waste Collection Day: N/A

** For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcsw.org/>*

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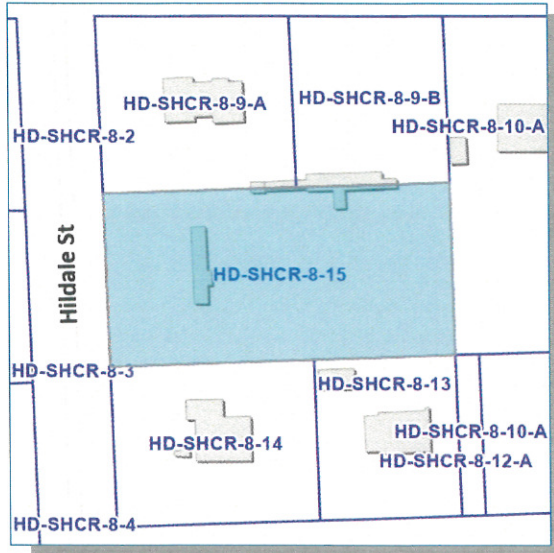
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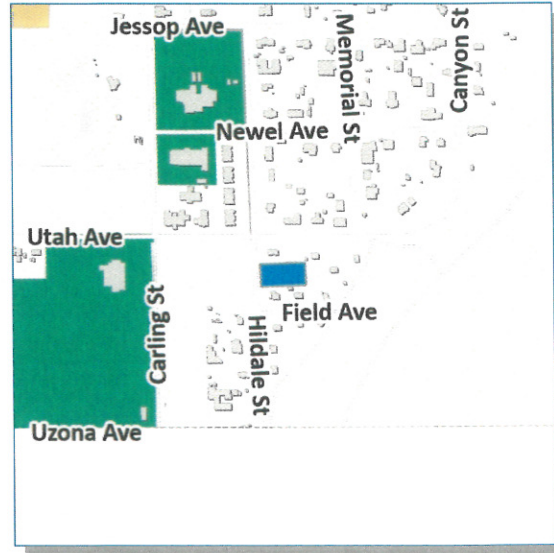


Property Report for Parcel HD-SHCR-8-15

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

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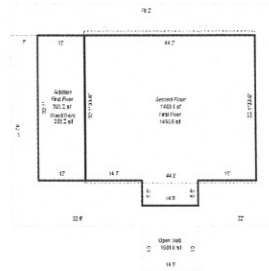
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3

Property Report for Parcel HD-SHCR-8-13

Selected Assessor CAMA data below updated weekly.



Account Summary

Account Number: 0928116
Parcel ID: HD-SHCR-8-13
Account Type: Residential
Owner Name: Barlow Nathaniel

Subdivision: Short Creek
Situs Address: 340 E Field Ave
 Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Residential
Year Built: 1969
Square Feet: 3369

Occupancy Type: Single Family Residential
Built-As Description: 2 Story
Units: 2
Stories: 2
Percent Complete: 100
Exterior: Frame Stucco

Roof Type: Gable
Roof Cover: Composition Shingle
HVAC Desc: Central Air to Air
Bedrooms: 6
Bathrooms: 5
Garage Square Feet: N/A
Basement Sq. Ft.: N/A
Basement Sq. Ft. Finished: N/A
Swimming Pool: N/A
Fireplaces: N/A
Finished Attic: N/A

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Property Report for Parcel HD-SHCR-8-13

Selected Assessor CAMA data below updated weekly.

