



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

Planning Commission

*Michelle Cloud
Paul Farthing
Rebecca Bronemann
Ralph Ballard
Shelley Goodfellow
Mark Sampson
Penny James-Garcia
Dayton Hall, Chair*

Hurricane Planning Commission Meeting Agenda

January 13, 2022

6:00 PM

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

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

Meeting link:

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

Meeting number: 2632 882 4836

Password: HCplanning

Host key: 730111

Join by video system Dial 26328824836@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: 2632 882 4836 Host PIN: 9461

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

Public Hearings

New Business

1. 2022-CUP-01: Discussion and consideration of approval of a conditional use permit for an accessory building of greater size and height located at 1781 Angell Heights Drive. Haven Homes & Development Applicant
2. 2022-CUP-02: Discussion and consideration of an approval for a conditional use permit for an accessory building of a greater height located at 198 S 1230 W. Rebecca & Darin Grundel Applicant.
3. 2021-PP-35 / 2021-HIL-07: Discussion and consideration of a recommendation of a preliminary plat and sensitive lands for Ridge at Zion Vista Phase 2, a 19 lot subdivision located at 850 S 1850 W. Rich Hansen Applicant.
4. 2022-PP-01: Discussion and consideration of a recommendation of a preliminary plat for Elim Valley, a multifamily development located at 3700 West and Sand Hollow Rd. Thomas Hunt Applicant

5. 2022-PSP-01: Discussion and consideration of approval of a preliminary site plan for Bryson Young, a development consisting of 2 commercial buildings, located at approximately 470 E 800 N. R+B Young Applicant. Bryson Young Agent.
6. 2022-PP-02: Discussion and consideration of a recommendation on an updated preliminary plat for Peregrine Point West Phase 1-4 Amended, located at 600 N and 3100 W. Perry Development Applicant, Greg Sant Agent.

Planning Commission Business:

1. Planned Commercial
2. Site Plan Design

Approval of Minutes:

Adjournment

Agenda Date:	01/13/2022
Application Number:	2022-CUP-01
Type of Application:	Conditional Use Permit
Action Type:	Administrative
Applicant:	Haven Homes & Development
Agent:	
Request:	A conditional use permit for a building with a greater height and size
Location:	1781 Angell Heights Dr
Zoning:	R1-15
General Plan Map:	

Discussion: The applicant proposes constructing a 1,912 sq. ft. and 24'6" tall casita/garage. Hurricane City Code (HCC) 10-13-4 allows the maximum square feet and height of an accessory building to be 1,200 sq. ft. and 16' tall. A property owner may apply for a conditional use permit to build a taller building and a building of a greater size. The standards to obtain a conditional use permit are as follows:

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

1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.

2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section: ...

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

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

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

(3) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least fifty percent (50%) of the lot on which it is located free of buildings, and must be for a use permitted in the zone in which it is located. (Ord. 2018-14, 12-20-2018)

Findings:

1. The proposed building is not greater than two stories.
2. The proposed building is planned to have a matching exterior to the house per discussion with the applicant.
3. The building is set back a minimum of 5' from the side property lines and 5' off the back.
4. Total coverage from the two buildings will be approximately 4,800 sq ft which is approximately 13% of the property.

Recommendation: Based on the above findings, staff recommends approval of a conditional use permit.

CONDITIONAL USE PERMIT

City of Hurricane
147 N 870 W
Hurricane, Utah 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$ 250

For office use only:

File No: 2022-CUP-01

Receipt: 7.687577

APPLICATION & SUBMITTAL CHECKLIST

Name: Haven Homes Development Telephone: (435) 703-4611

Address: 251 W. 725 S. Fax No. _____

Email: Casey.havenhomes@gmail.com

Agent (If applicable): _____ Agent's Phone: _____

Agent email: _____

Address of Subject Property: 1781 Angell Heights Dr

Tax ID of Subject Property: H-AHE-1-2 Zone District: _____

Proposed Conditional Use: (Describe, use extra sheet if necessary) _____

Detached garage is over the standard 16' height restriction

This application shall be accompanied by the following:

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

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

(Office Use Only)

Date Received: _____ Received by: _____

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

*Copies of
Building Permit Submittal*

APPROVAL STANDARDS (From Section 10-7-9 of Land Use Code)

a. Standards for a **reception center:**

- (1) Hours of operation must be compatible with adjoining uses and comply with Hurricane City noise regulations.
- (2) Parking must be provided.
- (3) The use of on street parking to provide up to forty percent (40%) of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
- (4) The center must have an approved site plan.
- (5) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the State Alcohol Control Board.

b. Standards for an **agricultural industry:**

- (1) Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.

c. Standards for a **public stable:**

- (1) Adequate fencing and/or enclosures must be provided to ensure horses are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Site must contain adequate off street parking for customers. All trailers must be contained on site.

d. Standards for an **assisted living facility:**

- (1) The facility shall comply with building, safety, and health regulations applicable to similar structures.
- (2) The facility shall be licensed by the State of Utah.
- (3) A site plan shall be approved for the facility to ensure adequate parking and landscaping are installed.

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

- (1) The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater.
- (2) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface, and must be for a use permitted in the zone in which it is located.

h. Standards for **metal buildings:**

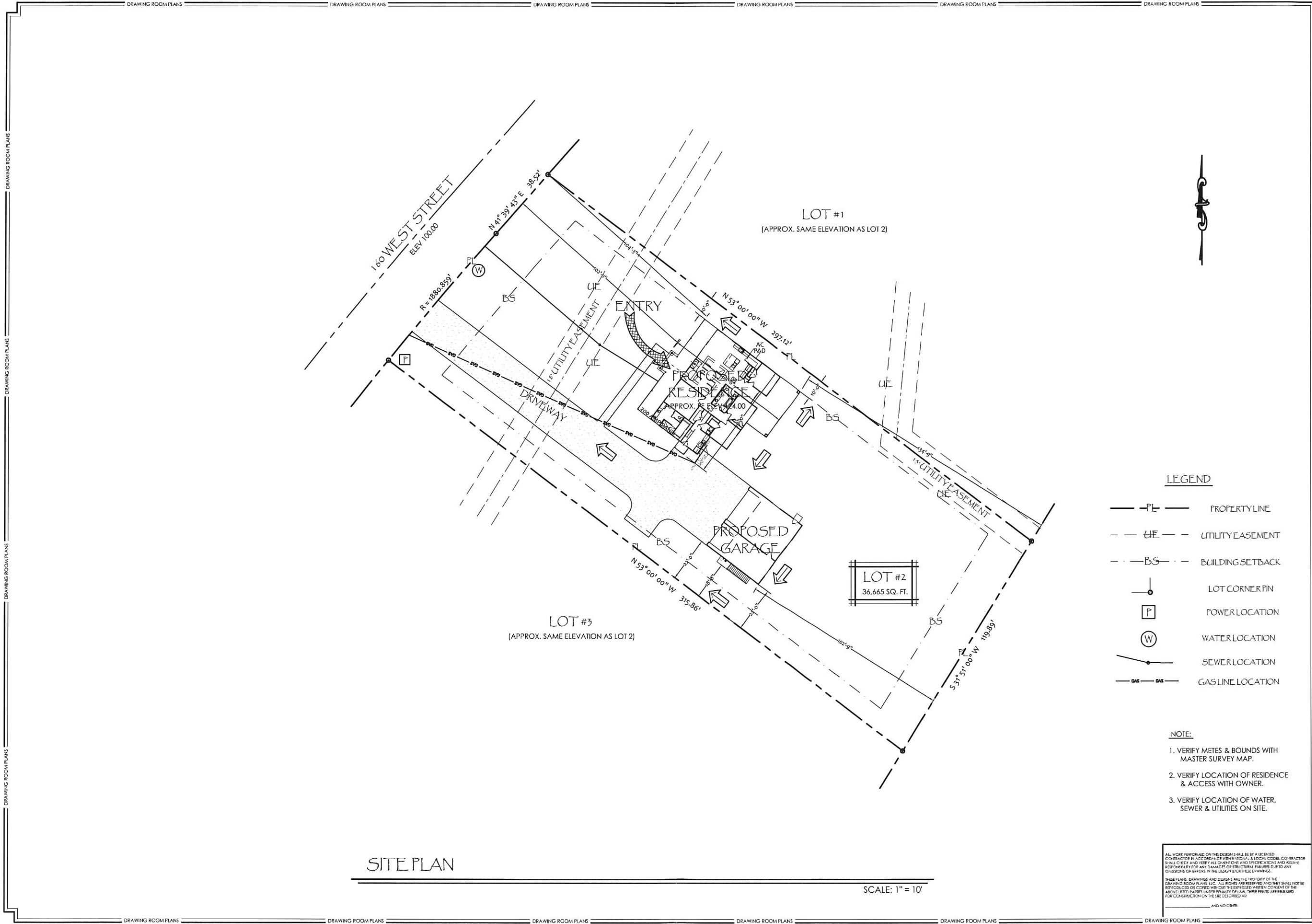
- (1) In Residential (R-1) Zones the height and size may not be greater than permitted in the zone.
- (2) The building must meet the following design standards:

- (A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
- (B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.
- (C) Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.
- (D) In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

APPEALS

Any person adversely affected by a decision regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Board of Adjustment by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the decision. The appeal is filed with the Clerk of the Board of Adjustment located in the Planning Department. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction with thirty (30) days from the date of decision of the Board of Adjustment.

STATE OF UTAH)
COUNTY OF) :SS

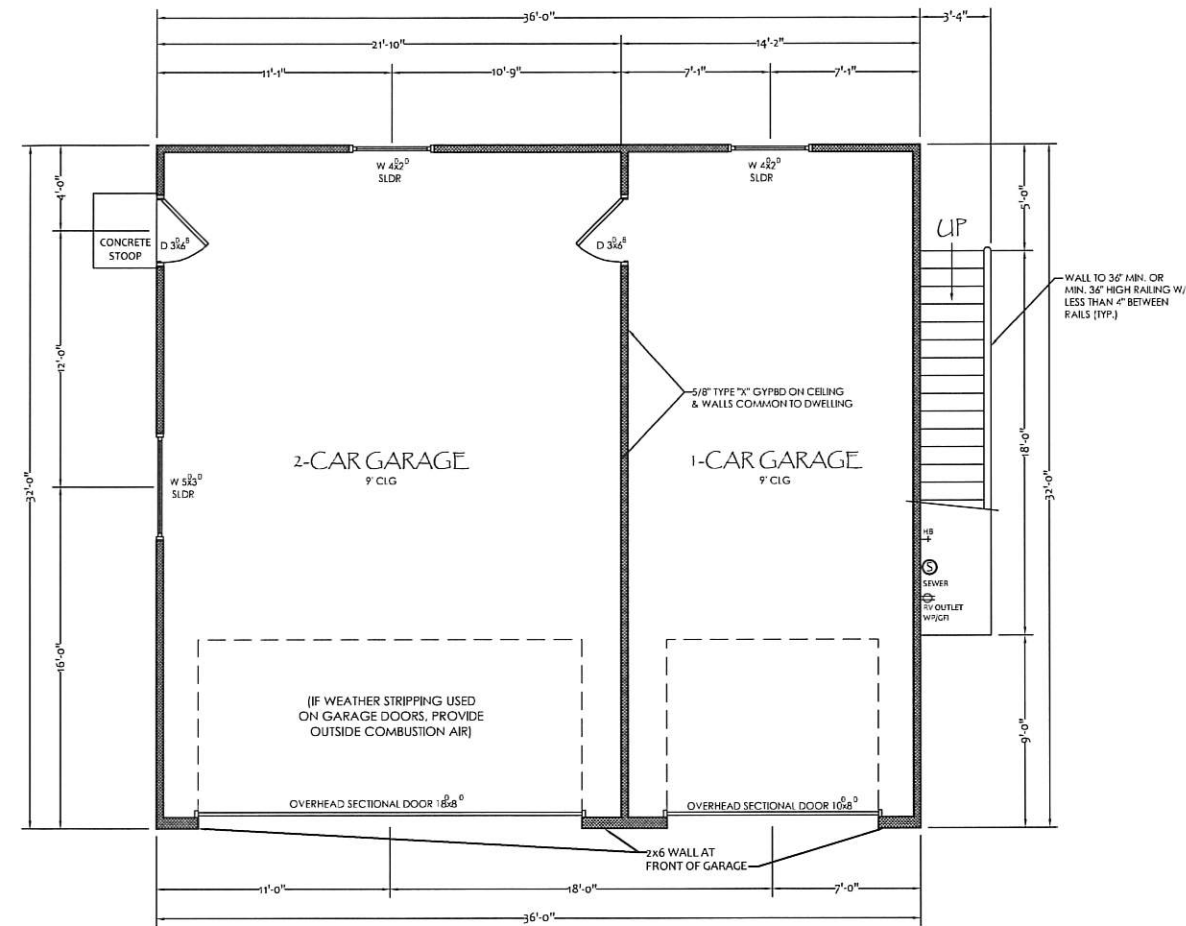
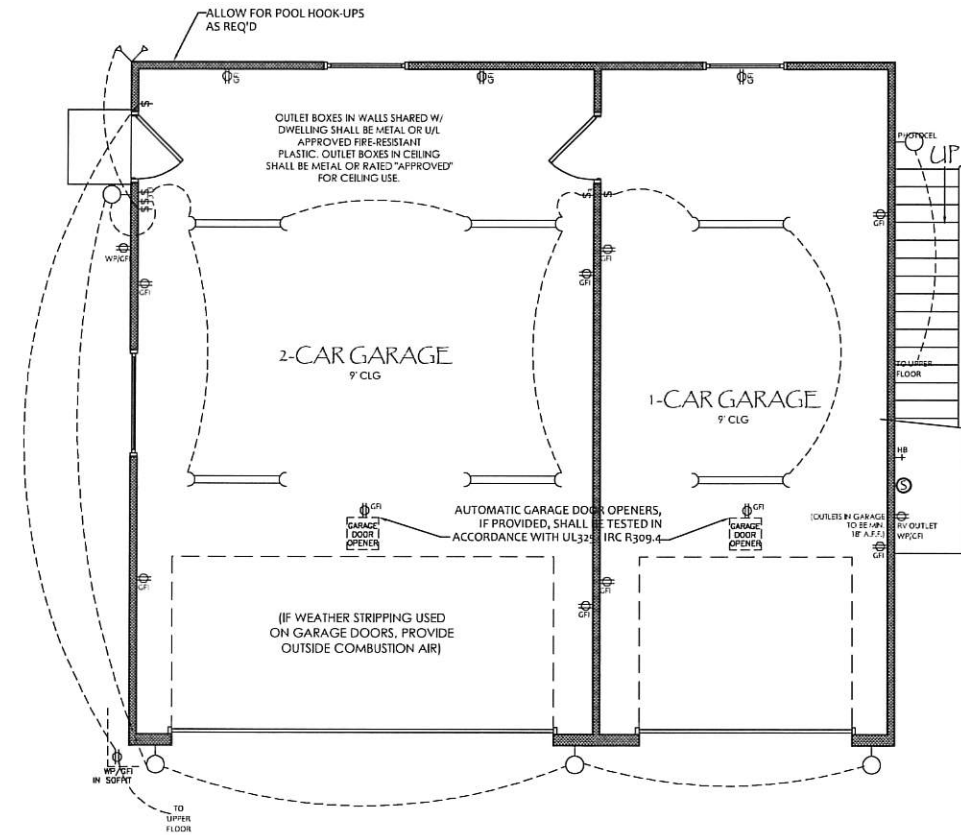


DRAWING ROOM PLANS, LLC
(877) 54-PLANS
www.DrawingRoomPlans.com

ANGELL HEIGHTS
LOT 2, ANGELL HEIGHTS
SITE PLAN
HURRICANE, UTAH

REVISIONS

DATE 8.30.21
SCALE 1" = 10'
DRAWN A. TRUJILLO
JOB 21-STATION
SHEET
C-1
OF 6 SHEETS



GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"

SQUARE FOOTAGE	
GARAGE	1,152
UPPER FLOOR	762
TOTAL	1,914

NOTE:
1. SEE SHEETS A-1 & E-1 FOR NOTES & LEGEND.

ALL WORK PERFORMED ON THIS DESIGN SHALL BE BY A LICENSED CONTRACTOR IN ACCORDANCE WITH NATIONAL & LOCAL CODES. CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND SPECIFICATIONS AND ASSUME RESPONSIBILITY FOR ANY DAMAGES OR STRUCTURAL FAILURES DUE TO ANY OMISSIONS OR ERRORS IN THE DESIGN AND/OR THESE DRAWINGS.
THESE PLANS, DRAWINGS AND DESIGNS ARE THE PROPERTY OF THE DRAWING ROOM PLANS, LLC. ALL RIGHTS ARE RESERVED, AND THEY SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE EXPRESS WRITTEN CONSENT OF THE ABOVE LISTED PARTY UNDER PENALTY OF LAW. THESE PRINTS ARE RELEASED FOR CONSTRUCTION ON THE USE DESCRIBED AS:
AND NO OTHER



REVISIONS	
1	

DATE:	8.6.21
SCALE:	1/4" = 1'-0"
DRAWN:	A. TRUJILLO
JOB:	21-SIRATION
SHEET:	G-1
OF 4 SHEETS	

ANGELL HEIGHTS

OF 4 SHEETS



UPPER FLOOR PLAN

ANGELL HEIGHTS

at 2 =

REVISIONS

105 21-STRATTON

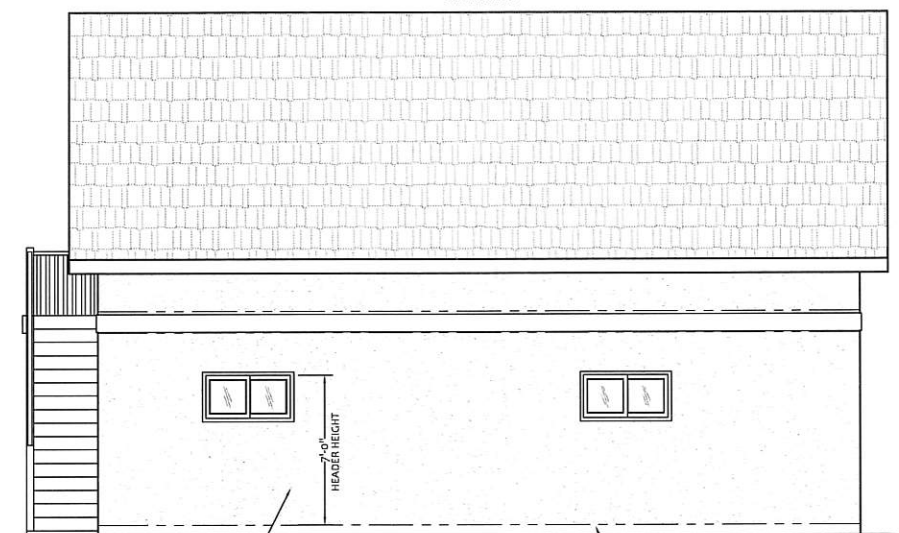
G-3

OF 4 SHEETS



SCALE: 1/4" = 1'-0"

(3 VENTS HIGH, 3 VENTS LOW)



INSPECTIONS ARE REQUIRED
FOR ALL STUCCO AND EIFS SYSTEMS.
VERIFY PRODUCT SPECIFICATIONS
AND ICBO EVALUATION REPORT WITH BUILDER.

USE CORROSION RESISTANT WEEP SCREED / J-METAL W/ MIN. VERT. ATTACHMENT FLANGE OF 3.5", MIN. 4" ABOVE GRADE OR 2" ABOVE PAVED AREAS THAT SHALL PROVIDE DRAINAGE.

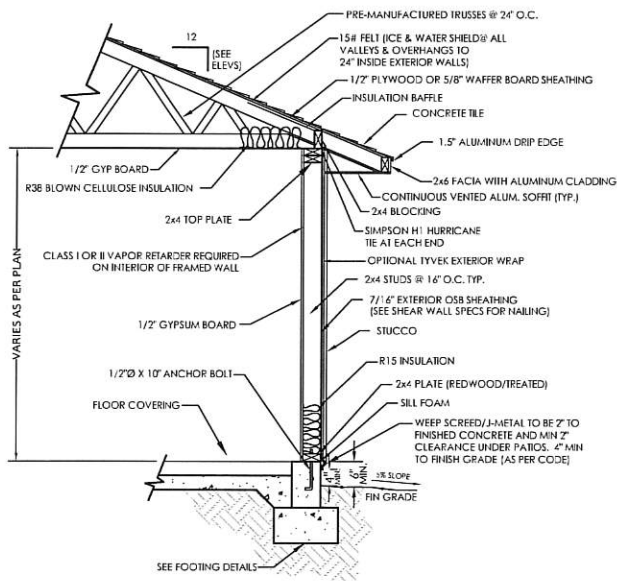


LEFT SIDE VIEW

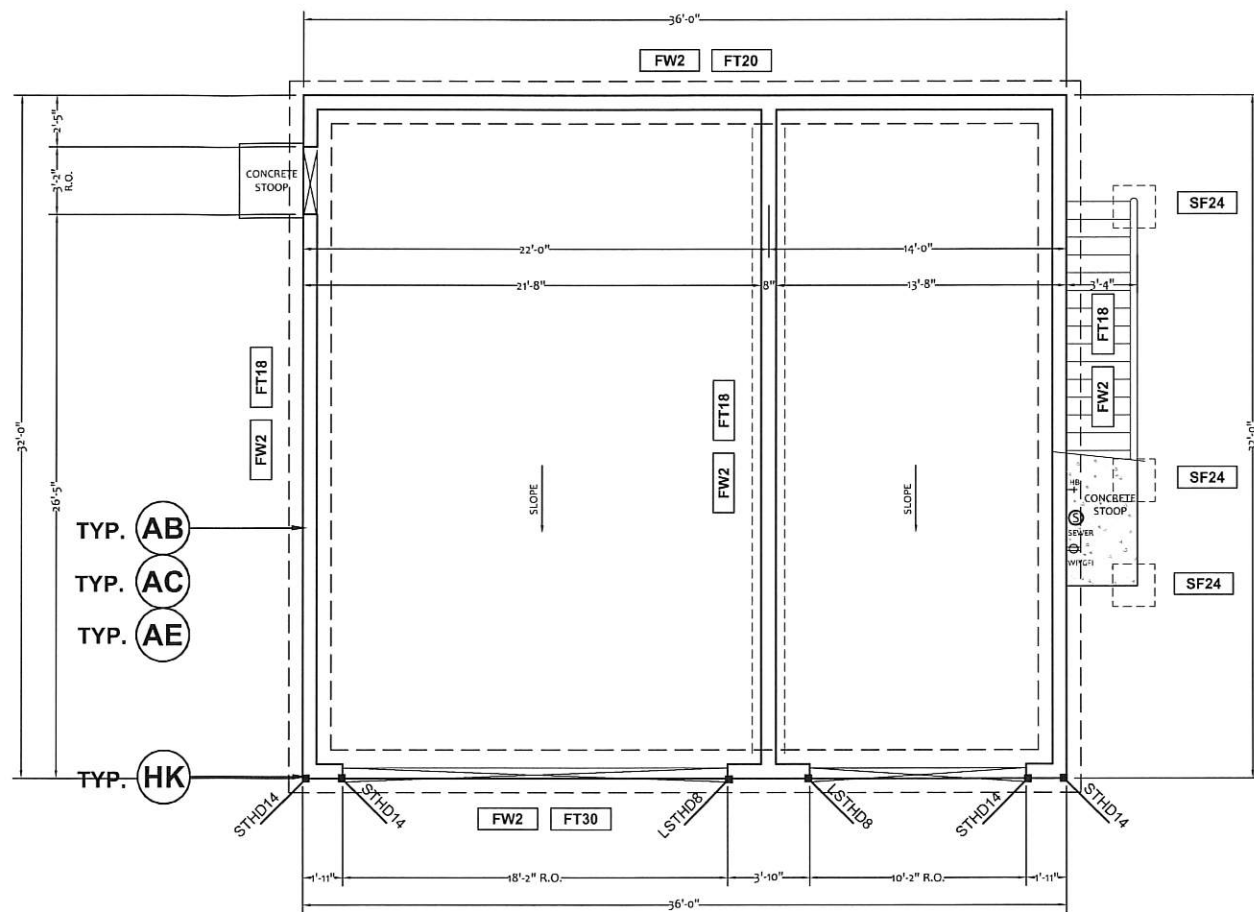
ALL WORK PERFORMED ON THE DESIGN SHALL BE BY A LICENSED CONTRACTOR IN ACCORDANCE WITH NATIONAL & LOCAL CODES. CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND SPECIFICATIONS AND ASSUME RESPONSIBILITY FOR ANY DAMAGES OR STRUCTURAL FAILURES DUE TO ANY DIMENSIONS OR ERRORS IN THE DESIGN &/OR THESE DRAWINGS.

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AND NO OTHER



TYPICAL WALL SECTION
SCALE: NONE



NOTE:

1. CONTRACTOR TO VERIFY SIZE, USE & LOCATION OF LOAD-BEARING AREAS & SUPPORTS AS PER SOILS REPORT, 2015 I.R.C. , 2015 I.B.C. & ENGINEERING SPECS.

ALL WORK PERFORMED ON THIS DESIGN SHALL BE BY A LICENSED CONTRACTOR IN ACCORDANCE WITH NATIONAL & LOCAL CODES. CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND SPECIFICATIONS AND ASSUME RESPONSIBILITY FOR ANY DAMAGES OR STRUCTURAL FAILURES DUE TO ANY OMISSIONS OR ERRORS IN THE DESIGN FOR THESE DRAWINGS.

THESE PLANS, DRAWINGS AND DESIGNS ARE THE PROPERTY OF THE DRAWING ROOM PLANS, LLC. ALL RIGHTS ARE RESERVED AND THEY SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE ABOVE LISTED FIRM UNDER PENALTY OF LAW. THESE PRINTS ARE RELEASED FOR CONSTRUCTION ON THE DATE DESCRIBED AS:

AND NO OTHER



REVISIONS

GARAGE FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

Agenda Date:	01/13/2022
Application Number:	2022-CUP-02
Type of Application:	Conditional Use Permit
Action Type:	Administrative
Applicant:	Rebecca & Darin Grandel
Agent:	
Request:	A conditional use permit for a building with a greater height
Location:	198 S 1230 W
Zoning:	RA-1
General Plan Map:	

Discussion: The applicant proposes constructing a 1,682 sq. ft. and 27'4" tall casita/garage. Hurricane City Code (HCC) 10-14-4 allows the maximum square feet and height of an accessory building to be 2,000 sq. ft. and 20' tall. A property owner may apply for a conditional use permit to build a taller building and a building of a greater size. The standards to obtain a conditional use permit are as follows:

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

1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.

2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section: ...

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

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

(3) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least fifty percent (50%) of the lot on which it is located free of buildings, and must be for a use permitted in the zone in which it is located. (Ord. 2018-14, 12-20-2018)

Findings:

1. The proposed building is not greater than two stories.
2. The proposed building is planned to have a matching exterior to the house.
3. The building is set back a minimum of 5' from the side property lines and 5' off the back. The staircase in the setback on the southern and western ends are acceptable
4. Total coverage from the two buildings will be approximately 4,862 sq ft which is approximately 11% of the property.

Recommendation: Based on the above findings, staff recommends approval of a conditional use permit.

CONDITIONAL USE PERMIT

City of Hurricane
147 N 870 W
Hurricane, Utah 84737
(435) 635-2811
FAX (435) 635-2184

Fee: \$ 250

For office use only:
File No: 2022-CUP-02
Receipt: 8.164478

APPLICATION & SUBMITTAL CHECKLIST

Name: Rebecca & Darin Grandel Telephone: 360 259 7369

Address: 198 S 1230 W Fax No. _____

Email: re.grandel@gmail.com

Agent (If applicable): _____ Agent's Phone: _____

Agent email: _____

Address of Subject Property: 198 S. 1230 W.

Tax ID of Subject Property: _____ Zone District: _____

Proposed Conditional Use: (Describe, use extra sheet if necessary) _____

This application shall be accompanied by the following:

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

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

(Office Use Only)

Date Received: _____ Received by: _____

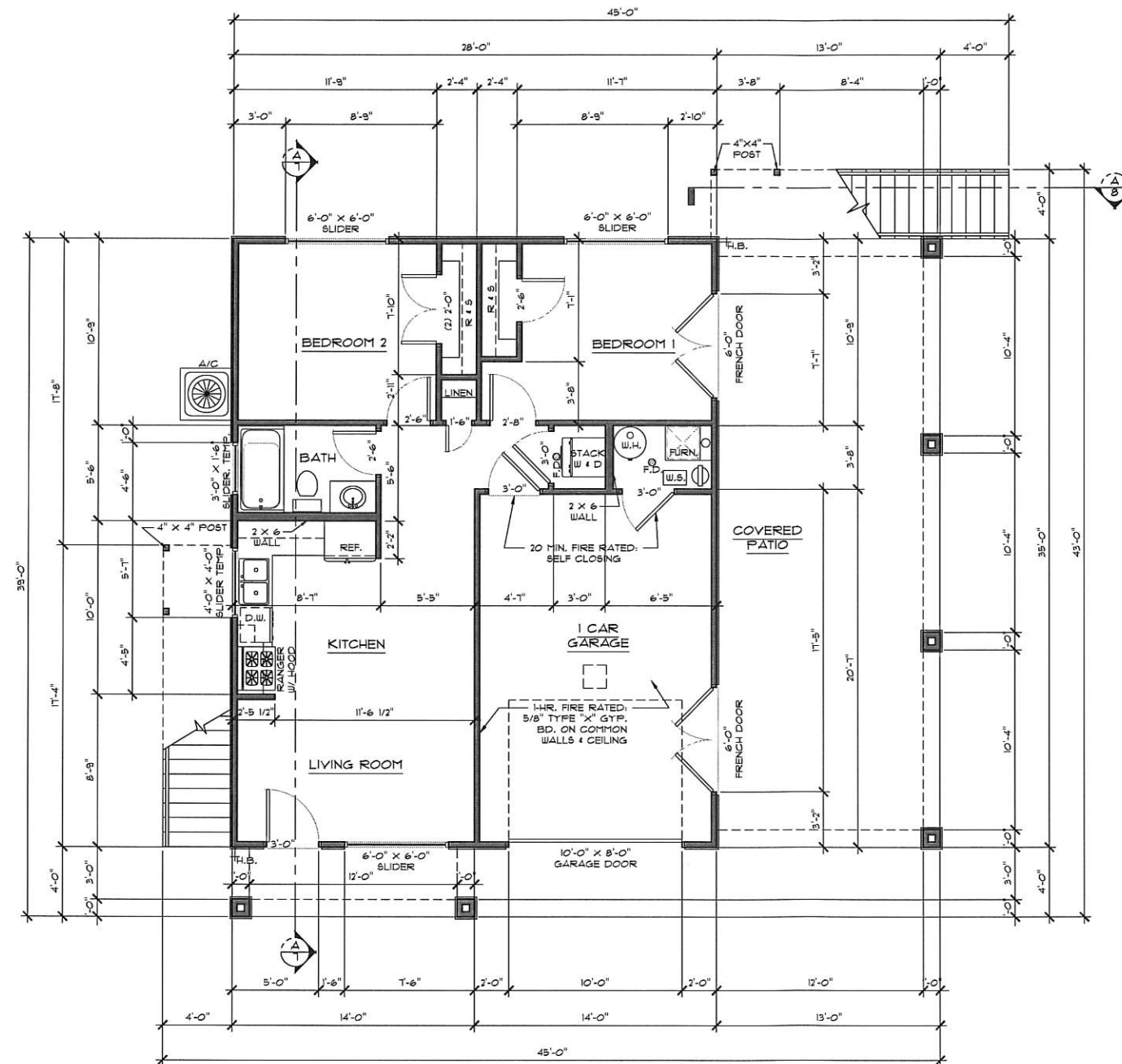
Date application deemed to be complete: _____ Completion determination made by: _____

- (A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
- (B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.
- (C) Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.
- (D) In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

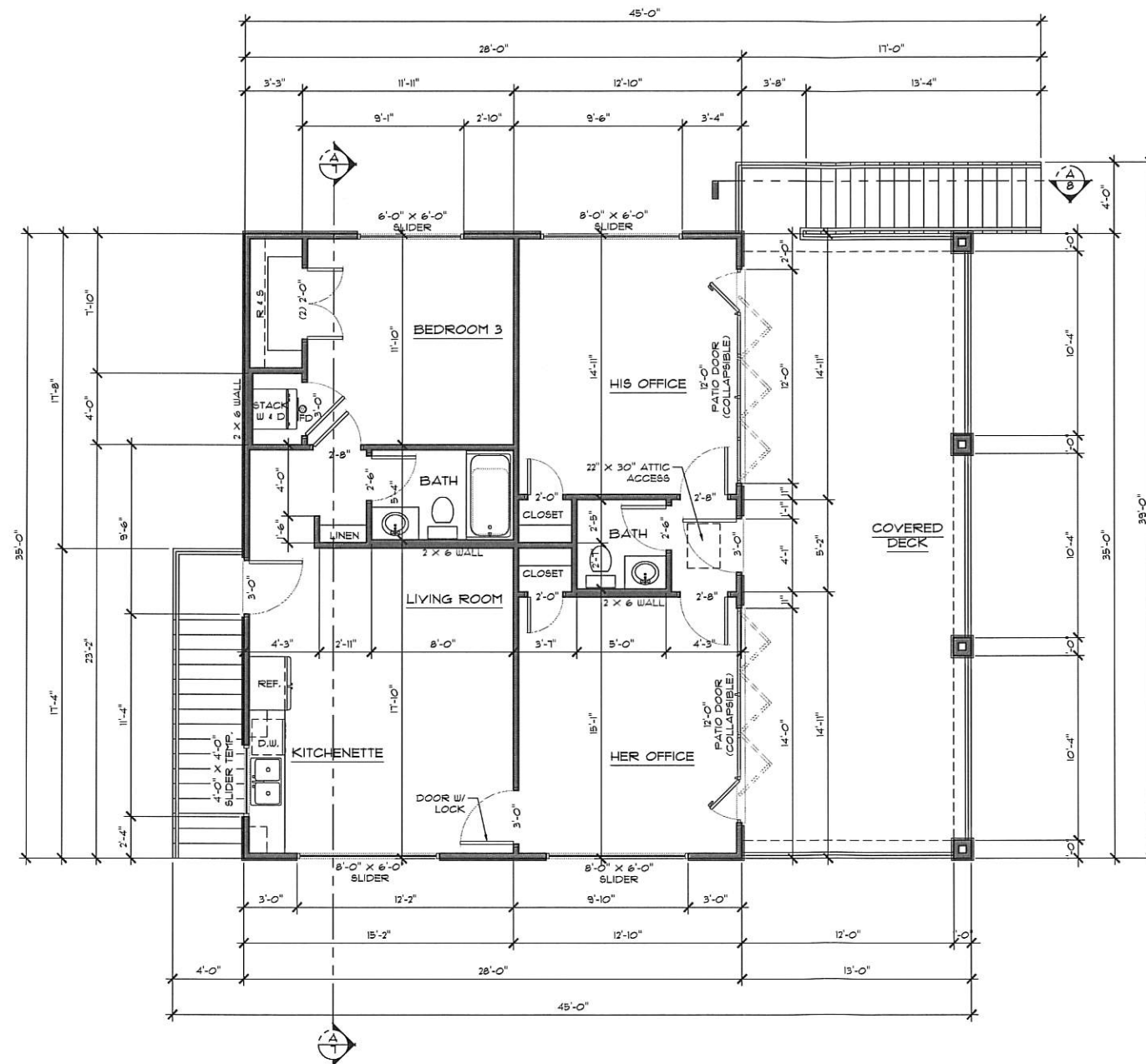
APPEALS

Any person adversely affected by a decision regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Board of Adjustment by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the decision. The appeal is filed with the Clerk of the Board of Adjustment located in the Planning Department. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction with thirty (30) days from the date of decision of the Board of Adjustment.





