

**Hurricane Planning Commission
Meeting Minutes**

April 14, 2022

MINUTES

Call to Order - 6:00 P.M.

ON APRIL 14, 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: Phil Young

Prayer: Laurie Scholzen

Ralph Ballard motioned to approve the agenda. Mark Sampson seconded the motion. Unanimous.

Members Present:

Dayton Hall, Mark Sampson, Shelly Goodfellow, Ralph Ballard, and Rebecca Bronemann.

Members Excused:

Michelle Cloud, Penny James-Garcia, and Paul Farthing

Staff Present:

Planning Director Stephen Nelson, Assistant Planner Fred Resch, Planning Technician Brienna Spencer, and City Engineer Representative Darrin LeFevre

Public Hearings

1. **A Zone Change Amendment request located at approx.. 1250 South and 1150 West from RA-1, residential agriculture one unit per acre, to PF, public facility for a power substation. Parcel number H-3-2-3-3319**

No comment

2. **A Zone Change Amendment request located at approx.. 27 North 2800 West from R1- 8, residential one unit per 8,000 square feet, to HC, highway commercial. Parcel number H-3-1-32-440112.**

No Comment

3. **A Zone Change Amendment request on a portion of 5584 West 720 South from M-1,**

light industrial, to HC, highway commercial, to match the adjacent property to allow an RV park. Parcel number H-QCIP-3-16.

Christina Young represents two businesses that bought lots 18A, 18B, and 19. They own an excavating company, and they will be running trucks through there. They are concerned because there are already noise complaints from one RV park near them. They are against the change from industrial because their work will interfere with the peace if there are more RV parks.

Phil Young asked if there is any limitation or cap on RV property in Hurricane city limits? The commissioners reported no limitation, but they are tracking it.

- 4. A Zone Change Amendment request located at 208 South Main Street from R1-10, residential one unit per 10,000 square feet, to GC, general commercial, for the property to be used as a vacation rental or a commercial retail or restaurant space. Parcel number H-55.**

Carey Bowdel lives on this street. There are very few residential houses on this street already. Approving commercial right here would be pulling it into residential. Why are we pulling commercial into residential zones? There are already multiple Airbnb in the area. She is entirely against this; she would like to stay as residential as possible.

Michelle Peterson stated that her family is devastated to know that the historic home across the street is turning into a commercial property. They lived in Washington City for thirteen years, and the area turned into a vacation destination. They sold their home and bought a historical house in Hurricane City. They were assured that Hurricane City had restriction limits on the number of Airbnb's. She read her statement to the public. It is attached to the end of these minutes.

JoAnne Stirling asked why Hurricane City cannot designate land for nightly rentals and keep them out of our residential areas? We want to protect our neighborhoods. Developers are not going to live in the nightly rentals, but they are taking the residential land and turning it into a nightly commercial rental.

Brad Tanner agrees that there should be designated areas for nightly rentals and trailer parks. The streets are crowded with cars parked for the nightly rentals. There is graffiti in the neighborhood, and we don't want this. Keep the zoning the way it is and stop worrying about the builders who don't live in our city.

Tory Pickering lives in the house behind this. She pointed out the historical value of this home. There are families surrounding this area, and it scares her to have this become commercial. She will not be able to let her children out to play outside safely.

Troy Gubler shared that he has continually watched residential property turn into commercial. He submitted a comment via email. It is attached to the end of these minutes.

Written comments were submitted and are attached at the end of these minutes.

Clelin Tanner spoke on item number 10, which was up for a public hearing two weeks ago. The number of trailer parks and multiple shared wall dwellings is out of control. When something is zoned single-family and a developer purchases it, that is their business risk. The city has no obligation to maximize the profits of developers.

Rebecca Bronemann motioned to close the public hearing. Ralph Ballard seconded the motion. Unanimous.