Property Information

Acres: 0.37
Zoning: Multiple-Family Residential 1
Is Property in a Special Flood Hazard Area? Yes
Is Property in a 0.2% Annual Chance Flood Area? No
Is Property in a Floodway? No

** Determination of flood zone information is based upon 2009 FEMA Digital Flood Insurance Rate Map Database but does not substitute for a Flood Verification letter. For more information, please visit the FEMA Flood Map Service Center website <https://msc.fema.gov/portal/home> or contact your municipal Engineering department.
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Voting Districts

Washington County Precinct: HIL01
U.S. Senate District: 27
U.S. Congressional District: 2
Utah House District: 72
Washington County School Board District: 5

** Visit Vote.Utah.gov or <https://geoprodvm.washco.utah> for more voting information.*

Utilities

Culinary Water: Hildale - Colorado City
Sewer: Hildale
Electricity: Garkane Energy Cooperative, Inc
Natural Gas: N/A
Internet Service Providers (Cable): AWI

** For more information on Internet services available in your area, see Decision Data.org, <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

Tax Information

Tax District: Hildale Town
Residential Classification: Primary
Book & Page: N/A
Reference Document: 20200010269

Community/Public Services

Law Enforcement: Hildale
Fire Protection: Colorado City Fire Dept
** In an emergency, ALWAYS dial 9-1-1!*

Schools:
Water Canyon Elementary
Water Canyon High

** For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

Solid Waste Collection Day: N/A

** For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcsw.org/>*

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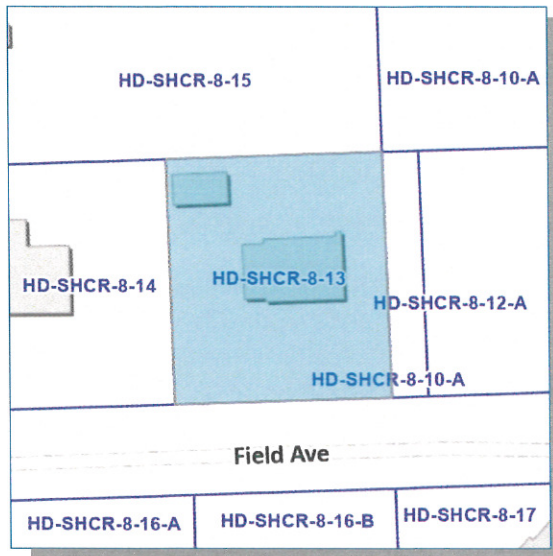
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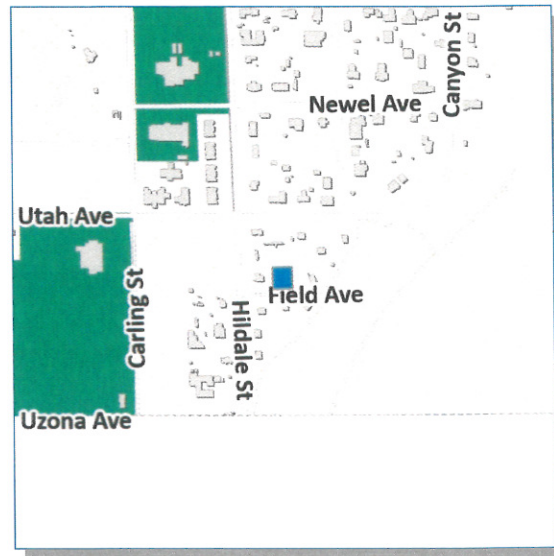


Property Report for Parcel HD-SHCR-8-13

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Parcel highlighted in blue.



Overview Map

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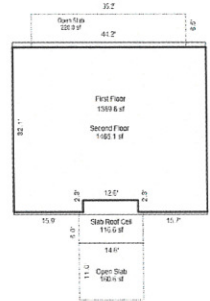
4

Property Report for Parcel HD-SHCR-8-16-A

Selected Assessor CAMA data below updated weekly.



