



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

Planning Commission

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

Hurricane Planning Commission Meeting Agenda

June 9, 2022
6:00 PM

Hurricane City Offices 147 N 870 W, Hurricane

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

Meeting link:

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

Meeting number: 2632 882 4836

Password: HCplanning

Host key: 730111

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

Access code: 2632 882 4836

Host PIN: 9461

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

6:00 p.m. - Call to Order

Public Hearings

1. A Zone Change amendment request for the existing Dixie Heights subdivision, to contain a PDO, planned development overlay, to allow for reduced setbacks.
2. A Zone Change amendment request located at 650 S and 1100 W from RA-1, residential agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet.
3. A Land Use Code Amendment request to Title 10, Chapter 3, Chapter 13, Chapter 33, and Chapter 34 and Title 4 Chapter 2- with regards to site plan design, open space and amenities, outdoor lighting, and parking in new developments.
4. A Land Use Code Amendment request to Title 10, Chapter 7 and Chapter 39 to consider adding water acknowledgement waiver requirements to land use applications.

NEW BUSINESS

1. 2022-PSP-19: Discussion and consideration of a possible approval of a preliminary site plan for Bryson Young, a commercial project consisting of one commercial building and seven vacation rentals, located at 470 E 800 N. R+B Young Applicant. Bryson Young Agent.
2. 2022-ZC-27: Discussion and consideration of a recommendation to the City Council on a zone change request located at approximately 2470 S 3870 W, from R1-10, residential one unit per 10,000 sq ft to R1-10 PDO, planned development overlay, to reduce the setbacks for the already approved Dixie Heights subdivision. Enhanced Home Builders Applicant. Brent Moser Agent.
3. 2022-ZC-26: Discussion and consideration of a recommendation to the City Council on a Zone Change amendment request located at 650 S and 1100 W from RA-1, residential agriculture one unit per acre, to R1-15, residential one unit per 15,000 sq ft to facilitate a lot split. Jaymie Wetzel Applicant. Jeffrey Hatcher Agent.
4. Discussion and consideration of allowing reapplying for 2021-ZC-26: Dratter Zone Change within a year from denial of the original application- Applicant Interstate Rock
5. 2022-LUCA-05: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment request to Title 10, Chapter 3, Chapter 13, Chapter 33, and Chapter 34 and Title 4 Chapter 2- with regards to site plan design, open space and amenities, outdoor lighting, and parking in new developments. Hurricane City Planning Applicant.
6. 2022-LUCA-06: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment request to Title 10, Chapter 7 and Chapter 39 to consider adding water acknowledgement waiver requirements to land use applications. Hurricane City Applicant
7. 2022-ZC-25: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request and Development Agreement Modification located at 2346 S 1500 W from RA-1, residential agriculture one unit per acre, and M-1, light industrial, to RA-1, residential agriculture one unit per acre, with a PDO, planned development overlay. Parcel numbers H-3350-A, H-3350-B-1, H-3501-A, H-3357-A-1. Ron Lee and Monterey Jones, LaRae Ellsworth Stout Trust Applicant. Adam Stout Agent
8. 2022-CUP-13: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height located at 3349 W 2900 S. American Heritage Applicant.
9. 2022-PP-16: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Cordero Phase 3, a 214 lot residential subdivision, located at 2100 W 3900 S. Brant Tuttle Applicant.
10. 2022-ZC-17: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5, agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort zoning. Parcel numbers H-4138-L and H-4138-E. Chris Wyler Applicant. Civil Science-Brandee Walker Agent.

11. 2022-PP-10: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Black Ridge Phase 1A-1C, a 93 lot residential subdivision, located at 1760 W and Weeping Rock Road in the Black Ridge development. Josh Lyon/Wasatch Group Applicant. Rosenberg Engineering Agent.

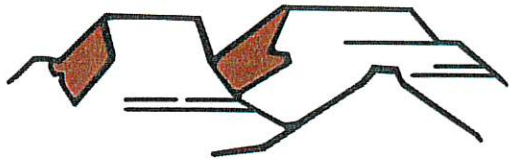
Planning Commission Business:

1. City Council Recap
2. Discussion of amending the Planning Commission's schedule

Approval of Minutes:

1. May 26, 2021
2. February 23, 2022
3. May 12, 2022

Adjournment



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY SITE PLAN APPLICATION

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

Name: R+B Young Telephone: _____

Address: P.O. Box 731 Hurricane, UT Fax No. _____

Email: _____ Agent Email: tmax138@gmail.com

Agent (If Applicable): Bryson Young Telephone: _____

Address/Location of Subject Property: S.W. Corner of 800 N + State St. (SE9)

Tax ID of Subject Property: H-317-A-1-A-1 Zone District: H-C

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

This application shall be accompanied by the following:

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

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

(Office Use Only)

Date Received: _____ Received by: _____

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



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-PSP-19
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	R+B Young
Agent:	Bryson Young
Request:	Approval of a Preliminary Site Plan
Location:	470 E 800 N
Zoning:	HC
General Plan Map:	General Commercial

Update 6/9/2022: The Planning Commission continued this item in order to discuss some of the concerns listed in this report with the applicant. The applicant has not turned in any new information as of the time of this writing.

Discussion:

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

JUC Comments

The following items will need to be addressed:

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

8. **Gas:** No comments



Staff Comments: Preliminary Site Plan

1. The property is zoned Highway Commercial. The uses shown on the site plan are permitted uses within this zone.
2. More information is needed about the nightly rental units. Nightly rentals are allowed in commercial zones as they are substantially similar to a hotel, however there are development standards for hotels that must be followed and it is not clear that that is what the applicant is intending. These are:

Sec. 3-10-2. Management.

Each bed and breakfast inn, boarding house, hostel, hotel, or motel must maintain an office on the premises in the charge and under the immediate supervision of a manager or attendant at all times. Such office shall remain continuously open and staffed whenever there are guests registered or present and whenever the facility is open to receive guests.

Sec. 3-10-3. Disclosure of available rooms.

Each transient lodging facility shall disclose to the business license officer the current number of rooms available and/or held out for public accommodation, or, in the case of vacation rentals, the total number of people the dwelling can safely accommodate:

- A. At the time of initial licensure or license renewal; and*
- B. Within 72 hours of any change in the number of such available rooms or accommodation of guests.*

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

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

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

- 1. Name and permanent address.*
- 2. Dates of arrival at the transient lodging facility and departure from the transient lodging facility.*
- 3. License plate number, state of licensure, make, type and color of all motor vehicles.*
- 4. Verification of a form of picture identification, including, but not limited to, driver's license, passport, or state issued identification card showing current name, address, and age of person registering and indicating which type of identification was verified and the identification number shown on said identification.*

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

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

Sec. 3-10-5. Occupancy.

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

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

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

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

No person shall occupy any unit or combination of units at any one transient lodging facility for longer than 30 consecutive days, and no transient lodging facility shall permit any person to occupy any unit or combination of units on the facility premises for longer than 30 consecutive days. This section shall not apply to federal, state, or municipal law

enforcement or emergency personnel, or to transient lodging facilities renting, leasing, or registering units to such personnel. Vacation rental properties may be occupied for longer than 30 days but must still comply with all vacation rental regulations.

Sec. 3-10-8. Sanitary facilities.

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

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

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

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

a. Hot and cold running water.

b. Soap.

c. Towels.

d. Toilet paper.

e. Clean linen.

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

Sec. 3-10-9. Inspections.

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

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

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

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

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

Hotel	2 spaces plus 1 space per living or sleeping unit
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Depending on the ratio of retail to warehouse within the building the main commercial building requires between 8-15 spots. Meanwhile the rental unit section will require 9 spaces. More information will be required to make the final calculation.

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

- i. *D. Commercial, Retail, Office, And Mixed Use Developments: The Planning Commission may modify the number of parking spaces required or allowed for commercial, retail, office, or mixed use developments after considering the following items and making a finding that adequate parking will be provided:*
- ii. *1. Total number of spaces that would otherwise be required for each individual establishment in the development;*
- iii. *2. Hours of operation for each business establishment located in the development, including peak business hours;*
- iv. *3. Estimated tradeoff between businesses which are open when others are closed;*
- v. *4. Availability of approved on street or shared parking;*
- vi. *5. Transportation alternatives, including proximity to transit stations; and*
- vii. *6. Car or van pooling programs available to users of the development.*

- 4. A full landscaping plan will be required with the final site plan
- 5. There is a "Welcome to Hurricane" sign near the southeast corner of the property on its own lot owned by the city. It appears on this plan that buildings will block the view and access to the sign. The City probably cannot require them to provide a viewshed or access to the sign but it would be nice.



Sign located on the southeast corner of the property

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

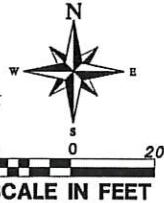
Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this item unless the applicant can address the parking issues and the onsite management for motel use.

PRELIMINARY SITE PLAN FOR:
BRYSON YOUNG

LOCATED IN SECTION 26, T41S, R13W, S1B.4M.
HURRICANE, WASHINGTON COUNTY, UTAH

LEGEND

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



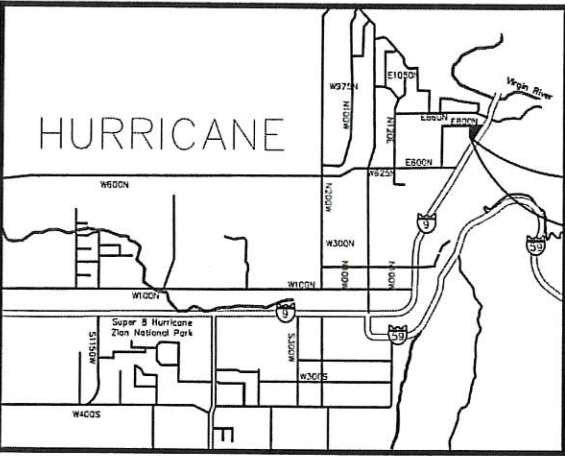
SITE DATA:

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

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

S: 26 T: 41S R: 13W BEG S89°43'30" E 330 FT ALG 40 AC LN & S0°16'34" E 266.35 FT & S89°43'30" E 450 FT FM NW COR SW 1/4 SEC 26 T41S R13W BEING ON S LN RD TO BALLARD HEIGHTS SUB; TH S0°16'34" E 243.796 FT TO PT S B/L BALLARD PRPTY ON F/L; TH S89°43'30" E 100.056 FT ALG F/L TO SW COR; TH N0°16'34" W 20 FT; TH S89°43'30" E 42.305 FT TO WLY R/W/L HWY U-9; TH N31°28'35" E 226.136 FT ALG R/W/L TO PT TNGY WITH 20 FT RAD CUR LFT RAD PT BEAR N58°31'25" W; TH NWLY ALG ARC SD CUR 42.31 FT CTL ANG 120°12'05" & BEING ON S LN SD RD TO SD SUB; TH N89°43'30" W 244.551 FT ALG S LN TO POB.

LESS: (UDOT PARCEL PROJ #0009) BEG AT INTSEC OF EXST NWLY R/W/L OF SR-9 & SLY B/L OF ENTIRE TRACT, PT IS 814.25 FT W/L N0°36'01" E ALG 1/4 SEC/L & 920.39 FT W/L E FM S1/4 COR OF SEC 26; TH N88°52'58" W 2.66 FT W/L ALG SD B/L TO PT 42.00 FT PERP DIST NWLY FM CTR LN OF SD PROJ OPP APPRX ENG STA 74+70.37; TH N32°19'34" E 229.81 FT PRL TO SD CTR LN TO PT OF TNGY OF 18.50 FT RAD CUR LFT; TH NLY 14.65 FT ALG ARC OF SD CUR (CHD BEARS N10°46'51" E 14.32 FT) TO NLY B/L OF SD TRAC; TH SLY 17.92 FT ALG ARC OF 20.00 FT RAD CUR RGT (CHD BEARS S06°39'21" W 17.32 FT) ALG SD B/L TO SD R/W/L; TH S32°19'07" W 226.14 FT ALG SD R/W/L TO POB AS SHOWN ON OFFICIAL MAP OF SD PROJ ON FILE IN OFFICE OF UDOT.



PROJECT
LOCATION



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

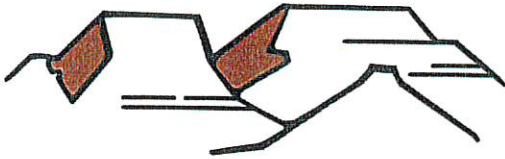
PRELIMINARY SITE PLAN FOR:
BRYSON YOUNG
LOCATED IN SECTION 26, T41S, R13W, S1B.4M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 5/12/2022
SCALE: 1"=20'
JOB NO: 653-001
SHEET NO: 1

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 400 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 666-8801



NO	REVISIONS	DATE	BY
	DESCRIPTION		



PLANNING & ZONING HURRICANE CITY UTAH

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

ZONE CHANGE APPLICATION

For office use only: \$500.00 Fee
File No. 2022-ZC-27
Receipt No. 0158742

Name: Enhanced Home Builders / SH Rental Holdings LLC Telephone: 16 N 1210 W St. George, UT 84770
Address: 2572 W 280 N Hurricane, UT 84737 Fax No. _____

Email: enhancedhomesofutah@gmail.com Agent Email: Same

Agent (If Applicable): Brent Moser Telephone: 801-793-0346

Address/Location of Subject Property: Approx. 2470 S. 3870 W
H-DXH-1-1, H-DXH-1-2, H-DXH-1-3, H-DXH-1-4, H-DXH-1-5

Tax ID of Subject Property: H-DXH-1-6, H-DXH-1-7, H-DXH-1-8, H-DXH-1-9 Existing Zone District: R1-10
H-4-2-13-14921

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) Existing R1-10
with proposed PDD overlay zone

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

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

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

(Office Use Only)

Date Received: _____ Application Complete: YES _____ NO _____

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



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-ZC-27
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Enhanced Home Builders/SH Rental Holdings LLC
Agent:	Brent Moser
Request:	A zone change from R1-10 to R1-10 with a PDO
Location:	Approximately 2470 S and 3870 W
Zoning:	R1-10
General Plan Map:	Planned Community and Single Family

Discussion:

This is not a zone change to change the existing zoning but to add a Planned Development Overlay to allow the project to reduce the setbacks. No other change in layout or residential unit type is being proposed. This is for the Dixie Heights subdivision in the north-central edge of Dixie Springs. Infrastructure is already being put in for this project and this property is part of the Sand Hollow Gateway Public Infrastructure District.

	Zoning	Adjacent Land Use
North	R1-10	Undeveloped currently, later stages of Sand Hollow Gateway PID

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

Adding a PDO does not change the approved underlying zoning of R1-10. Applicants do not show any attempt to deviate from single family homes even with the added flexibility of a PDO, just reduce the setbacks. R1-10 PDO zoning complies with the General Plan for Planned Community and Single Family.

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 is Dixie Springs. This plan is harmonious with Dixie Springs in many ways and reduced setbacks won't change that.

3. Will the proposed amendment affect the adjacent property?

Response: The applicant has said that they only want a PDO to reduce the setbacks. This change from the previously approved plan would have no effect on neighboring properties.

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

Response: Yes, most utilities already exist in the area as part of other developments and the developer is putting in infrastructure for this project right now.

JUC Comments

1. **Power:** No comments
2. **Sewer:** No issues with zone change. 8" lines in 2470 S and 3930 W.
3. **Streets:** No concerns with zone change
4. **Water:** No concerns
5. **Engineering:** Correct legal descriptions and survey details. Narrative doesn't make sense. Retaining walls are planned in phase 2, homes must meet setbacks from retaining walls as laid out in the geotech report.
6. **Fire:** Hydrant spacing looks good

Items to Consider

The following are key items to consider:

- While a PDO would grant the applicant greater flexibility regarding housing types and lot sizes, the applicant has submitted the current preliminary plat as the PDO site plan, except for the reduced setbacks, the applicant has proposed no other changes.
- The preliminary site plan submitted does not show the entirety of the Dixie Heights development. Staff would recommend they apply the PDO to the entire development now rather than in the future.

- Setbacks: The applicant has indicated they are only interested in reducing the side setbacks

	R1-10	PDO
Front	25 feet	19 from back of curb, 20 from back of sidewalks
Side	10 feet	15 feet aggregate, minimum five feet
Rear	10 feet	10 feet
Street side	20 feet	10 feet

- While staff generally finds the PDO setbacks acceptable, there has been a desire recently from staff and members of the development community to make the setback requirements more usable and easier to understand.

Findings:

Staff makes the following findings:

1. The proposed zone change is generally compatible with the current General Plan Map and goals.
2. The proposed zone change is generally in harmony with the overall character of the existing development.
3. The proposed zone change will not have an impact on the area if this current plan is followed.
4. The services are adequate for the development.

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and consider residents' comments. Staff recommends approval of this zone change subject to staff and JUC comments.

OWNER: CONTACT:

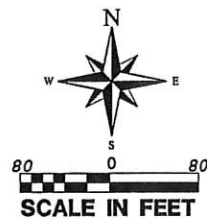
SH RENTAL HOLDINGS LLC BRENT MOSER
16 N 1210 W (801)-793-0346
ST GEORGE, UT 84745

FND. NW COR SEC 13
T42S, R14W, S.L.B.&M.

PDO ZONE CHANGE FOR: DIXIE HEIGHTS

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

FND. SET N 1/4 COR. SEC. 13,
T42S, R14W, S.L.B.&M.



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- SECTION CORNER AS DESCRIBED
- EXISTING R1-10 ZONE WITH PROPOSED PDO OVERLAY ZONE
- EXISTING R1-10 ZONE
- EXISTING PF ZONE

PHASE 1 LEGAL DESCRIPTION

BEGINNING AT A POINT THAT IS ON THE NORTHERLY LINE OF DIXIE SPRINGS SUBDIVISION PLAT "B" SECOND AMENDED AND EXTENDED AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT LIES SOUTH 88°30'59" EAST ALONG THE SECTION LINE 1,308.28 FEET AND SOUTH 773.86 FEET; FROM THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 88°29'49" EAST 661.61 FEET; THENCE SOUTH 01°09'09" WEST 217.33 FEET TO SAID NORTHERLY LINE OF DIXIE SPRINGS; THENCE NORTH 88°30'02" WEST ALONG SAID NORTHERLY LINE 661.57 FEET; THENCE NORTH 01°08'32" EAST ALONG SAID NORTHERLY LINE 217.37 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 143,793 SQUARE FEET OR 3.30 ACRES

PHASE 2 LEGAL DESCRIPTION

COMMENCING AT THE NORTH QUARTER CORNER OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S01°10'54"W, ALONG THE QUARTER SECTION LINE, 875.01 FEET TO THE POINT OF BEGINNING; RUNNING THENCE S01°10'02"W 911.30 FEET; THENCE N88°44'41"W 526.79 FEET; THENCE N01°31'21"E 27.86 FEET; THENCE N88°28'39"W 134.86 FEET; THENCE N01°08'57"E 885.45 FEET; THENCE S88°30'59"E 661.76 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 599,995 SQUARE FEET OR 13.774 ACRES.

NARRATIVE

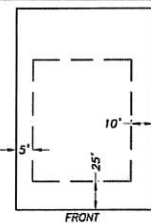
THE PURPOSE OF THIS ZONE CHANGE IS TO REDUCE THE SIDE YARD SETBACKS TO 10' AND 10' EACH SIDE TO 10' AND 5' EACH SIDE. 17.074 ACRES ARE PROPOSED TO CHANGE FROM R1-10 ZONE TO PDO OVERLAY ZONE WITH R1-10 UNDERLYING ZONE.

THE BASIS OF BEARINGS FOR THIS SURVEY IS S88°30'59"E, 2647.02 FEET, AS MEASURED FROM THE NORTHWEST CORNER TO THE NORTH 1/4 CORNER OF SECTION 13, T42S, R14W, S.L.B.&M.

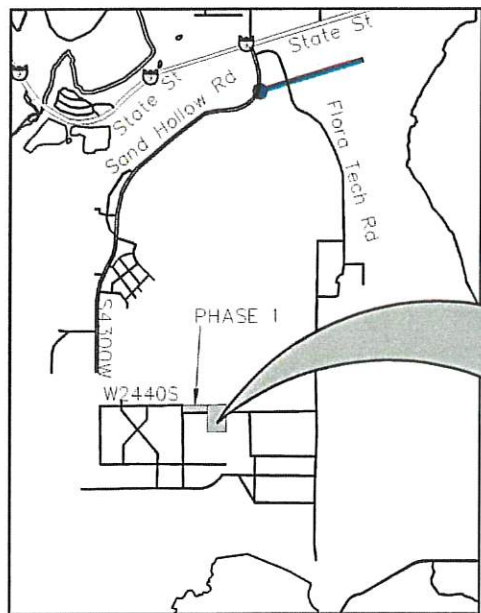
CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	21.90'	14.00'	19.73'	N43°39'55"W	89°38'40"
C2	23.50'	15.13'	21.21'	N46°30'42"E	89°01'51"
C3	23.57'	15.00'	21.22'	S43°29'18"E	90°01'18"
C4	23.56'	15.00'	21.21'	S46°30'45"W	89°58'37"
C5	23.57'	15.00'	21.22'	N43°29'15"W	90°01'02"
C6	21.54'	15.00'	19.74'	N43°29'14"W	82°16'27"
C7	21.14'	15.00'	19.51'	S46°26'43"W	80°45'04"
C8	19.92'	90.50'	19.88'	S4°39'14"E	12°36'50"
C9	38.42'	66.49'	37.89'	S6°04'17"W	33°06'38"
C10	41.81'	66.64'	41.13'	S40°57'35"W	35°56'49"
C11	52.78'	66.16'	51.37'	S81°59'31"W	45°41'13"
C12	22.29'	94.00'	22.24'	N81°55'59"W	13°35'13"
C13	23.55'	14.95'	21.19'	N46°28'22"E	90°15'12"
C14	18.50'	15.00'	17.38'	S38°55'32"E	70°40'20"
C15	23.56'	15.00'	21.21'	S46°31'24"W	89°59'54"
C16	23.56'	15.00'	21.21'	N46°30'45"E	89°58'36"
C17	23.57'	15.00'	21.22'	N43°29'18"W	90°01'17"
C18	23.56'	15.00'	21.21'	S46°31'23"W	89°59'53"
C19	23.54'	15.00'	21.20'	S43°26'19"E	89°55'31"
C20	22.56'	28.19'	21.97'	N68°25'44"E	45°51'36"
C21	54.47'	49.94'	51.81'	N76°32'24"E	62°29'53"
C22	64.35'	50.13'	60.03'	S35°21'59"E	73°32'53"
C23	61.84'	50.11'	57.99'	S36°59'00"W	70°42'20"
C24	57.26'	50.00'	54.19'	N74°48'45"W	65°37'12"
C25	22.34'	27.54'	21.73'	N65°38'45"W	46°28'30"
C26	64.40'	41.00'	57.98'	N46°31'25"E	89°59'51"

PROPOSED SETBACKS



HURRICANE CITY

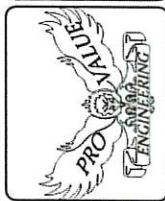


VICINITY MAP

N.T.S.

NO.	REVISIONS	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
200 South 850 West, Suite 1
Hurricane City, Utah 84531
Phone: (801) 793-0346



PDO ZONE CHANGE FOR:

DIXIE HEIGHTS

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

DATE: 8/17/2022
SCALE: 1"=80'

JOB NO.
281-014

SHEET NO.

1 OF 1

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2022-ZC-26

Receipt No. 8-158567

Name: Jaymie Wetzel Telephone: _____

Address: 1015 W. 250 N. Hurricane, UT 84737 Fax No. _____

Agent (If Applicable): Jeffrey Hatcher Telephone: 435-216-6667

Email: slash.hatcher@gmail.com ← Agent Email: J

Address/Location of Subject Property: 650 S 1100 W

Tax ID of Subject Property: H-3-2-3-4318 Existing Zone District: RA-1

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

RI-15 is the requested change.

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

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

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

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

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



STAFF COMMENTS

Agenda Date:	6/09/2022
Application Number:	2022-ZC-26
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	Jaymie Wetzel
Agent:	Jeffrey Hatcher
Request:	A Zone Change from RA-1 to R1-15
Location:	650 S 1100 W
Zoning:	RA-1
General Plan Map:	Single Family

Discussion:

The applicant is seeking a zone change from RA-1 to R1-15 to allow for the lot to be split. As with several other zone changes the Planning Commission has seen over the past few years, the property borders two master planned roadways and one residential roadway which necessitates the zoning to be R1-15 rather than RA-0.5.

The map and the application they submitted had conflicting information about the zone for which they applied. After consulting with the applicant, their intention was to R1-15, which is how it was advertised.

	Zoning	Adjacent Land Use
North	RA-1	Single Family Homes, some agriculture
East	RA-0.5	Single Family Homes
South	RA-1, R1-10	Single Family Homes
West	R1-10	Single Family Homes



To change the zoning on any parcel of land within the City of Hurricane, the following questions 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 a Single Family. The 2021 General Plan defines Single Family as follows:

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

This proposed zone change does comply with the General Plan Map. This area is also close to parks, schools, and churches.

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

Response: The proposed zone change will allow for two single family homes to be built on larger lots. This is harmonious with the surrounding existing and planned developments. The applicant's request is for the largest single family zoning outside of the agriculture and residential agricultures zones.

3. Will the proposed amendment affect the adjacent property?

Response: Yes but the limited number of units will mitigate this. There are other larger developments that have been approved in the area .

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

Response: Facilities and services are adequate for this development. JUC had no major concerns about availability.

Other Considerations

JUC Comments:

1. **Power:** No major concerns.
2. **Sewer:** No issue with zone change.
3. **Streets:** Okay with zone change
4. **Water:** No issues. Water line in 650 S.
5. **Engineering:** 650 S is a master planned minor collector. 1150 W is a master planned minor collector with a 12' trail on the east side. 1100 W is an incomplete roadway, however the ROW may have already been dedicated. Road improvements will be constructed with the proposed lot split. Complete legal description needed.
6. **Fire:** Fire code analysis needed
7. **Cable/Phone/Gas/WCWCD:** Good

Staff Comments:

1. There is a 60'' master planned roadway (Future 1150 W) that needs to be dedicated on the property. Half of this roadway is already dedicated.
2. 650 S is master planned as a 60' minor collector. 15' of road dedication is required on the north side.
3. 1100 W needs curb, gutter and sidewalk
4. It is possible that all three roadway improvements are beyond the proportional scope of a single lot split. City staff is willing to negotiate a compromise with the property owner on this issue,

whether that is not requiring full roadway improvements or the city paying for some improvements themselves

5. Due to the required roadway improvements a preliminary plat will need to be submitted by the applicant if this zone change is approved.

Findings:

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Most of the surrounding development is large lot single family homes
3. The proposed amendment will impact the area, but the incredibly limited number of units would mitigate the impact.
4. Services are adequate to serve the area and proposed project.

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and consider residents' comments. Staff recommends approval of the proposed zone change.



Future Roadways



Legend

2 ft. Contours
— 2 ft.
— 10 ft.

Parcels

Ownership

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

Notes

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

OWNER: JAYMIE WETZEL
1015 W. 250 N.
HURRICANE, UT 84737

CONTACT: JEFFREY HATCHER
(435)-216-6617
SLASH.HATCHER@GMAIL.COM

OWNERS LEGEND:

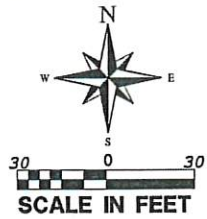
A WETZEL JAYMIE - PARCELS: H-3-2-3-4318
B RADEMACHER MELINDA S TR - PARCELS: H-3-2-3-43171
C STRATTON DEV LLC - PARCELS: H-3-2-4-127
D DANSIE ELBERT M & SHANNA C TRS - PARCELS: H-3-2-4-128
E WILEY BROOKS & HEATHER - PARCELS: H-3-2-4-11201
F HURRICANE CITY - PARCELS: H-3-2-4-11202
G CLYDE JAMES R & PEGGY C TRS - PARCELS: H-3-2-3-4433
H SWYERS JEFFREY & LORI TRS - PARCELS: H-3-2-3-4435
I SWYERS TREVOR WADE & SELENA TRS - PARCELS: H-3-2-3-44321
J HASTINGS HUBERTA BISCHOF TR - PARCELS: H-3-2-3-4431
K BOWEN SHAWN & JULIE - PARCELS: H-3-2-3-4314-H-1

ZONE LEGEND:

PF: PUBLIC FACILITY
RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE
RA-0.5: RESIDENTIAL AGRICULTURAL - 2 UNITS PER ACRE
R1-10: RESIDENTIAL - 1 UNIT PER 10000 SQ. FT.

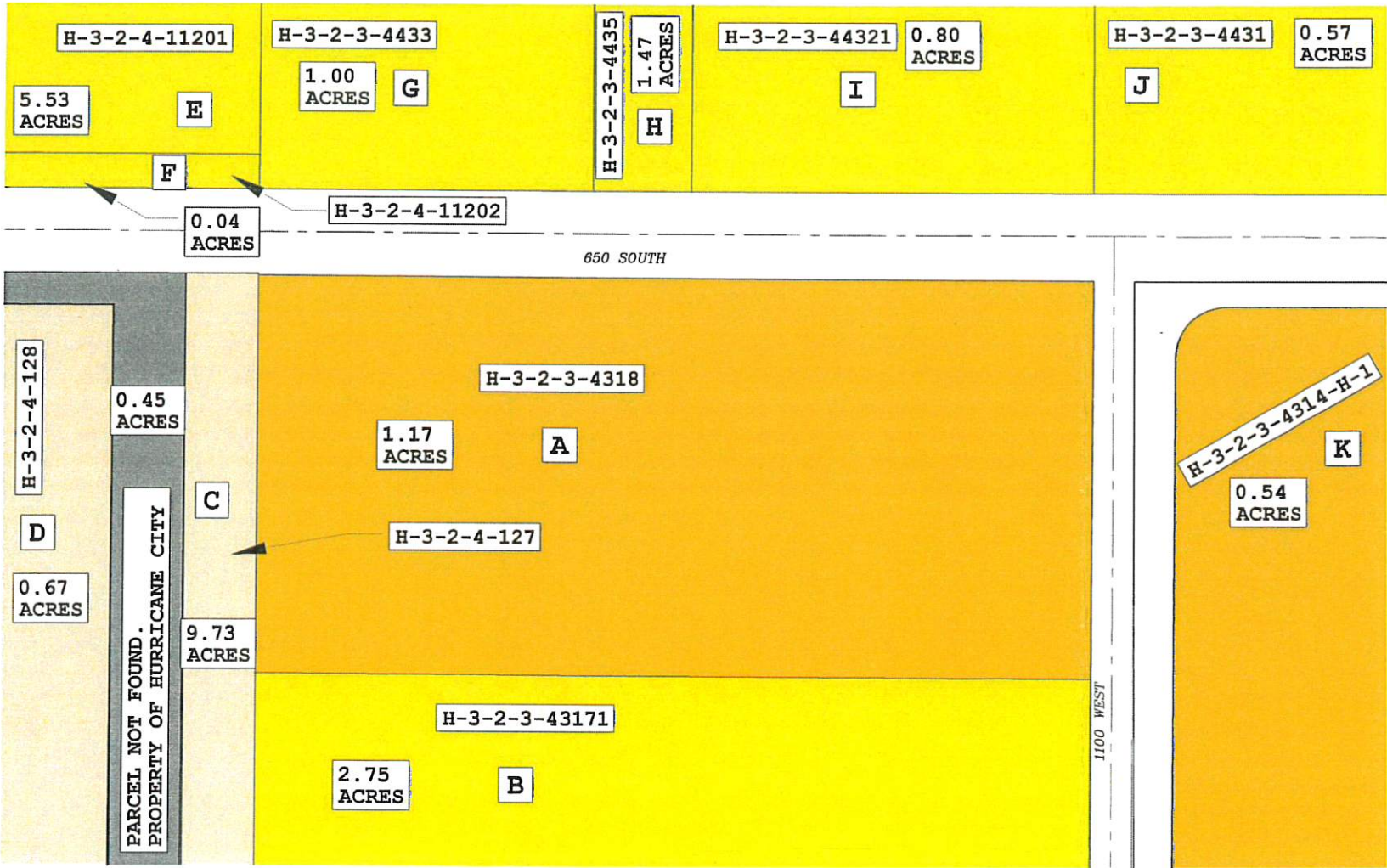
PROPOSED ZONE CHANGE MAP FOR:
JEFFREY HATCHER

LOCATED IN NW 1/4 OF S3, T42S, R13W, S.L.B.&M, LOT 21, BLOCK 5, HURRICANE FIELD SURVEY,
650 SOUTH 1100 WEST, HURRICANE CITY, WASHINGTON COUNTY, UTAH



LEGEND

PROPERTY LINE
ADJACENT PROPERTY LINE
CENTER LINE



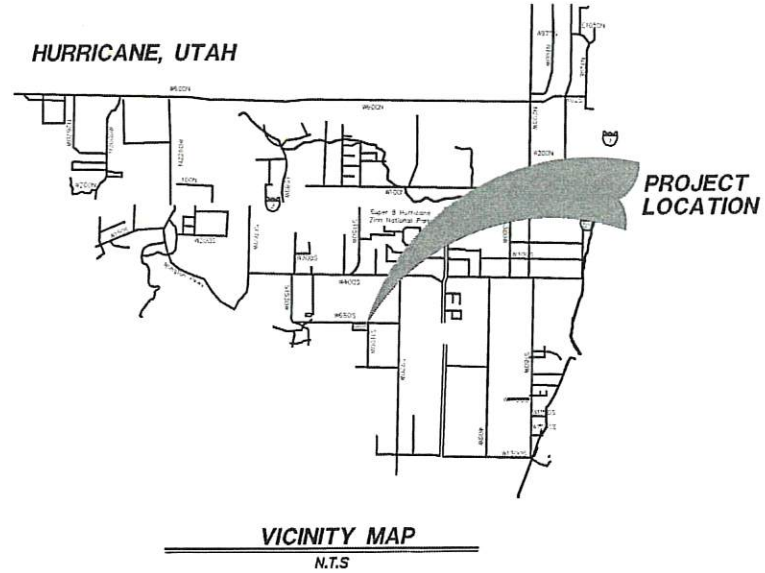
LEGAL DESCRIPTION FOR PROPOSED ZONE CHANGE:

HURRICANE FIELD SUR BLK 5 (H) Lot: 21 N 154 FT OF LOT 21 BLK 5 HFS

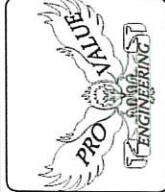
ZONE CHANGED FROM RA-1 TO RA-0.5: RESIDENTIAL AGRICULTURAL - 2 UNITS PER ACRE

PURPOSE:

CHANGING PROPERTY ZONING TO ALLOW FOR A LOT SPLIT TO BE PERFORMED ON THE PARCEL.



PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 666-6671 Karl Rasmussen



PROPOSED ZONE CHANGE MAP FOR:
JEFFREY HATCHER

LOCATED IN NW 1/4 OF S3, T42S, R13W, S.L.B.&M, LOT 21, BLOCK 5, HURRICANE FIELD SURVEY
650 SOUTH 1100 WEST, HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE: 5/10/2021
SCALE: 1"=30'

JOB NO:
226-001

SHEET NO:
2 OF 2

OWNER: JAYMIE WETZEL
1015 W. 250 N.
HURRICANE, UT 84737

CONTACT: JEFFREY HATCHER
(435)-216-6617
SLASH.HATCHER@GMAIL.COM

OWNERS LEGEND:

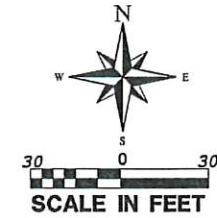
A WETZEL JAYMIE - PARCELS: H-3-2-3-4318
B RADEMACHER MELINDA S TR - PARCELS: H-3-2-3-43171
C STRATTON DEV LLC - PARCELS: H-3-2-4-127
D DANDIE ELBERT M & SHANNA C TRS - PARCELS: H-3-2-4-128
E WILEY BROOKS & HEATHER - PARCELS: H-3-2-4-11201
F HURRICANE CITY - PARCELS: H-3-2-4-11202
G CLYDE JAMES R & PEGGY C TRS - PARCELS: H-3-2-3-4433
H SWYERS JEFFREY & LORI TRS - PARCELS: H-3-2-3-4435
I SWYERS TREVOR WADE & SELENA TRS - PARCELS: H-3-2-3-44321
J HASTINGS HUBERTA BISCHOF TR - PARCELS: H-3-2-3-4431
K BOWEN SHAWN & JULIE - PARCELS: H-3-2-3-4314-H-1

ZONE LEGEND:

PF: PUBLIC FACILITY
RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE
RA-0.5: RESIDENTIAL AGRICULTURAL - 2 UNITS PER ACRE
R1-10: RESIDENTIAL - 1 UNIT PER 10000 SQ. FT.

EXISTING ZONE CHANGE MAP FOR:
JEFFREY HATCHER

LOCATED IN NW 1/4 OF S3, T42S, R13W, S.L.B.&M., LOT 21, BLOCK 5, HURRICANE FIELD SURVEY,
650 SOUTH 1100 WEST, HURRICANE CITY, WASHINGTON COUNTY, UTAH

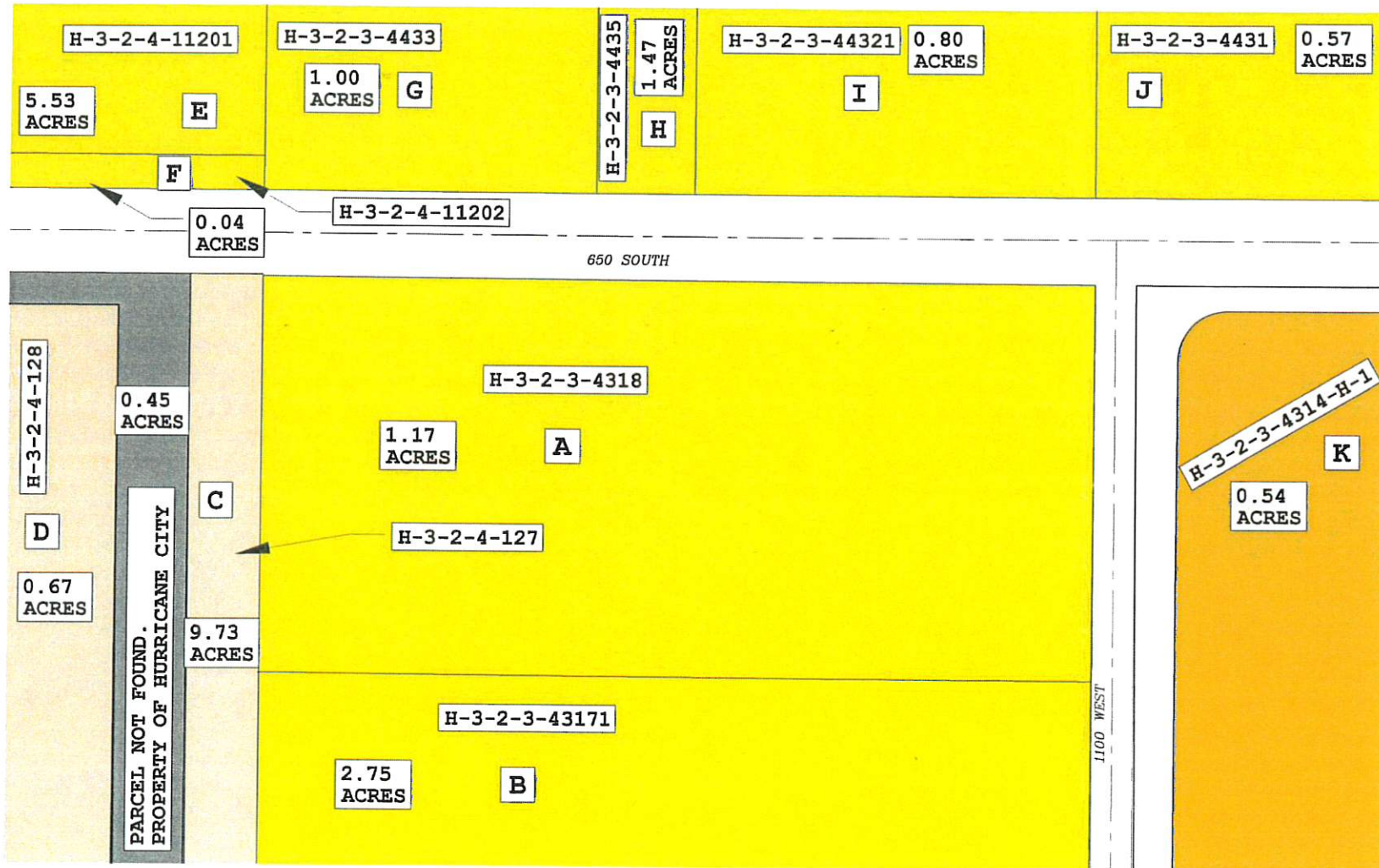


LEGEND

PROPERTY LINE
ADJACENT PROPERTY LINE
CENTER LINE

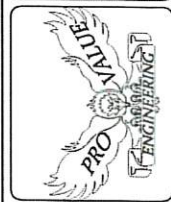
LEGAL DESCRIPTION FOR AFFECTED PARCELS:

PARCEL H-3-2-3-4318:
HURRICANE FIELD SUR BLK 5 (H) Lot: 21 N 154 FT OF LOT 21 BLK 5 HFS



NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 668-9507 Fax: (435) 668-9507



EXISTING ZONE CHANGE MAP FOR:
JEFFREY HATCHER

LOCATED IN NW 1/4 OF S3, T42S, R13W, S.L.B.&M., LOT 21, BLOCK 5, HURRICANE FIELD SURVEY
650 SOUTH 1100 WEST, HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE: 8/10/2022
SCALE: 1"=30'
JOB NO.: 636-001

SHEET NO.:
1 OF 2
Page 53 of 204

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2021-2C-26

Receipt No. 0150229

Name: Peter J. Dratter Telephone: (435) 216-6971

Address: 820 S. 700 W. Hurr, UT 84737 Fax No. N/A

Agent (If Applicable): Colt D. Stratton Telephone: (435) 619-3599

Email: pdratter@urisa.com Agent Email: Colt.Stratton@interstaterock.com

Address/Location of Subject Property: Property located between the Reddish and Hard Castle estate subdivisions.

Tax ID of Subject Property: H-3-2-3-4220-A Existing Zone District: RA-1
H-3-2-3-4220-B

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
We propose to change this property to R1-15 for the development of a subdivision with roughly 15,000 SF Lots.

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

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

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

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

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



STAFF COMMENTS

Agenda Date:	7/15/2021
Application Number:	2021-ZC-26
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	Peter J Dratter
Agent:	Colt D Stratton
Request:	A Zone Change from RA-1 to R1-15
Location:	650 S and 840 W
Zoning:	RA-1
General Plan Map:	Planned Community

Planning Commission Recommendation

The Planning Commission recommended that the City Council approve an RA-0.5 Zone. with the following findings

RA-0.5 zoning is more

- Compatible with the General Plan
- Compatible with the surrounding development
- Services are available

It is important to note that there were many public comments about the proposed zone change with the following concerns:

- Traffic Impact
- Does not match the surrounding area
- A change in plans from the past. The City in the past has only allowed half-acre lots.
- Stormdrain is an issue in the area
- Concern about the impact on the surrounding area
- Concerns about health and safety.

Discussion:

The applicant is seeking a zone change from Residential Agriculture-1 (1 acre lots) to Residential 1-15 (15,000 sq. ft. lots) over five acres.



650 W on the west side of the project (above) and the east side (below)



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 Single Family. The 2021 General Plan defines Single Family as follows:

SINGLE FAMILY

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

The R1-15 complies with the General Plan Map.

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

Response: Most of the area is developed as full-acre and half-acre residential lots. There are some older lots in the area that are smaller in the area also and some undeveloped property.

R1-15 has the largest requirements of single-family lots for the zones that the General Plan recommends.

3. Will the proposed amendment affect the adjacent property?

Response: The proposed zoning will likely have around 12 lots with the proposed R1-15 zoning. This number of units should not have a large impact on the surrounding development. The applicant will need to stub the road to the property just south of this project to allow access.

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

Response: Facilities and services are adequate for this development. Any future development of roadways and utilities will need to align with 840 W and the utility infrastructure at that intersection. There are also schools, parks, roadways, and other services in the general area that can provide services. The applicant would be required to make improvements to the street, sidewalks, drainage systems and other services as part of this development.

Other Considerations: Spot Zoning

There has been talk about the request being a spot zone, staff does not believe it would be considered a spot zone legally. "The 'classic' definition of spot zoning is 'the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners'" (see link below). For a spot zone to be ruled illegal by the courts it would need to be "arbitrary, capricious and unreasonable treatment" (see *Eves V. Zoning Bd of Adjustments*) of a limited parcel of land by a local zoning ordinance. Also, there needs to be conflicting uses or is an unjustified exception for a parcel to be zoned a certain way. The most important factor the courts have viewed if something is a "spot zone", is if it does not advance the

goals of the general plan. Where this is a residential use being applied for within a residential area, zoning is supported by the general plan, and the proposed use would contain around five acres, staff does not see any legal conflict. It is becoming more and more common for a mix of uses and types of housing to be included all in one area. There is a larger legal risk (however small) of approving or denying a zone change that is in conflict with the General Plan. The City Council should consider the four criteria within the Hurricane City code as a criterion for its decision and not be concerned about if the proposal would be considered a zone change.

[Here is a good summary of what is considered a spot zone.](#)

Findings:

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Even though most of the development has larger lots, the proposed amendment is generally in harmony with the overall character of the existing and proposed development with the request for the R1-15, which requires the largest lots from those recommended within the General Plan for this area.
3. The proposed amendment will have an impact on the area, but the impact would be mitigated by the limited number of units.
4. Services are adequate to serve the area and proposed project.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff recommends approval of the proposed zone change of R1-15 to comply with the General Plan's recommendation.

July 7, 2021

Via Email

Hurricane City Planning Commission
c/o Stephen Nelson, Planning Director
stephen@cityofhurricane.com

Re: Public Comment and Opposition to Agenda Item 2021-ZC-26, a Zone Change Request by Peter Dratter for Parcel Numbers H-3-2-3-4220-A and H-3-2-3-4220-B

Dear Planning Commissioners:

I cannot attend the Planning Commission's meeting on July 8, 2021 due to a family commitment, but I wanted to comment on the above-referenced zone change application as a resident of Hurricane.

The Applicant is requesting a spot zone of 5+ acres of property to R1-15. The current zoning map shows that this property is surrounded on all sides by residential agriculture zoning. To the west and south is property zoned as RA-1, including the Reddish subdivision immediately to the west that was recently subdivided into 1 acre lots. To the north and east is property zoned as RA-0.5. If the zone change request of R1-15 is granted, it will result in the very definition of a spot zone. A spot zone does not meet the zone change criteria of being harmonious with the surrounding properties.

It is important to note that the surrounding properties are already developed as .5 and 1 acre lots, so this is not a situation where the surrounding zoning could be considered merely a 'holding' zone for future development. The owners of the surrounding properties have bought their lots and many have built their houses in reliance on the low-density, residential agriculture zoning in this entire area. Residential agriculture zoning is fundamentally different from single family housing because it allows agricultural components—such as keeping livestock on the property. Residents that buy and build on an agricultural lot will generally have different views of appropriate property uses than a resident that buys a residential lot, which is likely to lead to conflict if a non-agriculture development is placed in the center of residential agriculture zoning.

I request that the Commission recommend to the City Council that the application be denied on the grounds that the requested zone change (1) would result in the spot zoning of the property; (2) would not be harmonious with the surrounding properties, which are all zoned as either RA-1 or RA-0.5; and (3) would have a significant negative impact on the surrounding properties by increasing the density beyond that allowed in the surrounding properties and by introducing zoning into the area that is inconsistent and incompatible with the rural residential zoning that is enjoyed by all surrounding properties.

Sincerely,


Dayton Hall
Resident

June 30, 2021

Hurricane Planning Dept
147 No 870 W
Hurricane Ut 84737

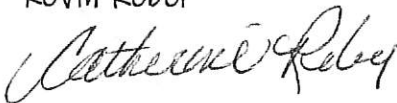
To Whom it May Concern,

We Kevin and Catherine Reber are opposed to the change of zoning of the property located at 840 W and 650 So Hurricane Ut, parcel # H-3-2-4220-A and H-6-2-3-4220-B. We would not oppose similar size lots that are currently in this area, .6 acre lots, but we strongly oppose the requested 15000 square foot lots.

Sincerely,

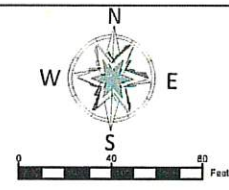


Kevin Reber



Catherine Reber

Kevin and Catherine Reber
789 W 450 So
Hurricane Utah 84737



① H-3-2-3-4220-A
DRATTER PETER J TR
820 S 700 W
HURRICANE, UT 84737
EXISTING ZONE: RA-1
PROPOSED ZONE: R1-15

② H-3-2-3-4220-B
DRATTER PETER J TR
820 S 700 W
HURRICANE, UT 84737
EXISTING ZONE: RA-1
PROPOSED ZONE: R1-15

ZONE CHANGE MAP FOR: PETER J. DRATTER

SECTION 3, TOWNSHIP 42 SOUTH, RANGE 13 WEST, HURRICANE, UTAH

ZONE CHANGE DESCRIPTIONS:
H-3-2-3-4220-A & H-3-2-3-4220-B:
ALL OF LOT TWENTY-TWO (22), BLOCK 6, HURRICANE FIELD SURVEY, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH.



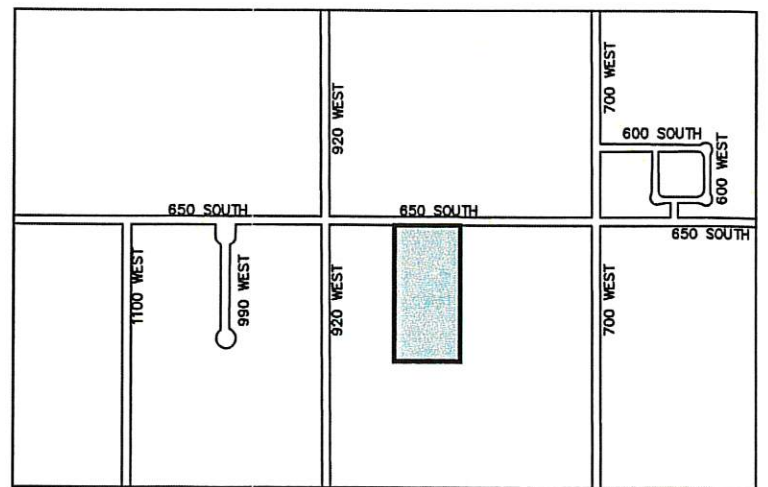
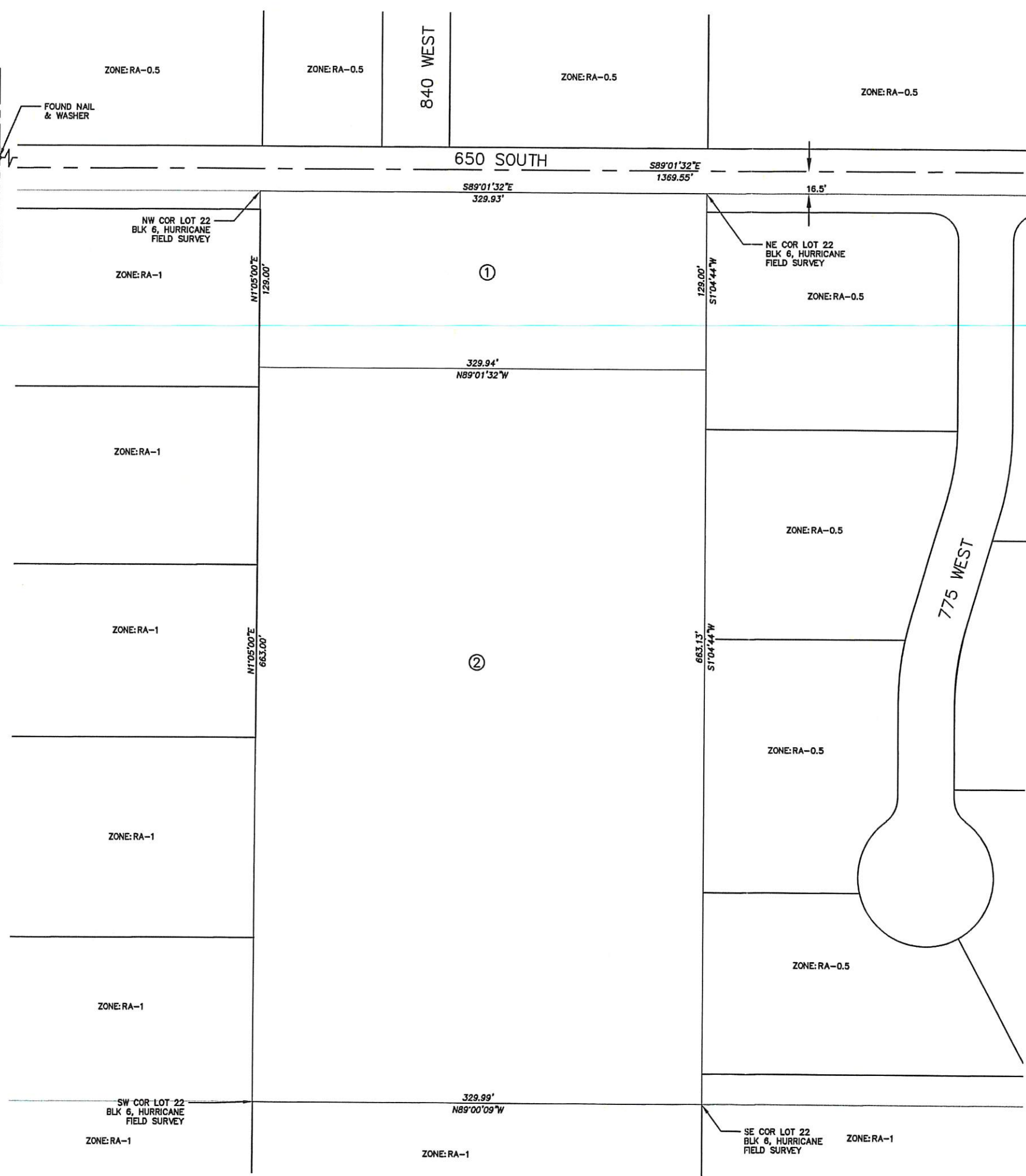
GENERAL BUILDING & ENGINEERING CONTRACTOR
42 SOUTH 850 WEST, HURRICANE, UT 84737
P: 435.635.2625 | F: 435.635.2177

DESIGNED BY CDS
DRAWN BY KKS
CHECKED BY CDS

INTERSTATE ROCK PRODUCTS, INC.
ZONE CHANGE MAP FOR:
PETER J. DRATTER

REV.	DATE	DESCRIPTION	BY

DATE 6/18/2021
SCALE 1" = 40'
DRAWING NUMBER



VICINITY MAP



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-LUCA-05
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City Planning
Agent:	
Request:	Make a recommendation to the City Council to update Hurricane City Code
Reviewed By	Planning and Zoning

Summary of Concern:

Due to the large number of multifamily developments planned and approved in the city, staff and the Planning Commission have endeavored to come up with new standards for open space and site plan design in new developments. This has been before the Planning Commission for almost six months and staff believes that sufficient fine-tuning has been done

Summary:

Multi Family Open Space

- *Refine definition of open space to exclude parking and unimproved areas*
- *Change open space requirement in multifamily areas from a recommendation of 50% open space to a requirement of 20% usable open space*
 - *Require trees be planted within open space*
- *Require amenities such as pools and clubhouses depending on the size of development*

- *Require said amenities to be spread out throughout the development*

Outdoor Lighting

- *Require all exterior lighting to be fully cut off and shielded downwards*
- *All new exterior lighting shall have a color temperature of 3000 K or less*
- *Light trespass onto neighboring properties can now be considered a nuisance*
- *Exceptions for holiday lighting, lighting that is less than 1000 lumens, agricultural lighting, motion sensors, emergency lightning*

Pedestrian Circulation

- *All new multifamily developments will be required to provide a pedestrian circulation plan showing the location and width of walkways as well as connections to neighboring properties*
- *Require that all trails are at least 10 feet wide unless so marked on the Active Transportation Master Plan*
- *Require covered bicycle parking at a rate of one space per two units*

Parking

- *Allow for diagonal and perpendicular street parking on residential roadways*
- *These parking areas will be maintained by an HOA and shall be 50' from any intersection*
- *The City Engineer must approve the proposed cross-section*

Discussion:

Since the last Planning Commission meeting staff has had the Joint Utility Committee and Engineering go over the proposal in some more detail, here are the primary changes we've made in response to these discussions

- **Pedestrian Circulation:** Differentiated between master planned trails, primary trails, and internal walkways. Allows connections to larger trail systems to count as an amenity and encourages larger trail systems between developments
- **Parking:** Added exceptions for the downtown area. Specified design standards and bulb outs. Street parking counts towards parking requirements for commercial uses. Engineering and Planning are working together to design a sample cross section for diagonal and perpendicular street parking.

This is a big change to the city code that will determine how the city continues to develop. We appreciate your efforts thus far and we appreciate any suggestions and concerns you all may have as we continue this process.

Recommendation: Staff recommends that the Planning Commission listen and consider any public comments made during the public hearing. Staff would recommend approval of the code amendment subject to staff and legal review.

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH
AMENDING SECTION 10-3-4 CHAPTERS 10-13, 10-33, 10-34 AND 4-2 OF THE
HURRICANE CITY CODE.**

WHEREAS, the City Council of Hurricane, Utah has previously approved site plan design standards in order to ensure that well designed neighborhoods are built throughout the City; and

WHEREAS, Hurricane City is currently seeing a large number of multifamily nad planned developments being planned throughout the city; and

WHEREAS, the City Council now finds it necessary and desirable to amend said ordinances with regards to site plan design, open space and amenities, outdoor lighting, and parking in new developments; and

WHEREAS, the Planning Commission of Hurricane Utah has recommended the following changes to the Hurricane City Code;

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Section 10-3-4 and Chapters 10-13, 10-33, 10-14 and 4-2 of the Hurricane City Code be, and are hereby, amended to read as follows:

10-3-4: DEFINITIONS OF WORDS AND PHRASES

OPEN SPACE: Any space in a development that does not contain any structures or amenities, except for park or recreation amenities, as defined herein. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens or agricultural use. Natural features such as hillsides, natural landscapes, washes, and other natural open

spaces shall also be considered open space.. Buildings, streets, parking lots, private yards, and landscaping within the rights-of-way for streets shall not be counted as Open Space. Open space with a horizontal dimension less than six feet or a total area of less than 60 square feet is not considered usable.

10-13-7: SPECIAL REGULATIONS:

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

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

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

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

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

10-33-5: SITE PLAN DESIGN:

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

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

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

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

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

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

a. One tree shall be planted for every 1,000 square feet of landscaped open space. These trees shall count for the requirements of Sec. 10-32-5 of this title for multifamily developments with no front yard areas.

2. Courtyard areas should be designed as usable space.

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

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

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

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

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

1. Areas with sensitive lands can only count towards this open space if some feature or amenity is added such as a trail in order to make the land usable.
2. Landscape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs every 35'. Landscape buffering that is not otherwise required shall count as open space.
3. All areas that are unencumbered by improvements shall be landscaped and treated in a way to control dust and weeds. This may include additional landscape treatments, rocks, or planting of natural vegetation.
4. Townhome developments with backyards extending at least 10 feet from the back of houses shall only be required to have 15% open space.
5. Duplex developments with backyards extending at least 10 feet from the back of houses shall only be required to have 10% open space.
6. Planning Commission may lower the amount of open landscaped space or amenities required for development under 50 units if the development is within one-quarter mile of a city park
7. Open and common space must contain some kind of amenities as laid out below

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

- a. Developments above 300 units shall add one amenity for every 50 units.
- b. Amenities may include but are not limited to pools of at least 1500 sq ft, health or fitness facilities, playgrounds, community gardens, trail systems, dog parks, sport courts, and club houses. All amenities shall be built to commercial standards.
- c. If multiple amenities are required, the type shall vary. Duplicates of amenities should be avoided but may be approved by the Planning Commission.
- d. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. All amenities and open space shall have walking trails or sidewalks for access. Each unit within a development shall be within a

quarter mile of an amenity. Where applicable, multiple amenities should be placed throughout the property to ensure equitable access.

- e. Amenities shall be maintained by a common ownership or deeded to the city.
- f. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.
- g. Development may be phased. Public and Owners' Association-owned amenities shall be fully developed and operational in conjunction with each phase of the subdivision as a percentage of the total developed or number of units in the subdivision (for example, if 25% of the units of the development is being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed).
- h. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

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

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

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

1. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

2. Master Planned Trails shall be a minimum of 12' wide, primary trail systems that connect different developments shall be a minimum of 10 feet wide. Internal walkways (sidewalks) shall be a minimum of 5 feet wide. Primitive and unpaved trails are permitted in natural open space. All trails and pedestrian paths shall comply with pedestrian connectivity standards.

- a. For a trail to count as an amenity, it shall be a minimum of 10' paved; the trail must traverse the development from one end to the opposite end. Amenity trail systems shall connect to master plan trails, parks, schools, commercial areas, adjacent developments and other natural/primitive trail systems where applicable. Trail connectivity should be coordinated with adjacent properties.

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

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

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

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

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

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

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

2. Adequate lighting should be provided throughout the development.

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

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

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

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

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

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

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

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

1. Equipment should be kept low to the ground.

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

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

10-33-7: OUTDOOR LIGHTING

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

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

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

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

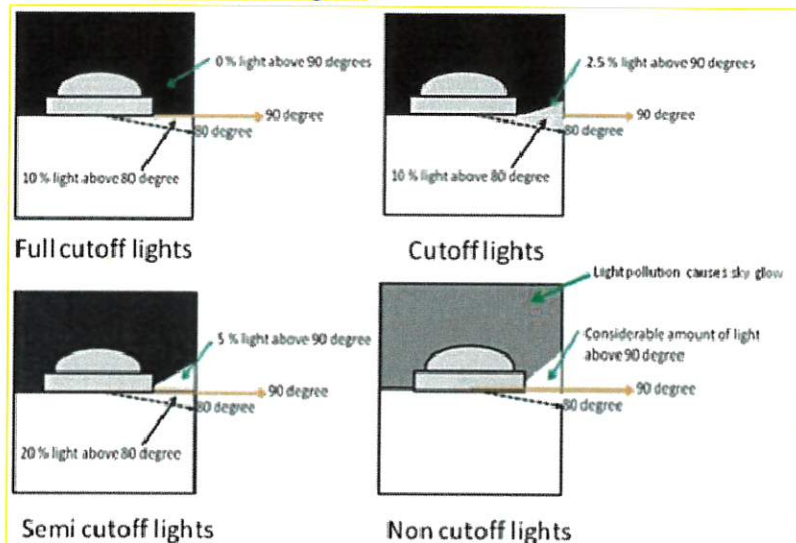
visible, and placed and screened so that it does not cause light trespass on any adjacent properties.

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

3. Exceptions:

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

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



Examples of Acceptable / Unacceptable Lighting Fixtures



4-2-2: ENUMERATION OF NUISANCES:

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

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

a. Rubbish, refuse, junk, trash or debris.

b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1. Shall only be located on local or residential roadways
2. Shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. After every 10 spaces, there shall be a bulb-out that is a minimum of 20' in length and width and landscaped with shrubs no higher than two feet, and at least a single tree pruned and located to ensure proper line of sight is maintained.
4. Parking shall not cross the sidewalk, and sidewalks shall wrap around the outside of parking areas.
5. Parking areas shall be located fifty feet (50') away from any intersection of public roadways.
6. Parking areas are considered part of the right of way
7. The area designated as the downtown as designated on the Future Land Use map may use a street parking cross-section that does not comply with this code as long as it matches the existing cross-section in the area and is approved by the Planning Commission
8. Diagonal and perpendicular street parking count as "off-street parking" for the purposes of the standards of Table 10-34-1 only for commercial uses.
9. The City Engineer must approve the proposed cross-section during the preliminary plat process

Sec. 10-39-7. Preliminary plat requirements.

The preliminary plat shall include or be accompanied by the following:

- A. *Description.* In a title block located in the lower right hand corner of the sheet the following is required:
 - 1. The proposed name of the subdivision.
 - 2. The location of the subdivision, including the address and the section, township and range.
 - 3. The names and addresses of the owner or subdivider if other than the owner.
 - 4. Date of preparation and north point.
 - 5. Scale shall be of sufficient size to adequately describe in legible form all required elements.
- B. *Existing conditions.* The preliminary plat shall show:
 - 1. The location of the nearest monument.
 - 2. The boundary of the proposed subdivision and the acreage included.
 - 3. All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other commission studies.) And all property contiguous to the proposed subdivision.
 - 4. The location, width and names/numbers of all existing streets within 200 feet of the subdivision and of all prior streets or other public ways, easements, utility rights-of-way, parks and other public open spaces, within and adjacent to the tract.
 - 5. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least 100 feet beyond the tract boundaries.
 - 6. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.
 - 7. Contours at vertical intervals not greater than five feet.
 - 8. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.
- C. *Proposed plan.* The subdivision plans shall show:
 - 1. The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements.
 - 2. The layout, numbers and typical dimensions of lots. Designation of buildable area is required for each lot.
 - 3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
 - 4. Easements for water, sewers, drainage, utilities, lines and other purposes.
 - 5. Typical street cross sections and street grades where required by the Planning Commission.

-
6. A tentative plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.
 7. Approximate radius of all centerline curves on highways or streets.
 8. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable.)
 9. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.
 10. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
 11. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
 12. If the subdivision is to be built in phases, the plat shall show possible phasing lines.
 13. A tentative plan or method for providing nondiscriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.
- D. *Required copies of plans.*
1. Two copies of all full scale drawings.
 2. One copy of each drawing on 11-inch by 17-inch sheets or eight and one-half by 11 if the project is small and the plans are legible at that size.

Sec. 10-39-8. Construction drawings.

After preliminary plat approval by City Council, the applicant shall have construction drawings prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

- A. Final plan and profile must be prepared in accordance with:
1. Current Hurricane City standards and specifications;
 2. Hurricane City drainage manual;
 3. Ash Creek special service district construction standards;
 4. Hurricane City power standards and specifications;
 5. Applicable fire code; and
 6. Dixie Escalante power standards and specifications if applicable.
- B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:
1. A general assessment of the requirements needed to develop on the site.
 2. Site preparation and grading and the suitability of on site soils for use as structural fill.
 3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
 4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive,

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(Supp. 1, Update 3)

compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.

5. Anticipated total and differential settlement.
 6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
 7. Design criteria for restrained and unrestrained retaining or rockery wall.
 8. Moisture protection and surface drainage.
-
- C. Eleven sets of complete drawings must be submitted to the Public Works Director. Construction drawings must contain a signature block for all required utility, City, and Ash Creek special service district representatives. Drawings shall be a minimum of 22 inches by 34 inches (full size).
 - D. Applicant shall request placement on a Joint Utility Committee agenda for initial review of the plans.
 - E. Applicant or applicant's authorized representative shall attend the Joint Utility Committee meeting when the item is on the agenda. Utility, franchisee, City, and Ash Creek representatives will take copies of plans to redline.
 - F. All street grades over five percent shall be noted on the preliminary plat.
 - G. When redlines are completed, Public Works Director shall prepare a summary of the needed changes and return redlined plans to applicant.
 - H. Applicant shall then submit three copies of the corrected construction drawings, addressing all redlined items, to the City Engineer for review and possible signature. After City Engineer signs, applicant must obtain all required signatures and return signed plans to Public Works Director for final signature.
 - I. Construction drawings are valid for 24 months after final signature. Construction drawings signed more than 24 months prior to construction of improvements shall be considered expired. For a project where construction has started and all improvements shown on the plan will be constructed, the Public Works Director may permit construction to continue. Construction drawings showing multiple phases of a project are valid only for those improvements constructed within the first 24 months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

Sec. 10-39-10. Final plat requirements.

- A. *Required information.* The final plat shall show:
1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the Planning Commission.
 2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
 3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
 4. Every existing right-of-way and easement grant of record for communications infrastructure, for underground facilities as defined in Utah Code Annotated section 54-8a-2 and for other utility facilities. Where the same is granted to a specific entity, that entity must be clearly identified.

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5. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
 6. All street centerline data must be shown, together with its relationship to the property lines, corners, etc.
 7. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, state, county or other official monuments.
 8. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).
 9. Street monuments to be installed by the subdivider in accordance with the requirements of the City standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.
 10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.
 11. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.
 12. The parent parcel number, as shown on the records of the Washington County Recorder in St. George, Utah.
- B. *Required forms and certificates.* In addition the final plat shall contain the standard forms for the following:
1. A registered professional land surveyor's signed certificate of survey, together with a statement that: a) the surveyor holds a license in accordance with Utah Code Annotated title 58, chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act; b) the surveyor has completed a survey of the property described on the plat in accordance with Utah Code Annotated section 17-23-17 and has verified all measurements; and c) has placed monuments as represented on the plat.
 2. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.
 3. Mortgagee or other lienholder's consent to record, if applicable.
 4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.
 5. Certificate of approval of Ash Creek special service district.
 6. A note stating as follows: Hurricane City operates a municipal culinary water system with limited water supply. Approval of a plat by Hurricane City does not guarantee that sufficient water will be available to serve lots depicted on any plat. Any land use applicant may be required by Hurricane City to provide a guarantee of water availability or provide proof of guaranteed and sufficient source of water for proposed uses. If there is any approval without a water guarantee, the applicant assumes the entire risk of water availability for a platted lot.
 67. Certificate of approval and acceptance by the City as evidenced by the signature of the Mayor.
 78. Certificate of approval of the City Engineer.
 89. Certificate of approval as to form executed by the City Attorney.
 910. A one and one-half inch by five inch space in the lower right hand corner of the drawing for the use of the county recorder.

~~4011.~~ Certificate of approval of the county treasurer.