Planning Commission Items:

- 1. 2022-ZC-11: Discussion and consideration of a recommendation of approval of a Zone Change Amendment request located at approx.. 1250 South and 1150 West from RA-1, residential one unit per acre, to PF, public facility for a power substation. Parcel number H-3-2-3-3319. Hurricane City Power Applicant. Jared Ross Agent**

Stephen Nelson stated that the property is in an agriculture protection area. Once this happens, it will remove that protection overlay. Jared Ross reported that the Power Department had a piece of property to the south of this property. Due to the need for power in the Hurricane Valley area, they have to acquire more land to build a larger substation. Public Works had a question about access to the property. Mr. Ross reported that they have acquired the easement with access right from 1300 south, and they will develop the service road. Shelly Goodfellow asked if this substation would serve power to 3000 south. Mr. Ross reported that Rocky Mountain Power has access to this line to supply power to Apple Valley. They have been given a 2-year notice to vacate the line. When they vacate the line, the power department will reconductor the line to 69 kV voltage. The power from the substation will mainly serve the capacity to the south.

Mark Sampson motioned a recommendation of approval of 2022-ZC-11 subject to JUC comments. Rebecca Bronemann seconded the motion. Unanimous

- 2. 2022-ZC-12: Discussion and consideration of a recommendation of approval of a Zone Change Amendment request located at approx.. 27 North 2800 West from R1-8, residential one unit per 8,000 square feet, to HC, highway commercial. Parcel number H-3-1-32-440112. Swiss Seven LLC Applicant. Kent Frei Agent**

Matt Lou with American Lag Consulting is representing the agent. They think this is a suitable location for commercial use, especially with the future expansion of 2800 west. He believes this matches the general plan regarding use and location. Mark Sampson asked if 100 north could handle the commercial traffic, and Mr. Nelson stated it was. Rebecca Bronemann asked if they had an idea of what they plan to put here. Mr. Lou reported that they do not have a specific plan, but they will make sure the use is compatible. Mr. Nelson noted that if this is approved, the zoning map will be updated to reflect the decision of the City Council.

Shelley Goodfellow motioned a recommendation of approval 2022-ZC-12. Ralph Ballard seconded the motion. Unanimous

- 3. 2022-ZC-13 2022-PSP-12: Discussion and consideration of a recommendation of approval of A Zone Change Amendment request on a portion of 5584 West 720 South from M-1, light industrial, to HC, highway commercial, to match the adjacent property to allow an RV park. Discussion and consideration of a preliminary site plan approval for Fairgrounds RV Park on the remainder of the property. Parcel number H-QCIP-3-16. Dennett Construction Applicant. Civil Science-Brandee Walker Agent.**

Ralph Ballard thinks this is a good idea. He thinks the concerns about traffic and industrial mixed use are valid. However, he feels this is a good location. He believes that RV parks are the most affordable form of housing in the area. Mr. Sampson asked how many spots will be in the park, Mr. Nelson stated there is 117. Mr. Nelson reported that currently, we do not allow long-term residences within an RV park unless it is a park maintenance worker. Mrs. Bronemann asked why there are noise complaints. Mr. Nelson reported there is an RV repair shop, but most of the units are unoccupied. There is some light manufacturing that could impact the RV park.

Shelley Goodfellow motioned a recommendation of approval subject to staff and JUC comments 2022-ZC-13. Ralph Ballard seconded the motion. Unanimous

Shelly Goodfellow motioned to approve 2022-PSP-12 subject to addressing fire issue notes, the zone change approval, and comments from the staff and JUC. Mark Sampson seconded the motion. Unanimous.

- 4. 2022-ZC-14: Discussion and consideration of a recommendation of approval of a Zone Change Amendment request located at 208 South Main Street from R1-10, residential one unit per 10,000 square feet, to GC, general commercial, for the property to be used as a vacation rental or a commercial retail or restaurant space. Parcel number H-55. Jeremy and Laurie Scholzen Applicant**

Laurie Scholzen appreciates the comments about keeping this home and area historical. They would like to keep this area historical. There are vacation rentals on the street, but she doesn't know if they are legal. The master plan calls for mostly all of Main Street to be commercial, and it does set this property aside as commercial. She does not think that two bedrooms will bring in much traffic from the rental customers.

