



HILDALE CITY

Established 1963

P.O. BOX 840490 320 E. NEWEL AVE. HILDALE, UTAH 84784 PHONE: 435-874-2323 FAX: 435-874-2603

NOTICE AND 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 MEETING ON THURSDAY THE 15th DAY OF AUGUST, 2019 AT HILDALE CITY HALL, 320 EAST, NEWEL AVENUE, WHICH MEETING SHALL BEGIN AT 6:30 P.M. MDT.

THE AGENDA SHALL BE AS FOLLOWS:

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT
5. APPROVAL OF MINUTES OF PREVIOUS MEETING
6. PUBLIC HEARING
 - A. REZONE APPLICATION OF THE FOLLOWING LOTS:
 - i. HD-SHCR-9-1 (345 E JESSOP AVE.)
7. CONSIDER REZONE APPLICATION ON THE FOLLOWING LOTS:
 - A. HD-SHCR-9-1 (345 E JESSOP AVE.)
8. WORK SESSION
 - A. ORDINANCE PERTAINING TO OFF-SITE IMPROVEMENTS
 - B. UPDATE ON GENERAL PLAN
9. ADJOURNMENT

Agenda items and any variables thereto are set for consideration, discussion, approval or other action. The City Council may, by motion, recess into executive session which is not open to the public, to receive legal advice from the City attorney(s) on any agenda item, or regarding sensitive personnel issues, or concerning negotiations for the purchase, sale or lease of real property. Council Members may be attending by telephone. Agenda may be subject to change up to 24 hours prior to the meeting. Individuals needing special accommodations should notify the City Recorder at 435-874-2323 at least three days prior to the meeting.

Hildale City Planning Commission Meeting

320 East Newel Avenue, Hildale, Utah 84784

Monday, July 15, 2019

Present:

Commissioners: Nathan Fischer, Derick Holm, Rex Jessop

Staff: Kyle Layton, Vincen Barlow, Mariah La Corti

Public: Toni Chatwin, Ray Chatwin

Court Monitor: Roger Carter (arrived 7:30)

#1 Call to Order

Meeting called to order at 6:30 pm by Vice-Chair Nathan Fischer.

#2. Roll Call

Roll was taken, quorum present.

#3. Pledge of Allegiance

The crowd joined in the pledge of allegiance.

#4. Public Comment

Toni Chatwin read aloud a letter that she wrote regarding the disruption of the residential area in which she lives (640 N. Juniper Street) with the construction of a commercial lodge/restaurant (620 N. Juniper Street). She is concerned that the fence between the two does not provide sufficient privacy. She would like the city to require the business to construct a privacy fence no less than 6 feet tall and refuse a public restaurant, alcohol sales and additional dwellings. She feels that a town can have both tourism and residents, but that the two should not be combined into one area.

Maha Layton addressed the commission to thank them for establishing processes, and the Chatwins for going through the process properly for their concern.

#5. Approval of Minutes of Previous Meetings

No corrections noted.

Brigham Holm moved to approve the minutes of the June 17, 2019 meeting.

Derick Holm seconded. Roll call vote:

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

#6. Public Hearing

**Nathan Fischer moved to open the public hearing.
Brigham Holm seconded. Roll call vote:**

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

A. Re-Zone Applications of the Following Lots:

a. HD-SCHR-3-10 (985 N. Juniper)

Kyle Layton presented. Applicant is requesting a lot-split. Staff feels that this is a good location for a lot split and will create an excellent piece of property. However, no current utilities run east to west along Jessop Avenue which may cause added cost to developing the new property.

Brigham Holm explained the reason for the request.

No public comment.

b. HD-SCHR-6-24&32 (660 & 680 N. Richard Street)

Kyle Layton presented. Applicant is requesting a zone change from RM-2 to RM-2 with Planned Development Overlay. Staff feels that a planned development overlay is a good option for this property. It would not affect the current density of the area but would allow the developer the ability to create an attractive part of the community which would not only be beneficial for those in that development, but those surrounding that development as well.

