



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

August 10, 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 fencing standards
2. Discussion on agricultural protection overlays
3. Discussion on grading permit 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 15 regarding food trucks
2. A Zone Change Amendment requested located at approximately 820 S 840 W from RA-1, residential agricultural one unit per acre, to RA-0.5, residential agriculture one unit per half acre. Parcel number H-3-2-3-4220-C.

NEW BUSINESS

1. LUCA23-06: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment to Title 10 Chapter 15, regarding food trucks. Hurricane City Applicant
2. ZC23-21: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 820 S 840 W from RA-1, residential agriculture one unit per acre to RA-0.5, residential agriculture one unit per half acre. Parcel H-3-2-3-4220-C. Interstate Rock Products Applicant. Chase Stratton Agent.
3. ~~PSP23-21: Discussion and consideration of a possible approval of a preliminary site plan for Balance of Nature Production Center, a manufacturing building located at the northeast corner of 2400 W and 2900 S. Balance of Nature Applicant. Brian Fish Agent.~~ **This application has been withdrawn**
4. PSP23-22: Discussion and consideration of a possible approval of a preliminary site plan for Firerock Townhomes, a 30 unit townhome project located at 184 N 2170 W. Randy Simonsen Applicant. Pratt Engineering Agent.
5. 2022-PP-16: Discussion and consideration of an extension of the preliminary plat approval for Cordero Phase 3, a 214 lot subdivision located at 2100 W 4000 S. Brant Tuttle Applicant.

Approval of Minutes:

1. July 13, 2023
2. July 27, 2023

Adjournment

Sec. 10-37-9. Fences and walls.

- A. *Height of fences and walls.* No fence, wall, or similar structure exceeding six feet in height shall be erected in any rear or side yard except for accessory buildings and structures permitted by this chapter unless by conditional use permit.
- B. *Retaining walls.* When a retaining wall protects a cut below natural grade and is located on a line separating lots, such retaining wall may be topped by a fence, wall, or hedge of the same height that would otherwise be permitted at such location if no retaining wall existed. Retaining walls shall not be built in public utility easements.
- C. *Fences in front or side yards.* No opaque fence or wall or other similar structure exceeding 48 inches in height shall be erected within a front yard except upon written permission from the Planning Commission.
- D. *Swimming pools.* Swimming pools of permanent construction not enclosed within a building shall be completely surrounded by a fence or wall which meets building code requirements, having a lockable self-closing gate and a height of at least six feet which conforms to building code barrier requirements or provide another means of protection from accidental drowning which conforms to building code requirements.
- E. *Visual obstructions.* To avoid creating a visual obstruction and promote public safety, a fence, wall, or other similar structure or landscaping located in a required front yard shall meet the following requirements:
 - 1. No opaque fence, wall, or other similar structure, or landscaping which exceeds two feet in height shall be placed within a triangular area formed by a driveway line, the street property line, and a line connecting them at points 12 feet along the driveway line and 12 feet along the street property line, except for a reasonable number of trees pruned high enough to permit unobstructed vision for drivers of motor vehicles.
 - 2. In all zones ~~which require a front yard~~, no fence, wall, or other similar structure, or landscaping which exceeds two feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, except for a reasonable number of trees pruned high enough to permit unobstructed vision for drivers of motor vehicles. Unless otherwise approved by the City Engineer in cases of grade differences and that proper site distances are maintained.
- F. Prohibited materials: The following fencing materials shall be prohibited on properties containing single-family or two family dwellings:
 - 1. Security wire, such as barbed wire, concertina wire, or razor wire except for agricultural uses; and
 - 2. Electrified fencing, except for agricultural uses.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2016-02, 2-4-2016); Ord. 2018-09, 9-6-2018)

Sec. 10-7-9 Conditional Use Permit.

J. Standards for a wall of greater height

- (1) The wall must be in a rear or side yard,
- (2) The wall cannot be greater than eight feet in height,
- (3) The wall must meet all other standards in Title 10 Chapter 37 of this code.



STAFF COMMENTS

Agenda Date:	08/10/2023
Application Number:	
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	
Agent:	
Request:	Amend Title 10 Chapter 21 with regards to agricultural protection overlays

Discussion:

At the August 3, 2023 City Council meeting the City Council voted to deny two agriculture protection overlays with the direction to staff and the Planning Commission to evaluate possible changes to the agriculture protection overlay ordinance.

Agriculture protection overlays are governed by Utah state law and city ordinance which limits the flexibility that the City has with regards to this ordinance. Both current city ordinance and state law are attached to this packet.

To address the key points of discussion from Planning Commission and City Council in recent weeks with regards to agriculture protection overlays

- City code requires an agriculture protection overlay to have a minimum of five contiguous acres. State law states: *"A county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area, industrial protection area, or critical infrastructure materials protection area."* In 2022 the City Council denied an ordinance change that would lower the minimum property required to have an agriculture protection overlay.
- There was discussion about amending the definition of contiguous to not include intervening roadways.
- There was discussion on the definition of "agriculture production" and how it must be a commercial or retail use. The state code's definition and use of agriculture production as criteria for the creation of an agriculture protection overlay is identical to current city ordinance, and staff does not believe the City is granted any flexibility under state law.

- As above, the current city requirement that the property be zoned for agriculture use is also a requirement under state code.

Recommendation:

Staff recommends the Planning Commission consider the purpose of the agricultural protection overlay and what changes should be proposed.

CHAPTER 21. AGRICULTURE PROTECTION OVERLAY ZONE

Sec. 10-21-1. Purpose; established.

- A. To protect and preserve the existing agricultural areas within the City from the encroachment of development, and to allow the ongoing agricultural operations to proceed without unreasonable restriction unless there is a direct relationship to public health or safety.
- B. An agriculture protection overlay zone is established which shall be an overlay zone of the zoning classification in this title.

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

Sec. 10-21-2. Definitions.

For the purpose of this chapter, the following terms shall have the meanings set forth below and shall apply in addition to the terms defined in chapter 3 of this title:

Advisory Board means the agriculture protection area advisory board of Washington County.

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.

Agriculture protection areas or overlay zone means a geographic area created under the authority of this chapter that is granted the specific legal protections contained in this chapter.

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.

Political subdivision means a City, school district or special district.

Proposed sponsors means the owners of land in agricultural production who are sponsoring the proposal for creating an agricultural protection area.

State agency means each department, commission, board, council, agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau, panel or other administrative unit of the state.

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

Sec. 10-21-3. Proposal for creation of agricultural protection area.

- A. *Filing.* Any owner of land in agricultural production may file a proposal for creation of an agricultural protection area with the Planning Commission.

-
- B. *Content.* The proposal shall identify:
1. The land in agricultural 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; and
 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.
- C. *Documents required.* The proposal shall include:
1. A plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area.
 2. Application fee as outlined on the City fee schedule, available from the City Recorder/Clerk.
- D. *Minimum acreage.* A minimum area of five contiguous acres shall be included in an agriculture protection area.
- (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Sec. 10-21-4. Planning commission review of proposal.

- A. *Required.* After 15 days from the date of the notice, the Planning Commission shall refer the proposal and any proposed modifications and objections to the proposal to the Advisory Board for their review, comments and recommendations.
- B. *Report; recommendation.*
1. Within 45 days after receipt of the proposal, the Planning Commission shall submit a report to the City Council that:
 - a. Identifies the effect of the creation of the proposed area on the City's planning policies and objectives;
 - b. Analyzes and evaluates the proposal by applying the criteria contained in section 10-21-6 of this chapter;
 - c. Recommends any modifications to the proposal;
 - d. Recommends any limits on the types of agriculture production to be allowed in the agriculture protection area;
 - e. Analyzes and evaluates any objections to the proposal; and
 - f. Includes a recommendation to the City Council to either accept, accept and modify, or reject the proposal.
 2. Within 45 days after receipt of the proposal, the Advisory Board shall submit a report to the City Council that:
 - a. Recommends any modifications to the proposal;

-
- b. Recommends any limits on the types of agriculture production to be allowed in the agriculture protection area;
 - c. Analyzes and evaluates the proposal by applying the criteria contained in section 10-21-6 of this chapter;
 - d. Analyzes and evaluates any objections to the proposal; and
 - e. Includes a recommendation to the City Council to either accept, accept and modify, or reject the proposal.
- C. *Failure to submit report.* If the Planning Commission or the Advisory Board fail to submit a report within 45 days, the City Council shall consider their failure to report as an approval of the proposal.
- (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

Sec. 10-21-5. City Council review and action.

- A. *Procedure.* City Council review and procedures are the same as for a zone change as set forth in section 10-7-7 of this title.
- B. *Filing executed documents.* In order to give constructive notice of the existence of an agriculture protection area to all persons who have, may acquire or may seek to acquire an interest in land in or adjacent to an agriculture protection area, within ten days of the creation of an agriculture protection area, the City Council shall file an executed document containing a legal description of the agriculture protection area with the county recorder of deeds and the Planning Commission.
- C. *Written notice.* Within ten days of the recording of an agriculture protection area, the City Council shall send written notification to the [state] commissioner of agriculture that the agriculture protection area has been created. The following shall be included in the notification:
 - 1. The number of landowners owning land within the agriculture protection area;
 - 2. The total acreage of the area;
 - 3. The date of approval of the area; and
 - 4. The date of recording.

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

Sec. 10-21-6. Criteria in evaluating proposals.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, the Advisory Board, Planning Commission and City Council shall apply the following criteria:

- A. *Use of land.* Whether or not the land is currently being used for agriculture production;
- B. *Zoning.* Whether or not the land is zoned for agricultural use;
- C. *Viability.* Whether or not the land is viable for agricultural production;
- D. *Improvements.* The extent and nature of existing or proposed farm improvements; and
- E. *Trends anticipated.* Anticipated trends in agricultural and technological conditions.

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

Sec. 10-21-7. Adding, removing land from area.

A. *Adding.*

1. Any owner may add land to an existing agriculture protection area by:
 - a. Filing a proposal with the City Council; and
 - b. Obtaining approval of the City Council for the addition of the land to the area.
2. The City Council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

B. *Removal.*

1. Any owner may remove land from an agriculture protection area by filing a petition for removal of the land from the agriculture protection area with the City Council;
2. The City Council shall:
 - a. Grant the petition for removal of land from an agriculture protection area even if removal of the land would result in an agriculture protection area of less than the number of acres established by this chapter as the minimum; and
 - b. In order to give constructive notice of the removal to all persons who have, may acquire or may seek to acquire an interest in land in or adjacent to the agriculture protection area and the land removed from the agriculture protection area, file a legal description of the revised agriculture protection area with the county recorder of deeds and the Planning Commission.
 - c. The remaining land in the agriculture protection area is still an agriculture protection area.

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

Sec. 10-21-8. Review of areas.

- A. *Required.* The City Council shall review any agriculture protection area created under the authority of this chapter in the twentieth calendar year after it is created.

B. *Action.*

1. In the twentieth year, the City Council shall:
 - a. Request the Planning Commission and Advisory Board to submit recommendations about whether the agriculture protection area should be continued, modified or terminated;
 - b. At least 120 days before the end of the calendar year, hold a public hearing to discuss whether the agriculture protection area should be continued, modified or terminated;
 - c. Give notice of the hearing using the same procedures required by subsection 10-21-5B of this chapter; and
 - d. After the public hearing, continue, modify or terminate the agriculture protection area.
2. If the City Council modifies or terminates the agriculture protection area, it shall file an executed document containing the legal description of the agriculture protection area with the county recorder of deeds.

-
- C. *Failure to act.* If the City Council fails to affirmatively continue, modify or terminate the agriculture protection area in the twentieth calendar year, the agriculture protection area is considered to be reauthorized for another 20 years.

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

Sec. 10-21-9. Protection of land.

- A. *Property taxes.* Any land placed in an agriculture protection area shall be subject to the provisions of Utah Code Annotated title 59, chapter 2, part 5, Farmland Assessment Act.
- B. *Limitations on local regulations.*
1. It shall be the policy of the City to encourage the continuity, development and viability of agriculture within the area by not enacting local laws, ordinances or regulations that would unreasonably restrict farm structures or farm practices within the area unless those laws, ordinances or regulations bear a direct relationship to public health or safety.
 2. The City Council may not change the zoning designation of land within an agriculture protection area unless it receives written approval for the change from all the landowners within the agriculture protection area.
- C. *Nuisances.*
1. To the extent deemed necessary or desirable, the City Council shall ensure that any of its laws or ordinances that define or prohibit a public nuisance exclude from the definition or prohibition any agricultural activity or operation within an agriculture protection area conducted using normal farming methods unless that activity or operation bears a direct relationship to public health or safety.
 2. In a civil action for nuisance involving agriculture activities, it is a complete defense if:
 - a. The agriculture activities were conducted within an agriculture protection area; and
 - b. The agriculture activities were not in violation of any federal, state or local law or regulation relating to the alleged nuisance, and were conducted according to sound agricultural practices.
 3. For each new subdivision development located in whole or in part within 300 feet of the boundary of an agriculture protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

Agriculture protection area

This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of annoyance or inconvenience which may result from such normal agricultural uses and activities.
- D. *Eminent domain restrictions.*
1. *Approval required.* A political subdivision having or exercising eminent domain powers may not condemn for any purpose any land within an agriculture protection area that is being used for agriculture production unless it has obtained approval of the City Council and the Advisory Board according to the procedures and requirements of this section.

-
2. *Notice.* Any condemner wishing to condemn property within an agriculture protection area shall file a notice of condemnation with the City Council and the agriculture protection area's Advisory Board at least 30 days before filing an eminent domain complaint.
 3. *Actions required of council and board.* The City Council and the Advisory Board shall:
 - a. Hold a joint public hearing on the proposed condemnation;
 - b. Publish notice of the time, date, place and purpose of the public bearing on the Utah Public Notice Website;
 - c. Post notice of the time, date, place and purpose of the public hearing in three conspicuous public places within the City; and
 - d. Mail written notice to each owner of land within 1,000 feet of the land proposed for inclusion within an agriculture protection area.
 4. *Approval conditions.*
 - a. If the condemnation is for highway purposes or for the disposal of solid or liquid waste materials, the City Council and the Advisory Board may approve the condemnation only if there is no reasonable and prudent alternative to the use of the land within the agriculture protection area for the project.
 - b. If the condemnation is for any other purpose, the City Council and the Advisory Board may approve the condemnation only if:
 - (1) The proposed condemnation would not have an unreasonably adverse effect upon the preservation and enhancement of agriculture within the agriculture protection area; or
 - (2) There is no reasonable and prudent alternative to the use of the land within the agriculture protection area for the project.
 5. *Decision; failure to act.*
 - a. Within 60 days of receipt of the notice of condemnation, the City Council and the Advisory Board shall approve or reject the proposed condemnation.
 - b. If the City Council and the Advisory Board fail to act within the 60 days, the condemnation shall be considered approved.
 6. *Violations prohibited; action to enjoin.* The City Council or the Advisory Board may request the City Attorney to bring an action to enjoin any condemner from violating any provisions of this subsection.
- E. *Restrictions on state development projects.*
1. Each state agency that plans any development project that might affect land within an agriculture protection area shall submit its development plan to the state commissioner of agriculture and the agriculture protection area's Advisory Board for their review.
 2. The state commissioner of agriculture and the agriculture protection area's Advisory Board shall:
 - a. Review the state agency's proposed development plan; and
 - b. Recommend any modifications to the development project that would protect the integrity of the agriculture protection area or that would protect the agriculture protection area from nonfarm encroachment.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2023-01 , 1-5-2023)

Effective 5/14/2019

Chapter 41

Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas

Part 1

Definitions

17-41-101 Definitions.

As used in this chapter:

- (1) "Advisory board" means:
 - (a) for an agriculture protection area, the agriculture protection area advisory board created as provided in Section 17-41-201;
 - (b) for an industrial protection area, the industrial protection area advisory board created as provided in Section 17-41-201; and
 - (c) for a critical infrastructure materials protection area, the critical infrastructure materials protection area advisory board created as provided in Section 17-41-201.
- (2)
 - (a) "Agriculture production" means production for commercial purposes of crops, livestock, and livestock products.
 - (b) "Agriculture production" includes 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.
- (3) "Agriculture protection area" means a geographic area created under the authority of this chapter that is granted the specific legal protections contained in this chapter.
- (4) "Applicable legislative body" means:
 - (a) with respect to a proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area:
 - (i) the legislative body of the county in which the land proposed to be included in the relevant protection area is located, if the land is within the unincorporated part of the county; or
 - (ii) the legislative body of the city or town in which the land proposed to be included in the relevant protection area is located; and
 - (b) with respect to an existing agriculture protection area, industrial protection area, or critical infrastructure materials protection area:
 - (i) the legislative body of the county in which the relevant protection area is located, if the relevant protection area is within the unincorporated part of the county; or
 - (ii) the legislative body of the city or town in which the relevant protection area is located.
- (5) "Board" means the Board of Oil, Gas, and Mining created in Section 40-6-4.
- (6) "Critical infrastructure materials" means sand, gravel, or rock aggregate.
- (7) "Critical infrastructure materials operations" means the extraction, excavation, processing, or reprocessing of critical infrastructure materials.
- (8) "Critical infrastructure materials operator" means a natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, agent, or other organization or representative, either public or private, including a successor, assign, affiliate, subsidiary, and related parent company, that:
 - (a) owns, controls, or manages a critical infrastructure materials operation; and
 - (b) has produced commercial quantities of critical infrastructure materials from the critical infrastructure materials operations.

- (9) "Critical infrastructure materials protection area" means a geographic area created under the authority of this chapter on or after May 14, 2019, that is granted the specific legal protections contained in this chapter.
- (10) "Crops, livestock, and livestock products" includes:
- (a) land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:
 - (i) forages and sod crops;
 - (ii) grains and feed crops;
 - (iii) livestock as defined in Section 59-2-102;
 - (iv) trees and fruits; or
 - (v) 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.
- (11) "Division" means the Division of Oil, Gas, and Mining created in Section 40-6-15.
- (12) "Industrial protection area" means a geographic area created under the authority of this chapter that is granted the specific legal protections contained in this chapter.
- (13) "Mine operator" means a natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, agent, or other organization or representative, either public or private, including a successor, assign, affiliate, subsidiary, and related parent company, that, as of January 1, 2019:
- (a) owns, controls, or manages a mining use under a large mine permit issued by the division or the board; and
 - (b) has produced commercial quantities of a mineral deposit from the mining use.
- (14) "Mineral deposit" means the same as that term is defined in Section 40-8-4.
- (15) "Mining protection area" means land where a vested mining use occurs, including each surface or subsurface land or mineral estate that a mine operator with a vested mining use owns or controls.
- (16) "Mining use":
- (a) means:
 - (i) the full range of activities, from prospecting and exploration to reclamation and closure, associated with the exploitation of a mineral deposit; and
 - (ii) the use of the surface and subsurface and groundwater and surface water of an area in connection with the activities described in Subsection (16)(a)(i) that have been, are being, or will be conducted; and
 - (b) includes, whether conducted on-site or off-site:
 - (i) any sampling, staking, surveying, exploration, or development activity;
 - (ii) any drilling, blasting, excavating, or tunneling;
 - (iii) the removal, transport, treatment, deposition, and reclamation of overburden, development rock, tailings, and other waste material;
 - (iv) any removal, transportation, extraction, beneficiation, or processing of ore;
 - (v) any smelting, refining, autoclaving, or other primary or secondary processing operation;
 - (vi) the recovery of any mineral left in residue from a previous extraction or processing operation;
 - (vii) a mining activity that is identified in a work plan or permitting document;
 - (viii) the use, operation, maintenance, repair, replacement, or alteration of a building, structure, facility, equipment, machine, tool, or other material or property that results from or is used in a surface or subsurface mining operation or activity;

- (ix) any accessory, incidental, or ancillary activity or use, both active and passive, including a utility, private way or road, pipeline, land excavation, working, embankment, pond, gravel excavation, mining waste, conveyor, power line, trackage, storage, reserve, passive use area, buffer zone, and power production facility;
 - (x) the construction of a storage, factory, processing, or maintenance facility; and
 - (xi) an activity described in Subsection 40-8-4(17)(a).
- (17)
- (a) "Municipal" means of or relating to a city or town.
 - (b) "Municipality" means a city or town.
- (18) "New land" means surface or subsurface land or mineral estate that a mine operator gains ownership or control of, whether that land or mineral estate is included in the mine operator's large mine permit.
- (19) "Off-site" means the same as that term is defined in Section 40-8-4.
- (20) "On-site" means the same as that term is defined in Section 40-8-4.
- (21) "Planning commission" means:
- (a) a countywide planning commission if the land proposed to be included in the agriculture protection area, industrial protection area, or critical infrastructure materials protection area is within the unincorporated part of the county and not within a planning advisory area;
 - (b) a planning advisory area planning commission if the land proposed to be included in the agriculture protection area, industrial protection area, or critical infrastructure materials protection area is within a planning advisory area; or
 - (c) a planning commission of a city or town if the land proposed to be included in the agriculture protection area, industrial protection area, or critical infrastructure materials protection area is within a city or town.
- (22) "Political subdivision" means a county, city, town, school district, special district, or special service district.
- (23) "Proposal sponsors" means the owners of land in agricultural production, industrial use, or critical infrastructure materials operations who are sponsoring the proposal for creating an agriculture protection area, industrial protection area, or critical infrastructure materials protection area.
- (24) "State agency" means each department, commission, board, council, agency, institution, officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau, panel, or other administrative unit of the state.
- (25) "Unincorporated" means not within a city or town.
- (26) "Vested mining use" means a mining use:
- (a) by a mine operator; and
 - (b) that existed or was conducted or otherwise engaged in before a political subdivision prohibits, restricts, or otherwise limits a mining use.

Amended by Chapter 15, 2023 General Session

Part 2

Advisory Boards

17-41-201 Protection area advisory board.

(1)

- (a)
 - (i) A county legislative body shall appoint no more than five members from the county's conservation district board of supervisors to serve as the agriculture protection area advisory board.
 - (ii) A county legislative body shall appoint an industrial protection area advisory board.
 - (iii) Subject to Subsection (1)(b), a county legislative body shall form a critical infrastructure materials protection area advisory board that consists of:
 - (A) the executive director of the Department of Transportation, or the executive director's designee;
 - (B) a local government elected official appointed by the county legislative body;
 - (C) a representative of a local highway authority appointed by the county legislative body;
 - (D) a representative of the critical infrastructure materials industry appointed by the county legislative body; and
 - (E) a representative of the construction industry appointed by the county legislative body.
- (b) A county legislative body may appoint an advisory board before or after a proposal to create an agriculture protection area or industrial protection area is filed. A county legislative body shall appoint a critical infrastructure materials protection area advisory board only after a proposal to create a critical infrastructure materials protection area is filed.
- (2) A member of an advisory board shall serve without salary, but a county legislative body may reimburse members for expenses incurred in the performance of their duties.
- (3) An advisory board shall:
 - (a) evaluate proposals for the establishment of the relevant protection areas and make recommendations to the applicable legislative body about whether the proposal should be accepted;
 - (b) provide expert advice to the planning commission and to the applicable legislative body about:
 - (i) the desirability of the proposal;
 - (ii) the nature of agricultural production, industrial use, or critical infrastructure materials operations, as the case may be, within the proposed area;
 - (iii) the relation of agricultural production, industrial use, or critical infrastructure materials operations, as the case may be, in the area to the county as a whole; and
 - (iv) which agriculture production, industrial use, or critical infrastructure materials operations, should be allowed within the relevant protection area; and
 - (c) perform the other duties required by this chapter.

Amended by Chapter 227, 2019 General Session

Part 3

Proposal and Approval of Protection Area

17-41-301 Proposal for creation of a protection area.

- (1)
 - (a) A proposal to create an agriculture protection area, an industrial protection area, or critical infrastructure materials protection area may be filed with:
 - (i) the legislative body of the county in which the area is located, if the area is within the unincorporated part of a county; or

- (ii) the legislative body of the city or town in which the area is located, if the area is within a city or town.
- (b) A proposal to create a critical infrastructure protection area can only be initiated by the legislative body of the municipality or county. Creation of a critical infrastructure materials protection area is a legislative act.
- (c)
 - (i) To be accepted for processing by the applicable legislative body, a proposal under Subsection (1)(a) shall be signed by a majority in number of all owners of real property and the owners of a majority of the land area in agricultural production, industrial use, or critical infrastructure materials operations within the proposed relevant protection area.
 - (ii) For purposes of Subsection (1)(c)(i), the owners of real property shall be determined by the records of the county recorder.
- (2) The proposal shall identify:
 - (a) the boundaries of the land proposed to become part of the relevant protection area;
 - (b) any limits on the types of agriculture production, industrial use, or critical infrastructure materials operations to be allowed within the relevant protection area; and
 - (c) for each parcel of land:
 - (i) the names of the owners of record of the land proposed to be included within the relevant protection area;
 - (ii) the tax parcel number or account number identifying each parcel; and
 - (iii) the number of acres of each parcel.
- (3) An agriculture protection area, industrial protection area, or critical infrastructure materials protection area may include within its boundaries land used for a roadway, dwelling site, park, or other nonagricultural use, in the case of an industrial protection area, nonindustrial use, or in the case of a critical infrastructure materials protection area, use unrelated to critical infrastructure materials operations, if that land constitutes a minority of the total acreage within the the relevant protection area.
- (4) A county or municipal legislative body may establish:
 - (a) the manner and form for submission of proposals; and
 - (b) reasonable fees for accepting and processing the proposal.
- (5) A county and municipal legislative body shall establish the minimum number of continuous acres that shall be included in an agriculture protection area, industrial protection area, or critical infrastructure materials protection area.

Amended by Chapter 227, 2019 General Session

17-41-302 Notice of proposal for creation of protection area -- Responses.

- (1)
 - (a) An applicable legislative body shall provide notice of the proposal, as a class B notice under Section 63G-30-102, for at least 15 days.
 - (b) A legislative body shall provide the notice described in Subsection (1)(a) for the geographic boundaries of the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area, and the area that extends 1,000 feet beyond the geographic boundaries of the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area.
- (2) The notice shall contain:

- (a) a statement that a proposal for the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area has been filed with the applicable legislative body;
 - (b) a statement that the proposal will be open to public inspection in the office of the applicable legislative body;
 - (c) a statement that any person affected by the establishment of the area may, within 15 days of the date of the notice, file with the applicable legislative body:
 - (i) written objections to the proposal; or
 - (ii) a written request to modify the proposal to exclude land from or add land to the proposed protection area;
 - (d) a statement that the applicable legislative body will submit the proposal to the advisory committee and to the planning commission for review and recommendations;
 - (e) a statement that the applicable legislative body will hold a public hearing to discuss and hear public comment on:
 - (i) the proposal to create the agriculture protection area, industrial protection area, or critical infrastructure materials protection area;
 - (ii) the recommendations of the advisory committee and planning commission; and
 - (iii) any requests for modification of the proposal and any objections to the proposal; and
 - (f) a statement indicating the date, time, and place of the public hearing.
- (3)
- (a) A person wishing to modify the proposal for the creation of the agriculture protection area, industrial protection area, or critical infrastructure materials protection area shall, within 15 days after the date of the notice, file a written request for modification of the proposal, which identifies specifically the land that should be added to or removed from the proposal.
 - (b) A person wishing to object to the proposal for the creation of the agriculture protection area, industrial protection area, or critical infrastructure materials protection area shall, within 15 days after the date of the notice, file a written objection to the creation of the relevant protection area.

Amended by Chapter 435, 2023 General Session

17-41-303 Review of proposal for creation of protection area.

- (1) After 15 days from the date of the notice, the applicable legislative body shall refer the proposal and any objections and proposed modifications to the proposal to the advisory committee and planning commission for their review, comments, and recommendations.
- (2)
 - (a) Within 45 days after receipt of the proposal, the planning commission shall submit a written report to the applicable legislative body that:
 - (i) analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of the county or municipality, as the case may be;
 - (ii) analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;
 - (iii) recommends any modifications to the land to be included in the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area;
 - (iv) analyzes and evaluates any objections to the proposal; and
 - (v) includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.
 - (b) Within 45 days after receipt of the proposal, the advisory board shall submit a written report to the applicable legislative body that:

- (i) recommends any modifications to the land to be included in the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area;
 - (ii) analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;
 - (iii) analyzes and evaluates any objections to the proposal; and
 - (iv) includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.
- (c) The applicable legislative body shall consider a failure of the planning commission or advisory committee to submit a written report within the 45 days under Subsection (2)(a) or (b) as a recommendation of that committee to approve the proposal as submitted.

Amended by Chapter 227, 2019 General Session

17-41-304 Public hearing -- Notice -- Review and action on proposal.

- (1) After receipt of the written reports from the advisory committee and planning commission, or after the 45 days have expired, whichever is earlier, the county or municipal legislative body shall:
- (a) schedule a public hearing;
 - (b) provide notice of the public hearing for the geographic area described in Subsection 17-41-302(1)(b), as a class B notice under Section 63G-30-102, for at least seven days; and
 - (c) ensure that the notice includes:
 - (i) the time, date, and place of the public hearing on the proposal;
 - (ii) a description of the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area;
 - (iii) any proposed modifications to the proposed agriculture protection area, industrial protection area, or critical infrastructure materials protection area;
 - (iv) a summary of the recommendations of the advisory committee and planning commission; and
 - (v) a statement that interested persons may appear at the public hearing and speak in favor of or against the proposal, any proposed modifications to the proposal, or the recommendations of the advisory committee and planning commission.
- (2) The applicable legislative body shall:
- (a) convene the public hearing at the time, date, and place specified in the notice; and
 - (b) take oral or written testimony from interested persons.
- (3)
- (a) Within 120 days of the submission of the proposal, the applicable legislative body shall approve, modify and approve, or reject the proposal.
 - (b) The creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area is effective at the earlier of:
 - (i) the applicable legislative body's approval of a proposal or modified proposal; or
 - (ii) 120 days after submission of a proposal complying with Subsection 17-41-301(2) if the applicable legislative body has failed to approve or reject the proposal within that time.
 - (c) Notwithstanding Subsection (3)(b), a critical infrastructure materials protection area is effective only if the applicable legislative body, at its discretion, approves a proposal or modified proposal.
- (4)
- (a) To give constructive notice of the existence of the agriculture protection area, industrial protection area, or critical infrastructure materials protection area to all persons who have, may acquire, or may seek to acquire an interest in land in or adjacent to the relevant

protection area within 10 days of the creation of the relevant protection area, the applicable legislative body shall file an executed document containing a legal description of the relevant protection area with:

- (i) the county recorder of deeds; and
 - (ii) the affected planning commission.
- (b) If the legal description of the property to be included in the relevant protection area is available through the county recorder's office, the applicable legislative body shall use that legal description in its executed document required in Subsection (4)(a).
- (5) Within 10 days of the recording of the agriculture protection area, the applicable legislative body shall:
- (a) send written notification to the commissioner of agriculture and food that the agriculture protection area has been created; and
 - (b) include in the notification:
 - (i) the number of landowners owning land within the agriculture protection area;
 - (ii) the total acreage of the area;
 - (iii) the date of approval of the area; and
 - (iv) the date of recording.
- (6) The applicable legislative body's failure to record the notice required under Subsection (4) or to send the written notification under Subsection (5) does not invalidate the creation of an agriculture protection area.
- (7) The applicable legislative body may consider the cost of recording notice under Subsection (4) and the cost of sending notification under Subsection (5) in establishing a fee under Subsection 17-41-301(4)(b).

Amended by Chapter 435, 2023 General Session

17-41-305 Criteria to be applied in evaluating a proposal for the creation of a protection area.

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;
- (2) whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;
- (3) whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;
- (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
- (5)
 - (a) in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;
 - (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.

Amended by Chapter 227, 2019 General Session

17-41-306 Adding land to or removing land from a protection area -- Removing land from a mining protection area.

- (1)
 - (a) Any owner may add land to an existing agriculture protection area, industrial protection area, critical infrastructure materials protection area, as the case may be, by:
 - (i) filing a proposal with:
 - (A) the county legislative body, if the relevant protection area and the land to be added are within the unincorporated part of the county; or
 - (B) the municipal legislative body, if the relevant protection area and the land to be added are within a city or town; and
 - (ii) obtaining the approval of the applicable legislative body for the addition of the land to the relevant protection area.
 - (b) The applicable legislative body shall:
 - (i) comply with the provisions for creating an agriculture protection area, industrial protection area, critical infrastructure materials protection area, as the case may be, in determining whether to accept the proposal; and
 - (ii) for purposes of a critical infrastructure materials protection area, request a copy of the applicable Division of Air Quality approval order.
 - (c) The applicable legislative body may deny the expansion if it is contrary to the Division of Air Quality's approval order.
- (2)
 - (a) An owner of land within an agriculture protection area, industrial protection area, or critical infrastructure materials protection area may remove any or all of the land from the relevant protection area, by filing a petition for removal with the applicable legislative body.
 - (b)
 - (i) The applicable legislative body:
 - (A) shall:
 - (I) grant the petition for removal of land from the relevant protection area, even if removal of the land would result in an agriculture protection area, industrial protection area, or critical infrastructure materials protection area of less than the number of acres established by the applicable legislative body as the minimum under Section 17-41-301; and
 - (II) to give constructive notice of the removal to all persons who have, may acquire, or may seek to acquire an interest in land in or adjacent to the agriculture protection area, industrial protection area, or critical infrastructure materials protection area and the land removed from the relevant protection area, file a legal description of the revised boundaries of the relevant protection area with the county recorder of deeds and the affected planning commission; and
 - (B) may not charge a fee in connection with a petition to remove land from an agriculture protection area, an industrial protection area, or critical infrastructure materials protection area.

- (ii) The remaining land in the agriculture protection area, industrial protection area, or critical infrastructure materials protection area is still an agriculture protection area, industrial protection area, or critical infrastructure materials protection area.
- (iii)
 - (A) A critical infrastructure materials operator may abandon some or all of its critical infrastructure materials operations use only as provided in this Subsection (2)(b)(iii).
 - (B) To abandon some or all of a critical infrastructure materials operations, a critical infrastructure materials operator shall record a written declaration of abandonment with the recorder of the county in which the critical infrastructure materials operations being abandoned is located.
 - (C) The written declaration of abandonment under this Subsection (2)(b)(iii) shall specify the critical infrastructure materials operations or the portion of the critical infrastructure materials operations being abandoned.
- (3)
 - (a) If a municipality annexes any land that is part of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area located in the unincorporated part of the county, the county legislative body shall, within 30 days after the land is annexed, review the feasibility of that land remaining in the relevant protection area according to the procedures and requirements of Section 17-41-307.
 - (b) The county legislative body shall remove the annexed land from the relevant protection area if:
 - (i) the county legislative body concludes, after the review under Section 17-41-307, that removal is appropriate; and
 - (ii) the owners of all the annexed land that is within the relevant protection area consent in writing to the removal.
 - (c) Removal of land from an agriculture protection area, industrial protection area, or critical infrastructure materials protection area under this Subsection (3) does not affect whether that land may be:
 - (i) included in a proposal under Section 17-41-301 to create an agriculture protection area, industrial protection area, or critical infrastructure materials protection area within the municipality; or
 - (ii) added to an existing agriculture protection area, industrial protection area, or critical infrastructure materials protection area within the municipality under Subsection (1).
- (4) A mine operator that owns or controls land within a mining protection area may remove any or all of the land from the mining protection area by filing a notice of removal with the legislative body of the county in which the land is located.

Amended by Chapter 227, 2019 General Session

17-41-307 Review of protection areas.

- (1) In the 20th calendar year after its creation under this part, an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, as the case may be, shall be reviewed, under the provisions of this section, by:
 - (a) the county legislative body, if the relevant protection area is within the unincorporated part of the county; or
 - (b) the municipal legislative body, if the relevant protection area is within the municipality.
- (2)
 - (a) In the 20th year, the applicable legislative body may:

- (i) request the planning commission and advisory board to submit recommendations about whether the agriculture protection area, industrial protection area, or critical infrastructure materials protection area, as the case may be, should be continued, modified, or terminated;
 - (ii) at least 120 days before the end of the calendar year, hold a public hearing to discuss whether the relevant protection area, should be continued, modified, or terminated;
 - (iii) give notice of the hearing using the same procedures required by Section 17-41-302; and
 - (iv) after the public hearing, continue, modify, or terminate the relevant protection area.
- (b) If the applicable legislative body modifies or terminates the agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the applicable legislative body shall file an executed document containing the legal description of the relevant protection area, with the county recorder of deeds.
- (3) If the applicable legislative body fails affirmatively to continue, modify, or terminate the agriculture protection area, industrial protection area, or critical infrastructure materials protection area, as the case may be, in the 20th calendar year, the relevant protection area is considered to be reauthorized for another 20 years.

Amended by Chapter 227, 2019 General Session

Part 4

Protection of Land in a Protection Area

17-41-401 Farmland Assessment Act benefits not affected.

- (1) Creation of an agriculture protection area may not impair the ability of land within the area to obtain the benefits of Title 59, Chapter 2, Part 5, Farmland Assessment Act.
- (2) The eligibility of land for the benefits of Title 59, Chapter 2, Part 5, Farmland Assessment Act, shall be determined exclusively by the provisions of that act, notwithstanding the land's location within an agriculture protection area.

Amended by Chapter 297, 2011 General Session

17-41-402 Limitations on local regulations.

- (1) A political subdivision within which an agriculture protection area, industrial protection area, or critical infrastructure materials protection area is created or with a mining protection area within its boundary shall encourage the continuity, development, and viability of agriculture use, industrial use, critical infrastructure materials operations, or mining use, within the relevant protection area by not enacting a local law, ordinance, or regulation that, unless the law, ordinance, or regulation bears a direct relationship to public health or safety, would unreasonably restrict:
 - (a) in the case of an agriculture protection area, a farm structure or farm practice;
 - (b) in the case of an industrial protection area, an industrial use of the land within the area;
 - (c) in the case of a critical infrastructure materials protection area, critical infrastructure materials operations; or
 - (d) in the case of a mining protection area, a mining use within the protection area.
- (2) A political subdivision may not change the zoning designation of or a zoning regulation affecting land within an agriculture protection area unless the political subdivision receives written

approval for the change from all the landowners within the agriculture protection area affected by the change.

- (3) Except as provided by Section 19-4-113, a political subdivision may not change the zoning designation of or a zoning regulation affecting land within an industrial protection area unless the political subdivision receives written approval for the change from all the landowners within the industrial protection area affected by the change.
- (4) A political subdivision may not change the zoning designation of or a zoning regulation affecting land within a critical infrastructure materials protection area unless the political subdivision receives written approval for the change from each critical infrastructure materials operator within the relevant area.
- (5) A political subdivision may not change the zoning designation of or a zoning regulation affecting land within a mining protection area unless the political subdivision receives written approval for the change from each mine operator within the area.
- (6) A county, city, or town may not:
 - (a) adopt, enact, or amend an existing land use regulation, ordinance, or regulation that would prohibit, restrict, regulate, or otherwise limit critical infrastructure materials operations, including vested critical infrastructure materials operations as defined in Section 10-9a-901 or 17-27a-1001; or
 - (b) initiate proceedings to amend the county's, city's, or town's land use ordinances as described in Subsection 10-9a-509(1)(a)(ii) or 17-27a-508(1)(a)(ii).

Amended by Chapter 227, 2019 General Session

17-41-402.5 Limits on political subdivisions with respect to a vested mining use -- Exception.

- (1) A political subdivision may not:
 - (a) terminate a vested mining use, whether by amortization, the exercise of police power, or otherwise;
 - (b) prohibit, restrict, or otherwise limit a mine operator with a vested mining use from exercising the rights permitted under this chapter;
 - (c) require, for a vested mining use:
 - (i) a variance;
 - (ii) a conditional use permit;
 - (iii) a special exception;
 - (iv) the establishment or determination of a nonconforming use right; or
 - (v) any other type of zoning or land use permit; or
 - (d) prohibit, restrict, limit, or otherwise regulate a vested mining use under a variance, conditional use permit, special exception, or other zoning or land use permit issued before May 12, 2009.
- (2) Subsection (1) does not prohibit a political subdivision from requiring a vested mining use to comply with the generally applicable, reasonable health and safety regulations and building code adopted by the political subdivision including a drinking water protection zone as defined and limited to Subsections 19-4-113(5)(a) and (b).

Amended by Chapter 255, 2023 General Session

17-41-403 Nuisances.

- (1) A political subdivision shall ensure that any of the political subdivision's laws or ordinances that define or prohibit a public nuisance exclude from the definition or prohibition:

- (a) for an agriculture protection area, any agricultural activity or operation within an agriculture protection area conducted using sound agricultural practices unless that activity or operation bears a direct relationship to public health or safety;
 - (b) for an industrial protection area, any industrial use of the land within the industrial protection area that is consistent with sound practices applicable to the industrial use, unless that use bears a direct relationship to public health or safety; or
 - (c) for a critical infrastructure materials protection area, any critical infrastructure materials operations on the land within the critical infrastructure materials protection area that is consistent with sound practices applicable to the critical infrastructure materials operations, unless that use bears a direct relationship to public health or safety.
- (2) In a civil action for nuisance or a criminal action for public nuisance under Section 76-10-803, it is a complete defense if the action involves agricultural activities and:
- (a) those agricultural activities were:
 - (i) conducted within an agriculture protection area; and
 - (ii) not in violation of any federal, state, or local law or regulation relating to the alleged nuisance or were conducted according to sound agricultural practices; or
 - (b) a defense under Section 4-44-201 applies.
- (3)
- (a) A vested mining use undertaken in conformity with applicable federal and state law and regulations is presumed to be operating within sound mining practices.
 - (b) A vested mining use that is consistent with sound mining practices:
 - (i) is presumed to be reasonable; and
 - (ii) may not constitute a private or public nuisance under Section 76-10-803.
 - (c) A vested mining use in operation for more than three years may not be considered to have become a private or public nuisance because of a subsequent change in the condition of land within the vicinity of the vested mining use.
- (4)
- (a) For any new subdivision development located in whole or in part within 300 feet of the boundary of an agriculture protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"Agriculture Protection Area

This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal agricultural uses and activities."
 - (b) For any new subdivision development located in whole or in part within 1,000 feet of the boundary of an industrial protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"Industrial Protection Area

This property is located in the vicinity of an established industrial protection area in which normal industrial uses and activities have been afforded the highest priority use status. It can be anticipated that such industrial uses and activities may now or in the future be conducted on property included in the industrial protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal industrial uses and activities."

- (c) For any new subdivision development located in whole or in part within 1,000 feet of the boundary of a critical infrastructure materials protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"Critical Infrastructure Materials Protection Area

This property is located in the vicinity of an established critical infrastructure materials protection area in which critical infrastructure materials operations have been afforded the highest priority use status. It can be anticipated that such operations may now or in the future be conducted on property included in the critical infrastructure materials protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience which may result from such normal critical infrastructure materials operations."

- (d) For any new subdivision development located in whole or in part within 1,000 feet of the boundary of a mining protection area, the owner of the development shall provide notice on any plat filed with the county recorder the following notice:

"This property is located within the vicinity of an established mining protection area in which normal mining uses and activities have been afforded the highest priority use status. It can be anticipated that the mining uses and activities may now or in the future be conducted on property included in the mining protection area. The use and enjoyment of this property is expressly conditioned on acceptance of any annoyance or inconvenience that may result from the normal mining uses and activities."

Amended by Chapter 81, 2019 General Session

Amended by Chapter 227, 2019 General Session

17-41-404 Policy of state agencies.

A state agency shall encourage the continuity, development, and viability of agriculture within agriculture protection areas, industrial uses with industrial protection areas, and critical infrastructure materials operations within critical infrastructure protection areas by:

- (1) not enacting rules that would impose unreasonable restrictions on farm structures or farm practices within the agriculture protection area, on industrial uses and practices within the industrial protection area, or on critical infrastructure materials operations with a critical infrastructure materials protection area, unless those laws, ordinances, or regulations bear a direct relationship to public health or safety or are required by federal law; and
- (2) modifying existing rules that would impose unreasonable restrictions on farm structures or farm practices within the agriculture protection area, on industrial uses and activities within the industrial protection area, or on critical infrastructure materials operations within a critical infrastructure materials protection area, unless those laws, ordinances, or regulations bear a direct relationship to public health or safety or are required by federal law.

Amended by Chapter 227, 2019 General Session

17-41-405 Eminent domain restrictions -- Notice of hearing.

- (1) A political subdivision having or exercising eminent domain powers may not condemn for any purpose any land within an agriculture protection area that is being used for agricultural production, land within an industrial protection area that is being put to an industrial use, or land within a critical infrastructure materials protection area, unless the political subdivision obtains approval, according to the procedures and requirements of this section, from the applicable legislative body and the advisory board.

- (2) Any condemnor wishing to condemn property within an agriculture protection area, industrial protection area, or critical infrastructure materials protection area shall file a notice of condemnation with the applicable legislative body and the relevant protection area's advisory board at least 30 days before filing an eminent domain complaint.
- (3) The applicable legislative body and the advisory board shall:
 - (a) hold a joint public hearing on the proposed condemnation at a location within the county in which the relevant protection area is located; and
 - (b) publish notice of the time, date, place, and purpose of the public hearing for the relevant protection area, as a class A notice under Section 63G-30-102, for at least seven days.
- (4)
 - (a) If the condemnation is for highway purposes or for the disposal of solid or liquid waste materials, the applicable legislative body and the advisory board may approve the condemnation only if there is no reasonable and prudent alternative to the use of the land within the agriculture protection area, industrial protection area, or critical infrastructure materials protection area for the project.
 - (b) If the condemnation is for any other purpose, the applicable legislative body and the advisory board may approve the condemnation only if:
 - (i) the proposed condemnation would not have an unreasonably adverse effect upon the preservation and enhancement of:
 - (A) agriculture within the agriculture protection area;
 - (B) the industrial use within the industrial protection area; or
 - (C) critical infrastructure materials operations within the critical infrastructure materials protection area; or
 - (ii) there is no reasonable and prudent alternative to the use of the land within the relevant protection area for the project.
- (5)
 - (a) Within 60 days after receipt of the notice of condemnation, the applicable legislative body and the advisory board shall approve or reject the proposed condemnation.
 - (b) If the applicable legislative body and the advisory board fail to act within the 60 days or such further time as the applicable legislative body establishes, the condemnation shall be considered rejected.
- (6) The applicable legislative body or the advisory board may request the county or municipal attorney to bring an action to enjoin any condemnor from violating any provisions of this section.

Amended by Chapter 435, 2023 General Session

17-41-406 Restrictions on state development projects.

- (1) A state agency that plans any development project that might affect land within an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, shall submit the state agency's development plan to:
 - (a) the advisory board of the relevant protection area; and
 - (b) in the case of an agriculture protection area, the commissioner of agriculture and food.
- (2) The commissioner of agriculture and food, in the case of an agriculture protection area, and the advisory board shall:
 - (a) review the state agency's proposed development plan; and
 - (b) recommend any modifications to the development project that would protect the integrity of the agriculture protection area, industrial protection area, or critical infrastructure materials

protection area, as the case may be, or that would protect the agriculture protection area from nonfarm encroachment, the industrial protection area from nonindustrial encroachment, or the critical infrastructure materials protection area from encroachment of uses unrelated to critical infrastructure materials operations.

- (3) A state agency and political subdivision of the state that designates or proposes to designate a transportation corridor shall:
- (a) consider:
 - (i) whether the transportation corridor would:
 - (A) be located on land that is included within an agriculture protection area; or
 - (B) interfere with agriculture production activities on land within an agriculture protection area;
 - and
 - (ii) each other reasonably comparable alternative to the placement of the corridor on land within an agriculture protection area; and
 - (b) make reasonable efforts to minimize or eliminate any detrimental impact on agriculture that may result from the designation of a transportation corridor.

Amended by Chapter 227, 2019 General Session

Part 5

Vested Mining Use

17-41-501 Vested mining use -- Conclusive presumption.

- (1)
 - (a) A mining use is conclusively presumed to be a vested mining use if the mining use existed or was conducted or otherwise engaged in before a political subdivision prohibits, restricts, or otherwise limits the mining use.
 - (b) Anyone claiming that a vested mining use has not been established has the burden of proof to show by clear and convincing evidence that the vested mining use has not been established.
- (2) A vested mining use:
 - (a) runs with the land; and
 - (b) may be changed to another mining use without losing its status as a vested mining use.
- (3) The present or future boundary described in the large mine permit of a mine operator with a vested mining use does not limit:
 - (a) the scope of the mine operator's rights under this chapter; or
 - (b) the protection that this chapter provides for a mining protection area.
- (4)
 - (a) A mine operator with a vested mining use shall file a declaration for recording in the office of the recorder of the county in which the vested mining use is located.
 - (b) A declaration under Subsection (4)(a) shall:
 - (i) contain a legal description of the land included within the vested mining use; and
 - (ii) provide notice of the vested mining use.

Enacted by Chapter 376, 2009 General Session

17-41-502 Rights of a mine operator with a vested mining use -- Expanding vested mining use.

- (1) Notwithstanding a political subdivision's prohibition, restriction, or other limitation on a mining use adopted after the establishment of the mining use, the rights of a mine operator with a vested mining use include the rights to:
 - (a) progress, extend, enlarge, grow, or expand the vested mining use to any surface or subsurface land or mineral estate that the mine operator owns or controls;
 - (b) expand the vested mining use to any new land that:
 - (i) is contiguous and related in mineralization to surface or subsurface land or a mineral estate that the mine operator already owns or controls;
 - (ii) contains minerals that are part of the same mineral trend as the minerals that the mine operator already owns or controls; or
 - (iii) is a geologic offshoot to surface or subsurface land or a mineral estate that the mine operator already owns or controls;
 - (c) use, operate, construct, reconstruct, restore, extend, expand, maintain, repair, alter, substitute, modernize, upgrade, and replace equipment, processes, facilities, and buildings on any surface or subsurface land or mineral estate that the mine operator owns or controls;
 - (d) increase production or volume, alter the method of mining or processing, and mine or process a different or additional mineral than previously mined or owned on any surface or subsurface land or mineral estate that the mine operator owns or controls; and
 - (e) discontinue, suspend, terminate, deactivate, or continue and reactivate, temporarily or permanently, all or any part of the mining use.
- (2)
 - (a) As used in this Subsection (2), "applicable legislative body" means the legislative body of each:
 - (i) county in whose unincorporated area the new land to be included in the vested mining use is located; and
 - (ii) municipality in which the new land to be included in the vested mining use is located.
 - (b) A mine operator with a vested mining use is presumed to have a right to expand the vested mining use to new land.
 - (c) Before expanding a vested mining use to new land, a mine operator shall provide written notice:
 - (i) of the mine operator's intent to expand the vested mining use; and
 - (ii) to each applicable legislative body.
 - (d)
 - (i) An applicable legislative body shall:
 - (A) hold a public meeting or hearing at its next available meeting that is more than 10 days after receiving the notice under Subsection (2)(c); and
 - (B) provide reasonable, advance, written notice:
 - (I) of:
 - (Aa) the intended expansion of the vested mining use; and
 - (Bb) the public meeting or hearing; and
 - (II) to each owner of the surface estate of the new land.
 - (ii) A public meeting or hearing under Subsection (2)(d)(i) serves to provide sufficient public notice of the mine operator's intent to expand the vested mining use to the new land.
 - (e) After the public meeting or hearing under Subsection (2)(d)(ii), a mine operator may expand a vested mining use to new land without any action by an applicable legislative body, unless

there is clear and convincing evidence in the record that the expansion to new land will imminently endanger the public health, safety, and welfare.

- (3) If a mine operator expands a vested mining use to new land, as authorized under this section:
- (a) the mine operator's rights under the vested mining use with respect to land on which the vested mining use occurs apply with equal force after the expansion to the new land; and
 - (b) the mining protection area that includes land on which the vested mining use occurs is expanded to include the new land.

Enacted by Chapter 376, 2009 General Session

17-41-503 Abandonment of a vested mining use.

- (1) A mine operator may abandon some or all of a vested mining use only as provided in this section.
- (2) To abandon some or all of a vested mining use, a mine operator shall record a written declaration of abandonment with the recorder of the county in which the vested mining use being abandoned is located.
- (3) The written declaration of abandonment under Subsection (2) shall specify the vested mining use or the portion of the vested mining use being abandoned.

Enacted by Chapter 376, 2009 General Session

Part 6
Open Land and Working Agricultural Land Use

17-41-601 Definitions.

As used in this part:

- (1) "Agricultural land" means "land in agricultural use," as defined in Section 59-2-502.
- (2)
- (a) "Open land" means land that is:
 - (i) preserved in or restored to a predominantly natural, open, and undeveloped condition; and
 - (ii) used for:
 - (A) wildlife habitat;
 - (B) cultural or recreational use;
 - (C) watershed protection; or
 - (D) another use consistent with the preservation of the land in, or restoration of the land to, a predominantly natural, open, and undeveloped condition.
 - (b) "Open land" includes land described in Subsection (2)(a) that contains facilities, including trails, waterways, and grassy areas, that, in the judgment of the county legislative body:
 - (i) enhance the natural, scenic, or aesthetic qualities of the land; or
 - (ii) facilitate the public's access to, or use of, the land for the enjoyment of the land's natural, scenic, or aesthetic qualities and for compatible recreational activities.
 - (c) "Open land" does not include land whose predominant use is as a developed facility for active recreational activities played on fields or courses, including baseball, tennis, soccer, golf, or other sporting or similar activities.
- (3) "Public land county" means a county in which over 50% of the land area is publicly owned.

- (4) "Rollback tax funds" means the rollback taxes paid to a county in accordance with Sections 59-2-506, 59-2-511, 59-2-1705, and 59-2-1710.

Enacted by Chapter 180, 2023 General Session

17-41-602 Use of money -- Criteria -- Administration.

(1) The county treasurer shall:

- (a) pay rollback taxes in accordance with Sections 59-2-506, 59-2-511, 59-2-1705, and 59-2-1710; and
- (b) deposit 20% of the rollback tax funds into an account or fund of the county set aside for preserving or restoring open land and agricultural land.

(2) The percentage of rollback tax funds described in Subsection (1)(b):

- (a) may be used to establish a conservation easement under Title 57, Chapter 18, Land Conservation Easement Act, or to fund similar methods to preserve open land or agricultural land; and
- (b) if the property to be purchased is in a public land county, may not be used to purchase a fee interest in real property to preserve open land or agricultural land, unless, the governmental entity purchasing the property contemporaneously transfers to the private ownership real property, in the same public land county, that is roughly equivalent in size to the property to be purchased.

(3) Eminent domain may not be used or threatened in connection with any purchase using the percentage of rollback tax funds described in Subsection (1)(b).

(4) The funds collected by the account or fund of the county may roll over from year-to-year.

Enacted by Chapter 180, 2023 General Session



STAFF COMMENTS

Agenda Date:	08/10/2023
Application Number:	
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	
Request:	Amend Title 10 Chapter 7 with regards to grading permit standards

Discussion:

On August 3rd, 2023 the City Council directed staff to propose changes to Hurricane City Code Title 10 Chapter 7 Section 23. The Black Ridge development (formerly Colina Tinta) had applied for a grading permit to do some corrective grading to property within their development that had been subject to mass grading by the previous owner. The Council directed staff to amend the ordinance to remove the City Council from the process and to clarify or strike the “not scheduled for immediate or reasonably imminent development” standard. It was brought up that an applicant would not apply for a grading permit if they were not planning on developing the property.

Existing Ordinance:

Sec. 10-7-23. - Grading permit by exception.

Notwithstanding any other provision in this title to the contrary, the Zoning Administrator shall be authorized, upon an affirmative vote of the City Council, to issue a grading permit for property not scheduled for immediate or reasonably imminent development upon such terms and conditions as may be deemed necessary by said City Council to guarantee the protection of the property and neighboring properties against problems resulting from such grading, including, but not limited to, the accumulation of weeds, soil erosion, surface drainage and dust.

Draft Council Minutes 08/03/2023:

1. Consideration and possible approval of directing the Zoning Administrator to issue a grading permit for Black Ridge-Mark Horton

Mayor read summary. Staff has had a chance to review. Meets the conditions. Bond is 10% of the project. Undo the mess of the grading by the previous owner. Fred explains the code requires the Council to direct the staff to issue a grading permit to a development that isn't ready for development right away. They have not submitted any plans. They are just trying to fix the mess that was made. Mayor update ordinance. wouldn't grade if they weren't planning on development. Require same things and just allow it. Dayton asked for clarification if the Council all feels the same. Mike explained this ordinance was adopted because of the property that is being discussed. Used to be approved by staff. They wanted to prevent large developments from creating problems and then going away. Thinks should be done on staff level. Prete clarified this only allows them to move dirt. Could dig holes and change drainage for property owners below them. Mike the reason for the bond. Prete more restrictive is better. Dayton explains interpret to mean. If this is going to be opened up then clarify what the requirements are and make it more clear. Prete add penalties. All agreed to open the code.

Prete motioned to approve subject to reclamation bond and ? Seconded by Sanders. All aye.

Recommendation:

Staff will meet with the relevant departments and come up with a working draft ordinance by meeting time. Staff recommends the Planning Commission read the existing ordinance and come to the meeting ready to discuss this ordinance.



STAFF COMMENTS

Agenda Date:	08/10/2023
Application Number:	LUCA 23-06
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City Business Licensing
Agent:	
Request:	Amend Title 10 Chapter 15 with regards to standards for vendor carts

Discussion:

Utah State House Bill 408, passed in 2023, changes the State law with regards to mobile businesses like food trucks, vendor carts, and other types of businesses conducted in nonstationary enclosures.

The full state law can be found at: <https://le.utah.gov/~2023/bills/static/HB0408.html>

HB408 defines mobile businesses and states that municipalities must accept business licenses for mobile businesses issued by other municipalities. For example, a food truck that obtains a business license in St. George could not also be required to obtain a business license in Hurricane even if they do business in Hurricane from time to time, the majority of time, or even all the time. There are exceptions for health department and fire department permits.

Attached are two ordinances staff proposed to be amended in order to come into compliance with state code. Pursuant to City Code, the Planning Commission is only required to make a recommendation on the proposed changes to Title 10, Chapter 15, in which the requirements regarding vendor carts are being removed to be regulated, along with all other mobile businesses, under the proposed Title 3 amendment. The proposed changes to Title 3 define mobile businesses in identical ways to the state code and require that mobile businesses operating within city limits either obtain a business license from the City or present a copy of their business license in another city or county for record keeping purposes.

Recommendation:

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

08/10/2023

CHAPTER 15. COMMERCIAL ZONES

Sec. 10-15-1. Purpose.

