

**Hurricane Planning Commission Meeting Minutes
March 30, 2022**

Call to Order - 6:00 P.M.

ON MARCH 30, 2022, AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

Chairman Dayton Hall called the meeting to order at 6:00 P.M. Roll call was taken.

Pledge: Michelle Cloud Prayer: Mark Sampson

Penny James-Garcia motioned to approve the agenda as presented. Paul Farthing seconded the motion. Unanimous.

Members Present: Dayton Hall, Mark Sampson, Shelly Goodfellow, Paul Farthing, Michelle Cloud, Ralph Ballard, and Penny James-Garcia.

Members Excused: Rebecca Bronemann

Staff Present: Planning Director Stephen Nelson, Assistant Planner Fred Resch, Planning Technician Brienna Spencer, and Councilman Kevin Thomas.

Public Hearings

A Zone Change Amendment request located at 366 West 300 North from R1-10, residential one unit per 10,000 square feet, to RM-2, multifamily 10 units per acre, to build a duplex.

Jack Bradford lives on 300 north. He is concerned that there is a church and school near this location. He feels that it is better to have single-family homes.

Larry Loveless, the property owner, stated that his reason for requesting to add a duplex is because there are problems with kids playing in the vacant lot. He originally planned to build a triplex, but the lot is too small. He plans to live in one of the units for at least six months during the year.

No further comments.

2. A Zone Change Amendment request located at approx... 3150 South 1100 West to contain a PDO, planned development overlay with the currently underlying zone of RM-2, multifamily 10 units per acre. Parcel numbers H-3394-H, H-3394-J-1, and H-3394-B-1-B.

No comments.

3. A Zone Change Amendment request located at 284 W 1080 S from RA-1, residential agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet to allow for a lot split. Parcel number H-3-2-3-2126.

Michelle Shumway stated that she would like to split the lot north to south. She would like to have it big enough to have a building lot. The reason she is requesting R1-15 is that once she does the road dedications for 300 north, it won't be big enough to build on.

No further comments.

4. A Zone Change Amendment request located at approx. 465 North 2800 West from RA-1,

residential agriculture one unit per acre, to R1-8, residential one unit per 8,000 square feet, containing a PDO, planned development overlay, to match the adjacent zones. Parcel number H-3-1-31-1104.

Collen Tanner lives in the Sky Ridge Subdivision immediately adjacent to this property. He does not think the Planning Commission has any obligation to maximize the developers' profits. He thinks developers promise to provide infrastructure and affordable housing to get approval from the Planning Commission. He believes that there is enough affordable housing in the area, and he suggested four units or less per acre.

No further comments.

5. A Land Code Use Amendment to Title 10, a section of Chapter 7 - regarding conditional use permits and Chapter 15 regarding Highway Commercial building standards.

Mr. Nelson reported that a conditional use application was denied because it did not meet standards. The applicant has asked the city to consider changing the code to allow a fifty-five-foot-tall building within the highway commercial zoning. The staff has reviewed the application and provided options for the planning commission to consider.

No further comments.

6. A Land Code Use Amendment to Title 10, Chapter 3, Chapter 7, Chapter 41, and Chapter 51 - all regarding ADU's, accessory dwelling units.

Mr. Nelson reported that the update would clarify the ADU definition. The change would limit the amount of ADU's per property. Another potential difference is to allow the owner to occupy either the main home or the ADU.

No further comments.

New Business

2022-ZC-07: Discussion and consideration of a recommendation of a proposed Zone Change Amendment request located at 366 West 300 North from R1-10, residential one unit per 10,000 square feet, to RM-2, multifamily 10 units per acre, to build a duplex. Larry Loveless Applicant.