C. *Other information required.* The following information or documentation shall be submitted with the final plat or prior to recordation:

1. A statement that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full, or a letter stating that a satisfactory bond has been filed to secure such payment.
2. An original copy for staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the county recorder along with the final plat.
3. An up to date title or subdivision report for the property being subdivided.
- ~~4. A disk of the final plat prepared in "AutoCAD 2004" (or newer format).~~
- ~~54.~~ Mylar of approved final plat submitted and reviewed for substantial conformance with paper final plat.
- ~~5.~~ Applicant shall be responsible to provide any additional information requested by the Washington County Recorder, including electronic versions of mylars.

D. *Requirements for recordation.*

1. Final plat approval.
 2. Bond or other financial security in place.
 - ~~3. Payment of HCP impact fee.~~
 - ~~4. Three disks of the final plat prepared in "AutoCAD 2004" format or later format as designated from time to time by City Engineer; one disk for the City, one for the county recorder, and one for the Washington County Water Conservancy District.~~
 5. Final title or subdivision report prepared and submitted to the City Attorney.
 6. Proof of satisfaction of payment of any water impact fee ~~due to~~ Washington County Water Conservancy District, if applicable.
 7. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek special service district superintendent. The City Attorney shall be the last signer of the mylar just prior to recordation.
 8. Preliminary acceptance by City of all public and private improvements as shown on approved construction drawings.
 9. If submitted mylar shows substantial change from the approved paper final plat, applicant shall submit an application for an amended plat and get approval of the amended plat before recordation will be permitted to occur.
- E. *Recordation of plat.* Any subdivision plat receiving final approval shall be recorded at the office of the county recorder within one year of the date of said final approval. Applicant shall be responsible to coordinate with the City Attorney for the recording of the final plat and for the payment of any recording fees. Upon receipt of an extension request within 18 months from the date of original final plat approval, final plat approval staff shall grant a one-year extension of time to record, with the extension period ending two years from the date of original final plat approval. Any other or further extensions shall require the consent of the City Council. Failure to obtain an extension within two years of the original final plat approval date shall result in

revocation of the final plat. When a final plat is revoked, a new preliminary plat must be approved before applying for new final plat approval.

Sec. 10-39-12. Subdivider's agreement.

All applications for a subdivision shall be accompanied by an executed copy of the following agreement, as amended from time to time by the City Council. Said agreement shall be substantially in the following form:

SUBDIVIDER'S AGREEMENT WITH HURRICANE CITY

This agreement is entered into this ____ day of ____, ____, between of ____, County of ____, State of ____, hereinafter referred to as "Subdivider," and Hurricane City, a municipal corporation of the State of Utah, located in Washington County, hereinafter referred to as the "City." Subdivider, on behalf of it/himself, its/heirs, successors and assigns, hereby acknowledges, covenants and agrees that: (1) it/he has received and read a copy of the Hurricane City Subdivision Chapter of the Land Use Code and shall in all respects comply with the provisions contained therein, (2) all on-site and off-site improvements required to be constructed in connection with said subdivision shall be constructed and installed in accordance with the approved construction plans and drawings, and (3) in the event that legal action is required to be taken by Hurricane to enforce the terms of this agreement, Subdivider agrees that it/he shall be liable to pay all such legal costs and expenses incurred by Hurricane, including court costs and a reasonable attorneys fee.

DATED this ____ day of ____, ____.

Subdivider Subdivider ____

Title

STATE OF UTAH)

: ss.

COUNTY OF WASHINGTON)

On the ____ day of ____, ____, personally appeared before me ____, the signer(s) of the above instrument, who duly acknowledged to me that he/she executed the same on behalf of the Subdivider.

(SEAL)

NOTARY PUBLIC

Accepted by:

Hurricane City Zoning Administrator or Planning Director

All signatures to this agreement, other than for sole proprietorships, shall be accompanied by documentation acceptable to the City attesting to the fact that the signer hereof is authorized by the subdivider to enter into this agreement (e.g. a copy of a corporate resolution, copy of a partnership agreement, etc.).

Sec. 10-39-12.5. Acknowledgement of Water Supply and Waiver.

All applications for preliminary plat approvals, all submissions of construction drawings, and all applications for preliminary site plans or site plans shall be accompanied by an executed copy of the following Acknowledgment of Water Supply:

ACKNOWLEDGEMENT OF WATER SUPPLY

Commented [1]: We can no longer require a development agreement as part of a normal development agreement. Should we get rid of this also?
10-9a-532 (2)(c). The City stopped requiring this before I started.

Commented [2R2]: I guess we could add this as an acknowledgment statement attached to the application.

Commented [3]: I have a concern about having this in only one section since some preliminary site plans do not require any subdivision.

Commented [4]: Would it be better to have this section approved by a resolution by the City Council? We would have a code state something like "All applications for preliminary plat (or other application) approval shall be accompanied by an executed copy of an Acknowledgment of Water Supply established by the a resolution by the City Council." My thought about that is any time we would want to change the acknowledgment we would need to go through the whole thing. The other thought is we could just have the Acknowledgement of Water Supply in 10-7-24 as a new section.

I/We, _____ am/are the applicant(s) of the application known as _____ located on
parcel(s) _____ within the
City of Hurricane, Washington County, Utah.

By my/our signature(s) below I/we do hereby acknowledge and agree to the following:

1. Neither acceptance nor approval of a development application by Hurricane City shall constitute a guarantee that sufficient water will be available to serve the zone designation, project, or permit for which this application is being submitted; and
2. Prior to receiving final approval for the application, the applicant may be required by Hurricane City to provide a guarantee of water availability which verifies that there is a sufficient water supply or provide proof that another guaranteed source of water is available to the applicant; and
3. For any application which may be approved without a guarantee of water availability, the applicant knowingly assumes the entire risk of water availability for the project and/or application; and
4. I/we waive any and all claims against Hurricane City that are in any way related to water availability for any project, permit, or use for which the land use application has been approved.

DATED this _____ day of _____, 20_____.

Applicant Name: _____

Name of Signer (if different from Applicant Name): _____

Title of Signer: _____

Signature: _____

STATE OF _____)

_____)

COUNTY OF _____)

On the _____ day of _____, 20_____, personally appeared before me _____,
the signer of the above instrument, who duly acknowledged to me that he/she executed the same
in the capacity indicated on behalf of the Applicant.

NOTARY PUBLIC

All signatures to this Acknowledgment, other than for Applicants signing in an individual capacity, shall be accompanied by documentation acceptable to the City attesting to the fact that the signer hereof is authorized to execute the Acknowledgment on behalf of the Applicant (e.g. a copy of a corporate resolution, copy of a partnership agreement, etc.).

ACKNOWLEDGEMENT OF WATER SUPPLY

I/We, _____ am/are the applicant(s) of the application known as _____ located on
parcel(s) _____ within the
City of Hurricane, Washington County, Utah.

By my/our signature(s) below I/we do hereby acknowledge and agree to the following:

1. Neither acceptance nor approval of a development application by Hurricane City shall constitute a guarantee that sufficient water will be available to serve the zone designation, project, or permit for which this application is being submitted; and
2. Prior to receiving final approval for the application, the applicant may be required by Hurricane City to provide a guarantee of water availability which verifies that there is a sufficient water supply or provide proof that another guaranteed source of water is available to the applicant; and
3. For any application which may be approved without a guarantee of water availability, the applicant knowingly assumes the entire risk of water availability for the project and/or application; and
4. I/we waive any and all claims against Hurricane City that are in any way related to water availability for any project, permit, or use for which the land use application has been approved.

DATED this ____ day of _____, 20 ____.

Applicant Name: _____

Name of Signer (if different from Applicant Name): _____

Title of Signer: _____

Signature: _____

STATE OF _____)

COUNTY OF _____)

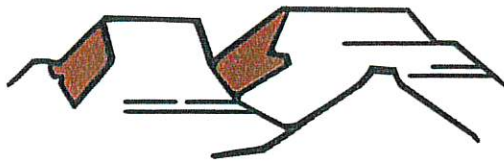
On the ____ day of _____, 20____, personally appeared before me _____,
the signer of the above instrument, who duly acknowledged to me that he/she executed the same
in the capacity indicated on behalf of the Applicant.

NOTARY PUBLIC

All signatures to this Acknowledgment, other than for Applicants signing in an individual capacity, shall be accompanied by documentation acceptable to the City attesting to the fact that the signer hereof is authorized to execute the Acknowledgment on behalf of the Applicant (e.g. a copy of a corporate resolution, copy of a partnership agreement, etc.).

On the plat:

Hurricane City operates a municipal culinary water system with limited water supply. Approval of a plat by Hurricane City does not guarantee that sufficient water will be available to serve lots depicted on any plat. Any land use applicant may be required by Hurricane City to provide a guarantee of water availability or provide proof of guaranteed and sufficient source of water for proposed uses. If there is any approval without a water guarantee, the applicant assumes the entire risk of water availability for a platted lot.



PLANNING & ZONING HURRICANE CITY UTAH

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

ZONE CHANGE APPLICATION

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

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

Email: _____ Agent Email: adamstout12@msn.com

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

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

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

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

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

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

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

(Office Use Only)

Date Received: _____ Application Complete: YES _____ NO _____

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



STAFF COMMENTS

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

Update 6/9/2022: This item was continued due to staff needing more time for review. Staff has written a new draft of the development agreement and sent it to the applicant for their review. This report is largely unchanged but does contain a preliminary site plan review from staff and JUC. If the applicant finds staff's current development agreement language acceptable then staff would recommend moving this item forward to the City Council.

Discussion:

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

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

the master-planned roadways and development criteria for RA-1 and M-1 zoning with additional development on the parcel.

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

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

Zone Change Factors:

As per Hurricane City Code 10-7-7:

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

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

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

Response: The General Plan Map shows this area as Agricultural which it defines as:

Property used for keeping or pasturing of animals or raising of crops with supporting residential use. Appropriate residential density should be between one unit per 40 acres to one unit per five acres.

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

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

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

3. Will the proposed amendment affect the adjacent property?

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

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

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



Development Agreement

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

- Development and dedication of 2300 S
- Development of 1500 W
- Providing a culvert under 2300 S to allow continual agriculture use between the northern and southern property
- What event triggers the applicant needing to install required improvements
- Future allowed uses for the property

A draft proposal has been submitted to the City Council, but was determined that it needed review by the Planning Commission before approval. The City Attorney and staff have submitted an updated agreement (attached to this report) to the applicant for their review. At the time of this report they have not made any requested changes.

Preliminary Site Plan

JUC Comments

1. **Power:** Power lines may need to be moved to meet new roadway. Power will need to be developed down 1500 W and 2700 S
2. **Streets:** Need clarification on 2380 S. 2700 S will need improvements when/if the lots are developed.
3. **Water:** Meters would need to be moved to their respective lots when improvements are put in. If 2380 S is private meters will have to be moved to 1500 W.
4. **Sewer:** Would need to do an advanced septic system but would need four acres minimum. If any of the existing septic fail they would need to put in new advanced systems with four acre minimums
5. **Engineering:** 2700 S needs to be built to normal standards and not rural road cross-sections unless acre lots are put in instead. City should not be required to put in a box culvert, don't know that it will be needed by the time 2300 S gets put in. 2300 S needs 52' of dedication. 2380 S should be a public street. Master planned trail on the west side of 1500 W and the south side of 2300 S. Check the separation distance between 2380 S and 2400 S.
6. **Fire:** Need a dedicated fire turnaround that meets HVFD requirements and proper fire hydrants

Staff Comments

1. The applicant is requesting 15-20 residences. Only 15 are shown on the site plan. Staff would prefer that all 20 units are shown and if the applicant decides they want less then that would be acceptable
 - a. 15 units is .38 units per acre and 20 units is .51 units per acre, both well within the RA-1 PDO limit of .8 units per acre
2. Rural road cross-sections: According to HCC 7-2-2
 - a. *In addition to various road cross sections now incorporated into the Hurricane Roadway Construction Standards, the rural road cross sections attached hereto and incorporated herein as exhibit 1 are hereby established and shall be included in the Hurricane Roadway Construction Standards, as shown in table 3.1 (exhibit A, table 1) and exhibit B, table 1A of the Hurricane Roadway Construction Standards. These rural road cross sections are approved for the Bench Lake area of Hurricane, as shown in the map attached hereto as exhibit 2, and they may be approved by the City Council in other areas within the City. The rural road cross sections shall apply only in areas where the zoning is A-1, A-5, A-10, A-20, A-40 or RA-1, provided that standard right-of-way widths shall be based on the type of road at issue (minor, collector, etc.) as set forth in the Transportation Master Plan and City transportation standards. These rural road cross sections shall not apply to the south side of 3000 South, which shall be established with full standard improvements, including curb, gutter, sidewalk, paved trails, turn lanes and other improvements required by the City traffic and roadway standards.*
 - b. *Occasionally, on a case by case basis, when reviewing a preliminary plat, City staff may recommend wider rights-of-way or increased amenities and infrastructure when necessary to account for turn lanes, infrastructure, safety concerns, continuity, planned*

trails and traffic patterns. The City Council shall review and vote on any such recommendation at a duly noticed City Council meeting, after giving the applicant and City staff an opportunity to be heard on the matter.

- c. The quarter acre lots along 2700 S would be eligible for rural road cross-sections because it is zoned RA-1. However, when/if those lots are ever developed staff will most likely recommend that 2700 S be constructed to it's full cross-section.
3. If 2380 S is a public street then it will need to be improved to city standards. Staff recommends that it is a public street
4. 2380 S and 2400 S are 150 feet apart. This matches the separation requirements of the Hurricane City code.

Findings:

Staff makes the following findings:

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

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Staff would recommend approving this item subject to the development agreement being agreed upon.

**DEVELOPMENT AGREEMENT
FOR
STOUT PDO ZONE CHANGE**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the ____ day of _____, 2022 (the "Effective Date"), by and between the CITY OF HURRICANE, a Utah municipal corporation, hereinafter referred to as "City," and LaRae Ellsworth Stout, Trustee, or successor trustee, of the LaRae Ellsworth Stout Revocable Trust dated June 13, 2019 _____, hereinafter referred to as "Developer." The City and Developer are hereinafter collectively referred to as the "Parties."

RECITALS

A. Developer is the owner of approximately 38.64 acres of land located within the City of Hurricane, designated as Parcel H-3350-A in the records of the Washington County Recorder in St. George, Utah and more particularly described in Exhibit A, attached hereto and incorporated herein by this reference (the "Property").

B. On the ____ day of _____, 2022, the City approved a zone change for the Property shown in Exhibit B, attached hereto and incorporated herein by this reference, with the adoption of this Agreement being a condition of the zone change approval.

C. The Parties anticipate that in the future the Developer will request a division of property by applying for preliminary plat approval and that the division of property will be in accordance with the different areas shown on Exhibit C attached hereto (the "Project").

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

E. Developer has previously dedicated to the City approximately ____ acres of roadway for the construction of master-planned roadways at 2300 South and 1500 West.

F. The City and Developer desire to enter into this Agreement stating the terms and conditions for development of the Property.

G. The Mayor of City is authorized to execute and deliver this Agreement on behalf of the City.

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

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

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

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

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

AGREEMENT

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

1. Incorporation of Recitals. The foregoing Recitals are hereby incorporated into this Agreement by reference and are hereby made a part of this Agreement.

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

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

- a. The City acknowledges the developer shall have the right to develop a total of 20 lots as part of the development. These lots may vary in size and many of

the lots shall be clustered to allow for larger areas to remain open and in continued agriculture use.

4. Terms and Conditions:

a. Construction of Improvements

- i. Except as otherwise stated in this Agreement, the Developer shall be required to construct all improvements required by Hurricane City Code at the time any of the following take place.
 1. Subdivision of the property.
 2. Any residential development within the Project in addition to the Stuart & Heidi Stout Property.
 3. Expansion of any recreational, commercial, or industrial uses.

- ii. Commercial, Industrial, and Recreation Facilities. All improvements shall be installed to Hurricane City Standards at the time of expansion of any of the existing uses for commercial, industrial, or public recreational facilities.

- b. Stuart & Heidi Stout Property. In the area labeled as Stuart & Heidi Stout Property on Exhibit C, the Developer may build no more than one single-family home and the number of associated accessory dwelling units permitted by the Hurricane City Code at the time of application. The City shall not require improvements to 1500 W or 2300 S as a condition of the issuance of a building permit or approval of a site plan. The applicant shall locate the building, and any other accessory buildings, structures, or outbuildings on the property outside future dedication and setbacks of any master plan roadways.

- i. Prior to the construction of said home, the property owner must secure approval of a site plan by Hurricane City's Joint Utility Committee and secure a building permit by Hurricane City's building department.

- c. Operation of Business. The developer has been operating a roofing business on the subject property which was approved in a 2018 zone change and development agreement. The rezone was granted subject to a development agreement that limits the industrial use to a roofing business. The business shall be permitted to continue within the area labeled as Shop/Red Angus Ranch with EXHIBIT C in accordance with, and limited by, the prior development agreement, attached hereto as Exhibit ??.

d. 2300 South Improvements.

- i. The City shall not require improvements to 2300 South or 1500 West for development of a single-family home in the Stuart & Heidi Stout Property.
- ii. When the portion of 2300 South adjacent to the Project is constructed in the future, if the property north of 2300 South is still being utilized by Developer for the grazing of cattle, the City shall construct a box culvert under 2300 South for drainage and of sufficient size the Developer may use such culvert to herd cattle under 2300 South from the Development to the adjacent northern property. The location of such culvert shall be agreed to in the future by the Developer and the City.
- iii. Prior to the installation of any improvements identified in Section 4(a)(i) of this Agreement to the areas identified as the Stuart & Heidi Stout

7. General Term and Conditions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY:

CITY OF HURRICANE

ATTEST:

By: _____
City Recorder

By: _____
Mayor

DEVELOPER:

By: _____
Name: LaRae Ellsworth Stout
Title: Trustee

STATE OF UTAH)
 :ss
COUNTY OF UTAH)

On the ____ day of _____, 202_, personally appeared before me _____, who
being by me duly sworn, did say that he is the _____ of _____, a Utah limited liability
company, and that the within and foregoing instrument was signed on behalf of said limited liability
company with proper authority and duly acknowledged to me that he executed the same.

Notary Public
Residing at:

OWNERS:

JONES RONLEE & MONTEREY;

2444 S. 1500 W.

HURRICANE, UT 84737

STOUD LARAE ELLSWORTH TR;

2350 S 1500 W

HURRICANE, UT 84737

ADAM STOUT;

(435)-467-3994

ADAMSTOUT12@MSN.COM

CONTACT:

OWNERS LEGEND:

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

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

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

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

E BENCH LAKE LLC - PARCELS: H-3345

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

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

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

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

J DIAS SHERRI - PARCELS: H-3360-D

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

ZONE LEGEND:

M-1: LIGHT INDUSTRIAL

RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE

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

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

PROPOSED ZONE MAP FOR:

RESIDENTIAL AGRICULTURAL PD OVERLAY

LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.

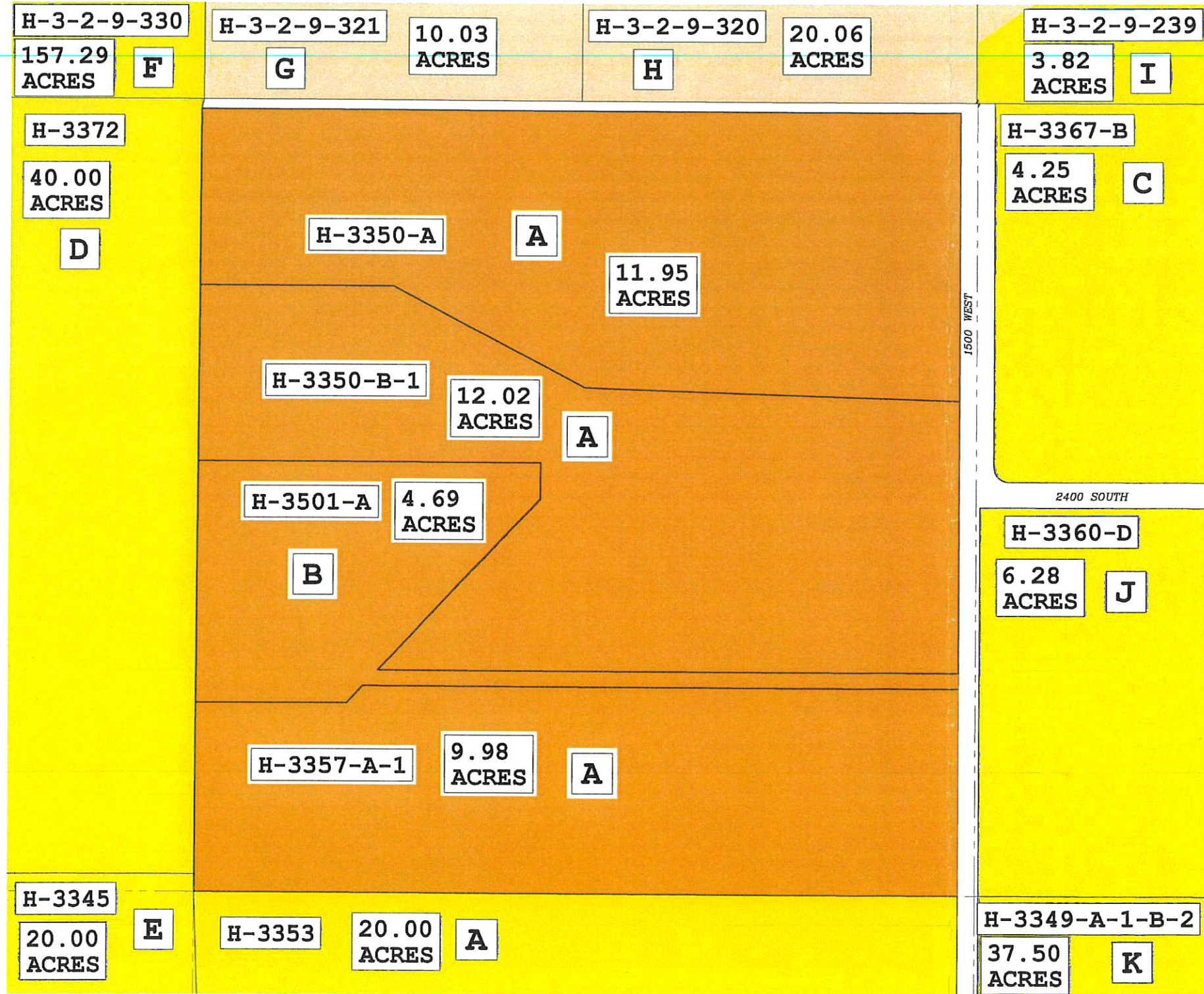
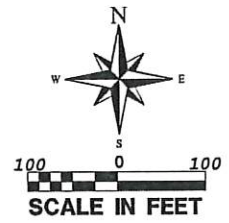
HURRICANE, WASHINGTON COUNTY, UTAH

LEGEND

PROPERTY LINE

ADJACENT PROPERTY LINE

SECTION LINE



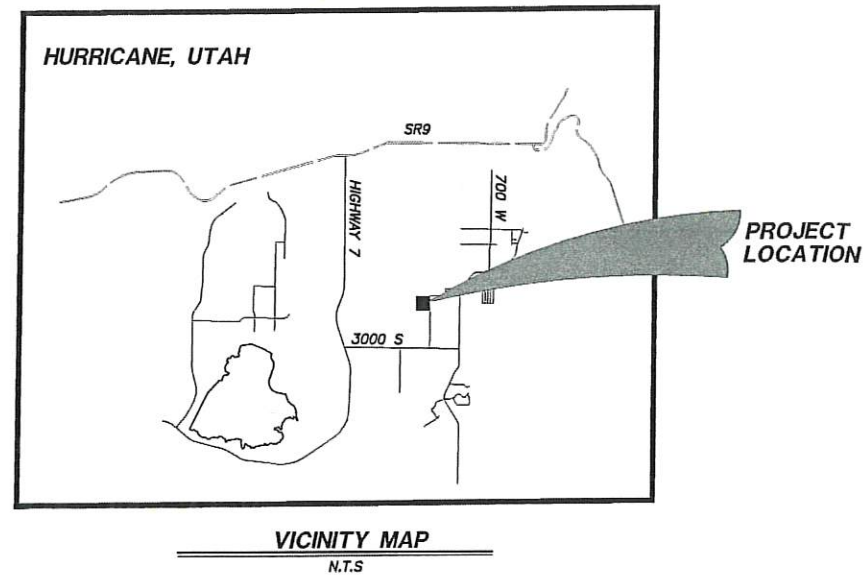
LEGAL DESCRIPTION FOR PROPOSED MH/RV ZONE:

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

AREA CONTAINS 1685660 SQUARE FEET OR 38.697 ACRES.

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

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



REVISIONS		DATE	BY
NO	DESCRIPTION		

PROVALUE ENGINEERING, INC.

Engineers - Land Surveyors - Land Planners

20 South 850 West, Suite 1

Hurricane City, Utah 84737

Phone: (435) 648-8387



PROPOSED ZONE CHANGE MAP FOR:

RESIDENTIAL AGRICULTURAL PD OVERLAY

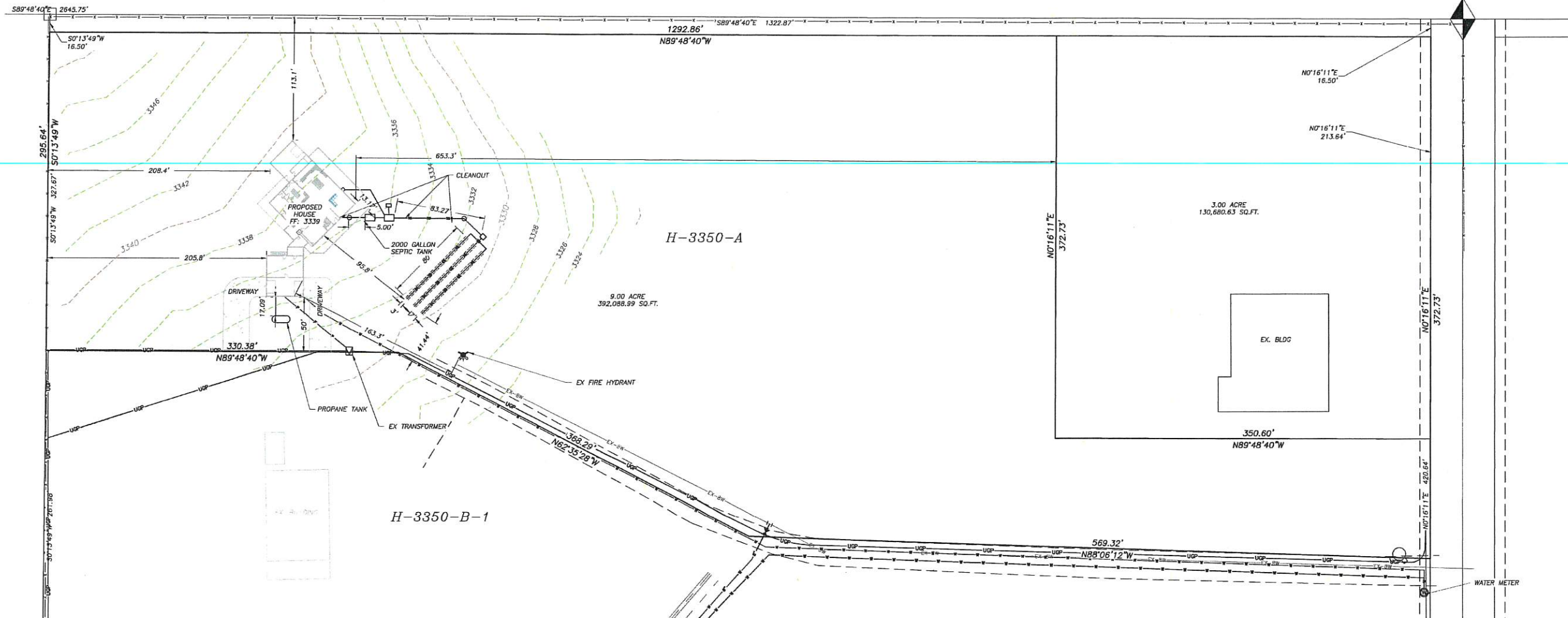
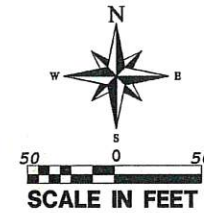
LOCATED IN SECTION 16, T42S, R13W, S.L.B.&M.

HURRICANE, WASHINGTON COUNTY, UTAH

SITE PLAN FOR: STUART & HEIDI STOUT

A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, T42S, R13W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

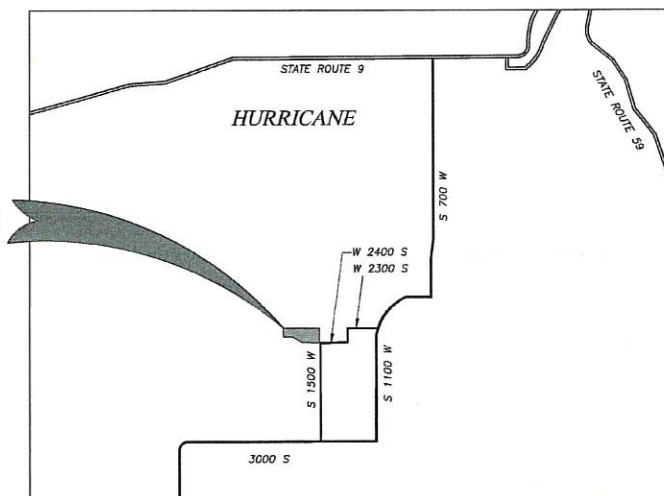
skylineroofing55@hotmail.com



LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING FENCE
- SECTION LINE
- EXISTING UNDER GROUND POWER
- WATER LINE
- CONTOUR LINE - MAJOR
- CONTOUR LINE - MINOR
- UNDERGROUND POWER CONDUIT
- SEWER LINE
- POWER LINE
- GAS LINE
- SECTION CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- EXISTING FIRE HYDRANT
- EXISTING WATER METER

PROJECT LOCATION



VICINITY MAP

SCALE: N.T.S.

REVISIONS		DATE	BY
NO.	DESCRIPTION		

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 450 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 688-8307 Karl Rasmussen



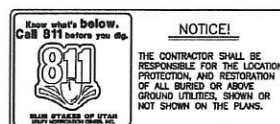
SITE PLAN FOR:
STUART & HEIDI STOUT
2320 S 1500 W
HURRICANE CITY, WASHINGTON COUNTY, UTAH
A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, T42S, R13W, S.L.B.&M.

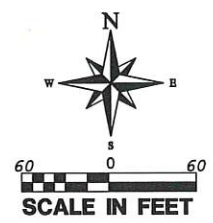
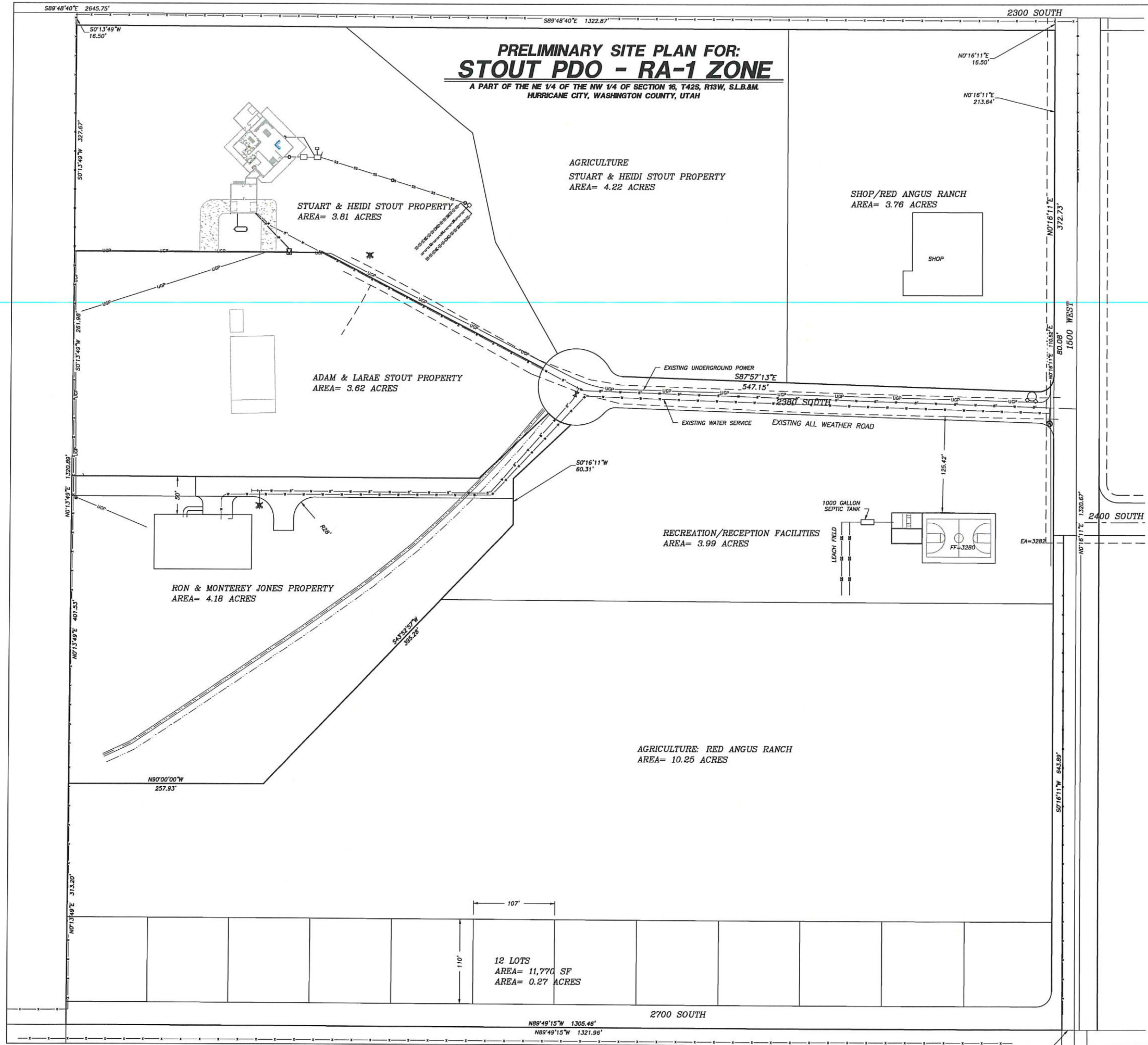
DATE: 03-22-2021
SCALE: 1"=50'

JOB NO.
528-001

SHEET NO:

1 OF 1





LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING FENCE
- SECTION LINE
- SECTION CORNER AS DESCRIBED
- SET PROVALUE ENGINEERING REBAR & CAP
- FOUND MONUMENT AS DESCRIBED

NARRATIVE

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

REVISIONS		NO	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
200 South 800 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 648-8307 Karl Rasmussen



SITE PLAN FOR:

STOUT PDO - RA-1 OVERLAY

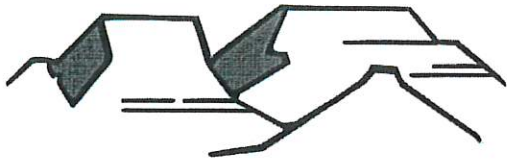
HURRICANE CITY, WASHINGTON COUNTY, UTAH
A PART OF THE NE 1/4 OF THE NW 1/4 OF SECTION 16, T42S, R13W, S16.41

DATE: 5/13/2022
SCALE: 1"=60'

JOB NO.
528-001

SHEET NO.
1 OF 1

528-001



PLANNING & ZONING
HURRICANE CITY
UTAH

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

CONDITIONAL USE PERMIT

For office use only: \$250.00 Fee
File No. 2022-CUP-13
Receipt No. 8-1589210

APPLICATION & SUBMITTAL CHECKLIST

Name: American Heritage Homes Telephone: 435-272-2824
Address: PO Box 669, Washington, UT 84780 Fax No. _____
Email: steve@ahhomes.com Agent Email: _____
Agent (if applicable): _____ Agent's Phone: _____
Agent email: _____
Address of Subject Property: 3349 W 2900 S
Tax ID of Subject Property: H-DSP-F-26 Zone District: _____
Proposed Conditional Use: (Describe, use extra sheet if necessary) Construction of stand alone garage on property

This application shall be accompanied by the following:

- ☒ 1) A plot plan showing the following:
 - ☒ Property boundaries, dimensions, and existing streets.
 - ☒ Location of existing and proposed building or livestock facility
 - ☒ Adjoining property lines and uses within one hundred (100) feet of subject property.
- ☒ 2) A reduced copy of all plans (8 1/2 x 11 if readable, or 11 x 17) if original plans are larger.
- ☒ 3) Building floor plans for new construction
- ☒ 4) A statement of how the applicant intends to meet the conditions for the use desired
- ☒ 5) Signed and notarized Affidavit of Property owner showing evidence that the applicant has control of the property or copy of warranty deed

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application cannot be reviewed until it is complete. Fee is part of the application.