See section 10-11-2 of this title.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-2. Scope.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-3. Uses allowed.

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

TABLE 10-15-1
PERMITTED AND CONDITIONAL USES ALLOWED IN COMMERCIAL ZONES

Use	Zones				
	NC	GC	HC	PC	POC
Residential uses:					
Building, accessory	P	N	N	P	P
Dwelling, multiple-family ⁴	C	C	C	P	P
Dwelling, single-family ⁴	N	N	N	P	N
Dwelling, temporary	N	N	N	N	N
Dwelling, two-family ⁴	N	N	N	P	P
Manufactured home	N	N	N	N	N
Manufactured/mobile home park	N	N	N	N	N
Protective housing facility	N	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P	P
Residential facility for elderly persons ¹	P	N	N	P	P
Residential facility for persons with a disability ¹	P	N	N	P	P
Residential facility for troubled youth	N	N	N	N	N
Transitional housing facility	N	N	N	N	N
Public and civic uses:					

Auditorium or stadium	N	P	P	P	N
Bus terminal	N	P	P	P	N
Cemetery	P	P	P	P	P
Church or place of worship	P	P	P	P	P
Club or service organization	P	P	P	P	P
Convalescent care facility	N	P	P	P	N
Cultural service	P	P	P	P	P
Golf course	P	P	P	P	P
Government service	N	P	P	P	N
Hospital	N	P	P	P	N
Operations center	N	P	P	P	P
Park	P	P	P	P	P
Post office	P	P	P	P	P
Protective service	P	P	P	P	P
Reception center	C	P	P	P	P
Utility, major ³	N	N	N	C	C
Utility, minor ³	P	P	P	P	P
Utility substation ³	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	N	P	P	P	N
Animal hospital	P	P	P	P	N
Bail bond service	N	P	P	P	N
Bank or financial institution	P	P	P	P	P
Bed and breakfast, home	N	N	N	N	N
Bed and breakfast inn	P	P	P	P	N
Business equipment rental, services, and supplies	P	P	P	P	P
Car wash	P	P	P	P	P
Club, private	N	P	P	P	N
Construction sales and service	N	P	P	N	N
Convenience store	P	P	P	P	P
Family child daycare facility ²	P	N	N	P	N
Family child group daycare facility ²	P	N	N	P	N
Family child residential certificate care facility ²	P	N	N	P	N
Family childcare center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N
Medical service	P	P	P	P	P

Created: 2023-06-22 10:11:34 [EST]

(Supp. No. 2, Update 1)

Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	P	P
Recreation and entertainment, indoor	P	P	P	P	P
Recreation and entertainment, outdoor	N	P	P	P	N
Recreational vehicle park	N	N	P	N	N
Repair service	P	P	P	N	P
Research service	N	P	P	N	N
Restaurant, fast food	P	P	P	P	P
Restaurant, general	P	P	P	P	P
Retail, general	P	P	P	P	P
Secondhand store	P	P	P	P	P
Shopping center	P	P	P	P	P
Takeoff and landing of aircraft	N	N	N	N	N
Tattoo establishment	P	P	P	N	N
Tavern	N	P	P	P	N
Temporary trailer	P	P	P	P	P
Transportation service	N	P	P	N	N
Vehicle and equipment rental or sale	N	P	P	N	N
Vehicle and equipment repair, general	N	P	P	N	N
Vehicle repair, limited	N	P	P	N	P
Veterinary service	P	P	P	N	N
Warehouse, self-service storage	P	P	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title				
Industrial uses:					
Laundry services	N	N	N	P	N
Wholesale and warehousing, general	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N

Notes:

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See chapter 45 of this title.
4. In the area designated as downtown district on the general plan map, existing single family residential uses may continue as permitted residential uses. Use and development standards for an R-1-8 zone shall apply. Existing approved multi-family and two family uses may continue as permitted residential uses. Use and development standards for an RM-3 zone would apply.

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

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in commercial zones shall include, but not be limited to, the following:

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

Accessory dwelling units for security and maintenance personnel.

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

Garages and off street parking areas, subject to applicable standards of chapter 34, off street parking and loading, of this title.

Recreational areas and facilities for the use of employees.

Recycling collection stations.

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

Temporary uses, subject to applicable standards of chapter 48, temporary uses, of this title.

(Ord. 2012-8, 10-18-2012; Ord. 2016-11, 11-17-2016; Ord. 2017-14, 8-17-2017; Ord. No. 2021-05 , 6-3-2021; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-4. Development standards.

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

TABLE 10-15-2
DEVELOPMENT STANDARDS IN COMMERCIAL ZONES

Development standard	Zones				
	NC	GC	HC	PC	POC
Lot standards:					
Minimum lot area	No requirement	No requirement	No requirement	5 acres (see note 3)	5 acres
Minimum lot width	No requirement	No requirement	No requirement	No requirement	No requirement
Building standards:					
Maximum height, main building ¹	35 feet	35 feet	35 feet	55 feet	55 feet
Maximum height, accessory building	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards—front yard:					
All buildings ²	20 feet	20 feet	20 feet	12 feet, corner lots 20 feet	20 feet
Setback standards—rear yard:					
Main building	New building on a lot abutting an existing agricultural or				

Accessory building	residential use: 10 feet. Otherwise: no requirement.				
Setback standards—interior side yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet Otherwise: No requirement				
Accessory building					
Setback standards—street side yard:					
Main building	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

Notes:

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-5. Regulations of general applicability.

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

- A. Design and compatibility standards: see chapter 33 of this title.
- B. Landscaping and screening: see chapter 32 of this title.
- C. Motor vehicle access: see chapter 35 of this title.
- D. Natural resource inventory: see chapter 31 of this title.
- E. Off street parking: see chapter 34 of this title.
- F. Signs: see chapter 36 of this title.
- G. Supplementary development standards: see chapter 37 of this title.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-6. Regulations for specific uses.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-12 , 5-5-2022)

Sec. 10-15-7. Special regulations.

- A. *Increased height.* Notwithstanding the height limitations shown in section 10-15-4, table 10-15-2 of this chapter a greater building height may be allowed in a commercial zone for a commercial use pursuant to a conditional use permit.
- B. *Use within an enclosed building.* Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be conducted completely within a completely enclosed building, except for the parking of motor vehicles and services to persons therein.
- C. *Dust, odor, smoke, noise, and vibration.* Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.
- D. *Highway commercial zone location.* For property abutting SR-9, the highway commercial zone shall begin at the highway right-of-way line and shall extend a distance of 500 feet from the state highway right-of-way line.

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

~~1. *Definitions.*~~

~~*Special event cart* means a vendor cart, booth, or similar temporary structure designed and used for the sale of goods and services at a special event for which the City has issued a special event permit pursuant to title 7, chapter 7 of this Code.~~

~~*Vendor cart* means a cart that is not motorized; and that a vendor, standing outside of the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption or used for retail sells; or a motor vehicle that a vendor, standing outside of the frame of the vehicle, uses to sell or serve prepackaged food or beverages for human consumption. Food trucks are excluded by this definition.~~

~~2. *Rules and limitations.*~~

~~a. *Vendor cart locations.* Vendor carts are permitted only in those land use zones where commercial uses are allowed. Special event vendor carts are permitted anywhere within the City if authorized by a special event permit issued by the City or at a special event sponsored by the City. In addition to special events, the City may permit vendor carts to be located at City or state recreation spaces.~~

~~b. *Vendor cart general design standards.* Vendor carts are subject to the following general design standards:~~

~~(1) *Vendor carts must be constructed of a professional quality for use as a vending cart.*~~

~~(2) *Vendor carts must be in good working condition, with no broken or rusty parts. All exterior materials must be kept clean and in neat appearance. Metal and/or wood may be used as exterior finishes. Metal surfaces shall be suitable for long term use in an exterior location. Metal vendor cart exteriors must have finished edges, concealed seams, and overlapping joints. Wood details and finishes must be suitable for long wear in an exterior location and finished in a craftsmanlike manner.*~~

~~(3) *Vendor carts must be windproof, waterproof and locked when not in operation.*~~

~~(4) *Vendor cart must be on wheels.*~~

~~c. *Additional requirements for all vendor carts.*~~

-
- ~~(1) Vendor carts must be located on private property except vendors granted space by permit at City or state owned recreation sites if such permit is established.~~
 - ~~(2) When a vendor cart is independently connected to the City's culinary or irrigation water systems, power system or the Ash Creek special service district sewer system, all applicable fees must be paid.~~
 - ~~(3) Property owner and/or vendor shall maintain the premises and the cart in a clean, safe, and orderly condition at all times; including providing a garbage receptacle.~~
 - ~~(4) Operators of vendor carts must obtain and maintain in full force and effect throughout the permit a valid City business license.~~
 - ~~(5) The operator of a vendor cart shall comply with all applicable health regulations.~~
 - ~~(6) All storage boxes, cartons, and coolers used in connection with the operation of a vendor cart shall be hidden from public view.~~
 - ~~(7) All signage must be attached to a vendor cart. Freestanding signage on or for a vendor cart is prohibited except for one two foot by three foot A-frame sign that may be displayed when the vendor cart is in operation. Said sign may not be located on a public sidewalk.~~
 - ~~(8) A vendor cart site must not create a public safety hazard. Accordingly, no aboveground pipes are permitted. Extension cords may be used only if the cord is located outside an area where the public has access.~~
 - ~~(9) Vendor carts must comply with Ash Creek special service district regulations for grease traps and waste disposal must be at an approved facility.~~
- d. ~~Special event carts. Special event carts may be approved only in connection with and pursuant to the procedures for the review and approval of an event permit issued by the City pursuant to title 7, chapter 7 of this Code or at a special event sponsored by the City or at an event held at the Washington County Regional Park.~~
- ~~Special event carts are subject to the applicable terms and conditions of the event permit. The provisions of this chapter do not apply to special event vendor carts.~~

(Ord. 2014-13, 11-20-2014; Ord. 2020-12, 3-5-2020; Ord. No. 2022-12, 5-5-2022)

Sec. 10-15-8. Planned commercial standards.

- A. *Purpose.* Planned commercial developments shall incorporate elements of commercial and residential within each zoned area and development.
- B. *Mix use types.* Planning commercial developments shall incorporate both commercial and residential uses. The following definitions apply to this section:
 1. *Horizontal mix use.* Development that combines single-use buildings on distinct parcels on a range of land uses in a planned development project.
 2. *Vertical mixed use.* Development that combines different uses in the same building. Commercial or public uses shall only occupy lower levels.
 3. *Live/work unit.* A single unit consisting of both a commercial use/office and a residential component that is occupied by the same resident. A live/work unit shall not exceed two bedrooms for the residential portion of the unit. A live/work unit shall be the primary dwelling of the occupant. Live/work units may only be owner-occupied and cannot be sublet to long-term or short-term renters.

The owner-occupied requirement and prohibition of long-term or short-term renters shall be included in a recorded deed restriction prior to or as a condition of final site plan approval.

- C. *Site plan.* A preliminary site plan shall be submitted with every zone change to planned commercial.
- D. *Regulations.* Planned commercial developments are subject to the following:
1. A minimum of 20 percent of the development area shall be used for commercial uses listed in table 10-15-1. A minimum of 20 percent of the development area shall be used for long-term residential use as listed in table 10-15-1.
 - a. The residential versus commercial area shall be calculated based on the intended use of improvements such as buildings, features, amenities, and infrastructure for either commercial or residential needs. Improvements intended to support both residential and commercial shall be calculated based on the percentage of the improvements that will be impacted either by commercial or residential needs. Mix use buildings use percentage shall be calculated in the same manner as calculating area for density.
 - b. The preliminary site plan shall show general areas and proposed percentages of use. Applicants shall provide final percentages of uses within the final site plan application. Percentage calculations shall be approved by the Planning Commission.
 2. The Planning Commission may approve a lower percentage of long-term residential use for developments that are adjacent to multi-family development.
 3. The Planning Commission may approve a lower percentage of commercial use if the project is located within or adjacent to existing commercial property.
 4. Each project shall have a mixture of residential and commercial use.
- E. *Residential density.* The planned commercial developments shall not exceed 15 units an acre for residential areas except as stated within this section.
1. *Forty percent commercial area.* Projects that contain a minimum area of 40 percent for commercial use shall not exceed 17 units an acre for residential areas.
 2. *Affordable housing.* Projects shall not exceed 17 units an acre for residential areas that reserve ten percent of given units as affordable housing.
 - a. *Defined.* "Affordable housing" means housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80 percent of the median gross income for households in the county. Housing costs must be affordable based on housing and urban development standards.
 - b. *Duration and requirements of affordability.*
 - (1) *Affordable rental unit.* An affordable rental unit shall remain affordable for a period of 25 years from the time a certificate of occupancy is issued. Prior to or as a condition of approval of a final site plan, a deed restriction requiring compliance with this section shall be recorded with the county recorder, which deed restriction shall run with the land and bind all assigns, heirs, and successors of the applicant.
 - (2) *Affordable ownership unit.* An affordable ownership unit shall be sold only to income-qualified households for a period of 25 years from the time a certificate of occupancy is issued. Prior to or as a condition of approval of a final site plan, a deed restriction requiring compliance with this section shall be recorded with the county recorder, which deed restriction shall run with the land and bind all assigns, heirs, and successors of the applicant.

-
3. *Limitation.* A planned commercial project shall not exceed 20 units an acre for residential areas by providing both 40 percent of the area as commercial use and ten percent of given residential units as affordable housing according to the standards listed within these sections.
 4. *Residential areas.* Residential areas shall be calculated based on the following:
 - a. *Horizontal mix use.* Residential areas shall be calculated based on the footprint of residential buildings and sections of buildings, parking, amenities, roadways that primarily serve residential areas and other residential uses.
 - b. *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.
 - (1) Example: if a two-story building has a building square footage of 10,000 square feet and a 5,000 square feet footprint, and the first floor is completely commercial use and the second floor is residential use, then 2,500 square feet (50 percent of the footprint of the building) shall count towards the density of residential use.
 5. *Live/work units.* Live/work units as defined in this chapter shall be considered commercial use and shall not count toward the overall density of the project.
 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.
 - a. *Parking.* Shared parking must comply with section 10-34-9 of this Code.
 - F. *Development agreement.* A development agreement between the city and the applicant may be required by the City Council and executed before the zoning designation shall be effective.
 - G. *Landscaping.* Landscaping within a planned commercial development shall comply with the following standards:
 1. 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.
 2. The applicant shall comply with City standards for landscaping.
 3. 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.
 4. 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.
 - H. *Off street parking.*
 1. Parking areas shall be designed to allow greater pedestrian connectivity and to limit conflicts between vehicular and pedestrian use.
 2. For commercial parking, parking lots shall not be located in front of buildings nearest the right-of-way but shall be contained within parking lots located to the side or behind buildings that front the right-of-way. Commercial buildings may only be located behind parking lots if other buildings are fronting onto the right-of-way.

-
3. Each building shall provide pedestrian access from the nearest right-of-way to the main entrance of the building with a paved path and marked crossings for private drives.
 4. All developments must comply with all other City off street parking standards.
 - I. *Street design.* A developer or the City may propose different street cross-sections that enhance walkability, street life, outdoor gathering, traffic calming, street parking, and beautification. The City Council may approve a different street cross-section after a recommendation from the Planning Commission.

(Ord. No. 2022-12 , 5-5-2022)

Sec. 3-1-2. Definitions.

As used throughout this chapter, the following terms or phrases shall have the following meanings:

Business includes all kinds of vocations, occupations, professions, enterprises, establishments and all other kinds of activities and matters, whether full time or part time, together with all devices, machines, vehicles and appurtenances related thereto, any of which are conducted for private profit or benefit, either directly or indirectly, on any premises within the City. Any person or entity engaged in rental of two or more rental dwelling units for profit shall be considered to be engaging in business.

City means Hurricane City, Utah.

Conditional use permit means a permit, based upon compliance with certain conditions, issued by the planning commission for the use of property adjudged to be in harmony with the intent and purpose of a specified zone but not included in the list of permitted uses for the zone. A conditional use permit must be obtained prior to the issuance of a business license for any business making use of property which is not included in the list of permitted uses within a specified zone. However, a conditional use permit shall not be required for the issuance of a business license for any business making use of property which is included in the list of permitted uses within a specified zone.

Enclosed mobile business means a business that maintains ongoing mobility and of which the receipt of goods or services offered and point of sale occurs within an enclosed vehicle, an enclosed trailer, or an enclosed mobile structure. Goods or services include those offered in the following industries: barber, beauty and cosmetic – including nail, eyelash, and waxing, cycling, cell phone, computer, footwear, media archive and transfer, pet grooming, sewing and tailoring, small engine, and tool.

Engaging in business includes, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any vocation, occupation, profession, trade or other calling; provided, however, that the rendering of personal services by an employee to his employer under any contract of personal employment, express or implied, shall not constitute "engaging in business", as herein defined.

Food cart means a cart:

- A. That is not motorized; and
- B. That a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food beverages for immediate human consumption.

Food truck means a fully encased food service establishment:

- A. On a motor vehicle or on a trailer that a motor vehicle pulls to transport; and
- B. From which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption.

Ice cream truck means a fully encased food service establishment:

- A. On a motor vehicle or on a trailer that a motor vehicle pulls to transport;
- B. From which a vendor, from within the frame of the vehicle, serves ice cream;
- C. That attracts patrons by traveling through a residential area and signaling the truck's presence in the area, including playing music; and
- D. That may stop to serve ice cream at the signal of a patron.

License means the certificate or document issued by the City and signed by the City recorder-clerk evidencing permission or authority from the City to the holder named therein to carry on a particular business or occupation at a particular location.

Mobile business means an enclosed mobile business, a food cart, a food truck or an ice cream truck.

Nonprofit enterprise means a business, no part of the income of which is distributable to its owners, members or operators, unless such owner or operator shall be a religious or eleemosynary institution.

Operator means a person, including a vendor, who owns, manages, controls, or operates a mobile business.

(1998 Code § 9-111; Ord. 21-5-3A, 5-3-2001; Ord. 10-2-03B, 10-2-2003; Ord. 2007-19, 9-20-2007; Ord. 2014-13, 11-20-2014; Ord. 2020-21, 11-5-2020)

Sec. 3-1-4. License required.

- A. It shall be unlawful for any person or entity, either directly or indirectly, to engage in business within the corporate limits of the City without having first obtained an annual business license, whether such license shall be a new license or renewal license, and without having first paid the applicable license fee in accordance with all provisions of this chapter.
- B. Any person or entity engaging in bona fide agricultural activities and selling the produce thereof shall not be required to obtain a business license.
- C. A mobile business shall provide a copy of their current business license, health inspection and fire inspection to the business licensing clerk. If they have a current business license in good standing from another political subdivision in the state, a license is not required. If they do not, they are required to obtain a license.

(1998 Code § 9-210; Ord. 2013-12, 11-7-2013)

Sec. 3-1-8. Rules, regulations and requirements.

- A. *Nature and location of business.* Each license issued by the City Recorder-Clerk shall authorize the licensee to carry on, pursue or conduct only that type of general business

specified in such license and only at the location specified therein. A different type of general business activity than that specified in said license shall require issuance of a separate license and a business at a location different from that indicated on the license shall be considered a branch establishment and shall require a separate license.

- B. *Joint license.* Any person or entity engaged in two or more businesses at the same location may, in the discretion of the City Recorder-Clerk, be required to obtain separate business licenses for the conduct of each business; provided, however, that when such businesses are sufficiently similar or complementary, a single license may be issued which shall specify on its face all such businesses to be operated at that location; and further provided, that any person obtaining a license under chapter 2 of this title for the sale of beer or other alcoholic beverage must also obtain the applicable license for the business or branch establishments.
- C. *Branch establishments.* A separate license must be obtained for each branch established or each separate place of business in which the business activities of a licensee are carried on, except that warehouses and distributing plants used in connection with and incidental to a business licensed under the provisions of this chapter shall not be deemed to be separate places of business or branch establishments.
- D. *Display of license.* Every business license issued under this chapter shall be posted by the licensee in a conspicuous place upon the wall of the building, room or office of the place of business so that the same may be easily seen. When the business license has expired, it shall be removed by the licensee from such place in which it has been posted, and no business license which is not in force and effect shall be permitted to remain posted upon the wall or any part of any room within the place of business. If the licensee's business is such that a license cannot be displayed due to the transient or mobile nature of the business, the licensee shall carry the license on his person and, upon request by an authorized officer, shall present the license at such time or times while the licensee is engaged or pursuing the business for which the license is granted.
- E. *Transfer prohibited.* No license granted or issued under any ordinance of this City shall be assigned or transferred to any other person or entity. It shall not be deemed to authorize any person or entity other than the person or entity named therein to do business or to authorize any other business, calling, trade or profession than is named therein.
 - 1. Nor shall any license be transferred to any location not named therein without the licensee first having applied for a change in business location on such form as directed by the City Recorder-Clerk. A new application fee shall be required to process the application. If the address change occurs at time of renewal, no fee shall be assessed. Upon approval of a business location change, the City Recorder-Clerk will issue a new license showing the approved location and shall thereby nullify the previously issued license.
- F. Ice cream trucks, catering businesses, food carts, and food trucks are permitted to operate within the City limits subject to the following operating conditions.

1. *Ice cream trucks.* No such unit shall be permitted to stop in any one location for a period of more than ten minutes and shall not operate in a manner that impedes traffic, obstructs parking, or endangers pedestrians.
 2. *Catering.* Permitted to conduct business only at those locations where they have been contracted to provide service.
 3. *Food trucks and food carts.* Must be located on an improved commercial area and have property owner's permission.
- G. *Compliance with other laws.* As a condition of receiving a business license, the applicant or licensee shall comply with all other federal, state, and local laws applicable to the business and provide information showing compliance to the satisfaction of the City Recorder-Clerk.

Compliance with other laws includes, but is not limited to, obtaining appropriate licenses through any federal or state agencies that regulate the business, registering with the Utah State Tax Commission, and obtaining necessary approvals from the Hurricane Valley Fire District, Ash Creek Special Services District, and the Southwest Utah Public Health Department.

(1998 Code §§ 9-301—9-304; 2000 Code; Ord. 2017-01, 1-5-2017; Ord. 2017-13, 8-17-2017; Ord. 2020-21, 11-5-2020; Ord. No. 2022-57 , 10-20-2022)

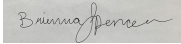
**Application**

Permit #:

ZC23-21

Issue Date:

07/18/2023

Application Accepted Date: 07/17/2023		Valuation		\$	0.00
Type of Improvement: Zone Change Application		PERMIT FEES			
Description: A zone change request for the next phase of the Dr		Planning Fee		\$	500.00
Tenant / Project Name: Dratter Estates Phase 2		Sub Total:		\$	500.00
Bldg. Address: 820 S 840 W		Permit Total:		\$	500.00
City: Hurricane State: UT Zip: 84737		Amount Paid:		\$	500.00
Subdivision: Dratter Estates Phase: 2		Remaining Due:		\$	0.00
Block: Lot #: Parcel #: H-3-2-3-4220-C		 			
Zone: RA-1					
Property Owner: Interstate Rock Products, Inc.					
Permit Contact: Chase Stratton P:(435) 773-3666					
Email: chase.stratton@interstaterock.com					
CONTACT INFORMATION					
General Contractor: Dratter Estates Phase 2 / Chase Stratton					
License #: P: (435) 773-3666					
City: State: Zip:					
Email: chase.stratton@interstaterock.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: PENDZC23-21					
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 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: Chase Stratton					
Signature of Applicant/Authorized Agent or Owner: Date:					
Application Approved By:				Date:	
				07/18/2023	
Application Issued By:				Date:	
				07/18/2023	
Receipt #: 8.170776-07/18/23					

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

:ss

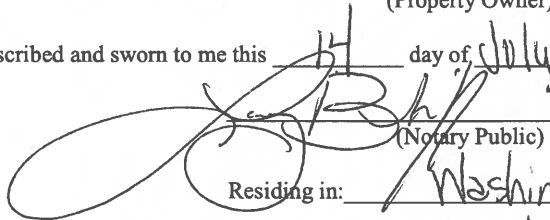
COUNTY OF)

I (we), CHASE STRATTON (INTERSTATE ROCK PRODUCTS, INC.), being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.


(Property Owner)

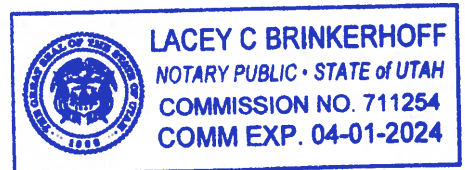
(Property Owner)

Subscribed and sworn to me this 14 day of July 2023


(Notary Public)

Residing in: Washington

My Commission Expires: 04-01-2024



Agent Authorization

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) _____ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

(Property Owner)

(Property Owner)

Subscribed and sworn to me this _____ day of _____ 20__.

(Notary Public)

Residing in: _____

My Commission Expires: _____

Agenda Date:	8/10/2023
Application Number:	ZC23-21
Type of Application:	Zone Change Application
Action Type:	Legislative
Applicant:	Interstate Rock Products
Agent:	Chase Stratton
Request:	Zone Change from RA-1 to RA-0.5
Location:	820 S 840 W
Zoning:	RA-1
General Plan Map:	Single Family

Discussion:

The applicant requests a zone change from RA-1 to RA-0.5 for Phase 2 of Dratter Estates. A similar zone change was approved in July 2021 for Phase 1 of the project, located to the north of the site. Both phases of the project will be developed concurrently.

	Zoning	Adjacent Land Use
North	RA-0.5	Single Family Homes (i.e. Phase 1 of Dratter Estates)
East	RA-1, PF	Single Family Homes, some agriculture, schools, parks
South	RA-1	Mostly agriculture
West	RA-0.5	Single Family Homes, some agriculture

Analysis:

1. Is the proposed amendment consistent with the City's General Plan's goals, objectives, and policies?

Response: The General Plan Map shows this area as a Single Family Residential, which intends uses characterized by single-family homes and “*should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6*”.

Based on the densities cited above, the proposed zone change to RA-0.5 does not strictly comply with the General Plan Map, however it would be considered a less intensive single-family zone. The site is also in an area that is close to parks, schools, and churches, therefore staff feels this action sufficiently meets the intent of the goals, objectives, and policies of the general plan.

The Planning Commission has recommended that staff remap this area of the General Plan Map to Rural Residential because of its agricultural heritage. In the event of an amendment to the General Plan Map for the site to the Rural Residential designation, this zone change would comply with that designation as well.

2. Is the proposed amendment harmonious with the overall character of existing development in the subject property's vicinity?

Response: The proposed zone change will allow for single family homes to be built on larger lots. This is harmonious with the surrounding development. These lots will be similar in size to those in Phase 1 of Dratter Estates.

3. Will the proposed amendment adversely affect the adjacent property?

Response: The proposed amendment is well within the area's densities approved by the General Plan and most of the immediately adjacent property is relatively undeveloped. The project will improve fire access and water looping, since the applicant will be required to have a second access which will bring greater accessibility to the region. Thus, the proposed amendment will not adversely affect the adjacent property.

4. Are public facilities and services adequate to serve the subject property?

Response: As discussed in the previous response, development of this property will require water looping to 700 W or 920 W (most likely 700 W), however JUC had no concerns with overall availability of public utilities. See JUC comments below.

Other Considerations

JUC Comments:

1. **Public Works:** Need connectivity to 900 S for water loop.

2. **Power:** No concerns
3. **Sewer:** No comments
4. **Streets:** Okay with zone change.
5. **Water:** This may require a water line loop.
6. **Engineering:** 900 S is a master planned 60' wide master planned road. Cannot fully provide services to the property without the assistance of neighboring properties.
7. **Fire:** No comments
8. **Cable:** No comments
9. **Phone:** No comments
10. **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. Any preliminary plat application will be required to show the proposed water looping and fire access route for phase 2

Findings:

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Most of the surrounding development is large lot single family homes.
3. The proposed amendment will not adversely impact the area, and is within the parameters of the General Plan.
4. Services are adequate to serve the area and proposed project.

Recommendation: Staff recommends the Planning Commission review this application and the zone change based on the standards and consider residents' comments. Staff recommends approval.



Legend

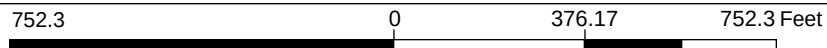
- Parcels**

Ownership

 - U.S. Forest Service
 - U.S. Forest Service Wilderness
 - Bureau of Land Management
 - Bureau of Land Management Wilderness
 - National Park Service
 - Shiwiwits Reservation
 - Utah Division of Wildlife Resources
 - Utah Division of Transportation
 - State Park
 - State of Utah
 - Washington County
 - Municipally Owned
 - School District
 - Privately Owned
 - Water
 - Water Conservancy District
 - State Assessed Oil and Gas
 - Mining Claim

Notes

Zone Change from RA-1 to RA-0.5 for
Dratter Estates Phase 2.



WGS 1984 Web Mercator Auxiliary Sphere

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible for any claims, losses or damages resulting from the use of this map.



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY SITE PLAN APPLICATION

For office use only: \$200.00 Fee

File No. _____

Receipt No. _____

Name: Balance of Nature Telephone: 800-246-8751

Address: 1568 S. River Rd., #200, St. George, UT 84790 Fax No. _____

Email: promedmgt@gmail.com Agent Email: fish.b@owp.com

Agent (If Applicable): Brian fish, Orcutt|Winslow Telephone: 602-430-7081

Address/Location of Subject Property: NEC of 2400 W and 2900 S

Tax ID of Subject Property: H-3373-NP-BL Zone District: M-1

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) Shell building and related site work for future manufacturing / office / warehouse use.

This application shall be accompanied by the following:

- ☒ 1. A vicinity map showing the general location of the project.
- ☒ 2. Three (3) copies of a site plan showing:
 - ☒ Topography showing 2' contours, identification of 30% or greater slopes:
 - ☒ The layout of proposed uses.
 - ☐ Location of open space when applicable.
 - ☒ Proposed access to the property and traffic circulation patterns.
 - ☒ Adjoining properties and uses:
 - ☐ Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any.
- ☒ 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities.
- ☒ 4. Tables showing the number of acres in the proposed development and a land use summary; and
- ☐ 5. A phased development plan if applicable.
- ☒ 6. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and the fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

.....
(Office Use Only)

Date Received: _____ Received by: _____

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



PLANNING & ZONING
HURRICANE CITY
UTAH

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

PRELIMINARY SITE PLAN CHECKLIST

For office use only: \$200.00 Fee

This application shall be accompanied by the following:

- x 1. A vicinity map showing the general location of the project.
- x 2. A site plan showing:
 - x Topography showing 2' contours, identification of 30% or greater slopes:
 - x The layout of proposed uses.
 - n/a Location of open space when applicable.
 - x Proposed access to the property and traffic circulation patterns.
 - x Adjoining properties and uses:
 - x Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any.
- x 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities.
- x 4. Tables showing the number of acres in the proposed development and a land use summary; and
- n/a 5. A phased development plan if applicable.
- x 6. Warranty deed or preliminary title report or another document (see attached Affidavit) showing evidence that the applicant has control of the property.
- x 7. Signed and notarized Acknowledgment Water Supply (see attached)

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second and fourth Thursday of each month at 6:00 p.m. The submission deadline is 20 calendar days prior to the desired meeting. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed due to an incomplete application could result in a month's delay.

.....
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: Brian Fish, Orcutt|Winslow

Date: 7/5/2023

Signature: *Brian Fish*

PRELIMINARY SITE PLAN

PURPOSE

The site plan review process is established to encourage adequate advanced planning and assure a good quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Hurricane City General Plan, and the Land Use Ordinance, and to protect the general welfare of the community.

WHEN REQUIRED

The preliminary site plan review is only required on the following projects when the Zoning Administrator determines the scope of the project requires both the preliminary site plan and site plan approval.

- a. Any multiple-family residential use.
- b. Any public or civic use.
- c. Any commercial use; or
- d. Any industrial use.

The preliminary site plan is also required with a submittal of zone changes to Planned Development Overlay, or changes to an approved Planned Development Overlay.

A preliminary site plan is not intended to permit actual development of property pursuant to such plan but is prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development.

Upon approval of a preliminary site plan, the applicant may prepare and submit the greater level of detail required for a site plan review application, which is required before construction may commence.

PROCESS

The preliminary site plan is submitted to the Planning and Building Department approximately 1 week and 1 day by no later than 12:00 p.m. prior to a regularly scheduled Planning Commission meeting. During this time prior to the meeting, staff will review the plan, and prepare a report and recommendation for the Planning Commission. The Planning Commission at the public meeting will review the application and staff's report, and approve, approve with conditions, or deny the preliminary site plan.

APPEALS

Since there are no vested rights with the approval of a preliminary site plan, the matter is generally not appealed. However, if an appeal is made, it would be filed with the Clerk of the Board of Adjustment located in the Planning and Building Department and heard by the Board of Adjustment. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction within thirty (30) days from the date of decision of the Board of Adjustment.

AFFIDAVIT
PROPERTY OWNER

STATE OF UTAH)

:SS

COUNTY OF)

I (we), Douglas Howard, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

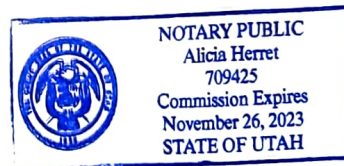
Douglas Howard
(Property Owner)
[Signature]
(Property Owner)

Subscribed and sworn to me this 7th day of July 2023.

Alicia Herret
(Notary Public)

Residing in: Washington, UT

My Commission Expires: 11/26/23



Agent Authorization

I (we), Douglas L. Howard, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) Brian Fish & Neil Perry to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

[Signature]
(Property Owner)

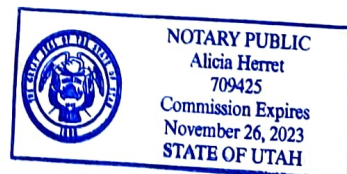
(Property Owner)

Subscribed and sworn to me this 7th day of July 2023

Alicia Herret
(Notary Public)

Residing in: Washington, UT

My Commission Expires: 11/26/23





STAFF COMMENTS

Agenda Date:	08/10/2023
Application Number:	PSP23-21
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Balance of Nature
Agent:	Brian Fish
Request:	Approval of a Preliminary Site Plan
Location:	Northeast corner of 2400 W and 2900 S
Zoning:	RA-1
General Plan Map:	Mixed Use

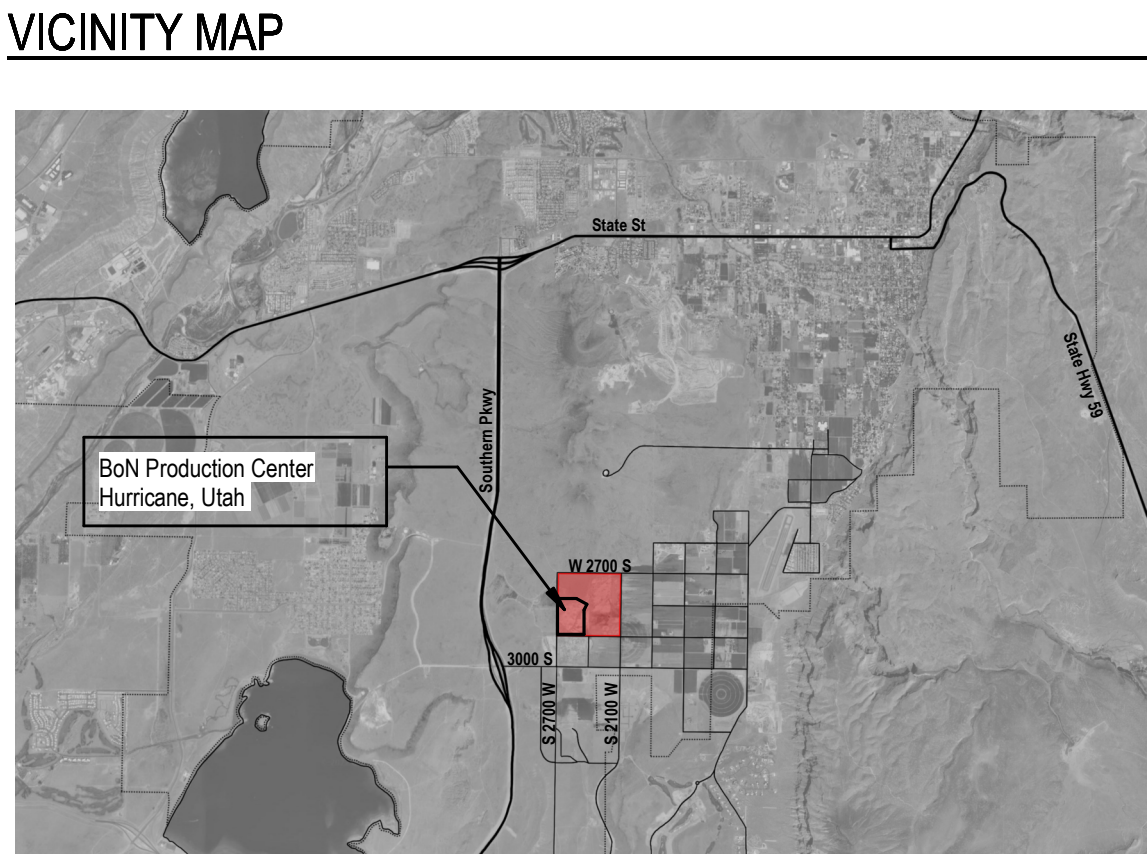
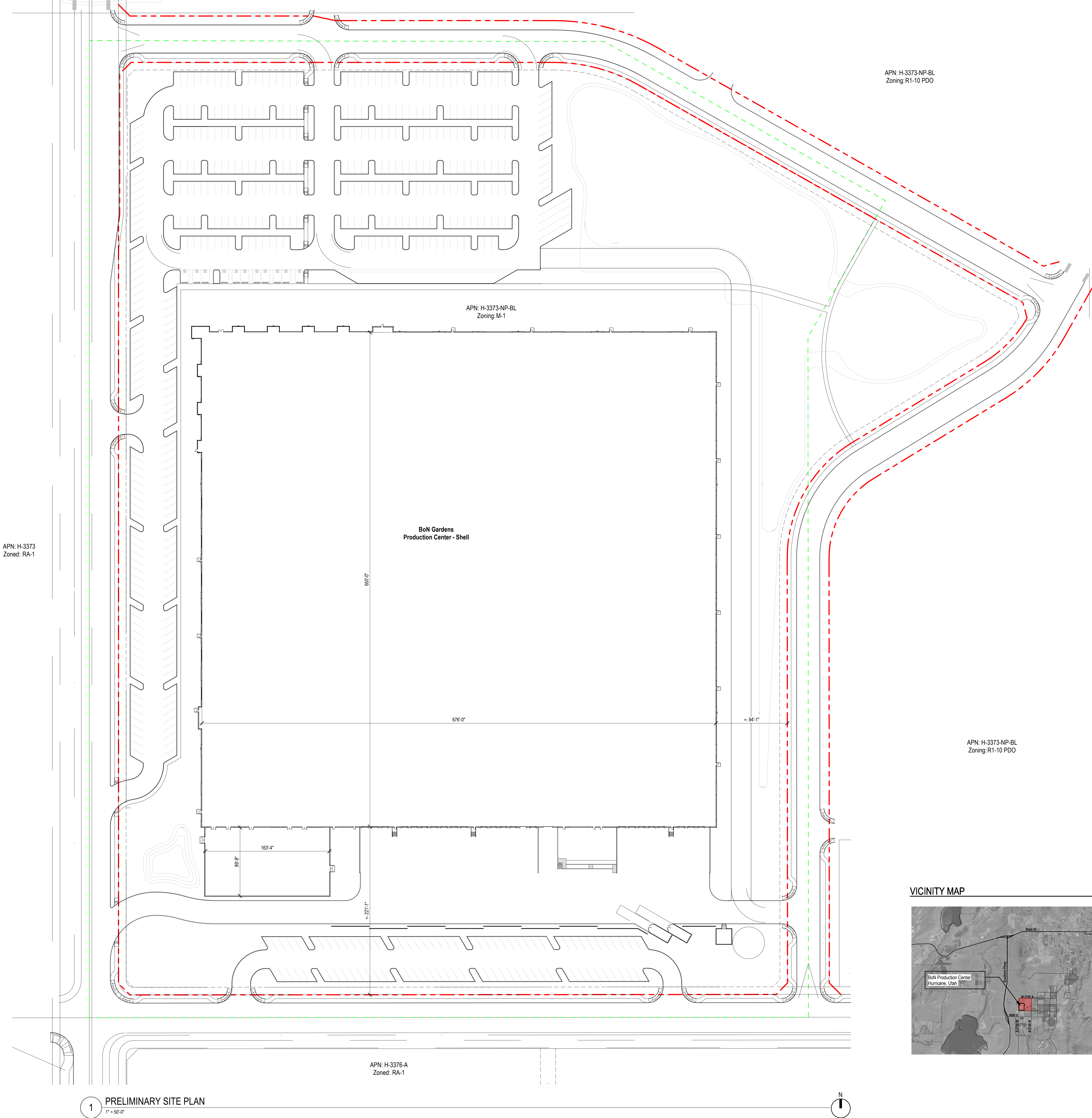
Discussion:

The applicant has submitted a preliminary site plan for a new manufacturing center for Balance of Nature. This will be the first phase of their overall BoN Gardens development. The zone change for this property was approved in 2021 with the condition that a development agreement is signed and executed for the property. To date, the development agreement has not been fully signed and recorded against the property. The zone change approved in October 2021 is still not valid, and thus a manufacturing center is not a permitted use in the RA-1 zone.

Recommendation:

Staff recommends the Planning Commission review this application based on standards within Hurricane City Code. Staff recommends denial due to the application not being consistent with the current zoning on the property, because the 2021 zone change is not effective without an executed development agreement.

7/10/2023 11:45:12 Almorcutt | winslow | 22_104 | PRODUCTION CENTER - SHELL - BALANCE OF NATURE / SCHEMATIC DESIGN / AS-101- PRELIMINARY SITE PLAN / BF
Autodesk Docs/2022_104 BoN Production and Warehouse/22_104 BoN Production Warehouse_Shell.rvt



PROJECT TEAM	
OWNER BALANCE OF NATURE 1568 South River Road Suite 200 St. George, Utah 84790 1-435-228-4878 Richard Wedig	CIVIL ENGINEERING / LANDSCAPE ARCHITECTURE EPS GROUP, INC. 2045 South Vineyard Avenue Suite 101 Mesa, Arizona 85210 1-480-503-2250 Civil: Joe Pehucci Landscape: Alexander Salmins
CONTRACTOR WESTLAND CONSTRUCTION 785 East Venture Drive St. George, Utah 84790 1-435-628-0187 Todd Houghton	SURVEY PROVALUE ENGINEERING 20 South 880 West Suite 1 Hurricane, Utah 84737 1-435-680-0566 Karl Rasmussen
ARCHITECT ORCUTT WINSLOW 2029 North Central Avenue Eleventh floor Phoenix, Arizona 85012 1-602-257-1764 Brian Fish, RA	GEOTECHNICAL LANDMARK TESTING & ENGINEERING 795 East Factory Drive St. George, Utah 84790 1-435-680-0566 Steve Wells

PROJECT DATA			
Project Name	BoN Gardens Production Center - Shell		
Address	NEC 2400 W and 2900 S		
Description	New Shell building and related site work for Balance of Nature		
APN	H-3373-NP-BL		
Zoning	M-1		
Use	Office / Manufacturing / Warehouse		
Occupance	B / F-1 / S-2		
<u>SITE AREA</u>			
Gross	1,205,167.2 s.f.	(27.67 acres)	
Net	1,081,334.0 s.f.	(24.82 acres)	
<u>BUILDING AREA</u>			
Building Area - manufacturing building			
Future Occupancy	Area	Load Factor	Occ.Load
First Floor			
B	36,433 SF	150 SF	24
B	4,002 SF	150 SF	2
F-1	141,174 SF	100 SF	141
S-2	262,074 SF	500 SF	52
	443,682 SF		
Future Second Floor			
B	35,613 SF	150 SF	23
F-1	116,040 SF	100 SF	116
S-2	23,125 SF	500 SF	4
	176,787 SF		
Future Mezzanine			
B	35,884 SF	150 SF	24
	35,884 SF		
Building Total	656,353 SF		
Building Area - pump house			
Future Occupancy	Area	Load Factor	Occ.Load
S-2	455 SF	500 SF	1
Building Total	455 SF		
<u>LOT COVERAGE</u>			
Net Lot Area / Gross 1st Floor Building Area			
Allowable			50%
Provided	(net lot area / 1st floor area)		
	1,081,334 s.f. / 444,137 s.f.		41.07%
<u>PARKING</u>			
Required	(see parking study)	672 (per sq. footage)	
		491 (per employees)**	
		414 (per parking study)	
Provided		504	
**variance request to allow parking to be provided per employees			
Accessible Required	@ 2%	11	
Accessible Provided		11	

GENERAL SHEET NOTES

A.	Contractor shall remove all existing vegetation, site improvements, etc. whether or not specifically indicated on the drawings to facilitate the completion of all required new work. Contractor shall visit the site and verify all quantities and items that are required to be removed prior to submittal of this proposal.
B.	Slope all grades and pavement away from building(s) to provide positive drainage, unless noted otherwise.
C.	Finish grade at sidewalks, buildings, etc., as required to provide smooth transition to grade.
D.	Angles indicated are 45 degrees unless noted otherwise.
E.	Construction debris shall be removed from the site on a continuing basis for the duration of construction.
F.	Concrete walks shall have expansion joints at a maximum spacing of 20 feet O.C. and control joints at 5 feet O.C., unless noted otherwise.
G.	Perform all clearing, grubbing and earthwork in accordance with the Geotechnical Report, unless more restrictive requirements exist.
H.	Should slopes of greater than 1:20 (5%) occur at pavement locations, notify architect immediately.
I.	All proposed imported fill material shall be tested by a qualified testing agency to verify that it meets all specification requirements prior to placing on site.
J.	Dimensions are to outside face of stem walls/foundations unless noted otherwise.
K.	All areas disturbed by construction, staging, etc. shall be restored to their original condition by the General Contractor. General Contractor is responsible for documenting original condition.
L.	All sidewalks at building entryways shall be "keyed" into building slab to prevent differential movement.

orcutt | winslow

2929 n central ave
eleventh floor
phoenix, az 85012
mail@owp.com
602.257.1764 t
www.owp.com

NOT FOR CONSTRUCTION

© 2023 This final copy or electronic drawing is an instrument of service and the property of the owner and shall remain their property. The design professional shall not be responsible for any alterations, modifications or additions made to this drawing in any way after the date of the design professional's use of this drawing. All drawings shall be subject to the original and to which was prepared for publication. The design professional's liability is expressly limited to such use, in whole or in part, or reproduction. Unless otherwise agreed in writing, design professional shall not be liable for any other purpose without the design professional's written consent. Publication in any medium in whole or in part is prohibited without the written permission of the design professional. Any information obtained or conclusions derived from this drawing shall be at the user's sole risk.



BALANCE OF NATURE

PRODUCTION CENTER - SHELL

Hurricane, Utah

CLIENT CONTACT
BALANCE OF NATURE
1568 S. RIVER RD SUITE 200
ST. GEORGE, UTAH 84790
435-319-8783 T

OWP PROJECT NO. DATE OF ISSUE
22_104 06.30.2023

REVISIONS		
DELTA	DESCRIPTION	DATE

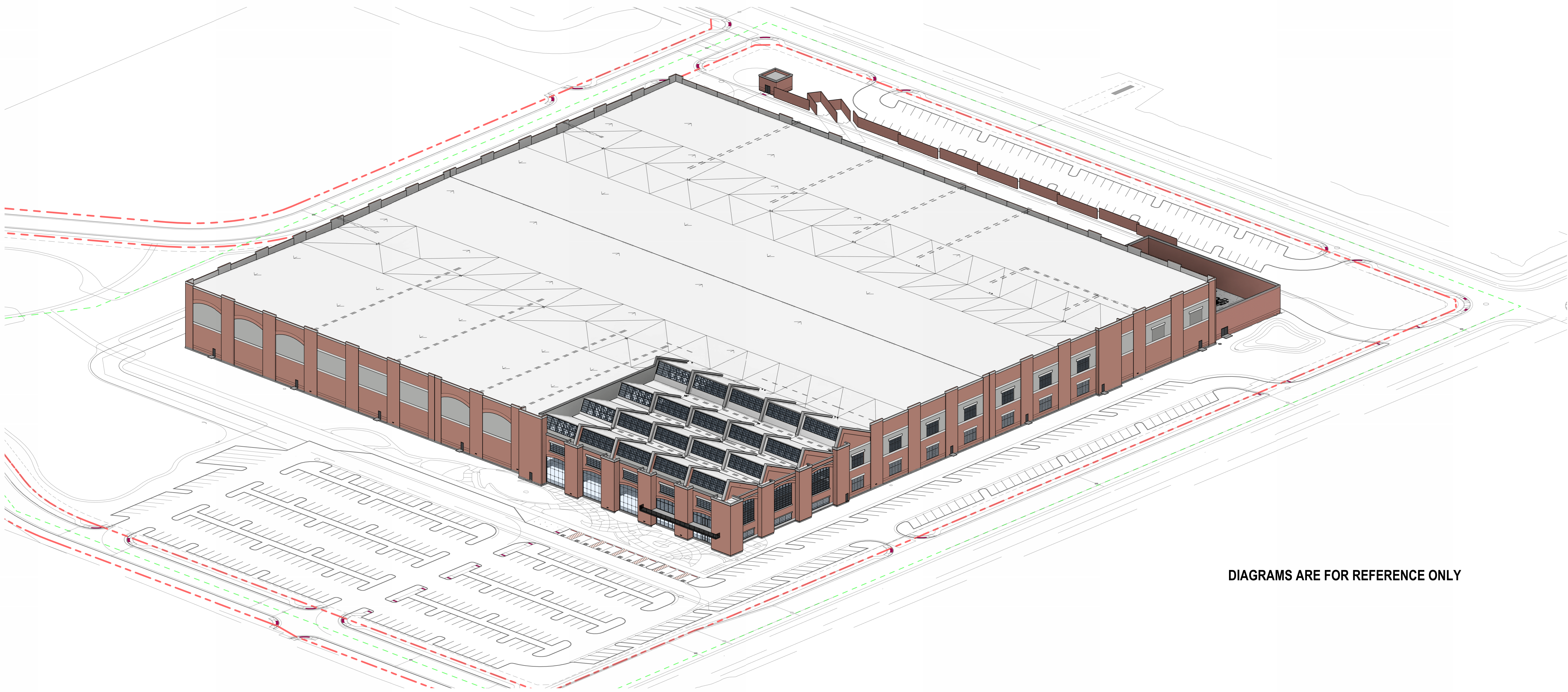
PROJECT TEAM	DRAWN BY
OWP SL	BF

PROJECT PHASE
SCHEMATIC DESIGN

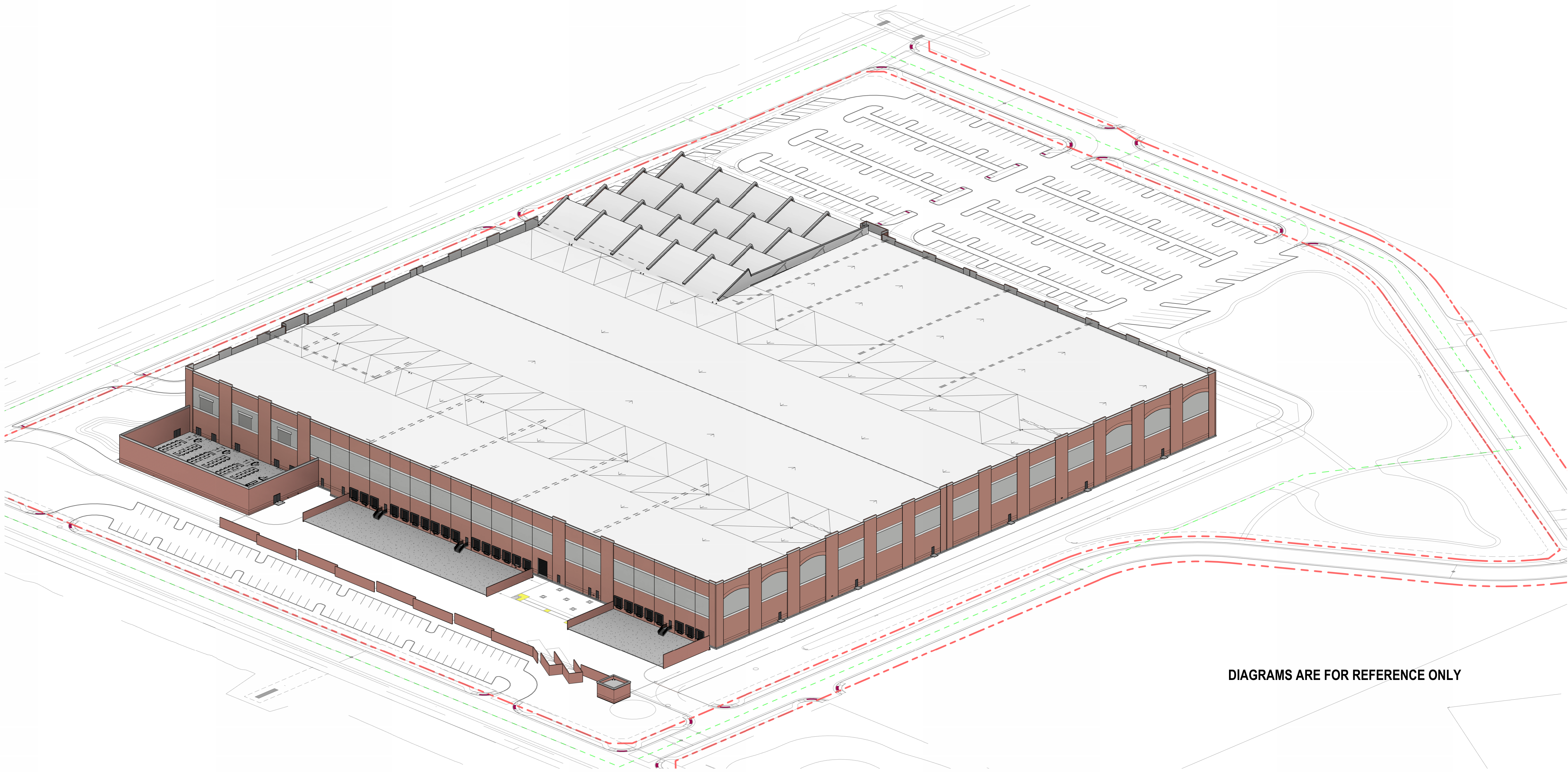
SHEET CONTENTS
PRELIMINARY SITE PLAN

SHEET NO.

AS-101



1 AXONOMETRIC DIAGRAM LOOKING SOUTHEAST



2 AXONOMETRIC DIAGRAM LOOKING NORTHWEST

DIAGRAMS ARE FOR REFERENCE ONLY

DIAGRAMS ARE FOR REFERENCE ONLY

© 2023 The final copy or electronic drawing is an instrument of service and the property of Orcutt Winslow and shall remain their property. The design professional shall not be responsible for any alterations, modifications or additions made to this drawing by any party other than the design professional. Use of this drawing shall be limited to the original use for which it was prepared and no other use shall be made without the express written consent of the design professional. Use of this drawing for any other purpose, in whole or in part, is prohibited without the written permission of the design professional. Any information obtained or conclusions derived from this drawing shall be at the user's sole risk.



BALANCE OF NATURE
PRODUCTION CENTER - SHELL
Hurricane, Utah

CLIENT CONTACT
BALANCE OF NATURE
1568 S. RIVER RD SUITE 200
ST. GEORGE, UTAH 84790
435-319-8783 T

OWP PROJECT NO. DATE OF ISSUE
22_104 06.30.2023

REVISIONS

DELTA	DESCRIPTION	DATE
-------	-------------	------

PROJECT TEAM DRAWN BY
OWP SL EV

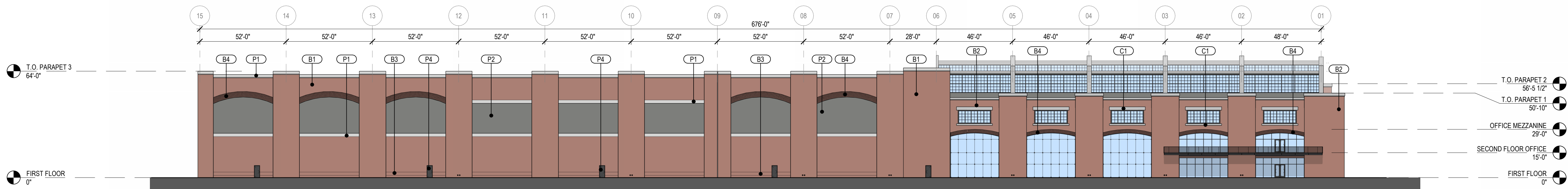
PROJECT PHASE
SCHEMATIC DESIGN

SHEET CONTENTS
DIAGRAMS FOR
REFERENCE

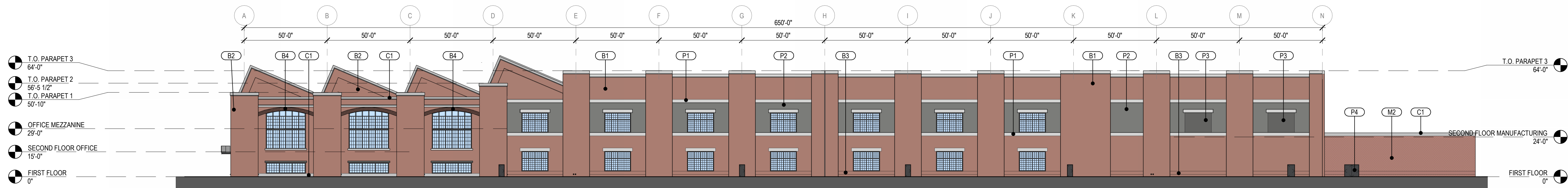
SHEET NO.

