



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

City Council

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

Hurricane City Council Meeting Agenda

June 5, 2025

3:30 PM

City Council Chambers 147 N 870 W, Hurricane

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

3:30 p.m. Budget Work Meeting

1. Discussion on the 2025-2026 FY Budget
2. Agenda Summary

5:00 p.m. Pre-meeting

6:00 p.m. - Call to Order

Prayer

Thought

Pledge of Allegiance

Swearing in of Officer Mike Bassarera

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for April 3, 2025, and Special Meeting April 8, 2025

Presentation and donation from the Tri-State ATV Club

Presentation and update from the Zion Regional Collaborative (ZRC)

Public Forum – Comments from Public

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

NEW BUSINESS

1. Presentation and discussion on **flood control alternatives** for Gould Wash - Bobbi Preite
2. Consideration and possible approval of **waiving the City power impact fee** for Washington County's Legacy Park trailer rental hookups
3. Discussion on survey results regarding the **City Civic Center**
4. Consideration and possible approval of a **Boundary Line Agreement and Reciprocal Quit Claim Deed** with SkyRim Development, LLC
5. Consideration and possible approval of **Resolution 2025-25 appointing members to the Historical Committee**
6. Consideration and possible approval of **Ordinance 2025-10 clarifying amendments approved with** Ordinances 2024-13 and 2024-14 - Gary Cupp
7. Consideration and possible approval of **awarding the bid to install the AWOS system at the airport** to Mesquite Electric in the amount of \$345,800.00 - Mike Vercimak
8. Consideration and possible approval of a firm for the **Architectural Design, Engineering, and Construction Oversight for the Sky Mountain Clubhouse Remodel** - Kent Abegglen
9. Consideration and possible approval of **Zone Change Amendment Ordinance ZC25-13**, a request for a zone change located at 40 N 2480 W from Multiple Family (RM-2) 10 units per acre to Highway Commercial (HC); Parcel Number H-3-1-32-1101-A; James Cheney/JACI Properties, Applicant; Gerold Pratt, Agent
10. Consideration and possible approval of a **Development Agreement with the Zion Regional Medical Center** to allow, among other terms, an increased height limitation of 85 for a proposed hospital building on property zoned Highway Commercial (HC); Parcel Numbers H-3-2-6-1406-GS1, H-3-2-6-1407, and H-3-2-6-1408-GS2; ZRMC Operating LLC, Applicant; Jared Cox and Karl Rasmussen, Agents
11. Consideration and possible approval of **Ordinance 2025-12 amending Title 10, Chapter 43** regarding site-built dwelling units in platted RV parks; Land Use Code Amendment No. LUCA25-04; Western CRE-Joby Venuti, Applicant; Rosenberg & Associates, Agent
12. Consideration and possible approval of **Zone Change Amendment Ordinance ZC25-11**, a request for a zone change located at 2400 W and Liberty Way from Light Industrial (M-1) to Single Family Residential (R1-10/PDO) and to update the overall PDO for the Balance of Nature Gardens property; Parcel Number H-3373-NP-BL; Douglas Howard, Owner; EPS Group, Inc., Agent
13. Consideration and possible approval of **Ordinance 2025-11 amending Title 10, Chapter 7** regarding classification of new and unlisted business uses; Land Use Code Amendment No. LUCA25-05; Hurricane City, Applicant -Gary Cupp
14. Progress update for the **proposed city pool**
15. Consideration and possible approval of **Ordinance 2025-13 creating Section 8-1-16 in the City Code** regarding Irrigation Water for Development - Ken Richins

16. Mayor, Council, and staff reports

17. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Adjournment

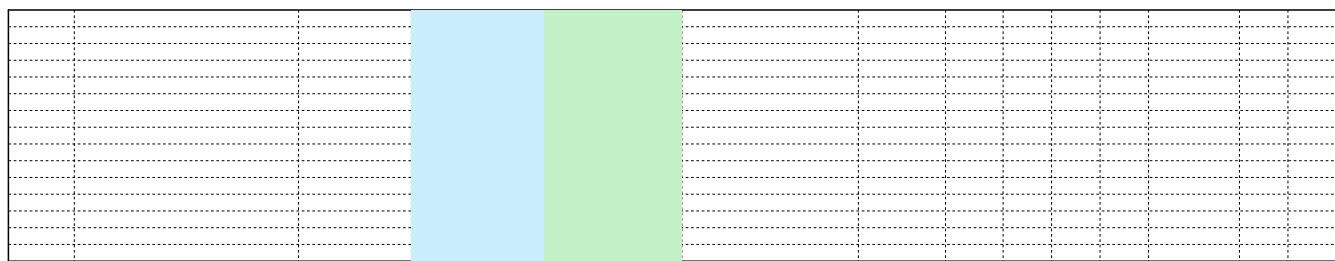
I hereby certify that the above notice was posted to the city website,
(www.cityofhurricane.com) posted to the state public notice website, and at the following locations:

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

_____ for the City Recorder

		Paige and Kaden recommendations		Amount Approved	Notes
		Budget Capital	Items Approved		
Ranking	General Fund				
	City Council				
10-41-60	MISCELLANEOUS				
	Girl's State	\$900			Based on City Attorney recommendations, these funding arraignments needs to have an impact to the City.
	Grandparent-Foster Program	\$1,000			
	Hurricane Valley Tourism Alliance	\$3,000			
	Hurricane Valley Support Foundation	\$3,000			
	Hurricane Valley ATV Liability Insurance	\$1,100			
	American Legion Post 100	\$900			
	Robotics Club HHS Black Ops (1 year)	\$772			
	New City Council tablets	\$2,000	\$2,000		
	School Bus for Veterans Parade	\$400			
	Small Business Assoc.	\$20,000	\$20,000		
	Discuss funding for the 100 Year H anniversary				
	Attorney				
10-43-70	CAPITAL				
	Vehicle Request	\$50,000	\$10,000		This is a down payment, the remaining amount would be taken care of by the lease fund.
	Clerk				
10-44-70	CAPITAL				
	New utility employee	\$70,000	\$70,000		Hire this person in Sept. to get trained for Michelle replacement
	HR				
10-46-70	CAPITAL				
	OSHA Compliance	\$5,000	\$5,000		
	Central Purchasing				
10-48-34	OTHER SERVICES				
	Caselle Advantage	\$22,574	\$22,574		Budgeting software, for future reference
	City Office Building				
10-50-70	OFFICE FURN & FIXTURES				
	Computer replacements	\$2,600	\$2,600		
	Equipment	\$6,600	\$6,600		
10-50-83	CITY OFFICE BUILDING PAYMENT				
	City Campus Payment	\$300,000	\$300,000		This is an estimated amount to start getting ready for payments.
	Beautification				
10-51-70	CAPITAL OUTLAY				
	Misc. Projects	\$5,000	\$5,000		
	Police				
10-54-70	CAPITAL OUTLAY				
1	License Plate Readers (4)	\$9,000	\$9,000		Last year received 4 license plate readers under a grant. Cost \$9,000 a year. If not approved, we will send them back
2	Def 40 MM LMT Tactical Single Launch	\$1,266	\$1,266		Patrol Sergeant launcher, case, and side saddle
3	Replacement Computers Office	\$6,720	\$6,720		4 computers; desktop a 1250, monitor a 100, keyboard and mouse 200, Battery Backup \$185. Need at least 2 newer computers to upgrade to Windows 11
4	Replacement laptops for vehicles	\$11,245	\$11,245		5 laptops @ \$2,249. Laptops last about 5 years in the vehicle
5	KWA Airsoft Training Package	\$9,200	\$9,200		\$4,500 includes 5 rifles, 5 pistols, case, and ammo. This is to purchase 2 packages. 75 BBs cost the same as we are currently paying for 1 sim round.
6	Rack Mount Battery Backup	\$1,599	\$1,599		Need new Eaton Rack Mount Battery Backup for Server Room
7	Surface Pro 9 Tablet with Keyboard	\$1,350	\$1,350		Computer for Lt. Travis Hall for meetings; does not need HD laptop
8	Replacement Printers for vehicles	\$1,000	\$1,000		4 @ \$249.99; Printers last about 5 years in the vehicle with the heat/cold.
9	AED & Box	\$3,809	\$3,809		2 AEDs for downstairs and MRAP @ \$1,824 each. Defib wall cabinet and wall sign for downstairs @ \$161.
10-54-80	VEHICLE PURCHASE				
1	Replacement Patrol Vehicle	\$13,000	\$13,000		Replacement Patrol- 2026 Ford Police Interceptor @ \$47,914, Equipment \$14,500, Strip old vehicle \$500.
1	Sell old vehicle	(\$15,000)	(\$15,000)		Sell 2014 Ford F-150; Vehicle #5606; 109,868 miles. Estimated sale price \$15,000. *Transferring Police Vehicle to AC.
2	Patrol	\$13,000	\$13,000		Replacement Patrol- 2026 Ford Police Interceptor @ \$47,914, Equipment \$14,500, Strip old vehicle \$500.
2	Sell old vehicle	(\$15,000)	(\$15,000)		Sell 2020 Ford Expedition; Vehicle #5443; 80,000 miles. Estimated sale price \$15,000. (Current K9 vehicle; roughly \$6,000 of repairs just this year)
3	Replacement Patrol Vehicle	\$13,000	\$13,000		Replacement Patrol- 2026 Ford Police Interceptor @ \$47,914, Equipment \$14,500, Strip old vehicle \$500.
3	Sell old vehicle	(\$8,000)	(\$8,000)		Sell 2019 Ford Interceptor; Vehicle #5443; 115,000 miles. Estimated sale price \$8,000. (POST vehicle)
10-54-90	NEW PERSONNEL				
1	Traffic Officer	\$125,903	\$0		Conversations with the Chief and the wage differences between cities, he has decided to focus on wages at this time.
2	Detective	\$99,663	\$0		
1	Victims Advocate	\$15,500	\$15,500		Hire our own and she would also do records.
	Replacement costs	\$64,340	\$64,340		When employees retire or get promoted we need to back fill those positions.
	Animal Control				
10-56-70	CAPITAL OUTLAY - EQUIPMENT				

[illegible]



Agenda Summary for Hurricane City Council June 5, 2025

3:30 p.m. Budget Work Meeting

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Swearing in of Officer Mike Bassarera

Minutes of the Regular City Council Meeting for April 3, 2025, and Special Meeting April 8, 2025

Presentation and donation from the Tri-State ATV Club

Presentation and update from the Zion Regional Collaborative (ZRC)

New Business

1. Presentation on flood control alternatives for Gould Wash.
2. Many events come to the park needing more space than we currently have. We added ten rv spots to accommodate the need. In our planning, I neglected to realize the need for a meter as the rest of our park is a primary meter for every structure. We have an event this Friday that requires the extra space and the 400 amp meter is the last obstacle in order for us to have the spaces available. Washington County is seeking a waiver of the impact fees for the electrical meter. - Nicholle Felshaw

The impact fee for the 400-amp 120/240 power service for the RV pads would be \$9803.00 and then they would need to pay the \$425.00 connection fee.

3. Discussion on survey results regarding the City Civic Center.
4. This item is requested by the developer of SkyRim, located east of Walmart. The City's Stratton Well is located on a parcel of land surrounded by the proposed development. The developer has requested a boundary line adjustment affecting the City's parcel of land. The purpose of the proposed adjustment is for the property boundaries to better align with the planned roadways within the development. The adjustment will be a simple, minor realignment and will not result in any loss of square footage to the City's parcel. The Water Department has reviewed the proposed boundary line adjustment and has determined that the adjustment will not have any negative impacts on the use of the parcel.

The proposed realignment will not reduce the size of the City's parcel and will not affect the utility of the City land.

City staff have no objection to the proposed realignment. – Dayton Hall

5. Due to a current vacancy and ongoing health issues affecting one of its members, the Historical Committee has been operating with limited participation. Attached is the proposed resolution to appoint Reuben Wadsworth as a new member and designate Dan Zaleski as the alternate to ensure the committee can continue functioning effectively when regular members are unavailable. – Cindy Beteag
6. On November 7, 2024, the City Council adopted Ordinance 2024-13, amending Title 10, Chapter 15 regarding the takeoff and landing of aircraft in commercial zones for purposes of medical transport. Subsequently, on November 21, 2024, the Council approved Ordinance 2024-14, which amended Title 10, Chapters 3, 15, and 51 to address regulations for transient lodging facilities in commercial zones. Following the standard process in which the Planning Commission reviews the proposed changes and provides recommendations prior to Council approval, the relevant chapters were downloaded and redlined for their review. However, because the proposed amendments to Ordinance 2024-14 were prepared before Ordinance 2024-13 was adopted, the updates made on November 7 were not reflected in the November 21 ordinance. As a result, Chapter 15 inadvertently reverted to its previous version, undoing the changes made for medical transport. The current ordinance serves to clarify and confirm that all previously approved changes—both for medical transport and transient lodging—are valid and intended. – Gary Cupp
7. As per the Capital Improvement Plan for the Hurricane Airport, Woolpert the airport consulting firm, designed and bid the AWOS (All Weather Observation System) system. The project was advertised, and bids were received and opened on April 24, 2025. After a review of the bid and bid documents, Woolpert has sent a letter of recommendation that the bid be awarded to Mesquite Electric, LLC of Mesquite, Nevada in the amount of \$345,800.00.
It should be noted that there was only one (1) bid on this project. The bid was compared to other AWOS projects and was slightly higher but comparable to other similar projects. The city's portion of this project is \$132,625.63.
The Airport Board reviewed the bid on May 20, 2025, at the regular board meeting and voted to forward the bid to the City Council with a recommendation to award the bid. – Mike Vercimak
8. We are submitting possible approval for Campbell Architecture / Jones and Demille Engineering to provide Architecture, Engineering and Project Construction Oversight of the remodel of the Sky Mountain Golf Course Clubhouse.

We have researched their experience, timeline, and fee structure and found it to be inline and very competitive. – Kent Abegglen

Arthur Lebaron added "I think your estimate of \$2.4 million is a fair estimate. Here is my opinion on full-service (includes construction admin) design fees for this project:

Complex, 14% design fee:	\$336,000
Standard, 12% design fee:	\$288,000
Simple, 10% design fee:	\$240,000

In my opinion a remodel and addition is at least standard, if not complex. Based on the scope of work that has been provided, together with a cost proposal of \$211,600, I think it's a fair price. The scope includes construction administration as well as the civil/site/landscaping work, which was all excluded from the 2020 MRW proposal.

I would recommend moving forward with Kim Campbell."

9. The applicant requests a zone change from Multiple Family (RM-2) to Highway Commercial (HC) on a remainder parcel in the Desert Fields Townhomes development. The site plan for the development shows this area as an "RV storage area" intended for use by the residents of the development. The applicant has stated their purpose is to rezone this area to Highway Commercial so they can build a commercial office building on the site.

A public hearing was held for the application at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners briefly discussed the item and voiced overall support of the zone change as long as staff felt that adequate parking was available for the proposed use of the property. Accordingly, the Planning Commission unanimously recommended approval of the zone change.

Property Information

- Address: 40 N 2480 W, Hurricane
- Parcel No.: H-3-1-32-1101-A
- Parcel area: 0.3 acres
- Zoning: Multiple Family RM-2
- General Plan: Multifamily
- Existing Development: The property is undeveloped.

Findings:

- While the application does not strictly conform to the General Plan Map designation of Multifamily, the commercial nature of the proposal supports several goals and recommendations of the General Plan. These include promoting walkability, creating connectivity, and allowing appropriate commercial development adjacent to residential uses.
- While the area is primarily developed with multifamily residential uses, the zone change is not out of character with the area and is, in fact, generally harmonious

with the surrounding development pattern and the long-term planning vision of the General Plan.

- The small size of the property and the applicant's stated intent for the zone change reduce the likelihood of adverse impacts on adjacent residential development.
- Public services are adequate to serve the property.

Staff recommends that the City Council approve the requested zone change. – Gary Cupp

10. The applicant requests to enter into a development agreement with the City to allow a building-height exception, and other terms, for the construction of an 85-foot hospital building on three parcels located south of State Route 9 (across from Walmart) that are intended to be developed as the Zion Regional Medical Center campus. The site is zoned Highway Commercial and the maximum building height allowed in the Highway Commercial zone is 35 feet. Although the height exception would be primarily for the tower portion of the hospital building, the applicant is requesting that the 85-foot height limit apply to the entire development site to allow for future planning flexibility. Pursuant to Utah State Code §10-9a-532, municipalities may enter into development agreements with property owners that include deviations from zoning standards, provided the process follows the requirements for a land use ordinance amendment, which includes holding a public hearing and receiving a formal recommendation from the Planning Commission.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and voiced support for the hospital project and the height exception. The commissioners asked questions of the applicant regarding the heights of the other proposed buildings and if they too would be 85 feet high, to which the applicant stated that they would be significantly lower than 85 feet but potentially higher than 35 feet. Furthermore, the parking requirements in the city code would preclude the potential for all the buildings to be 85 feet high. It was also discussed that the Utah DOT will not allow access to the hospital off of SR-9, but that the proposed access is still more than adequate to serve a hospital. The Planning Commission unanimously recommended approval of granting the building height exception since the 85-foot portions of the building will be situated on the southern portions of the parcels close to the bluffs.

Property Information

- Address: approx. 3150 W State Street, Hurricane
- Parcel Nos.: H-3-2-6-1407, H-3-2-6-1406-GS1, H-3-2-6-1408-GS2

- Parcel area: approx. 41.69 acres
- Zoning: Highway Commercial (HC)
- General Plan: General Commercial
- Existing Development: The property is undeveloped.

There are no considerations in state or city codes for a request to enter into a development agreement with a municipality. Notwithstanding, staff provides the following analysis and findings:

- The Hurricane City General Plan recommends the following goal: *“Coordinate with health care companies to expand their medical facility in Hurricane.”* Supporting the development of the proposed medical facility will help meet this goal; therefore, the proposal is consistent with the General Plan by supporting the development of medical facilities.
- Allowing the height exception for the proposed hospital buildings will allow for more efficient use of the space and meet the needs of the entire region and will benefit the City in both the short and long term.
- The proposed hospital tower is setback approximately 450 feet from State Route 9, and all other buildings are also adequately set back from the right-of-way. The site is located at the base of a bluff that is 80 feet tall, which would indicate that the buildings are unlikely to affect scenic vistas.
- This area of town is planned as a commercial corridor, and a hospital facility is therefore consistent with the intended development patterns for the area.
- The property is currently isolated and does not have adequate public facilities (HCC 10-37-4). While staff is generally not in favor of approving a development that is isolated from other developments, this project is considered critical for the City and the region, thus, the proposed development agreement should include language ensuring that adequate public facilities are available to the property before construction begins.
- The proposed position of the building will limit impacts on viewsheds being situated below the height of adjacent bluffs.

Staff supports the requested development agreement and height exception for the proposed 85-foot hospital building. – Gary Cupp

11. The applicant is requesting a change to the Hurricane City Land Use Code, Title 10, regarding development standards for permanent site-built dwellings (i.e., “stick-built” single-family homes) in platted RV parks such as Canyons RV. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and limited manufactured home use. Canyons RV Park is unusual because it is a platted RV park subdivision that has been developed mostly with permanent residential units. This is because in 2019, the same applicant petitioned the City to change the code to allow stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. The 2019 code change was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered*

porches not exceeding 15' high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.” However, the size and height limits have prevented the construction of garages on the site-built homes, therefore, the applicant is requesting that these restrictions be adjusted to facilitate garage construction. The height limit is proposed to be increased to 35 feet, and the 900-square-foot size limit is proposed to apply to the building footprint. These changes would allow the homes to expand to two stories in height and 1,250 to 1,400 square feet in size.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and expressed support for the proposed code change. The commissioners felt that the changes would improve a bad situation that had inadvertently been created with the old park-model dwellings that were approved for the Canyons RV Park several decades ago. They also felt that the code change might help to provide needed affordable housing options. And although this is a general code update, the commission was comfortable with the global nature of the changes, since Canyons RV Park is the only RV park subdivision with separate water meters that was recorded prior to January 2020, and these standards could therefore only be applied to Canyons RV. In other words, there are no other RV parks that would be allowed to construct 1,400-square-foot, two-story, site-built homes. The Planning Commission unanimously recommended approval of the proposed code update for Canyons RV.

Property Information

- Address: 88 Lava Rd, Hurricane
- Parcel Nos.: Multiple parcels
- Parcel area: approx. 38.19 acres
- Zoning: Mobile Home/RV Park (MH/RV)
- General Plan: General Commercial
- Existing Development: Site is developed with RVs and park model homes.

Staff recommends approval of the proposed code change.

12. The applicant is seeking a zone change and PDO update for the Balance of Nature Gardens project, located north of 3000 S. This PDO zone for this project was originally approved in 2021. Liberty Village is part of this development, although it now operates independently of Balance of Nature. The applicant is proposing modifications to the overall development and is requesting a zone change to accommodate adjustments in layout, land uses, and development standards. The primary reason for the requested zoning update is to remove the 27-acre Light Industrial M-1 zone, since a manufacturing facility once planned on the southwest portion of the property will no longer be constructed. Additionally, the applicant is requesting changes to the permitted land uses

within the development, along with amendments to standards regarding setbacks and building heights, and a request for private street right-of-ways.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and expressed several concerns, primarily regarding the proposed removal of the Light Industrial M-1 zone and the manufacturing facility. Shelley Goodfellow viewed the loss of the industrial component as an unfulfilled promise, since the applicants originally promised that it would bring jobs to the city and now it's off the table. She further stated that the project seems to have changed from what was "originally pitched." Mark Sampson expressed a desire to have a work meeting to further discuss the project. During the meeting, the commissioners asked staff questions about the project, including whether the R1-10/PDO is the appropriate zone for the project. They also inquired of staff about why the city doesn't support the proposed private streets. Brad Winder feels that the project is similar to Disney Land, which has private streets. Staff explained that this project is significantly different from Disney Land in that it includes private residential units that would be best served by public streets for the provision of utilities. Furthermore, private streets are expressly prohibited in the PDO zone. Ultimately, the commission generally supports the project and desires that it be successful. The Planning Commission voted 6 to 2 in favor of recommending approval of the zone change amendment to the City Council, subject to the JUC and Staff Comments within the Staff Report.

Property Information

Address: 2400 W at Liberty Way, Hurricane

- Parcel No.: H-3373-NP-BL
- Parcel area:133 acres
- Zoning: Single Family Residential R1-10/PDO
- General Plan: Mixed Use
- Existing Development: Site is being developed for Liberty Village.

Findings:

- The proposed site zoning amendment aligns with the General Plan Map and Goals due to the mixed-use nature of the development.
- There is currently little to no development adjacent to the property. To help buffer the adjacent undeveloped properties from the proposed development, the applicant has included open space and orchards along the project boundaries. The project is therefore found not to conflict with or be inconsistent with nearby development.
- The project is not expected to have adverse impacts on the surrounding area. Furthermore, the development was previously considered and anticipated, and the proposed changes are likely to reduce the overall project impact with the elimination of the industrial component of the proposed project.

- Although public services and facilities are currently insufficient to support the development, this zone change amendment is unlikely to worsen that status. The development agreement should be refined to further protect the City's interests regarding the provision of adequate public facilities.
- Before final approval by the City Council, staff finds that the proposed preliminary site plan and amendments to the development agreement require further refinement to ensure they adequately address infrastructure and planning considerations as outlined in the Staff Report.

Staff recommends that consideration of the item be tabled so that staff can further work with the applicants to address the following:

- Staff does not support the proposed private street right-of-ways; the site plan needs to be updated to show public streets.
- The project density is incorrectly stated on the site plan and needs to be updated.
- Several of the proposed land uses still need clarification on the site plan.
- The development standards and any requested exceptions need to be clarified on the site plan.
- Once the site plan is finalized, an amendment to the existing development agreement detailing the specific changes needs to be drafted for the Council's consideration. – Gary Cupp

13. SB 179 requires local governments to establish a process for approving business types not specifically listed in their zoning ordinances. The requirements of SB179 became effective on May 7, 2025. Accordingly, Hurricane City must amend Title 10, Chapter 7 to establish a formal process for reviewing new or unlisted business uses, specifically business uses that are not listed on the use tables within the City's zoning ordinance. The proposed changes include incorporating state-defined terms, including “classification request” and “new or unlisted business use” into the City Code. A classification request refers to an application to determine whether a proposed business use aligns with an existing use in the City’s zoning code, while a new or unlisted business use is one that does not align with any use currently listed. The prescribed process will include a two-step review. First, the Zoning Administrator (i.e., Planning Director or designee) evaluates whether the proposed use matches an existing listed use. If so, the applicant may proceed under that use category. If not, the use is considered a "new or unlisted business use" and may be forwarded to the City Council for legislative review. The City Council is then responsible for approving or denying the use within a specific timeframe, currently recommended to be 45 calendar days, provided the applicant responds to requests for information and attends required hearings. If approved, the City Council must designate an appropriate zoning district for the use. If the application is denied or the classification is disputed, the City must provide a written response with reasons for the decision to the applicant and provide an

opportunity to appeal the decision to the Appeals Board. To further satisfy the requirements of SB 179 and Utah Code § 10-9a-701 et seq., the City must also establish a formal administrative appeal process. This process should allow affected applicants to appeal within a set time period to the Appeals Board. 15 calendar days is suggested. Appeals have to be decided in writing and will constitute the City's final action on the matter.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners did not have any substantive discussion on the proposed code update since it is a matter of legislative compliance. The Planning Commission unanimously recommended approval of the proposed code update.

Staff recommends that the proposed code update be approved to bring the City Code into compliance with state law. – Gary Cupp

14. We have finished the architectural design for the new swimming pool. As next step we are presenting the drawings to the Council with an estimated budget for their approval. We will then move forward with the bid process for a contractor. We anticipate starting demolition when the pool closes for the season – roughly September/October. It is anticipated to be a 14 month build. – Tiffani Wright
15. This proposed ordinance will require land developers to dedicate water to the City for outdoor irrigation when there is private water already on the property being developed. For example, if a subdivision is being proposed on property that is serviced by ground water rights or canal company shares, a condition of approving the subdivision will be the dedication to the City of sufficient water to meet the outdoor irrigation needs of the subdivision. To compensate the land developer for the dedication, the City will waive the portion of the secondary water impact fee associated with acquiring water to serve new developments. The proposed ordinance will not affect development on land that does not already have water associated with the property. At its meeting on May 27, 2025, the Water Board unanimously recommended approval of the proposed ordinance. -Dayton Hall
16. Mayor, Council, and staff reports.
17. Closed Meeting upon request.

Minutes of the Hurricane City Council meeting held on April 3, 2025, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

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

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates, Public Works Director Mike Vercimak, Assistant Public Works Director Weston Walker, City Planner Gary Cupp, Assistant Planner Fred Resch III, Street Superintendent Sam Lytle, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Building Official Larry Palmer, HR Director Sel Lovell, Water Superintendent Ken Richins, HR Director Sel Lovell, and City Recorder Cindy Beteag.

AGENDA

5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports

Fred Resch III stated the Planning Commission approved the conditional use permit for the Coral Cliffs Entertainment Center. The building plans have been approved for a taller building.

Gary Cupp reported the Planning department is working on ordinance updates and Planning Commission applications.

Arthur LeBaron stated there are a lot of projects going on and they have a lot of plans under review. The four court gym building is going vertically, and 100 North is going strong with the underground work. 1100 West is moving along quickly. They will be doing culverts across 1100 West that will cause road closures next week. Slurry and chip seal projects will be starting April 14th. Mayor Billings asked Mr. LeBaron to stay for the closed session after new business.

Weston Walker stated they are planning on chipping 1100 West on the 22nd. Construction should be done around the end of April. He mentioned the website has been updated to include the MS4 requirements. The plan is linked there as well as a few other requirements. The State has received all our plans, but they are still reviewing them. He stated Roger Blaser has been attending a few meetings. JUC is still seeing a lot of plans. Councilman Prete thanked him for fixing the hole on 3000 South. Mayor Billings asked what the next project is for the City. Mr. Walker stated 1400 West is the first one on the list and then 400 South and then 650 South.

Sam Lytle commented the Streets department has been working hard to get roads prepped and ready for slurry seal. The crews have also been busy spraying weeds. The hole in front of Sherwin Williams has been fixed. Councilman Ellerman stated traffic is getting backed up on SR-9 at the 3700 West light every night for over two miles. Mr. LeBaron commented he has been in communication with UDOT regarding that signal. He explained they have been trying to do some signal coordination, but it hasn't been working. They made some changes today that will hopefully relieve the problem. He stated the Council needs to keep lobbying the legislators, telling them that the fly overs are needed. Mr. LeBaron added the irrigation expansion project

39 is going well with weekly meetings as well as the Frog Hollow Rehabilitation. He stated they
40 met with Sunrise Engineering who determined the pickleball courts that we want will be around
41 1.3 million dollars. Kaden DeMille stated that is double what we were anticipating. We will have
42 to try to find more money. Mr. LeBaron stated we will get a proposal from Sunset who will help
43 us lay out some alternatives.

44 Larry Palmer stated they have issued seventeen single family home permits, one twin home,
45 and a townhome project with five units.

46 Ken Richins stated the Dixie Springs Well project will be bid out on the 15th at 2 p.m. They are
47 finally making some progress on this project. They have received the water samples back from
48 Sky Ranch well and the water is softer than any of our other sources. They are working on a
49 land swap for the new location of the well. They have completed around 99% of the dirt work
50 at the irrigation ponds and they are getting ready to pour concrete. The contractor is currently
51 working on the underground work. He mentioned they had a meeting last night with the State
52 Engineer over water rights regarding the Sand Hollow aquifer where they had a great
53 conversation. They are putting together comments right now. He explained there is a great
54 committee with Lea Thompson as the chair who is helping with that. They have closed on the
55 bonds and the contracts have been signed and delivered. Once bonds are in place the notice to
56 proceed will be issued.

57 Chief Yates stated traffic accidents are up 65%. Traffic congestion is a major problem right now.
58 There are a lot of people rear ending other people because they are in too big of hurry and
59 running lights. He added that there are a lot of events here bringing additional people. Officers
60 served a search warrant to a home that had a marijuana farm. He reported they did testing and
61 interviewing on Monday where they found two officers that are already post certified.

62 Sel Lovell stated there are open positions in police, power, parks, streets, etc. March Madness
63 is almost over.

64 Dayton Hall stated last year the State Legislator created a new type of financing district called
65 Infrastructure Financing District “IFDs” comparable to the PIDs except they don’t require City
66 Council approval. He explained that if all the owners’ consent, they can require this overlay
67 where there are assessments collected with the property taxes. The difference is the
68 assessment has to be paid off before the City can issue the certificate of occupancy and there is
69 no requirement for the City to approve it. We were notified last week that the Wasatch group,
70 formerly Collina Tinta applied for this assessment and it is working through the process. The
71 County Clerk is the one that issues the notice if the applicant meets the requirements. This
72 project was approved in 2006 for 1900 units. There have been five amendments to the
73 development agreement since then. They are currently working through the agreement
74 regarding extending power. He stated the Council will see another amendment soon to address
75 the power concerns.

76 Tiffani Wright mentioned they went to Henderson last week to look at a glass top open pool.
77 However, they had done away with the roof and covered it because it was so hot. She stated it

would not be a good fit for us. They went and toured the Washington Rec Center today. They thought it would be a good fit for what we want. They have garage doors that open, and it will have great amenities. Kaden DeMille added that wind loads are calculated when the building is designed. Mrs. Wright stated the doors would have to be shut if it is really windy. Mayor Billings stated we won't do an inside/outside component, so it doesn't have to be closed when it is lighting. Mrs. Wright stated the show opens tomorrow with a preview tonight. Spring sports have started. D1 is holding a tournament this weekend. The Easter Egg hunt is April 19th at 9 a.m. which is also the Easter Car Show. The State of the City will be April 28th @ 7 p.m. where there will be a Family Fun Night like they did last year. The front entrance to the new gym was poured this week and the pillars are up. They are digging trenches in the parking lot, but they are doing a good job of doing it during non-rush hours, but she asked the Council to let her know if they get complaints.

Jared Ross stated the power 2.0 is almost complete. They are working on the finalization. Mayor Billings explained 2.0 is on 1100 West from 2300 South to 3000 South. Three Falls overhead and underground are complete. Mr. Ross added that they received the engineering back so they will put a bigger transformer at Anticline. They are working on the 2800 West line. Councilman Prete asked about operations without a director. Mr. Ross explained they already had a direction, so they are just working towards that. He added that Mike Vercimak, Kaden DeMille, and Mayor Billings have been helpful in meeting with them.

6:00 p.m. - Call to Order –

Mayor Billings welcomed everyone and called the meeting to order.

Prayer and Pledge led by Kaden DeMille

Mayor Billings recognized Kaden DeMille for his 15-years of service.

Mayor Billings recognized the Utah Tech wrestling team for their outstanding year. She stated they are good people learning good skills. Head coach, Corey Anderson, thanked the Council for recognizing these athletes. They have twenty-five men and twenty-five women who have traveled all over the country to compete. He recognized Katie Law as a freshman national champion. He stated they got 2nd place in the nation for the women's team. He introduced the team members that were present. He stated they have eleven all Americans on the team, three national finalists, and eleven academic all Americans.

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for March 20, 2025, and Special City Council Meeting for March 24, 2025

Kevin Thomas motioned to approve the minutes for March 20, 2025, and March 24, 2025. Seconded by Joseph Prete with the condition that on page 7 of the March 20th minutes that the

third to fourth line from the bottom about staff volunteering be adjusted so it reads that it isn't required. Motion carried unanimously.

Public Forum – Comments From Public

Valerie Douglas stated she lives in Fox Hollow where they are already suffering from the blasting. It is damaging their homes and vehicles. Now instead of the promised park next to them, the City is proposing workforce housing, commercial, and civic areas which will require more blasting. She stated affordable housing is important, but she feels the City is failing to protect the surrounding homeowners. She feels that by responding to her emails stating it is the Fire District jurisdiction is only pushing the blame. She thinks the City needs stricter ordinances regarding blasting. She asked the Council to adopt stricter regulations.

Councilman Hirschi asked what the City could do about the blasting. Dayton Hall explained that the City has delegated the blasting regulations to the Fire District. However, the City does have the option to adopt more strict regulations for within the city limits. Councilman Hirschi commented development shouldn't damage existing homes. Mr. Hall stated the Council can direct staff to research and bring something back. Councilman Fawcett thinks it needs to be enforced. The Council is in favor of exploring more strict regulations and how enforcement is handled in other communities. Councilman Hirschi would like intensity looked at too. Mayor Billings asked for an agenda item on the next meeting agenda to discuss what information staff was able to get.

Mayor Billings took new business 2 out of order and addressed it next. These minutes are in order of the agenda.

OLD BUSINESS

1. Consideration and possible approval of LUCA25-01, a Land Use Code Amendment to Title 10 Chapter 15 regarding Planned Commercial standards - Gary Cupp

Mayor Billings read the following summary that was provided in the packet. "The Council discussed this item during the March 20th meeting and agreed to update the proposal to include that commercial development must be built first or simultaneously, with the percentages adjusted to 67% commercial and 33% residential. Staff was directed to make these changes and bring the revised proposal back for further consideration."

Councilman Prete confirmed City Attorney Dayton Hall has reviewed the proposed changes and he is comfortable with the changes. Gary Cupp explained they did update the building height limits across the commercial zones to match the 35' max height. Councilman Prete likes the concurrent requirement but thinks it might need to be defined better because people could drag it out. Councilman Thomas pointed out they would have a loan that would require it to be done within a reasonable time. Mr. Cupp stated building permits would have to be watched to ensure certificate of occupancies are not issued before the commercial is finalized.

Joseph Prete motioned to approve LUCA25-01, a Land Use Code Amendment to Title 10, Chapter 15 regarding Planned Commercial standards. Seconded by Kevin Thomas. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of a boundary line agreement between Hurricane City, Western Mortgage, and Lowe - Arthur LeBaron

Mayor Billings read the following summary written by Arthur LeBaron that was provided in packet. "Lorin Lowe and Western Mortgage have been working on cleaning up some boundary issues on their common line. In doing so it has been discovered that some errors have been propagated through subsequent transfers of title, resulting in overlaps. After extensive searching of title and identifying junior and senior rights, along with performing a survey, a boundary line agreement has been proposed that sets the common boundary in the correct place, which Western Mortgage and Lowe have agreed upon. However, the Hurricane City property that contains the West Well and appurtenances is affected slightly by the agreement. Although the proposed agreement results in a net loss of acreage to the City by approximately 5,015 square feet, it does not affect the City's use and operation of the West Well. The Water Department has examined the location of existing fencelines and the new survey stakes and has indicated that as marked on the ground the proposed boundary agreement does not affect the property. It is recommended by staff that the boundary line agreement be approved by the City. The documents have been reviewed by the parties, including the City Engineer and the City Attorney. The property owners have prepared the agreement documents at their own expense and have worked with the City in good faith on other fronts for rights-of-way for City infrastructure. This is an opportunity for the City to reciprocate in good faith."

Arthur LeBaron stated this doesn't change the use of the property. Councilman Prete confirmed it won't interfere with the use of the well. Councilman Fawcett pointed out that usually when the City disposes of property they must go through a process. He asked if this needs to go through that process. Dayton Hall explained this is correcting an error in the deed and the City never had full ownership.

Joseph Prete motioned to approve the boundary line agreement between Hurricane City, Western Mortgage, and Lowe. Seconded by David Hirschi. Motion carried unanimously.

2. Consideration and possible approval of Ordinance 2025-04 Approving a Power Impact Fee Facilities Plan, a Power Impact Fee Analysis, and an Impact Fee for Power on Development

Mayor Billings stated yesterday at Power Board they were asked to update the Council on why there are different percentages shown in the study. She read the following email from the

Power Administrator Crystal Wright explaining it; We've received information back from Fred Philpot (LRB) via Matt Levorsen (ICPE) regarding our question about the differences in the 132% vs the 138% on page 6 of the Impact Fee Analysis for the residential 200/400/600 users. This was information requested during Power Board yesterday in preparation for a decision from the City Council tonight. Fred Philpot is on vacation so doesn't have access to his information, but this was his response: *"I don't have a way to look at the report and model, but it has to do with slight adjustments on the power factors and other adjustments when compared to the previous schedule. If they aren't comfortable with it, they can reduce the adjustment to be in line with the 132% increase across the board."* We know that those larger residential loads DO have a greater impact than the lower residential loads, both with equipment required as well as resource requirements, but without having been involved in the process ourselves all we can do is pass along what Fred sent to Matt. The confirmation is that it wasn't a typo and there was reasoning behind those differences. The Power Board unanimously recommended approval of the Impact Fee Analysis & Capital Facilities Plan at our meeting last night. The motion did not include any change to the Impact Fee Analysis that was presented (and included in the City Council packet)."

Mayor Billings mentioned she received an email from Stacey Young with the Southern Utah Builders Association stating they haven't had a chance to review all the numbers and asked the Council to continue this item so they could look at the numbers. Council in favor of waiting for the Southern Utah Home Builders. Councilman Fawcett would also like to wait until a representative can be here to explain the plan. Growth pays for growth but there are some big projects that he doesn't think we will build in the next ten years. He questioned who was responsible for the substations. It should be proportionate not the full cost that is shown on the chart. Dayton Hall explained the second column from right is the percentage that would be affected by growth. Councilman Fawcett doesn't feel like everything has been considered. He feels the fees are higher than what he thinks they should be.

Jared Ross clarified substation 2 is a transmission substation that will tie them all together. It is not a distributor substation. Councilman Fawcett would like to ask more questions to the people that did the study. Mr. Ross agreed. Councilman Prete would like to see input from the home builders' group as well as the people that completed the study. He stated when zone changes are considered the adequate facilities must be considered. These large increases are due to those zone changes being approved without considering the infrastructure. Councilman Ellerman pointed out if they keep peeling back on what is recommended then eventually it must be caught up. Mayor Billings agreed, stating in 2018 it was only adopted at 75% and that does affect it. Councilman Fawcett stated his concern is he wants it to be fair for the people that are building. Mayor Billings asked Mr. Ross to reach out to the consultants to come to the next meeting to answer questions. Kaden DeMille stated these are big numbers so we would have to bond these projects. Impact fees collected will go towards those bond payments, but bonding will also expand the timeline.

Councilman Hirschi agreed with Councilman Prete and Ellerman's comments. David Hirschi motioned to continue Ordinance 2025-04 Approving a Power Impact Fee Facilities Plan, a

Power Impact Fee Analysis, and an Impact Fee for Power on Development to the next meeting. Seconded by Joseph Prete. Motion carried unanimously.

3. Consideration and possible approval of a new sign on the SR-7 interchange - Beautification Committee

Mayor Billings read the following summary that was provided in the packet. “The Council discussed this item during the March 20th meeting and directed staff to check if funding was available in this year's budget. Additionally, they requested a rendering of the sign to review before making a decision.”

Kaden DeMille stated the Beautification Committee has a five-thousand-dollar budget that they can use for this and there is some money in the cleanup fund. He thinks we can fit it in this year's budget if the committee wants to use their funds towards this. Arthur LeBaron mentioned he met with FX Industries who gave us the quote. He explained each element would be individually mounted to the wall. They are made of steel and powder coated. He showed three color scheme options for the Council to consider. Mayor Billings would like to see it on both sides of the overpass. She suggested putting it in next year's budget to do the other side. Mr. LeBaron stated he has been trying to find out if there is a lighting circuit available. If there is, he would like to put some down lighting on the feature. Doug Heideman stated he talked to Scott Nielson about getting the lighting on the Welcome to Hurricane sign repaired. Council is in favor of the middle option with a red tone. Councilman Prete suggested adding another word to it like “discover” or something similar.

Drew Ellerman motioned to approve the new sign with the middle option for the color at the amount of \$6,714.58. Seconded by Joseph Prete. Motion carried by a roll call vote.

Mayor Billings stated the City wide cleanup is on April 29th from 6-9 p.m. People can meet at the Community Center or Walmart.

4. Consideration and possible approval of Chapters 2 and 3 of the employee manual - Sel Lovell

Sel Lovell explained staff has been working on updating the employee policy manual. These chapters deal with facility usage. Mayor Billings stated chapter 2 focuses on the standards and chapter 3 focuses on having a safe environment and displaying flags on City property. Councilman Prete feels they need to be mindful when they adopt new rules. He doesn't like to be regulated more than necessary. He hopes that as this is adopted it cuts out what is not necessary. Mr. Lovell confirmed they cut out a lot of items that weren't necessary. Mayor Billings thinks these rules are fair for the employees and citizens.

Clark Fawcett motioned to approve Chapter 2 and 3 of the employee manual. Seconded by David Hirschi. Motion carried unanimously.

- 274 **5.** Consideration and possible approval of Ordinance ZC24-07 Zone Change and Preliminary
275 Site Plan request from NC, Neighborhood Commercial to R1-8 (PDO), Single Family
276 Residential R1-8 with a Planned Development Overlay, located at 2230-2254 W 600 N.
277 Parcel H-3-1-29-2213, H-3-1-29-2214. 317 Sycamore LLC, Applicant. Beau Ogzewalla,
278 Agent

279 Mayor Billings read the following summary written by Fred Resch III that was provided in the
280 packet. “The applicant requests a zone change from Neighborhood Commercial with a Planned
281 Development Overlay to R1-8 (PDO) for the property located at 2230 W 600 N, adjacent to the
282 Sky Mountain Golf Course. As part of the Planned Development Overlay request, the applicant
283 has submitted a preliminary site plan outlining the proposed development. The plan includes 35
284 townhomes, open space along the golf course, and a commercial pad along 600 N. Findings: 1.
285 The application meets the standards of the General Plan and General Plan Map. 2. The
286 proposed uses are generally compatible with surrounding existing and planned developments.
287 3. The amendment is not expected to have a significant impact on the area. 4. Adequate
288 services are available to support the proposed development. The Planning Commission
289 considered this request at its March 27, 2025, meeting, after previously tabling it on August 8,
290 2024, and February 27, 2025. A public hearing was held on August 8, 2024, where concerns
291 were raised by residents of the Sky Mountain neighborhood regarding high density and the
292 project's proximity to the golf course. The applicant later engaged with neighborhood
293 representatives to address these concerns. At the March 27 meeting, no members of the public
294 were present or voiced objections. The Planning Commission had previously delayed a decision
295 to allow time for securing agreements with neighboring property owners regarding access and
296 water looping, which has now been completed. While the Commission was generally supportive
297 of the project, discussions focused on whether the City should require screening between the
298 townhomes and the golf course, as well as the suitability of the proposed open space
299 amenities. Ultimately, the Commission determined that responsibility for screening should rest
300 with future homeowners, consistent with other developments in the Sky Mountain community.
301 The Planning Commission unanimously recommended City Council approval of the zone
302 change, subject to staff and JUC comments outlined in the staff report.”

303
304 Councilman Thomas added that there were concerns with the Planning Commission that a
305 fence might be needed for stray golf balls. However, they decided that it would be a non-issue
306 because the homes were the same distance as the existing homes. Councilman Fawcett stated
307 it isn't the closeness it is the location. People hit to the right.

308
309 Debbie Isic stated she lives in the cul-de-sac and sees people out there constantly looking for
310 golf balls. She doesn't think it is consistent with the neighborhood. It will be disruptive. She
311 understands the developer wants two story townhomes not single-family homes. She stated
312 the people that live there will have nowhere to go but on the golf course and she questioned
313 who would monitor that. She added there are environmental impacts that should be discussed.

Gary Cupp explained the west side is all open space and the trails are intended to be the buffer between the units and the golf course.

Councilman Ellerman asked if they would leave the open space as native land. Brixton Call, representing the item, stated they are open to suggestions on landscaping preferences. Councilman Fawcett thinks it looks nice to leave it natural. Councilman Hirschi stated he doesn't know if it is compatible with the surrounding uses. He asked for justification in asking for town homes instead of single family homes. Mr. Call explained single family homes don't lay out with the land but this way it clusters them and keeps them away from the golf course. Councilman Prete confirmed the maximum height for neighbor commercial is 35'. Councilman Fawcett voiced concern with changing anything from commercial to residential. The site plan shows some commercial on it. He asked how they can protect that commercial to ensure it stays. Dayton Hall explained the PDO zone allows them to cluster the homes and if the Council approves it then it can have commercial uses. The site plan governs development so since commercial is shown on the plan, it will be the only permitted use in that section. It will also dictate how they can proceed with construction drawings. Councilman Fawcett added that by allowing the clustering it give them more open space and a better buffer from the other residents.

Beau Ogzewalla stated they understand there are always concerns with development and they want to be considerate. They feel that homes are more consistent with the surrounding use than commercial. They looked at a single-family layout but due to the layout of the land it didn't make sense. He added that they provided the site plan, but they aren't set on everything. They are open to suggestions. They wanted to make sure they got the zone change before they explored it further. Councilman Fawcett suggested designing them to look like the homes that are there, so they are compatible. Mayor Billings stated the Council has been reluctant to change commercial properties because once you lose commercial you never get it back. Commercial is needed along the 600 North corridor. She stated we need places for people to work. We can't change everything to residential. Councilman Fawcett added that they need to spread commercial throughout the city, so the traffic is dispersed. Councilman Prete pointed out you can only build so much on one acre of commercial. Shrinking it to one-acre limits what can be there. Councilman Thomas pointed out the roads in and out make it difficult because of the layout. He stated that because of the terrain he doesn't think the north side would be suitable for commercial. Gary Cupp explained there is a site plan already approved there that has commercial aspects on it.

Arthur LeBaron stated directly east of this project is a corridor where a road is planned so he questioned why we would have two roads next to each other. He thinks they should work together to have one road. Dayton Hall stated the approval of this site plan governs the development so if the road needs to be addressed then it needs to be done now. Councilman Ellerman stated he doesn't ever want driveways to back up to a 70' road. Mr. LeBaron feels the design of the project should address that. Mr. Call mentioned they signed a memorandum of understanding (MOU) with the adjoining property owners to address the concerns with the

road. Mr. LeBaron stated he hasn't seen that document but if they had been working with the Assistant Engineer then he would support his coworker's comments on the document. Mr. Hall explained the City required that MOU in order to get the City's support. We don't have the easements yet. The MOU is an understanding to get those easements in the future but if they can't then we won't sign off on drawings. Mr. Cupp explained the 70' road and how this development is laid out is shown in the MOU. Mayor Billings asked why they needed two roads. Mr. LeBaron explained there is a water looping issue. Mr. Call added that they also wanted to address the driveways off the major road. Councilman Thomas thinks it is better layout with the road. They need a secondary road, so people aren't backing into the major road. Mayor Billings pointed out if they didn't change the zone at all it could be entrances to businesses and an additional road wouldn't be needed. Councilman Thomas confirmed with some of the surrounding properties that they would rather see residential there than commercial. Councilman Ellerman would like to see all commercial along 600 North. Mr. Cupp explained that would require them to amend that piece since they already have a site plan approval. Mayor Billings suggested they come back with a plan for the whole property since they own all of it now. Mr. Call explained the other parcel already has site plan approval, so their intent was to move forward with what is already approved. He added that they have been approached to do storage here so if they can't get residential that is what they will do. Councilman Ellerman agreed that they should bring back both parcels with more commercial. Mr. Call stated they purchased that piece but it is with other investors so they don't know if they will change it. Councilman Ellerman suggesting talking to them to see if it is an option. Dayton Hall confirmed the applicant is not in favor of tabling it. He explained that if the zone change is denied, then they can't reapply for one year unless there is significant change. Mr. Call stated he doesn't see the other owners agreeing to change the front piece to help the other piece. Councilman Ellerman stated the current layout doesn't flow. It isn't good planning.

Kevin Thomas motioned to approve Ordinance ZC24-07 Zone Change and Preliminary Site Plan request from NC, Neighborhood Commercial to R1-8 (PDO), Single Family Residential R1-8 with a Planned Development Overlay, located at 2230-2254 W 600 N. Motion died for lack of second.

Joseph Prete motioned to continue Ordinance ZC24-07 Zone Change and Preliminary Site Plan request from NC, Neighborhood Commercial to R1-8 (PDO), Single Family Residential R1-8 with a Planned Development Overlay, located at 2230-2254 W 600 N. until the second meeting in May in order for the owner to make their best efforts to come back with a different proposal to include more commercial. Seconded by David Hirschi. Motion carried with David Hirschi, Clark Fawcett, Drew Ellerman, and Joseph Prete voting aye. Kevin Thomas voted nay.

The owner stated the other owners won't agree with changing the property to the west. He stated only became an investor in it because of the access. He has another property along 600 North that he would change to commercial if this one was approved as proposed. He agrees it would be nice to leave it open but that isn't an option. Mr. Call commented that they have been working on this for years to try to find something that works for everyone. Councilman Ellerman asked if the owner came back with the other parcel as commercial if they could enter

into a development agreement. Mr. Hall stated yes but that would require a zone change application for the other parcel. Council stated they would consider an agreement. Councilman Thomas pointed out people come from all over to the golf course. Commercial or storage units will mess up the views. Jacqueline Wild, another owner, stated this was tabled back in August and they have come back with plan after plan trying to make the best use of the property. Her concern with doing a land swap is it will drag this out even longer. The other owner agreed that it would take too long if they had to wait for the other parcel's zone to change before they could move forward. Mr. Hall explained a zone change is a legislative act so they can't commit a future vote of the City Council. It would need to go through the process at the same time. Councilman Prete stated Mr. LeBaron and Councilman Ellerman had concerns with the layout and he wanted more commercial, so he suggested meeting with them to address the concerns. Councilman Ellerman added that there is no visiting parking. The streets are small so they can't use the city street as parking. The owner stated they would be happy to provide parking and get rid of the trail. Mr. Hall stated if that is all it will take then he suggested continuing it for two weeks to add ten parking spaces. The owner said they could also leave the trail but come back with more parking throughout the development.

Susan Powell asked about parking for visitors. Owners stated there are two parking spaces in the garage and two in the driveway.

Councilman Prete was excused at 8:26 p.m.

6. Consideration and possible approval of LUCA24-08, a Land Use Code Amendment to Title 10 Chapter 23 regarding Planned Development Overlays and Title 10 Chapter 11 and Chapter 17 regarding the Public Facility zone

Mayor Billings read the following summary written by Fred Resch III that was provided in the packet. "To support the development of the Civic Center, located on 20 acres of city-owned property west of the current City Offices, staff is proposing the use of a Planned Development Overlay (PDO) in conjunction with the Public Facility (PF) zone. This change would enable the mixture of uses envisioned in the Civic Center Master Plan. As part of this initiative, planning and legal staff have prepared ordinances to refine and clarify regulations for the Public Facility and Planned Development Overlay zones. Key Ordinance Revisions: Public Facility Zone: Explicitly allows government services within the Public Facility (PF) zone, correcting what is believed to be an oversight in the original zoning ordinance. Planned Development Overlay (PDO) Ordinance: Permits the use of a PDO in conjunction with the PF zone for city-sponsored projects. Clarifies the roles of staff, the Planning Commission, the City Council, and applicants in the proposal, approval, and development process for Planned Developments. Adjusts regulations on setbacks and density bonuses in PDOs. Planning Commission Review – March 27, 2025. The Planning Commission initially reviewed this item on November 14, 2024, but tabled it to allow the City Attorney and planning staff to refine the proposed changes related to the PDO zoning overlay. At the March 27, 2025, meeting, the Commission had an extensive discussion on the proposed ordinance changes, focusing on: The Civic Center Master Plan. The role of government in private development. Other general amendments to the ordinance. Public

436 comments at both meetings primarily addressed the Civic Center Master Plan itself, rather than
437 the zoning changes under consideration. Following discussion, the Planning Commission voted
438 7-1 to approve most of the proposed changes but recommended removing the Public Facility
439 (PDO) option. Instead, they suggested requiring the City to develop the property under
440 standard zoning regulations. While staff acknowledges that the property can be developed
441 under existing ordinances, this approach is not ideal given the unique nature of the Civic
442 Center. As a result, the City Council is presented with two options.”

443
444 She asked Dayton Hall to explain the options. Mr. Hall clarified there is not a zone change
445 application on the agenda. This is only updating the ordinance that governs zone changes. He
446 explained the PDO overlay allows different types of development. After the Council approved
447 the conceptual plan for the City Civic Center, staff was trying to find the best way to provide an
448 avenue to achieve that. The property is currently zoned R1-10 so it would have to go through a
449 zone change with public hearings. He stated if the Council decided they wanted to move
450 forward with the civic center, multi-housing, and commercial components then there are two
451 ways the current ordinance would allow it. One way is to divide the property into different
452 areas and zone each one with what use is wanted. The other way is to zone it with a base
453 zoning of multi-housing with a PDO overlay designating the areas for what is needed. However,
454 planning staff thought of another way to allow it by creating a PDO overlay in the public
455 facilities zone which would require a site plan designating the uses. He explained that a lot of
456 the other changes in the chapter are just cleaning up items that didn’t make sense. He stated in
457 the Planning Commission meeting they had a broad discussion of why they were proposing
458 these changes. Based on that discussion the Planning Commission directed Mr. Hall to take out
459 the overlay option from public facilities but leave all the other changes. That is why there are
460 two options in the packet. Option A has the overlay zone and Option B has only the clean up
461 items. Mayor Billings stated staff is recommending option A but the Planning Commission
462 recommended option B.

463
464 Councilman Hirschi stated this will affect the property. He thinks the City has gone about this
465 the wrong way. He thinks more citizens would be here if they knew what the intent was. Mayor
466 Billings explained this is just the first step. The City will still have to come in and approve the
467 zone change and site plan. Councilman Hirschi stated he was told there would public meetings
468 to discuss the plan before anything was decided on. Gary Cupp explained the concerns
469 Councilman Hirschi brought up are the elements of the master plan. That is what is required to
470 have the open houses and public input. This is only an update to the code. Staff is not trying to
471 sneak something in. The proposal is only trying to give a better avenue. The biggest change is
472 allowing government offices in public facilities. Councilman Fawcett stated he agrees with
473 Councilman Hirschi. He wanted to see more public meetings before anything moved forward.
474 He stated the consultants were asked to come up with a plan to fund the project but that may
475 not be what the Council wants. He thinks they need to have a meeting with the public before
476 anything is decided on. Mr. Cupp stated this isn’t moving the Civic Center forward. This is a
477 code update. Councilman Fawcett stated it looks like they are trying to slide something though.

He wants to have meetings with the public first. Mayor Billings pointed out this just allows the uses in the zones. The City would still have to come back with the public hearings and discussions. Councilman Fawcett stated the Council understands that, but the citizens don't. He doesn't want to approve anything until those discussions have been had.

Councilman Ellerman understands we will have those meetings and open houses for the actual project. This item isn't for the project. There will be plenty of meetings to discuss the project. This is just the code updates that allows the City to do something that the developers can do. Councilman Fawcett disagreed stating the Council is the same body that oversees applications. There is no oversight. He understands this isn't changing the project, but it leads to it. Mayor Billings stated there is oversight because it comes back to the Council for approval. She asked Mr. Hall to explain the process if they didn't change the code. Mr. Hall stated the City would have to file a zone change application to go to the Planning Commission where there would be a public hearing. He previously explained the two avenues in the current code. Mayor Billings stated if this code is changed then it would be the same process, but they would be able to apply for PDO overlay for public facilities.

Councilman Fawcett stated he understands that needs to be changed and he is okay with making some of those changes, but the public at large think we are trying to slide something through. He wants to hold the open house meetings first. Mayor Billings agreed she doesn't want the public to think that either, but this is only allowing public facilities on our property. Councilman Hirschi asked if the open house meetings could be held before they make a decision on this request. Mayor Billings explained the City would still have to have those public hearings when the zone change comes through. She stated no one is trying to slide anything through. Councilman Fawcett stated that is what the public is thinking. He thinks they need to do an open house meeting to get the public's input where they can share what they want it to be. Councilman Thomas stated that because it is a hot topic he thinks we should hold multiple open houses. Mayor Billings confirmed the Council was in favor of allowing the city buildings in the public facility zone. However, Councilman Fawcett clarified that is the only change he would vote for right now. Mr. Hall explained option B in the packet does not allow the PDO in the public facility zone. It does make government services a permitted use and it cleans up all the other concerns. Councilman Prete returned to the meeting at 9:18 p.m.

Councilman Hirschi feels they have gone about this the wrong way. He thinks they need to involve the public more. Mayor Billings explained this change allows the use and then we have public input moving forward. She stated what is being discussed tonight is allowing the city building and police station. The zoning is not being discussed tonight. If they don't put public facilities as allowed, then they will have to come back with a zone change where the Council will have to decide what zone they want. Mayor Billings stated this is the first time the Council has discussed this proposal. She questioned if they need to have multiple work meetings to discuss it. Councilman Fawcett stated he is okay with the ordinance changes, but he wants to get down to the actual project and how they want it laid out. After all of that is done, then they

can do the ordinance changes and have open houses. Mayor Billings confirmed Councilmen Hirschi and Fawcett want to have open houses before any changes are made. Councilman Thomas stated he thinks option B is a no brainer. Cleaning up the ordinance to make sense. He is okay to wait but these changes just clean it up. Councilman Ellerman stated they could deny this now and then do all the open houses and discussions first. Councilman Prete stated it is important to be transparent. He doesn't want to do anything that is perceived as improper use of power. He doesn't think they have to rush anything through. He agreed that if it was limited to just allowing government buildings in public facilities then it should be moved forward.

Kelby Iverson stated he doesn't think the Planning Commission or the public have any issues with the code being changed. He stated Mr. Hall has said it five times that they have two options. The project has stimulated this discussion about the ordinance changes. The citizens don't want the PDO part. The City would have to apply for multiple zone changes and these citizens would comment on every zone change. He stated the citizens want them to follow the current ordinance. He stated the Planning Commissioners were good with option B. They discussed that private citizens have to come to the Council for a zone change. The Council has to answer to the citizens and the citizens do not want public facilities and private businesses to be mixed.

Mac Hall asked if there was density cap for the PDO. He thinks that it is lacking and should be added. What is being proposed in the project is high density. Dayton Hall agreed that should be added so it is identified with the site plan. Mac Hall stated in 1995 there was a big discussion about what could be allowed in a public facility zone. Members only wanted public buildings in public facilities zone. The code at that time stated a public building could be allowed in any zone by a conditional use. He stated it was not an oversight. They did not want commercial and residential in the public facility zone.

Heather Backen stated they are okay with them voting on the ordinance as long as they vote for option B.

Melanie McGinnis stated she has been here for about three years. In Long Beach she had condos that looked into her back yard. They couldn't do anything about it. After buying here, they thought they were in a large, beautiful area with large properties. The proposed apartments would be overlooking their backyards. Traffic will be a problem. She questioned where the kids go to school. She stated no police officer will want to live near the police station. We are growing. She thinks condos on Old Hwy 91 is the perfect spot. She stated the Council has been talking all night about how they don't want to ruin neighborhoods, but this project will ruin this neighborhood. They thought this area was supposed to be a park. Mayor Billings stated all the Council didn't agree with what was presented. It will still have to go through the process. Ms. McGinnis stated they fear that this deal is somewhat sealed, and they don't want that much density in this small of an area.

Mayor Billings stated they have allowed apartments that are two stories in the city. The Council has voted no to most zone changes. The Council is not ready to make a decision on the density.

Councilman Thomas agreed there is no sealed deal. High density has not been decided. It is frustrating to the Council to see the false information all over social media. Mr. Hall asked for it to be continued if the Council wants option A so they can incorporate language to limit density. He has no concerns with option B if they want to approve it.

Kevin Thomas motioned to approve option B. Seconded by Clark Fawcett. Dayton Hall clarified option B takes out the PDO overlay from the public facility zone. Motion carried with Kevin Thomas, Clark Fawcett, and Drew Ellerman voted aye. David Hirschi and Joseph Prete voted nay.

Mayor Billings explained the next step is a work meeting. Then it will come to Planning Commission and then Council which are both open public meetings. Mac Hall suggested getting a plan in place after the open houses and then they can bring the PDO overlay back if it makes sense. Kaden DeMille stated the City needs to move forward with the public buildings. Both buildings are out of room. A work meeting was scheduled for April 21st at 5 p.m.

7. Continued training for Municipal Officials

The last video was played regarding Fraud Risk Assessment. Mayor Billings stated the City does have these checks and balances in place. There is a hotline, an internal audit processes, and external audits.

8. Mayor, Council, and staff reports

Councilman Ellerman mentioned he will be gone from April 17th to May 5th on vacation.

Mayor Billings stated the Planning Commission will be discussing the ag zone and rockfall zone.

Councilman Thomas stated several months ago when the civic master plan was first proposed in the Planning Commission meeting. In his opinion, all the concerns from the citizens stem from one of the Planning Commissioner's comments. He reminded the Council that they need to be careful about the things they say because in their position it lends creditability to that doubt. Mayor Billings stated she wants the Council to discuss items openly and then open it to the public to make comments. Councilman Thomas stated it is good for them to represent the public, but they shouldn't stir up the public. Councilman Prete pointed out they are elected to represent the entire city. They need to be careful not to be pulled into a small group. They need to think clearly and represent the entire community, not just appeasing the loud voices that come to the meetings. Kaden DeMille stated there was a series of public hearings and surveys regarding the master plan for this property. The master plan that was approved is a result of those surveys.

9. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

600 David Hirschi motioned to go into a closed meeting at 10:35 p.m. to discuss water purchases
601 and real property. Seconded by Joseph Prete. Motion carried unanimously.

602

603 **Adjournment:** Kevin Thomas motioned to go out of a closed session and adjourn at 11:07
604 p.m. Seconded by David Hirschi. Motion carried unanimously.

DRAFT

Minutes of the Hurricane City Council special meeting held on April 8, 2025, at The Buffalo Grill at Zion Mountain Ranch, 9065 West Highway 9, Mount Carmel, Utah at 6:00 p.m.

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

Also Present: City Manager Kaden DeMille, City Accountant Paige Chapman, City Attorney Dayton Hall, and HR Director Sel Lovell

AGENDA

6:00 p.m. Dinner, Business, and Work Meeting

Mayor Billings took the budget discussion out of order and addressed it first. These minutes are in order of the agenda.

Consideration and possible approval of a Cooperative Agreement for Improvements at Sand Hollow State Park Between the Division of State Parks and the Utah Department of Transportation and Hurricane City and Washington County Water Conservancy District.

Mayor Billings explained that a Memorandum of Understanding regarding the on-ramps to Sand Hollow State Park had already been approved. However, it has since been updated and is now presented as a Cooperative Agreement. Dayton Hall clarified that while the content remains largely the same, the change in format requires a new approval. He noted that UDOT made some technical revisions to the agreement, but Arthur LeBaron did not express any concerns about them. Although Mr. Hall has not yet reviewed the entire document, he stated that the Council could approve it subject to his final review of the technical changes. Mayor Billings also mentioned that the Water District approved the agreement at their meeting the previous night.

Kevin Thomas motioned to approve the Cooperative Agreement for Improvements at Sand Hollow State Park between the Division of State Parks and the Utah Department of Transportation and Hurricane City and Washington County Water Conservancy District in place of the previously approved Memorandum of Understanding subject to the City Attorney reviewing the document for any technical changes. Seconded by Clark Fawcett. Motion carried unanimously.

Discussion regarding 2025-2026 Fiscal Year Budget

The City Council met to discuss the upcoming budget requests.

Adjournment: Councilman Prete motioned to adjourn at 9:15 p.m. Seconded by Councilman Thomas. Motion carried unanimously.



STAFF COMMENTS

Item: Consideration and possible approval of waiving the City power impact fee for Washington County's Legacy Park trailer rental hookups.