MAIN FLOOR PLAN



UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"

GENERAL NOTES

- 2x4 EXTERIOR FRAMING.
2x4 INTERIOR FRAMING UNLESS NOTED OTHERWISE ON PLAN.
- 9'-1" WALL HEIGHT THROUGHOUT UNLESS NOTED OTHERWISE ON PLAN.
- 1'-8" WINDOW HEADER HEIGHT,
4'-8" TALL INTERIOR & EXTERIOR DOORS UNLESS NOTED OTHERWISE ON PLAN.
- FLASH & CAULK ALL PENETRATIONS THROUGH FIREWALLS AND THROUGH ROOF SURFACE
- REFER TO FRAMING PLANS (SEE STRUCT.) FOR SIZE & LOCATION OF ALL STRUCTURAL MEMBERS.

MECHANICAL NOTES

- PROVIDE COMBUSTION AIR FOR FURN. FROM OUTSIDE THE HOUSE
- PROVIDE APPROVED SEISMIC STRAP FOR WATER HEATER
- PROVIDE APPROVED 2 GAL. THERMAL EXPANSION TANK ABOVE WATER HEATER



TIMPSON DRAFTING & DESIGN

phone: (928) 875-2429
rayd@timpsondesign.com

245 S. CARLING ST.
COLORADO CITY, AZ 86021

ALL RIGHTS RESERVED

PROPOSED RESIDENCE
FOR

DERRIN & REBECCA GRONDEL

PARCEL: HOOLEY COUNTRY LANE BBT, LOT
#5, JACKSONVILLE, FLORIDA
WASHINGTON COUNTY, UTAH

ISSUE DATES:

08/03/2021

DRAWN BY:

J.C.H. & J.B.T.

BUILDING AREAS

MAIN FLOOR LIVING:	102 S.F.
BASEMENT FLOOR LIVING:	880 S.F.
TOTAL LIVING AREA:	1,682 S.F.
GARAGE AREA:	218 S.F.
COVERED OUTDOOR AREA:	966 S.F.

PAGE *

4

UPPER FLOOR PLAN



TIMPSON DRAFTING & DESIGN

245 S. CARLING ST.
COLORADO CITY, AZ 86021
Phone: (928) 875-2429
raydtimpson@gmail.com

ALL RIGHTS RESERVED

PROPOSED RESIDENCE
FOR

DERRIN & REBECCA GRONDEL

PARCEL: H-COLE-3 COUNTRY LANE EST. LOT
#3, (ACERS 1001) 199 S 1230 W, HURRICANE
WASHINGTON COUNTY, UTAH.

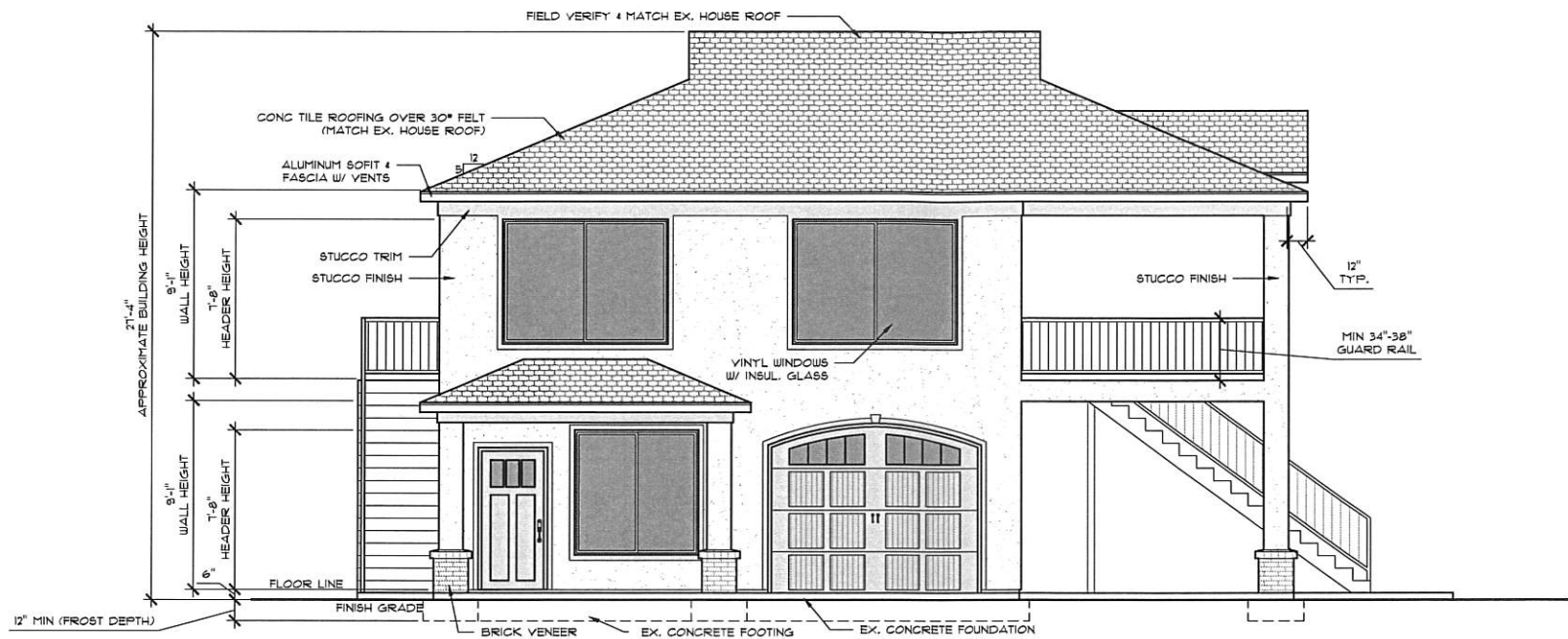
ISSUE DATES:
08/03/2021

DRAWN BY:
J.C.H. & J.B.T.

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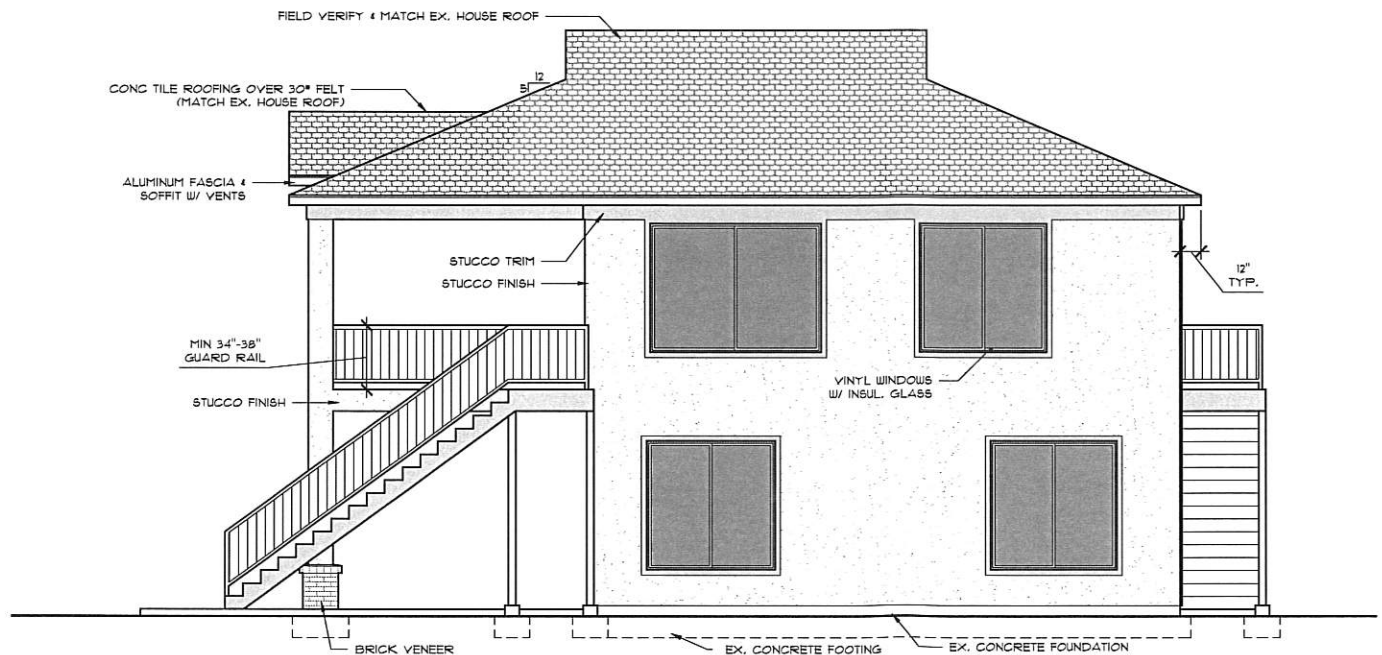
5

FRONT & REAR
ELEVATIONS



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



TIMPSON DRAFTING & DESIGN

245 S. CARLING ST.
COLORADO CITY, AZ 86021
phone: (928) 815-2429
raydtimpson@gmail.com

ALL RIGHTS RESERVED

PROPOSED RESIDENCE
FOR

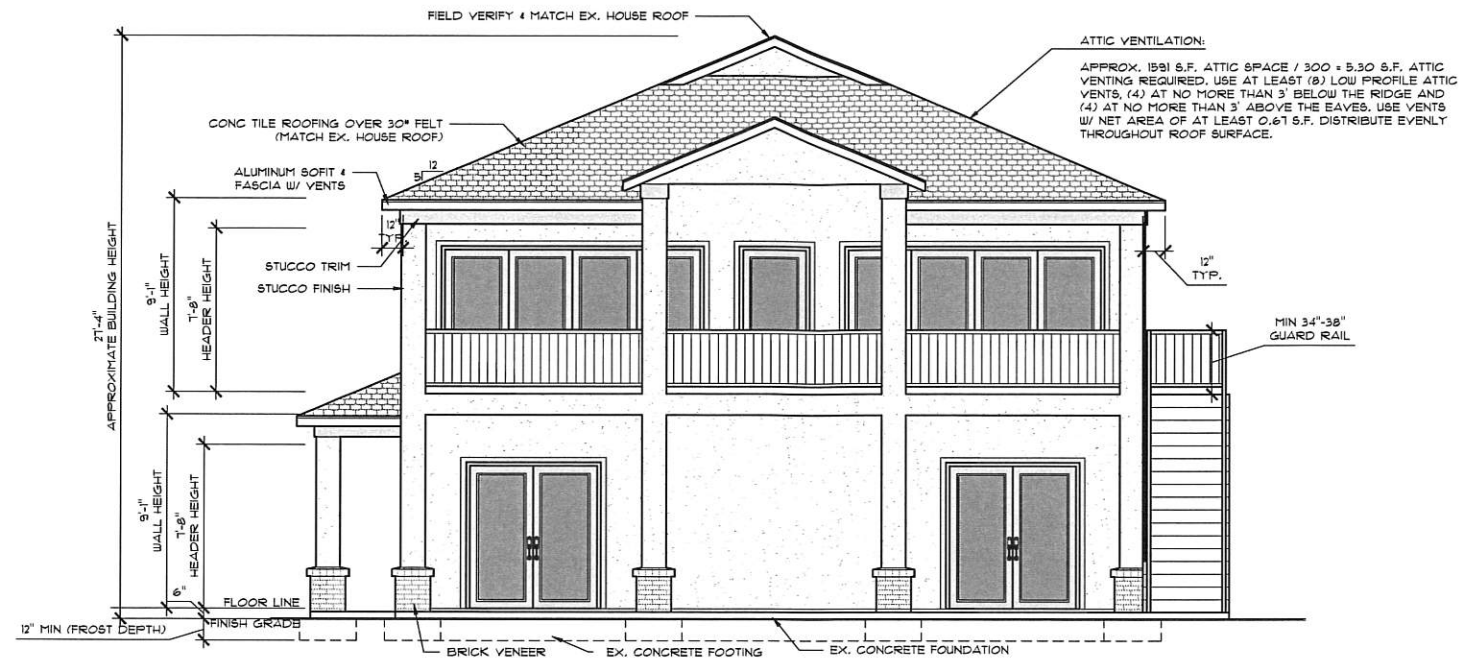
DERRIN & REBECCA GRONDEL

PARCEL # H-COLE-9 COUNTRY LANE EST. LOT
#8 (ACERS 100) 199 & 1930 W. HURRICANE
WASHINGTON COUNTY, UTAH

ISSUE DATES:
08/03/2021

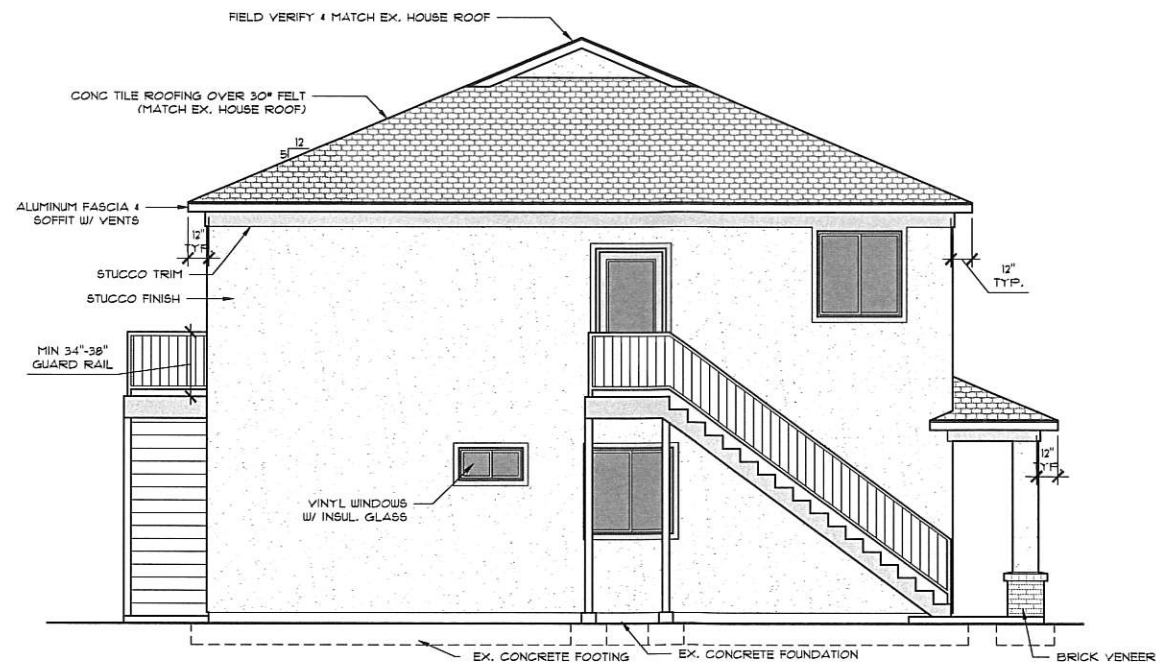
DRAWN BY:
J.C.H. & J.B.T.

PAGE #
6
LEFT & RIGHT
ELEVATIONS



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:
File No. 2021-PP-35
Receipt No. 8453757

Name: Rich Hansen - R.R. Penga LLC Telephone: 801-631-4998

Address: 3507 Kirk Circle, Salt Lake City, UT 84106 Fax No. _____

Email: rhmail@comcast.net Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: 840 South 1850 West

Tax ID of Subject Property: H-3-2-4-133 Zone District: R1-10 with PDO

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) 19 lots, roads,
and common area.

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 10 full business 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: _____

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 insure 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 discussed 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 when submitted. The City Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

The Planning Commission makes a recommendation to the City Council, so there is no appeal. The City Council's action on a preliminary plat is final unless appealed to the appropriate court.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)
 :SS
COUNTY OF)

I (we), _____, 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 instruction regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me.

Subscribed and sworn to me this _____

TITLE REPORT
PROVIDED
IN LIEU OF
AFFIDAVIT

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: _____

Transaction Identification Data for reference only:

Commitment Number: 221858

Searcher: Jarom Taylor

Searcher Utah License Number: 691339

Searcher Contact: (435) 634-7991 | jarom@sutc.com



SCHEDULE A

1. Effective Date: November 1, 2021 at 7:00AM
2. Report: SUBDIVISION REPORT PREPARED FOR "THE RIDGE AT ZION VISTA PHASE 2 SUBDIVISION" A PROPOSED SUBDIVISION
3. Title to the FEE SIMPLE estate or interest in the land is at the Effective Date vested in:
RR Penga, LLC, as to that portion within proposed THE RIDGE AT ZION VISTA PHASE 2; and
WPP Hurricane Land, LLC, a Utah limited liability company, as to that portion within the proposed ACCESS EASEMENT
4. The land referred to in this Report is situated in the County of Washington, State of Utah, and described as follows:
See attached Exhibit A-Legal Description

Southern Utah Title Company

By: _____

A handwritten signature in black ink, appearing to be 'JTB' or similar, written over a horizontal line.

Authorized Signatory

EXHIBIT A
Legal Description

Beginning at a point South 89°43'42" East along the section line 1984.63 feet and South 2419.00 feet from the Northwest corner of Section 4, Township 42 South, Range 13 West, Salt Lake Base and Meridian and running thence along a 170 foot radius curve to the Left 154.25 feet (chord bears South 63°46'57" East 149.01 feet); thence South 89°46'32" East 91.30 feet; thence South 01°13'28" West 120.02 feet; thence South 89°46'32" East 90.00 feet; thence South 01°13'28" West 50.00 feet; thence North 89°46'32" West 62.18 feet; thence South 19°35'36" West 252.12 feet; thence South 38°07'49" East 136.31 feet; thence South 37°49'32" West 250.43 feet to a point on a non-tangent 1259.00 radius curve to the Left; thence along said curve 380.70 feet (chord bears North 39°25'25" West 379.23 feet); thence North 48°08'55" West 123.75 feet to a point on a 550.00 radius curve to the Right; thence along said curve 245.06 feet (chord bears North 35°23'03" West 243.04 feet); thence North 73°05'29" East 144.75 feet; thence North 87°45'46" East 50.44 feet; thence North 42°20'04" East 24.85 feet to a point on a non-tangent 285.00 foot radius curve to the Right; thence along said curve 59.61 feet (chord bears South 78°23'01" East 59.50 feet); thence North 17°36'23" East 50.00 feet to a point on a non-tangent 80 foot curve to the Left; thence along said curve 26.09 feet (chord bears North 26°45'41" West 25.97 feet); thence North 52°12'48" East 136.94 feet to the point of beginning.

Proposed "THE RIDGE AT ZION VISTA PHASE 2"

Tax Serial No. H-3-2-4-133

Beginning at a point South 89°43'42" East along the Section line 2299.02 feet and South 2604.07 feet from the Northwest corner of Section 4, Township 42 South, Range 13 West, Salt Lake Base and Meridian and running thence South 01°13'28" West 50.00 feet; thence South 89°46'32" East 418.60 feet to a point on a non-tangent 48.00 radius curve to the Right; thence along said curve 50.00 feet (chord bears North 01°13'28" East 50.00 feet); thence North 89°46'32" West 418.60 feet to the point of beginning.

"ACCESS EASEMENT DESCRIPTION"

SCHEDULE B
Exceptions

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof but prior to the date the proposed acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
10. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.
11. Taxes for the year 2021, in the following amount(s), which are liens, now due and payable, but will not become delinquent until December 1, 2021: (For a current payoff contact the Washington County Treasurer's Office at #435-634-5711)

\$1,579.79 under Tax Serial No. H-3-2-4-133, Account No. 0988918(Affects all of proposed THE RIDGE AT ZION VISTA PHASE 2 SUBDIVISION);

\$0.22 under Tax Serial No. H-3-2-4-4221, Account No. 0827774 (Affects the proposed ACCESS EASEMENT);
12. Subject to any Reservations, Exceptions and Easements as set forth on Patent No. 829716, from The United States of America, recorded May 13, 1922, as Entry No. [22302](#) , in Book U-5, at Pages 176-177, Official Washington County Records.(Affects this and other property)
13. Subject to Right of Way Easement, in favor of HURRICANE CITY, for the construction, operation and continued maintenance, repair, alteration, inspection, relocation and replacement of electric transmission, distribution and communications circuits, and rights incidental thereto, by Instrument recorded June 27, 1967, as Entry No. [430310](#) , in Book S-68, at Pages 117-118, Official Washington County Records.

14. Subject to a Development Agreement for Painted Hills Collina Tinta, executed by and between Summit-Hurricane Development, Inc., a Nevada Corporation, Toquerville Enterprises, LLC, a Nevada Limited Liability Company and City of Hurricane, a municipal corporation and political subdivision of the State of Utah, recorded October 24, 2006, as Doc. No. [20060049271](#) , Official Washington County Records.

First Amendment to Development Agreement for Painted Hills Collina Tinta, dated January 3, 2008, executed by and between Summit-Hurricane Development, Inc., a Nevada Corporation, Toquerville Enterprises, LLC, a Nevada Limited Liability Company and the City of Hurricane, a Municipal Corporation and political subdivision of the State of Utah, recorded February 6, 2008, as Doc. No. [20080004968](#) , Official Washington County Records.

Second Amendment to Development Agreement for Painted Hills Collina Tinta, dated May 22, 2008, executed by and between Summit-Hurricane Development, Inc., a Nevada Corporation, Toquerville Enterprises, LLC, a Nevada Limited Liability Company and the City of Hurricane, a Municipal Corporation and political subdivision of the State of Utah, recorded May 28, 2008, as Doc. No. [20080021728](#) , Official Washington County Records.

Third Amendment to Development Agreement for Painted Hills Collina Tinta, dated June 7, 2018, executed by and between Summit-Hurricane Development, Inc., a Nevada Corporation, Toquerville Enterprises, LLC, a Nevada Limited Liability Company, RR Penga, LLC, a Utah Limited Liability Company and the City of Hurricane, a Municipal Corporation and political subdivision of the State of Utah, recorded June 25, 2018, as Doc. No. [20180026189](#) , Official Washington County Records.

Fourth Amendment to Development Agreement for Painted Hills Collina Tinta, recorded October 19, 2021, as Doc No. [20210067753](#) , Official Washington County Records.

15. Subject to a Water Supply Agreement, executed by and between Hurricane City, a Utah Municipal Corporation, Toquerville Enterprises, LLC, a Nevada Limited Liability Company and Summit-Hurricane Development, Inc., a Nevada Corporation, recorded July 20, 2007, as Doc. No. [20070037256](#) , Official Washington County Records. (Affects this and other property)
16. Subject to a Grant of Temporary Access and Construction Easement Agreement, dated November 21, 2007, executed by and between Toquerville Enterprises, LLC, a Nevada Limited Liability Company, MARLOWE'S PARADISE, LLC, a Utah Limited Liability Company and SUMMIT-HURRICANE DEVELOPMENT, INC., a Nevada Corporation, recorded November 30, 2007, as Doc. No. [20070056952](#) , Official Washington County Records. (Affects a portion of this and other property)

17. Liability to Assessments levied by the Board of County Commissioners of Washington County, Utah, creating and establishing a Special Service District ("Hurricane Valley Fire Special Service District") to provide for fire protection, paramedic services, and ambulance services, as disclosed by Resolution No. R-2007-1203, recorded December 22, 2009, as Doc. No. [20090048182](#) , Official Washington County Records. (Affects this and other property)

A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District, recorded March 1, 2010, as Doc. No. [20100006648](#) , Official Washington County Records.

2nd Amended Hurricane Valley Fire Special Service District, recorded December 30, 2010, as Doc. No. [20100044122](#) , Official Washington County Records.

Resolution No. R-2015-1946, A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to include the Corporate Limits of the City of Hurricane, recorded November 9, 2015, as Doc. No. [20150039260](#) , Official Washington County Records and Hurricane Valley Fire District 3rd Amended, recorded November 9, 2015, as Doc. No. [20150039261](#) , Official Washington County Records.

Hurricane Valley Fire District 4th Amended, Extended & Clarified, recorded December 14, 2015, as Doc. No. [20150043173](#) , Official Washington County Records.

5th Amended & Extended Hurricane Valley Fire District Local Entity Plat, recorded November 8, 2019, as Doc. No. [20190046477](#) , Official Washington County Records, A Resolution Amending the Boundary of The Hurricane Valley Fire Special Service District to Include the Area Within the Rockville-Springdale Fire Special Service District, recorded November 8, 2019, as Doc. No. [20190046478](#) , Official Washington County Records and Certificate of Boundary Adjustment, with 5th Amended and Extended Hurricane Valley Fire District Local Entity Plat Boundary Description, recorded November 8, 2019, as Doc. No. [20190046479](#) , Official Washington County Records.

18. Subject to easements, notes, restrictions, reservations, any and all other matters as set forth and disclosed on the Proposed Plat of "THE RIDGE AT ZION VISTA PHASE 2 SUBDIVISION".
19. We find no Open Deed of Trust/Trust Deed of Record. Require any party with knowledge to the contrary to inform this Office prior to any Final Plat Approval.
20. This report is provided for information purposes only and is not intended to be a Commitment to issue Title Insurance.

Note: The names on Schedule A have been checked for judgments and, if any were found, are disclosed on Schedule B of this Report.

This map is for information purposes only and is in no way to be incorporated as being part of this Commitment and/or Title Insurance Policy.

This map is for information purposes only and is in no way to be incorporated as being part of this Commitment and/or Title Insurance Policy.

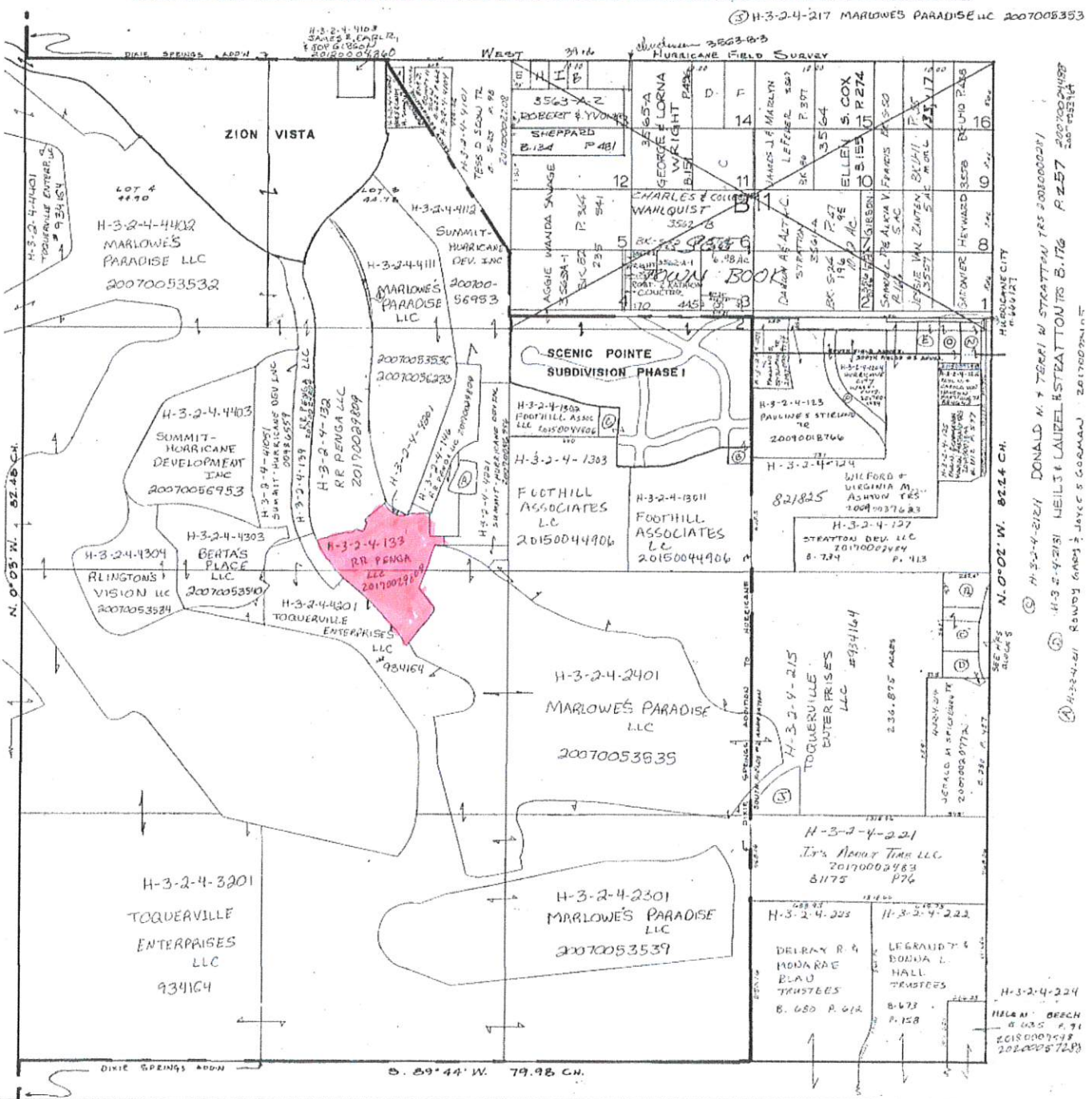
- H-3-2-4-4114 TOQUERVILLE ENT. LLC #20090021195
- H-3-2-4-4115 TOQUERVILLE ENT. LLC #20090021195
- H-3-2-4-128 ELBERT M. + SHANNA C. DANSIE #20170036458
- H-3-2-4-131 ELIZABETH + THOMAS F. DANSIE #20150010767
- H-3-2-4-1103 HURRICANE CITY 20170104335

SECTION 4
T42 S --- R13 W
SALT LAKE BASE & MERIDIAN
SCALE: ONE INCH=400 FEET
WASHINGTON COUNTY, UTAH

- H-3-2-4-147 RR PENGA LLC 20070025809
- H-3-2-4-149 DENNIS V. + DEBRA J. BACKUS 20170033615
- H-3-2-4-123A SCOTT W. + TERRI MILLER TRS 20170034982
- H-3-2-4-124 BERT D. + WELFAY K. BRINCHMART 2017002291

This plat is furnished for information only. No liability is assumed by Assure's or Recorder's Office as to correctness of

Washington County Records



- H-3-2-4-217 MARLOWES PARADISE LLC 2007005353
- H-3-2-4-212H DONALD M. + TERRI W. STRATTON TRS 2008000051
- H-3-2-4-212SI HEILSI + LAUREL STRATTON TRS B-176 P-257 2007000458
- H-3-2-4-211 RANDY GARDY + JAYCE S. GORMAN 2017000701

When Recorded Return To:

RR Penga
Attn: Rich Hansen
3507 Kirk Circle
Salt Lake City, Utah 84106

Space above for County Recorder's Use

PARCEL I.D. #: See Attached

**FIFTH AMENDMENT TO DEVELOPMENT AGREEMENT
FOR PAINTED HILLS COLLINA TINTA**

THIS FOURTH AMENDMENT TO DEVELOPMENT AGREEMENT FOR PAINTED HILLS COLLINA TINTA ("Amendment") is made to be effective as of _____, 2021 (the "Effective Date"), by and among Collina Tinta Holdings, LLC ("Collina"), a Utah limited liability company ("Developer"), RR Penga, LLC, a Utah limited liability company ("Penga"), Interstate Homes LLC, a Utah limited liability company ("Interstate"), and the City of Hurricane, a municipal corporation and political subdivision of the State of Utah ("City") (individually a "Party" and collectively the "Parties").

RECITALS

A. Summit-Hurricane Development, Inc, a Nevada corporation ("Summit"), Toquerville Enterprises, a Utah limited liability company, (Toquerville") and City entered into that certain Development Agreement for Painted Hills Collina Tinta dated September 7, 2006, and recorded in the Official Records of Washington County, Utah on October 24, 2006, as Document No. 20060049271 (the "Agreement") for the development of approximately 560 acres of land located in Hurricane, Utah (the "Project").

B. Summit, Toquerville and City entered into the First Amendment to the Agreement, dated January 2, 2008, and recorded in the Official Records of Washington County, Utah on February 6, 2008, as Document No. 20080004968.

Signature Page

COLLINA:

Collina Tinta Holdings, LLC, a Utah
limited liability company

By: _____

Print Name: _____

Title: _____

INTERSTATE

Interstate Homes LLC, a Utah limited
liability company

By: _____

Print Name: _____

Title: _____

PENGA:

RR Penga, a Utah limited liability
company

By: _____

Print Name: _____

Title: _____

CITY:

Hurricane City, a municipal
corporation and political subdivision
of the State of Utah

By: _____

Print Name: _____

Title: _____

STATE OF)
 : ss.
COUNTY OF)

On the ____ day of _____, 2021 personally appeared before me _____ and _____, who, being by me duly sworn, did say that he/she/they is/are the _____ of Collina Tinta Holdings, LLC, a Utah limited liability company, and said person acknowledged to that said company executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

STATE OF)
 : ss.
COUNTY OF)

On the ____ day of _____, 2021 personally appeared before me _____, who, being by me duly sworn, did say that he/she is the _____ of RR Penga, LLC., a Utah limited liability company, and said person acknowledged to that said company executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

STATE OF)
 : ss.
COUNTY OF)

On the ____ day of _____, 2021 personally appeared before me _____, who, being by me duly sworn, did say that he/she is the _____ of Interstate Homes LLC, a Utah limited liability company, and said person acknowledged to that said company executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

STATE OF)
 : ss.
COUNTY OF)

On the ____ day of _____, 2021 personally appeared before me _____, who, being by me duly sworn, did say that he/she is the _____ of Hurricane City, a municipal corporation and political subdivision of the State of Utah, and said person acknowledged to that said company executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

Exhibit A
**Landscape Plan for Rlington Parkway and
The Ridge at Zion Vista**



Legal Description:

BEGINNING AT THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG THE SECTION LINE SOUTH 89°43'42"EAST 1,688.58 FEET; THENCE SOUTH 00°01'00"WEST 208.71FEET; THENCE SOUTH 89°43'42"EAST 208.71 FEET; THENCE NORTH 00°01'00"EAST 208.71 FEET TO THE NORTH SECTION OF SAID SECTION 4; THENCE ALONG SAID SECTION LINE SOUTH 89°43'42"EAST 65.85 FEET; THENCE SOUTH 00°00'05"EAST 405.02 FEET; THENCE NORTH 89°59'55"EAST 236.70 FEET; THENCE SOUTH 32°44'48"EAST 802.71 FEET; THENCE SOUTH 00°13'28" WEST 1,718.18 FEET; THENCE SOUTH 89°S2'53" EAST 2,392.27 FEET; THENCE SOUTH 00°17'42" WEST 560.86 FEET; THENCE SOUTH 89°50'57" EAST 247.50 FEET TO THE EAST SECTION LINE OF SAID SECTION 4; THENCE ALONG SAID SECTION LINE SOUTH 00°17'41" WEST 757.13 FEET NORTH 89°50'57" WEST 1319.08 FEET; THENCE SOUTH 00°15'32" WEST 1318.25 FEET TO THE SOUTH SECTION LINE OF SAID SECTION 4; THENCE ALONG THE SECTION LINE NORTH 89°49'00" WEST 1318.50 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE ALONG THE SECTION LINE NORTH 89°49'00" WEST 2,636.30 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE ALONG THE SECTION LINE NORTH 00°14'51" EAST 1,316.02 FEET; THENCE NORTH 89°45'29" EAST 1,321.80 FEET; THENCE NORTH 00°14'51" EAST 1,317.75 FEET; THENCE NORTH 00°11'38" EAST 2,800.60 FEET TO THE NORTH SECTION LINE OF SECTION 5, TOWNSHIP 42 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING THENCE ALONG SAID SECTION LINE SOUTH 89°46'40"EAST 1320.18 FEET TO THE POINT OF BEGINNING. CONTAINS 24,379,912 SQUARE FEET OR 559.68 ACRES

Parcel ID#'s:

H-3-2-5-1101	H-3-2-4-4215
H-3-2-5-1103	H-3-2-4-217
H-3-2-5-1101	H-3-2-4-4304
H-3-2-4-4401	H-3-2-4-2301
H-3-2-4-4402	
H-3-2-4-3201	
H-3-2-4-139	
H-3-2-4-148	
H-3-2-4-4112	
H-3-2-4-4111	
H-3-2-4-4114	
H-3-2-4-41051	
H-3-2-4-132	
H-3-2-4-4105	
H-3-2-4-146	
H-3-2-4-4221	
H-3-2-4-4201	
H-3-2-4-133	
H-3-2-4-4303	

November 10, 2022

Stephen,

Enclosed is the Preliminary Plat Application for the Ridge @ Zion Vista Phase 2.

