



HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

Planning Commission

*Mark Sampson, Chair
Shelley Goodfellow, Alternate Chair
Ralph Ballard
Paul Farthing
Rebecca Broneman
Michelle Cloud
Brad Winder
Kelby Iverson*

Hurricane Planning Commission Meeting Agenda

July 27, 2023
5:00 PM

Hurricane City Offices 147 N 870 W, Hurricane

Notice is hereby given that the Hurricane City Planning Commission will hold a Regular Meeting commencing at 5:00 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 phone +1-415-655-0001 US Toll

Access code: 2632 882 4836

Host PIN: 9461

Details on these applications are available in the Planning Department at the City Office, 147 N. 870 West.

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

1. Discussion on MH/RV zoning standards
2. Discussion on fencing standards

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance

Prayer and/or thought by invitation

Declaration of any conflicts of interest

Public Hearings

1. A Land Use Code Amendment to Title 10 Chapter 7 and Chapter 41 regarding accessory dwelling units.

OLD BUSINESS

1. LUCA23-04: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 3 and Chapter 43 regarding Park Model Developments.
2. PP23-17: Discussion and consideration of a recommendation to the City Council on a preliminary plat for The Adventus Phase 1, a mixed use development consisting of Hotel condominiums, commercial, and restaurant space located at the corner of Abbey Road and Sand Hollow Road. Brent Moser Applicant. Karl Rasmussen Agent
3. APA23-02: Discussion and consideration of a recommendation to the City Council on an Agricultural Protection Area for Donald Stratton located at 900 S 1100 W. Donald Stratton Applicant.
4. APA23-03: Discussion and consideration of a recommendation to the City Council on an Agricultural Protection Overlay for Bruce and Linda Zimmerman located at 890 S 1100 W. Bruce and Linda Zimmerman Applicant.

NEW BUSINESS

1. LUCA23-05: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 7 and Chapter 41 regarding accessory dwelling units.
2. PSP23-20: Discussion and consideration of a possible approval of a preliminary site plan for Jellystone Park Adventure Center, a commercial development located at 3950 W Jellystone Road. Blow Sand LLC Applicant. Karl Rasmussen Agent.
3. PP23-19: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Buck's Ace Hardware, a four lot commercial subdivision located at 1447 W State St. Buck Hurst Applicant. Jared Bates Agent.
4. PSP23-22: Discussion and consideration of a possible approval of a preliminary site plan for Hurricane City Gymnasium, a gym building located at 748 N 200 W. Hurricane City Applicant. Karl Rasmussen Agent.
5. AFP23-14: Discussion and consideration of a recommendation to the City Council on an amended final plat for Quail Creek Industrial Park Phase 5 located at 1100 S Regional Park Road. Doug Dennett Applicant. Brandee Walker Agent.

Approval of Minutes:

1. January 12, 2023

Adjournment

CHAPTER 3. DEFINITIONS

Sec. 10-3-4. - Definitions of words and phrases.

[Only amended definitions are included. All other definitions remain unchanged.]

Manufactured home means a transportable factory built dwelling unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD code), in one or more sections, which:

- A. In the traveling mode, is eight body feet or more in width or 40 body feet or more in length, ~~or when erected on site, is 400 or more square feet;~~
- B. Is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities;
- C. Includes plumbing, heating, air conditioning, and electrical systems; and
- D. Is identified by the manufacturer's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

~~*Park model development* means any site, tract, or parcel of land on which facilities have been developed to accommodate two or more park model trailers or RVs as temporary living quarters pursuant to the requirements of chapter 43 of this title.~~

~~*Park model recreational vehicle* means a unit that:~~

- ~~A. Is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;~~
- ~~B. Requires a special highway movement permit for transit; and~~
- ~~C. Is built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode; and~~
- ~~D. Is not self contained, requiring outside water, power, and sewer connections.~~

~~*Park model trailer* means a transportable dwelling unit built on a single chassis which:~~

- ~~A. In the traveling mode, is eight body feet or more in width and not more than 40 body feet in length, or when is erected on site, has a gross area of at least 320 square feet and less than 400 square feet;~~
- ~~B. Is designed to be connected to utilities necessary for operation of installed fixtures and appliances; and~~
- ~~C. Meets the standards set forth in ANSI A 119.5 or its successor.~~

CHAPTER 43. MANUFACTURED/MOBILE HOME AND RECREATIONAL VEHICLE REGULATIONS

Sec. 10-43-1. Purpose.

The purpose of this chapter is to establish regulations for manufactured/mobile home parks and subdivisions, and recreational vehicle parks in order to achieve the following objectives:

- A. To assure that development of such parks and subdivisions promote the purpose and objectives of the City general plan and this title;
- B. To permit variety, flexibility, and affordability in land development for residential purposes in designated areas of the City;
- C. To protect the integrity and characteristics of zones contiguous to zones where manufactured/mobile home parks and subdivisions, and recreational vehicle parks are located; and
- D. To protect the integrity of land use values contiguous to and within such parks and subdivisions.

(Ord. 2004-15, 6-17-2004)

Sec. 10-43-2. Scope.

No manufactured/mobile home or recreational vehicle shall be used or occupied except within an approved manufactured/mobile home park or subdivision, or recreational vehicle park, or as specifically provided by a provision of this chapter or this title. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, or other laws.

(Ord. 2009-13, 10-1-2009)

Sec. 10-43-3. Uses allowed.

- A. *Permitted and conditional use.* A manufactured/mobile home park or subdivision, and recreational vehicle park may be established in an MH/RV zone as set forth in chapter 13, residential zones, of this title, subject to the provisions of this chapter, or as otherwise specifically provided in this chapter or this title. In the event a provision of this chapter conflicts with a provision in another chapter of this title, the provision of this chapter shall apply.
- B. *Location of an occupied manufactured/mobile home.* No occupied manufactured/mobile home shall be located anywhere within the City except as follows:
 - 1. A manufactured home, when attached to a permanent foundation in accordance with plans providing for vertical loads, uplift, and lateral forces and frost protection in compliance with applicable building code, may be located within any single-family residential zone subject to the requirements of that zone; or
 - 2. Within an approved manufactured/mobile home park or subdivision; or
 - 3. As a dwelling unit on a bona fide farm or ranch when allowed by the zone where the ranch or farm is located; or

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4. Any of the following temporary uses, subject to the issuance of a temporary use permit pursuant to the requirements of section 10-7-16 and chapter 48 of this title:
- a. Construction field office for use by contractors or as a temporary place of business for an owner or lessee while a permanent building is under construction on the same site;
 - b. Dwelling for members of an immediate family (parents, children, brothers, or sisters), subject to the requirements of section 10-43-4 of this chapter;
 - c. Sales office for manufactured/mobile homes or recreational vehicles, when allowed by the zone where the office is located;
 - d. Sales office for the sale of dwellings in a subdivision or other residential project.
- C. *Location of an occupied recreational vehicle.* No occupied recreational vehicle shall be located anywhere within the City except as follows:
1. Within a:
 - a. Recreational vehicle park;
 - b. Manufactured/mobile home park, subject to the requirements of subsection 10-43-6A2b of this chapter; or
 - c. Designated camping area; and
 2. As a dwelling for members of an immediate family (parents, children, brothers, or sisters), subject to the requirements of section 10-43-4 of this chapter.
 3. This section shall not be construed to prohibit the occupation of a recreational vehicle by visitors to occupants of a single-family residential lot improved with one single-family residence for a time not exceeding two weeks (14 days) in any 90-day period.
- D. *Location of an unoccupied manufactured/mobile home or recreational vehicle.* An unoccupied manufactured/mobile home or recreational vehicle may be located as follows:
1. On a sales lot, when allowed by the zone where the lot is located; and
 2. Long term storage of a recreational vehicle or manufactured/mobile home for maintenance operations, reconstruction, or construction is permitted only within an enclosed area and only in a zone allowing such use.
 3. This subsection shall not be construed to prohibit the storage of an unoccupied recreational vehicle on the property of the vehicle's owner or in a commercial lot approved for the storage of recreational vehicles.
- E. *Emergency or temporary parking.* Emergency or temporary parking of an unoccupied manufactured/mobile home or recreational vehicle outside an approved manufactured/mobile home park or subdivision, or recreational vehicle park, or other authorized place may be permitted for a period not exceeding 48 hours. This limitation does not apply to an unoccupied manufactured/mobile home or recreational vehicle located in an authorized sales area.

(Ord. 2004-15, 6-17-2004; Ord. 2009-13, 10-1-2009; Ord. 2011-11, 12-15-2011; Ord. 2012-2, 4-19-2012)

Sec. 10-43-4. Temporary dwelling.

- A. *Conditions for issuance.* A manufactured/mobile home or recreational vehicle may be used for a temporary dwelling on a lot not located in a recreational vehicle park or manufactured/mobile home park as a dwelling

for members of an immediate family subject to the issuance of a temporary use permit as provided in section 10-7-16 and chapter 48 of this title, and the following requirements:

1. No temporary use permit shall be issued except in connection with the construction of a new dwelling or the temporary placement of a recreational vehicle on a residential lot subject to the standards in subsection B of this section.
 2. A permit for a temporary dwelling used by members of an immediate family during construction of a new dwelling shall be issued only for the property where the new dwelling is to be constructed.
 3. A valid building permit for construction of the new dwelling shall be issued and fully paid for prior to the issuance of a temporary use permit for a temporary dwelling used by members of an immediate family during construction of a new dwelling.
 4. All applicable fees shall be paid prior to placement of the manufactured/mobile home or recreational vehicle to be used as a temporary dwelling used by members of an immediate family during construction of a new dwelling on the subject property.
 5. All utility connections shall conform to City standards.
 6. No temporary use permit for a temporary dwelling used by members of an immediate family during construction of a new dwelling shall be approved for longer than six months unless an extension is approved prior to expiration of the original permit. Such extension shall not exceed six months.
- B. *Recreational vehicle.* Standards for temporary placement of a single recreational vehicle on a residential lot for use as a temporary dwelling by an immediate family member (parents, children, brothers, or sisters) in case of financial hardship.
1. Recreational vehicle must be located on a lot containing a single-family dwelling and must be occupied by an immediate family member of the family occupying the dwelling.
 2. No rent may be paid for the temporary placement.
 3. A temporary use permit must be issued for a period not exceeding six months. One six-month extension may be granted by the City Council. Such extension must be in writing.
 4. Holding tanks must be emptied into an approved facility. Power connections must conform to prevailing safety standards. Water must be connected to occupied dwelling unit's culinary water system only.
 5. Failure to comply with standards listed above is grounds for immediate revocation of the temporary use permit.
- C. *Removal upon expiration.* Upon expiration, or revocation, of a temporary use permit, or any extension thereof, a manufactured/mobile home or recreational vehicle ~~shall either be removed from the premises within ten days~~ shall either be removed from the premises within ten days or the owner shall have given proper notice to City officials that the manufactured/mobile home or recreational vehicle is no longer occupied.
1. Upon expiration of a temporary use permit, no new temporary use permit may be issued for a property for a period of one (1) year.
- D. *Agreement required.* No temporary use permit shall be issued unless the permittee has executed an agreement with the City which contains the terms and conditions set forth in subsections A and B of this section, and such other terms as may be reasonably required by the City to assure compliance with this section.

(Ord. 2009-13, 10-1-2009)

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Sec. 10-43-5. Basis for approval.

A. *Manufactured home or recreational vehicle park* ~~or park model park.~~

1. A manufactured home or recreational vehicle park ~~or park model park~~ may be approved by the City Council in locations where such use is ~~allowed as a~~ permitted ~~or conditional use~~ by the applicable zone, pursuant to applicable requirements of this chapter. Prior to use or occupancy of any such park, ~~a:~~

~~a. A site plan shall be approved as provided in section 10-7-10 of this title; and~~

~~b. A conditional use permit shall be approved as provided in section 10-7-9 of this title where the applicable zone allows such parks only as a conditional use;~~

2. Before final approval is granted for any manufactured home or recreational vehicle park ~~or park model park~~, a report to the City Council by the Planning Commission shall find the proposed development will:

a. Be in keeping with the general character of the zone in which the park is to be located; ~~and;~~

~~b. Have an approved financing plan for construction and phase completion, together with an approved security to assure compliance and completion; and~~

~~b.e.~~ Meet applicable development standards of section 10-43-6 of this chapter and all requirements of other applicable ordinances, except where such requirements are modified by a planned development approved pursuant to chapter 23 of this title.

B. *Manufactured home subdivision.*

1. A manufactured home subdivision may be approved by the City Council in locations where such use is ~~allowed as a~~ permitted ~~or conditional use~~ by the applicable zone, pursuant to applicable requirements of this chapter. Prior to construction, use, or occupancy of any such subdivision:

a. A preliminary subdivision plan shall be approved as provided in chapter 39 of this title; and

~~b. A final subdivision plan shall be approved as provided in chapter 39 of this title.~~

~~b. A conditional use permit shall be approved as provided in section 10-7-9 of this title where the applicable zone allows such subdivisions only as a conditional use.~~

2. Before final plat approval is granted for any such subdivision, a report to the City Council by the Planning Commission shall find the proposed development will:

a. Be in keeping with the general character of the zone in which the subdivision is to be located;

b. Have lot sizes that conform to the applicable zone where the subdivision is located;

c. Meet applicable requirements of chapter 39 of this title;

d. Have an approved financing plan for construction and phase completion, together with an approved security to assure compliance;

e. Meet applicable development standards of section 10-43-6 of this chapter and all requirements of other applicable ordinances, except where such requirements are modified by a planned development approved pursuant to chapter 23 of this title.

- C. *Disapproval.* ~~An application for a manufactured home park or subdivision may be denied upon a finding that the proposed development cannot; The City Council, Planning Commission, or staff may disapprove an application for a manufactured home park or subdivision, or recreational vehicle park or park model park if the council finds the proposed development cannot;~~

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1. Connect to the City water system and the Ash Creek special service district wastewater disposal system;
 2. Meet one or more applicable development standards set forth in this chapter; or
 3. Provide adequate assurances that the development will be completed within two years after approval.
- (Ord. 2014-10, 11-6-2014)

Sec. 10-43-6. Development standards.

The development of a manufactured home park or subdivision, or recreational vehicle park ~~or park model development~~ shall conform to applicable standards and requirements of this section and as set forth in table 10-43-1 of this section unless modified by a planned development approved pursuant to chapter 23 of this title.

A. General requirements.

1. *Layout.* Land not contained within individual lots or spaces, roads, or parking shall be set aside and developed as parks, playgrounds, trails, and service areas for the common use and enjoyment of occupants of the development, and the visitors thereto.
2. *Location.*
 - a. A manufactured home subdivision may be located on any lot as allowed by the zone where the lot is located;
 - b. A recreational vehicle park should generally be located:
 - (1) Adjacent to or in close proximity to a major collector or arterial road as shown in the City's transportation master plan;
 - (2) Near adequate shopping facilities; ~~and~~
 - ~~c. A park model development shall be located on property zoned MH/RV.~~
3. *Plan preparation.* Plans for a manufactured home park or subdivision, or recreational vehicle park ~~or park model development~~ shall be prepared by a licensed architect, licensed engineer, and/or licensed land surveyor.

B. Building standards. All standards shown in table 10-43-1 of this section must be met.

C. Site improvements.

1. *Access to lots and spaces.* Sufficient access shall be provided to each manufactured home, or recreational vehicle lot or space ~~or park model~~ to allow maneuvering of homes or vehicles into position.
 - a. The accessway shall be kept free from trees and other obstructions.
 - b. Paving under a manufactured home is not required if adequate support is provided as required by applicable building codes. Use of planks, steel mats or other means to support the manufactured home during placement is allowed so long as the same are removed upon completion of placement.
2. *Common area.* Except for a manufactured home subdivision, one or more common areas equal to at least ten percent of the land area of the development shall be set aside for the joint use and enjoyment of occupants. Land covered by vehicular roadways, sidewalks, and off street parking shall not be included in calculating this ten percent common area requirement; provided, however, that in initial phases of development, the minimum area shall be not less than one-half acre or ten percent of the land area under development, whichever is greater.

3. *Connection to City services.* Each manufactured home ~~or~~ recreational vehicle, ~~or park model~~ shall be connected to the City water system and the Ash Creek special service district wastewater disposal system, except as otherwise allowed by the regulations for such systems.
4. *Landscaping.* Any area not covered by a manufactured home or recreational vehicle ~~or park model~~, hard surfacing, or a building shall be landscaped per an approved site plan.
5. *Laundry.* A laundry may be provided for the convenience of residents within a manufactured home park or subdivision, ~~or recreational vehicle park or park model development~~, but not for the general public.
6. *Lighting.* ~~Lighting s~~ shall be provided to meet safety standards and the lighting guidelines in section 10-33-~~75~~ of this title and shall be shown on the site plan.
7. *Parking.* Off street parking requirements for a manufactured home park or subdivision, ~~or recreational vehicle park or park model development~~ shall be provided on each lot or space as follows:
 - a. Manufactured home park or subdivision: two parking spaces per lot or space.
 - b. Recreational vehicle park: one parking space per RV space.
 - ~~c. Park model development: one parking space per park model space.~~
 - ~~c~~d. Each parking space shall have a minimum width of nine feet and minimum depth of 18 feet.
 - ~~d~~e. Before a lot or space may be occupied, all off street parking areas and driveways shall be surfaced with a material acceptable to the City.
8. *Roadway design.* Accessways within a manufactured home park or recreational vehicle park ~~or park model park~~ shall conform to construction design standards and specifications adopted by the City, ~~with a minimum width of 30 feet~~, unless modified by a planned development approved pursuant to chapter 23 of this title.
9. *Roads within a manufactured home subdivision.* Roads within a manufactured home subdivision shall conform to construction design standards and specifications adopted by the City unless modified by a planned development approved pursuant to chapter 23 of this title.
10. *Skirting.* Each manufactured home shall be skirted.
11. *Storage, waste receptacles, and additions.*
 - a. All storage and solid waste receptacles other than individual homeowner trash receptacles shall be contained within an enclosure at least six feet high.
 - b. All patios, carports, garages and other additions to a manufactured home shall be compatible in design and construction with the associated home. Such facilities shall be constructed in accordance with applicable building codes and kept in good repair.
12. *Storm drainage facilities.* Storm drainage facilities shall be constructed to protect residents of the development as well as adjacent property owners in accordance with applicable provisions of this Code and the adopted storm drainage plan as reasonably determined by the City Engineer.
- D. *Standards specific to recreational vehicle parks ~~and park model parks~~.*
 1. No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel. However, a site built dwelling unit up to 900 square feet inclusive of covered porches shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the county recorder before January 2020 that is served

by an individual water meter and individual power meter and that does not result in coverage of more than 50 percent of the lot in structures.

2. Recreational vehicle parks shall not be ~~designed for use as permanent residences~~ ~~used as permanent residences~~, except for that of the owner/manager and permanent maintenance personnel. All recreational vehicles within a recreational vehicle park shall display current license plates/tags.
3. ~~No "park model" units shall be permitted within a recreational vehicle park except a number of park models may be approved in the park to be used as short term vacation rentals. However, a park model development may be approved to allow recreational vehicles but not campers or tents in the development.~~
4. Each park must provide an adequate and easily identifiable office or registration area. The location of the office shall not interfere with the normal flow of traffic into and out of the recreational vehicle park.
5. Each recreational vehicle unit shall be equipped with wheels, which remain on the unit; however, the wheels may be blocked for stability.
6. No permanent room additions shall be attached to recreational vehicles, nor shall any permanent structure be constructed on a recreational vehicle lot except shade structures open on three sides that conform to current NFPA standards for recreational vehicle parks and campgrounds.
7. ~~Room additions may be permitted on park models if all setbacks are met and pursuant to the issuance of a building permit before construction.~~
78. A minimum of one toilet, one sink, and one hot shower, each designed for complete privacy, for each 40 spaces, or fraction thereof, is required.
89. Conversion of an established residential park ~~or park model development~~ to another residential use, shall be subject to review and approval based on codes and zones in place at the time of conversion. A zone change will be required.

E. *Table 10-43-1*

TABLE 10-43-1
DEVELOPMENT STANDARDS MANUFACTURED HOME AND RECREATIONAL VEHICLE PARKS AND
SUBDIVISIONS

Development standard	Manufactured home subdivision	Manufactured home park	Recreational vehicle park/ park model development
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres
Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel

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Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height, service building	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,000 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	As allowed under the NFPA 1194 standard for RV parks and campgrounds as it currently exists and as it may be amended in the future
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard, interior	10 ft.	8 ft.	7 ft.
Side yard, street	20 ft.	15 ft.	7 ft.
Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			

Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section	
Common area	Not required	10% of land area; see subsection C2 of this section
Connection to City services	Must connect to City water system and Ash Creek special service district wastewater disposal system; see subsection C3 of this section	
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section	
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section	
Roadway and accessway design	See subsections C8 and C9 of this section	

(Ord. 2014-10, 11-6-2014; Ord. 2019-04, 5-2-2019; Ord. 2020-05, 2-6-2020)

Sec. 10-43-7. Maintenance of premises and common areas.

- A. *Nuisance.* The premises on which any manufactured home or recreational vehicle or park model is located, used, or occupied shall be maintained in a clean, orderly, and sanitary condition. The accumulation of rubbish, waste, weeds, or other unsightly material thereon shall constitute a nuisance and a violation of this title.
- B. *Remedies.* In addition to the remedies set forth in section 10-9-6 of this title, the City may require removal of a manufactured home or recreational vehicle, ~~or park model~~ from any premises ~~that~~which do not conform to the requirements of this chapter.
- C. *Guarantee of performance.* The City may require the owner of a manufactured home park or subdivision, or recreational vehicle park ~~or park model park~~ to provide financial guarantees to assure that common areas and facilities, roadways, storage areas, service facilities and landscaping are adequately maintained.
- D. *Manager.* The owner of a manufactured home park ~~or subdivision~~ or recreational vehicle park ~~or park model park~~ shall appoint a property manager. The manager shall be:
 1. Locally available;
 2. Authorized to represent the owner with respect to all aspects of the management and maintenance of the park; and
 3. Authorized to receive official notices, including service of process.

(Ord. 2014-10, 11-6-2014)

Sec. 10-43-8. Protection of common areas.

If common areas are provided within a manufactured home park or subdivision, or recreational vehicle park ~~or park model park~~, adequate guarantees shall be provided to protect such common areas from future development. No certificate of occupancy shall be issued for any structure in such park or subdivision until all required guarantees have been submitted to and approved by the City. The developer of a manufactured home park or subdivision, or recreational vehicle park ~~or park model park~~, may elect any of the methods set forth in subsection 10-23-10A of this title to preserve common areas.

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(Ord. 2014-10, 11-6-2014)

Sec. 10-43-9. Compliance with other regulations.

The use and occupancy of a manufactured home or recreational vehicle or park model shall comply with applicable provisions of this title and any other applicable code, including, but not limited to, building and health codes.

(Ord. 2014-10, 11-6-2014)

Sec. 10-43-10. Certificate of compliance.

A manufactured home or recreational vehicle ~~or park model~~ used or intended to be used either immediately or in the future for human habitation, regardless of its location or its conforming or nonconforming status, shall be subject to the following rules, regulations and requirements:

- A. *Relocation of used manufactured/mobile homes.* No used mobile homes shall be moved into the City limits. No used manufactured home shall be moved into the City limits without written approval from the Building Official. Such approval shall be given upon written certification, accompanied by color photos of the manufactured home from a qualified inspector approved by the Building Official that such manufactured home meets the following criteria:
1. Must have original HUD sticker.
 2. Original HUD sticker and data plate must be permanently attached, intact and legible. All serial numbers must match.
 3. Roof must be undamaged and leakproof.
 4. Exterior walls shall be free from cracks, breaks, holes, nail pops, etc.
 5. Bottom board must be intact. There shall be no rot or deterioration of siding, and no new openings, such as added windows or doors, shall be permitted.
 6. Interior walls must be attached at base and top plate.
 7. There shall be no water damage to ceilings, floors, or interior walls.
 8. Floors ~~under the water~~under water heater and plumbing fixtures must be intact.
 9. Windows must be intact and meet HUD/ANSI code for time of manufacture.
 10. Exterior doors must be intact and close completely with no damage to door or frame.
 11. Must have underfloor insulation properly installed and complete.
 12. Plumbing system must meet all applicable federal and state codes.
 13. Gas system must ~~pass a pressure~~pass pressure test.
 14. Electrical system must meet all applicable federal and state codes.
 15. Heating and cooling systems must meet all applicable federal and state codes.
 16. All units must be free of mold.
- B. ~~Relocation of used park model. No used park model shall be moved into the City limits without written approval from the Building Official. Such approval shall be given upon written certification, accompanied by color photos of the park model, from a qualified inspector approved by the Building Official that such park model meets the following criteria:~~

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1. ~~Roof must be undamaged and leakproof.~~
 2. ~~Exterior walls shall be free from cracks, breaks, holes, nail pops, etc.~~
 3. ~~Bottom board must be intact. There shall be no rot or deterioration of siding, and no new openings, such as added windows or doors, shall be permitted.~~
 4. ~~Interior walls must be attached at base and top plate.~~
 5. ~~There shall be no water damage to ceilings, floors, or interior walls.~~
 6. ~~Floors under water heater and plumbing fixtures must be intact.~~
 7. ~~Windows must be intact and meet ANSI code for time of manufacture.~~
 8. ~~Exterior doors must be intact and close completely with no damage to door or frame.~~
 9. ~~Must have underfloor insulation properly installed and complete.~~
 10. ~~Plumbing system must meet all applicable federal and state codes.~~
 11. ~~Gas system must pass pressure test.~~
 12. ~~Electrical system must meet all applicable federal and state codes.~~
 13. ~~Heating and cooling systems must meet all applicable federal and state codes.~~
 14. ~~Unit must be free of mold.~~
- ~~CB.~~ *Setup permit.* All manufactured homes ~~and park models~~ located within the City shall be required to obtain a separate setup permit from the Building Department.

(Ord. 2014-10, 11-6-2014)

Sec. 10-43-11. License.

No manufactured/mobile home or recreational vehicle park shall be operated unless and until a valid City business license has been obtained.

(Ord. 2004-15, 6-17-2004)



STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	PP23-17
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Brent Moser
Agent:	Karl Rasmussen
Request:	Approval of a Preliminary Plat
Location:	The corner of Abbey Road and Sand Hollow Road
Zoning:	Planned Commercial
General Plan Map:	Neighborhood Commercial

Update 07/27/2023: This item was continued at the applicant's request at the last Planning Commission meeting. They have provided a new site plan and breakdown to meet Planned Commercial standards.

The following are the key items for the Planning Commission to consider:

- They have decreased from 284 hotel units to 130 hotel units and have added 40 residential units
- The applicant's engineer has provided a breakdown to show that 48% of the site is being used for residential uses
 - The applicant's note on the bottom of page 2 references HCC 10-15-8(E) 6. *Shared uses. Amenities and parking shall be designed with both commercial and residential uses in mind. Amenities that substantially serve both residential and commercial uses shall count toward residential density areas.*
 - With over 40% of the site being used for commercial use, they are eligible for a density bonus under HCC 10-15-8(E)(1). Using the applicant's numbers (which may not have been calculated correctly see below) they could have up to 64 units.
 - Staff has concerns on how the math in the applicant's breakdown was done. HCC 10-15-8 states: *Vertical mix use. Residential areas shall be measured by the percentage of space*

within the building that is used to occupy commercial versus residential. Then the percentage of each use shall apply to the footprint of the building to calculate the area for commercial and residential use. Other residential areas shall be calculated based on the area of use including residential parking, amenities, roadways that primarily serve residential areas and other residential uses. The building use calculations in Table 1 need to be integrated into Table 2 and it is not clear that that was done.

- The indoor parking areas and rooftop sports courts and garden spaces should have been calculated as part of the building use and not the site use.
- HCC 10-15-8: *Applicants shall provide final percentages of uses within the final site plan application. Percentage calculations shall be approved by the Planning Commission.*
- They have provided an updated parking breakdown that indicates that they are providing sufficient parking. Changes in the use breakdowns may change the calculations.
- Per HCC 10-33-5 one amenity area is needed for the number of residential units provided. The applicant's breakdown indicates that this code will be more than met.

Updated Staff Recommendation:

Planning staff continues to have some concerns with regards to how the uses were calculated that need to be worked out with the applicant and/or their engineer. The applicant has shown progress in coming into compliance with the zoning standards of the Planned Commercial zone.

Discussion:

The applicant has filed a preliminary plat for Adventus Phase 1, a mixed use community located north of the Marla at Elim Valley development along Sand Hollow Road. A zone change for this property to Planned Commercial was approved by the City Council earlier this year subject to an updated site plan that addresses staff and JUC comments, this is that updated site plan. They are proposing three four-story buildings with retail/restaurant/gym space on the bottom two floors and hotel condominiums (short-term rentals) on the top two floors.

horizontal distances haven't been provided at the ramp for a realistic slope (15% max 10% on a public street) The storm drain basin must have a public drainage easement. Engineering will need additional information for the proposed breezeways, how tall is the proposed passage.

7. **Fire:** No comments
8. **Cable:** Add Centurylink fiber optic notes for construction drawings
9. **Phone:** No comments
10. **Gas:** Gas will need an easement for any gas main installed on the property.
11. **Water Conservancy:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigates interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees

Staff Comments: Preliminary Plat

1. The zoning for this property is Planned Commercial. Planned Commercial is a mixed use zoning that requires a mixture of residential and commercial use. The preliminary site plan showed this area as a mixture of residential and commercial with 147 residential units and approximately 70,000 sq ft of commercial space. However, for reasons unknown to staff, this entire project has been converted to commercial.
 - a. The Land Use Summary indicates that this project will be a mix of short term rentals, restaurant space, gym space, and retail.
 - i. Hotel condominiums (effectively short-term rental units) are permitted in Planned Commercial but they count as a commercial use not a residential use.
 - b. The Planned Commercial zoning requires a mixture of at least 20% residential and 20% commercial; an email received by the City from the applicant's engineer during the zone change and preliminary site plan process indicated that 66.67% of this site would be used for residential use which is apparently no longer the case. Where this is just one phase of a larger project they may still be able to meet the mixed use code however such a substantial change may make it so that they cannot meet this code.
 - c. This property is about 28% of the overall planned development. The Planning Commission should require that the applicant submit plans for the entire development to ensure that they are meeting the Planned Commercial development standards.
2. **Parking:** Per HCC 10-34 the following parking spaces are required for commercial developments:

<i>Hotel</i>	<i>2 spaces plus 1 space per living or sleeping unit</i>	
<i>Retail, general</i>	<i>1 space per 250 square feet of gross floor area</i>	

<i>Restaurant, general</i>	<i>1 space per 100 square feet of gross floor area</i>	10 spaces minimum
<i>Recreation and entertainment, indoor:</i>	<i>1 space per 300 square feet of gross floor area</i>	

These standards do not appear to have been used when calculating the required parking on their preliminary plat. The correct parking summary should be

Requested Use	Required Parking Stalls
Retail	199
Restaurant	183
Hotel	286
Gym and pool area	50
Total	718

The applicant can apply for and staff would recommend a shared parking arrangement. They would have to meet the following standards under HCC 10-34-9:

C. Shared use parking. The Planning Commission may authorize shared use of a parking lot subject to the following conditions:

1. The uses sharing the parking lot are unlikely to produce a substantial demand for parking at the same time. The City may require a shared parking study to be completed which clearly establishes that uses will make use of the shared spaces at different times of the day, week, month or year.

2. Required parking spaces reserved for persons with disabilities shall not be reduced.

3. Ongoing shared use of the parking lot is assured by an agreement or easement approved by the City which requires:

a. The parking lot to be continuously available unless an alternative legal parking lot is provided;

b. All spaces to be available without charge;

c. The Zoning Administrator to be notified 30 days prior to the expiration or termination of the agreement or easement; and

d. Provision of additional parking up to the amount otherwise required under this chapter if the Zoning Administrator determines, based on parking counts, that a shared parking lot does not satisfy the off street parking demand of the uses involved.

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:

- 1. Total number of spaces that would otherwise be required for each individual establishment in the development;*
- 2. Hours of operation for each business establishment located in the development, including peak business hours;*
- 3. Estimated tradeoff between businesses which are open when others are closed;*
- 4. Availability of approved on street or shared parking;*
- 5. Transportation alternatives, including proximity to transit stations; and*
- 6. Car or van pooling programs available to users of the development.*

3. The applicant has submitted building renderings for the buildings. The applicant will need to submit a condominium plat for the final plat. Hurricane City Engineering has requested a preliminary condominium plat be submitted with this application.
- 4. Landscaping:** A landscape plan will be required with the final site plan. They will have to ensure they are providing enough parking lot landscaping for a parking lot this size. HCC 10-32-6 and HCC 10-15-8 states:

- a. G. Landscaping. Landscaping within a planned commercial development shall comply with the following standards:*
- b. Street trees are required for every 50 feet of frontage. These trees may be incorporated within park strips, landscape buffers, or planter boxes within the right-of-way. The placement of street trees must be approved by the City.*
- c. The applicant shall comply with City standards for landscaping.*
- d. In lieu of a ten-foot landscaping buffer along the right-of-way frontage for commercial uses, an applicant can provide that space for sidewalks, outdoor dining, and retail space that enhances the neighborhood's walkability. In these areas, street trees shall be required every 50 feet of frontage.*
- e. Parking lots and parking courts shall remain buffered by a ten-foot landscape area along the frontage with one tree and three shrubs for every 35 linear feet. Except as set forth in*

this chapter, other landscape requirements within the City landscaping and screening standards shall apply.