Discussion: Many events come to the park needing more space than we currently have. We added ten rv spots to accommodate the need. In our planning, I neglected to realize the need for a meter as the rest of our park is a primary meter for every structure. We have an event this Friday that requires the extra space and the 400 amp meter is the last obstacle in order for us to have the spaces available. Washington County is seeking a waiver of the impact fees for the electrical meter. - Nicholle Felshaw

The impact fee for the 400-amp 120/240 power service for the RV pads would be \$9803.00 and then they would need to pay the \$425.00 connection fee. – Tami Jones

Findings:

Recommendation:

HURRICANE CIVIC CENTER SURVEY RESULTS

Fred Resch III



1. WHERE DO YOU LIVE IN HURRICANE? PLEASE LIST STREET ADDRESS

- 511 surveys submitted, only 425 responses recorded due to incomplete or missing addresses

2. WOULD YOU SUPPORT A ZONE CHANGE TO INCLUDE COMMERCIAL OR RESIDENTIAL ON THIS PROPERTY AS PART OF THE CIVIC CENTER DEVELOPMENT TO HELP FUND THE PROJECT?

a. Yes, both commercial and residential space w/
Civic Center

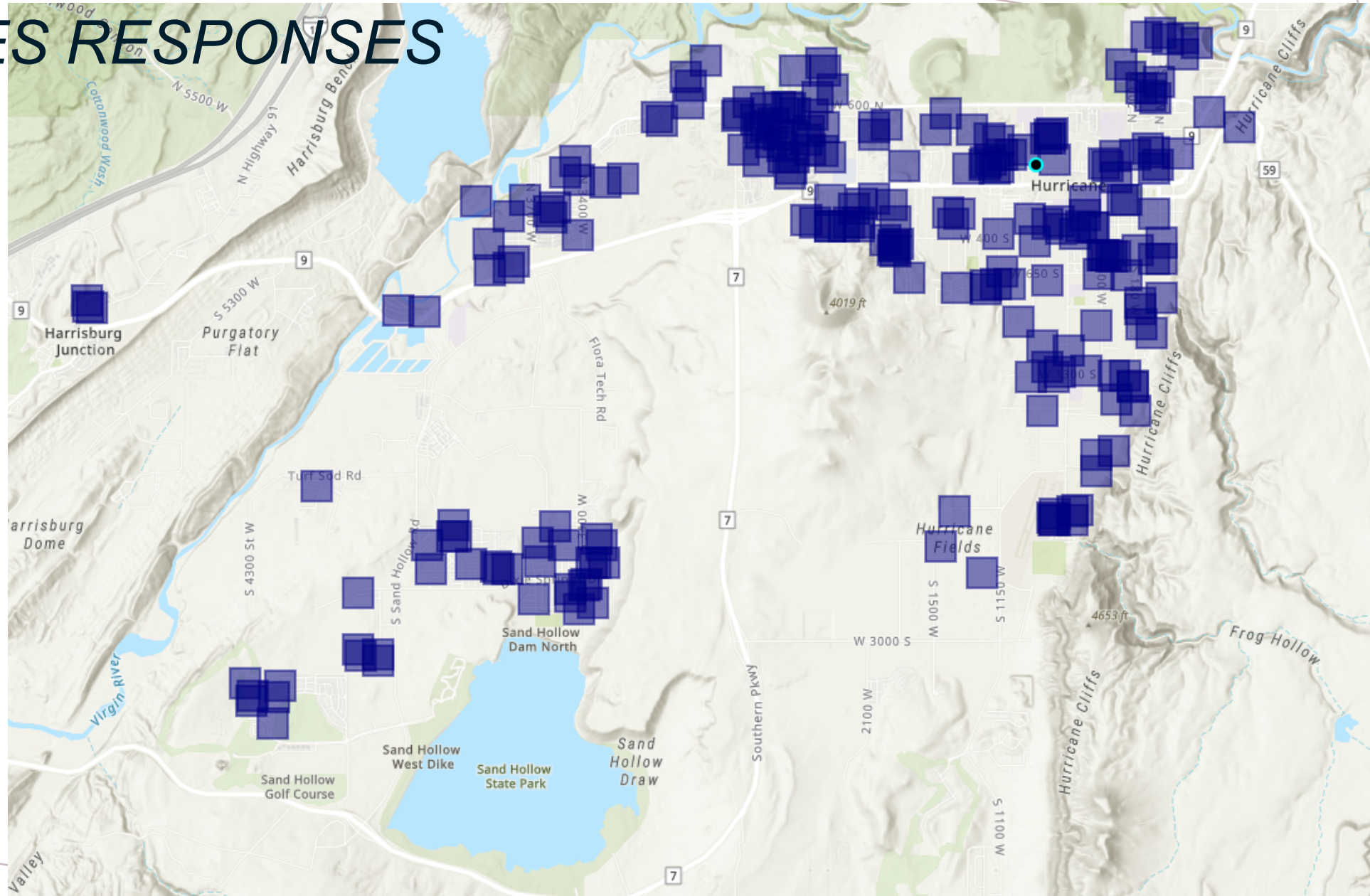
b. Yes, but only commercial space w/ Civic
Center

c. Yes, but only residential space w/ Civic Center

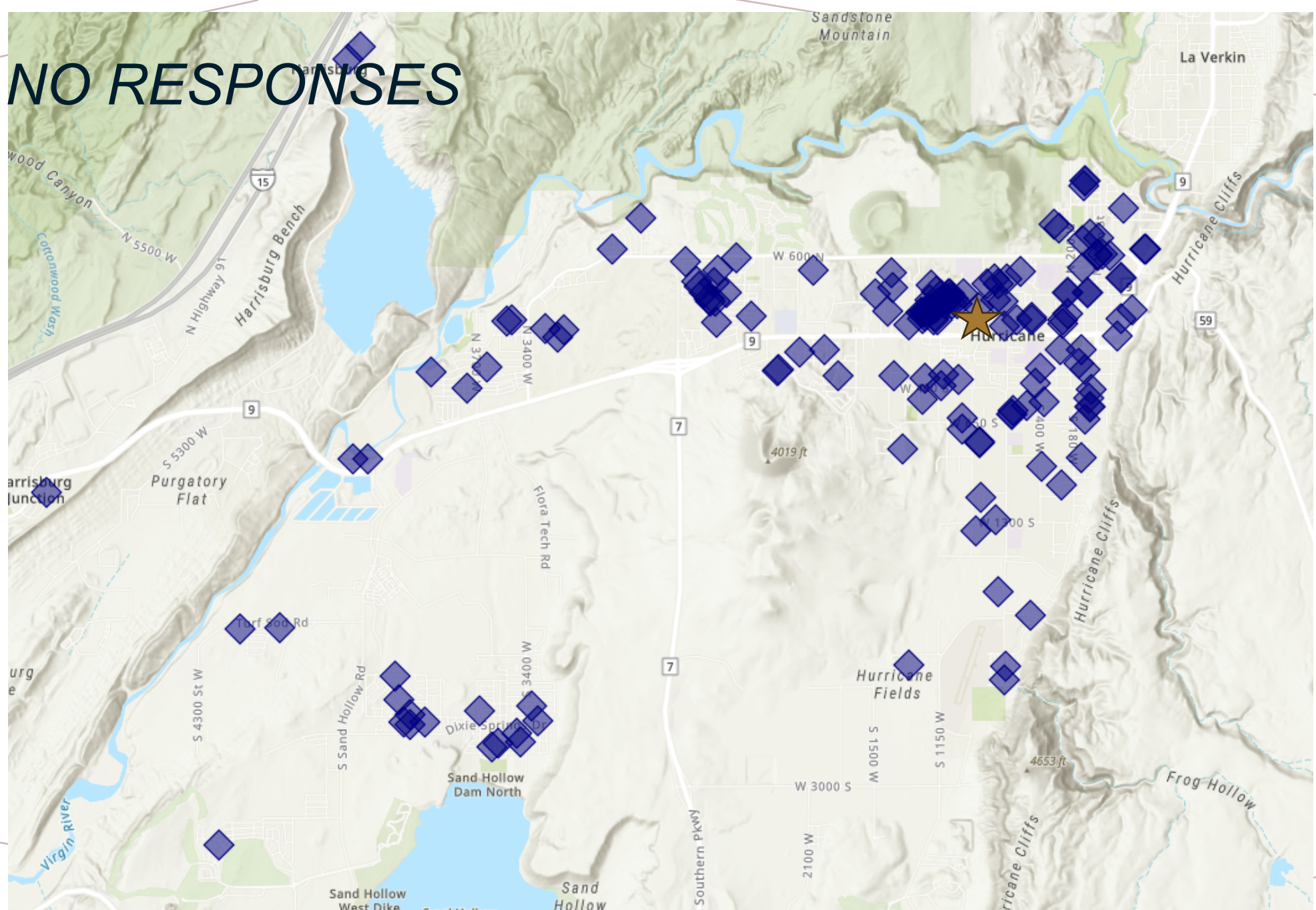
d. No, I do not support including commercial or
residential

e. Maybe depends on ____

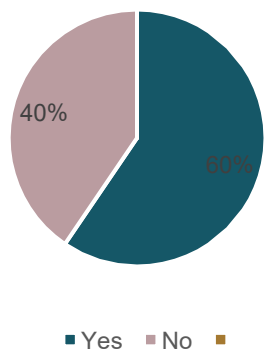
YES RESPONSES



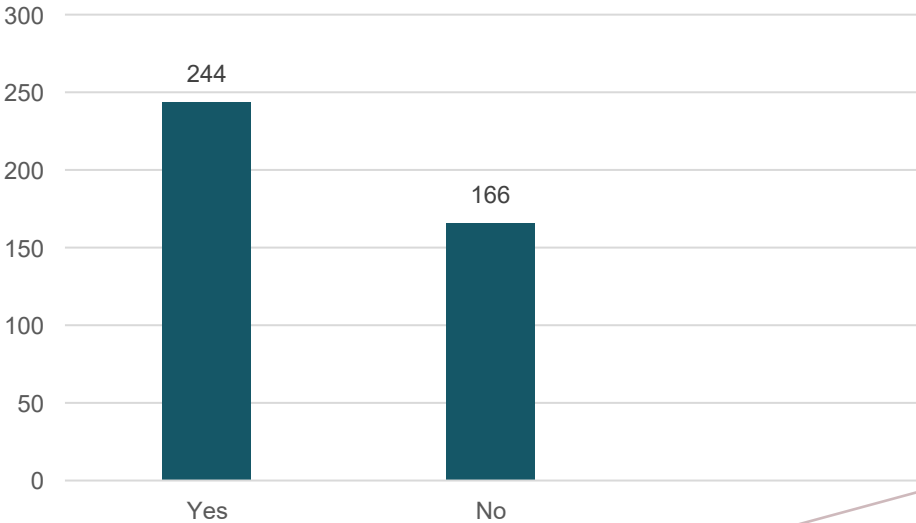
NO RESPONSES



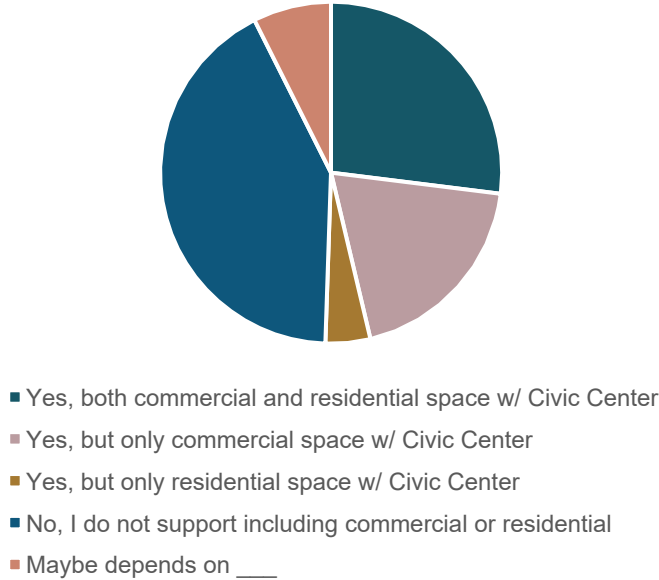
Would you support a zone change to include commercial or residential on this property as part of the Civic Center development to help fund the project



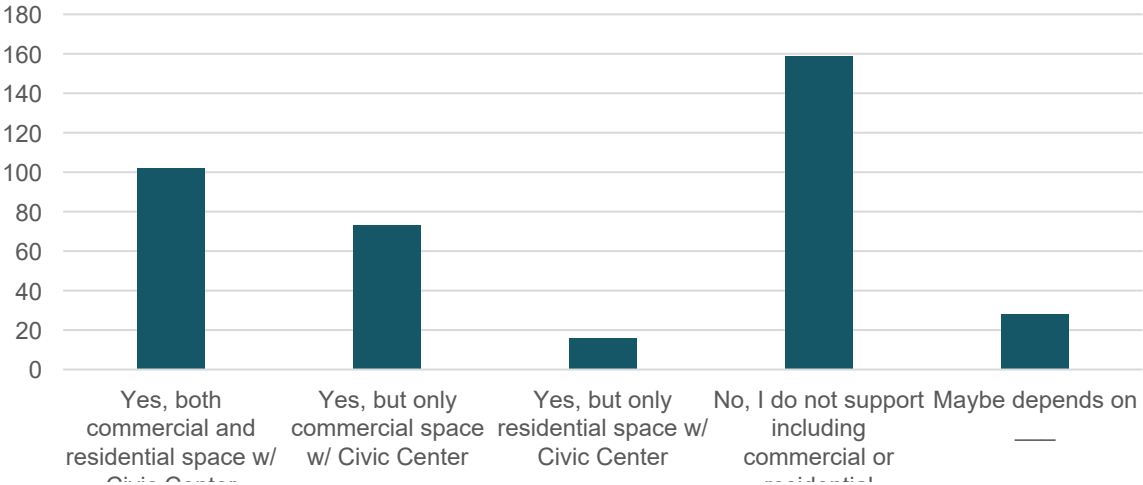
Would you support a zone change to include commercial or residential on this property as part of the Civic Center development to help fund the project



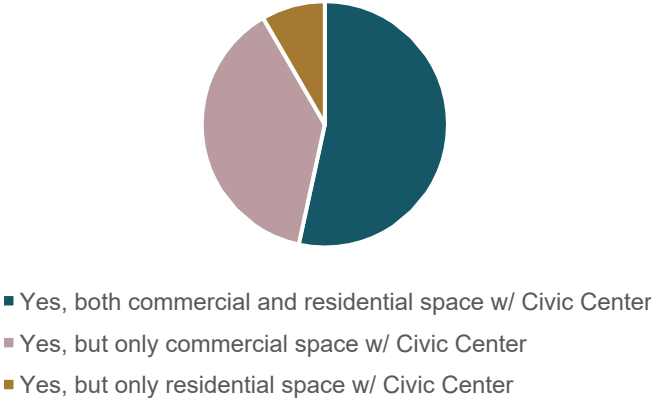
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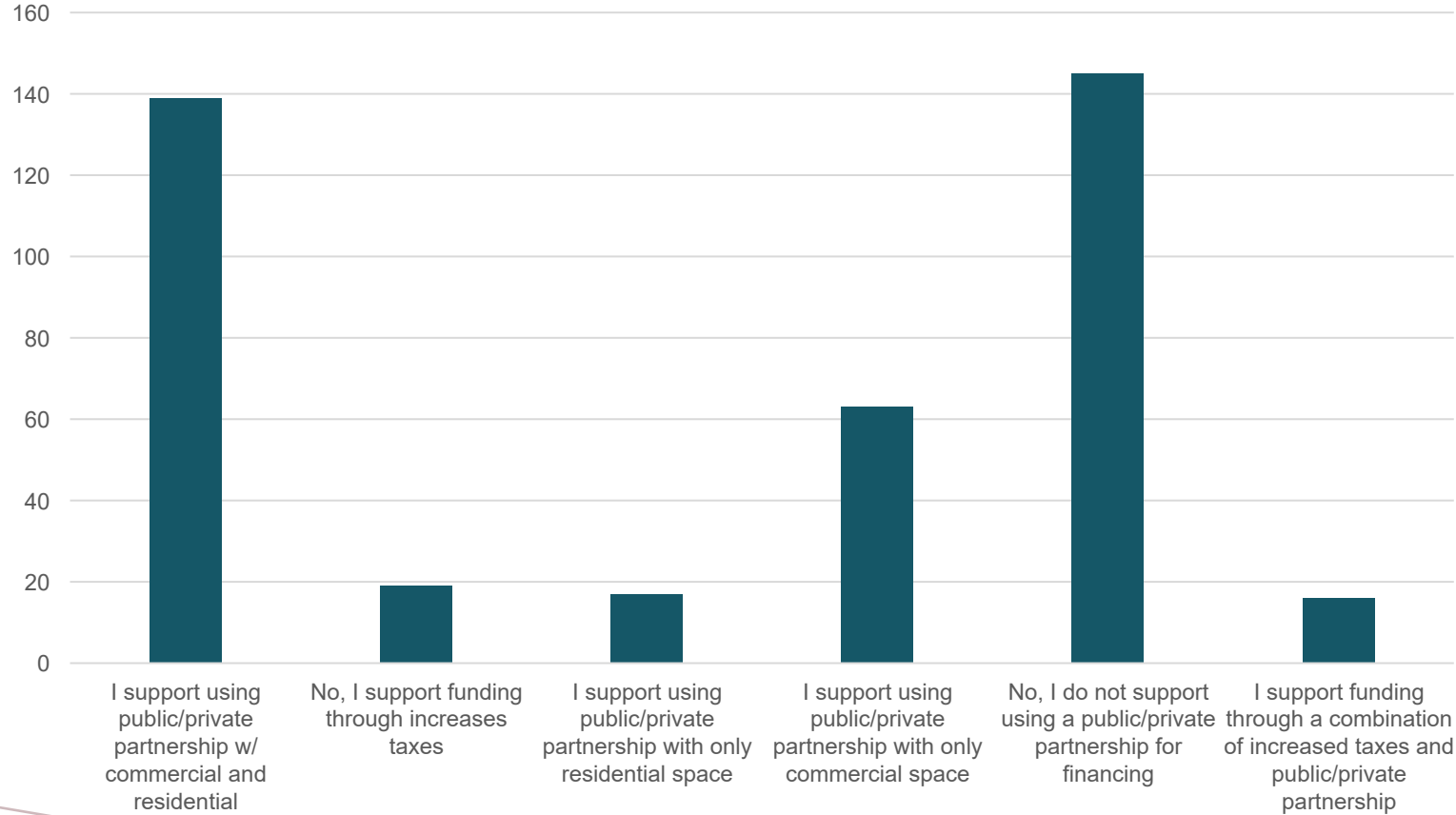
Of the yes votes



3. WOULD YOU SUPPORT THE USE OF A PRIVATE/PUBLIC PARTNERSHIP WHERE THE CITY LEASES THE PROPERTY TO PRIVATE DEVELOPERS IN ORDER TO FINANCE THE CONSTRUCTION OF THE POLICE STATION, CITY OFFICE AND CIVIC CENTER? THIS MAY INCLUDE HOUSING AND/OR COMMERCIAL DEVELOPMENT AS PART OF THE CIVIC CENTER PROJECT

- a. I support using public/private partnership w/ commercial and residential
- b. No, I support funding through increases taxes
- c. I support using public/private partnership with only residential space
- d. I support using public/private partnership with only commercial space
- e. No, I do not support using a public/private partnership for financing
- f. I support funding through a combination of increased taxes and public/private partnership

Would you support the use of a private/public partnership where the city leases the property to private developers in order to finance the construction of the Police Station, City Office and Civic Center? This may include housing and/or commercial develop



*4. WOULD YOU SUPPORT INCLUDING AFFORDABLE
WORKFORCE APARTMENTS OR SINGLE-FAMILY
HOUSING AS PART OF THE PROJECT TO HELP
FINANCE THE CIVIC CENTER PUBLIC FACILITIES?
(E.G. TEACHERS, NURSES, POLICE, FIRE FIGHTERS,
RESTAURANT SERVERS)*

Yes, any type of housing (rental apartments 3 stories, single family homes up to 35 ft. Either, could be 3 stories under current zoning. Just like any other home, town home or apartment that is zoned for that use in Hurricane City)

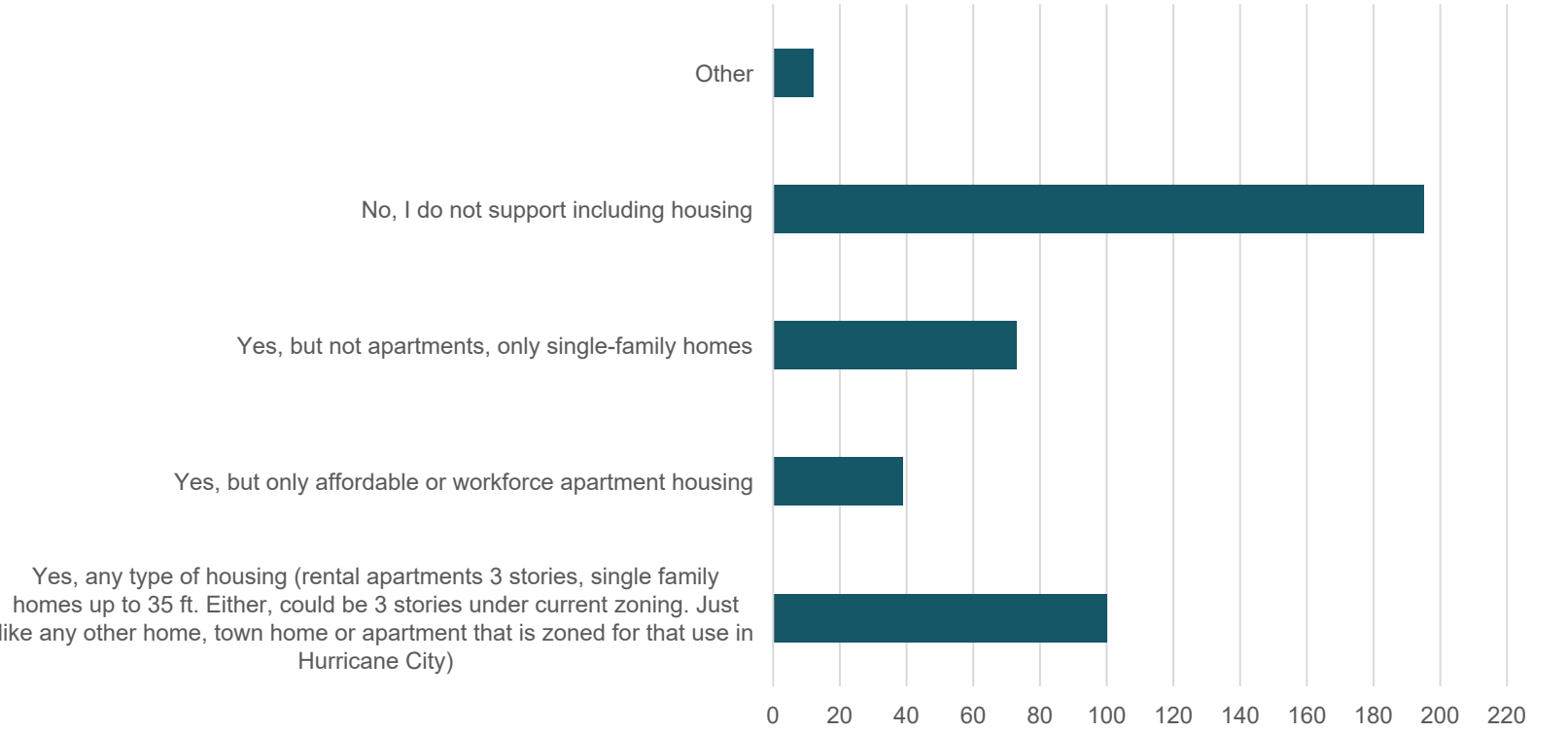
Yes, but only affordable or workforce apartment housing

Yes, but not apartments, only single-family homes

No, I do not support including housing

Other

Would you support including affordable workforce apartments or single-family housing as part of the project to help finance the Civic Center Public Facilities?



Would you support including affordable workforce apartments or single-family housing as part of the project to help finance the Civic Center Public Facilities?



■ Yes ■ No

*5. WHAT TYPES OF
COMMERCIAL OR RETAIL
SPACE WOULD YOU SUPPORT,
IF ANY?
(SELECT ALL THAT APPLY.)*

Local retail shops or cafes

Office or coworking space

Restaurants

Cultural or arts-related businesses

National chain stores

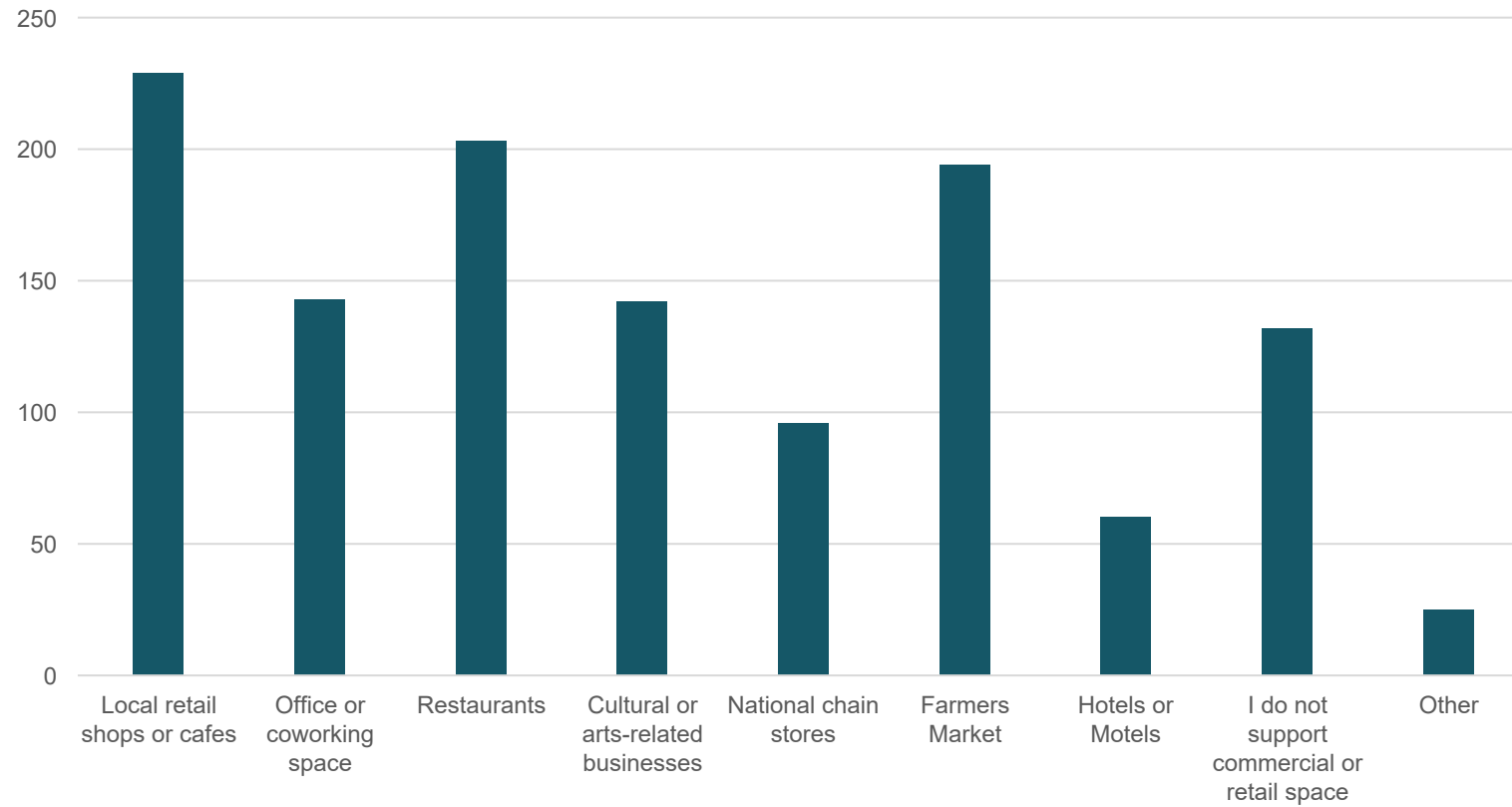
Farmers Market

Hotels or Motels

I do not support commercial or
retail space

Other

What types of commercial or retail space would you support, if any?



*6. IF YOU HAVE CONCERNS
INCORPORATING PRIVATE
DEVELOPMENT (HOUSING OR
COMMERCIAL) ON CITY-OWNED
LAND INTENDED FOR PUBLIC
SERVICES?*

Loss of public space or access

The city becoming the developer after the lease expires

Reduced public control - Long-term loss of city land

Potential for congestion or inadequate services

Profit prioritization over public benefit

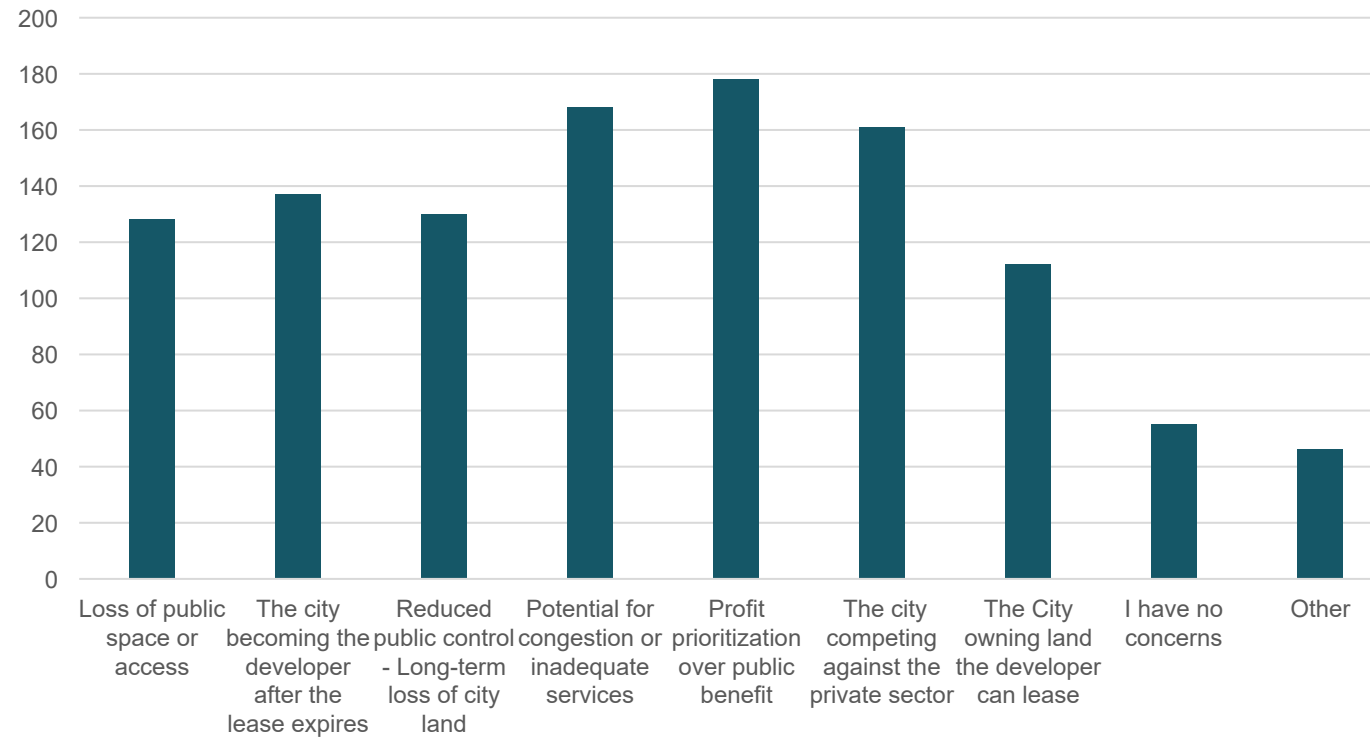
The city competing against the private sector

The City owning land the developer can lease

I have no concerns

Other

If you have concerns incorporating private development (housing or commercial) on city-owned land intended for public services?



*7. IF COMMERCIAL AND
HOMES/APARTMENTS ARE
BUILT ON THE CIVIC CENTER
PROPERTY, HOW WOULD YOU
LIKE THE BUILDINGS/ HOMES
TO BE BUILT?*

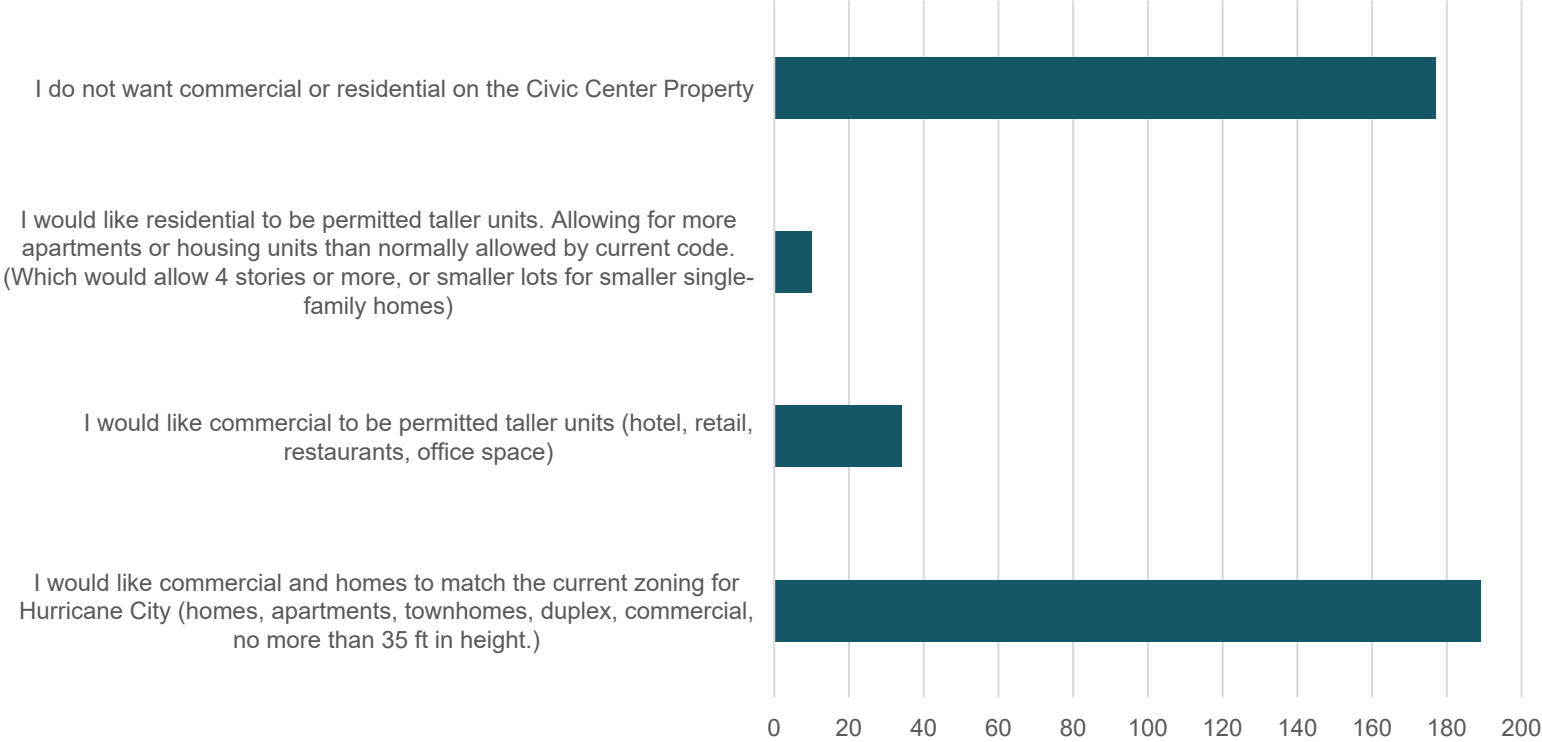
I would like commercial and homes to match the current zoning for Hurricane City (homes, apartments, townhomes, duplex, commercial, no more than 35 ft in height.)

I would like commercial to be permitted taller units (hotel, retail, restaurants, office space)

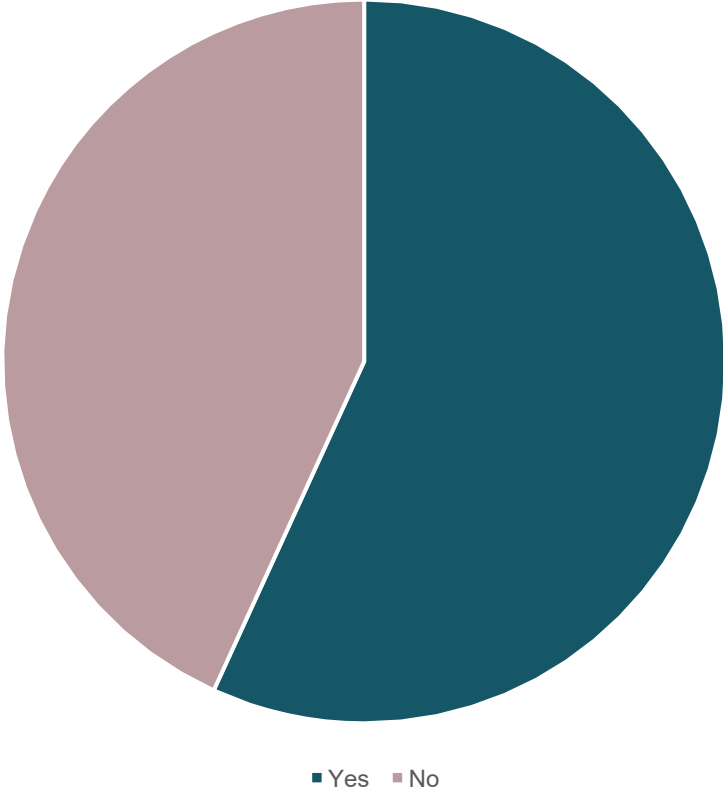
I would like residential to be permitted taller units. Allowing for more apartments or housing units than normally allowed by current code. (Which would allow 4 stories or more, or smaller lots for smaller single-family homes)

I do not want commercial or residential on the Civic Center Property

If commercial and homes/apartments are built on the Civic Center property,
how would you like the buildings/ homes to be built?



If commercial and homes/apartments are built on the Civic Center property, how would you like the buildings/ homes to be built?



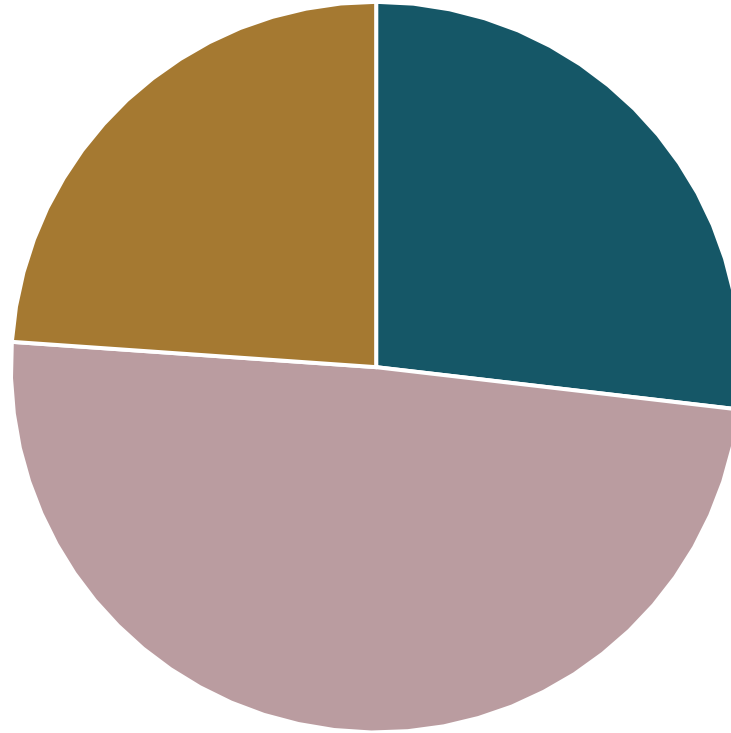
8. HOW SHOULD THE CITY PROCEED WITH THIS PROJECT?

I would like the city to use this feedback and begin design on this Civic Center project keeping the public informed as they proceed

I would like to see the city come up with a plan using this feedback and present the plan to the public in a public hearing

I would like the city to use the already designed plan for a city office building to the north of the current city office building and remodel the current police station to meet the needs of Hurricane City and not build on the city owned property

How should the city proceed with this project?



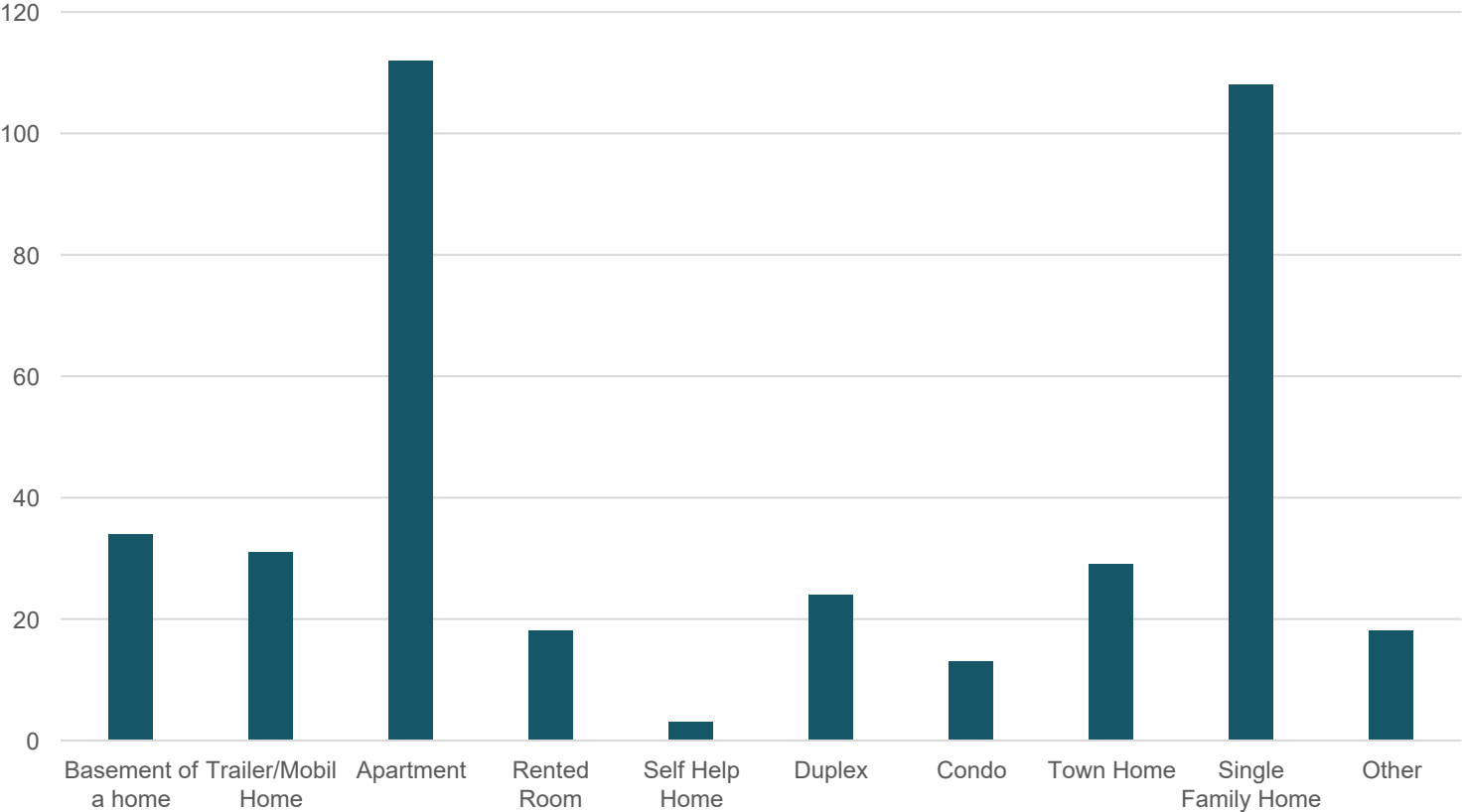
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- I would like the city to use the already designed plan for a city office building to the north of the current city office building and remodel the current police station to meet the needs of Hurricane City and not build on the city owned property

***9. DO YOU HAVE ANY OTHER
IDEAS OR COMMENTS ABOUT
HOW HURRICANE CITY SHOULD
FUND OR BUILD A NEW CITY
OFFICE BUILDING AND POLICE
STATION?***

212 Responses.

*10. WHAT WAS THE FIRST ONE
OR TWO TYPES OF HOUSING
YOU LIVED IN WHEN YOU
WERE FIRST MARRIED OR
GETTING STARTED IN LIFE?*

What was the first one or two types of housing you lived in when you were first married or getting started in life?



9. Do you have any other ideas or comments about how Hurricane City should fund or build a new city office building?

I know this option has already been discounted on social media threads, but you could sell the land not used for the new city office building.

I'm opposed to high density housing, and high rise buildings. Let's keep that "Hurricane" feel! We don't want to lose that.

Sell the land to the Wetzel's as they offered. It just doesn't make sense to spend millions more to build a new city office building.

Better timing on street lights down State Street

Build at the community center!!

Use the taxes from all the new housing and commercial properties that have been built and are being built to fund the new city office building.

Make the property for single family home lots only and sell them. The current plan is a nightmare for the city.

switch planned location of park (green) and single family homes (orange)

You're not going to make everyone happy. The ones who are most angry upset about it are the older generation.

Hurricane should use the funds they have available to make this work. If not, sell the land to the west side of the city.

Sell the land not used for city buildings

My comments are that I support a new city office and police office. Make the police station specifically for the police.

Hurricane city should proceed as if the federal and state workforce housing programs and the money that they have allocated.

Please consider green space. Everything around is getting developed, leaving little space for parks which is a shame.

The orchestration and delivery of city services should be funded transparently and directly through taxes on the property.

Go build a new police building out south

Yes, it would be better out south!!!!!!

A new city office building is a good example of government waste. No new taxes! Maybe a warehouse or industrial building.

I don't think the city should have purchased land they can't afford. I was in support of the original plan for the city office building.

I am supportive of the city building the facilities it needs to provide civic services, new city office building, and a police station.

I do not agree with the city being a developer or landlord

Don't compete with private business

Hurricane City has no business developing residential or commercial space. If the City needs to raise funds, it should look for other ways.

Hurricane needs nice facilities and be frugal as well.

Expand, don't build

Please do not bring low income housing to this part of Hurricane. We also do not want more hotels. Family homes are what we need.

I feel very strongly that the city of Hurricane is expanding our small town for the sole purpose of being a bedroom community.

I have no problem with the city building the police station or offices. The housing & commercial there is what we need.

With the least impact to the environment.

Stop spending money on "future incomes" and spend money on the stuff that needs it. You keep raising taxes and not doing anything.

Please listen to the citizens about this! Thanks

Use money from impact fees.

We are told to conserve water but the city continues to allow large developments that will take more water than they can provide.

Please! We need more commercial industries. Let's start growing this city. The older generation isn't going to support this.

The city should also take into consideration the fact that we are not equipped for this amount of growth. We need more infrastructure.

Please change the laws around search and rescue at Zion. Hurricane should not have to pay for negligent drivers.

Move over to the Paparazzi building and save some \$-

For the record I was in the United States Navy and lived in the barracks when I started out in adulthood. I know what it's like.

The terms of the lease will play a big part in whether I support the public/private partnership. It is important to get the details right.

Build a new city office building and police station only - no civic center, no commercial, no residential. Just what we need.

I would like the city to use the already designed plan for a city office building to the north of the current city office building.

Truly believe if the city can not afford a civic center, sell the property and remodel/care for what they have.

Build onto, and update the one you already have. We don't need more buildings. This town is no longer the same.

Keep saving

Don't do it unless you already have the money to do it, without increasing our taxes to do it.

I'm not opposed to a new city office building or police station. I'm also not opposed to more residents.

Hurricane put resort fees on all vacation rentals and hotels and have those that visit fund the city.

Stop big box and mega corps coming in just small business and local.

With all the new res. Construction it would there would be enough property tax collected to fund the project.

Keep the design simple and understated. Address only basic needs. Strive for low maintenance.

I think that a new city office and police station would be nice given the growth and I would support it.

Combination of limited tax increase, issue bonds, leases from retail property, sales tax.

SR 9 in front of Lin's is a terrible intersection right now. Traffic coming from the proposed civic center.

Open it up to residence opinions, as to what should reside in that area. If our taxes and property taxes.

Hurricane - the options you have presented to include various types of bonds and grants for financing the project.

I appreciate the city looking for ways to fund needed facilities without increasing taxes on residents.

A recreation hall like Washington.

Pray for the money.

There are other needs in our community that could utilize that space in addition to new city offices and a police station.

The majority of our infrastructure needs is from increased tourism and new developments. These needs should be addressed.

Just slow down the flood from other poorly run states!!

I believe a general obligation bond is a fitting and responsible approach for this initiative. Our politicians should be held accountable.

Make it friendly to the people who have been here for years! Kids need a skate park or park with more amenities.

I don't think remodeling anything is worth it. New build with considerations for future city needs, not just current needs.

Increase the taxes on a per citizen basis over the the amount of years it takes to pay for the necessary facilities.

Hurricane needs to consider water availability.

This sounds like a good proposal to help avoid raising taxes.

I think if your going to change the zoning it should all be Commercial zoning.

Visionary leadership should be employed to maximize the use(s) on City owned property and to properly allocate resources.

In the end, this plan places management of the assets onto future city government officials. I would rather have a plan that is sustainable.

Why not just put a rec center in that space with a park. No need for retail. There is space available and the city can manage it.

Possibly also increase taxes on income derived from tourism (esp. Hotels) on non-Utah citizens. Even if it means a slight increase in property taxes.

Please use current buildings and add on as needed.

Save for it.

I personally feel like your city offices are plenty adequate for your needs. I can hardly ever get a hold of anyone.

No new taxes!

Increased taxes on new development and zoning changes to fund the construction of city facilities.

They should focus on funding and recreation center. It would be nice to have something similar to other cities.

Biggest concern is that any public/private partnership will result in monetary aggrandizement for both parties.

It seems to me that there is so much new housing going on that we need more businesses for shopping, recreation, etc.

This is too much all at once. Build the police station there and nothing else. Allow cattle to still graze.

City should not be a developer.

I don't understand why you can't expand the current city offices - this should have all been planned when the city was founded.

Hurricane city should do what they want on the land they owe within current zoning - just as I would expect any other city to do.

Please, please have meetings and keep residents informed. Right now many folks feel like the city council is making decisions without their input.

Build a Recreation Center instead.

Chick-fil-A Please.

I think the city should sell the excess land they own and use those proceeds to build the police station and a recreation center.

I do not live in Fox Hollow or the cove, but this is a terrible idea. I drive to hurricane elementary every day.

This project is insane. Who wants to take kids to a park with a hotel right outside? Who wants to buy a house next to a hotel?

Keep the building and remodel or expand on those.

N/A I don't think the police need more space/ A new building I think they should stay where they're located

Building a new city office building is unnecessary. The roads are already over crowded. be smart about it

Last resort to raise taxes

I would like the city to stay out of debt, without raising taxes.

I do NOT care I just want to pay my electric bill what IS this

I appreciate the city's commitment to improving vital public services such as police facilities and administration

Hurricane stop trying to force your agenda and really listen to the taxpayers.

My biggest concern is the competition with the private sector in any way. I know citizens have come in

I'm not a fan of apartments or low income housing. I'd prefer something more like what St. George has of

It wasn't disclosed the budget required for this project, only that the city had 4 mil. It would have been

Allocate the direct cost of each asset to those that will benefit. So city/fire/police is funded by all

Look at downtown Greenville So Carolina it works like it should be with commercial and residential

We feel apartments are more suited for the area around Walmart. Not in downtown. We agree more commercial

Building new city offices is fine but I would like to see more commercial than residential. Too many people

Don't build new city building, Government waste!!!!

Maximizing the economics of property, along with meeting the administrative needs of the city should be the

I believe that any decision about this project should be done after the new Mayor and Council is elected

Get the much needed addition of good business that could benefit the community and not add more low income

With all the new housing and businesses coming to Hurricane I'm sure they could generate enough revenue

Move the police department to the current city offices, rent out the former police department, use the

I do not think having a hotel in this new city plan is a good idea. The hotels need to go in areas that

Why isn't the city including the Fire station take it back from private ownership.

Responsible building and investing without affecting increases on our property and sales taxes. Our citizens

I would not like to see a hotel in this area and would instead prefer to see additional affordable housing

Use the current office building and attach a Police Station.

Long range planning; capital improvement program; use of existing fees and taxes.

Remodel the city office you already have. There is more than enough space on that property. Remodel the

Do not raise our taxes to fund any residential development. Funding for the new police station and city

Build the city offices and police station with the money we have saved and build more as we save more money

We already got a tax increase this year and the new city office building and police station need to be

We DON'T need new city offices!!! Waste of money!

Leave the property the way it is!!!!

Remodel both, there's no need to waste tax payer money on such a ridiculous project!!!

Increase taxes if needed. Costs are only going to increase. The city can't afford to put off the new

Increase residential and commercial building, inspection and permit fees on all new construction projects

The city should use tax revenue from the explosion of new residents and businesses and frugally save it

Less expensive and less elaborate-remodel.

Stop approving housing being built

First of all, make sure to consider public input, since we took the time to fill this form out. Also, for

Like stated above remove the current police station would be the best use of Tax payer money. We don't

Would like to get more info on the concept of public private partnership. Could be open to it but need

Government housing doesn't usually be kept up and looking nice and starts looking junky, please don't

Whole city pay for with taxes

Don't let angry voices diminish the efficacy of our wonderful police department and delay needed public

Housing manager outside the city

See Janette AhQuin's ideas proposed on Facebook in the comment section of Kevin Thomas' post regarding t

I would like to see the space mostly for civic related use. Community center, library, EOC, classrooms

I think the city should fund the needed civic center and police station buildings by selling the portic

I think the city should use the space for government direct need or parksSell the rest

I believe the city should do what the code is and can do what they want with the city owned property

Many of us in the Fox Hollow area are concerned with increased congestion. No one I know wants high de

Remodel - expand what you have and be content and happy do not raise property taxes

I think the police station could be put in the old Ace building. Use the garden area to build a garage

An indoor/outdoor pool would be nice

The City should avoid high density housing as much as possible to maintain the values and image of the

I am worried about the devaluation and the homes around this and very worried about the traffi

Set up a budget-save money until you can afford a new building without raising taxes. Be wise

Federal, state grants, taxes. Using appropriate channels. The City should not be in the realty business

I would like to see the City use the already designed plan for a city office building. Then use some of

Please plan for adequate parking so that street parking doesn't become an issue. For example, the baset

The City has no business getting involved in commercial/residential development. Sell this land and do

Remodel or add on to the buildings you have. Stop destroying our little town.

The police station would be more effective not on a congested back street! Keep current offices and bui

Make a plan to do a new police station and civic center with the open space that was supposed to be mac

Remodel and add to the existing city building sell land for development of single family homes build ne

We would prefer the City look for funding in the form of grants and or bonds. Not raise taces cost og l

I would like to see workforce housing under 80 units. Sell te police station property to help pay. I an

I think no development should take place for five years. Bring in temporary office modules and set then

Not for any of this. Pat yourselves on the back.

Do this in downtown area-you have land and it would be better for the town

No on all-pass all taxes to the new comers you are allowing to build I don't need anymore congestion ir

We already have more than enough housing and development projects going on

First no new taxes! We all have to live within our budget and so should the city! Focus on infrastru

Water + congestion are always a major concern! The City must use good judgement in not only this projec

We live in a desert! We have already built too many residential and commercial facilities that all requ

Put a limit on the number of houses built every year I'm tired of my cost of living rising in my home t

No more raising taxes. Limit government. Get rid of ridiculous beaurocrats. Stop making life more diffi

I'm angry-enough of the local serenity. The small town quaintness and the beauty of the night sky are b

This is ridiculous! No commercial or retail in that (our) area! Residential (normal) is what we chose i

Get real businesses in here. High school kids that go to college arent coming back to this podunk town

My major concern is that we live in the desert and there is only so much water available. Another conce

I am ok with new city offices and our police dept needs a larger space. No homes-no more gotels. Conges

Higher impact fee on big developer only. Increase business license on commercial business

The entire land owned by the City doesn't have to all be developed from the start. Leave room for futur

Build the new police and city Hall as needed funs thru bonding. Keep open space on parcel available for

No new building. Use what you have. No new taxes or financing.

Expand police station where its at. Put money into better technology for police and city hall.

Public city building i.e. police, city office, green space, single family homes

I do not support any new taxes! It is far to easy for city leaders to turn to a tax hike when they drea

We are impressed that you have gone to a great deal of effort to find a way to do this without raising

I think the money should be put into [unreadable] on streets. What good is it to have these fancy build

Take a long term view-5 to 10 years or go slow

land. Major congestion would happen.

The City of Hurricane is growing way too fast, out pacing the infrastructure to support the huge increa

I believe the new police station needs to be more centrally located in the geographic area of the city-

Use the recently acquired property for single family homes, sell to each indicual family or lot, this s

I do not support this matter in any way. Stay away from my property tax. No more of your projects for n

Sounds like a wonderful upgrade for our city. We love Hurricane! Thanks for letting us give you feedbac

I would like to have some big ticket retail and one or two large restaurants instead of more housing. S

No affh-It's a slippery slope approving zone change especially when density is the goal

From the proposed plan, it is estimated that 5 acres is required for police station, city off

Impact fees. Use the city's reserves. The City should not go into debt. The City has been col

there is already enough houses and apartments being built on every available space-traffic is

Become more efficient with the current police station and city office. It is almost impossibl

The police dept needs to be in a more central location in the City. With all the new construc

Police and resonial cais will take up space in the parking lot. The emergency vehicles would

There seems to be some buildings not in use on rt9 ie Ace Hardware for police dept. I am sure

I support our elected officials to do what they think is best for our community.

So if 200 (single story) homes enjoying a view over 1/2 mile and a california based home buil

Why don't you just add on to your current office location

The people impacted do not want this, it makes no sense, and would [unreadable] destroy our r

Whatever you do-don't raise my taxes! City shouldn't get into commerical or residential busin

Stop all the building of new homes!!! We have way to much congestion on our roads already, ar

Stop building residential homes!

office building and police station?

It needed for the police station & expanded city offices, and you the proceeds of the sale to not have to turn into St George or Vegas!

Would your plan when an economic feasible solution is to build only what you need, sell the land

it.

locals. The congestion! You will tank our home values and cost us MORE in taxes for the in

ration that are not going to be around as long. This will leave the younger generation with
it and use the land north of the city offices to build a building that would be sufficient. I

ly nice. I would like to have our town and place where we attract great police men that want
it they make available if you follow their guidelines did not exist.

which are also critical to community.

Yes. As citizens, we should bear the cost of the services we use—even if that means paying

industrial building would be better, as there is not a lot of clients or customers needing it
than that included a lot of green space etc and just city buildings. It is interesting that plan
e, police station, community center, etc. I do not support the city developing large pieces

funding for civic buildings, they should do so using traditional methods such as taxes or bonds

illies live near and in this area and we don't want people staying in hotels to come up to our
ing greedy! You don't care about what the public thinks! You don't listen to the constituent
would be an absolute disaster! There's NO scenario where I support that. That area doesn't

taxes, taking private and public properties away, and then saying you need to raise taxes because

after. Current residents are not allowed to do short term rentals but new developments can. Land
going to be around forever!

th.

It hikers and visitors of Zion when they are rescued. Have you thought about charging the Iron

road. City leadership is consistent in not valuing the opinions of local citizens and business
my hope that city administration will share all the details of the lease agreement with Hur
rial.

current city office building and remodel the current police station to meet the needs of Hur
they already have. Obvious the city has dropped it's nice retirement community feel to cater
the town I grew up in and it's disgusting.

ial homes in that location (as it's already in the area). I am opposed to commercial develop
esources rather than private citizens

roject. Thank you

t in that area but I would hate apartments (low income housing) or businesses to higher crim

ter will only add to the congestion. The plan should include city hall/civic center and the
es are going to fund it, we should have a say as to what is built in that location.

this project seems viable to me.

. I think the city should continue with the idea of including residential/commercial land le

nd police station-- think library, rec center, park space, etc!! Having it all in one centra
ould be primarily funded from that instead of current residents who already get hit year af

ice department is in critical need of a new facility to meet operational demands and better
upgraded trails and slides we have one park falling apart. Hurricane is becoming saturated w
t the developers. Not enough information. Lease time, rental agreements. Location vs appropri
ry infrastructure. No public/private partnership

administer City funds. In Christ's parable of the talents the servant that didn't increase hi
ather see a the necessary new buildings built with taxes responsibly used even if that means
at other locations.

if only temporary until buildings are completed.

old of anyone when I call there except for utilities. I rarely see more than one person in th

r cities within Washington County.

City council/Mayor and developers/businesses I.e. under table kickbacks & preferential trea
staurants and maybe a nice factory outlet mall. It will keep more people spending money here
raze. Sale the other police station property.

hen they built it in the first place. The same for the police department. Instead of reinven
xpect from any landowner.

cil is keeping us in the dark. We need open dialogue on everything that the city is doing.

on and new city office building. I am wary of a public private partnership where the city i
everyday and traffic is already bad here. I would absolutely support higher taxes to avoid a
home with a hotel in their backyard and businesses?Who wants to go to a park behind buildin

ated.
t this,

ministrative offices. However, I must express my concern with the current proposal to fund the
n to rezone and utilize property to address the housing issue and they have been denied. The
ff of Main Street with the red rock river splash pads, carousel, children's museum, or even s
been nice to know what the budget needed to be to consider what funds were needed and unders
ll through taxes and any commercial or residential is funded by those who will collect the r
cial is needed.
eople in this town already.

e the main goals for the property. The city should partner with the private sector to the hi
ed and sworn in. To have the out going Mayor and some council members making this decision i
come people into our town! We only have one pickleball court zero basketball courts! We have
: to support this project.

existing funds reserved to build new city office. The plans designed as they are proposed,
t are already zoned commercial. Maybe we should get the fees for new builds that go to the w

ity is growing out of being a small town (sad), yet prosperity rules. Can we use the current
sing options.

e police station you already have.

y offices should first be attempted to be funded by grants, federal, state and county fundin
money. Don't get into an agreement with the private sector to compete with them and especiall
built within our current budget and not over built wasting tax dollars and increasing taxes

police and city buildings.

cts.

t for growth needs. There should be no need to raise taxes due to growth because the growth

Please remember our limited water availability in the planning of this Civic Center project.
need to grow anymore in Hurricane City. We moved here for the small town atmosphere not for
to know the details. My first inclination is to avoid that concept but need more details on
trash our town

c safety improvements

this survey. My additional suggestion is to sell the majority of this lot and build the poli

etc

ons of land not needed for the civic center and police station to private developers or comm

ensity housing looking down into their yards. I don't think it's a great idea to purchase la

for police vehicles. This would use an old building and clean up downtown. Use the money yo

city. 'low income' housing may sound "nice" in theory but in practice will induce the commu
fic on SR9 and 1150. It is a dangerous intersection now.

e, be responsible, don't be hypocrites

s like you tried a couple years with the downtown fiasco. Also you shouldn't put a police st
f the acquired land to build the police station. Sell the old to help pay for it. Then do a
ball fields street congestion and jay walkers and the Hurricane Community Center during larg
what was originally planned and listen to all the people who will be affected by this insan

ild a satellite office out by Walmart/Dixie Springs. Keep City government small build on to c
de

ew police station if funds allow otherwise remodel existing police station. Don't build a ne
living in Hurricane is already high and hard for families and seniors on fixed incomes. Pref
m fine with retail along 100 N using city leased property. No hotels. I like the walkable ne
m on the empty land to the west of the current offices for police and office space. The resi

n this neighborhood

ure i.e. roads & intersections 1st. Make the new city civic center modest not fancy-luxury-e
ct but in current growth and expansion. We live in a desert and farming community. Please do
uire water. You should put a moratorium on all building until new tank (or sources) are cons
town because the city wants to approve as many building permits as possible. How many times
icult for citizens. Thank you for the questionnaire!

bing destroyed by the insane pace of new construction. Traffic has increased tenfold on Stat
in this area. Please do not consider this big plan as it would destroy the peace and tranqui
to work at McDonalds or a gas station. They want real jobs. So far the place has built hous
ern is the increased traffic that will be on 100 North
stion will be crazy and I am sure you have heard this plenty of times I hope you listen to y

re expansion. Hurricane is growing at a rapid pace. What is designed for current use will be
r future needs (and builds the new buildings with this need in mind) sell the old police stat

am up a new project. Government at all levels should operate more like a business instead of
taxes

dings when we have these bad streets that get [unreadable]

ase in traffic and population. This is negatively impacting the existing city residents who
-following previously prepared studies paid for by the City-less congested access to major s
should be more than enough to meet the needs of the Hurricane City bldg and police station.
me to fund!

ck.

Start considering repairing our current streets so our vehicles don't need wheel alignments 1

fice and some open space. Retain 5 acres and sell the remaining 10 acres. This shou
llecting impact fees for years. The City should not be planning more civil centers.
s like living in a large city-Hurricane is longer a great place to live
le to drive on Highway 9 into Hurricane quite often. Once the current subdivisions
ction yall plan on doing, a police dept on the east side of the city leaves the ent
be blocked in by commercial customers. Block out public trying to access the City
e there must be more empty buildings for use without building more and expenditures

lder canyon mills comes in with 35 foot tall houses guess what happens, my view tur

neighborhood. Not long ago the city building was updated at significant cost. It is
less! Too many problems that citys have to deal with If extra land then sell it off
nd SR-9 is now a joke. What happened to no housing lots under 1/2 acres? We no long

to pay for the building projects. Also, why not look at land in the areas the city is expanding to help with costs. I would love to see the area used for a larger library and park similar to what they have done in other areas.

Infrastructure (roads, traffic lights, etc). Workforce housing??? What a joke. I notice there is nowhere to live and no prospects. I get that "everyone's opinion matters" and whatever, but I would love to see the area used for a larger library and park similar to what they have done in other areas. I would not like us to be a place where we are not preferred and more people want to stay and protect us.

higher taxes—because it reinforces a clear connection between public spending and taxpayer

to drive in and out on 100 north onto state, which is already over crowded.

plan has disappeared. I don't think that the city should be landlords or business owners and take care of property like this one. It is not the role of a city government to take on a project like this.

lands or by not spending so much on unnecessary recreation buildings.

in neighborhoods. PLEASE PROTECT OUR CHILDREN.

is in your voting area! Our schools are all large with classes being 28-30 students in some cases. We do not have appropriate infrastructure. Traffic would be awful. Kids walk to school there & are always late.

ause there is not enough money. Talk about corrupt politicians.

local leaders continue to ignore wishes of long term residents in favor of increased tax base.

onman for overtime wages since Hurricane's police force is having to work more? I understand why.

leaders who are not members of the LDS community. Celebrating people simply because their families were in Hurricane residents before proceeding with this project.

Hurricane City and not build on the city owned property WITH NO CIVIC CENTER OR RESIDENTIAL ADJUSTMENTS for young families. Very sad for those of us who moved here to enjoy retirement. (And there are many of us.)

ment so close to existing residential homes. People built their homes there probably with the

the rates and become a gross area.

new police station - NOT any additional housing hotels or other commercial businesses. SR 9

cases. However, the density and scope of the residential/commercial uses needs to be reasonable

alized location would be so nice and serve the needs of existing citizens!! The area would be
after year with higher property taxes. Higher impact fees, tourism fees', etc should be implemented

serve the community. Additionally, our city office is rapidly outgrowing its current space,
with town homes apartments and affordable housing and our town is going to go to [expletive]
appropriate use. This is a neighborhood.

his talent was called wicked and slothful. Let's not be like the wicked and slothful servant who
is raising taxes. There is so many moving parts in this plan and the current council would like

the office on the right when you go in, so why the big expansion And the last damn thing we need

atment padding each other's interests and eventually using taxpayer \$ to bailout private projects
in Hurricane and help boost our local economy. We have lived here since 2011 and seen the area

turning the wheel every couple decades why not plan better for the future? It may be a fancy new

is in direct competition with private industry, privately run businesses and development.
all the other options. Keep in mind that building that much housing right there will be a huge
things? That park will be for tourists using the hotels—not for the families here. Not the citizens

these improvements by leasing city-owned land. Turning the city into a landlord is not a direct way for the city going in and creating a zoning that only they can use seems very hypocritical and unfair. We need some pretty walking paths and dessert garden. Picnic tables and benches would be nice. I'm not sure I understand what funds each space (residential/commercial) could bring in to pay for the police station, not the general public.

To the greatest extent possible in order to accomplish this goal. Our city has great needs that can be met. This is wrong. Have the new Mayor and Council be accountable for this instead of throwing this decision on a huge traffic problem that's only getting worse! The city is putting the cart before the horse. The streets are over using land and too congested. There needs to be parking and room to avoid congestion in the water conservancy district. If Hurricane City kept those we could probably afford to build a new police building, city building or is it better to sell to fund the development of a new business district.

Finally, this is a crucial step in the funding due to the high tourism rate due to our close proximity to the river. We don't build high density workforce housing. We need to build more housing again.

The city is also growing your tax base.

Finally, Last, Valley Academy will be opening a new school across the street and we are very concerned about the growth. We need to look at how the finances, property responsibility work.

Finally, the police station on the Utah government owned land on State st across from the Ace and potentially the

mercial developers according to the current zoning plan and and NOT retain ownership. The ci

urge amount of land with tax dollars and not having a plan that the citizens are aware of to

ou have saved to do this renovation and to build a new city office. Only use money you have a

community values and introduce a disproportionate amount of undisguisable activities ie. drugs c

ation right next to 2 elementary schools. If you sell the property which you should, sell re
plan for the Civic Center with lots of open space like it was intended. Have a few component
ge events.

ie idea!

current offices-each department already has buildings scattered around town-do't need showy i

ew civic center. When funds permit, add a kitchen and rooms to the existing theater building
fer this project moves forward as funding becomes available which may take longer than plann
neighborhood idea. Single family homes are fine but not a fan of the City owning the property
idents should vote to approve this whole project or not approve.

expensive. Thanks!

on't let these expansion dreams totally destroy our beautiful community

structed to meet the needs of the existing building and population

do I need to be told to conserve water while they build duplexes for out of state people rig

te St and 600 N is in danger of becoming the same way. Water resources are questionable every
lity of our homes in this area

ses, apartments, playgrounds, more houses, more apartments. The cost of living is going up an

our residents that road will become our Rivier Road like St. Geo 100% mess

e outgrown in 10 years. Larger facilities will be required and the current plan would be lanc
tion

the currant total loss system and then raise taxes for more.

live here full time and pay the taxes. The city needs to slow down, put the breaks on out-of-streets-the "new" area acquired seems to be too dead ended-tucked away-good place for an old. Possibly retain a small portion of the land recently purchased on the east side(next to cur

monthly. Some of them are hazardous to travel. I would like our streets re-striped to includ

uld bring in at least one million dollars to be used for the police station & city c

Take care of the public safety (police) with what was planned for and with the mor

that you have okayed are full, the oads will become totally jammed up. Do something
ire west side of the city open to a much slower police response time. In terms of g
and police. We don't need another park. The City reserve money is out tax money. Us
; to public. Traffic is already getting worse and the need to rectify safety concern

ns into a 3 story (with roof) home.