(Office Use Only)

Date Received: 05.31.2022 Received by: Brienna Spencer
Date application deemed to be complete: 5.31.22 Completion determination made by: BS

Agenda Date:	06/09/2022
Application Number:	2022-CUP-14
Type of Application:	Conditional Use Permit
Action Type:	Administrative
Applicant:	American Heritage Homes
Agent:	
Request:	A conditional use permit for a building with a greater height
Location:	3349 W 2900 S
Zoning:	R1-10
General Plan Map:	N/A

Discussion: The applicant proposes constructing a 22' 10" tall shop/detached garage. Hurricane City Code (HCC) 10-13-4 allows the maximum square feet and height of an accessory building to be 1,200 sq. ft. and 16' tall. A property owner may apply for a conditional use permit to build a taller building. The standards to obtain a conditional use permit are as follows:

10-7-9: CONDITIONAL USE PERMIT E. Approval Standards: The following standards shall apply to the issuance of a conditional use permit:

- 1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.*
- 2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section:...*

e. Standards for greater heights and size than permitted by this Code:

(1) The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater and the building must be of compatible architecture with immediately adjacent buildings.

(2) When a greater height accessory building is approved, the building must be set back a minimum of five feet (5') from side and rear property lines when the adjoining property is for single family residential use.

f. Standards for greater size than permitted by this Code.

(1) The greater size building desired must be of compatible architecture with immediately adjacent buildings.

(2) At least 50 percent of the lot on which the building is located must remain free of buildings.

(3) The building must be for a use permitted in the zone in which it is located.

Findings:

1. The proposed building is not greater than two stories.
2. The applicant has indicated the building will be of compatible architecture of the neighboring house.
3. The building is set back a minimum of 5' from the side property lines and 5' off the back.

Recommendation: Staff recommends approval of the conditional use permit.

CONDITIONS FOR THE USE DESIRED – STAND ALONE GARAGE, LOT F-26, DIXIE SPRINGS

Standards for greater height:

1) The height may not be greater than two stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater and the building must be of compatible architecture with immediately adjacent buildings.

Proposed height of this garage is 22'-10". This is compatible with the home being built on the lot and the adjacent homes in the area.

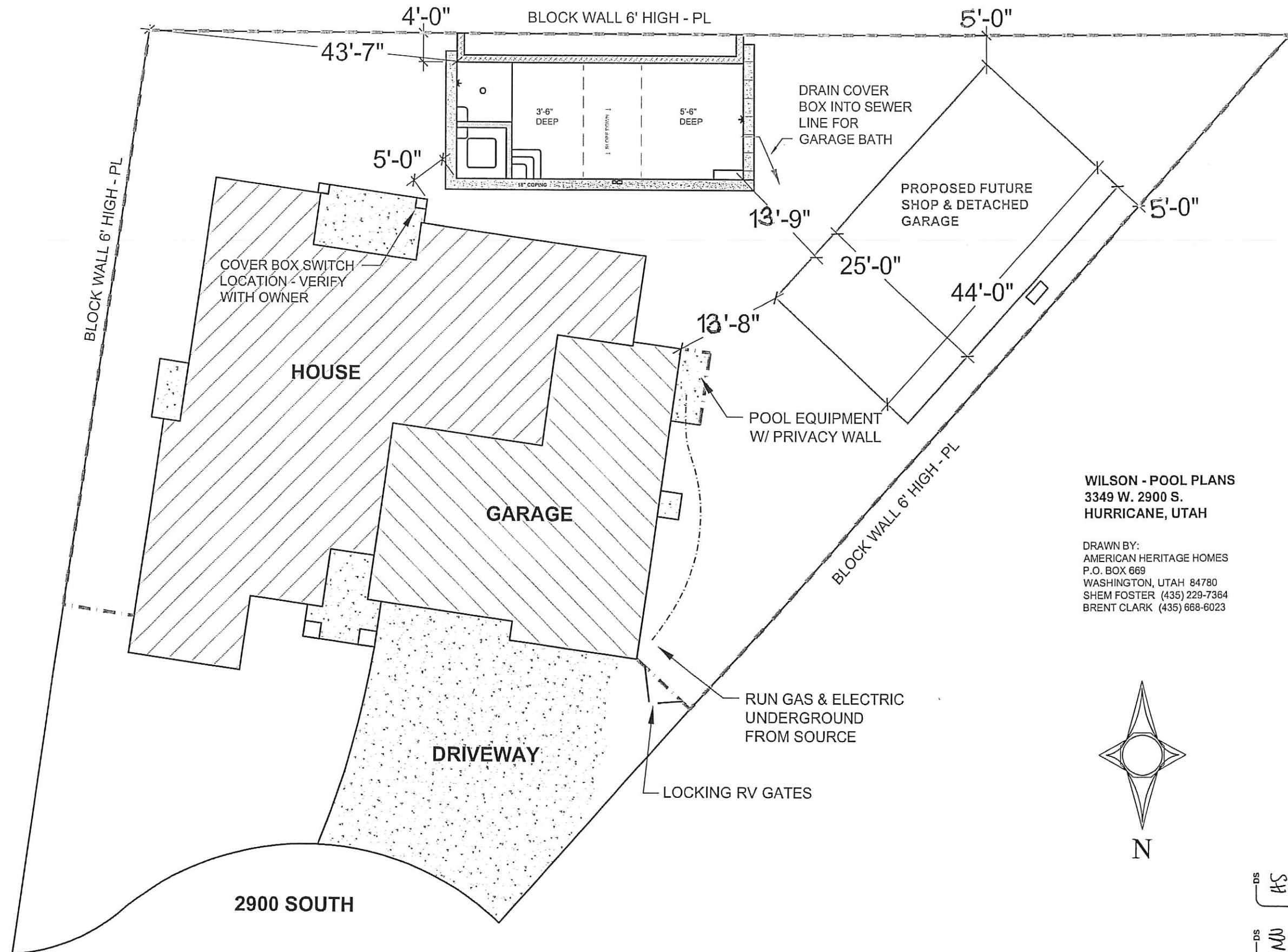
2) A greater height conditional use permit may not be issued for a flag lot if the proposed structure is higher than the average height of all residential structures within a 300-foot radius of the proposed structure.

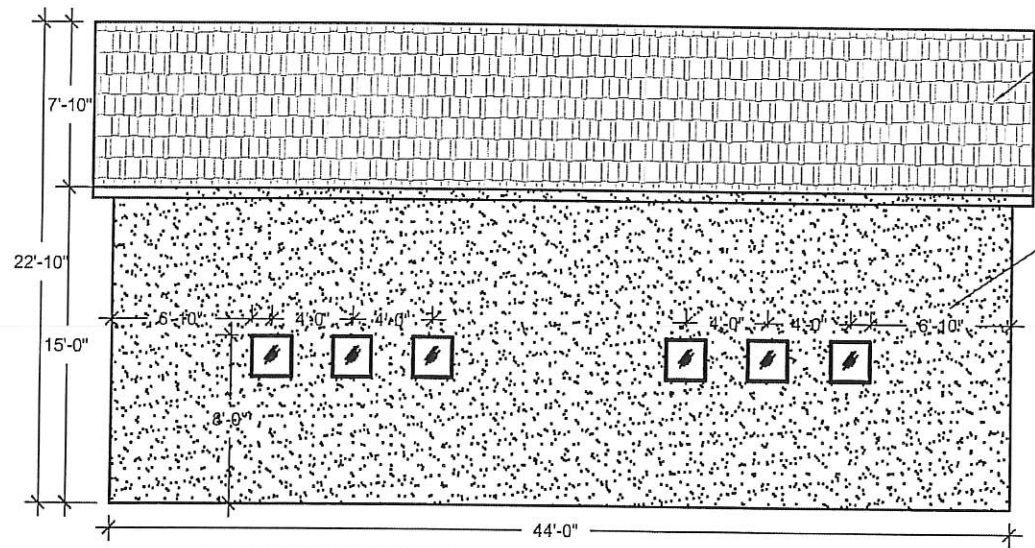
N/A

3) A greater height accessory building must be set back a minimum of five feet from side and rear property lines when the adjoining property is zoned or used for single family residential use.

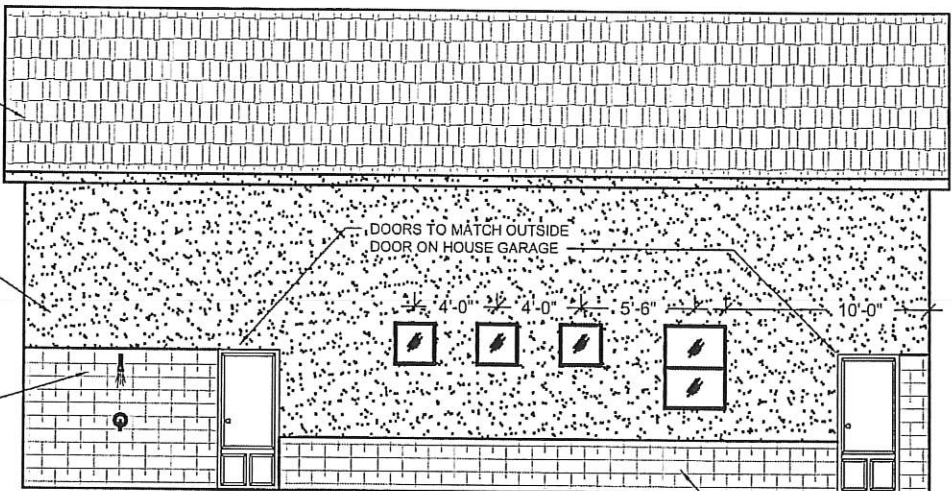
Set back requirements have been met at 5'-0"

Additionally, stucco color and roof tile will match those of the home on the property.

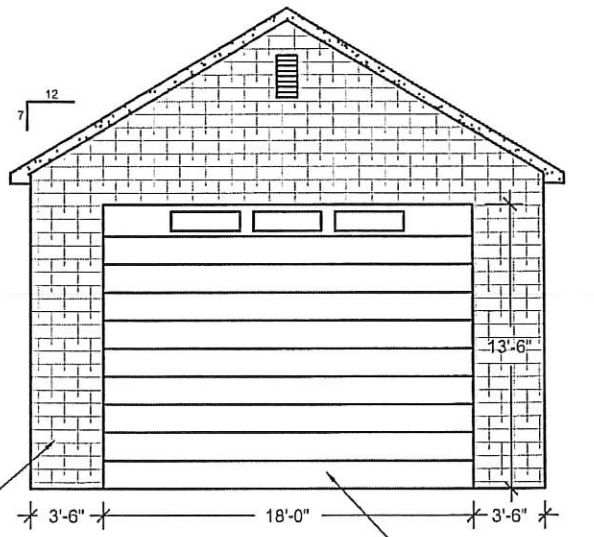




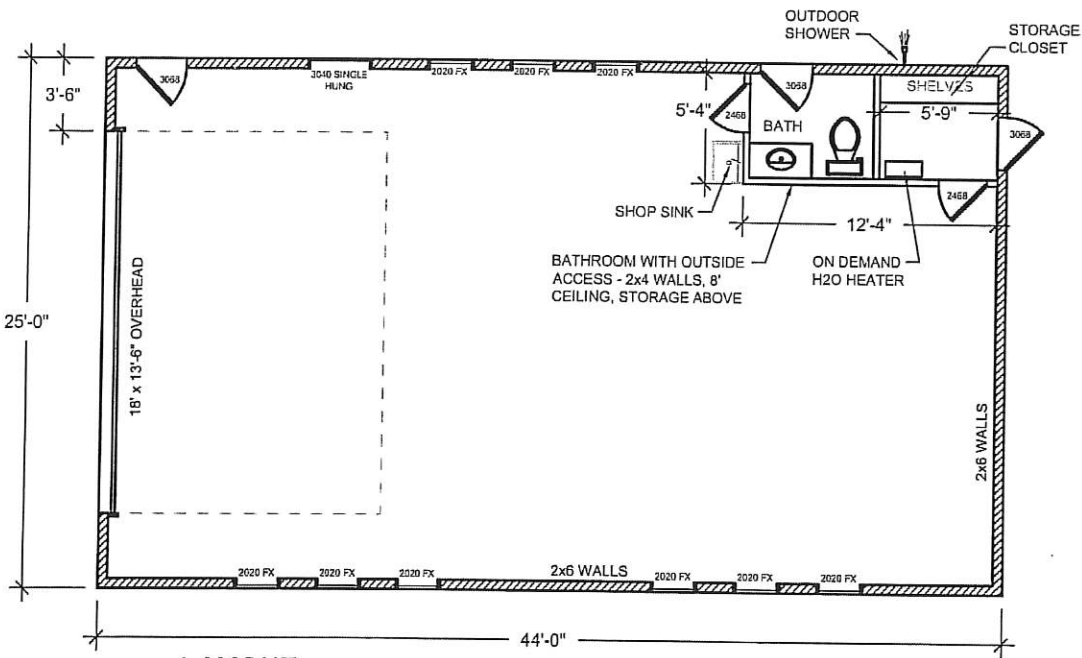
RIGHT ELEVATION



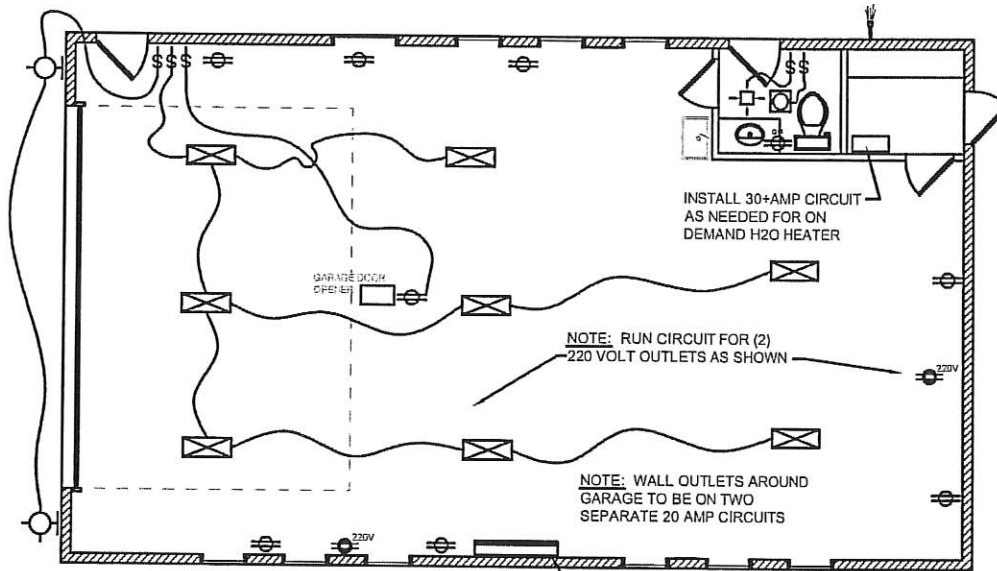
LEFT ELEVATION



FRONT ELEVATION



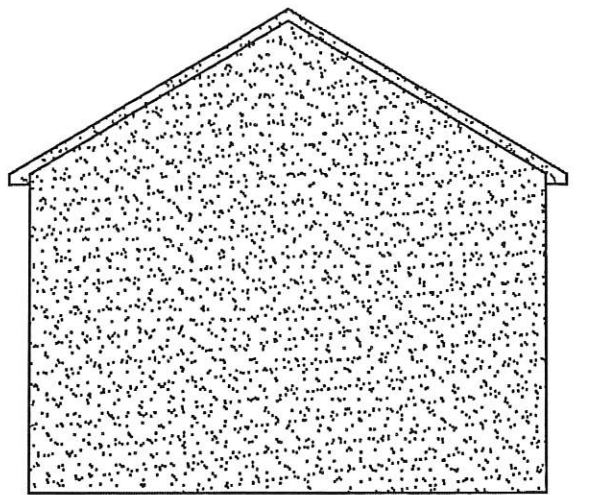
LAYOUT



ELECTRICAL PLAN

LEGEND

- OUTLET
- CAN LIGHT
- WALL SCONCE / LIGHT
- EXHAUST FAN
- SWITCH
- GARAGE SHOP LIGHT



REAR ELEVATION

GARAGE PLAN

WILSON - pool plans
3349 W. 2900 S.
HURRICANE, UTAH

Project Name:

Drawn By

BC

Date

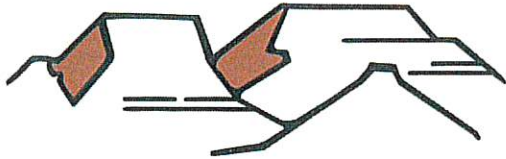
5/11/22

Project Number

1640SSS

Sheet Number

S1



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee

File No. 2022-48-10

Receipt No. 8.158433

Name: BRAD TITTLE, NORTHERN ENGINEERING Telephone: 801-802-8992

Address: 1040 E 800 N, OREM, UTAH 84097 Fax No. 801-802-8993

Email: btuttle@neincutah.com Agent Email: _____

Agent (If Applicable): same as above Telephone: _____

Address/Location of Subject Property: 2100 WEST 4000 SOUTH, HURRICANE

Tax ID of Subject Property: H-3400-R; H-3400-S; H-3400-T Zone District: R1-6

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

PRELIMINARY PLAT CONTAINS 214 LOTS ON 52.82 ACRES FOR DENSITY OF 4.05 LOTS/ACRE
SEE ATTACHED SUMMARY LETTER

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

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

Agenda Date:	06/09/2022
Application Number:	2022-PP-16
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Brant Tuttle, Northern Engineering
Agent:	
Request:	Approval of a Preliminary Plat
Location:	2100 W 3900 S
Zoning:	R1-6
General Plan Map:	Planned Community

Discussion:

The applicant has filed a preliminary plat for phase 3 of Cordero. The applicant is proposing 214 lots on 52.82 acres and is on the other side of Future 3960 S from phase 2 which was approved earlier this year. The Cordero development is split into three sections with different zonings: the west side is zoned Recreation Resort, the middle section is zoned R1-10 (Southern Shores) and the east side is zoned R1-6. A development agreement governs this development that limits the overall unit count to 700 units across all three sections. This preliminary plat will complete the R1-6 section of the development. Utilities are still scarce throughout the region so any approval should be contingent on the developer being able to supply adequate services to the property.

approved units within the entire development. No preliminary plat has been approved for the Recreation Resort area yet.

4. The applicant will need to construct improvements to the surrounding roadways on the City's Transportation Master Plan. The applicant will also need to provide walls along the master plan roadways.
5. There is a 12' multi-use sidepath along the west side of 2100 W that will need to be shown on the plat.
6. Hurricane City Code 10-37-12:
 - a. *Double frontage lots. Lots having frontage on two or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which back onto streets shown on the City's road master plan. Such double frontage lots shall be accessed only from an internal subdivision street. Frontage on lots having a front lot line on more than one street shall be measured on one street only.*
 - b. Lots along 2100 W (Lots 139-183) are permitted due to 2100 W being a master planned roadway, but they must front either 2080 W or 2160 W. All other double-frontage lots (28-49, 54-74, 137-138) must be redesigned. Lots 4-28 are probably fine due to the preliminary site plan for Copper Rock not showing a roadway along that property line.
7. 4160 S and any other roadways that go to 2000 W should stub through to Copper Rock
8. All block lengths between 4160 S and 4300 S exceed the 800' block length standard in the city code. Another roadway should bisect these blocks. 2160 W from 4160 S to 3960 S also exceeds 800'
9. All park strips will need to be landscaped and have the proper improvements.
10. A will serve letter from the culinary and sanitary water providers has not been provided.

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this application so the applicant can redesign the plat to meet city standards on block lengths, connectivity, and double frontage lots.

GENERAL

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE SPECIFICATIONS AND/OR REQUIREMENTS OF THE HURRICANE CITY PUBLIC WORKS DEPARTMENT.
2. A PRE CONSTRUCTION CONFERENCE WILL BE HELD A MINIMUM OF 3 WORKING DAYS PRIOR TO START OF WORK. ALL CONTRACTORS, SUBCONTRACTORS AND/OR UTILITY CONTRACTORS, HURRICANE CITY PUBLIC WORKS AND CITY'S ENGINEER SHOULD BE PRESENT.
3. ALL CONSTRUCTION STAKES MUST BE REQUESTED A MINIMUM OF THREE (3) WORKING DAYS PRIOR TO PLANNED USE.
4. CERTAIN CONTROL POINTS WILL BE SET BY THE ENGINEER, OR HIS REPRESENTATIVE, WHICH ARE CRITICAL TO THE CONSTRUCTION STAKING OF THE PROJECT. THESE POINTS WILL BE DESIGNATED AT THE TIME THEY ARE SET AND THE CONTRACTOR SO NOTIFIED. DESTRUCTION OF THESE POINTS BY THE CONTRACTOR OR HIS SUBCONTRACTORS SHALL BE GROUNDS FOR CHARGING THE CONTRACTOR FOR REESTABLISHING SAID POINTS.

ROADWAY/STORM DRAIN

1. ALL ROADWAY CONSTRUCTION SHALL MEET THE MINIMUM REQUIREMENTS OF HURRICANE CITY'S TECHNICAL SPECIFICATIONS OR AS APPROVED IN THE PLANS HEREIN.
2. WHEN DISCREPANCIES OCCUR BETWEEN PLANS AND SPECIFICATIONS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER. UNTIMELY NOTIFICATION SHALL NEGATE ANY CONTRACTORS CLAIM FOR ADDITIONAL COMPENSATION.
3. STORM DRAIN PIPES MUST BE RCP CLASS III PIPES SHALL BE INSTALLED ACCORDING TO PERTINENT HURRICANE CITY STANDARDS.

SEWER

1. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST ASH CREEK SPECIAL SEWER DISTRICT DESIGN STANDARDS AND PUBLIC IMPROVEMENT SPECIFICATIONS DRAWINGS OF ASH CREEK SPECIAL SERVICE DISTRICT.
2. FINAL APPROVAL AND ACCEPTANCE OF ALL SEWER CONSTRUCTION WILL BE BY ASH CREEK SPECIAL SERVICE DISTRICT.
3. UPON THE COMPLETION OF WORK, THE CONTRACTOR SHALL SUBMIT THREE (3) SETS OF RECORD DRAWINGS TO ASH CREEK SPECIAL SERVICE DISTRICT AND (1) SET TO NORTHERN ENGINEERING, INC.
4. HORIZONTAL AND VERTICAL SEPARATION OF CULINARY WATER AND SEWER SHALL BE IN COMPLIANCE WITH HURRICANE CITY STANDARDS.
5. ALL SEWER LINE WITHIN PUBLIC STREETS ARE PUBLIC SEWER LINES TO BE OPERATED AND MAINTAINED BY ASH CREEK SPECIAL SERVICE DISTRICT. NO PRIVATE SEWER LINES ARE ALLOWED.

WATER

1. THE WATER SYSTEM SHALL BE CONSTRUCTED TO CONFORM WITH THE STANDARDS SET FORTH IN THE "UTAH REGULATIONS FOR PUBLIC DRINKING WATER SYSTEMS", AND THE HURRICANE CITY PUBLIC WORKS DEPARTMENT STANDARD SPECIFICATIONS AND DRAWINGS.
2. CONTRACTOR SHALL NOTIFY NORTHERN ENGINEERING, INC. THREE (3) WORKING DAYS BEFORE INITIAL CONSTRUCTION BEGINS AND SHALL ALSO REQUEST HURRICANE CITY ENGINEERING DEPARTMENT INSPECTION OF WATER LINES AND APPURTENANCES TWENTY-FOUR (24) HOURS IN ADVANCE OF BACKFILLING.
3. CONTRACTOR TO FIELD VERIFY ALL VALVE BOX LID ELEVATIONS TO ASSURE THAT SAID LID ELEVATIONS MATCH FINAL STREET GRADE, AND ALL METER LID ELEVATIONS TO MATCH AN EXTENSION OF THE SIDEWALK GRADE.
4. UPON THE COMPLETION OF WORK, THE CONTRACTOR SHALL SUBMIT 3 SETS OF RECORD DRAWINGS TO HURRICANE CITY & (1) SET TO NORTHERN ENGINEERING, INC.
5. WATER VALVE LIDS ARE TO BE LABELED "WATER" FOR CULINARY VALVES.
6. HORIZONTAL AND VERTICAL SEPARATION OF CULINARY WATER AND SEWER SHALL BE IN COMPLIANCE WITH HURRICANE CITY STANDARDS.
7. WATERLINES TO BE BEDDED IN GRAHULAR MATERIAL. A MIN. OF 8" COVER OVER TOPS OF PIPE IS REQUIRED TO AVOID PENETRATION OF SUB BASE FROM ABOVE. THE OVERALL COVER OF THE CULINARY PIPE NEEDS TO BE NO LESS THAN 4 FEET.
8. ALL CULINARY WATERLINES SHALL BE POLY WRAPPED DUCTILE IRON OR PVC C-900.
9. WATER SERVICES SHALL BE TYPE "K" COPPER ONLY.
10. THRUST BLOCKS ARE NOT ALLOWED. JOINT RESTRAINTS ARE REQUIRED. SEE DETAIL SHEET.
11. HURRICANE VALLEY FIRE DISTRICT TO APPROVE THE LOCATION OF FIRE HYDRANTS.
12. ALL MAIN AND SERVICE LINES SHALL MAINTAIN A 10 FOOT SEPARATION BETWEEN WATER AND SEWER.
13. ALL WATER MAINS 10-INCH AND LARGER SHALL BE POLY-WRAPPED DUCTILE IRON.
14. ONLY A PRE-QUALIFIED CONTRACTOR TO WORK ON AND INSTALL ANY PART OF THE WATER SYSTEM.

DOMINION ENERGY NOTES

1. DEVELOPER NEEDS TO CONTACT DOMINION ENERGY PRE-CONSTRUCTION DEPARTMENT PRIOR TO BREAKING GROUND FOR GAS SIGN UP. JEFF BURTON @ 435-674-6112
2. DEVELOPER WILL BE RESPONSIBLE TO GET ALL COMPACTION TESTS DONE AT DEVELOPERS EXPENSE.
3. IF CASINGS/CONDUITS ARE NEEDED, THEY ARE TO BE INSTALLED BY DEVELOPER AT THEIR COST. A MAP WILL BE AVAILABLE AT DOMINION ENERGY FOR CASING LOCATIONS. (1155 E 350 N. ST. GEORGE).
4. ALL OF THE 10 FOOT UTILITY EASEMENTS BACK OF SIDEWALK WILL BE GRADED TO WITHIN 6 INCHES OF TOP BACK OF THE CURB BEFORE GAS LINES WILL BE INSTALLED. DEVELOPER WILL BE RESPONSIBLE FOR THE COST OF ANY GAS LINES TO BE LOWERED AND/OR RELOCATED AFTER INSTALLATION.
5. ALL TRENCHES SHALL BE BACKFIELD AND ALL DEBRIS, CONSTRUCTION MATERIALS, AND EXCESS DIRT PILES SHALL BE CLEARED AWAY.
6. PROPERTY LOT LINES, BACK OF CURB, AND GRADE MUST BE STAKED BY DEVELOPER BEFORE GAS WILL BE INSTALLED.
7. POWER, WATER, SEWER LINES, CULVERTS, OR OTHER HAZARDS NOT CLEARLY NOTICEABLE SHALL BE STAKED BY DEVELOPER .
8. FAILURE TO COMPLY WITH THE ABOVE NOTES WILL RESULT IN DELAY OF GAS SERVICE TO THIS PROJECT.
9. CONTACT CRAIG HANSEN, (435) 674-6144, AT LEAST TWO WEEKS PRIOR TO BEING READY, FOR SCHEDULING OF INSTALLATION.
10. IMPORTANT NOTICE: GAS WILL BE PUT ON THE SCHEDULE FOR INSTALLATION WHEN POWER TRENCH IS BURIED. STREETS ARE WITHIN 6 INCHES OF SUB-GRADE, AND THE 10 FOOT UTILITY EASEMENT IS GRADED TO TOP BACK OF CURB.
11. HIGH PRESSURE GAS NOTE:
IF HIGH PRESSURE GAS LINES ARE LOCATED IN OR NEAR YOUR DIGGING AREA, BEFORE DIGGING PLEASE CALL: BRYAN WARD @ (435) 559-6547.

TDS BROADBAND NOTES

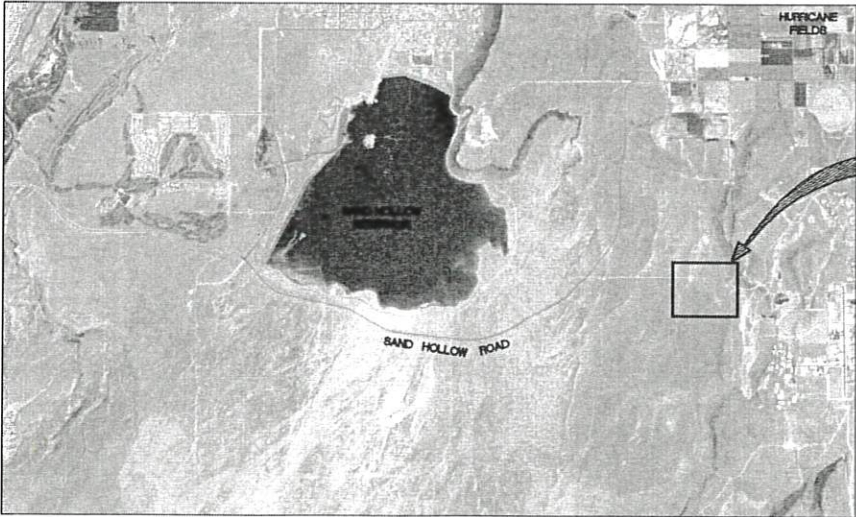
1. THE DEVELOPER WILL PROVIDE ALL REQUIRED TRENCH WITH IN THE PROJECT. ANY MODIFICATIONS ALONG THE PERIPHERY TO FEED THIS PROJECT WILL BE BILLED TO THE DEVELOPER.
2. TDS WILL PROVIDE CONDUITS. PLEASE CONTACT DAVID AT 435-703-8932 AT LEAST THREE WEEKS PRIOR TO OPENING TRENCH TO SCHEDULE WORK.
3. ANY QUESTIONS REGARDING SERVICE SHOULD BE DIRECTED TOWARD DAVID TRAUNTVEIN WITH TDS AT 435-703-8932.
4. RELOCATION OF NEW OR EXISTING TDS FACILITIES WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR.
5. ANY MODIFICATIONS AFTER CONDUIT/CABLE PLACEMENT WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR AS WILL DAMAGES CAUSED BY OTHER CONTRACTORS WORKING FOR THE DEVELOPER ON THIS PROJECT.

CORDERO PHASE III
PRELIMINARY PLAT
HURRICANE, UTAH

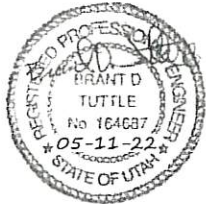
MARCH 2022

-INDEX OF SHEETS-

SHEET	DESCRIPTION
1-1	COVER SHEET AND NOTES
1-2	MASTER PLAN
2-1	PRELIMINARY PLAT OVERALL SHEET
2-2	PRELIMINARY PLAT INDEX SHEET
PR-01	PRELIMINARY PLAT SHEET 1
PR-02	PRELIMINARY PLAT SHEET 2
PR-03	PRELIMINARY PLAT SHEET 3
UT-01	PRELIMINARY UTILITY SHEET 1
UT-02	PRELIMINARY UTILITY SHEET 2
UT-03	PRELIMINARY UTILITY SHEET 3
GR-01	PRELIMINARY GRADING SHEET 1
GR-02	PRELIMINARY GRADING SHEET 2
GR-03	PRELIMINARY GRADING SHEET 3
DT-1	TYPICAL STREET CROSS-SECTIONS



VICINITY MAP
-NTS-



CENTURYLINK NOTES

1. CENTURYLINK WILL PROVIDE ALL 2" AND 4" PVC AND DELIVER IT TO THE SITE. PLEASE CALL 1-435-632-6553 TO SCHEDULE DELIVERY.
2. CENTURYLINK TO PLACE CONDUIT IN POWER TRENCH.
3. THE DEVELOPER IS TO PROVIDE ALL STREET NAMES AND LOT ADDRESSES WITHIN TWO WEEKS OF UTILITY PLAN APPROVAL.
4. FAILURE TO COMPLY WITH THE ABOVE NOTES COULD RESULT IN DELAY OF SERVICE TO THE PROJECT. CONTACT TELCO ENGINEER WITH QUESTIONS 1-435-673-9639.
5. ANY QUESTIONS: CONTACT ZACH MATHEWS @ 435-673-9639.

