



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

City Council

*Joseph Prete
Dave Sanders
David Hirschi
Kevin Thomas
Doug Heideman*

Hurricane City Council Meeting Agenda

July 21, 2022
5:00 PM

City Council Chambers 147 N 870 W, Hurricane

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

5:00 p.m. Pre-meeting

6:00 p.m. - Call to Order

Prayer

Thought

Pledge

Declaration of any conflict of interest

Minutes of the Regular City Council Meeting for June 16, 2022

Recognition of an outstanding employee for a job well done

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 2 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 5:00 p.m. the Wednesday one week before the Council meeting.

OLD BUSINESS

1. Consideration and possible approval of a **road access control gate that complies with IFCD103.5**
2. Consideration and possible approval of **Ordinance 2022-29 amending Title 2, Chapter 1, Airport Authority-Nanette Billings**
3. Consideration and possible **adoption of an Airport Noise Abatement policy**

4. Consideration and possible **assumption of ongoing payments for the Sky Watch Software at the City Airport**-Dave Houston
5. Consideration and possible approval of **Ordinance 2022-36 amending 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.

NEW BUSINESS

1. Consideration and possible approval of a **business license for Motive Service located at the Hurricane City Airport**-Marc Campbell
2. Consideration and possible approval of **local consent of an off-premise beer license** for Mistry Petroleum-Rakesh Mistry
3. Discussion and possible **approval of theater productions for 2023**-Tiffani Wright
4. Consideration and possible approval on a **preliminary plat for Cordero Phase 3, a 214 lot residential subdivision, located at 2100 W 3900 S**. Brant Tuttle Applicant.
5. Ordinance 2022-41. Consideration and possible approval on a **Zone Change Amendment request located on the northwest corner of SR-7 & SR-9 intersection from R1-8, one unit per 8,000 square feet, to PC**, planned commercial. Parcel numbers H-3-1-31-1101, H-3-1-31-1105 and H-3-1-31-2101. Silverado Development LLC Applicant
6. Consideration and possible approval on a **preliminary plat and possible approval of a preliminary site plan for Lakeview Townhomes, a multifamily development consisting of 88 townhomes and 62 duplexes**, located at the northwest corner of Sand Hollow Road and Dixie Springs Dr. Brett Burgess Applicant.
7. Consideration and possible approval of **Resolution 2022-36 authorizing the Steel Solar 1A Project amended and restated Transaction Schedule**-Scott Hughes
8. **Closed Meeting** held pursuant to Utah Code section 52-4-205, upon request

Adjournment

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

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

Minutes of the Hurricane City Council meeting held on June 16, 2022, in the Council Chambers at 147 North 870 West, Hurricane, Utah, at 5:00 p.m.

Members Present: Mayor Nanette Billings and **Council Members Present:** Joseph Prete, Dave Sanders, David Hirschi, Doug Heideman, and Kevin Thomas.

Staff Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Lynn Excell, Power Superintendent Scott Hughes, Public Works Director Mike Vercimack, Planning Director Stephen Nelson, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, City Recorder Cindy Beteag, Fire Deputy Chief Joe Decker, Golf Professional Kent Abegglen, Accountant Paige Chapman, Human Resource Director Selwin Lovell, and Planning Assistant Fred Resch III

AGENDA

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

Stephen Nelson reported that the Public Open House for Affordable Housing was a success. One hundred and fifty surveys were received, and the survey period is officially closed. Primarily the survey showed concern about the lack of affordable housing in the community. However, there was not a clear solution. The Steering Committee is preparing policy recommendations to present to Planning Commission in July. The Planning Commission has requested staff to consider an ordinance to allow smaller lot sizes if property is required for road dedications. They have also asked for a review of the agriculture protection zone overlay.

Arthur LeBaron reported that pre-construction meetings were held for Andrus Trucking and Mountain View Estates. He is busy working on the 4th of July parade and fireworks. The fireworks are at Sand Hollow, and there are one hundred VIP parking passes available. There is no fee to attend the fireworks. The boat ramp closes at 6:00 p.m. He is working on the alignment study for 1100 West to obtain the right of way and utility easements to accommodate power lines. He reported that they have hired Harmony Public Involvement to help with public outreach during the alignment study.

Chief Excell received a request from the Division of Wildlife Resources to help eradicate nuisance pheasants. The Police Department is moving forward with recruits, two recruits are moving into field training, and Cole Henson is graduating from the academy next week.

Assistant Chief Joe Decker introduced himself as the new Deputy Fire Chief. Mr. Decker reported a significant gas line hit today on State Street. Blue Stakes located the line, but it was hit by a construction company trying to clear a plug in the sewer line. The

gas was leaking for a little over two hours, and the Hurricane Rehab Center had to be evacuated.

Ken Richins reported that the volume of water coming from Toquerville Springs has reduced due to drought, and there was a failure in the line from Leeds. Today is the first time the Water Department has introduced Quail Lake Treatment Water into the system. He reported that construction is consuming large amounts of culinary water. Mr. Richins reported that they hired a new employee and have made an offer to fill the remaining open position.

Paige Chapman reported that the budget is complete, and the City passed the single audit regarding CARES money.

Scott Hughes reported that today is Korde Chynoweth's last day of employment. The Power Department has hired a new employee who recently graduated line school, and he is expected to start on Monday. Mr. Hughes and Dayton Hall are working together to update the Solar Policy.

Selwin Lovell has reviewed the new policy manual. After Kaden DeMille reviews the policy, the manual will be ready for the City Council to review. A new employment tab was created on the website to simplify the application process. There are currently four open positions.

Tiffani Wright reported that the Community Center is prepping for the 4th of July, and she discussed the events scheduled. The free lunch program is being served in the Fine Arts parking lot, and the pool is open and remarkably busy.

6:00 p.m. - Call to Order –

Mayor Nanette Billings welcomed everyone to the meeting.

Prayer: Fred Hernandez

Thought: Fred Hernandez

Pledge: Fred Hernandez

Declaration of any conflicts of interest

Councilman Prete declared a potential conflict of interest on New Business item # 19.

Minutes of the Regular City Council Meeting for 10/21/2021 and 5/5/2022

1 Dave Sanders motioned to approve the minutes of the regular City Council meeting for
2 10/21/2021 and 5/5/2022. Seconded by Kevin Thomas. David Hirschi, Dave Sanders,
3 Kevin Thomas, and Joseph Prete voting, aye. Motion carried unanimously

4 Update from Intermountain Health

5 Mitch Cloward presented a video explaining how Intermountain Health Care began. The
6 LDS church owned and operated fifteen hospitals in 1975. The church formed
7 Intermountain Healthcare as a non-profit and donated the hospitals to Intermountain
8 Healthcare. Mr. Cloward explained that the anticipated completion date has been
9 delayed to June.

10 **Public Forum – Comments From Public**

11 Abbie Dick is here to discuss the Conditional Use Permit for the home being built behind
12 her. She reported that the builder owns the home. The home proposed to the neighbors
13 is not what is being built. The builder has brought in five feet of dirt to raise the lot, the
14 fence will be an additional six feet, and they plan to have a thirty-nine-foot-high garage.
15 She asked the City Council to review the ordinance again to find a balance between
16 current homeowners and new construction.

17 Mayor Billings asked Mike Vercimack to visit the site to ensure that the developer
18 follows the proper code.

19 **OLD BUSINESS**

- 20 1. Ordinance 2022-33: Consideration and possible approval on an **Agricultural**
21 **Protection Overlay** for Annie Reeve, an 11 acre property located at 902 S 700
22 W and 1075 S 700 W. Parcel number H-3-2-3-304 and H-3-2-3-2418. Annie
23 Reeve Applicant.

24 Stephen Nelson reported that the Agriculture Protection Overlay application was
25 continued pending a response from the County. The forty-five-day notification period
26 has expired with no response from the County. Per State Code, if no recommendation is
27 received, it should be considered a positive recommendation. Annie Reeve reported
28 that one section of the property is for her cattle. She gets complaints because the
29 calves cry when they are being weaned. She is concerned that the complaints will
30 cause her to lose her right to have cows on that property. She does not plan to develop
31 the other piece of property. Mayor Billings explained that the applicant is concerned that
32 the City could exercise eminent domain if the agricultural protection overlay is denied.
33 Mr. Nelson reported that the Planning Commission's recommendation was to grant the
34 protection overlay to the parcel that exceeds the five acre minimum. They also
35 recommended that the future right of way and the public utility easement be excluded
36 from the overlay on 900 South and 700 West.

1 Mrs. Reeve asked if she could increase the acreage by amending the application to
2 include surrounding property owners. Mr. Nelson stated that as long as there are five
3 continuous acres, it does not matter how many property owners are involved.
4 Councilman Hirschi discussed the water drainage concerns on the property near 900
5 South. Mrs. Reeve reported that her wastewater drains into a ditch. Councilman Prete is
6 concerned that this grants additional rights to owners with established agriculture. This
7 makes it difficult for future neighbors to file nuisance complaints and for the City to
8 expand its roadways. He thinks there needs to be a reasonableness element in the
9 ordinance. Councilman Heideman asked if the applicant would consider giving the City
10 the right to widen the road and develop future water or power lines through the property.
11 Mr. Nelson explained the general policy regarding master planned roadways.
12 Councilman Prete reported that he is comfortable with the Planning Commission's
13 recommendation.

14 Joseph Prete motioned to approve the agricultural protection overlay for Annie Reeve,
15 an 10.03 acre property located at 902 S 700 excluding the future right of way and public
16 utility easement. Seconded by Dave Sanders. David Hirschi, Dave Sanders, Kevin
17 Thomas, and Joseph Prete voting, aye. Motion carried unanimously

18 **NEW BUSINESS**

19 **1. Consideration and possible approval of Ordinance 2022-38 adding Section 7-1-** 20 **9 regulating Golf Carts on City roads**

21 Mayor Billings explained that she asked the City Attorney to prepare two different
22 ordinances. Option A was prepared to include the direction given by the City Council,
23 and option B was prepared to include the direction given by Mayor Billings.

24 Dayton Hall explained that Option A prohibits golf carts on city roads except if they are
25 street legal, permitted for use at a large event, or operated on a designated golf course
26 cart path. Option B permits golf carts on City roads subject to restrictions.

27 Mr. Hall explained that State Code prohibits golf carts on City roads but does allow
28 Cities to permit golf carts on City roads as long as the City regulates the use. Mayor
29 Billings explained why the State Code was changed in 2020.

30 Kent Abegglen does not think golf carts are a concern, nor should there be a separate
31 ordinance about golf carts. He recommended including golf carts in the OHV Ordinance.

32 Penny James Garcia is aware of State Law, and she fully supports Police Department.
33 Mrs. Garcia feels that the topic of golf carts on city streets has taken up an excessive
34 amount of City Council and staff time. She stated that golf carts are part of the social
35 network in the golf communities, and the Sky Mountain Community has scheduled a

- 1 golf cart parade on July 4th. She suggested requiring a driver's license because they
2 are motorized vehicles.
- 3 Carolyn Mills lives on Sky Mountain Boulevard. Sky Mountain is a golf course
4 community and family. She noted that if this ordinance is passed, golfers will be
5 breaking the law on holes ten through thirteen when they cross the city road.
- 6 Craig Kendell stated that no one knew they were breaking the law when driving their
7 golf carts. He feels that the City Council now has an opportunity to legalize the use of
8 golf carts. He supports Option B because it is basic common sense and opposes Option
9 A because it eliminates golf carts.
- 10 Steve Garcia thanked Mayor Billings for her comments. Mr. Garcia is a retired law
11 enforcement officer, and he stated that Option A is unenforceable without a colossal
12 waste of Police resources.
- 13 Jack Stickley's wife is disabled, and their golf cart allows him to take her around the
14 neighborhood. He reported that no one driving a golf cart wants to drive SR-9 or 600
15 North. He reported a blind spot on 2500 West where hole ten crosses to hole eleven.
- 16 Brett Dennett feels that the age limit of eighteen years is too high. He explained that
17 bikes are less safe than golf carts, and the City doesn't need more laws.
- 18 Juliann Miller's biggest concern is for kids and elderly citizens who don't have driver's
19 licenses. Golf carts give them the freedom to get out of the house and visit friends and
20 family.
- 21 Richard Foote supports Option B.
- 22 Debbie Richardson moved to Sky Mountain because it was a golf community. They
23 invested a lot of money into purchasing their golf cart. They love taking their dog out on
24 the cart, and they don't want to lose that freedom.
- 25 Mayor Billings noted that there are no age limitations on farm equipment or ATVs.
- 26 Kevin Thomas motioned to approve Option B without amendments. Motion dies for lack
27 of a second.
- 28 Fred Hernandez explained that there is a safety course and helmet requirement for
29 underage drivers to operate an ATV. Mayor Billings reported that there is not a safety
30 course for golf carts.
- 31 Councilman Hirschi asked what needs to take place to add golf carts into the OHV
32 ordinance. Mr. Hall explained that golf carts were removed from the OHV ordinance.

1 Golf carts are defined differently in the State Code, and he suggested keeping them
2 separate because each vehicle is used differently.

3 David Hirschi motioned to approve Option B, striking C.1. Motion dies for lack of a
4 second.

5 Councilman Prete prefers Option A. He is not opposed to expanding option A to allow
6 more access to use within golf cart communities. He stated that the Council represents
7 the City, not only golf communities. Councilman Sanders reported that Nephi City allows
8 golf carts on city streets. He shared that an officer stopped a child on a golf cart and
9 directed the child to go home. The child was hit by a vehicle and critically injured while
10 driving home. The parents filed a suit against the Police Department because the
11 Officer did not follow the child home. He is concerned about the safety of the citizens
12 and wants to protect City from liability. Mayor Billings reported that in 2020 Nephi
13 passed a law with an age requirement of sixteen years old to operate a golf cart on city
14 streets.

15 Vicky Nichols lives in Sky Mountain. She asked if the City Council plans to prevent the
16 use of mobility devices on city roads? She stated that many people use their golf carts
17 to drive around the neighborhood and visit. She feels there shouldn't be this much
18 discussion about a problem that isn't there.

19 Steve Garcia asked why the City Council is creating a policy for one isolated event and
20 not listening to their constituents.

21 John Rifle lives in Sky Mountain. He agrees that safety is a concern, and he listed the
22 electric modes of transportation allowed on City streets. He feels that golf carts are
23 safer.

24 Kevin Thomas motion to approve Option B without amendments. Seconded by David
25 Hirschi. Kevin Thomas, Doug Heideman, and David Hirschi voting aye. Joseph Prete
26 and Dave Sanders are voting, nay. Motion carried.

27 **2. Ordinance 2022-21: Consideration and possible approval of a proposed Land**
28 **Code Use Amendment to Title 10, a section of Chapter 7 – regarding**
29 **conditional use permits and Chapter 15 regarding Highway Commercial**
30 **building standards.** Ishraj Singh Applicant. Steve Beesley Agent.

31 Stephen Nelson reported that the City Council voted down the initial draft. The City
32 Council voted to reconsider the ordinance with additional conditions. Mr. Nelson
33 explained that the initial ordinance required enhanced setbacks. He reviewed the
34 changes and recommendations and discussed the recommendations from the Fire
35 Department regarding proximity to Fire Stations. Item number five, six, and seven
36 addressed the average property elevation regarding the location of a building. This

proposal allows different parameters for City Council to review for Greater Height Condition Use Permits. Councilman Prete asked if it is possible to grant credit for a property that is below grade. Mr. Nelson stated that it is possible to base the building height off the curb in front, but there are also complications to this. Councilman Thomas noted that the City Council is spending too much time reviewing this ordinance for one applicant. Councilman Heideman doesn't want buildings higher thirty-five 35 in rural Hurricane. He feels the City Council needs to take a step back and evaluate what they want in the City. Councilman Sanders is comfortable with the building height. He thinks it is important to plan out the City center properly.

Doug Heideman motioned to continue the proposed Land Code Use Amendment to Title 10, a section of Chapter 7 – regarding conditional use permits and Chapter 15 regarding Highway Commercial building standards. Seconded by Dave Sanders. David Hirschi, Dave Sanders, Kevin Thomas, and Joseph Prete voting, aye. Motion carried unanimously

3. Discussion of changing the code to allow for trucks to park on public streets 6-4-3 (E)

Mayor Billings reported that this discussion is about changing the code to allow semi-trucks to park on public streets. Chief Excell explained that trucks transporting hazardous materials should not be parked in residential areas. Initially, it was illegal in the Hurricane City Ordinance, and at some point, it was removed from the ordinance, making it legal to park in residential areas. In the past, trucks were permitted to park in industrial areas. However, there were problems with theft, trucks running all night, and drivers leaving human waste on the side of the road. He understands the problem that residents who drive semi-trucks have, and he agrees that it is important for them to have a place to park their vehicles. He suggested searching for a location that can serve as a parking area with a permit process. He recommended that the City Attorney and Council members meet to discuss possible changes to the ordinance.

Paula Hughes reported that her son is moving to Hurricane City and will live with her until he can purchase a home. He drives a car hauler and is having difficulty finding somewhere to park. Many residents here need a place to park their trucks, and there is nowhere to park right now. She thinks there should be somewhere for them to park.

Stephen Nelson cited the current ordinance. Mr. Nelson recommended designating certain streets with time restrictions and permitting fees. Councilman Sanders reported that a business on 3700 West has a car hauler parked on their property. Mrs. Hughes stated that her son approached that business and was informed that the parking fee is \$250 per month.

Mayor Billings, Dayton Hall, Chief Excell, Stephen Nelson, Kevin Thomas, and Dave Sanders will meet to discuss ideas.

1 **4. Consideration and possible approval of Resolution 2022-34 approving an**
2 **increase in billing rates for water usage-Ken Richins**

3 Mayor Billings reported that this is a request to increase the water usage rate by two-
4 cent per one thousand gallons each year for up to five years. Ken Richins explained that
5 this is passing on the cost of water from the Water District. The Water Board voted
6 unanimously to increase the billing rates for water usage.

7 Dave Sanders motioned to approve Resolution 2022-34. Seconded by Kevin Thomas.
8 Doug Heideman, Joseph Prete, Dave Sanders, Kevin Thomas, and David Hirschi voting
9 aye. Motion carried unanimously.

10 **5. Consideration and possible approval of Resolution 2022-35 increasing the rate**
11 **for water usage for fire hydrant water used during construction-Ken Richins**

12 Ken Richins reported that developers are using an extreme amount of culinary water to
13 reduce dust in construction areas, and this rate increase will pass that cost onto the
14 developer. The average charge in the County is \$2.97 per thousand gallons, and the
15 Water Board recommended \$3 per thousand gallons.

16 Kevin Thomas motioned to approve Resolution 2022-35. Seconded by Dave Sanders.
17 Doug Heideman, Joseph Prete, Dave Sanders, Kevin Thomas, and David Hirschi voting
18 aye. Motion carried unanimously.

19 **6. Consideration and possible approval of local consent for a full-service**
20 **restaurant liquor license located at 1141 W. State #9-Mazatlan applicant**

21 Onice Rodriguez explained that this is a Mexican and Seafood Restaurant located in
22 Grand Circle Plaza. They do not intend to have an extensive drink menu. The applicant
23 owns a restaurant in Cedar City with a liquor license that has been in business for three
24 years, and they have had no violations since they opened their business. Chief Excell
25 has no objections and recommends approval.

26 Kevin Thomas motioned to approve local consent for a full-service restaurant liquor
27 license located at 1141 W. Seconded by Dave Sanders. Doug Heideman, Joseph Prete,
28 Dave Sanders, Kevin Thomas, and David Hirschi voting aye. Motion carried
29 unanimously.

30 **7. Discussion and possible approval of revoking a residential hosting license -**
31 **Cindy Beteag**

32 Cindy Beteag reported that a timeline was included in the packet. Mrs. Beteag cited
33 Title 10, Chapter 41, requiring the owner to live in the dwelling. If the City Council

1 revokes the license, the owner will be removed from the waitlist. Dayton Hall stated that
2 the owner has a license for residential hosting. However, the owner is not in compliance
3 with the necessary conditions to hold the license.

4 Christian Edwards stated that he received a letter stating they were next on the waiting
5 list. They were then notified that they did not qualify because the home is within three
6 hundred feet of another rental home, and they were unaware of this rule. Mr. Edwards
7 agreed that they are not currently living in the home but explained that they do not rent
8 the entire home. The property is booked up to November, and he is willing to pay the
9 fee for noncompliance. He asked the City Council for six months to get their affairs in
10 order and move their family back into the home. Mrs. Beteag noted that other people
11 that have been in violation are usually given a thirty-day grace period to honor the
12 immediate reservations and rebook the remaining reservations.

13 Mr. Hall stated for the record that Mr. Edward was not held to the two-minute time
14 restriction and was given a fair and full opportunity to speak to the City Council on his
15 behalf.

16 Dave Sanders motioned to approve revoking a residential hosting license and allow a
17 thirty-day grace period to come into compliance. The thirty-day grace period starts on
18 July 16th. Seconded by Doug Heideman. Joseph Prete, Kevin Thomas, David Hirschi,
19 Dave Sanders, and Doug Heideman voting aye. Motion carried unanimously.

20 **8. Public Hearing** to take comments on the following.

21 Dave Sanders motioned to go into Public Hearing. Seconded by Kevin Thomas
22 seconded. Motion carried unanimously.

23 a. A Sensitive Land application for Peregrine Pointe East/Sky Mountain West
24 located at approximately 600 North and 2800 West

25 b. Proposed amendments to the 2021-2022 Fiscal Year Budget

26 c. 2022-2023 Fiscal Year Budget

27 No comments.

28 Kevin Thomas motioned to go out of Public Hearing. Seconded by Dave Sanders.
29 Motion carried unanimously.

30 **9. Consideration and possible approval of a preliminary plat and sensitive lands**
31 **application for Peregrine Pointe East/Sky Mountain West**, a 274 lot
32 residential subdivision located at 600 N and 2800 W. Perry Development LLC
33 Applicant. Greg Sant Agent.

1 Stephen Nelson reported that there were design issues on the project due to
2 topography and the road requirements for 2800 West. Mr. Nelson explained that the
3 primary issues with the first design were the cul-de-sac length and double-sided lots.
4 The updated layout addresses those concerns. However, lot forty-four is still a double-
5 sided lot, and lot forty-six is isolated. Mr. Nelson does not have any further issues with
6 the application. Mayor Billings asked if it was possible to exclude lot forty-six.
7 Councilman Prete asked if it was possible to split lots forty-four and forty-six. Greg Sant
8 explained that the lots are evaluated during the construction design process, and they
9 work with their sales team to determine whether the lots appeal to potential buyers.
10 Dayton Hall pointed out that preliminary plat gives entitlement to the applicant, and
11 approval needs to be subject to JUC or staff comments.

12 Kevin Thomas motioned to approve the preliminary plat and sensitive lands application
13 for Peregrine Pointe East/Sky Mountain West, a 274 lot residential subdivision located
14 at 600 N and 2800 W. Subject to Staff and JUC comments. Seconded by Dave
15 Sanders. Joseph Prete, David Hirschi, Doug Heideman, Kevin Thomas, and Dave
16 Sanders, voting aye. Motion carried unanimously.

17 Mayor Billings met with a developer who feels the process could be streamlined if the
18 applicant could address Staff and JUC comments before the preliminary plat was
19 presented to the City Council for approval. Dayton Hall stated that the Council can enact
20 that process if they feel it is appropriate. Mr. Sant explained that usually, the property is
21 under contract contingent upon preliminary plat approval. Developers do not want to
22 financially commit to addressing Staff and JUC requirements until they own the land.
23 Mike Vercimack explained that the period between the preliminary and final plat is spent
24 preparing the construction drawings. Working out roadways and utility dedications on
25 the preliminary plat is important. Mr. Nelson reported that steps have been taken to
26 allow JUC and Staff adequate time to review the preliminary plat. Brent Moser agrees
27 with Mr. Vercimack. He noted that other cities have conceptional phases, which
28 developers prefer because it allows them to research whether the project is feasible.

29 **10. Consideration and possible approval of purchasing flags to honor fallen**
30 **veterans** on Memorial Day, Veterans Day, and Wreath's Across America-Fred
31 Hernandez

32 Fred Hernandez shared that he is honored to oversee the cemetery. He thinks there is a
33 discrepancy in the number of veterans buried at the cemetery. The count at this time is
34 five hundred and fifty. However, there are likely up to six hundred veterans in the
35 cemetery. Mr. Hernandez is asking the City Council to help purchase wreaths to honor
36 their veterans during Wreaths Across America. He reported that the cost is estimated at
37 \$9,000. Mayor Billings stated that she and Councilman Hirschi met with Kent Abegglen
38 to discuss a Veterans Day Tournament to raise the money. Mr. Hernandez stated that if
39 the tournament raised more money than the cost of the wreaths, the money would go

back to the City. Mayor Billings suggested purchasing flags that can be reused for all the holidays. Mr. Hernandez explained that Wreaths Across America only use wreaths. Councilman Hirschi asked about artificial wreaths. Mr. Hernandez agrees that artificial wreaths are ideal, but the cost is nearly three times higher. The wreaths can be stored in a Conex box, which is an additional cost.

Mayor Billings feels confident that the golf tournament can raise \$8,000. Mr. Hernandez asked the Council to commit to funding the remaining cost if the tournament does not raise the necessary amount.

Dave Sanders motioned to continue approval of purchasing flags to honor fallen veterans on Memorial Day, Veterans Day, and Wreaths Across America for two months. During that time, Dave Sanders will meet with Fred Hernandez and Doug Heideman to discuss ideas and solutions. Seconded by Joseph Prete. Doug Heideman, Kevin Thomas, David Hirschi, Dave Sanders, and Joseph Pete voting aye. Motion carried unanimously.

11. Consideration and possible approval of an Inmate Work Crew Agreement with Washington County Sheriff's Office/Purgatory Correctional Facility

Mayor Billings explained that the Purgatory Correction Facility has increased the cost to cover the administrative expenses to oversee the program. Darren Barney and Dayton Hall have reviewed and approve the agreement.

Kevin Thomas motion to approve an Inmate Work Crew Agreement with Washington County Sheriff's Office/Purgatory Correctional Facility. Seconded by Joseph Prete. David Hirschi, Dave Sanders, Kevin Thomas, and Joseph Prete are voting, aye. Doug Heideman abstained. Motion carried.

12. Consideration and possible approval of Resolution 2022-29 adopting a schedule of fees for services provided and charged at the Hurricane City Animal Shelter-Chief Excell

Chief Excell expressed gratitude to the City Attorney and staff who assisted in the process of creating the fee schedule. Mr. Excell explained that these fees cover the cost of shelter operations and services. The fees are consistent with the surrounding cities. The impound fee is on a graduating scale to discourage continuous incidents. He reported that the kennel license was eliminated, and therefore owners are allowed a maximum of four dogs.

Dave Sanders motioned to approve Resolution 2022-29. Seconded by Kevin Thomas. Joseph Prete, Doug Heideman, David Hirschi, Dave Sanders, and Kevin Thomas voting aye. Motion carried unanimously.

1 **13. Consideration and possible approval of Resolution 2022-30 adopting a**
2 **schedule of fees for GRAMA documents** associated with the Hurricane City
3 Police Department-Chief Excell

4 Chief Excell explained that this request is an update to the fees for GRAMA requests.
5 The fees reflect the administration cost and are consistent with the requirements of the
6 Government Records Management Act and the Archives Board.

7 Kevin Thomas motioned to approve Resolution 2022-30. Seconded by Dave Sanders.
8 Joseph Prete, Doug Heideman, David Hirschi, Dave Sanders, and Kevin Thomas voting
9 aye. Motion carried unanimously.

10 **14. Consideration and possible approval of Resolution 2022-31 adopting a**
11 **schedule of fees for services** provided and charged for law enforcement
12 services-Chief Excell

13 Chief Excell reported that this fee schedule covers the cost of law enforcement escorts.
14 In the past, the fee was charged at an overtime rate plus administrative fees, which was
15 an unfair burden on taxpayers. Mr. Excell proposed one hundred dollars per hour which
16 is consistent with surrounding entities.

17 Dave Sanders motioned to approve Resolution 2022-31. Seconded by Joseph Prete.
18 Doug Heideman, Joseph Prete, David Hirschi, Dave Sanders, and Kevin Thomas voting
19 aye. Motion carried unanimously.

20 **15. Ordinance 2022-35: Consideration and possible approval on a zone change**
21 **request located at approximately 2470 S 3870 W, from R1-10, residential**
22 **one unit per 10,000 sq ft to R1-10 PDO**, planned development overlay, to
23 reduce the setbacks for the already approved Dixie Heights subdivision.
24 Enhanced Home Builders Applicant. Brent Moser Agent.

25 Councilman Prete declared a conflict of interest and will not be voting. Brent Moser
26 explained that the property owners are requesting a variance for lots 1-9. They are
27 requesting a five-foot setback on one side with a fifteen-foot setback on the other to
28 accommodate RV pads. Mr. Moser explained that firewalls are only required if the
29 setback is less than five feet. Stephen Nelson reported that there is no variance to allow
30 this, but it can be accomplished with a PDO. If the PDO is approved, it will pertain to the
31 entire subdivision. The Planning Commission's recommendation for approval was for
32 only the nine lots in phase one with the requirement that it follows the Fire Code. Mr.
33 Nelson noted that similar requests were granted in the past. The applicant is not
34 requesting a zone change or increasing density. The preliminary plat is already
35 approved, so this discussion is about how the homes will sit on the property.
36 Councilman Thomas reported that the applicant is willing to mirror every other lot.

1 Mike Pales is concerned that approving PDO could change the layout in the future. He
2 does not oppose the plan, but it could change in the future. He pointed out that it is
3 necessary to rezone the entire development because lots 1-9 don't meet the minimum
4 acreage requirement.

5 Brent Clark asked if this is approved and if the developer wants to change the plan, will
6 that change be brought back to the City Council for discussion and approval. Mr. Nelson
7 confirmed that any significant change to the site plan has to be reapproved through the
8 zoning process.

9 Steve Murphy was concerned because of rumors that these were rental homes. He
10 spoke with Mr. Moser, who ensured that these are not rentals. Mr. Murphy also spoke to
11 Mr. Moser about the sand and tumbleweeds. He asked for a solution to address the
12 dust from Nielson's Development on Sand Hollow Road.

13 Diana Pales asked whether this will apply to the entire subdivision or exclusively to the
14 nine lots. Mr. Nelson reported that the applicant as written would apply to the entire
15 project but that the City Council can restrict the setback to only apply to the nine lots.
16 Mr. Nelson reviewed the setback requirements in R1-10 zoning.

17 Dayton Hall noted a correction to his previous comment. Mr. Hall explained that it is
18 possible to change one phase to a different zone. However, a PDO requires a minimum
19 of five acres, and he reported that lots 1-9 do not meet the minimum acreage. He
20 suggested converting the entire subdivision to a PDO listing specific setbacks on
21 specific lots.

22 Kevin Thomas motioned to approve zone change with the setbacks to remain the
23 standard of R1-10 with the exception that lots 1-9 will have a 25' front setback, a 20'
24 rear setback, and side setbacks of 5' and 15'. Seconded by Dave Sanders. Kevin
25 Thomas, Dave Sanders, and Doug Heideman voting, aye. David Hirschi voting nay.
26 Joseph Prete abstained. Motion carried.

27 **16. Ordinance 2022-37: Consideration and possible approval on a Land Use Code**
28 **Amendment request to Title 10, Chapter 7 and Chapter 39** to consider adding
29 water acknowledgment waiver requirements to land use applications. Hurricane
30 City Applicant

31 Mayor Billings noted that the Planning Commission gave a positive recommendation.
32 Dayton Hall explained that City Code requires an applicant to sign a Water
33 Acknowledgment Waiver. Mr. Hall explained when the acknowledgment must be signed
34 and what the applicant acknowledges. This amendment was proposed as a resolution,
35 but Mr. Hall feels an ordinance is more appropriate. Another addition in the final plat
36 ordinance is the requirement to include the same note. This information will show up in
37 a title report. Mr. Hall removed other outdated information. Stephen Nelson stated that

1 this is not required with building permits. Councilman Prete thinks this makes sense and
2 protects the City.

3 Dave Sanders motioned to approve the Land Use Code Amendment request to Title 10,
4 Chapter 7 and Chapter 39 to consider adding water acknowledgment waiver
5 requirements to land use applications. Seconded by David Hirschi. Doug Heideman,
6 Joseph Prete, David Hirschi, Dave Sanders, and Kevin Thomas voting aye. Motion
7 carried unanimously.

8 **17. 2022-PP-09 Consideration and possible approval of a preliminary plat for**
9 **Legacy Business Park, a 6 lot industrial subdivision located at 563 S**
10 **Commerce St.** Liv Dalebout Applicant. Evans & Associates-Chad Spencer
11 Agent.

12 Joseph Prete motioned to continue the preliminary plat for Legacy Business Park, a 6
13 lot industrial subdivision located at 563 S Commerce St. Due to the absence of the
14 applicant. Seconded by David Hirschi. Doug Heideman, Joseph Prete, David Hirschi,
15 Dave Sanders, and Kevin Thomas voting aye. Motion carried unanimously.

16 **18. Ordinance 2022-39: Consideration and possible approval on a Zone Change**
17 **amendment request located at 650 S and 1100 W from RA-1, residential**
18 **agriculture one unit per acre, to R1-15, residential one unit per 15,000 sq ft to**
19 **facilitate a lot split.** Jaymie Wetzel Applicant. Jeffrey Hatcher Agent.

20 Stephen Nelson reported that the applicant requested a continuation.

21 Joseph Prete motioned to continue the Zone Change amendment request located at 650
22 S and 1100 W from RA-1, residential agriculture one unit per acre, to R1-15, residential
23 one unit per 15,000 sq ft to facilitate a lot split. Seconded by Doug Heideman. Joseph
24 Prete, David Hirschi, Dave Sanders, Doug Heideman, and Kevin Thomas voting aye.
25 Motion carried unanimously.

26 **19. Ordinance 2022-40: Consideration and possible approval on a Zone Change**
27 **Amendment request and Development Agreement Modification located at**
28 **2346 S 1500 W from RA-1, residential agriculture one unit per acre, and M-1,**
29 **light industrial, to RA-1, residential agriculture one unit per acre, with a**
30 **PDO, planned development overlay.** Parcel numbers H-3350-A, H-3350-B-1,
31 H-3501-A, H-3357-A-1. Ron Lee and Monterey Jones, LaRae Ellsworth Stout
32 Trust Applicant. Adam Stout Agent
33

34 Stephen Nelson reported that Planning Commission gave a positive recommendation
35 on the preliminary plat. The applicant initially requested an exception to the permitted
36 use of the property to allow them to build an additional home on the property and still
37 operate their roofing business. The Planning Commission determined that it was

1 necessary to have a Public Hearing before they could make a recommendation. The
2 applicant wants to move forward with the process, and a PDO would allow the different
3 types of uses on the property. Mr. Nelson presented the proposed site plan, which
4 divides the property into several different sites and uses. Currently, there is a roofing
5 business, two residential homes, and a basketball gym. The basketball gym was
6 approved with a Conditional Use Permit restricting it to personal use. There are ten and
7 a quarter acres reserved for agriculture space. There are also twelve-quarter-acre lots
8 along 2700 South. This concept clusters agriculture and the Planning Commission
9 favors this plan because it is the best way to conserve agricultural property. The
10 updated development agreement incorporates the use restrictions in the previous
11 development agreement.

12 Mr. Nelson reported that Engineering had a concern regarding the alignment of the
13 roadway location, but he thinks it can be changed slightly to make it work. He noted that
14 staff would like to add an exception to the future roadway dedication. The dedicated
15 property for the future roadway is within the agricultural space and, by definition,
16 renders the land nonagricultural. Councilman Prete confirmed that this proposal
17 changes the M-1 back to RA-1 but allows the roofing company to continue. He reported
18 that Stuart Stout is his brother-in-law. He pointed out that the development agreement
19 requires the minimum amount of agriculture acreage to remain the same. Councilman
20 Prete stated that Adam Stout provides a great service to the community by allowing
21 community members to use the gym at his expense. He asked if the Council would give
22 the applicant more flexibility in the use of the gym without requiring improvements. Mr.
23 Nelson reported concerns from the City's perspective because it was not built to
24 commercial standards.

25 Kevin Thomas motioned to approve the Zone Change Amendment request and
26 Development Agreement Modification located at 2346 S 1500 W from RA-1, residential
27 agriculture one unit per acre, and M-1, light industrial, to RA-1, residential agriculture
28 one unit per acre, with a PDO, planned development overlay. Parcel numbers H-3350-
29 A, H-3350-B-1, H-3501-A, H-3357-A-1. with the following change in the Development
30 Agreement Paragraph G Subsection I to add the verbiage "except for any required road
31 dedication." With the rest of the sentence, "each agriculture area shown in exhibit C."
32 Seconded by Dave Sanders. David Hirschi, Kevin Thomas, and Dave Sanders, voting
33 aye. Joseph Prete and Doug Heideman abstained. Motion carried.

34 **20. Consideration and possible approval of Resolution 2022-32 approving the**
35 **amendments to the 2021-2022 Fiscal Year Budget - Kaden DeMille**

36 Kaden DeMille reported that city staff reviews the budget codes before the end of the
37 budget year to adjust overages and shortages. The change in revenue is
38 \$2,726,922.04. Mr. DeMille reported that the City has grown exceptionally in the past
39 two years. Longevity is listed according to the City Council's approval. A five percent
40 increase will be implemented on July 1st, with a two percent increase in December.

Employee can take the two percent increase as a lump sum with a tax deduction or contribute it toward retirement.

Joseph Prete motioned to approve Resolution 2022-32. Seconded by Dave Sanders. Kevin Thomas, Doug Heideman, David Hirschi, Joseph Prete, and Dave Sanders voting aye. Motion carried unanimously.

21. Consideration and possible approval of Resolution 2022-33 approving the 2022-2023 Fiscal Year Budget - Kaden DeMille

The proposed budget is \$65,541,702. Last year's was \$52,488,392 so this is an increase of \$13,053,310 from the 2021-2022 budget. Kaden DeMille reviewed proposed budgets from each department. The primary projects in the budget are the Three Falls parking lot, All Abilities Park, road improvements, expanding Animal Control, the 180 West Bridge for pedestrian crossing, and completion of the rodeo grounds. There is money in the budget for preliminary engineering for the ball fields, a city campus, the Dixie Springs Well and Rlington Parkway Waterline, a building remodel on the Golf Course, and possible gym space at the Community Center. The Power Department's budget includes the 600 North line improvements, Three Falls and Sky Mountain Substation, and AMI metering. There is nine additional personnel in the budget. Mr. DeMille stated that the City is trying to be conservative with the budget while ensuring that the budget includes the funds for the upcoming projects. The administration will continue to monitor the budget heavily.

Dave Sanders motioned to approve Resolution 2022-33. Seconded by Kevin Thomas. Joseph Prete, David Hirschi, Kevin Thomas, Dave Sanders, and Doug Heidemen voting aye. Motion carried unanimously.

Mayor and Council reports

Mayor Billings	Airport, Administration, Police, Washington County Solid Waste District, Washington County Water Conservancy District, Youth City Council, Ash Creek Special Sewer District
Joseph Prete	Court, Prosecutors Office, City Attorney, Fire District, Economic Development, Agriculture Preservation, Industrial Park, Power, Power Board
Dave Sanders	Animal Control, Police, Emergency Management, Mosquito Abatement, School Crossing Guards, Victim Services
David Hirschi	Historic Preservation, Parks/Cemetery, Recreation/Pool, Water Department, Water Board, Ash Creek Special Service District, Tourism Board, Golf Course
Kevin Thomas	Planning Commission, Streets and Drainage, Public Works, Engineering, Planning Dept

Vacant	Building Inspections, Code Enforcement, Tree Board, Airport Board, Appeals Board, Beautification Board
Kaden DeMille	City Administration -

- 1 **22.** Closed Meeting held pursuant to Utah Code section 52-4-205, upon request.
- 2 None
- 3 **Adjournment:** 11:26 p.m.

DRAFT



STAFF COMMENTS

Consideration and possible approval of a **road access control gate that complies with IFCD103.5**

Discussion:

Findings:

Crash gate will cost \$1500.00. Minutes from the 5/19/22 meeting. Brady Tapp stated he built a home in Hurricane because of what the area has to offer. They were aware of what the master plan was but thought it would take many years to develop fully. Zion RV Park was required to include access on 200 South to connect to 1515 West. It was explained that the road was necessary for emergency access. That has not been its function. The road is being used as direct access, and the road is not wide enough for two vehicles. The traffic from the RV park is impacting the neighborhood. Those staying in the RV park are not respecting the noise ordinance. They are intruding on the privacy and safety of the surrounding homes. The owners of Zions RV have been good to work with, and they are trying to manage the vehicle and pedestrian traffic, however, Ace Hardware may purchase the property next to the RV Park. If that happens, the increased traffic will cause traffic to flow through 1515 West.

Mayor Billings explained that when a road is dedicated, it is a public road that anyone can use. The road is not wide enough because it is not fully developed.

