



## 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 AND PUBLIC HEARING ON THURSDAY THE 20<sup>th</sup> DAY OF AUGUST, 2020 AT 320 EAST NEWEL AVENUE, HILDALE, UTAH 84784 AT 6:30 PM MDT.

THE AGENDA SHALL BE AS FOLLOWS:

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. PUBLIC COMMENT
5. DISCUSSION AND POSSIBLE ACTION ON APPROVING MEETING MINUTES
6. STAFF REPORTS
  - A. SUMMARY OF INCOMPLETE APPLICATIONS
  - B. SUMMARY OF PENDING OR APPROVED ADMINISTRATIVE APPLICATIONS
  - C. REQUEST FOR PROPOSAL FOR GENERAL PLAN UPDATE 2020
7. PUBLIC HEARING
  - A. ORDINANCE 2020-009 ESTABLISHING LAND USE REGULATIONS REGARDING SITE REVIEW FOR LOTS WITH ALLOWED NON-CONFORMING STRUCTURES
  - B. ~~PLAT REVISION: UTAH AVENUE/CARLING STREET~~
8. NEW COMMISSION BUSINESS
  - A. ORDINANCE 2020-009 ESTABLISHING LAND USE REGULATIONS REGARDING SITE REVIEW FOR LOTS WITH ALLOWED NON-CONFORMING STATUS
  - B. CONDITIONAL USE PERMIT APPLICATION FOR HD-1-33
  - C. ~~SITE REVIEW FOR HD SHCR 11-15~~
  - D. ~~SITE REVIEW FOR HD HDIP 38~~
  - E. ~~SITE REVIEW FOR HD HDIP 37~~
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  
ORDINANCE 2020-009**

**MODIFICATION TO SITE PLAN REVIEW**

**A LAND USE ORDINANCE MODIFYING THE SITE PLAN REVIEW  
REQUIREMENTS FOR EXISTING NON-CONFORMING STRUCTURES**

**WHEREAS**, Hildale City Adopted land use regulations on the 20th day of November, 2018;

**WHEREAS**, There were many existing facilities being used for multiple-family residential, public or civic, commercial, or industrial purposes;

**WHEREAS**, Hildale City Code 152-7-14 allows certian non-conformities for structures and uses in place at the time of land use regulation adoption; and

**WHEREAS**, Hildale City Council desires to make the regulation regarding improving facilities and doing business in Hildale as least burdensome as possible.

**NOW THEREFORE**, be it ordained by the Council of Hildale City, in the State of Utah, as follows:

**SECTION 1:**            **AMENDMENT** “Sec 152-7-10 Site Plan Review” of the Hildale Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

Sec 152-7-10 Site Plan Review

(a) Purpose:

This section sets forth procedures for considering and approving preliminary site plans and site plans. These procedures are established to encourage adequate advanced planning and assure a good quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Hildale City General Plan, this chapter, and the general welfare of the community.

(b) Authority:

The Planning Commission is authorized to approve preliminary site plans and site plans as provided in this section.

(c) Initiation:

A property owner, or the owner's agent, may request approval of a preliminary site plan and/or site plan as provided in subsection D of this section.

(1) A site plan shall be required for any of the following uses unless expressly

exempted from such requirement by another provision of this chapter:

- a. Any multiple-family residential use;
- b. Any public or civic use;
- c. Any commercial use; or
- d. Any industrial use.

- (2) When site plan approval is required, no building permit for the construction of any building, structure, or other improvement to the site shall be issued prior to approval of a site plan. No cleaning, grubbing, drainage work, parking lot construction, or other site improvement shall be undertaken prior to site plan approval.

(d) Procedure:

The Zoning Administrator shall determine if the scope of the project requires both preliminary site plan and site plan approvals or solely site plan approval. Both preliminary site plan approval and site plan approval shall be required for zone changes to planned development overlay or changes to an approved planned development overlay. An application for preliminary site plan approval and/or site plan approval shall be considered and processed as provided in this subsection.

- (1) A complete application shall be submitted to the Zoning Administrator in a form established by the Administrator along with any fee established by the City's schedule of fees.
- (2) A preliminary site plan shall be drawn to scale and shall show a realistic layout reflecting how property reasonably could be developed considering existing and envisioned conditions on the subject property and adjoining property, and the development standards of the zone in which the property is located.
  - a. A preliminary site plan shall include at least the following information:
    1. The name, address and telephone number of the applicant and the applicant's agent, if any;
    2. Location, topography showing two foot (2') contours, identification of thirty percent (30%) or greater slopes, and layout of proposed uses;
    3. Location of open space;
    4. Proposed access to the property and traffic circulation patterns;
    5. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities;
    6. Proposed reservations for parks, playgrounds, schools, and other public facility sites, if any;
    7. Adjoining properties and uses;
    8. Tables showing the number of acres in the proposed development and a land use summary;
    9. A phased development plan if applicable.
  - b. A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development.

- (3) A site plan application shall include at least the following information:
- a. The name, address and telephone number of the applicant and the applicant's agent, if any;
  - b. The uses for which site plan approval is requested;
  - c. A set of development plans showing the information required in subsections D3c(1) to D3c(5) of this section. The information required by each subsection shall be shown on separate sheets. Plans shall be drawn at a scale no smaller than one inch equals one hundred feet (1" 100'). Except for the landscaping plan, the plans shall be prepared, stamped and signed by a professional engineer licensed by the state of Utah. The zoning administrator shall reasonably determine the number of sets of plans required to undertake the review required by this section. One set of plans, reduced to fit on eleven inch by seventeen inch (11" x 17") paper, shall be provided.
    1. Site plan showing the following:
      - i. All facilities related to the project located within two hundred fifty feet (250') of the site boundary;
      - ii. Layout, dimensions, and names of existing and future road rights of way;
      - iii. Project name, north arrow, and tie to a section monument;
      - iv. The boundary lines of the project site with bearings and distances;
      - v. Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas;
      - vi. Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, mechanical equipment;
      - vii. Location of manmade features including irrigation facilities, bridges, railroad tracks, and buildings;
      - viii. A tabulation table, showing total gross acreage, square footage of street rights of way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density; and
      - ix. Identification of property, if any, not proposed for development.
    2. Grading and drainage plan showing the following:
      - i. North arrow, scale, and site plan underlay;
      - ii. Topography contours at two foot (2') intervals;
      - iii. Areas of substantial earth moving with an erosion control plan;
      - iv. Location of existing watercourses, canals, ditches,

- springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water;
  - v. Location of any designated floodplain and/or wetland boundaries;
  - vi. Direction of stormwater flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off site facilities, and off site drainage facilities when necessary based on adopted city requirements; and
3. Utility plan showing the following:
- i. North arrow, scale, and site plan underlay;
  - ii. All existing and proposed utilities including, but not limited to: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and streetlights;
  - iii. Minimum fire flow required by the uniform fire code for the proposed structures, and fire flow calculations at all hydrant locations;
  - iv. Location and dimensions of all utility easements; and
  - v. A letter from sewer and water providers, addressing the feasibility and their requirements to serve the project.
4. Landscaping plan, consistent with the requirements of chapter 32 of this chapter.
5. Building elevations for all buildings showing the following:
- i. Accurate front, rear, and side elevations drawn to scale;
  - ii. Exterior surfacing materials and colors, including roofing material and color;
  - iii. Outdoor lighting, furnishings and architectural accents; and
  - iv. Location and dimensions of signs proposed to be attached to the building or structure.
- d. Where one or more conditions of unusual soil, vegetation, geology or slope exist, resulting in increased fire, flood or erosion hazards, traffic circulation problems, sewage disposal problems and potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the planning commission or city engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the city prior to final approval of a development project.
- e. Any necessary agreements with adjacent property owners regarding storm drainage or other pertinent matters.
- f. Evidence of compliance with applicable federal, state, and local laws

and regulations, if requested by the zoning administrator.

- g. A traffic impact analysis, if requested by the city engineer or the planning commission.
- h. Warranty deed or preliminary title report or other document showing the applicant has control of the property, if requested by the zoning administrator.
- i. Parcel map(s) from the county recorder's office showing the subject property and all property located within four hundred feet (400') thereof, if requested by the zoning administrator.

(4) After the application is determined to be complete, the zoning administrator shall schedule a public meeting before the planning commission as provided in section 152-7-4 of this chapter.

(5) The planning commission shall hold a public meeting and thereafter shall approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. Any conditions of approval shall be limited to conditions needed to conform the site plan to approval standards.

- a. In the case of a preliminary site plan for a planned development, planning commission approval shall not be effective unless and until a corresponding planned development overlay zone is approved by the city council.

(e) Standards For Approval:

The following standards shall apply to the approval of a site plan:

- (1) Site Development: The entire site shall be developed at one time unless a phased development plan is approved.
- (2) Compliance With Standards: A site plan shall conform to applicable standards set forth in this chapter and other applicable provisions of this Code. Conditions may be imposed as necessary to achieve compliance with applicable Code requirements.
- (3) Agreement; Letter Of Credit: In order to assure that the development will be constructed to completion in an acceptable manner, the City may require the applicant to enter into an agreement and provide a satisfactory letter of credit or escrow deposit. The agreement and letter of credit or escrow deposit shall assure timely construction and installation of improvements required by a site plan approval.
- (4) Planned Center Uses: In a planned center, individual uses shall be subject to the following requirements:
  - a. The overall planned center shall have been approved as a conditional use which shall include an overall site plan, development guidelines and a list of uses allowed in the center.
  - b. Development guidelines for a planned center shall, at a minimum, address the following topics:
    - 1. General site engineering (e.g., storm drainage, provision of utilities, erosion control, etc.);

2. Architectural guidelines, including building setbacks, height, massing and scale, site coverage by buildings, materials, and colors;
3. Landscaping and open space standards
4. Signage;
5. Exterior lighting;
6. Parking, pedestrian and vehicular circulation, and access to the site;
7. Rights of access within the center (use of cross easements, etc.);
8. Development phasing and improvements/amenities to be completed with each phase;
9. Outdoor sales, storage and equipment;
10. Fencing and walls; and
11. Maintenance standards and responsibilities.

c. After approval of a planned center, individual uses therein may be approved pursuant to a building permit. Building permits for individual uses with an approved planned center shall be reviewed by the Zoning Administrator for compliance of the proposed use to the overall site plan, development guidelines and approved use list for the planned center. The Zoning Administrator shall approve, approve with conditions, or deny the permit based on compliance with applicable conditions of the site plan and provisions of this chapter.

(f) Appeal Of Decision:

Any person adversely affected by a decision of the Planning Commission or Zoning Administrator regarding approval or denial of a site plan approval may appeal the decision in accordance with the provisions of section 152-7-19 of this chapter.

(g) Effect Of Approval:

Every site for which a site plan has been approved shall conform to such plan.

- (1) A building permit shall not be issued for any building or structure, external alterations thereto, or any sign or advertising structure until the provisions of this section have been met.

No structures or improvements may be constructed unless shown on an approved site plan or required by law.

- (2) Approval of a site plan shall not be deemed an approval of any conditional use permit or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this chapter. However, the Zoning Administrator may allow the application for a conditional use permit to be considered concurrently with the site plan application.

(h) Amendments:

Except as may be provided for elsewhere in this chapter, no element of an approved site plan shall be changed or modified without first obtaining approval of an amended site plan as follows:

- (1) Alteration or expansion of an approved site plan may be permitted by the

Zoning Administrator upon making the following findings:

- a. Any proposed use is consistent with uses permitted on the site;
  - b. Existing uses were permitted when the site plan was approved, or have received a conditional use permit;
  - c. The proposed use and site will conform to applicable requirements of this Code;
  - d. The proposed alteration or expansion meets the approval standards of subsection E of this section;
  - e. The architecture of the proposed alteration or expansion, and landscaping, site design and parking layout are compatible with facilities existing on the site; and
  - f. The site can accommodate any change in the number of employees on the site or any change in impact on surrounding infrastructure.
- (2) If the Zoning Administrator cannot make the findings required in the foregoing subsection, a conditional use permit or amended site plan, as the case may be, shall be approved before any alteration or expansion occurs.
- (3) The procedure for approval of an amended site plan shall be the same as the procedure for approval of an original site plan as set forth in this section.
- (i) Revocation:  
A site plan approval may be revoked as provided in section 152-9-6 of this chapter.
- (j) Expiration:  
A site plan approval shall expire and have no further force or effect if the building, activity, construction or occupancy authorized by the approval is not commenced within one year.

## AFTER AMENDMENT

### Sec 152-7-10 Site Plan Review

- (a) Purpose:  
This section sets forth procedures for considering and approving preliminary site plans and site plans. These procedures are established to encourage adequate advanced planning and assure a good quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Hildale City General Plan, this chapter, and the general welfare of the community.
- (b) Authority:  
The Planning Commission is authorized to approve preliminary site plans and site plans as provided in this section.
- (c) Initiation:  
A property owner, or the owner's agent, may request approval of a preliminary site plan and/or site plan as provided in subsection D of this section.
- (1) A site plan shall be required for any of the following uses unless expressly exempted from such requirement by another provision of this chapter:
- a. Any multiple-family residential use;



- b. Any public or civic use;
- c. Any commercial use; or
- d. Any industrial use.

(2) When site plan approval is required, no building permit for the construction of any building, structure, or other improvement to the site shall be issued prior to approval of a site plan. No cleaning, grubbing, drainage work, parking lot construction, or other site improvement shall be undertaken prior to site plan approval.

(d) Procedure:

The Zoning Administrator shall determine if the scope of the project requires limited site plan review, both preliminary site plan and site plan approvals, or solely site plan approval. Both preliminary site plan approval and site plan approval shall be required for zone changes to planned development overlay or changes to an approved planned development overlay. An application for preliminary site plan approval and/or site plan approval shall be considered and processed as provided in this subsection.

(1) The Zoning Administrator shall only determine that the scope of the project requires a limited site plan review when the project scope only includes construction on a structure that is deemed by the Zoning Administrator to have allowed non-conforming status and the proposed project would not compromise said status.

(2) A complete application shall be submitted to the Zoning Administrator in a form established by the Administrator along with any fee established by the City's schedule of fees.

(3) A site plan application shall include at least the following information:

a. The name, address and telephone number of the applicant and the applicant's agent, if any;

b. The uses for which site plan approval is requested;

c. A set of development plans that include at least the following:

1. Site plan showing the following:

i. All facilities related to the project located within two hundred fifty feet (250') of the site boundary;

ii. Layout, dimensions, and names of existing and future road rights of way;

iii. Project name;

iv. North arrow;

v. The boundary lines of the project site with bearings and distances;

vi. Layout and dimensions of existing and proposed streets, buildings, parking areas, and landscape areas;

vii. Location, dimensions, and labeling of other existing and proposed features such as bicycle racks, dumpsters, trash cans, fences, signage, mechanical equipment;

viii. Location of existing and proposed manmade features including irrigation facilities, bridges, railroad tracks,

and buildings;

- ix. A tabulation table, showing total gross acreage, square footage of street rights of way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density; and
  - x. Identification of property, if any, not proposed for development.
2. Grading and drainage plan showing the following:
    - i. North arrow, scale, and site plan underlay;
    - ii. Topography contours at two foot (2') intervals;
    - iii. Areas of substantial earth moving with an erosion control plan;
    - iv. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water;
    - v. Location of any designated floodplain and/or wetland boundaries; and
    - vi. Direction of stormwater flows, catch basins, inlets, outlets, waterways, culverts, detention basins, orifice plates, outlets to off site facilities, and off site drainage facilities when necessary based on adopted city requirements;
  3. Utility plan showing the following:
    - i. North arrow, scale, and site plan underlay;
    - ii. All existing and proposed utilities including, but not limited to: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and streetlights;
    - iii. Location and dimensions of all utility easements; and
    - iv. A letter from sewer and water providers, addressing the feasibility and their requirements to serve the project.
  4. Where one or more conditions of unusual soil, vegetation, geology or slope exist, resulting in increased fire, flood or erosion hazards, traffic circulation problems, sewage disposal problems and potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the planning commission or city engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any

- event such plans and reports shall be reviewed and approved by the city prior to final approval of a development project.
5. Evidence of compliance with applicable federal, state, and local laws and regulations, if requested by the zoning administrator.
  6. A traffic impact analysis, if requested by the city engineer or the planning commission.
  7. Any necessary agreements with adjacent property owners regarding storm drainage or other pertinent matters.
  8. Warranty deed or preliminary title report or other document showing the applicant has control of the property, if requested by the zoning administrator.
  9. Parcel map(s) from the county recorder's office showing the subject property and all property located within four hundred feet (400') thereof, if requested by the zoning administrator
- (4) A preliminary site plan shall be drawn to scale and shall show a realistic layout reflecting how property reasonably could be developed considering existing and envisioned conditions on the subject property and adjoining property, and the development standards of the zone in which the property is located.
- a. A preliminary site plan shall include at least the following information:
    1. The name, address and telephone number of the applicant and the applicant's agent, if any;
    2. Location, topography showing two foot (2') contours, identification of thirty percent (30%) or greater slopes, and layout of proposed uses;
    3. Location of open space;
    4. Proposed access to the property and traffic circulation patterns;
    5. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities;
    6. Proposed reservations for parks, playgrounds, schools, and other public facility sites, if any;
    7. Adjoining properties and uses;
    8. Tables showing the number of acres in the proposed development and a land use summary;
    9. A phased development plan if applicable.
  - b. A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development.
- (5) A site plan application shall include at least the following information:
- a. The name, address and telephone number of the applicant and the applicant's agent, if any;
  - b. The uses for which site plan approval is requested;
  - c. A set of development plans showing the information required in

subsections D3c(1) to D3c(5) of this section. The information required by each subsection shall be shown on separate sheets. Plans shall be drawn at a scale no smaller than one inch equals one hundred feet (1" 100'). Except for the landscaping plan, the plans shall be prepared, stamped and signed by a professional engineer licensed by the state of Utah. The zoning administrator shall reasonably determine the number of sets of plans required to undertake the review required by this section. One set of plans, reduced to fit on eleven inch by seventeen inch (11" x 17") paper, shall be provided.