POWER NOTES

1. DEVELOPER RESPONSIBLE FOR ALL COST, UNLESS OTHERWISE STATED ON PRINT.
2. ONLY A PRE-APPROVED CONTRACTOR TO WORK ON AND INSTALL ANY PART OF THE ELECTRICAL SYSTEM.
3. PRE-APPROVED CONTRACTOR TO GO OVER PRINTS WITH HURRICANE CITY POWER BEFORE BEGINNING WORK. CONTACT HURRICANE POWER FOR AN APPOINTMENT @ 435-635-5536.
4. LINES ARE FOR SCHEMATIC PURPOSES ONLY. ALL EQUIPMENT AND PLACEMENT OF, TO BE TO HURRICANE CITY SPECS.
5. EASEMENTS TO BE SIGNED OVER TO HURRICANE CITY. IT IS THE DEVELOPER'S RESPONSIBILITY TO MAKE SURE EASEMENTS ARE OBTAINED FROM ANY PROPERTIES THAT MAY BE AFFECTED.
6. NO RETAINING WALLS TO RUN INTO UTILITY EASEMENTS.
7. ALL CONDUITS TO BE FOAMED. ANY EMPTY STUB OUTS TO HAVE A TEMPORARY PLUG INSTALLED.
8. ANY CHANGES TO THE SIGNED SET OF PLANS MUST BE APPROVED BY HURRICANE POWER.
9. THE ENTIRE JUC TRENCH MUST BE BACKFILLED WITH 1" MINUS FROM THE BOTTOM TO THE TOP OF THE TRENCH. ALSO AROUND ELECTRICAL BOXES AND EQUIPMENT.
10. DEVELOPER TO BE BILLED A TERMINATION FEE OF \$99.00 PER PRIMARY ELBOW TERMINATIONS.
11. HURRICANE POWER HAS CHANGED OUR STREETLIGHTS SPECS. TO LED'S. SEE HURRICANE POWER FOR NEW SPEC.
12. DEVELOPER WILL BE BILLED \$4,074.00 FOR A 750 THREE-PHASE PRIMARY RISER FEE.
13. ALL UNDERGROUND POWER LINES WILL NEED TO BE ALONGSIDE A PERMANENT ROADWAY AND THE POWER LINE NEEDS TO BE INSTALLED ON THE WEST AND NORTH SIDE OF THE ROAD.
14. DEVELOPER WILL BE BILLED \$1,083.00 FOR SWITCH MAKE-UP FEE FOR EACH SWITCH THAT HAS BEEN INSTALLED.
15. DEVELOPER WILL BE BILLED \$1,690.00 FUSE BAY FEE.
16. ALL THREE-PHASE 750 MCM 15KV RUNS MUST NOT EXCEED 1000 FEET BETWEEN SWITCHES.

PARKS

1. ANY LANDSCAPING, INCLUDING STREET LANDSCAPING STRIPS AND/OR MEDIANS AND ASSOCIATED IRRIGATION SHALL BE INSTALLED BY DEVELOPER/OWNER(S) AND IS NOT THE RESPONSIBILITY OF HURRICANE CITY PARKS DEPARTMENT TO MAINTAIN.

HURRICANE CITY APPROVAL

WCWCD	DATE
STREETS DEPARTMENT	DATE
ASH CREEK SEWER DISTRICT	DATE
WATER DEPARTMENT	DATE
CENTURYLINK	DATE
DOMINION ENERGY	DATE
BUILDING DEPARTMENT	DATE
HURRICANE POWER DEPARTMENT	DATE
FIRE DEPARTMENT	DATE
PARKS DEPARTMENT	DATE
TDS TELECOM	DATE
PUBLIC WORKS DEPARTMENT	DATE
CITY ENGINEER	DATE



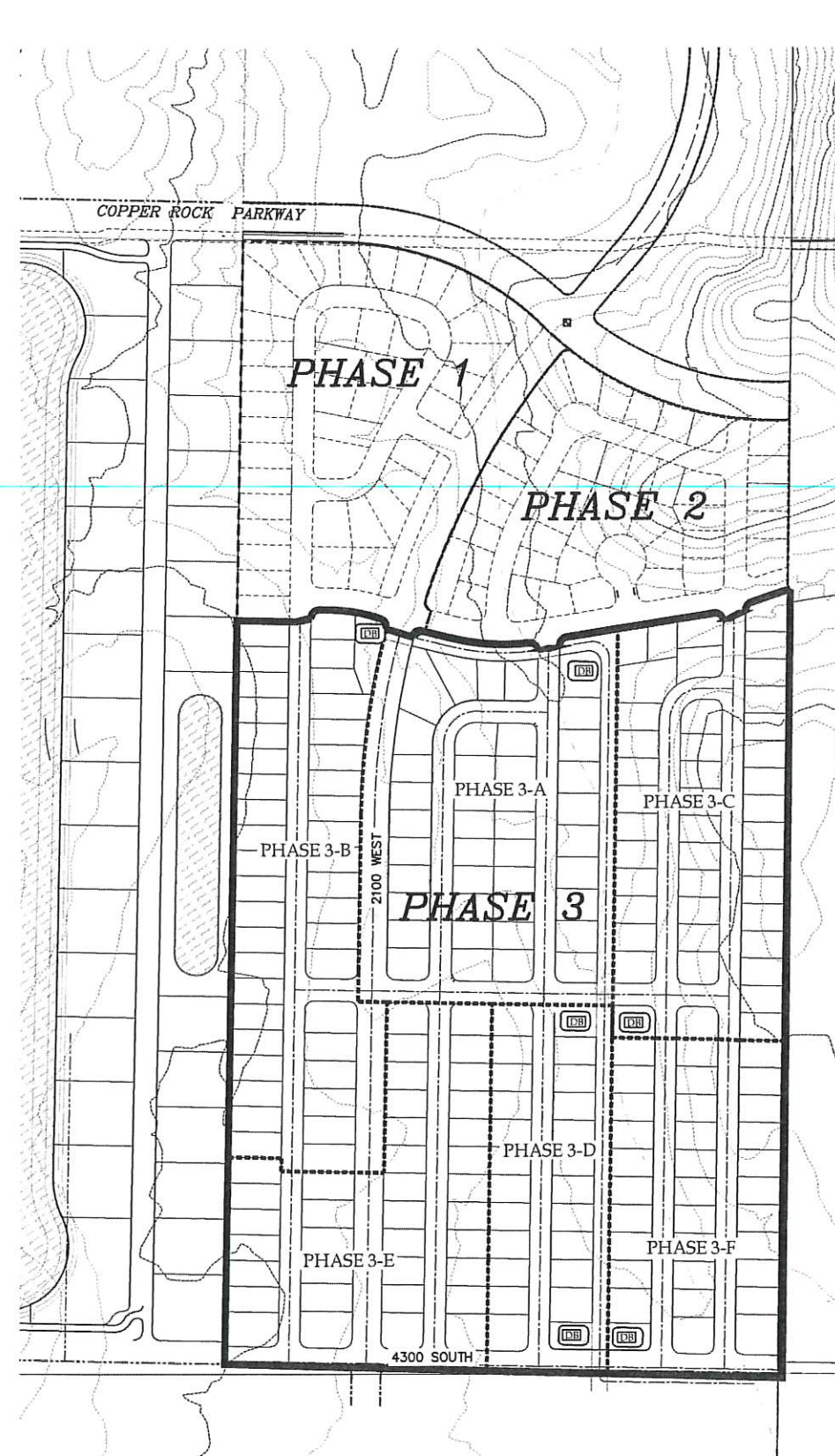
Northern
ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

JOB NO.
3-16-052
SHEET NO.
1-1



VICINITY PLAN



MASTER PLAN

TABULATIONS	
PHASE 3-A:	41 LOTS
PHASE 3-B:	41 LOTS
PHASE 3-C:	41 LOTS
PHASE 3-D:	22 LOTS
PHASE 3-E:	37 LOTS
PHASE 3-F:	32 LOTS
PHASE 3 TOTAL:	214 LOTS

DB = DETENTION BASIN

TABULATIONS	
TOTAL AREA:	74.65 ACRES
PHASE 1:	39 LOTS
PHASE 2:	40 LOTS
PHASE 3:	214 LOTS
OVERALL TOTAL:	293 LOTS
DENSITY:	3.92 UNITS/ACRE

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5			DESIGNED BY:	DATE:
4			DRAWN BY:	DATE:
3			CHECKED BY:	DATE:
2			APPROVED:	DATE:
1			COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE



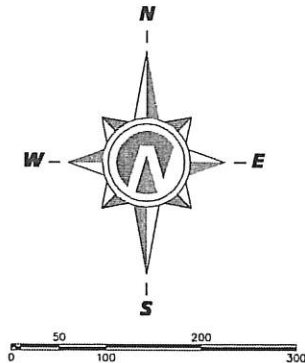
**Northern
ENGINEERING INC**
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

**CORDERO PHASE III
PLAT A SUBDIVISION**

MASTER PLAN
HURRICANE, UTAH

JOB NO.
03-16-052
SHEET NO.
1-2



(24"x36")
SCALE 1" = 100'
(11"x17")
SCALE 1" = 200'

BOUNDARY DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 13 WEST, S.L.B.&M., HURRICANE, UTAH MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND MARKED STONE MARKING THE EAST QUARTER CORNER OF SAID SECTION 29;
THENCE S.01°00'42"W. A DISTANCE OF 802.03 FEET ALONG THE EAST SECTION LINE OF SAID SECTION 29
TO THE REAL POINT OF BEGINNING.

THENCE S.01°00'42"W. 18.150 FEET ALONG THE EAST LINE OF SAID SECTION 29; TO A MARKED STONE MARKING THE SOUTHEAST CORNER OF SAID SECTION 29; THENCE N.88°56'12"W. A DISTANCE OF 1320.18 FEET ALONG THE SOUTH SECTION LINE OF SAID SECTION 29; THENCE N.00°58'08"E. A DISTANCE OF 1742.01 FEET; THENCE S.89°01'52"E. A DISTANCE OF 126.08 FEET; THENCE N.81°22'30"E. A DISTANCE OF 52.74 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 31.44 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 90°03'18" AND A CHORD THAT BEARS N.45°59'47"E. A DISTANCE OF 28.30 FEET; THENCE S.88°58'33"E. A DISTANCE OF 25.28 FEET TO A POINT OF CURVATURE OF A 400.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 122.81 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 17°35'29" AND A CHORD THAT BEARS S.80°10'49"E. A DISTANCE OF 122.33 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS TANGENT COMPOUND CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 30.28 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 86°44'58" AND A CHORD THAT BEARS S.28°00'36"E. A DISTANCE OF 27.47 FEET; THENCE S.73°12'49"E. A DISTANCE OF 70.02 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 30.91 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 88°32'12" AND A CHORD THAT BEARS N.59°34'29"E. A DISTANCE OF 27.92 FEET; THENCE S.76°09'25"E. A DISTANCE OF 63.43 FEET TO A POINT OF CURVATURE OF A 552.00-FOOT RADIUS TANGENT CURVE TO THE LEFT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 193.55 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 20°05'24" AND A CHORD THAT BEARS S.86°12'07"E. A DISTANCE OF 192.56 FEET TO A POINT OF CURVATURE OF 20.00-FOOT RADIUS TANGENT REVERSE CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 33.05 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 97°15'31" AND A CHORD THAT BEARS S.47°37'03"E. A DISTANCE OF 30.02 FEET; THENCE N.74°29'35"E. A DISTANCE OF 54.24 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 27.97 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 80°06'55" AND A CHORD THAT BEARS N.41°04'09"E. A DISTANCE OF 25.74 FEET; THENCE N.81°07'37"E. A DISTANCE OF 330.45 FEET TO A POINT OF CURVATURE OF A 626.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 26.13 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 02°23'28" AND A CHORD THAT BEARS N.79°55'53"E. A DISTANCE OF 28.12 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS TANGENT COMPOUND CURVE TO THE RIGHT; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 35.70 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 102°16'33" AND A CHORD THAT BEARS S.50°07'35"E. A DISTANCE OF 31.15 FEET; THENCE N.63°24'38"E. A DISTANCE OF 58.68 FEET TO A POINT OF CURVATURE OF A 20.00-FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 24.54 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 70°18'40" AND A CHORD THAT BEARS N.36°10'02"E. A DISTANCE OF 23.03 FEET; THENCE N.71°19'22"E. A DISTANCE OF 53.99 FEET TO A POINT OF CURVATURE OF A 500.00-FOOT RADIUS TANGENT CURVE TO THE RIGHT; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 37.66 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 04°18'57" AND A CHORD THAT BEARS N.73°28'51"E. A DISTANCE OF 37.65 FEET TO THE POINT OF BEGINNING.

CONTAINING 52.82 ACRES.

LEGEND

- | | |
|---|----------------------|
|  | SECTION CORNER |
|  | CLASS I MONUMENT |
|  | PROPERTY CORNERS |
|  | ROAD CENTER LINE |
|  | PROPERTY BOUNDARY |
|  | EASEMENT |
|  | LOT LINE |
|  | SECTION LINE |
|  | ADJOINING PROPERTIES |

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST	CHORD BRG	DELTA
C1	31.44'	20.00'	28.30'	S45°59'47"W	90°03'18"
C2	122.81'	400.00'	122.33'	S80°10'49"E	17°35'29"
C3	30.28'	20.00'	27.47'	S28°00'36"E	86°44'58"
C4	30.91'	20.00'	27.92'	N59°34'29"E	88°32'12"
C5	193.55'	552.00'	192.56'	S86°12'07"E	20°05'24"
C6	33.95'	20.00'	30.02'	S47°37'03"E	97°15'31"
C7	27.97'	20.00'	25.74'	N41°04'09"E	80°06'55"
C8	26.13'	626.00'	26.12'	N79°55'45"E	2°23'28"
C9	35.70'	20.00'	31.15'	S50°07'35"E	102°16'33"
C10	24.54'	20.00'	23.03'	N36°10'02"E	70°18'40"
C10	729.41'	1735.00'	724.05'	S28°54'29"W	24°05'15"
C11	37.66'	500.00'	37.65'	N73°28'51"E	4°18'57"

DEVELOPER:
RIVER VALLEY DEVELOPMENT, LLC
SIERRA HOMES
DALE BEDDO :435-669-8915
EMAIL: beddogolf@gmail.com

ENGINEER
NORTHERN ENGINEERING
1040 E 800 N
OREM, UTAH 84097
BRANT TUTTLE : 801-802-8992
EMAIL: btuttle@neiutah.com

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

PRELIMINARY PLAT OVERALL

HURRICANE, UTAH

JOB NO.

3-16-052

SHEET NO.

Page 110 of 204

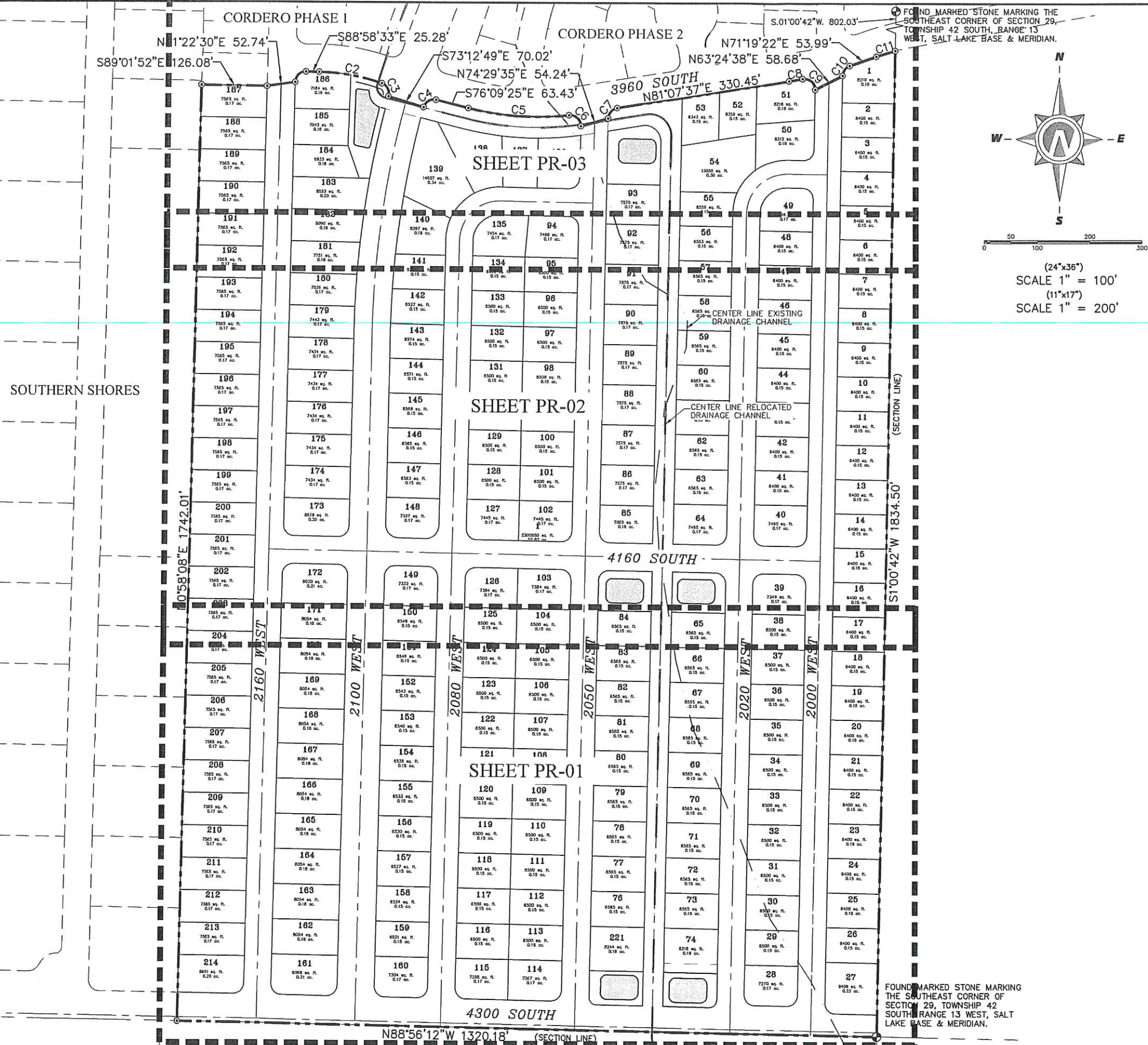


Northern
ENGINEERING INC
ENGINEERING—LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

CORDERO PHASE THREE

5				DESIGNED BY:	DATE:
4				DRAWN BY:	DATE:
3				CHECKED BY:	DATE:
2				APPROVED:	DATE:
1				COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:



LEGEND

- | | |
|---|----------------------|
|  | SECTION CORNER |
|  | CLASS I MONUMENT |
|  | PROPERTY CORNERS |
|  | ROAD CENTER LINE |
|  | PROPERTY BOUNDARY |
|  | EASEMENT |
|  | LOT LINE |
|  | SECTION LINE |
|  | ADJOINING PROPERTIES |

DEVELOPER:
RIVER VALLEY DEVELOPMENT, LLC
SIERRA HOMES
DALE BEDDO : 435-669-8915
EMAIL: beddogolf@gmail.com

ENGINEER
NORTHERN ENGINEERING
1040 E 800 N
OREM, UTAH 84097
BRANT TUTTLE :801-802-8992
EMAIL: btuttle@neiutah.com

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2				APPROVED:	DATE:
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NO.	REVISIONS	BY	DATE	REV. COGO FILE:	DATE:

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CONSTRUCTION MANAGEMENT

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CORDERO PHASE THREE

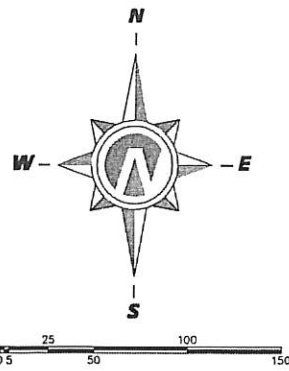
PRELIMINARY PLAT INDEX

HURRICANE, UTAH

JOB NO.
3-16-052

SHEET NO.

Page 111 of 204



(24"x36")
SCALE 1" = 50'
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SCALE 1" = 100'

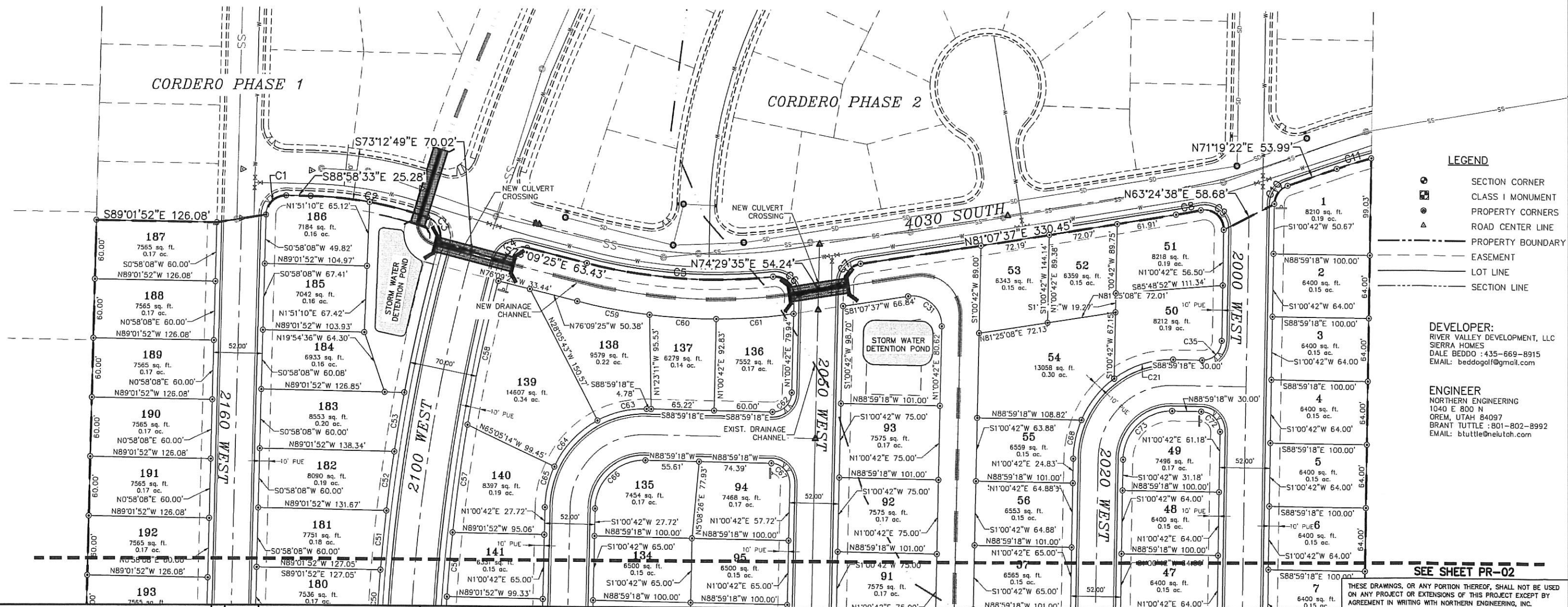
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C1	31.44'	20.00'	28.30'	S45°59'47"W	90°03'18"
C2	122.81'	400.00'	122.33'	S80°10'49"E	17°35'29"
C3	30.28'	20.00'	27.47'	S28°00'36"E	86°44'58"
C4	30.91'	20.00'	27.92'	N59°34'29"E	88°32'12"
C5	193.55'	552.00'	192.56'	S86°12'07"E	20°05'24"
C6	33.95'	20.00'	30.02'	S47°37'03"E	97°15'31"
C7	27.97'	20.00'	25.74'	N41°04'09"E	80°06'55"
C8	26.13'	626.00'	26.12'	N79°55'53"E	2°23'28"
C9	35.70'	20.00'	31.15'	S50°07'35"E	102°16'33"
C10	24.54'	20.00'	23.03'	N36°10'02"E	70°18'40"
C11	37.66'	500.00'	37.65'	N73°28'51"E	4°18'57"
C12	115.39'	426.00'	115.04'	N81°12'57"W	15°31'13"
C13	31.40'	20.00'	28.27'	N43°57'45"W	89°56'54"
C14	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C15	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C16	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"
C17	31.42'	20.00'	28.28'	S46°00'42"W	90°00'00"
C18	31.42'	20.00'	28.28'	S43°59'18"E	90°00'00"
C19	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C20	78.54'	50.00'	70.71'	S46°00'42"W	90°00'00"
C21	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"

CURVE TABLE					
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C24	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C25	65.24'	102.00'	64.13'	N72°41'21"E	36°38'43"
C26	54.78'	102.00'	54.12'	N38°58'53"E	30°46'12"
C27	40.21'	102.00'	39.95'	N12°18'15"E	22°35'05"
C28	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C29	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"
C31	52.30'	30.00'	45.92'	N48°55'51"W	99°53'05"
C32	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C33	31.42'	20.00'	28.28'	S46°00'42"W	90°00'00"
C34	31.42'	20.00'	28.28'	S43°59'18"E	90°00'00"
C35	80.38'	592.00'	80.32'	S85°56'04"W	7°46'46"
C36	69.31'	592.00'	69.27'	N86°49'19"W	6°42'28"
C37	75.54'	592.00'	75.49'	N79°48'45"W	7°18'39"
C38	149.32'	1700.00'	149.27'	S12°05'55"W	5°01'57"
C39	110.19'	1700.00'	110.17'	S7°43'32"W	3°42'49"
C40	65.15'	1700.00'	65.14'	S4°46'15"W	2°11'44"
C41	65.03'	1700.00'	65.03'	S2°34'38"W	2°11'30"
C42	15.20'	1700.00'	15.20'	S1°13'31"W	0°30'45"
C43	39.25'	25.00'	35.34'	S44°00'35"E	89°57'26"
C44	31.43'	20.00'	28.29'	S45°59'25"W	90°02'34"

CURVE TABLE					
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C47	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"
C48	39.27'	25.00'	35.36'	N46°00'42"E	90°00'00"
C49	42.55'	102.00'	42.24'	N12°57'44"E	23°54'04"
C50	65.85'	102.00'	64.72'	N43°24'31"E	36°59'30"
C51	51.82'	102.00'	51.26'	N76°27'29"E	29°06'25"
C52	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C53	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"
C54	78.54'	50.00'	70.71'	S46°00'42"W	90°00'00"
C55	31.42'	20.00'	28.28'	S43°59'18"E	90°00'00"
C56	31.42'	20.00'	28.28'	S46°00'42"W	90°00'00"
C57	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C58	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C59	31.42'	20.00'	28.28'	N43°59'18"W	90°00'00"
C60	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C61	60.64'	1770.00'	60.64'	N9°16'25"E	1°57'46"
C62	60.37'	1770.00'	60.37'	N7°18'54"E	1°57'15"
C63	60.18'	1770.00'	60.18'	N5°21'50"E	1°56'53"
C64	60.06'	1770.00'	60.05'	N3°25'04"E	1°56'39"
C65	45.62'	1770.00'	45.62'	N1°42'27"E	1°28'37"

CURVE TABLE					
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C66	31.42'	20.00'	28.28'	N45°58'08"E	90°00'00"
C67	31.42'	20.00'	28.28'	S44°01'52"E	90°00'00"
C68	31.45'	20.00'	28.31'	N46°00'58"E	90°05'40"
C69	31.38'	20.00'	28.26'	S43°59'02"E	89°54'20"
C70	31.45'	20.00'	28.31'	N46°00'58"E	90°05'40"
C71	31.42'	20.00'	28.28'	S45°58'08"W	90°00'00"
C72	31.42'	20.00'	28.28'	N44°01'52"W	90°00'00"
C77	23.56'	15.00'	21.21'	S43°59'18"E	90°00'00"
C78	119.38'	76.00'	107.48'	S46°00'42"W	90°00'00"
C79	29.73'	22.65'	27.65'	S42°03'52"E	75°12'03"
C80	435.06'	1735.09'	433.92'	S8°09'09"W	14°21'59"
C81	226.78'	572.00'	225.30'	S87°30'54"E	22°42'58"
C82	69.73'	40.00'	61.23'	N48°55'51"W	99°53'05"
C83	119.38'	76.00'	107.48'	S46°00'42"W	90°00'00"

CURVE TABLE					
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C84	31.40'	20.00'	28.27'	S44°00'35"E	89°57'26"
C85	31.42'	20.00'	28.28'	N46°00'42"E	90°00'00"
C87	31.38'	20.00'	28.26'	S43°59'02"E	89°54'20"
C88	31.45'	20.00'	28.31'	N46°00'58"E	90°05'40"
C89	31.38'	20.00'	28.26'	S43°59'02"E	89°54'20"
C90	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C91	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C92	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C93	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C94	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C99	31.40'	20.00'	28.27'	S43°57'45"E	89°56'54"
C100	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
C101	31.40'	20.00'	28.27'	N43°57'45"W	89°56'54"



NO.	REVISIONS	BY	DATE	REV. COGO FILE
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COGO FILE:	DATE:



Northern
ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

CORDERO PHASE ONE

PRELIMINARY PLAT

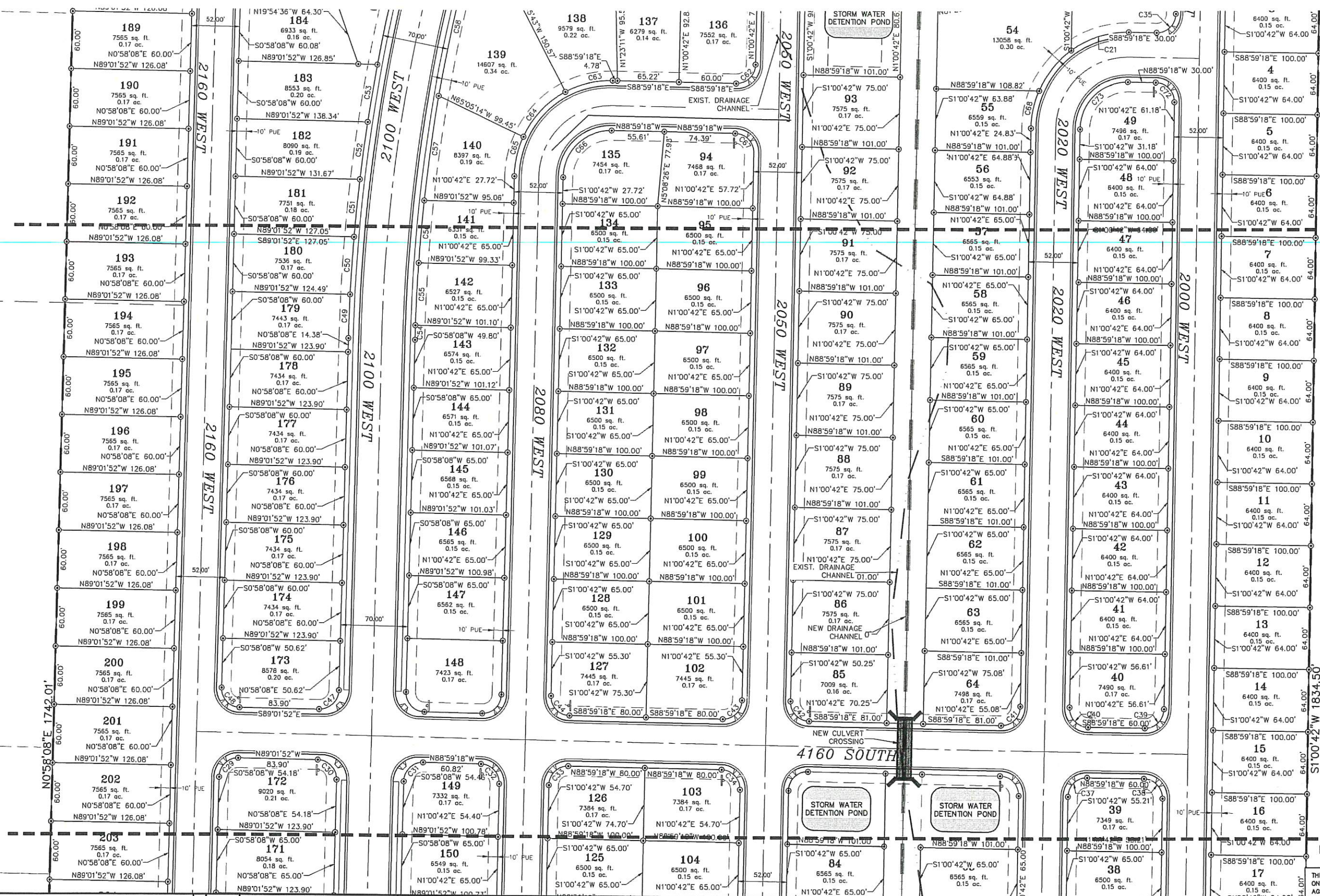
HURRICANE, UTAH

JOB NO.

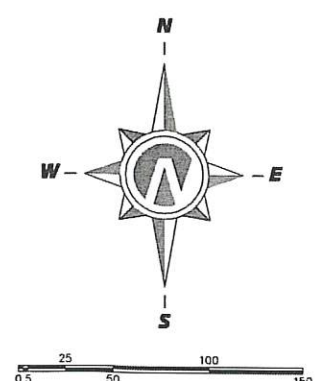
3-16-052

SHEET NO.

PR-01



MATCH LINE SEE SHEET PR-01

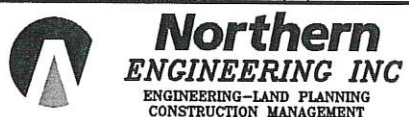


(24"x36")
SCALE 1" = 50'
(11"x17")
SCALE 1" = 100'

MATCH LINE SEE SHEET PR-03

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APPROVED:	DATE:
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NO.	REVISIONS
1	BY DATE REV. COGO FILE:



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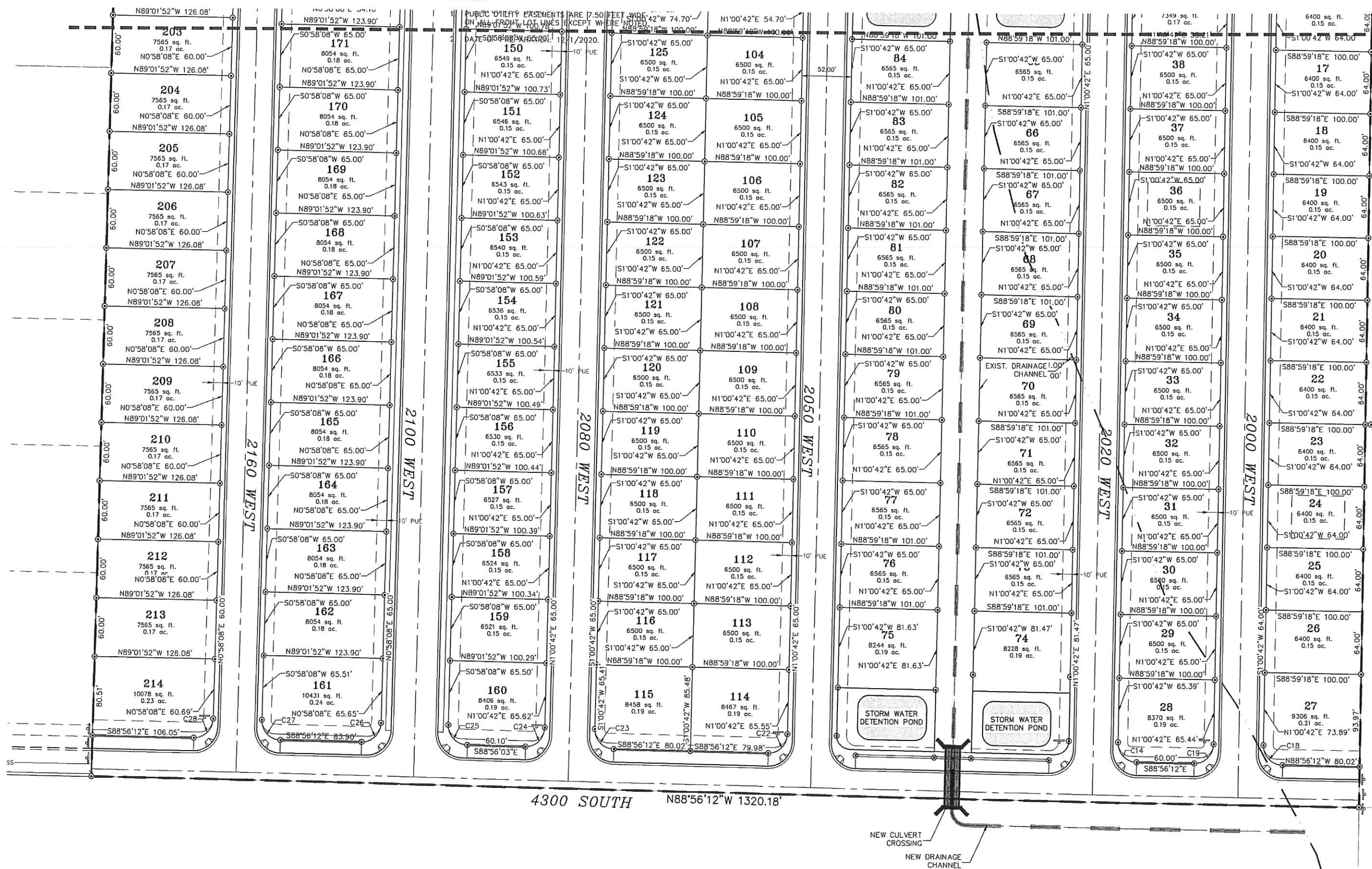
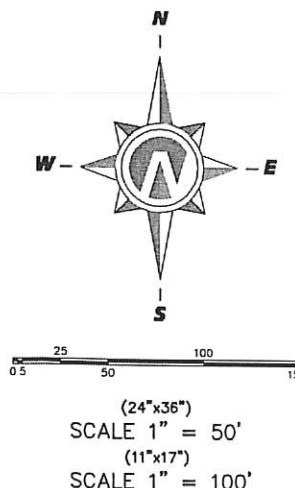
CORDERO PHASE ONE

PRELIMINARY PLAT
HURRICANE, UTAH

JOB NO.
3-16-052
SHEET NO.
PR-02
Page 113 of 204

NOTES:

MATCH LINE SEE SHEET PR-02



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CORDERO PHASE ONE

PRELIMINARY PLAT

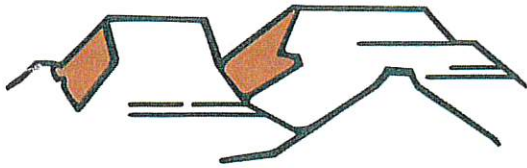
HURRICANE, UTAH

JOB NO.