A-100

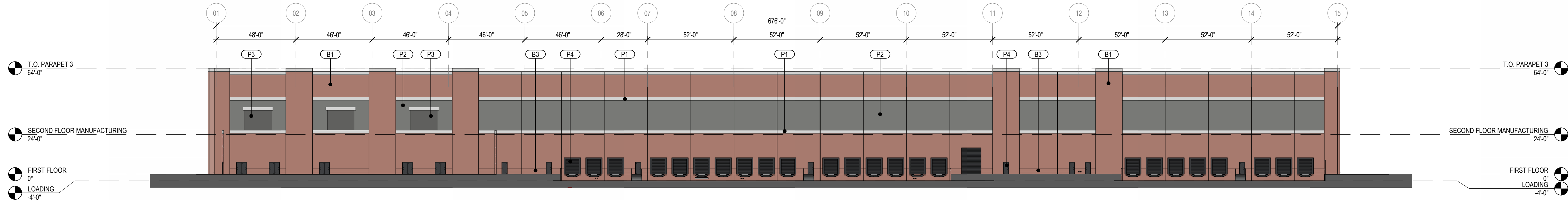
7/10/2023 11:46:49 AlMocutt | winslow / 22_104 / PRODUCTION CENTER - SHELL - BALANCE OF NATURE / SCHEMATIC DESIGN / A-201- BUILDING ELEVATIONS - OVERALL / EV
Autodesk Docs/2022_104 BoN Production and Warehouse/22_104 BoN Production Warehouse_Shell.rvt



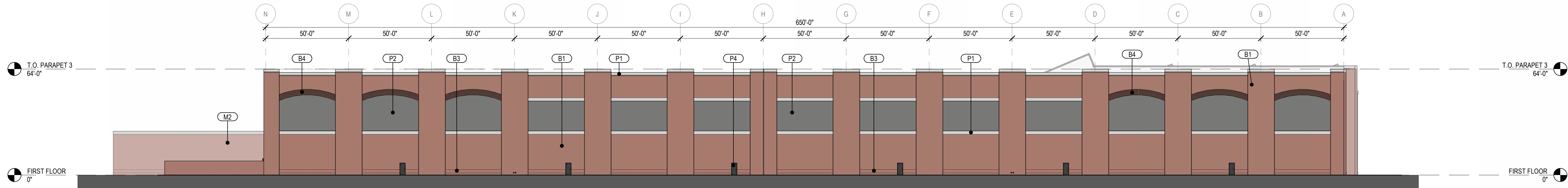
1 NORTH ELEVATION
1/32" = 1'-0"



2 WEST ELEVATION
1/32" = 1'-0"



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



4 EAST ELEVATION
1/32" = 1'-0"

GENERAL SHEET NOTES

- Sidewalks at building and structures shall match finish floor flush at doorways and slope away from the building.
- Paint all exposed metal that is not specified to receive factory finish.
- All exposed flashing shall be factory finished.
- See Plans and Schedule for door and window types and sizes.

orcutt | winslow

2929 n central ave
eleventh floor
phoenix, az 85012
mail@owp.com
602.257.1764 t
www.owp.com

NOT FOR
CONSTRUCTION

© 2023 This hard copy or electronic drawing is an instrument of service and the property of Orcutt | Winslow and shall remain their property. The design professional shall not be responsible for any alterations, modifications or additions made to this drawing by any party other than the design professional. Use of this drawing shall be limited to the original use for which it was prepared and no reproduction, in whole or in part, is expressly limited to such use, in whole or in part, without the express written consent of the design professional. This drawing is not to be used for any other purpose without the design professional's written consent. Publication of any method or material is prohibited without the written permission of the design professional. Any information obtained or conclusions derived from this drawing shall be at the user's sole risk.



MATERIAL LEGEND

MARK	DESCRIPTION
B1	BRICK VENEER (RUNNING BOND IN FORM LINER IN TILT-UP PANEL) MFR: GLEN-GERY SERIES: COUTURE SERIES STYLE: EXTRUDED TYPE: FACEBRICK TEXTURE: PAPER-CUT PATTERN: RUNNING BOND COLOR: RUSTIC BURGUNDY
B2	BRICK VENEER (RUNNING BOND ON METAL FRAMING) MFR: GLEN-GERY SERIES: COUTURE SERIES STYLE: EXTRUDED TYPE: FACEBRICK TEXTURE: PAPER-CUT PATTERN: RUNNING BOND COLOR: RUSTIC BURGUNDY
B3	BRICK VENEER (SAILOR COURSE IN FORM LINER IN TILT-UP PANEL) MFR: GLEN-GERY SERIES: COUTURE SERIES STYLE: EXTRUDED TYPE: FACEBRICK TEXTURE: PAPER-CUT PATTERN: SAILOR COURSE COLOR: RUSTIC BURGUNDY
B4	BRICK (ADHERED SAILOR COURSE ON TILT-UP PANEL & METAL FRAMING) MFR: GLEN-GERY SERIES: COUTURE SERIES STYLE: EXTRUDED TYPE: FULL BRICK TEXTURE: PAPER-CUT PATTERN: SAILOR COURSE COLOR: RUSTIC BURGUNDY
C1	GRC ELEMENT MFG: TYPE: STYLE: COLOR:
M2	CONCRETE MASONRY UNIT (SPLIT FACE) MFR: TRENNYTH SERIES: MESASTONE STYLE: SPLITFACE PATTERN: RUNNING BOND COLOR: HUNTINGTON GREY
M3	CONCRETE MASONRY UNIT (FLUTED) MFR: SUPERLITE STYLE: FLUTED PATTERN: RUNNING BOND COLOR: HUNTINGTON GREY
P1	PAINTED CONCRETE TILT-UP PANEL MFG: DUNN EDWARDS COLOR: DE5367 COVERED IN PLATINUM
P2	PAINTED CONCRETE TILT-UP PANEL MFG: DUNN EDWARDS COLOR: DE5369 LEGENDARY GREY
P3	PAINTED CONCRETE TILT-UP PANEL MFG: DUNN EDWARDS COLOR: DE5370 CHARCOAL SMUDGE
P4	ACCENT PAINT MFG: DUNN EDWARDS COLOR: DE6350 DARK ENGINE

BALANCE OF NATURE PRODUCTION CENTER - SHELL Hurricane, Utah

CLIENT CONTACT
BALANCE OF NATURE
1568 S. RIVER RD SUITE 200
ST. GEORGE, UTAH 84790
435-319-8783 T

OWP PROJECT NO. DATE OF ISSUE
22_104 06.30.2023

REVISIONS

DELTA	DESCRIPTION	DATE
-------	-------------	------

PROJECT TEAM DRAWN BY
OWP SL EV

PROJECT PHASE
SCHEMATIC DESIGN

SHEET CONTENTS
BUILDING ELEVATIONS -
OVERALL

SHEET NO.

A-201



Memo: Balance of Nature – Parking Analysis (EPS#22-0167)

Date: 06/21/23
TO: City of Hurricane
FROM: Eric Maceyko, P.E., PTOE
Kelly Fletcher, P.E.

INTRODUCTION

The proposed Balance of Nature mixed-use master planned development is located in southwestern Hurricane, Utah. The proposed site sits on approximately 160 acres located at the northwest corner of the intersection of the 3000 South and 2100 West roadway alignment. It will consist of several diverse land uses of variable intensity including:

- Residential (apartments over retail, townhomes, duplexes and single-family lots)
- Corporate Headquarters
- Miscellaneous Offices
- Manufacturing /Warehousing
- Retail / Services
- Recreation

The proposed development is planning to provide several parking areas including dedicated lots, parking on angled local access roads and a multi-story parking garage. Preliminary site planning has indicated that a total potential on-site parking supply of 4,321 spaces can be provided.

EPS Group has been retained to conduct a Parking Analysis for the proposed development. The primary objective is to evaluate the anticipated parking demand and determine the recommended number of parking spaces to provide adequate operation based on the unique nature and mixture of land uses for the proposed development.

LOCATION & SITE PLAN

Figure 1 provides a vicinity map of the proposed site location in the southwestern area of the City of Hurricane. The proposed site is located on the northwest corner of the intersection of the 3000 South and 2100 West roadway alignment. The surrounding area is largely undeveloped and mostly consists of vacant land or agricultural uses.

Figure 2 provides an illustrated depiction of the proposed development site plan. The current plan includes provision of 4,321 parking spaces. Multiple connections are also planned from the parking areas to the adjacent road network. A copy of the more detailed site plan with the land use areas depicted is included in **Attachment A**. A summary of the land uses by phase are included below:

- o Phase 1A & 1B:
 - Adjacent roadway construction
- o Phase 2A & 2B
 - Warehouse / Manufacturing sitework
 - Warehouse / Manufacturing (671,982 square feet of building area)
 - Horse and Carriage Grounds (11,700 square feet of building area)
 - Liberty Village Grounds, Ph. 1 (1,000 square feet of building area)
- o Phase 2C
 - Liberty Village Grounds, Ph. 2 (23,000 square feet of building area)
- o Phase 3
 - Mixed Use Residential:
 - ❖ Studio (32 dwelling units)
 - ❖ 1 Bedroom (46 dwelling units)
 - ❖ 2 Bedroom (30 dwelling units)
 - Amphitheater
 - Retail/Office/Restaurants (46,000 square feet of building area)
 - Gym (12,600 square feet of building area)
 - Visitor Center/Recreation (12,600 square feet of building area)
 - Town Square with water feature
 - Corporate Offices (175,000 square feet of building area)
- o Phase 4
 - Corporate Offices Expansion (525,000 square feet of building area)
 - Single-Family Residences (186 dwelling units)
- o Phase 5
 - Liberty Village Grounds, Ph. 3 (48,120 square feet of building area)

o Future

- Hospital (64,200 square feet of building area)
- Future School (10,196 square feet of building area)

It is important to note that the guiding vision employed during the proposed development layout and planned land uses was to create a destination with a synergistic theme. This includes such design choices as a town center with compact roads and on-street parking, dense residential dwelling units above retail uses, horse and carriage rides, and extensive trails and community amenities. The intent is to incorporate design elements that deemphasize a motor vehicle driven development. It is therefore anticipated that the provision of excess motor vehicle parking would be detrimental to the development plan, and a reduced parking requirement is being requested.

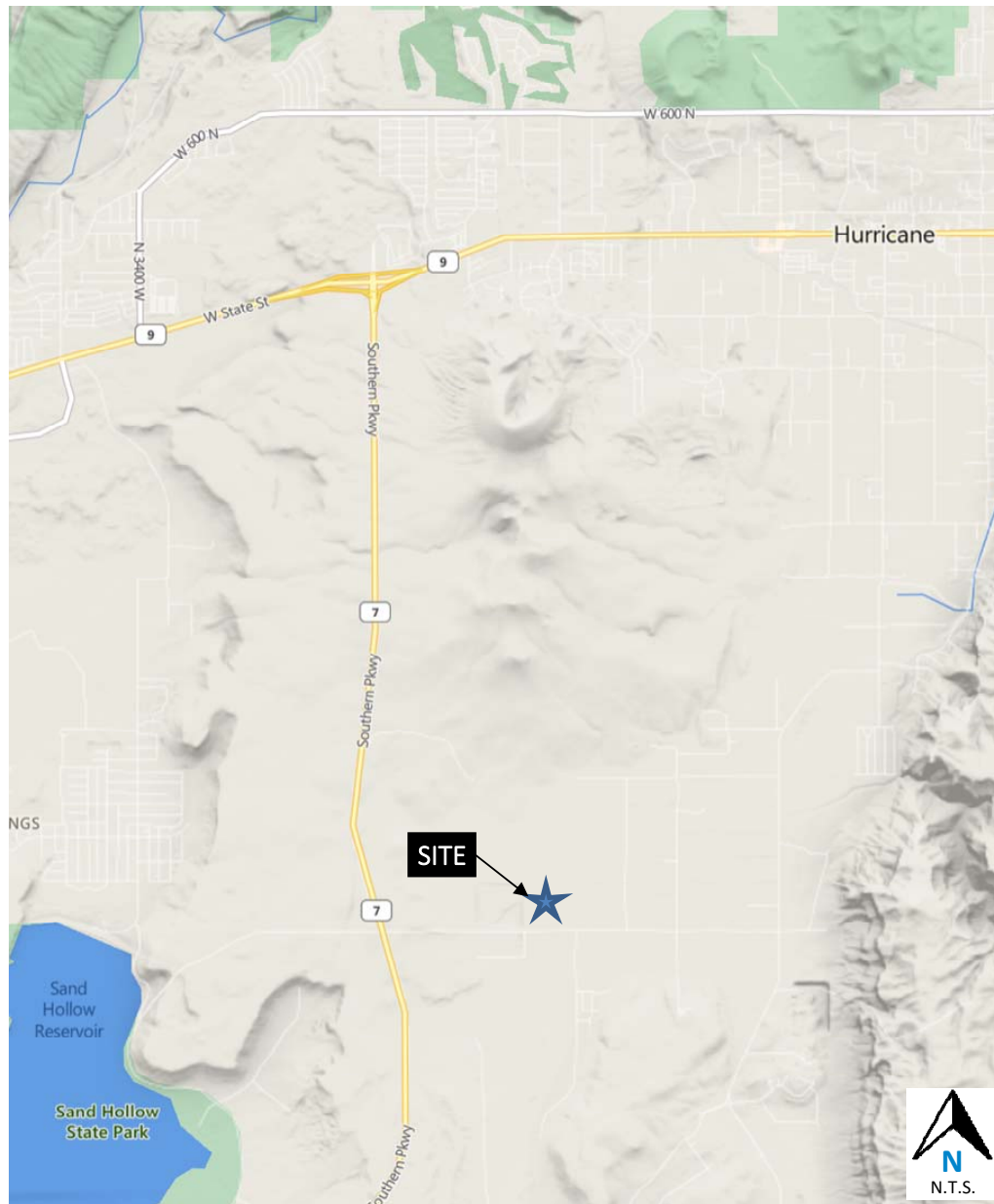


Figure 1: Proposed Site Location



Figure 2: Proposed Development Site Plan

PARKING ANALYSIS

Parking analysis was conducted utilizing four (4) sources suitable for the proposed development including:

- City of Hurricane Code of Ordinances
- *Parking Generation*, 5th edition by Institute of Transportation Engineers (ITE)
- *Shared Parking*, 3rd edition by Urban Land Institute (ULI)
- Shared Parking concepts from ITE

In addition to the previously provided information regarding planned land uses and intensities, discussions with the developer have yielded additional information currently available for each use (i.e. number of employees, number of bedrooms, planned school enrollment, etc.)

Due to the unique nature and location of the proposed development, none the above sources can be solely relied on. Therefore, the approach of this analysis was to utilize all pertinent data and methodologies from each source to develop a combined result. The following sections detail the analysis results from each source.

City of Hurricane Code of Ordinances:

Per *Chapter 34 - Off-Street Parking and Loading* of the Hurricane Code of Ordinances, several criteria for required parking is provided for a multitude of different land uses. A copy of the City criteria is included in **Attachment B. Table 1** thru **Table 7** provide the required parking calculations for each phase, as well as the total for the entire development. In instances where a specific use did not have an applicable criterion, a reasonable estimate based on the anticipated number of employees and / or planned operation was utilized as noted.

Table 1: City of Hurricane Parking Code Results – Phase 2B

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Manufacturing, Mineral extraction, Wholesale and warehousing	671982 SF	1 space per 1,000 square feet of gross floor area	672.0
	491 Employees	1 space per employee on highest shift	491.0
<i>Maximum Warehouse/Manufacturing Total</i>			672
Horse & Carriage Grounds	6 Employees	1 space per employee*	6.0
Phase 1 Liberty Village Grounds	10 Employees	1 space per employee *	10.0
PHASE 2B TOTAL			688

*No applicable criteria available, assumed to be 1 parking space per employee

Table 2: City of Hurricane Parking Code Results – Phase 2C

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Phase 1 Liberty Village Grounds	23000 SF	1 space per 300 square feet of gross floor area*	76.7
PHASE 2C TOTAL			77

*No applicable criteria available, assumed to be 1 parking space per 300 square feet

Table 3: City of Hurricane Parking Code Results – Phase 3

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Dwelling, multiple-family: Studio and 1 bedroom units	78 Dwelling Units	1.5 spaces per dwelling unit	117.0
Dwelling, multiple-family: 2 or more bedroom units	30 Dwelling Units	2 spaces per dwelling unit	60.0
<i>Multiple-Family Total</i>			177.0
Recreation and entertainment, indoor: Other uses (Gym)	12600 TGSF	1 space per 300 square feet of gross floor area	42.00
Recreation and entertainment, indoor: Other uses (Visitor Center)	12600 TGSF	1 space per 300 square feet of gross floor area	42.00
Office, general	16000 SF	1 space per 250 square feet of gross floor area	64.0
Retail, general	20000 SF	1 space per 250 square feet of gross floor area	80.00
Restaurant, general	10000 SF	1 space per 100 square feet of gross floor area	100.00
Office, general (Corporate)	175000 SF	1 space per 250 square feet of gross floor area	700.0
PHASE 3 TOTAL			1,205

Table 4: City of Hurricane Parking Code Results – Phase 4

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Dwelling, single-family	186 Dwelling Units	2 spaces per dwelling unit	372.0
Office, general (Corporate)	525000 SF	1 space per 250 square feet of gross floor area	2,100.0
PHASE 4 TOTAL			2,472

Table 5: City of Hurricane Parking Code Results – Phase 5

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Phase 1 Liberty Village Grounds	48120 SF	1 space per 300 square feet of gross floor area*	160.4
PHASE 5 TOTAL			161

*No applicable criteria available, assumed to be 1 parking space per 300 square feet

Table 6: City of Hurricane Parking Code Results – Future

LAND USE		PARKING REQUIREMENT	
	AMOUNT	RATE	SPACES
Hospital	100 Beds	2 spaces per bed	200.0
School, elementary, middle,high, and vocational	25 Employees	1 space per employee	25.0
	7 Classrooms	2 spaces per classroom	14.0
	0 Students	1 space for every 3 students of driving age	0.0
School Total			39.0
FUTURE TOTAL			239

Table 7: City of Hurricane Parking Code Results – Total

PHASE	SPACES
PHASE 2B TOTAL	688
PHASE 2C TOTAL	77
PHASE 3 TOTAL	1,205
PHASE 4 TOTAL	2,472
PHASE 5 TOTAL	161
FUTURE TOTAL	239
GRAND TOTAL	4,842

As summarized in **Table 7**, a total of 4,842 parking spaces are required. It should again be noted that the proposed development is planning to provide land uses and design elements that are not adequately captured within the City Code. Therefore, the following sections detail the expected demand for each specific operations to determine anticipated typical use.

ITE Parking Generation:

In 2019, the Institute of Transportation Engineers (ITE) published the fifth edition of *Parking Generation*. This document provides parking supply and demand data for 121 separate land use categories. The data provides hourly counts of parked vehicles at land uses throughout North America that can be utilized to predict future parking demand at similar land uses. This resource contains accurate parking demand data and each individual hour of the day contains a unique value.

Review of the available land use codes revealed that several of the codes provided suitable data for the planned uses. The following applicable land use codes and their respective descriptions are provided below:

Land Use Code 140: Manufacturing

“A manufacturing facility is an area where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the actual production of goods, manufacturing facilities generally also have office, warehouse, research, and associated functions.”

Land Use Code 150: Warehousing

“A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas.”

Land Use Code 220: Multifamily Housing (Low-Rise)

“Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence.”

Land Use Code 492: Health/Fitness Club

“A health/fitness club is a privately-owned facility that primarily focuses on individual fitness or training. It typically provides exercise classes, fitness equipment, a weight room, spa, locker rooms, and a small restaurant or snack bar. This land use may also include ancillary facilities, such as a swimming pool, whirlpool, sauna, limited retail, and tennis, racquetball or handball courts. These facilities are membership clubs that may allow access to the general public for a fee.”

Land Use Code 495: Recreational Community Center

“A recreational community center is a stand-alone public facility similar to and including YMCAs. These facilities often include classes and clubs for adults and children; a day care or nursery school; meeting rooms and other social facilities; swimming pools and whirlpools; saunas; tennis, racquetball, handball, basketball and volleyball courts; outdoor athletic fields/courts; exercise classes; weightlifting and gymnastics equipment; locker rooms; and a restaurant or snack bar. Public access is typically allowed and a membership fee may be charged.”

Land Use Code 536: Private School (K–12)

“A private school (K–12) primarily serves students attending kindergarten through the 12th grade but may also include those beginning with pre–K classes. These schools may also offer extended care and day care. Students may travel a long distance to get to private schools.”

Land Use Code 610: Hospital

“A hospital is any institution where medical or surgical care and overnight accommodations are provided to non-ambulatory and ambulatory patients. However, the term “hospital” does not refer to medical clinics (facilities that provide diagnoses and outpatient care only) or nursing homes (facilities devoted to the care of persons unable to care for themselves), which are covered elsewhere in this report.”

Land Use Code 710: General Office Building

“A general office building houses multiple tenants. It is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities.”

Land Use Code 714: Corporate Headquarters Building

“A corporate headquarters building is a single tenant office building that houses the corporate headquarters of a company or organization, which generally consists of offices, meeting rooms, space for file storage and data processing, a restaurant or cafeteria, and other service functions.”

Land Use Code 714: Shopping Center

“A shopping center is an integrated group of commercial establishments that is planned, developed, owned, and managed as a unit. A shopping center’s composition is related to its market area in terms of size, location, and type of store. A shopping center also provides on-site parking facilities sufficient to serve its own parking demands.”

Land Use Code 932: High-Turnover (Sit-Down) Restaurant

“This land use consists of sit-down, full-service eating establishments with a typical duration of stay of 60 minutes or less. They are commonly referred to as casual dining. This type of restaurant is usually moderately priced and frequently belongs to a restaurant chain. Generally, these restaurants serve lunch and dinner; they may also be open for breakfast and are sometimes open 24 hours a day. These restaurants typically do not accept reservations. A patron commonly waits to be seated, is served by wait staff, orders from a menu, and pays after the meal. Some facilities offer carry-out for a small proportion of its customers. Some facilities within this land use may also contain lounge or bar area for serving food and alcoholic drinks.”

There are several independent variables, and calculation methods, available for the above land use codes. Each one was evaluated to in order to determine whether the proposed development intensity was within the data range and was statistically reliable. It should also be noted that in some cases *Parking Generation* provides data for urban and suburban sites. Only the data for suburban sites were considered to provide a conservative analysis.

Table 8 provides the weekday summary of the *ITE Parking Generation* calculation results for the proposed development. The full worksheets are also provided in **Attachment C**.

Table 8: ITE Parking Generation Results

PHASE	SPACES
PHASE 2B TOTAL	414
PHASE 2C TOTAL	77
PHASE 3 TOTAL	945
PHASE 4 TOTAL	1,648
PHASE 5 TOTAL	160
FUTURE TOTAL	496
GRAND TOTAL	3,740

As can be seen in the above table, the estimated maximum peak parking demand is 3,740 parked vehicles. It should also be noted that similar to the previous section, there were instances where a specific use did not have an applicable associated criterion. The same estimates utilized in the previous section were also included in the above calculations and in subsequent sections.

ULI Shared Parking:

The Urban Land Institute (ULI), a nonprofit education and research institute, in conjunction with the International Council of Shopping Centers (ICSC) published the second edition of Shared Parking. The key goal of this publication is to find a balance between providing adequate parking to support a successful development while minimizing excessive land area devoted to parking. This document also provides hourly variations for a multitude of different land uses.

The ULI reference provides base rates for reported employee and visitor parking demand during a typical weekday. A combination of these base rates were utilized, based on provided operational data, to estimate the recommended number of parking spaces that will be needed as part of each land use.

The shared parking analysis was conducted utilizing both the ULI and City of Hurricane base parking calculations. The shared parking analyses for the proposed mixed-use development indicates a peak demand from 4,569 to 5,185 parking spaces. Therefore, a reduction of 273 from the City of Hurricane standard parking requirements can be applied based on the anticipated operation and capacity of the site to share parking spaces. **Attachment D** contains a copy of the ULI provided data and resultant shared parking calculation results.

ITE Shared Parking:

A shared parking analysis was also conducted utilizing the ITE provided time of day percentages provided in *Parking Generation*. The estimated parking demand for each operational hour of the day was calculated based on the percent usage per land use type during that hour. **Attachment E** contains a summary of the shared parking calculation results.

The shared parking analysis was conducted utilizing the ITE and City of Hurricane base parking calculations. The shared parking analyses for the proposed mixed-use development indicates a peak demand of 3,503 to 4,543 parking spaces. Therefore, a reduction of 299 to 1,339 parking spaces from the City of Hurricane standard parking requirements can be applied based on the anticipated operation and capacity of the site to share parking spaces.

RESULTS

Based on the available City criteria, a total of 4,842 parking spaces would be required. The proposed development is planning to provide several parking areas including dedicated lots, parking on angled local access roads and a multi-story parking garage. Preliminary site parking has indicated a total potential on-site parking supply of 4,321 spaces can be provided.

Due to the unique nature and location of the proposed development, as well as the anticipated operation and capacity of the site to share parking spaces, no one source can be solely relied on. The following table summarizes the results of the parking analysis from each applicable source:

CRITERIA	REQUIRED PARKING SPACES	% REDUCTION FROM CODE
ITE Peak Parking Demand Calculations	3,740	-23%
ULI Shared Parking	5,185	N/A
ULI Shared Parking (Hurricane)	4,569	-6%
ITE Shared Parking	3,503	-28%
ITE Shared Parking (Hurricane)	4,543	-6%
Parking Provided by Site	4,321	-10.8%

As can be seen above, the results indicate that a reduction of up to 28% (least conservative methodology) from the City of Hurricane standard parking requirements should be considered based on the expected opportunity to share parking.

ATTACHMENTS:

- A. Proposed Development Site Plan
- B. City of Hurricane Parking Code
- C. ITE Parking Generation Calculations
- D. ULI Shared Parking Calculations
- E. ITE Shared Parking Calculations



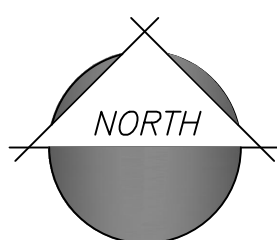
Expires: 6/30/2026

ATTACHMENT A
PROPOSED DEVELOPMENT SITE PLAN



KEYNOTES

- 1 VISITOR PARKING
- 2 CARRIAGE HOUSE PICK-UP
- 3 ENTRY FEATURE / MONUMENT SIGNAGE
- 4 ENTRY PEDESTRIAN NODE PARK
- 5 LAKE / WATER FEATURE
- 6 COMMUNITY WATER TANK
- 7 ORCHARD GROVE
- 8 COMMUNITY GARDENS / AGRARIAN FIELDS
- 9 COMMUNITY PARK
- 10 COLONIAL CHURCH
- 11 CHARTER SCHOOL
- 12 HOSPITAL / MEDICAL AND WELLNESS CAMPUS
- 13 PATRIOT'S VILLAGE
- 14 TOWN SQUARE
- 15 GYM
- 16 VISITORS / RECREATION CENTER
- 17 BALANCE OF NATURE TRIAD SCULPTURE
- 18 STAGE / SHADE STRUCTURES
- 19 AMPHITHEATER
- 20 THE GREAT LAWN
- 21 SHADE STRUCTURES
- 22 MANUFACTURING FACILITY
- 23 HEADQUARTERS CAMPUS
- 24 PARKING
- 25 HORSE AND CARRIAGE COBBLESTONE ROADS
- 26 MULTI-PURPOSE TRAILS
- 27 ROW HOUSING
- 28 GREEN COURTS
- 29 ALLEY HOMES
- 30 SMALL LOT SINGLE-FAMILY (3-5 DU/AC)
- 31 LARGE LOT SINGLE-FAMILY (0-3 DU/AC)
- 32 MIXED-USE COMMERCIAL / RESIDENTIAL
- 34 PROPOSED WELL LOCATION



NTS

ATTACHMENT B
CITY OF HURRICANE PARKING CODE

CHAPTER 34. - OFF STREET PARKING AND LOADING

Sec. 10-34-1. - Purpose.

The purpose of this chapter is to assure the provision and maintenance of off street parking and loading facilities in proportion to the parking and loading demand of land uses. The requirements of this chapter are intended to assure useful and attractive parking and loading facilities, to protect public safety, and to mitigate adverse land use impacts.

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

Sec. 10-34-2. - Scope.

The requirements of this chapter are applicable to all new development requiring motor vehicle access under the provisions of this title. The requirements of this chapter shall not be construed to prohibit or limit other applicable provisions of this title, this Code, and other laws.

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

Sec. 10-34-3. - Parking to be provided.

- A. *Off street parking required.* Every land use established under the authority of this title shall have parking required by this chapter. When any building or structure is erected, enlarged or increased in capacity, or any use is established or changed, parking shall be provided in accordance with the requirements of this chapter.
- B. *Continuing obligation to provide parking.* Provision of parking as required by this chapter shall be a continuing obligation so long as a use continues which requires parking. It shall be unlawful for any owner, land use operator, or person responsible for providing parking to discontinue or dispense with required parking facilities without providing an alternate parking area which meets the requirements of this chapter.

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

Sec. 10-34-4. - Parking calculation.

The following provisions shall be used to calculate the total number of parking spaces required by this chapter:

- A. *More than one use on lot.* If a lot contains more than one use, parking spaces shall be provided in an amount equal to the total of the requirements for each use unless shared parking is permitted pursuant to this chapter.

- B. *Fixed seating.* Where seating consists of chairs, benches, pews or other forms of fixed seating, parking shall be calculated at the rate of one parking space per four seats.
- C. *Square foot basis.* Parking requirements based on square footage shall be calculated using gross floor area (GFA) unless otherwise provided in this chapter.
- D. *Employee basis.* Parking requirements based on the number of employees shall be calculated using the largest number of persons working on any shift.
- E. *Use not listed.* If a use and a corresponding parking standard is not listed in table 10-34-1 of subsection 10-34-10A of this chapter, the Zoning Administrator shall determine the number of spaces required for such use based on the nearest comparable use or a parking study as provided in subsection 10-34-9F of this chapter.

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

Sec. 10-34-5. - Parking location.

- A. *On site parking.* Except as allowed in subsection B of this section, all required parking shall be located on the same lot as the use to which it is appurtenant and shall be located within 300 feet from the premises served.
- B. *Off site parking.* Where practical difficulties exist in providing on site parking or if public safety or convenience, or both, would be better served by locating parking on a separate lot, the Planning Commission may authorize off site parking subject to the following conditions:
 - 1. Required parking spaces reserved for persons with disabilities shall not be located in an off site parking lot.
 - 2. Off site parking lots shall be located in the same or a more intensive zone which applies to the property where the use served is located.
 - 3. No off site parking space shall be located more than 500 feet from a public entrance of the use served, measured along the route of the shortest legal, practical walking distance. Off site parking shall not be separated from a principal use by a street right-of-way with a width of more than 72 feet.
 - 4. Availability of each off site parking lot shall be assured by an agreement 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; and
 - c. The Zoning Administrator to be notified 30 days prior to the expiration or termination of the agreement.
 - 5.

Before approving an off site parking lot, the Planning Commission shall find that such parking is conveniently usable without causing unreasonable:

- a. Hazard to pedestrians;
- b. Hazard to vehicular traffic;
- c. Traffic congestion;
- d. Interference with safe and convenient access to other parking areas in the vicinity;
- e. Detriment to the appropriate use of business property in the vicinity; or
- f. Detriment to any residential neighborhood.

C. *Temporary Parking.*

1. Unimproved temporary parking areas shall be exempt from the landscaping and paving requirements of this chapter.
2. The City may allow a temporary use approved pursuant to chapter 48 of this title to occupy or use parking areas ordinarily required for a permanent use if it is found that the temporary use will not cause a shortage in parking needed for the permanent use.

D. *Prohibited parking.*

1. Vacant lots, public rights-of-way unless in designated on-street parking spots, or open land areas shall not be used as parking areas for customers or employees.
2. Overnight parking of vehicles for display other than in designated and improved areas shall be prohibited.

E. *Commercial vehicle parking in residential zones.* One commercial vehicle with a rated capacity of more than two tons may be parked for not more than 24 continuous hours in any 30-day period on a lot in a residential zone. Contracting and earthmoving equipment shall not be parked in a residential zone.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-36, 8-18-2022)

Sec. 10-34-6. - Number and type of parking spaces.

- A. *Parking required.* Off street parking spaces shall be provided in accordance with this section for every land use authorized by this title except as otherwise expressly allowed by this title. The total number of parking spaces required by this section shall be determined by summing the parking required by each of the subsections in this section.
- B. *Standard parking spaces.* Standard parking spaces shall be provided as set forth in table 10-34-1, off street parking schedule, in subsection 10-34-10A of this chapter.
- C. *Handicapped parking spaces.* Parking spaces for handicapped persons shall be provided as required by the International Building Code and the Uniform Federal Accessibility Standards Manual.

D. *Stacking parking spaces.* Stacking or queue spaces shall be provided as follows:

1.	Bank drive-through including automatic teller machines	3 per lane
2.	Carwash:	
	a. Automatic wash accessory use	4 per bay
	b. Automatic wash primary use	4 per bay
	c. Self-wash	3 per bay
3.	Gasoline pump island	1 per pump
4.	Fast food restaurant drive-through	5 per lane

E. *Off street loading spaces.* Off street loading spaces with a height clearance of 14 feet or more shall be provided for buildings used for retail, office, industrial, hospital, storage warehousing, and similar uses as follows:

GFA of building	Required number of loading spaces
3,000—20,000 square feet	1
Each additional 20,000 square feet	1

F. *Tandem parking spaces.* Tandem parking spaces shall not qualify as required parking unless approved by the Planning Commission in the following instances:

1. In multi-family dwellings with garages;
2. In conjunction with valet parking service; or
3. To provide one required space for a bed and breakfast, home, or residential hosting facility without specific Planning Commission approval.

G.

Recreational vehicle parking. Adequate and accessible recreational vehicle parking storage areas shall be required in each multi-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2015-12, 12-17-2015)

Sec. 10-34-7. - Parking dimensions.

Unless otherwise modified as provided in this chapter, parking space, bay, and related dimensions shall be as follows:

- A. *Parking space dimensions.* Parking space and related dimensions shall be as set forth in this section and as shown on section 10-34-10, table 10-34-2 and figure 10-34-1 of this chapter.
1. Standard parking space: nine by 18 feet.
 2. Carport: minimum inside dimension of nine by 20 feet for each parking space.
 3. Garage: minimum inside dimension of ten by 20 feet and minimum door width of eight feet for each parking space.
 4. Handicapped parking space: standard size plus four-foot unloading area parallel to the length of the space. Loading area may be shared with an adjacent handicapped parking space.
 5. Angle parking space: see section 10-34-10, table 10-34-2 and figure 10-34-1 of this chapter.
 6. Parallel parking space: nine by 22 feet.
 7. Loading space: ten by 25 feet.
 8. Stacking space: ten by 20 feet.
 9. Where the tires of parked vehicles contact curbing, parking stall length may be reduced by two feet if space is available and vehicle overhang does not block a sidewalk.
- B. *Driveway dimensions.* Minimum driveway dimensions shall be as follows:
1. For access to five or fewer spaces: 12 feet.
 2. For access to six or more spaces: 12 feet for one-way traffic; 25 feet for two-way traffic.
- Driveway width shall not exceed 35 feet.

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

Sec. 10-34-8. - Parking lot design and construction.

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

development.

- B. *Access to public street.* Except for parking for a single-family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.
- C. *Private driveway.* Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street.
- D. *Backing space.* Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.
- E. *Curb cuts.* Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.
- F. *Internal circulation.* Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.
- G. *Landscaping.* Parking lots shall be landscaped as provided in chapter 32 of this title.
- H. *Lighting.* Parking lots used at night shall be adequately lighted and comply with Hurricane City's outdoor lighting standards.
- I. *Paving.* Unless expressly provided otherwise in this title, every parking lot required by this title shall:
 - 1. Be paved with asphalt, concrete or some other all weather surfacing material;
 - 2. Maintained to eliminate dust or mud; and
 - 3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk.
- J. *Diagonal and perpendicular on-street parking on public streets.* Diagonal and perpendicular street parking on public streets is permitted in multiple-family residential (RM-1 RM-2, and RM-3), mobile home/RV park (MH/RV), open space (OS), public facilities (PF), residential planned development overlay (PDO), and recreation resort (RR) zones when constructed and approved

pursuant to the following standards. Diagonal and perpendicular on-street parking shall only be located on residential local (typical 45-foot right-of-way street section) or residential standard (typical 52-foot right-of-way street section) roadways.

1. Diagonal and perpendicular on-street parking may only be used for a limited percentage of required parking for the following uses:

Use	Percentage or number of street parking of required parking
Multi-family and resort units	10%
Parks	Up to 20 spaces
Multi-family or resort amenities	Up to 20 spaces for each amenity
Commercial	5%
Planned commercial and mixed use	20%
Government and civic use	10%
All other uses	10%

2. Diagonal and perpendicular on-street parking shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Concrete must be six inches minimum and base course must be six inches thick minimum. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be paved with asphalt.
3. Diagonal and perpendicular on-street parking stalls must be terminated by landscaped areas that are a minimum of 20 feet wide, landscaped with two shrubs no higher than two feet, and contain at least one tree pruned and located to ensure proper line of sight is maintained for motorists and pedestrians. The length of the landscaped areas shall match the length of the parking stalls. No more than ten adjacent parking stalls are permitted. A number of parking stalls in excess of ten is permitted if separated by a 20-foot wide landscaped area.
- 4.

Diagonal and perpendicular on-street parking shall not cross any sidewalk, and sidewalks shall wrap around the outside of parking areas. Where a sidewalk is adjacent to on-street parking and subject to vehicle overhang, the sidewalk must be a minimum of six feet wide. Abrupt sidewalk transitions are not permitted. Changes in alignment greater than a 45-degree angle are abrupt.

5. Diagonal and perpendicular on-street parking shall be located a minimum of 50 feet from any intersection of a public roadway, measured at the intersecting public street's lip of gutter to the nearest edge of the nearest parking stall.
6. Diagonal and perpendicular on-street parking shall be designed to continue stormwater and stormwater conveyance systems.
7. Diagonal and perpendicular on-street parking and sidewalks shall be placed within the right-of-way or proper easements as follows:
 - a. Parking areas shall be contained within the right-of-way recorded on the plat, and all right-of-way boundaries shall run parallel with the center line of the street; or
 - b. Standard right-of-way cross sections shall apply, and cross access easement shall be recorded on the final plat containing the full parking space and sidewalks for the continued use and access of the public for the sidewalk.

These standards shall apply to street parking located in or adjacent to a public right-of-way. Proper method of recording these easements or rights-of-way shall be approved by the City.

8. The area designated as the downtown on the general plan map of the City's general plan may use a street parking cross-section that does not comply with this Code as long as it matches the existing cross-section in the area and is approved by the City Engineer. Alternate street parking design may be approved by the City Council as recommended by the City Engineer and the City Planning Department.
9. No on street parking areas shall interfere with other standards and specification within this chapter, Hurricane City Design Standards, International Fire Code, and State of Utah Traffic Codes.
10. On-street parking plans and cross sections shall be subject to approval of the City Engineer.
11. On-street parking stalls shall be 25 feet min from private accesses measured from parking stall to edge of driven access.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. No. 2022-36, 8-18-2022)

Sec. 10-34-9. - Parking modifications.

- A. *Modification permitted.* The number of parking spaces required under section 10-34-6 of this chapter may be modified in accordance with the provisions in this section. The purpose of such modifications is to avoid creating unnecessary parking areas that will be essentially unused. In

considering a modification, the Planning Commission may require a parking study to be completed as provided in subsection F of this section.

- B. *Existing commercial buildings.* The Planning Commission may authorize modified parking requirements for new commercial uses in existing commercial buildings in order to foster economic development.
- 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.

E.

Multi-family and planned developments. The Planning Commission may modify the total number of parking spaces required for multi-family or planned developments after considering the following items and making a finding that adequate parking will be provided:

1. Size of housing units by number of bedrooms;
2. Cost range of units proposed;
3. Owner/tenant characteristics and lifestyle, i.e. singles, couples, families, professionals, retired, elderly, etc.;
4. Examination of existing comparable parking by area or projects;
5. Size of project;
6. Special parking requirements for visitors and recreational vehicles;
7. Future parking expansion capabilities;
8. Transportation alternatives, including proximity to transit stations;
9. Workplace relationships;
10. Handicap requirements;
11. Restrictive covenants; and
12. Availability of approved on street parking for required guest parking.

F. *Parking space study.* When a parking space study is required for a particular use shown in subsection 10-34-10A, table 10-34-1 of this chapter, or when an applicant requests a modification in the number of parking spaces required under section 10-34-6 of this chapter, a parking study shall be provided by the applicant which recommends an adequate number of parking spaces and sets forth the basis of the recommendation.

1. The study shall provide:
 - a. Planning and traffic engineering data, including estimates of parking demand based on recommendations from the Institute of Parking Engineers;
 - b. Data collected from uses or combinations of uses that are the same or comparable to the proposed project as indicated by density, scale, bulk, area, type of activity, and location;
 - c. The source of data used to develop the study's recommendations; and
 - d. The name and qualifications of the persons who prepared the study.
2. The Planning Commission shall determine the required number of parking spaces after:
 - a. Considering the recommendations of the parking study and any recommendations from City staff; and
 - b. Making the findings required under subsection D or E of this section.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2019-09, 7-18-2019)

Sec. 10-34-10. - Tables and figures.

A. *Off Street Parking Schedule.*

TABLE 10-34-1
OFF STREET PARKING SCHEDULE

Use type	Minimum standard	Notes/additional standard
Agricultural uses:		
Agricultural business	1 space per employee on highest employment shift	
Agricultural processing	1 space per employee on highest employment shift	
Residential uses:		
Assisted living facility	1 space per 5 beds	
Boarding house	1 space per tenant	
Dwelling, earth sheltered	2 spaces per dwelling unit	
Dwelling, multiple-family:		
Studio and 1 bedroom units	1.5 spaces per dwelling unit	
2 or more bedroom units	2 spaces per dwelling unit	
Dwelling, single-family	2 spaces per dwelling unit	

Dwelling, single-family with accessory dwelling unit	3 spaces	
Dwelling, temporary	2 spaces per dwelling unit	
Dwelling, two-family	2 spaces per dwelling unit	
Guesthouse	1 space per dwelling unit	
Manufactured home	2 spaces per dwelling unit	
Protective housing facility	1 space for every 4 residents, plus 1 space per employee on highest employment shift	
Rehabilitation/treatment facility	0.5 space per bed	
Residential facility for elderly or persons with a disability	1 space for every 4 residents, plus 1 space per employee on highest employment shift	
Residential facility for troubled youth	1 space for every 4 residents, plus 1 space per employee on highest employment shift	
Transitional housing facility	1 space for every 4 residents, plus 1 space per employee on highest employment shift	
Public and civic uses:		

Auditorium or stadium	1 space per 6 seats of total seating capacity, plus 1 space per 100 square feet of assembly area within the main auditorium where there are no fixed seats	Each 18 inches of bench space shall be considered as 1 seat
Bus terminal	Parking study required	See subsection 10-34-9F of this chapter
Cemetery	Parking study required	See subsection 10-34-9F of this chapter
Church or place of worship	1 space per 6 seats of total seating capacity, plus 1 space per 100 square feet of assembly area within the main auditorium where there are no fixed seats	Each 18 inches of bench space shall be considered as 1 seat
Club or service organization	1 space per 6 seats of total seating capacity, plus 1 space per 100 square feet of assembly area within the main auditorium where there are no fixed seats	Each 18 inches of bench space shall be considered as 1 seat
College or university	Parking study required	See subsection 10-34-9F of this chapter
Convalescent care facility	1 space per 4 beds, plus 1 space per employee on highest employment shift	
Correctional facility	Parking study required	See subsection 10-34-9F of this chapter

Cultural service	1 space per 300 square feet of gross floor area	
Golf course	4 spaces per hole, plus 1 space per driving range tee	Storage area for golf carts and maintenance vehicles shall be provided
Government service	1 space per 200 square feet of gross floor area	
Hospital	2 spaces per bed	
Operations center	4 spaces, plus 1 space per employee on highest employment shift	
Park	Parking study required	See subsection 10-34-9F of this chapter
Post office	2 spaces, plus 1 space per 200 square feet of gross floor area	Loading zone and storage area for mail vehicles shall be provided
Protective service	4 spaces, plus 1 space per employee on highest employment shift	
Reception center	1 space per 6 seats of total seating capacity, plus 1 space per 100 square feet of assembly area within the main auditorium where there are no fixed seats	

Riding academy or stable	Parking study required	See subsection 10-34-9F of this chapter
School, elementary, middle, high, and vocational	1 space per employee, plus 2 spaces per classroom and 1 space for every 3 students of driving age	
Utility, major	Parking study required	See subsection 10-34-9F of this chapter
Commercial uses:		
Agricultural sales and service	4 spaces, plus 1 space per employee on highest employment shift	Storage area for vehicles for sale or under repair shall be provided
Animal hospital	5 spaces per doctor	
Bail bond service	2 spaces, plus 1 space per 200 square feet of gross floor area	
Bank or financial institution	2 spaces, plus 1 space per 200 square feet of gross floor area	Plus stacking spaces per subsection 10-34-6D1 of this chapter
Bed and breakfast, home	1 space per guestroom, plus 2 spaces for host family	
Bed and breakfast inn	1 space per guestroom, plus 2 spaces for host family/proprietor	

Business equipment rental and supplies	1 space per 250 square feet of gross floor area	
Car wash	1 space per employee	Plus stacking spaces per subsection 10-34-6D2 of this chapter
Club, private	1 space per 100 square feet of gross floor area	10 spaces minimum
Construction sales and service	1 space per 250 square feet of gross floor area	Storage area for vehicles for sale or under repair shall be provided
Convenience store	1 space per 200 square feet of gross floor area	Minimum of 5 spaces
Daycare	4 spaces, plus 1 space per 500 square feet of gross floor area	
Family child daycare facility	1 space for every 5 children authorized	
Family child group care facility	1 space for every 5 children authorized	
Family child preschool facility	1 space for every 5 children authorized	
Family childcare facility	1 space per employee on highest employment shift, plus 1 space for every 5 children authorized	

Funeral home	5 spaces, plus 1 space per 35 square feet of assembly room floor area	
Garden center	1 space per 250 square feet of gross floor area, including outdoor display and sales area	
Gas and fuel, storage and sales	1 space per employee on highest employment shift	
Gasoline service station	1 space per 250 square feet of gross floor area	Plus stacking spaces per subsection 10-34-6D3 of this chapter
Hostel	2 spaces plus 1 space per living or sleeping unit	
Hotel	2 spaces plus 1 space per living or sleeping unit	
Kennel	1 space per 600 square feet of gross floor area	
Laundry or dry cleaning, limited	1 space per 250 square feet of gross floor area	
Liquor store	1 space per 250 square feet of gross floor area	
Media service	1 space per 250 square feet of gross floor area	
Medical or dental laboratory	2 spaces, plus 1 space per employee on highest employment shift	

Medical service	6 spaces per doctor	
Motel	2 spaces, plus 1 space per living or sleeping unit	
Office, general	1 space per 250 square feet of gross floor area	8 spaces minimum
Pawnshop	1 space per 250 square feet of gross floor area	5 spaces minimum
Personal care service	1 space per 250 square feet of gross floor area, plus 1 space per employee on highest employment shift	
Personal instruction service	0.50 space per person under maximum occupancy allowed by fire code, plus 1 space per employee on highest employment shift	
Printing and copying, limited	1 space per 250 square feet of gross floor area	5 spaces minimum
Printing, general	1 space per 250 square feet of retail or office area, plus 1 space for every 500 square feet of additional building area	
Produce stand	6 spaces	Exempt from landscaping and paving requirements
Recreation and entertainment, indoor:		

Bowling alley	5 spaces per alley, plus 2 spaces per billiard table	
Movie theater	1 space per 4 seats	
Tennis, handball and racquetball courts	3 spaces per court	
Other uses	1 space per 300 square feet of gross floor area	
Recreation and entertainment, outdoor	Parking study required	See subsection 10-34-9F of this chapter
Repair service	1 space per 250 square feet of retail or office area, plus 1 space for every 500 square feet of additional building area	
Research service	1 space per employee on highest employment shift	
Residential hosting facility	1 space per guestroom plus 2 spaces for host family	
Restaurant, fast food	1 space per 100 square feet of gross floor area	Plus stacking spaces per subsection 10-34-6D4 of this chapter
Restaurant, general	1 space per 100 square feet of gross floor area	10 spaces minimum
Retail, general	1 space per 250 square feet of gross floor area	

Secondhand store	1 space per 250 square feet of gross floor area	
Shopping center	1 space per 250 square feet of gross floor area, up to 500 spaces	For shopping centers containing more than 500 spaces, 1 space per 500 square feet of gross floor area
Tattoo establishment	1 space per 250 square feet of gross floor area	2 spaces minimum
Tavern	1 space per 100 square feet of gross floor area	10 spaces minimum
Transportation service	Parking study required	See subsection 10-34-9F of this chapter
Vehicle and equipment rental or sale	1 space per 250 square feet of gross floor area, plus 1 space for every 10 vehicles displayed	4 spaces minimum
Vehicle and equipment repair	1 space per 250 square feet of gross floor area	4 spaces minimum; separate storage area for vehicles under repair shall be provided
Veterinary service	5 spaces per doctor	
Warehouse, self-service storage	1 space per employee on highest employment shift	

Wireless telecommunication facility	None	
Industrial uses:		
Automobile wrecking yard	1 space per 1,000 square feet of gross floor area or 1 space per employee on highest shift, whichever is greater	
Freight terminal		
Heavy industry		
Junk or salvage yard		
Laundry services		
Manufacturing	1 space per 1,000 square feet of gross floor area or 1 space per employee on highest shift, whichever is greater	
Mineral extraction		
Wholesale and warehousing		

B. *Parking space and aisle dimensions.*

TABLE 10-34-2

PARKING SPACE AND AISLE DIMENSIONS (in feet)

Dimension factors							
A	B	C	D	E	F	G	H
<i>Two-way aisle:</i>							
90°	9	18	24	9	60	60	18

75°	9	20.3	24	9.5	64	55	18.7
60°	9	20.1	24	10.4	64.2	59.8	17.9
45°	9	19.1	24	12.7	62.2	55.8	15.9
<i>One-way aisle:</i>							
75°	9	20.3	17	9.5	57.6	54.4	18.7
60°	9	20.1	15	10.4	55.2	50.8	17.9
45°	9	19.1	13	12.7	51.2	44.8	15.9

C. *Parking space and aisle Illustration.*

FIGURE 10-34-1
PARKING SPACE AND AISLE ILLUSTRATION

[IMAGE]

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2015-12, 12-17-2015; Ord. 2017-03, 1-19-2017)

ATTACHMENT C
ITE PARKING GENERATON CALCULATIONS

Phase 2B

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
General Light Industrial (LUC 110) - Average Rate	671.982 TGSF	0.65	436.79
General Light Industrial (LUC 110) - Equation	671.982 TGSF	0.60	405.96
General Light Industrial (LUC 110) - 85th Percentile	671.982 TGSF	1.94	1,303.65
General Light Industrial (LUC 110) - Average Rate	491 Employees	0.55	270.05
General Light Industrial (LUC 110) - Equation	491 Employees	0.46	223.61
General Light Industrial (LUC 110) - 85th Percentile	491 Employees	1.39	682.49
Manufacturing (LUC 140) - Average Rate	671.982 TGSF	0.92	618.22
Manufacturing (LUC 140) - Equation	671.982 TGSF	N/A	N/A
Manufacturing (LUC 140) - 85th Percentile	671.982 TGSF	3.36	2,257.86
Manufacturing (LUC 140) - Average Rate	491 Employees	0.81	397.71
Manufacturing (LUC 140) - Equation	491 Employees	0.81	397.83
Manufacturing (LUC 140) - 85th Percentile	491 Employees	1.21	594.11
Warehousing (LUC 150) - Average Rate	671.982 TGSF	0.39	262.07
Warehousing (LUC 150) - Equation	671.982 TGSF	0.40	266.49
Warehousing (LUC 150) - 85th Percentile	671.982 TGSF	1.11	745.90
Warehousing (LUC 150) - Average Rate	491 Employees	0.78	382.98
Warehousing (LUC 150) - Equation	491 Employees	0.63	309.00
Warehousing (LUC 150) - 85th Percentile	491 Employees	1.13	554.83
Warehouse/Manufacturing Total			618
Horse & Carriage Grounds Total*			10
Phase 1 Liberty Village Grounds Total**			6
PHASE 2B TOTAL			635

*No ITE data available, assumed to have 10 employees with one parking space per employee

**No ITE data available, assumed to have 6 employees with one parking space per employee

Phase 2C

LAND USE		AMOUNT	PARKING REQUIREMENT	
			RATE	SPACES
Phase 2 Liberty Village Grounds Total*				77
PHASE 2C TOTAL				77

*No ITE data available, assumed to have 23,000 sqft with 1 parking spac per 300 sqft ratio

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Multifamily Housing (Low-Rise) (LUC 220) - Average Rate	108 Dwelling Units	1.21	130.68
Multifamily Housing (Low-Rise) (LUC 220) - Equation	108 Dwelling Units	1.11	120.00
Multifamily Housing (Low-Rise) (LUC 220) - 85th Percentile	108 Dwelling Units	1.52	164.16
Multifamily Housing (Low-Rise) (LUC 220) - Average Rate	108 Occupied Dwelling Units	1.22	131.76
Multifamily Housing (Low-Rise) (LUC 220) - Equation	108 Occupied Dwelling Units	1.14	123.49
Multifamily Housing (Low-Rise) (LUC 220) - 85th Percentile	108 Occupied Dwelling Units	1.41	152.28
Multifamily Housing (Low-Rise) (LUC 220) - Average Rate	138 Bedrooms	0.66	91.08
Multifamily Housing (Low-Rise) (LUC 220) - Equation	138 Bedrooms	0.64	89.00
Multifamily Housing (Low-Rise) (LUC 220) - 85th Percentile	138 Bedrooms	0.86	118.68
<i>Mixed-Use Residential Total</i>			123.49
Health/Fitness Club (LUC 492) - Average Rate	12.6 TGSF	4.73	59.60
Health/Fitness Club (LUC 492) - Equation	12.6 TGSF	6.71	84.54
Health/Fitness Club (LUC 492) - 85th Percentile	12.6 TGSF	8.87	111.76
Health/Fitness Club (LUC 492) - Average Rate	200 Members (100)	9.91	19.82
Health/Fitness Club (LUC 492) - Equation	200 Members (100)	25.45	50.89
Health/Fitness Club (LUC 492) - 85th Percentile	200 Members (100)	22.25	44.50
Athletic Club (LUC 493) - Average Rate	12.6 TGSF	3.05	38.43
Athletic Club (LUC 493) - Equation	12.6 TGSF	6.19	77.96
Athletic Club (LUC 493) - 85th Percentile	12.6 TGSF	5.01	63.13
Athletic Club (LUC 493) - Average Rate	200 Members (100)	8.39	16.78
Athletic Club (LUC 493) - Equation	200 Members (100)	13.00	26.00
Athletic Club (LUC 493) - 85th Percentile	200 Members (100)	13.31	26.62
<i>Gym Total</i>			84.54
Recreational Community Center (LUC 495) - Average Rate	12.6 TGSF	2.07	26.08
Recreational Community Center (LUC 495) - Equation	12.6 TGSF	5.60	70.60
Recreational Community Center (LUC 495) - 85th Percentile	12.6 TGSF	3.78	47.63
Recreational Community Center (LUC 495) - Average Rate	60 Members (100)	2.29	1.37
Recreational Community Center (LUC 495) - Equation	60 Members (100)	N/A	N/A
Recreational Community Center (LUC 495) - 85th Percentile	60 Members (100)	N/A	N/A
<i>Visitor Center/Recreation Total</i>			26.08
Corporate Headquarters Building (LUC 714) - Average Rate	175 TGSF	2.32	406.00
Corporate Headquarters Building (LUC 714) - Equation	175 TGSF	2.46	431.00
Corporate Headquarters Building (LUC 714) - 85th Percentile	175 TGSF	3.25	568.75
Corporate Headquarters Building (LUC 714) - Average Rate	175 Occupied TGSF	2.43	425.25
Corporate Headquarters Building (LUC 714) - Equation	175 Occupied TGSF	2.66	465.00
Corporate Headquarters Building (LUC 714) - 85th Percentile	175 Occupied TGSF	3.25	568.75
Corporate Headquarters Building (LUC 714) - Average Rate	875 Employees	0.96	840.00
Corporate Headquarters Building (LUC 714) - Equation	875 Employees	0.96	841.84
Corporate Headquarters Building (LUC 714) - 85th Percentile	875 Employees	1.14	997.50
<i>Corporate Offices Total</i>			465.00
General Office Building (LUC 710) - Average Rate	16 TGSF	2.39	38.24
General Office Building (LUC 710) - Equation	16 TGSF	4.31	69.00
General Office Building (LUC 710) - 85th Percentile	16 TGSF	3.30	52.80
General Office Building (LUC 710) - Average Rate	16 Occupied TGSF	2.51	40.16
General Office Building (LUC 710) - Equation	16 Occupied TGSF	4.84	77.42
General Office Building (LUC 710) - 85th Percentile	16 Occupied TGSF	3.42	54.72
General Office Building (LUC 710) - Average Rate	87 Employees	0.84	73.08
General Office Building (LUC 710) - Equation	87 Employees	0.83	72.06
General Office Building (LUC 710) - 85th Percentile	87 Employees	1.05	91.35
<i>Professional Office Total</i>			77.42
Shopping Center (LUC 820) - Average Rate	20 TGSF	1.95	39.00
Shopping Center (LUC 820) - Equation	20 TGSF	6.51	130.12
Shopping Center (LUC 820) - 85th Percentile	20 TGSF	3.68	73.60
<i>Retail Total</i>			73.60
High-Turnover (Sit Down) Restaurant (LUC 932) - Average Rate	10 TGSF	9.44	94.40
High-Turnover (Sit Down) Restaurant (LUC 932) - Equation	10 TGSF	N/A	N/A
High-Turnover (Sit Down) Restaurant (LUC 932) - 85th Percentile	10 TGSF	17.40	174.00
High-Turnover (Sit Down) Restaurant (LUC 932) - Average Rate	48 Employees	2.55	122.40
High-Turnover (Sit Down) Restaurant (LUC 932) - Equation	48 Employees	1.83	88.00
High-Turnover (Sit Down) Restaurant (LUC 932) - 85th Percentile	48 Employees	4.88	234.24
<i>Restaurants Total</i>			94.40
PHASE 3 TOTAL			945

