



## 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 18TH DAY OF MARCH, AT 320 EAST NEWEL AVENUE, HILDALE CITY, UTAH 8478, 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. DISCUSSION AND POSSIBLE ACTION ON APPROVING MEETING MINUTES
5. PUBLIC COMMENT
6. PUBLIC HEARINGS:
  - A. HILDALE CITY CODE TEXT AMMENDMENT: CONDITIONAL USE PERMIT REQUIREMENTS FOR TROUBLED YOUTH FACILITY (HCC 152-7-9)  
[https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec\\_152-7-9\\_Conditional\\_Use\\_Permit](https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec_152-7-9_Conditional_Use_Permit)
  - HILDALE CITY CODE TEXT AMMENDMENT: RESIDENTIAL AGRICULTRAL ZONE SETBACK REQUIREMENTS FOR STREET SIDE YARD  
[https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec\\_152-13-4\\_Development\\_Standards\\_In\\_Residential\\_Zones](https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec_152-13-4_Development_Standards_In_Residential_Zones)

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.



- B. REZONE APPLICATION (R1-10 TO RA-1) FOR PROPERTY LOCATED AT 930 NORTH MEMORIAL
7. STAFF SUMMARIES:
  - A. SITE PLAN REVIEW, HD-HDIP-37
  - B. VACATION OF PUBLIC RIGHT OF WAY (NEAR FIELD AVENUE AND HILDALE STREET)
8. NEW COMMISSION BUSINESS
  - A. REZONE APPLICATIONS
    - i. REZONE APPLICATION (R1-10 TO RA-1) FOR PROPERTY LOCATED AT 930 NORTH MEMORIAL
  - B. TEXT AMMENDMENT APPLICATIONS
    - i. HILDALE CITY CODE TEXT AMMENDMENT: CONDITIONAL USE PERMIT REQUIREMENTS FOR TROUBLED YOUTH FACILITY (HCC 152-7-9)  
[https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec\\_152-7-9\\_Conditional\\_Use\\_Permit](https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec_152-7-9_Conditional_Use_Permit)
    - ii. HILDALE CITY CODE TEXT AMMENDMENT: RESIDENTIAL AGRICULTURAL ZONE SETBACK REQUIREMENTS FOR STREET SIDE YARD  
[https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec\\_152-13-4\\_Development\\_Standards\\_In\\_Residential\\_Zones](https://hildale.municipalcodeonline.com/book?type=ordinances#name=Sec_152-13-4_Development_Standards_In_Residential_Zones)
9. DISCUSSION ON GENERAL PLAN REQUEST FOR PROPOSAL
10. 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

Thursday, January 16, 2020 6:30 pm

## **Present:**

**Commissioners:** Jenn Kesselring, Brigham Holm, Charles Hammon, Tracy Barlow  
Derick Holm

**Staff:** Kyle Layton, John Barlow, Christian Kesselring (this list may not be complete)

**Public:** Zaylie Holm (this list may not be complete)

## **#1. Call to Order**

Meeting called to order at 6:33 pm.

## **#2. Roll Call**

Roll was taken, quorum present.

## **#3. Pledge of Allegiance**

The crowd joined in the pledge of allegiance.

## **#4. Approval of Minutes of Previous Meeting**

Minutes had not been completed from last meeting, item tabled.

## **#5. Public Comment**

Tracy Barlow commented on the need for an emergency repair plan for power outages. There was a circumstance where the building inspector was out of the area and the home had no power for 2-3 days. He suggested we have a backup building inspector or a program that allows for one.

## **#6. Work Session**

There was a discussion on an ordinance pertaining to offsite improvements. Kyle touched on a flow chart and how to work through it. He gave a rough estimate for what these offsite improvements would cost. There were questions and concerns over property taxes that would come along with these offsite improvements, and lengthy discussions on road, curb, and gutter work and the impacts these would have on the community.

## **#7. Adjournment**

With no other business, meeting adjourned at 8.25 pm.

# Hildale City Planning Commission Meeting

320 East Newel Avenue, Hildale, Utah 84784

Thursday, February 20, 2020 6:30 pm

## Present:

**Commissioners: Jenn Kesselring, Brigham Holm, Charles Hammon, Nathan Fischer, Derick Holm, Rex Jessop**

**Staff: Kyle Layton, Christian Kesselring, John Barlow (this list may be incomplete)**

**Public: None (this list may be incomplete)**

## #1. Call to Order

Meeting called to order at 6:35 pm.

## #2. Roll Call

Roll was taken, quorum present.

## #3. Pledge of Allegiance

Nathan led the crowd in the pledge of allegiance.

## #4. Approval of Minutes of Previous Meeting

Minutes, once again, had not been completed from previous meetings, item tabled.

## #5. Public Comment

No public comment.

## #6. Action Items

There was a brief discussion on appointing a new chairperson and vice chairperson for the Planning Commission, which alternates every year. Kyle explained the voting in process for the next chairpersons.

**Jenn Kesselring moved to appoint Brigham Holm as new Chairman of the Hildale City Planning and Zoning Commission.**

**Rex Jessop seconded. Roll call vote:**

	YES	NO	ABSTAIN
Charles Hammon	X		
Nathan Fischer	X		
Jenn Kesselring	X		
Brigham Holm	X		
Derick Holm	X		
Rex Jessop	X		

Motion carried.

Brigham Holm appointed Nathan Fischer to be Vice Chairman. All Commissioners were in favor. These appointments will take effect next meeting (March 2020).

### **#7. Work Session**

Kyle Layton continued the discussion from last meeting concerning an ordinance pertaining to off-site improvements, impact fees, deposits and the development of subdivisions and road development percentages. Individuals who participated in a previous meeting (February 6, 2020) “strongly wanted to suggest that the Planning Commission consider removing the ordinance pertaining to the building permits from the Land Use Ordinance” and that it be dealt with at a later time and instead focus on road improvements. There was discussion on a master planning phase pertaining to road plans which coincide with the previous discussion on the Hildale City Land Use Ordinance, building permits, lot splits, etc. There was lengthy discussion regarding the lot-splits and the costs involved with that process and how to work through the legal and illegal situations pertaining to such. Kyle talked about that master plan and a grant that correlates with it. He has been gathering and sorting information for this master plan in order to come up with a draft to present in the next meeting.

### **#8. Adjournment**

With no other business, meeting adjourned at 8:05 pm.

Pending Minutes - Subject to Approval

# Hildale City Planning Commission Meeting

320 East Newel Avenue, Hildale, Utah 84784

Monday, March 30, 2020 6:30 pm

## Present:

**Commissioners: Brigham Holm, Charles Hammon, Jenn Kesselring, Derek Holm, Rex Jessop, Tracy Barlow, Nathan Fischer**

**Staff: John Barlow, Kyle Layton (this list may be incomplete)**

**Public: Danny Worwood, Leanne Worwood (this list may be incomplete)**

## #1. Call to Order

Meeting called to order at 6:30 pm.

## #2. Roll Call

Roll was taken, quorum present.

## #3. Pledge of Allegiance

Brigham Holm led the crowd in the pledge of allegiance.

## #4. Public Comment

No public comment.

## #5. Discussion and Possible Action on Approving Meeting Minutes

Minutes, once again, had not been completed from previous meetings, item tabled.

