



HURRICANE CITY UTAH

Mayor

Nanette Billings

City Manager

Kaden DeMille

City Council

*David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete*

Hurricane City Council Meeting Agenda

December 19, 2024

5:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. [Meeting Link on Webex](#) Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation. **THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.**

5:00 p.m. Pre-meeting

1. Agenda Summary

6:00 p.m. - Call to Order

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for November 21, 2024 and December 5, 2024

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 12:00 p.m. the Tuesday one week before the Council meeting.

OLD BUSINESS

1. Discussion regarding the **Park, Recreation, and Trail Impact Fee**

NEW BUSINESS

1. Consideration and possible approval of the **amended Capital Improvement Plan** for the Hurricane City Airport - Mike Vercimak

2. Consideration and possible approval of an **extension to the Peach Pit Development Agreement** - Danielle Stirling
3. Consideration and possible approval of the **location of new pickleball courts** - Tiffani Wright/Darren Barney
4. Discussion and consideration of LUCA24-09 a **Land Use Code Amendment to Title 10, Chapters 11 and 25** to establish an airport overlay zone. Hurricane City, Applicant.
5. Discussion and consideration of ZC24-13 PSP24-38 a **Zone Change Amendment** request and preliminary site plan approval located approximately at the southeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-8, single-family residential one unit per 8,000 square feet. Parcel numbers H-4-2-12-1208-GS1 and H-4-2-12-1209-GS1. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.
6. Discussion and consideration of ZC24-14 PSP24-35 a **Zone Change Amendment** request and preliminary site plan approval approximately located at the northeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-6, residential one unit per 6,000 square feet. Parcel numbers H-4-2-1-1112-GS1, H-3-2-6-340, and H-4-2-1-11112-GS1. Western Mortgage and realty Co -Tim Tippet, Applicant. Karl Rasmussen, Agent.
7. Discussion and consideration of ZC24-15 a **Zone Change Amendment** request located at approximately 2600 W 100 N from HC, highway commercial, to RM-3, multifamily 15 units per acre and at approximately 2800 W 100 N from MH/RV, mobile home/RV, and R1-8, residential one unit per 8,000 square feet, to GC, general commercial. Parcel numbers H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, H-3-1-32-440112 and H-3-1-32-312 and a portion of parcel numbers H-3-1-32-314 and H-3-1-32-41011. Western Commercial Real Estate, PLLC, Applicant. Joby Venuti, Agent.
8. Consideration and possible approval of the **renewal of all liquor licenses** - Cindy Beteag
9. Consideration and possible approval of the **2025 Annual Meeting schedule** - Cindy Beteag
10. Discussion and possible decision **regarding policy 704** Holiday Leave - Kaden DeMille
11. Mayor, Council, and staff reports
12. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Adjournment

I hereby certify that the above notice was posted to the city website, (www.cityofhurricane.com) posted to the state public notice website, and at the following locations:

1. City office – 147 North 870 West, Hurricane, UT
2. The Post Office – 1075 West 100 North, Hurricane, UT
3. The library – 36 South 300 West, Hurricane, UT

_____ for the City Recorder

Agenda Summary for Hurricane City Council December 19, 2024

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Minutes of the Regular City Meeting for November 21, 2024, and December 5, 2024

Old Business

1. On November 21, 2024, the Council discussed the Parks, Trails, and Recreation Impact Fee Facility Plan and ordinance. The Plan was adopted in May, and the ordinance charging only 50% of the recommended amount needed to cover the planned improvements was adopted in June. The amount of the impact fee is based on the number of Equivalent Residential Connections (ERCs) for the new development. To calculate the number of ERCs (and therefore the impact fee), the impact fee plan utilizes the size of the water meter provided for the proposed development because the water meter size is designed to match the number of ERCs. The impact fee as adopted applies to residential, commercial, and industrial developments.

Following the discussion by the Council on November 21st, the Council directed staff to bring Civil Science, the engineering firm that created the impact fee plan and analysis, back to the Council to discuss the rationale for charging commercial developments the Parks, Trails, and Recreational Impact Fee. Civil Science responded and indicated that it had fulfilled its scope of work under the contract, so it would not come back to Council without a change to the contract. However, Civil Science did provide an email response to the City's questions. This is the response from Cody Howick with Civil Science:

1. Based on legal framework and my understanding a city in Utah can charge a parks and recreation impact fee based on residential and commercial development, but have to adhere to Utah Code Title 11, Chapter 36a.
2. While residential development is the primary user of parks and recreation services, some cities have argued that commercial developments indirectly create demand, for example:
 - Employees of commercial developments may use nearby parks,
 - Parks and recreation spaces may enhance the overall appeal and functionality of commercial areas.
3. This is the case with a lot of southern Utah communities and thus where a commercial impact fee may be charged. It's a mixed bag with nearby communities where a tourist small town like Kanab charges commercial impact fees, but Washington City doesn't.
4. Our study does not address the exact amount or the method of charging impact fees, but rather indicates the "maximum allowable" impact fee the

City is allowed to charge – our team with city staff determined it was best to charge per ERC to keep consistency with other impact fee studies.

5. I understand that commercial developers may challenge these fees if the connection between their development and the demand for parks isn't demonstrated – and an adjustment to the fee may be charged due to unusual circumstances, state facilities, school districts, etc.
6. One big question I have is why do they need a 2" meter? The impact fees for water will be extremely high with the City and WCWCD.

To help facilitate the discussion, here are three options for the Council regarding the impact fee:

1. Leave the impact fee and method of calculation as currently adopted.
2. Amend the impact fee ordinance, not charge it to commercial developers, but increase the fee on residential housing to offset the reduction in fees collected. The construction of City recreational facilities is already underway, with more planned. Specifically, the contract for the 4-court gym has been awarded and construction has started, and there are plans to upgrade the City pool. There is also a discussion about pickleball court improvements. To meet the financial obligations of these ongoing and planned projects, City administration has assumed that the currently-adopted impact fee will remain in effect. If fewer impact fees are collected by waiving the fee for commercial development, that reduction will need to be offset by an increase in other areas to maintain the same funding ability. The percentage increase in the residential impact fee is currently being calculated, and we hope to have it ready by the Thursday meeting.
3. Amend the Impact Fee Plan to change the method of calculating the commercial fee. The square footage of building space would be a likely method to avoid the problem with developers being charged a higher fee when they choose to oversize a water meter. This option will require hiring a consultant to revise the Plan to use a new method of calculation for commercial development.

City staff requests direction from the Council on how it wants to move forward. Option 2 will require public notice and a public hearing, but there is time to have an ordinance change on the January 2nd agenda. Option 3 will require hiring a consultant to amend the Plan, after which the ordinance can be updated. -
Dayton Hall

New Business

1. The amended CIP that is in the packet reflects a couple of changes from our last CIP document. The lighting project was taken off the CIP and the dates have been updated to reflect the removal of the lighting project and the delay in the AWOS project. The only new item added is the update to our ALP (Airport layout plan). The FAA has asked for an updated ALP due in part to our request to install new power poles on the west side of the airport. To obtain permission to do so we had to acknowledge that the 748-foot runway extension would not be requested in the future, due to the fact that this would require the complete re-location of 1100 West. - Mike Vercimak
2. This item is being placed on the agenda at the request of the applicants, David and Danielle Stirling, they are the owners of 20 acres of currently agriculturally used property located within the Gateway to Sand Hollow PID at the newly constructed intersection of Bash Parkway and Flora Tech Road. They received a zone change in October 2020 from RA-1 to PC, Planned Commercial which was conditioned on a signed and executed development agreement. The development agreement states that, "Notwithstanding anything in this Agreement to the contrary, it is agreed by the parties hereto that in the event the final plat for the Property has not been recorded in the Office of the Washington County Recorder within five (5) years from the date of this Agreement (the "Term"), or upon the occurrence of an event of default of this Agreement that is not cured, the City shall have the right, but not the obligation, at the sole discretion of the City Council, to terminate this Agreement as to the defaulting party (*i.e.*, the Developer). The Term may be extended by mutual agreement of the Parties." This agreement was recorded on December 1st, 2020, which would mean the agreement expires on December 1st, 2025. The applicant has requested this extension because they want to continue the agricultural use of the property while retaining the right to develop under the development agreement when they are ready to. Planning and Legal staff have reviewed this request and find this acceptable and recommend approval. Attached is the development agreement as recorded with the County Recorder. - Fred Resch III, City Planner.
3. Council had a work meeting on December 5, 2024, to discuss the different options for where to put the pickleball courts. Staff were directed to see if they would fit on the grass area at the corner of 100 S. and Main and then bring it back to the Council to make a decision.
4. In 2023, the Utah State Legislature passed HB 206, establishing airport use amendments. These amendments establish land use requirements for land located within an airport influence area, which is defined as land within 5,000 feet of an airport runway. The purpose of the airport overlay zone is to prevent the creation or establishment of an airport hazard and to eliminate, remove, alter, or mitigate existing airport hazards to promote the health, safety, and general welfare of the public. The Mandate requires municipalities to adopt an Airport Overlay Zone by December 31, 2024. Accordingly, staff has updated Chapter 25 of Title 10 with the mandated requirements in order to comply with HB 206. Chapter 25 is currently entitled "Runway Protection Zone," and has been renamed "Airport Overlay Zone." Also proposed is an update to the airport zoning map to depict the 5,000-foot airport influence area. The Airport Board heard this item on November 19, 2024, and recommended approval. The

proposed land use code amendment was heard by the Planning Commission on December 12, 2024, who unanimously recommended approval. Staff recommends approval. --Gary Cupp

5. The applicant requests a zone change to add a Planned Development Overlay (PDO) to the existing R1-8 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has informed staff that their intention with the zone change application is to request more generous setbacks that could be allowed with the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp
6. The applicant has filed a zone change to add a Planned Development Overlay (PDO) to the existing Single Family Residential R1-6 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has informed staff that their intention with the zone change application is to request the more generous setbacks that could be allowed by the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp
7. The applicant requests approval of a zone change for two properties to essentially swap the residential and commercial zoning designations between two properties. The first property is located off the SR-7/SR-9 interchange north of 100 N and is currently zoned MH/RV (PDO) as part of the Canyons RV development with a portion of the property as Single Family Residential R1-8. This property is proposed to be changed to General Commercial to allow for commercial development at the interchange. The second property is located off 2600 W, located north of the Comfort Inn. This property is currently zoned Highway Commercial and is proposed to be rezoned to Multiple Family RM-3. A site plan for the RM-3 request was submitted with this application, but a preliminary site plan application was not submitted at this time. A request to rezone to Planned Commercial was denied by the City Council earlier this year. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp
8. Hurricane City Code 3-2-12 requires the City Council to review each renewal application along with a report from the Police Department and then direct the license officer to issue renewal licenses to qualified applicants. Staff has verified that all employees have completed the required training. For employees whose training could not be verified, a letter will be issued with the new license, granting the business 30 days to provide proof of training. If proof is not provided, those employees will be prohibited from selling alcohol. The list included in the packet details the number of employees for each business and indicates how many have completed the required training, as verified by staff. Two businesses had underage sale violations; however, both were first offenses. The Police Department reviewed the list of businesses and raised no concerns about renewing their licenses. - Cindy Beteag

9. Hurricane City Code 1-5-5 specifies that the City Council must meet twice a month, on the first and third Thursday. In compliance with state law, an annual meeting schedule must be posted. The attached schedule outlines the meeting dates for 2025. - Cindy Beteag
10. Mayor Billings inquired about the possibility of allowing employees to take the entire day off on Christmas Eve as a paid holiday. Current policy allows for 4 hours of paid holiday on Christmas Eve, this would allow an additional 4 hours of holiday pay for that day. Generally, Christmas Eve is a very slow day out of the year with minimal citizen interaction. - Kaden DeMille
11. Mayor, Council, and staff reports.
12. Closed Meeting upon request.

Agenda Summary for Hurricane City Council November 21, 2024

3:30 p.m. Work Meeting

Tour of Hurricane City Police Station

Discussion on precedent imagery of future public service buildings

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Minutes of the Regular City Meeting for November 7, 2024

Presentation from the HHS Black Ops Robotics Club

Old Business

1. This item was continued from the last meeting until all Council members were present.
Mayor and City Council,

As you may be aware, the 100 North Improvement project was the last project in our pipeline of future street improvement projects.

In an effort to keep the city moving forward with street improvements, Public Works convened a workshop comprised of Mayor Billings, Councilman Thomas, Arthur LeBaron, Kaden Demille, Weston Walker and myself.

During budget discussion this past spring the Council had 2 robust discussions about what roadways should be put on our 5-year plan and what priority they should have in the hierarchy of projects. The group used the list generated by those discussions along with the information received from the Public in two different polls that were taken about road projects and came up with a recommendation for the City Council.

Please find attached the list of projects the group arrived at and the priority of each project. Our analysis consisted of (1) the current condition of roads (2) result of improvements, i.e.: greater safety, connectivity, area of influence of each project, etc. (3) Right of Way acquisition required (4) relationship to other City projects, i.e.: pressurized irrigation expansion (5) engineering already done and (6) budget constraints. Our list also provided a short narrative about each project.

This list is provided as a basis for discussion, and we are hoping that the City Council will be able to reach an agreement on the project list so we may move forward with our planning.

If you have any questions, please feel free to contact me or any other member of the group.

Respectfully,
Mike Vercimak
Director of Public Works

2. This item was continued at the last meeting to give Councilman Ellerman a chance to review his requested revisions.
This item was continued on 10/3/2024 by the City Council to make further adjustments to the proposed Future Land Use Map in the General Plan. Staff has made the requested changes and is presenting an updated version of the map for this meeting. It has been discussed that a number of changes to the Future Land Use Map in the general plan be approved and adopted. The Future Land Use Map, often called a “General Plan Map”, is the guiding document for land use and zoning policy within the city. The currently proposed changes will align the map with existing zoning and development conditions in the city, and also, will reflect the city leadership’s stated policy preferences for future growth in key areas of the city.

Key Changes Proposed (updated changes in **bold**):

- Update the general plan designation for “The Fields” area from Single Family to Rural Residential.
- Update the general plan designation for the Sand Mountain area from Natural Open Space to Recreational Open Space.
- Expanded Industrial/Business designations.
- **Expanded Commercial designations along the Hwy 7 east corridor.**
- **Update portions of the Ash Creek Special Services District's property by the Hurricane treatment ponds from Agricultural to Planned Community to allow for future workforce housing.**

The Planning Commission gave a unanimous recommendation to adopt the proposed amendments.

Recommendation:

Staff recommends approval and adoption of the proposed amendments to the Future Land Use Map in the General Plan. --Gary Cupp

New Business

1. The Airport Board met on Tuesday, November 19th, and they unanimously recommended approval of this lease.

2. The Airport Board met on Tuesday, November 19th, and they unanimously recommended approval of this lease.
3. Ash Creek Special Service District is replacing the sewer line in 2050 South, which requires removal of asphalt, curb and gutter, and sidewalk. The storm drain that parallels the sewer has failed and needs to be replaced. This project will take advantage of the fact that Ash Creek will be replacing the surface improvements with their project.

11/20/2024 Update

The City received 6 bids. The bid tabulation is included as an attachment. The contractors were asked to provide bids for 3 different types of pipe so we could evaluate the pipe types and their respective costs. Since this project is in an area with highly collapsible soils we wanted to evaluate the cost of different pipe and water-tightness solutions. In the bid tabulation, there can be found 3 sheets: Base Bid, Alternate 1 and Alternate 2.

Staff preference for pipe material is PIP pipe, as it provides the best gasketed joints, particularly at inlet boxes. The bid for this pipe is Bid Alternate A. The low bidder is Trapp Construction at \$161,485.07. – Arthur LeBaron

4. On May 2, 2024, the Council unanimously approved the adoption of the Parks, Trails, and Recreation Master Plan, the Impact Fee Facility Plan, and the Impact Fee Analysis. Subsequently, on June 6, 2024, the Council voted to adopt a new impact fee for parks, trails, and recreation, setting it at 50% of the recommended amount needed to cover the planned improvements. The decision passed with one dissenting vote from Councilman Thomas. The amount of the impact fee is based on the number of Equivalent Residential Connections (ERCs) for the new development. To calculate the number of ERCs (and therefore the impact fee), the impact fee plans utilizes the size of the water meter provided to the proposed development because the water meter size is designed to match the number of ERCs. The impact fee as adopted applies to residential, commercial, and industrial developments. Mr. Stratton has requested this item be revisited to evaluate whether the fee is appropriate for nonresidential developments.
5. On June 6, 2024, the Council adopted the current Parks, Trails, and Recreation impact fee, calculated based on ERCs (Equivalent Residential Connections). This fee became effective 90 days after adoption. The ordinance includes a provision allowing the City to adjust the standard impact fee at the time it is charged. Such adjustments may be made only upon a specific written request from the individual or entity subject to the fee and must be considered by the Hurricane City Council during a regular meeting. Starbucks Restaurant has applied for a building permit and is requesting a 2" water meter. Under the current fee schedule, the Parks, Trails, and Recreation impact fee for a 2" meter is \$47,754.24. This impact fee has been paid, but Mr. Stratton has submitted a request to receive a refund of this fee, citing the limited impact this business will have

on parks, trails, and recreation. The matter is now before the Council for review and consideration.

For reference, the impact fee based on a 5/8" meter (1 ERC) would be \$4,663.50; the fee for a 3/4" meter (1.44 ERCs) would be \$6,715.44; and the fee for a 1" meter (2.56 ERCs) would be \$11,938.56. The \$47,754.24 fee for a 2" meter is based on a 2" meter serving 10.24 ERCs. It is highly unusual for a restaurant of this size to request a 2" meter.

6. The growth of short-term rentals has proliferated in the City, which has caused concerns about these uses replacing existing residential units with short-term uses, thus reducing existing housing stock in commercial zones. Concern was also voiced that these short-term vacation rentals only provide benefits or amenities for visitors and not the residents of Hurricane. After direction from the City Council, staff has prepared an ordinance update to specify that short-term rentals of ten rooms or less will not be permitted in commercial zones. This will still allow for more traditional hotel development, but will prohibit or strongly discourage the smaller-scale vacation rental developments that have proliferated in our commercial areas in the past few years. This item was heard on October 24, 2024, by the Planning Commission. The Commission was reluctant to disallow short-term rentals in commercial zones, because they felt that they may provide a needed housing option in the community, and may also be a viable incentive for revitalization of historic buildings in the downtown area. The Commission continued the item and requested that staff look into how short-term rentals might be allowed as a conditional use in commercial zones. Staff feels that the Commission's concerns are valid and their suggestions are worthy of further consideration. Staff recommends that the Commission's ideas will be better implemented under the forthcoming downtown zoning overlay that will guide development in the downtown area under the recently adopted Downtown Master Plan. At the November 14, 2024, Planning Commission meeting, staff informed the Commission that short-term rentals will be considered as a use that will be allowed under the new downtown zoning overlay that is now being developed. The Planning Commission agreed and unanimously recommended that the ordinance update, as presented, be approved by the City Council. --Gary Cupp
7. This proposed ordinance update is intended to clarify what has essentially been the City's procedure concerning development in geologic hazard zones since the City adopted the Utah Geological Survey Rockfall Hazard Map in 2014. The map is used to determine when professional reports should be required for development in possible rockfall zones. The practice of the city has been to require a site-specific geologic and geotechnical report be prepared when a development is located within an identified rockfall zone. The purpose of the report is to confirm the location of the rockfall hazard zone in relation to a project. Staff believes this process is appropriate for developments in these areas with special geological hazards; however, the ordinance does not clearly reflect the process, so it is proposed that the code be amended to clarify the requirement. The Planning Commission heard this item on November 14, 2024, and

voted 7 to 1 to recommend that the ordinance amendment be approved by the City Council. --Gary Cupp

8. The applicant is seeking a zone change from Single Family Residential R1-10 to Multiple Family RM-3 on 0.26 acres. This property is currently vacant and is located along Main St. within Downtown Hurricane. RM-3 zoning typically requires a full acre to be considered for a zone change; however, Hurricane City Code (HCC) 10-13-4 states: *“Minimum area shall not be required in downtown area as listed within the general plan map to allow for infill and redevelopment of the downtown area in order to accomplish goals within the City's general plan and supporting master plans.”* Thus, the request for RM-3 zoning on the 0.26-acre parcel is not subject to the 1-acre minimum. Due to its small size, under RM-3 zoning only three units would typically be allowed on the property and the applicant is requesting a density bonus under the affordable housing ordinance in order to be allowed four units. The Planning Commission heard this item on November 14, 2024, and voted 5 to 3 to deny the zone change, citing that the request is not harmonious with surrounding development and will therefore have an adverse impact on the community. --Gary Cupp
9. The applicant is seeking a zone change on 1015 W 250 N from Single Family Residential R1-10 to Residential Agricultural RA-0.5 for the purpose of building a metal accessory dwelling unit of larger size and height than is allowed by R1-10 zoning standards. This property is 2.01 acres and is located west of the City Office, and is surrounded by the property that is intended to be developed by the City as part of the Civic Center Master Plan. The Planning Commission heard this item on November 14, 2024, and unanimously recommended that the zone change be approved by the City Council. -- Gary Cupp
10. The applicant is seeking a zone change from Residential Agricultural RA-1 to Single Family Residential R1-15 for the purpose of building a residential subdivision. This is a long narrow property (approximately 170' by 1350') that stretches north-south between 400 S and 650 S. The property is 5 acres and under normal R1-15 development, approximately 11 lots could be expected. However, due to the narrow configuration of the property, fewer lots are more likely. Several public comments in opposition to the zone change were received at the public hearing for the November 14, 2024, Planning Commission meeting. Concerns were expressed by the Planning Commission that a development plan was not presented with the application that could show how the applicant intended to develop or subdivide the property. In the weeks prior to the meeting, staff suggested to the applicant that a conceptual development plan would be helpful for the Commission to make a recommendation. The applicant agreed and informed staff that a site plan would be provided prior to the Planning Commission meeting, but one was never received. The Planning Commission voted 7 to 1 to deny the zone change, citing that it would have an adverse impact on the community; that it would not be harmonious with surrounding development in the area; and that there is a

lack of adequate public facilities, because the site is too narrow to accommodate a roadway that would likely be required if the site were to be developed. --Gary Cupp

11. In 2013, Hurricane City reduced its business license fees from \$100 to \$50 in response to Governor Herbert's call for more business-friendly policies. However, only regular business license fees were addressed, leaving day-use permit fees unchanged, meaning day permits currently cost the same as a regular license. Presently, the City charges \$50 for a business license and \$50 per day (or \$150 for eight consecutive days) for a day permit. While we aim to maintain a supportive environment for businesses, staff recommends raising the regular business license fee back to \$100 to offset rising costs and account for the additional work involved in ensuring timely renewals.

The renewal process involves several steps:

- A renewal notice is mailed 45 days before the expiration date.
- If unpaid by the renewal date, a courtesy renewal reminder is sent (though this is not required by code).
- Thirty days after expiration, if still unpaid, a delinquent notice is issued.
- If there's no response within the next 15 days, a failure-to-renew notice is sent, and the license is closed.

Each renewal requires detailed review to confirm compliance, and if any requirement is missing, a notice is sent to the business, detailing what is needed and the timeframe to complete it. Until all requirements are fulfilled, renewals are marked as pending and checked weekly, meaning staff may review the same renewal up to eight times within this period. A comparative chart of neighboring cities' fees is included in the packet. Another issue for consideration is the current refund process for businesses that pay the renewal fee but fail to meet all renewal requirements within the allotted time. Presently, if a business submits payment but does not complete the required steps, a refund check is issued, and the business must reapply if it intends to continue operating. This practice has led to challenges, including uncashed checks, returned payments, and compliance issues. Staff proposes a code change making the renewal fee nonrefundable if the business does not fulfill all requirements. If a renewal is denied due to non-compliance, the business would have to reapply and pay the full fees again, which may encourage more timely compliance. – Cindy Beteag

12. Mayor, Council, and staff reports.
13. Closed Meeting.

Minutes of the Hurricane City Council meeting held on December 5, 2024, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 4 p.m.

Members Present: Mayor Nanette Billings and **Council Members:** David Hirschi, Kevin Thomas, Clark Fawcett, Drew Ellerman, and Joseph Prete.

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, Power Superintendent Scott Hughes, City Planner Gary Cupp, Assistant Planner Fred Resch III, Recreation Director Tiffani Wright, Parks Superintendent Darren Barney, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Finance Director Paige Chapman, and City Recorder Cindy Beteag.

AGENDA

4:00 p.m. Work Meeting

Discussion regarding recreational facilities within Hurricane City

Mayor Billings welcomed everyone and called the meeting to order. She introduced the discussion on relocating the pickleball courts. Tiffani Wright noted the current location is well-loved, but the trees are causing issues, and the public opposes removing them. She handed out a proposed plan of courts facing north and south along State Street. They love them on the property as they are used all the time. The proposed area gives the opportunity to have more now and have room for future ones. They have also included space for food truck parking. If they move them then they don't have to worry about affecting surrounding neighbors with the noise and lights. Councilman Fawcett stated if we take our property back that the car lot is using then he will want us to purchase his lot too because he won't have enough space without our property. Mayor Billings shared that she has been in communication with the owner about finding a new location.

Mayor Billings mentioned there is some funding in RAP tax. She asked if we had enough in savings to do three pickleball courts with post tension concrete and parking. Kaden DeMille stated they have allocated \$450,000 for redoing the courts where they are at, but it will cost more to move them to a different location. He thought they could safely say there is another million in RAP funding that they need to decide what they want to do with it. He stated the Council has discussed renovations on the pool, so they have saved 3.4 million to go towards that. However, the Council has also discussed covering the pool so he was thinking they could use some impact fees for that or possibly RAP tax but if this is a higher priority then they might have to switch gears. Mayor Billings stated there is limited amount of funds. She mentioned they could apply for funding from State for the property around the H.

Mr. DeMille explained that a special fund has been set aside for pool renovations, with contributions made over several years. However, the current impact fees are allocated for the four-court gym, leaving a \$5 million shortfall to cover the pool project. He asked the Council's opinion on using impact fees to make bond payments. Councilman Fawcett added that they

could also use RAP tax for payment. Councilman Hirschi asked about seeking contributions from the County or School District, given their past support and their use of the pool for the swim team. Mr. DeMille acknowledged this as a possibility and noted he plans to approach them for funding assistance. The Council will also need to finalize pricing details for family passes, including resident and non-resident rates and benefits once the four-court gym and pool are completed. Mayor Billings proposed using the available funds to build six pickleball courts now and focusing on land acquisition later. She also suggested relocating the pump track to the site of the current pickleball courts. Councilman Fawcett pointed out the parking for the new courts would also be additional costs. Mr. DeMille is working with the consultants to hopefully have construction drawings done by next August for the pool so it can be built in the off season. Mrs. Wright stated the pool is undersized for our needs. Councilman Thomas stated he has a hard time tearing out a pool that works and functions just to add more lanes. He added that regarding the pickleball courts if the trees are the worry, then why move them over where there are no trees. He stated this is prime real estate that should be used for the downtown district, and he thinks this is a horrible location for pickle ball courts and he thinks the players would hate it too.

Councilman Hirschi explained citizens want this area to be open green space that they can use for recreation. They don't want commercial there. This is a hub that can host many things. This is a gathering place as opposed to high density commercial. So many people use it. Councilman Prete suggested moving the pickleball court east of the soccer field by the Fine Arts Building. Mrs. Wright pointed out people want the trees to stay for other reasons not for the pickleball courts. Councilman Prete stated they could put six new ones in the area he mentioned and then redo the existing ones with only four courts instead of six so they could be away from the trees. Mrs. Wright explained they wanted to put the pump track in the existing pickleball courts, so it had lights and the ability to lock it if there are graffiti problems. Arthur LeBaron stated they can get funds for skate parks if the City was willing to match it. Councilman Fawcett stated there would be problems in the future if they rebuild the pickleball courts in the same location if they don't remove the trees. Floating the concrete was discussed as a possible remedy but then a handicap ramp would have to be provided. Councilman Fawcett commented the green space we have is nice and he doesn't want to lose it.

Councilman Thomas suggested talking to a tree specialist about cutting the tree roots to prevent the problem. Mr. Barney explained they would come back in the future. They had problems when they had to do that along State Street. Councilman Thomas recommended in addition to cutting the roots, they could put a wall there to prevent it from growing in the future. Mr. Barney is worried about the close proximity to the courts. Mayor Billings stated she thinks the pickleball courts are the number one priority, so they need to decide where to put them. Dayton Hall recommended putting it on an agenda for a vote since there is not a consensus of the location. Mr. Barney added that they could also plant another row of trees to the south and then move the other ones once they have grown. Councilman Hirschi thinks that will take too much away and then they lose the area for soccer and flag football. Councilman Ellerman pointed out the grass area at the corner of Main and 100 S isn't used as much. They

could fit six courts there by the splash pad. Councilman Fawcett stated it is not an area used for events, but large parties do use it. Mr. LeBaron stated they could draw something up to see if it will fit. Councilman Ellerman pointed out they are going to lose something in every location. He thinks this will be the least impactful. Mayor Billings added that the pump track could be put where the current pickleball courts for a very little cost. Councilman Thomas questioned why the pump track couldn't go north of the fine arts building. Councilman Fawcett explained it needs to be fenced. Mayor Billings questioned why rebuild when the facilities are already there. Councilman Hirschi added that area is also used for multiple events and is needed. Mrs. Wright asked if the Council wanted open space or commercial along State Street. Councilman Fawcett doesn't think there is a big enough space for commercial. He wants to see it used for recreation. There are already traffic problems in this area. Councilman Thomas stated they laid out a commercial plan with parking with the downtown master plan that didn't take out any grass. Mayor Billings directed staff to put an action item on the next agenda to decide where to put the pickleball courts. Mr. DeMille confirmed the Council still wanted to work towards improvements to the pool.

5:00 p.m. - Call to Order –

Prayer and Pledge led by Tiffani Wright.

Declaration of any conflicts of interest

None declared.

NEW BUSINESS

1. Consideration and possible approval of a power line extension for Hawk Ridge - Mitch Weis, Perry Homes

Scott Hughes explained the proposed area is east of Peregrine Pointe. In order to get capacity to the area Perry Homes has been installing a gut line along the ridge. They need to continue that line to the west underground and then they will build an overhead line until the area is developed. On the northeast end they will have to install a main gut line underground to their project. The Power Board recommended approval. Councilman Prete highlighted the Power Board's concerns regarding future capacity challenges. Mr. Hughes confirmed that resource limitations are becoming an issue. Mitch Weis from Perry Homes stated that they have worked closely with the power department and are prepared to meet whatever requirements are necessary.

Joseph Prete motioned to approve the power line extension for Hawk Ridge. Seconded by David Hirschi. Motion carried unanimously.

2. Consideration and possible approval of a power line extension for Silver Wood - Rhett Beazer, Alpha Engineering

120 Scott Hughes explained the location of the project near the end of Old Hwy 91, which will
121 involve a substantial power load. He noted that Balance of Nature is increasing its power
122 demands at its nearby building, necessitating upgrades to accommodate both their needs and
123 those of this new development. The businesses will share the costs of the required upgrades.
124 He described the load lines extending to the Anticline Substation, which currently include a
125 small line that they are considering replacing with a larger one. This would require tearing up
126 sections to install larger conduit. An alternative option is to install an overhead line along Old
127 Hwy 91. The overhead line would simplify the process and create a loop feed for added
128 reliability, but it would mean visible powerlines in front of businesses. Councilman Ellerman
129 pointed out that underground installation would require tearing up landscaping, particularly
130 near the Lighthouse building, and wouldn't offer the same loop feed benefits. Mr. Hughes
131 added that underground lines present risks, as both lines could be damaged if struck.
132 Councilman Prete stated that an overhead line allows for future expansion. Councilman Fawcett
133 suggested consulting with the businesses in the area to gauge their preference, noting that,
134 given the industrial setting, they might be more open to the overhead option. He expressed a
135 preference for overhead lines if the businesses support it.

136
137 Drew Ellerman motioned to approve the power line extension for Silver Wood. Seconded by
138 Joseph Prete. Motion carried unanimously.

139
140 Cindy Beteag confirmed there would be a quorum at legislature breakfast so it would be
141 advertised as a meeting.

142
143 **Adjournment:** Joseph Prete motioned to adjourn at 5:23 p.m. Seconded by David Hirschi.
144 Motion carried unanimously.



STAFF COMMENTS

Item: Discussion regarding the Park, Recreation, and Trail Impact Fee

Discussion: On November 21, 2024, the Council discussed the Parks, Trails, and Recreation Impact Fee Facility Plan and ordinance. The Plan was adopted in May, and the ordinance charging only 50% of the recommended amount needed to cover the planned improvements was adopted in June. The amount of the impact fee is based on the number of Equivalent Residential Connections (ERCs) for the new development. To calculate the number of ERCs (and therefore the impact fee), the impact fee plan utilizes the size of the water meter provided for the proposed development because the water meter size is designed to match the number of ERCs. The impact fee as adopted applies to residential, commercial, and industrial developments.

Following the discussion by the Council on November 21st, the Council directed staff to bring Civil Science, the engineering firm that created the impact fee plan and analysis, back to the Council to discuss the rationale for charging commercial developments the Parks, Trails, and Recreational Impact Fee. Civil Science responded and indicated that it had fulfilled its scope of work under the contract, so it would not come back to Council without a change to the contract. However, Civil Science did provide an email response to the City's questions. This is the response from Cody Howick with Civil Science:

1. Based on legal framework and my understanding a city in Utah can charge a parks and recreation impact fee based on residential and commercial development, but have to adhere to Utah Code Title 11, Chapter 36a.
2. While residential development is the primary user of parks and recreation services, some cities have argued that commercial developments indirectly create demand, for example:
 - Employees of commercial developments may use nearby parks,
 - Parks and recreation spaces may enhance the overall appeal and functionality of commercial areas.
3. This is the case with a lot of southern Utah communities and thus where a commercial impact fee may be charged. It's a mixed bag with nearby communities where a tourist small town like Kanab charges commercial impact fees, but Washington City doesn't.
4. Our study does not address the exact amount or the method of charging impact fees, but rather indicates the "maximum allowable" impact fee the City is allowed to charge – our team with city staff determined it was best to charge per ERC to keep consistency with other impact fee studies.
5. I understand that commercial developers may challenge these fees if the connection between their development and the demand for parks isn't demonstrated – and an adjustment to the fee may be charged due to unusual circumstances, state facilities, school districts, etc.

6. One big question I have is why do they need a 2" meter? The impact fees for water will be extremely high with the City and WCWCD.

To help facilitate the discussion, here are three options for the Council regarding the impact fee:

1. Leave the impact fee and method of calculation as currently adopted.
2. Amend the impact fee ordinance, not charge it to commercial developers, but increase the fee on residential housing to offset the reduction in fees collected. The construction of City recreational facilities is already underway, with more planned. Specifically, the contract for the 4-court gym has been awarded and construction has started, and there are plans to upgrade the City pool. There is also a discussion about pickleball court improvements. To meet the financial obligations of these ongoing and planned projects, City administration has assumed that the currently-adopted impact fee will remain in effect. If fewer impact fees are collected by waiving the fee for commercial development, that reduction will need to be offset by an increase in other areas to maintain the same funding ability. The percentage increase in the residential impact fee is currently being calculated, and we hope to have it ready by the Thursday meeting.
3. Amend the Impact Fee Plan to change the method of calculating the commercial fee. The square footage of building space would be a likely method to avoid the problem with developers being charged a higher fee when they choose to oversize a water meter. This option will require hiring a consultant to revise the Plan to use a new method of calculation for commercial development.

City staff requests direction from the Council on how it wants to move forward. Option 2 will require public notice and a public hearing, but there is time to have an ordinance change on the January 2nd agenda. Option 3 will require hiring a consultant to amend the Plan, after which the ordinance can be updated. -Dayton Hall

Findings:

Recommendation:



STAFF COMMENTS

Consideration and possible approval of the **amended Capital Improvement Plan** for the Hurricane City Airport - Mike Vercimak

Discussion:

The amended CIP that is in the packet reflects a couple of changes from our last CIP document. The lighting project was taken off the CIP and the dates have been updated to reflect the removal of the lighting project and the delay in the AWOS project. The only new item added is the update to our ALP (Airport layout plan). The FAA has asked for an updated ALP due in part to our request to install new power poles on the west side of the airport. To obtain permission to do so we had to acknowledge that the 748-foot runway extension would not be requested in the future, due to the fact that this would require the complete re-location of 1100 West. - Mike Vercimak

Findings:

Recommendation:

Attachments:

1. Staff Comments CIP for Airport
2. 2025 CIP final

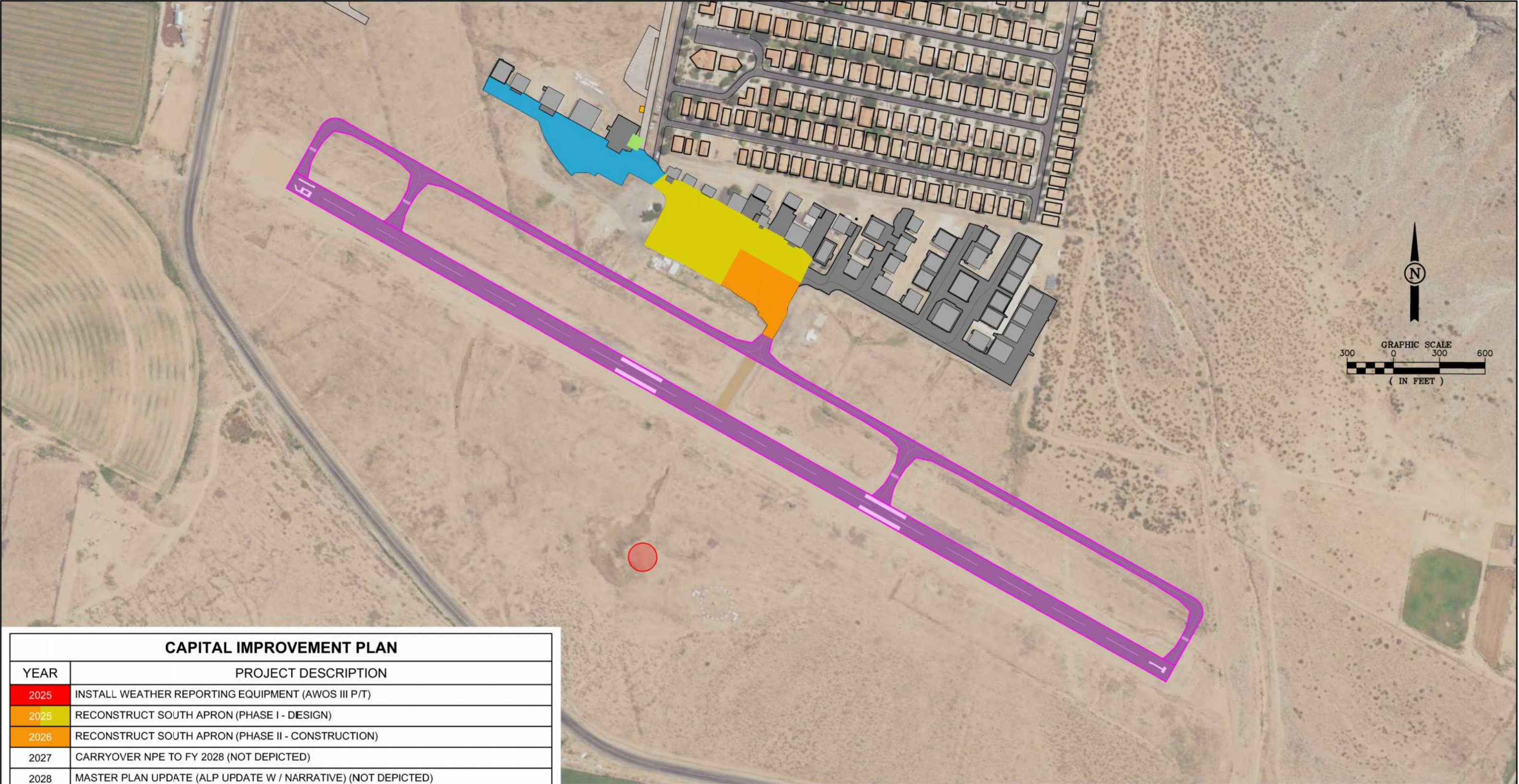


STAFF COMMENTS

Item: Consideration and possible approval of the amended Capital Improvement Plan for the Hurricane City Airport.

Discussion: The amended CIP that is in the packet reflects a couple of changes from our last CIP document. The lighting project was taken off the CIP and the dates have been updated to reflect the removal of the lighting project and the delay in the AWOS project. The only new item added is the update to our ALP (Airport layout plan). The FAA has asked for an updated ALP due in part to our request to install new power poles on the west side of the airport. To obtain permission to do so we had to acknowledge that the 748-foot runway extension would not be requested in the future, due to the fact that this would require the complete re-location of 1100 West. - Mike Vercimak

HURRICANE AIRPORT/GENERAL DICK STOUT FIELD CAPITAL IMPROVEMENT PLAN HURRICANE, UT - OCTOBER 2024								
YEAR	DESCRIPTION	TOTAL ESTIMATED PROJECT COST 2025 DOLLARS	FUNDING SOURCES					NEPA DOCUMENT
			FEDERAL (90.63 - 95.0%)			LOCAL(2.5 - 4.685%)	STATE (4.685 - 10.0%)	
			ENTITLEMENT	STATE APPORTIONMENT / DISCRETIONARY	BIL (AIG)			
2025	Install Weather Reporting Equipment (AWOS III P/T)	\$ 421,988	\$ 270,000			\$ 138,030	\$ 13,957	CATEX
	Reconstruct South Apron (Phase I - Design)	\$ 167,368			\$ 159,000	\$ 4,184	\$ 4,184	CATEX
2026	Reconstruct South Apron (Phase II - Construction)	\$ 800,000	\$ 180,000		\$ 580,000	\$ 20,000	\$ 20,000	CATEX (2025)
	Reconstruct South Apron (Phase II - Construction)	\$ 250,000				\$ 25,000	\$ 225,000	CATEX (2025)
2027	Carryover NPE to FY2028							
2028	Master Plan Update (ALP Update w/narrative)	\$ 496,524	\$ 450,000			\$ 23,262	\$ 23,262	Den ADO "memo"
	Pavement Preservation	\$ 300,000				\$ 30,000	\$ 270,000	
2029	Transfer NPE to xxx							
	SUBTOTAL 2025 - 2029 (5 -Years)	\$ 2,435,880	\$ 900,000	\$ -	\$ 739,000	\$ 240,477	\$ 556,404	
2030	Reconstruct South Apron (remaining section to the north)	\$ 3,089,485	\$ 300,000	\$ 2,500,000		\$ 144,742	\$ 144,742	CATEX
2031	Transfer NPE to xxx							
2032	Carryover NPE to FY2033							
2033	Reconstruct North Apron	\$ 2,758,468	\$ 300,000	\$ 2,200,000		\$ 129,234	\$ 129,234	CATEX
2034	Carryover NPE to FY2035							
2035	Construct Terminal Building	\$ 496,524	\$ 450,000			\$ 23,262	\$ 23,262	CATEX
	SUBTOTAL 2030 - 2035 (6 -Years)	\$ 6,344,478	\$ 1,050,000	\$ 4,700,000	\$ -	\$ 297,239	\$ 297,239	



CAPITAL IMPROVEMENT PLAN

YEAR	PROJECT DESCRIPTION
2025	INSTALL WEATHER REPORTING EQUIPMENT (AWOS III P/T)
2025	RECONSTRUCT SOUTH APRON (PHASE I - DESIGN)
2026	RECONSTRUCT SOUTH APRON (PHASE II - CONSTRUCTION)
2027	CARRYOVER NPE TO FY 2028 (NOT DEPICTED)
2028	MASTER PLAN UPDATE (ALP UPDATE W / NARRATIVE) (NOT DEPICTED)
2029	TRANSFER NPE TO XXX (NOT DEPICTED)
2029	PAVEMENT PRESERVATION
2030	RECONSTRUCT SOUTH APRON (REMAINING SECTION TO THE NORTH)
2031	TRANSFER NPE TO XXX (NOT DEPICTED)
2032	CARRYOVER NPE TO FY2033 (NOT DEPICTED)
2033	RECONSTRUCT NORTH APRON
2034	CARRYOVER NPE TO FY2035 (NOT DEPICTED)
2035	CONSTRUCT TERMINAL BUILDING



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MANTI-EPHRAIM AIRPORT (41U)
CAPITAL IMPROVEMENT PLAN
OVERALL - 2025-2035



STAFF COMMENTS

Item: Consideration and possible approval of an extension to the Peach Pit Development Agreement – Danielle Stirling

Discussion: This item is being placed on the agenda at the request of the applicants, David and Danielle Stirling, they are the owners of 20 acres of currently agriculturally used property located within the Gateway to Sand Hollow PID at the newly constructed intersection of Bash Parkway and Flora Tech Road. They received a zone change in October 2020 from RA-1 to PC, Planned Commercial which was conditioned on a signed and executed development agreement. The development agreement states that, "Notwithstanding anything in this Agreement to the contrary, it is agreed by the parties hereto that in the event the final plat for the Property has not been recorded in the Office of the Washington County Recorder within five (5) years from the date of this Agreement (the "Term"), or upon the occurrence of an event of default of this Agreement that is not cured, the City shall have the right, but not the obligation, at the sole discretion of the City Council, to terminate this Agreement as to the defaulting party (*i.e.*, the Developer). The Term may be extended by mutual agreement of the Parties." This agreement was recorded on December 1st, 2020, which would mean the agreement expires on December 1st, 2025. The applicant has requested this extension because they want to continue the agricultural use of the property while retaining the right to develop under the development agreement when they are ready to. Planning and Legal staff have reviewed this request and find this acceptable and recommend approval. Attached is the development agreement as recorded with the County Recorder. - Fred Resch III, City Planner.

Findings:

Recommendation:

10
WHEN RECORDED RETURN TO:
Hurricane City
147 N. 870 West
Hurricane, UT 84737

Parcel ID# H-4-2-12-12011

Legal Description: See Exhibit A

DOC # 20200068776

Agreement Page 1 of 11
Russell Shirts Washington County Recorder
12/01/2020 09:47:13 AM Fee \$ 0.00
By HURRICANE CITY



**DEVELOPMENT AGREEMENT
FOR
PEACH PIT**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the 5 day of November, 2020 (the "Effective Date"), by and between the CITY OF HURRICANE, a Utah municipal corporation, hereinafter referred to as "City," and PEACH PIT LLC, a Utah limited liability company, hereinafter referred to as "Developer." The City and Developer are hereinafter collectively referred to as "Parties."

RECITALS

A. Developer is the owner of approximately 20.17 acres of land located within the City of Hurricane as is more particularly described on EXHIBIT A, attached hereto and incorporated herein by reference (the "Property").

B. On November 5, 2020, the City Council approved a zone change to Planned Commercial with the conditions laid out within this agreement.

C. Developer has proposed a Preliminary Site Plan EXHIBIT B,

D. Developer is willing to design and construct the Project in a manner that is in harmony with and intended to promote the long range policies, goals, and objectives of the City's general plan, zoning and development regulations in order to receive the benefit of vesting for certain uses and zoning designations under the terms of this Agreement as more fully set forth below.

E. The City Council accepted Developer's proffer to enter into this Agreement to memorialize the intent of Developer and City and decreed that the effective date of the Vesting for the zoning be the date of the execution and delivery of this Agreement and the recording thereof as a public record on title of the Property in the office of the Washington County Recorder.

F. The City Council further authorized the Mayor of the City to execute and deliver this Agreement on behalf of the City.

G. The City has the authority to enter into this Agreement pursuant to Utah Code Section 10-9a-102(2) and relevant municipal ordinances, and desires to enter into this Agreement with the Developer for the purpose of guiding the development of the Property in accordance with the terms and conditions of this Agreement and in accordance with applicable City Ordinances.

H. This Agreement is generally consistent with, and all preliminary and final plats within the Property are subject to and shall conform with, the City's General Plan, Zoning Ordinances, and Subdivision Ordinances, and any permits issued by the City pursuant to City Ordinances and regulations.

I. The Parties desire to enter into this Agreement to specify the rights and responsibilities of the Developer to develop the Property as expressed in this Agreement and the rights and responsibilities of the City to allow and regulate such development pursuant to the requirements of this Agreement.

J. The Parties understand and intend that this Agreement is a "development agreement" within the meaning of, and entered into pursuant to, the terms of Utah Code Ann., §10-9a-102.

K. The Parties intend to be bound by the terms of this Agreement as set forth herein.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Developer hereby agree as follows:

1. Incorporation of Recitals. The foregoing Recitals are hereby incorporated into this Agreement, as a substantive part hereof.

2. Zoning. The Property shall be developed in accordance with (i) the requirements of an underlying zone of Planned Commercial, (ii) all other features as generally shown on the Preliminary Site Plan, and (iii) this Agreement. The Developer shall not seek to develop the Property in a manner that deviates materially from the attached Preliminary Site Plan in EXHIBIT B as permitted by the aforementioned zoning designations for the Property. Except as otherwise approved in writing by City, Developer shall not develop the property in a manner that deviates materially from Preliminary Site Plan attached hereto as Exhibit B.

3. Governing Standards. The Preliminary Site Plan, the record of the City Council meeting, and this Agreement (together the "Approval Documents") establish the development rights for the Project, including the use, maximum density, intensity and general configuration for the Project. The Project shall be developed by the Developer in accordance with the Approval Documents. All Developer submittals must comply generally with the Approval Documents. Non-material variations to the Preliminary Site Plan, as defined and approved by the City's Zoning Administrator, such as exact building locations, exact locations of open space and parking may be varied by the Developer without official City Council or Planning Commission approval. Such variations however shall in no way change the maximum density, use and intensity of the development of the Project.

4. Additional Specific Developer Obligations. As an integral part of the consideration for this agreement, the Developer voluntarily agrees as follows:

- a. The Developer shall design and construct approved utility infrastructure. Hurricane City Joint Utility Committee shall sign-off on any proposed utility plans; including water lines, water tank(s), sewer lines, power facilities, or other services as required. The Developer shall be responsible for securing all rights-of-way or easements needed to provide utility services.
- b. The total dwelling units for the development shall not exceed 10 units per gross acres.
- c. Applicant shall supply a full sensitive lands application to be reviewed and approved by the City according to Hurricane City Code. If needed, the preliminary site plan shall be modified to comply with sensitive land regulations.
- d. The applicant must reserve a total of 7.2 for commercial space. Commercial use shall comply with permitted and conditional use within the Commercial Use Zone.
- e. The Developer shall not apply, propose, or develop any Recreation Vehicle Parks or Mobile Home Park as part of the project.
- f. The Developer shall design access points that comply with the International Fire Code.
- g. All outdoor lighting shall be full cut-off fixtures and comply with Hurricane City code and dark sky standards.

5. Construction Standards and Requirements. All construction on the Property at the direction of the Developer shall be conducted and completed in accordance with the City Ordinances, including, but not limited to setback requirements, building height requirements, lot coverage requirements and all off-street parking requirements.

6. Vested Rights and Reserved Legislative Powers.

- a. Vested Rights. As of the Effective Date, Developer shall have the vested right to develop and construct the Project in accordance with the uses, maximum permissible densities, intensities, and general configuration of development established in the Approval Documents, subject to compliance with the City Ordinances in existence on the Effective Date. The Parties intend that the rights granted to Developer under this Agreement are contractual and also those rights that exist under statute, common law and at equity. The Parties specifically intend that this Agreement grants to Developer "vested rights" as that term is construed in Utah's common law and pursuant to Utah Code Ann., §10-9a-509.
 - i. Examples of Exceptions to Vested Rights. Notwithstanding the foregoing, the Parties understand and agree that the Project will be required to comply with future changes to City Laws that do not limit

or interfere with the vested rights granted pursuant to the terms of this Agreement. The following are examples for illustrative purposes of a non-exhaustive list of the type of future laws that may be enacted by the City that would be applicable to the Project:

1. Developer Agreement. Future laws that Developer agrees in writing to the application thereof to the Project;
 2. Compliance with State and Federal Laws. Future laws which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;
 3. Safety Code Updates. Future laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare; or,
 4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated.
 5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.
 6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, imposed and collected.
- b. Reserved Legislative Powers. The Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation of the police powers, such legislation shall not modify the Developer's vested right as set forth herein unless facts and circumstances are present which meet the exceptions to the vested rights doctrine as set forth in Section 10-9a-509 of the Municipal Land Use, Development, and Management Act, as adopted on

the Effective Date, *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1980), its progeny, or any other exception to the doctrine of vested rights recognized under state or federal law.