- f. D. Parking lot landscaping.*
- g. 1. Every parking lot consisting of more than ten spaces and 3,500 square feet of area shall contain internal landscaped areas as follows:*
 - h. a. Multiple-family residential. A minimum of ten percent of total parking lot area.*
 - i. b. Office and commercial. A minimum of seven percent of total parking lot area.*
 - j. c. Industrial and warehouse. A minimum of five percent of total parking lot area.*
- k. 2. For every ten required parking spaces, or portion thereof, a minimum of two shrubs and one deciduous tree shall be provided within the internal parking area. The species of such trees shall be such that at maturity a tree canopy is provided to shade the parking area below each tree.*
- l. 3. Landscaped areas shall contain a minimum of 25 square feet and shall have a minimum average width of at least five feet.*
- m. 4. Landscape islands should be located in the following priority:*
 - n. a. To define major drives and accessways;*
 - o. b. To delineate ends of parking rows;*
 - p. c. At aisle intersections; and*
 - q. d. Within parking rows.*

- 5. All park strips will need to be landscaped and have the proper improvements
- 6. We have received a will serve letter from Hurricane City Water and Ash Creek Special Service District.
- 7. A note indicating whether or not the property is in a tortoise take area has not been provided

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Due to the issues with zoning, parking, open space, and an incomplete plat, staff recommends the Planning Commission deny or table this application due to the issues with zoning and parking within the plans.

Response to Comments of Sand Hollow Zone Change and Site Plans

1. Could you please summarize the percentage being asked for residential and commercial use for the full project and each phase, including within buildings and shared areas?
 - A. Adventus Phase 1 – Total Development Area = 345,392 Sq Ft (7.929 AC)
 - i. Commercial = 61,100 (20,370 Restaurant, 40,730 Commercial)
 - ii. Residential = 155,468 sq ft 97 2-bedroom units
 - iii. Landscape area for shared commercial/residential amenities = 59,902
 - iv. Pool area for residential = 11,000 sq ft
 - v. Total landscape area = 52,550 Sq Ft
 - B. Adventus Phase 2 – Total Development Area = 248,115 Sq Ft (5.696 AC)
 - i. Commercial = 45,547 (15,212 Restaurant, 30,061 Commercial)
 - ii. Residential = 103,474 Ft 64 2-bedroom units
 - iii. Landscape area for shared commercial/residential amenities = 62,392 Sq Ft
 - iv. Total landscape area = 61,000 sq ft
 - C. Yogi Bear Marketplace – Total Development Area = 611,122 Sq Ft (14.029 AC)
 - i. Commercial = 134,152 Sq Ft (44,806 Restaurant, 133,704 Commercial)
 - ii. Residential = 139,566 87 (1,600 Sq Ft Units per floor). Total = 279,132 Sq Ft 172 2-bedroom units.
 - iii. Theater = 45,854 Sq Ft
 - iv. Landscape area for shared commercial/residential amenities = 146,254 Sq Ft
 - v. Total landscape area = 120,410 Sq Ft
2. Could you then show what the overall density is for the project and each phase?

See response to question 1.
3. What open space and amenities will you be providing for the project? I know Brent spoke about some indoor gym and pool spaces, but do you have anything else? Our open space requirements require that at least 20% of multi-family areas are open space with at least five amenities for this number of units. These could be trails, courtyards, pools, etc. As we discussed it as Planning staff, we would even count shared outdoor gathering space with the commercial.
 - A. Adventus Phase 1
 - i. A commercial gym that is open to the public will be on the first floor.
 - ii. A walking trail will be provided around the units adjacent to roads and parking.
 - iii. A outdoor pool will be built on the central/west building on the 2nd floor for residents.
 - iv. 7,000 Sq Ft outdoor garden seating areas.
 - B. Adventus Phase 2
 - i. 21,600 Sq Ft for park/garden areas. Possible play structure
 - C. Yogi Bear Marketplace
 - i. 57,500 Sq Ft outdoor garden seating areas.
4. After our first review, it seems like it might be short of parking based on the parking standard. This might be okay since you can have shared parking spaces and provide a parking study to lessen the number needed, but we wanted to give you a heads-up.
 - A. Adventus Phase 1
 - i. Required parking = 853 (204 Restaurant, 164 Commercial, 192 Residential)
 - ii. Planned outdoor parking = 654
 - iii. Planned Indoor garage parking = 199
 - B. Adventus Phase 2
 - i. Required parking = 300 (51Restaurant, 121 Commercial, 128 Residential)

- ii. Planned outdoor parking = 239
 - iii. Planned underground garage parking = 74
- C. Yogi Bear Marketplace
 - i. Required parking = 1,327 (448 Restaurant, 535 Commercial, 344 Residential)
 - ii. Provided outdoor parking = 588
 - iii. Planned underground garage parking = 740

Percentage Summary

- A. Adventus Phase 1 – Total Development Area = 345,392 Sq Ft (7.929 AC)
 - Total Commercial = 22.24% (10 Units)
 - Total Restaurant = 11.10% (4 Units)
 - Total Residential = 66.67% (97 units)
 - Total Building Footprint within the developable area = 22.51%
 - Total Outdoor Residential Amenity Area = 17.34
- B. Adventus Phase 2 – Total Development Area = 248,115 Sq Ft (5.696 AC)
 - Total Commercial = 22.24% (10 Units)
 - Total Restaurant = 11.10% (6 Units)
 - Total Residential = 66.67% (64 Units)
 - Total Building Footprint within the developable area = 20.85%
 - Total Outdoor Residential Amenity Area = 25.15%
- C. Yogi Bear Marketplace – Total Development Area = 611,122 Sq Ft (14.029 AC)
 - Total Commercial = 28.10% (28 Units)
 - Total Restaurant = 11.10% (10 Units)
 - Total Residential = 60.80% (172 Units)
 - Total Building Footprint within the developable area = 30.34%
 - Total Outdoor Residential Amenity Area = 23.93%

ProValue Engineering
 20 S 850 W, #1
 Hurricane, Utah. 84737
 Phone: 435-668-8307



Mixed Use and Parking Calculations for The Adventus Phase 1

Developers for The Adventus Phase 1 intend to create three separate buildings with parking in the basement, commercial and restaurant use at the main level, and residential (south building only) and Hotel/Condos (west and north buildings) on the top three floors in the north and south buildings and top two floors in the west building. Planned commercial zoning requires a mixture of 20% residential and 20% commercial throughout the site and building footprint. The table below describes the total square footage and percentage of the total building footprint for each use throughout all buildings.

Table 1 Building Use Calculations

Use Area	Total Square Footage	Percent of Total Building Footprint
Total Residential (40 Units)	53,617	22%
Total Hotel Condo (170 Bedrooms)	84,104	35%
Total Commercial Gym	14,554	6%
Total Residential Indoor Amenity (Rooftop Recreation and sitting area)	3,158	1%
Total Hotel Condo Amenity (Rooftop Recreation and sitting area)	3,158	1%
Total Shared Amenity (Spa, Pool, Pool Deck)	15,770	7%
Total Commercial Retail	31,460	13%
Total Commercial Restaurant	18,268	8%
Other (Corridors, Stair, Elevator)	16,947	7%
Total	242,108	100%

20 Percent of the site also needs to be allocated to residential use. The table below shows the square footage and site percentage of dedicated space to each use.

Table 2 Total Site Uses

Site Area	Residential/Commercial Use Dedication	Total Square Footage	Percent of Total Site
Total Site	NA	341,023	100%
Total Building Footprint without the proposed amenity space	NA	69,776	20%
Total Walking path around site	Both	24,053	7%

Rooftop Sports court and Garden Space (Residential Side)	Residential	3,158	1%
Rooftop Sports court and Garden Space (Commercial Side)	Commercial	3,158	1%
Rooftop Sports court and Garden Space (Commercial Side)	Both	15,770	5%
Total Outdoor Residential Parking	Residential	34,000	10%
Total Outdoor Commercial Parking Area	Commercial	135,726	40%
Total Indoor Residential Parking Area (Basement)	Residential	25,600	8%
Total Indoor Hotel/Condo Parking Area (Basement)	Commercial	49,440	14%
Total Landscape area	NA	14,757	4%
Total Shared Urban Space (including urban landscape/Gardens)	Both	62,711	18%
Total Only Residential Area	NA	62,758	18%
Total Shared Commercial/Residential Area	NA	102,534	30%
Total Counted Residential Use Area	NA	165,292	48%

It was made known to us by Stephen, before he left, that urban areas can be used to serve both commercial and residential users and count towards the residential site requirements. When you include the total residential only and combine residential and commercial space, the site fits the zoning requirements.

This site also meets and exceeds parking requirements. There is a total of 616 spaces planned both indoor and outdoor. Table 3 shows the parking requirements.

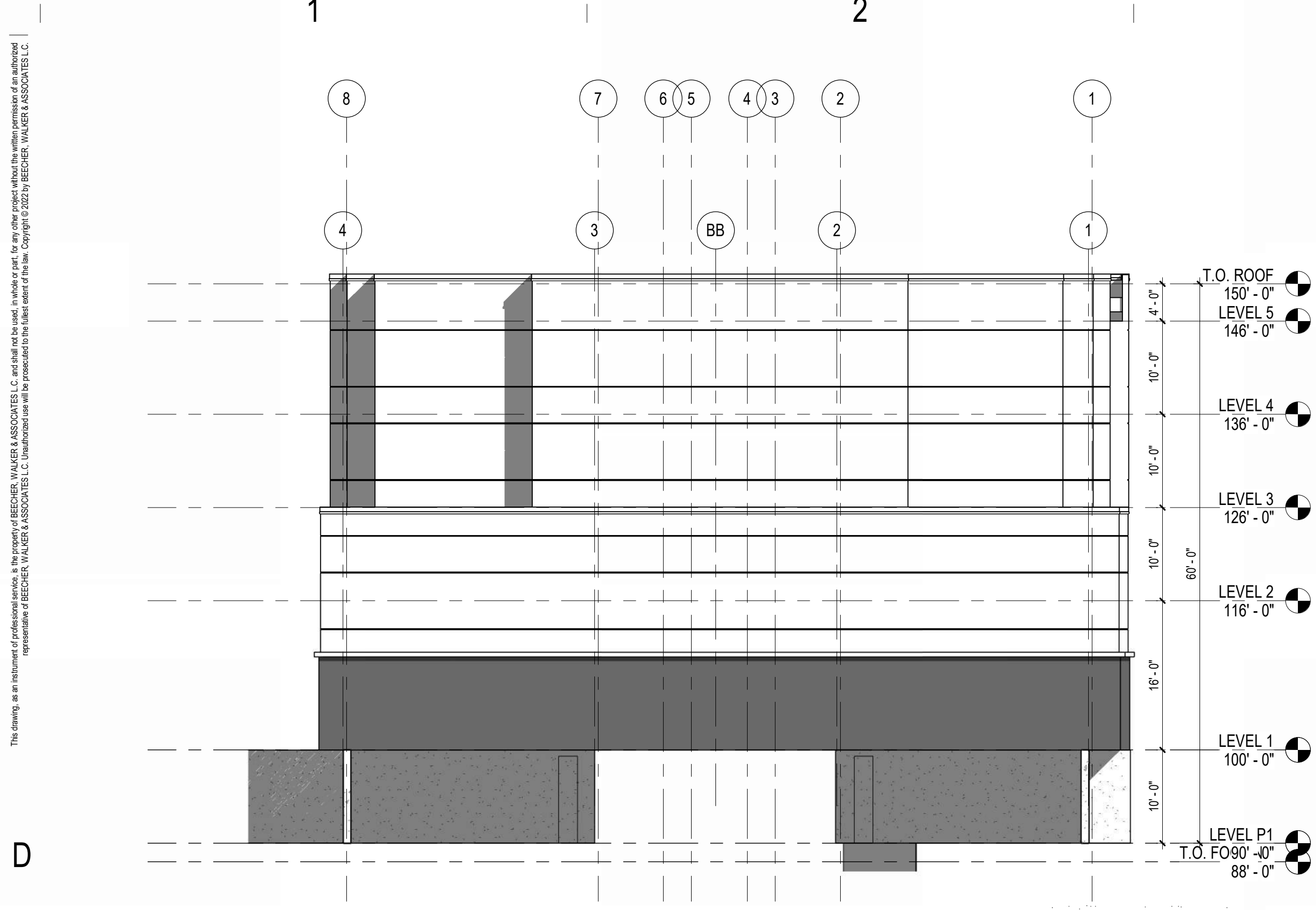
Table 3 Parking Requirements for The Adventus Phase 1

USE	PARKING REQUIREMENT	UNIT COUNT	TOTAL PARKING REQUIRED
Residential	2 spaces per unit	40 Units	80
Hotel Condo	2 spaces plus 1 space per sleeping	130 Bedrooms	132
Restaurant	1 space per 100 SF	18,268 SF	183
Retail	1 space per 250 SF	31,461 SF	126
Gym	1 space per 300 SF	14,554 SF	49
TOTAL REQUIRED			570
TOTAL PLANNED			616

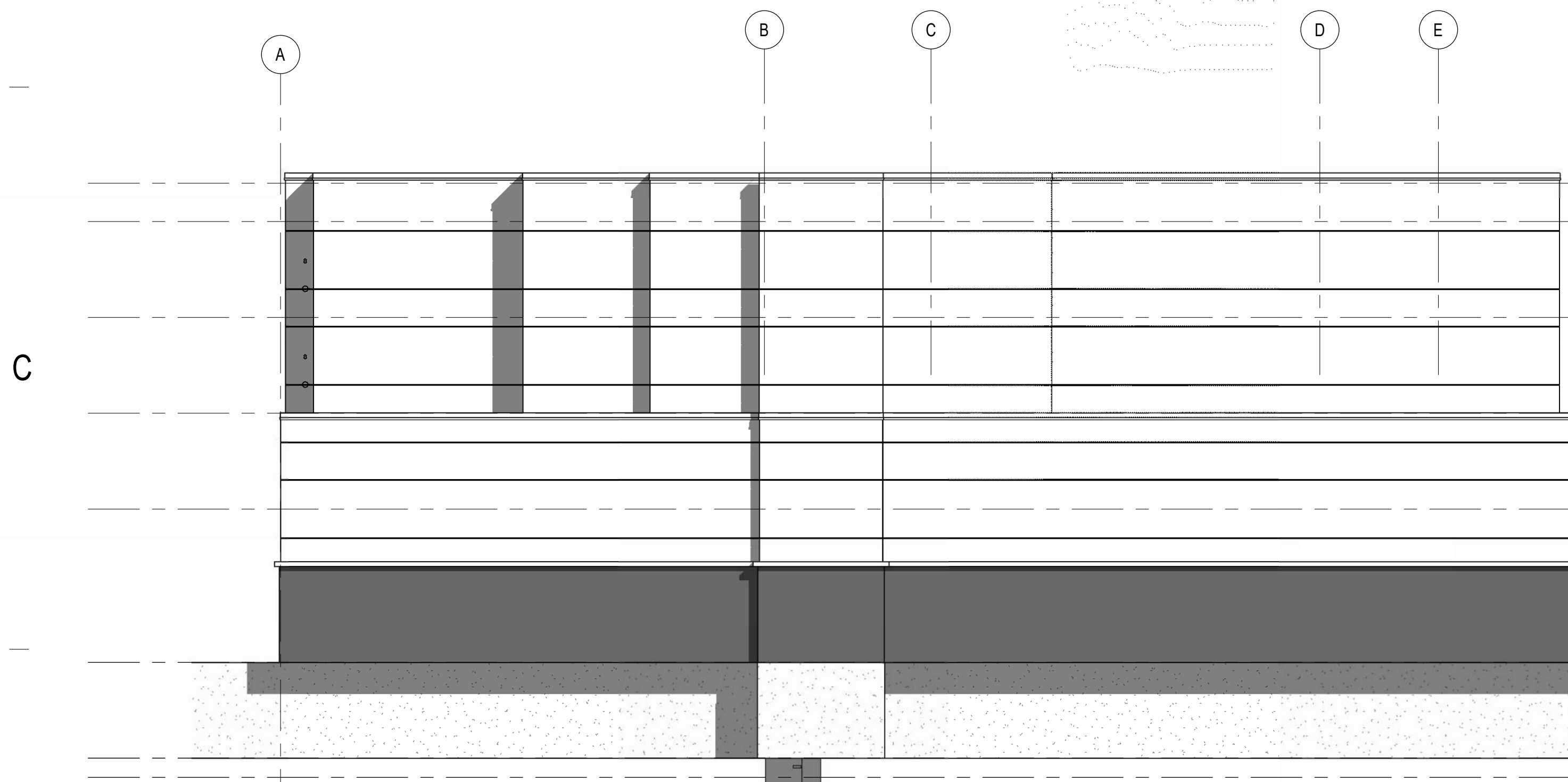
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C:\Users\mwalker\Documents\Adventus\Center Wing_mwalker\BPSG.rvt

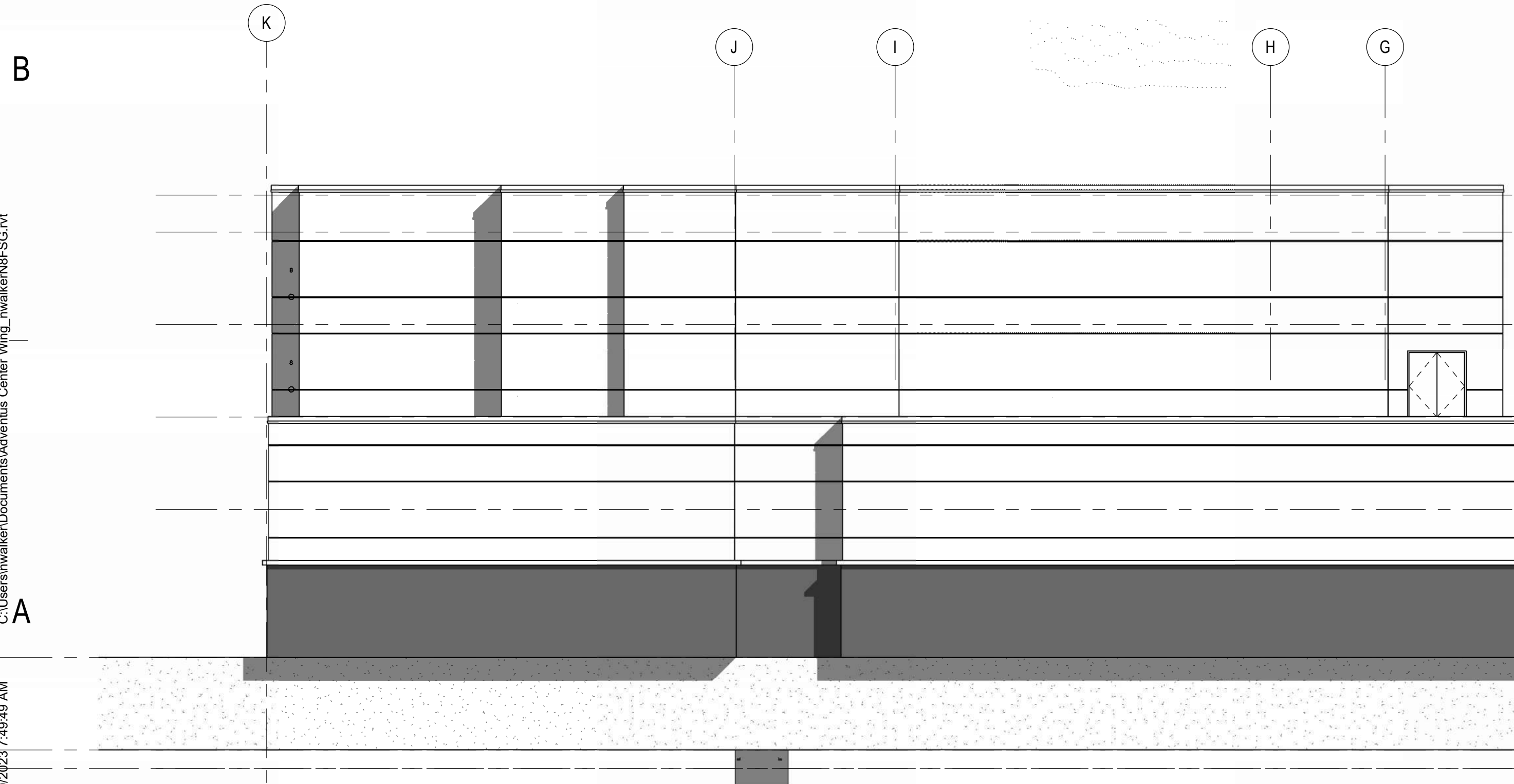
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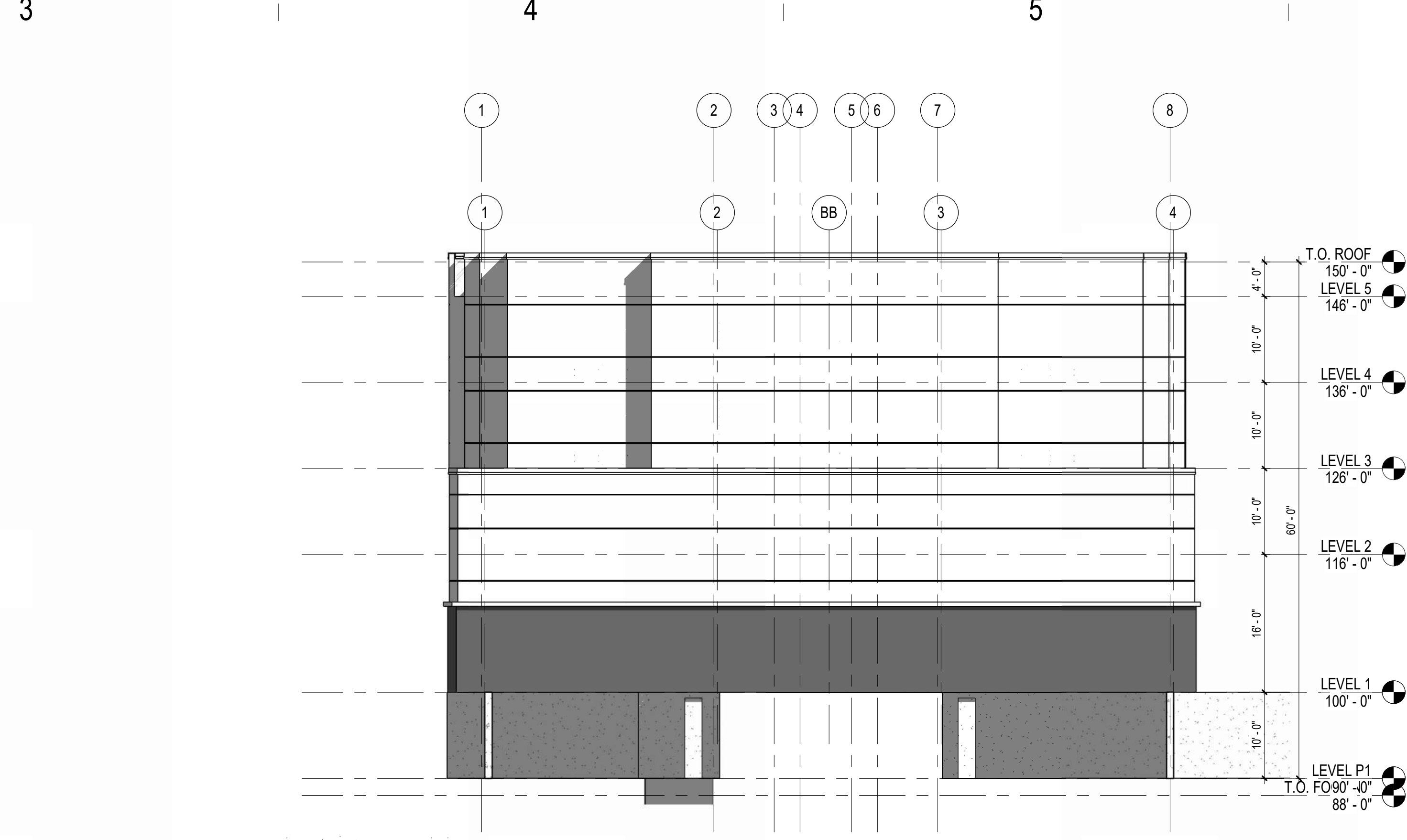
1 NORTH ELEVATION
A201 3/32" = 1'-0"



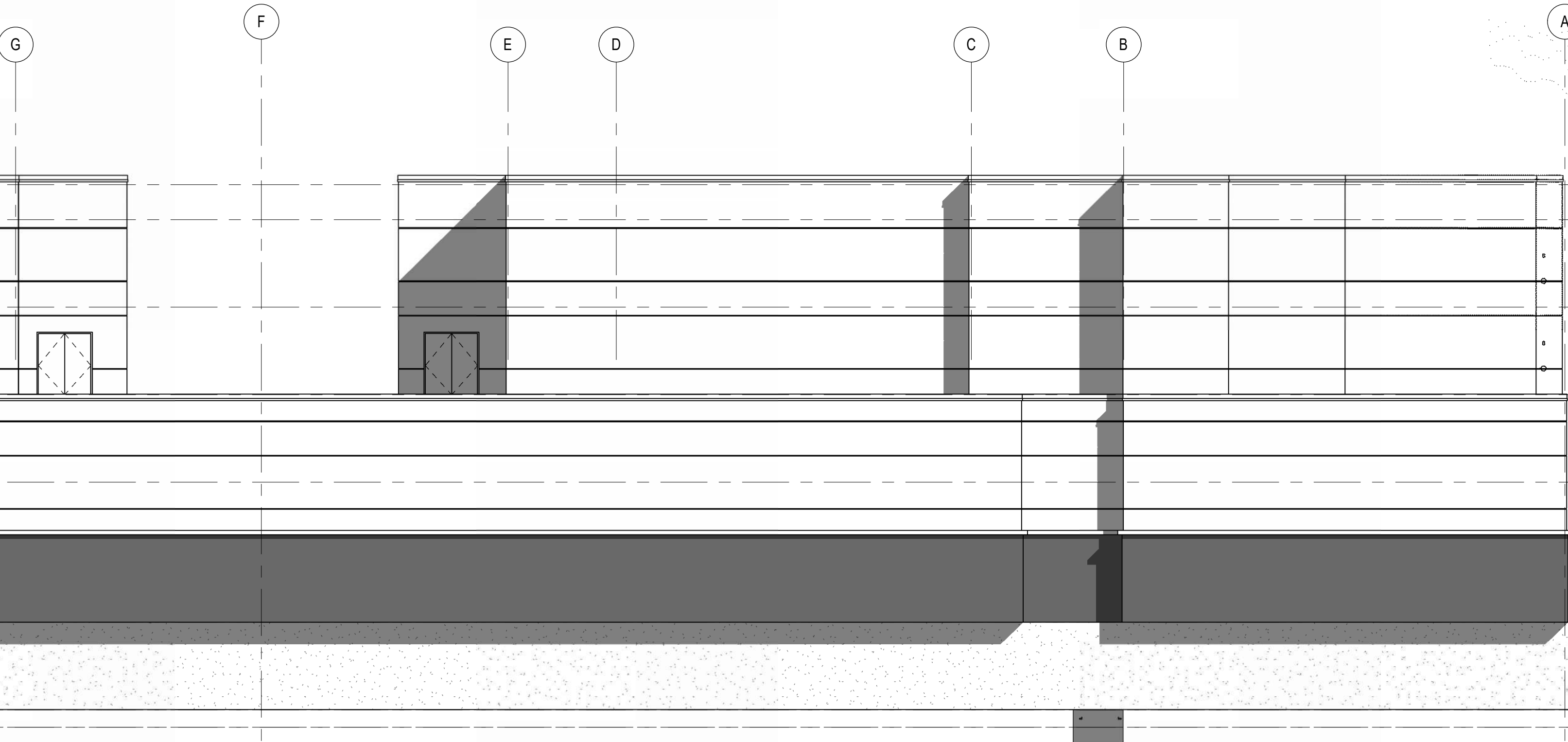
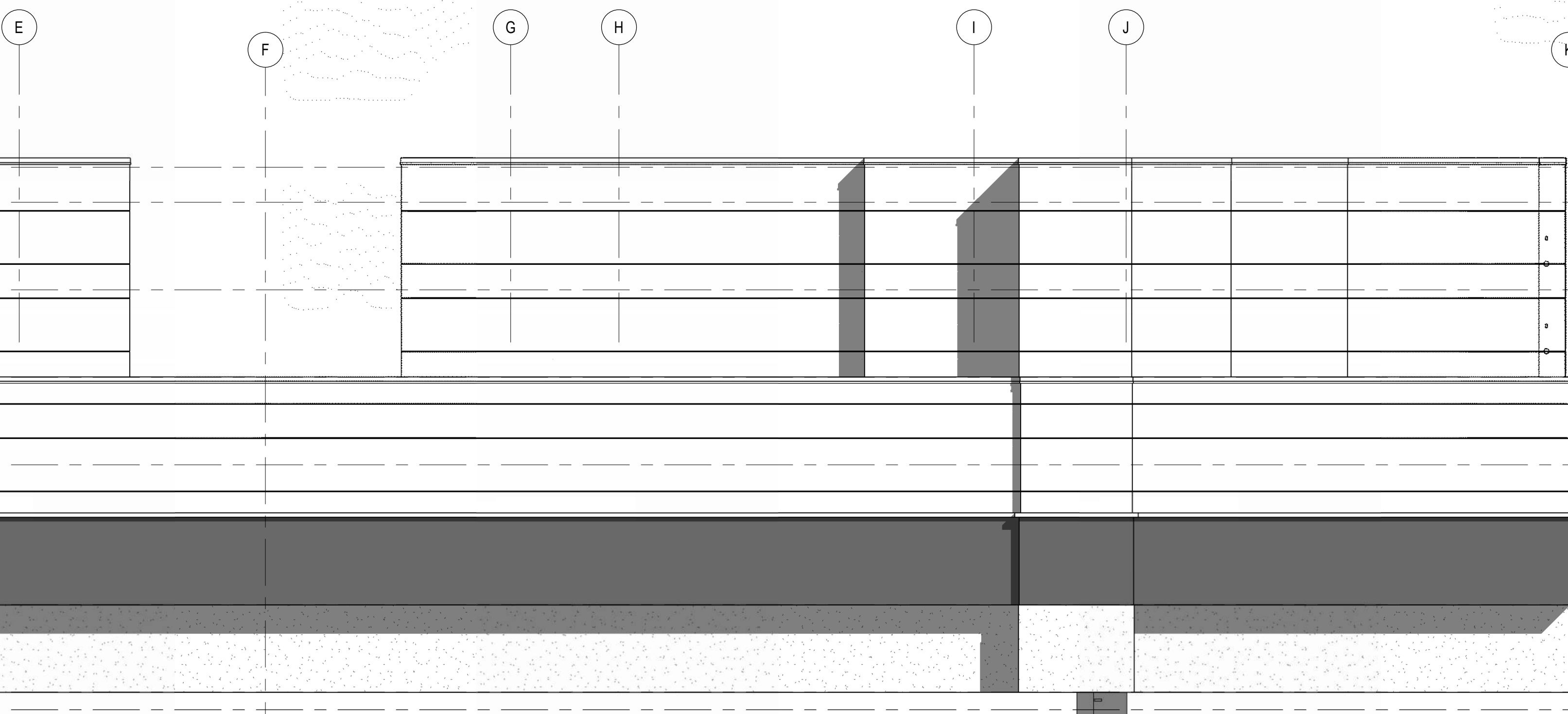
4 WEST ELEVATION1
A201 3/32" = 1'-0"



3 EAST ELEVATION
A201 3/32" = 1'-0"



2 SOUTH ELEVATION
A201 3/32" = 1'-0"



3 EAST ELEVATION
A201 3/32" = 1'-0"

ELEVATION GENERAL NOTES:
A. SEE A600 SERIES SHEETS FOR DOOR AND WINDOW TYPE ELEVATIONS.
B. COORDINATE WINDOW HEIGHTS WITH WINDOW TYPE ELEVATIONS AND EXTERIOR ELEVATIONS.
C. USE IMPACT RESISTANT EIFS WITHIN 46" OF SIDEWALKS AND BUILDING ENTRANCES.

ELEVATION GENERAL NOTES:
A. SEE A600 SERIES SHEETS FOR DOOR AND WINDOW TYPE ELEVATIONS.
B. COORDINATE WINDOW HEIGHTS WITH WINDOW TYPE ELEVATIONS AND EXTERIOR ELEVATIONS.
C. MECHANICAL CONTRACTOR TO COMBINE FACE PLATES FOR DRYER VENT AND EXHAUST ON EXTERIOR OF BUILDING.
D. EIFS CONTROL JOINTS TO BE PLACED AS SHOWN ON ELEVATIONS, BUT NO LENGTH SHOULD BE GREATER THAN 16 FEET IN EITHER DIRECTION BETWEEN JOINTS.
E. NO EIFS PANEL SHOULD EXCEED 144 SQUARE FEET FOR VERTICAL APPLICATION.
F. NO EIFS PANEL SHOULD EXCEED 100 SQUARE FEET FOR HORIZONTAL, CURVED, OR ANGULAR SECTIONS.
G. NO EIFS PANEL LENGTH-TO-WIDTH RATIO SHOULD EXCEED 2-1/2:1 IN ANY GIVEN PANEL.
H. AN EIFS CONTROL JOINT SHOULD BE PLACED AT EACH HORIZONTAL FLOOR SUBSTRATE FRAMING CHANGE.