TO I Z O I I I
E. FIELD



Account Summary

Account Number: 0928147
Parcel ID: HD-SHCR-8-16-A
Account Type: Commercial
Owner Name: Barlow Nathaniel B

Subdivision: Short Creek
Situs Address: 325 E Field Ave
Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Duplex
Year Built: N/A
Square Feet: 2875

Occupancy Type: N/A
Built-As Description: N/A
Units: N/A
Stories: N/A
Percent Complete: N/A
Exterior: N/A

Roof Type: N/A
Roof Cover: N/A
HVAC Desc: N/A
Bedrooms: N/A
Bathrooms: N/A
Garage Square Feet: N/A
Basement Sq. Ft.: N/A
Basement Sq. Ft. Finished: N/A
Swimming Pool: N/A
Fireplaces: N/A
Finished Attic: N/A

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Property Report for Parcel HD-SHCR-8-16-A

Selected Assessor CAMA data below updated weekly.

Property Information

Acres: 0.60
Zoning: Multiple-Family Residential 1
Is Property in a Special Flood Hazard Area? Yes
Is Property in a 0.2% Annual Chance Flood Area? No
Is Property in a Floodway? No

** Determination of flood zone information is based upon 2009 FEMA Digital Flood Insurance Rate Map Database but does not substitute for a Flood Verification letter. For more information, please visit the FEMA Flood Map Service Center website <https://msc.fema.gov/portal/home> or contact your municipal Engineering department.
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Voting Districts

Washington County Precinct: HIL01
U.S. Senate District: 27
U.S. Congressional District: 2
Utah House District: 72
Washington County School Board District: 5

** Visit Vote.Utah.gov or <https://geoprodvm.washco.utah> for more voting information.*

Tax Information

Tax District: Hildale Town
Residential Classification: Non-primary
Book & Page: N/A
Reference Document: 20210076888

Community/Public Services

Law Enforcement: Hildale
Fire Protection: Colorado City Fire Dept
** In an emergency, ALWAYS dial 9-1-1!*
Schools:
Water Canyon Elementary
Water Canyon High

** For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

Utilities

Culinary Water: Hildale - Colorado City
Sewer: Hildale
Electricity: Garkane Energy Cooperative, Inc
Natural Gas: N/A
Internet Service Providers (Cable): AWI

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Solid Waste Collection Day: N/A

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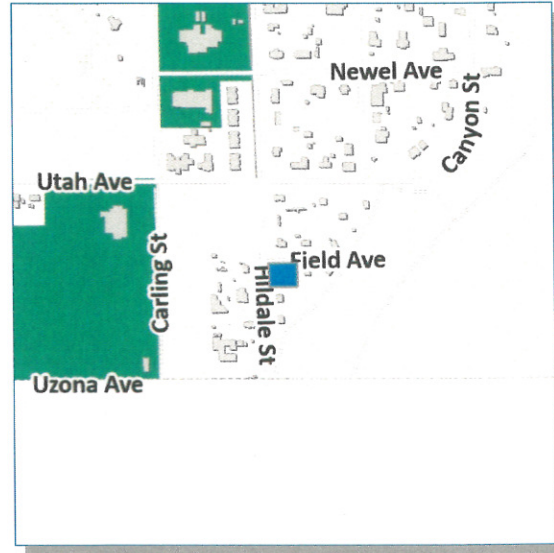


Property Report for Parcel HD-SHCR-8-16-A

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

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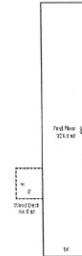
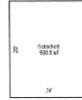
www.washco.utah.gov



5

Property Report for Parcel HD-SHCR-8-4

Selected Assessor CAMA data below updated weekly.



Account Summary

Account Number: 0928022
Parcel ID: HD-SHCR-8-4
Account Type: Residential
Owner Name: Short Creek Outdoors

Subdivision: Short Creek
Situs Address: 745 N Hildale St
 Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Mobile Home
Year Built: 1970
Square Feet: 924

Occupancy Type: MH on Vacant Land
Built-As Description: Single Wide
Units: 1
Stories: 1
Percent Complete: 100
Exterior: Metal Siding

Roof Type: Flat
Roof Cover: Metal
HVAC Desc: Forced Air
Bedrooms: 2
Bathrooms: 2
Garage Square Feet: 600
Basement Sq. Ft.: N/A
Basement Sq. Ft. Finished: N/A
Swimming Pool: N/A
Fireplaces: N/A
Finished Attic: N/A

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Property Report for Parcel HD-SHCR-8-4

Selected Assessor CAMA data below updated weekly.