Mr. Tapp stated that roads are necessary to connect this development. He understands that there is access from State Street to the potential Ace Hardware, but most patrons will choose the easiest way to the business, which forces traffic into the residential neighborhood.

Councilman Hirschi stated Tom Kuhlman recommended an emergency crash gate at 1515 West to stop the access. Mayor Billings stated that the emergency crash gates can only be on private property. Dayton Hall explained that the half road was dedicated to the City and cannot be closed unless there is a public hearing and process.

Dale Grange reported that thirteen citizens had waited six hours to speak during this discussion. This is a clear indicator of the vested interest. He feels that when the RV Park was reviewed, the uses were not compatible. He asked for a physical barrier between them. There has been significant vehicle traffic, foot traffic, and trash. People are coming onto his property picking pecans. He asked Council to do something to maintain their quality of life. He appreciates the master plan, but there are times when it might have to be looked at again.

Having Ace Hardware in this area will increase traffic, and cars will use the back access.

Mayor Billings reported that State Law requires a barrier or road between developments, and the road satisfies the barrier requirements.

Mr. Tapp stated that a barrier is meant to prevent a mixture of uses. A road doesn't serve as a barrier. Councilman Hirschi stated that a crash gate will stop vehicle and pedestrian traffic.

Councilman Heideman recommended a block wall along the property because a crash gate

will not stop pedestrian traffic. Mayor Billings stated that the City nor the RV park has the funds to pay for a block wall. The RV Park paid to put the road in because it was required. Councilman Thomas feels that the City created a problem when the RV park was approved. Arthur LeBaron does not have a solution. When 200 South is developed, it will create more traffic through the development. He agrees that the road is not wide enough for two cars to pass. There is also a water line below the half road. The crash gate or block wall could be a solution, but who finances that. Councilman Thomas suggested splitting the cost between the City, citizens, and RV Park owners. Councilman Hirschi proposed researching the cost of a crash gate or block wall.

Casey Lofthouse asked if Zion RV Park is considered a subdivision. Mr. Nelson reported that they did not subdivide their property. Mr. Lofthouse read the definition of subdivision. City code would require a block wall if this was a subdivision. 200 South was not aligned properly. The alignment was divided between two property lines. Now it is half-built, and if it is developed entirely, a property owner will be faced with an exaction from their property. It should have been moved thirty feet to the north so that homeowners would not have to lose their homes. A master plan should be in harmony with the existing properties. He reported that the road was moved to accommodate business owners, and he questions why it wasn't moved to accommodate residential property. This will force commercial traffic into a subdivision that has been a dead-end road for many years. He sent an email to all of the City Council members. He asked them to read it and find a solution to what he feels has been an oversight of the City. Mr. LeBaron agreed that eminent domain is a legal tool for the government. Master-planned roads are built as development progresses. However, there are times when the City has to put in a master planned road in areas that developers are not developing. The City tries to split property lines with roadways, which is the case with 200 South. Councilman Thomas thinks there have been some unanticipated consequences.

Mr. Tapp stated that 1515 W will have to be widened, depending on traffic and development, and there are one-hundred-year-old historic trees there. One resident has a pool that is in the proposed roadway. There are short-term solutions that can work, but long term, there are major impacts and problems with widening 1515 West.

Recommendation:

Attachments:

None

SUMMARY OF OLD BUSINESS NO. 2

TO: Hurricane City Council
FROM: Dayton Hall, City Attorney
DATE: July 21, 2022
RE: Summary of Old Business Number 2: Ordinance Amending the Airport Authority Board

I. Background

The Airport Board is an advisory board only. The Board's role is to make recommendations to the City Council on matters such as airport uses, improvements, airport hanger leases, etc. The Board "has no power or authority to take any action or make any decision which would or which may have the effect of creating liability for the City." Ord. § 2-2-1. The Airport Board is unique in that it allows for two *ex officio*¹ non-voting Board members, which are the City Council representative (Councilman Heidemen) and the Airport Manager (Dave Houston). Ex officio members do not vote and cannot be the chairperson.

Currently, the ordinance governing the Airport requires that Airport Board Members have an aviation background. The primary issue to consider is whether City residents *without an aviation background should be allowed to serve on the Board, if appointed by the Mayor and confirmed by the Council.* Also relevant is the fact that most, if not all, current Airport hangar leases include a statement that the holder of the lease is entitled to be considered (not necessarily appointed) for a position on the Board, which is a contractual right that the Council cannot change through an ordinance amendment.

II. Proposed Ordinance Amendments

Two different versions of an ordinance amendment have been included in the materials for the Council's consideration, identified as Options A and B. Option A is the version that was recommended by the Airport Board at its meeting on July 19, 2022. Option B is the version proposed by Mayor Billings. Below is a summary of the amendments.

A. Proposed Amendments Included In Both Versions:

- i. Formatting and grammatical changes for clarity.
- ii. Changing the number of Board members from 3-7 to seven to bring the ordinance in line with the historical practice of having seven Board members.
- iii. Adding a sentence stating that the Council will designate a staff member to coordinate airport matters, which has been the historical practice. Currently,

¹ "Ex Officio" means resulting from one's position.

- the Public Works Director, Mike Vercimak, has assumed that responsibility. Mr. Vercimak was also previously appointed as a voting Board member.
- iv. Deleting language pertaining to the initial formation of the Board, which is now obsolete and unnecessary.
 - v. Changing Board member terms from five years to four years.
 - vi. Requiring that Board members either be a City resident or have a contractual right in their lease to be considered for Board membership.

B. Proposed Amendment Included in Option A (Airport Board's Recommendation):

- i. This version retains the general requirement that Board members have an aviation background, but allows for up to two non-aviation citizens to be appointed to the Board.

C. Proposed Amendment Included in Option B (Mayor Billing's Proposal):

- i. This version removes the aviation background requirement for Board membership, which will allow the Mayor and City Council more latitude to determine the makeup of the Airport Board.

III. Considerations

As with other boards and commissions in the City, Airport Board members are appointed by the Mayor with the approval of the City Council. For a person to be appointed to the Airport Board, the City Council must, by a majority vote, approve of the appointment. If the Council does not feel a particular appointment is in the best interest of the City, the Council can vote to deny an appointment, which will require the Mayor to go back to the drawing board and come up with a new proposed appointment.

Because of these protections already built into the process, placing a requirement such as having an aviation background might not be necessary and might be detrimental to the Council's ability to establish a diverse, well-rounded Airport Board. As a point of reference, there are no such background requirements for membership on the Water Board, the Power Board, or the Planning Commission.

Another consideration is that the Airport Board is an advising, recommending body only. The Council has previously had and will continue to have the final say on the governance of the Airport. Again, the question is how much latitude the Council should have in establishing the Board that will advise the Council on Airport issues.

The City Attorney has approved the form of both versions of the ordinance amendment.

CHAPTER 1. AIRPORT AUTHORITY BOARD

Sec. 2-1-1. Establishment and authority.

- A. *Establishment.* There is hereby created and established the City Airport Authority Board (hereafter referred to as "~~board~~Board"), which shall function in an advisory capacity to the City Council on all issues regarding the operation of the ~~Hurricane~~ City ~~Municipal a~~Airport (~~hereafter referred to as the "Airport"~~).
- B. *Authority.* The Airport Authority Board created hereby shall operate solely as an advisory board to the City Council and shall have no power or authority to take any action or make any decision which would or which may have the effect of creating a liability for the City.

Sec. 2-1-2. Purpose.

The ~~board~~Board shall be responsible for ensuring that the ~~City airport~~Airport is operated in a safe, efficient manner in order to protect the users and residents of the City. Specifically, the ~~board~~Board shall make such recommendations to the City Council, as may be necessary in the judgment of the ~~board~~Board, to ensure that: a) all current and future uses, structures and improvements at the ~~City airport~~Airport are harmonious and compatible with existing structures and surroundings; b) all current and future uses, structures and improvements at the ~~City airport~~Airport are operated and maintained in accordance with any lease agreement which may have been approved by the City Council ~~and City Attorney~~ and all applicable local, state and federal laws, rules and regulations pertaining to the operation of airports, including any rules and regulations promulgated by the federal aviation authority. It shall be the duty of the ~~B~~board to review and recommend approval or disapproval of any agreement for the lease of property at the ~~airport~~Airport and the proposed use of each parcel of leased land. Prior to consideration by the City Council, any person or entity desiring to lease property at the ~~airport~~Airport or otherwise conduct any activity at the airport shall first submit a copy of the proposed lease or description of the activity, accompanied by an architectural drawing of the building or site use proposed, to the airport manager for review by the ~~board~~Board. The ~~board~~Board shall forward its recommendation to the City Council as part of the proposed lease of property.

Sec. 2-1-3. Appointment, term, vacancies.

- A. The Airport Authority Board shall consist of ~~at least three but not more than~~ seven voting members, as appointed by the ~~mayor~~Mayor with the advice and consent of the City Council. In addition, the ~~board~~Board shall include two ex officio, ~~non-voting~~ members; the airport manager and a member of the City Council ~~responsible for assigned to supervise the airport~~Airport, who shall not be entitled to vote but who shall make recommendations for board membership to the Mayor. The two ex officio members shall make recommendations for board membership to the Mayor. Furthermore, the City Council shall designate a City staff member to assist in the coordination of Airport matters between the Board, City Council, and City staff. A quorum shall consist of ~~a majority of~~four voting ~~B~~board members. ~~The initial voting board members shall be comprised of those persons listed in attachment A to Ordinance 6-15-20. Two members of the initial voting board, as designated by the mayor with the advice and consent of the City Council, shall serve on the board for a term of four years, and the remaining initial voting board members shall serve on the board for a term of five years, all beginning on July 1, 2000. Upon the expiration of the term of any initial voting board member, a successor shall be appointed in the same manner for a term of five years. The term of voting Board members shall be four years. The term of the ex officio members shall coincide with the term of elected office or employment.~~ Any ~~Board~~Board member may be reappointed by the ~~mayor~~Mayor with the

consent and approval of the City Council. Vacancies on the ~~board~~ Board shall be promptly filled by the ~~M~~Mayor with the consent and approval of the City Council for the unexpired term. No vacancy on the ~~board~~ Board shall impair the right of the remaining members to exercise all the powers of the ~~board~~ Board. Any voting ~~B~~board member may be removed without cause by the City Council at any time. ~~An aviation background shall be a prerequisite for nomination and appointment to the board. To be appointed to the Board, a person must have an aviation background and either: (1) be a resident of the City and 18 years of age or older or (2) be eligible for consideration for appointment to the Board pursuant to a valid and enforceable contract with the City; provided, however, that up to two voting Board members without an aviation background may serve on the Board.~~

- B. Members of the Airport Authority Board shall select one of its members as chairperson to oversee the proceedings and activities of the ~~Airport Authority~~ Board; and shall adopt rules for the transaction of business and the conduct of its proceedings. ~~The chairperson. An ex officio, non-voting member shall not serve as chairperson. The chairperson~~ shall serve for a term of one year. The chairperson, with the advice and consent of the ~~board~~ Board, shall appoint one of the ~~voting B~~ Board members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

Sec. 2-1-4. Meetings.

- A. The ~~board~~ Board shall adopt reasonable rules for the conduct of its meetings.
- B. Meetings shall be held at least quarterly and more often if deemed necessary by the voting board ~~members~~ or the airport manager. Meeting location(s) will be determined as the agenda warrants and will be decided upon and forwarded to the members by the airport manager. Meetings may be called by an ex officio member or by a consensus of two voting board members. All board meetings shall be open to the public, but inasmuch as the ~~board~~ Board shall have no authority to make any decision or take any action except as authorized by the ~~city~~ City council Council, the ~~B~~board shall not be required to comply with the requirements of the Utah Open Meeting Law.

Sec. 2-1-5. Compensation.

All ~~members of the voting board~~ voting board members shall serve without compensation ~~from the City~~ for the performance of their duties. However, board members may be reimbursed for their reasonable expenses incurred in ~~the~~ carrying out ~~of~~ their duties, provided ~~ed~~ ing said expenses are approved and provided for by the City Council prior to the time any said expenses are incurred.

CHAPTER 1. AIRPORT AUTHORITY BOARD

Sec. 2-1-1. Establishment and authority.

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The ~~board~~Board shall be responsible for ensuring that the ~~City airport~~Airport is operated in a safe, efficient manner in order to protect the users and residents of the City. Specifically, the ~~board~~Board shall make such recommendations to the City Council, as may be necessary in the judgment of the ~~board~~Board, to ensure that: a) all current and future uses, structures and improvements at the ~~City airport~~Airport are harmonious and compatible with existing structures and surroundings; b) all current and future uses, structures and improvements at the ~~City airport~~Airport are operated and maintained in accordance with any lease agreement which may have been approved by the City Council ~~and City Attorney~~ and all applicable local, state and federal laws, rules and regulations pertaining to the operation of airports, including any rules and regulations promulgated by the federal aviation authority. It shall be the duty of the ~~B~~board to review and recommend approval or disapproval of any agreement for the lease of property at the ~~airport~~Airport and the proposed use of each parcel of leased land. Prior to consideration by the City Council, any person or entity desiring to lease property at the ~~airport~~Airport or otherwise conduct any activity at the airport shall first submit a copy of the proposed lease or description of the activity, accompanied by an architectural drawing of the building or site use proposed, to the airport manager for review by the ~~board~~Board. The ~~board~~Board shall forward its recommendation to the City Council as part of the proposed lease of property.

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consent and approval of the City Council. Vacancies on the ~~board~~ Board shall be promptly filled by the ~~M~~Mayor with the consent and approval of the City Council for the unexpired term. No vacancy on the ~~board~~ Board shall impair the right of the remaining members to exercise all the powers of the ~~board~~ Board. Any voting ~~B~~board member may be removed without cause by the City Council at any time. ~~An aviation background shall be a prerequisite for nomination and appointment to the board. To be appointed to the Board, a person must either: (1) be a resident of the City and 18 years of age or older or (2) be eligible for consideration for appointment to the Board pursuant to a valid and enforceable contract with the City.~~

- B. Members of the Airport Authority Board shall select one of its members as chairperson to oversee the proceedings and activities of the ~~Airport Authority~~ Board, and shall adopt rules for the transaction of business and the conduct of its proceedings. ~~The chairperson~~ An ex officio, non-voting member shall not serve as chairperson. The chairperson shall serve for a term of one year. The chairperson, with the advice and consent of the ~~board~~ Board, shall appoint one of the voting Bboard members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

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**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING
TITLE 2, CHAPTER 1 OF THE HURRICANE CITY CODE GOVERNING THE
AIRPORT AUTHORITY BOARD.**

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 2, Chapter 1 of the Hurricane City Code governing the Airport Authority Board; and

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

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Title 2, Chapter 1 is hereby amended to read as follows:

CHAPTER 1. AIRPORT AUTHORITY BOARD

Sec. 2-1-1. Establishment and authority.

- A. *Establishment.* There is hereby created and established the City Airport Authority Board (hereafter referred to as "Board"), which shall function in an advisory capacity to the City Council on all issues regarding the operation of the Hurricane City Municipal Airport (hereafter referred to as the "Airport").
- B. *Authority.* The Airport Authority Board created hereby shall operate solely as an advisory board to the City Council and shall have no power or authority to take any action or make any decision which would or which may have the effect of creating a liability for the City.

Sec. 2-1-2. Purpose.

The Board shall be responsible for ensuring that the Airport is operated in a safe, efficient manner in order to protect the users and residents of the City. Specifically, the Board shall make such recommendations to the City Council, as may be necessary in the judgment of the Board, to ensure that:

- a) all current and future uses, structures and improvements at the Airport are harmonious and compatible with existing structures and surroundings;
- b) all current and future uses, structures and improvements at the Airport are operated and maintained in accordance with any lease agreement which may have been approved by the City Council and City Attorney and all applicable local, state and federal laws, rules and regulations pertaining to the operation of airports, including any rules and regulations promulgated by the federal aviation authority.

It shall be the duty of the Board to review and recommend approval or disapproval of any agreement for the lease of property at the Airport and the proposed use of each parcel of leased land. Prior to consideration by the City Council, any person or entity desiring to lease property at the Airport or otherwise conduct any activity at the airport shall first submit a copy of the proposed lease or description of the activity, accompanied by an architectural drawing of the building or site use proposed, to the airport manager for review by the Board. The Board shall forward its recommendation to the City Council as part of the proposed lease of property.

Sec. 2-1-3. Appointment, term, vacancies.

- A. The Airport Authority Board shall consist of seven voting members, as appointed by the Mayor with the advice and consent of the City Council. In addition, the Board shall include two ex officio, non-voting members: the airport manager and a member of the City Council assigned to supervise the

Airport. The two ex officio members shall make recommendations for board membership to the Mayor. Furthermore, the City Council shall designate a City staff member to assist in the coordination of Airport matters between the Board, City Council, and City staff. A quorum shall consist of four voting Board members. The term of voting Board members shall be four years. The term of the ex officio members shall coincide with the term of elected office or employment. Any Board member may be reappointed by the Mayor with the consent and approval of the City Council. Vacancies on the Board shall be promptly filled by the Mayor with the consent and approval of the City Council for the unexpired term. No vacancy on the Board shall impair the right of the remaining members to exercise all the powers of the Board. Any voting Board member may be removed without cause by the City Council at any time. To be appointed to the Board, a person must have an aviation background and either: (1) be a resident of the City and 18 years of age or older or (2) be eligible for consideration for appointment to the Board pursuant to a valid and enforceable contract with the City; provided, however, that up to two voting Board members without an aviation background may serve on the Board.

- B. Members of the Airport Authority Board shall select one of its members as chairperson to oversee the proceedings and activities of the Board and shall adopt rules for the transaction of business and the conduct of its proceedings. An ex officio, non-voting member shall not serve as chairperson. The chairperson shall serve for a term of one year. The chairperson, with the advice and consent of the Board, shall appoint one of the voting Board members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

Sec. 2-1-4. Meetings.

- A. The Board shall adopt reasonable rules for the conduct of its meetings.
- B. Meetings shall be held at least quarterly and more often if deemed necessary by the voting board members or the airport manager. Meeting location(s) will be determined as the agenda warrants and will be decided upon and forwarded to the members by the airport manager. Meetings may be called by an ex officio member or by a consensus of two voting board members. All board meetings shall be open to the public, but inasmuch as the Board shall have no authority to make any decision or take any action except as authorized by the City Council, the Board shall not be required to comply with the requirements of the Utah Open Meeting Law.

Sec. 2-1-5. Compensation.

All voting board members shall serve without compensation for the performance of their duties. However, board members may be reimbursed for their reasonable expenses incurred in carrying out their duties, provided said expenses are approved and provided for by the City Council prior to the time any said expenses are incurred.

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

PASSED AND APPROVED this 21st day of July, 2022.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 21st day of July, 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
David Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING
TITLE 2, CHAPTER 1 OF THE HURRICANE CITY CODE GOVERNING THE
AIRPORT AUTHORITY BOARD.**

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 2, Chapter 1 of the Hurricane City Code governing the Airport Authority Board; and

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

BE IT HEREBY ORDAINED by the City Council of Hurricane Utah that Title 2, Chapter 1 is hereby amended to read as follows:

CHAPTER 1. AIRPORT AUTHORITY BOARD

Sec. 2-1-1. Establishment and authority.

- A. *Establishment.* There is hereby created and established the City Airport Authority Board (hereafter referred to as "Board"), which shall function in an advisory capacity to the City Council on all issues regarding the operation of the Hurricane City Municipal Airport (hereafter referred to as the "Airport").
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Sec. 2-1-2. Purpose.

The Board shall be responsible for ensuring that the Airport is operated in a safe, efficient manner in order to protect the users and residents of the City. Specifically, the Board shall make such recommendations to the City Council, as may be necessary in the judgment of the Board, to ensure that:

- a) all current and future uses, structures and improvements at the Airport are harmonious and compatible with existing structures and surroundings;
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It shall be the duty of the Board to review and recommend approval or disapproval of any agreement for the lease of property at the Airport and the proposed use of each parcel of leased land. Prior to consideration by the City Council, any person or entity desiring to lease property at the Airport or otherwise conduct any activity at the airport shall first submit a copy of the proposed lease or description of the activity, accompanied by an architectural drawing of the building or site use proposed, to the airport manager for review by the Board. The Board shall forward its recommendation to the City Council as part of the proposed lease of property.

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- A. The Airport Authority Board shall consist of seven voting members, as appointed by the Mayor with the advice and consent of the City Council. In addition, the Board shall include two ex officio, non-voting members: the airport manager and a member of the City Council assigned to supervise the

Airport. The two ex officio members shall make recommendations for board membership to the Mayor. Furthermore, the City Council shall designate a City staff member to assist in the coordination of Airport matters between the Board, City Council, and City staff. A quorum shall consist of four voting Board members. The term of voting Board members shall be four years. The term of the ex officio members shall coincide with the term of elected office or employment. Any Board member may be reappointed by the Mayor with the consent and approval of the City Council. Vacancies on the Board shall be promptly filled by the Mayor with the consent and approval of the City Council for the unexpired term. No vacancy on the Board shall impair the right of the remaining members to exercise all the powers of the Board. Any voting Board member may be removed without cause by the City Council at any time. To be appointed to the Board, a person must either: (1) be a resident of the City and 18 years of age or older or (2) be eligible for consideration for appointment to the Board pursuant to a valid and enforceable contract with the City.

- B. Members of the Airport Authority Board shall select one of its members as chairperson to oversee the proceedings and activities of the Board and shall adopt rules for the transaction of business and the conduct of its proceedings. An ex officio, non-voting member shall not serve as chairperson. The chairperson shall serve for a term of one year. The chairperson, with the advice and consent of the Board, shall appoint one of the voting Board members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

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Sec. 2-1-5. Compensation.

All voting board members shall serve without compensation for the performance of their duties. However, board members may be reimbursed for their reasonable expenses incurred in carrying out their duties, provided said expenses are approved and provided for by the City Council prior to the time any said expenses are incurred.

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

PASSED AND APPROVED this 21st day of July, 2022.

Hurricane City

Nanette Billings, Mayor

Attest:

Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 21st day of July, 2022. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	_____	_____	_____	_____
David Sanders	_____	_____	_____	_____
David Hirschi	_____	_____	_____	_____
Kevin Thomas	_____	_____	_____	_____
Doug Heideman	_____	_____	_____	_____

Cindy Beteag, Recorder

DRAFT- 6-22-22 (Scott Freeman)

**HURRICANE DICK STOUT AIRPORT POLICY & PROCEDURES FOR AIRCRAFT
NOISE ABATEMENT**

SECTION 1: PURPOSE AND POLICY

1. The control of airport noise is inherently a matter of local concern and there is a demonstrated need for noise abatement at the Airport;
2. It is in the public interest that aircraft noise be reduced to ensure the peace and tranquility of residential neighborhoods without impairing the ability of the Airport to serve the general aviation needs of the community and the national air transportation system;
3. It is the policy of the City of Hurricane to make reasonable effort to reduce noise from aircraft operations at the Airport;
4. City authority is not exclusive to this chapter. This document supplements any legal or equitable remedy available to the city and does not restrict any other remedy available including the City's right to abate nuisances or hazards under City ordinance or Utah Code; and,
5. This document is adopted under the City's power as owner, operator, and proprietor of the Airport to regulate the use of the Airport, consistent with the power of the United States Government to control air traffic and aircraft safety. This Code also exercises the City's police power over ground operations, motor vehicles, and other matters not preempted by State or Federal law.
6. It is understood that conformance to this Policy is voluntary and that unless an aircraft violates the current revision of the Federal Aviation Regulations, no civil penalties can be levied as a result of this Policy.

SECTION 2: DEFINITIONS

As used throughout this document, these terms or phrases shall have the following meanings as used in this title:

1. **WEIGHTED SOUND PRESSURE LEVEL-** The sound pressure level which has been filtered or weighted to quantitatively reduce the effect of low frequency noise. It was designed to approximate the response of the human ear to sound. A-weighted sound pressure level is measured in decibels with a standard sound level meter which contains the "A" weighting network. A-weighted decibels are abbreviated dBA. Relevant standards are defined by the American National Standards Institute Specification for Sound Level Meters.

2. **ACCESS OR OPERATING PRIVILEGES-** Any privileges, permits, or authority to land or take off from the airport, the use of tie-down facilities, or other airport services.
3. **AIRCRAFT TRAINING OPERATIONS-** Airwork operations with more than three (2) pattern circuits within 30 minutes including Touch-and-Go's, Stop-and-Go's, Practice Low Approach, Practice Autorotations to hover or touchdown, and Practice Missed Approach Operations, or any of them.
4. **AUTOROTATION & RECOVERY-** A power-off maneuver in a rotary wing aircraft in which the engine is disengaged from the main rotor disk and the rotor blades are driven solely by the upward flow of air through the rotor. Autorotations may be terminated in a hover by adding power in the flare or to full touch ground.
5. **ENGINE RUNUP-** The operation of an aircraft engine while stationary for testing (other than preflight), servicing or repairing an engine.
6. **HURRICANE CITY NOISE ABATEMENT MEMORANDUM OF UNDERSTANDING-** an agreement between two parties (in relation to this document one of the parties is the City of Hurricane) in which further clarification or exceptions are agreed upon and formally documented concerning this noise ordinance.
7. **PRACTICE LOW APPROACH AND PRACTICE MISSED APPROACH-** An action by an aircraft consisting of an approach to or over the Airport for a landing where the pilot intentionally does not contact the runway.
8. **TOUCH-AND-GO-** An action by an aircraft consisting of a landing and departure on a runway without stopping or exiting the runway.
9. **TRAINING OPERATIONS-** flight operations in the vicinity of the airport or utilizing the airport pattern by a specific aircraft that involve repetitive activity resulting in more than 3 (three) pattern circuits within 30 minutes.
10. **STOP-AND-GO-** An action by an aircraft consisting of a landing followed by a complete stop on the runway and a takeoff from that point.

SECTION 3: REFERENCE DOCUMENTS

The following Federal Aviation Administration (FAA) and other documents are referenced as follows in order to comply with guidelines for a municipal noise abatement policy:

1. Federal Aviation Administration (FAA) Advisory Circular 36-1H FAA entitled "Noise Levels for Certified and Foreign Aircraft," which lists take-off -2- and

approach noise levels for all certified aircraft in the U.S. Fleet (except for experimental and antique aircraft) as measured at 21,325 feet (6,500 meters) from beginning of take-off roll for take-off noise and 6,652 feet (2,000 meters) from the landing threshold for approach noise. The phrase "FAA Advisory Circular 36-1H" shall refer to the Federal Aviation Administration Advisory Circular 36-1H, including all revisions thereof, or the version of that document currently in effect.

2. AOPA's Guide to Airport Noise and Compatible Land Use

SECTION 4: AIRCRAFT NOISE CONTROL AIRCRAFT OPERATION PROCEDURES

1. The following voluntary procedures are defined to abate excessive noise at the airport:
 - A. Runway 19 should be used whenever wind conditions allow for safe landing and takeoff operations. If departing to the north using Runway 1, a left crosswind turn should be executed as soon as safely practical to avoid unnecessary overflight of residential areas.
 - B. All aircraft shall make a practical effort to reach pattern altitude (1000' AGL) before turning downwind. All aircraft departing the airport pattern area are to make a reasonable effort to climb to a minimum altitude of 1000' AGL before doing so **utilizing the standard pattern legs as defined in Section 4-3-3 of the Aeronautical Information Manual (AIM).**
 - C. All arriving aircraft utilizing the traffic pattern are to maintain a minimum of 1000' AGL until established in the pattern per guidelines found in the **AIM.**
 - D. **Helicopters shall make a practical effort to vary the downwind distance from the runway when performing repetitive pattern work in order to reduce sustained ground noise under a particular flight path. See AIM 4-3-3(b).**
 - E. Simulated forced landings and/or autorotations should not initiate until the aircraft reaches the typical pattern altitude of 1000' AGL.
 - F. Unless otherwise approved by the Airport Manager or a Memorandum of Understanding agreement between the City of Hurricane and the applicable entity, repetitive aircraft training operations should be limited to (2) 30 minute sessions within a 24 hour period Monday through Saturday if the aircraft exceeds 80 (eighty) decibel levels per noise measurement levels determined and defined in FAA Circular AC 36-1H. Repetitive pattern work for these aircraft is not to be flown on Sundays. This restriction shall not apply in emergencies, where necessitated by safety considerations, or when required by the Federal Aviation Administration.
 - G. Aircraft are not to be started, run-up, or depart the Airport between sunset and sunrise other than to make an immediate departure from the airport area.

- H. All aircraft arriving between sunset and sunrise to be limited to one (1) full stop approach and landing sequence.
- I. Repetitive pattern work, touch and go's, stop and go's, low approaches, or practice autorotations are not to be conducted between sunset and sunrise.

2. EXCEPTIONS

The following categories of aircraft are exempt from airport noise abatement guidelines:

- A. Aircraft operated by or under contact of the United States of America, any State, county, city, subdivision or special district of a state including military, firefighting, search & rescue, disaster relief, and medical evacuation flights;
- B. Aircraft used for emergency purposes during an emergency officially proclaimed by competent authority pursuant to the laws of the United States, the State of Utah, Washington County, or the City of Hurricane;
- C. Civil Air Patrol aircraft when engaged in actual search and rescue missions;
- D. Aircraft which have declared an inflight emergency;
- E. Aircraft operating as air ambulance for medical purposes.
- F. Aircraft engaged in take-offs or landings while conducting tests under the direction of the Airport Director.

SECTION 5: TRAINING, AWARENESS, COMPLAINT MANAGMENT

The Airport Manager, the Airport Noise Coordinator, and the Airport Advisory Board, under the direction of the Hurricane City Mayor & Council, shall be responsible to ensure the following is completed on an on-going basis:

- A. Monitor, address, & report all airport related noise complaints
- B. Training for all Hurricane Airport based pilots, active flight instructors, and active flight students;
- C. Creation & placement of Noise Abatement Procedure signage at the entrance and exit area of the ramp;
- D. Creation and placement of a Noise Abatement Procedure Summary Sheet available at the Fuel Farm, Manager's Office, and Terminal Building;
- E. Along with the Noise Abatement Coordinator, provide immediate Noise Abatement Policy & Procedure training and information to transient pilots as required



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.

Ordinance No. 2022-xx

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH
AMENDING SECTION 10-3-4 AND 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 to ensure that well designed neighborhoods are built throughout the City; and

WHEREAS, a large number of multifamily and planned developments are being planned throughout the City; and

WHEREAS, the City Council finds it necessary and desirable to amend ordinances governing 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 means any space in a development that does not contain any structures or amenities, except that a park, as defined in this section, may qualify as Open Space. All Open Space must be completely landscaped with sod, trees, xeriscape, gardens, or agricultural uses; provided, however, that natural features such as hillsides, natural

landscapes, washes, and other natural open spaces may 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. Only usable space qualifies as Open Space. Open Space with a horizontal width of less than six feet or a total area of less than 60 square feet is not considered usable. Areas with sensitive lands shall only Qualify as Open Space if some feature or amenity is added, such as a trail, in order to make the land 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:

1. Open space should be used as a buffer between adjacent properties.
2. The open space within a development should be integral to the development, not small leftover pieces of land.
3. 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.
4. Courtyard areas should be designed as usable space.
5. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.
6. Amenities within a development project shall be proportional to the size of the project.
7. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.
8. 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').

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

1.

2. 10. Landscape Buffering should be a minimum of 10' wide, and shall contain a total of one tree and three shrubs for every 35' of the buffering area. Landscape buffering that is not otherwise required shall count as open space.

3. 11. Except for natural features such as hillsides, natural landscapes, washes, and other natural open spaces, 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.

Commented [1]: What about the "natural landscapes" that are included in the definition of Open Space? See my suggested revision.

4. 12. For townhome developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 15%.

5. 13. For duplex developments with all backyards extending more than 10 feet from the back of houses, the minimum percentage of the total land space of the development that must be open landscaped space shall be 10%.

6. 14. The Planning Commission, in its discretion, may lower the amount of open landscaped space or amenities required for a development under 50 units if the development is within a one-quarter mile of a City park.

7. 15. Open and common space must contain some kind of amenities as set forth 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 shall be placed throughout the property to ensure equitable access.
- e. Amenities shall either be maintained by common ownership or deeded to the City if the City agrees to accept ownership.
- 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 are being constructed, then a minimum of 25% of the dollar value of the built-out amenities must be developed concurrently.
- h. All amenities designed and designated to be transferred to City ownership and maintenance must meet Hurricane City Design Standards. The City must review and approve any improvements that will be owned and maintained by the City as part of the construction drawing review.

Commented [2]: Should we address public access to commonly-owned amenities? Such as: "For Owners' Association-owned amenities, any restrictions on public access to the amenities shall be approved by the Planning Commission."

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:

1. A network of convenient, safe, and raised or textured pedestrian paths shall connect areas within the project, and should also connect the project to adjacent properties and transit facilities.

2. 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.

3. 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 paved, a minimum of 10' wide, and traverse the development from one end to the opposite end. Amenity trail systems shall connect to master planned trails, parks, schools, commercial areas, adjacent developments and other natural/primitive trail systems where applicable. Trail connectivity should be coordinated with adjacent properties.

4. For multifamily developments or Planned Developments, a pedestrian circulation plan shall be submitted with the Preliminary Plat application. Pedestrian circulation plans 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; and
- f. Street crossings and crosswalks which shall be clearly marked.

5. Covered or locked bicycle storage shall be provided in all multifamily developments at a rate of one space per two units. Bicycle storage shall be provided through private storage such as garages or storage units or public storage such as covered bike parking under shared staircases. Bicycle storage shall be located to be convenient for residents' daily use.

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. Subject to Hurricane City's outdoor lighting standards, 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:

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

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

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

N. Auxiliary Equipment:

1. 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.

2. Equipment should be kept low to the ground.

3. 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 remain illuminated for more than five minutes at a time.
 - e. Gas station 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.

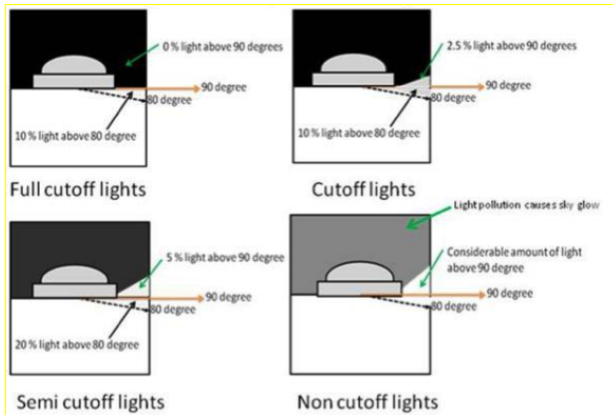
3. Exceptions: The following classifications of lighting are exempt from this section:

- 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 section.
- 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 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 and comply with Hurricane City's outdoor lighting standards, 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 ~~no more than~~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 ~~one~~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 at least fifty feet (50') away from any intersection of public roadways measured at the lip of curb.

6. On street parking shall be designed to continue stormwater and stormwater conveyance systems.
7. Parking areas shall be contained within of the right of way recorded within the plat, and all right-of-way boundaries shall run parallel with the center line of the street. OR Standard right-of-way crosssections shall apply, and cross access easement shall be recorded on the final plat containing the full parking space and sidewalks for the continual use and access of the public for the sidewalk.
8. The area designated as the downtown ~~in as designated on~~ the Future Land Use ~~Map of the City's General Plan~~ 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- City Engineer.
9. ~~For commercial uses only.~~ 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.~~
10. No on street parking areas shall interfere with other standards and specification within this chapter or Hurricane City Design Standards.
11. The City Engineer must approve the proposed cross-section during the preliminary plat process.

Commented [3]: What is the purpose of this requirement? To ensure dedication? If so, what about adding the language: "...and dedicated to the City."



Site Plan Design Ordinance Updates

As part of the 2021 General Plan Update there were a number of improvements to current city ordinances that were suggested to help improve open space and our trail systems, protect our night sky, and promote the building of diverse housing types within the city. With those goals in mind there has been a desire to update our site plan design ordinances Title 10 Chapter 33 and elsewhere. This is a brief explanation for the changes that are being proposed and why they are being proposed in this way.

Multi Family Open Space

As part of our current ordinances 50% of total land area in multi family developments must be open space. As the current definition of open space is incredibly broad, currently a development can be in compliance with this code by covering 50% of the property in parking lots, or including otherwise unusable sensitive lands. This is also an extreme number, not consistent with what just about any city in the region is doing, and has never been strictly enforced through the years. We are proposing lowering the amount of required open space to 20% but making the definition of open space much stricter. We propose defining open space as excluding parking areas and unimproved sensitive lands and requiring amenities to be provided within this open space.

Outdoor Lighting

The General Plan identified the city's dark skies as a valuable natural resource for the community. Zion National Park was recently declared a Dark Sky Park and astro tourism is a valuable part of the city's tourism industry. To quote directly from the General Plan:

“Over the past several years, many rural communities or communities surrounding large areas of protected lands, such as national parks have been pushing to reduce light pollution....

Protecting these night skies provides a beautiful natural asset for the community, but it can also offer an economic advantage. Since most light pollution comes from unnecessary outdoor lighting , or lighting that is not properly shielded, eliminating excess outdoor lighting can improve visibility of the night sky can save millions of dollars”

One of the goals of the General Plan is to add more forceful and less confusing language, while still providing necessary exceptions, to the city code. It is important to note that most of the more recent development in the city already meets this code.

Pedestrian Circulation



The General Plan as well as the Active Transportation Master Plan endorse continued buildout of the city's pedestrian network. Pedestrian networks throughout large developments, multifamily or otherwise, are important and it is important that the developments have these types of connectivity with other properties. We are proposing that applicants provide a plan to show us the pedestrian connectivity between their properties and adjacent properties for the health of the community. As well we are proposing that new applicants adhere to standards set out in the Active Transportation Master Plan and make all walkways 10-12 feet wide.

Parking

During the approval process for the new recreation resort ordinance there was a desire on the part of the City Council, as well as from some recent developments to add some flexibility to our parking code. As currently written perpendicular and diagonal parking along public streets is not allowed, despite being grandfathered in in a number of places within the city. Individual parking lots can have a larger impact than just allowing the parking to be along local roads and residential streets in many circumstances. This will allow for more landscaped open space within developments while still providing the required and necessary parking



Date of Application 06/21/2022

License Fee \$50.00
Application Fee \$25.00
Total Due \$75.00

147 N 870 WEST, HURRICANE, UTAH 84737
PHONE: 435-635-2811 FAX: 435-635-2184
www.cityofhurricane.com

NEW BUSINESS ☒
NEW OWNER ☐
RE-APPLY ☐

◆ **BUSINESS LICENSE APPLICATION** ◆

NOTICE: Please complete each statement below. Incomplete applications will not be accepted.

SECTION A — BUSINESS INFORMATION

Name of Business: Motive Service

Business Phone: (702) 989-7373 Fax Number: _____

Business Address: 800 West 2300 South Hangar 6S, Hurricane, UT 84737
(Street Number) (Suite) (City) (State) (Zip)

Mailing Address (if different): _____
(Street Number) (City) (State) (Zip)

State Sales Tax Number (if applicable): _____ Dept. of Commerce Entity #: 12338572-0161

Professional License # (if applicable): _____ Federal Identification #: 87-1097799

Website: Motive.Aero E-Mail Address: _____

Description of Business: Aircraft sales, service and training.

Business Type (check one): Proprietorship ☐ Partnership ☒ Corporation ☐

Will there be any building or remodeling: Yes ☐ No ☒ Will the business be located in a newly constructed building: Yes ☐ No ☒

Commercial License - Property Owner Written Approval: Yes ☒ No ☐ Are you a Sexually Oriented Business: Yes ☐ No ☒

Does your business sell alcohol: Yes ☐ No ☒ Does your business sell tobacco products: Yes ☐ No ☒

Does Your Business Have an Alarm: Yes ☐ No ☒ Business Hours: _____

PART B — HOME OCCUPATION APPLICANTS ONLY

- Will customers visit the home..... Yes ☐ No ☐
- Will display or stock of merchandise be at home Yes ☐ No ☐
- Will employees be at the house..... Yes ☐ No ☐
- Any unusual traffic be created in neighborhood..... Yes ☐ No ☐
- Will parking on roadside be needed..... Yes ☐ No ☐
- Will flammable, toxic or poisonous materials be kept at the home Yes ☐ No ☐
- Will there be any disposal of material into the septic or sewer system? Yes ☐ No ☐
- What portion of home is to be used for business (25% total structure area) _____

PART C — BUSINESS OWNER INFORMATION

A list of all corporate officers or partners must be included. This list must include name, home address, and phone number.

Owner's Name: Marc Campbell Title: Managing Partner

Home Address: _____
(Street Number) (City) (State) (Zip)

Social Security Number: _____ Date of Birth: _____

Home Phone: _____ Cell Phone: _____

Please add any additional owners/partners on a separate piece of paper and attach.