1. Site plan showing the following:

- i. All facilities related to the project located within two hundred fifty feet (250') of the site boundary;
- ii. Layout, dimensions, and names of existing and future road rights of way;
- iii. Project name, north arrow, and tie to a section monument;
- iv. The boundary lines of the project site with bearings and distances;
- v. Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas;
- vi. Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, mechanical equipment;
- vii. Location of manmade features including irrigation facilities, bridges, railroad tracks, and buildings;
- viii. A tabulation table, showing total gross acreage, square footage of street rights of way, square footage of building footprint, square footage of total building floor area, square footage of landscaping, number of parking spaces, and if any, the number and type of dwellings, and the percentage devoted to each dwelling type and overall dwelling unit density; and
- ix. Identification of property, if any, not proposed for development.

2. Grading and drainage plan showing the following:

- i. North arrow, scale, and site plan underlay;
- ii. Topography contours at two foot (2') intervals;
- iii. Areas of substantial earth moving with an erosion control plan;
- iv. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains, and proposed method of dealing with all irrigation and waste water;
- v. Location of any designated floodplain and/or wetland boundaries;
- vi. Direction of stormwater flows, catch basins, inlets,

outlets, waterways, culverts, detention basins, orifice plates, outlets to off site facilities, and off site drainage facilities when necessary based on adopted city requirements; and

3. Utility plan showing the following:
  - i. North arrow, scale, and site plan underlay;
  - ii. All existing and proposed utilities including, but not limited to: sewer, culinary water, secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, communications lines, cable television lines, and streetlights;
  - iii. Minimum fire flow required by the uniform fire code for the proposed structures, and fire flow calculations at all hydrant locations;
  - iv. Location and dimensions of all utility easements; and
  - v. A letter from sewer and water providers, addressing the feasibility and their requirements to serve the project.
4. Landscaping plan, consistent with the requirements of chapter 32 of this chapter.
5. Building elevations for all buildings showing the following:
  - i. Accurate front, rear, and side elevations drawn to scale;
  - ii. Exterior surfacing materials and colors, including roofing material and color;
  - iii. Outdoor lighting, furnishings and architectural accents; and
  - iv. Location and dimensions of signs proposed to be attached to the building or structure.
- d. Where one or more conditions of unusual soil, vegetation, geology or slope exist, resulting in increased fire, flood or erosion hazards, traffic circulation problems, sewage disposal problems and potential property damage from extensive soil slippage and subsidence, an applicant shall, upon request of the planning commission or city engineer, provide contour and drainage plans, cut and fill specifications, and soil and geologic reports. The required details of such reports and plans may vary depending on the severity of the unusual conditions, but in any event such plans and reports shall be reviewed and approved by the city prior to final approval of a development project.
- e. Any necessary agreements with adjacent property owners regarding storm drainage or other pertinent matters.
- f. Evidence of compliance with applicable federal, state, and local laws and regulations, if requested by the zoning administrator.
- g. A traffic impact analysis, if requested by the city engineer or the planning commission.
- h. Warranty deed or preliminary title report or other document showing the applicant has control of the property, if requested by the zoning

administrator.

- i. Parcel map(s) from the county recorder's office showing the subject property and all property located within four hundred feet (400') thereof, if requested by the zoning administrator.

(6) After the application is determined to be complete, the zoning administrator shall schedule a public meeting before the planning commission as provided in section 152-7-4 of this chapter.

(7) The planning commission shall hold a public meeting and thereafter shall approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. Any conditions of approval shall be limited to conditions needed to conform the site plan to approval standards.

- a. In the case of a preliminary site plan for a planned development, planning commission approval shall not be effective unless and until a corresponding planned development overlay zone is approved by the city council.

(e) Standards for Approval of limited site plan:

(1) Compliance with Standards: A limited site plan shall conform to applicable standards set forth in this chapter and other applicable provisions of this Code. Conditions may be imposed as necessary to achieve compliance with applicable Code requirements.

(2) Agreement; Letter of Credit: In order to assure that the development will be constructed to completion in an acceptable manner, the City may require the applicant to enter into an agreement and provide a satisfactory letter of credit or escrow deposit. The agreement and letter of credit or escrow deposit shall assure timely construction and installation of improvements required by a site plan approval.

(f) Standards For Approval of site plan:

The following standards shall apply to the approval of a site plan:

- (1) Site Development: The entire site shall be developed at one time unless a phased development plan is approved.
- (2) Compliance With Standards: A site plan shall conform to applicable standards set forth in this chapter and other applicable provisions of this Code. Conditions may be imposed as necessary to achieve compliance with applicable Code requirements.
- (3) Agreement; Letter Of Credit: In order to assure that the development will be constructed to completion in an acceptable manner, the City may require the applicant to enter into an agreement and provide a satisfactory letter of credit or escrow deposit. The agreement and letter of credit or escrow deposit shall assure timely construction and installation of improvements required by a site plan approval.
- (4) Planned Center Uses: In a planned center, individual uses shall be subject to the following requirements:

- a. The overall planned center shall have been approved as a conditional use which shall include an overall site plan, development guidelines and a list of uses allowed in the center.
- b. Development guidelines for a planned center shall, at a minimum, address the following topics:
  - 1. General site engineering (e.g., storm drainage, provision of utilities, erosion control, etc.);
  - 2. Architectural guidelines, including building setbacks, height, massing and scale, site coverage by buildings, materials, and colors;
  - 3. Landscaping and open space standards
  - 4. Signage;
  - 5. Exterior lighting;
  - 6. Parking, pedestrian and vehicular circulation, and access to the site;
  - 7. Rights of access within the center (use of cross easements, etc.);
  - 8. Development phasing and improvements/amenities to be completed with each phase;
  - 9. Outdoor sales, storage and equipment;
  - 10. Fencing and walls; and
  - 11. Maintenance standards and responsibilities.
- c. After approval of a planned center, individual uses therein may be approved pursuant to a building permit. Building permits for individual uses with an approved planned center shall be reviewed by the Zoning Administrator for compliance of the proposed use to the overall site plan, development guidelines and approved use list for the planned center. The Zoning Administrator shall approve, approve with conditions, or deny the permit based on compliance with applicable conditions of the site plan and provisions of this chapter.

(g) Appeal Of Decision:

Any person adversely affected by a decision of the Planning Commission or Zoning Administrator regarding approval or denial of a site plan approval may appeal the decision in accordance with the provisions of section 152-7-19 of this chapter.

(h) Effect Of Approval:

Every site for which a site plan has been approved shall conform to such plan.

- (1) A building permit shall not be issued for any building or structure, external alterations thereto, or any sign or advertising structure until the provisions of this section have been met.

No structures or improvements may be constructed unless shown on an approved site plan or required by law.

- (2) Approval of a site plan shall not be deemed an approval of any conditional use permit or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this chapter. However, the Zoning

Administrator may allow the application for a conditional use permit to be considered concurrently with the site plan application.

(i) Amendments:

Except as may be provided for elsewhere in this chapter, no element of an approved site plan shall be changed or modified without first obtaining approval of an amended site plan as follows:

(1) Alteration or expansion of an approved site plan may be permitted by the Zoning Administrator upon making the following findings:

- a. Any proposed use is consistent with uses permitted on the site;
- b. Existing uses were permitted when the site plan was approved, or have received a conditional use permit;
- c. The proposed use and site will conform to applicable requirements of this Code;
- d. The proposed alteration or expansion meets the approval standards of subsection E of this section;
- e. The architecture of the proposed alteration or expansion, and landscaping, site design and parking layout are compatible with facilities existing on the site; and
- f. The site can accommodate any change in the number of employees on the site or any change in impact on surrounding infrastructure.

(2) If the Zoning Administrator cannot make the findings required in the foregoing subsection, a conditional use permit or amended site plan, as the case may be, shall be approved before any alteration or expansion occurs.

(3) The procedure for approval of an amended site plan shall be the same as the procedure for approval of an original site plan as set forth in this section.

(j) Revocation:

A site plan approval may be revoked as provided in section 152-9-6 of this chapter.

(k) Expiration:

A site plan approval shall expire and have no further force or effect if the building, activity, construction or occupancy authorized by the approval is not commenced within one year.



PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Councilmember JVar Dutson	_____	_____	_____	_____
Councilmember Maha Layton	_____	_____	_____	_____
Councilmember Stacy Seay	_____	_____	_____	_____
Councilmember Jared Nicol	_____	_____	_____	_____
Councilmember Lawrence Barlow	_____	_____	_____	_____

Presiding Officer

Attest

\_\_\_\_\_  
Donja Jessop, Mayor, Hildale City

\_\_\_\_\_  
Athena Cawley, City Recorder  
Hildale City



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☎ 435 874 2603  
🌐 www.hildalecity.com

## CONDITIONAL USE PERMIT

City of Hildale  
320 East Newel Avenue  
Hildale, Utah 84784  
(435) 874-1160  
FAX (435) 874-2603

Fee: \$100

*For Office Use Only:*

File No. \_\_\_\_\_

Receipt No. \_\_\_\_\_

### APPLICATION & SUBMITTAL CHECKLIST

Name: Willie Jessop Telephone: [REDACTED]

Address: 525 West Field AVE Fax No. N/A

Email: rw.willie@gmail.com

Agent (If applicable): N/A Agent's Phone: N/A

Agent email: N/A

Address of Subject Property: 525 west Field Ave

Tax ID of Subject Property: HD-SHCR-1-33/HD-SHCR-1-34 Zone District: \_\_\_\_\_

Proposed Conditional Use: (Describe, use extra sheet if necessary) Garden Walkway for Landscaping

### **This application shall be accompanied by the following:**

- \_\_\_\_ 1. A plot plan showing the following:
  - \_\_\_\_ Property boundaries, dimensions and existing streets.
  - \_\_\_\_ Location of existing and proposed building or livestock facility
  - \_\_\_\_ Adjoining property lines and uses within one hundred (100) feet of subject property.
- \_\_\_\_ 2) A reduced copy of all plans (8 1/2 x 11 if readable, or 11 x 17) if original plans are larger.
- \_\_\_\_ 3) Building floor plans for new construction
- \_\_\_\_ 4) Digital copy of all plans sent to [planning@hildalecity.com](mailto:planning@hildalecity.com)
- \_\_\_\_ 5) A statement of how the applicant intends to meet the conditions for the use desired
- \_\_\_\_ 6) Signed and notarized Affidavit of Property owner showing evidence that the applicant has control of the property or copy of warranty deed

**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: \_\_\_\_\_ Received by: \_\_\_\_\_

Date application deemed to be complete: \_\_\_\_\_ Completion determination made by: \_\_\_\_\_

**APPROVAL STANDARDS**

Approval standards can be found in the Hildale City Land Use Ordinance section 152-7-9 E2a-E2o

**APPEALS**

Any person adversely affected by a decision of the Zoning Administrator regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Appeal Authority by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the decision. The appeal is filed with the Planning and Zoning Administrator. The decision of the Appeal Authority is final unless appealed to a court of competent jurisdiction with thirty (30) days from the date of decision of the Appeal Authority.

AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH ARIZONA )

COUNTY OF MOHAVE )

I (we), Willie Jessop, 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.

Willie Jessop  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 7th day of August, 2020

Julie Ann Johnson  
(Notary Public)

Residing in: Colorado City, Az

My Commission Expires: 4-7-2022



Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

AFFIDAVIT  
PROPERTY OWNER

STATE OF ~~UTAH~~ ARIZONA )

COUNTY OF MOHAVE )

I (we), Willie Jessop, 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.

Willie Jessop  
\_\_\_\_\_  
(Property Owner)

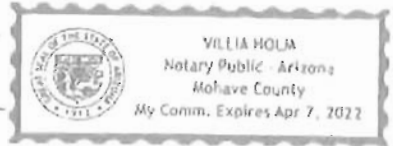
\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 7th day of August 2020

Villia Holm  
\_\_\_\_\_  
(Notary Public)

Residing in: Colorado City, Az

My Commission Expires: 4-7-2022



Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ 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 \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Conditional use statement:

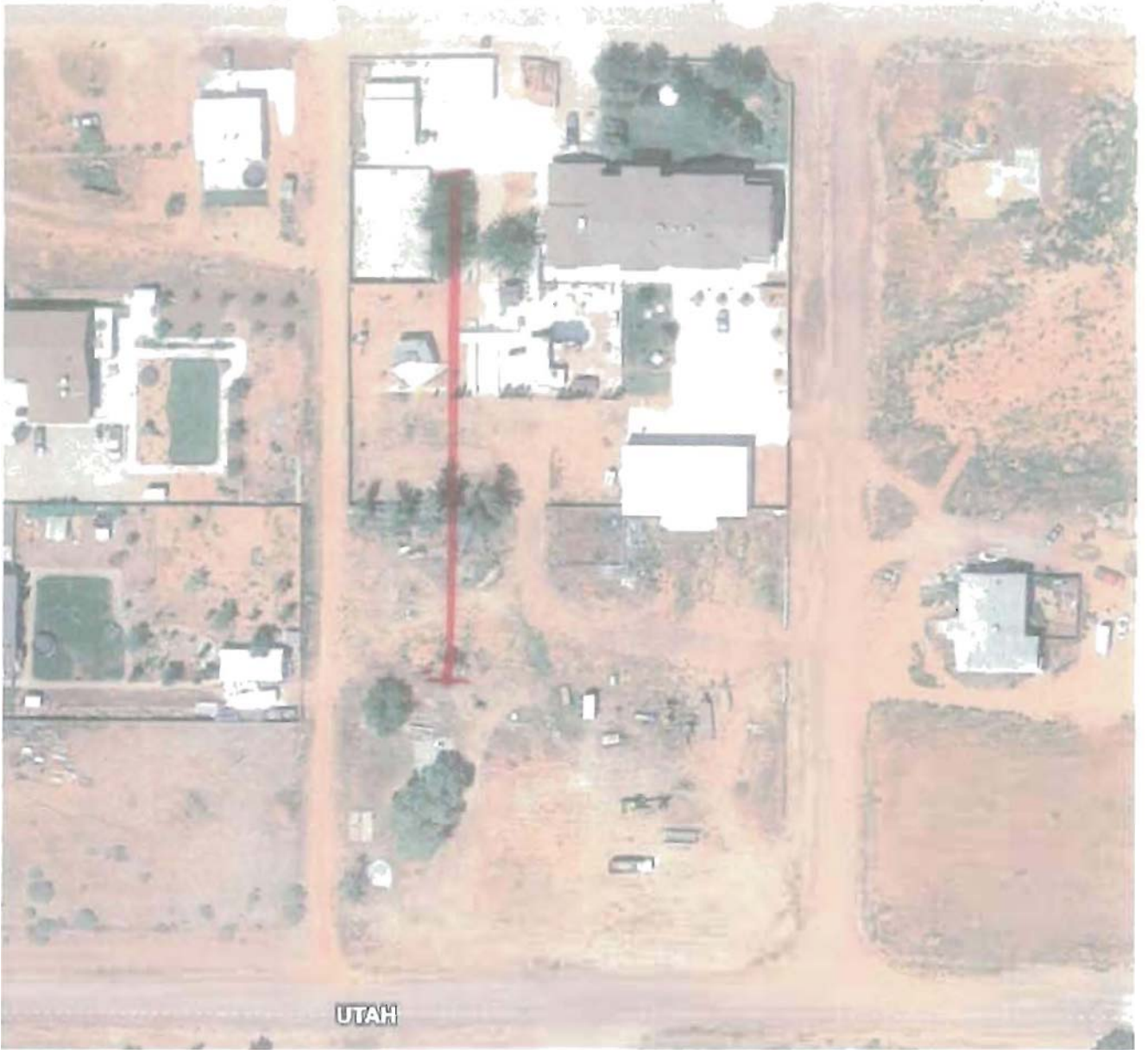
We would like a variance of square footage that is currently at 2000 ft.<sup>2</sup> limited to a residential arc agricultural 1 zone to have a variance to accommodate our walkway that is approximately 2640 ft.<sup>2</sup> we would like the following conditions to accommodate our walkway. Taking into consideration the following:

1. the walkway is is constructed on approximately 2.8 acres and the zone applies for a 1 acre so the variance would be to ask that were in the lot is much bigger than an acre that we ask for it to have the variance that we need from 2640 we are asking for the other 640 feet to be granted because of the increased lot size.
2. the walkway is not closer than 30 feet from any property boundaries or easements.
3. Because of the increased size of the lot it leaves is much greater than the requirement of 35% of the lot on which it is located has a previous surface.