; common knowledge that the powers here already made their decision, and it is a job
to help pay for the civic center and offices and let private business develop it
ger have a peaceful quaint city. This place is turning into St. George, and ultimate

ng into? I feel a more centrally located location would be a huge benefit to the city & it's

Spending millions more to get more money to cover what you are spending does not make sense

e plan does not address the TRAFFIC nightmares this would make and the cost to accommodate i

don't you think you should be focused on listening to the people who are going to be here t
wntown St. George. I'm not opposed to the city having updated office space for administrative

oral is low.

responsibility. When layers of bureaucracy, indirect funding mechanisms, or state and feder

feel that is conflict of interest and if there is no other way to pay for this project then
e this.

classes. The corner where you are proposing this project is already off of a busy intersecti
ready unsafe from the ridiculous roundabout at 700 W. That said, sell the existing police sta

e. Please stop wasting money (city owned crew cab trucks with a single person in them and no

we are trying to incentivize our city to get the bid for the Iron Man, but please find another

families moved here in the early 20th Century is absurd. And having these faux Brahmins (loc

DITIONS.

are a lot of us) It's now growing like a California suburb/city and very disappointing. Losin

he knowledge that they were near an open field and still within walkable distance to a groce

coming into Hurricane is already a parking lot.

ble and consistent with the city's general plan. If lease revenue to the city from reasonabl

e underutilized by the public if you start building houses and hotels there! It does not mak
mented to increase the city's budget. We shouldn't be funding increases that are directly rel

making it clear that an investment in updated infrastructure is necessary. A GO bond allows
if we keep building more affordable housing! People want to buy homes out here that are sin

who let fear keep him from making the most with what he had. Most citizens will likely prese
kely not even be around to see its completion or deal with the fallout. That part concerns n

ed in this community is a bigger police station so we can have more cops to harass and intim

jects. Eventually changing the partnership to grant full ownership to the private sector witl
mazing growth but most of it has been houses and townhomes not so much in the better restaur

ew building and keeping up with the Joneses and Southern Utah to you but this is hard on the

ge burden on not only the surrounding area, but on the school district. Hurricane elementary
izens here in hurricane. Hurricane has enough space where we don't have to CROWD this tiny s

ation I believe is in the community's best interest. Leasing public land introduces ongoing r
fair to the public. Many private partners would help increase housing if allowed by zoning.
ot against an open shopping and business area like city creek. We get millions of guests tha
ation. If I could know we needed x for the buildings and x for the park and then x hotel pai

e met through development of this property and time is of the essence. Commercial space, hou
cision onto them.
orse! Makes us really question the common sense of our city officials!!! Add to what makes l
ng the nearby neighborhoods. A hotel, businesses, housing, and restaurants appear to be gove
new building. I also do not think we need a city funded civic center. If there is a big enc
ilding with inflated building material prices?

imity to national and state parks.

ned about the increase of traffic in that area. Thank you!

purchasing the lot next to it that used to be Nielsen's RVs

ty would be competing with its citizens by retaining ownership and providing housing, restau

pay it off. This land purchase feels like the city bought it and now wants to cram down a p
and don't get into business with developers. Great lesson with our community center of makin
rime etc. sad but true

esidential. Hurricane deserves better
ts that follow city rules and have been fully researched as to how the public/private partne

new building

at the Community Center
ed-work within the budget wisely. If the City can't afford it-don't do it, we, the residents
and leasign townhomes. Try for state/federal grants. Does the City own any other undevelope

ght next to me its very frustrating

y year due to drought. More housing, more potential crime. Sand Hollow has become a nightmar
nd all you politicians want to do is look pretty and doll up city offices. You're decorated

dlocked.

f-control big time developers being allowed to do anything to reap huge profits. Critical in folks home/retirement living.
rent city office) for more expansion in the future if needed.

le right turn pockets. Current unsightly properties brought up to code. Our codes are not en:
office construction the city should not become a "landlord" What can the City afford
ney already collected.

g about the roads and water before spending money on a new civic center
generating funds, an easy way would be to place a small % "public service fee/tax"
se it to build a city office + police dept. Start paying the police dept so they wi
ns on Rt 9

ke that we are asked for our opinion.

ely another Las Vegas. Stop all the home building

s employees in the future.

2.

it. Is anybody that actually lives in the city asking for hotels???? No hotels, no high density
the longest and who will be most affected by it?The younger generation, the ones who will be
e duties and police but it should be modest to meet our needs, not like the county and city

ral subsidies obscure this relationship, it weakens accountability and dulls public scrutiny

it shouldn't happen. Besides all of that this location cannot handle the increase in traffic

ion where deaths have occurred. Please reconsider this!!
ation & city offices to build proper new ones. Tourist taxes & impact fees can fund the rest

othing in the bed) and listen to the people who have been paying into the tax base for years

ner way to do it instead of increasing something The citizens have minimal control over. I m
ok it up, there is a wide world beyond Southern Utah) control the levers of power for decades

ing it's quaintness and beauty one red hill at a time.

ery store. "Cramming" so much commercial amenities on the parcel wouldn't be conducive to th

le development by private developers is inadequate to fully fund the city hall and police st.

xe sense and it prioritizes the needs of visitors over the needs of locals!
lated to visitors and developers.

s us to address both of these pressing needs in a fiscally sound manner, leveraging public s
ngle family homes. This town has less single family homes than apartments are townhomes. Sto

nt subjective arguments to justify their fear of change. Let's all remember that change can l
ne.

nidate the residence. I think you should do a rec center like you planned, it seems odd that

hout adequately compensating the city (taxpayers).
rants and shopping. I think with Applebees opening in Hurricane should open the door for mor

e citizens that have to pay for all this stuff. If you do force residents of this town to pa

r is already bursting at the seams and the school district cannot currently accommodate that
pace. Hurricane does not want a tall apartment complex. We need more single family homes. Th

responsibilities—such as managing leases, maintaining properties, and handling tenant issues

Current zoning does not allow attainable housing. I worked very closely with Stephen before it came through Hurricane to Zion each year and there is hardly anything here for them. Why could we not bid for the park and x paid for the buildings and then the other x will pay for Then I find

using, city admin space, and event space are all needed in Hurricane. What are we waiting for

Hurricane a great city not turn it into something worse! That's exactly what your proposal would

government overreach that will take business away from the private sector.

ough need for a civic center it needs to be done by the private sector.

grants etc.

project that is bad for the area. Until you solve the traffic and congestion issue, I wouldn't
ing use of what we have to bless the community.

ership would work and help our city. So its not insulting as to how little thought was put in

s, have had to learn to live within our budgets, the City should too.
ed property in the City limits-could sell that.

re with housing and traffic. There are numerous streets in dyer need of repair. Streets with
city offices once now you want to build a bigger one. If you can once now you want to build

nfrastructure needs are NOT being met! This is simply bad planning on the part of the City. .

forced! In addition I would like to see a more detailed plan including streets

nd with current revenue and reserve funds?

on all parties looking to rent a airbnb/vrbo/vacation rental for less than 1 month
ill stay in the city. use the reserve money pay taxes

city housing.

here for the next 40 years or more that I've talked to are fully in support of more housing buildings in St. George and it seems like it could be done just using the land north of the

. The further we separate taxpayers from the true costs of their local government, the easier

that multi family housing, hotels and retail space would bring. The 1150/SR9 intersection

. With the amount of building going on here, I struggle to see how you couldn't already get

.

oved here last year and my property taxes increased by an insane amount the first year. It

s because of their connections made at Church is the very definition of corruption . And you

the existing neighborhoods, infrastructure, and what we actually need (housing).

ation, the city should look to other revenue sources, including a small tax increase if needed.

support to fund long-term improvements that will benefit the entire city.

up doing what you're planning and trying to hide this info. This land was bought from a city

be good and it's required to be made better.

it was for a rec center but this city and the police have decided that they need something else

re of these type of businesses. Thanks for listening,

Jack

ay for this then just make it a big public park that's a lovely area to walk in and gather, etc.

amount of housing. Also, the mayor noted that this area is downtown because it's not even a
the price of a home is outrageous. The only way to fight it is by building more single family

s—that will likely require new paid city staff, expanding bureaucracy and straining city re

ore he left and studied The missing middle housing dilemma. Our zoning encourages big units
do we keep letting them pass us by and head to St. George for things to do?
eel this plan would be easier to understand for those of us resistant to changing downtown h

r? Also I don't understand the 35' height restriction. I love tall buildings and the city has

ould do!!!Stop and listen!!!

It's not spend a dime on the civic center plan. You all should plan like it's your houses, kids are

into this write up was. Then bring that before the people.

about sidewalks. Please justify the insanity.

and a bigger one. If you can figure out a way to get bigger + better things for the city office

Just because a private company or developer owns land does not mean they should be able to b

's time. If tourists want to take advantage of our community, they should pay thier

g there. They need places to live. They're the ones that can't afford a home. They're the ones at my current office. Even if you had to go to a two story building.

er it becomes for inefficiencies, overspending, or misplaced priorities to go unnoticed. Traffic

is already overloaded and is deadly. 100 north also wouldn't be able to handle that type of

funding lined up.

makes me want to leave When I purchased my house in April 2024.

u expect me to greenlight the City Gravy Train for the big wheels who always seem to soak th

essary.

employee for cheap anyways !!

better so the citizens of the community are cheated out of their rec center. And the real kick

k and Marjorie Must

and have some water features and nice things for families to use and just keep building limit

. mile off of state street. This is wildly inaccurate considering that most of the developed
r. Please do not do that. Do all the other outrageous ideas, but not that one.

resources in the long run. This approach shifts the city's role from serving the public to managing risk and deters property owners from doing anything small or attainable for younger couples and families. It's a hurricane.

It's a lot to gain by allowing taller buildings. We have lots of tall ridges and no one seems to

nd lifestyle will be affected by the plan. I doubt that anyone on the council would agree to

es how about a better north main st between 600 N (which has been paved twice in 10 years) a

build huge tourist oriented commercial properties without regard to how it impacts the surro

• fair share. Do not punish the residents!

ies that are working and contributing to our community. I guess what I'm saying is some people

transparent, direct funding ensures that citizens remain informed stakeholders with both the in

traffic.

ie taxpayer because they know the right people? No way. If someone has the courage and hones

ker is that you wanna raise our taxes for your bigger offices, and the last thing we need is

ited to a police department and a new City Hall. That is a residential area and shouldn't have

parts of Hurricane meet that criteria. I absolutely think Hurricane needs a new city office

aging private interests. Additionally, I strongly object to placing tall hotels, commercial
l families. The government should assist and never compete with the private sector.

o have a problem with them, or tall trees either, for that matter. When Adam and Eve were cr

› this plan if they lived in Fox Hollow.

and E 975 N. Think people first!!!

unding infrastructure i.e. roads, water, utilities, environment, noise and the general welfare

le's opinions matter more than others when it comes down to it.

ncentive and the means to demand responsible governance.

ty to address these concerns please feel free call me at 949 554 7005 . - Ken Diamond

n this town is more taxes. You need to stay where you are and be grateful and do the right t

ve businesses and traffic encroaching on their homes.

; building and a new police station, but the way to fund it is through the tax payers that be

spaces, and retail development on this land. This kind of high-density, mixed-use developmer

reated they were given the commandment to be fruitful and multiply and replenish the earth a

are of existing citizens. Far too much development is focused on tourism to the detriment of

thing for this community for a change.

enefit from it instead of punishing those taxpayers by building thing

nt will significantly increase traffic congestion, parking demands, a

nd I believe this commandment is still in force and applies to not ju

for everyone who lives here. Deep pocket developers almost always lead t



STAFF COMMENTS

Item: Consideration and possible approval of a Boundary Line Agreement and Reciprocal Quit Claim Deed with SkyRim Development, LLC

Discussion: This item is requested by the developer of SkyRim, located east of Walmart. The City's Stratton Well is located on a parcel of land surrounded by the proposed development. The developer has requested a boundary line adjustment affecting the City's parcel of land. The purpose of the proposed adjustment is for the property boundaries to better align with the planned roadways within the development. The adjustment will be a simple, minor realignment and will not result in any loss of square footage to the City's parcel. The Water Department has reviewed the proposed boundary line adjustment and has determined that the adjustment will not have any negative impacts on the use of the parcel.

Findings: The proposed realignment will not reduce the size of the City's parcel and will not affect the utility of the City land.

Recommendation: City staff have no objection to the proposed realignment.

WHEN RECORDED, MAIL TO:

Hurricane City
147 N. 870 W.
Hurricane, UT 84737

APN: H-3-1-31-3009

APN: H-3-1-31-3004

BOUNDARY LINE AGREEMENT AND RECIPROCAL QUIT CLAIM DEED

THIS BOUNDARY LINE AGREEMENT (“**Agreement**”) is made and entered into as of the ____ day of _____ 20____ (“**Effective Date**”) by and between SkyRim Development LLC, a limited liability company (“**SkyRim**”), and Hurricane City, a Utah Municipal Corporation (“**City**”). SkyRim and City are together referred to herein as the “**Parties**” and individually as a “**Party**” as the case may be.

RECITALS

WHEREAS, SkyRim is the owner of certain real property, located in Hurricane, Utah (“**SkyRim Property**”), and as more particularly described on Exhibit A, as attached hereto and made a part hereof;

WHEREAS, City is the owner of certain real property, located in Hurricane, Utah (“**City Property**” and as more particularly described on Exhibit B, as attached hereto and made a part hereof, and the SkyRim Property and City Property are together known as the ‘Properties’;

WHEREAS, the Properties share a common boundary (“**Current Boundary Line**”), as is reflected in the deeds of record in the official records of the County Recorder for Washington County (“**Official Records**”); and

WHEREAS, the Parties desire to adjust the shared boundary line of the Properties from the Current Boundary Line to result in a change to the legal descriptions of the Properties, with the City Property being described as set forth in Exhibit C (“**Adjusted City Property**”), as attached hereto and made a part hereof, and the SkyRim Property being described as set forth in Exhibit D (“**Adjusted SkyRim Property**”), as attached hereto and made a part hereof.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration and the mutual covenants, terms, and conditions set forth herein, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Recitals & Exhibits. The above Recitals and those Exhibits attached hereto are an integral part of the understanding and agreement of the Parties and are hereby incorporated into this Agreement by this reference.

2. Boundary Adjustment. From and after the Effective Date, the common boundary between the Properties in the Official Record and for all purposes between the SkyRim Property and the City Property shall be located along the Adjusted Boundary Line as legally described in Exhibit C.

3. New Legal Description.

(a) *SkyRim Property.* Consistent with the boundary line adjustment effected by this Agreement, from and after the Effective Date, the legal description of the SkyRim Property shall be the legal description of the Adjusted SkyRim Property as legally described in Exhibit D, which is and shall be, for all purposes, the correct legal description of the SkyRim Property in the Official Records.

(b) *City Property.* Consistent with the boundary line adjustment effected by this Agreement, from and after the Effective Date, the legal description of the City Property shall be the legal description of the Adjusted City Property as legally described in Exhibit C, which is and shall be, for all purposes, the correct legal description of the City Property in the Official Records.

4. Running with the Land. The Parties further agree that this Agreement is intended to run with both of the Properties, and shall be binding upon the Parties, and their respective heirs, personal representatives, and assigns. The Parties shall use the Adjusted Boundary Line for all future platting of either Property or any other documents recorded in the Official Records relating to either Property.

5. Effect of Agreement and Quitclaim. Pursuant to the foregoing, the Parties each acknowledge and agree that this Agreement shall act as a quitclaim deed by each Party to the other of those portions of their respective Properties as is necessary to conform with the Adjusted Boundary Line, pursuant to and in accordance with Utah Code Ann. § 10-9a-524, to the effect that City quitclaims to SkyRim that portion of the City Property situated within the Adjusted SkyRim Property. Accordingly, for the value received, the receipt of which is acknowledged and sufficient, City hereby remises, releases, and forever quitclaims to SkyRim that portion of the City Property situated within the Adjusted SkyRim Property.

6. Visual Exhibit. The legal descriptions and depiction to effect the change in the boundary line effected by this Agreement are extracted from (or provided in connection with) that exhibit titled "Boundary Line Adjustment – Section 31, Township 41 South, Range 13 West, Salt Lake Base & Meridian", made by Reeve & Associates, Inc., and dated April 17, 2025, attached hereto as Exhibit E.

7. General Provisions.

(a) *Assignees and Successors.* This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns.

(b) *Interpretation.* This Agreement shall be construed, applied and enforced in accordance with the laws of the State of Utah and shall be recorded in the Official Records. This Agreement is deemed to have been drafted jointly by the Parties, and any uncertainty or ambiguity shall be construed according to its fair meaning and shall not be construed for or against either of the Parties as an attribution of drafting to such Party.

(c) *Further Action.* The Parties agree to execute and deliver such additional documents and written assurances and take further action as may become reasonably necessary to fully carry out the provisions and intent of this Agreement.

(d) *No New Lot.* This Agreement is intended to confirm the common boundary of the Properties to be the Adjusted Boundary Line and to effect any adjustments and conveyances consistent with the foregoing, and does not create a new lot and thus is not a “subdivision” as defined and subject to applicable provisions under the Utah Code Annotated.

(e) *Governmental Immunity.* City is a governmental entity in the State of Utah and is bound by the provisions of the Utah Governmental Immunity Act (Title 63G, Chapter 7, Utah Code Annotated, 1953, as amended) and does not waive any procedural or substantive defense or benefit provided or to be provided by the Governmental Immunity Act or comparative legislation enactment, including with limitation, the provisions of Section 63G-7-604 regarding limitation of judgments. Any indemnity and insurance obligations incurred by City under this Agreement are expressly limited to the amounts identified in the Act.

(f) *Authority.* Each Party represents and warrants to the other that the signatories below have authority to sign and execute this document on behalf of the entities they represent and that said entities are the proper Parties to this Agreement, have duly authorized this Agreement, and that this Agreement is a legally enforceable obligation of such entities.

(g) *Counterparts.* This Agreement may be executed in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, and all of which shall together constitute one and the same instrument.

[Signatures on Following Pages]

IN WITNESS WHEREOF, the Parties hereto have executed this Boundary Line Agreement to be effective as of the Effective Date set forth above.

SkyRim Development LLC
a limited liability company

By: _____

Name: _____

Its: _____

STATE OF UTAH)
)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me on _____, 2025, by _____, the _____ of SkyRim Development LLC.

NOTARY SIGNATURE

Residing at: _____

My Commission Expires: _____

NOTARY SIGNATURE _____
Residing at: _____
My Commission Expires: _____

EXHIBIT A

Current SkyRim Property Description

Parcel Number: Parcel H-3-1-31-3009

Legal Description:

ALL OF PARCEL H-3-1-31-3009 BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 88°52'58" WEST 1494.81 FEET AND NORTH 01°07'02" EAST 238.24 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE NORTH 01°42'49" EAST 1399.98 FEET; THENCE NORTH 67°32'27" EAST 327.32 FEET; THENCE SOUTH 57°30'11" EAST 335.71 FEET; THENCE NORTH 63°09'32" EAST 269.71 FEET; THENCE NORTH 83°12'08" EAST 265.91 FEET; THENCE NORTH 40°40'01" EAST 312.94 FEET; THENCE SOUTH 88°58'18" EAST 189.64 FEET; THENCE SOUTH 01°01'42" WEST 1070.46 FEET; THENCE SOUTH 89°46'38" WEST 131.69 FEET; THENCE SOUTH 85°13'16" WEST 211.19 FEET; THENCE SOUTH 68°02'47" WEST 332.30 FEET; THENCE NORTH 88°52'58" WEST 111.09 FEET; THENCE SOUTH 01°07'02" WEST 320.61 FEET; THENCE SOUTH 74°50'08" WEST 765.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 39.140 ACRES.

LESS AND EXCEPTING THE FOLLOWING:

ALL OF PARCEL H-3-1-31-3004 BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 88°52'58" WEST 323.23 FEET AND NORTH 01°07'02" EAST 1034.68 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE SOUTH 89°58'00" WEST 208.71 FEET; THENCE NORTH 00°02'52" WEST 208.76 FEET; THENCE NORTH 89°58'00" EAST 208.81 FEET; THENCE SOUTH 00°01'13" EAST 208.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.000 ACRES.

(TOTAL PARCEL AFTER LESS AND EXCEPTING CONTAINING 38.140 ACRES)

EXHIBIT B

Current City Property Description

Parcel Number: Parcel H-3-1-31-3004

Legal Description:

ALL OF PARCEL H-3-1-31-3004 BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 88°52'58" WEST 323.23 FEET AND NORTH 01°07'02" EAST 1034.68 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE SOUTH 89°58'00" WEST 208.71 FEET; THENCE NORTH 00°02'52" WEST 208.76 FEET; THENCE NORTH 89°58'00" EAST 208.81 FEET; THENCE SOUTH 00°01'13" EAST 208.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.000 ACRES.

EXHIBIT C

Adjusted Boundary Line and Adjusted City Property Description

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING 534.74 FEET NORTH 88°52'58" WEST AND 1030.43 FEET NORTH 01°07'02" EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE NORTH 00°02'52" WEST 184.73 FEET; THENCE NORTH 78°36'45" EAST 215.88 FEET; THENCE SOUTH 00°01'13" EAST 227.23 FEET; THENCE SOUTH 89°58'00" WEST 211.56 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.001 ACRES.

EXHIBIT D

Adjusted SkyRim Property Description

Parcel Number: Parcel H-3-1-31-3009

Legal Description:

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 88°52'58" WEST 1494.81 FEET AND NORTH 01°07'02" EAST 238.24 FEET FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE NORTH 01°42'49" EAST 1399.98 FEET; THENCE NORTH 67°32'27" EAST 327.32 FEET; THENCE SOUTH 57°30'11" EAST 335.71 FEET; THENCE NORTH 63°09'32" EAST 269.71 FEET; THENCE NORTH 83°12'08" EAST 265.91 FEET; THENCE NORTH 40°40'01" EAST 312.94 FEET; THENCE SOUTH 88°58'18" EAST 189.64 FEET; THENCE SOUTH 01°01'42" WEST 1070.46 FEET; THENCE SOUTH 89°46'38" WEST 131.69 FEET; THENCE SOUTH 85°13'16" WEST 211.19 FEET; THENCE SOUTH 68°02'47" WEST 332.30 FEET; THENCE NORTH 88°52'58" WEST 111.09 FEET; THENCE SOUTH 01°07'02" WEST 320.61 FEET; THENCE SOUTH 74°50'08" WEST 765.51 FEET TO THE POINT OF BEGINNING.

CONTAINING 39.140 ACRES.

LESS AND EXCEPTING THE FOLLOWING:

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING 534.74 FEET NORTH 88°52'58" WEST AND 1030.43 FEET NORTH 01°07'02" EAST FROM THE SOUTH QUARTER CORNER OF SAID SECTION 31 (SOUTH QUARTER CORNER BEING SOUTH 88°52'58" EAST 3462.85 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 31); THENCE NORTH 00°02'52" WEST 184.73 FEET; THENCE NORTH 78°36'45" EAST 215.88 FEET; THENCE SOUTH 00°01'13" EAST 227.23 FEET; THENCE SOUTH 89°58'00" WEST 211.56 FEET TO THE POINT OF BEGINNING.

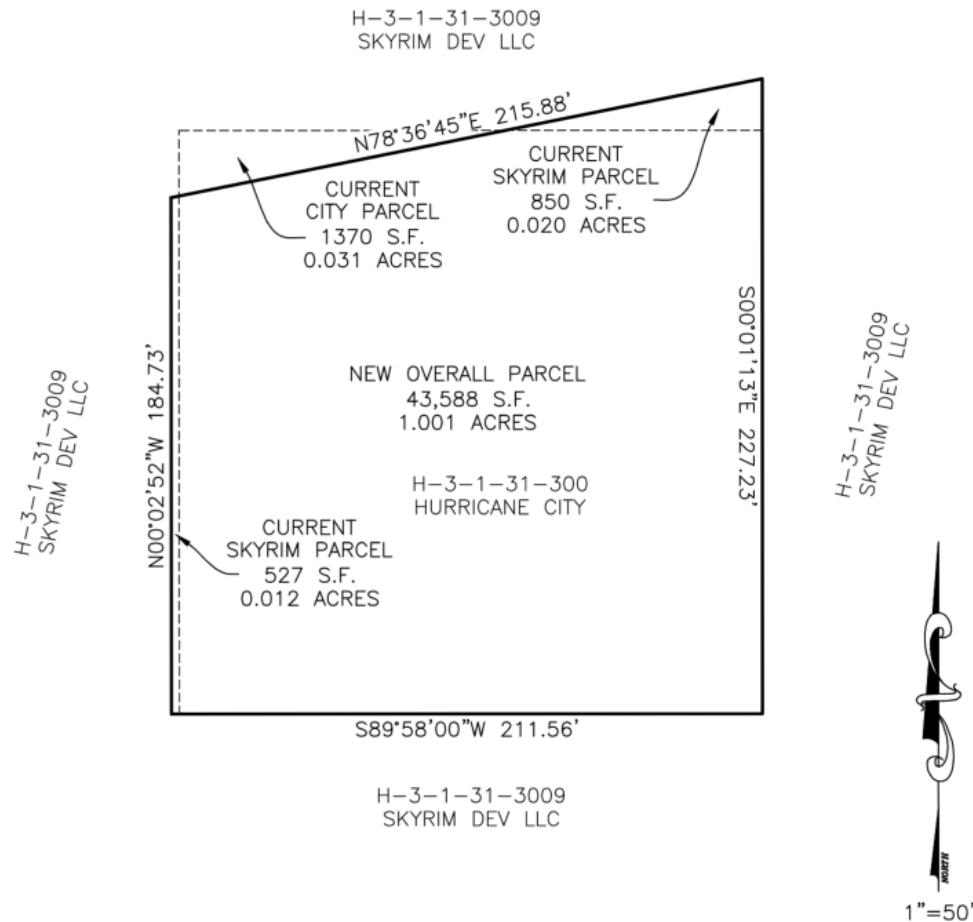
CONTAINING 1.001 ACRES.

(TOTAL PARCEL AFTER LESS AND EXCEPTING CONTAINING 38.139 ACRES)

EXHIBIT E

Visual Exhibit

EXHIBIT E



**Reeve
& Associates, Inc.**

5160 S 1500 W, RIVERDALE, UTAH 84405
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve.co
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

Project Info.

Designer: N. ANDERSON
Date: 4-17-2025
Name: SKY RIM
Number: 7152-26
Scale: 1"=50'



STAFF COMMENTS

Item: Consideration and possible approval of Resolution 2025-25 appointing members to the Historical Committee.

Discussion: Due to a current vacancy and ongoing health issues affecting one of its members, the Historical Committee has been operating with limited participation. Attached is the proposed resolution to appoint Reuben Wadsworth as a new member and designate Dan Zaleski as the alternate to ensure the committee can continue functioning effectively when regular members are unavailable.
– Cindy Beteag

Findings:

Recommendation:

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, APPOINTING
MEMBERS TO THE HISTORIC PRESERVATION COMMISSION.**

WHEREAS, Hurricane City has adopted Hurricane City Code 10-6-6: Historic Preservation Commission; and

WHEREAS, Hurricane City code requires the City Council to appoint a Historic Preservation Commission consisting of five members who shall have a demonstrated interest, competence, or knowledge in or of historic preservation; and

WHEREAS, the terms of Historic Preservation Commission members shall begin on the first Monday in February of each year and shall be staggered. Each member of the Historic Preservation Committee shall serve for a term of not less than two nor more than four years, as determined by the City Council, and until a successor is appointed; and

WHEREAS, members may be reappointed for successive terms; and

BE IT HEREBY RESOLVED by the City Council of Hurricane City, Utah as follows:

1. Reuben Wadsworth is hereby appointed to the Historic Preservation Commission for a term commencing immediately and expiring on February 5, 2029.
2. Dan Zaleski is hereby appointed to the Historic Preservation Commission as an alternate commencing immediately and expiring on February 5, 2029.

PASSED AND APPROVED the 5th day of June 2025.

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, Recorder



STAFF COMMENTS

Item: Consideration and possible approval of Ordinance 2025-10 clarifying amendments approved with Ordinances 2024-13 and 2024-14.

Discussion: On November 7, 2024, the City Council adopted Ordinance 2024-13, amending Title 10, Chapter 15 regarding the takeoff and landing of aircraft in commercial zones for purposes of medical transport. Subsequently, on November 21, 2024, the Council approved Ordinance 2024-14, which amended Title 10, Chapters 3, 15, and 51 to address regulations for transient lodging facilities in commercial zones. Following the standard process in which the Planning Commission reviews the proposed changes and provides recommendations prior to Council approval, the relevant chapters were downloaded and redlined for their review. However, because the proposed amendments to Ordinance 2024-14 were prepared before Ordinance 2024-13 was adopted, the updates made on November 7 were not reflected in the November 21 ordinance. As a result, Chapter 15 inadvertently reverted to its previous version, undoing the changes made for medical transport. The current ordinance serves to clarify and confirm that all previously approved changes—both for medical transport and transient lodging—are valid and intended. – Gary Cupp

Findings:

Recommendation: Staff recommends approval of the updates that confirm the Council's previous actions.

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH CLARIFYING
AMENDMENTS APPROVED WITH ORDINANCES 2024-13 AND 2024-14**

WHEREAS, Ordinance 2024-13 made certain amendments to Title 10, Chapter 15 of the City Code; and

WHEREAS, Ordinance 2024-14 made additional amendments to Title 10, Chapter 15, but inadvertently did not incorporate the amendments made in Ordinance 2024-13;

WHEREAS, the Hurricane City Council seeks to clarify and confirm the intent of the combined amendments in Ordinances 2024-13 and 2024-14,

BE IT HEREBY ORDINATED by the Hurricane City Council that the following sections of Title 10, Chapter 15 of the Hurricane City Code are adopted as follows:

Sec. 10-15-3. Uses allowed.

- A. *Permitted and conditional uses.* Permitted and conditional uses allowed within commercial zones shall be as set forth in table 10-15-1 of this section. Permitted and conditional uses are indicated by a "P" or "C," respectively, in the appropriate column. Uses not permitted are indicated by "N." Any use not shown on table 10-15-1 of this section shall be prohibited unless the Zoning Administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection 10-7-18E4 of this title.

TABLE 10-15-1
PERMITTED AND CONDITIONAL USES ALLOWED IN COMMERCIAL ZONES

Use	Zones				
	NC	GC	HC	PC	POC
Residential uses:					
Building, accessory	P	N	N	P	P
Dwelling, multiple-family ⁴	C	C	C	P	P
Dwelling, single-family ⁴	N	N	N	P	N
Dwelling, temporary	N	N	N	N	N
Dwelling, two-family ⁴	N	N	N	P	P
Manufactured home	N	N	N	N	N
Manufactured/mobile home park	N	N	N	N	N
Protective housing facility	N	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P	P
Residential facility for elderly persons ¹	P	N	N	P	P
Residential facility for persons with a disability ¹	P	N	N	P	P
Residential facility for troubled youth	N	N	N	N	N
Transitional housing facility	N	N	N	N	N
Public and civic uses:					
Auditorium or stadium	N	P	P	P	N
Bus terminal	N	P	P	P	N
Cemetery	P	P	P	P	P
Church or place of worship	P	P	P	P	P
Club or service organization	P	P	P	P	P
Convalescent care facility	N	P	P	P	N

Cultural service	P	P	P	P	P
Golf course	P	P	P	P	P
Government service	N	P	P	P	N
Hospital	N	P	P	P	N
Operations center	N	P	P	P	P
Park	P	P	P	P	P
Post office	P	P	P	P	P
Protective service	P	P	P	P	P
Reception center	C	P	P	P	P
Utility, major ³	N	N	N	C	C
Utility, minor ³	P	P	P	P	P
Utility substation ³	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	N	P	P	P	N
Animal hospital	P	P	P	P	N
Bail bond service	N	P	P	P	N
Bank or financial institution	P	P	P	P	P
Bed and breakfast, home	N	N	N	N	N
Bed and breakfast inn	P	P	P	P	N
Business equipment rental, services, and supplies	P	P	P	P	P
Car wash	P	P	P	P	P
Child care center	P	P	P	P	P
Club, private	N	P	P	P	N
Construction sales and service	N	P	P	N	N
Convenience store	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel, commercial	C	C	C	C	C
Laundry or dry cleaning, limited	P	P	P	P	P
Licensed family child care ²	P	N	N	P	N
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N
Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	P	P

Recreation and entertainment, indoor	P	P	P	P	P
Recreation and entertainment, outdoor	N	P	P	P	N
Recreational vehicle park	N	N	P	N	N
Repair service	P	P	P	N	P
Research service	N	P	P	N	N
Residential certificate child care ²	P	N	N	P	N
Restaurant, fast food	P	P	P	P	P
Restaurant, general	P	P	P	P	P
Retail, general	P	P	P	P	P
Secondhand store	P	P	P	P	P
Shopping center	P	P	P	P	P
Short-term rental	N	N	N	N	N
Takeoff and landing of aircraft (hospitals exempted ⁵)	N	N	N	N	N
Tattoo establishment	P	P	P	N	N
Tavern	N	P	P	P	N
Temporary trailer	P	P	P	P	P
Transportation service	N	P	P	N	N
Vehicle and equipment rental or sale	N	P	P	N	N
Vehicle and equipment repair, general	N	P	P	N	N
Vehicle repair, limited	N	P	P	N	P
Veterinary service	P	P	P	N	N
Warehouse, self-service storage	P	P	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title				
Industrial uses:					
Laundry services	N	N	N	P	N
Wholesale and warehousing, general	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N

Notes:

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See chapter 45 of this title.
4. In the area designated as downtown district on the general plan map, existing single family residential uses may continue as permitted residential uses. Use and development standards for an R-1-8 zone shall apply. Existing approved multi-family and two family uses may continue as permitted residential uses. Use and development standards for an RM-3 zone would apply.
5. Takeoff and landing of aircraft at hospitals or medical facilities for the purpose of medical transport shall be allowed (e.g., "life flights", organ deliveries, delivery of emergency supplies and equipment, or for other urgent circumstances).

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-15-1 of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in commercial zones shall include, but not be limited to, the following:
Accessory dwelling units attached to a commercial permitted use structure or on the same lot and under same ownership as a permitted use structure.

Accessory dwelling units for security and maintenance personnel.

Cafeterias, dining halls and similar food service facilities when located within the main use and operated primarily for the convenience of employees, residents, clients, or visitors to the main use.

Garages and off street parking areas, subject to applicable standards of chapter 34, off street parking and loading, of this title.

Recreational areas and facilities for the use of employees.

Recycling collection stations.

Refreshment stands and food and beverage sales located in uses involving public assembly.

Temporary uses, subject to applicable standards of chapter 48, temporary uses, of this title.

(Ord. 2012-8, 10-18-2012; Ord. 2016-11, 11-17-2016; Ord. 2017-14, 8-17-2017; Ord. No. 2021-05, 6-3-2021; Ord. No. 2022-12, 5-5-2022; Ord. No. 2024-06, 6-6-2024; Ord. No. 2024-12, 8-15-2024)

Sec. 10-15-4. Development standards.

Development standards within commercial zones shall be as set forth in table 10-15-2 of this section.

TABLE 10-15-2
DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

Development standard	Zones				
	NC	GC	HC	PC	POC
Lot standards:					
Minimum lot area	No requirement	No requirement	No requirement	5 acres (see note 3)	5 acres
Minimum lot width	No requirement	No requirement	No requirement	No requirement	No requirement
Building standards:					
Maximum height, main building ¹	35 feet	35 feet	35 feet	35 feet	35 feet
Maximum height, accessory building	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards—front yard:					
All buildings ²	20 feet	20 feet	20 feet	12 feet, corner lots 20 feet	20 feet
Setback standards—rear yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet. Otherwise: no requirement.				
Accessory building					
Setback standards—interior side yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet. Otherwise: No requirement				
Accessory building					
Setback standards—street side yard:					
Main building	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

Notes:

1. Except as otherwise permitted by subsection 10-15-7A of this chapter.

2. Except as modified by the provisions of subsection 10-37-12F, "Setback Measurement", of this title.
3. An area less than five acres may be zoned for planned commercial use if the City Council finds that the zoning meets the following:
 - a. The zone change meets the standards within section 10-7-7 of this Code.
 - b. The property is incorporated into an existing commercial or multi-family development, and the proposed change will further the purpose of the planned commercial zone.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12, 5-5-2022)

Sec. 10-15-5. Regulations of general applicability.

The use and development of real property in commercial zones shall conform to regulations of general applicability as set forth in the following chapters of this title:

- A. Design and compatibility standards: see chapter 33 of this title.
- B. Landscaping and screening: see chapter 32 of this title.
- C. Motor vehicle access: see chapter 35 of this title.
- D. Natural resource inventory: see chapter 31 of this title.
- E. Off street parking: see chapter 34 of this title.
- F. Signs: see chapter 36 of this title.
- G. Supplementary development standards: see chapter 37 of this title.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12, 5-5-2022)

Sec. 10-15-6. Regulations for specific uses.

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in division 6 of this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12, 5-5-2022)

Sec. 10-15-7. Special regulations.

- A. *Increased height.* Notwithstanding the height limitations shown in section 10-15-4, table 10-15-2 of this chapter a greater building height may be allowed in a commercial zone for a commercial use pursuant to a conditional use permit.
- B. *Use within an enclosed building.* Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be conducted completely within a completely enclosed building, except for the parking of motor vehicles and services to persons therein.
- C. *Dust, odor, smoke, noise, and vibration.* Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.
- D. *Highway commercial zone location.* For property abutting SR-9, the highway commercial zone shall begin at the highway right-of-way line and shall extend a distance of 500 feet from the state highway right-of-way line.

(Ord. 2014-13, 11-20-2014; Ord. 2020-12, 3-5-2020; Ord. No. 2022-12, 5-5-2022; Ord. No. 2023-15, 8-17-2023)

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

All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take effect immediately upon publication or posted as required by law.

PASSED AND APPROVED this 5th day of June 2025

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June, 2025. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, Recorder

memo

City of Hurricane

To: Mayor and City Council
From: Mike Vercimak
CC:
Date: 5-23-2025
Re: AWOS bid for Hurricane Airport

Comments:

As per the Capital Improvement Plan for the Hurricane Airport, Woolpert the airport consulting firm, designed and bid the AWOS (All Weather Observation System) system.

The project was advertised, and bids were received and opened on April 24, 2025. After a review of the bid and bid documents, Woolpert has sent a letter of recommendation that the bid be awarded to Mesquite Electric, LLC of Mesquite, Nevada in the amount of \$345,800.00.

It should be noted that there was only one (1) bid on this project. The bid was compared to other AWOS projects and was slightly higher but comparable to other similar projects. The city's portion of this project is \$132,625.63.

The Airport Board reviewed the bid on May 20, 2025, at the regular board meeting and voted to forward the bid to the City Council with a recommendation to award the bid.



April 29, 2025

Mike Vercimak
Public Works Director, Hurricane City
147 North 870 West
Hurricane, UT 84737

Subject: Project Award Recommendation
Hurricane City Municipal Airport
AIP-014 Install AWOS

Mike:

One bid was received and opened April 24, 2025, for the above referenced project. The project was advertised in The Spectrum on March 23 and 30, 2025, and on the Quest CDN bid website. Woolpert also distributed the bid advertisement to contractors who had previously bid or worked on past airport projects. In total, three prime contractors, one subcontractor, two suppliers, and two plan rooms requested plans from the bid site. See attached plan holder list. One prime contractor attended the pre-bid meeting and site visit.

The bid was reviewed for mathematical accuracy and is summarized in the attached Bid Summary and Tabulation. There were no mathematical errors identified.

Our office has reviewed the bid proposal submitted by Mesquite Electric, LLC, for compliance with the Instructions to Bidders. We have confirmed that all required forms were submitted in accordance with the Contract Documents. We also verified that Mesquite Electric, LLC, is not listed on any federal excluded parties list.

For the required Contractor's Statement of Qualifications, Mesquite Electric submitted evidence of financial responsibility but did not submit evidence of competency. I contacted Mesquite Electric, and they provided the evidence of competency which included past experience on similar work, a list of equipment and personnel for the project. This failure to provide all the information for the Statement of Qualifications can be considered a minor informality or irregularity in the bid and can be waived by Hurricane City.

We have reviewed the contractor's qualifications and financial statements and consider this firm capable of completing the project. Mesquite Electric's bid of \$345,800.00 is approximately 9% higher than the Engineer's Estimate.

With only one bid submitted, we compared the Mesquite Electric's bid with recent airport AWOS projects. The Mesquite Electric bid is slightly higher but comparable to other similar projects. It is our opinion that the bid proposal submitted is fair and reasonable given the current bidding climate.

Woolpert, Inc.
35 South 400 West, Suite 200
St. George, UT 84770
+1 435.673.4677

Based on the submitted information and our evaluation, we recommend Hurricane City award the project to Mesquite Electric in the amount of \$345,800.00, subject to FAA concurrence.

The attached AIP-014 Funding and Costs spreadsheet shows the AIP-014-2025 FAA grant will be \$325,000, in addition to the \$124,073 in Program Income from Hurricane City and the grant share from both UDOT and Hurricane City.

After FAA concurrence, we will provide you with the Notice of Award and Contract forms for execution by Hurricane City and Mesquite Electric.

Call if you have questions.

Sincerely,



Kirt J McDaniel, P.E.
Project Manager

Enclosures

cc: Ryan Reyes, FAA Denver ADO
Craig Ide, UDOT Division of Aeronautics

1L8 AIP-014 - Install AWOS

Quest eBidDoc™ Number: 9602578

Closing Date: Thu, 04/24/2025 02:00 PM MDT **Posting Type:** Construction Project **Owner Name:** Hurricane City **Solicitor Name:** Woolpert **Contact:** Kirt McDaniel **Phone:** 435.574.5308 **Email:** Kirt.McDaniel@woolpert.com

<u>Company Name & Address</u>	<u>Contact Name/Email Address</u>	<u>Phone/Fax</u>	<u>Bus. Cert</u>	<u>Bus. Desig</u>	<u>Entry Date</u>	<u>Doc Type</u>	<u>Comments</u>
Advanced Construction and Design 2303 N Coral Canyon Blvd, Washington, UT-84780	Levi Hammon lbh@acad.dev	435-673-8045	SBE	Prime Bidder	03/24/2025	eBidDoc	
Mesquite Electric LLC 645 Mayan Circle, Mesquite, NV-89027	Michelle Woods michelle@mesquiteelectric.com	702-345-2555 702-346-7605		Prime Bidder	03/24/2025	eBidDoc	
DBT Transportation Services 1065 National Drive, Suite 1, Sacramento, CA-95834	Barbara Baca bbaca@dbttranserv.com	916-396-3863 916-713-2064	SBE	Supplier	03/26/2025	eBidDoc	
ConstructConnect 3825 Edwards Rd, Cincinnati, OH-45209	Eric Mills content@constructconnect.com	800-364-2059 866-570-8187		Plan Room	03/28/2025	eBidDoc	
Interstate Rock Products 42 South 850 West, Hurricane, UT-84737	Greg Gutierrez bids@interstaterock.com	4353752112		Prime Bidder	04/02/2025	eBidDoc	
Mesotech International, Inc. 2731 Citrus Road, Sacramento, CA-95742	Tanner Landon sales@mesotech.com	916-368-2020	SBE	Supplier	04/10/2025	eBidDoc	
Cannon Companies - HDD & Utility Contractor 406 Porter Way, Milton, WA-98354	Tom Sheard BD@teamcannon.com	253.922.2787	MBE	Subcontractor	04/15/2025	eBidDoc	
Builders Exchange Plan Rooms PO Box 10537, Reno, NV-89510	Frank Hawbolt info@utahplanroom.com	844-284-5379	Vet Pref	Plan Room	04/16/2025	eBidDoc	

HURRICANE CITY MUNICIPAL AIRPORT (1L8)

HURRICANE, UTAH

AIP PROJECT NUMBER: 3-49-0012-014-2025

BID OPENING

DATE: April 24, 2025 (Thursday)
TIME: 2:00 P.M. (LOCAL TIME)

Schedule I - Install AWOS

BID SUMMARY ITEM	Engineer's Estimate	Mesquite Electric, LLC	
Contract Proposal (Division 2-1 thru 2-3)	✓	✓	
Received Addendum No's. 1 & 2 (Division 2-2)	✓	✓	
Bid Bond (Division 2-5 thru 2-6)	✓	✓	
Contractor Information (Division 2-7 thru 2-8)	✓	✓	
Subcontractor/Material Supplier List (Division 2-9)	✓	✓	
Disadvantaged Business Utilization Commitment (Div 2-11 thru 2-12)	✓	✓	
DBE Participation Form Division 2-13 thru 2-15)	✓	✓	
Equal Employment Opportunity Report Statement (Division 2-17)	✓	✓	
Buy American Certification (Division 2-19 thru 2-22)	✓	✓	
Buy American Waiver Request (if applicable) (Division 2-23 to 2-29)	✓	N/A	
Buy America Conformance Listing (if applicable) (Division 2-31)	✓	✓	
Cert. re: Tax Delinquency & Felony Convictions (Division 2-33)	✓	✓	
Contractor's Statement of Qualifications (Division 2-35)	✓	✓	
Bid Proposal (Division 2-37 to 2-39)	✓	✓	
Schedule I Bid Proposal	\$ 318,500.00	\$ 345,800.00	\$ -
TOTAL COST	\$ 318,500.00	\$ 345,800.00	\$ -

BID TABULATION - SCHEDULE I

SCHEDULE I				Engineer's Estimate		Mesquite Electric, LLC			
Item No.	Description	Unit	Estimated Quantity	Unit Cost	Total Cost	Unit Cost	Total Cost	Unit Cost	Total Cost
C-105a	Mobilization	LS	1	\$ 29,000.00	\$ 29,000.00	\$ 15,000.00	\$ 15,000.00		\$ -
L-108a	Install #6 AWG, XHHW, 600V Wire	LF	7,500	\$ 3.00	\$ 22,500.00	\$ 6.00	\$ 45,000.00		\$ -
L-110a	Install 1-2" Sch 40 PVC Conduit (Direct Earth Buried	LF	2,300	\$ 20.00	\$ 46,000.00	\$ 12.00	\$ 27,600.00		\$ -
L-110b	Install 1-2" Sch 40 PVC Conduit, in Existing Pavement	LF	80	\$ 50.00	\$ 4,000.00	\$ 100.00	\$ 8,000.00		\$ -
L-110c	Install 1-2" Sch 40 HDPE Conduit, Directionally Bored	LF	120	\$ 75.00	\$ 9,000.00	\$ 120.00	\$ 14,400.00		\$ -
L-115a	Install Handhole, Complete	EA	4	\$ 2,000.00	\$ 8,000.00	\$ 1,200.00	\$ 4,800.00		\$ -
L-126a	Install AWOS-III P/T, Complete	LS	1	\$ 200,000.00	\$ 200,000.00	\$ 231,000.00	\$ 231,000.00		\$ -
TOTAL SCHEDULE I					\$ 318,500.00		\$ 345,800.00		\$ -

HURRICANE CITY MUNICIPAL AIRPORT
A.I.P. NO. 3-49-0012-014-2025
PROJECT FUNDS & COSTS

4/25/2025

			FAA 95.0%	UDOT 2.50%	HURRICANE 2.50%	Total Funds	Payments	Balance
Project Funds	ALP-014-2025		\$325,000.00	\$8,552.63	\$8,552.63	\$342,105.26		
	Program Income				\$124,073.00			
		Total	\$325,000.00	\$8,552.63	\$132,625.63	\$466,178.26		\$466,178.26
Project Costs								
Administrative	Bid ad-The Spectrum (2024)							
	Re-bid ad-The Spectrum (2025)	\$971.52						
	IFE-Rood & Associates - estimate	\$881.72						
	Final ad - estimate	\$4,000.00						
		\$1,000.00						
	Total	\$6,853.24				\$6,853.24	\$459,325.02	
Construction								
	Mesquite Electric							
	Schedule I	\$345,800.00						
	Total	\$345,800.00				\$345,800.00	\$113,525.02	
Engineering								
	Woolpert							
	Design	\$56,005.00						
	Construction Management	\$57,261.00						
	Total	\$113,266.00				\$113,266.00	\$259.02	
	Total Project Costs	\$465,919.24						



STAFF COMMENTS

Item: Consideration and possible approval of a firm for the Architectural Design, Engineering, and Construction Oversight for the Sky Mountain Clubhouse Remodel.

Discussion: We are submitting possible approval for Campbell Architecture / Jones and Demille Engineering to provide Architecture, Engineering and Project Construction Oversight of the remodel of the Sky Mountain Golf Course Clubhouse.

We have researched their experience, timeline, and fee structure and found it to be inline and very competitive. – Kent Abegglen

Arthur Lebaron added "I think your estimate of \$2.4 million is a fair estimate. Here is my opinion on full-service (includes construction admin) design fees for this project:

Complex, 14% design fee:	\$336,000
Standard, 12% design fee:	\$288,000
Simple, 10% design fee:	\$240,000

In my opinion a remodel and addition is at least standard, if not complex. Based on the scope of work that has been provided, together with a cost proposal of \$211,600, I think it's a fair price. The scope includes construction administration as well as the civil/site/landscaping work, which was all excluded from the 2020 MRW proposal.

I would recommend moving forward with Kim Campbell."

Findings:

Recommendation:



Sky Mountain Clubhouse Remodel
Architect – Engineering Selection

4/16/25

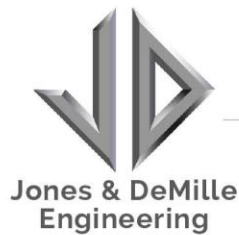
Consultant Selection Ranking Criteria:

- Project Approach (35 points possible)
- Project Experience (35 points possible)
- Schedule and Staff (30 points possible)

Selection Committee Group: Bidder Document Evaluation Summary

Item Description	Selection Group	Kim Campbell/ Jones Demille	FFKR Architecture
Qualifications	Arthur Lebaron City Engineer	33	33
	Kaden Demille City Manager	33	33
	Kent Abegglen Clubhouse Manager	33	33
Project Approach Staff	Arthur Lebaron City Engineer	33	33
	Kaden Demille City Manager	33	33
	Kent Abegglen Clubhouse Manager	34	33
Bid Schedule Completion	Arthur Lebaron City Engineer	29	27
	Kaden Demille City Manager	29	27
	Kent Abegglen Clubhouse Manager	29	27
		April 2025 – March 2026	April 2025 – Sept 2026
	Total awarded points	286	279

Note: Each firm provided all qualifications and experience, appearing to be equal in experience and Staff. Some separation in Time of Completion and Bid Schedule. Campbell / Jones & Demille had multiple onsite visits, for evaluation of overall project and completion dates.



May 8, 2025

Kent Abegglen
Hurricane City
kent@hurricane.utah.gov

RE: Sky Mountain Golf Clubhouse Remodel – Hurricane City, Utah

Dear Kent:

We appreciate the opportunity to provide a proposal for the above-referenced project. It is our understanding Hurricane City intends to upgrade and expand the existing Sky Mountain Golf Course Clubhouse, originally constructed in 1994, located at 1030 N. 2600 West in Hurricane, Utah. The proposed scope includes the addition of a spacious central dining area within the existing footprint, a modest western extension to the current small dining area, and a southern addition encompassing a freezer, cooler, and storage space. The project also incorporates expanded wraparound decking on the north and west sides, a new staircase descending to the lower level, and lower-level restrooms with additional cart storage beneath the new dining area. The remodel will enhance operational efficiency by doubling the cook line, extending the serving counter into the existing dining space, and introducing a new glass entry to the south dining area to improve food access for golfers. These improvements aim to enhance functionality, modernize amenities, and elevate the overall guest experience while harmonizing with the scenic environment.

Jones and DeMille Engineering and its wholly owned subsidiary, Campbell Architecture (JDE/CA), are pleased to provide this fee proposal for architectural, structural, mechanical, electrical, and site/civil design services along with needed surveying, contractor procurement and construction administration.

SCOPE OF WORK

Architectural Services

The proposed scope of work for Architectural services for each building is as follows:

1. Architectural Design Services
 - a. Schematic Design
 - i. Prepare schematic floor plans and building elevation drawings to confirm project requirements and building programs as directed by Client and Owner.
 - ii. Hold schematic design meeting to review schematic drawings with Owner and Client and receive approval to proceed with design development of each building.
 - b. Prepare design development drawings and review with Owner and Client. Receive approval to proceed with creation of construction documents
 - c. Prepare construction documents for approved design development drawings. The construction documents will be a "permit set" level of effort to include detailed construction drawings that specify requirements for project execution, accompanied by technical specifications detailing materials, finishes, and performance criteria. The construction document package will encompass drawings needed to obtain a building permit.
 - d. Designs to be performed in accordance with applicable International Building Codes and City/County Ordinances.
 - e. Architectural drawings will be stamped by Architect licensed in the State of Utah.

2. Building Department Submittal
 - a. Provide a pdf set of construction documents and submit to the Building Department for review.
 - b. Prepare a response letter for Building Department comments.
 - c. Prepare revision drawings if needed to address Building Department comments and resubmit to the Building Department.

Landscape Architectural Services

1. Document landscape restoration due to construction.
2. Design and document a sand trap and landscape adjacent hill behind it.
3. Design and document an outdoor seating plaza area east of the Pro Shop.
4. Utilize xeriscape methodology for design.
5. Modify and add any sprinkling associated with the areas mentioned above.

Survey Services

1. Perform topographic survey of the site, including:
 - a. Existing structures
 - b. Pavement and concrete surfaces
 - c. Utilities and storm drainage
 - d. Finished floor elevations and key grades
2. Fit deed lines to field evidence and identify easements, rights-of-way, and parcel encumbrances.

Site/Civil Services

The proposed scope of work for site civil engineering services is as follows:

1. Site Civil Engineering Services
 - a. Basic Site Civil Engineering Services
 - i. Review existing conditions, record documents and published data from the Authority Having Jurisdiction (AHJ). Submit 811 request for utility block maps. Meet with Client to develop concept site plan and establish Project Design Criteria (PDC). Conceptual design and draft concept site plan.
2. Engineering and Design (Construction Drawings)
 - a. Basic Site Civil Engineering Services
 - i. Design and grading of roads, parking, concrete surfaces, buildings, and utilities. Update concept design with Client and AHJ comments. Identify typical site details, per AHJ and design non-typical site details. Site specific items include:
 - 1) ADA compliant pedestrian routes
 - 2) Solid waste enclosure
 - 3) Evaluate existing parking and expand to the east if feasible
 - ii. Prepare final plan set (including updated site plan, demolition, utilities, drainage and grading, details and plans and profiles) stamped by registered engineer.
 - iii. Prepare final summary of quantities.
3. Stormwater Engineering Services
 - a. No additional reports are included due to no expected increase in impervious area.
4. Development Permitting Services
 - a. No land development permitting is included due to the site work being tied directly to building expansion.

Structural Services

The proposed scope of work for Structural services is as follows:

1. Determine gravity and lateral loads applied to office portion of the main building per applicable building codes.
2. Size framing members and lateral systems per applicable building codes.
3. Produce construction drawings for structural design including:
 - a. Framing plans
 - b. Shear plans
 - c. Foundation Plans
 - d. Structural details
 - e. Structural notes
4. All drawings and calculations will be stamped by a professional engineer, licensed in the state of Utah.
5. Respond to building review comments.

Mechanical, Electrical, and Plumbing Services

The proposed scope of work for mechanical, plumbing, & electrical engineering services for each building is as follows:

1. Prepare construction documents for the following systems:
 - a. HVAC
 - i. Mechanical system will be designed or modified from the shell building to accommodate the space either with RTUs or split systems.
 - ii. Prepare heating and cooling load calculations.
 - iii. Design general exhaust systems, i.e., restroom, laundry, fitness center.
 - b. Plumbing
 - i. Domestic hot and cold-water piping system designed from the plumbing fixtures to 5-feet outside the building.
 - ii. Hot water design with water heater.
 - iii. Sanitary sewer system designed from the plumbing fixtures to 5-feet outside the building.
 - iv. Natural-gas distribution system designed from gas-fired appliances to the gas meter(s) on the side of the building.
 - c. Electrical
 - i. Coordination with existing utility infrastructure: including power, telephone
 - ii. Interior lighting systems.
 - iii. Emergency and Egress Lighting Design
 - iv. Power layout and circuiting Design
 - v. Mechanical HVAC and Plumbing Equipment Coordination and Electrical Connections
 - vi. Power distribution systems
 - vii. Voice and data raceways only
 - viii. Audiovisual systems raceways only
 - ix. One line diagram, panel schedules and load calculations
 - d. General
 - i. Prepare COMcheck Mechanical Compliance Report.
 - ii. Prepare Lighting Compliance Report.

Contractor Procurement

1. Solicit Contractors
2. Advertise project
3. Schedule and attend Pre-Bid Conference
4. Provide addenda as needed
5. Attend bid opening
6. Assist with Owner/Contractor Agreement

Construction Administration

1. Schedule and attend preconstruction meeting
2. Respond to and document contractor Requests for Information (RFI)
3. Review shop drawings for general compliance with the intent and requirements of the contract documents.
4. Visit the construction site to observe the installation and conformance to the drawings and specifications and provide a report as outlined below:
 - a. Architect: Bi-weekly Site visits (12 visits total)
 - b. Landscape Architect: 3 Site Visits
 - c. Site/Civil Engineer: 2 Site Visits
 - d. Structural Engineer: 4 Site Visits
 - e. MEP Engineer: 2 Site Visits
5. Provide record drawings based on contractor redlines.

Assumptions and Limitations:

1. The proposed scope of work and associated schedule and fees described herein is to be considered complete for development approval by AHJ, as indicated and presently understood by JDE/CA. Documents not described within the scope of work or otherwise limited, are thus excluded from the scope and fees described, but may be negotiated at an hourly rate or lump sum. JDE/CA is not responsible for any delays caused by currently unknown jurisdictional requirements.
2. One initial schematic floor plan layout for each building will be prepared for review and comment by Client. Adjustments to that floor plan will be made based on Client input and a final version prepared and provided to Client for its intended use.
3. JDE/CA takes no responsibility for the existing building design impacting the renovation.
4. Client will provide the following data prior to commencing respective work:
 - a. Geotechnical investigation and soils report
 - b. Title search of the subject parcel and schedule of all recorded easements and encumbrances.
5. Survey Assumptions and Limitations
 - a. Topographic and boundary survey will be completed once; additional field work will be billed hourly.
 - b. Subsurface utility mapping is limited to:
 - i. Level C: Surface feature identification and Level D: Records research and utility contacts
 - ii. No Level A (test holes) or Level B (GPR or electromagnetic locating) services are included.
 - iii. No legal boundary adjustments, plat amendments, or legal descriptions are included.
6. Site Civil Engineering Assumptions and Limitations
 - a. Basic site civil engineering design services are limited to site planning including layout of site features, building position, preliminary grading, location of paving for walkways, driveways and parking, basic landscaping, and fencing locations. Also included are the normal connections required to service the building such as water, drainage and sanitary systems, if applicable.
 - b. Engineering services not explicitly stated above are excluded from the scope of work.
 - c. Provided drawings showing building footprint and site layout are considered final. No iterations to site layout are anticipated. Additional iterations can be completed per JDE/CA standard hourly rates.
7. Additional services not included in the scope of work:
 - a. Offsite infrastructure (e.g. water/sewer, utilities, parking)

- b. Traffic impact, parking studies, or traffic control plans.
- c. Daily construction observation, construction staking, materials testing, Stormwater Pollution Prevention Plan (SWPPP) preparation and maintenance.
- d. Kitchen Type 1 Hoods with Ansul fire suppression systems
- e. Grease, oil and sand sewer systems
- f. Fire Protection Services
- g. Fire Alarm Detection and Notification Systems
- h. Fire Hydrant water flow analysis
- i. Refrigeration and walk in cooler equipment

SCHEDULE & FEES

JDE/CA will complete the scope according to the schedule provided in our proposal submitted April 2, 2025, adjusted accordingly based on the date of the signed agreement. Progress payments will be invoiced monthly. Additional work will be negotiated at standard hourly rates or lump sum.

Service	Fee
Architectural Services	\$82,800
Landscape Architectural Services	\$5,930
Site/Civil Engineering	\$29,340
Structural Engineering	\$32,500
Mechanical, Plumbing and Electrical Services	\$30,560
Survey	\$4,700
Contractor Procurement	\$3,210
Construction Administration	\$22,560
Total:	\$211,600

CLOSURE

We are excited to contribute to this project and confident in our team's ability to deliver high-quality results. Please review this proposal and contact us with any questions.

Sincerely,

CAMPBELL ARCHITECTURE

Kim O. Campbell
Director of Architecture

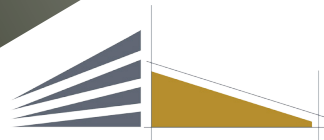
PROPOSAL FOR

HURRICANE CITY SKY MOUNTAIN GOLF COURSE CLUBHOUSE REMODEL

April 2, 2025



PREPARED BY:



CAMPBELL ARCHITECTURE

KIM CAMPBELL
Architect

435.467.5969

kim.c@campbelldesign.us

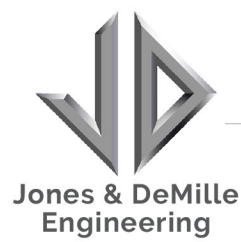


JONES & DeMILLE
ENGINEERING

KENDRICK THOMAS, PE/SE
Principal-in-Charge

435.979.7662

kendrick@jonesanddemille.com



Hurricane City Corporation
c/o Kent Abegglen
147 North 870 West
Hurricane, Utah 84737

April 2, 2025

Dear Kent and Selection Committee:

On March 25, 2025, I had the pleasure of meeting with Kent and touring the project site facilities and grounds. My son, Randon, and I have been golfing numerous times at the Sky Mountain Golf Course, including a memorable round with Hurricane Mayor Nanette Billings and her husband.

As a native of Hurricane and the Washington County area, I have a deep admiration for the Hurricane Valley, its scenic vistas, and geological wonders. Over the past 38 years, my appreciation for this region has grown as I have worked as a licensed architect on hundreds of projects here.

The Sky Mountain Clubhouse boasts some of Southern Utah's best views. My team and I understand the importance of architecture that harmonizes with its surroundings. Our approach for the new addition will feature colors and materials that complement the beautiful location, including an update to the existing exterior stucco color.

During my walk with Kent, I had the opportunity to thoroughly review the required scope of work. In any addition or remodel, numerous details will need attention to ensure proper matching, fitting, touch-ups, demolition, and refinishing, in addition to the overall scope of work. We understand the City's budget parameters and will prioritize involving key City staff in project decisions and milestones.

Campbell Architecture, Jones & DeMille Engineering, and the construction engineering team excel in additions and building designs. Once completed, the newly constructed area, alongside the existing structures, will create a cohesive clubhouse in which the city of Hurricane can take pride.

Please feel free to contact me at any time through email at kim.c@campbelldesign.us or by phone at 435.467.5969. I would be happy to discuss our qualifications further and look forward to hearing from you, soon.

Sincerely,

CAMPBELL ARCHITECTURE

Kim Campbell, AIA | Project Architect



HURRICANE CITY
UTAH

SKY MOUNTAIN GOLF COURSE CLUBHOUSE REMODEL

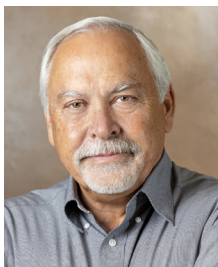


TASK/DELIVERABLE	OUR APPROACH
TEAM MEETINGS	» Identify list of tasks to make the project work as a unified facility. » Prioritize involving the City in all our team meetings, should they wish to participate. » By including the City, our team can fully understand their perspectives, concerns, and crucial information. » Provide progress updates in meetings and via email, phone calls, video conferencing, etc.
SITE VISIT(S)	» Assess current conditions. » Site visit to include the mechanical, electrical, plumbing, civil, site landscaping, and architectural elements. » Conducting this site visit is essential for all disciplines to ensure the creation of a comprehensive set of drawings.
CONSTRUCTION COST ESTIMATE	» Continually update estimated construction cost during various design milestones, such as schematic, design development, and final working drawings.
BUILDING DEPARTMENT REVIEW	» Submit final drawings to the Hurricane City Building Department. » Modify drawings to comply as necessary.
BIDDING PHASE	» Provide documents and information to contractors. » Aid the City in the legal advertising for the construction. » Encourage general interest by contacting contractors we know and trust. » Distribute building plans through city website or state agency website, Bonfire. » Aid the City with addendums, contractor bidding lists, bid forms, notice to proceed, and owner/contractor agreements.
CONSTRUCTION ADMINISTRATION	» Bi-weekly site visits with reports where architect, contractor, and City review the progress, schedule, concerns, submittals, pay requests, change orders, etc. » Mechanical, plumbing, electrical, and civil, and landscaping visits included as needed.
PROJECT CLOSEOUT	» Substantial punch list provided to contractor to complete construction. » Collect all closeout documents from the contractor, such as warranties, operations and maintenance literature. » Certificate of occupancy to be issued by City building department.
INNOVATIVE IDEAS	» Customize glazing types based upon the north, east, and west building exposures to control heat gain and heat loss. » Splay new commons/dining/lounge north wall to the north to capture a greater viewshed of the red mountains and Pine Valley. » Splayed roof can also solve a complex pitch roof design and be a hiding area for less expensive roof top and HVAC units. » Repair and repaint existing building stucco surfaces to complement the vista colors, in lieu of current mauve color. » Evaluate expensive deck pipe guardrails and provide see-through guardrail with cable system. » Provide high vaulted ceiling in new commons/dining/and lounge, trimmed with wood panels or coffers to create a more refined gathering atmosphere.



HURRICANE CITY
UTAH

SKY MOUNTAIN GOLF COURSE CLUBHOUSE REMODEL



Kim Campbell, AIA | Architect

- BS—Industrial Design | Southern Utah University | UT # 122615

Kim serves as Director of Architecture at Campbell Architecture and Jones & DeMille Engineering, specializing in municipal, government, commercial, recreational, educational and medical architecture. He has been providing professional architectural services in the greater Southern Utah area for 38 years and has served in the St. George community as a Planning Commissioner and President of the St. George Historic Commission.

Throughout his career, Kim has been privileged to design structures that demonstrate his sensitivity to the geographical environment of this unique region. Some of the notable structures include the Zion National Park

South Portal and other buildings within the Park, the Water Conservancy Building which is prominently located on Red Hill Drive in St. George, and the DNR Office Building at Quail Creek Reservoir. Each of these structures required a thoughtful design that served to complement, not compete with, the surroundings of the project.

Project Experience:

- WCWCD Building
- City of Page, AZ - Lake Powell National Golf Clubhouse Addition
- Green Springs Golf Course Addition
- Ivory Homes - Overland Clubhouse
- Seegmiller Historic Farm - Barn
- Sun River Clubhouse
- BRIO Clubhouse
- Casa Blanca Golf Clubhouse



Farah Stout | Project Manager

Farah is the architectural lead in our St. George office and brings over 20 years of experience in the architectural field. She is an accomplished project manager overseeing numerous projects, participating in all phases of the project from conception to construction. Her diverse roles within the firm have equipped her with a comprehensive understanding of the industry, enabling her to develop project plans, budgets and timelines for architectural projects.

What truly sets Farah apart is her exceptional ability to foster client partnerships. She views each project as a collaborative endeavor, where client coordination is paramount. Farah actively engages with clients, ensuring their vision aligns seamlessly with project goals. Her open communication style and commitment to understanding client needs result in successful outcomes.

Farah will oversee day-to-day design activities, provide and manage schedule, budget and quality control, ensure adequate resources are allocated to complete the project within the desired time frame, oversee all tasks related to the project as well as the overall compilation of the deliverables and work in close coordination with the client to ensure project success.