7. **Default.** An "Event of Default" shall occur under this Agreement if any party fails to perform its obligations hereunder when due and the defaulting party has not performed the delinquent obligations within sixty (60) days following delivery to the delinquent party of written notice of such delinquency. Notwithstanding the foregoing, if the default cannot reasonably be cured within that 60-day period, a party shall not be in default so long as that party commences to cure the default within that 60-day period and diligently continues such cure in good faith until complete.

a. **Remedies.** Upon the occurrence of an Event of Default, the non-defaulting party shall have the right to exercise all of the following rights and remedies against the defaulting party:

1. All rights and remedies available at law and in equity, including injunctive relief, specific performance, and termination, but not including damages or attorney's fees.
2. The right to withhold all further approvals, licenses, permits or other rights associated with the Project or development activity pertaining to the defaulting party as described in this Agreement until such default has been cured.
3. The right to draw upon any security posted or provided in connection with the Property or Project by the defaulting party.

The rights and remedies set forth herein shall be cumulative.

8. **Notices.** Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, by certified mail, return receipt requested, postage prepaid, to such party at its address shown below:

To the Developer:

PEACH PIT LLC
P.O. BOX 460600
LEEDS, UT 84746
Phone: (435) 229-9989

To the City:

City of Hurricane
Attention: Fay Reber, City Attorney
68 S. 700 W.
Hurricane, UT 84737

9. General Term and Conditions.

a. Headings. The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.

b. Binding Effect. This Agreement shall inure to the benefit of, and be binding upon, the parties hereto and their respective heirs, representatives, officers, agents, employees, members, successors and assigns (to the extent that assignment is permitted). Without limiting the generality of the foregoing, a "successor" includes a party that succeeds to the rights and interests of the Developer as evidenced by, among other things, such party's submission of land use applications to the City relating to the Property or the Project.

c. Non Liability of City Officials and Employees. No officer, representative, consultant, attorney, agent or employee of the City shall be personally liable to the Developer, or any successor in interest or assignee of the Developer, for any default or breach by the City, or for any amount which may become due to the Developer, or its successors or assignees, or for any obligation arising under the terms of this Agreement. Nothing herein will release any person from personal liability for their own individual acts or omissions.

d. Third Party Rights. Except for the Developer, the City and other parties that may succeed the Developer on title to any portion of the Property, all of whom are express intended beneficiaries of this Agreement, this Agreement shall not create any rights in and/or obligations to any other persons or parties. The Parties acknowledge that this Agreement refers to a private development and that the City has no interest in, responsibility for, or duty to any third parties concerning any improvements to the Property unless the City has accepted the dedication of such improvements

e. Further Documentation. This Agreement is entered into by the Parties with the recognition and anticipation that subsequent agreements, plans, profiles, engineering and other documentation implementing and carrying out the provisions of this Agreement may be necessary. The Parties agree to negotiate and act in good faith with respect to all such future items.

f. Relationship of Parties. This Agreement does not create any joint venture, partnership, undertaking, business arrangement or fiduciary relationship between the City and the Developer.

g. Agreement to Run With the Land. This Agreement shall be recorded in the Office of the Washington County Recorder against the Property and is intended to and shall be deemed to run with the land, and shall be binding on and shall benefit all successors in the ownership of any portion of the Property.

h. Performance. Each party, person and/or entity governed by this Agreement shall perform its respective obligations under this Agreement in a manner that will not unreasonably or materially delay, disrupt or inconvenience any other party, person and/or entity governed by this Agreement, the development of any portion of the

Property or the issuance of final plats, certificates of occupancy or other approvals associated therewith.

i. Applicable Law. This Agreement is entered into under and pursuant to, and is to be construed and enforceable in accordance with, the laws of the State of Utah.

j. Construction. This Agreement has been reviewed and revised by legal counsel for both the City and the Developer, and no presumption or rule that ambiguities shall be construed against the drafting party shall apply to the interpretation or enforcement of this Agreement.

k. Consents and Approvals. Except as expressly stated in this Agreement, the consent, approval, permit, license or other authorization of any party under this Agreement shall be given in a prompt and timely manner and shall not be unreasonably withheld, conditioned or delayed. Any consent, approval, permit, license or other authorization required hereunder from the City shall be given or withheld by the City in compliance with this Agreement and the City Ordinances.

l. Approval and Authority to Execute. Each of the Parties represents and warrants as of the Effective Date this Agreement, if he/she has all requisite power and authority to execute and deliver this Agreement, being fully authorized so to do and that this Agreement constitutes a valid and binding agreement.

m. Termination.

i. Notwithstanding anything in this Agreement to the contrary, it is agreed by the parties hereto that in the event the final plat for the Property has not been recorded in the Office of the Washington County Recorder within five (5) years from the date of this Agreement (the "Term"), or upon the occurrence of an event of default of this Agreement that is not cured, the City shall have the right, but not the obligation, at the sole discretion of the City Council, to terminate this Agreement as to the defaulting party (*i.e.*, the Developer). The Term may be extended by mutual agreement of the Parties.

ii. Upon termination of this Agreement for the reasons set forth herein, following the notice and process required hereby, the obligations of the City and the defaulting party to each other hereunder shall terminate, but none of the licenses, building permits, or certificates of occupancy granted prior to expiration of the Term or termination of this Agreement shall be rescinded or limited in any manner.

10. Assignability. The rights and responsibilities of Developer under this Agreement may be assigned in whole or in part by Developer with the consent of the City as provided herein.

- a. **Notice.** Developer shall give Notice to the City of any proposed assignment and provide such information regarding the proposed assignee that the City may reasonably request in making the evaluation permitted under this Section. Such Notice shall include providing the City with all necessary contact information for the proposed assignee.
- b. **Partial Assignment.** If any proposed assignment is for less than all of Developer's rights and responsibilities, then the assignee shall be responsible for the performance of each of the obligations contained in this Agreement to which the assignee succeeds. Upon any such approved partial assignment, Developer shall be released from any future obligations as to those obligations which are assigned but shall remain responsible for the performance of any obligations that were not assigned.
- c. **Grounds for Denying Assignment.** The City may only withhold its consent if the City is not reasonably satisfied of the assignee's reasonable financial ability to perform the obligations of Developer proposed to be assigned.
- d. **Assignee Bound by this Agreement.** Any assignee shall consent in writing to be bound by the assigned terms and conditions of this Agreement as a condition precedent to the effectiveness of the assignment.

11. **Sale or Conveyance.** If Developer sells or conveys parcels of land, the lands so sold and conveyed shall bear the same rights, privileges, intended uses, configurations, and density as applicable to such parcel and be subject to the same limitations and rights of the City as when owned by Developer and as set forth in this Agreement without any required approval, review, or consent by the City except as otherwise provided herein.

12. **No Waiver.** Any party's failure to enforce any provision of this Agreement shall not constitute a waiver of the right to enforce such provision. The provisions may be waived only in writing by the party intended to be benefited by the provisions, and a waiver by a party of a breach hereunder by the other party shall not be construed as a waiver of any succeeding breach of the same or other provisions.

13. **Severability.** If any portion of this Agreement is held to be unenforceable for any reason, the remaining provisions shall continue in full force and effect.

14. **Force Majeure.** Any prevention, delay or stoppage of the performance of any obligation under this Agreement which is due to strikes, labor disputes, inability to obtain labor, materials, equipment or reasonable substitutes therefore; acts of nature; governmental restrictions, regulations or controls; judicial orders; enemy or hostile government actions; wars, civil commotions; fires or other casualties or other causes beyond the reasonable control of the party obligated to perform hereunder shall excuse performance of the obligation by that party for a period equal to the duration of that prevention, delay or stoppage.

15. **Amendment.** This Agreement may be amended only in writing signed by the Parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first hereinabove written.



CITY:

CITY OF HURRICANE

ATTEST:

By: Cindy Betag

City Recorder

By: John W. Small

Mayor

DEVELOPER:

By: Danielle Stirling

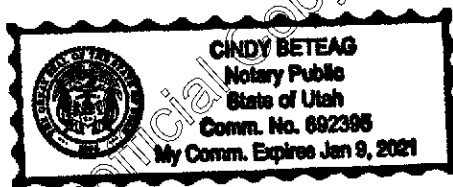
Name: DAVID OR DANIELLE STIRLING

Title: MANAGING MEMBERS

STATE OF UTAH

COUNTY OF UTAH

On the 13th day of November, 2020, personally appeared before me Danielle Stirling who being by me duly sworn, did say that he is the Managing Member of Peach Pit LLC, a Utah limited liability company, and that the within and foregoing instrument was signed on behalf of said limited liability company with proper authority and duly acknowledged to me that he executed the same.



Notary Public

Residing at: Hurricane, Ut.

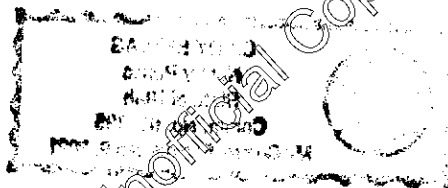
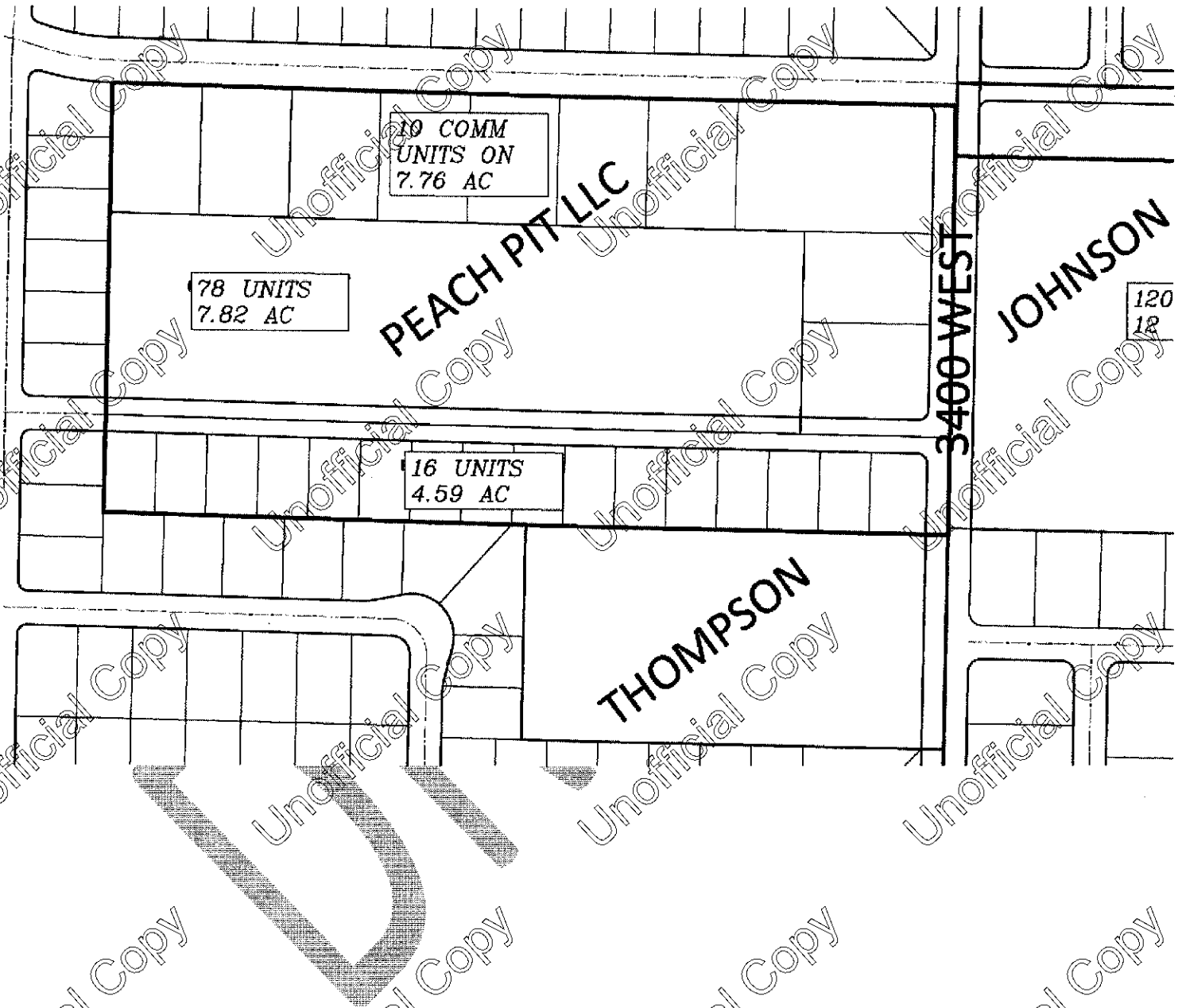
EXHIBIT A**Legal Description Parcel:****Parcel Number** H-4-2-12-12011**Tax District** 03 - Hurricane City**Acres** 20.00**Situs** 0, 0**Legal S:** 12 T: 42S R: 14W N1/2 SE1/4 NE1/4 SEC 12 T42S R14W.. ALSO DESCRIBED AS THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE & MERIDIAN.

EXHIBIT B
Site Plan





STAFF COMMENTS

Item: Consideration and possible approval of the location of new pickleball courts – Tiffani Wright/Darren Barney

Discussion: Council had a work meeting on December 5, 2024, to discuss the different options for where to put the pickleball courts. Staff were directed to see if they would fit on the grass area at the corner of 100 S. and Main and then bring it back to the Council to make a decision.

Findings:

Recommendation:



STAFF COMMENTS

Item: Discussion and consideration of LUCA24-09 a Land Use Code Amendment to Title 10, Chapters 11 and 25 to establish an airport overlay zone – Hurricane City Applicant

Discussion: In 2023, the Utah State Legislature passed HB 206, establishing airport use amendments. These amendments establish land use requirements for land located within an airport influence area, which is defined as land within 5,000 feet of an airport runway. The purpose of the airport overlay zone is to prevent the creation or establishment of an airport hazard and to eliminate, remove, alter, or mitigate existing airport hazards to promote the health, safety, and general welfare of the public. The Mandate requires municipalities to adopt an Airport Overlay Zone by December 31, 2024. Accordingly, staff has updated Chapter 25 of Title 10 with the mandated requirements in order to comply with HB 206. Chapter 25 is currently entitled "Runway Protection Zone," and has been renamed "Airport Overlay Zone." Also proposed is an update to the airport zoning map to depict the 5,000-foot airport influence area. The Airport Board heard this item on November 19, 2024, and recommended approval. The proposed land use code amendment was heard by the Planning Commission on December 12, 2024, who unanimously recommended approval. Staff recommends approval. --Gary Cupp

Findings:

Recommendation:

CHAPTER 11. ZONES ESTABLISHED

Sec. 10-11-1. Establishment of zones.

In order to accomplish the purposes of the City general plan and this title, the following zones, along with their accompanying abbreviations, are hereby established as follows:

A.	<i>Agricultural zones:</i>	
	Agricultural 40	A-40
	Agricultural 20	A-20
	Agricultural 10	A-10
	Agricultural 5	A-5
	Agricultural 1	A-1
B.	<i>Residential agriculture zones:</i>	
	Residential-agricultural 1	RA-1
	Residential-agricultural .5	RA-.5
C.	<i>Residential zones:</i>	
	Single-family residential 15	R1-15
	Single-family residential 10	R1-10
	Single-family residential 8	R1-8
	Single-family residential 6	R1-6
	Multiple-family residential 1	RM-1
	Multiple-family residential 2	RM-2
	Mobile home/RV park	MH/RV
D.	<i>Commercial zones:</i>	
	Neighborhood commercial	NC
	General commercial	GC
	Highway commercial	HC
	Planned commercial	PC
	Pedestrian-oriented commercial	POC
E.	<i>Business and industrial zones:</i>	
	Business/manufacturing park	BMP
	Professional office	PO
	Light industrial	M-1
	Heavy industrial	M-2
F.	<i>Open space and public facility zones:</i>	
	Open space	OS
	Public facilities	PF
G.	<i>Special purpose and overlay zones:</i>	
	Agriculture protection overlay	APO
	Historic district overlay	HDO
	Planned development overlay	PDO
	Sensitive lands overlay	SLO
	<u>Runway protection Airport overlay zone</u>	<u>RPZ-AOZ</u>

	Recreation resort	RR
	Extraction industries overlay	

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2004-9, 4-1-2004; Ord. 2008-10, 6-5-2008; Ord. 2009-04, 3-19-2009; Ord. 2020-03, 2-6-2020)

Sec. 10-11-2. Zone purposes.

In addition to the general purposes of this title as set forth in section 10-1-3 of this title, the various zones each serve more specific purposes as set forth below:

- A. *Agricultural zones.* Agricultural zones preserve and protect agricultural lands and related activities, permit activities normally and necessarily related to agricultural production, and prohibit land uses that may undermine continued agricultural activity.
- B. *Residential agriculture zones.* Residential agriculture zones allow a mix of agricultural and residential uses on large lots. Limited agriculture activities, the keeping of limited numbers of animals, and the enjoyment of a "gentleman farmer" type neighborhood are the purpose of these zones.
 - 1. The purpose of the RA-1 and RA-.5 zones is to foster very low and low density development with little impact on its surroundings and municipal services; to preserve the character of the City's semirural areas; and to promote and preserve conditions favorable to large-lot family life, including the keeping of limited numbers of farm animals and fowl. The predominant use in these zones is intended to be large lot neighborhoods with detached single-family dwellings, protected from encroachment by commercial and industrial uses. Other major uses in these zones are small farms, hobby farms and agricultural developments. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
- C. *Residential zones.* Residential zones allow a wide range of residential land uses at various densities. These zones protect the stability of neighborhoods and encourage, collectively, diverse types of desirable new residential development and protect existing residential uses.
 - 1. The purpose of the R1-15, R1-10, R1-8 and R1-6 zones is to permit development of detached single-family homes on individual lots at medium to high densities. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
 - 2. The purpose of the RM-1 and RM-2 zones is to permit well designed apartments, townhomes, twin homes, and condominiums at medium to high density that are appropriately buffered from and compatible with surrounding land uses. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
 - 3. The purpose of the MH/RV zone is to provide locations where neighborhoods consisting of manufactured/mobile homes and recreational vehicle parks and subdivisions may be created, maintained, and preserved. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
- D. *Commercial zones.* Commercial zones provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses vital to the economic base of the City.
 - 1. The purpose of the NC zone is to provide areas where convenience buying outlets, having small trade areas, may be established to serve surrounding residential neighborhoods. This zone is

intended to promote a combination of retail and service facilities that meet day to day needs of nearby residents and which are compatible in character and scale with adjacent development.

2. The purpose of the GC zone is to accommodate a wide range of commercial uses developed without an overall plan or design scheme. Use of the GC zone for new commercial development should be avoided unless integrated shopping center development in another zone is not practical or desirable because of difficult size, shape, topography, or similar problems related to land otherwise deemed appropriate for commercial use. Typical uses in this zone may include offices, retail stores, personal services, heavy commercial, and institutional uses.
 3. The purpose of the HC zone is to provide commercial areas with visibility and access from Interstate 15 and major arterial roads for the convenience of commuters and the traveling public. Typical uses include lodging facilities, personal services, travel plazas, restaurants and fast food facilities, and commuter parking.
 4. The purpose of the PC zone is to provide areas of mixed use developments where a combination of destination-oriented business, retail commercial, entertainment, high density housing, and related uses may be established, maintained, and protected to serve both residents and nonresidents of the City. Typical uses in this zone include large scale, master planned commercial centers with outlying commercial pads, big box stores, offices, and various types of high density residential uses.
 5. The purpose of the POC zone is to provide walkable commercial areas which are generally oriented toward local residents rather than out of town patrons. Uses typical of this zone include planned retail and office development and limited medium to high density residential uses that can be harmoniously mixed with commercial development.
- E. *Business and industrial zones.* Business and industrial zones provide areas for conducting business, manufacturing and industrial activities.
1. The purpose of the BMP zone is to provide aesthetically attractive planned developments having a mix of office, research and development, light manufacturing, and limited retail uses. Typical uses in this zone include offices, clean indoor manufacturing facilities, service retail, restaurants, athletic clubs, personal service shops, medical offices, office/warehouse buildings, and research facilities.
 2. The purpose of the PO zone is to provide locations primarily along arterial or major collector streets which will accommodate offices or laboratories for professional persons and other related uses. The zone is intended to provide availability of professional services conveniently to all neighborhoods in the City. Typical uses in this zone include offices for doctors, dentists, accountants, and other similar professions, medical and dental laboratories, and pharmacies.
 3. The purpose of the M-1 zone is to provide areas for uses involving processing and assembly of manufactured goods, warehousing, and material storage. Uses which generate excessive noise, vibration, odor, dust, and fumes are excluded from this zone.
 4. The purpose of the M-2 zone is to provide areas where uses involving industrial processes and natural resource extraction may be permitted without negatively impacting other areas of the City, especially when undertaken on a large scale.
- F. *Open space and public facility zones.* Open space and public facility zones allow public or quasi-public uses.
1. The purpose of the OS zone is to recognize on the official zoning map areas which are open and generally undevelopable due to government ownership, their sensitive environmental nature

and/or the unavailability of adequate public facilities, such as conservation areas and national park land.

2. The purpose of the PF zone is to provide areas for facilities owned by public and quasi-public entities and which utilize relatively large areas of land. This zone is intended to provide immediate recognition of such areas on the official zoning map. Typical uses in this zone are cemeteries, hospitals, open air theaters, public parks, public schools, and public utility facilities.
- G. *Special purpose and overlay zones.* Special purpose zones are intended to accomplish objectives unique to the particular zone. Overlay zones implement supplemental regulations that apply geographically, regardless of the underlying base zone. Whenever the regulations of a base zone and an overlay zone conflict, overlay zone regulations apply.
1. The purpose of the APO zone is to protect and preserve existing agricultural areas from encroachment of development and to allow ongoing agricultural operations to continue without unreasonable regulations, except for those needed to protect public health and safety.
 2. The purpose of the HDO zone is to implement regulations designed to promote the preservation of structures and sites having historical, cultural, or architectural significance, and to foster economic development consistent with historic preservation plans adopted by the City.
 3. The purpose of the PDO zone is to permit a compatible, master planned mix of various uses in combination with open space components on land that has unique or unusual characteristics that warrant customized development requirements. Although development size may vary from location to location, each development is intended to consist of well designed, architecturally integrated structures which are appropriately landscaped and buffered from surrounding land uses.
 4. The SLO zone provides regulations to protect sensitive land areas such as hillsides, floodplains, and river parkway areas.
 5. The ~~RPZ-AOZ~~ zone provides regulations to protect, preserve, and promote the development of the City airport area.~~promote and protect the City airport.~~
 6. The recreation resort zone is established to designate certain areas within the City where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments.
 7. The general purpose of the extraction industries overlay zone is to provide for the operation of extraction industries in the City, while regulating the operation of such industrial uses particularly on properties in close proximity to residential districts and to provide regulatory standards and procedures to ensure the reclamation of the extraction industry sites upon completion of the extraction processes.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2004-9, 4-1-2004; Ord. 2004-15, 6-17-2004; Ord. 2008-10, 6-5-2008; Ord. 2009-04, 3-19-2009; Ord. 2009-15A, 11-5-2009; Ord. 2013-02, 3-21-2013; Ord. No. 2022-12, 5-5-2022)

Sec. 10-11-3. Official zoning map.

- A. *Zones.* The location and boundaries of the zones described in this chapter, including subsequent amendments, shall be shown on an official zoning map, entitled the Hurricane City Official Zoning Map, as provided in this section.
1. The zones established by this chapter are intended to further the goals and policies of the City general plan. Accordingly, not every zone established by this chapter need be included on the official zoning map unless and until the City Council, in the exercise of its legislative discretion, determines that placing a particular property in a particular zone will further the goals and policies of the general plan.
 2. Each lot within the City shall be subject to the requirements of the zone, or zones, in which the lot is located as shown on the official zoning map.
 3. The official zoning map, including all boundaries, notations, and other data shown thereon, is hereby adopted by this reference.
- B. *Amendments.* Amendments to the boundaries of a specific zone shown on the official zoning map shall be accomplished in accordance with the provisions set forth in section 10-7-7 of this title.
- C. *Map updates.* The Zoning Administrator shall update the official zoning map as soon as possible after amendments are adopted by the City Council. Upon entering any such amendment on the map, the Zoning Administrator shall note on the map the date of the revision.
- D. *Filing of ordinance and map.* The ordinance codified herein and official zoning map shall be filed in the custody of the City Recorder/Clerk and may be examined by the public subject to any reasonable regulations established by the City Council.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Sec. 10-11-4. Rules for locating zone boundaries.

- A. *Applicability.* Where uncertainty exists as to the boundary of any zone shown on the official zoning map, the provisions of this section shall apply to determine the location of such boundary.
- B. *Centerlines and property lines.* When a zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the official zoning map, the centerline of such street, alley or block or such property line, shall be construed to be the boundary of such zone.
- C. *Waterways, park and public land.* When a zone boundary is indicated as being approximately at the line of any river, irrigation canal or other waterway, public park or other public land, or any section line, then the center of the stream, canal or waterway, or the railroad right-of-way, or the boundary line of the public land or section line shall be deemed to be the boundary of the zone.
- D. *Lot, block, and tract lines.* Zone boundaries indicated as approximately following platted lot lines, or block or parcel tract boundaries shall be interpreted as following such lines.
- E. *Street vacations.* When a public road, street, or alley is officially vacated, such property shall have the same zoning as the adjacent property. In the event vacated property is adjacent to two zones, each zone shall extend to the centerline of the vacated right-of-way.
- F. *Uncertainties.* When a physical or cultural feature existing on the ground is at variance with one shown on the official zoning map, or in case any other uncertainty exists with respect to a zone boundary, the Zoning

Administrator shall determine the boundary location, subject to appeal to the Appeals Board as provided in this title.

- G. *Zoning Administrator to make determination.* The Zoning Administrator shall have the authority to make all zone boundary clarifications and determinations subject to the rules above and appeal to the Appeals Board as provided in this title.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2018-12, 10-18-2018)

Sec. 10-11-5. Clarification of zoning.

- A. *Ambiguous zone.* Any property which is not clearly zoned on the City's official zoning map shall be deemed to be in the most restrictive adjacent zone.

- B. *Ambiguous use.*

1. If ambiguity arises concerning the classification of a particular use within the meaning and intent of this title, the Zoning Administrator shall determine the proper use or development standard. The Zoning Administrator may refer the matter to the Planning Commission for a final determination, if the Zoning Administrator deems the use unusual enough to require special consideration. The Planning Commission's determination shall be final and is subject to appeal to the Appeals Board as provided in this title.

(Ord. 2012-8, 10-18-2012; Ord. 2018-12, 10-18-2018)

Sec. 10-11-6. Newly aAnnexed territories.

Territory which is annexed shall be deemed to be zoned A-20 immediately upon annexation or as otherwise expressly provided in an annexation agreement. This zoning shall be considered a holding zone and no zone change will be considered until a plan for development is presented.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Commented [GC1]: Suggest deleting “newly” to avoid interpretation questions about whether it applies to older annexed land.

CHAPTER 25. ~~RUNWAY PROTECTION~~AIRPORT OVERLAY ZONE

Sec. 10-25-1. Purpose; ~~established~~Declaration.

A. ~~The City Council finds that:~~

1. ~~an Airport Hazard endangers the lives and property of users of the Airport and of occupants of land in its vicinity;~~
2. ~~an obstruction of the type that reduces the size of the area available for the landing, taking-off, and maneuvering of aircraft tends to destroy or impair the utility of the airport and the public investment in the Airport;~~
3. ~~the creation or establishment of an Airport Hazard is a public nuisance and an injury to the community served by the Airport;~~
4. ~~it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of Airport Hazards be prevented;~~
5. ~~this should be accomplished, to the extent legally possible, by exercise of the police power, without compensation;~~
6. ~~both the prevention of the creation or establishment of Airport Hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests in land; and~~
7. ~~the establishment of an airport overlay zone best prevents the creation or establishment of an Airport Hazard, and promotes the public health, safety, and general welfare.~~

A. ~~—To protect, preserve and promote the development of the City airport area-~~

B. ~~A runway protection~~An Airport Overlay zone Zone is established which shall be a special purpose zone or secondary zoning district of the zoning classification in this title.

Sec. 10-25-2. Definitions.

For purposes of this chapter, the following terms shall have the following meanings set forth below:

Airport means the Hurricane Municipal Airport and any other publicly used area of land or water that is used, or intended to be used, for the landing and take-off of aircraft and utilized or to be utilized in the interest of the public for these purposes. *Airport* includes a vertiport if the vertiport is open for public use.

Airport approach, transitional, horizontal, and conical zones. These zones apply to the area under the approach, transitional, horizontal, and conical surfaces and are defined in this chapter.

Airport elevation means the elevation in feet above mean sea level of the highest point of the landing areas of the airport.

Airport hazard means any structure, tree, object of natural growth, or use of land that potentially obstructs or otherwise impacts the safe and efficient utilization of the navigable airspace required for the flight of aircraft in landing or take-off at an Airport. ~~means any structure or natural growth or use of land which obstructs or restricts the airspace required for the safe flight of aircraft in landing, taking off or maneuvering at or in the vicinity of the airport, or is otherwise hazardous to such landing, taking off, or maneuvering of aircraft.~~

Airport influence area means land located: (a) within 5,000 feet of an airport runway; or (b) within 500 feet of a vertiport that is open for public use.

Airport overlay zone means a secondary zoning district designed to protect the public health, safety, and welfare near an Airport that is within 5,000 feet of an Airport runway; or (b) within 500 feet of a vertiport that is open for public use. An Airport Overlay Zone:

- (a) applies land use regulation in addition to the primary zoning district land use regulation of property used as an Airport and property within an Airport Influence Area;
- (b) may extend beyond the Airport Influence Area;
- (c) ensures airport utility as a public asset;
- (d) protects property owner land values near an airport through compatible land use regulations as recommended by the Federal Aviation Administration; and
- (e) protects aircraft occupant safety through protection of navigable airspace.

Airport primary surface means a surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point in the primary surface is the same as the elevation of the nearest point on the runway centerline.

Airport runway means a defined area on an airport prepared for landing and takeoff of aircraft along its length. For the purpose of this land use ordinance, the runway length shall be 3,400 feet.

Airport utility runway means a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

Structure means any object constructed or installed by man, including buildings, towers, smokestacks, and overhead transmission lines.

Tree means any object of natural growth.

Sec. 10-25-3. Airport Zoning Regulations.

- A. Any person building or development land within an Airport Influence Area or Airport Overlay Zone shall conform to the requirements of this Chapter; Title 72, Chapter 10, Part 4 of the Utah Code, as amended; Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act of the Utah Code, as amended; and Title 14, Part 77 of the Code of Federal Regulations, as amended.
- B. Flight of aircraft over the lands and waters of the state is lawful, unless: (i) at such a low altitude as to interfere with the existing use to which the owner has put the land, water, or the airspace over the land or water; or (ii) so conducted as to be imminently dangerous to persons or property lawfully on the land or water beneath.

Sec. 10-25-34. Height limiting zones.

In order to carry out the provisions of this chapter, there are hereby created and established certain height limiting zones, which include all the land lying within the utility and nonprecision instrument approach zones, transitional zones, horizontal zones, and conical zones. Such zones are shown on the municipal airport zoning map (hereafter referred to as "the map"), a copy of which is attached to the ordinance codified herein ~~as exhibit A~~ and incorporated herein by this reference as if fully set forth. The various height limiting zones are hereby established and defined as follows:

- A. *Approach zone.* An approach zone, as shown on the map, is hereby established, commencing at each end of the runway at a width of 200 feet, 100 feet on each side of the centerline of the runway, and extending in length and width at a ratio of 20 feet in length for every one foot in width, until said zone reaches a total length of 5,000 feet in each direction and achieves a maximum width of 1,250 feet, 625 feet on each side of the centerline of said zone, as measured at the end of said 5,000-foot distance.
- B. *Transitional zone.* Transitional zones, as shown on the map, are hereby established adjacent to each utility and runway and visual approach zone. Transitional zones symmetrically located on either side of runways have variable widths as shown on the map. Transitional zones extend outward from a line on either side of the centerline of the runway, for the length of such runway plus 200 feet on the end, and are parallel to and level with such runway centerlines. The transitional zone along such runway slopes upward and outward seven feet horizontally for each one foot vertically to the point where they intersect the surface of the horizontal zone. Further, transitional zones are established adjacent to visual approach zones for the entire length of the approach zone. These transitional zones have variable widths, as shown on the map. Such transitions flare symmetrically with either side of the runway approach zone from the base of such zone and slope upward and outward at the rate of seven feet horizontally for each one foot vertically to the points where they intersect the surfaces of the horizontal and conical zones.
- C. *Horizontal zone.* A horizontal zone, as shown on the map, is hereby established as the area within arcs of radius from points at the end of the runway at the centerline extension and having a radius of 5,000 feet at 150 feet above the airport elevation. The horizontal zone does not include the utility transition zone.
- D. *Conical zone.* A conical zone, as shown on the map, is hereby established as the area that commences at the periphery of the horizontal zone and extends outward for a distance of 4,000 feet. The conical zone does not include the utility transition zone. The conical zone shall rise 20 feet in height for each one foot in horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the airport elevation.

Sec. 10-25-45. Height limitations.

Except as otherwise provided herein, no Structure shall be constructed, erected or altered, and no Tree shall be planted or allowed to grow or in any way maintained in any height limiting zone created by this chapter to a height in excess of the height limit for each of the zones as established herein, as follows:

- A. *Approach zone.* Slopes 20 feet outward for each foot upward beginning at the end of the zone and at the same elevation as the Pprimary Surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. *Transitional zone.* Slopes seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the Pprimary Surface and the approach surface, and extending to a height of 150 feet above the Aairport elevation. In addition to the foregoing, there are established height limits sloping seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.
- C. *Horizontal zone.* One hundred fifty feet above the Aairport elevation.
- D. *Conical zone.* Twenty feet in height for each one foot of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the aAairport elevation.
- E. *Excepted height limitation.* Nothing in this chapter shall be construed as prohibiting the growth, construction, or maintenance of any Tree or Structure to a height consistent with the terms of this chapter.
- F. *Most restrictive limitation prevails.* Where a zone is covered by more than one height limitation, the more restrictive limitations shall prevail.

Sec. 10-25-56. Nonconforming uses.

- A. *Regulations not retroactive.* The regulations prescribed by this chapter shall not be construed so as to require the removal, lowering, or other changes or alterations of any Structure or Tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuation of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any Structure, the construction or alteration of which was begun and diligently prosecuted prior to the effective date of this chapter.
- B. *Marking and lighting.* Notwithstanding the provisions of subsection A of this section, the City shall have the right to install, place and maintain lights or markers on noncomplying Structures or nonconforming Trees, as deemed necessary by the Airport Manager, in order to warn the operators of aircraft of the presence of such noncomplying Structures or nonconforming Trees.

Sec. 10-25-67. Variance.

- A. *Permit in excess of allowed height.* Any person desiring to: 1) erect any new building or Structure to a height in excess of that allowed by this chapter; 2) increase the height of any existing building or Structure to a height in excess of that allowed by this chapter; 3) permit the growth of any Tree to a height in excess of that allowed by this chapter; or 4) otherwise use property not in accordance with the regulations prescribed by this chapter, may apply to the Appeals Board for a variance in accordance with section 10-7-12 et seq. of this title; provided, however that no such variance shall be approved without the written recommendation of the Airport Advisory Board.
- B. *Hazard marking and lighting.* Any variance approved by the Appeals Board may, if such action is deemed reasonable and advisable to effectuate the purpose of this chapter, require as a condition of approval that the owner of the building, Structure or Tree in question, at his own expense, install, operate, and maintain thereon such markers and lights as may be necessary to indicate to fliers the presence of any Airport Hazard.

Sec. 10-25-78. Notice.

- A. A. — Applicants seeking to build on or develop land in an Airport Influence Area shall be provided with the following notice, in writing:

NOTICE OF AIRPORT AREA

Notice is hereby provided to all persons building on or developing land on this property that the property is located in the vicinity of the Hurricane Municipal Airport, or other public airport, in which normal aviation uses and activities, including aircraft overflights and associated noise.

- B. The notice required by this section may be provided in the application materials associated with building permits, site plans, plats, or other developments.
- C. The notice required by this section shall be placed on all final plats recorded with the Washington County Recorder's Office when any portion of the property subject to the plat is within an Airport Influence Area.

~~For each new subdivision within Hurricane City limits that is located in whole or in part within 2,640 feet of the boundary of the Hurricane Municipal Airport or any other approved public or private airport, the owner of the development shall provide notice on any plat filed with the county recorder with the following notice:~~

~~Notice of Airport Area~~

~~This property is located in the vicinity of the Hurricane Municipal Airport or other public or private airport, in which normal aviation uses and activities exist.~~

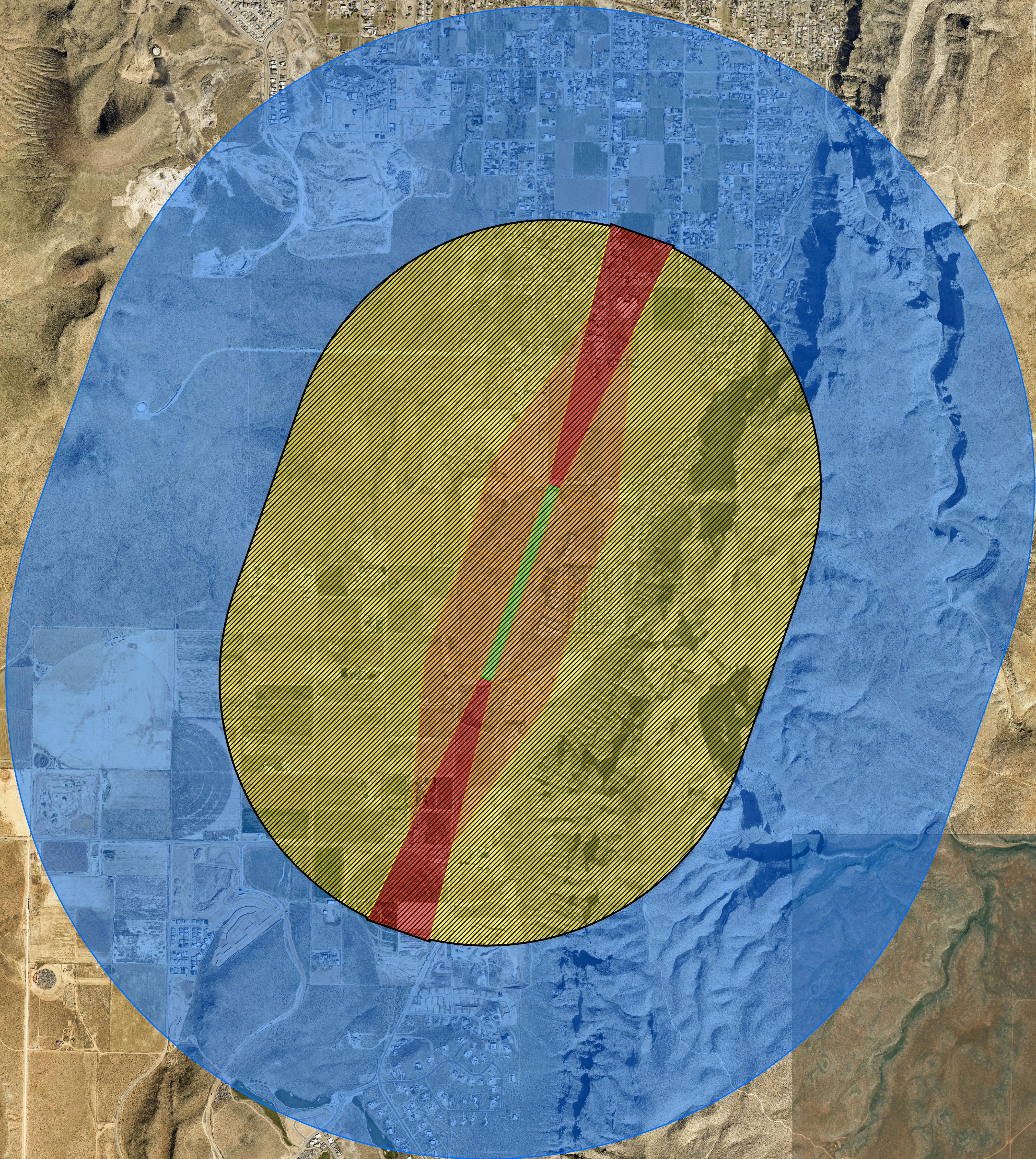
Sec. 10-25-89. Exception to chapter.

Due to unusual topography and proximity to hillsides, the provisions of this chapter shall not apply to certain territory located on the east side of the Aairport at or near the base of Hurricane Hill, as shown on the map.

Sec. 10-25-10. Governing Law in event of conflict.

In the event of conflict between any airport land use regulations adopted under this part and any other regulations applicable to the same area, whether the conflict be with respect to the height of Structures or Trees, the use of land, or any other matter, the Airport Overlay Zone requirement shall govern and prevail.

Hurricane Municipal Airport Zoning Map



Airport Control Zones	
■	APPROACH SURFACE EL 3000'
■	CONICAL SURFACE EL 3897'
■	HORIZONTAL SURFACE EL 3497'
■	PRIMARY SURFACE
■	TRANSITIONAL SURFACE
■	Airport Influence Area



HURRICANE CITY
UTAH



This map is provided on an as is basis. The City of Hurricane makes no warranties expressed or implied as to the quality, and completeness, of the map and data provided. While the City of Hurricane has reviewed the information on this map, in no event shall the City of Hurricane be liable for damages arising from use by others.

Projection/Datum: WGS 1984 Web Mercator Auxiliary Sphere
Publication Date: July 2024



STAFF COMMENTS

Agenda Date:	12/19/2024 – City Council
Application Number:	LUCA24-09
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	N/A
Request:	Amend Title 10, Chapters 11 and 25 regarding the establishment of an Airport Overlay Zone.
Recommendation:	Approve
Report Prepared By:	Gary Cupp

Discussion:

In 2023, the Utah State Legislature passed HB 206, establishing airport use amendments. These amendments establish land use requirements for land located within an airport influence area, which is defined as land within 5,000 feet of an airport runway. The purpose of the airport overlay zone is to prevent the creation or establishment of an airport hazard and to eliminate, remove, alter, or mitigate existing airport hazards to promote the health, safety, and general welfare of the public. The Mandate requires municipalities to adopt an Airport Overlay Zone by December 31, 2024. Accordingly, staff has updated Chapter 25 of Title 10 with the mandated requirements in order to comply with HB 206. Chapter 25 is currently entitled “Runway Protection Zone,” and has been renamed “Airport Overlay Zone.” Also proposed is an update to the airport zoning map to depict the 5,000-foot airport influence area. The Airport Board heard this item on November 19, 2024, and recommended approval. The proposed land use code amendment was heard by the Planning Commission on December 12, 2024, who unanimously recommended approval.

Recommendation: Staff recommends the City Council consider the revised ordinance revisions to Chapters 11 and 25 of Title 10, and any public comments received, and approve the proposed land use code amendment.

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTERS 11 and 25 WITH REGARDS TO ESTABLISHING AN AIRPORT OVERLAY ZONE

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 10, Chapters 11 and 25 of the Hurricane City Code governing an airport overlay zone; and

WHEREAS, the City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane; and

WHEREAS, the Planning Commission of Hurricane City has recommended approval of the changes;

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 11 of the Hurricane City Code is amended to read as follows:

CHAPTER 11. ZONES ESTABLISHED

Sec. 10-11-1. Establishment of zones.

In order to accomplish the purposes of the City general plan and this title, the following zones, along with their accompanying abbreviations, are hereby established as follows:

<i>A.</i>	<i>Agricultural zones:</i>	
	Agricultural 40	A-40
	Agricultural 20	A-20
	Agricultural 10	A-10
	Agricultural 5	A-5
	Agricultural 1	A-1
<i>B.</i>	<i>Residential agriculture zones:</i>	
	Residential-agricultural 1	RA-1
	Residential-agricultural .5	RA-.5
<i>C.</i>	<i>Residential zones:</i>	
	Single-family residential 15	R1-15
	Single-family residential 10	R1-10
	Single-family residential 8	R1-8
	Single-family residential 6	R1-6
	Multiple-family residential 1	RM-1
	Multiple-family residential 2	RM-2
	Mobile home/RV park	MH/RV
<i>D.</i>	<i>Commercial zones:</i>	

	Neighborhood commercial	NC
	General commercial	GC
	Highway commercial	HC
	Planned commercial	PC
	Pedestrian-oriented commercial	POC
<i>E.</i>	<i>Business and industrial zones:</i>	
	Business/manufacturing park	BMP
	Professional office	PO
	Light industrial	M-1
	Heavy industrial	M-2
<i>F.</i>	<i>Open space and public facility zones:</i>	
	Open space	OS
	Public facilities	PF
<i>G.</i>	<i>Special purpose and overlay zones:</i>	
	Agriculture protection overlay	APO
	Historic district overlay	HDO
	Planned development overlay	PDO
	Sensitive lands overlay	SLO
	Airport overlay zone	AOZ
	Recreation resort	RR
	Extraction industries overlay	

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2004-9, 4-1-2004; Ord. 2008-10, 6-5-2008; Ord. 2009-04, 3-19-2009; Ord. 2020-03, 2-6-2020)

Sec. 10-11-2. Zone purposes.

In addition to the general purposes of this title as set forth in section 10-1-3 of this title, the various zones each serve more specific purposes as set forth below:

- A. *Agricultural zones.* Agricultural zones preserve and protect agricultural lands and related activities, permit activities normally and necessarily related to agricultural production, and prohibit land uses that may undermine continued agricultural activity.
- B. *Residential agriculture zones.* Residential agriculture zones allow a mix of agricultural and residential uses on large lots. Limited agriculture activities, the keeping of limited numbers of animals, and the enjoyment of a "gentleman farmer" type neighborhood are the purpose of these zones.
 - 1. The purpose of the RA-1 and RA-.5 zones is to foster very low and low density development with little impact on its surroundings and municipal services; to preserve the character of the City's semirural areas; and to promote and

preserve conditions favorable to large-lot family life, including the keeping of limited numbers of farm animals and fowl. The predominant use in these zones is intended to be large lot neighborhoods with detached single-family dwellings, protected from encroachment by commercial and industrial uses. Other major uses in these zones are small farms, hobby farms and agricultural developments. Ancillary uses include churches, schools, and parks to serve neighborhood areas.

- C. *Residential zones.* Residential zones allow a wide range of residential land uses at various densities. These zones protect the stability of neighborhoods and encourage, collectively, diverse types of desirable new residential development and protect existing residential uses.
1. The purpose of the R1-15, R1-10, R1-8 and R1-6 zones is to permit development of detached single-family homes on individual lots at medium to high densities. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
 2. The purpose of the RM-1 and RM-2 zones is to permit well designed apartments, townhomes, twin homes, and condominiums at medium to high density that are appropriately buffered from and compatible with surrounding land uses. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
 3. The purpose of the MH/RV zone is to provide locations where neighborhoods consisting of manufactured/mobile homes and recreational vehicle parks and subdivisions may be created, maintained, and preserved. Ancillary uses include churches, schools, and parks to serve neighborhood areas.
- D. *Commercial zones.* Commercial zones provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses vital to the economic base of the City.
1. The purpose of the NC zone is to provide areas where convenience buying outlets, having small trade areas, may be established to serve surrounding residential neighborhoods. This zone is intended to promote a combination of retail and service facilities that meet day to day needs of nearby residents and which are compatible in character and scale with adjacent development.
 2. The purpose of the GC zone is to accommodate a wide range of commercial uses developed without an overall plan or design scheme. Use of the GC zone for new commercial development should be avoided unless integrated shopping center development in another zone is not practical or desirable because of difficult size, shape, topography, or similar problems related to land otherwise deemed appropriate for commercial use. Typical uses in this zone may include offices, retail stores, personal services, heavy commercial, and institutional uses.
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3. The purpose of the HC zone is to provide commercial areas with visibility and access from Interstate 15 and major arterial roads for the convenience of commuters and the traveling public. Typical uses include lodging facilities, personal services, travel plazas, restaurants and fast food facilities, and commuter parking.
 4. The purpose of the PC zone is to provide areas of mixed use developments where a combination of destination-oriented business, retail commercial, entertainment, high density housing, and related uses may be established, maintained, and protected to serve both residents and nonresidents of the City. Typical uses in this zone include large scale, master planned commercial centers with outlying commercial pads, big box stores, offices, and various types of high density residential uses.
 5. The purpose of the POC zone is to provide walkable commercial areas which are generally oriented toward local residents rather than out of town patrons. Uses typical of this zone include planned retail and office development and limited medium to high density residential uses that can be harmoniously mixed with commercial development.
- E. *Business and industrial zones.* Business and industrial zones provide areas for conducting business, manufacturing and industrial activities.
1. The purpose of the BMP zone is to provide aesthetically attractive planned developments having a mix of office, research and development, light manufacturing, and limited retail uses. Typical uses in this zone include offices, clean indoor manufacturing facilities, service retail, restaurants, athletic clubs, personal service shops, medical offices, office/warehouse buildings, and research facilities.
 2. The purpose of the PO zone is to provide locations primarily along arterial or major collector streets which will accommodate offices or laboratories for professional persons and other related uses. The zone is intended to provide availability of professional services conveniently to all neighborhoods in the City. Typical uses in this zone include offices for doctors, dentists, accountants, and other similar professions, medical and dental laboratories, and pharmacies.
 3. The purpose of the M-1 zone is to provide areas for uses involving processing and assembly of manufactured goods, warehousing, and material storage. Uses which generate excessive noise, vibration, odor, dust, and fumes are excluded from this zone.
 4. The purpose of the M-2 zone is to provide areas where uses involving industrial processes and natural resource extraction may be permitted without negatively impacting other areas of the City, especially when undertaken on a large scale.
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- F. *Open space and public facility zones.* Open space and public facility zones allow public or quasi-public uses.
1. The purpose of the OS zone is to recognize on the official zoning map areas which are open and generally undevelopable due to government ownership, their sensitive environmental nature and/or the unavailability of adequate public facilities, such as conservation areas and national park land.
 2. The purpose of the PF zone is to provide areas for facilities owned by public and quasi-public entities and which utilize relatively large areas of land. This zone is intended to provide immediate recognition of such areas on the official zoning map. Typical uses in this zone are cemeteries, hospitals, open air theaters, public parks, public schools, and public utility facilities.
- G. *Special purpose and overlay zones.* Special purpose zones are intended to accomplish objectives unique to the particular zone. Overlay zones implement supplemental regulations that apply geographically, regardless of the underlying base zone. Whenever the regulations of a base zone and an overlay zone conflict, overlay zone regulations apply.
1. The purpose of the APO zone is to protect and preserve existing agricultural areas from encroachment of development and to allow ongoing agricultural operations to continue without unreasonable regulations, except for those needed to protect public health and safety.
 2. The purpose of the HDO zone is to implement regulations designed to promote the preservation of structures and sites having historical, cultural, or architectural significance, and to foster economic development consistent with historic preservation plans adopted by the City.
 3. The purpose of the PDO zone is to permit a compatible, master planned mix of various uses in combination with open space components on land that has unique or unusual characteristics that warrant customized development requirements. Although development size may vary from location to location, each development is intended to consist of well designed, architecturally integrated structures which are appropriately landscaped and buffered from surrounding land uses.
 4. The SLO zone provides regulations to protect sensitive land areas such as hillsides, floodplains, and river parkway areas.
 5. The AOZ zone provides regulations to protect, preserve, and promote the development of the City airport area.
 6. The recreation resort zone is established to designate certain areas within the City where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be
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occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments.

7. The general purpose of the extraction industries overlay zone is to provide for the operation of extraction industries in the City, while regulating the operation of such industrial uses particularly on properties in close proximity to residential districts and to provide regulatory standards and procedures to ensure the reclamation of the extraction industry sites upon completion of the extraction processes.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2004-9, 4-1-2004; Ord. 2004-15, 6-17-2004; Ord. 2008-10, 6-5-2008; Ord. 2009-04, 3-19-2009; Ord. 2009-15A, 11-5-2009; Ord. 2013-02, 3-21-2013; Ord. No. 2022-12, 5-5-2022)

Sec. 10-11-3. Official zoning map.