Mr. Sampson asked about the required distance between rental units. Mr. Nelson stated that the single-family zone requires three hundred feet. However, this does not apply to commercial zoned vacation rentals. There is a cap of sixty-eight short-term rentals in residential areas, and there are already sixty-eight approved short-term rentals. There is currently a discussion with the City Council to eliminate the short-term rental waitlist. If the City Council eliminates the waiting list, there likely will not be any licenses available for up to seven years. He shared that he would like to start working on a downtown master plan. The general plan also talks about preserving

historical housing within the city. There are good examples of historic homes being transformed into commercial use in St. George.

Mrs. Scholzen stated they want to maintain the historical part of Main Street. They are hopeful that if the buildings in the area are restored, it will continue with future purchases. But they only own a little piece.

Mrs. Goodfellow feels for the residents who have spoken tonight. Most of the issues are with illegal vacation rentals. The Planning Commission has spent a lot of time discussing how to revitalize the downtown area and what we can do for historical restoration. Looking at this from a city standpoint, will this come from the taxpayers or private ownership. This is private ownership, and she thinks that the proper avenue for the owners to recoup their investment. There is a clear line that north of 200 is commercial and south of 200 is residential. The downtown district is designated on the general plan.

Mrs. Bronemann thinks there is a better way to preserve our historical buildings. They don't all have to become businesses to do that. She asked the applicant what their plan is for the property because the application lists multiple possibilities. She does not want to see commercial creep into a residential zone. She doesn't think it fits. Mrs. Scholzen stated that this is zoned residential and commercial. Right now, they want to use the property for a short-term rental. What they do with the home in the future depends on what happens around the area. She noted that the bicycle shop is a prime example of a historic home used for commercial. If the zoning is not approved, they will have to apply for a vacation rental license. However, the reality of becoming a vacation rental is slim due to the wait time.

Mr. Ballard goes back and forth on keeping it residential and turning it into commercial. He appreciates the constructive comments. We have to balance the rights of a property owner that wants to do something different with the property. We need to consider whether or not we are going to invest in historical preservation. It will cost the applicant less money to bulldoze this and build something new, which is what someone else would do. The Planning Commission has discussed how to save historical areas. The parking and traffic discussed in the public hearing are valid points. He would love to see this a residential neighborhood where someone has taken the effort to preserve it. Mrs. Scholzen reported that the property has parking that is not on the street.

Mrs. Bronemann stated that we have a housing shortage and asked if they consider using it as a long-term rental until they get the short-term rental license. Mrs. Scholzen stated that the mortgage on the house is \$2200 a month, and nobody will pay \$2500 for a two-bedroom even in the best market. She doesn't think that makes sense financially.

Mr. Hall stated that it is important to default back to the general plan and criteria when something is challenging like this. The general plan says the downtown area is good for residential or commercial. The next thing to consider is whether it is harmonious with the surrounding area. The City Council decided to draw a line along 200 south separating the residential from the commercial. He is reluctant to move the commercial past that line. A downtown master plan may

provide better guidance on what we want to see in this area. He is concerned that it will be inharmonious with the residential houses around this. Regarding the historical nature, he does not know whether changing this will or will not persuade landowners to preserve it. We do not know what impact this decision will have in the future.

Mrs. Goodfellow suggested adding a conditional use code in historical areas. Mrs. Goodfellow's concern is that there is no guidance for the downtown area, but she would like to see an effort from the city to work with the Sholzens because they plan to preserve this. Mr. Nelson believes that a downtown master plan will provide more guidance, and he thinks we should create a downtown zoning overlay across the whole area. Possible ideas for zoning, uses, and conditions in the downtown area were discussed.

Mark Sampson motioned a recommendation of denial of 2022-ZC-14 due to whether or not the proposed amendment would be consistent with the downtown area. It is not harmonious with the overall character of the existing neighborhood, and it will adversely affect the adjacent properties. Rebecca Bronemann seconded the motion. Rebecca Bronemann – aye, Ralph Ballard – aye, Dayton Hall – aye, Mark Sampson – aye, Shelley Goodfellow – nay. Motion carries.