Also enclosed is the Title Report and the application fee of 150.00.

I have also included a copy of the "Fifth Amendment to the Development Agreement for Painted Hills Collina Tinta".

Dannie Green from Psomas should be dropping of the Preliminary Plat together with will serve letters.

Please let me know of any thing else that might be needed.

Regards,

A handwritten signature in blue ink that reads "Rich Hansen". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Rich Hansen

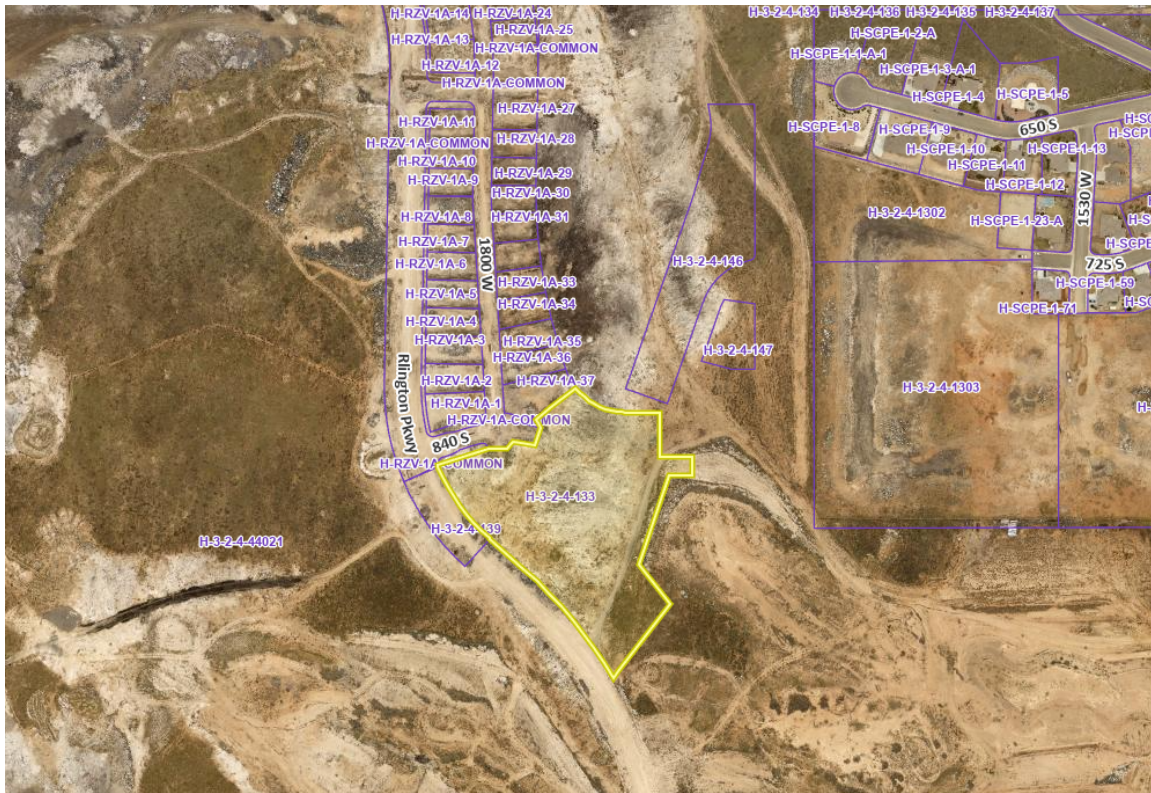


STAFF COMMENTS

Agenda Date:	1/13/2022
Application Number:	2021-PP-35 and 2021-HIL-07
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Rich Hansen
Agent:	
Request:	Approval of a Preliminary Plat
Location:	840 S 1850 W
Zoning:	R1-10 PDO
General Plan Map:	Planned Community

Discussion:

The applicant has filed a preliminary plat for Phase 2 of the Ridge at Zion Vista consisting of 19 lots, roads, and common area. This property is within the Painted Hills Collina Tinta area and is governed by that development agreement. The preliminary plat is for the Mira Rosa section within the Collina Tinta project. The Developer has developed the first half of the first phase of Mira Rosa. The city and owners have expressed interest in revising parts of that development agreement, first signed in 2006, to better fit the city's current needs; but there has been no progress on that lately.



JUC Comments

The following items will need to be addressed:

1. **Power:** Will be able to connect through the previous phase
2. **Sewer:** In the area
3. **Street:** No comments.
4. **Water:** Need a looped system. Utility easement on the southern side should be in a roadway. Need a water model for the entire development, not just this phase.
5. **Engineering:** Need water loop and second access. Rlington Parkway needs improvements and extended utilities. 13% grade on 840 S means houses need to be sprinkled and needs city engineer approval.
6. **Fire:** Seconded the water and engineering departments comments. Make sure it meets fire code
7. **Cable:** Good
8. **Gas:** Good.
9. **Water Conservancy:** No comments

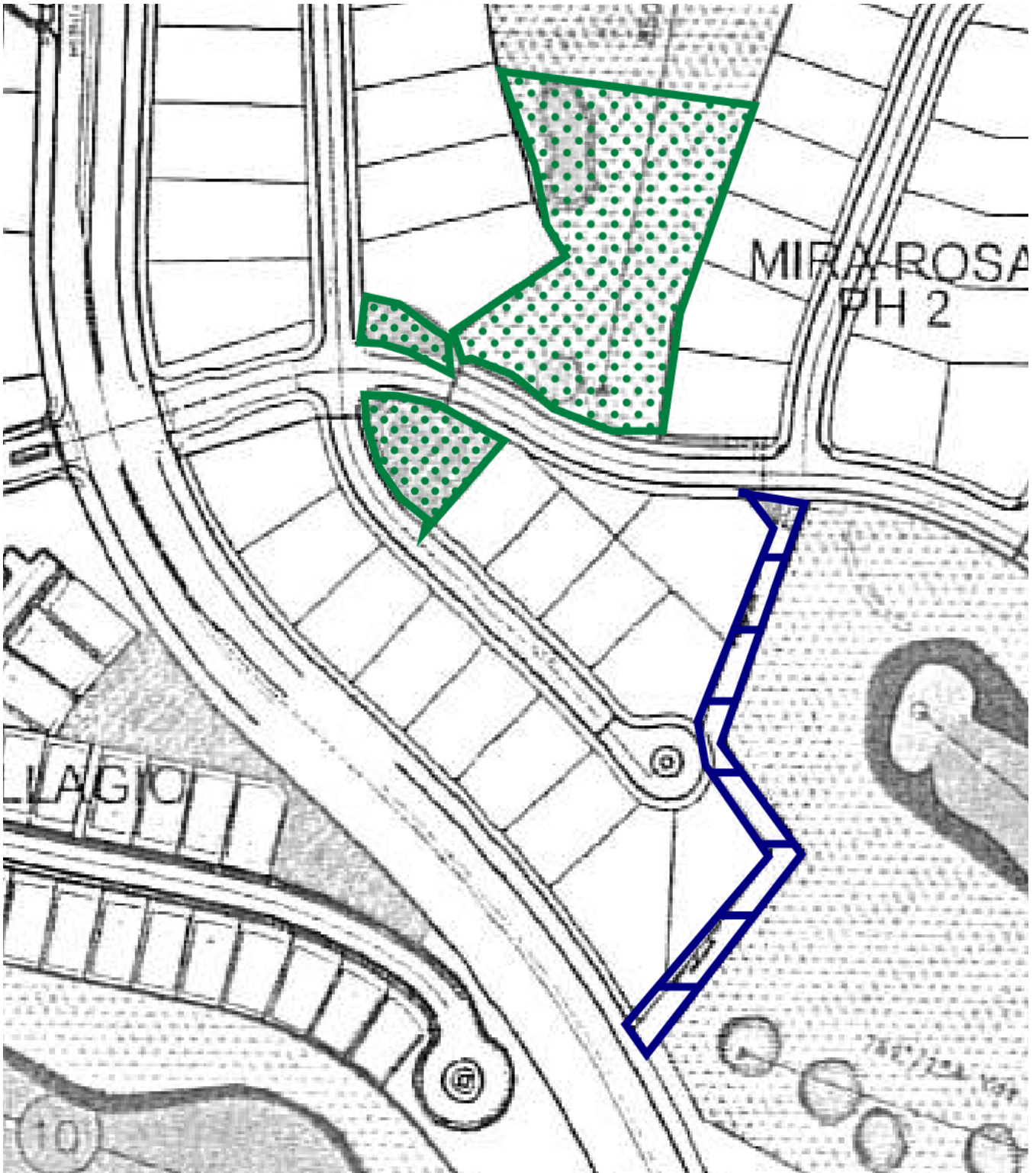
Staff Comments: Preliminary Plat

1. **Number of Lots:** The proposed subdivision has 19 proposed lots. In the master plan this area has 15 lots. The extra lots are located on the north end of the phase, 201-204. Typically, additional lots in one phase would be allowed knowing that lots will be removed from a latter phase to not exceed the overall density. Because this project is under a couple of owners, staff would like to know more information from the applicant about the plan with the shifted density for this phase.

2. Plat shows the north-south road as 1850 W. Ridge at Zion Vista Phase 1 shows this road as 1800 W. This discrepancy should be resolved
3. Plat intends for 840 S to tie into the neighboring Scenic Pointe development. This should be indicated on the plat. Construction will have to wait until that road is in for fire access
4. The steep hill on 840 S exceeds 12% grading. This makes it difficult for fire trucks to get up that hill so houses along 840 S that will use it as a primary access will need to be sprinkled. There is also concerns about roadways that exceed 12%, addressed below.
5. Open Space: The open space layout is different from the original site plan as shown below:



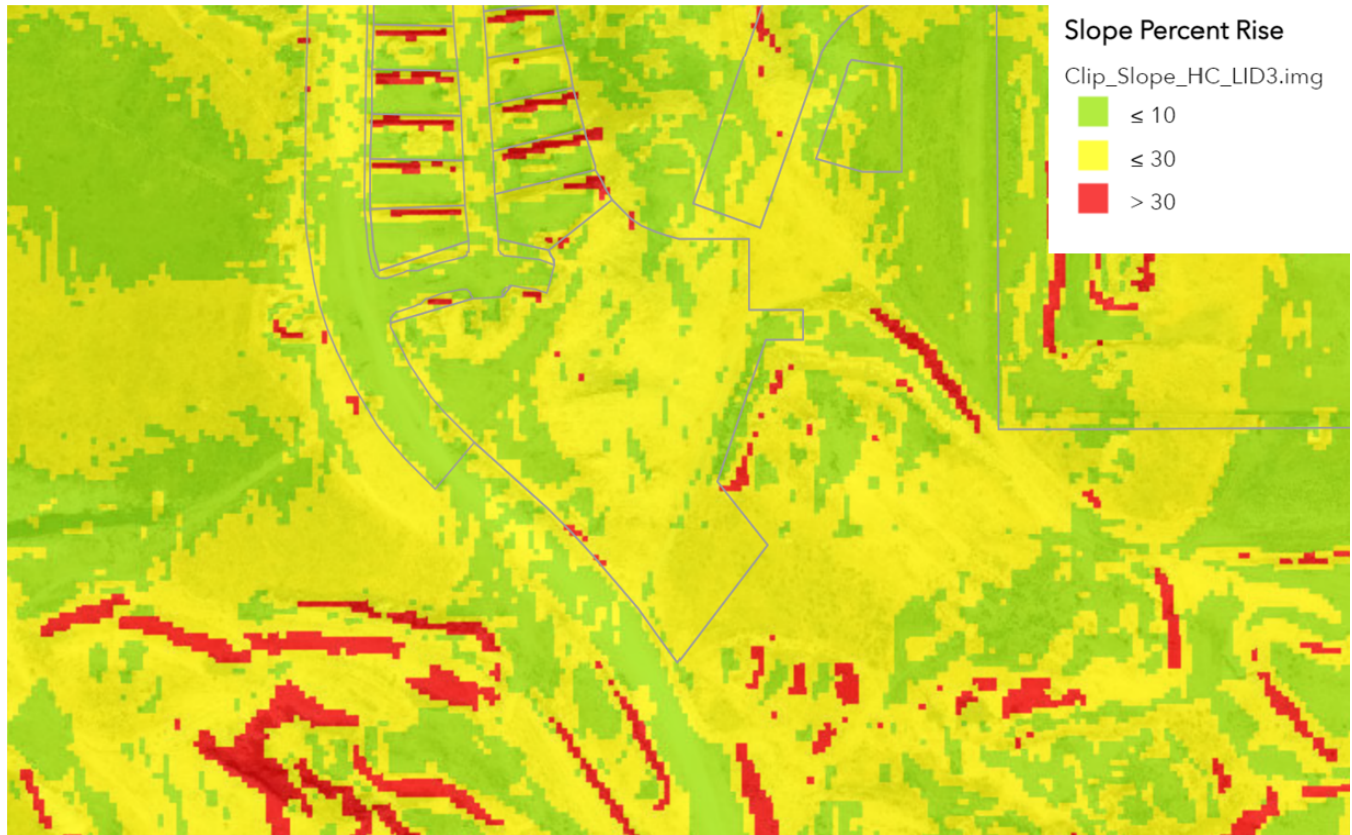
Plat Proposed



Approved Site Plan

As shown in the pictures above, the open space layout has changed. The applicant has indicated that the site reorganization of the open space has not removed any of the overall open space. According to the table listed within their application, they show that the amount of open space is

remaining the same, just moved to different locations. Staff's main concern is about the very northern lots, 201-204. These lots are positioned where the planned golf green is to be located. It is likely in the future that the current development agreement will be renegotiated and the open space repurposed within the Colina Tinta PDO. However, that has not occurred at this point and the current layout does conflict with the master plan.



Sensitive Lands:

1. Because of the hillside of the project, a sensitive lands application has been required. The following has been required:

10-24-5: HILLSIDES AND RIDGE AREAS:

A. Applicability: The following procedures, submittal requirements and standards shall apply to those projects located on lands identified as having at least one of the following characteristics:

1. *Slopes over ten percent (10%) which are:*

a. Identified through computer generated programs capable of calculating slopes on topographic maps prepared with two foot (2') contour interval accuracy; or

b. Established by profile lines drawn perpendicular to contour lines at intervals no greater than one hundred fifty feet (150') apart, when the slope, measured along any one hundred foot (100') segment

of the profile line is ten percent (10%) or greater. (See section 10-24-9, appendix diagram A, of this chapter.)

c. A slope shall be subject to this chapter only when a contiguous identified area of ten percent (10%) or greater exceeds two (2) acres, or if the site is less than one acre and the entire site is ten percent (10%) or greater.

2. Soils Investigation Report: A soils investigation report which contains the following information:

a. Nature, distribution and classification (unified soil classification) of existing soils to the appropriate depth of influence by the proposed development, but not less than ten feet (10') deeper than the proposed excavations or to bedrock.

b. Strength of existing soils, bearing capacity of supporting soils, settlement estimates, collapse and shrink-swell characteristics, lateral pressures and trench excavation limitations.

c. Groundwater levels that may affect development and estimated elevation of high groundwater levels.

d. Appropriate laboratory testing for classification, consistency, strength and consolidation conditions.

e. Slope stability.

f. A written statement by the geotechnical engineer, civil engineer, or geologist preparing the soils report describing the general suitability of the site for the owner's intended use. The report shall identify soil constraints to development and shall state the professional opinion of the author as to whether the proposed development plan will mitigate and/or eliminate said constraints in a manner as to prevent hazard to life, hazard to property, and adverse effects. If the soil report prepared for a subdivision shows the presence of critically expansive soils, high water table, organic soils, liquefiable soils, collapsible soils, or other soil problems which, if not corrected, would lead to structural defects of the proposed buildings, damage to the building from the water, or premature deterioration of the public improvements, a soil investigation of each lot in the subdivision shall be required by the city.

3. Geotechnical Report: A geotechnical and geological report subject to the standards and requirements provided therein.

4. Grading And Drainage Plan: A grading and drainage plan report which includes stormwater management, erosion, and grading plans describing the methods by which surface water, natural drainage, erosion and sedimentation loss, and hydrologic hazards that will be controlled during and after construction. The plan shall include the following information:

a. The grading plan shall show present topography, including the location and depth of all proposed fills and cuts of finished earth surfaces, and/or use of retaining walls including height, using a contour interval of two feet (2') when grades are zero to twenty nine percent (0 - 29%) and five foot (5') contours when grades thirty percent (30%) and over.

b. The proposed area to be graded shall be clearly delineated on the plan.

c. All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and other water management or soil erosion control measures shall be shown. Drainage calculations shall determine runoff volume and peak discharge using the "rational method", "SCS curve number method", or appropriate equivalent. Data provided should include:

(1) Rainfall depth, duration and distribution;

(2) Watershed slope and drainage area delineation;

(3) Land condition of watershed surface;

(4) Topography of drainage area; and

(5) Soil descriptions in watershed. Erosion calculations shall employ predictions of soil loss sheet erosion using the universal soil loss equation or equivalent. Data to be provided should include factors of:

(A) Rainfall intensity and duration;

(B) Soil erodibility;

(C) Land slope and length of slope or topography;

(D) Condition of the soil surface and land management practices in use; and

(E) Surface cover, grass, pavements, etc.

2. The applicant has provided the proper reports, initial grading plan, and other required documents. The lots do not generally comply with the sizing table listed within the Sensitive Lands Code, however, based on their zoning approval, the applicant is entitled to the general layout of the development. Staff would recommend that the Planning Commission review the sloping and grading plan to ensure that proper steps are being taken to ensure that lots are being constructed and laid out in a safe manner. The average slope of the project is around 10-15%, with some spots with steeper slopes and some sections with less. Generally speaking, anything 10%-20% (sometimes 15%) is considered moderate slopes.

3. Grading Plan: The applicant has submitted a grading plan, and intentions to have most lots flat, and then separated by retaining walls. This is allowed, as long as the walls do not exceed 16' in height over 50 linear feet. The homes on roads that are over 10% slope will need to be sprinkled. Some sections of roadway are over 12%. According to Hurricane City Code, 12% is the maximum grade allowed for a Hurricane City street. Staff is consulting with Engineering and Fire for their opinion on the matter. Those sections of road will likely need to be leveled in order to meet Hurricane's standard. The link is essential to the development and deserves some consideration.

10-24-8: GRADING, DRAINAGE AND STREET DEVELOPMENT STANDARDS:

D. Streets And Rights Of Way: The following street standards shall apply:

1. The city's street standards and specifications shall apply to all development, except where conditions related to proper development of sensitive land areas necessitate altering these standards as described below and elsewhere in this chapter and as may be otherwise approved by the city.

2. Street grade requirements:

	<i>Normal</i>	<i>Permissible Exception</i>
<i>Maximum grade</i>	<i>8 percent</i>	<i>12 percent</i>
<i>Maximum grade street intersections</i>	<i>5 percent</i>	<i>As determined by the planning commission</i>

4. Exceptions can be approved by the City Council with a recommendation from the Planning Commission as listed in 10-24-3:

G. Exceptions: Exceptions to the provisions of this chapter may be granted by the city council upon recommendation from the planning commission when:

1. An alternative solution is proposed for the protection of the sensitive land, based on sound and generally accepted engineering and land development principles, and said alternative

will result in equal or better protection than development under the standards of this chapter; and is consistent with the purposes of this chapter. The alternative shall also be consistent with the general plan policies affecting sensitive lands;

2. The size of the parcel existing before the effective date of the adoption of this chapter is determined by the planning commission to be too small to effectively apply the provisions of this chapter, and conditions can be added to the project to minimize safety and general welfare concerns.

3. The parcel is zoned for a nonresidential use and the planning commission determines the site requires grading inconsistent with the provisions of this chapter, and conditions can be added to the project to minimize safety and general welfare concerns. (Ord. 2014-6, 5-1-2014)

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Before the Planning Commission should make a recommendation, the applicant will need to address the following to the Commission's satisfaction:

1. Density and the additional units.
2. Roadways that are over 12% grade.
3. The golf course open space.

THE RIDGE AT ZION VISTA

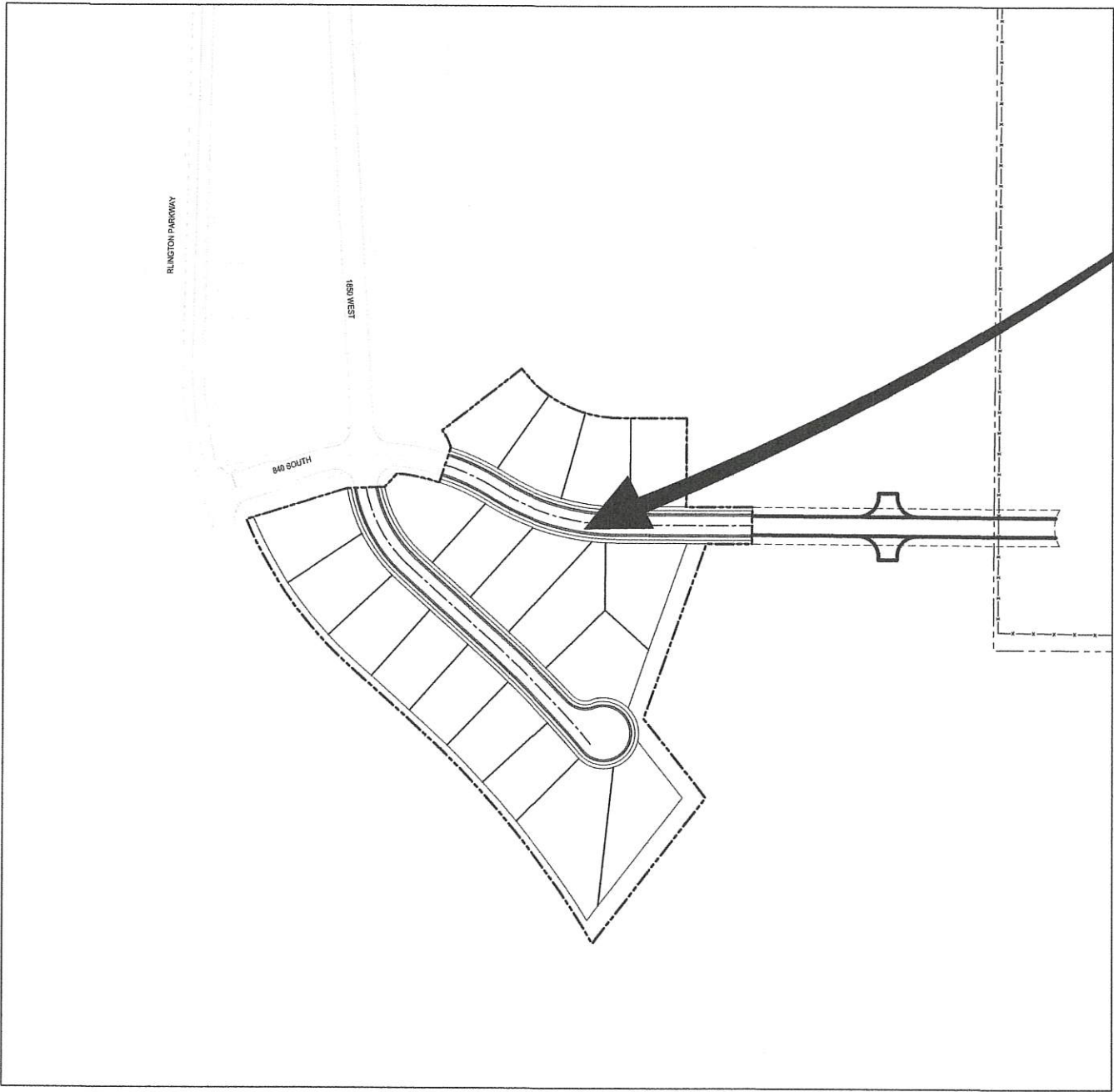
PHASE 2

PRELIMINARY PLAT REVIEW

LOCATED IN SECTION 4, TOWNSHIP 42 SOUTH, RANGE 13 WEST
SALT LAKE BASE AND MERIDIAN
IN THE CITY OF HURRICANE, WASHINGTON COUNTY, UTAH



VICINITY MAP
NOT TO SCALE



PROJECT MAP
NOT TO SCALE



DEVELOPER:
RR PANGA
3507 KIRK CIRCLE
SALT LAKE CITY, UT 84106

CIVIL ENGINEER:
PSOMAS
4179 RIVERBOAT ROAD, SUITE 200
SALT LAKE CITY, UT 84106

SITE DATA :
ZION VISTA PHASE 2
TOTAL GROSS ACRES: 11.79
TOTAL ROAD R.O.W.: 98,328 SQ. FT.
BUILDING PAD AREA: 37 UNITS-301,641 SQ. FT.
DENSITY: 3.1 UNITS/ACRE

PSOMAS
Balancing the Natural and Built Environment
4179 Riverboat Road, Suite 200
Salt Lake City, UT 84123
(801) 270-5777 (801) 270-5782 fax
www.psomas.com

PROJECT NUMBER: 88CLO10300

THE RIDGE AT ZION VISTA
PHASE 2
HURRICANE, UT

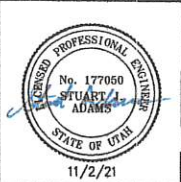
COVER

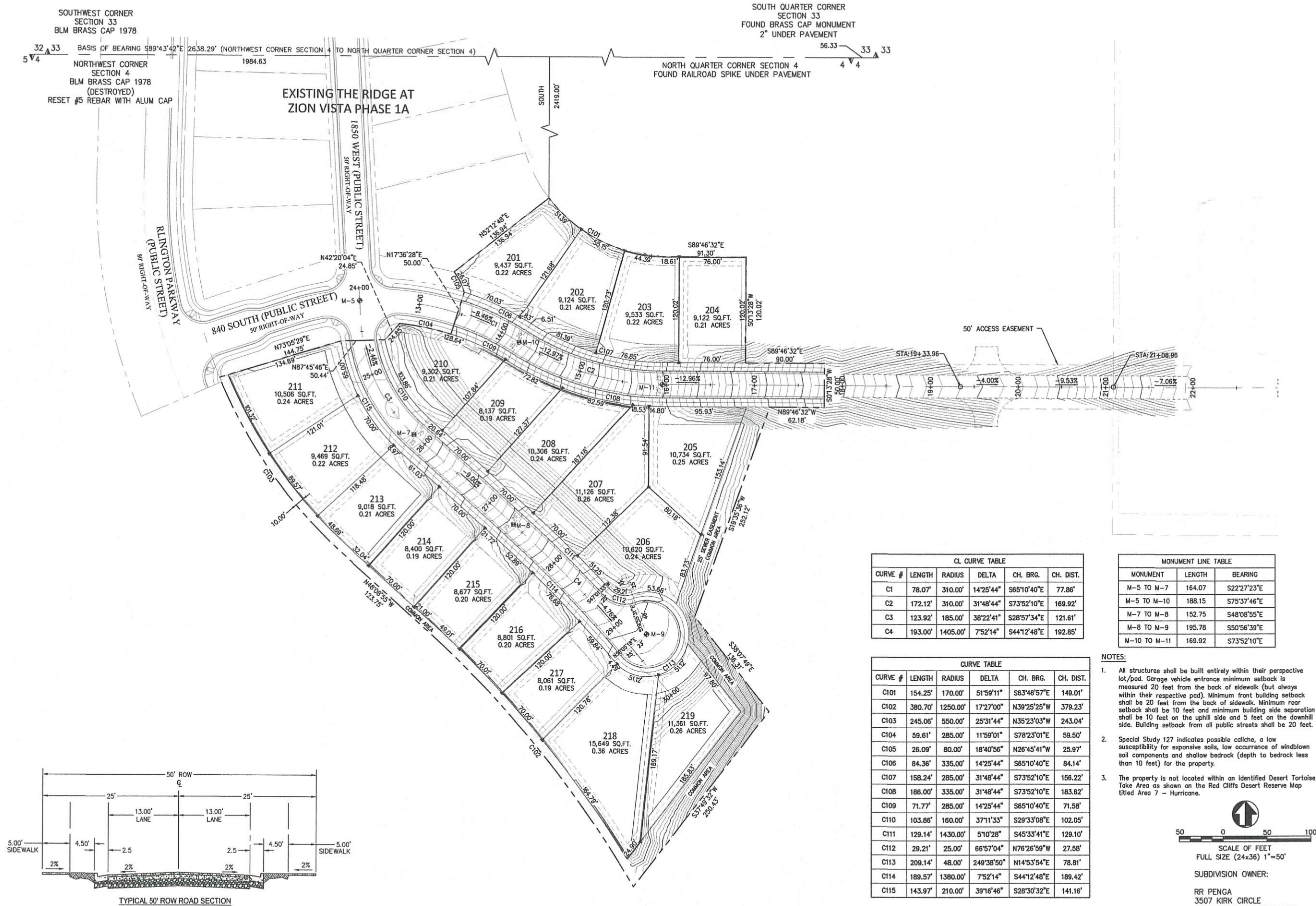
SHEET
OF

1

3

NO.	REVISION DESCRIPTION	DATE





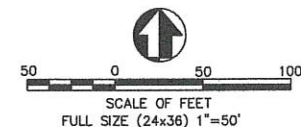
CL CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST.
C1	78.07'	310.00'	14°25'44"	S65°10'40"E	77.86'
C2	172.12'	310.00'	31°48'44"	S73°52'10"E	169.92'
C3	123.92'	185.00'	38°22'41"	S28°57'34"E	121.61'
C4	193.00'	1405.00'	7°52'14"	S44°12'48"E	192.85'

MONUMENT LINE TABLE		
MONUMENT	LENGTH	BEARING
M-5 TO M-7	164.07	S22°27'23"E
M-5 TO M-10	188.15	S75°37'46"E
M-7 TO M-8	152.75	S48°08'55"E
M-8 TO M-9	195.78	S50°56'39"E
M-10 TO M-11	169.92	S73°52'10"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST.
C101	154.25'	170.00'	51°59'11"	S63°46'57"E	149.01'
C102	380.70'	1250.00'	17°27'00"	N39°25'25"W	379.23'
C103	245.06'	550.00'	25°31'44"	N35°23'03"W	243.04'
C104	59.61'	285.00'	11°59'01"	S78°23'01"E	59.50'
C105	26.09'	80.00'	18°40'56"	N26°45'41"W	25.97'
C106	84.36'	335.00'	14°25'44"	S65°10'40"E	84.14'
C107	158.24'	285.00'	31°48'44"	S73°52'10"E	156.22'
C108	186.00'	335.00'	31°48'44"	S73°52'10"E	183.62'
C109	71.77'	285.00'	14°25'44"	S65°10'40"E	71.58'
C110	103.86'	160.00'	37°11'33"	S29°33'08"E	102.05'
C111	129.14'	1430.00'	5°10'28"	S45°33'41"E	129.10'
C112	29.21'	25.00'	66°57'04"	N76°28'59"W	27.58'
C113	209.14'	48.00'	249°38'50"	N14°53'54"E	78.81'
C114	189.57'	1380.00'	7°52'14"	S44°12'48"E	189.42'
C115	143.97'	210.00'	39°16'46"	S28°30'32"E	141.16'

NOTES:

- All structures shall be built entirely within their perspective lot/pad. Garage vehicle entrance minimum setback is measured 20 feet from the back of sidewalk (but always within their respective pad). Minimum front building setback shall be 20 feet from the back of sidewalk. Minimum rear setback shall be 10 feet and minimum building side separation shall be 10 feet on the uphill side and 5 feet on the downhill side. Building setback from all public streets shall be 20 feet.
- Special Study 127 indicates possible caliche, a low susceptibility for expansive soils, low occurrence of windblown soil components and shallow bedrock (depth to bedrock less than 10 feet) for the property.
- The property is not located within an identified Desert Tortoise Take Area as shown on the Red Cliffs Desert Reserve Map titled Area 7 - Hurricane.



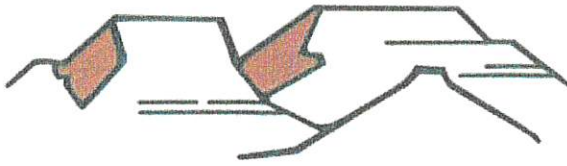
SUBDIVISION OWNER:

RR PANGA
3507 KIRK CIRCLE
SALT LAKE CITY, UT 84106

The Ridge at Zion Vista Phase 2

LOCATED IN THE NORTHWEST QUARTER OF
SECTION 4, TOWNSHIP 42 SOUTH, RANGE 13
WEST, SALT LAKE BASE AND MERIDIAN
HURRICANE, UTAH WASHINGTON COUNTY

DATE	
REVISION DESCRIPTION	
NO.	
SUBMITTAL	11/2/21
DRAWN BY: MWC	
CHECKED BY: DG	
APPROVED BY: SA	
PLOT DATE:	11/2/21
4179 Riverboat Road, Suite 200 Salt Lake City, UT 84123 (801) 270-5777 (801) 270-5782 fax www.psomas.com	
PROJECT NUMBER: BBL010300	
THE RIDGE AT ZION VISTA PHASE 2 HURRICANE, UT	
PROPOSED PLAN	
SHEET	3
OF	3



HURRICANE CITY

UTAH

Water Department
Ken Richins, Superintendent

November 22, 2021

To Whom It May Concern:

A will serve letter has been requested for Zion Vista Phase 2 located at approximately 1850 W 840 S in Hurricane, Utah.

