



HILDALE CITY

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Hildale City, Utah
Planning Commission Information Packet
July 2, 2018

CITY OF HILDALE

PLANNING COMMISSION MEETING AGENDA STAFF SUMMARY REPORT

July 2, 2018

6:00 PM MDT

Starting Time: __: __ P.M.

1 & 2. Call to Order/Roll call

We will call this meeting to order: This will be the Hildale City Planning Commission Meeting held at 320 East Newel Avenue, Hildale, Utah on **Monday July 2, 2018** at 6:00 pm

MEMBERS	NEPHI ALLRED	RANDY BARLOW	CHARLES HAMMON	BRIGHAM HOLM	JENN KESSELRING
PRESENT					
BY PHONE					
ABSENT					
EXCUSED					

3. Please stand and join us in the Pledge of Allegiance

4. Introduction of New Members

5. Approval of Minutes of Previous Meeting

Recommended motion:

I move to ratify the minutes of the **June 4, 2018** meeting.

Motion: _____ Seconded. _____ Time: ____: ____

Roll call vote:

MEMBERS	NEPHI ALLRED	RANDY BARLOW	CHARLES HAMMON	BRIGHAM HOLM	JENN KESSELRING
YES					
NO					
ABSTAIN					

6. Public Comment (FINAL ACTION ON A TOPIC MAY NOT BE TAKEN UCA 52-4-202(6)(C))

7. Zoning Ordinance Update

Presenter: John Barlow

8. Informational Summaries

Presenter: John Barlow

9. Consideration and Possible Action on Land Use Application for Canaan Mountain Holdings, LLC

Presenter: John Barlow

Please see the land use application in your packet.

Recommended motion:

I move to **approve/deny** the land use application for Canaan Mountain Holdings, LLC.

Motion: _____ Seconded. _____ Time: ____ : _____

Roll call vote:

MEMBERS	NEPHI ALLRED	RANDY BARLOW	CHARLES HAMMON	BRIGHAM HOLM	JENN KESSELRING
YES					
NO					
ABSTAIN					

10. Discussion and Possible Action on Meeting Time

Presenter: Nephi Allred

Recommended motion:

I move to change the monthly Planning Commission meeting to _____.

Motion: _____ Seconded. _____ Time: ____ : _____

Roll call vote:

MEMBERS	NEPHI ALLRED	RANDY BARLOW	CHARLES HAMMON	BRIGHAM HOLM	JENN KESSELRING
YES					
NO					
ABSTAIN					

11. Adjournment**RECOMMENDATION**

I move to close.

Motion: _____ Time: ____ : _____

Hildale City Planning Commission & Town of Colorado City Planning Commission Joint Meeting Minutes

25 South Central Street, Colorado City, Arizona
Monday, June 4, 2018

Call to Order

The meeting was called to order at 5:01 p.m. by Vice-Chairman Stanley Jessop.

Roll Call

Commissioners present: Stanley Jessop, Kim Knudson., and Chairman Nephi Allred by phone

Staff Present: Vance Barlow, Jim Peterson, Louise Stubbs, Vincen Barlow

Town Manager Vance Barlow stated that Commissioner Millward Barlow has resigned which now leaves two vacancies hopefully to be filled by next time.

Court Monitor: Roger Carter by phone

Public Present: Megan Johnson, Jared Nicol, Charles Hammon, Charles Bradshaw, Shem Barlow, Heber White

Minutes of Prior Meetings

Minutes of May 7, 2018 were presented and considered.

Motion by to Nephi Allred approve the May 7, 2018 minutes. Kim Knudson seconded.

Roll call vote:

Nephi Allred	yes
Stanley Jessop	yes
Kim Knudson	yes

PUBLIC COMMENTS

Marvin Fischer in referring to the Zoning Ordinance document stated that overall it was a well written document, but feels one area that still needs addressed is the Industrial Park. He feels it needs more input, that it is too vague about what is obnoxious or pollution and could lead to any complaint. He said he is sure the City doesn't want to shut businesses down; the cities receive revenues from the businesses in property taxes, etc. He said we need to better define what should be allowed because the Industrial Park is where we **want** the dust, noise, odor, pollution, etc,

Chairman Nephi Allred said it is not the intent to limit business, but it is the intent to provide an enjoyable environment as free from gas or pollution as possible. He recommended Mr. Peterson do some research and see what other cities allow, that we need to look into it further. The Town

Manager said our intent is to encourage business, but that we need to change the wording and make sure the intent is clear.

ZONING ORDINANCE UPDATE

Planning and Zoning Administrator Jim Peterson said there has been some change in the map and the ordinance part. On the map, by the College on Central St. from Cherry down we have added commercial zoning down to the highway. On the ordinance there is one change-I added one sentence specifying that dogs are permitted in the community but only on their own lots, or on a leash. No loose dogs allowed.

Court Monitor Roger Carter asked if this was not already under animal control. Vance replied that it is already part of the Animal Ordinance, but the specifications of how many, or conditions, are what should be in the zoning. It was voiced that we need something with depth and details that we can stand behind. Jim stated that he understood. He said one ordinance that he studied said it was to “divide the city.” He said has avoided that and tried to simplify it.

The Town Manager said Hildale City and also Mayor Allred has made it clear, if this doesn't get more specific, it is dead on arrival. The cities want something that will protect them from a lawsuit, not walk them into one. Chairman Allred recommended that staff sit down with the mayors and probably use something similar to ordinances and zoning in communities in the surrounding area. The cities need a manual that will protect them legally and be a benefit to future generations.

INFORMATIONAL SUMMARIES

Jim spoke regarding land use fees, noting those specifically for zoning.

Jared Nicol stated that the Hildale 2016 document needs updated because it prohibits alcohol and yet we are issuing licenses.

Vance stated that we want to take the guidance given, that the heavy lifting should be done by the staff. The Chairman asked for a better, more detailed document next time.

The next meeting will be on July 2, 2018, and the public are invited to make comments. With no other business, the meeting adjourned at 5:42 p.m.

CERTIFICATION

I verify that a copy of the notice and agenda was delivered to the Hildale City Planning Commission members and posted at the City Hall, 320 E. Newel Avenue, Hildale, Utah and sent to the Utah State Public Meeting Notice coordinator.

Minutes were approved at the Planning Commission Meeting on _____.

Hildale City Recorder

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Colorado City Planning Commission held on the 7th day of May 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of May 2018.

Town Clerk

Pending - Subject to Approval

§ 1

ZONING

2016

Section 1. PURPOSE. This ordinance is for the purpose of dividing the city into zones, or districts, restricting and regulating therein the location, erection, construction, reconstruction, alteration and use of buildings, structures, and land for trade, industry, residence and other specified uses.

Section 2. DEFINITIONS. For the purpose of these ordinances, certain terms and words are hereby defined.

A. District: A section or sections of the incorporated area of the city for which the regulations and provisions governing the use of building and land are uniform for each class of use permitted therein.

B. Single Family Dwelling: A detached building designed exclusively for occupancy by one family.

C. Multiple Family Dwelling: A building or portion thereof designed for occupancy by three or more families living independently of each other. Includes apartments, town houses, condominiums, and nursing homes and care centers.

D. Dwelling: A building or portion thereof, but not an automobile house trailer, designed exclusively for residential occupancy, including one-family, two-family and multiple dwellings, but not including hotels, boarding and lodging houses.

E. House pet: A dog, cat or any animal of a type customarily used for a pet of an individual or family.

F. Livestock: Any domestic animal except a house pet.

G. Stable: An enclosed permanent structural facility approved to house registered horses throughout the twenty-four-hour day.

Section 3. USE DISTRICTS. The City is hereby divided into eight use districts:

- A. R-1.....Residential Single Family District
- B. R-2.....Residential Multiple Family District
- C. C-1.....Commercial District
- D. C-2.....Highway Commercial District
- E. C-3.....Incubator Business District
- F. A-1.....Agricultural District
- G. O-1.....Open Space District
- H. O-2.....Community Park District

The boundaries of designated districts are shown on the map made part of this ordinance, which map is designated as the zoning map of the city. The zoning map made a part of this ordinance and on file in the office of the city clerk and all notations, references, and other information shown thereon are a part of this ordinance and have the same force and effect as if the zoning map and all such notations, references, and other information shown thereon were fully set forth or described herein.

Section 4. GENERAL PROVISIONS. A. All streets, alleys, and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such alleys, streets, or railroad rights-of-way. Where the center-line of a street or alley serves as the district boundary the zoning of such street or alley, unless otherwise specifically designated, shall be deemed to be the same as that of the abutting property up to such center line.

B. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used for any purpose other than that is permitted in the district in which the building or land is located.

C. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered in any district in such a way that would violate the Hildale City Building Codes and Amendments.

D. No building or structure other than a building for conditional use shall be erected, converted, enlarged, reconstructed or structurally altered except in conformity with the area regulations of the district in which the building is located.

E. Every building hereafter erected or structurally altered to provide dwelling units shall be located on a lot as herein defined and in no case shall there be more than one such building on one lot unless otherwise provided in this ordinance.

F. No wall, fence, or shrubbery shall be erected, maintained or planted which unreasonably obstructs or interferes with traffic visibility on a curve or at any street intersection.

G. A dwelling shall not be erected in the Commercial, Highway Commercial, or Incubator Districts; however the sleeping quarters of a watchman or caretaker are permitted.

H. Nothing in this ordinance shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the adoption of this ordinance and upon which building actual construction has been diligently carried on, and provided further, that such building shall be completed within two years from the date of passage and publication of this ordinance.

I. An area indicated on the official "zoning map" as a public park or recreation area, public utility area, cemetery, public school site, or semipublic open space, shall not be used for any other purpose, and when the use of the area is discontinued, it shall automatically be zoned "R-1 Residential Single Family District" until otherwise zoned.

J. Any area annexed to the city shall, upon such annexation, be automatically zoned "R-1 Residential Single Family District" until otherwise zoned.

K. Easements: No easement shall be permitted in any residential district to serve any building or other use in any commercial district.

L. Residences in nonresidential districts: It shall be unlawful to construct any residence building, either single or multiple family, in any area zoned for Commercial, Highway Commercial, or Incubator Business Districts. Any residence building now existing in any such area shall be considered a nonconforming use subject to the provisions of these ordinances.

Section 5. RESIDENTIAL DISTRICTS (R-1 & R-2).

A. Use Regulations:

Permitted uses:

Single-Family dwellings (R-1 Single Family District and R-2 Multiple Family District).

Multiple-Family dwellings (only R-2 Multiple Family District).

Day-care centers.

Truck gardening and other horticultural uses, where no building is involved, and not operated for profit.

Conditional uses; subject to the provisions of these ordinances.

Uses customarily incident to any of the above uses, including permitted home occupations.

Accessory buildings including a private garage, accessory living quarters, guesthouse, recreation room, greenhouse, bath-house, pen, stable, coop, or kennel as consistent with the requirements in these ordinances.

Temporary buildings and uses for construction purposes for a period not to exceed one year.

B. Building height: No building or structure nor the enlargement of any building or structure shall be hereafter erected or maintained or exceed _____ stories, nor shall it exceed _____ feet in height.

C. Areas: No building or structure nor the enlargement of any building or structure shall be hereafter erected or maintained unless the following yards are provided and maintained in connected with such building, structure or enlargement.

Front yard: There shall be a front yard of not less than _____ feet.

Side yard: There shall be a side yard on each side of a main building of not less than _____ feet, and a combined total of side yards of not less than _____ feet.

If a structure is on a corner the side yard requirement shall be the same, except that there shall be maintained a side yard of not less than _____ feet on the side adjacent to the street which intersects the street upon which the building or structure maintains frontage, and except in the case of a reversed corner, there shall be maintained a setback from the side street of not less than fifty percent of the front yard requirements but such setback need not exceed _____ feet.

Rear yard: There shall be a rear yard of not less than _____ feet.

Every parcel of land shall have a minimum width at the front building line of ____ feet, and a minimum area of ____ square feet for all uses permitted in this section, except that:

The parcel area for churches, public and private schools, or any permitted institution shall be not less than ____.

Not more than thirty-five percent of the area of a parcel may be covered by main buildings, structures or accessory buildings.

Accessory buildings: Shall not encroach upon the front yard. They may encroach upon the side yards, provided no buildings are closer to the parcel lines than ____ feet, and provided further, that on a corner accessory buildings shall not encroach upon the front or side yards adjacent to the abutting streets.

Section 6. COMMERCIAL DISTRICT (C-1).

A. Use Regulations:

1. Permitted uses:

- a. Automotive or mechanical repair, service stations, and sale businesses.
- Bakeries.
- Banks.
- Business offices.
- Business, music, dance or commercial schools.
- Community service agencies.
- Computer stores.
- Drug stores.
- Dry cleaners.
- Electrical appliance shops and repair.
- Florist shops
- Food establishments.
- Gas stations.
- General stores.
- Grocery stores or markets.
- Hardware store.
- Laundromats.
- Pet shops or animal hospitals.
- Restaurants.
- Retail stores.
- Shopping centers or malls.
- Undertaking establishments.

All other businesses or establishments consistent with the above listed uses.

Uses customarily incidental to any of the above uses and accessory buildings when located on the same lot.

- b. Apartments, trailer courts, living units, etc.
Art galleries, dealers, museums, etc.
Bars, liquor stores, etc.
Beauty and manicure salons, etc.
Book and magazine-related businesses.
Clinics and Providers.
Clubs, associations, church organizations, etc.
Entertainment businesses.
Television and video-related businesses.
- 2. Uses limited to Commercial District:
 - a. All uses listed under Section 6(A)(1)(b) are limited to the C-1 Commercial District.
 - B. Height: No building or structure shall be erected or structurally altered to exceed a height of ___ stories nor shall it exceed ___ feet in height.
 - C. Areas: No front or side yards shall be required except that when a building or group of buildings abuts upon a residential district, a yard shall be provided on the side abutting the residential district, such yard having a width of not less than ___ feet. There shall be a rear yard with a depth of not less than ___ feet when abutting upon a publicly dedicated alley or public way and not less than twenty feet when no dedicated alley or public way exists at the rear. The rear yard may be used for off-street parking and loading.

Section 7. HIGHWAY COMMERCIAL DISTRICT (C-2).

- A. Use Regulations:
 - 1. Permitted uses:
Agricultural sales and service.
Air conditioning and heating sales and service.
Auction rooms.
Catering establishments.
Chiropractors.
Dentists' offices.
Department, furniture, and home appliance stores.
Doctors' offices.
Dressmaking establishments.
Employment agencies.
Hotels.
Laboratories.
Opticians.
Printing, publishing, and issuing of newspapers, periodicals, books, and other reading matter.
Printing shops.
Psychiatrists' offices.
Radio broadcasting station.
Signs, outdoor advertising.

Tailor shops.

Any of the uses permitted in the “C-1” district listed under Section 6(A)(1)(a).

All other businesses or establishments consistent with the above listed uses that are not limited to other Districts in other sections.

Manufacturing or processing which is clearly incidental to retail use is permitted.

B. Height: No building or structure shall be erected or structurally altered to exceed a height of ___ stories nor shall it exceed ___ feet in height.

C. Areas: No front or side yards shall be required except that when a building or group of buildings abuts upon a residential district, a yard shall be provided on the side abutting the residential district, such yard having a width of not less than ___ feet. There shall be a rear yard with a depth of not less than ___ feet when abutting upon a publicly dedicated alley or public way and not less than twenty feet when no dedicated alley or public way exists at the rear. The rear yard may be used for off-street parking and loading.

Section 8. INCUBATOR BUSINESS DISTRICT (C-3).

A. Use Regulations:

1. Permitted uses:

Incubator businesses and services as permitted by the city.

B. Height: No building or structure shall be erected or structurally altered to exceed a height of ___ stories nor shall it exceed ___ feet in height.

C. Areas: No front or side yards shall be required except that when a building or group of buildings abuts upon a residential district, a yard shall be provided on the side abutting the residential district, such yard having a width of not less than ___ feet. There shall be a rear yard with a depth of not less than ___ feet when abutting upon a publicly dedicated alley or public way and not less than twenty feet when no dedicated alley or public way exists at the rear. The rear yard may be used for off-street parking and loading.

Section 9. AGRICULTURE DISTRICT (A-1).

A. Use Regulations:

1. Permitted uses:

a. Keeping of stables.

b. Keeping and raising of livestock.

2. Uses limited to Agriculture District:

a. All uses listed in Section 9(A)(1)(b).

B. Setback Requirements:

1. The primary dwelling for horses, ponies, cows, or pigs must be at least ___ feet from the lot line and ___ feet from any neighboring house.

2. The primary dwelling for sheep or goats must be at least ___ feet away from any neighboring house.

3. The primary dwelling for fowl and rabbits must be at least ___ feet away from any neighboring house.
4. Fencing for the keeping of livestock shall not be close than ___ feet from the front of the property.
5. Fencing for any livestock must be constructed in such a manner that animals may not reach legs, necks, wings, or any body part onto neighbor's property, or to any shrub, or plant growing on the neighbor's property.
6. Fencing must be secure to hold stock and in good repair.
7. Manure shall not be allowed to accumulate and must be cleaned up on a regular basis.
8. Any person, firm or corporation violating any provision of this ordinance shall be fined not less than ___ dollars nor more than ___ dollars for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

C. Height: No building or structure shall be erected or structurally altered to exceed a height of ___ stories nor shall it exceed ___ feet in height.

D. Areas: No front or side yards shall be required except that when a building or group of buildings abuts upon a residential district, a yard shall be provided on the side abutting the residential district, such yard having a width of not less than ___ feet. There shall be a rear yard with a depth of not less than ___ feet when abutting upon a publicly dedicated alley or public way and not less than twenty feet when no dedicated alley or public way exists at the rear.

Section 10. OPEN SPACE DISTRICT (O-1).

A. There are no zoning ordinances for the Open Space District as the laws and regulations of the wilderness areas in the city limits are federal lands.

Section 11. COMMUNITY PARK DISTRICT (O-2).

A. Use Regulations:

1. Permitted uses: All uses consistent with community park activities are permitted uses.
2. Prohibited uses:
 - a. Riding motorized vehicles on grounds other than designated streets.
 - b. Presence in the park between ___ p.m. and ___ a.m.
 - c. Camping overnight unless permission granted.
 - d. Removal of trees or shrubbery by non-employee.
 - e. Presence of spirituous liquor of any kind.
 - f. Presence of an animal without a leash.

B. Parking: No person shall park a vehicle or leave the vehicle parked on any public road or alley adjacent to or abutting any town park during the hours between ___

p.m. and ___ a.m. The police may remove any vehicle in violation at the expense of the owner.

C. Additional Rules and Regulations:

1. Additional rules and regulations may be adopted concerning the zoning and use of parks in the city limits.

Section 12. ACCESSORY BUILDINGS.

A. Accessory buildings may be erected in any zoning district where accessory buildings are permitted, subject to the following restrictions:

1. A building permit must be obtained in the manner provided by the building ordinance.
2. A building permit fee of \$ ___ must be paid with each application. One fee shall be adequate for each application even if the application is rejected or returned for changes and resubmitted several times. The fee shall be returned if the permit is not ultimately issued.
3. The following specifications must be met by each accessory building:
 - a. No accessory building in any single family or two family residential district shall exceed ___ feet or ___ square feet in area. There shall not be more than one accessory building on each lot in any Single Family or Multiple Family District. Nothing in this paragraph shall prohibit the erection of a detached garage in addition to one accessory building, and the height and area limitation shall not apply to the detached garage.
 - b. All accessory buildings shall be anchored to a permanent concrete foundation.
 - c. No such accessory building shall be constructed closer to a lot line than permitted by the regulations applicable in the zoning district in which they accessory building is proposed to be constructed.
4. No person shall reconstruct or alter any accessory building if it is damaged to the extent of fifty percent or more of its value without obtaining a building permit and complying with the terms of this section.
5. Where an accessory building is structurally attached to a main building, it shall be subject to, and must conform to all regulations of this ordinance applicable to the main building.
6. No detached accessory building shall be located closer than ___ feet of any main building.

Section 13. NONCONFORMING USES. The lawful use of land or buildings existing at the time of the adoption of this ordinance may continue although such use does not conform to the regulations specified by this ordinance for the district in which such land or building is located, subject to the following conditions and specifications.

A. A nonconforming use of land (outside of a building) shall be made to conform to the provisions of the zoning ordinance within a period of two years after adoption of the zoning ordinance.

B. Any nonconforming use of land or building which has ceased by discontinuance or abandonment for a period of one year shall thereafter conform to the provisions of this ordinance.

C. Any nonconforming building which has been destroyed or damaged by fire, explosion, act of God, or by a public enemy to the extent of sixty percent or more of its assessed valuation, shall thereafter conform to the provisions of this ordinance. Where more than forty percent of the assessed value of the building remains after such damage, such structure may be restored to the same nonconforming use as existed before such damage.

D. No nonconforming use of a building may be moved to any other part or parcel of land upon which such use is prohibited by this ordinance.

E. No nonconforming building shall be enlarged or structurally altered except to make it a conforming building. A nonconforming use of a building existing at the time of the adoption of this ordinance may be extended throughout the building provided no structural alterations, except those required by ordinance or law are made therein, and provided approval is granted by the city council.

F. The use of a nonconforming building may be changed only to a use of like or similar character, or to a use conforming to the district in which the property is located.

Section 14. ENFORCING OFFICER. The building commissioner of the city is designated as the officer to be responsible for enforcing the zoning ordinance. Said officer shall have the power and shall exercise the function prescribed by the state law and by terms of all ordinances now in force or hereafter passed.

Section 15. BUILDING PERMITS, CERTIFICATE OF COMPLIANCE, USE PERMITS.

A. Building permit: No building or structure shall hereafter be erected or structurally altered until a building permit shall be issued by the building commissioner stating that the building or structure, and use of land comply with the regulations of this ordinance and all building and health laws and ordinances.

All applications for building permits shall be accompanied by building plans, the building is drawn to scale, showing the actual dimensions of the parcel, upon which being built, the size of the building or structure to be erected or structurally altered, its location on the parcel and such other information as may be necessary to provide for the enforcement of these regulations. A careful record of such applications and building plans shall be kept in the office of the building commissioner.

No building shall be constructed, and no permit shall be issued for any building, on any premises not served by a sewer unless the area of the parcel on which such building is to be erected complies with the ordinance relative to septic tanks as to size and condition of soil.

B. Certificate of compliance: No building or structure hereafter erected or structurally altered shall be occupied and used until a certificate of compliance has been issued by the building commissioner. The certificate of compliance shall be issued only after the building commissioner makes a finding that the building or structure has been erected or structurally altered in conformance with the provisions of this ordinance and other health and building laws and in accordance with building permit.

Certificate of compliance shall be applied for coincident with the application for a building permit and shall be issued within ten days after the erection or alterations of such buildings shall have been satisfactorily completed. A record of all certificates shall be kept on file in the office of the building commissioner and copies shall be furnished, on request, to any person having a proprietary or tenancy interest in the building affected.

C. Use permit: No change shall be made in the use of a building or part thereof now or hereafter erected or structurally altered, or in the use of land now or hereafter occupied, without a use permit having first been issued by the building commissioner. No such use permit shall be issued to make such change unless it is in conformity with the provisions of this ordinance or amendments thereto hereafter duly enacted.

D. Continuance of existing uses: Nothing in this article shall prevent the continuance of the present occupancy or lawful use of any existing building, except as may be necessary for the safety of life and property, and except as provided in these ordinances.

Section 16. COMMUNITY UNIT PLANS. The city council may, by ordinance and after a public hearing and a recommendation by the plan commission held and made in the manner provided by law for amendments to this ordinance, authorize, in any residential district, the location and development of a planned residential development of single or multiple family dwellings, or both, on not less than ___(5 acres)___ of land, and provided:

A. The plan is consistent with the intent and purpose of this ordinance to promote health, safety, morals, and general welfare.

B. The buildings shall be used for single or multiple family dwellings, and the usual accessory uses such as garages, storage space or protect activities.

C. Adequate open spaces are provided between buildings to create an appearance and character of development suitable for the district in which the improvement is to be located.

D. Off-street parking facilities are provided.

E. The specific requirements of this ordinance for yards, height of buildings and intensity of use of land may, but need not be required in part or in whole of any planned residential development authorized under this section.

Section 17. CONDITIONAL USES. Applications for conditional uses, as defined in this ordinance, shall be considered at a public hearing before the plan commission, pursuant to the requirements of this ordinance. Said plan commission shall make its

findings of fact and recommendations to the council within thirty days after the public hearing.

The plan commission may recommend such restrictions upon the height and bulk of any structure so approved for conditional use as may be reasonable under the particular circumstances, provided that such restrictions shall not be more restrictive than the requirements established for the district in which such structure is proposed to be located.

Conditional uses shall be permitted by the plan commission upon the showing of particular facts and circumstances which make the conditional use appropriate in the location in which the conditional use is proposed. Facts to be taken into account include the need for the conditional use, both in the neighborhood and in the community, and the effect of the conditional use on neighboring property values, on the use of neighboring property, on traffic patterns, and on the capacity of city facilities, such as water mains and sewer mains to serve the area. No conditional use shall be granted until after a public hearing to determine the applicable facts. The plan commission order granting a conditional use may include restrictions or conditions to ensure that the guidelines set out in this section are met.

Section 18. INTERPRETATIONS; PURPOSE AND CONFLICT. In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity, and general welfare. It is not intended by this ordinance to interfere with, abrogate, annul or repeal any ordinance, rules, regulations, previously adopted, and not in conflict with any of the provisions of this ordinance or which shall be adopted, pursuant to law relating to the use of buildings or premises, nor is it intended by this ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, except that where this ordinance imposes a greater restriction upon the use of buildings or premises or upon the height of buildings or requires larger open spaces than are imposed or required by such other ordinances or such easements, covenants or other agreements, the provisions of this ordinance shall control.

Section 19. FEES. Fees pertaining to petitions for zoning amendments, use permits, certificates of compliance, variations, and for appeals to the board of zoning appeals, shall be established by action of the council from time to time. Such fees shall be paid to the clerk, who shall give a receipt therefore.

Section 20. SEPARABILITY. The provisions of this ordinance are separable, and if any provision or part of this ordinance should be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

Section 21. PUBLIC HEARINGS. Wherever this zoning ordinance calls for a public hearing, notice of such hearing shall be given in the manner provided by state law.

Section 22. PENALTY. Any person, firm, or corporation violating any provision of this ordinance shall be fined not less than \$ ____ nor more than \$ ____ for each offense,

and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

§ 2. ZONING BOARDS.

Section 1. PURPOSE. This ordinance is for the purpose of creating boards and commissions to oversee any request, dispute, alteration, or creation of zones within the City.

Section 2. ZONING BOARD OF APPEALS.

A. Creation: There is hereby created a board of appeals to serve as a board of appeals on zoning matters as provided by statute. Said board shall consist of _____ members to be appointed by the city council.

B. Term: The members of the board of appeals shall serve for a term of _____ years as provided by law.

C. Duties: It shall be the duty of the board of appeals to hear and decide any appeal or any decision, order or interpretation by the officer whose duty it is to enforce the zoning ordinance; and it shall have the power to reverse any decision of such officer on a concurring vote of _____ members as provided by statute.

D. Variations: Where, in a specific case, an application for a variation is made in writing to the board of appeals, explaining that because of certain exceptional conditions peculiar to applicant's property or its environment that strict application of the regulations of this ordinance would result in practical difficulties and particular hardship upon the owner, the board of appeals shall consider the case at a public hearing, _____ days notice of which shall have been given as prescribed by statute, and shall determine and record all the facts which tend to sustain or fail to sustain the granting of a variation from the requirements of this article. If the board of appeals determines, by a concurring vote of not less than _____ members, that the proposed variation or some modification of it will not (1) reduce the minimum area or dimensions, nor increase the maximum dimensions, by more than fifty percent, (2) impair an adequate supply of light and air to adjacent property, (3) increase the congestion in public streets unreasonably, (4) increase the hazard of fire, (5) endanger the public safety, (6) diminish or impair the values of property within the surrounding areas, (7) or in any other respect impair the public health, safety, comfort, morals and welfare of the people it shall adopt a motion embodying such findings, and may direct the issuance of a permit.

Section 3. ZONING COMMISSION.

A. Creation: There shall be and is hereby created a Zoning Commission for the city, which shall consist of ___ members, including a chair, to be appointed by the mayor by and with the advice and consent of the board of trustees.

B. Term: The members of the Zoning Commission shall serve for a term of ___ years as provided by law.

C. Duties: The Zoning Commission shall study the zoning questions in the city, and shall prepare a report and suggested ordinance for the regulation of the height of buildings and structures, setback lines or building lines, the intensity of the use of lot areas, the location of trades and industries and buildings designed for industrial, business, residential or other uses, and dividing the city into various use, height, and other districts for the purposes of establishing and enforcing adequate and proper zoning regulations.

D. Meetings: The Zoning Commission shall meet at such times as may be determined by it, and special meetings of the commission may be held upon call of the chair or of any ___ members thereof. The city clerk shall act as secretary of the zoning commission, unless provision to the contrary shall be made by the city council.

E. Notice: After the preparation of a tentative report and ordinance, the Commission shall hold a public hearing thereon, public notice of which hearing shall be published in a newspaper not more than thirty nor less than fifteen days prior thereto, and such notice shall state the place where copies of the tentative ordinance are available for examination.

F. Presentment: Within thirty days after the final adjournment of its hearings, the Zoning Commission shall make a report and submit a proposed ordinance to the city council, which thereupon may enact such proposed ordinance with or without change, or may refer it back to the zoning commission for further study.

G. Compensation: Members of the zoning commission shall not receive compensation for their services.

§ 3. DISCHARGE OF WEAPONS.

Section 1. PURPOSE. This ordinance is for the protection, safety, and welfare of the city and its inhabitants. The rules relating to firearms in this ordinance are consistent with UTAH CODE ANN. §§ 53-5a-102, 10-8-47, and all other relevant statutes, as they do not restrict the right to use, possess, sell, or purchase firearms but rather restrict the discharge of firearms.

Section 2. PROHIBITIONS

A. It is unlawful for any person, within the limits of the city, to fire or discharge any firearm, shotgun, revolver, pistol, guns, BB gun, air gun, pellet gun, gas-operated gun or other similar gun or instrument except:

1. As allowed pursuant to the provisions of the UTAH CODE;

2. On a properly supervised range; and
3. By special permit of the Chief of Police of the town for the use of the gun or instrument for a valid and proper purpose, and for use in a manner not likely to harm any person, animal or property.

B. Any person who violates this section is guilty of ____ and shall be fined \$ _____. Each discharge in violation of this section shall constitute a separate violation of this ordinance.

Section 3. OTHER REGULATIONS

A. This ordinance is in supplement to all other restrictions on the use, purchase, sell, and possession of firearms adopted by the Utah Legislature in the Utah Code.

DRAFT

ZONING ORDINANCE (DRAFT)

February 2018

Purpose

This ordinance is to provide for organized growth and development thru designating areas, zones, or districts and to specifying compatible uses. Within these areas, the location, erection, construction, reconstruction, and use of land and buildings, will be regulated. Effective Zoning provides fundamental fairness in land use and protects property values and public usability.

Scope

The boundaries of designated districts are shown on the Zoning Map portion of this Ordinance and is on file with the City Clerk. All notations, references, and other information shown thereon are a part of this ordinance.

General Provisions

- A. The center-line of a street or alley serves as the Zoning district boundary, unless otherwise specifically designated.
- B. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used for any purpose other than that is permitted in the district in which the building or land is located.
- C. No building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered in any district in such a way that would violate the Hildale City or Colorado City Building Codes and Amendments.
- D. No wall, fence, or shrubbery shall be erected more than 4 feet high, maintaining good visibility on a curve or street intersection.

E. A permanent dwelling shall not be erected in a Commercial nor Industrial Zone except for sleeping quarters of a watchman or caretaker.

F. Any building upon which actual construction was lawfully begun prior to the adoption of this ordinance would be able to continue as a nonconforming structure or use.

G. Any area annexed to the city shall be zoned with an appropriate designation and approved by the City Council.

I. Fees pertaining to petitions for zoning amendments, use permits and certificates of compliance, shall be established by the City Council from time to time. Such fees shall be paid to the clerk, who shall give a receipt therefore.

Nonconforming Structures and Uses

The lawful use of land or buildings existing at the time of the adoption of this ordinance may continue under the following provisions.

A. A nonconforming use of land (outside of a building) shall be made to conform to the provisions of the zoning ordinance within a reasonable period of time or when designated by the Planning Commission and City Council.

B. Any nonconforming use of land or building which has ceased by discontinuance or abandonment for a period of one year shall thereafter conform to the provisions of this ordinance.

C. Any nonconforming building which has been destroyed or damaged by fire, explosion or an act of God, to the extent of sixty percent or more of its assessed valuation, shall thereafter conform to the provisions of this ordinance. Where more than forty percent of the assessed value of the building remains after such damage, such structure may be restored to the same nonconforming use as existed before such damage.

D. A nonconforming use of a building may not be moved to any other part of the land upon which such use is prohibited by this ordinance.

E. No nonconforming building shall be enlarged or structurally altered, except to make it a conforming building. A nonconforming use of a building existing at the time of the adoption of this ordinance may be extended throughout the building provided no structural alterations, except those required by ordinance or law, are made therein, and provided approval is granted by the City Council.

F. The use of a nonconforming building may be changed only to a use of like or similar character, or to a use conforming to the district in which the property is located.

Conditional Uses

Applications for conditional uses shall be considered at a public hearing with the Planning Commission. No conditional use shall be recommended for approval until after a public hearing is held to determine the applicable facts. The Planning Commission shall make its findings of fact and recommendations to the City Council within thirty days after the public hearing.

The Planning Commission may recommend restrictions upon any structures or uses as may be reasonable under the circumstances.

Facts to be considered include, the need for the conditional use, both in the neighborhood and in the community, and the effect of the conditional use on neighboring property values, on uses of neighboring properties, on traffic patterns, and on the capacity of city facilities, such as water mains and sewer mains to serve the area.

ZONING DISTRICTS

OPEN SPACE Land areas that are not occupied by buildings, permanent structures, parking areas, or streets. Open spaces are to be devoted to landscaping, preservation of natural features, archaeological sites, cemeteries, storm water drainages, recreational areas and non-permanent facilities.

Open Spaces includes Federal, State, County, private and City owned lands. Federal lands within the city limits will by default be designated as **OPEN SPACE ZONES**. Most open spaces allow public access and are used by residents and tourists. Various designations, like conservation easements or donations, can preserve public access and open spaces on private land while reducing the tax burden of existing owners.

Permitted uses are temporary recreational structures and facilities. Setbacks from Streets or Right of Ways shall be 200 feet and structure heights shall not exceed 20 feet. Fencing is not a permitted use.

AGRICULTURE The tilling of the soil, raising of crops, farm animals, livestock, horticulture, gardening, beekeeping and aquaculture. The

minimum lot area would be 10 acres per dwelling unit. This lot would include at least 400 feet each for width and depth with 50-foot setbacks for dwellings, structures and fencing designed to control animals. Height would be 30 feet maximum for any structure.

Permitted uses are dwellings, barns, structures and other uses associated with and necessary for agriculture activities. Also, schools, parks, recreation facilities, churches, cemeteries, water bodies and rodeo facilities would be allowed.

RURAL RESIDENTIAL Permitted uses are single-family dwellings, parks, recreation centers, swimming pools, playgrounds, police and fire department stations, public and governmental services, public libraries, schools and colleges, public parking lots, nursing, custodial, and home care facilities, and accessory buildings for permitted uses. Accessory buildings include private garages, accessory living quarters, guesthouse, recreation room, greenhouse, bath-house, pen, stable, coop, or kennel, as consistent with the requirements in other city ordinances. Any changes, in occupancy or use that would result in a non-conforming use (for example, an increase in family dwelling units) or applications for non-conforming uses, such as Town Homes or multi family structures, could be allowed with Planning Commission recommendation and City Council approval.

Home businesses are allowed with not more than 20% usage of the total floor area. No business related outside storage or activity would be allowed.

Lots shall be at least 20,000 sq. ft. with 120 feet width and depth minimums with 30-foot front and rear setbacks and 15-foot side yards. Maximum heights will be 30 feet for structures.

RESIDENTIAL Permitted uses are single-family dwellings, parks, recreation centers, swimming pools and playgrounds, police and fire department stations, public and governmental services, public libraries, schools and colleges, public parking lots, nursing, custodial, and home care facilities, and accessory buildings for permitted uses. Accessory buildings include private garages, accessory living quarters, guesthouse, recreation room, greenhouse, bath-house, pen, stable, coop, or kennel, as consistent with the requirements in other city ordinances. Any changes, in occupancy or use that would result in a non-conforming use (for example, an increase in family dwelling units) or applications for non-conforming uses, such as Town Homes or multi family structures, could be allowed with Planning Commission recommendation and City Council approval.

Home businesses are allowed with not more than 20% usage of the total floor area. No business related outside storage or activity would be allowed.

Lots shall be at least 14,000 sq. ft. with 100 feet width and depth minimums, then 25-foot front and rear setbacks and 10-foot side yards. Maximum heights will be 30 feet for structures.

MULTI FAMILY RESIDENTIAL Permitted uses are single-family dwellings, multiple-unit dwellings, such as apartment houses, boarding houses, condominiums and congregate residences. Also, parks, recreation centers, swimming pools and playgrounds, police and fire department stations, public and governmental services, public libraries, schools and colleges, public parking lots, private garages, nursing, custodial, and home care facilities, and accessory buildings necessary for permitted uses. Home businesses are allowed with not more than 20% usage of the total floor area. No business related outside storage or activity would be allowed.

Off Street Parking (Reference Development Standards Adopted 12/13/2017 #156.36). Permitted lots shall be at least 10,000 sq. ft. with 80 feet width and depth minimums, then 20-foot front and rear setbacks and 15-foot side yards. Maximum heights will be 35 feet for structures.

COMMERCIAL Permitted uses are, automotive repair and fuel dispensing facilities, group care facilities, amusement centers (which includes bowling alleys, golf driving ranges, miniature golf courses, go carts, ice skating rinks, pool and billiard halls), business or financial services, convenience and neighborhood commercial centers, family and day care facilities, libraries, RV and mobile home parks, mortuary and funeral homes, public and governmental services, police and fire department stations, churches, public utility stations, and restaurants.

Also permitted are, cultural institutions (such as museums and art galleries), retail and wholesale sales, health and medical institutions (such as hospitals), hotels and motels, commercial printing and publishing, indoor theaters, and self-storage warehouses.

Businesses within this definition include those that conduct sales and storage entirely within an enclosed structure (except for occasional outdoor "sidewalk" promotions). Off Street Parking (Reference Development Standards Adopted 12/13/2017 #156.36). Buildings' separation shall be more than 20 feet, with maximum heights of 30 feet, with 15' side yards and 30' front and rear setbacks.

INDUSTRIAL Permitted Uses include any use allowed in "Commercial" zones. Also permitted are commercial bakeries, regional commercial centers (including wholesale and retail sales), plastic products design, molding and assembly, small metal products design, casting, fabricating, and processing, manufacture and finishing, storage yards, wood products manufacture and finishing.

Amusement centers (including bowling alleys, golf driving ranges, miniature golf courses, ice rinks, pool and billiard halls, and similar recreational uses), automotive sales, service and fueling, and building material supply sales (wholesale and retail). Any light-manufacturing or *industrial* use, such as warehouses, research or testing laboratories, product distribution centers, woodworking shops, auto body shops, furniture assembly, dry cleaning plants, places of religious worship, would be permitted. Also, RV and mobile home parks, public and governmental services, machine shops, boat building and storage yards would be permitted.

Stadiums and arenas, indoor swap meets, liquid fertilizer manufacturing, carpet manufacturing, monument works, and a regional recycling center are permitted. General manufacturing, cotton gins, paper manufacturing, quarries, salt works, petroleum refining, and other similar uses are also permitted uses.

Off Street Parking (Reference Development Standards Adopted 12/13/2017 #156.36). Buildings separation shall not be less than 20 feet.

DRAFT



SITE IMPROVEMENT PLANS
FOR
PRODUCTION ASSEMBLY CORP.
LOCATED IN
HILDALE, WASHINGTON COUNTY, UT



PROJECT DRAWING INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	OVERALL SITE PLAN WITH BEE BADGE
3	PROPOSED SITE IMPROVEMENTS PLAN
4	OVERALL SITE GRADING PLAN CUT/FILL SHEET
5	SITE GRADING PLAN AND CROSS-SECTIONS
6	EXISTING SITE GRADING PLAN AND CROSS-SECTIONS
7	WATER PLAN
8	WATER PLAN
9	WATER PLAN
10	WATERWAY AND FENCE DETAILS

GENERAL NOTES:

- Unless shown otherwise on these plans, all construction shall conform to the codes and ordinances of THE TOWN OF HILDALE and the State of Utah.
- The Contractor shall be responsible for the location of and protection of all existing underground utilities and overhead power line during construction.
- The Contractor shall be responsible for the location of and protection of all existing underground utilities and overhead power line during construction.
- Excavation shall be in 0.5 foot and finish contour interval is 1 foot.
- Any necessary design modifications shall be approved by the design engineer.
- All grading to be within ±0.1 of proposed elevation.

CONSTRUCTION NOTES:

- All excavation, grading, and fill operations within the building area should be observed by the Field Engineer to verify soil conditions, and determine adequacy of site preparation, suitability of fill materials and compliance with construction requirements.
- The Contractor shall provide suitable equipment to control dust and air pollution caused by construction operations. The contractor shall provide site access conditions and adjacent properties.
- Permit to and during construction operations, all traffic material shall have the required moisture content uniform throughout each layer.
- All flag pole shall be approved by owner.
- Contractor must protect existing facilities.
- In the event of a conflict between the engineer's drawings and construction Design Standards will apply.
- Contractor is responsible to coordinate with all utility companies to locate, mark and work around existing and new utilities. The contractor shall indicate any misplacement utilities during the construction project.
- Contractor is responsible and required to obtain their own UPR/SM/NOI permits.
- It is the contractor's responsibility to identify all and any SWPPP requirements.

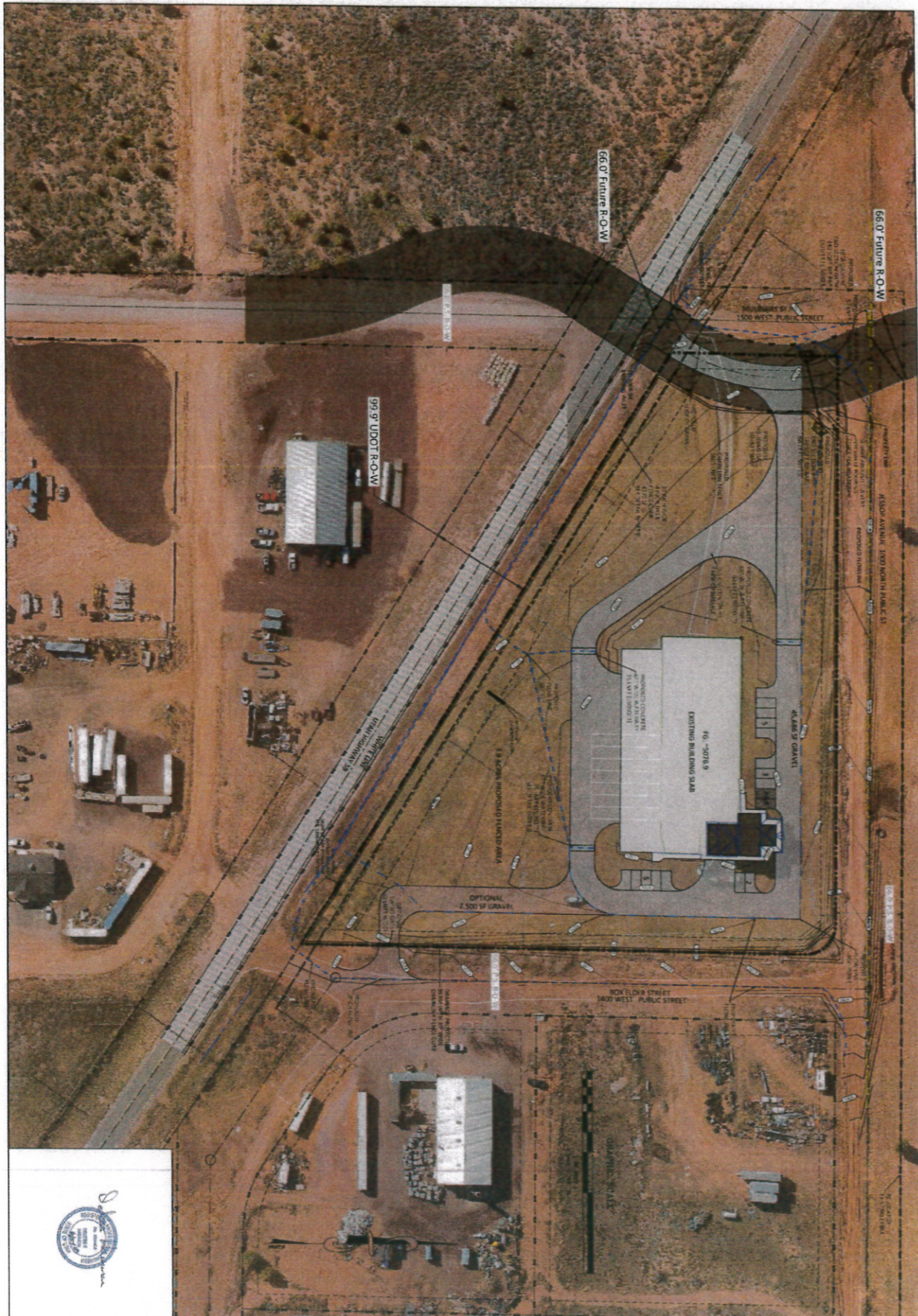
DUST CONTROL NOTES:

- Apply water by means of trucks, hoses and/or sprinklers at sufficient frequency and quantity prior to conducting, during and after earthmoving activities.
- Pre-apply water to the depth of the proposed cut, or equipment preparation.
- Apply water as necessary and prior to expected wind events.
- Operator must maintain appropriate water application rate to minimize fugitive dust and apply water as necessary during loading operations.

ENGINEER:
ALLIANCE CONSULTING
2003 N. CORAL CANYON BLVD, SUITE 201
WASHINGTON, UT 84780-0577
PHONE: (435) 673-8000
FAX: (435) 673-8005
EMAIL: info@allianceconsulting.us



<p style="text-align: center;">Vicinity Map FOR Lot 1 - 985 North Mulberry St, 4.76 acres LOCATED IN SECTION 32 TOWNSHIP 43 SOUTH, RANGE 10 WEST SB18M, TOWN OF HILDALE, WASH. CO., UTAH</p>	<p style="text-align: center;">ALLIANCE CONSULTING A Planning and Engineering Firm</p> <p>2303 N Coral Canyon Blvd Suite 201 Washington, Utah 84780-0577 Tel (435) 673-8000 Fax (435) 673-8005</p>	<p>DATE: 11/11/2007</p> <p>SCALE: 1" = 200'</p> <p>PROJECT NO: 4662</p> <p>CLIENT: N/A</p> <p>DESIGNER: N/A</p> <p>CHECKER: N/A</p> <p>DATE: 11/11/2007</p> <p>SCALE: 1" = 200'</p> <p>PROJECT NO: 4662</p> <p>CLIENT: N/A</p> <p>DESIGNER: N/A</p> <p>CHECKER: N/A</p>	<p>SHEET: 1</p> <p>OF 10 SHEETS</p>
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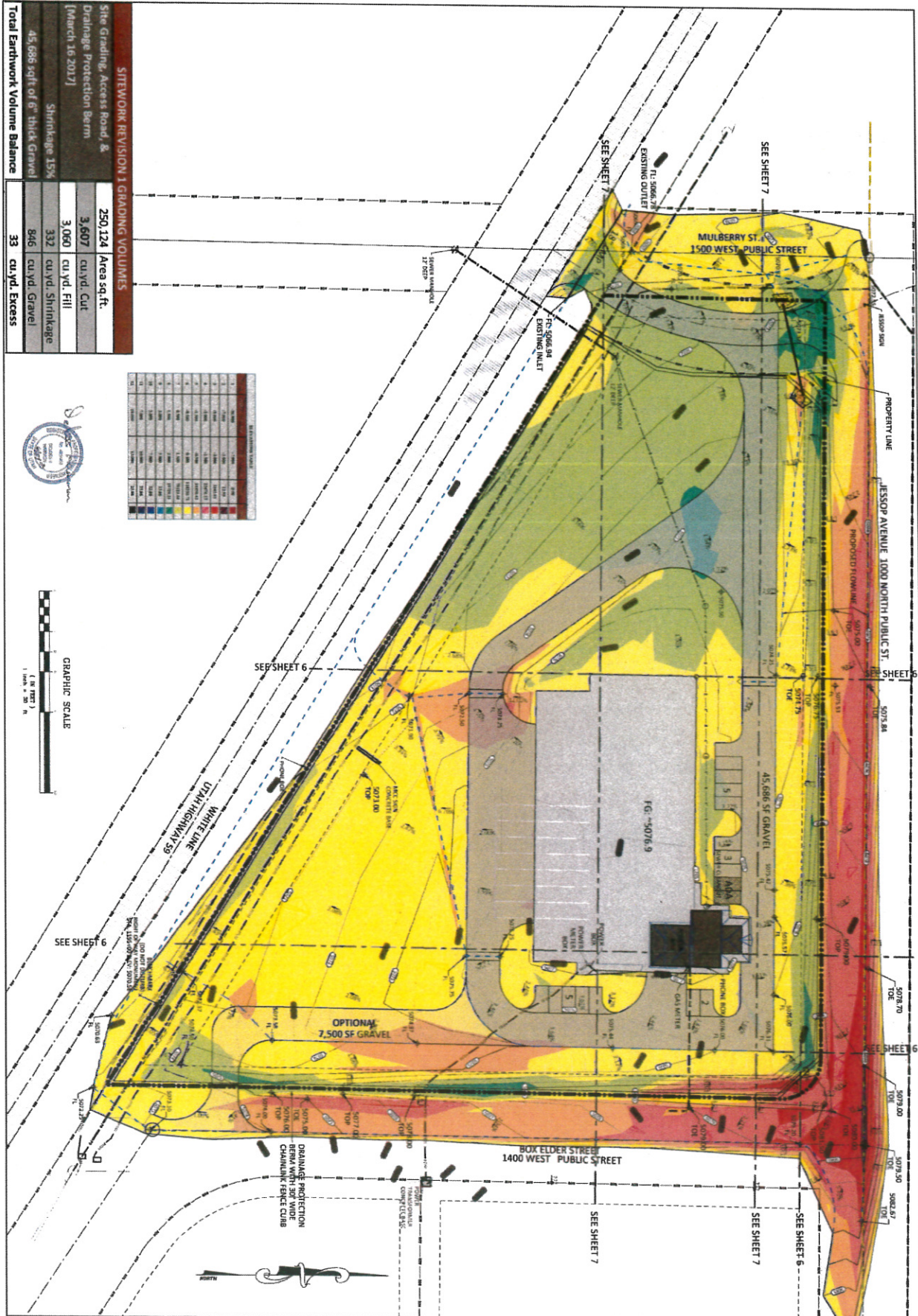
Overall Site Plan with Ebee Image Feb. 2017
 FOR
 Lot 1 - 985 North Mulberry St, 4.76 acres
 LOCATED IN SECTION 32
 TOWNSHIP 43 SOUTH, RANGE 10 WEST SLB&M,
 TOWN OF HILDALE, WASH. CO., UTAH



ALLIANCE CONSULTING
 A Planning and Engineering Firm

2303 N Carol Canyon Blvd Suite 201 Washington, Utah 84780-0577 Tel (435) 673-8000 Fax (435) 673-8005

DATE	2/15/17
SCALE	AS SHOWN
PROJECT	Site Improvement Plans Rev 1
CLIENT	AWM
DESIGNED BY	AWM
CHECKED BY	AWM
APPROVED BY	AWM
DATE	2/15/17



SITework REVISION 1 GRADING VOLUMES

Site Grading, Access Road, & Drainage Protection Berm
[March 16 2017]

Shrinkage 15%

Total Earthwork Volume Balance

250,124	Area sq. ft.
3,607	cu. yd. Cut
3,000	cu. yd. Fill
332	cu. yd. Shrinkage
846	cu. yd. Gravel
33	cu. yd. Excess

Color	Volume (cu. yd.)
Yellow	3,607
Red	3,000
Green	332
Blue	846
Grey	33

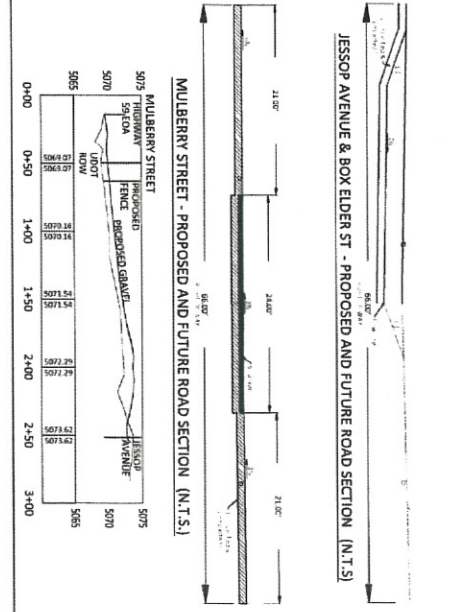
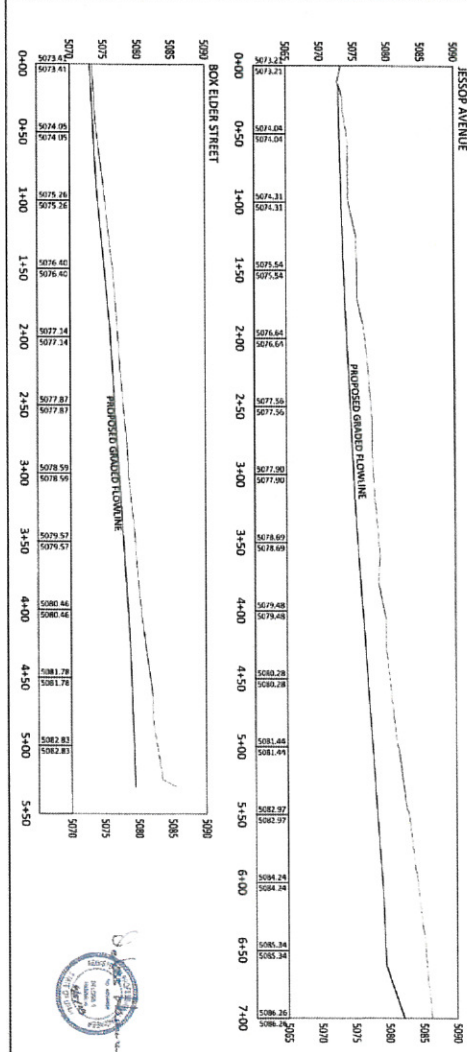
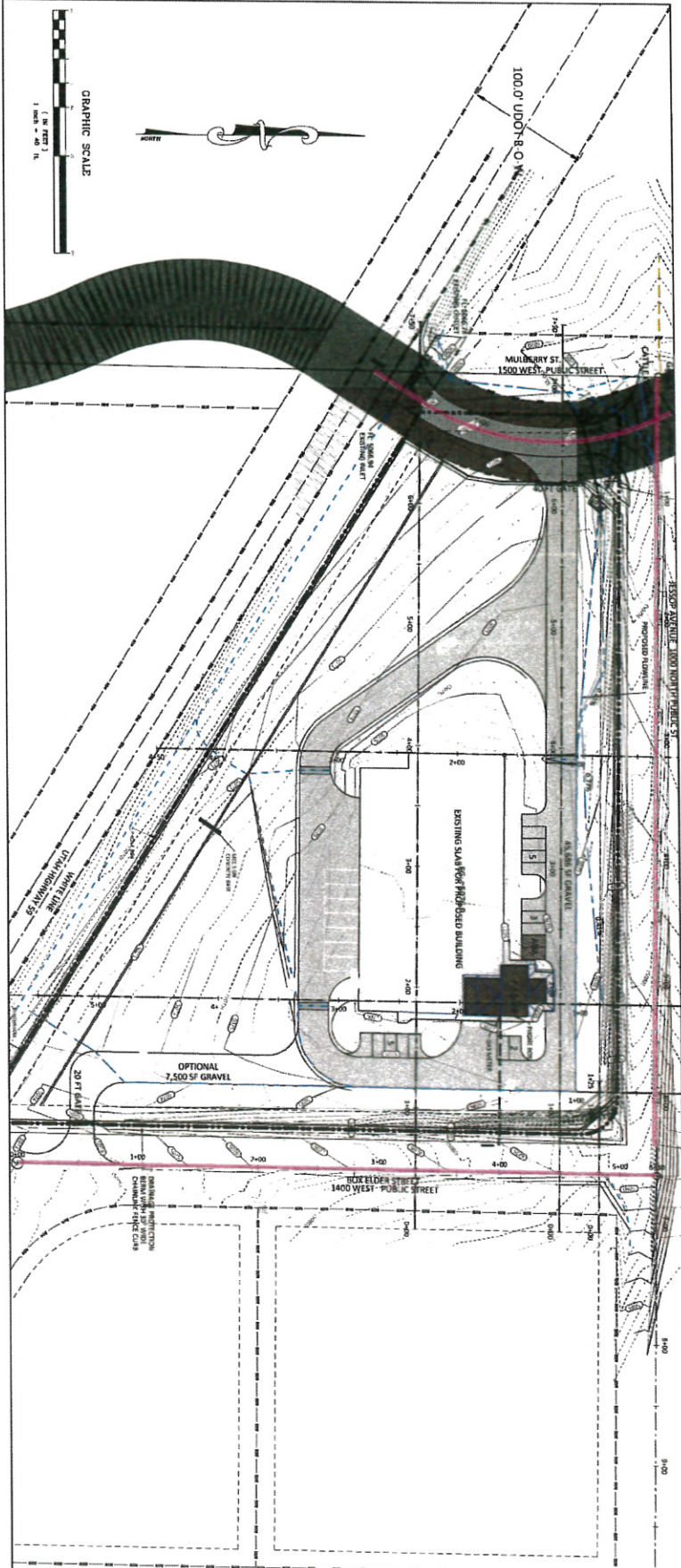


Proposed Earthwork Cut-Fill Exhibit
FOR
Lot 1 - 985 North Mulberry St, 4.76 acres
LOCATED IN SECTION 32
TOWNSHIP 43 SOUTH, RANGE 10 WEST S88M,
TOWN OF HIBBLE, WASH. CO, UTAH

ALLIANCE CONSULTING
A Planning and Engineering Firm

2302 N Coral Canyon Blvd Suite 201 Westinghouse, Utah 84780-0577 Tel (435) 973-8090 Fax (435) 673-8095

REVISIONS	DATE
1.00	3/16/17
1.01	3/16/17
1.02	3/16/17
1.03	3/16/17
1.04	3/16/17
1.05	3/16/17
1.06	3/16/17
1.07	3/16/17
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1.46	3/16/17
1.47	3/16/17
1.48	3/16/17
1.49	3/16/17
1.50	3/16/17



Proposed Profiles & Road Sections Jessop Ave., Mulberry St & Box Elder St
 LOCATED IN SECTION 32
 TOWNSHIP 43 SOUTH, RANGE 10 WEST S18M,
 CITY OF HILDALE, WASH. CO., UTAH

ALLIANCE CONSULTING
 A Planning and Engineering Firm
 2303 N Coral Canyon Blvd Suite 201 Washington Utah 84780-0577 Tel (435) 673-8000 Fax (435) 673-3005

REVISIONS	DATE
1.00	11/11/11
2.00	11/11/11
3.00	11/11/11
4.00	11/11/11
5.00	11/11/11
6.00	11/11/11
7.00	11/11/11
8.00	11/11/11
9.00	11/11/11
10.00	11/11/11