➤ **This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various City departments and approval is given by the Business License Office. To open and/or operate a business without final approval is a Class B Misdemeanor and punishable by law.**

Manager (if different): _____

Home Address: _____
(Street Number) (City) (State) (Zip)

Home Phone: _____ Cell Phone: _____

Social Security Number: _____ Date of Birth: _____

LIST TWO RESPONSIBLE / AVAILABLE EMERGENCY CONTACTS:

Name: Mike Burton Name: _____
Address: _____ Address: _____
Phone: _____ Phone: _____

PART D — HURRICANE VALLEY FIRE DISTRICT

All businesses licensed in Hurricane City must be in compliance with applicable fire codes and regulations at all times. New businesses may be required to pass a fire inspection prior to issuance of a business license. Fire inspections encompass, but are not limited to: fire equipment such as extinguishers, exits and aisles, electrical equipment, storage, and fire protection systems. Inspections may include additional areas of concern specific to particular business activities and/or locations. The licensing clerk will inform new applicants whether an initial inspection is required.

☐ **Inspection Required. Contact the Fire Dept at 435-635-9562 to schedule a fire inspection.**

☐ **No Inspection required at this time.**

I understand that compliance with applicable fire codes and regulations is required for all businesses licensed in Hurricane City. I understand that a fire inspection of my business may be required in the future and would be conducted by Hurricane City Fire Department personnel. I understand that failure to comply with applicable fire codes and regulations may be grounds for revocation of my business license.

Marc Campbell

Digitally signed by Marc Campbell
Date: 2022.06.21 16:59:14 -0700

Applicant's Signature

06/21/2022

Date

I UNDERSTAND AND AGREE to comply with all regulations of Title 3 Business License Regulations. **I UNDERSTAND that business shall not commence at this location without first obtaining an official copy of the business license**, and that inspections of the City Building, Zoning, Fire Officials, and the County Health Officials must first be completed and the building approved by these officials for business activities.

Marc Campbell

Digitally signed by Marc Campbell
Date: 2022.06.21 17:00:30 -0700

Applicant's Signature

06/21/2022

Date

TOTAL FEES \$ _____		Office Use Only	
		AMOUNT PAID \$ _____	
DATE _____		RECEIPT # _____	
CITY LICENSE NUMBER _____			
Home Occupation: yes / no		Zone: _____	
Planning Commission Approval Required: yes / no		Permitted Use: yes / no	
If yes, which approval: site plan / conditional use			
Planning Commission approval date: _____		Zoning approval/date: _____	
New Construction: yes / no		Remodel: yes / no	
Building Permit: yes / no			
Certificate of Occupancy or Tenant Improvement inspection required: yes / no			

BEER LICENSE APPLICATION AND QUESTIONNAIRE
CITY OF HURRICANE, UTAH
147 N 870 W
HURRICANE, UTAH 84737
(435) 635-2811

NOTE: **Please print or type.** All questions must be answered completely or application will not be considered.

NEW LICENSES OR CHANGE OF OWNERSHIP must be accompanied by:

- ☒ \$50.00 non-refundable application fee
- ☐ Annual license fee (refunded if application is denied)
- ☒ Statement from 5 individuals or entities recommending the applicant
- ☐ Copy of business license or application therefore
- ☐ Proof of completion of all necessary certifications by employees required by the city and state or understanding of necessary training requirements for new applicants (applicable to off-premise retailers)
- ☐ Names and addresses of shareholders, members or partners (applicable to Corporations, limited liability companies and partnerships)

RENEWAL LICENSE must be accompanied by:

- ☐ Annual license fee
- ☐ Proof of completion of all necessary certifications by employees required by the city and state (applicable to off-premise retailers)
- ☐ Names and addresses of shareholders, members or partners (applicable to corporations, limited liability companies and partnerships)

1. Applicant If the license is for a sole proprietorship, applicant must be the owner. If license is for a corporation, the applicant shall be a corporate officer/agent and a separate sheet must be attached giving shareholders who own more than 10% of the corporation. If license is for a limited liability company, applicant must be a managing member. If license is for a partnership, the applicant shall be a general partner and a separate sheet must be attached giving the names and addresses of all partners.

Full Name of Owner/CEO RAKESH D MISTRY

Home address/ [REDACTED] (City) [REDACTED] (State/Zip)

Phone Number [REDACTED] Social Security # [REDACTED] Date of Birth [REDACTED]

U. S. Citizen? ☒ Yes ☐ No, if no, registered alien? ☐ Yes ☐ No

Relationship of applicant to entity for which license is sought:

☒ Owner ☐ Corporate Agent ☐ Corporate Officer ☐ Officer
☐ Partner ☐ Member of Limited Liability Company ☐ Other

2. Entity for which License is being sought

 Sole Proprietorship Corporation Non Profit Corporation
 Partnership ☒ LLC Other

Name of Entity MISTAY PETROLEUM LLC

Address of Principal Office 205 N 1000 E, ST GEORGE UT 84770
 (City) (State/Zip)

Phone Fax

If a Corporation, Partnership, Limited Liability, State:
 State of incorporation, organization, or Partnership;

If a foreign corporation, is corporation authorized to do business in the
 State of Utah Yes No

Name and address of registered corporate agent

Names, addresses, Phone, DOB, Social Security Number of all Corporate
 Officers, Partners, Members, Board of Directors and Shareholders

(if necessary attach a separate sheet)

Name	Address	Phone	DOB	Social Security Number
NEELAM RMISTRY				

3. Business Name / Location / Management

Name under which business will be operated (if different from name of the applicant, corporation or partnership) _____

Business Address 4390 W State St, Hurricane, VT 84770
(Street) (City) (State/Zip)

Phone Number (435) 635-2243

Owner of Property RAKESH D MISTRY

Name of Business Manager NEELAM RAKESH MISTRY
(First) (Middle) (Last)

Social Security # _____ Date of Birth _____

Address of Manager _____

Phone Number 310 817 1909

*(This information is not required for a Renewal)

*Distance in feet from nearest public or public or private school Hurricane Ele School 5.5 mil

*Distance in feet from nearest church 2 miles

*Distance in feet from nearest public playground 1.7 mil Grandpa Pond.

*Distance in feet from nearest public park 3.7 mil, Sky Ridge Park

*Distance in feet from nearest public library 5.6 mil

4. Classification of license applied for: X New _____ Renewal

- ☒ Class A License
☒ Class B License
☒ Class C License
☒ Class D License
☒ Class E License
☒ Class F License
☒ Single Event Permit

off premise beer

5. Miscellaneous Information (For purposes of the following questions, the term "you" shall refer to any applicant, corporate officer, corporate director, corporate agent, LLC member, partner or manager)

Have you ever been engaged in any other business where beer or alcoholic beverages were sold to the public? _____ Yes ☒ No. If yes, state name of business, location of business, nature of business, date(s) of operation. _____

Have you at any time been convicted of a felony in any court in the United States? _____ Yes ☒ No. If so, give particulars – City, Dates, pertinent information, etc. _____

Have you been convicted or have you entered a plea of guilty at any time to a law violation involving beer or alcoholic beverages? ____ Yes ☒ No. If so, give particulars – City, Dates, pertinent information, etc. _____

Give particulars of your employment or business engaged in during the past five years, stating dates, business name and address, nature of business, position or title, employer's name and address of business. St. George Hospitality LLC
Part Owner

Who owns the real estate where this business is located? None

Are business premises to be leased? ____ Yes ☒ No. If yes, state name and address of lessor and nature of lessor's interest in business premises. _____

Do you own fixtures at this location? ____ Yes ☒ No. If yes, state the investment which you have in fixtures and equipment \$ _____

Will food be served at business location? ☒ Yes ____ No (If yes, please attach a sample of the menu you plan to use)

Has a license covering any place in which you had a financial interest ever been revoked or suspended? ____ Yes ☒ No If yes, state type of license, location of license, date license was revoked or suspended, reason for revocation or suspension _____

6. Additional Information: Give any additional information which you believe will help the City Council to make a decision upon your application: This will be my first business owning & make my family happy & successful

STATE OF UTAH

)

: ss.

COUNTY OF WASHINGTON

)

I, RAKESH D MISTRY, being first duly sworn, depose and say as follows:

1. The foregoing Application and Questionnaire is in all respects true and correct, to the best of my knowledge and belief and
2. I am the applicant above-named and have not leased, assigned or entered into a profit-sharing arrangement of any type with any other person for operation of the above-named business except as disclosed herein; and
3. I have received and read the beer/alcoholic beverage license ordinance of the City of Hurricane, and believe that this application in all respects conforms to the requirements thereof and
4. I consent to the entry in or upon the business premises by City employees or representatives at reasonable times for the purpose of inspecting the business premises to insure compliance with applicable laws, ordinances, rules and regulation; and
5. I understand and agree that any false information contained in this application shall be grounds for denial of this application and shall constitute perjury.

RAKESH D MISTRY
Applicant

SUBSCRIBED AND SWORN TO before me this 07 day of 05, 2022

Cindy Botero
(NOTARY PUBLIC OR CITY LICENSE OFFICER)

Vinod Patel
581 East Saint George Blvd.,
Saint George, UT 84770

July 6, 2022

City of Hurricane
147 North 870 West,
Hurricane, UT 84737

Re: LETTER OF RECOMMENDATION

To Whom It May Concern:

The purpose of this letter is to recommend Rakesh Mistry for Hurricane City Business License. I have known Rakesh Mistry for 12 years. Rakesh Mistry is a very honest and respectful individual. There is no doubt in my mind that Rakesh Mistry is not qualified for the business license.

If you have any questions, please do not hesitate to reach out to me.

Sincerely,



Vinod Patel



Clarkson & Associates, LLC

ATTORNEYS AT LAW

Sam Patel
Attorney
spatel@clarksonlegal.com

July 6, 2022

City of Hurricane
147 North 870 West,
Hurricane, UT 84737

Re: **LETTER OF RECOMMENDATION | RAKESH MISTRY**

To Whom It May Concern:

It is with great pleasure that I recommend Rakesh Mistry for Hurricane City License. I personally and professionally known Mr. Mistry for the past 11 years. I can personally attest that Mr. Mistry is a very hard-working dedicated individual. Mr. Mistry had good moral character who is honest and respectful.

If you have any questions, please do not hesitate to reach out to me.

Sincerely,
Clarkson & Associates, LLC



Sam Patel, Esq.
Attorney at Law

Letter of Recommendation

Re: To whom it may concern

Date: 06/28/2022

My Name is YADIRA GUZMAN proud of my recommendation of RAKESH D MISTRY to whom I have personally known for more than 8 years as my Employer and he's been a great boss and a great leader with Hugh amount of experience in business.

I have experience an individual who shows up earlier then asked, works hard, and carries themselves in a polite, respectable manner. In addition, Rakesh Mistry is a family-person who has always presented with great lever of expertise and I wish him grace.

Please do not hesitate to contact me if you should require any further information.

Best,

Yadira Guzman



Address: 425 east 900 south #411, St George Utah 84770.

Email: Lemusyadira14@gmail.com , Phone: 435-922-9530

Date of Application 07/05/2022License Fee \$50.00
Application Fee \$25.00
Total Due \$75.00147 N 870 WEST, HURRICANE, UTAH 84737
PHONE: 435-635-2811 FAX: 435-635-2184
www.cityofhurricane.comNEW BUSINESS ☐
NEW OWNER ☐
RE-APPLY ☐

◆ BUSINESS LICENSE APPLICATION ◆

NOTICE: Please complete each statement below. Incomplete applications will not be accepted.

SECTION A — BUSINESS INFORMATION

Name of Business: MISTRY PETROLEUM LLC
Business Phone: (435) 635 2243 Fax Number: _____
Business Address: 4390 W STATE SE, Hurricane, UT 84737
(Street Number) (Suite) (City) (State) (Zip)
Mailing Address (if different): 11 " " " "
(Street Number) (City) (State) (Zip)
State Sales Tax Number (if applicable): 22508053 Dept. of Commerce Entity #: _____
Professional License # (if applicable): _____ Federal Identification #: 88-3100388
Website: _____ E-Mail Address: mhmhotels@gmail.com

Description of Business: _____

Business Type (check one): Proprietorship ☒ Partnership ☐ Corporation ☐
Will there be any building or remodeling: Yes ☐ No ☒ Will the business be located in a newly constructed building: Yes ☐ No ☒
Commercial License - Property Owner Written Approval: Yes ☐ No ☒ Are you a Sexually Oriented Business: Yes ☐ No ☒
Does your business sell alcohol: Yes ☒ No ☐ Does your business sell tobacco products: Yes ☒ No ☐
Does Your Business Have an Alarm: Yes ☐ No ☐ Business Hours: 6am - 11pm

PART B — HOME OCCUPATION APPLICANTS ONLY

Will customers visit the home..... Yes ☒ No ☐
Will display or stock of merchandise be at home..... Yes ☒ No ☐
Will employees be at the house..... Yes ☐ No ☒
Any unusual traffic be created in neighborhood..... Yes ☐ No ☒
Will parking on roadside be needed..... Yes ☐ No ☒
Will flammable, toxic or poisonous materials be kept at the home..... Yes ☐ No ☒
Will there be any disposal of material into the septic or sewer system?..... Yes ☐ No ☒
What portion of home is to be used for business (25% total structure area) None

PART C — BUSINESS OWNER INFORMATION

A list of all corporate officers or partners must be included. This list must include name, home address, and phone number.

Owner's Name: RAKESH D MISTRY Title: OWNER MEMBER
Home Address: 205 N 1000 E, St. George, UT 84770
(Street Number) (City) (State) (Zip)
Social Security: _____
Home Phone: _____

Please add any additional owners/partners on a separate piece of paper and attach.

► This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various City departments and approval is given by the Business License Office. To open and/or operate a business without final approval is a Class B Misdemeanor and punishable by law.

Manager (if different): NEELAM R MISTRY

Home Address: _____

Home Phone: _____

Social Security N _____

Cell Phone: (818) 963-3526

Date of Birth: _____

LIST TWO RESPONSIBLE / AVAILABLE EMERGENCY CONTACTS:

Name: _____
Address: _____
Phone: _____

Name: _____
Address: _____
Phone: _____

PART D — HURRICANE VALLEY FIRE DISTRICT

All businesses licensed in Hurricane City must be in compliance with applicable fire codes and regulations at all times. New businesses may be required to pass a fire inspection prior to issuance of a business license. Fire inspections encompass, but are not limited to: fire equipment such as extinguishers, exits and aisles, electrical equipment, storage, and fire protection systems. Inspections may include additional areas of concern specific to particular business activities and/or locations. The licensing clerk will inform new applicants whether an initial inspection is required.

☒ **Inspection Required. Contact the Fire Dept at 435-635-9562 to schedule a fire inspection.**

☐ **No Inspection required at this time.**

I understand that compliance with applicable fire codes and regulations is required for all businesses licensed in Hurricane City. I understand that a fire inspection of my business may be required in the future and would be conducted by Hurricane City Fire Department personnel. I understand that failure to comply with applicable fire codes and regulations may be grounds for revocation of my business license.

Rakesh D Mistry
Applicant's Signature

07/05/2022
Date

I UNDERSTAND AND AGREE to comply with all regulations of Title 3 Business License Regulations. **I UNDERSTAND that business shall not commence at this location without first obtaining an official copy of the business license**, and that inspections of the City Building, Zoning, Fire Officials, and the County Health Officials must first be completed and the building approved by these officials for business activities.

Rakesh D Mistry
Applicant's Signature

07/05/2022
Date

TOTAL FEES \$ 75

Office Use Only

AMOUNT PAID \$ 75

DATE

7/6/22

RECEIPT #

8159965

CITY LICENSE NUMBER _____

Home Occupation: yes / no

Zone: _____

Permitted Use: yes / no

Planning Commission Approval Required: yes / no If yes, which approval: site plan / conditional use

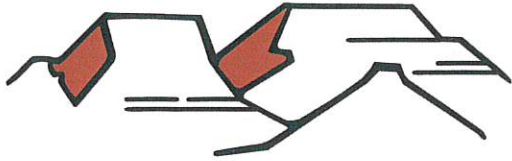
Planning Commission approval date: _____ Zoning approval/date: _____

New Construction: yes / no

Remodel: yes / no

Building Permit: yes / no

Certificate of Occupancy or Tenant Improvement inspection required: yes / no



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. 0.158433

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

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

Email: btuttle@neicrta.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) CORDEO 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.

- ____ h. Contours at vertical intervals not greater than five (5) feet.
 - ____ i. 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 groundwater, and windblown sand) and recommendations for their mitigation.
 - ____ j. Information on whether property is located in desert tortoise take area
- ____ 3. Proposed Plan: The subdivision plans shall show:
- ____ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys, and easements.
 - ____ b. The layout, numbers, and typical dimensions of lots.
 - ____ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
 - ____ d. Easements for water, sewers, drainage, utilities, lines and other purposes.
 - ____ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
 - ____ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
 - ____ g. Approximate radius of all center line curves on highways or streets.
 - ____ h. 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)
 - ____ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
 - ____ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
 - ____ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
 - ____ l. Will this subdivision be phased? If yes show possible phasing lines.
 - ____ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.
- ____ 4. Required copies of plans:
- ____ a. Three copies of all full-scale drawings
 - ____ b. One copy of each drawing on a 11 x 17-inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).
- ____ 5. 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. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 (noon) 20 full calendar days before the Planning Commission meeting at which you plan for your application to be heard.

.....
(Office Use Only)

Date Received: _____ Application Complete: YES NO

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

May 10, 2022

Mr. Stephen Nelson
City Planning Director
City of Hurricane
147 North 870 West
Hurricane, UT 84737

Cordero Phase Three Preliminary Plat Summary

Dear Stephen,

The Cordero Phase Three Preliminary Plat contains 214 lots on 52.82 acres for a density of 4.05 lots per acre. Phase Three is located south of Cordero Phase One and Two at the 2100 West and Copper Rock Parkway intersection. The extension and improvements of 2100 West to the south property line will be included with the construction of Phase Three. No residential driveway accesses will be allowed on 2100 West Street. An existing drainage channel runs through Phase Three and will discharge into the relocated drainage channel in Phase One and Two. The general slope of the property is from the southeast to the northwest. The Phase Three Preliminary Plat contains six separate storm water detention basins which are located within each sub-phase of Phase Three. Each storm drainage basin will provide the 0.2 cfs historical storm water discharge into the storm drainage channel through an outlet structure and will detain the peak storm drain event. Each detention basin will be design with an emergency overflow into the storm drainage channel. Each sub-phase will have a piped storm drain collection system which will channel the storm water to the detention basins. The construction drawings will provide the details in addressing the storm drainage system along with a storm water drainage report submitted with the construction drawings. There are no Hurricane Canal Company facilities located on the project site.

Potential geotechnical constraints have been previously evaluated at this site and there are no known collapsible soils or geologic fault lines in this area. A soils report has been performed on the site and will be resubmitted with the construction drawings. The property is not located in a desert tortoise area. The main access to the project will be through 2100 West Street and Copper Rock Parkway. For a second access a roadway dedication plat has been prepared for 2600 West Street which will provide access from 3000 South Street to Copper Rock Parkway. The Ash Creek Special Service District has an existing sewer line in 2100 West Street and 3960 South Street. The water system improvements as part of Cordero Phase One approval are bonded and currently under construction. The Cordero Phase Two project will provide two separate water main connections and two separate accesses to Phase One, Phase Two and Phase Three. Phase Three will continue the water main and access along 2100 West Street with the adjoining



residential streets connecting into Cordero Phase One and Two. The Cordero Phase Three Project will be developed in six sub-phase as per the Master Plan.

If you have any questions or need any additional information, please contact me.

Thanks,

A handwritten signature in blue ink that reads 'Brant D. Tuttle'.

Brant D. Tuttle, P.E.

Northern Engineering, Inc.

**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)

:SS

COUNTY OF)

I (we), River Valley Dev, LLC, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.



(Property Owner)

(Property Owner)

Subscribed and sworn to me this 7 day of April 2020

J Burdette Stocking
(Notary Public)

Residing in: Cache County

My Commission Expires: 11/10/2022



J BURDETTE STOCKING
Notary Public
State of Utah
My Commission Expires 11/10/2022
Commission Number 703121

Agent Authorization

I (we), River Valley Dev, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) BRAST TATUM, NEI to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.



(Property Owner)

(Property Owner)

Subscribed and sworn to me this 7 day of April 2020

J Burdette Stocking
(Notary Public)

Residing in: Cache County

My Commission Expires: 11/10/2022

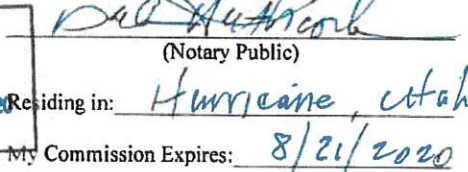


J BURDETTE STOCKING
Notary Public
State of Utah
My Commission Expires 11/10/2022
Commission Number 703121

STATE OF UTAH)
COUNTY OF Washington :ss

Toquerville Enterprises, LLC
(Property Owner)

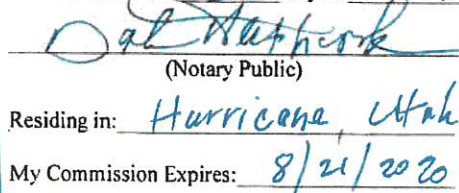
Subscribed and sworn to me this 26 day of January 2017.



I (we), Toquerville Enterprises, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) NEI MAJOR DALE BEND to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

By: Jerald M. Spoilsbury
(Property Owner)
Jerald M. Spoilsbury, Manager/Member

Subscribed and sworn to me this 26 day of January 2017.





STAFF COMMENTS

Agenda Date:	07/21/2022
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

Planning Commission Recommendation

The Planning Commission gave a positive recommendation subject to staff and JUC comments included updating the unit table to comply with the Cordero Development Agreement.

Update 7/14/2022: A will-serve letter has been provided by the Water Department. Staff recommends approval of this preliminary plat subject to staff and JUC comments.

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

JUC Comments

1. **Power:** No major concerns with the development
2. **Sewer:** Sewer in phase 1 and phase 2 need to be completed in order to service phase 3.
3. **Street:** Will need infrastructure from previous phases done to continue to this phase.
4. **Water:** Will need an approved water model, before construction drawings
5. **Engineering:** Specify road cross sections. 2100 W is a 77' ROW but that's not clear. Drainage plan needed. Traffic study needed. Geotech study needed. Reduce the number of double frontage lots. Coordinate interconnectivity with Copper Rock. Check block lengths.
6. **Fire:** Need second access
7. **Cable:** Good
8. **Gas:** No gas in the area. The city should consider requiring sleeves for future gas service.
9. **Water Conservancy:** No comments

1. Zoning is R1-6 and all lots meet R1-6 zoning standards and the approved preliminary site plan..
2. A will serve letter has not been provided by either the culinary or sanitary water provider yet, the applicant has indicated they are working to get that provided.

3. The development is partly governed by a development agreement which capped the total number of lots at 700 for the whole area. The development agreement required preliminary plats to list the number of lots that have been approved for the full Cordero development. The plat lists 694 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 been provided.
11. The Cordero Development Agreement states the following: "The Developer shall provide a table on the preliminary plat with each phase of development the total number of ERUs that have been approved for the total project." This language was included to ensure the full development did not exceed the overall density 3.5 units an acre. The zoning for the property was such that some areas would be less dense and other denser. The applicant has provided some of the details, but it should be place in a table showing how many units have been approved out of the 700.

Recommendation: Staff recommends the City Council review this application based on standards with Hurricane City Code. Staff would recommend approval subject to the comments within this report and that the applicant adds a unit count table compliant with the development agreement.

June 9, 2022

Mr. Stephen Nelson
Planning Director
Hurricane City, Utah 84737

RE: Cordero Phase 3 Preliminary Plat Review Comments

Dear Stephen,

We have prepared this letter to address a few of the items from the staff comments on the Cordero Phase 3 Preliminary Plat. Items 6, 7, 8 and 10 are the only items that we want to address. All of the other items we agree with and do not have any concerns.

- Item 6 addresses the double fronted lots. On our initial design of 2020 West Street we wanted to have the back yards adjacent to the drainage channel of which this design created the double fronted lots from Lot 28 to Lot 49. We had also looked at placing a half plus 12 foot wide roadway along the easterly property line in a north/south direction adjacent to the Copper Rock Development. We are familiar with the Copper Rock Master Plan. A north/south roadway along their westerly property line does not work with their Master Plan. Copper Rock Parkway and 3960 South Street are the only roadway extensions to the Copper Rock Development. To eliminate the double fronted lots we have moved 2020 West Street to the east side of the drainage channel. We have attached an updated lot layout to this letter reflecting this change. In looking at this updated layout it would provide better access for the operation and maintenance of the drainage channel.
- Item 7, 4160 South Street should extend east and stub to the Copper Rock Development. We do not have a problem with this roadway stub but there is no planned roadway connection in the Copper Rock Master Plan. The same issue occurs on the west property line adjacent to the Southern Shores project of which their master plan does not plan any roadway extensions to the east.
- Item 8, block lengths should not exceed 800 feet. We have researched the City Code and could not find the requirement. However, we did find in the Hurricane Design Standard item 3.2.4.2.F on page 3-7 indicating that block lengths without an intervening connector street shall not exceed 800 feet. The row of blocks between 4160 South Street and 4300 South Street are 800 feet from property line to property line. We did not find any required measurement from property line to property line or roadway centerline to roadway centerline. We would request the City consider the 800 feet distance from property line to property line. We have attached a copy of the Design Standards page 3-7.

- Item 10, will serve letter from the culinary and sanitary water providers. We have attached a copy of the will serve letter from Ash Creek Special Service District for sanitary sewer. We have spoken with Ken Richins, the Hurricane City Water Superintendent regarding the water will serve letter and similar to Cordero Phase 2 they are wanting confirmation of the water model for the 214 lots. This model has been submitted, reviewed by the City Consultant and resubmitted to the City with changes made to the water model as per the Consultants comments. We have not received any further review or approval comments from the City or Consultant. We would like to mention that River Valley Development has bonded and is constructing millions of dollars of water system improvements for the Cordero Development of which the water system improvements were approved as part of the final Cordero Phase 1 construction drawings. In addition to the Cordero Phase 1 water system improvements a PID has been approved for this same area by the Hurricane City Council which will enhance the water service to all of this area.

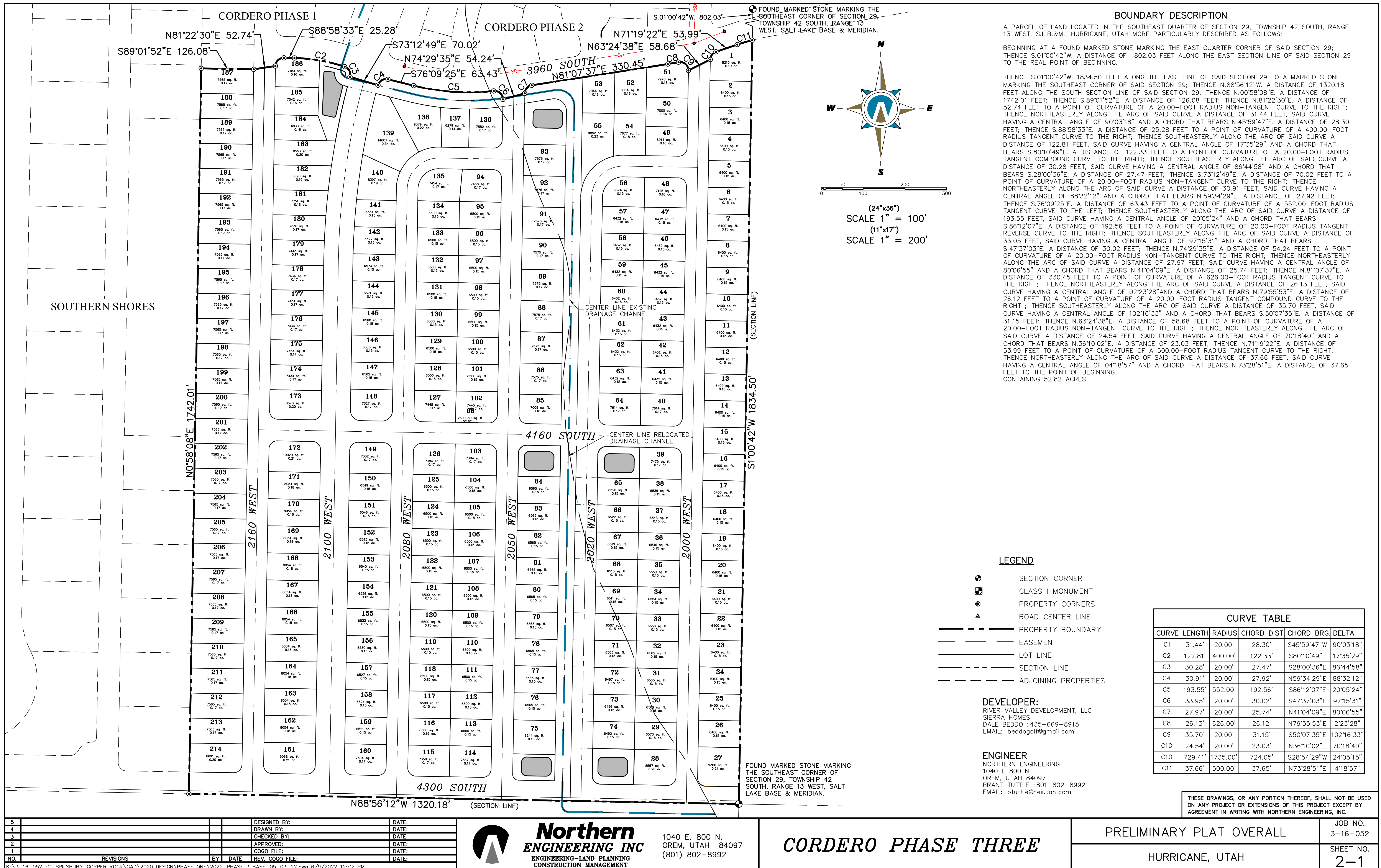
We would respectfully request approval of the Cordero Phase 3 Preliminary Plat with addressing the items mentioned above. As a consideration of accepting the revised layout of eliminating the double front lots and with approval by the Planning Commission we would commit to submitting a full updated Preliminary Plan set prior to the next City County meeting. If you have any questions or need any additional information, please contact me.

Thanks,



Brant D. Tuttle, P.E.

Northern Engineering, Inc.



3.2.4.2 INTERSECTIONS

- A. Wherever possible, all street intersections should intersect at ninety degree angles.
- B. In the event an acute angle intersection is proposed, the City Engineer may require mitigation by realigning to achieve a ninety degree intersection. If no other reasonable option for realignment exists, a skew may be allowed up to a maximum of 15° from 90°. Other design approaches to mitigate the skewed angle may be required by the City Engineer.
- C. Proper combination of horizontal and vertical alignment should be obtained by engineering study and consideration of the general guidelines listed in AASHTO (Section Titled: Combinations of Horizontal and Vertical Alignment, p. 279, 2004 edition).
- D. Intersections should not be located on the interior of, or near, sharp curves. Intersections should be located a sufficient distance from all curves to provide proper sight distance for vehicles on the intersecting road or driveway and on the through road.
- E. New intersections with more than four “legs” are generally not permitted. For arterial access, only four-leg intersections, “T” intersections and modern roundabouts are permitted. When designing local road networks, “T” and “L” intersections are desired. The “L” intersection (knuckle) will only be permitted when the street length, in either direction from the angle point, is three hundred feet (300'), or less. Exceptions to these requirements may be granted by the City Engineer on a case by case basis. The developer's engineer must provide acceptable compelling Traffic Engineering analysis justification before deviations will be granted.
- F. When designing local road networks, block lengths without an intervening connector street shall not exceed eight hundred feet (800') in length unless previous approval has been obtained from the City Engineer. Cul-de-sacs are not considered an intervening connecting street.
- G. New access locations created by development shall be unified whenever possible to create the fewest number of access points onto arterials or major collectors. Cross use agreements shall be required where necessary.



Ash Creek Special Service District

1350 S. Sand Hollow Road

Hurricane, UT 84737

Office: (435) 635-2348 Fax: (435) 635-8550

ashcreek@infowest.com

June 7, 2022

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

RE: Cordero Phase III

Stephen,

There is sewer capacity for this project. The developers understand and agree that they will need to get plan approval for the sewer system.

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

Sincerely,

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District



HURRICANE CITY UTAH

Water Department
Ken Richins, Superintendent

July 8, 2022

To Whom It May Concern:

Brant Tuttle (the "Developer") has requested a culinary water will serve letter for the subdivision known as Cordero Phase 3, located at approximately 2100 W 4000 S in Hurricane, Utah (the "Project").

Infrastructure

The City currently has infrastructure to supply culinary water in the general area of the Project. However, Developer will be responsible to connect the Project to the existing water infrastructure, including the installation of infrastructure in dedicated public streets and as otherwise required to meet City standards. In addition, Developer may be required to obtain and supply a hydraulic water study to ensure the waterline will deliver required fire flows. A looped water system may be required.

Water Supply

As of the date of this letter, the city has adequate water to supply water to 213 residential connections within the Project. However, water within the City is a finite resource with limited supply. The ability of the City to supply water to previously approved projects, as well as continue to serve additional water customers, is contingent on water supplies being available from the Washington County Water Conservancy District (the "Conservancy District"). Therefore, the City's statements in this letter regarding the adequacy of water supply is (1) contingent on water being available from the Conservancy District and (2) shall expire one year from the date of this letter, after which a renewed will serve letter will be required for any property or lot that has not obtained a metered connection to the City's culinary water system. Developer is encouraged to obtain a guarantee of water from the Conservancy District.

General Requirements

In addition to the requirements and limitations described above, Developer shall be required to comply with all applicable laws, ordinances, policies, and construction and design standards. These requirements include, but are not limited to, secondary water system requirements and any obligations described in an applicable development agreement.

Sincerely,

Ken Richins
Water Department Superintendent

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 GRANULAR 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 TRAUNTVAIN 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

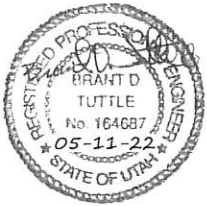
MARCH 2022

-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
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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

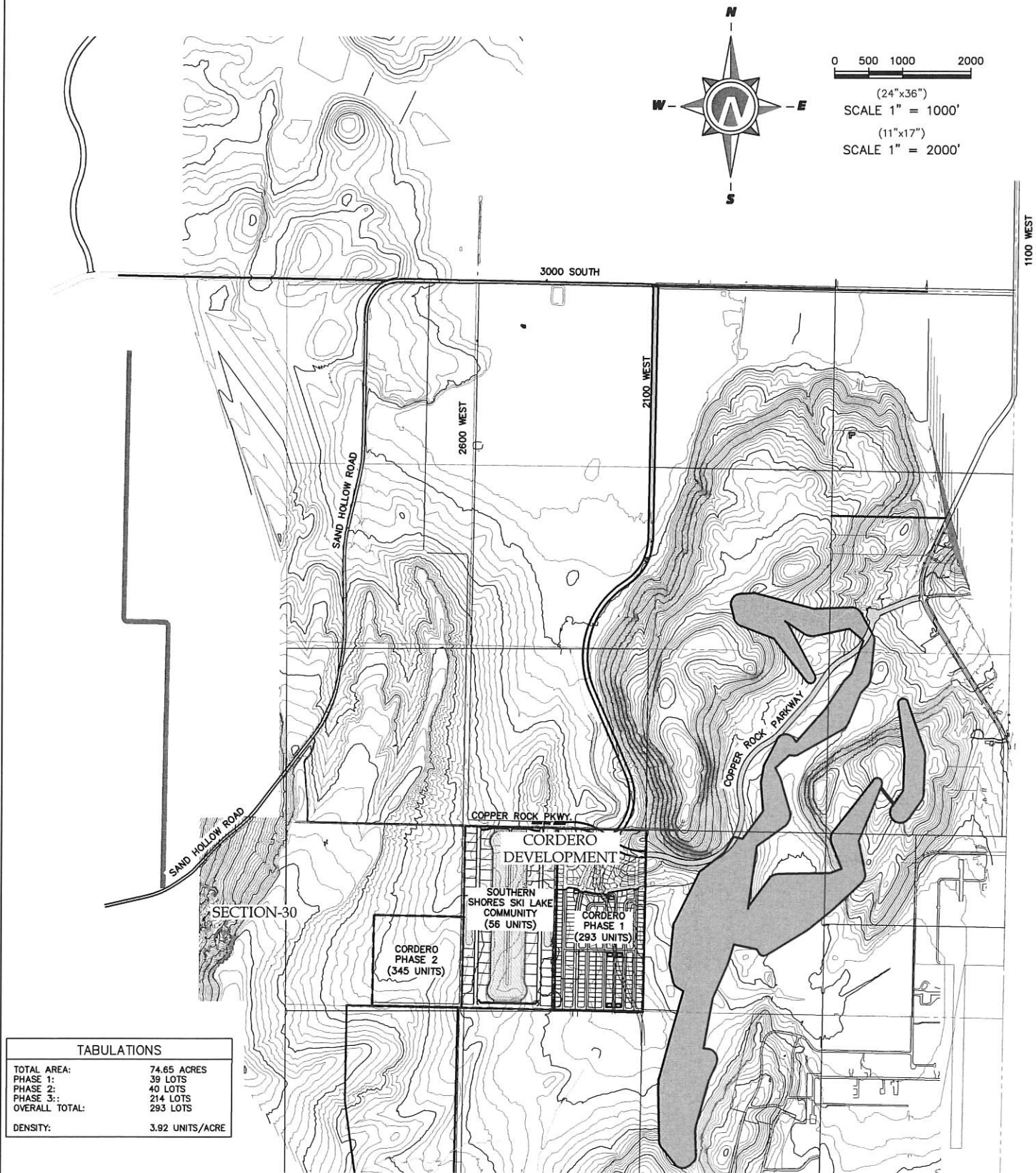


**Northern
ENGINEERING INC**
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

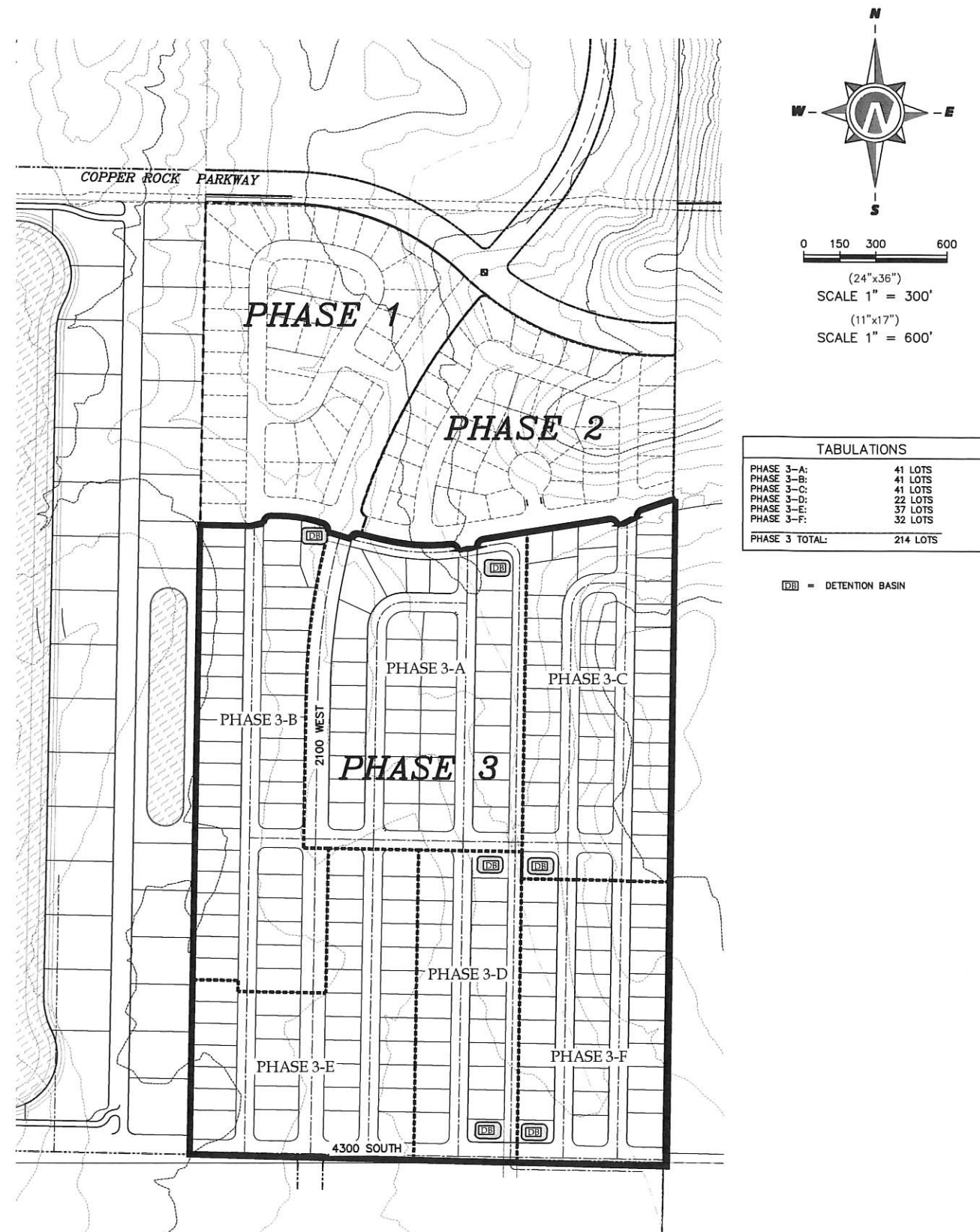
1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