Property Information

Acres: 0.99
Zoning: Public Facilities
Is Property in a Special Flood Hazard Area? No
Is Property in a 0.2% Annual Chance Flood Area? No
Is Property in a Floodway? No

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Utilities

Culinary Water: Hildale - Colorado City
Sewer: Hildale
Electricity: Garkane Energy Cooperative, Inc
Natural Gas: N/A
Internet Service Providers (Cable): AWI

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Tax Information

Tax District: Hildale Town
Residential Classification: Primary
Book & Page: N/A
Reference Document: 20210050317

Community/Public Services

Law Enforcement: Hildale
Fire Protection: Colorado City Fire Dept
** In an emergency, ALWAYS dial 9-1-1!*

Schools:
Water Canyon Elementary
Water Canyon High

** For more information, including bus routes, visit the Washington Co. School District at <https://www.washk12.org/> or Iron Co. School District at <https://irondistrict.org/>*

Solid Waste Collection Day: N/A

** For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcsww.org/>*

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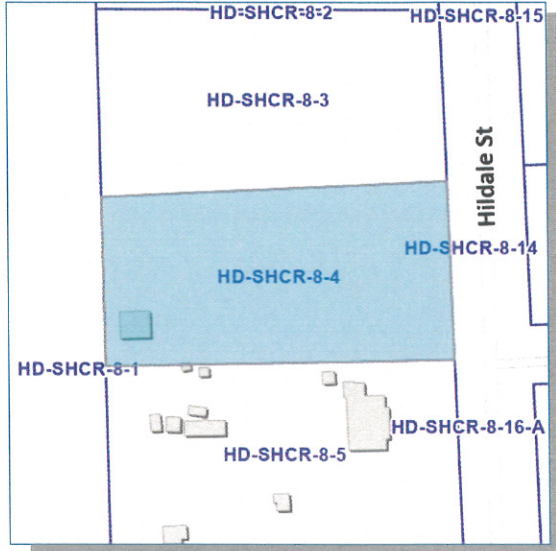
Report Generated 7/6/2022 by Washington County GIS

Washington County, Utah
County Administration Building
197 E. Tabernacle Street
St. George, UT 84770-3443
www.washco.utah.gov

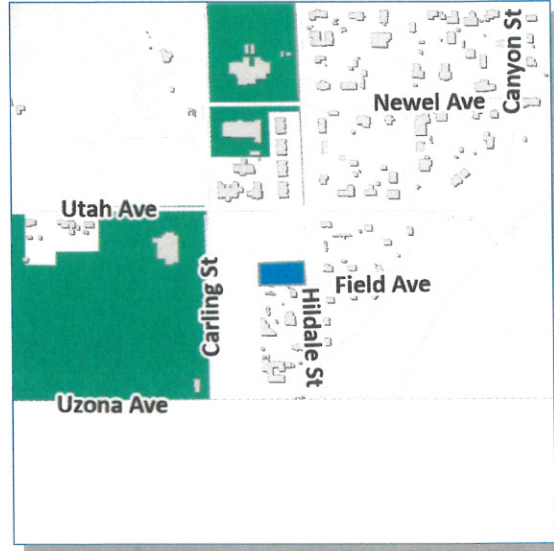


Property Report for Parcel HD-SHCR-8-4

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

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Washington County, Utah
County Administration Building
197 E. Tabernacle Street
St. George, UT 84770-3443
www.washco.utah.gov



Account 0928123

Location

Account Number 0928123
Parcel Number HD-SHCR-8-14
Tax District 02 - Hildale Town
Acres 0.53
Situs 320 E FIELD AVE , HILDALE
Legal Subdivision: SHORT CREEK 8 (HD)
Lot: 14

