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HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

Application Type: Conditional Use Permit (Greater Building Size)

Applicant Name: Heber Black

Project Address: 765 N Willow St

Current Zoning: RA-1

Legislative/Administrative Proceeding: Administrative

Approval Authority: Hildale Planning Commission

Appeal Authority: Hildale City Council

SUMMARY OF APPLICATION

The applicant is requesting a conditional use permit pursuant to Hildale City Code Sections 152-7-9 and 152-14-7(b) to increase the maximum size of an accessory building on Lot HD-SHCR-1-3, commonly addressed as 765 North Willow Street.

BACKGROUND

The subject lot is located on the west side of Willow Street between Utah Avenue and Field Avenue (see map). It was zoned RA-1 with the adoption of the zoning map in 2018.

The applicant has applied for a building permit to construct a 2,550 square foot canvas tent on the subject lot, which will be supported by metal hoops bolted to a concrete foundation, and which he asserts will be a temporary structure. Membrane-covered structures that will be erected for more than 180 days require a building permit. The Hildale Land Use Ordinance provides for some temporary uses, but a storage building is not one of them. The plans submitted indicate the planned tent will exceed the 2,000 square foot maximum size for accessory buildings in the RA-1 zone. Otherwise, the tent will conform to the development standards for the zone.

The Planning & Zoning Department staff is required and authorized by Section 152-7-13 to review all building permit applications for zoning compliance. A building permit cannot be issued unless the proposed structure conforms to the Land Use Ordinance. In this case, a conditional use permit will have to be approved prior to issuance of the building permit.

Mayor: Donia Jessop
City Council: Maha Layton, Lawrence Barlow
Stacy Seay, JVar Dutson, Jared Nicol

320 East Newel Ave.
P.O. Box 840490
Hildale, UT 84784

STAFF ANALYSIS

Standards for Approval/Denial

The standards for approval of a conditional use permit allowing a greater size building than ordinarily permitted are defined in Section 152-7-9(e)(2)(g), which requires that the building:

1. Must be of compatible architecture with immediately adjacent buildings;
2. Must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface; and
3. Must be for a use permitted in the zone in which it is located.

Compatible Architecture

The proposed tent structure is only fifteen feet high and will be covered with neutral-colored canvas. The immediately adjacent buildings consist of traditional wood frame construction single-family homes in various states of completion. Given that it only exceeds the allowable square footage by 27.5%, staff believes that from the lot line the visual appearance of the tent will not be materially different from that of a similar structure within the 2,000 square foot limit.

Pervious Surface

The subject lot contains 0.80 acres, or 34,848 square feet. Staff did not verify the square footage of the residence and the concrete driveway and patio on the site, because it is clear that over 35% of the lot area will be left pervious.

Permitted Use

Accessory uses in residential agricultural zones are defined to include “incidental storage buildings.” (HCC § 152-14-3(b)(3).)

Staff Recommendation

Based on the foregoing analysis, staff recommends granting the conditional use permit.



Caution

Ask yourself the following questions before voting.

1. Do I have a conflict of interest that has not been disclosed?
2. Am I granting this application based on who the applicant is?
3. In our discussion or in my own personal deliberations, did I/we consider the applicant's:
 - Color
 - Disability
 - Family Status
 - Sex/Gender
 - Race
 - Religion
 - National Origin
 - Familial Status
 - Military Service

If the answer is yes to any of the questions above, STOP. Consult with City Planning and Zoning Administrator, City Manager, City Attorney or Court Appointed Monitor Roger Carter (435) 319-0840 or rcivicus@gmail.com).