JOB NO.
3-16-052

SHEET NO.
1-1



VICINITY PLAN



MASTER PLAN

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:	DATE:



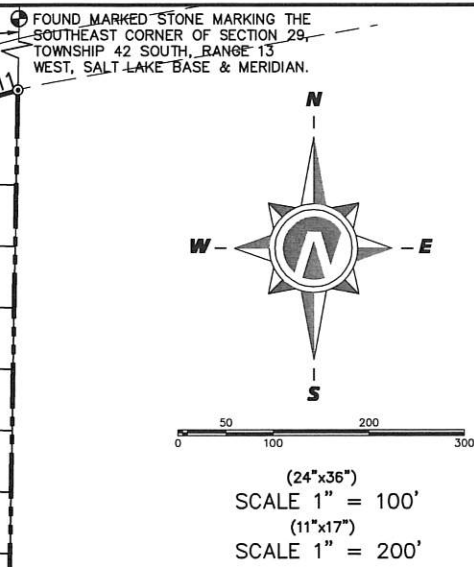
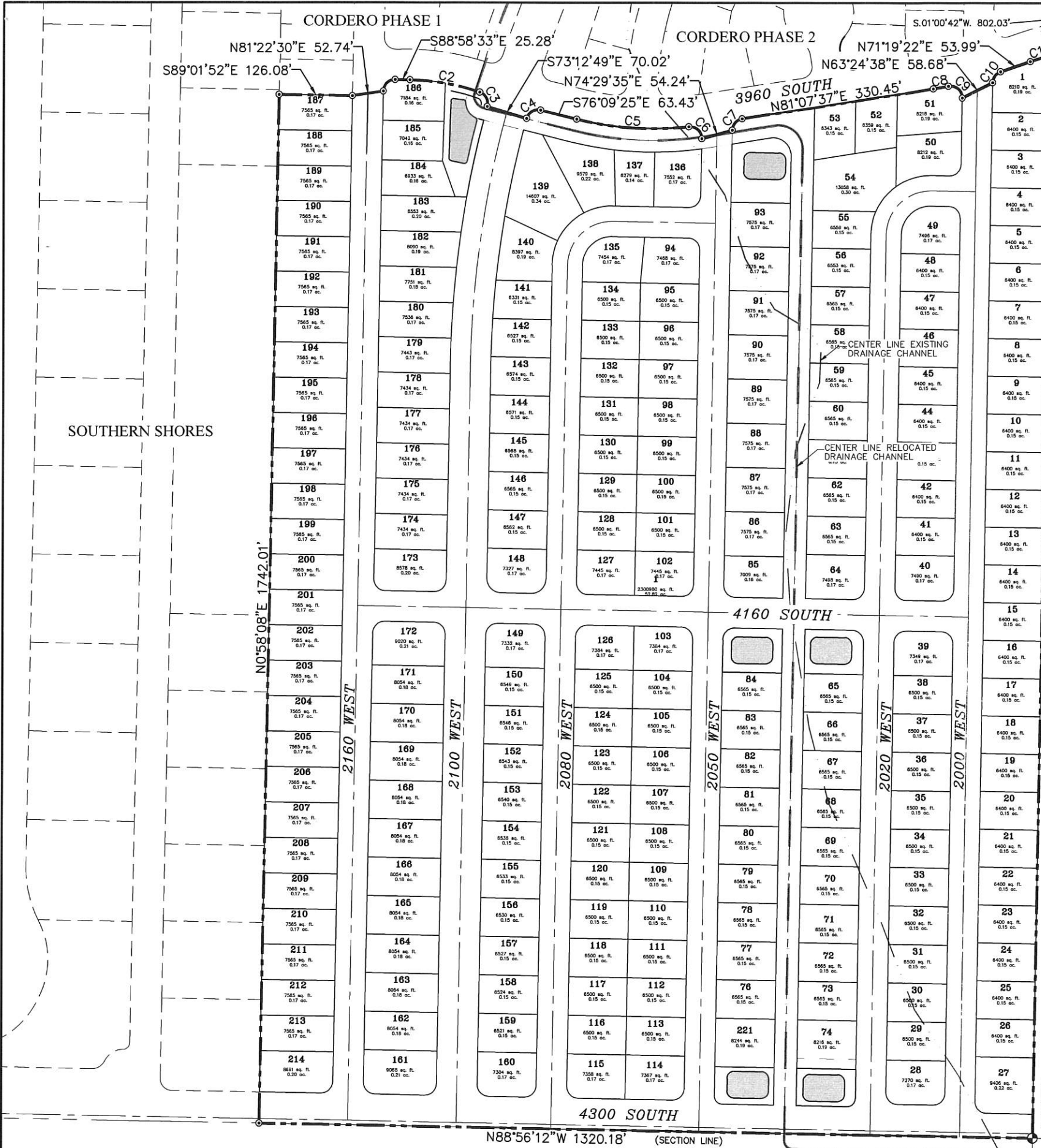
**Northern
ENGINEERING INC**
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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



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. 1834.50 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 26.12 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

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@neuiutah.com

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°55'53"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	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"

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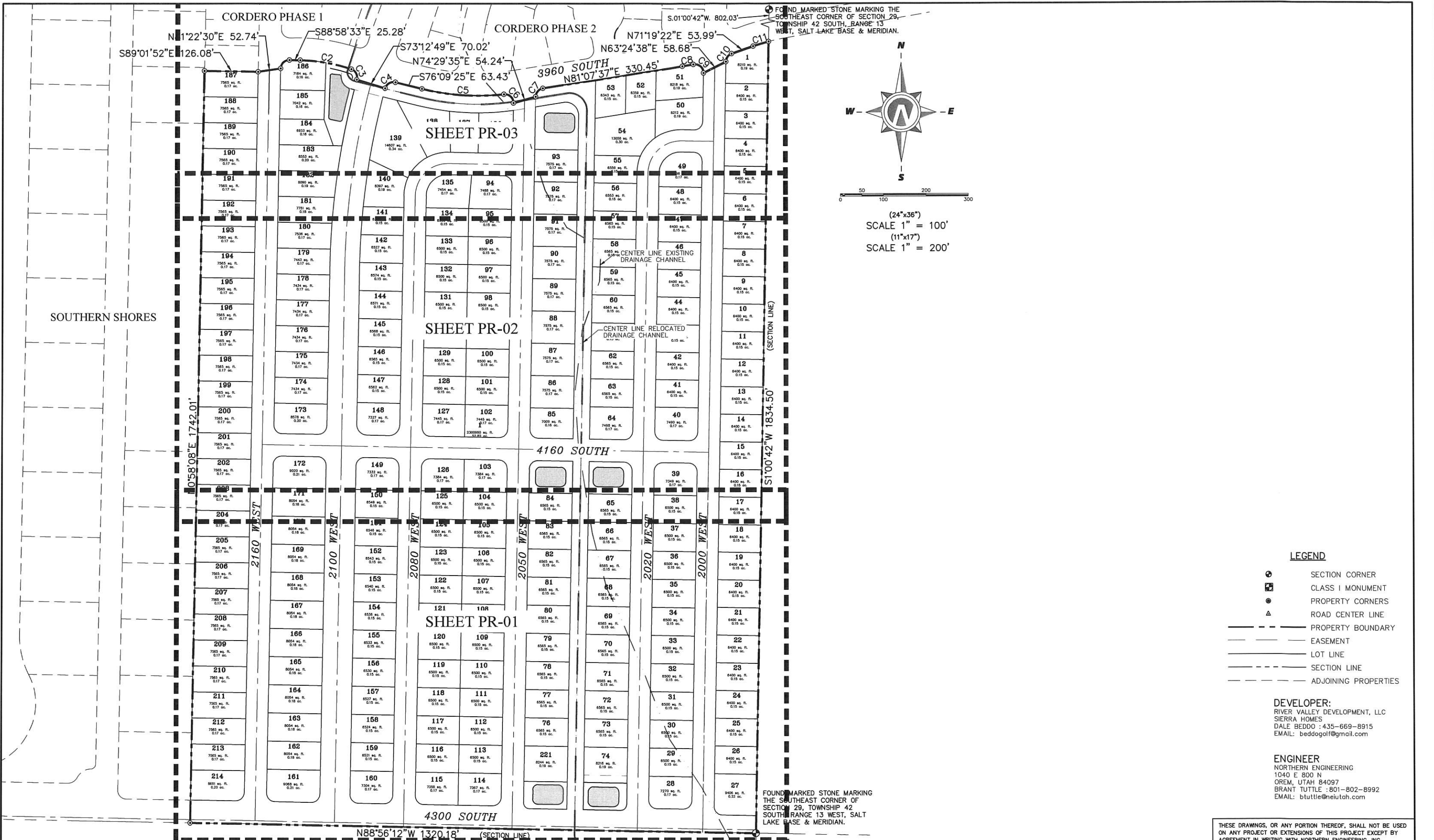


Northern
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ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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

CORDERO PHASE THREE

PRELIMINARY PLAT OVERALL	JOB NO. 3-16-052
HURRICANE, UTAH	SHEET NO. 2-1



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

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

1040 E. 800 N.
OREM, UTAH 84097
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CORDERO PHASE THREE

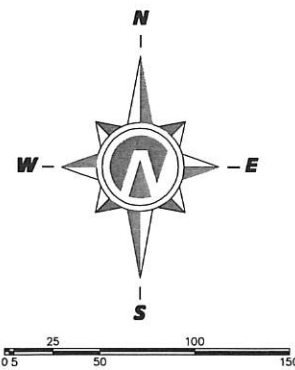
PRELIMINARY PLAT INDEX

HURRICANE, UTAH

JOB NO.
3-16-052

SHEET NO.
2-2

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

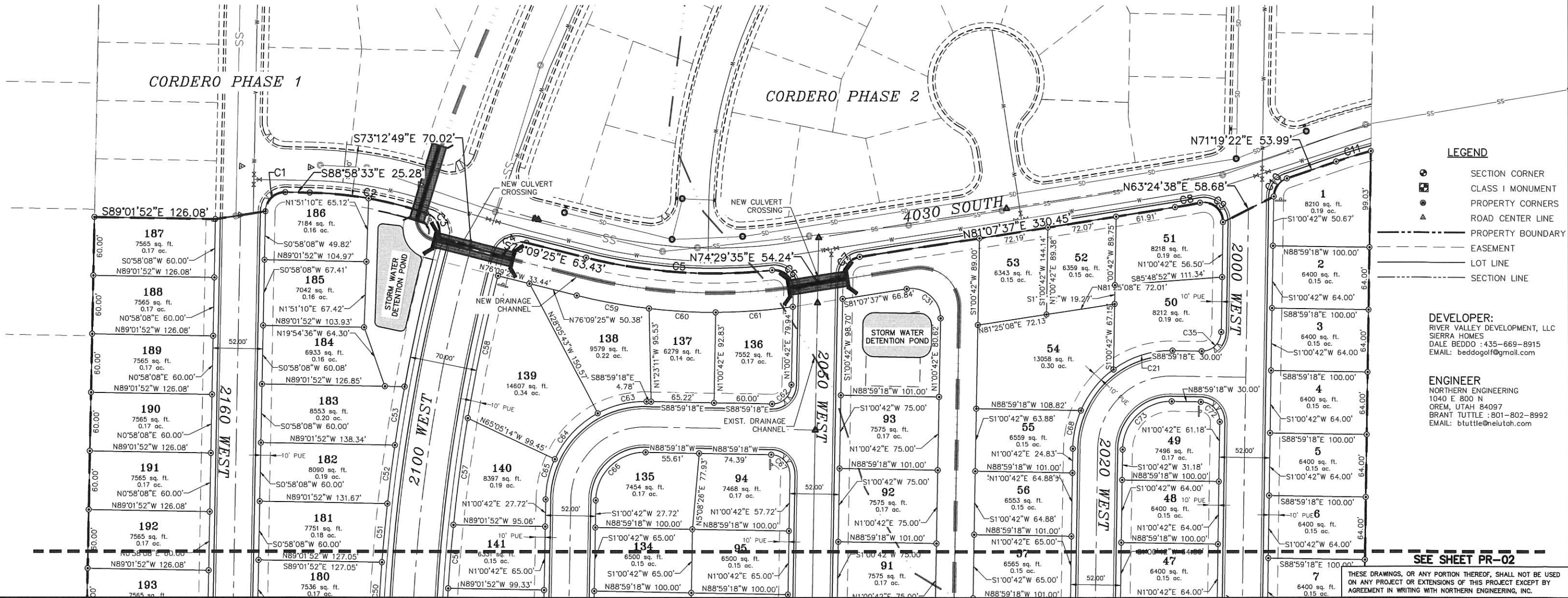
CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	31.44'	20.00'	28.30'	S45°59'47"W	90°03'18"
C2	122.81'	400.00'	122.33'	S80°10'49"E	17°35'29"
C3	30.28'	20.00'	27.47'	S28°00'36"E	86°44'58"
C4	30.91'	20.00'	27.92'	N59°34'29"E	88°32'12"
C5	193.55'	552.00'	192.56'	S86°12'07"E	20°05'24"
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°55'53"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					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C22	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
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'	S11°31'31"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					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C45	31.38'	20.00'	28.26'	S43°59'02"E	89°54'20"
C46	31.43'	20.00'	28.30'	N46°02'15"E	90°03'06"
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					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
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					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
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"



LEGEND

- SECTION CORNER
- CLASS 1 MONUMENT
- PROPERTY CORNERS
- ROAD CENTER LINE
- PROPERTY BOUNDARY
- EASEMENT
- LOT LINE
- SECTION LINE

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@neuiutah.com

DESIGNED BY:		DATE:	
DRAWN BY:		DATE:	
CHECKED BY:		DATE:	
APPROVED:		DATE:	
COCO FILE:		DATE:	
NO.		DATE:	
REVISIONS		BY	DATE
1		REV. COGO FILE:	



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

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:
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3	CHECKED BY:	DATE:
2	APPROVED:	DATE:
1	COGO FILE:	DATE:
NO.	REVISIONS	BY DATE REV. COGO FILE:



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ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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

CORDERO PHASE ONE

PRELIMINARY PLAT

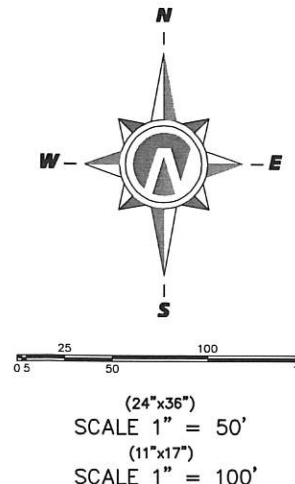
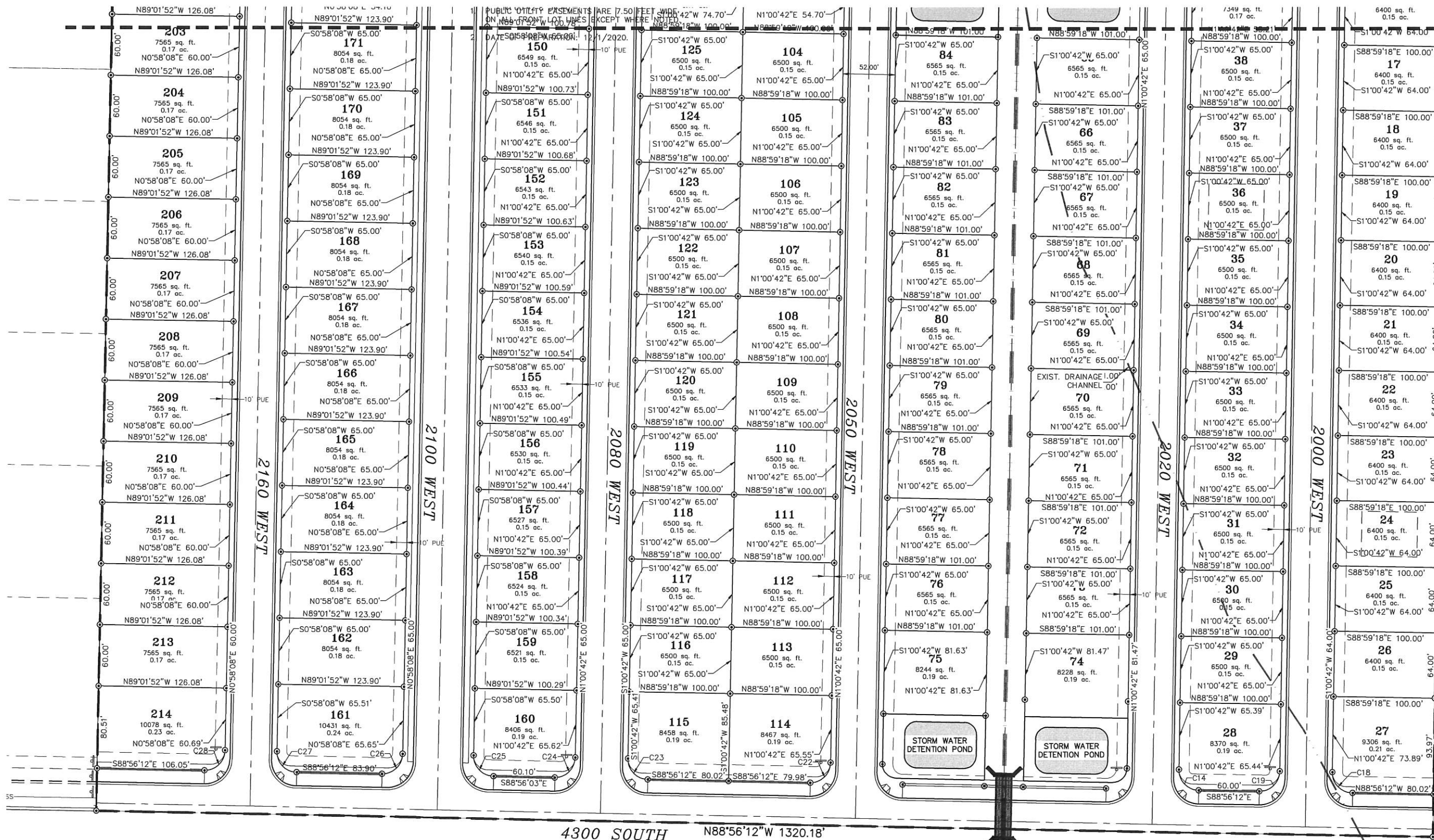
HURRICANE, UTAH

JOB NO.
3-16-052
SHEET NO.
PR-02

NOTES:

1. PUBLIC UTILITY EASEMENTS ARE 10 FEET WIDE.
ON ALL FRONT LOT LINES EXCEPT WHERE NOTED.
DATE: 5/10/2022

MATCH LINE SEE SHEET PR-02



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.

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



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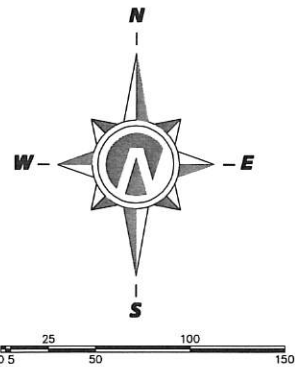
CORDERO PHASE ONE

PRELIMINARY PLAT

HURRICANE, UTAH

JOB NO.
3-16-052

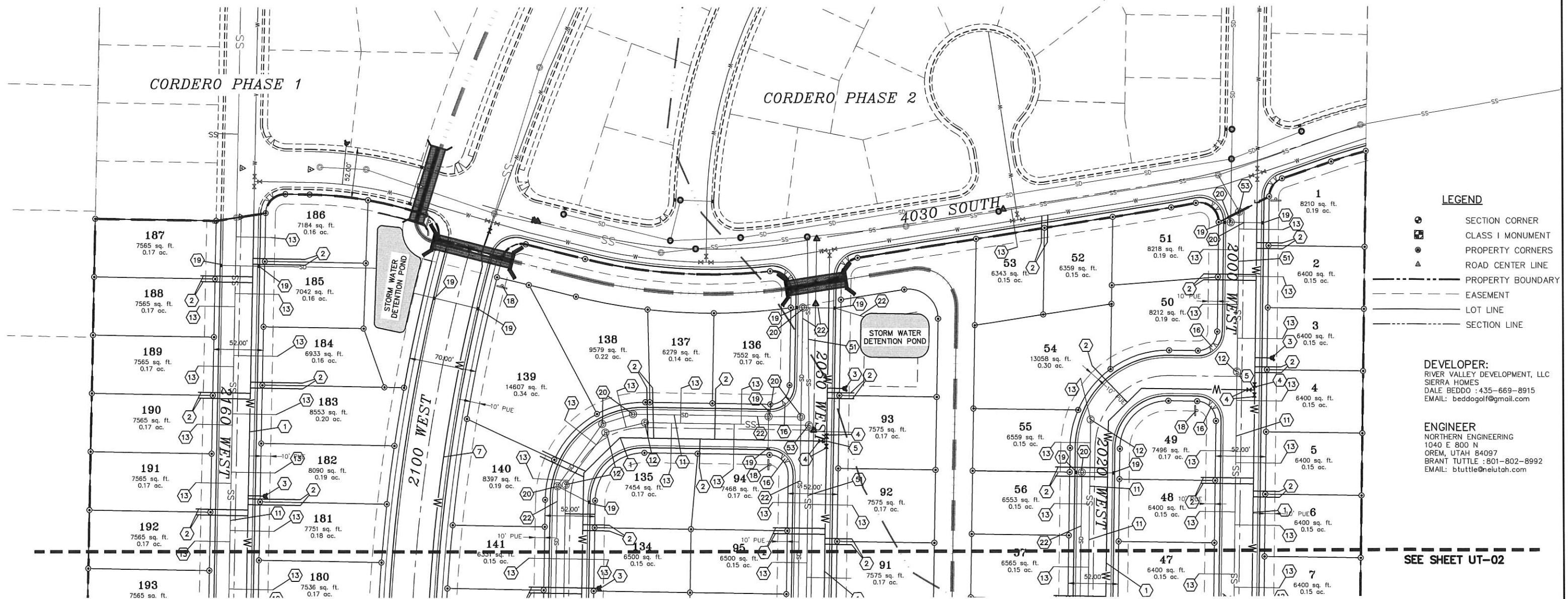
SHEET NO.
PR-03



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

UTILITY CONSTRUCTION NOTES

- 1 NEW 8" PVC C-900 WATER MAIN
- 2 NEW 3/4" WATER SERVICE WITH METER AND YOKE AND 2" X 4" MARKER AT END OF SERVICE
- 3 NEW FIRE HYDRANT WITH 6" VALVE
- 4 NEW 8" GATE VALVE
- 5 NEW 8" TEE
- 6 NEW 8" PLUG
- 7 NEW 12" POLY-WRAPPED DI WATER MAIN
- 8 NEW 12" BUTTERFLY VALVE
- 9 NEW 12" X 8" TEE
- 10 NEW 12" PLUG
- 11 NEW 8" PVC SEWER LINE
- 12 NEW 48" SEWER MANHOLE
- 13 NEW 4" SEWER LATERAL WITH PLUG STUBBED UP 3' BELOW ROUGH GRADE MARKED WITH T-POST 3' ABOVE GRADE. MATCH 4" PIPE CROWN W/ 8" MAIN CROWN
- 14 NEW 8" SEWER CAP
- 16 HANDICAP ACCESS RAMP
- 17 NEW STREET LIGHT
- 18 NEW STOP SIGN/STREET SIGN/STOP BAR
- 19 NEW STORM DRAIN INLET BOX
- 20 NEW STORM DRAIN 60" MANHOLE
- 21 NEW 15" RCP STORM DRAIN LATERAL
- 22 NEW 15" RCP STORM DRAIN LINE
- 44 INSTALL 3 END OF STREET OM4-1 SIGNS
- 51 NEW 12" PVC SEWER PIPE
- 53 NEW 60" SEWER MANHOLE



LEGEND

- SECTION CORNER
- CLASS I MONUMENT
- PROPERTY CORNERS
- ▲ ROAD CENTER LINE
- PROPERTY BOUNDARY
- EASEMENT
- LOT LINE
- SECTION LINE

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@nelutah.com

SEE SHEET UT-02

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:
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3			CHECKED BY:		DATE:
2			APPROVED:		DATE:
1			COGO FILE:		DATE:
NO.	REVISIONS	BY	DATE	REV. 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.
UT-01



MATCH LINE SEE SHEET UT-01

UTILITY CONSTRUCTION NOTES

- 1 NEW 8" PVC C-900 WATER MAIN
- 2 NEW 3/4" WATER SERVICE WITH METER AND YOKE AND 2" X 4" MARKER AT END OF SERVICE
- 3 NEW FIRE HYDRANT WITH 6" VALVE
- 4 NEW 8" GATE VALVE
- 5 NEW 8" TEE
- 6 NEW 8" PLUG
- 7 NEW 12" POLY-WRAPPED DI WATER MAIN
- 8 NEW 12" BUTTERFLY VALVE
- 9 NEW 12" X 8" TEE
- 10 NEW 12" PLUG
- 11 NEW 8" PVC SEWER LINE
- 12 NEW 48" SEWER MANHOLE
- 13 NEW 4" SEWER LATERAL WITH PLUG STUBBED UP 3' BELOW ROUGH GRADE MARKED WITH T-POST 3' ABOVE GRADE. MATCH 4" PIPE CROWN W/ 8" MAIN CROWN
- 14 NEW 8" SEWER CAP
- 16 HANDICAP ACCESS RAMP
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- 20 NEW STORM DRAIN 60" MANHOLE
- 21 NEW 15" RCP STORM DRAIN LATERAL
- 22 NEW 15" RCP STORM DRAIN LINE
- 44 INSTALL 3 END OF STREET OM4-1 SIGNS
- 51 NEW 12" PVC SEWER PIPE
- 53 NEW 60" SEWER MANHOLE



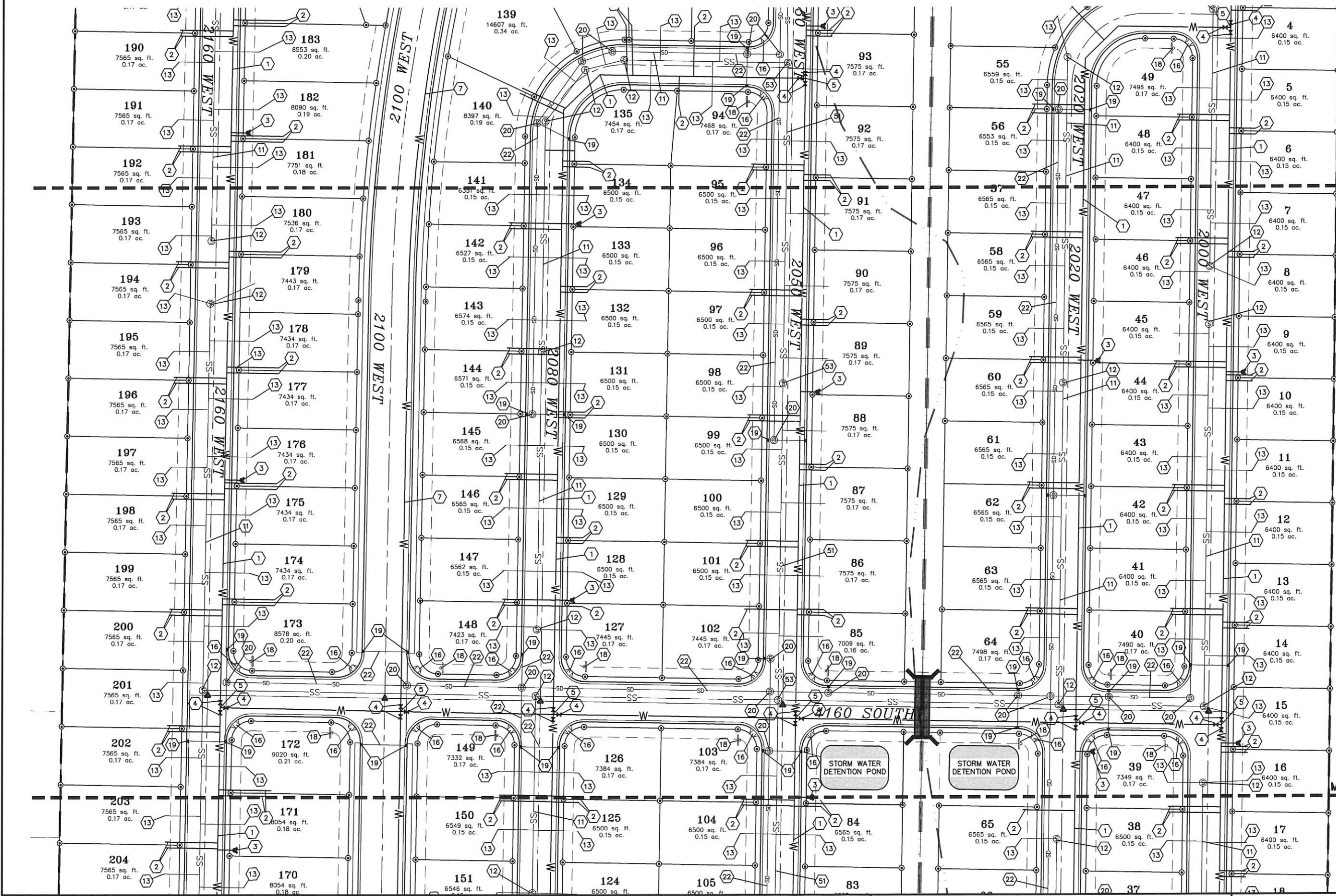
(24"x36")
SCALE 1" = 50'
(11"x17")
SCALE 1" = 100'

MATCH LINE SEE SHEET UT-03

NOTES:

1. PUBLIC UTILITY EASEMENTS ARE 7.50 FEET WIDE ON ALL FRONT LOT LINES EXCEPT WHERE NOTED.
2. DATE OF PREPARATION: 12/1/2020.

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.



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3	CHECKED BY:	DATE:
2	APPROVED:	DATE:
1	COGO FILE:	DATE:
NO.	REVISIONS	BY DATE REV. COGO FILE:



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CORDERO PHASE THREE

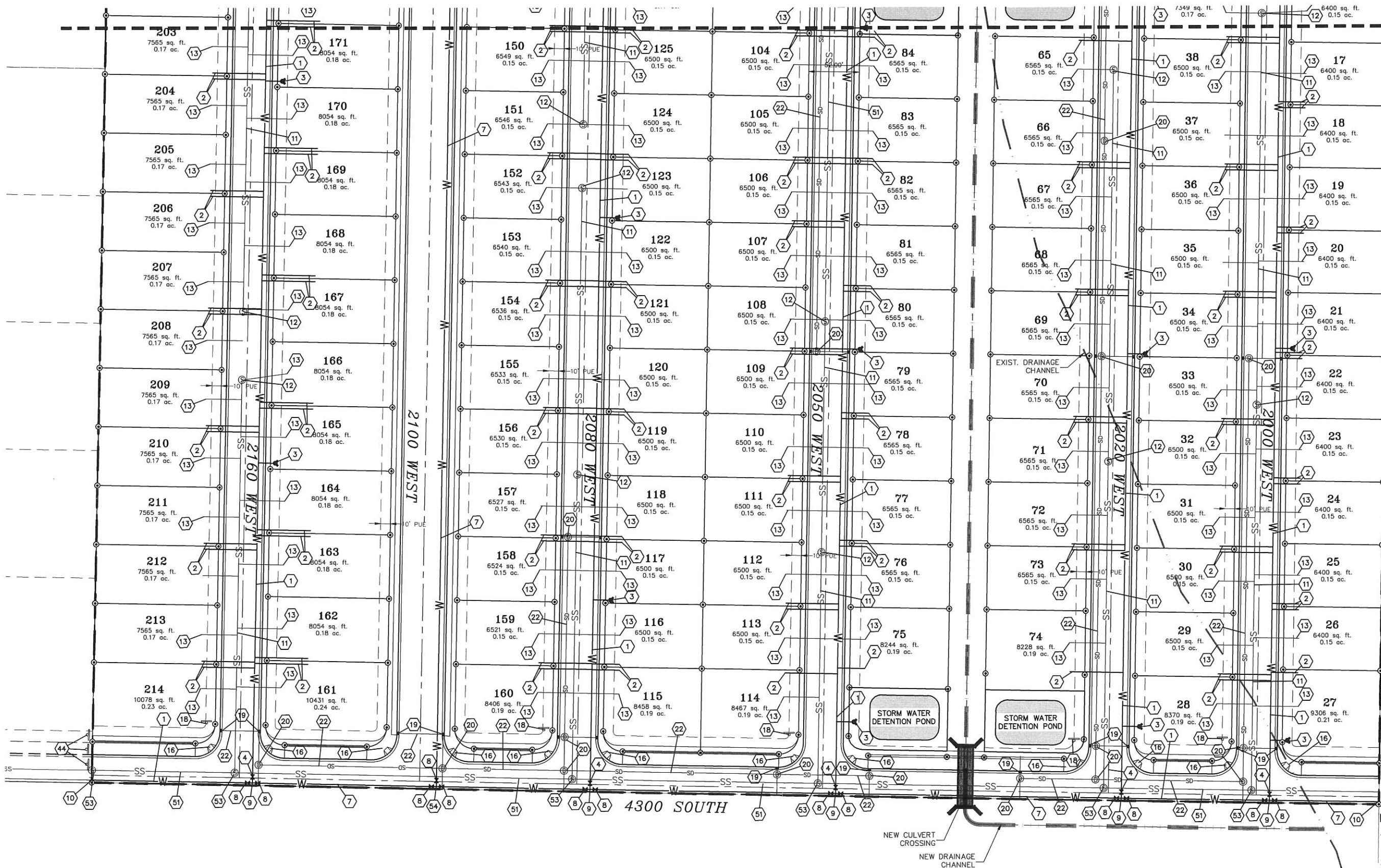
PRELIMINARY UTILITY PLAN

HURRICANE, UTAH

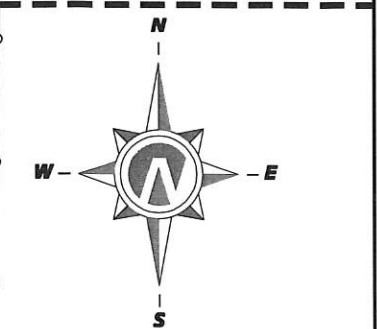
JOB NO.
3-16-052

SHEET NO.
UT-02

Page 95 of 178



MATCH LINE SEE SHEET PR-02



UTILITY CONSTRUCTION NOTES

- 1 NEW 8" PVC C-900 WATER MAIN
- 2 NEW 3/4" WATER SERVICE WITH METER AND YOKE AND 2" X 4" MARKER AT END OF SERVICE
- 3 NEW FIRE HYDRANT WITH 6" VALVE
- 4 NEW 8" GATE VALVE
- 5 NEW 8" TEE
- 6 NEW 8" PLUG
- 7 NEW 12" POLY-WRAPPED DI WATER MAIN
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- 9 NEW 12" X 8" TEE
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- 12 NEW 48" SEWER MANHOLE
- 13 NEW 4" SEWER LATERAL WITH PLUG STUBBED UP 3' BELOW ROUGH GRADE MARKED WITH T-POST 3' ABOVE GRADE. MATCH 4" PIPE CROWN W/ 8" MAIN CROWN
- 14 NEW 8" SEWER CAP
- 16 HANDICAP ACCESS RAMP
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- 19 NEW STORM DRAIN INLET BOX
- 20 NEW STORM DRAIN 60" MANHOLE
- 21 NEW 15" RCP STORM DRAIN LATERAL
- 22 NEW 15" RCP STORM DRAIN LINE
- 44 INSTALL 3 END OF STREET OM4-1 SIGNS
- 51 NEW 12" PVC SEWER PIPE
- 53 NEW 60" SEWER MANHOLE
- 54 NEW 12"X8" CROSS

25 50 100 150

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

NOTES:

1. PUBLIC UTILITY EASEMENTS ARE 7.50 FEET WIDE ON ALL FRONT LOT LINES EXCEPT WHERE NOTED.
2. DATE OF PREPARATION: 12/1/2020.

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4		DRAWN BY:	DATE:
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2		APPROVED:	DATE:
1		COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE
1		REV. COGO FILE:	DATE:



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CORDERO PHASE THREE

PRELIMINARY UTILITY PLAN

HURRICANE, UTAH

JOB NO.
3-16-052

SHEET NO.
UT-03



MATCH LINE SEE SHEET GR-01

MATCH LINE SEE SHEET GR-03

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

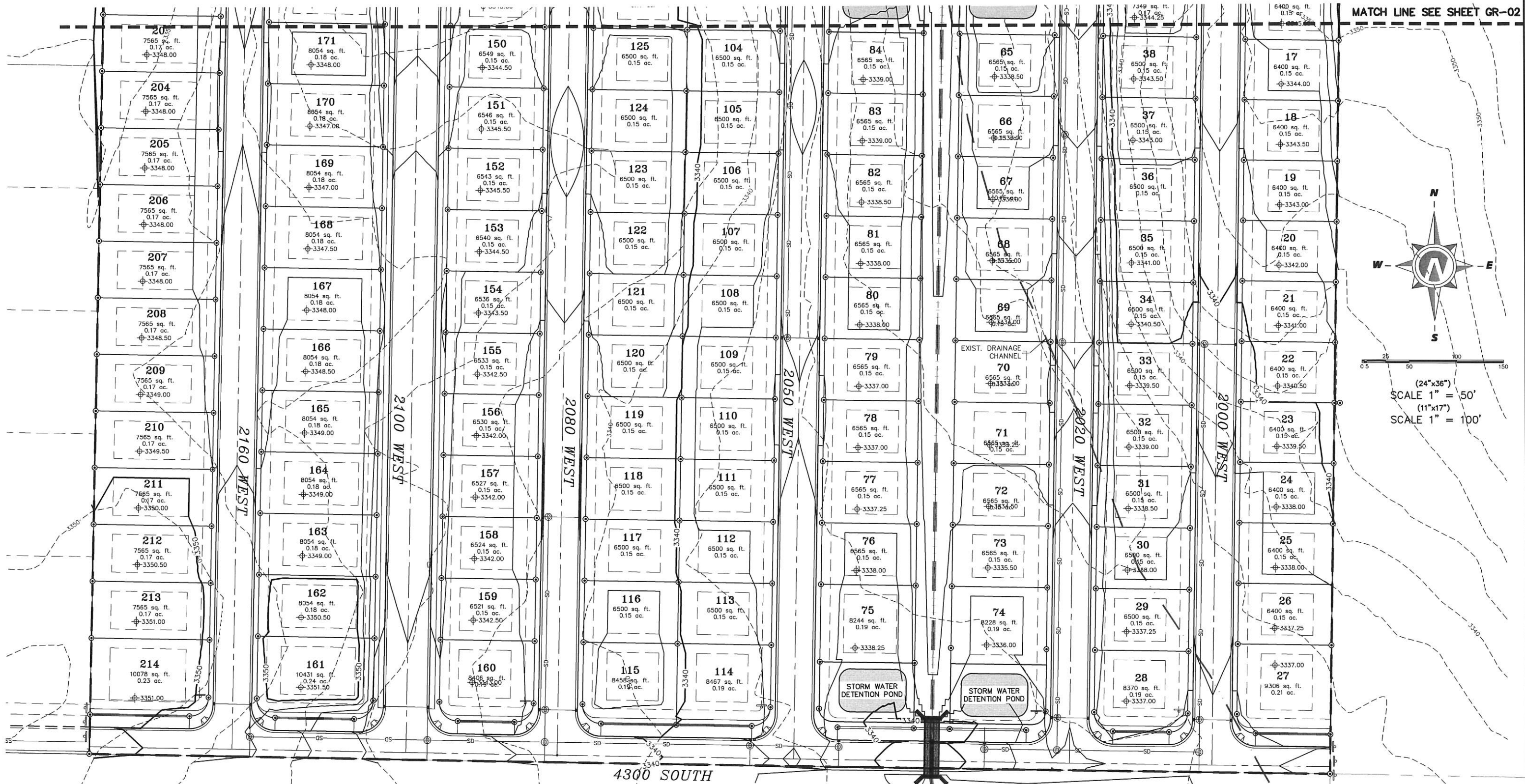


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ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
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(801) 802-8992

CORDERO PHASE THREE

PRELIMINARY GRADING	JOB NO. 3-16-052
HURRICANE, UTAH	SHEET NO. GR-02



MATCH LINE SEE SHEET GR-02

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

- NOTES:
- 1. PUBLIC UTILITY EASEMENTS ARE 7.50 FEET WIDE ON ALL FRONT LOT LINES EXCEPT WHERE NOTED.
 - 2. DATE OF PREPARATION: 05/10/2022.