Michelle Cloud asked the applicant if he saw any issues with the necessary road improvements on 300 North. Mr. Loveless reported that he does not see any problems. He agreed that the road does need improvement. Ralph Ballard asked for clarification on the request. Mr. Nelson said that the location is zoned for a single-family home. The change will allow a duplex. Mark Sampson asked if this could be treated as a renovation if the zone change is denied. Mr. Nelson reported that road improvements would not be required if the applicant chooses to rebuild the home. If the zone change is approved, road improvements are required. Mr. Sampson asked if this could be achieved by building an ADU and not changing the zone. Mr. Nelson reported that the owner does not plan to live on the property all year. Mr. Farthing has no concerns about the duplex. Mrs. James-Garcia states that zone changes concern her because it sets a precedent. Mr. Ballard asked the applicant if he were aware that he could accomplish this with an accessory dwelling unit. Mr. Loveless was not aware of this. He reported that there are other duplexes on the street. Two written public comments were shared with the commissioners during their closed meeting. They are attached to the end of these minutes.

Paul Farthing motioned a recommendation of approval 2022-ZC-07 subject to staff and JUC

comments limiting the development to a duplex with the zoning of RM-1. Seconded by Michelle Cloud. Michelle Cloud, Mark Sampson, Shelley Goodfellow, Paul Farthing – aye. Ralph Ballard, Dayton Hall, Penny James-Garcia – nay. Motion carried.

2022-ZC-09: Discussion and consideration of a recommendation of a proposed Zone Change Amendment request located at approx. 3150 South 1100 West to contain a PDO, planned development overlay with the currently underlying zone of RM-2, multifamily 10 units per acre. Parcel numbers H-3394-H, H-3394-J-1, and H-3394-B-1-B. Blue Mountain Property Enterprises LLC Applicant. Scott Stratton Agent.

Scott Stratton stated that they are not asking for more density. They are staying with 168 units instead of the allowed 220 units. They just want to adjust the lot lines. Mrs. James-Garcia asked Mr. Nelson if there were any stipulations with the approval of the original zoning. Mr. Nelson stated that when this was annexed into the city, the city agreed to keep the currently zoned density. Mrs. Goodfellow noted that as long as it doesn't increase the density, she doesn't have an issue with it. Mr. Ballard shared that he spoke with someone from the power department, and they are concerned about supporting and providing the services. We need to be aware of what we are approving. Mr. Nelson stated that on the north end of the property, there is confusion on ownership, but he is confident it will be figured out during the construction drawings process. Mr. Hall wanted to note that he is under density, and he is not asking for a density bonus which we need to consider when approving zoning. Mrs. James-Garcia stated that she thinks the connectivity is important, and we aren't asking Mr. Stratton to do something we don't ask of everyone else. Mr. Farthing stated that he agrees with Penny. We approve a lot of single parcel developments without thinking about connectivity, and he believes it is time that we do. Karl Rasmussen stated that the parcel does not need connectivity because they will have access off 1100 West. Mrs. James-Garcia stated that we are trying to avoid more access off 1100 West. Mr. Stratton said that he loses two units if he has connectivity to the south. Mr. Farthing stated that the commission should have looked at the connectivity and required it when Mr. Stratton was here six months ago, not now. Mr. Hall stated that this is currently zoned RA-1, which is appropriate for this area.

Mark Sampson motioned a recommendation of approval 2022-ZC-09 subject to staff comments except for comment number 5, requiring the connectivity to the South. Seconded by Michelle Cloud. Michelle Cloud, Ralph Ballard, Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing – aye, Penny James-Garcia – nay because she would like the parcels to the south to stay RA-1, but that may not be the case in the future, and we should require the connectivity. Motion carried.

2022-ZC-06: Discussion and consideration of a recommendation of a proposed Zone Change Amendment request located at 284 W 1080 S from RA-1, residential agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet to allow for a lot split. Parcel number H-3-2-3-2126. Michelle Stratton Shumway Applicant

Stephen Nelson stated that initially, the applicant was asking for a half-acre, but after looking at the requirements, it will make her lot unbuildable with the zoning. The staff's recommendation is to approve R1-15. Mrs. Goodfellow wishes there was a way to allow this without changing the zone. Mr. Farthing stated that he fully supports the zone change because she would easily qualify for the lot split without the roadway dedications. Mrs. James-Garcia stated that she is against changing the zoning because it will set a precedent for the area. By allowing R1-15, we start eating into the agriculture we are supposed to protect.