- A. *Zones.* The location and boundaries of the zones described in this chapter, including subsequent amendments, shall be shown on an official zoning map, entitled the Hurricane City Official Zoning Map, as provided in this section.
 1. The zones established by this chapter are intended to further the goals and policies of the City general plan. Accordingly, not every zone established by this chapter need be included on the official zoning map unless and until the City Council, in the exercise of its legislative discretion, determines that placing a particular property in a particular zone will further the goals and policies of the general plan.
 2. Each lot within the City shall be subject to the requirements of the zone, or zones, in which the lot is located as shown on the official zoning map.
 3. The official zoning map, including all boundaries, notations, and other data shown thereon, is hereby adopted by this reference.
- B. *Amendments.* Amendments to the boundaries of a specific zone shown on the official zoning map shall be accomplished in accordance with the provisions set forth in section 10-7-7 of this title.
- C. *Map updates.* The Zoning Administrator shall update the official zoning map as soon as possible after amendments are adopted by the City Council. Upon entering any such amendment on the map, the Zoning Administrator shall note on the map the date of the revision.
- D. *Filing of ordinance and map.* The ordinance codified herein and official zoning map shall be filed in the custody of the City Recorder/Clerk and may be examined by the public subject to any reasonable regulations established by the City Council.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Sec. 10-11-4. Rules for locating zone boundaries.

- A. *Applicability.* Where uncertainty exists as to the boundary of any zone shown on the official zoning map, the provisions of this section shall apply to determine the location of such boundary.
- B. *Centerlines and property lines.* When a zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the official zoning map, the centerline of such street, alley or block or such property line, shall be construed to be the boundary of such zone.
- C. *Waterways, park and public land.* When a zone boundary is indicated as being approximately at the line of any river, irrigation canal or other waterway, public park or other public land, or any section line, then the center of the stream, canal or waterway, or the railroad right-of-way, or the boundary line of the public land or section line shall be deemed to be the boundary of the zone.
- D. *Lot, block, and tract lines.* Zone boundaries indicated as approximately following platted lot lines, or block or parcel tract boundaries shall be interpreted as following such lines.
- E. *Street vacations.* When a public road, street, or alley is officially vacated, such property shall have the same zoning as the adjacent property. In the event vacated property is adjacent to two zones, each zone shall extend to the centerline of the vacated right-of-way.
- F. *Uncertainties.* When a physical or cultural feature existing on the ground is at variance with one shown on the official zoning map, or in case any other uncertainty exists with respect to a zone boundary, the Zoning Administrator shall determine the boundary location, subject to appeal to the Appeals Board as provided in this title.
- G. *Zoning Administrator to make determination.* The Zoning Administrator shall have the authority to make all zone boundary clarifications and determinations subject to the rules above and appeal to the Appeals Board as provided in this title.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2018-12, 10-18-2018)

Sec. 10-11-5. Clarification of zoning.

- A. *Ambiguous zone.* Any property which is not clearly zoned on the City's official zoning map shall be deemed to be in the most restrictive adjacent zone.
- B. *Ambiguous use.*
 - 1. If ambiguity arises concerning the classification of a particular use within the meaning and intent of this title, the Zoning Administrator shall determine the proper use or development standard. The Zoning Administrator may refer the matter to the Planning Commission for a final determination, if the Zoning Administrator deems the use unusual enough to require special consideration. The Planning Commission's

determination shall be final and is subject to appeal to the Appeals Board as provided in this title.

(Ord. 2012-8, 10-18-2012; Ord. 2018-12, 10-18-2018)

Sec. 10-11-6. Annexed territories.

Territory which is annexed shall be deemed to be zoned A-20 immediately upon annexation or as otherwise expressly provided in an annexation agreement. This zoning shall be considered a holding zone and no zone change will be considered until a plan for development is presented.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

BE IT HEREBY FURTHER ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 25 of the Hurricane City Code is amended to read as follows:

CHAPTER 25. AIRPORT OVERLAY ZONE

Sec. 10-25-1. Purpose; Declaration.

A. The City Council finds that:

1. an Airport Hazard endangers the lives and property of users of the Airport and of occupants of land in its vicinity;
2. an obstruction of the type that reduces the size of the area available for the landing, taking-off, and maneuvering of aircraft tends to destroy or impair the utility of the airport and the public investment in the Airport;
3. the creation or establishment of an Airport Hazard is a public nuisance and an injury to the community served by the Airport;
4. it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of Airport Hazards be prevented;
5. this should be accomplished, to the extent legally possible, by exercise of the police power, without compensation;
6. both the prevention of the creation or establishment of Airport Hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests in land; and

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7. the establishment of an airport overlay zone best prevents the creation or establishment of an Airport Hazard, and promotes the public health, safety, and general welfare.

- B. An Airport Overlay Zone is established which shall be a special purpose zone or secondary zoning district of the zoning classification in this title.

Sec. 10-25-2. Definitions.

For purposes of this chapter, the following terms shall have the following meanings set forth below:

Airport means the Hurricane Municipal Airport and any other publicly used area of land or water that is used, or intended to be used, for the landing and take-off of aircraft and utilized or to be utilized in the interest of the public for these purposes. Airport includes a vertiport if the vertiport is open for public use.

Airport approach, transitional, horizontal, and conical zones. These zones apply to the area under the approach, transitional, horizontal, and conical surfaces and are defined in this chapter.

Airport elevation means the elevation in feet above mean sea level of the highest point of the landing areas of the airport.

Airport hazard means any structure, tree, object of natural growth, or use of land that potentially obstructs or otherwise impacts the safe and efficient utilization of the navigable airspace required for the flight of aircraft in landing or take-off at an Airport.

Airport influence area means land located: (a) within 5,000 feet of an airport runway; or (b) within 500 feet of a vertiport that is open for public use.

Airport overlay zone means a secondary zoning district designed to protect the public health, safety, and welfare near an Airport that is within 5,000 feet of an Airport runway; or (b) within 500 feet of a vertiport that is open for public use. An Airport Overlay Zone:

- (a) applies land use regulation in addition to the primary zoning district land use regulation of property used as an Airport and property within an Airport Influence Area;
- (b) may extend beyond the Airport Influence Area;
- (c) ensures airport utility as a public asset;
- (d) protects property owner land values near an airport through compatible land use regulations as recommended by the Federal Aviation Administration; and
- (e) protects aircraft occupant safety through protection of navigable airspace.

Airport primary surface means a surface longitudinally centered on a runway. When the runway has a specifically prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point in the primary surface is the same as the elevation of the nearest point on the runway centerline.

Airport runway means a defined area on an airport prepared for landing and takeoff of aircraft along its length. For the purpose of this land use ordinance, the runway length shall be 3,400 feet.

Airport utility runway means a runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA approved airport layout plan, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

Structure means any object constructed or installed by man, including buildings, towers, smokestacks, and overhead transmission lines.

Tree means any object of natural growth.

Sec. 10-25-3. Airport Zoning Regulations.

- A. Any person building or development land within an Airport Influence Area or Airport Overlay Zone shall conform to the requirements of this Chapter; Title 72, Chapter 10, Part 4 of the Utah Code, as amended; Title 10, Chapter 9a, Municipal Land Use, Development, and Management Act of the Utah Code, as amended; and Title 14, Part 77 of the Code of Federal Regulations, as amended.
- B. Flight of aircraft over the lands and waters of the state is lawful, unless: (i) at such a low altitude as to interfere with the existing use to which the owner has put the land, water, or the airspace over the land or water; or (ii) so conducted as to be imminently dangerous to persons or property lawfully on the land or water beneath.

Sec. 10-25-4. Height limiting zones.

In order to carry out the provisions of this chapter, there are hereby created and established certain height limiting zones, which include all the land lying within the utility and nonprecision instrument approach zones, transitional zones, horizontal zones, and conical zones. Such zones are shown on the municipal airport zoning map (hereafter referred to as "the map"), a copy of which is attached to the ordinance codified herein and incorporated herein by this reference as if fully set forth. The various height limiting zones are hereby established and defined as follows:

- A. *Approach zone.* An approach zone, as shown on the map, is hereby established, commencing at each end of the runway at a width of 200 feet, 100 feet on each side of the centerline of the runway, and extending in length and width at a ratio of 20

feet in length for every one foot in width, until said zone reaches a total length of 5,000 feet in each direction and achieves a maximum width of 1,250 feet, 625 feet on each side of the centerline of said zone, as measured at the end of said 5,000-foot distance.

- B. *Transitional zone.* Transitional zones, as shown on the map, are hereby established adjacent to each utility and runway and visual approach zone. Transitional zones symmetrically located on either side of runways have variable widths as shown on the map. Transitional zones extend outward from a line on either side of the centerline of the runway, for the length of such runway plus 200 feet on the end, and are parallel to and level with such runway centerlines. The transitional zone along such runway slopes upward and outward seven feet horizontally for each one foot vertically to the point where they intersect the surface of the horizontal zone. Further, transitional zones are established adjacent to visual approach zones for the entire length of the approach zone. These transitional zones have variable widths, as shown on the map. Such transitions flare symmetrically with either side of the runway approach zone from the base of such zone and slope upward and outward at the rate of seven feet horizontally for each one foot vertically to the points where they intersect the surfaces of the horizontal and conical zones.
- C. *Horizontal zone.* A horizontal zone, as shown on the map, is hereby established as the area within arcs of radius from points at the end of the runway at the centerline extension and having a radius of 5,000 feet at 150 feet above the airport elevation. The horizontal zone does not include the utility transition zone.
- D. *Conical zone.* A conical zone, as shown on the map, is hereby established as the area that commences at the periphery of the horizontal zone and extends outward for a distance of 4,000 feet. The conical zone does not include the utility transition zone. The conical zone shall rise 20 feet in height for each one foot in horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the airport elevation.

Sec. 10-25-5. Height limitations.

Except as otherwise provided herein, no Structure shall be constructed, erected or altered, and no Tree shall be planted or allowed to grow or in any way maintained in any height limiting zone created by this chapter to a height in excess of the height limit for each of the zones as established herein, as follows:

- A. *Approach zone.* Slopes 20 feet outward for each foot upward beginning at the end of the zone and at the same elevation as the Primary Surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- B. *Transitional zone.* Slopes seven feet outward for each one foot upward beginning at the sides of and at the same elevation as the Primary Surface and the approach surface, and extending to a height of 150 feet above the Airport elevation. In addition to the foregoing, there are established height limits sloping seven feet outward for

each one foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.

- C. *Horizontal zone.* One hundred fifty feet above the Airport elevation.
- D. *Conical zone.* Twenty feet in height for each one foot of horizontal distance beginning at the periphery of the horizontal zone, extending to a height of 350 feet above the Airport elevation.
- E. *Excepted height limitation.* Nothing in this chapter shall be construed as prohibiting the growth, construction, or maintenance of any Tree or Structure to a height consistent with the terms of this chapter.
- F. *Most restrictive limitation prevails.* Where a zone is covered by more than one height limitation, the more restrictive limitations shall prevail.

Sec. 10-25-6. Nonconforming uses.

- A. *Regulations not retroactive.* The regulations prescribed by this chapter shall not be construed so as to require the removal, lowering, or other changes or alterations of any Structure or Tree not conforming to the regulations as of the effective date of this chapter, or otherwise interfere with the continuation of any nonconforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any Structure, the construction or alteration of which was begun and diligently prosecuted prior to the effective date of this chapter.
- B. *Marking and lighting.* Notwithstanding the provisions of subsection A of this section, the City shall have the right to install, place and maintain lights or markers on noncomplying Structures or nonconforming Trees, as deemed necessary by the Airport Manager, in order to warn the operators of aircraft of the presence of such noncomplying Structures or nonconforming Trees.

Sec. 10-25-7. Variance.

- A. *Permit in excess of allowed height.* Any person desiring to: 1) erect any new building or Structure to a height in excess of that allowed by this chapter; 2) increase the height of any existing building or Structure to a height in excess of that allowed by this chapter; 3) permit the growth of any Tree to a height in excess of that allowed by this chapter; or 4) otherwise use property not in accordance with the regulations prescribed by this chapter, may apply to the Appeals Board for a variance in accordance with section 10-7-12 et seq. of this title; provided, however that no such variance shall be approved without the written recommendation of the Airport Advisory Board.
- B. *Hazard marking and lighting.* Any variance approved by the Appeals Board may, if such action is deemed reasonable and advisable to effectuate the purpose of this chapter, require as a condition of approval that the owner of the building, Structure or Tree in

question, at his own expense, install, operate, and maintain thereon such markers and lights as may be necessary to indicate to fliers the presence of any Airport Hazard.

Sec. 10-25-8. Notice.

- A. Applicants seeking to build on or develop land in an Airport Influence Area shall be provided with the following notice, in writing:

NOTICE OF AIRPORT AREA

Notice is hereby provided to all persons building on or developing land on this property that the property is located in the vicinity of the Hurricane Municipal Airport, or other public airport, in which normal aviation uses and activities, including aircraft overflights and associated noise.

- B. The notice required by this section may be provided in the application materials associated with building permits, site plans, plats, or other developments.
- C. The notice required by this section shall be placed on all final plats recorded with the Washington County Recorder's Office when any portion of the property subject to the plat is within an Airport Influence Area.

Sec. 10-25-9. Exception to chapter.

Due to unusual topography and proximity to hillsides, the provisions of this chapter shall not apply to certain territory located on the east side of the Airport at or near the base of Hurricane Hill, as shown on the map.

Sec. 10-25-10. Governing Law in event of conflict.

In the event of conflict between any airport land use regulations adopted under this part and any other regulations applicable to the same area, whether the conflict be with respect to the height of Structures or Trees, the use of land, or any other matter, the Airport Overlay Zone requirement shall govern and prevail.

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

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of

this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. This Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 19th day, DECEMBER 2024.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 19th day of December 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Clark Fawcett	___	___	___	___
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___

Cindy Beteag, Recorder



STAFF COMMENTS

Item: Discussion and consideration of ZC24-13 PSP24-38 a Zone Change Amendment request and preliminary site plan approval located approximately at the southeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-8, single-family residential one unit per 8,000 square feet. Parcel numbers H-4-2-12-1208-GS1 and H-4-2-12-1209-GS1. Western Mortgage and Realty Co - Tim Tippet, Applicant. Karl Rasmussen, Agent.

Discussion: The applicant requests a zone change to add a Planned Development Overlay (PDO) to the existing R1-8 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has informed staff that their intention with the zone change application is to request more generous setbacks that could be allowed with the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp

Findings:

Recommendation:



Application

Application Accepted Date: 11/20/2024		Valuation		\$	0.00					
Type of Improvement: Zone Change Application		PERMIT FEES								
Description: Zone Change to R1-8 PDO Overlay		Planning Fee		\$	500.00					
Tenant / Project Name: Zone Change - Copper Meadows		Planning Fee		\$	500.00					
Bldg. Address: Southeast Corner of Gateway Blvd & Jellystone Rd		Sub Total:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	500.00					
Subdivision: Desert Bloom Phase:		Amount Paid:		\$	500.00					
Block: Lot #: Parcel ID #: H-4-2-12-1208-GS1, H-		Remaining Due:		\$	0.00					
Zone: R1-6 4-2-12-1209-GS1										
Property Owner: Tim Tippet										
Permit Contact: Karl Rasmussen P:(435) 680-0816										
Email: karl@pv-eng.com										
CONTACT INFORMATION										
Engineer of Record: Karl Rasmussen										
Email: karl@pv-eng.com P: (435) 668-8307										
General Contractor: Western Mortgage and Realty Company										
License #: 191090-2203 P: (509) 521-9354										
Address: 6610 WEST COURT STREET										
City: PASCO State: WA Zip: 99302										
Email: ttippet@westernmort.com										
APPLICATION DETAILS										
DRAFT										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANZC24-13										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Treasa Anderson										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #:										

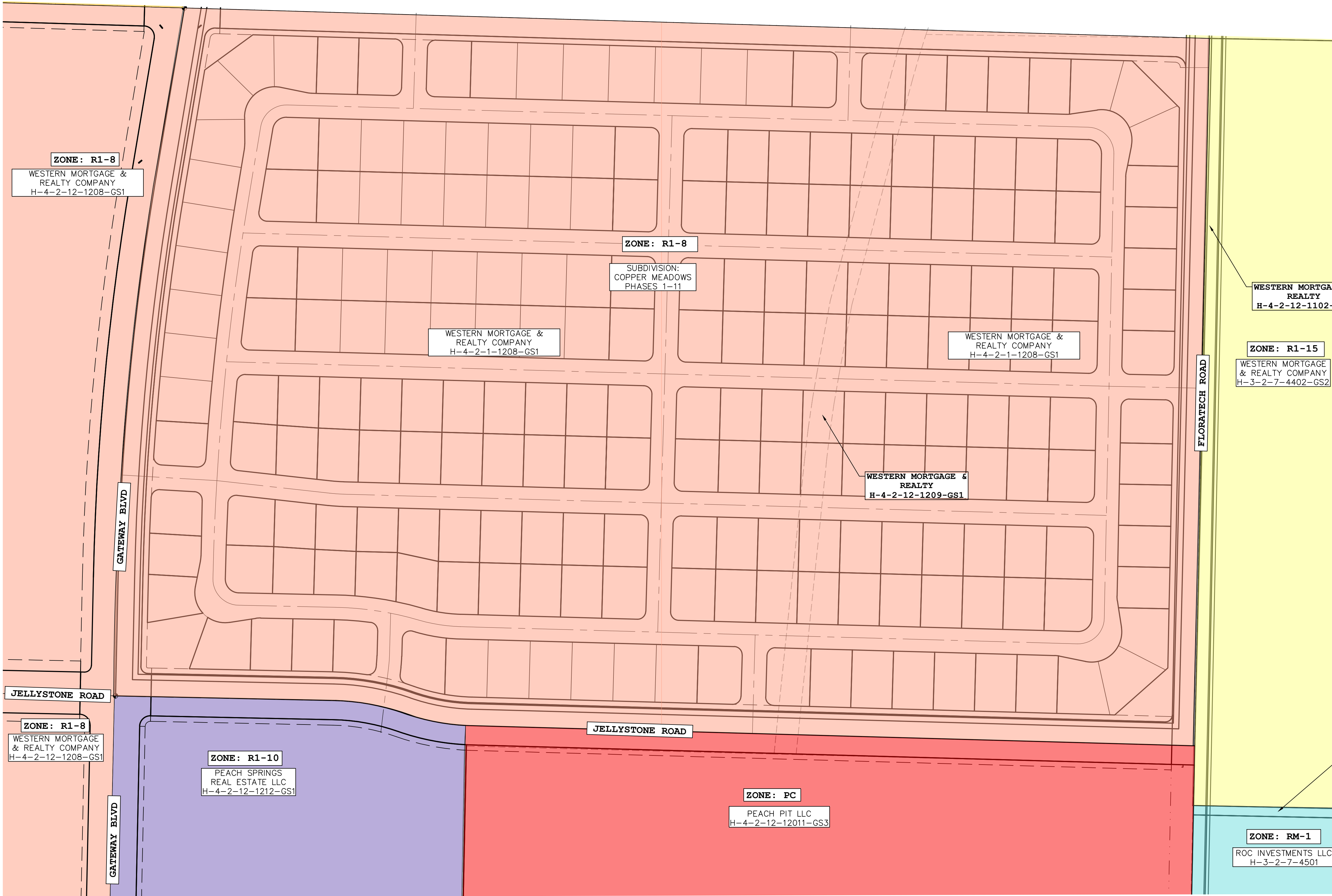
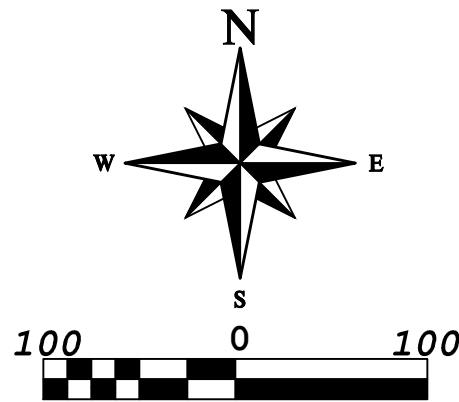
Application

Application Accepted Date: 11/21/2024		Valuation		\$	0.00
Type of Improvement: Site Plan (Preliminary)		PERMIT FEES			
Description: 125 lots to be built in subdivision.		Planning Fee		\$	200.00
Tenant / Project Name: Copper Meadows		Planning Fee		\$	200.00
Bldg. Address: Southeast Corner of Gateway Blvd & Jellystone Rd		Sub Total:		\$	200.00
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	200.00
Subdivision: Copper Meadows Phase:		Amount Paid:		\$	200.00
Block: Lot #: Parcel ID #: H-4-2-12-1208-GS1, H-		Remaining Due:		\$	0.00
Zone: R1-6 4-2-12-1209-GS1					
Property Owner: Tim Tippet					
Permit Contact: Karl Rasmussen P:(435) 680-0816					
Email: karl@pv-eng.com					
CONTACT INFORMATION					
Engineer of Record: Karl Rasmussen					
Email: karl@pv-eng.com P: (435) 668-8307					
General Contractor: Western Mortgage and Realty Company					
License #: 191090-2203 P: (509) 521-9354					
Address: 6610 WEST COURT STREET					
City: PASCO State: WA Zip: 99302					
Email: tippet@westernmort.com					
APPLICATION DETAILS					
					
Setbacks		Front:	Rear:	Left:	Right:
Min.					
Actual:					
APPLICATION NUMBER:				PLANPSP24-38	
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.					
Applicant Name: Treasa Anderson					
Signature of Applicant/Authorized Agent or Owner: Date:					
Application Approved By:				Date:	
Application Issued By:				Date:	
Receipt #:					

Copper Meadows Phases 1-9: Parcels, H-4-2-12-1208-GS1, H-4-2-12-1209-GS1, are currently owned and will be developed by Western Mortgage & Realty Company. There will be 121 lots in phase 1-11.

EXISTING ZONE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - SECTION LINE
 - OLD PROPERTY LINE
 - OLD ZONE LINE

- ZONE LEGEND:**
- RM-1: RESIDENTIAL 6 UNITS PER ACRE
 - R1-8: RESIDENTIAL 6 UNITS PER ACRE
 - R1-10: RESIDENTIAL AVERAGE 10,000 SQ.FT.
 - R1-15: RESIDENTIAL - 1 UNIT PER 15,000 SQ FT
 - PC: PLANNED COMERCIAL

LEGAL DESCRIPTION FOR COPPER MEADOWS PHASES 1-11:

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S01°11'07"W ALONG THE SECTION LINE 53.08 FEET; THENCE WEST 42.01 FEET TO THE POINT OF BEGINNING; THENCE S01°11'07"W 1178.359 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BASH PARKWAY THE FOLLOWING FIVE (5) COURSES; (1) THENCE SOUTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,724 FEET, THROUGH A CENTRAL ANGLE OF 90°24'33", (LONG CHORD BEARS: S46°23'23"W 17,741 FEET); (2) THENCE N88°24'20"W 1262.129 FEET; (3) THENCE WESTERLY ALONG THE ARC OF A 358,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 111,028 FEET, THROUGH A CENTRAL ANGLE OF 17°46'09", (LONG CHORD BEARS: 79°31'15"W 110,583 FEET); (4) THENCE WESTERLY ALONG THE ARC OF A 457,241 FOOT RADIUS REVERSE CURVE TO THE LEFT A DISTANCE OF 144,894 FEET, THROUGH A CENTRAL ANGLE OF 18°09'23", (LONG CHORD BEARS: N79°42'52"W 144,289 FEET); (5) THENCE N88°47'33"W 332,260 FEET TO THE EAST RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD THE FOLLOWING SIX (6) COURSES; (1) THENCE N88°47'33"W 6,979 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,637 FEET, THROUGH A CENTRAL ANGLE OF 90°00'40", (LONG CHORD BEARS: N43°47'13"W 17,679 FEET); (2) THENCE N01°13'07"E 160,674 FEET; (3) THENCE NORTHERLY ALONG THE ARC OF A 4955,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 719,114 FEET, THROUGH A CENTRAL ANGLE OF 08°18'55", (LONG CHORD BEARS: N05°22'35"E 718,483 FEET); (4) THENCE N09°32'02"E 272,764 FEET; (5) THENCE NORTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 27,965 FEET, THROUGH A CENTRAL ANGLE OF 82°10'05", (LONG CHORD BEARS: N50°37'04"E 25,629 FEET); (6) THENCE S88°17'53"E 7,927 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF JELLYSTONE ROAD THE FOLLOWING TWO (2) COURSES; (1) THENCE S88°17'53"E 1739,166 FEET; (2) THENCE SOUTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 30,455 FEET, THROUGH A CENTRAL ANGLE OF 89°29'00", (LONG CHORD BEARS: S43°33'23"E 27,453 FEET) TO THE POINT OF BEGINNING.

AREA CONTAINS 2,223,816 SQUARE FEET OR 51.052 ACRES.

OWNER:

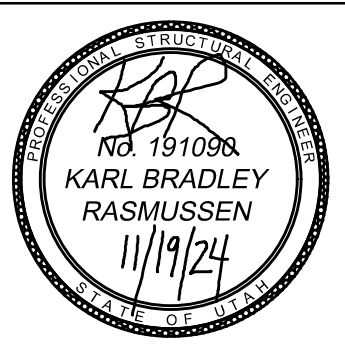
WESTERN MORTGAGE & REALTY CO
6610 W COURT ST
PASCO, WA 99301

CONTACT REPRESENTATIVE:

TIM TIPPETT
(509)-521-9354
TTIPPETT@WESTERNMORT.COM

REVISIONS		DATE	BY
NO	DESCRIPTION		

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



EXISTING ZONE MAP FOR:
WESTERN MORTGAGE

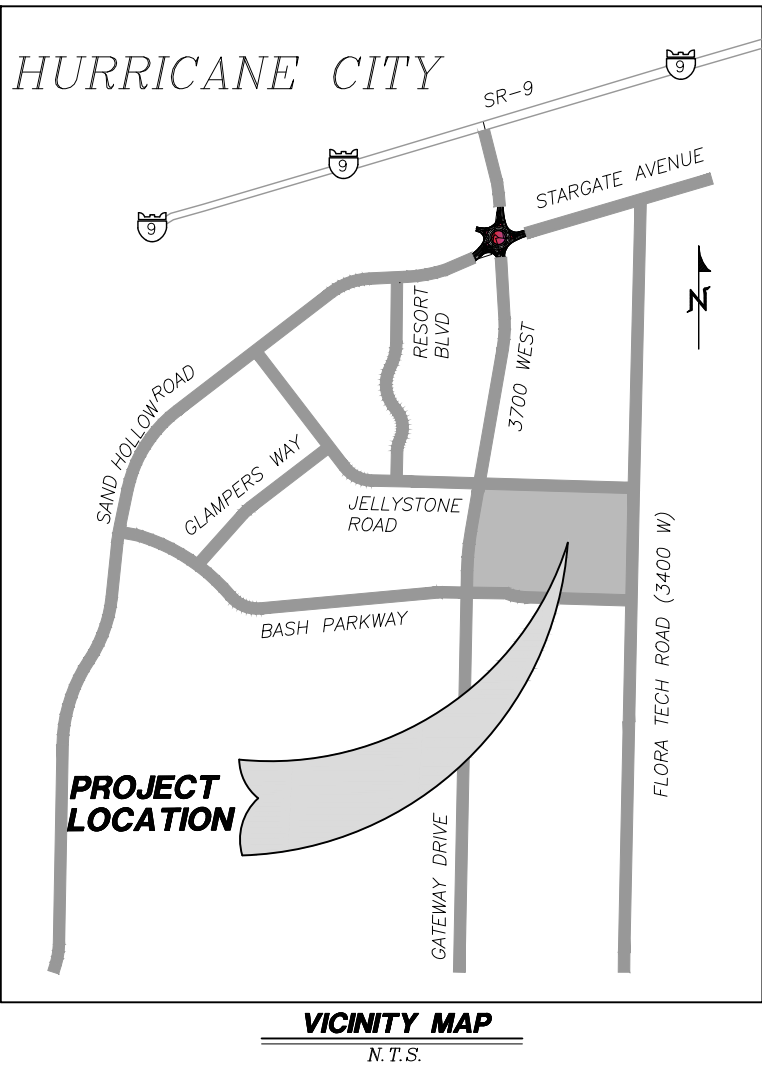
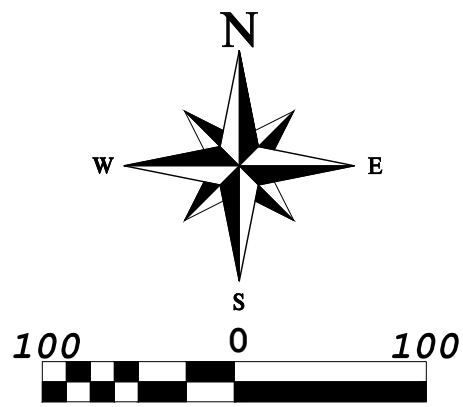
LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO:	

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S01°11'07"W ALONG THE SECTION LINE 53.08 FEET; THENCE WEST 42.01 FEET TO THE POINT OF BEGINNING; THENCE S01°11'07"W 1178.359 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BASH PARKWAY THE FOLLOWING FIVE (5) COURSES; (1) THENCE SOUTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,724 FEET, THROUGH A CENTRAL ANGLE OF 90°24'33", (LONG CHORD BEARS: S46°23'23"W 17,741 FEET); (2) THENCE N88°24'20"W 1262.129 FEET; (3) THENCE WESTERLY ALONG THE ARC OF A 358,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 111,028 FEET, THROUGH A CENTRAL ANGLE OF 17°46'09", (LONG CHORD BEARS: 79°31'15"W 110,583 FEET); (4) THENCE WESTERLY ALONG THE ARC OF A 457,241 FOOT RADIUS REVERSE CURVE TO THE LEFT A DISTANCE OF 144,894 FEET, THROUGH A CENTRAL ANGLE OF 18°09'23", (LONG CHORD BEARS: N79°42'52"W 144,289 FEET); (5) THENCE N88°47'33"W 332.260 FEET TO THE EAST RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD THE FOLLOWING SIX (6) COURSES; (1) THENCE N88°47'33"W 6,979 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,637 FEET, THROUGH A CENTRAL ANGLE OF 90°00'40", (LONG CHORD BEARS: N43°47'13"W 17,679 FEET); (2) THENCE N01°13'07"E 160,674 FEET; (3) THENCE NORTHERLY ALONG THE ARC OF A 4955,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 719,114 FEET, THROUGH A CENTRAL ANGLE OF 08°18'55", (LONG CHORD BEARS: N05°22'35"E 718,483 FEET); (4) THENCE N09°32'02"E 272,764 FEET; (5) THENCE NORTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 27,965 FEET, THROUGH A CENTRAL ANGLE OF 62°10'05", (LONG CHORD BEARS: N50°37'04"E 25,629 FEET); (6) THENCE S88°17'53"E 7,927 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF JELLYSTONE ROAD THE FOLLOWING TWO (2) COURSES; (1) THENCE S88°17'53"E 1739.166 FEET; (2) THENCE SOUTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 30,455 FEET, THROUGH A CENTRAL ANGLE OF 69°29'00", (LONG CHORD BEARS: S43°3'23"E 27,453 FEET) TO THE POINT OF BEGINNING.

AREA CONTAINS 2,223,816 SQUARE FEET OR 51.052 ACRES.



EXISTING CONDITIONS FOR:
COPPER MEADOWS

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

LEGEND

	PROPERTY LINE		PUBLIC UTILITY EASEMENT
	ADJACENT PROPERTY LINE		EXISTING WATER (SIZE SHOWN)
	EXISTING CURB & GUTTER		EXISTING SEWER (SIZE SHOWN)
	SECTION LINE		EXISTING POWER
	CENTER LINE		EXISTING STORM DRAIN (SIZE SHOWN)
	EOP		EXISTING CURB INLET BOX
	EDGE OF PAVEMENT		EXISTING SEWER MANHOLE
	MAJOR CONTOUR 5'		FOUND SECTION CORNER MONUMENT
	MINOR CONTOUR 1'		

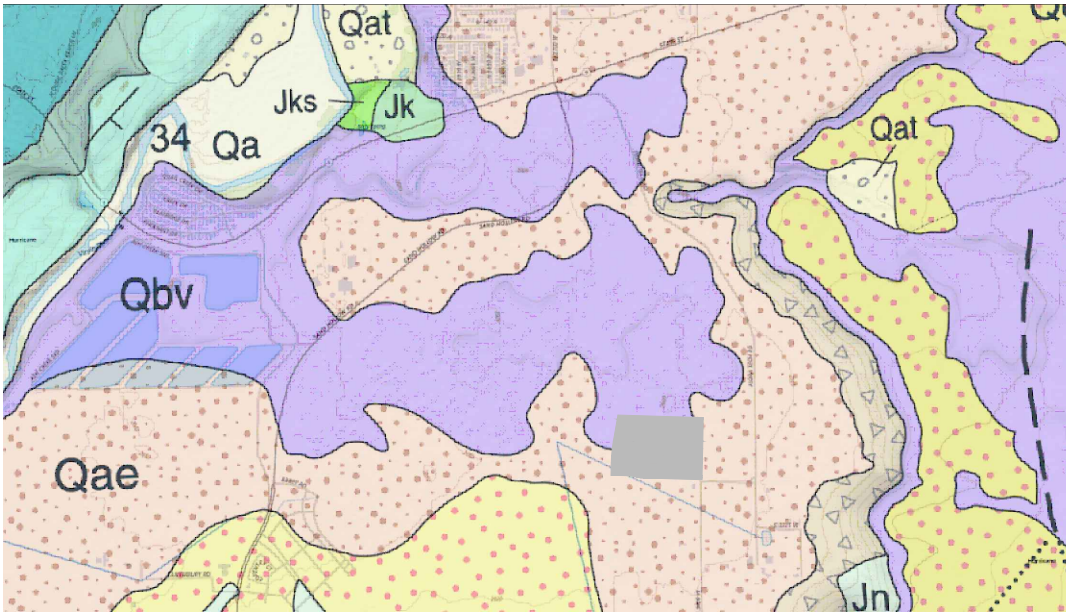
OWNER(S):

WESTERN MTG & REALTY CO
6610 W COURT ST
PASCO, WA 99301

GEOLOGICAL HAZARDS

FAULTS & SURFACE FAULTING	NONE
LIQUEFACTION	H2 - HIGH2-SIMILAR IN TEXTURE TO HIGH CATEGORY, NO GROUND-WATER INFORMATION
FLOODING	ZONE X-AREA OF MINIMAL FLOOD HAZARD
LANDSLIDE HAZARD	L - LOW: AREAS WHERE CATEGORY D GEOLOGIC UNITS CROP CUT ON SLOPES GREATER THAN 30 PERCENT (16.7%)
ROCKFALL HAZARD	H - HIGH ROCK-FALL-HAZARD AREAS
BRECCIA PIPES AND PALEOKARST	NONE
CALICHE	CA - CALICHE
COLLAPSIBLE SOIL	CSA-STREAM/TERRACE ALLUVIUM >=3% CSB-STREAM/TERRACE ALLUVIUM, NO DATA
EXPANSIVE SOIL	ESL-LOW SUSCEPTIBILITY TO EXPANSION
GYPSEFEROUS SOIL & ROCK	NONE
PIPING & EROSION	P&ES-SOILS SUSCEPTIBLE TO PIPING AND EROSION
SHALLOW BEDROCK	BRB-BURIED: AREAS WHERE DEPTH TO BEDROCK IS GENERALLY <10 FEET BENEATH SOIL COVER BRB-HARD: AREAS WHERE GENERALLY HARD AND RESISTANT BEDROCK VISIBLE AT GROUND SURFACE
WIND BLOWN SAND	WBSL-LOW: MIXED-UNIT GEOLOGIC DEPOSITS WITH WIND-BLOWN COMPONENT WBSH-HIGH: MODERN SAND-DUNE OR SHEET-SAND DEPOSITS
SHALLOW GROUND WATER	SGW3-MODERATELY TO FREELY DRAINING SOILS WITH SEASONAL OR TRANSIENT SHALLOW GROUND WATER

THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.



GEOLOGICAL NARRATIVE

QBV: VOLCANO MOUNTAIN LAVA FLOW (MIDDLE PLEISTOCENE)

MEDIUM- TO DARK-GRAY TO GRAYISH-BLACK, FINE- TO MEDIUM-GRAINED ALKALI BASALT (QBV) WITH SPARSE OLIVINE PHENOCRYSTS; ERUPTED FROM A VENT AT VOLCANO MOUNTAIN (QVVC) SOUTHWEST OF HURRICANE; DIVISIBLE INTO THREE SEPARATE FLOWS (BIEK, 2003A, 2003B); YOUNGEST AND MIDDLE-LEVEL FLOWS YIELDED 40AR/39AR AGES OF 0.258 ± 0.024 MA AND 0.353 ± 0.045 MA, RESPECTIVELY (SANCHEZ, 1995), IN ACCORD WITH K-AR AGES OF 0.289 ± 0.085 AND 0.303 ± 0.30 (BEST AND OTHERS, 1980) ON THE MIDDLE-LEVEL FLOW; MIDDLE-LEVEL FLOW IS DISPLACED ABOUT 240 FEET (73 M) BY THE HURRICANE FAULT AT TIMPOWEAP CANYON AND LOCALLY HAS PILLOW BASALT AT ITS BASE; THE OLDEST LAVA FLOW FLOWED ABOUT 8 MILES (13 KM) DOWN THE VIRGIN RIVER; LAVA FLOWS ARE GENERALLY 35 TO 45 FEET (11-14 M) THICK AND FORM ROUGH, BLOCKY SURFACES, BUT THE MIDDLE-LEVEL FLOW IS AS MUCH AS 170 FEET (50 M) THICK WHERE IT FILLS THE ANCESTRAL VIRGIN RIVER CHANNEL.

QAE: ALLUVIAL AND EOLIAN DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE):-

MODERATELY SORTED GRAVEL, SAND, AND SILT DEPOSITED IN SMALL CHANNELS AND ON ALLUVIAL FLATS, AND WELL-SORTED, FINE- TO MEDIUM-GRAINED, REDDISH-BROWN EOLIAN SAND LOCALLY REWORKED BY ALLUVIAL PROCESSES; YOUNGER DEPOSITS (QAE) FORM ACTIVE DEPOSITIONAL SURFACES, WHEREAS OLDER DEPOSITS (QAE0) TYPICALLY FORM INCISED, INACTIVE SURFACES; AS MUCH AS ABOUT 20 FEET (6 M) THICK.

QES: EOLIAN SAND DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE):-

WELL SORTED, FINE- TO MEDIUM-GRAINED, WELL-ROUNDED, FROSTED QUARTZ SAND; SAND IS RECYCLED PRINCIPALLY FROM THE NAVAJO SANDSTONE AND KAYENTA FORMATION; LOCALLY FORMS SMALL DUNES PARTLY STABILIZED BY VEGETATION; LOCALLY INCLUDES THICK CALICIC SOILS (HARDPAN OR CALICHE); TYPICALLY LESS THAN 20 FEET (6 M) THICK.

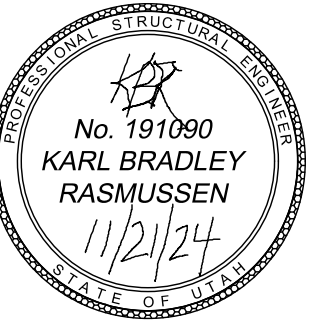
DESERT TORTOISE TAKE AREA

THE PROJECT IS NOT LOCATED IN A DESERT TORTOISE TAKE AREA. (PER RED CLIFFS DESERT RESERVE TAKE AREA 7 MAP)

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NO	REVISIONS DESCRIPTION	DATE	BY

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



EXISTING CONDITIONS FOR:

COPPER MEADOWS

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

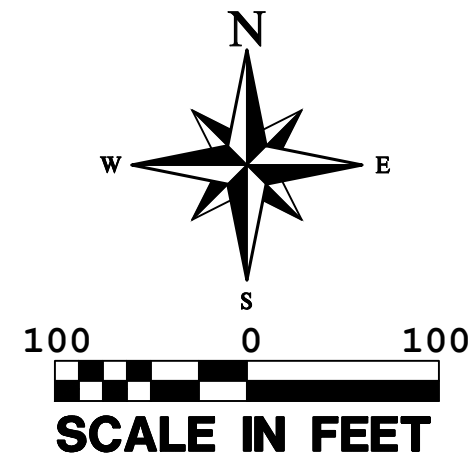
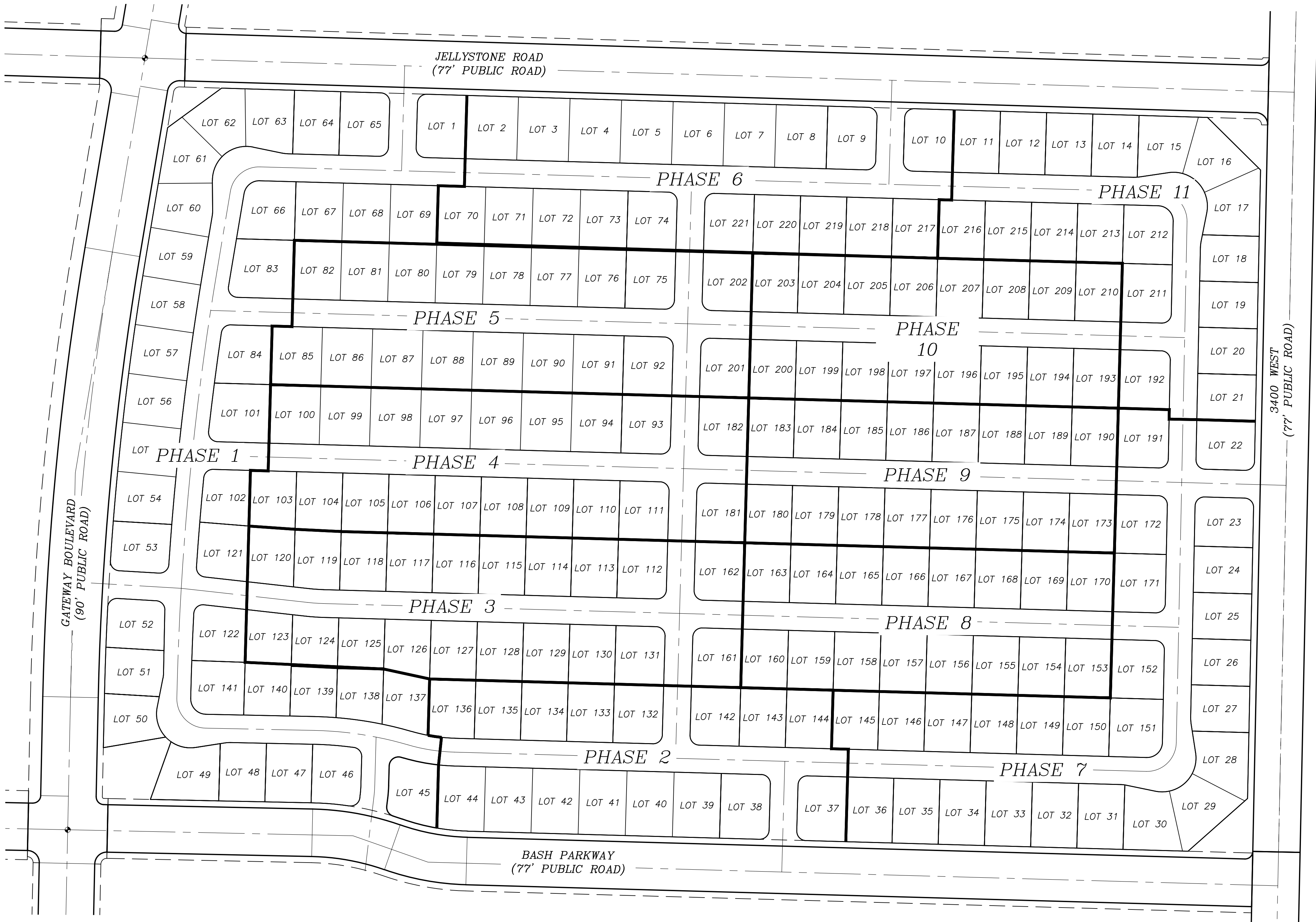
DATE	11-20-2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO.	

336-012 DESERT BLOOM SITE PLANNING

H-4-2-12-1208-GS1

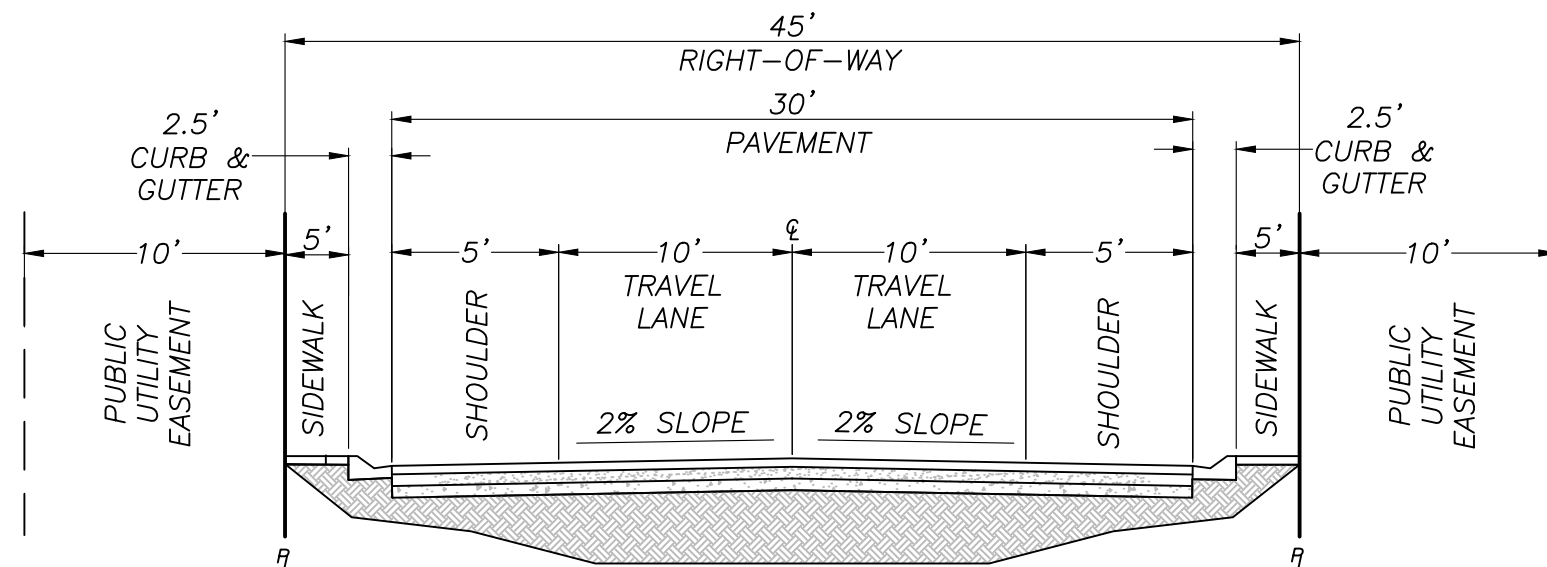
SITE PLAN FOR:
COPPER MEADOWS

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



LEGEND

	PROPERTY LINE
	LOT LINE
	EXISTING CURB & GUTTER
	PHASE LINE
	CENTER LINE
	TIE LINE



45' R-O-W

LEGAL DESCRIPTION

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S01°11'07"W ALONG THE SECTION LINE 53.08 FEET; THENCE WEST 42.01 FEET TO THE POINT OF BEGINNING; THENCE S01°11'07"W 1178.359 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BASH PARKWAY THE FOLLOWING FIVE (5) COURSES; (1) THENCE SOUTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,724 FEET, THROUGH A CENTRAL ANGLE OF 90°24'33", (LONG CHORD BEARS: S46°23'23"W 17,741 FEET); (2) THENCE N88°24'20"W 1262.129 FEET; (3) THENCE WESTERLY ALONG THE ARC OF A 358,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 111.028 FEET, THROUGH A CENTRAL ANGLE OF 17°46'09", (LONG CHORD BEARS: 79°31'15"W 110,583 FEET); (4) THENCE WESTERLY ALONG THE ARC OF A 457,241 FOOT RADIUS REVERSE CURVE TO THE LEFT A DISTANCE OF 144,894 FEET, THROUGH A CENTRAL ANGLE OF 18°09'23", (LONG CHORD BEARS: N79°42'52"W 144,289 FEET); (5) THENCE N88°47'33"W 332.260 FEET TO THE EAST, RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD THE FOLLOWING SIX (6) COURSES; (1) THENCE N88°47'33"W 6,979 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,637 FEET, THROUGH A CENTRAL ANGLE OF 90°00'40", (LONG CHORD BEARS: N43°47'13"W 17,679 FEET); (2) THENCE N01°13'07"E 160,674 FEET; (3) THENCE NORTHERLY ALONG THE ARC OF A 4955,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 719,114 FEET, THROUGH A CENTRAL ANGLE OF 08°18'55", (LONG CHORD BEARS: N05°22'35"E 718,483 FEET); (4) THENCE N09°32'02"E 272,764 FEET; (5) THENCE NORTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 27,965 FEET, THROUGH A CENTRAL ANGLE OF 62°10'05", (LONG CHORD BEARS: N50°37'04"E 25,629 FEET); (6) THENCE S88°17'53"E 7,927 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF JELLYSTONE ROAD THE FOLLOWING TWO (2) COURSES; (1) THENCE S88°17'53"E 1739,166 FEET; (2) THENCE SOUTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 30,455 FEET, THROUGH A CENTRAL ANGLE OF 69°29'00", (LONG CHORD BEARS: S43°33'23"E 27,453 FEET) TO THE POINT OF BEGINNING.

AREA CONTAINS 2,223,816 SQUARE FEET OR 51.052 ACRES.

EASEMENT NOTE:

THE SUBDIVISION WILL PROVIDE NON-DISCRIMINATORY ACCESS FOR THE PLACEMENT OF COMMUNICATIONS AND UTILITY INFRASTRUCTURE. EASEMENTS WILL BE IDENTIFIED ON THE FINAL PLAT AND COORDINATED WITH RELEVANT SERVICE PROVIDERS TO ENSURE EQUITABLE ACCESS FOR ALL UTILITY AND COMMUNICATION PROVIDERS.

ALL LOTS TO HAVE 10' PUBLIC UTILITY EASEMENTS ALONG THE RIGHT-OF-WAY LINE OF ALL INTERNAL ROADWAYS.

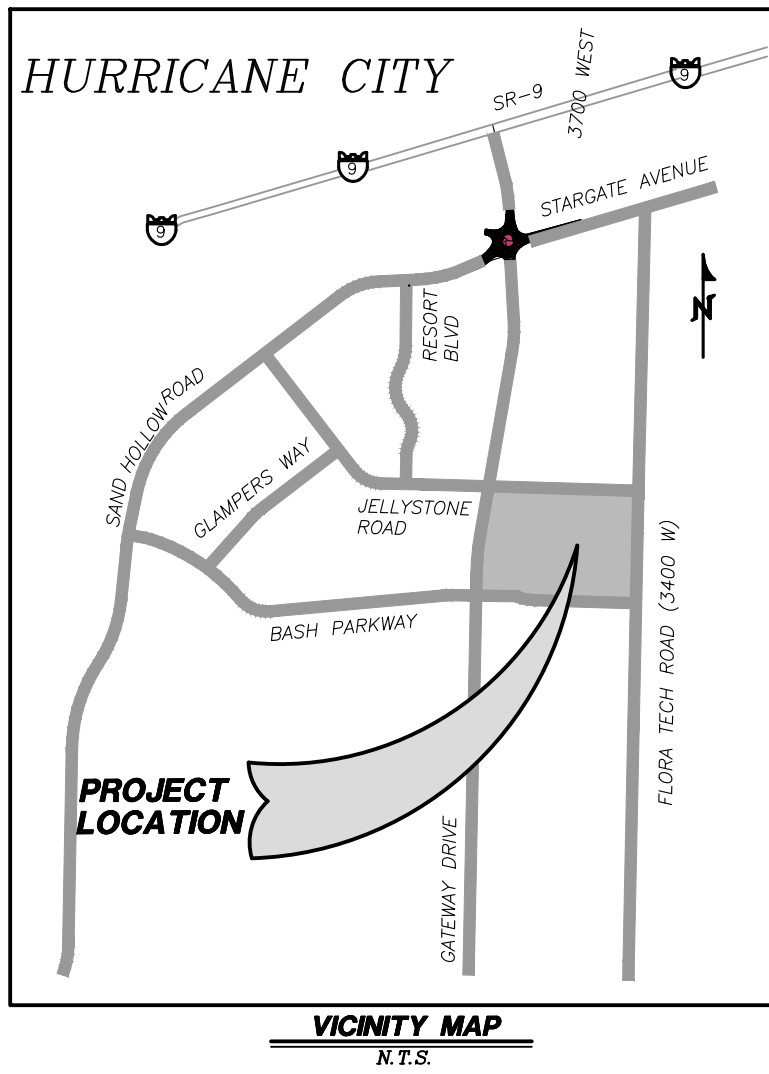
PRELIMINARY STORM DRAINAGE PLAN

STORM WATER DRAINAGE WILL CONNECT TO THE EXISTING STORM DRAIN INFRASTRUCTURE ALONG GATEWAY BOULEVARD. PIPE SIZING AND SPECIFICATIONS WILL BE DETERMINED IN THE CONSTRUCTION DRAWING PHASE. PLEASE REFER TO THE GATEWAY AT SAND HOLLOW DRAINAGE REPORT FOR FURTHER DETAILS.