Rex Jessop asked about curb and gutter and drainage. Kyle explained that according to the ordinance passed by the city council because the area is already developed, he would not be required to do curb and gutter.

Commissioners confirmed that proper noticing was mailed to all property owners within 250 feet of this property.

No public comment.

B. Land Use Rates & Fees

Kyle Layton presented. He walked the commission through the proposed changes. He is proposing these changes based on the actual costs associated with processing the applications.

No public comment.

C. Possible Changes to Land Use Ordinance 152-39-3 Definition of “Joint Utility Committee”

Kyle Layton presented. He is requesting a change of the definition of the change of a joint utility committee to more clearly define the members to include the city engineer and representatives from all major utility providers.

No public comment.

**Nathan Fischer moved to close the public hearing.
Derick Holm seconded. Roll call vote:**

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

#7. Consider Rezone Applications on the Following Lots

A. HD-SCHR-3-10 (985 N. Juniper)

Brigham Holm recused himself due to a conflict of interest.

**Rex Jessop moved to approve the zoning map amendment requested by Brigham Holm based on the findings set forth in the staff report.
Derick Holm seconded. Roll call vote:**

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | | | X |

Motion carried.

B. HD-SCHR-6-24&32

A planned development overlay will allow flexibility with setbacks while keeping the same density. There was brief discussion about sidewalks, curb and gutter.

**Nathan Fischer moved to approve the zoning map amendment requested by Charles Hammon based on the findings set forth in the staff report.
Brigham Holm seconded. Roll call vote:**

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

#8. Work Session

A. Ordinance Pertaining to Off-Site Improvements

Kyle Layton has mapped out the roads, the road type, surface and current condition. The discussion that needs to be had is how to pay for road improvements in the areas of town that are already developed. This item will be addressed again when more commissioners are present.

B. Discussion on General Plan Updates

The City Council budgeted in some money for a general plan. Kyle has talked with a company that does general plans for small rural communities and received numerous suggestions. This item will be addressed again when more commissioners are present.

C. Rates and Fees Review

#9. Discussion and Possible Change to Rates and Fees

There was brief discussion on how our fees compare to other cities.

Nathan Fischer moved to recommend to City Council that we accept the proposed changes to the Rates and Fees schedule.

Brigham Holm seconded. Roll call vote:

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

#10. Discussion and Possible Changes to Land Use Ordinance 152-39-3 Definition of “Joint Utility Committee”

Each of the major utility providers have been contacted and will have a representative on the committee.

Brigham Holm moved to recommend to City Council that we approve the proposed changes to land use ordinance 152-39-3 changing the definition of “Joint Utility Committee”.

Derick Holm seconded. Roll call vote:

| | YES | NO | ABSTAIN |
|----------------|-----|----|---------|
| Nathan Fischer | X | | |
| Rex Jessop | X | | |
| Derick Holm | X | | |
| Brigham Holm | X | | |

Motion carried.

#11. Adjournment

With no other business, meeting adjourned. Next meeting will be August 12, 2019 at 6:30 pm.



Fee: \$100

For Office Use Only:

File No. _____

Receipt No. _____

ZONE CHANGE APPLICATION

Name: Acira Laboratories LLC Telephone: [REDACTED]

Address: Box 65127 SLC UT 84107 Fax No. [REDACTED]

Agent (If Applicable): Gordon Furness Telephone: [REDACTED]

Email: [REDACTED]

Address/Location of Subject Property: 345 E Jessop Ave Hildale

Tax ID of Subject Property: _____ Existing Zone District: R1-1D

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
GC-m1 Zoning approval is required for Acira Labs at the state level, for each location.

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

ISAAC
ISAAC

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 14 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 as a means 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 waste water 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 of approval, approval with modifications, or denial 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.

DC.
Idaho

AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~)

COUNTY OF Boundary

I (we) David Chatwin, 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.

[Signature]

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 1st day of August 2019.

[Signature]
(Notary Public)

Residing in: Boundary County Idaho
My Commission Expires: May 3 2024

Janelle L Fischer
Commission Number 59595
Notary Public
State of Idaho
My Commission Expires May 3, 2024

Agent Authorization

I (we) David Chatwin, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Gordon Furness 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.