Project Experience:

- WCWCD Building
- City of Page, AZ - Lake Powell National Golf Clubhouse Addition
- Green Springs Golf Course Addition
- Ivory Homes - Overland Clubhouse
- Seegmiller Historic Farm - Barn
- Sun River Clubhouse
- BRIO Clubhouse

MEET OUR TEAM

KEY

- Campbell Architecture / Jones & DeMille Engineering
- Resolut
- Cody Schmitt Landscape Architect
- Landmark Testing



Riley Vane, PE
Civil Engineer



Ryan Jolley, PE
Principal-in-Charge



Ron Larsen, SE
Structural Engineer



Randon Campbell
Architectural Designer



Ladd Birch, PE
Mechanical Engineer



James Korhorn, PE
Electrical Engineer



Cody Schmitt
Landscape Architect



Steve Wells
Geotechnical Engineer



HURRICANE CITY
UTAH

SKY MOUNTAIN GOLF COURSE CLUBHOUSE REMODEL



Washington County Water Conservancy District Building

23,003 SF

Corey Cram
Associate General Manager
WCWCD

435.673.3617
corey@wcwcd.org



City of Page Lake Powell National Golf Clubhouse Addition

2,970 SF

Kyle Christiansen
Director of Public Works
City of Page

928.645.4302
kchristiansen@pageaz.gov



Ivory Homes Overland Clubhouse

6,573 SF

Clint Larson
Manager of Major Projects
Ivory Homes

801.747.7000
clarson@ivoryhomes.com



Hela Seegmiller Historical Farm

2,920 SF

Shane Moore
Director of Leisure Services
City of St. George

435.627.4000
shane.moore@sgcity.org

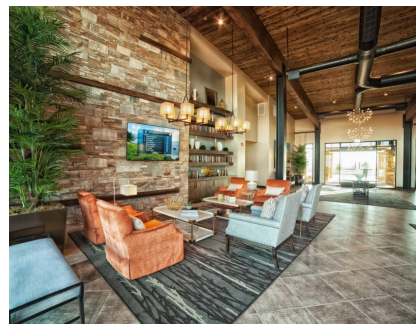


Sun River Community Center

6,071 SF

SunRiver Villas HOA

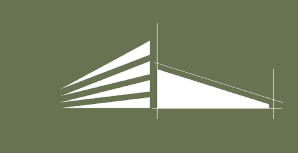
435.773.6456



The Escape Clubhouse at BRIO

14,500 SF

Ben Willits
435.272.2391
ben.willits23@gmail.com



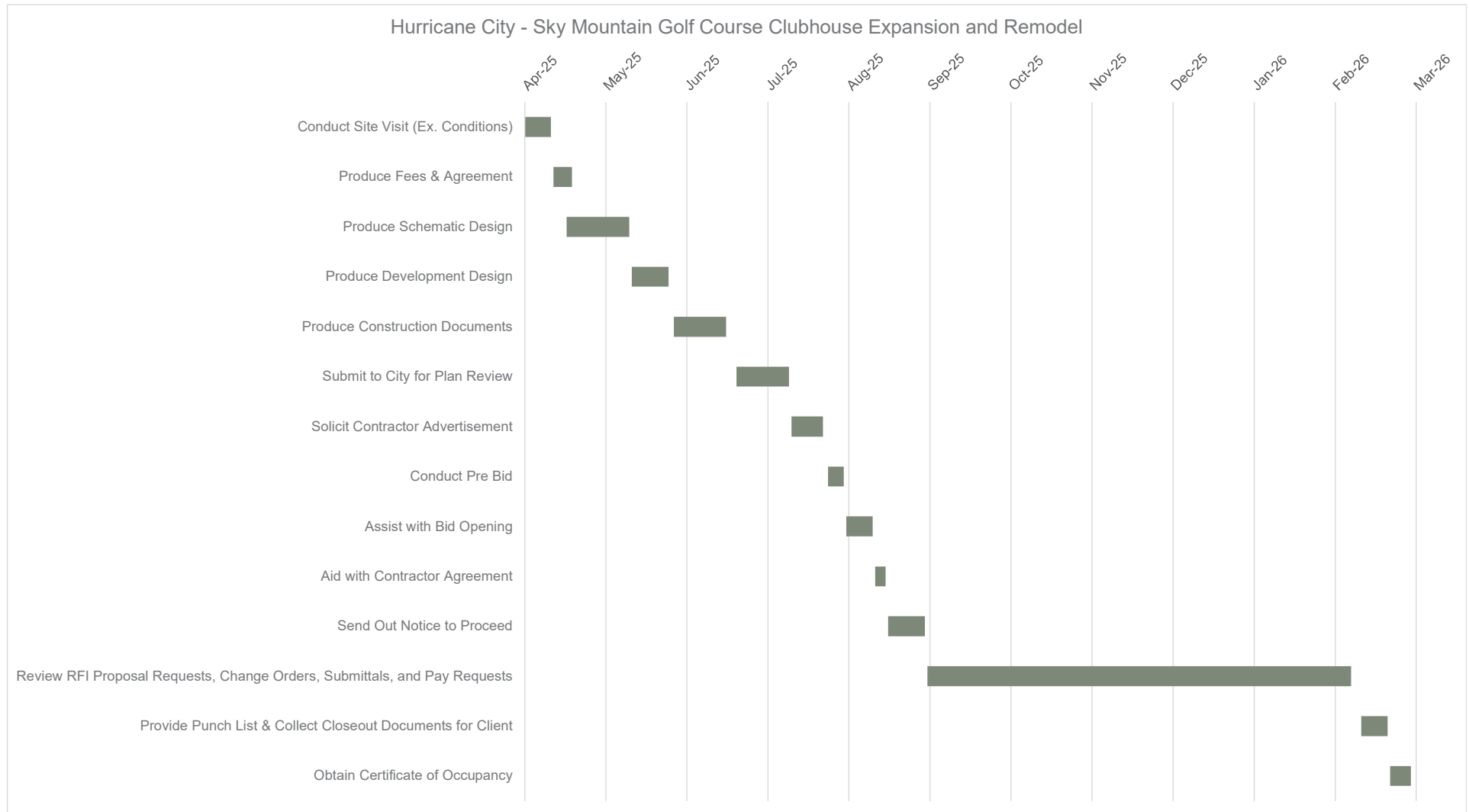
HURRICANE CITY
UTAH

SKY MOUNTAIN GOLF COURSE CLUBHOUSE REMODEL



Our reputation for completing projects on time comes from our attention to project planning and meeting milestones. Our team of experienced project managers and extensive resources ensure we can adapt to schedule changes and accelerate timelines as needed. Meeting deadlines is a result of detailed planning and effective task execution. Additionally, the breadth and availability of our staff allows us to respond swiftly to client needs, as demonstrated by our successful projects across the region.

We recognize the accelerated schedule for the Clubhouse Remodel and are committed to working with the City to meet required deadlines.





STAFF COMMENTS

Item: Consideration and possible approval of Zone Change Amendment Ordinance ZC25-13, a request for a zone change located at 40 N 2480 W from Multiple Family (RM-2) 10 units per acre to Highway Commercial (HC); Parcel Number H-3-1-32-1101-A; James Cheney/JACI Properties, Applicant; Gerold Pratt, Agent.

Discussion: The applicant requests a zone change from Multiple Family (RM-2) to Highway Commercial (HC) on a remainder parcel in the Desert Fields Townhomes development. The site plan for the development shows this area as an “RV storage area” intended for use by the residents of the development. The applicant has stated their purpose is to rezone this area to Highway Commercial so they can build a commercial office building on the site.

A public hearing was held for the application at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners briefly discussed the item and voiced overall support of the zone change as long as staff felt that adequate parking was available for the proposed use of the property. Accordingly, the Planning Commission unanimously recommended approval of the zone change.

Property Information

- Address: 40 N 2480 W, Hurricane
- Parcel No.: H-3-1-32-1101-A
- Parcel area: 0.3 acres
- Zoning: Multiple Family RM-2
- General Plan: Multifamily
- Existing Development: The property is undeveloped.

– Gary Cupp

Findings: 1. While the application does not strictly conform to the General Plan Map designation of Multifamily, the commercial nature of the proposal supports several goals and recommendations of the General Plan. These include promoting walkability, creating connectivity, and allowing appropriate commercial development adjacent to residential uses.

2. While the area is primarily developed with multifamily residential uses, the zone change is not out of character with the area and is, in fact, generally harmonious with the surrounding development pattern and the long-term planning vision of the General Plan.

3. The small size of the property and the applicant's stated intent for the zone change reduce the likelihood of adverse impacts on adjacent residential development.

4. Public services are adequate to serve the property.

Recommendation: Staff recommends that the City Council approve the requested zone change.

**Application**

Application Accepted Date: 04/14/2025		Valuation		\$	0.00					
Type of Improvement: Zone Change Application		PERMIT FEES								
Description: Zone Change from RM-2 to Highway Commercial to mat		Planning Fee		\$	500.00					
Tenant / Project Name: Desert Fields Commercial		Planning Fee		\$	500.00					
		Sub Total:		\$	500.00					
Bldg. Address: 40 North 2480 West, Hurricane		Permit Total:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Amount Paid:		\$	500.00					
Subdivision: Desert Fields Townhomes Phase: N/A		Remaining Due:		\$	0.00					
Block: Lot #: N/A Parcel ID #: H-3-1-32-1101-A										
Zone: RM-2										
Property Owner: James Cheney/ JACI Properties										
Permit Contact: Gerold E Pratt P:(435) 229-0518										
Email: gerold@pratteng.com										
CONTACT INFORMATION										
Engineer of Record: Pratt Engineering, P.C.										
Email: gerold@pratteng.com P: (435) 635-2329										
General Contractor: James Cheney/ JACI Properties										
License #: P: (435) 631-0011										
Address: 1137 N Quailwing Rd.										
City: Farmington State: UT Zip: 84025										
Email: rocksolid76@gmail.com										
APPLICATION DETAILS										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANZC25-13										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: JAMES CHENEY										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #:										

ZONE CHANGE NARRATIVE FOR JAMES CHENEY (JACI PROPERTIES)

There is a 0.3 acre parcel remaining from Desert Fields Townhomes. We feel that since the adjoining properties are generally zoned Highway Commercial and with the Intermountain Healthcare Facility in the vicinity, it would be appropriate for a professional office with something related to the medical industry. There is sufficient room for a office building with (13) spaces on the 0.3 acre. Such a business would be a benefit to the residents as well.



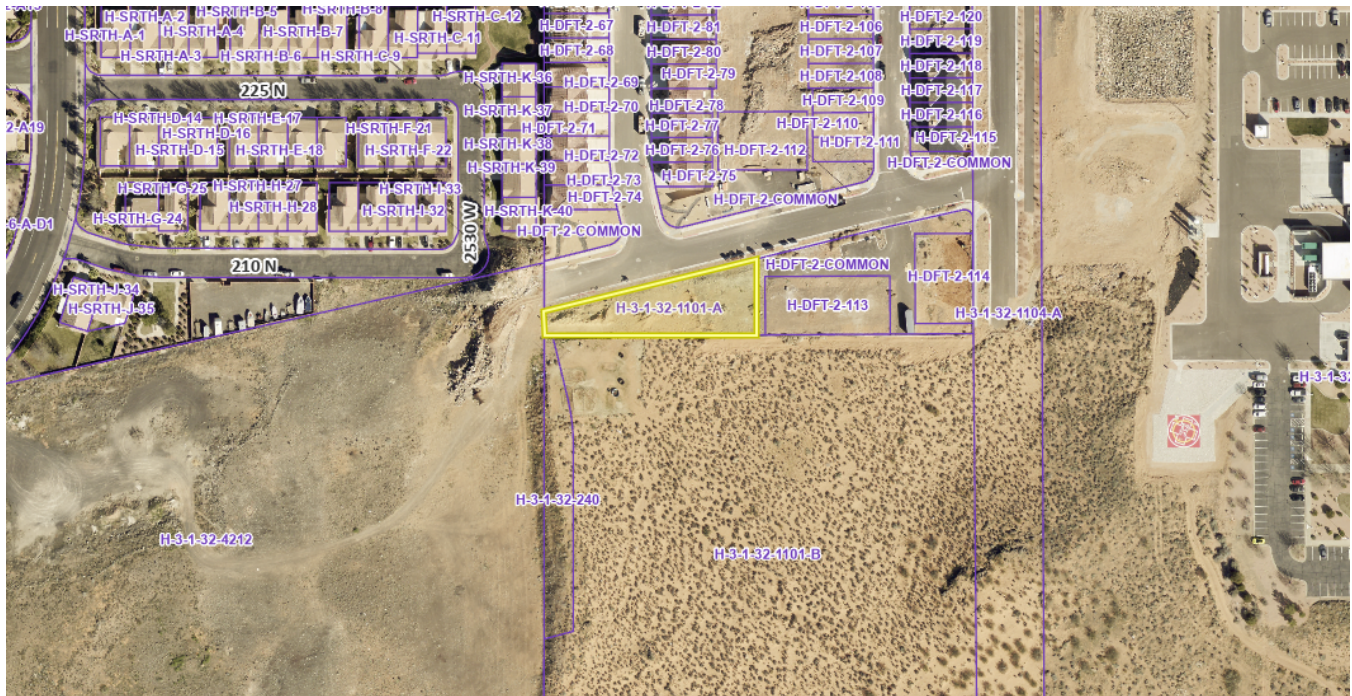
STAFF COMMENTS

Agenda Date:	05/22/2025 - Planning Commission
Application Number:	ZC25-13
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	James Cheney/JACI Properties
Agent:	Gerold Pratt
Request:	Approval of a Zone Change from RM-2 to HC.
Location:	40 N 2480 W
Zoning:	Multiple Family RM-2
General Plan Map:	Multifamily
Recommendation:	Recommend approval to the City Council.
Report Prepared by:	Fred Resch III

Discussion:

The applicant is seeking a zone change from Multiple Family RM-2 to Highway Commercial (HC) on a 0.3 acre remainder piece in the Desert Fields Townhomes development. The site plan for the development shows this area as an “RV storage area” intended just for the residents of the development. The applicant has stated they would like to rezone this area to Highway Commercial so they can build a commercial office on the site.

	Zoning	Adjacent Land Use
North	RM-2	Desert Fields Townhomes-existing multifamily development
East	RM-2	Desert Fields Townhomes-existing multifamily development
South	HC	Undeveloped property
West	RM-2	Multifamily development (under construction)



To change the zoning on any parcel of land within Hurricane City, the following considerations need to be addressed:

10-7-7: ZONING MAP AND TEXT AMENDMENTS:

E. 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 Multifamily, which recommends:

Residential neighborhoods with a combination of small-lot single family and multifamily residences that include designated shared open spaces. Each development should consider proximity to transportation, schools, shopping, etc. The specific conditions for each project would be addressed during the approval process. Appropriate densities for this land use include RM-1, RM-2, and RM-3.

While this zone change does not comply with the General Plan Map, the property to the south is designated as General Commercial which has the purpose of:

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

It is important to note that the mapped boundaries of the General Plan are not intended to be rigidly interpreted. The Planning Commission and City Council have the authority to determine that this proposal aligns with the intent of the General Plan for commercial development in this area. Furthermore, the General Plan supports commercial uses near residential areas to enhance overall connectivity and walkability.

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

Response: There is currently no existing commercial development in the immediate vicinity of this project, with the exception of the Intermountain Health facility. However, the proposed commercial zoning is consistent with the zoning of the adjacent properties to the south and southeast, which, although currently undeveloped, are intended for future commercial development.

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

Response: Depending on the specific commercial use of the property, there is potential for adverse impacts on the adjacent residential properties. However, staff finds this unlikely due to the small size of the property and the applicant's stated intent, a general or medical office, for the zone change.

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

Response: Facilities and services are adequate for this development, as they were brought in with the remainder of the subdivision. JUC had no concerns about availability.

JUC Comments:

Public Works: No comment.

Power: Single phase power (only) is on the north side of the street (100 N) at this location. A design to cut in a new transformer or line to feed across the street will be needed. Since power is not on the south side of 100 N the street will need to be cut. 3 phase power (if needed) closest access point is at the corner of 100 N and 2460 W at a 3 phase fiberglass vault. A line would have to be installed to the lot from this location in order to get 3 phase.

Water: Okay.

Streets: No comment.

Sewer: No comment.

Engineering: This parcel is near the shared boundary between the general commercial and multifamily zones on the general plan. HCC 10-11-4(b) specifies that road centerlines and property lines shall be construed to be the boundary of a zone when such zone boundary is approximately upon the centerline of a street or along a property line. The requested commercial uses can easily be harmonious with the existing neighboring multifamily and commercial uses. Enumerating negative effects of the zone change will be subjective. However, making this parcel the same zone as the neighbor to the south appears to be a boon. The owner of the subject parcel should be reasonably capable of providing themselves adequate facilities wherever they lack. Engineering supports the zone change if the same motion tidies the sliver of RM-2 zoning between it and the parcel to the south.

Fire: Approved.

Fiber: No comment.

Gas: Okay.

Water Conservancy District: Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Other Considerations:

Site Plan Design:

A preliminary and final site plan will need to be submitted for the development of this property as a commercial use. A very basic site plan has been provided by the applicant on the zone map.

Density:

Approval of this zone change would result in the Desert Fields Townhomes development exceeding the permitted density under RM-2 zoning. The overall development currently includes 153 units on 15.36 acres, which equates to a density of 10 units per acre, consistent with RM-2 standards. With the proposed zone change, the RM-2 zoned area would be reduced to 15.06 acres, resulting in a density of approximately 10.15 units per acre. Staff finds this minor increase acceptable, as the proposal represents a more productive and efficient use of the property and maintains consistency with the intent of the RM-2 zone.

Zone Boundaries:

As noted in the Engineering comments, there appears to be a narrow sliver of RM-2 zoning on the parcel immediately south of the subject property, as shown on the current zoning map. If this zone change is approved, that sliver would remain isolated. This zoning anomaly may have been intentional, possibly reflecting a previously planned alignment of 100 North, or it may be a mapping error. Regardless, per Hurricane City Code section 10-11-4, the Zoning Administrator has the authority to clarify zoning boundaries to align with physical features such as property lines where appropriate. If the proposed zone

change is approved, the Zoning Administrator will direct the GIS Department to adjust the zoning boundary accordingly to follow the property lines and eliminate the isolated sliver.

Findings:

Staff makes the following findings:

1. While the application does not strictly conform to the General Plan Map designation of Multifamily, the commercial nature of the proposal supports several goals and recommendations of the General Plan. These include promoting walkability, connectivity, and appropriate commercial development adjacent to residential uses.
2. While the area is primarily developed with multifamily residential uses, the zone change is not out of character and is generally harmonious with the surrounding development pattern and long-term planning vision.
3. The small size of the property and the applicant's stated intent for the zone change reduce the likelihood of adverse impacts on adjacent residential development.
4. Public services are adequate to serve the property.

Recommendation: The Planning Commission should review this zone change application based on the standards within the Hurricane City Code and consider any public comments received in the public hearing. Staff recommends that the Planning Commission send a recommendation of approval to the City Council subject to staff and JUC comments.

Zoning

Classification

- A-10: Agricultural - 1 Unit Per 10 Acres A-5: Agricultural - 1 Unit Per 5 Acres RR: Recreational Resort Zone
OS: Open Space RA-1: Residential Agricultural - 1 Unit Per Acre RA-0.5: Residential Agricultural - 2 Units Per Acre
R1-15: Residential - 1 Unit Per 15,000 Sq. Ft. R1-10: Residential - 1 Unit Per 10,000 Sq. Ft.
R1-8: Residential - 1 Unit Per 8,000 Sq. Ft. R1-6: Residential - 1 Unit Per 6,000 Sq. Ft.
RM-1: Multi-Family - 6 Units Per Acre RM-2: Multi-Family - 10 Units Per Acre RM-3: Multi-Family - 15 Units Per Acre
MH/RV: Mobile Home - RV GC: General Commercial PC: Planned Commercial HC: Highway Commercial
NC: Neighborhood Commercial BMP: Business/Manufacturing Park M-1: Light Industrial M-2: Heavy Industrial
Public Facility

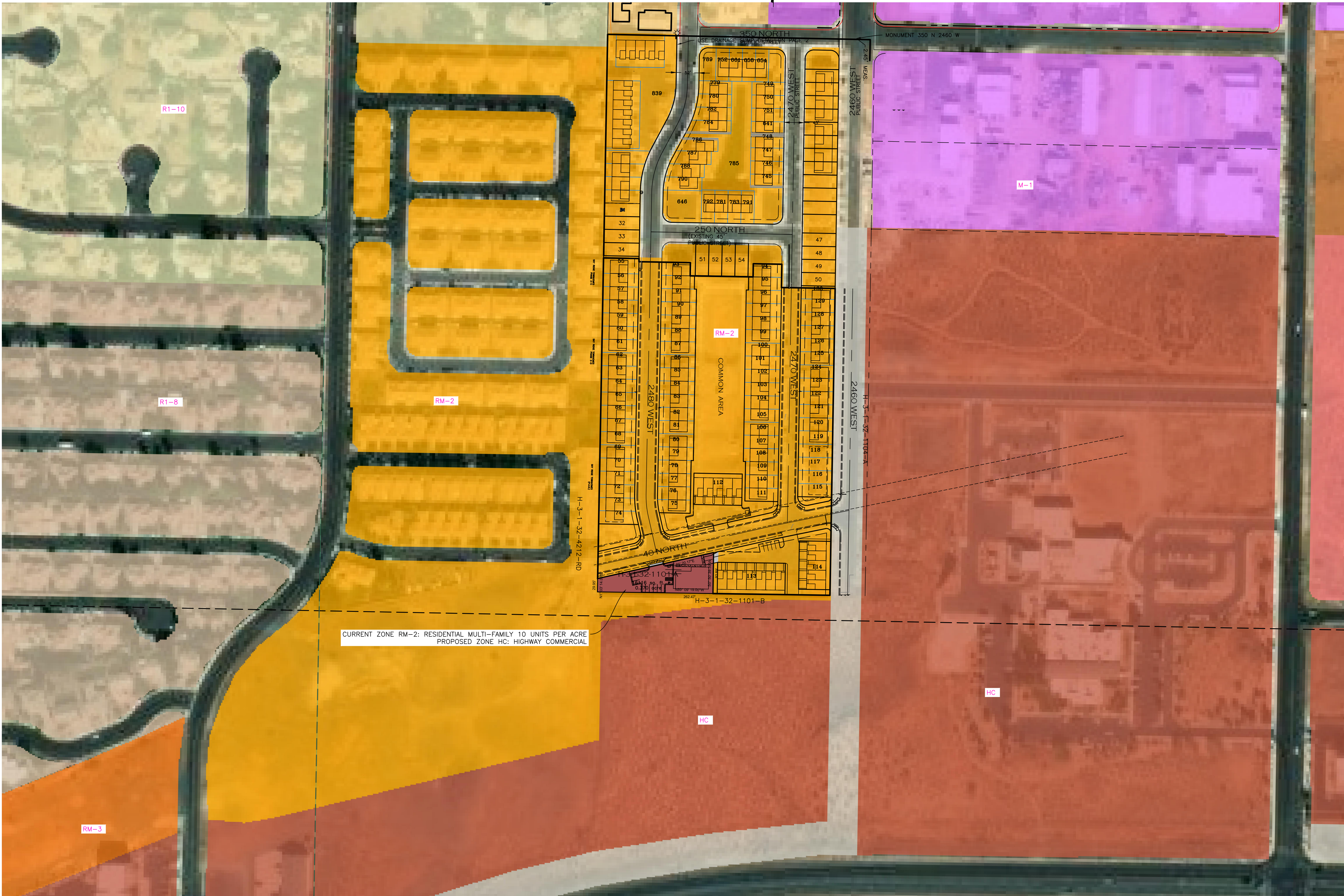
LEGAL DESCRIPTION

REMAINDER TRIANGULAR PARCEL

BEGINNING AT THE SOUTHWEST CORNER OF DESERT FIELDS TOWNHOMES - PHASE 2, OFFICIAL RECORDS OF WASHINGTON COUNTY, UTAH, SAID POINT LIES SOUTH 88°50'06" EAST 632.00 FEET ALONG THE SECTION LINE AND SOUTH 01°03'14" WEST 2547.61 FEET FROM THE NORTH QUARTER CORNER OF SECTION 32, TOWNSHIP 41 SOUTH, RANGE 13 WEST OF THE SALT LAKE BASE AND MERIDIAN, TO THE TRUE POINT OF BEGINNING, AND RUNNING THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SUBDIVISION IN THE FOLLOWING TWO (2) COURSES: NORTH 7°21'120" EAST 269.80 FEET; THENCE SOUTH 00°50'39" WEST 92.89 FEET; THENCE LEAVING SAID SUBDIVISION BOUNDARY NORTH 89°09'19" WEST 262.47 FEET; THENCE NORTH 01°03'14" EAST 29.95 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION AND THE POINT OF BEGINNING. CONTAINS 16,116 SQUARE FEET OR 0.370 ACRES.

ZONING PLAN

JAMES CHENEY
DESERT FIELDS REMAINING PARCEL
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



100 0 100
SCALE IN FEET

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 - HURRICANE, UTAH 84737
TEL: (435) 635-5765 FAX: (435) 635-2329

ZONING PLAN
FOR
DESERT FIELDS REMAINING PARCEL
JAMES CHENEY
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH

FILE NAME: _____
DATE: 4/9/2025
CHECKED: _____
SCALE: SHOWN

SHEET
1
OF 1

ORDINANCE NO ZC25-13

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
FOR PARCEL H-3-1-32-1101-A FROM MULTIPLE FAMILY RESIDENTIAL 2 (RM-2) TO
HIGHWAY COMMERCIAL (HC)

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

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

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

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

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

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

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

That parcel H-3-1-32-1101-A is rezoned from Multiple Family Residential 2 (RM-2) to Highway
Commercial (HC).

PASSED AND APPROVED on this 5th day of June 2025.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, City Recorder

EXHIBIT A
ZONING MAP



STAFF COMMENTS

Item: Consideration and possible approval of a Development Agreement with the Zion Regional Medical Center to allow, among other terms, an increased height limitation of 85 for a proposed hospital building on property zoned Highway Commercial (HC); Parcel Numbers H-3-2-6-1406-GS1, H-3-2-6-1407, and H-3-2-6-1408-GS2; ZRMC Operating LLC, Applicant; Jared Cox and Karl Rasmussen, Agents.

Discussion: The applicant requests to enter into a development agreement with the City to allow a building-height exception, and other terms, for the construction of an 85-foot hospital building on three parcels located south of State Route 9 (across from Walmart) that are intended to be developed as the Zion Regional Medical Center campus. The site is zoned Highway Commercial and the maximum building height allowed in the Highway Commercial zone is 35 feet. Although the height exception would be primarily for the tower portion of the hospital building, the applicant is requesting that the 85-foot height limit apply to the entire development site to allow for future planning flexibility. Pursuant to Utah State Code §10-9a-532, municipalities may enter into development agreements with property owners that include deviations from zoning standards, provided the process follows the requirements for a land use ordinance amendment, which includes holding a public hearing and receiving a formal recommendation from the Planning Commission.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and voiced support for the hospital project and the height exception. The commissioners asked questions of the applicant regarding the heights of the other proposed buildings and if they too would be 85 feet high, to which the applicant stated that they would be significantly lower than 85 feet but potentially higher than 35 feet. Furthermore, the parking requirements in the city code would preclude the potential for all the buildings to be 85 feet high. It was also discussed that the Utah DOT will not allow access to the hospital off of SR-9, but that the proposed access is still more than adequate to serve a hospital. The Planning Commission unanimously recommended approval of granting the building height exception since the 85-foot portions of the building will be situated on the southern portions of the parcels close to the bluffs.

Property Information

- Address: approx. 3150 W State Street, Hurricane
- Parcel Nos.: H-3-2-6-1407, H-3-2-6-1406-GS1, H-3-2-6-1408-GS2

- Parcel area: approx. 41.69 acres
- Zoning: Highway Commercial (HC)
- General Plan: General Commercial
- Existing Development: The property is undeveloped.

Findings: There are no considerations in state or city codes for a request to enter into a development agreement with a municipality. Notwithstanding, staff provides the following analysis and findings:

- The Hurricane City General Plan recommends the following goal: *“Coordinate with health care companies to expand their medical facility in Hurricane.”* Supporting the development of the proposed medical facility will help meet this goal; therefore, the proposal is consistent with the General Plan by supporting the development of medical facilities.
- Allowing the height exception for the proposed hospital buildings will allow for more efficient use of the space and meet the needs of the entire region and will benefit the City in both the short and long term.
- The proposed hospital tower is setback approximately 450 feet from State Route 9, and all other buildings are also adequately set back from the right-of-way. The site is located at the base of a bluff that is 80 feet tall, which would indicate that the buildings are unlikely to affect scenic vistas.
- This area of town is planned as a commercial corridor, and a hospital facility is therefore consistent with the intended development patterns for the area.
- The property is currently isolated and does not have adequate public facilities (HCC 10-37-4). While staff is generally not in favor of approving a development that is isolated from other developments, this project is considered critical for the City and the region, thus, the proposed development agreement should include language ensuring that adequate public facilities are available to the property before construction begins.
- The proposed position of the building will limit impacts on viewsheds being situated below the height of adjacent bluffs.

Recommendation: Staff supports the requested development agreement and height exception for the proposed 85-foot hospital building. – Gary Cupp

Zion Regional Medical Center – Height Variance Request Narrative

****Applicant:**** ZRMC Operating LLC

****Project Location:**** Approximately 3145 W. State Street, Hurricane, UT 84737

****Tax ID Numbers:**** H-3-2-6-1406-GS1, H-3-2-6-1407, H-3-2-6-1408-GS2

Project Description and Variance Request

This request is submitted on behalf of ZRMC Operating LLC (Applicant) for the Zion Regional Medical Center development in conjunction with the future phased development of a regional healthcare campus located at approximately 3145 W. State Street in Hurricane, Utah. The subject property comprises three contiguous parcels under Tax ID numbers H-3-2-6-1406-GS1, H-3-2-6-1407, and H-3-2-6-1408-GS2.

The property is currently zoned HC (Highway Commercial), within which both Hospital and Medical Office uses are expressly permitted. The applicant is requesting a height variance to allow a maximum building height of 85 feet, which exceeds the current zoning height limitation.

This variance is specifically requested to accommodate future phases of the Zion Regional Medical Center master plan, including but not limited to:

- A 5-story hospital bed tower, which will house inpatient care units, surgical suites, and advanced treatment services.
- A 4-story Medical Office Building (MOB), providing space for outpatient care, physician offices, and specialty clinics.

In addition to these two primary structures, other elements of the master development may also require increased building height in future phases. Accordingly, the requested 85-foot height allowance is intended to provide necessary flexibility across the entire medical campus as development progresses.

Justification for Variance

The requested height of 85 feet is essential to accommodate the technical and operational requirements of modern healthcare and medical office design. These facilities demand higher floor-to-floor clearances to house critical mechanical, electrical, and plumbing

systems, medical equipment, and patient circulation space.

Key reasons for the variance include:

- Efficient Site Utilization: Vertical development conserves land and allows for centralized services and circulation while preserving open space and expansion areas.
- Design Standards for Healthcare: Medical facilities often require 15–18 feet per floor for infrastructure, which necessitates added height even for buildings that may not appear visually imposing.
- Zoning Compatibility: The proposed uses are consistent with the HC zone, and the height increase does not introduce a new use but supports the full functional realization of permitted uses.
- Long-Term Planning Flexibility: As a phased master plan, future buildings may require similar heights for functionality and consistency. This request ensures the campus can grow without additional variance applications.
- Community and Regional Benefit: A regional medical campus of this scale serves a broader population and requires planning flexibility to meet long-term healthcare demands, improve access to care, and attract medical professionals.

Conclusion

Approving a height variance to allow up to 85 feet across the Zion Regional Medical Center campus will support the efficient and strategic development of a vital healthcare facility. The request is consistent with the HC zoning district's intent and permitted uses and will help deliver lasting community and regional health benefits. We respectfully request the City's support in granting this variance to ensure the success of the full medical campus vision.

Preliminary Site Plan



Zion Regional Medical Center

Legal Description

COMMENCING AT THE NORTH QUARTER (1/4) CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH SECTION LINE OF SAID SECTION 6, N88°53'50"W 952.90 FEET; THENCE SOUTH 34.90 FEET TO THE POINT OF BEGINNING; THENCE S16°11'34"E 367.67 FEET; THENCE S47°32'47"E 200.00 FEET; THENCE S80°04'39"E 42.63 FEET; THENCE S15°13'38"E 332.35 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 206.81 FEET, HAVING A RADIUS OF 856.00 FEET AND A RADIAL BEARING OF S24°42'00"E, THROUGH A CENTRAL ANGLE OF 13°50'34" (LONG CHORD BEARS: S58°22'43"W 206.31 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A 2300.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT A DISTANCE OF 450.12 FEET, THROUGH A CENTRAL ANGLE OF 11°12'47", (LONG CHORD BEARS: S57°03'50"W 449.41 FEET); THENCE S62°40'14"W 545.96 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAND HOLLOW EAST ROAD DOCUMENT NUMBER# 20240028591; THENCE ALONG SAID RIGHT-OF-WAY LINE OF SAID SAND HOLLOW EAST ROAD THE FOLLOWING TWO (2) COURSES: (1) WESTERLY ALONG THE ARC OF A 2350.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 496.39 FEET, THROUGH A CENTRAL ANGLE OF 12°06'09", (LONG CHORD BEARS: S68°43'18"W 495.46 FEET); (2) S74°46'22"W 7.30 FEET; THENCE N15°13'38"W 1218.87 FEET; THENCE N67°41'06"E 137.79 FEET; THENCE N72°21'52"E 82.63 FEET; THENCE N73°55'20"E 127.33 FEET; THENCE N76°00'01"E 153.43 FEET TO THE BOUNDARY OF A UTAH DEPARTMENT OF TRANSPORTATION (UDOT) PARCEL; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S15°13'38"E 202.15 FEET; (2) N74°48'22"E 500.00 FEET; (3) N15°13'38"W 203.70 FEET; THENCE N73°42'00"E 508.23 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1,655,924 SQUARE FEET OR 38.015 ACRES.



Thank you for the opportunity to be of service! Your commitment for title insurance is attached. Please contact your real estate agent or our office if you have any questions.

File #	234153
Property	(Not Yet Addressed / Unimproved Land), Hurricane, Utah 84737
Buyer(s)	ZRMC Operating, LLC, a Utah Limited Liability Company
Seller(s)	Western Mortgage & Realty Company, a Washington Corporation
Escrow Team	Brad Seegmiller - Escrow Agent (435) 652-4829 brad@sutc.com Office Address: 20 N. Main Street #300, St. George, UT 84770



WARNING! DON'T BECOME A VICTIM OF FRAUD.

Due to the recent rise in cybercrime sweeping the real estate industry, we want you to be aware of the following important information: There have been many instances of real estate agents', brokers', attorneys' and/or consumers' email addresses being hacked/phished. The cyber-criminals forward bogus wire instructions, redirecting deposits and/or cash to close to a fraudulent bank account. Once received, the money is quickly sent offshore, where it is difficult if not impossible to retrieve.

ALTA COMMITMENT FOR TITLE INSURANCE
issued by
SOUTHERN UTAH TITLE COMPANY
AUTHORIZED AGENT FOR OLD REPUBLIC TITLE INSURANCE COMPANY, INSURER

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, *Southern Utah Title Company* (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued through the Office of:

Southern Utah Title Company
(435) 628-0404
20 N. Main #300
St. George, UT 84770

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
1408 North Westshore Blvd. Suite 900, Tampa, Florida
33607
(612) 371-1111 www.oldrepublictitle.com

Southern Utah Title Company

By: *Joseph McPhie*
Authorized Signatory

Joseph McPhie, Agent #84989

By *C. Monroe* **President**
Attest *David Wold* **Secretary**

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COMMITMENT CONDITIONS**1. DEFINITIONS**

- (a) “Discriminatory Covenant”: Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- (b) “Knowledge” or “Known”: Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- (c) “Land”: The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term “Land” does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (d) “Mortgage”: A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- (e) “Policy”: Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (f) “Proposed Amount of Insurance”: Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- (g) “Proposed Insured”: Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (h) “Public Records”: The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term “Public Records” does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- (i) “State”: The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term “State” also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- (j) “Title”: The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company’s liability and obligation end.

3. The Company’s liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements;
- (f) Schedule B, Part II—Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY’S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

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5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II— Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company is not liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5(a) or the Proposed Amount of Insurance.
- (e) The Company is not liable for the content of the Transaction Identification Data, if any.
- (f) The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- (c) This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

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9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

11. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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Transaction Identification Data, for which the Company assumes no liability as set forth in Condition 5.e.:

Issuing Office File Number: 234153

Issuing Office: Southern Utah Title Company

Escrow Agent: Brad Seegmiller

Escrow Agent Utah License Number: 73873

Escrow Agent Contact: (435) 652-4829 | brad@sutc.com

Searcher: Todd Pryor

Property Land Type: Vacant Land

Property Address: (Not Yet Addressed / Unimproved Land), Hurricane, Utah 84737

**Authorized Agent for Insurer**

Standard Owners Policy

Common Endorsements/Pricing: See attached reference

SCHEDULE A

1. Commitment Date: February 28, 2025 at 7:00AM
2. Policy to be issued:
 - (a) Standard Owners Policy
Proposed Insured: **ZRMC Operating, LLC, a Utah Limited Liability Company**
Proposed Amount of Insurance: **\$26,494,784.00** Premium: **\$20,950.00**
3. The estate or interest in the Land at the Commitment Date is: **fee simple.**
4. The Title is, at the Commitment Date, vested in:
Western Mortgage & Realty Company, a Washington Corporation
5. The Land, situated in Washington County, Utah, is described as follows:

See attached Exhibit A-Legal Description

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EXHIBIT A
Legal Description

COMMENCING AT THE NORTH QUARTER (1/4) CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH SECTION LINE OF SAID SECTION 6, N88°53'50"W 952.90 FEET; THENCE SOUTH 34.90 FEET TO THE POINT OF BEGINNING; THENCE S16°11'34"E 367.67 FEET; THENCE S47°32'47"E 200.00 FEET; THENCE S80°04'39"E 42.63 FEET; THENCE S15°13'38"E 332.35 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 206.81 FEET, HAVING A RADIUS OF 856.00 FEET AND A RADIAL BEARING OF S24°42'00"E, THROUGH A CENTRAL ANGLE OF 13°50'34" (LONG CHORD BEARS: S58°22'43"W 206.31 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A 2300.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT A DISTANCE OF 450.12 FEET, THROUGH A CENTRAL ANGLE OF 11°12'47", (LONG CHORD BEARS: S57°03'50"W 449.41 FEET); THENCE S62°40'14"W 545.96 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAND HOLLOW EAST ROAD DOCUMENT NUMBER# 20240028591; THENCE ALONG SAID RIGHT-OF-WAY LINE OF SAID SAND HOLLOW EAST ROAD THE FOLLOWING TWO (2) COURSES: (1) WESTERLY ALONG THE ARC OF A 2350.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 496.39 FEET, THROUGH A CENTRAL ANGLE OF 12°06'09", (LONG CHORD BEARS: S68°43'18"W 495.46 FEET); (2) S74°46'22"W 7.30 FEET; THENCE N15°13'38"W 1218.87 FEET; THENCE N67°41'06"E 137.79 FEET; THENCE N72°21'52"E 82.63 FEET; THENCE N73°55'20"E 127.33 FEET; THENCE N76°00'01"E 153.43 FEET TO THE BOUNDARY OF A UTAH DEPARTMENT OF TRANSPORTATION (UDOT) PARCEL; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S15°13'38"E 202.15 FEET; (2) N74°48'22"E 500.00 FEET; (3) N15°13'38"W 203.70 FEET; THENCE N73°42'00"E 508.23 FEET TO THE POINT OF BEGINNING.

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SCHEDULE B, PART I—Requirements

All of the following Requirements must be met:

1. Pay the agreed amounts for interest in the land and/or the mortgage or deed of trust to be insured.
2. Pay us the premiums, fees and charges for the policy. In the event the transaction for which this commitment is furnished cancels, the minimum cancellation fee will be \$120.00.
3. Provide us with releases, reconveyances or other instruments, acceptable to us, including payment of any amounts due, removing the encumbrances shown in Schedule B - Section 2 that are objectionable to the proposed insured.
4. Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
5. The documents creating the interest to be insured must be signed, delivered and recorded.
6. You must tell us in writing the name of anyone not referred to in this Commitment who will receive an interest in, or who will make a loan secured by a deed of trust or mortgage secured by, the land described in this Commitment.
7. Upon receipt and review of the necessary information listed in these requirements and related to this transaction, we reserve the right to add requirements to this Schedule or add special exceptions in Schedule B - Section 2.
8. Provide us with any information regarding personal property taxes which may have been assessed or are due and payable which could become a lien on the real property.
9. This Company will require the following, if necessary, to insure a loan by or conveyance from, the entity named herein: A. A copy of the Partnership Agreement, Articles of Organization, Operating Agreement and Corporation Resolution, together with all supplements or amendments thereto. B. Evidence that the entity is in good standing in the State where it was formed. C. A copy of the Trust Agreement and any amendments thereto.
10. Require assessment check with the existing Municipality and proof or full satisfaction that all Special Improvement Districts and/or Special Service Districts affecting said property be paid in full or paid current.
11. Require satisfactory evidence that the Special Service Districts (SSDS) shown on Schedule B - Section 2, be paid current and/or paid in full.
12. Require Acceptance and Acknowledgment of the Controlled Access, as shown on Schedule B - Section 2.
13. We find no open Deeds of Trust of record. Require any "Party" to this transaction with knowledge to the contrary to inform the Escrow/Title Department prior to closing.
14. Require acceptance and acknowledgment of the Application for Assessment and Taxation of Agricultural Land recorded as Doc No. [20190014998](#) , shown on Schedule B - Section 2 herein or payment of any "Rollback Taxes" that may be assessed. (Affects a portion and other property)
15. Require acceptance and acknowledgment of the Application for Assessment and Taxation of Agricultural Land recorded as Doc No. [20240007848](#) , shown on Schedule B - Section 2 herein or payment of any "Rollback Taxes" that may be assessed. (Affects a portion and other property)
16. Require acceptance and acknowledgment of the Application for Assessment and Taxation of Agricultural Land recorded as Doc No. [20240039626](#) , shown on Schedule B - Section 2 herein or payment of any "Rollback Taxes" that may be assessed. (Affects a portion and other property)

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17. Provide Insurer with a copy of the Certificate of Organization for ZRMC Operating, LLC, together with the management/operating agreement and all amendments thereto, along with verification of good standing, prior to the close of escrow.
18. Provide Insurer with a copy of the Corporate Resolution of the Board of Directors for Western Mortgage & Realty Company, a Washington Corporation, together with verification of their current good corporate status.
19. Require underwriter approval before the issuance of the Policy of Title Insurance herein referred to. Upon review of such, additional exceptions and requirements may be added.
20. The Purchase Agreement, dated March 5, 2025, references an acreage figure and the Company does not insure acreage, therefore it is required that the buyer and seller acknowledge the Company makes no representation as to the total acreage of the property described in the Commitment and that the title insurance when issued shall not insure the acreage of the property.

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SCHEDULE B, PART II—Exceptions

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any facts, rights, interests, or claims which are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land, or claiming to be in possession thereof.
2. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that is not shown by the Public Records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof but prior to the date the proposed acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
10. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.
11. Taxes for the current year 2025 which are liens, but not yet due or payable. (NOTE: Taxes for the year 2024, in the following amount(s), are PAID:

\$0.93 under Tax Serial No. [H-3-2-6-1406-GS1](#), Account No. 0881585 (Affects a portion and other property);

\$0.55 under Tax Serial No. [H-3-2-6-1407](#), Account No. 0882658 (Affects a portion and other property);

\$0.68 under Tax Serial No. [H-3-2-6-1408-GS2](#), Account No. 0883598 (Affects the remainder and other property).

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12. Subject to any Reservations, Exceptions and Easements as set forth on State of Utah by Patent No. 16440 recorded May 19, 1943, as Entry No. [60185](#) , in Book U-10, at Page 246, Official Washington County Records. (Affects a portion and other property)
13. Subject to any Reservations, Exceptions and Easements as set forth on Patent from the United States of America, recorded June 19, 1952, as Entry No. [82529](#) , in Book U-12, at Pages 154-155, Official Washington County Records. (Affects a portion other property)
14. Liability to Assessments levied by the Ash Creek Special Service District, as disclosed by Instrument recorded October 16, 1985, as Entry No. [283078](#) , in Book 390, at Pages 907-916, Official Washington County Records. (Affects this and other property)
15. Subject to a Right-of-Way Easement in favor of Utah Associated Municipal Power Systems, for a perpetual easement, right-of-way and right on, over under, above and across said land for the installation of electric transmission and/or electric distribution lines and/or communication systems, and rights incidental thereto, as set forth in Instrument recorded January 13, 1995, as Entry No. [489474](#) , in Book 879, at Pages 430-431, Official Washington County Records. (Affects a portion of this other property)
16. Subject to an Easement Agreement, dated August 25, 2000, by and between Winding River Associates, LLC, a Utah Limited Liability Company, as Grantor, and Washington County Water Conservancy District, as Grantee, for a non-exclusive temporary construction easement for the installation of the water pipelines and a non-exclusive easement for the continued maintenance and repair of the water pipelines, and rights incidental thereto, as set forth in Easement Agreement recorded September 11, 2000, as Entry No. [696150](#) , in Book 1379, at Pages 2063-2104, Official Washington County Records. (Affects a portion of this and other property)
17. Subject to Roadway Easement Agreement dated January 10, 2003, by and between Winding River Associates, LLC, a Utah Limited Liability Company, Washington County Water Conservancy District, a political subdivision of the State of Utah, and Sun Realty Corporation, a Utah Corporation, for a non-exclusive, perpetual easement to erect, construct, install, lay and thereafter access, inspect, repair, maintain, replace and remove a roadway, subject to and conditioned upon the provisions of this Agreement, and rights incidental thereto, recorded January 15, 2003, as Entry No. [798975](#) , in Book 1515, at Pages 1379-1395, Official Washington County Records. (Affects portions of this and other property)
18. Subject to a Sewer Easement Agreement dated August 8, 2003, by and between Winding River Associates, LLC, a Utah Limited Liability Company, Washington County Water Conservancy District, a political subdivision of the State of Utah, Ash Creek Special Service District, a Utah Special Service District, and Sun Realty Corporation, a Utah Corporation, for a non-exclusive, perpetual easement, to erect, construct, install, lay and thereafter access, use, operate, inspect, repair, maintain, replace and remove a sewer line, subject to the provisions therein, and rights incidental thereto, as set forth in Instrument recorded August 11, 2003, as Entry No. [834390](#) , in Book 1571, at Pages 2435-2454, Official Washington County Records. (Affects portions of this and other property)
19. Subject to the fact that said property abuts Limited Access Highway SR-9. Controlled Access as may be contemplated by the Utah Department of Transportation in accordance with Section 41-6A-714, Utah Code Annotated, as Amended 2005, and is subject to the Conditions and Restrictions affecting said Highway.
20. Subject to and the location of "All Matters", as set forth, located and disclosed on the ALTA/ACSM Land Title Survey performed by Rosenberg Associates dated 6/11/09.

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21. Subject to a Master Communications Easement for Elim Valley, executed by and between Mellon Valley, LLC, a Utah Limited Liability Company, as GRANTOR and Elim Valley Planning and Development, LLC, a Utah Limited Liability Company, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008384](#) , Official Washington County Records.(Affects this and other property)

First Amendment to Master Communications Easement for Elim Valley, recorded May 20, 2008, as Doc. No. [20080020598](#) , Official Washington County Records.

The effect of PARTIAL RELEASE OF MASTER COMMUNICATIONS EASEMENT, recorded June 11, 2018, as Doc No. [20180024050](#) , Official Washington Records.

Agreement to Subordinate and Option to Require Termination, dated December 31, 2018, recorded January 16, 2019, as Doc No. [20190002045](#) , Official Washington County Records.

CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. [20210062272](#) , Official Washington County Records.

22. Subject to a Master Communications Easement for Elim Valley, executed by and between Elim Valley Planning and Development, LLC, a Utah Limited Liability Company, as GRANTOR and Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008385](#) , Official Washington County Records. (Affects this and other property)

First Amendment to Master Communications Easement for Elim Valley recorded May 20, 2008, as Doc. No. [20080020598](#) , Official Washington County Records.

The effect of PARTIAL RELEASE OF MASTER COMMUNICATIONS EASEMENT, recorded June 11, 2018, as Doc No. [20180024049](#) , Official Washington Records.

Agreement to Subordinate and Option to Require Termination, dated December 31, 2018, recorded January 16, 2019, as Doc No. [20190002045](#) , Official Washington County Records.

CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. [20210062272](#) , Official Washington County Records.

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23. Subject to a Master Communications Easement for Elim Valley, executed by and between Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTOR and EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008386](#) , and First Amendment to Master Communications Easement for Elim Valley, and First Amendment to Master Communications Easement for Elim Valley, recorded August 6, 2007, as Doc. No. [20070039830](#) , recorded May 20, 2008, as Doc. No. [20080020598](#) , Official Washington County Records. (Affects this and other property)

(The interest of EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, has since passed to Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, as set forth in Grant Deed recorded as Doc. No. [20110016187](#) , Official Washington County Records.)

(The interest of Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, has since passed to 290-470, LLC, an Idaho limited liability company, as set forth in Grant Deed, recorded as Doc. No. [20170025395](#) , Official Washington County Records.)

The effect of PARTIAL RELEASE OF MASTER COMMUNICATIONS EASEMENT, recorded April 11, 2018, as Doc No. [20180014373](#) , Official Washington Records.

Agreement to Subordinate and Option to Require Termination, dated December 31, 2018, recorded January 16, 2019, as Doc No. [20190002045](#) , Official Washington County Records.

CORRECTED AMENDED MASTER COMMUNICATIONS EASEMENT, recorded September 22, 2021, as Doc No. [20210062272](#) , Official Washington County Records.

24. Liability to Assessments levied by the Board of County Commissioners of Washington County, Utah, creating and establishing a Special Service District ("Hurricane Valley Fire Special Service District") to provide for fire protection, paramedic services, and ambulance services, as disclosed by Resolution No. R-2007-1203, recorded December 22, 2009, as Doc. No. [20090048182](#) , Official Washington County Records. (Affects this and other property)

A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District, recorded March 1, 2010, as Doc. No. [20100006648](#) , Official Washington County Records.

2nd Amended Hurricane Valley Fire Special Service District, recorded December 30, 2010, as Doc. No. [20100044122](#) , Official Washington County Records.

Resolution No. R-2015-1946, A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to include the Corporate Limits of the City of Hurricane, recorded November 9, 2015, as Doc. No. [20150039260](#) , Official Washington County Records and Hurricane Valley Fire District 3rd Amended, recorded November 9, 2015, as Doc. No. [20150039261](#) , Official Washington County Records.

Hurricane Valley Fire District 4th Amended, Extended & Clarified, recorded December 14, 2015, as Doc. No. [20150043173](#) , Official Washington County Records.

5th Amended & Extended Hurricane Valley Fire District Local Entity Plat, recorded November 8, 2019, as Doc. No. [20190046477](#) , Official Washington County Records, A Resolution Amending the Boundary of The Hurricane Valley Fire Special Service District to Include the Area Within the Rockville-Springdale Fire Special Service District, recorded November 8, 2019, as Doc. No. [20190046478](#) , Official Washington County Records and Certificate of Boundary Adjustment, with 5th Amended and Extended Hurricane Valley Fire District Local Entity Plat Boundary Description, recorded November 8, 2019, as Doc. No. [20190046479](#) , Official Washington County Records.

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25. Any Afterassessment and/or Rollback of Taxes which may become a lien on said Land by reason of an Annual Application for Assessment and Taxation of Agricultural Lands 1969 Farmland Assessment Act, executed by Western Mortgage & Realty Co, recorded April 23, 2019, as Doc No. [20190014998](#) , Official Washington County Records. (Affects a portion and other property)
26. Stargate Avenue Road Dedication and Reimbursement Agreement, recorded August 31, 2020, as Doc No. [20200046847](#) , Official Washington County Records. (Affects a portion and other property)
27. Subject to the GATEWAY AT SAND HOLLOW PUBLIC INFRASTRUCTURE DISTRICT NO 1 and CORRECTED GATEWAY AT SAND HOLLOW PUBLIC INFRASTRUCTURE DISTRICT NO 1, and subject to restrictions, reservations, and all other matters as set forth and disclosed on the Official Plat, recorded August 3, 2021, as Doc No. [20210051786](#) , and recorded November 5, 2021, as Doc No. [20210071482](#) , Official Washington County Records. (Affects a portion other property)
28. Notice of Public Infrastructure District Creation for the GATEWAY AT SAND HOLLOW PUBLIC INFRASTRUCTURE DISTRICT NO 1, recorded August 10, 2021, as Doc No. [20210053502](#) , Official Washington County Records. (Affects a portion other property)
29. Subject to the GATEWAY AT SAND HOLLOW PUBLIC INFRASTRUCTURE DISTRICT NO 2, and subject to restrictions, reservations, and all other matters as set forth and disclosed on the Official Plat, recorded November 18, 2022, as Doc No. [20220050366](#) , Official Washington County Records. (Affects a portion other property)
30. Notice of Public Infrastructure District Creation for the GATEWAY AT SAND HOLLOW PUBLIC INFRASTRUCTURE DISTRICT NO 2,, recorded November 18, 2022, as Doc No. [20220050368](#) , Official Washington County Records. (Affects a portion and other property)
31. Any Afterassessment and/or Rollback of Taxes which may become a lien on said Land by reason of an Annual Application for Assessment and Taxation of Agricultural Lands 1969 Farmland Assessment Act, executed by Perry J. Falk and Deborah A. Falk and Jane Dickinson and Steven Petroski, and Greg Porter, and REV Investments 1, LP, a Nevada Limited Partnership, recorded March 15, 2024, as Doc No. [20240007848](#) , Official Washington County Records. (Affects a portion and other property)
32. Subject to easements, notes, restrictions, reservations, any and all other matters as set forth and disclosed on the Official Plat of "SAND HOLLOW EAST ROAD DEDICATION PLAT", recorded September 12, 2024, as Doc No. 20240028591, Official Washington and Utah County Records.
33. Any Afterassessment and/or Rollback of Taxes which may become a lien on said Land by reason of an Annual Application for Assessment and Taxation of Agricultural Lands 1969 Farmland Assessment Act, executed by Western Mortgage & Realty Co., recorded December 13, 2024, as Doc No. [20240039626](#) , Official Washington County Records. (Affects a portion and other property)
34. The Effect of the Covenants, Conditions and Restrictions in the declaration of restrictions but omitting any covenants or restrictions, if any, including, but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, recorded February 12, 2025, as Doc. No. [20250004828](#) , Official Washington County Records. (Affects a portion other property).

Exceptions 1-8 will not appear in any Extended Policy and Exceptions 1-10 will not appear in any Extended Loan Policy to be issued hereunder.

Note: The names on Schedule A have been checked for judgments and, if any were found, are disclosed on Schedule B of this Commitment .

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Old Republic - Common Endorsements

Ask us about the Old Republic “Plus ⊕” Policy which includes many endorsements as indicated below.

Note: The descriptions and pricing below are for informational purposes only and may change at any time. Endorsements may not be available or may have additional requirements for each transaction. Unless otherwise noted all endorsements are only available for loan policies. For full descriptions or copies of these endorsements please visit <https://www.alta.org/policy-forms/> or contact our office.

Endorsement	Description	Explanation	*Residential	*Commercial
4-06 ⊕	CONDO	This endorsement provides coverage against loss or damage resulting from certain condominium related risks.	\$20.00	Call - \$50 min
5-06 ⊕	PUD	This endorsement provides coverage against loss or damage resulting from certain risks related to planned unit developments.	\$20.00	Call - \$50 min
6-06 ⊕	Variable Rate Mortgage	This endorsement provides the lender with coverage against loss due to the invalidity, unenforceability or loss of priority of the lien of the Insured mortgage which might be caused by the provisions in the insured mortgage that allow for a variable interest rate.	No Charge	No Charge
7-06 ⊕ *if affixed	Manufactured Housing Unit	Intended for use with residential properties that include a mobile home or prefabricated housing units. The issuance of this endorsement requires that the manufactured housing unit be permanently affixed to the land pursuant to all statutory requirements so that it constitutes real property under the applicable state statute.	Call	N/A
8.1-06 ⊕	Environmental Protection Lien	This Endorsement provides coverage against loss or damage sustained by reason of the lack of priority of the insured mortgage over certain environmental protection liens.	\$20 (1-4) or \$100 structure	N/A
8.2-06	Commercial Environmental Protection Lien	This endorsement provides insurance for Loan and Owner's Policies on commercial property. It insures against existing recorded federal or state environmental protection liens.	N/A	\$100.00
9-06 ⊕	Restrictions, Encroachments, Minerals	This endorsement to the Loan policy insures against violations of restrictions, encroachments over easements, building lines or property lines, and damage by reason of mineral development.	\$25.00	Call- \$55 min
14.1-06 ⊕	14.1-06 Future Advance - Knowledge Residential	This insures priority of future advances in a mortgage with interest rate adjustments.	\$30.00	\$30.00
14.3-06 ⊕	14.3-06 Future Advance - Reverse Mortgage	Insures against the invalidity or unenforceability of the lien of the insured Reverse Mortgage.	\$30.00	N/A
22-06 ⊕	Alta 22-06 Street Address / Location	Loan or Owner's policy. Insures a named improvement is located within the boundaries of the insured land.	\$15.00	\$15.00
39-06	Alta 39-06 Policy Authentication	Assures an Insured against a denial of liability solely on the grounds that a policy is issued electronically or lacks original signatures.	No Charge	No Charge
102.4R	10.24 RESIDENTIAL - Foundation	Provides coverage to a Lender relating to the location of the foundation of improvements under construction.	\$40.00	\$115.00
102.5-06R	102.5-06 RESIDENTIAL - Foundation	Foundations – no violation, no encroachment onto easements or adjoining land.	\$60.00	\$150.00
122	122 - Construction Loan Advance	Provides coverage to a Lender concerning obligatory advances made under the insured mortgage when the original policy amount is for the full amount of the loan.	\$100.00	\$100.00
Natural Person Deletion	Natural Person Deletion	Deletes the requirement in a Homeowner's policy that the insured be a natural person.	\$25.00	N/A
UT SCR	Notice of Construction loan	Insures against loss or damage sustained by the Insured by reason of the failure of a Notice of Construction Loan pertaining to the Insured Mortgage, as defined in Utah Code 38-1a-601, to be filed in the Utah State Construction Registry.	Call - \$250 max	Call - \$250 max

* Effective as of 8/17/21

 OLD REPUBLIC TITLE	
FACTS	WHAT DOES OLD REPUBLIC TITLE DO WITH YOUR PERSONAL INFORMATION?

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers’ personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers’ personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don’t share
For joint marketing with other financial companies	No	We don’t share
For our affiliates’ everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates’ everyday business purposes — information about your creditworthiness	No	We don’t share
For our affiliates to market to you	No	We don’t share
For non-affiliates to market to you	No	We don’t share

	Go to www.oldrepublictitle.com (Contact Us)
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Who we are

Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.
--------------------------------------	--

What we do

How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit https://www.oldrepublictitle.com/privacy-policy
How does Old Republic Title collect my personal information?	We collect your personal information, for example, when you: • Give us your contact information or show your driver's license • Show your government-issued ID or provide your mortgage information • Make a wire transfer We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only: • Sharing for affiliates' everyday business purposes - information about your creditworthiness • Affiliates from using your information to market to you • Sharing for non-affiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights section location at https://www.oldrepublictitle.com/privacy-policy for your rights under state law.

Definitions

Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., and Mississippi Valley Title Services Company</i>
Non-affiliates	Companies not related by common ownership or control. They can be financial and non-financial companies. • <i>Old Republic Title does not share with non-affiliates so they can market to you</i>
Joint marketing	A formal agreement between non-affiliated financial companies that together market financial products or services to you. • <i>Old Republic Title doesn't jointly market.</i>

Affiliates Who May be Delivering This Notice				
American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.	eRecording Partners Network, LLC
Genesis Abstract, LLC	Guardian Consumer Services, Inc.	iMarc, Inc.	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mississippi Valley Title Services Company	Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.
Old Republic Escrow of Vancouver, Inc.	Old Republic Exchange Company	Old Republic National Ancillary Services, Inc.	Old Republic Title and Escrow of Hawaii, Ltd.	Old Republic National Title Insurance Company
Old Republic Title Company	Old Republic Title Company of Conroe	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma	Old Republic Title Company of Oregon
Old Republic Title Company of St. Louis	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.	Old Republic Title, Ltd.	RamQuest Software, Inc.
Republic Abstract & Settlement, LLC	Sentry Abstract Company	Surety Title Agency, Inc.	Trident Land Transfer Company, LLC	

SOUTHERN UTAH TITLE COMPANY

July 1, 2001

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From our Internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, title companies, exchange companies, appraisers, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access Your Personal Information and Ability To Correct Errors Or Request Changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Southern Utah Title Company
20 North Main #403, St. George, UT 84770

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.

This map is for information purposes only and is in no way to be incorporated as being part of this Commitment and/or Title Insurance Policy

BOOK PAGE

- ① H-3-2-6-3100 HURRICANE CITY 8235 P 957
- ② H-3-2-6-3101 HURRICANE CITY 20070037177
- ③ H-3-2-6-1403 CYPRESS CAPITAL LLC 25%
HARD MONEY LLC 15.144%
LIARIN GROUP LLC 12.104%
EIGHTY PLUS LLC 7.0315%
PRIVATE EQUITY LLC 13.0104%
LOAN ONE LLC 27.1%
20120035274

SECTION 6
T42S R13 W

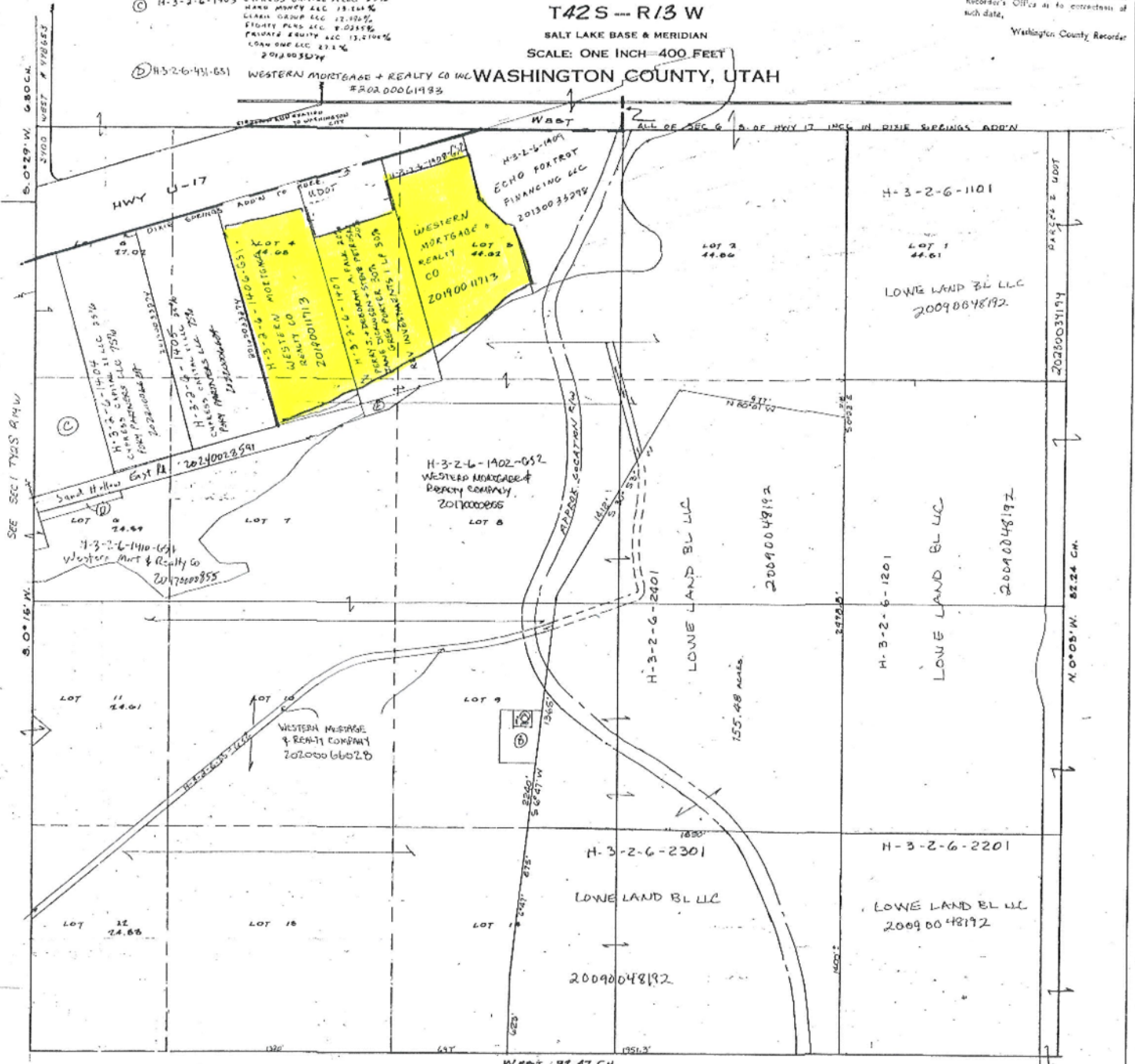
SALT LAKE BASE & MERIDIAN

SCALE: ONE INCH=400 FEET

WASHINGTON COUNTY, UTAH

The plat is furnished for information only.
No liability is assumed by Assessor's or
Recorder's Office as to correctness of
such data.
Washington County Recorder

- ④ H-3-2-6-1402-051 WESTERN MORTGAGE & REALTY CO INC
#20200061983



West: 92.47 CH.

Zion Regional Medical Center – Zone Change Application

Applicant Name and Representative

Applicant: ZRMC Operating, LLC
3100 W. Ray Road, Ste 201
Chandler, AZ 85226

Representatives: Jared Cox
2715 E. Hermosa Vista Dr.
Mesa, AZ 85213

Karl Rasmussen
20 S. 850 W. #1
Hurricane, UT 84737



STAFF COMMENTS

Agenda Date:	05/22/2025 - Planning Commission
Application Number:	N/A
Action Type:	Legislative
Applicant:	ZRMC Operating LLC
Agent:	Jared Cox and Karl Rasmussen
Request:	Request for a Development Agreement for a building-height exception, and other terms, to allow construction of an 85-foot hospital building in the Highway Commercial zone.
Location:	3150 W State St
Zoning:	Highway Commercial HC
General Plan Map:	General Commercial
Recommendation:	Recommend approval to the City Council
Report Prepared by:	Fred Resch III

Discussion:

The applicant requests to enter into a development agreement with the City to allow a building-height exception, and other terms, for the construction of an 85-foot hospital building on three parcels located south of State Route 9 that are intended to be developed as the Zion Regional Medical Center campus. The site is zoned Highway Commercial and the maximum building height allowed in the Highway Commercial zone is 35 feet. Although the height exception would be primarily for the hospital, the applicant is requesting that the 85-foot height limit apply to the entire development site to allow for future planning flexibility. Pursuant to Utah State Code §10-9a-532, municipalities may enter into development agreements with property owners that include deviations from zoning standards, provided the process follows the requirements for a land use ordinance amendment. This includes holding a public hearing and receiving a formal recommendation from the Planning Commission.

	Zoning	Adjacent Land Use
North	HC, PC	State Route 9, undeveloped property and Sky Rim development on north side
East	HC	Undeveloped property
South	OS, R1-15	Undeveloped property
West	HC	Undeveloped property



Considerations:

There are no considerations in state or city code for a request of this type. Notwithstanding, staff provides the following analysis:

- The Hurricane City General Plan recommends the following goal: *“Coordinate with health care companies to expand their medical facility in Hurricane.”* Supporting the development of the proposed medical facility will help meet this goal.
- Allowing the height exception for the proposed hospital buildings will allow for more efficient use of the space and meet the needs of the entire region and will benefit the City in both the short and long term.
- The proposed hospital tower is setback approximately 450 feet from State Route 9, and all other buildings are also adequately set back from the right-of-way. The site is located at the base of a bluff that is 80 feet tall, which would indicate that the buildings are unlikely to affect scenic vistas.
- This area of town is planned as a commercial corridor, and a hospital facility is therefore consistent with the intended development patterns for the area.
- The property is currently isolated and does not have adequate public facilities (HCC 10-37-4). While staff is generally not in favor of approving a development that is isolated from other developments, this project is considered critical for the City and the region, thus the proposed development agreement should include language ensuring that adequate public facilities are available to the property before construction begins.