5. 2022-CUP-08: Discussion and consideration of possible approval of a conditional use permit for a building of greater height located at 917 N 300 W. Melvin Terry Applicant

Mr. Nelson reported that this is a total of twenty-six feet. The code in this zone has a permitted height of sixteen feet, and two stories are typically judged around thirty feet.

Rebecca Bronemann motioned to approve 2022-CUP-08 based on the staff findings. Mark Sampson seconded the motion. Unanimous

6. 2022-CUP-09: Discussion and consideration of an approval of a conditional use permit for a building of greater height located at 831 S 920 W. Rick and Kathy Stout Applicant.

Shelley Goodfellow motioned to approve 2022-CUP-09 based on the staff findings. Ralph Ballard seconded the motion. Unanimous

7. 2022-CUP-10: Discussion and consideration of a possible approval of a conditional use permit for a greater height wall located at 2790 S 3200 W. Thomas Gainer Applicant

Thomas Gainer stated he wants peace in his house. He has tried to work with the neighbor, but they continue to aggravate the situation. He has called the Police because of their parties. The Police told him to either close his window or sell his property and move. His only alternative is to raise the height of the wall to block the sound. Mr. Sampson asked Mr. Gainer if twenty-one inches is enough to accomplish this? Mr. Gainer stated that he is not sure. He might look into an alternative that won't require him to increase the height of the block wall. Mr. Nelson quoted

Hurricane City Code 10-37-9 regarding the height of fences and walls. Mrs. Goodfellow does not see any problem with this request. Mrs. Bronemann asked what time the parties take place? Mr. Gainer stated they typically start after lunch and go until 11-11:30 at night.

Rebecca Bronemann motioned to approve 2022-CUO-10 based on staff findings. Ralph Ballard seconded the motion. Unanimous

8. 2022-CUP-11: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 4331 S 1100 W. Derral Eves Applicant

Dave Eves shared that this is slightly taller and about six hundred square feet longer than the conditional use code. Mr. Nelson stated that one of the findings is that the exterior architecture is compatible with the surrounding structures, and the staff did not put this down in the findings.

Mark Sampson motioned to approve 2022-CUP-11 based on the findings that the building is compatible with the other structures on the lot and the other staff findings. Shelley Goodfellow seconded the motion. Unanimous

9. 2022-FSP-04: Discussion and consideration of a possible approval of a final site plan for Pecan Valley Resort located at 2320 S 5140 W. Chris Wyler Applicant. Civil Science Agent

Chris Wyler stated that he received an email from Arthur LeBaron expressing concerns about the parking and alleyways. He tried but unable not meet with staff today to address these concerns. Before submitting this application, he met with staff to have this drafted the way that the city wants. Mr. LeBaron previously stated that he was okay with this. The construction drawings are already signed, and he is frustrated that this is coming up now. Mr. Nelson stated that the preliminary plat was approved before the code was changed. It was approved subject to resolving the issues with the parking and the lot width. The new code requires engineering approval. He provided the approved construction drawings and final site plan. Engineering has concerns about the parking flowing onto 5210 west. Engineering's suggestion was to rotate the clubhouse 180 degrees and move the parking to the east. However, based on the construction drawing, the rotation could cause issues with the utilities. He does not feel comfortable making a positive approval with the concerns raised by Engineering. This proposed parking plan should have been included in the construction drawings. Mr. Hall stated that this comes down to the code, which requires engineering approval, and we do not have that. Mrs. Goodfellow asked if this change would have the same parking issues? Mr. Nelson reported that the concern is not necessarily about the parking. It is about people backing out onto the larger street. The roadway is very limited.

Mark Sampson motioned to continue 2022-FSP-04. Rebecca Bronemann seconded the motion. Unanimous.

10. 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.