[Signature]

(Property Owner)

(Property Owner)

Subscribed and sworn to me this 1st day of August 2019.

[Signature]
(Notary Public)

Residing in: Boundary County Idaho
My Commission Expires: May 3 2024

Janelle L Fischer
Commission Number 59595
Notary Public
State of Idaho
My Commission Expires May 3, 2024

HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

Project/Applicant Name: Acira Laboratories LLC.

Project Address: 345 E Jessop Ave.

Current Zoning: R1-8

Proposed Zoning: GC or M-1

Summary of Application

The Applicant is requesting an amendment to the zoning map to change 1 lot(s) located on the south east corner of Jessop Ave, and Hildale St. from R1-8 (Single Family Residential) to GC or M-1 (General Commercial or Light industrial) zoning, for the stated purpose to meet approval standard for state certification.

Background

The property was given R1-8 Zoning during the original creation of the zoning map. The lot consists of approximately 0.98 Acres and includes a residence of approximately 11,370 sq ft located on the west half of the property.

General Plan and Zoning

The property is surrounded by several different zones including RA-1 and NC to the north, PF to the west and south, RM-2 to the south, R1-8 and NC to the East. The current zoning map show this property as low-density residential.

Analysis

The nearest general commercial zone can be found two blocks to the south on Utah Ave. and Hildale St. There is General Commercial located about 2 blocks south of this property but no light industrial in the vicinity. During the creation of the zoning map most properties were zoned for the use that was currently happening on the property. However, this area of the map doesn't seem to follow that. It consists of mostly residential homes located on 1 acre but they are zoned for smaller 8,000 sq ft lots. It gives the impression that this area was addressed with more of a general planning mindset in preparation for the future. This property is also within close proximity of a public school, library, and city offices.

Staff Recommendation

It seems that this area has had a little more thought for the future than other areas of the map which may rise concerns for making such a drastic change in the zoning map. Also due to the nature of the business that is being proposed at this location there may be some concern from the surrounding properties. Staff would recommend that the commission strongly take into account any issues brought up during the public hearing.

Sample Motions

1. (Approve without conditions) **I move we recommend that the City Council approve the zoning map amendment requested by Acira Laboratories LLC based on the findings set forth in the staff report.**
2. (Approve with conditions) **I move we recommend that the City Council approve the zoning map amendment requested by Acira Laboratories LLC with the following conditions: [list conditions].**
3. (Deny) **I move we recommend the City Council deny the zoning map amendment requested by Acira Laboratories LLC based on the findings set forth in the staff report.**

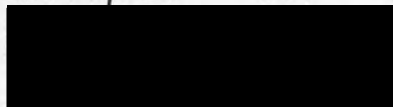
OGDEN UT 84201-0038

In reply refer to: 0457910889
July 01, 2019 LTR 147C 0
83-4158391 000000 00

00006062
BODC: SB

ACIRA LABORATORIES LLC
GORDON FURNESS MBR
1055 E MACH SCHNELL DR
SANDY UT 84086-6936

Jeff S. Burton MBR
2375 E. BEAR HILLS DR.
DRAPER UT 84020



032513

Employer identification number: 83-4158391

Dear Taxpayer:

Thank you for your inquiry of June 20, 2019.

Your employer identification number (EIN) is 83-4158391. Please keep this letter in your permanent records. Enter your name and EIN on all federal business tax returns and on related correspondence.

You can get any of the forms or publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, you can call us at 800-829-0115.

If you prefer, you can write to us at the address at the top of the first page of this letter.

