

From: Eric Duthie, Hildale City Manager
To: Hildale City Council;
Date: December 20, 2023
Subject: Zone Change request

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Applicant Name: United Effort Plan / Jared Bistline
Agent: Thomas Timpson
Application Type: Zone Change request
Project Address: 985 W. Field Avenue, Hildale, UT 84784
Current Zoning: RA-1
Requested Zoning: RM-2
Date: November 2, 2023
Prepared by: City Manager Eric Duthie, Zoning Administrator

Summary of Application

The Applicant is requesting approval of a Zone Change.

Request 1:

Amend the zoning map to re-zone Parcel HD-SHCR-2-38, commonly addressed as 985 W. Field Avenue, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Residential Multifamily 2 Zone (RM-2). Should the zone change be approved, the applicant intends to build multi-family units.

Background

The applicant submitted the application on November 2, 2023, 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 (included).

The Public Hearing for this zone change request was noticed, as required.

General Plan and Zoning

The property is bounded on the North by Field Avenue; On the East by an alleyway; On the South by 660 N Maple Street; and on the West by Maple Street. The Property immediately to the South, East, and North are zoned Residential Agriculture 1 (RA-1); The property adjacent to the Northwest is zoned General Commercial (GC); and the property immediately to the West is zoned Public Facilities (PF).

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						
		R1-15	R1-10	R1-8	RM-1	RM-2	RM-3	MH/RV
Residential uses:								
	Dwelling, multiple family	N	N	N	P	P	P	N
	Dwelling, two-family	N	N	N	P	P	P	N

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

DEVELOPMENT STANDARDS IN RESIDENTIAL ZONES							
	Zones						
Development Standard	R1-25	R1-15	R1-10	R1-8	RM-1	RM-2	RM-3
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.	80 ft. project	100 ft. project	200 ft. 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,	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.

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:

1. Duplex is 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.

Recommendation

Staff recommends the Planning and Zoning Commission move to recommend approval of the zone change request to the Hildale City Council for the January 2024 regular City Council meeting.

Sample Motions – ZONING CHANGE

I move to recommend approval, to the Hildale City Council, the zoning map amendment requested for Parcel HD-SHCR-2-38, commonly addressed as 985 W. Field Avenue, Hildale, Utah from the current Residential Agriculture Zone (RA-1) to Residential Multifamily 2 Zone (RM-2) during our Commission meeting on December 21, 2023.

Attachments

- a. Zone Change Application
- b. Property Owner/Agent Affidavit
- c. Fee payment receipt
- d. Warranty Deed (2 pages)
- e. Washington County Property Report for parcel HD-SHCR-2-38 (3pages)
- f. Hildale City Zoning District map

- g. Neighboring property owners list for notices
- h. Draft copy Rezone Letter for Neighboring Properties, including map (2 pages)
- i. Public Hearing Notice



☎ 435-874-2323
☎ 435-874-2603
🌐 www.hildalecity.com

ZONE CHANGE APPLICATION

Fee: ~~\$1000~~ ^{100.00}

For Office Use Only:
File No. _____
Receipt No. 1053579

Name: United Effort Plan / Jared Bistline Telephone: 435-668-1095 *Angeleke*

Address: PO Box 959 Hildale, UT 84784 Fax No. _____

Agent (If Applicable): Thomas Timpson Telephone: 435-619-6477

Email: t.c.timpson@live.com

Address/Location of Subject Property: 985 W Field Ave, Hildale, UT 84784

Tax ID of Subject Property: HD-SHCR-2-38 Existing Zone District: RA-1
Short Creek 2 (HD), Lot: 38

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Rezone parcel to RM-2 for the purpose of building multi-family units.

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

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.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

COUNTY OF)

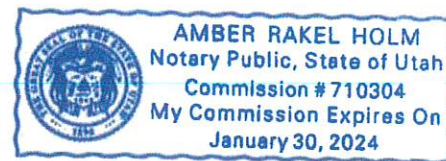
I (we), United Effort Plan, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained, and the information provided identified in the attached plans and other exhibits are in all respects true and 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.


