

Hurricane Planning Commission
Meeting Minutes
December 14, 2023

Minutes of the Hurricane City Planning Commission meeting held on December 14, 2023, at 5:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

Members Present: Mark Sampson, Shelley Goodfellow, Ralph Ballard, Rebecca Bronemann, Michelle Cloud, Brad Winder, and Kelby Iverson.

Members Excused: Paul Farthing

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:

1. Discussion on Title 10 Chapter 39 regarding subdivisions

Gary Cupp explained that Senate Bill 174 requires new subdivision review and approval standards. The proposed land use code amendment streamlines the process and consists of the preliminary and final plat reviews. The construction drawings will be submitted with the preliminary plat, and the City Council will not be the land use authority. Staff is proposing that the Planning Commission be the land use authority. Dayton Hall explained that the legislature was concerned that City Councils could be politically driven to make decisions regarding subdivisions. Mr. Cupp reported that there is no review cycle time limit. However, the city must complete its review within twenty days. He noted that there can be up to four review cycles per the new standards. Mr. Hall reported that the city cannot add additional comments after the first review.

2. Discussion on Title 10 Chapter 32 regarding water use efficiency standards.

Dayton Hall explained that the water efficiency standard adopted by the City Council does not meet the standard for residents to qualify for the rebate program. The updated ordinance meets the water efficiency standard. Mr. Hall reviewed the changes made to the existing standards.

3. Discussion on residential hosting standards and short-term rentals in commercial zones

Gary Cupp reported that licenses for whole home vacation rentals in residential areas will no longer be issued, and the waitlist has been eliminated. This discussion pertains to extending the restrictions to short-term rentals in commercial zones to increase affordable housing. Shelley Goodfellow understands the need to limit short-term residential rentals in commercial areas. However, property owners should have the right to decide what they want to do with their property. Dayton Hall explained that licensed residential hosting allows property owners to rent short-term ADUs. The City Council feels long-term rentals will increase affordable housing. Rebecca Bronemann agrees with Mrs. Goodfellow.

Shelley Goodfellow was excused from the meeting.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance led by Brad Winder

Prayer and/or thought by invitation given by Kelby Iverson

Declaration of any conflicts of interest

Brad Winder motioned to approve the agenda as presented. Michelle Cloud seconded the motion. Unanimous.

Public Hearings

- 1. A Zone Change Amendment request located at approximately 560 N 1380 West from R1-10, residential one unit per 10,000 square feet, to PC, planned commercial. Parcel number H-3-1-3-1142.**

Gerald Murray explained that the plan includes low-income housing on the rear end of the property with commercial use on the front of the property.

Mary Helm owns commercial property to the west of this parcel. She is not opposed to the zone change. However, she is being denied access, and she asked where the applicant's access will be located.

- 2. A Zone Change Amendment request located along Future Sand Hollow East Road and Flora Tech Road from RM-3, multifamily 15 units per acre; R1-6, single family residential one unit per 6,000 sq ft; R1-15, single family residential one unit per 15,000 sq ft; OS, open space, and HC, highway commercial to RM-3, multifamily 15 units per acre and PC, planned commercial. Parcels H-4-2-1-1112-GS1, H-4-2-1-11112-GS1, H-4-2-1-1103-GS1, H-4-2-1-1109-GS2, H-3-2-6-1410-GS1.**

No comments

- 3. A Zone Change Amendment request located at 2860 W 200 North to amend the existing Canyons RV Planned Development Overlay to approve a density bonus. Parcel number H-3-1-32-4409.**

Dean Harrington lives in Sky Ridge. This trailer park and traffic will devalue the homes in Sky Ridge.

Susan Eartman lives in Sky Ridge. She is also opposed to the zone change. This development will decrease her home value, and the only access to the development is through Sky Ridge.

Cynthia lives in Sky Ridge. She reiterated the previous comments. The homeowners in the area paid a premium for their views. Trailer homes will be an unsightly view.

