

From: Harrison Johnson

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

Date: August 10, 2022

Subject: Zone Change request

**Applicant Name:** Charles Hammon

Agent: N/A

**Application Type:** Zone Change request

**Project Address:** 965 N Canyon

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

Prepared by: August 10, 2022

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-9-13-B, commonly addressed as 965 N Canyon Street, Hildale, Utah from the current Residential Multifamily-1 (RM-1) to Single-family residential 8 (R1-8).

435-874-2323435-874-2603

# **Background**

The applicant submitted the application on July 26, 2022 to the Hildale City offices and paid the fee of \$100.

The applicant submitted al 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-9-13-B On the East by Canyon Street; On the South by HD-SHCR-9-13-C; and on the West by HD-SHCR-9-12; Surrounding properties are zoned RA-1, RM-1 and R1-10.

# **Analysis**

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	Zones								
	R1-15	R1-10	R1- 8	RM-1	RM-2	RM-3	MH/RV			
Agricultural uses:										
Accessory building	Р	Р	P	Р	Р	Р	Р			
Agricultural business	N	N	N	N	N	N	N			
Agricultural industry	N	N	N	N	N	N	N			
Agriculture	N	N	N	N	N	N	N			



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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
		N	N	N	N	N	N
Cultural service	N	1	_				
Cultural service  Golf course	N P	P	P	Р	Р	Р	Р



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Hospital	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N
Park Park	Р	Р	P	Р	Р	Р	Р
Post office	N	N	Z	N	N	N	N
Protective service	Р	Р	P	Р	Р	Р	Р
Reception center	N	N	N	N	N	N	N
School, elementary, middle, high or private	Р	Р	P	Р	Р	Р	Р
School, vocational	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N
Utility, minor	Р	Р	P	Р	Р	Р	Р
ommercial uses:							
Agricultural sales and service	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N
Bed and breakfast, home (Less than or Equal to 2; Owner Occupied)	С	С	C	N	N	N	С
Bed and breakfast inn (Between 3 and 10)	С	С	C	N	N	N	С
Business equipment rental, services, and supplies	N	N	N	N	N	N	N
Camping Hosting Facility	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N
		N	N	N	N	N	N
Club, private	N					N	N
Club, private  Construction sales and service	N N	N	Z	N	N		
		N N	Z	N N	N	N	N
Construction sales and service	N					N P	N P
Construction sales and service  Convenience store	N N	N	N	N	N		
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup>	N N P	N P	N P	N P	N P	P	P
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup>	N N P C	N P C	N P	N P C	N P C	P C	P C
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup>	N N P C	N P C	P C	N P C	N P C P	P C	P C
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup> Child care center	N N P C P N	N P C P	P P	N P C P	N P C P	P C P N	P C P N
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup> Child care center  Funeral home	N N P C P N N	N P C P N	P P	N P C P N	N P C P N	P C P N N	P C P N N
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup> Child care center  Funeral home  Garden center	N N P C P N N N	N P C P N N	P C N N N N N	N P C P N N	N P C P N N	P C P N N	P C P N N
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup> Child care center  Funeral home  Garden center  Gas and fuel, storage and sales	N N P C P N N N N	N P C P N N N	P N N N N N N	N P C P N N N	N P C P N N N	P C P N N N	P C P N N N
Construction sales and service  Convenience store  Family child daycare facility²  Licensed family child care²  Residential certificate child care²  Child care center  Funeral home  Garden center  Gas and fuel, storage and sales  Gasoline service station  Hostel	N N P C P N N N N N N N	N P C P N N N N	P C N N N N N N N N N N N N N N N N N N	N P C P N N N N	N P C P N N N N	P C P N N N N	P C P N N N N
Construction sales and service  Convenience store  Family child daycare facility²  Licensed family child care²  Residential certificate child care²  Child care center  Funeral home  Garden center  Gas and fuel, storage and sales  Gasoline service station  Hostel  Hotel	N N P C P N N N N N N N N N N N N N N N	N P C P N N N N N N	P C N N N N N N N N N N N N N N N N N N	N P C P N N N N N N	N P C P N N N N N N	P C P N N N N N N	P C P N N N N N N
Construction sales and service  Convenience store  Family child daycare facility²  Licensed family child care²  Residential certificate child care²  Child care center  Funeral home  Garden center  Gas and fuel, storage and sales  Gasoline service station	N N N P C C P N N N N N N N N N N N N N	N P C P N N N N N N N N	P C N N N N N N N N N N N N N N N N N N	N P C P N N N N N N N N N	N P C P N N N N N N N N	P C P N N N N N N N	P C P N N N N N N N
Construction sales and service  Convenience store  Family child daycare facility <sup>2</sup> Licensed family child care <sup>2</sup> Residential certificate child care <sup>2</sup> Child care center  Funeral home  Garden center  Gas and fuel, storage and sales  Gasoline service station  Hostel  Hotel  Kennel, commercial	N N P C P N N N N N N N 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	P C N N N N N N N N N N 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 P C P N N N N N N N 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	P C P N N N N N N N N N N N N N N N N N



