

HILDALE CITY ORDINANCE No. 2019-011

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF HILDALE, UTAH,
ADOPTING AMENDMENTS TO HILDALE CITY ZONING MAP.**

WHEREAS, the City of Hildale is a political subdivision of the State of Utah, authorized and organized under the provisions of Utah Law, and is authorized pursuant to the Municipal Land Use Development and Management Act, Utah Code Annotated, Title 10, Chapter 9a to enact and amend its zoning map;

WHEREAS, Applicant Charles Hammon has requested a zone change for two parcels comprising approximately 2 acres in the middle of Hildale, Parcel ID HD-SHCR-6-24 and HD-SHCR-6-32 from RM-2 to RM-2 W/PDO zoning, applying the planned development overlay zone for the stated purpose to “allow well designed homes at medium density”;

WHEREAS, on July 15, 2019, the Hildale City Planning Commission held a duly convened public hearing for the purpose of obtaining public input on the proposed amendment to the Zoning Map, and considered each written objection filed prior to the public hearing;

WHEREAS, the Planning Commission has prepared and recommended the proposed amendment for adoption by the City Council, and has forwarded to the City Council all objections that the Commission received;

WHEREAS, the City Council has considered the Planning Commission’s recommendations, has provided notice and held a public meeting on the date set forth below, and hereby adopts amendments to the Zoning Map after making revisions, if any, that the Council considers appropriate;

WHEREAS, the purpose of the planned development overlay zone is to allow development design flexibility, integration of mutually compatible uses, consolidation of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations;

WHEREAS, in accordance with section 152-23-7(B) of the Hildale Land Use Ordinance, the City Council finds as follows:

1. The proposed planned development overlay zone and associated preliminary site plan:
 - a. Does not conflict with any applicable policy of the Hildale City general plan;
 - b. Meets the spirit and intent of Chapter 23 of the Land Use Ordinance as set forth in section 152-23-1;
 - c. Will allow integrated planning and design of the property and, on the whole, better development than would be possible under conventional land use regulations;
 - d. Meets the use limitations and other requirements of the zone with which the planned development overlay zone is combined, except as otherwise allowed by the Land Use Ordinance;
 - e. Meets the density limitations of the underlying zone, unless a density bonus is granted pursuant to the provisions of this chapter; and
 - f. If a density bonus is authorized, provides superior site design and increased amenities, as provided in subsection 152-23-8(C), which ameliorate the potential impact of increased density; and

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2. The applicant has:

- a. Sufficient control over the property to be developed to ensure development will occur as approved;
- b. The financial capability to carry out the planned development project; and
- c. The capability to start construction within one year of final plan approval.

WHEREAS, the City Council finds that it is in the best interests of the health, safety and welfare of the inhabitants of Hildale to grant the Zoning Map amendment requested by the Applicant.

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

Section 1. The Hildale City Zoning Map is hereby amended to change the following described property from Residential Multifamily 2 (RM-2) to Residential Multifamily 2 w/PDO (RM-2 (PD)):

LOT 24, SHORT CREEK SUBDIVISION #6, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.


[AND]

LOT 32 OF SHORT CREEK SUBDIVISION 6, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE WASHINGTON COUNTY RECORDER'S OFFICE.

Section 2. This ordinance shall become effective immediately after publication or posting as required by law.

PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL, STATE OF UTAH, ON THIS 7TH DAY OF AUGUST 2019.

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


 Donia Jessop, Mayor

Attest:


 _____ (seal)
 City Recorder