Owner

Name PAULSEN DAN & JILL
 3246 S 2240 E
 WASHINGTON, UT 84780

Value

Market (2021) \$112,100
Taxable \$112,100
Tax Area: 02 **Tax Rate:** 0.009859
Type **Actual** **Assessed** **Acres**
 Non
 Primary \$112,100 \$112,100 0.530
 Improved

Parent Accounts 0148125

Parent Parcels HD-191

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Transfers

Entry Number

[00952300](#)
[00953497](#)
[20090025382](#)
[20090025437](#)
[20140018759](#)
[20170049314](#)
[20210035697](#)
[20220030144](#)

Recording Date

[06/20/2005 01:58:00 PM](#)
[06/24/2005 02:22:00 PM](#)
[06/30/2009 03:19:45 PM](#)
[07/01/2009 08:14:04 AM](#)
[06/23/2014 11:22:28 AM](#)
[12/05/2017 02:39:32 PM](#)
[05/18/2021 01:55:42 PM](#)
[06/08/2022 11:03:32 AM](#)

[B: 1756 P: 2167](#)

[B: 1758 P: 2339](#)

Images

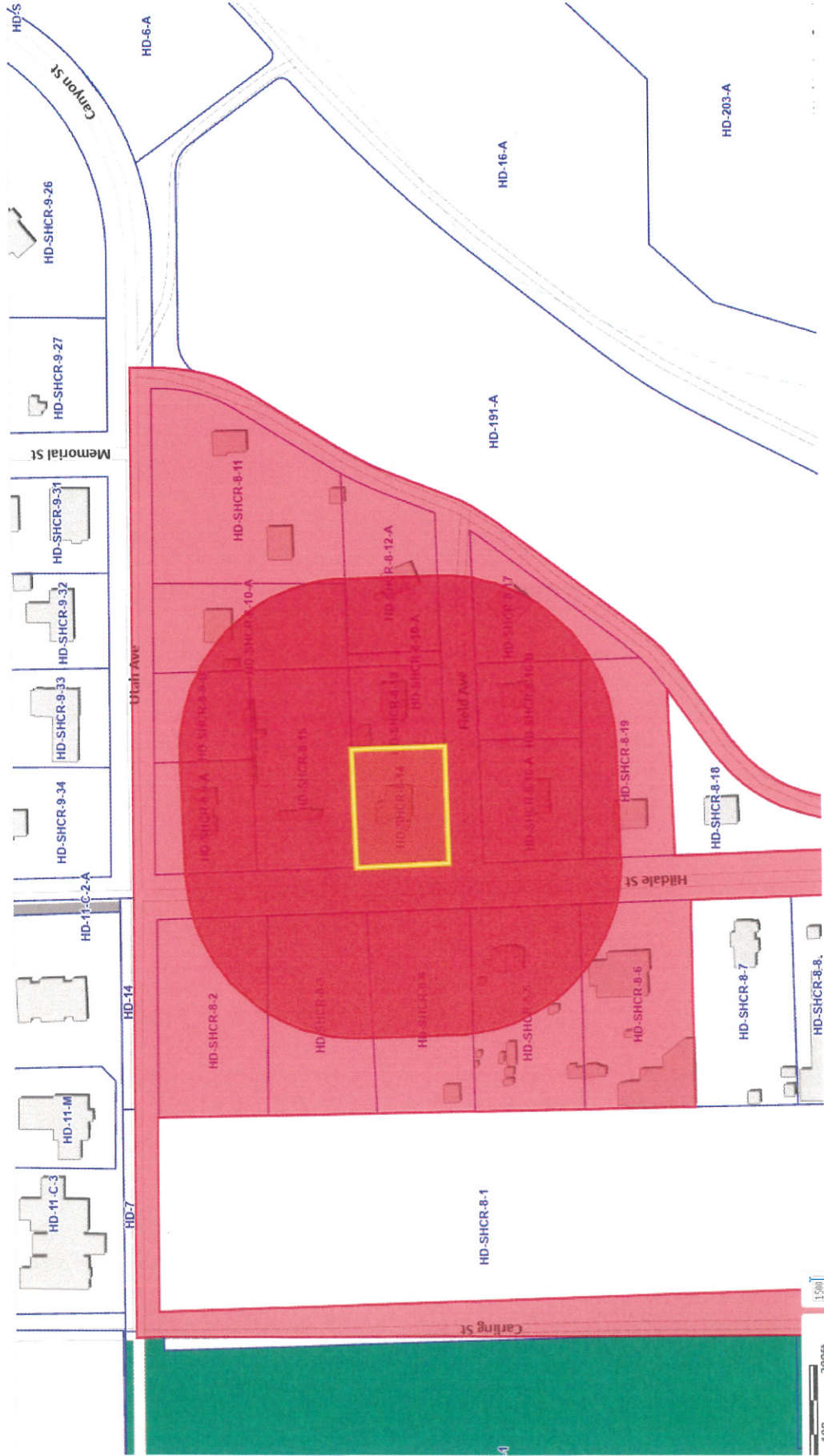
Tax Year

Taxes

2021 \$1,105.19
 2020 \$924.46

- [GIS](#)





1500'

500'

North

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- [GIS](#)



Warranty Deed Page 1 of 2
Gary Christensen Washington County
Recorder
06/08/2022 11:03:32 AM Fee \$40.00 By
EAGLE GATE TITLE INSURANCE AGENCY, INC.

Recording requested by:
Eagle Gate Title Insurance Agency, Inc.

Mail Tax Notice To:
Daniel Paulsen and Jill Paulsen
3246 South 2240 East
St. George, UT 84780

File Number: STG-97225-LH
Parcel ID: HD-SHCR-8-14

Warranty Deed

RESPA

**ZAKE HOLDINGS LLC, AN ARIZONA LIMITED LIABILITY
COMPANY,**

Grantor, hereby CONVEY(S) IN WARRANTY to

Dan Paulsen and Jill Paulsen, Husband and Wife as Joint Tenants

Grantees, for the sum of TEN AND NO/DOLLARS and other good and valuable consideration, the following tract of land in Washington County, State of Utah, to-wit