The general purpose is for is for an elevated walkway decorated with flowers and landscape that will complement existing landscape. Hopefully to the enjoyment of our family and friends and neighborhood.

Sincerely Willie Jessop

condition use Google Earth permit appi



Garden walkway  
Exhibit

# Garden Walk #1









#4



"Garden Walkway"   
8'

The "Walkway"  
Starts and Ends in  
Existing or in the process of landscape



### Special Note:

Over 30 New trees have  
 Been planted "Pine & Rootless Mulberry"  
 Between my "Garden walk" and the  
 Alley way There will be NO view of  
 my walkway in a few years

Notes: on Drawing

from  
 out  
 side  
 fence

Views of Lucerne switzerland brid

- Web
- Images
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- Videos
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- More



(A concept  
View  
walkway  
and flows)

1280 x 960 px  
www.joula.com

1/20/05

Search History

Views of Lucerne  
switzerland bridge

Vews of Lucerne  
switzerland brige

Explore Google  
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google earth

amortization  
schedule calculator

Clear All (4) of 10

2x8  
Net  
wire

Metal  
Sheeting

wood  
boxes

Flowers

I-Beam

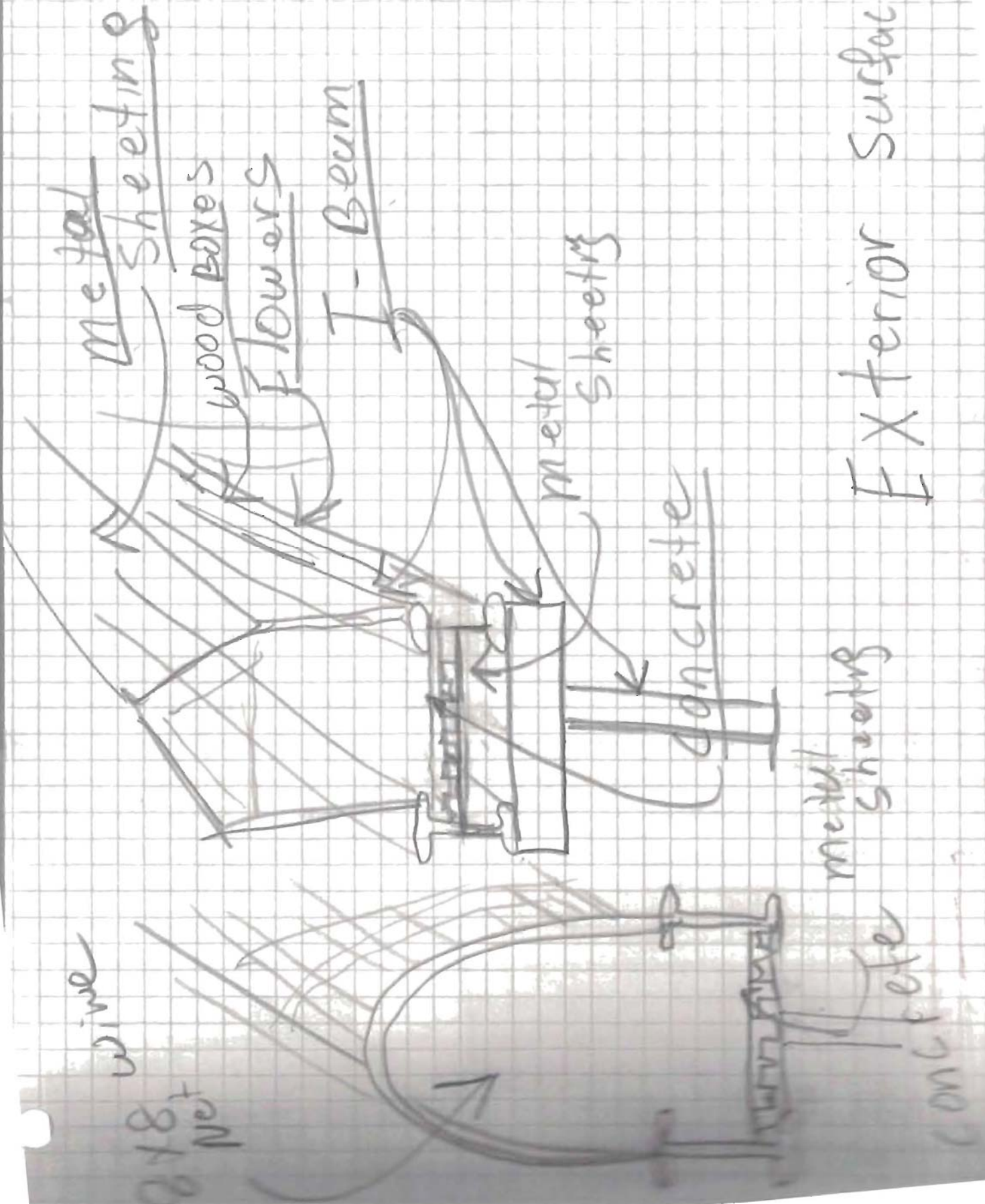
metal  
sheeting

concrete

metal  
sheeting

concrete

EXterior Surfacing



of 2 in  
No colors

Moroon

"light purple  
Sheeting

Meatting 2 1/2"  
Trim along  
the bottom  
of wall

Root &  
Trim side

Musses

White  
and frames

End 20"

Wood Stained Brown

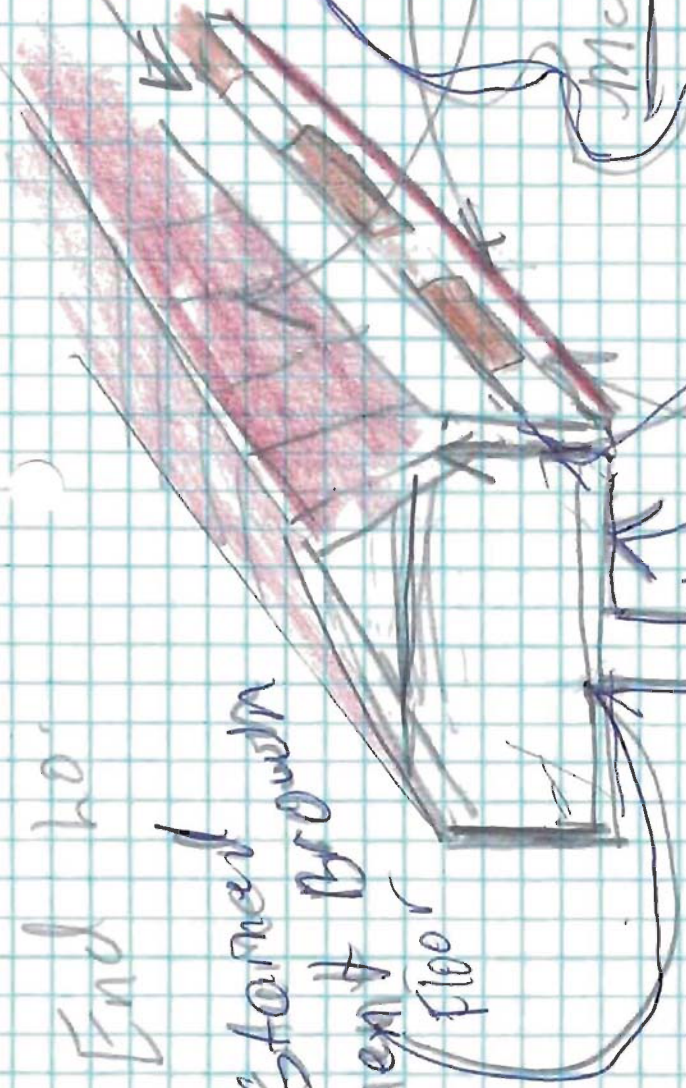
Cement  
Floor

Flower  
Boxes

Brown wood  
Flower  
Boxes

Beach

"  
Colors"



Sunlight,  
moon light,  
star light,

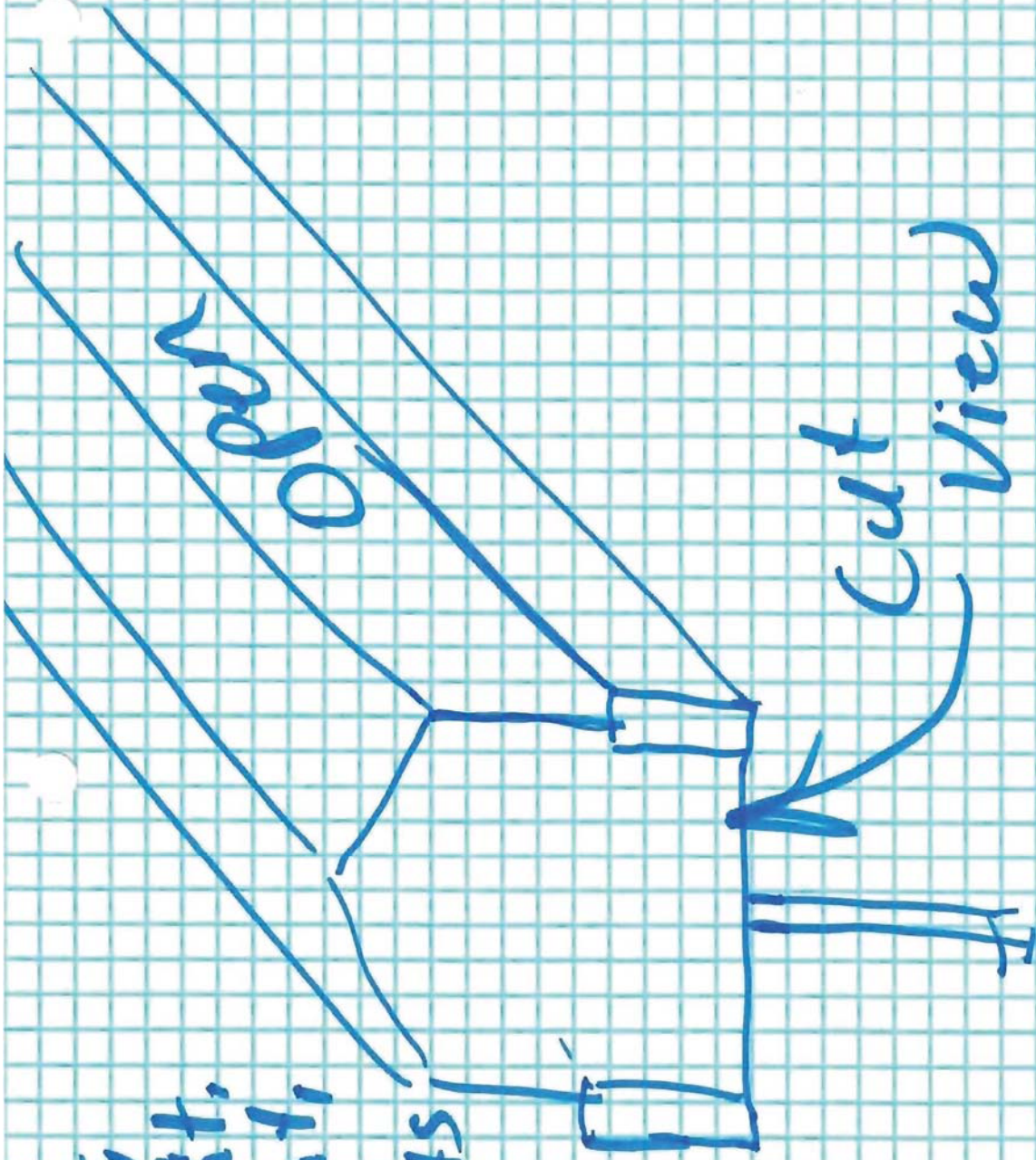
And head lights

That are  
undecided.

Open

Cut  
View

lighting





# Chapel Bridge

Web

Images

News

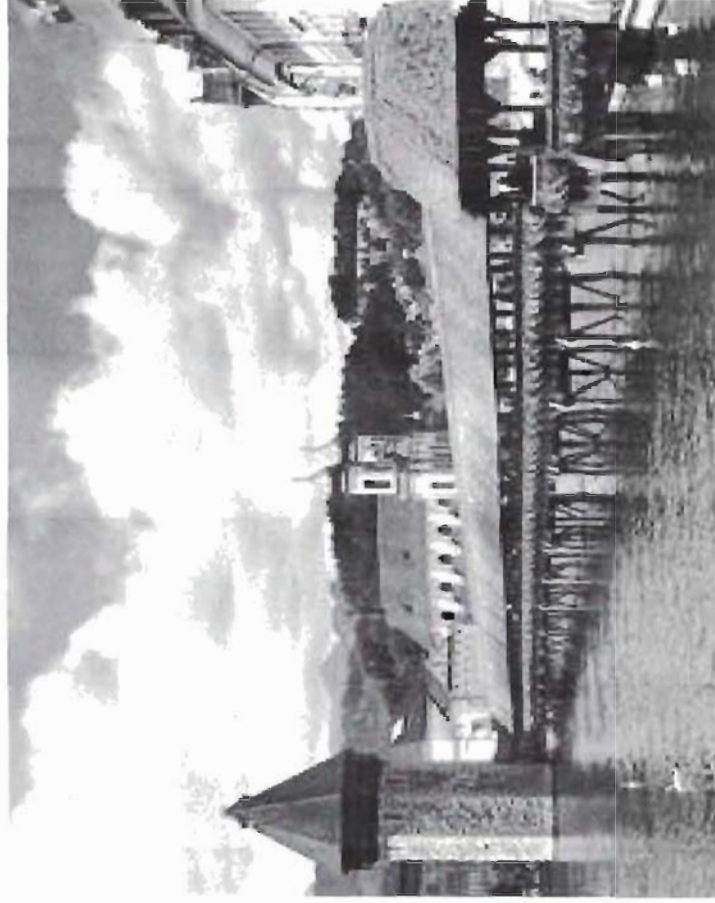
Videos

Shopping

More

21-40 of 750,116 results

*This is architectural accents & furnishings we are attempting to construct.*



630 x 408 px

[www.planetware.com](http://www.planetware.com)

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WHEN RECORDED, MAIL TO:

Ranch Creek Holdings LLC  
PO Box 840521  
Hildale, Utah 84784

**DOC # 20200039228**

Quit Claim Deed Page 1 of 1  
Russell Shirts Washington County Recorder  
07/28/2020 03:08:29 PM Fee \$ 40.00  
By RANCH CREEK HOLDINGS LLC



Parcel No. HD-SHCR-1-33 &  
HD-SHCR-1-34

**QUIT-CLAIM DEED**

**Ranch Creek Holdings, LLC a Utah limited liability company, Grantor, hereby QUIT-CLAIMS to Ranch Creek Holdings, LLC a Utah limited liability company, Grantee, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, all of Grantor's right, title and interest in and to the following described tract of land in Washington County, Utah, described as follows:**

All of Lot 33 and 34, of Short Creek Subdivision #1, according to the Official Plat thereof on file and of record in the Washington County Recorder's office, being more particularly described as follows: Beginning at the Northeast Corner of said Lot 33, Short Creek Subdivision #1; Thence South 00°07'28" West along the East line of said Lot 33 and 34, a distance of 419.67 feet to the Southeast Corner of said Lot 34, said Short Creek Subdivision #1; Thence South 89°53'41" West, a distance of 281.49 feet, to the Southwest Corner of said Lot 34; Thence North 00°08'51" West, along the West line of said Lot 34 and 33, a distance of 419.75 feet, to the Northeast Corner of Lot 33 of said Short Creek Subdivision #1; Thence North 89°53'31" East, along the north line of said Lot 33, a distance of 281.66 feet to the Point of Beginning;

Containing: 2.71 acres, more or less.

WITNESS the hand of said Grantors, this 28 day of July, 2020

\_\_\_\_\_  
Ranch Creek Holdings, LLC

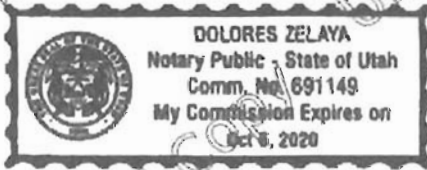
STATE OF UTAH

:ss.

COUNTY OF WASHINGTON

On the 28<sup>th</sup> day of July, 2020, personally appeared before me, William Jessop, Manager of Ranch Creek Holdings, LLC, a Utah limited liability company, the signor(s) of the foregoing Quit-Claim Deed, who duly acknowledged to me that he executed the same.

