



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

Planning Commission

*Mark Sampson, Chair
Paul Farthing, Alternate Chair
Ralph Ballard
Rebecca Broneman
Michelle Cloud
Shelley Goodfellow
Brad Winder
Kelby Iverson*

Hurricane Planning Commission Meeting Agenda

May 25, 2022
6:00 PM

Hurricane City Offices 147 N 870 W, Hurricane

Notice is hereby given that the Hurricane City Planning Commission will hold a Regular Meeting commencing at 6:00 p.m. in the Hurricane City Offices 147 N 870 W, Hurricane, UT.

Meeting link:

<https://cityofhurricane.webex.com/cityofhurricane/j.php?MTID=me42b4eb65609e35eb0e0664c925c9dbc>

Meeting number: 2632 882 4836

Password: HCplanning

Host key: 730111

Join by phone +1-415-655-0001 US Toll

Access code: 2632 882 4836

Host PIN: 9461

A roll call will be taken, along with the Pledge of Allegiance and prayer and /or thought by invitation. Details on these applications are available in the Planning Department at the City Office, 147 N. 870 West

6:00 p.m. - Call to Order

Public Hearings

1. A Zone Change amendment request located at 4527 S and 4491 S 1100 West from RA-1, residential one unit per acre, to RR, recreational resort, proposing four buildings and a clubhouse. Parcel numbers H-MOF-18 and H-MOF-19.
2. A Zone Change Amendment request located at approx.. 1150 W 600 N from R1-10, residential one unit per 10,000 square feet, to PF, public facility, to build a power substation.
3. A Zone Change Amendment request located at 2346 S 1500 W from RA-1, residential agriculture one unit per acre, and M-1, light industrial, to RA-1, residential agriculture one unit per acre, with a PDO, planned development overlay. Parcel numbers H-3350-A, H-3350-B-1, H-3501-A, H-3357-A-1.

NEW BUSINESS

1. 2022-ZC-23: Discussion and consideration of a recommendation to the City Council on a Zone Change amendment request located at 4527 S and 4491 S 1100 West from RA-1, residential one unit per acre, to RR, recreational resort, proposing four buildings and a clubhouse. Parcel numbers H-MOF-18 and H-MOF-19. Hidden Rock Development Group Applicant. Brent Bateman Agent.
2. 2022-ZC-24: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approx.. 1150 W 600 N from R1-10, residential one unit per 10,000 square feet, to PF, public facility, to build a power substation. Hurricane City Power Applicant. Scott Hughes Agent.
3. 2022-ZC-25: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request and Development Agreement Modification located at 2346 S 1500 W from RA-1, residential agriculture one unit per acre, and M-1, light industrial, to RA-1, residential agriculture one unit per acre, with a PDO, planned development overlay. Parcel numbers H-3350-A, H-3350-B-1, H-3501-A, H-3357-A-1. Ron Lee and Monterey Jones, LaRae Ellsworth Stout Trust Applicant. Adam Stout Agent
4. 2022-ZC-17: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5, agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort zoning. Parcel numbers H-4138-L and H-4138-E. Chris Wyler Applicant. Civil Science-Brandee Walker Agent.
5. 2022-PSP-18: Discussion and consideration of a possible approval of a preliminary site plan for Standard Plumbing, a commercial building located at 1631 W State St. Standard Plumbing Applicant. Evans & Associates Architecture-Chad Spencer Agent
6. 2022-AP-01: Discussion and consideration of a recommendation to the City Council on an Agricultural Protection Overlay for Annie Reeve, an 11 acre property located at 902 S 700 W and 1075 S 700 W. Parcel number H-3-2-3-304 and H-3-2-3-2418. Annie Reeve Applicant.
7. 2022-PP-07 and 2022-HIL-04: Discussion and consideration of a recommendation to the City Council on a preliminary plat and sensitive lands application for Peregrine Pointe East/Sky Mountain West, a 274 lot residential subdivision located at 600 N and 2800 W. Perry Development LLC Applicant. Greg Sant Agent.
8. 2022-PP-08: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Strawberry Fields Estates, a 163 lot residential subdivision located at approximately 1400 S and 3700 W. Western Mortgage and Realty Co Applicant. Karl Rasmussen Agent.
9. 2022-PSP-19: Discussion and consideration of a possible approval of a preliminary site plan for Bryson Young, a commercial project consisting of one commercial building and seven vacation rentals, located at 470 E 800 N. R+B Young Applicant. Bryson Young Agent.
10. 2022-PP-09 2022-PSP-20: Discussion and consideration of a possible approval of a preliminary site plan and discussion and consideration of a recommendation to the City Council of a preliminary plat for Legacy Business Park, a 6 lot industrial

subdivision located at 563 S Commerce St. Liv Dalebout Applicant. Evans & Associates-Chad Spencer Agent.

Planning Commission Business:

1. Discussion regarding reapplying for Dratter Zone Change- Interstate Rock
2. General Plan Map Updates
3. Site Plan Design
4. Updates to the Planning Commission's schedule for 2022

Approval of Minutes:

1. April 8, 2021
2. April 21, 2021
3. May 13, 2021
4. June 10, 2021-special combined work meeting
5. February 23, 2022
6. April 27, 2022

Adjournment

ZONE CHANGE APPLICATION

City of Hurricane
147 North 870 West
Hurricane, UT 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$500.00

For Office Use Only:
File No. 2022-ZC-23
Receipt No. 8158645

Name: Hidden Rock Development Group Telephone: (801) 674-6182

Address: 5889 S. Highland Dr. Holladay, UT 84121 Fax No. _____

Agent (If Applicable): Brent Bateman Telephone: (801) 655-4751

Email: anish@room9.com Agent Email: brent.bateman@dentons.com

Address/Location of Subject Property: 4527 S. and 4491 S. 1100 W. Hurricane, UT 84737

Tax ID of Subject Property: H-MOF-18 & H-MOF-19 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Recreational Resort Zone -- See Attached and below.

Submittal Requirements: The zone change application shall provide the following:

- Page 21 a. The name and address of every person or company the applicant represents;
- Page 12 & 15 b. An accurate property map showing the existing and proposed zoning classifications;
- Page 12 c. All abutting properties showing present zoning classifications;
- Page 5 d. An accurate legal description of the property to be rezoned;
- ✓ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- Attached herein. f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____



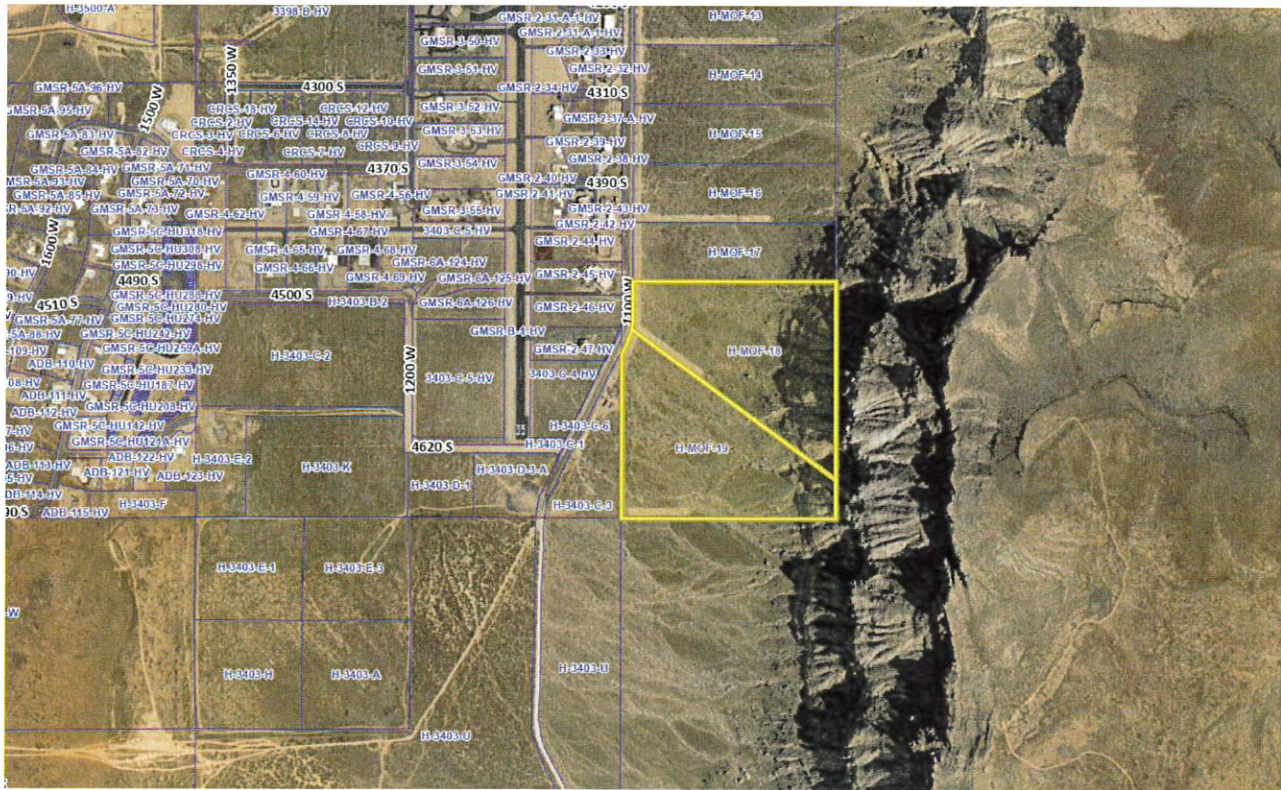
STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-ZC-23
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Hidden Rock Development Group
Agent:	Brent Bateman
Request:	A Zone Change from RA-1 to RR
Location:	4527 S and 4491 S 1100 W
Zoning:	RA-1
General Plan Map:	Natural Open Space

Discussion:

The applicant is seeking to rezone lots 18 and 19 in Moccasin Flats from RA-1 to RR to create a resort area. These lots are larger than the other lots in Moccasin Flats, each are about 20 acres, because of the steep slopes on the property. They are planning on 20 resort units spread across five buildings.

	Zoning	Adjacent Land Use
North	RA-1	Moccasin Flats, single family homes
East	RA-1, Unincorporated	Undeveloped, Sky Ranch
South	Unincorporated	BLM land
West	Unincorporated	BLM land



Zone Change Factors:

As per Hurricane City Code 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 Natural Open Space which it defines as:
Areas within the City of undeveloped open space, such as hillsides, ridge lines, river corridors, habitat, and drainage channels left in a predominately undisturbed state with minimal use impacts. These areas may include uses such as trails, trailheads, and small pavilions

This was mapped this way on the General Plan Map because of the steep slopes on the property. The City has allowed development on areas of Natural Open Space in the past, Hideaway Ridge for example, but usually these are less intensive or already approved developments.

The General Plan states that “Hurricane is in a unique location with close proximity to several national and state parks and a celebrated network of mountain biking trails. Capitalizing on this national and state-wide trend will have huge economic benefits and can create hundreds of jobs each year. (Hurricane City General Plan, 2021, p. 50)” but it also states that, “The City supports and encourages the preservation of natural open space.”

Overall staff does not believe that this matches the General Plan Map or intentions

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

Response: Resort use would not be harmonious with the large lot single family homes within Moccasin Flats and Sky Ranch. However, the building renderings supplied by the applicant do match the surrounding homes in style.

There are a number of short-term rentals, illegal and legal, within Sky Ranch and Moccasin Flats.

3. Will the proposed amendment affect the adjacent property?

Response: The proposed zoning will have an impact on the surrounding property. Resort uses tend to be more intensive than single family uses, generating more trips and necessitating more parking than residential uses. However the property’s general remoteness may alleviate some of that.

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

Response: Services are currently inadequate but there are developments in the area as well as a Public Infrastructure District in the area that will bring services to the area. All major utilities: power, water, and sewer, have plans to upgrade services down 1100 W.

Other Considerations:

Per Hurricane City Code Recreation Resorts 10-26-5:

B. In addition to the items required by 10-7-7, the City shall consider the following criteria in assessing any zone change application.

1. *General Plan Map: Recreation Resort Zoning shall be located in Commercial, Planned Community, Mixed Use, or Multi-Family areas as labeled by the General Plan Map.*
2. *Recreation Resort Zoning shall avoid clustering in a single location, and should be limited in size relative to the commercial or multi-family zoned area. Only in rare cases should a recreation resort zone exceed 20 acres.*
3. *Recreation Resort Zoning shall only be located adjacent to Major Collectors, Minor Arterials, or Major Arterial Roads.*
4. *Recreation Resort Zoning should help add to the commercial viability of an area within commercial areas listed in the General Plan Map. It may do this by adding commercial amenities, tourism, or renewed development of an area.*
5. *Recreation Resort Zoning should not conflict with long term housing and moderate income housing needs of an area. Recreation Resort Zoning should not be located in places where multi-family housing could be built that would have easy access to public amenities and services, such as schools, parks, and utilities.*

1. The property is not located in Commercial, Planned Community, Mixed Use, or Multi-Family areas of the General Plan Map
2. This property is about 44 acres, double what the code recommends. The very limited number of units could qualify this for a rare exception
3. 1100 W is planned as a Major Collector however it is not currently that wide or developed
4. Not applicable
5. This property does not have easy access to public amenities and services. There are some multifamily approved as part of Solaroca and Copper Rock but this area overall is not a great place for multifamily.

Vacation Rentals

The city has 4757 vacation rentals built or approved in the past few years. The vast majority of these approved units have not been built yet so their effect on the local economy, housing market, and community at-large have yet to be fully felt or realized. Generally, staff would not recommend the approval of any more vacation rentals unless some amenities or other attractions are included in the proposal. The property's unique location along the Hurricane Cliffs may count for this.

Recreation Resort Zones	
Development	Approved Number of Units
Bash Resort	353
Copper Rock	774

Coral Canyon	140
Cordero	148
Desert Sands	354
Horseman's Edge	15
Marla	121
Pecan Valley	443
Sand Hollow	702
Sand Hollow Gateway Resort	885
Sand Hollow Mesa	707
Zion Hub	37
Zion Village	89
<i>Oculita Roca</i>	20
Total	4777

Preliminary Site Plan Review

JUC Comments:

Power: Do not think power line is sufficient

Water: Do not have the infrastructure right now, may once the PID goes through.

Streets: Only one access. Private streets within.

Sewer: Unclear, need 9 acres for a single residential septic tank. Might need to run the sewer out.

Engineering: Not enough information. 1100 W should have been built to current standards when Moccasin Flats was put in, will likely need to be built out to current standards now

Fire: Need hydrant location

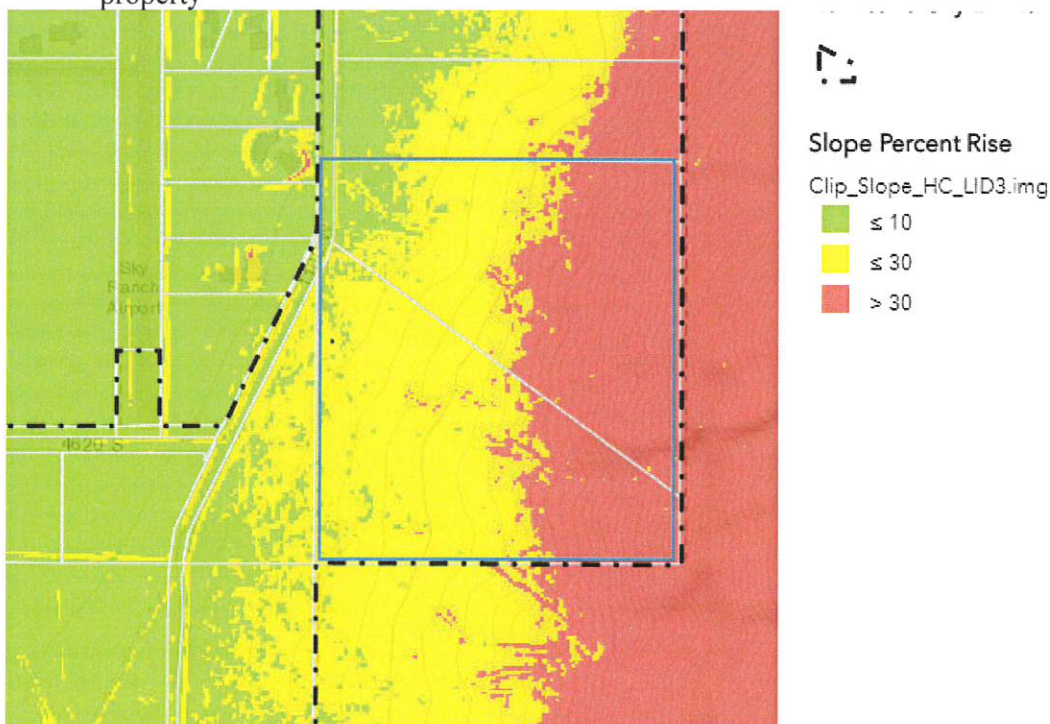
Gas: No concerns.

Staff Comments:

1. **Density:** The density is about 0.5 units an acre which is well under the 15 units an acre density cap.
2. **Parking:** Per HCC 10-26-6:

E. Off street parking: Parking shall comply with the following standards.

- 1. Within recreational resorts, an application shall provide two parking spaces per unit or one space per bedroom, whichever is higher. Tandem parking spaces are permitted only if approved as part of the preliminary site plan by the Planning Commission.*
- 2. RV and Trailer Parking: An applicant shall provide sufficient parking areas for RV's and trailers. A minimum of one RV/trailer parking space shall be provided for every 5 units.*
 - a. More information is required to ensure compliance. Their submitted site plan does not show any RV/trailer parking, four are required
3. **Amenities:** Per Hurricane City Code 10-26-4: 1 clubhouse of at least 1000 sq ft and 1 pool of at least 1500 sq ft is required.
 - a. The unit labeled "Roca 2" is planned to serve as the clubhouse area. It is not clear that they are providing sufficient clubhouse space
 - b. There are some pools shown on the site plan and renderings but it is not clear that this is sufficient for this codes requirements
4. **Sensitive Lands:** A sensitive lands application should have been received with the original Moccasin Flats subdivision. These two lots were made larger because of the steep slopes on the property



Unless a subdivision is desired, which does not seem to be the case, a new sensitive lands application will not be required. Staff would recommend special care be taken with the slope engineering on the property

5. A table providing the percentage of building coverage should be provided
6. The buildable area line shown on the site plan matches the one on the Final Plat for Moccasin Flats
7. Staff does not recommend the amenities up in the cliffs are provided, doesn't look very safe

8. Staff has been informed that the CC&Rs for Moccasin Flats do not allow subdivisions or uses other than single family homes. It is not clear from the site plan that subdivisions are planned for the property. Enforcement of CC&Rs falls under the jurisdiction of the HOA or the individual homeowners within the property and staff has not verified these reports

Findings:

Staff makes the following findings:

1. The application does not meet the standards of the General Plan Map for the property.
2. Generally, the uses are harmonious in some ways but not in others from the surrounding development. There are some short-term rentals in the area and the applicant proposal is minimal in density for a resort zone. However, most of the surrounding property has long term residential uses with some agriculture uses.
3. The proposed amendment will have an impact on the area.
4. Services are currently inadequate to serve the area and proposed project but plans are already in motion to get services near this property.
5. The application does not meet items 1 and 2 of the criteria to zone a property to Recreation Resort. Namely, it is not located in the Commercial, Planned Community, Mixed Use, or Multi-Family areas of the General Plan Map and the property is larger than 20 acres.
6. The Preliminary Site Plan provided is lacking certain details required by the Recreation Resort zone

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Staff would recommend denial of this zone change.



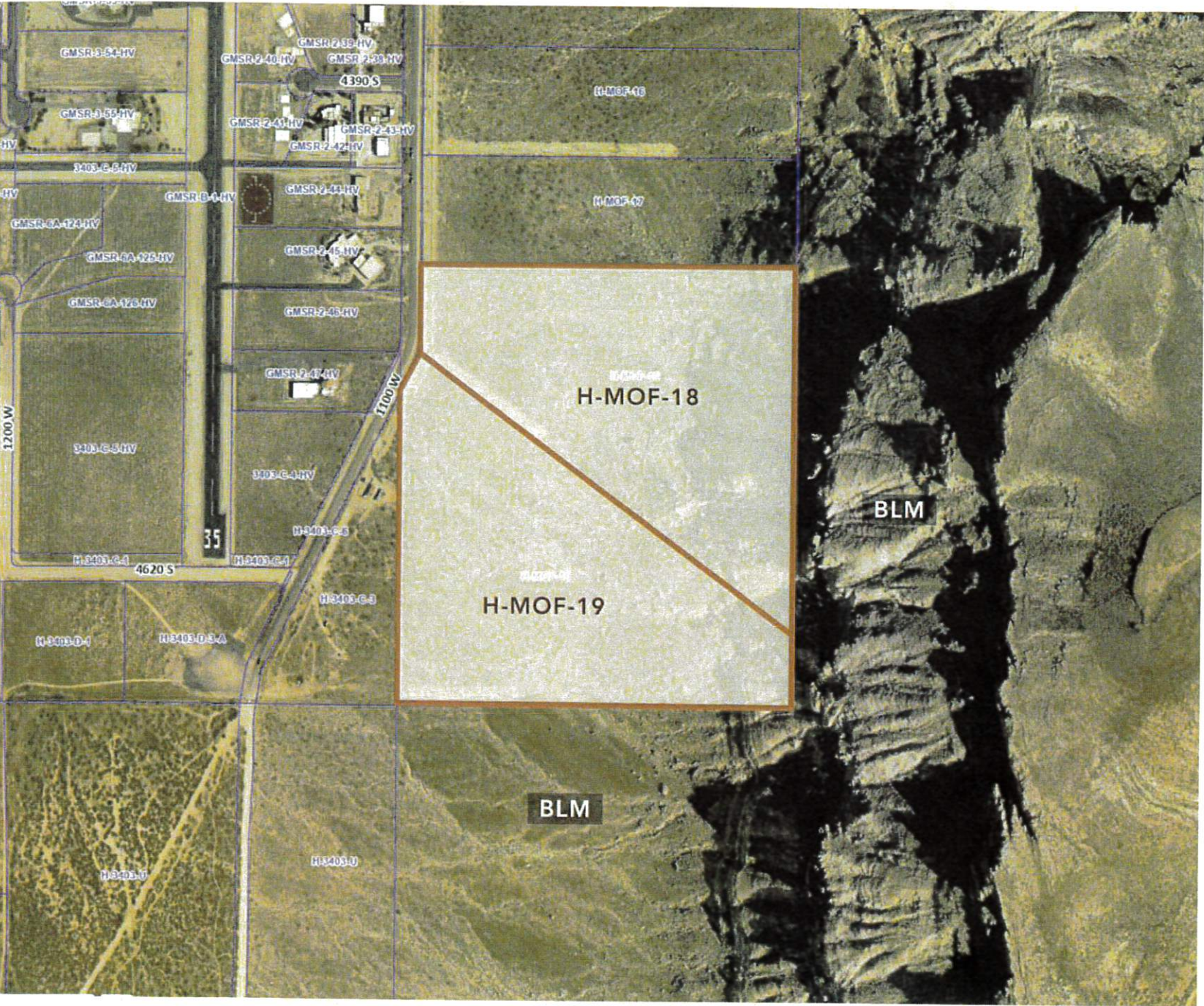
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.

- | | |
|---|-------------------------------------|
|  | U.S. Forest Service Wilderness |
|  | Bureau of Land Management |
|  | Bureau of Land Management Wildlife |
|  | National Park Service |
|  | Shiwiwi Reservation |
|  | Utah Division of Wildlife Resources |
|  | Utah Division of Transportation |
|  | State Park |
|  | State of Utah |
|  | Washington County |
|  | Municipally Owned |
|  | School District |
|  | Privately Owned |
|  | Water |
|  | Water Conservancy District |
|  | State Assessed Oil and Gas |
|  | Mining Claim |

Notes



PARCEL MAP

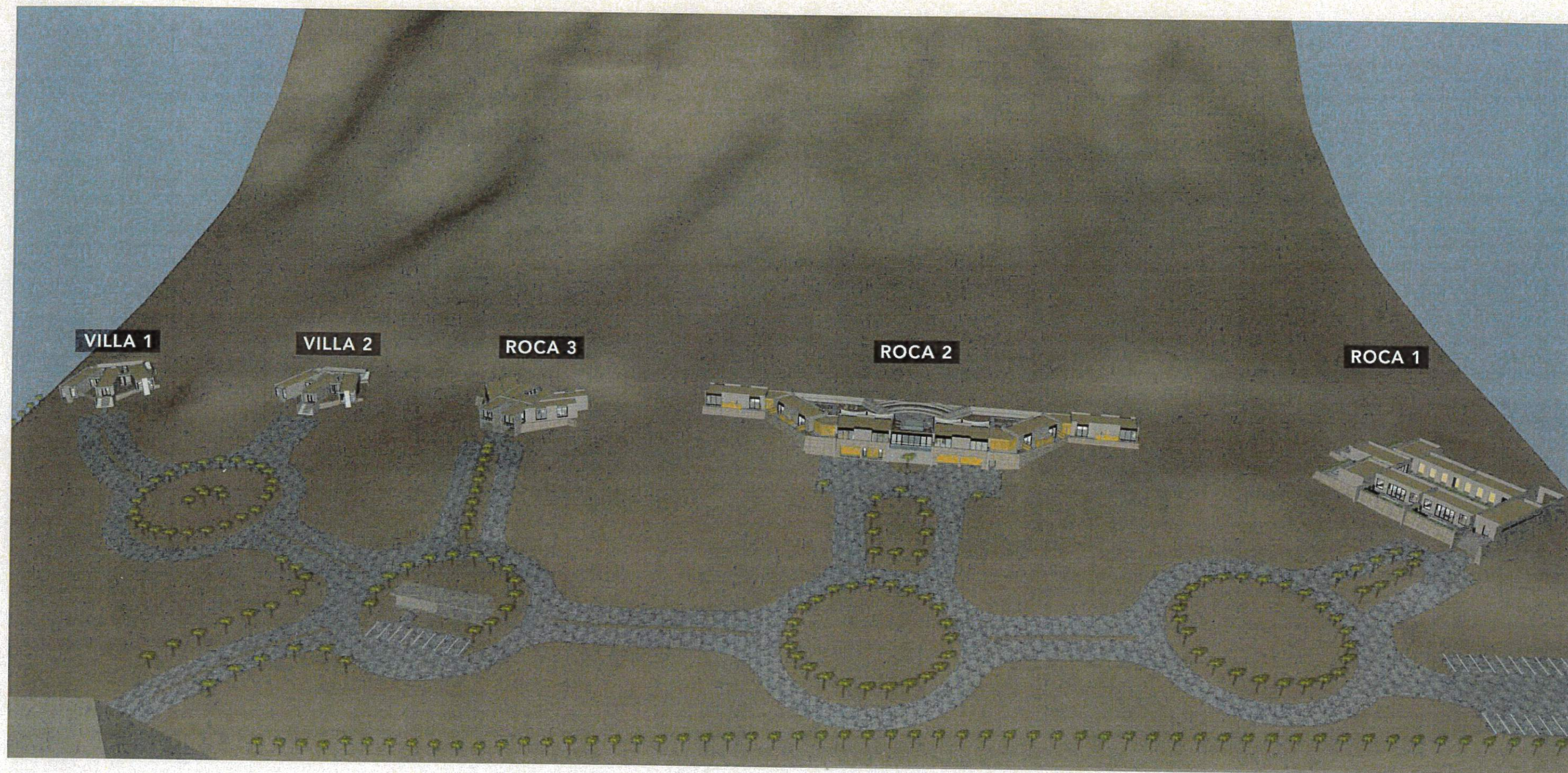


ABUTTING PROPERTIES

PLEASE SEE BELOW FOR INFORMATION REGARDING ALL ABUTTING PROPERTIES WITH THEIR ZONING AND LEGAL DESCRIPTIONS

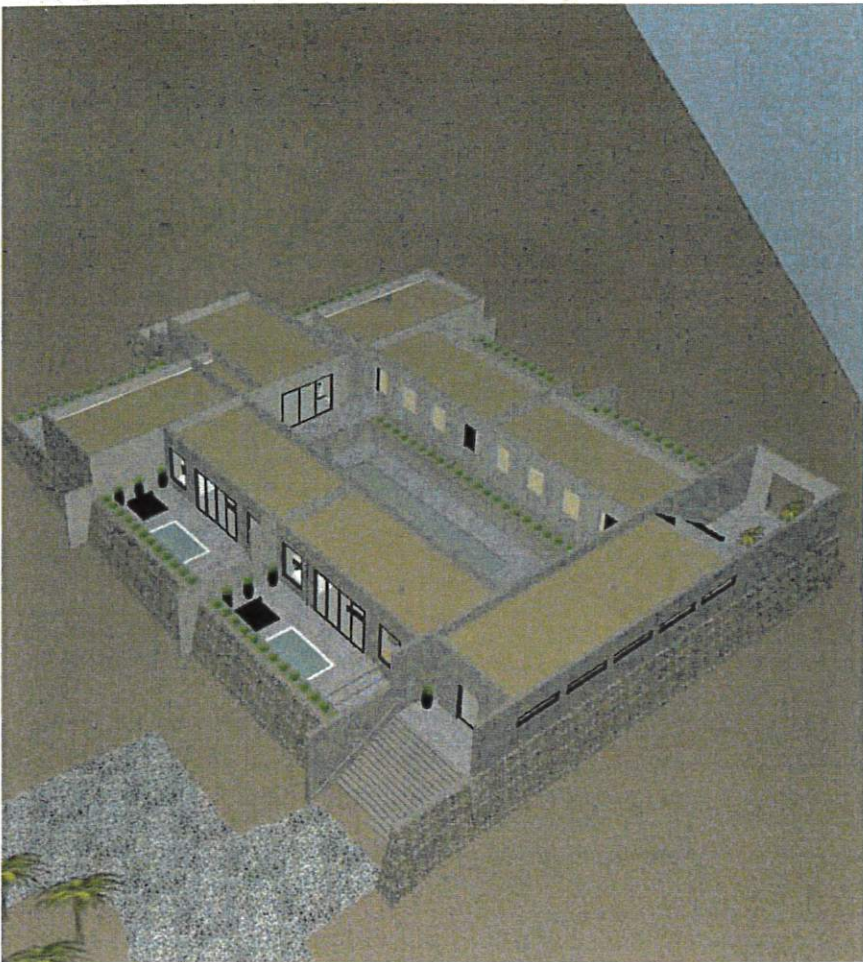
	Legal Description	Zoning	Use
North	H-MOF-17	RA-1	Residential Agricultural
East	BLM	N/A	BLM
South	BLM	N/A	BLM
West	H-3403-C-3	RA-1	Residential Agricultural
SW Corner	H-3403-U	PDO	Solaroca Planned Development

PROPOSED STRUCTURES ON THREE-DIMENSIONAL SITE PLAN



PROPOSED ROCA STRUCTURES

OUR GOAL IS TO BUILD AN EXTREMELY LOW-DENSITY PROJECT THAT BLENDS IN WITH SIMILAR LOW-DENSITY SINGLE-FAMILY HOMES IN THE AREA, RATHER THAN SOME LARGE 3 OR 4-STORY HOTEL.



Roca 1
6,095 SF
Six Units / Six Bedrooms



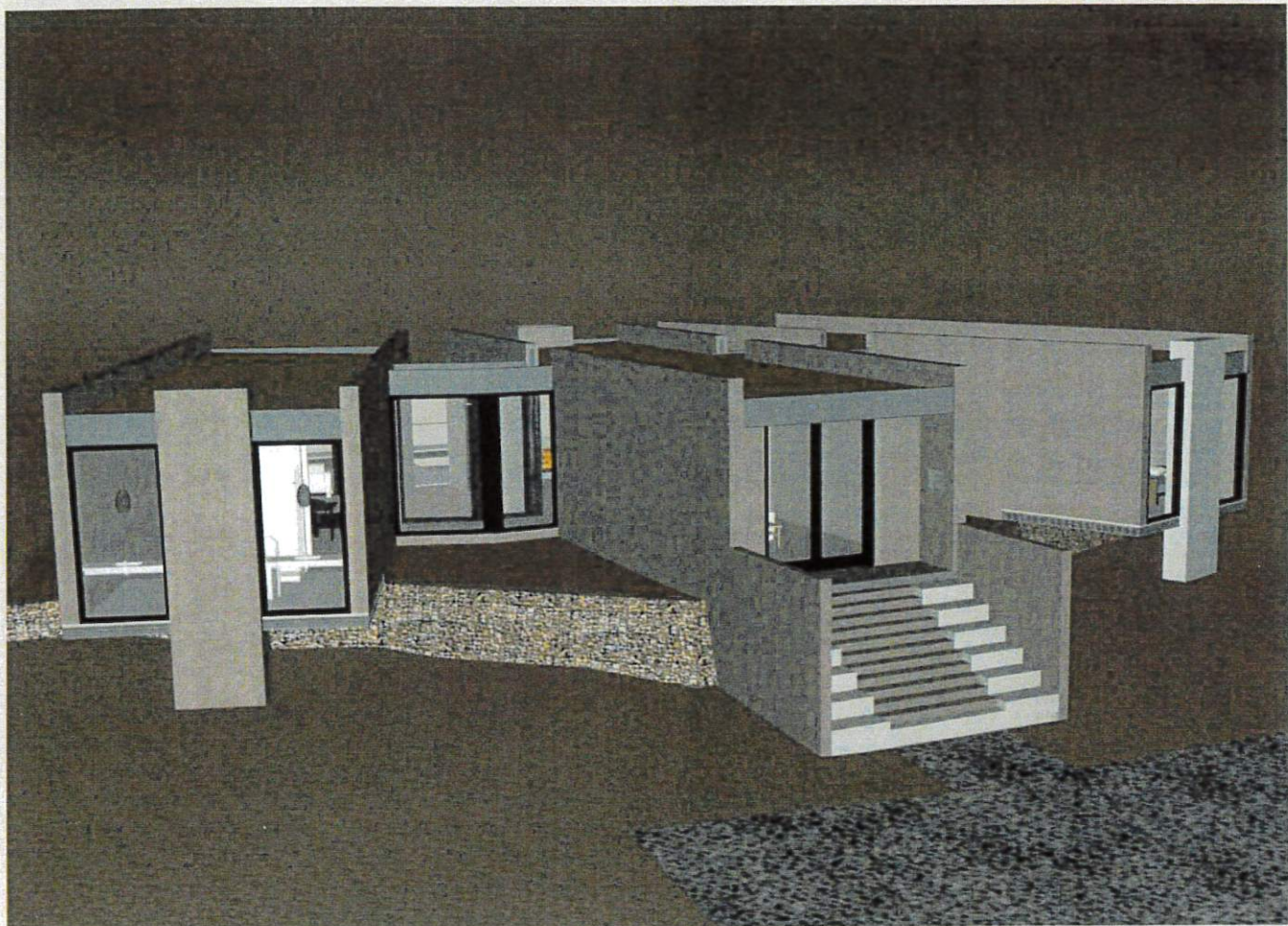
Roca 2
8,245 SF
Six Units / Eight Bedrooms



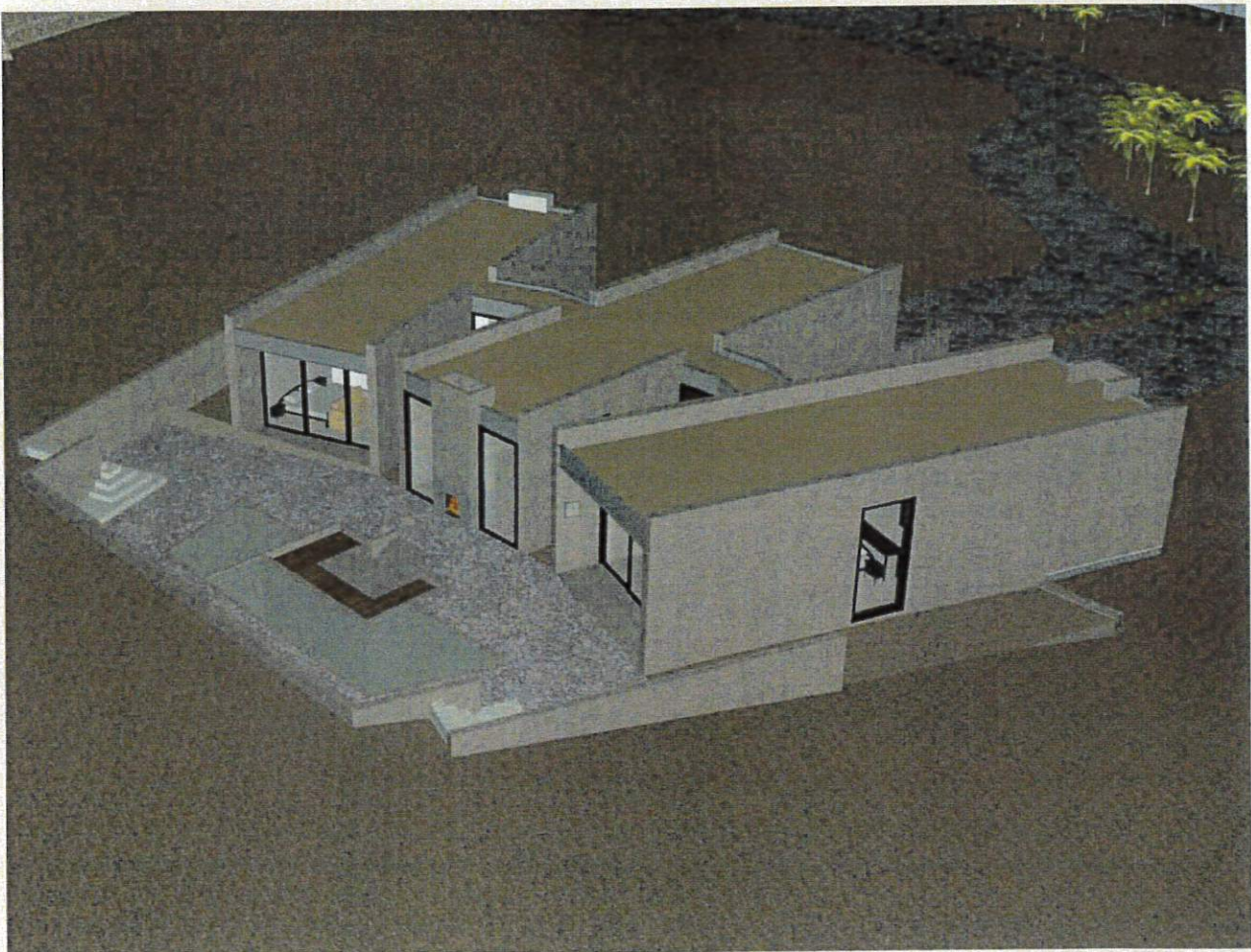
Roca 3
3,854 SF
Six Units / Six Bedrooms

PROPOSED VILLAS STRUCTURES

THE PROJECT WILL ALSO CONTAIN TWO BEAUTIFULLY DESIGNED THREE-BEDROOM VILLAS

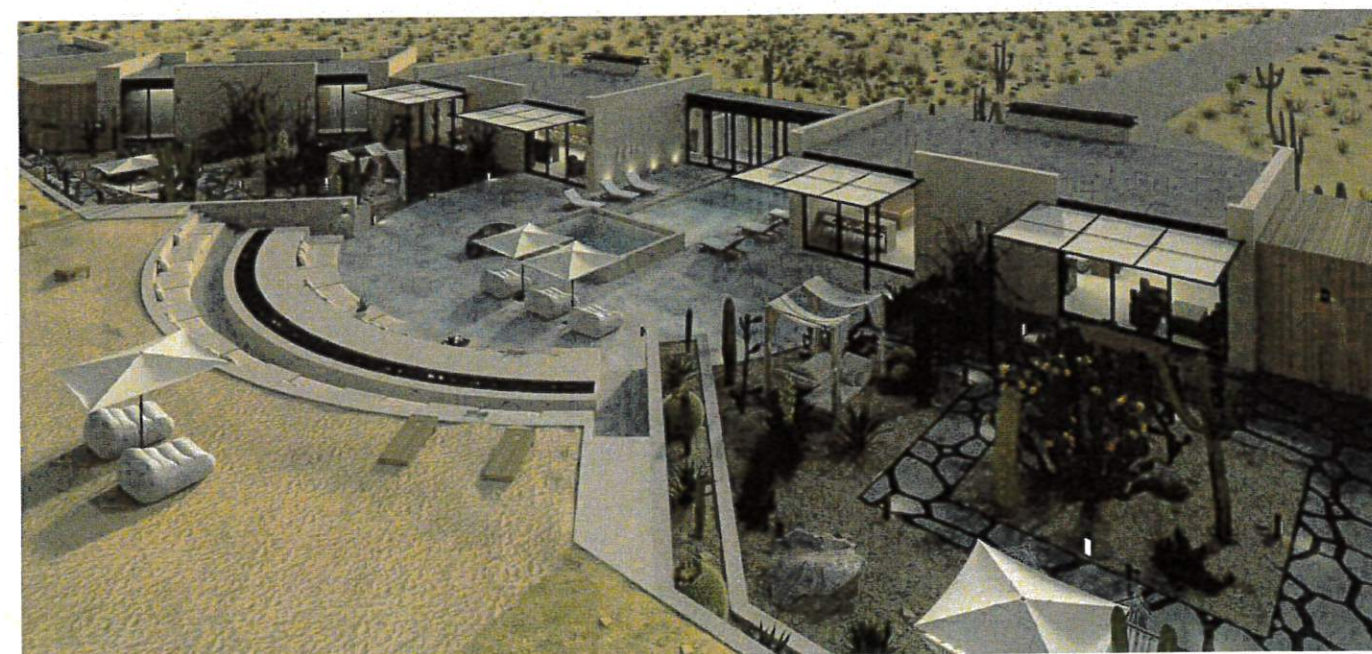
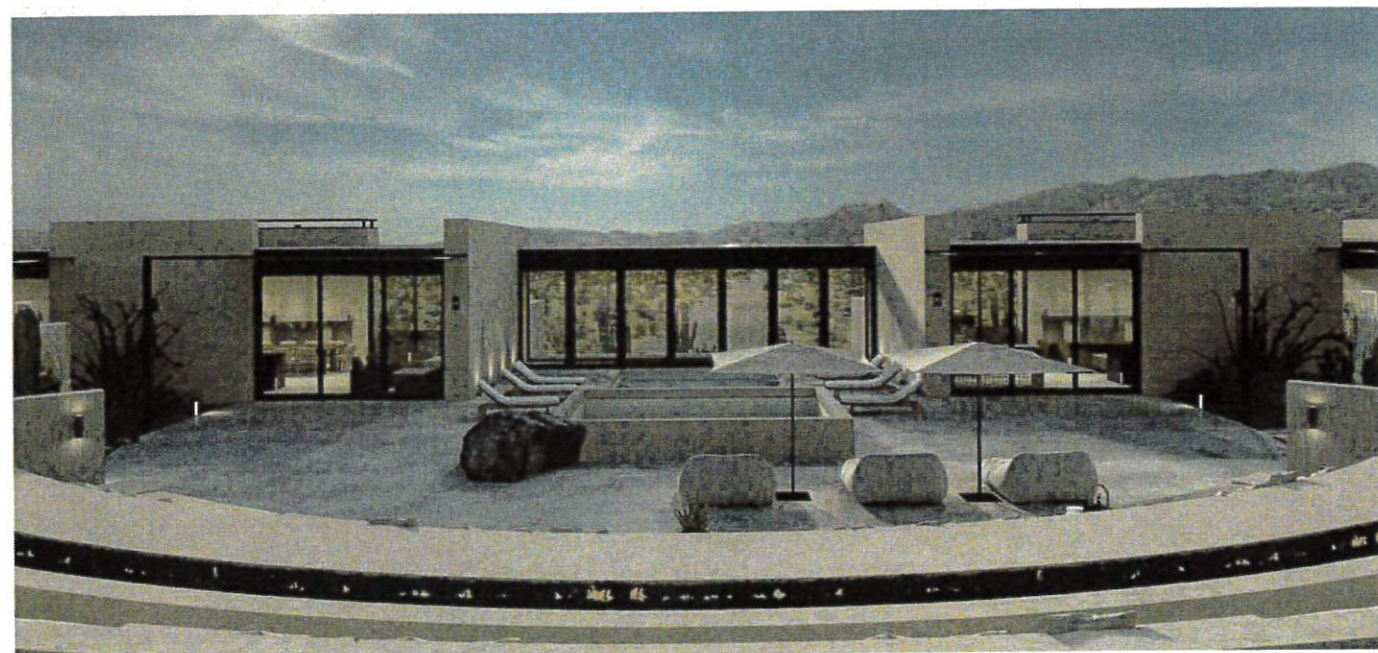
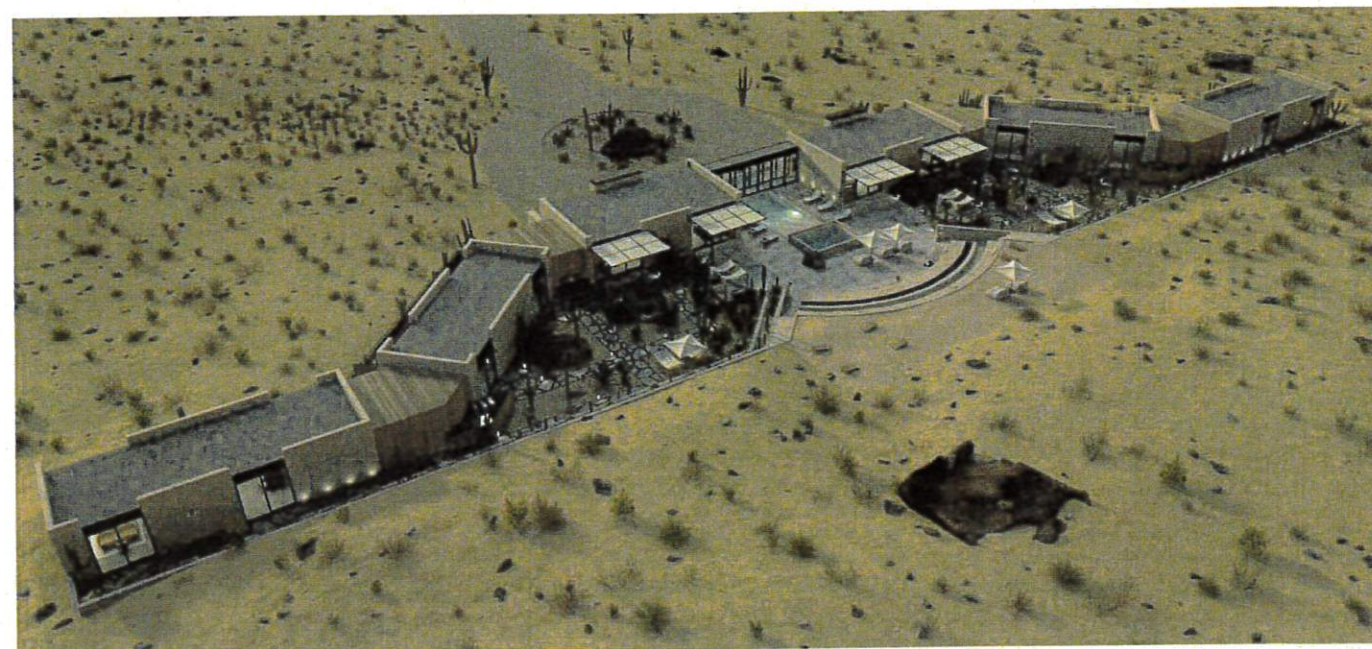
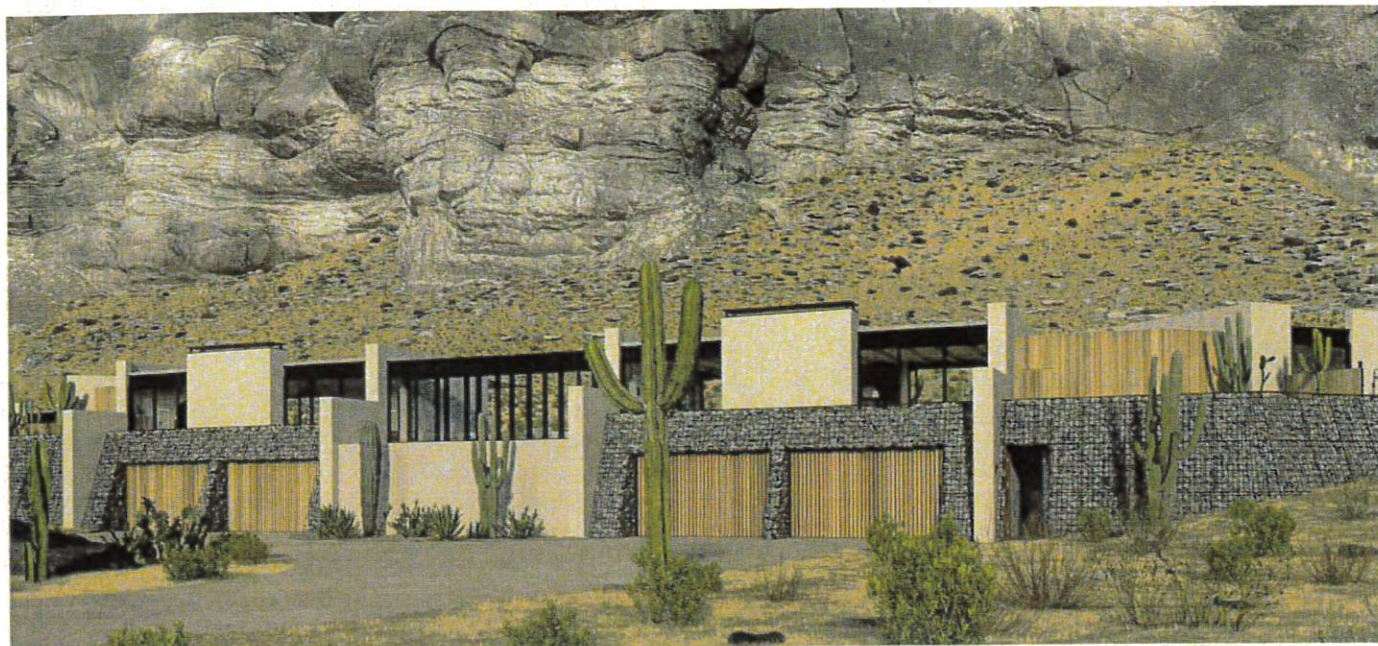


Villa 1
2,120 SF
One Unit / Three Bedrooms



Villa 2
2,120 SF
One Unit / Three Bedrooms

EXTERIOR RENDERS



OCULTA ROCA

ZONE CHANGE APPLICATION

MARCH 2022

DO NOT DISTRIBUTE

INTERIOR RENDERS



OCULTA ROCA

ZONE CHANGE APPLICATION

MARCH 2022

DO NOT DISTRIBUTE

ZONE CHANGE APPLICATION

City of Hurricane
147 North 870 West
Hurricane, UT 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$500.00

For Office Use Only:

File No. 2022-2C-24

Receipt No. _____

Name: HURRICANE City Power Telephone: 435-635-536

Address: 526 W. 600 N. Fax No. 435-635-4127

Agent (If Applicable): SCOTT HUGHES Telephone: 435-668-8457

Email: _____ Agent Email: powerscott@cityofhurricane.com

Address/Location of Subject Property: Approx. 1150 W. 600 N.