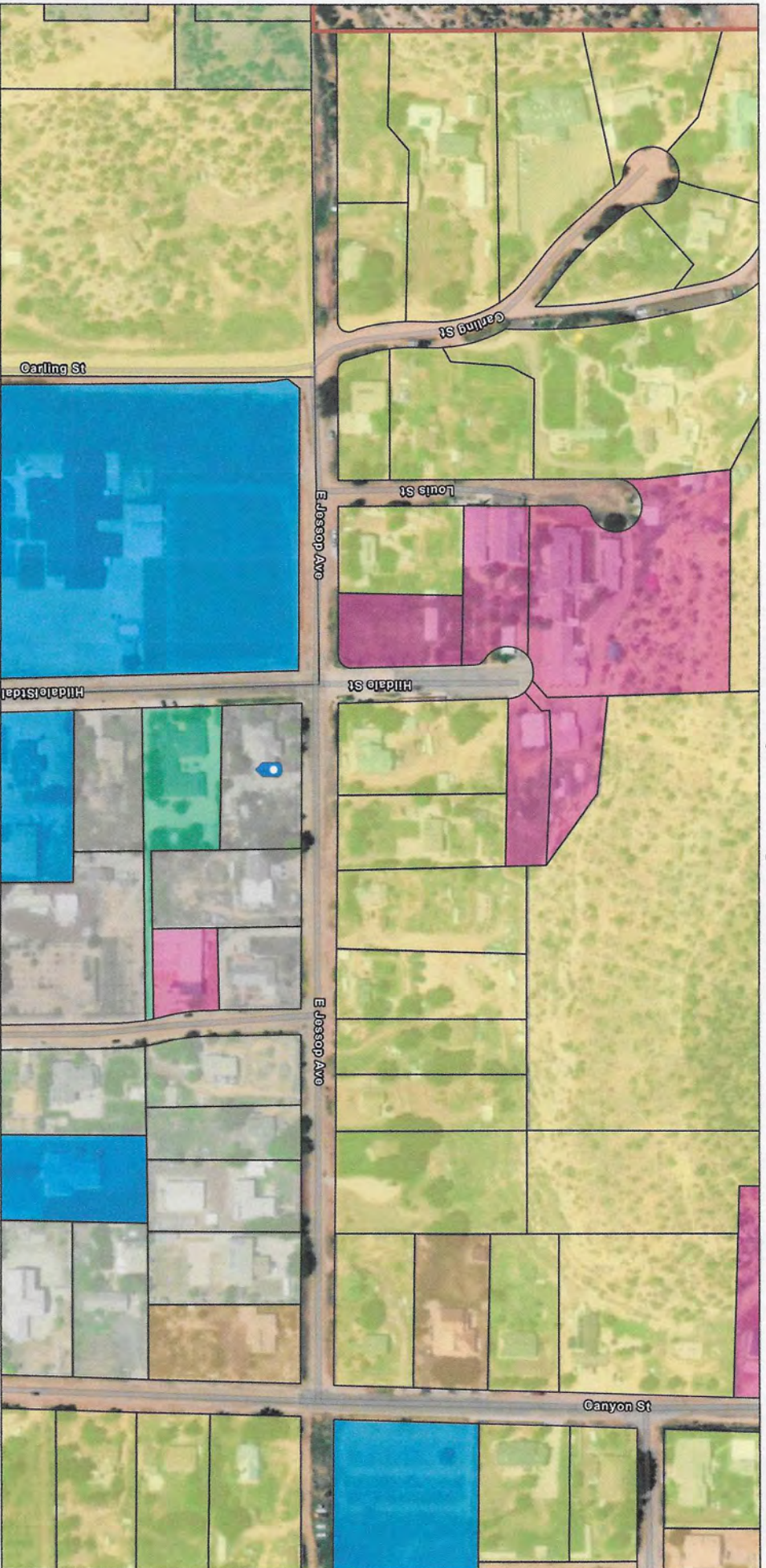
When you write, include a copy of this letter, and provide your telephone number and the hours we can reach you in the spaces below.

Telephone number () _____ Hours _____

Keep a copy of this letter for your records.

Thank you for your cooperation.