## #6. Discussion and Possible Action on Conditional Use Permit for the Rockmoore (1060 N. Canyon St.)

Kyle Layton talked about a possible Bed and Breakfast business residing at 1060 North Canyon Street and gave a brief overview on the development standards for such. He went over the applicant statement and business licensing requirements.

**Derick Holm moved to recommend that the City Council approve the conditional use permit requested for the property located at 1060 N Canyon St. with the following condition: that a business license is obtained from the City within one year.**

**Tracy Barlow seconded. Roll call vote:**

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

Motion carried.

**#7. Discussion and Possible Action on Final Site Plan for Lot 37 in the Industrial Park**

Kyle gave a summary on an applicants request to obtain a building permit for a restaurant. He briefly discussed the potential processes of what a site plan can consists of. He went over parking requirements and land ordinances and what it takes to meet the requirements of a building permit.

**Charles Hammon moved to approve the site plan requested for lot(s) HD-HDIP-37 with the following conditions: 1) subject to legal review 2) an approved street cross section by the city engineer.**

**Jenn Kesselring seconded. Roll call vote:**

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

Motion carried.

After the discussing item #8 on the agenda, John Barlow asked for clarification on the parking standards and modifications and the reasons behind them, which Charles Hammon clarified. John further asked for a second motion concerning these modifications.

**Charles Hammon moved to approve the site plan requested for lot(s) HD-HDIP-37 with the following conditions: A) subject to legal review and approval B) subject to town engineer review and approval for street section adjacent to the property on Field Avenue.**

**Jenn Kesselring seconded. Roll call vote:**

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

Motion carried.

**#8. Update on Temporary Ordinance Pertaining to Off Site Improvements**

Commissioner Brigham Holm asked Kyle to give a brief overview on the off-site improvements from the previous meeting. Kyle explained that in the previous meeting, there was a vote from the Commissioners to request the removal of some wording from an ordinance to do off-site improvements. It was recommended by John Barlow that this issue should be brought up before the City Council to be discussed first, and then take the feedback from the City Council and go from there.

**#9. Adjournment**

With no other business, meeting was adjourned at 7:40 pm.

Pending Minutes - Subject to Approval



# Hildale City Planning Commission Meeting

320 East Newel Avenue, Hildale, Utah 84784

Thursday, April 23, 2020 6:30 pm

**Present:**

**Commissioners:** Brigham Holm, Charles Hammon, Jenn Kesselring, Rex Jessop, Tracy Barlow, Nathan Fischer

**Staff:** John Barlow, Christian Kesselring (this list may be incomplete)

**Public:** Angela Johnson (this list may be incomplete)

**#1. Call to Order**

Meeting called to order at 6:34 pm.

**#2. Roll Call**

Roll was taken, quorum present.

**#3. Pledge of Allegiance**

Brigham Holm led the crowd in the pledge of allegiance.

**#4. Public Comment**

No public comment.

**#5. Public Hearing**

**A. Rezone application for the Following Lots**

**i. H-SHCR-4-9 (985 N Pinion St.)**

**ii. H-SHCR-8-9 (780 N Hildale St)**

**Charles Hammon moved to go into Public Hearing.**

**Rex Jessop seconded. Roll call vote:**

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

Motion carried.

John Barlow went over a staff report and gave a summary about the Re-Zone Applications pertaining to 985 North Pinion Street and 780 North Hildale Street. He talked about a new addition to the Staff Recommendation Report referring to the decision-making process between an administrative decision or a legislative decision.

No public input.

**Tracy Barlow moved to return to the regular meeting.  
Rex Jessop seconded. Roll call vote:**

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

Motion carried.

**#6. Discussion and Possible Decision for Rezone Application on The Following Lots:**

**A. H-SHCR-4-9 (985 N Pinion St.)**

**Jenn Kesselring moved to recommend that the City Council approve the zoning map amendment requested for lot(s) HD-SHCR-4-9 (985 N Pinion St.) based on the findings set forth in the staff report.**

**Nathan Fischer seconded. Roll call vote:**

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

Motion carried.

**B. H-SHCR-8-9 (780 N Hildale St)**

**Rex Jessop moved to recommend that the City Council approve the zoning map amendment requested for lot(s) HD-SHCR-8-9 (780 N Hildale St) based on the findings set forth in the staff report.**

**Jenn Kesselring seconded. Roll call vote:**

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

Motion carried.

#### **#7. Update on Preliminary Site Review For 640 North Willow Street**

John talked about applications that are administratively reviewed and that the Commissioners will be informed of these processes as they are reviewed and approved.

#### **#8. Discussion Pertaining to Conditional Use Permits for Nightly Rentals**

John updated the Commissioners on a discussion from the last meeting relating to a Conditional Use Permit for a nightly rental (a B&B). He touched on necessary steps and conditions that need to be laid out, and that those conditions are to be met before being granted a Conditional Use Permit. He explained that this isn't a legal requirement but is a "rule of good operation".

#### **#9. Discussion on Utility Requirements**

John talked about the city ordinance pertaining to utility requirements that need to be reviewed and discussed in more depth. He talked about what is considered a development, for example, a lot split or an expansion of a property. He further touched on the requirements pertaining to a development on a piece of property or a lot, and requirements that need to be met, such as adequate utilities to that property or lot.

#### **#10. Discussion on South Zion Estate Development Agreement**

A few of the Commissioners inquired about the reason this discussion of the South Zion Estate was on the agenda. John explained that this subject was something to keep up to date with and the processes concerning it. There were questions as to why this discussion was involving the Commissioner rather than the City Council. John explained that this discussion does concern the City Council, but the Commissioners need to be mindful of where the South Zion Estate is at.

#### **#11. Discussion on General Plan**

This discussion is also to keep the Commissioners informed of a grant Hildale City received and the information that applies to the grant. John gave a brief overview of the General Plan and its involvement with the grant along with budgets, and items and resources pertaining to it. The City Council will have a meeting to prioritize the budgeting of this grant, as it pertains to this General Plan. It is to be noted that there are limited resources regarding this grant.

#### **#12. Update in Temporary Ordinance Pertaining to Off Site Improvements**

John briefly informed the public of a Temporary Land Use Ordinance that was established in order to get a building permit to build without additional obstacles that were previously in the ordinance that made it difficult to get approval to build.

#### **#13. Adjournment**

With no other business, meeting was adjourned at 7:42 pm.



📞 435-874-2323

📠 435-874-2603

🌐 [www.hildalecity.com](http://www.hildalecity.com)

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN TO THE HILDALE CITY COUNCIL, HILDALE CITY PLANNING COMMISSION, AND THE PUBLIC, THAT THE HILDALE CITY PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON THURSDAY THE 18TH DAY OF JUNE 2020 AT 320 EAST NEWEL AVENUE, HILDALE CITY, UTAH 84784, ONLINE, AND/OR BY TELEPHONE TO BEGIN AT 6:30 P.M. MDT.

HILDALE CITY PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON APPLICATION TO AMMEND LAND USE ORDINANCE TEXT: HILDALE CITY CODE 152-7-9(e)(2)(n): STANDARDS FOR RESIDENTIAL FACILITY TROUBLED YOUTH.

HILDALE CITY PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON APPLICATION TO AMMEND LAND USE ORDINANCE TEXT: HILDALE CITY CODE 152-14-4: DEVELOPMENT STANDARDS: SETBACK STANDARDS – STREET SIDE YARD

HILDALE CITY PLANNING COMMISSION WILL HOLD A PUBLIC HEARING ON APPLICATION TO CHANGE ZONING MAP FOR PROPERTY LOCATED AT 930 NORTH MEMORIAL ST. HILDALE UTAH 84784 FROM R1-10 TO RA-1.

Agenda items and any variables thereto are set for consideration, discussion, approval or other action. Council Members may be attending by telephone. Agenda is 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.



RECEIVED  
MAY 11 2020  
BY: *Angelina*

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

### TEXT AMENDMENT APPLICATION

Fee: \$100

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	<i>125416609</i>

*angelina 5/11/2020*

Name: *Troy Castagna* Telephone: [REDACTED]

Address: [REDACTED] Fax No. \_\_\_\_\_

Agent (If Applicable): *Chris Newbold* Telephone: [REDACTED]

Email: [REDACTED]

The proposed text amendment would be to what Chapter and section of the current Land Use or City Code \_\_\_\_\_

The purpose this change would accomplish \_\_\_\_\_

If request is to create a new zone applicant shall attach a purpose statement for this new zone as found in Chapter 11 for the existing zones. Purposed uses and standards shall be submitted as found in the appropriate zoning group; Residential, Residential Agricultural, Commercial, Industrial, or Open Space and Public Facility Zones.

- Submittal requirements:
- Completed Applications
  - Existing Land Use Ordinance or City Code
  - Proposed change to Land Use Ordinance or City Code

**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 thursday of each month at 6:30 p.m. The deadline, for application submissions, is 14 days before 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: \_\_\_\_\_



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

**XBP Confirmation Number: 79141468**

Transaction detail for payment to Hildale City.			Date: 05/11/2020 - 3:36:59 PM
Transaction Number: 125416609PT Visa — [REDACTED] Status: <b>Successful</b>			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$300.00
Notes: ZONE CHANGE APP \$100.00 CONDITIONAL USE PERMIT \$100.00 TEXT AMENDMENT APP \$100.00			

**TOTAL: \$300.00**

**Billing Information**  
RED CIRCLE LODGE CHRIS  
NEWBOLD  
930 NORTH MEMORIAL ST  
HILDALE, UT 84784

**Transaction taken by:** AChatwin

AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )

COUNTY OF )

I (we), Troy CASTAGNA, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

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

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

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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

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

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

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Agent Authorization

I (we), Troy CASTAGNA, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) CHRISTOPHER NEWBOLD 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: \_\_\_\_\_

**TROY CASTAGNA**



May 11, 2020

RE: Zone Change Affidavit

To Whom It May Concern,

I, Troy Castagna, authorize Christopher Newbold, to act as my agent in the zoning process for the property located at:

930 N Memorial St  
Hildale, UT 84784

I am in California, and due to the COVID-19 situation and restrictions implemented locally, I am unable to find a notary to witness signing the affidavit.

Please let me know if you have any questions.

Thank you.

A handwritten signature in blue ink that reads "Troy Castagna".

Troy Castagna





## HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

**Application Type:** Text Amendment (Land Use Ordinance)  
**Applicant Name:** Troy Castagna (through agent Chris Newbold)  
**Affected Section:** HCC 152-7-9(e)(2)(n)  
**Legislative/Administrative Proceeding:** Legislative  
**Approval Authority:** Hildale City Council  
**Appeal Authority:** Hildale City Hearing Officer

**Date of Public Hearing:** June 18, 2020  
**Location of Public Hearing:** Hildale City Hall  
**Body of Public Hearing:** Hildale City Planning Commission  
**Date of Public Notice:** June 4, 2020

### Summary of Application

The Applicant is requesting a text amendment to Section 152-7-9(e)(2)(n), related to standards for a conditional use permit for residential facilities for troubled youths. Particularly, the minimum proximity required for such facilities from certain community locations.

### Background

The Applicant operates Red Circle Lodge, a residential youth treatment program that was in operation before the establishment of the Hildale City Land Use Ordinance in late 2018. Consequently, although no formal determination has been made as to allowed non-conforming use status, we are assuming for the purpose of this analysis that the facility is an allowed non-conforming use. To become a conforming use, because residential facility for troubled use is not a permitted use in residential zones, the Applicant needs to obtain a zone change from residential to residential agricultural. If the property is rezoned, the Applicant would further have to obtain a conditional use permit and comply with all applicable conditions.

The Utah Code defines a residential treatment program as “a 24-hour group living environment for four or more individuals unrelated to the owner or provider that offers room or board and specialized treatment, behavior modification, rehabilitation, discipline, emotional growth, or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies.” UCA 62A-2-101(36)(a). According to Department of Human Services

regulations “[r]esidential treatment programs offer room and board and provides for or arranges for the provision of specialized treatment, rehabilitation or habilitation services for persons with emotional, psychological, developmental, or behavioral dysfunctions, impairments, or chemical dependencies. In residential treatment programs, consumers are assisted in acquiring the social and behavioral skills necessary for living independently in the community.” R501-19-2.

Referencing Red Circle Lodge’s website ([www.redcirclelodge.com](http://www.redcirclelodge.com)), they provide “treatment for adolescents who are struggling with substance abuse, depression, suicidal ideation, family and relationship problems, oppositional deviance, deviant behaviors, delinquency, mental health disorders, sexual promiscuity, and other destructive and addictive behaviors.”

The provision that the Applicant is concerned with in this instance is as follows:

- (4) The facility must not be located within one-half mile of another existing residential facility for troubled youth, a public or private school, a public library, a public park or playground, measured in a straight line between the nearest property boundaries.

Red Circle Lodge is located approximately 800 feet east of Water Canyon School, 1,870 feet of Creekside Montessori School, and directly west of the Hildale Library. Consequently, for the facility to qualify for a conditional use permit (assuming all other conditions can be met), this code section would have to be changed. The following choices are presented for your consideration:

1. Remove the code section. This would eliminate any proximity requirements on residential youth treatment facilities, including proximity to other facilities of the same sort as well as schools, parks and libraries.
2. Remove the reference to “a public or private school, a public library.” This would allow residential youth treatment facilities to be sited within any distance of schools and libraries.
3. Change “one-half mile” to “750 feet” or less and remove the reference to “a public library.” This would allow residential youth treatment facilities to be sited within any distance of a library but would still require a minimum proximity from other listed locations, albeit roughly a third the current minimum of 2,640 feet.
4. Leave the code section as-is.

### **Standards for Approval/Denial**

Hildale City Code 152-7-7(e) outlines the minimum considerations the Commission should consider when making this recommendation to the Council:

1. Whether the proposed amendment is consistent with 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.

### **Staff Analysis**

Please keep in mind that the list of consideration above and discussed below are NOT a comprehensive list of consideration, but the minimum amount of consideration.

PZ Commission can make a recommendation based on: ANY RATIONAL BASIS. This is the most flexible level of discretion given to you under the law.

Also note that staff's recommendation below is to wait to take final action on this application until further analysis can be done. Because we do not feel that we have all of the information we need, the analysis set forth below is fairly limited in scope.

### **Is the applicant request consistent with the General Plan's (GP) goals, objectives, and policies?**

The General Plan contains "Land Use and Circulation Goals, Policies, Objectives, and Actions." (See page 28 of GP: [http://hildalecity.com/wp-content/uploads/2016/12/HildaleCityGeneralPlan\\_IDFinal-v1op4.pdf](http://hildalecity.com/wp-content/uploads/2016/12/HildaleCityGeneralPlan_IDFinal-v1op4.pdf)) The following are applicable here:

Goal 1. Maintain development practices that consider the health and safety of all residents.

Considering the nature of services provided by residential youth treatment facilities, it is plausible that heightening proximity of such facilities to uses such as schools and libraries and the pedestrian routes that connect them may pose risks to health and safety of residents' children. Staff does not believe, however, that the City has sufficient information to reach that conclusion. It may be advisable to obtain expert input on such matters before making a decision.

Goal 2. Increase land use compatibility and predictability.

Like above, it is plausible that residential youth treatment facilities may not be compatible with uses such as schools and libraries and the pedestrian routes that connect them. Without more information, however, it is difficult to draw conclusions one way or another with confidence.

**Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?**

Not applicable. This amendment would apply to residential agricultural property throughout Hildale.

**Will the proposed amendment adversely affect adjacent property?**

It is plausible that permitting residential youth treatment facilities in closer proximity to facilities that serve residents' children may result in adverse effects to those other facilities, but it is difficult to be sure without more information.

**Is there 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, stormwater drainage systems, water supplies, and wastewater and refuse collection?**

Not applicable. This amendment will not significantly increase any burdens on municipal services.

**Staff Recommendation**

Staff recommends that the Planning Commission wait and take this Application up for discussion at a future meeting. Expert input is necessary about the need or lack thereof for proximity requirements on residential treatment facilities for troubled youth. Furthermore, upon reviewing the Hildale Land Use Ordinance, it is apparent that more work is needed with regard to the current provisions, including review and revision of other related sections. Waiting for another meeting will afford staff the time needed to address these deficiencies.



## 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 recommend that the City Council amend the Land Use Ordinance to \_\_\_\_\_ based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Deny) I move we recommend the City Council deny the requested text amendment based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

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



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

# TEXT AMENDMENT APPLICATION

Fee: \$100

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	<u>125882911</u>

*Angelle 1/9/2020*

Name: Todd Dutsan Telephone: [Redacted]

Address: [Redacted] Fax No. \_\_\_\_\_

Agent (If Applicable): Fred Nielson Telephone: [Redacted]

Email: [Redacted]

The proposed text amendment would be to what Chapter and section of the current Land

Use or City Code Sec 152-14-4, Setback Standards - Street Side Yard

The purpose this change would accomplish Allow building car ports, non enclosed structures, with 2' setback from Property Line.

If request is to create a new zone applicant shall attach a purpose statement for this new zone as found in Chapter 11 for the existing zones. Purposed uses and standards shall be submitted as found in the appropriate zoning group; Residential, Residential Agricultural, Commercial, Industrial, or Open Space and Public Facility Zones.

Submittal requirements:

- Completed Applications
- Existing Land Use Ordinance or City Code
- Proposed change to Land Use Ordinance or City Code

**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 thursday of each month at 6:30 p.m. The deadline, for application submissions, is 14 days before 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: \_\_\_\_\_



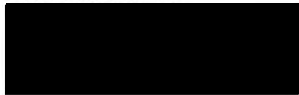
**Hildale City**  
320 E.Newel Ave  
Hildale, UT 84784  
435-874-1160  
ar@hildalecity.com

**XBP Confirmation Number: 79559368**

▶ Transaction detail for payment to Hildale City.		Date: 05/18/2020 - 3:52:16 PM	
Transaction Number: 125882911PT Visa — [REDACTED] Status: <b>Successful</b>			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$100.00

**TOTAL: \$100.00**

**Billing Information**  
FRED NIELSEN



Transaction taken by: AChatwin



## HILDALE CITY PLANNING COMMISSION APPLICATION STAFF REPORT

**Application Type:** Text Amendment (Land Use Ordinance)  
**Applicant Name:** Todd Dutson (through agent Fred Nielsen)  
**Affected Section:** HCC 152-14-4  
**Legislative/Administrative Proceeding:** Legislative  
**Approval Authority:** Hildale City Council  
**Appeal Authority:** Hildale City Hearing Officer

**Date of Public Hearing:** June 18, 2020  
**Location of Public Hearing:** Hildale City Hall  
**Body of Public Hearing:** Hildale City Planning Commission  
**Date of Public Notice:** June 4, 2020

### Summary of Application

The Applicant is requesting a text amendment to Section 152-14-4, related to development standards in residential agricultural zones. Particularly, the minimum street side yard setback for accessory buildings.

### Background

Applicant's property is located on a corner lot in a residential agricultural zone. Applicant hired a contractor to install a carport with solar panels on the property line in the street side yard. During the building permit process, Planning & Zoning flagged the planned setback from the side lot line as a violation. In fact, Section 152-14-4 expressly states that accessory building are "not permitted" in street side yards. Unless a change is made, the Applicant will not be able to build his carport in the location where it was planned.

Section 152-13-4, Development Standards in Residential Zones, does permit accessory buildings in side yards. Note 6 to Table 152-13-2 specifies that a garage or carport in a street side yard can have a setback of 2 feet if it is "located at least 10 feet from main building. Otherwise, same as for main building." As the Commission is aware, much of Hildale City is made up of residential agricultural zones – not residential zones.



## Standards for Approval/Denial

Hildale City Code 152-7-7(e) outlines the minimum considerations the Commission should consider when making this recommendation to the Council:

1. Whether the proposed amendment is consistent with 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, stormwater drainage systems, water supplies, and wastewater and refuse collection.

## Staff Analysis

Please keep in mind that the list of consideration above and discussed below are NOT a comprehensive list of consideration, but the minimum amount of consideration.

PZ Commission can make a recommendation based on: ANY RATIONAL BASIS. This is the most flexible level of discretion given to you under the law.

### **Is the applicant request consistent with the General Plan's (GP) goals, objectives, and policies?**

The General Plan contains "Land Use and Circulation Goals, Policies, Objectives, and Actions." (See page 28 of GP: [http://hildalecity.com/wp-content/uploads/2016/12/HildaleCityGeneralPlan\\_IDFinal-v1op4.pdf](http://hildalecity.com/wp-content/uploads/2016/12/HildaleCityGeneralPlan_IDFinal-v1op4.pdf)) None of these are applicable here.

### **Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?**

Not applicable. This amendment would apply to residential agricultural property throughout Hildale.

### **Will the proposed amendment adversely affect adjacent property?**

Not applicable. Location of accessory buildings near street side property lines will not substantially affect any adjacent property.



**Is there 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, stormwater drainage systems, water supplies, and wastewater and refuse collection?**

Not applicable. This amendment will not significantly increase any burdens on municipal services.

**Staff Recommendation**

Staff recommends that the Planning Commission recommend a text amendment to the City Council for adoption, copying the setback from residential zones with the exception of ten feet from the main building. (In this Applicant's case, his carport will be less than ten feet from the house.) The Commission may wish to discuss at this juncture whether a different setback than two feet may be appropriate, but staff expresses no opinion on that subject.



## 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 recommend that the City Council amend the Land Use Ordinance to \_\_\_\_\_ based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Deny) I move we recommend the City Council deny the requested text amendment based on the findings set forth in the staff report and (if applicable) for the following additional reasons:

(Postpone) I move we postpone considering the text amendment application to the next regular planning commission meeting, and direct staff to report back about \_\_\_\_\_.



RECEIVED  
MAY 11 2020  
BY: *Angelina*

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

### ZONE CHANGE APPLICATION

Fee: \$100

<i>For Office Use Only:</i>	
File No.	_____
Receipt No.	<i>12541 (6/09)</i>

Name: Troy Castagna Telephone: [REDACTED] *value 5/11/2020*

Address: [REDACTED] Fax No. \_\_\_\_\_

Agent (If Applicable): Chris Newbold Telephone: [REDACTED]

Email: [REDACTED]

Address/Location of Subject Property: 930 N. Memorial St. Hildale UT 84784

Tax ID of Subject Property: HD-SHCR-9-17 Existing Zone District: Residential

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)  
We propose this zone be changed to Residential Agricultural to allow us to continue to operate our Residential Treatment Center and to continue to keep horses on-site.

Submittal Requirements: The zone change application shall provide the following:

- \_\_\_ a. The name and address of every person or company the applicant represents;
- \_\_\_ b. An accurate property map showing the existing and proposed zoning classifications;
- \_\_\_ c. All abutting properties showing present zoning classifications;
- \_\_\_ d. An accurate legal description of the property to be rezoned;
- \_\_\_ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- \_\_\_ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

**Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the third Monday of each month at 6:30 p.m. The deadline date to submit the application is 10 business days prior to the scheduled meeting. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.**

\*\*\*\*\*

(Office Use Only)  
Date Received: \_\_\_\_\_ Application Complete: YES  NO



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

**XBP Confirmation Number: 79141468**

▶ Transaction detail for payment to Hildale City.			Date: 05/11/2020 - 3:36:59 PM
Transaction Number: 125416609PT Visa — [REDACTED] Status: <b>Successful</b>			
Account #	Item	Quantity	Item Amount
	Land Use	1	\$300.00
Notes: ZONE CHANGE APP \$100.00 CONDITIONAL USE PERMIT \$100.00 TEXT AMENDMENT APP \$100.00			

**TOTAL: \$300.00**

**Billing Information**  
RED CIRCLE LODGE CHRIS  
NEWBOLD  
930 NORTH MEMORIAL ST  
HILDALE, UT 84784

Transaction taken by: AChatwin



☎ 435-874-2323

☎ 435-874-2603

Date application deemed to be complete: \_\_\_\_\_ Completion determination made by [www.hildalecity.com](http://www.hildalecity.com)

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc.). Zoning occurs to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the Goals, Objectives and Policies of the City's General Plan;
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and wastewater and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report and forward a recommendation to the City Council 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.



930 N. Memorial St., #1670, Hildale, UT 84784  
(435) 874-1467 • [redcirclelodge.com](http://redcirclelodge.com)

Hildale City Planning Commission:

We are submitting this application on behalf of the following individuals and company:

Lane Shepherd  
335 W 2400 S  
Washington, UT 84780

Troy Castagna  
29215 Discovery Ridge Dr.  
Santa Clarita, CA 91321

Chris Newbold  
2502 E Arbor Dr  
St. George, UT 84790

Red Circle Lodge, Inc.  
930 North Memorial St.  
Hildale, UT 84784

PO Box 1670  
Hildale, UT 84784

Along with these address, we are including all other documents required for this zoning change application.

Regards,

Chris Newbold  
Director of Operations  
Red Circle Lodge, Inc.

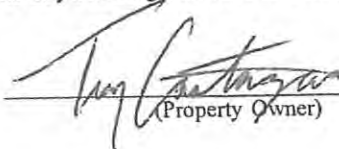


AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )

COUNTY OF )

I (we), Troy CASTAGNA, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying, and the Hildale City Planning staff have indicated they are available to assist me in making this application.

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

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

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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

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

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

---

Agent Authorization

I (we), Troy CASTAGNA, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) CHRISTOPHER NEWBOLD 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: \_\_\_\_\_

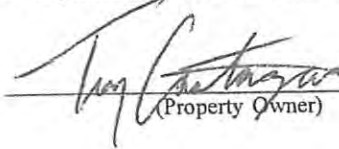
My Commission Expires: \_\_\_\_\_

AFFIDAVIT  
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STATE OF UTAH )

COUNTY OF )

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

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

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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

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

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

---

Agent Authorization

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

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

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

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

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

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



📞 435-874-2323  
📠 435-874-2603  
🌐 [www.hildalecity.com](http://www.hildalecity.com)

June 4<sup>th</sup>, 2020

John Barlow,  
Hildale City Manager

RE: Notice of Public Hearing — Re-Zone Request

Parcel Numbers: HD-SHCR-9-17

Address: 930 N. Memorial St., Hildale, Utah 84784

Dear Property Owner:

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 R1-10 (Residential) to RA-1 (Residential Agricultural 1 Acre). 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](http://hildalecity.com/wp-content/uploads/2018/11/LU-Ordinance-V2.pdf). The hearing will be held June 18<sup>th</sup>, 2020 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 [planning@hildalecity.com](mailto:planning@hildalecity.com).

Written objections to the proposed zoning map amendment may be submitted, 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,

John R. Barlow,  
Hildale City Barlow

Warranty Deed Page 1 of 1  
Russell Shirts Washington County Recorder  
09/22/2017 03:13:48 PM Fee \$10.00 By  
SKYVIEW TITLE INSURANCE AGENCY

Mail Tax Notice To:

Grantee  
930 North Memorial Street  
Hildale, Utah 84784  
335 W. 2400 S.  
Washington UT 84780  
File No. 16-1371W

**WARRANTY DEED**

RONALD S. ROHBOCK and GERALDINE P. ROHBOCK, grantor of Hildale, County of Washington, State of Utah, hereby CONVEYS AND WARRANTS to

TROY J. CASTAGNA and LANE SHEPHERD, as joint tenants

grantee of Hildale, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATIONS the following described tract of land in Washington County, State of Utah:

Lot 17, SHORT CREEK SUBDIVISION #9, according to the official plat thereof, records of Washington County, State of Utah.

(For reference purposes only: Tax Parcel No. HD-SHCR-9-17)

Subject to easements, restrictions and rights-of-way currently of record and general property taxes for the year 2017 and thereafter.

WITNESS the hand of said grantor this 22nd day of September, 2017.

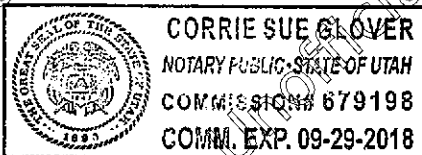
*Ronald S. Rohbock*  
RONALD S. ROHBOCK

*Geraldine P. Rohbock*  
GERALDINE P. ROHBOCK

STATE OF UTAH

COUNTY OF WASHINGTON

On the 22nd day of September, 2017, personally appeared before me RONALD S. ROHBOCK and GERALDINE P. ROHBOCK, the signer(s) of the above instrument, who duly acknowledged to me that they executed the same.



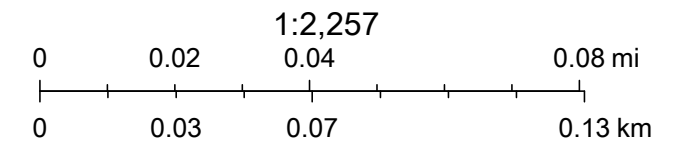
\_\_\_\_\_  
Notary Public  
My Commission Expires:  
Residing at:

# Hildale City Zoning districts



6/17/2020, 2:28:54 PM

- |                                      |                                     |                                      |                                      |                                      |                        |
|--------------------------------------|-------------------------------------|--------------------------------------|--------------------------------------|--------------------------------------|------------------------|
| Municipal Boundary                   | SLO - Sensitive lands overlay       | A-5 - Agricultural 5                 | R1-6 - Single-family residential 6   | GC - General commercial              | M-1 - Light industrial |
| Parcels                              | EIO - Extraction industries overlay | RA-1 - Residential-agricultural 1    | RM-1 - Multiple-family residential 1 | HC - Highway commercial              | M-2 - Heavy industrial |
| <b>Zoning District Overlays</b>      | <b>Zoning Districts</b>             | RA-.5 - Residential-agricultural .5  | RM-2 - Multiple-family residential 2 | PC - Planned commercial              | OS - Open space        |
| APO - Agriculture protection overlay | A-40 - Agricultural 40              | R1-15 - Single-family residential 15 | RM-3 - Multiple-family residential 3 | POC - Pedestrian-oriented commercial | PF - Public facilities |
| HDO - Historic district overlay      | A-20 - Agricultural 20              | R1-10 - Single-family residential 10 | MH/RV - Mobile home/RV park          | BMP - Business/manufacturing park    |                        |
| PDO - Planned development overlay    | A-10 - Agricultural 10              | R1-8 - Single-family residential 8   | NC - Neighborhood commercial         | PO - Professional office             |                        |



Source: Esri, Maxar, 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 the GIS User

# Property Report for Parcel HD-SHCR-9-17

Selected Assessor CAMA data below updated weekly.



## Account Summary

**Account Number:** 0929809  
**Parcel ID:** HD-SHCR-9-17  
**Account Type:** Residential  
**Owner Name:** Castagna Troy J, Et Al

**Subdivision:** Short Creek  
**Situs Address:** 930 N Memorial St  
Hildale, UT 84784

## Building Characteristics

**Building Number:** 1  
**Property Type:** Residential  
**Year Built:** 1999  
**Square Feet:** 6732  
**Occupancy Type:** Single Family Residential  
**Built-As Description:** 2 Story  
**Units:** 1  
**Stories:** 2  
**Percent Complete:** 100  
**Exterior:** Frame Syn Plaster

**Roof Type:** Gable  
**Roof Cover:** Concrete Tile  
**HVAC Desc:** Heat Pump  
**Bedrooms:** 10  
**Bathrooms:** 10  
**Garage Square Feet:** 708  
**Basement Sq. Ft.:** 3288  
**Basement Sq. Ft. Finished:** 3288  
**Swimming Pool:** N/A  
**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.*

Report Generated 6/16/2020 by Washington County GIS

**Washington County, Utah**  
County Administration Building  
197 E. Tabernacle Street  
St. George, UT 84770-3443  
[www.washco.utah.gov](http://www.washco.utah.gov)



# Property Report for Parcel HD-SHCR-9-17

Selected Assessor CAMA data below updated weekly.

## Building Characteristics

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**Square Feet:** 6732  
  
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**Percent Complete:** 100  
**Exterior:** Frame Syn Plaster

**Roof Type:** Gable  
**Roof Cover:** Concrete Tile  
**HVAC Desc:** Heat Pump  
**Bedrooms:** 10  
**Bathrooms:** 10  
**Garage Square Feet:** 364  
**Basement Sq. Ft.:** 3288  
**Basement Sq. Ft. Finished:** 3288  
**Swimming Pool:** N/A  
**Fireplaces:** 1  
**Finished Attic:** N/A

## Property Information

**Acres:** 1.14  
**Zoning:** R1-10  
**Is Property in a Special Flood Hazard Area?** No  
**Is Property in a 0.2% Annual Chance Flood Area?** No  
**Is Property in a Floodway?** No

## Tax Information

**Tax District:** Hildale Town  
**Residential Classification:** N/A  
**Book & Page:** N/A  
**Reference Document:** 20170038617

*\* 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.*

## 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/>.*

*NOTE: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.*

Report Generated 6/16/2020 by Washington County GIS

**Washington County, Utah**  
County Administration Building  
197 E. Tabernacle Street  
St. George, UT 84770-3443  
[www.washco.utah.gov](http://www.washco.utah.gov)



# Property Report for Parcel HD-SHCR-9-17

Selected Assessor CAMA data below updated weekly.

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## Utilities

**Culinary Water:** Hildale - Colorado City

**Sewer:** Hildale

**Electricity:** Garkane Energy Cooperative, Inc

**Natural Gas:** N/A

**Internet Service Providers (Cable):** AWI

*\* For more information on Internet services available in your area, see Decision Data.org, <https://decisiondata.org/internet-providers-by-zip-code-plus-tv/>*

**Solid Waste Collection Day:** N/A

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

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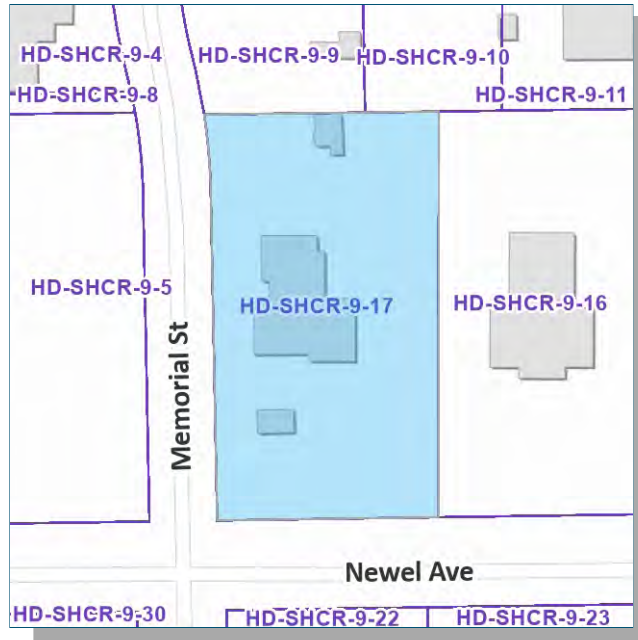
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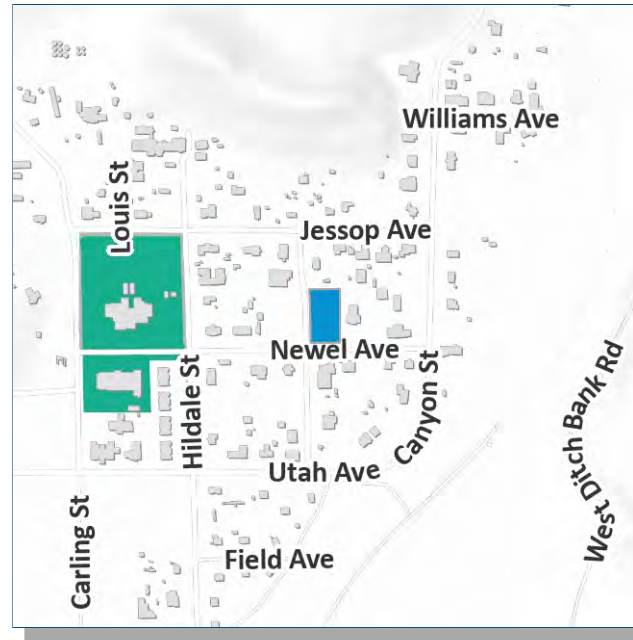


# Property Report for Parcel HD-SHCR-9-17

Selected Assessor CAMA data below updated weekly.



Parcel highlighted in blue.



Overview Map

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**Compatible land uses:** Estate Residential is generally compatible with Agriculture, Industrial Mixed-Use, Rural Residential, and Low-Density Residential land uses.

*Low-Density Residential*

Low-Density Residential (1 - 3 dwelling units per acre) is primarily detached, single-family housing. Accessory dwelling units and on-site agriculture are encouraged as are small in-home businesses.

**Design considerations:** Lots are located on ten-acre blocks and streets develop via city standards including curb, gutter, sidewalks, and street trees. Street design will create safe and convenient multimodal access to parks, trails, schools, neighborhood serving retail and other destinations. Low-Density Residential is located on local streets and away from arterials, collectors, and major intersections.

**Compatible land uses:** Low-Density Residential is generally compatible with Industrial Mixed-Use, Rural Residential, Estate Residential, Mixed-Density Residential and Neighborhood Commercial land uses.

*Mixed-Density Residential*

Mixed-Density Residential (3-7 dwelling units per acre) mixes detached and attached housing including small single-family “cottage” homes located on small lots and some multi-family structures.

**Design considerations:** Streets are arranged around small blocks that encourage access to smaller lots. Street amenities and developed alleyways encourage convenient pedestrian circulation. Streets are developed via “City” standards including curb, gutter, sidewalks, and street trees. Streets also have ample pedestrian amenities (shade, benches, landscape, and small “pocket” parks) making the pedestrian environment safe, interesting, and comfortable. Parking areas will be screened via landscaping and should generally be located

behind buildings. Multi-family structures that match the design and character of single-family homes are encouraged.

**Compatible land uses:** Mixed-Density Residential is generally compatible with Industrial Mixed-Use, Industrial, Low-Density Residential land uses and all commercial land uses.

*Neighborhood Commercial*

Neighborhood Commercial areas are generally small sites (1 or 2 acres) with small stores that serve adjacent residential neighborhoods. Stores provide convenient access to retail goods and encourage shorter trips for those essential goods such as small “mom and pop” grocery stores, gas stations, coffee shops, and small restaurants. Residential is allowed so long as it is integrated into the design of a commercial project.

**Design considerations:** Stores are accessible to “walk-ins” from surrounding residential via interconnected sidewalks. They have a few amenities that encouraging “walk-ins” (bike racks, benches, lighting, etc.). Compared to other commercial areas, they have relatively low traffic volumes, and are 1-2 stories. Their design and operation has minimal impact on surrounding residential development. They are typically located at the intersection of major collectors or nearby. These centers are generally small (one to two acres) and are found primarily surrounded by Mixed-Density and Low-Density land uses.

**Compatible land uses:** Neighborhood commercial is compatible with Industrial Mixed-Use, Mix-Density Residential, and Low-Density Residential land uses.

*Highway Commercial*

Highway Commercial mixes retail, entertainment, office, hospitality, and employment uses. It is primarily auto-serving retail and located along Utah Highway 59

and Arizona Highway 389. Residential is allowed so long as it is integrated into the design of a commercial project.

**Design considerations:** A mix of block sizes encourages large and small retail. Streets are developed via City standards including curb, gutter, sidewalks and street trees. Parking lots connect between adjacent commercial lots. Ample landscape screens parking from roadways and adjacent residential development. While primarily auto-serving, site layout emphasizes both automobile and pedestrian connectivity, convenience, and safety. Where state restrictions limit access, a highway frontage road or combined access will be encouraged.

**Compatible land uses:** Highway Commercial is generally compatible with Industrial, Industrial Mixed-Use, Mixed-Use Center, and Mix-Density Residential land uses.

*Community Commercial*

Community Commercial mixes office, retail, institutional, and civic uses that serve the whole community. Residential is allowed so long as it complements commercial design.

**Design considerations:** Highly connected streets create small blocks. Streets are developed via city standards including curb, gutter, sidewalks and street trees. Buildings are generally large, encouraging several offices per building and stores that serve the entire community. Buildings abut the public right-of-way. Pedestrian and automobile traffic are given equal emphasis. Streets have ample pedestrian and multimodal pathways and amenities. Community Commercial is primarily located near Utah Avenue and Highway 59.

**Compatible land uses:** Community Commercial is generally compatible with Industrial Mixed-Use, Mix-Density Residential, and Low-Density land uses.

Table 3: Future Land Use

	Cluster Development	Rural Streets Standards	Large Blocks	Small Blocks	Residential	School	Neighborhood Parks	Design Guidelines
Agriculture	X	X	X		X			X
Rural Residential	X	X	X		X			
Estate Residential	X				X			
Low-Density Residential					X	X	X	
Mixed-Density Residential				X	X	X	X	X
Neighborhood Commercial					X			X
Highway Commercial								X
Community Commercial				X				X
Mixed-Use Center				X				X
Industrial								X
Industrial Mixed-Use				X				
Park						X		
Open Space	X	X				X		

## LAND USE AND CIRCULATION

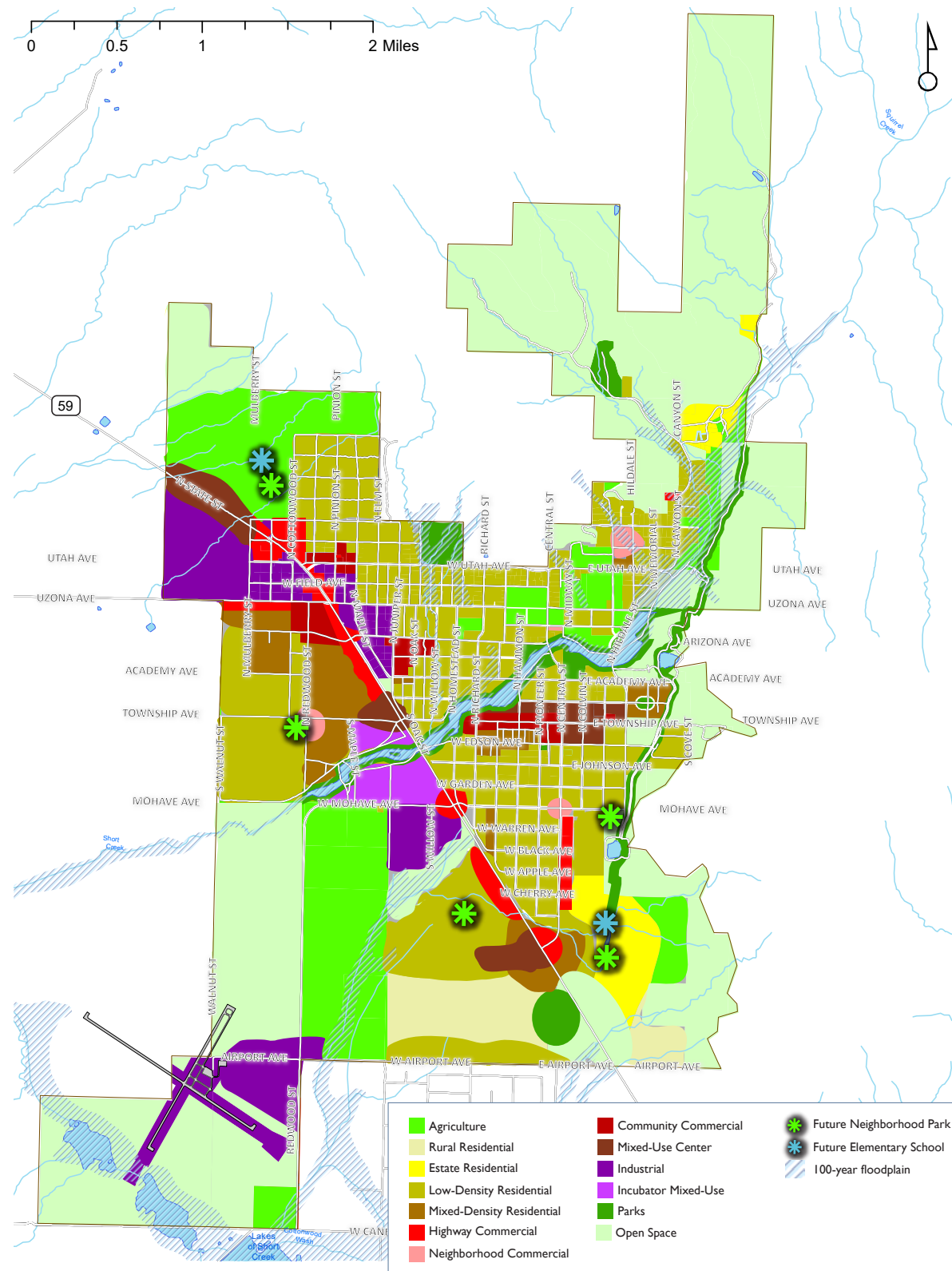


Figure 27: Future Land Use Map

### Mixed-Use Center

Mixed-Use Center has a mix of retail, office, civic, entertainment, educational, and residential uses.

**Design considerations:** Blocks are small. Streets are developed via city standards including curb, gutter, sidewalks and street trees. Midblock pedestrian crossings, small “pocket” parks, on-street parking, lighting, and other amenities balance and reduce conflicts between automobile and pedestrian circulation. Amenities make the environment safe, comfortable, interesting, and inviting for pedestrians and motorists. Buildings are generally a mix of one and two stories, about the public right-of-way, and maintain a continuous transparent frontage throughout the block that encourages pedestrian browsing. Where two stories, retail is located on the ground floor with other uses on the second floor. Parking lots are screened via landscaping and generally located behind buildings. Business dumpsters are located behind buildings and utilities are generally screened and located out of the pedestrian way. (For more information on street design, please see Mixed-Use District Guidelines below.)

**Compatible land uses:** Mixed-Use Center is generally compatible with Industrial Mixed-Use, Mixed-Density Residential, and Low-Density Residential land uses.

### Industrial

Industrial includes large offices and industrial, airport, and airport related uses. Industrial areas are major employment centers. Ancillary uses that support industrial include uses such as coffee shops, gas stations, and restaurants will be allowed as long as they are integrate with industrial uses.

**Compatible land uses:** Industrial is generally compatible with Agriculture, Industrial Mixed-Use, Rural Residential, and Mixed Density Residential land uses.

### Industrial Mixed-Use

Industrial Mixed-Use (0.5 - 2 acre lots) mixes retail, office, light-industrial, and residential uses. Accessory dwelling units and on-site agriculture are encouraged.

**Design considerations:** Streets create ten-acre blocks and are developed via city standards including curb, gutter, sidewalks and street trees. Street design will create safe and convenient multimodal access to parks, trails, schools, neighborhood serving retail and other destinations.

**Compatible land uses:** Industrial Mixed-Use is generally compatible with Agriculture, Low-Density Residential, Mixed-Density Residential, and all commercial land uses.

### Park

Parks have community recreation options (e.g. picnic areas, playing fields, open turf, playgrounds). This designation includes both neighborhood and community parks. (See Chapter Four Recreation for more information.)

### Open Space

Open Space includes undeveloped or natural open space, or areas with limited development such as golf courses and trailheads. They generally have outstanding natural features, scenic vistas, or areas with natural hazards. (See Chapter Four Recreation for more information.)

### Future Elementary Schools

Future elementary school locations on the future land use map are based upon each school district’s locational desire – away from existing schools and major roadways, and near the residential areas they serve. (See Chapter Six for more information.)

**Land Use and Circulation Goals, Policies, Objectives, and Actions**

**Goals**

1. Maintain development practices that consider the health and safety of all residents.
2. Increase land use compatibility and predictability.
3. Preserve the integrity of the city’s unique identity, by preserving signature natural features and sensitive lands including the Short Creek Wash, steep slopes, hillsides, and dry washes.
4. Preserve access to important natural areas and public lands.
5. Allow rural development, but preserve rights-of-way and policies that encourage connection to and the development of municipal services.
6. Maintain a pedestrian-friendly setting for residential neighborhoods, shopping, and business districts.
7. Design roadways that balance efficiency and safety.
8. Reduce high speeds and traffic levels on local residential streets.

**Policies**

1. Improve development compatibility via street, architecture, and site design; the creation of aesthetically pleasing buffers and screening; and gradually transitioning use and density.
2. Grant new development up to the median density in each land use category. Council will consider granting higher densities relative to projects demonstrating substantial public benefit such as the development of trails or preservation of trail corridors, open space preservation, mitigation of a project’s impact on public services and facilities, and implementation of the ideas in this General Plan.
3. Streets should be developed to city standards as designated in the subdivision ordinance, with sidewalks, curb and gutter, etc. In areas away from existing development with densities lower than one house per 1.7 acres, rural street standards will be appropriate with roadside swales to convey drainage.

4. Design and construct roadways to address the needs and safety of all residents including families, young children, teenagers, handicapped, and senior citizens as they select different modes of travel. This includes minimizing negative traffic impacts on residential neighborhoods.

**Objectives**

1. New development will protect our sensitive lands. It will:
  - a. Be set back from flood drainages (either washes or infrastructure) and dedicate public drainage easements and rights-of-way for ongoing maintenance.
  - b. Cluster away from or mitigate expansive clays. In residential areas, attached multi-unit housing will be considered to help reduce the per-dwelling unit cost of mitigation.
  - c. Mitigate the impact on hillsides through site design, articulation, and aesthetic controls – development along hillsides will be encouraged to use a native, earth toned color pallet.
  - d. Avoid signage that obscures views of mountain backdrops.
  - e. Design and place commercial signs to avoid creating visual clutter.
2. New development will increase compatibility by:
  - a. Avoiding the design and placement of commercial signage that creates visual clutter.
  - b. Encouraging development facing the same public right-of-way (across the street) to match by transitioning intensity and density at midblock or along alleyways rather than in the middle of the street. Where transitions in use are not possible, use a combination of vegetation and other screening elements to lessen the impact between incompatible uses.
  - c. Siting elementary schools in residential areas away from major roadways.

- d. Siting civic uses such as libraries, fire stations, and police stations in areas with mixed use or commercial land uses.
- e. Locate higher densities near commercial and industrial uses and collector and arterial streets.
- f. Using vegetation and other screening elements to limit the impact of parking, outdoor work areas, storage, and trash in mixed use, multifamily, commercial, and industrial areas.
3. New development will intersect with and connect to adjacent development to create four-way intersections out of current “T” intersections.
4. New development will set back from major road alignments designated on the Major Roads Map (or may alternative alignments approved by council that preserve the general spacing and overall connectivity of major roads) with sufficient space to preserve collector sized rights-of-way.

**Actions**

1. Assess streets without accurate public rights-of-way and obtain corrected rights-of-way.