**Lot 14, SHORT CREEK SUBDIVISION #8, according to the
Official Plat thereof, on file and of record in the Washington
County Recorder's Office, State of Utah.**

APN: HD-SHCR-8-14

Subject to easements, restrictions and rights of way appearing of record and enforceable in law and subject to 2022 taxes and thereafter

WITNESS, the hand of said grantor, this 1st day of June, 2022

Zake Holdings LLC, an Arizona Limited Liability Company

By: [Signature]
Isaiah Barlow, Manger

By: [Signature]
Jacob L. Barlow, Manager
Hammon

STATE OF UTAH
COUNTY OF WASHINGTON

On this 1st day of June, 2022, before me [Signature], a notary public, personally appeared Isaiah Barlow, Manger of Zake Holdings LLC, an Arizona Limited Liability Company and Jacob L. Barlow, Manager of Zake Holdings LLC, an Arizona Limited Liability Company, proved on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to this instrument, and acknowledged he/she/they executed the same.

Witness my hand and official seal

[Signature]
Notary Public



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• [GIS](#)





Title



376.2
188.08
0
376.2 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

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Legend

Parcels

Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wild
- National Park Service
- Shivwits Reservation
- Utah Division of Wildlife Resources
- Utah Division of Transportation
- State Park
- State of Utah
- Washington County
- Municipally Owned
- School District
- Privately Owned
- Water
- Water Conservancy District
- State Assessed Oil and Gas
- Mining Claim

Notes