GLAZING LEGEND
01 1" INSULATED CLEAR GLAZING
02 1" INSULATED CLEAR TEMPERED GLAZING
03 SPANDREL GLAZING PANEL
04 1/2" CLEAR BUTT GLAZING
05 1/2" INSULATED CLEAR TEMPERED BUTT GLAZING

EXTERIOR MATERIALS LEGEND
EIFS: MANUF.R, COLOR
BRICK: MANUF.R, COLOR
CLEAR GLASS: MANUF.R, COLOR
SPANDREL GLASS: MANUF.R, COLOR

KEYNOTE LEGEND

REV.	DATE	DESCRIPTION

ADVENTUS - Center Wing
Project Address

beeherwalker
Architecture/interiors
3115 EAST LON LANE #200
HOLLADAY, UT 84121
p. 801.438.9500
f. 801.438.9501
BEECHERWALKER.COM

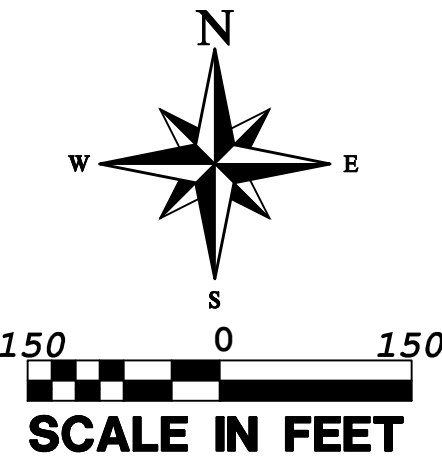
Project Number
DWN BY: Author
CHKD BY: Checker
Project Status

EXTERIOR ELEVATIONS
DRAWING NUMBER
A201

AS100

ZONE CHANGE MAP FOR: SAND HOLLOW ROAD COMMERCIAL PROPERTIES

LOCATED IN THE NE QUARTER OF SECTION 11 & THE NW
 QUARTER OF SECTION 12, T42S, R14W, S.L.B.&M.
 4095 WEST BASH PARKWAY
 HURRICANE, WASHINGTON COUNTY, UTAH



LEGEND

- _____ PROPERTY LINE
 _____ ADJACENT PROPERTY LINE
 - - - - - SECTION LINE
 SECTION CORNER AS DESCRIBED

OWNERS:

WESTERN MORTGAGE & REALTY COMPANY
 SAND HOLLOW HOLDINGS RBT LLC
 LARSON THOMAS GUY, ET AL
 CYPRESS CAPITAL XI LLC, ET AL
 DDD INV LLC

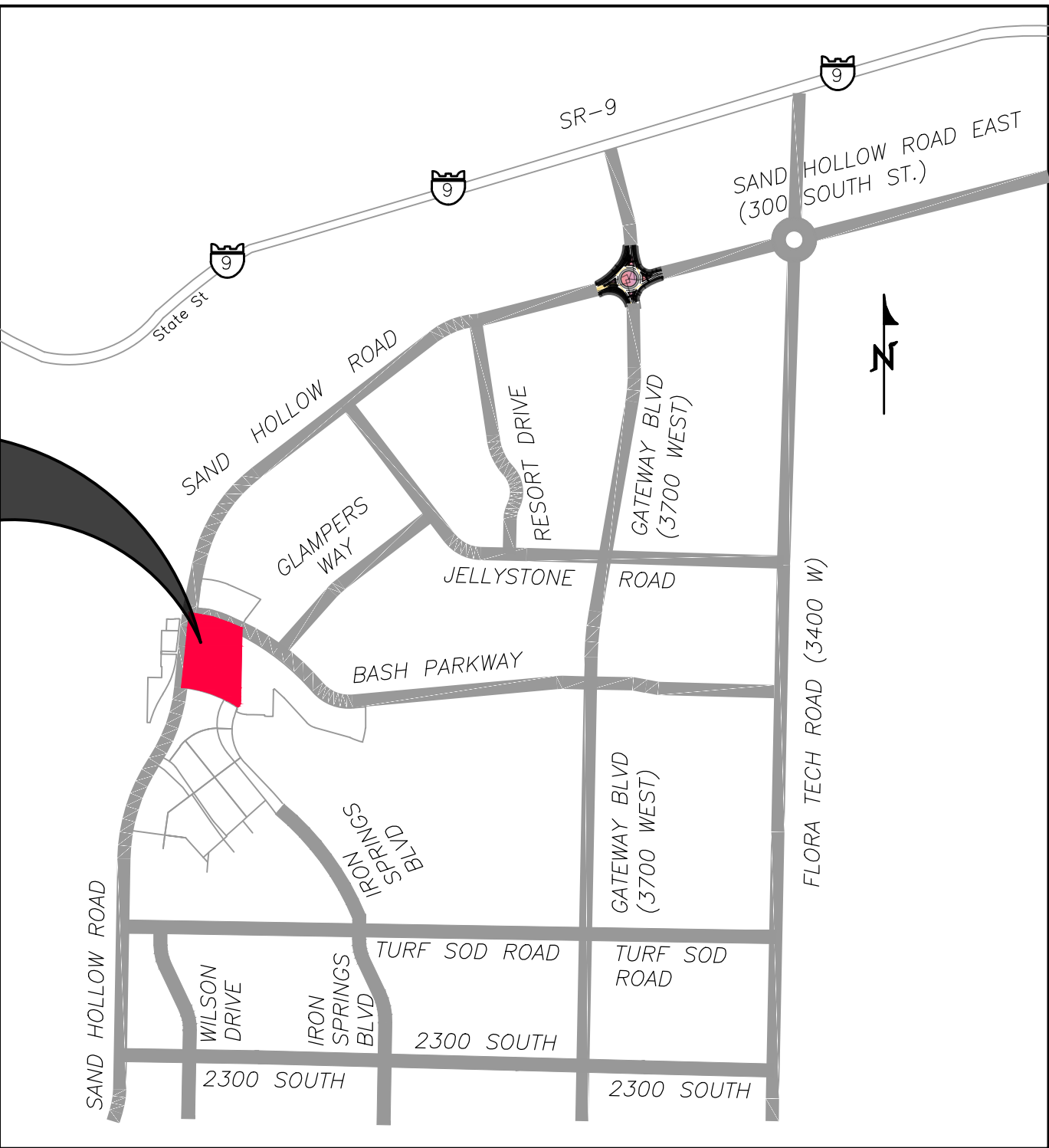
ZONE LEGEND

- PROPOSED PLANNED COMMERCIAL
 RECREATIONAL RESORT
 M1: LIGHT INDUSTRIAL
 NEIGHBORHOOD COMMERCIAL
 GENERAL COMMERCIAL
 RESIDENTIAL AGRICULTURE
 R1-8
 R1-6
 PUBLIC FACILITIES
 PLANNED COMMERCIAL
 RM-2

PARCELS WITH PROPOSED ZONE CHANGE

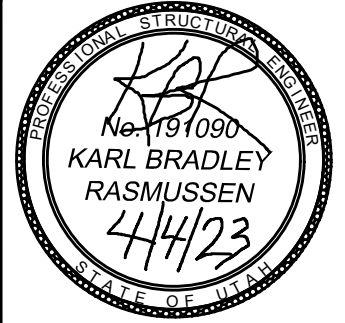
PARCEL	OWNER	CURRENT ZONE	PROPOSED ZONE	ACERAGE
H-4-2-11-2112-GS1	WESTERN MTG & REALTY CO	NEIGHBORHOOD COMMERCIAL	PLANNED COMMERCIAL	11.08
H-4-2-11-1207-GS1	WESTERN MTG & REALTY CO	NEIGHBORHOOD COMMERCIAL	PLANNED COMMERCIAL	11.89
H-4-2-11-126	SANDHOLLOWHOLDINGS RBT LLC	NEIGHBORHOOD COMMERCIAL	PLANNED COMMERCIAL	9.18
H-4-2-11-129	LARSON THOMAS GUY,ET AL	GENERAL COMMERCIAL	PLANNED COMMERCIAL	0.07
H-4-2-11-128	CYPRESS CAPITOL XI LLC, ET AL	GENERAL COMMERCIAL	PLANNED COMMERCIAL	4.65
H-4-2-11-122	LARSON THOMAS GUY, ET AL	M-1: LIGHT INDUSTRIAL	PLANNED COMMERCIAL	0.98

PROJECT
 LOCATION



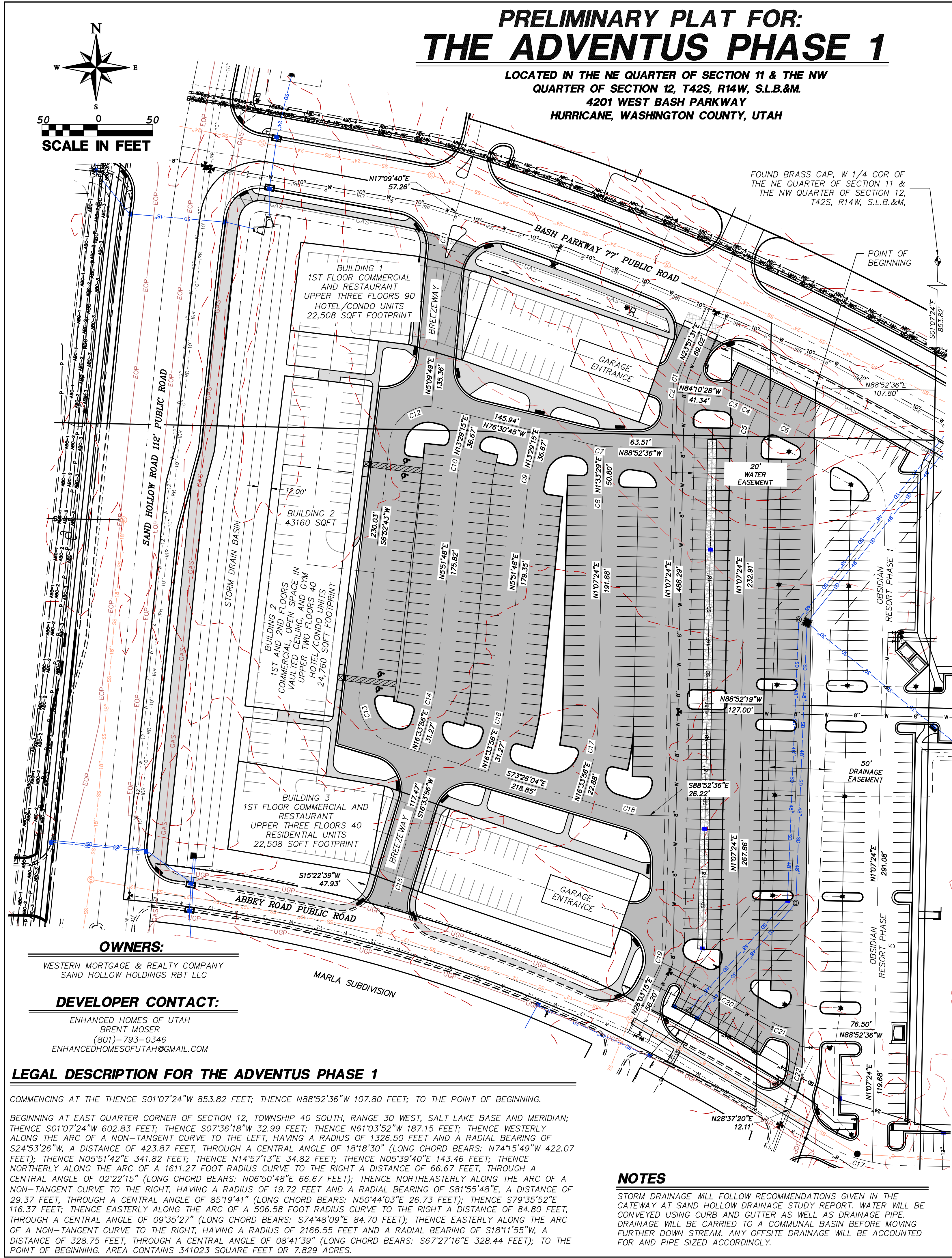
VICINITY MAP
 N. T. S.

PROVALUE ENGINEERING, INC.
 Engineers - Land Surveyors - Land Planners
 20 South 850 West, Suite 1
 Hurricane City, Utah 84401
 Phone: (435) 668-0801



ZONE CHANGE MAP
 S.H.R. COMMERCIAL PROPERTIES
 LOCATED IN THE NE QUARTER OF SECTION 11 &
 THE NW QUARTER OF SECTION 12, T42S, R14W, S.L.B.&M.
 4095 WEST BASH PARKWAY HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 4/11/2023
 SCALE: 1"=150'
 JOB NO.
 281-010
 SHEET NO:
1 OF 1



PRELIMINARY SITE PLAN FOR:
THE ADVENTUS PHASE 1

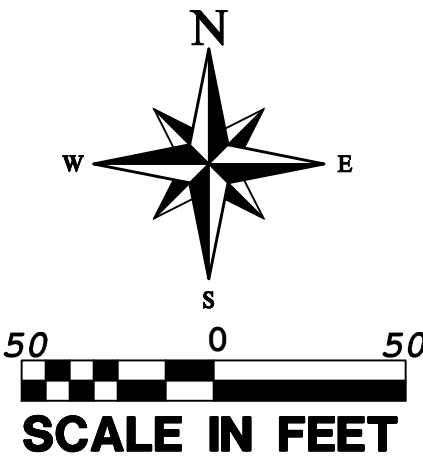
LOCATED IN THE NE QUARTER OF SECTION 11 & THE NW
QUARTER OF SECTION 12, T42S, R14W, S.L.B.&M.
4095 WEST BASH PARKWAY
HURRICANE, WASHINGTON COUNTY, UTAH

OWNERS:

WESTERN MORTGAGE & REALTY COMPANY
SAND HOLLOW HOLDINGS RBT LLC
LARSON THOMAS GUY, ET AL
CYPRESS CAPITAL XI LLC, ET AL
DDD INV LLC

CONTACT REPRESENTATIVE:

BRENT MOSER
(801)-793-0346
ENHANCEDHOMESOFUTAH@GMAIL.COM



LEGEND

—	PROPERTY LINE	—	PROPOSED WATERLINE
—	ADJACENT PROPERTY LINE	—	EXISTING EOP LINE
—	CENTER LINE	—	SECTION LINE
—	EASEMENT LINE	—	PHASE LINE
—	PROPOSED CURB AND GUTTER	—	SIDEWALK
—	EXISTING CURB	—	ASPHALT
—	EXISTING IRRIGATION LINE INSTALLED WITH BASH PARKWAY	—	INSTALL ROCK MULEH
—	EXISTING SEWER LINE (SIZE SHOWN)	—	EXISTING MANHOLE
—	EXISTING STORM (SIZE SHOWN)	—	STOP SIGN
—	EXISTING WATER LINE INSTALLED WITH SAND HOLLOW ROAD	—	SPEED LIMIT SIGN
—	EXISTING IRRIGATION LINE INSTALLED WITH SAND HOLLOW ROAD	—	EXISTING OUTLET BOX
—	COMMUNICATION LINE INSTALLED WITH BASH PARKWAY	—	EXISTING STORM MANHOLE
—	SECONDARY POWER LINE INSTALLED WITH BASH PARKWAY	—	STREET LIGHT INSTALLED WITH BASH PARKWAY
—	POWER INSTALLED WITH BASH PARKWAY	—	SECONDARY BOX INSTALLED WITH BASH PARKWAY
—	EXISTING GAS INSTALLED WITH BASH PARKWAY	—	FIRE HYDRANT INSTALLED WITH BASH PARKWAY

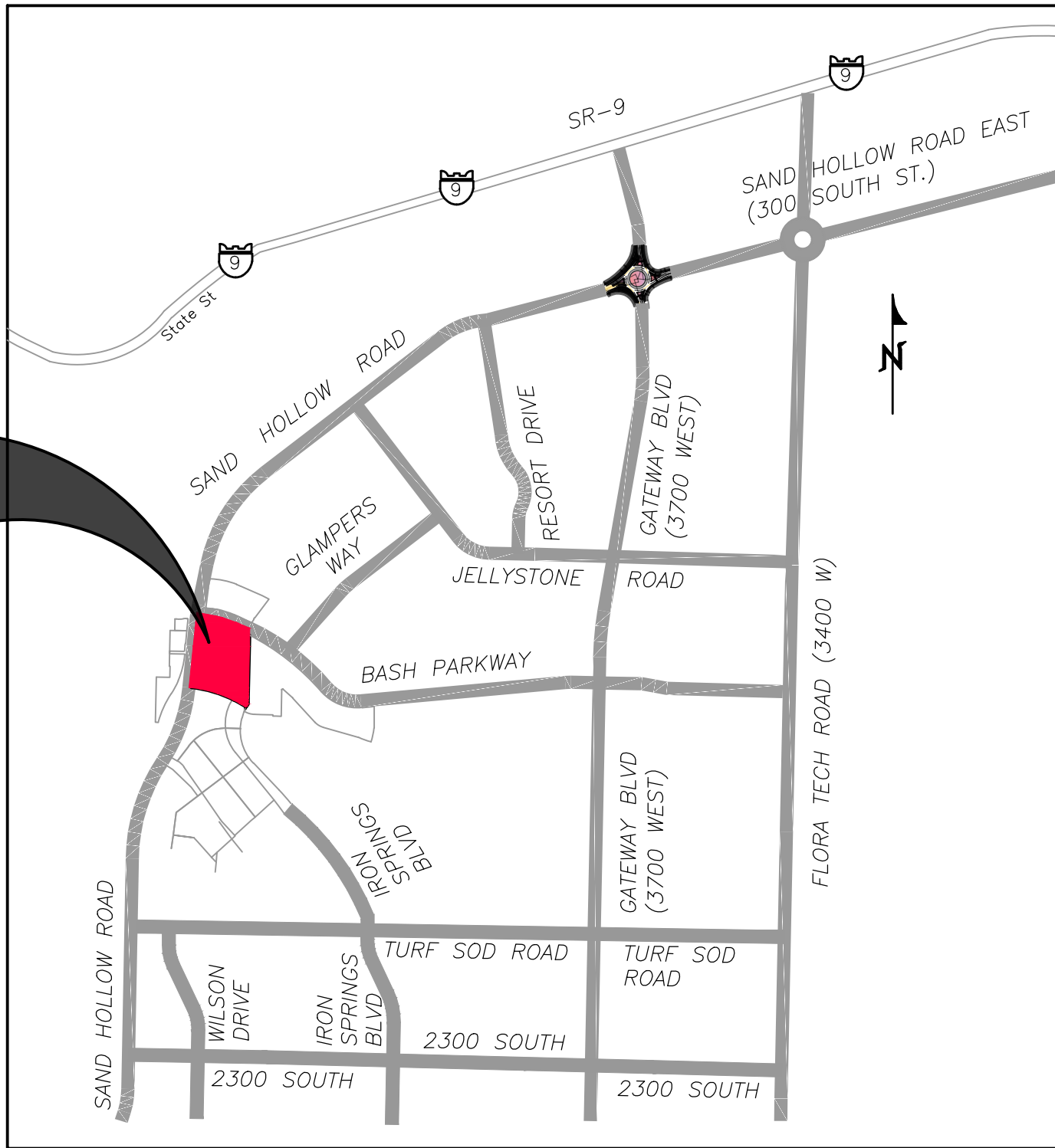
LEGAL DESCRIPTION FOR THE ADVENTUS

BEGINNING AT A POINT LOCATED S88°51'49"E ALONG THE SECTION LINE 184.14 FEET FROM THE EAST QUARTER CORNER OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 30 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S01°07'25"W 628.67 FEET; THENCE N62°52'22"W 103.53 FEET; THENCE N74°15'49"W 422.07 FEET; THENCE N05°51'42"E 341.82 FEET; THENCE N14°57'13"E 34.82 FEET; THENCE N05°39'40"E 143.46 FEET; THENCE NORTHERLY ALONG THE ARC OF A 1611.27 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 66.67 FEET, THROUGH A CENTRAL ANGLE OF 02°22'15" (LONG CHORD BEARS: N06°50'48"E 66.67 FEET); THENCE NORTHEASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 19.72 FEET AND A RADIAL BEARING OF S81°55'48"E, A DISTANCE OF 29.37 FEET, THROUGH A CENTRAL ANGLE OF 85°19'41" (LONG CHORD BEARS: N50°44'03"E 26.73 FEET); THENCE S79°35'52"E 116.37 FEET; THENCE EASTERLY ALONG THE ARC OF A 506.58 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 84.80 FEET, THROUGH A CENTRAL ANGLE OF 09°35'27" (LONG CHORD BEARS: S74°48'09"E 84.70 FEET); THENCE EASTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 2166.55 FEET AND A RADIAL BEARING OF S18°11'55"W, A DISTANCE OF 244.90 FEET, THROUGH A CENTRAL ANGLE OF 06°28'36" (LONG CHORD BEARS: S68°33'48"E 244.77 FEET); TO THE POINT OF BEGINNING. AREA CONTAINS 297269 SQUARE FEET OR 6.824 ACRES.

NOTES

STORM DRAINAGE WILL FOLLOW RECOMMENDATIONS GIVEN IN THE GATEWAY AT SAND HOLLOW DRAINAGE STUDY REPORT. WATER WILL BE CONVEYED USING CURB AND GUTTER AS WELL AS DRAINAGE PIPE. DRAINAGE WILL BE CARRIED TO A COMMUNAL BASIN BEFORE MOVING FURTHER DOWN STREAM. ANY OFFSITE DRAINAGE WILL BE ACCOUNTED FOR AND PIPE SIZED ACCORDINGLY.

PROJECT
LOCATION



VICINITY MAP
N.T.S.

H-4-2-11-131
2.73 ACRES
ZONED: GC
OWNER: DMX
MAN CAVES LLC
USE: VACANT
LAND

LAND USE SUMMARY

TOTAL DEVELOPMENT AREA = 341023 SQ.FT. (7.83 AC)
TOTAL BUILDING FOOTPRINT AREA = 73200 SF
TOTAL RESIDENTIAL AREA = 171079 SF
TOTAL RESIDENTIAL UNITS = 147
TOTAL RESTAURANT AREA = 21960 SF
TOTAL COMMERCIAL AREA = 51240 SF
TOTAL PARKING AREA = 74105 SF
TOTAL LANDSCAPE AREA = 59444 SF

PARKING SUMMARY

PHASES	NEEDED STALLS	PROVIDED STALLS
COMMERCIAL	205	205
RESTAURANT	146	147
RESEDENTIAL	294	295
TOTAL	645	647

H-4-2-12-1113-GS1
CURRENT ZONE: RR & NC
PROPOSED ZONE: RR AND PC
22.93 ACRES RR 0.76 ACRES PC
OWNER: BASH RESORTS LLC
USE: VACANT LAND
FUTURE USE: RESORT AND COMMERCIAL
NUMBER OF ALLOWED UNITS TO REMAIN 375

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane City, Utah 84501
Phone: (435) 668-8801



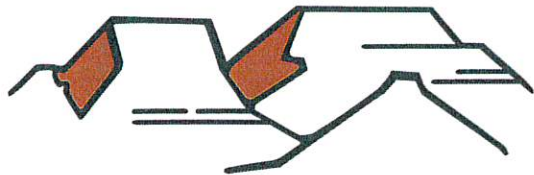
PRELIMINARY SITE PLAN FOR:
THE ADVENTUS PHASE 1
LOCATED IN THE NE QUARTER OF SECTION 11 &
THE NW QUARTER OF SECTION 12, T42S, R14W, S.L.B.&M.
4095 WEST BASH PARKWAY HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 04/11/2013
SCALE: 1"=50'

JOB NO.
281-010

SHEET NO:
1 OF 1

281-010



PLANNING & ZONING
HURRICANE CITY
UTAH

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

AGRICULTURAL PROTECTION AREA APPLICATION

For Office Use Only:

File No. _____

Receipt No. _____

APPLICATION & SUBMITTAL CHECKLIST

Name: Donald Stratton Telephone: 435-680-2135

Address: 970 S. 1100 W. Fax No. _____

Email: irpdonald@gmail.com

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

Agent email: _____

Address of Subject Property: 900 S 1100 W

Tax ID of Subject Property: H-3-2-3-345 Zone District: 03 - Hurricane City

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

To be included in an agriculture protection area established within Hurricane City land must consist of at least five (5) contiguous acres.

The application shall include:

1. The land in agriculture production that the proposal sponsors wish to become part of an agriculture protection area.

2. Any limits on the types of agriculture production to be allowed within the agriculture protection area: no limit

3. For each parcel of land: (a) The owners of the land contained within the parcel; (b) The tax parcel number or account number of each parcel; and (c) The number or account number of acres as listed on the parcel tax records.

Owners Name(s)

Tax Parcel #

of acres

Donald Stratton

In order for this to be a complete application, it shall include:

- (a) A plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area.
- (b) Application fee, if any, as outlined on the city fee schedule, available from the city recorder/clerk.

In order to apply for agricultural protection, the area being proposed must be evaluated based upon State Code 17-41-305, Criteria to be applied in evaluating proposals for the creation of agriculture protection areas.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area the advisory committee, planning commission, and county commission shall apply the following criteria:

1. Whether or not the land is currently being used for agriculture production.
2. Whether or not the land is zoned for agriculture use.
3. Whether or not the land is viable for agriculture production.
4. The extent and nature of existing or proposed farm improvements; and
5. Anticipated trends in agriculture and technological conditions.

*NOTE: the term agricultural production is defined by state law as follows:

State Code 17-41-101 Definitions

"Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

List the type(s) of agricultural production that is currently occurring on the parcel(s) being included:

2 garden plots, composting bin, fruit and nut trees, 5 beehives for honey

Is the parcel(s) irrigated? no

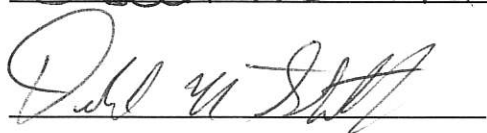
Describe the types and number of structures that are located on the parcel(s):

List the extend and nature of existing or proposed farm improvements:

there are garden plots, There's bee hives,
fruit and nut trees.

What do you anticipate being the trends in agriculture and technical conditions for the *agriculture*
production on the parcel(s)?

continue to use as a garden, with the
5 beehives and fruit and nut trees.



Signature of Applicant(s)

6/8/23
Date

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

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

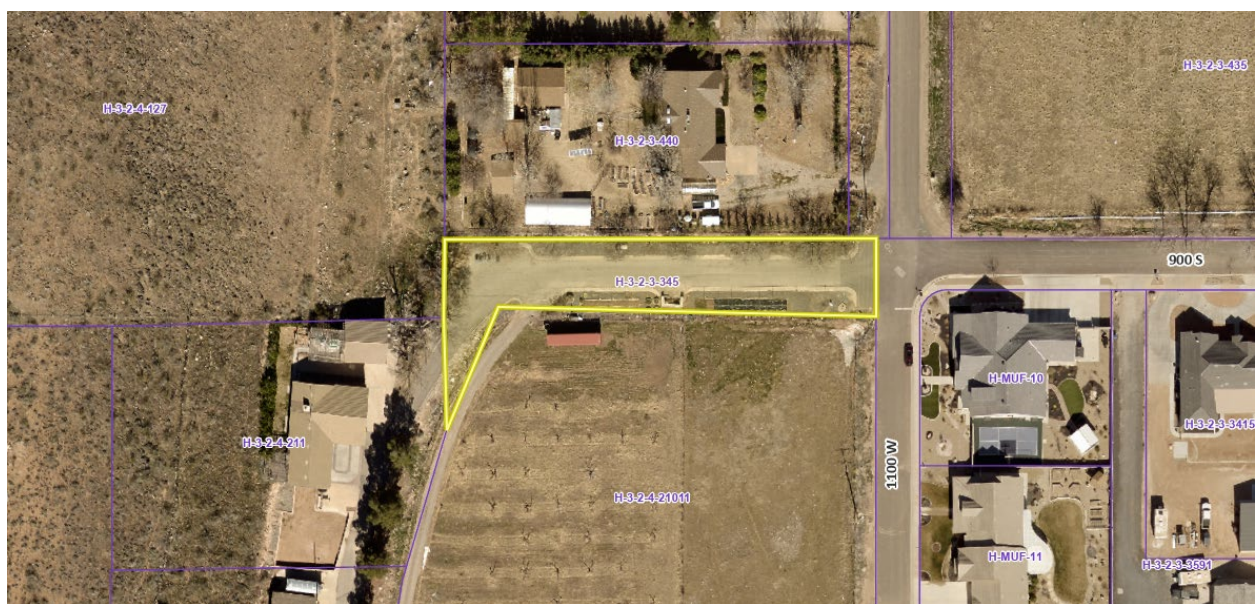
Agenda Date:	07/27/2023
Application Number:	APA23-02
Type of Application:	Agriculture Protection Overlay
Action Type:	Legislative
Applicant:	Donald Stratton
Agent:	
Request:	A report for the City Council on a proposal to create an Agricultural Protection Area
Location:	900 S 1100 W
Zoning:	R1-10
General Plan Map:	Single Family

Update 07/27/2023: The Planning Commission continued this item to see how the City Council voted on an Agricultural Protection Overlay on the property to the south. The City Council voted to approve the Agricultural Protection Overlay on the Heaton's property with the exception of the master planned roadways. The applicant or their agent was not present for the Planning Commission meeting and has not reached out to staff with any updates. Due to the reasons laid out below staff's recommendation of denial remains.

Discussion: This request is not to change the zone but protect the land with an Agricultural Protection Area Overlay Zone. The total size is 0.47 acres. State and City codes set the standards for review by the Planning Commission and the County Agricultural Protection Area Advisory Committee. An Agricultural Protection Area grants certain legal protections to the property, including preventing forced rezoning the property, providing a defense against nuisance actions, notice to new subdivisions, and limiting eminent domain actions. These protections are found in the Utah Code, sections of which are included in this report.

The Dixie Conservation District has issued a recommendation of denial on this application due to the property not being zoned for agricultural production and not meeting the minimum property size under City Code.

	Zoning	Adjacent Land Use
North	R1-10	Single family homes
East	RA-1, RA-0.5	Single family homes, some agriculture
South	R1-10	Single family homes, some agriculture
West	R1-10	Undeveloped property

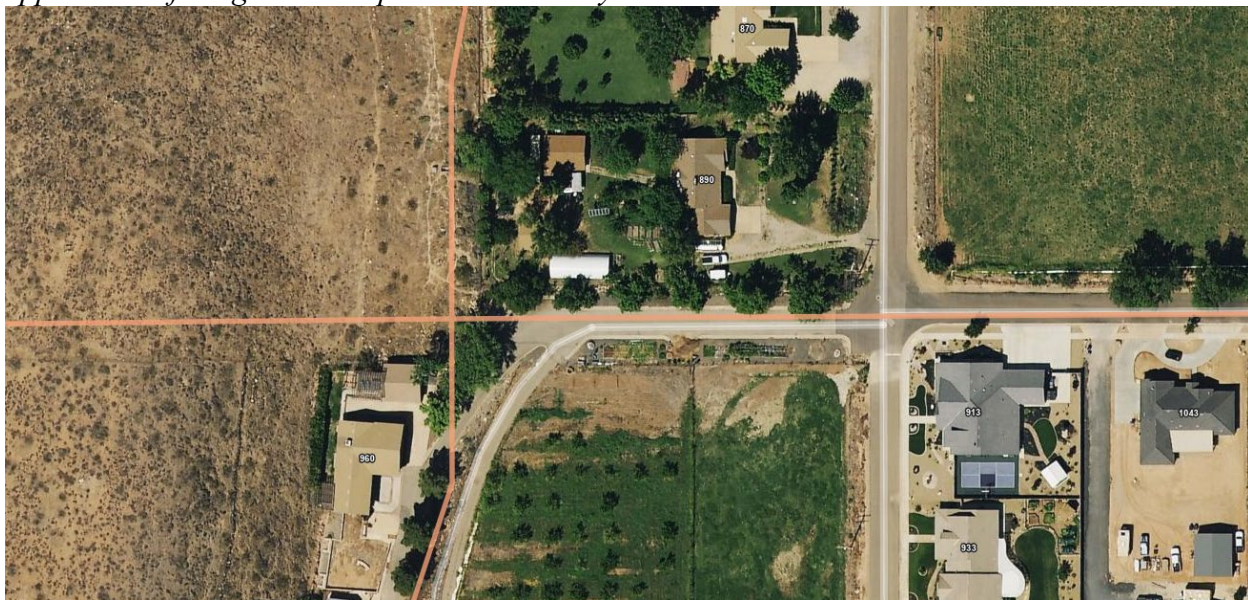


The property is about 0.47 acres. Utah State Code 17-41-301 states that, “A county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area.” Hurricane City Code 10-21-3 states that, “A minimum area of five contiguous acres shall be included in an agriculture protection area.” There is an approved Agricultural Protection Overlay on the property to the south, however as that overlay was approved with the exception of the master planned roadways of 900 S and 1150 W this property is not technically contiguous with any approved Agricultural Protection Overlays.

The criteria set by State law (17-41-303) for a “written report to the legislative body” is that it:

1. *Analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of themunicipality.....:*

The 2021 General Plan states that the city should “*Encourage the use of and support applications for agricultural protection overlay zones.*”



The City does have two future Master Plan Roads (900 S and 1150 W) that traverses the property that should be considered (shown above). An Agricultural Protection Zone could make it more difficult for the City to secure the property for a roadway in the future if needed. The City is in progress of securing the right of way for 1150 W and this could seriously threaten the City’s plans for this area.

Staff has always recommended and the City has almost always approved Agriculture Protection Overlays with the exception of any and all Master Planned Roadways on the property. This parcel is almost in its entirety Transportation Master Planned Future 900 S. It would be inconsistent with previous City policies and especially with the approval of the Agricultural Protection Overlay for the Heatons to approve this.

2. *Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305 –*

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

(1) *whether or not the land is currently being used for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*

- a. Per the application, the parcel has garden plots, bee hives, and is lined with fruit and nut trees. However per HCC 10-21-2: “Agriculture production means

production for commercial purposes of crops, livestock, and livestock products, including processing or retail marketing of any crops, livestock and livestock products when more than 50 percent of the processed or merchandised products are produced by the farm operator.” and “Crops, livestock and livestock products means: A. Land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including forages and sod crops; grains and feed crops; livestock; trees and fruits; or vegetables, nursery, floral and ornamental stock; or B. Land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.”

