

**Hurricane Planning Commission
Meeting Minutes
August 11, 2022**

Call to Order - 6:00 p.m.

ON AUGUST 11, 2022, AT 5:00 p.m., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N. 870 WEST HURRICANE UT, 84737

Chairman Mark Sampson called the meeting to order at 6:00 p.m. Roll call was taken.

Pledge: Paul Farthing

Prayer: Ralph Ballard

Members Present: Mark Sampson, Paul Farthing, Ralph Ballard, Rebecca Bronemann, Brad Winder, Shelley Goodfellow, and Kelby Iverson

Members Excused: Michelle Cloud

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

5:00 p.m. - Planning Commission Business:

1. Discussion on code amendments within agricultural and residential agricultural zones.

- A. Stephen Nelson reported debate regarding the required mileage distance between the continuous and non-continuous acreage. Fred Resch III suggested that continuous and non-continuous acreage shall support each other in the same agricultural use. Mr. Nelson will update the section to state that the non-continuous area shall be within Hurricane City Municipal Boundary.
- B. Stephen Nelson read changes and the conditions which would allow flexibility for smaller developments without going through a zone change to R1-15. He explained that this would apply to subdivisions containing three lots or less if a master planned roadway dedication is required.
- C. Fred Resch III discussed a conditional use to allow reception centers in agriculture and residential agriculture zones. As staff reviewed the code, they realized a section in the code could be interpreted to allow reception centers in these zones; however, there is a section stating this is not permitted. The main reason this was initiated in the past was to expand agritourism. The proposed change allows a conditional use with the condition that property must be mainly used for agriculture purposes. As the policy reads, parking must be provided. Mr. Nelson reviewed the current parking standards. The Planning Commission feels that requiring the drivable criteria within the off-street parking zone is not feasible for agritourism.

2. Discussion on updates to the Future Land Use Map

3. Discussion on code amendments with regards to uses in historic buildings

6:00 p.m. or soon after that - Call to Order

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

Declaration of a conflict of interest

Public Hearing:

- 1. A Zone Change Amendment request located at approx. 5300 West and 2600 South from A-5, agriculture one unit per 5 acres, to contain a PDO, planned development overlay, with the split underlying zones of RR, recreation resort, and RM-1, multifamily six units per acre. Parcel numbers H-4-38-L and H-4138-E.**

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

- 2. A General Plan Amendment to adopt a Moderate-Income Housing Plan.**

No Comments.

- 3. A Zone Change Amendment request located at 650 S and 850 W. from RA-0.5, residential agriculture one unit per half acre, to R1-15, residential one unit per 15,000 square feet, to add one or two additional lots in the subdivision.**

Garth Packard property abuts this project. He opposed this change last year, and it was denied by the City Council and Planning Commission denied. He acknowledges that the application has the right to request a zone change one year after denial. He and many in the community are still in opposition to the zone change.

Mike Neilson is Mr. Packard's neighbor and opposed this a year ago. He built his home and invested in this area because he prefers open spaces. There are traffic issues that need to be addressed on 650 South.

Derrick Capps lives across from this development. Last year, a compromise was made for half-acre lots. He reported that 650 South is not a maintained road, and adding additional housing is taxing. He is concerned that the developer will return and push for quarter-acre lots if this is approved.

Sean Reddish is opposed to this zone change. He reported that there are a lot of infrastructure concerns. There is an unresolved drainage issue on 650 South, and the drainage pond that Interstate Rock completed is insufficient for storm drainage or flood irrigation.

Brandon Terry lives next to Mr. Neilson and Mr. Packard. He voiced his opposition to this zone change. He also invested in this area because of the larger lots.

Adam Fluckiger owns an acre lot in the Reddish subdivision because he wanted live in an area with larger lots. This developer has already advertised to sell half-acre lots, and it is disappointing that they are asking for a zone change to have smaller lots.

Luke Wilson lives across from Sean Reddish. He does not see much difference between a half acre and a third acre. Hurricane City will be what it is built to be. He asked how this benefits the city and who is more important, the developers or the citizens who invested in this area.

Dusty Rasmussen agrees with the previous comments.

Josh Wadsworth lives in the Hardcastle Estate subdivision. He strongly opposes the higher density. He developed the Hardcastle Estates subdivision, and it would have been financially advantageous to develop third-acre lots. However, that was not approved. Many of these zones allow agriculture use, and when there are higher density pockets between agriculture, there are potential issues with non-conforming neighborhoods.

Matt Scott lives on the corner of 650 south and 920 west. He echoes the concerns and comments of the others.

4. **A Zone Change Amendment request located at 3700 West and Stargate Ave. from RM-3, multifamily 15 units per acre, R1-6, residential one unit per 6,000 square feet, and R1-15, residential one unit per 15,000 square feet, all to be RM-3, multifamily 15 units per acre. Located on the north portion of parcel number H-4-2-1-1112-GS1.**

No comments

5. **A Land Use Amendment request to Title 9, Chapter 1 Section 3: Issuance of Building Permits to require a geotechnical report.**

No comments

OLD BUSINESS

1. **2022-ZC-29 2022-PSP-36: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approx.. 88 N 1690 W from R1-10, residential one unit per 10,000 square feet, and HC, highway commercial, to add 0.127 acres to the existing highway commercial area and the remainder as R1-8, residential one unit per 8,000 square feet with a Planned Development Overlay. Parcel numbers H-3-1-33-3141 and H-3-1-33-4221. Hinton Holdings LLC Applicant. Richard & Kathleen Hinton Agent.**

Mr. Nelson reported that the applicant requested a continuation while reconfiguring their design. The applicant explained concerns regarding the wetlands issue and the recorded access easement. The density is more than what the requested zoning would allow. The applicant has provided the recorded easement, and the wetlands are being addressed. Dayton Hall stated that the city has no rights to the access easement and will not enforce it. However, the city will not approve a development that infringes on the easement.

Paul Farthing motioned to continue 2022-ZC-29 and 2022-PSP-36. Shelley Goodfellow seconded the motion. Unanimous.

2. **2022-PP-10: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Black Ridge Phase 1A-1C, a residential subdivision consisting of 84 single family units and 20 townhomes, located at 1760 W and Weeping Rock Road in the Black Ridge development. Austin Overman Applicant. Rob Reid-Rosenberg Engineering Agent**

Austin Overman shared that this is part of a master planned development. The approved density for the project is two hundred and six units. Mr. Nelson reported that the applicants have provided a density

transfer letter per the development agreement and the will serve letter from the Water Department. He noted that townhomes are taking place in an area shown for the neighborhood park. They are still providing a park and common space in the area, but he questions whether that is appropriate for the density transfer. Mr. Hall referenced the development agreement and noted that the verbiage conflicts with the proposed plat. Mr. Overman reported that the park is being moved, not eliminated. He explained that the slope bordering the neighboring property is inadequate to provide water retention in a one-hundred-year storm, and the park's location is very close to the main road. Mrs. Bronemann asked if a sensitive land application has been provided. Mr. Nelson shared that the Engineering Department will sign off on the sensitive lands during the construction drawing process.

Ralph Ballard motioned to send a recommendation of approval for 2022-PP-10 contingent on the neighborhood park being in phase one with an amenities package, subject to staff and JUC comments, and the agricultural protection noted on the final plat. Brad Winder seconded the motion. Unanimous.

NEW BUSINESS

- 1. 2022-ZC-30 2022-PSP-37: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approximately 5300 W and 2600 S from A-5, agricultural one unit per 5 acres, to contain a PDO, planned development overlay, with the split underlying zones of RR, recreation resort, and RM-1, multifamily six units per acre. Parcel numbers H-4-38-L and H-4138-E. Pecan Valley Holdings LLC Applicant. Chris Wyler/Civil Science Agent.**

Mr. Nelson stated that the PDO and recreation resort boundary lines are not clearly defined and can lead to confusion. Originally, this area was proposed as a resort. Staff recommended denying it because it did not meet the criteria within the code. Mr. Wyler proposes to keep the square footage of the resort development by removing the clubhouse and the associated units from the resort zoning. This change adds fifteen additional resort units that were not part of the initial preliminary site plan. Rebecca Bronemann asked about a buffer between the agriculture zoning. Mr. Nelson stated there are some open space buffers, but there could be issues with having multifamily zoning and large resort zoning near heavy agriculture use areas. Mr. Resch III noted that the RV boat parking and the clubhouse within the PDO are supposed to count toward amenities in the resort areas. Mr. Nelson and Mr. Resch explained that it is hard to determine which development the amenities are associated with because of the different zoning boundaries. Mr. Wyler reviewed the amenities included in the project. Mrs. Goodfellow feels this application is confusing. She hesitates to approve this application because it is unclear how many recreation units this change will create. The Planning Commissioners agree with Mrs. Goodfellow. Mr. Nelson recommended tabling the application and advised holding another public hearing.

Paul Farthing motioned to table 2022-ZC-30 and 2022-PSP-37. Rebecca Bronemann seconded the motion. Unanimous.

- 2. Discussion and consideration of a recommendation to the City Council on a General Plan Amendment to adopt a Moderate-Income Housing Plan**

Mr. Nelson reviewed the changes made since the previous discussion and noted that an acknowledgment page was added to the report. Mr. Iverson appreciates the hard work that went into creating this plan.

Shelley Goodfellow motioned a recommendation of approval to the City Council to adopt a moderate-income housing plan. Kelby Iverson seconded the motion. Unanimous.

3. 2022-ZC-31: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 650 S and 850 W from RA-0.5, residential agriculture one unit per half acre, to R1-15, residential one unit per 15,000 square feet. Pete Dratter Applicant. Chase Stratton Agent

Mr. Nelson – present the approved preliminary plat. The applicant has construction drawings signed and final plat approval for this property. He provided the zoning map requested. They do have an approved development, which they have already moved forward.

Chase Stratton stated they are ready to put down asphalt.

Mr. Hall – Clarified that this is an application for a zone change. There are comments in the packet about an additional one or two lots. If the zone is changed, the density can be changed. Hypothetically the applicant can start over. He wants the Commission to be clear that this is a zone change application. Therefore, the applicant can do what the new zone permits.

Brad Winder asked unless there is a condition applied to the zone change?

Mr. Hall explained that would be a zone change subject to a development agreement. As a general practice, he does not like those. He mentioned the discussion about hashing out the details for a development agreement signed fifteen years ago. He prefers to have standard clean zones, to avoid interpretation disputes about a development agreement.

Mr. Nelson explained that if the zone change is approved, they can build the plat as currently approved. The current plat complies with the current zone and would also comply with the new zone. But if they were to make changes. They will have to come back with a preliminary plat showing that change, update the construction drawing, and the final plat would have to be approved again. They would have to start the process again, although many technical details have been finished.

Mr. Stratton explained that two months ago, the City Council approved a zone change to R1-15 from RA-1 for a similar parcel of 5.02 acres off 400 West and South of 650. That application had a lot of opposition and was still approved, so they decided to come back and apply for the zone change.

Paul Farthing reported that the Planning Commission recommended against it, and City Council approved it. He lives down the street and remembers the whole conversation. The Planning Commission recommended a half-acre to the City Council. Then an applicant with five acres was allowed nine homes instead of eight.

Mrs. Goodfellow reported that the Commission is considering dedicating the entire field south of 400 South to rural residential as part of the general plan map update. This has been the consensus for every zone change request in the area, except the one the applicant is referring to. She disagreed with that zone change and did not vote for it. She did vote for the half acre, as opposed to one acre. Her biggest concern is the chain reaction when a zone change occurs in an area not designated on the general plan, even with a development agreement that makes it somewhat conducive to the surrounding areas. Mrs. Goodfellow believes half-acre and one-acre zones need to be preserved and protected. Her decision is the same as last year.

Chase Stratton reported that if the changes discussed by the Planning Commission in the first agenda item were already approved, it would mitigate their requests and make it easy to do what they want. Mr. Iverson speaks contrary to that because those adjustments were made to allow an RA.05 on a .36-acre lot only if the subdivision is three lots or less. Mr. Iverson asked if Mr. Stratton was given a full

opportunity to discuss the request.

Mr. Stratton reiterated that the main reason for coming in for the zone change is the history of the property on 400 West.

Mr. Iverson stated that he appreciates Councilman Thomas being here. He appreciates Luke, Matt, and the others who spoke during the public hearing. He deeply respects the Stratton brothers at Interstate Rock and the good they do for the community. They float a ton of the commercial and development and have kept the economy in a good situation. He thinks the whole town recognizes that. Their job is to develop the land, and he feels they balance their job with the citizens' concerns quite well. He suspects their emphasis is to feed their families and continue growing their business. They probably place a little more emphasis on the development side of things, which is understandable. He noted that they love Hurricane City, and they love our citizens. He agrees with Mrs. Goodfellow. The Planning Commission has steadily stuck to the master plan and has good momentum with the City Council. Over the past several years, the city staff has observed consistent efforts to keep the area from 400 South to 1300 South to a half-acre and larger. It is coming before the Commission to amend the general plan to approve rural residential because of citizens, and he commends the citizens. He thinks we are building a great community.

Mr. Iverson explained that the only thing that could sway him to the applicant's side is if they remained at agriculture .5. He is unsure if they can because they have more than three lots. He hates digging into that bag and would not go there. He appreciates Mr. Reddish's comments about the seventeen acres that are the total development of Mr. Dratter. He believes if the applicant gets RA - 15,000 square feet, there is no question that Mr. Dratter will want to do the rest of his twelve acres at 15,000 square feet. He agrees with the citizens. There was already a compromise from one acre to a half acre. He agrees with the applicant's reasoning for requesting the additional lots. He did not vote for it, nor did anyone else on this Commission. That was a decision made by the City Council. He hopes the Commission continues to stand by the master plan, which is why this is a hard no for him.

Mr. Farthing feels that the decision for a half-acre was the correct one. It concerns him that eventually, that area will spread from 650 down to 1300, and every vacant five-acre parcel will be developed. He disagrees with the City Council's decision on the other lot but does not think another error should be made with this one.

Mr. Ballard's dad once said that just because you made a mistake once does not mean you have to keep making it. That applies here. The Planning Commission has heard from friends and loved ones here today. He wishes the applicant would consider raising the price and keeping the lots as they are. He explained that long term, the city will have a different feel if everything in this area is high density. There is a place for high density, but he does not think this is.

Mrs. Bronemann agrees with the Commissioner's comments.

Mr. Winder reported that the Campbell family was the other property. He recused himself from being involved in that discussion. He has mixed feelings about this because he lives around the corner from this on a three-quarter-acre lot, his brother-in-law owns the three-quarter-acre lot next to him, and there is an acre and a half lot behind him. The Ballard's own the five acres to the west. Everything in that general area is half an acre. To the north is Pecan Meadows, which is a quarter-acre lot development developed by Interstate Rock. He agrees with Mr. Ballard and thinks having a half-acre lot would benefit the people who buy and build there. The developer could raise the price and get a benefit back there. The Campbell family asked for nine lots versus eight to divide the property evenly amongst family members. There will be one house on a one-acre lot. His feeling is to decline.

Mr. Stratton noted they are looking at .45 acre lots, not third acre lots. He stated that .45 adds two lots. The Campbell subdivision's average lot size is 19,700 square feet. Their average lot size will be 20,250 square feet if they go to nine lots, which are still large lot sizes. Why is another subdivision adjacent to this, RA-1, with an average lot size of .94? Because they gave up the road, right? If the applicant gives up the road and the detention basin, they get 4.48 acres for nine lots. Unfortunately, a zone change is the only way for the applicant to gain the additional lot. Mr. Stratton asked if there is a way to work around that to get the same lot sizing that people are still getting access to because of zone dedications or if they want it for certain family members. He reported that a family member intends to buy a lot in this development, and the property owner plans to build on the property. They are not developing the property to sell everything. He feels there are many similarities.

Mr. Iverson asked again on Chase's behalf if there is a way to allow Mr. Stratton to add one or two lots and remain at RA.5.

Mr. Nelson does not think so.

Mr. Iverson's decision remains the same. He asked what would happen with the remaining twelve acres if Planning Commission grants RA.5. Do they stay half acres, or will we be going through this again?

Mr. Stratton reported that they would stay in residential agriculture with .45 or .48.

Mr. Iverson asked if Mr. Stratton could get .45 lots if he were on an artillery road or something?

Mr. Hall stated that the answer was no. When an applicant subdivides, they are obligated to provide roadways to the city. That is the way the subdivision ordinance is written, and it is appropriate. If a property owner is going to cut up a big piece into smaller pieces, they have an obligation to provide a roadway to the city. If that comes out to .49 acres per lot. That is just the way it shakes out.

Mr. Iverson remembers discussions where an applicant gave part of a roadway. Such as 700 West, or maybe even the Reddish subdivision. Those lots are .92. Were they given credit for the thirteen feet on their road?

Mr. Nelson explained that the subdivision code for single-family development is based on net developable area density. That is all the developable property minus roadways. Typically, in a standard subdivision, they must subdivide, and the average lot size must meet that code.

Mr. Nelson does not know the rationale or the specifics of the Reddish subdivision. He understands that the subdivision does not necessarily comply with that standard, but that is the only subdivision he knows of that's been approved in the last five years that didn't meet that standard.

Chase Stratton explained they are using the same rationale as the Campbell subdivision. Mr. Sampson reported that the Planning Commission makes recommendations to the City Council, and it is up to them whether they want to follow those recommendations.

Paul Farthing reported that people react to R-15, which is 15,000 square foot lots. There is something to be said that the applicant is at .48 acres. This is not an attempt to do third-acre lots. It is .48 acre lots. Which the applicant is one thousand feet short of.

Kelby Iverson motioned to send a recommendation of denial of 2022-ZC-31 for the reasons in the four questions. It is not harmonious with the surrounding neighborhood, it does have a significant impact on

the adjacent properties, and the Commission is looking at staying a half-acre in that area. Rebecca Bronemann seconded the motion. Unanimous

- 4. 2022-ZC-32: Discussion and consideration of a recommendation to the City Council on Zone Change Amendment request located at 3700 West and Stargate Ave. from RM-3, multifamily 15 units per acre, R1-6, residential one unit per 6,000 square feet, and R1-15, residential one unit per 15,00 square feet, all to be RM-3, multifamily 15 units per acre. Located on the north portion of parcel number H-4-2-1-1112-GS1. Western Mortgage and Realty Co Applicant. Thomas Hunt Agent.**

Thomas Hunt reported that this is multifamily development with garden-style apartments. The zoning followed a preliminary roadway layout when the project was in the early stages. As planning progressed, the roadway changed slightly. They don't feel this application is a zone change but more of a roadway realignment. Mr. Nelson explained property does not align with the roadway because the master plan roadway alignment changed when the City Council approved a PID. The applicant is requesting to change the development to RM3. Mr. Nelson noted that the code recommends zoning boundaries follow masterplan roadways and property boundaries. He concedes that aligning the zoning boundary does make sense. However, RM3 would potentially add forty-five units. This preliminary site plan was approved subject to resolving the zoning boundaries.

Paul Farthing motioned a recommendation of approval of 2022-ZC-32 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

- 5. 2022-LUCA-07: Discussion and consideration of a recommendation to the City Council on Land Use Code Amendment request to Title 9, Chapter 1, Section 3: Issuance of Building Permits to require a geotechnical report. Hurricane City Applicant**

Mr. Hall stated there is a notice in the Building Department stating that a soil study is required for a building permit. However, it is not written in the ordinance. The ordinance adopted in 2015 strongly recommends obtaining a soil report and requires a waiver of acknowledgment when building in unstable soil. The ordinance also states that the building department determines where unstable soils are. This amendment requires anyone applying for a building permit to sign an acknowledgment waiver stating they recognize they are building in the Hurricane Valley, and it is their responsibility to obtain a soil report.

Kelby Iverson motioned a recommendation of approval of 2022-LUCA-07, requiring a geotechnical report and a signed acknowledgment waiver. Brad Winder seconded the motion. Unanimous.

- 6. 2022-AP-04: Discussion and consideration of a recommendation to the City Council on an Agriculture Protection Area for Ruth and Annie Reeve, located at approximately 1100 S 700 W. Ruth and Annie Reeve Applicant.**

Annie Reeve reported that she has one acre excluded from the approved agriculture protection. Ruth Reeve also wants agricultural protection, and she included her property in this application to meet the acreage requirement. Mr. Nelson reported that the staff gave a positive recommendation. Staff is requesting to exclude the future dedication of 700 West from ag protection. Mr. Hall explained the staff's recommendation.

Rebecca Bronemann motioned to send a recommendation of the presented report for 2022-AP-04. Ralph Ballard seconded the motion. Unanimous.

7. 2022-CUP-16: Discussion and consideration of a possible approval of a conditional use permit for a greater height cell tower located at 608 E Highway 59. Infowest Applicant

Chandler reported that Infowest needs to replace the current thirty-five-foot tower with a sixty-foot tower. There is a ridge reducing service to the downtown area, and the current tower does not allow additional equipment. Mr. Nelson stated that the applicant is required to obtain a building permit to construct the tower. He noted that the city code states this can be permitted with a conditional use permit. However, it also states that this should be prohibited in residential zones. If the code is not clear, there are provisions in the state code giving the property owner discretion to interpret the code. Based on that, staff feels comfortable moving forward with a conditional use permit.

Paul Farthing motioned to approve 2022-CUP-16 subject to the conditions within the staff report. Rebecca Bronemann seconded the motion. Unanimous.

8. 2022-CUP-17: Discussion and consideration of a possible approval of a conditional use permit for a greater height cell tower located west of the 3000 S and SR-7 interchange. Infowest Applicant.

Chandler explained that this tower would also be sixty feet tall. Mrs. Goodfellow noted that this is within the flight path of the Hurricane City Airport. She asked if lights should be required. Mr. Nelson reported that this would be reviewed during the building permit phase. Ralph Ballard asked if Infowest sublets towers. Mr. Nelson explained that a building permit is required for any sublet.

Paul Farthing motioned to approve 2022-CUP-17 subject to staff comments. Kelby Iverson seconded the motion. Unanimous.

9. 2022-PP-18: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Sand Hollow Townhomes, a townhome development consisting of approximately 68 townhome units located at approximately 1200 S Sand Hollow Road. Bob Hermandson Applicant. Bush & Gudgeall Agent.

Bob Hermandson reported this is a personal project, and his family has homesteaded the property. The preliminary plat expired, and they have not changed anything from the original approval. There are only sixty units because of how the roadway alignment worked. Mr. Nelson reported that the staff has no concerns, and JUC signed off on the construction plans. Mr. Hall stated that this is within three hundred feet of agricultural protection and that language needs to be on the final plat.

Kelby Iverson motioned to send a recommendation of approval of 2022-PP-18 subject to staff comments with the change of sixty units instead of sixty-eight. Shelley Goodfellow seconded the motion. Unanimous.

10. 2022-CUP-18: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 2441 S 4010 W. Anthony Larson Applicant.

Anthony Larson explained that this is a pool house that will be the same height as the home. Mr. Nelson reported they have met all the code standards, and the staff has no concerns. Mr. Resch III noted that a zone change was approved to change the setbacks on the main house.

Shelley Goodfellow motioned to approve 2022-CUP-18 based on the findings made by staff. Rebecca Bronemann seconded the motion. Unanimous.

11. 2022-FSP-08: Discussion and consideration of a possible approval of a final site plan for SKRE LLC, a commercial subdivision located at approximately 70 S 2500 W. SKRE LLC Applicant. Mike Nielson Agent.

Mike Nielson understands there are concerns regarding the sidewalk, and they are happy to comply with any request. Mr. Nelson noted that the Utah Department of Transportation is reevaluating the sidewalk placement along the highway, and this will not affect what the applicant is doing with their property.

Rebecca Bronemann motioned to approve 2022-FSP-08 subject to staff and JUC comments. Brad Winder seconded the motion. Unanimous.

12. 2022-PP-09: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Quail Creek Industrial Park Phase 5-8, a 76-lot industrial subdivision located at Regional Park Road and 1000 S. Dennett Construction Applicant. Civil Science-Brandee Walker Agent.

Doug Dennett reported that this was previously presented to the Planning Commission. Phase four is on the east side of the county line. JTD sold a portion of his property to PacifiCorp. The required roadway would cross a portion of PacifiCorp property, and PacifiCorp adamantly opposes this roadway. JTD is not concerned with the roadway but does not want to pay for the roadway. Mr. Nelson stated that roadway realignments are typically not required to come back through. The Zoning Administrator can decide whether something should be presented to the Planning Commission again. Because they are adding additional lots, he did not feel he could approve it at an administrative level. There are no concerns regarding the additional units. The city code requires all property owners to stub streets for connectivity and block lengths management. Because PacifiCorp does not want road access, the staff does not recommend developing the roadway. Staff does recommend a connection point through JTD Trucking and adding a right of way on the plat. However, the city will not require improvement. Mr. Iverson confirmed that JTD and PacifiCorp are not within Hurricane City.

Mr. Dennett reported that they accommodated the road to match staff's requests to keep the project going. Brandee Walker feels they have given so much and are constantly required to give more. He questions what else will be requested. Mr. Nelson noted it is standard practice for the city to require subdividers to stub into adjacent properties. This situation is unique due to PacifiCorp, and he feels that the city's proposal is fair considering the situation. Mr. Hall's explained that this is about a regional connectivity issue and his legal opinion is that the Planning Commission has the authority to require connectivity. He reviewed section A1. He explained that staff recommended approval on the condition that the stub is dedicated to the city. However, the city will not require improvements. Scott Hughes requested a comment to state that the Power Department will need an easement through this property.

Paul Farthing motioned to send a recommendation of approval of 2022-PP-09 subject to staff and JUC comments as updated by Stephen Nelson. Ralph Ballard seconded the motion. Mark Sampson, Paul Farthing, Ralph Ballard, Rebecca Bronemann, and Shelley Goodfellow – aye. Brad Winder and Kelby Iverson – nay. Motion carried.

Mr. Iverson disagrees with requiring the applicant to provide connectivity to county property.

Approval of Minutes:

1. August 25, 2021

Shelley Goodfellow motioned approval of August 25, 2021, minutes. Ralph Ballard seconded the motion. Unanimous

2. July 14, 2022

Ralph Ballard motioned to approve June 23, 2022, minutes. Rebecca Bronemann seconded the motion. Unanimous.

City Council Recap:

Approved	Denied	Tabled	Continued
Cordero Phase 3			
Agriculture Protection Overlays			

Brad Winder motioned to adjourn. Paul Farthing seconded the motion. Unanimous.

Adjournment