



☎ 435-874-2323

☎ 435-874-2603

🌐 www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: \$500 + \$2 p/ mailing notice

| | |
|-----------------------------|-------|
| <i>For Office Use Only:</i> | |
| File No. | _____ |
| Receipt No. | _____ |

Name: Samuel Fischer Telephone: (385) 216-0582

Address: 1281 Home Front Circle, Bluffdale, Utah Fax No. _____

Agent (If Applicable): Rosenberg Associates Telephone: (435) 673-8586

Email: codya@racivil.com

Address/Location of Subject Property: _____ 980 N. Maple St.

Tax ID of Subject Property: HD-SHCR-3-1 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
(R1-8) Looking to divide the current 1-acre lot into 4 new lots, all with a minimum of 60 foot of road frontage and a minimum of 0.20 acres or 8,800 sq feet.

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 6:00 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

Date application deemed to be complete: _____ 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 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 for approval, approval with modifications, or denial of 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.



DATE: 12/31/24
 JOB NO.: 14604-24
 DRAWN BY: C.G.A.
 SCALE: 1"=60'
 DWG: SURVEY-EXHIBIT

| DATE | REVISIONS |
|------|-----------|
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ROSENBERG
 ASSOCIATES
 CIVIL ENGINEERS • LAND SURVEYORS

352 EAST RIVERSIDE DRIVE, SUITE A-2
 ST. GEORGE, UTAH 84790
 435.673.8566
 WWW.RACIVIL.COM

EXHIBIT MAP
 (CURRENT ZONE RA-1)



| | |
|-----------|----------------|
| DATE: | 12/31/24 |
| JOB NO.: | 14604-24 |
| DRAWN BY: | C.G.A. |
| SCALE: | 1"=60' |
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| | |
| | |
| | |


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 435.673.8586
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EXHIBIT MAP
 (PROPOSED ZONE R1-8)

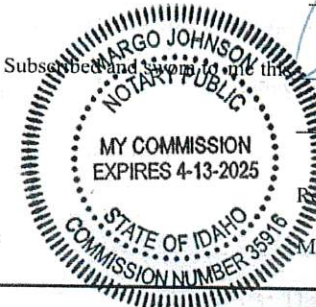
AFFIDAVIT
PROPERTY OWNER

STATE OF Idaho)
COUNTY OF Boundary)

I (we), Samuel Fischer, 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.

Samuel C Fischer
(Property Owner)

Samuel C Fischer
(Property Owner)



Subscribed and sworn to me this 6th day of January 2025.

Margo Johnson
(Notary Public)

Residing in: Bonanza Ferry

My Commission Expires: 4/13/25

Agent Authorization

I (we), Samuel Fischer, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Rosenberg Associates 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.

Samuel C Fischer
(Property Owner)

Samuel C Fischer
(Property Owner)



Subscribed and sworn to me this 6th day of January 2025.

Margo Johnson
(Notary Public)

Residing in: Bonanza Ferry

My Commission Expires: 4/13/25

Exhibit "A"

All of Lot 1 of the Short Creek Subdivision #3, as found on file with the Washington County Recorder's Office. Entry No. 20140018625.

Containing 44,014 square feet or 1.01 acres.



January 8, 2025

Special Warranty Deed Page 1 of 3
Gary Christensen Washington County Recorder
07/01/2024 03:29:36 PM Fee \$40.00 By FIRST
AMERICAN - ST. GEORGE MAIN

Recording Requested by:
First American Title Insurance Company
50 East 100 South, Suite 100
St. George, UT 84770
(435)673-5491

Mail Tax Notices to and
AFTER RECORDING RETURN TO:
Westwood Trust of Idaho
38 Songbird Ln
Bonners Ferry, ID 83805

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

SPECIAL WARRANTY DEED

Escrow No: **363-6320520 (JB)**
A.P.N.: **HD-SHCR-3-1**

Jeff J. Barlow, Executive Director of the United Effort Plan Trust, Grantor, of **Hildale**,
Washington County, State of **UT**, hereby CONVEYS AND WARRANTS only as against all claiming by,
through or under it to

Samuel Cris Fischer, Trustee of the Westwood Trust of Idaho, dated December 5, 2016,
amended December 21, 2019, completely restated on February 1, 2023, Grantee, of **Bonners**
Ferry, **Boundary** County, State of **ID**, 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**:

Lot 1, SHORT CREEK SUBDIVISION #3, according to the official plat thereof on file and of
record in the Washington County recorder's office.

Subject to easements, restrictions and rights of way appearing of record and general property taxes for
the year 2024 and thereafter.

SUBJECT TO: The matters set forth on Exhibit "A" attached hereto and made a part hereof.

Witness, the hand(s) of said Grantor(s), this **July 01, 2024**.

[Signature page follows]

Case No.: HD-SHCR-3-1

Special Warranty Deed - continued

File No.: 363-6320520 (JB)

Jeff J. Barlow, Executive Director of the United Effort Plan Trust

[Handwritten Signature]

Jeff J. Barlow, Executive Director

STATE OF UTAH)
County of WASHINGTON)ss.

On July 01 2024, before me, the undersigned Notary Public, personally appeared **Jeff J. Barlow, Executive Director of the United Effort Plan Trust**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/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: 02-08-2025

[Handwritten Signature]
Notary Public



ROSENBERG ASSOCIATES
CONSULTING ENGINEERS & LAND SURVEYORS
352 E. RIVERSIDE DRIVE, SUITE A-2
ST GEORGE, UT 84790
(435) 673-8586

ALTBANK ADD GLACIER BANK
ST. GEORGE, UT 84790



97-310/1243

CHECK DATE January 13, 2025

PAY Five Hundred Eighteen and 00/100 Dollars

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

AMOUNT 518.00

TWO SIGNATURES REQUIRED



Raymond Altman
James S. Jones
AUTHORIZED SIGNATURE

⑈046145⑈ ⑆124303104⑆ 6000145⑈

Security features. Details on back.

ROSENBERG ASSOCIATES

Check Date: 1/13/2025

| Invoice Number | Date | Voucher | Amount | Discounts | Previous Pay | Net Amount |
|------------------|----------|--------------|--------|-----------|--------------|------------|
| 01.10.25 | 1/8/2025 | 000000030103 | 518.00 | | | 518.00 |
| City of Hildale | | TOTAL | 518.00 | | | 518.00 |
| TC Bank Checking | 6 | V841 | | | | |

Cody ext 105

ROSENBERG ASSOCIATES

Previous Balance: .00
 MISCELLANEOUS 500.00
 Land Use ZONE CHANGE 980
 N MAPLE ST
 MISCELLANEOUS
 POSTAGE 18.00

Total: 518.00

Check - Zions Bank 518.00
 Check No: 6145

Payor: ROSENBERG ASSOCIATES
 Total Applied: 518.00

Change Tendered: .00

01/17/2025 9:02 AM

11dale City
 320 East Newel Avenue
 P. O. Box 840490
 Hildale UT 84784-0490 435-874-2323

Receipt No: 1.055234 Jan 17, 2025

CHAPTER 13 RESIDENTIAL ZONES

[c 152-13-1 Purpose](#)

[c 152-13-2 Scope](#)

[c 152-13-3 Uses Allowed](#)

[c 152-13-4 Development Standards In Residential Zones](#)

[c 152-13-5 Regulations Of General Applicability](#)

[c 152-13-6 Regulations For Specific Uses](#)

[c 152-13-7 Special Regulations](#)

[c 152-13-8 Illustrations \(Reserved\)](#)

c 152-13-1 Purpose

see section 152-11-2 of this chapter.

c 152-13-2 Scope

The provisions of this chapter shall apply to any real property located in a residential zone as shown on the official zoning map. No building or structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this chapter, this code, or other laws.

c 152-13-3 Uses Allowed

(a) 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 | | | | | | |
| | R1-15 | R1-10 | R1-8 | RM-1 | RM-2 | RM-3 | MH/RV |
| Agricultural uses: | | | | | | | |
| Accessory building | P | P | P | P | P | P | P |
| 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 |
| Agriculture residential | P | P | P | P | P | P | P |
| Animal specialties | P | P | N | N | N | N | N |
| Animals and fowl for recreation and family food production | P ³ /C | P ³ /C | P ³ | N | N | N | N |
| Stable, private | N | N | N | N | N | N | N |
| Residential uses: | | | | | | | |
| Assisted living facility | C | C | C | N | N | N | N |
| Boarding house | N | N | N | N | N | N | N |
| Building, accessory | P | P | P | P | P | P | P |
| Dwelling, earth sheltered | P | P | P | P | P | P | N |
| Dwelling, multiple-family | N | N | N | P | P | P | N |
| Dwelling, single-family | P | P | P | P | P | P | P |
| Dwelling, single-family with accessory dwelling unit | P | P | P | N | N | N | N |
| Dwelling, temporary | P | P | P | P | P | P | P |
| Dwelling, two-family | N | N | N | P | P | P | N |
| Guesthouse or casita with direct access to main dwelling unit | P | P | P | N | N | N | N |
| Guesthouse or casita without direct access to main dwelling unit | C | C | C | N | N | N | N |
| Manufactured home | P | P | P | N | N | N | P |

| | | | RI-8 | | | | |
|---|---|---|------|---|---|---|---|
| Convenience store | N | N | N | N | N | N | N |
| Family child daycare facility ² | P | P | P | P | P | P | P |
| Licensed family child care ² | C | C | C | C | C | C | C |
| Residential certificate child care ² | P | P | P | P | P | P | P |
| Child care center | N | N | N | N | N | N | N |
| Funeral home | N | N | N | N | N | N | N |
| Garden center | N | N | N | N | N | N | N |
| Gas and fuel, storage and sales | N | N | N | N | N | N | N |
| Gasoline service station | N | N | N | N | N | N | N |
| Hostel | N | N | N | N | N | N | N |
| Hotel | N | N | N | N | N | N | N |
| Kennel, commercial | N | N | N | N | N | N | N |
| Kennel, residential | P | P | P | P | P | P | P |
| Laundry or dry cleaning, limited | N | N | N | N | N | N | N |
| Liquor store | N | N | N | N | N | N | N |
| 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 | N | N | N | N | N |
| Off Road Recreational Vehicle Rental | C | C | 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 ² | P | P | P | P | P | P | P |
| Personal instruction service, home based ² | P | P | P | P | P | P | P |
| 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 | P |
| Repair service | N | N | N | N | N | N | N |
| Research service | N | N | N | N | N | N | N |
| Residential hosting facility | P | P | 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 | P | P | P | P | P | P | P |

| | | | | R1-8 | | | | |
|---------------------------------------|--|---|---|------|---|---|---|---|
| Vehicle and equipment rental or sale | N | N | N | N | N | N | N | N |
| Vehicle and equipment repair, general | N | N | N | N | N | N | N | N |
| Vehicle repair, limited | N | N | N | N | N | N | N | N |
| Veterinary service | N | N | N | N | N | N | N | N |
| Warehouse, self-service storage | N | N | N | N | N | N | N | N |
| Wireless telecommunication facility | See section 10-50-5, table 10-50-1 of this title | | | | | | | |
| Industrial uses: | | | | | | | | |
| Automobile wrecking yard | N | N | N | N | N | N | N | N |
| Freight terminal | N | N | N | N | N | N | N | N |
| Heavy industry | N | N | N | N | N | N | N | N |
| Junk or salvage yard | N | N | N | N | N | N | N | N |
| Laundry services | N | N | N | N | N | N | N | N |
| Manufacturing, general | N | N | N | N | N | N | N | N |
| Manufacturing, limited | N | N | N | N | N | N | N | N |
| Mineral extraction | N | N | N | N | N | N | N | N |
| Wholesale and warehousing, general | N | N | N | N | N | N | N | N |
| Wholesale and warehousing, limited | N | N | N | N | N | N | N | N |

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.

(b) 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 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.

c 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

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES

| Development Standard | Zones | | | | | | | |
|-------------------------------|----------------|----------------|----------------|---------------|----------------|--------|--------|--|
| | R1-25 | R1-15 | R1-10 | R1-8 | RM-1 | RM-2 | RM-3 | |
| Minimum lot standards: | | | | | | | | |
| Average lot area ² | 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. | project | project | project |
| | | | | | 30 ft. unit | 30 ft. unit | 30 ft. unit |
| | n/a | n/a | n/a | n/a | 6 units/lots | 10 units/lots | 15 units/lots |

Building standards:

| | | | | | | | |
|--|----------------|----------------|----------------|----------------|---------------|---------------|-------------|
| Maximum height, main building ³ | 34 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. | 35 ft. |
| Maximum height, accessory building ⁴ | 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 10-37-21 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. |

Setback standards - front yard:

| | | | | | | | |
|---------------------------|--------|--------|--------|--------|--------|--------|--------|
| Any building ⁵ | 24 ft. | 25 ft. | 25 ft. | 25 ft. | 25 ft. | 25 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 ⁶ | 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 | See note 6 | See note 6 | See note 6 | See note 6 | See note 6 | See note 6 |

Setback standards - street side yard:

| | | | | | | | |
|----------------------------|------------|------------|------------|------------|------------|------------|------------|
| Main building ⁷ | 19 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. | 20 ft. |
| Accessory building | See note 6 | See note 6 | See note 6 | See note 6 | See note 6 | See note 6 | See note 6 |

Notes:

Duplex only permitted on first 10,000 square feet. Any additional units must meet density per acre standards.

"Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.

Except as otherwise permitted by subsection 152-13-7C of this chapter.

Except as otherwise permitted by subsection 152-13-7B of this chapter.

Except as modified by the provisions of subsection 152-37-12F, "Setback Measurement", of this chapter.

If located at least 10 feet from main building, 2 feet from the dripline of the roof. Otherwise, same as for main building.

When this side setback is required, rear setback may be reduced to 10 feet.

c 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:

- (a) Design and compatibility standards:
See chapter 33 of this title.
- (b) Landscaping and screening:
See chapter 32 of this title.
- (c) Motor vehicle access:
See chapter 35 of this title.
- (d) Natural resource inventory:
See chapter 31 of this title.

See chapter 34 of this title.

(f) Signs:
See chapter 36 of this title.

(g) Supplementary development standards:
See chapter 37 of this title.

c 152-13-6 Regulations For Specific Uses

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.

c 152-13-7 Special Regulations

(a) 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.

(b) 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.

(c) 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.

(d) Visual Barriers:
Fencing or other method of providing privacy and a visual barrier to adjacent property shall be constructed around the perimeter of 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.

(e) 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.

c 152-13-8 Illustrations (Reserved)



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

February 12, 2025

RE: Notice of Public Hearing — Re-zone Request

Parcel Number: HD-SHCR-3-1

Address: 980 N Maple St., Hildale, Utah

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Residential Agriculture (RA-1) to Residential Single-family (R1-8) Zone. The purpose is to divide the current 1 acre lot into 4 new lots, all with a minimum of 60 foot of road frontage and a minimum of 0.20 acres or 8,800 sq feet.

The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Hildale City Land Use Ordinance, available in the City Recorder's office or at

[https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER 13 RESIDENTIAL ZONES](https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER%2013%20RESIDENTIAL%20ZONES). The hearing will be held February 27, 2025, at 6:00 p.m. MDT, at Hildale City Hall, which is located at 320 East Newel Avenue, Hildale, Utah.

Any objections, questions or comments can be directed by mail to the City of Hildale, Attn: Planning and Zoning Administrator, P.O. Box 840490, Hildale, Utah 84784, or in person at the Hildale City Hall. The Planning and Zoning Administrator can be reached by phone at (435) 874-2323, or by email at planning@hildalecity.com. Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after the day of the first public hearing. Each written objection filed with the municipality will be provided to Hildale City Council.

Sincerely,


Hildale City Administration



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

February 26, 2025

RE: Notice of Public Hearing — Re-zone Request

Parcel Number: HD-SHCR-3-1

Address: 980 N Maple St., Hildale, Utah

To Whom it May Concern:

You are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to re-zone the above-listed parcel(s) from Residential Agriculture (RA-1) to Residential Single-family (R1-8) Zone. The regulations, prohibitions, and permitted uses that the property will be subject to, if the zoning map amendment is adopted, can be found in the Hildale City Land Use Ordinance, available in the City Recorder's office or at [https://hildale.municipalcodeonline.com/book?type=CHAPTER13 RESIDENTIAL ZONES](https://hildale.municipalcodeonline.com/book?type=CHAPTER13%20RESIDENTIAL%20ZONES). The hearing will be held March 11, 2025, at 6:00 p.m. MDT, at Hildale City Hall, which is located at 320 East Newel Avenue, Hildale, Utah.

Any objections, questions or comments can be directed by mail to the City of Hildale, Attn: Planning and Zoning Administrator, P.O. Box 840490, Hildale, Utah 84784, or in person at the Hildale City Hall. The Planning and Zoning Administrator can be reached by phone at (435) 874-2323, or by email at planning@hildalecity.com. Any owner of property located entirely or partially within the proposed zoning map amendment may file a written objection to the inclusion of the owner's property in the proposed zoning map amendment, not later than 10 days after the day of the first public hearing. Each written objection filed with the municipality will be provided to Hildale City Council.

Sincerely,


Hildale City Administration

SOUTH ZION ESTATES LLC
HD-SHCR-13-39
11951 S 645 E
DRAPER, UT 84020

BARLOW PAUL
HD-SHCR-3-2
PO BOX 842128
HILDALE, UT 84784-2128

SOUTH ZION ESTATES LLC
HD-SHCR-13-38
11951 S 645 E
DRAPER, UT 84020

JESSOP ALEX
HD-SHCR-4-17
12376 S JUNIPER HAVEN DR
RIVERTON, UT 84065-3186

FISCHER SAMUEL CRIS TRUSTEE, ET AL
HD-SHCR-3-1
38 SONGBIRD LN
BONNERS FERRY, ID 83805

PRIDE INV LLC
HD-SHCR-4-19
11951 S 645 E
DRAPER, UT 84020

SOUTH ZION ESTATES LLC
HD-SHCR-13-45
11951 S 645 E
DRAPER, UT 84020

PRIDE INV LLC
HD-SHCR-4-18
11951 S 645 E
DRAPER, UT 84020

ALLEMAN RODNEY & CINDY
HD-SHCR-3-7
PO BOX 840506
HILDALE, UT 84784

KNODEL FRANK & MARGEE
HD-SHCR-3-3
PO BOX 1941
HILDALE, UT 84784-1941

SOUTH ZION ESTATES LLC
HD-SHCR-13-37
11951 S 645 E
DRAPER, UT 84020

SOUTH ZION ESTATES LLC
HD-SHCR-13-44
11951 S 645 E
DRAPER, UT 84020

SOUTH ZION ESTATES LLC
HD-SHCR-13-36
11951 S 645 E
DRAPER, UT 84020

COOKE WARREN
HD-SHCR-3-8
PO BOX 842266
HILDALE, UT 84784-2266

BARLOW ZANE
HD-SHCR-3-4
PO BOX 842051
HILDALE, UT 84784

MEMORANDUM

To: Hildale City Planning Commission
From: Hildale City Planning Staff
Date: February 10, 2025
Re: Zone Change Application – Samuel Fischer (980 N. Maple St.)

Background

Applicant Samuel Fischer, represented by Rosenberg Associates, has submitted a request for a zone change on property located at 980 N. Maple St. (Tax ID: HD-SHCR-3-1). The current zoning designation of the property is RA-1 (Residential Agriculture – 1 Acre Minimum), and the applicant is requesting a rezone to R1-8 (Single-Family Residential – 8,800 sq. ft. minimum lot size). The intent of the zone change is to subdivide the existing 1-acre parcel into four separate residential lots, each meeting the minimum frontage of 60 feet and minimum area of 8,800 sq. ft.

Samuel Fischer has provided the necessary documents as outlined in Hildale City Code §152-7-7, including:

- A legal description of the property proposed for rezoning.
 - A map showing the property's location and the existing and proposed zoning classifications.
 - A statement explaining the rationale for the proposed zoning change and how it aligns with the city's General Plan.
 - The names and addresses of all property owners within the required notification distance.
 - Any additional information deemed necessary by the Planning Department.
-

Steps Required for Zone Change Approval

For this zone change to take effect, the following steps must be completed in accordance with Hildale City Code §152-7-7:

1. Submission of Application – The applicant must submit a complete zoning map amendment application to the Planning Department with all required documentation (§152-7-7(B)).
2. Public Notification – The city will provide public notice of the proposed zoning change and schedule a public hearing before the Planning Commission (§152-7-7(C)).
3. Planning Commission Review and Recommendation – The Planning Commission will conduct a public hearing to review the application, consider public input, and evaluate

the proposal based on the criteria outlined in §152-7-7(E). The Commission will then forward a recommendation to the City Council (§152-7-7(D)).

4. City Council Decision – The City Council will hold a public meeting to consider the Planning Commission's recommendation and make a final decision on the zoning map amendment (§152-7-7(F)).
5. Ordinance Adoption & Zoning Map Update – If approved, the City Council will adopt an ordinance formalizing the zone change, and the city's zoning map will be updated accordingly (§152-11-2).
6. Final Approval & Implementation – Once the ordinance is recorded, the property is officially rezoned, and the applicant may proceed with development in compliance with R1-8 zoning regulations (§152-13-1).

Surrounding Zoning & Land Use

The subject property is surrounded by the following zoning designations:

- North: R1-10 (Single-Family Residential – 10,000 sq. ft. minimum)
- East: RA-1 (Residential Agriculture – 1 Acre Minimum)
- South: RA-1 (Residential Agriculture – 1 Acre Minimum)
- West: RA-1 (Residential Agriculture – 1 Acre Minimum)

The property has frontage along Maple Street (to the west) and Jessop Avenue (to the north), both of which provide adequate public road access.

Compliance with the General Plan & Zoning Code

The Hildale City General Plan (2021) supports managed residential growth and encourages higher-density single-family residential development where infrastructure is available and compatibility with existing neighborhoods can be achieved (§152-2-2).

The proposed R1-8 zoning district allows for moderate-density residential development, which is consistent with the R1-10 zoning to the north. However, the surrounding RA-1 zoning (east, south, west) maintains larger lot sizes, potentially creating a transitional land use impact.

Key considerations for approval include:

1. General Plan Alignment: The request supports the city's objectives for managed residential growth and housing diversity (§152-2-2).
2. Compatibility with Surrounding Uses: The request aligns with the R1-10 zoning to the north but introduces a higher density than RA-1 in adjacent areas (§152-13-3).

3. Infrastructure & Services: The property is fronted by public streets (Maple St. & Jessop Ave.), and utility capacity should be confirmed (§152-24-2).
 4. Adverse Impacts: Increased density may impact stormwater drainage and traffic flow, which should be addressed in future subdivision approvals (§152-39-5).
-

Staff Recommendation

Based on the above analysis, staff recommends approval of the requested zone change from RA-1 to R1-8, subject to the following conditions:

1. Verification of water, sewer, and stormwater capacity to support the proposed density (§152-24-4).
2. Coordination with Public Works to ensure adequate infrastructure improvements (§152-39-6).
3. Consideration of buffering measures for adjacent RA-1 properties if necessary (§152-33-2).

This recommendation is based on the findings that the proposed zone change is generally consistent with the General Plan, compatible with adjacent R1-10 zoning, and provides for a logical residential development pattern.

Prepared by:
Hildale City Planning Staff