Tax ID of Subject Property: H-3-1-33-1110 Existing Zone District: _____

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Public Facility - to begin the process for building
a power substation.

Submittal Requirements: The zone change application shall provide the following:

- _____ a. The name and address of every person or company the applicant represents;
- _____ b. An accurate property map showing the existing and proposed zoning classifications;
- _____ c. All abutting properties showing present zoning classifications;
- _____ d. An accurate legal description of the property to be rezoned;
- _____ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- _____ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-ZC-24
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	City of Hurricane
Agent:	Scott Hughes
Request:	A Zone Change from R1-10 to Public Facility
Location:	Approximately 1150 W 600 N
Zoning:	R1-10
General Plan Map:	North section as Planned Community and south section as Single Family

Discussion:

Hurricane City Power is planning for a new power substation at the corner of Future 1150 W and 600 N. This parcel is to the west of the approved Mesa Cove subdivision. There is a small parcel at the bottom of the cliff that is currently zoned Public Facility where the Power Department initially planned the substation but now the Power Department wants to move it to the southwest corner of 600 N and Future 1150 W. The power substation will not take up the entirety of the 13 acre parcel but the new zoning will allow the Power Department flexibility with placement of the substation as well as flexibility for the city to decide what to do with the property.

	Zoning	Adjacent Land Use
North	OS	Undeveloped, BLM land
East	RM-2 and R1-10 PDO	Mesa Cove subdivision, single family homes and townhomes
South	R1-10	Fox Hollow subdivision, single family homes
West	R1-10, NC, R1-8 PDO	Undeveloped, Painted Sands



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

Additionally, the capital facilities plan for Power anticipates the construction of this substation.

Response: The area is largely undeveloped at this point and this proposal will, for the time being, keep it that way. New development in the area will have to keep the substation in mind when they develop

Response: The connection from 1150 W to 600 N will be a vital connection point for the city. The Transportation Master Plan calls for the city to, “*Extend 1150 W to the north to create a direct connection between SR-9 and 600 N to alleviate strain on existing 2260 W and 200 W connections.*” While this roadway goes in with Mesa Cove, the city’s participation in the roadway will be beneficial to the community.

land to the north. This plan will keep that access intact for the time being

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

Response: Yes. JUC had no major concerns.

JUC Comments

Power: No comments

Water: No water line in 600 N.

Streets: No concerns

Sewer: No sewer there yet

Engineering: No issues

Fire: No issues

Other Considerations

1. There is a 60' master planned roadway on the eastern edge of the property (Future 1150 W). This roadway needs to be dedicated when the property is developed
2. The city currently plans to leave the access through this property to the BLM land to the north open
3. The city has not solidified their plans for the parcel besides setting aside a portion of it for a substation. Public Facility zoning would allow for a park or other civic uses

Findings: Staff makes the following findings:

1. The proposed amendment is compatible with the goals and policies of the General Plan pertaining to public facilities.
2. The proposed amendment is in harmony with the overall character of the existing development.
3. The proposed amendment will affect adjacent property but not as much as typical commercial and residential uses.
4. Public facilities are adequate.

Recommendation: Staff recommends the Planning Commission review this application and the zone change amendment standards as well as take into consideration the comments from residents that will be made in the public hearing before making a recommendation to the City Council. Staff recommends approval of this zone change.

Brienna Spencer

From: Leslie Coleman <lcoleman@midvale.com>
Sent: Monday, May 23, 2022 9:15 AM
To: Brienna Spencer
Subject: Letter to Planning Commission and City Council
Attachments: Impacts of Substations.pdf; Should We Be Worried About Living Near Electrical Substations and Pylons_ - EMF Detection.pdf; Power Lines & EMF_ What Minimum Distance Is Safe_ - Beat EMF.pdf

Roger and Leslie Coleman
Property owners of: 560 N 1380 W, Hurricane, UT 84737
435-632-5258; 435-632-5164

TO: Hurricane City Planning and Zoning, Hurricane City Council Members, and Mayor
RE: Proposed Sub-Station Power Plant

We would like this letter read into the formal minutes of the planning meeting and the next scheduled City Council Meeting.

Dear Planning Commission and City Council Members:

As property owners of 560 N 1380 W for nearly 20 years, we are adamantly opposed to having the proposed power substation next to our house and property. We feel it will significantly devalue our property and significantly affect the quality of life on said property. We also feel there are better places to put the substation rather than next to and adjacent to residential areas. We already have power lines running on the west side of our property and would prefer not to be inundated on the east side. We are

There are numerous studies and articles which refer to the adverse effects on health for human beings and native species which we have included with this letter. Besides our home, there are nearby residences, elementary schools, and the turtle preserve which this power plant could adversely affect. There is a lot of open space in Hurricane that will not jeopardize your citizens. Please find a place to relocate this sub-station for the health and well being of all. Thank you for doing the right thing.

Sincerely,
Roger and Leslie Coleman

See attached addenda in email.

Leslie Coleman / Utility Billing



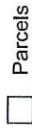
801-567-7221
www.lcoleman@midvale.com



Zone Change



Legend

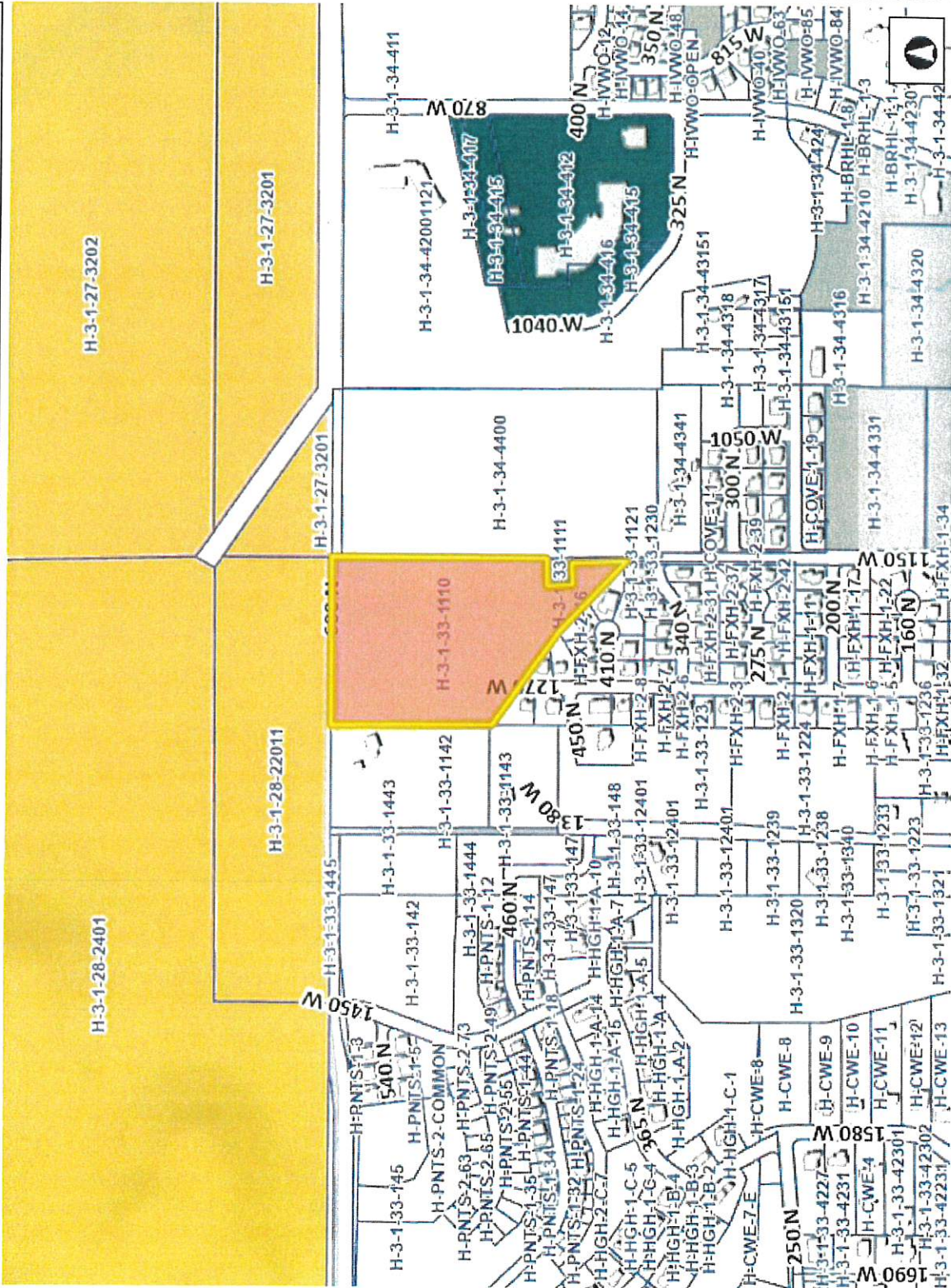


Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wildlife
- National Park Service
- Shiwiits Reservation
- Utah Division of Wildlife Resources
- Utah Division of Transportation
- State Park
- State of Utah
- Washington County
- Municipally Owned
- School District
- Privately Owned
- Water
- Water Conservancy District
- State Assessed Oil and Gas
- Mining Claim

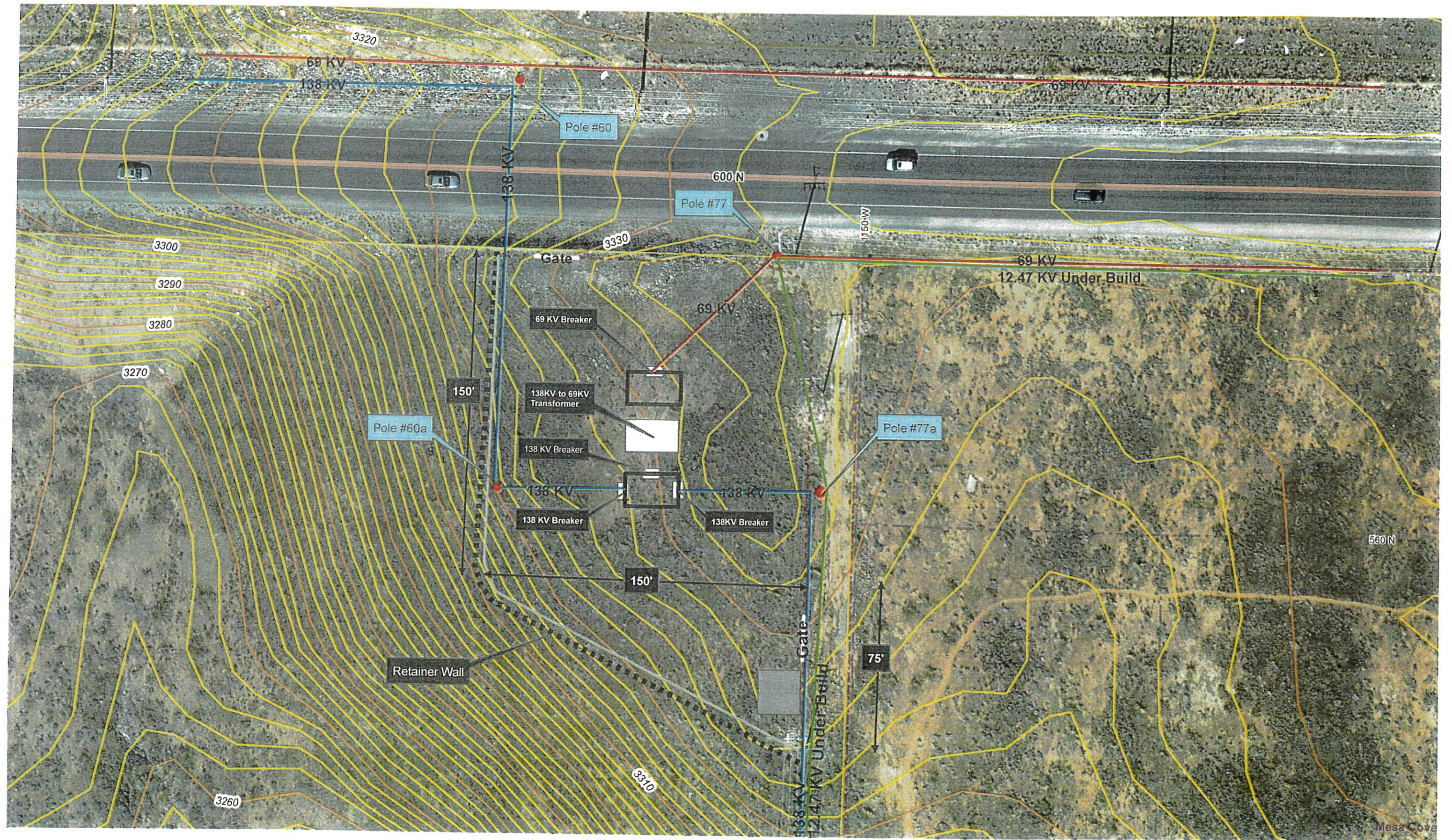
Notes

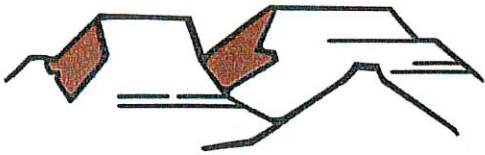
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



1,504.7 752.33 0 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere





PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

ZONE CHANGE APPLICATION

For office use only: \$500.00 Fee
File No. 2022-ZC-25
Receipt No. 7.694788

Name: Jones Ron Lee + Monterey, Stout Larae Ellsworth TR Telephone: _____
2444 S. 1500 W 2350 S 1500 W
Address: Hurricane, UT 84737 Hurricane, UT 84737 Fax No. _____

Email: _____ Agent Email: adamstout12@msn.com

Agent (If Applicable): Adam Stout Telephone: 435-467-3994

Address/Location of Subject Property: 2346 S 1500 W + 3 lots to the south

Tax ID of Subject Property: H-3501-A, H-3357-A-1, H-3350-B-1, H-3350-A Existing Zone District: RA-1 + M-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) Change to
RA-1 PPO - to be in conjunction to the land around it.

Submittal Requirements: The zone change application shall provide the following:

- ☒ a. The name and address of every person or company the applicant represents.
- ☒ b. An accurate 11 x 17-inch property map showing the existing and proposed zoning classifications.
- ☒ c. All abutting properties showing present zoning classifications.
- ☒ d. An accurate legal description of the property to be rezoned.
- ☒ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- ☒ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES _____ NO _____

Date application deemed to be complete: _____ Completion determination made by: _____



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-ZC-25
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Jones RonLee and Monterey, StoutlaRae Ellsworth TR
Agent:	Adam Stout
Request:	A Zone Change from RA-1 to RA-1 Planned Development Overlay
Location:	2444 S 1500 W
Zoning:	RA-1 and M-1
General Plan Map:	Agriculture

Discussion:

The applicant is seeking to rezone 38.697 Acres from RA-1 and M-1 to RA-1 with a PDO. The applicant has an active farm, single-family homes, and a roofing business (on the M-1 property) located on the properties. The applicant is seeking to clean up the properties' zoning and uses in the area with a development agreement (a draft is attached).

In 2018, the M-1 zoning was approved with a development agreement that restricted the M-1 use to the active roofing business taking place on the property. The main property owner is seeking to build a home on the lot that has a commercial business (see attached site plan). This led to a conversation about the master-planned roadways and development criteria for RA-1 and M-1 zoning with additional development on the parcel.

The Preliminary Site Plan attached was received too late for a full staff and JUC review at the time of this writing. Staff plans to have a review completed by meeting time.

	Zoning	Adjacent Land Use
North	R1-10	Undeveloped
East	RA-1	Undeveloped, agriculture and single family homes
South	RA-1	Agriculture and single family homes
West	RA-1	Agriculture, Undeveloped

Zone Change Factors:

As per Hurricane City Code 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 Agricultural which it defines as:
Property used for keeping or pasturing of animals or raising of crops with supporting residential use. Appropriate residential density should be between one unit per 40 acres to one unit per five acres.

There is a small section of Light Industrial/Business where it is currently zone M-1. This was mapped this way on the General Plan Map because of the existing M-1 zone.

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

Response: Yes. Currently, there are active farming operations in the area and commercial use. The proposed zone change would be harmonious with the surrounding development.

3. Will the proposed amendment affect the adjacent property?

Response: The proposed zone change will not add to a higher impact than the current approved zoning. The development agreement will address key improvements for the area..

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

Response: There are some services on-site, including water and power. There are two main master plan roadways, 1500 W and 2300 S. Both of these roadways will serve as main connection points for transportation in the future. 2300 S is planned to connect to an interchange on SR-7, and then continue west to Dixie Springs.



Development Agreement

The applicant is seeking to clarify allowed uses and required improvements for the future development of the property. Some of the key issues are

- Development and dedication of 2300 S
- Development of 1500 W

- Providing a culvert under 2300 S to allow continual agriculture use between the northern and southern property
- What event triggers the applicant needing to install required improvements
- Future allowed uses for the property

A draft proposal has been submitted to the City Council (see the attached email from Stephen Nelson to the City Attorney), but was determined that it needed review by the Planning Commission before approval.

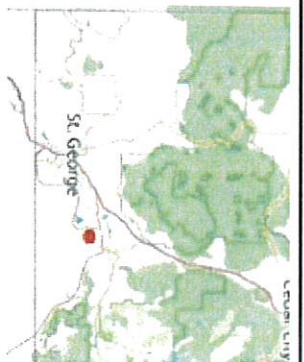
The City Attorney and staff are working on updating the development agreement and presenting the agreement to the JUC for their review.

Findings:

Staff makes the following findings:

1. The application generally meets the standards of the General Plan Map for the property.
2. Generally, the uses are harmonious with the surrounding development.
3. The proposed amendment will have an impact on the area, but the impact is anticipated within the General Plan
4. Services are currently adequate to serve the area in its current state, but there is limited capacity for expansion of use.
5. Staff is working with the applicant to finalize a site plan and development agreement.

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Though the development agreement is not settled at the time of this report, staff anticipates coming to terms with the development agreement prior to the meeting.



- ## Notes

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Stephen Nelson

From: Stephen Nelson
Sent: Thursday, April 28, 2022 2:03 PM
To: Joseph Prete; Dayton Hall; 'Fay Reber'
Subject: Approval of a Development Agreement

Joseph and Fay,

I have been thinking about the Stout Development Agreement and what options we have to be able to approve it with a different standard that we would normally require. This is what state law says about a City's authority to enter into a development agreement in regards to land use:

10-9a-532 Development agreements.

(1) Subject to Subsection

(2), a municipality may enter into a development agreement containing any term that the municipality considers necessary or appropriate to accomplish the purposes of this chapter.

(2) (a) A development agreement may not:

(i) limit a municipality's authority in the future to:

(A) enact a land use regulation; or

(B) take any action allowed under Section 10-8-84;

(ii) require a municipality to change the zoning designation of an area of land within the municipality in the future; or

(iii) contain a term that conflicts with, or is different from, a standard set forth in an existing land use regulation that governs the area subject to the development agreement, unless the legislative body approves the development agreement in accordance with the same procedures for enacting a land use regulation under Section 10-9a-502, including a review and recommendation from the planning commission and a public hearing.

(b) A development agreement that requires the implementation of an existing land use regulation as an administrative act does not require a legislative body's approval under Section 10-9a-502.

(c) A municipality may not require a development agreement as the only option for developing land within the municipality.

(d) To the extent that a development agreement does not specifically address a matter or concern related to land use or development, the matter or concern is governed by: (

i) this chapter; and

(ii) any applicable land use regulations.

I have highlighted the section above because I think this might get to the route at what we are considering. According to this code, it does seem that the City could approve a development agreement that has different standards from our code, but it would need a public hearing and a Planning Commission's recommendation.

Hurricane City's code states the following

Sec. 10-1-3. - Purpose.

This title is designed and enacted to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of the City and its present and future inhabitants and businesses, to protect the tax base, secure economy in governmental expenditures, foster the City's agricultural and other industries, protect both urban and nonurban development, and to protect property values. To accomplish the purposes set forth herein, the City is specifically authorized to enter into development agreements that it considers necessary or appropriate for the use and development of land, unless expressly prohibited by law.

**DEVELOPMENT AGREEMENT
FOR
STUART & HEIDI STOUT HOUSE**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the ____ day of _____, 2021 (the "Effective Date"), by and between the CITY OF HURRICANE, a Utah municipal corporation, hereinafter referred to as "City," and LaRae Ellsworth Stout, Trustee, or successor trustee, of the LaRae Ellsworth Stout Revocable Trust dated June 13, 2019 _____, hereinafter referred to as "Developer." The City and Developer are hereinafter collectively referred to as the "Parties."

RECITALS

A. Developer is the owner of approximately 11.95 acres of land located within the City of Hurricane, designated as Parcel H-3350-A in the records of the Washington County Recorder in St. George, Utah and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property").

B. On the ____ day of _____, 2019, the City approved a zone change for the Property shown in Exhibit B, attached hereto and incorporated herein by this reference.

C. The Parties anticipate that in the future City will consider approval of a preliminary plat incorporated herein as Exhibit C (the "Project").

D. Developer is willing to design and construct the Project in accordance with the preliminary site plan as approved by City and 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 and Developer desire to enter into this Agreement stating the terms and conditions for development of the Property.

F. The Mayor of City is authorized 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 by reference and are hereby made a part of this Agreement.

2. Terms and Conditions:

- a. Stouts have been operating a roofing business in the region for decades, and on the subject property for the past 7+ years; property was rezoned to light industrial in 2018/19 to formally permit a roofing operation on this land; A rezone granted subject to a development agreement that limits the industrial use to a roofing business.
- City prefers that subject property be zoned RA-1 as it was before 2018/19, with the roofing granted a conditional permit to operate its’ business under this development agreement;
- The Stouts commit to immediately apply to rezone the entire parcel to RA-1 (and to apply to amend the general plan if necessary to comply with the RA-1 zoning).
- The City authorizes Stout to
 - continue its’ roofing business onsite while property continues agricultural use, or until property is sold or owner dies
 - in light of longterm existing use and as part of the city’s effort to return zoning to RA-1;
 - move forward with construction of his home concurrent with applying to the rezone of the property
 - with city granting building permit now.

- Stouts agree to do what is minimally required to rededicate and/or build the rural cross road improvements on the east side, etc. taking into account all land that was already dedicated and all improvements already done by Stouts.
 - If Stout fails to take action to rezone, he is held to light industrial development standards/requirements
- Stout commits to sell land along the North side of his property (2300 South) at fair market value when the City is ready to move forward with this road (2300 South).
 - Stout also agrees not to construct anything within the master-planned roadway areas
- Stipulation that what is being required of Stouts vis-à-vis the construction of a single residence is roughly proportionate and reasonably related.
- A subdivision will be created to subdivide homes and property structures within the RA-1 zoned areas.
- The subdivision will have completed construction drawings and improvements completed for said subdivision.
- Neighboring properties that wish to be part of the subdivision may be included in said subdivision.
- Master planned roadways that are dedicated in said subdivision may receive reimbursement monies from the City through City or other funds.
- A box culvert will be installed by the City in the main drainage that will run under the future master planned roadway of 2300 South Street.

2. Applicable Regulations. Nothing in this Agreement shall amend or replace any requirements by City, State, Federal, Fire, other local development agreements or restrictions, or other applicable regulations.

3. 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: LaRae Ellsworth Stout, Trustee, or successor trustee, of the
LaRae Ellsworth Stout Revocable Trust dated June 13, 2019
2350 South 1500 West

Hurricane, UT 84737

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

4. 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, it/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.

5. 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: _____

By: _____

City Recorder

Mayor

DEVELOPER:

By: _____
Name: LaRae Ellsworth Stout
Title: Trustee

STATE OF UTAH)
 :ss
COUNTY OF UTAH)

On the ____ day of _____, 202_, personally appeared before me _____, who
being by me duly sworn, did say that he is the _____ of _____, 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:

EXHIBIT A

Legal Description Parcel:

**Legal S: 16 T: 42S R: 13W BEGINNING AT A POINT N 89°48'57" W 30.00 FEET
ALONG THE NORTH LINE OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13
WEST, SALT LAKE BASE AND MERIDIAN, AND S 0°16'11" W 16.50 FEET FROM
NORTH QUARTER OF SAID SECTION 16, AND RUNNING THENCE S 0°16'11" W
213.64 FEET, THENCE N 89° 49'04" W 275.00 FEET, THENCE S 0°16'11" W 113.89
FEET, THENCE N 89°49'04" W 1017.42 FEET TO A POINT ON THE WEST 1/16TH
LINE OF SAID SECTION 16, THENCE N 0°13'41" E 327.57 FEET ALONG SAID LINE
TO A POINT S 0°13'41" W 16.50 FEET FROM THE WEST 1/16TH CORNER OF
SECTIONS 16 AND 9, THENCE S 89°48'57" E 1292.65 FEET PARALLEL TO THE
NORTH LINE OF SAID SECTION 16, TO THE POINT OF BEGINNING.
SUBJECT TO BOUNDARY LINE AGREEMENT DOCUMENT # 20190002584.**

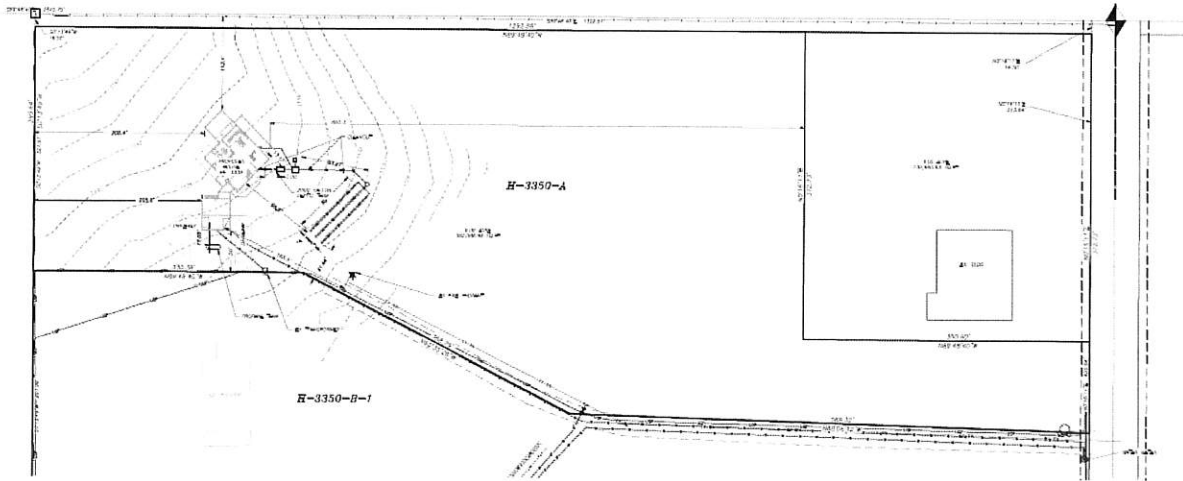
EXHIBIT B

DRAFT

EXHIBIT C
Site Plan

SITE PLAN FOR:
STUART & HEIDI STOUT

A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, T48N, R31W, BL36AM
HARRISBURG CITY, WASHINGTON COUNTY, UTAH



1 PYRAM

OWNERS: JONES RONLEE & MONTEREY: 2444 S. 1500 W. HURRICANE, UT 84737
STOUT LARAE ELLSWORTH TR: 2350 S 1500 W HURRICANE, UT 84737
CONTACT: ADAM STOUT (435)-467-3994 ADAMSTOUT12@MSN.COM

EXISTING ZONE MAP FOR:
RESIDENTIAL AGRICULTURAL PD OVERLAY

LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

OWNERS LEGEND:

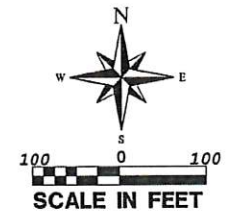
- [A] STOUT LARAE ELLSWORTH TR - PARCELS: H-3353, H-3357-A-1, H-3350-B-1, H-3350-A
[B] JONES RON LEE & MONTEREY - PARCELS: H-3501-A
[C] STOUT STUART W & HEIDI H - PARCELS: H-3367-B
[D] WRIGHT DAVID BURKE & KERRI M - PARCELS: H-3372
[E] BENCH LAKE LLC - PARCELS: H-3345
[F] J R S INVESTMENTS L C - PARCELS: H-3-2-9-330
[G] HOME POINT INC - PARCELS: H-3-2-9-321
[H] CALL F RICHARD & CAROL A - PARCELS: H-3-2-9-320
[I] RICH ANDERSON - PARCELS: H-3-2-9-239
[J] DIAS SHERRI - PARCELS: H-3360-D
[K] HURRICANE FARM HOLDINGS LLC - PARCELS: H-3349-A-1-B-2

ZONE LEGEND:

- M-1: LIGHT INDUSTRIAL
RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE
RA-1 (PDO): RESIDENTIAL AGRICULTURAL (PLANNED DEVELOPMENT OVERLAY)
R1-10: RESIDENTIAL - 1 UNIT PER 10000 SQ. FT.

LEGEND

- PROPERTY LINE
ADJACENT PROPERTY LINE
SECTION LINE



LEGAL DESCRIPTION FOR AFFECTED PARCELS:

PARCEL H-3350-A:
BEGINNING AT A POINT N 89°48'57" W 30.00 FEET ALONG THE NORTH LINE OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, AND S 0°16'11" W 16.50 FEET FROM NORTH QUARTER OF SAID SECTION 16, AND RUNNING THENCE S 0°16'11" W 213.64 FEET, THENCE N 89°49'04" W 275.00 FEET, THENCE S 0°16'11" W 113.89 FEET, THENCE N 89°49'04" W 1017.42 FEET TO A POINT ON THE WEST 1/16TH LINE OF SAID SECTION 16, THENCE N 0°13'41" E 327.57 FEET ALONG SAID LINE TO A POINT S 0°13'41" W 16.50 FEET FROM THE WEST 1/16TH CORNER OF SECTIONS 16 AND 9, THENCE S 89°48'57" E 1292.65 FEET PARALLEL TO THE NORTH LINE OF SAID SECTION 16, TO THE POINT OF BEGINNING.

SUBJECT TO BOUNDARY LINE AGREEMENT DOCUMENT # 20190002584.

PARCEL H-3350-B-1:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°16'11"W, ALONG THE NORTH-SOUTH CENTER SECTION LINE, 650.68 FEET; THENCE N90°00'00"W, 30.00 FEET TO THE POINT OF BEGINNING. SAID POINT BEING LOCATED ON THE WEST LINE OF 1500 WEST STREET (A PUBLIC STREET); THENCE DEPARTING SAID LINE AND RUNNING N89°49'28"W 709.49 FEET; THENCE N00°16'11"E, 44.84 FEET; THENCE N89°48'58"W, 582.97 FEET TO A POINT LOCATED ON THE 1/16TH LINE; THENCE N00°13'49"E, ALONG THE 1/16TH LINE, 261.98 FEET; THENCE S89°49'04"E, 1,017.63 FEET (RECORD=1017.42); THENCE N00°16'11"E, 113.89 FEET; THENCE S89°49'04"E, 275.00 FEET TO A POINT LOCATED ON THE WEST LINE OF SAID 1500 WEST STREET; THENCE S00°16'11"W, ALONG SAID LINE, 420.64 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AND TOGETHER WITH A 10.00 FOOT WIDE PUBLIC UTILITIES EASEMENT ADJACENT TO 1500 WEST STREET.

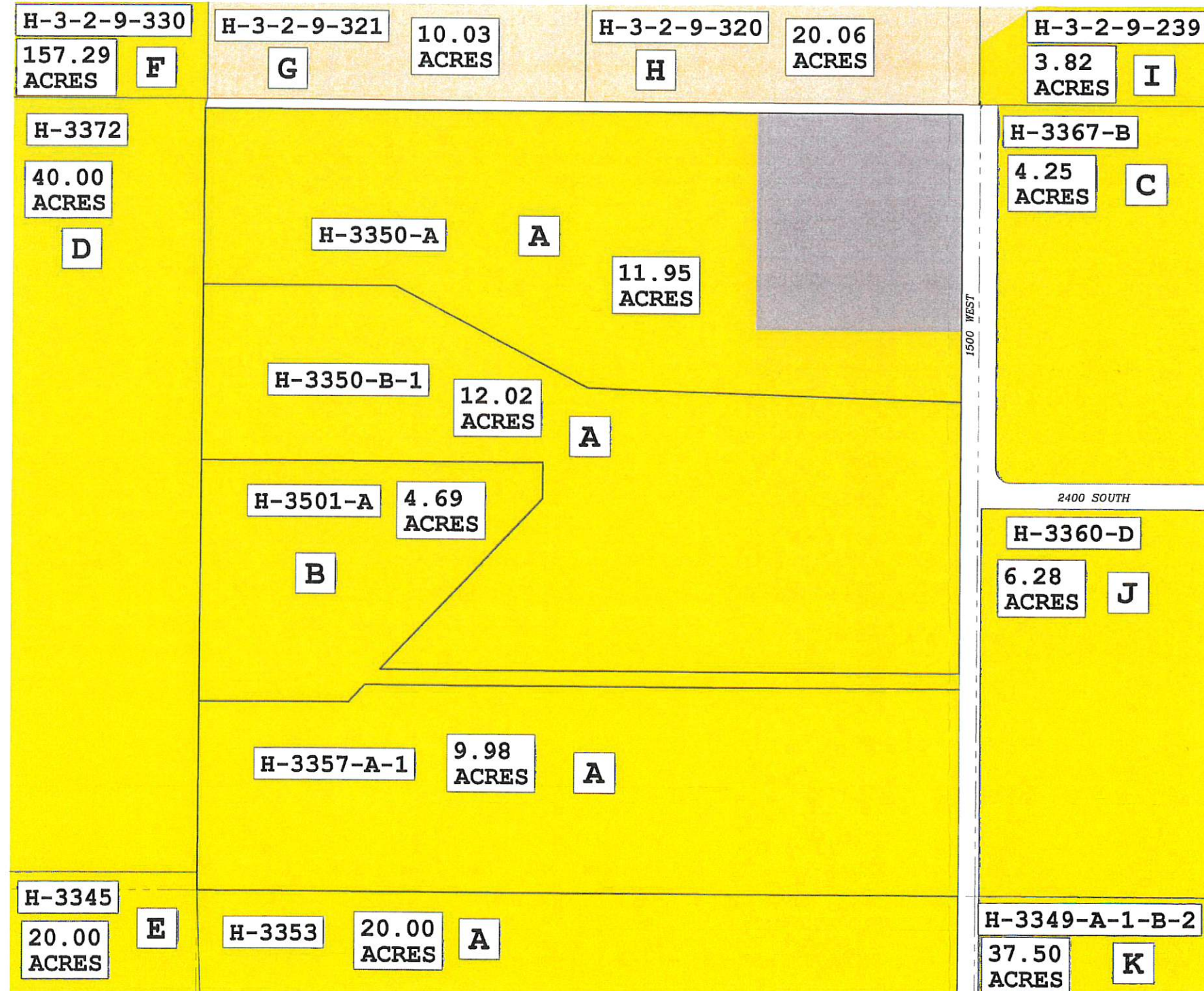
SUBJECT TO BOUNDARY LINE AGREEMENT DOCUMENTS # 20190002584 & # 20190002585.

PARCEL H-3501-A:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°16'11"W, ALONG THE NORTH-SOUTH CENTER SECTION LINE, 650.68 FEET; THENCE N90°00'00"W, 30.00 FEET TO THE POINT OF BEGINNING. SAID POINT BEING LOCATED ON THE WEST LINE OF 1500 WEST STREET (A PUBLIC STREET); THENCE S00°16'11"W, ALONG SAID LINE, 26.00 FEET TO THE SOUTHWEST CORNER OF SAID 1500 WEST STREET AND 2400 SOUTH STREET (A PUBLIC STREET); THENCE DEPARTING SAID LINE AND RUNNING N89°49'28"W, 719.53 FEET; THENCE S43°52'57"W, 456.25 FEET; THENCE N90°00'00"W, 257.93 FEET TO A POINT LOCATED ON THE 1/16TH LINE; THENCE N00°13'49"E, ALONG THE 1/16TH LINE, 401.53 FEET; THENCE DEPARTING SAID LINE AND RUNNING S89°48'58"E, 582.97 FEET; THENCE S00°16'11"W, 44.84 FEET; THENCE S89°49'28"E, 709.49 FEET TO THE POINT OF BEGINNING. SUBJ TO & TOG W/ EASEMENT.

SUBJECT TO BOUNDARY LINE AGREEMENT DOCUMENTS # 20190002583 & # 20190002585.

PARCEL H-3357-A-1:
COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S00°16'11"W, ALONG THE NORTH-SOUTH CENTER SECTION LINE, 676.77 FEET TO A POINT LOCATED ON THE SOUTH LINE OF 2400 SOUTH STREET (A PUBLIC STREET); THENCE N89°49'28"W, ALONG SAID LINE, 16.50 FEET TO THE POINT OF BEGINNING; THENCE S00°16'11"W, AND PARALLEL TO SAID CENTER SECTION LINE, 643.89 FEET TO A POINT LOCATED ON THE 1/16TH LINE; THENCE N89°49'15"W, ALONG THE 1/16TH LINE, 1,305.46 FEET TO THE NORTHWEST 1/16TH CORNER; THENCE N00°13'49"E, ALONG THE 1/16TH LINE, 313.20 FEET; THENCE DEPARTING SAID LINE AND RUNNING N90°00'00"E, 257.93 FEET; THENCE N43°52'57"E, 456.25 FEET; THENCE S89°49'28"E, 733.03 FEET TO THE POINT OF BEGINNING. SUBJ TO & TOG W/ EASEMENT

SUBJECT TO BOUNDARY LINE AGREEMENT DOCUMENTS # 20190002583 & # 20190002585.



REVISIONS		DATE	BY
NO	DESCRIPTION		

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
28 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 468-0327



EXISTING ZONE MAP FOR:
RESIDENTIAL AGRICULTURAL PD OVERLAY
LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 9/11/2021
SCALE: 1"=100'

JOB NO.
247-001

SHEET NO.
1 OF 2

OWNERS: JONES RON LEE & MONTEREY: 2444 S. 1500 W. HURRICANE, UT 84737

CONTACT: STOUT LARAE ELLSWORTH TR: 2350 S 1500 W HURRICANE, UT 84737

ADAM STOUT (435)-467-3994 ADAMSTOUT12@MSN.COM

PROPOSED ZONE MAP FOR: RESIDENTIAL AGRICULTURAL PD OVERLAY

LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

OWNERS LEGEND:

A STOUT LARAE ELLSWORTH TR - PARCELS: H-3353, H-3357-A-1, H-3350-B-1, H-3350-A

B JONES RON LEE & MONTEREY - PARCELS: H-3501-A

C STOUT STUART W & HEIDI H - PARCELS: H-3367-B

D WRIGHT DAVID BURKE & KERRI M - PARCELS: H-3372

E BENCH LAKE LLC - PARCELS: H-3345

F J R S INVESTMENTS L C - PARCELS: H-3-2-9-330

G HOME POINT INC - PARCELS: H-3-2-9-321

H CALL F RICHARD & CAROL A - PARCELS: H-3-2-9-320

I RICH ANDERSON - PARCELS: H-3-2-9-239

J DIAS SHERRI - PARCELS: H-3360-D

K HURRICANE FARM HOLDINGS LLC - PARCELS: H-3349-A-1-B-2

ZONE LEGEND:

M-1: LIGHT INDUSTRIAL

RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE

RA-1 (PDO): RESIDENTIAL AGRICULTURAL (PLANNED DEVELOPMENT OVERLAY)

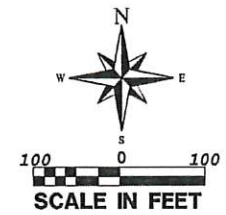
R1-10: RESIDENTIAL - 1 UNIT PER 10000 SQ. FT.