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	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	Z	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	N	N	N	N	N	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	P	P	P	P	Р	P
	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
	Freight terminal	N	N	N	N	N	N	N
	Heavy industry	N	N	N	N	N	N	N



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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	Z	N	N	N	N
Mineral extraction	N	N	Z	N	N	N	N
Wholesale and warehousing, general	N	N	Z	Ν	N	N	N
Wholesale and warehousing, limited	N	N	Z	N	N	N	N

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#### 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 152-13-1 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

		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	89 ft.	90 ft.	80 ft.	70 ft.	80 ft. project	100 ft. project	200 ft. project
nontage					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
Distance between buildings	No requirement	No requirement	No requirement	No requirement	20 ft.	20 ft.	20 ft.



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Any building <sup>5</sup>	24 ft.	25 ft.					
Setback standards - rear yard:							
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						
Setback standards - street side yard:							
Main building <sup>7</sup>	19 ft.	20 ft.					
Accessory building	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.
- 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.



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5. 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.

### **Recommendation**

Staff recommends approval of the zone change request as it remains consistent with Hildale City' General Plan. The property since being split from the larger parcel is now building a single family residential home and thus does not lower the available housing units, in fact, as this is new construction on previously unimproved land, it actually increases the number of units available.

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## <u>Sample Motions – ZONING CHANGE</u>

1. I move to recommend approval of the zoning map amendment requested for Parcel HD-SHCR-9-13-B, commonly addressed as 965 North Canyon Street from the current Residential Multi-Family (RM-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-9-13-B
- c. Draft copy Rezone Letter for Neighboring Properties
- d. Public Hearing Notice

# Zone Tax Performance Analysis

**Applicant Name:** Charles Hammon

**Agent:** N/a

**Application Type:** Zone Change request

**Project Address:** 965 North Canyon Street

**Current Zoning:** RM-1

**Requested Zoning:** R1-8

**Date:** August 10, 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.

Chairperson: Charles Hammon Vice-Chairperson: Elyssa Wall

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



Acreage: .26

Tax Assessed Value 2021: \$32,000

**CTVA:** \$123,076

#### Current Average Zone Performance (CAZP)

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

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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: R1-8

**PAZP:** \$199,399

# 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.

**Current Annual Tax Per Acre**: \$ \$1,213.40

**Estimated Proposed Tax Per Acre:** \$ \$1,965.88

**Narrative:** Due to the lot being assessed as unimproved land, the CTVA will be lower than it would be if it were a productive Multi-family zone. However, any building upon unimproved land will increase the amount of tax revenue collected. Therefore, the zone change will likely increase the sustainability in terms of infrastructure upkeep and maintenance.

Chairperson: Charles Hammon Vice-Chairperson: Elyssa Wall

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

# **ZONE CHANGE APPLICATION**

City of Hildale 320 East Newel Avenue Hildale, UT 84784 (435) 874-1160 FAX (435) 874-2603

For Office Use Only:
File No.
Receipt No.