\_\_\_\_\_  
NOTARY PUBLIC



My Commission Expires: Oct 6, 2020

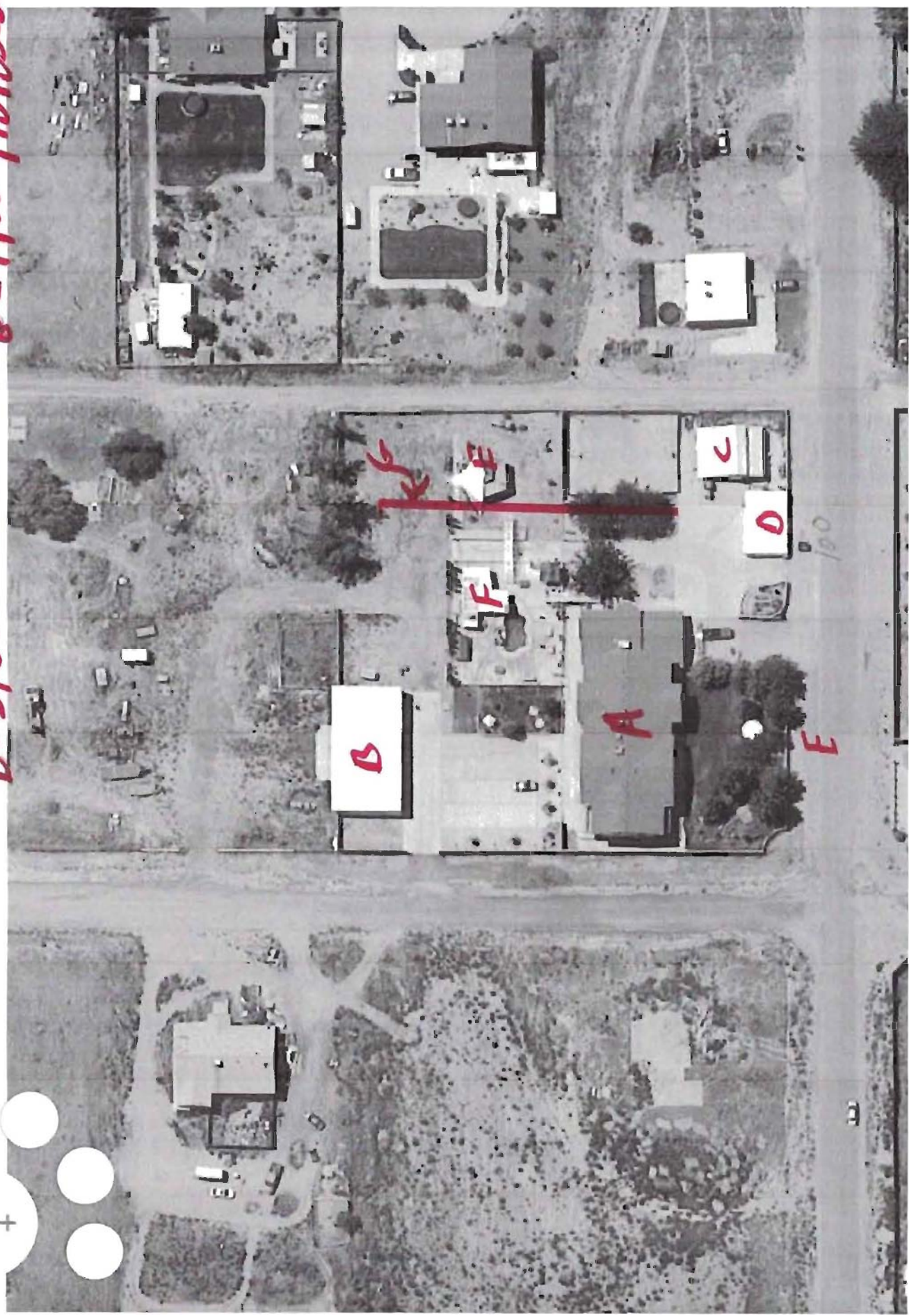


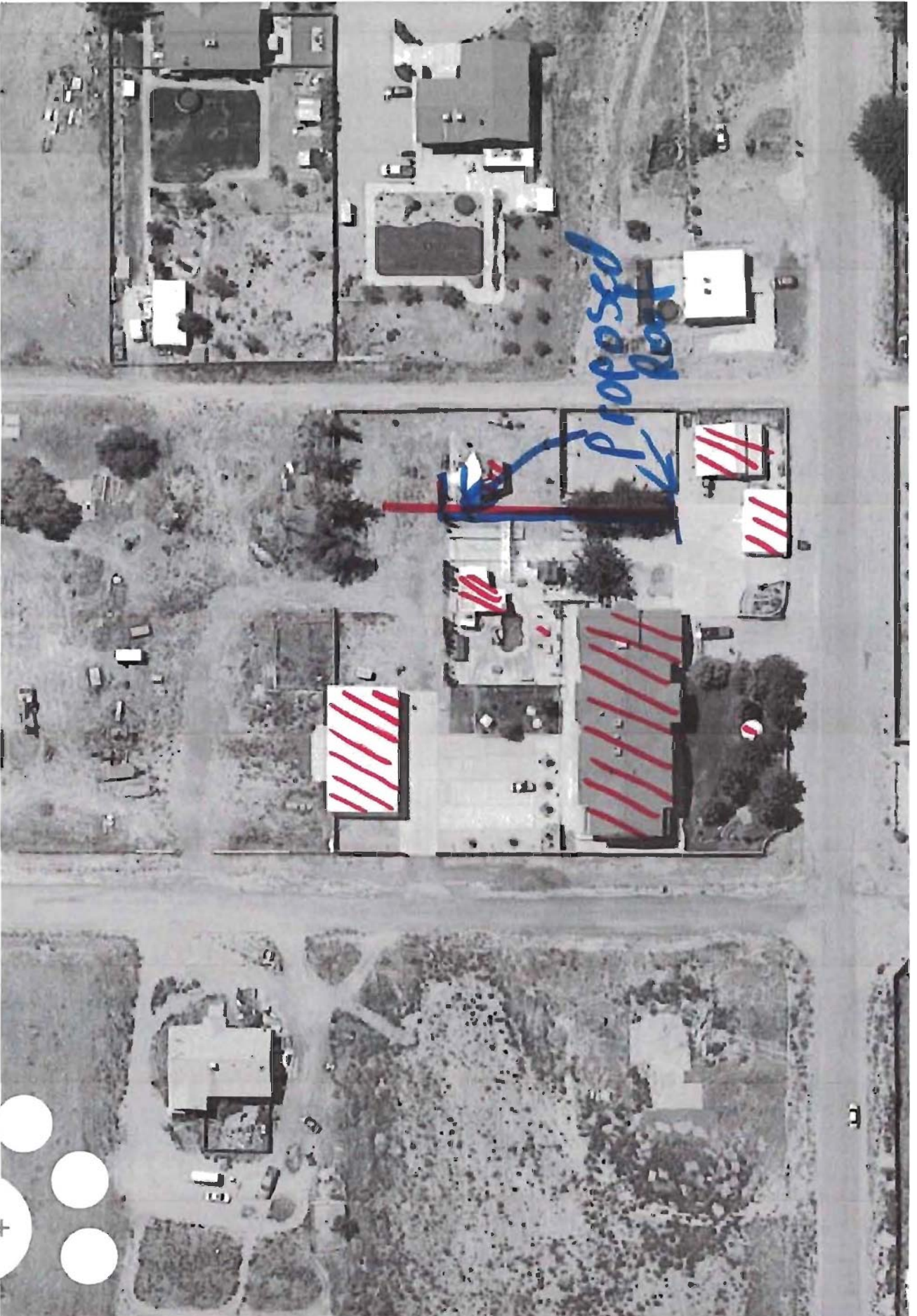
Roof Sqft - Apr 11 11:25:05 W 1.536 m

Square footage

A- 8,400  
 B- 3,840  
 C- 1200  
 D- 1000

F- 625 Sqft  
 F- 30x30  
 F- 1900 "Prolosed"



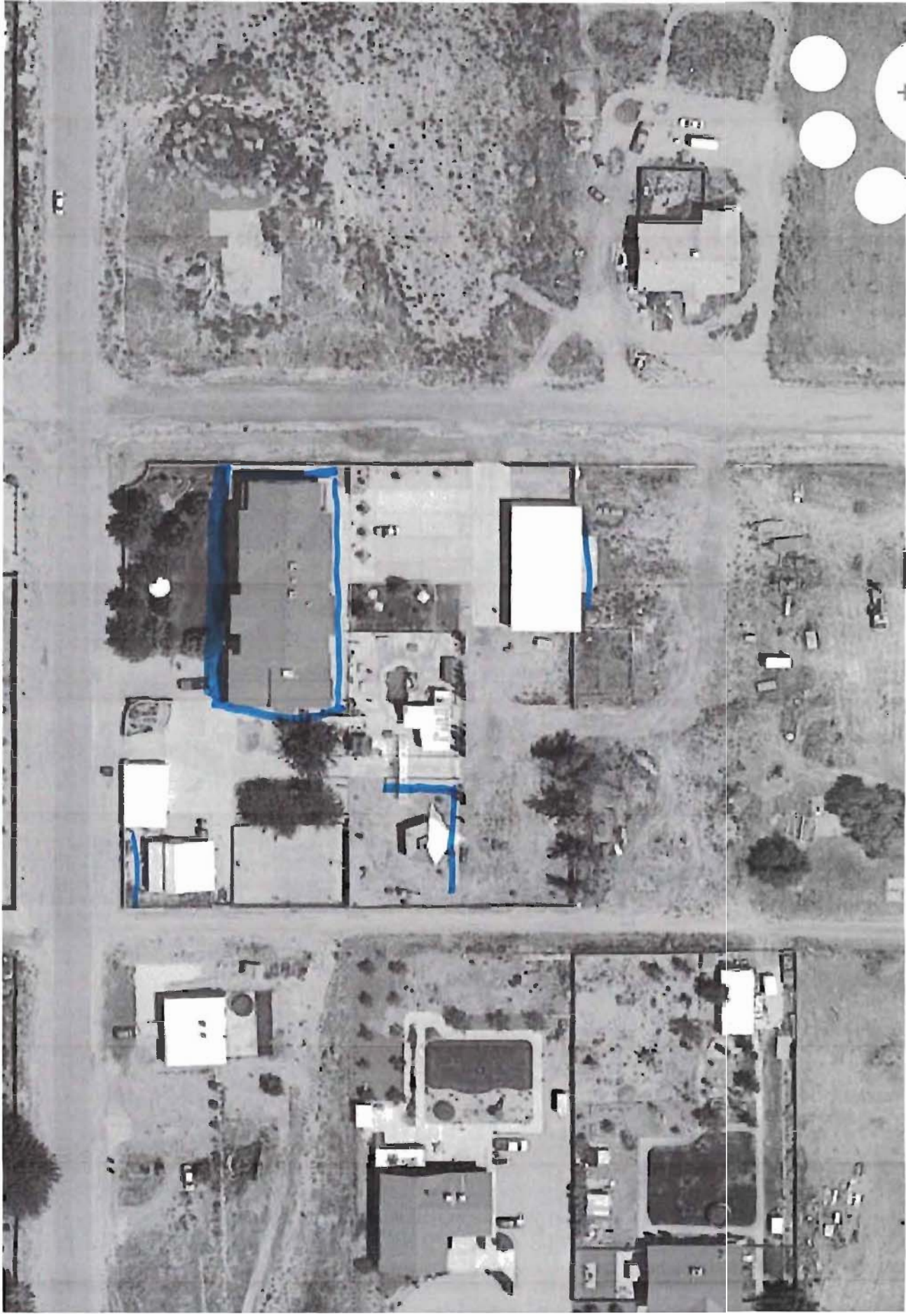


Roof's

Camera 1.810 m 37°00'04"N 112°59'05"W 1.535 m

100%

https://earth.google.com/maps/@37.00179517,-112.98524614,15.35z/data=!3m1!1e3m!1s37.00179517,-112.98524614,15.35z/data=!3m1!1e3m!1s37.00179517,-112.98524614,15.35z/data=!3m1!1e3m!1s37.00179517,-112.98524614,15.35z



# Side walks

Camera 1,810 m 37°00'04"N 112°59'05"W 1,535 m



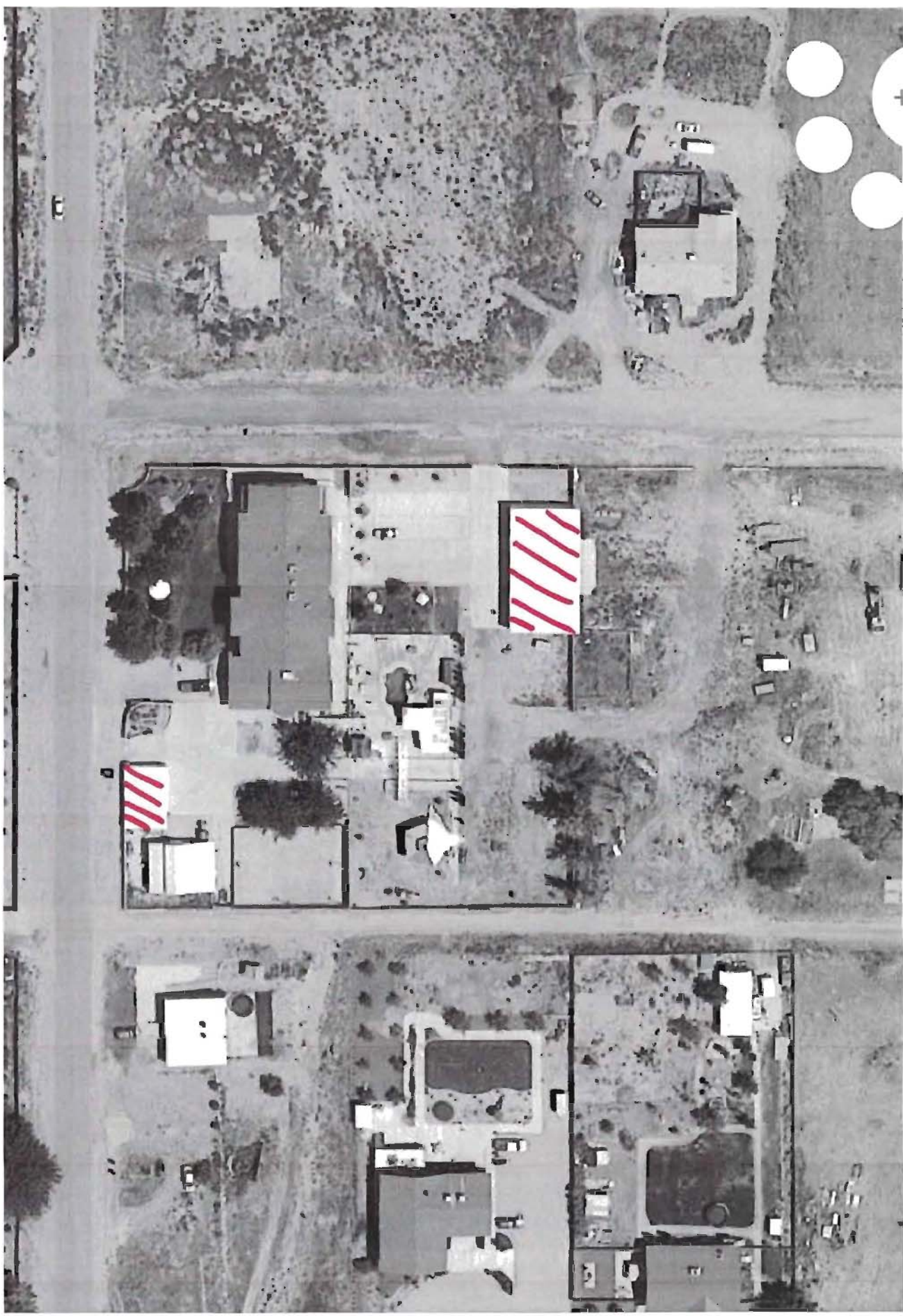
# Parkings lots

Camera 1,810 m 37°00'04"N 112°59'05"W 1,535 m

100%

https://earth.google.com/web/@37.00198517,-112.98524614,1535,40.24444455,274,20727144,35v,0h,0t