LEGEND

PROPERTY LINE

ADJACENT PROPERTY LINE

SECTION LINE



LEGAL DESCRIPTION FOR PROPOSED MH/RV ZONE:

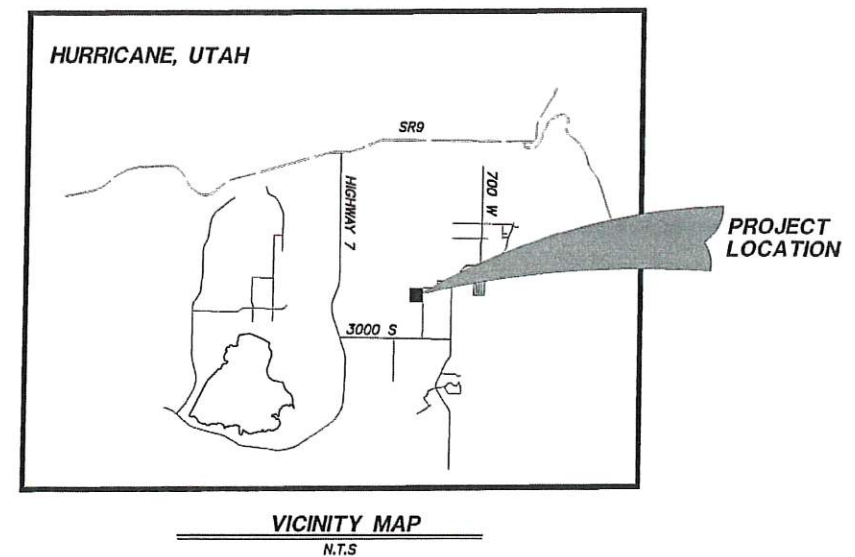
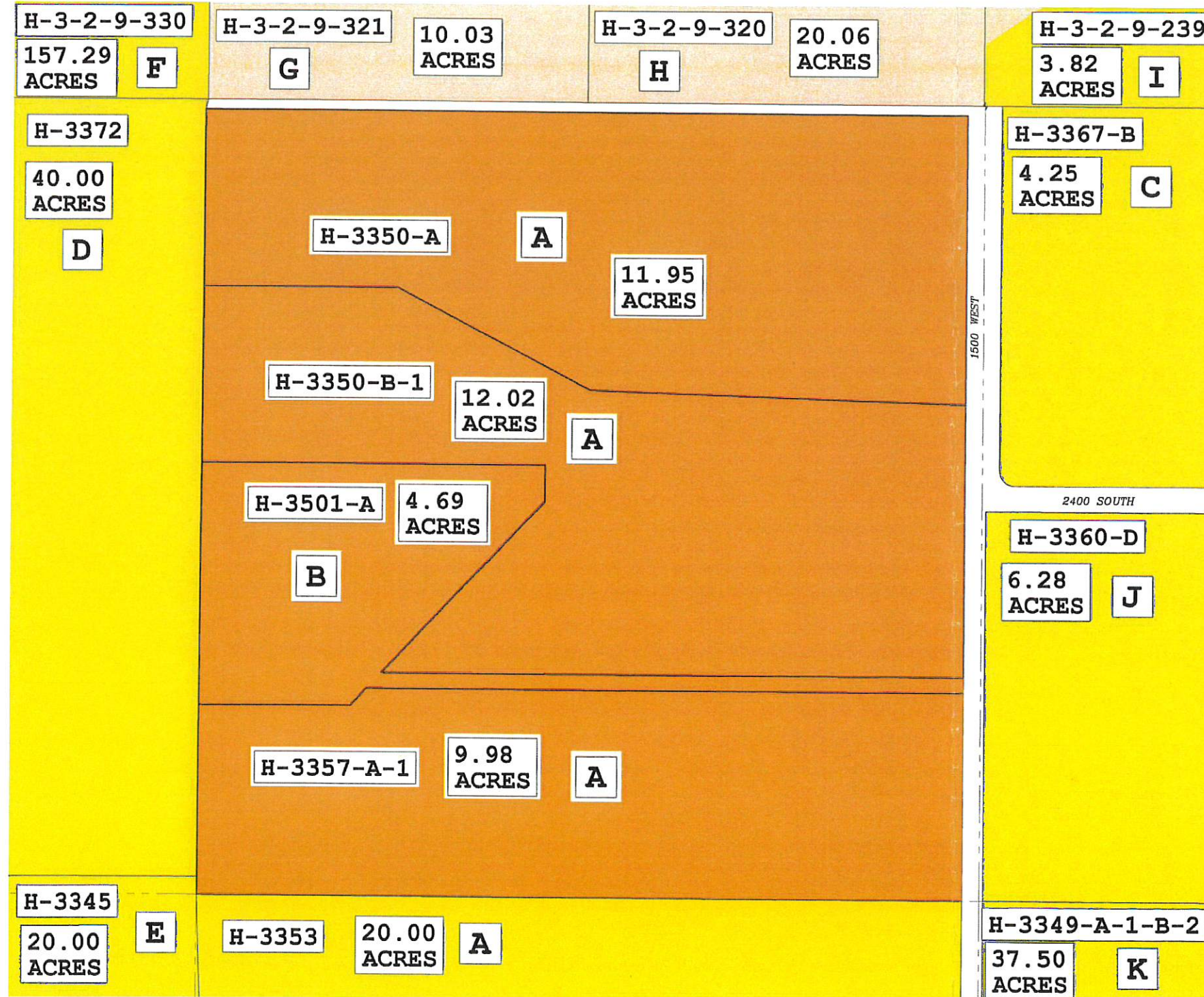
COMMENCING AT THE NORTH CENTER CORNER OF SECTION 16, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N89°48'40"W ALONG THE NORTH SECTION LINE OF SAID SECTION 16, 30.00 FEET; THENCE S00°16'38"W 16.50 FEET TO THE POINT OF BEGINNING; RUNNING THENCE S00°16'11"W 1304.17 FEET TO THE NORTH 1/16TH SECTION LINE OF SAID SECTION 16; THENCE N89°49'15"W ALONG SAID LINE, 1291.96 FEET TO THE WEST 1/16TH SECTION LINE OF SAID SECTION 16; THENCE N00°13'49"E ALONG SAID LINE, 1304.39 FEET; THENCE S89°48'40"E 1292.86 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1685660 SQUARE FEET OR 38.697 ACRES.

ZONE CHANGED FROM RA-1 & M-1 TO RA-1 (PDO): RESIDENTIAL AGRICULTURE (PLANNED DEVELOPMENT OVERLAY)

PURPOSE:

CHANGING PROPERTY ZONING TO BE IN CONJUNCTION WITH THE LAND AROUND THE PROPERTY AND TO ALLOW FOR RESIDENTIAL RECREATION & BUSINESS USE ON THE PROPERTY.



811

NOTICE: THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE-GROUND UTILITIES SHOWN OR NOT SHOWN ON THE PLANS.

NO.	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 400 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 668-0357



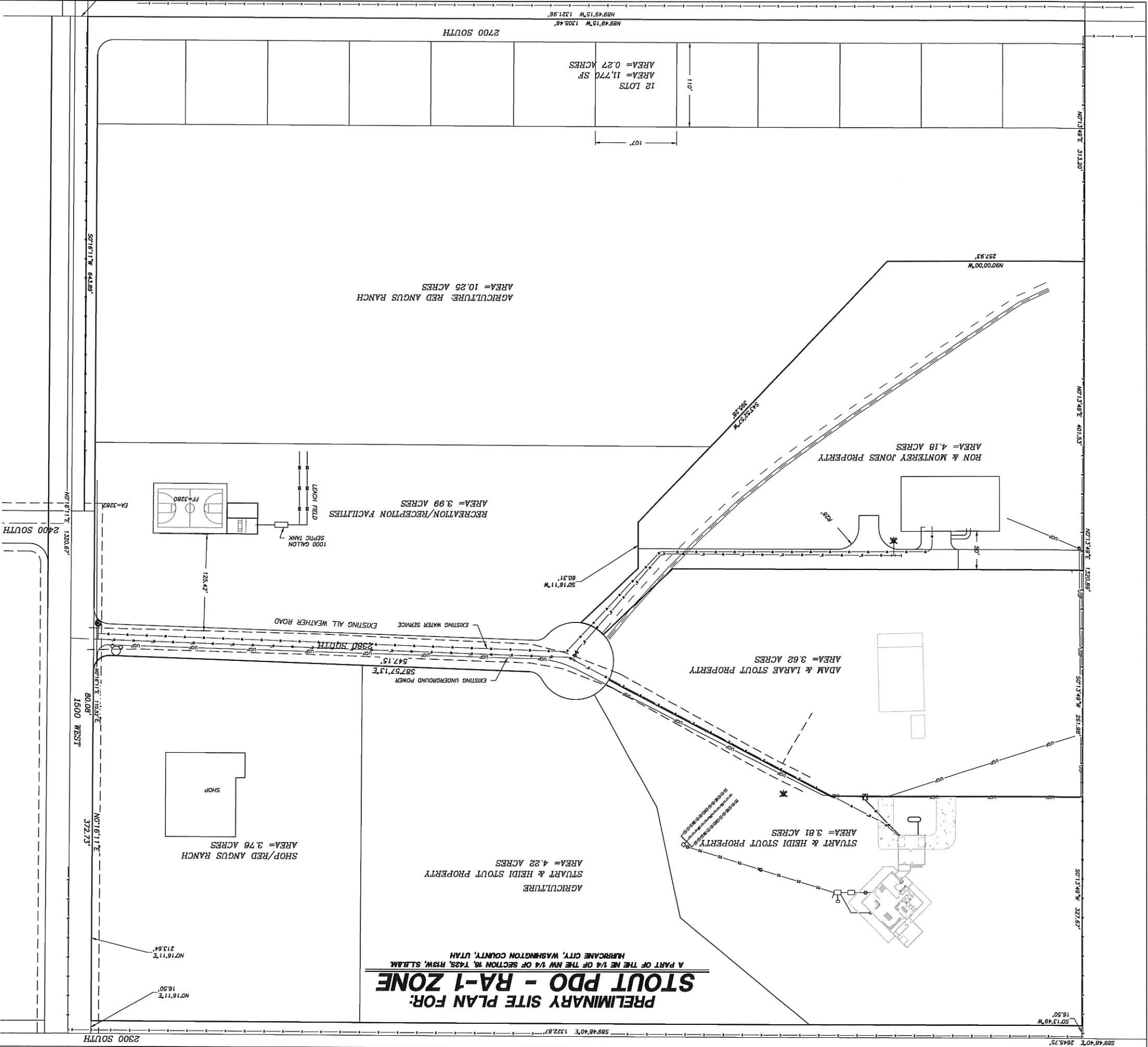
PROPOSED ZONE CHANGE MAP FOR:
RESIDENTIAL AGRICULTURAL PD OVERLAY

LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 1/1/2022
SCALE: 1"=100'

JOB NO.
270-004

SHEET NO.
2 OF 2



NARRATIVE

THIS PD OVERLAY WILL HAVE 15 TO 20 RESIDENCES, 2 PARCELS OF AGRICULTURE PRODUCTION & FACILITIES, 1 PARCEL OF RECREATIONAL/RECEPTION FACILITIES, 1 PARCEL OF A MIXED AGRICULTURE/ROOFING BUSINESS SHOP.

528-001

1 OF 1

SHEET NO.

JOB NO.

DATE: 5/23/2022

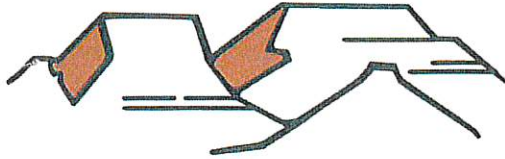
SCALE: 1"=60'

SITE PLAN FOR:
STOUT PDO - RA-1 OVERLAY

HURRICANE CITY, WASHINGTON COUNTY, UTAH
A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, T42S, R12W, S1B.M.

PROVALUE ENGINEERING, INC.
Engineers- Land Surveyors - Land Planners
20 South 800 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 668-8507 Carl Rasmussen

NO	REVISION	DATE	BY



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

ZONE CHANGE APPLICATION

For office use only: \$500.00 Fee

File No. 2022-ZC-17

Receipt No. 8-157563

Name: Pecan Valley Holdings LLC Telephone: 435-467-2216

Address: 5183 W 2040 S, Hurricane, UT 84737 Fax No. _____

Email: wyltile@gmail.com Agent Email: bwalker@civilsience.com

Agent (If Applicable): Chris Wyler / Civil Science Telephone: 435-668-4023

Address/Location of Subject Property: 5300 West 2600 South Pecan Valley

Tax ID of Subject Property: H-4138-L & H-4138-E Existing Zone District: A-5

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) RR

Resort Recreation zoning to expand the existing resort zoning to allow for additional amenities and parking/ boat trailer storage for residences.

Submittal Requirements: The zone change application shall provide the following:

- ☒ a. The name and address of every person or company the applicant represents.
- ☒ b. An accurate 11 x 17-inch property map showing the existing and proposed zoning classifications.
- ☒ c. All abutting properties showing present zoning classifications.
- ☒ d. An accurate legal description of the property to be rezoned.
- ☒ e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- ☒ f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Application Complete: YES ____ NO ____

Date application deemed to be complete: _____ Completion determination made by: _____



STAFF COMMENTS

Agenda Date:	05/12/2022
Application Number:	2022-ZC-17
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Pecan Valley Holdings LLC
Agent:	Chris Wyler/Civil Science
Request:	A Zone Change from A-5 to RR
Location:	5300 W 2600 S
Zoning:	A-5
General Plan Map:	Planned Community

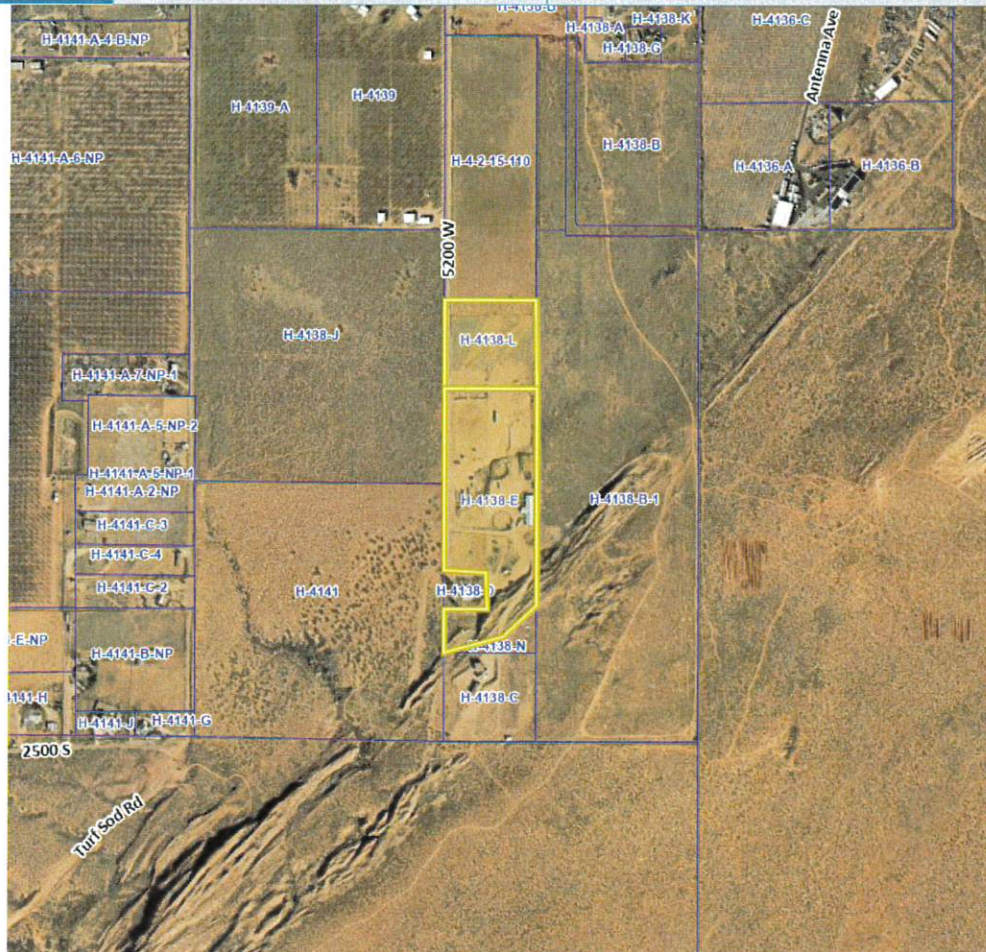
Update 5/25/2022: The applicant requested this item be continued at the last Planning Commission meeting because he could not attend. The applicant indicated to staff he would turn in a new plan that addresses some of staff's concerns but as of this writing nothing has been turned in.

Discussion:

The applicant is seeking to add an additional 18 acres to the already approved Pecan Valley resort. This addition will add parking for boats and RVs as well as approximately 97 additional units for the resort bringing the total number within Pecan Valley Resort to be about 540 units. The applicant has also turned in a preliminary site plan for the entirety of the remaining phases of the development.

	Zoning	Adjacent Land Use
North	A-5	Undeveloped property
East	RR, R1-15	Pecan Valley Resort and Pecan Valley Estates

South	A-5, RA-1	Undeveloped property
West	A-5	Undeveloped property



Zone Change Factors:

As per Hurricane City Code 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 it defines as: *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.*

Generally the City has been supportive in the past of allowing Recreation Resort in the Planned Community section of the General Plan Map. The General Plan also encourages the City to take advantage of our “unique location” to attract tourists.

Hurricane is in a unique location with close proximity to several national and state parks and a celebrated network of mountain biking trails. Capitalizing on this national and state-wide trend will have huge economic benefits and can create hundreds of jobs each year. (Hurricane City General Plan, 2021, p. 50)

and

OUR ECONOMY VISION

In 2030, Hurricane has a strong and resilient economy that is supported by a variety of industrial and manufacturing, recreational tourism, local businesses, and healthcare facilities with employment opportunities that offer living-wage jobs. While there are many opportunities for living-wage jobs, and the City's downtown has activities, dining, and retail for residents, employees, and visitors to enjoy, the City maintains a small-town feel.

THIS MEANS:

- » Creating more opportunity for living-wage jobs*
 - » Capitalizing on local tourism industry to bring in new strings of revenue*
 - » Creating vibrant public places downtown for residents and visitors to gather*
 - » Encouraging development of a new health care facility*
 - » Encouraging more restaurants, bars, and retail options*
- (Hurricane City General Plan, 2021, p. 53)*

Though staff would recommend not to open up every area for resort or short term rentals, finding appropriate spaces for resorts likely would add to the local economy of Hurricane.

Recreation Resort zoning can also serve as a residential use. People who buy or rent a unit within the zone are able to occupy the unit long term, whereas commercial settings, motels and hotels, are not allowed for long-term renters. Recreation Resort zoning allows for up to 15 units an acre.

This area is currently zoned A-5, agricultural one unit per 5 acres, there are many agricultural uses and larger homesteads in the area. The General Plan says: *1.1. Hurricane encourages the preservation of farms and open pastures that recall the agricultural heritage of Hurricane and help provide a sustainable local food source.* A buffer area between agriculture and resort use would be appropriate but is not provided by this plan.

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

Response: Most of the area is agriculture, undeveloped, or other phases of Pecan Valley Resort.

3. Will the proposed amendment affect the adjacent property?

Response: The proposed zoning will have an impact on the surrounding property. Less so than the overall development but the impact will be felt as the high density resort moves further into the agricultural area.

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

Response: Services are currently inadequate but the applicant is currently working to get utilities to the property. significant off-site improvements are required.

Other Considerations:

Per Hurricane City Code Recreation Resorts 10-26-5:

B. In addition to the items required by 10-7-7, the City shall consider the following criteria in assessing any zone change application.

- 1. General Plan Map: Recreation Resort Zoning shall be located in Commercial, Planned Community, Mixed Use, or Multi-Family areas as labeled by the General Plan Map.*
- 2. Recreation Resort Zoning shall avoid clustering in a single location, and should be limited in size relative to the commercial or multi-family zoned area. Only in rare cases should a recreation resort zone exceed 20 acres.*

3. *Recreation Resort Zoning shall only be located adjacent to Major Collectors, Minor Arterials, or Major Arterial Roads.*
4. *Recreation Resort Zoning should help add to the commercial viability of an area within commercial areas listed in the General Plan Map. It may do this by adding commercial amenities, tourism, or renewed development of an area.*
5. *Recreation Resort Zoning should not conflict with long term housing and moderate income housing needs of an area. Recreation Resort Zoning should not be located in places where multi-family housing could be built that would have easy access to public amenities and services, such as schools, parks, and utilities.*

1. The property is located in the Planned Community portion of the General Plan Map
2. Even without this addition Pecan Valley Resort already exceeds 20 acres and is the largest development in the area
3. There are no master planned roadways adjacent to this property. The nearest master planned roadway is 5140 W which is a minor collector
4. Not applicable
5. This property does not have easy access to public amenities and services. While multifamily may not be ideal on this property, long-term residential could be, as is planned to the southeast.

Vacation Rentals

The city has 4757 vacation rentals built or approved in the past few years. The vast majority of these approved units have not been built yet so their effect on the local economy, housing market, and community at-large have yet to be fully felt or realized. Generally, staff would not recommend the approval of any more vacation rentals unless some amenities or other attractions are included in the proposal. The property's location within the already approved Pecan Valley may satisfy that, however other considerations like property location and density should be taken into account.

Recreation Resort Zones	
Development	Approved Number of Units
Bash Resort	353
Copper Rock	774
Coral Canyon	140
Cordero	148
Desert Sands	354

Horseman's Edge	15
Marla	121
Pecan Valley	540 (if approved)
Sand Hollow	702
Sand Hollow Gateway Resort	885
Sand Hollow Mesa	707
Zion Hub	37
Zion Village	89
Total	4865

Preliminary Site Plan Review

Applicant has submitted a site plan for phases 6-11 of Pecan Valley Resort which includes the rezoned area.

JUC Comments:

Power: Dixie Power area. Still waiting on off-site improvements. Probably will have enough capacity when they get to this part

Water: Need an updated water model. Water is in the area but could be limited with this increase.

Streets: Traffic flow on Turf Sod Road concerns. Need a road through to Dixie springs.

Sewer: A lot of off-site sewer that will be needed for this property. May need a regional lift station.

Engineering: A lot of impact out there. Access issues, we will need a road punched out to Turf Sod Road. We need improvements to the western end of Washington Dam Road, it should all be paved.

Fire: Water supply and access

Gas: No concerns.

Staff Comments:

1. **Density:** The density is about 5.3 units per acre for the zone change area, 6.75 units per acre for the whole area. Density cap is 15 units per acre in RR zoning
2. **Parking:** Per HCC 10-26-6:

E. Off street parking: Parking shall comply with the following standards.

1. *Within recreational resorts, an application shall provide two parking spaces per unit or one space per bedroom, whichever is higher. Tandem parking spaces are permitted only if approved as part of the preliminary site plan by the Planning Commission.*

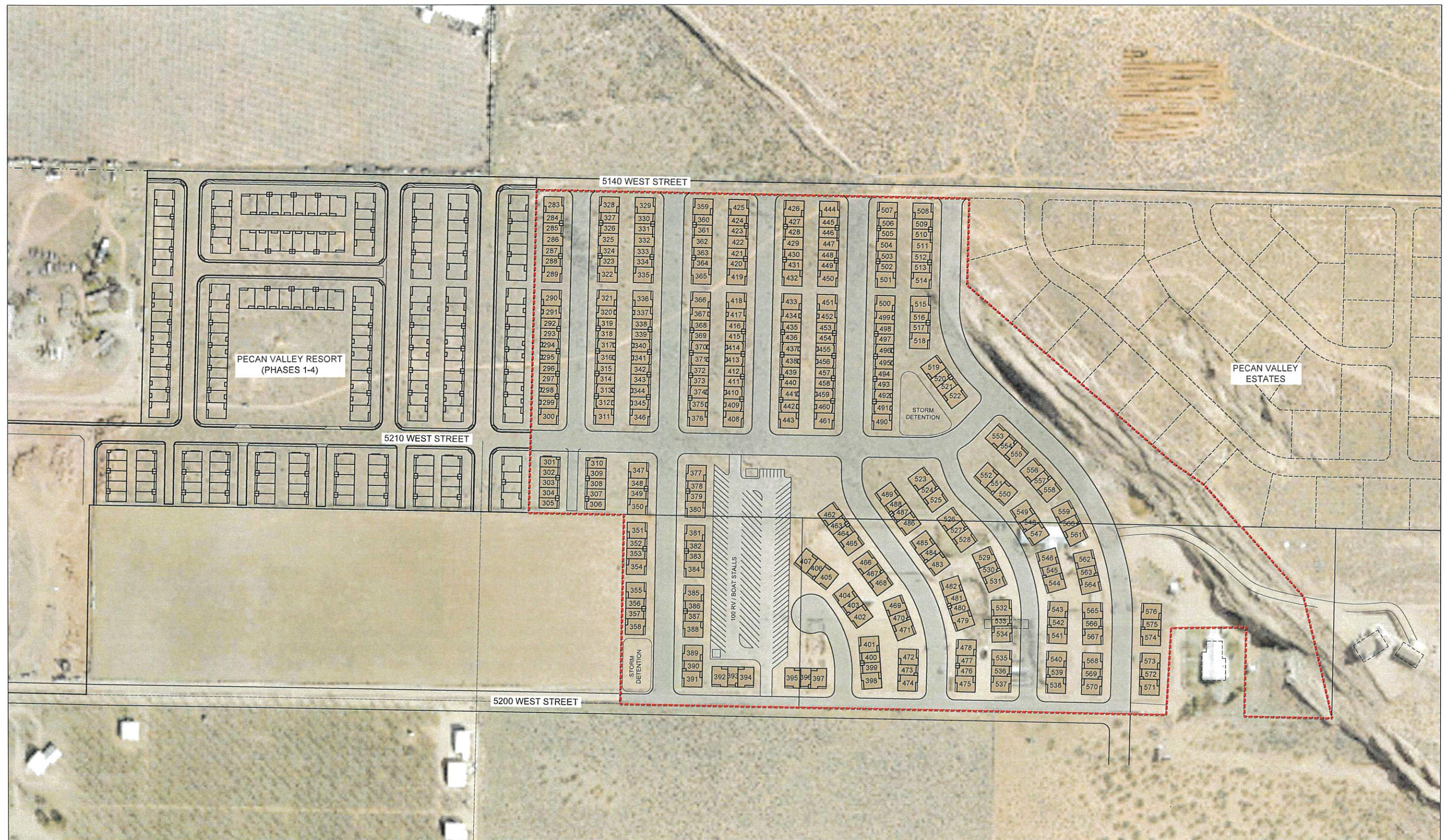
2. *RV and Trailer Parking: An applicant shall provide sufficient parking areas for RV's and trailers. A minimum of one RV/trailer parking space shall be provided for every 5 units.*
 - a. More information is required but one would presume all of these units will have garages to fulfill part 1's requirement
 - b. 100 RV/boat stalls are provided which is sufficient for this phase of the development.
3. **Amenities:** Per Hurricane City Code 10-26-4: 3 clubhouses with 3500 sq ft of total non office space and 5 pools of at least 3000 sq ft total are required. Earlier phases of Pecan Valley Resort provided at least 2 clubhouses and 2 pools. As well:
 - a. *These amenities should be centrally located and have walking trails or sidewalks for access. Where applicable, multiples of amenities should be placed throughout the property to ensure equitable access.*
 - b. With these newer phases the amenity areas are now clustered towards the north end. Staff would recommend another amenity area be located near the southern end
4. A table providing the percentage of building coverage should be provided
5. The southernmost roadway running east-to-west creates a double-fronted lot in Pecan Valley Estates. Double fronted lots are not permitted by city code

Findings:

Staff makes the following findings:

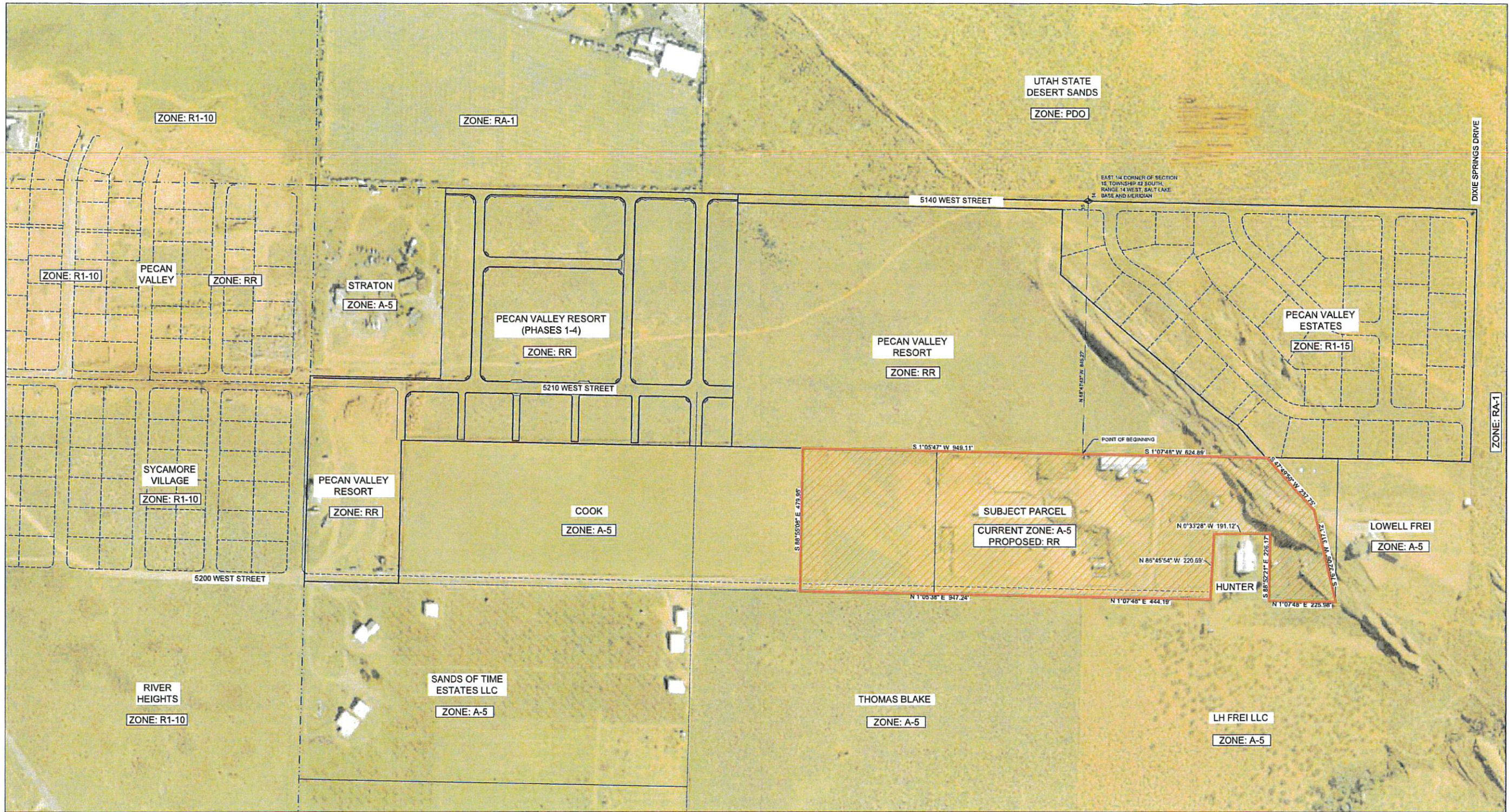
1. The application only partially meets the standards set by the General Plan and the General Plan Map.
2. Generally, the uses are harmonious with some but not most of the surrounding development.
3. The proposed amendment will have an impact on the area.
4. Services are currently inadequate to serve the area and proposed project but plans are already in motion to get services near this property.
5. The application does not meet many of the requirements of rezoning a property to Recreation Resort
6. The Preliminary Site Plan provided is missing some key items required in the Recreation Resort zone

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Staff would recommend denial of this zone change.



- 295 TOWN HOME UNITS
- 43.7± ACRES
- DENSITY: 6.75 D.U./ACRE
- RESORT RECREATION ZONING





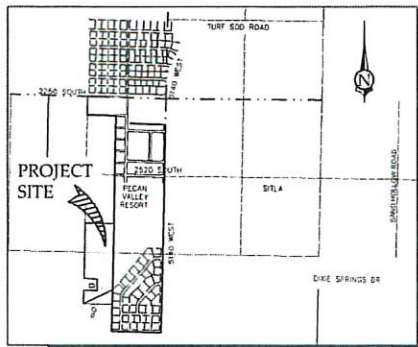
**PARCEL H-4138-E & H-4138-L
COMBINED LEGAL DESCRIPTION**

BEGINNING AT A POINT N 88°41'43" W 845.27 FEET ALONG THE CENTER SECTION LINE OF SECTION 15, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, FROM THE EAST QUARTER CORNER OF SAID SECTION 15, POINT BEING ON THE WEST LINE OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 2021017450, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE S 1°07'48" W 624.89 FEET ALONG SAID LINE, TO THE NORTH-EAST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 2020015183, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE ALONG SAID PARCEL, THE FOLLOWING TWO (2) COURSES, (1) E 47°40'59" W 237.76 FEET, (2) THENCE S 76°32'50" W 317.12 FEET, TO A POINT ON THE EAST 1/16TH LINE OF SAID SECTION 15, THENCE N 1°07'48" E 225.99 FEET ALONG SAID LINE, TO THE SOUTHWEST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 2017055011, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE ALONG SAID PARCEL, THE FOLLOWING THREE (3) COURSES, (1) S 89°52'21" E 226.17 FEET, (2) THENCE N 0°33'28" W 191.12 FEET, (3) THENCE N 86°45'54" W 220.69 FEET, TO A POINT ON THE SAID EAST 1/16TH LINE, THENCE N 1°07'48" E 444.19 FEET ALONG SAID LINE, TO THE CENTER EAST 1/16TH CORNER, THENCE N 1°05'36" E 847.24 FEET ALONG THE EAST 1/16TH LINE OF SAID SECTION 15, TO THE SOUTHWEST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 2014001112, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE S 88°55'03" E 479.95 FEET ALONG THE SOUTH LINE OF SAID PARCEL, TO A POINT ON THE WEST LINE OF SAID PARCEL, MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20210017450, THENCE S 1°05'47" W 949.11 FEET ALONG SAID LINE, TO THE POINT OF BEGINNING.

CONTAINS 16.09 ACRES MORE OR LESS

4/11/2022

CivilScience
Engineers | Surveyors | Solutions
1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100



PECAN VALLEY HOLDINGS LLC
5183 W.3049S
HURRICANE, UT 84737
CHRIS WYLER
WYLITILE@GMAIL.COM

**ZONE CHANGE EXHIBIT
RESORT RECREATION
PECAN VALLEY**

PRELIMINARY SITE PLAN REVIEW APPLICATION

City of Hurricane

147 North 870 West

Hurricane, UT 84737

(435) 635-2811

FAX (435) 635-2184

Fee \$200.00

For Office Use Only:

File No. 2022-PSP-i8

Receipt No. 7-694021

Name: Standard Plumbing Telephone: 801-255-7005

Address: 9150 South 300 West, Sandy, Utah 84070 Fax No. _____

Agent (If applicable): Evans & Associates Architecture
Chad Spencer Agent's Phone: 801-450-5113

Email: _____ Agent Email: chad@studio-ea.com

Address/Location of Subject Property: 1555 West State Street

Tax ID of Subject Property: 163512 Zone District: HC

Proposed Use: (Describe, use extra sheet if necessary) A retail store and warehouse for
Standard Plumbing.

This application shall be accompanied by the following:

- ☒ 1. A vicinity map showing the general location of the project.
- ☒ 2. Three (3) copies of a site plan showing:
 - ☒ Topography showing 2' contours, identification of 30% or greater slopes;
 - ☒ The layout of proposed uses;
 - ☒ Location of open space when applicable;
 - ☒ Proposed access to the property and traffic circulation patterns;
 - ☒ Adjoining properties and uses;
 - ☐ Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any;
- ☒ 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities;
- ☒ 4. Tables showing the number of acres in the proposed development and a land use summary; and
- ☐ 5. A phased development plan if applicable.
- ☒ 6. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and the fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Received by: _____



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-PSP-18
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Standard Plumbing
Agent:	Evans & Associates Architecture Chad Spencer
Request:	Approval of a Preliminary Site Plan
Location:	1631 W State St
Zoning:	HC
General Plan Map:	Commercial

Discussion:

The applicant has filed a preliminary site plan for a retail store and warehouse for Standard Plumbing. This site is located on State St between the Dollar Tree and the Baptist Church.

JUC Comments

The following items will need to be addressed:

1. **Public Works:** Need to provide for 1580 W. Water is on the northside of State St
2. **Power:** Power is in the area. Overhead power lines may need to be relocated or be put underground at developer's expense. Contact Hurricane City Power for load calculations
3. **Water:** Need water use for the building to determine meter size.
4. **Street:** No comment
5. **Sewer:** Sewer is not readily available. Off-site sewer will be required.
6. **Engineering:** Reconstruct curb, gutter, and sidewalk. Cross access is encouraged, contact the Baptist Church to see if they are interested. If so, connect the parking lots together
7. **Fire:** No comment
8. **Phone:** No comment
9. **Gas:** No comment



Staff Comments: Preliminary Site Plan

1. The proposed use is a permitted use in the Highway Commercial zoning. While warehousing is not a permitted use the City has found it acceptable as long as there is a retail component
2. Parking Requirements:

Retail, general	1 space per 250 square feet of gross floor area
Warehouse, self-service storage	1 space per employee on highest employment shift

- They are proposing 62 parking spots which for an approximately 32,000 sqft building is probably sufficient. More detail on the parking plan will be required with the final site plan.
3. Landscape: Hurricane City code requires that a landscape buffer of 10' wide shall front each right-of-way. The site plan does show this area.

Sec. 10-32-5. Required landscaping.

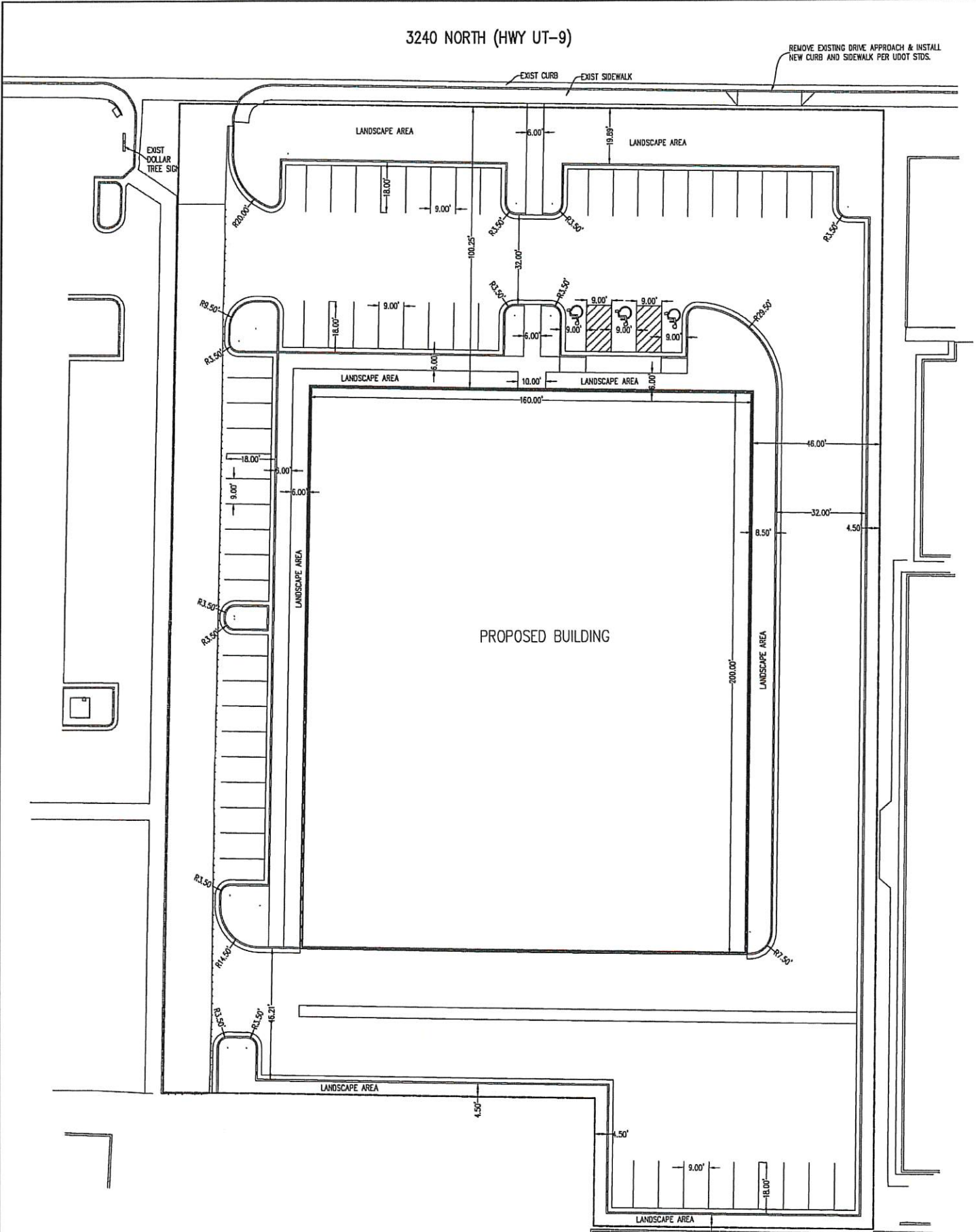
A. General requirement. Landscaped areas may include trees, shrubs, vegetative, organic and inorganic ground cover and other organic and inorganic materials identified in an approved landscaping plan. All required landscape areas shall be occupied by plant material or ground cover.

B. Landscaping adjacent to a public street. Except for approved driveways and pedestrian walkways, a landscaped area of ten-foot minimum shall be provided adjacent and parallel to the frontage of a public street as follows:

- 1. A ten-foot wide landscaped area on any commercial development.*
- 2. At least one tree and three shrubs shall be planted for every 35 feet of street frontage in a required landscaped area. Such trees and shrubs may be clustered, provided that no tree shall be within five feet of another.*
- 3. The slope of any earth berm shall not exceed a vertical to horizontal ratio of one to two and shall be treated with suitable ground cover to prevent soil erosion.*
- 4. The address on the site plan is incorrect. The actual address is 1631 W State St.*
- 5. The lot is flat and the staff does not have any concerns about slopes on the property.*
- 6. Staff would encourage connectivity between the neighboring properties in this area.*
- 7. A preliminary site plan is not intended to permit actual development of property pursuant to such a plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development. (Hurricane City Code 10-7-10 (D)(2)(b))*

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend approval of this preliminary site plan subject to JUC and staff comments.

STANDARD PLUMBING



SITE LAND USE TABULATIONS

PROPERTY AREA:	2,165 ACRES/94,315 S.F. =	100%
COMMON DRIVE ASLE:	6,367 S.F. =	6.8%
LANDSCAPE AREA:	13,791 S.F. =	14.6%
BUILDING AREA:	32,000 S.F. =	33.9%
PARKING/WALK AREA:	42,157 S.F. =	44.7%
PARKING LOT AREA:	21,130 S.F.	
PARKING LOT LANDSCAPE AREA:	2,334 S.F. =	11%
ZONE: HC HIGHWAY COMMERCIAL		

PARKING TABULATIONS:
PARKING PROVIDED INCLUDING ADA = 62 STALLS
ADA STALLS REQUIRED: 3 STALLS
ADA STALLS PROVIDED: 3 STALLS (INCLUDES 1 VAN STALL)

GENERAL NOTES

1. ALL CONSTRUCTION TO BE PER CITY OF HURRICANE CONSTRUCTION STANDARDS AND SPECIFICATIONS.
2. PROJECT TO BE CONSTRUCTED IN ONE PHASE.
3. SITE LIGHTING WILL BE BUILDING MOUNTED.



Know what's below.
Call before you dig.