Pamela Zimbolocity lives in Canyons. She asked if there is a guarantee that moving the rocks will not damage the homes below.

Caroline Robinson lives in Canyons. She asked for clarification on the density bonus. Mark Sampson explained the intent of a density bonus.

- 4. A Zone Change Amendment request located at 119 S 700 West from RM-2, multifamily 10 units per acre, to GC, general commercial, to allow for a short-term rental unit. Parcel number H-266-J-1.**

No comments

- 5. A Land Use Amendment request to Title 10, Chapter 32 regarding water use efficiency standards.**

An attendee asked for clarification of the proposed update. Mark Sampson reviewed the proposed amendment.

- 6. A Land Use Amendment request to Title 10, Chapter 39 regarding subdivisions.**

No comments

Kelby Iverson was excused from the meeting.

NEW BUSINESS

- 1. ZC23-26 PSP23-39: Discussion and consideration of a possible approval of a Zone Change Amendment request located at 560 N 1380 W from R1-10, single family residential one unit per 10,000 sq ft to PC, planned commercial. Parcel H-3-1-33-4882. Roger and Leslie Coleman Applicant. Gerald Muray, Agent.**

Michelle Cloud feels this affirmatively answers the four-zone change criteria. Gary Cupp explained that private access will be eliminated, and public access will come from the Master Planned Roadway. Fred Resch III shared that there is public access to the north and south of the property.

Rebecca Bronemann motioned a recommendation of approval of ZC23-26 and PSP23-39 subject to staff and JUC comments acknowledging that the access from 600 North will need to be removed. Michelle Cloud seconded the motion. Unanimous.

Shelley Goodfellow rejoined the meeting at 6:30 p.m.

- 2. ZC23-23 PSP23-40: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located along Future Sand Hollow East Road and Flora Tech Road from RM-3, multifamily 15 units per acre; R1-6, single family residential one unit per 6,000 sq ft; R1-15, single family residential one unit per 15,000 sq ft; OS, open space, and HC, highway commercial to RM-3, multifamily 15 units per acre and PC, planned commercial. Parcels H-4-2-1-1112-GS1, H-4-2-1-1112-GS1, H-4-2-1-1103-GS1, H-4-2-1-1109-GS2, H-3-2-6-1410-GS1. Western Mortgage and Realty Co, Applicant. Karl Rasmussen, Agent.**

Karl Rasmussen requested to table the item. He reviewed the map, current construction, the roadway, and services in the PID area. He asked for the Planning Commission's input on the planned commercial area. Michelle Cloud asked how many RM-3 units would be eliminated. Fred Resch III shared that 195 RM-3 units will be removed.

Ralph Ballard motioned to table ZC23-23 and PSP23-40. Rebecca Bronemann seconded the motion. Unanimous.

- 3. ZC23-28 PSP23-32: Discussion and consideration on a recommendation to the City Council on a Zone Change Amendment request to amend the existing Canyons RV Planned Development Overlay to approve a density bonus and approve the preliminary site plan for Ridge Crest, a 53 lot manufactured home subdivision located at 2860 W 200 N. VE Management and Investments Co, Applicant. Brandee Walker, Agent**

Jovi Venuti reported that the property owner is working on 100 North access. He noted that the neighboring property does not back up to this property and explained that this is the Canyons RV PDO, not the Canyons RV Park. The lots in this subdivision are larger than the Canyons RV Park's. The homes are stick-frame modular homes, and he does not think this will decrease the property values in Sky Ridge. Dayton Hall explained that the applicant is seeking a density bonus. The applicant is proposing additional open space in exchange for three additional units.

Rebecca Bronemann motioned a recommendation of approval of ZC23-28 and PSP23-32 subject to staff and JUC comments and based on the findings that the open space is adequate for the density bonus. Brad Winder seconded the motion. Unanimous.