Findings:

Staff makes the following findings:

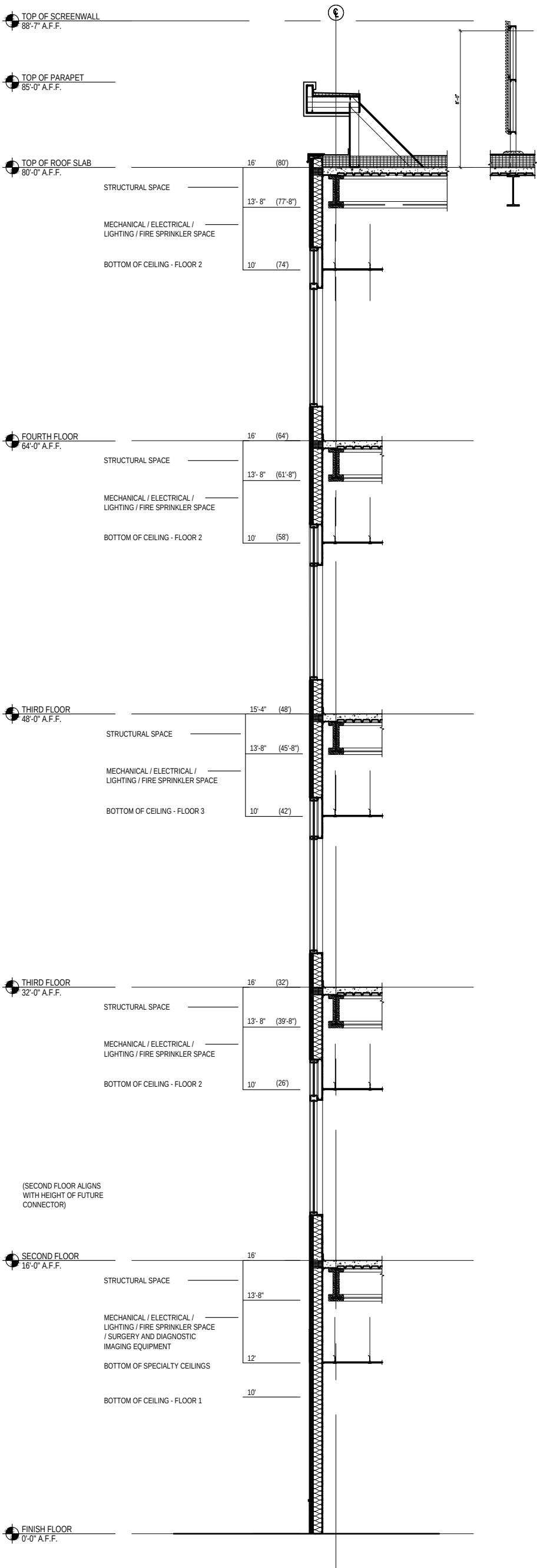
1. The proposal is consistent with the General Plan by supporting the development of medical facilities.
2. The proposed position of the building will limit impacts on viewsheds by being mostly below the height of adjacent bluffs.

05/22/2025

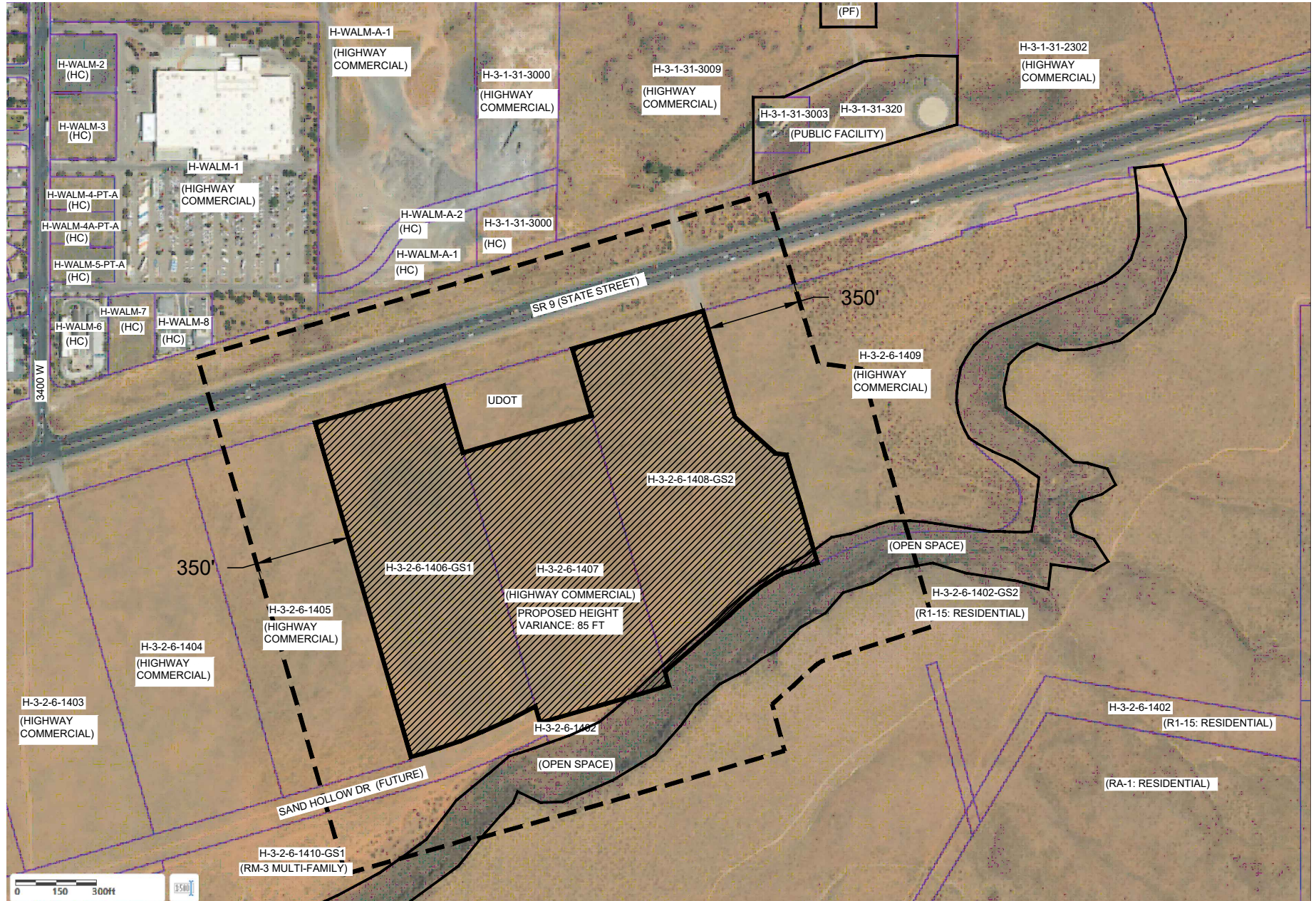
3. This proposal supports an important industry and is a critical project for the City and region.

Recommendation: Staff recommends that the Planning Commission consider any public comments received in the public hearing send a recommendation to the City Council to approve a development agreement that will:

- 1) Provide a maximum building-height exception of 85 feet; and
- 2) Require that all public facilities for the project will be provided at adequate levels by the developer before subsequent land-use approvals are granted.



ZION REGIONAL MEDICAL CENTER ZONING MAP



Recording Requested By, and
Return Recorded Document to:
Hurricane City
147 N. 870 W.
Hurricane, UT 84737

APN: H-3-2-6-1406-GS1; H-3-2-6-1407;
H-3-2-6-1408-GS2

DEVELOPMENT AGREEMENT FOR ZION REGIONAL MEDICAL CENTER

This Development Agreement For Zion Regional Medical Center (“Agreement”) is made and entered as of the 5th day of June, 2025 (the “Effective Date”), by and between HURRICANE CITY, a Utah municipal corporation (hereinafter referred to as the “City”) and WESTERN MORTGAGE & REALTY COMPANY, a Washington Corporation (“Western Mortgage”) and ZRMC OPERATING, LLC, a Utah limited liability company (“ZRMC”). Western Mortgage and ZRMC are referred to collectively herein as the “Developer”. The City and Developer are referred to collectively as the “Parties.”

RECITALS

- A. Developer is the owner of land located within Hurricane City as is more particularly described on EXHIBIT A, attached hereto and incorporated by reference (the “Property”).
- B. Developer is proposing the development of a medical center on the Property and is requesting that medical buildings on the Property be allowed to be built to a height up to 85 feet.
- C. The Hurricane City Council finds that the requested height of 85 feet is essential to accommodate the technical and operational requirements of modern healthcare and medical office design, and that accommodating the height requirements of a medical facility within the City will provide a vital service to the community.
- D. The Hurricane City Council also finds that the Property is uniquely situated against a bluff that is similar in height to the proposed medical buildings, which will mitigate the visual impact of buildings that will exceed the standard building height restrictions.
- E. Therefore, the Hurricane City Council desires to permit medical buildings up to 85 feet in height on the Property, subject to the terms and conditions of this Agreement.
- F. This Agreement is a development agreement authorized by Utah Code section 10-9a-532, as amended.

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 agree as follows:

1. *Incorporation.* The above recitals are incorporated by reference herein.
2. *Increased Building Heights.* Hospital towers, hospital buildings, medical office buildings, cancer center buildings, medical rehabilitation buildings, and medical clinics (referred to hereinafter as “Medical Buildings”) are permitted to be constructed on the Property at a height not to exceed 85 feet. The height of buildings on the Property other than Medical Buildings shall comply with the standard building height restrictions of the applicable zoning. Medical Buildings constructed at heights in excess of the standard 35-foot height limit shall not be converted to a non-medical use.
3. *Compliance with Federal Code; Utah Code; City Code; and City Standards, Manuals, and Specifications.* Except for the modification of the generally applicable building height limitations, this Agreement in no way waives or limits the requirements of the Developer to comply with all applicable federal laws and regulation, Utah codes and regulations, City codes, and City Standards, Manuals, and Specifications. Developer shall comply with all applicable laws and regulations.
4. *No Entitlements.* Except for the modification of the generally applicable building height limitations, this Agreement grants no entitlements to Developer.
5. *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 all successors in the ownership of any portion of the Property.
6. *Agreement Expiration.* If no building permit for at least one Medical Building has been issued on the Property on or before June 5, 2035, this Agreement shall automatically terminate and all buildings on the Property shall comply with the generally applicable building height restrictions.
7. *Recognition of Lack of Public Facilities; No Obligation by Hurricane City to Extend Services or Facilities.* Developer understands, acknowledges, and specifically agrees that adequate public facilities are not available to serve the Property, and that the Hurricane City Code prohibits the City from approving proposed development if the resulting demand for a public facility will exceed adopted level of service standards unless public facility improvements, reasonably calculated to raise service levels to adopted level of service standards, will be available to serve the development. The Parties acknowledge that making public facilities available to the Property is multi-faceted, involves public financing requirements, requires acquisition of private property rights, involves the potential discretionary exercise of governmental eminent domain powers, involves public

policy considerations, involves factors that may be outside the immediate control of the City, and is subject to factors that cannot be known at this time. Therefore, the Developer specifically acknowledges and agrees that the City has no obligation to make public facilities or services available to the Property or to approve any further development of the Property until adequate public facilities are provided to the Property. This Agreement does not entitle Developer to any priority or special treatment related to the development of adequate public facilities. The City makes no warranty or representation as to when or if public facilities will become available to support development of the Property.

8. Scope and Limitations of Commitment. Developer acknowledges and agrees that the terms of this Agreement regarding the building heights and the availability of public facilities represent the actual agreement between the Parties. Statements or representations made by City staff or City officials outside this Agreement are not binding on the City and cannot be relied on by Developer.
9. Authority. Each Party warrants and represents that they have the authority to execute this Agreement in the capacities indicated.
10. Representation by Counsel. Developer has had a full and fair opportunity to consult with its counsel regarding the terms and conditions of this Agreement, including the risks to Developer if Developer undertakes any development-related actions pertaining to the Property.

CITY:

HURRICANE CITY, a Utah Municipal Corporation

By: _____
Mayor Nanette Billings

DEVELOPER:

WESTERN MORTGAGE & REALTY COMPANY, a Washington Corporation

By: _____
Name: Tim Tippet
Title: President

ZRMC OPERATING, LLC, a Utah limited liability company

By: _____
Name: _____
Title: Manager

Zion Regional Medical Center

Legal Description

COMMENCING AT THE NORTH QUARTER (1/4) CORNER OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE ALONG THE NORTH SECTION LINE OF SAID SECTION 6, N88°53'50"W 952.90 FEET; THENCE SOUTH 34.90 FEET TO THE POINT OF BEGINNING; THENCE S16°11'34"E 367.67 FEET; THENCE S47°32'47"E 200.00 FEET; THENCE S80°04'39"E 42.63 FEET; THENCE S15°13'38"E 332.35 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 206.81 FEET, HAVING A RADIUS OF 856.00 FEET AND A RADIAL BEARING OF S24°42'00"E, THROUGH A CENTRAL ANGLE OF 13°50'34" (LONG CHORD BEARS: S58°22'43"W 206.31 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A 2300.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT A DISTANCE OF 450.12 FEET, THROUGH A CENTRAL ANGLE OF 11°12'47", (LONG CHORD BEARS: S57°03'50"W 449.41 FEET); THENCE S62°40'14"W 545.96 FEET TO THE NORTH RIGHT-OF-WAY LINE OF SAND HOLLOW EAST ROAD DOCUMENT NUMBER# 20240028591; THENCE ALONG SAID RIGHT-OF-WAY LINE OF SAID SAND HOLLOW EAST ROAD THE FOLLOWING TWO (2) COURSES: (1) WESTERLY ALONG THE ARC OF A 2350.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 496.39 FEET, THROUGH A CENTRAL ANGLE OF 12°06'09", (LONG CHORD BEARS: S68°43'18"W 495.46 FEET); (2) S74°46'22"W 7.30 FEET; THENCE N15°13'38"W 1218.87 FEET; THENCE N67°41'06"E 137.79 FEET; THENCE N72°21'52"E 82.63 FEET; THENCE N73°55'20"E 127.33 FEET; THENCE N76°00'01"E 153.43 FEET TO THE BOUNDARY OF A UTAH DEPARTMENT OF TRANSPORTATION (UDOT) PARCEL; THENCE ALONG SAID BOUNDARY THE FOLLOWING THREE (3) COURSES: (1) S15°13'38"E 202.15 FEET; (2) N74°48'22"E 500.00 FEET; (3) N15°13'38"W 203.70 FEET; THENCE N73°42'00"E 508.23 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1,655,924 SQUARE FEET OR 38.015 ACRES.



STAFF COMMENTS

Item: Consideration and possible approval of Ordinance 2025-12 amending Title 10, Chapter 43 regarding site-built dwelling units in platted RV parks; Land Use Code Amendment No. LUCA25-04; Western CRE-Joby Venuti, Applicant; Rosenberg & Associates, Agent

Discussion: The applicant is requesting a change to the Hurricane City Land Use Code, Title 10, regarding development standards for permanent site-built dwellings (i.e., “stick-built” single-family homes) in platted RV parks such as Canyons RV. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and limited manufactured home use. Canyons RV Park is unusual because it is a platted RV park subdivision that has been developed mostly with permanent residential units. This is because in 2019, the same applicant petitioned the City to change the code to allow stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. The 2019 code change was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered porches not exceeding 15’ high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.”* However, the size and height limits have prevented the construction of garages on the site-built homes, therefore, the applicant is requesting that these restrictions be adjusted to facilitate garage construction. The height limit is proposed to be increased to 35 feet, and the 900-square-foot size limit is proposed to apply to the building footprint. These changes would allow the homes to expand to two stories in height and 1,250 to 1,400 square feet in size.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and expressed support for the proposed code change. The commissioners felt that the changes would improve a bad situation that had inadvertently been created with the old park-model dwellings that were approved for the Canyons RV Park several decades ago. They also felt that the code change might help to provide needed affordable housing options. And although this is a general code update, the commission was comfortable with the global nature of the changes, since Canyons RV Park is the only RV park subdivision with separate water meters that was recorded prior to January 2020, and these standards could therefore only be applied to Canyons RV. In other words, there are no other RV parks that would be allowed to construct 1,400-square-foot, two-story, site-built homes. The Planning Commission unanimously recommended approval of the proposed code update for Canyons RV.

Property Information

- Address: 88 Lava Rd, Hurricane
- Parcel Nos.: Multiple parcels
- Parcel area: approx. 38.19 acres
- Zoning: Mobile Home/RV Park (MH/RV)
- General Plan: General Commercial
- Existing Development: Site is developed with RVs and park model homes.

Findings:

Recommendation: Staff recommends approval of the proposed code change. — Gary Cupp



Application

Application Accepted Date: 05/01/2025		Valuation		\$	0.00					
Type of Improvement: Land Use Code Amendment Application		PERMIT FEES								
Description:		Planning Fee		\$	500.00					
Tenant / Project Name: Canyons RV Resort		Planning Fee		\$	500.00					
Bldg. Address: 100N 2750 W		Sub Total:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	500.00					
Subdivision: Canyons RV Resort Phase:		Amount Paid:		\$	500.00					
Block: Lot #: multiple Parcel ID #: Multiple Tax ID's		Remaining Due:		\$	0.00					
Zone: MH/RV										
Property Owner: Western Commercial Real Estate, PLLC										
Permit Contact: Joby Venuti P:(435) 632-5629										
Email: joby@netutah.com										
CONTACT INFORMATION										
Engineer of Record: Rosenberg & Associates										
Email: brandona@racivil.com P: (435) 673-8586										
General Contractor: Western CRE										
License #: P: (435) 632-5629										
City: State: Zip:										
Email: joby@netutah.com										
APPLICATION DETAILS										
# of Units: 0		custom text:								
						APPROVALS				
						DATE				
						INFO				
Setbacks										
Front: Rear: Left: Right:										
Min.										
Actual:										
APPLICATION NUMBER: PLANLUCA25-04										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Joseph Venuti										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #: 230222562-05/01/25										



PLANNING & ZONING
HURRICANE CITY
UTAH

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

LAND USE ORDINANCE TEXT AMENDMENT CHECKLIST

For office use only: \$500.00 Fee

The proposed text amendment would be to what Chapter and section of the current Land Use Code: _____

Section 10-43-6. D.1.

The purpose this change would accomplish _____

See Attached

- 1) If the proposed request is to create a new zone applicant shall attach a purpose statement for this new zone as found in Chapter 11 for the existing zones. Purposed uses and standards shall be submitted as found in the appropriate zoning group; Residential, Residential Agricultural, Commercial, Industrial, or Open Space and Public Facility Zones.

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 and fourth Thursday of each month at 6:00 p.m. The deadline for submission is 14 days prior to the desired meeting. 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.

.....
I (we) have read and understand the requirements of this application and all information is true and accurate to the best of my (our) abilities.

Applicant Name: Western Commercial Real Estate, PLLC Date: 05-01-2025

Signature: 
Joseph Venuti, Manager



STAFF COMMENTS

Agenda Date:	05/22/2025 - Planning Commission
Application Number:	LUCA25-04
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Joby Venuti
Agent:	Rosenberg & Associates
Request:	Amend Title 10, Chapter 43 regarding site built dwellings in platted RV parks.
Zoning:	Mobile Home/RV Park MH/RV
Recommendation:	Recommend approval to the City Council.
Report Prepared By:	Fred Resch III

Discussion:

The applicant is requesting a change to the Hurricane City Land Use Code regarding permanent site-built dwellings (i.e. “stick-built” single-family homes) in platted RV parks. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and some manufactured home use. The applicant is the developer within Canyons RV park. Canyons RV park is unusual due to the mostly permanent residential nature of a site that is a platted RV park subdivision. In 2019 the applicant petitioned the City to change the code to allow for stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. This code was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered porches not exceeding 15’ high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.” (HCC 10-43-6(D)(1))*

Because of the restrictions on building height and size included in the code cited above, the site-built dwellings constructed in Canyons RV park over the past several years have been built without garages. As the developer prepares additional lots, the applicant is requesting the height restriction be removed, so the buildings can be built with a garage and living space on the now-permissible second story. Staff does not have any inherent concerns with the proposal.

Recommendation:

The Planning Commission should consider the proposed ordinance amendment and any public comments received at the public hearing. Staff recommends the Planning Commission make a recommendation of approval to the City Council.

Sec. 10-43-6. Development standards.

The development of a manufactured home park or subdivision, or recreational vehicle park shall conform to applicable standards and requirements of this section and as set forth in table 10-43-1 of this section unless modified by a planned development approved pursuant to chapter 23 of this title.

A. *General requirements.*

1. *Layout.* Land not contained within individual lots or spaces, roads, or parking shall be set aside and developed as parks, playgrounds, trails, and service areas for the common use and enjoyment of occupants of the development, and the visitors thereto.
2. *Location.*
 - a. A manufactured home subdivision may be located on any lot as allowed by the zone where the lot is located;
 - b. A recreational vehicle park should generally be located:
 - (1) Adjacent to or in close proximity to a major collector or arterial road as shown in the City's transportation master plan;
 - (2) Near adequate shopping facilities.
3. *Plan preparation.* Plans for a manufactured home park or subdivision or recreational vehicle park shall be prepared by a licensed architect, licensed engineer, and/or licensed land surveyor.

B. *Building standards.* All standards shown in table 10-43-1 of this section must be met.

C. *Site improvements.*

1. *Access to lots and spaces.* Sufficient access shall be provided to each manufactured home or recreational vehicle lot or space to allow maneuvering of homes or vehicles into position.
 - a. The accessway shall be kept free from trees and other obstructions.
 - b. Paving under a manufactured home is not required if adequate support is provided as required by applicable building codes. Use of planks, steel mats or other means to support the manufactured home during placement is allowed so long as the same are removed upon completion of placement.
2. *Common area.* Except for a manufactured home subdivision, one or more common areas equal to at least ten percent of the land area of the development shall be set aside for the joint use and enjoyment of occupants. Land covered by vehicular roadways, sidewalks, and off street parking shall not be included in calculating this ten percent common area requirement; provided, however, that in initial phases of development, the minimum area shall be not less than one-half acre or ten percent of the land area under development, whichever is greater.
3. *Connection to City services.* Each manufactured home or recreational vehicle shall be connected to the City water system and the Ash Creek special service district wastewater disposal system, except as otherwise allowed by the regulations for such systems.
4. *Landscaping.* Any area not covered by a manufactured home or recreational vehicle, hard surfacing, or a building shall be landscaped per an approved site plan.
5. *Laundry.* A laundry may be provided for the convenience of residents within a manufactured home park or subdivision or recreational vehicle park, but not for the general public.

-
6. *Lighting.* Lighting shall be provided to meet safety standards and the lighting guidelines in section 10-33-7 of this title and shall be shown on the site plan.
 7. *Parking.* Off street parking requirements for a manufactured home park or subdivision or recreational vehicle park shall be provided on each lot or space as follows:
 - a. Manufactured home park or subdivision: two parking spaces per lot or space.
 - b. Recreational vehicle park: one parking space per RV space.
 - c. Each parking space shall have a minimum width of nine feet and minimum depth of 18 feet.
 - d. Before a lot or space may be occupied, all off street parking areas and driveways shall be surfaced with a material acceptable to the City.
 8. *Roadway design.* Accessways within a manufactured home park or recreational vehicle park shall conform to construction design standards and specifications adopted by the City unless modified by a planned development approved pursuant to chapter 23 of this title.
 9. *Roads within a manufactured home subdivision.* Roads within a manufactured home subdivision shall conform to construction design standards and specifications adopted by the City unless modified by a planned development approved pursuant to chapter 23 of this title.
 10. *Skirting.* Each manufactured home shall be skirted.
 11. *Storage, waste receptacles, and additions.*
 - a. All storage and solid waste receptacles other than individual homeowner trash receptacles shall be contained within an enclosure at least six feet high.
 - b. All patios, carports, garages and other additions to a manufactured home shall be compatible in design and construction with the associated home. Such facilities shall be constructed in accordance with applicable building codes and kept in good repair.
 12. *Storm drainage facilities.* Storm drainage facilities shall be constructed to protect residents of the development as well as adjacent property owners in accordance with applicable provisions of this Code and the adopted storm drainage plan as reasonably determined by the City Engineer.
- D. *Standards specific to recreational vehicle parks.*
1. No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel. However, a site built dwelling unit up to a footprint of 900 square feet inclusive of covered porches and a maximum height of 35 feet shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the county recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50 percent of the lot in structures.
 2. Recreational vehicle parks shall not be designed for use as permanent residences, except for that of the owner/manager and permanent maintenance personnel. All recreational vehicles within a recreational vehicle park shall display current license plates/tags.
 3. Reserved.
 4. Each park must provide an adequate and easily identifiable office or registration area. The location of the office shall not interfere with the normal flow of traffic into and out of the recreational vehicle park.

5. Each recreational vehicle unit shall be equipped with wheels, which remain on the unit; however, the wheels may be blocked for stability.
6. No permanent room additions shall be attached to recreational vehicles, nor shall any permanent structure be constructed on a recreational vehicle lot except shade structures open on three sides that conform to current NFPA standards for recreational vehicle parks and campgrounds.
7. A minimum of one toilet, one sink, and one hot shower, each designed for complete privacy, for each 40 spaces, or fraction thereof, is required.
8. Conversion of an established residential park to another residential use shall be subject to review and approval based on codes and zones in place at the time of conversion. A zone change will be required.

E. *Table 10-43-1.*

TABLE 10-43-1
DEVELOPMENT STANDARDS MANUFACTURED HOME AND RECREATIONAL VEHICLE PARKS AND
SUBDIVISIONS

Development standard	Manufactured home subdivision	Manufactured home park	Recreational vehicle park
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres
Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel
Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height, service building	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,000 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	As allowed under the NFPA 1194 standard for RV parks and

			campgrounds as it currently exists and as it may be amended in the future
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard, interior	10 ft.	8 ft.	7 ft.
Side yard, street	20 ft.	15 ft.	7 ft.
Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			
Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section		
Common area	Not required	10% of land area; see subsection C2 of this section	
Connection to City services	Must connect to City water system and Ash Creek special service district wastewater disposal system; see subsection C3 of this section		
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section		
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section		
Roadway and accessway design	See subsections C8 and C9 of this section		

(Ord. 2014-10, 11-6-2014; Ord. 2019-04, 5-2-2019; Ord. 2020-05, 2-6-2020; Ord. No. 2023-13, 8-3-2023)

Created: 2025-05-09 16:10:59 [EST]

(Supp. No. 4, Update 1)

This request is to change the language in Section 10-43-6. D. 1. to read - a site built dwelling unit **with a footprint** up to 900 square feet... No other changes are being requested

This request is being made so that the buyers can add garages in the 900 s.f. on the main floor and a second floor for living in the small houses being constructed in the Canyons. The second floor would allow the houses to be approximately 1,250 s.f. to 1,400 s.f.

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTER 43 WITH REGARDS TO DEVELOPMENT STANDARDS FOR SITE BUILT DWELLING UNITS IN PLATTED RV PARK SUBDIVISIONS

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 10, Chapter 43 of the Hurricane City Code governing development standards for site built dwelling units in platted RV park subdivisions; and

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

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

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 43, Section 10-43-6(D)(1) of the Hurricane City Code is amended to read as follows:

D. Standards specific to recreational vehicle parks.

1. No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel. However, a site built dwelling unit up to a footprint of 900 square feet inclusive of covered porches and a maximum height of 35 feet shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the county recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50 percent of the lot in structures.

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 43, Section 10-43-6(E) of the Hurricane City Code is amended to read as follows:

E. Table 10-43-1.

TABLE 10-43-1
DEVELOPMENT STANDARDS MANUFACTURED HOME AND RECREATIONAL VEHICLE PARKS
AND SUBDIVISIONS

Development standard	Manufactured home subdivision	Manufactured home park	Recreational vehicle park
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres

Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel
Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,000 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	As allowed under the NFPA 1194 standard for RV parks and campgrounds as it currently exists and as it may be amended in the future
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard, interior	10 ft.	8 ft.	7 ft.
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Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			
Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section		
Common area	Not required	10% of land area; see subsection C2 of this section	

Connection to City services	Must connect to City water system and Ash Creek special service district wastewater disposal system; see subsection C3 of this section
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section
Roadway and accessway design	See subsections C8 and C9 of this section

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

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
3. This Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 5th day, June 2025.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt

and approve said Ordinance was made by _____ and seconded by
_____. A roll call vote was then taken with the following results:

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

Cindy Beteag, Recorder



STAFF COMMENTS

Item: Consideration and possible approval of Zone Change Amendment Ordinance ZC25-11, a request for a zone change located at 2400 W and Liberty Way from Light Industrial (M-1) to Single Family Residential (R1-10/PDO) and to update the overall PDO for the Balance of Nature Gardens property; Parcel Number H-3373-NP-BL; Douglas Howard, Owner; EPS Group, Inc., Agent

Discussion: The applicant is seeking a zone change and PDO update for the Balance of Nature Gardens project, located north of 3000 S. This PDO zone for this project was originally approved in 2021. Liberty Village is part of this development, although it now operates independently of Balance of Nature. The applicant is proposing modifications to the overall development and is requesting a zone change to accommodate adjustments in layout, land uses, and development standards. The primary reason for the requested zoning update is to remove the 27-acre Light Industrial M-1 zone, since a manufacturing facility once planned on the southwest portion of the property will no longer be constructed. Additionally, the applicant is requesting changes to the permitted land uses within the development, along with amendments to standards regarding setbacks and building heights, and a request for private street right-of-ways.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and expressed several concerns, primarily regarding the proposed removal of the Light Industrial M-1 zone and the manufacturing facility. Shelley Goodfellow viewed the loss of the industrial component as an unfulfilled promise, since the applicants originally promised that it would bring jobs to the city and now it's off the table. She further stated that the project seems to have changed from what was "originally pitched." Mark Sampson expressed a desire to have a work meeting to further discuss the project. During the meeting, the commissioners asked staff questions about the project, including whether the R1-10/PDO is the appropriate zone for the project. They also inquired of staff about why the city doesn't support the proposed private streets. Brad Winder feels that the project is similar to Disney Land, which has private streets. Staff explained that this project is significantly different from Disney Land in that it includes private residential units that would be best served by public streets for the provision of utilities. Furthermore, private streets are expressly prohibited in the PDO zone. Ultimately, the commission generally supports the project and desires that it be successful. The Planning Commission voted 6 to 2 in favor of recommending approval of the zone change amendment to the City Council, subject to the JUC and Staff Comments within the Staff Report.

Property Information

- Address: 2400 W at Liberty Way, Hurricane

- Parcel No.: H-3373-NP-BL
- Parcel area:133 acres
- Zoning: Single Family Residential R1-10/PDO
- General Plan: Mixed Use
- Existing Development: Site is being developed for Liberty Village.

Findings:

- The proposed site zoning amendment aligns with the General Plan Map and Goals due to the mixed-use nature of the development.
- There is currently little to no development adjacent to the property. To help buffer the adjacent undeveloped properties from the proposed development, the applicant has included open space and orchards along the project boundaries. The project is therefore found not to conflict with or be inconsistent with nearby development.
- The project is not expected to have adverse impacts on the surrounding area. Furthermore, the development was previously considered and anticipated, and the proposed changes are likely to reduce the overall project impact with the elimination of the industrial component of the proposed project.
- Although public services and facilities are currently insufficient to support the development, this zone change amendment is unlikely to worsen that status. The development agreement should be refined to further protect the City's interests regarding the provision of adequate public facilities.
- Before final approval by the City Council, staff finds that the proposed preliminary site plan and amendments to the development agreement require further refinement to ensure they adequately address infrastructure and planning considerations as outlined in the Staff Report.

Recommendation:

Staff recommends that consideration of the item be tabled so that staff can further work with the applicants to address the following:

- Staff does not support the proposed private street right-of-ways; the site plan needs to be updated to show public streets.
- The project density is incorrectly stated on the site plan and needs to be updated.
- Several of the proposed land uses still need clarification on the site plan.
- The development standards and any requested exceptions need to be clarified on the site plan.
- Once the site plan is finalized, an amendment to the existing development agreement detailing the specific changes needs to be drafted for the Council's consideration. – Gary Cupp



Application

Application Accepted Date: 03/19/2025		Valuation		\$	0.00					
Type of Improvement: Zone Change Application		PERMIT FEES								
Description: Zone Change from R1-10 & M-1 PDO to R1-10 PDO.		Planning Fee		\$	500.00					
		Planning Fee		\$	500.00					
		Sub Total:		\$	500.00					
Tenant / Project Name: Balance of Nature Gardens "BoN Gardens"		Permit Total:		\$	500.00					
Bldg. Address: NWC 2100 W & Liberty Way		Amount Paid:		\$	500.00					
City: Hurricane City State: UT Zip: 84737		Remaining Due:		\$	0.00					
Subdivision: Phase:										
Block: Lot #: Parcel ID #: H-3373-NP										
Zone: R1-10 & M-1 PDO										
Property Owner: Molly's View LLC										
Permit Contact: Natalie Maikoski P:(480) 503-2250										
Email: natalie.maikoski@epsgroupinc.com										
CONTACT INFORMATION										
Engineer of Record: Joe Petrucci										
Email: joe.petrucci@epsgroupinc.com P: (480) 503-2250										
General Contractor: Tom Snyder										
License #: 10497196-5301 P: (480) 503-2250										
Address: 1130 N Alma School Road, Suite 120										
City: Mesa State: AZ Zip: 85201										
Email: tom.snyder@epsgroupinc.com										
APPLICATION DETAILS										
# of Units: 0		custom text:								
						APPROVALS				
						DATE				
						INFO				
Setbacks										
Front: Rear: Left: Right:										
Min.										
Actual:										
APPLICATION NUMBER: PLANZC25-11										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Natalie Maikoski										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By: Date:										
Application Issued By: Date:										
Receipt #: 8.186109-03/19/25										



Application

Application Accepted Date: 03/19/2025		Valuation		\$	0.00					
Type of Improvement: Site Plan (Preliminary)		PERMIT FEES								
Description: Preliminary Master Site Plan for a proposed mixed-		Planning Fee		\$	200.00					
Tenant / Project Name: Balance of Nature Gardens "BoN Gardens"		Planning Fee		\$	200.00					
Bldg. Address: NWC 2100 W & Liberty Way		Sub Total:		\$	200.00					
City: Hurricane City State: UT Zip: 84737		Permit Total:		\$	200.00					
Subdivision: Phase:		Amount Paid:		\$	200.00					
Block: Lot #: Parcel ID #: H-3373-NP		Remaining Due:		\$	0.00					
Zone: R1-10 PRD										
Property Owner: Molly's View LLC										
Permit Contact: Natalie Maikoski P:(480) 503-2250										
Email: natalie.maikoski@epsgroupinc.com										
CONTACT INFORMATION										
Engineer of Record: Joe Petrucci										
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General Contractor: Tom Snyder										
License #: 10497196-5301 P: (480) 503-2250										
Address: 1130 N Alma School Road, Suite 120										
City: Mesa State: AZ Zip: 85201										
Email: tom.snyder@epsgroupinc.com										
APPLICATION DETAILS										
DRAFT										
Setbacks		Front:	Rear:	Left:	Right:					
Min.										
Actual:										
APPLICATION NUMBER: PLANPSP25-08										
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.										
Applicant Name: Natalie Maikoski										
Signature of Applicant/Authorized Agent or Owner: Date:										
Application Approved By:			Date:							
Application Issued By:			Date:							
Receipt #:										

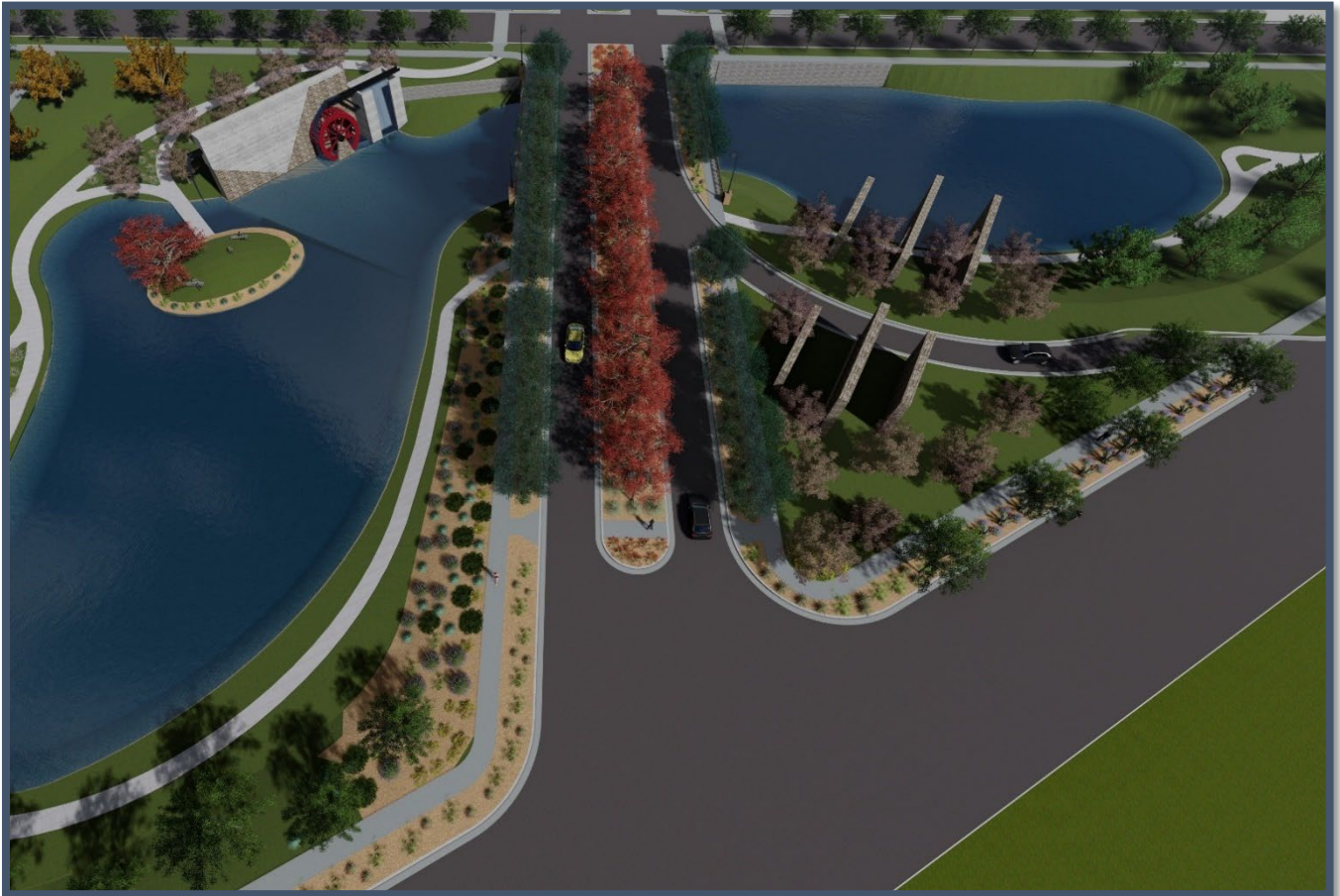
Balance of Nature Gardens

Zone Change & Planned Development Overlay Project Narrative

*NWC of 2100 W & Liberty Way
Hurricane City, Utah*

Prepared: February 28, 2025

Revised: May 14, 2025



DEVELOPMENT TEAM

Property Owner

Molly's View LLC
1568 S River Rd, Ste 200
Saint George, UT 84790
Contact: Douglas Lex Howard, CEO

Architect

Orcutt | Winslow
2929 N Central Ave, Eleventh Fl
Phoenix, AZ 85012
Contact: Neil Terry

Landscape Architecture Consultant

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1130 N Alma School Road, Ste 120
Mesa, AZ 85201
Contact: Tom Snyder

Planning Consultant

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Contact: Tom Snyder

Civil Engineer

EPS Group, Inc.
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Mesa, AZ 85201
Contact: Joe Petrucci

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Introduction

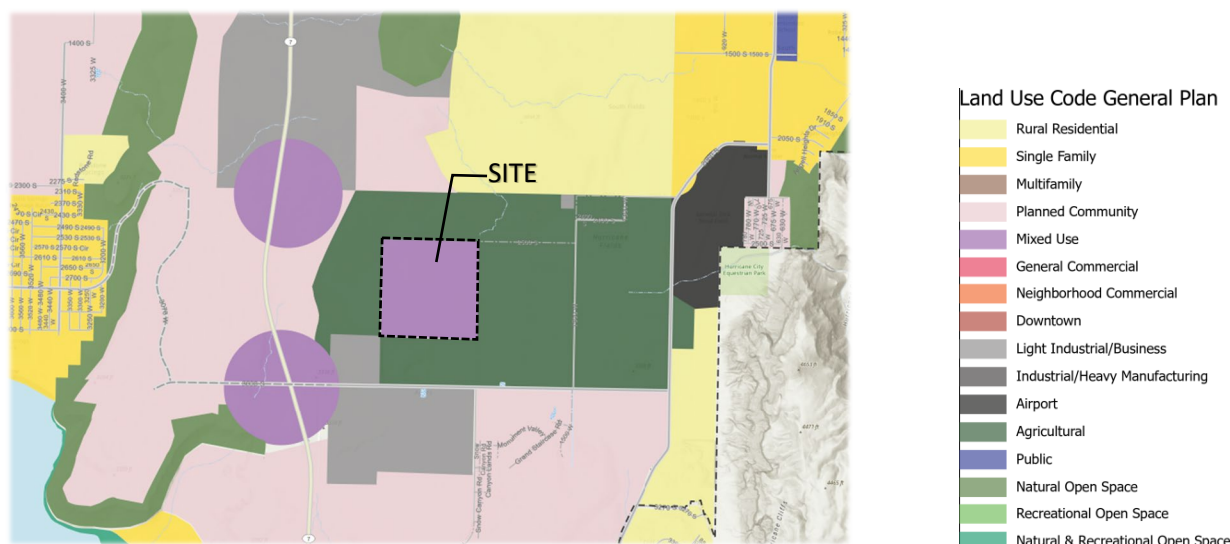
EPS Group, Inc., on behalf of Molly's View LLC (Owner), submits this Zone Change request to facilitate the development of **Balance of Nature Gardens**, a future mixed-use development with a vibrant mix of live-work-play use opportunities. The ±159.62-gross acre site is generally located at the northwest corner of 2100 W and Liberty Way within Hurricane City, Utah and is identified as Washington County Assessor Parcel Number (APN): H-3373-NP. See *Appendix A: Vicinity Map*, *Appendix B: Preliminary Site Plan*, and *Appendix C: Legal Description*.

Site Data

❖ Assessor Parcel Number (A.P.N.):	H-3373-NP-BL
❖ Grose Area:	159.62 Acres
❖ Current Land Use:	Vacant/Undeveloped
❖ Proposed Land Use:	Mixed-Use
❖ General Plan Land Use Area:	Mixed-Use
❖ Existing Zoning:	R1-10 & M-1 PDO
❖ Proposed Zoning:	R1-10 PDO

Current Zoning & General Plan Designation

The site, which is currently undeveloped vacant land, is zoned R1-10 with a Planned Development Overlay (PDO) and M-1. A portion of the site was rezoned to M-1 in 2022 to allow for a future manufacturing site; however, today the manufacturing use is no longer planned for the site. The property owner is now seeking a zone change to R1-10 PDO across the whole of **Balance of Nature Gardens**, also referred to as **BoN Gardens**, to develop this mixed-use site with compatible residential and commercial uses. The site is also appropriately designated as a 'Mixed Use' land use area of the Hurricane City General Plan and is compatible with the proposed development. See *Appendix D: Zoning Map*.



Hurricane City General Land Use Area Map

Proposed Development

Balance of Nature Gardens is a proposed vibrant new mixed-use development that features a range of uses, including headquarter offices for **Balance of Nature**, single and multi-family residences, a Town Center with a mix of residential, retail, and commercial, and Liberty Village, a mixed-use site intended to educate the public about American history, government, and their responsibility to be involved citizens. The focus of the development is to demonstrate healthy living within a community. Various forms of housing are integrated into the fabric of the Master Plan imbuing the character of a European City. The Master Plan will be implemented in five phases over the project duration. *See Appendix E: Illustrative Master Plan and Appendix F: Phasing Plan.*

Permitted Uses

The permitted uses for **Balance of Nature Gardens** are described in *Appendix G: Land Use Exhibit*.

Residential Uses:

The residential uses, located at the northeast corner of the site, will be developed per the Development Agreement signed in 2023 under document number 20230025316. This PDO introduces a wide selection of residential lot sizes and types, including Large & Small Lot Detached Residential, Green Court Detached Residential, Alley Loaded Detached Residential, and Townhomes Attached Residential, and Multi-Family residential uses within the Town Center. This variety in lot sizes is intended to offer a broader range of housing options, catering to different lifestyles and budgets within the community.

Residential uses shall be subjected to all Hurricane City regulations and development standards currently in place at the time of development, subject to the terms and conditions of this development guide and as defined in the Development Standards outlined in this document.



Commercial Uses:

The commercial uses will provide a wide range of services to the residents of **Balance of Nature Gardens** and visitors to the area. The mix of uses proposed in this area will provide new high-quality jobs and tax revenue for Hurricane City.

Balance of Nature Gardens commercial uses shall be subjected to all Hurricane City regulations and development standards currently in place at the time of development, subject to the terms and conditions of this development standards defined within this PDO.

Service Building

The southwest corner of the site aims to serve as a hub for deliveries. After the deliveries arrive at the Service Center from bigger trucks, they will be transported up to the Town Center and around the development via smaller utility task vehicles, UTV's, and similar sized vehicles. This will help limit the larger vehicles within the center of the development. Waste will be removed using the same method in reverse.



Permitted Uses Table		
Balance of Nature Gardens Permitted Uses	Hurricane City R1-10 or Commercial Equivalent	Permitted or Conditional?
<i>Residential</i>		
Large Lot Detached Residential	Dwelling, Single Family	Permitted
Small Lot Detached Residential	Dwelling, Single Family	Permitted
Green Court Detached Residential	Dwelling, Single Family	Permitted
Alley Loaded Detached Residential	Dwelling, Single Family	Permitted
Townhomes Attached Residential	Dwelling, Multiple Family	Permitted
Town Center Multi-Family Dwelling **	Dwelling, Multiple Family	Permitted
<i>Commercial</i>		
Barn & Corral	Agricultural Accessory Building	Permitted
Carriage House Pick-Up	Agricultural Accessory Building	Permitted
Casitas/Learning Labs	Hotel / School	Permitted
Service Building	General Retail	Permitted
Amphitheater	Auditorium or Stadium	Permitted
Corporate Offices	Office	Permitted
Fitness/Recreation	Recreation and Entertainment	Permitted
Performing Arts Center	Auditorium or Stadium	Permitted
Specialty Medical Center/Wellness Campus	Hospital / Medical Service	Permitted
Town Center Mixed-Use *	Varies	Permitted
Colonial Church	Church	Permitted
Independence Hall	Cultural Service	Permitted
Restaurant	Restaurant	Permitted
Visitor Center / Museum / Theater	Cultural Service	Permitted
Walapini/Greenhouse	Hotel	Permitted
Colonial Hotel	Hotel	Permitted

* Uses within the Town Center limits are limited to the Hurricane City Code Of Ordinances Sec. 10-15-3, Table 10-15-1 permitted and conditional uses allowed in the General Commercial (GC) zone, except that dwelling, multiple-family shall be a permitted use.



Proposed Density

The current Master Plan proposes 239 residential dwelling units, which is below the maximum allowance per the Development Agreement, signed in 2021, that permitted a total of 325 units. *See Appendix B: Preliminary Site Plan.*

Density Table			
Unit Type	Number of Units	Acreage	Density
Large Lot (85' x 135')	9 Units	159.62 Acres	1.50 Units/Acre
Small Lot (50' x 115')	44 Units		
Green Court Detached	21 Units		
Alley Loaded Detached	81 Units		
Townhomes Attached	48 Units		
Town Center Multi-Family	36 Units		
Total Units	239 Units		

Development Standards

Balance of Nature Gardens shall comply with the standards set forth within the Hurricane City Code and Land Use Ordinance Chapter 23, except as defined in the sections and tables below, which include: A. Residential, B. Commercial, C. Parking, and D. Streets and Circulation.



Residential Standards

The following section contains the listed residential housing types: Large & Small Lot Detached Residential, Green Court Detached Residential, Alley Loaded Detached Residential, and Townhomes Detached Residential. The tables describe the current Hurricane City standards and what the deviations are requested. *See Appendix H: Residential Plot Plans.*

Large & Small Lot Detached Residential

Large and Small Lot Detached Residential lots will be in the northeastern corner of the Master Plan. There will be approximately 9 large lots that are sized 85' x 135'. There will be approximately 44 small lots sized 50' x 115'. The homes will serve local residents as well as those who work within the **Balance of Nature Gardens** community. See *Appendix H: Residential Plot Plans*.



Large & Small Lot Detached Residential Development Standards Table			
Standard	Hurricane City Zoning Ordinance		BoN PDO
	R1-10 Base Standard	PDO Base Standard	Large Lot & Small Lot Detached
<i>Lot Standards</i>			
Average Lot Area	10,000 SF ¹	N/A	N/A
Minimum Lot Area	8,000 SF	N/A	N/A
Minimum Lot Width	80'	N/A	N/A
Maximum Density	N/A	N/A	N/A
<i>Building Standards</i>			
Maximum Height	35' ²	Per R1-10	35'
Building Coverage	50%	N/A	N/A
Distance Between Buildings	10'	10'	10'
<i>Building Setbacks</i>			
Front	25' ³	19' from B/C (Dwelling) 20' from B/SW (Garage)	20' from B/C (Dwelling) 20' from B/SW (Garage)
Rear	20'	10' (Single-Family or Other Structures) 5' (Garage/Accessory)	10' (Single-Family or Other Structures) 5' (Garage/Accessory)
Interior Side Yard	10'	5' (Single-Family) 10' (All Other)	5' (Single-Family) 10' (All Other)
Street Side Yard	20' ⁴	N/A	15' (Can include 10' tract for PUE)
Aggregate Side Yard (on same lot)	N/A	15' (Single-Family or Twin Home) 20' (Other Structures) 10' (Other Uses)	N/A
Perimeter Setback & Buffer	N/A	25' ⁵	15'

1. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.

2. Except as otherwise permitted by subsection 10-13-7C.

3. Except as modified by the provisions of subsection 10-37-12F, setback measurement.

4. When this side setback is required, rear setback may be reduced to ten feet.

5. Equivalent to front yard setback of adjoining zone.

6. Except as otherwise permitted by subsection 10-15-7A.

7. Except as otherwise permitted by subsection 10-16-7A.

Green Court Detached Residential

Green Court Detached Residential lots will be in the northeastern corner of the Master Plan. There will be approximately 21 Green Court lots that will have shared access between units. The homes will serve local residents as well as those who work within the **Balance of Nature** community. See *Appendix H: Residential Plot Plans*.



Green Court Detached Residential Development Standards Table

Standard	Hurricane City Zoning Ordinance		BoN PDO
	R1-10 Base Standard	PDO Base Standard	Green Court Detached
<i>Lot Standards</i>			
Average Lot Area	10,000 SF ¹	N/A	N/A
Minimum Lot Area	8,000 SF	N/A	N/A
Minimum Lot Width	80'	N/A	N/A
Maximum Density	N/A	N/A	N/A
<i>Building Standards</i>			
Maximum Height	35' ²	Per R1-10	35'
Building Coverage	50%	N/A	N/A
Distance Between Buildings	10'	10'	10'
<i>Building Setbacks</i>			
Front	25' ³	19' from B/C (Dwelling) 20' from B/SW (Garage)	10' (Dwelling)
Rear	20'	10' (Single-Family or Other Structures) 5' (Garage/Accessory)	3' Apron from B/C (Garage) 5' from B/C (Dwelling) (If Driveway Provided, then 20' Minimum From B/C)
Interior Side Yard	10'	5' (Single-Family) 10' (All Other)	5' (Single-Family) 10' (All Other)
Street Side Yard	20' ⁴	N/A	15' (Can Include 10' Tract)
Aggregate Side Yard (on same lot)	N/A	15' (Single-Family or Twin Home) 20' (Other Structures) 10' (Other Uses)	N/A
Perimeter Setback & Buffer	N/A	25' ⁵	15'

1. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.

2. Except as otherwise permitted by subsection 10-13-7C.

3. Except as modified by the provisions of subsection 10-37-12F, setback measurement.

4. When this side setback is required, rear setback may be reduced to ten feet.

5. Equivalent to front yard setback of adjoining zone.

6. Except as otherwise permitted by subsection 10-15-7A.

7. Except as otherwise permitted by subsection 10-16-7A.

Alley Loaded Detached Residential

Alley Loaded Detached Residential lots will be in the northeastern corner of the Master Plan. There will be approximately 81 units that will share vehicular access at the back of the lots. The front of the homes will share green space which provides pedestrian access as well. The homes will serve local residents as well as those who work within the **Balance of Nature** community. See *Appendix H: Residential Plot Plans*.



Alley Loaded Detached Residential Development Standards Table			
Standard	Hurricane City Zoning Ordinance		BoN PDO
	R1-10 Base Standard	PDO Base Standard	Alley-Loaded Detached
<i>Lot Standards</i>			
Average Lot Area	10,000 SF ¹	N/A	N/A
Minimum Lot Area	8,000 SF	N/A	N/A
Minimum Lot Width	80'	N/A	N/A
Maximum Density	N/A	N/A	N/A
<i>Building Standards</i>			
Maximum Height	35' ²	Per R1-10	35'
Building Coverage	50%	N/A	N/A
Distance Between Buildings	10'	10'	10'
<i>Building Setbacks</i>			
Front	25' ³	19' from B/C (Dwelling) 20' from B/SW (Garage)	10' (Dwelling)
Rear	20'	10' (Single-Family or Other Structures) 5' (Garage/Accessory)	3' Apron from B/C (Garage) (If Driveway Provided, then 20' Minimum from B/C)
Interior Side Yard	10'	5' (Single-Family) 10' (All Other)	5' (Single-Family) 10' (All Other)
Street Side Yard	20' ⁴	N/A	15' (Can Include 10' Tract)
Aggregate Side Yard (on same lot)	N/A	15' (Single-Family or Twin Home) 20' (Other Structures) 10' (Other Uses)	N/A
Perimeter Setback & Buffer	N/A	25' ⁵	15'

1. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.

2. Except as otherwise permitted by subsection 10-13-7C.

3. Except as modified by the provisions of subsection 10-37-12F, setback measurement.

4. When this side setback is required, rear setback may be reduced to ten feet.

5. Equivalent to front yard setback of adjoining zone.

6. Except as otherwise permitted by subsection 10-15-7A.

7. Except as otherwise permitted by subsection 10-16-7A.

Townhomes Attached Residential

Townhomes Attached residential will be in the northeastern corner of the Master Plan located closer to the Town Center. There will be approximately 48 units. Vehicular access will be provided at the rear of the homes. The homes will serve local residents as well as those who work within the **Balance of Nature** community. See Appendix H: Residential Plot Plans.



Townhomes Attached Residential Development Standards Table			
Standard	Hurricane City Zoning Ordinance		BoN PDO
	R1-10 Base Standard	PDO Base Standard	Townhomes Attached
<i>Lot Standards</i>			
Average Lot Area	10,000 SF ¹	N/A	N/A
Minimum Lot Area	8,000 SF	N/A	N/A
Minimum Lot Width	80'	N/A	N/A
Maximum Density	N/A	N/A	N/A
<i>Building Standards</i>			
Maximum Height	35' ²	Per R1-10	35'
Building Coverage	50%	N/A	N/A
Distance Between Buildings	10'	10'	10'
<i>Building Setbacks</i>			
Front	25' ³	19' from B/C (Dwelling) 20' from B/SW (Garage)	10' (Dwelling)
Rear	20'	10' (Single-Family or Other Structures) 5' (Garage/Accessory)	3' Apron from Alley B/C to Garage
Interior Side Yard	10'	5' (Single-Family) 10' (All Other)	0'
Street Side Yard	20' ⁴	N/A	15' (Can Include Tract)
Aggregate Site Yard (on same lot)	N/A	15' (Single-Family or Twin Home) 20' (Other Structures) 10' (Other Uses)	N/A
Perimeter Setback & Buffer	N/A	25' ⁵	15'

1. "Average size" means the total acreage devoted to lots divided by the number of lots. Net density definition shall apply.

2. Except as otherwise permitted by subsection 10-13-7C.

3. Except as modified by the provisions of subsection 10-37-12F, setback measurement.

4. When this side setback is required, rear setback may be reduced to ten feet.

5. Equivalent to front yard setback of adjoining zone.

6. Except as otherwise permitted by subsection 10-15-7A.

7. Except as otherwise permitted by subsection 10-16-7A.

Commercial Standards

The commercial development throughout **BoN Gardens** contains various uses. From community gardens, Medical & Wellness Campus, and Amphitheater to a Gym and Performing Arts Center. Please refer to *Appendix E: Illustrative Master Plan* for locations of all uses. A full list of the uses was provided on the Residential and Commercial Permitted Uses Comparison Chart.

The table below describe the current Hurricane standards and what the deviations are requested.



Commercial Development Standards Table			
Standard	GC	PDO	BoN PDO
<i>Lot Standards</i>			
Average Lot Area	N/A	N/A	N/A
Minimum Lot Area	N/A	N/A	N/A
Minimum Lot Width	N/A	N/A	N/A
Maximum Density	N/A	N/A	N/A
<i>Building Standards</i>			
Maximum Height	35' ³	35' ³	60' (Town Center) ⁴ 45' ³ (All other)
Building Coverage	N/A	N/A	N/A
Distance Between Buildings	N/A	N/A	N/A
<i>Building Setbacks</i>			
Front	20' ¹	20' ¹	N/A
Rear	0' 10' (Adjacent to Agriculture or Residential Use)	0' 10' (Adjacent to Agriculture or Residential Use)	N/A
Interior Side Yard	0' 10' (Adjacent to Agriculture or Residential Use)	0' 10' (Adjacent to Agriculture or Residential Use)	N/A
Street Side Yard	20'	20'	10' from B/C 15' at Utility Equipment
Aggregate Site Yard (on same lot)	N/A	N/A	N/A
Perimeter Setback & Buffer	N/A	20' ²	15'

1. Except as modified by the provisions of subsection 10-37-12F, setback measurement.

2. Equivalent to front yard setback of adjoining zone.

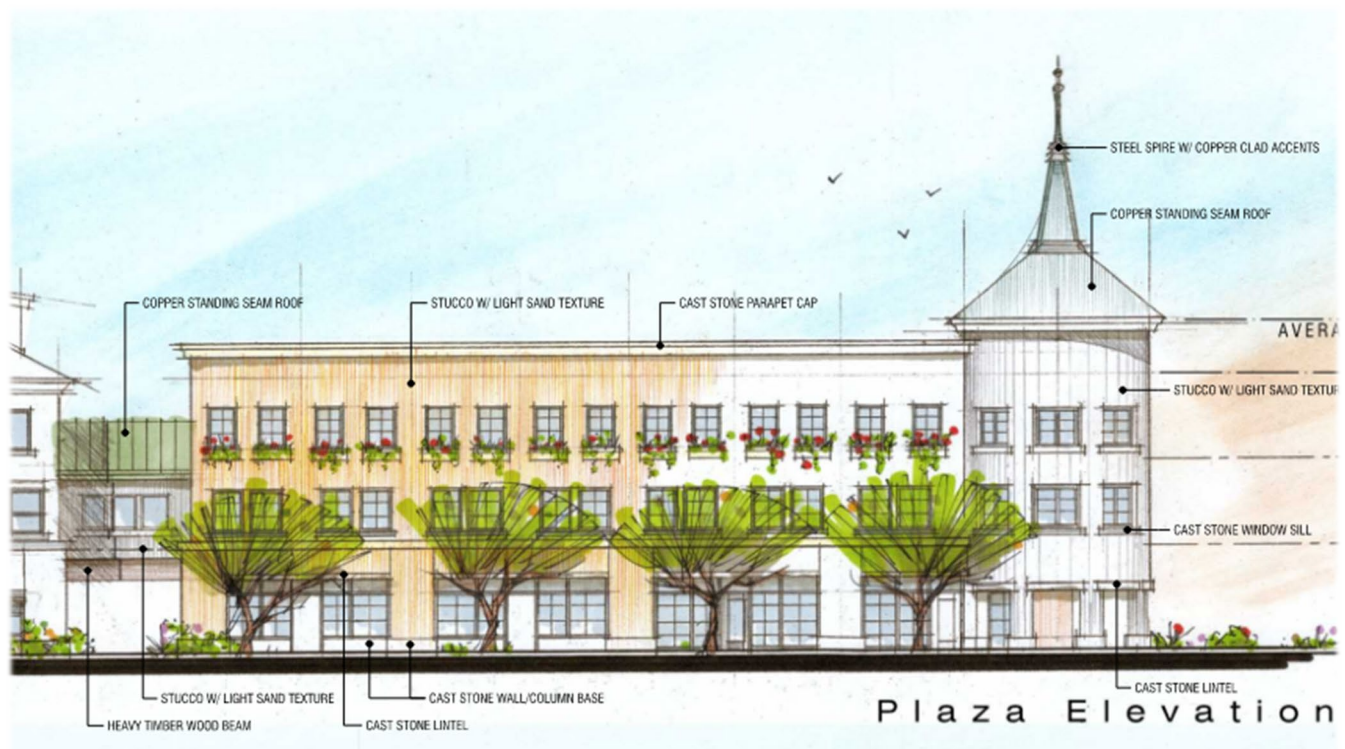
3. Except as otherwise permitted by subsection 10-15-7A.

4. Limited to no closer than 250' of right-of-way.

Town Center Design Guidelines & Architecture

The community of **Balance of Nature Gardens** will feature as its centerpiece a Town Center emulating the piazzas, plazas or praças, that are the central hubs of European cities, surrounded by buildings filled with bustling trade, entertainment and living. As a social gathering place with attractions that stimulate the senses, the plaza, or town square will feature areas for street entertainers and vendors like one would find in a European city. There will be spaces for relaxing and enjoying a beautiful day of strolling, sitting and taking in the surroundings, while other areas will have robust activities and attractive gardens and water features.

During times of the year, Festivals and Fairs will be held celebrating special occasions, for example, similar to, the well-known Christmas markets of German towns, where vendors set up their colorful displays of Christmas wares and goods, entertainers throughout the plaza play and sing Christmas carols and actors put on Christmas plays, like "A Christmas Carol." There will be spots for a beautiful Christmas tree lit up for the holiday, a Nativity scene and a place for Santa to take requests from the children. Other holidays and special events will take place as well, all in grand style creating a destination to celebrate life and healthy living.



Surrounding the plaza will be mixed-used buildings emulating the European style of architecture with steep-pitched and parapeted roofs, some with dormer windows while others capped off with stone. Window boxes blazoned with colorful flowers will recall the quaint upper floor residences of European towns. On the ground floor accessible to the plaza will be specialty shops as one would find in begone times, such as butcher, deli and cobbler shops. Cafes, restaurants and other dining venues will offer a variety of menus to stimulate the palate in a healthy fashion, which is the theme of the community.

Proprietors will have the opportunity to work on the ground floor and live on the third floor where residential units provide a variety of sizes and bedroom count. Behind the shops on the ground floor will be closed-in

garages that accommodate Town Center residents, removing the presence of any modern vehicle from the streets adjoining the Town Center. The second floor will be for professional offices or other businesses supporting **Balance of Nature Gardens**.

Visitors to the Town Center who arrive at **Balance of Nature Gardens** will park in orchard areas along the perimeter of the community, where they may choose to walk through community gardens to the Town Center or be driven there in carriages pulled by horses which will pick them up using a carriage lane running parallel to the perimeter parking. They will then be brought to a drop off area in front of the Town Center, where they will also be picked up to be returned to their vehicles.

At the opposite end of the Town Center from the Horse and Carriage Drop-off and Pick-up area will be an amphitheater that will be a venue for special events. Using the Town Center as a stage and back-drop, amphitheater-goers will be seated on blankets on a great lawn or on terraces facing the Town Center stage where entertainers will perform, or presentations given.

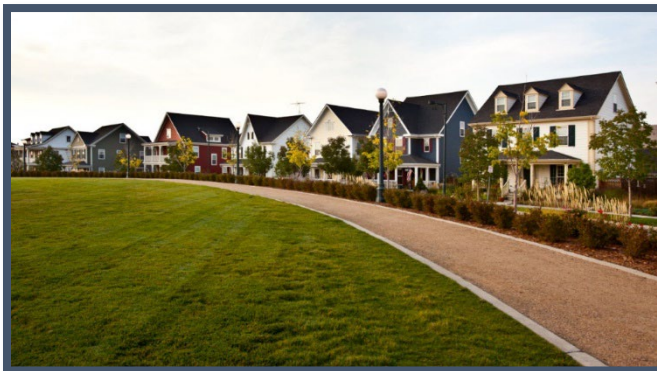
The Town Center reflects **Balance of Nature** goal to create a special destination for those seeking a healthy lifestyle in a place that promotes and celebrates healthy living. *See Appendix I: Building Elevations.*



Parking Plan

As previously mentioned, **BoN Gardens** has a goal of creating a healthy, pedestrian-centered experience. With that goal in mind, parking is located around the perimeter of the site to limit traffic within the Master plan. The perimeter parking will be decomposed granite and include angled parking. Two conditions are proposed, one being fully decomposed granite and the other has a combination of colored concrete drive lanes and decomposed parking spaces, to match the natural aesthetic. The parking lots will be surrounded by orchards creating a welcoming ambience as well as production for the Balance of Nature product. To be able to bring all the users into the site, a horse carriage/walking path circles the entire site. The horse drawn carriages will circulate throughout the entire site and focus on bringing users into the Town Center, where a majority of the commercial uses are centered. *See Appendix J: Illustrative Cross Sections* depicting the parking areas and the horse drawn carriages.

The project intent is to incorporate design elements that deemphasize a motor vehicle driven development such that the provision of excess motor vehicle parking would be detrimental to the development plan. Due to the unique nature and location of the proposed development, as well as the anticipated operation and capacity of the site to share parking spaces, a reduction from the Hurricane City standard parking requirements is requested. The results of the previously prepared parking analysis utilizing the City code, as well as nationally accepted parking demand and shared parking resources, indicated that a significant reduction in required parking is justified. Parking studies will be completed during each phase of the development to make sure that parking needs are adequately addressed for each part of the development and meet City of Hurricane requests.



Streets and Circulation

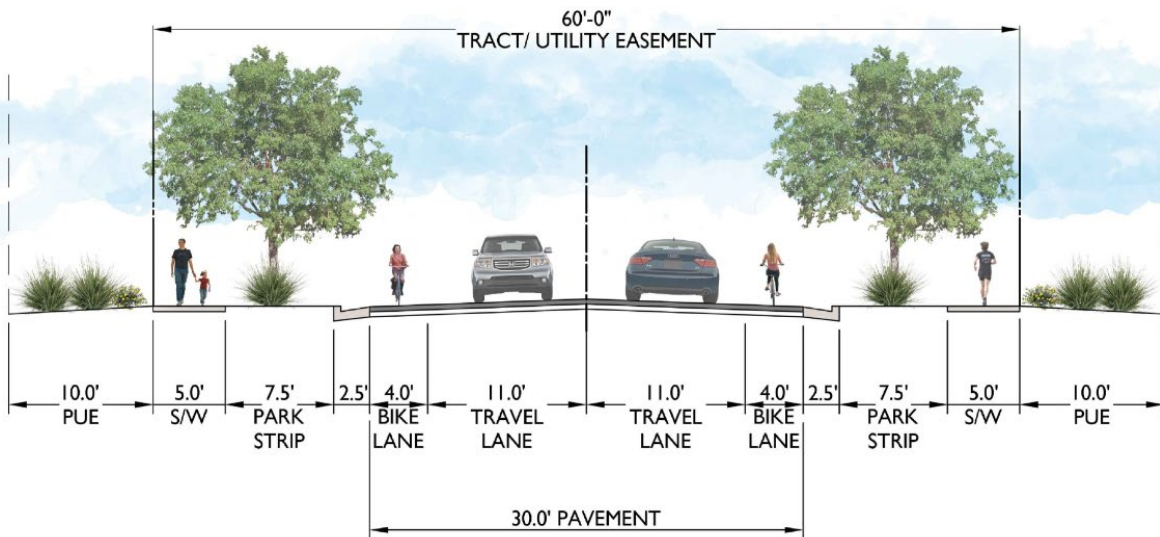
BoN Gardens features a variety of private street types and sections that strategically navigate throughout the Master Plan so that pedestrians and horse-drawn carriages can be the primary focus of the development.