Yes, we do have culinary water in the area of 1850 W 840 S in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

Hurricane City Water – Dallan Wadsworth



Ash Creek Special Service District

1350 S. Sand Hollow Road

Hurricane, UT 84737

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

ashcreek@infowest.com

November 23, 2021

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

RE: Zion Vista Phase 2 – approximately 840 S 1850 W

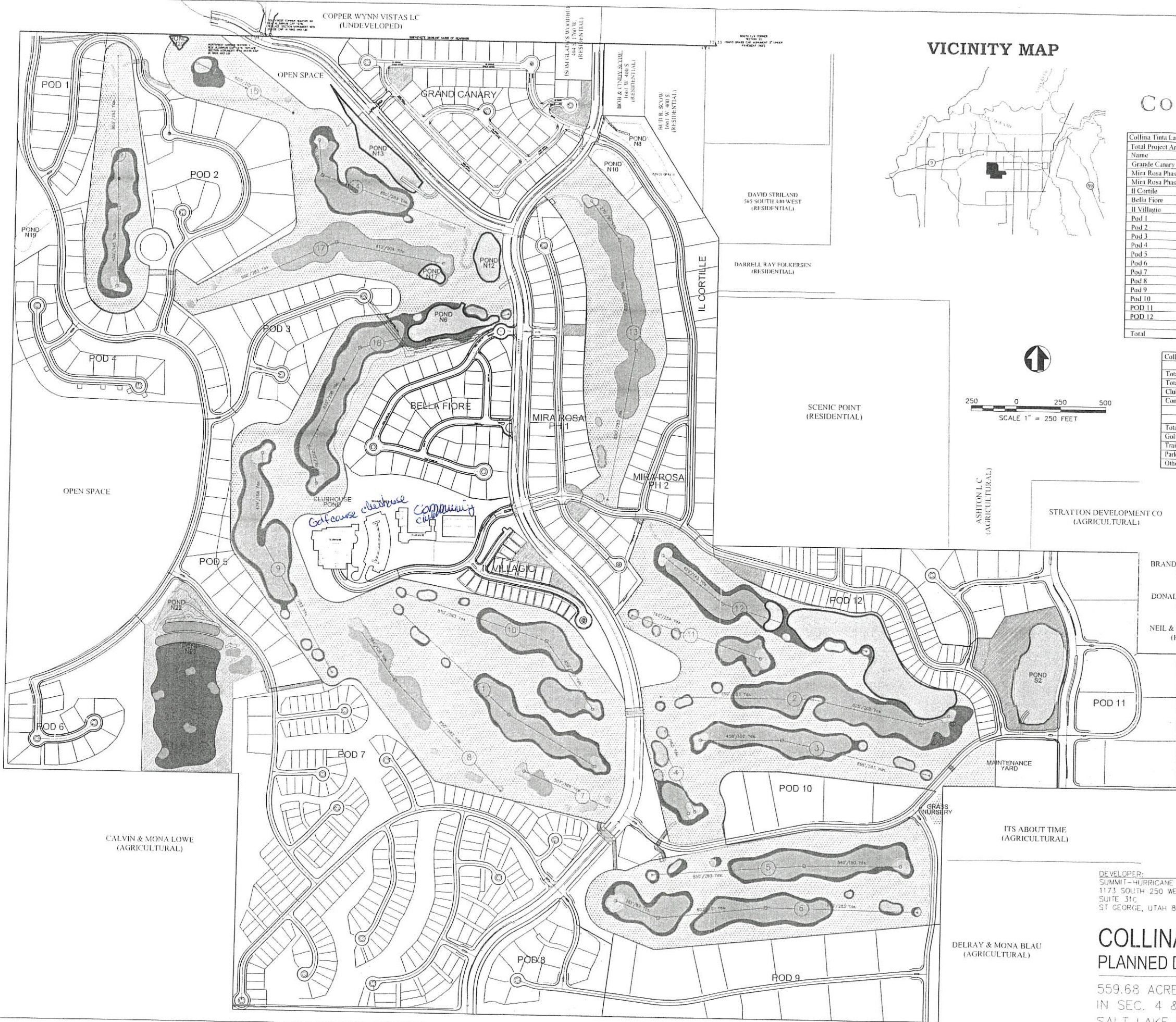
Stephen,

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
Engineering Tech
Ash Creek Special Service District



VICINITY MAP

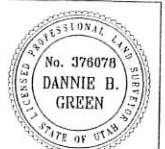


COLLINA TINTA

Collina Tinta Land Use Table				
Total Project Area	24,379,912 S.F. / 560 Acres			
Name	Size (ac.)	# of Units	Type	
Grande Canary	20.35	79	Single Family	
Mira Rosa Phase 1	12.05	37	Single Family	
Mira Rosa Phase 2	11.43	33	Single Family	
Il Cortile	13.82	54	Multi Family	Resort Rental
Bella Fiore	14.49	47	Single Family	Gated Rental
Il Villaggio	4.28	24	Single Family	Resort Rental
Pod 1	9.2	15	Single Family	
Pod 2	24.9	34	Single Family	
Pod 3	11.1	19	Single Family	Gated
Pod 4	10.1	18	Single Family	Gated
Pod 5	9.1	16	Single Family	
Pod 6	11.5	36	Multi Family	Gated
Pod 7	59.0	231	Single Family	Gated/Rental*
Pod 8	8.1	33	Multi Family	
Pod 9	19.6	431	Multi Family	
Pod 10	7.7	169	Multi Family	Resort Rental
Pod 11	25.2	540	Multi Family	
Pod 12	11.3	70	Single Family	
Total	283.2	1886		

*Only portions of pod 7 will be Gated and/or Resort Rental

Collina Tinta Land Use Summary		
	Size (ac.)	# of Units
Total Single Family	197.3	623
Total Multi Family	85.9	1263
Clubhouse	12.4	
Commercial	1.0	
		% of Total Site
Total Open Space	262.4	47%
Golf Course	202.2	36%
Trails	16.5	3%
Parks and Lake	6.0	1%
Other Open Space	37.7	7%



DATE	JAN 2008
SCALE	1"=250'-(24X36)
PROJECT NUMBER	BSDM010100

COLLINA TINTA
EXHIBIT
COLLINA TINTA
SITE PLAN
HURRICANE, UTAH

PSOMAS

1173 SOUTH 250 WEST, SUITE 308
ST. GEORGE, UTAH, 84770
(435) 628-6912 (435) 674-0236 (FAX)

DEVELOPER:
SUMMIT-HURRICANE
1173 SOUTH 250 WEST
SUITE 310
ST. GEORGE, UTAH 84770

CIVIL ENGINEERS:
PSOMAS
1173 SOUTH 250 WEST
SUITE 308
ST. GEORGE, UTAH 84770
(435) 628-6912

COLLINA TINTA
PLANNED DEVELOPMENT OVERLAY

559.68 ACRES
IN SEC. 4 & 5, T. 32 S., R. 13 W.,
SALT LAKE BASE AND MERIDIAN.

DESIGNED	JCD
DRAWN	JCD
CHECKED	JCD
SHEET	1
OF	1

SENSITIVE LANDS APPLICATION

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

Fee: \$

For Office Use Only:
File No. 2021-HIL-07
Receipt No. _____

Name: Rich Hansen Telephone: 801-631-4998

Address: 3507 Kirk Circle, SLC UT 84106 Fax No. _____

Agent (If Applicable): _____ Telephone: _____

Email: rhmail@comcast.net Agent Email: _____

Address/Location of Subject Property: _____

Tax ID of Subject Property: H-3-2-4-133 Zone District: R1-10 / PDO

Proposed Use: (Describe, use extra sheet if necessary) _____

Nineteen Residential Lots / Roads and Open Space

Other companion application submitted with the Development Plan:

- ☒ Preliminary Plat
- ☐ Site Plan Review
- ☐ Conditional Use Permit
- ☐ Rezone
- ☐ Other

Submittal Requirements:

Please review the attached Supplemental Information to determine additional information that must be submitted with this application.

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

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

DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

Development Plan Submittal: The following information shall be submitted with the application for Development Plan approval, and may be in addition to information required for a companion application being processed concurrently with the Development Plan:

- ✓ 1. Development plan: The development plan shall clearly show:
 - ✓ a. Two (2) foot contours. The contour map shall be prepared and certified by a licensed professional civil engineer or surveyor drawn at a scale no smaller than one (1) inch equals one hundred (100) feet. Contour maps based on interpolation of maps with larger contour intervals are not acceptable.
 - N/A b. Field surveys may be required of the applicant by the City to verify the accuracy of the contour lines shown on the contour map.)
 - ✓ c. Slopes having grades of 10-29 percent and natural slopes of thirty (30) percent or greater shall be color shaded clearly showing the difference between the two categories. This contour information shall either be computer based, or based on profile lines drawn perpendicular to contours at intervals no less than one hundred fifty (150') feet apart, nor greater than seventy-five (75') feet from an existing or proposed property line. Grades shall then be determined by calculating the slope along one hundred (100) foot segments of the profile. (See Appendix Diagram-A of the Land Use Ordinance)
 - ✓ d. To determine required minimum lot size (Section 10-24-6B of the Sensitive Land Ordinance), the average natural grade on each proposed parcel shall be calculated and indicated on the development plan. The average grade is determined by calculating the grade of the natural slope between two opposing property lines, based on profiles taken perpendicular to the contours, no less than one hundred fifty (150) feet apart, nor greater than seventy-five (75) feet from an existing or proposed property line.
 - ✓ e. The proposed development layout of lots, roads, proposed road grades, open space, area of disturbances, and existing native vegetation.
- _____ 2. Soils Investigation Report: A soils investigation report which contains the following information:
 - _____ a. Nature, distribution and classification (Unified Soil Classification) of existing soils to the appropriate depth of influence by the proposed development, but not less than ten (10) feet deeper than the proposed excavations or to bedrock.
 - _____ b. Strength of existing soils, bearing capacity of supporting soils, settlement estimates, collapse and shrink-swell characteristics, lateral pressures and trench excavation limitations.
 - _____ c. Ground water levels that may affect development and estimated elevation of high ground water levels.
 - _____ d. Appropriate laboratory testing for classification, consistency, strength and consolidation conditions.
 - _____ e. Slope stability.
 - _____ f. A written statement by the persons or firm preparing the soils report describing the general suitability of the site for the owner=s intended use.
- _____ 3. Geotechnical Report: A geotechnical and geological report shall be prepared by a geologist licensed to practice in the State of Utah, whenever a proposed building permit or development project:
 - a. Is located within one thousand (1,000) feet of an identified fault; or
 - b. Is located on slopes estimated to be twenty (20) percent or greater; or
 - c. Is determined to have potential hazards by the City Engineer, County Geologist or State Geologist.

The geotechnical and geological report when required above shall include:

- _____ a. A geologic map showing topography, surface and subsurface geologic features and any geologic limitations to the proposed use;
- _____ b. Depth to bedrock;
- _____ c. Subsurface investigative logs and reports;
- _____ d. Identification of all geologic hazards; and
- _____ e. Measures to mitigate or eliminate geologic hazards and problems.



4. Grading and Drainage Plan: A grading and drainage plan report which includes storm water management, erosion, and grading plans describing the methods by which surface water, natural drainages, flooding (including identification of 100 year flood where applicable), erosion and sedimentation loss, and hydrologic hazards will be controlled during and after construction. The plan shall include the following information:



- _____ a. The grading plan shall show present topography, including the location and depth of all proposed fills and cuts of finished earth surfaces, and/or use of retaining walls including height, using a contour interval of two (2) foot when grades are 0-29% and five (5) foot contours when grades 30% and over.
- _____ b. The proposed area to be graded shall be clearly delineated on the plan.
- _____ c. Preliminary street grades shall be identified on the plan.
- _____ d. All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and other water management or soil erosion control measures shall be shown. Drainage calculations shall determine runoff volume and peak discharge using the "Rational Method," "SCS Curve Number Method," or appropriate equivalent. Data provided should include:

See Drainage
Report

- (1) Rainfall depth, duration and distribution;
- (2) Watershed slope and drainage area delineation;
- (3) Land condition of watershed surface;
- (4) Topography of drainage area; and
- (5) Soil Descriptions in Watershed. Erosion calculations shall employ predictions of soil loss sheet erosion using the Universal Soil Loss Equation or equivalent. Data to be provided should include factors of:
 - (a) Rainfall intensity and duration;
 - (b) Soil erodability;
 - (c) Land slope and length of slope or topography;
 - (d) Condition the soil surface and land management practices in use; and
 - (e) Surface cover, grass, pavements, etc.

5. License Required: All required reports shall be prepared by persons licensed to practice their specialty or expertise in the State of Utah, if such license for practice is required.

6. Expert Advice: In reviewing technical reports, calculations, and plans which may be required, the City staff or City Engineer may find it necessary to obtain the advice of other experts regarding the adequacy of the reports submitted, and the validity of the conclusions and recommendations reached in the reports. In such cases the City staff or City Engineer may consult with such experts, with the reasonable costs of these consultations to be borne by the developer prior to any public hearing. The Planning Commission or City Council may require payment by the developer of the costs of such consultations as a condition of preliminary or final plat approval.

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. Call the Planning Department to determine the submittal deadline.

PROJECTS SUBJECT TO SENSITIVE LANDS REQUIREMENTS

The following projects are subject to Sensitive Land requirements:

1. All preliminary plats, planned developments, site plan reviews, conditional use permits and any other land use development permits authorized by City Codes when they are:
 - (a) Located on lands defined in Section 10-24-2 of the Land Use Code or identified as sensitive lands on the General Plan Sensitive Lands Map;
 - (b) Located within one thousand (1000) feet of a fault identified on a published geologic map.
 - (c) Located within one hundred (100) feet, measured perpendicularly from a fault identified as a result of on-site investigation by a registered geologist.
 - (d) Hillside and ridge and bluff areas (as set forth in section 10-24-5A of the Land Use Ordinance.).
2. Any grading on sensitive land not associated with an approved project of the types listed in subsection 1 above, when such grading will:
 - a. Disturb ten thousand (10,000) square feet or more of land area;
 - b. Create a cut or fill over three (3) feet in height; or
 - c. Create trenching over two hundred (200) feet in length.(A development plan is not required, however sufficient information must be submitted to determine compliance with Chapter 24, Sensitive Lands)
3. All building permits, including grading on vacant lots or parcels not previously processed in accordance with the provisions of this Chapter 24 of the Land Use Ordinance. (A development plan is not required, however sufficient information must be submitted to determine compliance with Chapter 24, Sensitive Lands)

PROJECT REVIEW PROCEDURE

When a preliminary plat, site plan, planned development or conditional use permit or other application is located on sensitive lands, the Development Plan application is submitted as a companion application and processed concurrently. The Planning Commission will review the application(s) and on conditional use permits and site plan reviews they will approve, approve with conditions or deny the Development Plan application. On preliminary plats, or zone changes, the Planning Commission will forward a recommendation to the City Council. Following receipt of a recommendation from the Planning Commission, or on appeal, the City Council will hold a public hearing on the application and approve, approve with conditions, or deny the proposed Development Plan.

NOTE: To fully understand the requirements for projects on sensitive lands, you should request a copy of Chapter 24 of the Land Use Ordinance from the City of Hurricane Planning Department.

THE RIDGE AT ZION VISTA

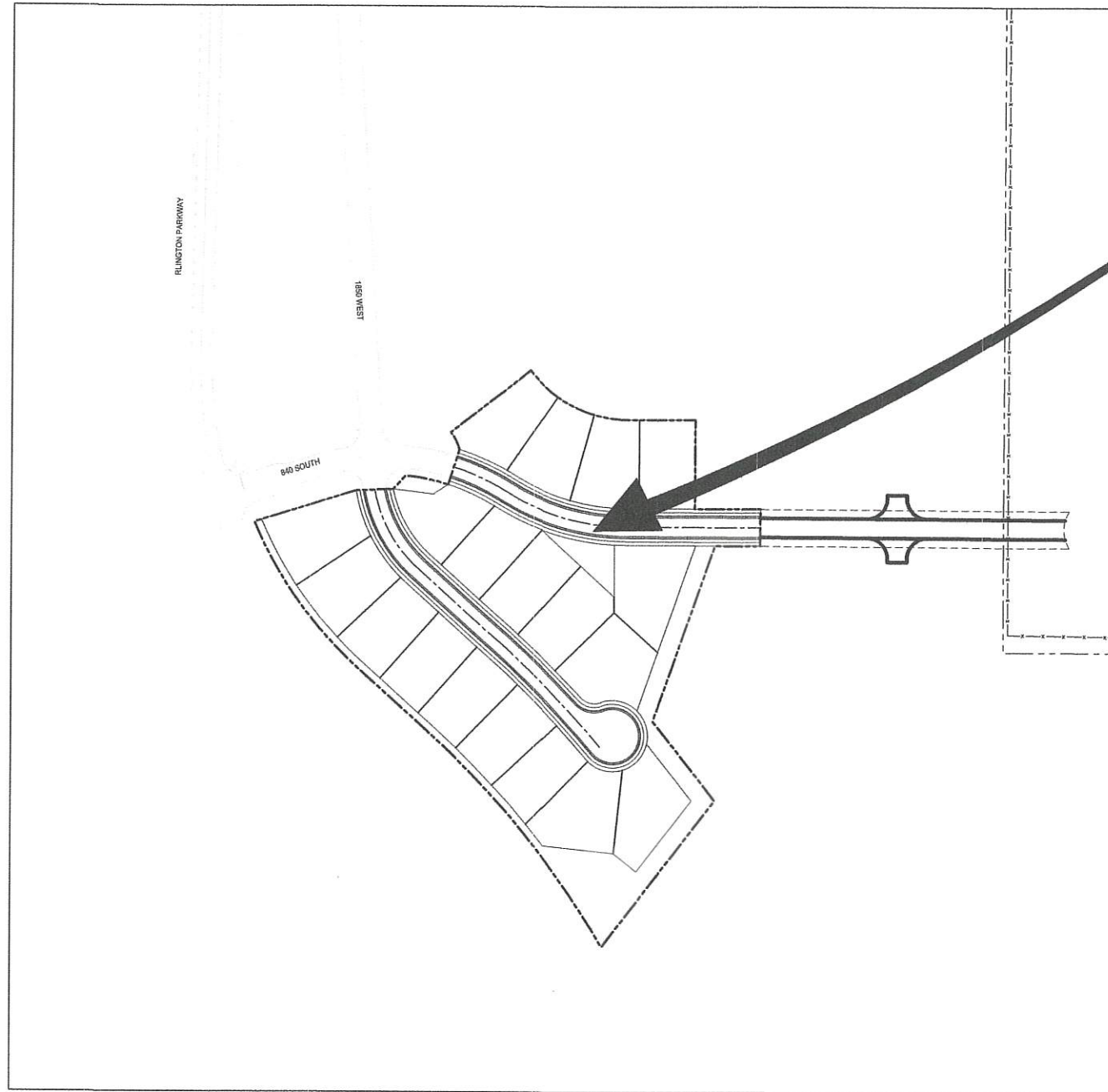
PHASE 2

PRELIMINARY PLAT REVIEW

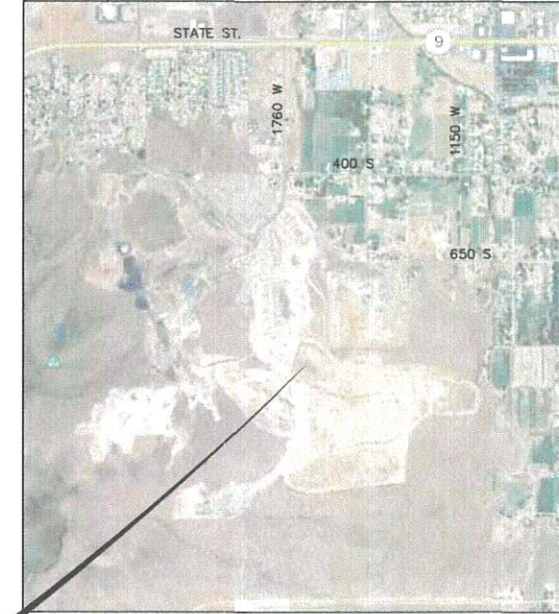
LOCATED IN SECTION 4, TOWNSHIP 42 SOUTH, RANGE 13 WEST

SALT LAKE BASE AND MERIDIAN

IN THE CITY OF HURRICANE, WASHINGTON COUNTY, UTAH



PROJECT MAP
NOT TO SCALE



VICINITY MAP

NOT TO SCALE

DEVELOPER:

RR PENGA
3507 KIRK CIRCLE
SALT LAKE CITY, UT 84106

CIVIL ENGINEER:

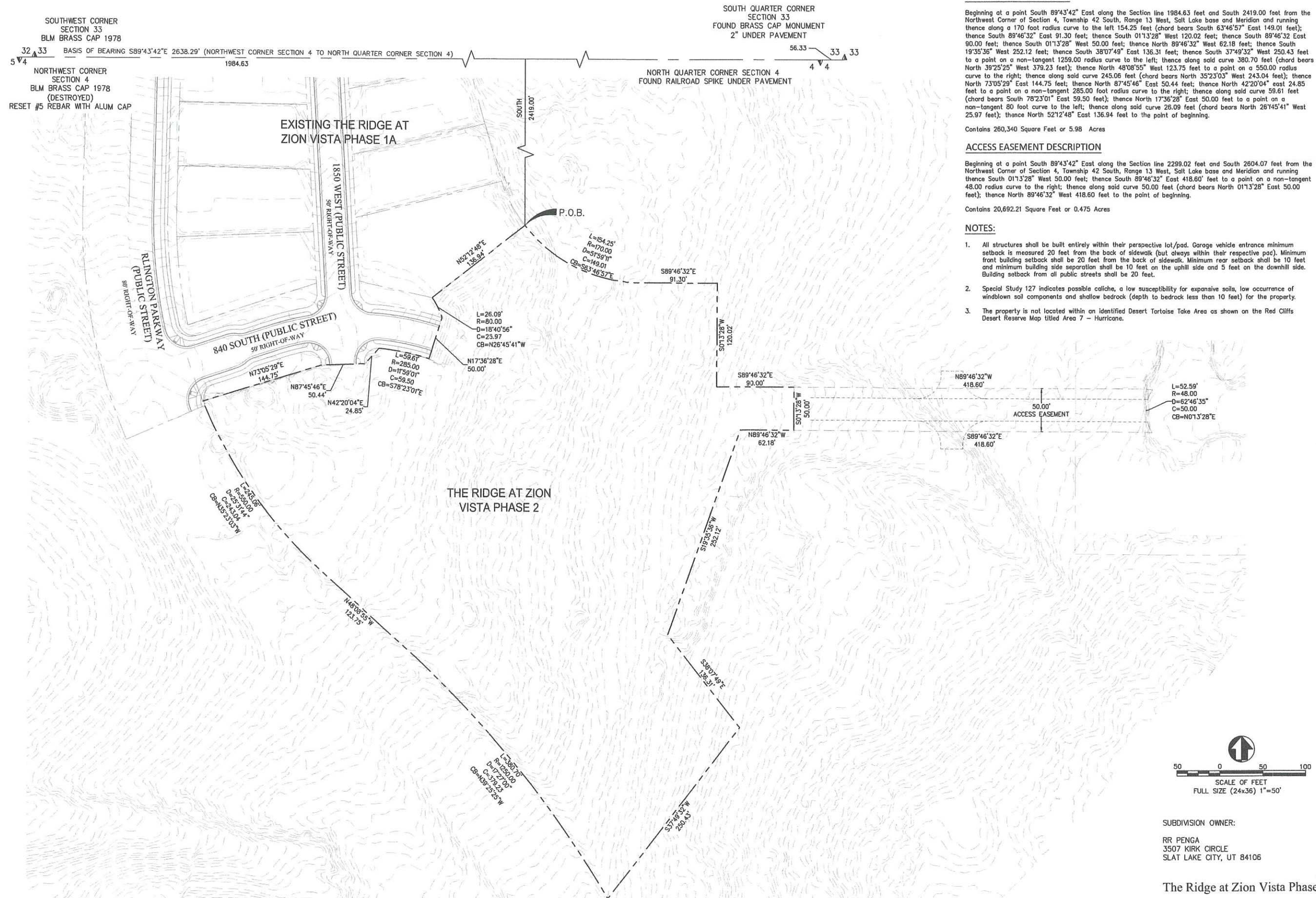
PSOMAS
4179 RIVERBOAT ROAD, SUITE 200
SALT LAKE CITY, UT 84106

SITE DATA :
ZION VISTA PHASE 2
TOTAL GROSS ACRES: 11.79
TOTAL ROAD R.O.W.: 98,328 SQ. FT
BUILDING PAD AREA: 37 UNITS-301,641 SQ. FT.
DENSITY: 3.1 UNITS/ACRE



THE RIDGE AT ZION VISTA PHASE 2 HURRICANE, UT	P S O M A S Balancing the Natural and Built Environment 4179 Riverboat Road, Suite 200 Salt Lake City, UT 84123 (801) 270-5777 (801) 270-5782 fax www.psomass.com	PROJECT NUMBER: BECLD1010300					
SHEET 1	COVER						
OF 3							

1/5/2022 2:10 PM



BOUNDARY DESCRIPTION

Beginning at a point South 89°43'42" East along the Section line 1984.63 feet and South 2419.00 feet from the Northwest Corner of Section 4, Township 42 South, Range 13 West, Salt Lake base and Meridian and running thence along a 170 foot radius curve to the left 154.25 feet (chord bears South 63°46'57" East 149.01 feet); thence South 89°46'32" East 91.30 feet; thence South 01°13'28" West 120.02 feet; thence South 89°46'32 East 90.00 feet; thence South 01°13'28" West 50.00 feet; thence North 89°46'32" West 62.18 feet; thence South 19°35'36" West 252.12 feet; thence South 38°07'49" East 136.31 feet; thence South 37°49'32" West 250.43 feet to a point on a non-tangent 1259.00 radius curve to the left; thence along said curve 380.70 feet (chord bears North 39°25'25" West 379.23 feet); thence North 48°08'55" West 123.75 feet to a point on a 550.00 radius curve to the right; thence along said curve 245.06 feet (chord bears North 35°23'03" West 243.04 feet); thence North 73°05'29" East 144.75 feet; thence North 87°45'46" East 50.44 feet; thence North 42°20'04" east 24.85 feet to a point on a non-tangent 285.00 foot radius curve to the right; thence along said curve 59.61 feet (chord bears South 78°23'01" East 59.50 feet); thence North 17°36'28" East 50.00 feet to a point on a non-tangent 80 foot curve to the left; thence along said curve 25.09 feet (chord bears North 28°14'41" West 25.97 feet); thence North 52°12'48" East 136.94 feet to the point of beginning.

Contains 260,340 Square Feet or 5.98 Acres

ACCESS EASEMENT DESCRIPTION

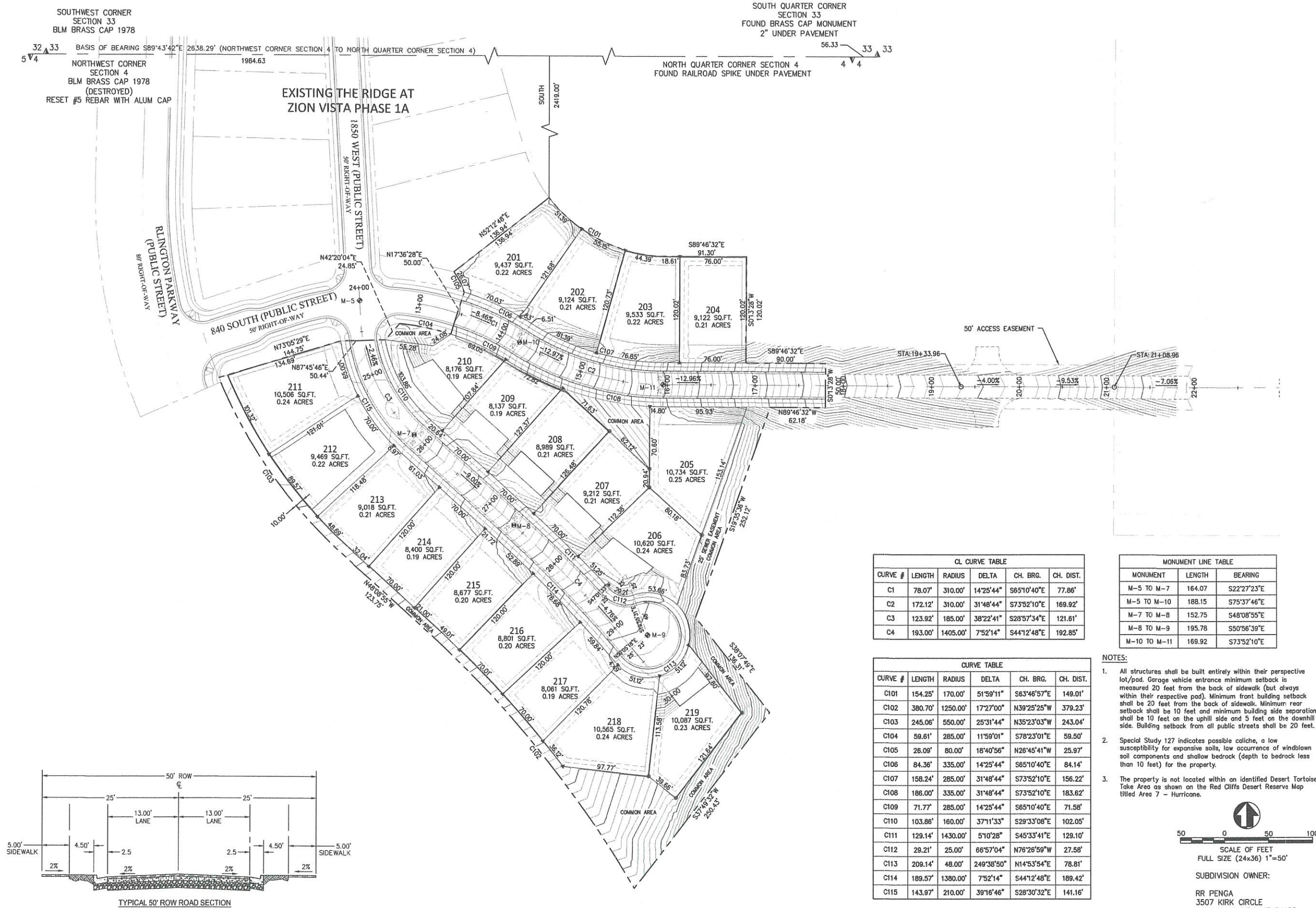
Beginning at a point South 89°43'42" East along the Section line 2299.02 feet and South 2804.07 feet from the Northwest Corner of Section 4, Township 42 South, Range 13 West, Salt Lake base and Meridian and running thence South 01°13'28" West 50.00 feet; thence South 89°46'32" East 418.60' feet to a point on a non-tangent 48.00 radius curve to the right; thence along said curve 50.00 feet (chord bears North 01°13'28" East 50.00 feet); thence North 89°46'32" West 418.60 feet to the point of beginning.

Contains 20,692.21 Square Feet or 0.475 Acres

NOTES:

1. All structures shall be built entirely within their respective lot/pad. Garage vehicle entrance minimum setback is measured 20 feet from the back of the sidewalk (but always within their respective pad). Minimum front building setback shall be 20 feet from the back of sidewalk. Minimum rear setback shall be 10 feet and minimum building side separation shall be 10 feet on the uphill side and 5 feet on the downhill side. Building setback from all public streets shall be 20 feet.
2. Special Study 127 indicates possible caliche, a low susceptibility for expansive soils, low occurrence of windblown soil components and shallow bedrock (depth to bedrock less than 10 feet) for the property.
3. The property is not located within an identified Desert Tortoise Take Area as shown on the Red Cliffs Desert Reserve Map titled Area 7 – Hurricane.

THE RIDGE AT ZION VISTA PHASE 2 HURRICANE, UT		PRELIMINARY PLAT	
SHEET 2			
OF 3			
PSOMAS Balancing the Natural and Built Environment 4179 Riverboat Road, Suite 200 Salt Lake City, UT 84123 (801) 270-5777 (801) 270-5782 fax www.psomas.com		PROJECT NUMBER: BECL010300	
		SUBMITTAL DRAWN BY: CHECKED BY: APPROVED BY:	
		MWC DG SA	
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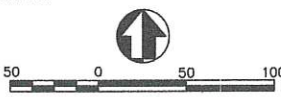


CL CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST.
C1	78.07'	310.00'	14°25'44"	S65°10'40"E	77.86'
C2	172.12'	310.00'	31°48'44"	S73°52'10"E	169.92'
C3	123.92'	185.00'	38°22'41"	S28°57'34"E	121.61'
C4	193.00'	1405.00'	7°52'14"	S44°12'48"E	192.85'

MONUMENT LINE TABLE		
MONUMENT	LENGTH	BEARING
M-5 TO M-7	164.07	S22°27'23"E
M-5 TO M-10	188.15	S75°37'46"E
M-7 TO M-8	152.75	S48°08'55"E
M-8 TO M-9	195.78	S50°56'39"E
M-10 TO M-11	169.92	S73°52'10"E

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CH. BRG.	CH. DIST.
C101	154.25'	170.00'	51°59'11"	S63°46'57"E	149.01'
C102	380.70'	1250.00'	17°27'00"	N39°25'25"W	379.23'
C103	245.06'	550.00'	25°31'44"	N35°23'03"W	243.04'
C104	59.61'	285.00'	11°59'01"	S78°23'01"E	59.50'
C105	28.09'	80.00'	18°40'56"	N26°45'41"W	25.97'
C106	84.38'	335.00'	14°25'44"	S65°10'40"E	84.14'
C107	158.24'	285.00'	31°48'44"	S73°52'10"E	156.22'
C108	186.00'	335.00'	31°48'44"	S73°52'10"E	183.62'
C109	71.77'	285.00'	14°25'44"	S65°10'40"E	71.58'
C110	103.86'	160.00'	37°11'33"	S29°33'08"E	102.05'
C111	129.14'	1430.00'	5°10'28"	S45°33'41"E	129.10'
C112	29.21'	25.00'	66°57'04"	N76°26'59"W	27.58'
C113	209.14'	48.00'	249°38'50"	N14°53'54"E	78.81'
C114	189.57'	1380.00'	7°52'14"	S44°12'48"E	189.42'
C115	143.97'	210.00'	39°16'46"	S28°30'32"E	141.16'

- NOTES:
- All structures shall be built entirely within their perspective lot/pod. Garage vehicle entrance minimum setback is measured 20 feet from the back of sidewalk (but always within their respective pad). Minimum front building setback shall be 20 feet from the back of sidewalk. Minimum rear setback shall be 10 feet and minimum building side separation shall be 10 feet on the uphill side and 5 feet on the downhill side. Building setback from all public streets shall be 20 feet.
 - Special Study 127 indicates possible caliche, a low susceptibility for expansive soils, low occurrence of windblown soil components and shallow bedrock (depth to bedrock less than 10 feet) for the property.
 - The property is not located within an identified Desert Tortoise Take Area as shown on the Red Cliffs Desert Reserve Map titled Area 7 - Hurricane.