- b. Staff is unaware of any commercial or retail component of the applicant’s use of the property and finds that the property is not used for agricultural production
- (2) *whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;*
 - a. The property is not zoned for agricultural use being zoned R1-10.
- (3) *whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*
 - a. The size of the property makes it unlikely to be viable for agricultural production.
- (4) *the extent and nature of existing or proposed farm improvements, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and*
 - a. The current agricultural use is not proposed to be expanded upon. The current agricultural use is not particularly impactful.
- (5)
- (a) *in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;*
 - a. The applicant intends to continue the current use
- (b) *in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question; or*
- (c) *in the case of a critical infrastructure materials protection area, anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.*

- 3. *Recommends any modifications to the land to be included in the proposed agricultural protection area.*

Staff would recommend the Planning Commission not include the future right of ways for all master plan roadways through this property.

- 4. *Analyzes and evaluates any objections to the proposal.*

No objections have been received at the time of this writing.

5. *Includes a recommendation to thelegislative body to either accept, accept and modify, or reject the proposal.*

See the attached letter

JUC Comments:

Public Works: Need to protect the road right of way.

Power: Power department requires all current easements to be maintained. The Power Department requires all future power right of way.

Water: There is a current city water line in 900 S in this location.

Streets: Contains portions of a couple master planned roadways

Sewer: No exception at this time

Engineering: Engineering would discourage granting the APO because of master planned roadways

Fire: Okay

Cable: No comments

Recommendation: Staff recommends the Planning Commission review the evaluation criteria, and make the following findings:

1. The land is not known to be used for agricultural production as defined in HCC 10-21-2
2. The land is not zoned for agricultural use
3. The land is not viable for agricultural production
4. The land has no know existing or proposed farm improvements
5. The property is less than five contiguous acres
6. The Dixie Conservation District issued a recommendation of denial

Staff recommends the Planning Commission send the attached recommendation letter to the City Council.



HURRICANE CITY
UTAH

Planning Commission

July 27, 2023

Subject: Report to City Council on proposed Agricultural Protection for Parcel H-3-2-3-345

Hurricane City Council,

The Planning Commission forwards the following findings regarding Agricultural Protection Overlay APA23-02:

1. The land is not currently being used for agricultural production.
2. The land is not currently zoned for agricultural production.
3. The land is not viable for agricultural production.
4. The property is not congruent with agriculture protection zones.
5. The property is under five contiguous acres.

Future Use

1. The General Plan maps have the area listed as Single Family
2. This property is entirely in the planned future right-of-way for 900 S or 1150 W. It is inconsistent with both general City policy and specific approvals along these corridors to approve a protection overlay within these rights-of-way.

Recommendation

The Planning Commission recommends that the City Council deny the overlay request for parcel H-3-2-3-345.

Brienna Spencer

From: stuart@infowest.com
Sent: Thursday, June 29, 2023 9:31 AM
To: Brienna Spencer
Cc: Tyce Palmer
Subject: Re: Ag Protection Applications

Brienna,

The Dixie Conservation District, acting in their role as the Hurricane City Agricultural Advisory Committee, has rejected both applications. I can get you the signed paperwork but basically, we didn't feel comfortable approving applications which were incomplete, not zoned for agriculture, and do not meet the five-acre requirement established by Hurricane City. If additional information could be provided, or if the Hurricane City Planning & Zoning is willing to waive or amend the various requirements, we would certainly be willing to review the applications a second time. However, based upon the information provided we didn't feel comfortable approving these applications.

The Dixie Conservation District is very supportive of Agricultural Protection Areas but also feel an obligation to meet a legal and ethical standard in approving APA's. If I understand correctly the final decisions will fall to Hurricane City Planning and Zoning and then to the city council so if they have any questions for the DCD please feel free to contact me.

Thank you, Stuart
Bowler

Chairman, Dixie Conservation District

On 27.06.2023 09:45, Brienna Spencer wrote:

Stuart,

We received two more applications. I have attached their information. Neither property is currently zoned agriculture. The property to the north of the Stratton ag request is that property that was up for review just last time. So they are wanting to piggy back onto that overlay.

Thanks,



Brienna Spencer

Planning Technician/Licensing Clerk

Planning Department

Phone : 435.635.2811 ext. 112



Search...

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Maps & Data Sources

Analysis

Tasks

Search



Tool Labels



Parcel Search



Address Search



Search for a
Subdivision



Search for a PLSS
Section

Parcel Search

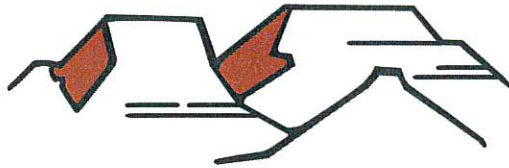
Section Search

I want to...



Basemap...

0 50 100ft



PLANNING & ZONING
HURRICANE CITY
UTAH

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

AGRICULTURAL PROTECTION AREA APPLICATION

For Office Use Only:

File No. _____

Receipt No. _____

APPLICATION & SUBMITTAL CHECKLIST

Name: ZIMMERMAN BRUCE & LINDA Telephone: 435-635-5855

Address: 890 SOUTH 1100 WEST Fax No. _____

Email: FAIRTRADEENTERPRISE@YAHOO.COM

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

Agent email: _____

Address of Subject Property: _____

Tax ID of Subject Property: _____ Zone District: _____

Proposed Conditional Use: (Describe, use extra sheet if necessary) RESIDENTIAL, AGRICULTURE
LIVESTOCK, RABBITS, GEESE, DUCKS, CHICKENS, HONEY, FRUITS, NUTS,
VEGETABLES, NURSERY, GARDENS, FLORAL, FEED CROPS, FORAGING

To be included in an agriculture protection area established within Hurricane City land must consist of at least five (5) contiguous acres.

The application shall include:

1. The land in agriculture production that the proposal sponsors wish to become part of an agriculture protection area.

2. Any limits on the types of agriculture production to be allowed within the agriculture protection area: _____

3. For each parcel of land: (a) The owners of the land contained within the parcel; (b) The tax parcel number or account number of each parcel; and (c) The number or account number of acres as listed on the parcel tax records.

Owners Name(s)

Tax Parcel #

of acres

ZIMMERMAN BRUCE & LINDA

H-3-2-3-440

1

In order for this to be a complete application, it shall include:

- (a) A plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area.
- (b) Application fee, if any, as outlined on the city fee schedule, available from the city recorder/clerk.

In order to apply for agricultural protection, the area being proposed must be evaluated based upon State Code 17-41-305, Criteria to be applied in evaluating proposals for the creation of agriculture protection areas.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area the advisory committee, planning commission, and county commission shall apply the following criteria:

1. Whether or not the land is currently being used for agriculture production.
2. Whether or not the land is zoned for agriculture use.
3. Whether or not the land is viable for agriculture production.
4. The extent and nature of existing or proposed farm improvements; and
5. Anticipated trends in agriculture and technological conditions.

*NOTE: the term agricultural production is defined by state law as follows:

State Code 17-41-101 Definitions

"Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

List the type(s) of agricultural production that is currently occurring on the parcel(s) being included:

FRUITS, NUTS, VEGETABLES, HERBS, FIGS, HONEY, EGGS, CHICKENS, DUCKS,
GESE, RABBITS, QUAIL, APRICOTS, PEACHES, CHERRIES, PLUMS, GRAPES
PEARS, APPLES, ELDERBERRIES, RASPBERRIES, BLACKBERRIES

Is the parcel(s) irrigated? YES

MULBERRIES, PLUOTS, ALMONDS, PISTACHIOS, BLACK WALNUTS, PEGANS
TOMATOES, POTATOES, ONIONS, GARLIC, STRAWBERRIES, PEPPERS, BELL PEPPERS
SWEET POTATOES, BEETS, BROCCOLI, ASPARAGUS, LEMONS, LIMES, ORANGES
KUMQUATS, ARTICHOKE, RHUBARB, BRUSSEL SPROUTS, ALOE VERA
POMEGRANATES, GARDENS, NURSERY, GREENHOUSE PRODUCTION

Describe the types and number of structures that are located on the parcel(s):

HOUSE ATTACHED GARAGE, DETACHED GARAGE, STORAGE CONTAINER
3 SHEDS, CHICKEN COOP, 2 GREEN HOUSES, CELLAR

List the extend and nature of existing or proposed farm improvements:

GARDENS, TREES, FORAGING

What do you anticipate being the trends in agriculture and technical conditions for the *agriculture* production on the parcel(s)?

NURSERY PLANTS, SEEDS SAVING, ELECTRO CULTURE

Bruce Zimmerman
Signature of Applicant(s)

06-07-2023
Date

(Office Use Only)

Date Received: _____ Application Complete: YES ☐ NO ☐

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



STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	APA23-03
Type of Application:	Agriculture Protection Overlay
Action Type:	Legislative
Applicant:	Bruce and Linda Zimmerman
Agent:	
Request:	A report for the City Council on a proposal to create an Agricultural Protection Area
Location:	890 S 1100 W
Zoning:	R1-10
General Plan Map:	Single Family

Update 07/27/2023: This item was continued to allow for the City Council to make a decision on an agricultural protection overlay on a property to the south of this one. The City Council has approved the agricultural protection area for the property to the south, with the exception of all master planned roadways. The applicant has indicated to staff that they would send updates on this application but as of the time of this writing no updates have been received.

Discussion: This request is not to change the zone but protect the land with an Agricultural Protection Area Overlay Zone. The total size is 1 acre. State and City codes set the standards for review by the Planning Commission and the County Agricultural Protection Area Advisory Committee. An Agricultural Protection Area grants certain legal protections to the property, including preventing forced rezoning the property, providing a defense against nuisance actions, notice to new subdivisions, and limiting eminent domain actions. These protections are found in the Utah Code, sections of which are included in this report.

The Dixie Conservation District has issued a recommendation of denial on this application due to the property not being zoned for agricultural production and not meeting the minimum property size under City Code.

	Zoning	Adjacent Land Use
North	R1-10	Single family homes
East	RA-1, RA-0.5	Single family homes, some agriculture
South	R1-10	Single family homes, some agriculture
West	R1-10	Undeveloped property



The property is about 1 acre. Utah State Code 17-41-301 states that, “A county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area.” Hurricane City Code 10-21-3 states that, “A minimum area of five contiguous acres shall be included in an agriculture protection area.” There is an agricultural protection overlay on a property to the south of this one, however that protection overlay was approved with the exception of the master planned rights-of-way. This request is less than five contiguous acres and does not meet that standard in city code.

The criteria set by State law (17-41-303) for a “written report to the legislative body” is that it:

1. *Analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of themunicipality.....:*

The 2021 General Plan states that the city should “*Encourage the use of and support applications for agricultural protection overlay zones.*”



The City does have two future Master Plan Roads (900 S and 1150 W) that traverses the property that should be considered (shown above). An Agricultural Protection Zone could make it more difficult for the City to secure the property for a roadway in the future if needed. The City is in progress of securing the right of way for 1150 W and this could seriously threaten the City’s plans for this area.

Staff has always recommended and the City has almost always approved Agriculture Protection Overlays with the exception of any and all Master Planned Roadways on the property. It would be inconsistent with general city policy as well as the approvals for the Heaton's Agricultural Protection Overlay to grant this overlay

2. *Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305 –*

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

(1) *whether or not the land is currently being used for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*

- a. Per the application, the parcel has animals and gardens on the property. However per HCC 10-21-2: “Agriculture production means production for commercial purposes of crops, livestock, and livestock products, including processing or retail marketing of any crops, livestock and livestock products when more than 50

percent of the processed or merchandised products are produced by the farm operator.” and “Crops, livestock and livestock products means: A. Land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including forages and sod crops; grains and feed crops; livestock; trees and fruits; or vegetables, nursery, floral and ornamental stock; or B. Land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.”

- b. The applicant has told staff and the Planning Commission that they have occasionally sold produce at Peach Days. Staff does not believe this meets the standards of this code.

(2) *whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;*

- a. The property is not zoned for agricultural use being zoned R1-10. The applicant has stated that this property was previously zoned RA-1. The standard under the ordinance is whether the property is currently zoned for agricultural use, not whether it was ever zoned for agricultural use. Staff has found no evidence that this property has ever been zoned anything other than R1-10 under the City’s zoning code.

(3) *whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;*

- a. The size of the property makes it unlikely to be viable for actual agricultural production.

(4) *the extent and nature of existing or proposed farm improvements, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and*

- a. The current agricultural use is not proposed to be expanded upon. The current agricultural use is not particularly impactful.

(5)

(a) *in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;*

- a. The applicant intends to continue the current use

3. *Recommends any modifications to the land to be included in the proposed agricultural protection area.*

Staff would recommend the Planning Commission not include the future right of ways for all master plan roadways through this property.

4. *Analyzes and evaluates any objections to the proposal.*

No objections have been received at the time of this writing.

5. *Includes a recommendation to thelegislative body to either accept, accept and modify, or reject the proposal.*

See the attached letter

JUC Comments:

Public Works: Need to protect the road right of way.

Power: Maintain current and future power line easements as decided by Hurricane Power

Water: No comments

Streets: Contains portions of a master planned roadway

Sewer: No exception at this time

Engineering: Engineering would discourage granting the APO because of master planned roadways

Fire: Okay

Cable: No comments

Recommendation: Staff recommends the Planning Commission review the evaluation criteria, and make the following findings:

1. The land is not known to be used for agricultural production as defined in HCC 10-21-2
2. The land is not zoned for agricultural use
3. The land is not viable for agricultural production
4. The land has no know existing or proposed farm improvements
5. The property is less than five contiguous acres
6. The Dixie Conservation District issued a recommendation of denial

Staff recommends the Planning Commission send the attached recommendation letter to the City Council.



HURRICANE CITY
UTAH

Planning Commission

July 13, 2023

Subject: Report to City Council on proposed Agricultural Protection for Parcel H-3-2-3-440

Hurricane City Council,

The Planning Commission forwards the following findings regarding Agricultural Protection Overlay APA23-03:

1. The land is not currently being used for agricultural production.
2. The land is not currently zoned for agricultural production.
3. The land is not viable for agricultural production.
4. The property is not congruent with agriculture protection zones
5. The property is under five contiguous acres

Future Use

1. The General Plan maps have the area listed as Single Family
2. This property is included in the planned right-of-ways for 900 S and 1150 W.

Recommendation

The Planning Commission recommends that the City Council deny the overlay request for parcel H-3-2-3-440.

Brienna Spencer

From: stuart@infowest.com
Sent: Thursday, June 29, 2023 9:31 AM
To: Brienna Spencer
Cc: Tyce Palmer
Subject: Re: Ag Protection Applications

Brienna,

The Dixie Conservation District, acting in their role as the Hurricane City Agricultural Advisory Committee, has rejected both applications. I can get you the signed paperwork but basically, we didn't feel comfortable approving applications which were incomplete, not zoned for agriculture, and do not meet the five-acre requirement established by Hurricane City. If additional information could be provided, or if the Hurricane City Planning & Zoning is willing to waive or amend the various requirements, we would certainly be willing to review the applications a second time. However, based upon the information provided we didn't feel comfortable approving these applications.

The Dixie Conservation District is very supportive of Agricultural Protection Areas but also feel an obligation to meet a legal and ethical standard in approving APA's. If I understand correctly the final decisions will fall to Hurricane City Planning and Zoning and then to the city council so if they have any questions for the DCD please feel free to contact me.

Thank you, Stuart
Bowler

Chairman, Dixie Conservation District

On 27.06.2023 09:45, Brienna Spencer wrote:

Stuart,

We received two more applications. I have attached their information. Neither property is currently zoned agriculture. The property to the north of the Stratton ag request is that property that was up for review just last time. So they are wanting to piggy back onto that overlay.

Thanks,



Brienna Spencer

Planning Technician/Licensing Clerk

Planning Department

Phone : 435.635.2811 ext. 112



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STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	LUCA 23-04
Type of Application:	City Master Plan
Action Type:	Legislative
Applicant:	
Agent:	
Request:	Amend Title 10 Chapter 7 with regards to standards to have multiple accessory dwelling units

Discussion:

At the last Planning Commission meeting the Planning Commission made a recommendation to the City Council that they amend the 2022 Moderate Income Housing Plan with regards to continually assessing the success and failures of our ADU policy but not to lower the amount of property needed to have a second accessory dwelling unit. Before that meeting occurred the Mayor directed planning staff to schedule a public hearing on an ordinance lowering the amount of property needed to have a second ADU.

The City Council did vote on July 20th to adopt the amendments to the Moderate Income Housing Plan as initially presented including the goal that we evaluate lowering the property requirement for having a second accessory dwelling unit. A couple council members, similarly to the Planning Commission, had trepidations about this as a policy matter but were willing to explore it further.

Planning staff has proposed three changes to this ordinance (the Planning Commission can request other changes)

- Lowering the lot area needed to have a second ADU from .8 acres to .5 acres.
- Tighten up language in subsection (6) with regards to ensuring that only one ADU can be used as a short-term rental.
- Adding a standard that the primary dwelling and two ADUs cannot be across three separate buildings. At least one ADU must be attached; either to the primary dwelling or to the other ADU. This standard is meant to be phrased to still allow a property owner to have a detached garage or other accessory building. It is important to note that subsection (1) states 50% of the lot must be clear of building.

Recommendation:

Staff recommends the Planning Commission make a recommendation to the City Council.

From: Nanette Billings
Sent: Friday, June 16, 2023 5:02 PM
To: Fred Resch
Subject: Re: Planning Commission June 22, 2023

Fred,

Would you please add the item for discussion to the planning commission agenda to lower the threshold from .8 acre to .5 or council man Thomas wanted it at .25 where a home could have a short term and a long term rental as well.

This is my thought for asking the planning commission to make a recommendation on this. And where it has been within the year we should not have to take months for this to come to the council. This can be an item as a discussion, and then a public hearing and a recommendation and the council and discuss the planning commissions recommendations and then vote. I am hoping to help with following by having the discussion:

1- Help with moderate and affordable housing. Most people that have one rental are now using it for short term. If they have a second they would long term rent it if it was legal.

2- By lowering the acreage it could cause more parking on lots. We don't need to address the parking on the property for short term because we have that in our ordinance. But long term and permanent residents can park on the street. It could cause more parking issues in neighborhoods.

3- By opening this up to smaller lot sizes we will have more units available. Supply and demand is real and will help with the cost of rentals and housing.

Thanks for your help in this process of getting this on the next planning commission meeting. I appreciate the council and their direction in the matter. Thanks again.

Nanette Billings

Hurricane City Mayor
435-680-2757

|

On Jun 16, 2023, at 12:08 PM, Fred Resch <fred@cityofhurricane.com> wrote:

Planning Commission *et al.*,

Please see the link for the Planning Commission packet below. Monday is a holiday so paper copies will be delivered Tuesday. We will be starting at 5:30 this week. At the last meeting some of you said you might not be able to make it, so please let me know if you can't make it in case we need to reschedule.

https://drive.google.com/drive/folders/1oaY2HB9_zL6EsttdeaEx4Qbu-O3wt4Zo?usp=drive_link

Fred Resch III

Assistant City Planner/Code Enforcement

Hurricane City

P: (435) 635-2811 x 110

E: fred@cityofhurricane.com

<image001.png>

CHAPTER 41. ACCESSORY DWELLING UNITS

Sec. 10-41-1. Purpose.

The purpose of this chapter is to establish use and development regulations for accessory dwelling units (ADU). These regulations are intended to ensure that limited use of ADUs allowed in a residential zone do not disturb the single-family residential character of a neighborhood.

(Ord. 2018-04, 4-5-2018; Ord. No. 2022-10, 5-19-2022; Ord. No. 2022-62, 2-16-2023)

Sec. 10-41-2. Scope.

The requirements of this chapter shall apply to all ADUs in single-family zones. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, and other laws.

(Ord. 2018-04, 4-5-2018; Ord. No. 2022-10, 5-19-2022; Ord. No. 2022-62, 2-16-2023)

Sec. 10-41-3. Permitted use.

Only one ADU is allowed as a permitted use as listed in sections 10-13-3 and 10-14-3, except where a second ADU is allowed as a conditional use pursuant to chapter 7 of this title. ADUs shall be subject to the development standards of this chapter. Relevant definitions may be found in chapter 3 of this title.

(Ord. 2018-04, 4-5-2018; Ord. No. 2022-10, 5-19-2022; Ord. No. 2022-62, 2-16-2023)

Sec. 10-41-4. Development standards; permitted use.

The development standards set forth in this section shall apply to any ADU allowed as a permitted use.

- A. *Definition; setbacks and size.* An ADU is an accessory use to the main residential dwelling unit. Setbacks and size and lot coverage limitations established for accessory buildings in each zone shall apply, except that an ADU shall meet the same setbacks for primary units on the street side yard.
- B. *Egress and life safety requirements.* The dwelling unit must meet egress and life safety requirements of the International Residential Building Code.
- C. *Ownership.* The owner or a member of the family of the property owner shall reside on the property as their primary residence as a condition for an ADU to be rented. For long-term occupancy, the property owner may live in the ADU or the primary building. Only the ADU may be used as a short-term rental pursuant to chapter 51 of this title.
- D. *Limit.* Generally, only one ADU may be established on one residential property. However, two accessory dwelling units may be allowed by a conditional use permit pursuant to chapter 7 of this title.
- E. *Entrance.* An ADU may have its own outside entrance.
- F. *Landscaping.* Landscaping shall be provided and maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for onsite parking in relation to adjacent properties and the street. Landscaping may include, but shall not be limited to, planting trees in the park strip.

-
- G. *Secondary use.* An ADU shall be clearly incidental and secondary to the primary use of the dwelling for residential purposes.
 - H. *Maximum size.* An ADU, if it is detached, must meet the size limitations for the zone or have been granted a conditional use permit.
 - I. *Residential hosting.* One ADU may be used per residential lot for residential hosting pursuant to chapter 51 of this title.

(Ord. 2018-04, 4-5-2018; Ord. No. 2022-10 , 5-19-2022; Ord. No. 2022-62 , 2-16-2023)

Sec. 10-41-5. Compliance with development standards.

- A. Residential properties with ADUs found to be in violation of the development standards set forth in section 10-42-4 of this title shall be subject to all applicable remedies set forth in chapter 9 of this title to ensure compliance.
- B. In order to ensure ADUs meet the development standards, a permit must be issued by the City for any use of the unit described in section 3-9-2 or chapter 51 of this title.

(Ord. 2018-04, 4-5-2018; Ord. No. 2022-10 , 5-19-2022; Ord. No. 2022-62 , 2-16-2023)

Sec. 10-7-9. Conditional use permit.

- A. *Purpose.* This section sets forth procedures for considering and approving conditional use permits.
- B. *Authority.*
1. The Planning Commission is authorized to issue conditional use permits for the following uses:
 - Agricultural industry.
 - Agritourism activities.
 - Animal specialties.
 - Assisted living facility.
 - Greater heights than permitted by this Code in all zones except residential and residential agricultural zones.
 - Greater size than permitted by this Code in all zones except residential and residential agricultural zones.
 - Metal building in commercial and residential zones.
 - Multi family in commercial zones.
 - Public stable.
 - Reception center.
 - Recreation and entertainment, outdoor.
 2. The Zoning Administrator is authorized to issue conditional use permits for the following uses:
 - Animals and fowl for recreation and family food production.
 - Greater size accessory buildings than permitted by this Code in residential zones.
 - Greater size accessory buildings than permitted by this Code in residential and residential agricultural zones.
 - Greater height accessory buildings than permitted by this Code in residential and residential agricultural zones.
- C. *Initiation.* A property owner, or the owner's agent, may request a conditional use permit as provided in subsection D1 of this section.
- D. *Procedure.* An application for a conditional use permit shall be considered and processed as provided in this subsection.
1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
 - a. The name, address and telephone number of the applicant and the applicant's agent, if any;
 - b. The address and parcel identification of the subject property;
 - c. The zone, zone boundaries and present use of the subject property;
 - d. A description of the proposed conditional use;
 - e. A plot plan showing the following:

-
- (1) Applicant's name;
 - (2) Site address;
 - (3) Property boundaries and dimensions;
 - (4) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
 - (5) Adjoining property lines and uses within 100 feet of the subject property.
 - f. Traffic impact analysis, if required by the City Engineer or the Planning Commission;
 - g. A statement by the applicant demonstrating how the conditional use permit request meets the approval standards for the conditional use desired; and
 - h. Such other and further information or documentation as the Zoning Administrator may deem necessary for proper consideration and disposition of a particular application.
2. After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission as provided in section 10-7-4 of this chapter or shall review the application to determine if it meets the standards for an administrative conditional use permit.
 3. A staff report evaluating the application shall be prepared by the Zoning Administrator for a conditional use permit that will be reviewed by the Planning Commission.
 4. The Planning Commission shall hold a public meeting and shall thereafter approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards, the conditional use may be denied.
 5. After the Planning Commission or Zoning Administrator makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
 6. A record of all conditional use permits shall be maintained in the office of the Zoning Administrator.
- 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:
 - a. *Standards for a reception center.*
 - (1) Hours of operation must be compatible with adjoining uses and comply with City noise regulations.
 - (2) Parking shall be contained onsite.
 - (3) The center must have an approved site plan.
 - (4) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the state alcohol control board.
 - (5) Reception Center use must be secondary to any agricultural use on the property.
 - (6) Property shall be a minimum of five acres.

-
- (7) In RA Zoning, Reception Center shall only be used a maximum of five days a month.
 - (8) Building must meet the fire code and be inspected by the fire marshal or their representative prior to the approval of the conditional use permit.
 - (9) The applicant shall provide an emergency access plan that shall be approved by the fire marshal prior to the approval of the conditional use permit.

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.
- (4) Animal enclosures used for intensive animal feeding operations must be at least 25 feet from any adjacent parcel that, at the time the applicant first seeks the conditional use, is zoned residential or residential-agricultural pursuant to chapters 13 or 14 of this title.

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.
- (5) Barns must be located at least 30 feet from any adjacent parcel that, at the time the applicant first seeks a conditional use permit, is zoned residential or residential-agricultural.

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.
- (3) A site plan shall be approved for the facility to ensure adequate parking and landscaping are installed.

e. *Standards for greater heights than permitted by this Code.*

- (1) The height may not be greater than two stories or one and one-half 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) A greater height conditional use permit may not be issued for a flag lot if the proposed structure is higher than the average height of all residential structures within a 300-foot radius of the proposed structure.

(3) A greater height accessory building must be set back a minimum of five feet from side and rear property lines when the adjoining property is zoned or used for single family residential use.

(4) In no event shall a building exceed 55 feet in height.

f. *Standards for greater size than permitted by this Code.*

(1) The greater size building desired must be of compatible architecture with immediately adjacent buildings.

(2) At least 50 percent of the lot on which the building is located must remain free of buildings.

(3) The building must be for a use permitted in the zone in which it is located.

g. *Standards for animals and fowl for recreation and family food production.*

(1) Adequate fencing must be provided to ensure animals and fowl are confined safely.

(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) The number of fowl will be limited by the point system used in section 10-37-15 of this title.

(5) Livestock numbers may be limited at the administrator's discretion based on the size of the lot and the facilities available to contain and protect the animals.

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.

i. *Standards for animal specialties.*

(1) Adequate fencing and/or enclosures must be provided to ensure animals 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) Animal enclosures used for intensive animal feeding operations must be at least 25 feet from any adjacent parcel that, at the time the applicant first seeks the conditional use, is zoned residential or residential agricultural pursuant to chapters 13 or 14 of this title.

j. *Standards for agritourism activities.*

- (1) Hours of operation must be compatible with adjoining uses and comply with City noise regulations.
- (2) On-site parking must be provided.
- (3) The use of on street parking to provide up to 40 percent of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
- (4) In agricultural zones, this use must be accessory to an established agricultural use.

k. *Standards for multi-family residential.* In order to promote and preserve commercial growth and to allow infill development of empty and vacant lots in the area designated as downtown on the general map, vacant parcels zoned for commercial uses as listed in this title may, as a conditional use, be allowed for multi-family residential use if the following criteria are met:

- (1) No habitable building has been on the parcel for the previous three years.
- (2) The land use on at least two sides of the property are residential use at the time of application. Property on the opposite side of a public road or right-of-way shall be considered adjacent for this criteria. Properties that do not meet this criteria may be approved for mix-use development as listed below.
- (3) Mix use is allowed. If the proposed development is a mix of commercial use and residential use, then residential units shall be placed on a floor above the commercial use, or in a way to allow commercial buildings to front onto the public roadways. If mixed use, the commercial shall comply with the commercial zoning standards and housing shall comply with RM-3 zoning standards.
- (4) Homes in the downtown area shall have the front of buildings face public roadways. The only exception for this requirement is for mix use developments and for parcels that would allow development of units behind units that front the public right-of-way. Every effort should be made to ensure the frontage of roadways are faced with the frontage of buildings. Walls, fences, and the rear of buildings fronting on to public right-of-way should be avoided.
- (5) Dwelling units and sites shall comply with RM-3 zoning standards and density. RM-3 minimum required area shall not apply.

l. *Standards for multiple accessory dwelling units in a residential, agriculture, or commercial zone.*

- (1) Multiple accessory dwelling units may be permitted based on the lot area of the property at a rate in the table below assuming all other conditions for an accessory dwelling unit are met.

Lot area	Number of accessory dwelling units
0. 4 79 acres or smaller	1
0. 5 8 acres and greater	2

- (2) Fifty percent of the land area on the lot must be free of buildings.

-
- (3) A parking plan must be provided that shows adequate off street parking on the lot at a rate of one space per bedroom.
 - (4) A landscape plan must be provided that shows how buildings will be shielded from other residential lots.
 - (5) Occupancy plan: no more than ten people can stay in one building.
 - (6) Only one accessory dwelling unit can be used as a residential hosting facility as that term is used in Chapter 51 of this Title as a short-term rental. All others must be for long term occupancy or as a guesthouse for non-paying guests.
 - (7) A separate conditional use permit~~permits~~ must be received for any~~every~~ accessory building that does not meet the height or size requirements of 10-13-4. No more than one accessory building can contain a dwelling unit.
- F. *Appeal of decision.* Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance, or denial of a conditional use permit may appeal such decision to the Appeals Board by filing written notice of appeal stating the grounds therefor within 14 days from the date of such decision.
- G. *Appeal of decision by Zoning Administrator.* Any decision of the Zoning Administrator regarding the issuance or denial of a conditional use permit, shall, upon request by the applicant within ten days after a determination by the Zoning Administrator, be submitted for a de novo review and decision by the Planning Commission at their next available meeting.
- H. *Effect of approval.* A conditional use permit shall not relieve an applicant from obtaining any other authorization or permit required under this title or any other title of this Code.
1. A conditional use permit may be transferred so long as the use conducted thereunder conforms to the terms of the permit.
 2. Unless otherwise specified by the Planning Commission and subject to the provisions relating to amendment, revocation or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.
- I. *Amendment.* The procedure for amending any conditional use permit shall be the same as the original procedure set forth in this section.
- J. *Revocation.* A conditional use permit may be revoked as provided in section 10-9-6 of this title.
1. In addition to the grounds set forth in section 10-9-6 of this title, any of the following shall be grounds for revocation:
 - a. The use for which a permit was granted has ceased for one year or more;
 - b. The holder or user of a permit has failed to comply with the conditions of approval or any City, state, or federal law governing the conduct of the use;
 - c. The holder or user of the permit has failed to construct or maintain the site as shown on the approved site plan, map, or other approval materials; or
 - d. The operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a court of competent jurisdiction in any civil or criminal proceeding.
 2. No conditional use permit shall be revoked against the wishes of the holder or user of the permit without first giving such person an opportunity to appear before the Planning Commission and show cause as to why the permit should not be revoked or the conditions amended. Revocation of a permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.

K. *Expiration.* A conditional use permit shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the permit is not commenced within one year after approval.

(Ord. 2016-11, 11-17-2016; Ord. 2017-14, 8-17-2017; Ord. 2017-16, 11-16-2017; Ord. 2018-04, 4-5-2018; Ord. 2018-12, 10-18-2018; Ord. 2018-14, 12-20-2018; Ord. 2019-10, 9-19-2019; Ord. 2020-03, 2-6-2020; Ord. No. 2021-05, 6-3-2021; Ord. No. 2022-10, 5-19-2022; Ord. No. 2022-21, 7-7-2022; Ord. No. 2022-61, 2-2-2023)

**Application**

Permit #:

PSP23-20

Issue Date:

07/03/2023

Application Accepted Date: 06/29/2023

Type of Improvement: Site Plan (Preliminary)

Description: This site plan alters the previous plan for an ATV

Tenant / Project Name: Jellystone Park Adventure Center

Bldg. Address: 3950 West Jellystone Road

City: Hurricane State: UT Zip: 84737

Subdivision: NA Phase: NA

Block: Lot #: NA Parcel #: H-4-2-1-331-GS1

Property Owner: Blow Sand Llc

Permit Contact: Karl Rasmussen P:(435) 680-0816

Email: karl@pv-eng.com

CONTACT INFORMATION

Engineer of Record: Karl Rasmussen

Email: karl@pv-eng.com P: (435) 668-8307

General Contractor: Jellystone Park Adventure Center / Nielson

License #: Development P: (435) 680-1710

Address: 2464 E 2000 S

City: SAINT GEORGE State: UTAH Zip: 84790

Email: katie@nielsondevelopment.com

Electrical Contractor:

License #: P:

City: State: Zip:

Plumbing Contractor:

License #: P:

City: State: Zip:

Email:

Mechanical Contractor:

License #: P:

City: State: Zip:

Email:

APPLICATION DETAILS

of Units: 0

custom text:

Valuation

\$

0.00

PERMIT FEES**Sub Total:**

\$

0.00**Permit Total:**

\$

0.00**Amount Paid:**

\$

0.00**Remaining Due:**

\$

0.00**HURRICANE CITY**
UTAH**APPROVALS****DATE****INFO**

Plan Review Finalized:

Yes

07/03/23

Brienna Spencer

Setbacks

Front:

Rear:

Left:

Right:

Min.