SITE DATA

PHASE #	# OF LOTS
PHASE 1	37 LOTS
PHASE 2	16 LOTS
PHASE 3	20 LOTS
PHASE 4	19 LOTS
PHASE 5	18 LOTS
PHASE 6	19 LOTS
PHASE 7	26 LOTS
PHASE 8	16 LOTS
PHASE 9	16 LOTS
PHASE 10	16 LOTS
PHASE 11	18 LOTS
TOTAL	221 LOTS

AVERAGE LOT SIZE = 7,421 S.F.

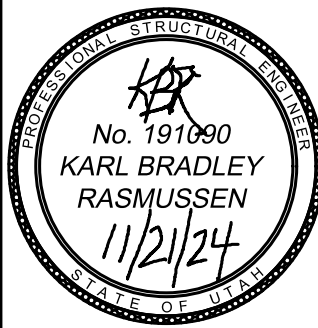


OWNERSHIP / DEVELOPER

WESTERN MTG & REALTY CO
6610 W COURT ST
PASCO, WA 99301

REVISIONS		DESCRIPTION	DATE	BY
NO				

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

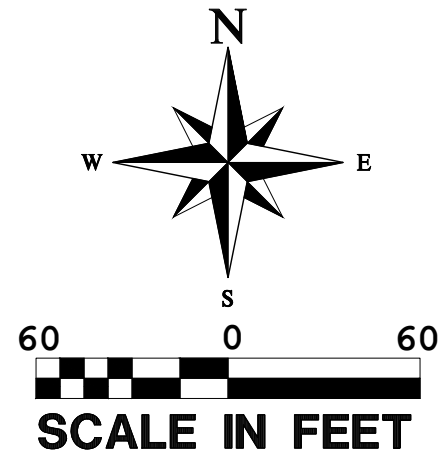


SITE PLAN FOR:
COPPER MEADOWS
LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11-20-2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO.	

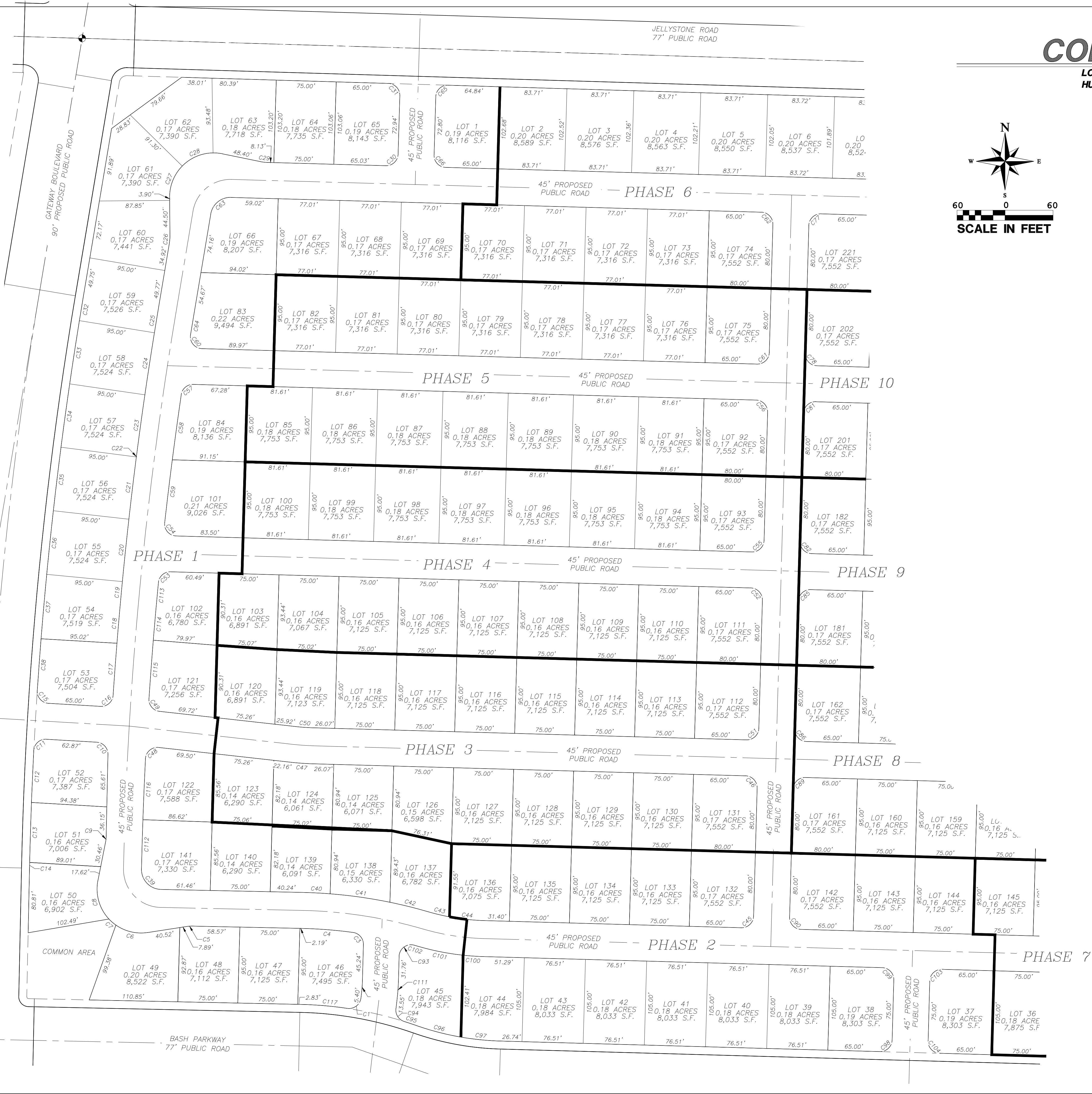
SITE PLAN FOR:
COPPER MEADOWS

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



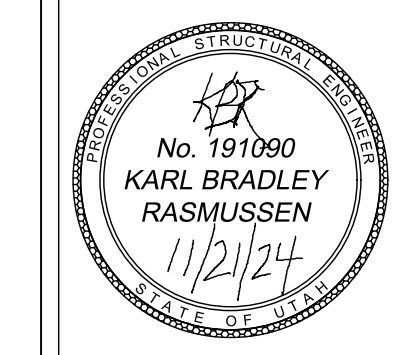
LEGEND

- PROPERTY LINE
- LOT LINE
- EXISTING CURB & GUTTER
- PHASE LINE
- CENTER LINE
- TIE LINE



REVISIONS		DESCRIPTION	BY	DATE
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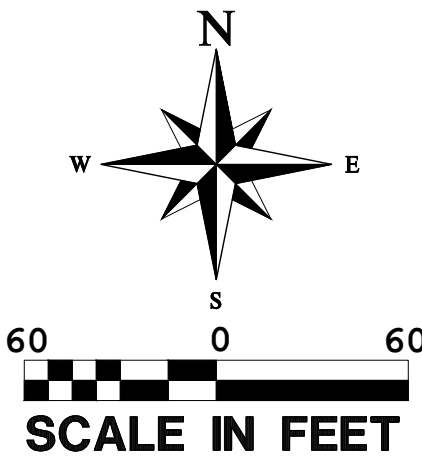


SITE PLAN FOR:
COPPER MEADOWS
LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11-20-2024
SCALE	1"=60'
JOB NO.	336-012
SHEET NO.	3 OF 6

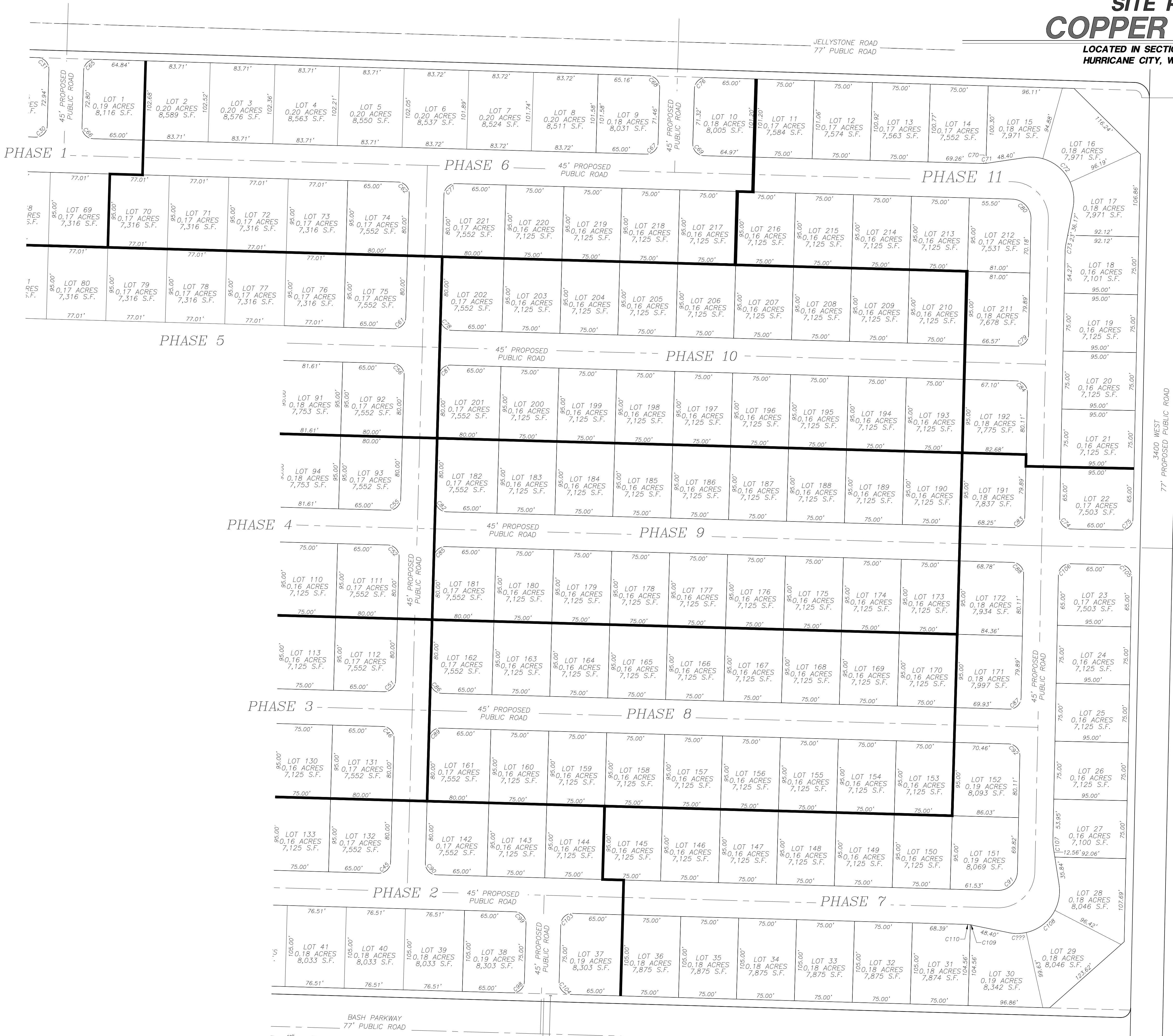
SITE PLAN FOR:
COPPER MEADOWS

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



LEGEND

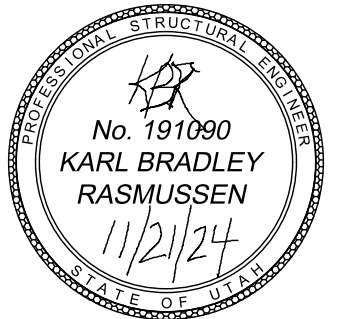
- PROPERTY LINE
- LOT LINE
- EXISTING CURB & GUTTER
- PHASE LINE
- CENTER LINE
- TIE LINE



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NO	REVISIONS	DESCRIPTION	DATE	BY

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Hurricane City, Utah 84737
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SITE PLAN FOR:
COPPER MEADOWS
LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11-20-2024
SCALE	1"=60'
JOB NO.	336-012
SHEET NO.	3 OF 6

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	24.01'	15.00'	21.53'	N52°37'51"E	91°42'35"
C2	16.05'	177.50'	16.05'	N4°11'07"E	5°10'54"
C3	21.94'	15.00'	20.04'	N40°18'36"W	83°48'33"
C4	64.55'	562.24'	64.51'	N85°30'13"W	6°34'40"
C5	8.73'	50.00'	8.72'	S86°12'27"W	10°00'00"
C6	41.98'	55.00'	40.97'	N76°55'36"W	43°43'54"
C7	11.55'	55.00'	11.53'	N49°02'36"W	12°02'06"
C8	52.07'	55.00'	50.15'	N15°54'13"W	54°14'41"
C9	8.73'	50.00'	8.72'	N6°13'07"E	10°00'00"
C10	23.00'	15.00'	20.81'	N42°42'26"W	87°51'06"
C11	23.68'	15.00'	21.30'	S48°08'40"W	90°26'42"
C12	64.89'	4945.00'	64.89'	S2°32'46"W	0°45'07"
C13	75.03'	4945.00'	75.03'	S1°44'08"W	0°52'10"
C14	7.09'	4945.00'	7.09'	S1°15'35"W	0°04'56"
C15	23.67'	15.00'	21.29'	S41°25'11"E	90°25'36"
C16	23.45'	15.00'	21.13'	N48°35'00"E	89°34'02"
C17	65.12'	4850.00'	65.12'	N4°11'04"E	0°46'09"
C18	48.99'	4850.00'	48.99'	N4°51'30"E	0°34'43"
C19	28.40'	4850.00'	28.40'	N5°18'56"E	0°20'08"
C20	78.43'	4850.00'	78.43'	N5°56'47"E	0°55'35"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C61	23.56'	15.00'	21.21'	N46°35'40"E	90°00'00"
C62	23.56'	15.00'	21.21'	N43°24'20"W	90°00'00"
C63	35.81'	25.00'	32.82'	S50°33'51"W	82°03'38"
C64	24.08'	4805.00'	24.08'	S9°23'25"W	0°17'14"
C65	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C66	23.59'	15.00'	21.23'	S43°21'07"E	90°06'27"
C67	23.53'	15.00'	21.19'	N46°38'53"E	89°53'33"
C68	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C69	23.59'	15.00'	21.23'	S43°21'07"E	90°06'27"
C70	5.76'	50.00'	5.75'	N88°17'47"E	6°35'46"
C71	2.97'	50.00'	2.97'	N83°17'47"E	3°24'14"
C72	48.16'	55.00'	46.63'	S49°22'10"E	50°09'59"
C73	8.73'	50.00'	8.72'	S6°11'07"W	10°00'00"
C74	23.56'	15.00'	21.21'	S43°48'53"E	90°00'00"
C75	23.56'	15.00'	21.21'	N46°11'07"E	90°00'00"
C76	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C77	23.56'	15.00'	21.21'	S46°35'40"W	90°00'00"
C78	23.56'	15.00'	21.21'	S43°24'20"E	90°00'00"
C79	23.67'	15.00'	21.29'	N46°23'23"E	90°24'33"
C80	39.09'	25.00'	35.23'	N43°36'37"W	89°35'27"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C21	78.43'	4850.00'	78.43'	N6°52'23"E	0°55'35"
C22	78.43'	4850.00'	78.43'	N7°47'58"E	0°55'35"
C23	78.43'	4850.00'	78.43'	N7°47'58"E	0°55'35"
C24	78.43'	4850.00'	78.43'	N8°43'34"E	0°55'35"
C25	29.17'	4850.00'	29.17'	N9°21'42"E	0°20'40"
C26	8.73'	50.00'	8.72'	N4°32'02"E	10°00'00"
C27	43.18'	55.00'	42.08'	N22°01'27"E	44°58'50"
C28	42.91'	55.00'	41.83'	N66°51'54"E	44°42'03"
C29	8.73'	50.00'	8.72'	S83°24'20"E	10°00'00"
C30	23.53'	15.00'	21.19'	N46°38'53"E	89°53'33"
C31	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C32	29.76'	4945.00'	29.76'	S9°21'41"W	0°20'41"
C33	79.97'	4945.00'	79.96'	S8°43'33"W	0°55'35"
C34	79.97'	4945.00'	79.96'	S7°47'57"W	0°55'35"
C35	79.97'	4945.00'	79.96'	S6°52'22"W	0°55'35"
C36	79.97'	4945.00'	79.96'	S5°56'46"W	0°55'35"
C37	80.90'	4945.00'	80.90'	S5°00'51"W	0°56'14"
C38	64.90'	4945.00'	64.89'	S4°10'11"W	0°45'07"
C39	39.28'	25.00'	35.36'	S43°46'55"E	90°01'16"
C40	34.77'	607.24'	34.77'	S87°09'07"E	3°16'52"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C81	23.56'	15.00'	21.21'	S46°35'40"W	90°00'00"
C82	23.56'	15.00'	21.21'	S43°24'20"E	90°00'00"
C83	23.67'	15.00'	21.29'	N46°23'23"E	90°24'33"
C84	23.45'	15.00'	21.14'	N43°36'37"W	89°35'27"
C85	23.56'	15.00'	21.21'	S46°35'40"W	90°00'00"
C86	23.56'	15.00'	21.21'	S43°24'20"E	90°00'00"
C87	23.67'	15.00'	21.29'	N46°23'23"E	90°24'33"
C88	23.45'	15.00'	21.14'	N43°36'37"W	89°35'27"
C89	23.56'	15.00'	21.21'	S46°35'40"W	90°00'00"
C90	23.56'	15.00'	21.21'	S43°24'20"E	90°00'00"
C91	39.45'	25.00'	35.48'	N46°23'23"E	90°24'33"
C92	23.45'	15.00'	21.14'	N43°36'37"W	89°35'27"
C93	27.27'	15.00'	23.67'	S53°40'56"W	104°10'32"
C94	20.75'	15.00'	19.14'	S32°51'35"E	79°16'18"
C95	15.55'	467.24'	15.55'	S71°35'23"E	1°54'25"
C96	57.97'	348.00'	57.90'	S75°24'30"E	9°32'40"
C97	49.96'	348.00'	49.91'	S84°17'35"E	8°13'30"
C98	23.56'	15.00'	21.21'	N46°35'40"E	90°00'00"
C99	23.56'	15.00'	21.21'	N43°24'20"W	90°00'00"
C100	25.27'	322.50'	25.26'	N86°09'40"W	4°29'20"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C41	75.53'	607.24'	75.48'	S81°56'54"E	7°07'35"
C42	49.42'	607.24'	49.40'	S76°03'14"E	4°39'45"
C43	27.34'	277.50'	27.32'	S76°32'41"E	5°38'39"
C44	43.78'	277.50'	43.73'	S83°53'10"E	9°02'20"
C45	23.56'	15.00'	21.21'	N46°35'40"E	90°00'00"
C46	23.56'	15.00'	21.21'	N43°24'20"W	90°00'00"
C47	26.87'	322.50'	26.86'	N86°01'07"W	4°46'26"
C48	24.47'	15.00'	21.85'	S49°37'36"W	93°29'00"
C49	22.89'	15.00'	20.73'	S39°55'27"E	87°24'56"
C50	23.12'	277.50'	23.11'	S86°01'07"E	4°46'26"
C51	23.56'	15.00'	21.21'	N46°35'40"E	90°00'00"
C52	23.56'	15.00'	21.21'	N43°24'20"W	90°00'00"
C53	22.53'	15.00'	20.47'	S48°33'24"W	86°04'31"
C54	24.82'	15.00'	22.09'	S40°59'36"E	94°49'28"
C55	23.56'	15.00'	21.21'	N46°35'40"E	90°00'00"
C56	23.56'	15.00'	21.21'	N43°24'20"W	90°00'00"
C57	21.80'	15.00'	19.93'	S49°58'07"W	83°15'07"
C58	82.25'	4805.00'	82.25'	S7°51'08"W	0°58'51"
C59	79.08'	4805.00'	79.08'	S6°53'25"W	0°56'35"
C60	25.57'	15.00'	22.58'	S39°34'46"E	97°39'08"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C101	57.38'	322.50'	57.30'	N78°49'11"W	10°11'39"
C102	4.98'	562.24'	4.98'	N73°58'35"W	0°30'27"
C103	23.56'	15.00'	21.21'	S46°35'40"W	90°00'00"
C104	23.56'	15.00'	21.21'	S43°24'20"E	90°00'00"
C105	23.56'	15.00'	21.21'	N43°48'53"W	90°00'00"
C106	23.56'	15.00'	21.21'	S46°11'07"W	90°00'00"
C107	8.73'	50.00'	8.72'	S3°48'53"E	10°00'00"
C108	48.28'	55.00'	46.75'	S52°23'04"W	50°17'45"
C109	2.10'	50.00'	2.10'	N79°36'28"W	2°24'16"
C110	6.63'	50.00'	6.62'	N84°36'28"W	7°35'44"
C111	20.12'	222.50'	20.12'	S4°11'07"W	5°10'54"
C112	61.72'	4805.00'	61.72'	S1°36'32"W	0°44'09"
C113	31.14'	4805.00'	31.14'	S5°20'00"W	0°22'17"
C114	41.05'	4805.00'	41.05'	S4°54'11"W	0°29'22"
C115	73.34'	4805.00'	73.34'	S4°13'15"W	0°52'28"
C116	76.17'	4805.00'	76.17'	S2°25'51"W	0°54'30"
C117	59.35'	467.24'	59.31'	S85°09'12"E	7°16'42"

REVISIONS				
NO	DESCRIPTION	DATE	BY	

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



PROFESSIONAL ENGINEER

STATE OF UTAH

11/21/24

KARL BRADLEY RASMUSSEN

No. 191080

191080

SITE PLAN FOR:

COPPER MEADOWS SUBDIVISION

LOCATED IN SECTION 12, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE11-20-2024

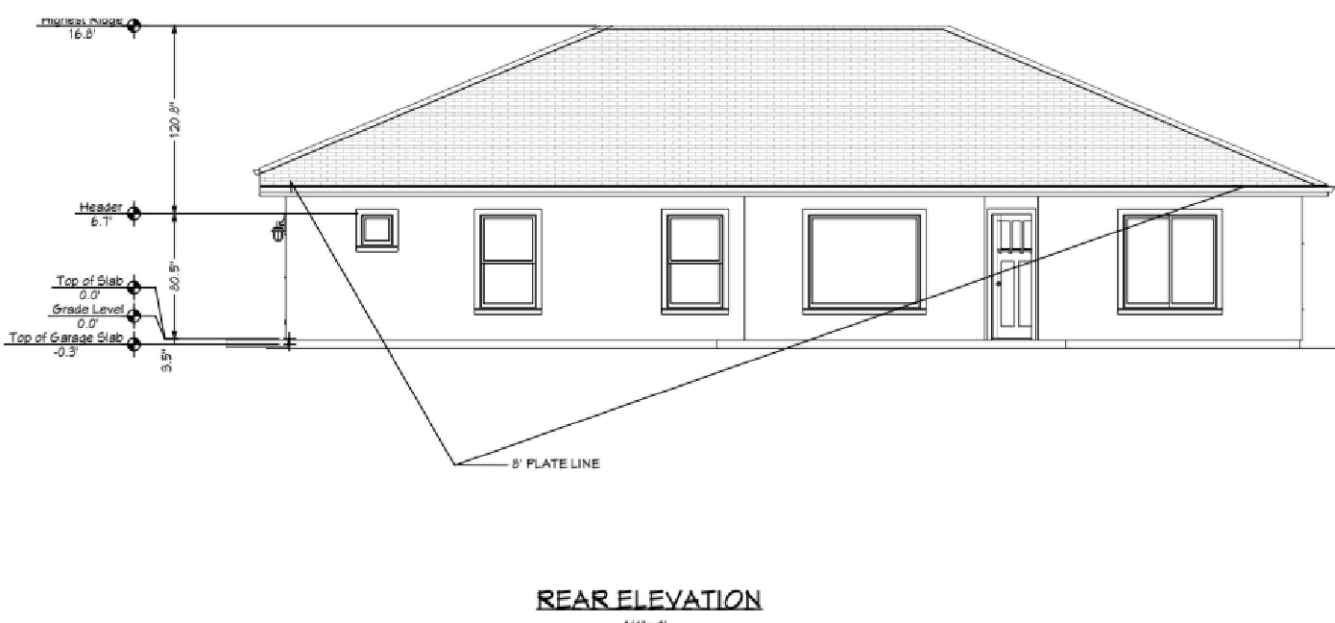
SCALE1"=60'

JOB NO.336-012

SHEET NO:

4 OF 6

**LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH**

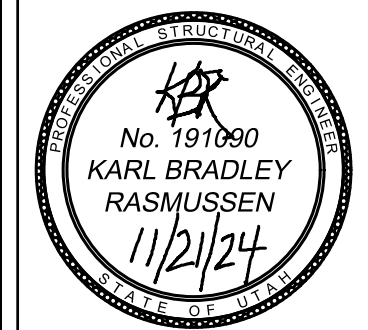
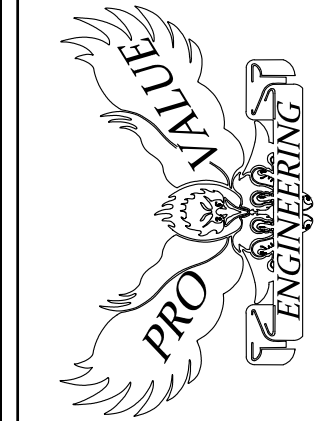
**PV DESIGN 2020-1****PV DESIGN 2020-2**

COPPER MEADOWS PROPOSES TO HAVE A COMFORTABLE SCENIC SUBDIVISION OF AFFORDABLE HOUSING WITH FULL LANDSCAPING FEATURES, EXTERIOR APPEAL, AND ENERGY EFFICIENT BUILDINGS TO MEET TODAY'S REQUIREMENTS FOR A FRIENDLY, ENJOYABLE NEIGHBORHOOD. HOUSES WILL RANGE FROM 1500 SQUARE FEET TO 2750 SQUARE FEET WITH PARKING FOR TWO CARS INSIDE AN ATTACHED GARAGE. LANDSCAPING WILL SOFTEN THE LOOK OF CMU WALLS AND CREATE A SCENIC NEIGHBORHOOD.

Morning Gloriosa
Purple Robe Locust
Purple Catalpa
Imperial Shademaster or Sunburst Honey Locust
Golden Rain Tree
Fruitless Mulberry
Blood Good Sycamore
Aristocrat or Chanticleer flowering Pear
Green Vase Zelkova
Southern Live Oak
Holly Oak
Or Any Tree listed on WCWCD Southern Utah Guide to Trees

[illegible]

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ENGINEERING, INC.**
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



THEME MAP FOR:

COPPER MEADOWS

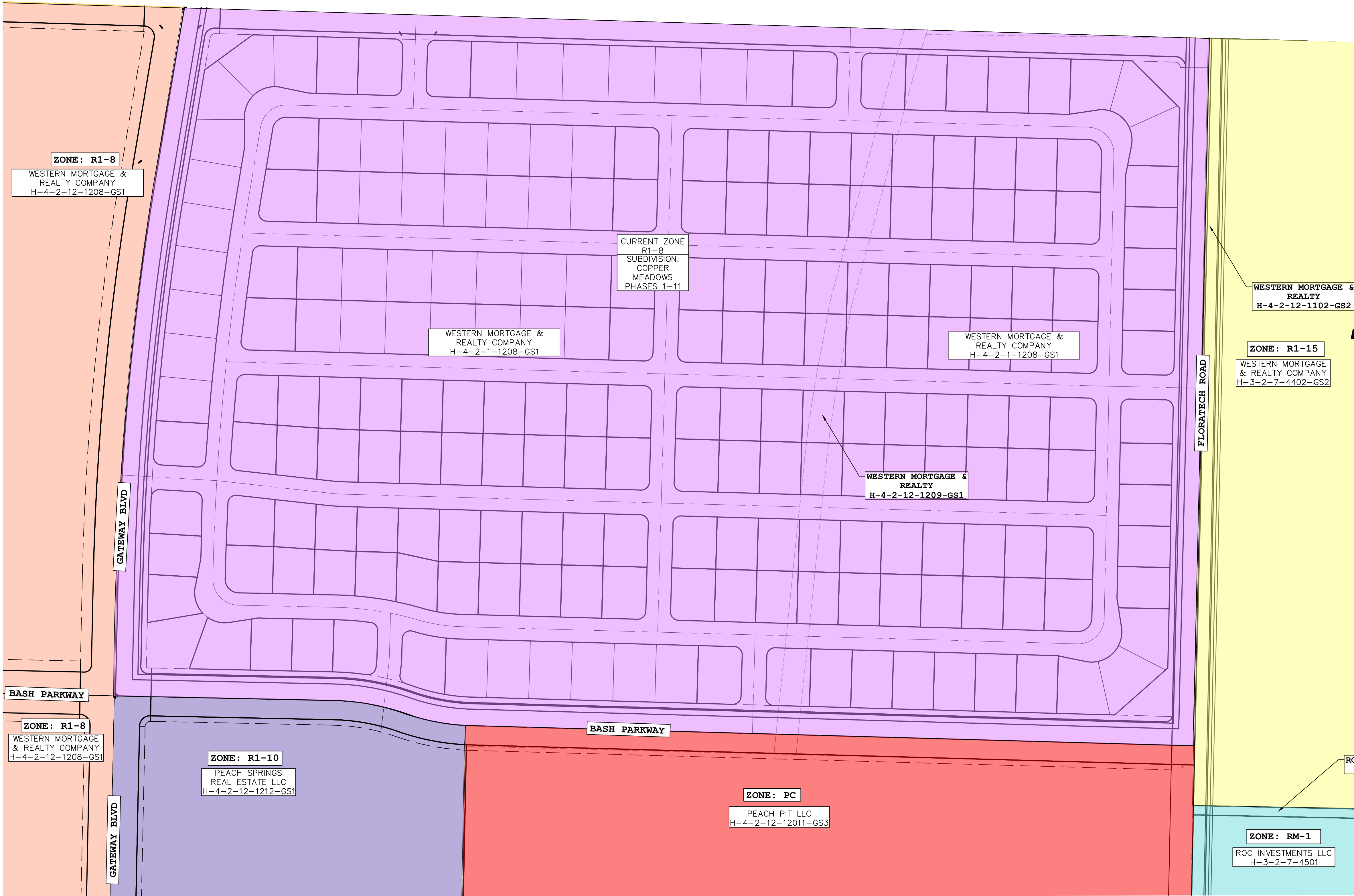
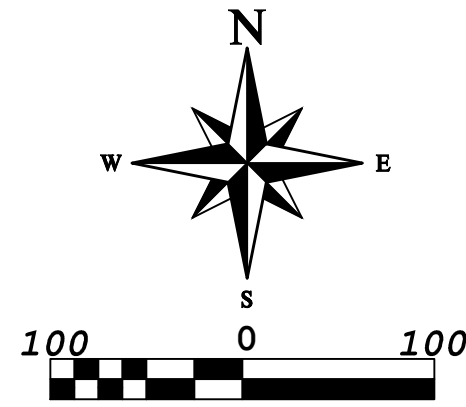
LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	N.T.S
JOB NO.	336-012
SHEET NO:	

6 OF 6

PDO ZONE CHANGE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



- LEGEND**
- PROPERTY LINE
 - ADJACENT PROPERTY LINE
 - SECTION LINE
 - OLD PROPERTY LINE
 - OLD ZONE LINE

- ZONE LEGEND:**
- PDO-PLANNED DEVELOPMENT OVERLAY
 - RM-1: RESIDENTIAL 6 UNITS PER ACRE
 - R1-8: RESIDENTIAL 6 UNITS PER ACRE
 - R1-10: RESIDENTIAL AVERAGE 10,000 SQ.FT.
 - R1-15: RESIDENTIAL - 1 UNIT PER 15,000 SQ FT
 - PC: PLANNED COMMERCIAL

LEGAL DESCRIPTION FOR COPPER MEADOWS PHASES 1-11

COMMENCING AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S01°11'07"W ALONG THE SECTION LINE 53.08 FEET; THENCE WEST 42.01 FEET TO THE POINT OF BEGINNING; THENCE S01°11'07"W 1178.359 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BASH PARKWAY THE FOLLOWING FIVE (5) COURSES; (1) THENCE SOUTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,724 FEET, THROUGH A CENTRAL ANGLE OF 90°24'33", (LONG CHORD BEARS: S46°23'23"W 17,741 FEET); (2) THENCE N88°24'20"W 1262.129 FEET; (3) THENCE WESTERLY ALONG THE ARC OF A 358,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 111,028 FEET, THROUGH A CENTRAL ANGLE OF 17°46'09", (LONG CHORD BEARS: 79°31'15"W 110,553 FEET); (4) THENCE WESTERLY ALONG THE ARC OF A 457,241 FOOT RADIUS REVERSE CURVE TO THE LEFT A DISTANCE OF 144,894 FEET, THROUGH A CENTRAL ANGLE OF 18°09'23", (LONG CHORD BEARS: N79°42'52"W 144,289 FEET); (5) THENCE N88°47'33"W 332,260 FEET TO THE EAST RIGHT-OF-WAY LINE OF GATEWAY BOULEVARD THE FOLLOWING SIX (6) COURSES; (1) THENCE N88°47'33"W 6,979 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 12,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19,637 FEET, THROUGH A CENTRAL ANGLE OF 90°00'40", (LONG CHORD BEARS: N43°47'13"W 17,679 FEET); (2) THENCE N01°13'07"E 160,674 FEET; (3) THENCE NORTHERLY ALONG THE ARC OF A 4955,000 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 719,114 FEET, THROUGH A CENTRAL ANGLE OF 08°18'55", (LONG CHORD BEARS: N05°22'35"E 718,483 FEET); (4) THENCE N09°32'02"E 272,764 FEET; (5) THENCE NORTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 27,965 FEET, THROUGH A CENTRAL ANGLE OF 82°10'05", (LONG CHORD BEARS: N50°37'04"E 25,629 FEET); (6) THENCE S88°17'53"E 7,927 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF JELLYSTONE ROAD THE FOLLOWING TWO (2) COURSES; (1) THENCE S88°17'53"E 1739,166 FEET; (2) THENCE SOUTHEASTERLY ALONG THE ARC OF A 19,500 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 30,455 FEET, THROUGH A CENTRAL ANGLE OF 89°29'00", (LONG CHORD BEARS: S43°33'23"E 27,453 FEET) TO THE POINT OF BEGINNING.

AREA CONTAINS 2,223,816 SQUARE FEET OR 51.052 ACRES.

OWNER:

WESTERN MORTGAGE & REALTY CO
6610 W COURT ST
PASCO, WA 99301

CONTACT REPRESENTATIVE:

TIM TIPPETT
(509)-521-9354
TTIPPETT@WESTERNMORT.COM

REVISIONS		DESCRIPTION	DATE	BY
NO				

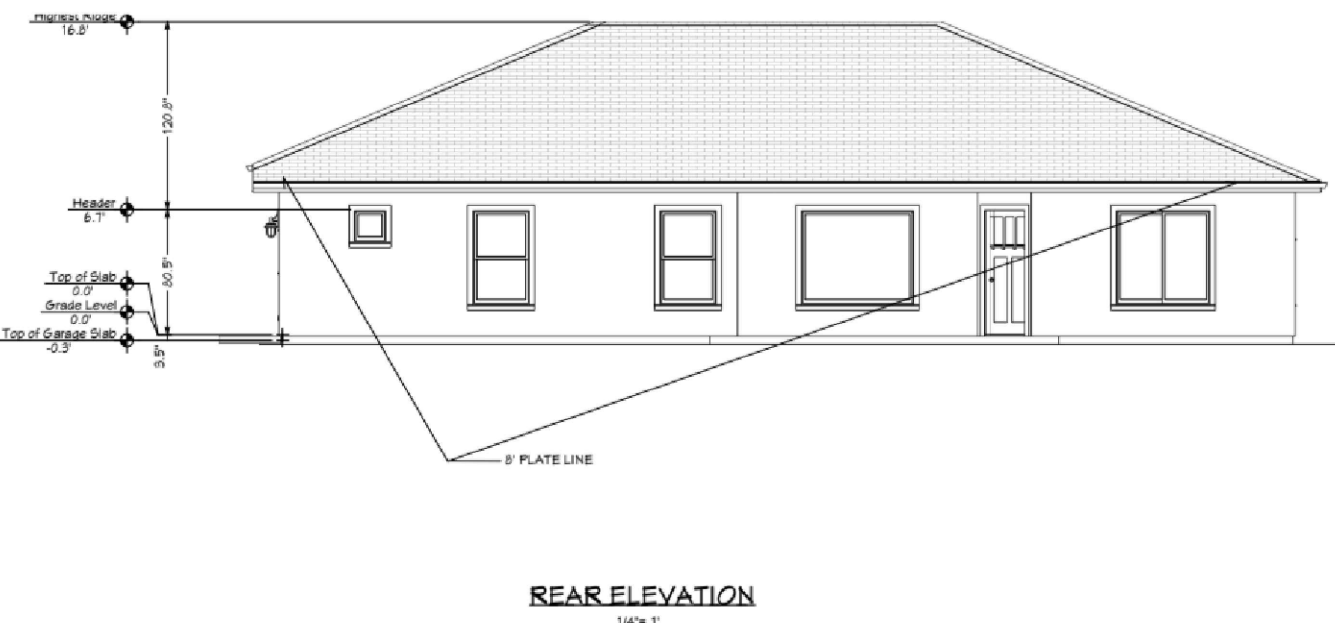
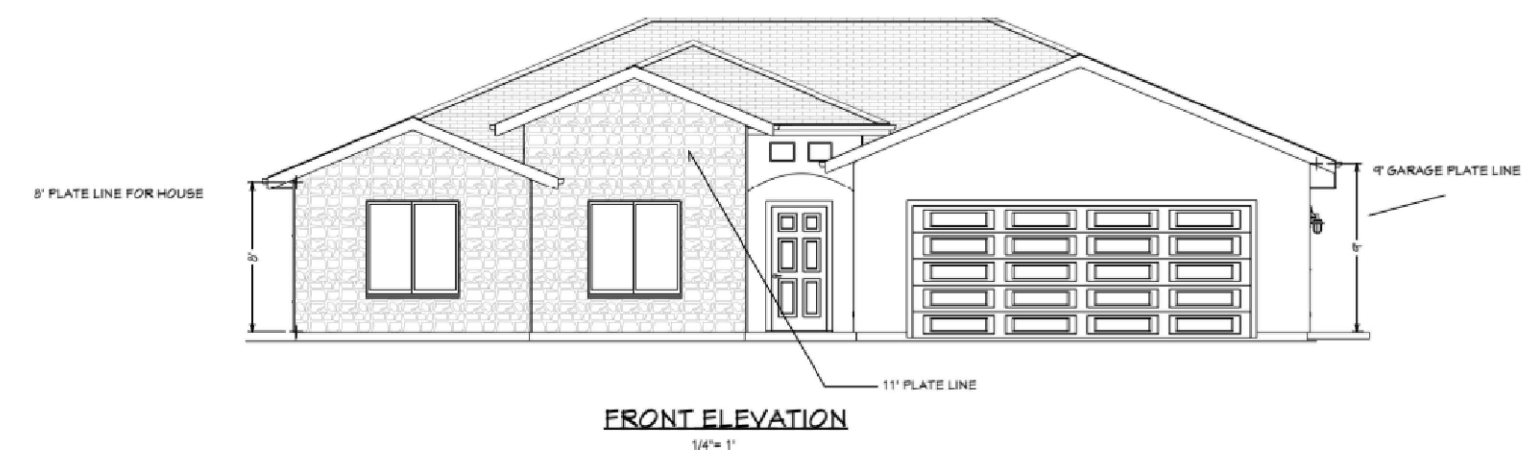
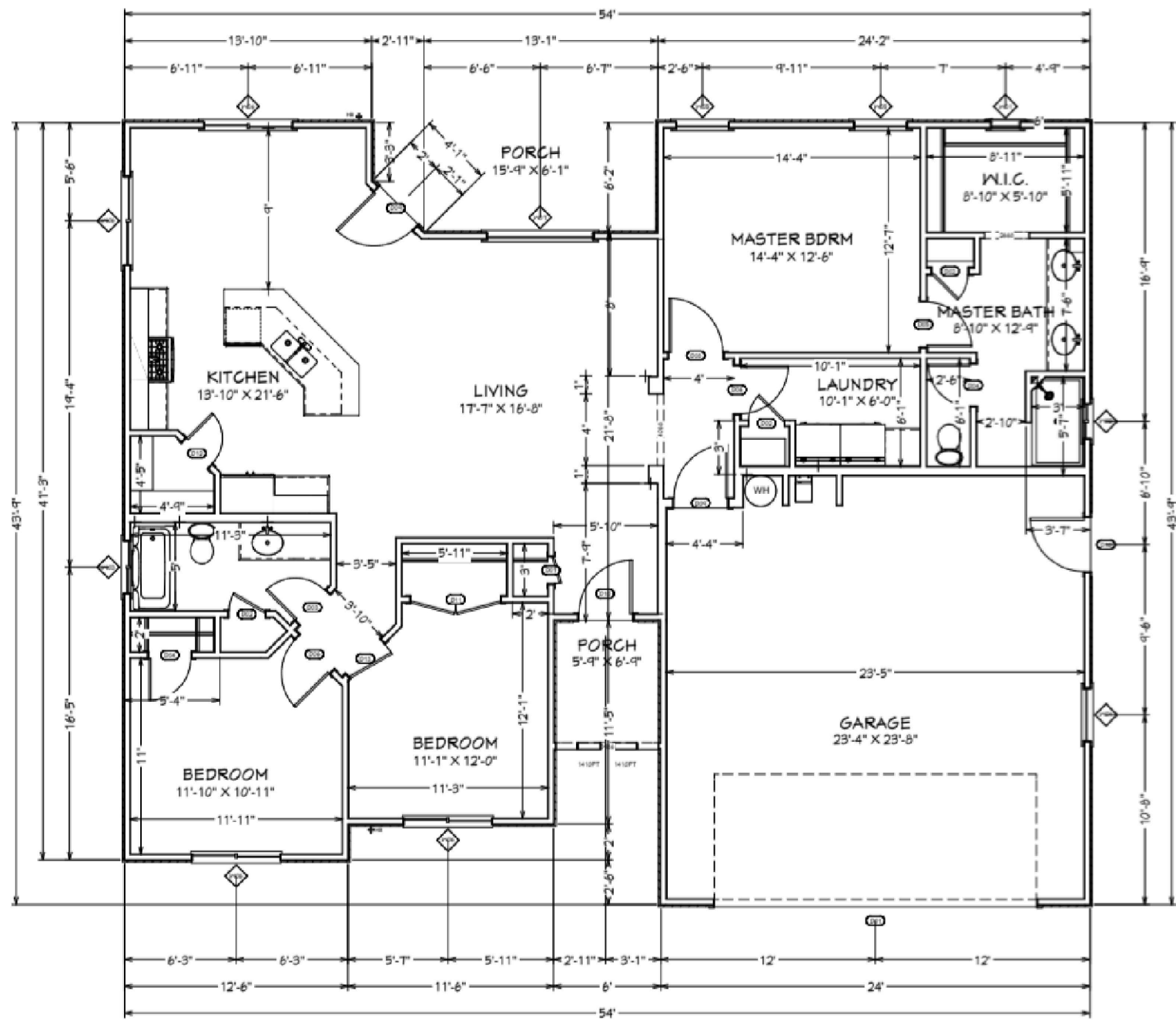
PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



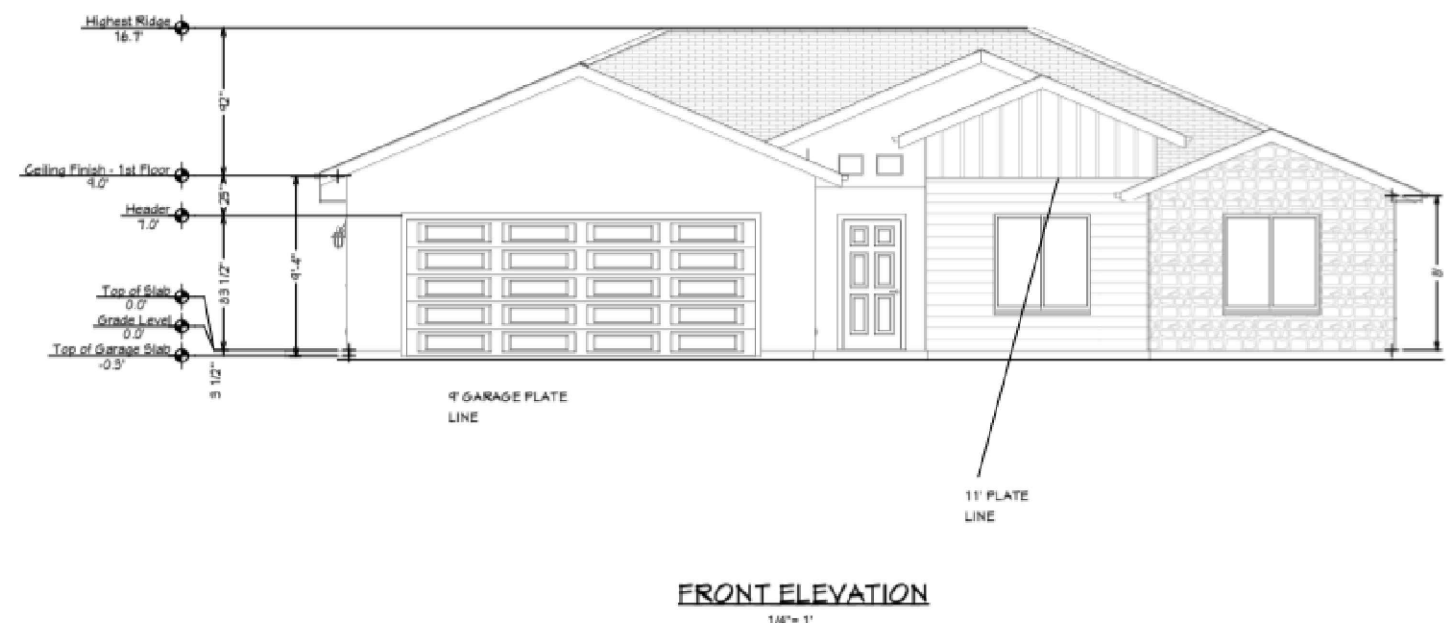
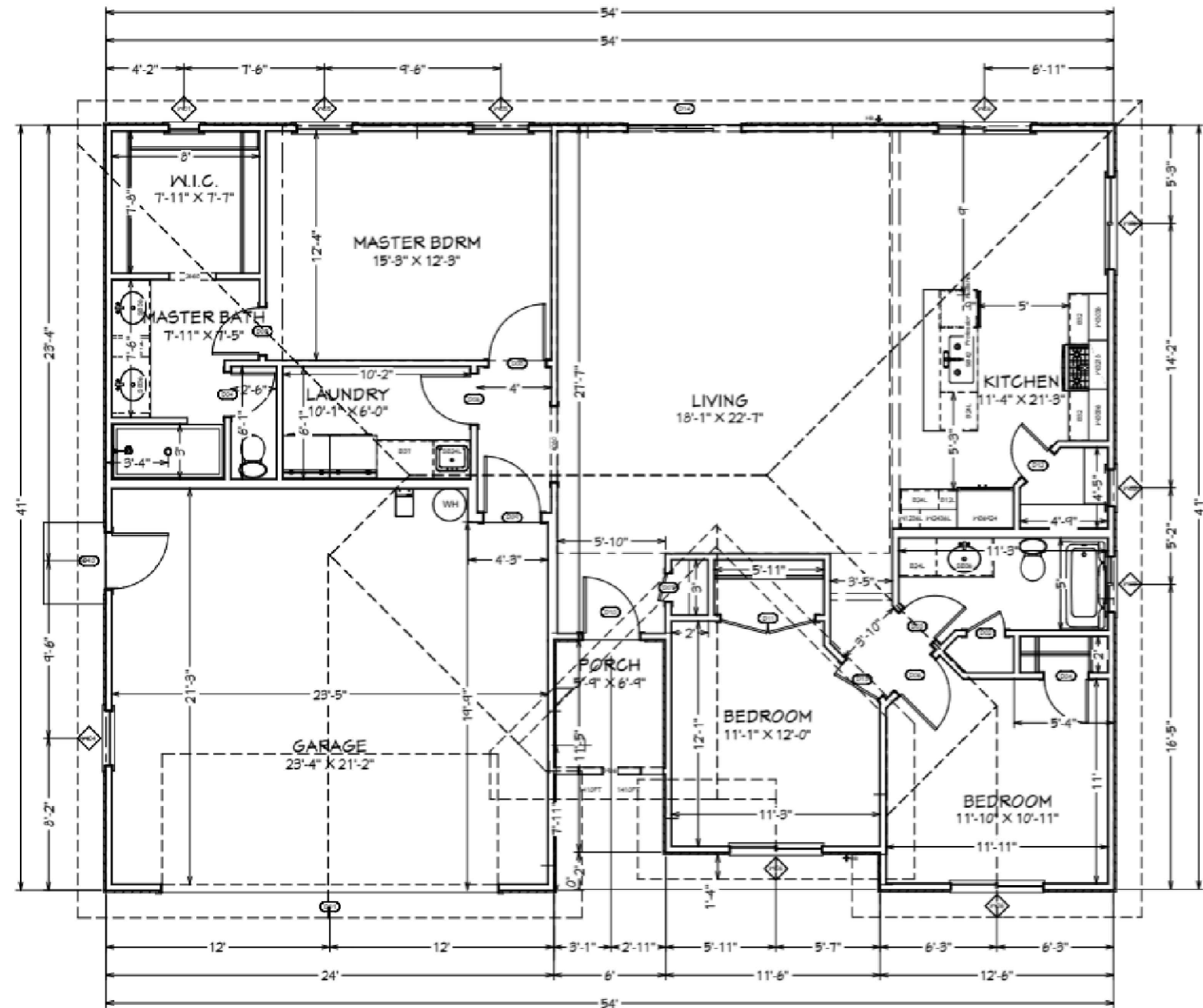
PDO ZONE CHANGE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO:	1 OF 2