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

\\3-16-052-00_SPL\\SHURY-COPPER\\CADD\\2020\\DESIGN\\PHASE ONE\\2022-PHASE 3 PRELIM BASE-04-13-22.dwg 5/10/2022 7:51 PM

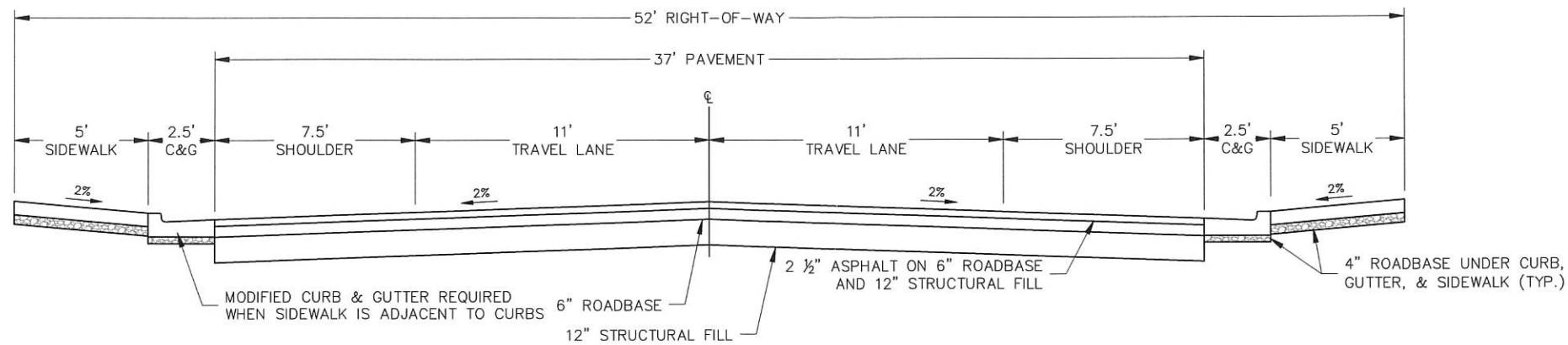
Northern
ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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

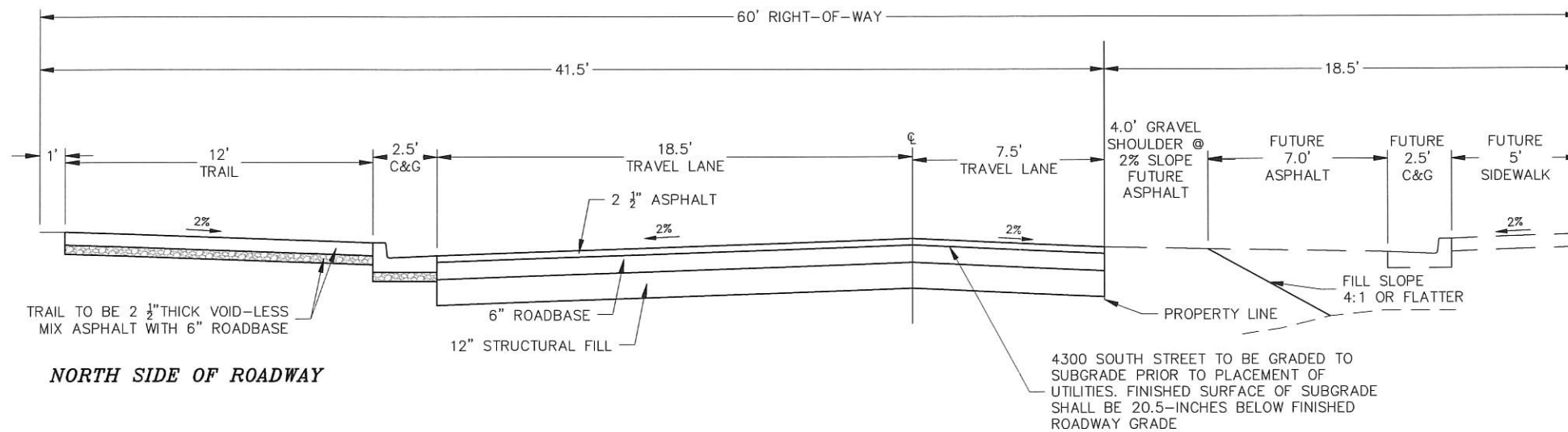
CORDERO PHASE THREE

PRELIMINARY GRADING PLAN
HURRICANE, UTAH

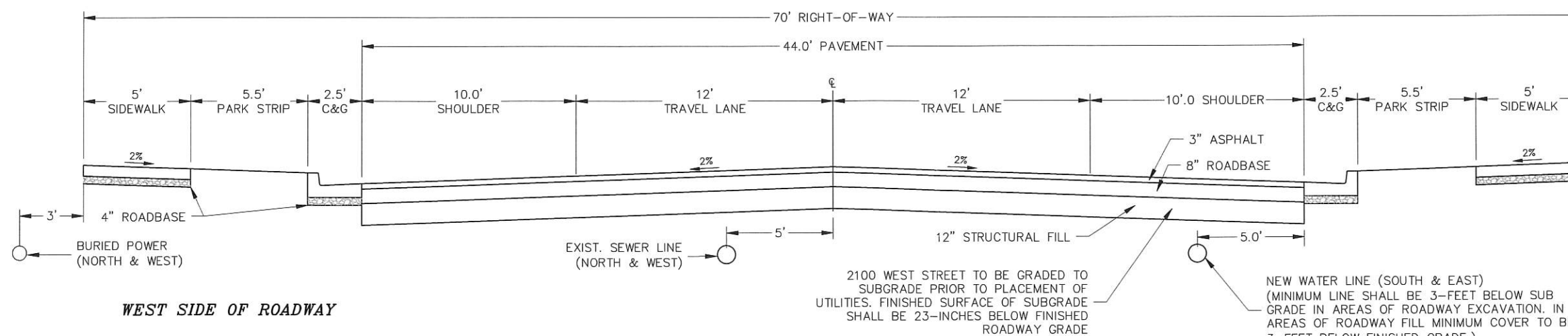
JOB NO.
3-16-052
SHEET NO.
GR-03



**RESIDENTIAL STANDARD
CROSS-SECTION**



4300 SOUTH CROSS-SECTION



2100 WEST CROSS-SECTION

• FROM 3960 SOUTH TO 4300
SOUTH (2100 WEST)

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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

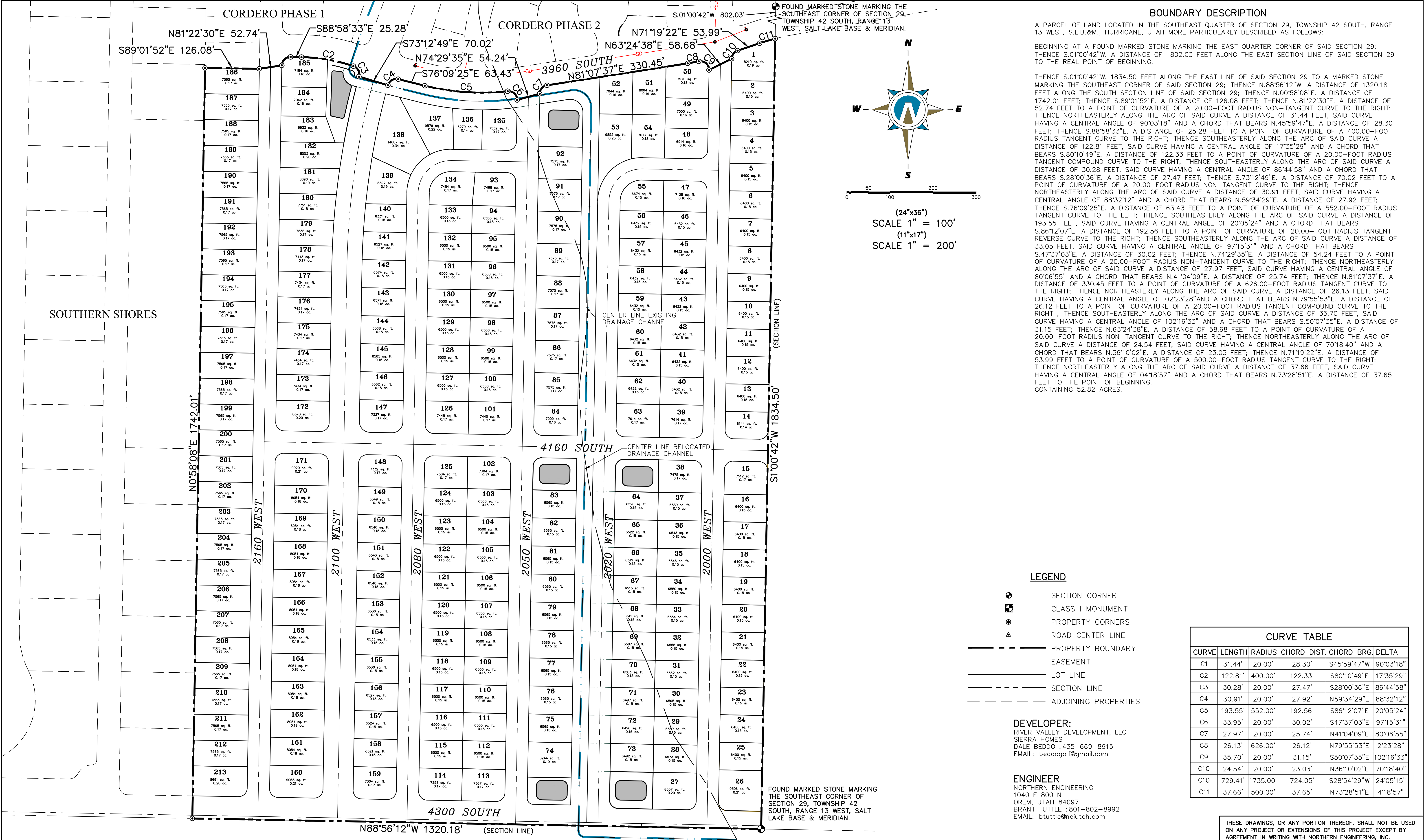
CORDERO PHASE III

ROAD CROSS-SECTIONS

HURRICANE, UTAH

JOB NO.
03-16-052

SHEET NO.
DT-1



**DEVELOPMENT AGREEMENT
FOR
CORDERO ZONE CHANGE**

THIS DEVELOPMENT AGREEMENT ("Agreement") is made and entered into as of the 21 day of January, 2021 (the "Effective Date"), by and between the CITY OF HURRICANE, a Utah municipal corporation, hereinafter referred to as "City," and Li Boyd Cook, Cordero, a Utah limited liability company, hereinafter referred to as "Developer." The City and Developer are hereinafter collectively referred to as "Parties."

RECITALS

A. Developer is the owner of approximately 200 acres of land located within the City of Hurricane as is more particularly described on EXHIBIT A, attached hereto and incorporated herein by reference (the "Property").

B. On November 19, 2020, the City Council approved a zone change as shown in Exhibit B with the conditions laid out within this agreement.

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

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

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

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

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

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

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

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

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

AGREEMENT

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

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

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

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

- a. Guaranteed Density and Uses. City specifically acknowledges that at build-out Developer shall be entitled to a total overall density of 700 ERUs, including recreation resort units within the Project. That density equals approximately 3.5 residential units to the acre. Further, the parties acknowledge that actual densities on certain acreage will exceed 3.5 units per

acre because several acres of the Property will be (a) set aside as open space, and (b) larger lots. The Developer shall provide a table on the preliminary plat with each phase of development the total number of ERUs that have been approved for the total project.

5. Construction Standards and Requirements. All construction on the Property at the direction of the Developer shall be conducted and completed in accordance with the City Ordinances and Design Standards, including, but not limited to infrastructure construction, setback requirements, minimum lot sizes, building height requirements, lot coverage requirements and all other zoning requirements.

- a. The City shall accept all improvements which are intended for public use and which have been constructed by Developer or its agents in accordance with the City's standards and as shown on the approved construction drawings.
- b. Unless otherwise specifically approved by the City Council and clearly labeled on the final subdivision plat, all roads within the Project shall be public roads. Upon final acceptance of such roads as having been constructed in conformity with all approved plans and City standards, City shall be responsible for maintenance of the roads at the same level of maintenance applicable to other similar roads within the City. City shall not be responsible for maintenance of any private road within the Project.

6. Reimbursement for Improvements. Developer and Hurricane City will enter into an agreement whereby the developer is reimbursed by the City for the cost of constructing eligible public facilities. All reimbursement agreements shall comply with Hurricane City Code 9-6.

7. On-Site Processing of Natural Materials. Notwithstanding anything to the contrary herein, Developer and its agents shall be permitted to extract and process the natural materials located on the Project, such as aggregate (rock, sand or gravel), for temporary purposes and in connection with the grading, excavation, and other ordinary and customary development processes for the Property. Such natural materials may be used in the construction of infrastructure, homes, or other buildings or improvements located on the Property and other locations outside the Property. No extraction, processing or other form of mining activity shall occur on the Property unless the party desiring to conduct such activity has, prior to the commencement of such activity, obtained all necessary permits and approvals from City.

8. Vested Rights and Reserved Legislative Powers.

- a. Vested Rights. As of the Effective Date, Developer shall have the vested right to develop and construct the Project in accordance with the uses, maximum permissible densities, intensities, and general configuration of development established in the Approval Documents, subject to compliance with the City Ordinances in existence on the Effective Date. The Parties intend that the rights granted to Developer under this Agreement are contractual and also those rights that exist under statute, common law and at equity. The Parties specifically intend that this Agreement grants to

Developer “vested rights” as that term is construed in Utah’s common law and pursuant to Utah Code Ann., §10-9a-509.

- i. Examples of Exceptions to Vested Rights. Notwithstanding the foregoing, the Parties understand and agree that the Project will be required to comply with future changes to City Laws that do not limit or interfere with the vested rights granted pursuant to the terms of this Agreement. The following are examples for illustrative purposes of a non-exhaustive list of the type of future laws that may be enacted by the City that would be applicable to the Project:
 1. Developer Agreement. Future laws that Developer agrees in writing to the application thereof to the Project;
 2. Compliance with State and Federal Laws. Future laws which are generally applicable to all properties in the City and which are required to comply with State and Federal laws and regulations affecting the Project;
 3. Safety Code Updates. Future laws that are updates or amendments to existing building, plumbing, mechanical, electrical, dangerous buildings, drainage, or similar construction or safety related codes, such as the International Building Code, the APWA Specifications, AAHSTO Standards, the Manual of Uniform Traffic Control Devices or similar standards that are generated by a nationally or statewide recognized construction/safety organization, or by the State or Federal governments and are required to meet legitimate concerns related to public health, safety or welfare; or,
 4. Taxes. Taxes, or modifications thereto, so long as such taxes are lawfully imposed and charged uniformly by the City to all properties, applications, persons and entities similarly situated.
 5. Fees. Changes to the amounts of fees for the processing of Development Applications that are generally applicable to all development within the City (or a portion of the City as specified in the lawfully adopted fee schedule) and which are adopted pursuant to State law.
 6. Impact Fees. Impact Fees or modifications thereto which are lawfully adopted, imposed and collected.
- b. Reserved Legislative Powers. The Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited.

Notwithstanding the retained power of the City to enact such legislation of the police powers, such legislation shall not modify the Developer's vested right as set forth herein unless facts and circumstances are present which meet the exceptions to the vested rights doctrine as set forth in Section 10-9a-509 of the Municipal Land Use, Development, and Management Act, as adopted on the Effective Date, *Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388 (Utah 1980), its progeny, or any other exception to the doctrine of vested rights recognized under state or federal law.

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

10. Default and Remedies. Failure of a party to perform any of the Party's obligations under this Agreement within a thirty (30) day period (the "**Cure Period**") after written notice thereof from the other party shall constitute a default ("**Default**") by such failing party under this Agreement; provided, however, that if the failure cannot reasonably be cured within thirty (30) days, the Cure Period shall be extended for the time period reasonably required to cure such failure so long as the failing party commences its efforts to cure within the initial thirty (30) day period and thereafter diligently proceeds to complete the cure. Such notice shall specify the nature of the alleged Default and the manner in which such Default may be satisfactorily cured, if possible. If the Default is cured, then no Default shall exist and the noticing Party shall take no further action.

- a. In the event of an uncured Default, the non-defaulting party shall, in addition to any other remedy allowed by law, be entitled to the court's imposition of specific performance and /or injunctive relief, but not monetary damages. All rights and remedies under this Agreement, and /or statute or common law shall be deemed cumulative and the selection of one of the rights or remedies shall not be deemed a waiver of any other right or remedy.
- b. If City elects to consider terminating this Agreement due to a Default by Developer, then City shall give to Developer written notice of City's intent to terminate this Agreement and the matter shall be scheduled for consideration and review by City's legislative body at a duly noticed public meeting. Developer shall have the right to offer written and oral evidence prior to or at the time of said public meeting. If City's legislative body determines that a material uncured Default has occurred and is continuing, City may thereafter pursue the remedy of termination through an appropriate judicial proceeding.

11. Specific Acts of Default. The Parties hereto agree that any of the following occurrences, acts or failure to act shall constitute a Default by Developer, for which City may elect to terminate the agreement in accordance with Section 8 above: (a) the filing of

a petition in bankruptcy by Developer, (b) foreclosure on any portion of the Property which has the effect of creating an unapproved or illegal subdivision under Utah law or City ordinances, (c) the Developer's failure to comply with the requirements of any Section above, or (d) Developer's failure, without good cause as determined in good faith by City, for a period of five (5) years to commence construction of improvements in any new development phase or new Development Parcel. Upon such termination, all approvals or development rights granted hereunder to Developer shall lapse and all obligations of City hereunder shall cease.

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

To the Developer: Jay Stocking
C/O Boyd Cook, CFO
470 N 2450 W
Tremonton, UT 84337
Phone:

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

13. 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.

m. Termination.

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

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

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

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

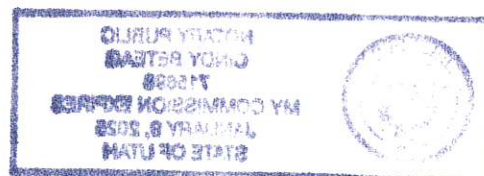
15. Sale or Conveyance. If Developer sells or conveys parcels of land, the lands so sold and conveyed shall bear the same rights, privileges, intended uses, configurations, and density as applicable to such parcel and be subject to the same limitations and rights of the City as when owned by Developer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

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

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

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

19. 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.



ATTEST:

By: Cindy Betas
City Recorder

CITY:

CITY OF HURRICANE

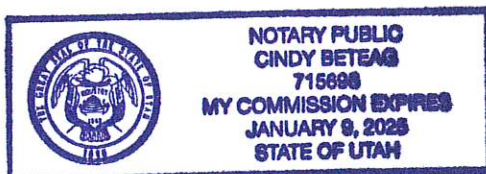
By: John W. Brant
Mayor

DEVELOPER:

By: [Signature]
Name: L. Boyd Cook
Title: CFO

STATE OF UTAH)
:ss
COUNTY OF UTAH)

On the 21 day of Jan, 2021, personally appeared before me L. Boyd Cook, who being by me duly sworn, did say that he is the CFO of River Valley, 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.



Cindy Betas
Notary Public
Residing at: Hurricane, UT.

EXHIBIT A
Legal Description Parcel:

EXHIBIT B
Zoning Amendment

EXHIBIT C
Site Plan

**BOUNDARY DESCRIPTION
80 ACRE EASTERLY&WESTERLY PARCEL
& 40 ACRE WESTERLY PARCEL
OF SPILSBURY & RIVER VALLEY DEV. PROPERTY
HURRICANE, UTAH**

A 80 ACRE EASTERLY PARCEL OF LAND LOCATED IN THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, SLB&M, WASHINGTON COUNTY, UTAH, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29 AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29.

CONTAINING 80 ACRES MORE OR LESS.

A 80 ACRE WESTERLY PARCEL OF LAND LOCATED IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 29, SLB&M, WASHINGTON COUNTY, UTAH, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29 AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 29.

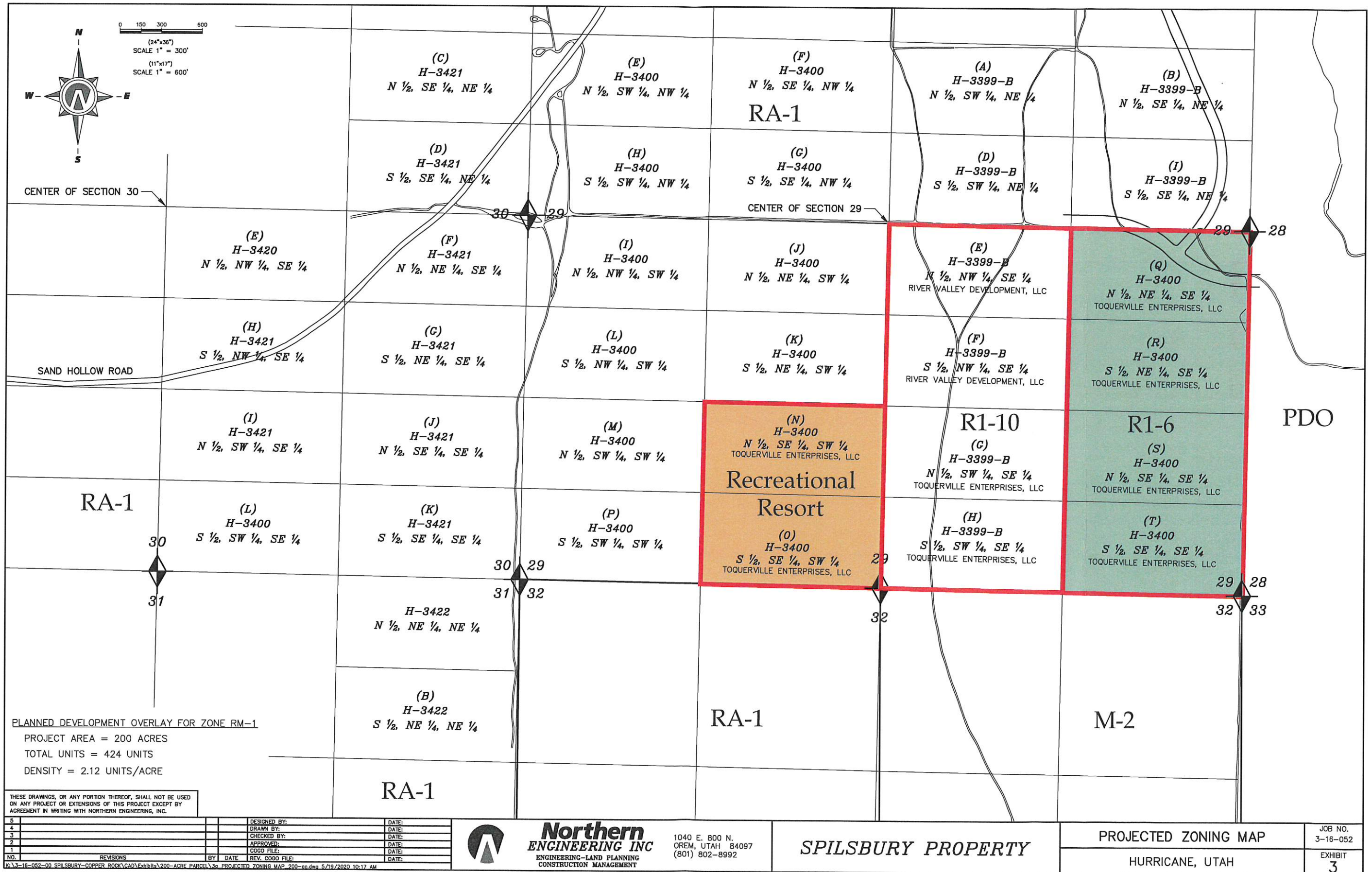
CONTAINING 80 ACRES MORE OR LESS.

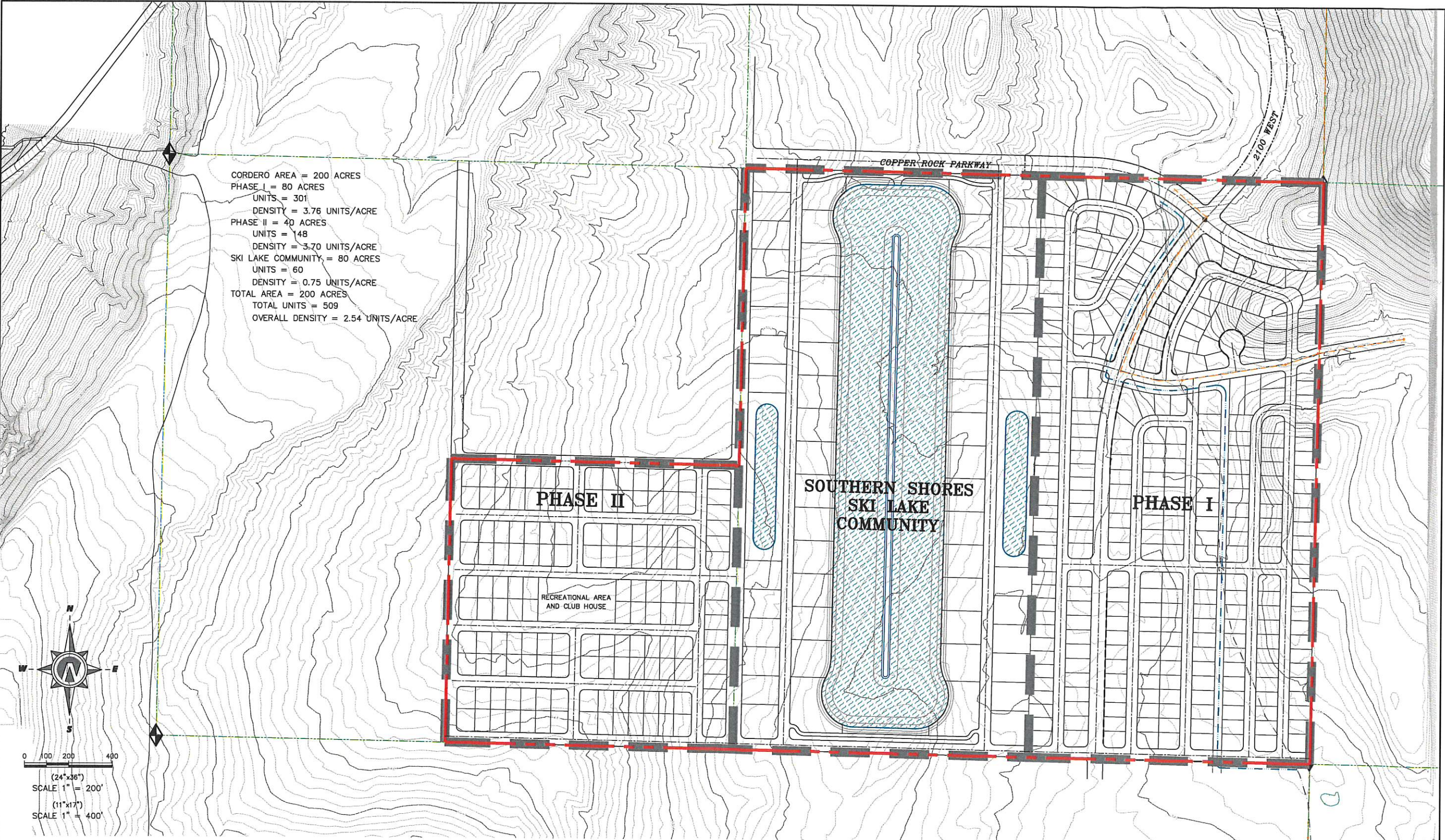
A 40 ACRE WESTERLY PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, SLB&M, WASHINGTON COUNTY, UTAH, SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29 AND THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 29.

CONTAINING 40 ACRES MORE OR LESS.

TOTAL AREA OF ALL THREE PARCELS 200 ACRES MORE OR LESS





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
K:\3-16-052-00 SPILSBURY-COPPER ROCK\CAD\2020 DESIGN\2020 BASE_09-02-20 c.dwg 9/9/2020 5:11 PM			



Northern
ENGINEERING INC
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

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

CORDERO

CONCEPT PLAN

HURRICANE, UTAH

JOB NO.
3-16-052

SHEET NO.
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. 2022-2C-28

Receipt No. 6-159047

Name: Silverado Development LLC Telephone: 801-885-2611

Address: 1510E 850N Orem UT 84097 Fax No. _____

Agent (If Applicable): _____ Telephone: _____

Email: dave@silveradobc.com Agent Email: _____

Address/Location of Subject Property: North-West of SR-7 & SR-9 Intersection

Tax ID of Subject Property: H-3-1-31-1101 & H-3-1-31-2101 Existing Zone District: R1-8

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

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: 6.6.22 Application Complete: YES ☒ NO ☐

Date application deemed to be complete: 6.6.22 Completion determination made by: BS

ZONE CHANGE APPLICATION (General Information)

PURPOSE

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

WHEN REQUIRED

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the 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, storm water drainage systems, water supplies, and waste water and refuse collection.

PROCESS

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report, and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.

AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~ Nevada)
)
COUNTY OF Clark)

I (we), MARK A. SCHNIPPER, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

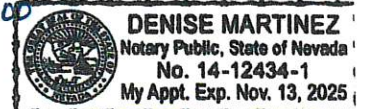
MARK A. SCHNIPPER
(Property Owner)

[Signature]
(Property Owner)

Subscribed and sworn to me this 5th day of May 2022 by Mark A. Schnippel.

[Signature]
(Notary Public)

Residing in: 8912 Spanish Ridge Ave Ste. 100
Las Vegas NV 89148
My Commission Expires: NOV. 13, 2025



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

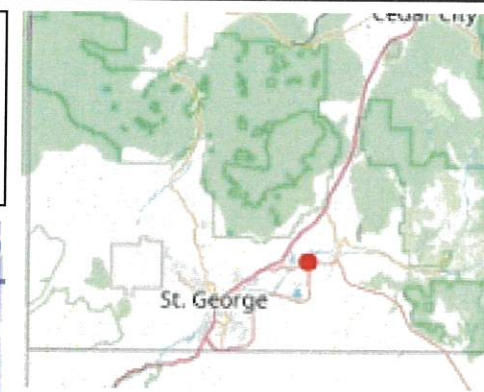
(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

(Notary Public)

Residing in: _____

My Commission Expires: _____



Parcels

Ownership

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

1,504.7	0	752.33	1,504.7 Feet
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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.

SWISS SEVEN LLC
H-3-1-32-44031
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

SWISS SEVEN LLC
H-3-1-32-33001
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

WESTERN COMMERCIAL REAL ESTATE PLLC, E
H-3-1-32-343
1400 CHAPEL ST UNIT 596
SANTA CLARA, UT 84765-7023

SCHNIPPEL MARK A TR, ET AL
H-3-1-31-1101
PO BOX 777895
HENDERSON, NV 89077

HILL SCOTT C & CAROL S
H-3-1-32-342
876 HIGH COUNTRY DR
OREM, UT 84097

SCHNIPPEL MARK A TR, ET AL
H-3-1-31-2101
PO BOX 777895
HENDERSON, NV 89077

SWISS SEVEN LLC
H-3-1-32-440112
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

SCHNIPPEL MARK A TR, ET AL
H-3-1-31-1105
PO BOX 777895
HENDERSON, NV 89077

SWISS SEVEN LLC
H-3-1-32-44081
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

SWISS SEVEN LLC
H-3-1-32-440112
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

WESTERN COMMERCIAL REAL ESTATE PLLC, E
H-3-1-32-344
1400 CHAPEL ST UNIT 596
SANTA CLARA, UT 84765-7023

OLSON ERNEST P
H-3-1-31-1102
220 LIVE OAK HILLS CT
SAN MARCOS, TX 78666

HURRICANE CITY
H-3-1-32-444
147 N 870 W
HURRICANE, UT 84737-1671

SWISS SEVEN LLC
H-3-1-32-440112
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

SWISS SEVEN LLC
H-3-1-32-44081
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

MIDDON LLC
H-3-1-31-1111
1842 S 3430 E
SAINT GEORGE, UT 84790

HILL SCOTT C & CAROL S
H-3-1-32-341
876 HIGH COUNTRY DR
OREM, UT 84097

SWISS SEVEN LLC
H-3-1-32-440112
590 E SAINT GEORGE BLVD
SAINT GEORGE, UT 84770

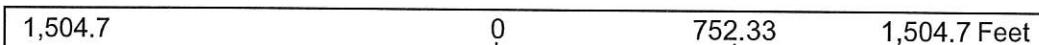


- Parcels**

Ownership

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

Notes



WGS_1984_Web_Mercator_Auxiliary_Sphere

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.

Narrative for Zone Change

This is a description for the rezone application of the proposed uses of the Silverado Development LLC development for the 23.94 acres at the intersection of SR-9 and SR-7 in Hurricane.

Silverado Development LLC intends to develop the Parcels H-3-1-31-1101 & H-3-1-31-2101 to have the best possible value for local residents, visitors and the city. Therefore we propose a mixed use plan that is divided into 4 different phases that each serve a distinct purpose.

Phase one is multi family housing. Washington county has seen tremendous population growth in the past 10 years and it is only accelerating. To support that need, we plan to build around 200 units in total. The number of buildings and units is not final yet. These buildings are situated at the north side of the property and will take in the breathtaking views of the valley and beautiful red rock. We strive to build desert modern housing that integrates well with the surroundings of Hurricane and adds additional value to the community through well built quality and amenities for the residents. These amenities might include a pool, hot tub and fitness studio.

Phase two is town houses and toy garages. We plan to build 42 town houses based on the housing need explained in the above paragraph. Different family situations result in different needs, with the town houses we want to provide additional housing next to the multi family in phase one that addresses families that need more space.

The surroundings of Hurricane offer various outdoor activities, that often include the use of dirt bikes, side by sides, motorhomes and other vehicles. To support this need, Silverado Development LLC plans to build 2-story toy garages. These buildings are situated at the south end of the residential area of this property. One of the main focuses that define the current plan is easy accessibility with large trailers or motorhomes. The proposed concept plan shows 12 toy garages, that offer the option of a bedroom upstairs, which is convenient for owners that do not permanently reside in the area.

Phase three is a hotel on the south-west side of the property. This is one of the main highlights of the proposed plan. We plan to build a hotel with around 100-150 keys. The location at this intersection and the proximity to Zion national park are ideal for a hotel. What will set this hotel apart is an oversized pool and trailer parking. Trailer parking will ensure that guests can bring their toys to enjoy all the recreational amenities in this area and be able to to park on-site.

Phase four is commercial retail buildings on the south-east end east side of the property. These may include a gas station with a c-store, restaurants and/or stores, which will be convenient for residents of the multi family housing, owners of toy garages, hotel guest, residents of Washington county that commute and visitors of the area.

The General Zoning Plan of the Hurricane Planning Department shows Single Family Zoning for the north part of the property and General Commercial for the the south part of it. We placed the multi family at the north part to fit the General plan as good as possible. That way it transitions from residential multi family housing, to toy garages, to commercial (hotel/retail) on the south end. Looking at the Zones of Hurricane, the Planned Commercial Zone would allow this proposed mixed development, without having to divide the property into different Zones.

In conclusion, we want to add that Silverado Development LLC strives to design this project to not only fit into Hurricane but also to complement each other. We want to provide a mixed use development that addresses Hurricanes needs and adds value to the community.

APARTMENTS

9.34 ACRES

96 1 BEDROOM
96 2 BEDROOM
192 TOTAL UNITS

AMENITY AREA:

- 2500 CLUBHOUSE + FITNESS AREA
- OUTDOOR POOL

RESIDENTIAL

7.06 ACRES

42 TOWNHOMES:
1,000 SF FOOTPRINT EA

12 TOY GARAGES:
2,300 SF FOOTPRINT EA

AMENITY AREA:

- OUTDOOR POOL
- FITNESS AREA
- COMMUNITY LOUNGE
- GREENSPACE

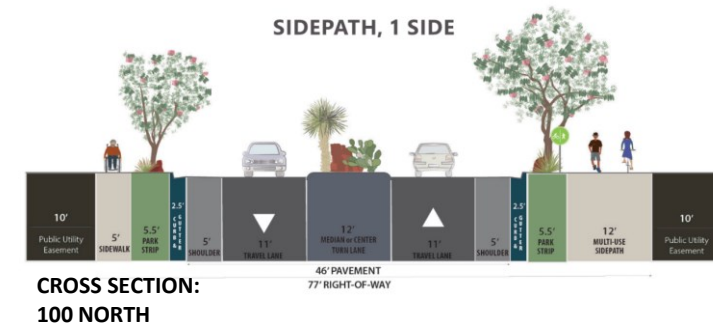
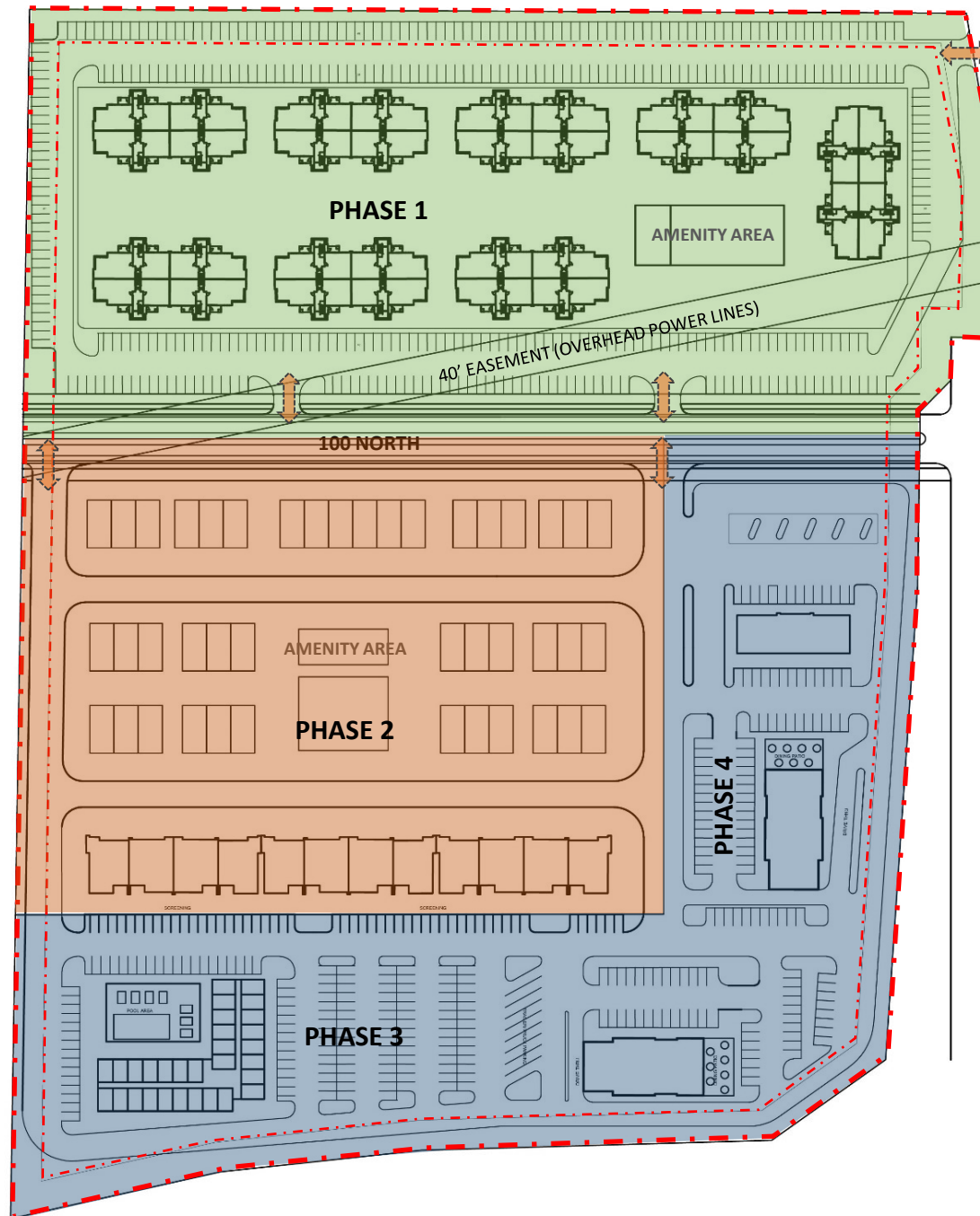
COMMERCIAL ZONE

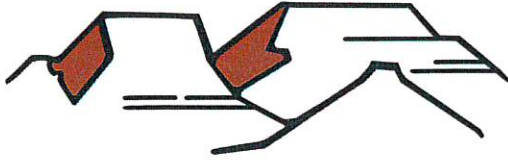
7.54 ACRES

- 120 UNIT HOTEL (4 LEVELS)
- (2) 6000 SF RETAIL (DRIVE THRU AND PATIO)
- C – STORE WITH GAS SERVICE



SK- 06.3
ZION GATEWAY
HURRICANE, UTAH
07/7/2022





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-24

Receipt No. 8159647

Name: Silverado Development LLC Telephone: 801-885-2611

Address: 1510 E 850 N UT 84097 Fax No. _____

Email: dave@silveradobc.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: North-West of SR-2 & SR-9 Intersection

Tax ID of Subject Property: H-3-1-31-1101 & H-3-31-2101 Zone District: P1-8

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

Planned Commercial (PC)

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: 6.6.22 Received by: Brienna Spencer

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

Narrative for Zone Change

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Phase two is toy garages. The surroundings of Hurricane offer various outdoor activities, that often include the use of dirt bikes, side by sides, motorhomes and other vehicles. To support this need, Silverado Development LLC plans to build 2-story toy garages. These buildings are situated at the center of the property. One of the main focuses that define the current plan is easy accessibility with large trailers or motorhomes. The proposed concept plan shows 64 toy garages, that offer the option of a bedroom upstairs, which is convenient for owners that do not permanently reside in the area.