LAND SURVEYOR:
ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
801-521-8529

BENCH MARK

EXISTING SEWER MANHOLE RIM AT
NORTHEAST CORNER OF THE
SITE=3213.56



David W. Peterson, P.E., License #270393
12 West 100 North, Suite 201C, American Fork, UT 84003
P: (801) 756-1504; david@excelcivil.com

SHEET INDEX

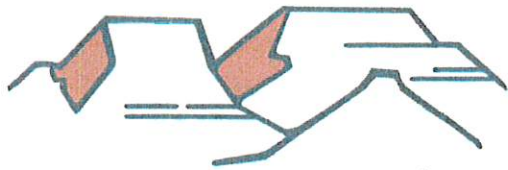
- | | |
|------|-------------------------------------|
| C1 | PRELIMINARY SITE PLAN |
| C2 | PRELIMINARY UTILITY PLAN |
| C3 | PRELIMINARY GRADING & DRAINAGE PLAN |
| ALTA | ALTA SURVEY |

REVISIONS

[illegible]

STANDARD PLUMBING

HURRICANE		1555 WEST STATE STREET	UTAH
Drawn by: G.J.Y.	PRELIMINARY SITE PLAN		Scale: 1"=20'
Designed by: G.J.Y.			Date: 04/22/22
Checked by: D.W.P.			C1



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

**AGRICULTURAL PROTECTION AREA
APPLICATION**

For Office Use Only: No Fee

File No. 2022-APA-01

Receipt No. _____

APPLICATION & SUBMITTAL CHECKLIST

Name: Annie Reeve Telephone: (435) 879-9693

Address: 902 S. 700W. Fax No. _____

Email: Samantha-black1@hotmail.com

Agent (If applicable): _____ Agent's Phone: _____

Agent email: _____

Address of Subject Property: 902 S. 700 W. , 1075 S. 700 W.

Tax ID of Subject Property: H-3-2-3-304 | H-3-2-3-2418 Zone District: RA-1

Proposed Conditional Use: (Describe, use extra sheet if necessary) it's used for hay operation and feed lot.

To be included in an agriculture protection area established within Hurricane City land must consist of at least five (5) contiguous acres.

The application shall include:

1. The land in agriculture production that the proposal sponsors wish to become part of an agriculture protection area.

2. Any limits on the types of agriculture production to be allowed within the agriculture protection area: No

3. For each parcel of land: (a) The owners of the land contained within the parcel; (b) The tax parcel number or account number of each parcel; and (c) The number or account number of acres as listed on the parcel tax records.

Owners Name(s)	Tax Parcel #	# of acres
Annie Reeve	H-3-2-3-304	10.03
Annie Reeve	H-3-2-3-2418	1

In order for this to be a complete application, it shall include:

- (a) A plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area.
- (b) Application fee, if any, as outlined on the city fee schedule, available from the city recorder/clerk.

In order to apply for agricultural protection, the area being proposed must be evaluated based upon State Code 17-41-305, Criteria to be applied in evaluating proposals for the creation of agriculture protection areas.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area the advisory committee, planning commission, and county commission shall apply the following criteria:

1. Whether or not the land is currently being used for agriculture production.
2. Whether or not the land is zoned for agriculture use.
3. Whether or not the land is viable for agriculture production.
4. The extent and nature of existing or proposed farm improvements; and
5. Anticipated trends in agriculture and technological conditions.

*NOTE: the term agricultural production is defined by state law as follows:

State Code 17-41-101 Definitions

"Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

List the type(s) of agricultural production that is currently occurring on the parcel(s) being included:

Alfalfa and feed lot

Is the parcel(s) irrigated? H-3-2-3-304 is, but H-3-2-3-2418 is not

Describe the types and number of structures that are located on the parcel(s):

H-3-2-3-204 - House and sheds

H-3-2-3-2418 - sheds and grain bins

List the extend and nature of existing or proposed farm improvements:

Keep it as am a hay operation and feed lot.

What do you anticipate being the trends in agriculture and technical conditions for the *agriculture production* on the parcel(s)?

being able to keep processing hay to feed my cows on the feed lot.



Signature of Applicant(s)

April 28, 2022

Date

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

Agenda Date:	05/25/2022
Application Number:	2022-AP-01
Type of Application:	Agriculture Protection Overlay
Action Type:	Legislative
Applicant:	Annie Reeve
Agent:	
Request:	A report for the City Council on a proposal to create an Agricultural Protection Area
Location:	902 S 700 W, 1075 S 700 W
Zoning:	RA-1
General Plan Map:	Single Family

Discussion: This request is not to change the zone but protect the land with an Agricultural Protection Area Overlay Zone. The total size is 11 acres. State and City codes set the standards for review by the Planning Commission and the County Agricultural Protection Area Advisory Committee. An Agricultural Protection Area grants certain legal protections to the property, including preventing forced rezoning the property, providing a defense against nuisance actions, notice to new subdivisions, and limiting eminent domain actions. These protections are found in the Utah Code, sections of which are included in this report.

The Dixie Conservation District has been reached out to about reviewing this application but no confirmation has been given yet. Per Hurricane City Code: *“If the Planning Commission or the Advisory Board fail to submit a report within 45 days, the City Council shall consider their failure to report as an approval of the proposal.”*

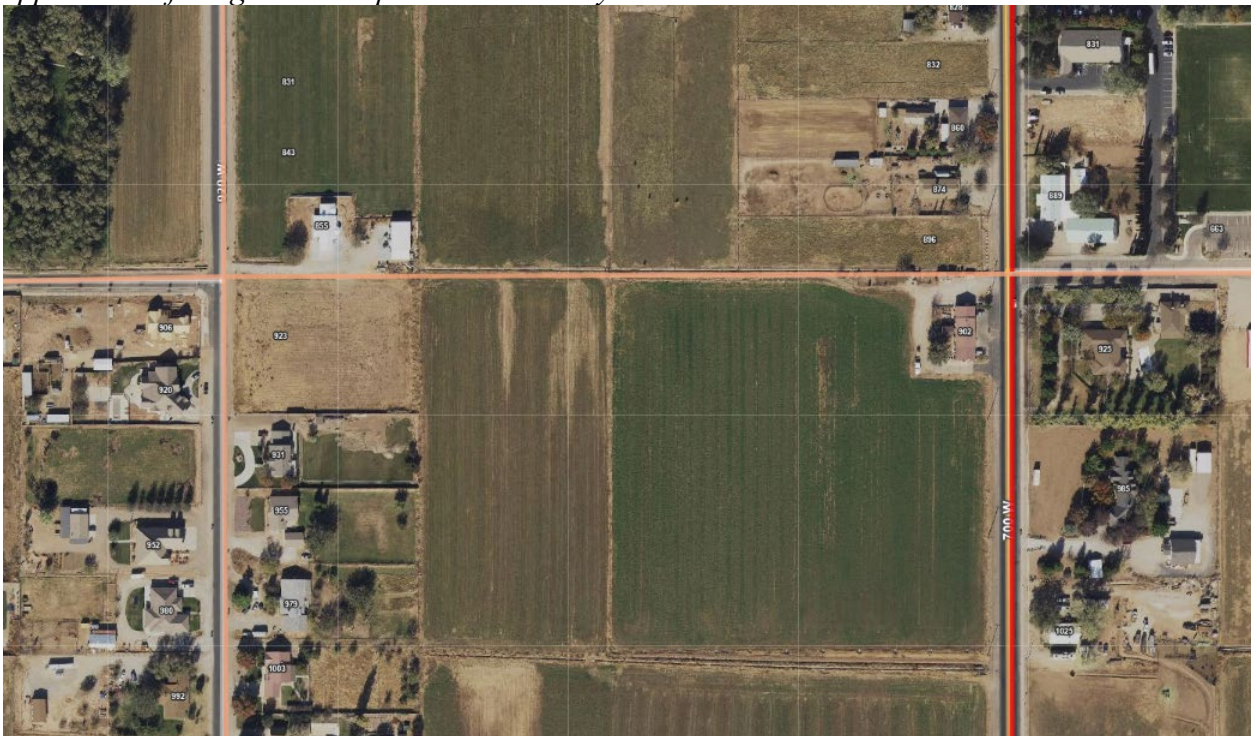
	Zoning	Adjacent Land Use
North	RA-1	Single family homes, some agriculture
East	RA-1	Single family homes, some agriculture
South	RA-1	Single family homes, some agriculture
West	RA-1 and PF	Single family homes, some agriculture, Three Falls Park

This proposal is over two parcels owned by the same owner, one H-3-2-3-304 is ten acres and H-3-2-3-2418 is one acre. Utah State Code 17-41-301 states that, *“A county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area.”* Hurricane City Code 10-21-3 states that, *“A minimum area of five contiguous acres shall be included in an agriculture protection area.”* The two parcels are not contiguous with each other and thus cannot be counted together.

The criteria set by State law (17-41-303) for a *“written report to the legislative body”* is that it:

1. *Analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of themunicipality.....:*

The 2021 General Plan states that the city should *“Encourage the use of and support applications for agricultural protection overlay zones.”*



The City does have a future Master Plan Road (900 S) that traverses the property on the

northern boundary that should be considered (shown above). An Agricultural Protection Zone could make it more difficult for the City to secure the property for a roadway in the future if needed. This would include for future utilities that may run in the area. However, these roadway and utilities will likely not be needed until the property is being considered for development.

2. *Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305 –*

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

- (1) *whether or not the land is currently being used for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*
- (2) *whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;*
- (3) *whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*
- (4) *the extent and nature of existing or proposed farm improvements, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and*
- (5)
 - (a) *in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;*
 - (b) *in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question; or*
 - (c) *in the case of a critical infrastructure materials protection area, anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.*

The current agricultural uses include a hay operation and feed lot for a number of cows. The applicant only wants to continue with its current use. The Zoning is RA-1.

3. *Recommends any modifications to the land to be included in the proposed agricultural protection area.*

Staff would recommend the Planning Commission not include parcel H-2-3-2-2418 as it's inclusion would violate city ordinance.

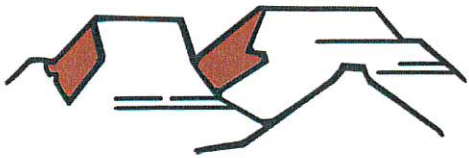
4. *Analyzes and evaluates any objections to the proposal.*

An objection to this proposal has been received and included in this packet.

5. *Includes a recommendation to thelegislative body to either accept, accept and modify, or reject the proposal.*

See the attached letter

Recommendation: Staff recommends the Planning Commission review the evaluation criteria, discuss the application with the applicants, and recommend approval of the attached letter to the City Council.



HURRICANE CITY

UTAH

Planning Commission

May 25, 2022

Subject: Report to City Council on proposed Agricultural Protection for Parcel H-3-2-3-304

Hurricane City Council,

The Planning Commission forwards the following findings regarding Agricultural Protection Overlay 2022-AP-01:

1. The land is currently being used for agricultural production or has plans to be used for immediate agricultural production.
2. The land is zoned for agricultural uses, RA-1
3. The land is viable for agricultural use
4. The property is congruent with agriculture protection zones
5. Approving the use of this land for agriculture is consistent with current and expected technological trends in agriculture.

Future Use

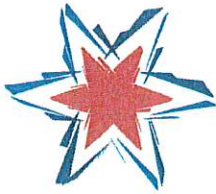
1. The General Plan maps have the area listed as Single Family
2. 700 W and Future 900 S are located adjacent to the property. Most roadways are not fully developed until the property is developed.

Parcel H-2-3-2-2418

The Planning Commission does not recommend including parcel H-2-3-2-2418 as its inclusion would violate city ordinance.

Recommendation

The Planning Commission recommends that the City Council approve the overlay request for parcel H-3-2-3-304.



INTERSTATE ROCK PRODUCTS

42 S 850 W - Hurricane, UT 84737
(435) 635-2628 - www.interstaterock.com

5/18/2022

Dear Planning Commission,

We are writing to you as it has been requested by our client, Pete Dratter, in regards to the Agricultural Protection Zone which has been proposed for parcel H-3-2-3-304.

While we do not have an issue with the agricultural protection zone and its stipulations, we do have concerns with how it could affect future development for our client as it pertains to parcel H-3-2-3-304 specifically.

Some of the issues we would recommend taking into consideration are as follows:

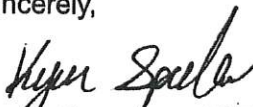
- How will this proposed zone affect the ability to build the future master plan road, 900 South, and its utilities as development progresses and street connectivity continues to be a necessity?
 - 30 feet of the 60 foot right-of-way would be included within the aforementioned zone which would make a narrow 17 foot asphalt road for incoming and outgoing vehicles if only half of the road is able to be installed.
 - As utilities are needed on both sides of the road, having this aforementioned zone overlay will make it a longer and more difficult process to get the needed infrastructure.
 - Tailwater issues could potentially damage the future roadway while waiting for the needed approvals to get facilities installed to mitigate flooding and damage.

We urge you to look at the master plan which the community created and see how this protection zone will affect all of the surrounding citizens and land owners.

We ask that if you recommend this proposal for approval to City Council that you recommend it with the stipulation that a total of 40 feet along the north side of the parcel be excluded from the protection zone to enable the improvements to be established with ease. If this is not the concluding decision we ask that you push to allow any developers who might be improving the future master planned road be allowed to only improve $\frac{1}{2}$ of the master plan road instead of requiring the standard $\frac{2}{3}$ upon development.

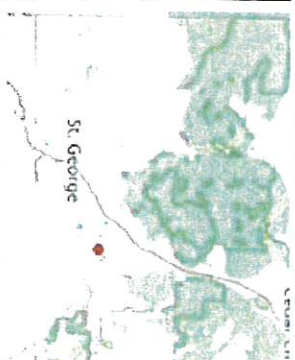
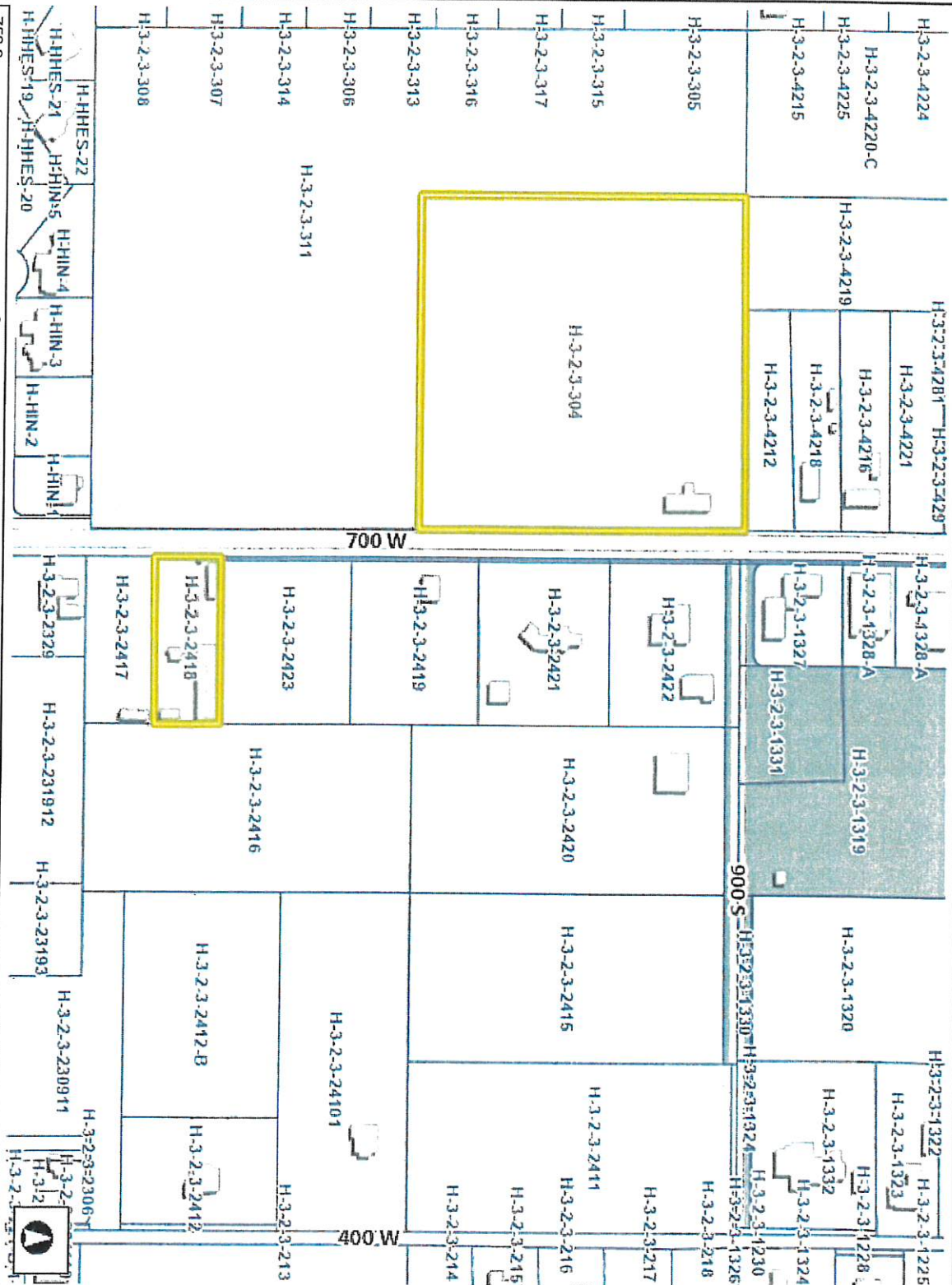
Thank you for your time.

Sincerely,


Kysen Spendlove, EIT



Ag Protection Areas

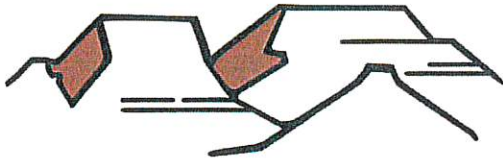


Legend

- ☐ Parcels
- Ownership**
 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wildlife
 - National Park Service
 - Shivwits Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Water
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim

Notes

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee
File No. 2022-PP-07
Receipt No. 7.693920

Name: PERRY DEVELOPMENT LLC Telephone: (435) 251-9818

Address: 2250 CORAL CANYON BLVD, STE 215, WASHINGTON 84780 Fax No. _____

Email: GREG.PERRYHOMESUTAH@GMAIL.COM Agent Email: GREG.PERRYHOMESUTAH@GMAIL.COM

Agent (If Applicable): GREG SANT Telephone: (435) 414-4444

Address/Location of Subject Property: 600 NORTH 2800 WEST

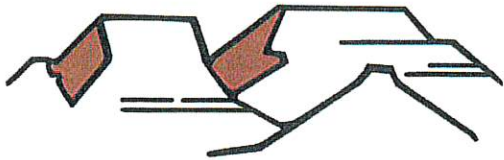
Tax ID of Subject Property: H-3-1-30-2203, H-3-1-30-2213 Zone District: R1-8

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

RESIDENTIAL DEVELOPMENT, 269 RESIDENTIAL UNITS

Submittal Requirements: The preliminary plat application shall provide the following:

- ☒ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
 - ☒ a. The proposed name of the subdivision.
 - ☒ b. The location of the subdivision, including the address and section, township and range.
 - ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ☒ d. Date of preparation, and north point.
 - ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ☐ 2. Existing Conditions: The preliminary plat shall show:
 - ☒ a. The location of the nearest monument.
 - ☒ b. The boundary of the proposed subdivision and the acreage included.
 - ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ☒ d. The location, width, and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ☒ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
 - ☒ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.



PLANNING & ZONING HURRICANE CITY UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

SENSITIVE LANDS APPLICATION

For office use only:

File No. _____

Receipt No. _____

Name: PERRY DEVELOPMENT LLC Telephone: (435) 251-9818

Address: 2250 CORAL CANYON BLVD, STE 215, WASHINGTON 84780 Fax No. _____

Email: GREG.PERRYHOMESUTAH@GMAIL.COM Agent Email: GREG.PERRYHOMESUTAH@GMAIL.COM

Agent (If Applicable): GREG SANT Telephone: (435) 414-4444

Address/Location of Subject Property: 600 NORTH 2800 WEST
H-3-1-30-120, H-3-1-30-2213

Tax ID of Subject Property: H-3-1-30-2203, H-3-1-30-211 Zone District: R1-8

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

RESIDENTIAL DEVELOPMENT, 269 RESIDENTIAL UNITS

Other companion application submitted with the Development Plan:

- ☒ Preliminary Plat
- ☐ Site Plan Review
- ☐ Conditional Use Permit
- ☐ Rezone
- ☐ Other

Submittal Requirements:

Please review the attached Supplemental Information to determine additional information that must be submitted with this application.

DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

The following information shall be submitted with the application for Development Plan approval, and may be in addition to information required for a companion application being processed concurrently with the Development Plan:

1. Development plan: The development plan shall clearly show:

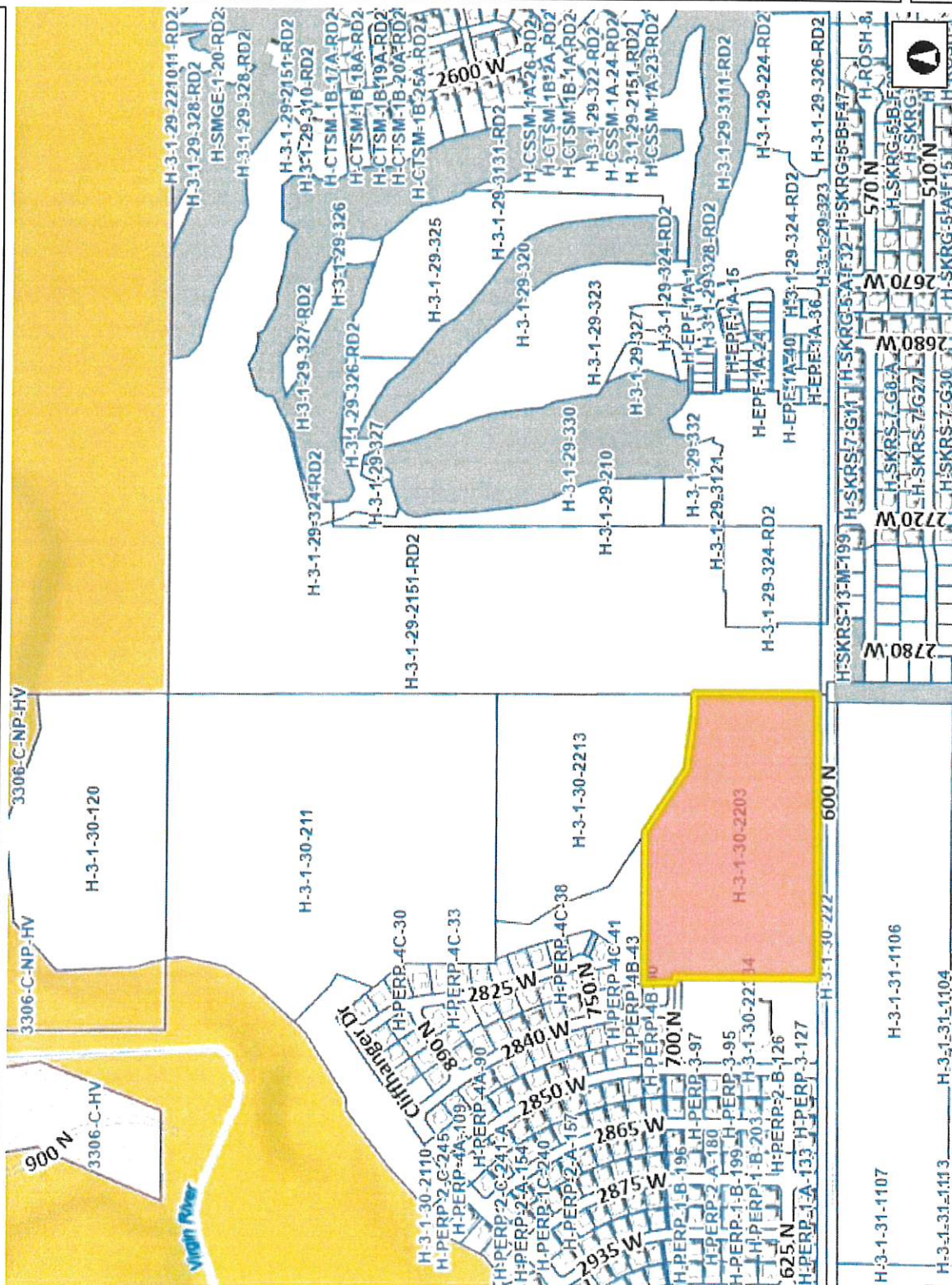
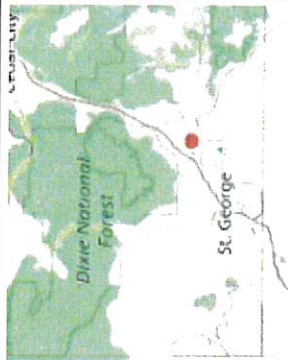
☒ a. Two (2) foot contours. The contour map shall be prepared and certified by a licensed professional civil engineer or surveyor drawn at a scale no smaller than one (1) inch equals one hundred (100) feet. Contour maps based on interpolation of maps with larger contour intervals are not acceptable.

☒ b. Field surveys may be required of the applicant by the City to verify the accuracy of the contour lines shown on the contour map.)

☒ c. Slopes having grades of 10-29 percent and natural slopes of thirty (30) percent or greater shall be color shaded clearly showing the difference between the two categories. This contour information shall either be



Title



Legend

Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Shovelts Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

Water Conservancy District

State Assessed Oil and Gas

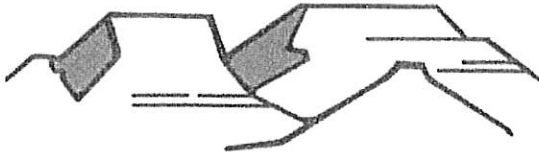
Mining Claim

Notes

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1,504.7 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere



HURRICANE CITY UTAH

*Water Department
Ken Richins, Superintendent*

May 3, 2022

To Whom It May Concern:

A will serve letter has been requested for Peregrine Pointe East located at approximately 2800 W 600 N in Hurricane, Utah.

Yes, we do have culinary water in the area of 2800 W 600 N in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

Hurricane City Water – Dallan Wadsworth



Ash Creek Special Service District

1350 S. Sand Hollow Road
Hurricane, UT 84737
Office: (435) 635-2348 Fax: (435) 635-8550
ashcreek@infowest.com

May 4, 2022

Hurricane City
Stephen Nelson
127 N. 870 W.
Hurricane, UT 84737

RE: Shadow Mountain at Peregrine Point East

Stephen,

There is sewer capacity for this project. Sewer lines will need to be extended to reach the project area. The developers understand and agree that they will need to get plan approval for the sewer system.

After approval, they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

Gary Wilcox
Inspections Department
Ash Creek Special Service District



STAFF COMMENTS

Agenda Date:	5/25/2022
Application Number:	2022-PP-07 2022-HIL-04
Type of Application:	Preliminary Plat and Sensitive Lands Application
Action Type:	Administrative
Applicant:	Perry Development LLC
Agent:	Greg Sant
Request:	Approval of a preliminary plat and sensitive lands application
Location:	600 N and 2800 W
Zoning:	R1-8 PDO
General Plan Map:	Single Family Residential

Discussion: The applicant is seeking a preliminary plat for an 100.1 acre 274 lot subdivision located just east of Peregrine Pointe. This plat will fill in the gap between Sky Mountain and Peregrine Pointe and cross both PDOs according to the zone map. The plan consists of 117 townhome units, 48 duplex units, and 109 single family homes.

3. This property has been under consideration for development since at least 2003. This property has been, at different times, considered part of both Peregrine Pointe and Sky Mountain. 2800 W has usually been delineated as the dividing line between the two projects.
 - a. This plan very broadly complies with the original master plan for the area, except for the realignment of 2800 W and the addition of some multifamily housing.
 - b. According to the master plan agreement:
 - i. *“In order to meet the community vision of being market driven, the general land use for the site will be mixed-use, including, but not limited to the following product types:*
 1. *Low-density single family detached housing with private streets-production and custom housing*
 2. *Low-density single family detached housing with public streets-production and custom housing*
 3. *High density residential, attached and/or detached, will be generally concentrated along 600 North, although some interior high density may ultimately be desired. This product type may take the form of condominium, townhouse or suitable variant*
 - ii. *“It is beyond the scope of this document to specify exact lot, utility, and road alignment. This will be accomplished during the preliminary plat process”*
 - c. Staff generally considers this new layout to be acceptable as it does match the zoning for the property.
4. The alignment of 2800 W shown on this plat lines up with the most likely Babylon Road alignment that will connect up to Leeds
5. There are several lots that are double frontage, including 39-41, and 255-257 that are double frontage units. Hurricane City Code states the following :
10-37-12. - Lots and yards.
E. Double frontage lots. Lots having frontage on two or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which back onto streets shown on the City's road master plan. Such double frontage lots shall be accessed only from an internal subdivision street. Frontage on lots having a front lot line on more than one street shall be measured on one street only.
6. 600 North trail and 2800 W trail will go through this property and the applicant will need to build the trails as shown on the City's Active Transportation Master Plan.

600 N TRAIL / THREE RIVERS TRAIL ALIGNMENT (2020)

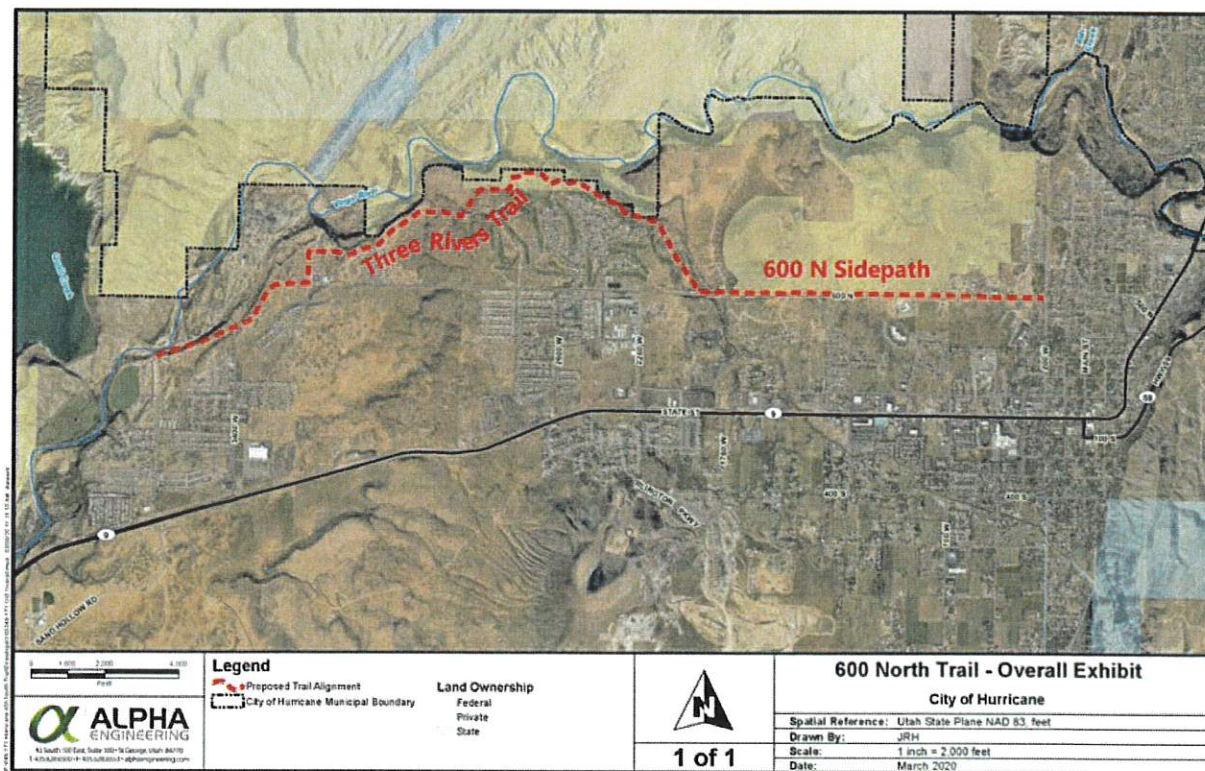


Figure 2.7 Proposed alignment of the future Three Rivers Trail and 600 N Sidepath.

7. A will serve letter from the culinary and sanitary water providers has been provided.
8. The cul-de-sac in Phase 4 appears to be approximately 1,088' long, in excess of the city's 660 feet maximum. Alignment (5) should connect through to 2800 W

Sensitive Lands Application

Sensitive Lands

1. The property proposed for development contains large sections of very steep slopes, with areas of over 30%. Generally, the applicant has done a good job at spacing lots around the sensitive land areas. However, several lots are encumbered with steep slopes.
2. The applicant has provided both a preliminary geotech report and drainage study.

10-24-5: HILLSIDES AND RIDGE AREAS:

A. Applicability: The following procedures, submittal requirements and standards shall apply to those projects located on lands identified as having at least one of the following characteristics:

1. Slopes over ten percent (10%) which are:
 - a. Identified through computer generated programs capable of calculating slopes on topographic maps prepared with two foot (2') contour interval accuracy; or

b. Established by profile lines drawn perpendicular to contour lines at intervals no greater than one hundred fifty feet (150') apart, when the slope, measured along any one hundred foot (100') segment of the profile line is ten percent (10%) or greater. (See section 10-24-9, appendix diagram A, of this chapter.)

c. A slope shall be subject to this chapter only when a contiguous identified area of ten percent (10%) or greater exceeds two (2) acres, or if the site is less than one acre and the entire site is ten percent (10%) or greater.

2. *Soils Investigation Report: A soils investigation report which contains the following information:*

a. *Nature, distribution and classification (unified soil classification) of existing soils to the appropriate depth of influence by the proposed development, but not less than ten feet (10') deeper than the proposed excavations or to bedrock.*

b. *Strength of existing soils, bearing capacity of supporting soils, settlement estimates, collapse and shrink-swell characteristics, lateral pressures and trench excavation limitations.*

c. *Groundwater levels that may affect development and estimated elevation of high groundwater levels.*

d. *Appropriate laboratory testing for classification, consistency, strength and consolidation conditions.*

e. *Slope stability.*

f. *A written statement by the geotechnical engineer, civil engineer, or geologist preparing the soils report describing the general suitability of the site for the owner's intended use. The report shall identify soil constraints to development and shall state the professional opinion of the author as to whether the proposed development plan will mitigate and/or eliminate said constraints in a manner as to prevent hazard to life, hazard to property, and adverse effects. If the soil report prepared for a subdivision shows the presence of critically expansive soils, high water table, organic soils, liquefiable soils, collapsible soils, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the building from the water, or premature deterioration of the public improvements, a soil investigation of each lot in the subdivision shall be required by the city.*

3. *Geotechnical Report: A geotechnical and geological report subject to the standards and requirements provided therein.*

4. *Grading And Drainage Plan: A grading and drainage plan report which includes stormwater management, erosion, and grading plans describing the methods by which surface water, natural drainage, erosion and sedimentation loss, and hydrologic hazards that will be controlled during and after construction. The plan shall include the following information:*

a. *The grading plan shall show present topography, including the location and depth of all proposed fills and cuts of finished earth surfaces, and/or use of retaining walls including height, using a contour interval of two feet (2') when grades are zero to twenty nine percent (0 - 29%) and five foot (5') contours when grades thirty percent (30%) and over.*

b. *The proposed area to be graded shall be clearly delineated on the plan.*

c. *All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and other water management or soil erosion control measures shall be shown. Drainage calculations shall determine runoff volume and peak discharge using the "rational method", "SCS curve number method", or appropriate equivalent. Data provided should include:*

(1) *Rainfall depth, duration and distribution;*

(2) *Watershed slope and drainage area delineation;*

(3) Land condition of watershed surface;
(4) Topography of drainage area; and
(5) Soil descriptions in watershed. Erosion calculations shall employ predictions of soil loss sheet erosion using the universal soil loss equation or equivalent. Data to be provided should include factors of:

- (A) Rainfall intensity and duration;
- (B) Soil erodibility;
- (C) Land slope and length of slope or topography;
- (D) Condition of the soil surface and land management practices in use; and
- (E) Surface cover, grass, pavements, etc.

3. The applicant has not provided an average slope for the lots on sensitive lands as required. These slopes are to help determine if it complies with the minimum lot sizes for 10-24-6 Hillsides and Ridges Area (B). This section contains the requirements that when lots meet a certain average slope, they are required to be a certain size.

10-24-5 (C)(1)

d. To determine required minimum lot size (subsection 10-24-6B of this chapter) the average natural grade of each proposed parcel shall be calculated, and indicated on the development plan. The average grade shall be determined by calculating the grade of the natural slope between two (2) opposing property lines, based on profiles taken perpendicular to the contours, no less than one hundred fifty feet (150') apart, nor greater than seventy five feet (75') from an existing or proposed property line. Small washes or rock outcrops which have slopes distinctly different from surrounding property may be excluded from slope determination, if the exclusion of such small areas from slope determination will not be contrary to the overall purpose of this chapter, as reasonably determined by the zoning administrator.

4. Several of the lots have steep slopes in the 20%-30%+ range. Hurricane City code states that areas of 30% or more are unbuildable, with the exception of small out-cropping. Staff would like to see the building area's average slope for each lot. Areas of 30% should be considered unbuildable and labeled as such.

10-24-6. - Hillsides and ridge areas; general development standards.

A. Unbuildable slopes. Except as may be allowed by an exception as set forth in subsection 10-24-3G of this chapter, slopes of 30 percent or greater shall be undisturbed. Such areas shall be designated as a nonbuildable area if part of a residential lot, or at the election of the owner, these slopes may be offered to the City or a duly created nonprofit conservation organization. Slopes of 30 percent or greater, if included within a lot, shall not be considered as lot area contributing to the minimum area required in subsection B of this section (see section 10-24-9, appendix diagram D of this chapter).

5. The sensitive land code recommends that in Planned Development Overlays that development is clustered away from the steep slopes to less impacted areas. This would support the applicant's proposal to do multi-family within the development.

4. If the planned development overlay zone is applied, density may exceed the base zone density to the extent allowed in chapter 23 of this title, subject to provisions therein. However, if the density transfer option noted in subsection D of this section is requested in combination with the density bonus provisions of chapter 23 of this title, the combination of planned development and density transfer bonuses shall not exceed 25 percent.

D. Density transfer. A density transfer from steep slopes (generally greater than 20 percent) and ridge areas to moderate slopes (generally less than 20 percent) on or off site is encouraged and allowed through the processing of a planned development, providing the purposes of this chapter and the general plan are maintained. A density transfer bonus may be allowed as follows:

<i>Slope</i>	<i>Bonus factor 1</i>
<i>10—14%</i>	<i>1.25</i>
<i>15—20%</i>	<i>1.50</i>
<i>21—25%</i>	<i>2.00</i>
<i>26—29%</i>	<i>2.50</i>
<i>30% or greater</i>	<i>No bonus is permitted, but density may be transferred at a rate of 1 dwelling unit for each 10 acres</i>

Note

1. *The allowable transfer including the bonus shall be determined by multiplying the density allowed based on the percent of slope as provided in subsection B of this section by the bonus factor (example: in a 26 percent slope area, based on an estimated net density of 0.89 units per acre, applying the bonus [0.89 units per acre x 2.5 bonus factor] a total of 2.23 units per acre of 26 percent slope area may be transferred).*

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing the preliminary plat until they are able to resolve the sentiveland issues, and the other comments within this report.

PEREGRINE POINTE EAST/SKY MOUNTAIN WEST
PRELIMINARY PLAT: PHASES 1-5

LOCATED IN SECTIONS 29 & 30, TOWNSHIP 41 SOUTH, RANGE 13
WEST OF THE SALT LAKE BASE AND MERIDIAN
IN THE CITY OF HURRICANE, WASHINGTON COUNTY, UTAH.
DEVELOPED BY: PERRY HOMES UTAH, INC.