3-16-052

SHEET NO.

PR-03



PLANNING & ZONING
HURRICANE CITY
UTAH

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

ZONE CHANGE APPLICATION

For office use only: \$500.00 Fee
File No. 2022-ZC-17
Receipt No. 8-157563

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

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

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

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

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

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

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) RR
Resort Recreation zoning to expand the existing resort zoning to allow for
additional amenities and parking/ boat trailer storage for residences.

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

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

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

(Office Use Only)

Date Received: _____ Application Complete: YES ____ NO ____

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



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-ZC-17
Type of Application:	Zone Change
Action Type:	Legislative
Applicant:	Pecan Valley Holdings LLC
Agent:	Chris Wyler/Civil Science
Request:	A Zone Change from A-5 to RR
Location:	5300 W 2600 S
Zoning:	A-5
General Plan Map:	Planned Community

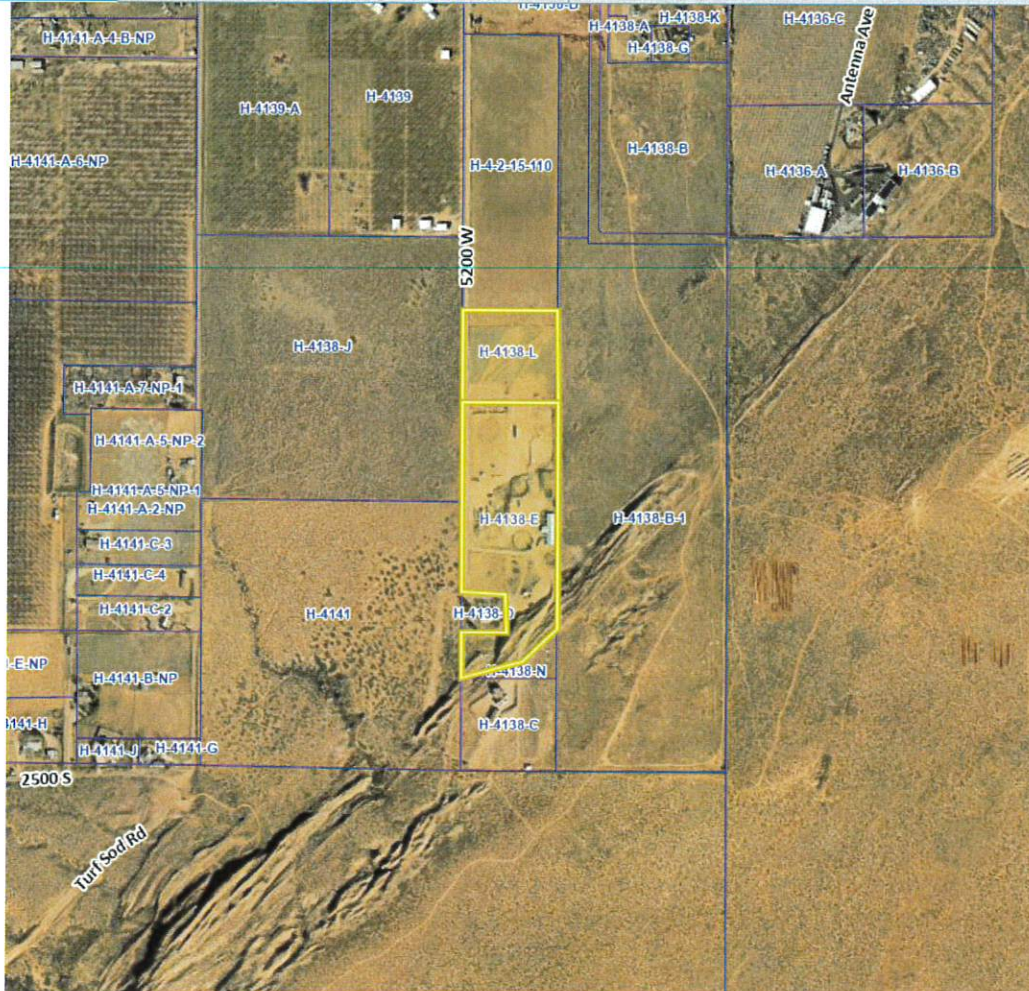
Update 6/9/2022: The applicant requested this item be continued yet again at the last Planning Commission meeting because he could not attend. This item has been under consideration since the second meeting in April. The applicant indicated to staff he would turn in a new plan that addresses some of the staff's concerns but as of this writing nothing has been turned in. Staff recommends making a recommendation to the City Council at this meeting or tabling the item.

Discussion:

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

	Zoning	Adjacent Land Use
North	A-5	Undeveloped property

East	RR, R1-15	Pecan Valley Resort and Pecan Valley Estates
South	A-5, RA-1	Undeveloped property
West	A-5	Undeveloped property



Zone Change Factors:

As per Hurricane City Code 10-7-7:

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

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

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

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

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

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

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

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

and

OUR ECONOMY VISION

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

THIS MEANS:

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

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

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

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

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

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

3. Will the proposed amendment affect the adjacent property?

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

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

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

Other Considerations:

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

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

- 1. General Plan Map: Recreation Resort Zoning shall be located in Commercial, Planned Community, Mixed Use, or Multi-Family areas as labeled by the General Plan Map.*
- 2. Recreation Resort Zoning shall avoid clustering in a single location, and should be limited in size relative to the commercial or multi-family zoned area. Only in rare cases should a recreation resort zone exceed 20 acres.*
- 3. Recreation Resort Zoning shall only be located adjacent to Major Collectors, Minor Arterials, or Major Arterial Roads.*
- 4. Recreation Resort Zoning should help add to the commercial viability of an area within commercial areas listed in the General Plan Map. It may do this by adding commercial amenities, tourism, or renewed development of an area.*

5. *Recreation Resort Zoning should not conflict with long term housing and moderate income housing needs of an area. Recreation Resort Zoning should not be located in places where multi-family housing could be built that would have easy access to public amenities and services, such as schools, parks, and utilities.*

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

Vacation Rentals

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

Recreation Resort Zones	
Development	Approved Number of Units
Bash Resort	353
Copper Rock	774
Coral Canyon	140
Cordero	148
Desert Sands	354
Horseman's Edge	15
Marla	121
<i>Pecan Valley</i>	<i>540 (if approved)</i>

Sand Hollow	702
Sand Hollow Gateway Resort	885
Sand Hollow Mesa	707
Zion Hub	37
Zion Village	89
Total	4865

Preliminary Site Plan Review

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

JUC Comments:

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

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

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

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

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

Fire: Water supply and access

Gas: No concerns.

Staff Comments:

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

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

1. *Within recreational resorts, an application shall provide two parking spaces per unit or one space per bedroom, whichever is higher. Tandem parking spaces are permitted only if approved as part of the preliminary site plan by the Planning Commission.*
2. *RV and Trailer Parking: An applicant shall provide sufficient parking areas for RV's and trailers. A minimum of one RV/trailer parking space shall be provided for every 5 units.*
 - a. More information is required but one would presume all of these units will have garages to fulfill part 1's requirement
 - b. 100 RV/boat stalls are provided which is sufficient for this phase of the development.

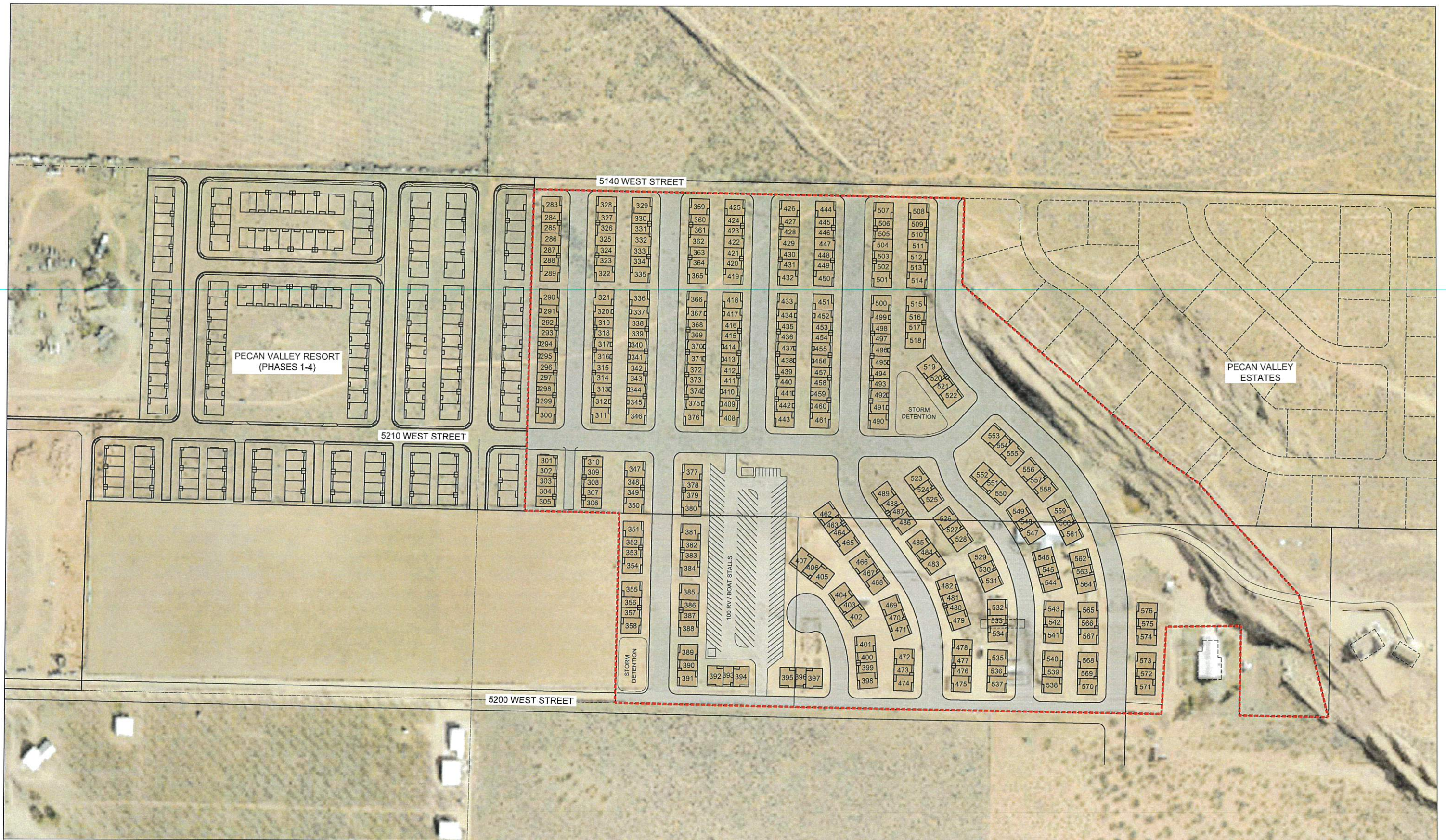
3. **Amenities:** Per Hurricane City Code 10-26-4: 3 clubhouses with 3500 sq ft of total non office space and 5 pools of at least 3000 sq ft total are required. Earlier phases of Pecan Valley Resort provided at least 2 clubhouses and 2 pools. As well:
 - a. *These amenities should be centrally located and have walking trails or sidewalks for access. Where applicable, multiples of amenities should be placed throughout the property to ensure equitable access.*
 - b. With these newer phases the amenity areas are now clustered towards the north end. Staff would recommend another amenity area be located near the southern end
4. A table providing the percentage of building coverage should be provided
5. The southernmost roadway running east-to-west creates a double-fronted lot in Pecan Valley Estates. Double fronted lots are not permitted by city code

Findings:

Staff makes the following findings:

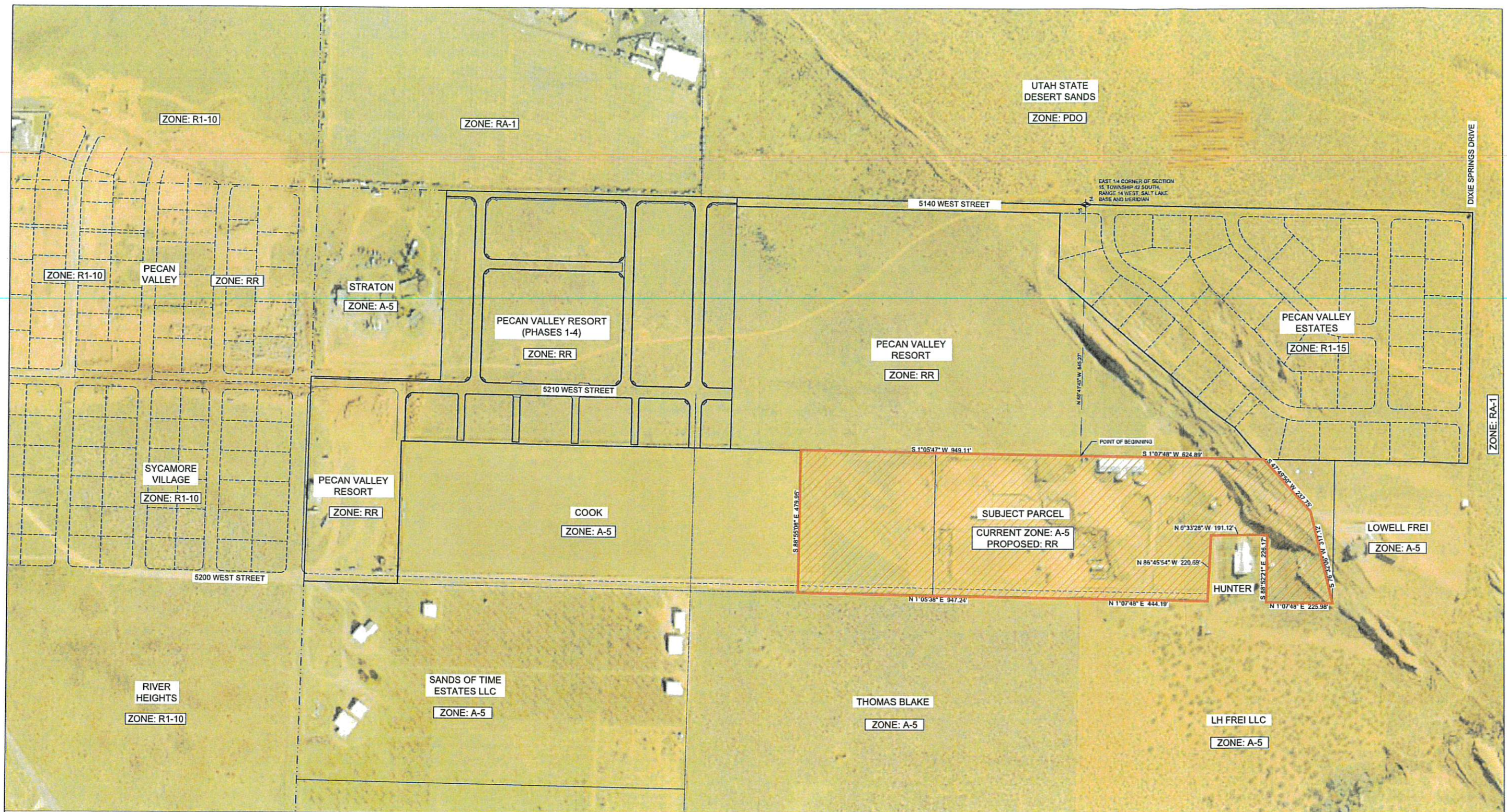
1. The application only partially meets the standards set by the General Plan and the General Plan Map.
2. Generally, the uses are harmonious with some but not most of the surrounding development.
3. The proposed amendment will have an impact on the area.
4. Services are currently inadequate to serve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

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



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





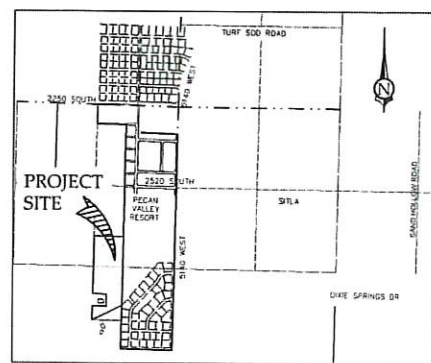
**PARCEL H-4138-E & H-4138-L
COMBINED LEGAL DESCRIPTION**

BEGINNING AT A POINT N 84°41'43" W 845.27 FEET ALONG THE CENTER SECTION LINE OF SECTION 15, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN FROM THE EAST QUARTER CORNER OF SAID SECTION 15, POINT BEING ON THE WEST LINE OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20210017450, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, AND RUNNING THENCE S 1°07'48" W 624.89 FEET ALONG SAID LINE, TO THE NORTH-EAST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20220015183, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE ALONG SAID PARCEL THE FOLLOWING TWO (2) COURSES, (1) S 47°49'59" W 237.75 FEET, (2) THENCE S 76°32'06" W 317.12 FEET, TO A POINT ON THE EAST 1/16TH LINE OF SAID SECTION 15, THENCE N 1°07'48" W 225.98 FEET ALONG SAID LINE, TO THE SOUTHWEST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20170350011, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER, THENCE ALONG SAID PARCEL THE FOLLOWING THREE (3) COURSES, (1) S 88°55'21" E 226.17 FEET, (2) THENCE N 0°33'28" W 191.12 FEET, (3) THENCE W 85°55'54" W 220.69 FEET, TO A POINT ON THE SAID EAST 1/16TH LINE, THENCE N 1°07'48" E 444.19 FEET ALONG SAID LINE, TO THE CENTER EAST 1/16TH CORNER, THENCE N 1°05'38" E 847.24 FEET ALONG THE EAST 1/16TH LINE OF SAID SECTION 15, TO THE SOUTHWEST CORNER OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20140611173, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER, THENCE S 88°55'21" E 479.55 FEET ALONG THE SOUTH LINE OF SAID PARCEL, TO A POINT ON THE WEST LINE OF SAID PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20210017450, THENCE S 1°05'47" W 949.11 FEET ALONG SAID LINE, TO THE POINT OF BEGINNING.

CONTAINS 18.09 ACRES MORE OR LESS

4/11/2022

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



PECAN VALLEY HOLDINGS LLC
5183 W 2040S
HURRICANE, UT 84737
CHRIS WYLER
WYLER@GMAIL.COM

**ZONE CHANGE EXHIBIT
RESORT RECREATION
PECAN VALLEY**

PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:

File No. 2022-PP-10

Receipt No. 8156148

Name: JOSE LYON / WASATCH GROUP Telephone: 435-703-5102

Address: 1820 W PRINTERS ROW Fax No. _____

Email: JLYON@WASATCHGROUP.COM Agent Email: ROBRE@LACIVIL.COM

Agent (If Applicable): ROSENBERG ENG. (ROB) Telephone: 435-680-7343

Address/Location of Subject Property: BLACK RIDGE PHASE 1A
(FORMER COLINA TINTA)

Tax ID of Subject Property: H-3-Z-4-44021 Zone District: MDA

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

RESIDENTIAL 93 LOTS OVER 3 PHASES BETWEEN SCENIC POINT AND
INTERSTATE/RE PENGA PROPERTY

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

____ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:

- ☒ a. The proposed name of the subdivision.
- ☒ b. The location of the subdivision, including the address and section, township and range.
- ☒ c. The names and addresses of the owner or subdivider, if other than the owner.
- ☒ d. Date of preparation, and north point.
- ☒ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.

____ 2. Existing Conditions: The preliminary plat shall show:

- ☒ a. The location of the nearest monument.
- ☒ b. The boundary of the proposed subdivision and the acreage included.
- ☒ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
- ☒ d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
- ☒ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries. None
- ☒ f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.



STAFF COMMENTS

Agenda Date:	06/09/2022
Application Number:	2022-PP-10
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Josh Lyon-Wasatch Group
Agent:	Rosenberg Engineering
Request:	Approval of a Preliminary Plat
Location:	1760 W and Weeping Rock Rd
Zoning:	R1-10 PDO
General Plan Map:	Planned Community

Update 6/9/22: This application was tabled back in March pending the approval of an amended development agreement for the Black Ridge/Collina Tinta PDO. This amended development agreement has been passed by the City Council but has not been signed yet. Because this plat does not comply with the current development agreement staff does not recommend passing this until the new development agreement has been signed. If the development agreement amendment has been signed by meeting time, staff would recommend approval subject to staff and JUC comments.

Discussion:

The applicant has filed a preliminary plat for Phase 1 of Black Ridge, a 93 lot subdivision. This is part of the Collina Tinta master planned community. As part of the original development a development agreement was signed tying the developer to the approved site plan that included a golf course and other amenities. This development is located where the development agreement stipulates that hole 13 of the golf course would be and thus is not in compliance with the development agreement. An amended development agreement was approved by the City Council, but the development agreement has not been

signed as of the date of writing this report. For the new site plan and development agreement to become official, the both parties (the City and Developer) will need to sign the development agreement.

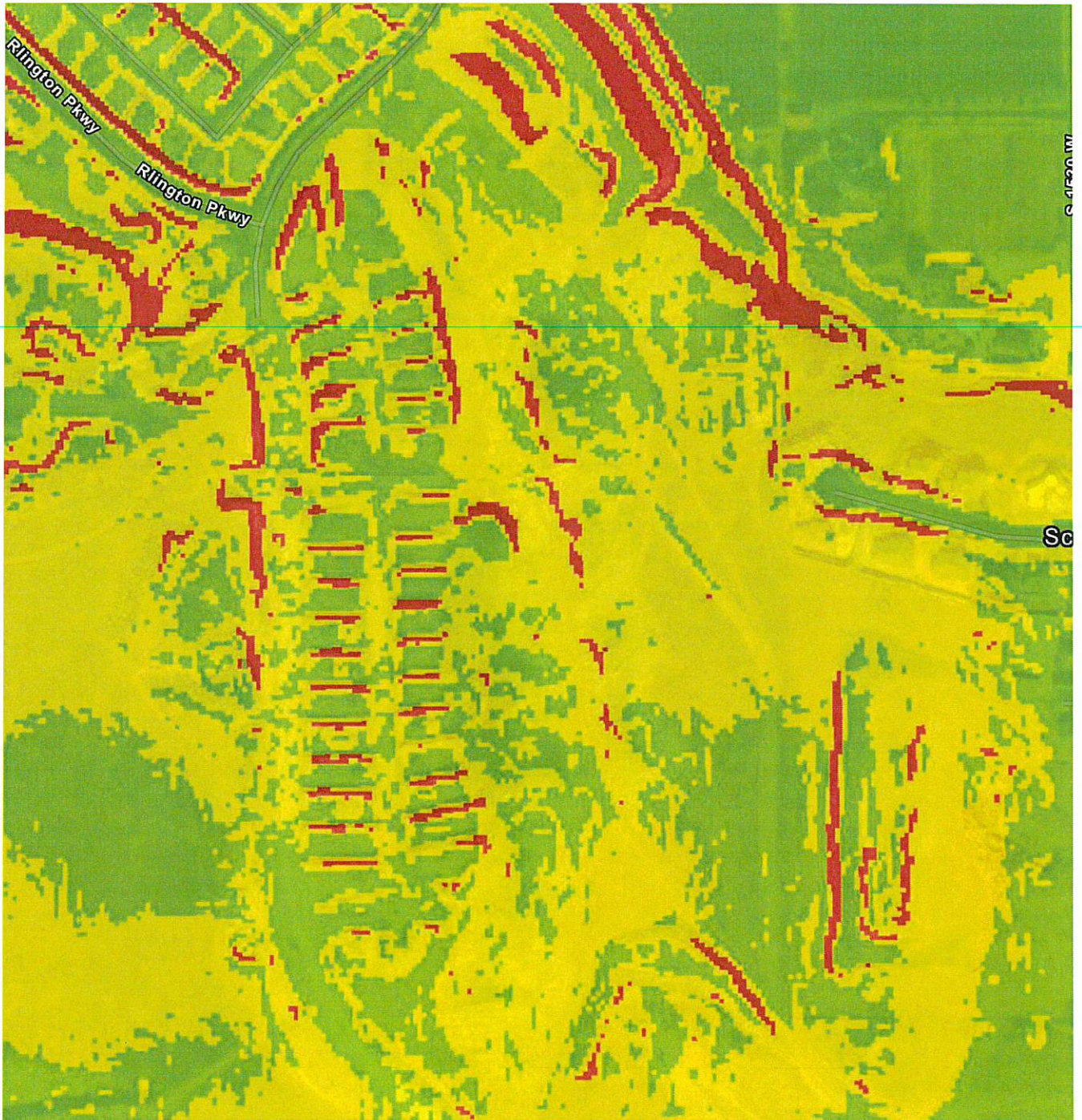
JUC Comments

The following items will need to be addressed:

1. **Power:** Not a huge problem lots of existing power in the area
2. **Sewer:** In the area. Sewer lines will need to be added to the south to serve the last phase.
3. **Street:** Roadways do not meet master plan, Phase 1A and 1B will be able to drain to the line 1C will drain to the south
4. **Water:** Need a looped system. Need a water model for the entire development, not just this phase to plan full buildout. Irrigation will need to be included
5. **Engineering:** All 52' roads except the main north-south street can be brought down to 45'. A railing is likely needed for the retention ponds. Scenic Pointe needs to be approved and constructed to provide looping and access
6. **Fire:** Need second access and sufficient water pressure
7. **Cable:** Good
8. **Gas:** Good.
9. **Water Conservancy:** No comments

Staff Comments: Preliminary Plat

1. All lots would generally comply with the R1-10 PDO zoning and generally comply with the new site plan attached to this report.
2. They are proposing some open space between this phase and the Ridge at Zion Vista but most of that is hillside and is not proposing any access to that open space. There is a trail shown on their updated site plan that will need to be added to the open space and a connection to that open space. Staff would recommend that the trail connect through to the Ridge at Zion Vista.
3. There is a neighborhood park on the Northeast side of the phase. No plans have been submitted for the improvements, but should generally follow the exhibit submitted with the site plan update attached to this report.
4. A will serve letter from the culinary and sanitary water providers has not been provided.

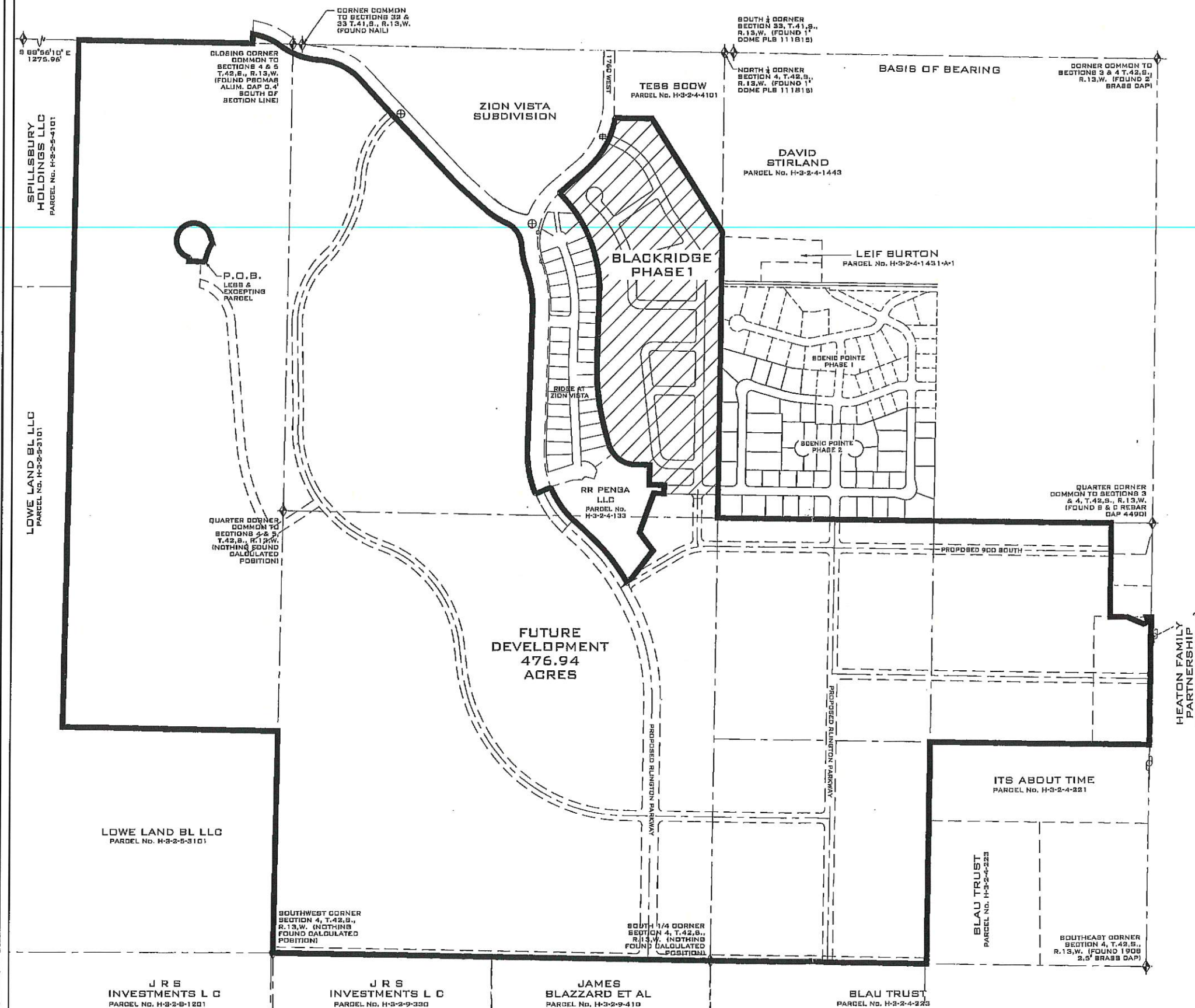


5. **Sensitive Lands:** A sensitive lands application was not provided. A geotech report from 2006 was provided. The topographic map provided as well as the county's contour maps indicate that a sensitive lands application would probably be required however the development agreement for this project states that:

2.2.2 Sensitive Lands Ordinance. Pursuant to Section 10-24-3G1 of the Sensitive Lands Ordinance and Recitals J,K, and L set forth above, the Project Shall Not be subject to the Sensitive Lands Ordinance but shall incorporate the alternative methods listed below to protect sensitive lands. The specific application of such methods to any Development Phase, or a particular portion thereof, shall be reasonably determined by the City Engineer; provided, however, that such determination shall not have the effect of negating the rights or duties of the Developer or Owners as provided in this Agreement.

Engineering will have to sign off on all grading and retaining wall heights. Staff would recommend that the principles of the sensitive lands ordinance be generally followed.

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



BLACKRIDGE
PHASES 1A-1C

LOCATED IN THE N.E. $1/4$ & S.E. $1/4$
OF SECTION 5, AND THE N.W.,
S.W., & S.E. $1/4$ OF SECTION 4
T.42S., R.13W., S.L.B.&M.

OWNER/DEVELOPER/CONTACT

THE DEVELOPER FOR THIS PROJECT IS
WASATCH COMMERCIAL BUILDERS
CONTACT: SCOTT OVERMAN
1820 WEST PRINTERS ROW
WEST VALLEY CITY, UTAH 84119 (801) 961-1142 (OFFICE)

PROJECT ENGINEER

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

SITE INFORMATION: PHASE-1A

CURRENT ZONE: R-10

TOTAL AREA: 34.61 AC (1507,470.93 SQ.FT.)

TOTAL LOTS: 43

TOTAL OPEN SPACE AREA: 8.12 AC (353,487.16 SQ. FT.) = 23.19%

TOTAL PUBLIC STREET AREA: 1.04 AC (108,716.85 SQ.FT.) = 3.14%

TOTAL LOTS (43) AREA: 19.41 AC (845,266.46 SQ.FT.) = 56.07%

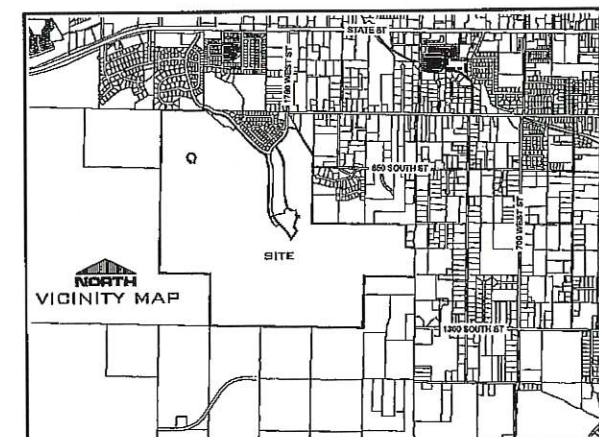
AVERAGE LOT SIZE: 0.45,266.46/43 = 1.029 SQ.FT.