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AFFIDAVIT
PROPERTY OWNER

STATE OF ~~UTAH~~ Nevada)

COUNTY OF Clark)

:ss

I (we), MARK A. SCHNIPPEL, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

MARK A. SCHNIPPEL

(Property Owner)

[Signature]

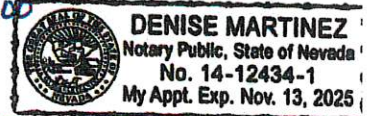
(Property Owner)

Subscribed and sworn to me this 5th day of May 2022 by Mark A. Schnippel.

[Signature]
(Notary Public)

Residing in: 8912 Spanish Ridge Ave Ste. 100

Las Vegas NV 89148
My Commission Expires: NOV. 13, 2025



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20____.

(Notary Public)

Residing in: _____

My Commission Expires: _____

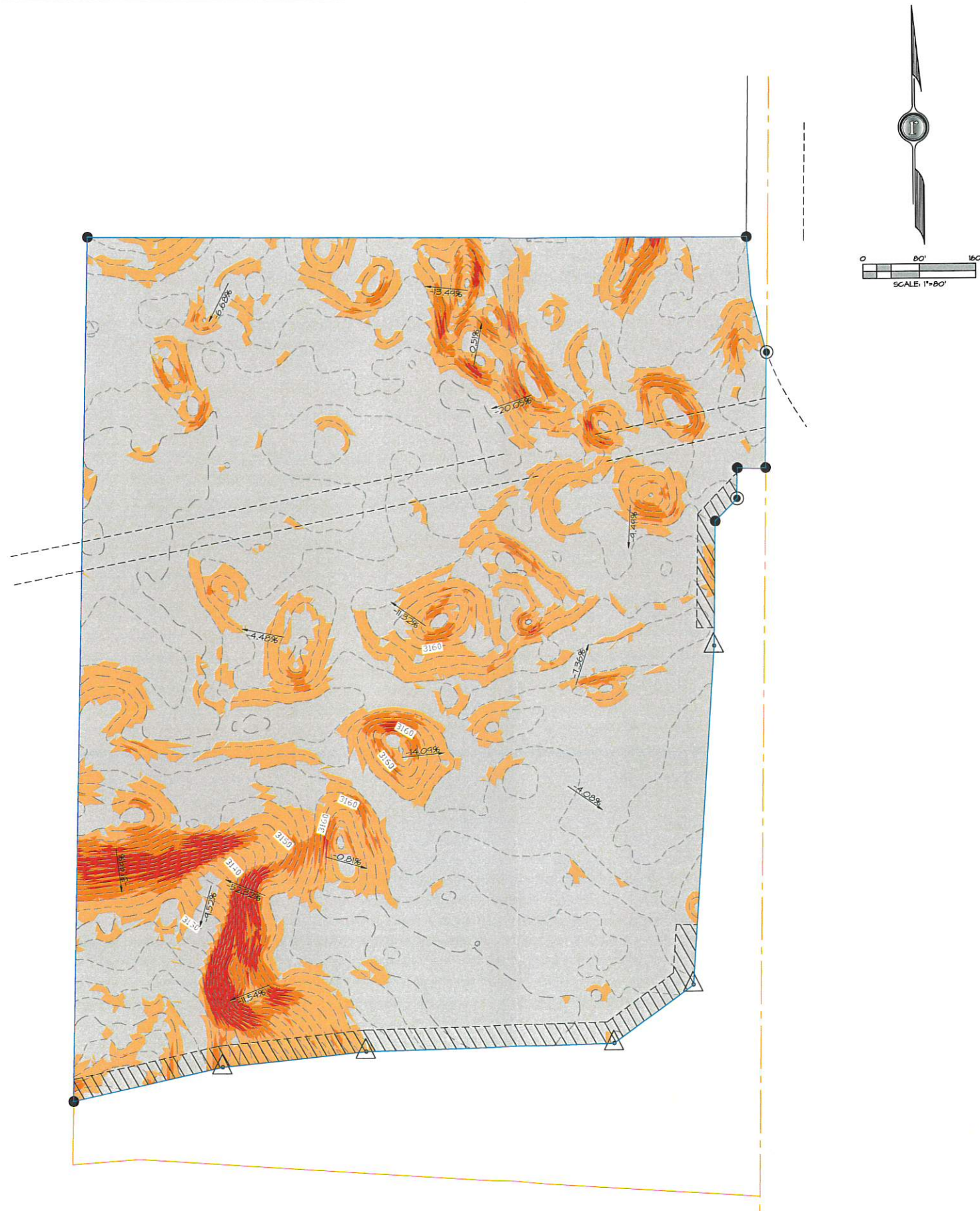
Exhibit "A" – Revised Parcel 1

Beginning at a point located South 0°54'07" West along the Section line 333.44 feet and North 89°05'53" West 35.07 feet from the East Quarter Corner of Section 31, Township 41 South, Range 13 West, Salt Lake Base and Meridian, said point being on the Westerly boundary of that parcel to be deeded to Hurricane City for Public Roadway purposes; thence along said Westerly boundary the following five (5) courses, (1) South 0°54'25" West 19.06 feet to a point on a 955.00 foot radius non-tangent curve to the left, the center of which bears South 86°49'16" East; (2) thence along the arc of said curve through a central angle of 1°08'09" a distance of 18.93 feet; (3) thence South 2°02'35" West 229.24 feet to a point on a 1045.00 foot radius non-tangent curve to the right, the center of which bears South 89°32'33" West; (4) thence along the arc of said curve through a central angle 1°15'01" a distance of 22.80 feet; (5) thence South 00°47'34" West 34.96 feet to a point on that highway right-of-way known as Project No. S-0007(21)5; thence along said right-of-way the following eight (8) courses, (1) thence South 00°52'18" West, 43.00 feet; (2) thence South 44°01'26" West, 43.86 feet; (3) thence South 00°52'18" West, 175.00 feet; (4) thence South 03°53'04" West, 475.66 feet; (5) thence South 54°36'29" West, 139.76 feet; (6) thence South 88°22'11" West, 350.89 feet; (7) thence South 83°57'17" West, 203.04 feet; (8) thence South 77°19'06" West, 214.90 feet; thence North 00°54'07" East, 1,212.17 feet; thence South 89°46'39" East, 933.09 feet to the Point of Beginning.

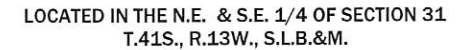
Containing 1,033,877 square feet or 23.735 acres, more or less.



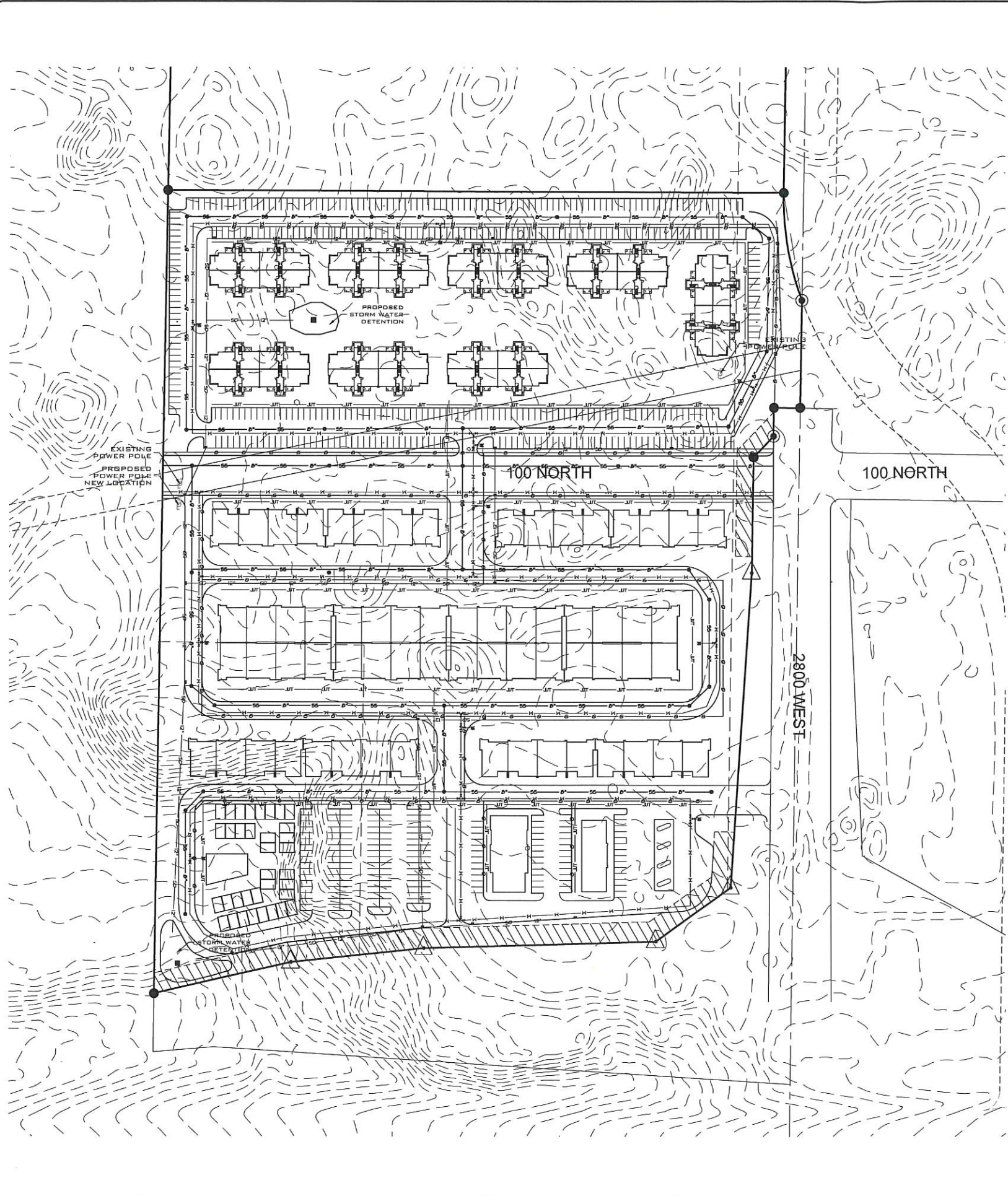
August 2, 2021



Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	
2	10.00%	20.00%	
3	20.00%	30.00%	
4	30.00%	2566911%	



SHEET
1
OF 1 SHEETS



- GENERAL UTILITY NOTES**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL EXISTING UNDERGROUND UTILITIES DURING CONSTRUCTION.
 2. THE CONTRACTOR IS REQUIRED TO CALL THE CITY FOR INSPECTION OF ALL IMPROVEMENTS RELATED TO THIS PROJECT.
 3. THE CONTRACTOR IS REQUIRED TO OBTAIN AN ENCROACHMENT PERMIT FOR ANY WORK DONE IN A PUBLIC RIGHT-OF-WAY.
 4. ANY NECESSARY MODIFICATIONS SHALL BE APPROVED BY THE DESIGN ENGINEER PRIOR TO CONSTRUCTION.
 5. UNLESS OTHERWISE ON THESE PLANS ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF HURRICANE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, THE "UNIFORM BUILDING CODE", AND THE "UNIFORM BUILDING CODE" LATEST EDITIONS AS ADMINISTERED BY THE CITY OF ST. GEORGE.
 6. CONTRACTOR TO VERIFY LOCATION OF ALL EXISTING UTILITY, STORM DRAIN AND FIRE SERVICE LINES SHOWN OR NOT SHOWN ON UTILITY PLAN.
 7. ALL EXCAVATIONS AND GRADINGS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF HURRICANE AND THE SPECIFICATIONS AND REQUIREMENTS INCLUDED IN THE PREPARED BY LANDMARK TESTING AND ENGINEERING, APRIL 5, 2005.

- SANITARY SEWER NOTES**
1. NO SEWER UNDER 4' DEEP UNLESS APPROVED BY THE CITY OF ST. GEORGE.
 2. ANY SEWERS NOT IN PUBLIC STREETS SHALL SHOW RECORDED EASEMENTS.
 3. BUILDINGS MAY REQUIRE INTERCEPTORS AT A LATER DATE.
 4. ALL SEWER MANHOLES SHALL HAVE CITY OF ST. GEORGE LOGO LIDS FOR FINAL INSPECTION.
 5. 100' MAXIMUM SPACE BETWEEN SEWER LATERAL CLEANOUTS.
 6. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF HURRICANE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, THE "UNIFORM BUILDING CODE", AND THE "UNIFORM BUILDING CODE" LATEST EDITIONS AS ADMINISTERED BY THE CITY OF HURRICANE.

- WASTE WATER PRETREATMENT NOTES**
1. (A) "FOOD SERVICE ESTABLISHMENT" IS DEFINED AS ANY BUILDING, VEHICLE, PLACE, OR STRUCTURE, OR ANY ROOM OR DIVISION IN A BUILDING, VEHICLE, PLACE, OR STRUCTURE, WHERE (A) FOOD IS PREPARED, SERVED, OR SOLD FOR IMMEDIATE CONSUMPTION ON OR IN THE VICINITY OF THE PREMISES, (B) CALLED FOR OR TAKEN OUT BY CUSTOMERS, OR (C) PREPARED PRIOR TO BEING DELIVERED TO ANOTHER LOCATION FOR CONSUMPTION. (ORD. 8-4-14-2)
 2. ALL NEWLY CONSTRUCTED COMMERCIAL STRUCTURES, STRIP MALLS, MULTI-TENANT PLANNED OCCUPANCY BUILDINGS, OR PLANNED UNOCCUPIED BUILDINGS SHALL INSTALL INDEPENDENT WASTEWATER DISCHARGE LINES STUBBED OUT WITHIN EACH DESIGNATED FUTURE FOOD ESTABLISHMENT UNIT. IF A NEW SOURCE COMMERCIAL STRUCTURE, STRIP MALL, OR MULTI-TENANT BUILDING HAS PLANNED OCCUPANCY BY ONE OR MORE BUSINESSES THAT DO NOT HAVE A FOOD SERVICE, AND THEREFORE DO NOT NEED A GREASE INTERCEPTOR, AND THE OWNER OF THE STRUCTURE DOES NOT FACILITATE THE INSTALLATION OF INDEPENDENT WASTEWATER DISCHARGE LINES AND INSTALL A COMMON INTERCEPTOR, THEN NO FUTURE FOOD ESTABLISHMENT SHALL BE PERMITTED, UNLESS THE FACILITIES ARE RETROFITTED FOR INDEPENDENT LINES. (ORD. 8-4-14-3)
 3. ALL PLANS PROPOSING TO INSTALL AN INTERCEPTOR MUST INCLUDE THE CITY OF HURRICANE STANDARD (ORD. 8-4-14-3)
 4. THE DISCHARGE OF WASTEWATER WITH TEMPERATURES IN EXCESS OF ONE HUNDRED FORTY DEGREES FAHRENHEIT (140°F) TO ANY FOGS CONTROL DEVICE, INCLUDING INTERCEPTORS AND TRAPS, IS PROHIBITED. (ORD. 8-4-14-4)
 5. INSTALLATION AND USE OF FOOD GRINDERS IN NEW AND/OR REMODELED FSES ARE NOT RECOMMENDED. (ORD. 8-4-14-4)
 6. FLOW CALCULATIONS TO DETERMINE THE PROPER GREASE INTERCEPTOR SIZING ARE REQUIRED FOR ALL FOOD SERVICE ESTABLISHMENTS AND SHALL BE INCLUDED IN THE PLANS.
 7. ALL DRAINS NEAR CHEMICAL STORAGE SHALL BE PLUGGED AND/OR CHEMICALS SHALL HAVE SECONDARY CONTAINMENT TO PREVENT DISCHARGE INTO THE SANITARY SEWER.

- WATER NOTES**
1. ALL WATERLINE WORKS MUST BE INSTALLED BY A CONTRACTOR THAT HAS BEEN PRE-QUALIFIED BY THE CITY OF HURRICANE WATER DEPARTMENT.
 2. ALL CONSTRUCTION SHALL CONFORM TO THE CITY OF HURRICANE STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION, THE "UNIFORM BUILDING CODE", AND THE "UNIFORM BUILDING CODE" LATEST EDITIONS AS ADMINISTERED BY THE CITY OF HURRICANE.
 3. CONTRACTOR SHALL POT-HOLE ALL PIPELINES AND VERIFY LOCATION AND DEPTH PRIOR TO PROCEEDING WITH ANY BUILDING OR PIPELINE CONSTRUCTION.
 4. THE POTABLE WATER SUPPLY TO LAWN IRRIGATION SYSTEMS SHALL BE PROTECTED AGAINST BACKFLOW PER THE INTERNATIONAL PLUMBING CODE (IPC) SECTION 608.16.5 AND FOR FIRE SPROKLER SYSTEMS PER (IPC) 608.16.4.
 5. ALL BACKFLOW ASSEMBLY INSTALLATION SHALL COMPLY WITH BACKFLOW CITY ORDINANCE 9-1-1997, TEST REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE CITY OF HURRICANE BACKFLOW ORDINANCE 9-1-1997-5-6-5.
 6. 1/4 GAUGE WIRE SHALL BE TAPED TO ALL WATER LINES FOR LOCATING PURPOSES. THE WIRE SHALL ALSO BE BROUGHT UP AT EACH VALVE BOX AND HYDRANT.
 7. THURST RESTRAINT ON THE NEW PIPELINE WILL BE AS SHOWN ON THE DETAILS. USE MEGA-LUG ON THE FITTINGS AND FIELD LOCK BASKETS ON THE REQUIRED LENGTH OF RESTRAINED PIPE.
 8. ASPHALT REPLACED OVER THE PIPE TRENCHING IS TO MATCH EXISTING PAVEMENT DEPTHS WITH A 6" OVER CUT FROM EDGE OF THE TRENCH LINE ON EACH SIDE OF THE TRENCH.
 9. CONTRACTORS SHALL CUT OFF AND CAP (BACK AT THE WATER MAIN), ALL EXISTING SERVICE LINES OR UNUSED STUB LINES THAT WILL BE ABANDONED.
 10. ANY CHANGES MADE IN THE FIELD MUST BE FIRST APPROVED AND DOCUMENTED BY THE CITY OF ST. GEORGE WATER SERVICES ENGINEER.
 11. ALL NEW FIRE HYDRANTS SHALL BE INSTALLED TO THE CORRECT HEIGHT. RISERS WILL NOT BE ALLOWED.

- HURRICANE ENERGY SERVICES POWER NOTES**
1. PRIMARY POWER FROM SWITCH TO SWITCH SHALL BE 50 AMP IN 3" CONDUIT.
 2. PRIMARY POWER FROM VAULT TO TRANSFORMER SHALL BE 10 AMP IN 3" CONDUIT UNLESS OTHERWISE NOTED. ALL WIRE SHALL HAVE A TEMPERATURE RATING OF 90°C.
 3. SECONDARY POWER FROM TRANSFORMER TO METER (NOT TEMP. RATING)
 - A. FOR RESIDENTIAL LOTS - WHERE LENGTH IS LESS THAN OR EQUAL TO 200-FT
 - 100 AMP = 1/2 IN 2" CONDUIT
 - 200 AMP = 1/2 IN 2" CONDUIT
 - 400 AMP = 3/4 IN 2" CONDUIT
 - 600 AMP = 1 IN 2" CONDUIT
 - CONTACT SEES FOR LENGTHS > 200-FT IF NOT SPECIFIED PER PLAN.
 - B. FOR CT. CONNECTIONS (SERVICES > 400 AMP) - SECONDARY CONDUIT AND WIRE SHALL BE SIZED BY BUILDING ELECTRICAL ENGINEER.
 - C. FOR COMMERCIAL AND/OR APARTMENT CO-LEAS > 400 AMP, OR > 400 AMP WITH GANG PACK INDIVIDUAL METERS - SIZED BY SEES BASED ON LOAD CALC.
 4. CONTRACTOR TO FOLLOW ALL BLUE STAKES PROTOCOLS.
 5. THE POWER DESIGN ON THIS UTILITY PLAN IS CONSIDERED BY ST. GEORGE ENERGY SERVICES (SEES) AS PRELIMINARY AND NON-BIDDABLE UNTIL ACCOMPANIED BY A JIC APPROVAL STAMP.
 6. ALL PRIMARY UNDERGROUND POWER WORK/INSTALLATION MUST BE COMPLETED BY A CONTRACTOR THAT HAS BEEN PRE-QUALIFIED BY SEES AND MEET ALL SEES STANDARDS. ALL OVERHEAD WORK/INSTALLATION MUST BE COMPLETED BY SEES.
 7. ALL WORK DONE BY SEES WILL BE PREPARED BY THE DEVELOPER.
 8. IT IS THE RESPONSIBILITY OF THE DESIGN ENGINEER TO PROVIDE LOCATION AND ELEVATION OF ALL EXISTING AND DESIGN UNDERGROUND/OVERHEAD UTILITIES AND STRUCTURES THAT WILL IMPACT THE SEES POWER DESIGN.
 9. ALL JIC TRENCHES WILL BE BACKFILLED AND COMPACTED IN 6" TO 8" LIFTS TO A COMPACTION OF 98% IN ROADWAYS/STREETS AND 90% BELOW STREETS. TESTING IS TO BE DONE AT MIDDLE AND TOP OF TRENCH.
 10. ALL CHANGES TO EXISTING GRACES NEAR EXISTING POWER UTILITIES MUST BE APPROVED BY SEES PRIOR TO CONSTRUCTION.
 11. ANY IN FIELD CHANGES TO THE JIC APPROVED POWER DESIGN WILL BE AT THE DEVELOPER'S EXPENSE AND MUST BE PRE-APPROVED AND DOCUMENTED BY SEES PRIOR TO INSTALLATION.

SEPARATION NOTES

GAS TO WATER OR WASTEWATER	- 1 FT
GAS TO POWER	- 3 FT
WATER TO PHONE LINES/CABLE TV	- 1 FT
WATER TO IRRIGATION	- 3 FT
WATER TO POWER	- 1 FT
WATER TO WASTEWATER, HORIZONTAL	- 10 FT
WATER TO WASTEWATER, VERTICAL	- 10 IN



NOTICE: EXISTING UTILITIES ARE SHOWN ON THIS PLAN FOR THE CONVEYANCE OF THE INFORMATION. THE USER OF THIS PLAN SHALL BE RESPONSIBLE FOR THE LOCATION AND DEPTH OF ALL UTILITIES. THE DESIGNER SHALL NOT BE RESPONSIBLE FOR UTILITIES NOT SHOWN OR DEPTHS INDICATED.

DATE: 5/19/2022
JOB NO.: 12468-22-001
DRAWN BY: J.R.S.
CHECKED BY:
SCALE: 1"=80'
DWG: SURVEY-ROS.DWG

REVISIONS

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

352 EAST RIVERBROOK DRIVE, SUITE A-2 ST. GEORGE, UTAH 84790
PH (435) 673-8586
FX (435) 673-8397
WWW.RADWELL.COM

UTILITY PLAN - POWER, WATER & SEWER
FOR
SILVERADO B.C.
HURRICANE, UTAH

STATE OF UTAH
PROFESSIONAL ENGINEER
ROBERT R. ROSENBERG
#12722

SHEET
1
OF 1 SHEETS

Agenda Date:	07/21/2022
Application Number:	2022-ZC-28 2022-PSP-24
Type of Application:	Zone Change and Preliminary Site Plan Application
Action Type:	Legislative
Applicant:	Silverado Development LLC
Agent:	
Request:	A Zone Change from R1-8 to Planned Commercial
Location:	Northwest of the SR-7 & SR-9 intersection
Zoning:	R1-8
General Plan Map:	General Commercial and Single Family

Planning Commission Recommendation

The Planning Commission gave a positive recommendation of the proposed zone change based on the updated site plan submitted on July 14, 2022.

Update 7/14/2022: Staff has received a new site plan in response to the discussion that the Planning Commission had at its last meeting. Here are the staff comments on this new plan:

- This plan adds a Phase 4 which consists of more commercial areas that now wraps around the SR-9/SR-7 interchange. The plan consists of a four-story hotel, two restaurants, and a gas station/convenience store.
- The townhome area now consists of 42 townhomes and 12 toy garages, which staff is defining as substantially similar to townhomes as a residential use
- The plan consists of 246 residential units over 16.4 acres which equals a density of exactly 15 units an acre. This is less than the originally proposed 256 units.
- The commercial section of the property is 31.5% of the property. This satisfies the mixed use requirement of the Planned Commercial code
- The access on 2800 W near the interchange has been eliminated. Another access on 2800 W has been added north of 100 N
- Staff would recommend the main roads connecting the commercial areas to 100 N are public roadways but the rest, which is mostly parking lots, may be private.
- The maximum height in Planned Commercial is 55 feet so a four story hotel is doable.
- The only staff recommendation that was not addressed was the recommendation of switching the apartment and townhome areas due to the planned single family homes adjacent to it. Staff is

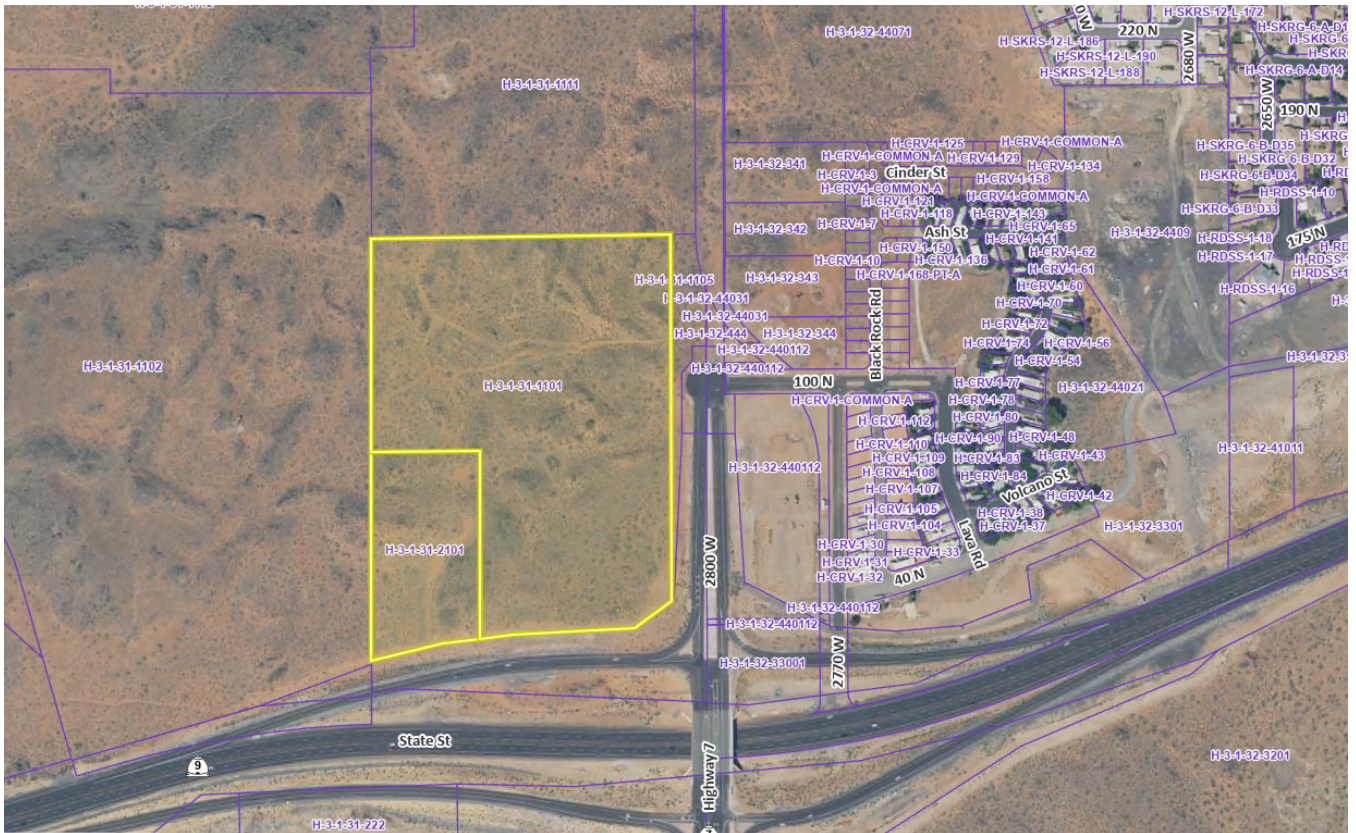
fine with the current layout because both are residential uses and they will probably need to be developed more or less concurrently.

- The discrepancy between the acreage size in the county records and their site plan was discovered by staff. The zone change application has two parcels on it and the site plan includes a third, owned by the same group, Parcel H-3-1-31-1105. Because this would not have affected the public noticing of this zone change then staff is okay moving forward.

Staff recommends approval of this zone change and preliminary site plan subject to staff and JUC comments.

Discussion: The applicant is seeking a zone change and preliminary site plan from R1-8 to Planned Commercial. The applicant is proposing a hotel, retail, convenience store, townhomes/private garages, and multi-family housing. The property is located adjacent to the recently constructed SR-7 and SR-9 interchange. The City Council recently changed the Planned Commercial ordinance, and staff is working with the applicant to come into compliance with the code.

	Zoning	Adjacent Land Use
North	R1-8 PDO	Planned single family homes (Paraiso subdivision)
East	PF, HC, MH/RV PDO	Undeveloped, Canyons RV
South	PF, HC	SR-9 and undeveloped property
West	R1-8	Undeveloped



Zone Change Factors:

When considering a zone change the Planning Commission must consider the following:
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 maps this area as General Commercial and Single Family which is defined as:

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

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

The line between single family and commercial appears to be the existing overhead power lines indicated on the site plan.

In the past, the City has approved multifamily developments in Single Family zones, especially in this area as a deference to the steep cliffs and major roadways of the area, as long as the density was kept to single-family levels. This plan has about 14.5 units per acre, therefore would not qualify for that.

The General Plan calls for “Medium and high density residential developments should be planned near support facilities such as collector and arterial roads, schools, shopping, and employment centers. Medium and high density residential developments should be planned and designed to minimize impacts to nearby existing developments, while providing high-quality, attractive housing options” It also calls for “Support creating commercial spaces in population Centers in the City to provide services to those areas”

A few weeks ago and prior to this application being submitted, staff proposed that this area be changed on the General Plan Map to either Mix Use or Commercial because this would be a good space, with its proximity to major traffic corridors, for commercial and higher density residential. Putting higher density near significant traffic corridors is to help minimize traffic impacts on local roadways and allow more efficient travel from these developments. Placing higher density near commercial spaces also helps stimulate commercial growth in an area and provides housing, and serves in the same area.

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

Response: There are almost no developments currently in the vicinity beyond Canyons RV to the east. The multifamily area may not be completely harmonious with what is planned to the north with Paraiso. The southern phase of the Paraiso development contains single family homes. It may be more appropriate to have the townhome section adjacent to the single family section to phase density. Commercial is planned across 2800 W from this property.

3. Will the proposed amendment affect the adjacent property?

Response: Yes. Although development is planned for almost all surrounding properties and commercial, such as retail and convenience stores, it could be beneficial to future residents in the area.

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

Response: Public facilities and services are not currently adequate for the property. Canyons del Sol, Paraiso, and the City are currently working to extend 2800 W through to 600 N, which should bring most major facilities to the property. Please see the review notes from the JUC below.

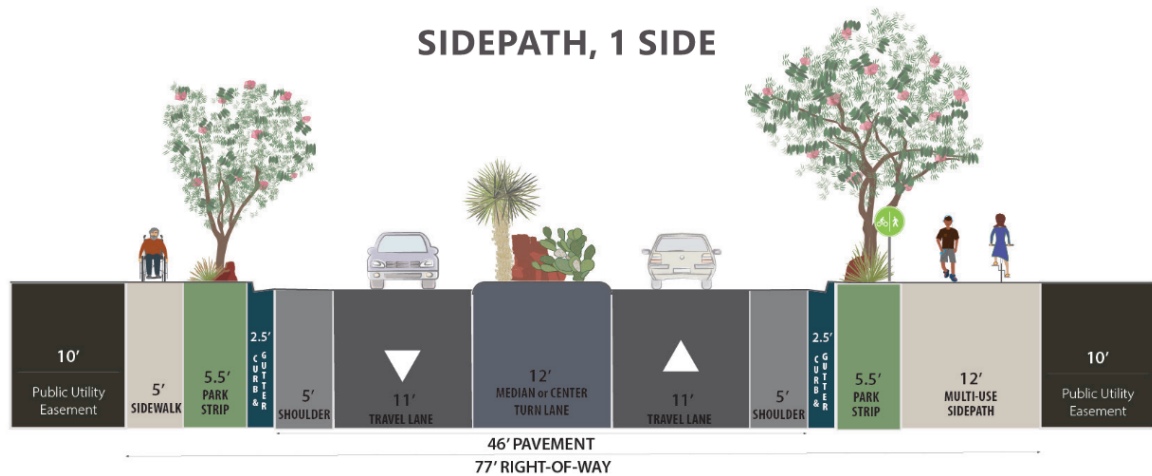
JUC Comments

The following items will need to be addressed:

1. **Sewer:** No issues with the zone change. There is significant off-site sewer work needed for this project. Developer should contact Ash Creek to discuss options.
2. **Water:** Full water model and information about streets required.
3. **Fire:** Road width and hydrant spacing will need to meet fire code.
4. **Engineering:** 100 N should be a 77' wide ROW. Phase 1 should have a detention area. Check block lengths, blocks shall not be longer than 800 feet. Development should stub roadways to neighboring parcels. Limited driveway access on 2800 W and 100 N. Driveway to Phase 3 will need to be approved by UDOT, UDOT ROW extends all the way to 100 N. Planned 2800 W ROW does not appear to have been accounted for; the developer should coordinate with Civil Science for 2800 W. Large diameter storm drain is shown next to SR-9 on the storm drain master plan, and should be addressed in drainage study. Keep detention basins out of utility easements. May need to re-evaluate layout of garage and multifamily areas.
5. **Streets:** Traffic study required. Are the private garages for personal or business use?
6. **Power:** No major concerns with layout. Project is subject to 2800 W power line.

Staff Comments: Preliminary Site Plan

1. The newly passed Planned Commercial ordinance caps residential density at 15 units an acre unless 40% of the area is commercial or 10% of the units are affordable housing, in which case they can get a density bonus of up to 20 units per acre. It also requires that either 20% of the property is residential or 20% of the property is commercial.
 - a. Upon speaking with the applicant the "private garages" shown in Phase 2 are actually closer to townhomes/condominiums than storage units. These units will be individually subdivided and sold and will consist of a larger than average garage/storage area on the bottom and small living quarters on top. Thus Phase 2 is part of the residential section of the development and not the commercial section
 - b. Overall residential density is 14.5 units per acre
 - c. The commercial property (Phase 3) is 22% of the property
2. The site plan refers to the development as "Zion Gateway" ; this name is already taken within the city and another one should be picked.
3. 100 N is a master plan to have a 12' sidepath along the north side. See the cross-section below.



4. The commercial uses in Phase 3 are permitted uses in Planned Commercial zoning, however:
 - a. HCC 10-15-8: *For commercial parking, parking lots shall not be located in front of buildings nearest the right-of-way but shall be contained within parking lots located to the side or behind buildings that front the right-of-way. Commercial buildings may only be located behind parking lots if other buildings are fronting onto the right-of-way.*
 - b. The convenience store should front 2800 W
 - c. Staff would also recommend that residential buildings are also placed in front of parking areas to increase walkability.
5. Staff would encourage connectivity between this development and Paraíso to the north, though no access is planned for either development.
6. Staff has some concerns about the current layout and access points. The proposed layout should be reworked to address access concerns on SR-7, provide some phasing of density, and create better connectivity between development sections.
7. All block lengths appear to meet Hurricane City Code
8. Applicant indicates that the property in question is 23.737 acres, however county records show the two parcels combined as 19.91 acres, while the County GIS shows the property as 22.5 acres. This discrepancy should be resolved

Findings:

Staff makes the following findings:

1. The proposed zone change does not meet the standards of the General Plan Map, however staff believes a plan compliant with zoning code would meet some of the General Plan's goals
2. The proposed zone change is generally harmonious with the approved surrounding development
3. The proposed amendment will have an impact on the area, but development is anticipated for the area.
4. The services are not currently adequate for the area but services are planned for the area.

Recommendation: Staff recommends the City Council review this application based on standards with Hurricane City Code. Staff believes this area is appropriate for mixed-use, which is why staff recommend considering amending the General Plan Map and that a mixed-use area could meet goals

within the full general plan as listed within this report. Our recommendation is to consider the zone change with that in mind and to require a site plan that provides positive commercial and housing to the City while mitigating the potential negative impact to the surrounding area.

ORDINANCE NO 2022-41

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE
FOR PARCEL H-3-1-31-1101, H-3-1-31-1105 AND H-3-1-31-2101 FROM R1-8 TO
PLANNED COMMERCIAL

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

WHEREAS, the proposed amendment is generally compatible with the current General
Plan's goals for future use; and

WHEREAS, the proposed amendment is generally harmonious with the surrounding
development; and

WHEREAS, the services are sufficient in the area to support the proposed use; and

WHEREAS, the proposed zone change will have a minimal impact on the surrounding
development.

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

1. The proposed zone change for H-3-1-33-1110 from R1-10 to Public Facilities is approved.
2. The attached site plan and uses have been approved.

PASSED AND APPROVED on this 21st day of July 2022.

Hurricane City

Mayor

Attest:

Cindy Beteag, City Recorder



STAFF COMMENTS

Consideration and possible approval on a **preliminary plat and possible approval of a preliminary site plan for Lakeview Townhomes, a multifamily development consisting of 88 townhomes and 62 duplexes**, located at the northwest corner of Sand Hollow Road and Dixie Springs Dr. Brett Burgess Applicant.

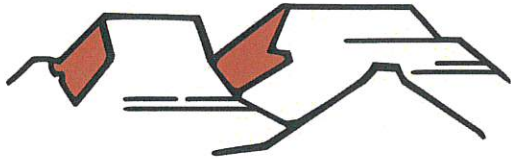
Discussion:

Findings:

Recommendation:

Attachments:

1. 2022-PP-17 2022-PSP-22 App
2. Land Use Plan Desert Sands
3. Lakeside Townhomes (Area J)-PP_052022
4. 2022-PP-17 2022-PSP-22 Lakeview Townhomes
5. FW_ Lake Side Townhomes
6. photos for Lake Side Th



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-22

Receipt No. 8-158866

Name: Brett Burgess Telephone: 435-673-9336

Address: 113 East 200 North Suite #2 Fax No. _____

Email: bretteburgess@gmail.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: Northwest of Dixie Springs Dr/Sand Hollow Rd Intersection

Tax ID of Subject Property: H-4136-D-STL Zone District: R1-8

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

Planned development with a combination of Du, Tri, and Fourplex's

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: _____

PRELIMINARY SITE PLAN

PURPOSE

The site plan review process is established to encourage adequate advanced planning and assure a good quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Hurricane City General Plan, and the Land Use Ordinance, and to protect the general welfare of the community.

WHEN REQUIRED

The preliminary site plan review is only required on the following projects when the Zoning Administrator determines the scope of the project requires both the preliminary site plan and site plan approval.

- a. Any multiple-family residential use.
- b. Any public or civic use.
- c. Any commercial use; or
- d. Any industrial use.

The preliminary site plan is also required with a submittal of zone changes to Planned Development Overlay, or changes to an approved Planned Development Overlay.

A preliminary site plan is not intended to permit actual development of property pursuant to such plan but is 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.

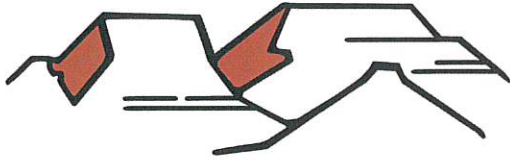
Upon approval of a preliminary site plan, the applicant may prepare and submit the greater level of detail required for a site plan review application, which is required before construction may commence.

PROCESS

The preliminary site plan is submitted to the Planning and Building Department approximately 1 week and 1 day by no later than 12:00 p.m. prior to a regularly scheduled Planning Commission meeting. During this time prior to the meeting, staff will review the plan, and prepare a report and recommendation for the Planning Commission. The Planning Commission at the public meeting will review the application and staff's report, and approve, approve with conditions, or deny the preliminary site plan.

APPEALS

Since there are no vested rights with the approval of a preliminary site plan, the matter is generally not appealed. However, if an appeal is made, it would be filed with the Clerk of the Board of Adjustment located in the Planning and Building Department and heard by the Board of Adjustment. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction within thirty (30) days from the date of decision of the Board of Adjustment.