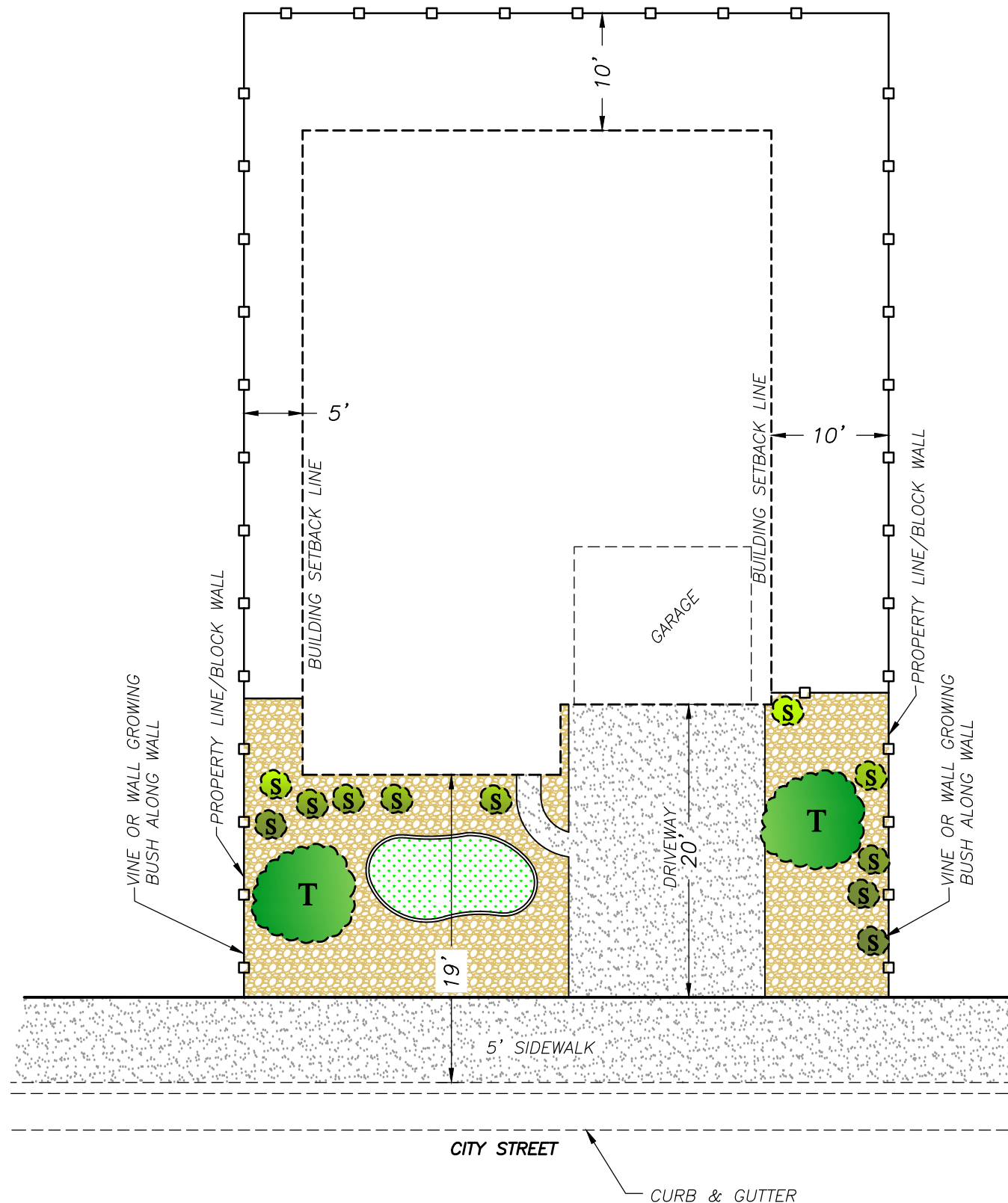
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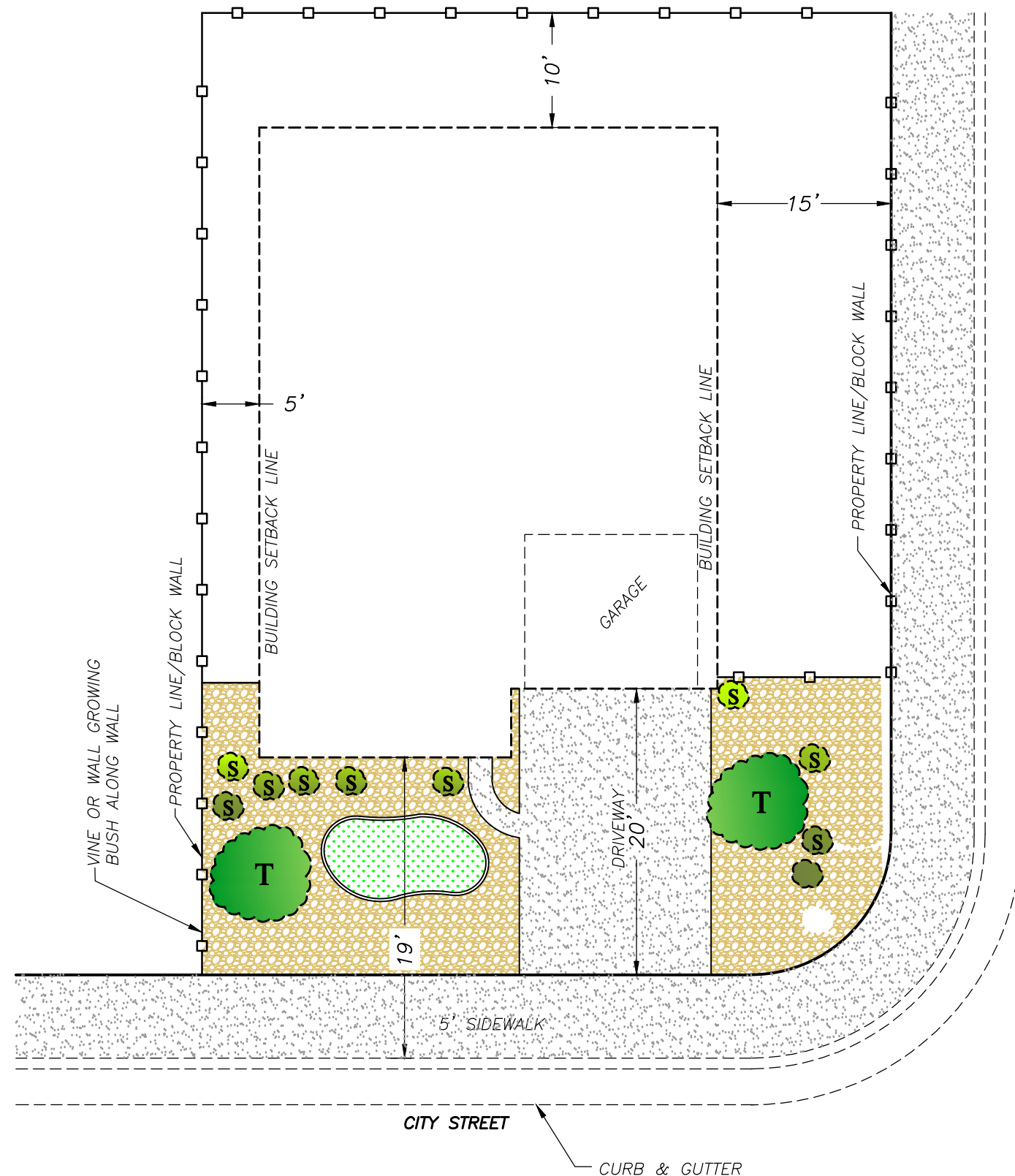
PV DESIGN 2020-2

THEME MAP FOR: COPPER MEADOWS

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



TYPICAL LOT LANDSCAPE & SETBACKS



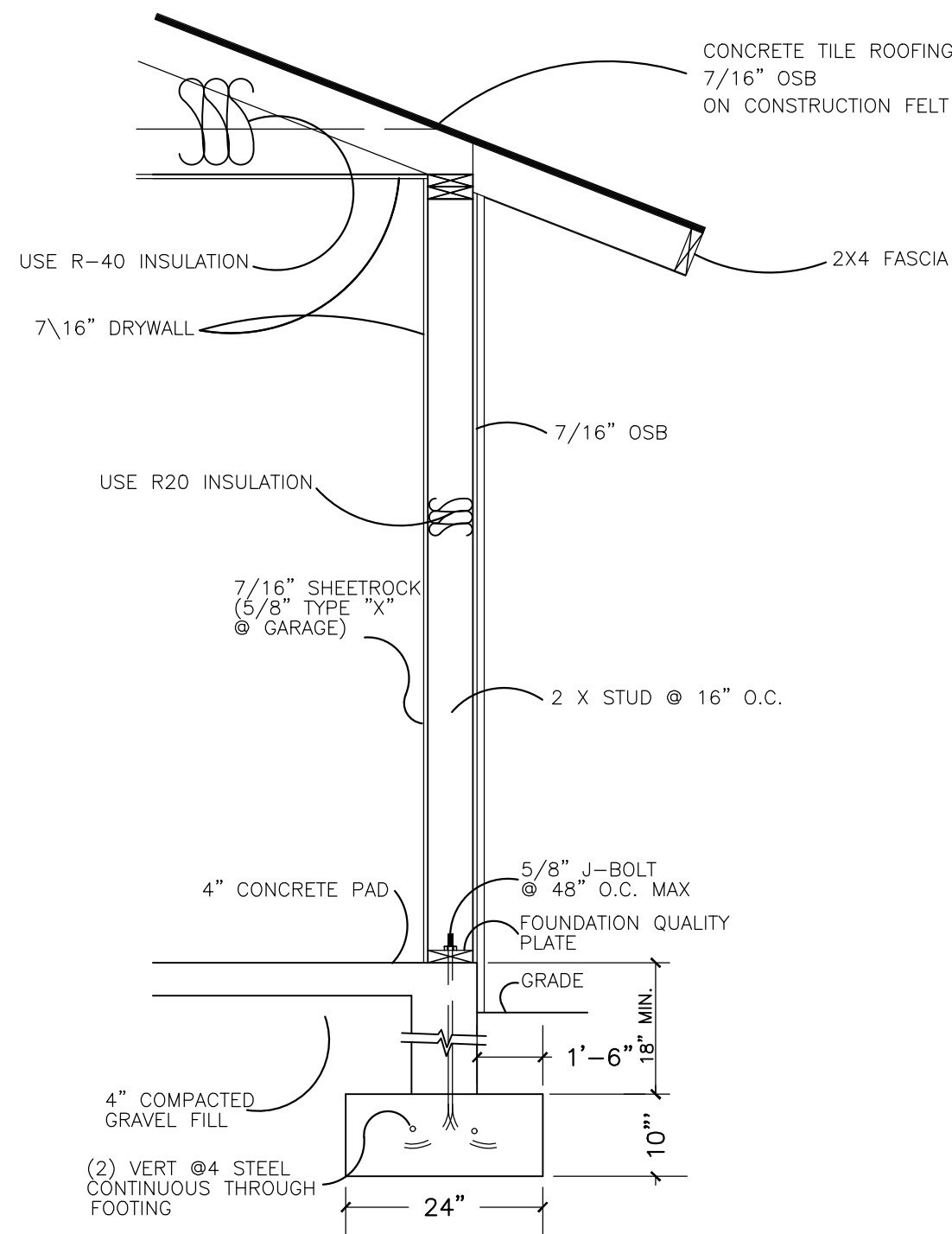
TYPICAL CORNER LOT LANDSCAPE & SETBACKS

THEME:

COPPER MEADOWS PROPOSES TO HAVE A COMFORTABLE SCENIC SUBDIVISION OF AFFORDABLE HOUSING WITH FULL LANDSCAPING FEATURES, EXTERIOR APPEAL, AND ENERGY EFFICIENT BUILDINGS TO MEET TODAY'S REQUIREMENTS FOR A FRIENDLY, ENJOYABLE NEIGHBORHOOD. HOUSES WILL RANGE FROM 1500 SQUARE FEET TO 2750 SQUARE FEET WITH PARKING FOR TWO CARS INSIDE AN ATTACHED GARAGE. LANDSCAPING WILL SOFTEN THE LOOK OF CMU WALLS AND CREATE A SCENIC NEIGHBORHOOD.

TREE LIST

Morning Glor or Pink Dawn Chitalpa
Purple Robelocust
Purple Catalpa
Imperial Shademaster or Sunburst Honey Locust
GoldenRaintree
Fruitless Mulberry
Blood Good Sycamore
Aristocrat or Chanticleer flowering Pear
Green Vase Zelkova
Southern Live Oak
Holly Oak
Or Any Tree listed on WCWD Southern Utah Guide to Trees

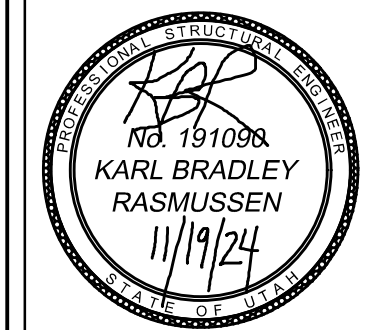


(TYP) BUILDING CROSS SECTION

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NO	REVISIONS DESCRIPTION	DATE	BY

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



THEME MAP FOR: WESTERN MORTGAGE - COPPER MEADOWS

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	2 OF 2



STAFF COMMENTS

Agenda Date:	12/19/2024 – City Council
Application Number:	ZC24-13 PSP24-38
Type of Application:	Zone Change and Preliminary Site Plan
Action Type:	Legislative
Applicant:	Western Mortgage and Realty Co - Tim Tippet
Agent:	Karl Rasmussen
Request:	Approval of a Zone Change from R1-8 to R1-8 (PDO).
Location:	Southeast corner of Jellystone Road and Gateway Blvd
Zoning:	Single Family Residential R1-8
General Plan Map:	Planned Community
Recommendation:	Approve
Report Prepared by:	Gary Cupp/Fred Resch III

Discussion:

The applicant has filed a zone change to add a Planned Development Overlay (PDO) to the existing R1-8 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has told staff their intention with the zone change application is to request the more generous setbacks that could be allowed by the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval.

	Zoning	Adjacent Land Use
North	R1-6	Undeveloped property (Copper Vista)
East	R1-15	Undeveloped property
South	R1-10, PC	Future Single Family Homes, agriculture use
West	R1-8 (PDO)	Undeveloped property (Gateway Park and Legacy at Sand Hollow)



Zone Change Factors:

Pursuant to Hurricane City Code (HCC) section 10-7-7:

Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council as described in subsection 10-7-5A of this chapter. In making an amendment, the following factors should be considered:

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

3. *The extent to which the proposed amendment may adversely affect adjacent property; and*

4. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: The General Plan Map shows this area as Planned Community which recommends: *Master planned communities should be complete communities that offer a mixture of housing types and supporting uses such as neighborhood and supporting commercial uses, offices, churches, schools, and parks. Development in this designation should take into account the character of existing surrounding development.*

While typically a PDO is used to further the goals of the General Plan in areas of the map that are designated as Planned Community this request does not conflict with any General Plan provision. While there is no currently existing development, this proposal matches the character of the planned surrounding development.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property's vicinity?

Response: There will be an R1-8 (PDO) consisting of single family homes with reduced setbacks across Gateway Blvd from this development. Most of the surrounding development is planned to be single family homes

3. Will the proposed amendment adversely affect the adjacent property?

Response: The addition of a PDO to an already existing R1-8 zoning will not adversely affect any adjacent property.

4. Are public facilities and services adequate to serve the subject property?

Response: See JUC comments below. The Gateway to Sand Hollow Public Infrastructure District has already constructed most of the major utilities to the site.

Other Considerations:

As per Hurricane City Code a preliminary site plan is required with every PDO application:

10-23-7: Land shall be placed in a planned development overlay zone pursuant to a zoning map amendment as set forth in section [10-7-7](#) of this title. The following shall be submitted in conjunction with an application for a zoning map amendment:

1. *A natural resource inventory as required by chapter 31 of this title, and*
2. *A preliminary site plan as provided in subsection [10-7-10D2](#) of this title.*

Preliminary Site Plan Review

JUC Comments

The following items will need to be addressed:

1. **Public Works:** Does not abut an existing city street. Public access is required. Access will be provided when Peach Estates records phase 2.
2. **Power:** Dixie Power area.
3. **Sewer:** No comments.
4. **Streets:** No comments.
5. **Water:** Okay.
6. **Engineer:** The traffic impact study for the Gateway at Sand Hollow Public Infrastructure District from December 2022 shows that the intersections of Jellystone Road & Bash Parkway with Gateway Boulevard should be roundabouts (see figure 18 (pg. 36) of said study). Engineering suggests offering impact fee vouchers to the neighboring developments to have said intersections reconfigured.
Although traffic modeling data seems sparse for 3400 W, engineering has discussed making the primary intersections with 3400 West roundabouts also. 3400 West is the easternmost north-south connection of this valley and it runs directly to a commercial hub near wal-mart. Roundabouts are preferred over traffic signals because they require less management and specialized maintenance, crashes are less severe, and traffic queuing is reduced. The redlined footprints are nearly twice the size of the roundabout at 700 w and 100 n and it appears none of the proposed lots are impacted. Engineering requests explicit direction for the applicant and city staff in whichever recommendation the planning commission and subsequently the city council provides.
7. **Fire:** 1. Hydrant spacing must meet 2121 IFC standards 2. During the phasing process all dead end roads over 150' must have a temporary turnaround.
8. **Cable/Phone:** [No comments received.]
9. **Fiber:** No comments.]
10. **Gas:** [No comments received.]
11. **Water Conservancy District:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Staff Comments:

1. The difference in setbacks from R1-8 to R1-8(PDO) is as follows:
 - a.

	R1-8	R1-8(PDO)
Front	25'	19' back of curb for dwelling. 20' back of sidewalk for garages
Rear	10'	10'
Side	10'	5' minimum 15' aggregate
Street Side	20'	15'

- b. The site plan provided shows how the proposed houses would sit on the lots.
2. While this request is primarily to reduce the setbacks, the site plan does take advantage of the flexibility the PDO grants with regards to lot sizes, however only slightly. Standard R1-8 zoning requires a minimum lot size of 6,400 sq ft and an average lot size of 8,000 sq ft. The provided site plan does show all lots being larger than 6,400 sq ft but the average lot size is 7,421 sq ft. The Planned Development Overlay would allow for the smaller average lot size.
3. The addition of the roundabouts called for in Engineering's comments (JUC comment #6) is unlikely to have a major effect on the overall layout of the subdivision. The Planning Commission or City Council may require those be added in before approval.

Findings:

Staff makes the following findings:

1. The application meets the standards of the General Plan and the General Plan Map.
2. The uses are considered harmonious with most of the surrounding, existing and proposed, development.
3. The proposed amendment will not have a significant impact on the area.
4. Services and facilities are adequate to serve the property.
5. The site plan meets Hurricane City standards.

Recommendation: The City Council should review the site plan and the zone change based on standards within the Hurricane City Code. Staff recommends approval subject to staff and JUC comments.

ORDINANCE NO ZC24-13

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
OF THE COPPER MEADOWS SUBDIVISION (FORMERLY DESERT BLOOM PHASES 1-
11) FROM SINGLE FAMILY RESIDENTIAL 8 (R1-8) TO R1-8 WITH A PLANNED
DEVELOPMENT OVERLAY (PDO)

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

WHEREAS, the proposed amendment is generally compatible with the current General Plan;
and

WHEREAS, the proposed amendment is generally in harmony with the overall character of
the proposed surrounding development; and

WHEREAS, the proposal will not have an adverse impact on the surrounding area; and

WHEREAS, there are adequate facilities to support the proposed zone change; and

WHEREAS, the Planning Commission gave a positive recommendation on the proposed
zone change.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:

That the Copper Meadows subdivision (formerly Desert Bloom phases 1-11) be rezoned from
Single Family Residential 8 (R1-8) to R1-8 with a Planned Development Overlay (PDO).

PASSED AND APPROVED on this 19th day of December 2024.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 19th day of December 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag, City Recorder

EXHIBIT A
ZONING MAP



STAFF COMMENTS

Item: Discussion and consideration of ZC24-14 PSP24-35 a Zone Change Amendment request and preliminary site plan approval approximately located at the northeast corner of Gateway Blvd and Jellystone Rd to add a PDO, planned development overlay, over the existing R1-6, residential one unit per 6,000 square feet. Parcel numbers H-4-2-1-1112-GS1, H-3-2-6-340, and H-4-2-1-11112-GS1. Western Mortgage and realty Co -Tim Tippet, Applicant. Karl Rasmussen, Agent.

Discussion: The applicant has filed a zone change to add a Planned Development Overlay (PDO) to the existing Single Family Residential R1-6 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has informed staff that their intention with the zone change application is to request the more generous setbacks that could be allowed by the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp

Findings:

Recommendation:



Application

Application Accepted Date: 11/20/2024		Valuation		\$	0.00					
Type of Improvement: Zone Change Application		PERMIT FEES								
Description: Zone Change to R1-6 PDO Overlay		Planning Fee		\$	500.00					
Tenant / Project Name: Zone Change - Copper Vista		Planning Fee		\$	500.00					
Bldg. Address: Northeast Corner of Gateway Blvd & Jellystone Rd		Sub Total:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	500.00					
Subdivision: Copper Vista Phase:		Amount Paid:		\$	500.00					
Block: Lot #: Parcel ID #: H-4-2-1-1112-GS1, H-3-		Remaining Due:		\$	0.00					
Zone: R1-6 2-6-340, H-4-2-1-1112-										
Property Owner: Tim Tippet GS1										
Permit Contact: Karl Rasmussen P:(435) 680-0816										
Email: karl@pv-eng.com										
CONTACT INFORMATION										
Engineer of Record: Karl Rasmussen										
Email: karl@pv-eng.com P: (435) 668-8307										
General Contractor: Western Mortgage and Realty Company										
License #: 191090-2203 P: (509) 521-9354										
Address: 6610 WEST COURT STREET										
City: PASCO State: WA Zip: 99302										
Email: ttippet@westernmort.com										
APPLICATION DETAILS										
DRAFT										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANZC24-14										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Treasa Anderson										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #:										



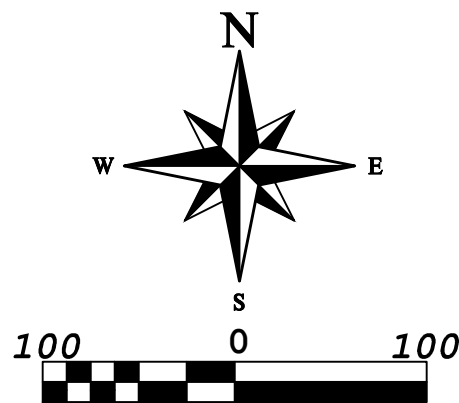
Application

Application Accepted Date: 11/21/2024		Valuation		\$	0.00					
Type of Improvement: Site Plan (Preliminary)		PERMIT FEES								
Description: 338 lot Subdivision		Planning Fee		\$	200.00					
Tenant / Project Name: Copper Vista		Planning Fee		\$	200.00					
Bldg. Address: Northeast Corner of Gateway Blvd & Jellystone Rd		Sub Total:		\$	200.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	200.00					
Subdivision: Copper Vista Phase:		Amount Paid:		\$	200.00					
Block: Lot #: Parcel ID #: H-4-2-1-1112-GS1, H-3-		Remaining Due:		\$	0.00					
Zone: R1-6 2-6-340, H-4-2-1-1112-										
Property Owner: Tim Tippet GS1										
Permit Contact: Karl Rasmussen P:(435) 680-0816										
Email: karl@pv-eng.com										
CONTACT INFORMATION										
Engineer of Record: Karl Rasmussen										
Email: karl@pv-eng.com P: (435) 668-8307										
General Contractor: Western Mortgage and Realty Company										
License #: P: (509) 521-9354										
Address: 6610 WEST COURT STREET										
City: PASCO State: WA Zip: 99302										
Email: ttippet@westernmort.com										
APPLICATION DETAILS										
DRAFT										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANPSP24-35										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Treasa Anderson										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #:										

Copper Vista Phases 1-9: Parcels, H-4-2-1-1112-GS1, H-3-2-6-340, H-4-2-1-11112-GS1, are currently owned and will be developed by Western Mortgage & Realty Company. There will be 338 lots in phase 1-9.

EXISTING ZONE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- OLD PROPERTY LINE
- OLD ZONE LINE

ZONE LEGEND:

- R1-15: RESIDENTIAL - 1 UNIT PER 15,000 SQ.FT.
- RM-3: MULTI-FAMILY - 15 UNITS PER ACRE
- R1-6: RESIDENTIAL AVERAGE LOT SIZE 6,000 SQ.FT.
- RR-RECREATIONAL RESORT

LEGAL DESCRIPTION FOR COPPER VISTA PHASES 1-9:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 1, N01°22'30"E 54.81 FEET; THENCE N88°37'30"W 42.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH BOUNDARY OF JELLYSTONE ROAD; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) SOUTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19.71 FEET, THROUGH A CENTRAL ANGLE OF 90°19'37", (LONG CHORD BEARS: S46°32'18"W 17.73 FEET); (2) N88°17'53"W 1745.37 FEET TO THE EASTERLY BOUNDARY OF GATEWAY BOULEVARD; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) NORTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 21.34 FEET, THROUGH A CENTRAL ANGLE OF 97°49'55", (LONG CHORD BEARS: N39°22'56"W 18.84 FEET); (2) N09°32'02"E 1545.68 FEET; (3) NORTHERLY ALONG THE ARC OF A 2545.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 58.21 FEET, THROUGH A CENTRAL ANGLE OF 01°18'38", (LONG CHORD BEARS: N08°52'43"E 58.21 FEET); THENCE S81°46'17"E 96.59 FEET; THENCE EASTERLY ALONG THE ARC OF A 285.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 146.50 FEET, THROUGH A CENTRAL ANGLE OF 29°27'06", (LONG CHORD BEARS: N83°30'10"E 144.89 FEET); THENCE N68°46'37"E 497.47 FEET; THENCE EASTERLY ALONG THE ARC OF A 600.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 236.36 FEET, THROUGH A CENTRAL ANGLE OF 22°34'16", (LONG CHORD BEARS: N80°03'45"E 234.84 FEET); THENCE S88°39'07"E 614.27 FEET; THENCE S01°22'30"W 1845.31 FEET TO THE POINT OF BEGINNING;

AREA CONTAINS 2,913,969 SQUARE FEET OR 66.896 ACRES.

OWNER:

WESTERN MORTGAGE & REALTY CO
6610 W COURT ST
PASCO, WA 99301

CONTACT REPRESENTATIVE:

TIM TIPPETT
(509)-521-9354
TTIPPETT@WESTERNMORT.COM

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



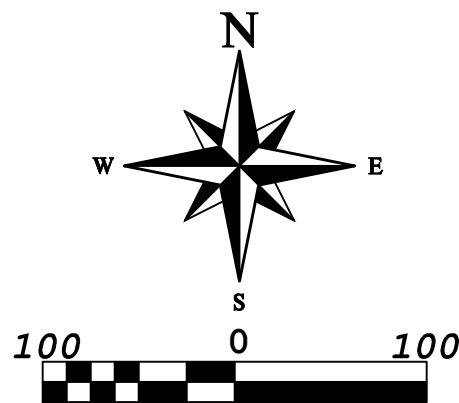
EXISTING ZONE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO.	

PDO ZONE CHANGE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- OLD PROPERTY LINE
- OLD ZONE LINE

ZONE LEGEND:

- R1-15: RESIDENTIAL - 1 UNIT PER 15,000 SQ FT
- RM-3: MULTI-FAMILY - 15 UNITS PER ACRE
- PDO-PLANNED DEVELOPMENT OVERLAY
- RR-RECREATIONAL RESORT

LEGAL DESCRIPTION FOR COPPER VISTA PHASES 1-9:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 1, N01°22'30"E 54.81 FEET; THENCE N88°37'30"W 42.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH BOUNDARY OF JELLYSTONE ROAD; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) SOUTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19.71 FEET, THROUGH A CENTRAL ANGLE OF 90°19'37", (LONG CHORD BEARS: S46°32'18"W 17.73 FEET); (2) N88°17'53"W 1745.37 FEET TO THE EASTERLY BOUNDARY OF GATEWAY BOULEVARD; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) NORTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 21.34 FEET, THROUGH A CENTRAL ANGLE OF 97°49'55", (LONG CHORD BEARS: N39°22'56"W 18.84 FEET); (2) N09°32'02"E 1545.68 FEET; (3) NORTHERLY ALONG THE ARC OF A 2545.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 58.21 FEET, THROUGH A CENTRAL ANGLE OF 01°18'38", (LONG CHORD BEARS: N08°52'43"E 58.21 FEET); THENCE S81°46'17"E 96.59 FEET; THENCE EASTERLY ALONG THE ARC OF A 285.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 146.50 FEET, THROUGH A CENTRAL ANGLE OF 29°27'06", (LONG CHORD BEARS: N83°30'10"E 144.89 FEET); THENCE N68°46'37"E 497.47 FEET; THENCE EASTERLY ALONG THE ARC OF A 600.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 236.36 FEET, THROUGH A CENTRAL ANGLE OF 22°34'16", (LONG CHORD BEARS: N80°03'45"E 234.84 FEET); THENCE S88°39'07"E 614.27 FEET; THENCE S01°22'30"W 1845.31 FEET TO THE POINT OF BEGINNING;

AREA CONTAINS 2,913,969 SQUARE FEET OR 66.896 ACRES.

OWNER:

WESTERN MORTGAGE & REALTY CO
6610 W COURT ST
PASCO, WA 99301

CONTACT REPRESENTATIVE:

TIM TIPPETT
(509)-521-9354
TTIPPETT@WESTERNMORT.COM

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



PDO ZONE CHANGE MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO.	



Plan 1660
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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Plan 1528
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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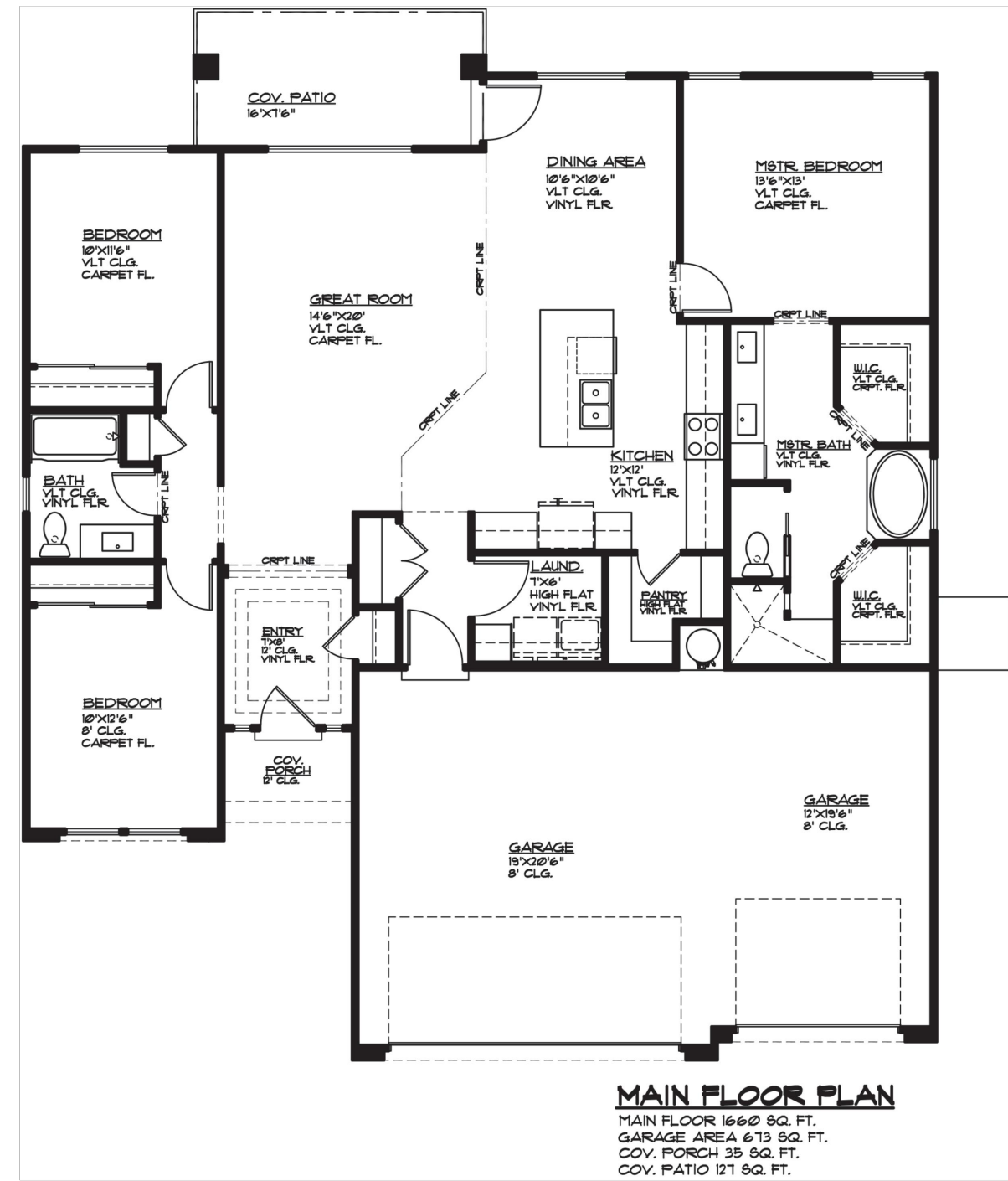


Plan 1660
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,660 Sqft • 3 Beds • 2 Baths • 3 Garages • 50' ► x 55' ▲



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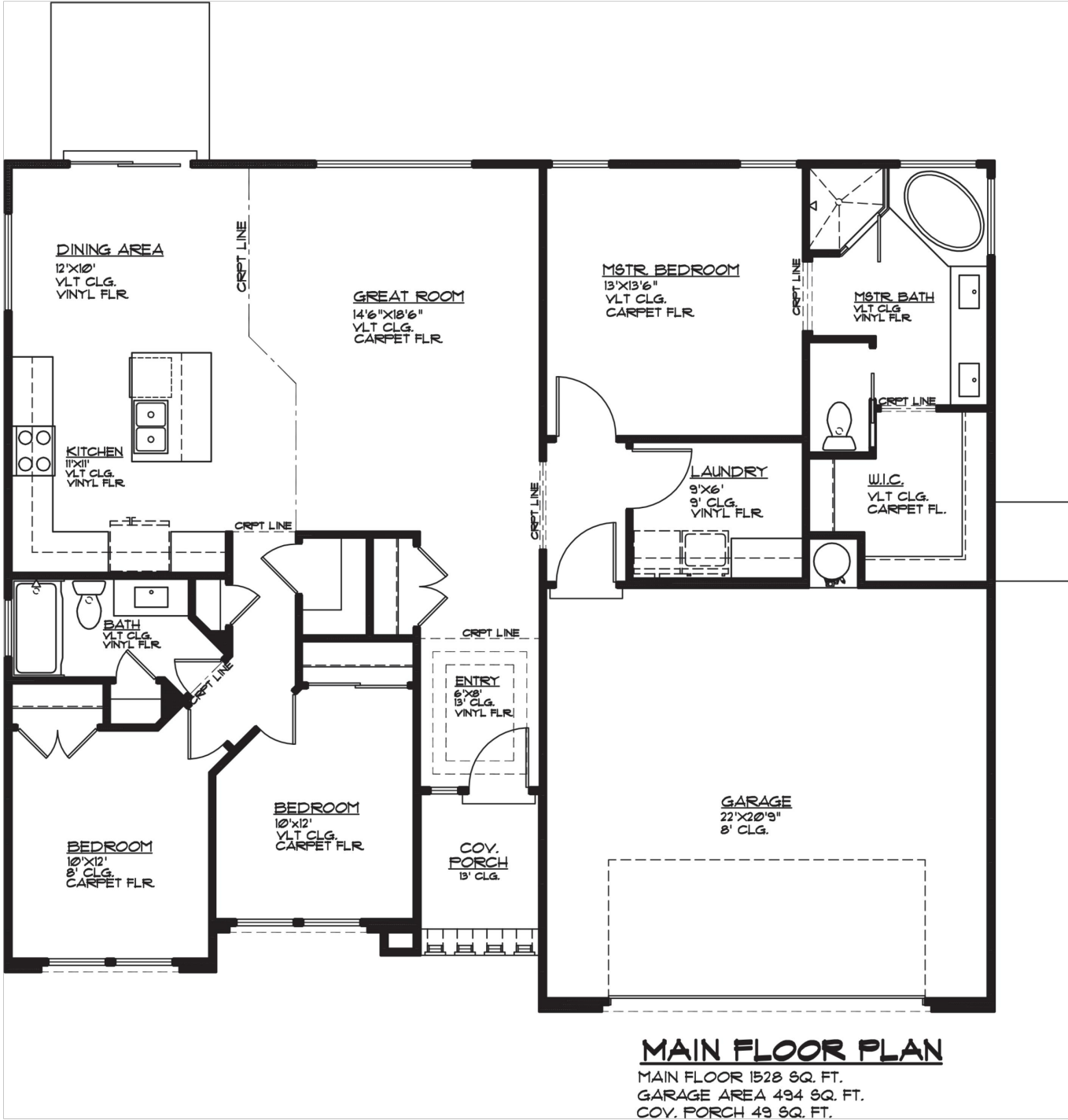


Plan 1528
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

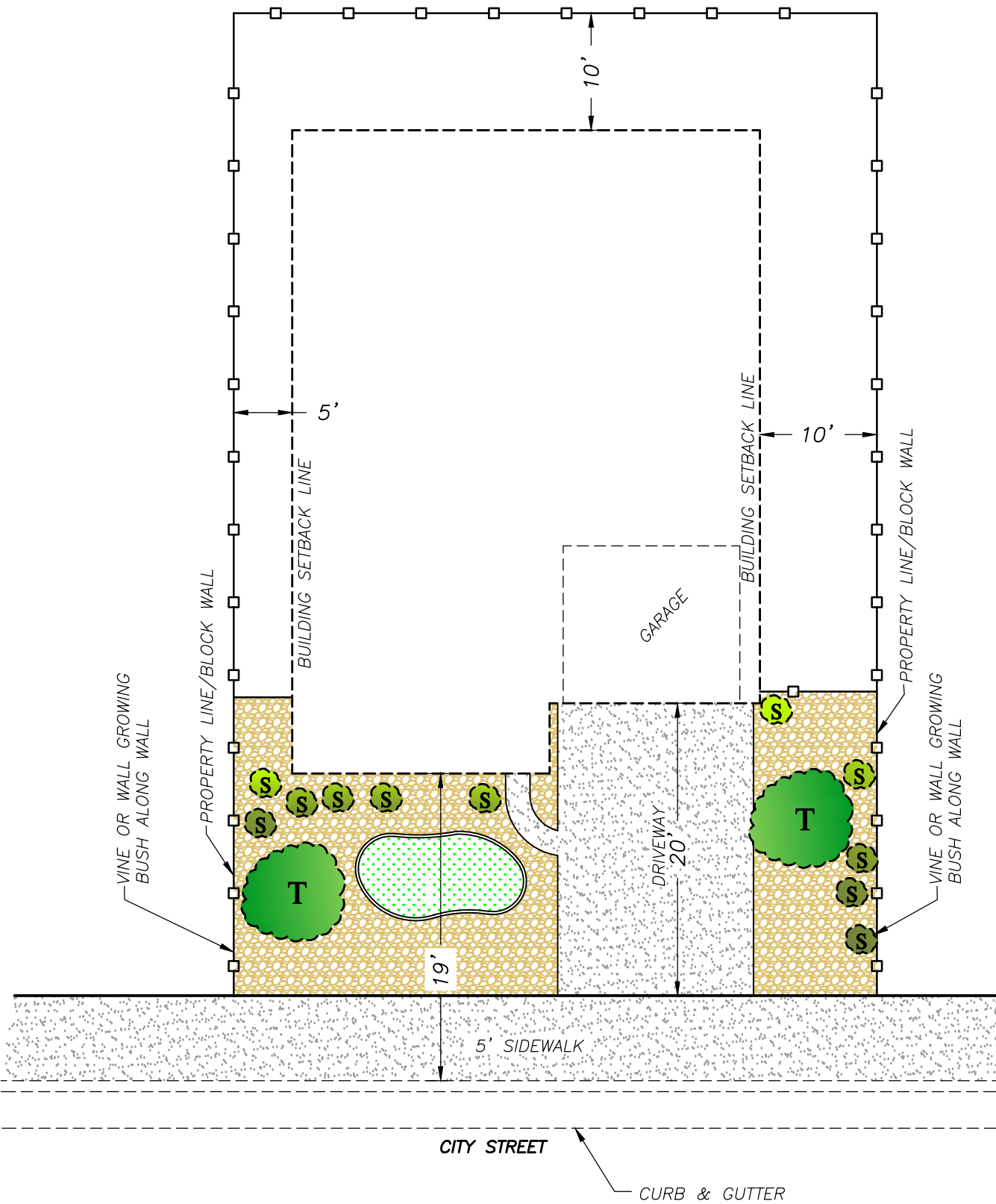
1,528 Sqft • 3 Beds • 2 Baths • 2 Garages • 50' ► x 43' ▲



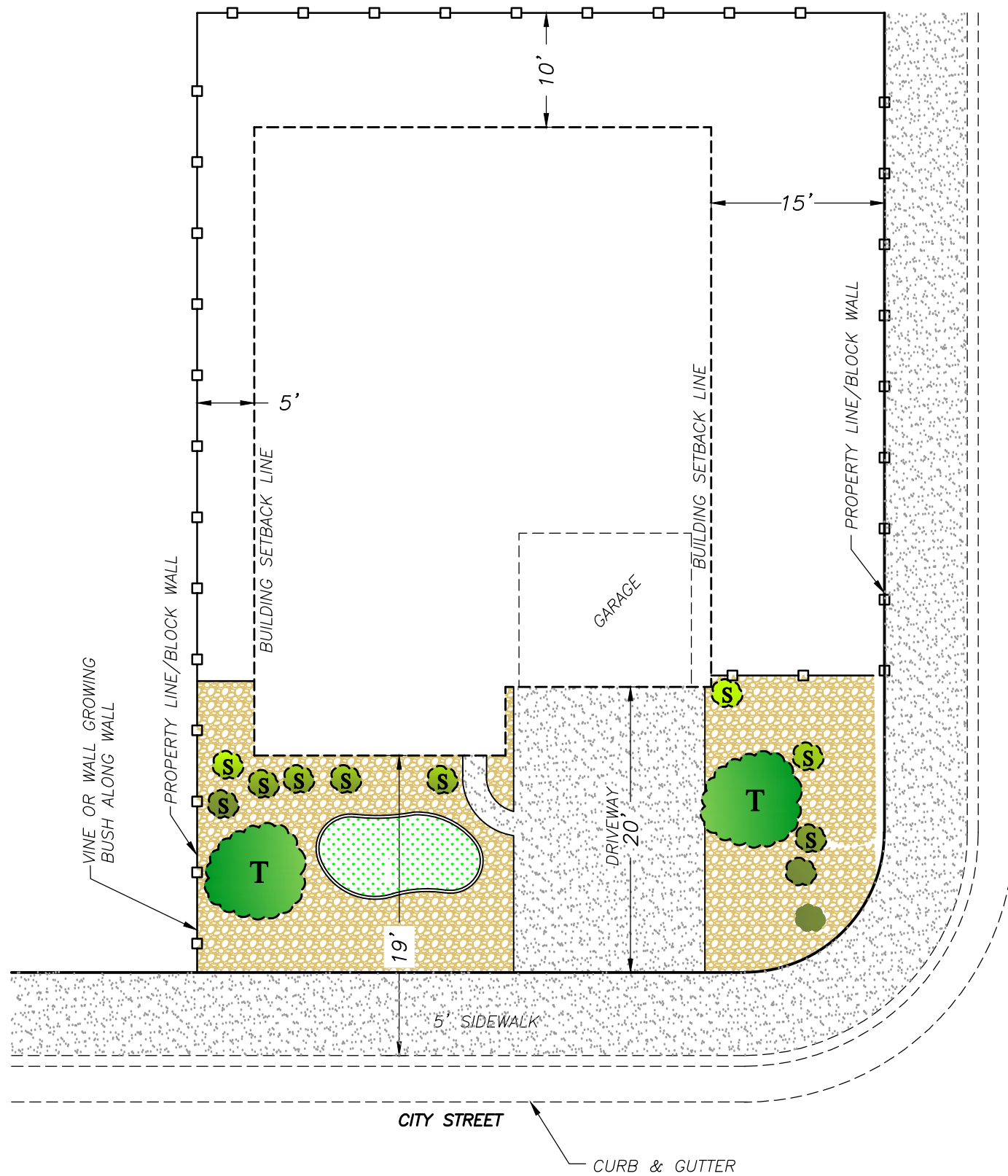
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THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



TYPICAL LOT LANDSCAPE & SETBACKS



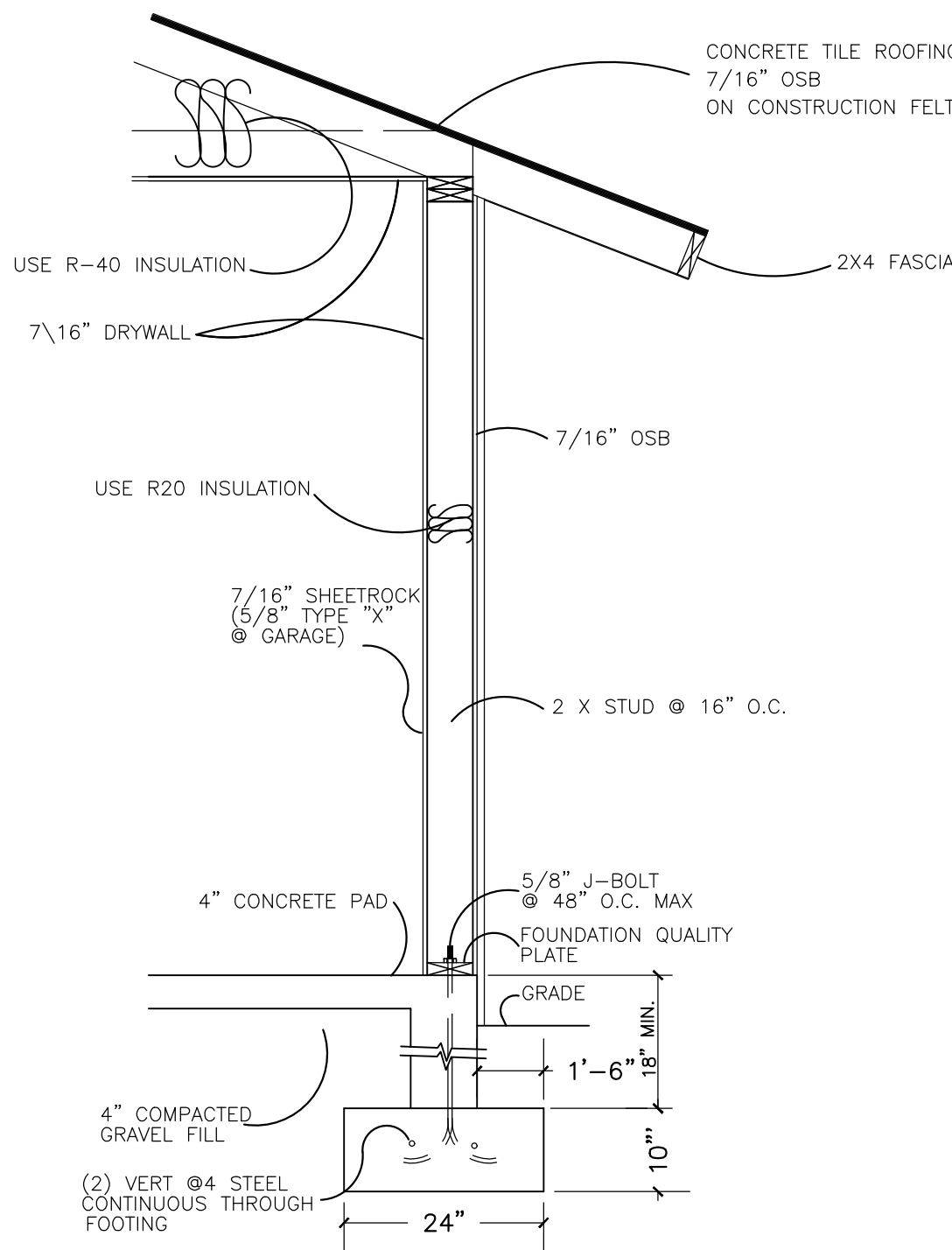
TYPICAL CORNER LOT LANDSCAPE & SETBACKS

THEME:

COPPER VISTA PROPOSES TO HAVE A COMFORTABLE SCENIC SUBDIVISION OF AFFORDABLE HOUSING WITH FULL LANDSCAPING FEATURES, EXTERIOR APPEAL, AND ENERGY EFFICIENT BUILDINGS TO MEET TODAY'S REQUIREMENTS FOR A FRIENDLY, ENJOYABLE NEIGHBORHOOD. HOUSES WILL RANGE FROM 1500 SQUARE FEET TO 2750 SQUARE FEET WITH PARKING FOR TWO CARS INSIDE AN ATTACHED GARAGE. LANDSCAPING WILL SOFTEN THE LOOK OF CMU WALLS AND CREATE A SCENIC NEIGHBORHOOD.