*Covered Parking Areas*

Camera 1,810 m 37°00'04"N 112°59'05"W 1,535 m

100%



100%

Camera: 1,810 m 37°00'04"N 112°59'05"W 1,535 m

*Patios*

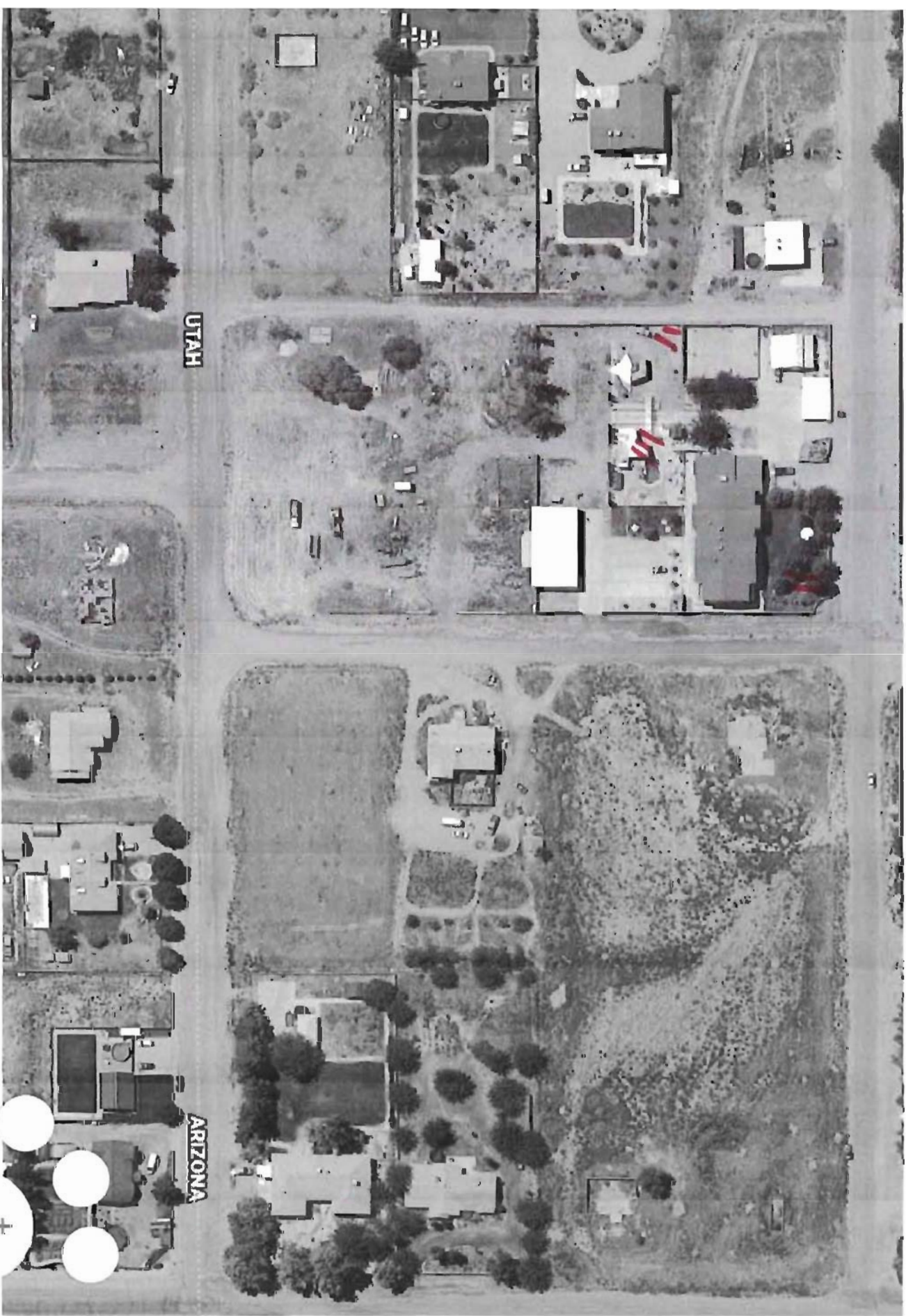


Decks

100%

Camera 1,810 m 37°00'04"N 112°59'05"W 1,535 m



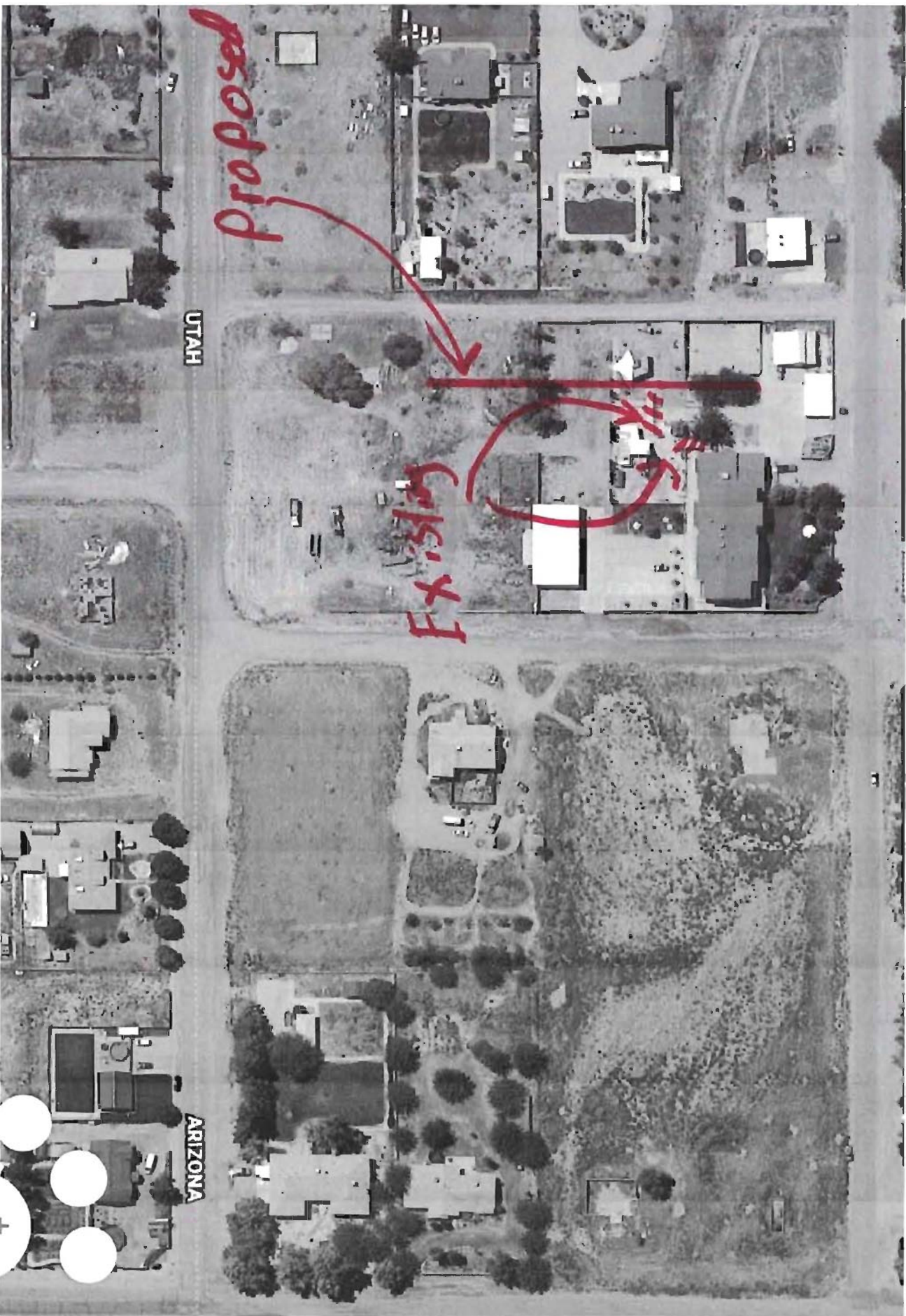


# Water Features



the://earth.html .mlwsh/037 00085675 .112 0847524 1 1533 51567866 402 12478324 35v .0h 01 .

Camera 1.956 m 37°00'05"N 112°59'12"W 1.536 m



UTAH

ARIZONA

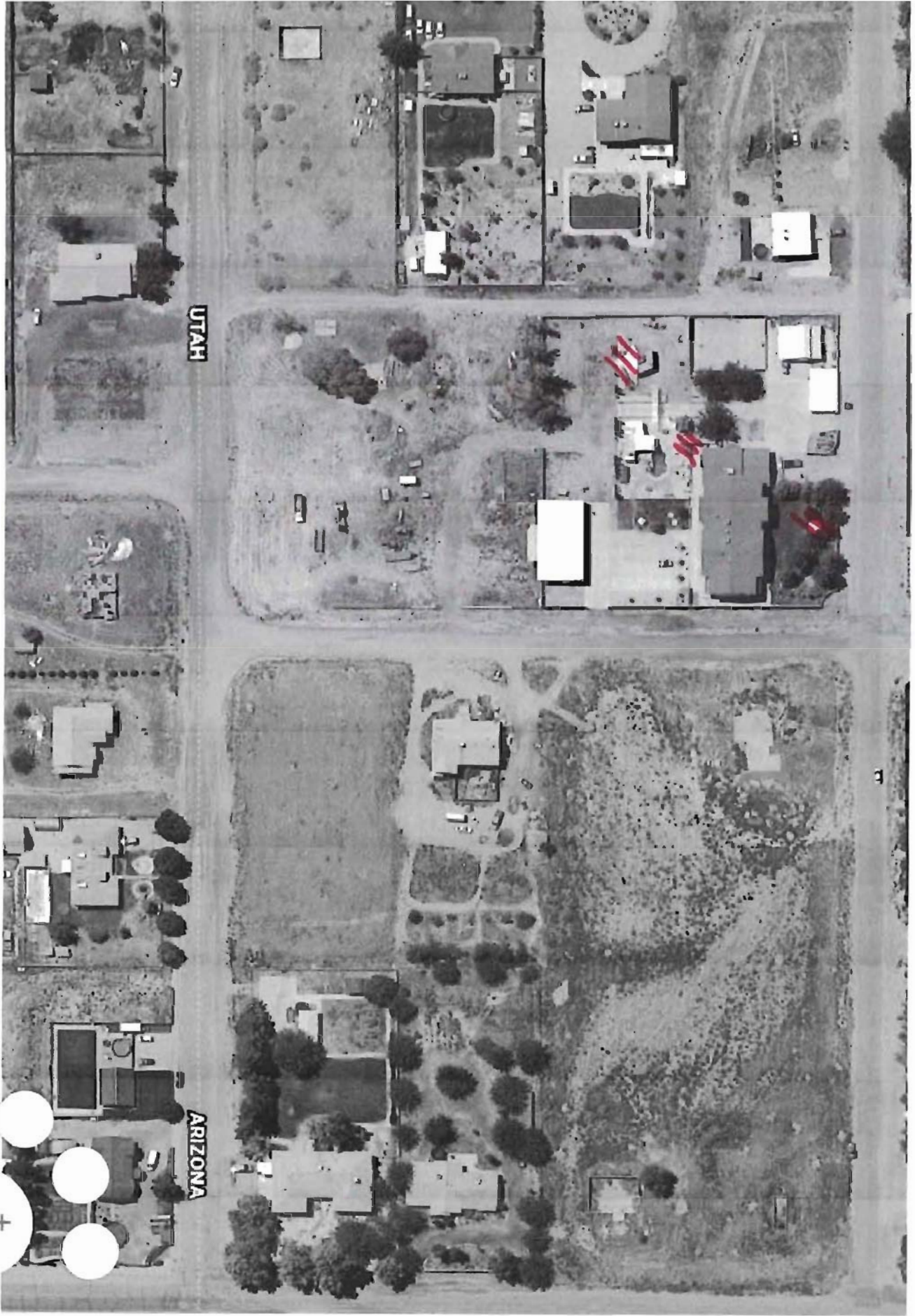
# Bridges

Proposed

Existing

100%

Camera: 1,956 m 37°00'05"N 112°59'12"W 1,536 m



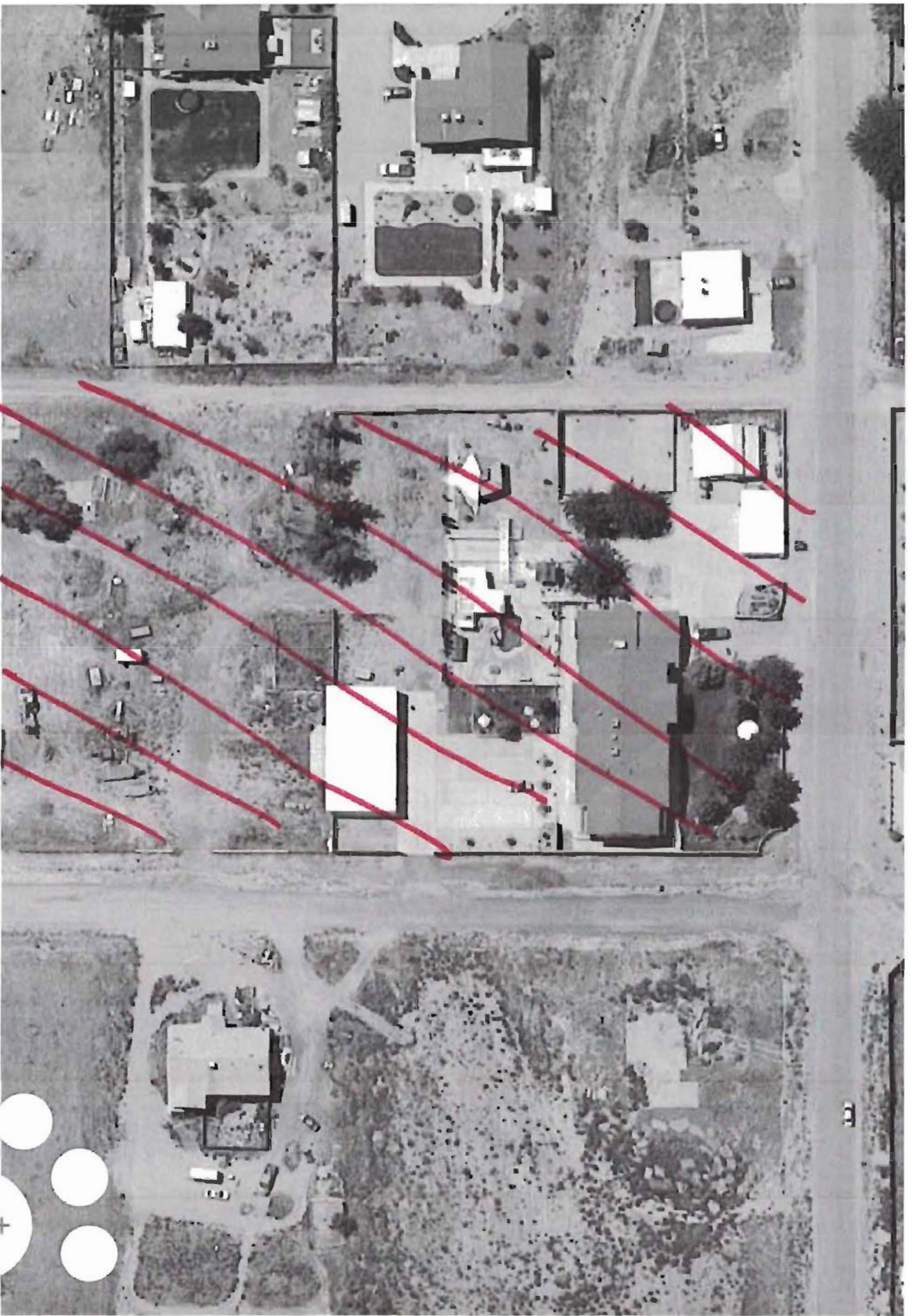
*Garibos*



https://earth.google.com/web/@37.0008575,-112.0847524,15.33z,51.567866a,47.7z,12.7623d,25u,0h,0t







CS 2+3



Camera 1,810 m 37°00'04"N 112°59'05"W 1,535 m



https://earth.google.com/web/@37.00128417,-112.98526614,15.95,40.34444455,0.74,307.727114,35v,0h,0t