Matt Lou representing Kent Frei, stated they have come back with a plan reflecting the Commission's discussion. Mr. Hall reported that the previous plan had attached housing. The Planning Commission asked for a correction to qualify this as single-family housing. Mr. Nelson stated that this new plan brings them down to the density of the underlying zone, which means they will not need a density bonus. Mrs. Goodfellow likes the development as long as it meets the sensitive land requirements. Mr. Hall stated that for the Commission's purpose, "patio homes" is detached units with no common wall, which is the basis for considering the application. He asked Mr. Nelson if there was a requirement to have a park. Mr. Nelson reported that it is only required with a density bonus which they are not asking for. They only have to ensure that it meets drainage facilities and can be maintained. Mrs. Bronemann stated that the Planning Commission's job is to make the best decisions for the community. Our essential workers can get jobs here, but they cannot afford a house here, so they move away. We need affordable housing.

Rebecca Bronemann motioned a recommendation of approval of 2022-ZC-10 subject to staff and JUC comment. Shelley Goodfellow seconded the motion. 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 three-lot single family subdivision located at 1150 S Angell Heights Dr. and sensitive lands updated application for Hideaway Ridge Phase 1 and 2. Tim & Kris Eden and Todd Trane-Millhaven Development Applicant Todd Trane-Millhaven Development Agent.

Mr. Hall reported that this request for an exception to the hillside ordinance was discussed in the previous meeting. The Planning Commission asked for an additional review and an engineering letter, and they have provided those documents. Mr. Nelson reported that the grading for sensitive lands will still need to be signed off in the construction drawings. This allows them to get the exception, but they will still have to meet design criteria. The cul-de-sac standard is 650 feet, this is 750 feet. The fire district has signed off on it, but it needs a recommendation of approval from the Planning Commission to go to the City Council. Mrs. Goodfellow abstained because her husband is bidding on this job.

Dayton Hall motioned a recommendation of approval of 2022-PP-06 and 2022-HIL-03 subject to staff and JUC comment, together with the recommendations that the exception of the hillside ordinance be granted based upon sound engineer principles and the letters and materials provided by engineers and soils engineers. We also recommend that an exception to the cul-de-sac length be granted as indicated on the preliminary plat based on the approval of the Hurricane Valley Fire District and based on the fact that the typography and the limits on the surrounding properties make this a good area to grant that exception. Ralph Ballard seconded the motion. Rebecca Bronemann, Ralph Ballard, Dayton Hall, Mark Sampson – aye, Shelley Goodfellow – abstained. Motion carried

12. 2022-PP-07: Discussion and consideration of a recommendation of approval of a preliminary plat for Desert Bloom, a 576-lot subdivision, located at 600 S and 3500 W. DR Horton (Don Beam) Applicant. Adam Allen Agent

Mr. Lou reported that this project fits in the zoning and general plan. It also works with Hurricane Cities' attempt to address House Bill 34 on handling attainable or affordable housing. Many JUC requirements need to be addressed, so they are far out from pulling building permits. Mrs. Goodfellow asked if there are any block lengths over 800 feet, and Mr. Nelson stated there is. He discussed the concerns about connectivity within the development. The roadway should stub into the north, and staff would like to see the local roadway go across to allow property connectivity. Internal roads are not on the master plan roadway, but the Commission has the authority to require road connections.

Ralph Ballard motioned a recommendation of approval of 2022-PP-07 subject to staff recommendations. Mark Sampson seconded the motion. Unanimous

13. 2022-PP-09: Discussion and consideration of a recommendation of approval of a preliminary plat for Quail Creek Industrial Phase 5-8, a 63-lot industrial subdivision located at Regional Park Road and 1000 S. Dennett Construction Applicant. Civil Science-Brandee Walker Agent

Mr. Nelson stated that this was not included in the packet. Doug Dennett reported that they are continuing their industrial buildings from phase four. Mr. Nelson's only concern is the future purgatory roadway. Washington County, the Utah Department of Transportation, and Washington City are designing a cross-section for the roadway, and it will likely change the alignment of the road. When speaking with engineering, as long as the applicant is willing to work engineering through the construction drawing process, he has no issue.

Mark Sampson motioned a recommendation of approval of 2022-PP-09 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous

14. 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.

