

Hildale City Planning Commission

320 East Newel Avenue, Hildale, Utah 84784

Thursday, January 26, 2021, 6:30 pm

Present:

Commissioners: Charles Hammon in person, Jenn Kesselring zoom, Nathan Fischer zoom, Tracy Barlow zoom, Brigham Holm zoom, Derick Holm absent, Rex Jessop absent

Recorder: Athena Cawley

Staff: Eric Duthie, Harrison Johnson, Christian Kesselring

Public: Ray Chatwin, Toni Chatwin, John Barlow, Josh Crawford, Thomas Timpson, J Marion Timpson

Court Monitor: Roger Carter

#1. Call to Order.

Meeting called to order at 6:38 pm.

#2. Roll Call

Roll was taken, quorum present.

#3. Pledge of Allegiance

Charles led the crowd in the pledge of allegiance.

#4. Public Comment

Levi Black sent a letter in which stated his concern with contention between neighbors and Zion Glamping Adventures growing campgrounds.

#5. Discussion and Possible Action on Approving Meeting Minutes for October 15, 2020 and October 27, 2020.

Charles Hammon moved to Approve Meeting Minutes for October 15, 2020.

Jennifer Kesselring seconded. Roll call vote:

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

Charles Hammon moved to Approve Meeting Minutes for Thursday, October 27, 2020 with the corrections as noted.

Jennifer Kesselring seconded. Roll call vote:

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

#6. Public Hearing

**Charles Hammon moved to go into the Public Hearing.
Tracy Barlow seconded. Roll call vote:**

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

A. Consider Possible Amendments to the Hildale City Land Use Ordinance Relating To:

- a. **Separation (Distance) Increase from Rehabilitation Facilities. The Relevant Code Sections May Include, Without Limitation, HCC§§ 152-46-6 (C).**
John Barlow briefly informed the Commissioners of the bases of text amendments and what the Planning & Zoning can do if applicants want to change a text amendment. The Planning & Zoning would make a recommendation based on the intent of what the applicant is asking, choosing to deny or except the application. Going from there, the City Manager and the City Attorney can devise a way that could possibly meet the intent of the requested text amendment. John asked for distance between any residential treatment facility to be increased to 5,000 ft.
- b. **Increase the Main Building Maximum Height, in Commercial Zones. The Relevant Code Sections May Include, Without Limitation, HCC§§ 152-15-2.**

Public Comments were read into the record:

Public comments from Toni Chatwin, Ray Chatwin, Darlene Stubbs, and Bernice Barlow were read into the record stating that the City has reached its capacity for rehabilitation facilities and treatment centers. They expressed concerns for the safety of their families and reputation of the community.

Ray Chatwin and Toni Chatwin wrote in, inquiring about how tall a building can be on commercial property and the concern for having tall buildings around residential neighborhoods.

Charles Hammon moved to leave the Public Hearing and return to regular meeting. Jennifer Kesselring seconded. Roll call vote:

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

#7. General Plan Update

Manager Duthie presented saying he had an opportunity to sit down with consultants to help prepare for the updated general plan. They outlined the next steps to get the general plan back into motion. Manager Duthie met with some members of the steering committee and had a conversation to come up with ideas for advertising information to the public to get more responses from the community. Commissioner Hammon asked for the public to please take the online survey, because input from the public is vitally important. The survey can be found at Hildalecityplan.org.

#8. New Commission Business

A. Consideration and Possible Action on Text Amendment to the Hildale City Land Use Ordinance Submitted by John Barlow to Amend HC Code 152-46-6c Extending Separation Requirements Between Residential Treatment Facilities from One Thousand (1000) Feet to Five Thousand (5000) Feet.

John Barlow applied to amend code 152-46-6c to extend separation requirements between residential treatment facilities from 1,000 ft. to 5,000 ft. He talked about what the text amendment does and does not address. He believes that residential treatment facilities have a lot to teach our community and the City has a lot to give back to the treatment facilities. It is a delicate balance and he suggested that with three facilities in a town of roughly 2,900 people then that should keep a good balance. He suggested that Planning Commissioners recommend to the City Council two things: #1 to increase the distance from 1,000 ft. to 5,000 ft. and #2 to change the definitions to manage all treatment facilities in the same way that they would a facility of 5,000 ft. of any other type of treatment facility. As the population grows, and the ordinance can be revisited. Commissioner Hammon asked about the process and language of the text amendment. Manager Duthie addressed the issue of drafting an outline of a text amendment and of how the Commissioners like to proceed with them. Commissioner Holm talked about the process of a text amendment, which is taking what the applicant is asking for and drafting out a recommendation with them and then give the recommendation to the City Council to review. Christian gave some legalities to have a public hearing for changing a text amendment.

Manager Duthie gave a summary of 3 things that this item addresses. #1 the facilities that are currently in place are grandfathered in their existence and would not be affected by

this in their current form. #2 is to increase the distance between the facilities from 1000 ft. to 5000 ft. and #3 a refinement of the definition for treatment facilities and clarifying what the definition would be to avoid text confusion. Commissioner Hammon, Commissioner Kesselring, and Commissioner Barlow agreed with the amendment and noted a change to make the correction to the code 152-46-5c. Commissioner Holm dropped of the call and Commissioner Fischer was asked to conduct this part of the meeting.