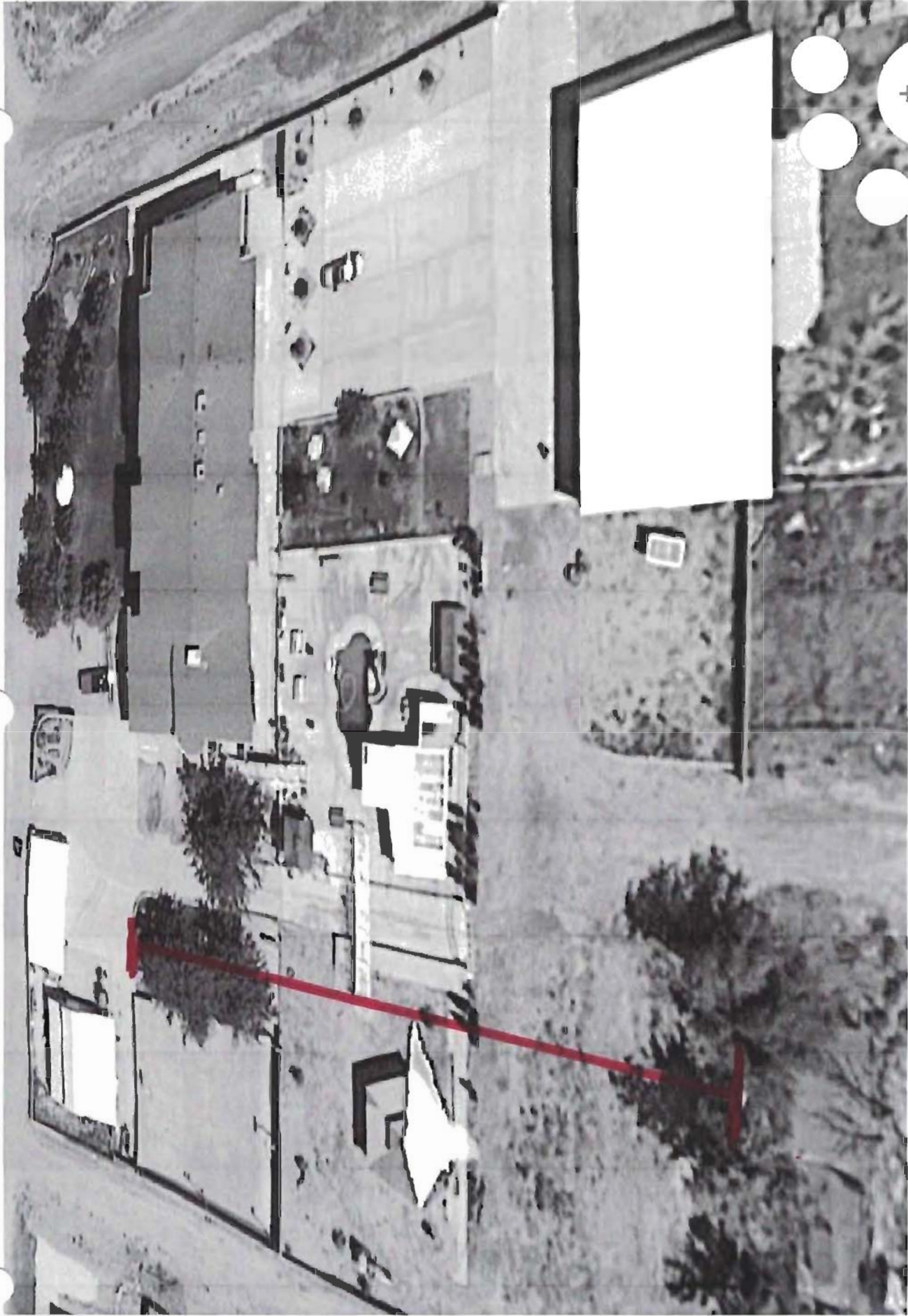




*Side Building Elevations  
Proposed Structures*

Location: 37°00'06"N 112°59'04"W 1.538 m

100% INEGI



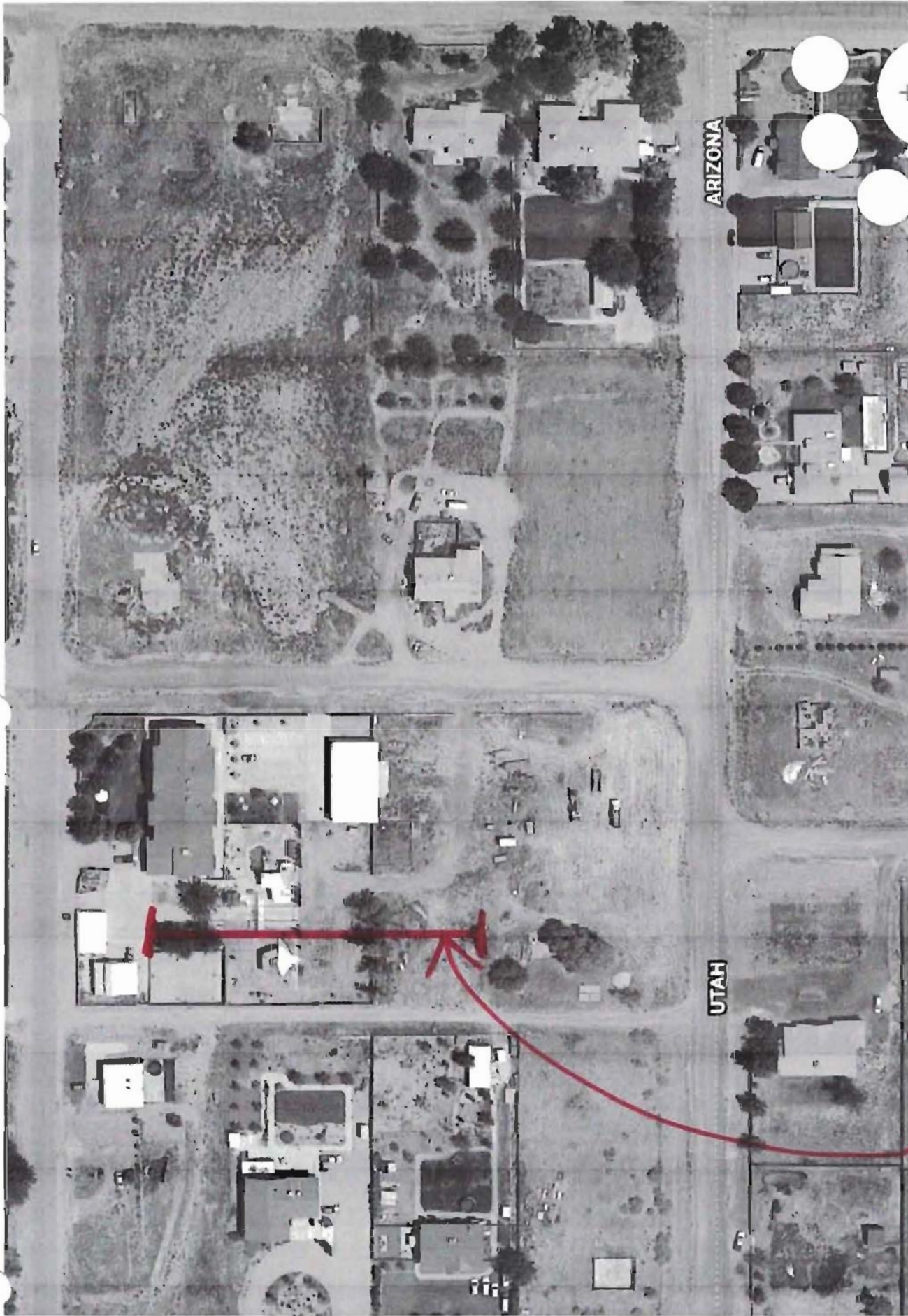
*Fear: to scale with  
Yard. proposed structure*



INEGI



12°59'09"W 1,537 m



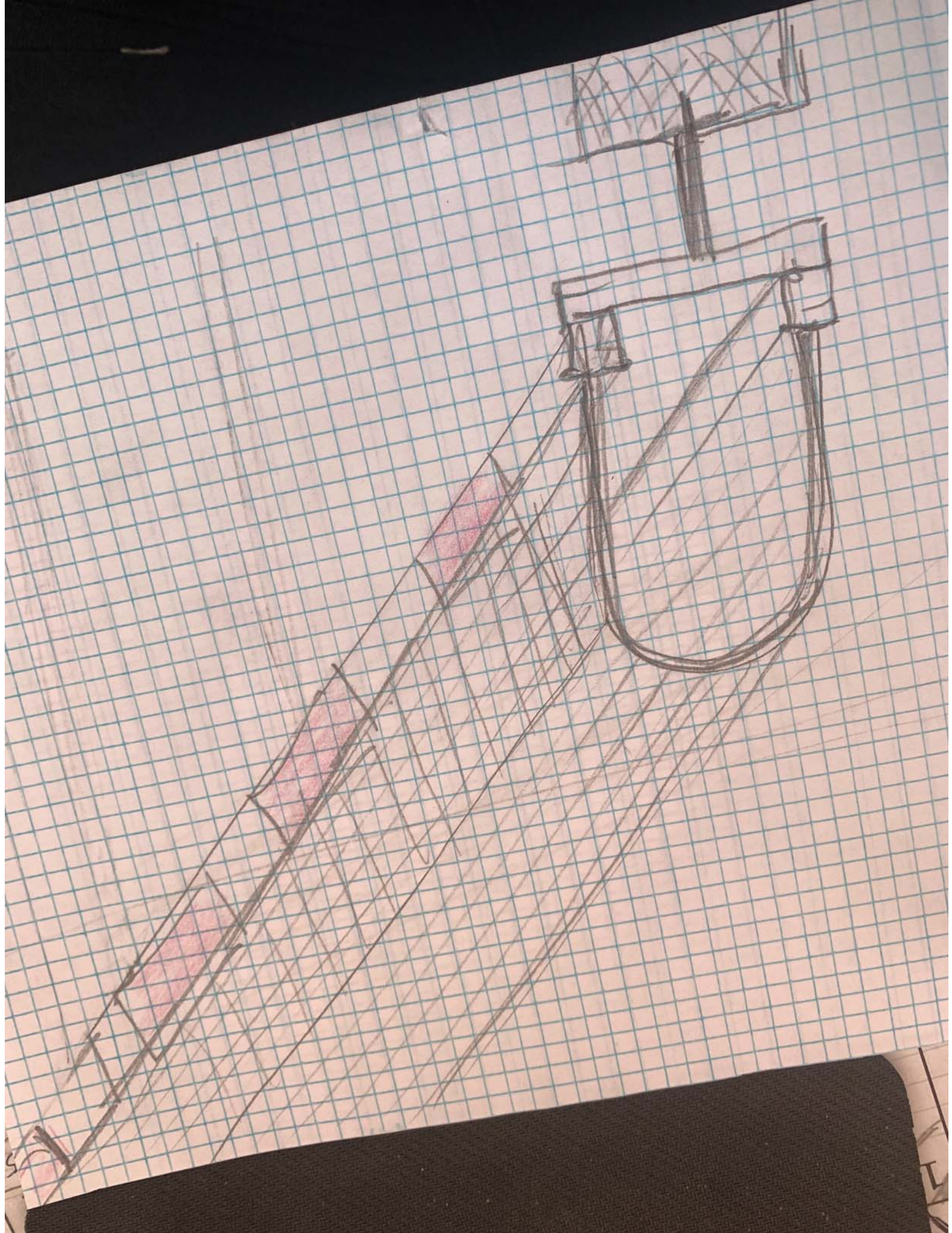
ARIZONA

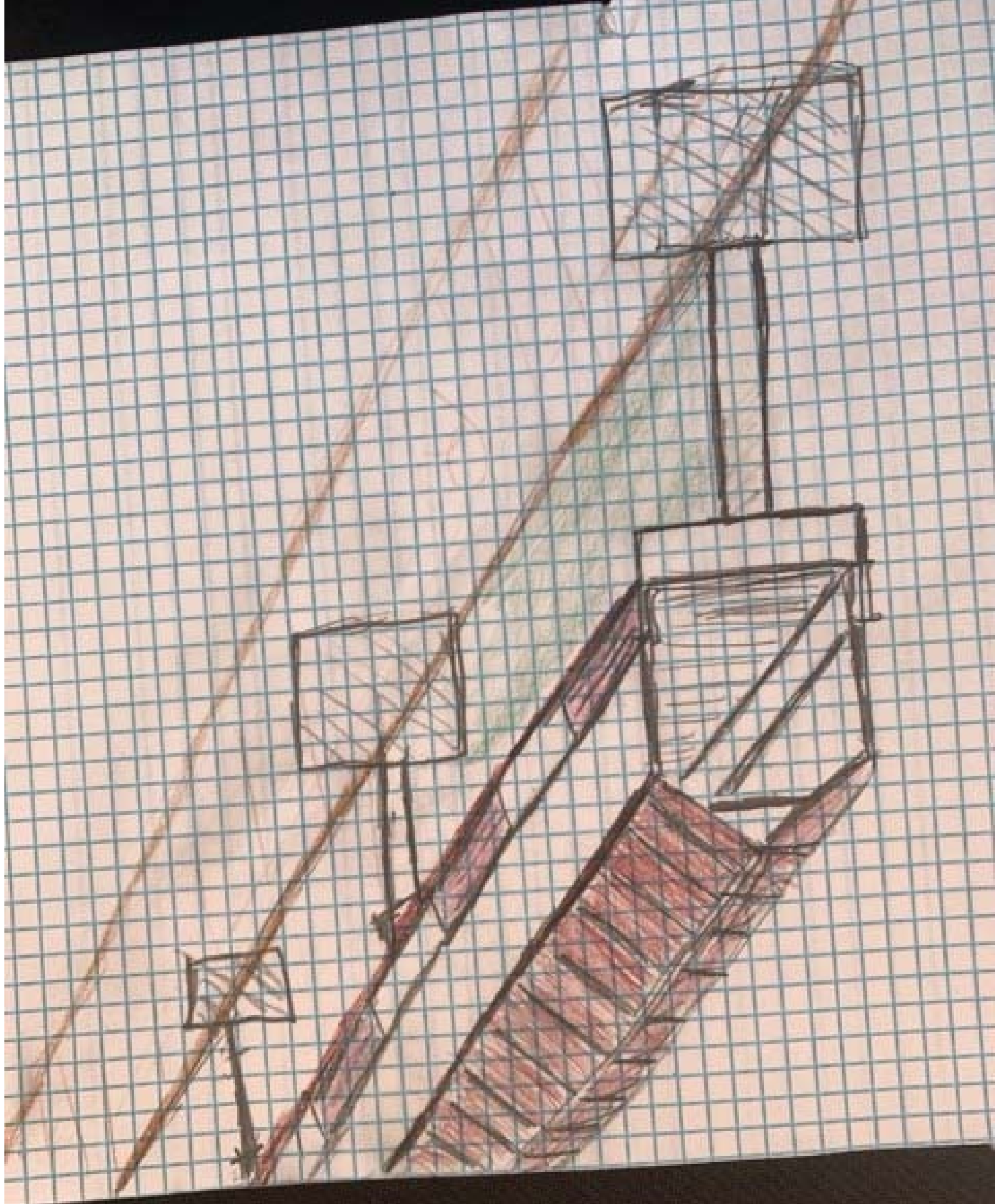
UTAH

*Exterior Subtrcins;  
 Steel I-Beams,  
 Metal Sheety,  
 Concrete*

*8x8 wire net.  
 Wood.  
 Flowers.*

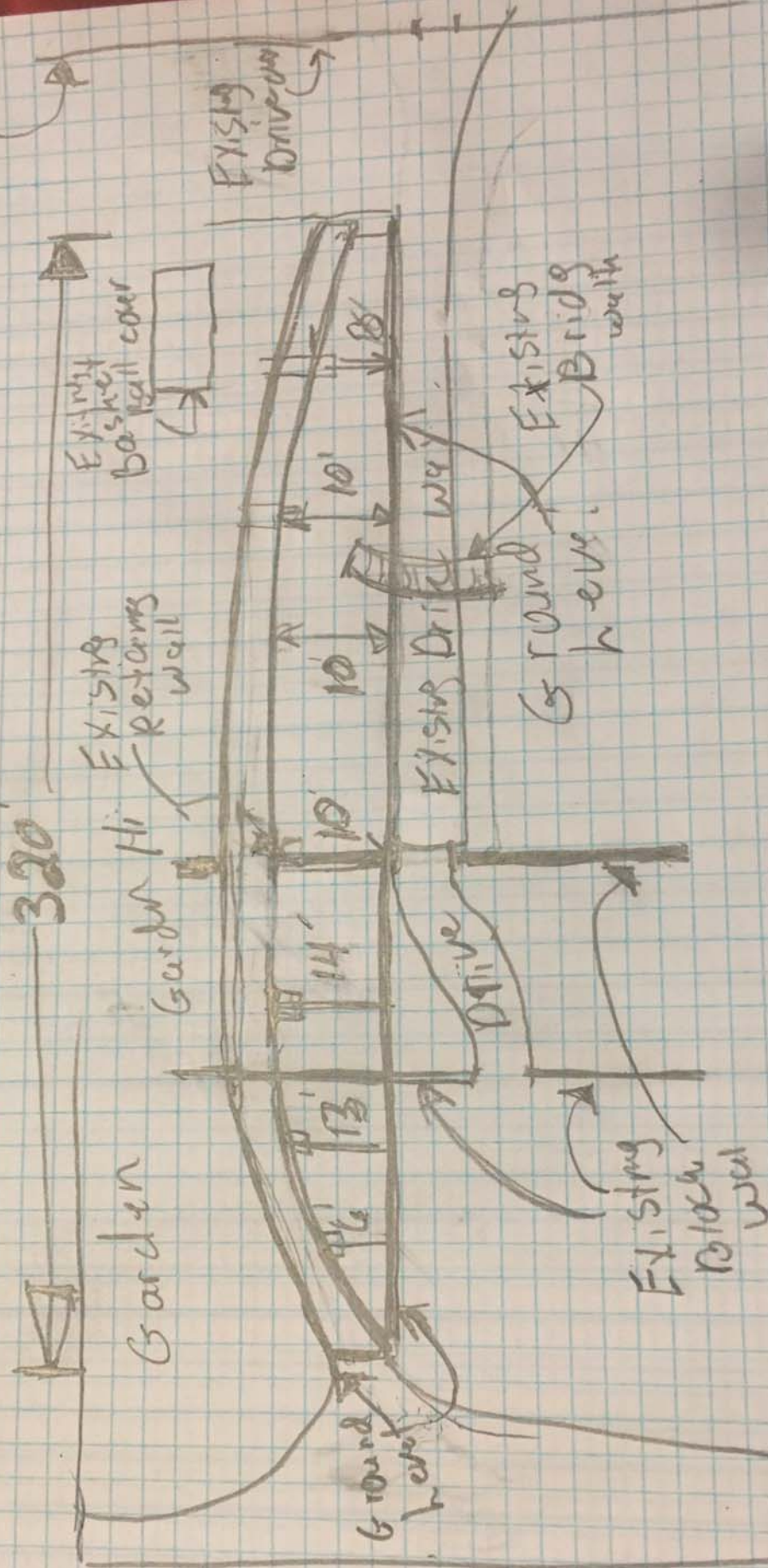
Camera: 1,956 m 37°00'05"N 112°59'12"W 1,536 m





# Walkway

Existing Wall





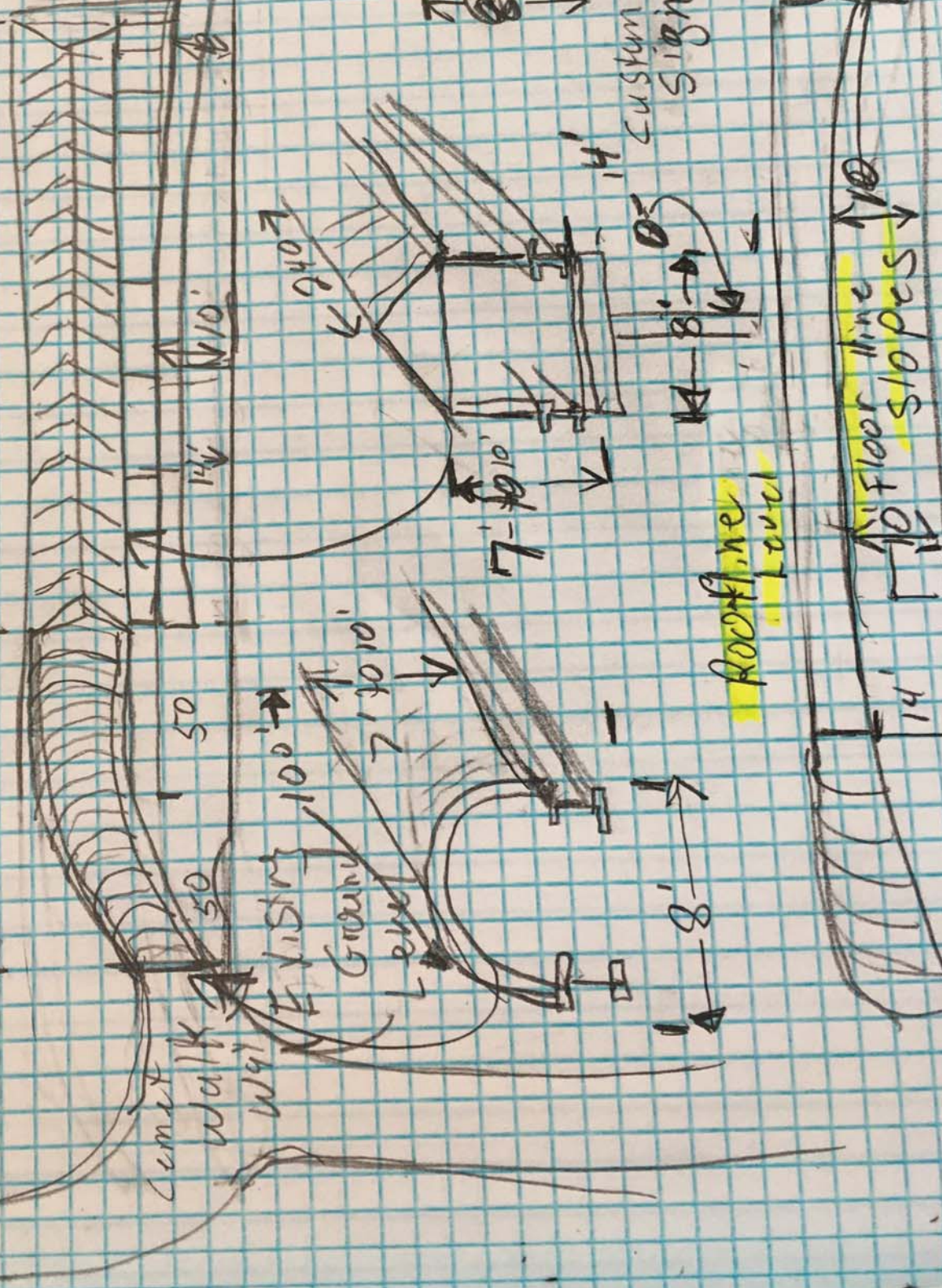
Round 8x8 wire

metal sheeting



100' LF

200' LF



Existing Drive Way

18' 4"

Custom entrance of decorative Iron

Custom Sign

Roofline Level

10' Floor line slopes

Exit

concrete walk way Existing 100'

Existing Ground Level 7' to 10'

8'

14'

14'



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## HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

**Application Type:** Conditional Use Permit (Greater Height and Size)

**Applicant Name:** Willie Jessop

**Property Address:** 525 W Field Ave

**Parcel Number:** HD-SHCR-1-33, 34

**Legislative/Administrative Proceeding:** Administrative

**Approval Authority:** Hildale Planning Commission

**Appeal Authority:** Hildale City Council

**Date of Public Meeting:** August 20, 2020

**Location of Public Meeting:** Hildale City Hall

### Summary of Application

The Applicant is requesting a conditional use permit allowing an accessory structure in excess of the height and size limits in the Residential Agricultural 1 (RA-1) zone.

### Background

The applicant's property, which consists of two lots, is located in a residential neighborhood at the corner of Field Avenue and Homestead Street. The property contains the applicant's single-family residence and a number of accessory structures.

Last month, the City received a building permit application for a steel span bridge structure. In the course of Planning & Zoning review of the permit application, staff recognized that the dimensions of the proposed structure were significantly larger than what is normally allowed under RA-1 development standards.

Accessory structures such as the proposed landscape bridge are permitted when "necessarily and customarily associated with and incidental and subordinate to" the primary use, which here is a single-family residence.

Accessory structures are subject to certain development standards, found in HCC Section 152-14-4, Table 152-14-2. These include:

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

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



Building standards:		
Maximum height, main building <sup>3</sup>	35 feet	35 feet
Maximum height, accessory building	20 feet	20 feet
Maximum size, accessory building <sup>4</sup>	2,000 square feet	2,000 square feet

The gross square footage of the proposed bridge is 2,640 square feet, which exceeds the standard maximum size by approximately 32%. The peak height is 27 feet, which exceeds the standard maximum height by approximately 35%.

An exception to these limits is found in HCC Section 152-14-7, which states that “the maximum size of an accessory building may be increased,” and “a greater building height may be allowed pursuant to a conditional use permit.” The applicant has therefore requested a conditional use permit for a larger structure.

The standard of review to use in deciding whether to grant a conditional use permit in this or any other case is substantial evidence. The applicant is required to present such evidence as a reasonable mind might accept as adequate to support granting the conditional use permit. The Commission’s role is to evaluate the applicant’s submittals to determine whether the standards for the conditional use of a larger building have been met.

The Commission should be aware that a building permit will not be approved in this case for Planning & Zoning compliance unless and until the applicant obtains a plat amendment to consolidate the two lots. A plat amendment application has been received, but has not yet been determined to be complete.



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## Staff Analysis

The standards the Planning Commission must consider are found in HCC Section 152-7-9(e)(2)(g):

- 1. The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater.**

The proposed structure is adjacent to four single-family homes including the applicant's, and five accessory structures including four of the applicant's. The applicant has not provided any information on the heights of these buildings. One of the four homes is two stories (assumed 26ft), two are one story with partially submerged or walkout basements (assumed 16ft), and one is one story on grade (assumed 12ft). The five accessory structures are all one story (assumed 10ft average). The average height with these rough numbers would be approximately 14 feet. We likewise assume that two stories' height would be significantly greater than that, even with a reasonable margin of error.

The term "story" is defined in our code, but not in terms of a specific height. Staff is not confident in our expertise to interpret the height of two stories, but we believe that the Planning Commission likely has the knowledge and experience to do so. Therefore, we recommend that the Planning Commission specifically find whether two stories' height is likely greater than the average of the adjacent buildings' height, and if so then whether the proposed structure is greater than two stories in height. If the answer to both of these questions is "yes," then the structure would not meet Condition 1. If not, and the Commission would like more information from the applicant about the heights of adjacent buildings before rendering a decision, then this decision could be postponed to a future meeting.

- 2. The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface, and must be for a use permitted in the zone in which it is located.**

This condition involves two sub-parts, discussed below.

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

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



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### **Architectural Compatibility**

The proposed bridge structure will be 330 feet long, 8 feet wide, and 27 feet tall. The structural elements will consist of steel I-beam spans, steel joists, steel columns, a concrete platform, wood-framed superstructure and sheet metal roofing. Decorative elements will consist of a wrought iron entrance gate, 8" metal wire grid trellis at the ends, and flower boxes along the sides. The predominant color scheme will be maroon, light purple and white (painted). See photos and drawings attached to the application.

Three of the adjacent residences are traditional wood frame construction, with various finishes including brick, stucco and siding. One residence is a pre-fabricated metal building. See attached photos.

The code does not define "compatible architecture." Staff takes the term to refer to overall style, exterior surfacing materials and colors, and architectural details. The style that the applicant is attempting to replicate is rustic European, based on the famous Kapellbrücke, a wooden foot bridge in Lucerne, Switzerland. But the materials and other elements of the applicant's design are quite different from those used in the Kapellbrücke, so the Commission should not rely heavily on the applicant's intent.

The evidence is mixed on architectural compatibility. The metal roof is similar to roofing on the surrounding outbuildings. The trellising and gate are similar to other features in the applicant's landscape. The exposed steel beam structure is unlike any other of the adjacent buildings. Finally, the sheer scale of the structure sets it apart from any other adjacent building. At 330 feet long, it is by far the longest structure in the immediate area.

Staff considers this a tough call and does not make any recommendation to the Commission as to whether this structure is architecturally compatible. The Planning Commission may reach any conclusion that is reasonably supported by the evidence.

### **Pervious Surfaces**

Lot 33 is heavily covered with improvements, and alone would probably not meet the 35% permeability standard. Lot 34, however, is largely unimproved and once the lots are combined, it is obvious that this condition will be met.

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

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



📞 435-874-2323

📠 435-874-2603

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### **Staff Recommendation**

Staff does not directly recommend approval or denial of the requested conditional use permit. As pointed out above, this is a difficult call and requires the Commission to weigh the evidence against their own experience and common sense. If the Commission finds that the proposed bridge structure meets both Conditions 1 and 2, then the conditional use permit should be approved. If, however, the Commission finds that it fails to meet either Condition 1 *or* Condition 2, then the conditional use permit should be denied. If the Commission does not have enough information to render a decision, it would be appropriate to postpone a decision to obtain more information.

If the Commission does vote to grant the conditional use permit, staff recommends adding the condition that the applicant obtain a plat amendment to join his two lots.

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## Caution

Ask yourself the following questions before voting.

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

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

## Sample Motions

(Approve) I move we issue the requested conditional use permit with the added condition that the applicant must obtain a plat amendment to consolidate Lots 33 and 34 prior to construction.

(Deny) I move we deny the requested conditional use permit.

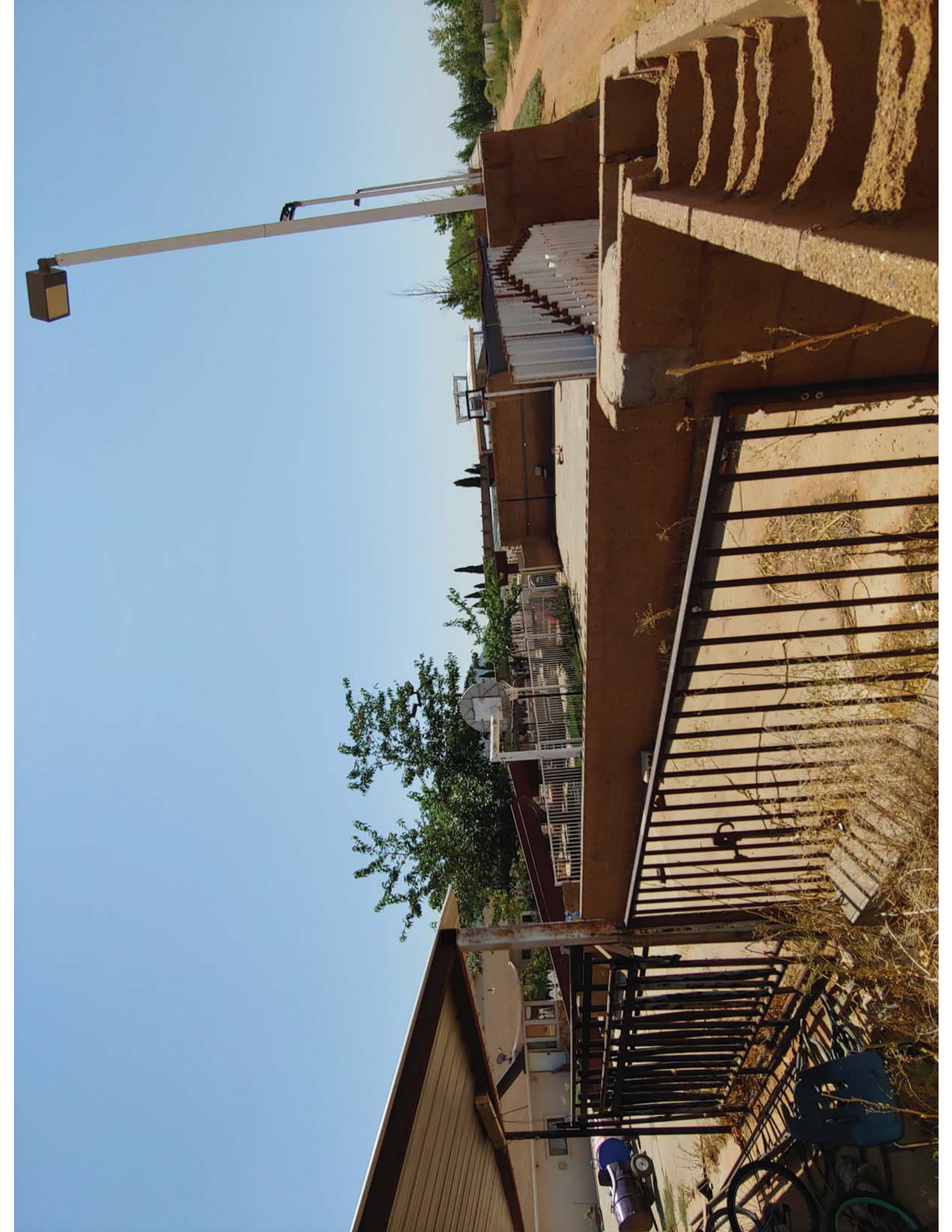
(Postpone) I move we postpone considering the conditional use permit application to the next regular planning commission meeting, and direct staff to report back on \_

\_\_\_\_\_.

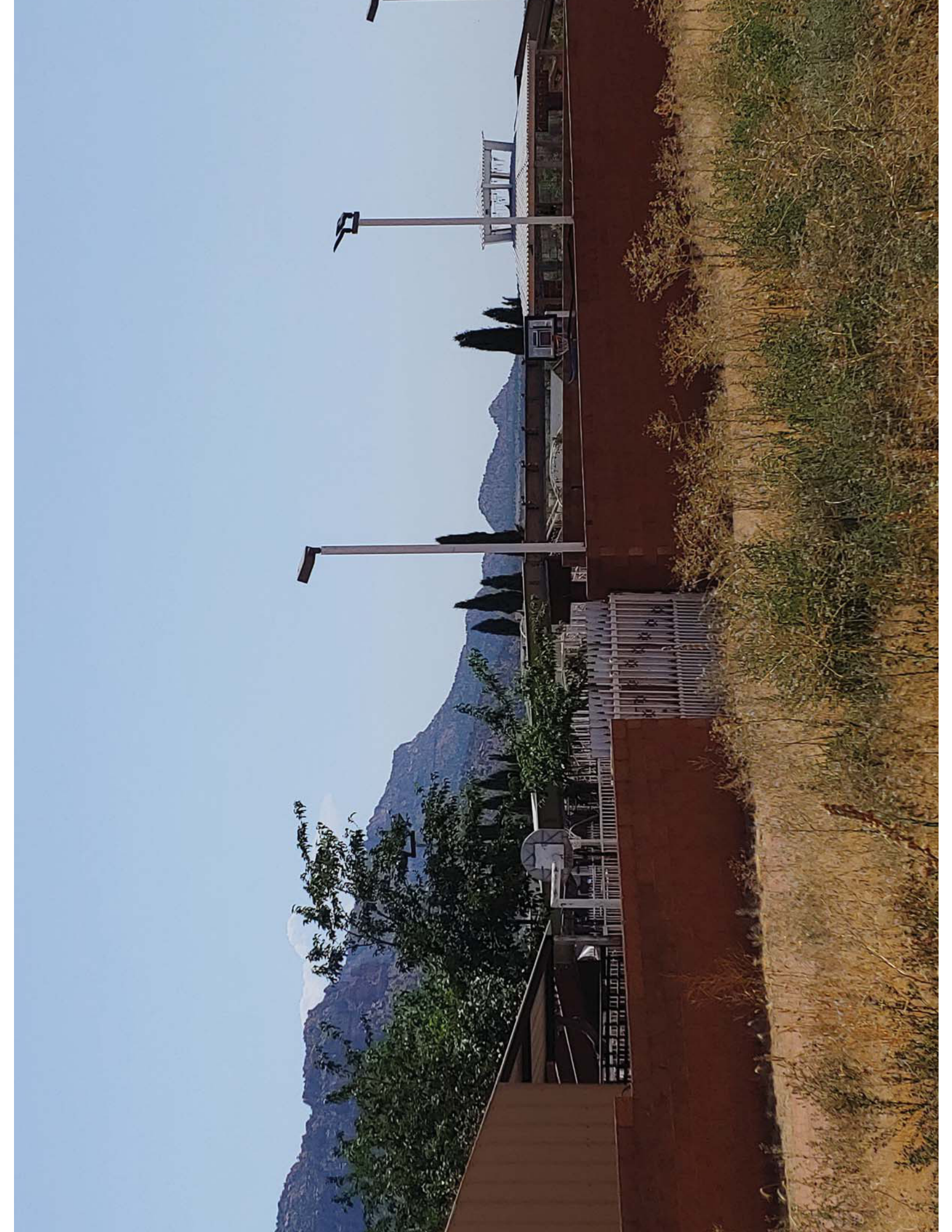


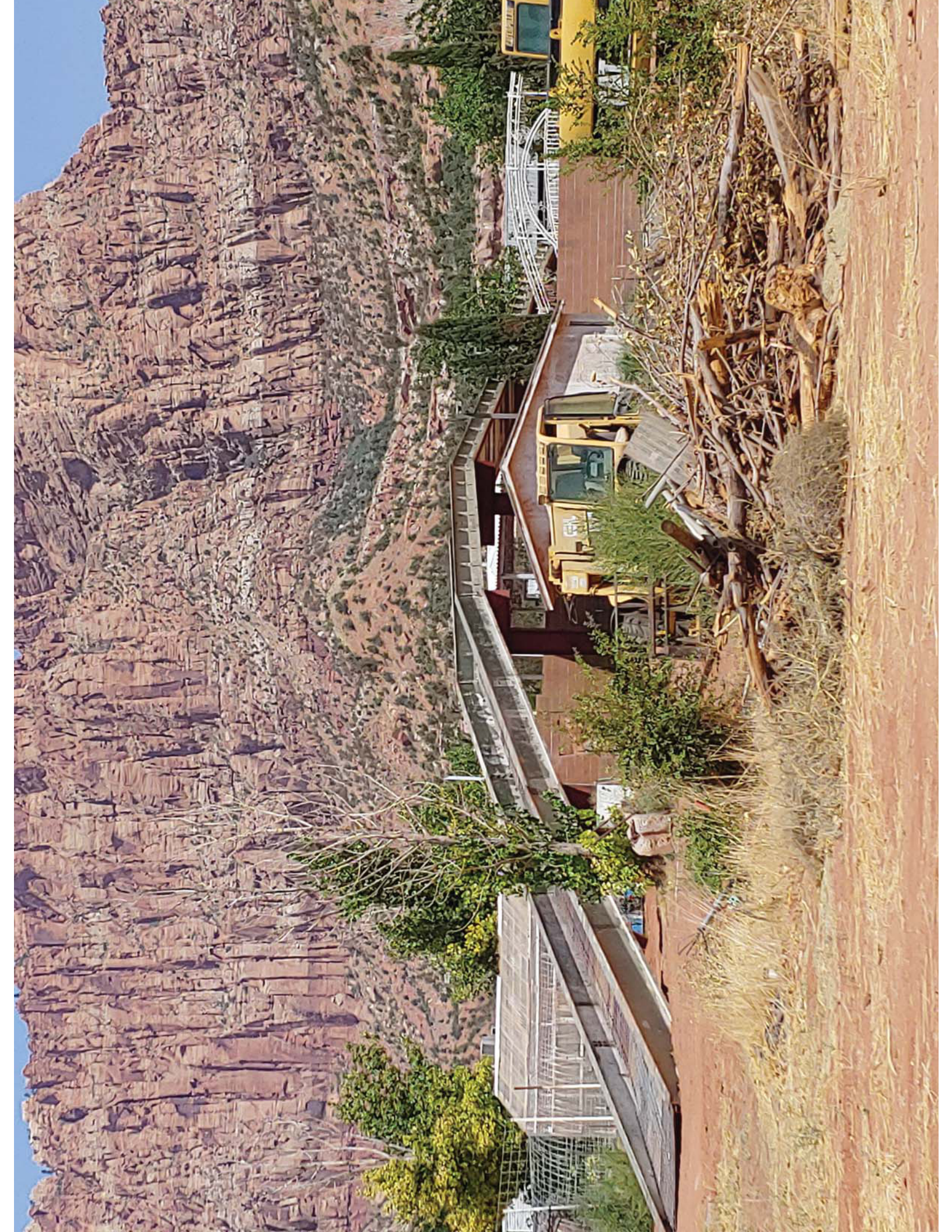












HD-SHCR-1-38

0912690 011

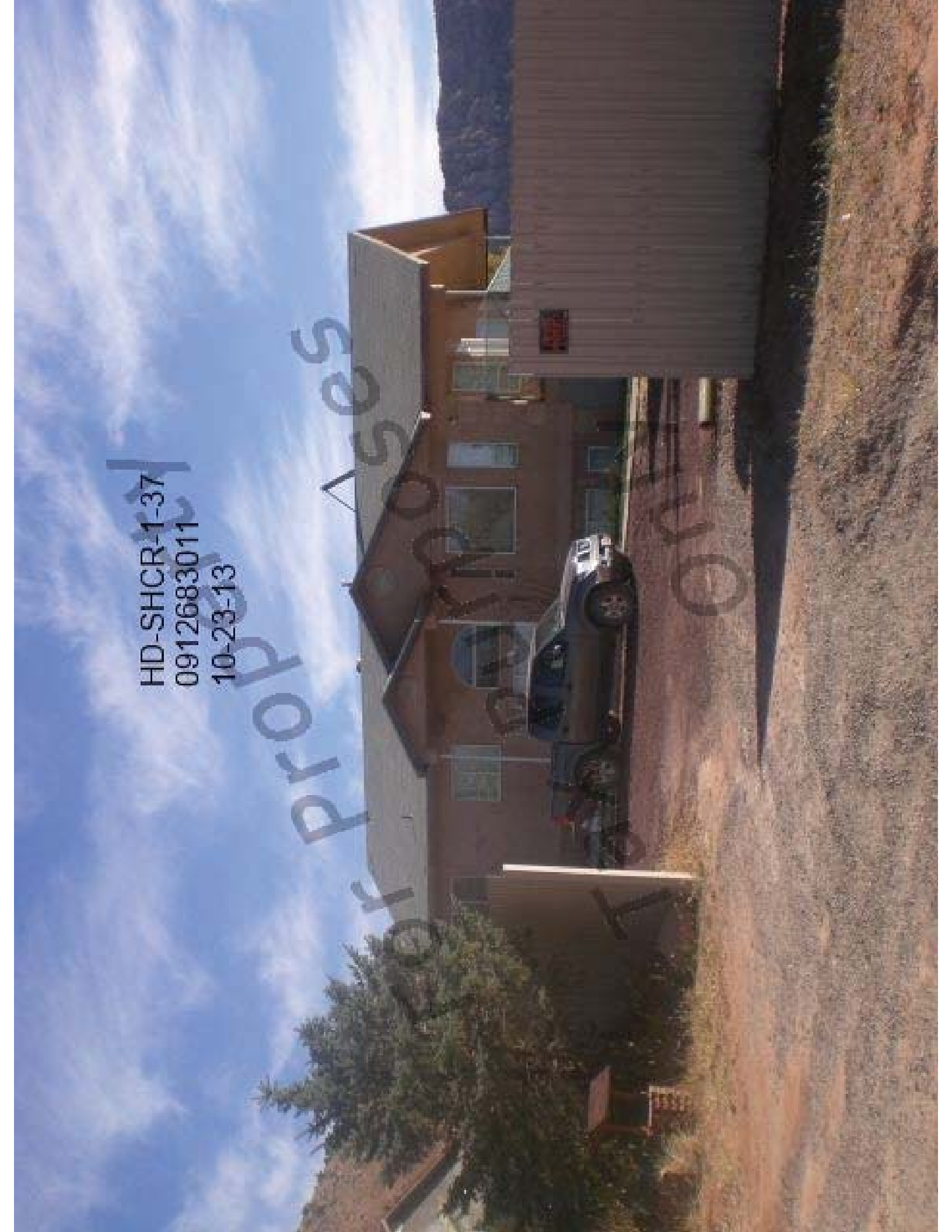
03/24/2020

For Property Photos



HD-SHCR-1-37  
0912683011  
10-23-13

Property Assess



HD-SHCR-1-32

0912638011

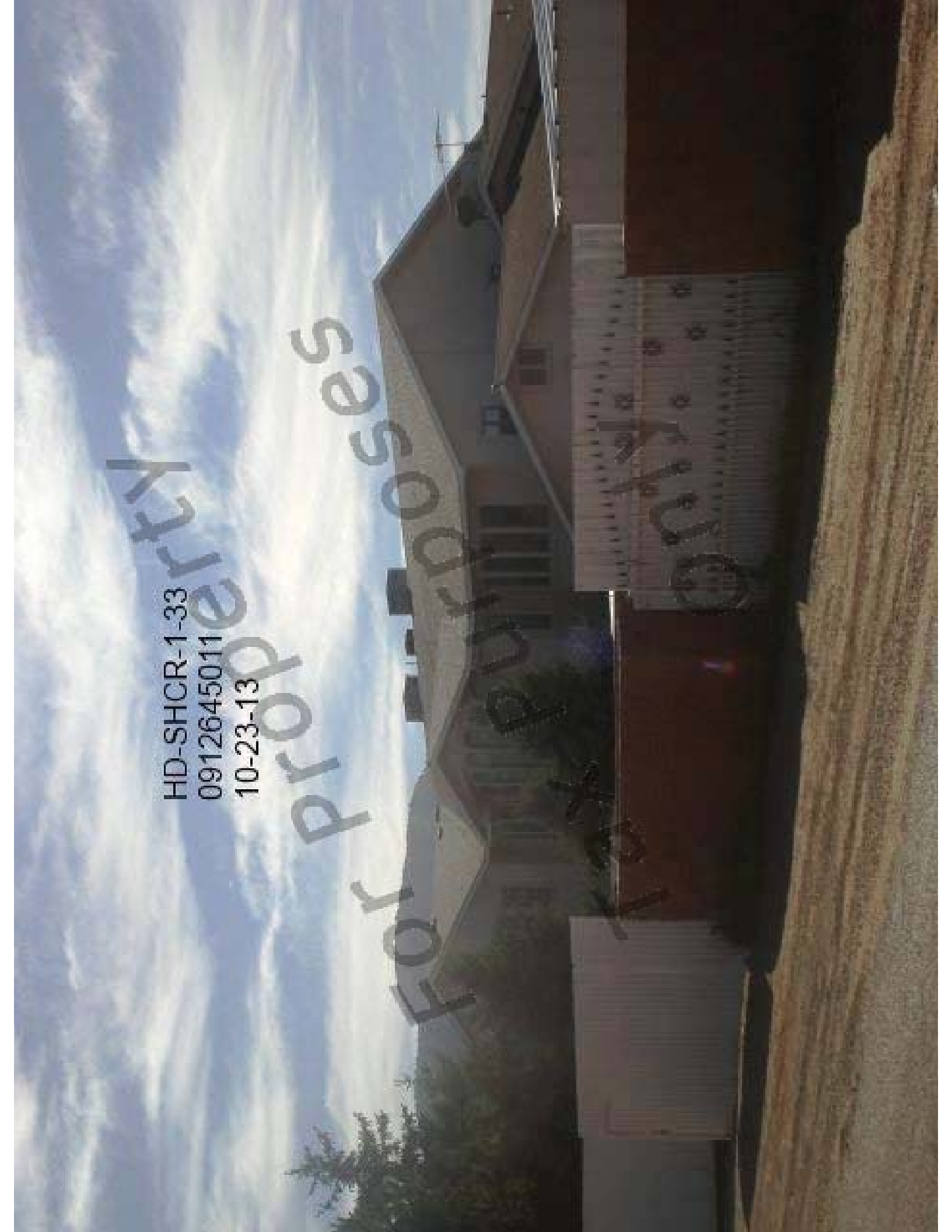
10-23-13





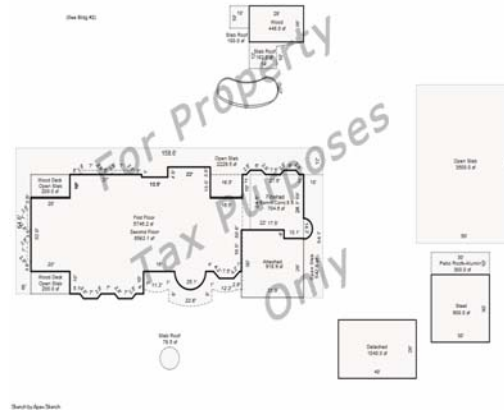
HD-SHCR-1-33  
0912645011  
10-23-13

Property  
For Properties



# Property Report for Parcel HD-SHCR-1-33

Selected Assessor CAMA data below updated weekly.



## Account Summary

**Account Number:** 0912645  
**Parcel ID:** HD-SHCR-1-33  
**Account Type:** Residential  
**Owner Name:** Ranch Creek Holdings Llc

**Subdivision:** Short Creek  
**Situs Address:** 525 W Field Ave  
Hildale, UT 84784

## Building Characteristics

**Building Number:** 1  
**Property Type:** Residential  
**Year Built:** 1993  
**Square Feet:** 11309  
**Occupancy Type:** Single Family Residential  
**Built-As Description:** 2 Story  
**Units:** 1  
**Stories:** 2  
**Percent Complete:** 100  
**Exterior:** Frame Stucco

**Roof Type:** Gable  
**Roof Cover:** Composition Shingle  
**HVAC Desc:** Central Air to Air  
**Bedrooms:** 12  
**Bathrooms:** 10  
**Garage Square Feet:** 1040  
**Basement Sq. Ft.:** 705  
**Basement Sq. Ft. Finished:** 705  
**Swimming Pool:** 1  
**Fireplaces:** 1  
**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.*

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# Property Report for Parcel HD-SHCR-1-33

Selected Assessor CAMA data below updated weekly.

---

## Building Characteristics

**Building Number:** 1  
**Property Type:** Residential  
**Year Built:** 1993  
**Square Feet:** 11309  
  
**Occupancy Type:** Single Family Residential  
**Built-As Description:** 2 Story  
**Units:** 1  
**Stories:** 2  
**Percent Complete:** 100  
**Exterior:** Frame Stucco

**Roof Type:** Gable  
**Roof Cover:** Composition Shingle  
**HVAC Desc:** Central Air to Air  
**Bedrooms:** 12  
**Bathrooms:** 10  
**Garage Square Feet:** 919  
**Basement Sq. Ft.:** 705  
**Basement Sq. Ft. Finished:** 705  
**Swimming Pool:** 1  
**Fireplaces:** 1  
**Finished Attic:** N/A

## Building Characteristics

**Building Number:** 2  
**Property Type:** Out Building  
**Year Built:** 2017  
**Square Feet:** 3200  
  
**Occupancy Type:** Farm Implement-Equip Shop  
**Built-As Description:** Farm Implement-Equip Shop  
**Units:** 1  
**Stories:** 1  
**Percent Complete:** 100  
**Exterior:** N/A

**Roof Type:** N/A  
**Roof Cover:** N/A  
**HVAC Desc:** None  
**Bedrooms:** N/A  
**Bathrooms:** N/A  
**Garage Square Feet:** N/A  
**Basement Sq. Ft.:** N/A  
**Basement Sq. Ft. Finished:** N/A  
**Swimming Pool:** N/A  
**Fireplaces:** N/A  
**Finished Attic:** N/A

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# Property Report for Parcel HD-SHCR-1-33

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---

## Property Information

**Acres:** 1.81  
**Zoning:** RA-1  
**Is Property in a Special Flood Hazard Area?** Yes  
**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.*

## Voting Districts

**Washington County Precinct:** HIL97  
**U.S. Senate District:** 28  
**U.S. Congressional District:** 2  
**Utah House District:** 71  
**Washington County School Board District:** 5

*\* Visit [Vote.Utah.gov](http://Vote.Utah.gov) or <http://geo.washco.utah.gov/html5Viewer/> for more voting information.*

## Tax Information

**Tax District:** Hildale Town  
**Residential Classification:** N/A  
**Book & Page:** N/A  
**Reference Document:** 20140027147

## 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

*\* 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/>.*

## Utilities

**Culinary Water:**  
**Sewer:** On-site wastewater/septic ()  
**Electricity:**  
**Natural Gas:**  
**Internet Service Providers (Cable):**

*\* For more information on Internet services available in your area, see [DecisionData.org](http://DecisionData.org), <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

## Solid Waste Collection Day:

*\* For more information on solid waste and recycling services, visit the Washington County Solid Waste website at <http://www.wcsw.org/>.*

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# Property Report for Parcel HD-SHCR-1-33

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Parcel highlighted in blue.



Overview Map

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