SUBDIVISION OWNER:

RR PANGA
3507 KIRK CIRCLE
SALT LAKE CITY, UT 84106

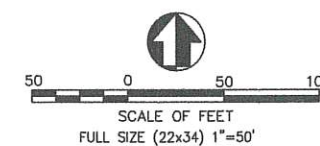
The Ridge at Zion Vista Phase 2
LOCATED IN THE NORTHWEST QUARTER OF
SECTION 4, TOWNSHIP 42 SOUTH, RANGE 13
WEST, SALT LAKE BASE AND MERIDIAN
HURRICANE, UTAH WASHINGTON COUNTY

REVISION DESCRIPTION		DATE
NO.		
SUBMITTAL	MWC	1/5/22
DRAWN BY:	DG	
CHECKED BY:	SA	
APPROVED BY:		
PLOT DATE:		
PSOMAS Balancing the Natural and Built Environment 4179 Riverboat Road, Suite 200 Salt Lake City, UT 84123 (801) 270-5777 (801) 270-5782 fax www.psomas.com		
PROJECT NUMBER: BBCL010300		
THE RIDGE AT ZION VISTA PHASE 2 HURRICANE, UT		
PROPOSED PLAN		
SHEET	3	
OF	3	



OPEN SPACE CALCULATIONS:	
PHASE 1A/B (FROM OLD COLLINA TINTA SET) =	53,637.38 SQ. FT.
PHASE 2 (FROM OLD COLLINA TINTA SET) =	35,142.69 SQ. FT.
OLD TOTAL =	<u>88,780.07 SQ. FT.</u>
PHASE 1A/B (CURRENT) =	55,797.72 SQ. FT.
PHASE 2 (CURRENT) =	22,315.50 SQ. FT.
CURRENT TOTAL =	78,113.22 SQ. FT.
OPEN SPACE DEFICIT =	10,666.85 SQ. FT.
ADJUSTED TOTALS	
CURRENT TOTAL =	78,113.22 SQ. FT.
ADDITIONAL OPEN SPACE 1 =	+(1,126.32 SQ. FT.)
ADDITIONAL OPEN SPACE 2 =	+(3,232.36 SQ. FT.)
ADDITIONAL OPEN SPACE 3 =	+(6,341.23 SQ. FT.)
NEW CURRENT TOTAL =	<u>88,813.13 SQ. FT.</u>

PROPOSED ADDITIONAL OPEN SPACE EXHIBIT



PSOMAS
4179 S. Riverboat Rd., Suite 200
Salt Lake City, UT 84123
(801) 270-5777



PLANNING & ZONING
HURRICANE CITY
 UTAH

Preliminary Plat Check List

Application Name:	Ridge at Zion Vista Phase 2
Review Date:	12/1/2021
Reviewed By:	Fred Resch III

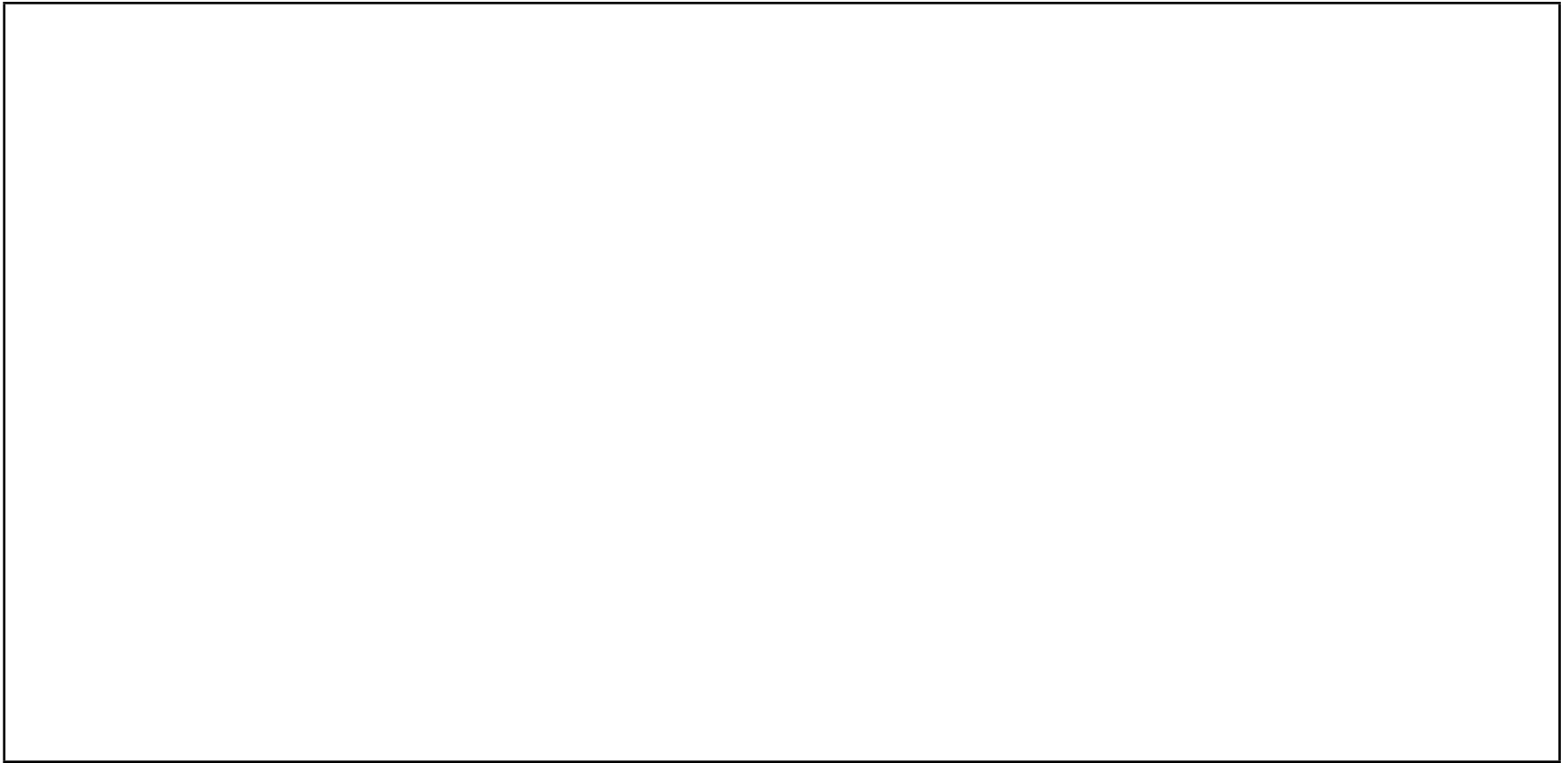
Complete	Requirement	Note
x	Each Lot Complies with zoning lot size requirements	
x	Each lot complies with zoning lot frontage	
x	A. Description: In a title block located in the lower right hand corner of the sheet the following is required: 1. The proposed name of the subdivision. 2. The location of the subdivision, including the address and the section, township and range. 3. The names and addresses of the owner or subdivider if other than the owner. 4. Date of preparation and north point. 5. Scale shall be of sufficient size to adequately describe in legible form all required elements.	

x	The location of the nearest monument.	
x	The boundary of the proposed subdivision and the acreage included.	
x	All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other commission studies.) And all property contiguous to the proposed subdivision.	
x	The location, width and names/numbers of all existing streets within two hundred feet (200') of the subdivision and of all prior streets or other public ways, easements, utility rights of way, parks and other public open spaces, within and adjacent to the tract.	
NA	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.	
NA	Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.	
x	Contours at vertical intervals not greater than five feet (5').	
x	Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.	
x	The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements.	

x	The layout, numbers and typical dimensions of lots. Designation of buildable area is required for each lot.	
x	Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.	
x	Easements for water, sewers, drainage, utilities, lines and other purposes.	
x	Typical street cross sections and street grades where required by the planning commission.	
x	A tentative plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.	
x	Approximate radius of all centerline curves on highways or streets.	
x	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.)	
x	All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.	
x	Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the planning commission.	
x	A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.	
x	If the subdivision is to be built in phases, the plat shall show possible phasing lines.	

x	A tentative plan or method for providing nondiscriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.	
x	The Plan complies with Master Transportation Plans	
x	The Plan complies with the Master Active Transportation Plan	
x	The Plan provides proper transportation and utility connections to adjacent properties. No land locked lots are being created.	
x	The Plan has been reviewed by the JUC	
x	Engineering has had a chance to review the plat.	

Notes





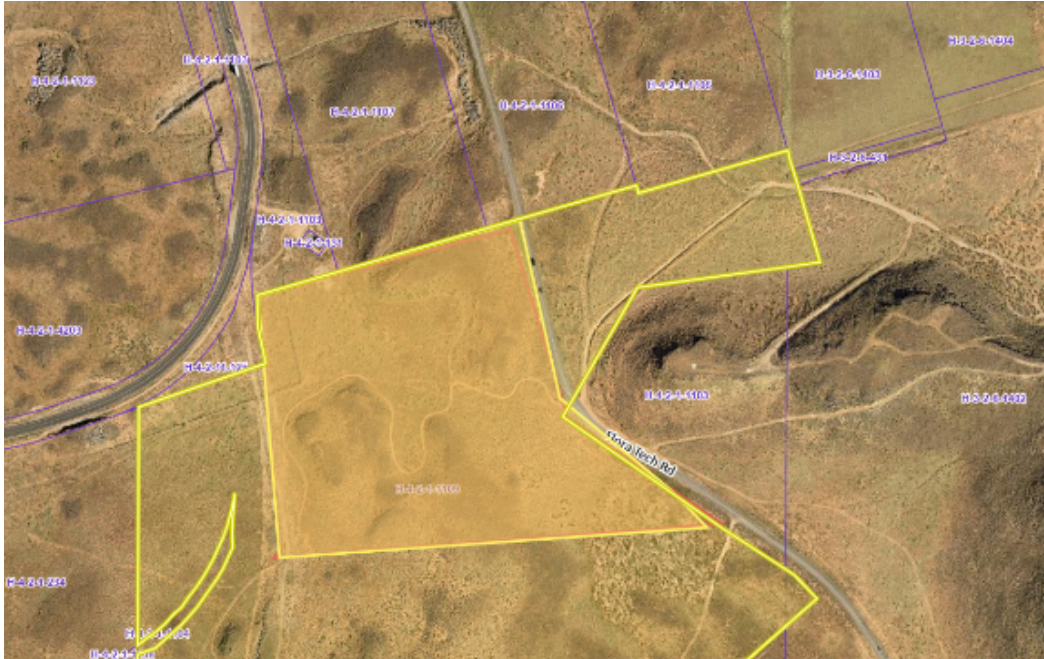
STAFF COMMENTS

Agenda Date:	01/13/22
Application Number:	2022-PP-01
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Thomas Hunt
Agent:	
Request:	Preliminary Plat Application
Location:	3700 West & Sand Hollow Road
Zoning:	RM-3
General Plan Map:	Planned Community

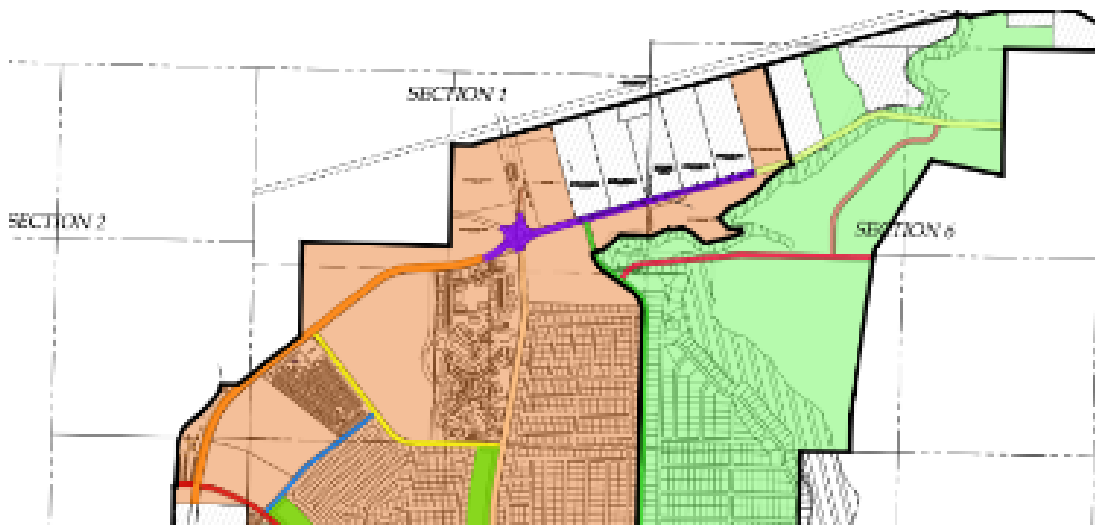
Discussion:

The applicant is seeking preliminary plat approval for the Elim Valley apartment development south of the current intersection of Flora Tech Road and Sand Hollow Road. As part of the Sand Hollow Gateway PID, a roundabout will be built at that intersection and 3700 West will run on the west side of the property. Seventeen buildings are on the site plan; with each one being about 24 units for a total of 398 units. This number is 10 units below what was on the preliminary site plan passed by the Planning Commission last year. The applicant is also proposing amenities such as pickleball courts, playgrounds, pool, hot tub, gym, and barbecue area. Utilities are not currently available to the project but will be with the Sand Hollow Gateway PID buildout.

Staff met with the applicant's engineer on January 6, 2022, to discuss items of concern within this report, including layout, street connectivity, zoning boundaries, and other items. The applicant's engineer committed to updating the plat based on that meeting and submitting it to the City. At the time of this report, an update has not been received by planning staff.



Map is approximate



Sand Hollow PID Road Map

JUC Comments

The following items will need to be addressed:

1. **Power:** Dixie Power area. A Dixie Power representative was not present at the meeting but they will need to sign off on any construction drawings.
2. **Sewer:** Private sewer agreement will be needed
3. **Streets:** Streets near roundabout need to be right in and right out

01/13/2022

2022-PP-01

4. **Water:** Need a full water model and a looped system. Will need to wait for the PID or do it on their own. Private roads are not ideal. Secondary irrigation hookups will be needed.
5. **Engineer:** Traffic impact study will be needed. The proposed PID roads depicted have not been approved yet. The overall roads plan and access points need to be reviewed. 26 feet wide roads may need to be widened and throat lengths need to be increased at spots.
6. **Fire:** Can't get a truck in there as currently laid out. Red curb and no parking along private streets. Need to meet fire turning radius.
7. **Cable/Phone:** No comments
8. **Gas:** No comments
9. **Water Conservancy District:** No comments

Staff Comments: Preliminary Plat

1. Zoning is RM-3, the densest residential zone at 15 units an acre. The applicant is proposing 398 units on 26.567 acres which is the maximum density for this zoning.
 - a. $26.567 * 15 = 398.505$
2. At least some of the roadways being built by the Sand Hollow Gateway PID will have to be completed before construction on this development can begin.
3. The applicant has indicated that all site improvements will be completed in one phase.
4. There is a hill/small rock outcropping on the western side of the property. As a reminder "Sensitive lands" are defined as
 - a. *Any area where there is a change in elevation which is equal to or greater than ten percent (10%) (1 foot of vertical grade change for every 10 feet of horizontal run) for a distance of one hundred feet (100') or more, and where said grade change covers an area of at least two (2) contiguous acres, or an entire parcel if said parcel is less than two (2) acres. (See section [10-24-9](#), appendix diagram A of this chapter.)*
 - b. *Any area within one hundred feet (100') of the edge of a bluff. The "edge of a bluff" means an area where there is a substantial abrupt change in slope along the edge of a predominantly flat area of land. The slope of the land below the abrupt edge typically has a grade that is near or exceeds thirty percent (30%) or greater, and has a vertical elevation change of at least one hundred feet (100') or greater, and lies within sensitive lands described in subsection A of this section. (See section [10-24-9](#), appendix diagram B of this chapter.)*
 - c. *The boundaries of all areas within one hundred (100) vertical feet of a ridgeline. A "ridgeline" means the junction of a rising steep slope on one side and a descending slope that may be gentle or steep on the opposite side. (See section [10-24-9](#), appendix diagram C of this chapter.)*
5. The slope map presented indicates to staff that a sensitive lands application will not be required
6. Current city ordinances do not require open space amenities in multifamily developments. Current plat indicates an amenity package of pickleball courts, playgrounds, pool and hot tub, fitness center, and barbecue area. While not indicated on the plat, one would assume most of these will all be located in the center area of the property.
7. Staff would prefer the walkways throughout the property be at least 10 feet wide.

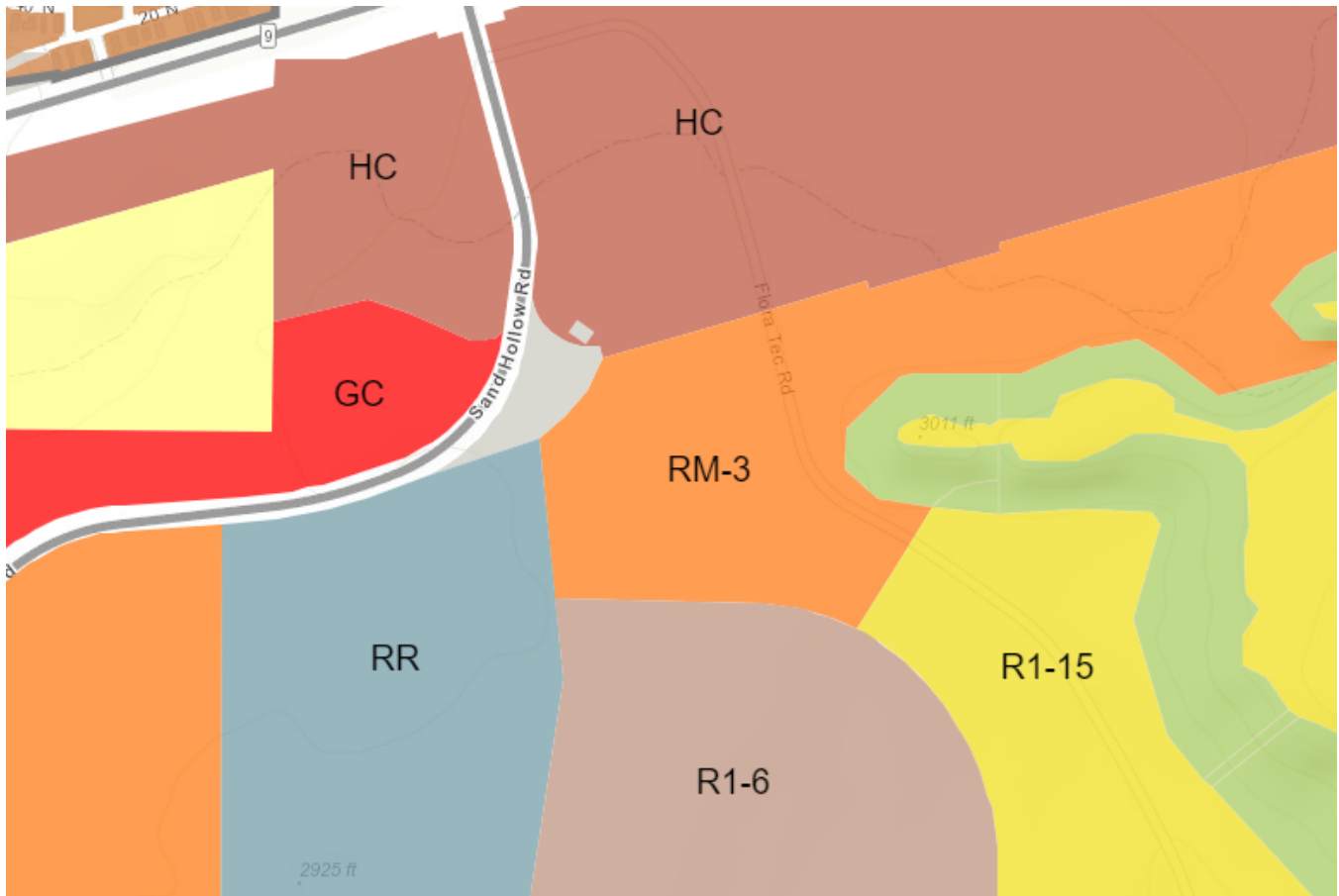
8. The two accesses nearest to intersections will be right in/right out
9. A local roadway along the southern property boundary will be preferred
10. Parking: The plat indicates 714 parking stalls will be provided or 1.79 stalls/unit. City code for multifamily developments require:

- a. **TABLE 10-34-1**

- b. **OFF STREET PARKING SCHEDULE**

Dwelling, multiple-family:	
Studio and 1 bedroom units	1.5 spaces per dwelling unit
2 or more bedroom units	2 spaces per dwelling unit

- c. Plat indicates that 199 units will be one bedroom, 100 units will be two bedroom, and 99 units
 - d. Thus the project requires 697 parking stalls and 714 are provided
11. According to the plat 56.5% of the area of the property will be landscaped open area, 15% of the area will be building, and 31% will be parking spaces and streets.
12. Hurricane City standards for block lengths are below
 - a. **3.2.4.2 INTERSECTIONS (Hurricane Design Standards)**
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.
 - b. The block lengths along 3700 West and Flora Tech Roads may be too long
 - c. Staff would recommend a local collector road along the southern boundary of the property that would connect to any future development to the south as well as a public road connecting Stargate Ave to this proposed new street
 - d. This would also address the JUC concern about the proposed cross-streets not lining up along 3700 W
13. Staff and JUC concerns about the layout of the streets within the project and connections to other properties have been brought to the applicant already. This report will be updated if any changes are made.
14. Utilities: The property is isolated but has services planned for the area. The PID has submitted plans to bring services to the site to the JUC, but these plans are in the review process and have not received approval at the time of this report. These utility plans will need to be approved before this applicant can submit construction drawings.
15. Zoning Map Layout:



The proposed property boundaries do not appear to match the zoning map. Staff would prefer that this project take up the entirety of the RM-3 area between the proposed 3700 W and Flora Tech Road. Applicants would not be able to build on any area that stretches into the R1-6 or R1-15 zones.

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this item unless the applicant is able to sufficiently address the concerns listed within this report prior to the meeting. If the applicant provides an updated layout that addresses block length and connectivity, staff would recommend approval based on JUC and Staff Comment, including that all Sand Hollow Gateway PID off-site improvements plans must be approved prior to construction drawings being submitted.

PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:	
File No.	2022-PP-01
Receipt No.	0141364

Name: Thomas Hunt Telephone: 801-773-7339

Address: 1178 W. Legacy Crossing Blvd. Centerville, UT 84014 Fax No. _____

Email: Thomas@wrightdevelopment.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

Address/Location of Subject Property: 3700 West & Sand Hollow Rd Hurricane, UT

Tax ID of Subject Property: H-4-2-1-1109 Zone District: RM-3

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

WELL DESIGNED MULTI-FAMILY HOUSING/APARTMENTS

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 10 full business 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: _____

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 insure 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 discussed 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 when submitted. The City Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

APPEALS

The Planning Commission makes a recommendation to the City Council, so there is no appeal. The City Council's action on a preliminary plat is final unless appealed to the appropriate court.

AFFIDAVIT
PROPERTY OWNER

STATE OF ^{WV} ~~UTAH~~ Arizona,
COUNTY OF Mohave :SS

I (we), WESTERN MORTGAGE & REALTY CO., 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.

WESTERN MORTGAGE & REALTY CO.
(Property Owner)
T. J. Poff Vice Pres.
(Property Owner)

Subscribed and sworn to me this 9th day of December 2021
Tara J. McMullen
(Notary Public)



Residing in: Mohave County, AZ
My Commission Expires: 05/20/2022

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: _____

PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:

File No. _____

Receipt No. _____

Name: Thomas Hunt Telephone: 801-773-7339

Address: 1178 W. Legacy Crossing Blvd. Centerville, UT 84014 Fax No. _____

Email: Thomas@wrightdevelopment.com Agent Email: _____

Agent (If Applicable): _____ Telephone: _____

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(Office Use Only)

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☐ NO

☐

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AFFIDAVIT
PROPERTY OWNER

STATE OF ^{4w} ~~UTAH~~ Arizona,
COUNTY OF Mohave :SS

I (we), WESTERN MORTGAGE + REALTY CO., 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.

WESTERN MORTGAGE + REALTY CO.
(Property Owner)
[Signature] Vice Pres.
(Property Owner)

Subscribed and sworn to me this 9th day of December 2021
[Signature]
(Notary Public)



Residing in: Mohave County, AZ
My Commission Expires: 05/20/2022

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: _____



Thank you for the opportunity to be of service! Your commitment for title insurance is attached. Please contact your real estate agent or our office if you have any questions.

File #	217800
Property	(Not Yet Addressed / Unimproved Land), Hurricane, Utah 84737
Buyer(s)	Medicinal Properties LC, a Utah limited liability company
Seller(s)	Western Mortgage & Realty Company, a Washington Corporation
Escrow Team	Brad Seegmiller - Escrow Agent (435) 652-4829 brad@sutc.com Taylor Whiting - Escrow Team Member (435) 656-6278 taylor@sutc.com Office Address: 20 N. Main Street #300, St. George, UT 84770
Selling Agent	Tom Callister LINX Commercial Real Estate



WARNING! DON'T BECOME A VICTIM OF FRAUD.

Due to the recent rise in cybercrime sweeping the real estate industry, we want you to be aware of the following important information: There have been many instances of real estate agents', brokers', attorneys' and/or consumers' email addresses being hacked/phished. The cyber-criminals forward bogus wire instructions, redirecting deposits and/or cash to close to a fraudulent bank account. Once received, the money is quickly sent offshore, where it is difficult if not impossible to retrieve.

**COMMITMENT FOR TITLE INSURANCE
ISSUED BY
SOUTHERN UTAH TITLE COMPANY
AUTHORIZED AGENT FOR OLD REPUBLIC TITLE INSURANCE COMPANY, INSURER**

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, *Southern Utah Title Company* (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within 180 days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

COMMITMENT CONDITIONS

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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For reference only:

Page 1 | Commitment Number: 217800



1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) Schedule A;
- (d) Schedule B, Part I—Requirements;
- (e) Schedule B, Part II—Exceptions; and
- (f) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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Page 2 | Commitment Number: 217800



5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II— Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II— Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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For reference only:

Page 3 | Commitment Number: 217800



8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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For reference only:

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Transaction Identification Data for reference only:

Commitment Number: 217800
 Escrow Agent: Brad Seegmiller
 Escrow Agent Utah License Number: 73873
 Escrow Agent Contact: (435) 652-4829 | brad@sutc.com
 Searcher: Todd Pryor
 Searcher Utah License Number: 116204
 Property Land Type: Vacant Land
 Property Address: (Not Yet Addressed / Unimproved Land), Hurricane, Utah 84737
 Standard Owners Policy

**SCHEDULE A**

1. Commitment Date: March 8, 2021 at 7:00AM
2. Policy to be issued:
 - (a) ALTA Owners Policy
 Proposed Insured: **Medicinal Properties LC, a Utah limited liability company**
 Proposed Policy Amount: **\$2,940,000.00** Premium: **\$3,801.00**
3. The estate or interest in the Land described or referred to in this Commitment is **fee simple**.
4. The Title is, at the Commitment Date, vested in:
Western Mortgage & Realty Company, a Washington Corporation
5. The Land, situated in Washington County, Utah, is described as follows:

 See attached Exhibit A-Legal Description

Southern Utah Title Company

By:

Authorized Signatory**Authorized Agent for Insurer**

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EXHIBIT A
Legal Description

(Preliminary Description Only)

Beginning at a point being South 89°40'14" East, 571.81 feet along the Section line and North 473.79 feet from the South Quarter Corner of Section 1, Township 42 South, Range 14 West, Salt Lake Base and Meridian and running thence North 1999.08 feet to the Southerly line of Sand Hollow Road; thence North 70°58'15" East, 432.51 feet along the Southerly line of said Sand Hollow Road; thence North 12°19'24" West, 116.70 feet along the Southerly line of said Sand Hollow Road; thence North 02°03'54" West, 104.87 feet; thence North 73°39'24" East, 770.45 feet; thence North 73°39'24" East, 500.00 feet; thence South 16°20'36" East, 27.04 feet; thence North 73°39'24" East, 500.00 feet; thence South 16°20'36" East, 113.11 feet; thence South 16°20'36" East, 258.98 feet; thence South 81°53'36" West, 593.74 feet; thence South 29°32'05" West, 477.92 feet; thence South 55°21'46" East, 626.79 feet; thence South 57°45'43" East, 275.55 feet; thence South 43°19'12" East, 103.03 feet; thence South 48°24'21" West, 2103.77 feet; thence North 89°58'37" West, 614.14 feet to the point of beginning.

LESS AND EXCEPTING THEREFROM the following:

Beginning at a point being North 00°01'19" West, 4248.58 feet along and beyond the Section line and East 3038.04 feet from the West Quarter Corner of Section 12, Township 42 South, Range 14 West, Salt Lake Base and Meridian and running thence Northeasterly 799.52 feet along an arc of a 730.00 foot radius curve to the left (center bears North 18°00'13" West, Long Chord bears North 40°37'13" East, 760.15 feet with a central angle of 62°45'08"); thence Southerly 172.87 feet along an arc of a 1022.63 foot radius curve to the left (center bears South 82°47'30" East long chord bears South 02°21'57" West, 172.66 feet with a central angle of 09°41'07"); thence Southwesterly 414.12 feet along an arc of a 770.00 foot radius curve to the right (center bears North 67°53'36" West long chord bears South 37°30'51" West, 409.15 feet with a central angle of 30°48'53"); thence Westerly 251.65 feet along an arc of a 13901.02 foot radius curve to the right (center bears North 19°02'28" West long chord bears South 71°28'39" West, 251.65 feet with a central angle of 01°02'14") to the point of beginning.

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**SCHEDULE B, PART I
Requirements**

All of the following Requirements must be met:

1. Pay the agreed amounts for interest in the land and/or the mortgage or deed of trust to be insured.
2. Pay us the premiums, fees and charges for the policy. In the event the transaction for which this commitment is furnished cancels, the minimum cancellation fee will be \$120.00.
3. Provide us with releases, reconveyances or other instruments, acceptable to us, including payment of any amounts due, removing the encumbrances shown in Schedule B - Section 2 that are objectionable to the proposed insured.
4. Provide us with copies of appropriate agreements, resolutions, certificates, or other evidence needed to identify the parties authorized to execute the documents creating the interest to be insured.
5. The documents creating the interest to be insured must be signed, delivered and recorded.
6. You must tell us in writing the name of anyone not referred to in this Commitment who will receive an interest in, or who will make a loan secured by a deed of trust or mortgage secured by, the land described in this Commitment.
7. Upon receipt and review of the necessary information listed in these requirements and related to this transaction, we reserve the right to add requirements to this Schedule or add special exceptions in Schedule B - Section 2.
8. Provide us with any information regarding personal property taxes which may have been assessed or are due and payable which could become a lien on the real property.
9. This Company will require the following, if necessary, to insure a loan by or conveyance from, the entity named herein: A. A copy of the Partnership Agreement, Articles of Organization, Operating Agreement and Corporation Resolution, together with all supplements or amendments thereto. B. Evidence that the entity is in good standing in the State where it was formed. C. A copy of the Trust Agreement and any amendments thereto.
10. Require assessment check with the existing Municipality and proof of full satisfaction that all Special Improvement Districts and/or Special Service Districts affecting said property be paid in full or paid current.
11. Require satisfactory evidence that the Special Service Districts (SSDS) shown on Schedule B - Section 2, be paid current and/or paid in full.
12. Require Acceptance and Acknowledgment of the Lack of Dedicated Access, as shown on Schedule B - Section 2.
13. Require acceptance and acknowledgment of the Application for Assessment and Taxation of Agricultural Land recorded as Doc No. [20180012738](#) , shown on Schedule B - Section 2 herein or payment of any "Rollback Taxes" that may be assessed.
14. We find no open Deeds of Trust of record. Require any "Party" to this transaction with knowledge to the contrary to inform the Escrow/Title Department prior to closing.
15. Provide Insurer with a copy of the Certificate of Organization for Medicinal Properties LC, together with the management/operating agreement and all amendments thereto, along with verification of good standing, prior to the close of escrow.
16. Provide Insurer with a copy of the Articles of Incorporation for Western Mortgage & Realty Company, a Washington Corporation, together with verification of their current good corporate status.

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17. Require underwriter approval before the issuance of the Policy of Title Insurance herein referred to. Upon review of such, additional exceptions and requirements may be added.

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SCHEDULE B, PART II
Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any facts, rights, interests, or claims which are not shown by the public records but which could be by an inspection of the land or which may be asserted by persons in possession, or claiming be in possession, thereof.
2. Easements, liens, encumbrances, or claims thereof, which are not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey of the land would disclose, and which are not shown by the public records.
4. Any lien, or right to a lien, imposed by law for services, labor, or material heretofore or hereafter furnished, which lien, or right to a lien, is not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Indian treaty or aboriginal rights, including, but not limited to, easements or equitable servitudes; or, (d) water rights, claims or title to water, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the public records.
6. Taxes or assessments which are not now payable or which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
7. Any service, installation, connection, maintenance or construction charges for sewer, water, electricity, or garbage collection or disposal or other utilities unless shown as an existing lien by the public records.
8. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the records or attaching subsequent to the effective date hereof but prior to the date the proposed acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
9. Claim, right, title or interest to water or water rights whether or not shown by the Public Records.
10. Rights of way for any roads, ditches, canals, or transmission lines now existing over, under, or across said property.
11. Taxes for the current year 2021 which are liens, but not yet due or payable. (NOTE: Taxes for the year 2020, at \$4.59, under Tax Serial No. H-4-2-1-1109, Account No. 0883505, are PAID.)
12. Exceptions and Reservations, and rights incidental thereto, as reserved by the United States of America by Patent recorded January 4, 1922, as Entry No. 21912, in Book U-5, at Pages 114-115, Official Washington County Records, and wherein it recites in part as follows: (Affects this and other property)

"Excepting and reserving to the United States all oil and gas in the lands so patented, and to it, or persons authorized by it, the right to prospect for, mine, and remove such deposits from the same upon compliance with the conditions and subject to the provisions and limitations of the Act of July 17, 1914 (38 Stat., 509)."

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13. Exceptions and Reservations, and rights incidental thereto, as reserved by the State of Utah by Patent recorded May 7, 1955, as Entry No. [96172](#) , in Book S-3, at Pages 383-384, Official Washington County Records, and wherein it recites in part as follows: (Affects this and other property)
- "Reserving to the United States all uranium, thorium and any other material which is, or may be determined to be peculiarly essential to the production of fissionable materials; and to it, or persons authorized by it the right to prospect for, mine and remove the mineral deposits as aforesaid upon compliance with the condition and subject to the limitations of the Act of Congress approved August 1, 1946 (60 Stat. 755)
- Reserving to the State of Utah all minerals other than uranium and vanadium in the above lands and to or persons authorized by it the right to prospect for mine and remove coal and other minerals from the same upon compliance with the conditions and subject to the limitations of Chapter 107, Session Laws, 1919 as Amended 1921.
- Rights of way for canals, ditches, channels, telephone and transmission lines constructed by authority of the United States are hereby reserved U.S. Act, Aug. 10th 1890 (26 Stat. 1911; 86-2-3 Utah Code Annotated 1943."
14. Subject to Right of Way for Road purposes over an 80.0 foot strip of property, in favor of Washington County, State of Utah, as recorded in Book 95, at Page 95, Official Washington County Records. (Affects portions of this and other property)
15. Liability to Assessments levied by the Ash Creek Special Service District, as disclosed by Instrument recorded October 16, 1985, as Entry No. [283078](#) , in Book 390, at Pages 907-916, Official Washington County Records. (Affects this and other property)
16. Subject to a Right-of-Way Easement in favor of Utah Associated Municipal Power Systems, for a perpetual easement, right-of-way and right on, over under, above and across said land for the installation of electric transmission and/or electric distribution lines and/or communication systems, and rights incidental thereto, as set forth in Instrument recorded January 13, 1995, as Entry No. [489474](#) , in Book 879, at Pages 430-431, Official Washington County Records. (Affects this and other property)

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17. Subject to an Easement Agreement, dated August 25, 2000, by and between Winding River Associates, LLC, a Utah Limited Liability Company, as Grantor, and Washington County Water Conservancy District, as Grantee, for a non-exclusive temporary construction easement for the installation of the water pipelines and a non-exclusive easement for the continued maintenance and repair of the water pipelines, and rights incidental thereto, as set forth in Easement Agreement recorded September 11, 2000, as Entry No. [696150](#), in Book 1379, at Pages 2063-2104, Official Washington County Records.

Subject to a Vacation and Regrant of Right-of Way Easement, dated August 31, 2004, executed by Washington County Water Conservancy District, recorded March 1, 2005, as Entry No. [929680](#), in Book 1717, at Pages 2376-2677, Official Washington County Records.

Subject to a Second Vacation and Regrant of Right-of-Way Easement, dated May 16, 2008, executed by Washington County Water Conservancy District, recorded August 21, 2008, as Doc. No. [20080033058](#), Official Washington County Records.

Subject to a Amended Right-of-Way Easement, dated September 2, 2004, executed by Washington County Water Conservancy District, recorded March 1, 2005, as Entry No. [929681](#), in Book 1717, at Pages 2678-2680, Official Washington County Records.

Subject to a Second Amended Right-of-Way Easement, dated May 14, 2008, executed by Mellon Valley, LLC, a Utah Limited Liability Company, recorded August 21, 2008, as Doc. No. [20080033056](#), Official Washington County Records.

Subject to a Second Amended Right-of-Way Easement, dated August 21, 2008, executed by Elim Valley Planning & Development, LLC, a Utah Limited Liability Company, recorded August 21, 2008, as Doc. No. [20080033057](#), Official Washington County Records.

18. Subject to a Master Communications Easement for Elim Valley, executed by and between Elim Valley Planning and Development, LLC, a Utah Limited Liability Company, as GRANTOR and Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008385](#) and First Amendment to Master Communications Easement for Elim Valley recorded May 20, 2008, as Doc. No. [20080020598](#), Official Washington County Records. (Affects this and other property)
19. Subject to a Master Communications Easement for Elim Valley, executed by and between Roland Neil Family Limited Partnership, a Utah Limited Partnership, as GRANTOR and EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, as GRANTEE, recorded February 16, 2007, as Doc. No. [20070008386](#), and First Amendment to Master Communications Easement for Elim Valley, and First Amendment to Master Communications Easement for Elim Valley, recorded August 6, 2007, as Doc. No. [20070039830](#), recorded May 20, 2008, as Doc. No. [20080020598](#), Official Washington County Records. (Affects this and other property)

(The interest of EVD Communications Infrastructure, LLC, a Utah Limited Liability Company, has since passed to Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, as set forth in Grant Deed recorded as Doc. No. [20110016187](#), Official Washington County Records.)