Dayton Hall motioned a recommendation of approval of 2022-ZC-06 subject to staff and JUC

comment but noted that the intent is not to change the overall character of the area from residential agriculture to residential. The justification is that the owner will have to dedicate a portion of their land to a master-planned roadway. Seconded by Paul Farthing. Michelle Cloud, Ralph Ballard, Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing – aye and Penny James-Garcia – nay, because she is concerned that this sets a precedent for more R1-15 in the area. Motion carried.

2022-ZC-10: Discussion and consideration of a recommendation of a proposed Zone Change Amendment request located at approx. 465 North 2800 West from RA-1, residential agriculture one unit per acre, to R1-8, residential one unit per 8,000 square feet, containing a PDO, planned development overlay, to match the adjacent zones. Parcel number H-3-1-31-1104. Swiss Seven LLC Applicant. Kent Frei Agent.

Kent Frei representing the owner, reported that they are requesting the same zoning as the surrounding properties. Stephen Nelson stated that a normal R1-8 is 4.45 units per acre, but we typically take out the slopes over thirty percent, which would leave this at 4.77 units per acre which requires a density bonus. He went over the items to take into consideration. The general plan has set aside a place in this area for single-family density. Mr. Nelson thinks the commission should consider the overall character of the neighborhood, the general plan map, and the approved supporting density. The general plan map has this area listed specifically for single-family. The connectivity will be through adjacent properties and not directly off 2800 west. He does think it makes sense to rezoned to R1-8 because it matches the currently zoned intent. It comes down to what kind of housing is allowed in this area. Mr. Nelson stated that if the commission denies the request, the applicant can come back with a redesign for consideration, or they can take the current design to the City Council. He did note that a redesign may be necessary based on sensitive lands. Mr. Ballard has a tough time with the density bonus. He does not want to see it packed in as tight as they can. He would rather see something that fits in with the natural area. Mrs. Cloud is torn because the general plan says single-family, but entry-level housing is multifamily housing. Mrs. James-Garcia is not opposed to R1-8, but she is opposed to multifamily. She would like to see a redesign of the property. Mr. Farthing can see doing primarily single-family, but he is not opposed to twin homes. It will keep the housing affordable and match what is approved to the north. Mrs. Goodfellow asked for the definition of a single-family home. Mr. Nelson reported that a single-family home means no shared walls. Duplexes do not match the code of single-family homes.

Paul Farthing motioned to continue 2022-ZC-10 to give the applicant time to redesign their project. Seconded by Penny James-Garcia. Unanimous.

5. 2022-LUCA-04: Discussion and consideration of a recommendation of a proposed Land Code Use Amendment to Title 10, a section of Chapter 7 - regarding conditional use permits and Chapter 15 regarding Highway Commercial building standards. Ishraj Singh Applicant. Steve Beesley Agent.

Steve Beesley explained that the applicant proposed a Hampton Inn Hotel that is four stories high. The code states that the height of the building can only be 1.5 times the size of the adjacent buildings. There are no adjacent buildings. Mrs. Cloud thinks there is something that needs to be done, but she does not know which option is best. Mr. Nelson stated that the economic development in the highway commercial zone is something we need to consider. Our general plan states that we should encourage commercial within our city. However, changing this will also change the character along SR-9. The current highway commercial standard height limit is thirty-five feet. The planned commercial standard height limit is fifty-five feet. Mr. Nelson is more in favor of a conditional use permit. The commission discussed the stipulations and criteria for a conditional use permit. Based on this discussion, Mr. Nelson recommended having the staff come back with recommendations and

guidance for the Planning Commission.