- 4. ZC23-25: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 119 S 700 W from RM-2, multifamily 10 units per acre, to GC, General Commercial. Parcel H-266-J-1. Oliver and Rebekah Radtke, Applicant**

Oliver Radtke and his wife purchased the duplex two years ago. The units are currently long-term rentals. They are seeking a zone change to allow for short-term rentals. Mr. Radtke reviewed staff comments and his responses. He provided a map showing the location of commercial businesses in the area, noting that the proposed zone change is harmonious with the current development. He explained that the unit has a three-car garage and a wide driveway, noting that this should satisfy the parking requirements. Shelley Goodfellow feels this meets the four-zone change criteria. However, she is concerned about the precedent this will set. Michelle Cloud does not think this meets the zone change criteria. She acknowledges that the property is between two commercial units. Fred Resch III shared that no documentation shows the properties are zoned commercial. Rebecca Broneman noted the business surrounding this property and acknowledged the heavy traffic on 700 West. She is not opposed to changing the zoning to allow a vacation rental. Ralph Ballard feels this property better fits commercial zoning. He expressed concern regarding access off of 700 West. Mrs. Goodfellow asked if the property could be changed to allow access to 150 South. Mr. Resch III needs to review the standard to determine that. Gary Cupp noted that the business license will not be approved without adequate parking.

Shelley Goodfellow motioned a recommendation of approval of ZC23-25 because it is consistent with the objective and policies of the General Plan, is harmonious with the overall character of the development in the vicinity, will not adversely affect the adjacent properties, and has adequate services. Rebecca Bronemann seconded the motion. Michelle Cloud, Shelley Goodfellow, Rebecca Broneman, Ralph Ballard, Kelby Iverson, and Mark Sampson – aye. Brad Winder – nay. Motion carries.

5. LUCA23-11: Discussion and consideration of a possible recommendation to the City Council on a Land Use Code Amendment to Title 10, Chapter 32 of the City Code pertaining to water use efficiency standards. Hurricane City Applicant.

Shelley Goodfellow asked if the square feet water feature standard could be increased to seventy-five feet. Dayton Hall reported that the Washington County Water Conservancy District water feature standard is twenty-five square feet. If the city deviates from the standard, residents cannot qualify for the rebate program.

Michelle Cloud motioned a recommendation of approval of LUCA23-11. Brad Winder seconded the motion. Rebecca Bronemann, Mark Sampson, Michelle Cloud, Brad Winder, and Kelby Iverson – aye. Ralph Ballard and Shelly Goodfellow – nay. Motion carries.

Shelley Goodfellow feels the restrictions are too broad. Noting that pool restrictions are more important than water feature restrictions. Ralph Ballard agrees.

6. LUCA23-12: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 39 regarding subdivisions

Ralph Ballard motioned a recommendation of LUCA23-12. Shelley Goodfellow seconded the motion. Roll call vote. Unanimous.

7. PP23-26: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Sand Hollow Mesa Neighborhood Six, a 623 lot residential subdivision located north of 3900 S and between 2100 W and 2400 W. Thane Smith-Romney Group, Applicant. Karl Rasmussen, Agent.

Karl Rasmussen reported that the applicant has requested to table the item while they work through utility issues. He provided a summary of the Sand Hollow Mesa Master Planned subdivision. This plat pertains to the sixth neighborhood.

Rebecca Bronemann motioned to table PP23-26. Kelby Iverson seconded the motion. Unanimous.

8. PP23-27: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Horseman's Edge & Hurricane Cliffs Industrial, a six lot residential

subdivision and 23 lot industrial subdivision located at 3155 S 1100 W. Scott Stratton, Applicant. Karl Rasmussen, Agent.

Fred Resch III reviewed the history and rezoning of the project. Scott Stratton reported that residential and industrial are included on the preliminary plat. Phase 3 is undetermined.

Michelle Cloud motioned a recommendation of approval of PP23-27, subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

9. PP23-28: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Hurricane Heights Townhomes Phase 5, a two-lot townhome subdivision located at 475 N 500 W. HH5, LLC, Applicant. Bret Peterson, Agent.

Bret Peterson reported this is the last phase of the Hurricane Heights Townhomes subdivision. The retention was moved, and the applicant is requesting an additional duplex.