(The interest of Roland L. Walker Irrevocable Trust u/a/d December 23, 1985, has since passed to 290-470, LLC, an Idaho limited liability company, as set forth in Grant Deed, recorded as Doc. No. [20170025395](#), Official Washington County Records.)

20. Lack of a Right of dedicated access to and from said Land. Right of dedicated access to and from the Land, if any, is not established of record and assurance of such right of dedicated access is excluded from coverage of the Policy. (Note: Access appears to be by way of Flora Tech Road, a paved and improved roadway maintained by Hurricane City.)

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21. Rights of the public, and others entitled thereto, to use for street (or highway or road) purposes, that portion of the premises lying within an established Flora Tech Road.
22. Subject to a Memorandum of Understanding, dated February 19, 2008, executed by and between Elim Valley Planning and Development, LLC and Qwest Corporation, recorded February 21, 2008, as Doc. No. [20080007055](#), Official Washington County Records. (Affects this and other property)
23. Liability to Assessments levied by the Board of County Commissioners of Washington County, Utah, creating and establishing a Special Service District ("Hurricane Valley Fire Special Service District") to provide for fire protection, paramedic services, and ambulance services, as disclosed by Resolution No. R-2007-1203, recorded December 22, 2009, as Doc. No. [20090048182](#), Official Washington County Records. (Affects this and other property)

A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District, recorded March 1, 2010, as Doc. No. [20100006648](#), Official Washington County Records.

2nd Amended Hurricane Valley Fire Special Service District, recorded December 30, 2010, as Doc. No. [20100044122](#), Official Washington County Records.

Resolution No. R-2015-1946, A Resolution Amending the Boundary of the Hurricane Valley Fire Special Service District to include the Corporate Limits of the City of Hurricane, recorded November 9, 2015, as Doc. No. [20150039260](#), Official Washington County Records and Hurricane Valley Fire District 3rd Amended, recorded November 9, 2015, as Doc. No. [20150039261](#), Official Washington County Records.

Hurricane Valley Fire District 4th Amended, Extended & Clarified, recorded December 14, 2015, as Doc. No. [20150043173](#), Official Washington County Records.

5th Amended & Extended Hurricane Valley Fire District Local Entity Plat, recorded November 8, 2019, as Doc. No. [20190046477](#), Official Washington County Records, A Resolution Amending the Boundary of The Hurricane Valley Fire Special Service District to Include the Area Within the Rockville-Springdale Fire Special Service District, recorded November 8, 2019, as Doc. No. [20190046478](#), Official Washington County Records and Certificate of Boundary Adjustment, with 5th Amended and Extended Hurricane Valley Fire District Local Entity Plat Boundary Description, recorded November 8, 2019, as Doc. No. [20190046479](#), Official Washington County Records.

24. Any Afterassessment and/or Rollback of Taxes which may become a lien on said Land by reason of an Annual Application for Assessment and Taxation of Agricultural Lands 1969 Farmland Assessment Act, executed by Western Mtg & Realty Co, recorded March 29, 2018, as Doc No. [20180012738](#), Official Washington County Records. (Affects a portion and other property)

Exceptions 1-8 will not appear in any Extended Policy and Exceptions 1-10 will not appear in any Extended Loan Policy to be issued hereunder.

Note: The names on Schedule A have been checked for judgments and, if any were found, are disclosed on Schedule B of this Commitment.

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FACTS
**WHAT DOES OLD REPUBLIC TITLE
DO WITH YOUR PERSONAL INFORMATION?**

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

Questions

Go to www.oldrepublictitle.com (Contact Us)

Who we are

Who is providing this notice?

Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do

How does Old Republic Title protect my personal information?

To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit <http://www.OldRepublicTitle.com/newnational/Contact/privacy>.

How does Old Republic Title collect my personal information?

We collect your personal information, for example, when you:

- Give us your contact information or show your driver's license
- Show your government-issued ID or provide your mortgage information
- Make a wire transfer

We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.

Why can't I limit all sharing?

Federal law gives you the right to limit only:

- Sharing for affiliates' everyday business purposes - information about your creditworthiness
- Affiliates from using your information to market to you
- Sharing for non-affiliates to market to you

State laws and individual companies may give you additional rights to limit sharing. See the "Other important information" section below for your rights under state law.

Definitions

Affiliates

Companies related by common ownership or control. They can be financial and nonfinancial companies.

- *Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company, and The Title Company of North Carolina.*

Non-affiliates

Companies not related by common ownership or control. They can be financial and non-financial companies.

- *Old Republic Title does not share with non-affiliates so they can market to you*

Joint marketing

A formal agreement between non-affiliated financial companies that together market financial products or services to you.

- *Old Republic Title doesn't jointly market.*

Other Important Information

Oregon residents only: We are providing you this notice under state law. We may share your personal information (described on page one) obtained from you or others with non-affiliate service providers with whom we contract, such as notaries and delivery services, in order to process your transactions. You may see what personal information we have collected about you in connection with your transaction (other than personal information related to a claim or legal proceeding). To see your information, please click on "Contact Us" at www.oldrepublictitle.com and submit your written request to the Legal Department. You may see and copy the information at our office or ask us to mail you a copy for a reasonable fee. If you think any information is wrong, you may submit a written request online to correct or delete it. We will let you know what actions we take. If you do not agree with our actions, you may send us a statement.

Affiliates Who May be Delivering This Notice

American First Abstract, LLC	American First Title & Trust Company	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.
eRecording Partners Network, LLC	Genesis Abstract, LLC	Kansas City Management Group, LLC	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mara Escrow Company	Mississippi Valley Title Services Company	National Title Agent's Services Company
Old Republic Branch Information Services, Inc.	Old Republic Diversified Services, Inc.	Old Republic Exchange Company	Old Republic National Title Insurance Company	Old Republic Title and Escrow of Hawaii, Ltd.
Old Republic Title Co.	Old Republic Title Company of Conroe	Old Republic Title Company of Indiana	Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma
Old Republic Title Company of Oregon	Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee	Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.
Old Republic Title, Ltd.	Republic Abstract & Settlement, LLC	Sentry Abstract Company	The Title Company of North Carolina	Title Services, LLC
Trident Land Transfer Company, LLC				

SOUTHERN UTAH TITLE COMPANY

July 1, 2001

We recognize and respect the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. We believe that making you aware of how we use your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between us and the public that we serve. This Privacy Statement provides that explanation. We reserve the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, we may collect Personal Information about you from the following sources:

- From applications or other forms we receive from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From our Internet web sites;
- From the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others; and
- From consumer or other reporting agencies

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information

We maintain physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. We limit access to the Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information

We may share your Personal Information with our affiliates, such as insurance companies, agents, and other real estate settlement service providers. We also may disclose your Personal Information:

- to agents, title companies, exchange companies, appraisers, brokers or representatives to provide you with services you have requested;
- to third-party contractors or service providers who provide services or perform marketing or other functions on our behalf; and
- to others with whom we enter into joint marketing agreements for products or services that we believe you may find of interest.

In addition, we will disclose your Personal Information when you direct or give us permission, when we are required by law to do so, or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities is to record documents in the public domain. Such documents may contain your Personal Information.

Right to Access Your Personal Information and Ability To Correct Errors Or Request Changes or Deletion

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. We reserve the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Southern Utah Title Company
20 North Main #403, St. George, UT 84770

Multiple Products or Services

If we provide you with more than one financial product or service, you may receive more than one privacy notice from us. We apologize for any inconvenience this may cause you.

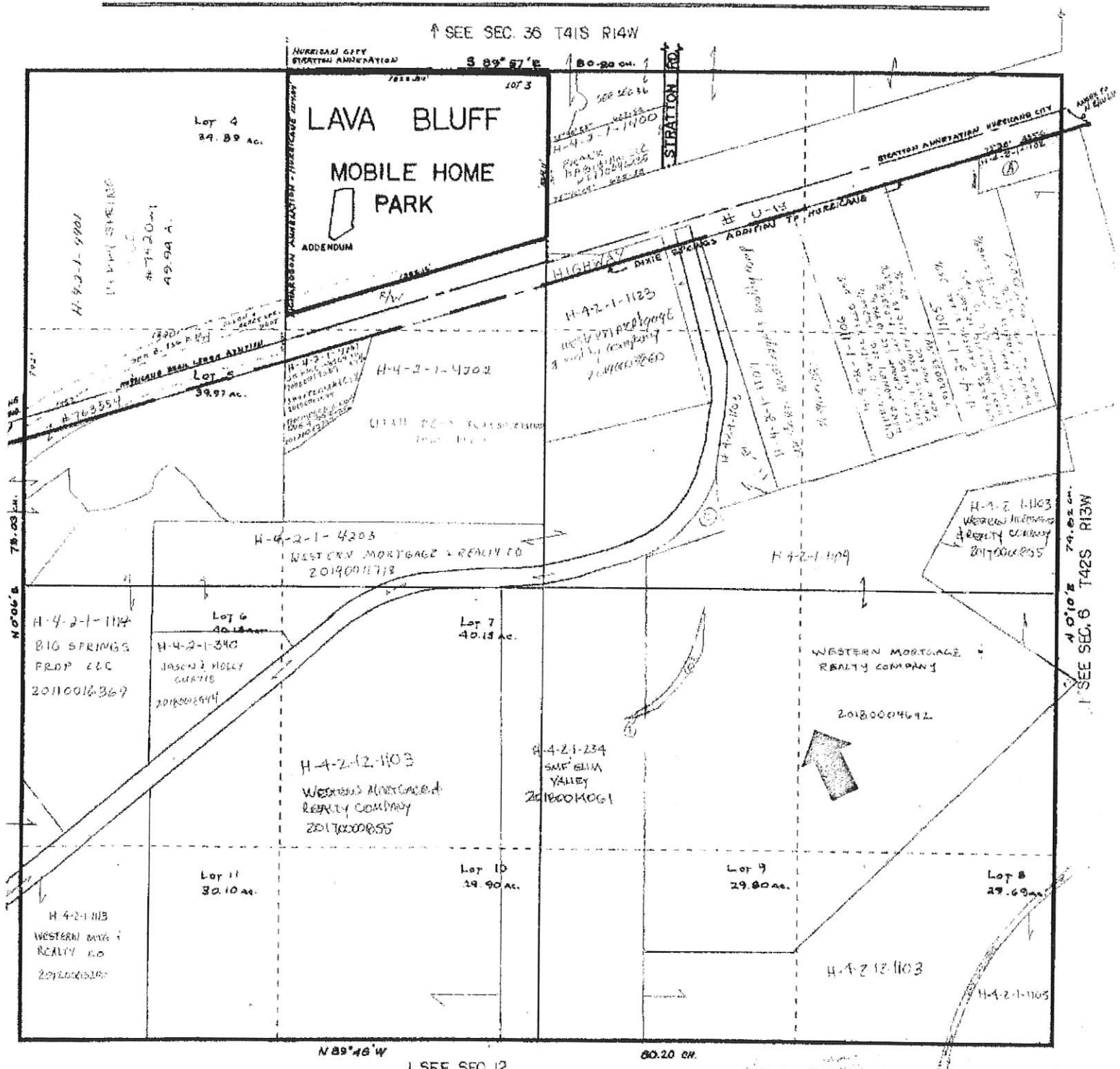
SECTION 1
T42S -- R14W

SALT LAKE BASE & MERIDIAN
SCALE: ONE INCH=400 FEET

WASHINGTON COUNTY, UTAH

This map is for information purposes only and is in no way to be incorporated as being part of this Commitment and/or Title Insurance Policy

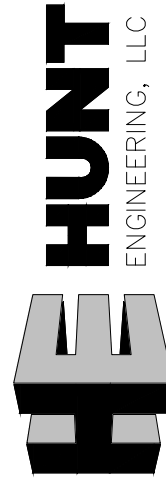
- ① H-4-2-1-1102 FHY LLC KEMP SECURED 20110104887 201299 P
- ② H-4-2-1-1104 SHAKELASH LLC 1221017 20150031160
- ③ H-4-2-1-1109 ELIM VALLEY PLANNING & DEV LLC 2007001469
- ④ H-4-2-1-1125 WESTERN MORTGAGE & REALTY CO 20170000855
- ⑤ H-4-2-1-1131 BURLINGAME GREEN 20170000855
- ⑥ H-4-2-1-1108 SMP EASEMENT LLC 20160014852



This plat is furnished for information only. No liability is assumed by Assessor's or Recorder's Office as to correctness of such data.
Washington County Recorder

Elim Valley

Preliminary Plat

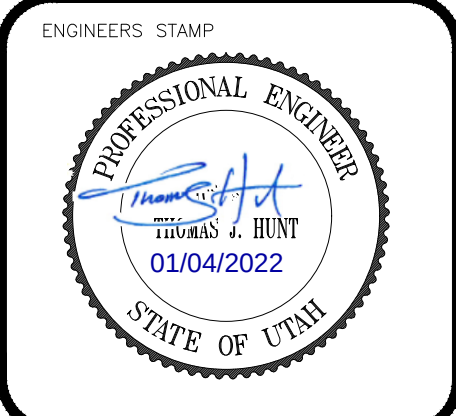


HUNT ENGINEERING, LLC
HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Elim Valley
East Quarter Corner of Section 1, Township 42
South, Range 14 West, Salt Lake Base & Meridian
3700 West & Sand Hollow Road
Hurricane, Washington County, UT

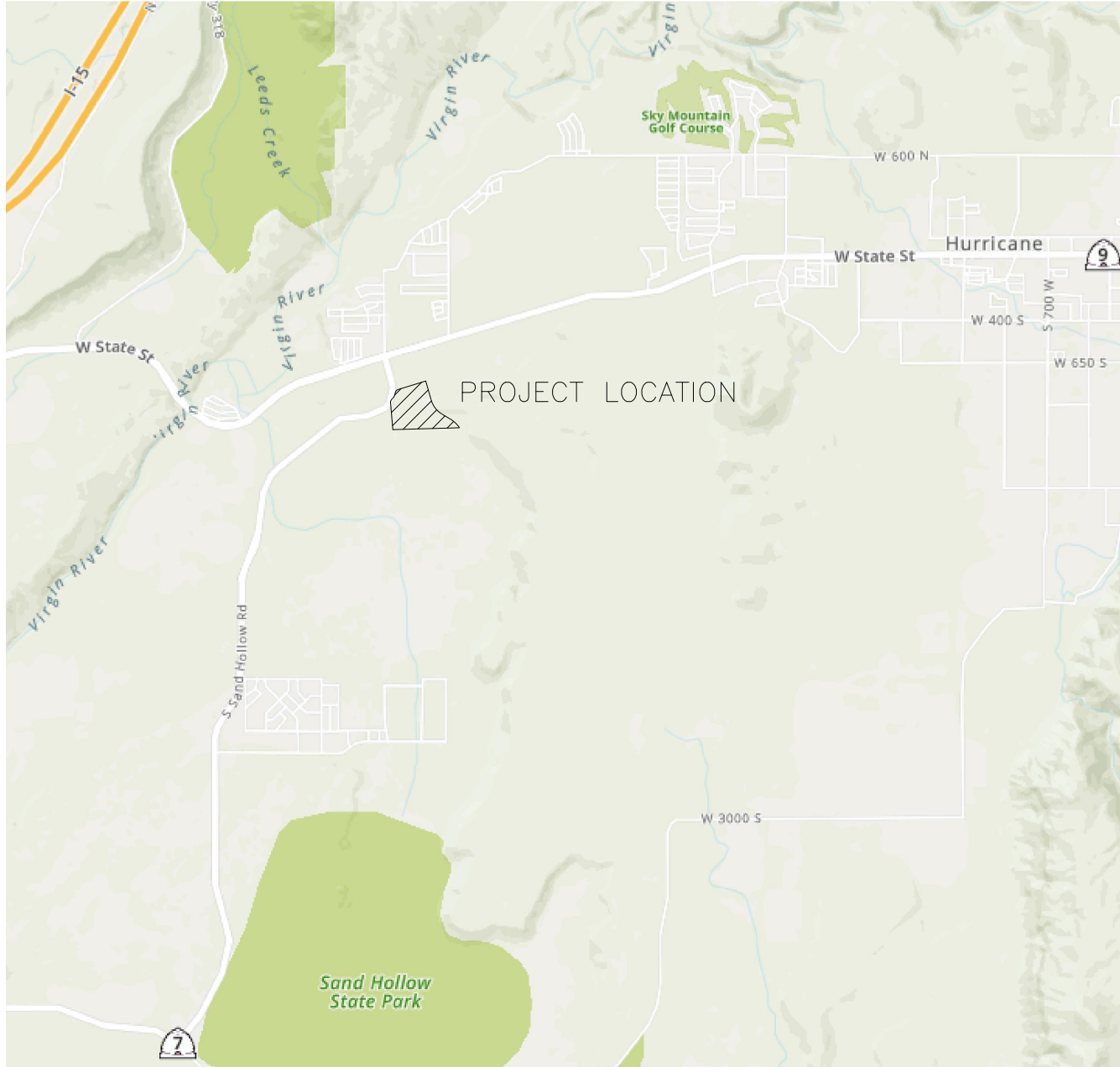
**Preliminary Plat
Existing
Conditions**

Revisions	Date

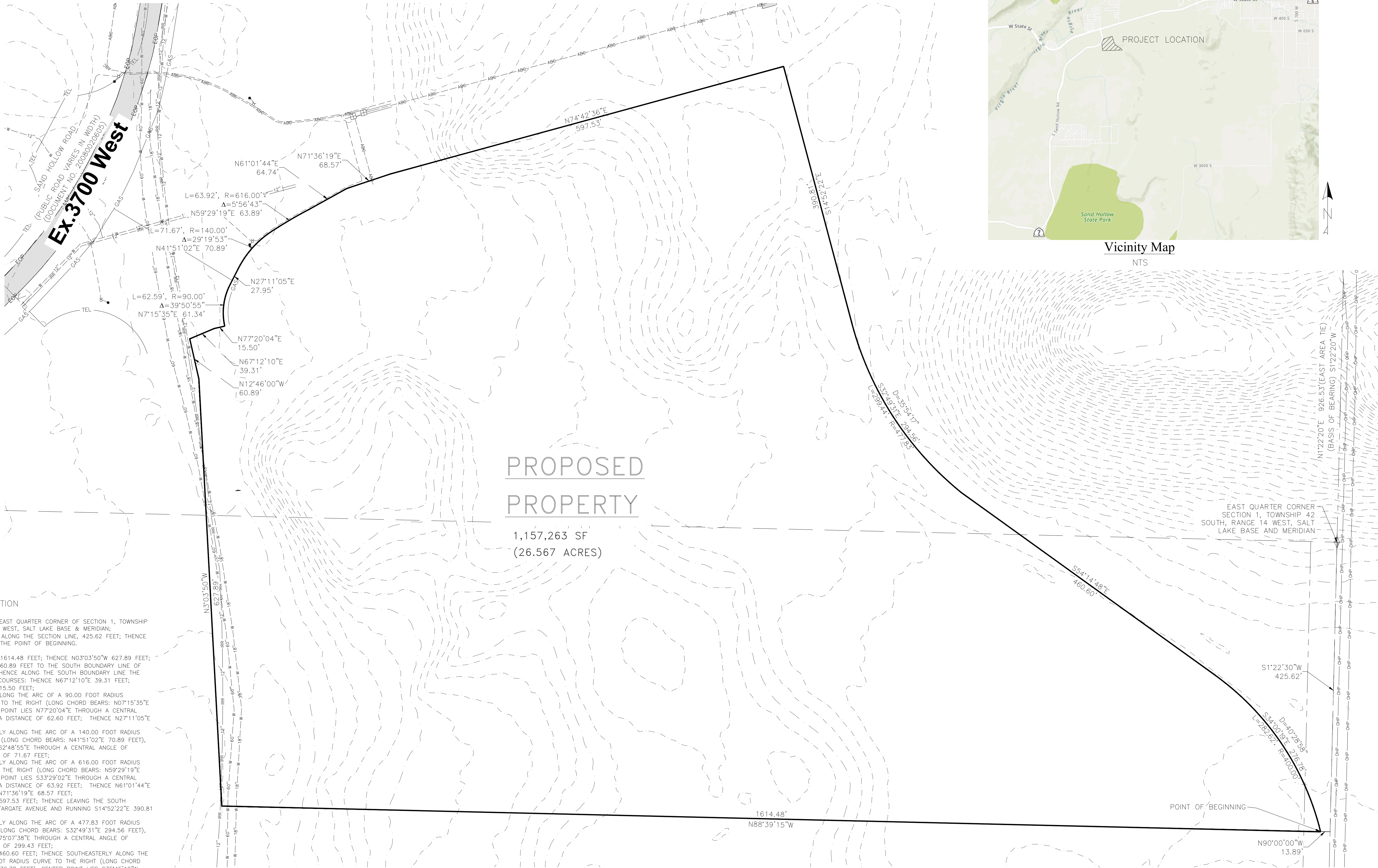


PROJECT INFO.	
Engineer:	T. HUNT
Drafter:	T. HUNT
Start Date:	12/02/2021
Name:	Elim Valley

SHEET	3
1	SHEETS



Vicinity Map
NTS



PROPOSED
PROPERTY

1,157,263 SF
(26.567 ACRES)

LEGAL DESCRIPTION

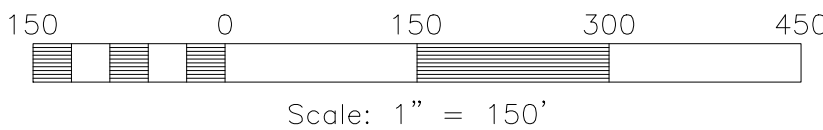
COMMENCING AT THE EAST QUARTER CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE & MERIDIAN; THENCE S01°22'30"W, ALONG THE SECTION LINE, 425.62 FEET; THENCE WEST 13.89 FEET TO THE POINT OF BEGINNING.

THENCE N88°39'15"W 1614.48 FEET; THENCE N03°03'50"W 627.89 FEET; THENCE N12°46'00"W 60.89 FEET TO THE SOUTH BOUNDARY LINE OF STARGATE AVENUE; THENCE ALONG THE SOUTH BOUNDARY LINE THE FOLLOWING NINE (9) COURSES; THENCE N67°12'10"E 39.31 FEET; THENCE N77°20'04"E 15.50 FEET; THENCE NORTHERLY ALONG THE ARC OF A 90.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT (LONG CHORD BEARS: N07°15'35"E 61.34 FEET), CENTER POINT LIES N77°20'04"E THROUGH A CENTRAL ANGLE OF 39°51'02" A DISTANCE OF 62.60 FEET; THENCE N27°11'05"E 27.95 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 140.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: N41°51'02"E 70.89 FEET), CENTER POINT LIES S62°48'55"E THROUGH A CENTRAL ANGLE OF 29°19'52" A DISTANCE OF 71.67 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF A 616.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (LONG CHORD BEARS: N59°29'19"E 63.89 FEET), CENTER POINT LIES S33°29'02"E THROUGH A CENTRAL ANGLE OF 05°56'42" A DISTANCE OF 63.92 FEET; THENCE N61°01'44"E 64.74 FEET; THENCE N71°36'19"E 68.57 FEET; THENCE N74°46'23"E 597.53 FEET; THENCE LEAVING THE SOUTH BOUNDARY LINE OF STARGATE AVENUE AND RUNNING S14°52'22"E 390.81 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 477.83 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS: S32°49'31"E 294.56 FEET), CENTER POINT LIES N75°07'38"E THROUGH A CENTRAL ANGLE OF 35°54'18" A DISTANCE OF 299.43 FEET; THENCE S54°14'48"E 460.60 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 400.00 FOOT RADIUS CURVE TO THE RIGHT (LONG CHORD BEARS: S34°00'19"E 276.78 FEET), CENTER POINT LIES S35°45'12"W THROUGH A CENTRAL ANGLE OF 40°28'58" A DISTANCE OF 282.62 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1157263 SQUARE FEET OR 26.567 ACRES.

NOTES:

1. SITE IMPROVEMENTS TO BE COMPLETED IN ONE PHASE.
2. PLANNED ROADWAYS AND UTILITIES ARE PART OF THE HURRICANE CITY PID PLAN.
3. AREA IS NOT LOCATED IN DESERT TORTOISE TAKE AREA.



Developer Contact:

Spencer Wright
Wright Development Group
1178 W. Legacy Crossing Blvd Ste 100
Centerville Utah 84014
PH: (801) 773-7339

HE HUNT
ENGINEERING, LLC

HUNT ENGINEERING, LLC
6619 Willow Creek Rd.
Mountain Green, UT 84050
C. 801.664.4724
thomas.hunt@hunt-engineering.com

Preliminary Plat Proposed Site

Revisions	Date

ENGINEERS' STAMP

PROFESSIONAL ENGINEER

THOMAS A. HUNT

01/04/2022

STATE OF UTAH

PROJECT INFO.

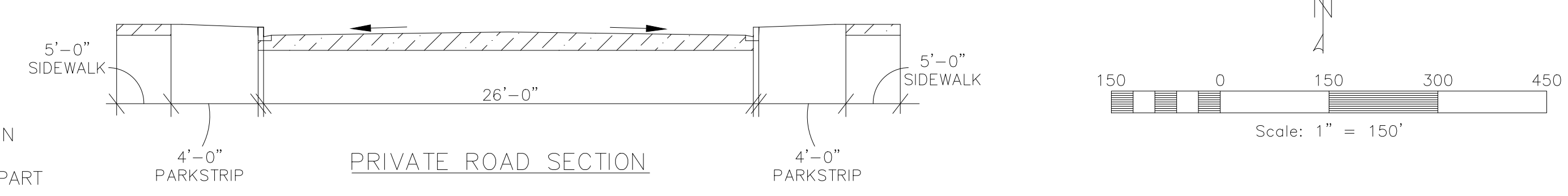
Engineer: _____
T. HUNT

Drafter: _____
T. HUNT

Start Date: _____
12/02/2021

Name: _____
Elim Valley

SHEET	3
2	SHEETS



WRIGHT
DEVELOPMENT
GROUP

Developer Contact:
 Spencer Wright
 Wright Development Group
 1178 W. Legacy Crossing Blvd Ste 100
 Centerville Utah 84014
 PH: (801) 773-7339

NOTES:

1. SITE IMPROVEMENTS TO BE COMPLETED IN ONE PHASE.
2. PLANNED ROADWAYS AND UTILITIES ARE PART OF THE HURRICANE CITY PID PLAN.
3. AREA IS NOT LOCATED IN DESERT TORTOISE TAKE AREA.

Site Information	
1,157,263 SF (26.567 ACRES)	TOTAL PARKING STALLS
BUILDINGS 173,910 SF	REQUIRED = 697 STALLS
HARDSCAPE 329,314 SF	TOTAL PARKING STALLS
LANDSCAPE 654,039 SF (56.5%)	PROVIDED = 714 STALLS
17 BUILDINGS 398 UNITS	(2) PICKLE BALL COURTS
UNIT DENSITY 15 UNITS/ACRE	(2) TOT LOTS
1 BEDROOM 199 UNITS	POOL
(1.5 STALLS REQUIRED) = 299 STALLS	HOT TUB
2 BEDROOM 100 UNITS	CLUB/GYM
(2 STALLS REQUIRED) = 200 STALLS	BARBEQUE AREA
3 BEDROOM 99 UNITS	
(2 STALLS REQUIRED) = 198 STALLS	

PRELIMINARY SITE PLAN REVIEW APPLICATION

City of Hurricane

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

Fee \$200.00

For Office Use Only:

File No. 2022-PSP-01
Receipt No. 8154203

Name: R & B Young Telephone: _____

Address: P.O. Box 731 Hurricane, UT 84737 Fax No. _____

Agent (If applicable): Bryson Young Agent's Phone: 951-295-3220

Email: _____ Agent Email: tmaxx138@gmail.com

Address/Location of Subject Property: Approx. 470 E 800 N

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

Proposed Use: (Describe, use extra sheet if necessary) Build 2 Commercial Buildings

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.

Warranty Deed Page 1 of 9

Gary Christensen Washington County Recorder

10/20/2021 02:41:14 PM Fee \$40.00 By

SOUTHERN UTAH TITLE COMPANY

When recorded mail deed and tax notice to:

R&B Young LLC, a Utah Limited Liability

Company P.O. Box 731

545 N State Street Ste B

Hurricane, UT 84737

SOUTHERN UTAH
TITLE COMPANY

"Doing good Deeds for over 70 years"

sutc.com

Order No. 219509 - TW

Tax I.D. No. H-317-A-1-A-G

Space Above This Line for Recorder's Use

WARRANTY DEEDJohn T. Foster and John Von Euw, grantor(s), of, County of, State of, hereby **CONVEY** and **WARRANT** to

R&B Young LLC, a Utah Limited Liability Company, grantee(s) of Hurricane, County of Washington, State of Utah, for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION the following described tract of land in Washington County, State of Utah:

See Attached Exhibit "A"

See Water Rights Addendum to Land Deeds attached hereto and made a part hereof

TOGETHER WITH all improvements and appurtenances there unto belonging, and being **SUBJECT TO** easements, rights of way, restrictions, and reservations of record and those enforceable in law and equity.WITNESS the hand(s) of said grantor(s), this 19th day of October, 2021.

 John T. Foster

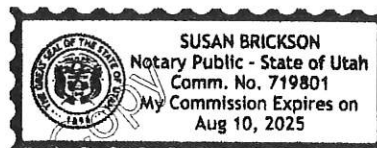
Signed in Counterpart

John Von Euw

STATE OF Utah)

:ss.

COUNTY OF Washington **UTAH**)On the 19th day of October, 2021, personally appeared before me, John T. Foster, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

 NOTARY PUBLIC
My Commission Expires: 6/10/2025

When recorded mail deed and tax notice to:

R&B Young LLC, a Utah Limited Liability
Company PO Box 731
645 W State Street Ste B/
Hurricane, UT 84737



**SOUTHERN UTAH
TITLE COMPANY**
"Doing good Deeds for over 70 years"
sutc.com

Order No. 219509 - TW
Tax I.D. No. H-317-A-1-A-G

Space Above This Line for Recorder's Use

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WITNESS the hand(s) of said grantor(s), this 19th day of October, 2021.

John T. Foster

John Von Euw

STATE OF Utah)

:ss.

COUNTY OF Washington)

On the _____ day of October, 2021, personally appeared before me, John T. Foster, the signer of the within instrument who duly acknowledged to me that he/she executed the same.

NOTARY PUBLIC

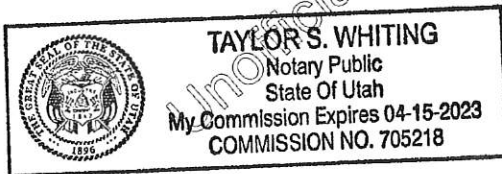
My Commission Expires:

STATE OF Utah)

:ss.

COUNTY OF Washington)

On the 20th day of October, 2021, personally appeared before me, John Van Euw, the signer of the within instrument who duly acknowledged to me that he/she executed the same.



NOTARY PUBLIC

My Commission Expires: 4-15-2023

Attachment to that certain Warranty Deed executed by John T. Foster and John Von Euw grantor(s), to R&B Young LLC, a Utah Limited Liability Company grantee(s).

Order No. 219509

Tax ID, No. H-317-A-1-A-G

EXHIBIT "A"

Beginning South 89°43'30" East, 330.00 feet along the 40-acre line and South 0°16'34" East, 266.35 feet and South 89°43'30" East, 450.00 feet from the Northwest Corner of the Southwest Quarter of the Southeast Quarter (SW¼SE¼) of Section 26, Township 41 South, Range 13 West, Salt Lake Base and Meridian; being a point on the South Line of the dedicated road to BALLARD HEIGHTS SUBDIVISION; thence South 0°16'34" East, 243.796 feet to a point on the South Boundary Line of James Allen Ballard's property which is on a fence line; thence South 89°43'30" East, 100.056 feet along said fence line to the Southwest Corner of the property which is to be deeded to the City of Hurricane; thence North 0°16'34" West, 20.00 feet along the West Side of said City property; thence South 89°43'30" East, 42.305 feet along the North Side of said City property and to the Westerly Right-of-Way Line of State Highway U-9; thence North 31°28'35" East, 226.136 feet along said right-of-way line to the point of tangency with a 20.00 foot radius curve to the left with the radius point bearing North 58°31'25" West; thence Northwesterly along the arc of said curve 42.31 feet, said curve having a central angle of 120°12'05" and being on the South Line of the dedicated road to BALLARD HEIGHTS SUBDIVISION; thence North 89°43'30" West, 244.551 feet along said South Line to the point of beginning.

Less and Excepting therefrom the following described parcel:

Beginning at the intersection of the existing Northwesterly right of way line of SR-9, and the southerly boundary line of said entire tract, which point is 814.25 feet, more or less, N.0°36'07"E. along the Quarter Section line and 920.39 feet, more or less, East from the South Quarter corner of said Section 26; and running thence N.88°52'58"W. 2.66 feet, more or less, along said boundary line to a point 42.00 feet perpendicularly distant northwesterly from the centerline of said project, opposite approximate Engineers Station 74+70.37; thence N.32°19'34"E. 229.81 feet parallel to said centerline to the point of tangency of a 19.50-foot radius curve to the left; thence Northerly 14.69 feet along the arc of said curve (chord bears N.10°46'51"E. 14.32 feet) to the northerly boundary line of said entire tract; thence Southerly 17.92 feet along the arc of a 20.00-foot radius curve to the right (chord bears S.06°39'21"W. 17.32 feet) along said boundary line to said right of way line; thence S.32°19'07"W. 226.14 feet along said right of way line to the point of beginning as shown on the official map of said project on file in the office of the Utah Department of Transportation.

(Note: Rotate above bearings 00°50'32" counterclockwise to equal record bearings)

Initials 

Attachment to that certain Warranty Deed executed by John T. Foster and John Von Euv grantor(s), to R&B Young LLC, a Utah Limited Liability Company grantee(s).

Order No. 219509

Tax I.D. No. H-317-A-1-A-G

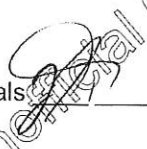
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(Note: Rotate above bearings 00°50'32" counterclockwise to equal record bearings)

Initials 

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: John T. Foster and John Von Euw

Grantee: R&B Young LLC, a Utah Limited Liability Company

Tax ID Number(s): H-317-A-1-A-G

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- 1 ☐ All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
- 2 ☐ Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked)
- 3 ☒ No water rights are being conveyed.
- 4 ☐ Water rights are being conveyed by separate deed.

Proceed to Section

A

B

C

C

Important Notes
(see other side)

Section		Important Notes (see other side)
A	The water right(s) being conveyed include Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☒ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature:

John T. Foster

John Von Euw

Grantee's Acknowledgment of Receipt:

R&B Young LLC, a Utah Limited Liability Company

Bryson Young, Member

Robyn Young, Member

Grantee's Address: 545 W State Street Ste 3, Hurricane, Utah 84737

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: John T. Foster and John Von Euw
 Grantee: R&B Young LLC, a Utah Limited Liability Company
 Tax ID Number(s): H-317-A-1-A-G

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Proceed to Section

A

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C

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Important Notes
(see other side)

Section		Important Notes (see other side)
A	The water right(s) being conveyed include Water Right No(s), along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☒ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

Grantor's Signature:

John T. Foster

John Von Euw

Grantee's Acknowledgment of Receipt:

R&B Young LLC, a Utah Limited Liability Company

Bryson Young, Member

Robyn Young, Member

Grantee's Address: 545 W State Street Ste 3, Hurricane, Utah 84737

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

WATER RIGHTS ADDENDUM TO LAND DEEDS

Grantor: John T. Foster and John Von Euw
 Grantee: R&B Young LLC, a Utah Limited Liability Company
 Tax ID Number(s): H-317-A-1-A-G

In connection with the conveyance of the above referenced parcel(s), Grantor hereby conveys to Grantee without warranty, except for a warranty of title as to all claiming title by or through Grantor, the following interests in water and/or makes the following disclosures:

Check one box only

- 1 ☐ All of Grantor's water rights used on Grantor's Parcel(s) are being conveyed.
 2 ☐ Only a portion of Grantor's water rights are being conveyed. (County Recorder should forward a copy of this form to the Utah Division of Water Rights if Box 1 or 2 above is checked.)
 3 ☒ No water rights are being conveyed.
 4 ☐ Water rights are being conveyed by separate deed.

