

**From:** Eric Duthie, Hildale City Manager  
**To:** Hildale City Council; Hildale City Mayor  
**Date:** April 3, 2024  
**Subject:** Text Amendment recommendation

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On January 22, 2024, Mr. Richard Barlow, through an agent representative John Barlow, submitted a request for a text amendment to Hildale City Code concerning lowering the minimum acreage for Planned Recreational Resort Zone, The specific request is to change Section 152-26-3 from the current five (5) acre minimum to a two (2) acre minimum.

Staff forwarded the amendment to the Planning and Zoning Commission for the February 15, 2024 regular meeting. However, the item was incorrectly noticed, so no action was taken. However significant discussion did occur among the Commissions, staff, and members of the general public. The amendment was resubmitted to the Commission and properly noticed for the March 21, 2024 regular meeting.

During the March 21, 2024 meeting staff confirmed the application was submitted properly and in compliance with City Code. A public hearing was conducted and two comments opposing the amendment were received. Upon conclusion of the public hearing, the Commission conducted an entailed and spirited discussion. Some of the issues discussed included density; Neighborhood impact; Similarities and differences between Short Term Rentals and Recreational Resort Zones; Procedures required in Site Plans for rezone requests; and Procedures of the PZ Commission action.

At the conclusion of the discussion, a motion was made to recommend a modification of the text amendment to the Hildale City Council with the following recommendations and conditions, per authority granted in City Code 152-7-7 (d) (3) "... Following a public hearing the planning commission may recommend for approval, approval with modifications, or denial thereof to the city council.":

- This amendment applies solely to Recreational Resort Zones.
- Site plan requirements remain the same (i.e.. fire lanes and other safety access).
- All structures will comply with development standards.
- Reduce the minimum lot size from five (5) acre to two (2) acres **AND** limit the number of allowed units to eight (8) units per acre.

The Planning Commission recommended, on a split 3-2 vote, the text amendment to the City Council.

The Hildale City Council may, per authority of City Code 152-7-7 (d) (4) "Following receipt of a recommendation from the planning commission, the city council shall hold a public meeting on the



application as provided in section 152-7-4 of this chapter. The city council may approve, approve with modifications, or deny the proposed amendment.

Council may make determinations as identified in City Code Sec 152-7-7 Zoning Map And Text Amendments, Sec. (e) Approval Standards, which states:

*A decision to amend the text of this chapter or the zoning map is a matter within the legislative discretion of the city council as described in subsection 152-7-5A of this chapter. In making an amendment, the following factors should be considered:*

- 1) Whether the proposed amendment is consistent with 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

For Council reference, there are additional attachments to the April 10, 2024, City Council Packet, to include the following:

**2024-01-22 Text Amendment App Richard Barlow\_985 N  
RR Text Amndt Site Plan 2024  
RR Zone Current 2024  
REVISED DRAFT Ord 152-26 RR Zone April 2024**



**Mayor: Donia Jessop  
Councilmembers: JVar Dutson, Brigham Holm, Luke Merideth, Terrill Musser, Darlene Stubbs  
City Manager: Eric Duthie**