Name: Charles Hammon	<b>Telephone:</b> 435-619-4586
Address: 965 North Canyon Street, Hildale, UT 84784	Fax No. 435-608-4586
Agent (If Applicable):	Telephone:
Email: charles@exceldesign.us	
Address/Location of Subject Property: 965 North Ca	nyon Street
Tax ID of Subject Property: HD-SHCR-9-13-B	Existing Zone District: RM-1
Proposed Zoning District and reason for the requirements to change this property from RM-1 to R1-8	est (Describe, use extra sheet if necessary)
	i.e
Submittal Requirements: The zone change applica	tion shall provide the following:
<ul> <li>X b. An accurate property map showing the classifications;</li> <li>X c. All abutting properties showing present and accurate legal description of the properties.</li> <li>X d. An accurate legal description of the properties.</li> <li>X e. Stamped envelopes with the names and 250 feet of the boundaries of the properties.</li> </ul>	ent zoning classifications; property to be rezoned; and addresses of all property owners within perty proposed for rezoning.
submitted with the application. An incom Planning Commission consideration. Plan second Thursday and fourth Wednesday Planning Department for the deadline da is deemed complete, it will be put on the	mation noted above along with the fee is applete application will not be scheduled for aning Commission meetings are held on the of each month at 6:00 p.m. Contact the ate for submissions. Once your application agenda for the next Planning Commission plete application could result in a month's
(Office Use Only)	pplication Complete: YES NO
	Completion determination made by:

# **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 as a means 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 waste water 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.

# AFFIDAVIT PROPERTY OWNER

ATE OF OTAH Arizona
OUNTY OF Motrage :ss
we), heing duly sworn, depose and say that I (we) am (are) the rner(s) of the property identified in the attached application and that the statements herein contained and the formation provided identified in the attached plans and other exhibits are in all respects true and correct to the best my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for nich I am applying and the Hildale City Planning staff have indicated they are available to assist me in making this plication.  (Property Owner)
(Property Owner)  day of July 2022.  ELIZABETH CAWLEY MOTARY PUBLIC - ARIZONA MOHUBELIC - ARIZONA MOHUBELIC - ARIZONA MOTORIA WITH COMMISSION # 551294 MY COMMISSION EXPIRES AUGUST 11, 2022  Residing in:  My Commission Expires:  August 11, 2027
Agent Authorization
we),, the owner(s) of the real property described in the attached application, 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 is 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:

Hildale City 320 East Newel Avenue P. O. Box 840490

Hildale UT 84784-0490 43

435-874-2323

Receipt No: 1.051599

Jul 26, 2022

CHARLES HAMMON

Previous Balance: MISCELLANEOUS

.00

Land Use ZONE CHANGE

100.00

Total:

100.00

Check - Zions Bank Check No: 1337

100.00

Payor:

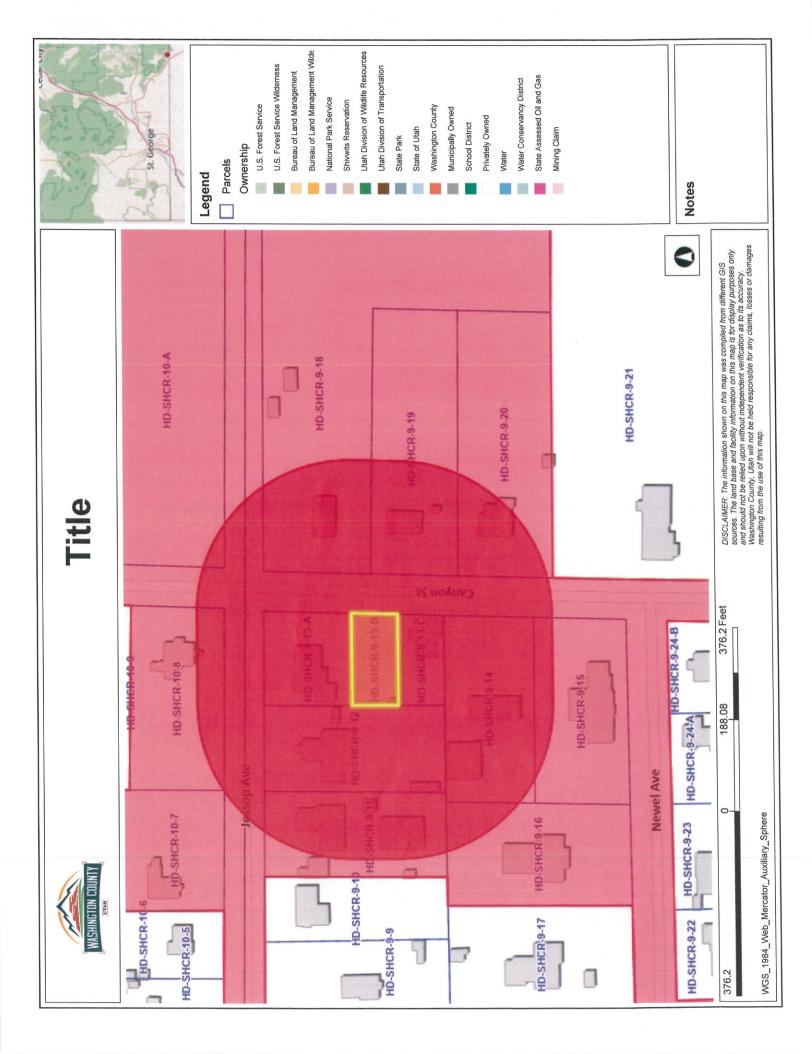
CHARLES HAMMON Total Applied:

100.00

Change Tendered:

.00

07/26/2022 1:33 PM



Hildale City Sunrise Cloud SMART GIS®

PRecording Requested by:

Recording Requested by Red Dirt Development 17470 N. Pacesetter Way Scottsdale, AZ 85255 (801)973-7825

Mail Tax Notices to and
ATTER RECORDING RETURN TO:
Charles Hammon
PO Box 190
Colorado City, AZ 86021

DOC # 20220021804

Harranty Deed Sary Christensen Washington County Recorder 14/19/2022 01:08:32.PM Fee \$ 40.00 By EXCEL DESIGN ASSOCIATES

NWO HILLIAN COLS

SPACE ABOVE THIS LINE (3 1/2" X 5") FOR RECORDER'S USE

WARRANTY DEED

A.P.N.: HD-SHCR-9-13-B

Red Dirt Developement, L.C., an Arizona limited liability company, Grantor, of Colorado City, Mohave County, State of AZ, hereby CONVEY AND WARRANT to

Charles Hammon, a Single Man, Grantee, of Colorado City, Mohave County, State of AZ, for the sum of Ten Dollars and other good and valuable considerations the following described tract(s) of land in Washington County, State of Utah:

PART OF LOT 13, SHORT CREEK SUBDIVISION #9, AMENDED & EXTENDED, ACCORDING TO THE OFFICIAL PLAT THEREOF OF FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 13, SHORT CREEK SUBDIVISION #9
AMENDED & EXTENDED; SAID POINT BEING LOCATED ON THE WEST LINE OF CANYON
STREET (500 EAST STREET) AND THE SOUTH LINE OF JESSOP AVENUE (1000 NORTH
STREET); THENCE SOUTH 01 °22'39" WEST, ALONG THE EAST LINE OF SAID LOT 13, AND
WEST LINE OF SAID CANYON STREET, 141.94 FEET TO THE POINT OF BEGINNING; THENCE
CONTINUING SOUTH 01 °22'39" WEST, ALONG SAID LINES, 75.03 FEET, THENCE DEPARTING
SAID LINES AND RUNNING SOUTH 89°50'27" WEST, 148.58 FEET TO A POINT LOCATED ON
THE WEST LINE OF SAID LOT 13; THENCE NORTH 00°03'23" WEST, ALONG SAID LINE, 75.00
FEET; THENCE DEPARTING SAID LINE AND RUNNING NORTH 89°50'27" EAST, 150.45 FEET
TO THE POINT OF BEGINNING.

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

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20220021804 04/19/2022 01:06:32 PM Rage 2 of 2 Washington County A.P.N.: HD-SHCR-9-13-B Warranty Deed - continued Witness, the hand(s) of said Grantor(s), this April Red Dirt Developement Company, LLC, an Arizona limited liability company Name: Caleb Cawley Title: Member STATE OF County of before me the undersigned Notary Public, personally appeared Caleb Cawley, Member of Red Dirt Developement, an Arizona limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal. My Commission Expires: Notary Public KATHERINE NAYLOR Notary Public - Arizona Mohave County Commission # 582701