Actual:

APPLICATION NUMBER:**PENDPSP23-19**

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.

Applicant Name: Treasa Anderson

Signature of Applicant/Authorized Agent or Owner: Date:

Application Approved By:

Date:

07/03/2023

Application Issued By:

Date:

07/03/2023

Receipt #:



STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	PSP23-20
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Blow Sand LLC
Agent:	Karl Rasmussen
Request:	Approval of a Preliminary Site Plan
Location:	3950 W Jellystone Road
Zoning:	PC
General Plan Map:	Planned Community

Discussion:

The applicant has filed a preliminary site plan for Jellystone Park Adventure Centre. On the initial approved site plan for Glampers Inn/Jellystone Park this area was called out as a location for Mad Moose rentals but they have backed out and are now going with this concept of some sort of family fun center-like development.

JUC Comments

The following items will need to be addressed:

1. **Public Works:** No comments
2. **Power:** Dixie Power area. Power will need to be revised.
3. **Water:** Okay.
4. **Street:** Jellystone Road still under construction
5. **Sewer:** Sewer main may need to be extended in Jellystone Road and sewer laterals added.
6. **Engineering:** The property lines do not match the final plat last seen by city staff. Additional area has been taken from Lot 1 and given to Lot 2. How does this impact the seven or so RV sites near here? The updated final plat should accompany this site plan. The existing grade surface model is outdated. Pork chops are ineffective at limiting access to right-in/right-out. It appears golf cart circulation should be considered. Are golf carts expected to use the lanes or will they have their own paths? Should there be a left turn pocket at the main entrance?
7. **Fire:** Adventure Center will need a code analysis, possible fire line and FDC.
8. **Phone:** No comment

9. **Cable:** Add Centurylink notes

10. **Gas:** Dominion Energy will need 10' PUE for gas main in all roadways

11. **Water Conservancy:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.



Location is very approximate

Staff Comments: Preliminary Site Plan

1. The proposed uses are permitted in the Planned Commercial zone
2. As can be seen below the proposed parcel boundaries have shifted slightly since the final site plan and final plat submittals. Staff has concerns about how this shift might affect the overall development

Sec. 10-32-6. Required landscaping.

A. General requirement. Landscaped areas may include trees, shrubs, vegetative, organic and inorganic ground cover, and other organic and inorganic materials identified in an approved landscaping plan. All required landscape areas shall be occupied by plant material or ground cover.

B. Landscaping adjacent to a public street. Except for approved driveways and pedestrian walkways, a landscaped area of ten-foot minimum shall be provided adjacent and parallel to the frontage of a public street as follows:

- 1. A ten-foot wide landscaped area on any commercial development.*
- 2. At least one tree and three shrubs shall be planted for every 35 feet of street frontage in a required landscaped area. Such trees and shrubs may be clustered, provided that no tree shall be within five feet of another.*
- 3. The slope of any earth berm shall not exceed a vertical to horizontal ratio of one to two and shall be treated with suitable ground cover to prevent soil erosion.*

C. Parking strip landscaping. All parking strips shall be landscaped.

D. Parking lot landscaping.

1. Every parking lot consisting of more than ten spaces and 3,500 square feet of area shall contain internal landscaped areas as follows:

- a. Multiple-family residential. A minimum of ten percent of total parking lot area.*
- b. Office and commercial. A minimum of seven percent of total parking lot area.*
- c. Industrial and warehouse. A minimum of five percent of total parking lot area.*

2. For every ten required parking spaces, or portion thereof, a minimum of two shrubs and one deciduous tree shall be provided within the internal parking area. The species of such trees shall be such that at maturity a tree canopy is provided to shade the parking area below each tree.

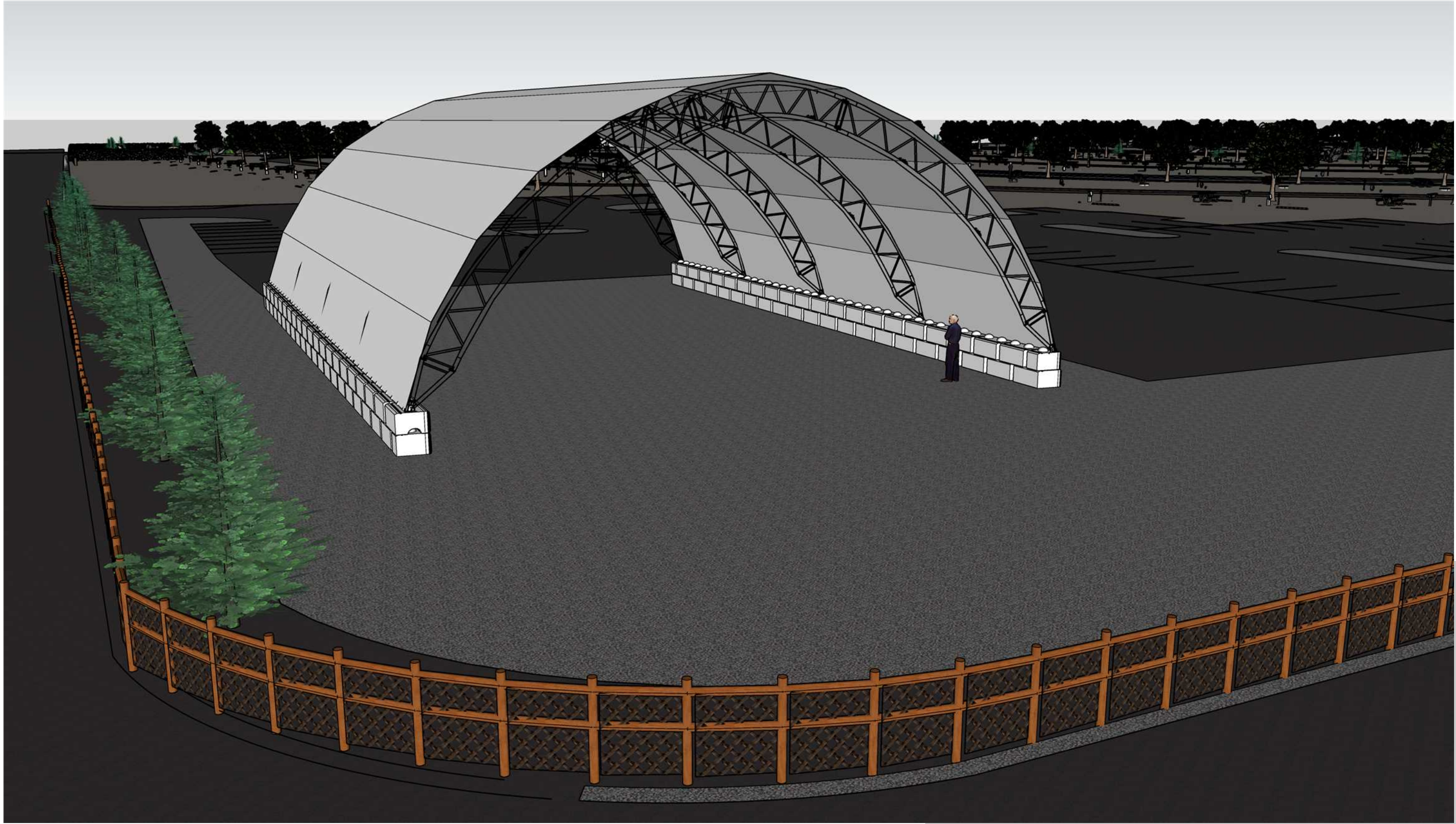
3. Landscaped areas shall contain a minimum of 25 square feet and shall have a minimum average width of at least five feet.

4. Landscape islands should be located in the following priority:

- a. To define major drives and accessways;*
- b. To delineate ends of parking rows;*
- c. At aisle intersections; and*
- d. Within parking rows.*

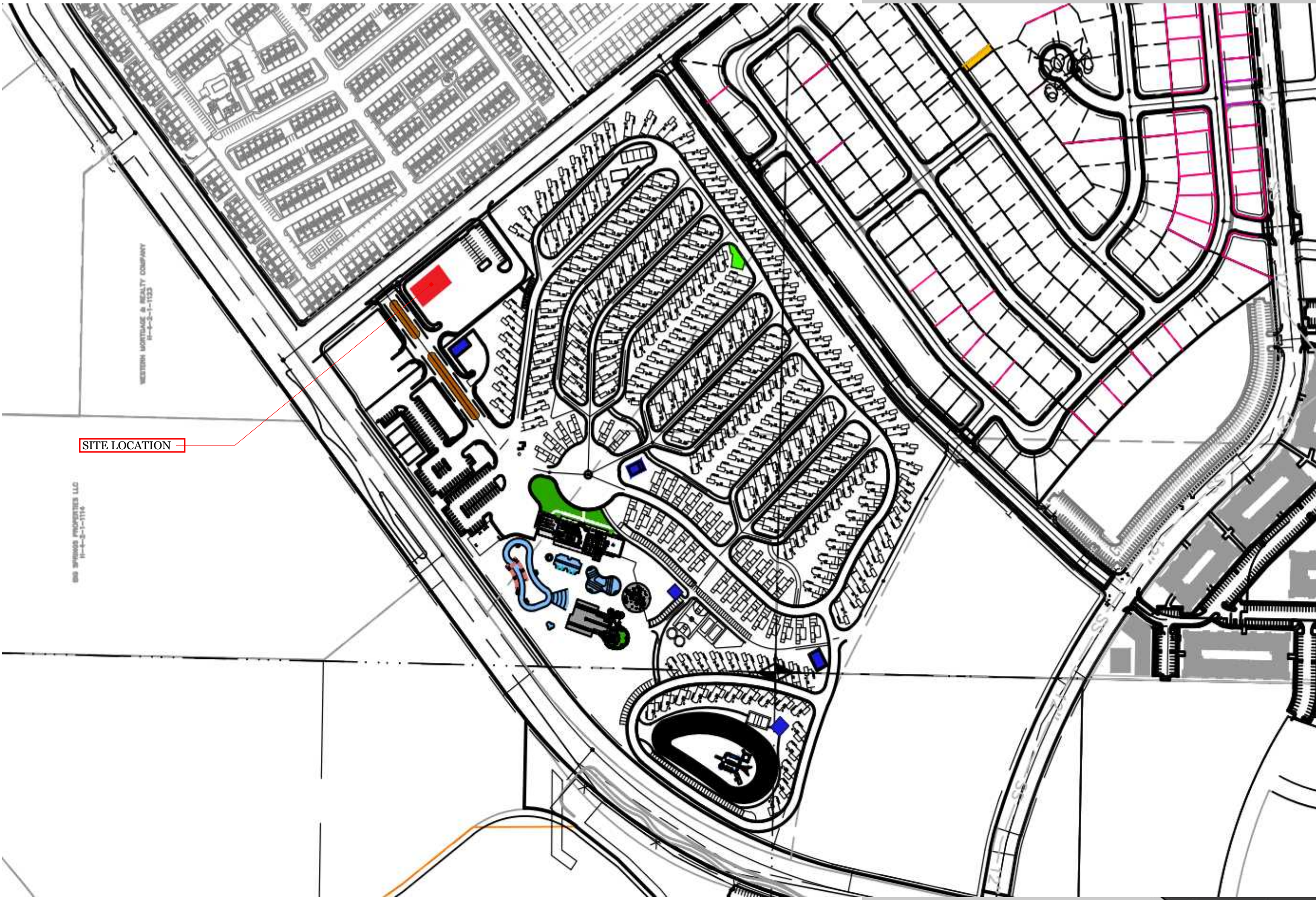
- a. The approved landscape plan for Glampers Inn did not cover this portion of the property. A full landscape plan will be required with the final site plan. The applicant will need to ensure enough trees and shrubs are provided.
- 4. An acknowledgement of water supply form was not included in the application. This is required by code and will need to be provided
- 5. The applicant has also submitted a site plan for a temporary shade structure they would like to construct on site temporarily while the rest of the site is developed. Planning and Building department staff have no issues with this.
- 6. *A preliminary site plan is not intended to permit actual development of property pursuant to such a 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))*

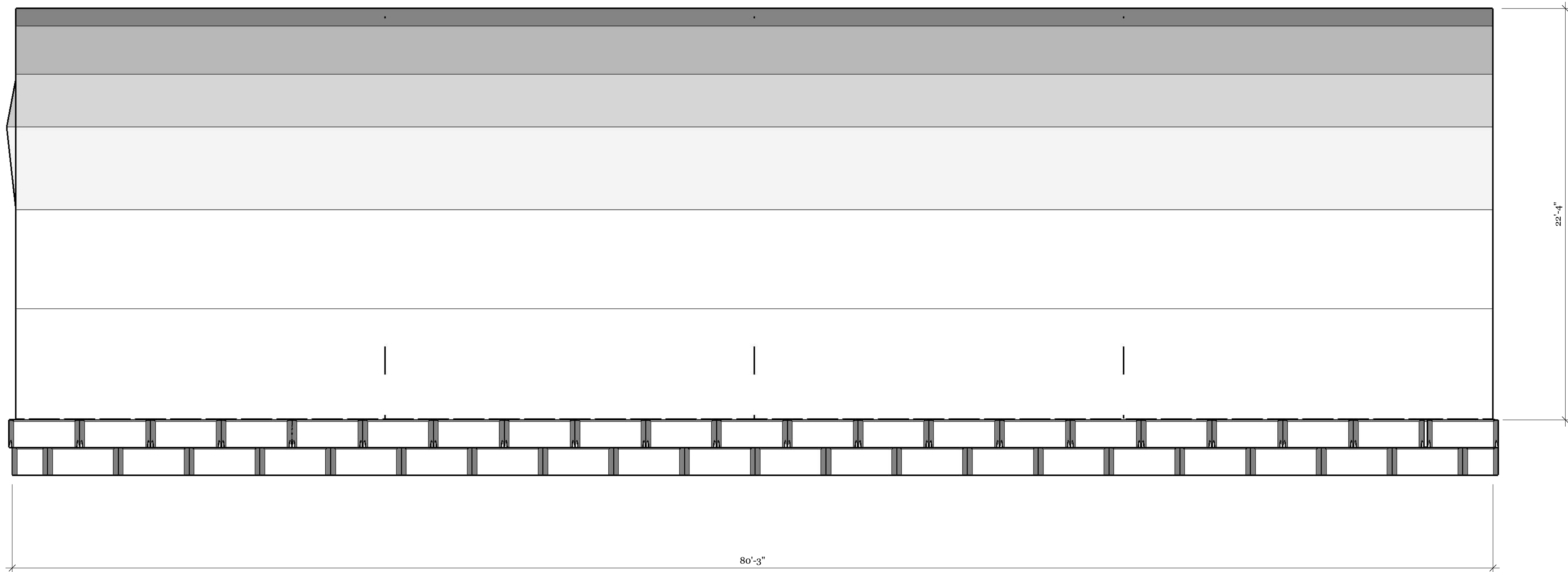
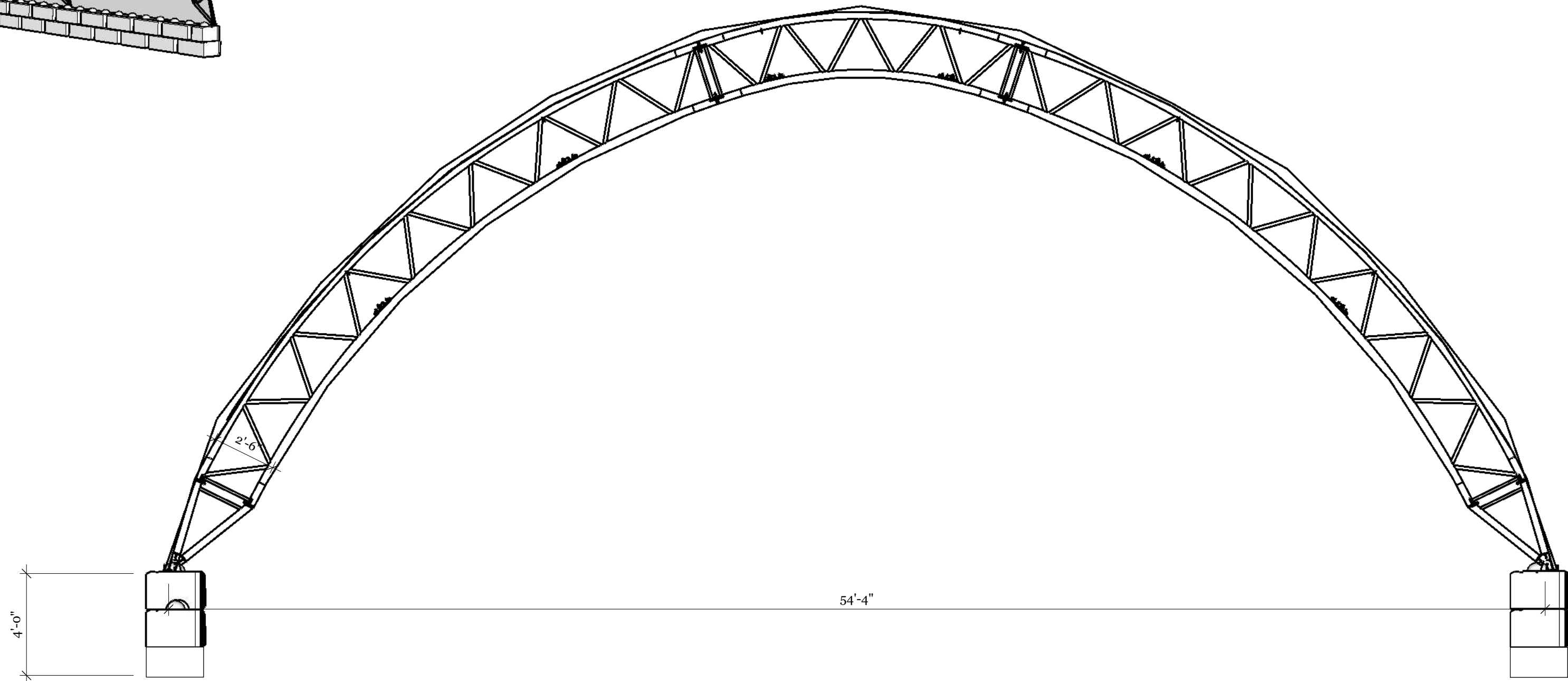
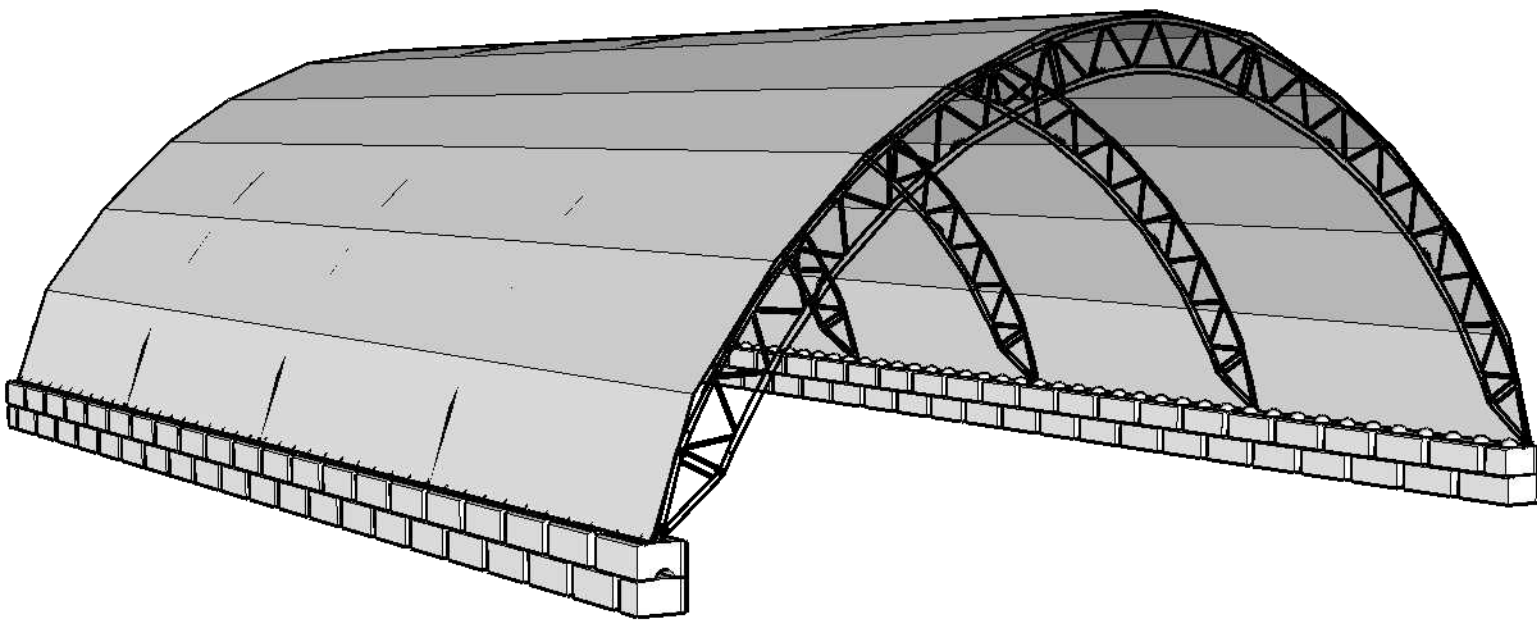
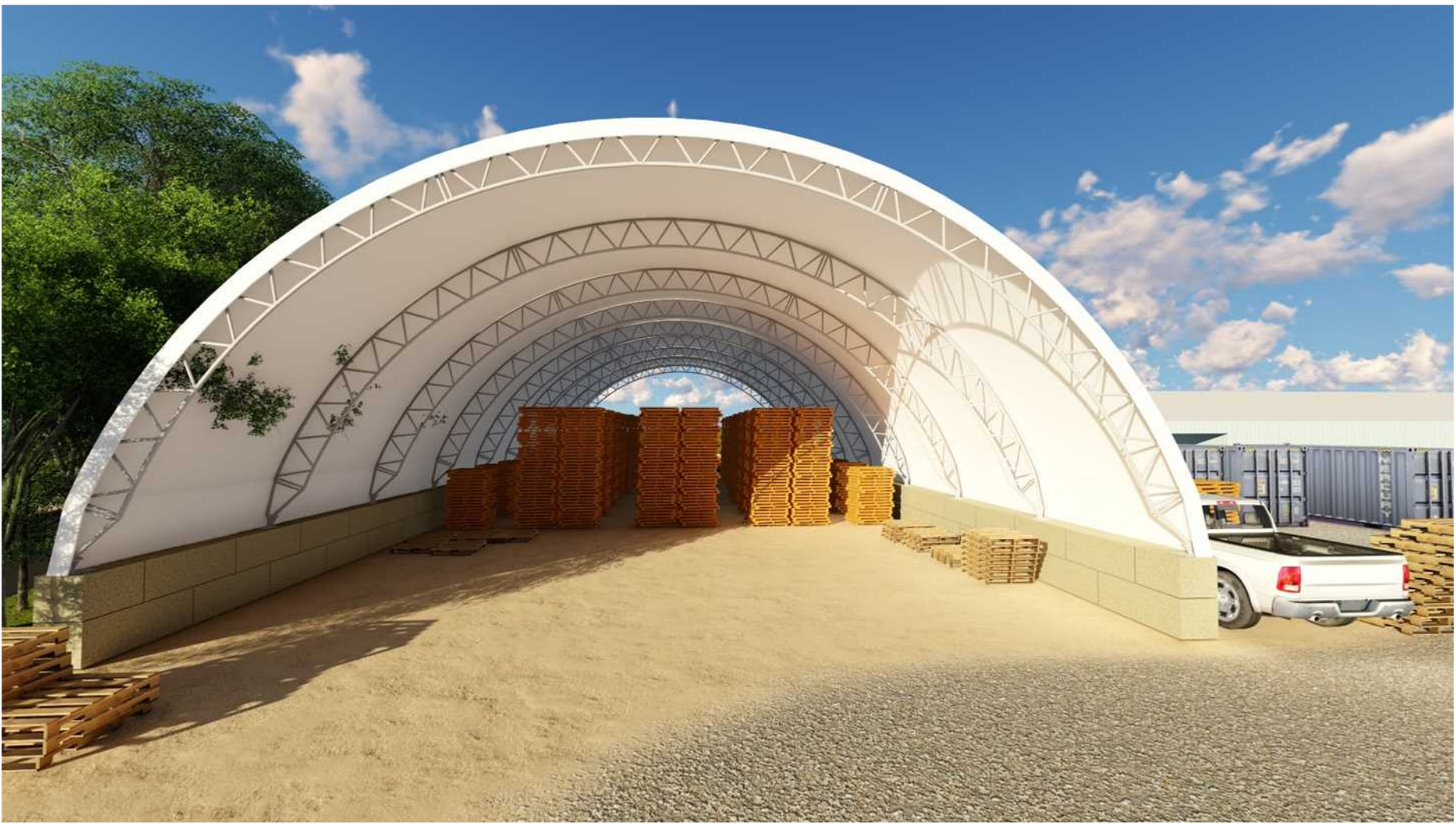
Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this item unless the applicant can provide an acknowledgement of water supply form otherwise staff would recommend approval.



NIELSON DEVELOPMENT
ZION JELLYSTONE PARK
505 S SAND HOLLOW ROAD
HURRICANE, UT 84737-1410

3 SIDED BLOCK WALL STACKED TWO HIGH, 4' WALL HEIGHT
INSTALLED ON CHAT AGGREGATE
INTERSTATE ROCK PRODUCTS CONCRETE BLOCKS





	ZION JELLYSTONE PARK CLEAR SPAN BUILDING	REVISIONS			01
			MM/DD/YY	REMARKS	
		1	--/--/--	...	
		2	--/--/--	...	
		3	--/--/--	...	
		4	--/--/--	...	
			5	--/--/--	...

PRELIMINARY SITE PLAN FOR:
GLAMPERS INN ADVENTURE CENTRE

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

LEGEND

—	PROPERTY LINE	—	PROPOSED PAVEMENT
—	ADJACENT PROPERTY LINE	—	PROPOSED SIDEWALK
—	CENTER LINE	—	PID ROAD PAVEMENT
—X—	FENCE LINE	—	PID ROAD SIDEWALK/TRAIL
—	EASEMENT	—	INSTALL ROCK MULEH
—	PROPOSED CURB AND GUTTER	—	ADA RAMP
—	CURB AND GUTTER ON PID ROAD	—	STOP SIGN
—IRR—	EXISTING IRRIGATION LINE	—	PROPOSED SEWER MANHOLE
—W—	EXISTING WATER LINE	—	PROPOSED CURB INLET STRUCTRE
—GAS—	EXISTING GAS LINE	—	3-WAY WATER VALVE
—TEL—	EXISTING COMMUNICATION LINE	—	PROPOSED FIRE HYDRANT
—SD—	EXISTING STORM (SIZE SHOWN)	—	WATER METER
—SS—	PROPOSED STORM (SIZE SHOWN)	—	FIRE DEPARTMENT CONNECTION
—W—	PROPOSED SEWER (SIZE SHOWN)	—	
—G—	PROPOSED WATER (SIZE SHOWN)	—	
—T—	PROPOSED GAS LINE	—	
—	PROPOSED COMMUNICATION LINE	—	
---	EXISTING MAJOR CONTOUR	—	
---	EXISTING MINOR CONTOUR	—	
—	GOLF CART PARKING	—	
—	ADA PARKING	—	

SITE PLAN KEYNOTES :

1. INSTALL NEW 2' VALLEY CURB
2. INSTALL NEW 2.5' STANDARD CURB & GUTTER (TYPE HB30-7)
3. INSTALL NEW 12' TRAIL
4. INSTALL NEW 5' SIDEWALK
5. INSTALL NEW ADA RAMP
6. ASPHALT, CURB & GUTTER, SIDEWALK AND LANDSCAPING STRIP INSTALLED WITH RESPECTIVE PID ROAD CONSTRUCTION SET
7. RIGHT-IN, RIGHT-OUT ENTRY

SITE PLAN NOTES

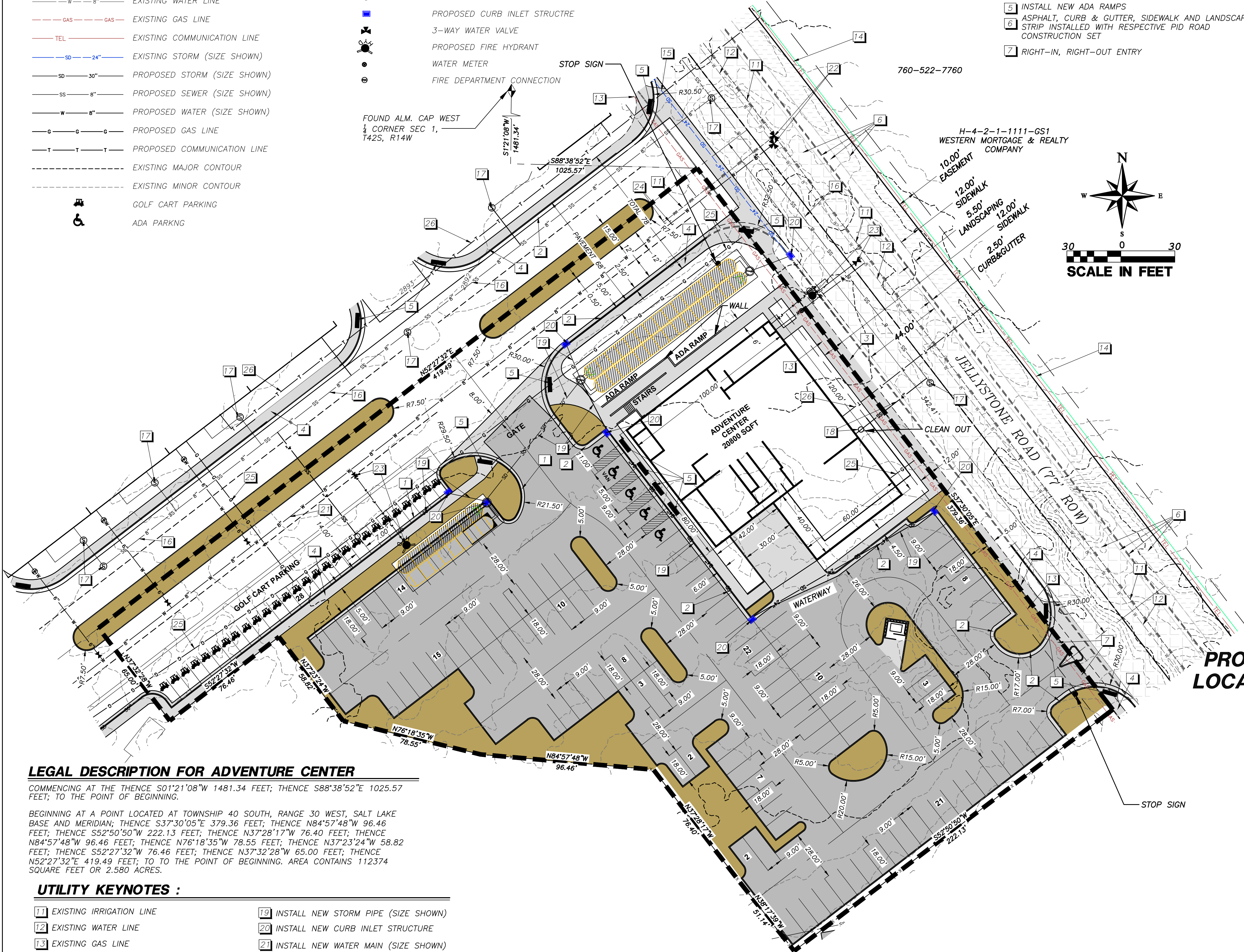
1. CONSTRUCT ALL FEATURES PER STANDARD DETAILS UNLESS OTHERWISE NOTED.

SITE DATA

TOTAL DEVELOPMENT AREA = 112374 SQ.FT. (2.58 AC)
TOTAL BUILDING FOOTPRINT AREA = 10400 SF
TOTAL BUILDING SQUARE FOOTPRINT AREA = 20800 SF
REQUIRED PARKING STALLS = 84
TOTAL PROVIDED PARKING STALLS = 120 + 5(ADA)
TOTAL PARKING AREA = 20,187 SF
TOTAL GOLF CART PARKING = 28
TOTAL ADA PARKING = 5
TOTAL LANDSCAPE AREA = 18110 SF

NOTES

STORM DRAINAGE WILL FOLLOW RECOMMENDATIONS GIVEN IN THE GATEWAY AT SAND HOLLOW DRAINAGE STUDY REPORT. WATER WILL BE CONVEYED USING CURB AND GUTTER AS WELL AS DRAINAGE PIPE. DRAINAGE WILL BE CARRIED TO AN ADS STORM TECH BEFORE MOVING FURTHER DOWN STREAM.