PLANNING & ZONING HURRICANE CITY UTAH

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

PRELIMINARY PLAT APPLICATION

For office use only: \$150.00 Fee

File No. 2022-PP-17

Receipt No. 8.158867

Name: Brett Burgess Telephone: 435-673-9336

Address: 113 East 200 North Suite #2 Fax No. _____

Email: bretteburgess@gmail.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: Northwest of Dixie Springs Dr/Sand Hollow Rd Intersection

Tax ID of Subject Property: H-4136-D-STL Zone District: R1-8

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) _____
Planned development with a combination of Du, Tri, and Fourplex's

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 section and range
- ____ c. The names and addresses of the owner, the subdivider, if other than the owner,
- ____ d. Date of preparation, and north point
- ____ e. Scale shall be of sufficient size to accurately show 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 thereof is subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the plat map and the system of the unplatted parts of the subdivider's land shall be submitted, and the street portion of the tract submitted shall be considered in light of existing Master Street Plans or other Commission studies.)
- ____ d. The location, width, and names/numbers of all existing streets within the proposed (200') feet of the subdivision and of all prior streets or other public ways, utility lines of way, parks and other public open spaces, within and adjacent to the tract.
- ____ e. The location of all wells and springs or seeps, including artesian and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
- ____ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
- ____ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.

PRELIMINARY PLAT APPLICATION page 4 (General Information)

PURPOSE

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to ensure that all proposed divisions of land conform to the City General Plan and to adopted development standards of the Land Use Ordinance.

WHEN REQUIRED

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discuss the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required \$150 fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. (See submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled City Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear City Council comments, answer questions, and receive City Council decision. City Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to Hurricane City standards. Construction drawings must be approved by both the Hurricane Joint Utilities Committee and the Ash Creek Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the City Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one-year time limit is reached. The Planning Commission will review and make recommendation to the City Council on the final plat

- ___ h. Contours at vertical intervals not greater than five (5) feet.
 - ___ i. 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 groundwater, and windblown sand) and recommendations for their mitigation.
 - ___ j. Information on whether property is located in desert tortoise take area
- ___ 3. Proposed Plan: The subdivision plans shall show:
- ___ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys, and easements.
 - ___ b. The layout, numbers, and typical dimensions of lots.
 - ___ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
 - ___ d. Easements for water, sewers, drainage, utilities, lines and other purposes.
 - ___ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
 - ___ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
 - ___ g. Approximate radius of all center line curves on highways or streets.
 - ___ h. 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)
 - ___ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
 - ___ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
 - ___ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
 - ___ l. Will this subdivision be phased? If yes show possible phasing lines.
 - ___ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.
- ___ 4. Required copies of plans:
- ___ a. Three copies of all full-scale drawings
 - ___ b. One copy of each drawing on a 11 x 17-inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).
- ___ 5. 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. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 (noon) 20 full calendar days before the Planning Commission meeting at which you plan for your application to be heard.

(Office Use Only)

Date Received: _____ Application Complete: YES NO

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



Ash Creek Special Service District

1350 S. Sand Hollow Road

Hurricane, UT 84737

Office: (435) 635-2348 Fax: (435) 635-8550

ashcreek@infowest.com

May 24, 2022

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

RE: Lakeside Townhomes

Stephen,

There is sewer capacity for this project. The developers understand and agree that they will need to get plan approval for the sewer system.

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

Sincerely,

Amber Gillette, P.E.
Engineer
Ash Creek Special Service District



Mike Terry <mike@dsgcivil.com>

Lakeview Townhome - Water will serve letter request

1 message

Ken Richins <kenr@cityofhurricane.com>

Tue, May 24, 2022 at 2:24 PM

To: "mike@dsgcivil.com" <mike@dsgcivil.com>

Mr. Terry:

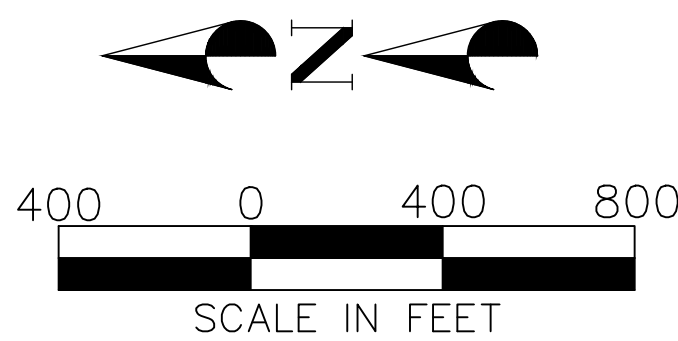
Thank you for your email. In this area, the WCWCD will likely be supplying the water for your development. WCWCD is in the process of updating its policies related to will serve letters and supplying water. For these reasons, I cannot issue a will serve letter until the policy update is complete. As far as your preliminary plat application, you may still submit the application, but I expect that any final approval will be conditioned upon receiving a will serve letter.

Thank you

Ken Richins

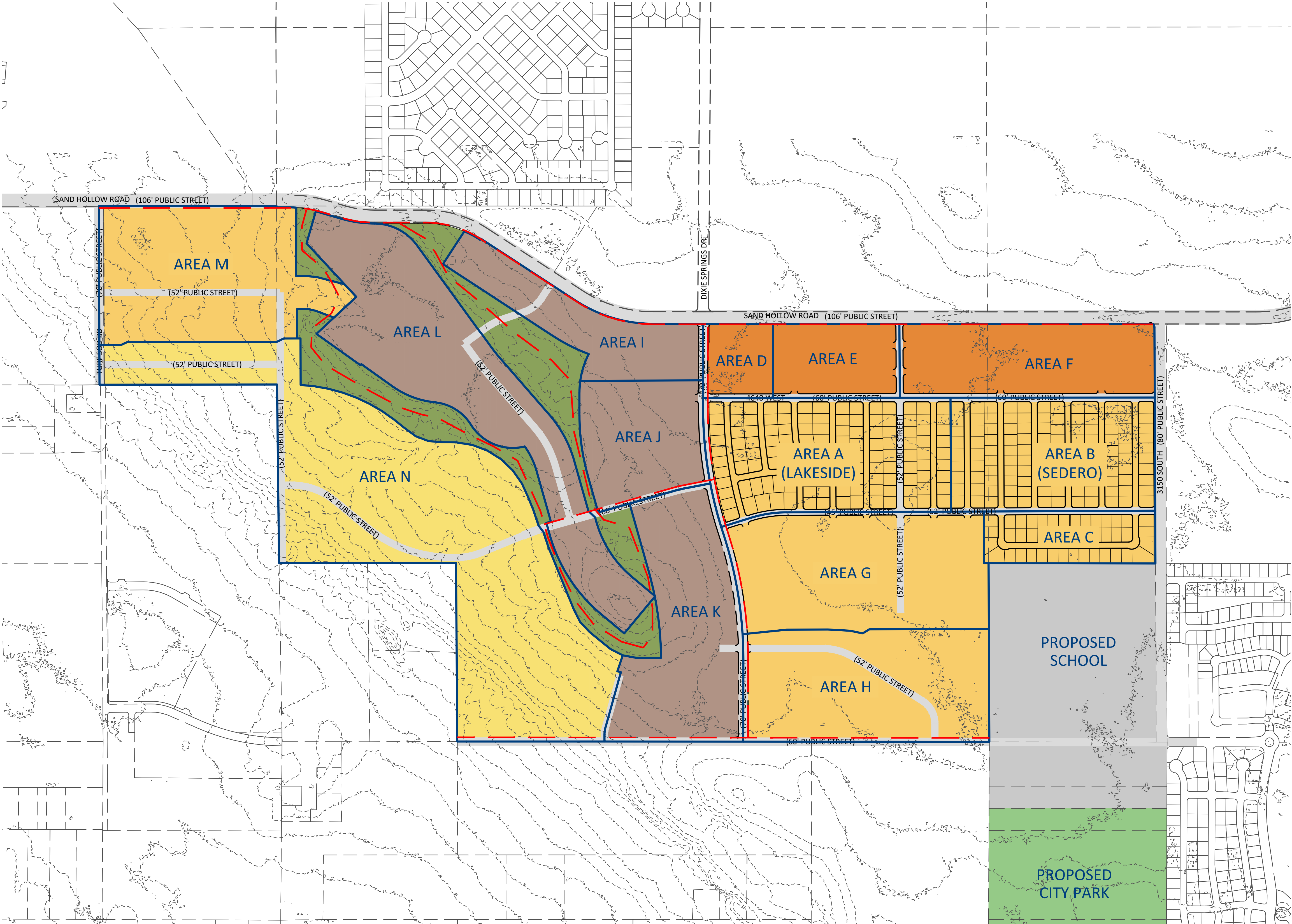
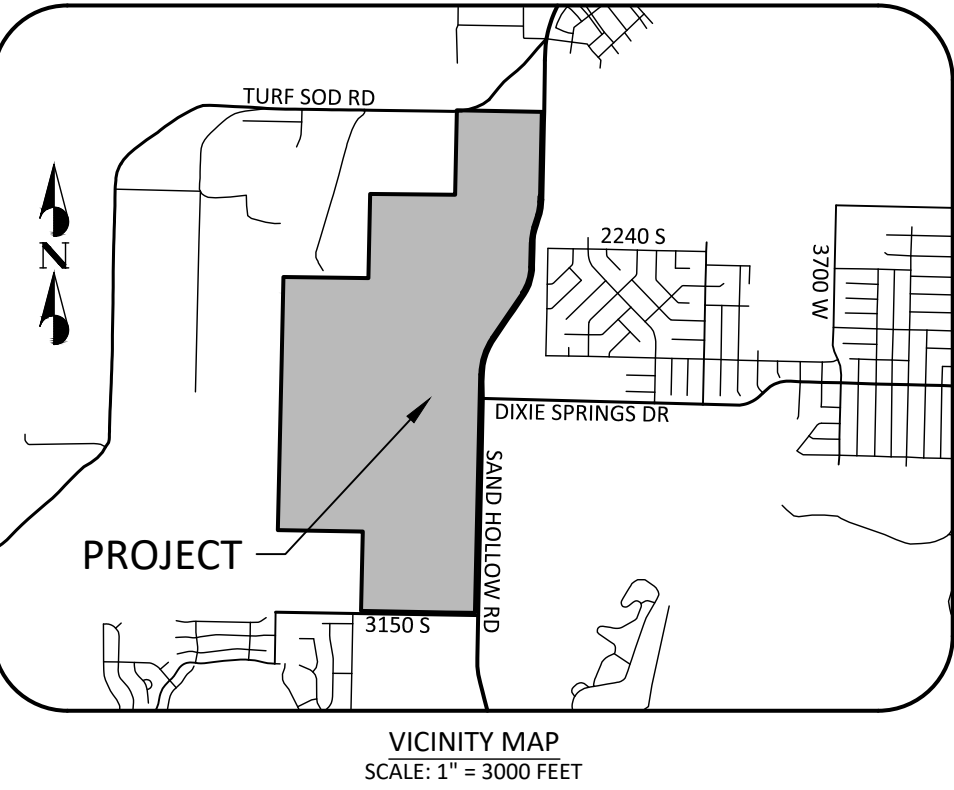
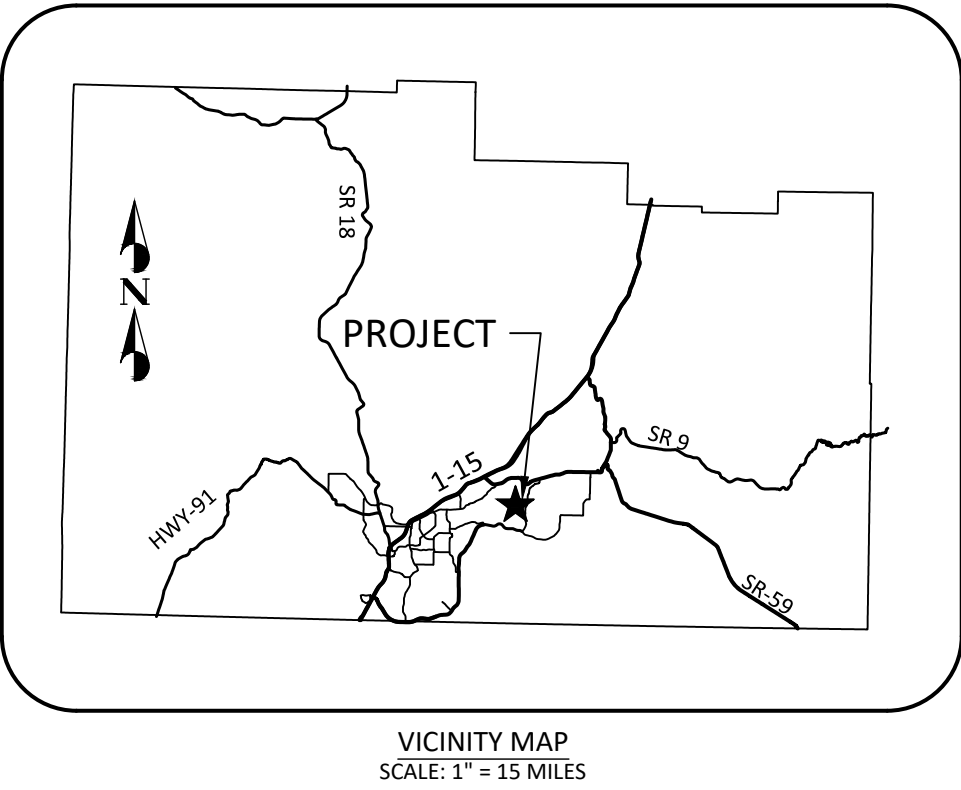
Water Superintendent

EXHIBIT "A"



OWNER/DEVELOPER
THE HOLLOWES, LLC.
1472 EAST 3950 SOUTH
ST. GEORGE, UTAH 84790

CONTACT
BRETT BURGESS
(435) 673-9336
bretteburgess@gmail.com



LEGEND

- EXISTING RIGHT-OF-WAY LINE
- EXISTING PROPERTY LINE
- AREA BOUNDARY LINE
- PROPOSED MULTI USE TRAIL
- PAVED / UNPAVED
- LOW DENSITY SINGLE FAMILY RESIDENTIAL 1-3 UNITS/ACRE
- HIGH DENSITY SINGLE FAMILY RESIDENTIAL 4-8 UNITS/ACRE
- MULTI-FAMILY RESIDENTIAL 6-15 UNITS/ACRE
- NEIGHBORHOOD COMMERCIAL
- NATURAL OPEN SPACE

LAND USE TABLE

AREA	ACRES	UNITS	DUA	USE
A	35.8	127	3.55	SINGLE FAMILY
B	29.4	118	4.01	SINGLE FAMILY
C	11.4	44	3.86	SINGLE FAMILY
D	6.6	*	*	NEIGHBORHOOD COMMERCIAL
E	11.9	*	*	NEIGHBORHOOD COMMERCIAL
F	23.9	*	*	NEIGHBORHOOD COMMERCIAL
G	37.6	140	3.72	SINGLE FAMILY
H	34.9	140	4.01	SINGLE FAMILY
I	17.3	138	7.98	MULTI FAMILY / RESORT
J	18.1	144	7.96	MULTI FAMILY
K	31.6	247	7.82	MULTI FAMILY
L	44.4	355	8.00	MULTI FAMILY / RESORT
M	36.2	140	3.87	SINGLE FAMILY
N	87.8	175	2.02	SINGLE FAMILY
OS	33.2	*	*	OPEN SPACE
TOTAL	460.1	1770	3.85	

**PLANNED DEVELOPMENT
OVERLAY ZONE**

FOR

DESERT SANDS

LOCATED IN THE SOUTH HALF SECTION 14
AND NORTH HALF OF SECTION 23,
TOWNSHIP 42 SOUTH, RANGE 14 WEST, S.L.B.&M.

DESERT SANDS
PLANNED DEVELOPMENT
LOCATED IN HURRICANE, UTAH
LAND USE PLAN

DSG ENGINEERING, INC.
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS
113 East 200 North Suite #2
Georgetown, UT 84302
Office (435) 628-2121



DATE :	MARCH 2021
PM :	BB
DRAWN BY :	LB
DESIGNED BY :	LB
CHECKED BY :	XX
PROJECT NO. :	20-024
SCALE :	1" = 400'
SHEET NUMBER :	

LUP-1
1 OF 1 TOTAL

	PROPOSED RIGHT OF WAY LINE
	EXISTING RIGHT OF WAY LINE
	PROPOSED ROAD CENTERLINE
	EXISTING ROAD CENTERLINE
	PROPOSED PROPERTY LINE
	EXISTING PROPERTY LINE
	SECTION LINE
	QUARTER SECTION LINE
	EASEMENT LINE
	SETBACK LINE
	BOUNDARY LINE
	PHASE BOUNDARY

	PROPOSED CURB AND GUTTER
	EXISTING CURB AND GUTTER
	PROPOSED FENCE
	EXISTING FENCE
	PROPOSED FLOW LINE
	EXISTING FLOW LINE
	PROPOSED CONTOUR LINE
	EXISTING CONTOUR LINE
	PROPOSED BUILDING LINE
	EXISTING BUILDING LINE
	PROPOSED EDGE OF ASPHALT LINE
	EXISTING EDGE OF ASPHALT LINE
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	EXISTING EDGE OF ASPHALT LINE

Diagram illustrating a utility plan with various lines and structures. The plan includes labels for existing and proposed lines, as well as overhead power lines, gas lines, telephone lines, and cable TV lines. A north arrow is located in the top right corner.

EXISTING SEWER LINE (SIZE AS NOTED)
EXISTING WATER LINE (SIZE AS NOTED)
EXISTING IRRIGATION LINE (SIZE AS NOTED)
EXISTING STORM DRAIN LINE (SIZE AS NOTED)

PROPOSED SEWER LINE (SIZE AS NOTED)
PROPOSED WATER LINE (SIZE AS NOTED)
PROPOSED IRRIGATION LINE (SIZE AS NOTED)
PROPOSED STORM DRAIN LINE (SIZE AS NOTED)

PROPOSED PRIMARY POWER LINE (AS NOTED)

PROPOSED SECONDARY POWER LINE (AS NOTED)
PROPOSED OVERHEAD POWER LINE

EXISTING PRIMARY POWER LINE (AS NOTED)

EXISTING SECONDARY POWER LINE
EXISTING OVERHEAD POWER LINE
PROPOSED GAS LINE
EXISTING GAS LINE
PROPOSED TELEPHONE LINE
EXISTING TELEPHONE LINE
PROPOSED TELEPHONE LINE
EXISTING TELEPHONE LINE
PROPOSED CABLE TV LINE
EXISTING CABLE TV LINE

BVC	BEGIN VERTICAL CURVE
CR	CURB RETURN
CDS	CUL-DE-SAC STATION
KS	KNUCKLE STATION
EVC	END VERTICAL CURVE
EX	EXISTING
FF	FINISH FLOOR
FG	FINISH GRADE
FL	FLOW LINE
HP	HIGH POINT
LP	LOW POINT
SD	STORM DRAIN
SG	SUBGRADE
TBC	TOP BACK OF CURB
PC	POINT OF CURVATURE
PRC	POINT OF REVERSE CURVATURE
UNO	UNLESS OTHERWISE NOTED

	TBC CURVE/LINE TAG
	CENTER LINE CURVE/LINE TAG
	PROPERTY LINE CURVE/LINE TAG
	SECTION MONUMENT FOUND
	SECTION MONUMENT NOT FOUND
	PROPOSED CLASS I MONUMENT (RING & LID)
	EXISTING CLASS I MONUMENT (RING & LID)
	CLASS II MONUMENT (REBAR & ALUMINUM CAP)
	HORIZONTAL/VERTICAL P.I.

	PROPOSED 3" ASPHALT OVER 6" TYPE 2 BASE
	PROPOSED 4" ASPHALT OVER 8" TYPE 2 BASE
	6" CONCRETE OVER 6" TYPE II AGGREGATE BASE.
	COMMON AREA
	LIMITED COMMON AREA
	PROPOSED RECREATION AREA

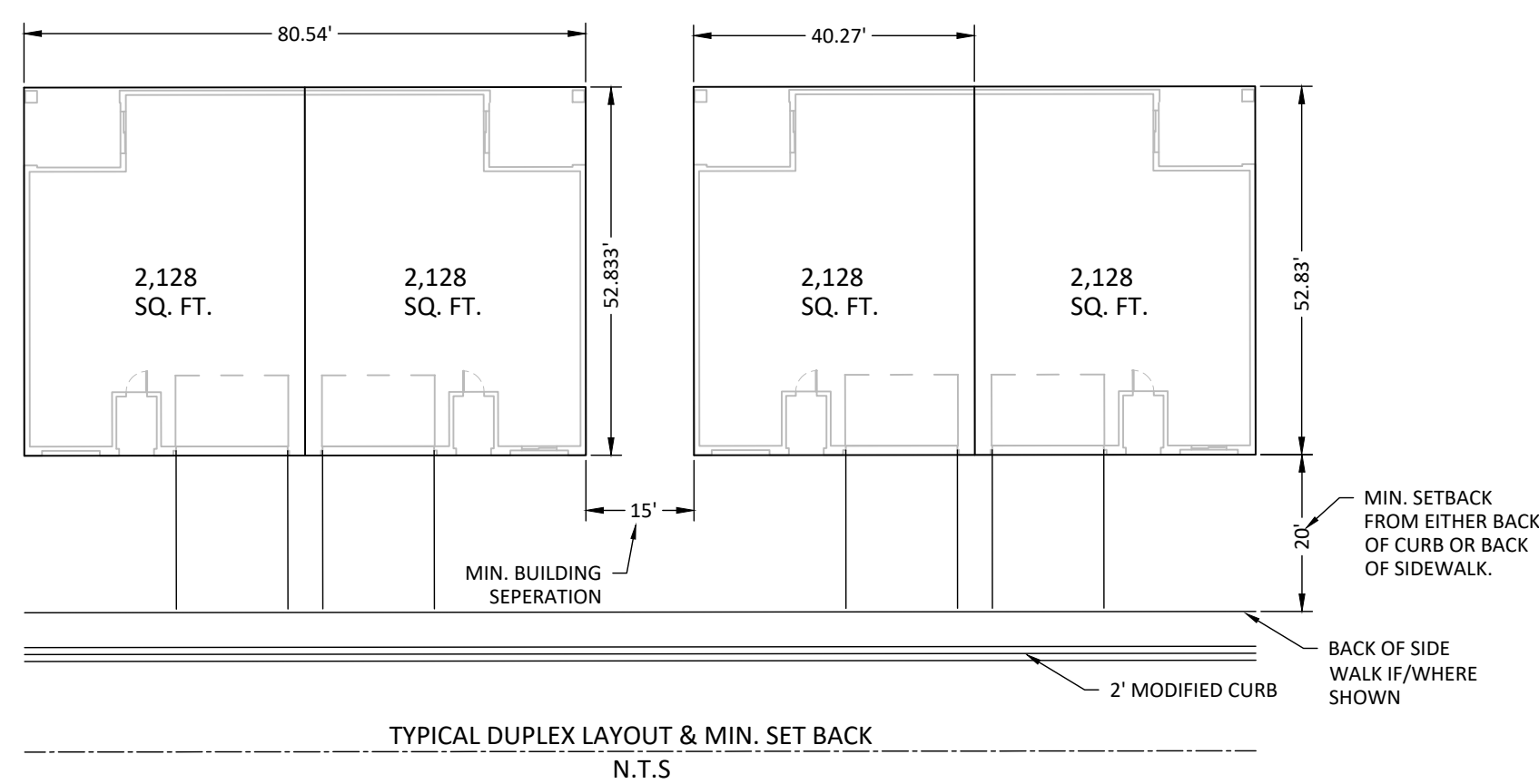
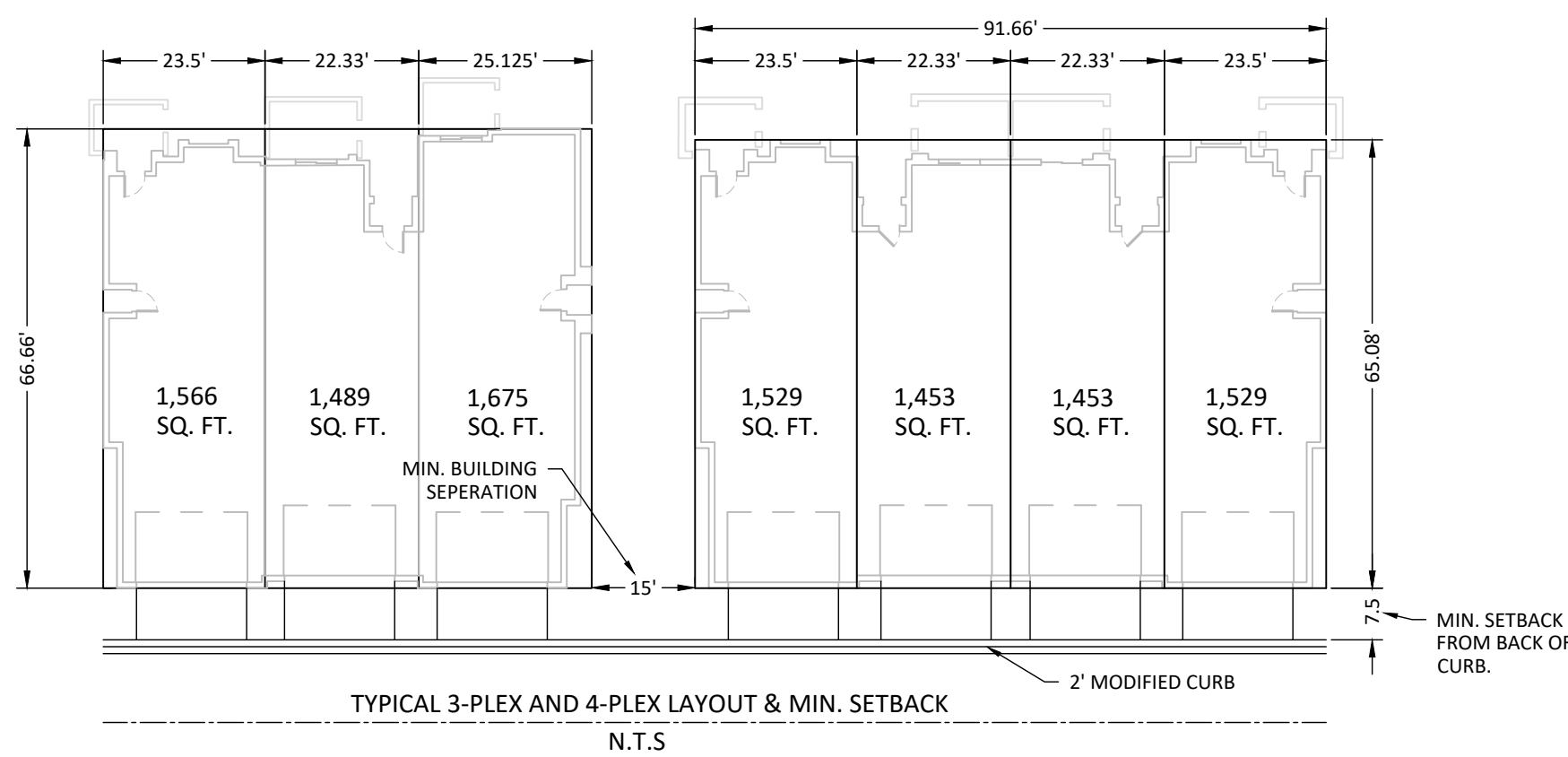
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 FG
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 TBC: 3840.52
 STA: 1+18.98
 TBC: 3840.52
 STA: 1+18.98

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EXISTING ELEVATION
 FINISHED TBC ELEVATION & STATION
 EXISTING TBC ELEVATION & STATION
 PROPOSED STORM DRAIN INLET PROTECTION (FILTERSOCK)
 PROPOSED CURB INLET CATCH BASIN
 PROPOSED STORM DRAIN MANHOLE
 PROPOSED STORM DRAIN AREA DRAIN
 PROPOSED FLARED END SECTION
 EXISTING CURB INLET CATCH BASIN
 EXISTING DRAIN MANHOLE
 EXISTING STORM DRAIN AREA DRAIN
 PROPOSED SIGN

REVISION WORK

	PROPOSED SEWER LATERAL
	EXISTING SEWER LATERAL
	PROPOSED SEWER MANHOLE
	EXISTING SEWER MANHOLE
	PROPOSED FIRE HYDRANT
	EXISTING FIRE HYDRANT
	PROPOSED WATER VALVE
	EXISTING WATER VALVE
	PROPOSED WATER METER (3/4" UNO)
	EXISTING WATER METER
	PROPOSED IRRIGATION METER
	EXISTING IRRIGATION METER
	UTILITY STUB
	PROPOSED STREET LIGHT WITH JUNCTION BOX
	PROPOSED TRANSFORMER (SIZE AS NOTED)
	PROPOSED SECONDARY POWER PED.
	EXISTING SECONDARY POWER PED.
	EXISTING STREET LIGHT
	4-WAY VAULT
	PAD MOUNT SWITCH GEAR
	PROPOSED POWER POLE
	EXISTING POWER POLE
	EXISTING GUY WIRE
	PROPOSED TELEPHONE PEDESTAL
	EXISTING TELEPHONE PEDESTAL
	PROPOSED CABLE TELEVISION PEDESTAL
	EXISTING CABLE TELEVISION PEDESTAL

[illegible]

PROJECT NAME: LAKEVIEW TOWNHOMES
AT DESERT SANDS
LOCATED IN HURRICANE, UTAH

SHEET NAME: GENERAL NOTES & SYMBOLS

DSG ENGINEERING, INC.
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS

113 East 200 North Suite #2
St. George, UT 84770
Office (435) 628-2121



DATE :	MAY 2022
PM :	BB
DRAWN BY :	MT
DESIGNED BY :	LB
CHECKED BY :	
PROJECT NO. :	22-003
SCALE :	N.T.S
SHEET NUMBER :	

CS-1

2 OF 6 TOTAL



PROJECT NAME:

LAKEVIEW TOWNHOMES AT DESERT SANDS LOCATED IN HURRICANE, UTAH

PROJECT NAME:

SITE PLAN - HORIZONTAL CONTROL

DSG ENGINEERING, INC.

LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS

113 East 200 North Suite #2

St. George, UT 84770

Office (435) 628-2121

DATE:

MAY 2022

PM:

BB

DRAWN BY:

MT

DESIGNED BY:

LB

CHECKED BY:

PROJECT NO.:

22-003

SCALE:

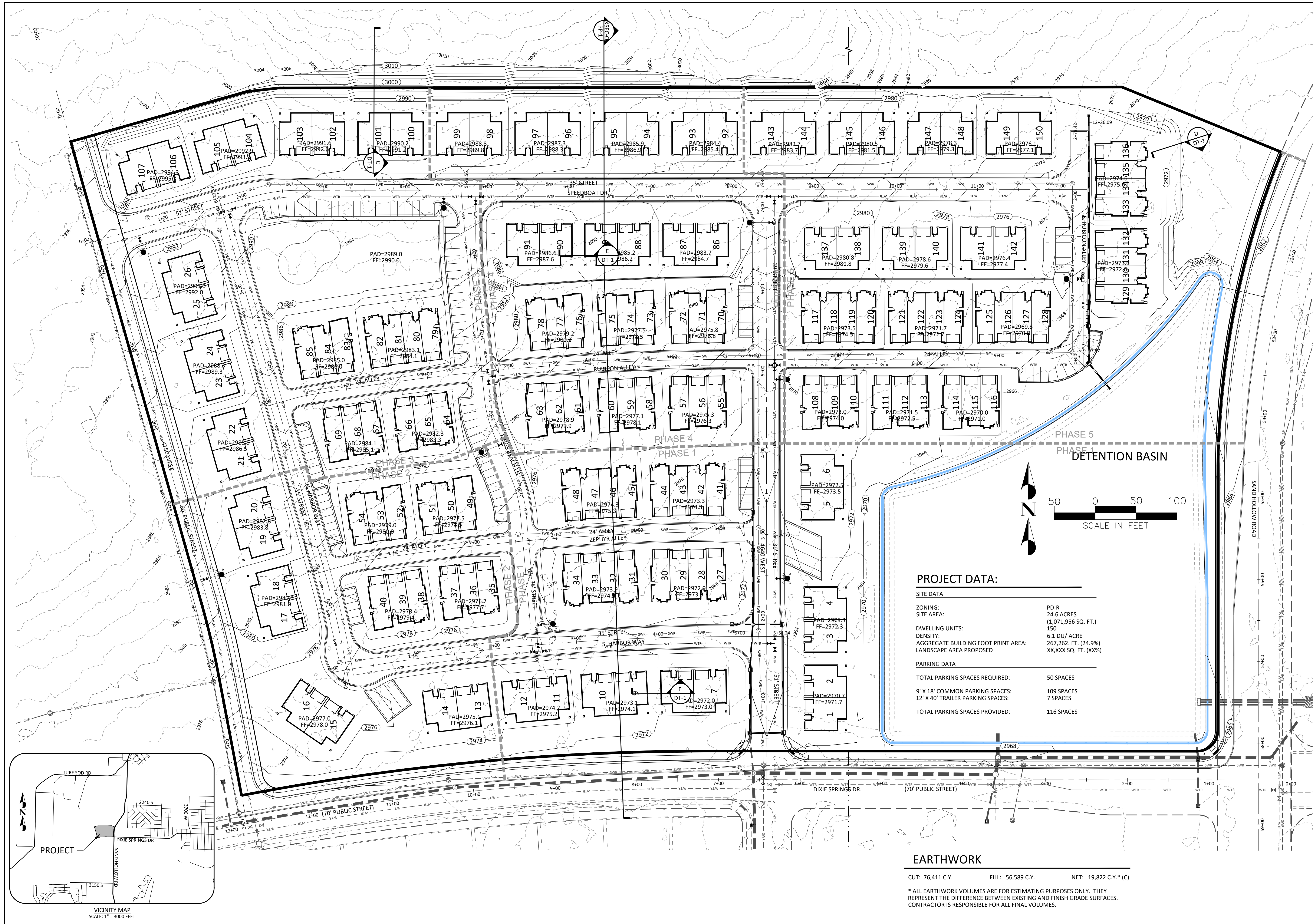
1" = 50'

SHEET NUMBER:

SP-1

3 OF 6 TOTAL

Page 158 of 178



PROJECT DATA:

SITE DATA	
ZONING:	PD-R
SITE AREA:	24.6 ACRES (1,071,956 SQ. FT.)
DWELLING UNITS:	150
DENSITY:	6.1 DU/ ACRE
AGGREGATE BUILDING FOOT PRINT AREA:	267,262. FT. (24.9%)
LANDSCAPE AREA PROPOSED	XX,XXX SQ. FT. (XX%)
PARKING DATA	
TOTAL PARKING SPACES REQUIRED:	50 SPACES
9' X 18' COMMON PARKING SPACES:	109 SPACES
12' X 40' TRAILER PARKING SPACES:	7 SPACES
TOTAL PARKING SPACES PROVIDED:	116 SPACES

EARTHWORK

CUT: 76,411 C.Y. FILL: 56,589 C.Y. NET: 19,822 C.Y.* (C)

* ALL EARTHWORK VOLUMES ARE FOR ESTIMATING PURPOSES ONLY. THEY REPRESENT THE DIFFERENCE BETWEEN EXISTING AND FINISH GRADE SURFACES. CONTRACTOR IS RESPONSIBLE FOR ALL FINAL VOLUMES.

LAKEVIEW TOWNHOMES
AT DESERT SANDS
LOCATED IN HURRICANE, UTAH

DSG ENGINEERING, INC.
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS
113 East 200 North Suite #2
St. George, UT 84770
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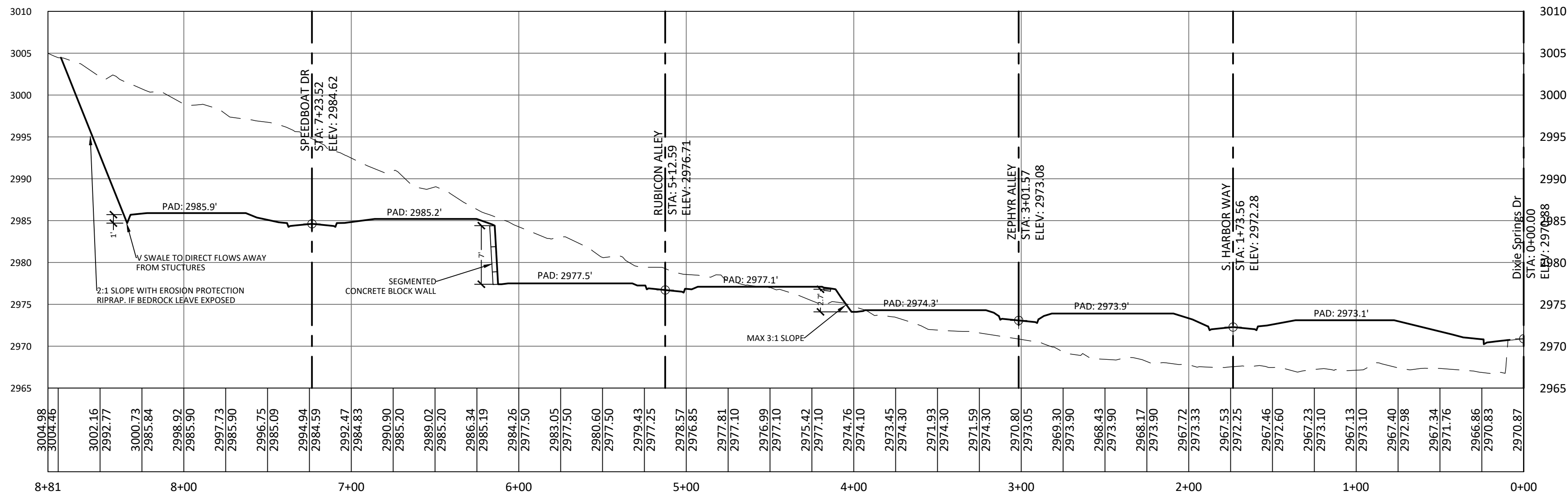
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PM:	BB
DRAWN BY:	MT
DESIGNED BY:	LB
CHECKED BY:	
PROJECT NO.:	22-003
SCALE:	1" = 50'
SHEET NUMBER:	

SP-2

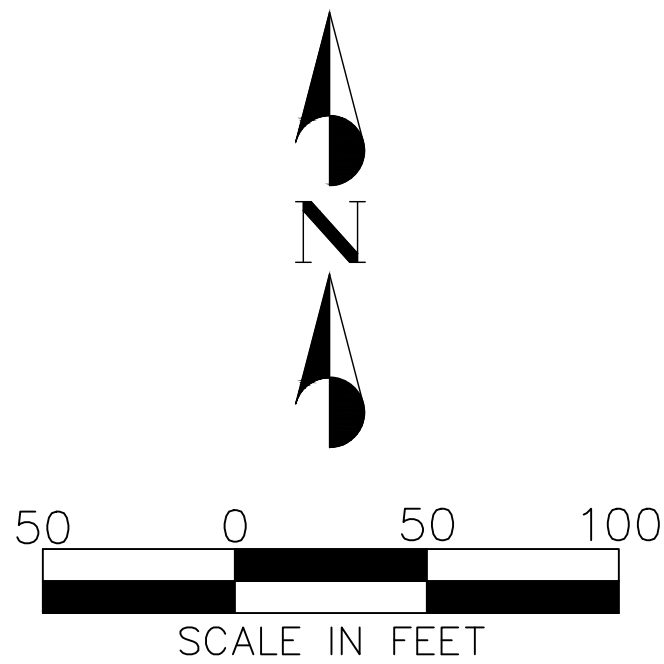
4 OF 6 TOTAL



XSEC - Q - PLAN (STA 8+81 - 0+00)
SCALE: 1" = 50'



XSEC Q - PROFILE (STA 8+81 - 0+00)
H: 1" = 50'
V: 1" = 5'



LEGEND:

- RIGHT OF WAY LINE
- ROAD CENTERLINE
- PROPOSED CURB AND GUTTER
- EXISTING CURB AND GUTTER
- BUILDING ENVELOPE LINE
- PROPOSED CONTOUR LINE
- EXISTING CONTOUR LINE
- PROPOSED GRADE TAG
- EXISTING ELEVATION GRADE TAG
- CATCH BASIN
- UTILITY EASEMENT LINE/HATCH

ABBREVIATIONS

- BVC BEGIN VERTICAL CURVE
- CR CURB RETURN
- CDS CUL-DE-SAC STATION
- EG EXISTING GROUND
- EOA EDGE OF ASPHALT
- EVC END VERTICAL CURVE
- EX EXISTING
- FF FINISH FLOOR
- FG FINISH GRADE
- FL FLOW LINE
- HP HIGH POINT
- KS KNUCKLE STATION
- LP LOW POINT
- SD STORM DRAIN
- SG SUBGRADE
- TBC TOP BACK OF CURB
- VF VERTICAL FEET
- RAD RADIUS

EARTHWORK

CUT: 76,411 C.Y. FILL: 56,589 C.Y. NET: 19,822 C.Y.* (C)

* ALL EARTHWORK VOLUMES ARE FOR ESTIMATING PURPOSES ONLY. THEY REPRESENT THE DIFFERENCE BETWEEN EXISTING AND FINISH GRADE SURFACES. CONTRACTOR IS RESPONSIBLE FOR ALL FINAL VOLUMES.