Proceed to Section

A

B

C

C

Important Notes
(see other side)

Section		Important Notes (see other side)
A	The water right(s) being conveyed include Water Right No(s) along with all applications pertaining to the water right(s) listed in this Section A, and all other appurtenant water rights (Proceed to Section C)	N1 N2 N3
B	Only the following water rights are being conveyed: (check all boxes that apply) ☐ All of Water Rights No(s). ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses ☐ acre-feet from Water Right No. for: families acres of irrigated land: stock water for Equivalent Livestock Units; and/or for the following other uses Along with all applications pertaining to the water right(s) listed in this Section B. (Proceed to Section C)	N1 N4 N5 N5 N2
C	Disclosures By Grantor: (check all boxes that apply) ☐ Grantor is endorsing and delivering To Grantee stock certificates for Shares stock in the following water company: ☐ Culinary water service is provided by: ☐ Outdoor water service is provided by: ☒ There is no water service available to Grantor's Parcel(s). ☐ Other water related disclosures:	N6 N7 N8 N9 N10

Attach and sign additional copies of this form if more space is needed.

The undersigned acknowledge sole responsibility for the information contained herein even though they may have been assisted by employees of the Utah Division of Water Rights, real estate professionals, or other professionals, except to the extent that title insurance or a legal opinion concerning such information is obtained.

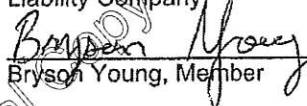
Grantor's Signature:

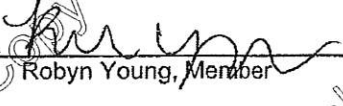
John T. Foster

John Von Euw

Grantee's Acknowledgment of Receipt:

R&B Young LLC, a Utah Limited Liability Company


 Bryson Young, Member


 Robyn Young, Member

Grantee's Address: 545 W State Street Ste 3, Hurricane, Utah 84737

NOTE: GRANTEE MUST KEEP A CURRENT ADDRESS ON FILE WITH THE UTAH DIVISION OF WATER RIGHTS.

NOTES TO WATER RIGHTS ADDENDUM TO LAND DEEDS

Please read the following notes carefully in order to avoid problems and the possible loss of the water rights being conveyed in connection with this transaction.

The mere purchase of a water right does not guarantee: (1) that the water right is in good standing with the Utah Division of Water Rights; (2) that the owner has clear title to the water right; (3) that the Division will recognize the ownership change; or (4) that the Division will approve any proposed changes or extensions regarding the water right. You are encouraged to conduct proper "due diligence" research into any water right before purchasing it.

- N1 Once this Water Rights Addendum has been recorded at the County Recorder's Office, Grantee must prepare a "Report of Water Right Conveyance" or "ROC" (available from the Utah Division of Water Rights) and file it with the Utah Division of Water Rights in order to: (1) have the Division's records updated with current ownership and address information; (2) file any application on these water rights; and (3) receive notifications concerning deadlines and other essential information pertaining to these rights. Failure to do so PROMPTLY may result in the loss of these water rights. Help with reviewing the water rights and completing the ROC can be obtained from the Utah Division of Water Rights and/or water professionals, such as attorneys, engineers, surveyors, and title professionals with experience in water rights and water law.
- N2 A water right often has one or more applications on file with the Utah Division of Water Rights that affect that water right, such as change applications, extension requests, and non-use applications. These applications should be transferred with the water right. The Grantee should review the water right applications and other documents on file with the Utah Division of Water Rights.
- N3 Water rights owned by the Grantor and used on Grantor's Parcel may be "appurtenant" to Grantor's Parcel. Not all appurtenant water rights have been assigned a water right number because not all water rights are "of record." If Section A is being completed, this conveyance includes all appurtenant water rights, whether or not they are listed by water right number or are of record. Grantee should investigate each water right listed and determine if there are any water rights that are not of record. If there are water rights not of record, Grantee should seriously consider making them of record by filing the appropriate forms with the Utah Division of Water Rights.
- N4 100% of the water rights listed here are being conveyed to Grantee. A Report of Water Right Conveyance (see N1 above) should be filed on each water right listed here. The Water Rights listed in Section B may not provide sufficient water for all of the historic water uses.
- N5 Less than 100% of the water right listed is being conveyed to Grantee. The exact portion to be conveyed, expressed in terms of the beneficial uses associated with this portion of the water right must be described. This description generally consists of: (1) the number of families for domestic (indoor culinary) uses (generally quantified as 0.45 acre-feet per family for a year-round residence and 0.25 acre-feet per family for a seasonal residence); (2) the number of acres irrigated (this involves issues of "irrigation duty" [the number of acre-feet of water allowed per acre of irrigated land] and "sole supply/supplemental supply" [the amount of water allocated to each water right when more than one right is used on the same land or for the same livestock]; and (3) the number of livestock being watered (expressed in terms of equivalent livestock units or "ECUS" which are quantified at the rate of 0.028 acre-feet per EAU for full-year use. Any other uses being conveyed should be similarly described. Help with evaluating, quantifying, and/or describing the uses can be obtained from the Utah Division of Water Rights and/or water professionals.
- N6 Shares of stock in water companies (including irrigation, canal, and ditch companies) are generally not transferred by deed. Each company has procedures for transferring ownership. The company should be contacted to ascertain the appropriate procedures to follow. The most common procedure is for the Grantor to endorse and deliver the stock certificate to the Grantee, who then presents that certificate to the company for issuance of a new certificate in the Grantee's name. If another procedure is to be followed, that should be noted on the "Other water related disclosures" line in Section C of this form. Each company also defines how much water is associated with a particular share and what fees and assessments are charged. The Grantee should contact the company about all such issues.
- N7 If culinary water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N8 If outdoor/secondary/irrigation water service is currently being provided to the Grantor's Parcel by a municipality, a water district, or a water company, that entity should be listed here and the Grantee should contact that entity to ascertain what is required to continue receiving such service.
- N9 If this box is checked, the Grantee should investigate what water IF ANY is available for use on the Grantor's Parcel.
- N10 This space should be used for any other information that the Grantor has which is relevant to water issues associated with the Grantor's Parcel.

The Utah Division of Water Rights (often referred to as the State Engineer's Office) is located at 1594 W. North Temple, Suite 220, PO Box 146300, Salt Lake City, Utah 84114-6300 Telephone: 801-553-7240 Web Address: www.waterrights.utah.gov

Agenda Date:	01/13/2022
Application Number:	2022-PSP-01
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	R+B Young
Agent:	Bryson Young
Request:	Approval of a Preliminary Site Plan
Location:	470 E 800 N
Zoning:	HC
General Plan Map:	General Commercial

Discussion:

The applicant has filed a preliminary site plan for two commercial buildings to be built on the corner of 800 N and SR-9. One building is a small restaurant with a drive-through and the other is an office/retail/commercial building. Staff will not be able to give full zoning approval until exactly what use is going in these buildings is determined

JUC Comments

The following items will need to be addressed:

1. **Power:** There is power in the area. Will need load calculations with construction drawings. Each unit will need its own meter.
2. **Sewer:** Will need to know more about what is inside. Normally only allow one lateral per owner
3. **Street:** No concerns
4. **Water:** Two water meters shown. If subdivided, more meters will be needed.
5. **Engineering:** Layout is good. Future subdivisions will cause concerns.
6. **Fire:** Good for now, different uses may require different standards
7. **Phone:** No comments
8. **Gas:** No comments

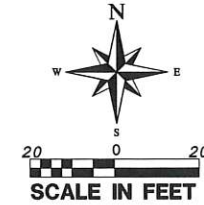
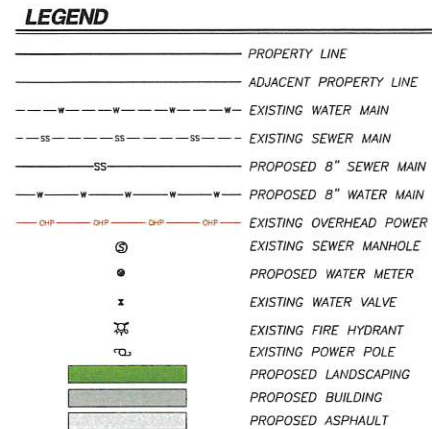
- i. *D. Commercial, Retail, Office, And Mixed Use Developments: The Planning Commission may modify the number of parking spaces required or allowed for commercial, retail, office, or mixed use developments after considering the following items and making a finding that adequate parking will be provided:*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

The drive through building almost certainly does not need the number of spaces required by code due to its size making customer seating almost certainly minimal although spaces for employees will still be needed. For drive throughs city code requires 5 drive through spots. The plan does not explicitly say whether that is provided but it does look like it.

- 4. A full landscaping plan will be required with the final site plan
- 5. There is a “Welcome to Hurricane” sign near the southeast corner of the property on its own lot owned by the city. The applicant’s plan will not block the view of that sign and is providing access to the property.
- 6. *A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development. (Hurricane City Code 10-7-10 (D)(2)(b))*

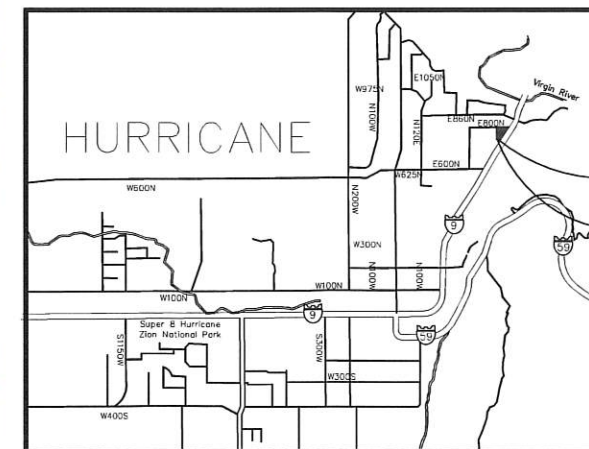
Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend that the applicant provide additional information to the Planning Commission about the use of the main building before the Commission moves to approve the application.

**LOCATED IN SECTION 26, T41S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH**



SITE DATA:	
TOTAL AREA	48,978 SQ. FT. OR 1.12 ACRES
LANDSCAPING AREA	12,560 SQ. FT.
DETENTION AREA	1,205 SQ. FT.
BUILDING AREA	17,500 SQ. FT.
PARKING STALLS	24 STANDARD & 3 ADA STALLS
ZONE	HIGHWAY COMMERCIAL

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

[illegible]

PROJECT LOCATION

PRELIMINARY SITE PLAN FOR:

BRYSON YOUNG

LOCATED IN SECTION 26, T41S, R13W, S1E.B.4M.
HURRICANE, WASHINGTON COUNTY, UTAH

[illegible]

PROVALUE ENGINEERING, INC.
Engineers- Land Surveyors - Land Planners

20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: (435) 668-8307



PRELIMINARY SITE PLAN FOR:

BRYSON YOUNG

LOCATED IN SECTION 26, T41S, R13W, S1E.B.4M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 12/9/2021
SCALE: 1"=20'

JOB NO.
653-001

SHEET 1

1

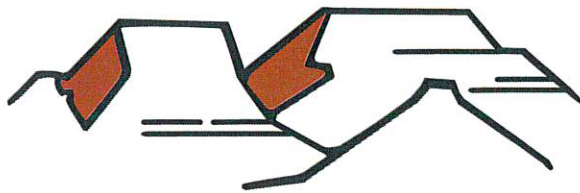
Know what's below.
Call 811 before you dig.



BLUE STAKES OF UTAH
800.811.4UTAH

NOTICE!

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



PLANNING & ZONING
HURRICANE CITY
UTAH

Amended Final Plat Application

Date: 01/03/2022 Permit #: 77

Applicant / Owner

Applicant Name: Greg Sant - Perry Development
LLC
Address: 2250 N Coral Canyon Blvd Ste
215
City, State, Zip: Washington
Phone: 4352519090
Email: greg.perryhomesutah@gmail.com

Owner Name: Perry Development LLC
Address: 2250 N Coral Canyon Blvd Ste
215
City, State, Zip: Washington
Phone: 4352519090
Email: greg.perryhomesutah@gmail.com

Property / Agent

Property Address:
City, State, Zip: ,
Tax ID: H-3-1-130-320
Number of Lots: 80
Subdivision:
Phase: Phases 3 and 4

Agent Name: Greg Sant
Address: 2250 N Coral Canyon Blvd Ste
215
City, State, Zip: Washington
Phone: 4352519090
Email: greg.perryhomesutah@gmail.com

I do hereby certify that the information contained herein is true and correct.

Greg Sant
Name

2022-01-03
Date

Agenda Date:	01/13/22
Application Number:	2022-PP-02
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Greg Sant- Perry Development LLC
Agent:	
Request:	Preliminary Plat Application
Location:	600 N and 3100 W
Zoning:	R1-6
General Plan Map:	Single Family Residential

Discussion: The applicant is seeking a preliminary plat for an 18.24 acre 80 lot preliminary plat located just west of Peregrine Point. The applicant has received preliminary approval for the majority of the development and has begun construction. The applicant is seeking an update to allow for the following changes:

1. Adding a cul-de-sac and an additional six lots on the southwest corner of the project.
2. Changing the hammerhead in the north to a cul-de-sac.
3. The phase lines have been changed, from four phases to three.

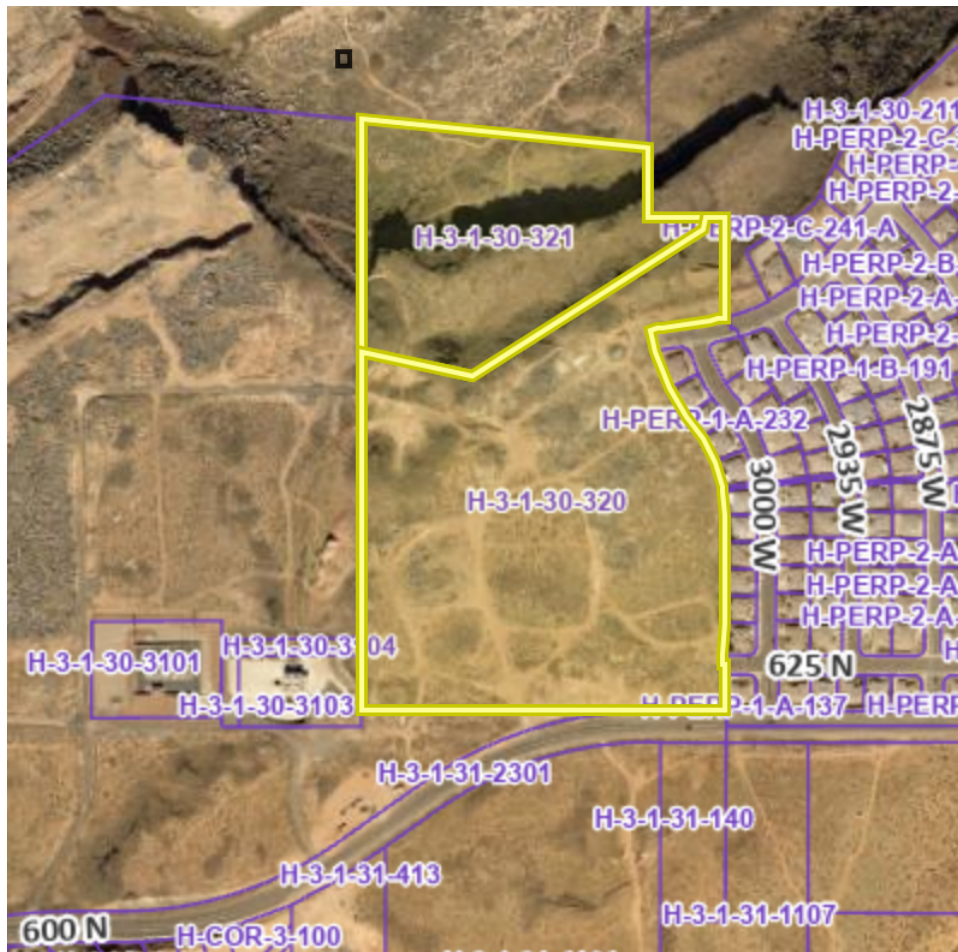
JUC Comments

Construction Drawings have been approved and construction has begun on the project. JUC is scheduled to review the updated plat on January 12, 2022, at which point this report will be updated.

Staff Comments:

1. The minimum lot size in an R1-6 zone is 4,800 sq. ft. with an average of 6,000 sq. ft. The development meets these standards.
2. The applicant has shown the typical cross-sections for the roads on the plat except for a 58' sections for Cliff Hanger Drive. On Cliff Hanger Drive, instead of providing a sidewalk on both sides of the roadway, is providing an 12' sidewalk (trail) on the south side of the road. This is to match Hurricane's Active Transportation Plan and will connect to other trails in the area.

3. The applicant has provided a tentative plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.
4. **Roadway Connections:** The applicant is providing a direct connection to the development to the east. These roadway connections are sufficient for the development. One of the main reasons that the project left the southern cul-de-sac off the drawings was that the City recommended that the applicant work with Interstate Rock to the south to bend the road and align an intersection with Sky Valley Townhomes on 600 N. Staff would still make that recommendation with this application.
5. The project is in a tortoise take area. Therefore, the applicant will need to fill out an applicant with the Red Rock Reserve (attached for reference) and clear the property of any desert tortoises before any construction may begin. This has taken place.
6. The plat does not note a list of preliminary Geologic Hazard reports as required. However, the applicant has submitted a full geologic study that has been reviewed and approved by City staff.



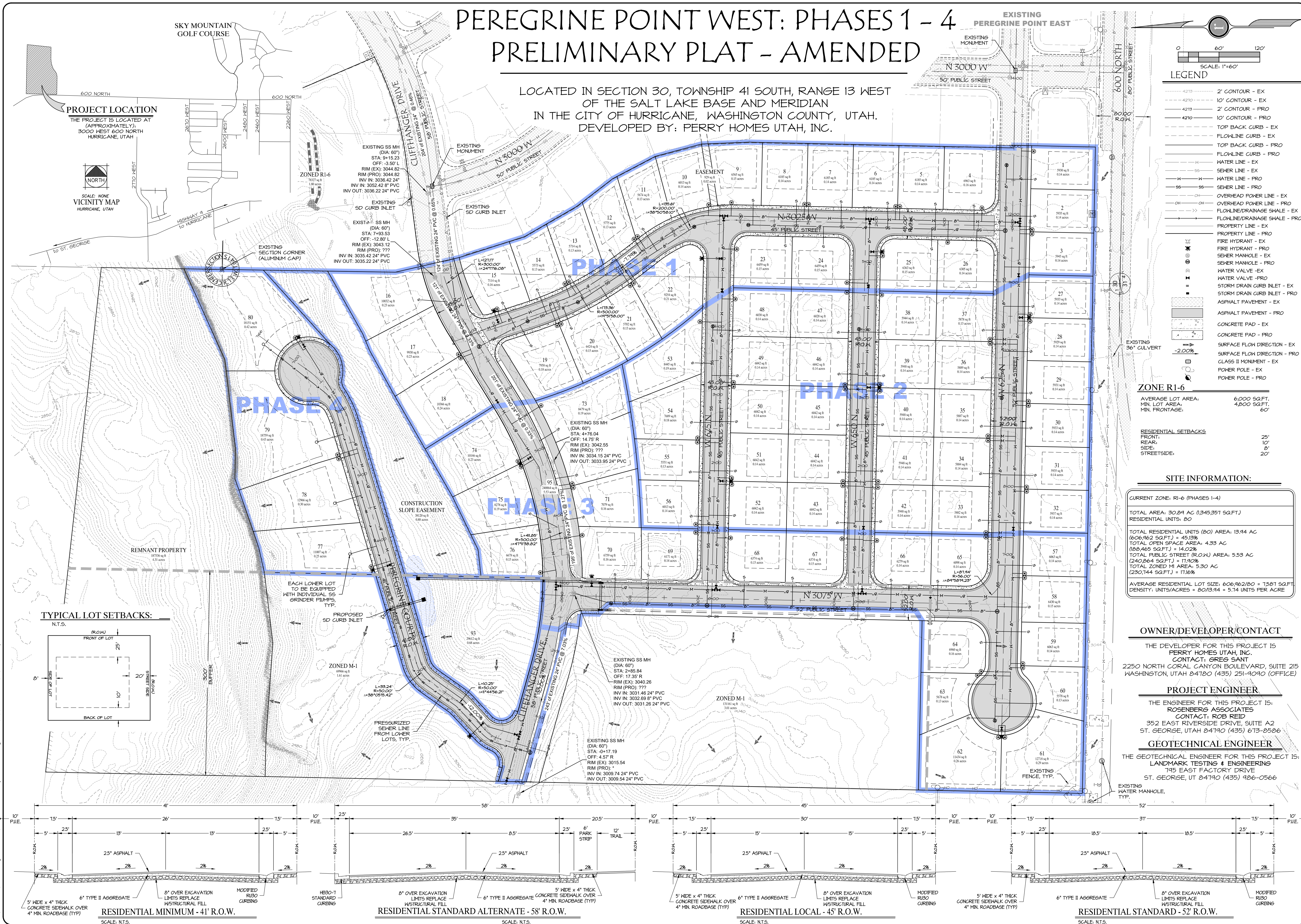
7. **Three Rivers Trail:** The City has planned a 12' wide trail in the area. Below is a picture of the main alignment and the alternative alignment (the alternative alignment approximate and exact layout has not been approved). Both trails are on the new Active Transportation Master Plan



Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend approval with the following conditions:

- That the updated Active Transportation Master Plan is followed
- That the applicant provides a roadway stub south to align with Sky Valley Townhomes
- That the applicant complies with other JUC and staff comments.

Z:\1100-1199-1199-20 Peregrine Point West\DWG\1199-20 Preliminary Plat - Amended.dwg, 12/7/2021 4:03:53 PM, dtd: DWG To PDF v3.4



DATE: 12/07/2021
JOB NO.: 11930-20
DESIGNED BY: DSN
CHECKED BY: RAR
DWG: Construction Set

REVISIONS

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

352 East Riverside Drive
Suite A-2
St. George, Utah 84790
Ph (435) 673-0506 Fx (435) 673-0397
www.rachl.com

PRELIMINARY PLAT - AMENDED
FOR
PEREGRINE POINT WEST: PHASES 1-4
3000 WEST 600 NORTH
HURRICANE, UTAH

STATE OF UTAH
No. 189104
ROBERT A. REID
LICENSED PROFESSIONAL ENGINEER

SHEET
1.0
1 OF 1 SHEETS

EXISTING
PEREGRINE POINT EAST

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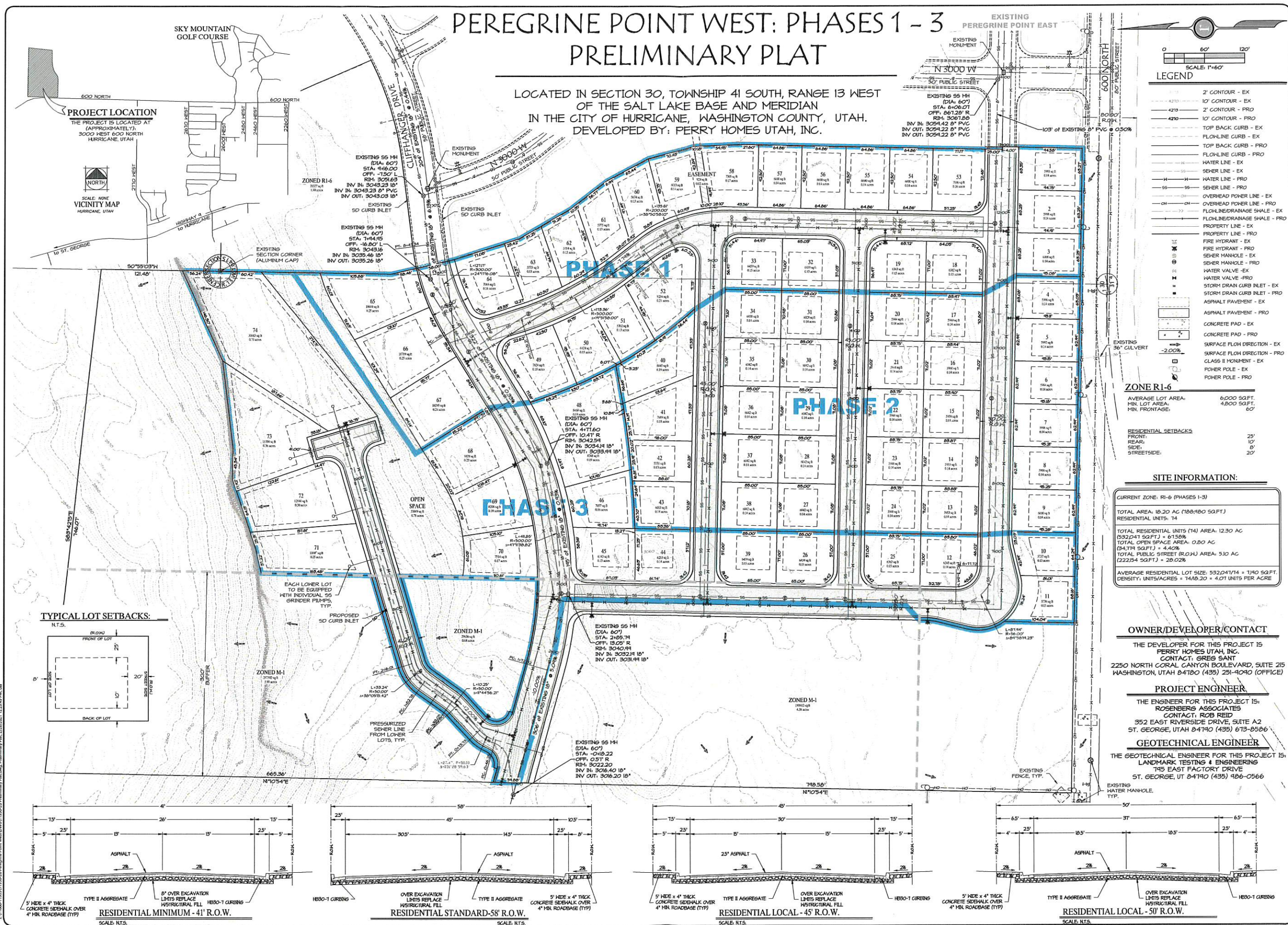
ROSENBERG
ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS

PRELIMINARY PLAT
FOR
NINE POINT WEST; PHASES 1-3
3000 WEST 600 NORTH
HURRICANE, UTAH

PEREGRINE

 SHEET
C1.0

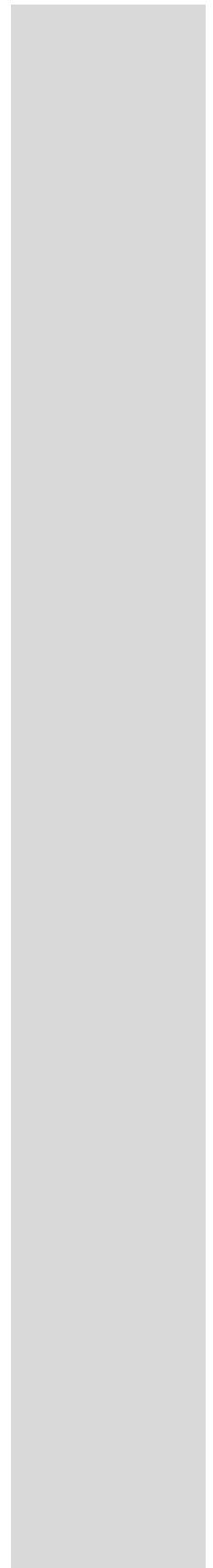
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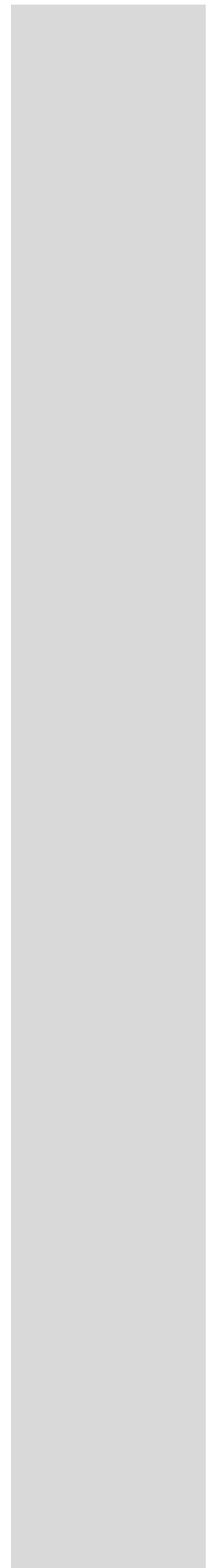


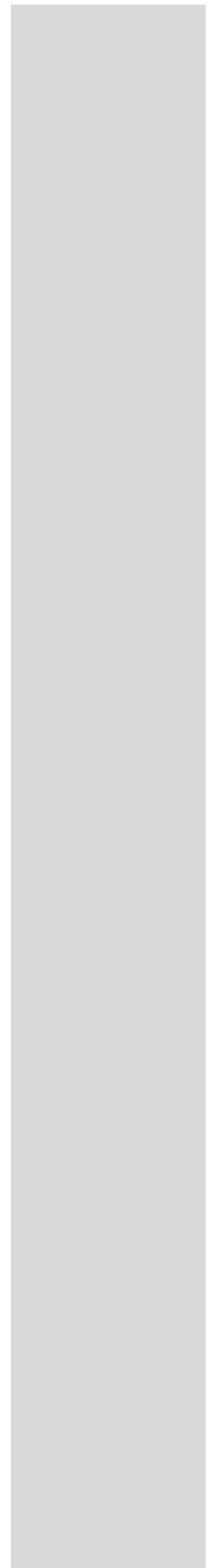
	Zones			
Use	NC	GC	HC	PC
Residential uses:				
Building, accessory	P	N	N	P
Dwelling, multiple-family ⁴	N	N	N	P
Dwelling, single-family ⁴	N	N	N	P
Dwelling, temporary	N	N	N	N
Dwelling, two-family ⁴	N	N	N	P
Manufactured home	N	N	N	N
Manufactured/mobile home	N	N	N	N
Protective housing facility	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P
Residential facility for elderly	P	N	N	P
Residential facility for persons	P	N	N	P
Residential facility for troubled	N	N	N	N
Transitional housing facility	N	N	N	N
Public and civic uses:				
Auditorium or stadium	N	P	P	P
Bus terminal	N	P	P	P
Cemetery	P	P	P	P
Church or place of worship	P	P	P	P
Club or service organization	P	P	P	P
Convalescent care facility	N	P	P	P
Cultural service	P	P	P	P
Golf course	P	P	P	P
Government service	N	P	P	P
Hospital	N	P	P	P
Operations center	N	P	P	P
Park	P	P	P	P
Post office	P	P	P	P
Protective service	P	P	P	P
Reception center	C	P	P	P
Utility, major ³	N	N	N	C
Utility, minor ³	P	P	P	P
Utility substation ³	P	P	P	P
Commercial uses:				
Agricultural sales and service	N	P	P	P
Animal hospital	P	P	P	P
Bail bond service	N	P	P	P
Bank or financial institution	P	P	P	P
Bed and breakfast, home	N	N	N	N

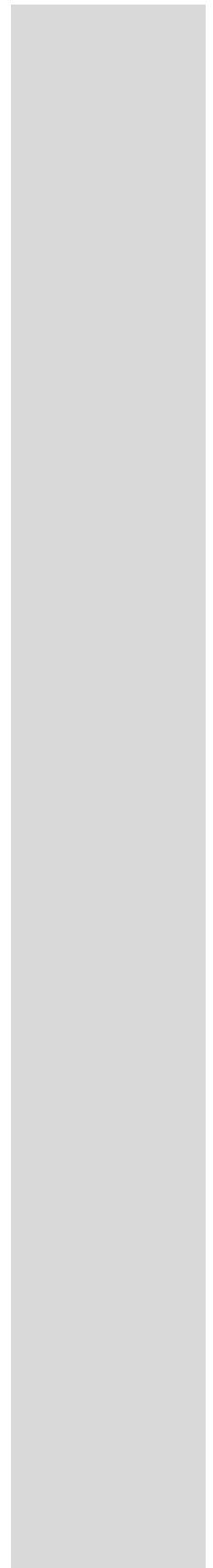
Bed and breakfast inn	P	P	P	P
Business equipment rental,	P	P	P	P
Car wash	P	P	P	P
Club, private	N	P	P	P
Construction sales and service	N	P	P	N
Convenience store	P	P	P	P
Family child daycare facility2	P	N	N	N
Family child group daycare	P	N	N	N
Family child residential	P	N	N	N
Family childcare center	P	P	P	P
Funeral home	N	P	P	P
Garden center	P	P	P	P
Gas and fuel, storage and	N	N	C	N
Gasoline service station	P	P	P	P
Hostel	N	P	P	P
Hotel	N	P	P	P
Kennel	C	P	C	C
Kennel, residential	P	N	N	N
Laundry or dry cleaning, limited	P	P	P	P
Liquor store	N	P	P	P
Media service	P	P	P	P
Medical or dental laboratory	N	P	P	P
Medical service	P	P	P	P
Motel	N	P	P	P
Office, general	P	P	P	P
Parking garage, public	N	P	P	P
Parking lot, public	N	P	P	P
Pawnshop	N	N	P	P
Personal care service	P	P	P	P
Personal instruction service	P	P	P	P
Printing and copying, limited	P	P	P	P
Printing, general	N	P	P	P
Produce stand	P	P	P	N
Recreation and entertainment,	P	P	P	P
Recreation and entertainment,	N	P	P	P
Recreational vehicle park	N	N	P	N
Repair service	P	P	P	C
Research service	N	P	P	N
Restaurant, fast food	P	P	P	P
Restaurant, general	P	P	P	P
Retail, general	P	P	P	P
Secondhand store	P	P	P	P

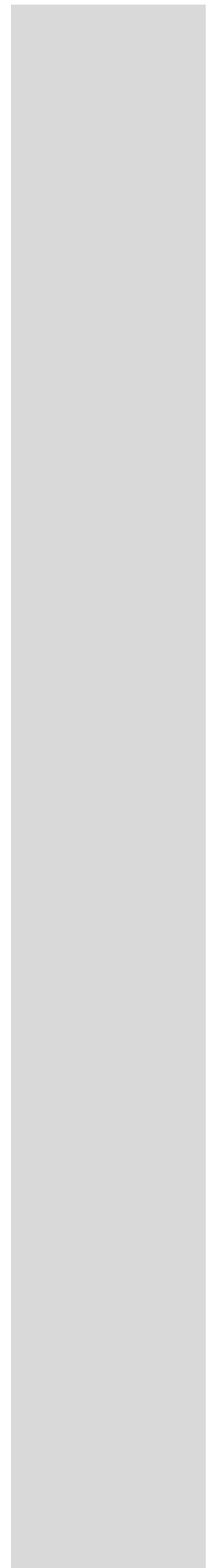
Shopping center	P	P	P	P
Takeoff and landing of aircraft	N	N	N	N
Tattoo establishment	P	P	P	N
Tavern	N	P	P	P
Temporary trailer	P	P	P	P
Transportation service	N	P	P	C
Vehicle and equipment rental	N	P	P	C
Vehicle and equipment repair,	N	P	P	N
Vehicle repair, limited	N	P	P	N
Veterinary service	P	P	P	N
Warehouse, self-service	P	P	N	N
Wireless telecommunication	See section 10-50-5, table 10-50-1 of this title			
Industrial uses:				
Laundry services	N	N	N	P
Wholesale and warehousing,	N	N	N	P
Wholesale and warehousing,	N	N	N	N