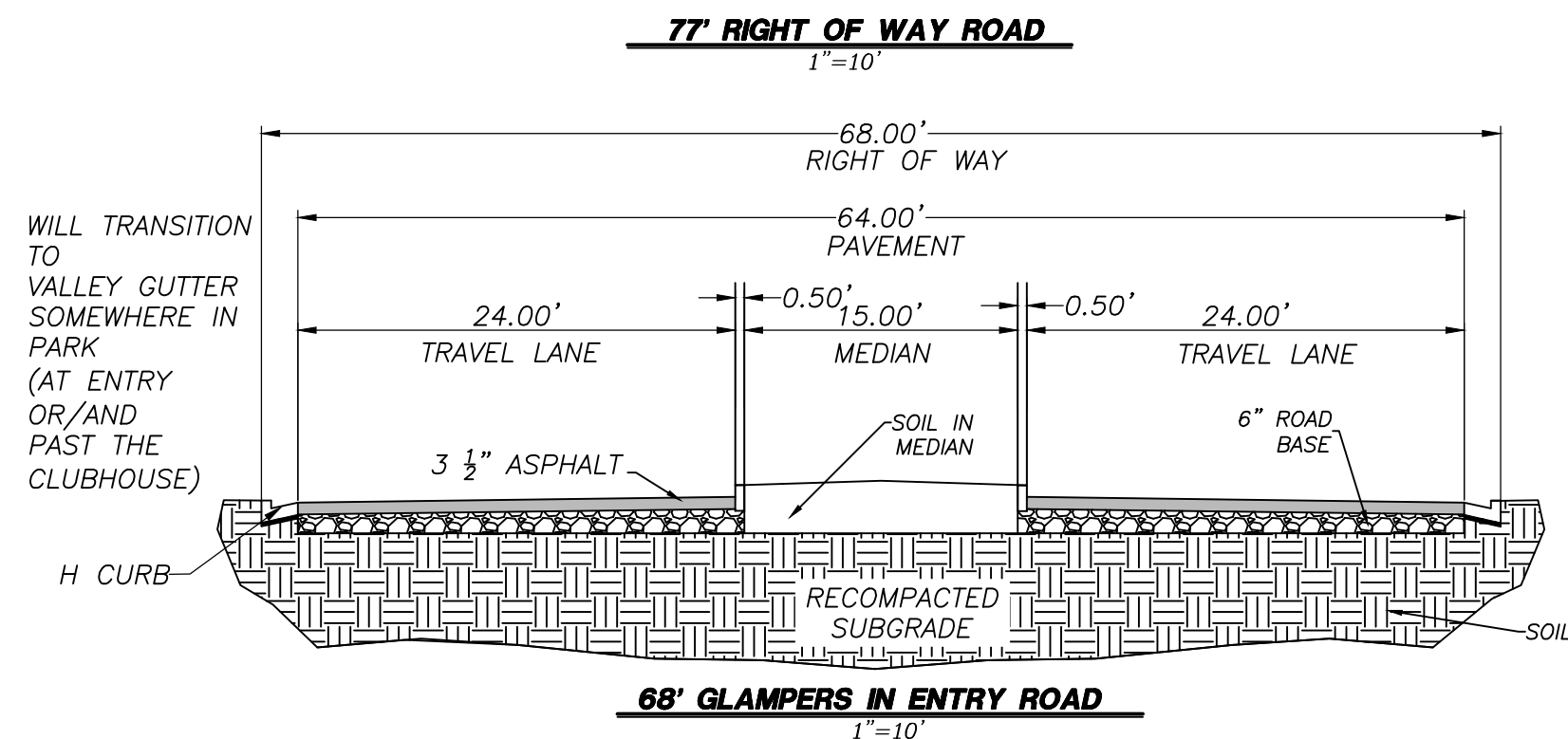
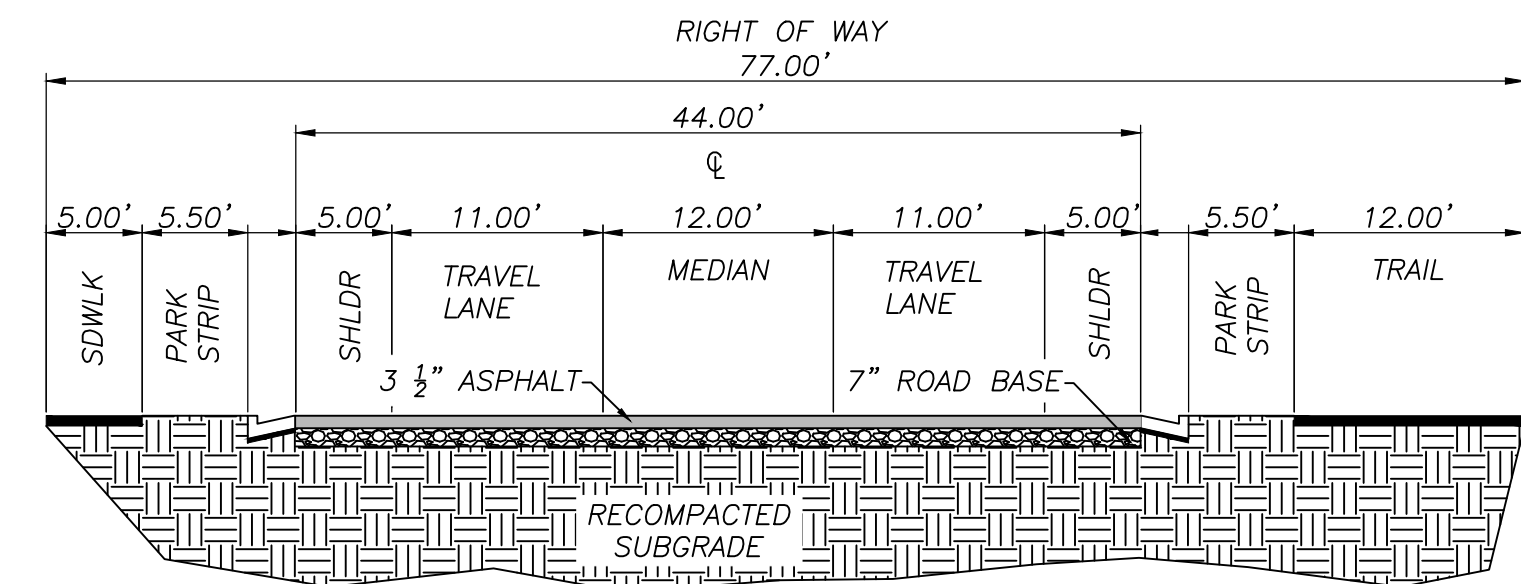
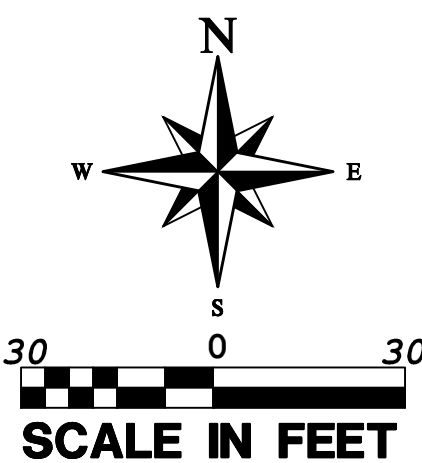
LEGAL DESCRIPTION FOR ADVENTURE CENTER

COMMENCING AT THE THENCE S01°21'08"W 1481.34 FEET; THENCE S88°38'52"E 1025.57 FEET; TO THE POINT OF BEGINNING.

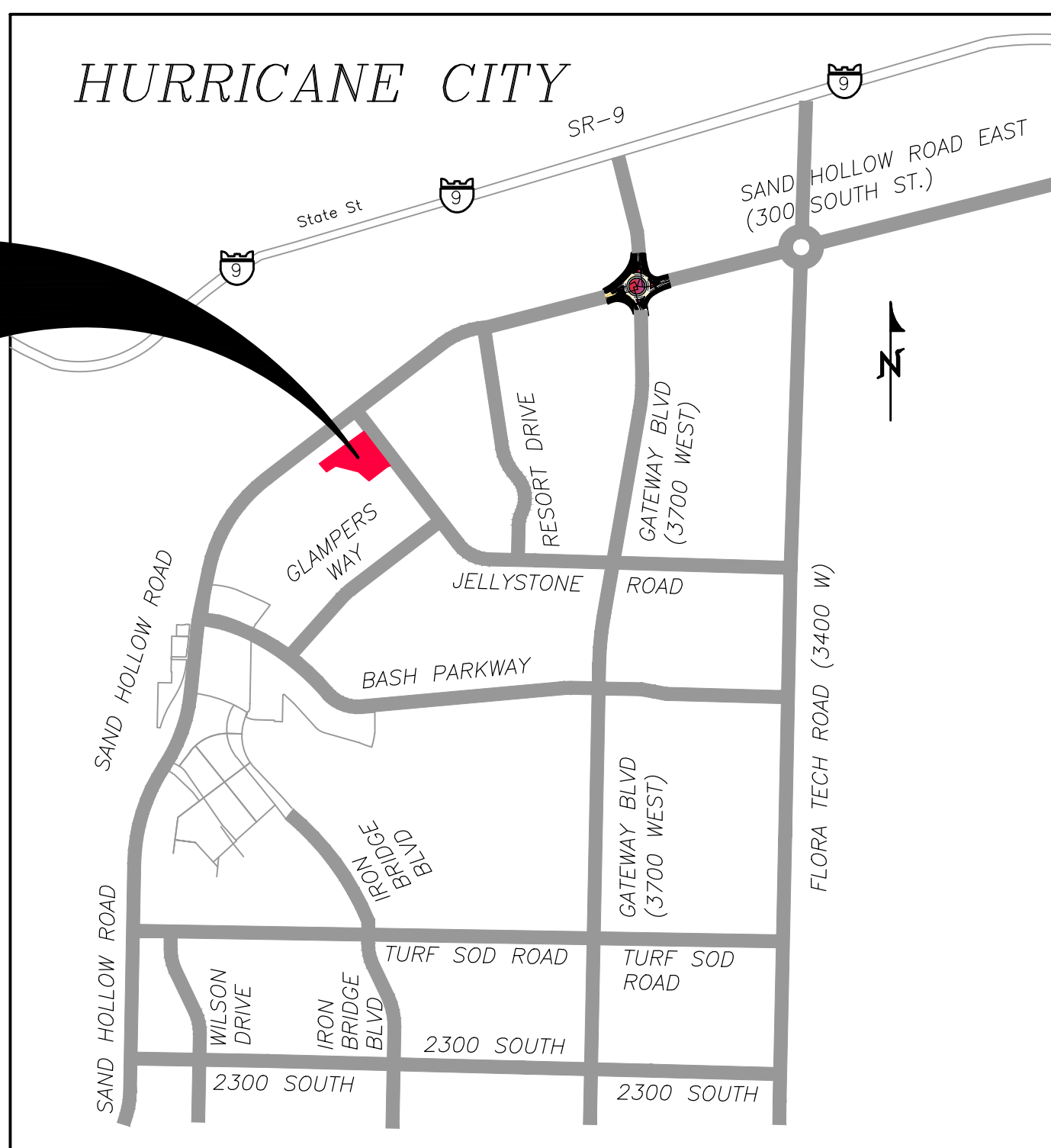
BEGINNING AT A POINT LOCATED AT TOWNSHIP 40 SOUTH, RANGE 30 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S37°30'05"E 379.36 FEET; THENCE N84°57'48"W 96.46 FEET; THENCE S52°50'50"W 222.13 FEET; THENCE N37°28'17"W 76.40 FEET; THENCE N84°57'48"W 96.46 FEET; THENCE N76°18'35"W 78.55 FEET; THENCE N37°23'24"W 58.82 FEET; THENCE S52°27'32"W 76.46 FEET; THENCE N37°32'28"W 65.00 FEET; THENCE N52°27'32"E 419.49 FEET; TO THE POINT OF BEGINNING. AREA CONTAINS 112374 SQUARE FEET OR 2.580 ACRES.

UTILITY KEYNOTES :

- | | |
|---|---|
| 11. EXISTING IRRIGATION LINE | 19. INSTALL NEW STORM PIPE (SIZE SHOWN) |
| 12. EXISTING WATER LINE | 20. INSTALL NEW CURB INLET STRUCTURE |
| 13. EXISTING GAS LINE | 21. INSTALL NEW WATER MAIN (SIZE SHOWN) |
| 14. EXISTING COMMUNICATION LINE | 22. 3-WAY WATER AND IRRIGATION VALVE |
| 15. EXISTING STORM PIPE | 23. INSTALL NEW FIRE HYDRANT AND 6" VALVE |
| 16. INSTALL NEW SEWER MAIN (SIZE SHOWN) | 24. STUBS FOR FUTURE IMPROVEMENT |
| 17. INSTALL NEW SEWER MANHOLE | 25. INSTALL NEW GAS LINE |
| 18. INSTALL 4" CLEANOUT AND SERVICE LATERAL | 26. INSTALL NEW COMMUNICATION LINE |



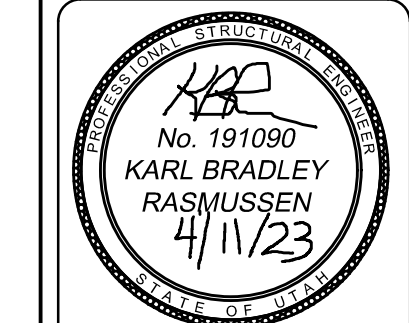
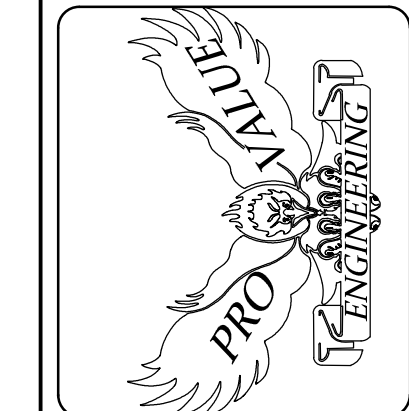
PROJECT LOCATION



VICINITY MAP
N. T. S.

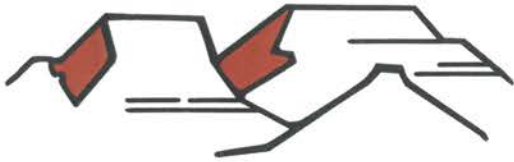
NO	REVISIONS	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane, Utah 84501
Phone: (435) 868-8801



PRELIMINARY SITE PLAN FOR:
GLAMPERS INN ADVENTURE CENTER
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 06/14/2023
SCALE: 1"=30'
JOB NO.
569-001
SHEET NO:
1 OF 1



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY PLAT APPLICATION

For office use only. \$150.00 Fee

File No. _____

Receipt No. _____

Name: Buck Hurst Telephone: 435-632-6679

Address: P.O. Box 647, Hurricane UT 84737 Fax No. _____

Email: buck@bucksacehardware.com Agent Email: jared@dracvil.com

Agent (If Applicable): Jared Beres, PE, Rosenberg Associates Telephone: 435-680-3932

Address/Location of Subject Property: 1447 W State Street

Tax ID of Subject Property: H-3-1-33-3217 Zone District: _____

H-3-1-33-2458, H-3-1-33-2457, H-3-1-33-2456

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

Commercial Subdivision w/ 4 parcels/lots

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.



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY PLAT CHECKLIST

For office use only: \$150.00 Fee

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. Warranty deed or preliminary title report or another document (see attached Affidavit) showing evidence that the applicant has control of the property.
- ☒ 5. Signed and notarized Acknowledgement Water Suppl

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 and fourth Thursday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 (noon) 20 full calendar days before the Planning Commission meeting at which you plan for your application to be heard.

I (we) have read and understand the requirements of this application and all information is true and accurate to the best of my (our) abilities.

Applicant Name: Buck Hurst Date: 6/29/2023

Signature: _____

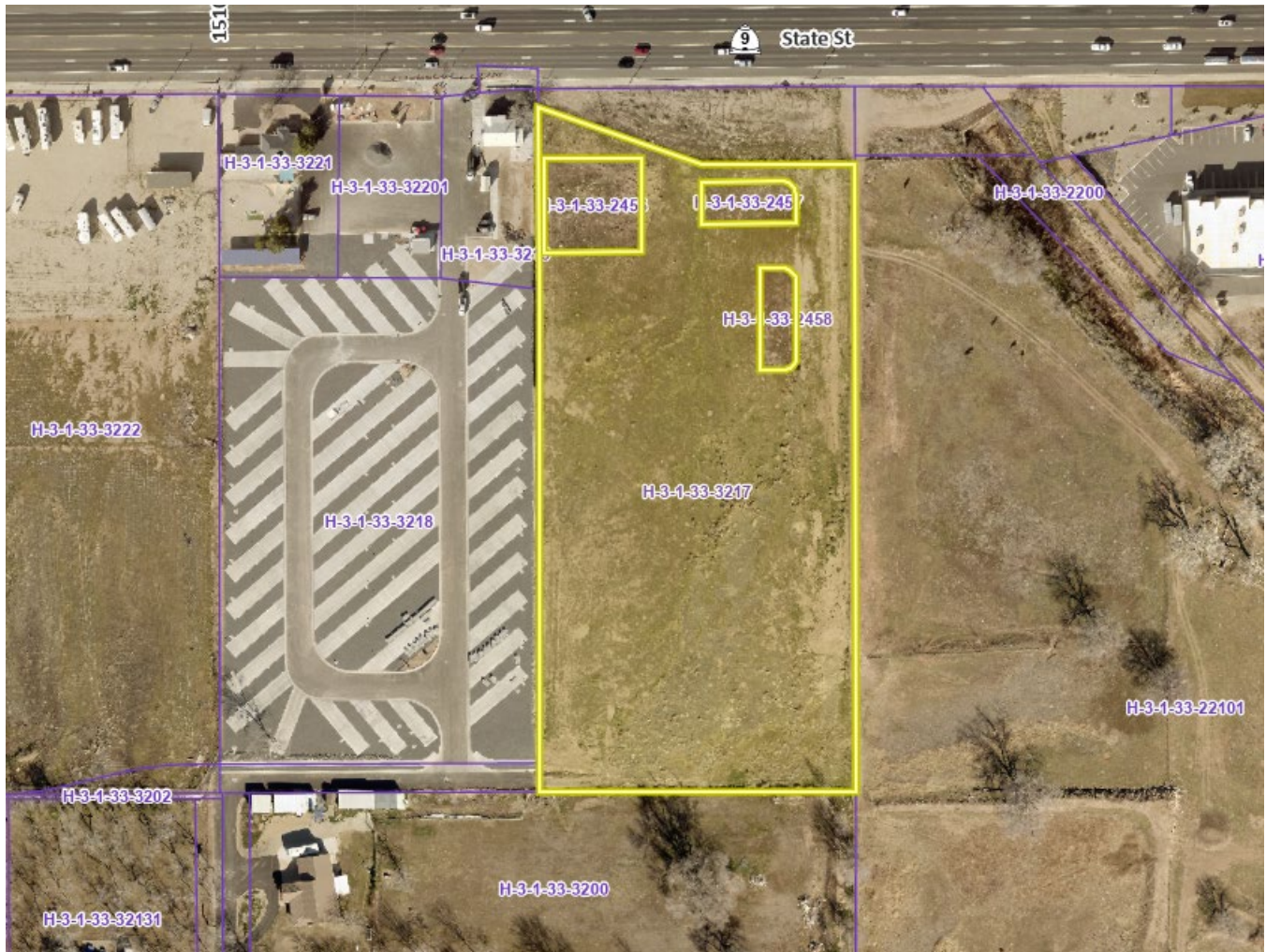


STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	PP23-19
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Buck Hurst
Agent:	Jared Bates
Request:	Approval of a Preliminary Plat
Location:	1447 W State St
Zoning:	HC
General Plan Map:	Single Family

Discussion:

The applicant has filed a preliminary plat for the new Ace Hardware development just west of Gould's Wash along SR-9. They are looking to properly subdivide off the three restaurant pads they are proposing. This property was illegally subdivided already through the County and this application will resolve that and allow them to keep moving forward.



JUC Comments

Construction drawings for this project have already been submitted

The following items will need to be addressed:

1. **Public Works:** No comments
2. **Power:** The applicant may want to communicate with UDOT to have joint effort for power on this project.
3. **Sewer:** The District has redlines on the sewer layout.
4. **Street:** What are the plans for drainage between this property and Gould's Wash?
5. **Water:** Okay
6. **Engineering:** Neighbor's participation needed for dedication of 1400 W. Some preliminary design from neighbors would be helpful for utility design.
7. **Fire:** Okay
8. **Cable:** No comments
9. **Phone:** No comments
10. **Gas:** Dominion Energy will need 10' PUE to install gas main in private parking lot.
11. **Water Conservancy:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigates interference with district

facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Staff Comments: Preliminary Plat

1. The proposed uses are permitted in HC zoning.
2. Proposed 1400 W will require property dedication from the neighboring property owner. In discussions with the neighboring property owner they seemed willing to participate. The applicant has indicated that they will be able to get an agreement with the property owner.
3. The plat does not indicate if the property is in a desert tortoise take area.
4. Will serve letters from the culinary and sanitary water providers have not been provided.

Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff recommends continuing this item until will serve letters are received from the water and sewer providers.

BUCK'S ACE HARDWARE HURRICANE

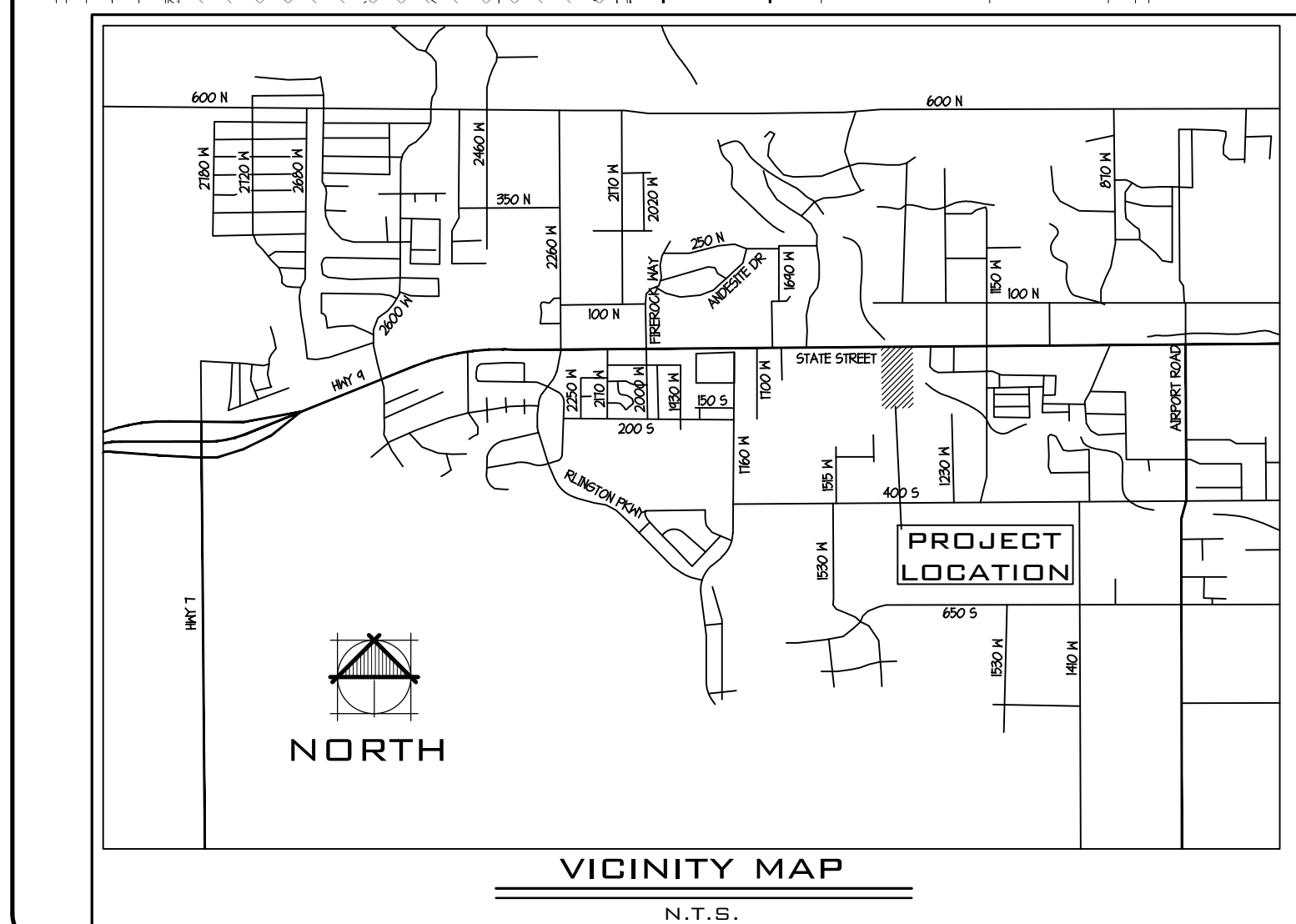
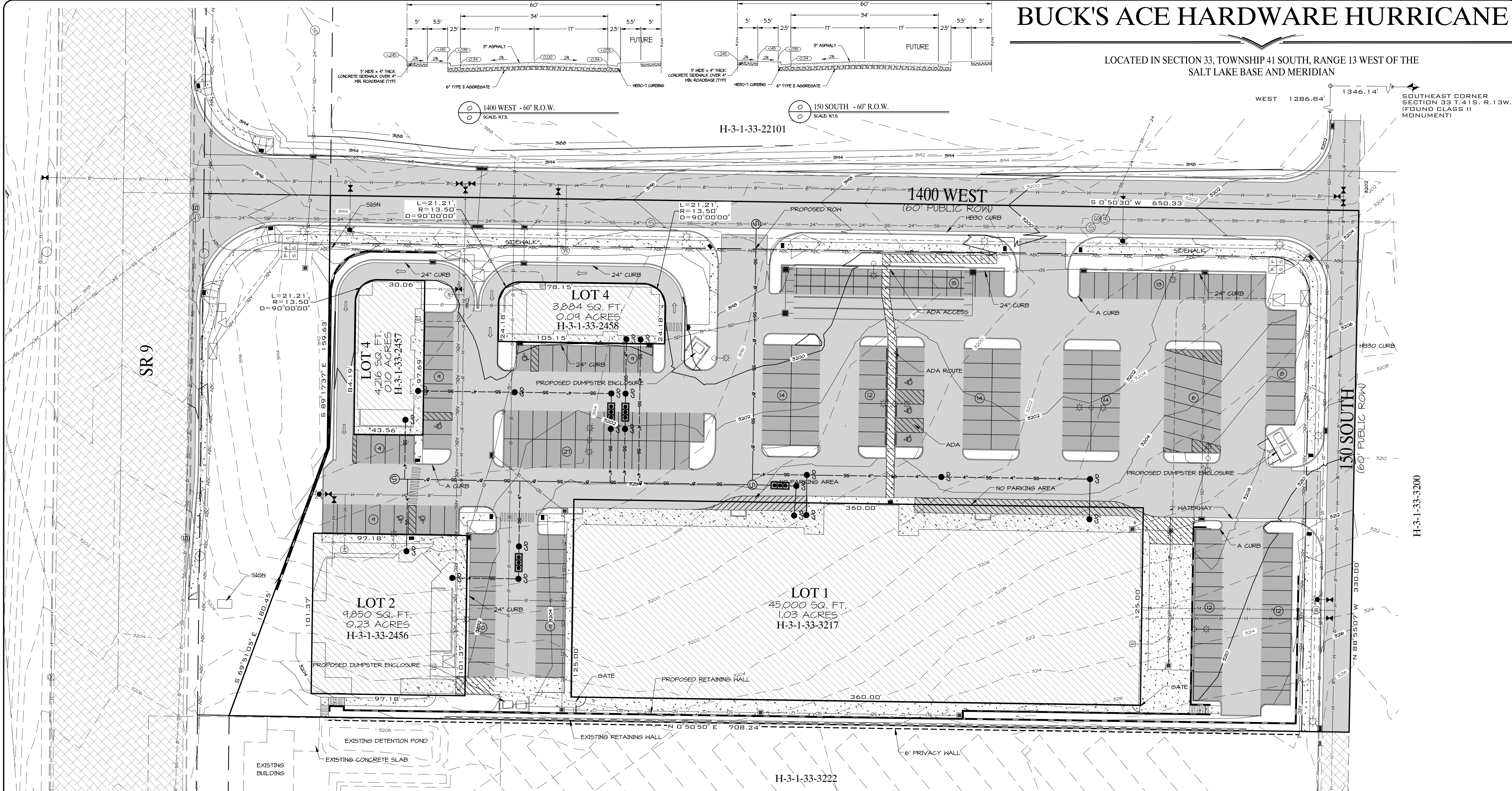
LOCATED IN SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST OF THE
SALT LAKE BASE AND MERIDIAN

DATE:	06/28/2023
JOB NO.:	13250-22
DESIGNED BY:	TKH
CHECKED BY:	JNB
DWG.:	SITE
DATE:	
REVISIONS:	

ROSENBERG
ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS

352 East Riverside Drive, Suite A-2 St.
George, Utah 84140
Ph (435) 673-8586; Fx (435) 673-8397
www.rscivil.com

PRELIMINARY PLAT
FOR
BUCK'S ACE HARDWARE HURRICANE
HURRICANE
UTAH



LEGEND:	
— 2656 —	EXISTING 1' CONTOUR
— 2650 —	EXISTING 5' CONTOUR
— 2630 —	PROPOSED 1' CONTOUR
— 2630 —	PROPOSED 5' CONTOUR
⊙	EXISTING CATCH BASIN
⊙	PROPOSED CATCH BASIN
⊙	PROPOSED CATCH BASIN
⊙	PROPOSED TBC ELEVATION
→	DIRECTION OF SURFACE FLOW
—	PROPOSED RETAINING WALL
—	EXISTING ASPHALT
—	PROPOSED 2 1/2" ASPHALT
—	PROPOSED 3" ASPHALT
—	EXISTING WATER MAIN (SIZE INDICATED ON PLAN)
—	PROPOSED WATER LINE (SIZE INDICATED ON PLAN)
—	EXISTING UNDERGROUND PRIMARY POWER, PHASE NOTED
—	PROPOSED UNDERGROUND PRIMARY POWER, PHASE NOTED
⊙	EXISTING STREET LIGHT
⊙	PROPOSED STREET LIGHT
⊙	EXISTING WATER METER
⊙	PROPOSED 1" WATER METER
⊙	PROPOSED 1 1/2" WATER METER
⊙	EXISTING WATER VALVE
⊙	PROPOSED WATER VALVE
⊙	EXISTING FIRE HYDRANT
⊙	PROPOSED FIRE HYDRANT
⊙	EXISTING SEWER MANHOLE
⊙	PROPOSED SEWER MANHOLE
⊙	PROPOSED 6" SEWER CLEANOUT
⊙	EXISTING SINGLE PHASE TRANSFORMER
⊙	PROPOSED SINGLE PHASE TRANSFORMER
—	SECONDARY POWER, AS NOTED
—	EXISTING SEWER MAIN (SIZE INDICATED ON PLAN)
—	PROPOSED SEWER MAIN (SIZE INDICATED ON PLAN)

SITE DATA	
PARCEL NUMBER: H-3-1-33-3217 H-3-1-33-2456 H-3-1-33-2457 H-3-1-33-2458	TOTAL PARKING: PARKING PROVIDED 199 SPACES TRAILER PARKING PROVIDED 6 SPACES ADA PARKING PROVIDED 7 SPACES REGULAR PARKING PROVIDED 186 SPACES
SITE ADDRESS: 100 S 1450 W	TOTAL BUILDING AREA: BUILDING: 50,400 SQ. FT.
CURRENT ZONE: HC	LOT COVERAGE (DEVELOPMENT AREA): BUILDING: 50,400 SQ. FT. HARD SURFACE: 142,084 SQ. FT. LANDSCAPING: 26,254 SQ. FT. PERCENT LANDSCAPING: 21.6%
GENERAL PLAN: SINGLE FAMILY	
TOTAL PARCEL AREA: H-3-1-33-3217 PARCEL AREA: 202,248 SQ. FT. (4.64 ACRES) H-3-1-33-2456 PARCEL AREA: 8,950 SQ. FT. (0.23 ACRES) H-3-1-33-2457 PARCEL AREA: 4,216 SQ. FT. (0.10 ACRES) H-3-1-33-2458 PARCEL AREA: 3,884 SQ. FT. (0.09 ACRES)	
TOTAL AREA: 219,348 SQ. FT. (5.03 ACRES)	

PROJECT OWNER/ DEVELOPER	
HURST ACE HARDWARE 424 W STATE STREET PO BOX 647 HURRICANE, UT 84131	CONTACT: BUCK HURST (435) 635-4444
PROJECT ENGINEER	
ROSENBERG ASSOCIATES 352 EAST RIVERSIDE DRIVE, SUITE A2 ST. GEORGE, UT 84140	CONTACT: JARED BATES (435) 613-8586
GEOTECHNICAL ENGINEER	
APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS 1420 SOUTH 210 EAST ST. GEORGE, UT 84140	CONTACT: WAYNE ROGERS (435) 613-8850

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

NOTICE: UTILITIES ARE SHOWN ON PLANS FOR THE CONFORMANCE OF THE CONTRACTOR ONLY. THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION AND PROTECTION OF ALL UTILITIES. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

0 30' 60'
SCALE: 1"=30'



Hurricane City Application

Permit #:
Issue Date:

PSP23-22
07/12/2023

Application Accepted Date: 07/11/2023		Valuation		\$	0.00
Type of Improvement: Site Plan (Preliminary)		PERMIT FEES			
Description:		Sub Total:		\$	0.00
Tenant / Project Name: Hurricane City Gymnasium		Permit Total:		\$	0.00
Bldg. Address: 748 North 200 West		Amount Paid:		\$	0.00
City: Hurricane State: UT Zip: 84737		Remaining Due:		\$	0.00
Subdivision: Phase:					
Block: Lot #: Parcel #: H-318-A-1					
Zone: PF					
Property Owner: Hurricane City					
Permit Contact: Karl Rasmussen P:(435) 680-0816					
Email: karl@pv-eng.com					
CONTACT INFORMATION					
Engineer of Record: Karl Rasmussen					
Email: karl@pv-eng.com P: (435) 668-8307					
General Contractor: Hurricane City Gymnasium / Hurricane City					
License #: P: (435) 635-2811					
Address: 147 N 870 W					
City: Hurricane State: UT Zip: 84737					
Email: arthur@cityofhurricane.com					
Electrical Contractor:					
License #: P:					
City: State: Zip:					
Plumbing Contractor:					
License #: P:					
City: State: Zip:					
Email:					
Mechanical Contractor:					
License #: P:					
City: State: Zip:					
Email:					
APPLICATION DETAILS					
# of Units: 0 custom text:					
APPLICATION NUMBER: PENDPSP23-21					
This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.					
Applicant Name: Karl Rasmussen					
Signature of Applicant/Authorized Agent or Owner: Date:					
Application Approved By: Date: 07/12/2023					
Application Issued By: Date: 07/12/2023					
Receipt #:					



STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	PSP23-22
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Hurricane City
Agent:	Karl Rasmussen
Request:	Approval of a Preliminary Site Plan
Location:	748 N 200 W
Zoning:	PF
General Plan Map:	Recreational Open Space

Discussion:

Hurricane City has been donated a metal building to be used as gym space by the City's Recreation Department. After much internal debate the City has decided to place this building next to the city pool on 200 W right behind the American Legion hall. This area is already relatively developed and will leave the City's options open with regards to the old rodeo grounds. The overall site is intended to be master planned as part of the Parks and Recreation Master Plan the City is starting on.