Mark Sampson motioned to continue 2022-LUCA-04. Seconded by Penny James-Garcia. Unanimous.

6. 2022-LUCA-03: Discussion and consideration of a recommendation of a proposed Land Code Use Amendment to Title 10, Chapter 3, Chapter 7, Chapter 41, and Chapter 51 - all regarding ADU's, accessory dwelling units. Hurricane City Planning Applicant

Mr. Hall reported that the commission agrees with adding one additional ADU in certain circumstances as a conditional use. There were different opinions on the lot size. Mrs. James-Garcia wants the minimum lot size for two ADU's to be one acre. Mrs. Goodfellow would like to see a minimum of two parking spots with one additional space per for each extra bedroom. She would feel more comfortable having a minimum lot size of one acre to two ADU's. Mr. Nelson reported that the code allows one tandem parking in residential hosting. The commissioners discussed changes to the draft addressing the minimum off-street parking requirements.

Michelle Cloud motioned a recommendation of approval 2022-LUCA-03 as currently drafted, including the Planning Commission's recommended parking requirements. Seconded by Mark Sampson. Michelle Cloud and Mark Sampson – aye. Ralph Ballard, Dayton Hall, Shelley Goodfellow, Paul Farthing, Penny James-Garcia – nay. Motion failed.

Ralph Ballard motioned a recommendation of approval of 2022-LUCA-03 as currently drafted with the changes of lot sizes. Seconded by Penny James-Garcia. Ralph Ballard, Dayton Dall, Shelley Goodfellow, Paul Farthing, Penny James-Garcia – aye. Michelle Cloud – nay. Motion carried.

7. 2022-AFP-03: Discussion and consideration of a recommendation of approval on an amended final plat for Seville Lots 1A and 1B, located at 952 W 325 S. Harmony Vanderhorst Applicant

Mr. Nelson reported that these lots were split in 2020. However, the floodway was adjusted to make the lots more buildable. The application would like to combine the lots as it was originally platted. He does not have any concerns with combining the two lots. Mr. Sampson asked for clarification on the standards for building in a floodway.

Ralph Ballard motioned a recommendation of approval on 2022-AFP-03. Seconded by Penny James-Garcia. Unanimous.

8. 2022-AFP-04: Discussion and consideration of a recommendation of an amended final plat for Pecan Valley Phase 3 located at 5200 W 2500 S. Chris Wyler Applicant. Civil Science Agent

Mr. Nelson stated that the applicant dedicated the roadway as part of the plan to provide the water line to the property. The dedication was a little off on the south of the lot. This change will align the roadway. Mr. Ballard would like to update JUC comment number 2 to state that this will not conflict with the current waterline alignment.

Ralph Ballard motioned a recommendation of approval on 2022-AFP-04. Seconded by Michelle Cloud. Unanimous.

9. 2022-PP-12 and 2022-PSP-08: Discussion and consideration of a recommendation of approval of a preliminary plat and of approval of a preliminary site plan for SKRE, a 2-lot

commercial subdivision, located at 2545 W 60 S. SKRE Applicant. Karl Rasmussen Agent.

Karl Rasmussen stated that there is already commercial on the east and west of the plat. This will help when parcel number two is developed because the interconnected road is already there.

Shelley Goodfellow motioned a recommendation of approval on 2022-PP-12 subject to staff and JUC comments. Seconded by Paul Farthing. Unanimous.

Shelley Goodfellow motioned approval of 2022-PSP-08 subject to staff and JUC comments. Seconded by Paul Farthing. Unanimous.

10. 2022-PSP-09: Discussion and consideration of a possible approval of a preliminary site plan for Del Taco located at 711 W State St. Chase Stratton (PM Dev Corp) Applicant. Harold Martinez Morales Agent.