SITE INFORMATION:

CURRENT ZONE: R1-6 (PHASES 1-4)
TOTAL AREA: 100.10 AC (4,394,071 SQ.FT.)
RESIDENTIAL UNITS: 214
TOTAL RESIDENTIAL UNITS (214) AREA: 45.45 AC (2,000,464 SQ.FT.) = 45.40%
TOTAL OPEN SPACE AREA: 29.15 AC (1,257,918 SQ.FT.) = 25.12%
TOTAL PUBLIC STREET (R.O.W.) AREA: 18.90 AC (829,065 SQ.FT.) = 18.86%
TOTAL EASEMENTS AREA: 0.23 AC (10,040 SQ.FT.) = 0.23%
TOTAL COMMERCIAL AREA: 9.28 AC (404,120 SQ.FT.) = 9.21%
AVERAGE RESIDENTIAL LOT SIZE: 2,000,464/214 = 7,301 SQ.FT.
DENSITY: UNITS/ACRES = 214/45.45 = 5.46 UNITS PER ACRE

ZONE R1-6

AVERAGE LOT AREA:	6,000 SQ.FT.
MIN. LOT AREA:	4,800 SQ.FT.
MIN. FRONTAGE:	60'

RESIDENTIAL SETBACKS

FRONT:	25'
REAR:	10'
SIDE:	8'
STREETSIDE:	20'

OWNER/DEVELOPER/CONTACT

THE DEVELOPER FOR THIS PROJECT IS
PERRY HOMES UTAH, INC.
CONTACT: GREG SANT
2250 NORTH CORAL CANYON BOULEVARD, SUITE 215
WASHINGTON, UTAH 84180 (435) 251-4040 (OFFICE)

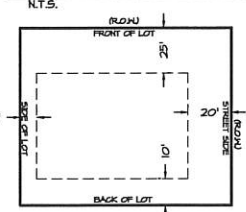
PROJECT ENGINEER

THE ENGINEER FOR THIS PROJECT IS:
ROSENBERG ASSOCIATES
CONTACT: ROB REID
352 EAST RIVERSIDE DRIVE, SUITE A2
ST. GEORGE, UTAH 84790 (435) 673-8586

GEOTECHNICAL ENGINEER

THE GEOTECHNICAL ENGINEER FOR THIS PROJECT IS:
LANDMARK TESTING & ENGINEERING
195 EAST FACTORY DRIVE
ST. GEORGE, UT 84740 (435) 986-0566

TYPICAL LOT SETBACKS:

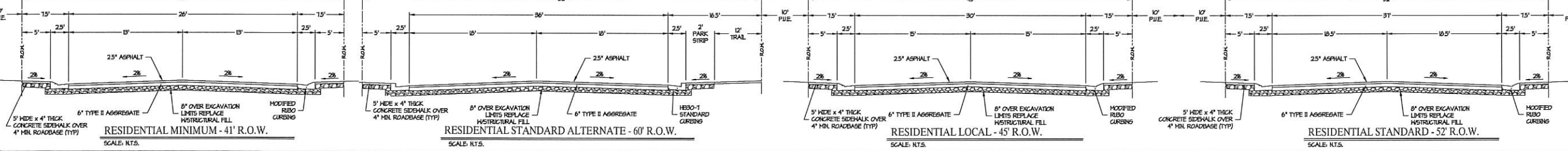
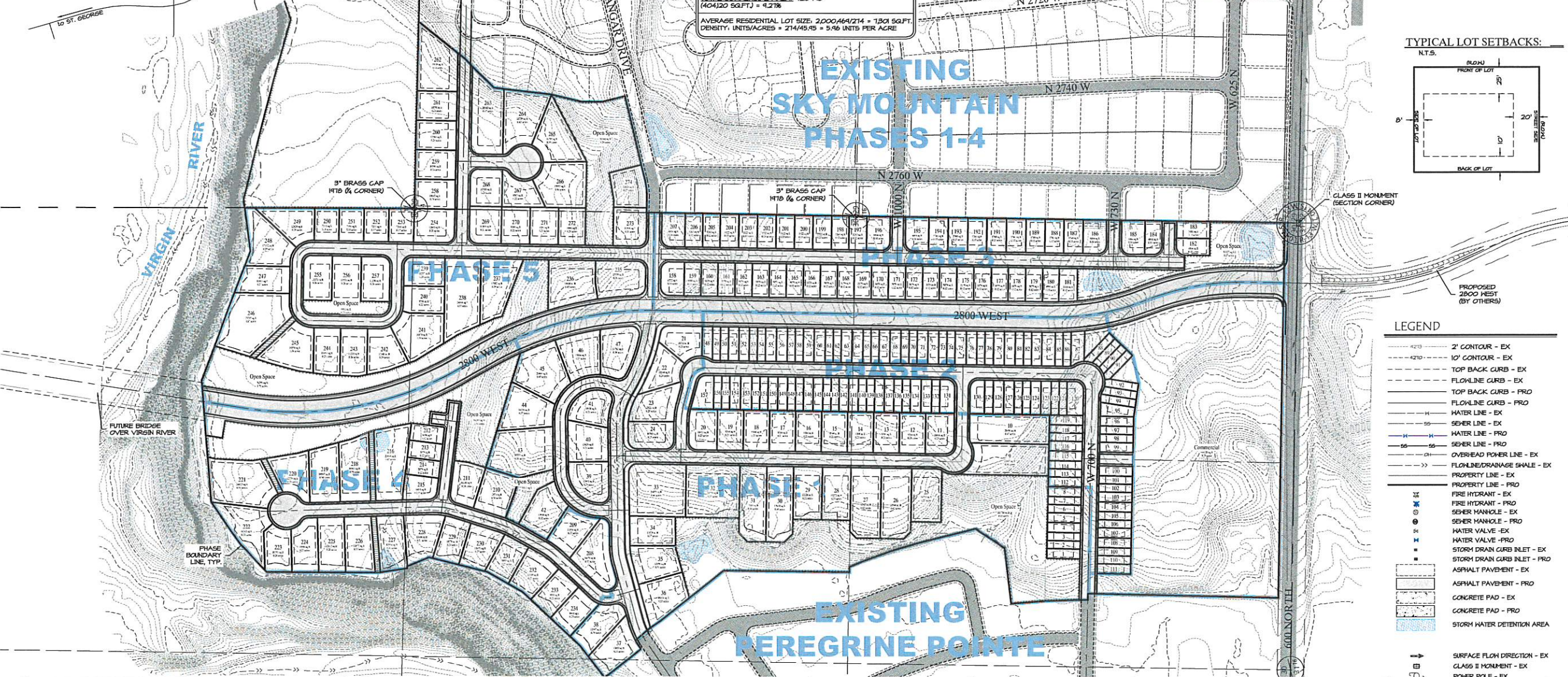


LEGEND

- 2' CONTOUR - EX
- 10' CONTOUR - EX
- TOP BACK CURB - EX
- FLOWLINE CURB - EX
- TOP BACK CURB - PRO
- FLOWLINE CURB - PRO
- WATER LINE - EX
- SEWER LINE - EX
- WATER LINE - PRO
- SEWER LINE - PRO
- OVERHEAD POWER LINE - EX
- FLOWLINE/DRAINAGE SHALE - EX
- PROPERTY LINE - EX
- PROPERTY LINE - PRO
- FIRE HYDRANT - EX
- FIRE HYDRANT - PRO
- SEWER MANHOLE - EX
- SEWER MANHOLE - PRO
- WATER VALVE - EX
- WATER VALVE - PRO
- STORM DRAIN CURB INLET - EX
- STORM DRAIN CURB INLET - PRO
- ASPHALT PAVEMENT - EX
- ASPHALT PAVEMENT - PRO
- CONCRETE PAD - EX
- CONCRETE PAD - PRO
- STORM WATER DETENTION AREA
- SURFACE FLOW DIRECTION - EX
- CLASS II MONUMENT - EX
- POWER POLE - EX

PROJECT LOCATION

THE PROJECT IS LOCATED AT
(APPROXIMATELY):
2800 WEST 600 NORTH
HURRICANE, UTAH



DATE: 05/11/2022
JOB NO.: 12557-21
DESIGNED BY: DSW
CHECKED BY: RAR
DWG: Preliminary Plat
DATE: _____
REVISIONS: _____

ROSENBERG
A S S O C I A T E S
CIVIL ENGINEERS • LAND SURVEYORS

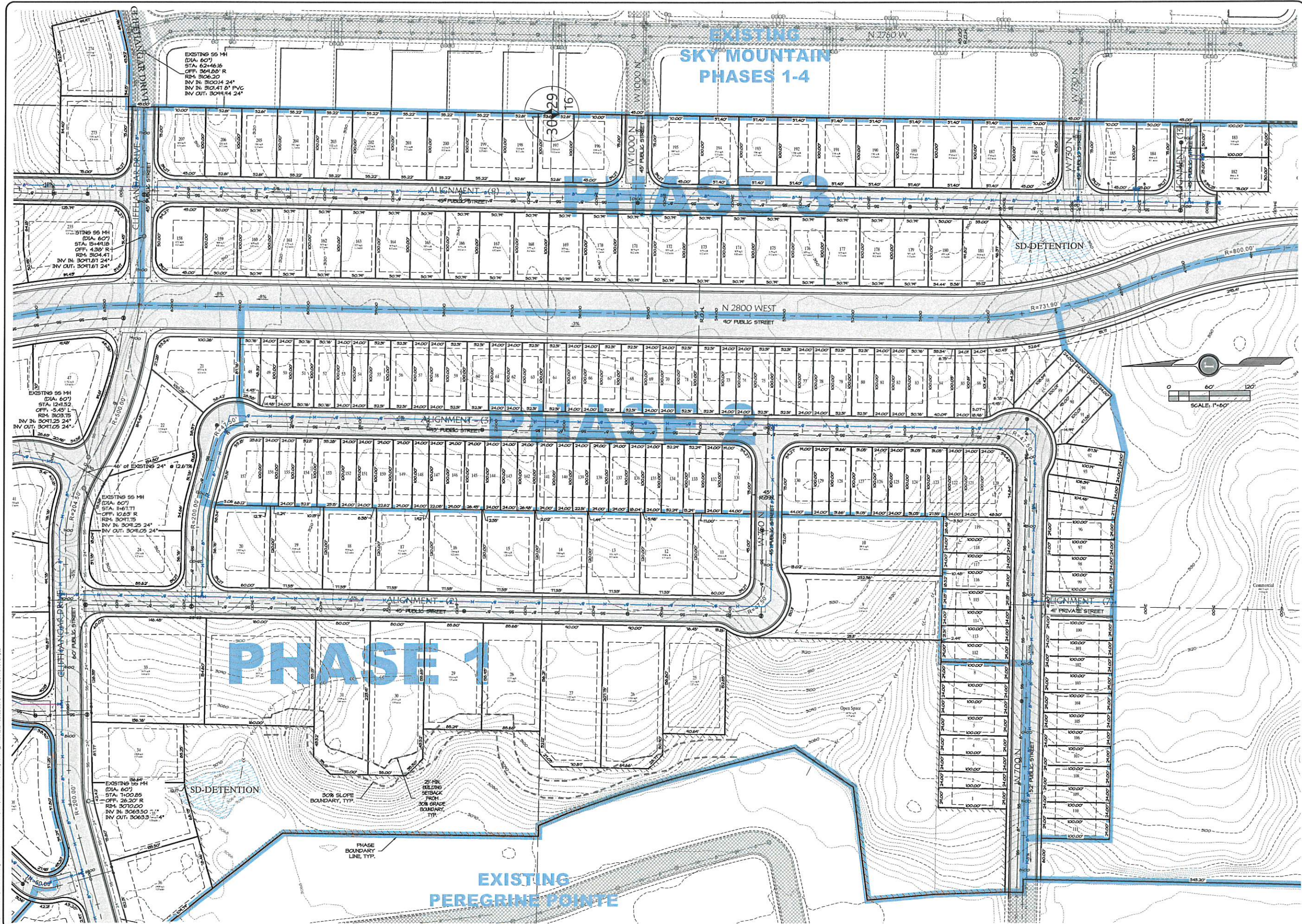
352 East Riverside Drive
Suite A-2
St. George, Utah 84790
Ph (435) 673-8586 Fax (435) 673-8397
www.rasusa.com

PRELIMINARY PLAT: PHASES 1-5
FOR
PEREGRINE POINTE EAST/SKY MOUNTAIN WEST
HURRICANE
UTAH

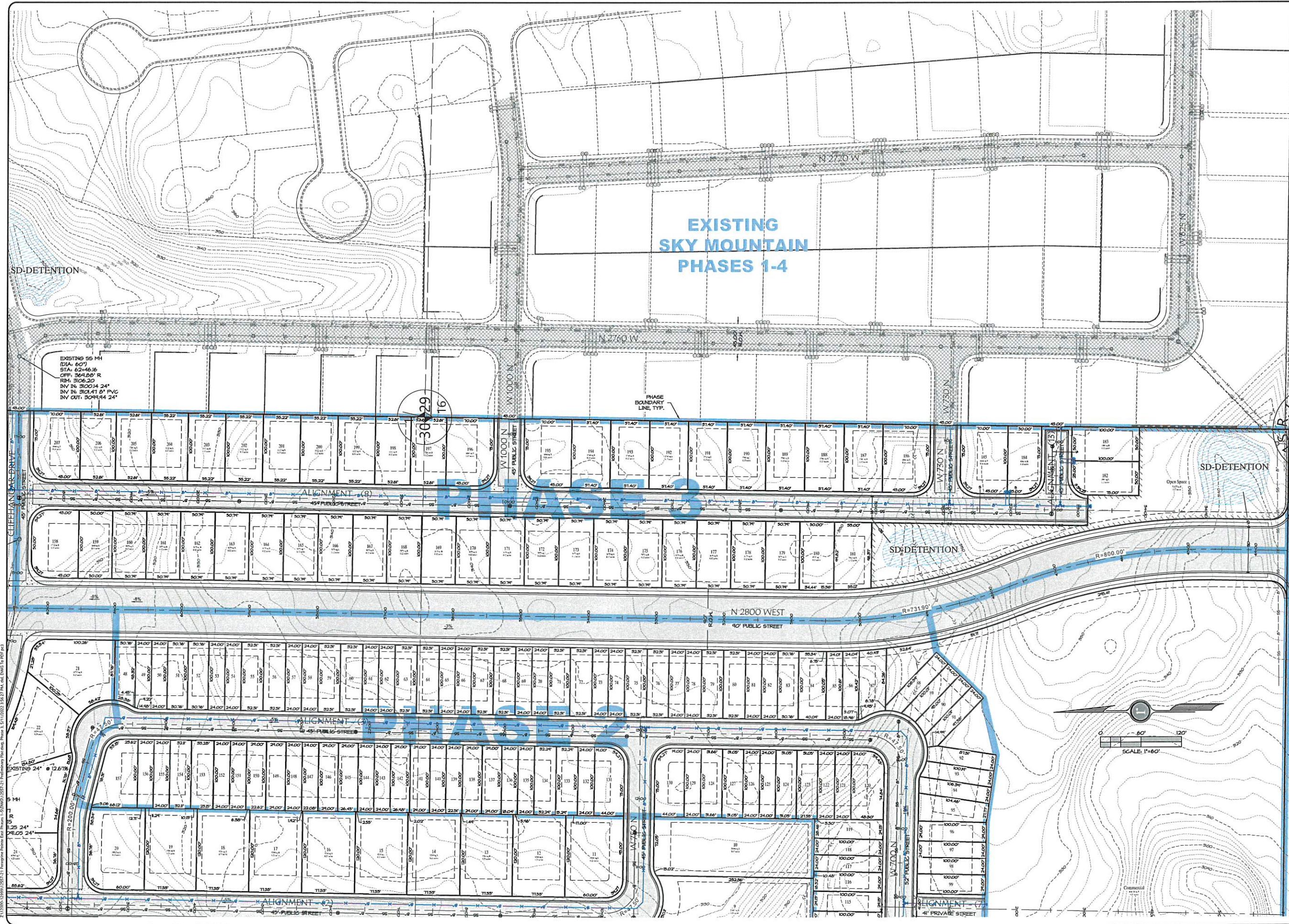
ROBERT A. REID
05/11/22
PROFESSIONAL ENGINEER

SHEET
1
1 OF 6 SHEETS

Z:\1000-12557-21 Peregrine Pointe East Phase 1 (SDWG) 12557-21 Preliminary Plat.dwg, Phase 2, 5/11/2022 3:57:21 PM, dtd, DWG to PDF p3



DATE:	05/11/2022
JOB NO.:	12557-21
DESIGNED BY:	DSH
CHECKED BY:	RAR
DWG:	Preliminary Plat
REVISIONS:	
ROSENBERG A S S O C I A T E S CIVIL ENGINEERS • LAND SURVEYORS	
352 East Riverside Drive Suite A-2 St. George, Utah 84790 Ph (435) 673-8556 Fax (435) 673-8197 www.rosenberg.com	
PRELIMINARY PLAT - PHASE 2 FOR PEREGRINE POINTE EAST/SKY MOUNTAIN WEST HURRICANE UTAH	
ROBERT A. REID Professional Engineer 60122	
SHEET	3
3 OF 6 SHEETS	



DATE: 05/11/2022
JOB NO.: 12551-21
DESIGNED BY: DSM
CHECKED BY: RAR
DWG: Preliminary Plat

DATE: _____
REVISIONS: _____

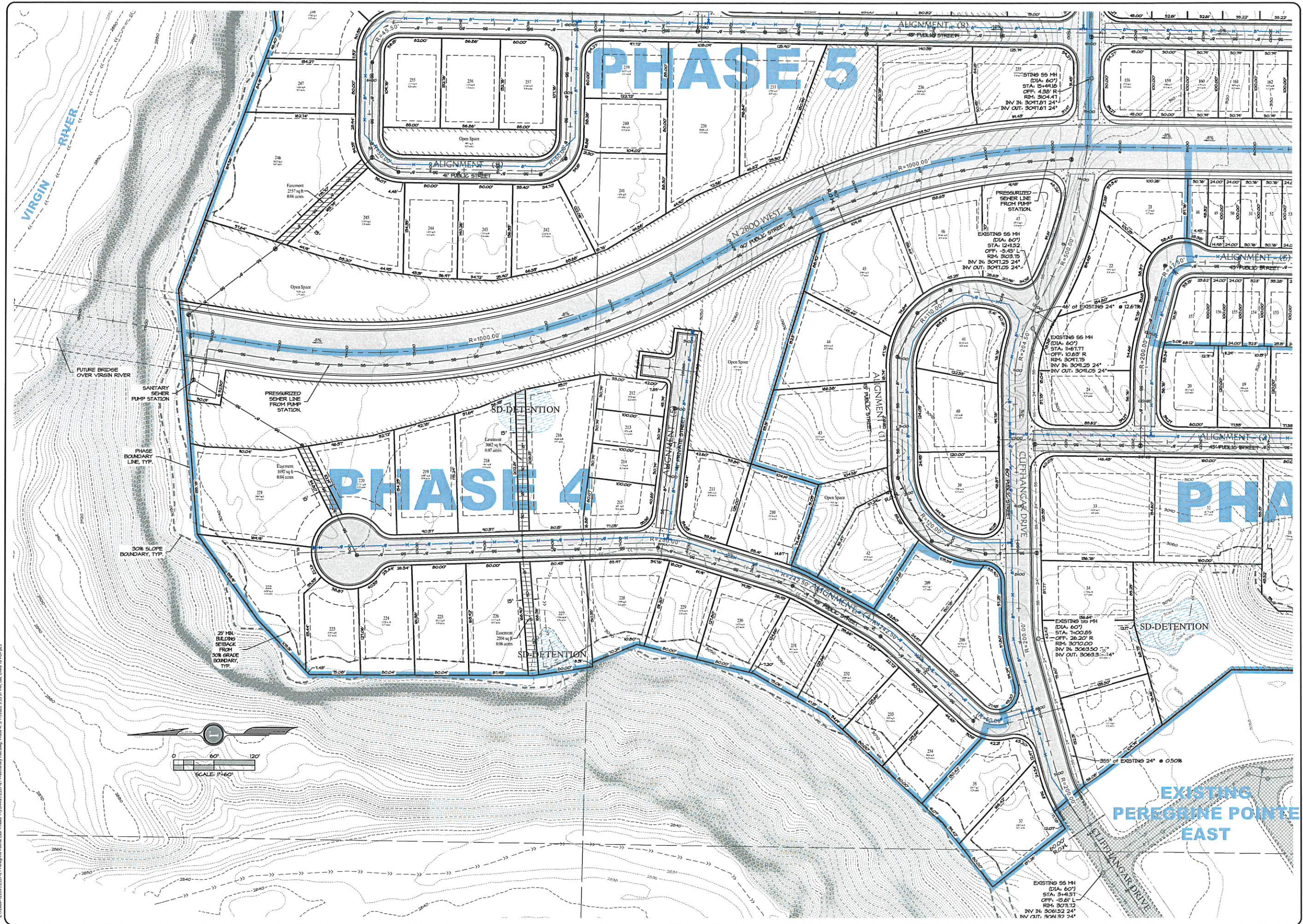
ROSENBERG
A S S O C I A T E S
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive
Suite A-2
St. George, Utah 84790
Ph (435) 673-4556 Fx (435) 673-4397
www.ractvl.com

PRELIMINARY PLAT - PHASE 3
FOR
PEREGRINE POINTE EAST/SKY MOUNTAIN WEST
HURRICANE
UTAH

SHEET
4
4 OF 6 SHEETS

Z:\10300-1899\12557-21 Peregrine Pointe East Phase 5 - SD.DWG 12557-21 Preliminary Plat.dwg, Phase 4, 3/11/2023 3:53:37 PM, sld, DWG to PDF job.



DATE	05/11/2022
JOB NO.	12557-21
DESIGNED BY	DSH
CHECKED BY	RAR
DWG	Preliminary Plat
DATE	
REVISED	

ROSENBERG
A S S O C I A T E S
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive
Suite A-2
St. George, Utah 84790
PH (435) 673-6506 FX (435) 673-6507
www.rosenberg.com

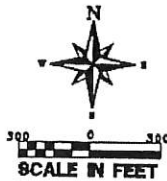
PRELIMINARY PLAT - PHASE 4
FOR
PEREGRINE POINTE EAST/SKY MOUNTAIN WEST
HURRICANE
UTAH

STATE OF UTAH
ROBERT A. REID
05/11/22
REGISTERED PROFESSIONAL ENGINEER

SHEET
5
5 OF 6 SHEETS

MASTER PLAN

SKY MOUNTAIN GOLF ESTATES
FOR
SHADOW MOUNTAIN DEVELOPMENT



LEGEND R-1-10

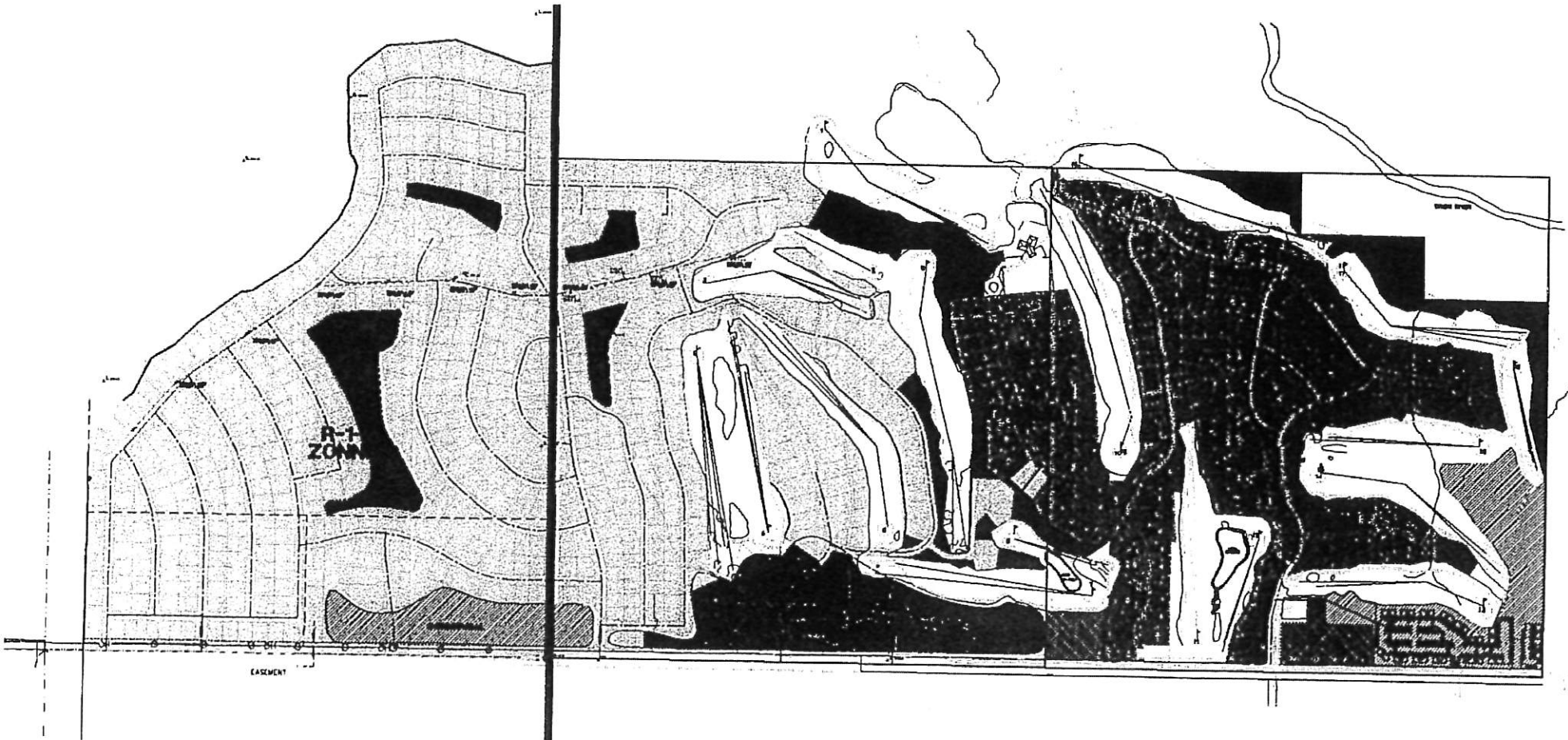
COLOR	LAND USE SUMMARY	AREA	PERCENTAGE	NO. OF UNITS	DENSITY
	TOTAL AREA	131.93 ACRES	100%		
	PROPOSED MEDIUM DENSITY UNITS	116.62 ACRES	88.40%	395	3.39 UNITS/AC.
	OPEN SPACE	8.62 ACRES	6.53%		
	NEIGHBORHOOD COMMERCIAL / BUSINESS PARK	6.69 ACRES	5.07%		

395 TOTAL UNITS

LEGEND SKY MTN.

COLOR	LAND USE SUMMARY	AREA	PERCENTAGE	NO. OF UNITS	DENSITY
	TOTAL AREA	300.65 ACRES	100%		
	GOLF COURSE	89.88 ACRES	29.90%		
	EXISTING MEDIUM DENSITY UNITS	70.43 ACRES	23.43%	249	3.54 UNITS/AC.
	PROPOSED MEDIUM DENSITY UNITS	83.94 ACRES	27.92%	218	2.60 UNITS/AC.
	PROPOSED HIGH DENSITY UNITS	17.22 ACRES		137	7.96 UNITS/AC.
	OPEN SPACE	27.00 ACRES	8.98%		
	NEIGHBORHOOD COMMERCIAL / BUSINESS PARK	7.72 ACRES	2.57%		
	PUBLIC FACILITIES / OPEN SPACE	4.45 ACRES	10.35%		

604 TOTAL UNITS



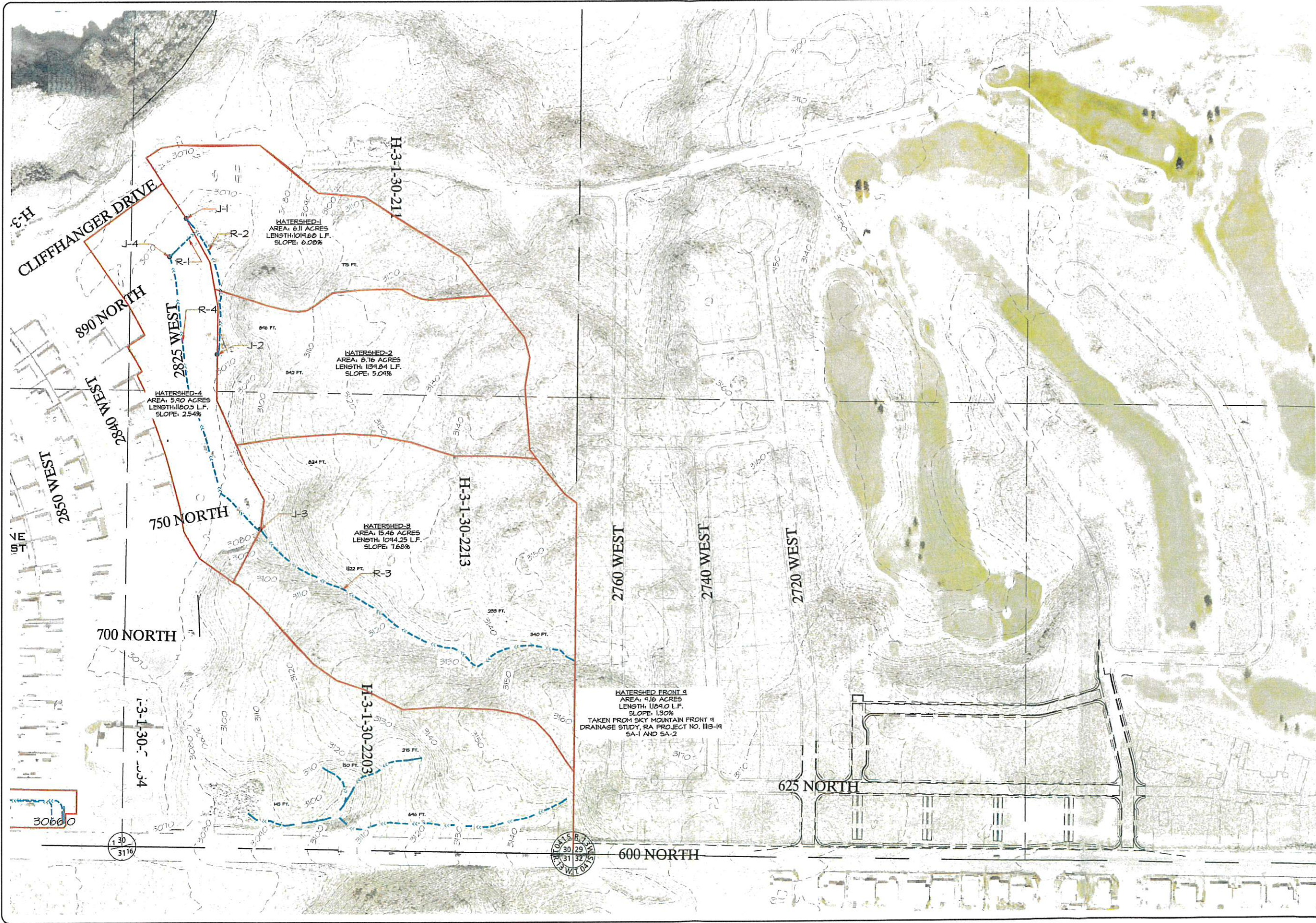
REVISIONS			
NO.	DATE	BY	DESCRIPTION
1	SEP 10/01		

Pratt Precision Engineering, P.C.
CIVIL ENGINEERING DESIGN
4 SOUTH 2600 WEST, SUITE 4
HURRICANE, UTAH 84737
TEL: 435-635-3465
FAX: 435-635-5500

MASTER PLAN
SKY MOUNTAIN GOLF ESTATES
FOR
SHADOW MOUNTAIN
DEVELOPMENT
INTERIOR SITE

FILE NAME
MASTER PLAN
DATE
MARCH 2001
DRAWN
SCALE
SHEET



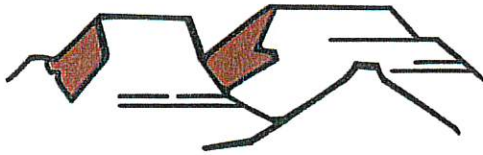


DATE	05/18/2021
DESIGNED BY	AP
CHECKED BY	RMA
DWG	Construction Set
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	
DATE	

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352 East Riverside Drive,
Suite A-2 St. George, Utah
84790
Ph (435) 673-4556 Ex (435)
(714) 847-7777 www.rosenbergs.com

FIGURE 2
FOR
PROJECT DRAINAGE MAP



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee
File No. 2622-PP-08
Receipt No. 8,157,973

Name: Western MTG & Realty Co. Telephone: _____
Address: 66610 W Court St, Pasco, WA 99301 Fax No. _____
Email: _____ Agent Email: Karl@po-eng.com
Agent (If Applicable): Karl Rasmussen Telephone: 435-668-8307
Address/Location of Subject Property: In the SW Corner of the NE Corner of section 12T, 42R, 14W
Tax ID of Subject Property: A piece of: H-4-2-12-1208-GS1 Zone District: R1-8
Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

Submittal Requirements: The preliminary plat application shall provide the following:

- ☒ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
 - ☒ a. The proposed name of the subdivision.
 - ☒ b. The location of the subdivision, including the address and section, township and range.
 - ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ☒ d. Date of preparation, and north point.
 - ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ☒ 2. Existing Conditions: The preliminary plat shall show:
 - ☒ a. The location of the nearest monument.
 - ☒ b. The boundary of the proposed subdivision and the acreage included.
 - ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ☒ d. The location, width, and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ☒ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
 - ☒ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-PP-08
Type of Application:	Preliminary Plat and Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Western Mortgage and Realty Co
Agent:	Karl Rasmussen
Request:	Preliminary Plat Application
Location:	Approximately 1400 S 3700 W
Zoning:	R1-8
General Plan Map:	Planned Community

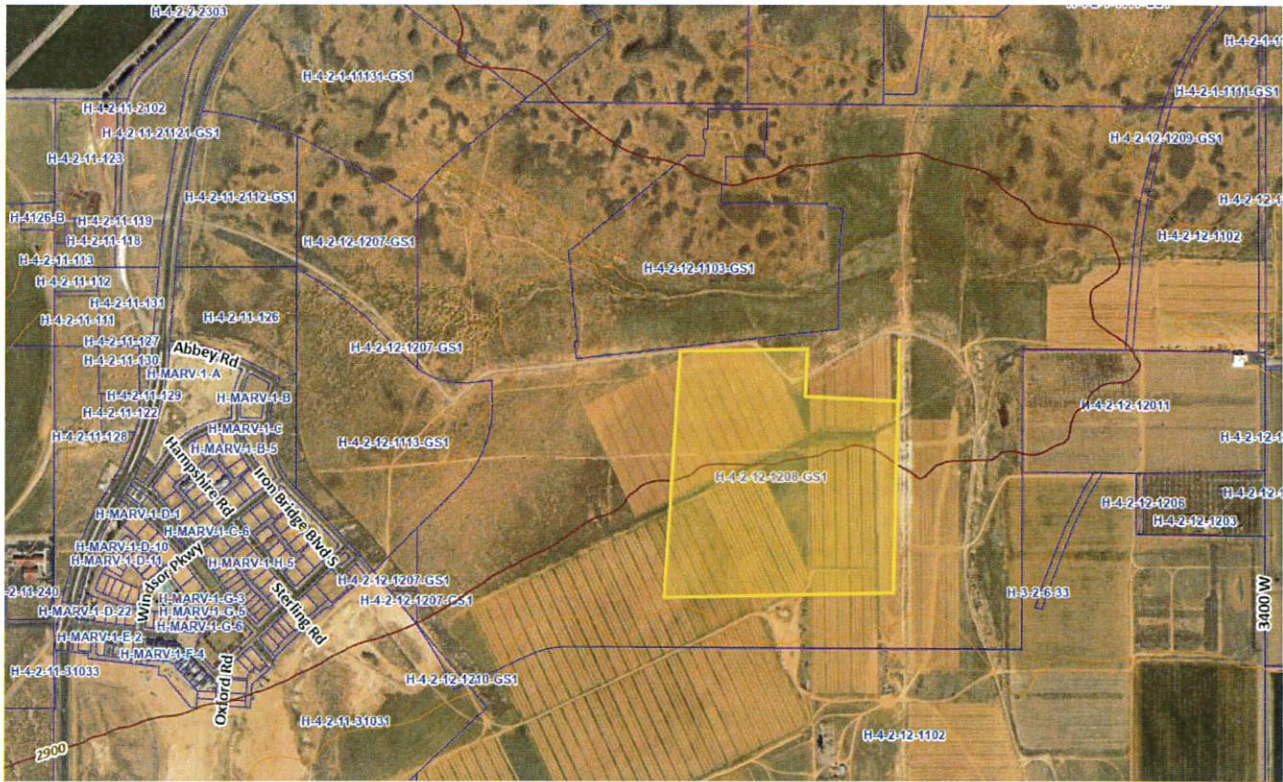
Discussion:

The applicant is seeking preliminary plat and preliminary site plan approval for a subdivision containing 163 lots located within the Sand Hollow Gateway PID for the Strawberry Fields Estates subdivision. This property is due east of the approved Elim Estates subdivision and further east from Marla at Elim Valley. This property requires extensive PID infrastructure to be put in and is planned to be served by several PID roadways. Construction has begun on Bash Parkway which will bring utilities to this property. Any approval should be conditioned on sufficient buildout of the Sand Hollow Gateway PID infrastructure

JUC Comments

The following items will need to be addressed:

1. **Power:** Need Bash Parkway to be put in for power
2. **Sewer:** Sewer line in Bash Parkway
3. **Streets:** Infrastructure from PID needs to be in. Traffic study required
4. **Water:** Water model required. PID improvements need to be done before approval.
5. **Engineer:** Check block lengths. Connectivity looks good
6. **Fire:** No issues
7. **Cable/Phone:** Good
8. **Gas:** Good
9. **Water Conservancy District:** No comments



Staff Comments: Preliminary Plat

05/25/2022

which will bring utilities and road connections to this site. Hurricane City Code states the following:

10-37-4: ADEQUATE PUBLIC FACILITIES:

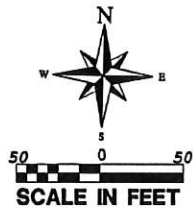
Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The city may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The city may disapprove a proposed development if demand for public services exceeds accepted levels of service. No subsequent approval of such development shall be given until either the developer or the city installs improvements calculated to raise service levels to the standard adopted by the City. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Any approval of the application should have the following conditions.

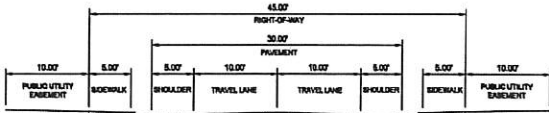
1. Sufficient buildout of Bash Parkway and the Sand Hollow Gateway PID such that utilities have reached the site.
2. Staff and JUC comments, including shortening any block that is over 800' long.

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTERLINE
- 10' PUBLIC UTILITY EASEMENT (PUE)
- SECTION LINE
- STRAWBERRY FIELDS ESTATES BOUNDARY
- PHASE LINE
- EXISTING MINOR CONTOUR 1'
- EXISTING MAJOR CONTOUR 5'
- PROPOSED PUBLIC UTILITY EASEMENT
- SECTION CORNER AS DESCRIBED

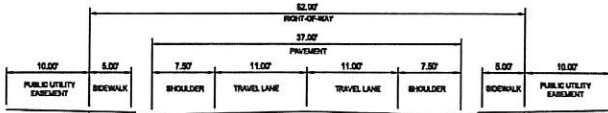


RESIDENTIAL LOCAL



45' ROAD TYPICAL SECTIONS

RESIDENTIAL STANDARD



52' ROAD TYPICAL SECTIONS

FULL SITE PRELIMINARY PLAT FOR: STRAWBERRY FIELDS ESTATES

LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.&M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737

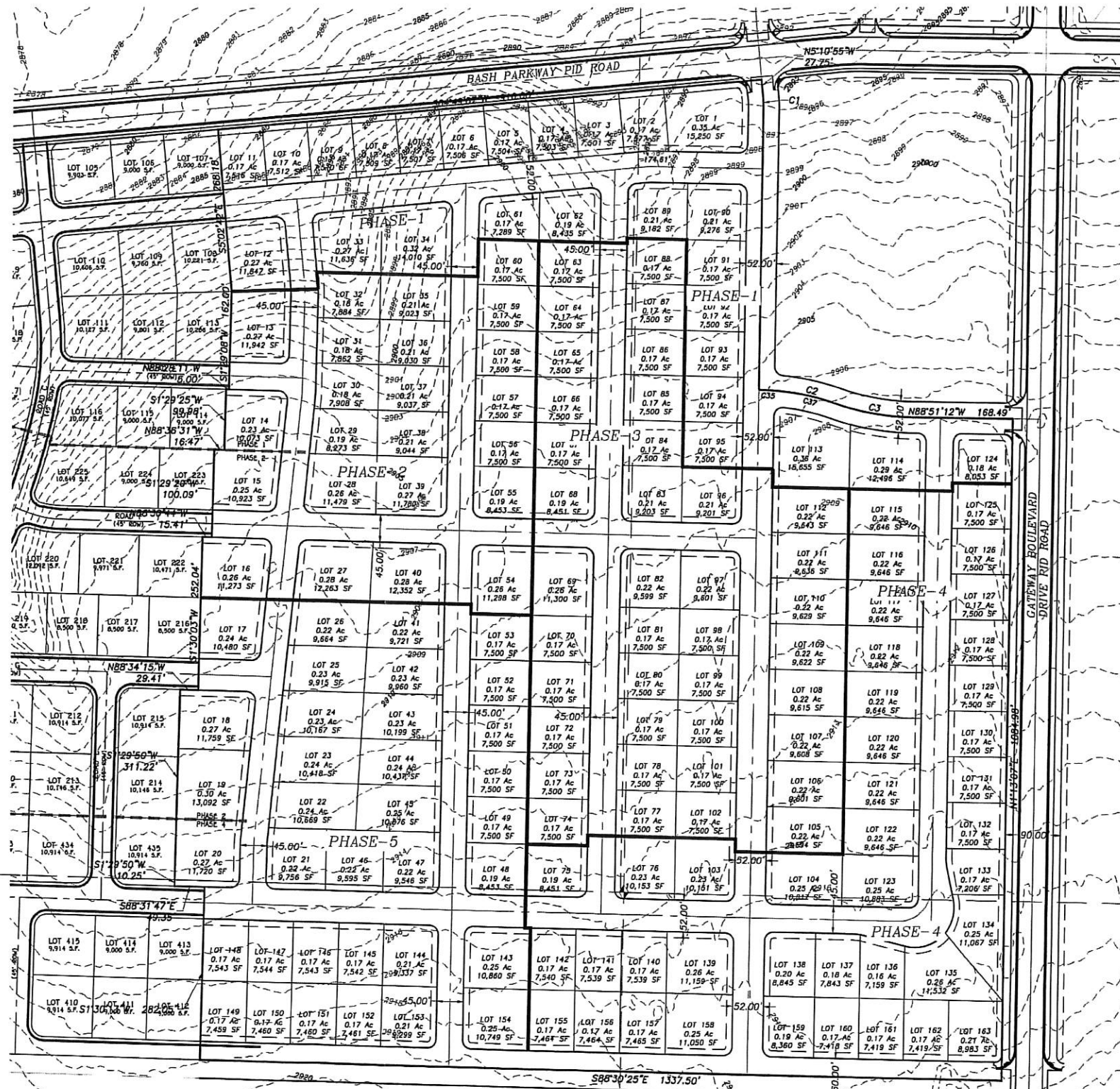
FOUND BRASS CAP
SET 1978
NORTHWEST CORNER
SECTION 12,
T42S, R14W, S.L.B.&M.

2642.11' S01°07'24"W BASIS OF BEARING

FOUND BRASS CAP MONUMENT
WEST QUARTER CORNER
SECTION 12,
T42S, R14W, S.L.B.&M.

2643.24' S01°03'06"W

FOUND BRASS CAP
MONUMENT
SOUTHWEST CORNER
SECTION 12,
T42S, R14W, S.L.B.&M.



NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
200 South 200 West, Suite 1
Hurricane, UT 84737
Phone: (435) 666-2501



PRELIMINARY PLAT FOR:
STRAWBERRY FIELDS ESTATES
LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.&M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737

DATE: 04/28/2021
SCALE: 1"=50'

JOB NO.
694-001

SHEET NO.
2 OF 4

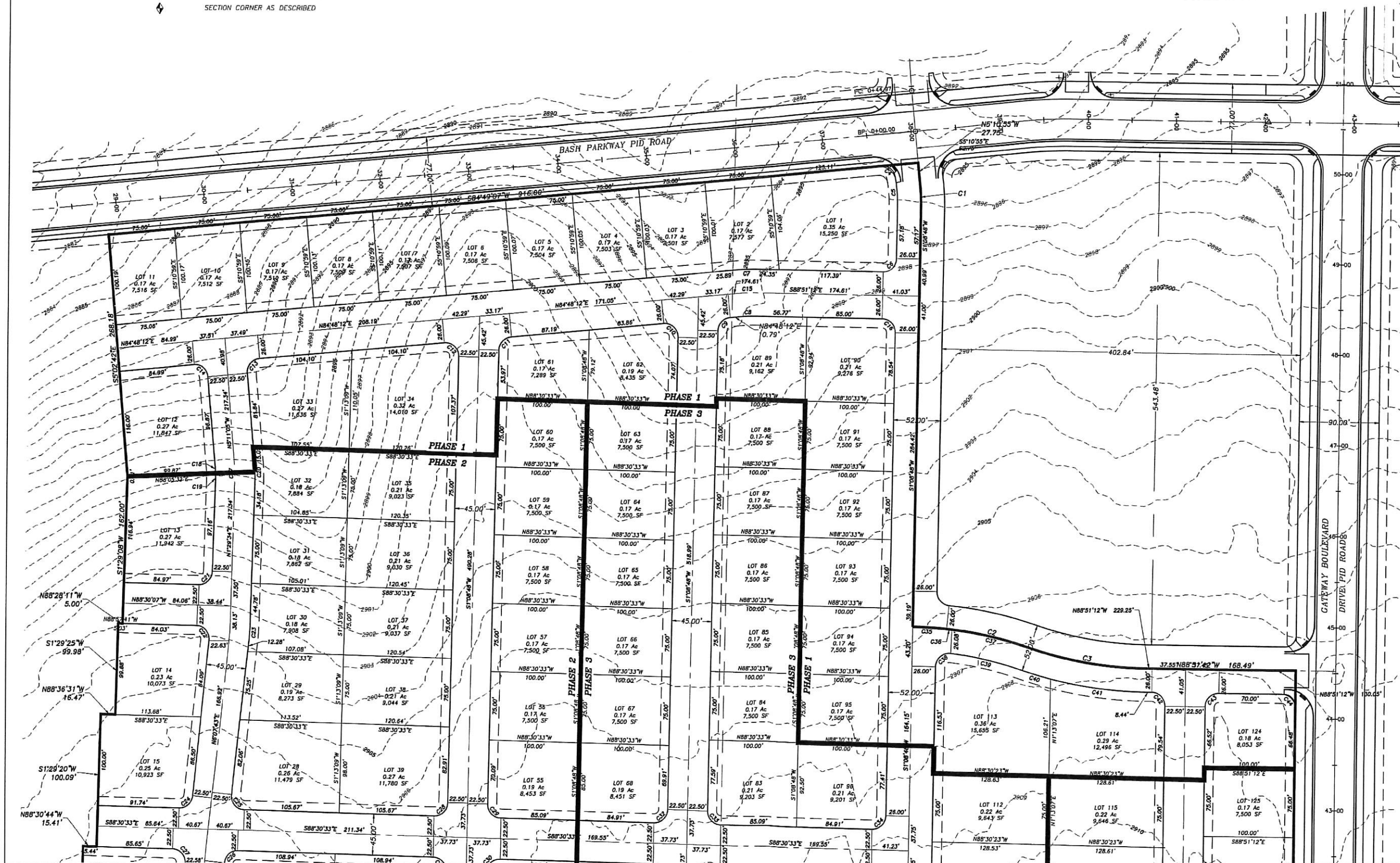
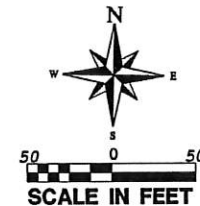
PRELIMINARY PLAT

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- STREET CENTERLINE
- 10' PUBLIC UTILITY EASEMENT (PUE)
- SECTION LINE
- STRAWBERRY FIELDS ESTATES BOUNDARY
- PHASE LINE
- EXISTING MINOR CONTOUR 1'
- EXISTING MAJOR CONTOUR 5'
- PROPOSED PUBLIC UTILITY EASEMENT
- SECTION CORNER AS DESCRIBED

PRELIMINARY PLAT FOR: STRAWBERRY FIELDS ESTATES

LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.#M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737



NO	REVISIONS	DATE	BY
	DESCRIPTION		

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
220 South Main Street, Suite 1
Hurricane, UT 84737
Phone: (435) 868-6307



PRELIMINARY PLAT FOR:
STRAWBERRY FIELDS ESTATES

LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.#M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737

DATE: 04/28/2012
SCALE: 1"=50'

JOB NO.
654-001

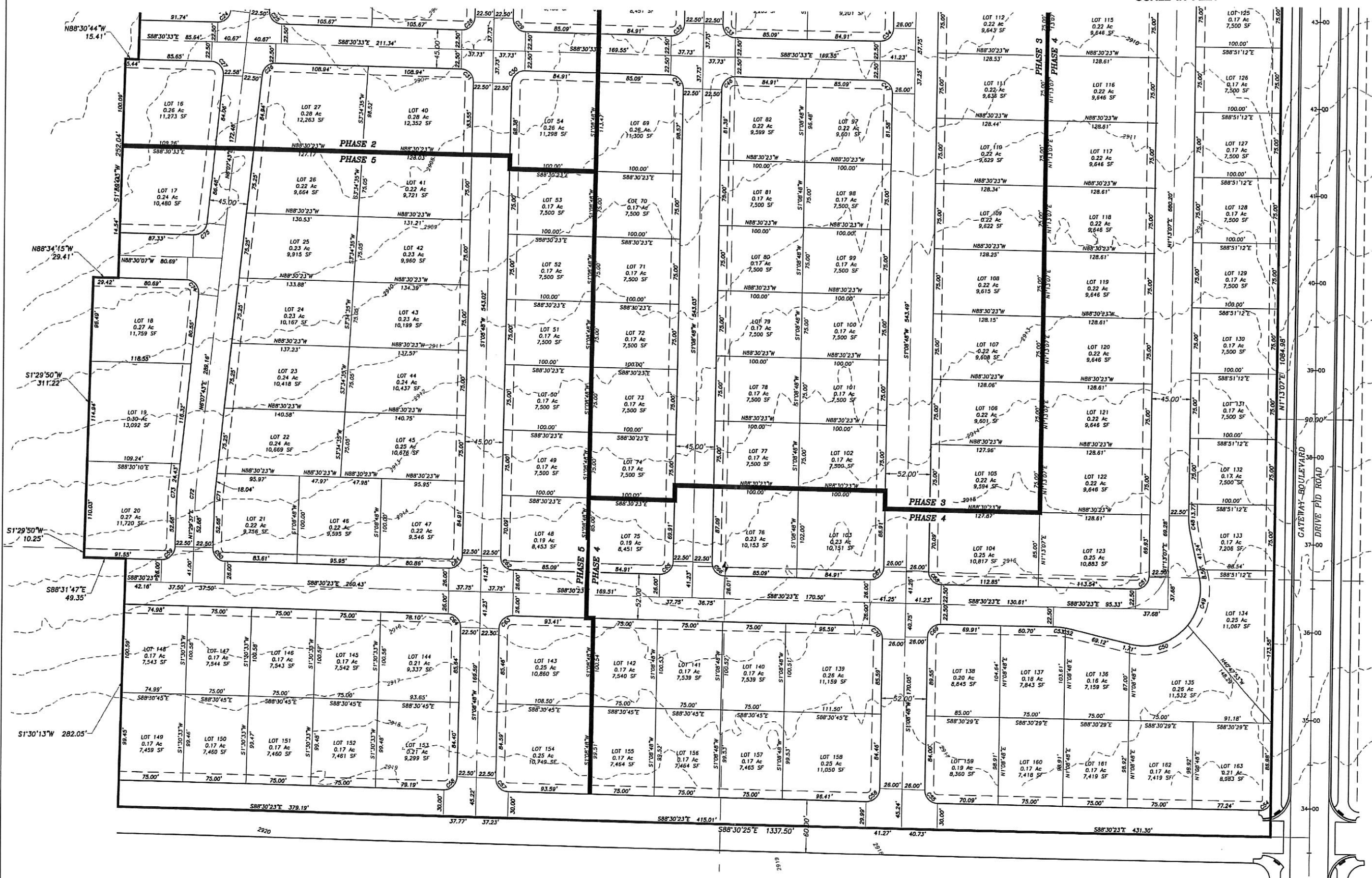
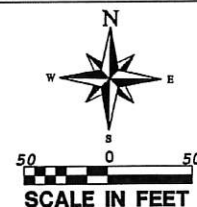
SHEET NO.
3 OF 4

LEGEND

	PROPERTY LINE		PROPOSED PUBLIC UTILITY EASEMENT
	ADJACENT PROPERTY LINE		EXISTING MINOR CONTOUR 1'
	STREET CENTERLINE		EXISTING MAJOR CONTOUR 5'
	10' PUBLIC UTILITY EASEMENT (PUE)		SECTION CORNER AS DESCRIBED
	SECTION LINE		
	PHASE LINE		
	STRAWBERRY FIELDS ESTATES BOUNDARY		

PRELIMINARY PLAT FOR: **STRAWBERRY FIELDS ESTATES**

LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.#M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737



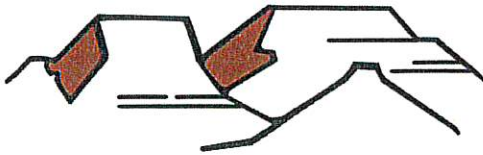
NO	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
22 South Main Street, Suite 101
Hurricane, Utah 84737
Phone: (435) 864-4507



PRELIMINARY PLAT FOR:
STRAWBERRY FIELDS ESTATES
LOCATED IN SECTION 1, T42S, R42S, R14W, S.L.B.#M.
SAND HOLLOW RD, HURRICANE, WASHINGTON COUNTY, UTAH 84737

DATE: 04/28/2012	SCALE: 1"=50'
JOB NO: 684-001	SHEET NO: 4 OF 4



PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

PRELIMINARY SITE PLAN APPLICATION

For office use only: \$200.00 Fee
File No. 2022-PSP-19
Receipt No. 7.694053

Name: R+B Young Telephone: _____
Address: P.O. Box 731 Hurricane, UT Fax No. _____
Email: _____ Agent Email: tmax138@gmail.com
Agent (If Applicable): Brayson Young Telephone: _____
Address/Location of Subject Property: S.W. Corner of 800 N + State St. (SR-9)
Tax ID of Subject Property: H-317-A-1-A-1 Zone District: H-C
Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

This application shall be accompanied by the following:

- ☒ 1. A vicinity map showing the general location of the project.
- ☒ 2. Three (3) copies of a site plan showing:
 - ☒ Topography showing 2' contours, identification of 30% or greater slopes.
 - ☒ The layout of proposed uses.
 - ☒ Location of open space when applicable.
 - ☒ Proposed access to the property and traffic circulation patterns.
 - ☒ Adjoining properties and uses.
 - ☒ Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any.
- ☒ 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities.
- ☒ 4. Tables showing the number of acres in the proposed development and a land use summary; and
- ☒ 5. A phased development plan if applicable.
- ☒ 6. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and the fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Received by: _____
Date application deemed to be complete: _____ Completion determination made by: _____



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-PSP-19
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	R+B Young
Agent:	Bryson Young
Request:	Approval of a Preliminary Site Plan
Location:	470 E 800 N
Zoning:	HC
General Plan Map:	General Commercial

Discussion:

The applicant has filed a preliminary site plan for one commercial building and seven nightly rental units to be built on the corner of 800 N and SR-9. One building is designated as a store front/warehouse building. This site plan replaces a different site plan that was approved earlier this year.