JUC Comments

The following items will need to be addressed:

1. **Public Works:** No comments
2. **Power:** Verify power line placements. Concerns of proximity of southwest corner to existing power. Building will need it's own transformer, size depends on service requirements.
3. **Water:** Okay
4. **Streets:** No comments
5. **Sewer:** Show current notes. Widen easement. Take sewer lateral to new manhole
6. **Engineering:**
7. **Fire:** Hydrant location okay.
8. **Phone:** Need updated notes
9. **Cable:** No comments
10. **Gas:** No comments

11. Water Conservancy: There is a 66" water line that runs through this property outside of the documented easement. While it appears this building will not interfere with that water line that should be verified Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigates interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.



Staff Comments: Preliminary Site Plan

1. The proposed uses are permitted in the Public Facility zone
2. Parking Requirement: Per HCC 10-34-10

Recreation and entertainment, indoor:		
Other uses	1 space per 300 square feet of gross floor area	

They are proposing a 15,000 sq ft building, under this standard they are required to provide 50 parking stalls. They are proposing 146 parking stalls in a different configuration than what is already there which will also be used by the existing city pool and baseball diamonds. There are approximately (some of the paint lines are faded) 45 parking spaces already on site.

3. Landscape: Hurricane City code requires that a landscape buffer of 10' wide shall front each right-of-way.

Sec. 10-32-6. Required landscaping.

A. General requirement. Landscaped areas may include trees, shrubs, vegetative, organic and inorganic ground cover, and other organic and inorganic materials identified in an approved landscaping plan. All required landscape areas shall be occupied by plant material or ground cover.

B. Landscaping adjacent to a public street. Except for approved driveways and pedestrian walkways, a landscaped area of ten-foot minimum shall be provided adjacent and parallel to the frontage of a public street as follows:

- 1. A ten-foot wide landscaped area on any commercial development.*
- 2. At least one tree and three shrubs shall be planted for every 35 feet of street frontage in a required landscaped area. Such trees and shrubs may be clustered, provided that no tree shall be within five feet of another.*
- 3. The slope of any earth berm shall not exceed a vertical to horizontal ratio of one to two and shall be treated with suitable ground cover to prevent soil erosion.*

C. Parking strip landscaping. All parking strips shall be landscaped.

D. Parking lot landscaping.

1. Every parking lot consisting of more than ten spaces and 3,500 square feet of area shall contain internal landscaped areas as follows:

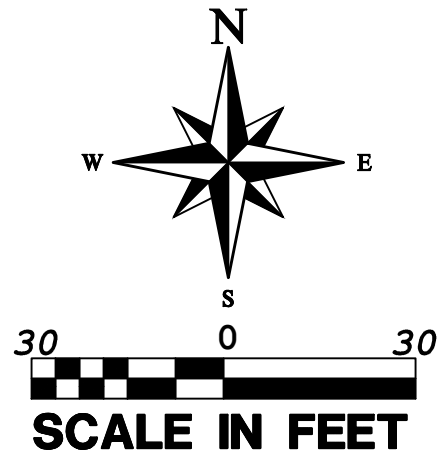
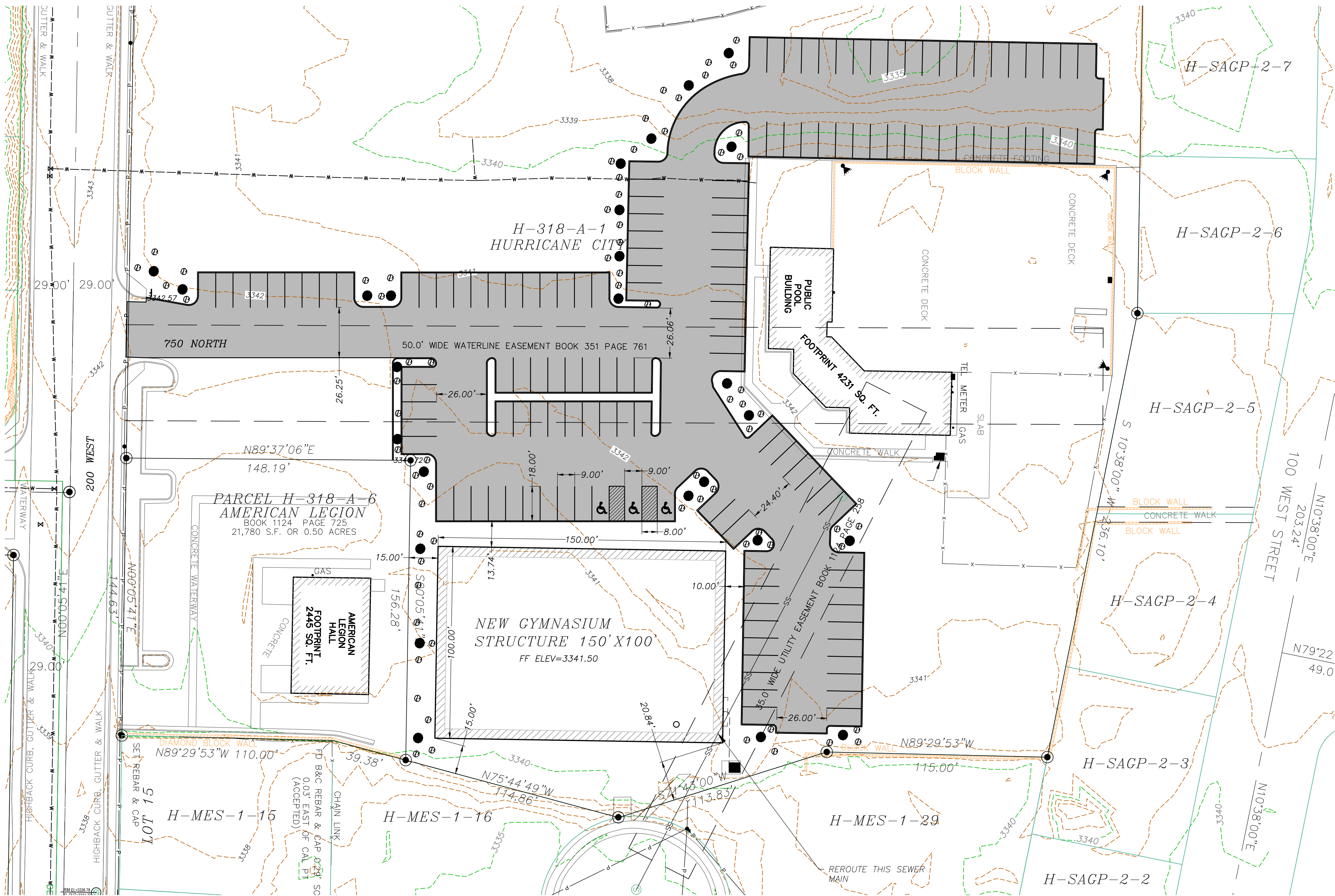
- a. Multiple-family residential. A minimum of ten percent of total parking lot area.*

- b. *Office and commercial. A minimum of seven percent of total parking lot area.*
- c. *Industrial and warehouse. A minimum of five percent of total parking lot area.*
- 2. *For every ten required parking spaces, or portion thereof, a minimum of two shrubs and one deciduous tree shall be provided within the internal parking area. The species of such trees shall be such that at maturity a tree canopy is provided to shade the parking area below each tree.*
- 3. *Landscaped areas shall contain a minimum of 25 square feet and shall have a minimum average width of at least five feet.*
- 4. *Landscape islands should be located in the following priority:*
 - a. *To define major drives and accessways;*
 - b. *To delineate ends of parking rows;*
 - c. *At aisle intersections; and*
 - d. *Within parking rows.*
- a. *A full landscaping plan will be required with the final site plan. A preliminary landscaping plan is included that appears to show sufficient trees and shrubs.*
- 4. *Pedestrian circulation throughout the site should be considered in the design, there will presumably be a large amount of pedestrian cross traffic between the different uses on this property as well as to the neighboring streets and neighborhoods.*
- 5. *A preliminary site plan is not intended to permit actual development of property pursuant to such a 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 approval subject to staff and JUC comments.

PRELIMINARY SITE PLAN FOR:
HURRICANE CITY GYMNASIUM

LOCATED AT 748 NORTH 200 WEST
HURRICANE, UTAH



LEGEND

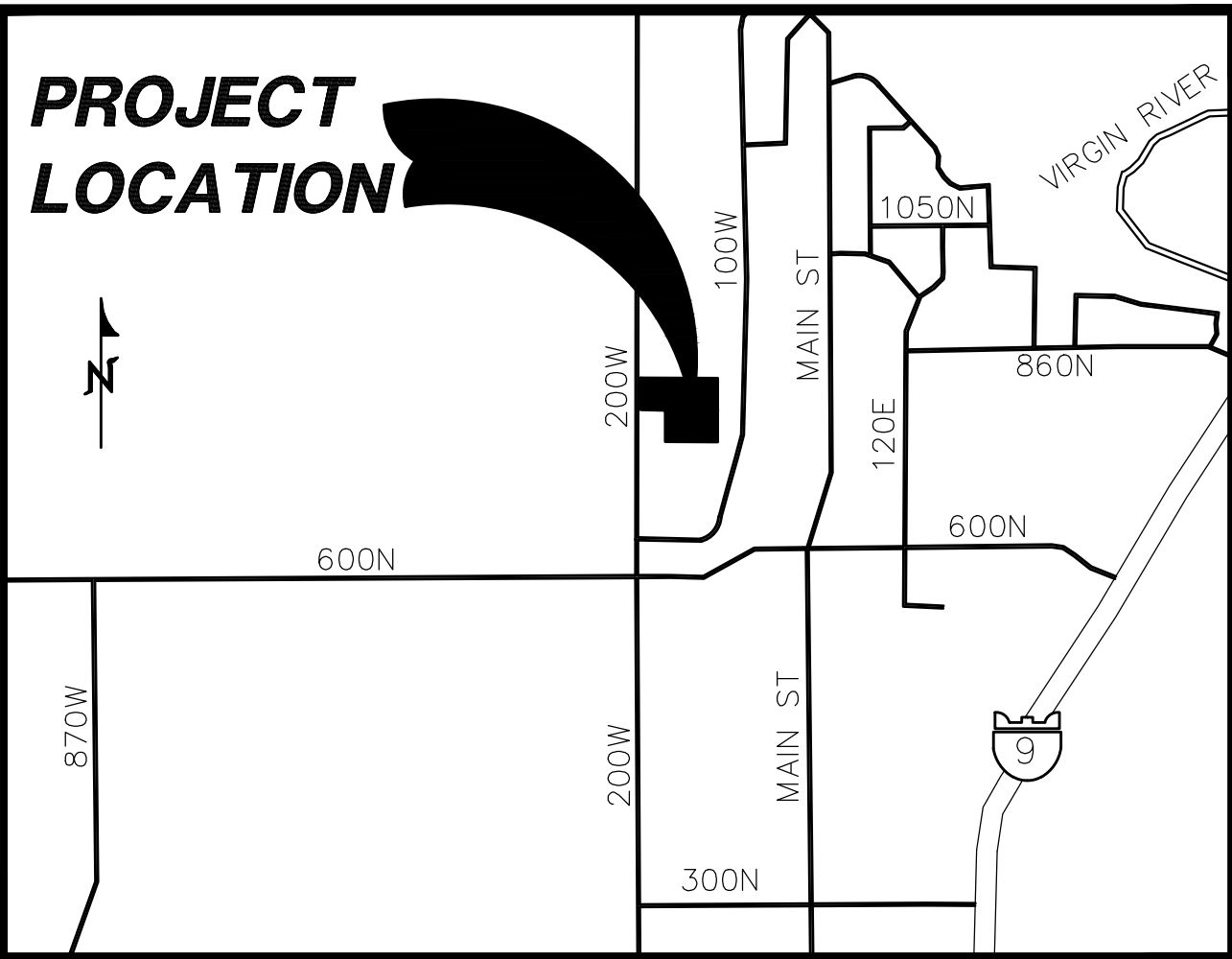
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING FENCE
- SECTION LINE
- EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATERLINE
- MINOR CONTOUR LINE
- MAJOR CONTOUR LINE
- EDGE OF ASPHALT
- BLOCK WALL
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING SEWER MANHOLE
- EXISTING LIGHT POLE
- HANDICAP
- PROPOSED PAVEMENT
- PROPOSED CURB & GUTTER

PARKING DATA:

REGULAR PARKINGS - 143

ADA PARKING - 3

TOTAL PARKINGS PROVIDED - 146



VICINITY MAP

PLANT LEGEND:

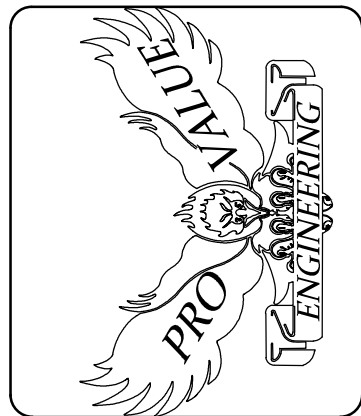
	TYPE	QUANTITY	SIZE
●	NATIVE TREE TO BE SELECTED BY LANDSCAPER	25	2" CAL MIN
⊕	NATIVE SHRUB TO BE SELECTED BY LANDSCAPER	70	5 GAL

LAND USE SUMMARY

DESCRIPTION	AREA	ACREAGE
TOTAL BUILDING AREA	15,000 SQ. FT.	0.34 ACRES
HARDSCAPE AREA	60,000 SQ.FT.	1.38 ACRES
LANDSCAPE AREA	16,000 SQ.FT.	0.37 ACRES

REVISIONS		DATE	BY
NO	DESCRIPTION		

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane City, Utah 84531
Phone: (435) 888-0801



PRELIMINARY SITE PLAN FOR:
HURRICANE CITY GYMNASIUM
LOCATED AT 748 NORTH 200 WEST
HURRICANE, UTAH

DATE: 07/11/2013
SCALE: 1"=30'
JOB NO.
10-091
SHEET NO.
C3

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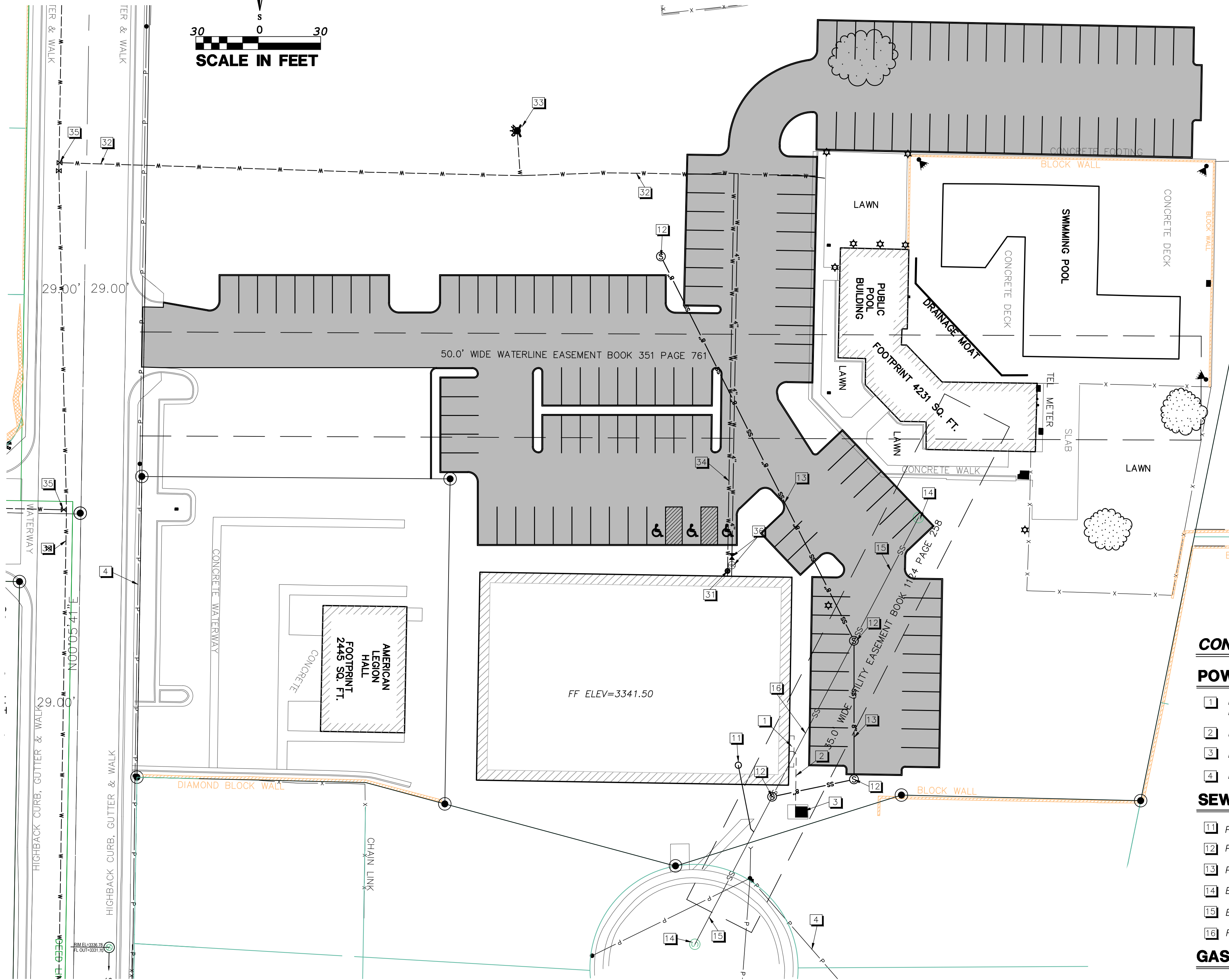
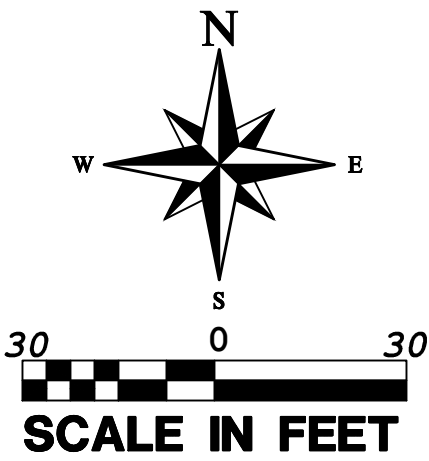
NOTICE!

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.

COPYRIGHT © 2013 PROVALUE ENGINEERING, INC. SITE PLAN

UTILITY PLAN FOR: HURRICANE CITY GYMNASIUM

LOCATED AT 748 NORTH 200 WEST
HURRICANE, UTAH



LEGEND

- T — T — T — PROPOSED PHONE LINE
- SS — 8" — PROPOSED 8" SANITARY SEWER LINE
- W — 8" — PROPOSED 8" PVC WATERLINE
- G — G — G — PROPOSED NATURAL GAS LINE
- P — P — P — PRIMARY POWER
- — — — — SECONDARY POWER
- ⊙ NEW SEWER MANHOLE PER ASH CREEK STANDARDS
- NEW 4" PVC SEWER LATERAL PER ASH CREEK STANDARDS
- NEW 3/4" WATER LATERAL & METER PER HURRICANE CITY STANDARDS
- ✱ NEW FIRE HYDRANT PER HURRICANE CITY STANDARDS
- ✱ NEW WATER VALVE PER HURRICANE CITY STANDARDS
- ⊙ EXISTING MANHOLE
- PROPOSED CLEANOUT

CENTURYLINK PHONE NOTES

- DEVELOPER TO PROVIDE ALL TRENCH AND CENTURYLINK WILL PROVIDE 4" CONDUIT. CONTACT LUIS @ (435) 632-6553 1 WEEK IN ADVANCE
- INSIDE TERMINATION: DEVELOPER TO PROVIDE 4'X8' PLYWOOD BACKBOARD AND A #6 GROUND WIRE TO BUILDING NEUTRAL
- OUTSIDE TERMINATION: DEVELOPER TO PROVIDE 30" X 30"X10" WEATHERPROOF BOX AND A #6 GROUND WIRE TO BUILDING NEUTRAL
- CONTACT CENTURYLINK ENGINEER AT (385) 479-7339 OR BRAXTON.PETERSON@CENTURYLINK.COM 45 DAYS BEFORE ANY SERVICE IS REQUIRED TO SETUP SITE VISIT AND REPORT ANY CHANGES TO JUC APPROVED PLANS
- ANY CENTURYLINK FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM OF 45 DAYS IN ADVANCE.

HURRICANE POWER NOTES:

- DEVELOPER RESPONSIBLE FOR ALL COSTS, UNLESS OTHERWISE STATED ON PRINT.
- ONLY A PRE-APPROVED CONTRACTOR TO WORK ON AND INSTALL ANY PART OF THE ELECTRICAL SYSTEM.
- PRE-APPROVED CONTRACTOR TO GO OVER PRINTS WITH HURRICANE POWER BEFORE BEGINNING WORK. CONTACT HURRICANE POWER FOR AN APPOINTMENT. (435) 635-5536
- ALL LINES ARE FOR SCHEMATIC PURPOSES ONLY. ALL EQUIPMENT AND PLACEMENT OF, TO BE TO HURRICANE POWER SPECS.
- EASEMENTS TO BE SIGNED OVER TO HURRICANE CITY. IT IS THE DEVELOPER'S RESPONSIBILITY TO MAKE SURE EASEMENTS ARE OBTAINED FROM ANY PROPERTIES THAT MAY BE AFFECTED.
- NO RETAINING WALLS TO RUN INTO UTILITY EASEMENTS.
- ALL CONDUITS TO BE FOAMED. ANY EMPTY STUB-OUTS TO HAVE A TEMPORARY PLUG INSTALLED.
- ANY CHANGES TO BE SIGNED SET OF PLANS MUST BE APPROVED BY HURRICANE POWER.
- THE ENTIRE JUC TRENCH MUST BE BACKFILLED WITH 1" MINUS FROM THE BOTTOM TO THE TOP OF THE TRENCH. ALSO AROUND ELECTRICAL BOXES AND EQUIPMENT.
- DEVELOPER WILL BE BILLED A TERMINATION FEE \$99.00 DOLLARS PER PRIMARY ELBOW TERMINATIONS.
- WHEN GAS IS INSTALLED ON THE SAME SIDE OF THE STREET AS THE POWER, A MINIMUM OF 7" CLEARANCE FROM THE UNDERGROUND POWER LINE MUST BE MAINTAINED.

DOMINION ENERGY GAS NOTES:

- DEVELOPER NEEDS TO CONTACT DOMINION ENERGY PRE-CONSTRUCTION DEPARTMENT PRIOR TO BREAKING GROUND FOR GAS SIGN UP. JEFF BURTON (435) 674-6157.
- DEVELOPER WILL BE RESPONSIBLE TO GET ALL COMPACTION TESTS DONE AT DEVELOPER'S EXPENSE.
- IF CASINGS/CONDUITS ARE NEEDED, THEY ARE TO BE INSTALLED BY DEVELOPER AT THEIR COSTS. A MAP WILL BE AVAILABLE AT DOMINION ENERGY FOR GASING LOCATIONS (1155 E 350 N, ST. GEORGE).
- ALL OF THE 10 FOOT UTILITY EASEMENTS BACK OF SIDEWALK WILL BE GRADED TO WITHIN 6 INCHES OF TOP BACK OF CURB BEFORE GAS LINES WILL BE INSTALLED. **DEVELOPER WILL BE RESPONSIBLE FOR THE COSTS OF ANY GAS LINES TO BE LOWERED AND/OR RELOCATED AFTER INSTALLATION**
- ALL TRENCHES SHALL BE BACKFILLED AND ALL DEBRIS, CONSTRUCTION MATERIALS, AND EXCESS DIRT PILES SHALL BE CLEARED AWAY.
- PROPERTY LOT LINES, BACK OF CURB, AND GRADE MUST BE STAKED BY DEVELOPER BEFORE GAS WILL BE INSTALLED.
- POWER, WATER, SEWER LINES, CULVERTS, OR OTHER HAZARDS NOT CLEARLY NOTICEABLE SHALL BE STAKED BY DEVELOPER.
- FAILURE TO COMPLY WITH THE ABOVE NOTES WILL RESULT IN DELAY OF SERVICE TO THIS PROJECT.
- CONTACT CRAIG HANSEN, (435) 674-6144, AT LEAST TWO WEEKS PRIOR TO BEING READY, FOR SCHEDULING OF INSTALLATION.
- **IMPORTANT NOTICE** GAS WILL BE PUT ON THE SCHEDULE FOR INSTALLATION WHEN POWER TRENCH IS BURIED. STREETS ARE WITHIN 6 INCHES OF SUBGRADE, AND THE 10 FOOT UTILITY EASEMENT IS GRADED TO THE TOP BACK OF CURB.
- HIGH PRESSURE GAS NOTE:
IF HIGH PRESSURE GAS LINES ARE LOCATED IN OR NEAR YOUR DIGGING AREA, BEFORE DIGGING PLEASE CALL: BRYAN WARD (435) 559-6547.

TDS BROADBAND CATV NOTES:

- THE DEVELOPER WILL PROVIDE ALL REQUIRED TRENCH WITHIN THE PROJECT. ANY MODIFICATIONS ALONG THE PERIPHERY TO FEED THIS PROJECT WILL BE BILLED TO THE DEVELOPER.
- TDS WILL PROVIDE CONDUITS. PLEASE CONTACT DAVID AT 435-703-8932 AT LEAST THREE WEEKS PRIOR TO OPENING TRENCH TO SCHEDULE WORK.
- ANY QUESTIONS REGARDING CONSTRUCTION OF SERVICE SHOULD BE DIRECTED TO DAVID TRAUNTVIN WITH TDS AT 435-703-8932
- RELOCATION OF NEW OR EXISTING TDS FACILITIES WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR
- ANY MODIFICATIONS AFTER CONDUIT/CABLE PLACEMENT WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR AS WILL DAMAGES CAUSED BY OTHER CONTRACTORS WORKING FOR THE DEVELOPER ON THIS PROJECT.

ASH CREEK SEWER DISTRICT NOTES:

- CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE TO SEWER LINES AND LATERALS. IF DAMAGED, CALL ASH CREEK SPECIAL SERVICE DISTRICT AT 435-635-2348 AND GARY WILCOX AT 435-680-3565
- FLOOR DRAINS, UTILITY SINKS OR ANYTHING OTHER THAN SANITARY SEWER DISCHARGE MAY REQUIRE AN INTERCEPTOR AND SAMPLE MANHOLE.

HURRICANE VALLEY FIRE DISTRICT NOTES:

- PLACEMENT OF FIRE HYDRANTS MUST MEET IFC-2012
- BURNING OF CONSTRUCTION MATERIAL OR DEBRIS IS STRICTLY PROHIBITED.
- CONSTRUCTION OF ROADS MUST BE COMPLETE WITH ALL WEATHER SURFACE BEFORE HOMES ARE PERMITTED TO BE BUILT.
- FLUSHING OF ANY LINE NEEDS TO BE WITNESSED BY THE FIRE DEPARTMENT.
- AN ALARM SYSTEM IS REQUIRED. DETAILS AND SPECIFICATIONS WILL BE PROVIDED BY THE ARCHITECT.
- A WET SPRINKLER SYSTEM WILL NEED TO BE INSTALLED. DETAILS WILL BE PROVIDED BY THE ARCHITECT.
- KNOX EQUIPMENT WILL BE REQUIRED. ARCHITECT TO PROVIDE DETAILS.

PARKS DEPARTMENT NOTES:

- ANY LANDSCAPING, INCLUDING STREET LANDSCAPE STRIPS AND/OR MEDIANS AND ASSOCIATED IRRIGATION, SHALL BE INSTALLED BY DEVELOPER/OWNER(S) AND IS NOT THE RESPONSIBILITIES OF HURRICANE CITY PARKS DEPARTMENT TO MAINTAIN.

CONSTRUCTION NOTES

POWER:

- INSTALL 200 AMP 120/240 VOLT SINGLE PHASE METER MAIN
- INSTALL SECONDARY POWER
- EXISTING TRANSFORMER
- EXISTING PRIMARY LINE

SEWER:

- PROPOSED CLEANOUT
- PROPOSED SEWER MANHOLE
- PROPOSED 8" SEWER MAIN
- EXISTING SEWER MANHOLE
- EXISTING 8" SEWER MAIN
- REROUTE EXISTING SEWER MAIN

GAS:

- EXISTING 2" GAS MAIN SERVICE LINE
- TIE TO EXISTING GAS MAIN STUB
NOTE: GAS 3' CLEARANCE FROM POWER

WATER:

- INSTALL 3/4" INCH SERVICE AND METER
- EXISTING 8" WATERLINE
- EXISTING FIRE HYDRANT
- INSTALL NEW 3/4" SERVICE LINE
- EXISTING WATER VALVE
- INSTALL NEW FIRE HYDRANT AND VALVE

COMMUNICATION:

- EXISTING COMMUNICATION LINE
- INSTALL COMMUNICATION SERVICE LINE

Know what's below.
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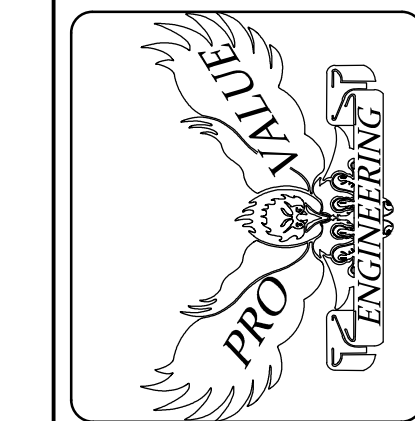
BLUE STAKES OF UTAH
PUBLIC UTILITIES DIVISION

NOTICE!

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REVISIONS		DATE	BY
NO	DESCRIPTION		

PROVALUE ENGINEERING, INC.
Engineers - Land Surveyors - Land Planners
20 South 850 West, Suite 1
Hurricane City, Utah 84503
Phone: (435) 668-0801



UTILITY PLAN FOR:
HURRICANE CITY GYMNASIUM
LOCATED AT 748 NORTH 200 WEST
HURRICANE, UTAH

DATE: 07/11/2023
SCALE: 1"=60'

JOB NO.
10-051

SHEET NO:
C4

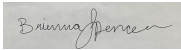
**Application**

Permit #:

AFP23-14

Issue Date:

07/12/2023

Application Accepted Date: 07/11/2023		Valuation		\$	0.00
Type of Improvement: Subdivision (Final Plat Amendment)		PERMIT FEES			
Description: Amendment of Sewer Lift Station & Detention Basin		Planning Fee		\$	150.00
Tenant / Project Name: Quail Creek Industrial Phase 5 Partially Amended Detention Basin		Sub Total:		\$	150.00
Bldg. Address: 1100 S Regional Park Road		Permit Total:		\$	150.00
City: Hurricane State: UT Zip: 84737		Amount Paid:		\$	150.00
Subdivision: Quail Creek Industrial Subdivision Phase: 5		Remaining Due:		\$	0.00
Block: Lot #: Parcel #: H-QCI-5-A		 			
Property Owner: Doug Dennett					
Permit Contact: Brandee Walker P:(435) 668-4023					
Email: bwalker@civilsience.com					
CONTACT INFORMATION					
Engineer of Record: Travis Sanders					
Email: tsanders@civilsience.com P: (435) 986-0100					
General Contractor: Quail Creek Industrial Phase 5 Partially Amended Detention Basin P: (435) 703-6684					
License #: Holding State: Zip:					
City: State: Zip:					
Email: dennettconstruction@gmail.com					
Electrical Contractor:					
License #: P:					
City: State: Zip:					
Plumbing Contractor:					
License #: P:					
City: State: Zip:					
Email:					
Mechanical Contractor:					
License #: P:					
City: State: Zip:					
Email:					
APPLICATION DETAILS					
# of Units: 0		custom text:			
APPLICATION NUMBER: PENDAFP23-14 This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be compiled with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy. Applicant Name: Brandee Walker Signature of Applicant/Authorized Agent or Owner: Date: Application Approved By:  Date: 07/12/2023 Application Issued By: Date: 07/12/2023 Receipt #: 8.170166-07/12/23					



STAFF COMMENTS

Agenda Date:	07/27/2023
Application Number:	AFP23-14
Type of Application:	Amended Final Plat
Action Type:	Administrative
Applicant:	Doug Dennett
Agent:	Brandee Walker-Civil Science
Request:	Approval of an Amended Final Plat
Location:	1100 S Regional Park Road
Zoning:	M-1
General Plan Map:	Light Industrial/Business

Discussion: The applicant is requesting to add area to Parcel “A” on the Quail Creek Industrial Phase 5 plat. On the original plat this area was proposed for a regional detention basin and sewer lift station. The applicant is looking to add space to the sewer lift station and add a Public Utility Easement on that property and dedicate the rest to the City.