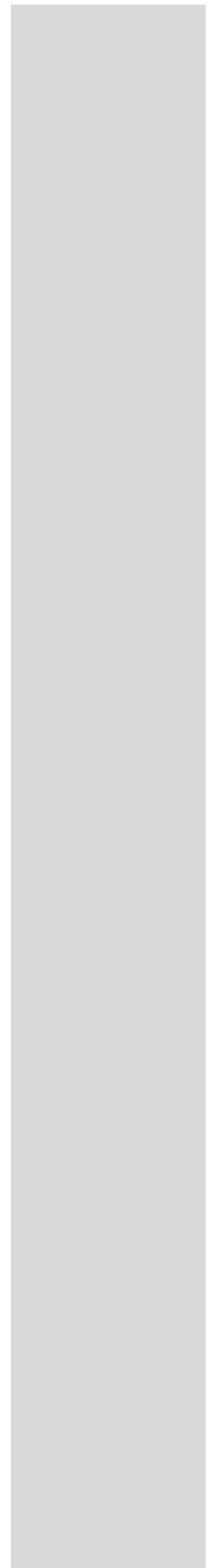


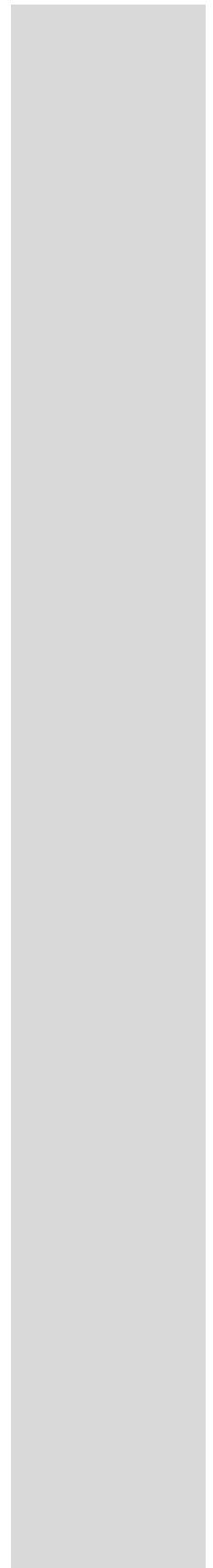


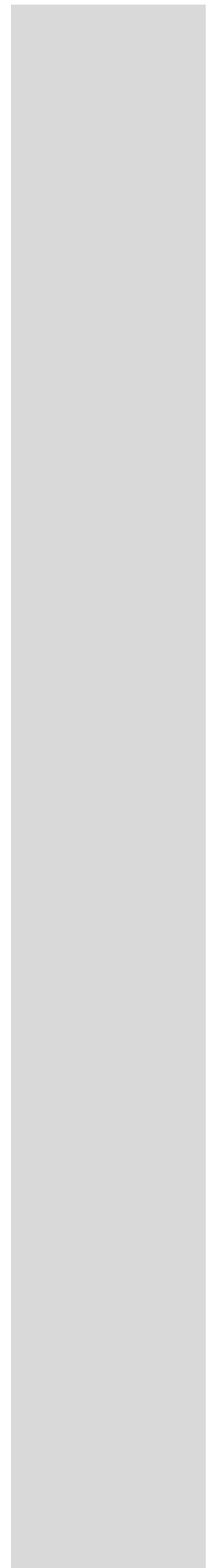


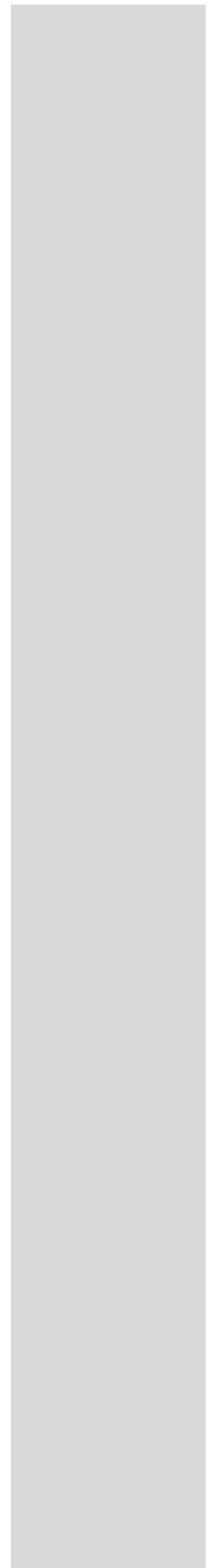


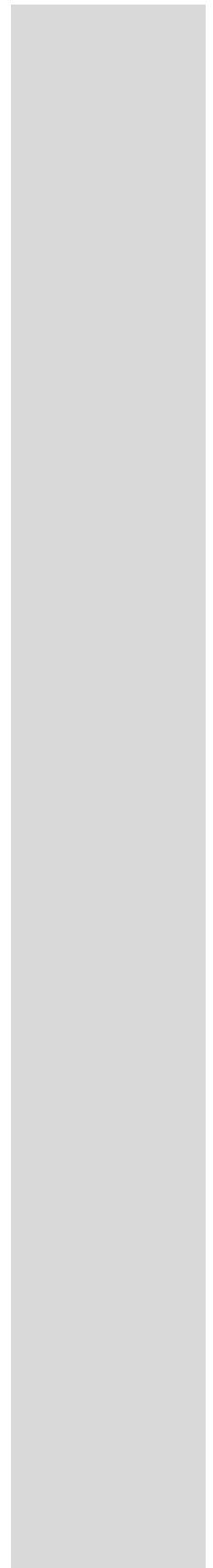


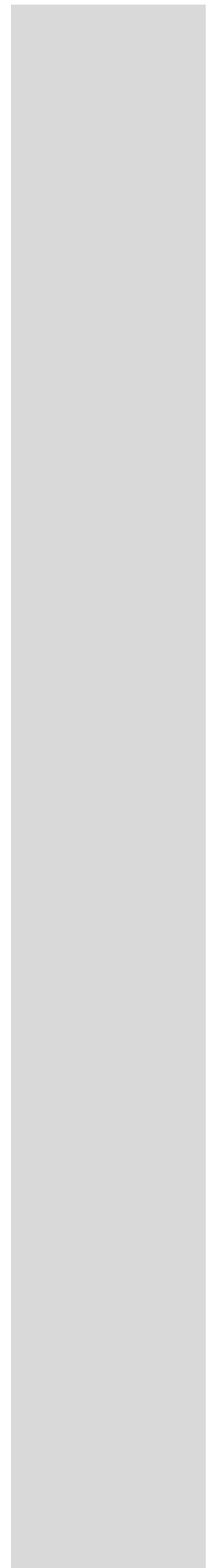


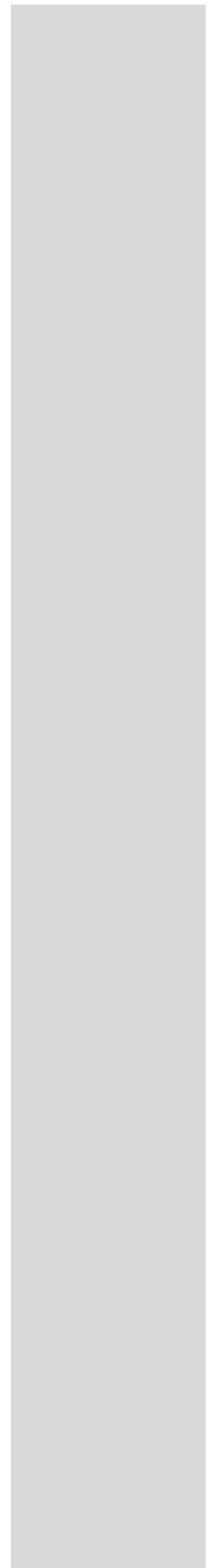


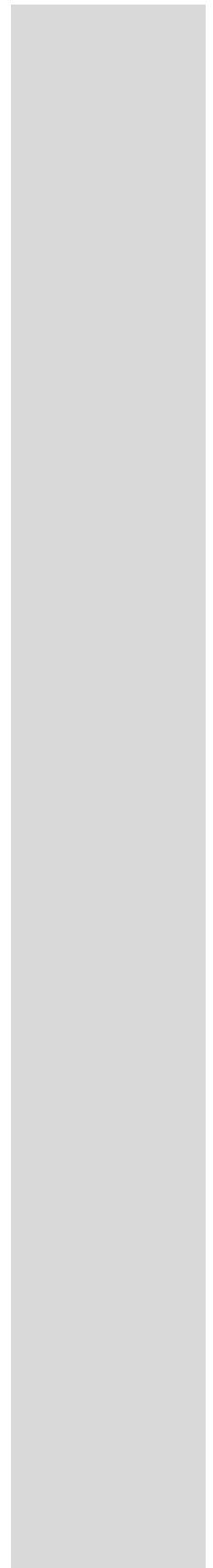


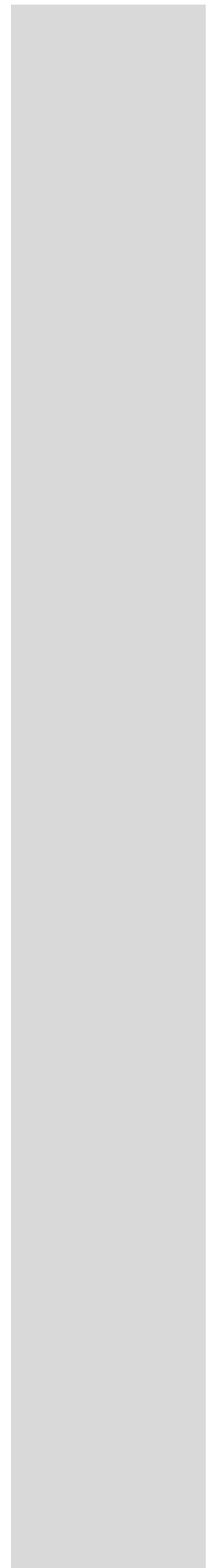


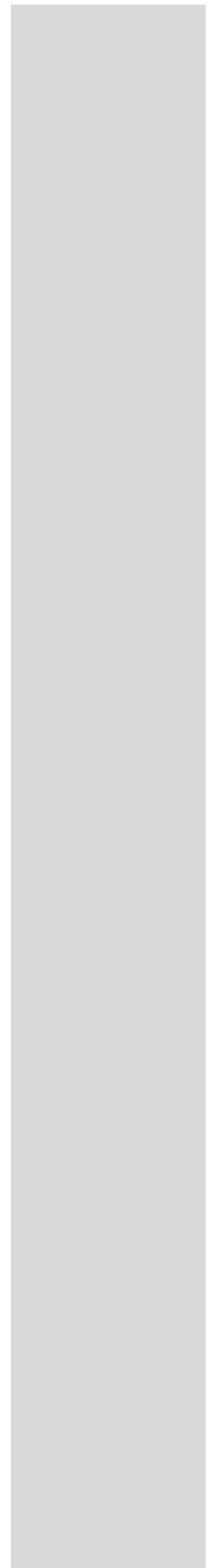


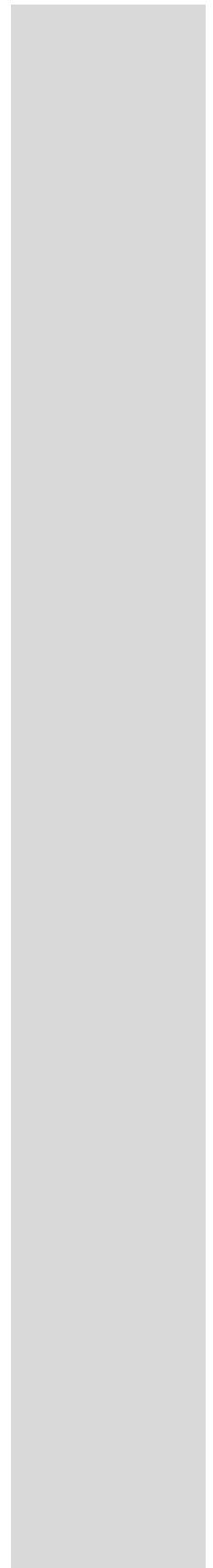


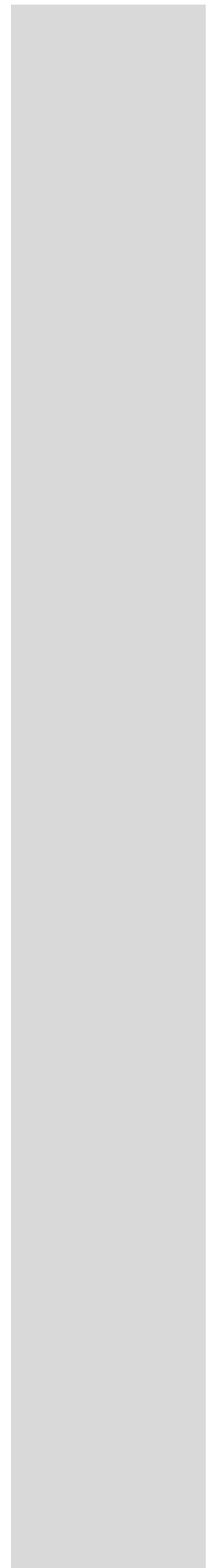


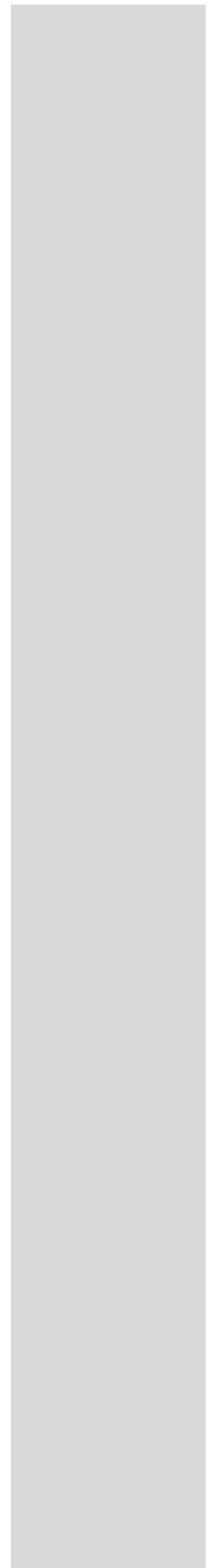


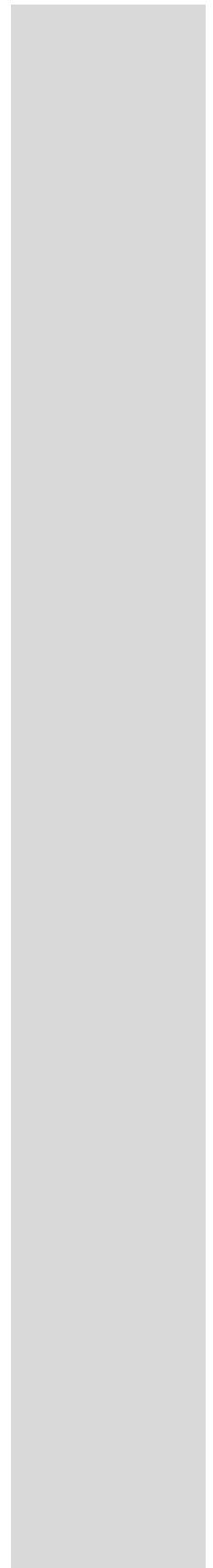


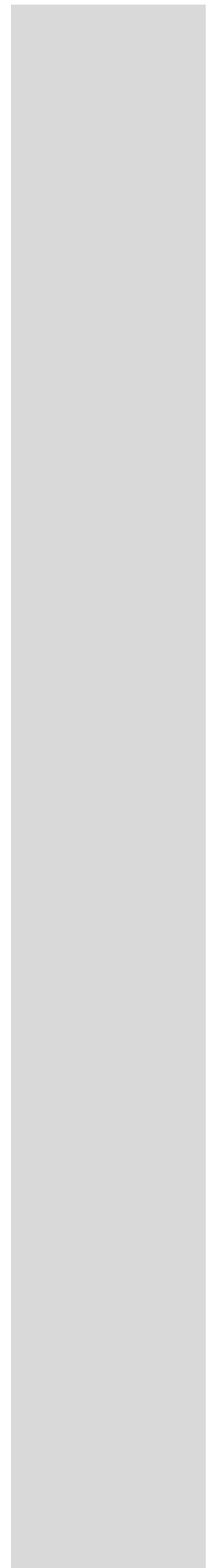


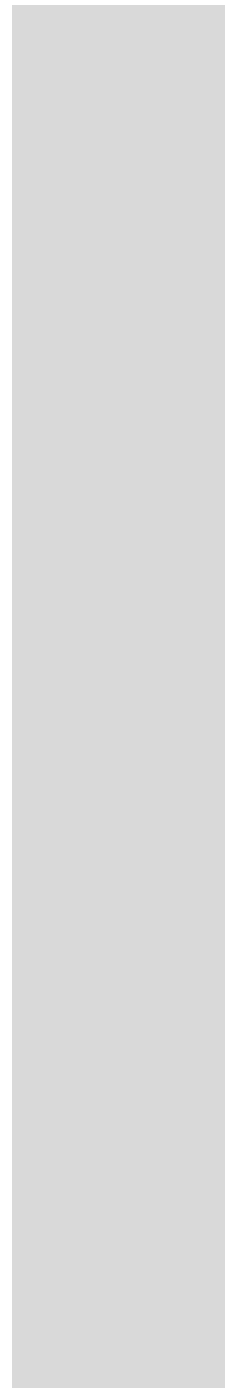












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10-11-2: ZONE PURPOSES:

D. Commercial Zones: Commercial zones provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses vital to the economic base of the city.

4. The purpose of the PC zone is to provide areas of mixed use developments where a combination of ~~destination-oriented~~destination-oriented business, retail commercial, entertainment, high density housing, and related uses may be established, maintained, and protected to serve both residents and nonresidents of the city. Typical uses in this zone include large scale, master planned commercial centers with outlying commercial pads, big box stores, offices, and various types of high density residential uses.

10-15-1: PURPOSE:

See section [10-11-2](#) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-15-2: SC10-15-1: PURPOSE:

See section [10-11-2](#) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

SCOPE:

The provisions of this chapter shall apply to any real property located in a commercial zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, or other laws. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-15-3: USES ALLOWED:

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

TABLE 10-15-1

PERMITTED AND CONDITIONAL USES ALLOWED IN COMMERCIAL ZONES

	Zones				
Use	NC	GC	HC	PC	POC

Residential uses:					
Building, accessory	P	N	N	P	P
Dwelling, multiple-family ⁴	N	N	N	P	P
Dwelling, single-family ⁴	N	N	N	P	N
Dwelling, temporary	N	N	N	N	N
Dwelling, two-family ⁴	N	N	N	P	P
Manufactured home	N	N	N	N	N
Manufactured/mobile home park	N	N	N	N	N
Protective housing facility	N	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P	P
Residential facility for elderly persons ¹	P	N	N	P	P
Residential facility for persons with a disability ¹	P	N	N	P	P

Residential facility for troubled youth	N	N	N	N	N
Transitional housing facility	N	N	N	N	N
Public and civic uses:					
Auditorium or stadium	N	P	P	P	N
Bus terminal	N	P	P	P	N
Cemetery	P	P	P	P	P
Church or place of worship	P	P	P	P	P
Club or service organization	P	P	P	P	P
Convalescent care facility	N	P	P	P	N
Cultural service	P	P	P	P	P
Golf course	P	P	P	P	P
Government service	N	P	P	P	N
Hospital	N	P	P	P	N
Operations center	N	P	P	P	P
Park	P	P	P	P	P
Post office	P	P	P	P	P
Protective service	P	P	P	P	P

Reception center	C	P	P	P	P
Utility, major ³	N	N	N	C	C
Utility, minor ³	P	P	P	P	P
Utility substation ³	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	N	P	P	P	N
Animal hospital	P	P	P	P	N
Bail bond service	N	P	P	P	N
Bank or financial institution	P	P	P	P	P
Bed and breakfast, home	N	N	N	N	N
Bed and breakfast inn	P	P	P	P	N
Business equipment rental, services, and supplies	P	P	P	P	P
Car wash	P	P	P	P	P
Club, private	N	P	P	P	N
Construction sales and service	N	P	P	N	N
Convenience store	P	P	P	P	P

Family child daycare facility ²	P	N	N	<u>PN</u>	N
Family child group daycare facility ²	P	N	N	<u>PN</u>	N
Family child residential certificate care facility ²	P	N	N	<u>PN</u>	N
Family childcare center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N

Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	<u>PN</u>	P
Recreation and entertainment, indoor	P	P	P	P	P
Recreation and entertainment, outdoor	N	P	P	P	N
Recreational vehicle park	N	N	P	<u>NP</u>	N
Repair service	P	P	P	<u>CP</u>	P
Research service	N	P	P	<u>NP</u>	N
Restaurant, fast food	P	P	P	P	P

Restaurant, general	P	P	P	P	P
Retail, general	P	P	P	P	P
Secondhand store	P	P	P	P	P
Shopping center	P	P	P	P	P
Takeoff and landing of aircraft	N	N	N	N	N
Tattoo establishment	P	P	P	N	N
Tavern	N	P	P	P	N
Temporary trailer	P	P	P	P	P
Transportation service	N	P	P	CP	N
Vehicle and equipment rental or sale	N	P	P	CP	N
Vehicle and equipment repair, general	N	P	P	N	N
Vehicle repair, limited	N	P	P	CP	P
Veterinary service	P	P	P	N	N
Warehouse, self-service storage	P	P	N	N	N
Wireless telecommunication facility	See section 10-50-5 , table 10-50-1 of this title				
Industrial uses:					
Laundry services	N	N	N	P	N

Wholesale and warehousing, general	N	N	N	P	N
Wholesale and warehousing, limited	N	N	N	N	N

Notes:

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See chapter 45 of this title.

4. In the area designated as Downtown District on the General Plan map, existing single family residential uses may continue as permitted residential uses. Use and development standards for an R-1-8 Zone shall apply. Existing approved multi-family and two family uses may continue as permitted residential uses. Use and development standards for an RM-2 Zone would apply. No new residential uses are permitted.

(Ord. 2016-11, 11-17-2016; amd. Ord. 2017-14, 8-17-2017)

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

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.

2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established. (Ord. 2017-14, 8-17-2017)

3. Accessory uses in commercial zones shall include, but not be limited to, the following:

Accessory dwelling units attached to a commercial permitted use structure or on the same lot and under same ownership as a permitted use structure.

Accessory dwelling units for security and maintenance personnel.

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

Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this title.

Recreational areas and facilities for the use of employees.

Recycling collection stations.

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

Temporary uses, subject to applicable standards of chapter 48, "Temporary Uses", of this title. (Ord. 2012-8, 10-18-2012; amd. Ord. 2017-14, 8-17-2017)

C. Conditional Uses

1. Conditional uses may be considered by the Planning Commission if the use fits with the surrounding uses and will not cause any objectionable conditions as laid out in 10-15-7
2. For a repair service, transportation service, or vehicle and equipment rental or sale these uses should be near major roadways and have sufficient setback from residential parts of the development

Commented [1]: Probably need an exact number but no idea what that should be

Commented [2]: Should be moved to 10-15-7

10-15-4: DEVELOPMENT STANDARDS:

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

TABLE 10-15-2

DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

Development Standard	Zones				
	NC	GC	HC	PC	POC
Lot standards:					
Minimum lot area	No requirement	No requirement	No requirement	5 acres (see note 3)	5 acres

Minimum lot width	No requirement	No requirement	No requirement	No requirement	No requirement
Building standards:					
Maximum height, main building ¹	35 feet	35 feet	35 feet	55 feet	55 feet
Maximum height, accessory building	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards - front yard:					
All buildings ²	20 feet	20 feet	20 feet	<u>10', corner lots 20' 20 feet</u>	20 feet
Setback standards - rear yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet Otherwise: No requirement				
Accessory building					
Setback standards - interior side yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet Otherwise: No requirement				
Accessory building					
Setback standards - street side yard:					

Main building	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

Notes:

1. Except as otherwise permitted by subsection [10-15-7A](#) of this chapter.
2. Except as modified by the provisions of subsection [10-37-12F](#), "Setback Measurement", of this title.
3. An area less than five acres may be zoned for Planned ~~Commercial~~ [Commercial](#) use if the City Council finds that the zoning meets the following:
 - a. The zone change meets the standards within Hurricane City Code 10-7-7.
 - b. The property is ~~sufciently-incorporated~~ [incoperated](#) into an ~~existing~~ [excisting](#) commercial or multi-family development, and the proposed change will further the purpose of the Planning ~~Commercial~~ [Commercial](#) Zone.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-15-5: REGULATIONS OF GENERAL APPLICABILITY:

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

- A. Design and compatibility standards: See chapter 33 of this title.
- B. Landscaping and screening: See chapter 32 of this title.
- C. Motor vehicle access: See chapter 35 of this title.
- D. Natural resource inventory: See chapter 31 of this title.
- E. Off street parking: See chapter 34 of this title.
- F. Signs: See chapter 36 of this title.
- G. Supplementary development standards: See chapter 37 of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-15-6: REGULATIONS FOR SPECIFIC USES:

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in division 6 of this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-15-7: SPECIAL REGULATIONS:

A. Increased Height: Notwithstanding the height limitations shown in section [10-15-4](#), table [10-15-2](#) of this chapter a greater building height may be allowed in a commercial zone for a commercial use pursuant to a conditional use permit.

B. Use Within An Enclosed Building: Each use specified in section [10-15-3](#), table [10-15-1](#) of this chapter shall be conducted completely within a completely enclosed building, except for the parking of motor vehicles and services to persons therein.

C. Dust, Odor, Smoke, Noise, And Vibration: Each use specified in section [10-15-3](#), table [10-15-1](#) of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.

D. Highway Commercial Zone Location: For property abutting SR-9, the Highway Commercial Zone shall begin at the highway right-of-way line and shall extend a distance of five hundred feet (500') from the State highway right-of-way line.

E. Vendor Carts: Vendor carts, as defined below, are subject to the following definitions, rules and limitations:

10-15-8: Planned Commercial Standards

A. Planned Commercial Developments shall incorporate elements of commercial and residential within each zoned area and development.

B. A preliminary site plan shall be submitted with every zone change to Planned Commercial. Site plan shall have:

a. A minimum of 20% of floor area shall be used for uses as commercial use listed within table 10-15-1. A minimum of 20% of floor area shall be used for long-term residential use as listed within table 10-15-1.

1. The Planning Commission may approve a lower percentage of housing for developments that are adjacent to multi-family development.

2. The Planning Commission may approve a lower percentage for commercial development if the project is located within or adjacent to existing commercial property.

3. Each project shall have a mixture of use, including commercial and housing.

4. Residential density shall not exceed the density of the RM-3 zoning for the entire development

b. A development agreement between the city and the applicant may be required by the city council and executed before the zoning designation shall be effective.

C. Each Planned Commercial development shall provide a preliminary site and final site plan as required in Hurricane City Code 10-7.

D. Landscaping: Landscaping within a Planned Commercial development shall follow the following standards:

1. Street trees are required for every 50' of frontage. These trees may be incorporated within park strips, landscape buffers, or planter boxes within the right-of-way.
2. The applicant shall comply with Hurricane City Standards for landscaping.
3. In lieu of a 10' landscaping buffer along the right-of-way frontage, an applicant can provide that space for sidewalks, outdoor dining, and retail space that enhances the neighborhood's walkability.
4. Parking lots shall remain buffered by a 10' landscape area with one tree and three shrubs for every 35' linear feet.

E. Parking lots shall not be located in front of buildings nearest the right-of-way but shall be contained within parking courts located to the side or behind buildings that front the right-of-way. Buildings may be located behind parking lots if other buildings are fronting onto the right-of-way, and a pedestrian path can be used to access the building from the right-of-way.

F. A Developer or the City may propose different street cross-sections that enhance walkability, street life, outdoor gathering, traffic calming, street parking, and beautification. The City Council must approve a new cross-section with a recommendation from the Planning Commission.



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 in Title 10 Chapter 33 and elsewhere within the city code. 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. This code is very similar to what has been done by other cities in the region.



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 planned 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. Seperate 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

10-3-4: DEFINITIONS OF WORDS AND PHRASES

OPEN SPACE: Generally unobstructed land such as, but not limited to, landscaped buffers and yards, parks, trails, meadows, forested areas, pastures, and farm fields excluding parking areas.

10-13-5: REGULATIONS OF GENERAL APPLICABILITY:

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

- A. Design and compatibility standards: See chapter 33 of this title.
- B. Landscaping and screening: See chapter 32 of this title.
- C. Motor vehicle access: See chapter 35 of this title.
- D. Natural resource inventory: See chapter 31 of this title.
- E. Off street parking: See chapter 34 of this title.
- F. Signs: See chapter 36 of this title.
- G. Supplementary development standards: See chapter 37 of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

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 fifty percent (50%) of all additional floor area. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)~~

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10-33-5: SITE PLAN DESIGN:

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

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

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

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

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

Commented [2]: Add a tree calculation, like one tree for every 1,000 sq. ft. of open space.

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

Commented [3]: Maybe define Open Space if it is not already.

a. One tree shall be planted for every 1,000 square feet of landscaped open space

2. Courtyard areas should be designed as usable space.

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

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

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

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

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

1. Areas with sensitive lands can only count towards this open space if some feature or amenity is added such as a trail in order to make the land usable.
2. Townhome developments with backyards extending at least 10 feet from the back of houses shall only be required to have 15% open space.
3. Duplex developments with backyards extending at least 10 feet from the back of houses shall only be required to have 10% open space.
4. Open and common space must contain some kind of amenities as laid out below

<u>Number of units</u>	<u>Number of amenities</u>
<u>0-15</u>	<u>0</u>
<u>16-50</u>	<u>1</u>
<u>51-100</u>	<u>3</u>
<u>101-200</u>	<u>4</u>
<u>201-300</u>	<u>5</u>

- 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, hot tubs, health or fitness facilities, playgrounds, community gardens, sport courts, club house
- c. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. Amenities shall be maintained by a common ownership or deeded to the city.
- d. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission
- e. Planning Commission may lower the amount of open landscaped space or amenities required if the development is within one-quarter mile of a city park

Commented [4]: Create a table showing what this would mean.

Commented [5]: Define what can count towards this 20%.

Commented [6]: Areas with sensitive lands can count towards this open space if some feature or amenity is added.

Commented [7]: Follow up with St. George to see if they like this code.

Commented [8]: Define that these should be Under some sort of common ownership. ex: "Maintained and owned by the HOA or the City."

Commented [9]: Should we consider a priority list, like in the RR zone?

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 fifty percent (50%) of all additional floor area. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

~~F. Outdoor Lighting: Lighting should limit its impact on adjacent properties and adhere to general dark sky principles. Only lighting that is needed should be installed.~~

~~—1. The exterior lighting of a project should provide for the illumination of buildings and grounds for safety purposes, but that utilizes only the amount of light necessary for the purpose. Lighting should be fully cut off according to National Dark Sky Association standards, focused downward, hooded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjoining properties.~~

~~—2. Fixtures used in exterior lighting should be fully shielded, light only the area where light is needed, be no brighter than necessary, and minimize blue light emissions.~~

~~—3. Walkway lighting should be fully shielded and no more than one hundred (100) lumens.~~

~~—4. All new 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.~~

~~—5. Lighting that can be programmed to dim or shut off when it is safe to do so is preferred, such as one-half ($\frac{1}{2}$) hour after business closing or after twelve o'clock (12:00) midnight.~~

~~—6. Light levels at the property line should not exceed 0.1 foot-candles (fc) adjacent to business properties, and 0.05 foot-candles at residential property boundaries.~~

~~—7. Gas canopy and drive up cover lighting shall be down lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.~~

~~—8. Residential lighting: Lighting should be shielded, focused downward, and placed and screened so that light does not cause light trespass on or spill onto any adjoining properties. Motion lights focused away from neighboring properties rather than lights that are always on are preferred. (Ord. 2019-04, 5-2-2019)~~

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)

Commented [10]: Moved to a new section below

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

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

2. Trails should be at least 10 feet wide unless they are so marked on the Active Transportation Master Plan. Trails indicated on the Active Transportation Master Plan shall be at least 12 feet wide

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

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

~~—52. Internal Walkways shall be well lighted with lights no higher than three feet (3') high that are fully shielded to provide visibility, security and a pleasant environment and prevent glare and light trespass. (Ord. 2019-04, 5-2-2019)~~

5. Covered or locked bicycle storage should be provided in all multifamily developments at a rate on one space per two units

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

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

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

2. Adequate lighting should be provided throughout the development.

Commented [11]: The following should be added:

- 1. Trail width standards.
- 2. Master Plan
- 3. Ped Plan should be submitted with the preliminary plat. Should show the following:
 - a) Location of walkways
 - b) width of walkways
 - c) Connection points.
 - d) Location of Master Plan Trails
 - e) Connection with homes and amenities
 - f) Street crossings and crosswalks.
- 4. Show connections into adjacent developments.

Commented [12]: _Marked as resolved_

Commented [13]: _Re-opened_

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

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.
2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

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

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

1. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.
2. Minimum requirements for screening walls: See chapter 37 of this title.

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

1. Equipment should be kept low to the ground.
2. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

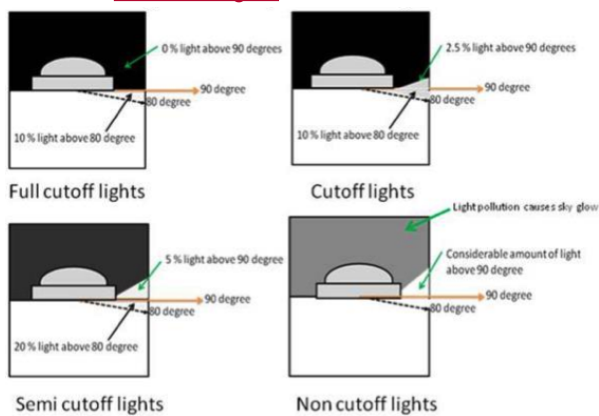
O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

10-33-7: OUTDOOR LIGHTING

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

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.
2. Requirements: Only lighting that is needed shall be installed.
 - a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjacent properties.
 - i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards
 - b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.
 - c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground
 - d. Motion sensor lighting shall not be on for more than five minutes a time
 - e. Gas canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.
 - f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable
 - g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter
 - h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that only the sign face is illuminated. All lighted signs must have stationary and constant lighting.
3. Exceptions:
 - a. Lighting that has a brightness of less than one thousand (1,000) lumens or one sixty (60) watt 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. Motion sensing lighting that are on for less than five minutes at a time, and are not used for extended lighting
- f. 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
- g. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday
- h. The lighting of telecommunication towers to meet Federal Aviation Administration regulations;
- i. Runway lighting at airports that are only turned on when necessary
- j. 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.
- k. Motion sensor lights that are on for less than five minutes at a time.
- 4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
- 5. Diagrams and exhibits: Guidelines for outdoor lighting are below
 - a. Cutoff lights



Examples of Acceptable / Unacceptable Lighting Fixtures



4-2-2: ENUMERATION OF NUISANCES:

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

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

- a. Rubbish, refuse, junk, trash or debris.
- b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

J. Diagonal and perpendicular street parking is permitted in all nonindustrial zones but shall comply with with 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.
3. After every 10 spaces, there shall be a bulb-out that is a minimum of 20' in length and landscaped with shrubs no higher than two feet, and at least a single tree pruned and located to ensure proper line of sight is maintained.
4. Parking shall not cross the sidewalk, and sidewalks shall wrap around the outside of parking areas.
5. Parking areas shall be located fifty feet (50') away from any intersection of public roadways.
6. The City Engineer must approve the proposed cross-section during the preliminary plat process