Mr. Nelson stated that the applicant requested to separate some of the units. Code allows for deviations from the setback standards with Planning Commission's recommendation. If homes are closer than ten feet, they are treated as if they are attached. Therefore, they will have to meet the fire rating requirements. The City Council was in favor of the concept. The Planning Commission recommended that they did not have to do the roadway to the south. The applicant is willing to do the roadway because he thinks it is positive for the development. Because of this

change, the owner requested a density increase. The density will still be less than what is allowed. Mr. Hall asked why the owner requested seven and a half feet between the buildings? Karl Rasmussen reported that he wants to offer a different housing type. It will be similar to a subdivision that is near the St. George airport. There will be more yard in the separated units. Mrs. Goodfellow prefers the lack of connectivity to the south because it reduces density. Mr. Rasmussen stated that they would have sewer drainage issues without it.

Mark Sampson motioned a recommendation of approval of 2022-ZC-09 subject to staff and JUC comments and including the deviation of the side and front yard setbacks. Rebecca Bronemann seconded the motion. Rebecca Bronemann, Ralph Ballard, Mark Sampson, Shelley Goodfellow – aye. Dayton Hall – nay. Motion carried.

15. 2022-PP-13: Discussion and consideration of a recommendation of approval of a preliminary plat for Sky Valley West, a 24-lot single family subdivision, located at 600 N and 3400 W. Frank Lindhardt/Shoshone Land Company Applicant.

Fred Resch reported that the applicant agreed to address staff comments in the construction drawing. Mr. Nelson reported that the road approved to stub into this property, makes it difficult to do a cul-de-sac. It is hard to meet up with the alignment of the road, without creating a flag.

Ralph Ballard motioned a recommendation of approval of 2022-PP-13 subject to staff comments and recommendations. Shelley Goodfellow seconded the motion. Unanimous

16. 2022-PP-14: Discussion and consideration of a recommendation of approval of a preliminary plat for Cordero Phase 2, a 40-lot subdivision, located at 2100 W 3900 S. Brant Tuttle, Northern Engineering Applicant.

Brant Tuttle stated that this complies with the current zoning and they are ready for phase two. Staff and JUC comments will be addressed during construction drawings. Mr. Nelson walked the property, and he does not think it needs a sensitive land application. The Water Department has issued a will serve letter. Staff's recommendation is approval.

Shelley Goodfellow motioned a recommendation of approval of 2022-PP-14 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous

17. 2022-PP-15: Discussion and consideration of a recommendation of approval of a preliminary plat for Horseman's Edge, a 40-lot single family subdivision, located at 3053 S 1100 W. Diamond Edge Construction Applicant. Scott Stratton Agent

Mr. Nelson stated he thinks what is being presented is what was agreed upon between the City Council and the applicant. The City Council did not want to approve this for more than half-acre zoning. The motion was that it could not exceed forty lots, and they to be on average a half-acre. Mrs. Goodfellow stated that after reading an email from Mayor Billings, she does not think this agrees with the intent of the City Council. They are still issues with the power. The cross-country road sections show no curb, gutter, or sidewalk. There is no reason for there not to be curb,

gutter, and sidewalk. Another issue is that nearly two-thirds of the lots are not a half-acre. Mr. Rasmussen stated that they will have curb, gutter, and sidewalk. Mrs. Goodfellow asked if anything had changed with the power? Mr. Nelson stated that the Power Department Superintendent is okay with moving forward to the preliminary stages. They are confident they can service the current growth in the area. Mr. Hall asked what the Planning Commission's recommendation was on the zone change. Mr. Nelson stated that it was a denial. Mr. Rasmussen reported that the meeting with the City Council was to reduce this from forty-seven lots to forty. Technically there is not a density bonus. Mr. Ballard has talked with power department employees, who are concerned about the infrastructure. We need to be careful about what we say we can provide. Mrs. Goodfellow asked why there was power for the townhomes that were just approved but not for this. Mr. Nelson stated that the power department already had the power for the townhomes listed in their capacity. Mr. Sampson asked about the trail on BLM. Mr. Nelson stated that they have given a tentative yes to allow a trail to the equestrian park.