DRAINAGE NOTES

DRAINAGE NOTES
ALL LOT ROOF DRAINS AND SURFACE DRAINAGE TO BE DIRECTED TO THE FRONT OF LOTS AND PROPOSED STREET IMPROVEMENTS. ALL ONSITE SURFACE DRAINAGE WILL BE DIRECTED TO THE EXISTING RETENTION BASIN ALONG 1760 WEST.

LEGEND:

- ⚡ EXISTING POWER POLE
 ○ NOTHING BET OR FOUND
 Ⓢ FOUND AS NOTED
 —X— EXISTING FENCE LINE
 ⊕ FOUND SURVEY CONTROL MONUMENT - CLASS I
 ⊕ FOUND SURVEY CONTROL MONUMENT - CLASS II



DATE:	2022-02-22
JOB NO.:	12035-21
DESIGNED BY:	JTT
CHECKED BY:	RAR
DWG:	PRELIM PLAT

REVIEWS

ROSENBERG
ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS



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

PRELIMINARY PLAT
FOR
BLACKBRIDGE PHASES 1A-1C
1760 WEST HURRICANE
WASHINGTON COUNTY, UTAH

SHEET
COVER
1 OF 2 SHEETS

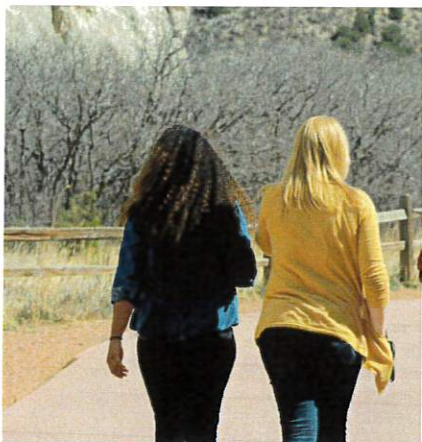
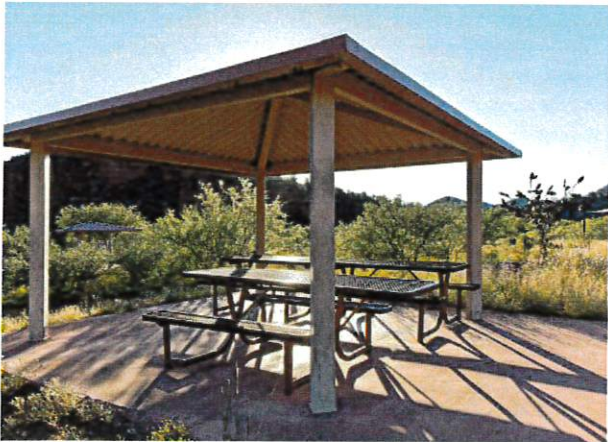


Product Type	Units	Acreage	%
Open Space, Amenities, Paths and Parks	100		19.7%
Single Family up to 4 DU/acre lots	120	55	10.8%
Single Family up to 6 DU/acre lots	120	48	9.5%
Single Family up to 8 DU/acre lots	780	208	41.0%
Townhomes up to 10 DU/acre	149	20	3.9%
Multifamily up to 12 DU/acre	200	20	3.9%
Multifamily & Retirement 12+ DU/acre	400	40	7.9%
Commercial	5		1.0%
Major Roadways (66' ROW)	11		2.2%
Allocated units in Grand Canary & Mira Rosa	117		
Total	1886	507	100.0%

PARCEL TYPE	
	OPEN SPACE, AMENITIES, TRAILS AND PARKS
	SINGLE FAMILY - up to 4 DU/acre lots
	SINGLE FAMILY - up to 6 DU/acre lots
	SINGLE FAMILY - up to 8 DU/acre lots
	TOWNHOME - up to 10 DU/acre
	MULTIFAMILY - up to 12 DU/acre
	MULTIFAMILY & RETIREMENT - 12+ DU/acre
	COMMERCIAL
	24/7 OVERNIGHT RENTAL OVERLAY (Maximum 247 Units)
	TRAIL - 10' ASPHALT
	TRAIL - PRIMITIVE

NEIGHBORHOOD PARK VISION BOARD

**SHELTERS
& SHADE
STRUCTURE**



**SMALLER
PLAYGROUND
FEATURES**



**HAMMOCK
GROVE**

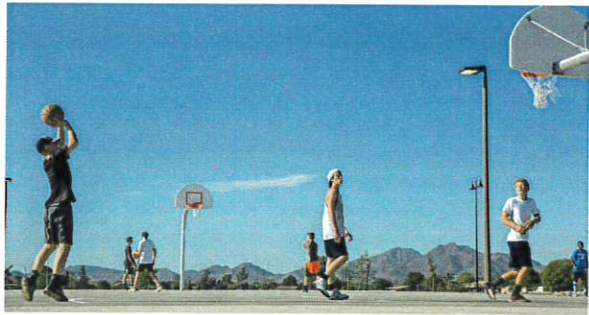
*Images are examples of site elements intended for the neighborhood parks.

COMMUNITY PARK VISION BOARD

BIKE
FEATURES



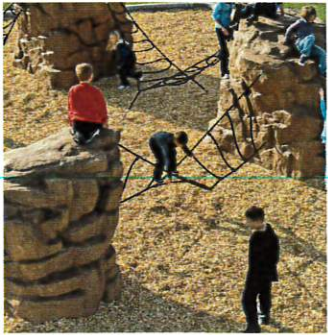
PLAYGROUND
& ACTIVE
RECREATION
AMENITIES



LARGER PLAYGROUND FEATURES



NATURE /
BOULDER PLAY



LARGE
PAVILION



DOG PARK

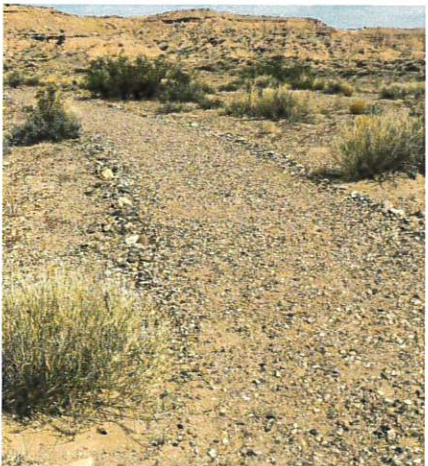
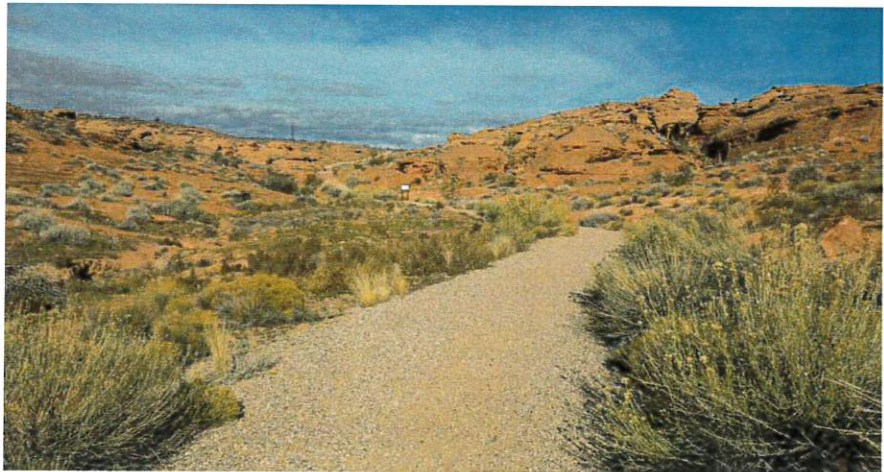
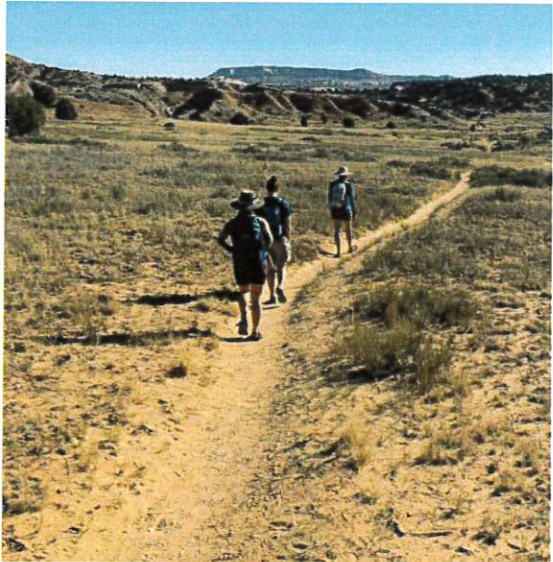
*Images are examples of site elements intended for the community parks.

TRAILS VISION BOARD

10' WIDE MULTI-USE ASPHALT TRAIL



SINGLE-TRACK MULTI-USE TRAIL



6' MULTI-USE TRAIL

*Images are examples of trails intended for use throughout the community.

1 **ON MAY 25, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**
2 **COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

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

5 **Members Excused:** Mark Sampson

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

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

9 *Rebecca Bronemann motioned to approve the agenda as amended. Paul Farthing seconded the motion.*
10 *Unanimous.*

11 Roll Call was taken.

12 The Pledge of Allegiance was led by Brienna Spencer and Stewart Stout offered the prayer. Roll call was
13 taken.

14
15 **2021-AFP-08 Discussion and consideration of a recommendation for an amended final plat for Dixie**
16 **Springs Lots A206 & A286, located at 3808 W 2700 S Hurricane. James F & Mary Ann Clark Applicants.**

17 Commissioners stated they were all okay with as long as everything is brought up to standards. Stephen
18 Nelson stated that currently there are three services to these lots. Staff would like to see one of the
19 three services stubbed off. They will need to provide proper signature boxes to actually record.

20 *Paul Farthing motioned approval of 2021-AFP-08 subject to staff concerns about addressing the*
21 *signature boxes on the amended plat and killing the third service on the property. Rebecca Bronemann*
22 *seconded the motion.*

23 Discussion was had.

24 *Paul Farthing amended his motioned to send a recommendation of approval of 2021-AFP-08 to the City*
25 *Council subject to staff concerns about addressing the signature boxes on the amended plat and killing*
26 *the third service on the property. Rebecca Bronemann seconded the motion as amended. Unanimous.*

27
28 **Public Hearings:**

- 29 1. **A Zone Change Amendment request on 57.5 acres located at approx. 3071 S 1100 W from RA-**
30 **1, residential agriculture 1 unit per acre, to R1-10, residential 1 unit per 10,000 square feet.**
31 **Parcel numbers: H-3343-A-4, H-3343-A-1, H-3396-A, H-3396-C, H-3396-D, H-3343-A-4.**

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

1 Mike Bird lives on the corner of 1100 West and 3000 South. When the last master plan was created prior
2 to being brought into the City, it had them all at RA-1. Does the current master plan have anything in it
3 have a recommendation of 10,000 square foot lots? His recommendation is that we do not do anything
4 that isn't in the general plan. Mr. Bird asked about the process of the zone change and asked if Scott
5 Stratton owns any of these properties. Stephen Nelson stated that Mr. Stratton just closed on some of
6 the properties to the South. Mr. Bird proceeded to asked how the notification of the process works and
7 if all the involved parties were aware of this proposed zone change. He is opposed to anything that is
8 not in line with the General Plan.

9 James Alagante noted that the owner of the gravel pit he represents agrees with most of the staff
10 comments. He stated that per his research, he could not find where the application included H-3396-E
11 and would ask the Planning Commission take that into consideration. This is not the place for high
12 density.

13 Wendy Gouldridge is kiddy corner to the proposed zone change. One of the reasons she loves this area
14 is because of the agricultural aspect. She also did the agricultural protection overlay like a few other
15 adjacent property owners. She thinks it's sad to see the agriculture going away.

16 Howard Woods lives at 2952 S 1100 W and came here to enjoy the country. He doesn't think we should
17 change it. One acre is small enough for the area and what is around it. Mr. Woods thinks they will have
18 issues having that many people next to that gravel pit. He asked the Planning Commission to take into
19 consideration of this high density out there.

20 Kelby Iverson stated that several years ago, this area was mostly homesteaders. A lot of those
21 landowners agreed to set this area to RA-1 to develop in a rural setting. There aren't any subdivisions
22 that are currently RA-1 and the moment they see one, he will not oppose that because that is what it set
23 up for. That area is sort of a buffer zone. This proposed zone change isn't the best farmable ground but
24 the general plan currently has this for RA-1 not R1-10. He hopes that their land will be protected with
25 this zoning. The City has spent a lot of money on a new General Plan and if it had plans for a quarter lots
26 right there, then maybe this would be a different conversation, but it does not.

27 Ruth Jepson votes no for the half acre lots.

28 Troy Cattoor bought 30 acres in this proposed zone change. He has tried to get water here and you
29 cannot farm this area. He has been here for the last 5 years and the traffic has already increased
30 because of the development to the South. You cannot ride a horse down this road because of that. Most
31 of the agriculture is already gone and you need water to farm.

32
33 **2. A Zone Change Amendment request on 50 acres located at approx. 2618 S 2100 W from**
34 **RA-1, residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per**
35 **half acre, to produce an active agricultural community with uses of half acre lots. Parcel**
36 **numbers: H-3345 and H-3346.**

37 Stewart Stout stated that he and his brother own property to the North of this proposed zone change.
38 The bottom South corner sets right at the Frog Hollow wash and this portion gets flooded; retention will
39 need to be figure out. Every time he waters, there is always a new hole due to a lot of settling. Allowing
40 half acre lots defeats the purpose of all the work they have done in the last year to keep this one acre

lots. It destroys the rural atmosphere they have created out there. This is a low area in the valley and a lot of the higher up landowners have water runoff into this area and it will cost a lot for them to figure out other ways for their water runoff.

Kelby Iverson reiterated that they know growth is coming but we just spent a lot of money to get a new general plan hashed out. It seems like it's always a fight when it seems like a no brainer. This proposed zone change sits right in the middle of this bubble the City Council created for Benchlake with the country cross section. RA-1 is what this is and the property owner knew that when it was purchased. It is a little premature for half acre lots. The roads leading up to this area need to be expanded to accommodate this development and it should be done at the cost of the developer.

MaryAnn Furse represents the Zundell's. They want to keep this atmosphere and right now they are opposed to this.

Todd Furse stated he has a very elementary understanding of property rights. The property rights of the surrounding owners need to be put into consideration. When infrastructure needs to be put in, it affects everyone not just the developer. If you were to divide this then curb gutter and sidewalk would be required. When MaryAnn develops her few lots with a few homes, the city will require her to put that in as well and that infringes on their property rights.

3. A Zone Change Amendment request on a small portion of parcel number H-3-1-34-4220-A from R1-6, residential 1 unit per 6,000 square feet, to RM-2, multifamily 10 units per acre, to allow for more townhome building.

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

Kevin Francis lives in Ivywood and his back wall backs onto the proposed zone change. He feels that high density next to him will degrade his living he has come to enjoy. Two story homes will also infringe on his privacy and people looking down into his yard.

Jennifer Francis is opposed to the zone change. One of the reasons they moved here was because they had a larger lot and single-family homes. She doesn't think that multifamily fits here. It's going to be very congested right in this area.

Derek Campbell lives to the South of the proposed zone change. Value, density, and traffic are concerns. He was under the impression that the larger piece was not multifamily and according to the map provided, it is he would like clarification on that. 100 North is a busy street and it doesn't need any more traffic.

Hicken stated it was a surprise that the big portion was already zoned for high density. 100 North is already very busy, to add multifamily doesn't make sense in this section of town.

Mark Hicken lives right on the corner of 700 west and 100 north. He believes single family homes there would be a great experience. High density is alarming for this area. He opposes high density.

Diana Dutton shared that 100 north is too busy and people come flying down that road and it is not safe. High density is only going to make it worse.

New Business:

2021-ZC-15 Discussion and consideration of a recommendation of a proposed zone change amendment request on 57.5 acres located at approx.. 3071 S 1100 W from RA-1, residential agriculture 1 unit per acre, to R1-10, residential 1 unit per 10,000 square feet. Parcel numbers: H-3343-A-4, H-3343-A-1, H-3396-A, H-3396-C, H-3396-D, H-3343-A-4. Troy Catoor, Moses Russ and Judy, and Diamond Edge Construction LLC Applicants, Scott Stratton and Troy Catoor Agents

Ralph Ballard wanted to note that Scott Stratton is married to his cousin and that he also spoke with Mr. Stratton about this zone change earlier today. He is big on property rights but every decision has a tremendous effect on everyone in this community. The deeper issues we are looking at is a water shortage. As far as this parcel is concerned, we have tried really hard to keep preserve the agriculture in this area. One of the points Mr. Stratton pointed out to him was the gravel pit. People moving here want some sustainability. We need to measure how fine we are going to keep chopping because we are changing the entire feel of our city. Mr. Stratton stated that the gravel pit was there first and he has no intent on complaining about it. The agriculture for some of these lots is not there anymore. You cannot pump water up there and grow something. Maybe open space but it is not an ag area. Paul Farthing stated that we should respect the fact that we just spent a lot of money on a General Plan. It is not compatible with that. He thinks in 10 years when everything around is developed, this could be approved and be good for R1-10 but he feels it is too soon for this. Mr. Stratton stated that before the General Plan was complete, this was zoned for 8 units per acre and he's asking for half that. Dayton Hall disclosed his relationships with interested and opposing parties and shared he will be abstaining. He mentioned the General Plan and keeping in line with it. He thinks we need to stick to it and have really good discussion prior to amending the general plan. Rebecca Bronemann stated that it is more marketable to have a quarter lot. However, she believes there are still people out there that would like a one-acre lot just to have an acre lot. She leans more toward doing what the General Plan says and sticking to it. We have to find the balance out with our rural heritage and property rights. Mr. Hall stated that yes, the top part is rocky and the best farmer in the world couldn't farm it. But it is set there for a buffer zone. Mr. Ballard commented that there are things that are more viable for that area. There is infrastructure going in to market the agricultural. Penny James-Garcia thanked the public for coming and speaking on this zone change. She shared that she thinks there is a high demand for one acre lots and that type of development would be very successful. Where the General Plan is not the law, it is a guideline for what we want to see in our community. Michelle Cloud stated that before the General Plan was updated, they had to make zone changes that went against it and it was uncomfortable. She stated that there are four criteria they have to ask themselves when granting a zone change and this proposal goes against two of those big questions. She is an advocate for obtainable housing but she doesn't think this is the area for this. Shelley Goodfellow shared that these parcels are different from the application that was withdrawn because the land is not as farmable. Her main issue is the density they are asking for. She also stated that the planning commission is required to ask themselves four questions and they cannot answer three of the four questions so she doesn't think they can approve this application. Stephen Nelson stated that with this type of zone request, the applicant would need to amend the general plan, which the applicant has done but they cannot see this until August.

Penny James-Garcia motioned a recommendation of denial of 2021-ZC-15 based on the following: it is not in keeping with the general plan, it is not harmonious with the overall character of the existing developments in the subject property vicinity, and it is not in keeping with the flavor of the area at all. Paul Farthing seconded the motion.

1 No further comments made.

2 *Shelley Goodfellow – aye, Michelle Cloud – aye, Penny James-Garcia – aye, Rebecca Bronemann – aye,*
3 *Dayton Hall – abstained, Paul Farthing – aye, Ralph Ballard – abstained. Motion carried.*

4 **2021-ZC-16 Discussion and consideration of a recommendation of a proposed zone change**
5 **amendment request on 50 acres located at approx. 2618 S 2100 W from RA-1, residential agriculture**
6 **one unit per acre, to RA-0.5, residential agriculture one unit per half acre, to produce an active**
7 **agricultural community with uses of half acre lots. Parcel numbers: H-3345 and H-3346. Nielsen Kristin**
8 **L TR Applicant, Scott Nielson Agent.**

9 Applicant withdrew application

10 **2021-ZC-17 Discussion and consideration of a recommendation of a proposed zone change**
11 **amendment request on a small portion of parcel number H-3-1-34-4220-A from R1-6, residential 1**
12 **unit per 6,000 square feet, to RM-2, multifamily 10 units per acre, to allow for more townhome**
13 **building. Short Term Investments LLC Applicant, Mike Stewart Agent.**

14 Stephen Nelson addressed the concerns of the previous approval of this parcel. Darrin Larsen stated the
15 initial request was for RM-2 for the entire parcel which would allow for 40 units but they wanted to see
16 the R1-6 as a buffer. This request is squaring off the existing RM-2 and it would only allow for one more
17 townhome which would be 27 units total. The applicant stated they are struggling to get to the 27 units
18 even with the squared off added to it. The commissioners and staff talked about the proposed road to
19 the west of the proposed zone change. Stephen Nelson stated that a roundabout will be put right at the
20 intersection of 100 N and 700 W, which is in the plan for this year. The applicant stated that they will not
21 be adding any more intersections onto 100 N. Rebecca Bronemann stated that she appreciates that they
22 are wanting to do obtainable housing. She knows multiple people who need a place to live. We cannot
23 get obtainable housing up quickly enough. You cannot find a starter home for less than 300 thousand
24 dollars. Washington County is the fastest growing county in Utah. Penny James-Garcia agrees with a lot
25 of what Mrs. Bronemann shared. She stated that just because it will be obtainable or affordable, it
26 should still be nice because people deserve that. Michelle Cloud stated that for this property, it makes
27 sense to square this off. Multifamily in this area makes sense to her. It is in walkable distance from
28 everything. Shelley Goodfellow stated that this meets the criteria when looking at approving
29 multifamily. However, she would rather see it stay as is. Ralph Ballard stated that there are so many
30 things we say are affordable and things are changing. When talking about price, we have to weigh in
31 what the cost of everything else is. He hopes that the applicant be respectful of the neighbors and make
32 this as harmonious with the neighbors' concerns as possible. Paul Farthing stated that one more unit
33 isn't going to make much of a difference. Dayton Hall stated that it seems more harmonious to leave it
34 the way that it is. The applicant stated that they are just trying to recuperate the lost 2 or 3 units from
35 adding the round-a-bout, wider roads, and nicer things for the development. Commissioners discussed
36 what this zone change would do as far as units.

37 *Paul Farthing motioned a recommendation of approval of 2021-ZC-17 to the City Council based on the*
38 *findings: it is generally compatible with the general plan, it is in general harmony with the overall*
39 *character of existing development, it will not have a significant impact on the area, and services are*
40 *adequate in the area. As well as make improvements of the 100 N and 700 W intersection at and*
41 *construct 700 W. Michelle Cloud seconded the motion.*

1 Penny James-Garcia shared that when listening to comments made, the current configuration was a
2 compromise that was come to last time. But she thinks we need to stick with what was done previously.
3 Ralph Ballard asked if the previous approval was made with the roundabout in mind. Stephen Nelson
4 shared that it was not and that the roundabout was only decided on a year ago.

5 *Roll call as follows: Ralph Ballard – nay, Paul Farthing – aye, Dayton Hall – nay, Rebecca Bronemann –*
6 *aye, Penny James-Garcia – nay, Michelle Cloud – aye, Shelley Goodfellow – nay.*

7 Motion fails

8 *Dayton Hall motioned a recommendation of denial of 2021-ZC-17 to the City Council based on the*
9 *findings that it is not harmonious with the overall character of the existing development in the vicinity*
10 *and it will significantly negatively affect the adjacent property by removing part of the buffer that was*
11 *previously agreed to. Ralph Ballard seconded the motion.*

12 Discussion was had

13 *The final motion was made by Dayton Hall to send a recommendation of denial of 2021-ZC-17 to the City*
14 *Council based on the findings that it is not harmonious with the overall character of the existing*
15 *development in the vicinity and it will significantly negatively affect the adjacent property by removing*
16 *part of the buffer that was previously agreed to. Noting that the existing zoning was obtained through a*
17 *previous compromise that should be honored. Ralph Ballard seconded the motion. Roll call as follows:*
18 *Ralph Ballard – aye, Paul Farthing– nay, Dayton Hall – aye, Rebecca Bronemann – nay, Penny James-*
19 *Garcia– aye, Michelle Cloud– nay, Shelley Goodfellow – aye.*

20 **2021-AFP-09 Discussion and consideration of a recommendation of an amended final plat for Quail**
21 **Lake Estates Lot 22, located at 22 Quail Creek Drive. Mary Wintzer Applicant, Brown Consulting**
22 **Engineers Agent.**

23 *Paul Farthing motioned a recommendation of approval of 2021-AFP-09 to the City Council. Penny James-*
24 *Garcia seconded the motion. Unanimous.*

25 **2021-PP-13 Discussion and consideration of a recommendation for a preliminary plat, River**
26 **Heights Subdivision, a 70-lot subdivision located at Turf Sod Road and 5200 W. Alcoa Holdings LLC**
27 **Applicant, Corey Anderson Agent.**

28 Stephen Nelson went over what the applicants engineer sent in response to staff comments as well as
29 an updated plat which addresses those concerns. Rebecca Bronemann referenced staff comment 4 and
30 stated that her concern is if they do improvements to this section of Turf Sod Road and the city coming
31 in and tearing it up when maintenance is done. She doesn't want them to spend the money just to have
32 it removed at a later time. Corey Anderson stated that when Pecan Valley did their development, they
33 only had to do a certain amount of road improvements and he wants to make sure his development
34 road requirements is proportionate to what Pecan Valley did. When they talked to Author LeBaron, they
35 were told they would need to have 28 feet of road but just told yesterday they would need 32 feet.
36 Penny James-Garcia has one concern and that is the increase of traffic on Sand Hollow Road and how
37 they are going to get people off Turf Sod onto Sand Hollow Rd safely but it doesn't sound like there is
38 anything in place yet. Dayton Hall asked for clarification on who owns the other 10 feet that doesn't
39 belong to them and the road improvements that'll be needed.

1 *Ralph Ballard motioned a recommendation of approval of 2021-PP-13 to the City Council subject to staff*
2 *comments. Michelle Cloud seconded the motion.*

3 Ralph Ballard made a comment about Turf Sod Road and the improvements that the City is planning to
4 make.

5 *Unanimous Vote*

6 **Planning Commission Business:**

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

8 Stephen Nelson went over the changes made since the last meeting. The commissioners put their input
9 on the new language and discussed legalities of the ordinance.

10 **-Planned Commercial Ordinance Update**

11 Stephen Nelson went over the drafted update.

12 **-Annexation Map Presentation (moved to next agenda)**

13 **-RV Parks in Hurricane (moved to next agenda)**

14 **-City Council Recap**

15 **-Utah Ombudsman on June 10, 2021 at 5:00 p.m. Joint meeting with City Council**

16

17 **Adjournment**

ON FEBRUARY 23, 2022 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737

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

Members Excused:

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

Chairman Dayton Hall called meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Web Crowder and Shelly Goodfellow offered the prayer. Roll call was taken.

Rebecca Bronemann motioned to approve the agenda as posted. Paul Farthing seconded the motion. Unanimous.

Public Hearings

1. A Zone Change Amendment request located at 1200 W 4600 S from RA-1, residential agriculture 1 unit per acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-3403-K. Joshua Coen Applicant. Clark Spilker and Pope Engineering Agent.

Comments submitted are on file and attached to the end of these minutes.

Michael Salzman lives in Sky Ranch. He spoke of the General Master plan and what it shows for this area. He shared that the city has this area set aside for A-40 down to RA-0.5. It is not harmonious with the existing developments. RA-1 seems best suited for the area. He requests that the commission does not recommend this to the city council.

Johanna Hevalong lives on the flag lot that wraps around the proposed zone change. She shared what had to happen when her lot was developed. The access to 1200 west was the decision. She would like to see these lots developed at acre lots.

Mark Parini lives in Grassy Meadows and is a pilot. He stated that it seems to him that these developers are not considering the runway. The way he takes off on the runway, he goes right over the proposed developments full of high density. He, and a lot of others, would like to see less density. Because there are air operations, he would like to have it taken into consideration and keep those lots at 1-acre tops.

The manager at the Grassy Meadows Airport stated that take off is the most hazardous part of the operations. Unfortunately, sometimes it does happen and engines fail. Just a few months ago, an engine failed and the plane was totaled. They barely made it into the safety zone onto the landing strip. He thinks one unit per acre is small enough.

A lady stated that this plane crash just spoken about was just to the west of her pasture. She was very grateful that she had land for this plane to come down as safely as possible. She asked the commissioners how they would feel if they had high density developments coming in around them when they bought a piece of land they thought would be for low density and big lots. The reasonable model for any city development is having high density in the middle of the city and keep the lower density on the outskirts.

Jackie Soresick lives in Cliff Dwellers on almost 2 acres. When they bought, they didn't understand that they would be in just a high dense area. They have approved 17,000 units all around and they would like the commissioners to keep that into mind. Infrastructure is also an issue. Who is responsible for the services to these developments? Does the developer pay for it? Does the city pay for it?

Steve talked about the traffic and conditions of 1100 west, it will not handle anymore traffic. It is a major concern that most homeowners have out there. Some of the existing traffic has vehicles going 90mph and it makes it hard to back out of his driveway sometimes. This will be the main access into town because it's the quickest.

Zellen Barney stated we need to be reasonable about what we put out there. In the future, we will have city councilmen who complain about the location of the airport. It was put out there because it was a safe area. The lower density should be kept for the safety of those who choose to build out there.

Mary Ann Perkins lives in Adobe Hills. She stated that this request is not harmonious with what is out there. Everything to the north is at least 2 acre lots. She thinks even 1 acre lots is too small being that close to the runway. She doesn't want the zone change to be done now because it makes it hard for later on. A development agreement sounds great, but it can also be hard to enforce. She also has horses and when the north wind blows, poop goes everywhere. If you put houses right there, they are not going to be happy with her and she was there first. None of the four considerations in her letter were met.

2. A Zone Change request located at 284 W 1080 S from RA-1, residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per half acre. Parcel number H-3-2-3-2126. Michelle Stratton Shumway Applicant

No comments

3. A Zone Change Amendment request located at approximately 600 S 3500 W from R1-6, residential one unit per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10, residential one unit per 10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6, residential one unit per 6,000 square feet and R1-8, residential one unit per 8,000 square feet. Parcel number H-4-2-12-1102. D. R. Horton (Don Bean) Applicant. Adam Allen Agent.

No comments

4. A Land Code Use Amendment to Title 10, Chapter 15, regarding Planned Commercial development standards

Comment submitted is on file and attached to the end of these minutes. No additional comments.

5. A Land Code Use Amendment to adopt Water Conservation standards within Title 10 Chapter 39 – Subdivisions, Chapter 32 – Landscaping and Screening, Chapter 23 – Planned Development Overlay, and Chapter 33 – Design and Compatibility Standards.

No comments

NEW BUSINESS

1 **1. 2022-ZC-05: Discussion and consideration of a recommendation of a proposed Zone**
2 **Change Amendment request located at 1200 W 4600 S from RA-1, residential agriculture 1 unit per**
3 **acre, to R1-15, residential one unit per 15,000 square feet. Parcel number H-3403-K. Joshua Coen**
4 **Applicant. Clark Spilker and Pope Engineering Agent.**

5 Robbie Pope stated that preliminary, they have 31 units. He appreciates the landowner of the flag lot
6 because he was curious of what was going to happen with that as well. He is aware of the zone change
7 to the south but he was not part of it so he doesn't know completely. He understands the objections but
8 doesn't think this is high density. It is not his property; he is just the engineer. Stephen Nelson presented
9 a potential preliminary plat that was included in the packet but it is not an approval or denial of the site
10 plan. It was provided as a reference. Mr. Pope stated that he was not involved in the development of
11 the airstrip and maybe there are some concerns, but he doesn't know the answers to those concerns.
12 Michelle Cloud asked Mr. Nelson to pull up the general plan map, which shows this area to be rural
13 residential. We just paid a lot of money for our general plan update, it's not even a year yet. Because of
14 that, she is inclined to not be in favor of it. We have a unique place out there and she asked if we want
15 to protect a unique area to our city. Rebecca Bronemann thanked the pilots who educated them about
16 the runway safety. She stated that she doesn't think it is safe for the runway and the high density based
17 off those comments. Mrs. Bronemann asked Mr. Nelson about staff comment number 4. Mr. Nelson
18 addressed her question about possibilities about safety concerns. We want to ensure that we are able to
19 respect the rights of all property owners and not hamper them because of a land use that happens to be
20 adjacent so we are currently in discussion with the residence of this area about annexation into the city.
21 The Hurricane Airport has a protection overlay that protects it but there isn't anything at a city or county
22 level that protects this airport. Mark Sampson stated that the Hurricane Airport has certain protections
23 and because the airport in Sky Ranch is not in the city, they cannot have those same protections. Mr.
24 Nelson stated that the Hurricane Airport is public and this is private so there are different rules that
25 apply to each one. He is not sure if there are any conflicts with the runway, his concern is the general
26 plan. Mrs. Bronemann stated that she is typically all for higher density because it seems to be more
27 affordable, but this doesn't seem to be appropriate for it. Paul Farthing asked what the surrounding
28 zoning is. Mr. Nelson stated that the Solaroca zone change has a PDO with an underlying R1-10. They
29 have agreed to low density around the outsides next to the surrounding properties. Mr. Pope stated
30 that the general plan would allow for RA-0.5 which would only be a difference of 6,000 square feet. Mr.
31 Farthing stated he doesn't think we should treat this application any different than the surrounding
32 applications. Dayton Hall stated that this parcel is not consistent with the general plan, it is not
33 harmonious with the surrounding neighborhood, and there are not adequate services. The more density
34 you put out there, the more traffic you'll have. Penny James-Garcia stated that she will not vote against
35 the general plan unless there is some compelling reason. It is a unique neighborhood. We have done a
36 lot to protect this type of lifestyle. She shared some of the conversation she had with a gentleman on
37 the Sky Ranch airport board. She stated that he looked for an airport community and there are very few
38 around the United States. It is an asset to our city. Ralph Ballard asked if a protection over an airport is
39 federally or FAA filing. This is not a consideration for that, but he wanted the commissioners to be
40 aware. The density is a concern and services are a concern. He asked Mr. Nelson about the plans for
41 water to this area of town. Mr. Nelson shared the plans for the water tank up on the hill and once that
42 goes in, water will not be an issue. Shelley Goodfellow stated in terms of development, it is nice and she
43 wishes we had more like this. But in terms of location, it does not meet the criteria. It is not for the area
44 and we do need a buffer zone. She asked Ross which direction planes take off most often. Mr. Ross

1 stated that is most common for them to take off to the south. Mrs. Goodfellow had Mr. Nelson pull up
2 the annexation map and pointed out that this area will be right in the central area of Hurricane but in
3 terms to this development and where we are at right now, she doesn't see how we can approve this.