Charles Hammon moved to recommend to the Hildale City Council to approve Text Amendment to the Hildale City Land Use Ordinance to Amend HC Code 152-46-5c Extending Separation Requirements Between Residential Treatment Facilities from One Thousand (1000) Ft. to Five Thousand (5000) Ft. (with the suggestion to staff further identify or define what facilities are included.)
Jennifer Kesselring seconded. Roll call vote:

	YES	NO	ABSTAIN
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

- B. Consideration and Possible Action on Text Amendment to the Hildale City Land Use Ordinance Submitted by Josh Crawford, an Agent for Don Timpson, to Amend HC Code 152-15-4, Table 152-15-2 Changing Maximum Building Height of Highway Commercial Zone from Thirty-Five (35) Feet to Fifty-Five (55) Feet.** Thomas Timpson and Josh Crawford presented. Josh is looking to change the text amendment to add 35 ft. height restriction to 55 ft. along the highway commercial zones. It would allow for a 3rd story in an office building. Commissioner Hammon addressed concern for the extended height allowance that would be in commercial zones vs in neighborhood or general commercial. The application being considered is a height amendment only to highway commercial and does not change the building height allowances in neighborhood commercial or general commercial.

Commissioner Holm entered back into the meeting.

Manager Duthie stated that he met with Fire Chief Kevin Barlow about the fire safety concerning the height of the building and Kevin feels that the fire department has the fire equipment necessary for the height of this building.

Jennifer Kesselring moved to recommend to the Hildale City Council to approve Text Amendment to the Hildale City Land Use Ordinance to Amend HC Code 152-15-4, Table 152-15-2 Changing Maximum Building Height of Highway Commercial Zone from Thirty-Five (35) Feet to Fifty-Five (55) Feet.

Tracy Barlow seconded. Roll call vote:

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

C. Consideration and Possible Action on Site Plan Review for HD-SHCR-4-37, 1280 West Utah Ave.

Harrison presented the preliminary review of the site plan on Utah Avenue for the Plus One building. Thomas Timpson discussed where the project is located on the intersection of Utah Avenue and Utah highway 89. He submitted forms for a site plan and a maximum height text amendment. What he proposed is to add on to an existing building along that highway and construct a 3-story building. He presented and explained the layout of the plans for the addition to the building and presented pictures of the final project. Commissioner Kesselring dropped off the call at this point in the meeting.

Commissioner Hammon thanked the applicants and explained that it was a preliminary site plan application, and that a preliminary site plan approval does not create any vested rights. He mentioned that the proposed building is in a utility easement, and that the code has provisions against parking that supports a use of property that is not the same as the building. He asked how the project was going to be proposed without rearranging existing utility easements and the lot lines. Harrison addressed code 152-34-5 referencing parking and explained that it is a final site plan issue that may need to be adjusted.

Commissioner Hammon inquired about the status of sidewalk, curb, gutter, and a fire line to the proposed building and if it will be on the final site plan.

Commissioner Holm and Christian explained a preliminary site plan and what it takes for approval. A Preliminary Site Plan Review’s purpose is to get a review of a plan in less detail and then come back with a final site plan with more in-depth detail for review.

Charles Hammon moved to approve Preliminary Site Plan Review for HD-SHCR-4-37, 1280 West Utah Ave.

Tracy Barlow seconded. Roll call vote:

	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon	X		
Nathan Fischer	X		
Tracy Barlow	X		

Motion carried.

D. Consideration and Possible Action on Site Plan Review for South Zion Inn & Suites, 750 North State Street.

Commissioner Hammon stated a conflict of interest; he prepared the site plan and will abstain. Commissioner Kesselring entered back into the meeting. J Marion Timpson has been working with Don Timpson on an 8-unit motel addition to what is already existing. He has worked with Harrison to make sure to meet all the expectations and codes of the City to make sure they qualify. Commissioner Hammon talked as part of the public, representing as the engineer of the applicant and project. He feels confident that the project meets the City codes.

Tracy Barlow moved to approve Site Plan Review for South Zion Inn & Suites, 750 North State Street.

Nathan Fischer seconded. Roll call vote:

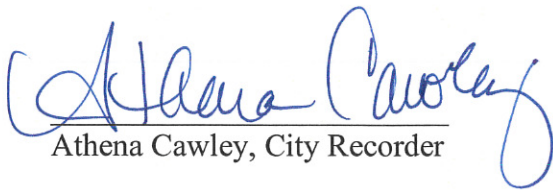
	YES	NO	ABSTAIN
Brigham Holm	X		
Charles Hammon			X
Nathan Fischer	X		
Jenn Kesselring	X		
Tracy Barlow	X		

Motion carried.

#9. Adjournment

With no other business meeting adjourned at 8:26 pm.

Minutes were approved at Planning Commission meeting on May 3, 2021.


Athena Cawley, City Recorder