Mr. Hall asked if there was a development agreement attached to RA.5 zone change? Are we just talking about the discussion leading up to zone change approval? Mr. Nelson recapped the prior requests that led up to this discussion. Mrs. Goodfellow reported that the mayor's emails stated that horse stalls would be on fifteen short-term rental lots with enough area to pull in a horse trailer and truck. Mrs. Goodfellow does not believe that is possible with the size of the lots.

Shelley Goodfellow motioned a recommendation of denial of 2022-PP-15 based on the lots being too small for the intended use that was discussed in the previous City Council meeting, according to Mayor Billings's email. Mark Sampson seconded the motion.

Mr. Ballard asked if the City Council requested horse stalls and parking on the short-term rental lots? Mr. Rasmussen stated that is correct. He reported that they can make that happen. Mrs. Goodfellow feels like this is a backdoor to get the density they want.

Shelley Goodfellow amended her motion to send a recommendation of denial of 2022-PP-15 based on the lots being too small for the intended use of what was discussed with the City Council. Mark Sampson seconded the motion. Rebecca Bronemann – nay, Ralph Ballard – nay, Dayton Hall – aye, Mark Sampson – aye, Shelley Goodfellow – aye. Motion carries

18. 2022-PSP-13: Discussion and consideration of an approval of a preliminary site plan for Sunnie LLC, a residential four-plex located at 217 W 100 S. Sunnie LLC Applicant. Scott Stratton Agent.

Mr. Nelson stated that the applicant is concerned about locking himself into long-term rentals. He has not applied for a conditional use permit. Mr. Nelson is not sure if the conditional use permit would do that. The applicant has filed a preliminary site plan. The preliminary site plan does not give the applicant any vesting. Mr. Nelson recommended that approval be based on an approved conditional use permit. He went over the conditions listed in Subsection K of the General Commercial code. The applicant would be limited to three units due to the lot size. Mr. Nelson recommended continuing the item until the applicant's intent is clarified. The Planning Commission discussed that the applicant's previous request was for long-term rentals on this

property. The code was adjusted to allow him to do that. The applicant needs to decide which way he wants to go.

Dayton Hall motioned to approve 2022-PSP-13 subject to staff and JUC comments on the condition that it is long-term and that a conditional use permit for long-term rentals is approved before any further development occurs. Along with the condition that it is reduced to three units. Shelley Goodfellow seconded the motion. Unanimous.

19. 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 with Desert Edge Architecture reported that they were trying to get approval for the heights restructuring in the code. The Planning Commission wanted to add a site triangle restriction. The verbiage within the code has been revised. Mr. Nelson went over the proposed changes. The applicant's current building standard meets the proposed code change conditions. However, the applicant still needs to apply for a conditional use permit. Mr. Hall stated that this will substantially change the maximum height in the highway commercial zone.

Shelley Goodfellow motioned a recommendation of approval of 2022-LUCA-04. Rebecca Bronemann seconded the motion. Unanimous

Planning Commission Business:

1. City Council Recap

The City Council approved the change to the short-term rental for administrative enforcement. They did discuss removing the three units per one thousand residents within single-family zones requirement. However, that was tabled for a later discussion. They continued the planned commercial zoning item. The Dr. Horton zone change was approved. The property out south was denied because of the lack of adequate facilities. The preliminary plat for Sky View was approved. The Loveless zone change application was approved. The PDO for the Bench Lake Townhomes was sent back to the Planning Commission. The zone change application for 2840 west 1080 south was continued. Seville Lot A1 AB amended final plat was approved. Pecan Valley was continued. The consideration for the roadway dedication for the Stout family might come back to the Planning Commission. The ADU ordinance was continued until the next meeting.

2. Growth Workshop Recap

Staff has not had enough time to compile all notes from the meeting.

3. Site Plan Design

No feedback from engineering firms, so there is nothing to present.

Dayton Hall announced that he has accepted the Hurricane City Attorney position, and he is starting at the end of the month. He is resigning from the Planning Commission effective at the end of this meeting.

Approval of Minutes:

March 24, 2021

Page 1, line 14 bylaws not “bystandards”

Rebecca Bronemann motioned to approve the minutes as amended. Ralph Ballard seconded the motion. Unanimous

Adjournment