Hildale City Zoning districts



- 7/30/2019, 1:53:13 PM
- Municipal Boundary
 - Parcels
- Zoning District Overlays
- APO - Agriculture protection overlay
 - HDO - Historic district overlay
 - PDO - Planned development overlay
- Zoning Districts
- SLO - Sensitive lands overlay
 - EIO - Extraction industries overlay
 - A-5 - Agricultural 5
 - RA-1 - Residential-agricultural 1
 - RA-5 - Residential-agricultural 5
 - R1-15 - Single-family residential 15
 - R1-10 - Single-family residential 10
 - R1-8 - Single-family residential 8

- R1-6 - Single-family residential 6
- RM-1 - Multiple-family residential 1
- RM-2 - Multiple-family residential 2
- RM-3 - Multiple-family residential 3
- MH/RV - Mobile home/RV park
- NC - Neighborhood commercial

- GC - General commercial
- HC - Highway commercial
- PC - Planned commercial
- POC - Pedestrian-oriented commercial
- BMF - Business/manufacturing park
- PO - Professional office
- M-1 - Light industrial
- M-2 - Heavy industrial
- OS - Open space
- PF - Public facilities

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Sunrise Cloud SMART GIS®, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS. © OpenStreetMap contributors, and

Account Number 0929645

Parcel Number HD-SHCR-9-1

Tax District 02 - Hildale Town

Acres 0.98

Situs 345 E JESSOP AVE , HILDALE

Legal Subdivision: SHORT CREEK 9
AMD & EXT (HD) Lot: 1

Parent Accounts 0066400
0370026

Parent Parcels HD-6
HD-11-C-2-A

Child Accounts

Child Parcels

Sibling Accounts

Sibling Parcels

Name CHATWIN DAVID

PO BOX 690

COLORADO CITY, AZ 86021-0690

| TAX ID | OWNER | ADDRESS 1 | ADDRESS 2 | CITY | STATE |
|--------------|-------------------------------|------------------------------|---------------|---------------|-------|
| HD-SHCR-10-3 | BARLOW NOLAN | PO BOX 841951 | | HILDALE | UT |
| HD-SHCR-9-7 | BARLOW PORTER | PO BOX 1019 | | COLORADO CITY | AZ |
| HD-SHCR-9-1 | CHATWIN DAVID | PO BOX 690 | | COLORADO CITY | AZ |
| HD-SHCR-10-4 | COOKE GEORGE RUSSELL TR | PO BOX 1013 | | HILDALE | UT |
| HD-SHCR-9-2 | COUNSIL ALBERT | 2011 SIERRA COMMONS RD # 916 | | DICKINSON | ND |
| HD-SHCR-9-4 | DUTSON GAWYNN | PO BOX 841995 | | HILDALE | UT |
| HD-SHCR-9-8 | STEED DAVID J | 960 N HILDALE ST | PO BOX 842756 | HILDALE | UT |
| HD-SHCR-10-1 | UNITED EFFORT PLAN | PO BOX 959 | | HILDALE | UT |
| HD-11-C-1-B | WASHINGTON COUNTY BOARD OF ED | 121 W TABERNACLE ST | | SAINT GEORGE | UT |

| ZIP | COUNTRY |
|------------|---------|
| 84784-1951 | |
| 86021-1019 | |
| 86021-0690 | |
| 84784-1013 | |
| 58601 | |
| 84784-1995 | |
| 84784-2756 | |
| 84784 | |
| 84770-3338 | |



Hildale City
320 E. Newel Ave
Hildale, UT 84784
435-874-1160
ar@hildalecity.com

XBP Confirmation Number: 64864077

| ▶ Transaction detail for payment to Hildale City. | | Date: 07/31/2019 - 11:59:44 AM | |
|--|----------|--------------------------------|-------------|
| Transaction Number: 109183454PT Visa — XXXX-XXXX-XXXX-9984 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| ACIRA LABORATORIES | Land Use | 1 | \$100.00 |

TOTAL: \$100.00

Billing Information
GORDON FURNESS GORDON
FURNESS
, 84094
GORDONFURNESS@YAHOO.COM

Transaction taken by: Sbarlow



August 1, 2019

RE: Notice of Public Hearing — Re-zone Request

Parcel Numbers: HD-SHCR-9-1

Address: 345 E Jessop Ave.