JUC Comments

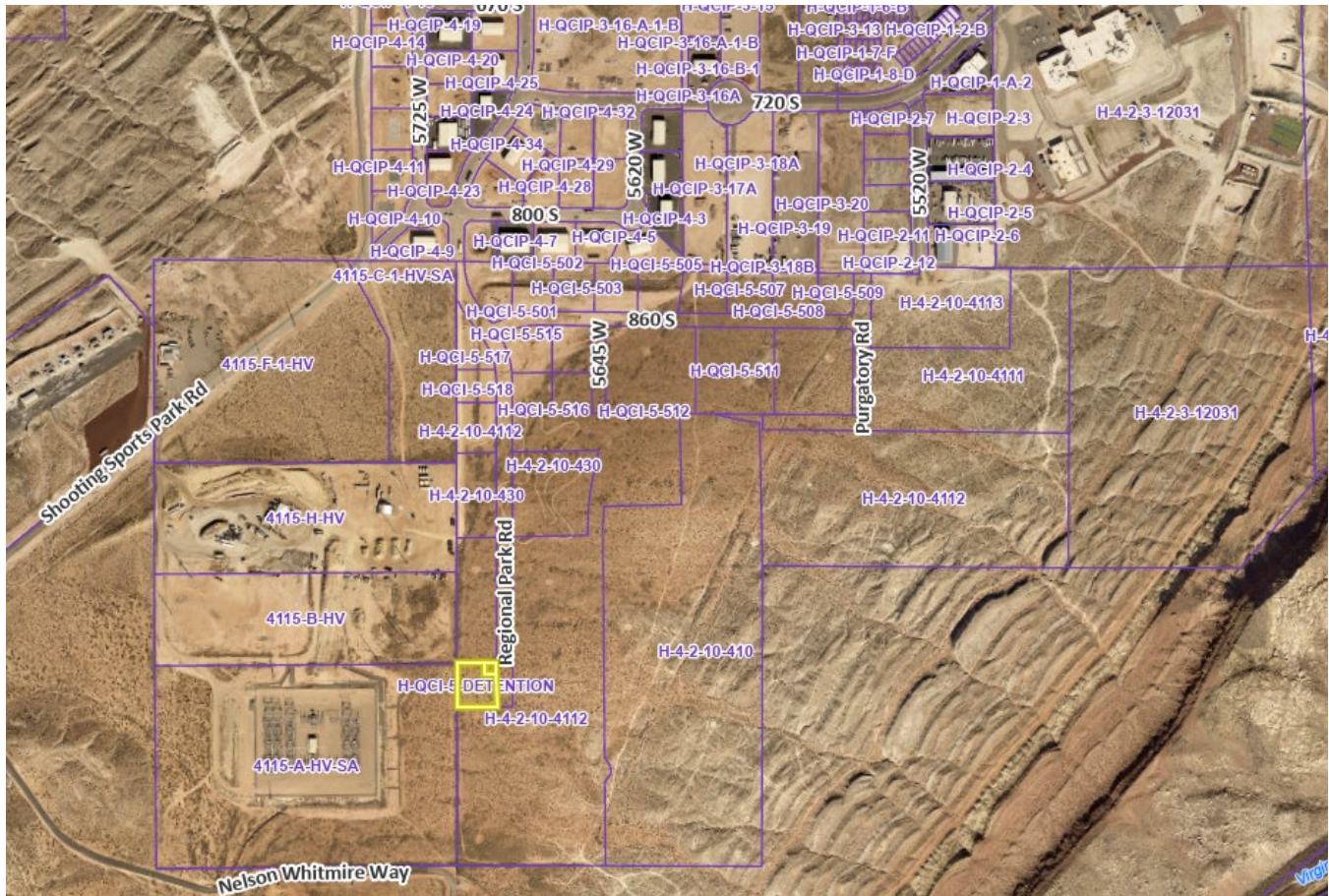
JUC Comments are due July 26th, 2023 and this report will be updated at that time

1. **Public Works:**
2. **Power:**
3. **Water:**
4. **Streets:**
5. **Sewer:**
6. **Engineering:**
7. **Fire:**
8. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the zone change adequately mitigates interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

Staff Comments

1. The plat does meet amended final plat standards contained in [Utah Code 10-9a-608](#). Subdivision Amendments, updated in 2023. The following are the key items:
 - a. Depicts only the portion of the subdivision that is proposed to be amended

- b. Includes a plat name distinguishing the amended plat from the original plat
 - c. Describe the differences between from the original plat.
 - d. Includes references to the original plat
2. The Final Plat needs a full review by the City Engineering Department for surveying details.



Recommendation: Staff recommends that the Planning Commission review this application based on Hurricane City and State Code standards. Staff would recommend approval of this item subject to staff and JUC comments.

SOUTHWEST CORNER OF SECTION 3,
TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE & MERIDIAN
(FOUND 1973 WASHINGTON COUNTY
BRASS CAP MONUMENT)

S 88°37'03" E 368.83'
(CORNER TO CORNER)
334.32'

NORTHWEST CORNER OF SECTION
10, TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE & MERIDIAN
(SET RING AND LID, 1978 BLM BRASS
CAP REMOVED BY CONSTRUCTION)

S 88°08'24" E 2686.29'
(CORNER TO CORNER)

SOUTH 1/4 CORNER OF SECTION 3,
TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE & MERIDIAN
(FOUND 1978 BLM BRASS CAP
MONUMENT)

NORTH 1/4 CORNER OF SECTION 10,
TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE & MERIDIAN
(FOUND 1978 BLM BRASS CAP
MONUMENT)

860 SOUTH STREET

S 88°08'15" E 377.61'

RECORD LOCATION
DOCUMENT NO.
20230000918
R/L LS 9481170

RECORD LOCATION
DOCUMENT NO.
20230000918
R/L LS 9481170

D&G PROPERTY
HOLDINGS LLC
PARCEL NO.
H-4-2-10-4112

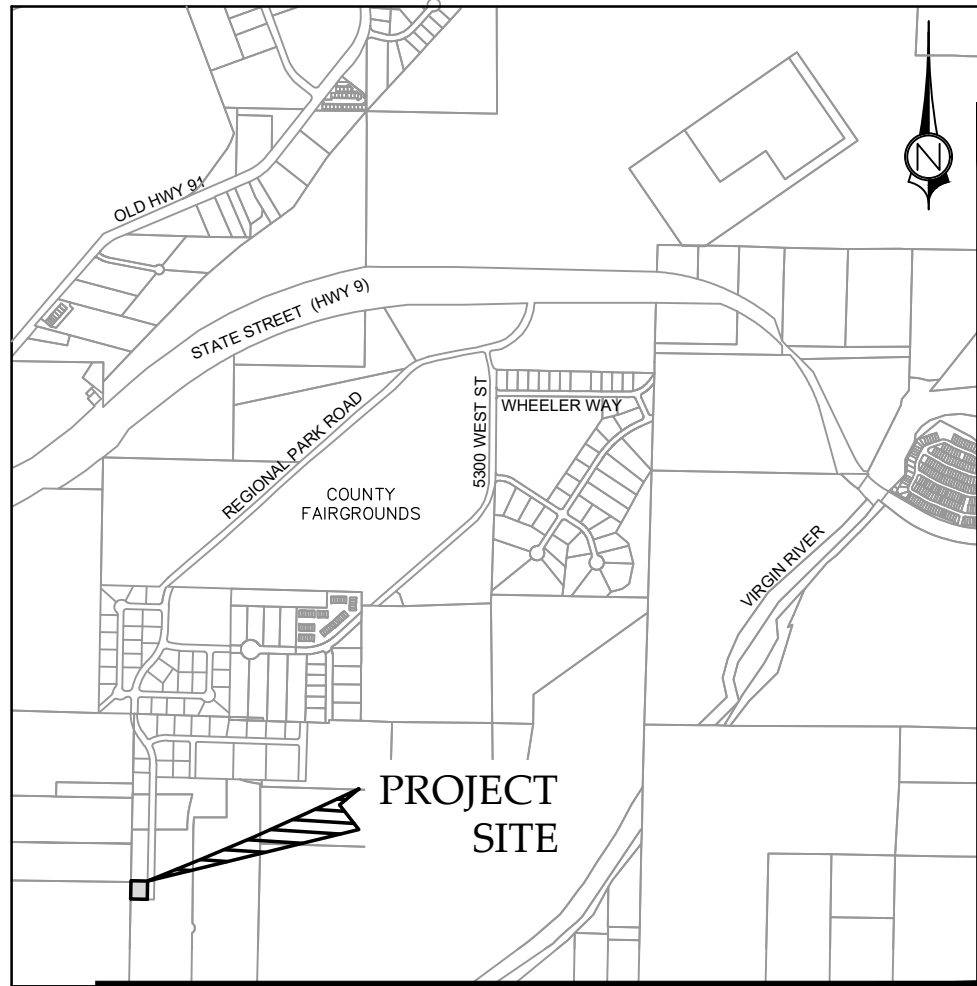
PARCEL "A" TO BE RETAINED BY
D&G PROPERTY HOLDINGS, LLC.

QUAIL CREEK
INDUSTRIAL
SUBDIVISION
PHASE 5

PARCEL "A"
SEWER LIFT
STATION
PARCEL NO.
H-QCI-S-A
3,000 S. F.
0.06 ACRE

DETENTION BASIN
DEDICATED TO HURRICANE
CITY WITH THIS PLAT
PARCEL NO.
H-QCI-S-DETENTION
30,568 S. F.
0.71 ACRE

D&G PROPERTY
HOLDINGS LLC
PARCEL NO.
H-4-2-10-4112



VICINITY MAP
SCALE: 1" = 2000'

GENERAL NOTES

SEE RECORDED SUBDIVISION PLAT, QUAIL CREEK INDUSTRIAL PARK PHASE 5, DOCUMENT NO. 20230000918 RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH.

① 15.00' PUBLIC UTILITY & DRAINAGE EASEMENT TO BE DEDICATED WITH THIS PLAT.

AMENDMENT NOTE

THE REASON FOR THIS AMENDMENT IS TO ADD AREA TO PARCEL "A" AND REMOVE AREA FROM THE DETENTION BASIN. A 15.00 FOOT PUBLIC UTILITY EASEMENT HAS BEEN ADDED ALONG REGIONAL PARK ROAD ON PARCEL "A". NO OTHER CHANGES WERE MADE OR IMPLIED WITH THIS AMENDMENT.

LEGEND



SECTIONAL MONUMENTATION (FOUND: TYPE, DATE, AGENCY AND LOCATION ETC. AS SHOWN ON THE PLAT).



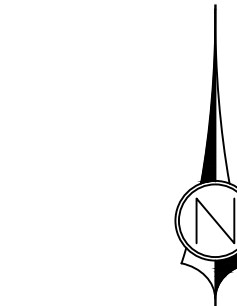
SPECIFIES FOUND SURVEY CONTROL MONUMENT AS SHOWN AND NOTED (CLASS 1, RING & LID).



ALL BOUNDARY AND PROPERTY (LOT) CORNERS TO BE SET WITH 5/8" REBAR AND CAP STAMPED CIVIL SCIENCE SURVEYORS, UNLESS OTHERWISE SPECIFIED ON THE PLAT.

———— BOUNDARY LINE
———— LOT LINE
———— EXISTING RIGHT OF WAY AND LOT LINE
- - - - - EASEMENT LINE (SEE NOTES)
- - - - - CENTERLINE
- - - - - SECTION LINE

WEST 1/4 CORNER OF SECTION 10,
TOWNSHIP 42 SOUTH, RANGE 14
WEST, SALT LAKE BASE & MERIDIAN
(FOUND 1978 BLM BRASS CAP
MONUMENT)



0 15 30 60
SCALE: 1" = 30'
(SCALE ONLY VALID FOR 24" x 36" PAPER)

SURVEYOR'S CERTIFICATE

I, TRAVIS SANDERS, A PROFESSIONAL LAND SURVEYOR, LICENSE NUMBER 9481170, HOLD THIS LICENSE IN ACCORDANCE WITH TITLE 58 CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT AND HAVE COMPLETED THIS SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT. I CERTIFY THAT BY AUTHORITY OF THE HEREON OWNER I HAVE MADE A SURVEY OF THE TRACT OF LAND AS SHOWN ON THIS PLAT AND HAVE SUBDIVIDED THE SAME TRACT INTO DETENTION BASIN, PARCEL "A" SEWER LIFT STATION AND EASEMENTS TO BE HEREINAFTER KNOWN AS:

QUAIL CREEK INDUSTRIAL PHASE 5 PARTIALLY AMENDED "A" DETENTION BASIN AND PARCEL "A"

AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

DATE

TRAVIS W. SANDERS, PLS

BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN, HURRICANE CITY, WASHINGTON COUNTY, UTAH, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE DETENTION BASIN OF QUAIL CREEK INDUSTRIAL PHASE 5, POINT BEING S 1°05'58" W 1749.26 FEET ALONG THE WEST LINE OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN FROM THE NORTHWEST CORNER OF SAID SECTION 10, AND RUNNING THENCE S 88°54'02" E 174.40 FEET ALONG THE BOUNDARY OF SAID SUBDIVISION, TO A POINT ON THE WEST RIGHT OF WAY LINE OF REGIONAL PARK ROAD, THENCE S 1°05'58" W 192.77 FEET ALONG SAID LINE, TO A POINT ON THE SOUTH BOUNDARY OF SAID SUBDIVISION, THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO (2) COURSES: (1) N 88°42'31" W 174.40 FEET, THENCE (2) N 1°05'58" E 192.18 FEET TO THE POINT OF BEGINNING.

CONTAINS 33,568 SQ FT OR 0.77 ACRES MORE OR LESS

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER OF THE HEREON DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED INTO DETENTION BASIN, PARCEL "A" SEWER LIFT STATION AND EASEMENTS TO HEREAFTER BE KNOWN AS:

QUAIL CREEK INDUSTRIAL PHASE 5 PARTIALLY AMENDED "A" DETENTION BASIN AND PARCEL "A"

AND FOR GOOD AND VALUABLE CONSIDERATION RECEIVED, DOES HEREBY DEDICATE AND CONVEY TO HURRICANE CITY FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS A DETENTION BASIN, PARCEL "A" SEWER LIFT STATION AND EASEMENTS. THE DETENTION BASIN, PARCEL "A" SEWER LIFT STATION AND EASEMENTS ARE AS NOTED OR SHOWN. THE OWNER DOES HEREBY WARRANT TO HURRICANE CITY AND ITS SUCCESSORS AND ASSIGNS, TITLE TO ALL PROPERTY DEDICATED AND CONVEYED TO PUBLIC USE HEREIN AGAINST THE CLAIMS OF ALL PERSONS. LOTS SHOWN ON THIS PLAT ARE SUBJECT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS, DOCUMENT NO. 20080010506, RECORDED IN THE OFFICE OF THE WASHINGTON COUNTY RECORDER, ON THIS 13TH DAY OF MARCH, 2008, SAID DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS IS HEREBY INCORPORATED AND MADE A PART OF THIS PLAT.

D&G PROPERTY HOLDINGS, LLC
(A UTAH LIMITED LIABILITY COMPANY)

HURRICANE CITY
(A UTAH MUNICIPAL CORPORATION)

DOUGLAS T DENNETT, MANAGING MEMBER

MAYOR: NANETTE BILLINGS

LIMITED LIABILITY ACKNOWLEDGMENT

STATE OF _____ } S.S.
COUNTY OF _____ }

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, DOUGLAS T DENNETT WHO BEING BY ME DULY SWORN, DID SAY THAT HE IS THE MANAGING MEMBER OF D&G PROPERTY HOLDINGS, LLC, AND THAT HE EXECUTED THE FOREGOING OWNER'S DEDICATION ON BEHALF OF SAID LIMITED LIABILITY COMPANY BEING AUTHORIZED AND EMPLOYED TO DO SO BY THE OPERATING AGREEMENT OF D&G PROPERTY HOLDINGS, LLC, AND HE DID DULY ACKNOWLEDGE TO ME THAT SUCH LIMITED LIABILITY COMPANY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC _____ COMMISSION NUMBER: _____
NOTARY PUBLIC FULL NAME: _____ MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
STAMP IS NOT REQUIRED PER UTAH CODE 46-1-16(6)

CORPORATION ACKNOWLEDGMENT

STATE OF _____ } S.S.
COUNTY OF _____ }

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME NANETTE BILLINGS, WHO BEING BY ME DULY SWORN DID SAY THAT HE IS THE MAYOR OF THE HURRICANE CITY, A UTAH MUNICIPAL CORPORATION, AND THAT HE EXECUTED THE FOREGOING OWNER'S DEDICATION ON BEHALF OF SAID MUNICIPAL CORPORATION BY AUTHORITY OF A RESOLUTION OF ITS CITY COUNCIL AND HE DID ACKNOWLEDGE TO ME THAT THE CORPORATION EXECUTED THE SAME FOR THE PURPOSES STATED THEREIN.

NOTARY PUBLIC _____ COMMISSION NUMBER: _____
NOTARY PUBLIC FULL NAME: _____ MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH
STAMP IS NOT REQUIRED PER UTAH CODE 46-1-16(6)

QUAIL CREEK INDUSTRIAL PHASE 5 PARTIALLY AMENDED "A" DETENTION BASIN AND PARCEL "A"

LOCATED IN
NW 1/4 OF SECTION 10, TOWNSHIP 42 SOUTH, RANGE 14 WEST,
SALT LAKE BASE AND MERIDIAN
HURRICANE CITY, WASHINGTON COUNTY, UTAH

APPROVAL ASH CREEK SPECIAL SERVICE DISTRICT	ENGINEER'S APPROVAL	APPROVAL AS TO FORM	APPROVAL AND ACCEPTANCE BY HURRICANE CITY, UTAH	TREASURER APPROVAL	RECORDED No.
I, HEREBY CERTIFY THAT THIS OFFICE HAS REVIEWED THE ABOVE FINAL PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF ____ A.D. 20____.	THE HEREON FINAL PLAT HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF ____ A.D. 20____.	APPROVED AS TO FORM, THIS THE ____ DAY OF ____ A.D. 20____.	WE, THE CITY COUNCIL OF HURRICANE CITY, HAVE REVIEWED THE ABOVE PLAT AND HEREBY ACCEPT SAID PLAT WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO, THIS ____ DAY OF ____ A.D. 20____.	I, _____, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF ____ A.D. 20____ THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS FINAL PLAT HAVE BEEN PAID IN FULL.	
			ATTEST: CITY RECORDER HURRICANE UTAH		
	ENGINEER, HURRICANE CITY	CITY ATTORNEY, HURRICANE CITY	NANETTE BILLINGS MAYOR HURRICANE, UTAH	WASHINGTON COUNTY TREASURER	WASHINGTON COUNTY RECORDER
SUPERINTENDENT, SSD					

QUAIL CREEK INDUSTRIAL PHASE 5 PARTIALLY AMENDED "A"
DETENTION BASIN AND PARCEL "A"
LOCATED IN
NW 1/4 OF SECTION 10, TOWNSHIP 42 SOUTH,
RANGE 14 WEST, SALT LAKE BASE & MERIDIAN

PROJ. #: FF21292
DRAWN BY: PJW
DATE: 4-11-2023
CHECKED BY: TWS
SCALE OF SHEET
HOR SCALE: 1" = 30'

SHEET
1
OF
1

1453 S. DIXIE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100

CivilScience

**Hurricane Planning Commission
Meeting Minutes
January 12, 2023**

Minutes of the Hurricane City Planning Commission meeting held on January 12, 2023, at 5:00 p.m. in the City Council Chambers located at 147 North 870 West Hurricane UT, 84737

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

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

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

1. Discussion of code updates on water conservation

Stephen Nelson explained that the Planning Commission is reviewing potential updates to the water conservation code at the request of Mayor Nanette Billings. He reported that Utah State passed a law to provide a rebate of one dollar per square foot to property owners who replace a lawn with drought-tolerant landscaping. The city ordinance must meet the state code to qualify for this rebate program. Washington County Conservancy District's rebate program requirements are more restrictive than the state requirement. Per Utah state law, up to fifteen percent of the lot size can have a lawn, and Washington County Conservancy District limits grass to eight percent of the lot size and prohibits nonfunctional grass. If Hurricane City code complies with the state code and Washington County Conservancy District code requirements, homeowners could be eligible to receive a two-dollar per square foot rebate. Mr. Nelson noted that Hurricane City could choose to match the state ordinance, and homeowners would still be eligible for the Utah State rebate of one dollar per square foot.

Mr. Nelson explained that the standard for a lawn in Hurricane City is thirty-five percent. Therefore, residents in Hurricane City do not qualify for a rebate from Utah State or Conservancy Districts. He reviewed the proposed changes, which lowered the threshold of lawn to eight percent. He explained the added exceptions for areas that have access to the secondary water system and are in areas that were areas traditionally served by Hurricane Canal Company.

Kelby Iverson clarified that there are no limitations in irrigated areas, and Shelley Goodfellow confirmed that the standard only applies to new construction. Ralph Ballard asked if requiring developers to bring water with their development is the best way to address the water shortage. Mr. Nelson explained that Hurricane City's pooling agreement with the Washington Conservancy District requires developers to pay an impact fee to develop the area's water supply.

Mr. Nelson recommends the Planning Commission thoroughly review the proposed update before making a recommendation. He noted that he is waiting for feedback from the Conservancy District on the updated proposal.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance, led by Shelley Goodfellow

Prayer and/or thought by invitation led by Kelby Iverson

Declaration of any conflicts of interest

Public Hearings

1. A Zone Change Amendment request located at approximately 2445 W 2890 S to readjust the underlying zones within the existing PDO, planned development overlay, to allow housing to fit better within the PDO, which would result in moving the M-1, light industrial, zone boundary to the West and expanding the R1-10, residential one unit per 10,000 square feet, zone.

No comments

2. A Land Use Code Amendment request to Title 10 Chapter 32: Landscaping and Screening to make updates to the water conservation standards.

No comments

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

OLD BUSINESS

1. 2022-PP-24: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Gateway at Sand Hollow Resort Phase 1-3, a 219-unit resort condominium development located south of Sand Hollow Road and west of 3700 W. Western Mortgage and Realty Co Applicant. Brent Moser Agent.

Stephen Nelson reported that the applicant recently received a zone change to line up roadway boundaries and develop the southern area as RM-3. However, the initial site plan needed to address RV parking requirements. The applicant is meeting with staff to discuss offsite parking next week. Jeff Thomas with Pro Value Engineering reviewed the updated plat and reported that eleven parking stalls were added. Mr. Nelson reported that the water will serve letter was received. However, the water acknowledgment letter has yet to be received. Rebecca Bronemann voiced concern noting that per JUC's comment, the PID has been moving very slowly, and no water is available. Mr. Nelson shared that they have signed construction drawings for the surrounding roads but agreed that the progress has been slower than anticipated. Mr. Thomas conceded that there is no water and explained that the PID roadways are meant to bring in water and utilities. The roadways have been stalled due to blasting, but he anticipates some roadways will be paved by March.

Paul Farthing motioned a recommendation of approval of 2022-PP-24 subject to staff comments and clarification of the gas line concern. Michelle Cloud seconded the motion. Unanimous.

2. 2022-FSP-19 and 2022-CUP-34: Discussion and consideration of a possible approval of a final site plan for Bryson Young, a commercial development consisting of a retail/office/warehouse building and seven nightly rental units located at approx. 450 E State St. R+B Young Applicant. Bryson Young Agent.

Stephen Nelson reported that there were some concerns about landscaping and onsite management. The applicant provided a letter addressing the onsite management, parking, and landscaping. Paul Farthing questioned how the city addresses onsite management. Mr. Nelson reported that business licensing regulates and enforces it and explained that onsite management is required when one or more units are occupied.

Ralph Ballard motioned to approve 2022-FSP-19 and 2022-CUP-34 with the understanding that the applicant will provide onsite management and adjust the landscape plan to increase the sight distance on the corner as submitted and approved within the packet. Shelley Goodfellow seconded the motion. Unanimous.

NEW BUSINESS

1. 2023-ZC-01: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at approximately 2445 W 2890 S to readjust the underlying zones within the existing PDO, planned development overlay to allow housing to fit better within the PDO, which would result in moving the M-1, light industrial, zone boundary to the West and expanding the R1-10, residential one unit per 10,000 square feet, zone. Molly View LLC-Richard Wedig Applicant. ProValue Engineering-Karl Rasmussen Agent.

Richard Wedig shared that the Balance of Nature is deeding property to the Liberty Village, and the application wants to ensure that the deeded property has the correct zoning. Stephen Nelson reviewed his understanding of the request and noted that he does not have any concerns. It is essential to note that the development agreement has yet to be signed, so technically, the property is still zoned RA-1. Mr. Wedig reported that the signed development agreement will be submitted by Monday. Dayton Hall reiterated that this is a zone change request and does not give any authorization to split or deed the property.

Kelby Iverson motioned a recommendation of approval of 2023-ZC-01 subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Michelle Cloud, Ralph Ballard, Shelley Goodfellow, Mark Sampson, Kelby Iverson, Brad Winder - aye. Paul Farthing and Rebecca Brone ann - nay, because they feel the development agreement should be signed before this recommendation. Motion carries.

2. 2023-LUCA 01: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment request to Title 10 Chapter 32: Landscaping and Screening to make updates to the water conservation standards. Hurricane City Applicant.

Paul Farthing reported that Hurricane City should match the county standard of eight percent. It is important to understand that Hurricane City is in the desert, and conserving water is critical. Shelley Goodfellow will concede to the Water Conservancy District recommendation of eight percent if the district agrees to the exceptions for agriculture and those with water shares. If the district does not agree to those exceptions, the city should adopt the state requirement of fifteen percent. Ralph Ballard thinks there should be further discussion and a guarantee of protection for agricultural water. He believes landowners have the right to an agriculture pursuit whether it benefits developers or not. Kelby Iverson feels municipalities do not have the right to determine how landowners use their water. Water owners determine what they do with their water rights. Mrs. Goodfellow doesn't think this should be approved until further information is received.

Brad Winder motioned to continue 2023-LUCA-01 due to the necessity for information and answers from

the Water Conservancy District. Rebecca Bronemann seconded the motion. Unanimous.

3. 2023-AFP-01: Discussion and consideration of a recommendation to the City Council on an amended final plat for Coral Springs Phase 2 Amended and Extended located at 204 N Cliff Side Dr. SU Commercial Construction, LLC Applicant. Drake Howell Agent.

Adam Allen with American Land Consulting reviewed the application. The first phase was completed in 2005. However, only two units were completed in phase two. The applicant recently acquired the property and would like to amend the final plat to remove buildings from the original plat. Fred Resch III reported that staff and engineering concerns were addressed.

Shelley Goodfellow motioned a recommendation of approval for 2023-AFP-01, subject to staff and JUC comments. Ralph Ballard seconded the motion. Unanimous.

4. 2023 PSP-01: Discussion and consideration of a possible approval of a Washington County Fairgrounds EOC/Parks Building, an office and warehouse located at approximately 5700 W Regional Park Road. Washington County Applicant. Jeff Mathis Agent.

Jeff Mathis explained that the building will house the Emergency Operations Center, search and rescue training base, and additional storage for Legacy Park. Stephen Nelson reported that the staff recommended denying the applicant due to a zoning issue. The site is zoned for open space, and the proposed building is not a permitted use. He reviewed a map of the zonings on the property and recommended that the applicant apply for a zone change to public facilities.

Ralph Ballard motioned to table 2023-PSP-01 until the applicant completes the proper steps to secure a zone change. Rebecca Bronemann seconded the motion. Unanimous.

5. 2023- SP-02: Discussion and consideration of a possible approval of a preliminary site plan for Robert's Roost Expansion, eight RV stalls located at 113 W 400 S. Todd Langston Applicant.

Todd Langston, the owner of Roberts Roost RV Park, would like to remove the home on the front of the property because it is not livable. He is seeking approval for eight RV spaces for monthly rentals. Stephen Nelson reported that the Fire Marshal had withdrawn the denial. He reviewed the use of the property and explained that the space is a combination of an RV park and a mobile home park. He noted that the property is more aligned with mobile home long-term residential use. It does not meet the standards for an RV Park expansion, and the proposed lot sizes do not conform to the requirement for modular units. Ralph Ballard likes Robert Roost RV Park; he feels it is a pleasant environment and is a benefit to the community. However, he understands the necessity to adhere to the standards. Paul Farthing feels apartments would be the best use of the property. Kelby Iverson noted that the site is grandfathered into the Mobile Home/RV zoning and asked if the application meets the standard of an RV Park. Mr. Nelson reviewed the required amenities within the RV Park standard. Dayton Hall reviewed the definition of nonconforming expansion per Hurricane City code.

Rebecca Bronemann motioned to table 2023-PSP-02 until a plan is created to meet Hurricane City code. Paul Farthing seconded the motion. Unanimous.

6. 2023-CUP-01: Discussion and consideration of a possible approval of a conditional use permit for a building of greater size and height located at 53 W 100 N. Eric Shorr Applicant. Greg Esteban Agent.

Fred Resch III reported that the applicant withdrew the previously submitted site plan for a duplex. The updated site plan is for an ADU in a commercial zoned property and is compliant with the current zoning.

Michelle Cloud motioned to approve 2023-CUP-01. Brad Winder seconded the motion. Unanimous.

7. 2023 FSP-01: Discussion and consideration of a possible approval of a final site plan for Standard Plumbing, a retail and warehouse facility located at 1621 W and 1639 W State St. Standard Plumbing Applicant. EA/Architecture Agent.

Stephen Nelson reported that the applicant submitted building renderings and the lighting plan. The building official requests that the access to the public right-of-way is hashed as a crosswalk.

Paul Farthing motioned to approve 2023-FSP-01 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

8. 2023-CUP-02: Discussion and consideration of a possible approval of a conditional use permit for a building of greater height and size located at 749 S 990 W. Dan Borchardt Applicant.

Dan Borchardt explained that the building expands the garage, gym area, and pool house and is not meant for commercial use. Stephen Nelson reported that staff recommends tabling the item to address subdivision issues. The applicant owns both properties with the same parcel ID. However, the properties have not been merged based on the subdivision plat. Mr. Nelson noted that the setback is inadequate, and the building encroaches on an existing easement.

Rebecca Bronemann motioned to table 2023-CUP-02 until the lots are combined and the easement and setbacks are addressed. Brad Winder seconded the motion. Unanimous.

9. 2023-AFP-02: Discussion and consideration of a recommendation to the City Council on an amended final plat for Hurricane Industrial Park Lot 24, located at 2430 W 350 N. Darryl Zitting Applicant. Ryan Scholes Agent.

Stephen Nelson reported that the utility easement is not being used, and JUC has no objections to removing the easement.

Paul Farthing motioned a recommendation of approval of 2023-AFP-02 subject to staff and JUC comments. Michelle Cloud seconded the motion. Unanimous.

10. 202 -PP-02: Discussion and consideration of a recommendation to the City Council on a preliminary plat for Bench Lake Townhomes, a 200-unit townhome development located at approximately 3145 S 1100 W. Blue Mountain Property Enterprises LLC and Diamond Edge Construction, LLC-Scott Stratton Applicant. ProValue Engineering-Karl Rasmussen Agent.

Stephen Nelson reported that staff recommends denying the application due to the lack of public facilities. Staff recommends denying preliminary plats and construction drawings in this area based on the limited power capacity. Mr. Nelson provided an overview of the property's history. Scott Stratton reported that the Planning Commission and City Council approved the preliminary plat, which has expired. Mr. Nelson reported that the applicant was required to submit a new preliminary site plan due to the changes on the preliminary plat. He noted that during that time, a power capacity study was performed and determined that capacity had been overextended based on approved construction drawings, building permits, and preliminary plats. Karl Rasmussen reported that the applicant needed

proper notice that the preliminary plat was expiring. He noted that the applicant has been working with the Power Department and deeded property on 1100 West to bring power to the location. Mr. Nelson explained that this decision was based on a specific study and was not made arbitrarily. Shelley Goodfellow feels this application is different from previous denials. She noted that in 2021 vested rights were given for 170 units, and she asked why the units were not included in the study. Dayton Hall reported that the analysis was based on signed construction drawings. Mr. Nelson reported that the city can deny land use applications based on inadequate facilities per code. Mr. Rasmussen explained that development brings in infrastructure and suggests a development agreement. Mr. Nelson agrees that development brings infrastructure. However, the problem in this area is capacity. The capacity cannot be supported until the substation is complete. Kelby Iverson confirmed that the applicant had preliminary plat approval and that staff requested changes to the preliminary plat. Mr. Nelson explained that regardless of the expiration of the original preliminary plat, an updated preliminary plat was required because the applicant filed a zone change application with a new site plan and a change to the unit count.

Rebecca Bronemann motioned a recommendation of denial of 2023-PP-02 based on Hurricane Code 10-37-4 and Hurricane Code 9-6-3. Paul Farthing seconded the motion. Roll call vote. Unanimous.

11. 2021-PP-36 2021-HIL-07: Discussion and consideration of an extension of the final plat deadline for Paraiso, a 390-lot single family and patio home subdivision, located at 2800 W 200 N. Middon LLC Applicant.

Stephen Nelson shared that this is a preliminary plat extension. The applicant is designing their utility lines through the adjacent development, and they are obtaining the signatures on the construction drawing.

Brad Winder motioned to grant the extension for 2021-PP-36 and 2021-HIL-07. Paul Farthing seconded the motion. Unanimous.

Approval of Minutes:

1. June 10, 2021

The Planning Commission asked for a correction to the spelling on page 1, line 27. Changing the word from fourt to four.

Ralph Ballard motioned to approve June 10, 2021, as amended. Paul Farthing seconded the motion. Unanimous.

2. November 22, 2022

Shelley Goodfellow motioned to approve November 22, 2022. Brad Winder seconded the motion. Unanimous.

Adjournment