TREE LIST

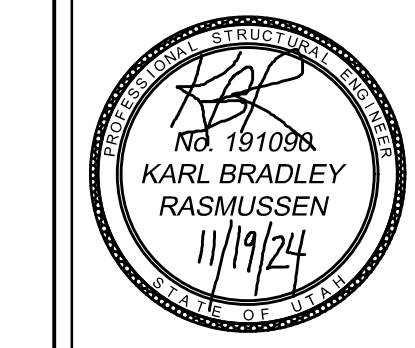
Morning Glorify or Pink Dawn Chitapa
Purple Robelocust
Purple Catalpa
Imperial Shademaster or Sunburst Honey Locust
GoldenRaintree
Fruitless Mulberry
Blood Good Sycamore
Aristocrat or Chanticleer flowering Pear
Green Vase Zelkova
Southern Live Oak
Holly Oak
Or Any Tree listed on WCWD Southern Utah Guide to Trees



(TYP) BUILDING CROSS SECTION

NO	REVISIONS DESCRIPTION	DATE	BY

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	2 OF 4

THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



Plan 1770
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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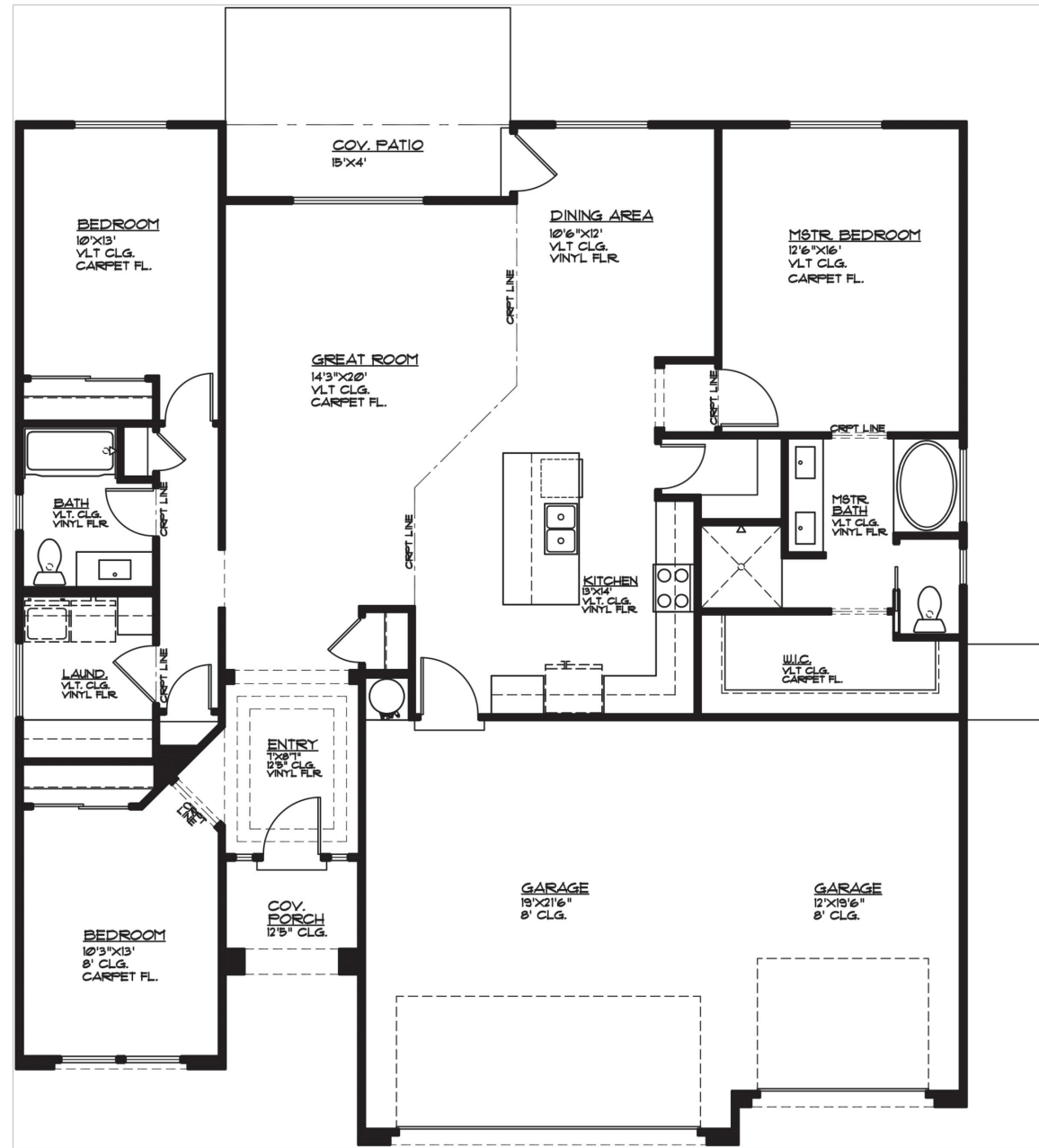


Plan 1770
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,770 Sqft • 3 Beds • 2 Baths • 3 Garages • 50' ► x 54' ▲



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Plan 2134
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



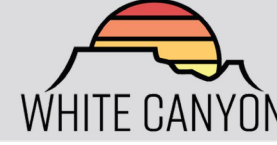
Winslow Prairie



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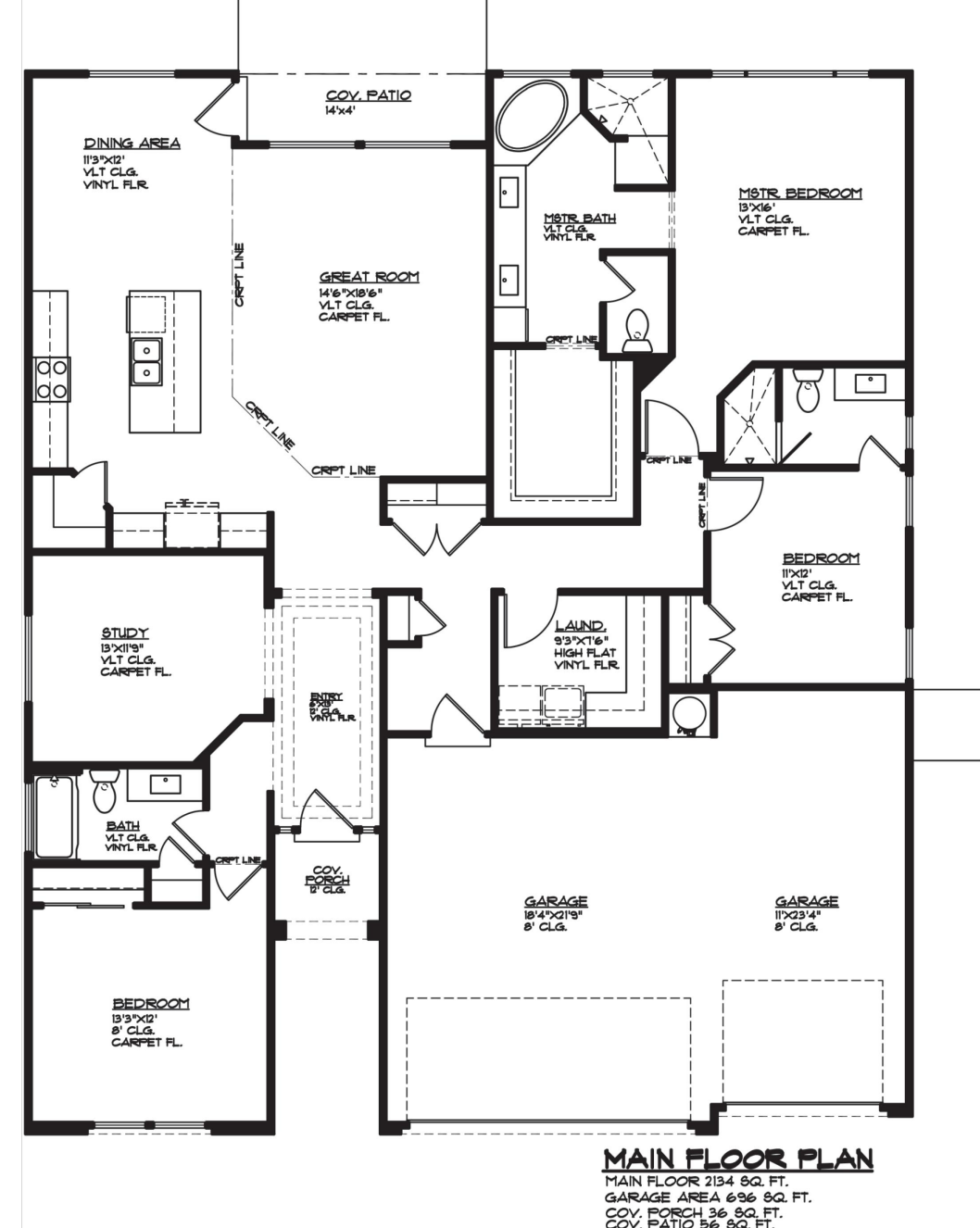


Plan 2134
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,134 Sqft • 4 Beds • 3 Baths • 3 Garages • 50' ► x 60' ▲



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Plan 1872
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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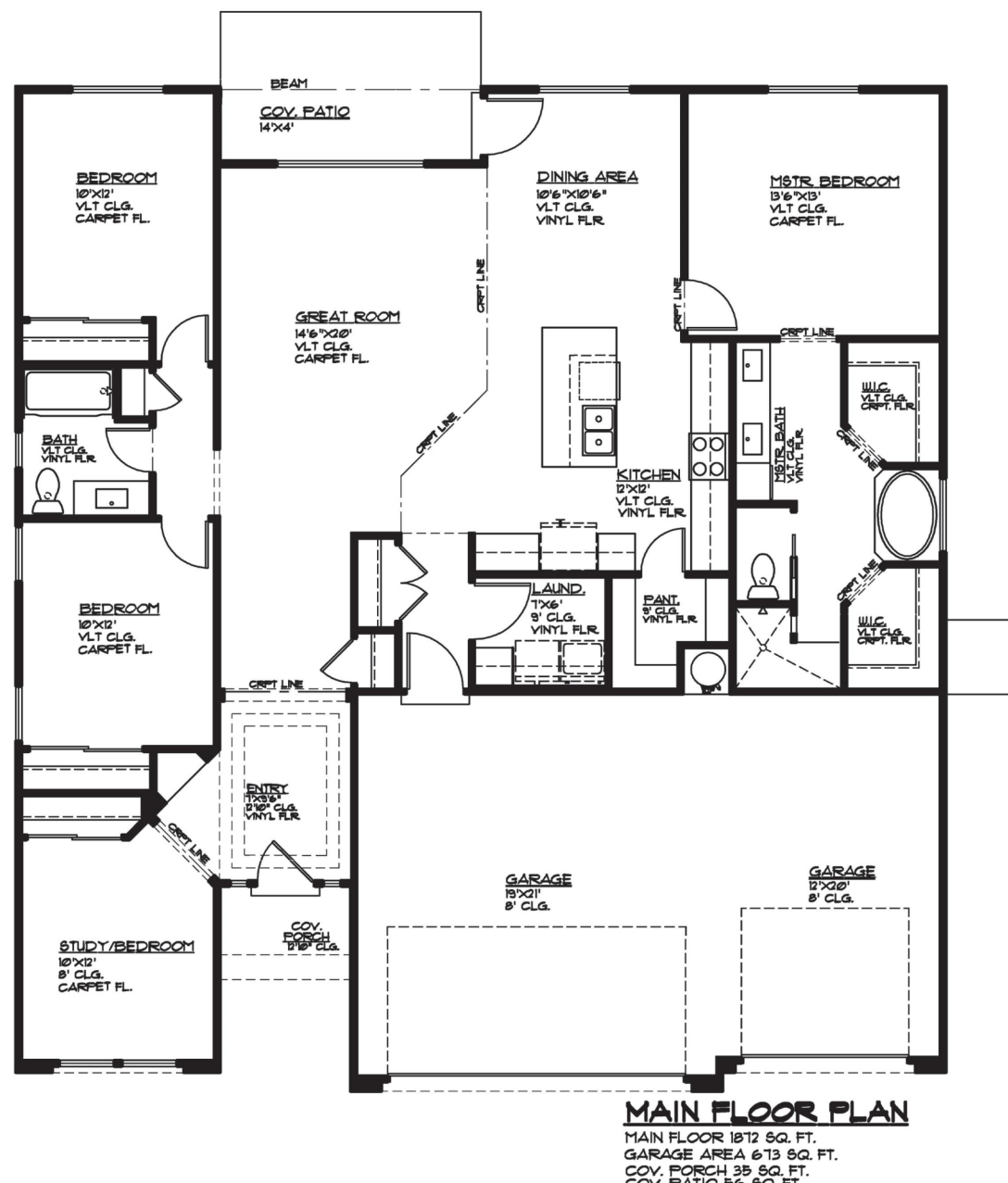


Plan 1872
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,872 Sqft • 4 Beds • 2 Baths • 3 Garages • 50' ► x 54' ▲



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Plan 2025
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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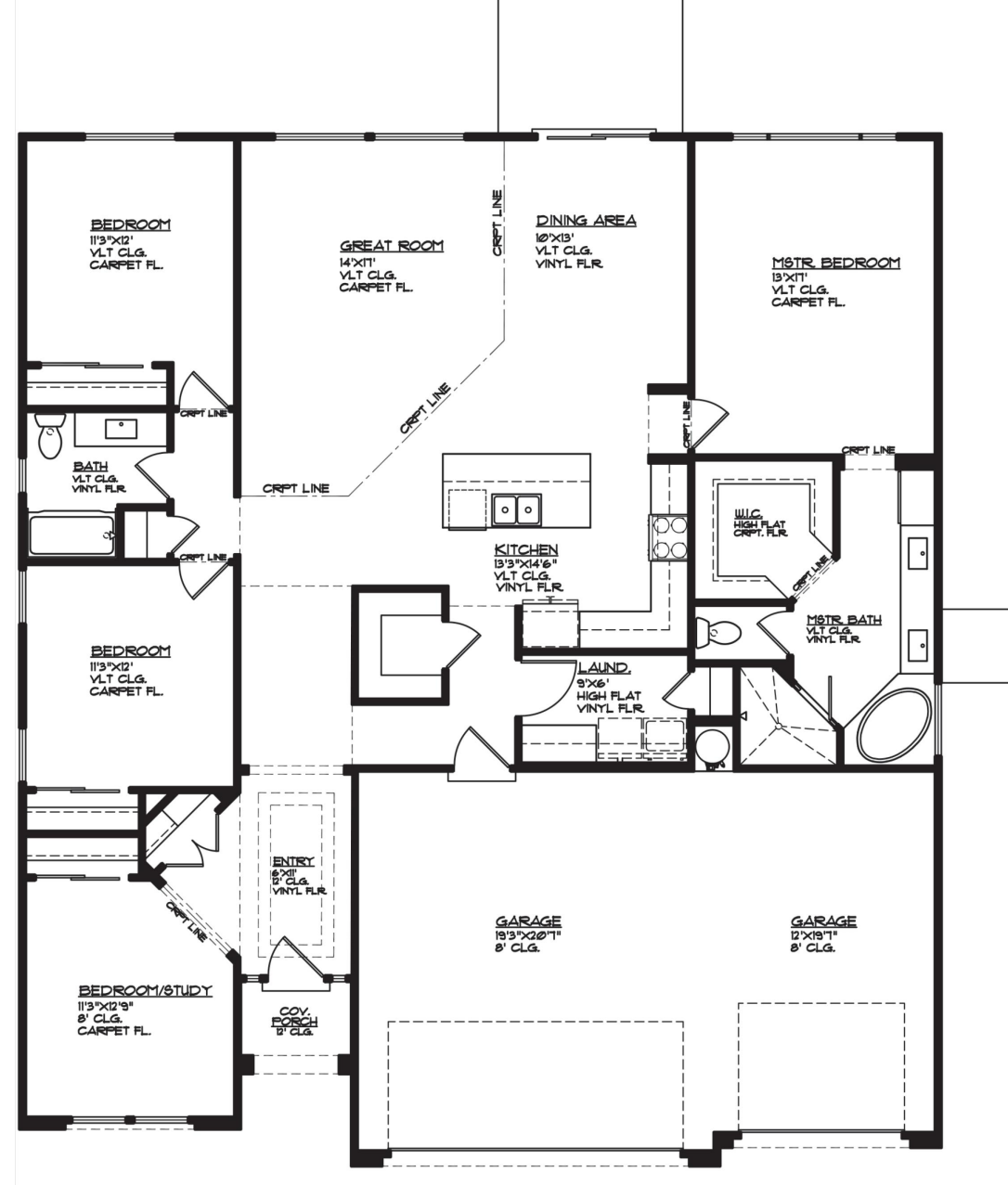


Plan 2025
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

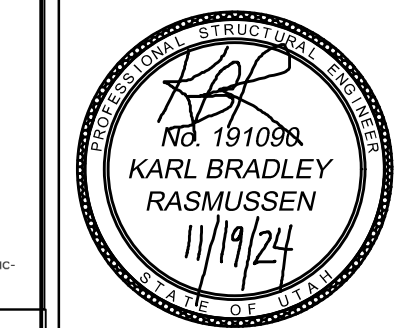
2,025 Sqft • 4 Beds • 2 Baths • 3 Garages • 50' ► x 56' ▲



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NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/19/2024
SCALE	N.T.S
JOB NO.	336-012
SHEET NO:	3 OF 4

THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



Plan 2984
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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Plan 2524
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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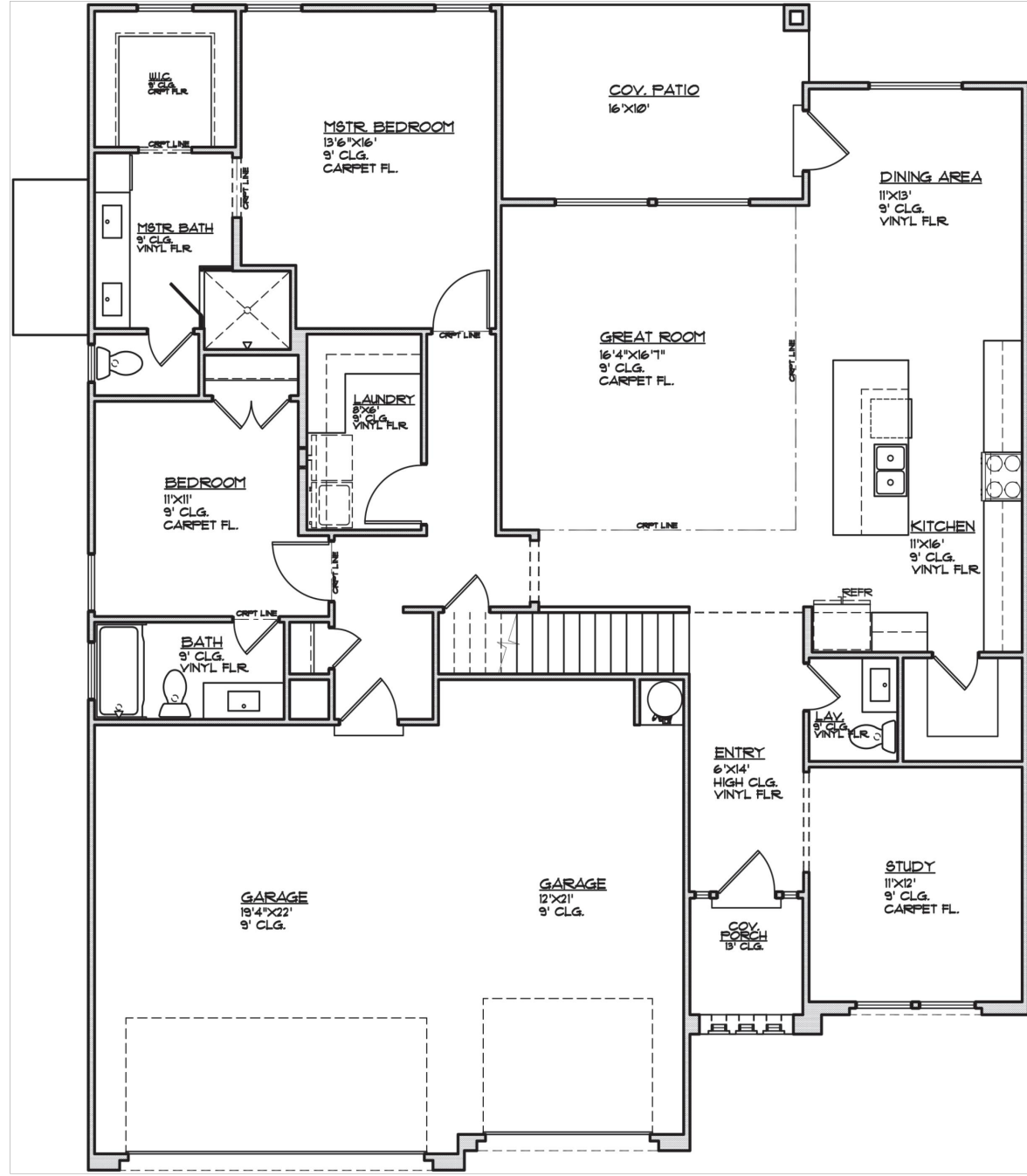


Plan 2984
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,984 Sqft • 6 Beds • 3.5 Baths • 3 Garages • 50' ► x 60' ▲



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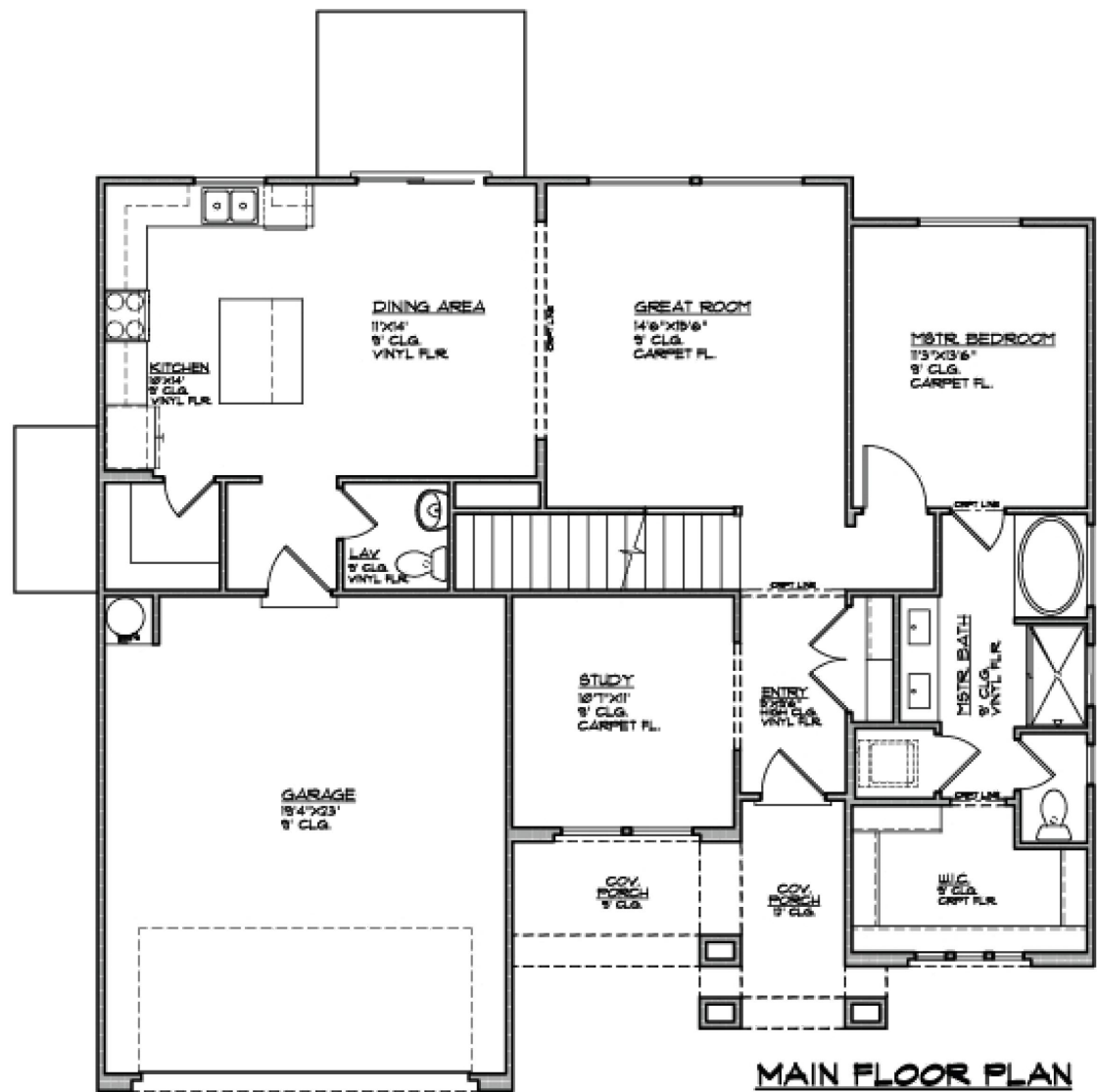


Plan 2524
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,524 Sqft • 5 Beds • 3.5 Baths • 2 Garages • 48' ► x 44' ▲



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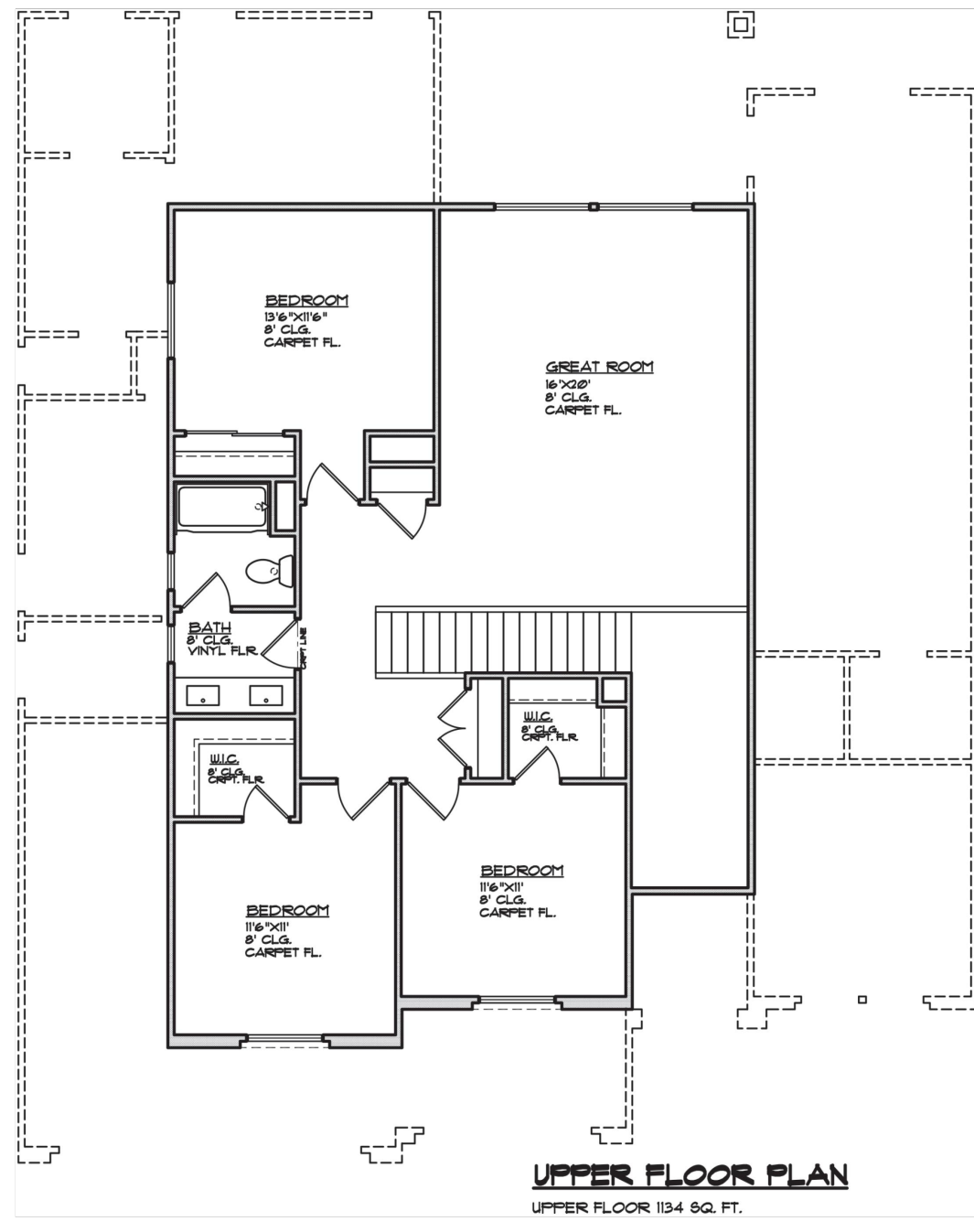


Plan 2984
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,984 Sqft • 6 Beds • 3.5 Baths • 3 Garages • 50' ► x 60' ▲



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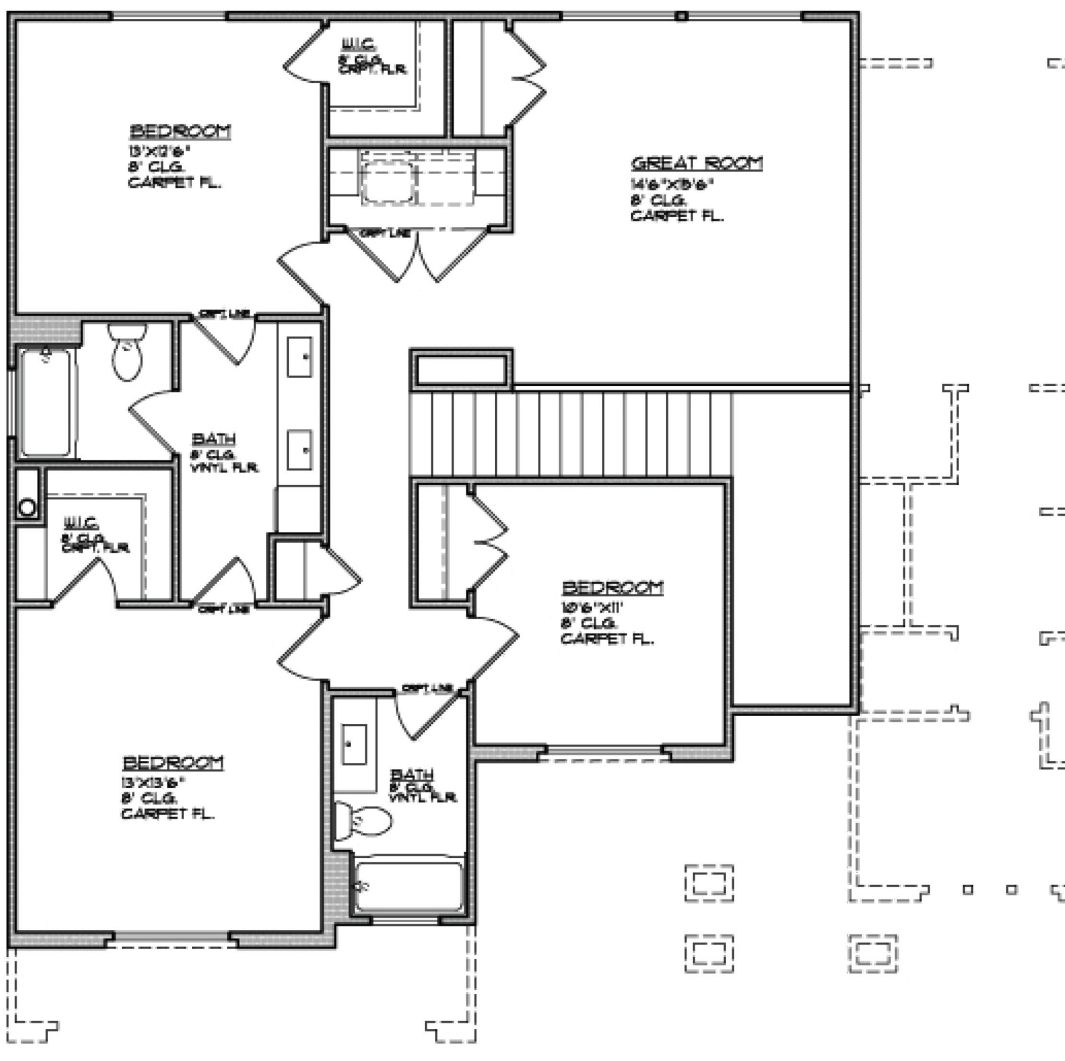


FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,524 Sqft • 5 Beds • 3.5 Baths • 2 Garages • 48' ► x 44' ▲



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Plan 2592
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



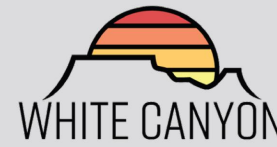
Winslow Prairie



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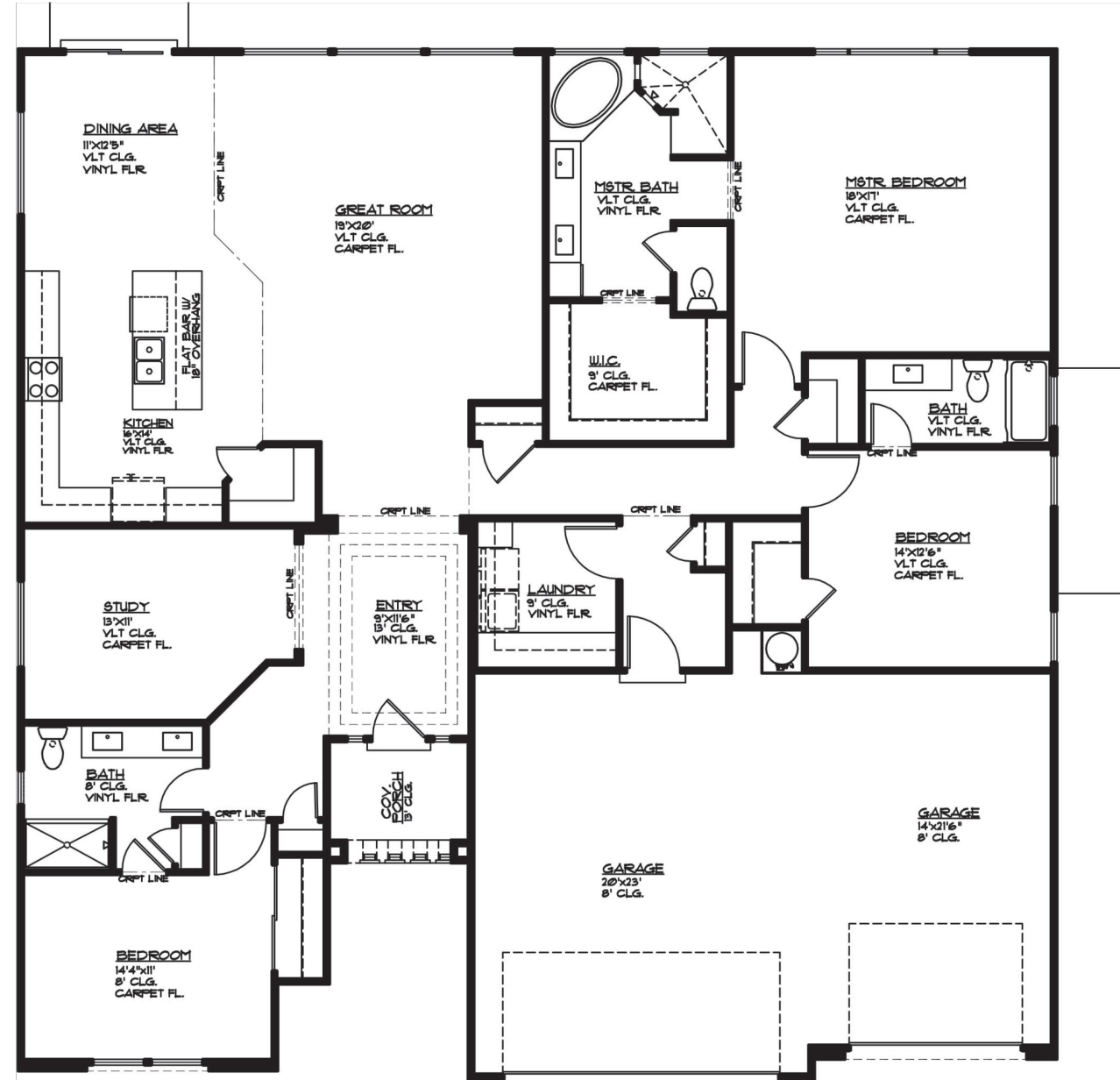


Plan 2592
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

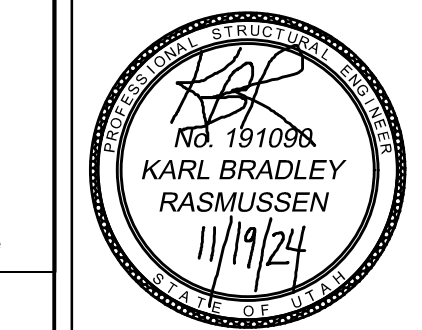
2592 Sqft • 4 Beds • 3 Baths • 3 Garages • 60' ► x 60' ▲



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NO	REVISIONS	DESCRIPTION	DATE	BY

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ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



THEME MAP FOR:
WESTERN MORTGAGE

LOCATED IN SECTION 13, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

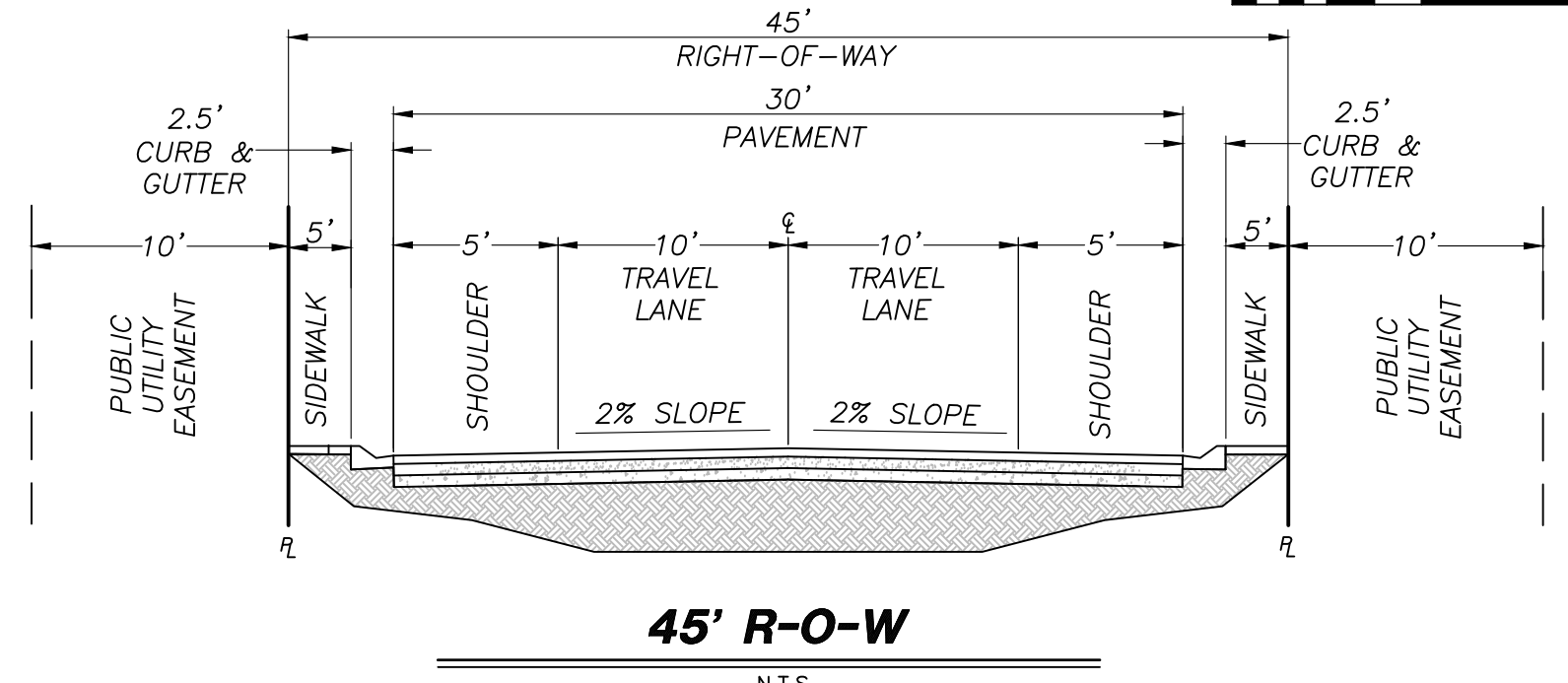
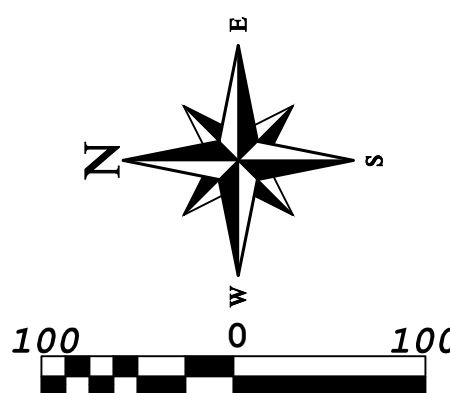
DATE	11/19/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	4 OF 4

PRELIMINARY SITE PLAN FOR:
COPPER VISTA PHASE 1-9

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

OWNERSHIP / DEVELOPER

WESTERN MTG & REALTY CO
6610 W COURT ST
PASCO, WA 99301



LEGAL DESCRIPTION

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE EASTERLY LINE OF SAID SECTION 1, N01°22'30"E 54.81' FEET; THENCE N88°37'30"W 42.00' FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTH BOUNDARY OF JELLYSTONE ROAD; THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) SOUTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 19.71 FEET, THROUGH A CENTRAL ANGLE OF 90°19'37", (LONG CHORD BEARS: S46°32'18"W 17.73 FEET); (2) N88°17'53"W 1745.37 FEET TO THE EASTERLY BOUNDARY OF GATEWAY BOULEVARD; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) NORTHWESTERLY ALONG THE ARC OF A 12.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 21.34 FEET, THROUGH A CENTRAL ANGLE OF 97°49'55", (LONG CHORD BEARS: N39°22'56"W 18.84 FEET); (2) N09°32'02"E 1545.68 FEET; (3) NORTHERLY ALONG THE ARC OF A 2545.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 58.21 FEET, THROUGH A CENTRAL ANGLE OF 01°18'38", (LONG CHORD BEARS: N08°52'43"E 58.21 FEET); THENCE S81°46'17"E 96.59 FEET; THENCE EASTERLY ALONG THE ARC OF A 285.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 146.50 FEET, THROUGH A CENTRAL ANGLE OF 29°27'06", (LONG CHORD BEARS: N83°30'10"E 144.89 FEET); THENCE N68°46'37"E 497.47 FEET; THENCE EASTERLY ALONG THE ARC OF A 600.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 236.36 FEET, THROUGH A CENTRAL ANGLE OF 22°34'16", (LONG CHORD BEARS: N80°03'45"E 234.84 FEET); THENCE S88°39'07"E 614.27 FEET; THENCE S01°22'30"W 1845.31 FEET TO THE POINT OF BEGINNING;

AREA CONTAINS 2,913,969 SQUARE FEET OR 66.896 ACRES. AVERAGE LOT SIZE= 6,183 S.F.

EASEMENT NOTE:

THE SUBDIVISION WILL PROVIDE NON-DISCRIMINATORY ACCESS FOR THE PLACEMENT OF COMMUNICATIONS AND UTILITY INFRASTRUCTURE. EASEMENTS WILL BE IDENTIFIED ON THE FINAL PLAT AND COORDINATED WITH RELEVANT SERVICE PROVIDERS TO ENSURE EQUITABLE ACCESS FOR ALL UTILITY AND COMMUNICATION PROVIDERS.

ALL LOTS TO HAVE 10' PUBLIC UTILITY EASEMENTS ALONG THE RIGHT-OF-WAY LINE OF ALL INTERNAL ROADWAYS.

PRELIMINARY STORM DRAINAGE PLAN

STORMWATER DRAINAGE WILL CONNECT TO THE EXISTING STORM DRAIN INFRASTRUCTURE ALONG JELLYSTONE ROAD. PIPE SIZING AND SPECIFICATIONS WILL BE DETERMINED IN THE CONSTRUCTION DRAWING PHASE. PLEASE REFER TO THE GATEWAY AT SAND HOLLOW DRAINAGE REPORT FOR FURTHER DETAILS.

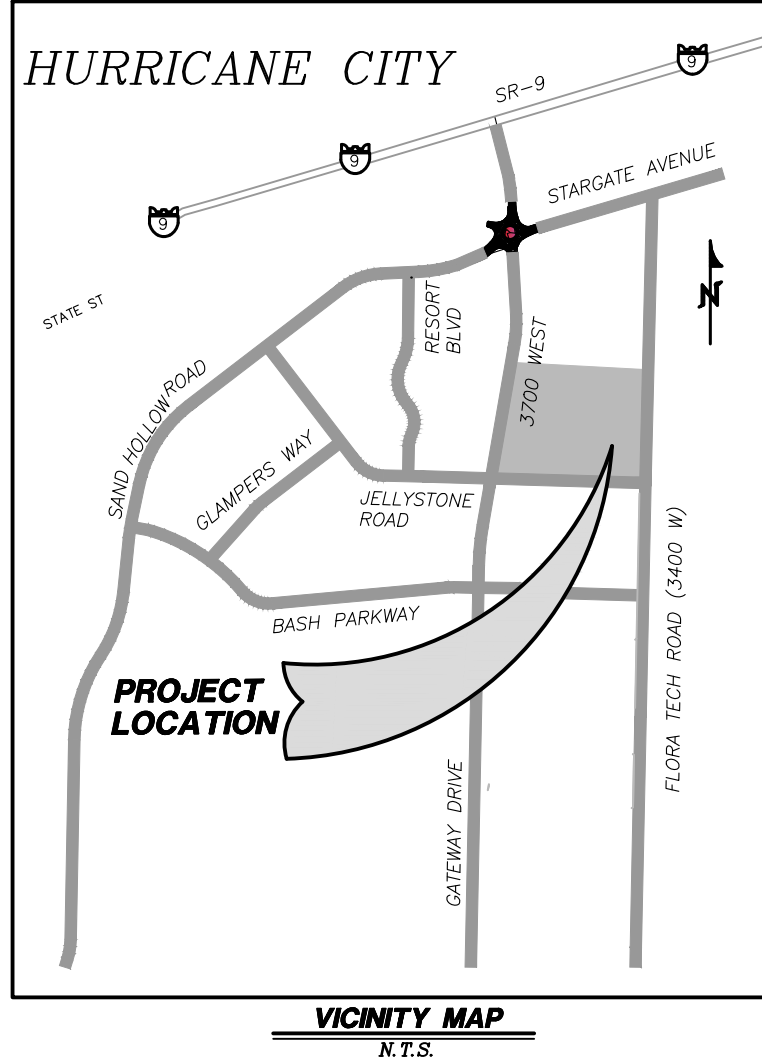
SITE DATA

PHASE #	# OF LOTS
PHASE 1	40 LOTS
PHASE 2	45 LOTS
PHASE 3	50 LOTS
PHASE 4	25 LOTS
PHASE 5	24 LOTS
PHASE 6	30 LOTS
PHASE 7	42 LOTS
PHASE 8	38 LOTS
PHASE 9	44 LOTS
TOTAL	338 LOTS

AVERAGE LOT SIZE= 6,183 S.F.

LEGEND

- PROPERTY LINE
- LOT LINE
- EXISTING CURB & GUTTER
- PHASE LINE
- CENTER LINE
- TIE LINE



REVISIONS	DATE	BY
DESCRIPTION		
NO		

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



PRELIMINARY SITE PLAN FOR:
COPPER VISTA

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	1"=100'
JOB NO.	336-012
SHEET NO.	2 OF 7



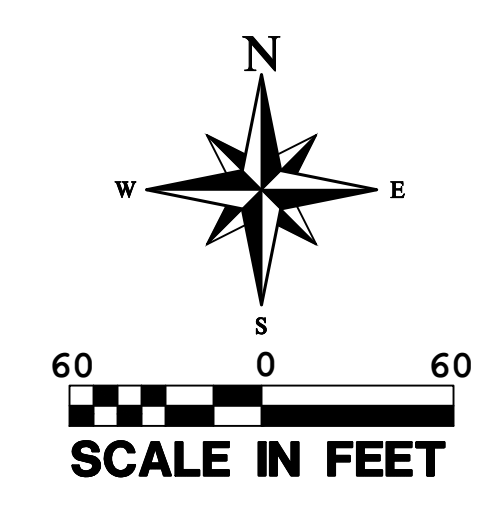
CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	14.14'	9.00'	12.73'	N35°27'58"W	90°00'00"
C2	14.14'	9.00'	12.73'	S54°32'02"W	90°00'00"
C3	23.56'	15.00'	21.21'	N35°27'58"W	90°00'00"
C4	23.56'	15.00'	21.21'	N54°32'02"E	90°00'00"
C5	23.56'	15.00'	21.21'	S35°27'58"E	90°00'00"
C6	23.56'	15.00'	21.21'	S54°32'02"W	90°00'00"
C7	56.48'	242.50'	56.35'	N87°08'19"W	13°20'41"
C8	67.04'	242.50'	66.83'	S78°16'09"W	15°50'24"
C9	31.71'	242.50'	31.69'	N66°36'12"E	7°29'30"
C10	51.23'	197.50'	51.08'	N70°17'17"E	14°51'40"
C11	48.20'	197.50'	48.08'	S84°42'37"W	13°59'00"
C12	18.92'	197.50'	18.91'	N65°36'07"E	5°29'20"
C13	74.04'	242.50'	73.76'	N71°36'17"E	17°29'40"
C14	48.04'	242.50'	47.96'	N86°01'37"E	11°21'00"
C15	25.61'	15.00'	22.61'	S39°22'56"E	97°49'55"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C16	21.51'	15.00'	19.71'	S50°37'04"W	82°10'05"
C17	23.56'	15.00'	21.21'	N46°42'07"E	90°00'00"
C18	23.56'	15.00'	21.21'	S43°17'53"E	90°00'00"
C19	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C20	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C21	23.56'	15.00'	21.21'	N46°42'07"E	90°00'00"
C22	23.56'	15.00'	21.21'	S43°17'53"E	90°00'00"
C23	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C24	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C25	25.61'	15.00'	22.61'	S39°22'56"E	97°49'55"
C26	23.56'	15.00'	21.21'	N46°42'07"E	90°00'00"
C27	23.56'	15.00'	21.21'	S43°17'53"E	90°00'00"
C28	21.51'	15.00'	19.71'	S50°37'04"W	82°10'05"
C29	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C30	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C31	42.69'	25.00'	37.69'	S39°22'56"E	97°49'55"
C32	23.56'	15.00'	21.21'	N46°42'07"E	90°00'00"
C33	23.56'	15.00'	21.21'	S43°17'53"E	90°00'00"
C34	8.73'	50.00'	8.72'	N43°32'02"E	10°00'00"
C35	41.35'	55.00'	40.38'	N26°00'12"W	43°04'28"
C36	42.46'	55.00'	41.41'	N45°39'24"W	44°13'56"
C37	29.30'	55.00'	28.96'	N83°02'08"W	30°31'31"
C38	8.73'	50.00'	8.72'	S86°42'07"W	10°00'00"
C39	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"
C40	2.01'	12.00'	2.01'	N62°29'56"E	9°35'39"
C41	16.84'	12.00'	15.49'	N51°29'56"E	80°24'21"
C42	16.84'	12.00'	15.49'	S48°05'43"E	80°24'21"
C43	2.01'	12.00'	2.01'	S37°05'43"E	9°35'39"
C44	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C45	23.56'	15.00'	21.21'	N43°17'53"W	90°00'00"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C46	2.01'	12.00'	2.01'	N62°29'56"E	9°35'39"
C47	16.84'	12.00'	15.49'	N51°29'56"E	80°24'21"
C48	16.84'	12.00'	15.49'	S48°05'43"E	80°24'21"
C49	2.01'	12.00'	2.01'	S37°05'43"E	9°35'39"
C50	23.56'	15.00'	21.21'	S46°42'07"W	90°00'00"
C51	8.73'	50.00'	8.72'	N83°17'53"W	10°00'00"
C52	27.53'	55.00'	27.25'	S87°21'37"W	26°41'00"
C53	51.41'	55.00'	49.56'	S46°14'21"W	53°33'31"
C54	26.96'	55.00'	26.69'	S5°25'03"W	28°05'05"
C55	8.73'	50.00'	8.72'	S37°05'43"E	10°00'00"
C56	39.41'	25.00'	35.46'	N46°32'18"E	90°19'37"
C57	23.48'	15.00'	21.15'	N43°27'42"W	89°40'23"
C58	23.65'	15.00'	21.27'	N46°32'18"E	90°19'37"
C59	23.48'	15.00'	21.15'	N43°27'42"W	89°40'23"
C60	23.65'	15.00'	21.27'	N46°32'18"E	90°19'37"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C61	23.48'	15.00'	21.15'	N43°27'42"W	89°40'23"
C62	23.65'	15.00'	21.27'	N46°32'18"E	90°19'37"
C63	23.56'	15.00'	21.21'	S43°37'30"E	90°00'00"
C64	23.56'	15.00'	21.21'	S46°22'30"W	90°00'00"
C65	2.01'	12.00'	2.01'	N83°49'41"W	9°35'39"
C66	16.84'	12.00'	15.49'	N38°49'41"W	80°24'21"
C67	16.84'	12.00'	15.49'	S41°34'41"W	80°24'21"
C68	2.01'	12.00'	2.01'	N86°34'41"E	9°35'39"
C69	107.50'	197.50'	106.18'	N83°56'24"E	31°11'16"



PRELIMINARY SITE PLAN FOR:
COPPER VISTA PHASE 1-9
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

REVISIONS		DESCRIPTION
NO	DATE	

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-666-6307

PRELIMINARY SITE PLAN FOR:
COPPER VISTA
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	1"=60'
JOB NO.	336-012
SHEET NO.	3 OF 7

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538-012 COPPER VISTA PREL. SITE PLAN.DWG

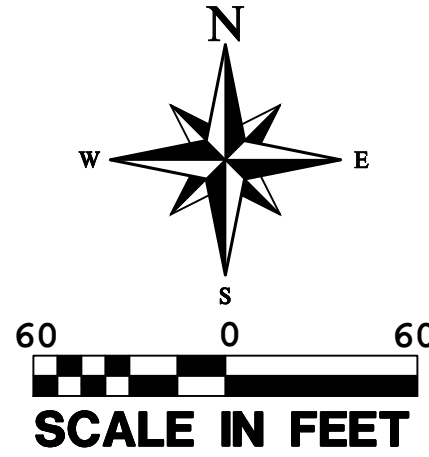
CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.
C70	21.51'	15.00'	19.71'	S50°37'04"W
C71	25.61'	15.00'	22.61'	S39°22'56"E
C72	23.56'	15.00'	21.21'	N43°17'53"W
C73	23.56'	15.00'	21.21'	S46°42'07"W
C74	23.56'	15.00'	21.21'	N46°42'07"E
C75	23.56'	15.00'	21.21'	S43°17'53"E
C76	23.48'	15.00'	21.15'	N43°27'42"W
C77	23.65'	15.00'	21.27'	N46°32'18"E
C78	23.48'	15.00'	21.15'	N43°27'42"W
C79	23.65'	15.00'	21.27'	N46°32'18"E
C80	23.48'	15.00'	21.15'	N43°27'42"W
C81	23.65'	15.00'	21.27'	N46°32'18"E
C82	23.48'	15.00'	21.15'	N43°27'42"W
C83	23.65'	15.00'	21.27'	N46°32'18"E
C84	11.03'	20.50'	10.90'	N14°02'37"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.
C85	21.18'	20.50'	20.25'	S59°03'25"E
C86	11.01'	20.50'	10.88'	S16°46'00"W
C87	21.18'	20.50'	20.25'	N61°45'11"E
C88	18.85'	12.00'	16.97'	N43°37'28"W
C89	21.51'	15.00'	19.71'	S50°37'04"W
C90	25.61'	15.00'	22.61'	S39°22'56"E
C91	6.88'	20.50'	6.84'	S19°08'33"W
C92	20.64'	20.50'	19.78'	N57°35'18"E
C93	86.84'	325.00'	86.58'	S81°49'34"W
C94	11.51'	20.50'	11.36'	N6°32'54"W
C95	21.16'	20.50'	20.23'	S52°12'03"E
C96	18.44'	2555.00'	18.44'	S9°19'38"W
C97	97.03'	315.00'	96.64'	N77°36'05"E
C98	30.60'	325.00'	30.59'	S71°28'26"W
C99	11.02'	20.50'	10.89'	N36°37'41"W