JUC Comments

The following items will need to be addressed:

1. **Power:** Power available at northwest corner of property, this powerline may need to be upgraded at developer cost from State Street and 800 N. Keep the detention basin out of PUE. Must provide voltage and amperage calculations before design.
2. **Sewer:** Private maintenance of 8" line and manholes within property boundary
3. **Street:** Check for adequate parking
4. **Water:** Need water model for water meter size. Fire sprinklers required. City owned water line in private property must be ductile
5. **Engineering:** Check that accesses line up with access across the street. No detention basin or buildings in PUE.
6. **Fire:** Good for now, different uses may require different standards
7. **Phone:** No comments
8. **Gas:** No comments

B. Within 72 hours of any change in the number of such available rooms or accommodation of guests.

Sec. 3-10-4. Display of license; guest register.

A. A current, valid business license shall be posted in a conspicuous place in each transient lodging facility.

B. A register of all guests shall be kept at all times on the transient lodging facility premises except vacation rentals. The guest register shall contain in ink the following information about each guest for which the transient lodging facility affords accommodations:

1. Name and permanent address.

2. Dates of arrival at the transient lodging facility and departure from the transient lodging facility.

3. License plate number, state of licensure, make, type and color of all motor vehicles.

4. Verification of a form of picture identification, including, but not limited to, driver's license, passport, or state issued identification card showing current name, address, and age of person registering and indicating which type of identification was verified and the identification number shown on said identification.

C. The guest register required by this section shall be kept current and shall be immediately available at all times for inspection upon the demand of police officers or City officials.

D. Vacation rental business license owners must keep an accurate register of all guests containing all the above information that can be provided upon the demand of police or emergency services personnel or City officials.

Sec. 3-10-5. Occupancy.

It shall be unlawful for any transient lodging facility unit to be occupied by a greater number of persons than that which it is designed or furnished to accommodate.

Sec. 3-10-6. Responsibility for minors.

No transient lodging facilities unit shall be rented, leased, or registered to any person under the age of 18 years. Each person to whom a lodging unit is rented, leased, or registered shall be responsible for any minors occupying such unit and shall remain on the transient lodging facility premises at all times while there are minors occupying such unit.

Sec. 3-10-7. Length of stay.

No person shall occupy any unit or combination of units at any one transient lodging facility for longer than 30 consecutive days, and no transient lodging facility shall permit any person to occupy any unit or combination of units on the facility premises for longer than 30 consecutive days. This section shall not apply to federal, state, or municipal law enforcement or emergency personnel, or to transient lodging facilities renting, leasing, or registering units to such personnel. Vacation rental properties may be occupied for longer than 30 days but must still comply with all vacation rental regulations.

Sec. 3-10-8. Sanitary facilities.

A. Each lodging unit held out for public accommodation must comply with the minimum rules established by the state department of health.

B. It shall be unlawful to rent, lease, or otherwise hold out for public accommodation any transient lodging facility unit which does not have:

1. A complete operable bathroom, including flush toilet, sink, and bath or shower in working order; and

2. For each guest, an adequate daily supply of at least the following sanitary supplies:

a. Hot and cold running water.

b. Soap.

c. Towels.

d. Toilet paper.

e. Clean linen.

C. Each transient lodging facility shall be cleaned after the departure of each guest and before the arrival of any subsequent guest.

Sec. 3-10-9. Inspections.

Each transient lodging facility shall comply and cooperate with any fire, land use, Code enforcement, building, health, or other inspection conducted by municipal officials, with or without notice.

Sec. 3-10-10. Duty to report.

Any owner, manager, or attendant of any facility covered by this section shall report promptly to the proper authorities any violations of a municipal ordinance or any violation of law which he or she has reason to believe was or is being committed on the premises.

3. The site plan currently calls for 24 parking spaces. Depending on the uses of the buildings the exact number of spaces will be determined but as it currently stands the plan is probably insufficient.

Retail, general	1 space per 250 square feet of gross floor area
Warehouse, self-service storage	1 space per employee on highest employment shift
Hotel	2 spaces plus 1 space per living or sleeping unit

Depending on the ratio of retail to warehouse within the building the main commercial building requires between 8-15 spots. Meanwhile the rental unit section will require 9 spaces. More information will be required to make the final calculation.

The Planning Commission can modify the parking requirements under the following code HCC 10-34-9:

- i. *D. Commercial, Retail, Office, And Mixed Use Developments: The Planning Commission may modify the number of parking spaces required or allowed for commercial, retail, office, or mixed use developments after considering the following items and making a finding that adequate parking will be provided:*
 - ii. *1. Total number of spaces that would otherwise be required for each individual establishment in the development;*
 - iii. *2. Hours of operation for each business establishment located in the development, including peak business hours;*
 - iv. *3. Estimated tradeoff between businesses which are open when others are closed;*
 - v. *4. Availability of approved on street or shared parking;*
 - vi. *5. Transportation alternatives, including proximity to transit stations; and*
 - vii. *6. Car or van pooling programs available to users of the development.*
- 4. A full landscaping plan will be required with the final site plan
 - 5. There is a "Welcome to Hurricane" sign near the southeast corner of the property on its own lot owned by the city. It appears on this plan that buildings will block the view and access to the sign. The City probably cannot require them to provide a viewshed or access to the sign but it would be nice.

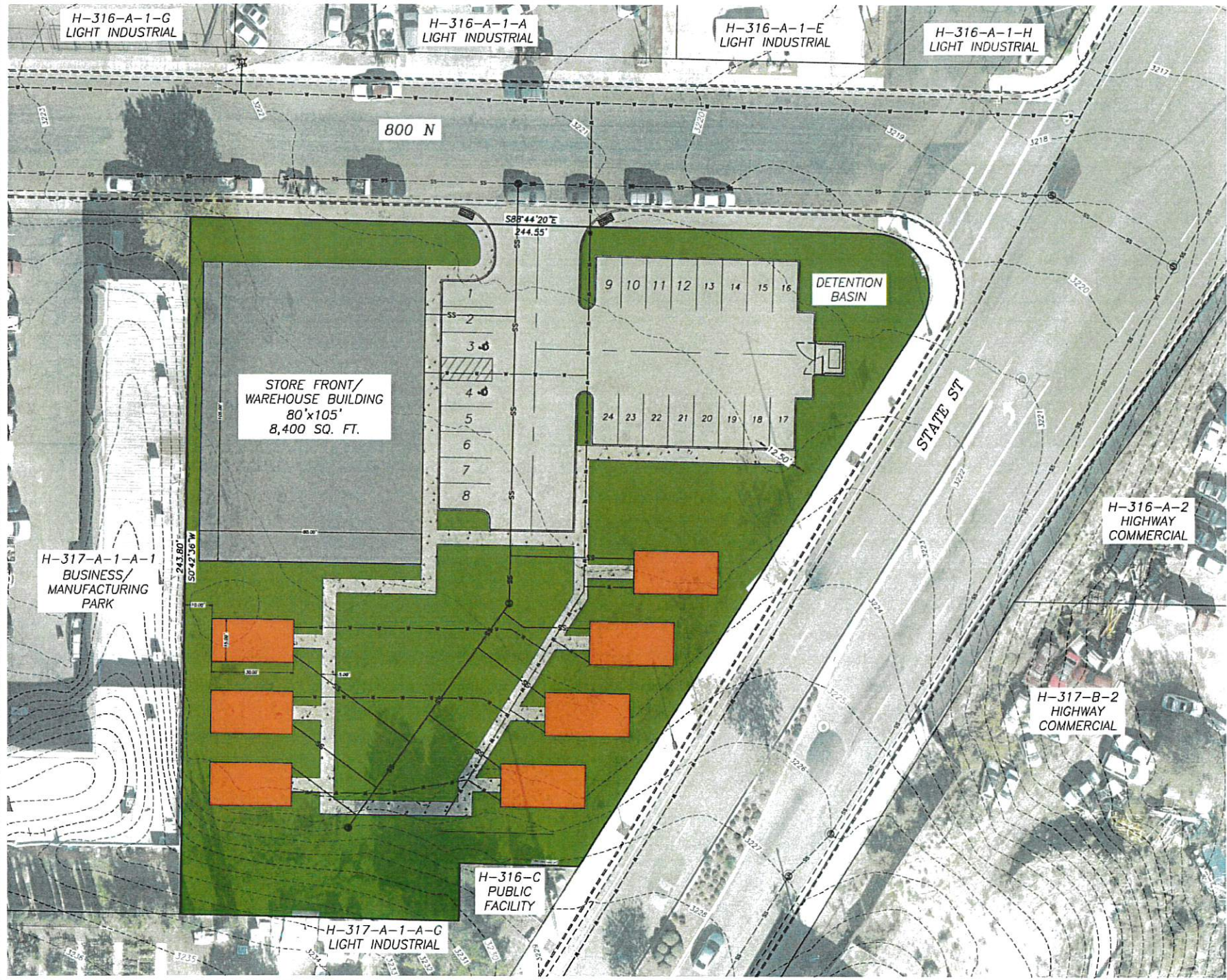


Sign located on the southeast corner of the property

6. *A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development. (Hurricane City Code 10-7-10 (D)(2)(b))*

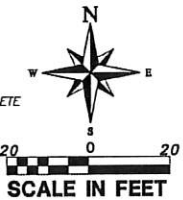
Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this item unless the applicant can address the parking issues and the onsite management for motel use.

PRELIMINARY SITE PLAN FOR:
BRYSON YOUNG
LOCATED IN SECTION 26, T41S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CURB & GUTTER
- EXISTING CURB & GUTTER / CONCRETE
- EXISTING SEWER MAIN
- EXISTING WATER MAIN
- PROPOSED WATER
- PROPOSED SEWER
- SEWER MANHOLE
- PROPOSED SIDEWALK
- PROPOSED LANDSCAPING
- PROPOSED BUILDING
- PROPOSED ASPHALT
- ADA PARKING STALL
- 15'x30' NIGHTLY RENTAL UNIT



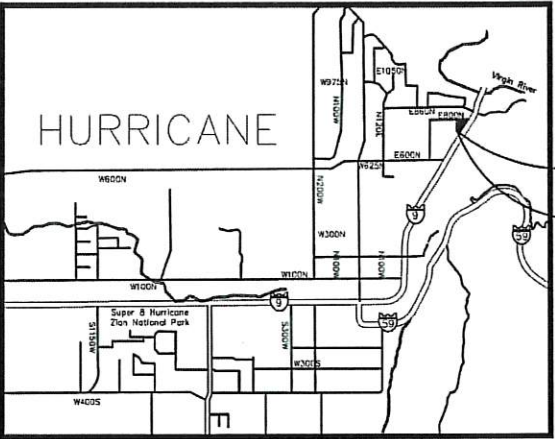
SITE DATA:

TOTAL AREA	48,978 SQ. FT. OR 1.12 ACRES
LANDSCAPING AREA	23,875 SQ. FT.
DETENTION AREA	1,205 SQ. FT.
BUILDING AREA	8,400 SQ. FT.
PARKING STALLS	24 STANDARD & 2 ADA STALLS
ZONE	HIGHWAY COMMERCIAL
NIGHTLY RENTAL UNITS	7

LEGAL DESCRIPTION - PARCEL H-317-A-1-A-G

S: 26 T: 41S R: 13W BEG S89°43'30" E 330 FT ALG 40 AC LN & S0°16'34" E 266.35 FT & S89°43'30" E 450 FT FM NW COR SW1/4 SE1/4 SEC 26 T41S R13W BEING ON S LN RD TO BALLARD HEIGHTS SUB; TH S0°16'34" E 243.798 FT TO PT S B/L BALLARD PRPT ON F/L; TH S89°43'30" E 100.056 FT ALG F/L TO SW COR; TH N0°16'34" W 20 FT; TH S89°43'30" E 42.305 FT TO WLY R/W/L HWY U-9; TH N31°28'35" E 226.156 FT ALG R/W/L TO PT TNGY WITH 20 FT RAD CUR LFT RAD FT BEAR N58°31'25" W; TH NWLY ALG ARC SD CUR 42.31 FT CTL ANG 120°12'05" & BEING ON S LN SD RD TO SD SUB; TH N89°43'30" W 244.551 FT ALG S LN TO POB.

LESS: (UDOT PARCEL PROJ #0009) BEG AT INTSEC OF EXST NWLY R/W/L OF SR-9 & SLY B/L OF ENTIRE TRACT; PT IS 814.25 FT W/L N0°36'07" E ALG 1/4 SEC/L & 920.39 FT W/L E FM S1/4 COR OF SEC 26; TH N88°52'38" W 2.66 FT W/L ALG SD B/L TO PT 42.00 FT PCRP DIST NWLY FM CTR LN OF SD PROJ ORP APPRX ENG STA 74+70.33; TH N32°18'34" E 228.81 FT PAR TO SD CTR LN TO PT OF TNGY OF 19.50 FT RAD CUR LFT; TH NLY 14.69 FT ALG ARC OF SD CUR (CHD BEARS N10°46'51" E 14.32 FT) TO NLY B/L OF SD TRACT; TH SLY 17.92 FT ALG ARC OF 20.00 FT RAD CUR RGT (CHD BEARS S06°39'21" W 17.32 FT) ALG SD B/L TO SD R/W/L; TH S32°15'07" W 226.14 FT ALG SD R/W/L TO POB AS SHOWN ON OFFICIAL MAP OF SD PROJ ON FILE IN OFFICE OF UDOT.



PROJECT LOCATION



NOTICE!
THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION, PROTECTION, AND RESTORATION OF ALL BURIED OR ABOVE GROUND UTILITIES, SHOWN OR NOT SHOWN ON THE PLANS.

PRELIMINARY SITE PLAN FOR:

BRYSON YOUNG

LOCATED IN SECTION 26, T41S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 5/3/2022

SCALE: 1"=75'

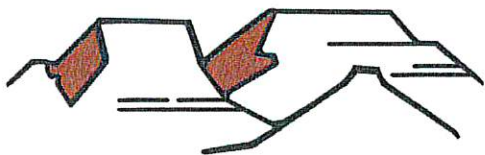
JOB NO.
653-001

SHEET NO.
1

NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 800 West, Suite 1
Hurricane City, Utah 84701
Phone: (435) 666-8507





PLANNING & ZONING
HURRICANE CITY
UTAH

147 N 870 W Hurricane UT
PHONE: 435.635.2811 FAX: 435.635.2184

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee

File No. 2622-PP-69

Receipt No. 8-158377

Name: Liv Dalebout Telephone: 307-690-5295

Address: _____ Fax No. _____

Email: cornerstonecapitaljh@gmail.com Agent Email: chad@studio-ea.com

Agent (If Applicable): Evans & Associates Architecture / Chad Spencer Telephone: 801-450-5113

Address/Location of Subject Property: 563 South Commerce Street

Tax ID of Subject Property: H-FAIR-42 Zone District: M-1

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____

We are proposing to subdivide the parcel into (5) parcels. A 30 foot wide access easement will be provided to access each lot.

Submittal Requirements: The preliminary plat application shall provide the following:

- ✓ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- ___ a. The proposed name of the subdivision.
 - ___ b. The location of the subdivision, including the address and section, township and range.
 - ___ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ___ d. Date of preparation, and north point.
 - ___ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ✓ 2. Existing Conditions: The preliminary plat shall show:
- ___ a. The location of the nearest monument.
 - ___ b. The boundary of the proposed subdivision and the acreage included.
 - ___ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ___ d. The location, width, and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ___ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ___ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
 - ___ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.

PRELIMINARY SITE PLAN REVIEW APPLICATION

City of Hurricane
147 North 870 West
Hurricane, UT 84737
(435) 635-2811
FAX (435) 635-2184

Fee \$200.00

For Office Use Only:

File No. 2022-PSP-20
Receipt No. 845837

Name: Legacy Business Park / Liv Dalebout Telephone: 307-690-5295

Address: Fax No.

Agent (If applicable): Evans & Associates Architecture Agent's Phone: 801-450-5113

Email: cornerstonecapitaljh@gmail.com Agent Email: chad@studio-ea.com

Address/Location of Subject Property: 563 South Commerce Street

Tax ID of Subject Property: H-FAIR-42 Zone District: M-1

Proposed Use: (Describe, use extra sheet if necessary)

It is proposed that (5) 6,000 sf buildings be constructed on this site with all required site developments.

This application shall be accompanied by the following:

- ☒ 1. A vicinity map showing the general location of the project.
- ☐ 2. Three (3) copies of a site plan showing:
 - ☐ Topography showing 2' contours, identification of 30% or greater slopes;
 - ☐ The layout of proposed uses;
 - ☐ Location of open space when applicable;
 - ☐ Proposed access to the property and traffic circulation patterns;
 - ☐ Adjoining properties and uses;
 - ☐ Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any;
- ☒ 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities;
- ☒ 4. Tables showing the number of acres in the proposed development and a land use summary; and
- ☐ 5. A phased development plan if applicable.
- ☒ 6. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and the fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: Received by:



STAFF COMMENTS

Agenda Date:	05/25/2022
Application Number:	2022-PSP-19 2022-PP-09
Type of Application:	Preliminary Site Plan and Preliminary Plat Application
Action Type:	Administrative
Applicant:	Liv Dalebout
Agent:	Chad Spencer
Request:	Approval of a Preliminary Site Plan and Preliminary Plat
Location:	563 S Commerce St
Zoning:	M-1
General Plan Map:	Light Industrial/Business

Discussion:

The applicant has filed a preliminary site plan and preliminary plat for Legacy Business Park. This is located on Lot 43 of the Fairgrounds Industrial Park. A lot within a recorded subdivision can be subdivided provided that the zoning allows it with the filing of a preliminary and amended final plat. This is a 6 lot industrial subdivision with one lot as the common parking area.

JUC Comments

The following items will need to be addressed:

1. **Public Works:** Water line will need to be ductile iron. Need to complete cul-de-sac and road improvements
2. **Power:** Keep detention pond outside of PUE. Connection point on southeast corner. Provide voltage and amperage prior to JUC and design
3. **Water:** Fixture unit count for water meter size. Are they going to be individually owned. Fire sprinklers required. Ductile iron water line on private property
4. **Street:** No comments
5. **Sewer:** New manhole needed in Commerce Street. 8" line in Commerce Street. Each building needs a separate lateral. Private maintenance of line on property

3/30/2022

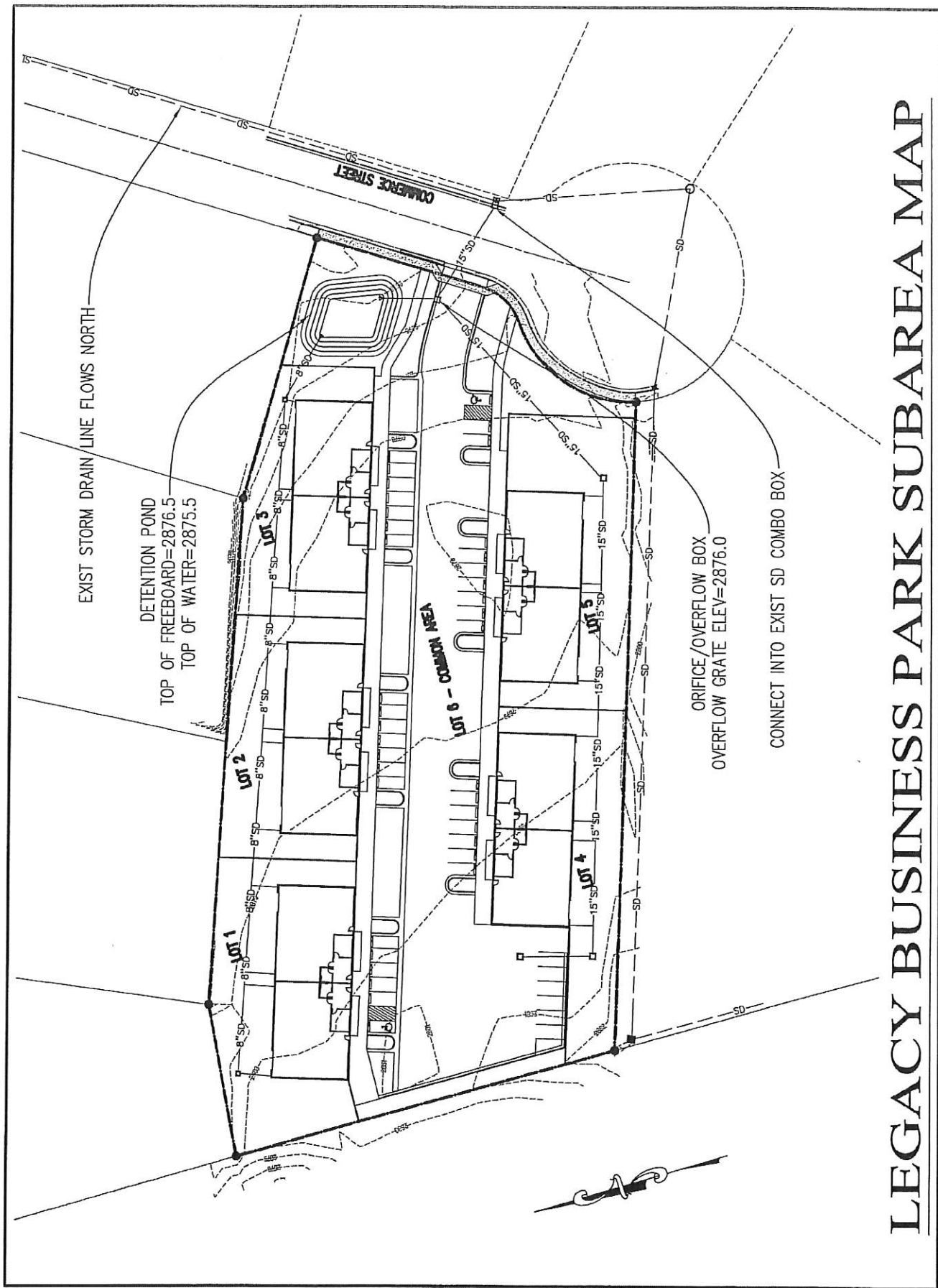
2022-PSP-08
2022-PP-12

6. **Engineering:** Need drainage study. Need geotechnical report. Locate existing sewer drain for construction plans. Existing fence will need to be brought down to 4" (Opaque fences within the front yard can't exceed 48 inches). Align access with the existing one across the street.
7. **Fire:** Fire code analysis for buildings.
8. **Phone:** No comments
9. **Gas:** No comments
10. **WCWCD:** No comments

Staff Comments: Preliminary Site Plan and Preliminary Plat

1. Each unit is indicated as warehousing, which is a permitted use in M-1 zoning.
2. Setbacks: All setbacks are met with the site plan.
3. Parking: Per their provided parking plan 30 stalls are required and 43 stalls are provided.
4. For the final site plan, the applicant will need to review and follow all standards of Hurricane City Code 10-33-5: Site Plan Design; including outdoor lighting, landscaping, trash and refuse collections, etc.
5. The applicant will need to submit full construction drawings to the City and have full approval by the Joint Utility Committee.
6. Once construction drawings are approved the applicant will need to turn in an amended final plat, not a final plat. Attached plat is sufficient for this requirement but will be subject to full staff review at time of application.
7. *A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development. (HCC 10-7-10(D)(2)(b)).*

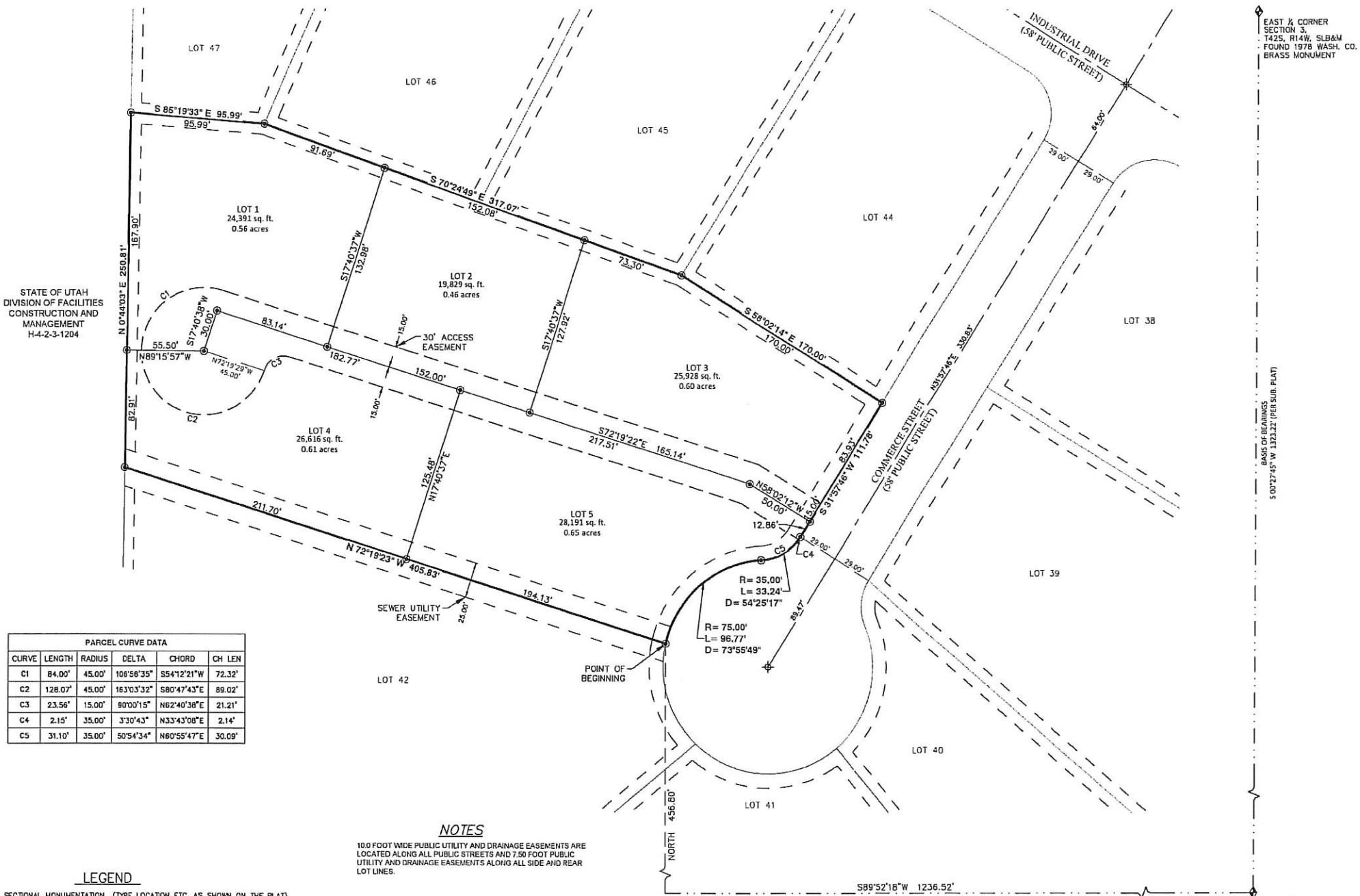
Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff recommends approval subject to staff and JUC comments.



LEGACY BUSINESS PARK SUBAREA MAP

FINAL PLAT OF
FAIRGROUNDS INDUSTRIAL PARK PARTIAL AMENDMENT A
(LOT 43)

Located in the Southeast Quarter of Section 3, Township 42 South, Range 14 West, SLB&M.



PARCEL CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH LEN
C1	84.00'	45.00'	106°56'35"	S54°12'21"W	72.32'
C2	128.07'	45.00'	163°03'32"	S80°47'43"E	89.02'
C3	23.56'	15.00'	90°00'15"	N62°40'38"E	21.21'
C4	2.15'	35.00'	3°30'43"	N33°43'08"E	2.14'
C5	31.10'	35.00'	50°54'34"	N60°55'47"E	30.09'

LEGEND

- SECTIONAL MONUMENTATION (TYPE LOCATION ETC. AS SHOWN ON THE PLAT)
- FOUND CLASS 1 MONUMENT
- SPECIFIC PROPERTY CORNER MONUMENT
- CENTERLINE
- EASEMENT LINE

NOTES
10.0 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENTS ARE LOCATED ALONG ALL PUBLIC STREETS AND 7.50 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENTS ALONG ALL SIDE AND REAR LOT LINES.

AMENDMENT NARRATIVE

THE PURPOSE OF THIS AMENDED PLAT IS TO DIVIDE LOT 43 OF FAIRGROUND INDUSTRIAL PARK AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT 20070021388 AND CREATE 5 NEW LOTS AND COMMON AREA. NO OTHER CHANGES ARE INTENDED WITH THIS PLAT.

SURVEYOR'S CERTIFICATE

I, SCOTT P. WOOLSEY, PROFESSIONAL UTAH LAND SURVEYOR NUMBER 174919, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HEREBY CERTIFY ALL MEASUREMENTS AND DESCRIPTIONS ARE CORRECT. MONUMENTS HAVE BEEN SET AS REPRESENTED ON THIS PLAT.

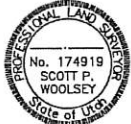
FAIRGROUNDS INDUSTRIAL PARK PARTIAL AMENDMENT A (LOT 43)

AND THAT SAID TRACT OF LAND HAS BEEN SUBDIVIDED INTO LOTS AND COMMON AREA AND SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BOUNDARY DESCRIPTION

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 3, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, THENCE SOUTH 00°27'45" WEST 1323.22 FEET ALONG THE SECTION LINE TO THE EAST 1/4 SECTION CORNER, THENCE SOUTH 89°52'18" WEST 1236.52 FEET; THENCE NORTH 456.80 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHEAST CORNER OF LOT 42, FAIRGROUNDS INDUSTRIAL PARK AS RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER AS DOCUMENT 20070021388; AND RUNNING THENCE NORTH 72°19'23" WEST 405.83 FEET TO THE NORTHWEST CORNER OF SAID LOT 42; THENCE NORTH 00°44'03" EAST 250.81 FEET TO THE SOUTHWEST CORNER OF LOT 47; THENCE SOUTH 89°19'33" EAST 95.99 FEET TO THE SOUTHEAST CORNER OF SAID LOT 47; THENCE SOUTH 70°24'49" EAST 317.07 FEET TO THE SOUTHWEST CORNER OF LOT 45; THENCE SOUTH 58°02'14" EAST 170.00 FEET TO THE SOUTHWEST CORNER OF LOT 44; THENCE SOUTH 31°57'46" WEST 111.78 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 35.00 FEET; THENCE SOUTHWESTERLY 33.24 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 54°25'17" TO THE BEGINNING OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET; THENCE SOUTHWESTERLY 96.77 FEET THROUGH A CENTRAL ANGLE OF 73°55'49" TO THE POINT OF BEGINNING.

CONTAINS 2.87 ACRES, MORE OR LESS.



SCOTT P. WOOLSEY
P.L.S. 174919

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED OWNER OF ALL THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, PUBLIC UTILITY EASEMENTS, AND COMMON AREA TO BE HEREAFTER KNOWN AS:

FAIRGROUNDS INDUSTRIAL PARK PARTIAL AMENDMENT A (LOT 43)

DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, INCLUDING PUBLIC UTILITY EASEMENTS AS NOTED OR SHOWN, TO HURRICANE CITY.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2022.

RED CLIFF CAPITAL LLC
LIVINGSTONE TRISTAN DALEBOUT, MANAGER

RED CLIFF CAPITAL LLC
SHILAH LAYNE DALEBOUT, MANAGER

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF WASHINGTON)

ON THIS _____ DAY OF _____ A.D. 2022, PERSONALLY APPEARED LIVINGSTONE TRISTAN DALEBOUT AND SHILAH LAYNE DALEBOUT, THE MANAGERS OF RED CLIFF CAPITAL LLC, A WYOMING LIMITED LIABILITY COMPANY, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY PUBLIC (SIGNATURE)
NO STAMP REQUIRED (UTAH CODE 46-1-16(6))

MORTGAGEE CONSENT TO RECORD

BANK OF JACKSON HOLE, A MORTGAGEE OF THE DESCRIBED TRACT OF LAND, DOES HEREBY GIVE CONSENT OF SAID TRACT OF LAND TO BE USED FOR THE USES AND PURPOSES DESCRIBED IN THE PLAT, TO RECORDING THE PLAT, AND JOINS IN ALL DEDICATIONS.

BY: _____
BANK OF JACKSON HOLE

MORTGAGEE ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF _____)

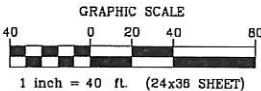
ON THIS _____ DAY OF _____ A.D. 2022, PERSONALLY APPEARED _____ OF BANK OF JACKSON HOLE, PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED HE EXECUTED THE SAME.

NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

NOTARY PUBLIC (SIGNATURE)
NO STAMP REQUIRED (UTAH CODE 46-1-16(6))

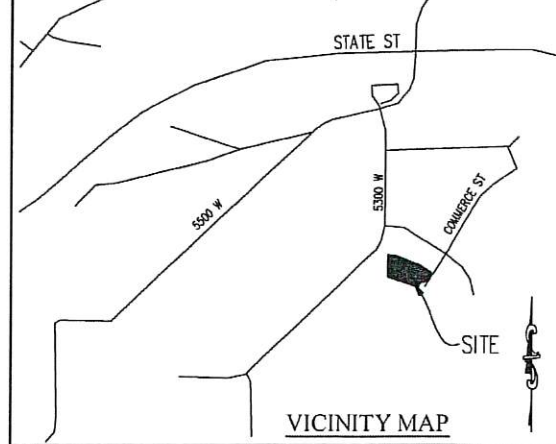
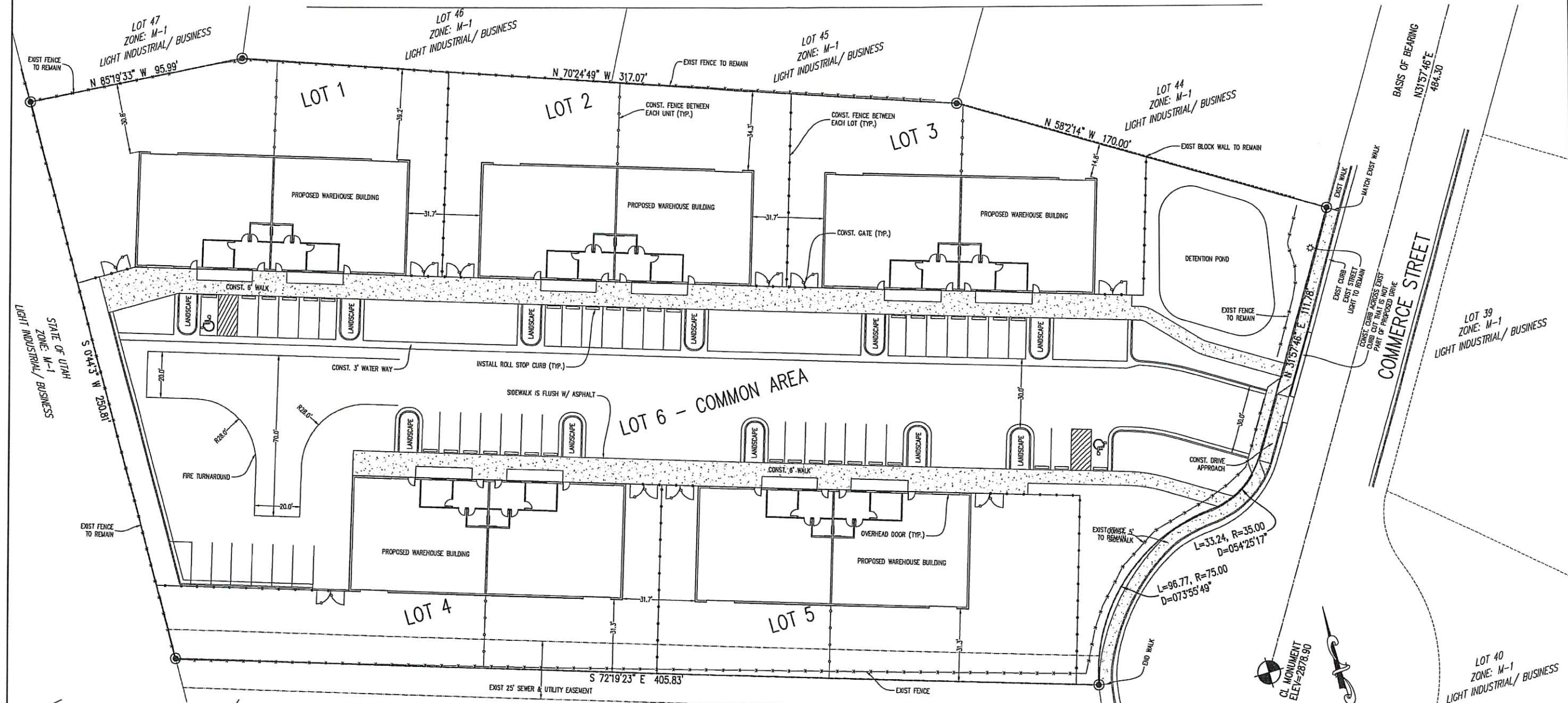
FINAL PLAT OF
FAIRGROUNDS INDUSTRIAL PARK PARTIAL
AMENDMENT A
(LOT 43)

1759-02 FINAL PLAT.DWG (FEBRUARY 2022)



City Engineer's Approval	Approval of Ash Creek Special Service District	Approval as to Form	Approval and Acceptance by Hurricane City, Utah	Treasurer Approval
The above subdivision has been reviewed and is approved in accordance with information on file in this office this _____ day of _____, 2022.	I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office. This _____ day of _____, 2022.	Approved as to Form, this _____ day of _____, A.D. 2022.	Hurricane City has reviewed the above subdivision final plat and hereby accept said Final Plat with all commitments and obligations pertaining thereto, this _____ day of _____, 2022.	I, Washington County Treasurer, certify on this _____ day of _____, A.D. 2022, that all taxes, special assessments, and fees due and owing on this subdivision Final Plat have been paid in full.
Date _____ Hurricane City Engineer	Superintendent	Hurricane City Attorney	Attest: City Recorder _____ Mayor, Hurricane City	Washington County Treasurer _____ Washington County Recorder

LEGACY BUSINESS PARK



SITE LAND USE TABULATIONS	
PROPERTY AREA:	2.87 ACRES/124,955 S.F. = 100%
LANDSCAPE AREA:	47,098 S.F. = 37.7%
BUILDING AREA:	30,284 S.F. = 24.2%
PARKING/WALK AREA:	47,576 S.F. = 38.1%
LOT AREA:	69,135 S.F.
COMMON AREA:	55,820 S.F.
# OF LOTS:	5
ZONE:	M-1 LIGHT INDUSTRIAL

PARKING TABULATIONS:	
PARKING PROVIDED INCLUDING ADA =	43 STALLS
ADA STALLS REQUIRED:	2 STALLS
ADA STALLS PROVIDED:	2 STALLS (INCLUDES 1 VAN STALL)

- GENERAL NOTES**
- ALL CONSTRUCTION TO BE PER CITY OF HURRICANE CONSTRUCTION STANDARDS AND SPECIFICATIONS.
 - PROJECT TO BE CONSTRUCTED IN ONE PHASE.
 - SITE LIGHTING WILL BE BUILDING MOUNTED.



LAND SURVEYOR:
ALPHA ENGINEERING
43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

PROPERTY BOUNDARY NOTE:
SEE LOT 43 OF FAIRGROUND INDUSTRIAL PARK PLAT FOR PROPERTY BOUNDARIES/DIMENSIONS OF THIS LOT.

