

**Hurricane Planning Commission
Meeting Minutes
August 25, 2022**

Minutes of the Hurricane City Planning Commission meeting held on August 25, 2022, at 5:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

Members Present: Mark Sampson, Shelley Goodfellow, Ralph Ballard, Michelle Cloud, Brad Winder, and Kelby Iverson

Members Excused: Rebecca Bronemann and Paul Farthing

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

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

1. Training on the Utah Open and Public Meetings Act and discussion of code amendments with regards to the public noticing process.

Fred Resch III reported that Utah Open Public Meetings Act (OPMA) training is required annually. Mr. Resch III explained that a meeting of a public body with a quorum present, a workshop, or an executive session for the purpose of discussing, receiving comments from the public, or acting upon a matter in which a public body has jurisdiction or advisory power over is considered a public meeting. He explained that chance meetings, social gatherings, emails, or text conversations, as long as no decisions are made, are not considered a meeting. Mr. Resch III reviewed the reasons and process for holding a closed meeting.

Stephen Nelson noted that the best practice is not having outside meetings with applicants. Although, there are no prohibitions against that.

Meeting agendas must be on the Utah Public Notice website twenty-four hours prior to the meeting. Recordings of a meeting must be posted on the public notice website within three days, and draft minutes must be available within thirty days of the meetings. Approved minutes must be available in the City Offices and posted on the public notice website.

Mr. Resch III explained the general process for a zone change, code change, and general plan modifications. State Code requires letters to affected entities and property owners within the change, posting on a public notice website and three locations within the city. Hurricane City sends letters to owners within two hundred and fifty feet of the change, signage is posted on the property, notices are sent to the newspaper, and a paper copy is posted at the city office, library, and post office. He noted that the primary proposed changes remove the requirement to post in the newspaper and codify the two hundred- and fifty-foot distance. If the signage requirement is codified, staff would prefer to require the applicant to place the signage on the property. Mr. Nelson stated that the Planning Commission could recommend a wider notification area for specific zones. Mr. Iverson suggested educating citizens about the available notification resources, such as the Utah Public Notice emails. The Planning Commissioners do prefer physical notification on the property. Mr. Nelson explained that the Building Department will change the agriculture protection notification and the amended final plat notification to match State Law. The Building Department will also continue placing signage on the property.

2. Discussion with regards to updates to the General Plan Map

3. Review City Council's Previous Meeting

Stephen Nelson explained that the City Council revoked a residential hosting license. The applicant purchased a home that had illegal ADUs on the property. During the discussion, there was debate regarding the definition of a guest house, a casita, and an ADU. The City Council directed staff to review and clarify the definition of residential hosting.

Interstate Homes wants to develop a two-hundred-fifty unit rent-controlled project on ten acres in the Walmart area. This is a Low-Income Housing Tax Credit project. (LIHTC) The City Council is in favor of continuing this discussion.

Approved	Denied	Continued	Tabled
Site Plan Standards	Dratter zone change	Elim Valley zone change	
Sand Hollow Townhomes renewal		Geotech report requirement for all building permits	
Quail Creek amended final plat			
Annie Reeves agriculture protection			

4. Discussion and consideration Regarding Amending the Planning Commission 2022 Schedule

Stephen Nelson, Brad Winder, and Fred Resch III are attending a Planning Conference on September 8th and will not be able to attend the Planning Commission meeting. The Planning Commissioners agreed to cancel the September 8th meeting.

6:00 p.m. - Call to Order

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

Pledge of Allegiance: Fred Resch III

Prayer and/or thought by invitation: Brad Winder

Declaration of any conflicts of interest

Shelley Goodfellow declared a conflict of interest on New Business item 7 and Kelby Iverson declared a conflict of interest on New Business item 1.

Michelle Cloud motioned to approve the agenda as presented. Brad Winder seconded the motion. Unanimous.

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.**

Karl Rasmussen presented the GIS delineations regarding wetlands. He explained that the applicant wants to cluster four- and six-plex units on 10.24-acres with a PDO and a twenty percent density bonus. The single-family lots are on 200 North. Mr. Rasmussen discussed the proposed changes to the roadways. Fred Resch III explained that this probably would qualify for the density bonus, but the applicant has to provide a written request. Staff wants the easement to the Peterson property to be marked as a non-buildable area. Stephen Nelson reported that this design is significantly different from the initial design, and he recommends a new public hearing.

Michelle Cloud motioned to continue 2022-ZC-29 and 2022-PSP-36 pending a public hearing and to allow the applicant to formally submit for the density bonus. Shelley Goodfellow seconded the motion. Unanimous.

NEW BUSINESS

1. 2022-PP-19: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Fox Meadows Estates, a 20-lot residential subdivision located at 2898 S 1100 W. Gavin Godfrey Applicant. Luke Godfrey Agent.

Stephen Nelson reported that the applicant requested to table 2022-PP-19.

Brad Winder motioned to table 2022-PP-19. Ralph Ballard seconded the motion. Unanimous.

2. 2022-PP-20 2022-PSP-38: Discussion and consideration of a recommendation to the City Council of a preliminary plat and a possible approval of a preliminary site plan for Southern Dunes Townhomes, a recreation resort 345 townhome development located at 2600 W and 4200 S. Southern Dunes Townhomes Applicant. Bush & Gudgeon, Inc Agent

Stephen Nelson reported that staff is concerned about the number of amenities, block length, and connectivity. Mr. Nelson explained that the application shows one pool and one clubhouse. Hurricane City code requires four pools of at least two thousand square feet based on the number of units. The Planning Commission can allow a combination of pools if it provides an enhanced amenity area. The Planning Commission also has discretion regarding how the developer provides access to future properties. The applicant explained that they will work with staff to address the block lengths, additional connection points, and proper amenities. Mr. Nelson recommended continuing the item until a site plan is provided to address the amenities and connectivity.

Shelley Goodfellow motioned to continue 2022-PP-20 and 2022-PSP-38 to allow the developer time to make changes for connectivity to the north and west of the property and bring the amenities up to code. Michelle Cloud seconded the motion. Unanimous.

3. 2021-PP-25: Discussion and consideration of a possible approval of a one-year extension on the final plat deadline for The Shores at Sand Hollow Gateway, a 310-lot multifamily development located at approximately Sand Hollow Road and 400 S.

Stephen Nelson explained that the City Council approved the preliminary plat. The applicant has requested a one-year extension. Mr. Nelson noted that Dayton Hall recommended a water acknowledgment waiver as a condition of the renewal.

Ralph Ballard motioned to approve the extension for 2021-PP-25. Contingent upon the applicant signing the water acknowledgment waiver. Brad Winder seconded the motion. Unanimous.

4. 2022-CUP-19: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height located at 373 W 1180 S. Beau Davis Applicant.

Beau Davis explained that he would like to build a garage taller than the allowed height. The total acreage of the property is 1.5 acres. Stephen Nelson reported that the building will be twenty-five feet. This meets the standard for a conditional use permit, and staff recommends approval.

Kelby Iverson motioned to approve 2022-CUP-19. Shelley Goodfellow seconded the motion. Unanimous.

5. 2022-CUP-20: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 373 W 1180 S. Beau Davis Applicant

Stephen Nelson explained that this building is on the same property. This is an ADU attached to the garage. This building is of greater height and size but is within the conditional use standard.

Brad Wnder motioned to approve 2022-CUP-20. Shelley Goodfellow seconded the motion. Unanimous.

6. 2021-PP-22: Discussion and consideration of a possible approval of a final plat deadline extension for Canyons del Sol, a 127-lot residential subdivision located at 250 N and 2800 W. Joby Venuti Applicant.

Stephen Nelson explained that the applicant will amend the plat to meet fire access and fire separations for access points. Staff recommends a water acknowledgment waiver.

Michelle Cloud motioned to approve the extension for 2021-PP-22. Contingent upon the applicant signing the water acknowledgment waiver. Shelley Goodfellow seconded the motion. Unanimous.

7. 2022-PP-22: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Jeffrey Hatcher, a two-lot residential subdivision located at 650 S and 1100 W. Jaymie Wetzel Applicant. Jeffrey Hatcher Agent.

Stephen Nelson explained that the lot split was approved by a zone change to R1-15. He explained that 1150 West goes through this area. An alignment study is in process, and the roadway is in flux. The applicant will have to dedicate property along 1150 West. Depending upon the alignment of the homes, the dedication could be between three to seven feet. The staff has no further issues and is okay with approval with the condition that the applicant provides the determined dedication on the western side of the property. He noted that improvements will likely not be required.

Mrs. Goodfellow asked if the applicant is required to dedicate roadway on three sides with full street improvement on two sides, per code? She feels that the road dedication and improvements for two homes seem excessive. Mrs. Cloud agrees that it is excessive. Mr. Nelson reviewed code 964, explaining that subdividing property triggers this code. The applicant may qualify for impact fee reimbursement. Mr. Iverson asked if the city offers payment to property owners who are required to dedicate property. Mr. Nelson explained that the applicant would have to request payment for the property, typically handled through impact fee waivers. Mr. Iverson is concerned because many property owners may not know they can request payment for the dedicated property. He questioned whether the city has obtained acreage from owners unaware of this option.

Michelle Cloud motioned a recommendation of approval of 2022-PP-22 to the City Council subject to staff and JUC comments. Brad Winder seconded the motion.

A citizen in attendance asked when the zone change to R1-15 was approved. Mr. Sampson explained that a

public notice and meeting were held regarding this zone change. The Planning Commission recommended approval, and the City Council approved the zone change. Mr. Nelson explained that these two lots comply with the minimum lot size within an R1-15.

Majority – aye with Shelley Goodfellow as the only one voting nay, because she does not agree with staff comments 2C and she feels that the road dedication and improvements on three roads is excessive. Motion carries.

8. 2022-APP-01: Discussion and consideration of a possible approval of an amended parking plan for Pizza Hut located at 222 W State St. Steve Beesley Applicant.

Steve Beesley represents the owner of the property. This will be an office, two lease spaces, and a Pizza Hut. He feels this is a better use of the property and is consistent with the current number of parking stalls. Mr. Sampson asked if the previous restaurant had sufficient parking. Stephen Nelson reported that the restaurant did not have sufficient parking based on current standards. He cited the modified parking requirement for existing and new commercial buildings and noted that the staff has no concerns regarding the parking. Mr. Beesley explained that there is an HOA and a cross-access parking agreement across the four surrounding parcels.

Shelley Goodfellow motioned to approve 2022-APP-01. Ralph Ballard seconded the motion. Unanimous.

9. Discussion and consideration of a possible approval of a greater height fence in a front yard. Keith Stout Applicant

Keith Stout is building a pool in his front yard. City code requires approval to place anything in the front yard and a six-foot fence around pools. The fence is ninety-eight feet back from the street. Stephen Nelson recommended ensuring that the address can be identified from the street.

Brad Winder motioned to approve item 9, a request for a greater height fence for Kieth Stout. Subject to staff providing a written statement approving the placement of the fence on behalf of the Planning Commission. The fence set back at least ninety-eight feet and identification of the address on the front of the property. Ralph Ballard seconded the motion. Unanimous.

10. 2022-FSP-11: Discussion and consideration of a possible approval of a final site plan for Sand Hollow Townhomes, a 60-unit townhome development, located at 1200 S Sand Hollow Road. Bob Hermandson Applicant

Stephen Nelson reported that JUC has signed off on everything, and the applicant has provided renderings. Mr. Nelson reported that the outside parking space does not meet current code standards, and there are insufficient trees on the property. Mr. Hermandson will work with staff to address the parking and landscaping.

Shelley Goodfellow motion to approve 2022 FSP-11 subject to staff and JUC comments. Kelby Iverson seconded the motion. Unanimous.

Stephen Nelson invited the Planning Commission to attend the Utah League of Cities and Towns training and stated that it is not too late to register for the Utah APA training September 8th and 9th. He explained that the Planning Commissioners are required to complete four hours of training annually.

Ralph Ballard motion to adjourn. Michelle Cloud seconded the motion. Unanimous.

Adjournment