Shelley Goodfellow motioned a recommendation of approval of PP23-28. Michelle Cloud seconded the motion. Unanimous.

10. FSP23-60: Discussion and consideration of a possible approval of a final site plan for Mountain View Apartments, a 31-unit apartment complex, located at 60 S 925 W. Interstate Rock Products, Applicant. Chase Stratton, Agent.

Rebecca Bronemann motioned to approve FSP23-60 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

11. PSP23-41: Discussion and consideration of a possible approval of a preliminary site plan for Suites on Nine, a six-unit short-term rental complex located at 1580 W State St. Travis Barney, Applicant.

Barry Thompson reported that one unit is dedicated to onsite management.

Brad Winder motioned to approve PSP23-41 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

12. AFP23-18: Discussion and consideration of a recommendation to the City Council on an amended final plat for Dixie Springs Plat C located at 3700 W 2640 S Circle. Heather Hugie, Applicant. Rosenberg Associates, Agent.

Mike Hugie explained that they seek approval to combine two lots to build a house and an RV garage.

Shelley Goodfellow motioned a recommendation of approval of AFP23-18 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

13. FSP23-61: Discussion and consideration of a possible approval of a final site plan for Cedar Post Rentals, a four-unit short-term rental complex located at 72 W State St. Jill Hamblin, Applicant.

Jill Hamblin reported that nothing has changed from the original proposal. They are planning to build a wall to separate commercial and residential. Fred Resch III shared that they need an approved parking modification because of the shared parking.

Rebecca Bronemann motioned to approve FSP23-61 subject to staff and JUC conditional upon an approved agreement between the applicant and adjacent business to share parking and approval of the parking modification. Ralph Ballard seconded the motion.

14. 2022-PP-29: Discussion and consideration of a possible approval of an extension of the preliminary plat approval for Hurricane Heights Hobby Garages, a 33 lot hobby garages development located at 400 N 700 W. Max Stokes, Applicant. Brandee Walker, Agent.

Kelby Iverson motioned to approve the extension for 2022-PP-29. Brad Winder seconded the motion. Unanimous.

15. FSP23-63: Discussion and consideration of a possible approval of a final site plan for Forsyth Triplex, a three-unit apartment building located at 163 N Main St. Zachary Forsyth Applicant.

Shelley Goodfellow motioned to approve FSP23-63 subject to staff and JUC comments. Michelle Cloud seconded the motion. Unanimous.

16. FSP23-64: Discussion and consideration of a possible approval of a final site plan for Foryth duplex, a duplex located at 383 N Main St. Zachary Forsyth, Applicant.

Zack Forsyth explained that he intends to remove the home on the property to build a duplex. An orchard will be on the back of the property to avoid planting trees in the utility easement. He has a prescriptive easement of use along 390 North. He also has adequate property for the driveways and garages. Ralph Ballard expressed concern about the location of the fire hydrant. Mr. Forsyth stated that the fire hydrant will be moved to the south.

Kelby Iverson motioned to approve FSP23-64 subject to staff and JUC comments. Ralph Ballard seconded the motion. Unanimous.

17. CUP23-20: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 507 N 3650 W. Quay Stratton, Applicant.

Ralph Ballard motioned to approve CUP23-20 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

18. Consideration and possible approval of the 2024 meeting schedule

Rebecca Bronemann motioned to approve the 2024 meeting schedule as presented. Michelle Cloud seconded the motion. Unanimous.

Approval of Minutes:

1. October 26th, 2023

Michelle Cloud motioned to approve the October 26, 2023, minutes. Rebecca Bronemann seconded the motion. Unanimous.

2. November 9, 2023

As presented, Michelle Cloud motioned to approve the November 9, 2023, minutes. Rebecca Bronemann seconded the motion. Unanimous.

Rebecca Bronemann motioned to adjourn the meeting. Michelle Cloud seconded the motion. Unanimous.

Adjournment at 8:29 p.m.