PROJECT NAME:

LAKEVIEW TOWNHOMES
AT DESERT SANDS
LOCATED IN HURRICANE, UTAH

SHEET NAME:

XSEC Q - PLAN & PROFILE

DSG ENGINEERING, INC.

LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS

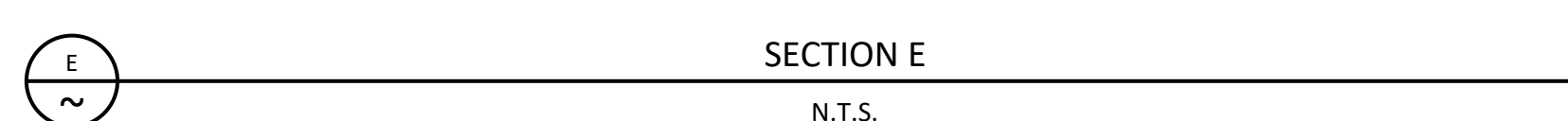
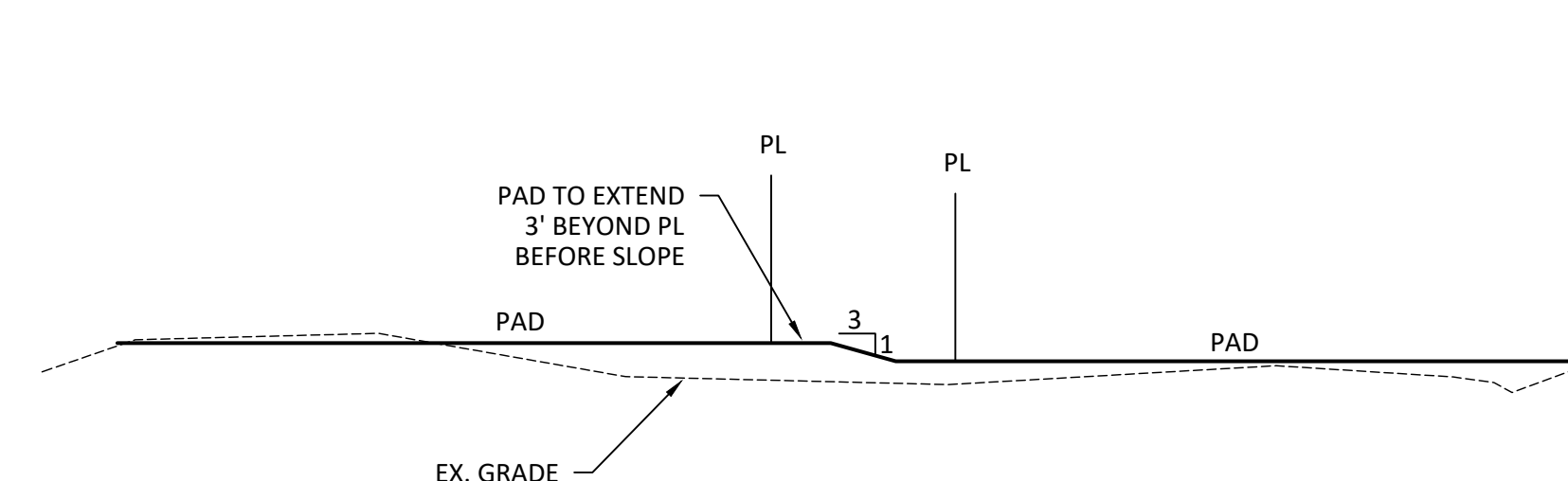
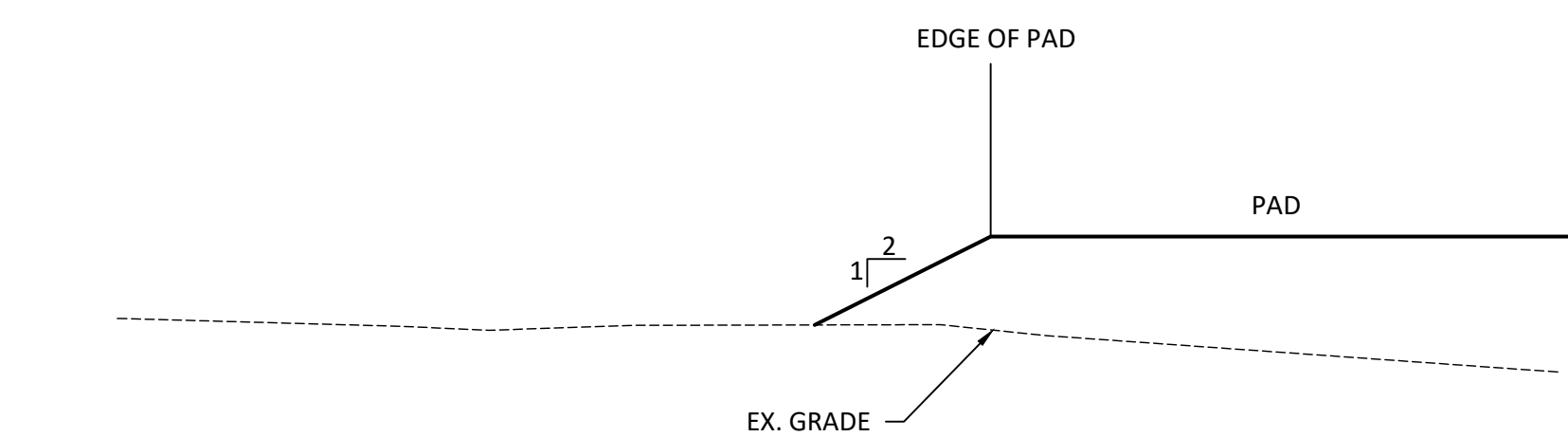
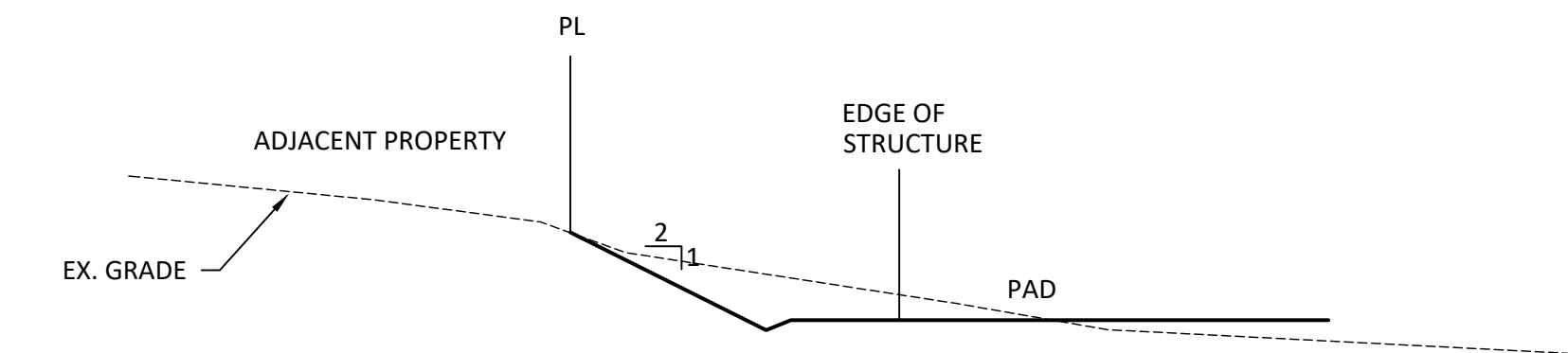
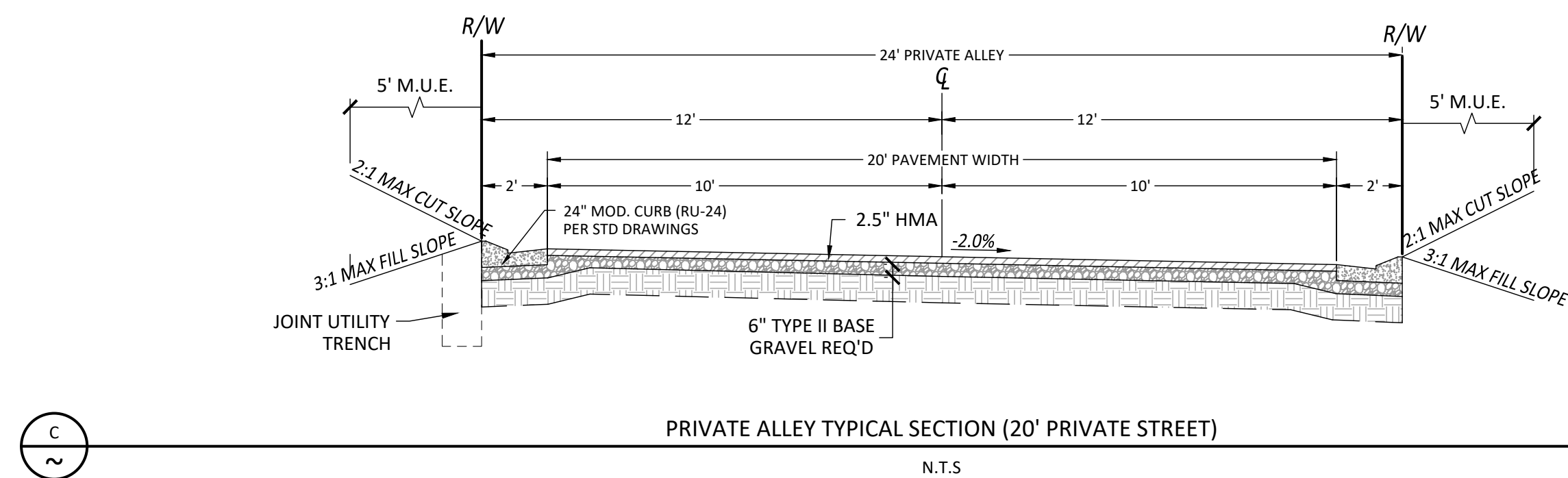
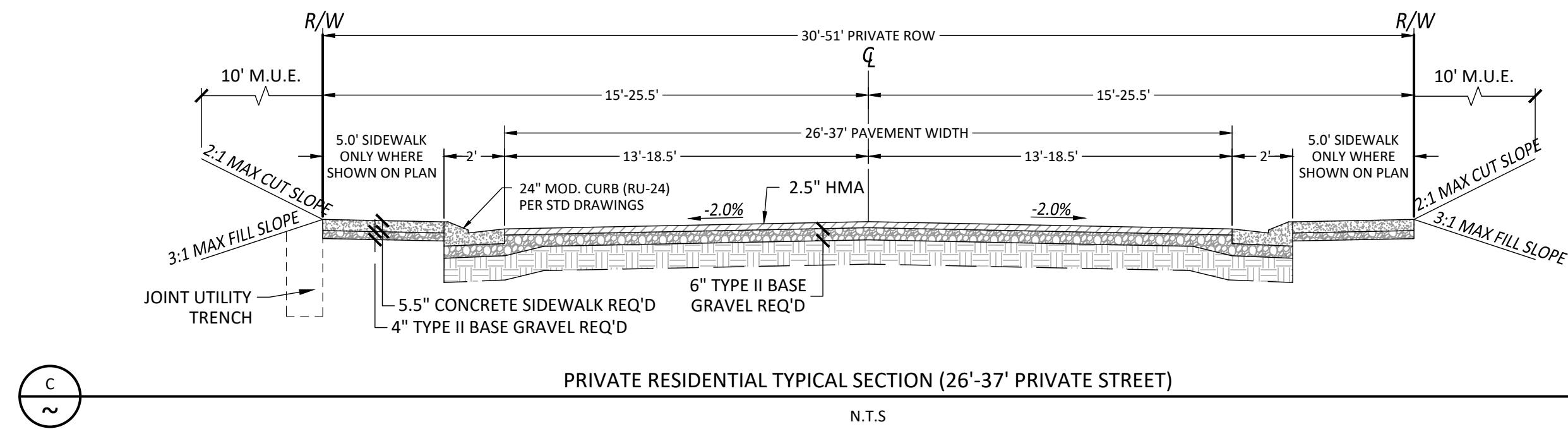
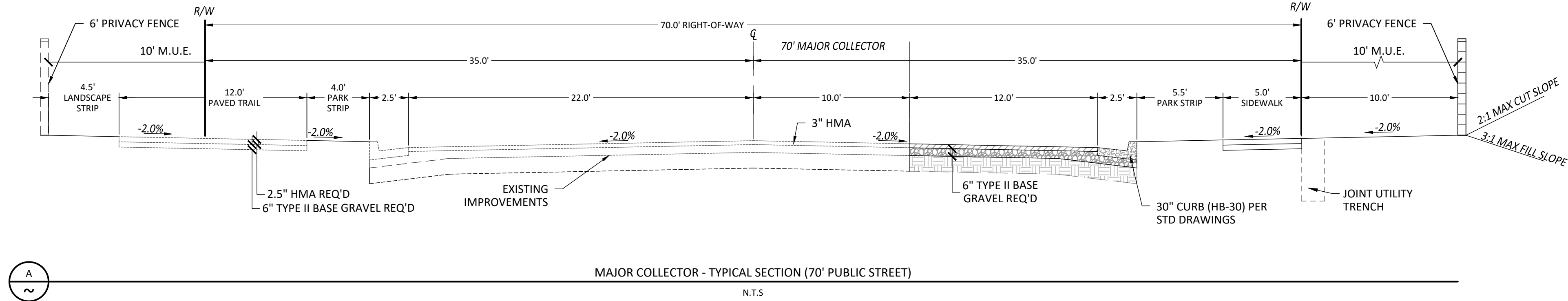
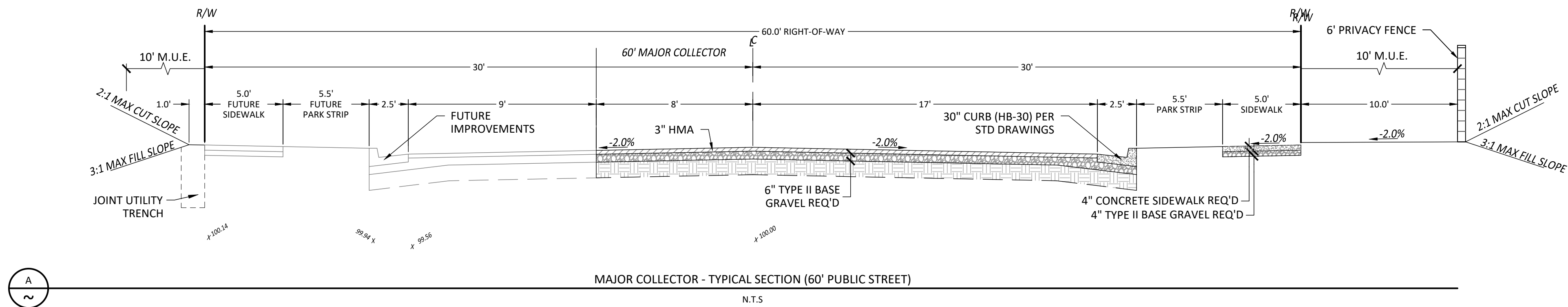
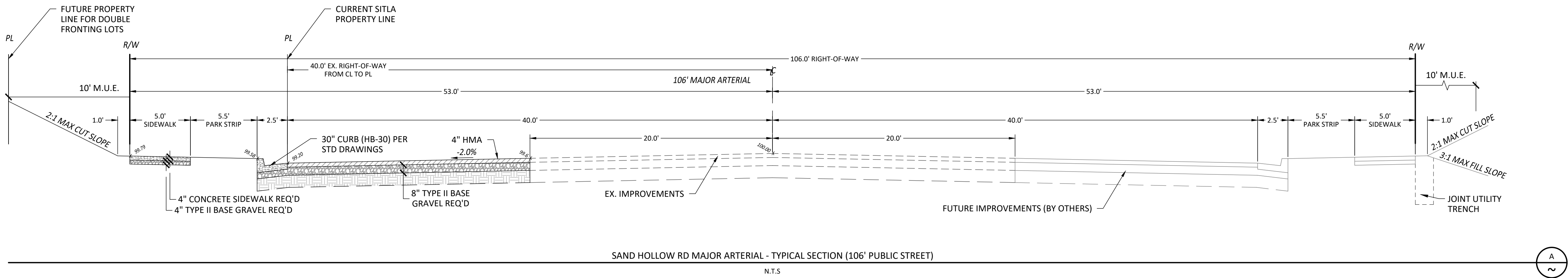
113 East 200 North Suite #2
St. George, UT 84770

Office (435) 628-2121

DATE :		MAY 2022
PM :		BB
DRAWN BY :		MT
DESIGNED BY :		LB
CHECKED BY :		
PROJECT NO. :		22-003
SCALE :		1" = 50'
SHEET NUMBER :		

PP-1

5 OF 6 TOTAL



LAKEVIEW TOWNHOMES
AT DESERT SANDS
LOCATED IN HURRICANE, UTAH

DSG ENGINEERING, INC.
LAND PLANNERS, LAND SURVEYORS, CIVIL ENGINEERS
113 East 200 North Suite #2
St. George, UT 84770
Office (435) 628-2121



DATE:	MAY 2022
PM:	BB
DRAWN BY:	MT
DESIGNED BY:	LB
CHECKED BY:	
PROJECT NO.:	22-003
SCALE:	N.T.S.
SHEET NUMBER:	

DT-1
6 OF 6 TOTAL

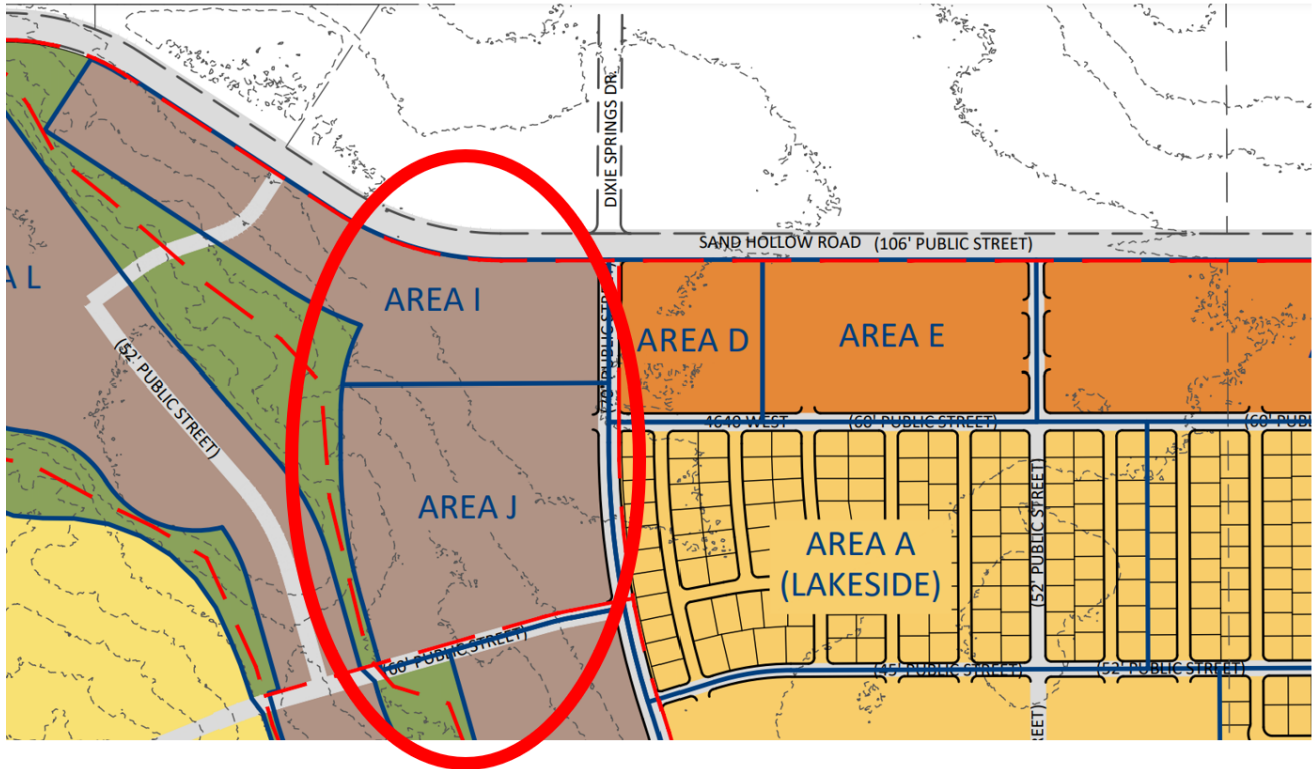


STAFF COMMENTS

Agenda Date:	7/14/2022
Application Number:	2022-PP-17 2022-PSP-22
Type of Application:	Preliminary Plat and Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Brett Burgess
Agent:	
Request:	Approval of a Preliminary Plat and Site Plan
Location:	Northwest corner of Sand Hollow Road and Dixie Springs Dr.
Zoning:	R1-8 PDO
General Plan Map:	Planned Community

Discussion:

This application is for a preliminary acceptance of 88 townhomes and 62 duplex units over 24.1 acres for a total of 6.1 units per acre. This is the next phase of the Desert Sands PDO development across Sand Hollow Road from Dixie Springs. In their master plan, this area is designated as both Area “J” and part of Area “I, ” both as multifamily areas, while I is also designated as a resort area.



Desert Sands Master Plan with the Lakeview Townhomes area highlighted

- a. The approved master plan has Area “J” as 5.98 units per acre and Area “I” as 7.98 units per acre. The plat provided has 6.1 units per acre
 - b. Staff is generally okay with shifting units from one section of the development to the other as long as the number and type of units throughout the development are maintained and the shifts are relatively minor
2. The site plan lists Area I as a possible resort. However, the City limited the number of resort units to 335 units which will likely be used elsewhere, namely Area L. This neighborhood does not have any amenities, and the applicant has not indicated that they are planning on using this site for short term rentals. Staff would recommend that this phase is maintained as long term residential units.
 3. Road cross sections will need to be approved in the construction drawings and match the cross sections approved for earlier phases of the development.
 4. 4750 W should be developed as a full fire access roadway. The master site plan shows a trail along the Eastside of the roadway. Because it is not a City master planned shared uses path, the trail needs to be a minimum of 10’ paved.
 5. It is not indicated on the plat which roads are public and which streets are private. The proposed inner streets do not meet public standards and are assumed to be private. Generally speaking, we discourage large networks of private roadways and limit them for access to multi-family units.
 6. There is open space and a trail system planned to the north of the property. Staff would recommend that an additional trail connection be added to the northeast section of the open space to allow for greater access.
 7. All streets within this development will need a number assigned to them alongside their names
 8. All block lengths appear to meet city standards

9. Perpendicular on-street parking is currently not allowed in public streets, a code change to allow this is currently before the Planning Commission
10. Plat does not indicate if the property is in a tortoise-take area.
11. Park strips along Dixie Springs Drive will need to be landscaped. Staff recommends that street trees are planted every 50'.
12. A will-serve letter has been provided by the sanitary water provider but not the culinary water provider due to a possible policy change by the Washington County Water Conservancy District, which is the primary water provider in this area. Hurricane City Code 10-37-4 states:
 - a. *Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The City may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The City may disapprove a proposed development if demand for public services exceeds accepted levels of service. No subsequent approval of such development shall be given until either the developer or the City installs improvements calculated to raise service levels to the standard adopted by the City.*

Staff does not have a timeline on when or if the Conservancy District will complete its review of the will-serve requirements and agrees with the Water Department's recommendation

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff recommends tabling this item until a will-serve letter from Hurricane City Water is provided.

From: [Stephen Nelson](#)
To: [Cindy Beteag](#); [David Sanders](#); [David Hirschi](#); [Doug Heideman](#); [Joseph Prete](#); [Kaden DeMille](#); [Kevin Thomas](#); [Nanette Billings](#)
Cc: [Arthur Lebaron](#); [Mike Vercimak](#); [Fred Resch](#)
Subject: FW: Lake Side Townhomes
Date: Wednesday, July 20, 2022 1:19:35 PM
Attachments: [image002.png](#)
[Lakeview Townhomes \(Area J\)-PP_07.18.22.pdf](#)
[image003.png](#)

City Council,

Please see the attached email below with an update to Lakeview Townhomes. Staff has raised some concerns about the private streets with the applicant. The applicant has cited the following projects as models for the roadways:

- [Casitas at Sienna Hills](#)
- [Escondido at Sienna Hills](#)

Planning staff has gone and walked the development and has added the photos in the link below. It is important to note that both of these neighborhoods listed are resorts. We took some photos of the main roads and the access alleys. Generally speaking, there are no pedestrian areas on the main roadways, and just limited sidewalks connecting parking areas to adjacent homes. There are some access alleys that run behind the units that only have access to garages, which is similar to Lakeview Townhomes.

<https://photos.app.goo.gl/Rg9joU1Jf5wChYhM8>

The City code states that building permits should not be issued for units only accessed by a private right-of-way ([10-37-13](#)). The City has not enforced that provision for private roadway/parking for multi-family and resort developments that are providing parking areas and are not needed for traffic connection. Generally speaking, having the main roadways as public roadways is better for the community by increasing the standard of the roadway and taking off some of the burdens on the HOA. But the additional parking which is being requested does not meet our current standards and is providing overflow parking and rear-loaded garages tend to be more pedestrian/traffic friendly by limiting access on the main roads. In many cases for multi-family developments, a pure public roadway system does not meet the needs of the development and a hybrid option may work best, but it is pretty common for a fully private system. My recommendation is if private roadways are allowed, those private roadways be built to City cross-sections with sidewalks and proper road widths but still allow for street parking. The only exception should be for the driveway access alleys, which will need to be 26' wide as requested by fire.

Please let me know if you have any questions.

Stephen Nelson, AICP
Hurricane City

Planning Director
(435) 635-2811



PLANNING & ZONING
HURRICANE CITY
UTAH

From: logan@dsgcivil.com <logan@dsgcivil.com>
Sent: Monday, July 18, 2022 4:33 PM
To: Stephen Nelson <stephen@cityofhurricane.com>
Cc: Brienna Spencer <brienna@cityofhurricane.com>
Subject: Lake Side Townhomes

Stephen,

Brett sent me the below email and asked that I look into it.

We do plan on having interior private streets to accommodate on street parking and have a slower neighborhood feel with narrow streets.

The exterior streets conveying through traffic will be public and constructed to a Hurricane city standard section.

This project is modeled after the "Casitas at Sienna Hills" and "Escondido at Sienna Hills" subdivisions in Washington City. The existing projects in Sienna Hills do not have sidewalk adjacent to the private streets, we felt that it would be better and more in line with Hurricane city to provide sidewalk on at least one side of the private streets (excluding the alleys) for pedestrian flow.

I've attached an updated drawing for clarification of the public and private streets for your use.

Brett will be out of town for this coming city council meeting, and asked that I attend the meeting for him. He may be able to attend virtually.

Thanks

Logan Blake, PE
Civil Engineer



DSG Engineering
113 East 200 North Suite 2
St. George, UT 84770
(435) 628-2121 x 103 – office
logan@dsgcivil.com

From: Stephen Nelson <stephen@cityofhurricane.com>

Date: July 15, 2022 at 10:28:30 AM MDT

To: Brett Burgess <brett@developmentsolutions.co>

Subject: Lake Side Townhomes

Brett,

It was good seeing you last night. After reviewing the staff comments and getting the report ready for City Council, I realized that we did not really address the roadway system. Our code states that building permits should not be issued for buildings with no public right-of-way access. However, the City has taken a pretty liberal view on that interpretation for multi-family developments because it often does not make sense. I do have some concerns about the lack of sidewalks and when the road is narrow for main drives. I have updated my comment to City Council below.

5. Staff has concerns about the private roadway system. Generally speaking, the City prohibits private roadways and limits them for access to multi-family or commercial units. It is not indicated on the plat which roads are public and which streets are private. The proposed inner streets do not meet public standards and are assumed to be private. Currently, City code does not allow for on-street parking, but the City Council is considering an ordinance to allow it. Main roads should be built to public system size and include sidewalks on both sides. There will need to be a public access easement for utilities and emergency services on all private roadways. Water lines will need to be ductile iron.

Please let me know if you have any questions.

Stephen Nelson, AICP

Hurricane City

Planning Director

(435) 635-2811



PLANNING & ZONING
HURRICANE CITY
UTAH





STAFF COMMENTS

Consideration and possible approval of **Resolution 2022-36 authorizing the Steel Solar 1A Project amended and restated Transaction Schedule**-Scott Hughes

Discussion:

This resolution is concerning the solar resource that the power department has signed up for. The resolution, if approved, would also authorize Scott Hughes to sign the Amended and Restated Transaction Schedule. The terms of that schedule that are being amended are the energy price and the commercial operation date (COD). The price is changing from \$31.35 per MWH to \$34.66 per MWH. The COD is changing from December 31, 2022, to September 30, 2023. Both changes are very common right now in most all the resource projects out there. Although we don't like that the project is coming in later and more expensive, if we were to back out and try to get the resource from a different project, it would take way longer and would very likely come in at an even higher price.

Findings:

Recommendation:

For these reasons, the Power Board recommended approval to the City Council at their last Power Board meeting on July 6, 2022.

Attachments:

1. Amended__FirmPowerSupplyAgrResolutionSteelSolar_Hurricane
2. Steel Solar Transaction Schedule_Amended and Restated (Final 6-22-22)__Hurricane

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE STEEL SOLAR 1A PROJECT AMENDED AND RESTATED TRANSACTION SCHEDULE UNDER THE MASTER FIRM POWER SUPPLY AGREEMENT WITH UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS; AND RELATED MATTERS.

WHEREAS, Hurricane City (the “Member”) owns and operates a utility system for the provision of electric energy to its residents and others (the “System”) and is a member of Utah Associated Municipal Power Systems (“UAMPS”) pursuant to the provisions of the Utah Associated Municipal Power Systems Amended and Restated Agreement for Joint and Cooperative Action dated as of March 20, 2009, as amended (the “Joint Action Agreement”);

WHEREAS, the Member desires to purchase all or a portion of its requirements for electric power and energy from or through UAMPS and has entered into a Power Pooling Agreement with UAMPS to provide for the efficient and economic utilization of its power supply resources;

WHEREAS, the Member has previously entered into the Master Firm Power Supply Agreement with UAMPS in order to allow for UAMPS entering into various firm transactions for the purchase and sale of firm supplies of electric power and energy;

WHEREAS, UAMPS has investigated the Steel Solar 1A Project, a forty (40) megawatt (MW) solar photovoltaic generation facility to be located in Box Elder County, Utah, on behalf of its members and is now prepared to enter into a twenty-five (25) year amended and restated power purchase agreement with Steel Solar LLC to secure the delivery of all the energy from the Project and associated environmental attributes; and

WHEREAS, the Member now desires to authorize and approve the Steel Solar 1A Amended and Restated Transaction Schedule (“Amended and Restated Transaction Schedule”) attached hereto as Exhibit A for the Project subject to the parameters set forth in this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Hurricane City as follows:

Section 1. Authorization of Steel Solar 1A Amended and Restated Transaction Schedule. The Amended and Restated Transaction Schedule, in substantially the form presented at the meeting at which this resolution is adopted, is hereby authorized and approved, and the Member Representative is hereby authorized, empowered and directed to execute and deliver the Amended and Restated Transaction Schedule on behalf of the Member. Promptly upon its execution, the Amended and Restated Transaction Schedule shall be filed in the official records of the Member.

Section 2. Other Actions. The Mayor, City Recorder, the Member Representative and other officers and employees of the Member shall take all actions necessary or reasonably required to carry out,

give effect to, and consummate the transactions contemplated hereby and shall take all actions necessary to carry out the execution and delivery of the Amended and Restated Transaction Schedule and the performance thereof.

Section 3. Miscellaneous; Effective Date. (a) All previous acts and resolutions in conflict with this resolution or any part hereof are hereby repealed to the extent of such conflict.

(b) In case any provision in this resolution shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

(c) This resolution shall take effect immediately upon its adoption and approval.

ADOPTED AND APPROVED this _____ day of _____, 2022.

HURRICANE CITY

Mayor

ATTEST AND COUNTERSIGN:

City Recorder

[SEAL].

EXHIBIT A
STEEL SOLAR 1A AMENDED AND RESTATED TRANSACTION SCHEDULE

**STEEL 1(A) SOLARPROJECT
FIRM POWER SUPPLY AGREEMENT
AMENDED AND RESTATED TRANSACTION SCHEDULE**

This Amended and Restated Transaction Schedule to the Master Firm Power Supply Agreement to which all Parties to this Transaction Schedule are signatories provide for the following transactions. The Parties to this Amended and Restated Transaction Schedule agree to the following provisions and agree to pay all costs of this transaction through the Firm Power Supply Project.

PURCHASER: Hurricane City

ENTITLEMENT SHARE: 6.46%

SUPPLIER: Steel Solar, LLC (the “Steel Solar Project”)

EFFECTIVE DATE: The Power Purchase Agreement by and between UAMPS and Steel Solar, LLC for the Steel 1(A) Solar Resource (the “Original PPA”) was executed on November 18, 2020 and that certain amendment to the Original PPA dated as of February 16, 2022 (“Amendment”). The Original PPA, as amended by the Amendment, was amended, restated and executed by UAMPS and Steel Solar, LLC on June 23, 2022 (the “Amended PPA”). The Amended PPA becomes effective upon UAMPS obtaining member governing body approvals. UAMPS anticipates satisfying this condition within 90 days of executing the Amended PPA. The Scheduled Commercial Operation Date (“COD”) is September 30, 2023. The COD may not occur earlier than March 31, 2023 but not later than March 31, 2024.

TERM: A 25-year delivery term commencing on COD. The Amended PPA will become effective upon UAMPS satisfying the condition precedent identified above.

AMOUNT: 2,584 kW and associated Environmental Attributes (“Entitlement Share”)

PRICE: \$34.66 per MWH

OTHER
PROVISIONS:

Energy: UAMPS will schedule all energy pursuant to the terms and conditions of the Amended PPA and will delivery to the Purchaser its Entitlement Share of the Steel 1(A) Solar Resource. The Steel 1(A) Solar Resource is to be constructed as a 40 MW solar photovoltaic generation facility located in Box Elder County, Utah.

- Transmission:*** UAMPS will charge and the Purchaser will pay transmission charges as adopted by the UAMPS Board of Directors from time to time.
- Administration:*** UAMPS will charge and Purchasers will pay the scheduling fee and reserve fee as adopted by the UAMPS Board of Directors from time to time.
- Buyout Options:*** Under the Amended PPA, UAMPS has the ability to buy the Steel 1(A) Solar Resource from Steel Solar, LLC at specified buyout dates pursuant to a fair market value appraisal. If UAMPS is directed to pursue one of its buyout options, then UAMPS will in parallel develop new contracts or amend the Firm Power Supply Agreement with the Purchasers to provide UAMPS with the ability to finance the buyout of the Steel 1(A) Solar Resource.
- Step-Up Obligation:***
- (1) In the event of a default by one of the Purchasers, UAMPS shall immediately allocate all of the defaulting Purchaser's Entitlement Share among the nondefaulting Purchasers, pro rata on the basis of their then-current Entitlement Shares, which shall remain in effect only until the completion of the procedures provided herein. UAMPS shall provide written notice to the nondefaulting Purchasers of the initial allocation of the defaulting Purchaser's Entitlement Share which notice shall (A) set forth the date of the initial allocation, (B) include a revised Schedule I showing the increased Entitlement Shares as a result of such allocation, (C) direct each of the nondefaulting Purchasers to make an election pursuant to subparagraph (2) below, and (D) set forth the date by which each of the nondefaulting Purchasers must notify UAMPS of such election. The initial allocation of the defaulting Purchaser's Entitlement Share and the increased Entitlement Shares of the nondefaulting Purchasers as a result of such allocation (as shown on the revised Schedule I prepared by UAMPS) shall remain in effect until the completion of the procedures provided for herein. During such period, each of the nondefaulting Purchasers shall have all of the rights, benefits, obligations and responsibilities associated with its increased Entitlement Share as a result of such allocation.
 - (2) Within sixty days after the initial allocation of the defaulting Purchaser's Entitlement Share, each nondefaulting Purchaser shall notify UAMPS in writing of its election to: (A) retain all of its initial allocation of the defaulting Purchaser's Entitlement Share; or (B) retain none or less than all of such allocation. Any Purchaser that elects to retain all of its initial allocation of the defaulting Purchaser's Entitlement Share shall be deemed to have fully satisfied its step-up obligations and shall not thereafter be required to accept any additional allocation of the defaulting Purchaser's Entitlement Share; *provided*

that any such nondefaulting Purchaser may give notice to UAMPS of its request to acquire additional amounts of the defaulting Purchaser's Entitlement Share as may be available.

- (3) Within thirty days after its receipt of the elections of all nondefaulting Purchasers pursuant to subparagraph (2), UAMPS shall determine whether the nondefaulting Purchasers have elected to retain all of the defaulting Purchaser's Entitlement Share. In the event that one or more of the nondefaulting Purchaser's elected to retain less than all of the initial allocations of the defaulting Purchaser's Entitlement Share, UAMPS shall reallocate the remaining amounts of the defaulting Purchaser's Entitlement Share proportionally among those nondefaulting Purchasers that have requested additional amounts of the defaulting Purchaser's Entitlement Share. To the extent that any part of the defaulting Purchaser's Entitlement Share is then unallocated, UAMPS shall next reallocate the remaining portion of the defaulting Purchaser's Entitlement Share proportionally among those Purchasers that did not elect to retain all of their initial allocations of such Entitlement Share. Proportional reallocations shall be based upon the Entitlement Shares of the nondefaulting Purchasers in effect immediately prior to the defaulting Purchaser's default.
- (4) In no event shall the final allocation of a defaulting Purchaser's Entitlement Share pursuant to subparagraph (3) (or the total of all such allocations in the event of multiple Purchasers' defaults) cause any nondefaulting Purchaser's Entitlement Share to increase by more than 25% over its "Adjusted Entitlement Share" without such Purchaser's consent. The "Adjusted Entitlement Share" is the Purchaser's Entitlement Share shown on Schedule I on and as of the Effective Date.
- (5) UAMPS shall deliver, promptly after making the determinations and reallocations required by subparagraphs (1-4), a notice to the nondefaulting Purchasers which notice shall (A) set forth the final allocation of the defaulting Purchaser's Entitlement Share pursuant to subparagraph (3), and the effective date of the final allocation, and (B) include a revised Schedule I showing the revised Entitlement Shares of the nondefaulting Purchasers upon the final allocation pursuant to subparagraph (3). The Entitlement Shares shown on such revised Schedule I shall thereafter be the Entitlement Shares of the nondefaulting Purchasers.
- (6) Any portion of the Entitlement Share of a defaulting Purchaser allocated or reallocated to a nondefaulting Purchaser pursuant to this paragraph (b) shall become a part of and shall be added to the Entitlement Share of the nondefaulting Purchaser, and from and after the date of such transfer the nondefaulting Purchaser shall be obligated to pay for its increased Entitlement Share pursuant to the terms and provisions of this Transaction Schedule. The defaulting Purchaser shall remain liable to UAMPS and the nondefaulting Purchasers for

costs incurred and damages suffered by them in connection with the actions taken with respect to the defaulting Purchaser's Entitlement Share provided for herein.

- (7) If, as a result of the limitation stated in subparagraph (4) above, any portion of a defaulting Purchaser's Entitlement Share remains unallocated or upon the request of any nondefaulting Purchaser, UAMPS shall use Commercially Reasonable Efforts to sell or dispose of the unallocated or designated Entitlement Share. The defaulting Purchaser shall be liable for the costs, fees and expenses incurred by UAMPS in connection with any such sale, disposition or remedial action.

Other:

Any costs incurred by UAMPS due solely to this Transaction Schedule, including but not limited to the Amended PPA costs, transmission costs, scheduling costs, administrative costs and legal costs will be the responsibility of Purchasers invoiced through the UAMPS Power Bills.

This Transaction Schedule may be signed in counterpart.

Dated this _____ day of _____, 2022.

HURRICANE CITY

By: _____

Title: _____

UTAH ASSOCIATED MUNICIPAL POWER
SYSTEMS

By: _____

Title: _____

Schedule I

MEMBER	KW AMOUNT 40,000	ENTITLEMENT %
Blanding	646	1.62%
Bountiful	6,459	16.15%
Fairview	129	0.32%
Fillmore	388	0.97%
Heber	6,459	16.15%
Hurricane	2,584	6.46%
Hyrum	2,584	6.46%
Lehi	10,000	25.00%
Mt. Pleasant	388	0.97%
Paragonah	50	0.13%
Payson	3,877	9.69%
Price	3,500	8.75%
Santa Clara	1,000	2.50%
SUVESD	646	1.62%
Washington	1,292	3.23%
TOTAL	40,000	100.00%