Phase 4

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Single-Family Residential Total*			372.00
Corporate Headquarters Building (LUC 714) - Average Rate	525 TGSF	2.32	1,218.00
Corporate Headquarters Building (LUC 714) - Equation	525 TGSF	1.89	992.00
Corporate Headquarters Building (LUC 714) - 85th Percentile	525 TGSF	3.25	1,706.25
Corporate Headquarters Building (LUC 714) - Average Rate	525 Occupied TGSF	2.43	1,275.75
Corporate Headquarters Building (LUC 714) - Equation	525 Occupied TGSF	2.13	1,120.00
Corporate Headquarters Building (LUC 714) - 85th Percentile	525 Occupied TGSF	3.25	1,706.25
Corporate Headquarters Building (LUC 714) - Average Rate	2625 Employees	0.96	2,520.00
Corporate Headquarters Building (LUC 714) - Equation	2625 Employees	1.07	2,819.34
Corporate Headquarters Building (LUC 714) - 85th Percentile	2625 Employees	1.14	2,992.50
Corporate Headquarters Building Total			1,275.75
PHASE 4 TOTAL			1,648

*No ITE data available, standard City code requirements utilized

Phase 5

LAND USE		AMOUNT	PARKING REQUIREMENT	
			RATE	SPACES
<i>Phase 3 Liberty Village Grounds Total*</i>				160
PHASE 5 TOTAL				160

Future

LAND USE	AMOUNT	PARKING REQUIREMENT	
		RATE	SPACES
Hospital (LUC 610) - Average Rate	64.2 TGSF	2.25	144.45
Hospital (LUC 610) - Equation	64.2 TGSF	2.76	177.01
Hospital (LUC 610) - 85th Percentile	64.2 TGSF	3.50	224.70
Hospital (LUC 610) - Average Rate	100 Beds	3.74	374.00
Hospital (LUC 610) - Equation	100 Beds	4.33	433.00
Hospital (LUC 610) - 85th Percentile	100 Beds	5.96	596.00
Hospital (LUC 610) - Average Rate	100 Occupied Beds	5.44	544.00
Hospital (LUC 610) - Equation	100 Occupied Beds	7.65	764.54
Hospital (LUC 610) - 85th Percentile	100 Occupied Beds	8.40	840.00
Hospital (LUC 610) - Average Rate	170 Employees	0.73	124.10
Hospital (LUC 610) - Equation	170 Employees	1.78	302.75
Hospital (LUC 610) - 85th Percentile	170 Employees	1.05	178.50
<i>Hospital Total</i>			433.00
Private School (LUC 536) - Average Rate	180 Students	0.35	63.00
Private School (LUC 536) - Equation	180 Students	N/A	N/A
Private School (LUC 536) - 85th Percentile	180 Students	0.42	75.60
<i>School Total</i>			63.00
FUTURE TOTAL			496

ATTACHMENT D
ULI SHARED PARKING CALCULATIONS

ULI SHARED PARKING CALCULATIONS - WEEKDAY

[illegible]

ULI SHARED PARKING CALCULATIONS SUMMARY

Land Use	Warehouse / Manufacturing	Multi-Family	Health / Fitness Club	Recreational Center	Private School *	Hospital	Office	Corporate Headquarters	Shopping Center	Restaurant	TOTAL
Spaces	1,882	129	88	25	36	295	61	1,960	72	174	4,722
7:00 AM	56.4	122.5	61.7	0.0	0.0	0.0	1.8	58.8	0.7	43.5	345.5
8:00 AM	282.2	103.1	35.3	0.0	0.7	29.5	9.1	294.0	3.6	87.0	844.6
9:00 AM	940.8	86.4	35.3	0.0	8.9	280.6	30.4	980.0	10.8	104.4	2,477.5
10:00 AM	1,693.4	70.9	61.7	0.0	26.8	280.6	54.7	1,764.0	25.2	130.5	4,107.8
11:00 AM	1,881.5	64.5	61.7	11.3	7.1	295.3	60.8	1,960.0	43.2	147.9	4,533.4
12:00 PM	1,881.5	58.0	70.6	16.4	7.1	295.3	60.8	1,960.0	54.0	156.6	4,560.4
1:00 PM	1,599.3	51.6	52.9	21.4	7.1	192.0	51.7	1,666.0	72.0	174.0	3,888.0
2:00 PM	1,599.3	51.6	61.7	23.9	7.1	280.6	51.7	1,666.0	72.0	156.6	3,970.5
3:00 PM	1,787.5	51.6	61.7	25.2	7.1	295.3	57.8	1,862.0	68.4	87.0	4,303.6
4:00 PM	1,787.5	51.6	61.7	23.9	7.1	295.3	57.8	1,862.0	61.2	78.3	4,286.4
5:00 PM	1,599.3	58.0	70.6	22.7	35.7	280.6	51.7	1,666.0	61.2	78.3	3,924.0
6:00 PM	1,128.9	64.5	79.4	17.6	17.8	265.8	36.5	1,176.0	61.2	130.5	2,978.2
7:00 PM	470.4	77.3	88.2	15.1	7.1	197.9	15.2	490.0	64.8	139.2	1,565.2
8:00 PM	282.2	90.2	79.4	11.3	1.8	88.6	9.1	294.0	57.6	139.2	1,053.5
9:00 PM	94.1	103.1	70.6	0.0	0.0	44.3	3.0	98.0	46.8	139.2	599.1
10:00 PM	56.4	109.6	61.7	0.0	0.0	0.0	1.8	58.8	32.4	104.4	425.2
11:00 PM	18.8	122.5	30.9	0.0	0.0	0.0	0.6	19.6	10.8	95.7	298.8
12:00 AM	0.0	125.0	8.8	0.0	0.0	0.0	0.0	0.0	3.6	130.5	268.0
1:00 AM	0.0	128.9	0.0	0.0	0.0	0.0	0.0	0.0	0.0	43.5	172.4
Maximum											4,560
plus undefined uses											625
TOTAL											5,185

ULI SHARED PARKING CALCULATIONS - WEEKDAY

[illegible]

ULI SHARED PARKING CALCULATIONS SUMMARY

Land Use	Warehouse / Manufacturing	Multi-Family	Health / Fitness Club	Recreational Center	Private School *	Hospital	Office	Corporate Headquarters	Shopping Center	Restaurant	TOTAL
Spaces	672	177	42	42	39	200	64	2,800	80	0	4,116
7:00 AM	20.2	168.2	29.4	0.0	0.0	0.0	1.9	84.0	0.8	0.0	304.4
8:00 AM	100.8	141.6	16.8	0.0	0.8	20.0	9.6	420.0	4.0	0.0	713.6
9:00 AM	336.0	118.6	16.8	0.0	9.8	190.0	32.0	1,400.0	12.0	0.0	2,115.1
10:00 AM	604.8	97.4	29.4	0.0	29.3	190.0	57.6	2,520.0	28.0	0.0	3,556.4
11:00 AM	672.0	88.5	29.4	18.9	7.8	200.0	64.0	2,800.0	48.0	0.0	3,928.6
12:00 PM	672.0	79.7	33.6	27.3	7.8	200.0	64.0	2,800.0	60.0	0.0	3,944.4
1:00 PM	571.2	70.8	25.2	35.7	7.8	130.0	54.4	2,380.0	80.0	0.0	3,355.1
2:00 PM	571.2	70.8	29.4	39.9	7.8	190.0	54.4	2,380.0	80.0	0.0	3,423.5
3:00 PM	638.4	70.8	29.4	42.0	7.8	200.0	60.8	2,660.0	76.0	0.0	3,785.2
4:00 PM	638.4	70.8	29.4	39.9	7.8	200.0	60.8	2,660.0	68.0	0.0	3,775.1
5:00 PM	571.2	79.7	33.6	37.8	39.0	190.0	54.4	2,380.0	68.0	0.0	3,453.7
6:00 PM	403.2	88.5	37.8	29.4	19.5	180.0	38.4	1,680.0	68.0	0.0	2,544.8
7:00 PM	168.0	106.2	42.0	25.2	7.8	134.0	16.0	700.0	72.0	0.0	1,271.2
8:00 PM	100.8	123.9	37.8	18.9	2.0	60.0	9.6	420.0	64.0	0.0	837.0
9:00 PM	33.6	141.6	33.6	0.0	0.0	30.0	3.2	140.0	52.0	0.0	434.0
10:00 PM	20.2	150.5	29.4	0.0	0.0	0.0	1.9	84.0	36.0	0.0	321.9
11:00 PM	6.7	168.2	14.7	0.0	0.0	0.0	0.6	28.0	12.0	0.0	230.2
12:00 AM	0.0	171.7	4.2	0.0	0.0	0.0	0.0	0.0	4.0	0.0	179.9
1:00 AM	0.0	177.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	177.0
Maximum											3,944
plus undefined uses											625
TOTAL											4,569

ATTACHMENT E
ITE SHARED PARKING CALCULATIONS

ITE SHARED PARKING ALLOWANCE - WEEKDAY

[illegible]

ITE SHARED PARKING CALCULATIONS SUMMARY

Land Use	Warehouse/Manufacturing	Multi-Family	Private School*	Hospital	Office	Hospital	Office	Corporate Headquarters	Shopping Center	Restaurant	TOTAL
Spaces	398	124	85	27	63	433	78	1,741	74	95	3,118
7:00 AM	218.9	95.5	0.0	15.7	37.8	212.2	10.1	348.2	0.0	23.8	962.1
8:00 AM	302.5	69.4	0.0	19.4	63.0	324.8	37.4	1,096.8	11.1	64.6	1,989.1
9:00 AM	326.4	55.8	0.0	25.7	60.5	407.0	68.6	1,706.2	23.7	68.4	2,742.2
10:00 AM	334.3	49.6	52.7	25.4	59.9	424.3	78.0	1,741.0	40.0	73.2	2,878.3
11:00 AM	346.3	45.9	46.8	25.7	60.5	424.3	78.0	1,619.1	52.5	78.9	2,777.9
12:00 PM	362.2	44.6	37.4	22.4	59.2	420.0	66.3	1,358.0	73.3	95.0	2,538.4
1:00 PM	394.0	44.6	34.9	17.6	60.5	424.3	65.5	1,601.7	74.0	86.5	2,803.6
2:00 PM	398.0	45.9	30.6	15.1	60.5	433.0	72.5	1,636.5	66.6	53.2	2,812.0
3:00 PM	398.0	53.3	34.9	17.3	46.6	415.7	73.3	1,549.5	61.4	39.9	2,689.9
4:00 PM	362.2	55.8	58.7	20.3	32.8	329.1	66.3	1,497.3	59.9	39.9	2,522.1
5:00 PM	294.5	68.2	81.6	22.7	18.3	251.1	43.7	992.4	62.2	60.8	1,895.4
6:00 PM	187.1	81.8	85.0	27.0	0.0	0.0	15.6	348.2	63.6	82.7	891.0
7:00 PM	103.5	90.5	72.3	26.7	0.0	0.0	8.6	0.0	59.2	75.1	435.8
8:00 PM	79.6	95.5	0.0	0.0	0.0	0.0	0.0	0.0	46.6	61.8	283.5
9:00 PM	67.7	106.6	0.0	0.0	0.0	0.0	0.0	0.0	31.1	39.9	245.3
10:00 PM	35.8	114.1	0.0	0.0	0.0	0.0	0.0	0.0	11.1	20.0	181.0
11:00 PM	31.8	120.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	152.1
12:00 AM	19.9	124.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	143.9
1:00 AM	19.9	124.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	143.9
Maximum											2,878
plus undefined uses											625
TOTAL											3,503

ITE SHARED PARKING ALLOWANCE - WEEKDAY

[illegible]

ITE SHARED PARKING CALCULATIONS SUMMARY

Land Use	Warehouse/Manufacturing	Multi-Family	Private School*	Hospital	Office	Hospital	Office	Corporate Headquarters	Shopping Center	Restaurant	TOTAL
Spaces	672	177	42	42	39	200	64	2,800	80	100	4,216
7:00 AM	369.6	136.3	0.0	24.4	23.4	98.0	8.3	560.0	0.0	25.0	1,245.0
8:00 AM	510.7	99.1	0.0	30.2	39.0	150.0	30.7	1,764.0	12.0	68.0	2,703.8
9:00 AM	551.0	79.7	0.0	39.9	37.4	188.0	56.3	2,744.0	25.6	72.0	3,794.0
10:00 AM	564.5	70.8	26.0	39.5	37.1	196.0	64.0	2,800.0	43.2	77.0	3,918.1
11:00 AM	584.6	65.5	23.1	39.9	37.4	196.0	64.0	2,604.0	56.8	83.0	3,754.4
12:00 PM	611.5	63.7	18.5	34.9	36.7	194.0	54.4	2,184.0	79.2	100.0	3,376.8
1:00 PM	665.3	63.7	17.2	27.3	37.4	196.0	53.8	2,576.0	80.0	91.0	3,807.7
2:00 PM	672.0	65.5	15.1	23.5	37.4	200.0	59.5	2,632.0	72.0	56.0	3,833.1
3:00 PM	672.0	76.1	17.2	26.9	28.9	192.0	60.2	2,492.0	66.4	42.0	3,673.6
4:00 PM	611.5	79.7	29.0	31.5	20.3	152.0	54.4	2,408.0	64.8	42.0	3,493.1
5:00 PM	497.3	97.4	40.3	35.3	11.3	116.0	35.8	1,596.0	67.2	64.0	2,560.6
6:00 PM	315.8	116.8	42.0	42.0	0.0	0.0	12.8	560.0	68.8	87.0	1,245.3
7:00 PM	174.7	129.2	35.7	41.6	0.0	0.0	7.0	0.0	64.0	79.0	531.3
8:00 PM	134.4	136.3	0.0	0.0	0.0	0.0	0.0	0.0	50.4	65.0	386.1
9:00 PM	114.2	152.2	0.0	0.0	0.0	0.0	0.0	0.0	33.6	42.0	342.1
10:00 PM	60.5	162.8	0.0	0.0	0.0	0.0	0.0	0.0	12.0	21.0	256.3
11:00 PM	53.8	171.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	225.5
12:00 AM	33.6	177.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	210.6
1:00 AM	33.6	177.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	210.6
Maximum											3,918
plus undefined uses											625
TOTAL											4,543

ENGINEERS GENERAL CONSTRUCTION NOTES:

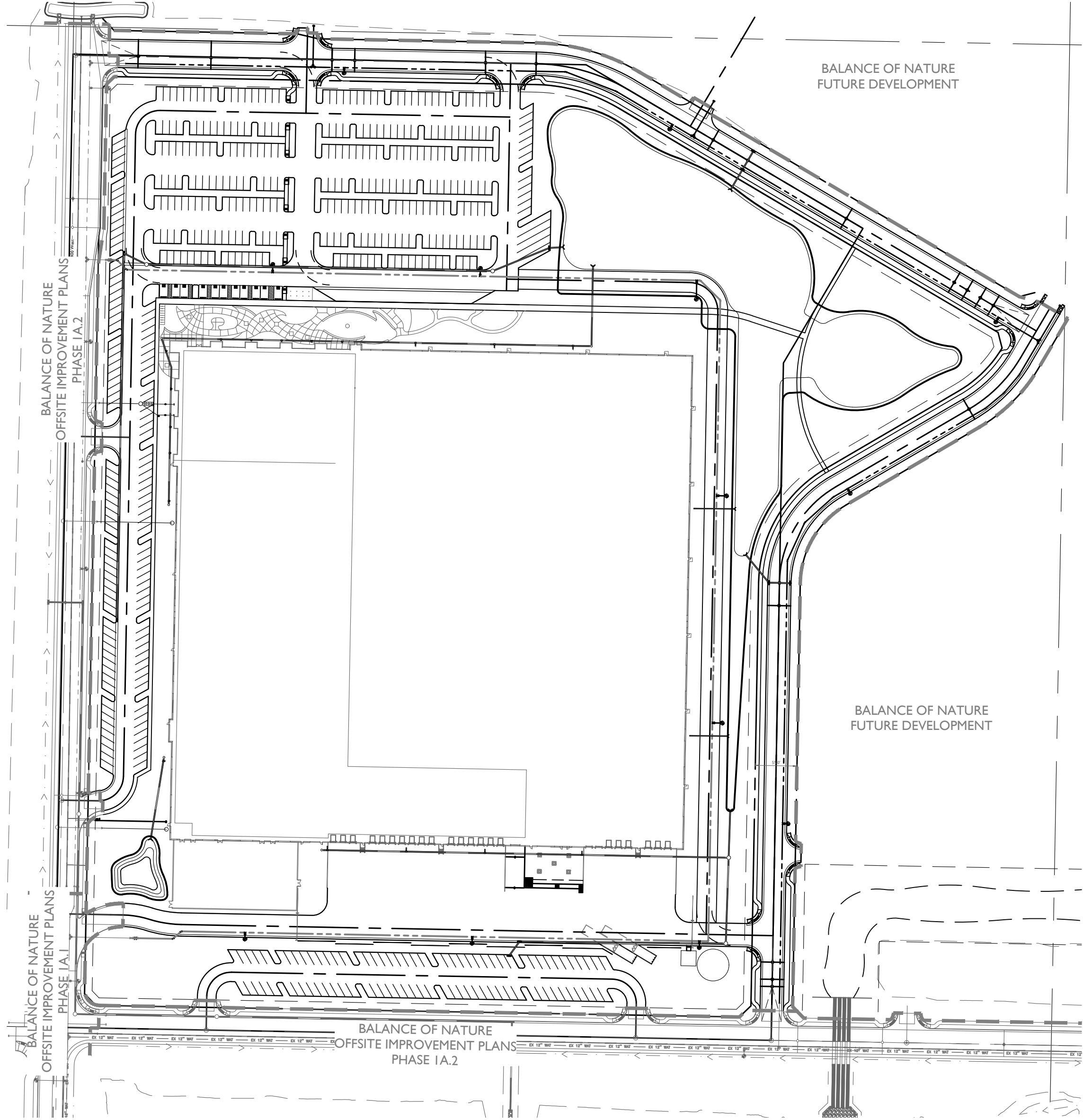
- THESE PLANS ARE SUBJECT TO THE INTERPRETATION OF INTENT BY THE ENGINEER. ALL QUESTIONS REGARDING THESE PLANS SHALL BE PRESENTED TO THE ENGINEER. ANYONE WHO TAKES UPON HIMSELF THE INTERPRETATION OF THE DRAWINGS OR MAKES REVISIONS TO THEM WITHOUT CONFERRING WITH THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR THE CONSEQUENCES THEREOF.
- THE PLANS PREPARED FOR THIS PROJECT PRESENT A DESCRIPTION OF THE WORK TO BE ACCOMPLISHED. THE CONTRACTOR SHALL VISIT THE PROJECT SITE AND DETERMINE, FROM HIS OWN INSPECTION, THE CONDITIONS UNDER WHICH IT IS TO BE PERFORMED. THE CONTRACTOR, BY MAKING HIS BID, REPRESENTS THAT HE HAS VISITED THE SITE AND FAMILIARIZED HIMSELF WITH LOCAL CONDITIONS, THE TYPE OF WORK TO BE PERFORMED, EVALUATED THE DIFFICULTY OF PERFORMING THE REQUIRED TASKS, AND THE LABOR, EQUIPMENT AND MATERIAL THAT ARE REQUIRED TO PROVIDE A COMPLETE PROJECT.
- THE CONTRACTOR SHALL VERIFY WITH THE DESIGN ENGINEER THAT HE HAS THE MOST CURRENT SET OF CONSTRUCTION PLANS PRIOR TO COMMENCEMENT OF CONSTRUCTION AND MUST KEEP THE APPROVED SET OF PLANS ON-SITE FROM START OF CONSTRUCTION TO PROJECT COMPLETION. ANY CONSTRUCTION OR INSTALLATION BASED ON OUT-OF-DATE PLANS SHALL BE SUBJECT TO REMOVAL AND REPLACEMENT AT THE CONTRACTOR'S EXPENSE.
- QUANTITIES LISTED ON THESE PLANS ARE ESTIMATES ONLY. THE CONTRACTOR SHALL VERIFY ALL QUANTITIES BEFORE SUBMITTING A BID FOR THIS WORK.
- UNLESS NOTED OTHERWISE, THIS PROJECT WAS DESIGNED IN AN EFFORT TO BALANCE THE EARTHWORK. ANY EARTHWORK VOLUMES SHOWN ON THESE PLANS ARE FOR INFORMATION ONLY AND SHALL NOT BE USED FOR BIDDING PURPOSES. THE CONTRACTOR'S BID SHALL INCLUDE ALL COSTS ASSOCIATED WITH IMPORTING AND PLACING MATERIAL OR STOCKPILING, HAULING AND DISPOSING OF EXCESS MATERIAL IN ACCORDANCE WITH THEIR CALCULATIONS AND DETERMINATION.
- A THOROUGH ATTEMPT HAS BEEN MADE TO SHOW THE LOCATIONS OF ALL UNDERGROUND OBSTRUCTIONS AND UTILITY LINES IN THE WORK AREA; HOWEVER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO OBSTRUCTIONS AND UTILITY LINES ENCOUNTERED DURING CONSTRUCTION AND SHALL DETERMINE THE EXACT LOCATION OF SAID UTILITIES IN ADVANCE OF TRENCHING. THE ENGINEER WILL NOT GUARANTEE ANY ELEVATIONS OR LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN ON THESE PLANS.
- THE CONTRACTOR SHALL CALL BLUE STAKE PRIOR TO CONSTRUCTION AND VERIFY THE PRESENCE OF UTILITIES AND SHALL PROTECT ANY OVERHEAD OR UNDERGROUND UTILITIES DURING CONSTRUCTION, WHETHER OR NOT SAID UTILITIES ARE SHOWN ON THESE PLANS. THE CONTRACTOR SHALL MAKE EXPLORATORY EXCAVATIONS TO LOCATE UNDERGROUND UTILITIES AND/OR STRUCTURES IF NECESSARY TO VERIFY UNDERGROUND UTILITIES. WHERE EXISTING UNDERGROUND UTILITIES ARE EXPOSED, CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANY FOR INSPECTION PRIOR TO BACKFILLING.
- THE CONTRACTOR SHALL VERIFY THE LOCATION AND ELEVATION OF ALL POINTS OF CONNECTION PRIOR TO DIGGING BEYOND THE POINT OF CONNECTION.
- CONSTRUCTION OF THE SEWER LINE SHALL COMMENCE AT THE FURTHEST DOWNSTREAM POINT OF CONNECTION AND SHALL PROGRESS UPSTREAM FROM THAT POINT.
- ALL HANDICAP ACCESS RAMPS, PARKING STALLS, AND DELINEATED WALKWAYS SHALL BE CONSTRUCTED AND MARKED IN ACCORDANCE WITH CURRENT FEDERAL AND/OR LOCAL A.D.A. STANDARDS AND REQUIREMENTS. THE CONTRACTOR SHALL COORDINATE WITH THE LOCAL AUTHORITIES PRIOR TO CONSTRUCTING AND/OR STRIPING TO CONFIRM CURRENT REQUIREMENTS.
- ALL SLOPES HIGHER THAN ONE (1) FOOT AND STEEPER THAN 20:1, UNLESS LINED WITH TURF, SHALL BE COMPACTED AND TESTED PER MAG SPECIFICATION 215. RE-COMPACTION IS RECOMMENDED PER MAG SPECIFICATION 215 AFTER INSTALLATION OF IRRIGATION LINES, AND STABILIZATION OF DECOMPOSED GRANITE IS ALSO RECOMMENDED.
- THE CONTRACTOR SHALL COMPLY WITH ALL PROVISIONS SPECIFIED IN THE GEOTECHNICAL INVESTIGATION. NO PONDING DEEPER THAN 0.05' IS PERMITTED WITHIN 10' OF ANY BUILDING.
- THE CLIENT AND CONTRACTOR ASSUME ALL RESPONSIBILITY AND COSTS INCURRED IF THEY ELECT TO LANDSCAPE RETENTION BASINS BEFORE THE REQUIRED RETENTION VOLUMES HAVE BEEN CERTIFIED BY THE ENGINEER.
- THE CONTRACTOR SHALL OBTAIN PERMISSION FROM THE OWNER'S ENGINEER-OF-RECORD PRIOR TO BACKFILLING ANY WET OR DRY UTILITY MAIN OR SERVICE LINES TO ENSURE ALL INSPECTIONS AND TESTING HAS BEEN COMPLETED. NO UTILITY LINES SHALL BE BACKFILLED UNTIL AS-BUILT HORIZONTAL AND VERTICAL LOCATIONS HAVE BEEN OBTAINED. ANY ADDITIONAL COST REQUIRED
- THE CONTRACTOR SHALL REGISTER ALL DRYWELLS WITH THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY AT THE CONCLUSION OF INSTALLATION AND TESTING. DRYWELL REGISTRATION NUMBERS SHALL BE PROVIDED TO THE OWNER AND ENGINEER OR RECORD.

STAKING NOTES:

CALL THE BLUE STAKE CENTER (263-1100) 48 HOURS BEFORE DIGGING FOR LOCATION OF UNDERGROUND UTILITIES. ALL OFFSET OR REFERENCE STAKES SET BY THE ENGINEER ARE TO BE MAINTAINED INTACT. NO CLAIMS FOR ADDITIONAL COMPENSATION FOR CORRECTIONS SHALL BE PRESENTED TO ANY PARTY UNLESS SUCH STAKES ARE PRESENT AND THEIR ORIGIN IS VERIFIED. IF STAKES ARE NOT MAINTAINED INTACT, ALL CORRECTIONS SHALL BE MADE BY THE CONTRACTOR AT HIS EXPENSE. ONE SET OF STAKES WILL BE FURNISHED BY THE OWNER FOR THE WATER LINE, WATER SERVICES, FIRE HYDRANT LOCATIONS AND GRADE, SEWER LINES AND SERVICES, CONCRETE SUBGRADE AND A.B.C.. ALL ADDITIONAL STAKING TO BE CHARGED TO THE CONTRACTOR. 24 WORKING HOUR NOTICE IS REQUIRED FOR STAKING BY THE SUBDIVISION ENGINEER.

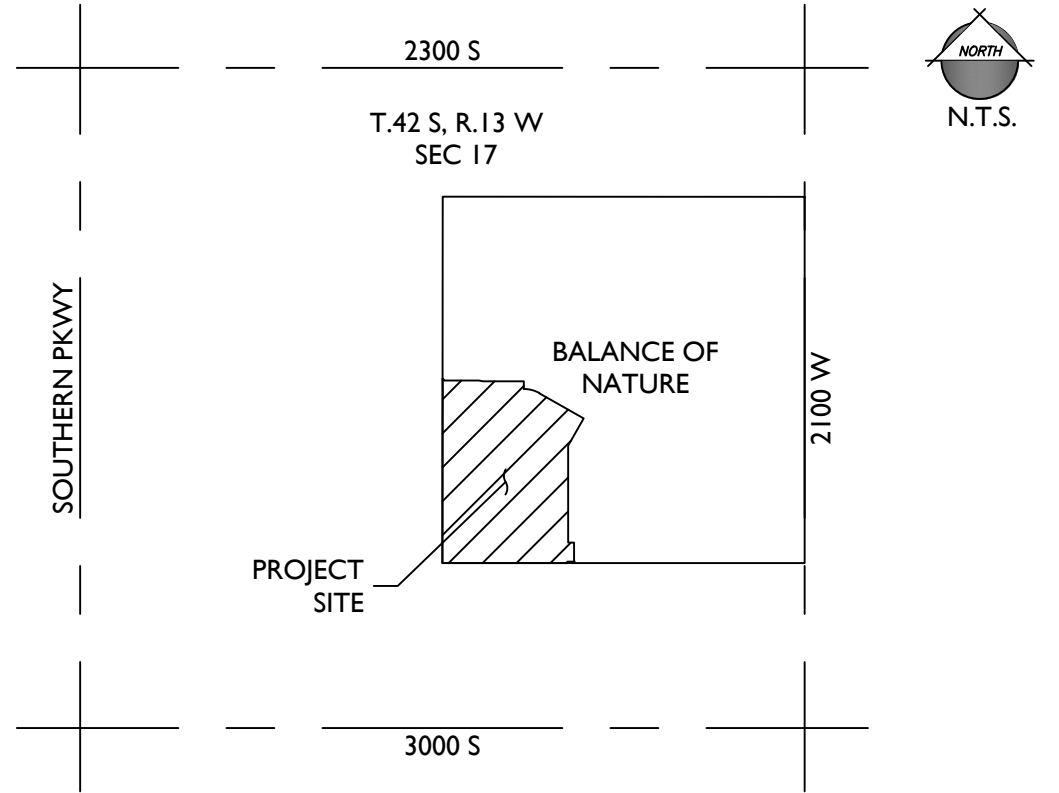
PRELIMINARY IMPROVEMENT PLANS
FOR
BALANCE OF NATURE
MANUFACTURING SITE
HURRICANE, UT

A PORTION OF SECTION 17, TOWNSHIP 42S, RANGE 13W,
WASHINGTON COUNTY, UTAH



KEY MAP
N.T.S.

VICINITY MAP



DESCRIPTION		SHEET NO
COVER SHEET	CS01	1
INDEX SHEET	ID01	2
PRELIMINARY UTILITY PLAN	UT01 - UT03	3 - 5
PRELIMINARY GRADING & DRAINAGE PLAN	GD01 - GD03	6 - 8
GRADING SECTIONS	GS01	9

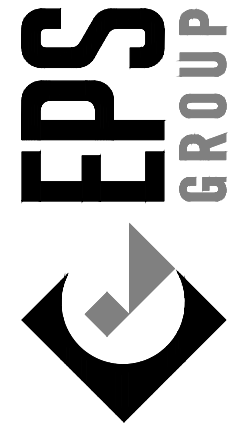
PROJECT DATA
APN: H-3373-NP
ACREAGE: 158356

LEGEND

- STORM SEWER MANHOLE
- STORM SEWER CLEANOUT
- ▬ STORM DRAIN PIPE
- ← SLOPE DIRECTION
- CATCH BASIN
- PUBLIC SEWER LINE
- PUBLIC SEWER MANHOLE
- PRIVATE SEWER LINE
- PRIVATE SEWER MANHOLE
- PUBLIC WATER LINE
- PRIVATE WATER LINE
- FIRE HYDRANT
- ⊗ WATER VALVE

PROJECT DATA	
APN	I-I-3373-NP
GROSS AREA	16.76 ACRES
NET AREA	14.54 ACRES
PROPOSED ZONING	M-I

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



Balance of Nature
Manufacturing Plant - Preliminary

Hurricane, Utah

Cover Sheet

Project:

Revisions:



Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

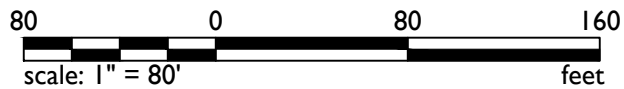
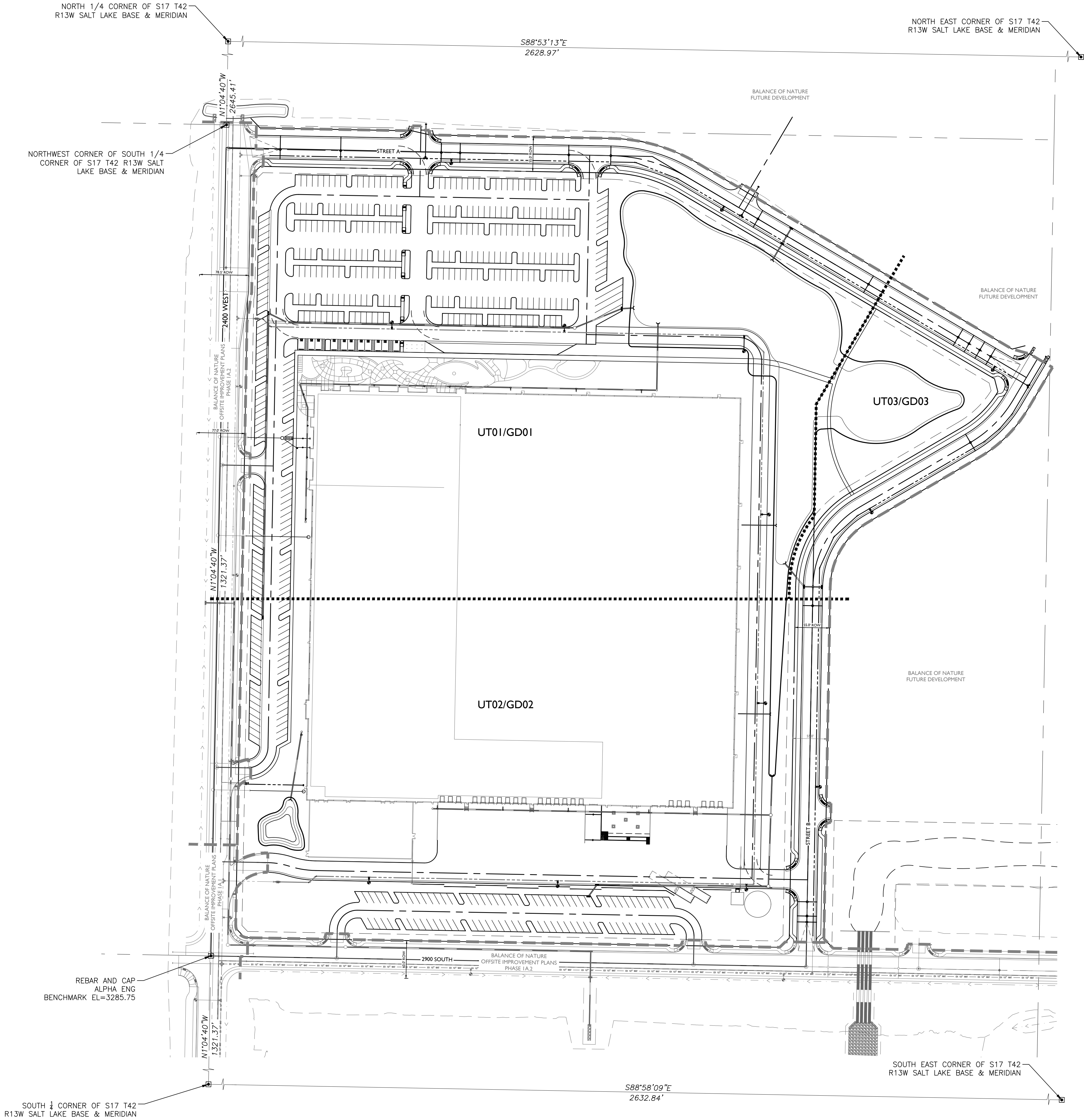
Job No.
21-0167

CS01

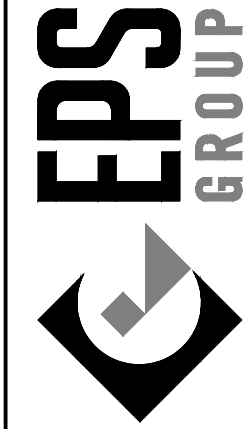
Sheet No.
1
of 9

21-0167 - Balance of Nature

Jul 06, 2023 7:52am S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - ID01.dwg schumbley



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



Balance of Nature
Manufacturing Plant - Preliminary

Index Sheet

Project:

Revisions:



Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

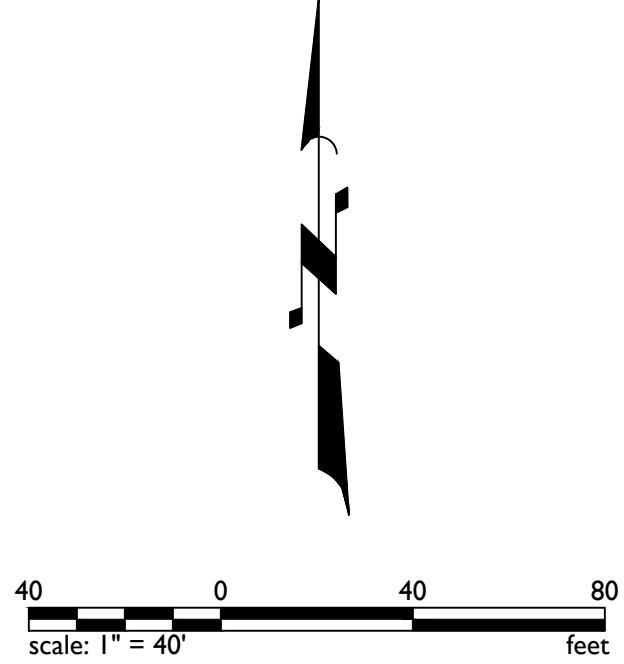
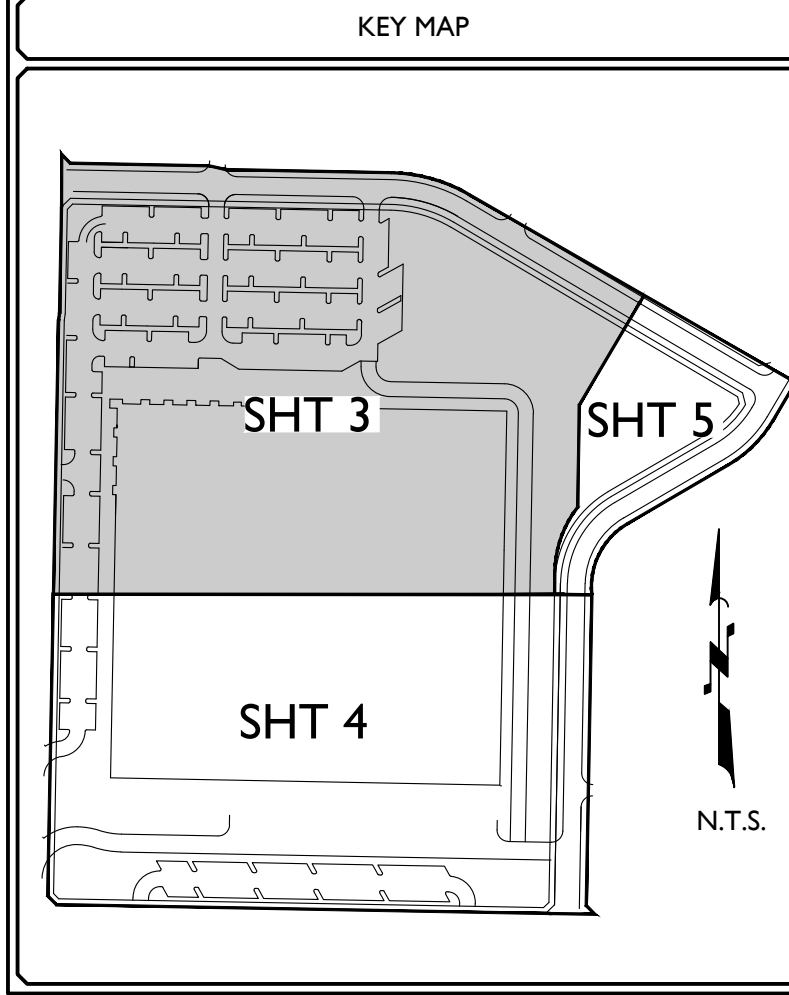
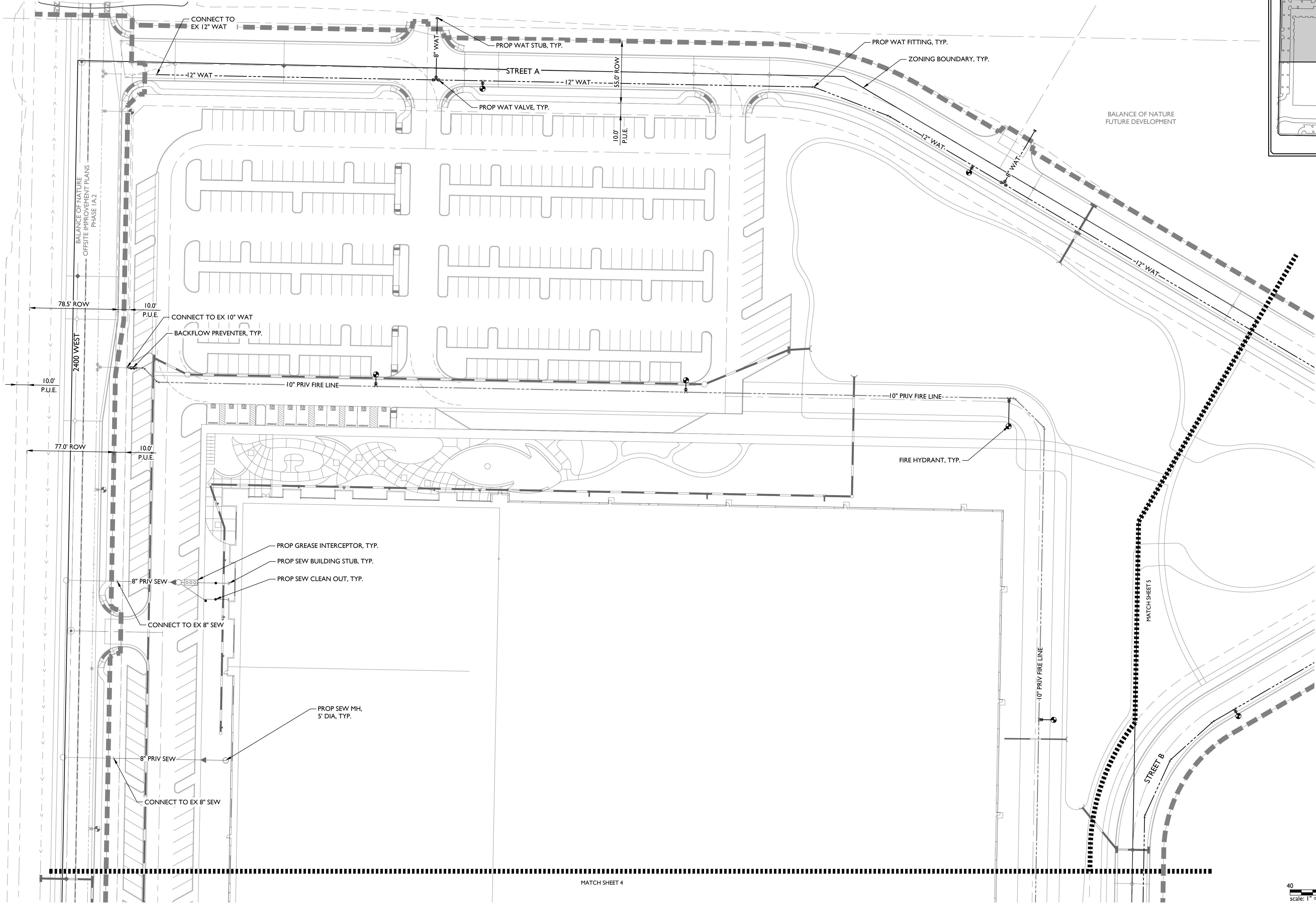
Job No.
21-0167

ID01

Sheet No.
2
of 9

21-0167 - Balance of Nature

Jul 06, 2023 7:55am S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - UT01.dwg schumbley



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS

GROUP

Project:

Balance of Nature
Manufacturing Plant - Preliminary
Hurricane, Utah

Revisions:

Blue Stamp of UTAH811

Call 811 or 1-800-485-4111

Designer: EPS

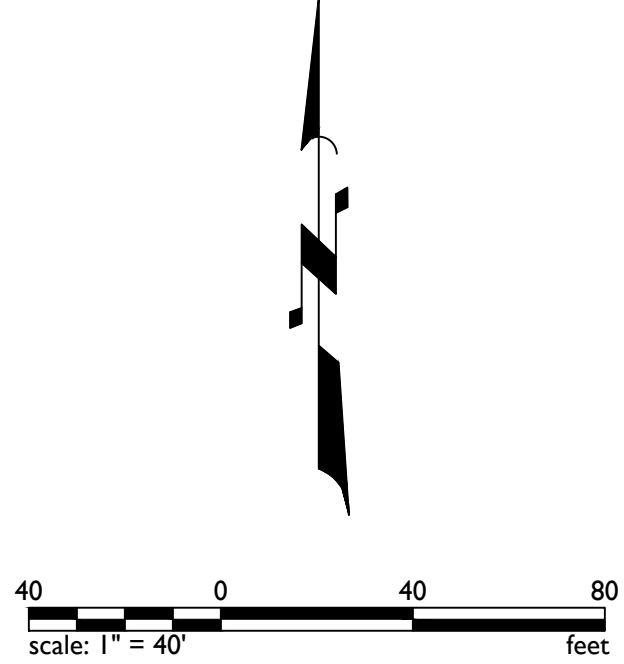
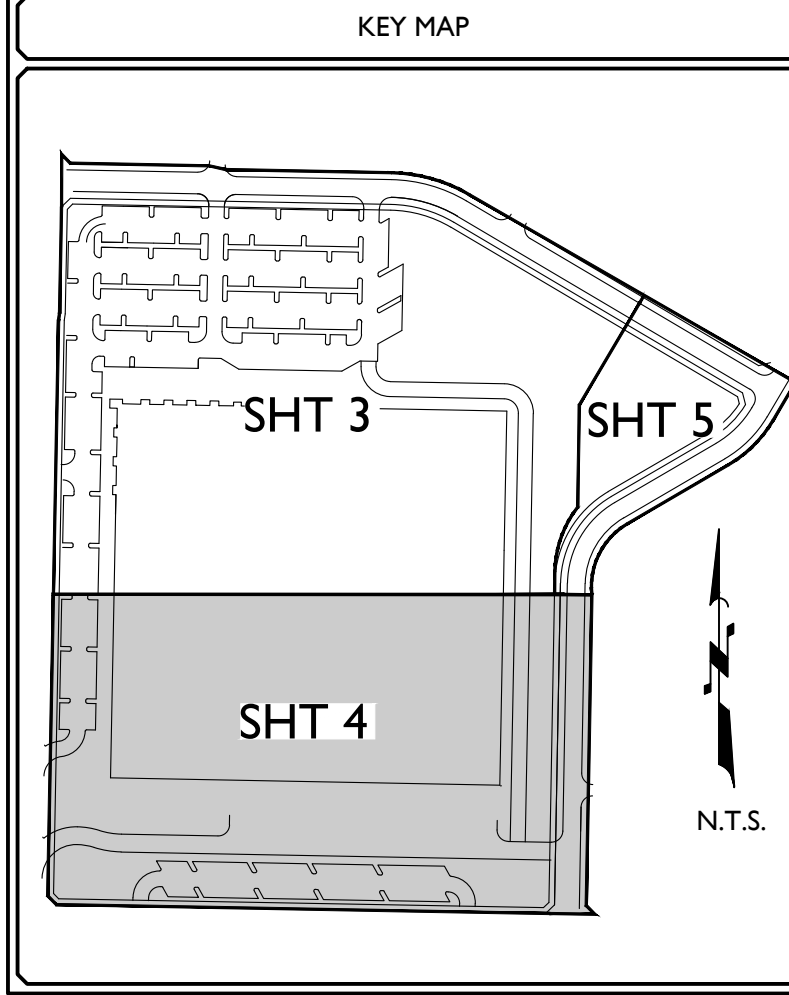
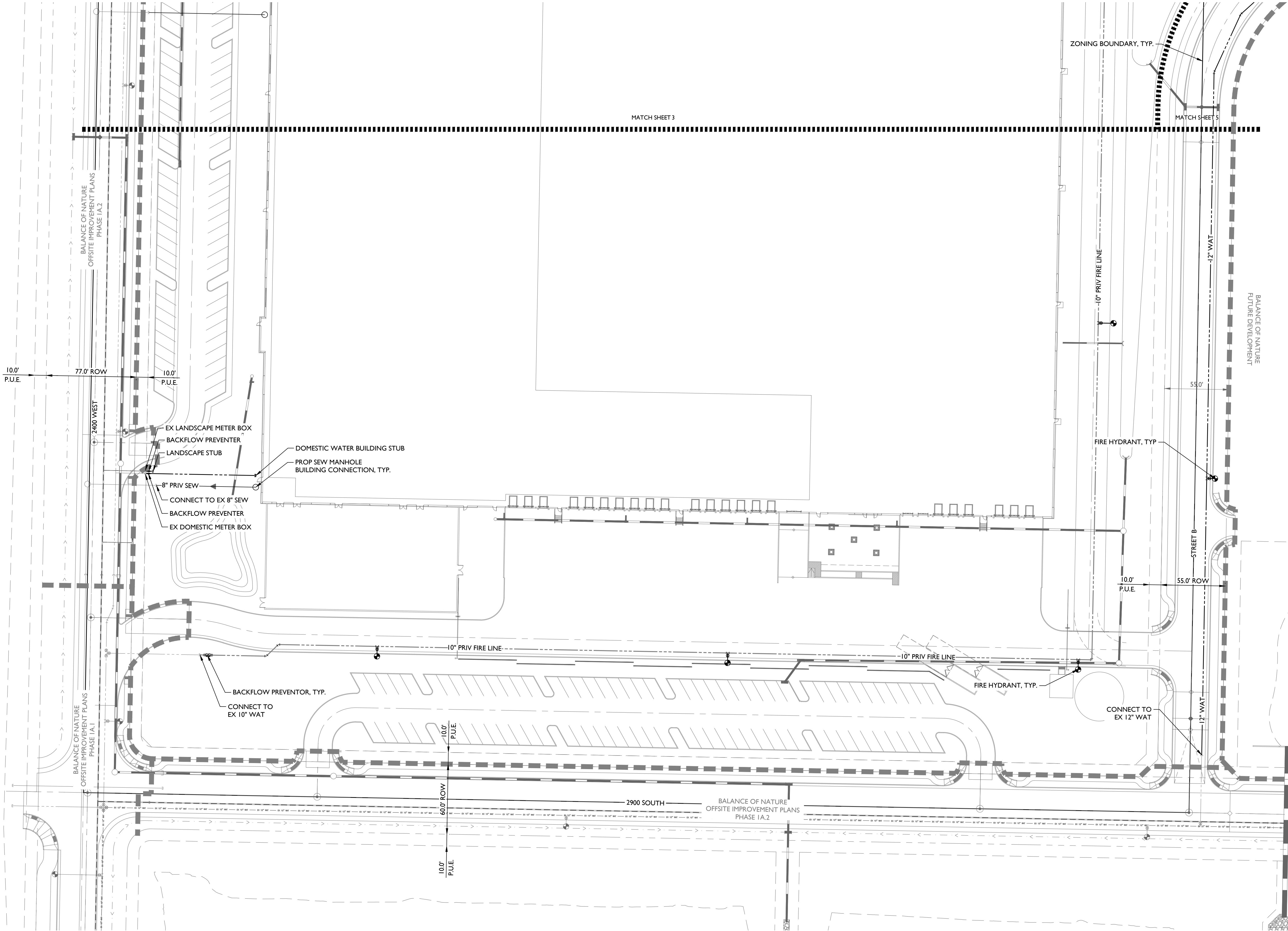
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

UT01

Sheet No.
3
of 9



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: Balance of Nature
Manufacturing Plant - Preliminary
Preliminary Utility Plan

Revisions:

Seal & Stamp of UTAH 801

Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

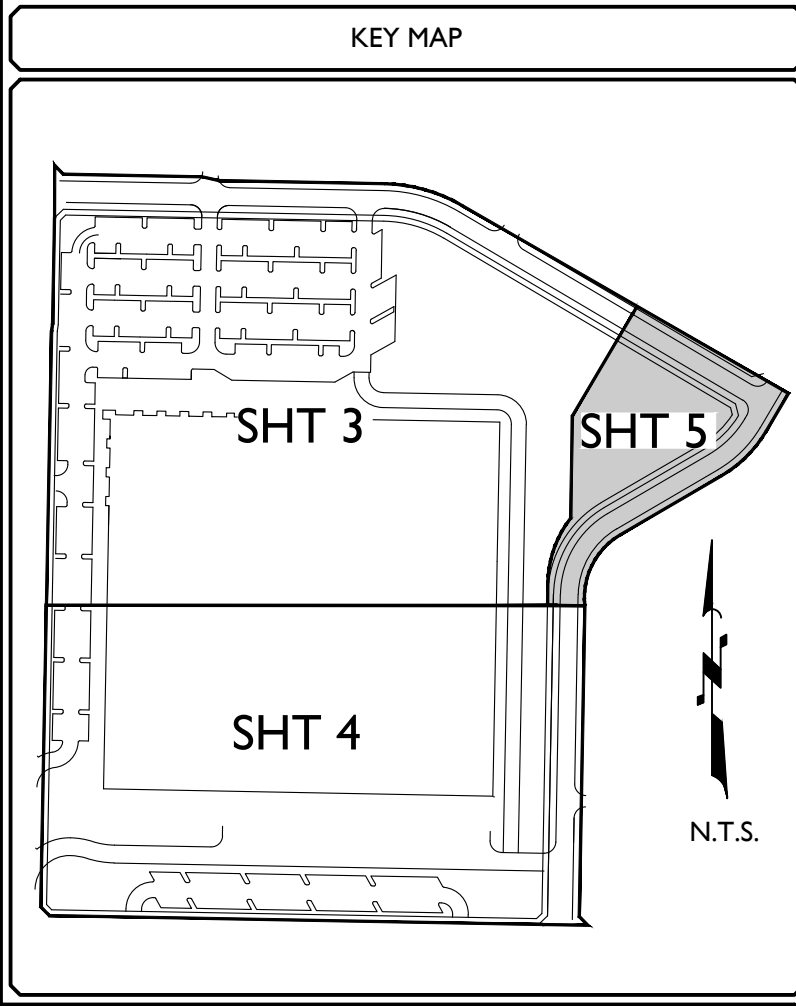
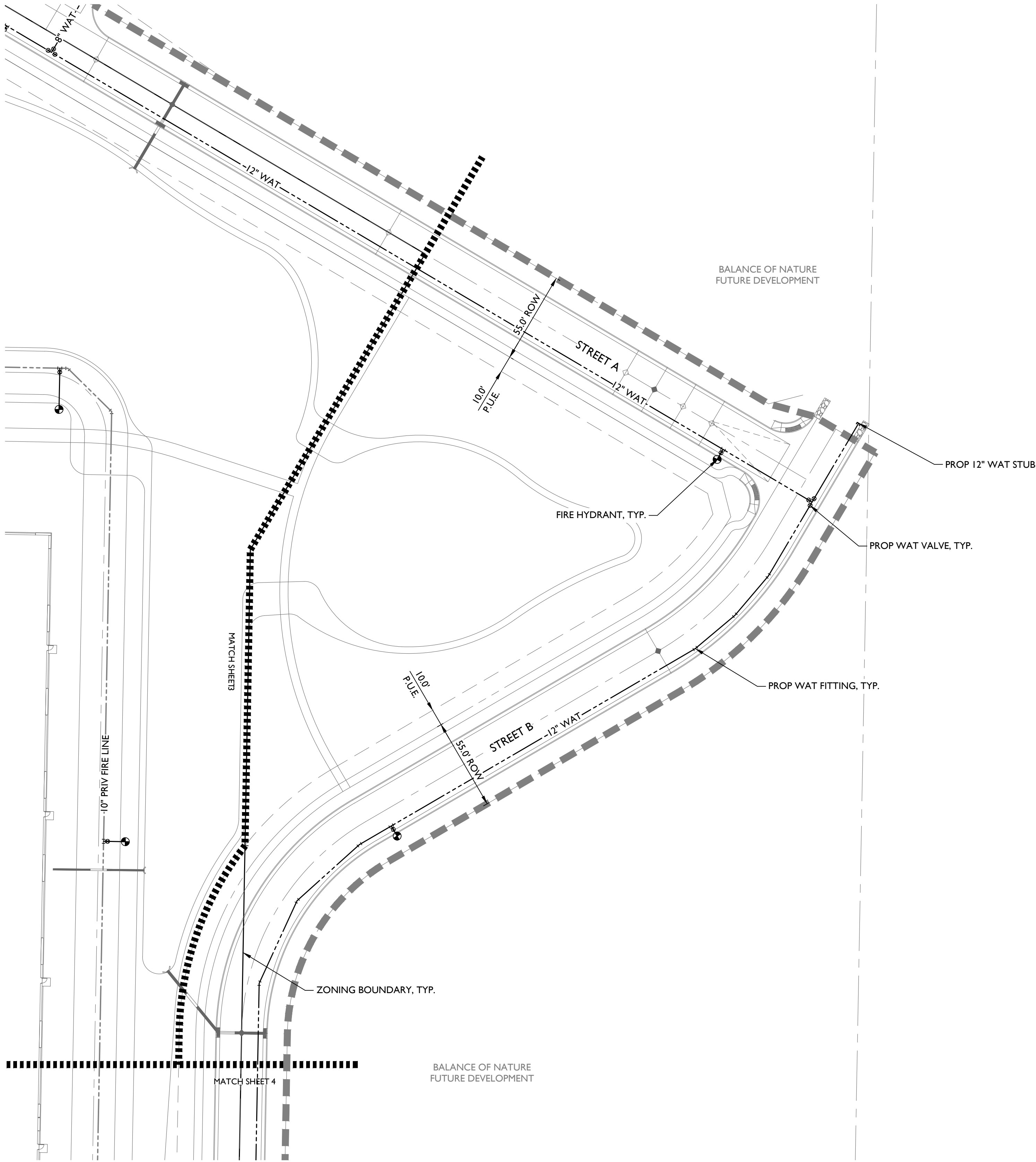
Job No.
21-0167

UT02

Sheet No.
4
of 9

21-0167 - Balance of Nature

Jul 06, 2023 8:01am S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - UT03.dwg schumbley



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: Balance of Nature
Manufacturing Plant - Preliminary
Preliminary Utility Plan

Revisions:

Seal & Stamp of UTAH811

Designer: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

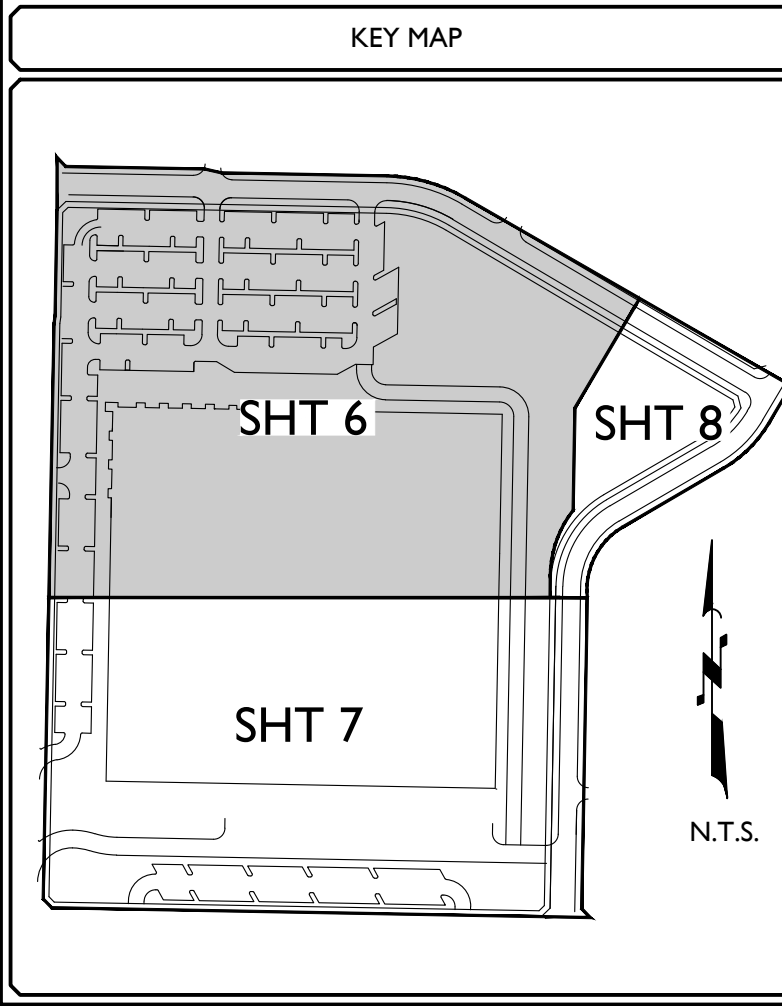
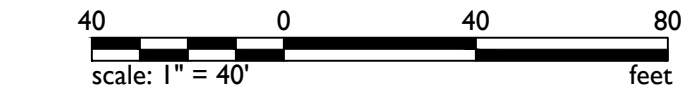
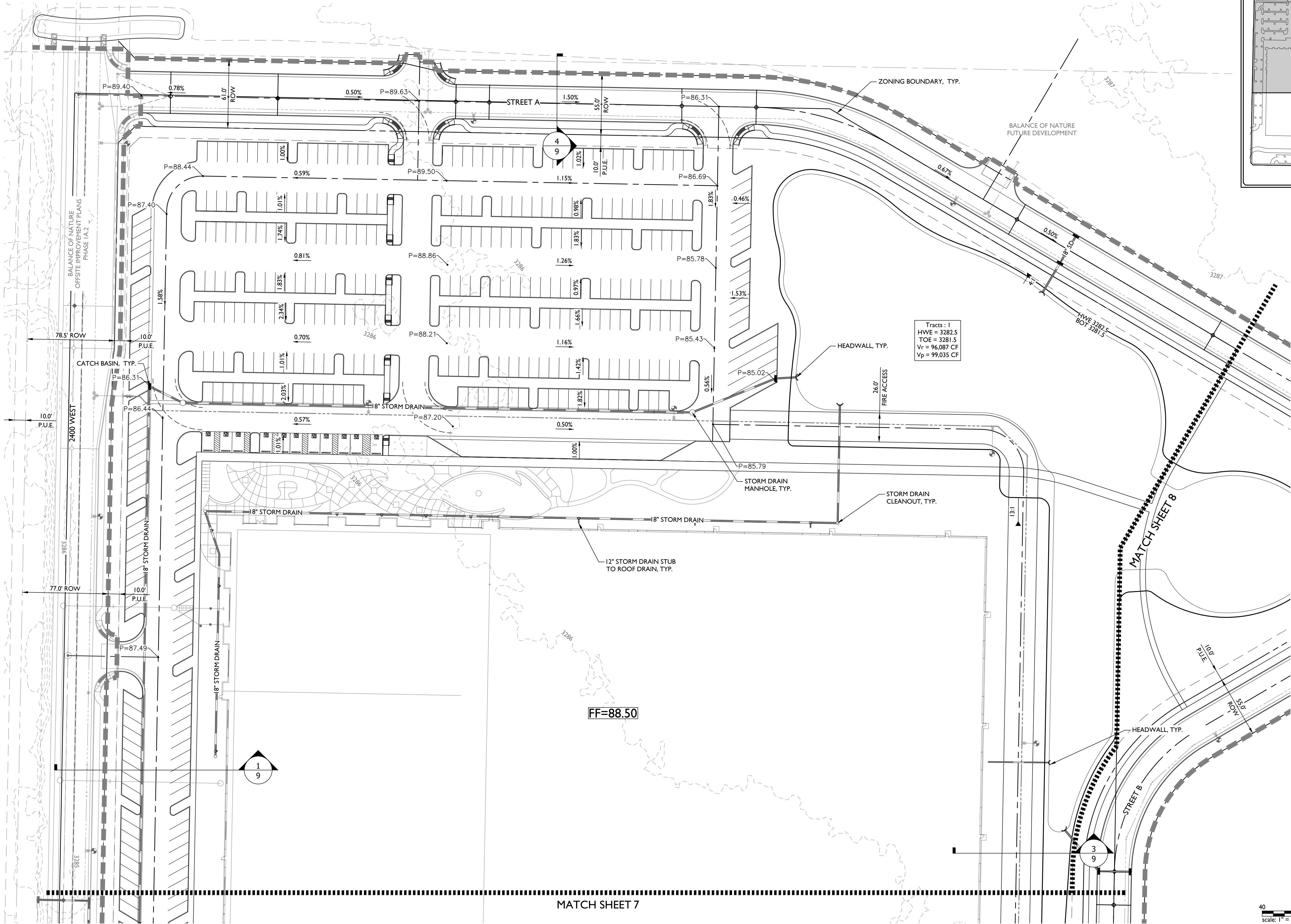
Job No.
21-0167

UT03

Sheet No.
5
of 9

21-0167 - Balance of Nature

Jul 06, 2023 8:04am S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - GD01.dwg schumblay



Balance of Nature
Manufacturing Plant - Preliminary
Preliminary Grading & Drainage Plan

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project:

Revisions:

Blue Stakes of UTAH811

Design: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

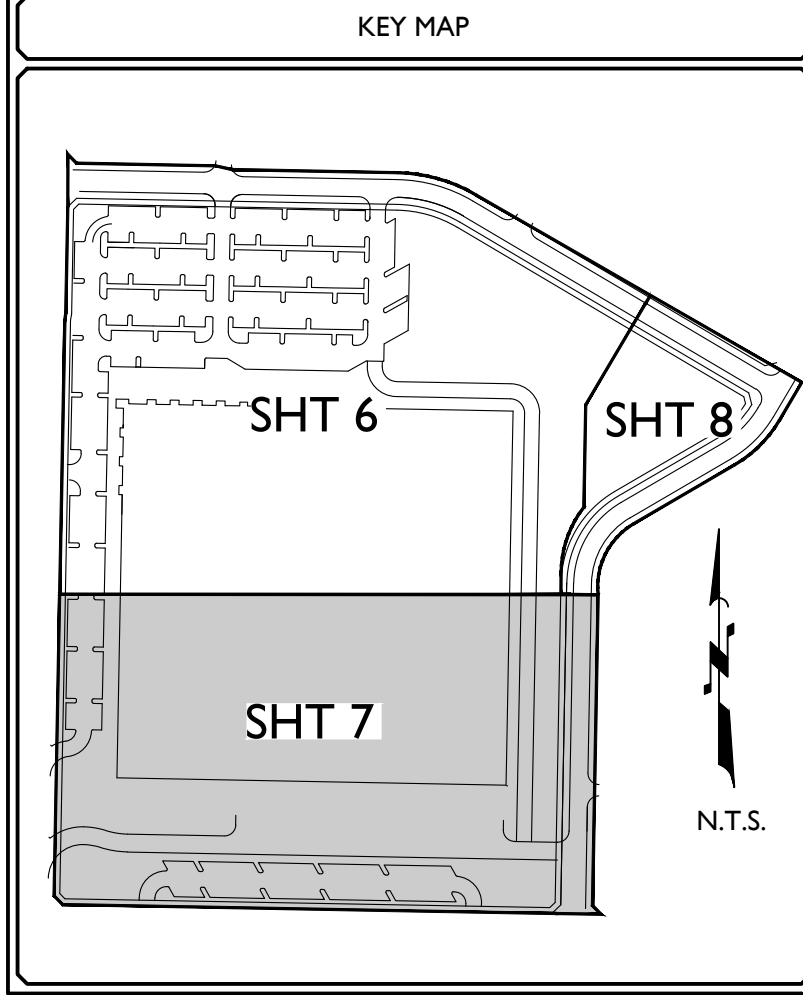
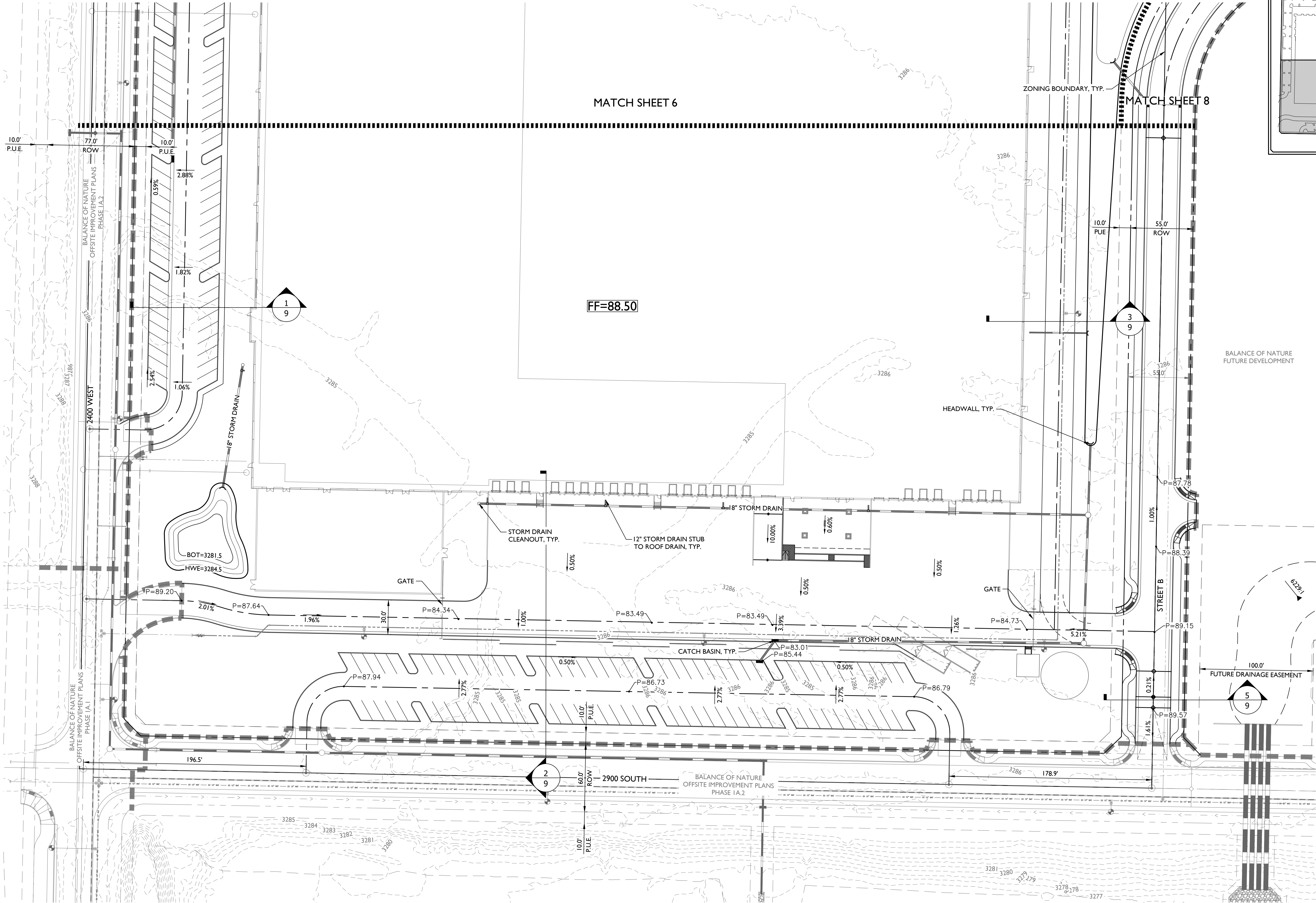
Job No.
21-0167

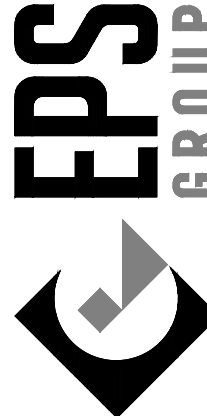
GD01

Sheet No.
6 of 9

21-0167 - Balance of Nature

Jul 06, 2023 8:07am S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - GD02.dwg schumbley





1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Balance of Nature
Manufacturing Plant - Preliminary

Preliminary Grading & Drainage Plan

Project:

Revisions:

Design: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

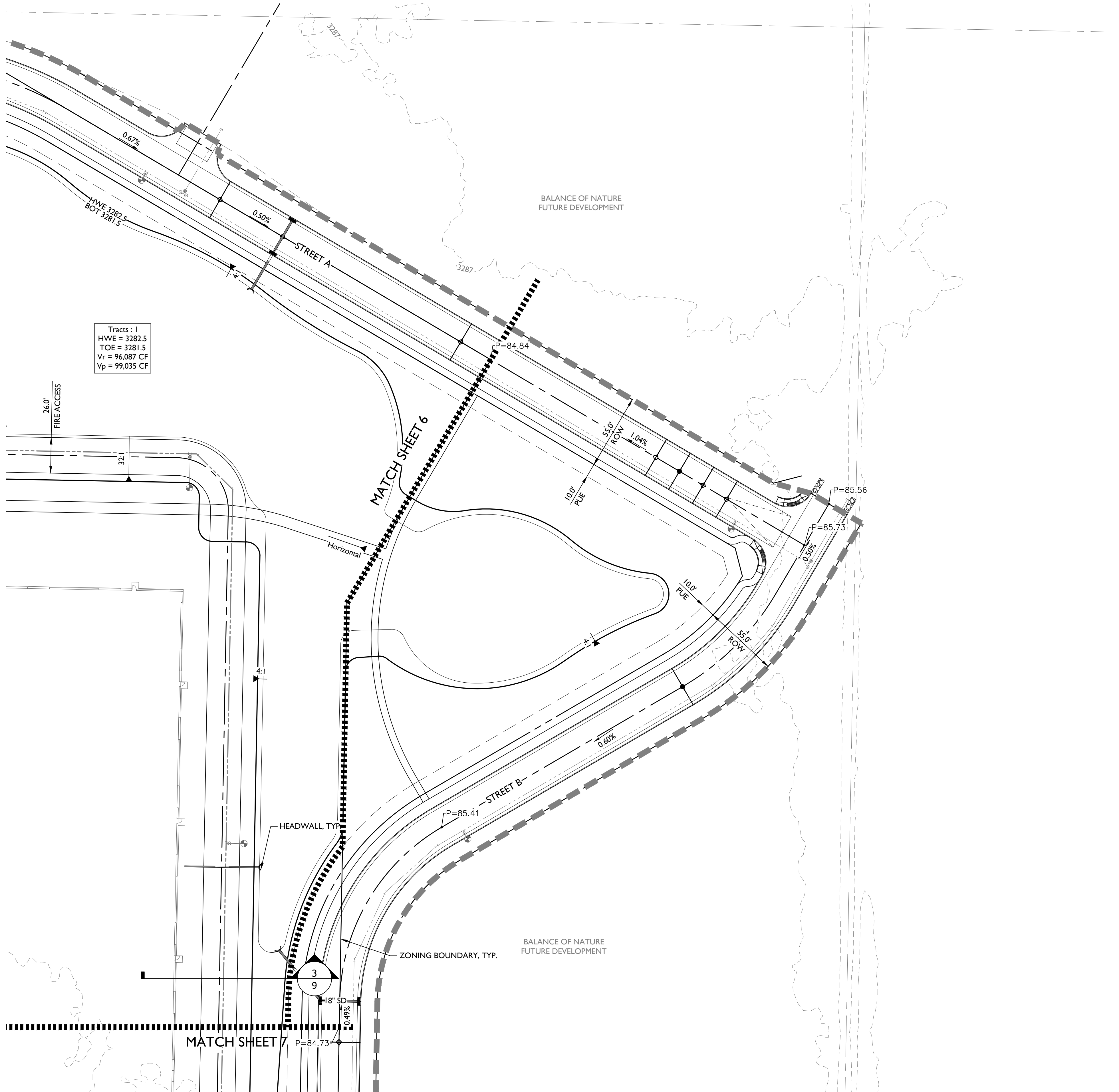
Job No.
21-0167

GD02

Sheet No.
7
of 9

21-0167 - Balance of Nature

schumbley Jul 06, 2023 1:16pm S:\Projects\2021\21-0167\Civil\Preliminary\Manufacturing_Site\21-0167 - GD03.dwg



KEY MAP

N.T.S.

1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: Balance of Nature
Manufacturing Plant - Preliminary
Hurricane, Utah

Preliminary Grading & Drainage Plan

Revisions:

No.	Description

Blue Stakes of UTAH801

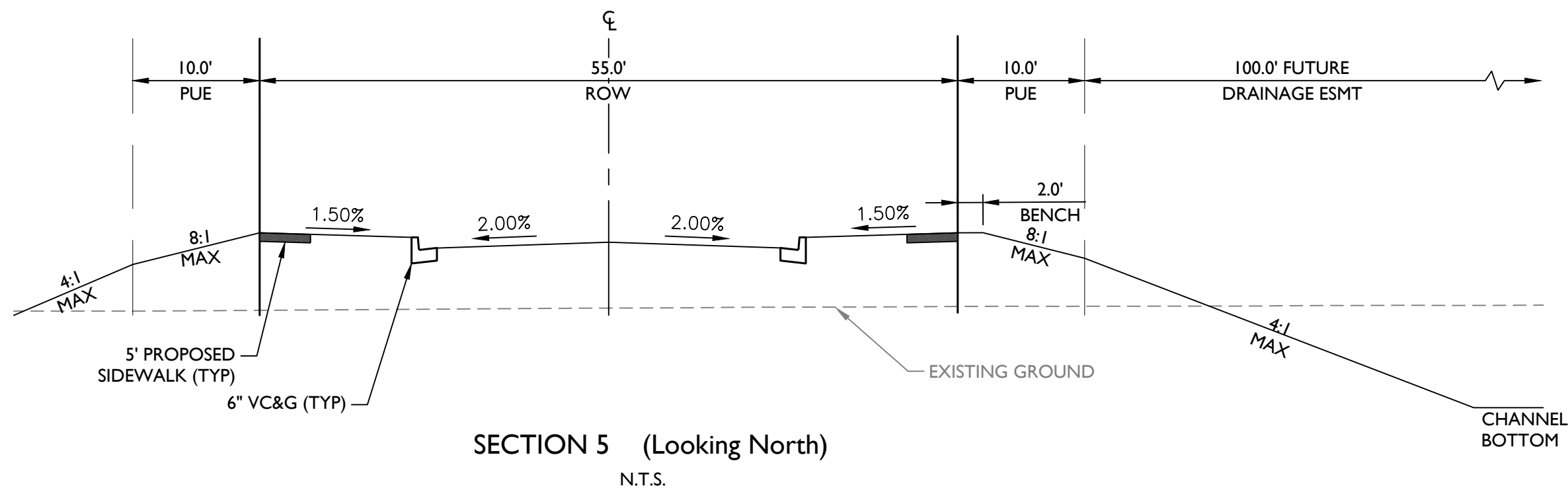
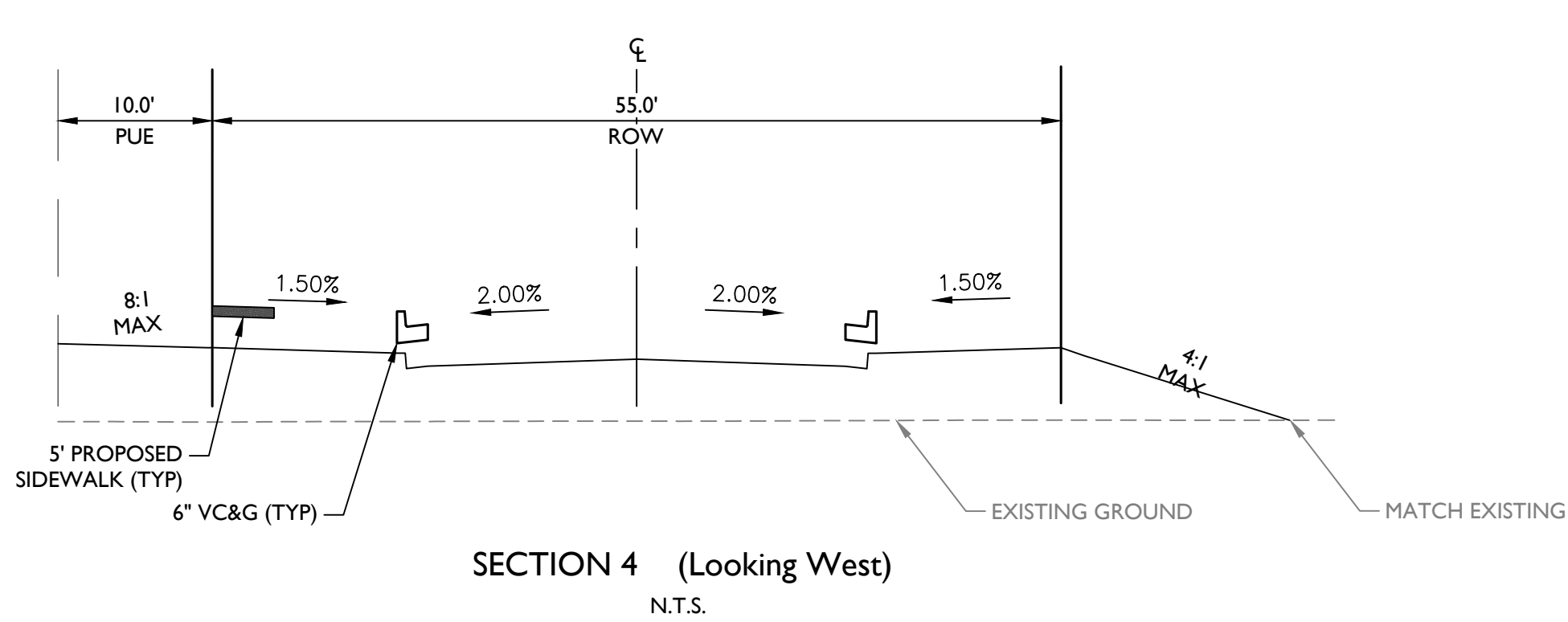
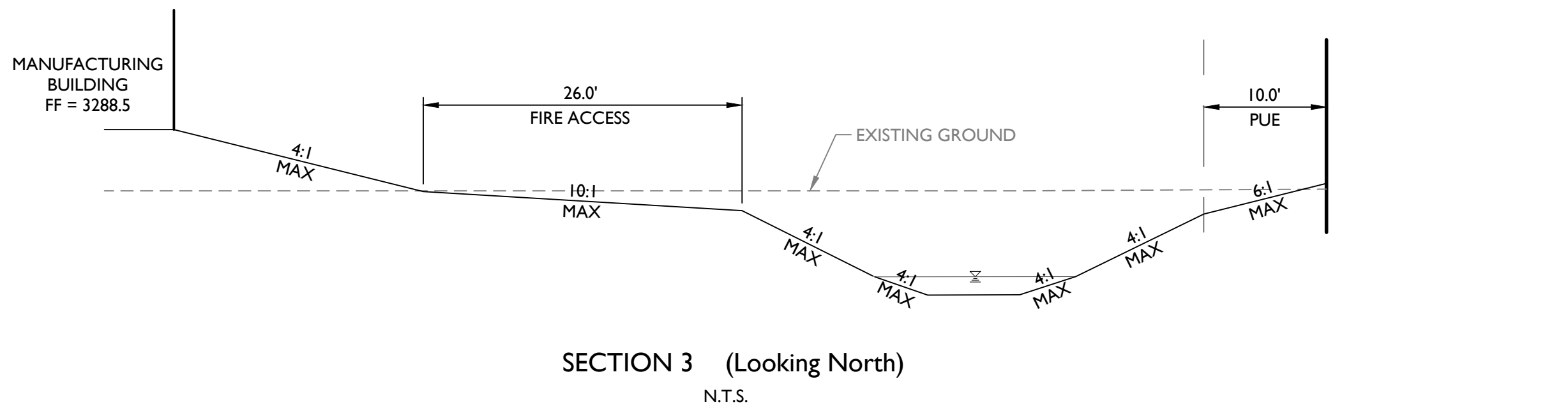
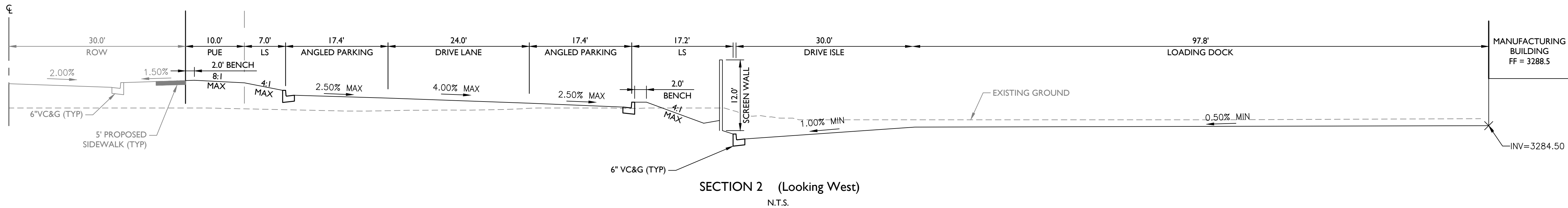
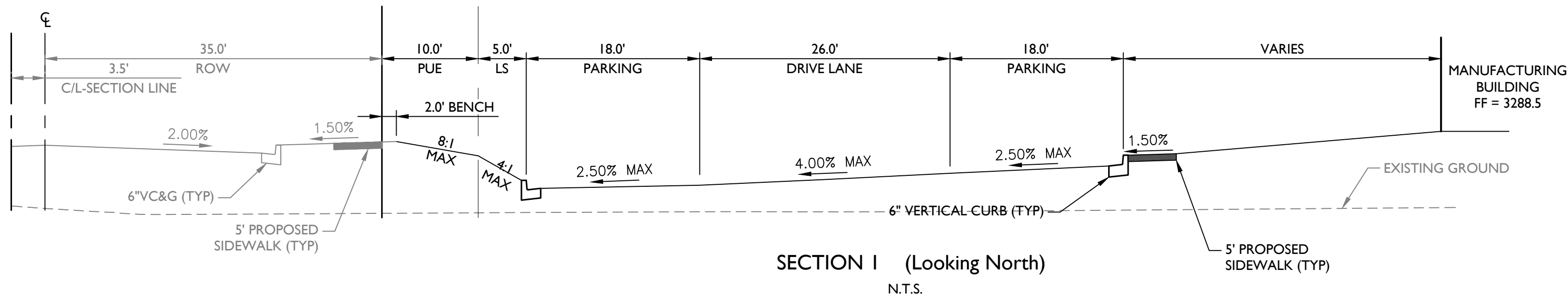
Design: EPS
Drawn by: EPS

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

GD03

Sheet No.
8
of 9



1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS
GROUP

Balance of Nature
Manufacturing Plant - Preliminary

Project: Hurricane, Utah

Revisions:

--	--	--	--	--	--	--	--	--	--

Designer: EPS
Drawn by: EPS

Blue Stamp of
UTAH
Seal 8-1-1 or
1-600-866-4111

Preliminary
Not For
Construction
Or
Recording

Job No.
21-0167

GS01

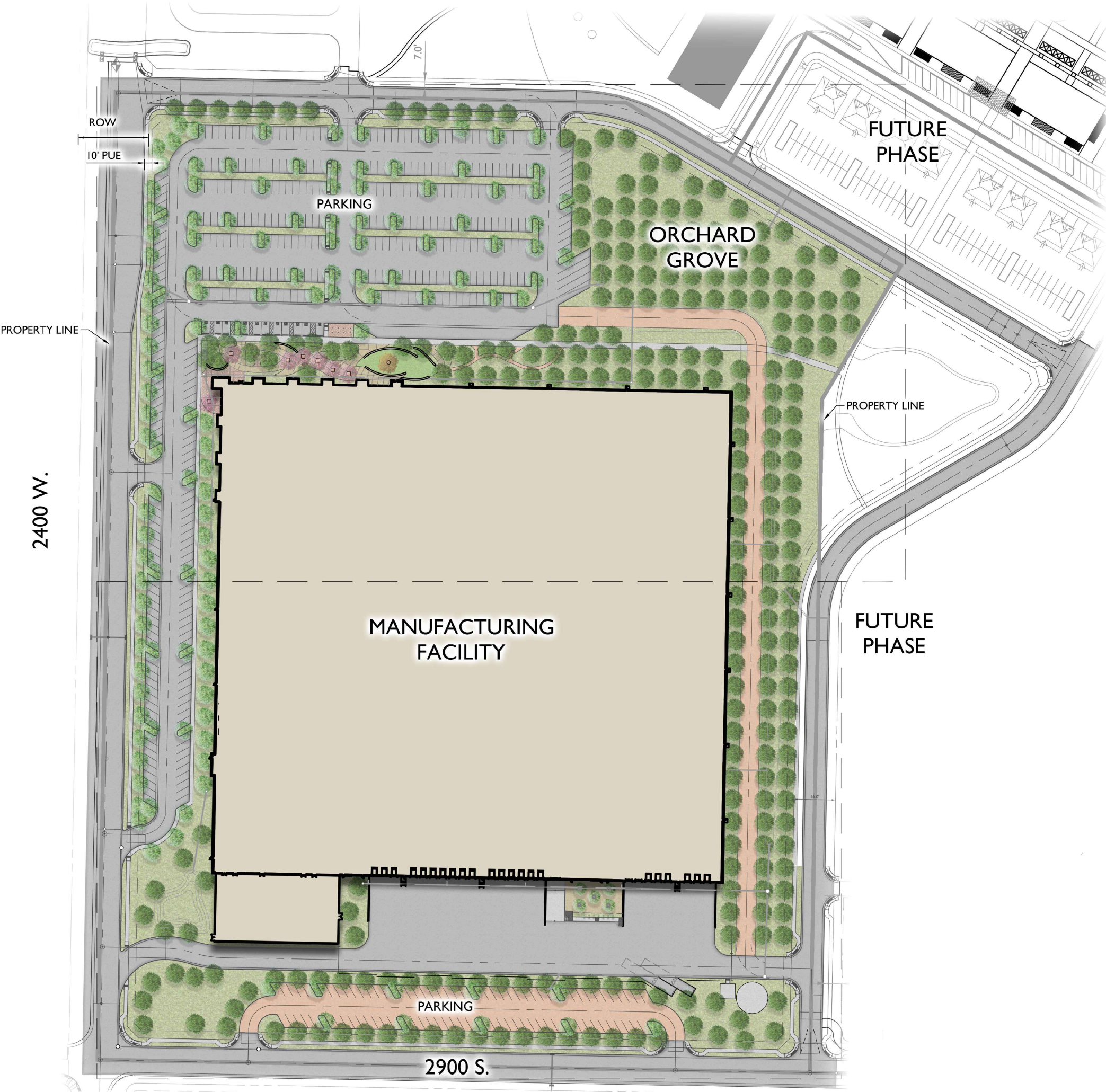
Sheet No.
9
of **9**

Balance of Nature Phase 2A

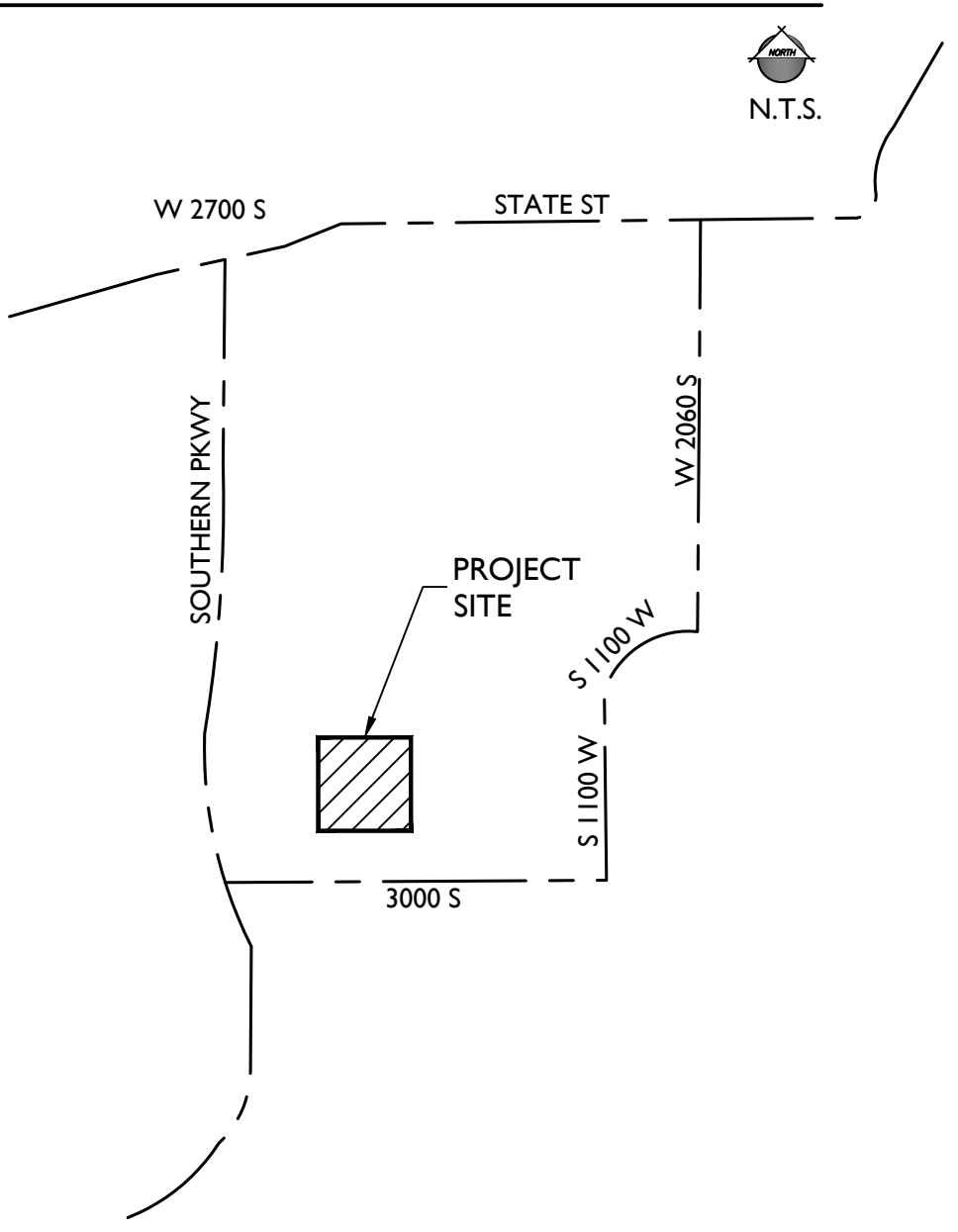
Hurricane, Utah

SHEET INDEX

SHEET NO.	SHEET TITLE	PAGE #
L-CS	Cover Sheet	1
L-1.01	Illustrative Master Plan	2
L-1.02 - L-1.03	Enlargement Plans	3-4
L-2.01	Detail Sheet	5



VICINITY MAP



Schematic Design Package

Submitted: June 30, 2023

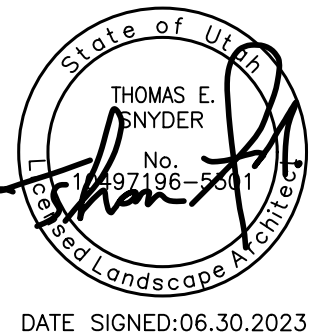
OWNER:
BALANCE OF NATURE
1568 South River Road, Suite 200
St. George, UT 84790

ARCHITECT:
ORCUTT | WINSLOW
2929 N Central Ave., 11th Floor
Phoenix, AZ 85012
TEL: (602) 257-1764
CONTACT: Neil Terry, AIA, NCARB
terry.n@owp.com

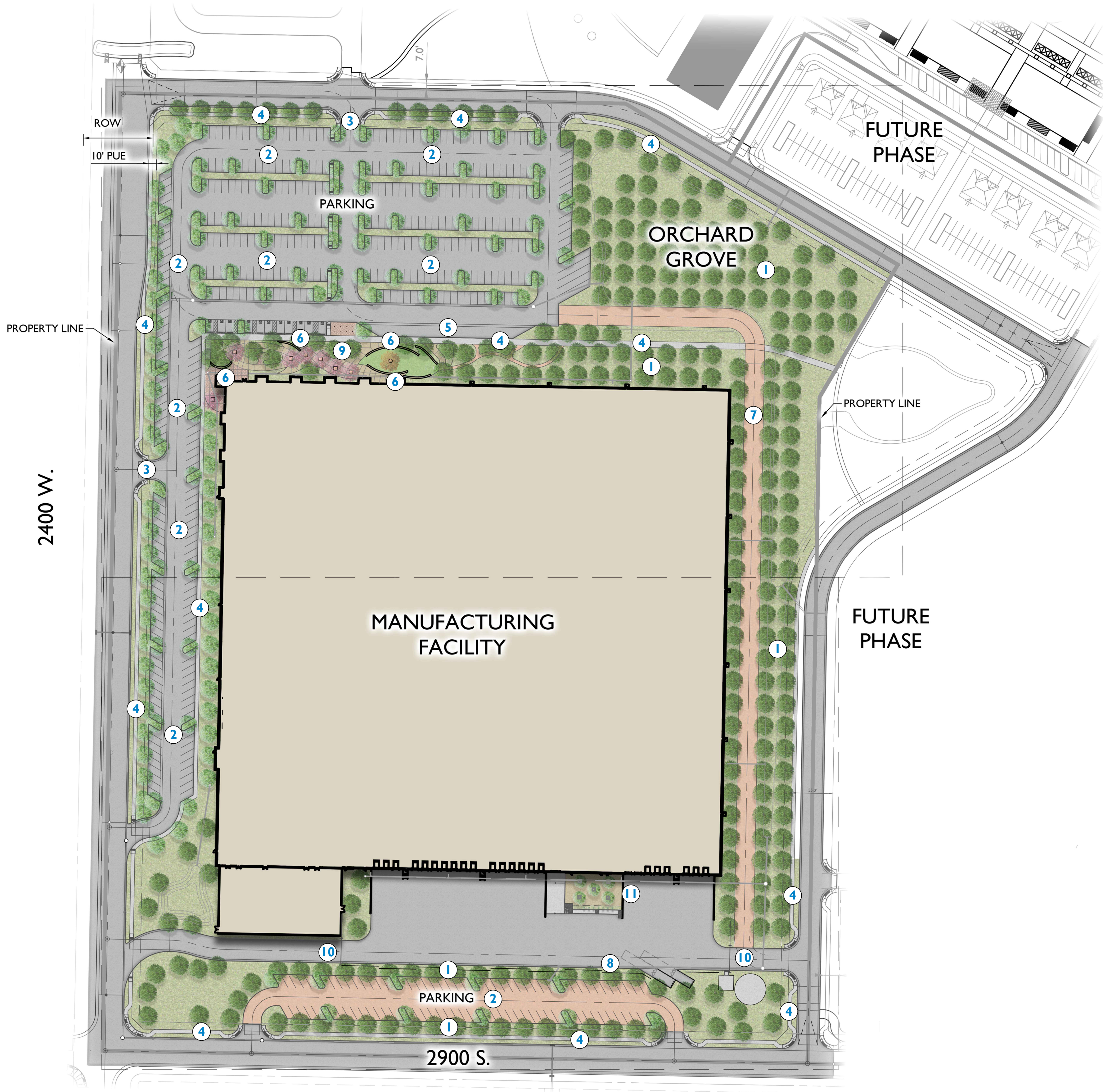
LANDSCAPE ARCHITECT:
EPS GROUP, INC.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201
TEL: (480) 503-2250
CONTACT: Tom Snyder, RLA, ASLA
tom.snyder@epsgroupinc.com

PLANNER:
EPS GROUP, INC.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201
TEL: (480) 503-2250
CONTACT: Josh Hannon
josh.hannon@epsgroupinc.com

CIVIL ENGINEER:
EPS GROUP, INC.
1130 N. Alma School Rd., Suite 120
Mesa, AZ 85201
TEL: (480) 503-2250
CONTACT: Joe Petrucci, PE
joe.petrucci@epsgroupinc.com



DATE SIGNED: 06.30.2023



KEYNOTES

- 1 ORCHARD GROVE
- 2 PARKING
- 3 ENTRY DRIVE
- 4 SIDEWALK
- 5 DROP OFF AREA
- 6 SEATWALL
- 7 FIRE ACCESS DRIVE
- 8 SCREEN WALL
- 9 ENTRY PLAZA
- 10 ROLLING GATE
- 11 EMPLOYEE BREAK AREA

PLANT LEGEND

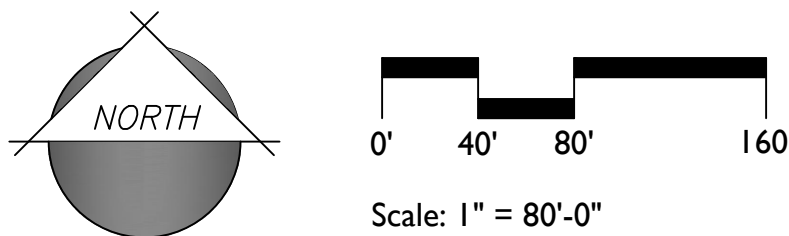
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QTY
PARKING LOT TREES				
	Gleditsia triacanthos 'Shademaster'	Shademaster Honeylocust	24" Box	169
	Liriodendron tulipifera	Tuliptree	24" Box	
SITE TREES				
	Rhus typhina	Staghorn Sumac	24" Box	55
	Fraxinus oxycarpa 'Raywood'	Raywood Ash	24" Box	
	Pistacia 'Red Push'	Red Push Pistache	24" Box	
ORCHARD TREES				
	Prunus persica 'Elberta'	Elberta Peach	24" Box	189
	Pyrus communis 'Bartlett'	Bartlett Pear	24" Box	
	Pistachia vera 'Peters' - vera 'Kerma'	Peters & Kerman Pistachio	24" Box	
	Prunus salicina 'Santa Rosa'	Santa rosa Plum	24" Box	
SHRUBS/ACCENTS				
	Agave parryi 'Truncata'	Artichoke Agave	5 Gal	
	Aloe barbadensis	Aloe Vera	5 Gal	
	Buddleia davidii 'Black Knight'	Black Knight Butterfly Bush	5 Gal	
	Cytisus x. 'Lena'	Lena Scotch Broom	5 Gal	
	Euphorbia martinii 'Ascot Rainbow'	Ascot Rainbow Euphorbia	5 Gal	
	Fallugia paradoxa	Apache Plum	5 Gal	
	Hemerocallis 'Orange King'	Orange King Daylily	5 Gal	
	Jasminum sambac	Arabian Jasmine	5 Gal	
	Muhlenbergia capillaris 'Regal Mist'	'Regal Mist' Muhly	5 Gal	
	Myrtus communis 'Compacta'	Dwarf Myrtle	5 Gal	
	Nolina microcarpa	Beargrass	5 Gal	
	Pennisetum setaceum 'Red'	Red Fountain Grass	5 Gal	
	Perovskia atrplicifolia	Russian Sage	5 Gal	
	Rhaphiolepis indica 'Ballerina'	Ballerina Hawthorn	5 Gal	
	Syringa vulgaris 'Angel White'	Angel White Lilac	5 Gal	
	Vauquelinia californica	Arizona Rosewood	5 Gal	
	Yucca baccata	Banana Yucca	5 Gal	
	Yucca rostrata	Beaked Yucca	5 Gal	
GROUNDCOVERS				
	Lavandula angustifolia	English Lavender	1 Gal	
	Sedum 'Angelicum'	Angel Sedum	1 Gal	
	Sedum rupestre 'Angelina'	Angelina Sedum	1 Gal	
	Trachelospermum asiaticum	Asian Jasmine	1 Gal	

MATERIALS			QTY
	Decomposed Granite with Plantings		310,401 SF
	Stabilized Decomposed Granite		59,864 SF

CITY OF HURRICANE PLANT DATA

LANDSCAPE ADJACENT TO PUBLIC (10' WIDE MINIMUM)		
STREET (2,074 LF)	REQUIRED	PROVIDED
1 TREE PER 35 LF	59 TREES	59 TREES
3 SHRUBS PER 35 LF	177 SHRUBS	*
PARKING LOT AREA (199,596+/- SF)		
5% MINIMUM LANDSCAPING	REQUIRED	PROVIDED
	9,979+/- SF (5%)	26,949+/- SF (13.5%)
PARKING SPACES (530 SPACES)		
1 TREE PER 10 SPACES	53 TREES	53 TREES
2 SHRUBS PER 10 SPACES	106 SHRUBS	*

*SHRUBS TO BE SHOWN ON FINAL PLANTING PLANS





PLANT LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
PARKING LOT TREES			



Gledisia triacanthos 'Shademaster'	Shademaster Honeylocust	24" Box
Liriodendron tulipifera	Tuliptree	24" Box

SITE TREES		COMMON NAME	SIZE
------------	--	-------------	------



Rhus typhina	Staghorn Sumac	24" Box
Fraxinus oxycarpa 'Raywood'	Raywood Ash	24" Box
Pistacia 'Red Push'	Red Push Pistache	24" Box

ORCHARD TREES		COMMON NAME	SIZE
---------------	--	-------------	------



Prunus persica 'Elberta'	Elberta Peach	24" Box
Pyrus communis 'Bartlett'	Bartlett Pear	24" Box
Pistachia vera 'Peters' - vera 'Kerma'	Peters & Kerman Pistachio	24" Box
Prunus salicina 'Santa Rosa'	Santa rosa Plum	24" Box

SHRUBS/ACCENTS		COMMON NAME	SIZE
----------------	--	-------------	------

Agave parryi 'Truncata'	Artichoke Agave	5 Gal
Aloe barbadensis	Aloe Vera	5 Gal
Buddleia davidii 'Black Knight'	Black Knight Butterfly Bush	5 Gal
Cytisus x 'Lena'	Lena Scotch Broom	5 Gal
Euphorbia martinii 'Ascot Rainbow'	Ascot Rainbow Euphorbia	5 Gal
Fallugia paradoxa	Apache Plum	5 Gal
Hemerocallis 'Orange King'	Orange King Daylily	5 Gal
Jasminum sambac	Arabian Jasmine	5 Gal
Muhlenbergia capillaris 'Regal Mist'	'Regal Mist' Muhly	5 Gal
Myrtus communis 'Compacta'	Dwarf Myrtle	5 Gal
Nolina microcarpa	Beargrass	5 Gal
Pennisetum setaceum 'Red'	Red Fountain Grass	5 Gal
Perovskia atriplicifolia	Russian Sage	5 Gal
Rhaphiolepis indica 'Ballerina'	Ballerina Hawthorn	5 Gal
Syringa vulgaris 'Angel White'	Angel White Lilac	5 Gal
Vauquelinia californica	Arizona Rosewood	5 Gal
Yucca baccata	Banana Yucca	5 Gal
Yucca rostrata	Beaked Yucca	5 Gal

GROUNDCOVERS		COMMON NAME	SIZE
--------------	--	-------------	------

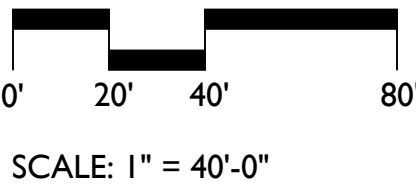
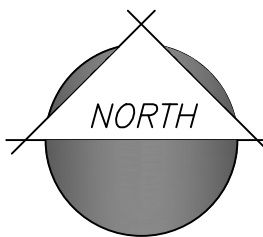
Lavandula angustifolia	English Lavender	1 Gal
Sedum 'Angelicum'	Angel Sedum	1 Gal
Sedum rupestre 'Angelina'	Angelina Sedum	1 Gal
Trachelospermum asiaticum	Asian Jasmine	1 Gal

MATERIALS

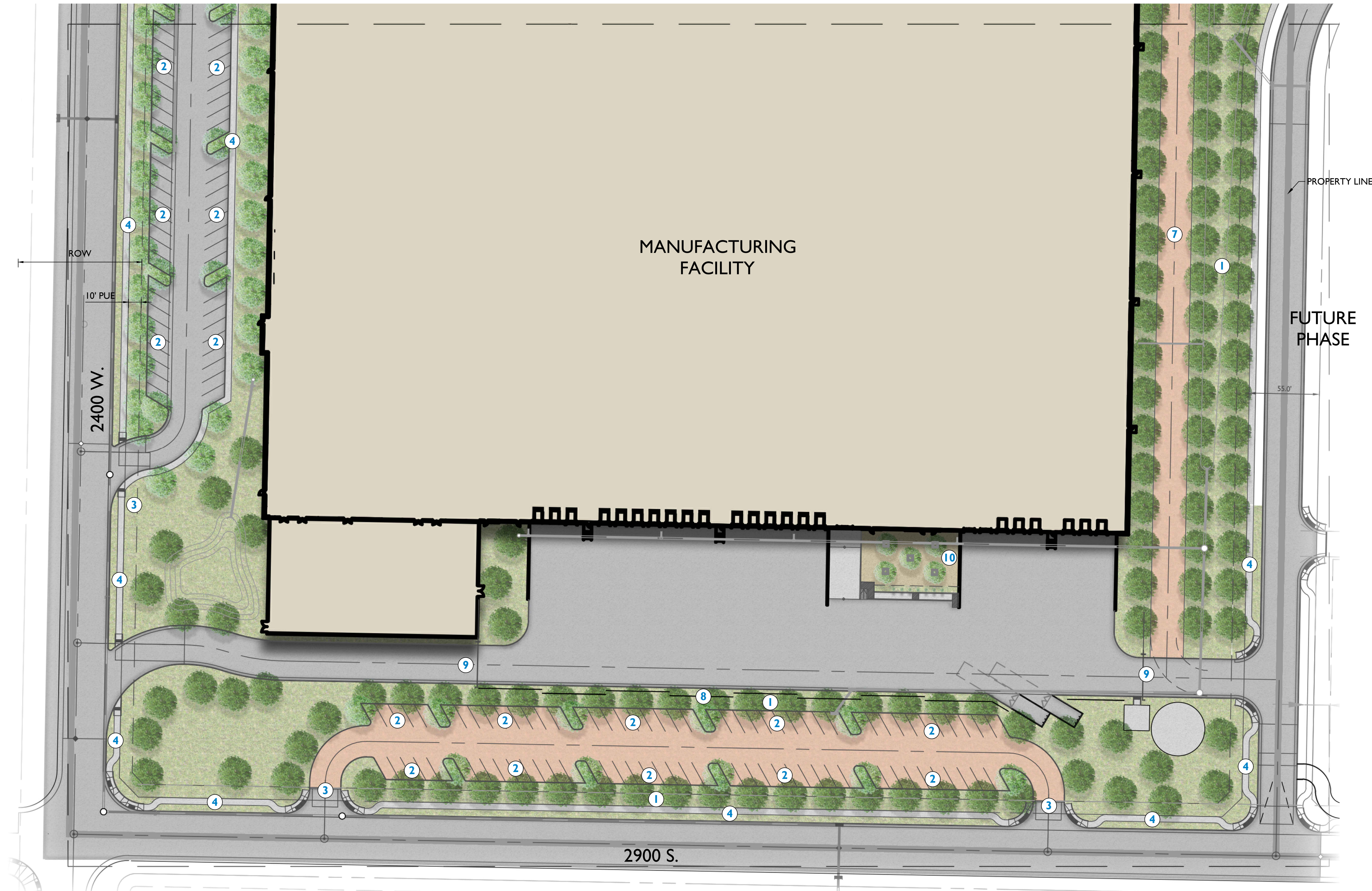
	Decomposed Granite with Plantings
	Stabilized Decomposed Granite

KEYNOTES

- 1 ORCHARD GROVE
- 2 PARKING
- 3 ENTRY DRIVE
- 4 SIDEWALK
- 5 DROP OFF AREA
- 6 SEATWALL
- 7 FIRE ACCESS DRIVE
- 8 SCREEN WALL
- 9 ENTRY PLAZA



SCALE: 1" = 40'-0"



PLANT LEGEND

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
PARKING LOT TREES			



Gledisia triacanthos 'Shademaster'	Shademaster Honeylocust	24" Box
Liriodendron tulipifera	Tuliptree	24" Box

SYMBOL	COMMON NAME	SIZE
SITE TREES		



Rhus typhina	Staghorn Sumac	24" Box
Fraxinus oxycarpa 'Raywood'	Raywood Ash	24" Box
Pistacia 'Red Push'	Red Push Pistache	24" Box

SYMBOL	COMMON NAME	SIZE
ORCHARD TREES		



Prunus persica 'Elberta'	Elberta Peach	24" Box
Pyrus communis 'Bartlett'	Bartlett Pear	24" Box
Pistachia vera 'Peters' - vera 'Kerma'	Peters & Kerman Pistachio	24" Box
Prunus salicina 'Santa Rosa'	Santa rosa Plum	24" Box

SYMBOL	COMMON NAME	SIZE
SHRUBS/ACCENTS		

Agave parryi 'Truncata'	Artichoke Agave	5 Gal
Aloe barbadensis	Aloe Vera	5 Gal
Buddleia davidii 'Black Knight'	Black Knight Butterfly Bush	5 Gal
Cytisus x 'Lena'	Lena Scotch Broom	5 Gal
Euphorbia martinii 'Ascot Rainbow'	Ascot Rainbow Euphorbia	5 Gal
Fallugia paradoxa	Apache Plum	5 Gal
Hemerocallis 'Orange King'	Orange King Daylily	5 Gal
Jasminum sambac	Arabian Jasmine	5 Gal
Muhlenbergia capillaris 'Regal Mist'	'Regal Mist' Muhly	5 Gal
Myrtus communis 'Compacta'	Dwarf Myrtle	5 Gal
Nolina microcarpa	Beargrass	5 Gal
Pennisetum setaceum 'Red'	Red Fountain Grass	5 Gal
Perovskia atriplicifolia	Russian Sage	5 Gal
Rhapiolepis indica 'Ballerina'	Ballerina Hawthorn	5 Gal
Syringa vulgaris 'Angel White'	Angel White Lilac	5 Gal
Vauquelinia californica	Arizona Rosewood	5 Gal
Yucca baccata	Banana Yucca	5 Gal
Yucca rostrata	Beaked Yucca	5 Gal

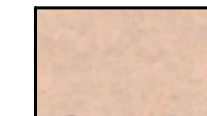
SYMBOL	COMMON NAME	SIZE
GROUNDCOVERS		

Lavandula angustifolia	English Lavender	1 Gal
Sedum 'Angelicum'	Angel Sedum	1 Gal
Sedum rupestre 'Angelina'	Angelina Sedum	1 Gal
Trachelospermum asiaticum	Asian Jasmine	1 Gal

SYMBOL	MATERIALS
MATERIALS	



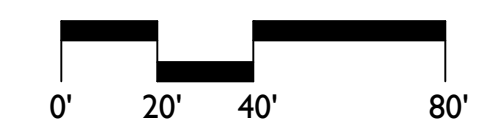
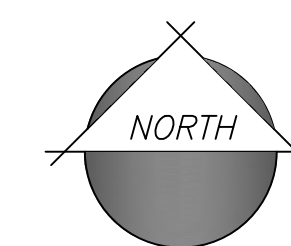
Decomposed Granite with Plantings