Private street sections were developed for all the different roadways throughout **BoN Gardens**. The sections aim to help establish the character of the development but also delineate where utilities are to be run. *See Appendix K: Master Utility & Grading Plans.*

The different private street sections developed for **BoN Gardens** aim to establish the character of the development and also help to delineate where utilities are to be installed. The following private street sections have been modified from Hurricane City standards. *See Appendix L: Street Section Master Plan.*

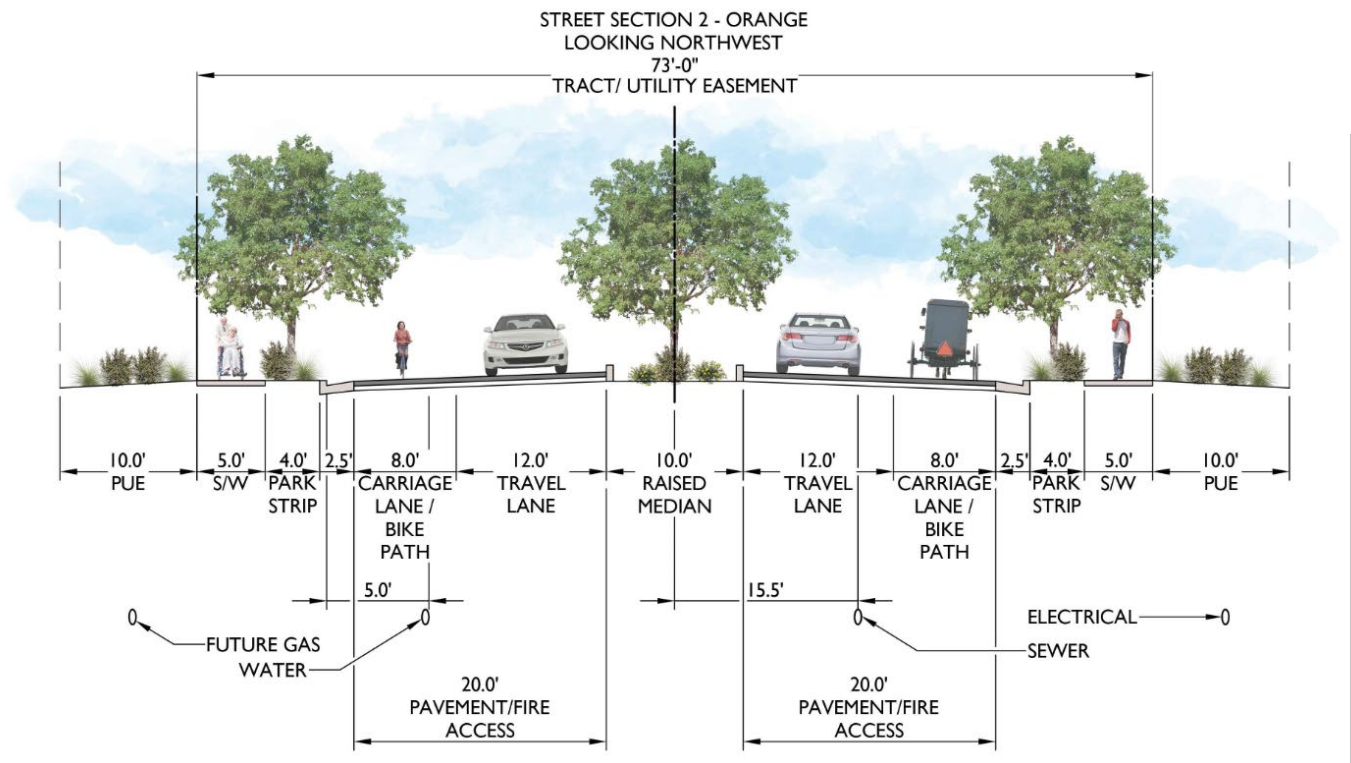
Private Street Section 1 – Main Access Road

The Main Access Road cross section is a modified version of the Hurricane Local/Standard Alternative street section. This section allows for bike lanes and softens the impact by being lined with planted park strips along both sides of the street. Having detached sidewalks allows for a more pleasant pedestrian experience as well. This road will provide primary circulation for cars throughout the Master Plan leading to the Town Center. The section also lays out guidelines for utility locations. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*



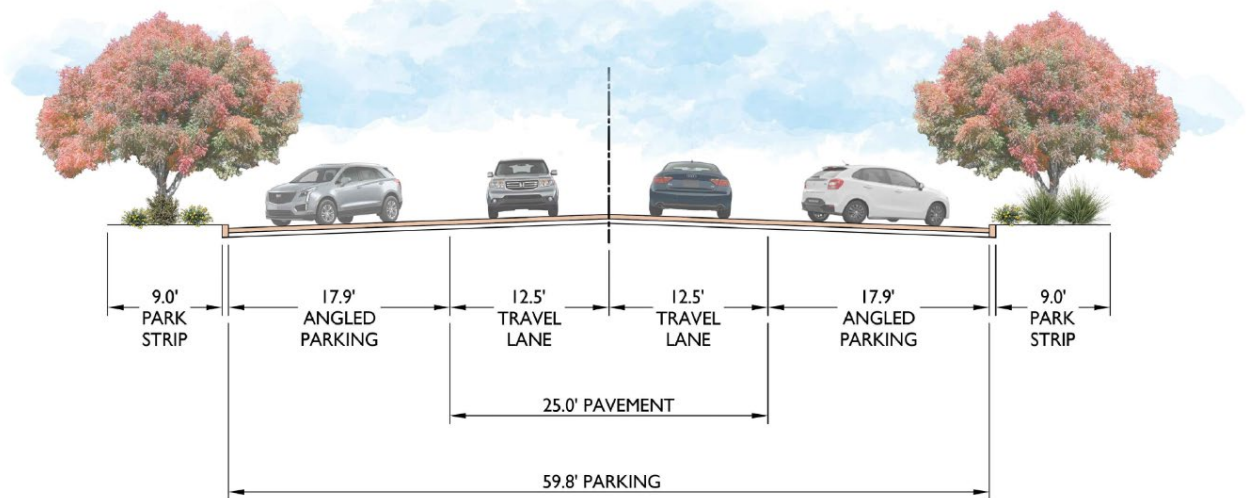
Private Street Section 2 – Main Entry Road

The Main Entry Road cross section is a new cross section designed for the Master Plan. This section incorporates carriage/bike paths to allow for multiple sources of circulation heading into the Town Center. This section has a planted median to elevate the entry experience as well as planted medians on both sides creating an allée of trees. Having detached sidewalks allows for a more pleasant pedestrian experience as well. The section also lays out guidelines for utility locations. The pavement will be 26' wide at hydrant locations. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*

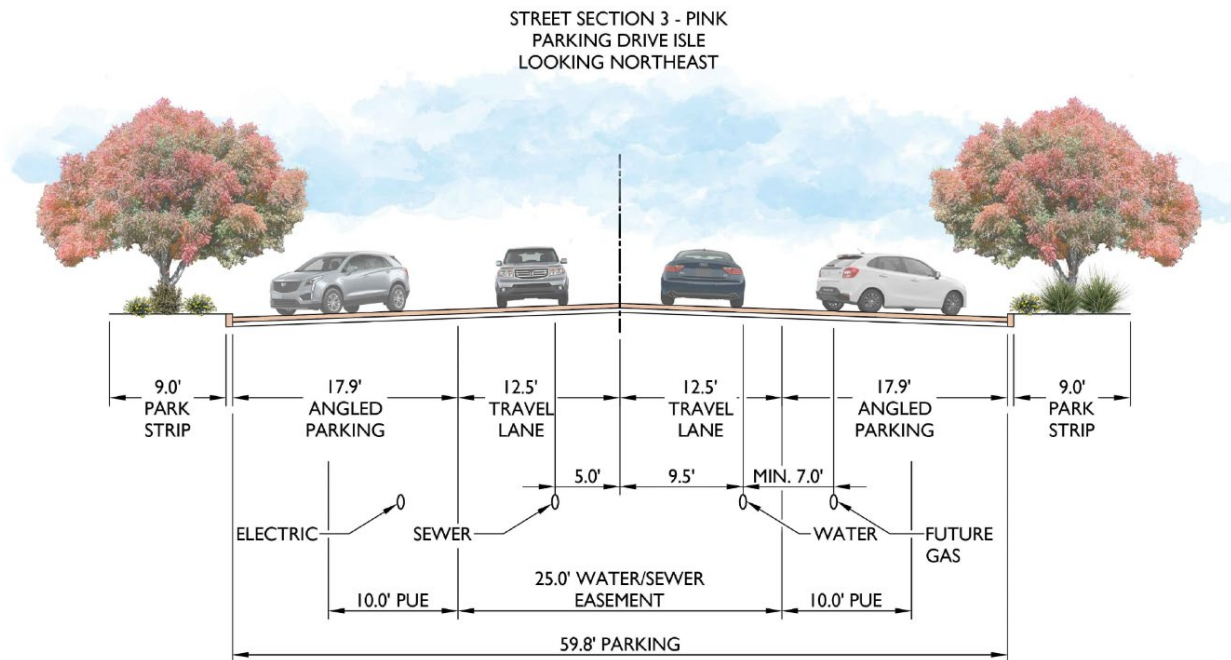


Private Street Section 3 – Perimeter Parking Conditions

The Perimeter Parking cross section is a new cross section designed for the Master Plan located around the perimeter of the Master Plan. This section allows for angled parking along both sides of a drive aisle. The parking will be on decomposed granite with parking delineators. As previously mentioned, there will be two conditions shown. The section also lays out guidelines for utility locations. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*



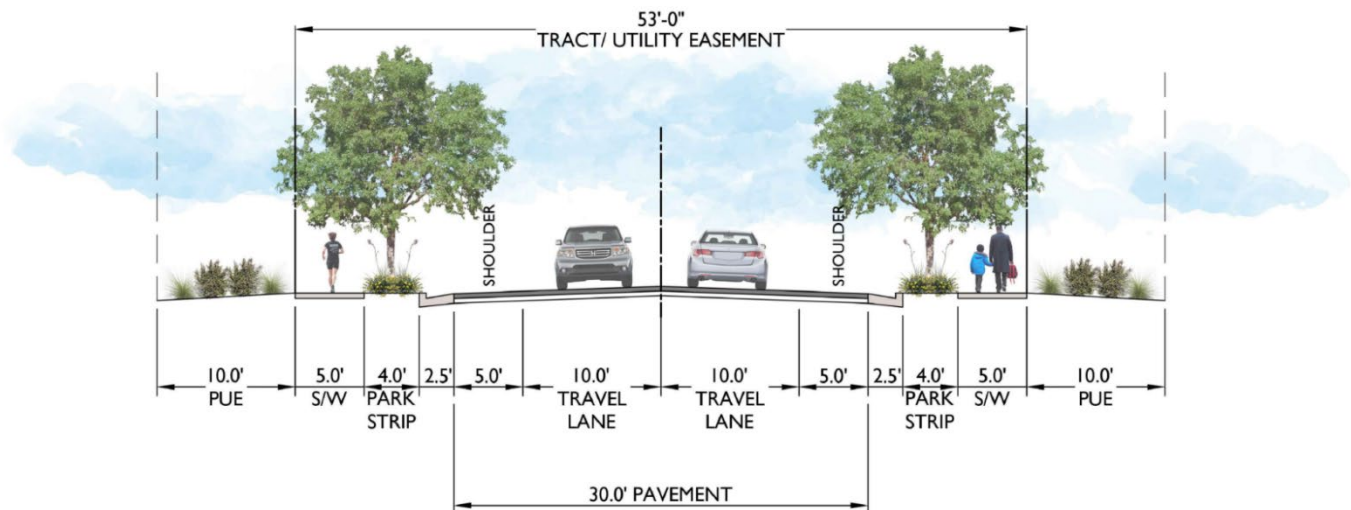
Condition 1



Condition 2

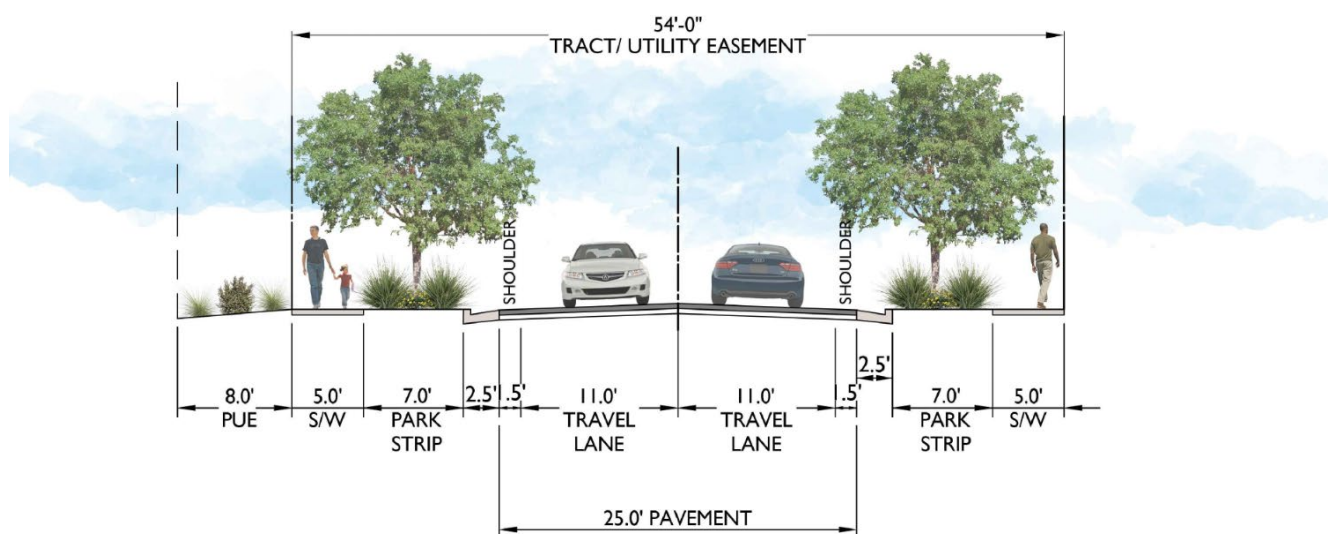
Private Street Section 4 – Residential Local Alternative

The Residential Local Alternative cross section is a Hurricane City standard detail and does not deviate from that standard. This section allows for larger shoulders and softens the impact by being lined with planted park strips along both sides of the street. Having detached sidewalks allows for a more pleasant pedestrian experience as well. This road will provide primary circulation for cars throughout the large and small residential lots. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*



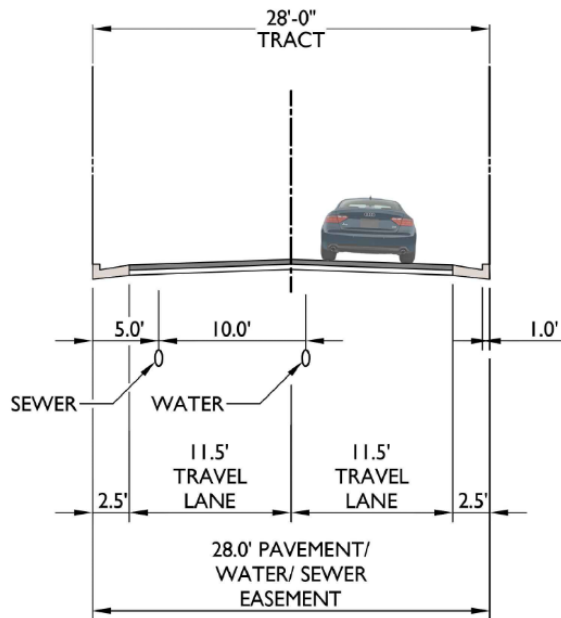
Private Street Section 5 – Liberty Village Driveways/Parking Access Road

The Liberty Village Driveways/Parking Access Road cross section is a new cross section designed for the Master Plan. This section has planted medians on both sides, where applicable. The primary purpose of this cross section is to facilitate bringing cars into Wellness Campus as well as the Headquarters. The section also lays out guidelines for utility locations. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*

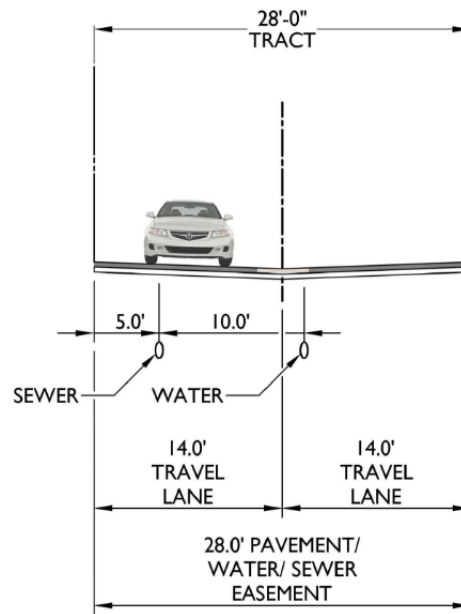


Private Street Section 6 – Private Driveways

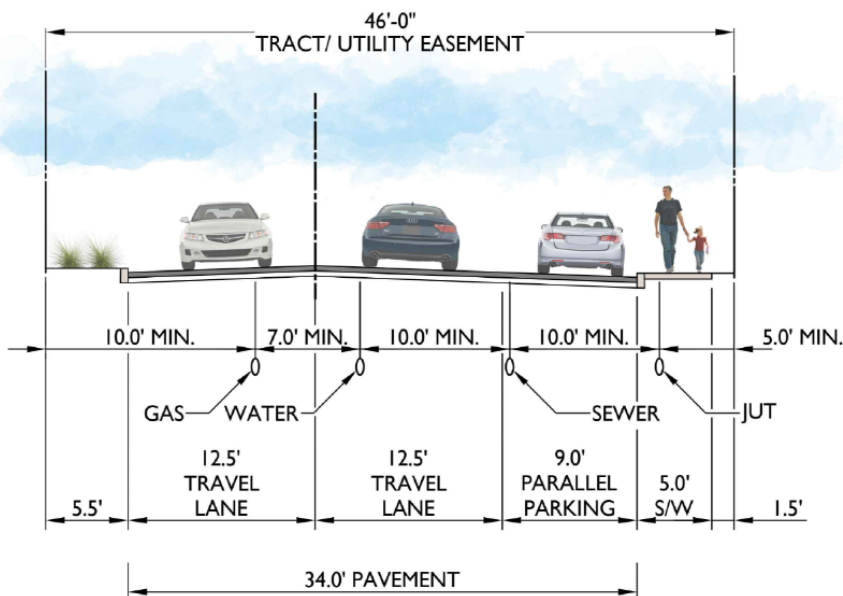
The Lane Section Conditions cross section is a new cross section designed for the Master Plan. The primary purpose of this cross section is to facilitate bringing cars into the higher density residential areas (Green Court, Alley, and ROW Housing). For Conditions 1 and 2 a 10' PUE will be provided on the backside of the lots for gas and electric. See the plan view below for pedestrian and vehicular circulation. Final utility pipe sizes, depths, and placement to be determined in final engineering. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan and Appendix K: Master Utility and Grading Plans.*



Condition 1



Condition 2



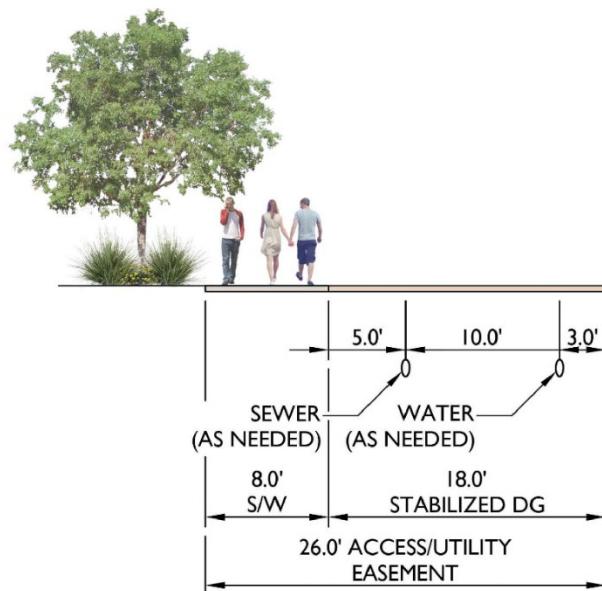
Condition 3



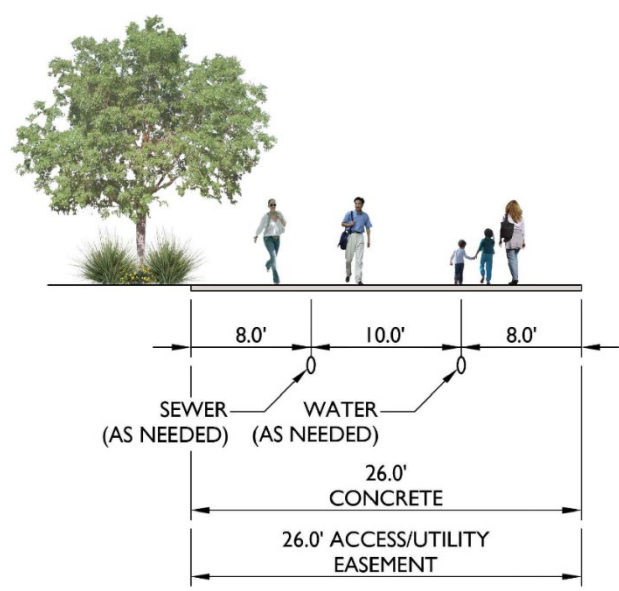
Plan View

Private Street Section 7 – Fire Access Path

The Lane Section Conditions cross section is a new cross section designed for the Master Plan. The primary purpose of this cross section to allow fire access where it is required on the Master Plan. There are two conditions proposed. Both conditions allow for pedestrian circulation as well. The section also lays out guidelines for utility locations. Final utility pipe sizes, depths, and placement to be determined in final engineering. 8' wide public utility easements to be added as necessary or at the discretion of Hurricane Power. Diagram is not drawn to scale. *See Appendix L: Street Section Master Plan.*



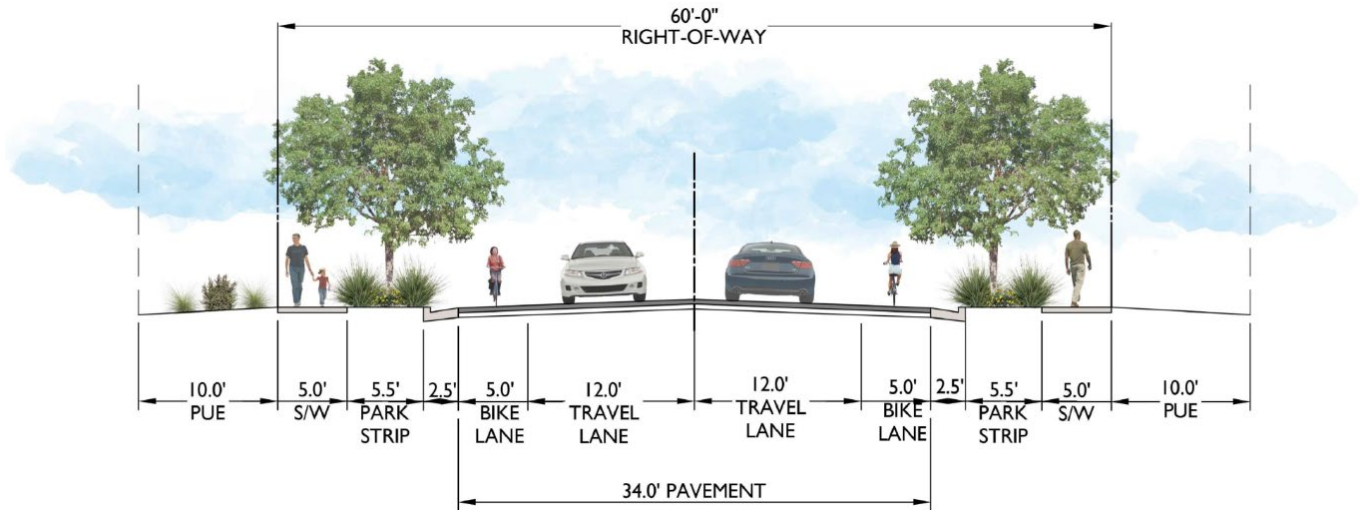
Condition 1



Condition 2

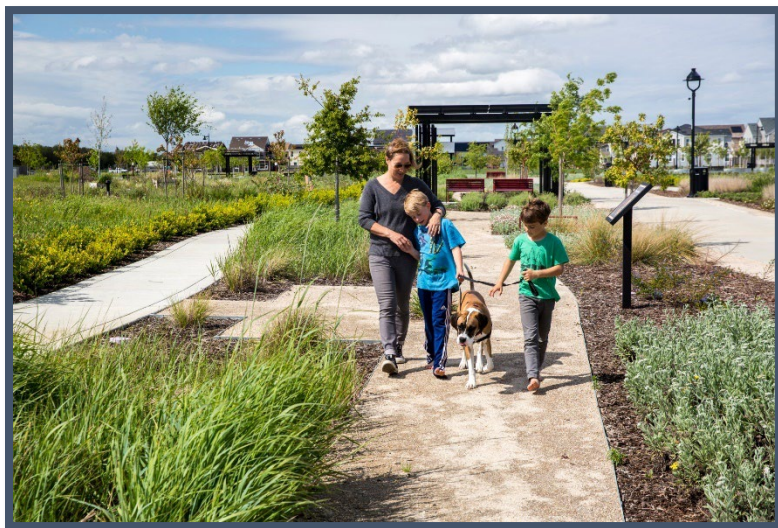
Public Street Section 8 – 2470 S

The street section for 2470 S is an offsite roadway that borders the north frontage of the property. It matches the street section for Liberty Way, which borders the southern frontage of the property. This is the Hurricane City standard roadway section Minor Collector. Utilities will be placed per HCS and ACSSD typical standards. *See Appendix L: Street Section Master Plan.*



Conclusion

We're pleased to present to you the application for a zoning change and proposed planned development overlay for **BoN Gardens**. The development will enrich the greater Hurricane community by providing jobs and entertainment. Not only will it be home to the **Balance of Nature** Headquarters, but it will provide a destination for many to visit and enjoy. We respectfully request your favorable consideration of the submitted documents with approval of our application and look forward to working with the City to implement this exciting new development.

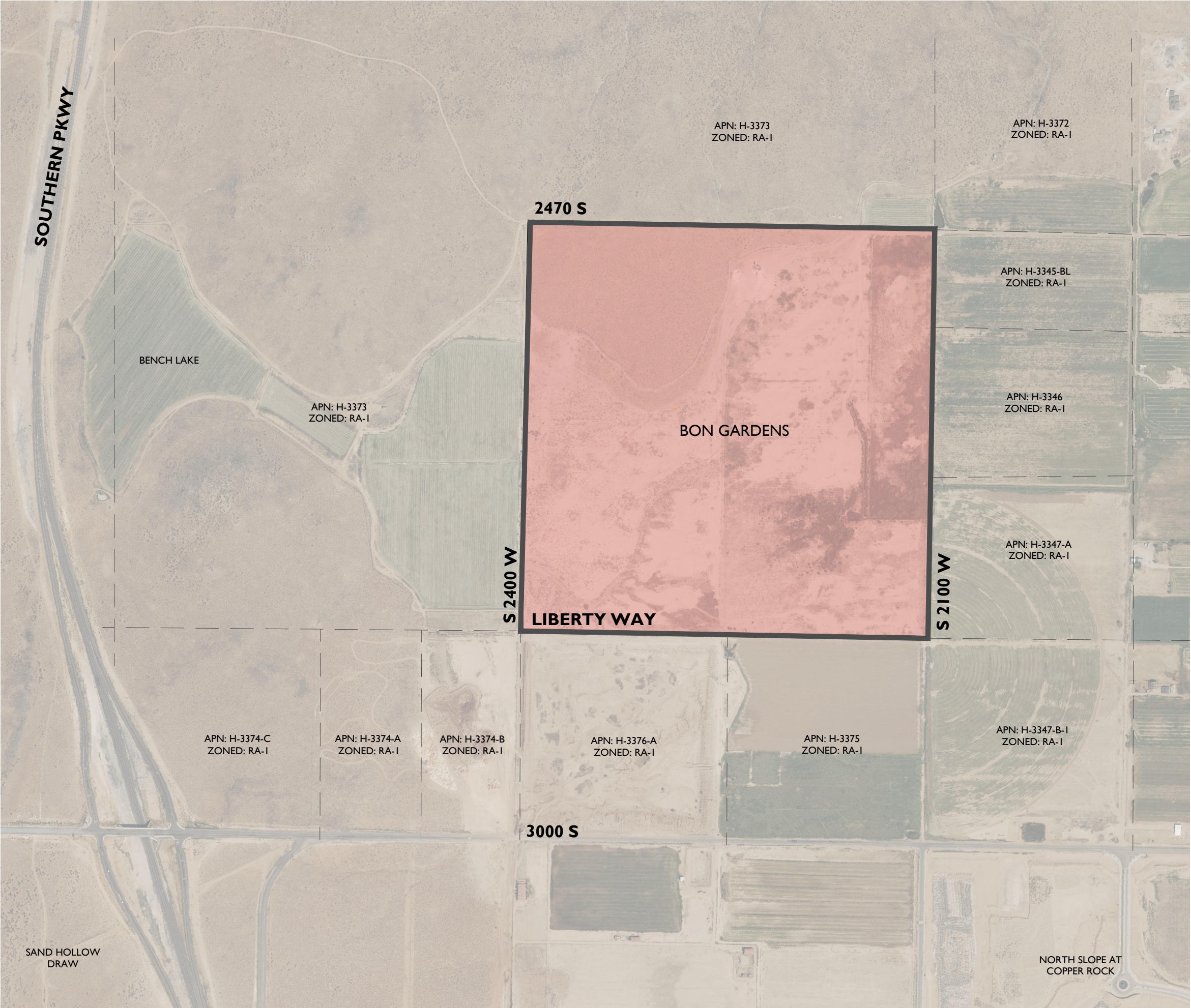


Appendix A: Vicinity Map

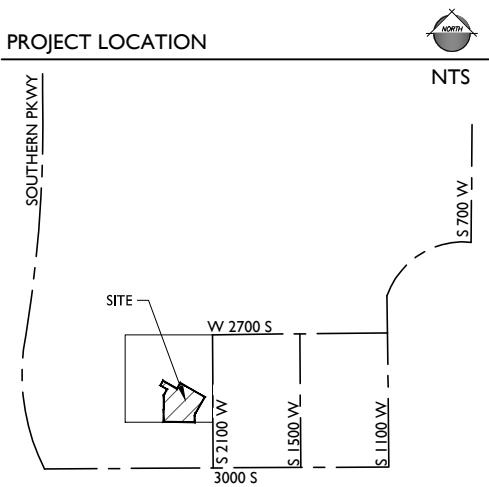
21-0167 - BoN Gardens

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ttthomas



PROJECT LOCATION



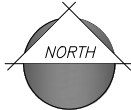
PROJECT TEAM

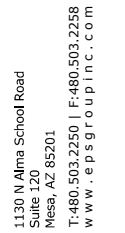
PROPERTY OWNER:
MOLLYS VIEW LLC
1568 S RIVER RD, STE 200
SAINT GEORGE, UT 84790
CONTACT: ORCUTT | WINSLOW

PLANNER & LANDSCAPE ARCHITECT:
EPS GROUP, INC.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201
TEL: (480) 503-2250
CONTACT: Josh Hannon / Tom Snyder
josh.hannon@epsgruoinc.com
tom.snyder@epsgruoinc.com

ARCHITECT:
ORCUTT | WINSLOW
2929 N Central Ave., 11th Floor
Phoenix, AZ 85012
TEL: (602) 257-1764
CONTACT: Neil Terry, AIA, NCARB
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CIVIL ENGINEER:
EPS GROUP, INC.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201
TEL: (480) 503-2250
CONTACT: Joe Petrucci, PE
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T: 480.503.2250 | F: 480.503.2258
www.epsgruoinc.com

BoN Gardens

Hurricane, UT

Vicinity Map

Project:

Revisions:



Over 5-1/2 M
1-800-665-4111

Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

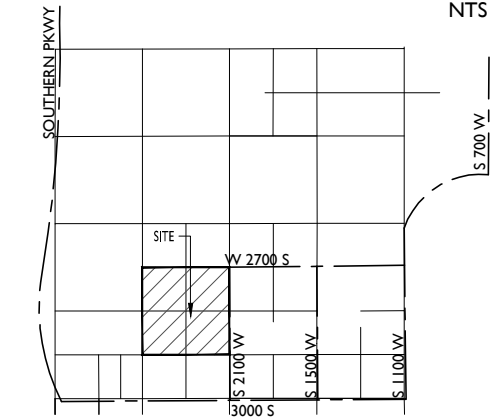
Job No.
21-0167

VM01

Sheet No.
1
of 1

Appendix B: Preliminary Site Plan

PROJECT LOCATION



PROPERTY OWNER:
MOLLYS VIEW LLC
1568 S RIVER RD, STE 200
SAINT GEORGE, UT 84790
CONTACT: DOUGLAS LEX HOWARD

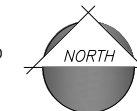
PLANNING & LANDSCAPE ARCHITECTURE:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: TOM SNYDER
tom.snyder@epsgruoinc.com

A.P.N.:	H-3373-NP-BL														
GROSS AREA:	± 159.62 AC														
EXISTING LAND USE:	VACANT/ UNDEVELOPED														
PROPOSED LAND USE:	MIXED-USE														
EXISTING GENERAL PLAN DESIGNATION:	MIXED USE														
EXISTING ZONING:	R1-10 & M-1 PDO														
PROPOSED ZONING:	R1-10 PDO														
RESIDENTIAL UNIT BREAKDOWN:	<table><tr><td><u>APPROVED</u></td><td><u>PROPOSED</u></td></tr><tr><td>LARGE LOT (85' x 135')</td><td>9 UNITS</td></tr><tr><td>SMALL LOT (50' x 115')</td><td>44 UNITS</td></tr><tr><td>GREEN COURT</td><td>21 UNITS</td></tr><tr><td>ALLEY HOMES</td><td>81 UNITS</td></tr><tr><td>ROW HOUSING</td><td>48 UNITS</td></tr><tr><td>TOWN CENTER MULTI-FAMILY</td><td>36 UNITS</td></tr></table>	<u>APPROVED</u>	<u>PROPOSED</u>	LARGE LOT (85' x 135')	9 UNITS	SMALL LOT (50' x 115')	44 UNITS	GREEN COURT	21 UNITS	ALLEY HOMES	81 UNITS	ROW HOUSING	48 UNITS	TOWN CENTER MULTI-FAMILY	36 UNITS
<u>APPROVED</u>	<u>PROPOSED</u>														
LARGE LOT (85' x 135')	9 UNITS														
SMALL LOT (50' x 115')	44 UNITS														
GREEN COURT	21 UNITS														
ALLEY HOMES	81 UNITS														
ROW HOUSING	48 UNITS														
TOWN CENTER MULTI-FAMILY	36 UNITS														
TOTAL UNITS:	325 UNITS														
GROSS RESIDENTIAL DENSITY:	1.50 DU/AC														

- LARGE LOT DETACHED RESIDENTIAL
- SMALL LOT DETACHED RESIDENTIAL
- GREEN COURT DETACHED RESIDENTIAL
- ALLEY LOADED DETACHED RESIDENTIAL
- TOWNHOMES ATTACHED RESIDENTIAL
- BARN & CORRAL
- CARRIAGE HOUSE PICK-UP
- CASTAS / LEARNING LABS
- SERVICE BUILDING
- AMPHITHEATER
- CORPORATE OFFICES
- FITNESS/RECREATION
- PERFORMING ARTS CENTER
- SPECIALTY MEDICAL CENTER/WELLNESS CAMPUS
- COLONIAL CHURCH
- INDEPENDENCE HALL
- RESTAURANT
- VISITOR CENTER/MUSEUM/THEATER
- WALAPINI / GREENHOUSE
- GREENHOUSES
- COLONIAL HOTEL
- TOWN CENTER MIXED-USE *

* USES WITHIN THE TOWN CENTER LIMITS ARE LIMITED TO THE HURRICANE CITY CODE OF ORDINANCES SEC. 10-15-3, TABLE 10-15-1 PERMITTED AND CONDITIONAL USES ALLOWED IN THE GENERAL COMMERCIAL (GC) ZONE, EXCEPT THAT DWELLING, MULTIPLE-FAMILY SHALL BE A PERMITTED USE.

SHEET 1	CS01	COVER SHEET
SHEET 2	SP01	PRELIMINARY SITE PLAN
SHEET 3	SP02	TYPICAL LOT DETAILS & STANDARDS
SHEET 4	SP03	STREET SECTIONS



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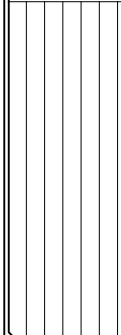


BoN Gardens

Cover Sheet

Project:

Revisions:



Call at least two full working days
before you begin excavation.

811

Call before you dig.

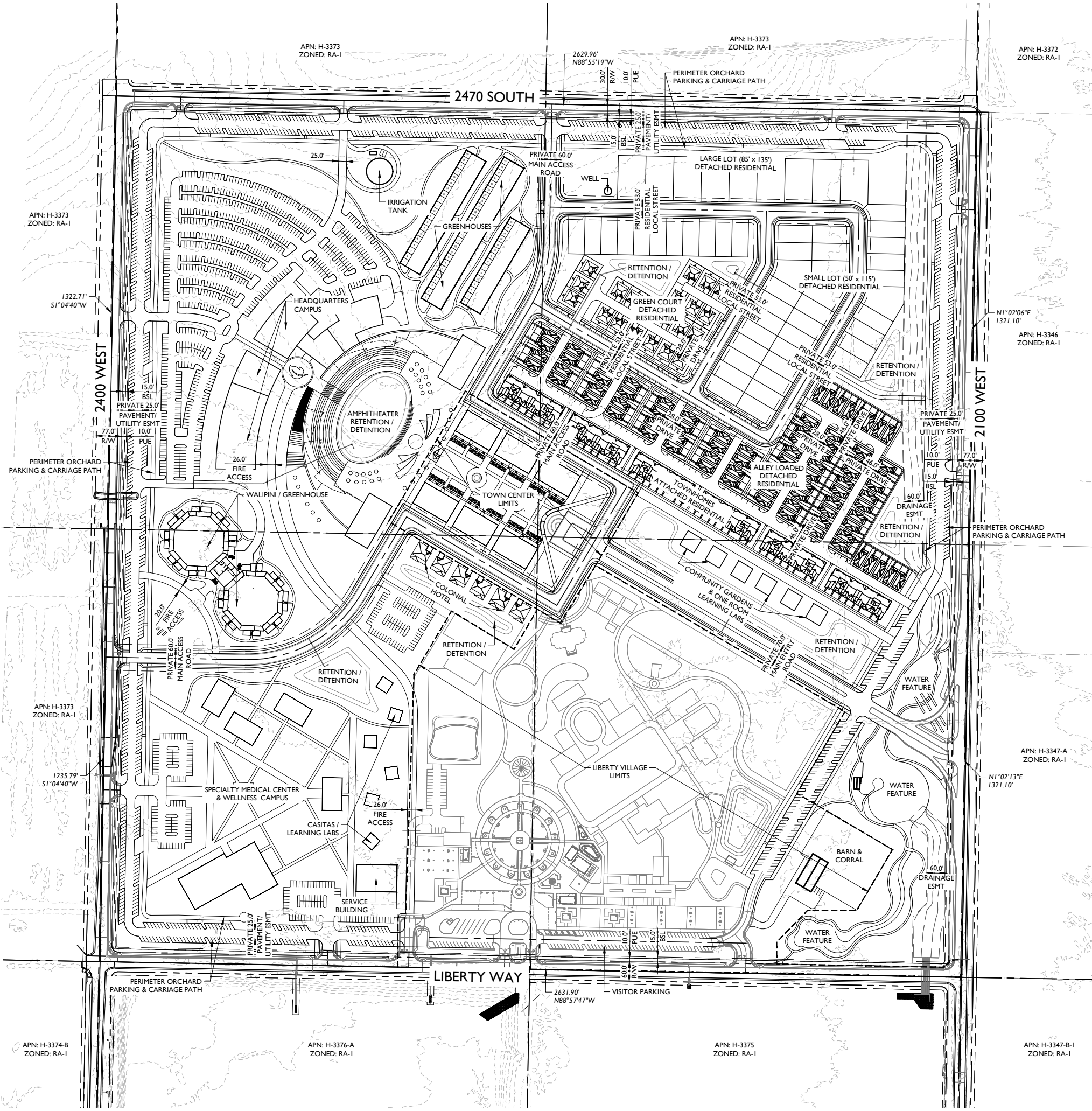
Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

CS01

Sheet No.
1
of 4



UTILITY NOTES

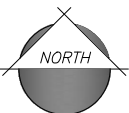
1. UTILITIES SHOWN ON THE CONCEPTUAL MASTER UTILITY PLAN ARE INTENDED TO BE PUBLICLY OWNED AND MAINTAINED. UPON FINAL ENGINEERING OF THE PROJECT, PUBLIC AND/OR PRIVATE LINES ARE SUBJECT TO CHANGE DUE TO THE ENGINEERING FINDINGS OF THE ENGINEER, CITY, OR JUC REPRESENTATIVE.
2. WATER AND SEWER PIPE SIZES ARE SUBJECT TO CHANGE DURING FINAL ENGINEERING OF THE PROJECT. FULL ENGINEERING CALCULATIONS WILL BE PERFORMED BEFORE FINAL JUC APPROVALS, INCLUDING BUT NOT LIMITED TO WATER MODELING TO DETERMINE ADEQUATE PRESSURES AND VELOCITIES IN WATER PIPES.
3. SEWER LAYOUT IS SUBJECT TO CHANGE DURING FINAL ENGINEERING OF PROJECT TO ENSURE PIPE DEPTHS, PIPE SLOPES, AND PIPE CAPACITIES MEET CITY OF HURRICANE AND ASH CREEK SPECIAL SERVICES DISTRICT REQUIREMENTS.
4. PUBLIC WATER MAINS OUTSIDE OF DEDICATED RIGHT-OF-WAY AND THROUGH PRIVATE PROPERTY WILL BE DUCTILE IRON PIPE TO THE METER, REGARDLESS OF SIZE.
5. MINIMUM SEPARATION REQUIREMENTS FOR UTILITIES WILL BE PER HURRICANE CITY STANDARDS SECTION 3.5.1 AND ASH CREEK SPECIAL SERVICES DISTRICT STANDARDS SECTION 4.2.3. MINIMUM SEPARATION REQUIREMENTS WILL BE MAINTAINED IN PUBLIC RIGHT-OF-WAY AND IN PRIVATE DRIVEWAYS.
6. ALL PUBLIC UTILITIES IN PRIVATE DRIVEWAYS WILL BE INSIDE OF A DEDICATED JOINT UTILITY EASEMENT TO ENSURE ADEQUATE ACCESS FOR SERVICE AND MAINTENANCE.
7. COORDINATION WITH THE POWER DEPARTMENT, CITY ENGINEER, AND CITY ATTORNEY WILL TAKE PLACE TO ENSURE A NEW CIRCUIT FROM THE THREE FALLS SUBSTATION IS IN PLACE TO SUPPLY POWER TO THE PROJECT.
8. UTILITIES WILL BE ADEQUATELY SPACED TO ACCOMMODATE FOR FUTURE GAS TO SERVICE THE DEVELOPMENT PER HURRICANE CITY STANDARDS SECTION 3.5.1.

LAND USE BREAKDOWN

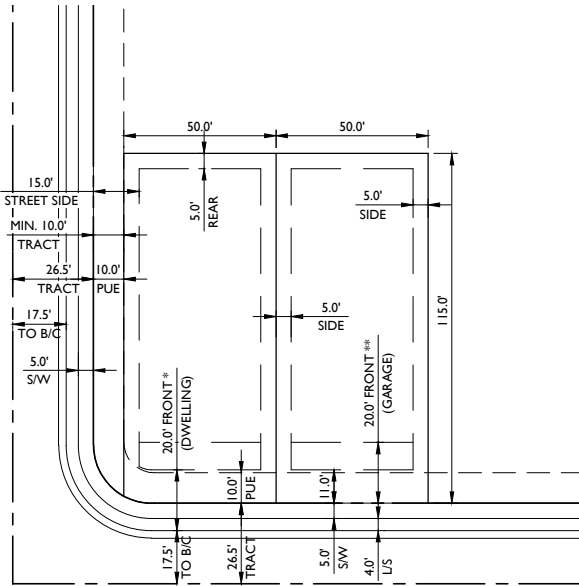
USE	AREA	UNIT COUNT
PERIMETER ORCHARD PARKING WITH CARRIAGE PATHS	20.4 AC	NONE
IRRIGATION TANK	0.5 AC	NONE
COMMUNITY GARDENS	2.6 AC	NONE
SPECIAL MEDICAL CENTER & WELLNESS CAMPUS	9.2 AC	NONE
ONE-ROOM LEARNING LABS	1.7 AC	NONE
LIBERTY VILLAGE	27.9 AC	NONE
STAGE/AMPHITHEATER/GREAT LAWN	5.3 AC	NONE
HEADQUARTERS CAMPUS	12.2 AC	NONE
TOWNHOMES ATTACHED RESIDENTIAL	4.2 AC	48 UNITS
GREEN COURT DETACHED RESIDENTIAL	3.3 AC	21 UNITS
ALLEY LOADED DETACHED RESIDENTIAL	8.4 AC	81 UNITS
SMALL LOT SINGLE-FAMILY RESIDENTIAL	8.4 AC	44 UNITS
LARGE LOT SINGLE-FAMILY RESIDENTIAL	3.0 AC	9 UNITS
TOWN CENTER (MIXED-USE)	13.2 AC	36 UNITS
WELL SITE	0.8 AC	NONE
VALIPINI / GREENHOUSE	4.3 AC	NONE
GREENHOUSES	4.5 AC	60 UNITS
CASITAS / LEARNING LABS	1.9 AC	6 UNITS
OPEN SPACE	16.8 AC	NONE
PUBLIC RIGHTS-OF-WAY	10.4 AC	NONE
TOTALS	159.62 AC	239 RESIDENTIAL UNITS

GENERAL NOTES

1. REFER TO SP02 - STREET SECTIONS FOR ACCESS AND UTILITY EASEMENTS WITHIN PRIVATE STREETS AND DRIVEWAYS.
2. A TIA WILL BE PROVIDED DURING FINAL ENGINEERING.
3. THE PRIMARY ENTRY AND ALL ISLAND DESIGNS WILL BE REFINED WITH AASHTO GREEN BOOK SECTION 9.6.3 & HCS 3.2.4.2.



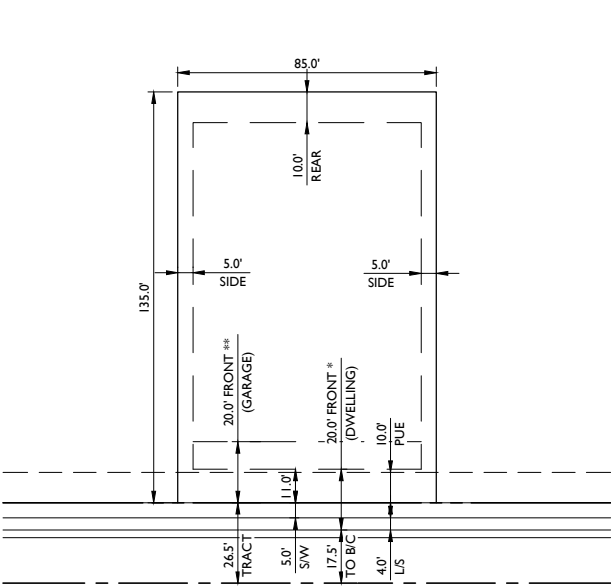
SMALL LOT DETACHED (50' X 115') - TYPICAL LOT DETAIL



SMALL LOT DETACHED (50' X 115') - DEVELOPMENT STANDARDS

MINIMUM BUILDING SETBACKS:		
FRONT *	20'	FROM B/C TO DWELLING
	11'	FROM B/SW TO DWELLING
FRONT **	20'	FROM B/SW TO GARAGE
REAR	10'	(SINGLE-FAMILY OR OTHER STRUCTURES)
	5'	(GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

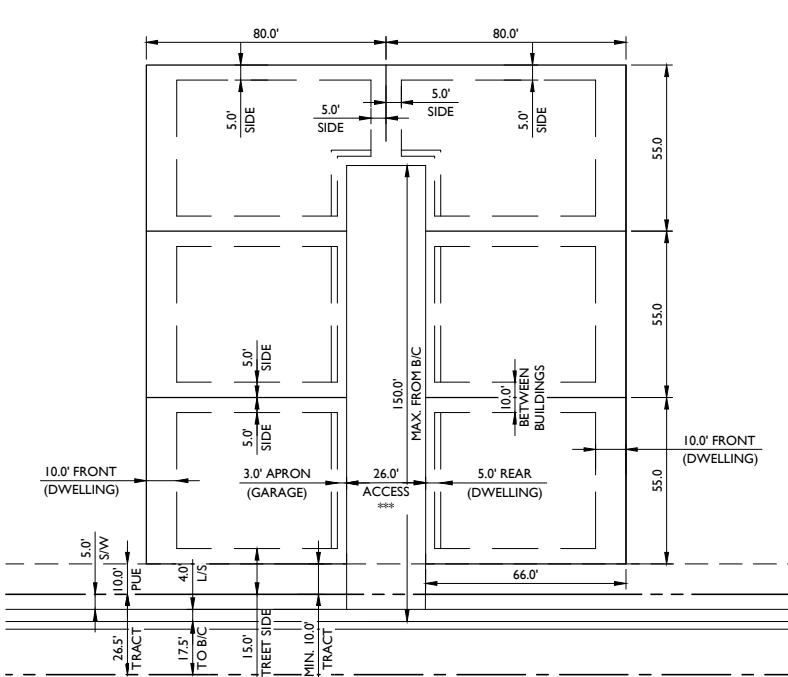
LARGE LOT DETACHED (85' X 135') - TYPICAL LOT DETAIL



LARGE LOT DETACHED (85 X 135') - DEVELOPMENT STANDARDS

MINIMUM BUILDING SETBACKS:		
FRONT *	20'	FROM B/C TO DWELLING
	11'	FROM B/SW TO DWELLING
FRONT **	20'	FROM B/SW TO GARAGE
REAR	10'	(SINGLE-FAMILY OR OTHER STRUCTURES)
	5'	(GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

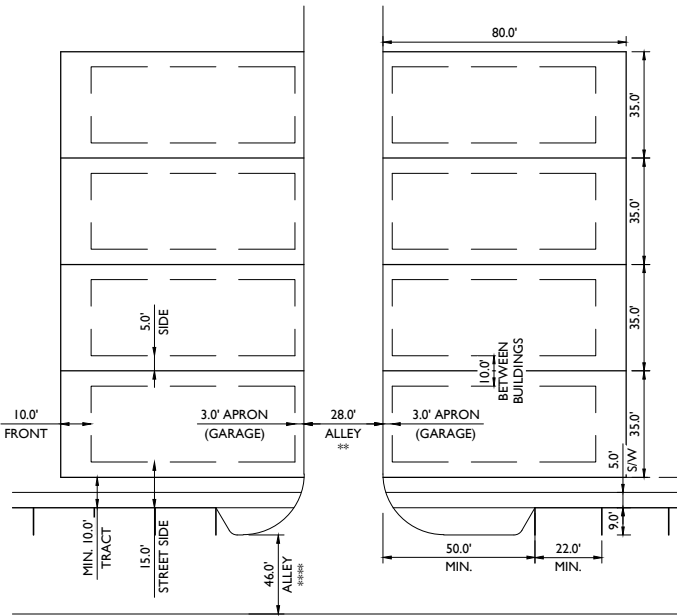
GREEN COURT DETACHED - TYPICAL LOT DETAIL



GREEN COURT DETACHED - DEVELOPMENT STANDARDS

MINIMUM BUILDING SETBACKS:		
FRONT	10'	(DWELLING)
REAR	3'	APRON FROM B/C (GARAGE)
	5'	FROM B/C (DWELLING)
	20'	FROM B/C IF DRIVEWAY PROVIDED
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

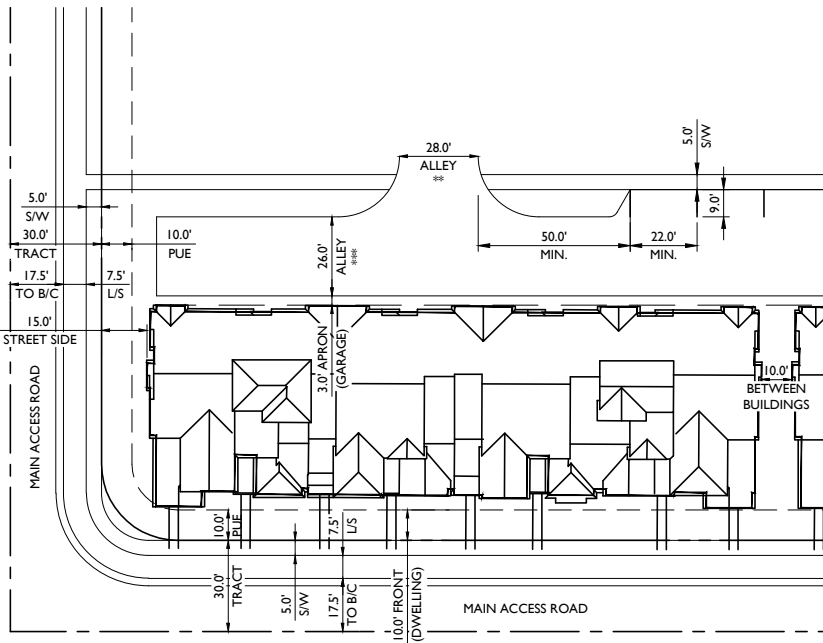
ALLEY LOADED DETACHED - TYPICAL LOT DETAIL



ALLEY LOADED DETACHED - DEVELOPMENT STANDARDS

MINIMUM BUILDING SETBACKS:		
FRONT	10'	
REAR	3'	APRON FROM B/C (GARAGE)
	20'	FROM B/C IF DRIVEWAY PROVIDED
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

TOWNHOMES ATTACHED - TYPICAL LOT DETAIL



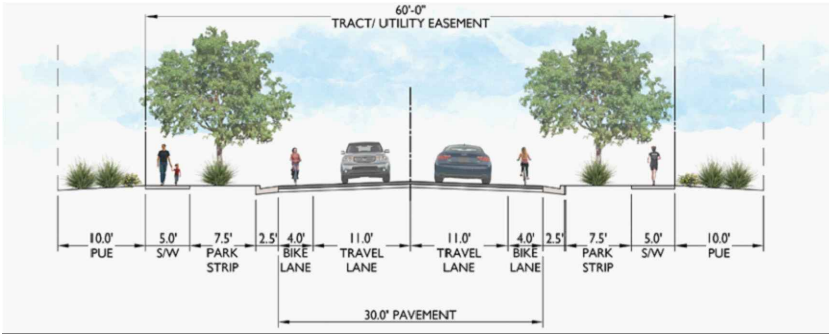
TOWNHOMES ATTACHED - DEVELOPMENT STANDARDS

MINIMUM BUILDING SETBACKS:		
FRONT	10'	(DWELLING)
REAR	3'	APRON FROM ALLEY B/C TO GARAGE
INTERIOR SIDE YARD	0'	
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

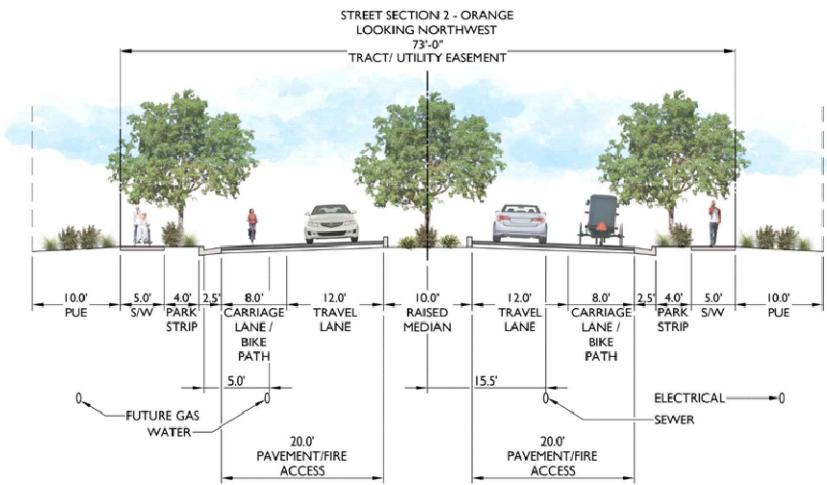
LEGEND

B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK
**	PRIVATE DRIVEWAY CONDITION 1
***	PRIVATE DRIVEWAY CONDITION 2
****	PRIVATE DRIVEWAY CONDITION 3

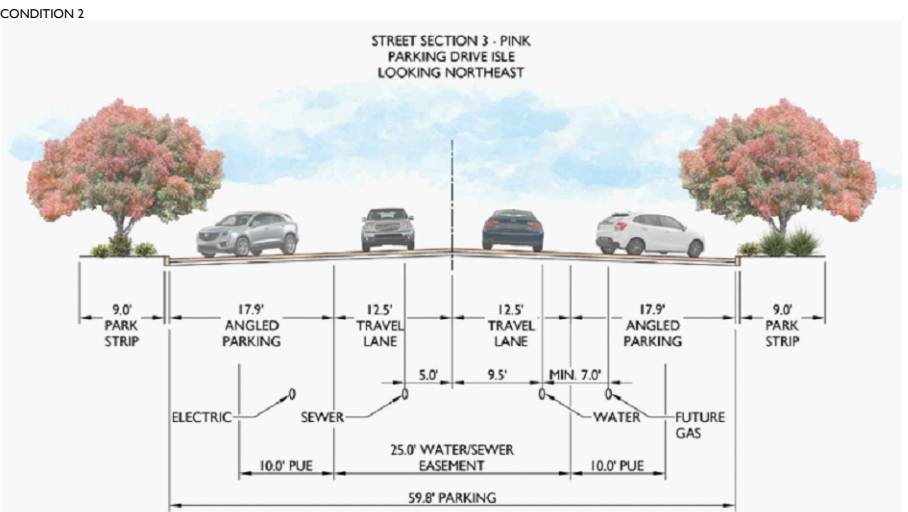
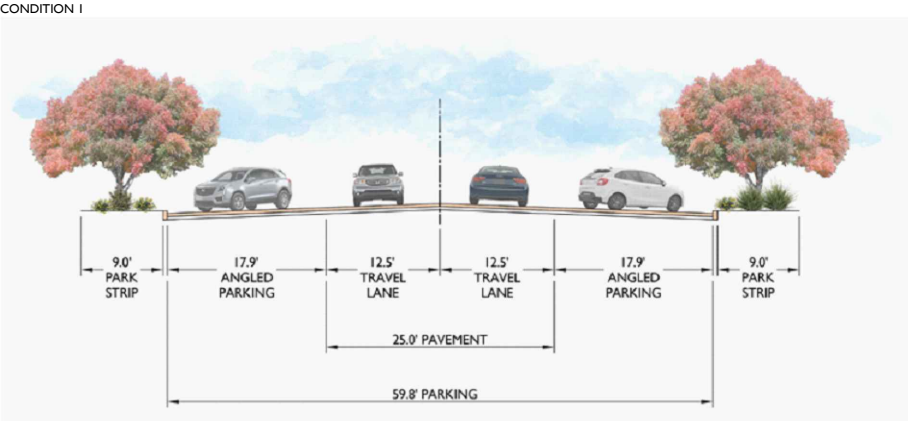
PRIVATE STREET SECTION 1 - MAIN ACCESS ROAD



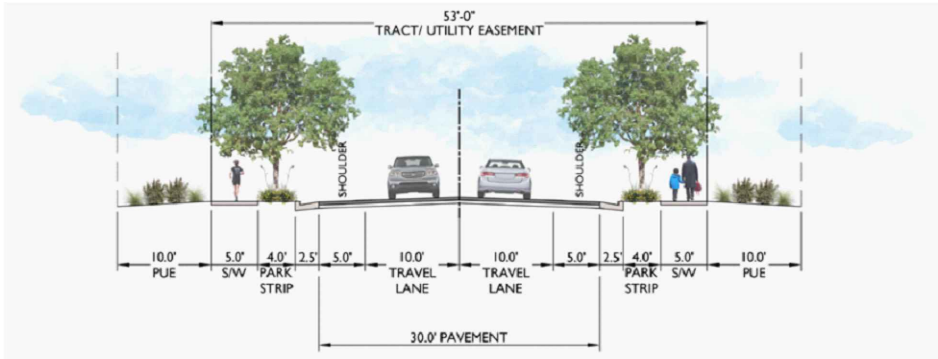
PRIVATE STREET SECTION 2 - MAIN ENTRY ROAD



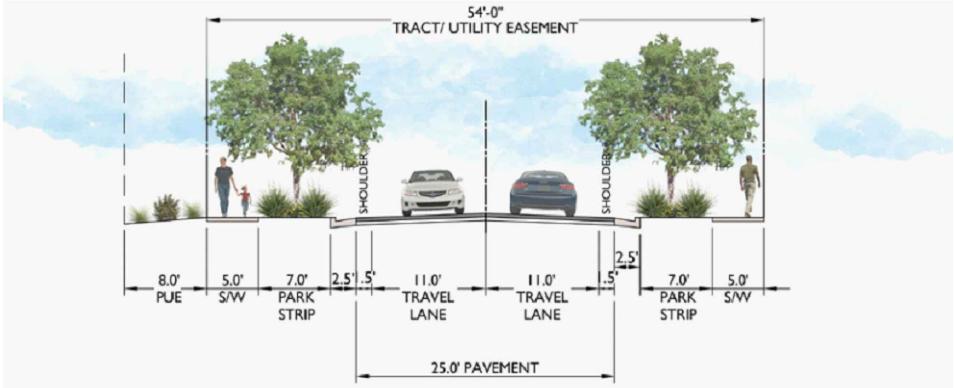
PRIVATE STREET SECTION 3 - PERIMETER PARKING CONDITIONS



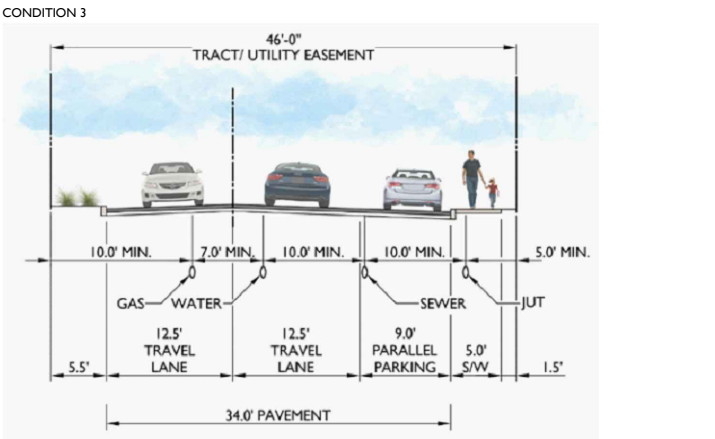
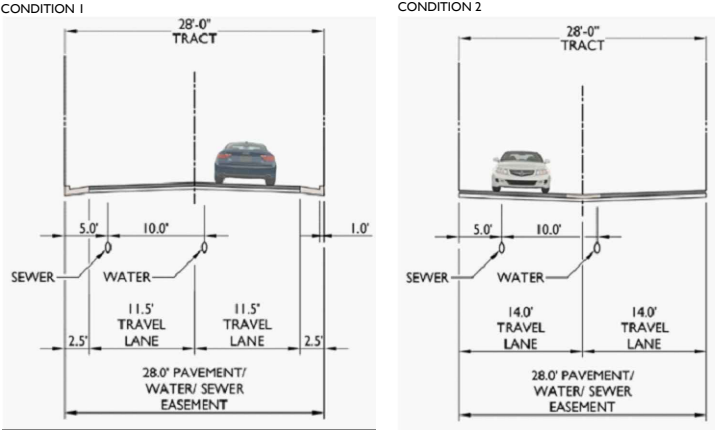
PRIVATE STREET SECTION 4 - RESIDENTIAL LOCAL ALTERNATIVE



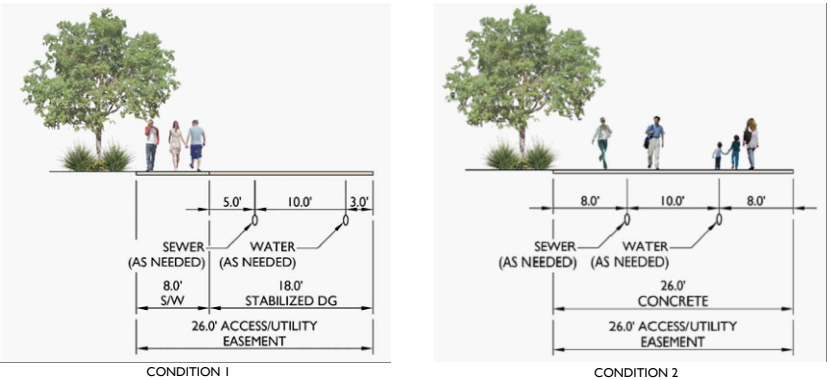
PRIVATE STREET SECTION 5 - LIBERTY VILLAGE DRIVEWAYS/PARKING ACCESS ROAD



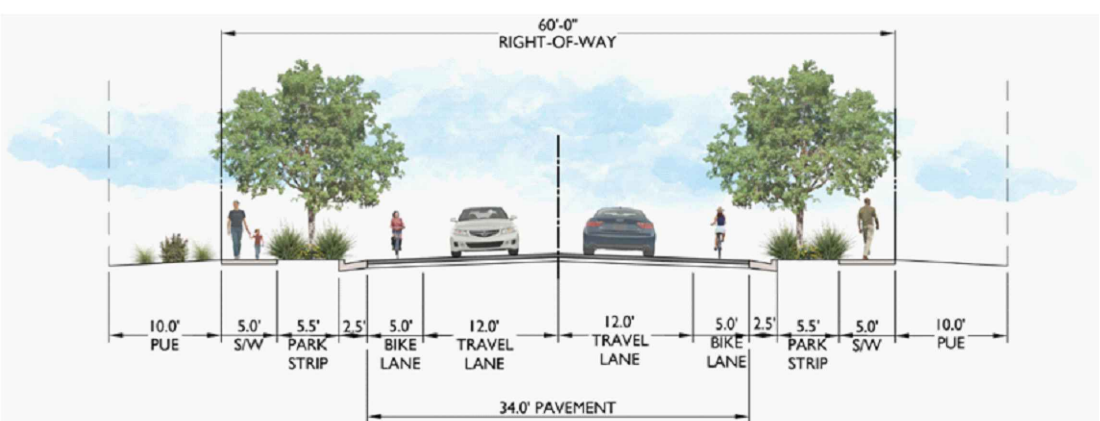
PRIVATE STREET SECTION 6 - PRIVATE DRIVEWAYS



PRIVATE STREET SECTION 7 - FIRE ACCESS PATH



PUBLIC STREET SECTION 8 - 2470 S

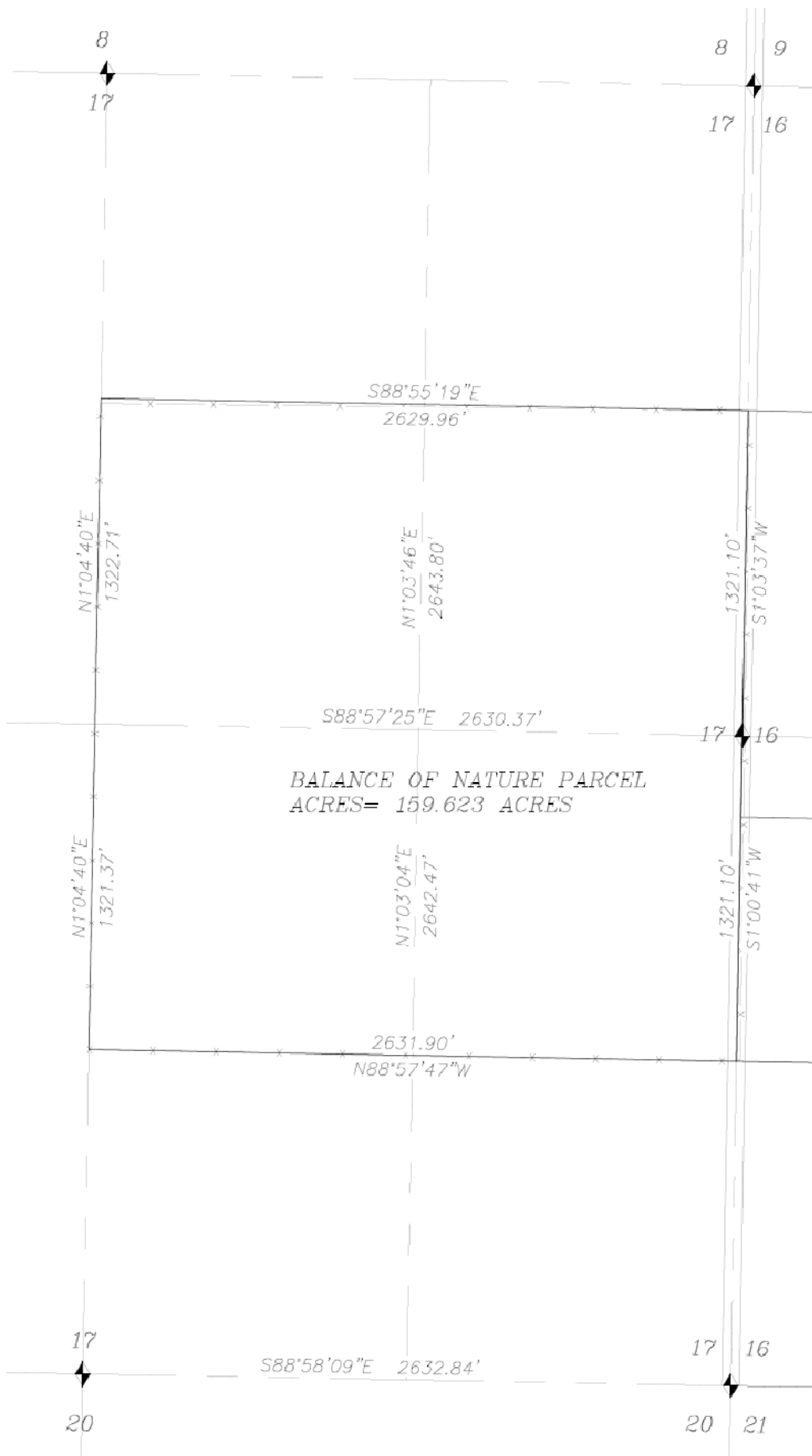


Appendix C: Legal Description and Boundary Exhibit

BALANCE OF NATURE LEGAL DESCRIPTION

BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N01°04'40"E, ALONG THE QUARTER SECTION LINE 1321.37 FEET TO THE CENTER QUARTER CORNER OF SECTION 17; THENCE N01°04'40"E ALONG THE QUARTER SECTION LINE, 1322.71 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17; THENCE S88°55'19"E ALONG THE SIXTEENTH LINE, 2629.96 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 17; THENCE S01°03'37"W ALONG THE EAST SECTION LINE, 1321.10 FEET TO THE EAST QUARTER CORNER OF SECTION 17; THENCE S01°00'41"W ALONG THE EAST SECTION LINE, 1321.10 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 17; THENCE N88°57'47"W ALONG THE SIXTEENTH LINE, 2631.90 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 6953163 SQUARE FEET OR 159.623 ACRES.



Appendix D: Zoning Map

tthomas

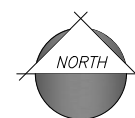
Sheet No.
 1
 of 1

Appendix E: Illustrative Master Plan

2470 SOUTH

KEYNOTES

- 1 PERIMETER ORCHARD PARKING
- 2 CARRIAGE PICK-UP
- 3 ENTRY FEATURE / MONUMENT SIGNAGE
- 4 ENTRY PEDESTRIAN NODE PARK
- 5 LAKE / WATER FEATURE
- 6 IRRIGATION WATER TANK
- 7 ORCHARD GROVE
- 8 COMMUNITY GARDENS / AGRARIAN FIELDS
- 9 HORSE CARRIAGE TRAIL
- 10 SPECIALTY MEDICAL CENTER
- 11 ONE ROOM LEARNING LABS
- 12 COLONIAL CHURCH
- 13 INDEPENDENCE HALL
- 14 MT. VERNON
- 15 TOWN CENTER
- 16 MONTICELLO
- 17 BALANCE OF NATURE TRIAD SCULPTURE
- 18 STAGE / SHADE STRUCTURES
- 19 AMPHITHEATER
- 20 THE GREAT LAWN
- 21 SHADE STRUCTURES
- 22 COLONIAL TREE GARDEN
- 23 CORPORATE OFFICES
- 24 PARKING
- 25 WELLNESS CAMPUS
- 26 MULTI-PURPOSE TRAILS
- 27 TOWNHOMES ATTACHED RESIDENTIAL
- 28 GREEN COURT DETACHED RESIDENTIAL
- 29 ALLEY LOADED DETACHED RESIDENTIAL
- 30 SMALL LOT SINGLE-FAMILY (3-5 DU/AC)
- 31 LARGE LOT SINGLE-FAMILY (0-3 DU/AC)
- 32 MIXED-USE COMMERCIAL / RESIDENTIAL
- 33 PROPOSED WELL LOCATION
- 34 GYM / RECREATION CENTER
- 35 PERFORMING ARTS CENTER
- 36 WALIPINI / GREENHOUSE
- 37 GREENHOUSES
- 38 COLONIAL HOTEL
- 39 CASITAS / LEARNING LABS



NTS

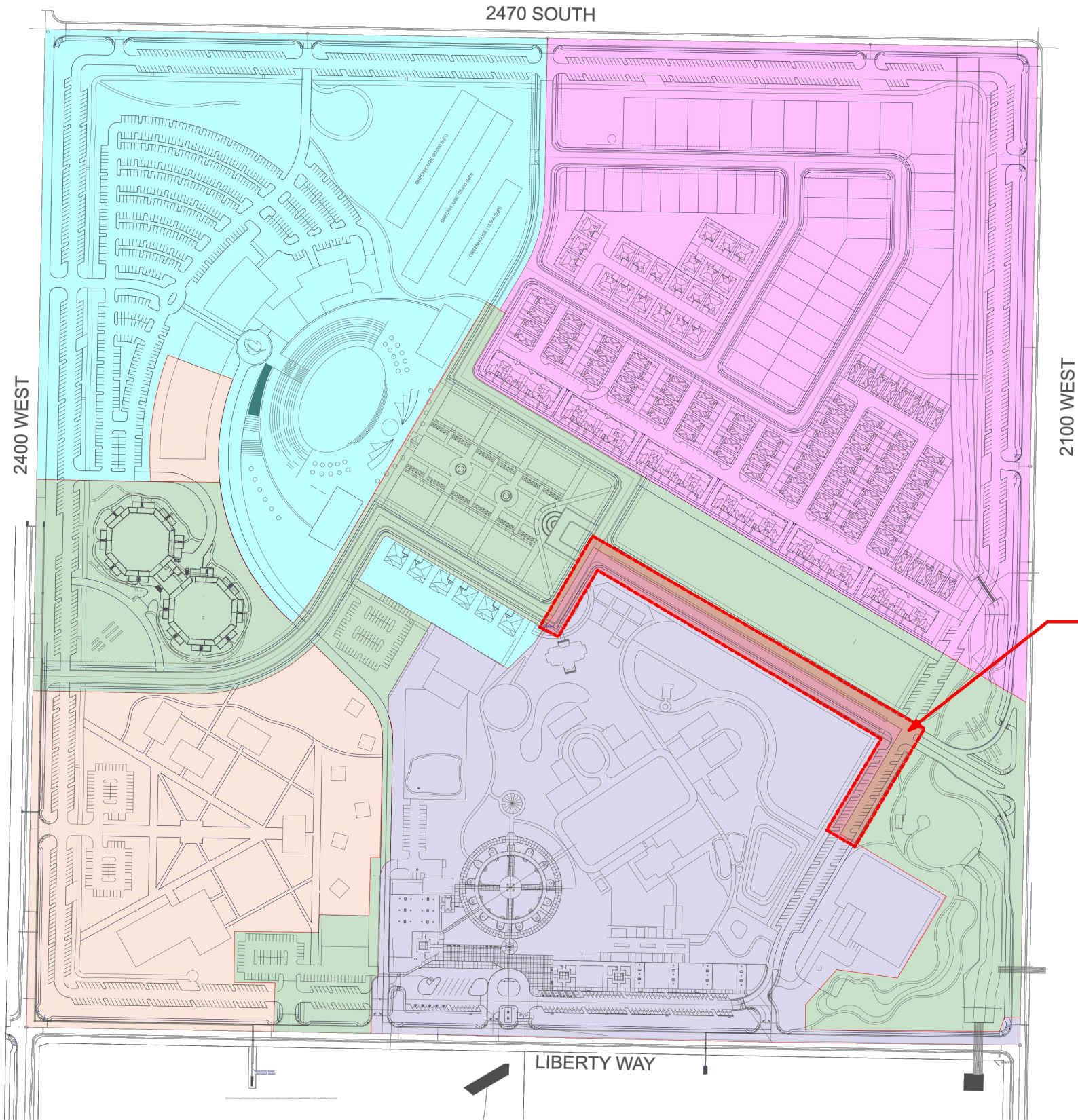
LIBERTY WAY

Appendix F: Phasing Plan

21-0167 - BoN Gardens

Apr. 16, 2025 12:34pm S:\Projects\2021\21-0167\Planning\Drawings\Entitlements\21-0167 - PDO Phasing Plan.dwg

ttomas



- Phase 1
- Phase 2
- Phase 3
- Phase 4
- Phase 5

UTILITIES IN THESE STREET SECTIONS WITHIN THIS BOX TO BE CONSTRUCTED AS PART OF PHASE 1 TO SERVE PHASE 1. STREET PAVEMENT, CURBS, GUTTERS, SIDEWALK AND ALL OTHER ABOVE GROUND IMPROVEMENTS TO BE CONSTRUCTED IN PHASE 2

NOTE; THIS PHASING PLAN IS CONCEPTUAL AND BASED ON DEVELOPER'S CURRENT PLANS FOR THE DEVELOPMENT OF THIS PROPERTY SUBJECT TO CHANGE BASED ON MARKET CONDITIONS, STAFF APPROVAL AND AVAILABILITY OF INFRASTRUCTURE. REGARDLESS, DEVELOPMENT IS TO OCCUR IN A COHESIVE MANNER TO ENSURE A QUALITY DEVELOPMENT.

DEVELOPER RESERVES THE RIGHT TO BEGIN A SUBSEQUENT PHASE PRIOR TO THE TOTAL COMPLETION OF A PRIOR PHASE, OR DEVELOP MULTIPLE PHASES AT ONCE BASED ON THE DEVELOPER'S ABILITY TO PERFORM THE DEVELOPMENT SUBJECT TO STAFF APPROVAL AND AVAILABILITY OF INFRASTRUCTURE.

Revisions:

Appendix G: Land Use Exhibit

21-0167 - BoN Gardens

May 14, 2025 3:17pm S:\Projects\2021\21-0167\Planning\Drawings\Entitlements\21-0167 - PDO Land Use Plan.dwg

ttthomas

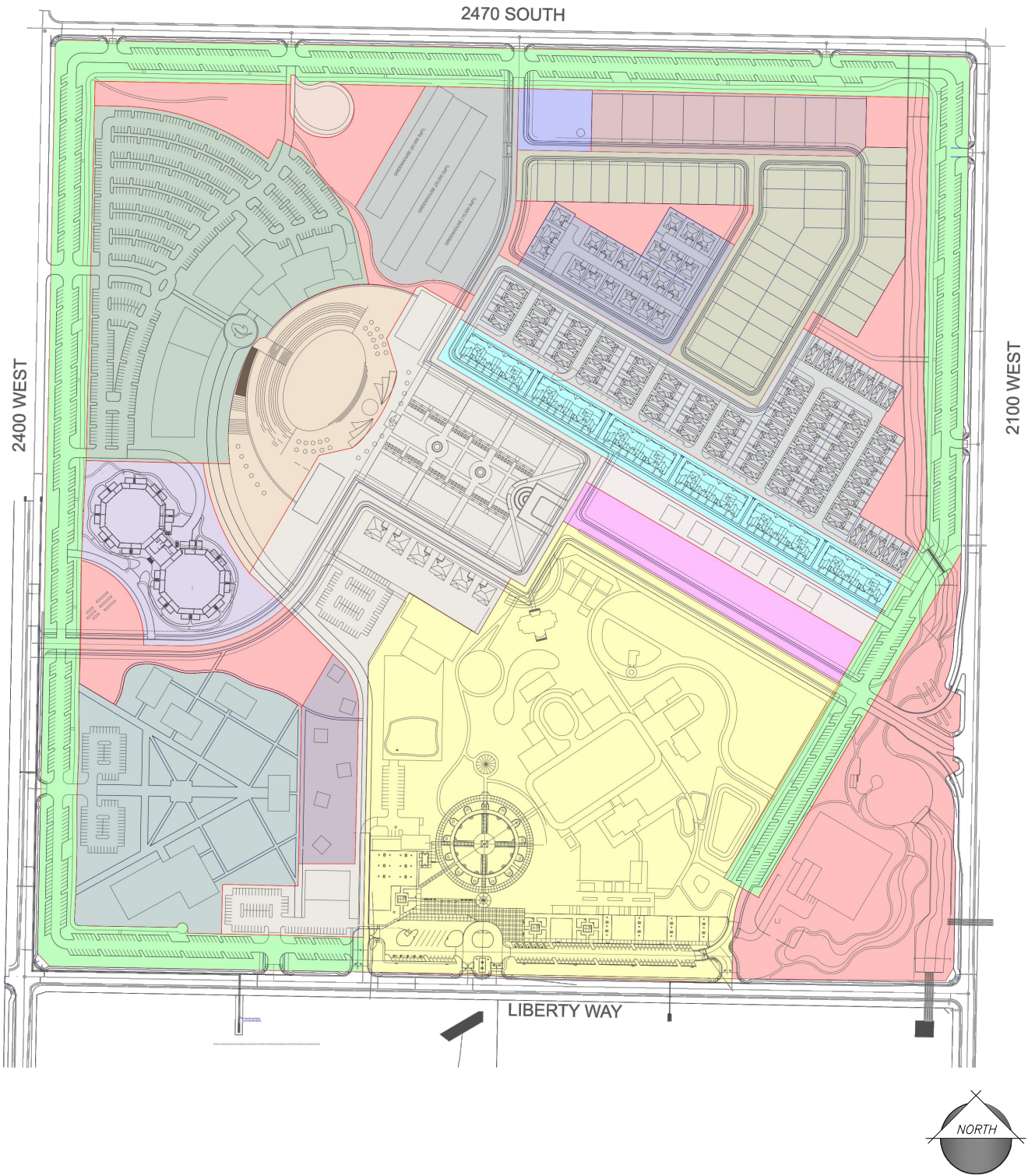


Table of Acreage and Land Use Summary		
Legend	Use Description	Acres
	Perimeter Orchard Parking with Carriage Paths	20.4 AC
	Irrigation Tank	0.5 AC
	Community Gardens (Open Space)	2.6 AC
	Specialty Medical Center and Wellness Campus (Medical)	9.2 AC
	One-Room Learning Labs (Educational)	1.7 AC
	Liberty Village (Cultural,Commercial, Educational & Entertainment)	27.9 AC
	Stage, Amphitheater, Great Lawn (Commercial Entertainment)	5.3 AC
	Headquarters Campus (Commercial Office) with Parking	12.2 AC
	Townhomes Attached Residential	4.2 AC
	Green Court Detached Residential	3.3 AC
	Alley Loaded Detached Residential	8.4 AC
	Small Lot Single Family Homes (Residential)	8.4 AC
	Large Lot Single Family Homes (Residential)	3.0 AC
	Mixed Use Commercial / Residential / Cultural / Service / Hospitality	13.2 AC
	Well	0.8 AC
	Walipini / Greenhouse	4.3 AC
	Greenhouses	4.5 AC
	Casitas / Learning Labs	1.9 AC
	Open Space / Trails / Entry Features / Lakes / Water Feature	16.8 AC
	Public Rights of Way	10.4 AC
	Site Totals	159.620

orcutt | winslow



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Suite 120
Mesa, AZ 85201
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www.epsgroupinc.com

Project:

BoN Gardens

Land Use Plan

Revisions:



DESIGN 5-4-11
1-800-665-4111

Designer: EPS

Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

LU01

Sheet No.
1
of 1

Appendix H: Residential Plot Plans

SCALE: 1" = 20'-0"



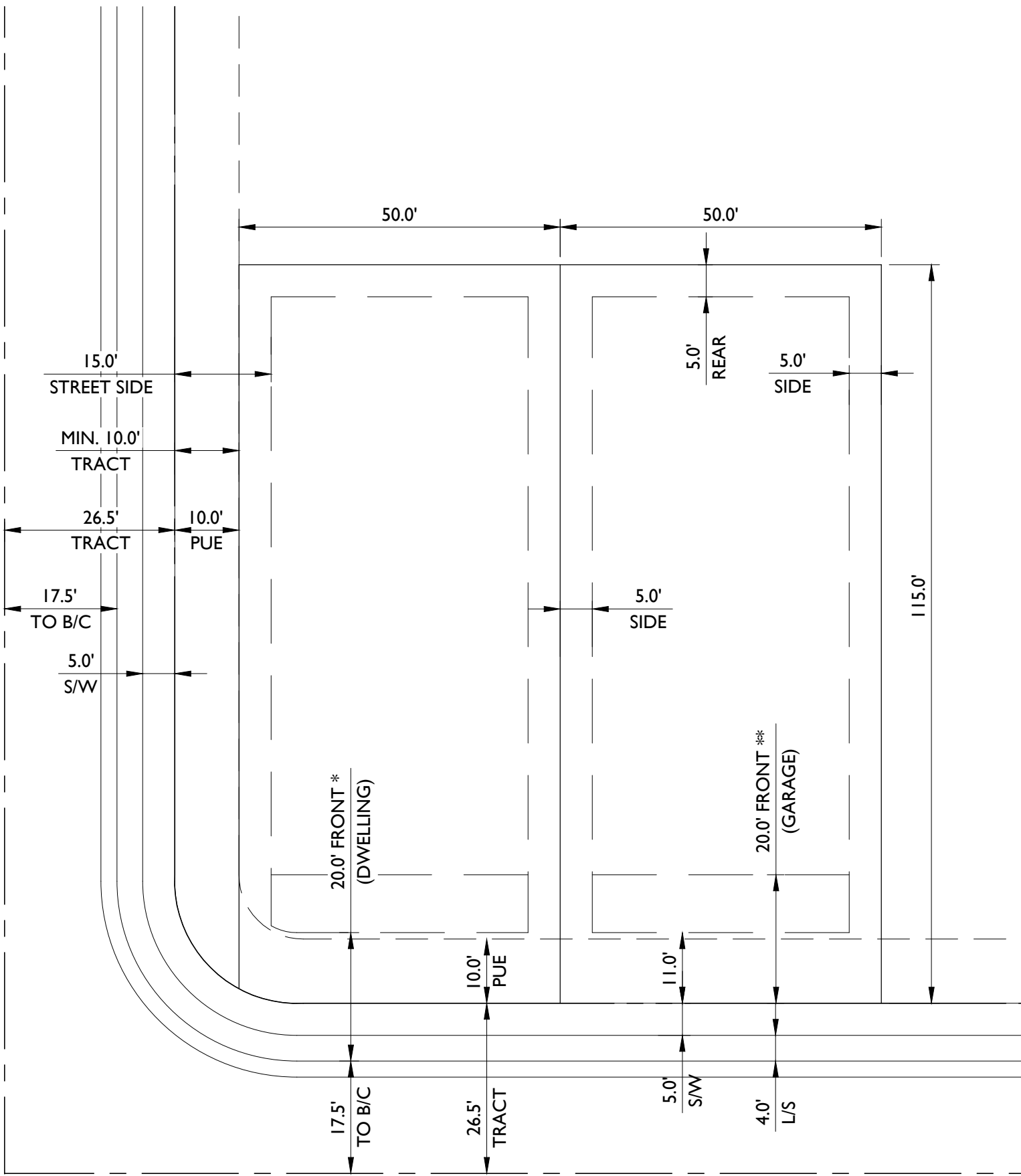
FRONT *	20'	FROM B/C TO DWELLING
	11'	FROM B/SW TO DWELLING
FRONT **	20'	FROM B/SW TO GARAGE
REAR	10'	(SINGLE-FAMILY OR OTHER STRUCTURES)
	5'	(GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK



PLOT PLAN

SCALE: 1" = 20'-0"



DEVELOPMENT STANDARDS RI-10 PDO

MINIMUM BUILDING SETBACKS:	
FRONT *	20' FROM B/C TO DWELLING
	11' FROM B/SW TO DWELLING
FRONT **	20' FROM B/SW TO GARAGE
REAR	10' (SINGLE-FAMILY OR OTHER STRUCTURES)
	5' (GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5' (SINGLE-FAMILY)
	10' (ALL OTHERS)
STREET SIDE YARD	15' (CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A
PERIMETER SETBACK & BUFFER	15'
MAXIMUM LOT COVERAGE	N/A

LEGEND

B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK

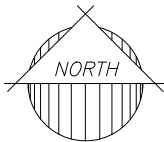
BALANCE OF NATURE GARDENS

TYPICAL PLOT PLAN

SMALL LOT DETACHED RESIDENTIAL

LOT SIZE: 50' x 115'

HURRICANE UT



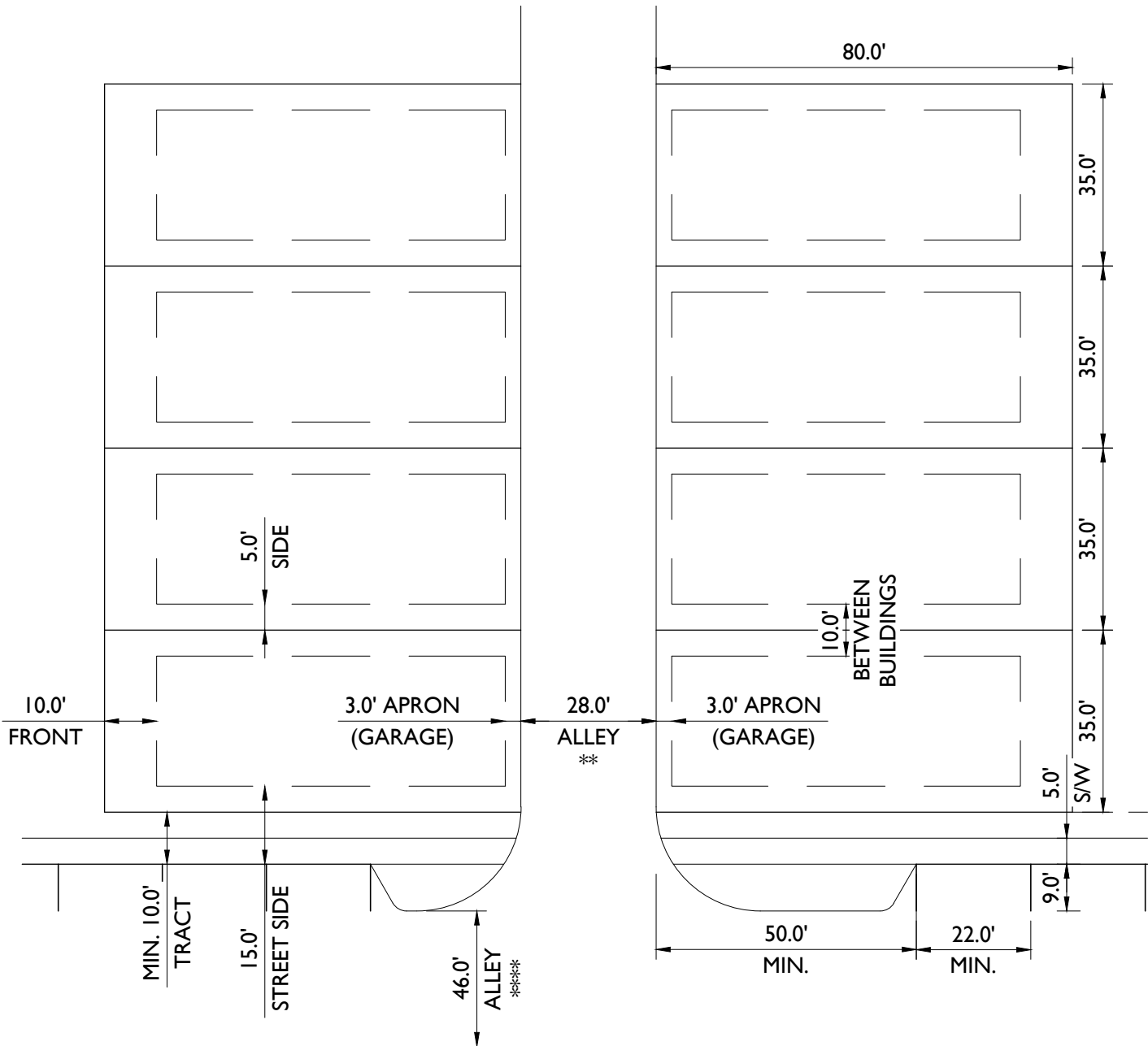
DATE DRAWN: 12.18.2024

REVISION DATE: 04.30.2025



PLOT PLAN

SCALE: 1" = 30'-0"



DEVELOPMENT STANDARDS RI-10 PDO

MINIMUM BUILDING SETBACKS:	
FRONT	10'
REAR	3'
INTERIOR SIDE YARD	20'
STREET SIDE YARD	5'
AGGREGATE SIDE YARD	10'
PERIMETER SETBACK & BUFFER	15'
MAXIMUM LOT COVERAGE	N/A

LEGEND

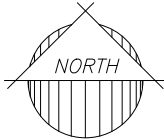
B/C	BACK OF CURB
S/W	SIDEWALK
**	PRIVATE DRIVEWAY CONDITION 1
***	PRIVATE DRIVEWAY CONDITION 2
****	PRIVATE DRIVEWAY CONDITION 3

BALANCE OF NATURE GARDENS

TYPICAL PLOT PLAN

ALLEY LOADED DETACHED RESIDENTIAL

HURRICANE UT



DATE DRAWN: 12.18.2024

REVISION DATE:



SCALE: 1" = 20'-0"



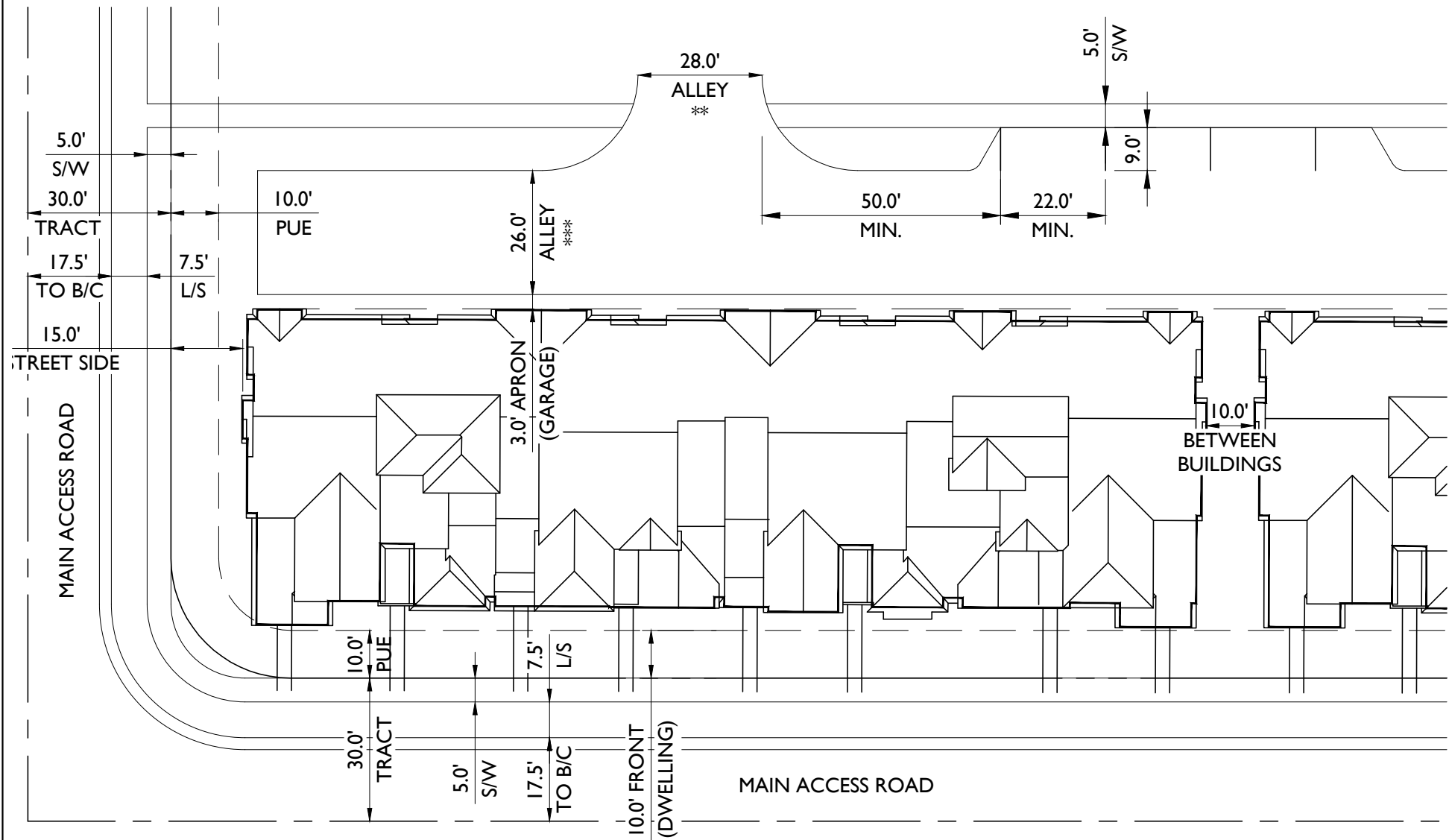
FRONT	10'	(DWELLING)
REAR	3'	APRON FROM B/C (GARAGE)
	5'	FROM B/C (DWELLING)
	20'	FROM B/C IF DRIVEWAY PROVIDED
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK
***	PRIVATE DRIVEWAY CONDITION 2

BALANCE OF NATURE GARDENS		DATE DRAWN: 12.18.2024
TYPICAL PLOT PLAN		REVISION DATE: 04.14.2025
GREEN COURT DETACHED RESIDENTIAL		
HURRICANE UT		

PLOT PLAN

SCALE: 1" = 30'-0"



DEVELOPMENT STANDARDS R1-10 PDO

MINIMUM BUILDING SETBACKS:	
FRONT	10' (DWELLING)
REAR	3' APRON FROM ALLEY B/C TO GARAGE
INTERIOR SIDE YARD	0'
STREET SIDE YARD	15' (CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A
PERIMETER SETBACK & BUFFER	15'
MAXIMUM LOT COVERAGE	N/A

LEGEND

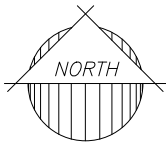
B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK
**	PRIVATE DRIVE CONDITION 1
***	PRIVATE DRIVE CONDITION 2

BALANCE OF NATURE GARDENS

TYPICAL PLOT PLAN

TOWNHOMES ATTACHED RESIDENTIAL

HURRICANE UT



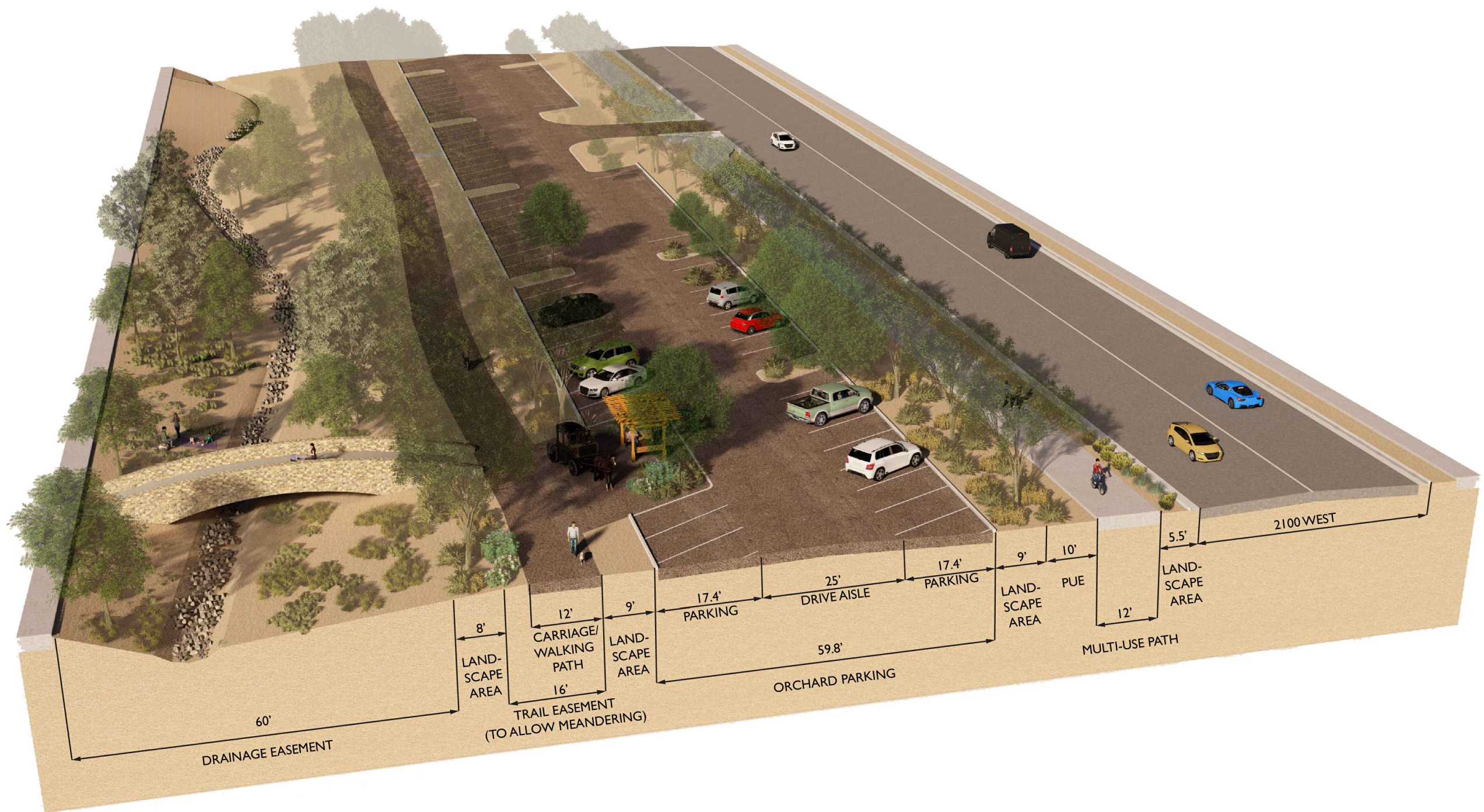
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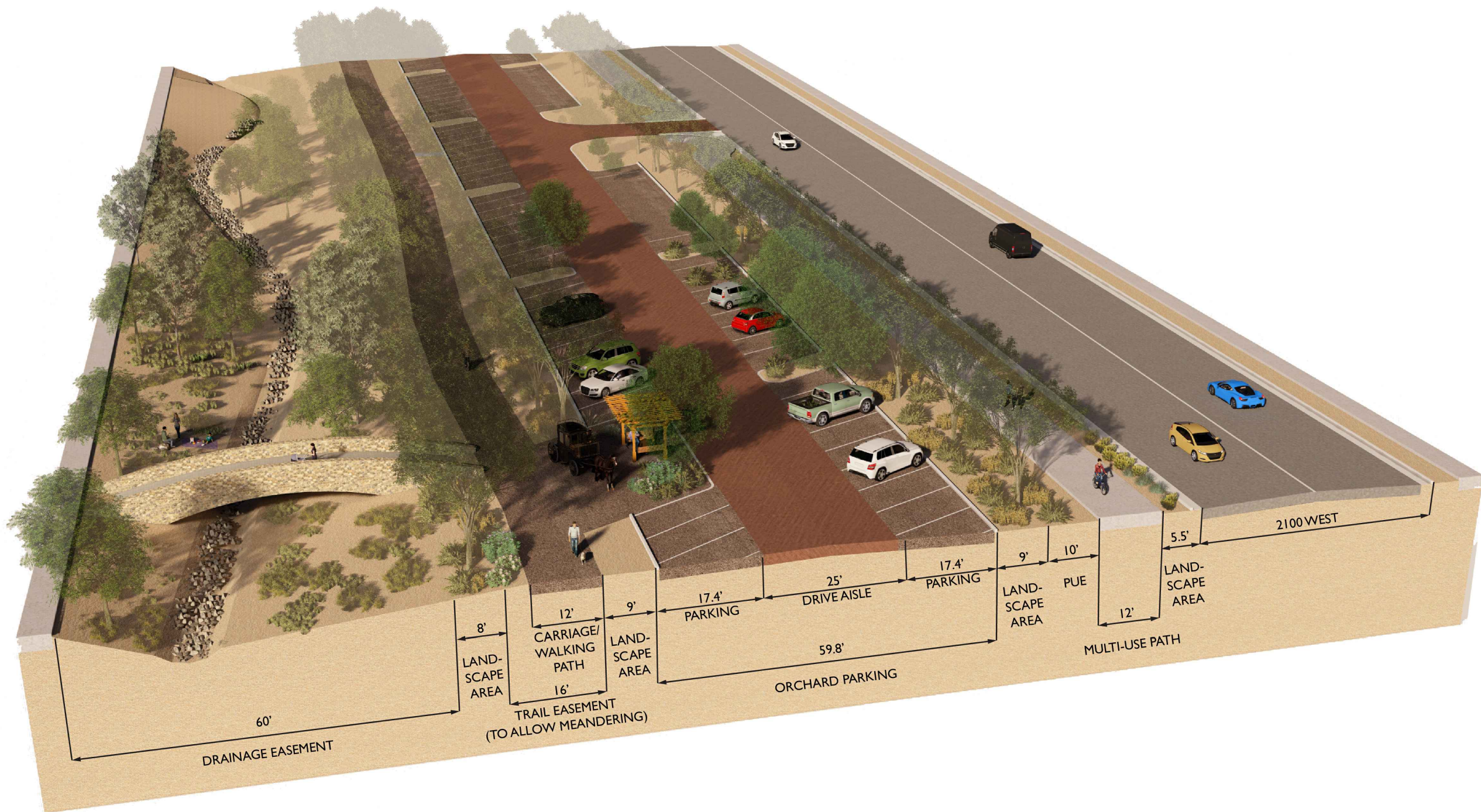
REVISION DATE: 04.30.2025



Appendix I: Building Elevations

Appendix J: Illustrative Cross Sections





Appendix K: Master Utility and Grading Plans

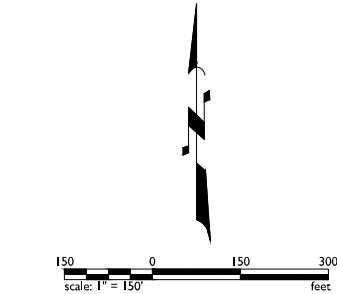
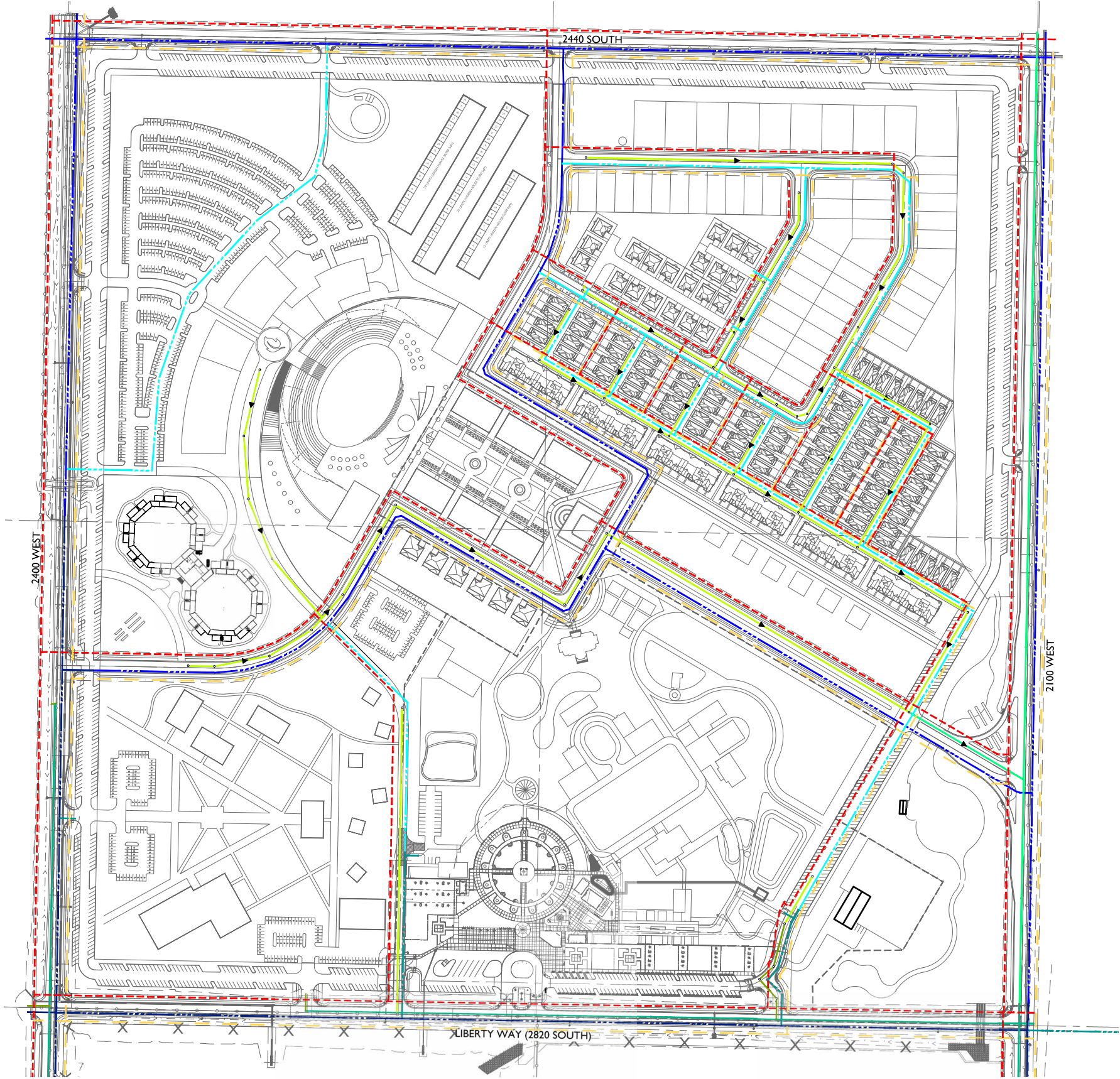
21-0167 - Balance of Nature

May 09, 2025 10:42am S:\Projects\2021\21-0167\Civil\Construction Documents\Exhibit\BON_PDO\21-0167 - BoN - Master Utility Plan.dwg

ttomas

NOTES:

- A. UTILITIES SHOWN ON THIS EXHIBIT ARE INTENDED TO BE PUBLICLY OWNED AND MAINTAINED. UPON FINAL ENGINEERING OF THE PROJECT, PUBLIC AND/OR PRIVATE LINES ARE SUBJECT TO CHANGE DUE TO THE ENGINEERING FINDINGS OF THE ENGINEER, CITY, OR JUC REPRESENTATIVE.
- B. WATER AND SEWER PIPE SIZES ARE SUBJECT TO CHANGE DURING FINAL ENGINEERING OF THE PROJECT. FULL ENGINEERING CALCULATIONS WILL BE PERFORMED BEFORE FINAL JUC APPROVALS, INCLUDING BUT NOT LIMITED TO WATER MODELING TO DETERMINE ADEQUATE PRESSURES AND VELOCITIES IN WATER PIPES.
- C. SEWER LAYOUT IS SUBJECT TO CHANGE DURING FINAL ENGINEERING OF PROJECT TO ENSURE PIPE DEPTHS, PIPE SLOPES, AND PIPE CAPACITIES MEET CITY OF HURRICANE AND ASH CREEK SPECIAL SERVICES DISTRICT REQUIREMENTS.
- D. PUBLIC WATER MAINS OUTSIDE OF DEDICATED RIGHT-OF-WAY AND THROUGH PRIVATE PROPERTY WILL BE DUCTILE IRON PIPE TO THE METER, REGARDLESS OF SIZE.
- E. MINIMUM SEPARATION REQUIREMENTS FOR UTILITIES WILL BE PER HURRICANE CITY STANDARDS SECTION 3.5.1 AND ASH CREEK SPECIAL SERVICES DISTRICT STANDARDS SECTION 4.2.3. MINIMUM SEPARATION REQUIREMENTS WILL BE MAINTAINED IN PUBLIC RIGHT-OF-WAY AND IN PRIVATE DRIVEWAYS.
- F. ALL PUBLIC UTILITIES IN PRIVATE DRIVEWAYS WILL BE INSIDE OF A DEDICATED JOINT UTILITY EASEMENT TO ENSURE ADEQUATE ACCESS FOR SERVICE AND MAINTENANCE.
- G. COORDINATION WITH THE POWER DEPARTMENT, CITY ENGINEER, AND CITY ATTORNEY WILL TAKE PLACE TO ENSURE A NEW CIRCUIT FROM THE THREE FALLS SUBSTATION IS IN PLACE TO SUPPLY POWER TO THE PROJECT.
- H. UTILITIES WILL BE ADEQUATELY SPACED TO ACCOMMODATE FOR FUTURE GAS TO SERVICE THE DEVELOPMENT PER HURRICANE CITY STANDARDS SECTION 3.5.1.



LENGEND

- 8" WATER
- 12" WATER
- EXISTING 8" WATER
- EXISTING 12" WATER
- 8" SEWER
- 12" SEWER
- EXISTING 8" SEWER
- EXISTING 12" SEWER
- FUTURE GAS
- ELECTRIC
- EXISTING ELECTRIC

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com



Balance of Nature

City of Hurricane
Utah

Conceptual Master Utility Plan

Project:

Revisions:



Designer: EPS
Drawn by: EPS

Job No.
21-0167

EX01

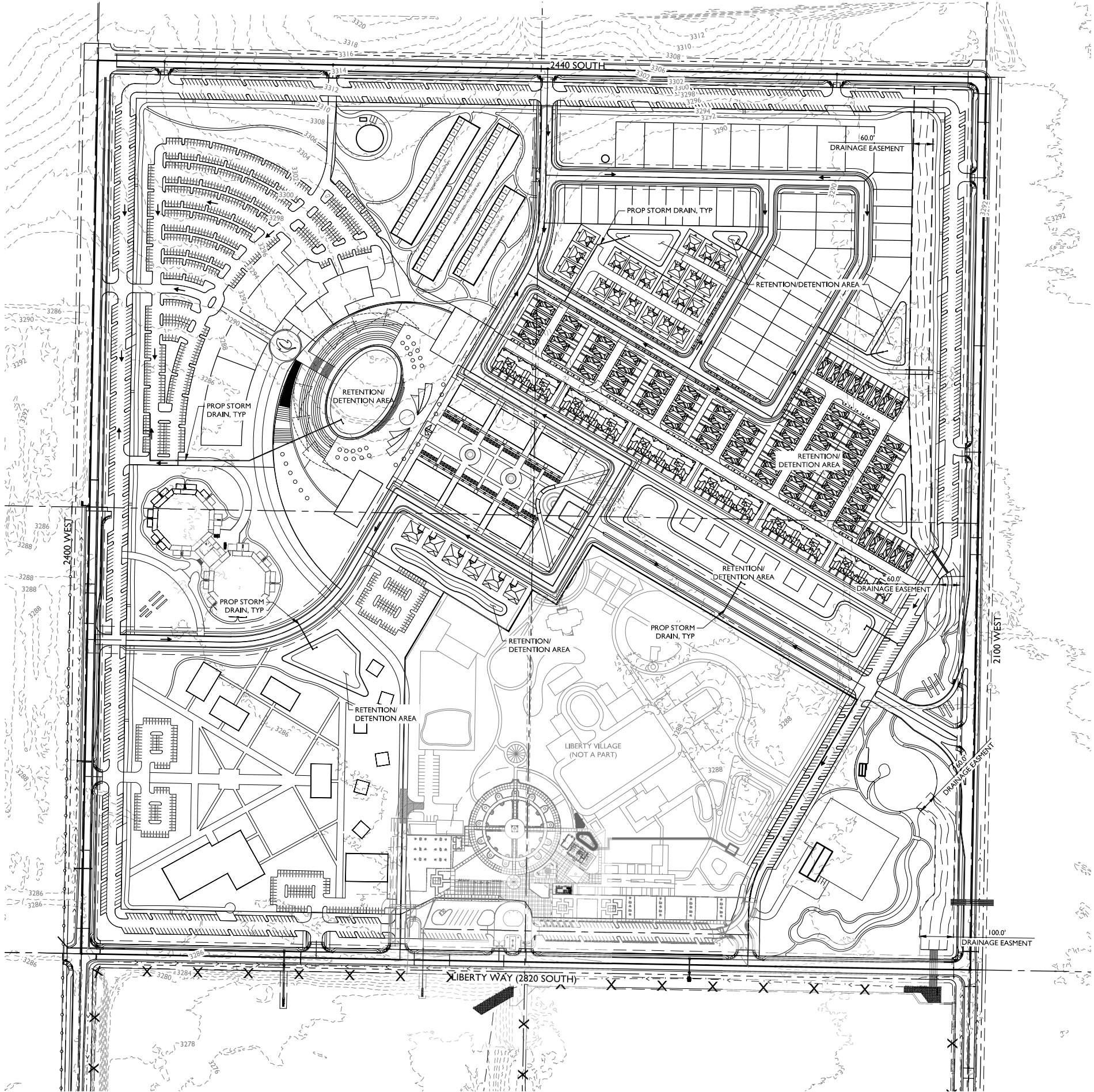
Sheet No.
1
of 1

21-0167 - Balance of Nature

S:\Projects\2021\21-0167\Civil\Construction Documents\Exhibit\BON_PDO\21-0167 - BoN - Master Drainage Exhibit.dwg

schumblay

Apr 10, 2025 12:38pm



Revisions:

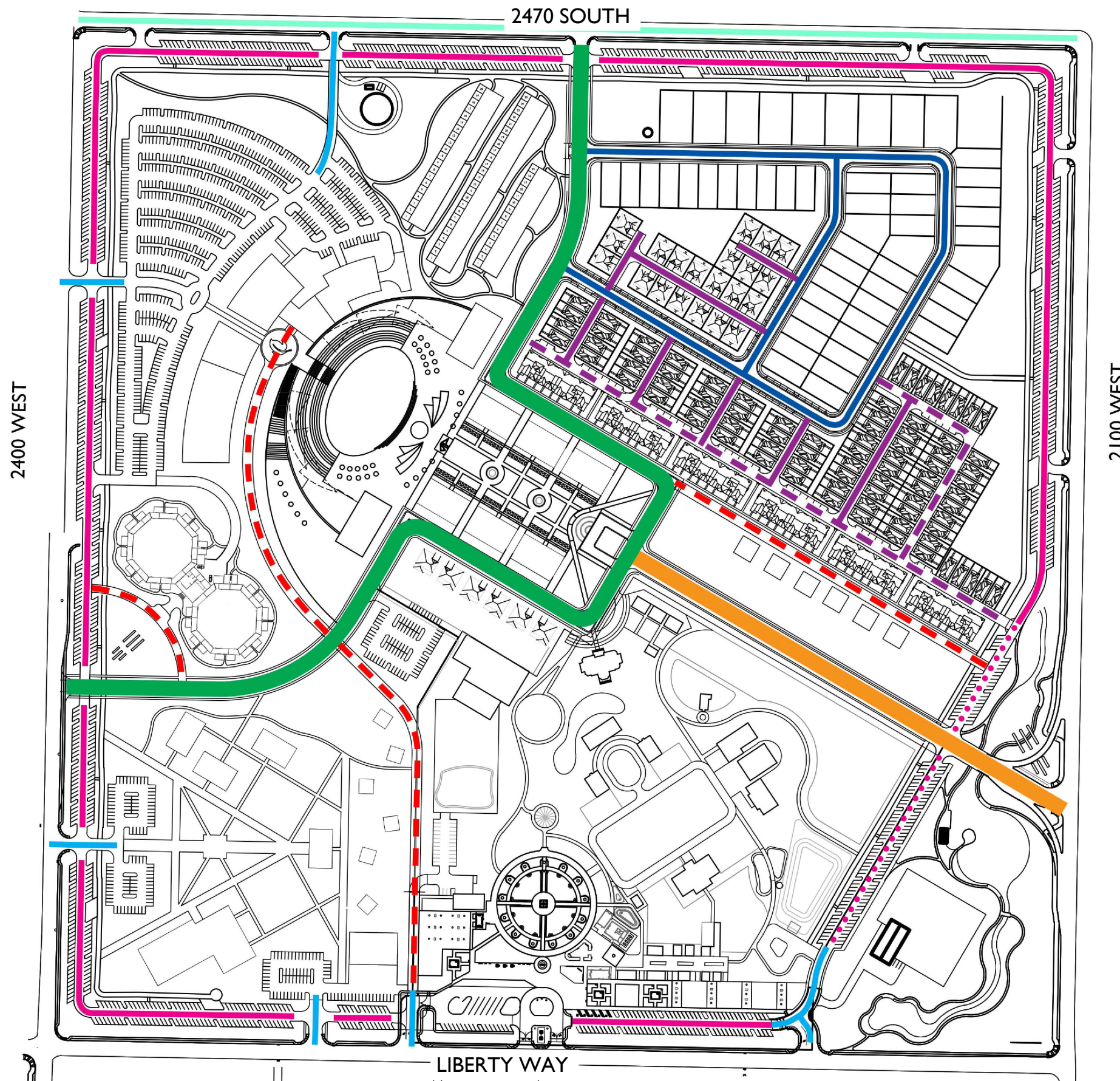
Call at least two full working days before you begin construction.

ARIZONA

Div. 8-1 or 1-800-STATE-HELP (782-6343)
in Maricopa County: (602)875-1188

Designer: EPS
Drawn by: EPS

Appendix L: Street Section Master Plan



LEGEND

- STREET SECTION 1 - MAIN ACCESS ROAD
- STREET SECTION 2 - MAIN ENTRY ROAD
- STREET SECTION 3 - PERIMETER PARKING CONDITION 1
- STREET SECTION 3 - PERIMETER PARKING CONDITION 2
- STREET SECTION 4 - RESIDENTIAL LOCAL ALTERNATIVE
- STREET SECTION 5 - LIBERTY VILLAGE DRIVEWAYS/ PARKING ACCESS ROAD
- STREET SECTION 6 - PRIVATE DRIVEWAY CONDITION 1 OR 2
- STREET SECTION 6 - PRIVATE DRIVEWAY CONDITION 3
- STREET SECTION 8 - 2470 TYPICAL CROSS SECTION
- FIRE ACCESS PATH SECTION - 26' CONDITION 1 OR 2



STAFF COMMENTS

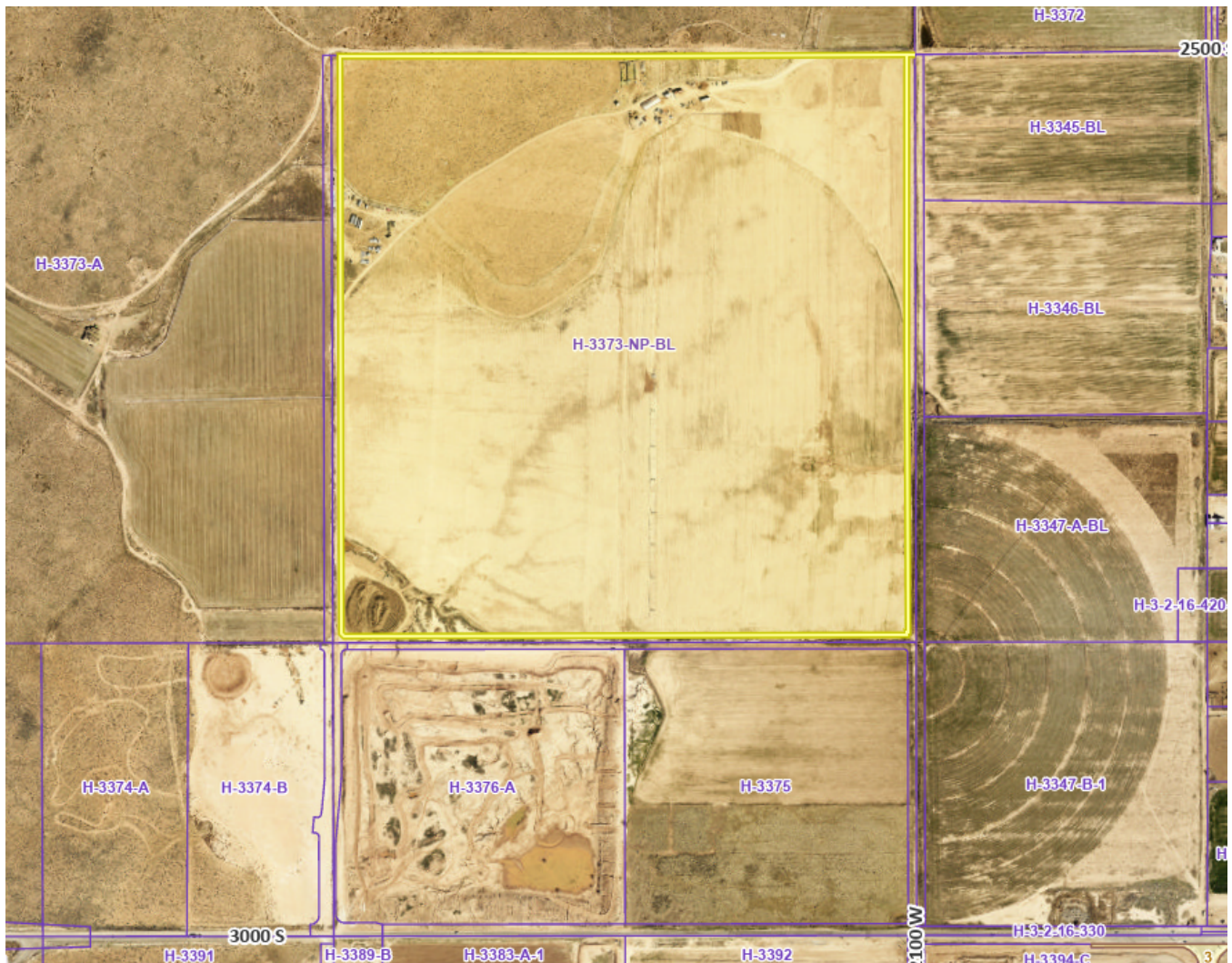
Agenda Date:	05/22/2025 - Planning Commission
Application Number:	ZC25-11 PSP25-08
Type of Application:	Zone Change and Preliminary Site Plan
Action Type:	Legislative
Applicant:	Molly's View LLC
Agent:	Tom Snyder
Request:	A Zone Change Request from R1-10 (PDO) and M-1 to R1-10(PDO) and update the overall PDO and site plan.
Location:	2400 W and Liberty Way
Zoning:	Single Family Residential R1-10/PDO and M-1
General Plan Map:	Mixed-Use
Recommendation:	Approve subject to staff and JUC comments.
Report Prepared by:	Fred Resch III

Discussion:

The applicant is seeking a zone change and PDO update for the Balance of Nature project, located north of 3000 S. This PDO was originally approved in 2021. Liberty Village is part of this development, although now operates independently from Balance of Nature. The applicant is proposing modifications to the overall development and is requesting a zone change to accommodate adjustments in layout, land uses, and development standards.

The primary reason for the requested zoning update is to remove the 27-acre Light Industrial M-1 zone, since a manufacturing facility once planned on the southwest portion of the property will now not be constructed. Additionally, the applicant is requesting changes to the permitted land uses within the development, along with amendments to standards regarding setbacks and building heights, and a request for private street right-of-ways.

	Zoning	Adjacent Land Use
North	RA-1	Undeveloped and Agriculture Land
East	RA-1	Undeveloped and Agriculture Land
South	RA-1, with an Extraction Overlay Zone	Undeveloped and Washington County Water Conservancy District clay extraction pit.
West	RA-1	Undeveloped and Agriculture Land



Zone Change Factors:

For zone change requests, the Planning Commission must consider Hurricane City Code section 10-7-7:

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

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the city's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- 3. The extent to which the proposed amendment may adversely affect adjacent property;*
and

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

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

Response: The [General Plan Map](#) shows this area as a future Mixed Use:

Mixed use areas should be developed as small districts or community centers offering a mix of retail, dining, entertainment, employment, and supporting residential. These developments should be easy and safe to navigate on foot and located in areas with access to major roads and surrounded with appropriate residential densities to support these uses.

This property was designated as “Mixed Use” on the Future Land Use Map in anticipation of this development. The proposed changes align with the General Plan’s objectives for this area, including fostering a small-town center atmosphere, creating walkable spaces, and maintaining an appropriate residential scale.

Additionally, the General Plan emphasizes economic development through the creation of walkable retail and restaurant centers and the addition of well-paying jobs, such as those planned within this town center (Policy 1.5). It also supports the expansion of medical facilities within Hurricane (see Strategy 1.1).

The Moderate Income Housing Plan further advocates for “mixed density” developments like this one, along with increased residential development near major corridors and job centers.

The proposed changes generally align with the goals and intent of the General Plan.

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

Response: Most of the surrounding area remains undeveloped. The properties to the north, east, and west are planned to remain in agricultural use under RA-1 zoning. To the south, the land is used as an extraction pit by the Water Conservancy District. Additionally, there are proposed mixed-use and commercial developments to the south and southwest, near the SR-7 and 3000 S interchange.

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

Response: The proposed density and land uses can be considered to significantly impact the area, since any change to a largely undeveloped area can be viewed as significant. The addition of commercial, residential, civic, and open space uses will also attract more people than previous levels. Also, the Liberty Village portion of the development could potentially draw additional visitors to the area. If developed as planned, the Balance of Nature project will become a hub for work, living, shopping,

church, school, and medical visits. However, the proposed changes decrease the overall impact of the development from what was previously approved in that a light-industrial use is being removed, along with a reduction in proposed housing density; and the planned amenities within the development, including open spaces and orchards along the boundaries, are expected to enhance the site but also protect surrounding developments and neighborhoods, thus helping to mitigate some of the broader impacts of growth in the area. Therefore, due to the mitigating project enhancements, and also due to the open, undeveloped nature of the surrounding properties, the zone change is not expected to have adverse impacts on the areas adjacent to the site.

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

Response: Currently, the area has very limited services, and full buildout of the proposed development will not be possible without significant off-site infrastructure improvements. However, since this is only a modification to the zoning of an already approved development, it is unlikely to substantially impact the region's overall utility status. Furthermore, a development agreement is already in place for the Balance of Nature project which requires that no construction can begin until adequate public facilities are available to support the project. At this time, public facilities and services are not sufficient to support construction of the development, but the development agreement, which will need to be amended upon approval of the requested zone change, ensures that necessary infrastructure will be in place before construction can begin.

Overview of Requested Changes:

- **Removal of M-1 portion of the development**
 - The applicant has informed staff that Balance of Nature's current production facility, located on Old Highway 91 in Hurricane will be expanded to meet their production needs, thus, eliminating the need for the M-1 zoning on the project site.
- **Changes to the overall site plan**
 - While the site plan is substantially similar to what was originally proposed and approved, many of the elements have changed. Liberty Village now takes up a much larger section of the development than originally conceived. The church and school facilities have been removed from the site plan, and the medical center has been moved to the site for the originally planned manufacturing facility. The Headquarters/office facility is now significantly smaller than was originally planned. There is now much more open space proposed on the site plan, and the housing density is notably smaller with 86 fewer residential units now being proposed.
- **Permitted Uses**
 - On the proposed site plan, the applicant has provided a list of permitted uses within the development. These are intended to tie into the standards and uses within Hurricane City Code. Although some uses are not strictly defined, they are substantially similar to defined terms within our code.
 - The Colonial Hotel will need to meet the recently updated definition of a hotel including 24-hour onsite management and at least 10 rentable units.
- **Setbacks**
 - Pursuant to Hurricane City Code (HCC) section 10-23-6, variations in setbacks can be approved: *if the City Council, after receiving a recommendation from the Planning Commission, finds such variation meets the approval criteria set forth in subsection 10-*

23-7B of this chapter and as set forth below. Any such variation shall be explicitly noted in the approval of a preliminary site plan and shall be shown on the approved plan.

1. Variations from the development standards set forth in this chapter are intended to be rare and shall be approved by at least four members of the City Council.

2. The applicant shall bear the burden of persuasion with regard to any request for a variation under this subsection B. Such burden shall include demonstrating that:

a. A proposed project which includes a variation is the result of a substantial amount of advanced planning;

b. Any adverse conditions which may result from the variation will be mitigated; and

c. The variation will result in a substantial benefit not only to persons who will live or work within the project, but also to the City and its citizens generally.

- The applicant is proposing different modified setbacks for their different proposed developments, these requests are outlined in more detail in the application narrative:

- **Large and Small Lot Detached Residential setbacks:** With the exception of increasing the front setback by one foot for the front setback for dwellings these match the current PDO setbacks.

- **Green Court Detached, Alley Loaded Detached, and Townhomes Residential setbacks:** As these are rear loaded units (the garage is in the back of the building rather than the front) the applicant is requesting that the front setback be decreased to 10'. If a driveway is provided, not required if a two car garage is provided, the rear setback will be 20'. Planning staff finds the request generally acceptable, however, reduced setbacks can cause conflicts with utilities. These conflicts can be avoided if the developer plans the development properly and no JUC members objected to the reduced setbacks as part of their comments.

- **Commercial setbacks:** The applicant is requesting no front setback for their commercial developments. Within their Town Center this makes sense to create a walkable mixed use downtown environment, however there may be concerns allowing this in the other commercial areas of the development. In order to allow for proper utility placement the applicant has agreed to allow for increased street side setbacks near utility placements.

- **Building Heights**

- The applicant is requested an increase to the maximum building heights within their development. The current maximum height is 35 feet. The applicant is requesting a 60-foot maximum height in the Town Center, as delineated by the preliminary site plan, and 45 feet in the remainder of their commercial areas. The applicant has provided some architectural renderings that show a European village style of architecture that requires higher building heights to justify the increased height request. Staff believes the additional height is appropriate for the intended look and feel of the development.

JUC Comments

The following comments will need to be addressed:

1. **Public Works:** No comment.
2. **Fire:** [No comments received.]
3. **Sewer:** No comment.
4. **Water:** Will need an updated water model.

5. **Power:**

- a. The general site layout looks cohesive to be able to design power
- b. Power design can only happen if a load chart is given for all buildings that need power service
- c. Talks with power dept, city engineer, and city attorney need to happen to make sure a new circuit from Three Falls Substation is in place to supply power to the project before any load.
- d. An agreement on the building permits will have to be in place with the city if power is not at location at that time.

6. **Streets:** No comment.

7. **Gas:** Okay

8. **Engineering:** Private streets are discouraged. Per HCS 3.2.4, public and private streets must be constructed to the same standards. the city council must clearly specify how/where the streets are allowed to deviate from standard (HCC 7-2-2). Non-typical street cross sections are proposed in this application; engineering supports allowing the non-typical cross sections subject to the redlines provided to the applicant. An updated traffic impact study must be provided (see HCS 3.9.2). More site specific recommendations (i.e. queue lengths/throat lengths and internal traffic control) should be provided by the new report. Access management (spacing [Transportation Master Plan 9.3.2, HCS 3.2.4.2(h), & HCS 3.2.4.3], throat lengths [Transportation Master Plan 9.3.7], and alignment [Transportation Master Plan 9.3.10]) must be observed.

9. **Washington County Water Conservancy District:** “Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.”