Sample Motions

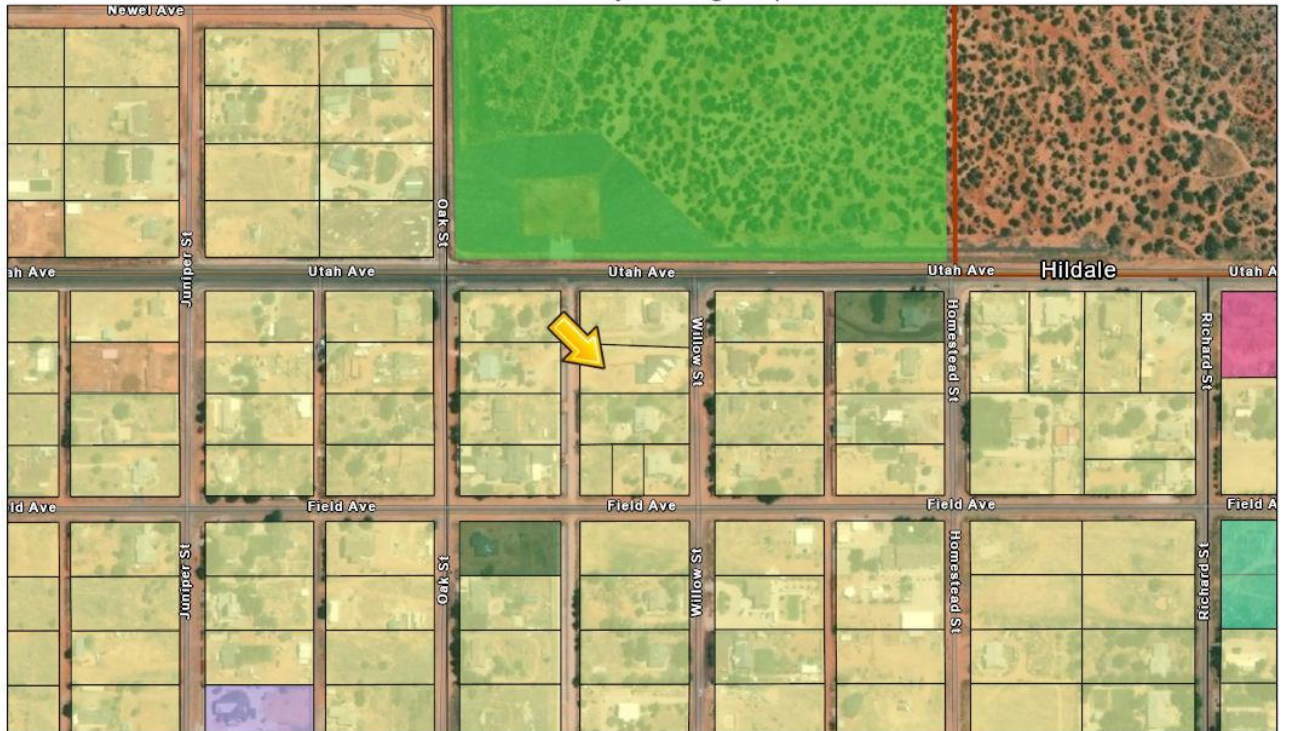
(Approve without conditions) I move we approve a conditional use permit allowing a 2,550 square foot tent for storage purposes as presented for lot(s) HD-SHCR-1-3 based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Approve with conditions) I move we approve a conditional use permit allowing a 2,550 square foot tent for storage purposes as presented for lot(s) HD-SHCR-1-3 with the following additional conditions: **[list conditions]**.

(Deny) I move we deny a conditional use permit allowing a 2,550 square foot tent for storage purposes for lot(s) HD-SHCR-1-3 based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Postpone) I move we postpone considering the conditional use permit application to the next regular planning commission meeting, and direct staff to provide more information about _____
_____.

Hildale City Zoning Map



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▬ Municipal Boundary

▭ Parcels

Zoning District Overlays

▭ PDO - Planned development overlay

Zoning Districts

▭ RA-1 - Residential-agricultural 1

▭ RA-.5 - Residential-agricultural .5

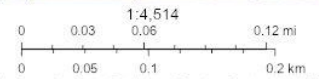
▭ RM-1 - Multiple-family residential 1

▭ RM-2 - Multiple-family residential 2

▭ NC - Neighborhood commercial

▭ GC - General commercial

▭ OS - Open space



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