Mr. Nelson clarified that there had been access between this property and the proposed Scooters Coffee. Del Taco plans to close the access off for their drive-through. Based on the conversation with the property owner, there is no cross-access agreement between them. The applicant is not required to have two points of access. He does not think this will affect the site plan for Scooters.

Shelley Goodfellow motioned approval of 2022-PSP-09 subject to staff and JUC comments. Seconded by Michelle Cloud. Unanimous.

11. 2022-PP-06 and 2022-HIL-03: Discussion and consideration of a recommendation of a preliminary plat for Hideaway Ridge Phase 2, a 3-lot single family subdivision located at 1150 S Angell Heights Dr. and a sensitive land updated application for Hideaway Ridge Phase 1 & 2. Tim & Kris Eden and Todd Trane Millhaven Development - Applicant. Todd Trane-Millhaven Development Agent.

Mr. Nelson reported that during the review of the construction drawings, a problem arose with the grading requirements. There is a twenty-foot cut on the property. Karl Rasmussen went over the proposed changes with the roadways and lot layout. Karl Rasmussen stated that he submitted an updated design, but it was too late to include in the packet. Mr. Nelson cannot make a recommendation without consulting with the engineering department. Commissioners reported that they do not want to push this along without staff having the ability to review it.

Ralph Ballard motioned to table 2022-PP-06 and 2022-HIL-03 to give staff time to adequately review updates. Seconded by Shelley Goodfellow. Unanimous.

12. 2022-FSP-03 and 2022-CUP-10: Discussion and consideration of an approval of a final site plan and conditional use permit for Deck Kings, a metal commercial building located at 530 W 600 N. Jeremy Witte Applicant

Mr. Nelson spoke to the applications engineer about staff concerns on lighting, conditional use of the skirting around the building, and the landscaping. The owner is willing to change the lighting to meet city standards, and they are revising the exterior building material to provide a three-foot-tall stone skirt around the building. The power department has concerns about the trees underneath the line, and the engineer has agreed to plant different trees.

Mark Sampson motioned approval of 2022-FSP-03 and 2022-CUP-10 subject to staff comments. Seconded by Shelley Goodfellow. Unanimous.

13. 2022-LUCA-02: Discussion and consideration of a recommendation of a Land Code Use Amendment to adopt Water Conservation standards within Title 10 Chapter 39 - Subdivisions, Chapter 32 - Landscaping and Screening, Chapter 23 - Planned Development Overlay, and Chapter 33 - Design and Compatibility Standards.

Mr. Nelson talked with the Washington City Manager today, they have made changes to their water conservation plan. It is less strict but is close to the proposed update. He recapped the discussion and changes from last time. Mrs. Goodfellow asked for clarifications on what is considered secondary water. Are privately owned water resources considered secondary water? Mr. Nelson reported that Section A should apply to commercial, industrial, and civic development, and section B should be more residential development. He recommended clarifying Section A; If city provided secondary irrigation water is available, these projects shall connect to the city's secondary system for outdoor water use.

Shelley Goodfellow motioned a recommendation of the adoption of 2022-LUCA-02 as amended. Seconded by Penny James-Garcia. Ralph Ballard, Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing, Penny James-Garcia – aye. Michelle Cloud – nay.

Planning Commission Business:

Site Plan Design

Mr. Nelson reported that the open space requirements and outdoor lighting off-street parking are still under consideration. He discussed the trail master plan and added standards for pedestrian circulation. Mr. Nelson will send out the site plan design to developers to get feedback.

Deadlines for land use applications for Planning Commission

Mr. Nelson and the commissioners updated the deadline for the land use application for Planning Commission.

Penny James-Garcia motioned to make this the standard going forward. Seconded by Shelley Goodfellow. Unanimous.

Approval of Minutes:

January 26, 2022

Add commissioners' attendance at the meeting to the front page of the minutes.
Page 240-line 12, change backs to connects.

Shelley Goodfellow motioned to approve January 26, 2022; minutes as amended. Unanimous.

Adjournment