

**Hurricane Planning Commission
Meeting Minutes
February 9, 2023**

Minutes of the Hurricane City Planning Commission meeting held on February 9, 2023, at 6:08 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

Members Present: Mark Sampson, Paul Farthing, Michelle Cloud, Rebecca Bronemann, Brad Winder, Ralph Ballard, Kelby Iverson (joined at 6:08 p.m.)

Members Excused:

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

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance, led by Rebecca Bronemann

Prayer and/or thought by invitation led by Mark Sampson

Declaration of any conflicts of interest

Brad Winder motioned to approve the agenda as posted. Paul Farthing seconded the motion. Unanimous.

Public Hearings

1. A Zone Change Amendment request located approximately Gould's Wash Road and Hwy 59 from R1-10, residential one unit per 10,000 square feet, to R1-8/PDO, residential one unit per 8,000 square feet with a Planned Development Overlay, to create a subdivision containing approximately 3083 units.

No comments

2. A Zone Change Amendment request located at 663 W 400 S from R1-8, residential one unit per 8,000 square feet, to RM-1, multifamily 6 units per acre, to build a duplex.

Joan Solagy reported that the property sits directly behind her property. The amount of traffic on 400 south has increased, and On January 7th, there was a car accident behind her house. There needs to be more parking on 400 south for the existing residence, and the corner of 700 West is also very busy in the morning. She is concerned about the safety of the existing residents and whether there will be adequate parking.

NEW BUSINESS

1. 2023-ZC-02 2023-PSP-03: Discussion and consideration of a recommendation to the City Council on a zone change amendment request located at approximately the intersection of SR-59 and Gould's Wash Road from R1-10, single family residential one unit per 10,000 sq ft, to R1-8 PDO, residential one unit per 8,000 sq ft with a Planned Development Overlay. Todd Smith Applicant. Mike Wagstaff Agent.

Stephen Nelson explained that this parcel is along Hwy 59. The was zoned R1-10 in 2008. The applicant is requesting R1-8, which slightly increases the density. The general plan map has this area set aside for planned community development. The plan presented by the applicant is in line with the general plan. The staff's primary concern is utilities to the site. The Water Conservancy District has reported that the water supply could be depleted within five years. Due to that information, staff has discussed not approving additional master-planned communities and recommends denial of the application.

Mike Wagstaff reported that he understands the staff's concerns. He emphasized that they tried to present an application consistent with Hurricane City's general plan. They feel a PDO and R1-8 zoning will create a better community. This is the first stage in development, and they are only applying for a zone change. They agree with staff concerns regarding the lack of infrastructure and are willing to work with the Planning Commission to address staff concerns.

Todd Smith introduced his company, My Brother's Keeper. The name was chosen to represent the goals of the company. The land prices in Southern Utah are unaffordable, and their goal is to increase supply to drive prices down. They plan to build two hundred units with a price in the mid-two hundred thousand. He knows there is a water issue, but he does believe the water district will find a way to resolve that, and the utility and traffic concerns will be addressed.

Dayton Hall reported that developers asked for upzoning of their property in the past, and there is now an issue with bringing services to that location. The proper way to approach this is to apply the four factors of a zone change. Mr. Nelson reported that even under the rationale of approving this to allow the developer to address the utilities, water supply concerns are critical. Michelle Cloud is impressed with the present report and is not opposed to the density, and she feels that building more housing is the only way to solve the housing issue. However, this does not meet the fourth criteria. Mr. Wagstaff reported that they do not have all the data to fairly state they don't have adequate services.

Brad Winder agrees that this does not meet the fourth criteria. Paul Farthing thinks this is a great idea. However, he feels this is premature based on the lack of utilities. Kelby Iverson likes the product, but granting the zone change to R1-10 before the services were available was a mistake. The Planning Commission could favor this if the developer figures out a way to get the services to the location. Mr. Wagstaff feels the Planning Commission is making requirements beyond the ordinance. Mr. Farthing cited the ordinance in question. Rebecca Bronemann asked if the Utah Department of Transportation approved the accesses off Hwy 59. Mr. Wagstaff reported that this would come later in the process. After meeting with the Water Conservancy District, Ralph Ballard does not like this plan. He has yet to see a developer adhere to their promise of affordable housing. He likes the R1-10 zoning, and he does not want increased density.