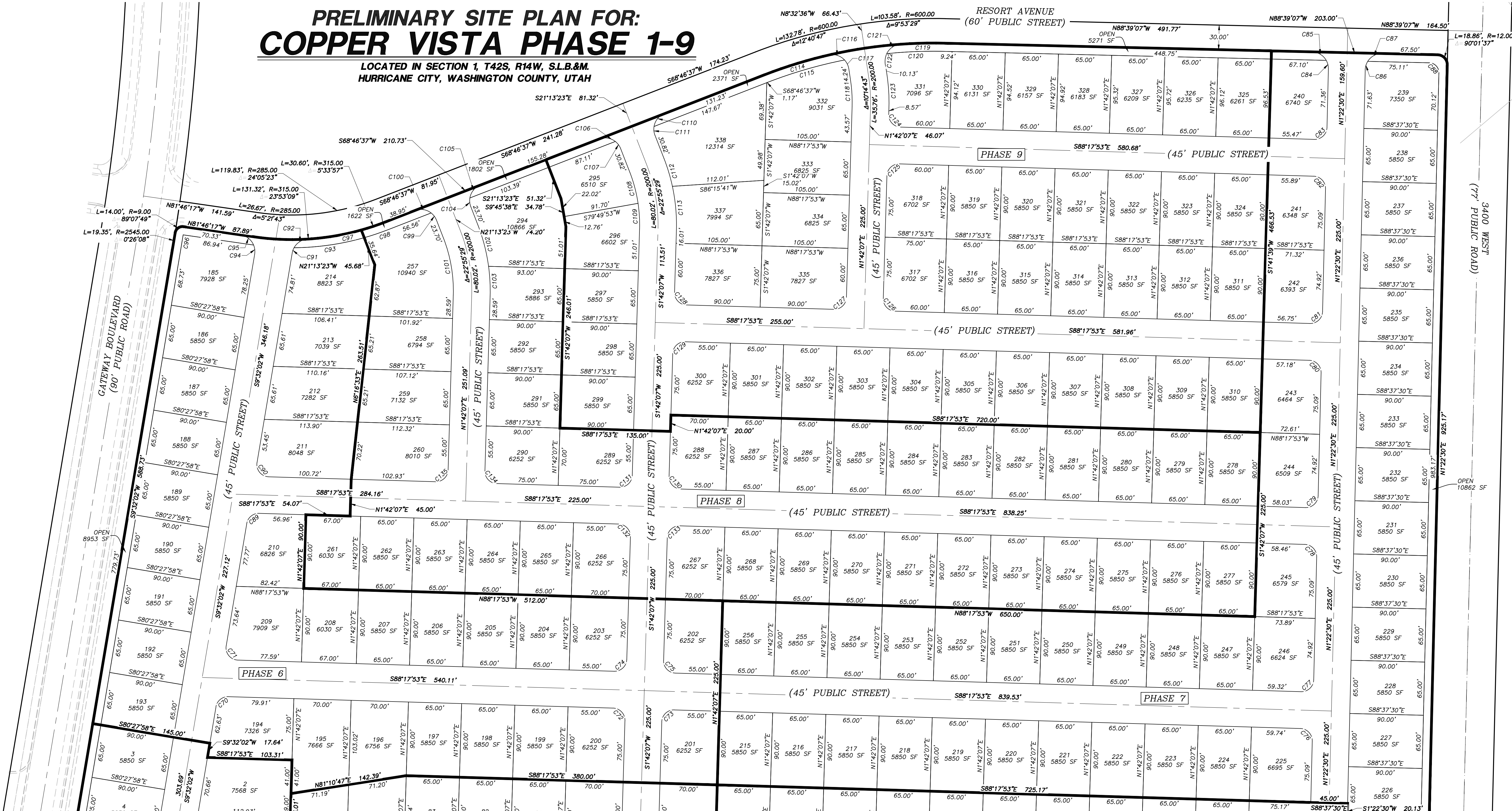
CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.
C100	21.18'	20.50'	20.25'	S81°37'41"E
C101	71.02'	177.50'	70.55'	N9°46'38"W
C102	52.45'	222.50'	52.33'	S14°28'13"E
C103	36.58'	222.50'	36.54'	S3°00'28"E
C104	11.02'	20.50'	10.89'	S5°49'04"E
C105	21.18'	20.50'	20.25'	N39°10'56"E
C106	21.18'	20.50'	20.25'	S81°37'41"E
C107	11.02'	20.50'	10.89'	N36°37'41"W
C108	39.49'	177.50'	39.41'	N14°50'57"W
C109	31.53'	177.50'	31.49'	N3°23'13"W
C110	21.18'	20.50'	20.25'	S39°10'56"W
C111	11.02'	20.50'	10.89'	S5°49'04"E
C112	35.11'	222.50'	35.07'	S16°42'09"E
C113	53.92'	222.50'	53.78'	S5°14'25"E
C114	81.49'	570.00'	81.42'	S72°52'22"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.
C115	97.84'	560.00'	97.71'	S73°46'55"W
C116	21.50'	20.50'	20.53'	N72°58'47"W
C117	12.30'	20.50'	12.12'	N25°44'06"W
C118	31.74'	177.50'	31.70'	N3°25'15"W
C119	53.75'	570.00'	53.73'	N88°38'47"E
C120	70.59'	560.00'	70.54'	S87°44'14"W
C121	21.50'	20.50'	20.53'	N55°53'35"E
C122	16.42'	23.52'	16.09'	S4°19'17"W
C123	39.79'	222.50'	39.73'	S3°25'15"E
C124	23.56'	15.00'	21.21'	S43°17'53"E
C125	23.56'	15.00'	21.21'	S46°42'07"W
C126	23.56'	15.00'	21.21'	S43°17'53"E
C127	23.56'	15.00'	21.21'	N46°42'07"E
C128	23.56'	15.00'	21.21'	S43°17'53"E
C129	23.56'	15.00'	21.21'	S46°42'07"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.
C130	23.56'	15.00'	21.21'	S43°17'53"E
C131	23.56'	15.00'	21.21'	N46°42'07"E
C132	23.56'	15.00'	21.21'	N43°17'53"W
C133	23.56'	15.00'	21.21'	S46°42'07"W
C134	23.56'	15.00'	21.21'	S43°17'53"E
C135	23.56'	15.00'	21.21'	N46°42'07"E

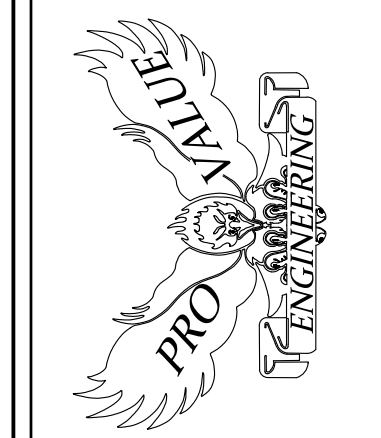


PRELIMINARY SITE PLAN FOR:
COPPER VISTA PHASE 1-9
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



REVISIONS		DESCRIPTION	DATE	BY
NO				

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307



PRELIMINARY SITE PLAN FOR:
COPPER VISTA
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	1"=60'
JOB NO.	336-012
SHEET NO.	4 OF 7



Plan 1660
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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Plan 1528
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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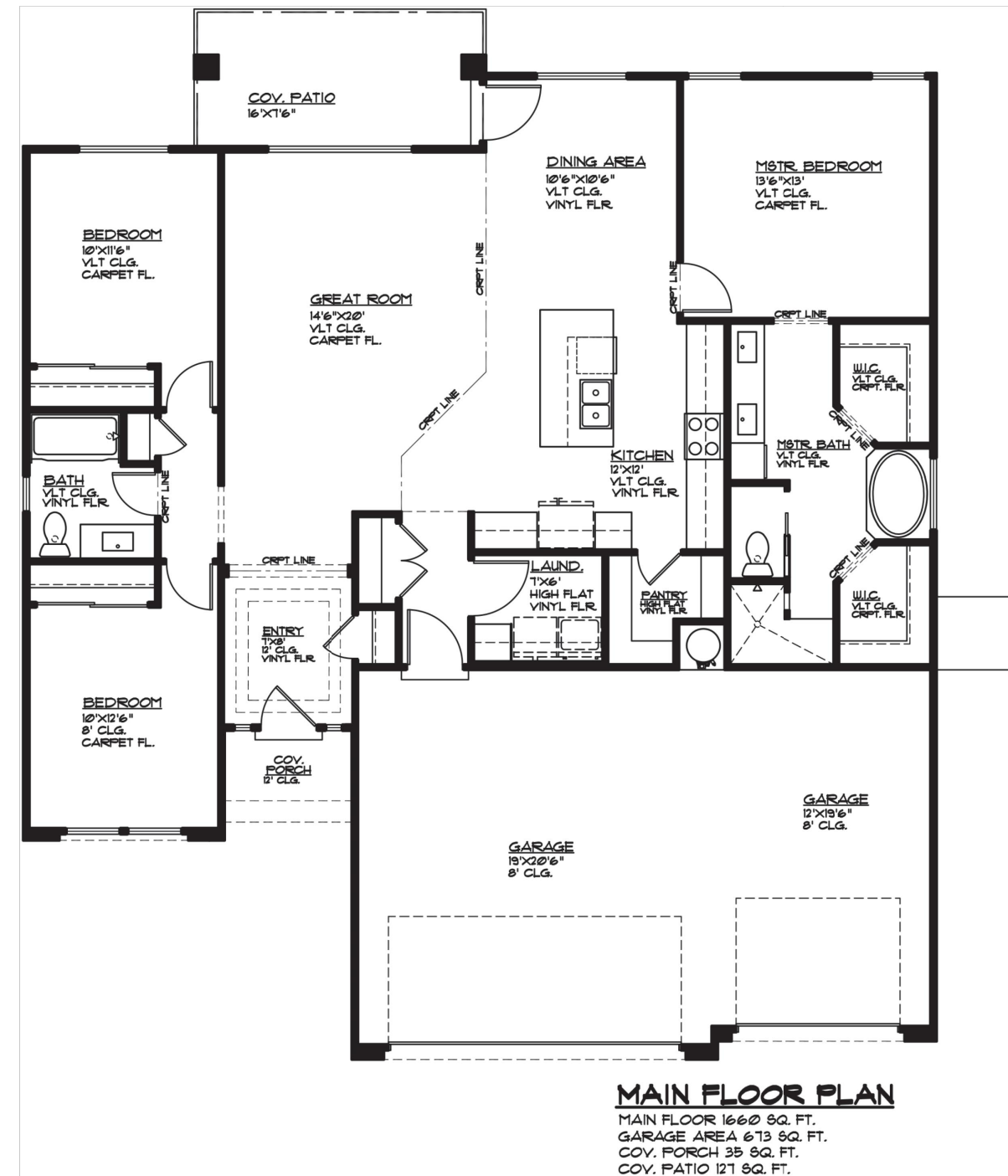


Plan 1660
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,660 Sqft • 3 Beds • 2 Baths • 3 Garages • 50' ► x 55' ▲



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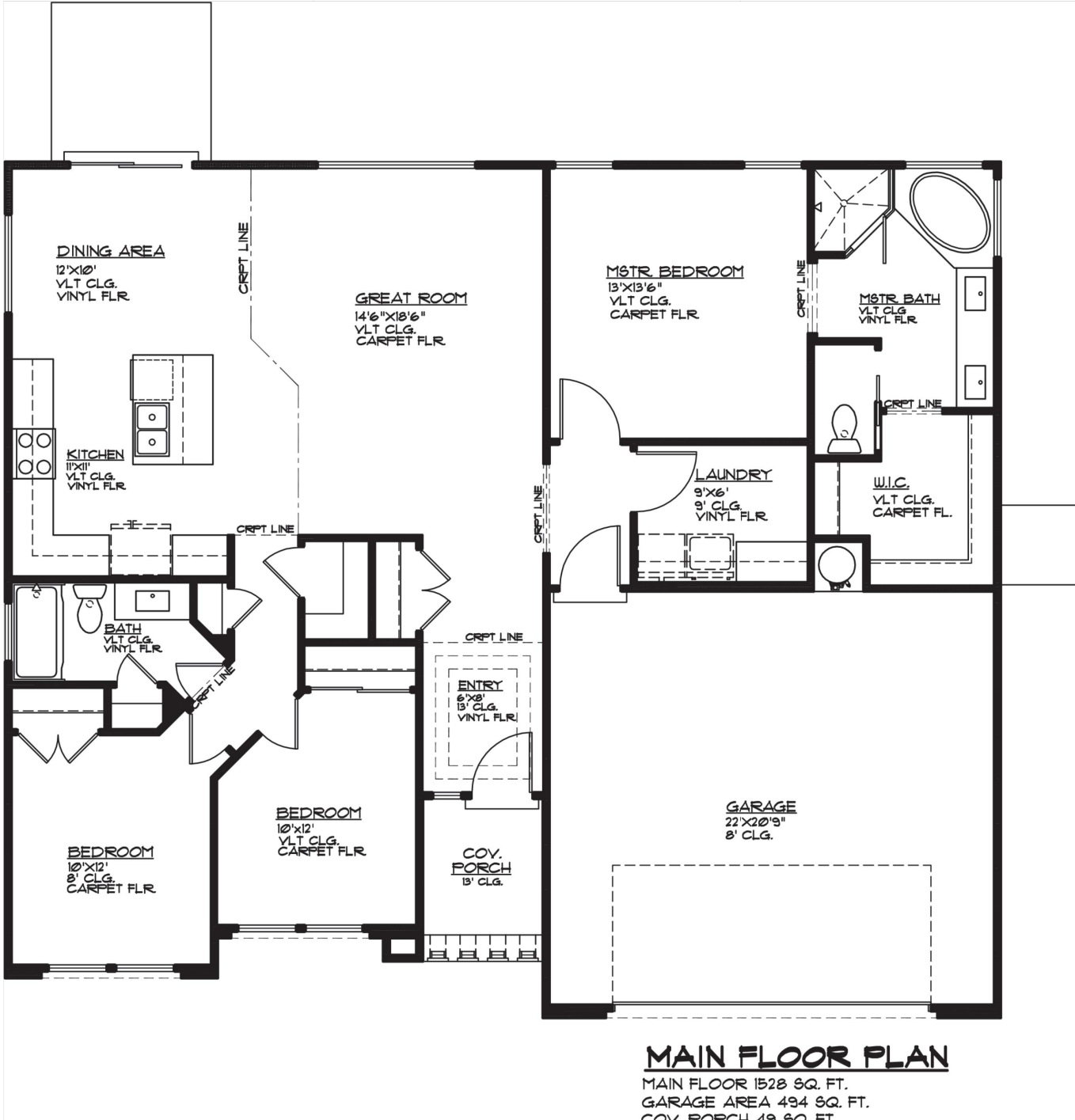


Plan 1528
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

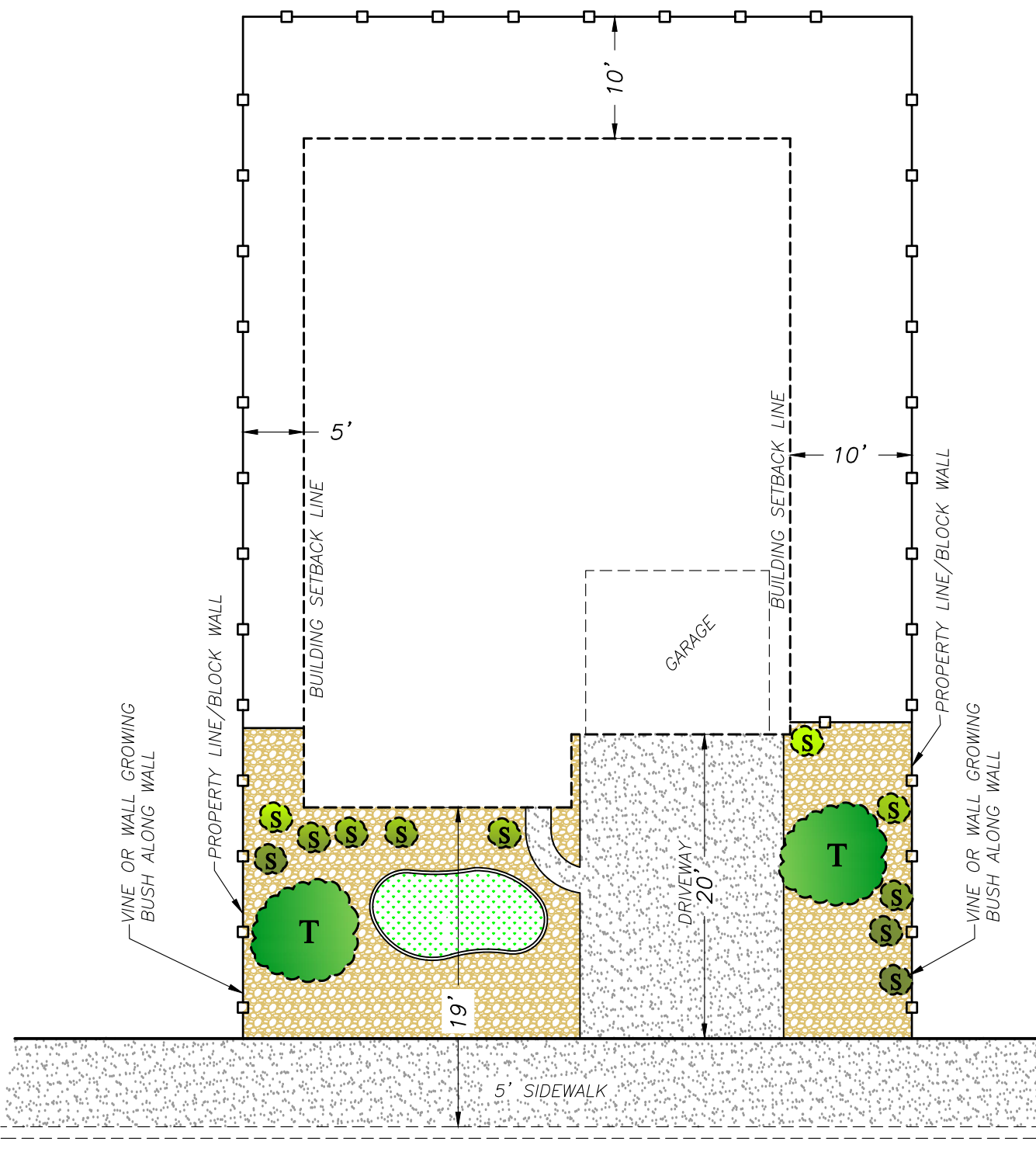
1,528 Sqft • 3 Beds • 2 Baths • 2 Garages • 50' ► x 43' ▲



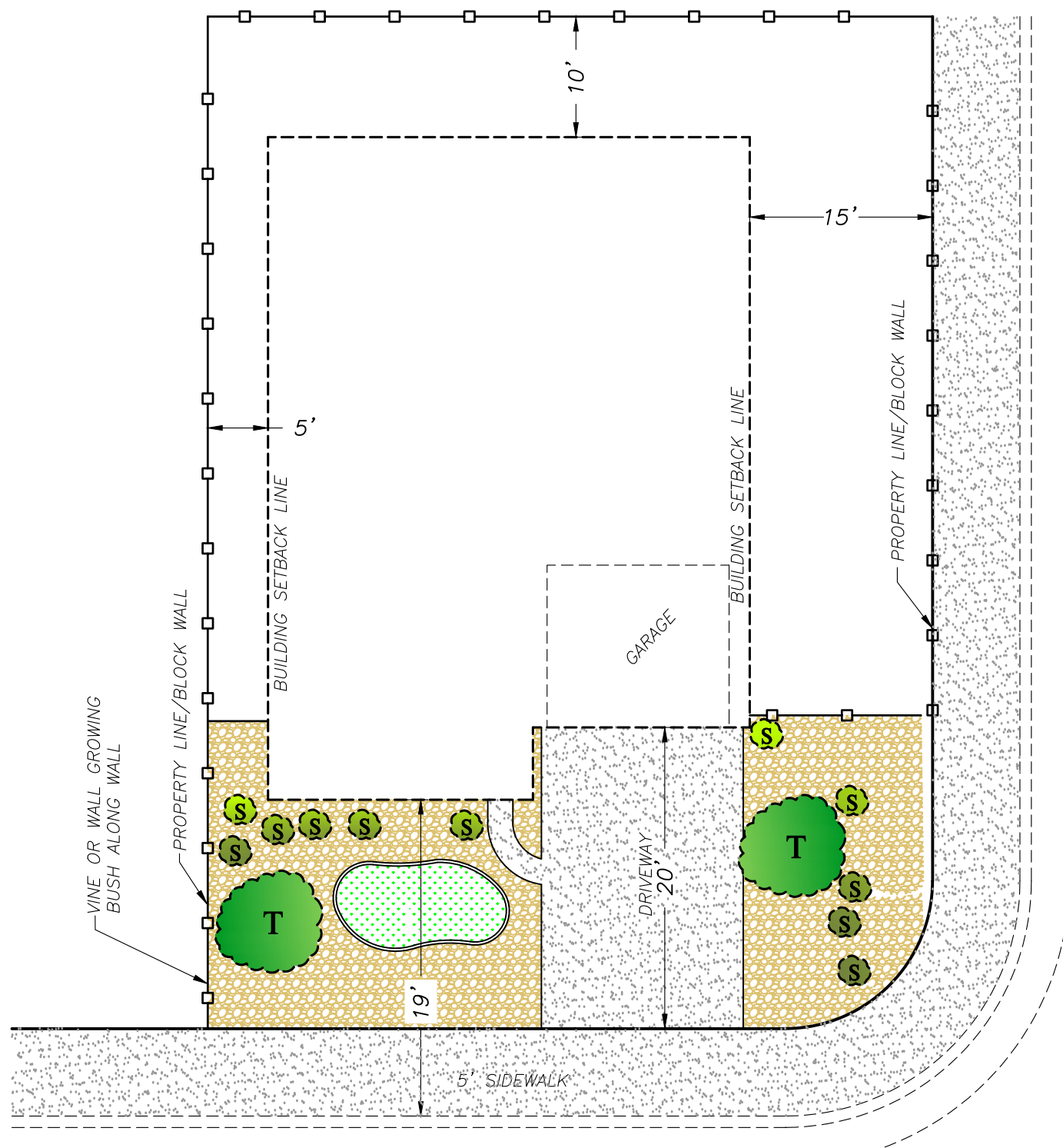
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THEME MAP FOR:
COPPER VISTA PHASE 1-9

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



TYPICAL LOT LANDSCAPE & SETBACKS



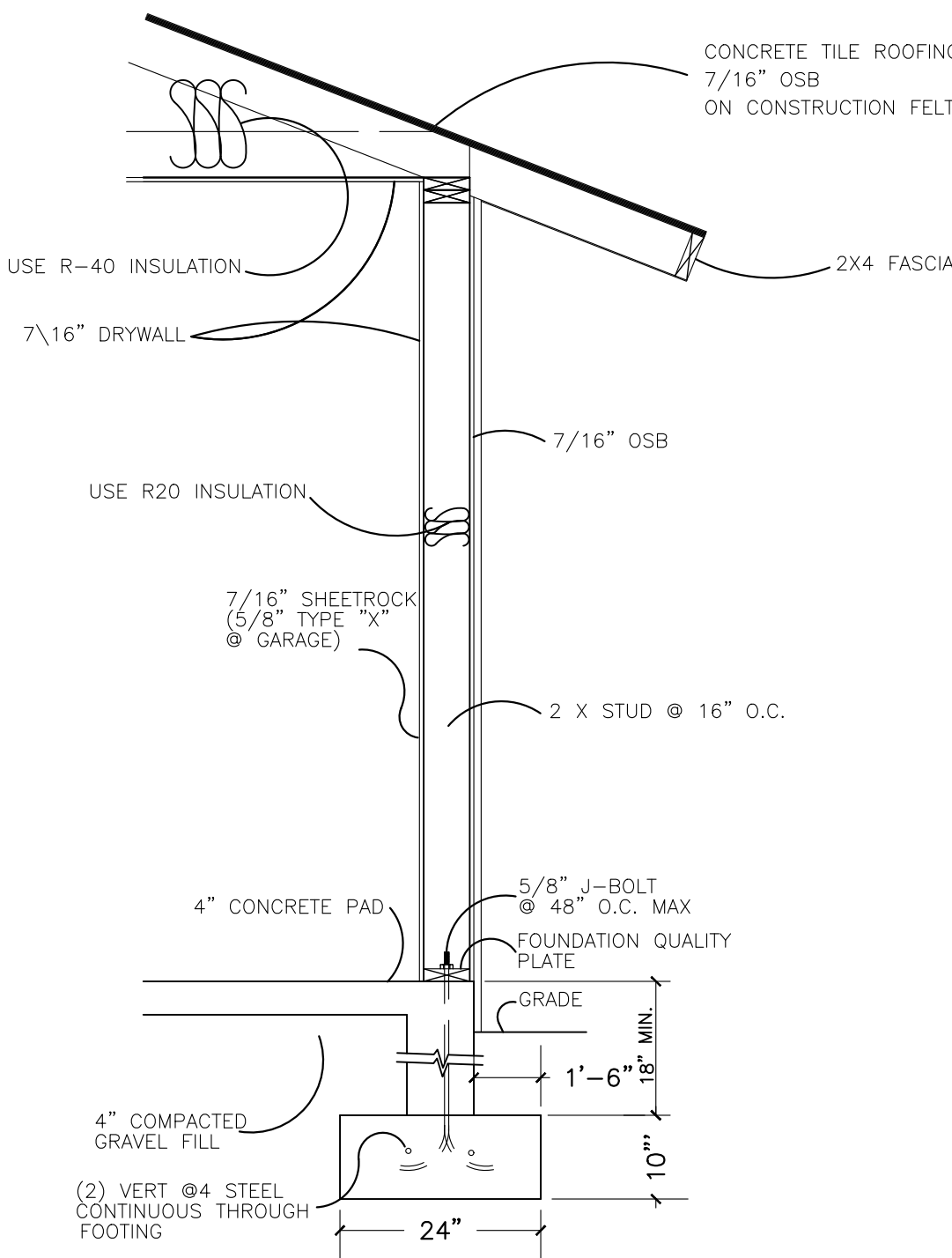
TYPICAL CORNER LOT LANDSCAPE & SETBACKS

THEME:

COPPER VISTA PROPOSES TO HAVE A COMFORTABLE SCENIC SUBDIVISION OF AFFORDABLE HOUSING WITH FULL LANDSCAPING FEATURES, EXTERIOR APPEAL, AND ENERGY EFFICIENT BUILDINGS TO MEET TODAY'S REQUIREMENTS FOR A FRIENDLY, ENJOYABLE NEIGHBORHOOD. HOUSES WILL RANGE FROM 1500 SQUARE FEET TO 2750 SQUARE FEET WITH PARKING FOR TWO CARS INSIDE AN ATTACHED GARAGE. LANDSCAPING WILL SOFTEN THE LOOK OF CMU WALLS AND CREATE A SCENIC NEIGHBORHOOD.

TREE LIST

Morning Glorify or Pink Dawn Chitapa
Purple Robelocust
Purple Catalpa
Imperial Shademaster or Sunburst Honey Locust
GoldenRaintree
Fruitless Mulberry
Blood Good Sycamore
Aristocrat or Chanticleer flowering Pear
Green Vase Zelkova
Southern Live Oak
Holly Oak
Or Any Tree listed on WCWD Southern Utah Guide to Trees



(TYP) BUILDING CROSS SECTION

NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

THEME MAP FOR:
COPPER VISTA

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	5 OF 7

THEME MAP FOR:
COPPER VISTA PHASE 1-9

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



Plan 1770
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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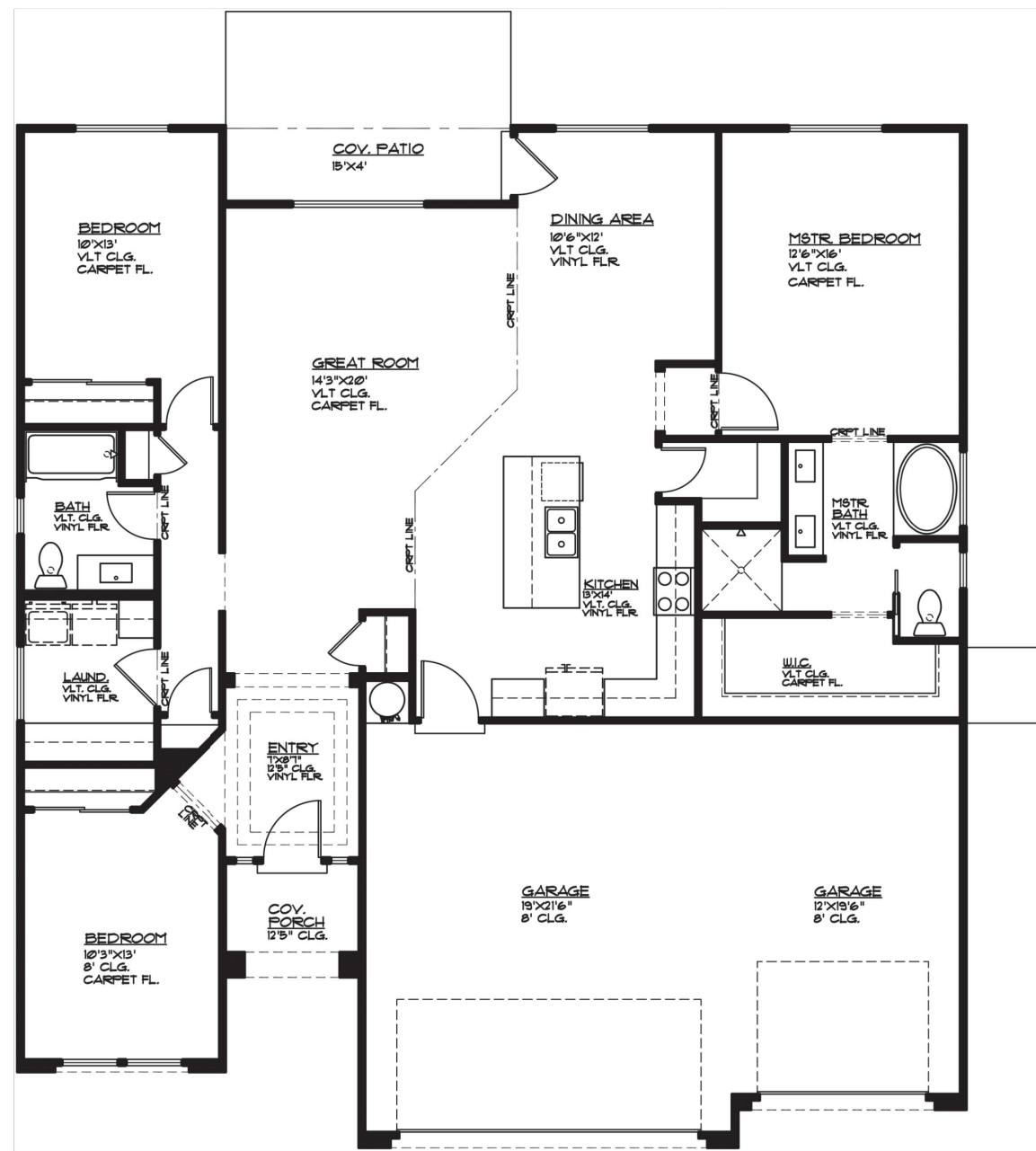


Plan 1770
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,770 Sqft • 3 Beds • 2 Baths • 3 Garages • 50' ► x 54' ▲



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Plan 2134
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



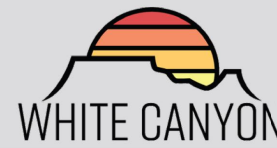
Winslow Prairie



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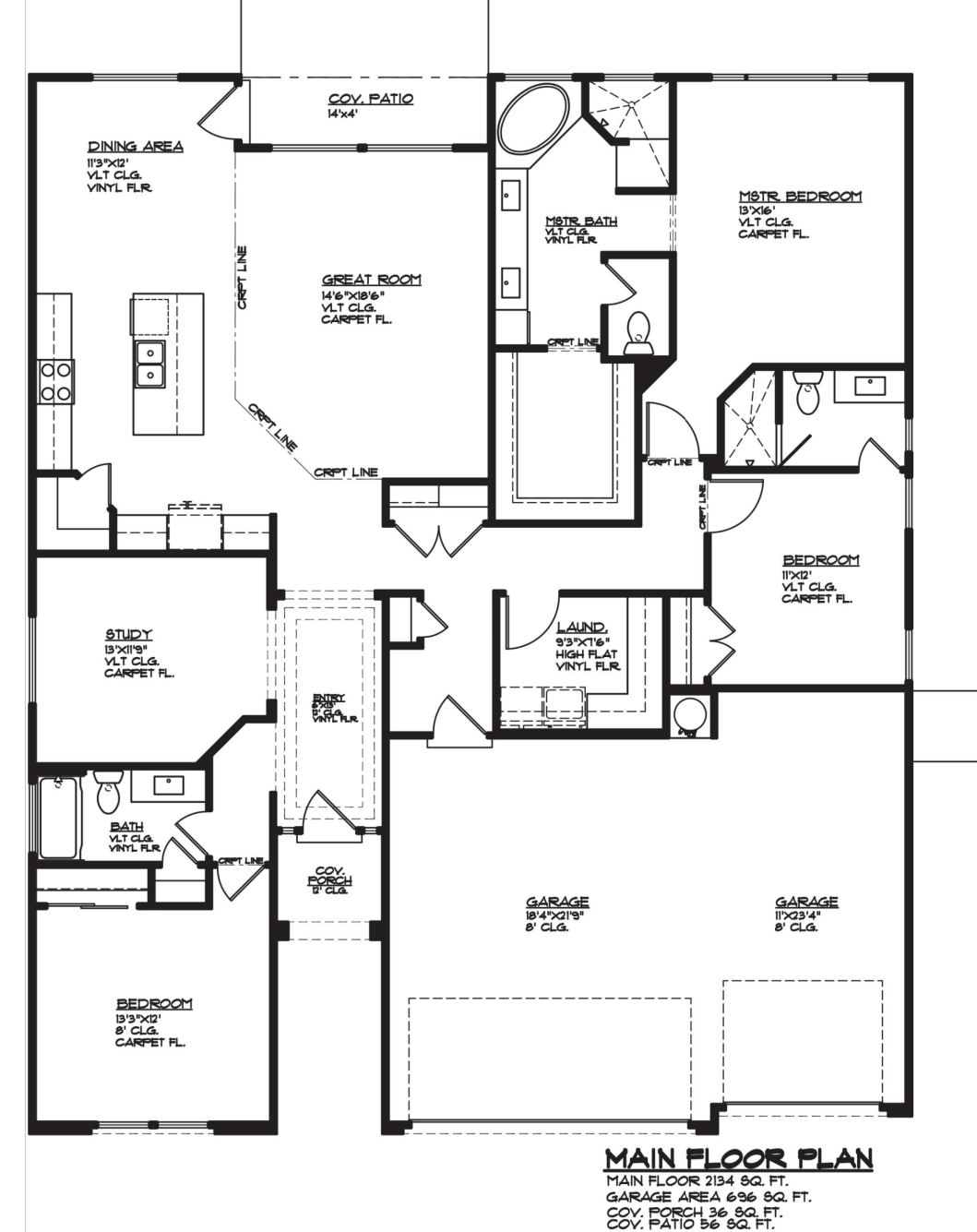


Plan 2134
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,134 Sqft • 4 Beds • 3 Baths • 3 Garages • 50' ► x 60' ▲



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Plan 1872
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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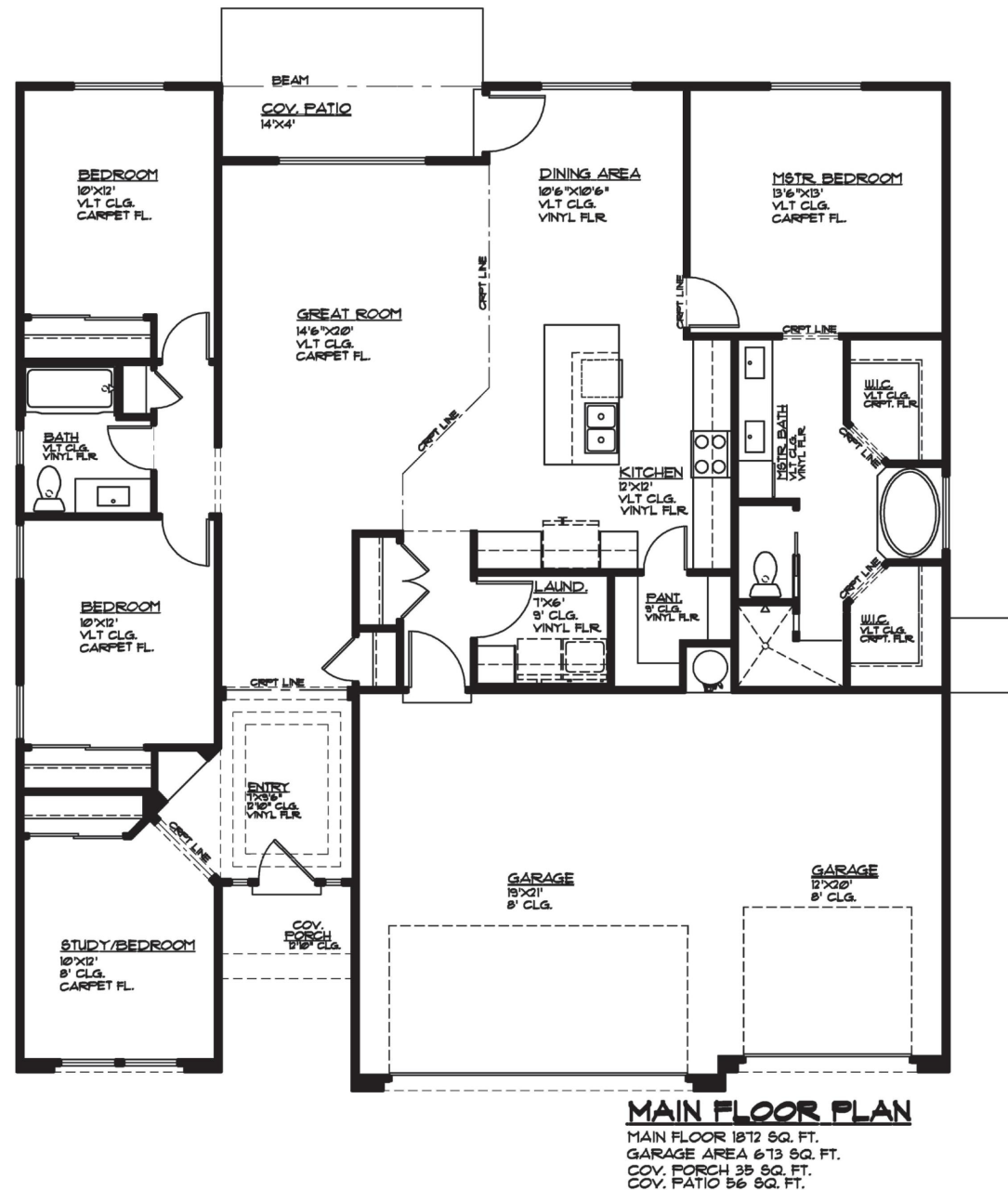


Plan 1872
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

1,872 Sqft • 4 Beds • 2 Baths • 3 Garages • 50' ► x 54' ▲



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Plan 2025
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



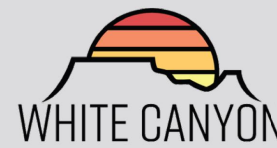
Winslow Prairie



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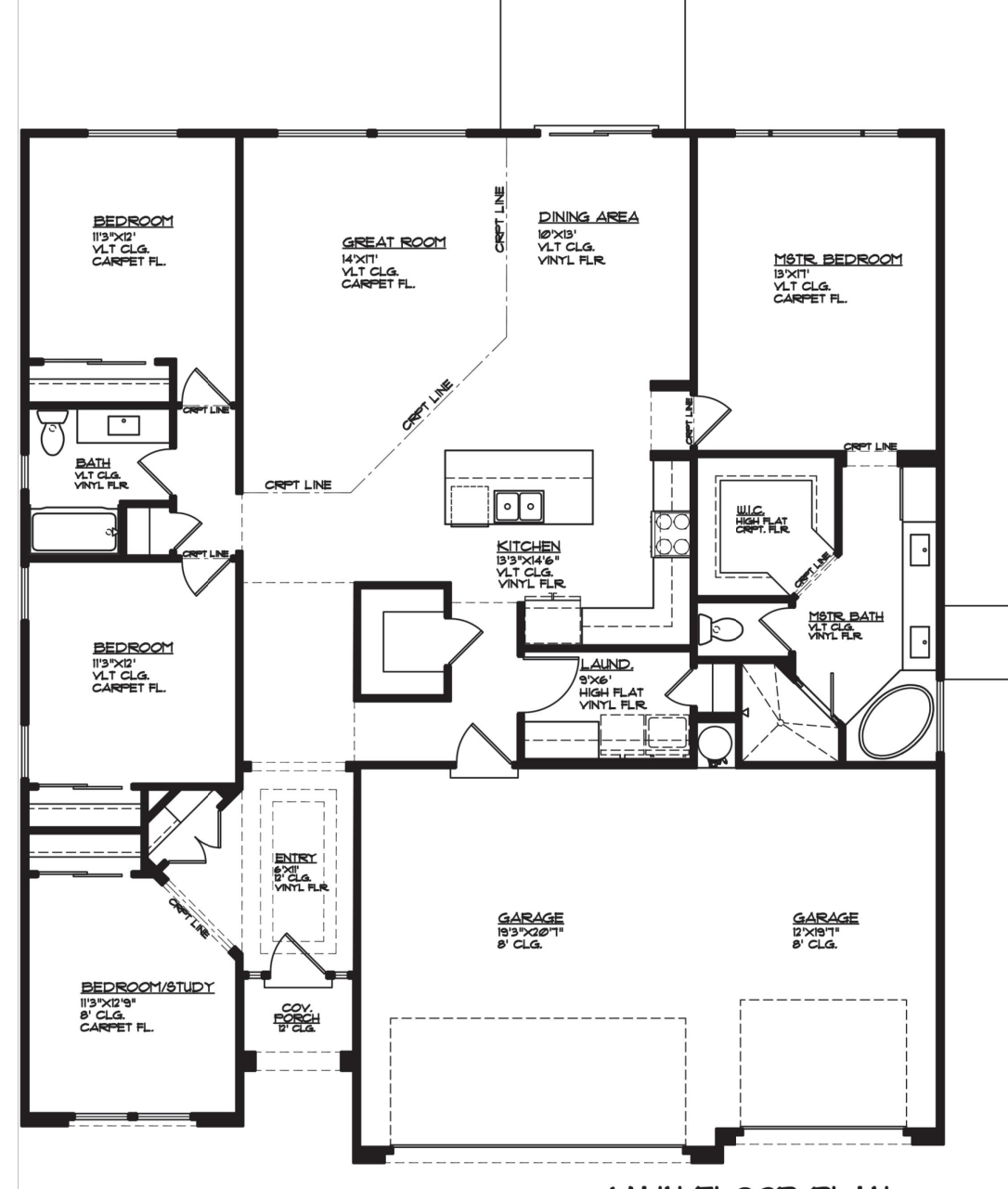


Plan 2025
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,025 Sqft • 4 Beds • 2 Baths • 3 Garages • 50' ► x 56' ▲



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NO	REVISIONS		DATE	BY
	DESCRIPTION			

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

THEME MAP FOR:
COPPER VISTA
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	6 OF 7

THEME MAP FOR:
COPPER VISTA PHASE 1-9

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH



Plan 2984
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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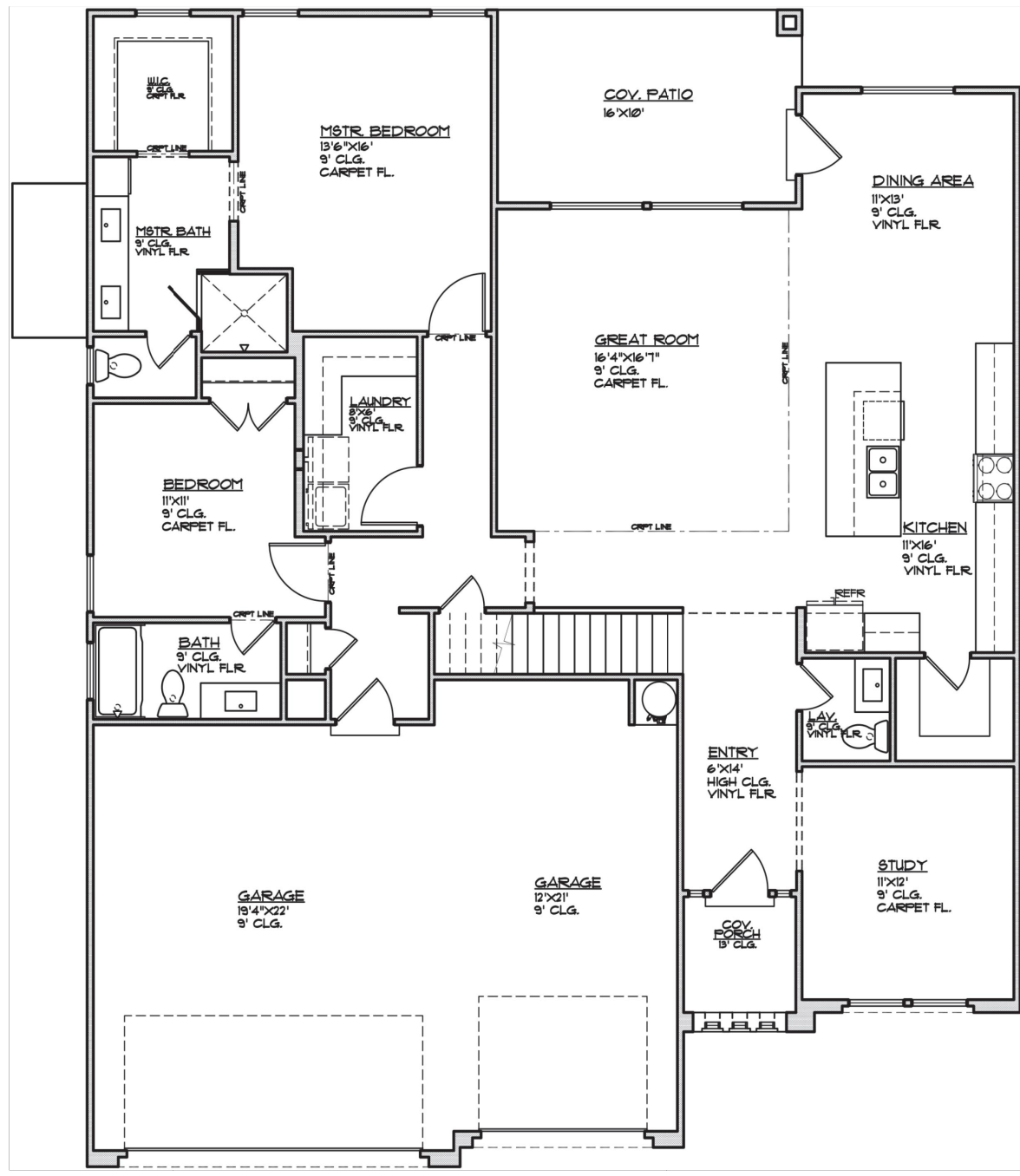


Plan 2984
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,984 Sqft • 6 Beds • 3.5 Baths • 3 Garages • 50' ► x 60' ▲



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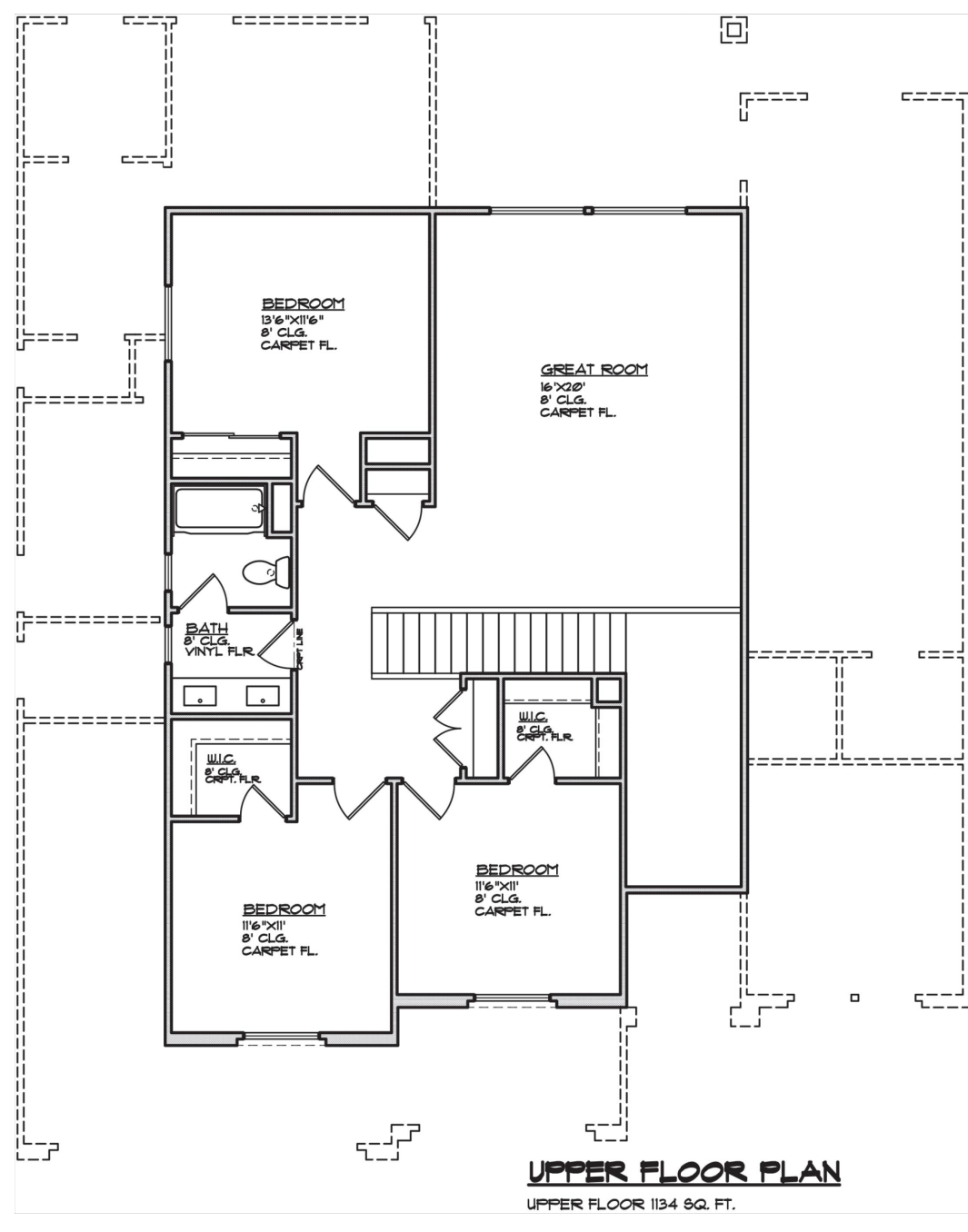


Plan 2984
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,984 Sqft • 6 Beds • 3.5 Baths • 3 Garages • 50' ► x 60' ▲



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Plan 2592
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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Plan 2524
ELEVATIONS



5949 S. White Trails
Dr. St. George, UT

Magnolia



Monterey



Winslow Prairie



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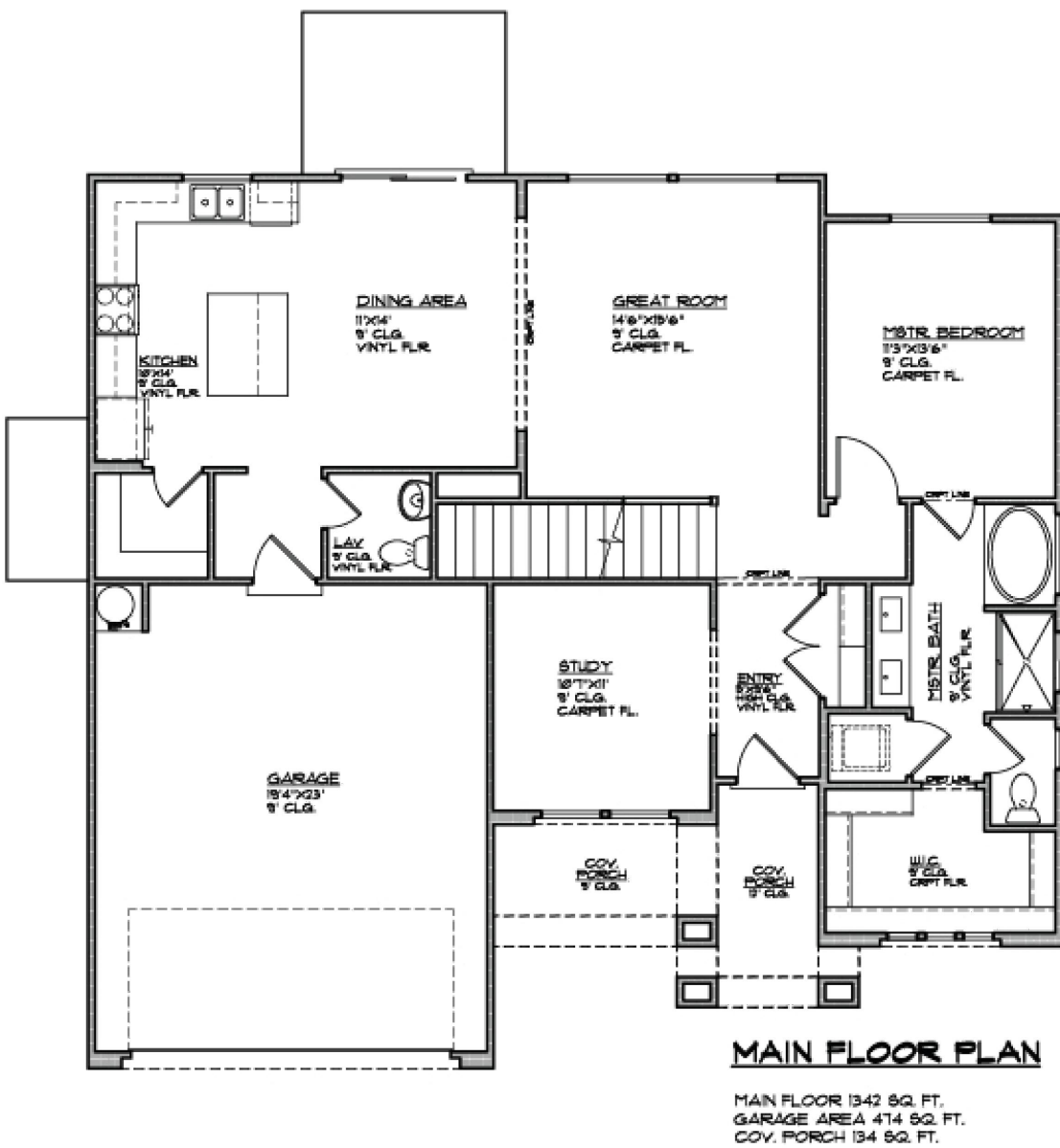