(Property Owner)

(Property Owner)

Subscribed and sworn to me this 2nd day of November 2023


(Notary Public)



Residing in: Hildale, Utah

My Commission Expires: 1-30-2024


Agent Authorization

I (we), United Effort Plan, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Thomas Timpson 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)

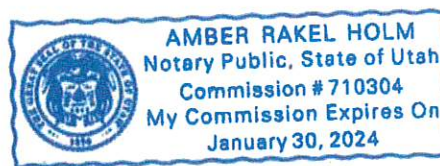
(Property Owner)

Subscribed and sworn to me this 2nd day of November 2023


(Notary Public)

Residing in: Hildale, Utah

My Commission Expires: 1-30-2024



H 7
Hildale City
320 East Newel Avenue
P. O. Box 840490
Hildale UT 84784-0490 435-874-2323

Receipt No: 1.053579 Nov 2, 2023

SANDSARC

Previous Balance:	.00
MISCELLANEOUS	
ZONE CHANGE APPLICATION	100.00

Total:	100.00
--------	--------

Check - Zions Bank	
Check No: 0077	100.00
Payor:	
SANDSARC	
Total Applied:	100.00

Change Tendered:	.00
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11/02/2023 1:36 PM



MAP

NAME: **SHORT CREEK SUBDIVISION #2**

LOTS: 45 MAP #3405

PARCEL NUMBER: HD-0-3-33-342 HD-0-3-33-301

**UNITED EFFORT PLAN
BRUCE R. WISAN TR**

LEGAL DESCRIPTION:

A TRACT OF LAND LOCATED IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 10 WEST, SALT LAKE BASE AND MERIDIAN, WASHINGTON COUNTY, UTAH, BEING FURTHER DESCRIBED AS FOLLOWS:

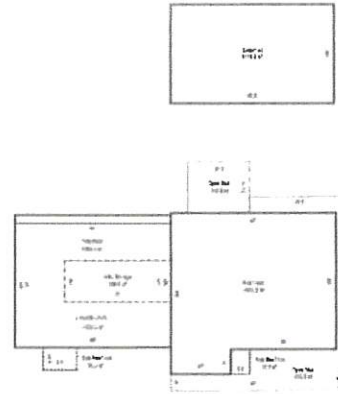
BEGINNING AT THE CENTER OF SAID SECTION 33; THENCE S 0°04'51" E 1240.83 FEET TO THE GLO LOCATION OF THE SOUTH 1/4 CORNER OF SAID SECTION 33, POINT ALSO BEING ON THE STATE LINE OF UTAH AND ARIZONA AS DEFINED BETWEEN MILE POSTS 58 AND 60.19 BY PREVIOUS COLORADO CITY STREET DEDICATION PLATS; THENCE S 89°53'30" W 1977.90 FEET ALONG SAID STATE LINE; THENCE N 0°05'52" W 636.25 FEET; THENCE N 0°05'12" W 609.29 FEET TO A FOUND PK-NAIL, POINT BEING S 0°03'55" E 0.22 FEET FROM THE EAST-WEST CENTER SECTION LINE OF SAID SECTION 33; THENCE S 89°57'40" E A DISTANCE OF 1319.64 FEET; THENCE S 89°59'36" E 658.51 FEET TO THE POINT OF BEGINNING. CONTAINING 56.45 ACRES

Property Report for Parcel **HD-SHCR-2-38**

Data Updated: 10/22/2023



[Click here for images](#)



[Click here for sketches](#)

Account Summary

Account Number: 0927911
Parcel ID: HD-SHCR-2-38
Owner Name: United Effort Plan

Subdivision: Short Creek
Situs Address: 985 W Field Ave
Hildale, UT 84784

Building Characteristics

Building Number: 1
Property Type: Residential
Year Built: 1992
Square Feet: 4381
Units: 1
Exterior: Frame Masonry Veneer
Roof Cover: Comp Shingle Heavy
HVAC Desc: Heat Pump

Bedrooms: 3
Bathrooms: 6
Garage Square Feet: 1116
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.

Report Generated 10/25/2023 by Washington County GIS

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



Property Report for Parcel **HD-SHCR-2-38**

Property Information

Acres: 0.91
Zoning: Residential-Agricultural 1
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

** 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://geopredvm.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: B: 1758 P: 2339
Reference Document: 953497

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
Water Canyon
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/>*

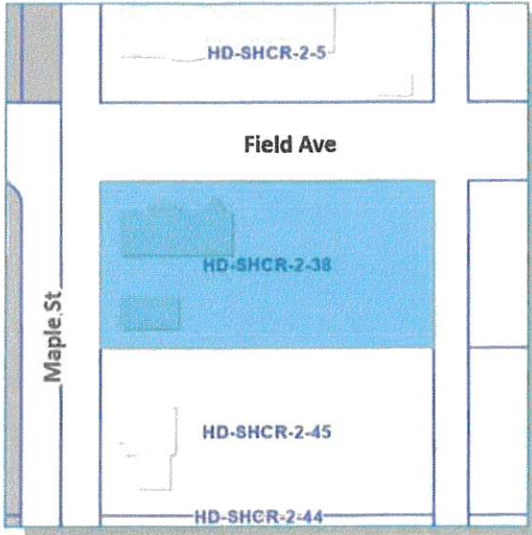
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Property Report for Parcel **HD-SHCR-2-38**



Parcel highlighted in blue.