Mr. Nelson reported that the applicant has preliminary utility plans. However, the area is very isolated, making it challenging to bring utilities to the location. He reiterated his other concern regarding the overall water supply in the county. He noted that the City does need commercial development and adequate housing. However, isolated master planned communities are not going to satisfy those needs. Especially when there are other locations in town closer to services and easier to develop. Mr. Ballard reported that the aquifer is depleting, and he does not think the water from Apple Valley can be deferred this far down. His opinion is that continuing to increase density aggravates the situation. Mr. Smith

reported that they are exploring options to provide the necessary water. They are working to reuse the secondary services from a packaging plant. He reiterated that his primary goal is contributing to the community and providing affordable housing. Mr. Nelson explained that the best practice for affordable units is to build in an area with infrastructure.

Kelby Iverson motioned a recommendation of denial of 2023-ZC-02 and 2023-PSP-03 due to a lack of services and infrastructure. With the encouragement that Brothers Keepers continues to work to address the issues. Paul Farthing seconded the motion. Brad Winder, Paul Farthing, Mark Sampson, Kelby Iverson, and Ralph Ballard - aye, Michelle Broneman – nay, she feels this item should be tabled. Rebecca Bronemann – nay, for the reasons listed by Michelle Bronemann. Motion carries.

2. 2023-ZC-03: Discussion and consideration of a recommendation to the City Council on a zone change amendment request located at 663 W 400 S from R1-8, single family residential one unit per 8,000 sq ft to RM-1, multifamily six units per acre. Jeremy Black Applicant.

Stephen Nelson explained that it is currently zoned single-family, and the house on the property has some issues. The applicant would like to rezone to RM-1 to build a duplex. Mr. Nelson reported that the property is in a floodplain, and the floodplain administrator will make a recommendation to address this. Rebecca Bronemann reported that proper parking was a concern during the public hearing. Mr. Black reported that each duplex will have a two-car garage with driveways in front.

Rebecca Bronemann motioned a recommendation of 2023-ZC-03 based on the findings, this will improve the property and provide adequate parking. Brad Winder seconded the motion. Unanimous.

3. 2023-AFP-03: Discussion and consideration of a recommendation to the City Council on an amended final plat for Quail Lake Estates Lots 10 and 11 located at 4400 W State St #10 and #11. Darrell and Christine Leigh Applicant. Ryan Scholes/Alpha Engineering Agent.

Fred Resch III reported that the current lot line goes through a building., and the applicant is changing the lines to match the existing improvements on the site.

Kelby Iverson motioned a recommendation of approval of 2023-AFP-03 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

4. 2023-CUP-04: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 444 S 1530 W. Jason Putnam Applicant.

Jason Putnam explained that he is building a shop behind the house. The building will be blocked by the house and not visible from the street. Mr. Putnam stated that the siding of the building matches his home.

Paul Farthing motioned to approve 2023-CUP-04 subject to staff comments with the clarification that the exterior materials will match the house. Michelle Cloud seconded the motion. Unanimous.

5. 2023-AFP-04: Discussion and consideration of a recommendation to the City Council on an amended final plat for Dixie Springs Lot F41 and F42, located at 2829 S 3200 W and 3203 W 2830 S. Heather Hugie Applicant. Mike Hugie Agent.

Mike Hugie reported when the driveway was poured across their property line. Fred Resch III noted that the applicant needs to submit the final plat in plat format.

Kelby Iverson motioned a recommendation of approval of 2023-AFP-04 subject to changing the format to plat format. Brad Winder seconded the motion. Unanimous.

6. 2023-FSP-03: Discussion and consideration of a possible approval of a final site plan for Hurricane Equipment Rentals, an equipment rental company located at 504 W State St. Brad Holt Applicant.