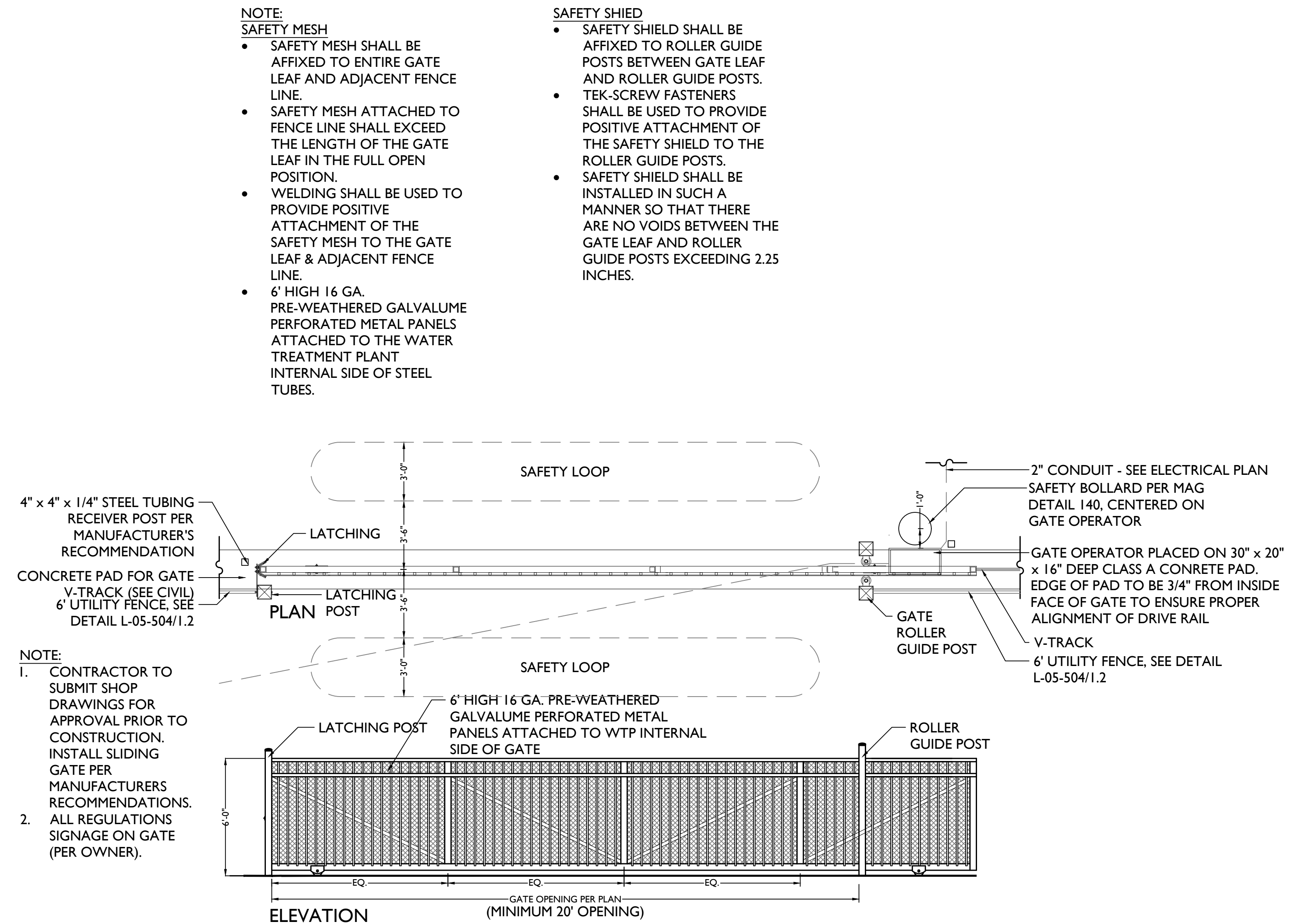
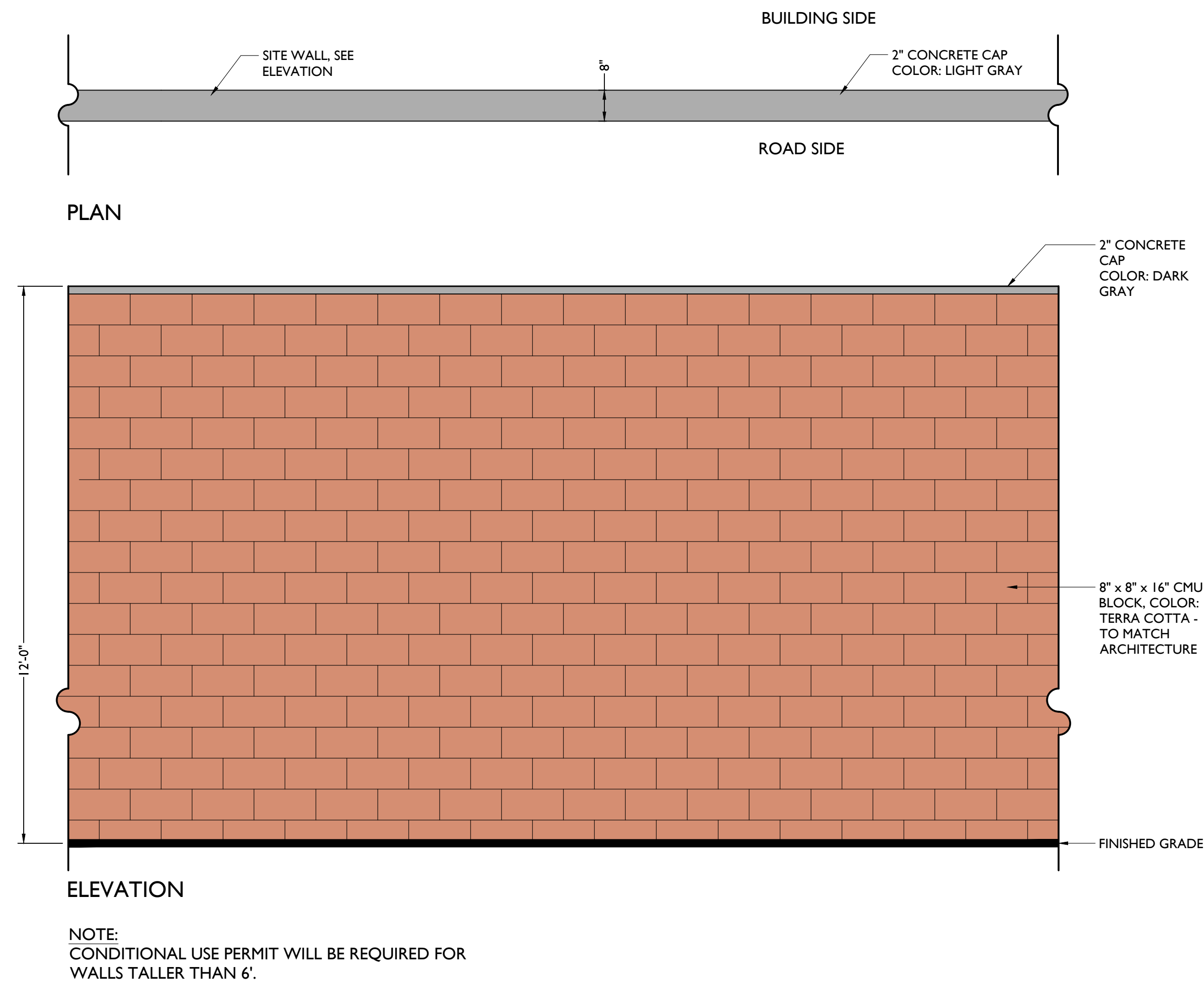
Stabilized Decomposed Granite

KEYNOTES

- 1 ORCHARD GROVE
- 2 PARKING
- 3 ENTRY DRIVE
- 4 SIDEWALK
- 5 DROP OFF AREA
- 6 SEATWALL
- 7 FIRE ACCESS DRIVE
- 8 SCREEN WALL
- 9 ROLLING GATE
- 10 EMPLOYEE BREAK AREA



SCALE: 1" = 40'-0"



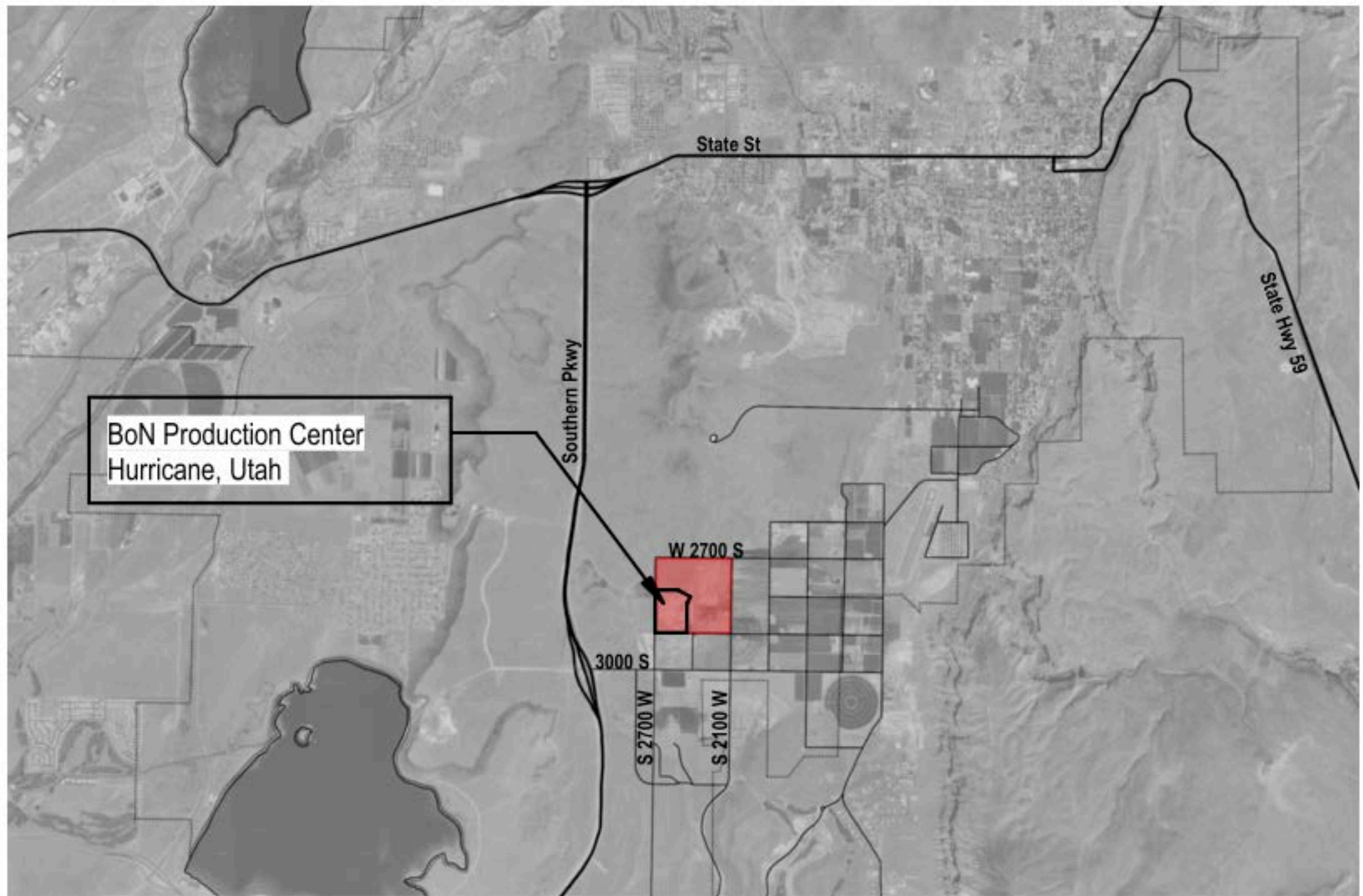
1 12' SCREEN WALL

Scale: 1/2" = 1'-0"

2 ROLLING GATE

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

VICINITY MAP



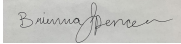
**Application**

Permit #:

PSP23-23

Issue Date:

07/25/2023

Application Accepted Date: 07/18/2023		Valuation		\$	0.00
Type of Improvement: Site Plan (Preliminary)		PERMIT FEES			
Description: 30 unit town home project on 2.0 acres		Planning Fee		\$	200.00
Tenant / Project Name: Firerock Townhomes		Sub Total:		\$	200.00
Bldg. Address: 184 North 2170 West		Permit Total:		\$	200.00
City: Hurricane State: UT Zip: 84737		Amount Paid:		\$	200.00
Subdivision: Phase:		Remaining Due:		\$	0.00
Block: Lot #: Parcel #: H-3-1-33-435		 			
Zone: RM-3					
Property Owner: Randy Simonsen					
Permit Contact: Gerold E Pratt P:(435) 229-0518					
Email: gerold@pratteng.com					
CONTACT INFORMATION					
Engineer of Record: Pratt Engineering, P.C.					
Email: gerold@pratteng.com P: (435) 635-2329					
General Contractor: Firerock Townhomes / Randy Simonsen					
License #: P: (435) 632-6626					
Address: 3535 Sugar Leo Road					
City: St. George, UT State: UT Zip: 84770					
Email: randytsimonsen@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: 30		custom text:			
APPLICATION NUMBER: PENDPSP23-22					
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: GEROLD PRATT					
Signature of Applicant/Authorized Agent or Owner: Date:					
Application Approved By:		Date:			
		07/25/2023			
Application Issued By:		Date:			
		07/25/2023			
Receipt #: 8.170394-07/25/23					



STAFF COMMENTS

Agenda Date:	08/10/2023
Application Number:	PSP23-22
Type of Application:	Preliminary Site Plan Application
Action Type:	Administrative
Applicant:	Randy Simonsen
Agent:	
Request:	Preliminary Site Plan Application
Location:	184 N 2170 W
Zoning:	RM-3
General Plan Map:	Multifamily

Discussion:

The applicant is seeking approval of a preliminary site plan for the Firerock Townhomes, a 30 unit townhome development located along 2170 W. This project is north of the Villas at the Haven, south of Zion Village, and east of the Firerock subdivision; the site plan indicates development similar to these projects.

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. Zoning is RM-3, multifamily 15 units per acre. 30 townhome units are proposed over two acres, which meets the required code standards.
2. **Private Streets:** HCC 10-37-13 states: *“The Zoning Administrator shall not authorize a building permit for a dwelling located on a lot accessed only by a private right-of-way except under one of the following conditions: A. Nonconforming lot. The lot was legally created and recorded prior to the effective date of this title; or B. Variance. A variance is granted by the Appeals Board.”* Staff has interpreted this code not to apply to multifamily developments, however the applicant will need to provide ductile iron water pipes within the private streets, and meet the 25’ width called for in HCC 10-34-7.
3. **Open Space and Amenities:** Per HCC 10-33-5: 20% of the area must be open space and one amenity must be provided. The plan does not call out open space percentage but this code is most likely met. The applicant does not show any amenities on their plan.
4. **Parking:** Per HCC 10-34-10:

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

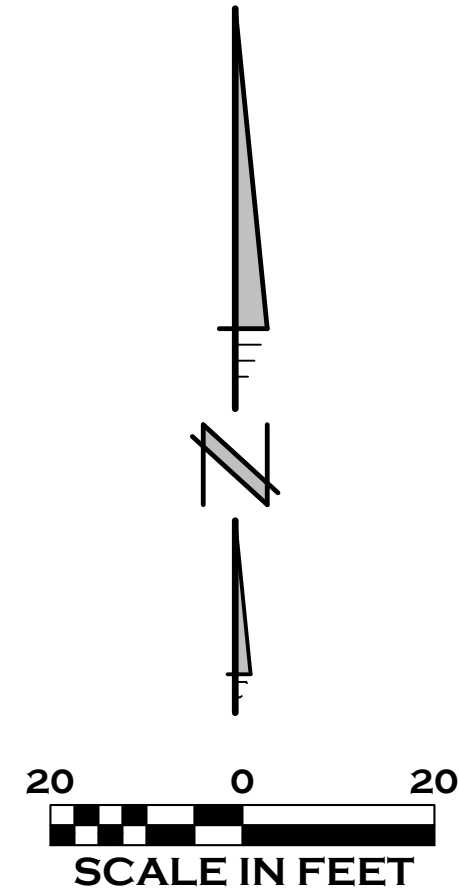
- a. Each unit appears to have a garage that would meet this code.
5. HCC 10-33-5 (H) states *“For multifamily developments or planned developments, a pedestrian circulation plan shall be submitted with the preliminary site plan application. Pedestrian circulation plans shall contain:*
 - a. *Location of walkways;*
 - b. *Width of walkways;*
 - c. *Connection points between adjacent properties;*
 - d. *Location of active transportation master plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails;*
 - e. *Connections between residential buildings and amenities; and*
 - f. *Street crossings and crosswalks which shall be clearly marked.*
 - a. Sidewalks are shown along most of the streets. Walking paths should be added along the south side of Road C and behind the units.
6. Bicycle storage can be provided within the unit’s garages
7. Adjoining properties and uses should be shown on the site plan.

8. *A preliminary site plan is not intended to permit actual development of property pursuant to such plan but shall be prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development. (HCC 10-7-10)*

Recommendation: Staff recommends the Planning Commission review this application based on standards within Hurricane City Code. Staff recommends this item be continued until the plan can be amended to add an amenity area and parking and open space calculations .

WATER AND POWER PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



POWER KEY

1. INSTALL DECORATIVE STREETLIGHT
2. INSTALL #10 COPPER IN 1" PVC
3. INSTALL STREETLIGHT BOX
4. INSTALL #2 TRIPLEX ALUM IN 2" PVC
5. INSTALL 1/0 KV 1φ IN 2 1/2" PVC
6. INSTALL 600 MCM ALUM TRIPLEX IN 3" PVC
7. INSTALL SECONDARY BOX
8. INSTALL 4 PACK METER SOCKET 200 AMP MAX
9. INSTALL 375 KVA TRANSFORMER 120/240 1φ
10. INSTALL 75 KVA TRANSFORMER 120/240 1φ
11. INSTALL 100 KVA TRANSFORMER 120/240 1φ
12. HURRICANE POWER WILL INSTALL 3φ VAULT AT DEVELOPERS EXPENSE
13. INSTALL 3 PACK METER SOCKET 200 AMP MAX

LEGEND

- SS --- SS --- SS --- EXISTING SEWER LINE
- ⊙ EXISTING SEWER MANHOLE
- SS --- 4" --- NEW SEWER LINE
- W --- W --- W --- WATER LINE
- ⊙ 8" x 3/4" WATER METER
- ⊙ FIRE HYDRANT
- P --- P --- POWER
- ⊙ WATER VALVES
- GAS --- GAS --- GAS LINE
- ⊙ BACKFLOW PREVENTER
- ⊙ SEWER CLEANOUT

HURRICANE CITY WATER DEPARTMENT NOTES

1. ALL WATERLINE WORKS MUST BE INSTALLED BY A LICENSED AND INSURED CONTRACTOR THAT IS APPROVED BY HURRICANE CITY.
2. ALL CONSTRUCTION SHALL CONFORM TO THE "HURRICANE CITY STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION", "THE INTERNATIONAL PLUMBING CODE", AND THE "INTERNATIONAL BUILDING CODE" LATEST EDITION AS ADMINISTERED BY HURRICANE CITY.
3. CONTRACTOR SHALL POTHOLE ALL PIPELINES AND VERIFY LOCATION AND DEPTH PRIOR TO PROCEEDING WITH ANY BUILDING OR PIPELINE CONSTRUCTION.
4. THE POTABLE WATER SUPPLY TO LAWN IRRIGATION SYSTEMS SHALL BE PROTECTED AGAINST BACK FLOW PER THE "INTERNATIONAL PLUMBING CODE (IPC)" SECTION 608.16.5 AND FOR FIRE SPRINKLER SYSTEMS PER (IPC) 608.16.4.
5. ALL BACK FLOW ASSEMBLY INSTALLATION AND TEST REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE HURRICANE CITY BACK FLOW ORDINANCE (TITLE 8 CHAPTER 3).
6. THRUST RESTRAINT ON THE NEW PIPELINE WILL BE AS SHOWN ON THE DETAILS. USE MEGA-LUG ON THE FITTINGS AND FIELD LOCK OR JOINT RESTRAINT GASKETS ON THE REQUIRED LENGTH OF RESTRAINED PIPE. NO CONCRETE THRUST BLOCKS ARE ALLOWED WITHOUT WATER DEPARTMENT APPROVAL.
7. ASPHALT REPLACED OVER THE PIPE TRENCHING IS TO MATCH EXISTING PAVEMENT DEPTHS WITH A 6" OVER CUT FROM EDGE OF THE TRENCH LINE ON EACH SIDE OF THE TRENCH.
8. CONTRACTORS SHALL CUT OFF AND CAP (BACK AT THE WATER MAIN), ALL EXISTING SERVICE LINES OR UN-USED STUB LINES THAT WILL BE ABANDONED.
9. ANY CHANGE MADE IN THE FIELD MUST BE FIRST APPROVED AND DOCUMENTED BY THE HURRICANE CITY WATER SERVICES DEPARTMENT.
10. ALL NEW FIRE HYDRANTS SHALL BE INSTALLED AT THE CORRECT HEIGHT. EXTENSIONS WILL NOT BE ALLOWED.
11. INTERRUPTION OF EXISTING WATER SERVICE WHILE MAKING CONNECTIONS TO EXISTING WATER MAINS SHALL NOT BE ALLOWED WITHOUT SPECIAL APPROVAL OF THE CITY. A MINIMUM OF 48 HOURS NOTICE TO THE CITY SHALL BE REQUIRED BEFORE MAKING CONNECTIONS. CONNECTIONS TO THE EXISTING INFRASTRUCTURE SHALL BE DONE DURING THE TIME OF LEAST INCONVENIENCE TO CUSTOMERS OF EXISTING SYSTEM. INTERRUPTIONS OF SERVICE SHALL BE LIMITED TO LESS THAN FOUR (4) HOURS PER 24 HOUR PERIOD. CONTRACTOR SHALL NOTIFY ALL CUSTOMERS WHO WILL BE AFFECTED BY SERVICE INTERRUPTION AT LEAST 24 HOURS PRIOR TO THE INTERRUPTIONS OF SERVICE.
12. TEMPORARY CONSTRUCTION WATER MAY BE OBTAINED FROM AN EXISTING FIRE HYDRANT BY MAKING APPLICATION AT THE HURRICANE CITY WATER SERVICES DEPARTMENT OFFICE. UNAUTHORIZED CONNECTIONS TO THE CITY'S WATER SYSTEM IS A VIOLATION AND SUBJECT TO LEGAL ACTION.
13. THE EXISTENCE AND LOCATION OF WATER FACILITIES SHOWN ON THE CONSTRUCTION DRAWINGS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF THE DESIGN ENGINEER'S KNOWLEDGE, THE EXISTING WATER FACILITIES ARE AS SHOWN ON THE PLANS. HURRICANE CITY SHALL NOT BE HELD RESPONSIBLE FOR ANY ERROR IN THE LOCATION AND ELEVATION OF THE EXISTING WATER FACILITIES.

POWER NOTES FOR FIREROCK TOWNHOMES

1. Developer responsible for all costs, unless otherwise stated on print.
2. Only a pre-approved contractor to work on and install any part of the electrical systems.
3. Lines are for schematic purposes only. All equipment and placement of, to be to Hurricane Power Specs.
4. Pre-approved contractor to go over prints with Hurricane Power before beginning work. Contact Hurricane Power for an appointment. 435-635-5536.
5. 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.
6. No retaining walls to run into utility easements.
7. All conduits to be foamed. Any empty stub outs to have a temporary plug installed.
8. Any changes to the signed set of plans must be approved by Hurricane Power.
9. 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.
10. Impact fees to be collected by building dept. Impact fees to be charged per meter/individual breaker size. Contact Hurricane Power regarding questions on this.
11. Meters shall not be located in fenced in areas. Meters shall be kept accessible at all times.
12. Developer will be billed a termination fee \$99.00 dollars per primary elbow terminations.
13. Cement basements, three phase transformer pads and streetlight bases to be pre-cost only. To be supplied by approved vendors only.
14. Size of acceptable conduits from the transformer to meter panels is 3" or 4" PVC. You may need multiple runs of conduit from the transformer to the panel. Quantity needed to be determined by electrician. Size of acceptable wire is 350 or 500 aluminum.
15. Developer will be billed a riser fee. Hurricane power will also cut in a new 3 phase vault along 2170 west and will invoice the developer prior to the work being completed.
16. Hurricane power has changed our streetlights spec. to LED's see Hurricane Power for new spec. This project will be decorative streetlights.
17. The running line for Gas and Power needs to be on the opposite side of the road from one another. The standard running line for Power is on the north and west side of the road and Gas is on the south and east side of the road.
18. Setback on front lot should be 10' public utility Easements

TDS TELECOM NOTES

1. 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.
2. TDS WILL PROVIDE CONDUITS. PLEASE CONTACT DAVID AT 435-703-8932 AT LEAST 3 WEEKS PRIOR TO OPENING TRENCH TO SCHEDULE WORK.
3. ANY QUESTIONS REGARDING CONSTRUCTION OF SERVICE SHOULD BE DIRECTED TO DAVID TRAUTNVEIN WITH TDS AT 435-703-8932
4. RELOCATION OF NEW OR EXISTING TDS FACILITIES WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR
5. ANY MODIFICATIONS AFTER CONDUIT/CABLE PLACEMENT WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR AS WILL DAMAGES CAUSED BY OTHER CONTRACTORS
7. WORKING FOR THE DEVELOPER ON THIS PROJECT.

CENTURY LINK NOTES

- LUMEN INTERNET FIBER OPTIC NOTES (RESIDENTIAL):
1. DEVELOPER TO PROVIDE ALL TRENCH, BACKFILL, AND ROAD CROSSINGS. LUMEN SUB CONTRACTOR (NEILS FUGAL) WILL PLACE CONDUIT IN TRENCH. CALL 435-632-6553 15 DAYS PRIOR TO REQUIRING CONDUIT TO SCHEDULE DELIVERY.
 2. ANY BREAKS/BLOCKAGES IN CONDUIT RESULTING FROM IMPROPER BACKFILL OR OTHER CONSTRUCTION/UTILITY PLACEMENT ARE THE DEVELOPER RESPONSIBILITY TO REPAIR AND MAY RESULT IN DELAY OF SERVICE.
 3. CONTACT LUMEN ENGINEER AT 435-668-7445 OR ZACHMATHIEWS@LUMEN.COM WITH ANY QUESTIONS OR CHANGES TO JUC PLANS
 4. ANY LUMEN FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE 100% TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM OF 45 DAYS IN ADVANCE.

INFOWEST, CATV/FIBER OPTIC NOTES

1. DEVELOPER IS TO PROVIDE ALL REQUIRED TRENCHING WITHIN THE PROJECT. ANY MODIFICATIONS REQUIRED TO FEED THE PROJECT WILL BE DEVELOPED TO THE DEVELOPER.
2. INFOWEST WILL PROVIDE ALL CONDUITS, CALL 435-272-3559 OR EMAIL JUC@INFOWEST.COM FOR CONDUIT DELIVERY AT LEAST ONE WEEK PRIOR TO OPENING THE TRENCH.
3. FOR COMMERCIAL PROJECTS WITH AN MDF/COMM ROOM, DEVELOPER WILL INSTALL A 2" PVC RUN TO THE EXTERIOR OF THE BUILDING.
4. ANY QUESTIONS REGARDING SERVICE SHOULD BE DIRECTED TOWARDS GAB TREMBLAY, 435-272-3559 JUC@INFOWEST.COM
5. RELOCATION OF NEW OR EXISTING INFOWEST FACILITIES IS BILLABLE TO THE DEVELOPER. THE DEVELOPER WILL BE PROVIDED WITH AN ESTIMATE OF THE COSTS FOR THE WORK DONE.

HURRICANE CITY PARKS DEPT. NOTES

1. ANY LANDSCAPING, INCLUDING STREET LANDSCAPE STRIPS AND/OR MEDIANS AND ASSOCIATED IRRIGATION SHALL BE INSTALLED AND MAINTAINED BY DEVELOPER/OWNER AND IS NOT THE RESPONSIBILITY OF HURRICANE CITY PARKS DEPARTMENT TO MAINTAIN.

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

IRAT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 9, HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

WATER AND POWER PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 11 E & M

JOB/CLIENT NO:
2002-0683

FILE NAME:
7/18/2023

DATE:

SCALE:
1"=20'

SHEET
C4
OF 13



SITE & DIMENSION PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH

Planning Department Review:
Return to Planning
Department.
This is for property
immediately north of the Villas
at the Haven



20 0 20
SCALE IN FEET

CONSTRUCTION NOTES

1. INSTALL ADA RAMP
2. INSTALL 5' SIDEWALK
3. INSTALL STOP SIGN AND STOP LINE
4. EXISTING 5' SIDEWALK
5. ASPHALT 2 1/2" OVER 6" ROAD BASE
6. EXISTING EDGE OF ASPHALT
7. 8' CROSS GUTTER

CALL BEFORE YOU DIG!



AT LEAST TWO WORKING
DAYS BEFORE YOU DIG CALL:
1-800-662-4111

NOTICE!

EXISTING UTILITIES ARE SHOWN ON PLANS FOR THE
CONVENIENCE OF THE CONTRACTOR ONLY.
THE CONTRACTOR IS RESPONSIBLE FOR THE LOCATION
AND PROTECTION OF ALL UTILITIES.
PRATT ENGINEERING, P.C. BEARS NO RESPONSIBILITY
FOR UTILITIES NOT SHOWN OR SHOWN INCORRECTLY.

REVISIONS

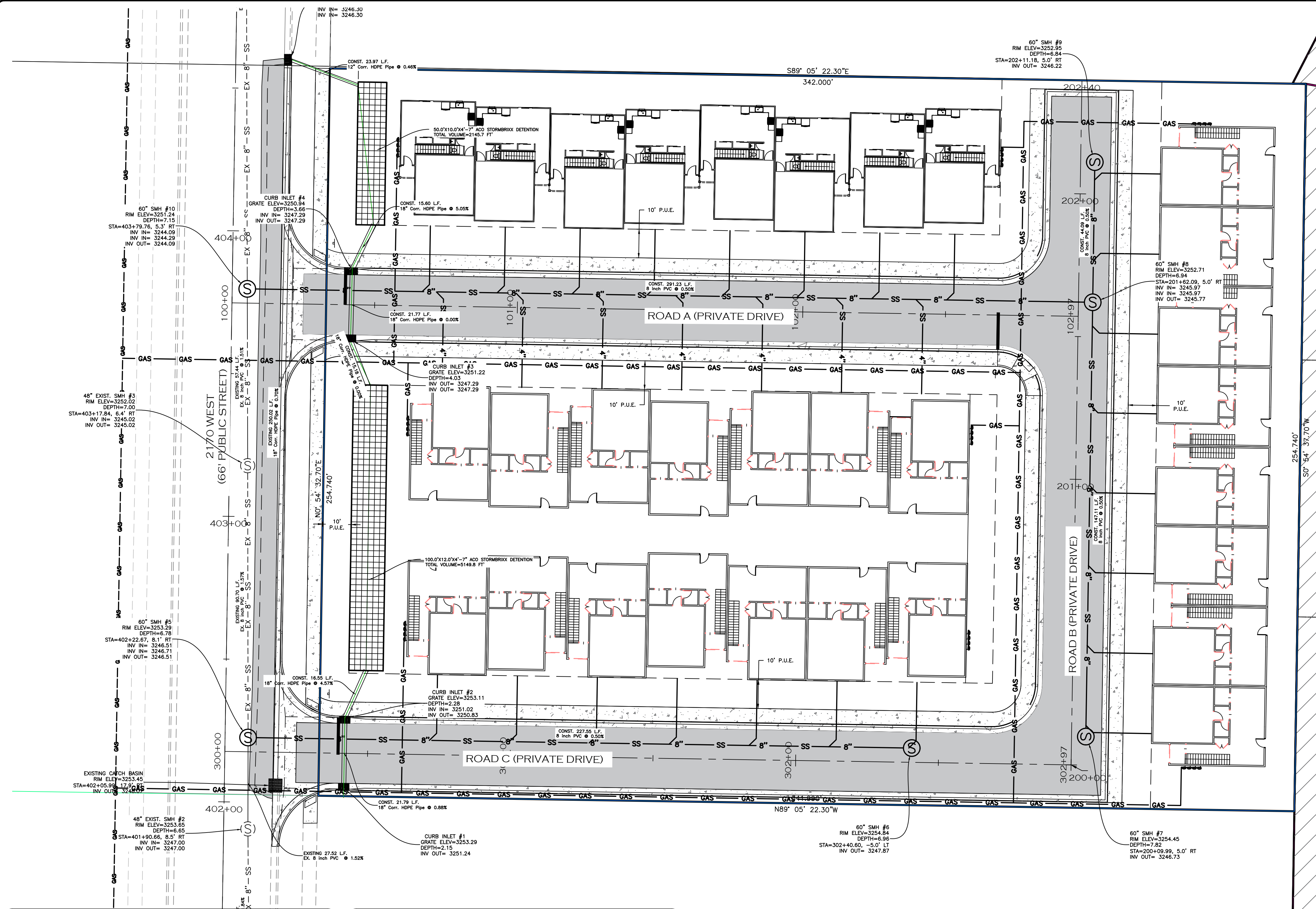
NO.	DATE	APPROVED BY	REMARKS

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

SITE & DIMENSION PLAN
FOR
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 1 E, B&M

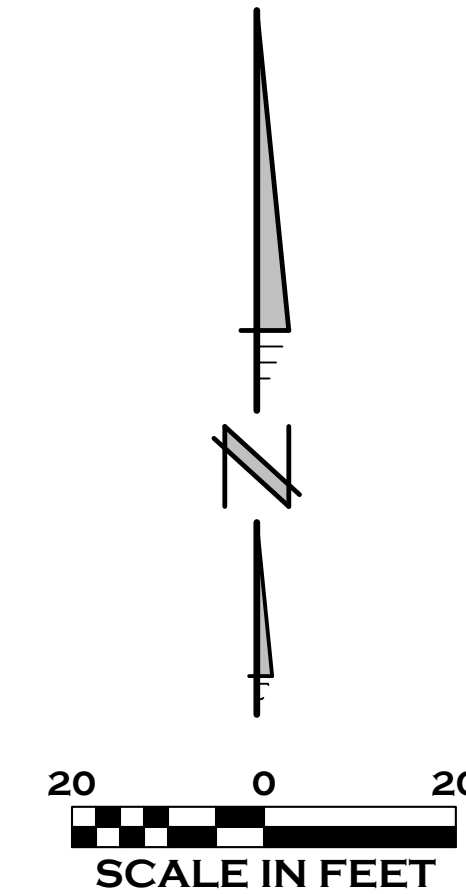
JOB/CLIENT NO.:
2002-0683
FILE NAME:
7/18/2023
DATE:
SCALE:
1"=20'

SHEET
C2
OF 13



GAS AND SEWER PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



LEGEND

- SS --- SS --- SS --- EXISTING SEWER LINE
- ⊙ EXISTING SEWER MANHOLE
- SS --- 4" --- NEW SEWER LINE
- W --- W --- W --- WATER LINE
- ⊙ 8" x 3/4" WATER METER
- ⊙ FIRE HYDRANT
- P --- P --- POWER
- ⊙ WATER VALVES
- GAS --- GAS --- GAS --- GAS LINE
- ⊙ BACKFLOW PREVENTER
- ⊙ SEWER CLEANOUT

ASH CREEK SSD NOTES

- Sewer is to meet the current Ash Creek Special Service District (District) Construction Standard.
- Prior to completion of the project provide a copy of the geotechnical report and the compaction test results to the District.
- Prior to completion of the project provide a PDF and a 2'x3' plan sheet Drawing of Record to the District. The Drawing of Record should include a distance from the near side property line to the sewer lateral marker, also include any changes to sewer main line slopes and depths.
- The contractor will be responsible to clean and test the sewer lines after all utilities have been installed but prior to asphalt placement. The following tests will need to be completed by the contractor: mandrel test, air test and closed-circuit camera inspection. Camera inspection if provided by the District can be scheduled with the District representative. Tuesdays or Thursdays are generally when the District can perform this camera work.
- During construction all sewer lines will need to be capped or sealed to protect the sewer system from flooding or rain events.
- Any floor drains, utility sinks and or anything other than sanitary sewer shall have an interceptor and sample manhole.
- Clean out to be located 5' from building.

DOMINION ENERGY NOTES:

- DEVELOPER NEEDS TO CONTACT DOMINION ENERGY PRE-CONSTRUCTION DEPARTMENT PRIOR TO BREAKING GROUND FOR GAS SIGN UP. JAKE BOZARTH (435) 231-9971
- DEVELOPER WILL BE RESPONSIBLE TO GET ALL COMPACTION TESTS DONE AT DEVELOPERS 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 CASING LOCATIONS (1155 E 350 N--ST GEORGE).
- ALL OF THE UTILITY EASEMENTS BACK OF SIDEWALK WILL BE GRADED, AT FULL WIDTH, TO WITHIN 6 INCHES OF TOP BACK OF CURB BEFORE GAS LINES WILL BE INSTALLED. **NO RETAINING, ROCK, OR BLOCK WALLS MAY BE CONSTRUCTED ON/IN A PUE**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 JC HALL (435)210-0729 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 FULL WIDTH OF THE UTILITY EASEMENT IS GRADED TO THE TOP BACK OF CURB.
- HIGH PRESSURE GAS NOTE: CONTRACTOR IS REQUIRED TO CALL HIGH PRESSURE DISPATCH AT (801)324-3370, AT LEAST 48 HOURS IN ADVANCE, BEFORE WORKING WITHIN 10 FEET OF A HIGH PRESSURE GAS LINE. THIS WILL SCHEDULE A DOMINION ENERGY HIGH PRESSURE INSPECTOR TO THE PROJECT SITE.

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

IRAT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 9, HURRICANE, UTAH 84737
TEL: (435) 635-5765 FAX: (435) 635-2329

GAS AND SEWER PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 1 E B&M

JOB/CLIENT NO.:
2002-0683
FILE NAME:
7/18/2023
DATE:

SCALE:
1"=20'

SHEET
C5
OF 13

1. ALL CONSTRUCTION AND MATERIALS SHALL BE IN ACCORDANCE WITH THE HURRICANE CITY "DESIGN STANDARDS & SPECIFICATIONS" AND ASH CREEK SPECIAL SERVICE DISTRICT CONSTRUCTION STANDARD AND ANY OTHER APPLICABLE PERIOD STANDARDS ISSUED BY THE CONTROLLING AGENCY, THE UNIFORM BUILDING CODE; AND ALL LOCAL CITY CODES AND ORDINANCES APPLICABLE.
2. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONARY MEASURES NECESSARY TO PROTECT EXISTING IMPROVEMENTS WHICH ARE TO REMAIN IN PLACE AND NOT BE REMOVED OR DAMAGED BY THE CITY OR STRUCTURES DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE REPAIRED OR RECONSTRUCTED SATISFACTORILY TO THE OWNER AT THE EXPENSE OF THE CONTRACTOR.
3. THE CONTRACTOR SHALL NOT BACK FILL ANY TRENCHES IN WHICH WATER OR SEWER LINES HAVE BEEN INSTALLED OR UNCOVERED UNTIL THE CITY OR SPECIAL SERVICE DISTRICT HAS BEEN ADVISED BY THE CITY OF HURRICANE AND ASH CREEK SPECIAL SERVICE DISTRICT, AND THE CITY AND ALL APPLICABLE AGENCIES SHALL BE NOTIFIED 48 HOURS IN ADVANCE OF CONSTRUCTION IN THE VICINITY OF WATER AND SEWER LINES.
4. ALL CONSTRUCTION SHALL BE AS SHOWN ON THESE PLANS, ANY AND ALL CONSTRUCTION SHALL HAVE THE PRIOR WRITTEN APPROVAL OF THE CITY ENGINEER
5. THE CONTRACTOR SHALL, AT THEIR OWN EXPENSE, LOCATE ALL OVERHEAD INTERFERENCE'S WHICH MAY AFFECT THEIR OPERATION DURING CONSTRUCTION AND SHALL TAKE ALL NECESSARY PRECAUTIONS TO AVOID DAMAGE TO SAME. THE CONTRACTOR SHALL USE EXTREME CARE WHEN WORKING NEAR OVERHEAD POWER OR UNDERGROUND POWER AND/OR TELEPHONE FACILITIES SO AS TO SAFELY PROTECT ALL PERSONNEL AND EQUIPMENT, AND SHALL BE RESPONSIBLE FOR ALL COSTS AND LIABILITY IN CONNECTION THERE WITH.
6. PERMITS ARE REQUIRED FOR ANY WORK IN THE PUBLIC RIGHT OF WAY. THE CONTRACTOR SHALL SECURE ALL INSPECTIONS REQUIRED FOR CONSTRUCTION.
7. CONTRACTOR SHALL PROVIDE ALL NECESSARY HORIZONTAL AND VERTICAL TRANSITIONS BETWEEN NEW CONSTRUCTION AND EXISTING STRUCTURES PROVIDING PROPER DRAINAGE AND FOR INGRESS AND EGRESS TO SAID CONSTRUCTION. EXTENT OF TRANSITIONS TO BE AS SHOWN ON PLANS, OR AS DESIGNATED IN THE FIELD BY A CITY INSPECTOR.
8. THE CONTRACTOR SHALL TAKE ALL PRECAUTIONS NECESSARY TO PROTECT EXISTING PERMANENT SURVEY MONUMENTS. ANY MONUMENTS DISTURBED SHALL BE REPLACED AND ADJUSTED PER AVAILABLE RECORDS BY A REGISTERED LAND SURVEYOR.

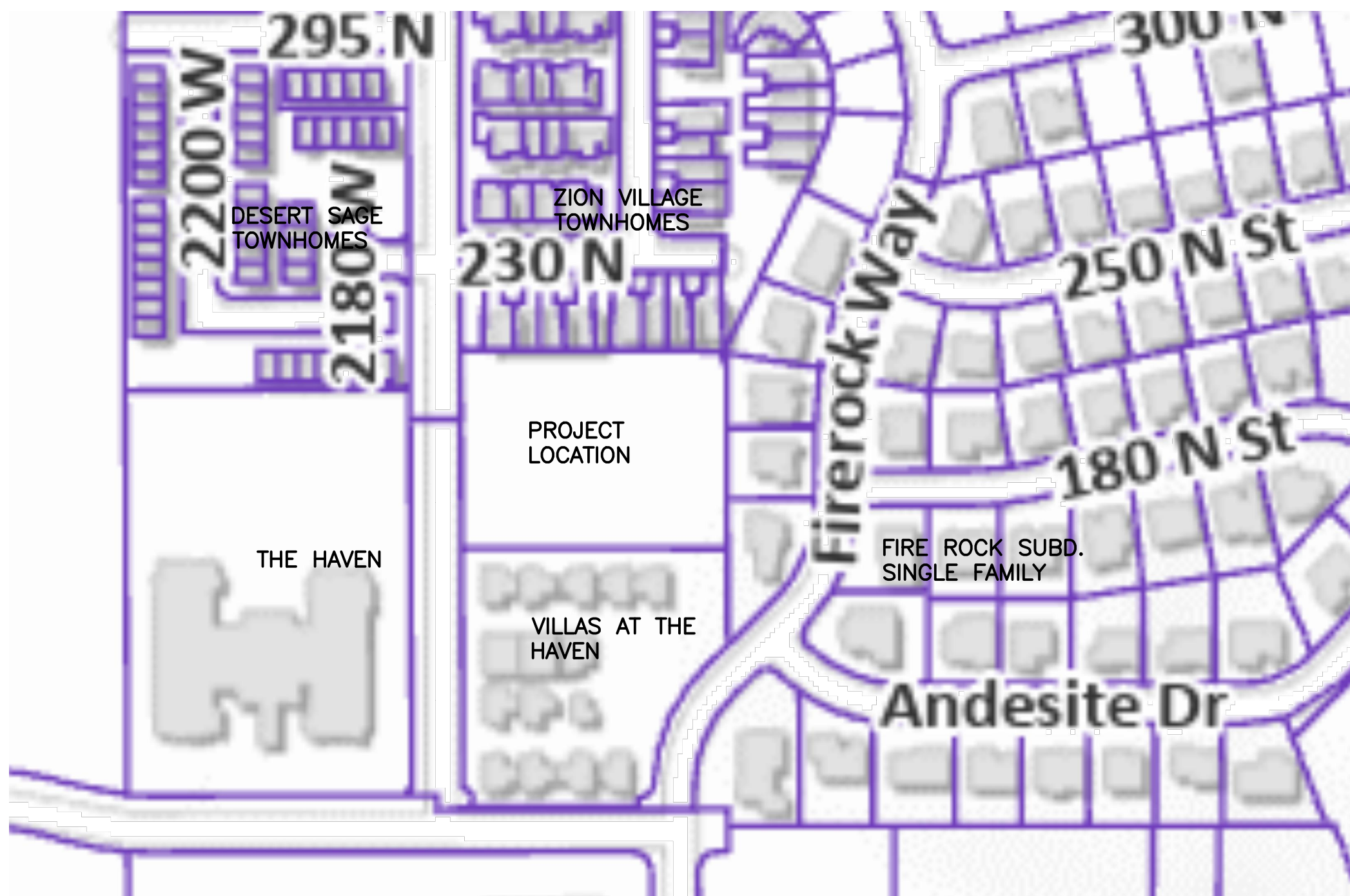
1. ALL CONSTRUCTION SHALL CONFORM WITH THE CURRENT EDITION OF HURRICANE CITY STANDARDS FOR DESIGN AND CONSTRUCTION, TOGETHER WITH HURRICANE CITY STANDARDS FOR DESIGN AND CONSTRUCTION, TOGETHER WITH HURRICANE CITY STANDARDS FOR DESIGN AND CONSTRUCTION. THESE PRIOR EDITIONS OF HURRICANE CITY STANDARDS SHALL BE RESOLVED IN FAVOR OF CURRENT HURRICANE CITY STANDARDS.
2. IN ADDITION TO THESE PLANS, HURRICANE CITY DOES NOT ASSUME LIABILITY RELATIVE TO THE DESIGN CONTAINED HEREIN. THE LICENSEE IS RESPONSIBLE FOR THE DESIGN AND ANY ERRORS AND OMISSIONS RELATED THERETO.
3. ALL WORK SHALL BE SUPERVISED BY A QUALIFIED GENERAL CONTRACTOR EMPLOYED BY OR UNDER THE CONTROL OF THE LICENSEE.
4. CONSTRUCTION ACTIVITIES THAT DISTURB ONE OR MORE ACRES OF LAND MUST BE AUTHORIZED UNDER THE URBAN POLLUTANT DISCHARGE ELIMINATION SYSTEM (UPDES) PERMITS AND OBTAIN A STORM WATER POLLUTION PREVENTION PERMIT (SWPPP) FROM THE STATE OF UTAH.
5. THE CONTRACTOR/OWNER SHALL PROVIDE ADEQUATE RESOURCES TO CONTROL DUST AND EROSION. IF MUD FROM THE SITE JUST COMPLAINTS WILL RESULT IN SUSPENSION OF WORK UNTIL THE PROBLEM IS CORRECTED. TRACKING OF MUD ONTO ADJACENT STREETS SHALL BE MINIMIZED AND CLEANED UP.
6. IT IS THE CONTRACTOR'S RESPONSIBILITY TO BE FAMILIAR WITH THE MUST-CALL MANDATORY INSPECTION LIST PROVIDED BY THE PUBLIC WORKS DEPARTMENT AND TO REPORT TO THE PUBLIC WORKS DEPARTMENT ANY CHANGES AND QUANTITIES REQUIRED AND PROVIDE DOCUMENTATION OF TEST RESULTS.
7. ALL MATERIALS SUCH AS CONCRETE, ROAD BASE AND ASPHALT SHALL BE PROVIDED FROM AN APPROVED MATERIAL SOURCE.
8. HURRICANE CITY STREET SIGNS SHALL BE SUBMITTED TO THE GIS COORDINATOR PRIOR TO ORDERING OF SIGNS.
9. WORK IN THE PUBLIC WAY REQUIRES AN ENCROACHMENT PERMIT ISSUED BY HURRICANE CITY PUBLIC WORKS.
10. A CITY-APPROVED TRAFFIC CONTROL PLAN MUST BE IN PLACE PRIOR TO COMMENCING ANY WORK THAT AFFECTS THE TRAVELLING PUBLIC.
11. IF ANY WORK SHALL BE STOPPED, A NOTICE-TO-PROCEED HAS BEEN ISSUED BY HURRICANE CITY PUBLIC WORKS.

1. NO BURNING OF CONSTRUCTION MATERIAL IS PERMITTED.
2. AN APPROVED WATER SUPPLY SHALL BE MADE AVAILABLE PRIOR TO THE ARRIVAL OF COMBUSTIBLE MATERIAL.
3. PROVIDE AND MAINTAIN ALL WEATHER FIRE ACCESS.

SHEET INDEX	
SHEET	DESCRIPTION
C1	COVER SHEET
C2	SITE & DIMENSION PLAN
C3	GRADING & DRAINAGE PLAN
C4	WATER AND POWER PLAN
C5	GAS AND SEWER PLAN
C6	LANDSCAPING & EXTERIOR LIGHTING PLAN
C7	PLAN & PROFILE 2170 WEST
C8	PLAN & PROFILE PRIVATE DRIVES
C9	SEWER DETAILS
C10	WATER DETAILS
C11	DETAILS
C12	POWER DETAILS
C13	STORM DRAIN DETAILS

TOTAL AREA:	2.0 ACRES	87120 S.F.
UNITS:		30
DENSITY:		15 UNITS/ACRE
BUILDING AREA:		32220 S.F.
IMPERVIOUS AREA (ROADS/DRIVEWAYS):		32836 S.F.
OPEN AREA:		22064 S.F.

VICINITY MAP
N.T.S.



ADJACENT USES
N.T.S.

TDS TELECOM	DATE
DOMINION ENERGY COMPANY	DATE
CENTURY LINK	DATE
ASH CREEK S.S.D.	DATE
HURRICANE CITY WATER	DATE
HURRICANE CITY STREETS DEPT.	DATE
HURRICANE CITY PLANNING DEPARTMENT	DATE
HURRICANE CITY PARKS	DATE
HURRICANE CITY POWER	DATE
HURRICANE CITY FIRE DEPARTMENT	DATE
HURRICANE CITY ENGINEERING	DATE
WATER CONSERVANCY DISTRICT	DATE
HURRICANE CITY PUBLIC WORKS DIRECTOR	DATE
HURRICANE CITY GIS DEPT.	DATE
INFOWEST	DATE

[illegible]

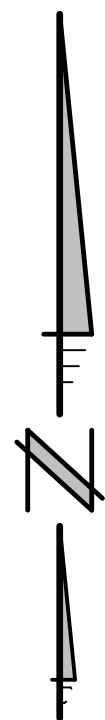
PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 - HURRICANE, UTAH, 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

COVER
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 188M

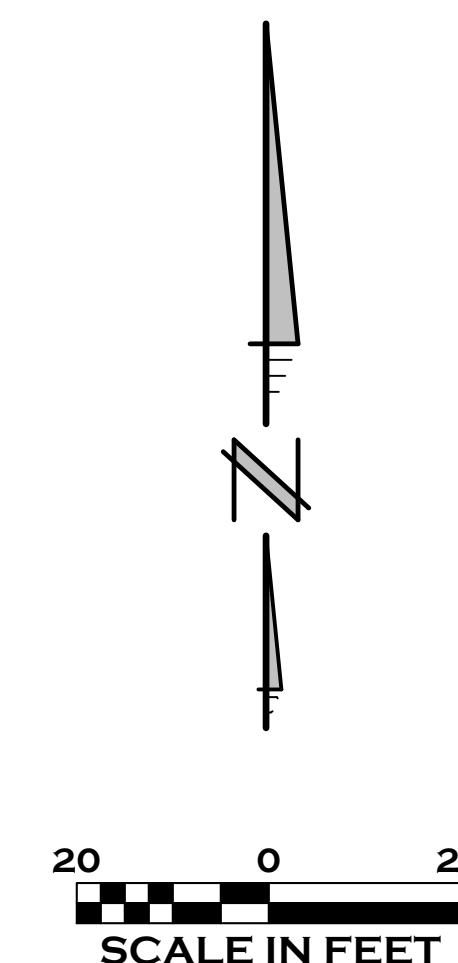
JOB/CLIENT NO.: 2002-0683
FILE NAME: 7/18/2023
DATE:

SCALE:
1"=20'

SHEET
C1
OF 13



RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



1	INSTALL ADA RAMP
2	INSTALL 5' SIDEWALK
3	INSTALL STOP SIGN AND STOP LINE
4	EXISTING 5' SIDEWALK
5	ASPHALT 2 1/2" OVER 6" ROAD BASE
6	EXISTING EDGE OF ASPHALT
7	8' CROSS GUTTER

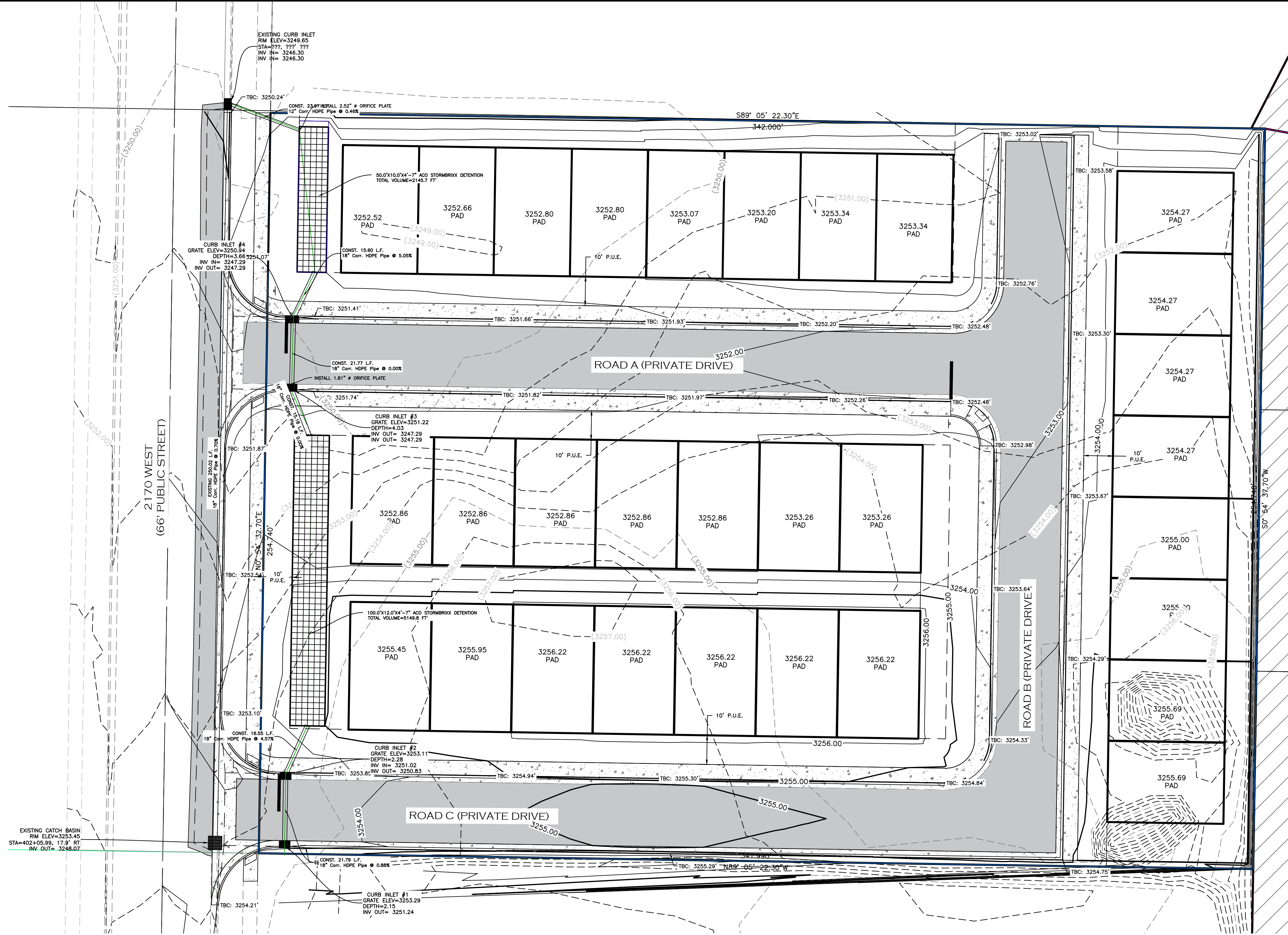
[illegible]

RATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 • HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

**SITE & DIMENSION PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S R 13 W, S.L.B&M**

JOB/CLIENT NO.:	2002-0683
FILE NAME:	7/18/2023
DATE:	
SCALE:	1"=20'

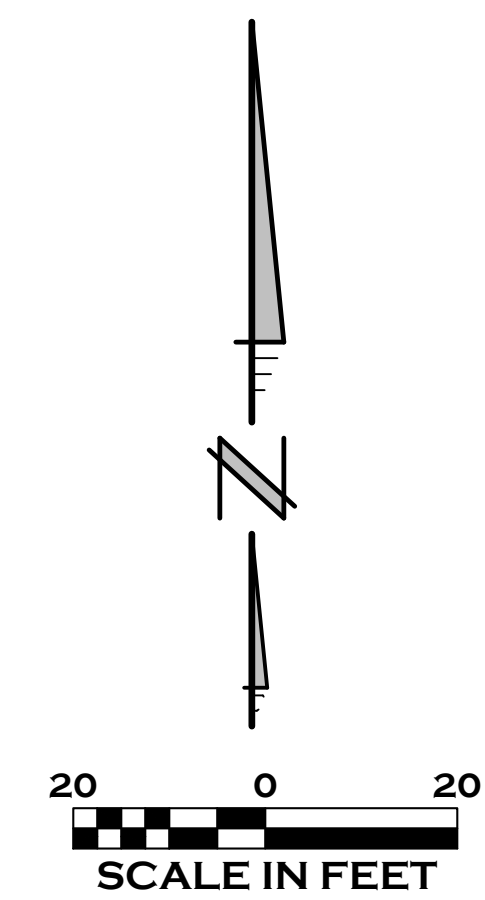
SHEET
C2
OF 13



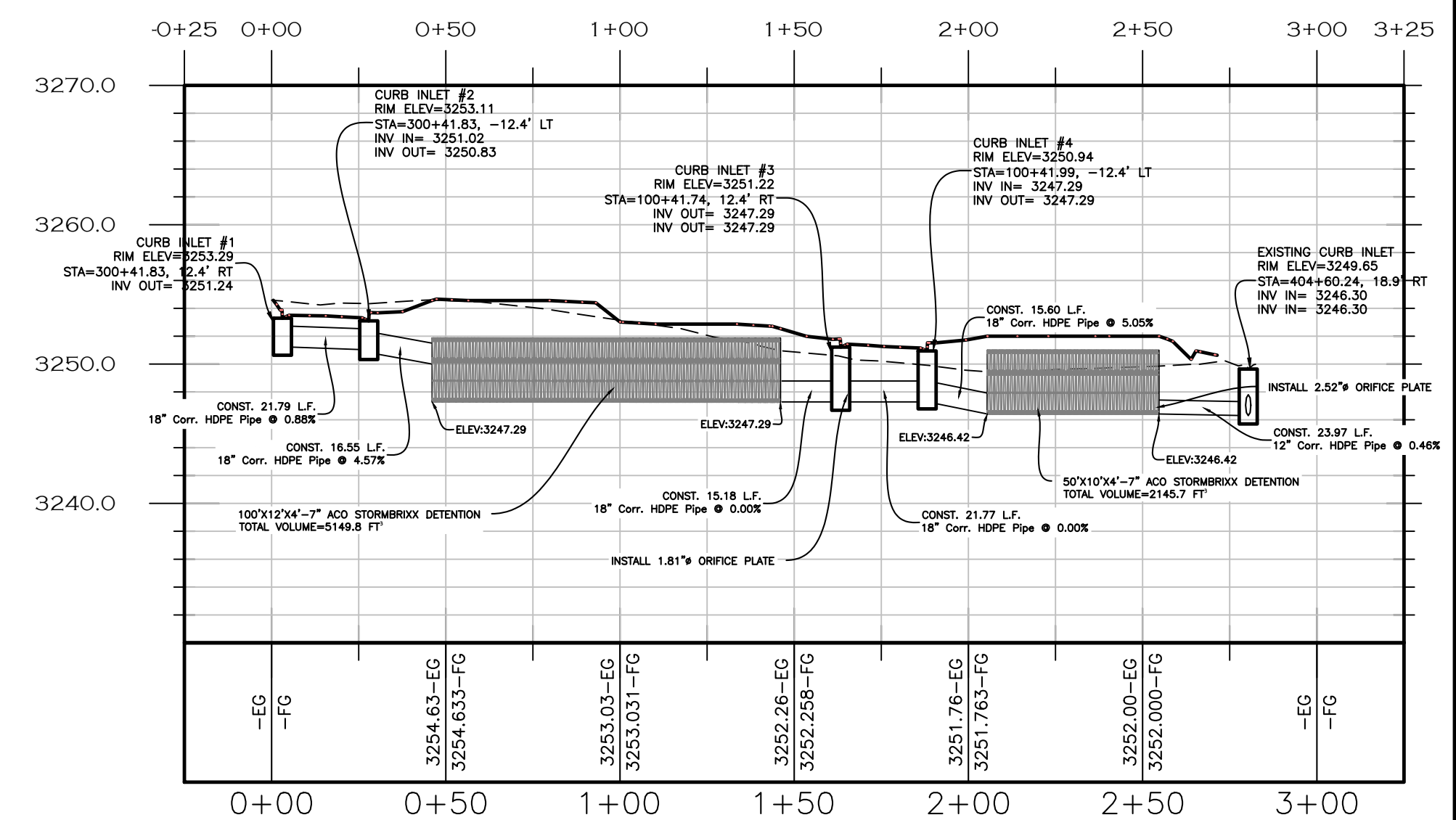
GRADING & DRAINAGE PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH

- LEGEND
- EXISTING MAJOR CONTOURS
 - EXISTING MINOR CONTOURS
 - PROPOSED MAJOR CONTOURS
 - PROPOSED MINOR CONTOURS
 - (5270)--- EXISTING CONTOUR LABELS
 - 5270 --- PROPOSED CONTOUR LABELS



PROFILE VIEW: STORM DRAIN
VERTICAL SCALE: 1"=10'
HORIZONTAL SCALE: 1"=40'



DRAINAGE NOTES

DRAINAGE SUMMARY:

AREA: 2.0 AC
SOIL TYPE: C
REFERENCE: HURRICANE 3-HR STORM PER MANUAL

BASIN:	CN	TC (MIN)	Q10 (CFS)	Q100(CFS)
PRE	85	22:52	0.46	1.96
POST	90	22:59	0.97	3.05

DETENTION REQUIRED TO MITIGATE INCREASES, VOLUME REQ'D =7285 FT³

DETENTION PROVIDED:

SOUTH DETENTION=5149.80 FT³
NORTH DETENTION=2145.70 FT³

TOTAL PROVIDED=7295.50

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 300 HURRICANE, UTAH 84737
TEL: (435) 635-5765 FAX: (435) 635-5765

GRADING & DRAINAGE PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 35, T41S, R13W, S1E8&M

JOB/CLIENT NO.:
2002-0683
FILE NAME:
7/18/2023
DATE:
SCALE:
1"=20'
SHEET
C3
OF 13

WATER AND POWER PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH

20 0 20
SCALE IN FEET

POWER KEY

1. INSTALL DECORATIVE STREETLIGHT
2. INSTALL #10 COPPER IN 1" PVC
3. INSTALL STREETLIGHT BOX
4. INSTALL #2 TRIPLEX ALUM IN 2" PVC
5. INSTALL 1/0 KV 1φ IN 2 1/2" PVC
6. INSTALL 600 MCM ALUM TRIPLEX IN 3" PVC
7. INSTALL SECONDARY BOX
8. INSTALL 4 PACK METER SOCKET 200 AMP MAX
9. INSTALL 375 KVA TRANSFORMER 120/240 1φ
10. INSTALL 75 KVA TRANSFORMER 120/240 1φ
11. INSTALL 100 KVA TRANSFORMER 120/240 1φ
12. HURRICANE POWER WILL INSTALL 3φ VAULT AT DEVELOPERS EXPENSE
12. INSTALL 3 PACK METER SOCKET 200 AMP MAX

LEGEND

- SS---SS---SS--- EXISTING SEWER LINE
⊙ EXISTING SEWER MANHOLE
---SS---4"--- NEW SEWER LINE
---W---W---W--- WATER LINE
⊙ 8" x 3/4" WATER METER
⊙ FIRE HYDRANT
---P---P---P--- POWER
⊙ WATER VALVES
---GAS---GAS--- GAS LINE
⊙ BACKFLOW PREVENTER
⊙ SEWER CLEANOUT

HURRICANE CITY WATER DEPARTMENT NOTES

1. ALL WATERLINE WORKS MUST BE INSTALLED BY A LICENSED AND INSURED CONTRACTOR THAT IS APPROVED BY HURRICANE CITY.
2. ALL CONSTRUCTION SHALL CONFORM TO THE "HURRICANE CITY STANDARD SPECIFICATIONS FOR DESIGN AND CONSTRUCTION", "THE INTERNATIONAL PLUMBING CODE", AND THE "INTERNATIONAL BUILDING CODE" LATEST EDITION AS ADMINISTERED BY HURRICANE CITY.
3. CONTRACTOR SHALL POTHOLE ALL PIPELINES AND VERIFY LOCATION AND DEPTH PRIOR TO PROCEEDING WITH ANY BUILDING OR PIPELINE CONSTRUCTION.
4. THE POTABLE WATER SUPPLY TO LAWN IRRIGATION SYSTEMS SHALL BE PROTECTED AGAINST BACK FLOW PER THE "INTERNATIONAL PLUMBING CODE (IPC)" SECTION 608.16.5 AND FOR FIRE SPRINKLER SYSTEMS PER (IPC) 608.16.4.
5. ALL BACK FLOW ASSEMBLY INSTALLATION AND TEST REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE HURRICANE CITY BACK FLOW ORDINANCE (TITLE 8 CHAPTER 3).
6. THRUST RESTRAINT ON THE NEW PIPELINE WILL BE AS SHOWN ON THE DETAILS. USE MEGA-LUG ON THE FITTINGS AND FIELD LOCK OR JOINT RESTRAINT GASKETS ON THE REQUIRED LENGTH OF RESTRAINED PIPE. NO CONCRETE THRUST BLOCKS ARE ALLOWED WITHOUT WATER DEPARTMENT APPROVAL.
7. ASPHALT REPLACED OVER THE PIPE TRENCHING IS TO MATCH EXISTING PAVEMENT DEPTHS WITH A 6" OVER CUT FROM EDGE OF THE TRENCH LINE ON EACH SIDE OF THE TRENCH.
8. CONTRACTORS SHALL CUT OFF AND CAP (BACK AT THE WATER MAIN), ALL EXISTING SERVICE LINES OR UN-USED STUB LINES THAT WILL BE ABANDONED.
9. ANY CHANGE MADE IN THE FIELD MUST BE FIRST APPROVED AND DOCUMENTED BY THE HURRICANE CITY WATER SERVICES DEPARTMENT.
10. ALL NEW FIRE HYDRANTS SHALL BE INSTALLED AT THE CORRECT HEIGHT. EXTENSIONS WILL NOT BE ALLOWED.
11. INTERRUPTION OF EXISTING WATER SERVICE WHILE MAKING CONNECTIONS TO EXISTING WATER MAINS SHALL NOT BE ALLOWED WITHOUT SPECIAL APPROVAL OF THE CITY. A MINIMUM OF 48 HOURS NOTICE TO THE CITY SHALL BE REQUIRED BEFORE MAKING CONNECTIONS. CONNECTIONS TO THE EXISTING INFRASTRUCTURE SHALL BE DONE DURING THE TIME OF LEAST INCONVENIENCE TO CUSTOMERS OF EXISTING SYSTEM. INTERRUPTIONS OF SERVICE SHALL BE LIMITED TO LESS THAN FOUR (4) HOURS PER 24 HOUR PERIOD. CONTRACTOR SHALL NOTIFY ALL CUSTOMERS WHO WILL BE AFFECTED BY SERVICE INTERRUPTION AT LEAST 24 HOURS PRIOR TO THE INTERRUPTIONS OF SERVICE.
12. TEMPORARY CONSTRUCTION WATER MAY BE OBTAINED FROM AN EXISTING FIRE HYDRANT BY MAKING APPLICATION AT THE HURRICANE CITY WATER SERVICES DEPARTMENT OFFICE. UNAUTHORIZED CONNECTIONS TO THE CITY'S WATER SYSTEM IS A VIOLATION AND SUBJECT TO LEGAL ACTION.
13. THE EXISTENCE AND LOCATION OF WATER FACILITIES SHOWN ON THE CONSTRUCTION DRAWINGS WERE OBTAINED BY A SEARCH OF AVAILABLE RECORDS. TO THE BEST OF THE DESIGN ENGINEER'S KNOWLEDGE, THE EXISTING WATER FACILITIES ARE AS SHOWN ON THE PLANS. HURRICANE CITY SHALL NOT BE HELD RESPONSIBLE FOR ANY ERROR IN THE LOCATION AND ELEVATION OF THE EXISTING WATER FACILITIES.

POWER NOTES FOR FIREROCK TOWNHOMES

1. Developer responsible for all costs, unless otherwise stated on print.
2. Only a pre-approved contractor to work on and install any part of the electrical systems.
3. Lines are for schematic purposes only. All equipment and placement of, to be to Hurricane Power Specs.
4. Pre-approved contractor to go over prints with Hurricane Power before beginning work. Contact Hurricane Power for an appointment. 435-635-5536.
5. 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.
6. No retaining walls to run into utility easements.
7. All conduits to be foamed. Any empty stub outs to have a temporary plug installed.
8. Any changes to the signed set of plans must be approved by Hurricane Power.
9. 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.
10. Impact fees to be collected by building dept. Impact fees to be charged per meter/individual breaker size. Contact Hurricane Power regarding questions on this.
11. Meters shall not be located in fenced in areas. Meters shall be kept accessible at all times.
12. Developer will be billed a termination fee \$99.00 dollars per primary elbow terminations.
13. Cement basements, three phase transformer pads and streetlight bases to be pre-cost only. To be supplied by approved vendors only.
14. Size of acceptable conduits from the transformer to meter panels is 3" or 4" PVC. You may need multiple runs of conduit from the transformer to the panel. Quantity needed to be determined by electrician. Size of acceptable wire is 350 or 500 aluminum.
15. Developer will be billed a riser fee. Hurricane power will also cut in a new 3 phase vault along 2170 west and will invoice the developer prior to the work being completed.
16. Hurricane power has changed our streetlights spec. to LED's see Hurricane Power for new spec. This project will be decorative streetlights.
17. The running line for Gas and Power needs to be on the opposite side of the road from one another. The standard running line for Power is on the north and west side of the road and Gas is on the south and east side of the road.
18. Setback on front lot should be 10' public utility Easements

TDS TELECOM NOTES

1. 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.
2. TDS WILL PROVIDE CONDUITS. PLEASE CONTACT DAVID AT 435-703-8932 AT LEAST 3 WEEKS PRIOR TO OPENING TRENCH TO SCHEDULE WORK.
3. ANY QUESTIONS REGARDING CONSTRUCTION OF SERVICE SHOULD BE DIRECTED TO DAVID TRAUTNVEIN WITH TDS AT 435-703-8932
4. RELOCATION OF NEW OR EXISTING TDS FACILITIES WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR
5. ANY MODIFICATIONS AFTER CONDUIT/CABLE PLACEMENT WILL BE BILLABLE TO THE DEVELOPER/CONTRACTOR AS WILL DAMAGES CAUSED BY OTHER CONTRACTORS
7. WORKING FOR THE DEVELOPER ON THIS PROJECT.

CENTURY LINK NOTES

- LUMEN INTERNET FIBER OPTIC NOTES (RESIDENTIAL):
1. DEVELOPER TO PROVIDE ALL TRENCH, BACKFILL, AND ROAD CROSSINGS. LUMEN SUB CONTRACTOR (NEILS FUGAL) WILL PLACE CONDUIT IN TRENCH. CALL 435-632-6553 15 DAYS PRIOR TO REQUIRING CONDUIT TO SCHEDULE DELIVERY.
 2. ANY BREAKS/BLOCKAGES IN CONDUIT RESULTING FROM IMPROPER BACKFILL OR OTHER CONSTRUCTION/UTILITY PLACEMENT ARE THE DEVELOPER RESPONSIBILITY TO REPAIR AND MAY RESULT IN DELAY OF SERVICE.
 3. CONTACT LUMEN ENGINEER AT 435-668-7445 OR ZACHMATHWS@LUMEN.COM WITH ANY QUESTIONS OR CHANGES TO JUC PLANS
 4. ANY LUMEN FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE 100% TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM OF 45 DAYS IN ADVANCE.

INFOWEST, CATV/FIBER OPTIC NOTES

1. DEVELOPER IS TO PROVIDE ALL REQUIRED TRENCHING WITHIN THE PROJECT. ANY MODIFICATIONS REQUIRED TO FEED THE PROJECT WILL BE DEVELOPED TO THE DEVELOPER.
2. INFOWEST WILL PROVIDE ALL CONDUITS. CALL 435-272-3559 OR EMAIL JUC@INFOWEST.COM FOR CONDUIT DELIVERY AT LEAST ONE WEEK PRIOR TO OPENING THE TRENCH.
3. FOR COMMERCIAL PROJECTS WITH AN MDF/COMM ROOM, DEVELOPER WILL INSTALL A 2" PVC RUN TO THE EXTERIOR OF THE BUILDING.
4. ANY QUESTIONS REGARDING SERVICE SHOULD BE DIRECTED TOWARDS GAB TREMBLAY, 435-272-3559 JUC@INFOWEST.COM
5. RELOCATION OF NEW OR EXISTING INFOWEST FACILITIES IS BILLABLE TO THE DEVELOPER. THE DEVELOPER WILL BE PROVIDED WITH AN ESTIMATE OF THE COSTS FOR THE WORK DONE.

HURRICANE CITY PARKS DEPT. NOTES

1. ANY LANDSCAPING, INCLUDING STREET LANDSCAPE STRIPS AND/OR MEDIANS AND ASSOCIATED IRRIGATION SHALL BE INSTALLED AND MAINTAINED BY DEVELOPER/OWNER AND IS NOT THE RESPONSIBILITY OF HURRICANE CITY PARKS DEPARTMENT TO MAINTAIN.

REVISIONS

REMARKS

APPROVED BY

DATE

NO.

IRAT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 9, HURRICANE, UTAH 84737
FAX: (435) 635-5765 TEL: (435) 635-2329

WATER AND POWER PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON

CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 16 E & M

JOB/CLIENT NO.:
2002-0683FILE NAME:
7/18/2023

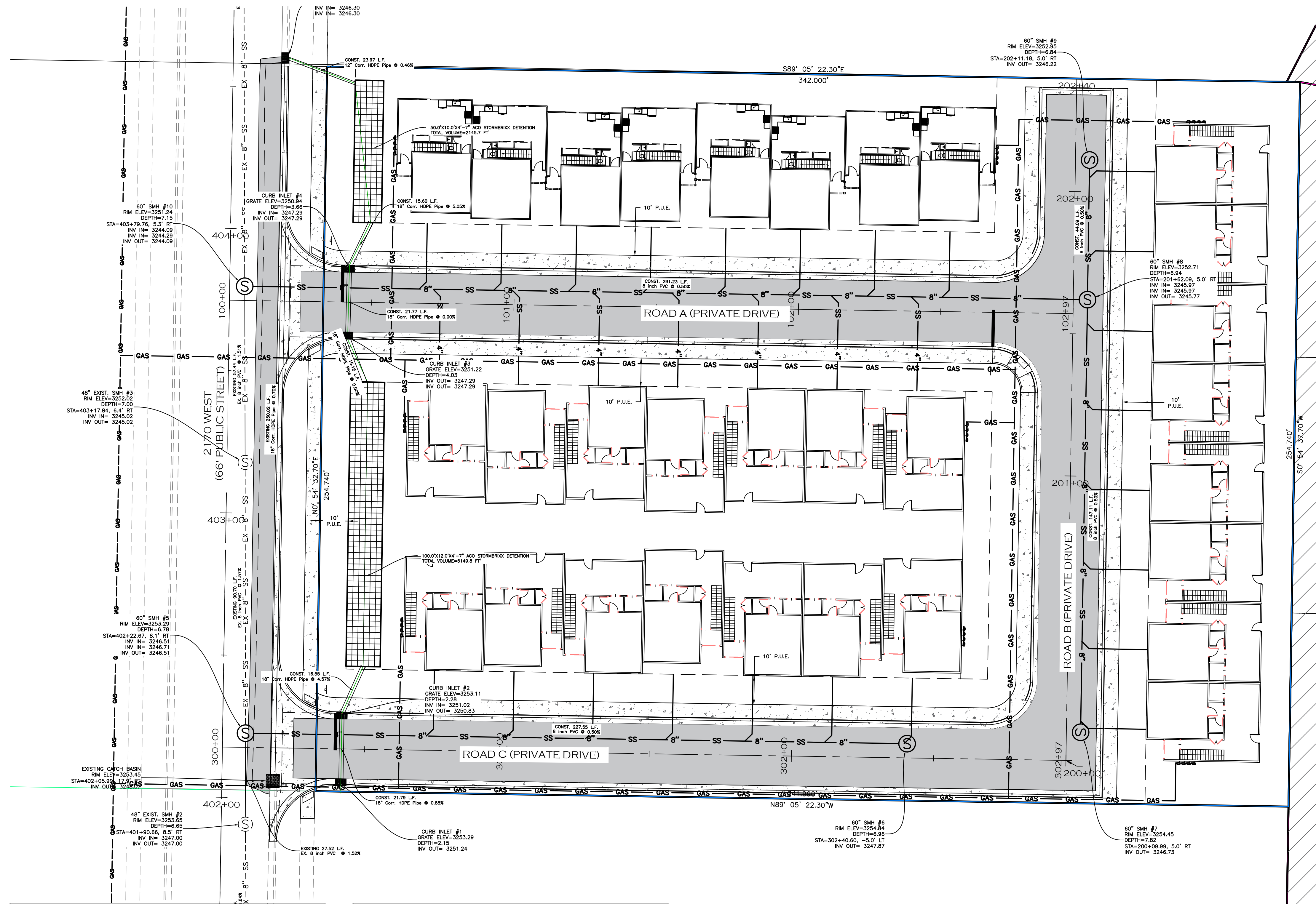
DATE:

SCALE:
1"=20'

SHEET

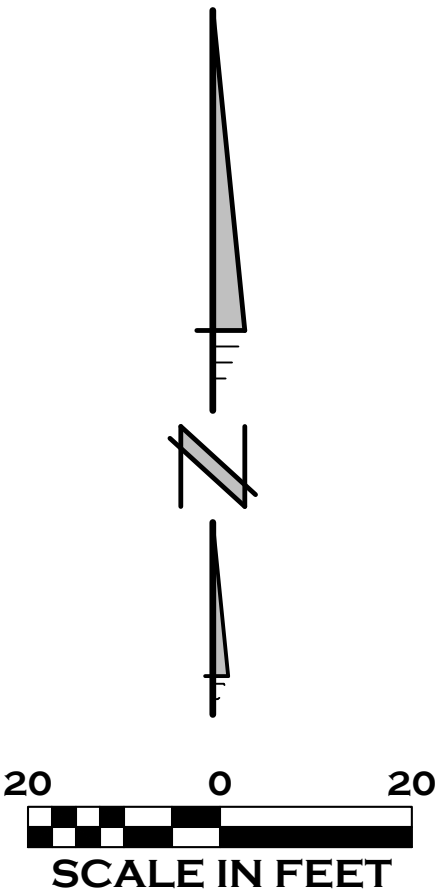
C4

OF 13



GAS AND SEWER PLAN

RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



LEGEND

- SS --- SS --- SS --- EXISTING SEWER LINE
- ⊙ EXISTING SEWER MANHOLE
- SS --- 4" --- NEW SEWER LINE
- W --- W --- W --- WATER LINE
- ⊙ 8" x 3/4" WATER METER
- ⊙ FIRE HYDRANT
- P --- P --- POWER
- ⊙ WATER VALVES
- GAS --- GAS --- GAS --- GAS LINE
- ⊙ BACKFLOW PREVENTER
- ⊙ SEWER CLEANOUT

ASH CREEK SSD NOTES

- Sewer is to meet the current Ash Creek Special Service District (District) Construction Standard.
- Prior to completion of the project provide a copy of the geotechnical report and the compaction test results to the District.
- Prior to completion of the project provide a PDF and a 2'x3' plan sheet Drawing of Record to the District. The Drawing of Record should include a distance from the near side property line to the sewer lateral marker, also include any changes to sewer main line slopes and depths.
- The contractor will be responsible to clean and test the sewer lines after all utilities have been installed but prior to asphalt placement. The following tests will need to be completed by the contractor: mandrel test, air test and closed-circuit camera inspection. Camera inspection if provided by the District can be scheduled with the District representative. Tuesdays or Thursdays are generally when the District can perform this camera work.
- During construction all sewer lines will need to be capped or sealed to protect the sewer system from flooding or rain events.
- Any floor drains, utility sinks and or anything other than sanitary sewer shall have an interceptor and sample manhole.
- Clean out to be located 5' from building.

DOMINION ENERGY NOTES:

- DEVELOPER NEEDS TO CONTACT DOMINION ENERGY PRE-CONSTRUCTION DEPARTMENT PRIOR TO BREAKING GROUND FOR GAS SIGN UP. JAKE BOZARTH (435) 231-9971
- DEVELOPER WILL BE RESPONSIBLE TO GET ALL COMPACTION TESTS DONE AT DEVELOPERS 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 CASING LOCATIONS (1155 E 350 N--ST GEORGE).
- ALL OF THE UTILITY EASEMENTS BACK OF SIDEWALK WILL BE GRADED, AT FULL WIDTH, TO WITHIN 6 INCHES OF TOP BACK OF CURB BEFORE GAS LINES WILL BE INSTALLED. **NO RETAINING, ROCK, OR BLOCK WALLS MAY BE CONSTRUCTED ON/IN A PUE**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 JC HALL (435)210-0729 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 FULL WIDTH OF THE UTILITY EASEMENT IS GRADED TO THE TOP BACK OF CURB.
- HIGH PRESSURE GAS NOTE: CONTRACTOR IS REQUIRED TO CALL HIGH PRESSURE DISPATCH AT (801)324-3370, AT LEAST 48 HOURS IN ADVANCE, BEFORE WORKING WITHIN 10 FEET OF A HIGH PRESSURE GAS LINE. THIS WILL SCHEDULE A DOMINION ENERGY HIGH PRESSURE INSPECTOR TO THE PROJECT SITE.

REVISIONS

NO.	DATE	APPROVED BY	REMARKS

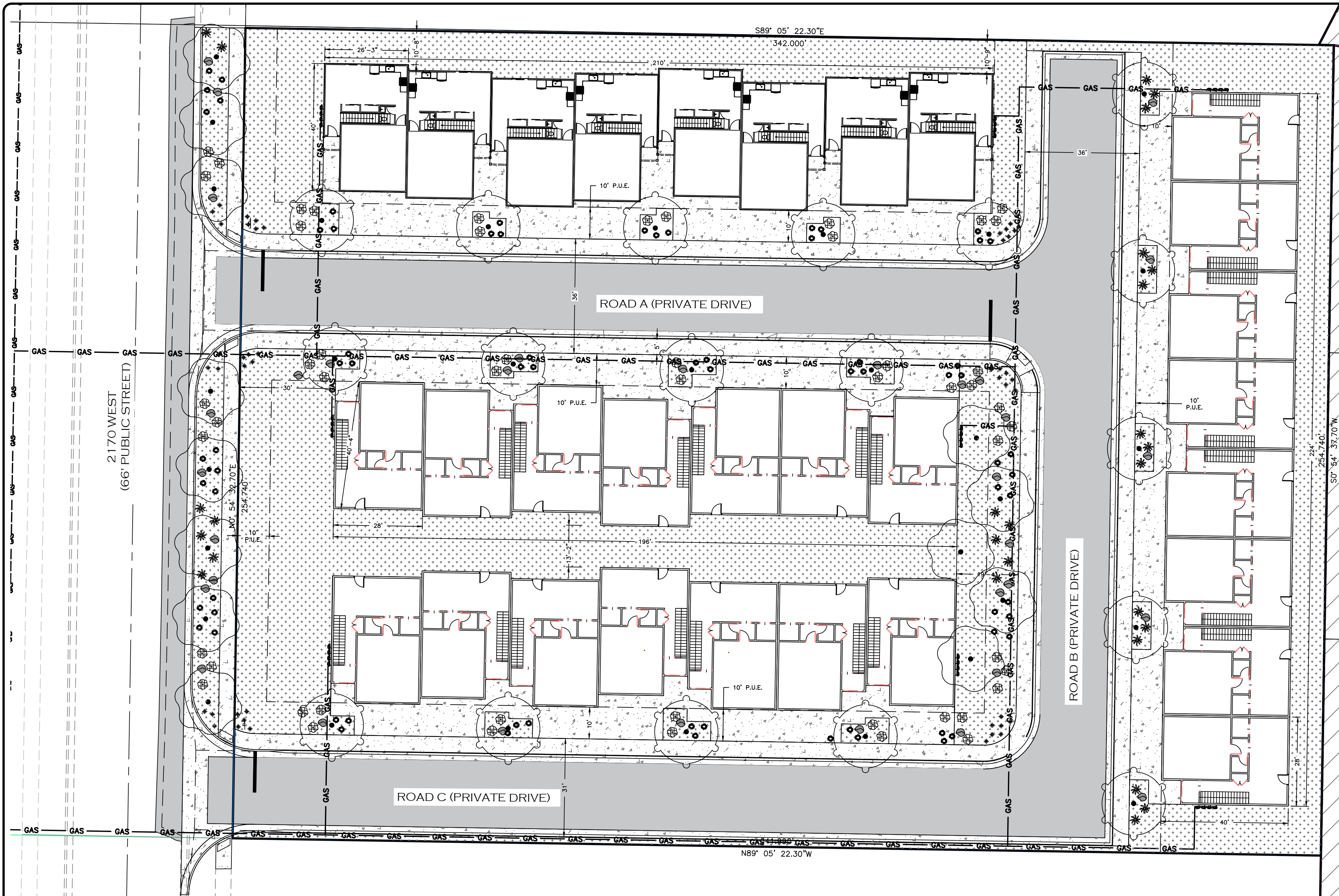
IRAT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 9, HURRICANE, UTAH 84737
TEL: (435) 635-5765 FAX: (435) 635-2329

GAS AND SEWER PLAN
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 16 E & M

JOB/CLIENT NO.:
2002-0683
FILE NAME:
7/18/2023
DATE:

SCALE:
1"=20'

SHEET
C5
OF 13



PARKS DEPARTMENT NOTES

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

LANDSCAPE NOTES

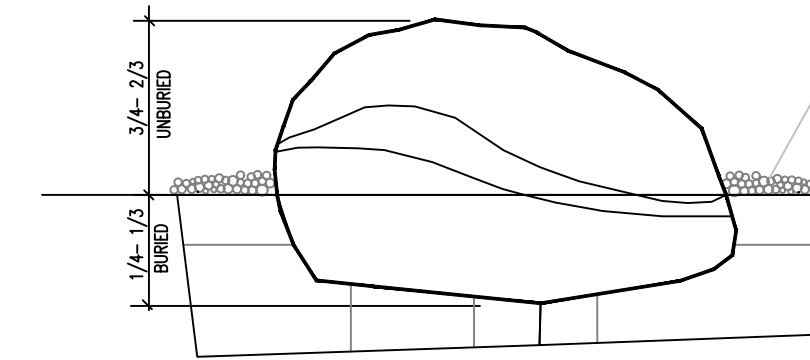
1. VERIFY LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION
2. ALL PLANT MATERIAL SHALL BE HEALTHY STOCK, FREE FROM DISEASE AND DISFIGUREMENT, HAVING FULL NATURAL SHAPES.
3. PLANT MATERIAL SHALL BE THE SAME SIZE (OR LARGER) AS DESCRIBED IN THE PLANT LEGEND.
4. ALL PLANT MATERIAL TO BE PLANTED ACCORDING TO THE DETAILS.
5. ALL LANDSCAPE AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM THAT MEETS CITY CODES. TREES AND SHRUBS TO BE IRRIGATED WITH A DRIP SYSTEM.

PLANTING LEGEND

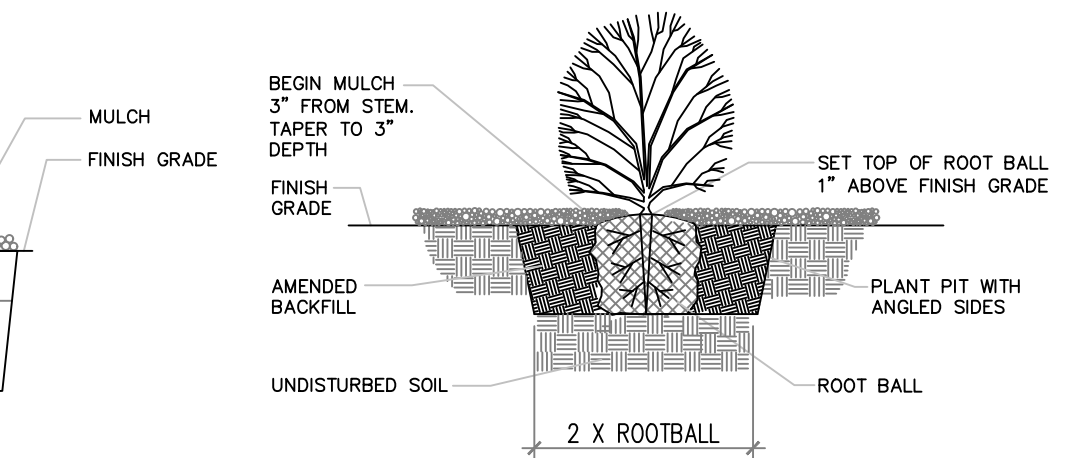
	EASTERN REDBUD CERCIS CANADENSIS	24" BOX
	'RED PUSH' PISTACHE PISTACIA X 'RED PUSH'	24" BOX
	'PINKIE' INDIAN HAWTHORN RHAPHIOLEPIS INDICA 'PINKIE'	5 GAL.
	STELLA De ORO DAYLILY	1 GAL.
	'REGAL MIST' PINK MUHLY GRASS MUHLENBERGIA CAPILLARIS 'LENCA'	5 GAL.
	RED YUCCA RED HESPERALOE	5 GAL.
	BOULDER	2'-4" DIAMETER

LANDSCAPING PLAN

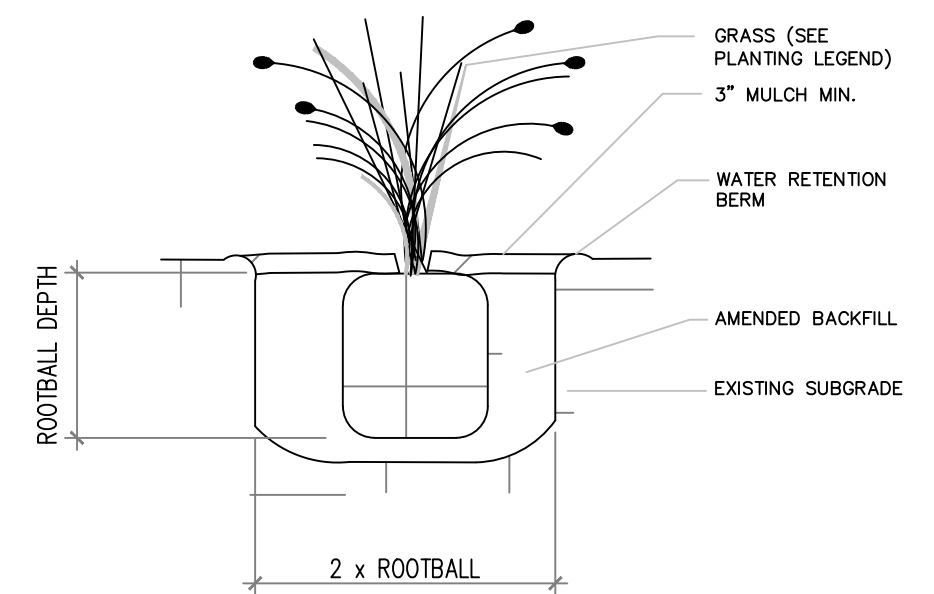
RANDY SIMONSON
FIREROCK TOWNHOMES
CITY OF HURRICANE,
WASHINGTON COUNTY, UTAH



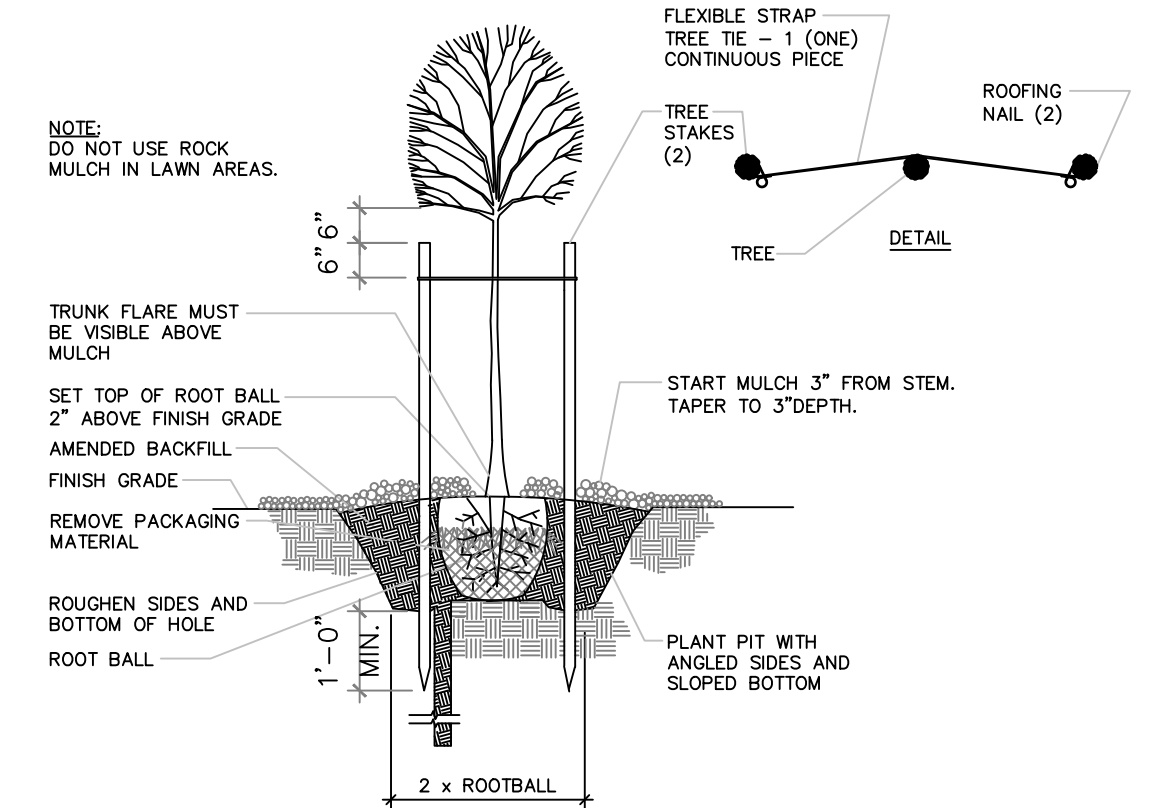
BOULDER PLACEMENT
DETAIL
(A) NOT TO SCALE



SHRUB PLANTING DETAIL
(B) NOT TO SCALE



ORNAMENTAL GRASSES PLANTING
(C) NOT TO SCALE



TREE PLANTING AND STAKING
(D) NOT TO SCALE



REVISIONS

NO.	DATE	APPROVED BY	REMARKS

IRATI ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 9 HURRICANE, UTAH 84737
TEL: (435) 635-5765 FAX: (435) 635-2329

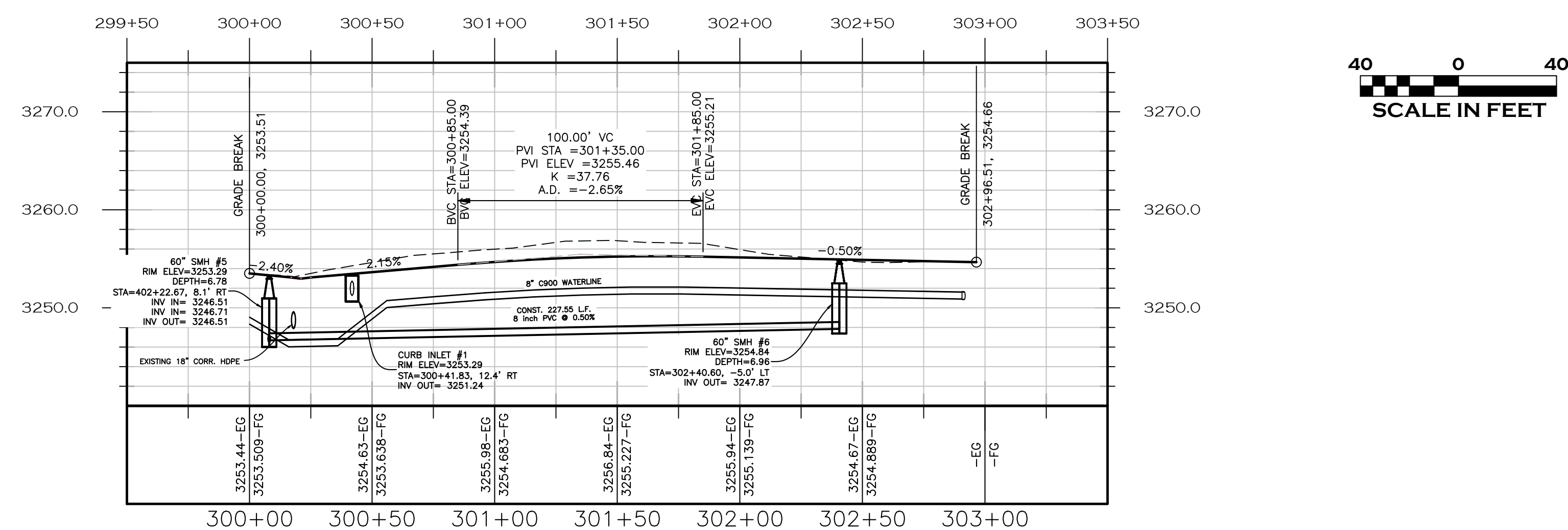
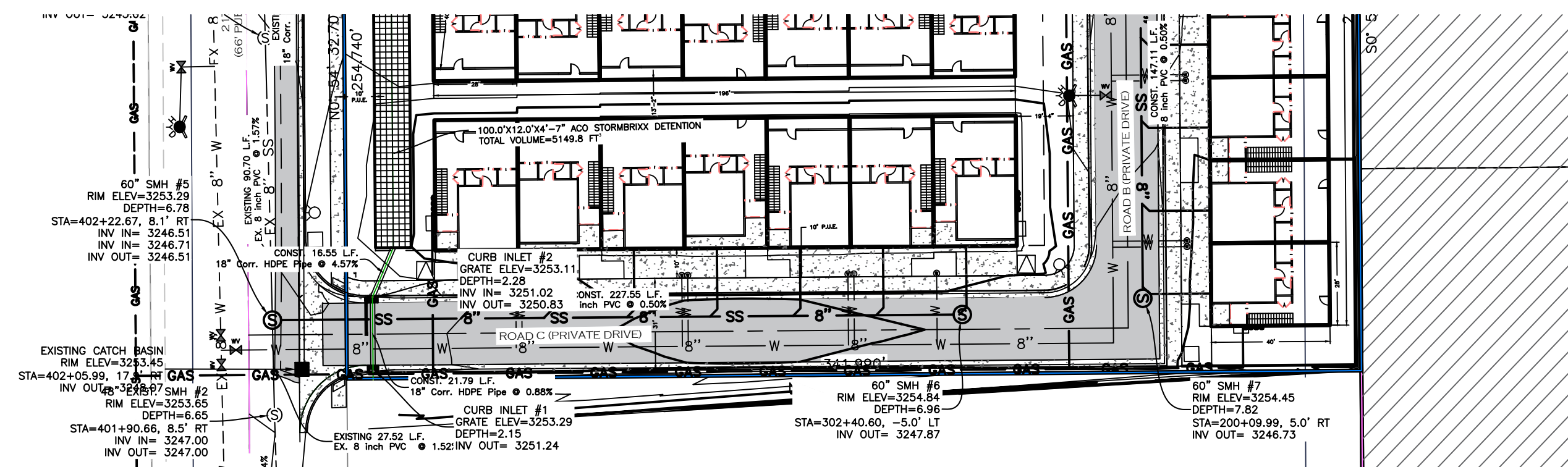
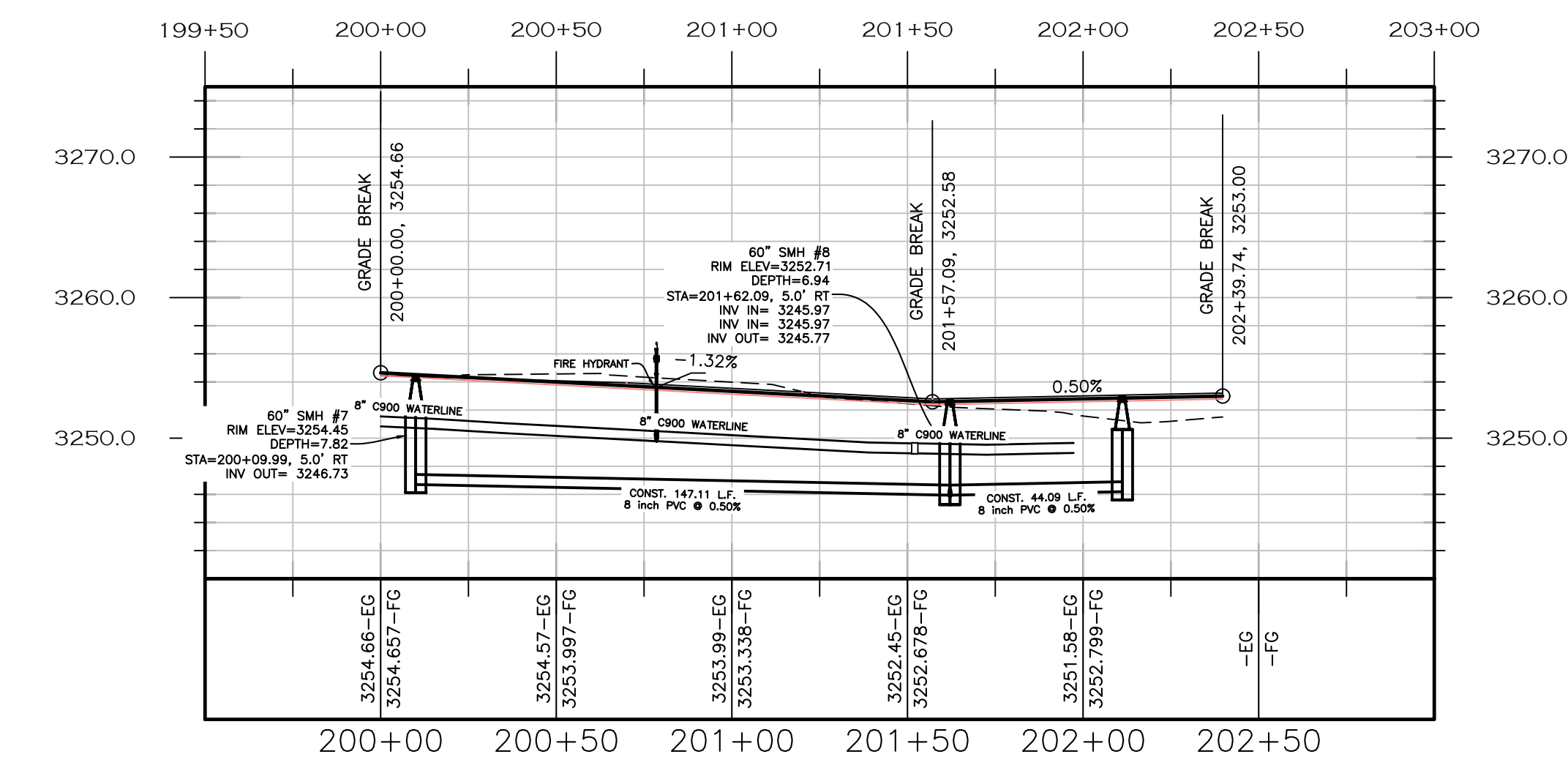
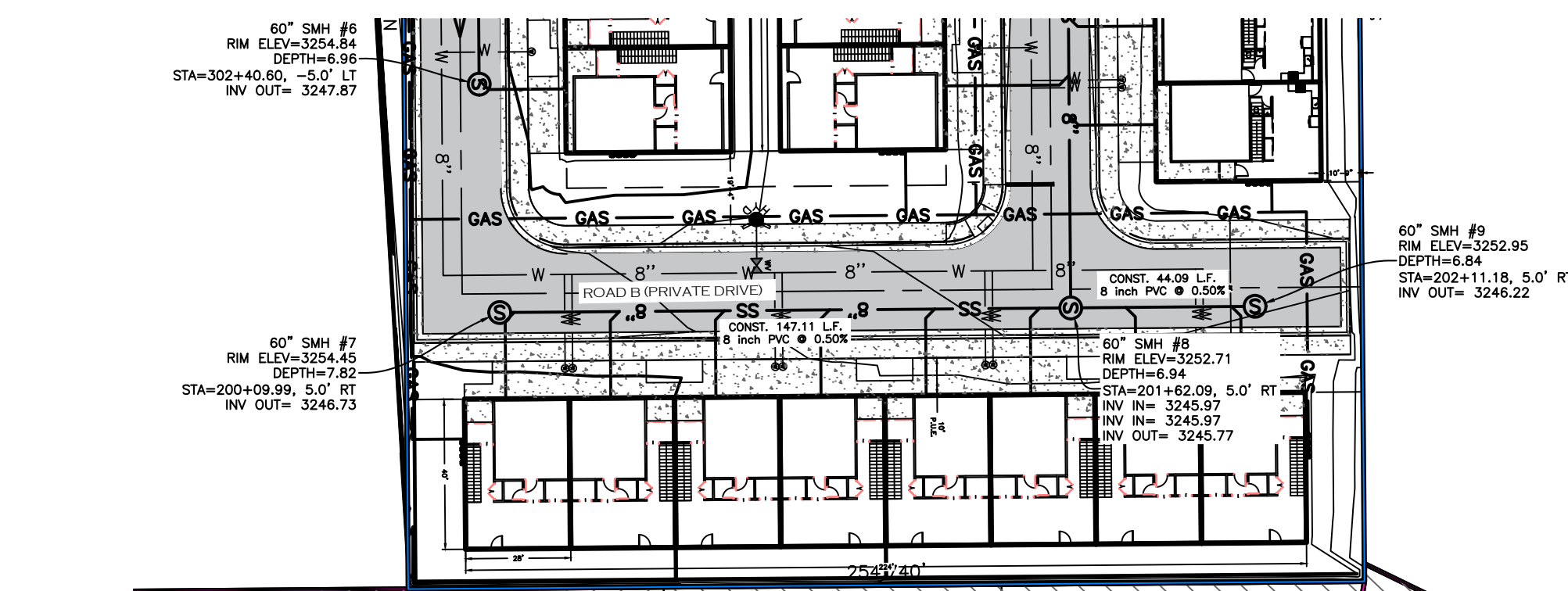
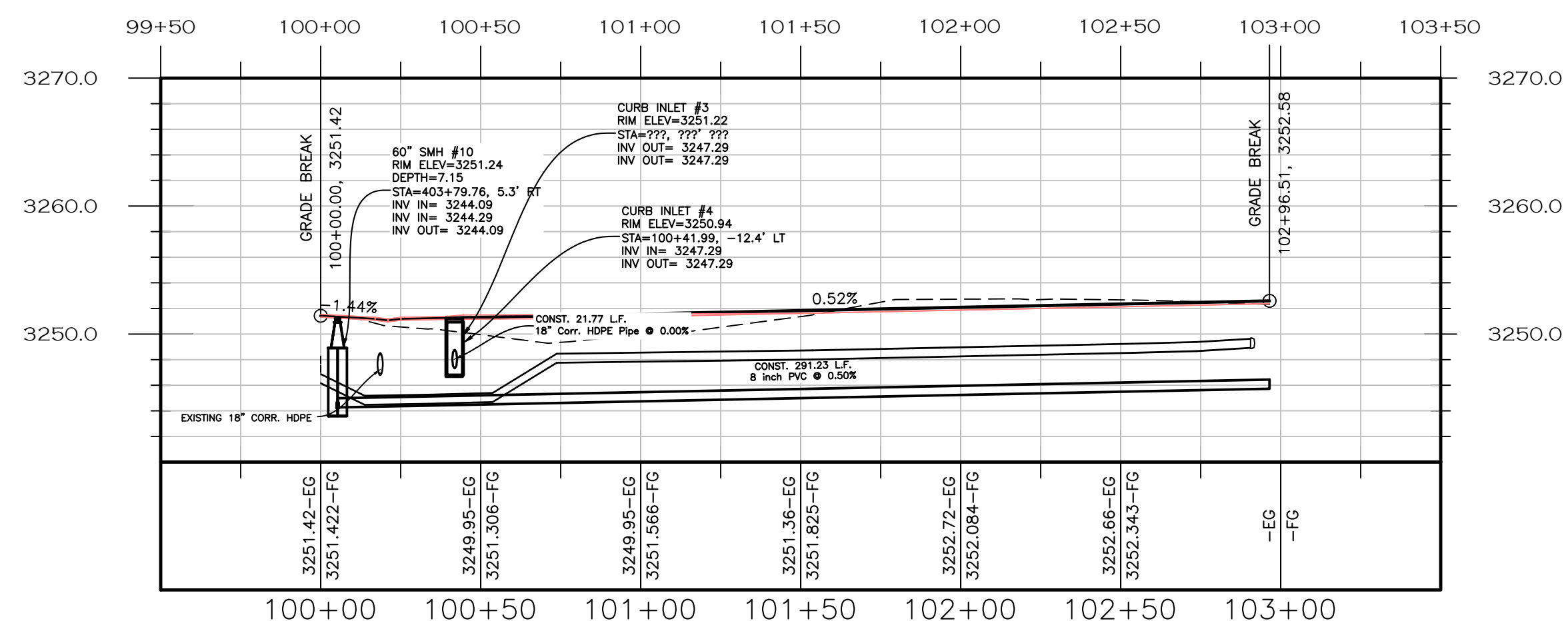
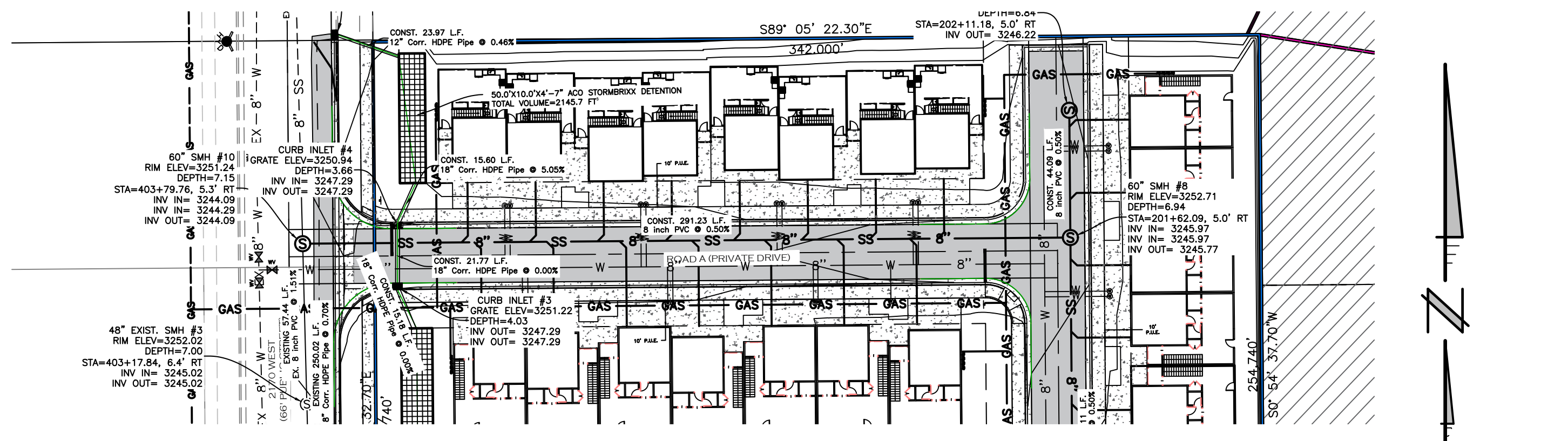
LANDSCAPING PLAN
FOR
FIREROCK TOWNHOMES
RANDY SIMONSON
CITY OF HURRICANE, WASHINGTON COUNTY, UTAH
LOCATED IN SECTION 33, T 41 S, R 13 W, S 1 E B&M

JOB/CLIENT NO.:
2002-0683
FILE NAME:
7/18/2023
DATE:
SCALE:
1"=20'

SHEET

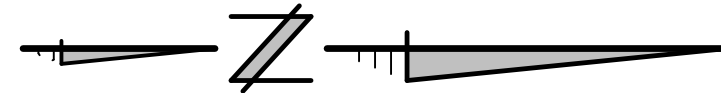
C6

OF 13



REVISIONS

[illegible]



40 0 40

SCALE IN FEET

Profile view of a sewer line from station 399+50 to 406+50. The profile shows the existing sewer line (dashed line) and the proposed sewer line (solid line). The proposed line has a constant depth of 6 feet. The profile includes vertical curve data, stationing, and elevations. Key features include grade breaks, existing and proposed valves, and existing catch basins. The profile is labeled with stationing and elevations at 50-foot intervals.

Station	Existing Elevation (ft)	Proposed Elevation (ft)	Notes
399+50	3260.72	3260.72	Grade Break
400+00	3260.72	3260.72	Grade Break
400+50	3256.64	3256.64	Grade Break
401+00	3253.74	3253.74	Grade Break
401+50	3253.74	3253.74	Grade Break
402+00	3253.74	3253.74	Grade Break
402+50	3252.51	3252.51	Grade Break
403+00	3251.60	3251.60	Grade Break
403+50	3250.38	3250.38	Grade Break
404+00	3249.22	3249.22	Grade Break
404+50	3249.22	3249.22	Grade Break
405+00	3249.22	3249.22	Grade Break
406+00	3249.22	3249.22	Grade Break

[illegible]

PRATT ENGINEERING, P.C.
CIVIL ENGINEERING AND LAND SURVEYING
51 NORTH 1000 WEST, SUITE 3 • HURRICANE, UTAH 84737
FAX: (435) 635/5765 TEL: (435) 635/2329

PLAN AND PROFILE 2170 WEST
FIREROCK TOWNHOMES
FOR
RANDY SIMONSON
HURRICANE, WASHINGTON COUNTY, UTAH

JOB/CLIENT NO.: 2002-0683
FILE NAME: 7/18/2023
DATE:
SCALE: AS NOTED

SHEET
C7
OF 13

From: Brant Tuttle <btuttle@neiutah.com>
Sent: Wednesday, August 2, 2023 8:42 AM
To: Fred Resch
Subject: Re: Cordero Phase 3 preliminary plat

Fred,

Thanks for the reminder on the preliminary plat approval extension. Please put the Cordero Phase 3 Preliminary Plat Extension Request on the Planning Commission Agenda for August 10th. As you are aware we have submitted construction drawings for Cordero Phase 3A of which we have received staff review comments and are currently addressing those comments. As soon as we receive construction drawing approval for Phase 3A we will be submitting the final plat for approval. If you have any questions or need any additional information please contact me.

thanks again,

Brant

On 8/2/2023 8:40 AM, Fred Resch wrote:

Brant,

The preliminary plat for Cordero Phase 3 was approved by the City Council on August 4th, 2022. Per Hurricane City Code 10-39-6:

After preliminary plat approval from the City Council, a complete application for final plat approval must be submitted within one year of the preliminary plat approval date. The Planning Commission may authorize a onetime extension not to exceed one year, provided that a written request for extension is received by the City before the one year time period has expired.

We have not received a final plat application for this project yet, and we can't accept an application until construction drawings are signed. If you would like to be granted an extension from the Planning Commission, we must receive the request in writing by August 4th, 2023 to be on the Planning Commission agenda on August 10th. Replying to this email will suffice. Let me know what your plans are.

Thanks,

Fred Resch III
City Planner
Hurricane City
P: (435) 635-2811 x 110
E: fred@cityofhurricane.com



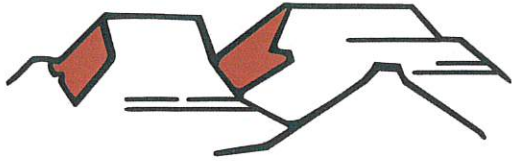
PLANNING & ZONING
HURRICANE CITY
UTAH

--

Brant Tuttle



1040 East 800 North
Orem, Utah 84097
Phone: 801.802.8992
Fax: 801.802.8993
Email: btuttle@neiutah.com
Website: <http://www.neiutah.com>



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. 2022-48-10

Receipt No. 0.158433

Name: BRADY TUTTLE, NORTHERN ENGINEERING Telephone: 801-802-8992

Address: 1040 E 800 N, OREM, UTAH 84097 Fax No. 801-802-8993

Email: btuttle@ne.utah.com Agent Email: _____

Agent (If Applicable): same as above Telephone: _____

Address/Location of Subject Property: 2100 WEST 4000 SOUTH, HURRICANE

Tax ID of Subject Property: H-3400-R; H-3400-S, H-3400-T Zone District: R1-6

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

PRELIMINARY PLAT CONTAINS 214 LOTS ON 52.82 ACRES FOR DENSITY OF 4.05 LOTS/ACRE
SEE ATTACHED SUMMARY LETTER

Submittal Requirements: The preliminary plat application shall provide the following:

- ___ 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
 - ___ a. The proposed name of the subdivision.
 - ___ b. The location of the subdivision, including the address and section, township and range.
 - ___ c. The names and addresses of the owner or subdivider, if other than the owner.
 - ___ d. Date of preparation, and north point.
 - ___ e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- ___ 2. Existing Conditions: The preliminary plat shall show:
 - ___ a. The location of the nearest monument.
 - ___ b. The boundary of the proposed subdivision and the acreage included.
 - ___ c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
 - ___ d. The location, width, and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
 - ___ e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
 - ___ f. Existing sewers, water mains, culverts, or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.
 - ___ g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.

- ____ h. Contours at vertical intervals not greater than five (5) feet.
 - ____ i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock, and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
 - ____ j. Information on whether property is located in desert tortoise take area
- ____ 3. Proposed Plan: The subdivision plans shall show:
- ____ a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys, and easements.
 - ____ b. The layout, numbers, and typical dimensions of lots.
 - ____ c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
 - ____ d. Easements for water, sewers, drainage, utilities, lines and other purposes.
 - ____ e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
 - ____ f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
 - ____ g. Approximate radius of all center line curves on highways or streets.
 - ____ h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
 - ____ i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
 - ____ j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
 - ____ k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
 - ____ l. Will this subdivision be phased? If yes show possible phasing lines.
 - ____ m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.
- ____ 4. Required copies of plans:
- ____ a. Three copies of all full-scale drawings
 - ____ b. One copy of each drawing on a 11 x 17-inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).
- ____ 5. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 (noon) 20 full calendar days before the Planning Commission meeting at which you plan for your application to be heard.

.....
(Office Use Only)

Date Received: _____ Application Complete: YES NO

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

May 10, 2022

Mr. Stephen Nelson
City Planning Director
City of Hurricane
147 North 870 West
Hurricane, UT 84737

Cordero Phase Three Preliminary Plat Summary

Dear Stephen,

The Cordero Phase Three Preliminary Plat contains 214 lots on 52.82 acres for a density of 4.05 lots per acre. Phase Three is located south of Cordero Phase One and Two at the 2100 West and Copper Rock Parkway intersection. The extension and improvements of 2100 West to the south property line will be included with the construction of Phase Three. No residential driveway accesses will be allowed on 2100 West Street. An existing drainage channel runs through Phase Three and will discharge into the relocated drainage channel in Phase One and Two. The general slope of the property is from the southeast to the northwest. The Phase Three Preliminary Plat contains six separate storm water detention basins which are located within each sub-phase of Phase Three. Each storm drainage basin will provide the 0.2 cfs historical storm water discharge into the storm drainage channel through an outlet structure and will detain the peak storm drain event. Each detention basin will be design with an emergency overflow into the storm drainage channel. Each sub-phase will have a piped storm drain collection system which will channel the storm water to the detention basins. The construction drawings will provide the details in addressing the storm drainage system along with a storm water drainage report submitted with the construction drawings. There are no Hurricane Canal Company facilities located on the project site.

Potential geotechnical constraints have been previously evaluated at this site and there are no known collapsible soils or geologic fault lines in this area. A soils report has been performed on the site and will be resubmitted with the construction drawings. The property is not located in a desert tortoise area. The main access to the project will be through 2100 West Street and Copper Rock Parkway. For a second access a roadway dedication plat has been prepared for 2600 West Street which will provide access from 3000 South Street to Copper Rock Parkway. The Ash Creek Special Service District has an existing sewer line in 2100 West Street and 3960 South Street. The water system improvements as part of Cordero Phase One approval are bonded and currently under construction. The Cordero Phase Two project will provide two separate water main connections and two separate accesses to Phase One, Phase Two and Phase Three. Phase Three will continue the water main and access along 2100 West Street with the adjoining



residential streets connecting into Cordero Phase One and Two. The Cordero Phase Three Project will be developed in six sub-phase as per the Master Plan.

If you have any questions or need any additional information, please contact me.

Thanks,

A handwritten signature in blue ink that reads 'Brant D. Tuttle'.

Brant D. Tuttle, P.E.

Northern Engineering, Inc.

**AFFIDAVIT
PROPERTY OWNER**

STATE OF UTAH)

:SS

COUNTY OF)

I (we), River Valley Dev, LLC, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.



(Property Owner)

(Property Owner)

Subscribed and sworn to me this 7 day of April 2020

B Stocking
(Notary Public)

Residing in:

Cache County

My Commission Expires:

11/10/2022



J BURDETTE STOCKING

Notary Public
State of Utah

My Commission Expires 11/10/2022
Commission Number 703121

Agent Authorization

I (we), River Valley Dev, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) BRAST TOTTEN to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.



(Property Owner)

(Property Owner)

Subscribed and sworn to me this 7 day of April 2020

B Stocking

(Notary Public)

Residing in:

Cache County

My Commission Expires:

11/10/2022



J BURDETTE STOCKING

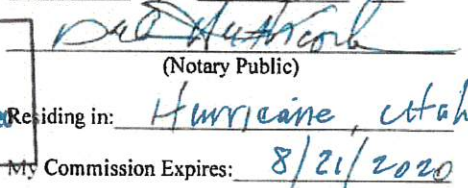
Notary Public
State of Utah

My Commission Expires 11/10/2022
Commission Number 703121

STATE OF UTAH)
COUNTY OF Washington :ss

Toquerville Enterprises, LLC
(Property Owner)

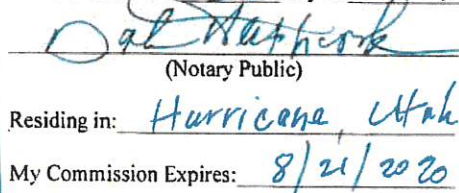
Subscribed and sworn to me this 26 day of January 2017.



I (we), Toquerville Enterprises, LLC, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) NEI MAJOR DALE BEN to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

By: Jerald M. Spoilsbury
(Property Owner)
Jerald M. Spoilsbury, Manager/Member

Subscribed and sworn to me this 26 day of January 2017.





STAFF COMMENTS

Update 08/10/2023: The applicant is requesting an extension of the final plat deadline for this project. Pursuant to city ordinance, a final plat must be submitted within one year of approval of a preliminary plat, however, the applicant can request an extension of one year from the Planning Commission. Power capacity is still an issue with this region, however, after discussion with the Power Department, they do not object to this preliminary plat being extended. Staff recommends approval of the extension of the preliminary plat approval. Below is the original report from when the preliminary plat was first applied, the concerns raised on the design within the initial staff report were addressed before Council approval and the approved plat is included in the packet.

Agenda Date:	08/10/2023
Application Number:	2022-PP-16
Type of Application:	Preliminary Plat Application
Action Type:	Administrative
Applicant:	Brant Tuttle, Northern Engineering
Agent:	
Request:	Approval of a Preliminary Plat
Location:	2100 W 3900 S
Zoning:	R1-6
General Plan Map:	Planned Community

Update 7/14/2022: A will-serve letter has been provided by the Water Department. Staff recommends approval of this preliminary plat subject to staff and JUC comments.

Discussion:

The applicant has filed a preliminary plat for phase 3 of Cordero. The applicant is proposing 214 lots on 52.82 acres and is on the other side of Future 3960 S from phase 2 which was approved earlier this year.

[illegible]

JUC Comments

1. **Power:** No major concerns with the development
2. **Sewer:** Sewer in phase 1 and phase 2 need to be completed in order to service phase 3.
3. **Street:** Will need infrastructure from previous phases done to continue to this phase.
4. **Water:** Will need an approved water model, before construction drawings
5. **Engineering:** Specify road cross sections. 2100 W is a 77' ROW but that's not clear. Drainage plan needed. Traffic study needed. Geotech study needed. Reduce the number of double frontage lots. Coordinate interconnectivity with Copper Rock. Check block lengths.
6. **Fire:** Need second access
7. **Cable:** Good
8. **Gas:** No gas in the area. The city should consider requiring sleeves for future gas service.
9. **Water Conservancy:** No comments

07/14/2022

1. Zoning is R1-6 and all lots meet R1-6 zoning standards and the approved preliminary site plan..
2. A will serve letter has not been provided by either the culinary or sanitary water provider yet, the applicant has indicated they are working to get that provided.
3. The development is partly governed by a development agreement which capped the total number of lots at 700 for the whole area. The development agreement required preliminary plats to list the number of lots that have been approved for the full Cordero development. The plat lists 694 approved units within the entire development. No preliminary plat has been approved for the Recreation Resort area yet.
4. The applicant will need to construct improvements to the surrounding roadways on the City's Transportation Master Plan. The applicant will also need to provide walls along the master plan roadways.
5. There is a 12' multi-use sidepath along the west side of 2100 W that will need to be shown on the plat.
6. Hurricane City Code 10-37-12:
 - a. *Double frontage lots. Lots having frontage on two or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which back onto streets shown on the City's road master plan. Such double frontage lots shall be accessed only from an internal subdivision street. Frontage on lots having a front lot line on more than one street shall be measured on one street only.*
 - b. Lots along 2100 W (Lots 139-183) are permitted due to 2100 W being a master planned roadway, but they must front either 2080 W or 2160 W. All other double-frontage lots (28-49, 54-74, 137-138) must be redesigned. Lots 4-28 are probably fine due to the preliminary site plan for Copper Rock not showing a roadway along that property line.
7. 4160 S and any other roadways that go to 2000 W should stub through to Copper Rock
8. All block lengths between 4160 S and 4300 S exceed the 800' block length standard in the city code. Another roadway should bisect these blocks. 2160 W from 4160 S to 3960 S also exceeds 800'
9. All park strips will need to be landscaped and have the proper improvements.
10. A will serve letter from the culinary and sanitary water providers has not been provided.

2022 Recommendation: Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend continuing this application so the applicant can redesign the plat to meet city standards on block lengths, connectivity, and double frontage lots.



HURRICANE CITY UTAH

Water Department
Ken Richins, Superintendent

July 8, 2022

To Whom It May Concern:

Brant Tuttle (the "Developer") has requested a culinary water will serve letter for the subdivision known as Cordero Phase 3, located at approximately 2100 W 4000 S in Hurricane, Utah (the "Project").

Infrastructure

The City currently has infrastructure to supply culinary water in the general area of the Project. However, Developer will be responsible to connect the Project to the existing water infrastructure, including the installation of infrastructure in dedicated public streets and as otherwise required to meet City standards. In addition, Developer may be required to obtain and supply a hydraulic water study to ensure the waterline will deliver required fire flows. A looped water system may be required.

Water Supply

As of the date of this letter, the city has adequate water to supply water to 213 residential connections within the Project. However, water within the City is a finite resource with limited supply. The ability of the City to supply water to previously approved projects, as well as continue to serve additional water customers, is contingent on water supplies being available from the Washington County Water Conservancy District (the "Conservancy District"). Therefore, the City's statements in this letter regarding the adequacy of water supply is (1) contingent on water being available from the Conservancy District and (2) shall expire one year from the date of this letter, after which a renewed will serve letter will be required for any property or lot that has not obtained a metered connection to the City's culinary water system. Developer is encouraged to obtain a guarantee of water from the Conservancy District.

General Requirements

In addition to the requirements and limitations described above, Developer shall be required to comply with all applicable laws, ordinances, policies, and construction and design standards. These requirements include, but are not limited to, secondary water system requirements and any obligations described in an applicable development agreement.

Sincerely,

Ken Richins
Water Department Superintendent



June 9, 2022

Mr. Stephen Nelson
Planning Director
Hurricane City, Utah 84737

RE: Cordero Phase 3 Preliminary Plat Review Comments

Dear Stephen,

We have prepared this letter to address a few of the items from the staff comments on the Cordero Phase 3 Preliminary Plat. Items 6, 7, 8 and 10 are the only items that we want to address. All of the other items we agree with and do not have any concerns.

- Item 6 addresses the double fronted lots. On our initial design of 2020 West Street we wanted to have the back yards adjacent to the drainage channel of which this design created the double fronted lots from Lot 28 to Lot 49. We had also looked at placing a half plus 12 foot wide roadway along the easterly property line in a north/south direction adjacent to the Copper Rock Development. We are familiar with the Copper Rock Master Plan. A north/south roadway along their westerly property line does not work with their Master Plan. Copper Rock Parkway and 3960 South Street are the only roadway extensions to the Copper Rock Development. To eliminate the double fronted lots we have moved 2020 West Street to the east side of the drainage channel. We have attached an updated lot layout to this letter reflecting this change. In looking at this updated layout it would provide better access for the operation and maintenance of the drainage channel.
- Item 7, 4160 South Street should extend east and stub to the Copper Rock Development. We do not have a problem with this roadway stub but there is no planned roadway connection in the Copper Rock Master Plan. The same issue occurs on the west property line adjacent to the Southern Shores project of which their master plan does not plan any roadway extensions to the east.
- Item 8, block lengths should not exceed 800 feet. We have researched the City Code and could not find the requirement. However, we did find in the Hurricane Design Standard item 3.2.4.2.F on page 3-7 indicating that block lengths without an intervening connector street shall not exceed 800 feet. The row of blocks between 4160 South Street and 4300 South Street are 800 feet from property line to property line. We did not find any required measurement from property line to property line or roadway centerline to roadway centerline. We would request the City consider the 800 feet distance from property line to property line. We have attached a copy of the Design Standards page 3-7.

- Item 10, will serve letter from the culinary and sanitary water providers. We have attached a copy of the will serve letter from Ash Creek Special Service District for sanitary sewer. We have spoken with Ken Richins, the Hurricane City Water Superintendent regarding the water will serve letter and similar to Cordero Phase 2 they are wanting confirmation of the water model for the 214 lots. This model has been submitted, reviewed by the City Consultant and resubmitted to the City with changes made to the water model as per the Consultants comments. We have not received any further review or approval comments from the City or Consultant. We would like to mention that River Valley Development has bonded and is constructing millions of dollars of water system improvements for the Cordero Development of which the water system improvements were approved as part of the final Cordero Phase 1 construction drawings. In addition to the Cordero Phase 1 water system improvements a PID has been approved for this same area by the Hurricane City Council which will enhance the water service to all of this area.

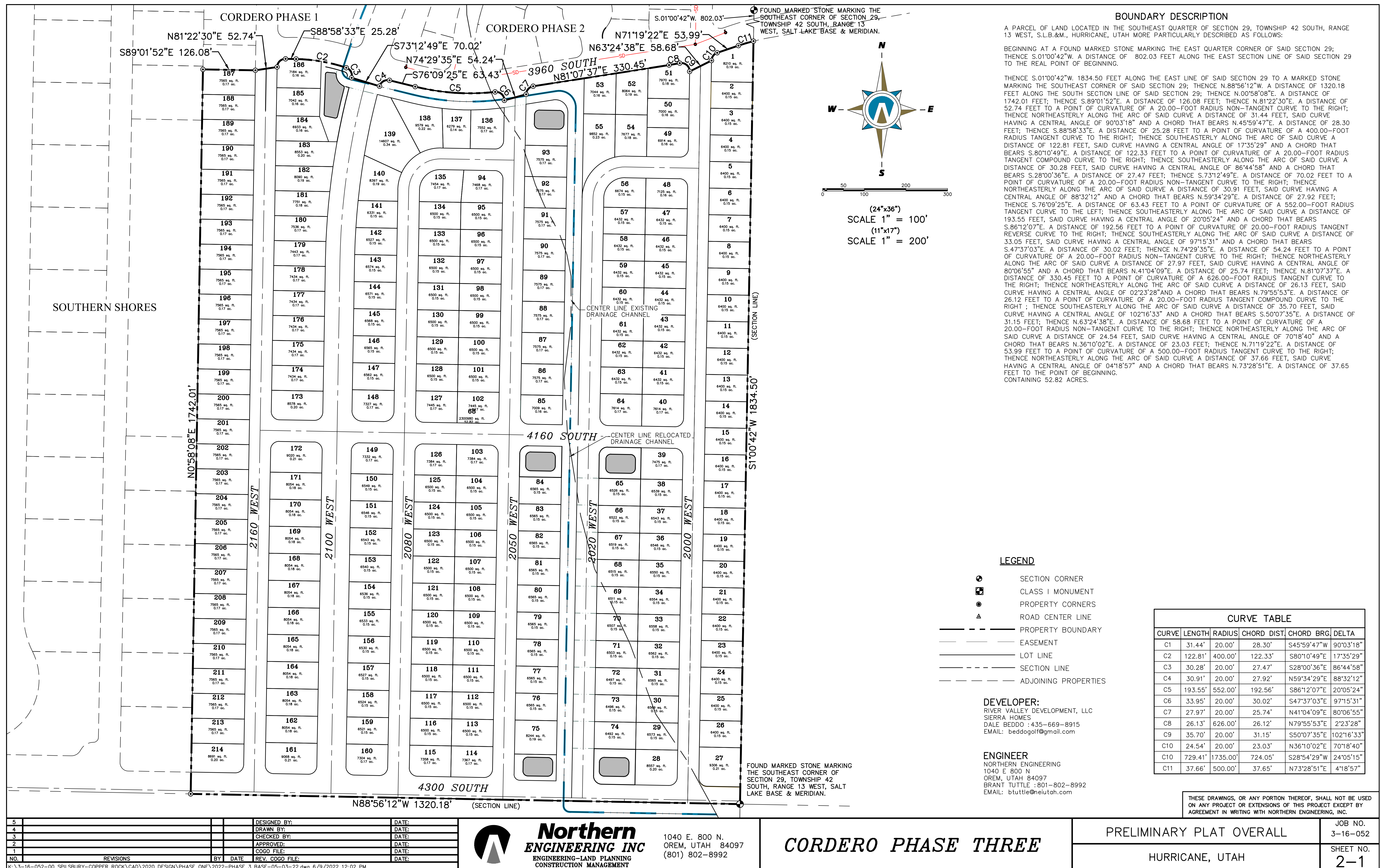
We would respectfully request approval of the Cordero Phase 3 Preliminary Plat with addressing the items mentioned above. As a consideration of accepting the revised layout of eliminating the double front lots and with approval by the Planning Commission we would commit to submitting a full updated Preliminary Plan set prior to the next City County meeting. If you have any questions or need any additional information, please contact me.

Thanks,



Brant D. Tuttle, P.E.

Northern Engineering, Inc.



3.2.4.2 INTERSECTIONS

- A. Wherever possible, all street intersections should intersect at ninety degree angles.
- B. In the event an acute angle intersection is proposed, the City Engineer may require mitigation by realigning to achieve a ninety degree intersection. If no other reasonable option for realignment exists, a skew may be allowed up to a maximum of 15° from 90°. Other design approaches to mitigate the skewed angle may be required by the City Engineer.
- C. Proper combination of horizontal and vertical alignment should be obtained by engineering study and consideration of the general guidelines listed in AASHTO (Section Titled: Combinations of Horizontal and Vertical Alignment, p. 279, 2004 edition).
- D. Intersections should not be located on the interior of, or near, sharp curves. Intersections should be located a sufficient distance from all curves to provide proper sight distance for vehicles on the intersecting road or driveway and on the through road.
- E. New intersections with more than four “legs” are generally not permitted. For arterial access, only four-leg intersections, “T” intersections and modern roundabouts are permitted. When designing local road networks, “T” and “L” intersections are desired. The “L” intersection (knuckle) will only be permitted when the street length, in either direction from the angle point, is three hundred feet (300'), or less. Exceptions to these requirements may be granted by the City Engineer on a case by case basis. The developer's engineer must provide acceptable compelling Traffic Engineering analysis justification before deviations will be granted.
- F. When designing local road networks, block lengths without an intervening connector street shall not exceed eight hundred feet (800') in length unless previous approval has been obtained from the City Engineer. Cul-de-sacs are not considered an intervening connecting street.
- G. New access locations created by development shall be unified whenever possible to create the fewest number of access points onto arterials or major collectors. Cross use agreements shall be required where necessary.



Ash Creek Special Service District

1350 S. Sand Hollow Road

Hurricane, UT 84737

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

ashcreek@infowest.com

June 7, 2022

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

RE: Cordero Phase III

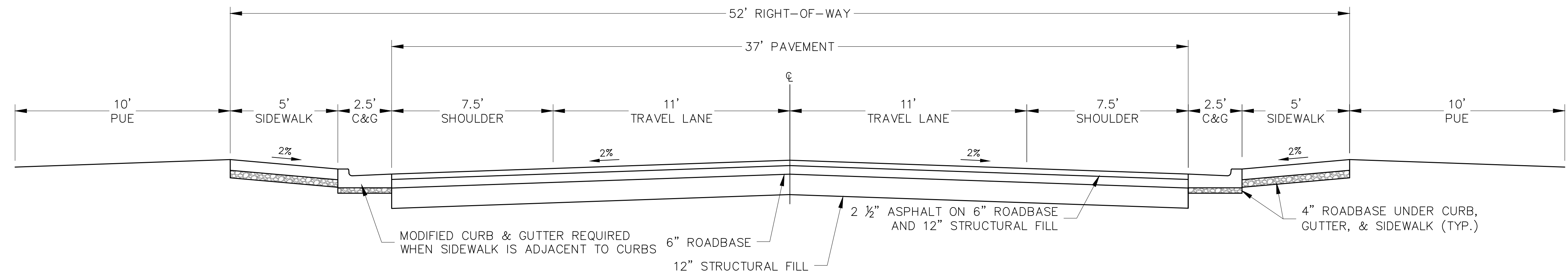
Stephen,

There is sewer capacity for this project. The developers understand and agree that they will need to get plan approval for the sewer system.

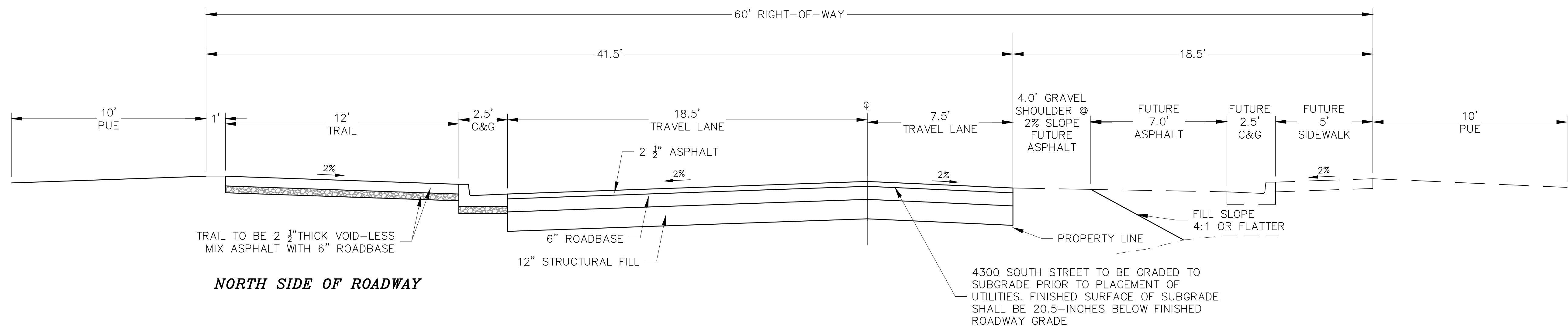
After approval, they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

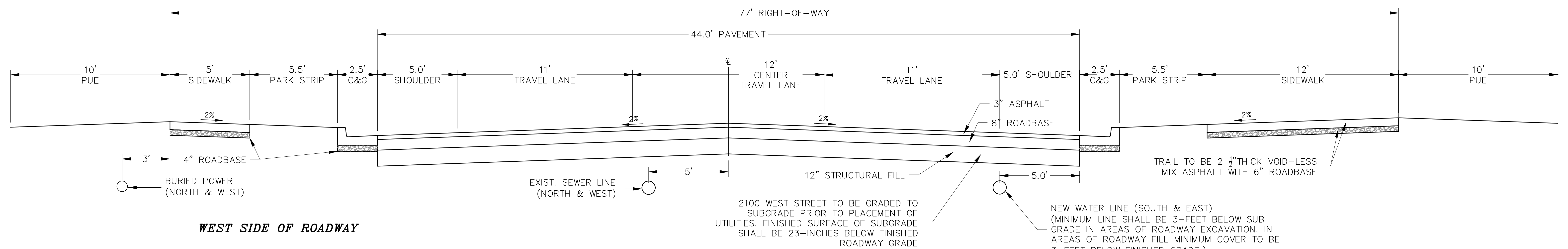
Amber Gillette, P.E.
Engineer
Ash Creek Special Service District



**RESIDENTIAL STANDARD
CROSS-SECTION**



4300 SOUTH CROSS-SECTION

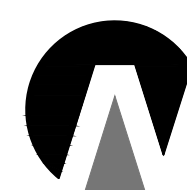


2100 WEST CROSS-SECTION

• FROM 3960 SOUTH TO 4300
SOUTH (2100 WEST)

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5			DESIGNED BY:	DATE:
4			DRAWN BY:	DATE:
3			CHECKED BY:	DATE:
2			APPROVED:	DATE:
1			COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:
K:\3-16-052-00 SPILSBURY-COPPER ROCK\CAD\2020 DESIGN\PHASE THREE 2022\PH-3 DETAILS.dwg 7/29/2022 9:22 AM				



**Northern
ENGINEERING INC**
ENGINEERING-LAND PLANNING
CONSTRUCTION MANAGEMENT

1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

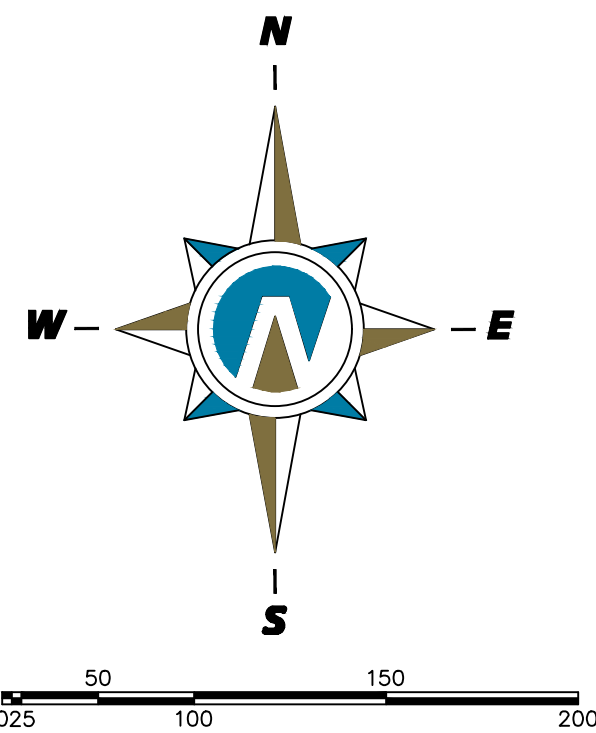
CORDERO PHASE III

ROAD CROSS-SECTIONS

HURRICANE, UTAH

JOB NO.
03-16-052

SHEET NO.
DT-1



(24"x36")
SCALE 1" = 100'
(11"x17")
SCALE 1" = 200'

SOUTHERN SHORES



- LEGEND**
- SECTION CORNER
 - CLASS I MONUMENT
 - PROPERTY CORNERS
 - ROAD CENTER LINE
 - PROPERTY BOUNDARY
 - EASEMENT
 - LOT LINE
 - SECTION LINE

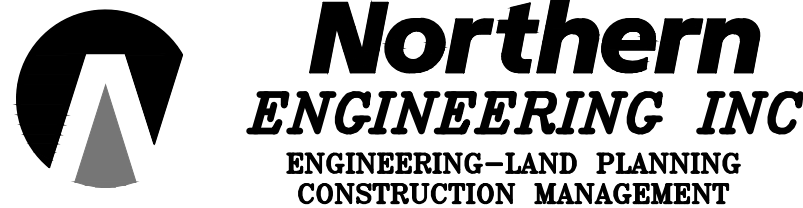
DEVELOPER:
RIVER VALLEY DEVELOPMENT, LLC
SIERRA HOMES
DALE BEDDO : 435-669-8915
EMAIL: beddogolf@gmail.com

ENGINEER
NORTHERN ENGINEERING
1040 E 800 N
OREM, UTAH 84097
BRANT TUTTLE : 801-802-8992
EMAIL: btuttle@neiutah.com

THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.

5			DESIGNED BY:	DATE:
4			DRAWN BY:	DATE:
3			CHECKED BY:	DATE:
2			APPROVED:	DATE:
1			COGO FILE:	DATE:
NO.	REVISIONS	BY	DATE	REV. COGO FILE:

K:\3-16-052-00 SPILSBURY-COPPER ROCK\CAD\2020 DESIGN\PHASE THREE 2022\2022-PHASE 3 CONCEPT 1.dwg 7/29/2022 9:31 AM



1040 E. 800 N.
OREM, UTAH 84097
(801) 802-8992

CORDERO PHASE ONE

PRELIMINARY PLAT

HURRICANE, UTAH

JOB NO.
3-16-052

SHEET NO.
PR-01

**Hurricane Planning Commission
Meeting Minutes
July 13, 2023**

Minutes of the Hurricane City Planning Commission meeting held on July 13, 2023, at 5:08 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

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

Members Excused: Rebecca Bronemann, Mark Sampson, Paul Farthing

Staff Present: Assistant Planner Fred Resch III, Planning Technician Brienna Spencer, City Engineer Representative Jeremy Pickering, and City Council Representative Kevin Thomas

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

1. Discussion on the subdivision ordinance

Fred Resch III explained that the recently passed Senate Bill 124 made several changes to the Utah State Land Use Development Management Act. These changes modify the internal accessory dwelling provision to count garage apartments as internal. The act creates a penalty system for cities that fail to comply with the Moderate Income Housing Plan and a new process that cities and counties must follow for subdividing residential lots. He reported that per state law, subdivisions are administrative, and all applications that meet the city ordinance must be approved. Mr. Resch III shared the phases of the current subdivision process. The first step is the preliminary site plan, which is reviewed for completeness by city staff. After approval by the Planning Commission and City Council, the applicant provides construction drawings to the Public Works Department. When the redlines are approved on the construction drawings, planning staff reviews the final plat application to verify that the application complies with the preliminary plat.

The new bill requires the city to allow pre-application meetings and respond to preliminary plat applications within fifteen days. The law requires construction drawings to be submitted with the preliminary plat. The updated state law states that an administrative land use authority must approve preliminary plats. The law clearly states that the preliminary plats cannot be approved by the municipal legislative body or any member of the municipal legislative body. Mr. Resch III reviewed the drafted updates to Title 10 Chapter 39: Subdivisions. He explained that the changes must be implemented by February 2024.

2. Discussion on fencing standards

Fred Resch III is unprepared to proceed with the fencing standards discussion.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance led by Michelle Cloud.

1 Prayer and/or thought by invitation given by Ralph Ballard.

2 Declaration of any conflicts of interest

3 No conflicts declared

4 *Michelle Cloud motioned to approve the agenda as posted. Brad Winder seconded the motion.*
5 *Unanimous.*

6 **Public Hearings**

7 **1. A Zone Change Amendment request located at 1300 W 3000 S from RA-1, residential**
8 **agriculture one unit per acre, to PF, public facility. This change will affect a portion of parcel**
9 **number H-3394-B-1.**

10 Comments received are attached to the end of these minutes. No further comments.

11 **2. A Zone Change Amendment request located at 1147 W 400 S from RA-1, residential**
12 **agricultural one unit per acre, to RA-0.5, residential agricultural one unit per half acre. Parcel**
13 **number H-3-2-3-4443.**

14 No comments.

15 **3. A Zone Change Amendment request located at approximately 1000 W 3100 S from RA-0.5,**
16 **residential agriculture, one unit per half acre, to M-1, light industrial. Parcel number H-3396-E.**

17 The comment received is attached to the end of these minutes. No further comments.

18 **4. A Zone Change Amendment request located at 560 N 1380 W from R1-10, residential one**
19 **unit per 10,000 square feet, to NC, neighborhood commercial. Parcel number H-3-1-33-1142.**

20 No comments.

21 **5. A General Plan Amendment to amend the 2022 Moderate-Income Housing Plan**

22 No comments.

23 **6. A Land Use Code Amendment to Title 10 Chapter 3 and Chapter 43 regarding Park Model**
24 **Developments.**

25 No comments.

26 **OLD BUSINESS**

27 **1. ZC23-15: Discussion and consideration of a recommendation to the City Council on a**
28 **Zone Change Amendment request located at 1300 W 3000 S from RA-1, residential agriculture**
29 **one unit per acre, to PF, public facility. This change will affect a portion of parcel number H-3394-**
30 **B-1. John Bramall Applicant. JJ Allred/Lance Hutchings Agent.**

31 John Bramall feels that commercial zoning is a more appropriate zoning for the proposed athletic
32 training facility. The Planning Commission previously recommended that the applicant brings forward an

1 application for a zone change to public facilities. However, the allowed uses in Public Facility zoning are
2 very restrictive. Fred Resch III stated that Public Facility zoning governs how the facility is used, not how
3 the facility is operated. He noted that the Planning Commission needs to consider the utilities at this
4 location. Mr. Bramall explained that he was required to install an eight-inch water line and pay electric
5 impact fees for over one hundred homes. Michelle Cloud feels this does not meet the zone change
6 criteria pertaining to adequate public facility services. Brad Winder is concerned about the impact on
7 agriculture operations.

8 JJ Allred pointed out that the city plan acknowledges that commercial facilities in this area are necessary
9 to support incoming residential. Scott Hughes was unaware that the power impact fees were paid and
10 would like to discuss options with the applicant. Ralph Ballard clarified that the applicant wants to build a
11 private facility open to the public. Mr. Winder asked how the project would affect night lighting. Mr.
12 Bramall stated that they would comply with the dark sky lighting ordinance. Kelby Iverson noted that per
13 county code, fencing is required for properties that abut or are adjacent to agriculture or grazing land
14 with livestock. Mr. Resch III stated that there is similar language within Hurricane City Code. Shelley
15 Goodfellow feels the utilities can be addressed and that this fits with the agriculture area.

16 *Brad Winder motioned a recommendation of approval of ZC23-15 with the conditions that the applicant*
17 *work out the power and water services with the city and/or provide their services, subject to staff and*
18 *JUC comments. Michelle Cloud seconded the motion. Roll call vote. Unanimous.*

19 **NEW BUSINESS**

20 **1. ZC23-18: Discussion and consideration of a recommendation to the City Council on a**
21 **Zone Change Amendment request located at 1147 W 400 S from RA-1, residential agricultural**
22 **one unit per acre, to RA-0.5, residential agricultural one unit per half acre. Parcel number H-3-2-3-**
23 **4443. Ellen and Matthew Bentley Applicant. Buy Sell Build STG Construction Agent.**

24 Matt Bentley reported that after speaking with the Planning Department, it was determined that a zone
25 change is necessary for the applicant to build a larger home. Fred Resch III reported that the applicant is
26 required to improve their portion of 1150 West and dedicate property for the roadway. Kelby Iverson
27 clarified that the applicant could wait for the city to purchase property for the roadway. However, if the
28 applicant chooses to proceed with the development, he will be required to dedicate a portion of the
29 roadway and make the required improvements. Michelle Cloud feels the request in the affirmative meets
30 the four zone change criteria.

31 *Michelle Cloud motioned a recommendation of approval of ZC23-18 as it meets all four criteria in the*
32 *affirmative and subject to staff and JUC comments. Brad Winder seconded the motion. Roll call vote.*
33 *Unanimous.*

34 **2. ZC23-19: Discussion and consideration of a recommendation to the City Council on a**
35 **Zone Change Amendment request located at approximately 1000 W 3100 S from RA-0.5,**
36 **residential agriculture one unit per half acre, to M-1, light industrial. Parcel number H-3396-E.**
37 **Scott Stratton Applicant. Karl Rasmussen Agent.**

38 Karl Rasmussen reported that this property was included in the legal description of the previous zone
39 change; however, it was not included in the map. Fred Resch III confirmed that this was not included in
40 the map. He did not review the legal description. Kelby Iverson reviewed the previous zone change,
41 noting that the Planning Commissioners all favored the zone change. Shelley Goodfellow cited staff
42 comment #4. Mr. Resch III shared that there is a plan in place that will allow the Power Department to
43 allocate additional service to this area.

1 *Kelby Iverson motioned a recommendation of approval of ZC23-19 subject to staff and JUC comments.*
2 *Michelle Cloud seconded the motion. Roll call vote. Unanimous.*

3 **3. ZC23-20: Discussion and consideration of a recommendation to the City Council on a**
4 **Zone Change Amendment request located at 560 N 1380 W from R1-10, residential one unit per**
5 **10,000 square feet, to NC, neighborhood commercial. Parcel number H-3-1-33-1142. Roger and**
6 **Leslie Coleman Applicant. April Gates and Marcia Pierce Rasmussen Agent.**

7 April Gates explained that the property's location is not ideal for residential. Therefore, the applicant is
8 applying for neighborhood commercial zoning. Noting that the applicant plans to sell the property as a
9 commercial zoned property. Shelley Goodfellow asked if neighborhood commercial zoning allows
10 vacation rentals. Fred Resch III shared that the zoning allows bed and breakfast-inns but not hotels or
11 motels. Ralph Ballard asked about access off 600 North. Mr. Resch III stated that the residential access
12 is off 600 North. However, when the property is developed in neighborhood commercial zoning, the
13 applicant must dedicate and improve their portion of 1380 West. Kelby Iverson confirmed that residential
14 commercial fits within the general plan and asked why the applicant is applying for neighborhood
15 commercial zoning. Ms. Gates reported that this was the direction given by staff.

16 *Brad Winder motioned a recommendation of approval of ZC23-20 subject to staff and JUC comments.*
17 *Michelle Cloud seconded the motion. Unanimous.*

18 *Kelby Iverson motioned to move item #4 to the end of the agenda. Ralph Ballard seconded the motion.*
19 *Unanimous*

20 *Kelby Iverson motioned to move item #5 to the end of the agenda. Ralph Ballard seconded the motion*
21 *Unanimous.*

22 **4. A General Plan Amendment to amend the 2022 Moderate-Income Housing Plan**

23 Fred Resch III explained that Utah State denied two items on Hurricane City's Moderate-Incoming
24 Housing Plan. To maintain priority funding from the Utah Department of Transportation, Hurricane City
25 must provide seven menu options. The items rejected pertain to internal and detached accessory
26 dwelling units in residential zoning. Utah State denied these items because Hurricane City already
27 allows accessory dwelling units. Mr. Resch III reviewed the updated Moderate Income Housing Plan. He
28 noted that the Planning Commission is evaluating lowering the required acreage for two accessory
29 dwelling units per the Mayor's request. The current requirement is .8 acres for two ADUs the Mayor
30 requests to lower the acreage to a half acre. Michelle Cloud is concerned about the increased parking.

31 City Councilman Kevin Thomas is not confident in Utah States affordable housing solution. He feels
32 affordable housing can be accomplished by developing homes without luxury products. He would like to
33 see developers create affordable housing by using affordable building products. However, developers
34 are driven by profits. Kelby Iverson asked how moderate-income housing and inclusionary zoning relate.
35 Mr. Resch III noted that in the 1950s, a developer could build a home on a four thousand-square-foot lot.
36 However, per the city's current zoning, a developer would not be allowed to build on a lot that does not
37 comply with the current zoning. He explained inclusionary zoning is a way to incentives affordable
38 housing from developers. Shelley Goodfellow summarized that allowing two ADUs on one half acre
39 creates three living units per half an acre. Essentially creating .16 acre lot sizes. Creating high density
40 multifamily housing does not protect rural areas, and increased street parking burdens the neighboring
41 homeowners and the city.

1 *Michelle Cloud motioned a recommendation of approval to annually assess regulations and success*
2 *regarding ADU use and reduce the minimum lot size to one half acre for two ADUs. Motion fails for lack*
3 *of a second.*

4 *Ralph Ballard motioned a recommendation of approval to annually assess the regulations and success*
5 *and make any necessary changes concerning ADUs. His motion does not include approval for lowering*
6 *the lot size to one half acre for two ADUs. Brad Winder seconded the motion.*

7 Mr. Resch III reviewed alternative options included in the State's Moderate-Income Housing Plan that
8 the Planning Commission could adopt.

9 Ralph Ballard's motion was amended to include incentivizing owner builder programs.

10 Motion is as follows: *Ralph Ballard motioned a recommendation of approval on the proposed change to*
11 *annually assess and make changes as necessary regarding ADUs and explore alternative options with*
12 *an emphasis on facilitating owner builder programs. His motion does not include approval for a smaller*
13 *lot size of one half acre for two ADUs. Brad Winder seconded the motion. Roll call vote. Shelley*
14 *Goodfellow – aye. Brad Winder – aye. Ralph Ballard – aye. Kelby Iverson – nay, because he does want*
15 *the state involved with supply and demand and private property rights. He feels the market should*
16 *dictate affordable housing. Michelle Cloud – nay, because she agrees with reducing the acreage to one*
17 *half acre. Motion carries.*

18 **5. LUCA23-04: Discussion and consideration of a recommendation to the City Council on a**
19 **Land Use Code Amendment to Title 10 Chapter 3 and Chapter 43 regarding Park Model**
20 **Developments.**

21 Fred Resch III reported that Dayton Hall reviewed the land use code amendment as presented. Mr.
22 Resch III explained that the Planning Commission could continue the item to discuss further allowing
23 additional residential uses in RV Parks.

24 *Kelby Iverson motioned to continue LUCA23-04. Brad Winder seconded the motion. Unanimous.*

25 **6. PSP23-17: Discussion and consideration of a possible approval of a preliminary site plan**
26 **for Elim Valley Village, a 283-unit apartment complex located at future Sand Hollow Road East**
27 **and Gateway Blvd. Wright Development-Logan Johnson Applicant.**

28 Logan Johnson reported that the application previously requested a development agreement to transfer
29 density to an adjacent property. However, due to the uncertainty of the PID roadway, the applicant has
30 created a site plan that complies with the existing zone. Fred Resch III reported that the zoning is in flux.
31 The City Council approved the zoning subject to a development agreement which was never signed. For
32 the current phasing, the zoning is not an issue. He noted that the roadways are conceptual and are not
33 planned to be developed by the applicant. He advised the applicant that there is no solid timetable for
34 the roadway construction. Ralph Ballard asked if all the legal issues were addressed. Mr. Resch III
35 stated that approval of the PID in Elim Valley was contingent upon resolving the legal issues. Brent
36 Moser reported Gateway Blvd is fully bonded and under construction. The roundabout on Sand Hollow
37 Road and the roadways on Resort Drive, Jellystone, Bash Parkway, and Glampers are under
38 construction. However, Sand Hollow East has not gone through the Planning Department. Jeremy
39 Pickering reported that the construction drawing for Sand Hollow East was submitted.

40 *Michelle Cloud motioned to approve PSP23-17 subject to staff and JUC comments and sufficient build*
41 *out of the Gateway to Sand Hollow PID. Brad Winder seconded the motion. Roll call vote. Unanimous.*

7. PSP23-19: Discussion and consideration of a possible approval of a preliminary site plan for The Perch-cabins, a short-term rental complex located at 240 N State St. R-Treehouse Applicant. James Derby Agent.

Denis Parker representing Northern Engineering explained that the drainage detention basins were addressed, and the applicant agrees with staff comments. Kelby Iverson asked if the Utah Department of Transportation (UDOT) approved the curb cut. Fred Resch III stated that UDOT would need to sign off on the expansion of the existing curb cut. Mr. Iverson asked if engineering feels comfortable with the updated drainage plan. Jeremy Pickering reported that any concerns can be addressed during the construction drawing process. Ralph Ballard asked if the applicant was removing the house on the property and if fire access concerns were addressed. Mr. Parker confirmed that the house would be removed, the applicant has agreed to install a new sewer line, and fire access concerns were addressed.

Brad Winder motioned to approve PSP23-19 subject to staff and JUC comments. Michelle Cloud seconded the motion. Unanimous.

8. 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

Fred Resch III stated that the applicant has requested to continue the item. They have provided an updated plan to address the staff's concerns. However, he has not had time to review the plan.

Ralph Ballard motioned to continue PP23-17. Michelle Cloud seconded the motion. Unanimous.

9. FSP23-18: Discussion and consideration of a recommendation to the City Council on a final site plan for Coral Junction RV Resort, an RV park with 120 spots located at 201 N Foothills Canyon Dr. Derek Rowley Applicant. Deloss Hammon Agent.

Derek Rowley reported that the site plan was previously approved with modifications. The primary changes pertained to the width of the roads. Those changes made it necessary to redesign the roadways and drainage. He explained that an RV pad's minimum lot size requirement is forty feet. The project's shortest back in pad is seventy-five feet. He feels this is sufficient to meet the parking standard. They are redesigning the landscaping plan to meet city standards.

Kelby Iverson motioned a recommendation of approval of FSP23-18 to the City Council subject to staff and JUC comments and submission of a new landscaping plan. Brad Winder seconded the motion. Unanimous.

10. 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.

Kelby Iverson reported that the Dixie Conservation Committee denied the applicant because it does not meet the minimum acreage. Fred Resch III reported that Kenneth Heaton's zone change had not been approved. If approved, it will exclude the master-planned roadway, preventing this property from being contiguous with any other agricultural protection. The Planning Commissioners discussed surrounding

properties with agriculture protection zoning. Mr. Iverson reviewed the acreage requirements and discussed the applicant's options.

Kelby Iverson motioned to continue APA23-02 until the applicant provides further information. Ralph Ballard seconded the motion. Unanimous.

11. 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.

Kelby Iverson asked if the applicant has property within Washington County or Hurricane City limits and can provide evidence that the property has historically been agriculturally utilized. Bruce Zimmerman reviewed the evidence provided on the application. Mr. Iverson reviewed the current Hurricane City ordinance and discussed options the applicant can pursue.

Kelby Iverson motioned to continue APA23-03. Michelle Cloud seconded the motion. Unanimous.

12. Update on the Downtown Master Plan

Fred Resch III shared that an open house with multiple conceptual plans was held on July 7th. The feedback received from the public was to replace what the city is tearing down with what currently exists. Mr. Resch III reviewed the proposed green space, retail space, and parking. Shelley Goodfellow asked if the conceptual plan includes the Family History Center. Mr. Resch III shared that direction received was not to include the family history center.

Approval of Minutes:

1. June 22, 2023

Michelle Cloud motioned to approve the June 22, 2023, minutes. Kelby Iverson seconded the motion. Unanimous.

Kelby Iverson motioned to adjourn. Michelle Cloud seconded the motion.

Adjournment

**Hurricane Planning Commission
Meeting Minutes
July 27, 2023**

Minutes of the Hurricane City Planning Commission meeting held on July 27, 2023, at 5:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

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

Members Excused: Shelley Goodfellow

Staff Present: Assistant Planner Fred Resch III, City Recorder Cindy Beteag, City Engineer Representative Jeremy Pickering, City Council Representative Kevin Thomas, and City Attorney Dayton Hall

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

1. Discussion on MH/RV zoning standards

Fred Resch III explained that the Planning Commission previously continued this item to discuss how this ordinance interacts with the city's affordable housing goals. The elimination of the park model ordinance eliminates an affordable housing option within the city. Manufactured homes and recreational vehicles are an important source of affordable housing. Mr. Resch III reviewed RV Park and manufactured home statistics. He modified the draft to state that recreation vehicle parks shall not be designed for use as permanent residences. This change provides owners the opportunity to allow extended rentals. Ralph Ballard asked for data to determine whether water usage is higher in mobile home subdivisions. Mr. Resch III will research the usage data to provide an analysis. Mr. Ballard asked if creating a separate approval process for park model developments would provide an affordable housing option. Noting that this subdivision type could be less impactful to utility services. Mr. Resch III agrees that dense areas use less water due to the lack of yard space. He reviewed the options the city can pursue to provide affordable housing. The city can allow long term rentals in RV parks, lower the restriction for residing in an RV on private property, and increase the allowed density in manufactured home developments. He discussed the advantages and disadvantages of each option. He asked for direction from the Planning Commission on whether to move forward with modifications to the zoning standard.

In preparation for this discussion, Mark Sampson surveyed the RV residents in the region. He found that there are individuals residing in trailers on BLM land, and there are other situations where individuals are moving from park to park; he determined that the lack of affordable housing is the primary cause. Ralph Ballard feels good people are living in RV parks. He understands the stigma of RV Parks but believes this is an affordable housing option. Rebecca Broneman agrees with Mr. Ballard. Mr. Resch III summarized the proposed changes, read the standard for temporary use permits, and reviewed the zoning that allows manufactured homes or RV Parks. Mr. Iverson recommends striking B.2, which pertains to a family member's temporary use. Michelle Cloud confirmed that eliminating the Park Model ordinance does not eliminate housing options. The change merges park models into the manufactured homes ordinance.

2. Discussion on fencing standards

Fred Resch III updated the retaining wall standards, adding a swimming pool clause, defining prohibited and allowed materials, and including enforcement of site triangles in the front and back yards. Kelby Iverson feels it is essential to protect agriculture uses that abut public facilities or other uses. Mr. Resch III explained that in the subdivision code, the subdivider must install fencing on property that abuts agriculture property. He noted that this only pertains to the property that is being subdivided. City Councilman Kevin Thomas asked if eight feet fences are allowed on side yards against the street. Mr. Resch III read the updated fencing standards and explained this is not allowed in the proposed standards.

6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance led by Paul Farthing.

Prayer and/or thought by invitation given by Kelby Iverson.

Declaration of any conflicts of interest

No conflicts were declared.

Rebecca Bronemann motioned to approve the agenda as posted. Paul Farthing seconded the motion. Unanimous.

Public Hearings

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

No comments

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.

Paul Farthing motioned a recommendation of approval for LUCA23-04. Michelle Cloud seconded the motion. Unanimous.

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

Fred Resch III reported that all issues have been resolved and verified that this phase meets the Planned Commercial standards.

Michelle Cloud motioned a recommended approval for PP23-17 subject to staff and JUC comments. Rebecca Bronemann seconded the motion. Unanimous.

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.

Fred Resch III reported that the application cannot be granted because it does not meet the city code. The property is .47 acres and is not contiguous with other agriculture protection areas. The property is not zoned for agricultural use, is not used for agricultural production, and is too small to be viable for agricultural use. He noted that Dixie Conservation District recommend denial. Dayton Hall explained that the Planning Commission could determine whether the criteria are met and encouraged the Planning Commission to make the recommendation based on the code. Donald Stratton reported that his neighbor is trying to obtain agriculture protection. He is trying to help facilitate the protection with his neighbors. He has fruit trees, nut trees, and bees. If the property is a Master Planned road, the city should buy the property; if the city does not plan to purchase the property, they should allow him to use it as he sees fit. Mr. Stratton thought his property was zoned RA-1. Mr. Resch III reviewed the zone maps and could not find where this property was ever zoned agriculture. Mr. Resch III explained that the criteria in the code does not consider the previous zoning. It pertains to the current zoning on the property. Brad Winder asked if the applicant can apply with Kenneth Heaton. Mr. Resch III reported that Mr. Heaton's protection was already granted with the exclusion of the right of way for 900 South. Therefore, this property is not contiguous.

Mark Sampson explained that the applicant can continue with the current if this protection is denied. Mr. Heaton understands that he can continue his use. However, he is seeking agricultural protection to help his neighbor. Kelby Iverson asked if the applicant could combine his application with Mr. Heaton's property if Mr. Heaton withdrew his protection, could these applications be combined. Mr. Resch III reiterated that these properties are not contiguous, and the uses on the property do not meet the intent of agriculture use.

Dayton Hall explained that the agricultural protection zoning grants protection from nuisance complaints and limits the City's use of eminent domain. The City's policy is to deny agricultural protection zones over master planned roads. Mr. Hall explained that there are six criteria for agriculture protection zoning. The property does not meet the acreage or agricultural zoning requirements, and it is debatable whether the use of the property qualifies as commercial agriculture production.

Mr. Iverson feels the commissioners need additional training regarding agriculture protection zoning. However, the code is black and white. He suggested that the applicants apply together to change the zoning. Mr. Iverson asked for clarification on commercial or retail use. Mr. Hall read the definition for commercial use. Mr. Iverson asked Mr. Stratton why he did not include all of his property in the application. Mr. Heaton explained that he thought the property on his application was contiguous with Mr. Heaton's property.

Bruce Zimmerman provided a document that included information regarding an ordinance from 2022. He stated that based on information they received when purchasing the home, he believed the property was zoned RA-1. He reported that there is a 24x48 greenhouse, seventeen raised garden beds, and over one hundred trees on this property, and they grow crops to feed their chickens, ducks, and small animals. They want protection for their agricultural activities. Mr. Hall explained that the document provided by Mr. Zimmerman was from a City Council packet. He explained that City Council denied the Planning Commission's recommendation to revise the Hurricane City code. Michelle Cloud explained that the Planning Commission feels strongly about protecting agriculture use. However, this does not meet the six criteria. Rebecca Bronemann agrees with Mrs. Cloud. Mr. Ballard feels it is vital to protect all agricultural use. He disapproves of the City taking property from citizens.

1 *Michelle Cloud motioned a recommendation of denial for APA23-02 as described in the letter, based on*
2 *the application does not meet the six criteria. Rebecca Bronemann seconded the motion. Michelle Cloud*
3 *and Rebecca Broneman – aye. Ralph Ballard, Paul Farthing, Kelby Iverson, Mark Sampson, and Brad*
4 *Winder – nay. Motion failed.*

5 Ralph Ballard believes the residents have historically used their property for agriculture pursuit.

6 Kelby Iverson agrees with Mr. Ballard; he added that based on previously approved agriculture
7 protection zones, it appears that the City Council has the authority to grant agricultural protection if the
8 application does not meet the six criteria.

9 Paul Farthing echoes Mr. Ballard's statement.

10 Mr. Iverson asked if the City Council can grant agriculture protection to property without RA.5 or above
11 zoning. Mr. Hall explained that they could make that determination by reviewing the property's zoning.
12 Mr. Ballard feels the code needs to be reviewed and clarified. City Councilman Thomas feels the City
13 Council would approve changing the zone to agricultural and agrees that the code needs to be
14 improved. He suggests continuing the item until the applicant applies for a zone change. Mr. Hall
15 explained that the code requires a decision within 45 days.

16 *Kelby Iverson motioned a recommendation of approval for APA23-02 based on the reasoning that the*
17 *city has approved agriculture protection zones where Master Planned roads have not been excluded.*
18 *The City has approved agriculture protection zones when agriculture zoning was not in place. The city*
19 *has approved agricultural protection zones with lots not contiguous with the base five acres. He*
20 *referenced the Sterling property. He noted that both applicants are willing to exclude property for Master*
21 *Planned roads and the utility line. Fred Resch III confirmed that the motion recommends excluding the*
22 *Master Planned roadways from the agriculture protection area. Brad Winder seconded the motion.*
23 *Michelle Cloud, Rebecca Broneman, and Mark Sampson – nay. Ralph Ballard, Paul Farthing, Kelby*
24 *Iverson, and Brad Winder – aye. Motion carries.*

25 A directive was sent to the City Council to review the agricultural protection zoning code.

26 **4. APA23-03: Discussion and consideration of a recommendation to the City Council on an**
27 **Agricultural Protection Overlay for Bruce and Linda Zimmerman located at 890 S 1100 W. Bruce**
28 **and Linda Zimmerman Applicant.**

29 *Kelby Iverson motioned a recommendation of approval for APA23-03 using the same language as*
30 *APA23-02. Brad Winder seconded the motion. Michelle Cloud, Rebecca Broneman, and Mark Sampson*
31 *– nay. Ralph Ballard, Paul Farthing, Kelby Iverson, and Brad Winder – aye. Motion carries.*

32 **NEW BUSINESS**

33 **1. LUCA23-05: Discussion and consideration of a recommendation to the City Council on a**
34 **Land Use Code Amendment to Title 10, Chapter 7, and Chapter 41 regarding accessory dwelling**
35 **units.**

36 Fred Resch explained that Mayor Billings had asked the Planning Commission to lower the standard
37 from .8 acres to one-half acre for two ADUs. He noted that only one ADU can be used as a short-term
38 rental. Brad Winder feels half acre lots are too small to accommodate two ADUs, and parking will
39 become an issue. Kelby Iverson understands that the motive is affordable housing. However, this is not
40 congruent with preserving agriculture and open space. Ralph Ballard would be more in favor of updating

1 the standard if both ADUs were long term rentals. City Councilman Thomas feels the city is over
2 saturated with recreation resorts and vacation rentals. He believes property owners will eventually
3 convert their ADUs to long term rentals. He does not think this amendment is necessary to accomplish
4 that. Rebecca Bronemann does not want to restrict the ADUs to long term rentals. Paul Farthing agrees
5 with Mr. Winder. Michelle Cloud feels a half-acre is appropriate for two ADUs. However, only one unit
6 should be a short-term rental.

7 Michelle Cloud motioned a recommendation of approval for LUCA23-05 as written. Rebecca Bronemann
8 seconded the motion. Ralph Ballard, Paul Farthing, Brad Winder, Michele Cloud, and Rebecca
9 Broneman – nay. Kelby Iverson – nay. Motion carries.

10 **2. PSP23-20: Discussion and consideration of a possible approval of a preliminary site plan**
11 **for Jellystone Park Adventure Center, a commercial development located at 3950 W Jellystone**
12 **Road. Blow Sand LLC Applicant. Karl Rasmussen Agent.**

13 Fred Resch III reported that the property line does not match the approved final site plan or plat for
14 Glampers Inn. Karl Rasmussen stated the property line does match the master plan, and he will provide
15 updated information.

16 *Kelby Iverson motioned to approve PSP23-20 subject to staff and JUC comments. Rebecca Bronemann*
17 *seconded the motion. Unanimous.*

18 **3. PP23-19: Discussion and consideration of a recommendation to the City Council on a**
19 **preliminary plat for Buck's Ace Hardware, a four lot commercial subdivision located at 1447 W**
20 **State St. Buck Hurst Applicant. Jared Bates Agent.**

21 Fred Resch III reported that the will serve letters have been received.

22 *Kelby Iverson motioned to recommend approval of PP23-19 to the City Council subject to staff and JUC*
23 *comments. Rebecca Bronemann seconded the motion. Unanimous.*

24 **4. PSP23-22: Discussion and consideration of a possible approval of a preliminary site plan**
25 **for Hurricane City Gymnasium, a gym building located at 748 N 200 W. Hurricane City Applicant.**
26 **Karl Rasmussen Agent.**

27 Karl Rasmussen reported that the building must go vertical by September. Fred Resch III explained the
28 metal building was donated to the city with the condition that it must go vertical by September. He
29 reported that building the gymnasium behind the American Legion will provide access to future
30 amenities. Dayton Hall explained to the Planning Commission that the deadline should not be
31 considered when making their recommendation. The application should be reviewed as any other
32 application. Michelle Cloud asked if the building meets the standards for a metal building. Mr. Resch III
33 reported that the facade would meet the standards.

34 *Rebecca Bronemann motioned to approve PSP23-22 subject to staff and JUC comments. Michelle*
35 *Cloud seconded the motion. Unanimous.*

36 **5. AFP23-14: Discussion and consideration of a recommendation to the City Council on an**
37 **amended final plat for Quail Creek Industrial Park Phase 5 located at 1100 S Regional Park Road.**
38 **Doug Dennett Applicant. Brandee Walker Agent.**

1 Alex Stewart with Civil Science reported that the lift station was moved back ten feet, and the shift does
2 not affect the detention basin.

3 *Paul Farthing motioned a recommendation of approval for AFP23-14 subject to staff and JUC*
4 *comments. Kelby Iverson seconded the motion. Unanimous.*

5 **Approval of Minutes:**

6 1. January 12, 2023

7 *Michelle Cloud motioned to approve the minutes as written. Paul Farthing seconded the motion.*
8 *Unanimous.*

9 *Paul Farthing motioned to adjourn the meeting. Rebecca Bronemann seconded the motion.*
10 *Unanimous.*

11 **Adjournment 8:02 p.m.**