Preliminary Site Plan

1. **Density:** The requested unit count of 239 is 86 units fewer than the currently approved 325 units and equals a density of 1.49 units per acre for the entire development. This is well below the standard 3.5 units per acre density cap within R1-10 (PDO) developments.
2. **Parking:** The majority of the parking is shown to be clustered around the outside of the development. The applicant, as part of the Liberty Village project, submitted a parking study for the overall development which the city accepted. If this zone change is approved, an amended parking study will need to be provided.
3. **Street layouts:** The applicant is proposing that all internal streets within the development be private. However, the City broadly discourages the use of private streets in larger-scale developments due to ongoing concerns regarding utility access and long-term maintenance.
 - a. Per HCC section 10-23-9(F)(1), “*All streets shall be public streets and shall be established according to public street standards adopted by the City*” for Planned Development Overlays (PDO). In addition, HCC section 10-37-13 states that “*The Zoning Administrator shall not authorize a building permit for a dwelling located on a lot accessed only by a private right-of-way.*”

- b. City staff has consistently communicated to the applicants an expectation that all major corridors and streets within the development must be public. Despite this, the applicant has not agreed to revise the proposal. Staff and the Joint Utility Committee have significant concerns about the placement of public utilities in private streets that are not maintained by the City.
4. Preliminary site plans showing the required details under HCC section 10-7-10 will need to be provided for each phase as they are planned to be developed.
5. A phasing plan has been provided showing that the development will be developed in five phases.

Findings

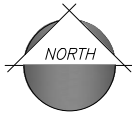
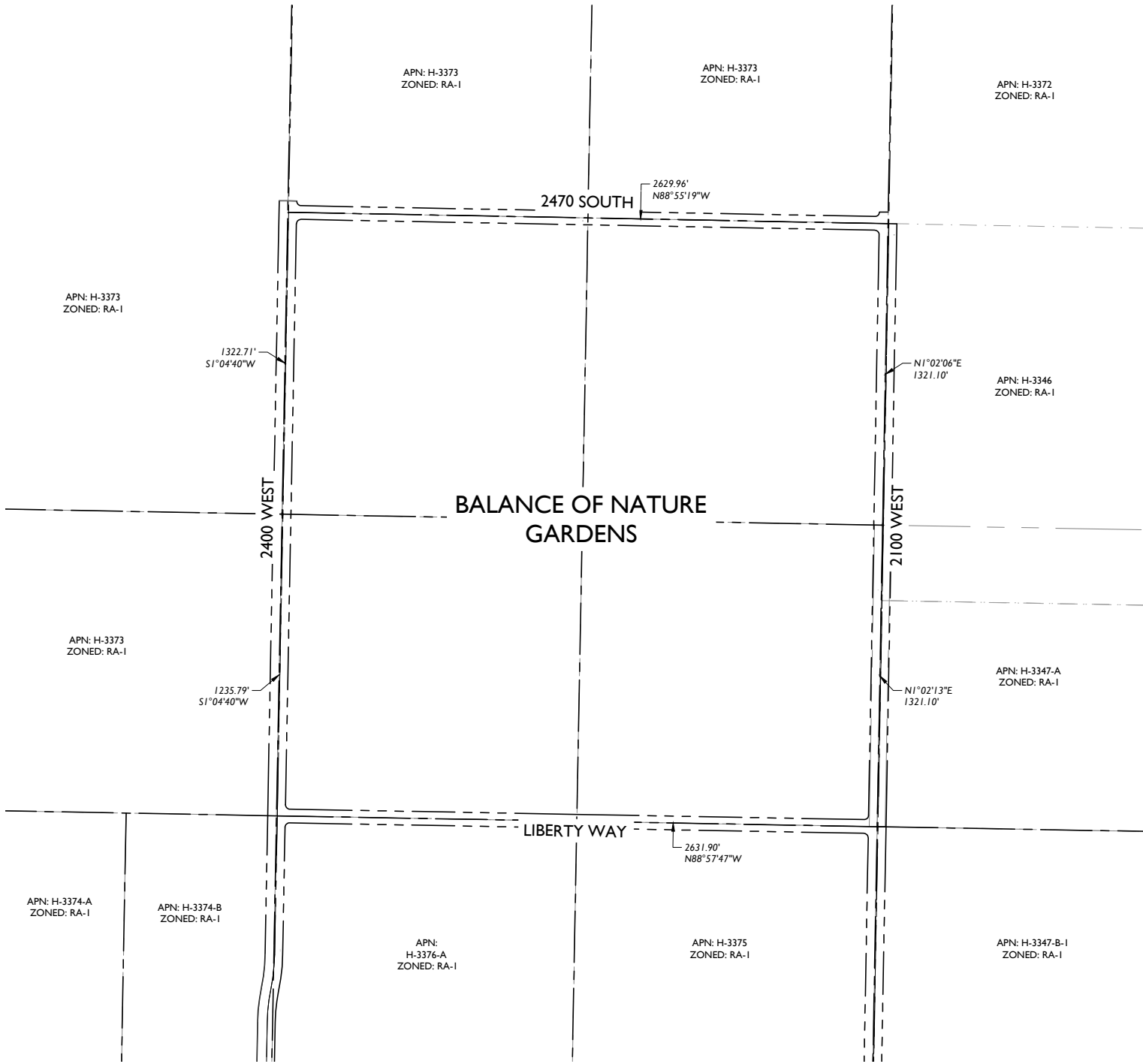
Staff makes the following findings:

1. The proposed site zoning amendment aligns with the General Plan Map and Goals due to the mixed-use nature of the development.
2. While the amendment is generally consistent with the overall character of some proposed developments, there is currently little to no development adjacent to the property. To help buffer the site, the applicant has included open space and orchards along the boundaries.
3. The project is not anticipated to have adverse impacts on the surrounding area. Furthermore, the development was previously considered and anticipated and the proposed changes are likely to reduce the overall impact compared to the previously approved plan.
4. Although public services are currently insufficient to support the development, this zone change amendment is unlikely to have an effect on the situation. The development agreement should be refined to further protect the City's interests.
5. Before final approval by the City Council, the proposed preliminary site plan and development agreement require further refinement to ensure they adequately address infrastructure and planning considerations.

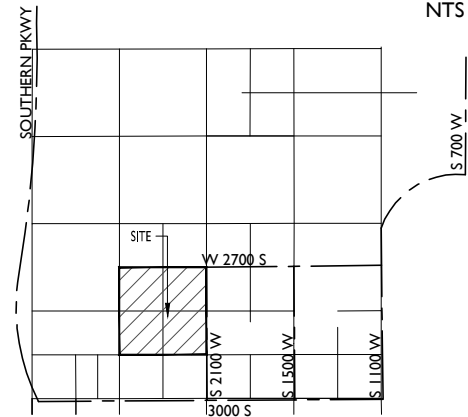
Recommendation: The Planning Commission should review this application and the zone change based on standards within the Hurricane City Code and consider any public comments received at the public hearing. Staff recommends approval of the zone change and preliminary site plan subject to the following conditions:

- The current development agreement shall be updated to include terms relating to zoning, permitted uses, building heights and setbacks, as laid out in the applicant's submission.
- Staff recommends denial of private streets and strongly recommends that all streets within the development be public.
- The development agreement maintain and emphasize the terms relating to ensuring the provision of adequate public facilities.

PRELIMINARY SITE PLAN
FOR
BALANCE OF NATURE GARDENS
"BoN GARDENS"



PROJECT LOCATION



PROJECT TEAM

PROPERTY OWNER:
MOLLY'S VIEW LLC
1568 S RIVER RD, STE 200
SAINT GEORGE, UT 84790
CONTACT: DOUGLAS LEX HOWARD

PLANNING & LANDSCAPE ARCHITECTURE:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., SUITE 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: TOM SNYDER
tom.snyder@epsgroupinc.com

ARCHITECT:
ORCUTT | WINSLOW
2929 N CENTRAL AVE, ELEVENTH FLOOR
PHOENIX, AZ 85012
TEL: (602) 257-1764
CONTACT: NEIL TERRY

PROJECT DATA

A.P.N.:	H-3373-NP-BL	
GROSS AREA:	± 159.62 AC	
EXISTING LAND USE:	VACANT/ UNDEVELOPED	
PROPOSED LAND USE:	MIXED-USE	
EXISTING GENERAL PLAN DESIGNATION:	MIXED USE	
EXISTING ZONING:	R1-10 & M-1 PDO	
PROPOSED ZONING:	R1-10 PDO	
RESIDENTIAL UNIT BREAKDOWN:	APPROVED	PROPOSED
LARGE LOT (85' x 135')	NOT DEFINED	9 UNITS
SMALL LOT (50' x 115')	NOT DEFINED	44 UNITS
GREEN COURT	NOT DEFINED	21 UNITS
ALLEY HOMES	NOT DEFINED	81 UNITS
ROW HOUSING	NOT DEFINED	48 UNITS
TOWN CENTER MULTI-FAMILY	NOT DEFINED	36 UNITS
TOTAL UNITS:	325 UNITS	239 UNITS
GROSS RESIDENTIAL DENSITY:	1.50 DU/AC	

PERMITTED USES LIST

- LARGE LOT DETACHED RESIDENTIAL
- SMALL LOT DETACHED RESIDENTIAL
- GREEN COURT DETACHED RESIDENTIAL
- ALLEY LOADED DETACHED RESIDENTIAL
- TOWNHOMES ATTACHED RESIDENTIAL
- BARN & CORRAL
- CARRIAGE HOUSE PICK-UP
- CASITAS / LEARNING LABS
- SERVICE BUILDING
- AMPHITHEATER
- CORPORATE OFFICES
- FITNESS/RECREATION
- PERFORMING ARTS CENTER
- SPECIALTY MEDICAL CENTER/ WELLNESS CAMPUS
- COLONIAL CHURCH
- INDEPENDENCE HALL
- RESTAURANT
- VISITOR CENTER/MUSEUM/THEATER
- WALAPINI / GREENHOUSE
- GREENHOUSES
- COLONIAL HOTEL
- TOWN CENTER MIXED-USE *

* USES WITHIN THE TOWN CENTER LIMITS ARE LIMITED TO THE HURRICANE CITY CODE OF ORDINANCES SEC. 10-15-3, TABLE 10-15-1 PERMITTED AND CONDITIONAL USES ALLOWED IN THE GENERAL COMMERCIAL (GC) ZONE, EXCEPT THAT DWELLING, MULTIPLE-FAMILY SHALL BE A PERMITTED USE.

SHEET INDEX

SHEET 1	CS01 COVER SHEET
SHEET 2	SP01 PRELIMINARY SITE PLAN
SHEET 3	SP02 TYPICAL LOT DETAILS & STANDARDS
SHEET 4	SP03 STREET SECTIONS

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T: 480-503-2250 | F: 480-503-2258
www.epsgroupinc.com



Project:
BoN Gardens
Hurricane, UT
Cover Sheet

Revisions:



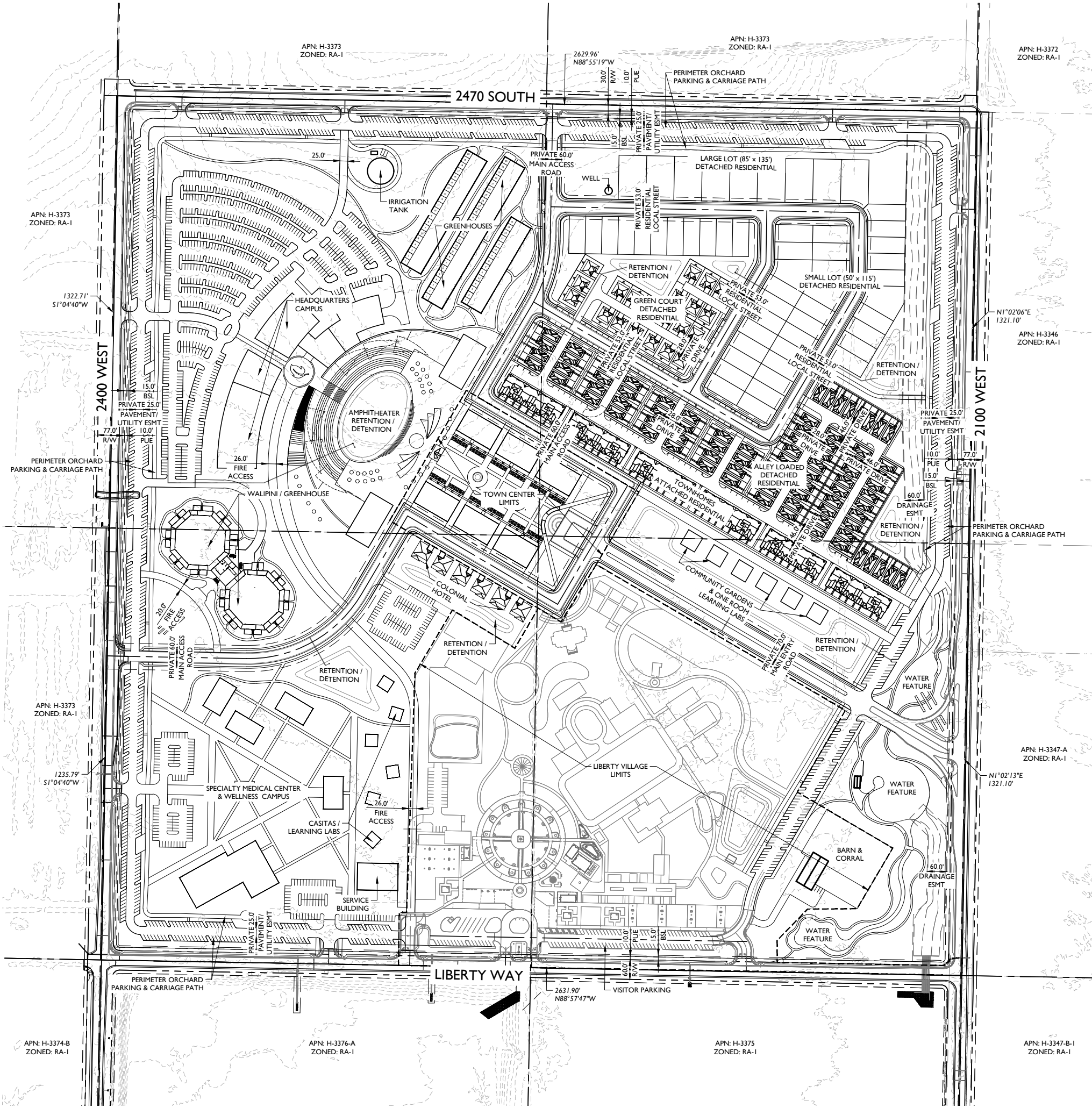
Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

CS01

Sheet No.
1
of 4



UTILITY NOTES

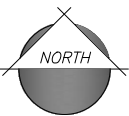
1. UTILITIES SHOWN ON THE CONCEPTUAL MASTER UTILITY PLAN ARE INTENDED TO BE PUBLICLY OWNED AND MAINTAINED. UPON FINAL ENGINEERING OF THE PROJECT, PUBLIC AND/OR PRIVATE LINES ARE SUBJECT TO CHANGE DUE TO THE ENGINEERING FINDINGS OF THE ENGINEER, CITY, OR JUC REPRESENTATIVE.
2. WATER AND SEWER PIPE SIZES ARE SUBJECT TO CHANGE DURING FINAL ENGINEERING OF THE PROJECT. FULL ENGINEERING CALCULATIONS WILL BE PERFORMED BEFORE FINAL JUC APPROVALS, INCLUDING BUT NOT LIMITED TO WATER MODELING TO DETERMINE ADEQUATE PRESSURES AND VELOCITIES IN WATER PIPES.
3. SEWER LAYOUT IS SUBJECT TO CHANGE DURING FINAL ENGINEERING OF PROJECT TO ENSURE PIPE DEPTHS, PIPE SLOPES, AND PIPE CAPACITIES MEET CITY OF HURRICANE AND ASH CREEK SPECIAL SERVICES DISTRICT REQUIREMENTS.
4. PUBLIC WATER MAINS OUTSIDE OF DEDICATED RIGHT-OF-WAY AND THROUGH PRIVATE PROPERTY WILL BE DUCTILE IRON PIPE TO THE METER, REGARDLESS OF SIZE.
5. MINIMUM SEPARATION REQUIREMENTS FOR UTILITIES WILL BE PER HURRICANE CITY STANDARDS SECTION 3.5.1 AND ASH CREEK SPECIAL SERVICES DISTRICT STANDARDS SECTION 4.2.3. MINIMUM SEPARATION REQUIREMENTS WILL BE MAINTAINED IN PUBLIC RIGHT-OF-WAY AND IN PRIVATE DRIVEWAYS.
6. ALL PUBLIC UTILITIES IN PRIVATE DRIVEWAYS WILL BE INSIDE OF A DEDICATED JOINT UTILITY EASEMENT TO ENSURE ADEQUATE ACCESS FOR SERVICE AND MAINTENANCE.
7. COORDINATION WITH THE POWER DEPARTMENT, CITY ENGINEER, AND CITY ATTORNEY WILL TAKE PLACE TO ENSURE A NEW CIRCUIT FROM THE THREE FALLS SUBSTATION IS IN PLACE TO SUPPLY POWER TO THE PROJECT.
8. UTILITIES WILL BE ADEQUATELY SPACED TO ACCOMMODATE FOR FUTURE GAS TO SERVICE THE DEVELOPMENT PER HURRICANE CITY STANDARDS SECTION 3.5.1.

LAND USE BREAKDOWN

USE	AREA	UNIT COUNT
PERIMETER ORCHARD PARKING WITH CARRIAGE PATHS	20.4 AC	NONE
IRRIGATION TANK	0.5 AC	NONE
COMMUNITY GARDENS	2.6 AC	NONE
SPECIAL MEDICAL CENTER & WELLNESS CAMPUS	9.2 AC	NONE
ONE-ROOM LEARNING LABS	1.7 AC	NONE
LIBERTY VILLAGE	27.9 AC	NONE
STAGE/AMPHITHEATER/GREAT LAWN	5.3 AC	NONE
HEADQUARTERS CAMPUS	12.2 AC	NONE
TOWNHOMES ATTACHED RESIDENTIAL	4.2 AC	48 UNITS
GREEN COURT DETACHED RESIDENTIAL	3.3 AC	21 UNITS
ALLEY LOADED DETACHED RESIDENTIAL	8.4 AC	81 UNITS
SMALL LOT SINGLE-FAMILY RESIDENTIAL	8.4 AC	44 UNITS
LARGE LOT SINGLE-FAMILY RESIDENTIAL	3.0 AC	9 UNITS
TOWN CENTER (MIXED-USE)	13.2 AC	36 UNITS
WELL SITE	0.8 AC	NONE
VALIPINI / GREENHOUSE	4.3 AC	NONE
GREENHOUSES	4.5 AC	60 UNITS
CASITAS / LEARNING LABS	1.9 AC	6 UNITS
OPEN SPACE	16.8 AC	NONE
PUBLIC RIGHTS-OF-WAY	10.4 AC	NONE
TOTALS	159.62 AC	239 RESIDENTIAL UNITS

GENERAL NOTES

1. REFER TO SP02 - STREET SECTIONS FOR ACCESS AND UTILITY EASEMENTS WITHIN PRIVATE STREETS AND DRIVEWAYS.
2. A TIA WILL BE PROVIDED DURING FINAL ENGINEERING.
3. THE PRIMARY ENTRY AND ALL ISLAND DESIGNS WILL BE REFINED WITH AASHTO GREEN BOOK SECTION 9.6.3 & HCS 3.2.4.2.



MINIMUM BUILDING SETBACKS:		
FRONT *	20'	FROM B/C TO DWELLING
	11'	FROM B/SW TO DWELLING
FRONT **	20'	FROM B/SW TO GARAGE
REAR	10'	(SINGLE-FAMILY OR OTHER STRUCTURES)
	5'	(GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

Diagram illustrating the minimum setbacks for a building on a lot. The diagram shows a building footprint with setbacks from the front, side, and rear streets. Key dimensions include:

- 10.0' FRONT
- 5.0' SIDE
- 3.0' APRON (GARAGE)
- 28.0' ALLEY
- 10.0' TRACT
- 15.0' STREET SIDE
- 46.0' ALLEY
- 80.0' (Building Width)
- 35.0' (Building Depth)
- 10.0' (Gap between buildings)
- 3.0' APRON (GARAGE)
- 50.0' MIN.
- 22.0' MIN.
- 9.0'

MINIMUM BUILDING SETBACKS:		
FRONT	10'	
REAR	3'	APRON FROM B/C (GARAGE)
	20'	FROM B/C IF DRIVEWAY PROVIDED
INTERIOR SIDE YARD	10'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

The diagram illustrates a rectangular building footprint with overall dimensions of 85.0' in width and 135.0' in depth. The building is oriented with its long side parallel to the front and rear boundaries. Key setbacks and features include:

- Front Boundary:** A 26.5' TRACT setback from the front property line. The building's front facade is 20.0' FRONT ** (GARAGE).
- Rear Boundary:** A 10.0' REAR setback from the rear property line. The building's rear facade is 20.0' FRONT * (DWELLING).
- Side Boundaries:** 5.0' SIDE setbacks on both the left and right sides of the building.
- Easements:** A 5.0' SWL (Side Walkway) easement is located between the front and rear setbacks. A 4.0' L/S (Lateral Setback) easement is located between the rear setback and the rear property line.
- Other Features:** A 10.0' PUE (Public Utility Easement) is shown on the right side of the building. A 17.5' TO B/C (To Back Corner) dimension is indicated from the front setback line to the rear corner of the building.

MINIMUM BUILDING SETBACKS:		
FRONT *	20'	FROM B/C TO DWELLING
	11'	FROM B/SW TO DWELLING
FRONT **	20'	FROM B/SW TO GARAGE
REAR	10'	(SINGLE-FAMILY OR OTHER STRUCTURES)
	5'	(GARAGE / ACCESSORY)
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

Site plan of the Main Access Road showing building footprints, parking areas, and various setbacks and dimensions. The plan includes a 100' FRONT DWELLING at the bottom, a 100' TRACT to the left, and a 100' TRACT to the right. Key dimensions include a 30.0' TRACT width, a 5.0' S/W setback, a 17.5' TO B/C setback, and a 100' FRONT DWELLING setback. The plan also shows a 100' TRACT width, a 5.0' S/W setback, a 17.5' TO B/C setback, and a 100' FRONT DWELLING setback. The plan includes a 100' TRACT width, a 5.0' S/W setback, a 17.5' TO B/C setback, and a 100' FRONT DWELLING setback. The plan also shows a 100' TRACT width, a 5.0' S/W setback, a 17.5' TO B/C setback, and a 100' FRONT DWELLING setback.

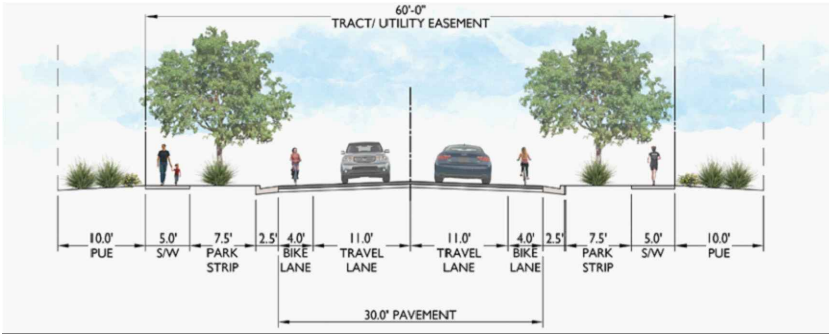
MINIMUM BUILDING SETBACKS:	
FRONT	10' (DWELLING)
REAR	3' APRON FROM ALLEY B/C TO GARAGE
INTERIOR SIDE YARD	0'
STREET SIDE YARD	15' (CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A
PERIMETER SETBACK & BUFFER	15'
MAXIMUM LOT COVERAGE	N/A

[illegible]

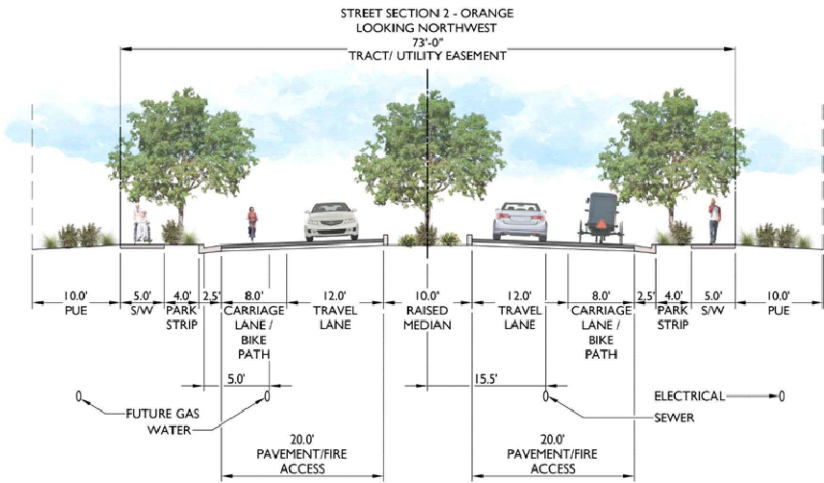
MINIMUM BUILDING SETBACKS: FRONT	10'	(DWELLING)
REAR	3'	APRON FROM B/C (GARAGE)
	5'	FROM B/C (DWELLING)
	20'	FROM B/C IF DRIVEWAY PROVIDED
INTERIOR SIDE YARD	5'	(SINGLE-FAMILY)
	10'	(ALL OTHERS)
STREET SIDE YARD	15'	(CAN INCLUDE 10' TRACT)
AGGREGATE SIDE YARD	N/A	
PERIMETER SETBACK & BUFFER	15'	
MAXIMUM LOT COVERAGE	N/A	

B/C	BACK OF CURB
L/S	LANDSCAPE
PUE	PUBLIC UTILITY EASEMENT
S/W	SIDEWALK
***	PRIVATE DRIVEWAY CONDITION 1
***	PRIVATE DRIVEWAY CONDITION 2
***	PRIVATE DRIVEWAY CONDITION 3

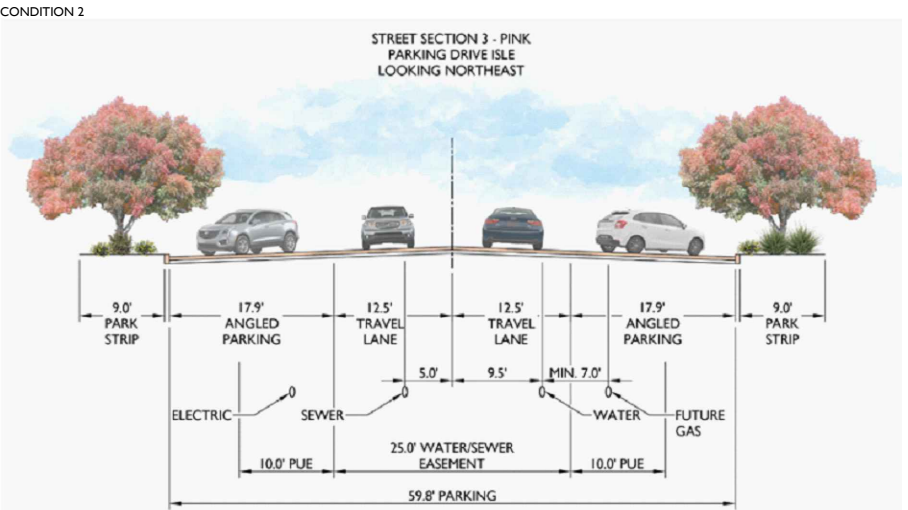
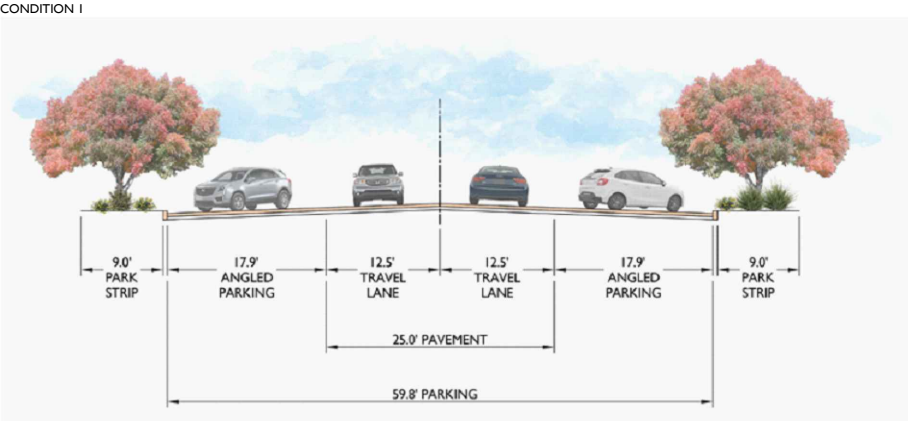
PRIVATE STREET SECTION 1 - MAIN ACCESS ROAD



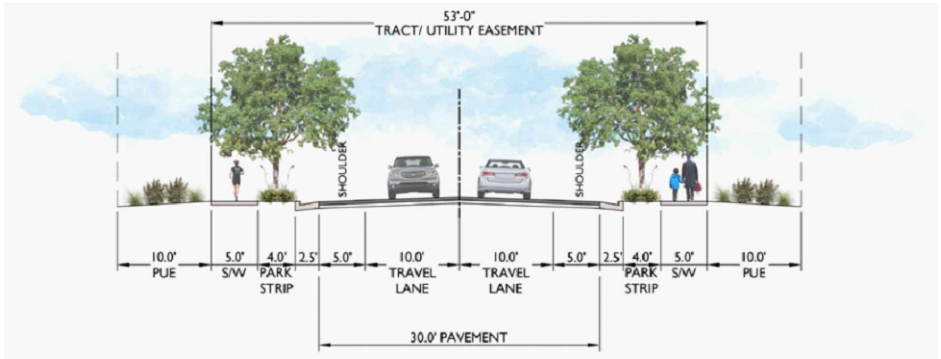
PRIVATE STREET SECTION 2 - MAIN ENTRY ROAD



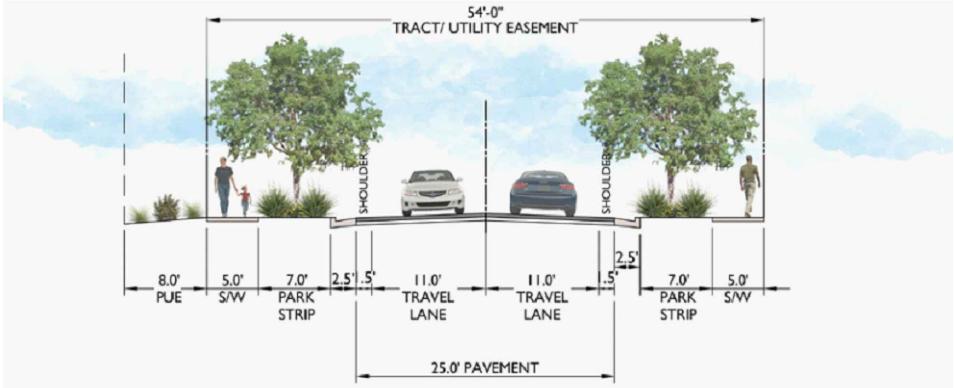
PRIVATE STREET SECTION 3 - PERIMETER PARKING CONDITIONS



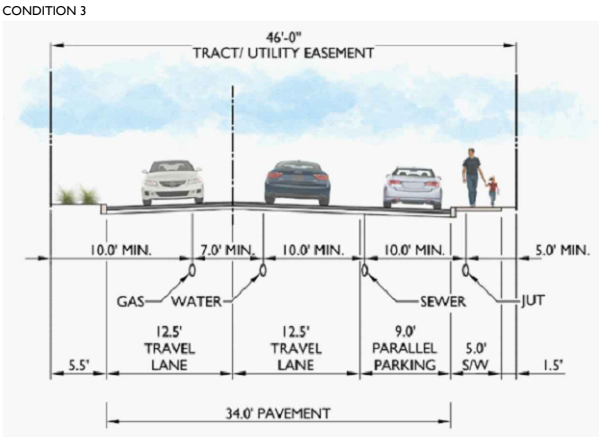
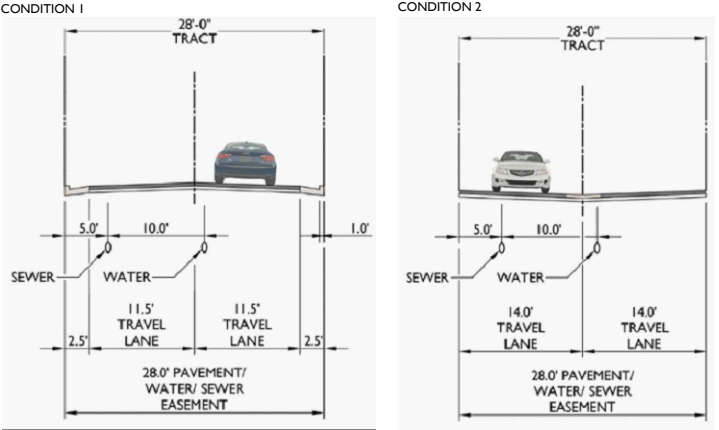
PRIVATE STREET SECTION 4 - RESIDENTIAL LOCAL ALTERNATIVE



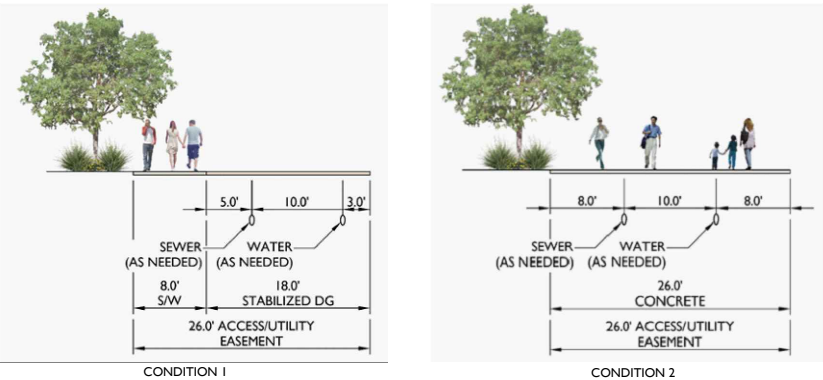
PRIVATE STREET SECTION 5 - LIBERTY VILLAGE DRIVEWAYS/PARKING ACCESS ROAD



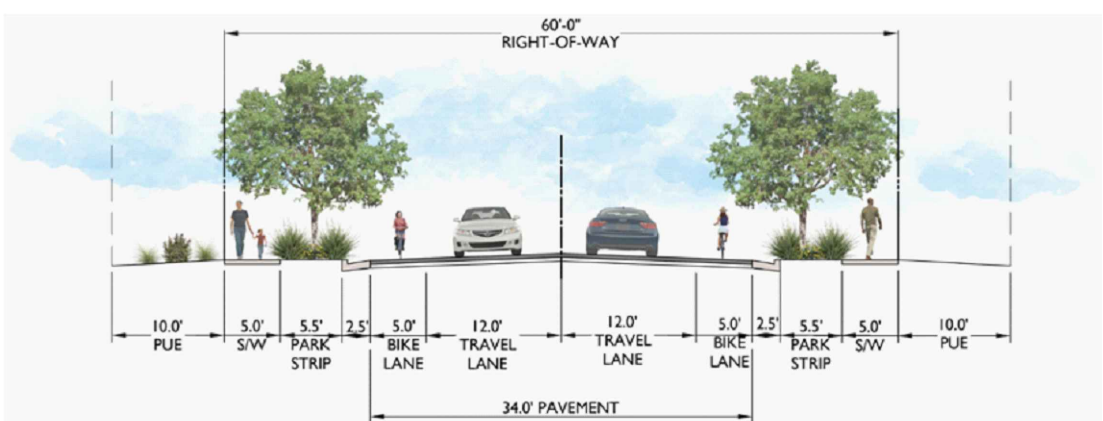
PRIVATE STREET SECTION 6 - PRIVATE DRIVEWAYS



PRIVATE STREET SECTION 7 - FIRE ACCESS PATH



PUBLIC STREET SECTION 8 - 2470 S



ORDINANCE NO ZC25-11

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE FOR PARCEL H-3373-NP-BL FROM LIGHT INDUSTRIAL (M-1) TO SINGLE FAMILY RESIDENTIAL 10 (R1-10) AND PLANNED DEVELOPMENT OVERLAY (PDO)

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

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

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

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

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

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

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

That parcel H-3373-NP-BL is rezoned from Light Industrial (M-1) to Single Family Residential 10 (R1-10) and Planned Development Overlay (PDO).

PASSED AND APPROVED on this 5th day of June 2025.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, City Recorder

EXHIBIT A
ZONING MAP



STAFF COMMENTS

Item: Consideration and possible approval of Ordinance 2025-11 amending Title 10, Chapter 7 regarding classification of new and unlisted business uses; Land Use Code Amendment No. LUCA25-05; Hurricane City, Applicant

Discussion: SB 179 requires local governments to establish a process for approving business types not specifically listed in their zoning ordinances. The requirements of SB179 became effective on May 7, 2025. Accordingly, Hurricane City must amend Title 10, Chapter 7 to establish a formal process for reviewing new or unlisted business uses, specifically business uses that are not listed on the use tables within the City's zoning ordinance. The proposed changes include incorporating state-defined terms, including "classification request" and "new or unlisted business use" into the City Code. A classification request refers to an application to determine whether a proposed business use aligns with an existing use in the City's zoning code, while a new or unlisted business use is one that does not align with any use currently listed.

The prescribed process will include a two-step review. First, the Zoning Administrator (i.e., Planning Director or designee) evaluates whether the proposed use matches an existing listed use. If so, the applicant may proceed under that use category. If not, the use is considered a "new or unlisted business use" and may be forwarded to the City Council for legislative review. The City Council is then responsible for approving or denying the use within a specific timeframe, currently recommended to be 45 calendar days, provided the applicant responds to requests for information and attends required hearings. If approved, the City Council must designate an appropriate zoning district for the use. If the application is denied or the classification is disputed, the City must provide a written response with reasons for the decision to the applicant and provide an opportunity to appeal the decision to the Appeals Board. To further satisfy the requirements of SB 179 and Utah Code § 10-9a-701 et seq., the City must also establish a formal administrative appeal process. This process should allow affected applicants to appeal within a set time period to the Appeals Board. 15 calendar days is suggested. Appeals have to be decided in writing and will constitute the City's final action on the matter.

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners did not have any substantive discussion on the proposed code update since it is a matter of legislative compliance. The Planning Commission unanimously recommended approval of the proposed code update.

Findings:

Recommendation: Staff recommends that the proposed code update be approved to bring the City Code into compliance with state law. – Gary Cupp



STAFF COMMENTS

Agenda Date:	05/22/2025 - Planning Commission
Application Number:	LUCA25-05
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	
Request:	Amend Title 10, Chapter 7 regarding new and unlisted business uses.
Recommendation:	Recommend approval to the City Council.
Report Prepared By:	Fred Resch III

Discussion:

To comply with the requirements of SB 179, effective May 7, 2025, Hurricane City must amend Title 10 Chapter 7 to establish a formal process for reviewing and approving new or unlisted business uses. These are hypothetical business uses that are not listed on the use tables within our ordinance. The proposed changes begin by incorporating state-defined terms, including “classification request” and “new or unlisted business use.” A classification request refers to an application to determine whether a proposed business use aligns with an existing use in the City’s zoning code, while a new or unlisted business use is one that does not align with any use currently listed.

The updated process includes a two-step review. First, the Zoning Administrator (i.e., Planning Director or designee) evaluates whether the proposed use matches an existing listed use. If so, the applicant may proceed under that use category. If not, the use is considered new or unlisted and may be forwarded to the City Council for legislative review. The City Council is then responsible for approving or denying the use within a specific timeframe, currently recommended to be 45 calendar days, provided the applicant responds to requests for information and attends required hearings. If approved, the City Council must designate an appropriate zoning district for the use. If the application is denied or the classification is disputed, the City must provide written reasons to the applicant and provide an opportunity to appeal the decision.

To satisfy the requirements of SB 179 and Utah Code § 10-9a-701 et seq., the City must also establish a formal administrative appeal process. This process should allow affected applicants to appeal within a set period (suggested as 15 calendar days) to the Appeals Board. Appeals have to be decided in writing and will constitute the City’s final administrative action.

Recommendation:

The Planning Commission should consider the proposed ordinance amendment and any public comments received at the public hearing. Staff recommends the Planning Commission make a recommendation of approval to the City Council.

Local Regulation of Business Entities Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Calvin R. Musselman

House Sponsor: Karen M. Peterson

LONG TITLE

General Description:

This bill enacts provisions related to local classification and approval of new and unlisted business uses.

Highlighted Provisions:

This bill:

- defines terms; and
- requires each municipality and county to enact a land use regulation establishing a process for reviewing a business use not listed as an approved use in existing ordinances.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

10-9a-507.5, Utah Code Annotated 1953

17-27a-506.5, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **10-9a-507.5** is enacted to read:

10-9a-507.5 . Classification of new and unlisted business uses.

(1) As used in this section:

- (a) "Classification request" means a request to determine whether a proposed business use aligns with an existing land use specified in a municipality's land use ordinances.
- (b) "New or unlisted business use" means a business activity that does not align with an existing land use specified in a municipality's land use ordinances.

- (2)(a) Each municipality shall incorporate into the municipality's land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use.
- (b) The process described in Subsection (2)(a) shall:
- (i) detail how an applicant may submit a classification request;
 - (ii) establish a procedure for the municipality to review a classification request, including:
 - (A) providing a land use authority with criteria to determine whether a proposed use aligns with an existing use; and
 - (B) allowing an applicant to proceed under the regulations of an existing use if a land use authority determines a proposed use aligns with that existing use;
 - (iii) provide that if a use is determined to be a new or unlisted business use:
 - (A) the applicant shall submit an application for approval of the new or unlisted business use to the legislative body for review;
 - (B) the legislative body shall consider and determine whether to approve or deny the new or unlisted business use; and
 - (C) the legislative body shall approve or deny the new or unlisted business use, within a time frame the legislative body establishes by ordinance, if the applicant responds to requests for additional information within a time frame established by the municipality and appears at required hearings;
 - (iv) provide that if the legislative body approves a proposed new or unlisted business use, the legislative body shall designate an appropriate zone or zones for the approved use; and
 - (v) provide that if the legislative body denies a proposed new or unlisted business use, or if an applicant disagrees with the land use authority's classification of the proposed use, the legislative body shall:
 - (A) notify the applicant in writing of each reason for the classification or denial; and
 - (B) offer the applicant an opportunity to challenge the classification or denial through an administrative appeal process established by the municipality.
- (3) Each municipality shall amend each land use ordinance that contains a list of approved or prohibited business uses to include a reference to the process for petitioning to approve a new or unlisted business use, as described in Subsection (2).

Section 2. Section **17-27a-506.5** is enacted to read:

17-27a-506.5 . Classification of new and unlisted business uses.

(1) As used in this section:

(a) "Classification request" means a request to determine whether a proposed business use aligns with an existing land use specified in a county's land use ordinances.

(b) "New or unlisted business use" means a business activity that does not align with an existing land use specified in a county's land use ordinances.

(2)(a) Each county shall incorporate into the county's land use ordinances a process for reviewing and approving a new or unlisted business use and designating an appropriate zone or zones for an approved use.

(b) The process described in Subsection (2)(a) shall:

(i) detail how an applicant may submit a classification request;

(ii) establish a procedure for the county to review a classification request, including:

(A) providing a land use authority with criteria to determine whether a proposed use aligns with an existing use; and

(B) allowing an applicant to proceed under the regulations of an existing use if a land use authority determines a proposed use aligns with that existing use;

(iii) provide that if a use is determined to be a new or unlisted business use:

(A) the applicant shall submit an application for approval of the new or unlisted business use to the legislative body for review;

(B) the legislative body shall consider and determine whether to approve or deny the new or unlisted business use; and

(C) the legislative body shall approve or deny the new or unlisted business use, within a time frame the legislative body establishes by ordinance, if the applicant responds to requests for additional information within a time frame established by the county and appears at required hearings;

(iv) provide that if the legislative body approves a proposed new or unlisted business use, the legislative body shall designate an appropriate zone or zones for the approved use; and

(v) provide that if the legislative body denies a proposed new or unlisted business use, or if an applicant disagrees with a land use authority's classification of the proposed use, the legislative body shall:

(A) notify the applicant in writing of each reason for the classification or denial;
and

(B) offer the applicant an opportunity to challenge the classification or denial

97 through an administrative appeal process established by the county.
98 (3) Each county shall amend each land use ordinance that contains a list of approved or
99 prohibited business uses to include a reference to the process for petitioning to approve a
100 new or unlisted business use, as described in Subsection (2).

101 Section 3. **Effective Date.**

102 This bill takes effect on May 7, 2025.

Sec. 10-7-18. Administrative interpretation and Classification of new and unlisted business uses.

A. ~~A.~~ *Purpose.* The provisions of this title, though detailed and extensive, cannot as a practical matter address every specific situation to which these provisions may be applied. This section allows the Zoning Administrator to interpret a provision of this title in light of the general and specific purposes for which it was enacted and as applied to specific circumstances.

B. *Definitions:*

a. *"Classification request" means a request to determine whether a new or unlisted business use aligns with an existing land use specified within this Title.*

b. *"New or unlisted business use" means a business activity that does not align with a specified use listed within this Title.*

CB. *Authority.* The Zoning Administrator is authorized to render interpretations of the provisions of this title, and any rule or regulation adopted pursuant thereto, and respond to classification requests as provided in this section.

DC. *Initiation.* Any person may request an administrative interpretation or classification request as provided in subsection D1 of this section.

ED. *Application Requirements*~~*Procedure.*~~ An application for an administrative interpretation or classification request shall be considered and processed as provided in this subsection.

1. A complete application shall be submitted to the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;
 - b. The specific provision or provisions of this title for which an interpretation is requested;
 - c. Specific facts of the situation which illustrate the need for an administrative interpretation;
 - d. The interpretation claimed by the applicant to be correct; and
 - e. When a ~~use interpretation~~classification request is requested the application shall include:
 - (1) A statement explaining why the proposed use should be deemed as included within a use category allowed by the zone applicable to the property; and
 - (2) Documents, statements, and other evidence demonstrating that the proposed use will conform to all use limitations established by the zone applicable to the property.
2. After the application is determined to be complete, the Zoning Administrator shall review the request and make an interpretation in accordance with the standards set forth in subsection FE of this section.
- ~~3. After making a decision, the Zoning Administrator shall give the applicant written notice of the decision.~~
- ~~4. A record of all administrative interpretations shall be maintained in the office of the Zoning Administrator.~~

FE. *Standards for making administrative interpretations.* The following standards shall apply to administrative interpretations:

1. Administrative interpretations shall not add to or change the provisions of this title.

-
2. Questions about the location of zone boundaries shall be resolved by applying the standards set forth in section 10-11-4 of this title.
 3. An administrative interpretation shall be consistent with:
 - a. The provisions of this title; and
 - b. Any previously rendered interpretations based on similar facts.
 4. A ~~use interpretation shall also be~~ classification request shall be subject to the following standards:
 - a. A "use" defined in section 10-3-4 of this title shall be interpreted as provided therein;
 - b. Any use specifically listed as "not permitted" in a table of permitted and conditional uses for a particular zone shall not be allowed in that zone;
 - c. No ~~use interpretation~~ classification request shall allow a use in a zone unless evidence is presented demonstrating the use will conform to development standards established for the zone;
 - d. No ~~use interpretation~~ classification request shall allow a use in a particular zone unless the use is substantially similar to a use allowed in the zone;
 - e. If a proposed use is most similar to a conditional use authorized in the zone in which it is proposed to be located, any interpretation allowing such use shall require that the use be approved only as a conditional use pursuant to section 10-7-9 of this chapter; and
 - f. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of the zone in which it would be located.

g. If the Zoning Administrator determines that the proposed use does not align with an existing use the proposed use is deemed to be a new or unlisted business use.

G. Legislative Action for New or Unlisted Business Uses.

a. The applicant must submit a request to the City to amend the code to approve the proposed business use within 14 calendar days of the Zoning Administrator's determination of a new or unlisted business use. This shall follow the process of Section 10-7-7 of this Title.

b. At a regular meeting of the City Council they it shall:

1. Approve or deny the proposed business use; and

2. If approved, designate appropriate zones for the use.

c. The City Council shall act within 60 days of the request for Legislative Review, provided that the applicant responds to information requests and attends all required hearings.

d. If denied, the City shall provide written reasons for the denial.

F. Appeal of decision.

a. Any person adversely affected by an administrative interpretation, ~~classification request, or legislative action for new or unlisted business uses~~ rendered by the Zoning Administrator or City Council may appeal to the Appeals Board in accordance with the provisions of section 10-7-19 of this chapter.

G. Effect of approval. An administrative interpretation shall apply only to the property for which an interpretation is given.

1. A use interpretation finding a use to be a permitted or conditional use in a particular zone shall be deemed to authorize only that use on the subject property. A use interpretation shall not authorize another allegedly similar use for which a separate use interpretation has not been issued.

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2. A use interpretation finding a particular use to be a permitted or conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any approvals or permits that may be required by this title or other applicable provisions of this Code.
 3. After making a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 4. A record of all administrative interpretations shall be maintained in the office of the Zoning Administrator.

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

Sec. 10-7-19. Appeal of administrative decision.

- A. *Purpose.* This section sets forth procedures for appealing an administrative decision applying provisions of this title.
- B. *Authority.* The Appeals Board shall hear and decide appeals from administrative decisions applying the provisions of this title as provided in this section.
- C. *Initiation.* Any person, or any officer, department, board or bureau of the City, adversely affected by a decision administering or interpreting a provision of this title may appeal to the Appeals Board as provided in subsection D1 of this section. A complete application for an appeal shall be filed within 14 days of the decision which is appealed.
 - 1. Only decisions applying this title may be appealed to the Appeals Board.
 - 2. A person may not appeal, and the Appeals Board may not consider, any amendment to this title. Appeals may not be used to waive or modify the terms or requirements of this title.
- D. *Procedure.* An appeal of an administrative decision to the Appeals Board shall be considered and processed as provided in this subsection.
 - 1. A complete application shall be submitted to the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;
 - b. The decision being appealed;
 - c. Grounds for the appeal; and
 - d. A description of the action claimed by the applicant to be incorrect.
 - 2. After an application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Appeals Board as provided in section 10-7-4 of this chapter. Prior to the hearing the Zoning Administrator shall transmit to the Appeals Board all papers constituting the record of the action which is appealed.
 - 3. Upon receipt of a complete application for an appeal all further proceedings concerning the matter appealed shall be stayed as provided in subsection 10-6-5H of this title.
 - 4. The Appeals Board shall hold a public meeting and thereafter shall approve, approve with conditions, or deny the application. Any conditions of approval shall be limited to conditions needed to conform the matter appealed to applicable approval standards.
 - 5. After the Appeals Board makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 - 6. A record of all appeals shall be maintained in the office of the Zoning Administrator.
- E. *Standards for decision.*
 - 1. The Appeals Board may reverse or affirm, wholly or in part, or may modify an administrative decision. To that end the Appeals Board shall have all the powers of the officer from whom the appeal was taken, may attach appropriate conditions, and may issue or direct the issuance of a permit.
 - 2. The board shall review an administrative decision for correctness and shall give no deference to the reasonableness of the decision being appealed.
 - 3. The person making an appeal shall have the burden of proving that an error has been made.

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4. Because this title is in derogation of a property owner's common law right to unrestricted use of property, provisions herein restricting property use should be strictly construed, and provisions permitting property use should be liberally construed in favor of the property owner.

5. Standards for decision on legislative action for new or unlisted business uses

a. The Appeals Board may reverse or modify the City Council's denial or determination of a new or unlisted business use only under the following conditions:

1. The interpretation or classification was inconsistent with city code or state law;
2. The process violated procedural requirements;
3. There was insufficient evidence to support the decision.

- F. *Appeal of decision.* Any person adversely affected by a decision of the Appeals Board regarding an appeal of an administration decision may, within 30 days after such decision, appeal to the district court as provided in Utah Code Annotated section 10-~~9a-801~~~~10-1001~~, as amended.

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

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTER 7 WITH REGARDS TO CLASSIFICATION OF NEW AND UNLISTED BUSINESS USES

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 10, Chapter 7 with regards to classification of new and unlisted business uses; and

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

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

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 7, Section 10-7-18 of the Hurricane City Code is amended to read as follows:

Sec. 10-7-18. Administrative interpretation and Classification of new and unlisted business uses.

- A. *Purpose.* The provisions of this title, though detailed and extensive, cannot as a practical matter address every specific situation to which these provisions may be applied. This section allows the Zoning Administrator to interpret a provision of this title in light of the general and specific purposes for which it was enacted and as applied to specific circumstances.
- B. *Definitions:*
 - 1. "Classification request" means a request to determine whether a new or unlisted business use aligns with an existing land use specified within this Title.
 - 2. "New or unlisted business use" means a business activity that does not align with a specified use listed within this Title.
- C. *Authority.* The Zoning Administrator is authorized to render interpretations of the provisions of this title, and any rule or regulation adopted pursuant thereto, and respond to classification requests as provided in this section.
- D. *Initiation.* Any person may request an administrative interpretation or classification request as provided in this section.
- E. *Application Requirements.* An application for an administrative interpretation or classification request shall be considered and processed as provided in this subsection.
 - 1. A complete application shall be submitted to the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;

- b. The specific provision or provisions of this title for which an interpretation is requested;
 - c. Specific facts of the situation which illustrate the need for an administrative interpretation;
 - d. The interpretation claimed by the applicant to be correct; and
 - e. When a classification request is requested the application shall include:
 - i. A statement explaining why the proposed use should be deemed as included within a use category allowed by the zone applicable to the property; and
 - ii. Documents, statements, and other evidence demonstrating that the proposed use will conform to all use limitations established by the zone applicable to the property.
 - 2. After the application is determined to be complete, the Zoning Administrator shall review the request and make an interpretation in accordance with the standards set forth in subsection F of this section.
- F. *Standards for making administrative interpretations.* The following standards shall apply to administrative interpretations:
- 1. Administrative interpretations shall not add to or change the provisions of this title.
 - 2. Questions about the location of zone boundaries shall be resolved by applying the standards set forth in section 10-11-4 of this title.
 - 3. An administrative interpretation shall be consistent with:
 - a. The provisions of this title; and
 - b. Any previously rendered interpretations based on similar facts.
 - 4. A classification request shall be subject to the following standards:
 - a. A "use" defined in section 10-3-4 of this title shall be interpreted as provided therein;
 - b. Any use specifically listed as "not permitted" in a table of permitted and conditional uses for a particular zone shall not be allowed in that zone;
 - c. No classification request shall allow a use in a zone unless evidence is presented demonstrating the use will conform to development standards established for the zone;
 - d. No classification request shall allow a use in a particular zone unless the use is substantially similar to a use allowed in the zone;
 - e. If a proposed use is most similar to a conditional use authorized in the zone in which it is proposed to be located, any interpretation allowing such use shall require that the use be approved only as a conditional use pursuant to section 10-7-9 of this chapter; and

- f. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of the zone in which it would be located.
- g. If the Zoning Administrator determines that the proposed use does not align with an existing use the proposed use is deemed to be a new or unlisted business use.

G. *Legislative Action for New or Unlisted Business Uses.*

- 1. The applicant must submit a request to the City to amend the code to approve the proposed business use within 14 calendar days of the Zoning Administrator's determination of a new or unlisted business use. This shall follow the process of Section 10-7-7 of this Title.
- 2. At a regular meeting of the City Council it shall:
 - a. Approve or deny the proposed business use; and
 - b. If approved, designate appropriate zones for the use.
- 3. The City Council shall act within 60 days of the request for Legislative Review, provided that the applicant responds to information requests and attends all required hearings.
- 4. If denied, the City shall provide written reasons for the denial.

F. *Appeal of decision.*

Any person adversely affected by an administrative interpretation, classification request, or legislative action for new or unlisted business uses rendered by the Zoning Administrator or City Council may appeal to the Appeals Board in accordance with the provisions of section 10-7-19 of this chapter.

G. *Effect of approval.* An administrative interpretation shall apply only to the property for which an interpretation is given.

- 1. A use interpretation finding a use to be a permitted or conditional use in a particular zone shall be deemed to authorize only that use on the subject property. A use interpretation shall not authorize another allegedly similar use for which a separate use interpretation has not been issued.
- 2. A use interpretation finding a particular use to be a permitted or conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any approvals or permits that may be required by this title or other applicable provisions of this Code.
- 3. After making a decision, the Zoning Administrator shall give the applicant written notice of the decision.
- 4. A record of all administrative interpretations shall be maintained in the office of the Zoning Administrator.

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 7, Section 10-7-19 of the Hurricane City Code is amended to read as follows:

Sec. 10-7-19. *Appeal of administrative decision.*

- A. *Purpose.* This section sets forth procedures for appealing an administrative decision applying provisions of this title.
- B. *Authority.* The Appeals Board shall hear and decide appeals from administrative decisions applying the provisions of this title as provided in this section.
- C. *Initiation.* Any person, or any officer, department, board or bureau of the City, adversely affected by a decision administering or interpreting a provision of this title may appeal to the Appeals Board as provided in subsection D1 of this section. A complete application for an appeal shall be filed within 14 days of the decision which is appealed.
 - 1. Only decisions applying this title may be appealed to the Appeals Board.
 - 2. A person may not appeal, and the Appeals Board may not consider, any amendment to this title. Appeals may not be used to waive or modify the terms or requirements of this title.
- D. *Procedure.* An appeal of an administrative decision to the Appeals Board shall be considered and processed as provided in this subsection.
 - 1. A complete application shall be submitted to the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;
 - b. The decision being appealed;
 - c. Grounds for the appeal; and
 - d. A description of the action claimed by the applicant to be incorrect.
 - 2. After an application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Appeals Board as provided in section 10-7-4 of this chapter. Prior to the hearing the Zoning Administrator shall transmit to the Appeals Board all papers constituting the record of the action which is appealed.
 - 3. Upon receipt of a complete application for an appeal all further proceedings concerning the matter appealed shall be stayed as provided in subsection 10-6-5H of this title.
 - 4. The Appeals Board shall hold a public meeting and thereafter shall approve, approve with conditions, or deny the application. Any conditions of approval shall be limited to conditions needed to conform the matter appealed to applicable approval standards.

5. After the Appeals Board makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 6. A record of all appeals shall be maintained in the office of the Zoning Administrator.
- E. *Standards for decision.*
1. The Appeals Board may reverse or affirm, wholly or in part, or may modify an administrative decision. To that end the Appeals Board shall have all the powers of the officer from whom the appeal was taken, may attach appropriate conditions, and may issue or direct the issuance of a permit.
 2. The board shall review an administrative decision for correctness and shall give no deference to the reasonableness of the decision being appealed.
 3. The person making an appeal shall have the burden of proving that an error has been made.
 4. Because this title is in derogation of a property owner's common law right to unrestricted use of property, provisions herein restricting property use should be strictly construed, and provisions permitting property use should be liberally construed in favor of the property owner.
- F. *Standards for decision on legislative action for new or unlisted business uses.*
1. The Appeals Board may reverse or modify the City Council's denial or determination of a new or unlisted business use only under the following conditions:
 - a. The interpretation or classification was inconsistent with city code or state law;
 - b. The process violated procedural requirements;
 - c. There was insufficient evidence to support the decision.
- G. *Appeal of decision.* Any person adversely affected by a decision of the Appeals Board regarding an appeal of an administration decision may, within 30 days after such decision, appeal to the district court as provided in Utah Code Annotated section 10-9a-801, as amended.

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

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

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

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

PASSED AND APPROVED this 5th day, June 2025.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt and approve said Ordinance was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, Recorder



STAFF COMMENTS

Item: Progress update for the proposed city pool.

Discussion: We have finished the architectural design for the new swimming pool. As next step we are presenting the drawings to the Council with an estimated budget for their approval. We will then move forward with the bid process for a contractor. We anticipate starting demolition when the pool closes for the season – roughly September/October. It is anticipated to be a 14 month build. – Tiffani Wright

Findings:

Recommendation:



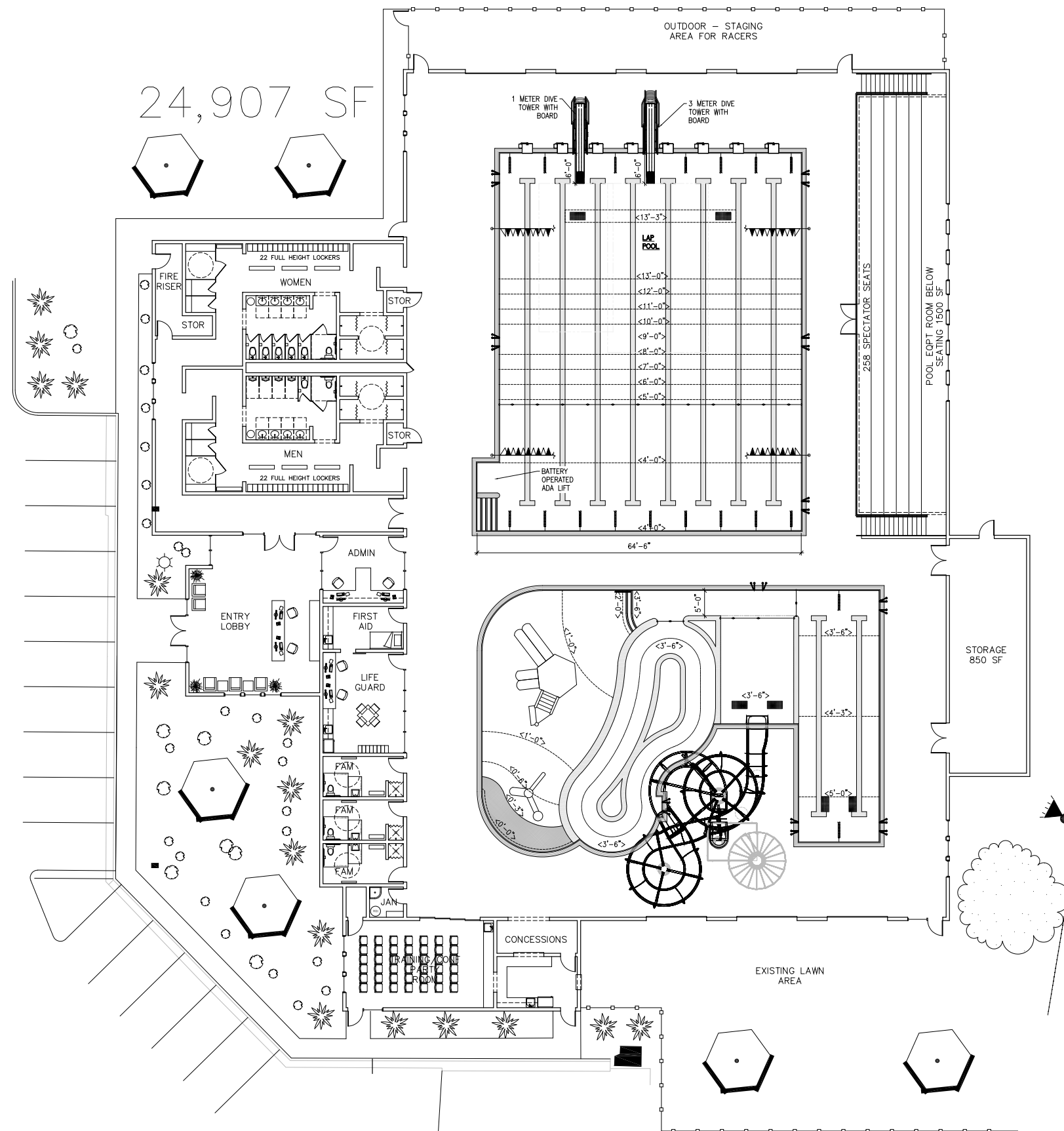
MAIN ENTRANCE

HURRICANE CITY
AQUATIC CENTER



HURRICANE CITY
UTAH

FFKR ARCHITECTS



HURRICANE CITY AQUATIC CENTER

PROPOSED FLOOR PLAN



HURRICANE CITY
UTAH

FFKR ARCHITECTS



WEST (ENTRY)



NORTH

BUILDING ELEVATIONS

HURRICANE CITY
AQUATIC CENTER

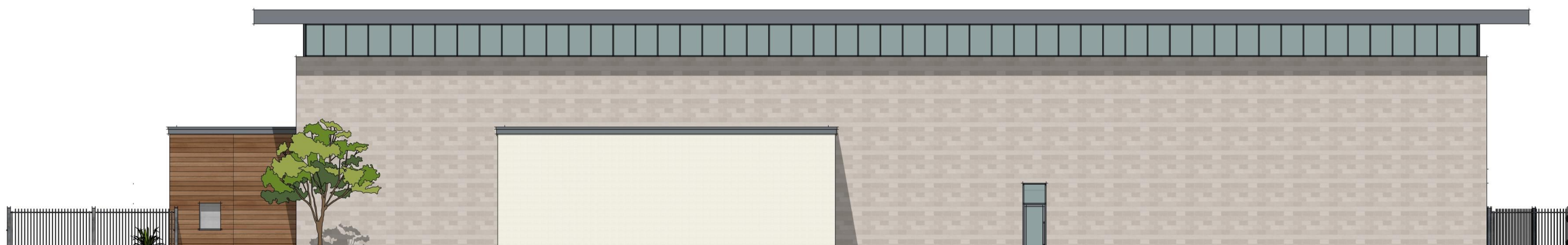


HURRICANE CITY
UTAH

FFKR ARCHITECTS



SOUTH



EAST

EAST

HURRICANE CITY
AQUATIC CENTER

BUILDING ELEVATIONS



HURRICANE CITY
UTAH

FFKR ARCHITECTS



NORTHWEST PERSPECTIVE

HURRICANE CITY
AQUATIC CENTER



HURRICANE CITY
UTAH

FFKR ARCHITECTS



SOUTHWEST PERSPECTIVE

HURRICANE CITY
AQUATIC CENTER



HURRICANE CITY
UTAH

FFKR ARCHITECTS



BIRD'S-EYE PERSPECTIVE

HURRICANE CITY
AQUATIC CENTER



HURRICANE CITY
UTAH

FFKR ARCHITECTS



STAFF COMMENTS

Item: Consideration and possible approval of Ordinance 2025-13 creating Section 8-1-16 in the City Code regarding Irrigation Water for Development.

Discussion: This proposed ordinance will require land developers to dedicate water to the City for outdoor irrigation when there is private water already on the property being developed. For example, if a subdivision is being proposed on property that is serviced by ground water rights or canal company shares, a condition of approving the subdivision will be the dedication to the City of sufficient water to meet the outdoor irrigation needs of the subdivision. To compensate the land developer for the dedication, the City will waive the portion of the secondary water impact fee associated with acquiring water to serve new developments. The proposed ordinance will not affect development on land that does not already have water associated with the property. At its meeting on May 27, 2025, the Water Board unanimously recommended approval of the proposed ordinance. -Dayton Hall

Findings:

Recommendation:

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH CREATING
SECTION 8-1-16 REGARDING IRRIGATION WATER FOR DEVELOPMENT**

WHEREAS, the City Council of Hurricane, Utah desires to create Title 8 Chapter 1, Section 16 of the Hurricane City Code; and

WHEREAS, the City Council finds these amendments necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane City;

WHEREAS, the Water Board made a positive recommendation of these changes;

BE IT HEREBY ORDAINED by the Hurricane City Council that Title 8 Chapter 1, Section 16 of the Hurricane City Code is created to read as follows:

Sec. 8-1-16. – Irrigation Water for Development.

- A. Pursuant to the provisions of Utah Code Annotated section [10-9a-508](#), any Developer, as defined in Title 10 of the City Code, that performs Development Activities on property within the City shall notify the City with the Land Use Application of any and all water rights that may be appurtenant to or used upon and in connection with the property proposed to be developed. All water rights sufficient to meet the outdoor irrigation needs of the proposed Development that are existing or appurtenant to, or used upon or in connection with, the property, or produced and developed on the property, shall be dedicated to the City to support the outdoor irrigation needs of the Development. In exchange for the Developer's dedication of water to support the outdoor irrigation needs of the Development, the portion of the City's impact fees resulting from the cost to source water for outdoor irrigation shall be waived. The dedication of water rights as described in this Paragraph A shall be a condition of approval for any Plat or Development Activity on applicable properties.
- B. If, after sufficient rights have been transferred to support the Development, there are excess water rights, the Developer may first offer to the City the purchase of the excess water rights at the fair market value.
- C. The term 'water rights' as used in this section shall include any right to the beneficial use of water, including rights that result from shares in a water or canal company.

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

All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any

provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take effect immediately upon publication or posted as required by law.

PASSED AND APPROVED this 5th day of June 2025

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5th day of June 2025. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

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

Cindy Beteag, Recorder