Overview Map

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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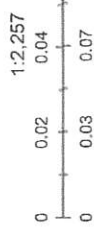


Hildale City Zoning districts



10/25/2023, 1:42:43 PM

- Municipal Boundary
- Washington County Parcels
- Zoning Districts**
- RA-1 - Residential-agricultural 1
- RM-1 - Multiple-family residential 1
- GC - General commercial
- HC - Highway commercial
- M-1 - Light industrial
- PF - Public facilities
- OTH - Other



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UNITED EFFORT PLAN
HD-SHCR-2-38
PO BOX 959
HILDALE, UT 84784

PRIDE INV LLC
HD-SHCR-2-44
11951 S 645 E
DRAPER, UT 84020

HILDALE TOWN CORP
HD-HDIP-34
PO BOX 840490
HILDALE, UT 84784-0490

745 NORTH ELM STREET LLC
HD-SHCR-2-4-A
1221 E OSBORN RD # 105
PHOENIX, AZ 85014

PRIDE INV LLC
HD-SHCR-2-41
11951 S 645 E
DRAPER, UT 84020

JENSEN RYLON S
HD-SHCR-2-45
PO BOX 841770 660 N MAPLE ST
HILDALE, UT 84784-0770

CANAAN MOUNTAIN HOLDINGS LLC
HD-HDIP-33
PO BOX 3306
COLORADO CITY, AZ 86021-3306

UNITED EFFORT PLAN
HD-SHCR-2-39
PO BOX 959
HILDALE, UT 84784

HILDALE TOWN CORP
HD-HDIP-37A
PO BOX 840575
HILDALE, UT 84784-0490

STANDARD FUEL COMPANY
HD-PTAX-34
PO BOX 840398
HILDALE, UT 84784-0398

STUBBS JEFFREY S, ET AL
HD-SHCR-2-40
PO BOX 1677
COLORADO CITY, AZ 86021-1677

TOOKE MILLS GARY SHANE & KALIE LEA TRS
HD-HDIP-37
840 N ELM ST # 2372
HILDALE, UT 84784

980 WEST FIELD HOUSING COMPLEX LLC
HD-SHCR-2-5
13613 N CAVE CREEK RD
PHOENIX, AZ 85022

WOOSTER MARK & CINDI
HD-SHCR-2-4-B
745 N ELM ST
HILDALE, UT 84784



📞 435-874-2323

📠 435-874-2603

🌐 www.hildalecity.com

Date: November 15, 2023
RE: Notice of Public Hearing — **Re-zone Request**
Parcel Number: **HD-SHCR-2-38**
Address: **985 W. Field Ave., Hildale, Utah**

To Whom it May Concern:

You are an identified property owner within 300 feet of a property requesting rezoning. As such, you are invited to a public hearing to give any input you may have, as a neighboring property owner, regarding a request to rezone the above-listed parcel from Residential Agriculture 1 (RA1) to Residential Multiple Family 2 (RM-2).

RA-1 and RA-.5 zones are intended to for very low-, and low-density development with little impact on its surroundings and municipal services; to preserve the city's semi-rural areas; and to promote and preserve large-lot family life, including the keeping of limited numbers of farm animals and fowl. Large lot neighborhoods with detached single-family dwellings, protected from encroachment by commercial and industrial uses is the intent. Other uses are small farms, hobby farms and agricultural developments. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

The purpose of the RM-1, RM-2, and RM-3 zones is for well-designed apartments, townhomes, twin homes, and condominiums, at medium to high density, that are appropriately buffered from and compatible with surrounding land uses. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

Details of Zones are found in the Hildale City Land Use Ordinance, available from City Hall, or at https://hildale.municipalcodeonline.com/book?type=ordinances#name=CHAPTER_13_RESIDENTIAL_ZONES

The hearing will be held Thursday, December 21, 2023, at 6:00 pm (MDT), at Hildale City Hall, at 320 East Newel Avenue, Hildale, Utah.

Any objections, questions or comments can be submitted in person at the Hildale City Hall, or by mail to:

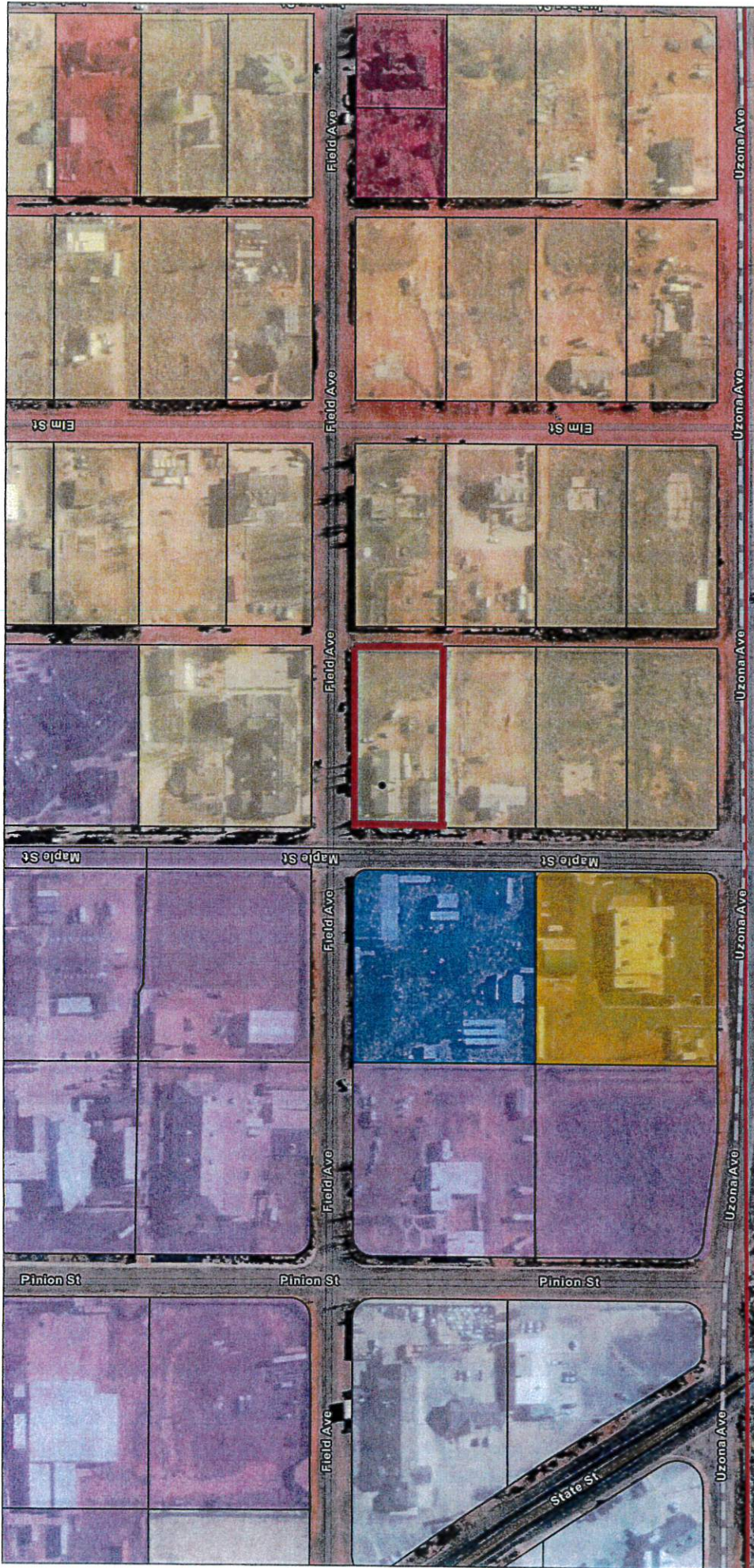
City of Hildale Zoning Administrator, P.O. Box 840490, Hildale, Utah 84784
Or phone Eric Duthie at (435) 874-2323, or email manager@hildalecity.com.

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 public hearing. Each written objection filed with the municipality will be provided to the Hildale City Council.

Sincerely,

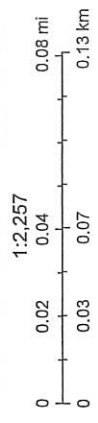
Eric Duthie, City Manager
Zoning Administrator

985 W. Field Ave. Rezone request



11/14/2023, 10:35:22 AM

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- GC - General commercial
- HC - Highway commercial
- M-1 - Light industrial
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- OTH - Other
- RA-1 - Residential-agricultural 1



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Hildale City
Sunrise Cloud SMART GIS®



Hildale City PUBLIC HEARING Planning Commission

Thursday, December 21, 2023 at 6:00 PM
320 East Newel Avenue, Hildale City, Utah 84784

Agenda

Notice is hereby given to the members of the Hildale City Planning Commission and to the public, that the Planning Commission will hold a public hearing as part of the regular meeting on Thursday December 21, 2023 at 6:00 p.m. (MDT), at 320 East Newel Avenue, Hildale City, Utah 84784.

The Commission will receive public comment concerning 985 W. Field Ave. request to Rezone application.

No decisions will be made during the Public Hearing.

Upon conclusion of the Public Hearing, the Commission will return to their regular meeting and this item will be heard in the order in which it is addressed on the meeting agenda.