Trevor Swyers reported that the office building is made of wood. Fred Resch III reported that the presented landscaping meets the code. However, it is not on site. Mr. Swyers reported that Brad Holt is requesting an expectation for the landscaping because the location is temporarily leased. Dayton Hall stated that the Planning Commission can approve a deviation from the landscaping ordinance if the deviation is consistent with the intent of the chapter, is justified by site constraint, and is of comparable quality to what is otherwise required without a deviation. Mr. Resch III reported that the business license had been revoked. Dusky Goulding stated that they received permission to operate from Mike Vercimack. Kelby Iverson understands the hesitancy of putting in the landscaping. Mr. Swyers reported that landscaping blocks the view from the roadway.

Rebecca Bronemann motioned to continue 2023-FSP-03 to allow the applicant to update the landscaping plan and meet the condition of the conditional use permit. Michelle Cloud seconded the motion. Unanimous.

7. 2023-FSP-04: Discussion and consideration of a possible approval of a final site plan for Dixie Power Sand Hollow Substation, a public utility station located at 4898 W 3150 S. Dixie Power (Russ Condie) Applicant. Alliance Consulting LLC Agent.

Russel Condie reported that the conditional use permit for the eight-foot wall was approved in the last meeting.

Rebecca Bronemann motioned to approve 2023-FSP-04 subject to staff comments. Kelby Iverson seconded the motion. Unanimous.

8. 2023-CUP-05: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height located at 745 S 840 W. Interstate Homes, LLC Applicant

Amanda Pectal stated that this RV garage is twenty-one feet tall and will look exactly like the home.

Kelby Iverson motioned to approve 2023-CUP-05 subject to staff comments. Paul Farthing seconded the motion. Unanimous.

9. 2021-PP-35: Discussion and consideration of a possible approval of a final plat extension for Ridge at Zion Vista Phase 2, a 19-lot single family subdivision located at 840 S 1580 W. Alan Wheatley Applicant

Dayton Hall reported that the agenda list this as an extension of a final plat, but this is a request for an extension of the preliminary plat. Fred Resch III reported that the preliminary plat was approved subject to the applicant reducing the subdivision by four lots. Chase Stratton acknowledged the reduction of four lots as initially approved by the City Council. Ralph Ballard asked what the estimated time frame is for moving forward. Mr. Stratton reported that 840 South is under construction for a water line and access road, and construction drawings are underway for the development.

Kelby Iverson motioned to grant a one-year extension of 2021-PP-35 with the understanding of the removal of four lots, subject to all other staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

10. City Council Recap

Approved	Denied	Continued	Tabled
Preliminary Plat for Desert Sky. Conditional upon amendment of the development agreement to allow for the review and comment, and the construction drawings will not be approved until city staff determines the public facilities are adequate.		Short term rental ordinance update	
Preliminary Plat for Southern Dune Townhomes is conditional upon amendment of the development agreement to allow for the review and comment. The construction drawings will be approved once city staff determines the adequate public facilities.		Landscaping code.	
Preliminary Plat for Benchlake Townhomes to allow for the review and JUC comments. Signatures can only be given on construction drawings once services are adequate. However, they did approve the signatures and construction of 1100 West.		Water Conservancy Restrictions Ordinance update	
Code change for conditional use permits for reception centers in agriculture zones.			
Preliminary Plat for Dixie Meadows			

Kelby Iverson cited item C within the development agreement on these zone changes, which states that the applicant cannot make any other request until services are available. He expressed concern that the applicant was invited to reapply, and the City Council approved the application, directing staff to amend the development agreement.

11. Discussion of amending the model home ordinance

Fred Resch III explained that an applicant requested to build a model industrial building, and staff denied the application. The City Council denied the applicant's appeal. Mayor Billings requested that the Planning Commission review the ordinance, and Mr. Resch III reviewed the changes suggested by the staff. Dayton Hall stated that after speaking with staff, they think the model home requirement should be more restrictive. It is problematic to allow a model home to be built before the completion of a subdivision. The Planning Commission asked staff to add the amendment to the next Planning Commission meeting.

Approval of Minutes:

1. June 23, 2021

Paul Farthing motioned to approve the minutes from June 23, 2021. Unanimous.

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

Adjournment