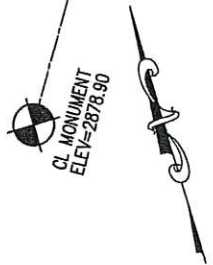
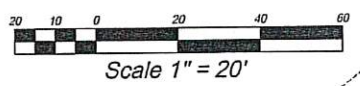
BENCH MARK
MONUMENT IN CENTER OF CUL-DE-SAC
ELEVATION = 2878.90

SHEET INDEX	
C1	PRELIMINARY SITE PLAN
C2	PRELIMINARY UTILITY PLAN
C3	PRELIMINARY GRADING & DRAINAGE PLAN

REVISIONS		
Rev.	Date	Description



LEGACY BUSINESS PARK		
HURRICANE	563 SOUTH COMMERCE ST	UTAH
Drawn by:	G.J.Y.	Scale: 1"=20'
Designed by:	G.J.Y.	Date: 02/11/22
Checked by:	D.W.P.	C1
PRELIMINARY SITE PLAN		



10-3-4: DEFINITIONS OF WORDS AND PHRASES

OPEN SPACE: Generally unobstructed land such as, but not limited to, landscaped buffers and yards, parks, trails, meadows, forested areas, pastures, and farm fields, excluding parking areas.

Open Space: Any space in a development that does not contain any structures or amenities, except for park or recreation amenities, as defined herein. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens or agricultural use. Natural features such as hillsides, natural landscapes, washes, and other natural open spaces shall also be considered open space. Buildings, streets, parking lots, private yards, and landscaping within the rights-of-way for streets shall not be counted as Open Space. Open space with a horizontal dimension less than six feet or a total area of less than 60 square feet is not considered usable.

10-13-7: SPECIAL REGULATIONS:

A. Animals: Within R1, RM, and MH/RV Zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown in section [10-13-4](#), [table 10-13-2](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

C. Increased Height: Notwithstanding the height limitations shown in section [10-13-4](#), [table 10-13-2](#) of this chapter a greater building height may be allowed in Residential Zones pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.

D. Separation: To buffer the dwelling areas and provide site safety, multi-family projects shall be separated from different land uses by means of a landscape barrier, a berm, a wall, or other means approved by the Planning Commission during final site plan. The commission will consider adjacent land uses and zoning when determining an acceptable separation design. (Ord. 2018-09, 9-6-2018)

~~E. Open space. In multiple family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus 50 percent of all additional floor area.~~

10-33-5: SITE PLAN DESIGN:

A. General Considerations: Site layout should help create a coherent and unified project. The impact of site design on surrounding property owners should be taken into consideration. Projects should be designed to minimize negative impacts on adjoining property.

B. Loading And Service Bays: Landscaped areas and walls should be used to decrease noise levels. Service and loading bays (automotive, service, tire, etc.) shall be oriented away from neighboring residential areas and major public streets.

C. Natural Features: Prominent natural features of land, as shown on a natural features inventory, such as hillsides, views or other features should be considered when designing the site. The design should seek to preserve significant natural features and avoid site design problems associated with floodplains, steep slopes, drainage areas, or other similar features.

D. Noise Impact: Site design shall include provisions for limiting noise, particularly as to adjacent residential property. The occupants of a development should be protected from noise from both outside and within the site through screening, berming, setbacks, and building materials. Noise generating equipment should be located and buffered to minimize impact on adjacent residential uses or districts.

E. Open Space: Open space should be used as a buffer between adjacent properties.

1. The open space within a development should be integral to the development, not small leftover pieces of land.

a. One tree shall be planted for every 1,000 square feet of landscaped open space

2. Courtyard areas should be designed as usable space.

3. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.

4. Amenities within a development project should be proportional to the size of the project.

5. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.

6. Private open spaces such as patios and balconies are encouraged. Patios and balconies should be a minimum sixty (60) square feet in area and have a minimum narrow dimension of six feet (6').

7. In Multiple-Family Residential Zones and multifamily areas of Planned Developments, open landscaped space shall be at least 20% of the total land space of the development.

1. Areas with sensitive lands can only count towards this open space if some feature or amenity is added such as a trail in order to make the land usable.
2. Landscape Land-Scape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs every 35'. Landscape buffering that is not otherwise required shall count as open space.

Commented [1]: Do you think we should have any buffering requirements? I would almost rather have a buffering requirement in some places instead of a wall.

3. All areas that are unencumbered/unincombered by improvements/improvements shall be landscaped and treated in a way to control dust and weeds. This may include additional/additional landscape treatments, rocks, or planting of natural vegetation/vegetation.

2-4. Townhome developments with backyards extending at least 10 feet from the back of houses shall only be required to have 15% open space.

3-5. Duplex developments with backyards extending at least 10 feet from the back of houses shall only be required to have 10% open space.

4-6. Planning Commission may lower the amount of open landscaped space or amenities required for development under 50 units if the development is within one-quarter mile of a city park

5-7. Open and common space must contain some kind of amenities as laid out below

Number of units	Number of required amenities
0-15	0
16-50	1
51-100	3
101-200	4
201-300	5

a. Developments above 300 units shall add one amenity for every 50 units.

b. Amenities may include but are not limited to pools of at least 1500 sq ft, health or fitness facilities, playgrounds, community gardens, dog parks,

sport courts, and club houses. All amenities shall be built to commercial standards.

- c. If multiple amenities are required, the type shall vary. Duplicates of amenities should be avoided but may be approved by the Planning Commission.
- d. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. All amenities and open space shall have walking trails or sidewalks for access. Each unit within a development shall be within quarter mile of an amenity. Where applicable, multiple amenities should be placed throughout the property to ensure equitable access.
- e. Amenities shall be maintained by a common ownership or deeded to the city.
- f. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.
- g. Development may be phased. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed or number of units in the subdivision (for example, if 25% of the units of the development is being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed).
- h. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

Commented [2]: I think we should just match this with our RR zoning standard.

F: Outdoor Lighting Plan: All final site plans shall submit an outdoor lighting plan that complies with Hurricane outdoor lighting standards.

G. Outside Storage: Approved outside storage areas shall be screened from street view and nearby residence, office, and commercial areas. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

H. Pedestrian Circulation: A network of convenient, safe, and raised or textured pedestrian paths should connect areas within the project, and the project to adjacent properties and transit facilities.

1. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to

maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

2. Trails should be at least 10 feet wide unless they are so marked on the Active Transportation Master Plan. Trails indicated on the Active Transportation Master Plan shall be at least 12 feet wide

4. For multifamily developments or Planned Developments a pedestrian circulation plan shall be submitted with the Preliminary Plat application. Pedestrian circulation plan shall contain:

- a. Location of walkways
- b. Width of walkways
- c. Connection points between adjacent properties
- d. Location of Active Transportation Master Plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails
- e. Connections between residential buildings and amenities
- f. Street crossings and crosswalks which shall be clearly marked

5. Covered or locked bicycle storage shall be provided in all multifamily developments at a rate of one space per two units

- a. This shall be provided through private storage like garages or storage units or public storage like covered bike parking under shared staircases.

I. Privacy: Site design and floor plan layouts should be organized to provide privacy for the proposed project and surrounding uses. Window and door placement, and patio/balcony areas should not directly overlook adjacent properties.

J. Security: A site should be designed to avoid creating conditions which may invite criminal activity.

1. Buildings, windows, and landscaping should be located to maximize surveillance of entryways, pathways, and parking lots.

2. Adequate lighting should be provided throughout the development.

K. Solar Exposure: An energy efficient design which reduces summer heat gain and winter heat loss and encourages outdoor usable areas should be incorporated into the site plan.

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.

2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

L. Trash And Refuse Collection Areas: Areas which generate noise and odors shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. Refuse enclosures at highly visible locations should be six feet (6') high, constructed of materials to match main buildings on the site, and provide latching gates for screening the opening to the enclosure.

M. Walls: Different projects and uses should be physically separated to minimize the impact of unattractive or noisy areas and provide a buffer between properties.

1. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.

2. Minimum requirements for screening walls: See chapter 37 of this title.

N. Auxiliary Equipment: Generators and other large auxiliary equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties.

1. Equipment should be kept low to the ground.

2. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-33-7: OUTDOOR LIGHTING

The purpose of this section is to encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow in order to preserve the night sky and the rural character of our community

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.

2. Requirements: Only lighting that is needed shall be installed.

a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is

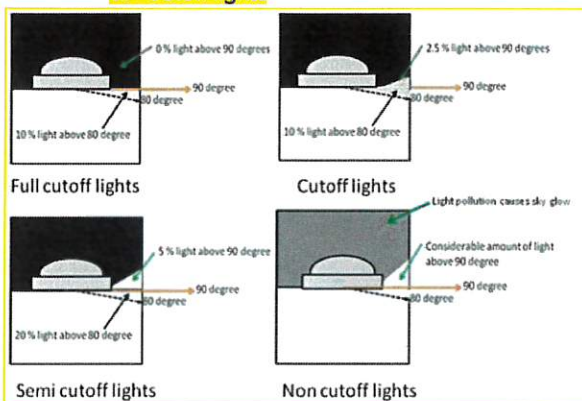
visible, and placed and screened so that it does not cause light trespass on any adjacent properties.

- i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards
- b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.
- c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground
- d. Motion sensor lighting shall not be on for more than five minutes a time
- e. Gas canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.
- f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable
- g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter
- h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting.

3. Exceptions:

- a. Lighting that has a brightness of less than one thousand (1,000) lumens (approximately one 60 watt incandescent light bulb), or one sixty (60) watt bulb
- b-a. Floodlights with external shielding of the light source and is angled towards the ground at 30 degrees or less
- c-b. Temporary lighting by emergency services
- d-c. Lighting for the United States of America and State of Utah flags
- e-d. Lighting for public or private outdoor events provided the lighting is turned off by 12:00 am and the event is in compliance with all other city ordinances

- f-e. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday
 - g-f. The lighting of telecommunication towers to meet Federal Aviation Administration regulations;
 - h-g. Lighting at airports in order to comply with Federal Aviation Administration requirements. All other lighting must meet this code.
 - i-h. Lighting used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
 - j-i. Motion sensor lights that are on for less than five minutes at a time.
4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
5. Diagrams and exhibits: Guidelines for outdoor lighting are below
- a. Cutoff lights



Examples of Acceptable / Unacceptable Lighting Fixtures



4-2-2: ENUMERATION OF NUISANCES:

A. Specified: Nuisances shall include, but shall not be limited to, the following:

1. Rubbish: Keeping or depositing on, about or over property or premises, or maintaining or allowing to remain on said property or premises, any of the following:

- a. Rubbish, refuse, junk, trash or debris.
- b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.

2. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.

3. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odors or contamination to air or water.

4. Garbage Containers, Offensive: Permitting any garbage container to remain on the premises when it has become unclean and offensive.

5. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any property, except when it is temporarily deposited for immediate removal.

6. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.

7. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or which is conducive to the breeding and proliferation of flies or rodents.

8. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.

9. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.

10. Flies And Mosquitos: Having or permitting upon any premises any fly or mosquito producing condition.

11. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.

12. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.

13. Dwellings Or Places Of Employment; Sanitary Condition: Failing to furnish any dwelling house, boarding house, factory, office or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.

14. Refusal To Clean Septic Tanks: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all septic tanks, privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.

15. Stagnant Water; Offensive Substances: Permitting any lot or excavation site to become the repository of stagnant water or any decaying or offensive substances.

16. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous to passage or travel any street or sidewalks, lake, stream, drainage, canal or basin, or any public park without first obtaining the written permission of the city council..

17. Lighting: Light trespass from a commercial or industrial property to a nearby residential property. Excessive light trespass from one residential property to another

10-34-8: PARKING LOT DESIGN AND CONSTRUCTION:

A. Parking Plans: Plans for any proposed parking lot shall be submitted to the Zoning Administrator. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed development.

B. Access To Public Street: Except for parking for a single- family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.

C. Private Driveway: Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street. (Ord. 2018-03, 4-5-2018)

D. Backing Space: Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.

E. Curb Cuts: Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.

F. Internal Circulation: Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.

G. Landscaping: Parking lots shall be landscaped as provided in chapter 32 of this title.

H. Lighting: Parking lots used at night shall be adequately lighted, utilizing hooded light sources. Parking lot lights shall be arranged to reflect light away from adjoining residential premises.

I. Paving: Unless expressly provided otherwise in this title, every parking lot required by this title shall:

1. Be paved with asphalt, concrete or some other all weather surfacing material;
2. Maintained to eliminate dust or mud; and

3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

J. Diagonal and perpendicular street parking is permitted in all nonindustrial zones but shall comply with the following standards:

1. Shall only be located on local or residential roadways
2. Shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. After every 10 spaces, there shall be a bulb-out that is a minimum of 20' in length and landscaped with shrubs no higher than two feet, and at least a single tree pruned and located to ensure proper line of sight is maintained.
4. Parking shall not cross the sidewalk, and sidewalks shall wrap around the outside of parking areas.
5. Parking areas shall be located fifty feet (50') away from any intersection of public roadways.
6. The City Engineer must approve the proposed cross-section during the preliminary plat process

Planning Commission 2022 Meeting Schedule

Regularly scheduled meetings are held on the 2nd and 4th Thursday of each month (as shown below) at **6:00 PM** in the City Council Chambers, 147 North 870 West.

Special meetings such as General Plan Amendments and Joint City Council/Planning Commission work sessions are scheduled throughout the year.

January 13, 2022
January 26, 2022
February 10, 2022
February 23, 2022
March 10, 2022
March 30, 2022
April 14, 2022
April 27, 2022
May 12, 2022
May 25, 2022
June 9, 2022
June 23, 2022
July 14, 2022
July 28, 2022
August 11, 2022
August 25, 2022
September 8, 2022
September 22, 2022
October 13, 2022
October 27, 2022
November 10, 2022
December 8, 2022

NOTE TO AGENDA ITEM APPLICANTS: Application deadlines vary depending on the application. The required deadlines are listed on the individual application or you may contact the Planning Department. These deadlines are necessary to allow staff sufficient time to review and process each application. Failure to submit **ALL** required application materials by the meeting deadline will delay the consideration of the application.

1 **ON APRIL 8, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**
2 **COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

3 **Members Present:** Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing, Ralph Ballard,
4 Rebecca Bronemann, Michelle Cloud (online), and Penny James-Garcia.

5 **Members Excused:**

6 **Staff Present:** Planning Director Stephen Nelson, Planning Technician Brienna Spencer and City
7 Engineer Representative Darrin LeFevre.

8 Chairman Dayton Hall called meeting to order at 6:00 p.m. Roll call was taken.

9 *Rebecca Bronemann motioned to approve the agenda as posted. Seconded by Shelley Goodfellow.*
10 *Unanimous. Agenda moves forward as posted.*

11 The Pledge of Allegiance was led by Paul Farthing and Mark Sampson offered the prayer.

12 **Public Hearing opened at 6:04 P.M.**

13 **1. A proposed Land Use Code amendment to Title 10-chapter 13, table 10-13-1 regarding**
14 **minimum lot acreage in RM-2, multifamily 10 units per acre and RM-3, multifamily 15 units per acre.**
15 **As well as Title 10-chapter 15, table 10-15-1 regarding multifamily use in GC, general commercial.**

16 No comments

17
18 **New Business:**

19 **2021-LUCA-01 Consideration and possible recommendations on a proposed Land Use Code**
20 **amendment to Title 10-chapter 13, table 10-13-1 regarding minimum lot acreage in RM-2, multifamily**
21 **10 units per acre and RM-3, multifamily 15 units per acre. As well as Title 10-chapter 15, table 10-15-1**
22 **regarding multifamily use in GC, general commercial.**

23 Stephen Nelson went over the reason this land code use amendment was being brought before the
24 commissioners. RM-2 and RM-3 has a minimum lot acreage of 1 acre. The code amendment would allow
25 a smaller lot size for those zones in the downtown area. The change to the GC use would allow for
26 multifamily in the downtown areas. Mr. Nelson went over the pros and cons of each code change. He
27 also mentioned that staff has requested to do a downtown general master plan to help shape the way
28 the city would like to see that area. Michelle Cloud asked why the development standards on the main
29 building in an R1-6 has a different front setbacks than other residential zones. Mr. Nelson stated the
30 reason it is that way is because the frontage requirement is less for the others. Mrs. Cloud has no
31 objections to the code changes. She thinks it will allow for more walk able areas and solve the problem
32 of empty lots that get left over. Paul Farthing agrees with Mr. Nelson and thinks it would be appropriate
33 to wait to change the code if we are going to be doing a downtown district master plan. Shelley
34 Goodfellow asked Mr. Nelson how long it would take to get that downtown overlay in place. Mr. Nelson
35 stated it would be at least July before the next fiscal year starts. However, if the budget is given a go
36 ahead, they could start a plan as soon as now but it could take a quite a few months. Mrs. Goodfellow
37 asked if there are any conditions they could put on allowing the multifamily in general commercial.

1 Ralph Ballard referred to the staff report and asked if there was a way they could tie it into the zoning.
2 He referenced the map up on the screen and mentioned a form-based code. Mr. Nelson explained what
3 a form-based code is. He recommends doing that in the downtown area. Mr. Ballard stated that the
4 downtown area has a lot of GC area that we are trying to fill in and if we want to fill in the parcels, this is
5 the perfect place for potential mixed use. Rebecca Bronemann likes the idea of general commercial to
6 allow a conditional use. She thinks it would be a good place for potential multifamily. Penny James-
7 Garcia agrees with Paul that this zone change seems premature. She would love to see a downtown
8 overlay. She does agree with Mr. Nelson about attaching conditions to the zone change request for
9 application 2021-ZC-11. Dayton Hall thinks they need to use the tools they currently have to get things
10 resolved now. It would be a good idea to adjust the code based on conditions. Discussion was had on
11 the amendments of the proposed code change. Conditions should be added to the code change.

12 *Dayton Hall motioned to continue item 2021-LUCA-01 to allow staff to prepare a proposed amendment*
13 *to the conditional use ordinance. Seconded by Paul Farthing.*

14 Motion was withdrawn

15 *Penny James-Garcia motioned to continue 2021-LUCA-01 until the next meeting to give staff the*
16 *opportunity to come up with proposed conditional use items for the planning commission to review. Paul*
17 *Farthing seconded the motion. Unanimous.*

18 **2021-ZC-11 Consideration and possible recommendations on a zoning map amendment request**
19 **located at 122 S 200 West from GC, general commercial, to RM-3, multifamily 15 units per acre. Parcel**
20 **H-92-A-1-A-1. Sunnie LLC Applicant, Scott Stratton Agent.**

21 *Ralph Balled motioned to continue item 2021-ZC-11. Seconded by Shelley Goodfellow. Unanimous.*

22 **2021-PP-08 Discussion and consideration of a possible recommendation on a preliminary plat for**
23 **Scenic Point Ph 2-4, a 50-lot subdivision located at 1530 W and 800 S. Dennis Back/Foothill Associates**
24 **Applicant, Jeremy Back Agent.**

25 Applicant has requested to be continued.

26 **2021-PP-09/ 2021-HIL-02 Discussion and consideration of a possible recommendation on a**
27 **preliminary plat and sensitive lands application for Hillside Estates, a 5-lot subdivision located at 725 S**
28 **and around 1450 W. Chris Wyler Agent, Civil Science Applicant.**

29 Applicant has requested to be continued.

30 *Rebecca Bronemann motioned to continue items 2021-PP-08, 2021-PP-09, and 2021-HIL-02 until the*
31 *issues with access and utilities can be resolved between applicants and staff. Seconded by Penny James-*
32 *Garcia. Unanimous.*

33 **2021-APP-01 Discussion and consideration of approval of an Amended Parking Plan for Pizza Cafe,**
34 **requesting approval for fewer parking spaces than required, located at 11 S Main. Sam Seymour**
35 **Applicant.**

36 Sam Seymour shared with the commissioners that he would like to do a pizza cafe in that area.
37 However, there is not enough parking for what they want to do. The plan presented before them does
38 meet standards and would be shared parking with Dixie Nutrition and extreme sponge. Mark Sampson

1 pointed out that the only way in and out of this parking lot is on Main Street and access on 100 East is
2 closed off. Penny James-Garcia asked if anyone else has supported this parking plan? There is a need for
3 restaurants in the downtown area. She asked if there are any concerns from the fire and police
4 departments. Stephen Nelson stated that nothing has been raised as of now. Ralph Ballard asked if there
5 is any possibility of collaborating parking with the Dixie Hostel or could there be? Paul Farthing stated
6 that they could have a breakaway fence where the shared parking ends. Rebecca Bronemann pointed
7 out that there is a lot of possibility of people coming across the street and crossing the park to come to
8 dinner. Yes, parking would be limited but she thinks this would be a great place for this. Shelley
9 Goodfellow stated that as a planning commission, they can make an exception and this meets all those
10 criteria. She is excited to see this building put to use and to have another restaurant area in town. Paul
11 Farthing this this is a good area and thinks it would help shape the downtown area. Michelle Cloud likes
12 this and agrees with Mrs. Goodfellow. She thinks this will allow for a viable downtown area. Dayton Hall
13 shared that when we grant a parking exception, it does potentially impact the neighbors. He is in favor
14 of this and he thinks it will be a great place for this.

15 *Paul Farthing motioned approval of 2021-APP-01 subject to a letter of support from Steve Lemmon.*
16 *Rebecca Bronemann seconded the motion. Unanimous.*

17 **2021-FSP-14 Discussion and consideration of a possible recommendation for a Final Site Plan for**
18 **Sand Hollow RV, located at SR 9 and Rlington Parkway. Paul Patel Applicant, Jeff Mathis Agent.**

19 Jeff Mathis went over the site plan presented. It is an RV park with 116 spots. It will have a laundry mat,
20 onsite management, BBQ pits, and other amenities. Rebecca Bronemann wants to make sure they
21 comply with the dark sky. Mr. Mathis shared that the light pole detail addresses that dark sky concern.
22 There will be downward lighting on the buildings to light the walkway. Mrs. Bronemann likes that they
23 will have onsite management at all times. Penny James-Garcia asked which access they have as their
24 main access. Mr. Mathis stated that Rlington will be the main access street but they can navigate either
25 way. She asked what the applicant is doing for the site line for the RV's pulling out. Safety is her biggest
26 concern. Stephen Nelson stated that during the construction drawings, Rlington had requirements for
27 street improvements and a turning lane has/will be added to it. Mrs. James-Garcia asked about the
28 median vegetation and suggested the city remove some of that to help with the site triangle. Mark
29 Sampson asked Mr. Nelson about a sidewalk going in on State Street. He also asked about noise from
30 traffic and asked if there is anything going in to help with that.

31 *Penny James-Garcia motioned to send a recommendation of approval of 2021-FSP-14 to the City Council*
32 *with the conditions that the City Council ask staff to evaluate the median adjacent to the driveway and*
33 *consider removal of all or some vegetation to provide a better sight line for safety reasons. Seconded by*
34 *Paul Farthing. Amended to add the findings listed in code 10-43-6. and staff comments included with the*
35 *recommendation. Unanimous*

36
37 **2021-AFP-05 Discussion and consideration of a possible recommendation on an Amended Final Plat**
38 **for Zion Village Townhomes PUD Phase 2 Amended #2. Jay Rice Applicant.**

39 Jay Rice explained why they are wanting to amend their plat. He stated that they have a few buyers who
40 would like to put a private pool. There is an area for common space that he would like to add to these

lots to accommodate the space to put a pool. Penny James-Garcia stated that pools are a beautiful nuisance. Because these are town homes, how does the ownership of the pools work? Mr. Rice stated that the pools will all be all privately owned and the responsibility will fall on those owners. Mrs. James-Garcia is concerned about safety and the prescience all these pools will bring for high school students. She recommended adding security cameras. Mr. Rice shared that they have security systems and a security person until 10pm. They would be alerted if there was any motion detected at the shared pool house. As far as the privately owned pools, they are putting on automatic covers as well as the 6-foot fence. Dayton Hall is abstaining from voting.

Shelley Goodfellow motioned to send a recommendation of approval of 2021-AFP-05 to the City Council. Seconded by Penny James-Garcia. Paul Farthing, Shelley Goodfellow, Rebecca Bronemann, Mark Sampson, Ralph Ballard, Penny James-Garcia, and Michelle Cloud – aye. Dayton Hall – abstained. Motion carried.

2021-AFP-06 Discussion and consideration of a possible recommendation on an Amended Final Plat for Tava Resort at Sand Hollow Phase 1 Amended. Brian Barrow Applicant, Jared Madsen Agent.

Jared Madsen referenced the map submitted with the application. Michelle Cloud is abstaining from voting. Shelley Goodfellow stated the less dense the better. Rebecca Bronemann agrees with Mrs. Goodfellow. Mark Sampson referenced staff comments and asked for clarification. Stephen Nelson stated that the new lot lines will need to fall appropriately and one sewer and water meter will need to be capped off. Ralph Ballard likes to see the lot sizes growing and not shrinking. Penny James-Garcia abstained from voting.

Paul Farthing motioned to send a recommendation of approval of 2021-AFP-06 subject to staff comments with the sewer and water being capped off. Seconded by Rebecca Bronemann. Paul Farthing, Shelley Goodfellow, Rebecca Bronemann, Dayton Hall, Mark Sampson, Ralph Ballard – aye. Penny James-Garcia, and Michelle Cloud – abstained. Motion carried.

Planning Commission Business:

Paul Farthing was excused from the meeting.

-Workshop: Building Permits within bonded subdivisions

The city cannot prohibit permits if the proper bonding, infrastructure, and improvements have been made. Stephen Nelson referenced the proposals placed before the commissioners. Referenced proposals are attached at the end of these minutes.

Occupancy cannot be withheld because of the road. However, some cities have withheld occupancy due to landscaping. We can withhold those based on other aspects of our code. Staff feels proposal 1 is the better option because it reduces confusion. Shelley Goodfellow stated that the code put in by the state is recent and referenced a portion of it. She asked who it would be up to on whether the curb and gutter be required or not. It's the building official's call on if it would follow state code and safety. Darrin LeFevre stated that during the construction drawings, JUC will determine if those things are required. Meters too shallow will be hard to get tops on. When she thinks of storm drain without pavement, you're going to have a gap, it might be problematic. The other thing is this requirement being completed in 12 months... is putting a timeline on this something the city can do? Councilman Darin Larsen stated

1 that is the standard time. Dayton Hall went through and cleaned up some of the language. Penny James-
2 Garcia likes proposal 1 because it's really easy to read and makes it easier to enforce. Ralph Ballard
3 suggested putting a catch all in case something was forgotten. Mrs. Goodfellow wants to tighten up the
4 curb and gutter wording so there aren't any issues.

5 **-Workshop: Planning Commission Bylaws**

6 Stephen Nelson presented the rough proposal of the planning commission bylaws and reviewed a few
7 things. He would particularly like to figure out the way we choose our chairperson and vice chairperson.
8 Discussion on how motions can be and are made. Difference between tabling and continuing
9 applications.

10 **-Consider changing the next meeting to April 21, instead of April 28.**

11 *Shelly Goodfellow motioned to change the planning commission meeting from the 28th to the 21st.*
12 *Seconded by Ralph Ballard. Unanimous.*

13 **- City Council Recap**

14 Stephen Nelson went over how the City Council meeting went last week.

15 Penny James-Garcia recommended a way to help with minutes.

16 **Adjournment**

1 **ON APRIL 21, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**
2 **COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

3 **Members Present:** Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing, Ralph Ballard,
4 Rebecca Bronemann, Michelle Cloud, and Penny James-Garcia.

5 **Members Excused:** Paul Farthing and Penny James-Garcia

6 **Staff Present:** Planning Director Stephen Nelson, Planning Technician Brienna Spencer and City
7 Engineer Representative Darrin LeFevre.

8 Chairman Dayton Hall called meeting to order at 6:00 p.m.

9 *Ralph Ballard motioned to approve the agenda as advertised. Mark Sampson seconded the motion.*
10 *Unanimous.*

11 The Pledge of Allegiance was led by Michelle Cloud and Ralph Ballard offered the prayer. Roll call was
12 taken.

13 **No Public Hearing**

14 Public comments were submitted in regards to item 2021-LUCA-01 after the initial public hearing and
15 are on the record.

16 **Old Business:**

17 **2021-LUCA-01 Consideration and possible recommendations on a proposed Land Use Code**
18 **amendment to Title 10-chapter 13, table 10-13-1 regarding minimum lot acreage in RM-2, multifamily**
19 **10 units per acre and RM-3, multifamily 15 units per acre. As well as Title 10-chapter 15, table 10-15-1**
20 **regarding multifamily use in Commercial Areas in the Downtown area.**

21 Stephen Nelson summarized the reason for this proposed land use code amendment. He addressed the
22 current code and what it states. Dayton Hall asked how much area this would affect. Mr. Nelson
23 referred to the map presented which areas it would impact. He also went over the potential
24 amendments to the code and what the code would now read. Mark Sampson asked about the wording
25 that states "three-year vacant lot". Mr. Nelson put that wordage to discourage people from tearing
26 down an old building and turning around to build a new multifamily building. Ralph Ballard referenced
27 note D and asked for an explanation on what this note is meaning. Mr. Nelson stated what they want to
28 encourage is doors and windows facing the street. Eyes on the street keeps the streets safer. It also
29 keeps the aesthetics of the downtown area. The other question Mr. Ballard had was about the property
30 across from Burton Sant and opening up a can of worms. Rebecca Bronemann likes the wordage of the
31 vacant lot needing to be vacant for at least 3 years because we don't want people to just tear down
32 buildings to build multifamily. She asked about funding for a General Plan for the Downtown area. Mr.
33 Nelson stated that he and Councilman Darin Larsen are meeting tomorrow about the Planning
34 Department's budget and the request for the funds to do the Downtown General Plan. Michelle Cloud
35 stated that we have a real need for multifamily and less expensive housing. She thinks there is a way to
36 keep our young families in the area. She would like to see our townspeople afford to live here. Shelley
37 Goodfellow thinks the staff did a great job with the language of changing the ordinance. We need to
38 look at long term uses. She wants to make sure this is across the board good for the area. She asked

1 about letter E and stated it seems like the two sentences contradict one another. The commissioners
2 and staff discussed the downtown and how they would like to see it developed and preserved. Mr. Hall
3 asked City Attorney Fay Reber when the conditional use will expire. It was explained that the condition
4 wouldn't expire unless they put some type of date in the code to cap it. The commissioners hashed out
5 the language to clean up the code and the way they want it.

6 *Mark Sampson motioned to continue item 2021-LUCA-01 for final formatting. Shelley Goodfellow*
7 *seconded the motion. Unanimous.*

8 **2021-ZC-11 Consideration and possible recommendations on a zoning map amendment request**
9 **located at 122 S 200 West from GC, general commercial, to RM-3, multifamily 15 units per acre. Parcel**
10 **H-92-A-1-A-1. Sunnie LLC Applicant, Scott Stratton Agent.**

11 *Ralph Ballard motioned to continue item 2021-ZC-11 until the final land code use. Shelley Goodfellow*
12 *seconded the motion. Unanimous.*

13 **2021-PP-09/ 2021-HIL-02 Discussion and consideration of a possible recommendation on a**
14 **preliminary plat and sensitive lands application for Hillside Estates, a 5-lot subdivision located at 725 S**
15 **and around 1450 W. Chris Wyler Agent, Civil Science Applicant.**

16 Stephen Nelson stated the applicant requested to continue the item.

17 *Ralph Ballard motioned to continue items 2021-PP-09 and 2021-HIL-02 until the applicant is ready. Mark*
18 *Sampson seconded the motion.*

19 Rebecca Bronemann asked about the staff comment that states they need the sensitive lands
20 application. Would it save time if they waited until everything is turned in? Mark Sampson asked why
21 this is sensitive. Mr. Nelson stated it is because it is on the hillside. When you have a certain area 10
22 percent or greater, you need to file a sensitive lands application.

23 *Motion passed unanimously.*

24 **New Business:**

25 **2021-PP-10 Discussion and consideration of a possible recommendation on a preliminary plat for**
26 **Sand Hollow Village, a 161-lot subdivision located on Turf Sod Road and 5140 W. Sand Hollow**
27 **Village/Ash Creek Special Service District Applicant, Karl Rasmussen Agent.**

28 Stephen Nelson brought up a map of the proposed area and pointed out the area where the potential
29 sensitive lands is at. He referenced the sensitive lands city ordinance. Karl Rasmussen showed on the
30 map where a substation and a power easement will be located. He also used the map to explain what
31 they are wanting to do with the development. Dayton Hall asked how a sensitive lands study will help
32 them evaluate the development. The developer shared with the commissioners a little more of how
33 they will develop their land and how conversations have gone with Dixie Power. They respect the city
34 code but are hoping for the approval the way the lots are laid out without a sensitive lands application if
35 it's not really needed. Rebecca Bronemann asked Mr. Rasmussen if they had looked over the JUC
36 comments. Which they have. Mr. Nelson went over the status of Turf sod road as well as the issues this
37 development has for access. Multiple developers are working with Dixie Power to get services to certain
38 locations. Michelle Cloud stated she feels they have given a lot for the substation and the road. Shelley

Goodfellow stated she agrees with Mrs. Cloud. Ralph Ballard stated he thinks it is fair to allow the two lots in questions. Connectivity was discussed. When requiring items, roads need to be meaningful. Block lengths are 800 feet per city development standards. Shorter block streets are safer and more walk-able.

Mark Sampson motioned a recommendation of approval of 2021-PP-10 subject to staff and JUC comments with the exception based on code 10-24-3 subsection G1. Rebecca Bronemann seconded the motion. Unanimous.

1-AFP-07 Discussion and consideration of a possible recommendation on an Amended Final Plat for Quail Creek Industrial Park Subdivision Phase 3 Amended. D&G Property Holdings LLC Applicant, Civil Science- Brandee Walker Agent.

Brent Dennett is representing D&G Property Holdings, LLC. He went over the reason for the amendment. Stephen Nelson clarified a few of the amendment notes. A flag lot would be created with the amendment. He thinks it is appropriate to grant this flag lot due to the intent of it. The intent for the amendment was to clean up their lots. There are already some discrepancies on the existing recorded plat. Ralph Ballard asked if the discrepancies are going to be cleaned up. Mr. Nelson stated the applicant just wants to focus on their lots. Mark Sampson thinks it should be up to whoever to straighten this out, not the applicant. Dayton Hall thinks it is in the best interest to let the other property owners know there are discrepancies on the lots to properly fix the plat.

Ralph Ballard motioned a recommendation of approval of item 2021-AFP-07 to the City Council with recommendation of approval of lot 16. Mark Sampson seconded the motion.

Motion was amended to add the note of there being discrepancies in the plat. Unanimous.

RESOLUTION PC-01 Discussion and consideration of a possible approval of Resolution PC-01: A Resolution by the Hurricane City Planning Commission Adopting the Rules of Procedure and Order.

This item was discussed a bit in the planning commission workshop at the last meeting held on April 8, 2021. The changes discussed have been made and are presented before the commission to adopt today. Attorney Fay Reber stated he added language within the updated Rule of Procedure and Order after staff had presented the resolution to the commissioners. Mark Sampson asked if they should specify anything about quorums within this. Commissioners and staff agreed it would be appropriate to incorporate that.

Shelley Goodfellow motioned to approve Resolution PC-01 as amended. Rebecca Bronemann seconded the motion. Unanimous.

Planning Commission Business:

-Road Improvement Ordinance Amendments

Dayton Hall asked Stephen Nelson to put this on the agenda to prep them for this being seen next meeting. The building permit ordinance states you have to front a public road, if you do not, you are required to dedicate to the city the required frontage. You're also required to improve half of the cross section or pay that cost to the city if those improvements are to made at a later time. Cities can require people who make updates to their property to put in. Mr. Nelson went over what impact fees are used for as well as the process of these fees needing to be paid before pulling the permit. Shelley Goodfellow

1 asked when the city gets their money to pay for road improvements. Mr. Nelson went over the different
2 ways we get funds. When paying for a road impact fee, we cannot use those fees for maintenance, but
3 for road expansion. Credits for impact fees were discussed. What we are requiring is not proportional to
4 that development. Mrs. Goodfellow stated they need to look at master planned roads and local roads.
5 Mr. Hall stated he has drafted out an ordinance and would like some guidance from the other
6 commissioners. Ralph Ballard brought up proportional areas of fairness on road dedication. Mr. Nelsons
7 shared that vouchers have been given in the past. If we want to keep the lower density, we have to have
8 incentives. Mr. Ballard stated the cost of everything is going up. Dedicate now at cost of land and
9 current cost of improvements.

10 **-Workshop: Building Permits within Subdivision**

11 Stephen Nelson went over the proposed changes within the city code 10-39-15: enforcement and
12 permits. Discussion was had on these changes. Bonding the infrastructure is very common throughout
13 the United States.

14 **- City Council Recap**

15 PID for Sand Hollow Gateway was approved with three different districts.

16 **Approval of Minutes**

17 **1-14-2021**

18 *Shelley Goodfellow motioned approval of minutes from 1-14-2021 as revised. Mark Sampson seconded*
19 *the motion. Unanimous.*

20 **3-2-2021**

21 *Mark Sampson motioned approval of minutes from 3-2-2021 as revised. Rebecca Bronemann seconded*
22 *the motion. Unanimous.*

23 **Adjournment**

1 **ON MAY 13, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**
2 **COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

3 **Members Present:** Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing, Michelle Cloud,
4 Penny James-Garcia, and Ralph Ballard (late)

5 **Members Excused:** Rebecca Bronemann

6 **Staff Present:** Planning Director Stephen Nelson, Planning Technician Brienna Spencer and City
7 Engineer Representative Darrin LeFevre

8 Chairman Dayton Hall called meeting to order at 6:00 p.m. Roll call was taken.

9 *Shelley Goodfellow motioned to approve the agenda as posted. Paul Farthing seconded the motion.*

10 The Pledge of Allegiance was led by Mark Sampson and Jeffery Hardin offered the prayer. Roll call was
11 taken.

12
13 **Public Hearing opened at 6:03 P.M.**

14 **1. A Zone Change Amendment request to update an existing PDO, planned development overlay**
15 **(Copper Rock PDO), now including 1057 acres from the original 864 acres and a total of 2852 units**
16 **from the original 2200 units and apply an R1-10 zone as underlying zoning to the full property.**
17 **Totaling in a 2.7 units per acre density**

18 Jefferey and Janice Hardin submitted a letter and it is attached to the end of these minutes.

19
20 **2. A Proposed Land Use Code amendment to Title 10-Chapter 39-subsection 15 regarding**
21 **enforcement and permits within a subdivision.**

22 Christopher Wyler shared that it has been tough to get a permit and that it restricts builders with some
23 of the beginning stages of the building.

24 Mike Bradshaw is the engineer on the copper rock subdivision. He was the one who brought it before
25 the planning commission months ago. What this would do is allow a permit or two to be pulled prior to
26 the completion of the subdivision. Being able to bond the subdivision to provide security would help
27 move the construction along and not hold the selling of homes off.

28 **New Business:**

29 **2021-ZC-14 / 2021-PSPM-01 Consideration and possible recommendation on a proposed zone**
30 **change and preliminary site plan to update and add to an existing planned development overlay,**
31 **Copper Rock, now including 1057 acres from the original 864 acres and a total of 2852 units from the**
32 **original 2200 units. Totaling in a 2.7 units per acre density. Fairway Vista Estates Applicant, Mike**
33 **Bradshaw Agent**

34 Mike Bradshaw shared that the developers bought the 365 acres to the west of the existing
35 development. He went over the utilities and infrastructure their development will bring to the area, as

1 well as shared the different sections of the Copper Rock Subdivision and what each section contains as
2 far as facilities and types of housing. They are currently undergoing a traffic study with the new
3 configuration of the road of 3000 South. They feel this new design will help with traffic flow and be
4 better for the overall connectivity within the subdivision. Stephen Nelson went over the new changes
5 that he does like. He shared the change with one of their roads is that it moves it out of line with the
6 master planned road which connects into the Corderro subdivision that is just about to record final plat.
7 Mr. Nelson stated that utilities will gradually extend their way out there but right now, there won't be
8 anything nor is there anything planned. Paul Farthing thinks the new roadway is a significant
9 improvement. He appreciates the comments from the Hardin about growth and unfortunately, growth
10 and development are what is happening. Penny James-Garcia asked what the current zone of the new
11 section is. Mr. Nelson stated that it is RA-1 and the applicant is asking for the underling zone match the
12 rest of their development of R1-10. Mrs. James-Garcia appreciates the Copper Rock development. She
13 thinks the road of 2100 west makes sense, however, where Corderro is so close to recording, she thinks
14 some kind of written agreement and discussion on alignment needs to be fixed. Mark Sampson asked if
15 they have any plans to connect into the new SR-7. Dayton Hall asked about the density change and if
16 the amount is a huge increase. Shelley Goodfellow likes the way the new plan is redone. Her main
17 concern is that where they are approving a lot of developments out this way, 1100 West and the roads
18 leading up to are not upgraded and the traffic has increased. She addressed the concerns of the road
19 that neighbors Corderro. Mrs. Goodfellow asked if surrounding developments will benefit with the
20 utilities they have to bring out there and if they can tie into them. Mr. Bradshaw shared that the utilities
21 brought in are not for just Copper Rock, they are for the city and for the use of the public. Mrs.
22 Goodfellow asked if the new addition includes nightly rentals. Mr. Bradshaw stated that none of it will
23 and that it is all single family. Ralph Ballard asked about the water supporting the subdivision and if it is
24 the city water or the Water Conservancy that will be supplying. Mr. Nelson stated that it will be city
25 water that provides the water for these developments. Councilman Darin Larsen shared that the city has
26 seven well sites secured. What those will do is provide water to the surrounding areas. Mr. Ballard
27 stated that he has a concern that we don't spread ourselves thin with the water. He wants to make sure
28 that we actually have the water to provide. He also asked about power and if we have a plan to provide
29 to the areas coming in. Councilman Larsen shared that the city is constantly looking for ways to get
30 power.

31 *Shelley Goodfellow motioned a recommendation of approval of 2021-ZC-14 to the city council. Michelle*
32 *Cloud seconded the motion.*

33 Discussion was had.

34 *Shelley Goodfellow amended her motion to send a recommendation of approval of 2021-ZC-14 to the*
35 *City Council based on the following findings: the proposed amendment is consistent with the general*
36 *plan, it is harmonious with overall character of existing development, the public facilities and services will*
37 *be adequate to service the subject property. Michelle Cloud seconded the motion as amended.*
38 *Unanimous.*

39 *Paul Farthing motioned a recommendation of approval of 2021-PSPM-01 to the City Council subject to*
40 *the alignment of 2100 west being figured out with the neighboring development. Mark Sampson*
41 *seconded the motion. Unanimous.*

2021-LUCA-02 Consideration and possible recommendation on a proposed Land Use Code Amendment Title 10-Chapter 39-subsection 15 regarding enforcement and permits within a subdivision.

Stephen Nelson read the proposed city code and went over what was changed since the last time the commissioners saw this proposal. A copy of the proposed land use code amendment is attached to the end of these minutes. Commissioners asked if the updated code complies with State Code. Fay Reber stated that he believes it does and noted which sections correspond with State Code. Michelle Cloud asked the developers in the audience if this code change will help them. Mike Bradshaw stated that this amendment will shave 2-3 months off the building permit process. Councilman Darin Larsen stated that bonding this will allow for a guarantee to have the money to finish the infrastructure.

Mark Sampson motioned a recommendation of approval of 2021-LUCA-02. Paul Farthing seconded the motion. Unanimous.

2021-LUCA-01 Consideration and possible recommendations on a proposed Land Use Code Amendment to Title 10-chapter 13, table 10-13-1 regarding minimum lot acreage in RM-2, multifamily 10 units per acre and RM-3, multifamily 15 units per acre. As well as Title 10-chapter 15, table 10-15-1 regarding multifamily use in Commercial Areas in the Downtown area.

Stephen Nelson read the proposed city code and went over what was changed since the last time the commissioners saw this proposal. A copy of the proposed land use code amendment is attached to the end of these minutes. Mark Sampson asked what the intent is of waiting 3 years for the GC conditions. Mr. Nelson stated that it's in hopes to deter people from knocking down a building and immediately coming in to permit housing instead of commercial. Dayton Hall cleaned up some language on the conditions regarding long term multifamily in General Commercial in the downtown area. Penny James-Garcia asked how far out the city is from working on a downtown master plan. Mr. Nelson went over the potential timeline.

Ralph Ballard motioned a recommendation of approval of 2021-LUCA-01 to the city council subject to the review of city legal counsel. Penny James-Garcia seconded the motion. Unanimous.

2021-ZC-11 Consideration and possible recommendations on a zoning map amendment request located at 122 S 200 W from GC, general commercial, to RM-3, multifamily 15 units per acre. Parcel H-92-A-1-A-1. Sunnie LLC Applicant, Scott Stratton Agent.

Commissioners discussed the possible motions to be made prior to making a motion.

Ralph Ballard motioned a recommendation of denial of 2021-ZC-11 based on the findings that the proposal would result in a spot zoning and that the planning commission has recommended a land use code amendment that would address this particular type of issue. With the request that should the city council revise the code and the applicant apply for the conditional use permit, the city waive the conditional use application fee. Penny James-Garcia seconded the motion. Unanimous.

2021-PP-09 / 2021-HIL-02 Discussion and consideration of a possible recommendation on a preliminary plat and sensitive lands application for Hillside Estates, a 5-lot subdivision located at 725 S and around 1450 W. Chris Wyler Applicant, Civil Science Agent.

1 Chris Wyler stated that when this was seen before, they needed to gain secondary fire access as well as
 2 a water loop. The updated preliminary plat is what they came up with as a resolution for those prior
 3 concerns. Stephen Nelson stated that anything over 30 lots, you have to have a secondary fire access as
 4 well as a secondary water loop. Water adopted a new design section this week which will affect the
 5 proposed preliminary plat, resulting in the water access still being an issue. They have proposed to do a
 6 flag lot and the reason they are requesting that is because the front lot will not really be developable
 7 and the flag lot is the only way to utilize that land. Mr. Nelson stated that the updated grading plan now
 8 complies with the sensitive lands ordinance. Penny James-Garcia asked Mr. Wyler if he has any ideas on
 9 addressing and gaining access for the water. Paul Farthing stated that the water issue is a big issue and it
 10 needs to be addressed. Where the current water line is proposed, Shelley Goodfellow doesn't see it
 11 being an issue. She would consider that being a public utility easement. Mr. Wyler stated that they have
 12 the okay from Ash Creek to add sewer in the same area so he didn't think there would be an issue with
 13 the water being where it is.

14 Shelley Goodfellow motioned a recommendation of approval of 2021-PP-09 and 2021-HIL-02 to the City
 15 Council based on them meeting all the criteria that has been addressed as well as the water line not
 16 being on the back or side lot because it will be in a public utility easement as well as allowing the flag lot
 17 because it is the last resort due to demography. Michelle Cloud seconded the motion. Unanimous.

18 **2021-PP-11 Discussion and consideration of a possible recommendation on a preliminary plat for**
 19 **Oak Haven, a 39-lot subdivision located on Turf Sod Road and 5140 W. Monte Slavens Applicant, Civil**
 20 **Science Agent.**

21 Sand Hollow Village has proposed they will line up with the first road.

22 Paul Farthing motioned a recommendation of approval of 2021-PP-11 to the City Council subject to JUC
 23 and staff comments. Penny James-Garcia seconded the motion. Unanimous.

24 **2021-CUP-02 Discussion and consideration of possible approval of a conditional use permit**
 25 **application for a metal building located at 1179 W 650 S. Rory & Wendy Bringhurst Applicants.**

26 Left Bjornson submitted some modifications. Stephen Nelson went over the modifications as well as
 27 presented some similar in color buildings. The issue with this is that the metal building cannot exceed
 28 the 16 feet because it does not qualify for a greater height conditional use permit. Commissioners and
 29 contractor discussed the possible options for this building. Mr. Bjarnason stated that he can get three
 30 sides down to 16 feet but one side will still be 17 feet. The homeowners have already purchased this
 31 building so they cannot change the engineering. If the building was stucco or had a different facade, it
 32 would meet code.

33 Paul Farthing motioned to table 2021-CUP-02. Ralph Ballard seconded the motion. Unanimous.

34 **2021-PP-12 Discussion and consideration of a possible recommendation on a preliminary plat for**
 35 **Rock Hollow Subdivision, a 53-lot subdivision located on 1100 W near 3000 S. Chad Palmer Applicant,**
 36 **Bob Hermandson (Bush & Gudge, Inc) Agent.**

37 Bob Hermandson shared that they have address all the staff and JUC comments. They have requested
 38 the will serve letter from Ash Creek. Stephen Nelson talked with Ash Creek and they want to see an
 39 alignment. Shelley Goodfellow asked about JUC comment 4. Dayton Hall asked how wide 1100 is

1 supposed to be. The property owner to the East has already dedicated the right of way to the City.
2 Penny James-Garcia pointed out that there are a lot of questions from JUC and staff that need to be
3 addressed.

4 *Paul Farthing motioned a recommendation of approval of 2021-PP-12 to the City Council subject to JUC*
5 *and staff comments. Ralph Ballard seconded the motion. Unanimous.*

6 **Planning Commission Business:**

7 **-Road Improvement (Exaction) Ordinance Amendments**

8 Dayton Hall went over the language he drafted up and explained his idea behind it. Shelley
9 Goodfellow shared that she would like to define proportionality needing to dedicate a certain amount.
10 Commissioners and staff discussed what would be proportionate as well as what they would like this
11 code to clarify/specify.

12 **-City Council Recap**

13 Stephen Nelson went over the previous planning commission items that moved forward to the
14 city council and their decisions on those applications.

15 **-Agriculture Preservation Committee**

16 A few individuals interest in agriculture. Some of the responsibilities they could have is policy
17 adviser, advocacy for farmers (peach days, farmers markets, water preservation), etc.

18 **-Planned Commercial Ordinance Update**

19 Minimum lot size requirement is currently 5 acres. The City Council would like to see some
20 exceptions for certain locations.

21 **- The continuation of online meetings was discussed**

22
23 **Adjournment**

Minutes of the Hurricane City Council and Planning Commission joint meeting held on June 10, 2021, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

Members Present:

Council Members: Nanette Billings, Darrin Larson, Dave Sanders, and Kevin Tervort.

Planning Commissioners Present: Mark Sampson, Michelle Cloud, Paul Farthing, Penny James-Garcia, Ralph Ballard, and Dayton Hall

Also Present: City Manager Kaden DeMille, City Planning Director Stephen Nelson, City Engineer Arthur LeBaron, City Attorney Fay Reber, and Planning Technician Brienna Spencer

AGENDA

Joint Workshop: A Presentation and Discussion regarding takings and exactions lead by the Utah Ombudsman.

Stephen Nelson introduced Jordan Cullimore, Utah Ombudsman Lead Attorney. Mr. Cullimore handed out a packet that goes over the presentation presented. They generally deal with typical and common land use issues. One of the reasons they do these presentations is to help communities make good land use decisions.

- 1) What is a good land use decision?
 - a) Serves the public interest and protects property rights.
 - b) Although they are Government funded, they don't represent the government or property owners. They are mediators. They provide info and tools to both parties to hopefully reach a solution and agreement both are happy with.
- 2) Advisory opinions on how a court would view a dispute. Questions about laws and rights.
 - a) A little over 200 advisory opinions since 2006. The majority have been on exactions. The reason is because the law sounds really good on paper but the problem is that in practice, it's been hard to imply.
- 3) What is an exaction?
 - a) According to Utah case law "exactions are conditions imposed by governmental entities on developers for the issuance of a building permit or subdivision plat approval."
 - b) Finding the right balance. Should it be financed by the public at a whole or one individual/developer?
 - i) The requirements need to be reasonable.

Arthur LeBaron shared that it has been discussed one lot being developed. We have an ordinance that speaks to how to go about those development. Is requiring someone to build a sidewalk in front of a property, is it fair when the sidewalk will be used by all the public? When subdivisions come in, it seems fair but when it's a single or few lots, it doesn't seem that way. Our ordinance doesn't give any advice on how to handle a single lot with a thousand feet of frontage.

1
2 4) What are we going to provide to the community?

3 a) In his experience, the code doesn't fit all development. Technically under the law, it would be a
4 lawful exaction. You can't pick and choose who you're going to apply it to, but you can with
5 zones.
6

7 Ralph Ballard shared that as a planning commission is trying to rewrite our code to distinguish how
8 much frontage is required in a specific area with a master planned road.
9

10 Mr. Cullimore went over how Morgan County has their code with the exception to policy. We're trying
11 to carve out standards for an exception within our code.
12

13 Wasatch County just adopted a new ordinance and Mr. Cullimore suggested the city reach out to them
14 for ideas on how to handle certain scenarios.
15

16 Just because it's a big lot does not mean it's an unlawful exaction.
17

18 Unless there is an ordinance written, it still comes back to the council. You need the mechanisms in place
19 to make the right choice. Right now, the City Council is granting exceptions because there isn't the
20 language within the code to help them make those.
21

22 The impact fee law states you have to use them by 6 years or you're reimbursing.
23

24 Standard with predictability.

1 **ON FEBRUARY 23, 2022 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**
2 **COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

3 **Members Present:** Dayton Hall, Mark Sampson, Shelley Goodfellow, Paul Farthing, Michelle Cloud,
4 Ralph Ballard, Rebecca Bronemann, and Penny James-Garcia.

5 **Members Excused:**

6 **Staff Present:** Planning Director Stephen Nelson, Assistant Planner Fred Resch, Planning
7 Technician Brienna Spencer and City Engineer Representative Darrin LeFevre

8 Chairman Dayton Hall called meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Web
9 Crowder and Shelly Goodfellow offered the prayer. Roll call was taken.

10 *Rebecca Bronemann motioned to approve the agenda as posted. Paul Farthing seconded the motion.*
11 *Unanimous.*

12 **Public Hearings**

13 1. **A Zone Change Amendment request located at 1200 W 4600 S from RA-1, residential**
14 **agriculture 1 unit per acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-**
15 **3403-K. Joshua Coen Applicant. Clark Spilker and Pope Engineering Agent.**

16 Comments submitted are on file and attached to the end of these minutes.

17 Michael Salzman lives in Sky Ranch. He spoke of the General Master plan and what it shows for this
18 area. He shared that the city has this area set aside for A-40 down to RA-0.5. It is not harmonious with
19 the existing developments. RA-1 seems best suited for the area. He requests that the commission does
20 not recommend this to the city council.

21 Johanna Hevalong lives on the flag lot that wraps around the proposed zone change. She shared what
22 had to happen when her lot was developed. The access to 1200 west was the decision. She would like to
23 see these lots developed at acre lots.

24 Mark Parini lives in Grassy Meadows and is a pilot. He stated that it seems to him that these developers
25 are not considering the runway. The way he takes off on the runway, he goes right over the proposed
26 developments full of high density. He, and a lot of others, would like to see less density. Because there
27 are air operations, he would like to have it taken into consideration and keep those lots at 1-acre tops.

28 The manager at the Grassy Meadows Airport stated that take off is the most hazardous part of the
29 operations. Unfortunately, sometimes it does happen and engines fail. Just a few months ago, an engine
30 failed and the plane was totaled. They barely made it into the safety zone onto the landing strip. He
31 thinks one unit per acre is small enough.

32 A lady stated that this plane crash just spoken about was just to the west of her pasture. She was very
33 grateful that she had land for this plane to come down as safely as possible. She asked the
34 commissioners how they would feel if they had high density developments coming in around them
35 when they bought a piece of land they thought would be for low density and big lots. The reasonable
36 model for any city development is having high density in the middle of the city and keep the lower
37 density on the outskirts.

1 Jackie Soresick lives in Cliff Dwellers on almost 2 acres. When they bought, they didn't understand that
2 they would be in just a high dense area. They have approved 17,000 units all around and they would like
3 the commissioners to keep that into mind. Infrastructure is also an issue. Who is responsible for the
4 services to these developments? Does the developer pay for it? Does the city pay for it?

5 Steve talked about the traffic and conditions of 1100 west, it will not handle anymore traffic. It is a
6 major concern that most homeowners have out there. Some of the existing traffic has vehicles going
7 90mph and it makes it hard to back out of his driveway sometimes. This will be the main access into
8 town because it's the quickest.

9 Zellen Barney stated we need to be reasonable about what we put out there. In the future, we will have
10 city councilmen who complain about the location of the airport. It was put out there because it was a
11 safe area. The lower density should be kept for the safety of those who choose to build out there.

12 Mary Ann Perkins lives in Adobe Hills. She stated that this request is not harmonious with what is out
13 there. Everything to the north is at least 2 acre lots. She thinks even 1 acre lots is too small being that
14 close to the runway. She doesn't want the zone change to be done now because it makes it hard for
15 later on. A development agreement sounds great, but it can also be hard to enforce. She also has horses
16 and when the north wind blows, poop goes everywhere. If you put houses right there, they are not
17 going to be happy with her and she was there first. None of the four considerations in her letter were
18 not met.

19 **2. A Zone Change request located at 284 W 1080 S from RA-1, residential agriculture one**
20 **unit per acre, to RA-0.5, residential agriculture one unit per half acre. Parcel number H-3-2-3-2126.**
21 **Michelle Stratton Shumway Applicant**

22 No comments

23 **3. A Zone Change Amendment request located at approximately 600 S 3500 W from R1-**
24 **6, residential one unit per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10,**
25 **residential one unit per 10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6,**
26 **residential one unit per 6,000 square feet and R1-8, residential one unit per 8,000 square feet. Parcel**
27 **number H-4-2-12-1102. D. R. Horton (Don Bean) Applicant. Adam Allen Agent.**

28 No comments

29 **4. A Land Code Use Amendment to Title 10, Chapter 15, regarding Planned Commercial**
30 **development standards**

31 Comment submitted is on file and attached to the end of these minutes. No additional comments.

32 **5. A Land Code Use Amendment to adopt Water Conservation standards within Title 10**
33 **Chapter 39 – Subdivisions, Chapter 32 – Landscaping and Screening, Chapter 23 – Planned**
34 **Development Overlay, and Chapter 33 – Design and Compatibility Standards.**

35 No comments

36 **NEW BUSINESS**

1 **1. 2022-ZC-05: Discussion and consideration of a recommendation of a proposed Zone**
2 **Change Amendment request located at 1200 W 4600 S from RA-1, residential agriculture 1 unit per**
3 **acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-3403-K. Joshua Coen**
4 **Applicant. Clark Spilker and Pope Engineering Agent.**

5 Clark Spilker stated that preliminary, they have 31 units. He appreciates the landowner of the flag lot
6 because he was curious of what was going to happen with that as well. He is aware of the zone change
7 to the south but he was not part of it so he doesn't know completely. He understands the objections but
8 doesn't think this is high density. It is not his property; he is just the engineer. Stephen Nelson presented
9 a potential preliminary plat that was included in the packet but it is not an approval or denial of the site
10 plan. It was provided as a reference. Mr. Spilker stated that he was not involved in the development of
11 the airstrip and maybe there are some concerns, but he doesn't know the answers to those concerns.
12 Michelle Cloud asked Mr. Nelson to pull up the general plan map, which shows this area to be rural
13 residential. We just paid a lot of money for our general plan update, it's not even a year yet. Because of
14 that, she is inclined to not be in favor of it. We have a unique place out there and she asked if we want
15 to protect a unique area to our city. Rebecca Bronemann thanked the pilots who educated them about
16 the runway safety. She stated that she doesn't think it is safe for the runway and the high density based
17 off those comments. Mrs. Bronemann asked Mr. Nelson about staff comment number 4. Mr. Nelson
18 addressed her question about possibilities about safety concerns. We want to ensure that we are able to
19 respect the rights of all property owners and not hamper them because of a land use that happens to be
20 adjacent so we are currently in discussion with the residence of this area about annexation into the city.
21 The Hurricane Airport has a protection overlay that protects it but there isn't anything at a city or county
22 level that protects this airport. Mark Sampson stated that the Hurricane Airport has certain protections
23 and because the airport in Sky Ranch is not in the city, they cannot have those same protections. Mr.
24 Nelson stated that the Hurricane Airport is public and this is private so there are different rules that
25 apply to each one. He is not sure if there are any conflicts with the runway, his concern is the general
26 plan. Mrs. Bronemann stated that she is typically all for higher density because it seems to be more
27 affordable, but this doesn't seem to be appropriate for it. Paul Farthing asked what the surrounding
28 zoning is. Mr. Nelson stated that the Solaroca zone change has a PDO with an underlying R1-10. They
29 have agreed to low density around the outsides next to the surrounding properties. Mr. Spilker stated
30 that the general plan would allow for RA-0.5 which would only be a difference of 6,000 square feet. Mr.
31 Farthing stated he doesn't think we should treat this application any different than the surrounding
32 applications. Dayton Hall stated that this parcel is not consistent with the general plan, it is not
33 harmonious with the surrounding neighborhood, and there are not adequate services. The more density
34 you put out there, the more traffic you'll have. Penny James-Garcia stated that she will not vote against
35 the general plan unless there is some compelling reason. It is a unique neighborhood. We have done a
36 lot to protect this type of lifestyle. She shared some of the conversation she had with a gentleman on
37 the Sky Ranch airport board. She stated that he looked for an airport community and there are very few
38 around the United States. It is an asset to our city. Ralph Ballard asked if a protection over an airport is
39 federally or FAA filing. This is not a consideration for that, but he wanted the commissioners to be
40 aware. The density is a concern and services are a concern. He asked Mr. Nelson about the plans for
41 water to this area of town. Mr. Nelson shared the plans for the water tank up on the hill and once that
42 goes in, water will not be an issue. Shelley Goodfellow stated in terms of development, it is nice and she
43 wishes we had more like this. But in terms of location, it does not meet the criteria. It is not for the area
44 and we do need a buffer zone. She asked Ross which direction planes take off most often. Mr. Ross

1 stated that is most common for them to take off to the south. Mrs. Goodfellow had Mr. Nelson pull up
2 the annexation map and pointed out that this area will be right in the central area of Hurricane but in
3 terms to this development and where we are at right now, she doesn't see how we can approve this.

4 *Mark Sampson motioned a recommendation of denial on 2022-ZC-05 based on the fact that it is not*
5 *consistent with the General Plan, it is not harmonious with the surrounding neighborhood, and it does*
6 *not have adequate services. Paul Farthing seconded the motion. Unanimous.*

7 **2. 2022-ZC-06: Discussion and consideration of a recommendation of a proposed Zone**
8 **Change request located at 284 W 1080 S from RA-1, residential agriculture one unit per acre, to RA-**
9 **0.5, residential agriculture one unit per half acre. Parcel number H-3-2-3-2126. Michelle Stratton**
10 **Shumway Applicant**

11 Michelle Shumway stated that she is looking to relocate so she can sell her home. Most of the
12 properties to the west are zoned RA-0.5. It'll give her some more options when she goes to sell her
13 home. Shelley Goodfellow asked about the future 300 west and how long it'll be till that is developed.
14 Stephen Nelson stated that 300 west will be put in when development demands for it. He is unsure the
15 lot will even be able to split the lot with the requested zone change. We require roadway dedication and
16 improvements when there is a master planned road which requires the subdivision process not just a lot
17 split. Penny James-Garcia is not in favor because it diminishes and opens the door for higher density.
18 Dayton Hall doesn't have any issues with RA-0.5 but he is concerned about opening it up to R1-15. Paul
19 Farthing doesn't have any issues with making it two half acre lots. Michelle Cloud stated that it meets
20 the zone change requirements.

21 *Paul Farthing motioned to continue this until the applicant comes back with an R1-15 zone change*
22 *request. Rebecca Bronemann seconded the motion. Unanimous.*

23 Further discussion was had.

24 *Michelle Cloud – aye, Rebecca Bronemann – aye, Paul Farthing – aye, Dayton Hall – nay, Mark Sampson*
25 *– aye, Penny James-Garcia – nay, Ralph Ballard – nay, Shelley Goodfellow – aye. Motion carries.*

26 **3. 2022-ZC-07: Discussion and consideration of a recommendation of a proposed Zone**
27 **Change Amendment request located at approximately 600 S 3500 W from R1-6, residential one unit**
28 **per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10, residential one unit per**
29 **10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6, residential one unit per**
30 **6,000 square feet and R1-8, residential one unit per 8,000 square feet. Parcel number H-4-2-12-1102.**
31 **D. R. Horton (Don Bean) Applicant. Adam Allen Agent.**

32 Stephen Nelson reminded the commissioners of the proposed development but there was an issue with
33 zoning. Because of the zone boundary discrepancy, staff could not make a positive recommendation for
34 their preliminary plat. He stated that Karl Rasmussen brought to his attention today that the map
35 actually approved is not reflecting on the city's zone change map. However, he cannot find record of it
36 but wanted to make it publicly known the potential discrepancy. Penny James-Garcia asked how much
37 the density will change. Adam Allen stated that it'll add maybe 10 units overall. Mrs. James-Garcia asked
38 for an update on the PID. Mr. Nelson stated that the PID is approved and the city has approved two
39 roadways. Darrin LeFevre stated that they have approved two roadway dedications and will be
40 approving maybe two more next week. This has been coming along very slowly but we will be seeing it

1 pick up very soon. Dayton Hall stated that it is important to note that they are next to an orchard and
2 they are requesting an increase next to an orchard.

3 *Rebecca Bronemann motioned a recommendation of approval on 2022-ZC-07 subject to staff and JUC*
4 *comments. Paul Farthing seconded the motion.*

5 Ralph Ballard stated that there is a lot more to approving homes and density next to orchards and we
6 are reducing our ability to produce food.

7 *Michelle Cloud, Rebecca Bronemann, Paul Farthing, Dayton Hall, Mark Sampson, Penny James-Garcia,*
8 *Shelley Goodfellow – aye, Ralph Ballard – nay because he thinks we need to look at the agriculture side*
9 *of things. Motion carries.*

10 **6. 2022-CUP-03: Discussion and consideration of approval of a conditional use permit for**
11 **an accessory building of greater size and height located at 1458 S 700 W. Andrew Hathaway Applicant.**

12 Dayton Hall summarized why this application is being seen again. Andrew Hathaway stated that they are
13 using gray cinderblock that will have the same roofing as the house. The garage will match the house in
14 color. Penny James-Garcia shared that she spent over an hour researching what the term compatible
15 architecture means. Stephen Nelson stated that he went through our previously approved conditional
16 use permits on accessory buildings and none of them were cinder block. Mrs. James-Garcia stated that
17 she thinks we need to be consistent and if we haven't approved cinder block and we shouldn't start
18 now. She doesn't know why they would want to put a cinder block building on their lot. It sets a
19 precedence that is not there and she doesn't think we should start it. Mrs. Hathaway stated that the
20 code does not state anything about cinder block. Ralph Ballard asked how much it would cost to stucco
21 this size of a building. Mr. Hathaway stated that it would cost them \$25,000 to stucco it. Shelley
22 Goodfellow shared that she doesn't see any issues with this. She thinks the reason the code does not
23 state the allowed materials is because the city is not an HOA. Rebecca Bronemann stated that there is
24 no precedence that has been set and she doesn't think we can deny this. Michelle Cloud feels like the
25 applicant has the intent to be compatible especially with them using the same materials on the roof.
26 Paul Farthing doesn't see any issues. Dayton Hall asked what wouldn't be considered compatible
27 architecture. Councilman Kevin Thomas shared what his perspective, as a home designer, would be the
28 way it looks not the materials it's made out of.

29 *Shelley Goodfellow motioned to approved 2022-CUP-03 because it is compatible due to the colors, trim*
30 *and same roof as the house. Ralph Ballard seconded the motion. Michelle Cloud, Rebecca Bronemann,*
31 *Paul Farthing, Dayton Hall, Mark Sampson, Ralph Ballard, Shelley Goodfellow – aye. Penny James-Garcia*
32 *– nay. Motion passes.*

33
34 **7. 2022-CUP-04: Discussion and consideration of approval of a conditional use permit for**
35 **a commercial building of greater height located at 48 S 1760 W. Red Rock Hospitality Applicant. Ishraj**
36 **Singh Agent**

37 Steve Beasley stated that they are looking for a typical Hampton Inn that comes at 54 feet tall. He stated
38 that he spoke with Fred Resch this morning and that if it could be brought down 2 feet, it would
39 probably be okay. Paul Farthing asked how tall the Wyndam and Clarion Inn and Suites is. Stephen

1 Nelson stated that since those conditional use permits were approved, the code has changed. He does
2 have a few standards the commission should consider and part of the issue is that there are no direct
3 adjacent developments to set the standards for 1.5 times the height. He did state that he has some
4 issues with this code that could allow for some loopholes with the 1.5 times the height. Mark Sampson
5 asked where the 1.5 times came from. Mr. Nelson stated that nobody had a good recollection of where
6 that standard came from. Mr. Farthing stated that the Clarion is right next to residential so we can't
7 really look at that. Something like this will provide more rooms for more tax revenue for other
8 businesses and the city. Someone is willing to make the investment and we're going to make their life
9 miserable for less than two feet. Dayton Hall stated that based off the code, he doesn't see how we can
10 do the math and give the requested height. Mr. Beasley stated that he doesn't think they should base
11 the height off of residential heights. Penny James-Garcia thinks we need to review our code. She is in
12 favor of this but she cannot vote against the code. Ralph Ballard stated that a code review is necessary.
13 He is in favor of the hotel and would love to see the project happen but this code is something we do
14 have to address. Shelley Goodfellow asked what the plans were for excavating. Mr. Beasley stated that
15 they haven't gotten that far with the civil engineering yet but it will be below the highway. Mrs.
16 Goodfellow stated that we shouldn't deny this but continue it so we can work on our code. Mr. Nelson
17 stated there are quite a few different ways we could address this code to make it work.

18 Paul Farthing motioned to deny 2022-CUP-04 based on the finding that the requested height is greater
19 than 1.5 times the immediate adjacent properties. Penny James-Garcia seconded the motion. Shelley
20 Goodfellow, Paul Farthing, Mark Sampson, Ralph Ballard, Dayton Hall, Michelle Cloud, Penny James-
21 Garcia – aye. Rebecca Bronemann – nay.

22
23 **8. 2022-CUP-05: Discussion and consideration of a possible approval of a conditional use**
24 **permit for a metal building located at 1100 N Main St. Josh Proctor Applicant**

25 Penny James-Garcia asked what the code classifies metal shipping containers as. Stephen Nelson stated
26 that generally his interpretation is that they should get permits and a conditional use permit because he
27 would classify them as a metal structure. But nobody has ever come in to ask him if they could put a
28 metal storage container on their lot. Although not relevant, further discussion about metal
29 shipping/storage containers was had. Commissioners do not have any issues with the requested
30 structure.

31 *Mark Sampson motioned to approve 2022-CUP-05. Rebecca Bronemann seconded the motion.*
32 *Unanimous.*

33 **9. 2021-PP-32: Discussion and consideration of a recommendation of a preliminary plat**
34 **for Desert Sands Area G, a 125-unit single-family subdivision located at 3000 S Sand Hollow Road. The**
35 **Hollows LLC Applicant. Brett Burgess Agent.**

36 Brett Burgess went over the application. Shelley Goodfellow is glad they are not maximizing their
37 density and she has no problems. Ralph Ballard stated that commercial is what funds the city, not
38 residential. We need to figure out a way to keep it here and if we do, we will have the money to do what
39 we want to do. Mr. Burgess stated that they are trying to get some commercial going. They want to do a
40 gas station and some restaurants. Dayton Hall asked how high the ground water was. Mr. Burgess stated

1 that they have only seen water along the commercial side but they hit rock at 4 feet in the residential
2 area. They will build it up along Sand Hollow Rd so it shouldn't be an issue especially with the pump
3 stations the water conservancy has put in. Michelle Cloud would like to request a pizza place. Mr.
4 Ballard stated that the ground water is an issue and it will affect the gas station.

5 *Paul Farthing motioned a recommendation of approval 2021-PP-32 subject to staff and JUC comments.*
6 *Mark Sampson seconded the motion. Unanimous.*

7
8 **10. 2022-FSP-02: Discussion and consideration of a possible approval of a final site plan**
9 **for Walmart Lot 8, a one-unit commercial development. American Heritage Homes Applicant**

10 Ben Reusch is the owner of the property and is currently in negotiations with a pizza place for one of his
11 buildings on this lot. Stephen Nelson stated that landscaping and building renderings were all that was
12 needing to be approved. Paul Farthing mentioned the staff comment about potentially adding some
13 additional ADA compliant parking. Rebecca Bronemann stated that outdoor lighting just needs to be
14 dark sky compliant.

15 *Rebecca Bronemann motioned to approve 2022-FSP-02 subject to staff comments. Michelle Cloud*
16 *seconded the motion. Unanimous.*

17 **11. 2022-PSP-06: Discussion and consideration of a possible approval of a preliminary site**
18 **plan for Hurricane Equipment Rentals located at 520 W and SR-9. Hurricane Equipment Rental**
19 **Applicant.**

20 *Shelley Goodfellow motioned to approve 2022-PSP-06 subject to staff and JUC comments. Penny James-*
21 *Garcia seconded the motion. Unanimous.*

22 **12. 2022-AFP-02: Discussion and consideration of a recommendation of an amended final**
23 **plat for North Slope at Copper Rock Phase 2. Fairway Vista Estates Applicant. Alliance Consulting**
24 **(Mike Bradshaw) Agent**

25 *Ralph Ballard motioned to continue 2022-AFP-02 at the applicant's request. Mark Sampson seconded the*
26 *motion. Unanimous.*

27 **Planning Commission Business:**

- 28 1. City Council Recap
29 2. Discussion and consideration of rescheduling Hurricane City's Planning Commission meeting
30 *Ralph Ballard motioned to approve the schedule as amended. Paul Farthing seconded the*
31 *motion. Unanimous.*

32 **Approval of Minutes:**

33 December 9, 2021

34 *Shelley Goodfellow motioned to approve the minutes for December 9, 2021. Michelle Cloud seconded the*
35 *motion. Unanimous.*

36 January 13, 2022

1 *Mark Sampson motioned to approve the minutes for January 13, 2022. Ralph Ballard seconded the*
2 *motion. Unanimous.*

3 **4. 2022-LUCA-01: Discussion and consideration of a recommendation of a Land Code Use**
4 **Amendment to Title 10, Chapter 15, regarding Planned Commercial development standards**

5 Stephen Nelson shared that he has spoken with some of the planned commercial property owners and
6 they recommended that instead of calculating things by floor area, we do the overall site area. What the
7 tradeoff comes to is larger commercial areas with smaller residential areas with calculating floor area and
8 smaller commercial but not necessarily incentivize smaller residential units. Dayton Hall stated that we
9 are giving more density to the residential side of these planned commercial by incentivizing more
10 commercial. There is a tradeoff where we are allowing above 15 units per acre if they will do 40%
11 commercial. But if we calculate by total area instead of floor space, it throws the balancing out of
12 whack. Mr. Nelson stated that area would be a little bit easier to calculate through the process. With
13 preliminary site plans, the estimates will be a little hard to judge so he will have to have a really good
14 idea of what their buildings are going to look like. But calculating area, commercial building could be a
15 little loose and you can be more open ended about what it'll be. From an implementation standpoint, it
16 will be easier to work with. But the reason we did it this way was to create a larger and more walkable
17 commercial type development. He just thinks the overall implementation might be a little tricky when
18 figuring out square footage.

19 *Dayton Hall motioned a recommendation of approval of 2022-LUCA-01 subject to the city attorney's*
20 *review. Mark Sampson seconded the motion. Unanimous.*

21 **5. 2022-LUCA-02: Discussion and consideration of a recommendation of a Land Code Use**
22 **Amendment to adopt Water Conservation standards within Title 10 Chapter 39 – Subdivisions,**
23 **Chapter 32 – Landscaping and Screening, Chapter 23 – Planned Development Overlay, and Chapter 33**
24 **– Design and Compatibility Standards.**

25 Stephen Nelson went over the proposed water conservation standards and where it would pertain to
26 certain sections within the city code. Because we were opening the code, he thought right now would
27 be a good time to talk about park strips and street trees because it pertains to the spirit of the water
28 conservation portion of the code. Penny James-Garcia stated that when speaking with Mr. Nelson this
29 afternoon, she asked if there is any real data for our city of Hurricane that shows we have a water issue,
30 and he stated that we do not so she feels this is premature. Michelle Cloud stated that we are in a water
31 crisis and we need to do what we can to conserve. There are somethings that all the different
32 departments are okay with. She thinks there is a lot more we can do. The commissioners further
33 discussed what they would like to see with restrictions within residential zones. Ms. James-Garcia stated
34 that she has an issue with the section that regulates adding trees within park strips. She shared that they
35 have had a lot of issues within Sky Mountain where the sidewalks are heaving because of the roots. They
36 just recently took out 47 of their 85 trees.

37 *Mark Sampson motioned to continue 2022-LUCA-02. Paul Farthing seconded the motion. Unanimous.*

38 **Adjournment**

Hurricane Planning Commission
Meeting Minutes
4/27/2022

Call to Order - 6:00 P.M.

ON APRIL 27, 2022, AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

Vice-Chairman Mark Sampson called the meeting to order at 6:00 P.M. Roll call was taken.

Pledge: Rebecca Bronemann

Prayer: Brad Winder

Members Present: Mark Sampson, Paul Farthing, Shelley Goodfellow, Ralph Ballard, Rebecca Bronemann, and Brad Winder.

Members Excused: Michelle Cloud.

Staff Present: Planning Director Stephen Nelson, Assistant Planner Fred Resch, Planning Technician Brienna Spencer, City Attorney Fay Reber, and Building/Planning Clerk Karri Richardson.

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

Penny James-Garcia resigned from the Planning Commission.

Brad Winder was sworn in as a Planning Commission member. 0

ELECTION OF NEW CHAIRPERSON.

Paul Farthing nominated Mark Sampson as chairperson. Unanimous.

Mark Sampson nominated Paul Farthing as vice-chairperson. Unanimous.

Public Hearing:

- 1. A Zone Change Amendment request located at 200 North and 2260 West on the north 2.9 acres from MH/RV, mobile home/RV, to PC, planned commercial to remove the applicant's obligation to build an RV Park. Parcel number H-3-1-32-1102.**

Steve Young owns Desert Star Storage on the north edge of this parcel. He asked what the proposed change is.

Stephen Nelson shared that the applicant has requested to table this item. The City Council has not approved the new planned commercial zoning, and the applicant does not want to be granted zoning when they do not know what the standards are. Mr. Nelson reviewed the zoning proposal. Mark Sampson asked why the applicant no longer wants to build the approved RV park. Mr. Nelson stated that applicant is not confident with that project considering the amount of RV parks going in.

1 No further comments.

2 **2. A Zone Change Amendment request located on the northwest corner of 2500 South and**
3 **2100 West totaling 50 acres to contain a PDO, planned development overlay, with the**
4 **underlying zone of RA-1, residential agriculture one unit per acre to build the American**
5 **Village of the West. Parcel numbers H-3345 and H-3346.**

6 No comments.

7 **3. A Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5,**
8 **agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort**
9 **zoning. Parcel numbers H-4138-L and H-4138-E.**

10 Royal Blake is representing Tom Blake and family. He asked if the surrounding properties are being
11 rezoned to resort rental. Will he and his family be allowed to have the same zoning? If this is not offered
12 to everyone impacted by it, they are against it.

13 **NEW BUSINESS**

14 **1. 2022-ZC-15: Discussion and consideration of a recommendation to the city council on a**
15 **Zone Change Amendment request located at 200 North and 2260 West on the north 2.9**
16 **acres from MH/RV, mobile home/RV, to PC, planned commercial so the applicant doesn't**
17 **have to build an RV park. Parcel number H-3-1-32-1102. Sky Mountain Properties**
18 **Applicant.**

19 *Ralph Ballard motioned to table 2022-ZC-13 and 2022-PSP-13 at the request of the applicant and in the*
20 *best interest of the Planning Commission until such time that the City Council approves the updated*
21 *planned commercial zone. Rebecca Bronemann seconded the motion. Unanimous*

22 **2022-PSP-13: Discussion and consideration of an approval for a Preliminary Site Plan for**
23 **Hurricane Sky Mountain Townhomes, a Planned Commercial development consisting of**
24 **commercial space and 172 townhomes, located at 200 N 2260 W. Sky Mountain Properties**
25 **Applicant.**

26 **2. 2022-ZC-16: Discussion and consideration of a recommendation to the City Council on a**
27 **Zone Change Amendment request located on the northwest corner of 2500 South and**
28 **2100 West totaling 50 acres to contain a PDO, planned development overlay, with the**
29 **underlying zone of RA-1, residential agriculture one unit per acre to build the American**
30 **Village of the West. Parcel numbers H-3345 and H-3346. Bench Lake LLC Applicant.**
31 **Dennis Leavitt Agent.**

32 Karl Rasmussen went over the application. The Constitution area is for people to visit and learn about
33 American Heritage and the Constitution. The water features will take care of nuisance and drainage
34 water. Shelley Goodfellow stated that there are ten proposed acre lots, but the site plan only shows
35 seven. Mr. Rasmussen reported that they plan to have ten lots. However, depending on changes, there
36 is a possibility of only having seven lots. Access to the seven lots will be the county road and 2700
37 south. Mrs. Goodfellow asked what is planned for the property initially included in the plan. Mr.
38 Rasmussen stated they are unsure, but their next step is to come in with the overall site plan. If
39 approved, the applicant will return with an approved site plan that matches their existing zoning. The

1 density is not determined. They are currently drilling a well for water to supply water for the water
2 features and plants. Mrs. Goodfellow likes the design. It goes well with the agriculture in the surrounding
3 area. However, she is concerned about the density.

4 Paul Farthing asked how they are planning to conserve water considering there are many green grass
5 areas. Mr. Rasmussen stated they are planning to do a lot of desert landscaping, and they are working
6 with the water district on how to manage the water until the dam is built. Mrs. Bronemann thinks this is a
7 good blend of agriculture, housing, and industrial. Mr. Ballard would like to have the facts, and he does
8 not want to approve something that might be changed. Mr. Rasmussen stated that Mr. Nelson will
9 review any changes to the proposed plan. Dennis Leavitt reported that this project will not be complete
10 until 2025. The groundbreaking and celebration are in July 2022.

11 *Paul Farthing motioned a recommendation of approval of 2022-ZC-16 subject to staff and JUC*
12 *comments. Rebecca Bronemann seconded the motion. Mark Sampson, Paul Farthing, Shelley*
13 *Goodfellow, Ralph Ballard, Rebecca Bronemann, and Brad Winder, aye. Unanimous.*

14 **3. 2022-ZC-17: Discussion and consideration of a recommendation to the City Council on a**
15 **Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5,**
16 **agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort**
17 **zoning. Parcel numbers H-4138-L and H-4138-E. Chris Wyler Applicant. Civil Science-**
18 **Brandee Walker Agent.**

19 Mr. Nelson reported meeting with the applicant to discuss his concerns regarding the staff's
20 recommendation to deny the application. This project does not meet the standard of the new
21 recreational resort zoning. Mr. Wyler is asking that the application be continued if there is a
22 recommendation of denial. Mr. Nelson feels that if the recommendation is denial, this should be
23 continued so the applicant can be present. Mr. Ballard asked Mr. Nelson if there is any research
24 regarding these types of developments. Mr. Nelson stated there are some good economic benefits from
25 recreation resorts and short-term rentals. However, they use more water than an average household
26 and create more traffic. They can negatively impact the affordability of housing. There are ways to
27 mitigate this based on placement. There are 15,000 approved units in master planned communities.

28 *Paul Farthing motioned to continue 2022-ZC-17 at the request of the applicant. Shelley Goodfellow*
29 *seconded the motion. Unanimous*

30 **4. 2022-FSP-04: Discussion and consideration of an approval of a final site plan for Pecan**
31 **Valley Resort, located at 2320 S 5140 W. Chris Wyler Applicant. Civil Science Agent**

32 Mr. Nelson reviewed the concerns with the previous application. The applicant addressed the parking,
33 driveways, and landscaping, and he is comfortable making a positive recommendation. Mrs. Goodfellow
34 stated that she is glad that they upgraded the parking plan to meet our standards, but sometimes the
35 ordinance doesn't make sense. Mr. Sampson asked if there is any guest parking. Mr. Nelson stated that
36 there are two car garages with two car driveways. The Planning Department will require RV parking in
37 the next phase. Mr. Wyler plans to add overflow parking to the next phase of development. Turf Sod
38 Road and the Turf Sod Road Sand Hollow intersection need to be addressed.

39 *Shelley Goodfellow motioned to approve 2022-FSP-04. Ralph Ballard seconded the motion. Unanimous*

40 **5. 2022-FSP-05: Discussion and consideration of an approval of a final site plan for phase 2**
41 **and 3 of Coral Springs Resort, a residential multi-family condominium development**
42 **located at approximately 200 N Foothill Canyon Dr. CW The Terra, LLC Applicant. Tysen**

Clements Agent.

Mr. Nelson stated that the concerns regarding amenities in the first phase have been addressed. However, they have not addressed the height of their buildings. The roof's rafters are at 30', but the peaks are higher. They need a conditional use permit to approve the taller height, and any approval should be subject to having a conditional use permit. He is also unsure where the onsite management will be located. The applicant stated they are willing to apply for the conditional use permit regarding the height. The project is being combined with the existing Coral Springs development with onsite management.

Rebecca Bronemann motioned to approve 2022-FSP-05 subject to staff and JUC comments. Paul Farthing seconded the motion. Unanimous.

6. 2022-PSP-14: Discussion and consideration of an approval of a Preliminary Site Plan for Sand Hollow Townhomes, a Planned Commercial development consisting of commercial space and 164 townhomes, located at the corner of Ash Creek Dr and Sand Hollow Road. Smoothie Kings Holdings Applicant. Premier Design Agent.

Mr. Nelson's recommendation is to table the application until the new planned commercial code is approved. The applicant is in agreement.

Shelley Goodfellow motioned to approve 2022-PSP-14. Rebecca Bronemann seconded the motion. Unanimous

Shelley Goodfellow withdrew her motion.

Shelley Goodfellow motioned to table 2022-PSP-14 until the updated planned commercial code is complete. Rebecca Bronemann seconded the motion. Unanimous

7. 2022-PSP-15: Discussion and consideration of a modification of the preliminary site plan for Black Ridge-Collina Tinta, an 1886-unit residential subdivision, located at approx. 2180 W and Rlington Parkway along the eastern side of Sullivan's Knoll. Austin Overman Applicant.

Austin Overmann provided the history of the original development. They recently acquired the property. They are proposing to remove the golf course to provide more usable space. The density is not increasing. The applicant would like to increase the single-family units, reduce the multifamily units and keep the approved number of vacation rentals. Mr. Nelson went over the original approved site plan in 2007 with an 18-hole golf course, clubhouse, and a mix of single-family units, multifamily zoning, and recreation resort units. The staff recommended removing the golf course because it is not the best use of space and water sources. Generally speaking, he likes the direction this is going. The total units per acre are not changing. The golf course was planned to span 202 acres. Their overall density will be lower. They plan to do one hundred acres of open park space and a trail system. A density bonus can be approved based on the landscaping and park system. He reviewed the process for modifying the PDO in the existing development agreement. There is disagreement regarding whether this should go through a zone change application and public hearing. The applicant argues that they have made modifications that are allowed in the existing development agreement. The city's standpoint is that the applicant is eliminating significant parts of the development. They should have to go through a rezoning application. Mr. Farthing is concerned because the number of resort units is not changing. It makes sense to have them around a golf course. Without the golf course, resort units do not fit. Mr. Nelson recommends continuing this until the application has gone through the proper zoning process. The

applicant can take this to the City Council if they choose not to apply for the zone change.

Fay Reber stated that from his interpretation, they are changing the use of what is approved, and he thinks it should go through the zone change process. Mr. Winder asked how they plan to incorporate the existing ponds into the new proposal. Mr. Overton stated that they will be used as retention ponds. Mrs. Goodfellow asked if the applicant is concerned about opposition to the zone change. Mr. Overton noted concerns regarding the amount of time the process can take. Mr. Farthing stated that this is standard practice. Other developers are required to go through the zone change process as well.

Shelley Goodfellow motioned to continue 2022-PSP-15. Paul Farthing seconded the motion. Unanimous

Planning Commission Business:

1. City Council Recap

Approved	Denied	Continued	Tabled
Benchlake Townhome Zone Change	208 S Main St. Zone Change	Short Term Rental Ordinance	
Michell Shumway Zone Change		Sky Valley West Preliminary Plat	
Pecan Valley Final Plat Amendment		Greater Height Conditional Use Permits	
Hideaway Ridge Phase 2 Preliminary Plat		Stout Family Development Agreement	
Power Department Zone Change		Accessory Dwelling Unit	
Fairgrounds RV Zone Change Amendment			
Kent Frey PDO Zone Change Amendment			
Cordero Phase 2 Preliminary Plat			
Horseman's Edge 40 Lot Family Subdivision			

The City Council discussed the planned commercial code. They recommended area percentage instead of square footage percentage for building. They also recommended a clause allowing a density bonus for providing deed-restricted housing units.

2. Site Plan Design

Fred Resch discussed the proposed ordinance change requiring open space and amenities within multifamily developments. The current requirement is that fifty percent of the land area should be free of buildings, but parking lots can take up that space. Mr. Resch provided examples of open space amenities. He also provided a list of possible amenities. Developers reported that they want a clear definition of amenities. He reviewed the main topics. Pedestrian circulation. Breaking down the outdoor lighting requirement between residential and commercial. There are recommendations in the code, but we want to make them requirements. Smaller parking footprints by allowing on-street parking to provide more open and green space. The commissioners discussed what they want to address in the site plan design ordinance. Mr. Resch will update the proposed ordinance for the commission to review.

Approval of Minutes:

1 **1. March 10, 2022**

2 *Shelley Goodfellow motioned to approve minutes. Paul Farthing seconded the motion. Unanimous.*

3 **2. March 30, 2022**

4 *Ralph Ballard motioned to approve minutes. Paul Farthing seconded the motion. Unanimous.*

5 **3. November 17, 2021**

6 *Paul Farthing motioned to approve minutes. Rebecca Bronemann seconded the motion. Unanimous*

7 **Adjournment**