

**Hurricane Planning Commission
Meeting Minutes
August 24, 2023**

Minutes of the Hurricane City Planning Commission meeting held on August 24, 2023, at 6:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

Members Present: Mark Sampson, Paul Farthing, Ralph Ballard, Rebecca Bronemann, and Kelby Iverson

Members Excused: Shelley Goodfellow, Michelle Cloud, and Brad Winder

Staff Present: Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, and City Engineer Representative Jeremy Pickering

5:00 p.m. - Planning Commission Business:

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance, led by Ralph Ballard

Prayer and/or thought by invitation given by Mark Sampson

Rebecca Bronemann motioned to approve the agenda as presented. Paul Farthing seconded the motion. Unanimous.

Declaration of any conflicts of interest

Public Hearings

1. **A Land Use Code Amendment to Title 10 Chapter 37 Subsection 9, regarding fences and walls.**

No comments.

2. **A Land Use Code Amendment to Title 10 Chapter 1 to add Subsection 13 regarding land use applicants' compliance with City Code and staff comments.**

No comments.

OLD BUSINESS

1. **ZC23-21: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 820 S 840 W from RA-1, residential agriculture one unit per acre to RA-0.5, residential agriculture one unit per half acre. Parcel H-3-2-3-4220-C. Interstate Rock Products, Applicant. Chase Stratton, Agent.**

Chase Stratton explained that this subdivision consists of eight lots, and will mirror the first phase of the development. Kelby Iverson noted concerns regarding the sidewalks, tailwater, and secondary access. Mr. Stratton explained that these concerns will be addressed during the construction drawing process. Ralph Ballard reported that the applicant's effort to address the tailwater in the first phase was highly

successful. Mark Sampson asked how the applicant will address the second access on 900 South. Mr. Stratton will work with the property owners and City Engineers to determine the proper roadway alignment. Gary Cupp explained that this is a zone change application and the roadway alignment will be addressed as the development progresses.

Paul Farthing motioned a recommendation of approval of ZC23-21 to the City Council subject to staff and JUC comments based on the findings that there are adequate facilities to serve the development, the application satisfies the city's general plans, goals, and objectives, is harmonious with the overall character of the neighborhood and will not adversely affect adjacent property. Rebecca Bronemann seconded the motion. Paul Farthing, Mark Sampson, Ralph Ballard, and Rebecca Bronemann – aye. Kelby Iverson – nay. Mr. Iverson believes this will adversely affect the surrounding neighbors.

NEW BUSINESS

1. LUCA23-07: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 37 Subsection 9 regarding fences and walls.

Gary Cupp reviewed the minor changes made to the amendment. Dayton Hall explained that state law requires standards for a conditional use permit. He noted that the conditional use permit must be approved if those standards are met. If this is adopted as written, eight-foot walls will become the standard. Ralph Ballard feels the section regarding swimming pools should refer to the International Residential Building Code. Mr. Hall recommends specific standards to determine which situations warrant a fence or wall higher than six feet.

Ralph Ballard motioned to continue LUCA23-07. Paul Farthing seconded the motion. Unanimous.

2. LUCA23-08: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 1 regarding land use applicants' compliance with City Code and staff comments. Hurricane City Attorney, Applicant.

Dayton Hall read and reviewed the intent of the ordinance. He explained that per this ordinance, preliminary plat approval does not overrule land use regulations within the city code. Staff or JUC comments do not exclude the applicant's requirement to adhere to other laws, codes, or regulations related to the land use application. Approval of a land use application is subject to staff and JUC comments unless otherwise stated by the Planning Commission or City Council, and the definitions used by Hurricane City are the same in the Utah code.

Kelby Iverson motioned a recommendation of approval of LUCA23-08 to the City Council based on the findings that this will protect the city in the approval process. Rebecca Bronemann seconded the motion. Unanimous.

3. FSP23-28 WCUP23-02: Discussion and consideration of a possible approval of a final site plan and conditional use permit for a wall of greater height for the Dixie Power Pecan Valley Substation located at 2250 S 5140 W; Dixie Power, Applicant; Russ Condie, Agent.

Fred Resch III reported that the applicant had not submitted a written landscape deviation request.

Ralph Ballard motioned to continue FSP23-28 and WCUP23-02 until the landscape plan is submitted. Paul Farthing seconded the motion. Unanimous.

4. AFP23-15: Discussion and consideration of a recommendation to the City Council on an amended final plat for Dixie Springs Plat D Lots 196 & 197 located at 3259 W 2490 S; Terry Spinks, Applicant.

Kelby Iverson motioned a recommendation of approval of AFP23-15 to the City Council subject to staff and JUC comments. Paul Farthing seconded the motion. Unanimous.

5. CUP23-13: Discussion and consideration of a possible approval of a conditional use permit for an accessory building of greater height and size located at 3259 W 2490 S; Terry Spinks, Applicant.

Gary Cupp explained that the standard for a detached structure is 1,200 square feet and sixteen feet in height. The applicant seeks approval to build a 4,500-square-foot, twenty-three feet tall, detached RV garage. The application meets the criteria for a conditional use permit.

Rebecca Bronemann motioned to approve CUP23-13 subject to staff and JUC comments with the findings that the structure does not exceed the height of the home meets the standard for approval, and is not a burden to the neighborhood. Paul Farthing seconded the motion. Unanimous.

Approval of Minutes:

1. August 10, 2023

Paul Farthing motioned to approve the minutes of the August 10, 2023, meeting. Kelby Iverson seconded the motion. Unanimous.

Rebecca Bronemann motioned to adjourn the meeting. Paul Farthing seconded the motion. Unanimous.

Adjournment at 7:01 p.m.