4 *Mark Sampson motioned a recommendation of denial on 2022-ZC-05 based on the fact that it is not*
5 *consistent with the General Plan, it is not harmonious with the surrounding neighborhood, and it does*
6 *not have adequate services. Paul Farthing seconded the motion. Unanimous.*

7 **2. 2022-ZC-06: Discussion and consideration of a recommendation of a proposed Zone**
8 **Change request located at 284 W 1080 S from RA-1, residential agriculture one unit per acre, to RA-**
9 **0.5, residential agriculture one unit per half acre. Parcel number H-3-2-3-2126. Michelle Stratton**
10 **Shumway Applicant**

11 Michelle Shumway stated that she is looking to relocate so she can sell her home. Most of the
12 properties to the west are zoned RA-0.5. It'll give her some more options when she goes to sell her
13 home. Shelley Goodfellow asked about the future 300 west and how long it'll be till that is developed.
14 Stephen Nelson stated that 300 west will be put in when development demands for it. He is unsure the
15 lot will even be able to split the lot with the requested zone change. We require roadway dedication and
16 improvements when there is a master planned road which requires the subdivision process not just a lot
17 split. Penny James-Garcia is not in favor because it diminishes and opens the door for higher density.
18 Dayton Hall doesn't have any issues with RA-0.5 but he is concerned about opening it up to R1-15. Paul
19 Farthing doesn't have any issues with making it two half acre lots. Michelle Cloud stated that it meets
20 the zone change requirements.

21 *Paul Farthing motioned to continue this until the applicant comes back with an R1-15 zone change*
22 *request. Rebecca Bronemann seconded the motion. Unanimous.*

23 Further discussion was had.

24 *Michelle Cloud – aye, Rebecca Bronemann – aye, Paul Farthing – aye, Dayton Hall – nay, Mark Sampson*
25 *– aye, Penny James-Garcia – nay, Ralph Ballard – nay, Shelley Goodfellow – aye. Motion carries.*

26 **3. 2022-ZC-07: Discussion and consideration of a recommendation of a proposed Zone**
27 **Change Amendment request located at approximately 600 S 3500 W from R1-6, residential one unit**
28 **per 6,000 square feet; R1-8, residential one unit per 8,000 square feet; R1-10, residential one unit per**
29 **10,000 square feet; R1-15, residential one unit per 15,000 square feet, to R1-6, residential one unit per**
30 **6,000 square feet and R1-8, residential one unit per 8,000 square feet. Parcel number H-4-2-12-1102.**
31 **D. R. Horton (Don Bean) Applicant. Adam Allen Agent.**

32 Stephen Nelson reminded the commissioners of the proposed development but there was an issue with
33 zoning. Because of the zone boundary discrepancy, staff could not make a positive recommendation for
34 their preliminary plat. He stated that Karl Rasmussen brought to his attention today that the map
35 actually approved is not reflecting on the city's zone change map. However, he cannot find record of it
36 but wanted to make it publicly known the potential discrepancy. Penny James-Garcia asked how much
37 the density will change. Adam Allen stated that it'll add maybe 10 units overall. Mrs. James-Garcia asked
38 for an update on the PID. Mr. Nelson stated that the PID is approved and the city has approved two
39 roadways. Darrin LeFevre stated that they have approved two roadway dedications and will be
40 approving maybe two more next week. This has been coming along very slowly but we will be seeing it

1 pick up very soon. Dayton Hall stated that it is important to note that they are next to an orchard and
2 they are requesting an increase next to an orchard.

3 *Rebecca Bronemann motioned a recommendation of approval on 2022-ZC-07 subject to staff and JUC*
4 *comments. Paul Farthing seconded the motion.*

5 Ralph Ballard stated that there is a lot more to approving homes and density next to orchards and we
6 are reducing our ability to produce food.

7 *Michelle Cloud, Rebecca Bronemann, Paul Farthing, Dayton Hall, Mark Sampson, Penny James-Garcia,*
8 *Shelley Goodfellow – aye, Ralph Ballard – nay because he thinks we need to look at the agriculture side*
9 *of things. Motion carries.*

10 **6. 2022-CUP-03: Discussion and consideration of approval of a conditional use permit for**
11 **an accessory building of greater size and height located at 1458 S 700 W. Andrew Hathaway Applicant.**

12 Dayton Hall summarized why this application is being seen again. Andrew Hathaway stated that they are
13 using gray cinderblock that will have the same roofing as the house. The garage will match the house in
14 color. Penny James-Garcia shared that she spent over an hour researching what the term compatible
15 architecture means. Stephen Nelson stated that he went through our previously approved conditional
16 use permits on accessory buildings and none of them were cinder block. Mrs. James-Garcia stated that
17 she thinks we need to be consistent and if we haven't approved cinder block and we shouldn't start
18 now. She doesn't know why they would want to put a cinder block building on their lot. It sets a
19 precedence that is not there and she doesn't think we should start it. Mrs. Hathaway stated that the
20 code does not state anything about cinder block. Ralph Ballard asked how much it would cost to stucco
21 this size of a building. Mr. Hathaway stated that it would cost them \$25,000 to stucco it. Shelley
22 Goodfellow shared that she doesn't see any issues with this. She thinks the reason the code does not
23 state the allowed materials is because the city is not an HOA. Rebecca Bronemann stated that there is
24 no precedence that has been set and she doesn't think we can deny this. Michelle Cloud feels like the
25 applicant has the intent to be compatible especially with them using the same materials on the roof.
26 Paul Farthing doesn't see any issues. Dayton Hall asked what wouldn't be considered compatible
27 architecture. Councilman Kevin Thomas shared what his perspective, as a home designer, would be the
28 way it looks not the materials it's made out of.

29 *Shelley Goodfellow motioned to approved 2022-CUP-03 because it is compatible due to the colors, trim*
30 *and same roof as the house. Ralph Ballard seconded the motion. Michelle Cloud, Rebecca Bronemann,*
31 *Paul Farthing, Dayton Hall, Mark Sampson, Ralph Ballard, Shelley Goodfellow – aye. Penny James-Garcia*
32 *– nay. Motion passes.*

33
34 **7. 2022-CUP-04: Discussion and consideration of approval of a conditional use permit for**
35 **a commercial building of greater height located at 48 S 1760 W. Red Rock Hospitality Applicant. Ishraj**
36 **Singh Agent**

37 Steve Beasley stated that they are looking for a typical Hampton Inn that comes at 54 feet tall. He stated
38 that he spoke with Fred Resch this morning and that if it could be brought down 2 feet, it would
39 probably be okay. Paul Farthing asked how tall the Wyndam and Clarion Inn and Suites is. Stephen

1 Nelson stated that since those conditional use permits were approved, the code has changed. He does
2 have a few standards the commission should consider and part of the issue is that there are no direct
3 adjacent developments to set the standards for 1.5 times the height. He did state that he has some
4 issues with this code that could allow for some loopholes with the 1.5 times the height. Mark Sampson
5 asked where the 1.5 times came from. Mr. Nelson stated that nobody had a good recollection of where
6 that standard came from. Mr. Farthing stated that the Clarion is right next to residential so we can't
7 really look at that. Something like this will provide more rooms for more tax revenue for other
8 businesses and the city. Someone is willing to make the investment and we're going to make their life
9 miserable for less than two feet. Dayton Hall stated that based off the code, he doesn't see how we can
10 do the math and give the requested height. Mr. Beasley stated that he doesn't think they should base
11 the height off of residential heights. Penny James-Garcia thinks we need to review our code. She is in
12 favor of this but she cannot vote against the code. Ralph Ballard stated that a code review is necessary.
13 He is in favor of the hotel and would love to see the project happen but this code is something we do
14 have to address. Shelley Goodfellow asked what the plans were for excavating. Mr. Beasley stated that
15 they haven't gotten that far with the civil engineering yet but it will be below the highway. Mrs.
16 Goodfellow stated that we shouldn't deny this but continue it so we can work on our code. Mr. Nelson
17 stated there are quite a few different ways we could address this code to make it work.

18 Paul Farthing motioned to deny 2022-CUP-04 based on the finding that the requested height is greater
19 than 1.5 times the immediate adjacent properties. Penny James-Garcia seconded the motion. Shelley
20 Goodfellow, Paul Farthing, Mark Sampson, Ralph Ballard, Dayton Hall, Michelle Cloud, Penny James-
21 Garcia – aye. Rebecca Bronemann – nay.

22

23 **8. 2022-CUP-05: Discussion and consideration of a possible approval of a conditional use**
24 **permit for a metal building located at 1100 N Main St. Josh Proctor Applicant**

25 Penny James-Garcia asked what the code classifies metal shipping containers as. Stephen Nelson stated
26 that generally his interpretation is that they should get permits and a conditional use permit because he
27 would classify them as a metal structure. But nobody has ever come in to ask him if they could put a
28 metal storage container on their lot. Although not relevant, further discussion about metal
29 shipping/storage containers was had. Commissioners do not have any issues with the requested
30 structure.

31 *Mark Sampson motioned to approve 2022-CUP-05. Rebecca Bronemann seconded the motion.*
32 *Unanimous.*

33 **9. 2021-PP-32: Discussion and consideration of a recommendation of a preliminary plat**
34 **for Desert Sands Area G, a 125-unit single-family subdivision located at 3000 S Sand Hollow Road. The**
35 **Hollows LLC Applicant. Brett Burgess Agent.**

36 Brett Burgess went over the application. Shelley Goodfellow is glad they are not maximizing their
37 density and she has no problems. Ralph Ballard stated that commercial is what funds the city, not
38 residential. We need to figure out a way to keep it here and if we do, we will have the money to do what
39 we want to do. Mr. Burgess stated that they are trying to get some commercial going. They want to do a
40 gas station and some restaurants. Dayton Hall asked how high the ground water was. Mr. Burgess stated

that they have only seen water along the commercial side but they hit rock at 4 feet in the residential area. They will build it up along Sand Hollow Rd so it shouldn't be an issue especially with the pump stations the water conservancy has put in. Michelle Cloud would like to request a pizza place. Mr. Ballard stated that the ground water is an issue and it will affect the gas station.

Paul Farthing motioned a recommendation of approval 2021-PP-32 subject to staff and JUC comments. Mark Sampson seconded the motion. Unanimous.

10. 2022-FSP-02: Discussion and consideration of a possible approval of a final site plan for Walmart Lot 8, a one-unit commercial development. American Heritage Homes Applicant

Ben Reusch is the owner of the property and is currently in negotiations with a pizza place for one of his buildings on this lot. Stephen Nelson stated that landscaping and building renderings were all that was needing to be approved. Paul Farthing mentioned the staff comment about potentially adding some additional ADA compliant parking. Rebecca Bronemann stated that outdoor lighting just needs to be dark sky compliant.

Rebecca Bronemann motioned to approve 2022-FSP-02 subject to staff comments. Michelle Cloud seconded the motion. Unanimous.

11. 2022-PSP-06: Discussion and consideration of a possible approval of a preliminary site plan for Hurricane Equipment Rentals located at 520 W and SR-9. Hurricane Equipment Rental Applicant.

Shelley Goodfellow motioned to approve 2022-PSP-06 subject to staff and JUC comments. Penny James-Garcia seconded the motion. Unanimous.

12. 2022-AFP-02: Discussion and consideration of a recommendation of an amended final plat for North Slope at Copper Rock Phase 2. Fairway Vista Estates Applicant. Alliance Consulting (Mike Bradshaw) Agent

Ralph Ballard motioned to continue 2022-AFP-02 at the applicant's request. Mark Sampson seconded the motion. Unanimous.

Planning Commission Business:

1. City Council Recap
 2. Discussion and consideration of rescheduling Hurricane City's Planning Commission meeting
- Ralph Ballard motioned to approve the schedule as amended. Paul Farthing seconded the motion. Unanimous.*

Approval of Minutes:

December 9, 2021

Shelley Goodfellow motioned to approve the minutes for December 9, 2021. Michelle Cloud seconded the motion. Unanimous.

January 13, 2022

1 *Mark Sampson motioned to approve the minutes for January 13, 2022. Ralph Ballard seconded the*
2 *motion. Unanimous.*

3 **4. 2022-LUCA-01: Discussion and consideration of a recommendation of a Land Code Use**
4 **Amendment to Title 10, Chapter 15, regarding Planned Commercial development standards**

5 Stephen Nelson shared that he has spoken with some of the planned commercial property owners and
6 they recommended that instead of calculating things by floor area, we do the overall site area. What the
7 tradeoff comes to is larger commercial areas with smaller residential areas with calculating floor area and
8 smaller commercial but not necessarily incentivize smaller residential units. Dayton Hall stated that we
9 are giving more density to the residential side of these planned commercial by incentivizing more
10 commercial. There is a tradeoff where we are allowing above 15 units per acre if they will do 40%
11 commercial. But if we calculate by total area instead of floor space, it throws the balancing out of
12 whack. Mr. Nelson stated that area would be a little bit easier to calculate through the process. With
13 preliminary site plans, the estimates will be a little hard to judge so he will have to have a really good
14 idea of what their buildings are going to look like. But calculating area, commercial building could be a
15 little loose and you can be more open ended about what it'll be. From an implementation standpoint, it
16 will be easier to work with. But the reason we did it this way was to create a larger and more walkable
17 commercial type development. He just thinks the overall implementation might be a little tricky when
18 figuring out square footage.

19 *Dayton Hall motioned a recommendation of approval of 2022-LUCA-01 subject to the city attorney's*
20 *review. Mark Sampson seconded the motion. Unanimous.*

21 **5. 2022-LUCA-02: Discussion and consideration of a recommendation of a Land Code Use**
22 **Amendment to adopt Water Conservation standards within Title 10 Chapter 39 – Subdivisions,**
23 **Chapter 32 – Landscaping and Screening, Chapter 23 – Planned Development Overlay, and Chapter 33**
24 **– Design and Compatibility Standards.**

25 Stephen Nelson went over the proposed water conservation standards and where it would pertain to
26 certain sections within the city code. Because we were opening the code, he thought right now would
27 be a good time to talk about park strips and street trees because it pertains to the spirit of the water
28 conservation portion of the code. Penny James-Garcia stated that when speaking with Mr. Nelson this
29 afternoon, she asked if there is any real data for our city of Hurricane that shows we have a water issue,
30 and he stated that we do not so she feels this is premature. Michelle Cloud stated that we are in a water
31 crisis and we need to do what we can to conserve. There are somethings that all the different
32 departments are okay with. She thinks there is a lot more we can do. The commissioners further
33 discussed what they would like to see with restrictions within residential zones. Ms. James-Garcia stated
34 that she has an issue with the section that regulates adding trees within park strips. She shared that they
35 have had a lot of issues within Sky Mountain where the sidewalks are heaving because of the roots. They
36 just recently took out 47 of their 85 trees.

37 *Mark Sampson motioned to continue 2022-LUCA-02. Paul Farthing seconded the motion. Unanimous.*

38 **Adjournment**

**Hurricane Planning Commission
Meeting Minutes
May 12, 2022**

4 Call to Order - 6:00 P.M.

5 ON MAY 12, 2022, AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE
6 CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

7 Vice Chairman Paul Farthing called the meeting to order at 6:00 P.M. Roll call was taken.

8 Pledge: Michelle Cloud Prayer: Kelby Iverson

9 **Members Present:** Paul Farthing, Ralph Ballard, Michelle Cloud, Rebecca Bronemann, Brad
10 Winder, and Kelby Iverson

11 **Members Excused:** Mark Sampson, Shelley Goodfellow

12 **Staff Present:** Planning Director Stephen Nelson, Assistant Planner Fred Resch, City
13 Attorney Dayton Hall, Planning Technician Brienna Spencer, and City
14 Engineer Representative Jeremy Pickering

15 *Rebecca Bronemann motioned to approve the agenda. Michelle Cloud seconded the motion.*
16 *Unanimous.*

17 Kelby Iverson was sworn into office.

18 Public Hearing:

19 **1. A Zone Change Amendment request located at 825 S 400 W from RA-1, residential**
20 **agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet, for a**
21 **residential development. Parcel number H-3-2-3-1225.**

22 Brad Winder recused himself from the item due to a conflict of interest.

23 Jarolyn Stout stated that she is against this zoning. The rights of property owners are always a topic, but
24 what about infringing upon her property rights. She purchased this land in 1990, and it was zoned for
25 two and a half acres. The city expressed that it planned to adhere to the zoning map. Why can't we hold
26 onto the farm areas? These changes cause issues for those who farm in the area.

27 Reed Reeve's primary concern is the irrigation system. There is an irrigation ditch that runs along the top
28 of the hill. Until now, everyone has encouraged his wastewater to run off his property. Will he be
29 required to raise his ditch and spend the money to correct this?

30 A gentleman stated that this will create problems for those in the area with agricultural land, and he feels
31 this area is already too dense. If this is approved, it will set a precedent for developing third-acre lots.

32 Mark Maag agrees with the majority of the previous comments. He reported irrigation water pools on his
33 land and then drains into the ditch. He is worried about the mitigation of irrigation water.

1 Romanne Richmond asked how many lots will be in the subdivision? Mr. Resch shared that they are
2 proposing ten but could have up to fifteen. Mrs. Richmond doesn't like to tell people what to do with their
3 land, but she doesn't want high density in the area.

4 Laurie Scholzen shared that she has no concerns as long as it is not smaller than third acre lots. She
5 requested that the city improves 400 West. She would prefer not to have plant strips.

6 Jarolyn Stout shared that she doesn't want curb gutter and sidewalk because it will affect her irrigation
7 and fields.

8 **2. A Zone Change Amendment request located at 1200 west and 4600 south from RA-1,**
9 **residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per half**
10 **acre. Parcel number H-3403-K.**

11 Comments and a petition submitted are on the record and attached to the end of these minutes.

12 Ross Johnson is the Airport Manager. This zone change for higher density was already requested and
13 denied in February, and this request is the same. There is a master plan for runway safety, and the
14 proposed amendment adversely affects the adjacent properties.

15 MaryAnn Perkins shared that this zone change did not meet the four criteria in February, and the new
16 changes are still not compliant. Everything around this is two acres, and you cannot have horses on a
17 half-acre. She agrees with Jarolyn Stout's comments. Hurricane City is overrun with development, and
18 the Planning Commission's job is to preserve the community.

19 Johanna lives west of the property. She has utility right of way that makes her property a flag lot.
20 Developers are contacting her to buy her utility right of way. She thinks this should be one unit per acre.
21 There is land to the north of Sky Ranch zoned for half an acre, but the people buying the property
22 purchase additional lots because they want larger property.

23 Mark Hudgins moved from Montanna and lives in Sky Ranch. He has been flying since he was 13 years
24 old. He was an airport manager of a small airport in Montana and has served on many airport
25 committees. These air traffic patterns were established in 1989. Increasing density around the airport is
26 unsafe. He is only 200 feet above the proposed development when he flies out of the airport. What if he
27 had an engine failure? He would like to see an attempt to keep the zoning the way it is. Anyone who
28 buys near an airport needs to understand the risks.

29 Mike Salsman is the President of Grassy Meadows Sky Ranch Landowners, and he also agrees with the
30 previous comments. The Solaroca development that was already approved is impeding on the
31 emergency landing areas. With this approved at half an acre, there is no way to avoid hitting a house if a
32 plane does come down. The general plan states that high density should be closer to the city center.
33 This is not harmonious with the existing development, and the public utilities are not available.

34 Steve Nation reported that United Airlines is currently trying to hire pilots to fill the gap caused by the
35 COVID outbreak. Pilot training takes place takes place at small airports. He feels that this zone change
36 is an attempt by the city to close the airport.

37 Julie Crogg feels that greed is the cause of the continuous zone change applications. There are other
38 places to build in Hurricane. This is a unique area, and she would like it to stay that way.

39 **3. A Zone Change Amendment request located at 163 N Main from RM-1, multifamily 6 units**

per acre, to RM-3, multifamily 15 units per acre, to add additional units to property.

Marlin Stratton is here on behalf of his parents. He read a letter which is included at the end of these minutes.

Selina Zalesky reported that she has problems with the litter created by tenants. Downtown Hurricane does not need any more apartments, and there are already problems with traffic and crime.

Dan Zalesky asked how more units can be added to this when the parking lot is already full. He agrees that the city needs affordable housing, but it does not need to be on one block. It should be spread throughout the community.

4. A Zone Change Amendment request located at 115 N 100 E and 55 E 100 W from RM-1, multifamily 6 units per acre, and GC, general commercial, to RM-3, multifamily 15 units per acre, to allow for affordable housing along the SR-9 corridor.

Chris Woodbury expressed that his quality of life deteriorated after Maverik was built. He already lives with traffic, sound, and garbage. If this is approved, it is going against the will and request of the community.

Renee Thompson thinks everyone living in Hurricane City is against more rezoning, and developers are the only ones who benefit from rezoning. What guarantees does the city have that this will be affordable housing, and what defines affordable? She suggested building smaller homes for affordable housing instead of rentals. It does not make sense to put that many units into a small space. This which is not harmonious with the surrounding area.

Mr. Foster shared that Zack Forsyth is a credible man. He understands that everyone is against high density. He believes the land should be developed and could benefit the city. There is a solid brick wall separating the residents.

Kay Woodbury shared that two years ago, this was approved for duplexes. The developer wants more property.

Paul Maag lives in Angell Heights and asked if the city has a master plan and, if so, does this fit within it? What is the purpose of a master plan if it is not followed? St. George City will not change a zone if it does not meet the master plan.

Laurie Scholzen pointed out that there is a need for more rentals because there are people who cannot afford to purchase a home. Greed is not always the reason why a developer builds rentals. Mr. Forsyth's properties are all very well maintained, and she thinks he intends to serve those who want to live in Hurricane City.

5. A Zone Change and Development Agreement Amendment PDO update located on the old Collina Tinta project to remove the approved golf course and add more public open space. Parcel number H-3-2-4-214.

Cheryl Frassa submitted a dark sky article for the knowledge of the commission.

Dave Stirland shared that this was initially zoned to have a golf course. He stated that developers always want to increase density, never decrease. There will be 1,900 homes in this development. There are drainage and infrastructure issues. He sees many open spaces but no space for churches or

schools. He has an agriculture protection zone, and having homes along his property line will interfere with his agricultural activities. In 2005, Bob Scow lost crops because of dust produced by development. He feels that the way of life in Hurricane City is changing because of developments.

Mark Hudgins is not against development, but he is concerned with the growth rate. Infrastructure and water are a big concern. He asked the Planning Commission how they are addressing the water issue?

Bob Scow noted that the drain lines in this area run down the side of the road onto his property. Every time a road is built, it increases the water runoff to his property. He has replaced his corner post twice because of trucks not making the turn. His chain link fence is holding five feet of roadway dirt, and he asked for a city employee to look at it.

Daryl Cook discussed the map that was provided to the surrounding property owners. He purchased a property in Zion Vista two years ago, assuming that this land would not be developed because of drainage. However, development is disrupting his life. This development will take several years to complete and will affect everyone in the surrounding area.

Janett Cook moved from Southern California to Arizona. They left Southern California because of the impact of the growth, and they chose to move from Arizona to Hurricane because it is a peaceful area. She understands that development will happen, but high density has a negative impact. She discussed the streetlights between Rlington and 1760 West.

Michelle Cloud was excused from the meeting.

New Business

1. 2022-ZC-20: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 163 N Main from RM-1, multifamily 6 units per acre, to RM-3, multifamily 15 units per acre, to add additional units to property. Zachary Forsyth Applicant.

Zach Forsyth apologized for the problems with the previous tenants and agreed that there were problems with the tenants before he purchased the property. The rent in the fourplex is thirty percent lower than other rentals in the area. He receives a multitude of calls from renters seeking affordable housing. Ralph Ballard asked how Mr. Forsyth would mitigate the parking concerns discussed during the Public Hearing. Mr. Forsyth intends to have diagonal parking along the north boundary to accommodate the additional units. There are eleven parking spaces right now, exceeding the requirement for four units. Mr. Resch stated that the parking will be adequate. Councilwoman Bronemann reviewed the downtown definition in the general plan. This is compatible with the general plan. It is a hard decision because the Planning Commission has to find a balance as a community. Councilman Winder is concerned about adding more units on a half-acre.

Councilman Farthing stated that the city does need more affordable housing, but he is concerned with the parking. He asked if it is better to postpone this item until the downtown master is approved. Dayton Hall stated that the applicant has the right to a decision in a timely manner. Councilman Iverson asked for clarification on the current zoning. Mr. Resch reported that the request is to change from RM-1 to RM-3. Councilman Iverson favors the general plan and is a promoter of property rights. Mr. Forsyth noted that the staff had no concerns. Mr. Resch stated that the staff feels approval is appropriate.

Ralph Ballard motioned a recommendation of approval of 2022-ZC-20. The commission agrees with staff findings this is close to downtown and fits with the master plan. Rebecca Bronemann seconded the

1 *motion, stating that this meets the four requirements. Ralph Ballard, Rebecca Bronemann, and Paul*
2 *Farthing - aye. Brad Winder - nay, because of the concern expressed by the surrounding residents.*
3 *Kelby Iverson - nay, because it will adversely affect the adjacent property owners. Motion carried.*

4 **2. 2022-ZC-21: Discussion and consideration of a recommendation to the City Council on A**
5 **Zone Change Amendment request located at 115 N 100 E and 55 E 100 W from RM-1,**
6 **multifamily 6 units per acre, and GC, general commercial, to RM-3, multifamily 15 units per**
7 **acre, to allow for affordable housing along the SR-9 corridor. Zachary Forsyth Applicant.**

8 Mr. Forsyth discussed his intentions for this property. This is close to the park and will provide affordable
9 housing. Councilwoman Bronemann asked why the applicant is applying to have more than two
10 duplexes. Mr. Forsyth stated that it is impossible to provide affordable housing without more units.
11 Councilman Winder thinks this meets the zone change criteria. Councilman Farthing stated that this was
12 changed to RM-6, and it should be held to that approval. Councilman Iverson asked if the applicant
13 intends to add more density to the smaller parcel or remove the current structures. Mr. Forsyth stated
14 that he is not planning to as of right now. Councilman Ballard thinks the requested density is too high.
15 There is a long history of issues with tenants at this location. Mr. Forsyth explained that he could use this
16 property as Airbnb's, but he wants to provide affordable housing. He does not want to change the
17 general commercial zoning unless the density is approved.

18 *Brad Winder motioned a recommendation of approval of 2022-ZC-21, including staff findings. Rebecca*
19 *Bronemann seconded the motion. Ralph Ballard, Rebecca Bronemann, Brad Winder, and Kelby Iverson*
20 *– aye. Paul Farthing – nay. Motion carried.*

21 **3. 2022-ZC-18: Discussion and consideration of a recommendation to the City Council on a**
22 **Zone Change Amendment request located at 825 S 400 W from RA-1, residential**
23 **agriculture, to R1-15, residential one unit per 156,000 square feet, for a residential**
24 **development. Parcel number H-3-2-3-1225. Ferel Campbell Applicant. Jilyn Nelson Agent**

25 The applicant explained that he is applying for a family subdivision with nine lots. Councilman Ballard
26 shared that the Planning Commission has worked hard to preserve the agriculture in this area. However,
27 this is in harmony with the general plan. Councilwoman Bronemann agrees that this is harmonious with
28 the general plan. Mr. Hall explained that the commission's job is to analyze the four factors and make
29 recommendations to the City Council. He reviewed the legalities of approving and denying zone
30 changes. Councilwoman Bronemann asked for clarification on the number of units. The applicant
31 reported that they plan to have nine units. Mr. Resch stated that the applicant can have fifteen units if
32 the zone change is approved. The applicant will have to make improvements to 400 west. Councilman
33 Farthing reviewed developments in other agriculture areas. He recommended a development agreement
34 limiting the subdivision to nine lots. Councilman Iverson noted that the master plan focuses on
35 preserving and investing in agriculture. This is not harmonious and does not have adequate services.
36 The wastewater is also a significant concern.

37 *Kelby Iverson motioned a recommendation of denial of 2022-ZC-18 based on the surrounding historic*
38 *farms, the concerns of wastewater, the premature nature of the density, and the four criteria not being*
39 *met. Paul Farthing seconded the motion. Kelby Iverson, Paul Farthing, Ralph Ballard – aye. Rebecca*
40 *Bronemann- nay. Brad Winder – abstained. Motion carried.*

41 **4. 2022-ZC-19: Discussion and consideration of a recommendation to the City Council on a**
42 **Zone Change Amendment request located at 1200 west and 4600 south from RA-1,**
43 **residential agriculture one unit per acre, to RA-0.5, residential agriculture one unit per half**
44 **acre. Parcel number H-3403-K. Joshua Coen Applicant. Clark Spilker and Poppe**

Engineering Agent.

Robbie Poppe shared that initially, they requested different zoning with higher density. Several concerns were brought up in the City Council meeting. They attempted to create a concept using one-acre lots, but there are more restrictions and standards. He feels that this application matches the general plan and eliminates the previous concerns. This neighborhood is approximately twenty half-acre lots with one house per lot. Many of the one-acre lots in the area have two structures. Mr. Poppe presented pictures of the surrounding zoning and discussed staff findings. This plan was developed by researching the FAA guidelines for active runways. Mr. Poppe stated that this is out of the runway path. He understands that utilities are pending. He is open to feedback as to what is best for the community.

Councilman Ballard asked if Grassy Meadows could annex more area into their HOA. The Airport Manager stated that this is in the runway safety zone. Councilman Thomas asked if these were one-acre lots would they have to do a cul-de-sac. Mr. Poppe confirmed that they would have to do a cul-de-sac which would be too long to meet the standard. Councilwoman Bronemann discussed staff comment number three. This airport is in Washington County and does not have the same protections as the Hurricane Airport. She feels that if this is unsafe, it is not compatible with the general plan. Councilman Farthing is concerned because there is no infrastructure, which could take more than five years to have in that area, depending on the market. Councilman Iverson feels that this is premature. Most of the developments surrounding this were approved with development agreements limiting construction until infrastructure is in the area. He does not think this meets the four criteria.

Kelby Iverson motioned a recommendation of denial of 2022-ZC-19 because it does not meet the four zone change criteria. Ralph Ballard seconded the motion. Ralph Ballard, Kelby Iverson, Paul Farthing, Brad Winder – aye. Rebecca – aye, because she would like to wait for the annexation before deciding. Motion carried.

5. 2022-ZC-22 / 2022-PSP-15: Discussion and consideration of a recommendation to the City Council on a Zone Change and Development Agreement Amendment PDO update located on the old Collina Tinta project to remove the approved golf course and add more public open space. Parcel number H-3-2-4-214. WPP Hurricane Land LLC Applicant. Austin Overman Agent

Mr. Resch stated the applicant is eliminating the golf course but keeping the same density. The applicant is asking for more single-family units and fewer multifamily units, and there will be more open public space. Mr. Resch stated that the recommendation of approval should be subject to a legal review of the development agreement. Austin Overman feels more single-family units are beneficial to the city. Mr. Hall stated that they could build this with the golf course with the current development agreement in place. The applicant is asking to revamp the project without the golf course. He reviewed the staff comments. The Planning Department's recommendation is to grant a density bonus to match the proposal. Councilman Ballard noted that the issue with the retention of the road on 1760 west has to be addressed at some point. Councilwoman Bronemann's concerns about the road and drainage were addressed. She asked how the applicant will address the light pollution concerns. The applicant stated that they are not changing the number of units, so he does not think this will create more light pollution. Councilman Iverson stated that he is grateful that the area is being improved.

Rebecca Bronemann motioned a recommendation of approval of 2022-ZC-22 and 2022-PSP-15 subject to staff and JUC comments and legal review. Brad Winder seconded the motion. Unanimous.

6. 2022-ZC-15: Discussion and consideration of a recommendation to the city council on a Zone Change Amendment request located at 200 North and 2260 West on the north 2.9

1 acres from MH/RV, mobile home/RV, to PC, planned commercial so the applicant doesn't
2 have to build an RV park. Parcel number H-3-1-32-1102. Sky Mountain Properties
3 Applicant.

4 **2022-PSP-13: Discussion and consideration of an approval for a Preliminary Site Plan for**
5 **Hurricane Sky Mountain Townhomes, a Planned Commercial development consisting of**
6 **commercial space and 172 townhomes, located at 200 N 2260 W. Sky Mountain Properties**
7 **Applicant**

8 Mr. Resch stated that the applicant requested to table the application until they bring in an updated site
9 plan.

10 *Rebecca Bronemann seconded to table 2022-ZC-15 and 2022-PSP-13 until the applicant brings back a*
11 *new application. Kelby Iverson and Ralph Ballard seconded the motion. Unanimous.*

12 **7. 2022-ZC-17: Discussion and consideration of a recommendation to the City Council on a**
13 **Zone Change Amendment request located at approx.. 5300 West 2600 South from A-5,**
14 **agricultural one unit per 5 acres, to RR, recreational resort to expand the existing resort**
15 **zoning. Parcel numbers H-4138-L and H-4138-E. Chris Wyler Applicant. Civil Science-**
16 **Brandee Walker Agent.**

17 Mr. Resch stated that the applicant requested to continue this application to the next meeting.

18 *Ralph Ballard motioned to continue 2022-ZC-17 to the next meeting. Brad Winder seconded the motion.*
19 *Unanimous.*

20 **8. 2022-PSP-14: Discussion and consideration of an approval of a Preliminary Site Plan for**
21 **Sand Hollow Townhomes, a Planned Commercial development consisting of commercial**
22 **space and 164 townhomes, located at the corner of Ash Creek Dr and Sand Hollow Road.**
23 **Smoothie Kings Holdings Applicant. Premier Design Agent.**

24 Luke Godfrey is representing the applicant. Mr. Resch shared that the City Council approved a new
25 Planned Commercial ordinance. The staff has no general concerns, but the applicant will have to add
26 three more streets. Staff would prefer these to be public streets. The commissioners, staff, and applicant
27 discussed the staff and JUC comments. Councilman Farthing recommended public streets. Councilman
28 Iverson stated that citizens do not want 4-foot park strips. Mr. Resch stated that the park strips are for
29 safety. Councilman Iverson confirmed that the applicant could not do more than thirty units unless the
30 roads are completed.

31 *Rebecca Bronemann motioned to approve 2022-PSP-14 subject to changing the name and staff and*
32 *JUC comments. Brad Winder seconded the motion. Unanimous.*

33 **9. 2022-AFP-05: Discussion and consideration of a recommendation to the City Council on**
34 **an amended final plat on Angell Heights Phase 4, located at 2153 S Angell Heights Dr.**
35 **Robert and Jody Hardesty Applicant. Ryan Scholes-Alpha Engineering Agent.**

36 Mr. Resch stated that staff recommendation of approval is conditional upon the property being used for
37 the permitted use.

38 *Kelby Iverson motioned to approve 2022-AFP-05 subject to permitted use. Brad Winder seconded the*
39 *motion. Unanimous.*

10. 2022-FSP-06: Discussion and consideration of an approval of a final site plan for Eagle Pointe Amenity Center, located at 2670 W and 625 N. Perry Development Applicant. Greg Sant Agent.

Greg Sant stated that the construction plans are approved for 625 north, and they need to have the amenities site plan approved before starting construction. Mr. Resch stated that there is a concern that the pool equipment building is too close to the utility easement.

Brad Winder motioned to approve 2022-FSP-06 subject to staff and JUC comments and the appropriate public utility easement requirements on 625 north and 2670 west. Kelby Iverson seconded the motion. Unanimous.

Planning Commission Business:

1. City Council Recap

Approved	Denied	Continued	Tabled
Planned Commercial Ordinance		American Village Zone Change	

2. Site Plan Design

Approval of Minutes:

3. February 10, 2022

4. April 14, 2022

Rebecca Bronemann motioned to approve the minutes for February 10, 2022, and April 14, 2022. Ralph Ballard seconded the motion. Unanimous.

Ralph Ballard motioned to adjourn. Rebecca Bronemann seconded the motion. Unanimous. Adjournment