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 R1-8 (Single Family Residential) to GC or M-1 (General commercial or light industrial). 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 <http://hildalecity.com/wp-content/uploads/2018/11/LU-Ordinance-V2.pdf>. The hearing will be held August 12th at 6:30 PM 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 kylel@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 day of the first public hearing. Each written objection filed with the municipality will be provided to the Hildale City Council.

Sincerely,

Kyle Layton
Planning and Zoning Director
Tel: (435) 819-0128



CITY OF HILDALE
P.O. Box 840490 • 320 E. NEWEL AVE.
HILDALE, UT 84784

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
HILDALE, UTAH, ESTABLISHING A TEMPORARY LAND USE
REGULATION REGARDING OFF-SITE IMPROVEMENTS.**

WHEREAS, Section 152-7-13(E)(2) of the Hildale Code currently requires completion of, or a deposit sufficient to complete street improvements to city standards – including, in many areas, asphalt pavement and gutters – prior to a building permit being issued;

WHEREAS, most local streets in Hildale are unpaved and do not have gutters, including those within areas that have already been developed;

WHEREAS, the City does not yet have a unified plan for how to address the challenge of unimproved rights of way;

WHEREAS, this situation presents a compelling, countervailing public interest, in that while all residents and businesses have an interest in improving our streets, requiring private funding of street improvements on a piecemeal basis is not a practical method of achieving that goal, and in fact will likely deter desirable new construction in developed areas;

WHEREAS, Section 10-9a-504(1)(a) of the Utah Code and Section 152-7-20(A) of the Hildale Code allow the City Council to enact an ordinance establishing a temporary land use regulation for any or all of the area within the municipality if (i) the legislative body makes a finding of compelling, countervailing public interest; or (ii) the area is unregulated;

WHEREAS, the City Council desires to relieve property owners wishing to build in developed areas of the City from the burden of funding street improvements, until the City can formulate a unified plan for solving the problem;

WHEREAS, the attached map recognizes the fundamental difference between previously developed areas of the City, with roads that are traversable by normal vehicular traffic and have historically thus been used, and those at the periphery of the City, which are still largely undeveloped, and where the City wishes to continue requiring street improvements as a condition on development; and

WHEREAS, the City Council will refer the issue to the Planning Commission for deliberation and recommendation of a long-term solution of the need for street improvements.

**NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF HILDALE,
UTAH:**

Section 1. While this Ordinance remains in effect, any property that lies substantially within the shaded portions of the attached map of the City shall be exempt from the provisions of Section 152-7-13(E)(2) of the Hildale Code, and from any other local ordinance or regulation that may be construed to require the property owner to complete off-site improvements to a city street or right of way, except with regard to emergency access or flood control.

Section 2. Notwithstanding the provisions of Section 1, any property owner that undertakes to make street improvements voluntarily or under a development agreement shall be required to comply with all city standards applicable thereto.

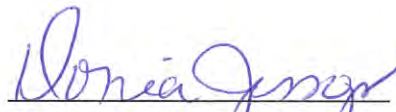
HILDALE CITY ORDINANCE No. 2019-007

Section 3. This Ordinance shall apply to the consideration of any building permit applications that are pending as of the effective date hereof, or that are filed with the City while this Ordinance remains in effect.

Section 4. This ordinance shall become effective immediately after publication or posting as required by law, and shall automatically expire six months thereafter, unless repealed earlier by action of the City Council.

PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL, STATE OF UTAH, ON THIS 5TH DAY OF JUNE, 2019.

| | | YES | NO | ABSTAIN | ABSENT |
|-----------------|----------------|-----|----|---------|--------|
| Lawrence Barlow | Council Member | X | | | |
| Stacy Seay | Council Member | X | | | |
| Jared Nicol | Council Member | X | | | |
| JVar Dutson | Council Member | X | | | |
| Maha Layton | Council Member | X | | | |


 Donia Jessop, Mayor

Attest:

 (seal)
 Vincen Barlow, City Recorder



Exhibit A to
Ordinance 2019-
007

(Exemption Area
Map)