Plan 2524
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2,524 Sqft • 5 Beds • 3.5 Baths • 2 Garages • 48' ► x 44' ▲



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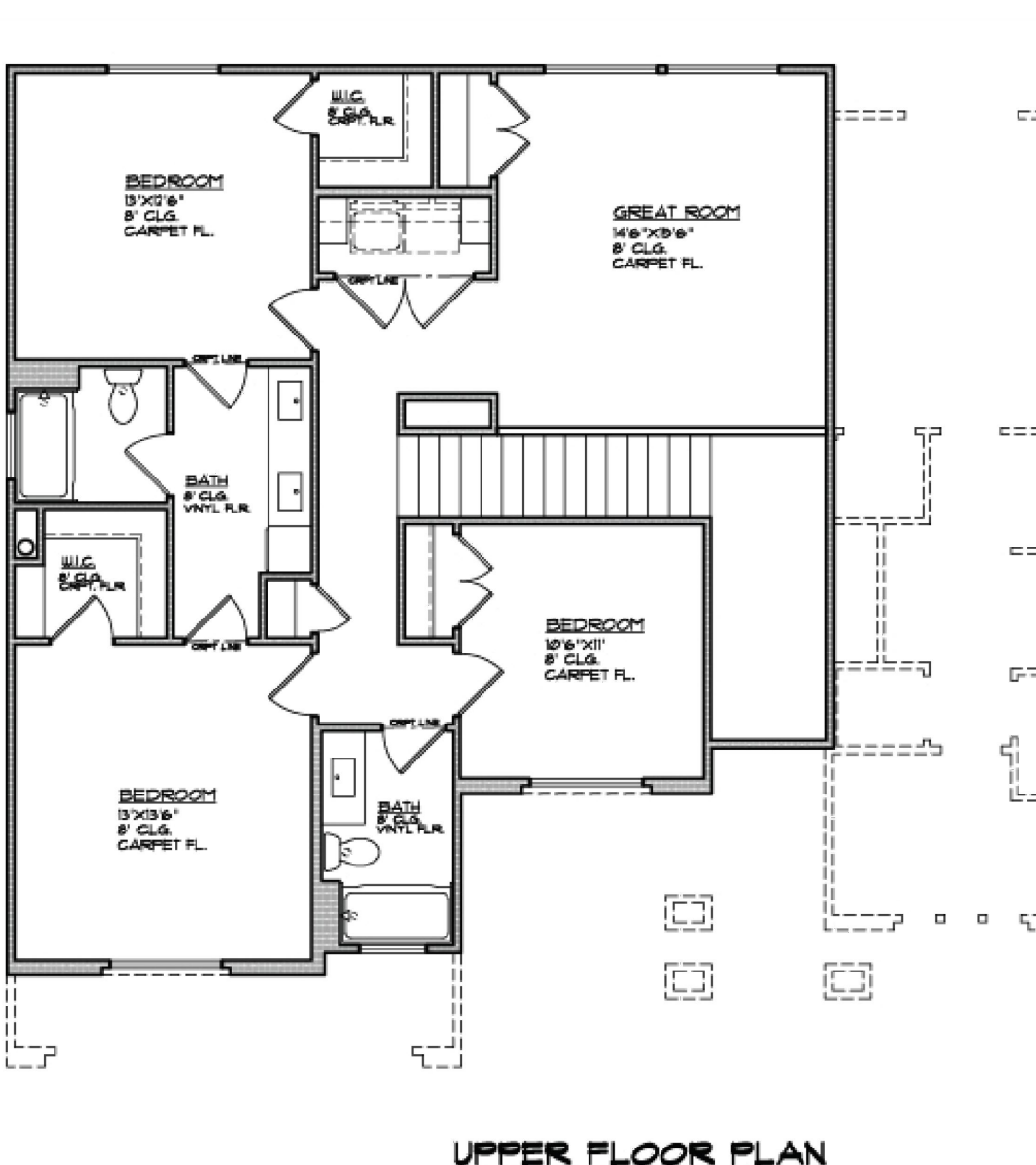


Plan 2524
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

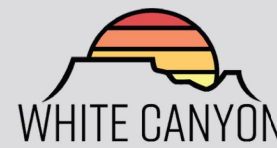
2,524 Sqft • 5 Beds • 3.5 Baths • 2 Garages • 48' ► x 44' ▲



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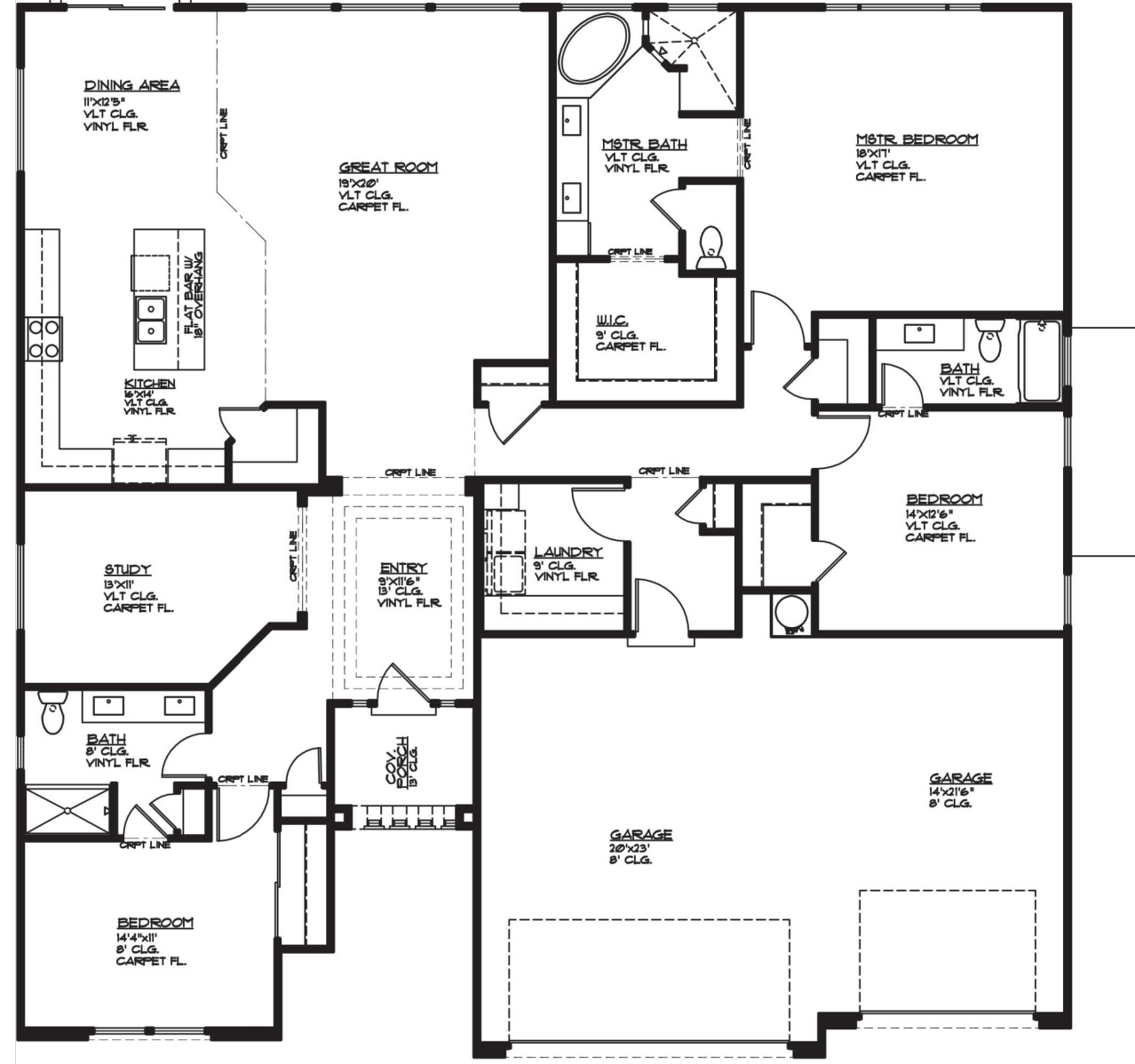


Plan 2592
FLOOR PLAN



5949 S. White Trails
Dr. St. George, UT

2592 Sqft • 4 Beds • 3 Baths • 3 Garages • 60' ► x 60' ▲



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NO	REVISIONS		DATE	BY
	DESCRIPTION			

PROVALUE
ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

THEME MAP FOR:
COPPER VISTA

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	11/20/2024
SCALE	N.T.S.
JOB NO.	336-012
SHEET NO.	7 OF 7



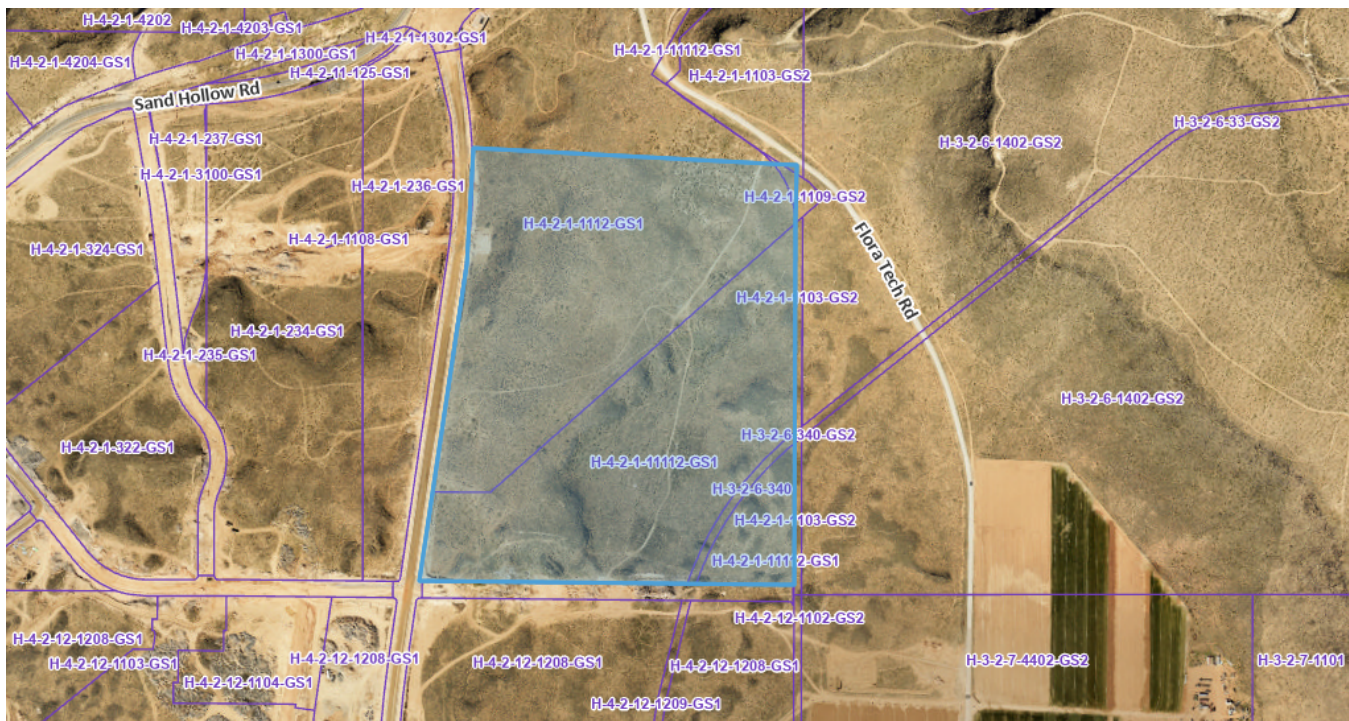
STAFF COMMENTS

Agenda Date:	12/19/2024 – City Council
Application Number:	ZC24-14 PSP24-35
Type of Application:	Zone Change and Preliminary Site Plan
Action Type:	Legislative
Applicant:	Western Mortgage and Realty Co - Tim Tippet
Agent:	Karl Rasmussen
Request:	Approval of a Zone Change from R1-6 to R1-6 (PDO)
Location:	Northeast corner of Jellystone Road and Gateway Blvd
Zoning:	Single Family Residential R1-6
General Plan Map:	Planned Community
Recommendation:	Approve
Report Prepared by:	Gary Cupp/Fred Resch III

Discussion:

The applicant has filed a zone change to add a Planned Development Overlay (PDO) to the existing Single Family Residential R1-6 zoning on their property. This property was formerly part of the Desert Bloom development that was approved at the preliminary plat level in 2022, but that approval has since expired. The applicant has informed staff that their intention with the zone change application is to request the more generous setbacks that could be allowed by the Planned Development Overlay. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval.

	Zoning	Adjacent Land Use
North	RM-3	Undeveloped property (Elim Valley Apartments)
East	R1-15	Undeveloped property
South	R1-8	Undeveloped property (Copper Meadows)
West	RM-3, RR	Undeveloped property (Gateway at Sand Hollow Resort)



Zone Change Factors:

Pursuant to Hurricane City Code (HCC) section 10-7-7:

Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council as described in subsection 10-7-5A of this chapter. In making an amendment, the following factors should be considered:

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

3. *The extent to which the proposed amendment may adversely affect adjacent property; and*

4. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: The General Plan Map shows this area as Planned Community which recommends: *Master planned communities should be complete communities that offer a mixture of housing types and supporting uses such as neighborhood and supporting commercial uses, offices, churches, schools, and parks. Development in this designation should take into account the character of existing surrounding development.*

While typically a PDO is used to further the goals of the General Plan in areas of the map that are designated as Planned Community this request does not further the goals of the General Plan nor does it directly conflict with any General Plan provision. While there is no currently existing development, this proposal matches the character of the planned surrounding development.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property's vicinity?

Response: There will be an R1-8 (PDO) consisting of single family homes with reduced setbacks across Jellystone Road from this development. Most of the surrounding development is planned to be more dense multifamily or resort developments.

3. Will the proposed amendment adversely affect the adjacent property?

Response: The addition of a PDO solely to change setback standards to an already existing R1-6 zoning will not adversely affect any adjacent property.

4. Are public facilities and services adequate to serve the subject property?

Response: See JUC comments below. The Gateway to Sand Hollow Public Infrastructure District has already constructed most of the major utilities to the site.

Other Considerations:

As per Hurricane City Code a preliminary site plan is required with every PDO application:

10-23-7: Land shall be placed in a planned development overlay zone pursuant to a zoning map amendment as set forth in section [10-7-7](#) of this title. The following shall be submitted in conjunction with an application for a zoning map amendment:

1. *A natural resource inventory as required by chapter 31 of this title, and*
2. *A preliminary site plan as provided in subsection [10-7-10D2](#) of this title.*

Preliminary Site Plan Review

JUC Comments

The following items will need to be addressed:

1. **Public Works:** Where does drainage go? No other comments.
2. **Power:** Dixie Power area. No comments received.
3. **Sewer:** No comments.
4. **Streets:** No comments.
5. **Water:** Okay.
6. **Engineer:** The traffic impact study for the Gateway at Sand Hollow Public Infrastructure District from December 2022 shows that the intersections of the northernmost road & Jellystone Road with Gateway Boulevard should be roundabouts (see figure 18 (pg. 36) of said study). Engineering suggests offering impact fee vouchers to the neighboring developments to have said intersections reconfigured. A signal at the northernmost road and gateway boulevard is discouraged by the traffic engineer due to it's proximity to the large intersection at Sand Hollow Road and Gateway Boulevard. Roundabouts are preferred over traffic signals because they require less management and specialized maintenance, crashes are less severe, and traffic queuing is reduced. The footprints would be nearly twice the size of the roundabout at 700 W and 100 N and it appears only two proposed lots are impacted. Double frontage lots without a master planned road must be avoided (per HCC 10-37-12(E)).
7. **Fire:** [No comments received.]
8. **Cable/Phone:** [No comments received.]
9. **Fiber:** No comments.
10. **Gas:** [No comments received.]
11. **Water Conservancy District:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Staff Comments:

1. The difference in setbacks from R1-6 to R1-6(PDO) is as follows:

a.

	R1-6	R1-6(PDO)
Front	25'	19' back of curb for

		dwelling. 20' back of sidewalk for garages
Rear	10'	10'
Side	8'	5' minimum 15' aggregate
Street Side	20'	15'

- b. The site plan provided shows the purpose is to allow for larger homes on smaller lots
2. Several open spaces are shown on the plan, more detail should be provided on how those areas should be developed. HCC 10-39-7(C)(9):*All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.*

Findings:

Staff makes the following findings:

1. The application meets the standards of the General Plan and the General Plan Map.
2. The uses are considered harmonious with most of the surrounding, existing and proposed, development.
3. The proposed amendment will not have a significant impact on the area.
4. Services and facilities are adequate to serve the property.

Recommendation: The City Council should review the site plan and the zone change based on standards within the Hurricane City Code, and consider any public comments received at the public hearing. Staff recommends approval subject to staff and JUC comments.

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
OF THE COPPER VISTA SUBDIVISION PHASES 1-9) FROM SINGLE FAMILY
RESIDENTIAL 6 (R1-6) TO R1-6 WITH A PLANNED DEVELOPMENT OVERLAY (PDO)

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

WHEREAS, the proposed amendment is generally compatible with the current General Plan;
and

WHEREAS, the proposed amendment is generally in harmony with the overall character of
the proposed surrounding development; and

WHEREAS, the proposal will not have an adverse impact on the surrounding area; and

WHEREAS, there are adequate facilities to support the proposed zone change; and

WHEREAS, the Planning Commission gave a positive recommendation on the proposed
zone change.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:

That the Copper Vista subdivision phases 1-9 be rezoned from Single Family Residential 6 (R1-6) to R1-6 with a Planned Development Overlay (PDO).

PASSED AND APPROVED on this 19th day of December 2024.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 19th day of December 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag, City Recorder

EXHIBIT A
ZONING MAP



STAFF COMMENTS

Item: Discussion and consideration of ZC24-15 a Zone Change Amendment request located at approximately 2600 W 100 N from HC, highway commercial, to RM-3, multifamily 15 units per acre and at approximately 2800 W 100 N from MH/RV, mobile home/RV, and R1-8, residential one unit per 8,000 square feet, to GC, general commercial. Parcel numbers H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, H-3-1-32-440112 and H-3-1-32-312 and a portion of parcel numbers H-3-1-32-314 and H-3-1-32-41011. Western Commercial Real Estate, PLLC, Applicant. Joby Venuti, Agent.

Discussion: (Note: This item was heard and approved by the Planning Commission on 12/12/24 with an incorrect application number of "ZC24-18" In order to keep consistency with the city's ordinance numbering, the file number has been updated to match the correct application number of **ZC24-15**.)

The applicant requests approval of a zone change for two properties to essentially swap the residential and commercial zoning designations between two properties. The first property is located off the SR-7/SR-9 interchange north of 100 N and is currently zoned MH/RV (PDO) as part of the Canyons RV development with a portion of the property as Single Family Residential R1-8. This property is proposed to be changed to General Commercial to allow for commercial development at the interchange. The second property is located off 2600 W, located north of the Comfort Inn. This property is currently zoned Highway Commercial and is proposed to be rezoned to Multiple Family RM-3. A site plan for the RM-3 request was submitted with this application, but a preliminary site plan application was not submitted at this time. A request to rezone to Planned Commercial was denied by the City Council earlier this year. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval. Staff recommends approval. --Gary Cupp

Findings:

Recommendation:



Application

Application Accepted Date: 11/26/2024		Valuation		\$	0.00					
Type of Improvement: Zone Change Application		PERMIT FEES								
Description: See Narrative		Planning Fee		\$	500.00					
Tenant / Project Name: Commercial Property Location Change		Planning Fee		\$	500.00					
Bldg. Address: 2800 W 100 N and 2600 W 100 N		Sub Total:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	500.00					
Subdivision: Phase:		Amount Paid:		\$	500.00					
Block: Lot #: Parcel ID #:		Remaining Due:		\$	0.00					
Zone: MH/RV										
Property Owner: Multiple Owners										
Permit Contact: Joby Venuti P:(435) 632-5629										
Email: joby@netutah.com										
CONTACT INFORMATION										
Engineer of Record: Rosenberg & Associates										
Email: brandona@racivil.com										
General Contractor: Western Commercial Real Estate, PLLC										
License #: P: (435) 632-5629										
City: State: Zip:										
Email: joby@netutah.com										
APPLICATION DETAILS										
										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANZC24-18										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Joseph Venuti										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By:			Date:							
Application Issued By:			Date:							
Receipt #:										

Simultaneous Zone Change – To Preserve Commercial Acreage

A few months ago, the property near the Hotels on 2600W (see attached maps) was brought to the planning commission for consideration of a zone change. At that time the proposal was to change the zone from Highway Commercial to Planned Commercial with the area bordering the residential neighborhood as apartments, and the area along the SR-9 remaining as commercial use.

The plan was approved by the Planning Commission, but did not receive City Council approval. The main reason for the City Council denial was the loss of commercial acreage.

Since that time the applicant has had multiple meetings with the Mayor, Staff, and City Council to discuss the potential zone change of an additional property (parcel B on map) located at 2800W 100N. This would slightly increase the total commercial acreage within the city limits while allowing the affordable housing to be built in the location previously proposed.

In this zone change:

- 4.79 acres of Highway Commercial will be changed to RM-3
- 5.18 Acres of MH/RV will be changed to General Commercial

Note: as RM-3 the maximum density of the 4.79 acre parcel is 72 units vs. the 85 unit density in the Planned Commercial proposal.

Existing Zoning Map



City of Hurricane

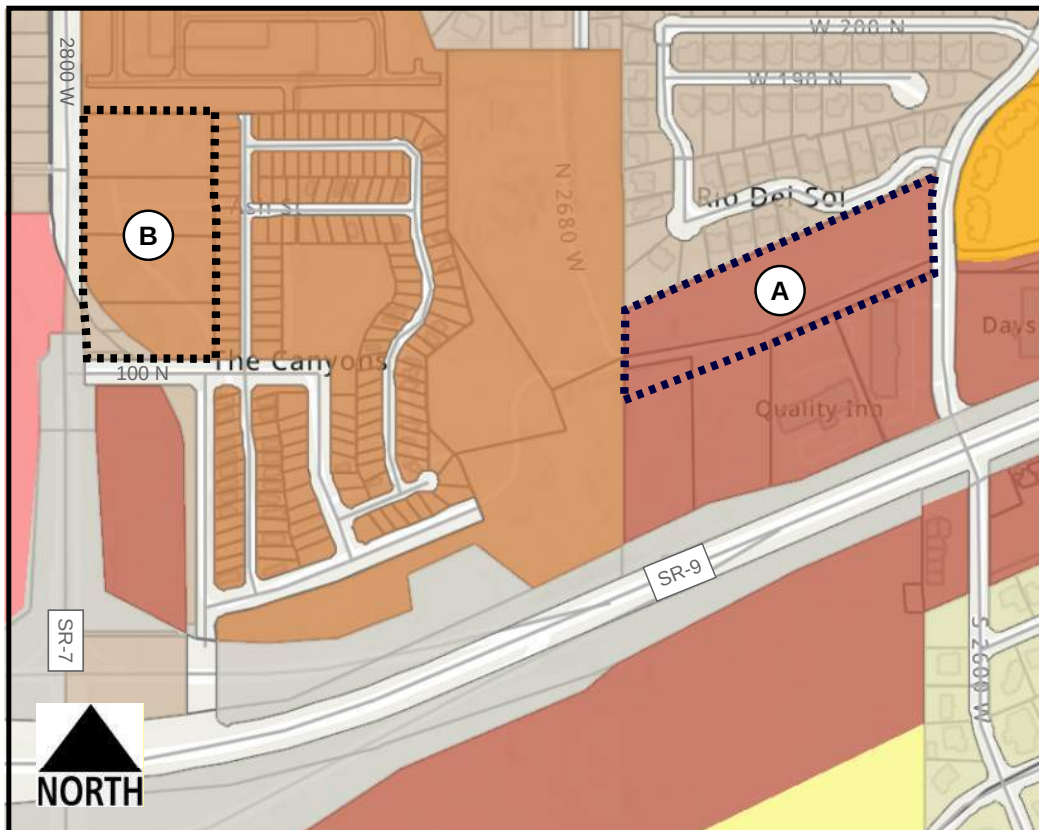
GIS Department

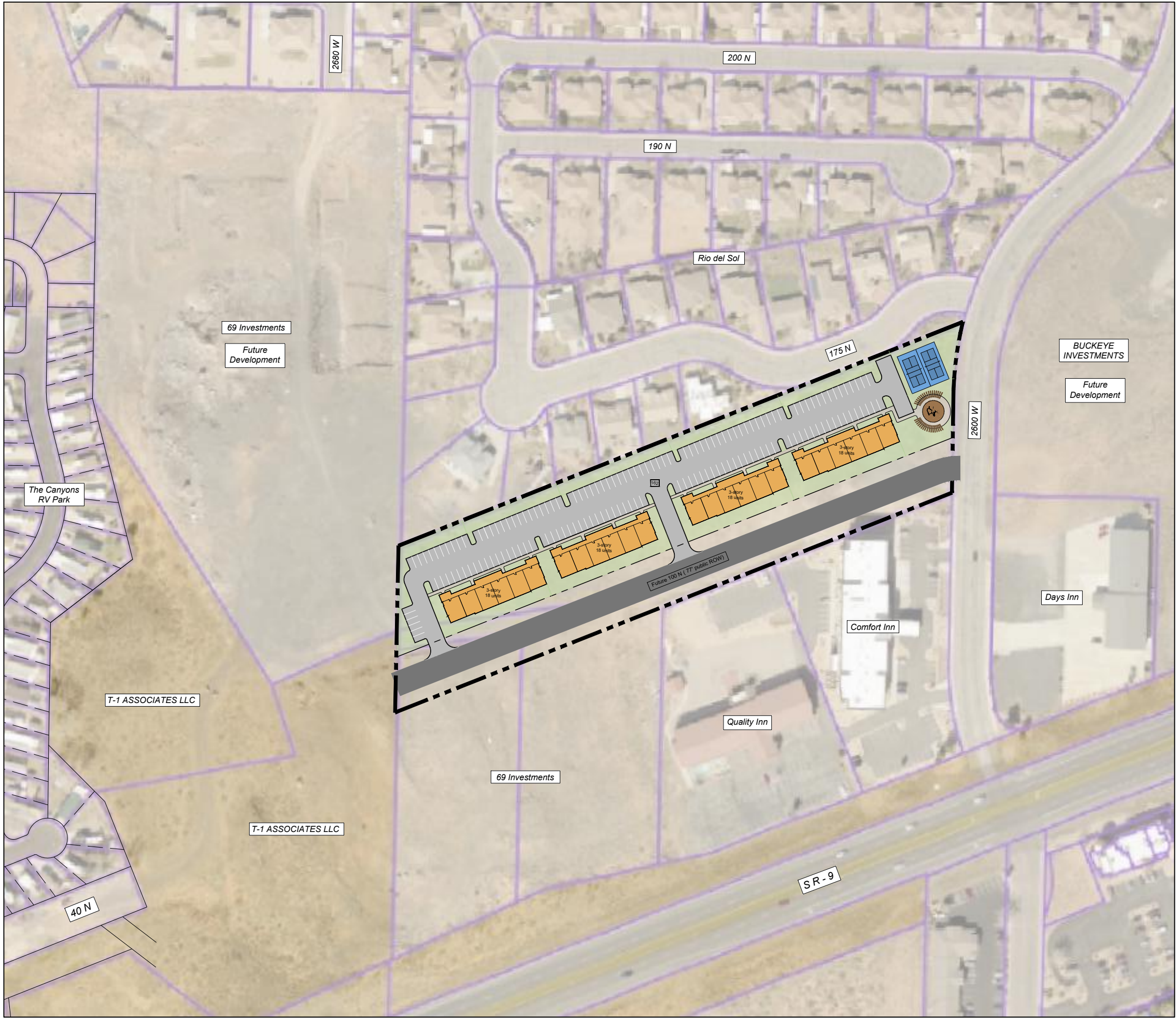
147 N 870 W, Hurricane, UT 84737

Subject Parcels

A 4.79 ac; change from HC to RM-3

B 5.16 ac; change from MH/RV/R1-8 to GC





NOTES:

PROJECT WILL TIE INTO EXISTING CITY UTILITIES LOCATED IN 2600 W STREET AND THE 100 N EXTENSION TO THE WEST AS DICTATED BY FUTURE PROJECTS

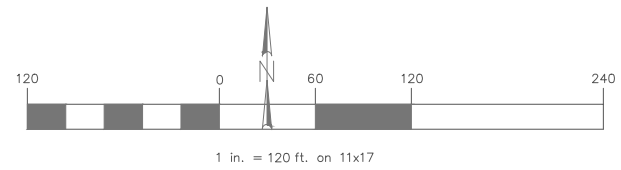
EACH PARCEL WILL HAVE PRIVATE ROADWAYS PER CITY STANDARDS

A TRAFFIC IMPACT STUDY WILL BE PROVIDED UPON FINAL SITE CONCEPT PLAN REVIEW

OPEN SPACE WILL MEET MIN. CITY STANDARDS FOR PLANNED COMM. ZONE

HURRICANE 100 N / 2600 W
PARCEL TO R-3

4.79 ac
72 MF units
OS: 1.20 ac
15 du/ac
162 prkg



**PROPOSED ZONE CHANGE
LAND USE PLAN**
Hurricane, UT

APPLICANT: 69 INVESTMENTS LLC

AGENT: SUPERIOR DEVELOPMENT INC
CONTACT: SKYLAR STEWART 435-668-3728

APN'S: H-3-1-32-312, H-3-1-32-314, H-3-1-312-41011



STAFF COMMENTS

Agenda Date:	12/19/2024 – City Council
Application Number:	ZC24-15
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	Western Commercial Real Estate
Agent:	Joby Venuti
Request:	A Zone Change from Highway Commercial to RM-3 and MH/RV (PDO) and R1-8 to General Commercial
Location:	2600 W 100 N and 2800 W 100 N
Zoning:	HC and MH/RV and R1-8
General Plan Map:	General Commercial and Single Family
Recommendation:	Approve
Report Prepared by:	Gary Cupp/Fred Resch III

(Note: Incorrect file number ZC24-18 was listed on 12/12/2024 Planning Commission agenda.)

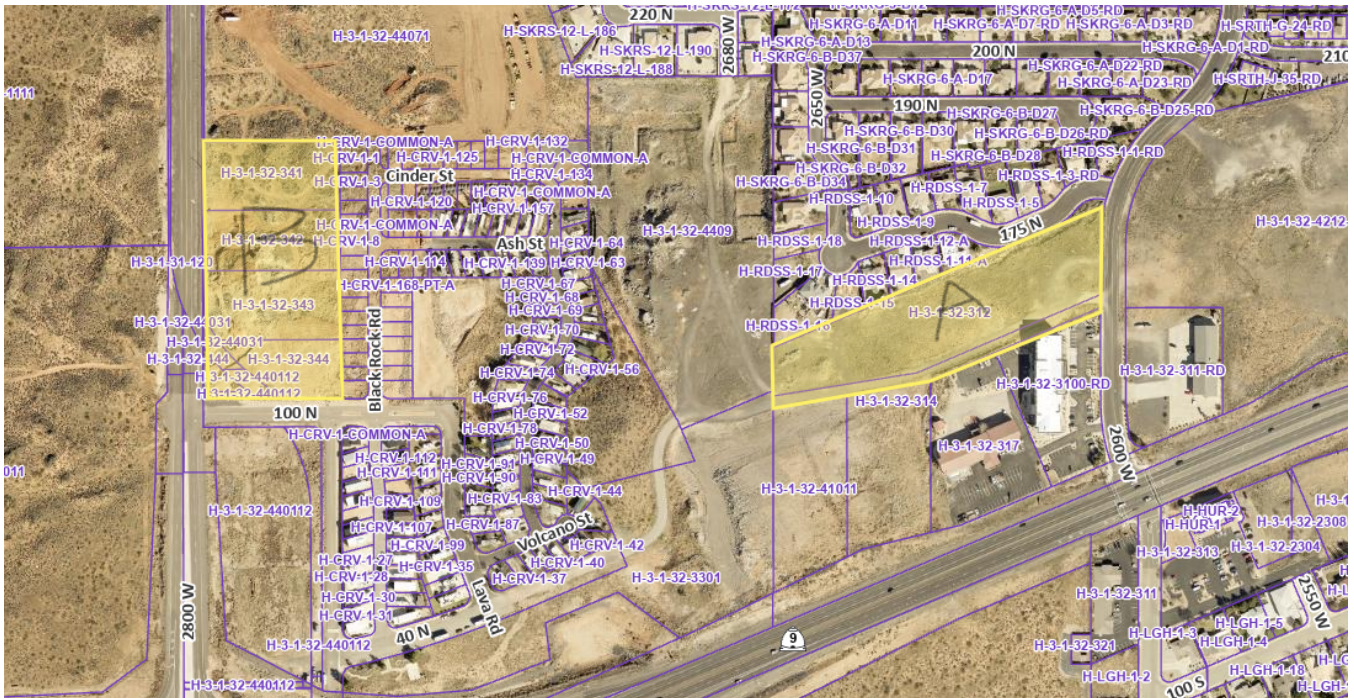
Discussion: The applicant is seeking a zone change approval on two properties to essentially “swap” the residential and commercial zoning designations between the two properties to better provide for the area. The first property is located off the SR-7/SR-9 interchange north of 100 N and is currently zoned MH/RV (PDO) as part of the Canyons RV development with a portion of the property as Single Family Residential R1-8. This property is proposed to be changed to General Commercial to allow for commercial development off that interchange. The second property is located off 2600 W, located north of the Comfort Inn. This property is currently zoned Highway Commercial and is proposed to be rezoned to Multiple Family RM-3. A site plan for the RM-3 request was submitted with this application, but as there is not a preliminary site plan request, this layout will not be binding. A request to rezone to Planned Commercial was denied by the City Council on this property earlier this year. The City Council heard this proposal as a discussion item on October 17th, 2024. The Planning Commission heard this item on December 12, 2024, and unanimously recommended approval.

Adjacent Land Uses
PARCEL A (see below)

	Zoning	Adjacent Land Use
North	R1-8	Single family homes (Rio Del Sol subdivision)
East	RM-3	Planned multifamily development (Sky Ridge apartments)
South	PF, HC	Hotels and SR-9
West	HC, MH/RV (PDO)	Undeveloped property and Canyons RV

PARCEL B (see below)

	Zoning	Adjacent Land Use
North	MH/RV (PDO)	Undeveloped property (proposed Canyon Villas development)
East	MH/RV (PDO)	RV park (Canyons RV), undeveloped property
South	HC	Undeveloped property
West	PC, R1-8(PDO)	Undeveloped property (proposed Paraiso and Silverado development)



Zone Change Factors:

When reviewing a zone change the Planning Commission must consider the following, as per Hurricane City Code (HCC) 10-7-7:

Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the city council as described in subsection 10-7-5A of this chapter. In making an amendment, the following factors should be considered:

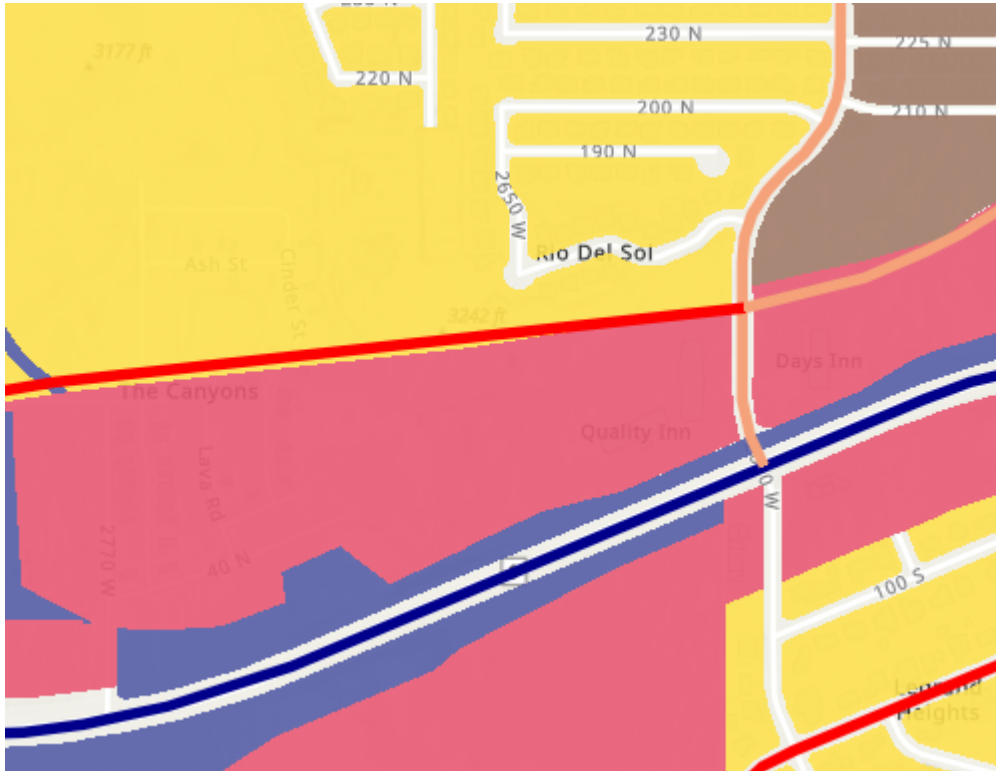
- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- 3. The extent to which the proposed amendment may adversely affect adjacent property; and*
- 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

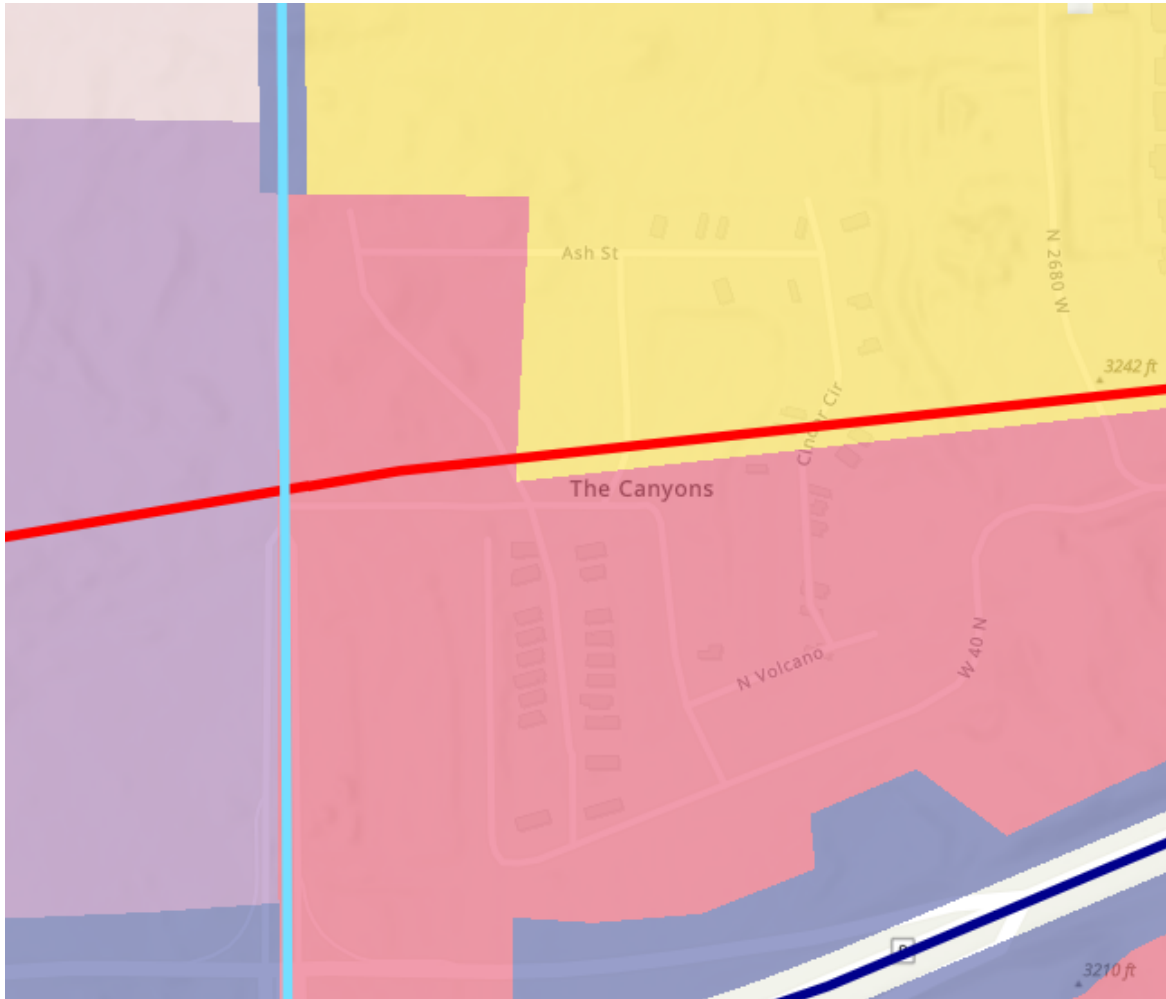
1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: This property is designated as General Commercial and Single Family on the General Plan map, which recommends:

GENERAL COMMERCIAL: Commercial uses that provide retail, employment and service uses for the City. These developments should be located along major corridors.

SINGLE FAMILY: These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.





The zone change on Parcel B does comply with the General Plan designation for the property. The General Plan supports the development of new commercial areas and local employment centers (page 54).

The zone change on Parcel A does not strictly comply with the General Plan map, however, the General Plan also states that, *“Medium and high density residential developments should be planned near support facilities such as collector and arterial roads, schools, shopping, and employment centers. Medium and high density residential developments should be planned and designed to minimize impacts to nearby existing developments, while providing high-quality, attractive housing options.”* Additionally, the Moderate Income Housing Plan states that the City should *“Look at areas where “Missing Middle Housing” and mixed-use zones can be implemented within existing and future residential and commercial developments”* This property is integrated in existing commercial and residential developments, and is located near several collector and arterial roadways thus, making the site suitable for the proposal.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property’s vicinity?

Response: Parcel A has planned multifamily to the east and the proposed site plan shows a parking buffer with the existing single family development to the north. Parcel B is harmonious with the planned development to the south and west.

3. Will the proposed amendment adversely affect the adjacent property?

Response: All of the traffic impacts will be on 100 N, 2800 W and 2600 W which are designed to handle a larger traffic load. Increased commercial activity in a more advantageous location and roadway connectivity may be beneficial to the larger community in this area.

4. Are public facilities and services adequate to serve the subject property?

Response: Public facilities and services are generally adequate for this development. See JUC comments below

JUC Comments

JUC comments are due December 11th. This report will be updated at that time. The following items will need to be addressed:

- 1. Public Works:** No comments
- 2. Sewer:**
- 3. Water:**
- 4. Fire:**
- 5. Engineering:**
- 6. Streets:**
- 7. Power:**
- 8. Phone/Cable/Fiber:**
- 9. Gas:**
- 10. WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the zone change adequately mitigates interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Findings:

Staff makes the following findings:

1. The proposed zone change broadly meets the standards of the General Plan Map and goals depending on site layout.
2. The proposed zone change may be considered generally harmonious with the surrounding development.

3. The proposed amendment may have an impact on the area, however it may or may not be more impactful than the current zoning.
4. Services are adequate, or planned to become adequate, for the area.
5. The proposed zone swap will promote the City's goals of additional commercial space along major corridors and provide needed housing opportunities in a growing area of the City.

Recommendation: The City Council should review the site plan and the zone change based on standards within the Hurricane City Code. Staff recommends approval subject to staff and JUC comments.

ORDINANCE NO ZC24-15

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE OF PARCELS H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, AND H-3-1-32-440112 FROM MOBILE HOME/RV PARK (MH/RV) AND SINGLE FAMILY RESIDENTIAL 8 (R1-8) TO GENERAL COMMERCIAL (GC); AND PARCELS H-3-1-32-312, PORTION OF H-3-1-32-314, AND PORTION OF H-3-1-32-41011 FROM HIGHWAY COMMERCIAL (HC) TO MULTIPLE FAMILY RESIDENTIAL 3 (RM-3)

WHEREAS, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

WHEREAS, the proposed amendment is generally compatible with the current General Plan; and

WHEREAS, the proposed amendment is generally in harmony with the overall character of the proposed surrounding development; and

WHEREAS, the proposal will not have an adverse impact on the surrounding area; and

WHEREAS, there are adequate facilities to support the proposed zone change; and

WHEREAS, the Planning Commission gave a positive recommendation on the proposed zone change.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:

That parcels H-3-1-32-341, H-3-1-32-342, H-3-1-32-343, H-3-1-32-344, H-3-1-32-44031, and H-3-1-32-440112 from Mobile Home/RV Park (MH/RV) and Single Family Residential 8 (R1-8) to General Commercial (GC); and parcels H-3-1-32-312, a portion of H-3-1-32-314, and a portion of H-3-1-32-41011 from Highway Commercial (HC) to Multiple Family Residential 3 (RM-3).

PASSED AND APPROVED on this 19th day of December 2024.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 19th day of December 2024. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Clark Fawcett	_____	_____	_____	_____
Drew Ellerman	_____	_____	_____	_____
Joseph Prete	_____	_____	_____	_____

Cindy Beteag, City Recorder

EXHIBIT A
ZONING MAP



STAFF COMMENTS

Consideration and possible approval of the **renewal of all liquor licenses** - Cindy Beteag

Discussion:

Hurricane City Code 3-2-12 requires the City Council to review each renewal application along with a report from the Police Department and then direct the license officer to issue renewal licenses to qualified applicants. Staff has verified that all employees have completed the required training. For employees whose training could not be verified, a letter will be issued with the new license, granting the business 30 days to provide proof of training. If proof is not provided, those employees will be prohibited from selling alcohol. The list included in the packet details the number of employees for each business and indicates how many have completed the required training, as verified by staff. Two businesses had underage sale violations; however, both were first offenses. The Police Department reviewed the list of businesses and raised no concerns about renewing their licenses. - Cindy Beteag

Findings:

Recommendation:

Attachments:

1. Staff Comments - New business #8
2. 2024 report for City Council



STAFF COMMENTS

Item: Consideration and possible approval of the renewal of all liquor licenses - Cindy Beteag

Discussion: Hurricane City Code 3-2-12 requires the City Council to review each renewal application along with a report from the Police Department and then direct the license officer to issue renewal licenses to qualified applicants. Staff has verified that all employees have completed the required training. For employees whose training could not be verified, a letter will be issued with the new license, granting the business 30 days to provide proof of training. If proof is not provided, those employees will be prohibited from selling alcohol. The list included in the packet details the number of employees for each business and indicates how many have completed the required training, as verified by staff. Two businesses had underage sale violations; however, both were first offenses. The Police Department reviewed the list of businesses and raised no concerns about renewing their licenses. - Cindy Beteag

Findings:

Recommendation:

Mayor
Nanette Billings

City Manager
Kaden C. DeMille



City Council
David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete

December 3, 2024

Employee training for alcohol sales and violations.

7-Eleven #53614

Off-Premises Beer License: 8 of 8 employees verified.

Chevron

Off-Premises Beer License: 4 of 4 employees verified.

Copper Rock Golf Course

Limited Restaurant License: 13 of 15 employees verified. Colton Kennedy and Flordelisa Santa Cruz are expired.

Coral Canyon Market

Off-Premises Beer License: 8 of 8 employees verified. Dale Persons expires 12/29/2024.

Coral Canyon Texaco

Off-Premises Beer License: 3 of 3 employees verified. 1st offense underage sell on 12/16/23.

Ernie's Too

Off-Premises Beer License: 9 of 10 employees verified. Jessica Ingram expired 03/27/2024.

La Fonda's

Off-Premises Beer License: 6 of 6 employees verified.

Las Lupitas Mexican Restaurant

Restaurant Beer Only License: 8 of 8 employees verified.

Lin's Market Place

Off-Premises Beer License: 21 of 21 employees verified.

Lonny Boy's Barbecue

Restaurant Beer Only License: 6 of 6 employees verified. Olivia Pittman expires on 12/06/2024.

Maverik #402

Off-Premises Beer License: 19 of 19 employees verified.



Maverik #594

Off-Premises Beer License: 14 of 14 employees verified.

Mazatlan

Full-Service Liquor License: 4 of 4 employees verified.

Mountain Mike's Pizza

Limited Restaurant Liquor License: 5 of 5 employees verified.

Pig's Ear American Bistro

Full-Service Liquor License: 10 of 12 employees verified. Kylee Laws not found and Arianna Mckusick expired 10/26/2024.

Gas Stop

Off-Premises Beer License: 4 of 4 employees verified. 1st offense underage sell 5/1/24.

Sky Mountain Golf Course

On-Premises Beer License: 6 of 6 employees verified.

The Grille at Sand Hollow Resort

Full-Service Liquor License: 13 of 16 employees verified. Celeste Juarez has off-premise only, Madason Hall expired 11/23/2024, and Lily Linge not found.

The Golf Course at Sand Hollow Resort

On-Premises Beer License: 13 of 16 employees verified. Celeste Juarez has off-premise only, Madason Hall expired 11/23/2024, and Lily Linge not found.

Triple TJ's Café

Limited Restaurant License: 5 of 5 employees verified.

Venture Fuel

Off-Premises Beer License: 9 of 10 employees verified. Steven Massy not found.

Walgreens #11673

Off-Premises Beer License: 21 of 21 employees verified.

Walmart #4678

Off-Premises Beer License: 60 of 60 employees verified.





STAFF COMMENTS

Consideration and possible approval of the **2025 Annual Meeting schedule** - Cindy Beteag

Discussion:

Hurricane City Code 1-5-5 specifies that the City Council must meet twice a month, on the first and third Thursday. In compliance with state law, an annual meeting schedule must be posted. The attached schedule outlines the meeting dates for 2025. - Cindy Beteag

Findings:

Recommendation:

Attachments:

1. Staff Comments - New business #9
2. 2025 Hurricane City Council Annual Meeting Notice



STAFF COMMENTS

Item: Consideration and possible approval of the **2025 Annual Meeting schedule** - Cindy Beteag

Discussion: Hurricane City Code 1-5-5 specifies that the City Council must meet twice a month, on the first and third Thursday. In compliance with state law, an annual meeting schedule must be posted. The attached schedule outlines the meeting dates for 2025. - Cindy Beteag

Findings:

Recommendation:

2025 Hurricane City Annual Meeting Notice

The **City Council** is scheduled to meet on the following dates:

January 2 & 16, February 6 & 20, March 6 & 20, April 3 & 17, May 1 & 15, June 5 & 19, July 3 & 17, August 7 & 21, September 4 & 18, October 2 & 16, November 6 & 20, and December 4 & 18. Meetings are held at 5:00 p.m. at 147 North 870 West.

*All meetings are open to the public. Agendas are posted on the city website: cityofhurricane.com and on the Utah Public Notice website: pmn.utah.gov
Any meeting schedule changes will be posted at these same sites.*



STAFF COMMENTS

Item: Discussion and possible decision regarding policy 704 Holiday Leave - Kaden DeMille

Discussion: Mayor Billings inquired about the possibility of allowing employees to take the entire day off on Christmas Eve as a paid holiday. Current policy allows for 4 hours of paid holiday on Christmas Eve, this would allow an additional 4 hours of holiday pay for that day. Generally, Christmas Eve is a very slow day out of the year with minimal citizen interaction. - Kaden DeMille

Findings:

Recommendation: