HURRICANE CITY
UTAH

Mayor Nanette Billings

City Manager Kaden DeMille

City Council

David Hirschi
Kevin Thomas
Clark Fawcett
Drew Ellerman
Joseph Prete

Hurricane City Council Meeting
Agenda

August 15, 2024
5:00 PM
City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. Meeting Link on Webex Meeting number: 2630 456 5376 Meeting password: HCcouncil Join from a video or application Dial 26304565376@cityofhurricane.webex.com. You can also dial 173.243.2.68 and enter your meeting number. Join by phone +1-415-655-0001 US Toll Access code:26304565376.
A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation.
THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.

5:00 p.m. Pre-meeting

1. Agenda Summary

6:00 p.m. - Call to Order

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Regular City Council Meeting for August 1, 2024

Presentation of a 3D rendering of the four-court gym - Desert Edge

Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 5:00 p.m. the Wednesday one week before the Council meeting.

OLD BUSINESS

1. Consideration and possible approval of **local consent for a full-service liquor restaurant license** at PV Resort Amenities - Chris Wyler
2. Discussion regarding public infrastructure and possible approval to move forward with a **power line extension** to the area south of Sky Ranch - Mike Vercimak and Scott Hughes

3. Consideration and possible approval of a **memorandum of understanding (MOU) with Liberty Village**. -Mayor Billings

NEW BUSINESS

1. Consideration and possible approval of a **bid to construct phase 1 of the City's irrigation expansion project** - Ken Richins
2. Consideration and possible approval of a **bid to construct the irrigation pond, filters, and booster station** for the irrigation expansion project - Ken Richins
3. Consideration and possible approval of a **MOU with Washington County School District** regarding the use of facilities - Kaden DeMille
4. Consideration and possible approval of a r**eimbursement agreement arising from the Buck's Ace Hardware development**
5. Consideration and possible approval of a p**roclamation designating September 17 through 23 as Constitution Week** - Karen Shuman, Daughters of American Revolution
6. Consideration and possible approval of **Ordinance 2024-10 Amending Title 7, Chapter 5, Section 13 regarding the placement of markers** at the Hurricane City Cemetery - Kevin Thomas
7. Discussion regarding the **cemetery plot rates for resident versus nonresident** at the Hurricane City Cemetery - Mayor Billings
8. Consideration and possible approval of **Ordinance 2024-11 amending Title 10 Chapter 6 and Chapter 39** regarding subdivisions LUCA24-03. - Gary Cupp
9. Consideration and possible approval of **Ordinance 2024-12 amending Title 10, Chapter 3, 12, 13, 14, 15, and 16** regarding child care centers, licensed family child care, and residential certificate child care LUCA24-04. - Gary Cupp
10. Consideration and possible approval of a **power line extension request** for Copper Sky Estates - Scott Hughes
11. Consideration and possible approval of a **power line extension request** for Sand Hollow Mesa Neighborhood 6 - Scott Hughes
12. Consideration and possible approval of a **power line extension request** for Balance of Nature Phase 2B and Phase 3 - Scott Hughes
13. Consideration and possible approval of a **power line extension request** for Hurricane Paradise - Scott Hughes
14. Consideration and possible approval of a **power line extension request** for Bramall Ridge - Scott Hughes
15. Mayor, Council, and staff reports
16. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Adjournment

I hereby certify that the above notice was posted to the city website, (www.cityofhurricane.com) posted to the state public notice website, and at the following locations:

1. City office – 147 North 870 West, Hurricane, UT
2. The Post Office – 1075 West 100 North, Hurricane, UT
3. The library – 36 South 300 West, Hurricane, UT

_____ for the City Recorder

Agenda Summary for Hurricane City Council August 15, 2024

5:00 p.m. Pre-Meeting

6:00 p.m. Call to Order

Minutes of the Regular City Meeting for August 1, 2024

Presentation of a 3D rendering of the four-court gym – Desert Edge

Old Business

1. Update for 8/15/24 meeting
   The Council has discussed this item at the previous two meetings. At the last meeting, the Council considered allowing alcohol only in the restaurant portion of the resort and not around any other amenities. However, staff was uncertain if local consent could include such restrictions. They were directed to contact the Department of Alcoholic Beverage Services (DABS) to determine if parameters could be placed on local consent and who would enforce these rules.
   Staff contacted DABS, which confirmed that parameters could be placed on local consent and regulated through the local liquor license to ensure compliance. DABS also stated that the parameters of local consent would be attached to the State license and that DABS would support and help enforce the parameters identified with the local consent.
   Based on this information, staff has prepared a local consent with the condition that alcohol can only be served on the first floor of the restaurant. – Dayton Hall

2. This item was continued at the last meeting with directions for staff to obtain additional information regarding the timeline of potentially providing needed infrastructure and services to the area.

3. At the last meeting, the Council and the City Attorney expressed reservations about authorizing a third party to utilize the City logo on its materials. Liberty Village has now proposed an alternative, which is that the City will approve any materials on which Liberty Village wants to place the City logo. This is the same approach accepted by Washington County in a similar MOU. Paragraph 1 has been updated to require prior written approval of the City Manager before the City's logo is used. -Dayton Hall

New Business

1. On June 27th, 2024, the Water Department held a bid opening for the phase 1 irrigation project. Five qualified contractors placed bids. The winning bid was Interstate Rock Products for $7,859,191.00.
   Bowen and Collins Engineering the engineers over this project recommend to the City Council to award the project to Interstate Rock.
   The Water Board discussed this on July 30,2024, and there was a consensus that the bid be awarded to the low bidder Interstate Rock. -Ken Richins

2. On July 16,2024, the Water Department held a bid opening for the irrigation ponds, filter and pump station. The winning bid was Interstate Rock for$ 7,960,938.50. Alpha Engineering the engineer for this project recommend to the city council to award the project to Interstate Rock.
   The water board discussed this on July 30, 2024, and there was a consensus that the bid be awarded to the low bidder Interstate Rock. - Ken Richins

3. The Washington County School District contacted Kaden DeMille to inform him that a new memorandum of understanding (MOU) is needed, as a signed copy of the existing one cannot be located. Despite several attempts by staff to communicate with the School District, they have been unable to reach anyone. Staff will continue to try and get in contact with the School District before the meeting; however, if they cannot obtain a copy of the agreement, this item will need to be continued. - Cindy Beteag

4. With the approval and construction of the Ace Hardware project at 1400 West State Street, Ace Hardware was required as part of their approval to construct a portion of 1400 West and 150 South according to the City's Transportation Master Plan. The Ace Hardware team has submitted a request for reimbursement for the cost of system improvements and this agenda item is an attempt to satisfy this request.
   The City Engineer is tasked with determining the cost of system improvements that are eligible for reimbursement. The follow explains the rationale that was used to make that determination: Ace Hardware's project would have required the construction of an access from State Street to their site, which is a project improvement. The construction of additional roadway is considered a system improvement. However, frontage improvements such as curb, gutter, and sidewalks are considered project improvements when they are required for site development along master planned roadways. After reviewing project costs submitted by Ace Hardware, the cost of all asphalt paving has been added up, minus the cost of paving required for an access from State Street. These costs are summarized in the attached spreadsheet, and is the basis for the reimbursement value recommendation. It is the finding of the City Engineer that Ace Hardware should be reimbursed a total of $102,640.37.

   It is important to note that the same rationale that was applied to reimbursement to the RV Park to the west of Ace Hardware has been applied to this project. The RV Park constructed their portion of 150 South along their frontage. – Arthur LeBaron

5. The Daughters of the American Revolution honor Constitution Week by requesting the mayors of various cities in Washington County to sign a proclamation. Each August, they present this proclamation to the Council. If approved, it will designate September 17 through 23 as Constitution Week. - Cindy Beteag
6. Our ordinance never excluded benches with backs historically. Then about 2 years ago, the parks department wanted to update the ordinance for a variety of reasons because it was very outdated. When they gave the council the updated ordinance, they gave us

the full, entire ordinance, on a busy night with a long agenda. A brief summary of the changes that were included was given to the council by both Darren Barney and Dayton Hall. Neither of their summaries included the fact that the new ordinance would forbid benches with backs on them. It was a simple half-sentence that was missed by everyone, except for Darren, who had written that into the ordinance but didn't mention it in his summary of the changes. Not realizing that this was part of the new ordinance, I made the motion to pass the changes requested. Over a year later, it came to my attention that a person wanting to install a bench with a back in it, was told by the cemetery staff that the back was forbidden. The monument company who built the bench said they believed that there had been a mistake because he had built the bench for my son's grave, which had a back on it. The monument company was directed to talk to Kathy Excell who told them that I had made the motion to pass the new ordinance. I had the ordinance put back on the agenda to fix this. During that discussion, there was some disagreement on the part of the council and Joseph Prete made a motion to remove the prohibition of the backs with the provision that it would again become prohibited after a certain time period. His motion passed 3 to 2. That is the way the ordinance is currently written. We now have a new council and I would like to revisit the ordinance to see if we can remove the sunset clause from the ordinance. - Kevin Thomas

7. Mayor Billings was approached by several residents who expressed frustration over being charged a non-resident fee for a cemetery plot, despite owning land in the area and being originally born here. The fee difference for resident versus non-resident plots is a common practice in many municipalities, and in Hurricane, it is only a $200 difference. For reference, Washington City's fee schedule is attached.
   Mayor Billings assured these residents that she would bring this issue before the Council for discussion. The reasoning behind a lower resident fee is that residents contribute to the city's economy through daily or weekly tax contributions.
   If the Council decides to keep the fees as they are, a possible solution could be that residency be determined by voter registration, which would clarify any misunderstandings for those owning land within the city limits. Alternatively, if the Council prefers to have the same fee for both residents and non-residents, they need to decide whether to adopt one of the existing fees or set a new amount. The council should also take into consideration the effect that changing the rates will have on the city budget and the monies that come in from the sale of plots. - Cindy Beteag

8. Utah State House Bill 476 (2024) made a number of changes to the subdivision ordinance that was previously modified in 2023. The subdivision process will remain essentially unchanged, with the primary update relating to UCA 10-9a-604.2(3)(b), which mandates that *"A municipality may not require a subdivision improvement plan to be submitted with both a preliminary subdivision application and a final subdivision application."* Hurricane City Code Title 10, Chapter 39 currently requires, as per the state code prior to this update, subdivision improvement plans (i.e. construction drawings) to be submitted with preliminary plat and final plat applications. To conform

to the updated state code pertaining to the review of preliminary plats, it is proposed that construction drawings no longer be required with preliminary plat applications, and shall only be required when a final plat application is submitted. There are also additional changes to the subdivision ordinance that reflect other updates that were made in the state code as part of HB476. Staff also proposes minor changes to Title 10, Chapter 6 (Decision Making Bodies) to identify the Planning Commission as the approval authority for preliminary plat applications. The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved. Staff recommends that City Council approve the proposed land use code amendments to Title 10, Chapters 6 and 39, as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet. --Gary Cupp

9. In 2017, the City adopted updated definitions and classifications of child care centers and daycare uses in the Hurricane City Code. It was recently noticed that the use tables in the zoning code were not updated with the corresponding new terminology, but are still showing the old terms. This ordinance will update the land use tables with the terminology adopted in 2017. The tables will be updated to reflect the following terms:

    - *Child care center* (currently listed as “Family childcare center”)
    - *Licensed family child care* (currently listed as “Family child daycare facility”)
    - *Residential certificate child care* (currently listed as “Family child residential certificate care facility”)
    - The term "*Family child group daycare facility*" is no longer applicable and is being removed from all use tables.

    The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved. Staff recommends that City Council approve the proposed land use code amendments to Title 10, Chapters 3 and 12 through 16, as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet. --Gary Cupp

    Summary for items 10-14
    The Power Board recommended preliminary approval for these extensions to the City Council to give the Power Dept. staff direction to proceed with working in partnership with the developers to determine all of the designs, details and responsibilities of the developers to accomplish the necessary improvements and upgrades to deliver these extensions. Once the details are determined, the applications would be returned to the City Council for a final approval to proceed with the projects. – Scott Hughes

10. Copper Sky Estates (60 total 400-amp Units) or (120 total 200-amp Units)
    The Power Department recommends approval for this subdivision. There is capacity at

Three Falls Substation. Improvements to existing infrastructure would need to be made in one section and would need to participate with other developers to build a new distribution circuit to Three Falls Substation. - Brian Anderson

11. Sand Hollow Mesa Neighborhood 6 (594 total 200-amp Units)
    The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

12. Balance of Nature Phase 2B & 3 (2,762.15 total Diversified kw)
    The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

13. Hurricane Paradise (99 total 200-amp Units)
    The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

14. Bramall Ridge (24 total 200-amp & 19 total 400-amp Units) or (62 total 200-amp Units)
    The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

15. Mayor, Council, and staff reports.

16. Closed Meeting.

Minutes of the Hurricane City Council meeting held on August 1, 2024, in the Council Chambers at 147 North 870 West, Hurricane, Utah at 5 p.m.

Members Present: Mayor Nanette Billings and **Council Members**: Kevin Thomas, Clark Fawcett, and Drew Ellerman.

Members Excused: David Hirschi and Joseph Prete.

Also Present: City Manager Kaden DeMille, City Attorney Dayton Hall, Power Superintendent Scott Hughes, City Planner Gary Cupp, Assistant Planner Fred Resch III, Public Works Director Mike Vercimak, Police Chief Lynn Excell, Recreation Director Tiffani Wright, City Engineer Arthur LeBaron, Water Superintendent Ken Richins, and City Recorder Cindy Beteag.

AGENDA

5:00 p.m. Pre-meeting - Discussion of Agenda Items, Department Reports

Fred Resch III reported that he has no updates on code enforcement. However, he did submit the moderate housing report to the State yesterday. The report included six strategies that Hurricane City committed to work on, and he hopes that at least three will be accepted, as required.

Gary Cupp presented the next element of the General Plan. Open Space, Trails, and Resources. It identifies view sheds, open space, trails, water supply, agriculture, and dark sky conditions. He went over the goals, policies, and strategies on how we plan on achieving them.

Arthur LeBaron stated they have been working diligently on plan reviews and right of way acquisitions. He expressed appreciation to Dayton Hall, Mayor Billings, and the agent helping with the acquisitions. They just finalized the last easement needed for the irrigation expansion project. The 100 North project is nearing the advertising stage and is currently in the public involvement phase. The Frog Hollow Dam project is moving forward, with the old dam completely removed and an upstream cofferdam constructed to prevent flooding during construction. With Peach Days only four weeks away, the focus will shift to traffic control for the parade, making 100 South a one-way street during the event. Parade route roads, including 400 South, will be closed off during the parade.

Scott Hughes explained that last week's power outage was caused by lightning striking the line. He noted that power prices have been high, which is typical for the summer months, and mentioned that they are running natural gas daily. Unfortunately, they lost an employee that hired as temporary but had just turned full-time. The Three Falls Substation is performing well, but some of the generators have been experiencing issues with their couplers. He also mentioned that they hope to start the 920 West project soon.

Tiffani Wright explained they are considering updating the rental fee for the auditorium. Currently, it is $100 per hour with a cap at $400. They are looking to raise the price, particularly

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because dance companies often rent it for the entire day. She asked the Council if they wanted to be involved in setting the rental price. She noted that the High School charges $100 per hour with a cap at $1500. Mayor Billings expressed concern about pricing dance companies out of performing for their families but emphasized the need to cover costs. Drew Ellerman suggested evaluating the City's costs before making a decision. Kaden DeMille mentioned they are trying to raise wages for positions like referees and need to ensure programs can cover these costs. He asked if the Council wanted to be involved in these discussions or leave it to the administration. Clark Fawcett indicated he would like to review the fees. Mrs. Wright will bring this item back to the Council for further discussion. She stated that Calvary Chapel rents a room from the Community Center on a weekly basis and they have been paying $12,000 annually. They have inquired about potential rent increases due to rising utility costs. She emphasized they are great renters, and she doesn't want to lose them, but she wanted the Council's input on whether the rental price should be adjusted. Mayor Billings asked staff to review the power usage on those days to determine if a rent increase is necessary to cover utility costs. Mrs. Wright also mentioned that the LPGA tour has approached her about using the new gymnasium for a women's luncheon next May. She asked if the Council was open to renting out the space for conferences, weddings, and similar events, even though street shoes would be worn on the floors. The Council directed staff to look into options for floor protection that could be rolled out and reused, as well as the associated costs. They decided that if the space is rented out, the other party should be responsible for renting tables and chairs from elsewhere. Additionally, Mrs. Wright stated that the Rotary Club wants to paint and freshen up the north side of the Community Center and asked if the Council wanted to have input on this. The Council expressed comfort with staff handling it. She informed them that hoops for the new gym will be delivered on Monday, installed within a week, and then the flooring will go down. She invited everyone to come to the Beauty and the Beast performance.

Ken Richins announced that there will be an open house for the irrigation expansion project on August 7th at 6 p.m. at the Fine Arts building. Letters have been sent out to property owners in the proposed area. The plan includes incorporating the Gould's Wash area into the expansion project. He stated the Sky Ranch well is still being drilled. They have reached a depth of 500 feet and aim to reach 800 feet. They hope to complete the drilling within a week or two to begin collecting samples.

Chief Excell expressed his gratitude to the Power and Streets Departments for their assistance in removing the connex boxes from the property behind the Police Station. He announced that this Saturday morning they will be holding the "Back to School Shop with a Cop" event at Kohl's in Washington. He stated there was a significant breakthrough in the golf pro shop break-in case from last year, revealing that the perpetrator was located and prosecuted. During the bust, they also recovered equipment from Spanish Fork. He elaborated on their tracking process, emphasizing the importance of identifying the suspect's vehicle. He is currently gathering statistics on incidents throughout the year. The speed trailer that was damaged has been repaired. He explained the data from these trailers, along with that from permanent speed signs, is used to identify areas where traffic speeding is prevalent. He noted that a fourth

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officer has left, leaving the department severely short-handed. Due to the staffing shortage, they will have to limit their activities but will continue to perform VIN inspections at the office. Out of 41 applicants, only two are being interviewed for the open positions.

6:00 p.m. - **Call to Order** –

Prayer, Thought, and Pledge led by Kitty Hirschi.

Declaration of any conflicts of interest

None declared.

Minutes of the Regular City Council Meeting for July 18, 2024

Kevin Thomas motioned to approve the July 18, 2024, minutes as written. Seconded by Clark Fawcett. Motion carried unanimously.

Annual update from Intermountain Health

Meg Church, Natalie Ashby, and Cyndi Gilbert from Intermountain Health presented an overview of their ongoing projects and initiatives. They showcased a video highlighting their ambition to be the model healthcare system by promoting better health at lower costs while providing exceptional and compassionate care. Intermountain Health recently received the #1 ranking from Vizient. President Natalie Ashby shared updates on their expansion, noting that Intermountain Health has acquired facilities in the Peaks Region, including Colorado, Kansas, Eastern Wyoming, Montana, and New Mexico. With this expansion, they now operate in seven states, managing 34 hospitals and employing over 68,000 caregivers. She provided some impressive statistics: Intermountain Health has over 2,700 employees, handled over 10,000 emergency visits last year, has 715 medical staff members, and recorded 2,690 births last year. She introduced the leadership team and board of trustees and explained that they assess community needs every three years. Currently, their top priority is improving mental health. To address this, they will open a Youth Day Treatment Center in November, which will provide intensive treatment and support for youth with behavioral and emotional disorders. She emphasized their commitment to community support, reviewing several areas where they have made positive contributions. Additionally, she noted that they have exceeded projections for their new emergency department.

Report from the Chinese students @ HHS

McKay Campbell introduced herself as the daughter of Jason and Janna Campbell. She shared her experience of traveling to China through a program called Blue Ribbon International. McKay described it as a fantastic cultural exchange, where she stayed with host families and taught children about American culture. She detailed the various places she visited and taught in China, expressing that it was an enriching experience. She has been studying Chinese for nine years and observed that children in China have been learning English since they were toddlers. She felt warmly welcomed by everyone she met. She noted the vast population of each city, mentioning that light pollution and smog prevented her from seeing the stars. Overall, it was a wonderful opportunity that she would recommend to anyone.

Update and presentation of a donation from Tri-State ATV Poker Run

Christine Anderson and Steve Jacobs were present to discuss the success of their first poker run. Mrs. Anderson expressed their excitement about the event, which took place over Iron Man weekend but in a different area. The event attracted just under 100 machines and featured three Hurricane food trucks. Participants enjoyed the ride followed by a raffle, with six local restaurants donating gift cards for the occasion. The event also helped them gain more memberships, with over 20% coming from Washington County. She emphasized the family-friendly nature of the event and highlighted their commitment to cleanups and repairs in the area. They encourage visitors to help with these efforts. Additionally, they have a $5,000 check to donate towards the Veterans Park and are also contributing to the Blue Ribbon Coalition. She noted that any donation received by their club is matched by the club itself.

Public Forum – Comments From Public

OLD BUSINESS

1. Consideration and possible approval on a preliminary plat for Sandwater Estates, a 153 lot single family subdivision located at 4200 W 2300 S. Richardson Brothers Custom Homes, Applicant. Karl Rasmussen, Agent.

Mayor Billings read the following summary that was provided in packet written by Gary Cupp. "The applicant is seeking preliminary plat approval for the proposed 153-lot Sandwater Estates subdivision within the Gateway to Sand Hollow PID area. On January 18, 2024, the City Council heard this item and concern was expressed about the lack of PID roads and infrastructure that are required for preliminary plat approval. The item was continued to February 1, 2024, and then tabled for an additional six months to allow the applicant time to bring forth a contract and schedule for completion of the needed roadways and infrastructure. The requested information has not yet been provided. Staff recommends that the item be tabled until the applicant either provides the requested schedule and contract or has completed the needed improvements. The City Council could also deny the project for lack of adequate public facilities, pursuant to Hurricane City Code, Sec. 10-37-4. "

Gary Cupp mentioned that he spoke with Karl Rasmussen a couple of weeks ago regarding this item being on an upcoming Council meeting. Mr. Rasmussen requested that the item be tabled as they are not ready to proceed yet.

Kevin Thomas motioned to table the preliminary plat for Sandwater Estates until the applicant requests it to come back. Seconded by Clark Fawcett. Motion carried unanimously.

2. Presentation and report on public infrastructure and consideration and possible approval of a power line extension to the area south of Sky Ranch - Mike Vercimak and Scott Hughes

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Mike Vercimak explained that the report in the packet aims to provide the Council with an understanding of the development needs in that area. He sought feedback from the Joint Utility Committee (JUC), and everyone provided input on the existing utilities and the requirements for complete buildout. The report indicates that the current infrastructure is insufficient to support development in this area. Most utilities, not just power, would need around two years to get infrastructure in place. Over 3000 units have been approved for this area, but they don't have entitlements yet—only zoning approval. Mayor Billings clarified that the ask tonight is whether they can extend the power. Mr. Vercimak emphasized that if the power is extended, other infrastructure requests will soon follow. Clark Fawcett questioned the rationale for extending power if other infrastructure isn't in place, suggesting it should be a package deal. Kevin Thomas inquired about the timeline for extending power. Scott Hughes estimated that, considering various factors, it could take around two years. Mr. Vercimak highlighted the distinction between capacity and infrastructure. Drew Ellerman pointed out that it would be cheaper to undertake the project now rather than in the future, and it might be more cost-effective for the city to do it themselves.

Kaden DeMille stressed the importance of not delaying infrastructure development and keeping the process moving forward. Mayor Billings noted that the City is currently working on water infrastructure. Ken Richins added that they plan to bid out the water tank construction this fall, which will take about a year to complete. He highlighted the importance of extending power to the area to facilitate well development and staying ahead of the system needs. Mr. Vercimak mentioned a concern about the only access being 1100 West, which is not up to standards. The cost of bringing it up to standards would fall on the City. Additionally, the Fire District has expressed concerns about having only one entrance, which could necessitate another station in the area to meet the ISO rating. Mr. Richins explained that building the water tank would address the problem with the water loop and benefit the area overall.

Mr. Vercimak posed the question of whether the Council would allow the extension of the power line and, if so, who would handle the work. Mr. Fawcett expressed his reluctance to approve preliminary plats without the necessary infrastructure in place. He mentioned that once developers invest money in their projects, they expect progress, and while he has no issue with developers funding the work, the City doesn't have the budget for it, and he doesn't want to commit the City financially. Mayor Billings pointed out that infrastructure improvements typically come with development. Mr. Fawcett emphasized the need for a clear timeline outlining how and what will be done and under what conditions growth would be allowed. Mr. Thomas inquired if developers could contribute to the street improvements for 1100 West. Mr. Vercimak clarified that the funding designated for 1100 West only covers up to 3000 South, meaning any improvements beyond that point would have to be financed by the City. Mayor Billings noted the necessity of extending power within two years for the well, suggesting it would be better to initiate the process now. She asked Dayton Hall if indemnification could be considered as a part of the plan.

Dayton Hall responded he has been working through a Property Rights Ombudsman review on a similar situation. The landowner had signed an indemnification agreement as a condition of obtaining preliminary plat approval, which he believed was foolproof. However, the landowner still lodged a complaint with the Ombudsman office because the City would not approve further development until adequate public infrastructure was in place. He noted that while he can draft a contract, it won't necessarily prevent future disputes. He concurred with Mr. Fawcett, acknowledging that once developers invest in a development, they expect to see corresponding improvements to proceed with construction. Mr. Vercimak pointed out that three years ago, everyone believed the Public Infrastructure District (PID) would resolve this issue, but it has not. Although everyone is working to bring infrastructure to the area, it takes time. While the water tank doesn't require power, it might need a booster. Mr. DeMille mentioned that he thought there was sufficient capacity for the well. Mr. Hughes clarified that while there is enough capacity, the infrastructure is lacking. Mr. Fawcett emphasized the need to create a comprehensive plan. Mayor Billings questioned whether road expansion would be necessary. Mr. Vercimak suggested that while it might not be needed immediately, as more people move into the area, requests for road expansion will likely increase. Mr. Fawcett noted that drainage will be an issue with more development and still needs to be addressed. Mr. Vercimak committed to organizing a meeting with all the main departments to develop a cohesive plan.

Kevin Thomas motioned to continue to the next meeting to allow JUC time to discuss a timeline for infrastructure in this area. Seconded by Drew Ellerman. Motion carried unanimously.

3. Consideration and possible approval of local consent for an off-premises beer license at Jellystone Park - Scott Nielson

Mayor Billings stated the applicant requested to withdraw their application, so this item needs to be tabled.

Clark Fawcett motioned to table local consent for an off-premise beer license at Jellystone Park. Seconded by Kevin Thomas. Motion carried unanimously.

4. Consideration and possible approval of local consent for a full-service liquor restaurant license at PV Resort Amenities - Chris Wyler

Chris Wyler outlined the proposed areas where alcohol would be served, indicating their commitment to maintaining a family-friendly environment. Their primary goal is to offer diverse amenities, with safety being the top priority. They plan to implement rigorous training for their employees. Mayor Billings stated that the request is distinct from a restaurant setting, questioning the feasibility of keeping people in designated areas and how it would be monitored. Mr. Wyler clarified that Utah law requires patrons to remain at their tables while consuming alcohol. Kevin Thomas expressed concerns about the proximity of alcohol service areas to amenities and the potential behavior of patrons, noting that the provided map shows

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alcohol allowed everywhere except in the water. He felt this situation puts undue pressure on the State to approve the request, especially since no similar precedent exists within the State. He worried about the exposure of children to drinking adults.

Mr. Wyler argued that resorts where alcohol is permitted have not seen disorderly conduct and mentioned they had received their certificate of occupancy for their clubhouse. He noted that raised areas are designated for adults only. Mr. Thomas reiterated that he finds alcohol service suitable in the restaurant area but not throughout the resort. Clark Fawcett added that it isn't considered a restaurant if people are lounging on the pool deck. Mr. Wyler then asked if the Council would grant permission for a portion of the area now to secure the license with the State, with the possibility of expanding it later. Dayton Hall noted that the Council is only granting local consent and is not approving the map, and that he isn't aware of the City ever placing limitations on local consent approval. Drew Ellerman expressed a preference for allowing alcohol in only one designated section. Mr. Hall suggested discussing with the State to determine if parameters could be set with local consent and to understand the extent of the City's control. Cindy Beteag mentioned that the applicant has requested that the amenities and restaurant be private and not open to the public. Mr. Thomas concluded by stating his reluctance to consider the amenities as private, noting that if they are not busy, they might be opened to the public.

Kevin Thomas motioned to continue for two weeks and directed staff to talk to the DABS regarding regulations on this type of license. Seconded by Drew Ellerman. Motion carried unanimously.

5. Consideration and possible approval of a Water Savings Agreement with The Nature Conservancy and the Washington County Water Conservancy District. -Dayton Hall

Dayton Hall noted that the agreement in the packet differs from the last version the Council reviewed. He provided a brief history, explaining that eight years ago, environmental studies were conducted, revealing potential water savings from the project. The NRCS wanted to evaluate the benefits, particularly how the water savings would aid both users and the agricultural community and benefit the Virgin River. They needed to see tangible benefits to the river before committing funds. The water running through the system is owned by the Canal Company, and the City has purchased shares. In 2016, the City obtained water rights from the Canal Company, which are currently in the river. The proposal is to commit to making that water available to benefit the river. Upon project completion, there will be more water available. Mr. Hall pointed out that other parties have not yet signed the agreement. Despite this, he recommended approving it due to upcoming deadlines. He included a clause stating the City is not obligated to proceed unless NRCS provides the necessary funding and the project is completed.

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Kevin Thomas motioned to approve the Water Savings Agreement. Seconded by Clark Fawcett. Motion carried unanimously.

NEW BUSINESS

1. Consideration and possible approval of Ordinance 2024-09 Amending Title 3, Chapters 1 and 2 regarding background checks in Business License regulations - Cindy Beteag

Mayor Billings read the following summary that was provided in packet written by Cindy Beteag. “The Council has discussed the proposed changes at the last two meetings. Staff was directed to update the ordinance to require annual background checks. The Council supported adding tattoo artists to the list of businesses requiring a background check but opposed adding residential hosting. Staff was also tasked with researching the practices of surrounding cities. Only three cities responded: LaVerkin conducts background checks on all businesses, Cedar City does not require them for any businesses, and St. George only mandates them for solicitors, alcohol-related businesses, and those dealing with children. Staff is still researching additional requirements and may have an updated proposal next week. During the last two discussions, it appeared the Council favored fewer restrictions on business owners. Staff has conducted additional research to determine the necessity of background checks. Consider the following: The Department of Professional Licensing (DOPL) conducts background checks on massage therapists. The Department of Alcoholic Beverage Services (DABS) performs background checks on all liquor license applicants. The Bureau of Alcohol, Tobacco, and Firearms (ATF) requires background checks for all firearms-related businesses. These checks are conducted during the initial application process and not on an annual basis, though businesses are asked to self-report at each renewal. Based on these findings, there are two options for consideration in the packet: Option 1 aligns more closely with previous discussions. Option 2 removes the requirement for businesses already regulated by another entity. Both options have been discussed internally, and staff does not have strong opinions on either. Everyone was comfortable with both options.”

Cindy Beteag clarified that businesses regulated through other entities are not required to undergo annual background checks but must self-report any significant changes. Kevin Thomas expressed support for fewer restrictions. Mrs. Beteag noted that under Option 2, background checks would still be mandated for tattoo artists, businesses related to children, and businesses operating from private homes. Additionally, employees of these businesses would also be subject to background check requirements.

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Drew Ellerman motioned to approve option 2 of Ordinance 2024-09 Amending Title 3, Chapters 1 and 2 regarding background checks in Business License regulations. Seconded by Kevin Thomas. Motion carried unanimously.

2. Consideration and possible approval of Assurances Relating to Real Property Acquisition for the irrigation expansion project. -Arthur LeBaron

Mayor Billings read the following summary that was provided in packet written by Dayton Hall. "The proposed document provides assurances to the Natural Resources Conservation Service that the City has acquired the necessary rights-of-ways and easement associated with the irrigation expansion project. This document is required for NRCS to issue funding for the project. There is one remaining easement that needs to be acquired on 1150 West. If the closing on that easement has not occurred by the Council meeting, this item will need to be continued."

Arthur LeBaron explained the project is being constructed mainly in existing streets. The final easement will be recorded tomorrow. Dayton Hall mentioned they have signed the purchase agreement, so he is comfortable moving forward. He has done his opinion letter.

Clark Fawcett motioned to approve Assurances Relating to Real Property Acquisition for the irrigation expansion project. Seconded by Kevin Thomas. Motion carried unanimously.

3. Consideration and possible approval of a Zone Change Amendment request located at approximately 2250 S 5140 W from A-5, agriculture one unit per 5 acres to RA-0.5, residential agriculture one unit per half acre. Parcel numbers H-4138-K-1 and H-4-2-15-112. Dylan Stratton, Applicant. Brandee Walker Civil Science, Agent.

Mayor Billings read the following summary that was provided in packet written by Gary Cupp. "This zone-change request was originally heard by the Planning Commission on May 23, 2024, but due to an illegal lot split, the Commission tabled the application to allow the land division to be corrected. Initially, the zone-change request only included one of the parcels involved in the lot split, parcel H-4138-K-1. The request was updated to include the other parcel involved, parcel H-4-2-15-112. The applicants' ultimate desire is to get a building permit for a new single-family residence, but since there is an illegal subdivision of land, the City cannot issue a building permit pursuant to HCC section 10-39-4(D). The original unsplit parent parcel and the two new parcels are too small to conform to the 5-acre minimum lot size required by the existing A-5 zoning. During discussions between staff, the city attorney, and the applicants, it was agreed that in order to legalize the lot split, both parcels would need to be rezoned to a zoning class with an appropriate minimum lot size requirement. At which point, the applicant could move forward with the process to legalize the lot split and receive a building permit. The Planning

Commission heard this application again on July 25, 2024, and unanimously recommended approval of the requested zone change to RA-0.5."

Gary Cupp explained that the red-bordered area represents the original parcel that was split illegally. The applicant initially sought a zone change, but staff could not approve it due to the illegal lot split and advised reverting the parcel to its original state. However, one of the parcels has already been sold, making it challenging to revert. The applicant now seeks to rezone the entire area to RA-0.5 to legalize the lot split and obtain a building permit. This zone change would address the existing inconsistency in the area. Dayton Hall noted that while the City could require the applicant to merge the two illegally subdivided lots back together and then reapply, this approach is complicated by existing loans. The proposed zone change would resolve the issue by legalizing the current configuration. Mr. Cupp added that if approved, the entire area would be zoned RA-0.5, and the owner of the sold parcel, Pecan Valley, has indicated they will request a zone change as well. Drew Ellerman expressed concern about the nonconforming parcels in the A-5 zone in this area, to which Mr. Cupp responded that those parcels are already nonconforming. Mr. Hall clarified that these parcels were annexed into the City as nonconforming.

Kevin Thomas motioned to approve the Zone Change Amendment request located at approximately 2250 S. 5140 West from A-5 to RA-0.5. Seconded by Clark Fawcett. Motion carried unanimously.

4. Mayor, Council, and staff reports

Kaden DeMill reminded the Council the Utah League conference is coming up and we need to know who would like to be registered by August 15th. He stated the wage study is completed, and they should have numbers next week. They will bring it back to the Council after they have compared the numbers. Staff went out and measured at the new equestrian park for the bleachers. They identified some areas they could go but there will be an expense to get them there. It won't happen this year before Peach Days, but they will continue to work on it. He mentioned there is some settling issues under the current bleachers, and it caused some grass to die.

Mayor Billings stated she and Dayton Hall met with Liberty Village today. They asked if the Council could look at the flyer to see if they are comfortable with the City logo on it. Council needs to decide if they want to review it every time they use it. She passed it out and if they are in favor then it can be on the next agenda. Clark Fawcett suggested having staff review their advertisement. He doesn't think the Council needs to see it every time. Mr. Hall mentioned that is what the County did with their MOU. Mayor Billings stated she will put it on the next agenda for approval. She asked the Council to ride on the Peach Days float.

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Cindy Beteag stated the Council needs to hold a separate meeting to meet the requirements of the Board of Water Resources. Council will meet at 4:30 p.m. on August 15th to describe the water irrigation expansion project and receive public comments and then hold their regularly scheduled meeting at 5 p.m. that day. Mayor Billings stated the first meeting in September will need to be canceled because the Council will be at the Utah League conference. Mrs. Beteag mentioned staff has organized a committee and applied to get the Healthy Utah Community designation. If the application is approved the Council will be recognized at the upcoming conference. The first event that the committee has organized is a mental health awareness clinic on September 9th @ 6 p.m. There will be twelve tables there with different resources so people are aware of what is available. She asked everyone to help advertise for it once the flyer is completed. Mayor Billings stated there is a "Just Serve" project on September 11th from 4 to 8 p.m. if the Council can help with it.

Clark Fawcett asked staff to find out why the Fire District didn't have a notice on the property tax notice regarding the property tax increase.

5. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Kevin Thomas motioned to go into a closed session to discuss the sale of real property. Seconded by Drew Ellerman. Motion carried unanimously.

Adjournment: Clark Fawcett motioned to go out of a closed meeting and adjourn the meeting at 8:45 p.m. Seconded by Kevin Thomas. Motion carried unanimously.

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HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of **local consent for a full-service liquor restaurant license** at PV Resort Amenities - Chris Wyler

Discussion:

Update for 8/15/24 meeting

The Council has discussed this item at the previous two meetings. At the last meeting, the Council considered allowing alcohol only in the restaurant portion of the resort and not around any other amenities. However, staff was uncertain if local consent could include such restrictions. They were directed to contact the Department of Alcoholic Beverage Services (DABS) to determine if parameters could be placed on local consent and who would enforce these rules.

Staff contacted DABS, which confirmed that parameters could be placed on local consent and regulated through the local liquor license to ensure compliance. DABS also stated that the parameters of local consent would be attached to the State license and that DABS would support and help enforce the parameters identified with the local consent.

Based on this information, staff has prepared a local consent with the condition that alcohol can only be served on the first floor of the restaurant.

Update for 8/1/24 meeting

This item was continued at the July 18, 2024, meeting for the applicant to provide a layout of their proposal. The proposal wasn't received until Friday afternoon, so staff didn't have time to review it before the packet went out.

PV Resort Amenities is applying for a full-service liquor restaurant license to sell beer and liquor at their clubhouse restaurant and in the cabanas around the water amenities. The Department of Alcoholic Beverage Services (DABS) will have specific requirements, such as sectioning off areas where alcohol is served and ensuring that meals are ordered with drinks. The applicants have stated that the restaurant and water amenities will be open to the public, though access may be limited if their vacation rentals are fully booked. Staff has the same concerns with this application as with the previous one for Jellystone Park. It is unclear if any other location in Utah operates in this manner. – Cindy Beteag

Findings:

Recommendation:

Attachments:

1. PV Resort Amenities
2. Chris Wyler - Ascendancy Flooring Reference Letter

3. Pecan Valley Resort Amenities business license app
4. Chris Wyler - In & Out Pool Reference Letter
5. Chris Wyler - Set The Stage Reference Letter
6. Bart Straight Line Plumbing Reference letter
7. Pecan Valley Bar
8. Pecan Valley Rest Menu
9. Pecan Valley Resort Safe Alcohol Mission Statement
10. Pecan Valley RASP
11. Pecan Valley 10 Steps to Responsible Alcohol Service
12. Current UDABS Licenses_Washington_County
13. Utah_Full_Service_Restaurant_Liquor_License_Laws_and_Rules
14. Clubhouse Venue
15. Pecan Valley Local Consent form (DH Revisions)
16. Pecan Valley Clubhouse Restaurant Area (DH Revisions)

(FOR OFFICE USE ONLY)

New license:
Date Application Reviewed: 7/9/24
Non-refundable application fee received ✓ 8.179894
Refundable license fee received ✓
Character statement from 5 residents received: 1 - still need 4
Application referred to: Planning & Zoning
Building Inspection Department
Fire Department
Police Department N/A
Health Department
Business License obtained/applied for: full restaurant
Date Application was considered by City Council: 7/18/24
Application:_____granted_____denied
Comments: _____

_____
City Licens

FEES

A non-refundable application fee of Fifty Dollars ($50.0
application for an original license.

At the time of application for an original license or renew
pay an annual license fee as follows:

All Classifications $300.00

If a license is issued on or after July 1 in any year, one-ha
be charged.

CITY OF HURRICANE
147 NORTH 870 WEST
HURRICANE UT 84737 435-635-2811

Receipt No: 8.179894 Jul 9, 2024

PV RESORT AMENITIES

Previous Balance:	.00
NEW BUSINESS LICENSE NEW BEER LICENSE FEE	300.00
NEW BUSINESS LICENSE APPLICATION FEE	50.00
Total:	350.00
XBP Credit Cards -GS	
Check No: 204310976	350.00
Total Applied:	350.00
Change Tendered:	.00

07/09/2024 11:15 AM

ACCT: XXXXXXXXXXX
APPROVAL: 204310976

X pd over phone
CHRISTOPHER WYLER

HURRICANE CITY
UTAH

LIQUOR LICENSE APPLICATION AND QUESTIONNAIRE

HURRICANE CITY
147 N 870 W
HURRICANE, UTAH 84737
(435) 635-2811

NOTE: **Please print or type.** All questions must be answered completely or application will not be considered.

NEW LICENSES OR CHANGE OF OWNERSHIP must be accompanied by:

- ✓ $50.00 non-refundable application fee
- ✓ Annual license fee (refunded if application is denied)
- _____ Statement from 5 individuals or entities recommending the applicant
- _____ Copy of business license or business license application
- _____ Proof of completion of all necessary certifications by employees required by the city and state or understanding of necessary training requirements for new applicants
- ✓ Names and addresses of shareholders, members, or partners (applicable to Corporations, limited liability companies and partnerships)

1. Applicant If the license is for an individual or sole proprietorship, applicant must be the owner. If license is for a corporation, the applicant shall be a corporate officer/agent authorized to make the application and a separate sheet must be attached giving the names and addresses of all shareholders owning more than 10% of the corporation. If license is for a limited liability company, applicant must be a manager or managing member authorized to make the application. If license is for a partnership, the applicant shall be a general partner and a separate sheet must be attached giving the names and addresses of all partners.

Name Christopher (First) Wightman (Middle) Wyler (Last)

Home address [redacted] Hurricane (City) UT 84737 (State/Zip)

Phone Number [redacted]

Social Security # [redacted] Date of Birth [redacted]

U. S. Citizen? X Yes _____ No, if no, registered alien? _____ Yes _____ No

Relationship of applicant to entity for which license is sought:

X Owner _____ Corporate Agent _____ Corporate Officer _____ Officer

_____ Partner _____ Member of Limited Liability Company _____ Other

2. Entity for which License is being sought

_____Sole Proprietorship__X__Corporation_____Non Profit Corporation

_____Partnership_____LLC_____Other _____

Name of Entity PV Resort Amenities

Address of Principal Office 5202 W 2250 S Hurricane UT 84737
(Street) (City) (State/Zip)

Phone 435-467-2216 Email wyltile@gmail.com

Names, addresses, Phone, DOB, Social Security Number of all Corporate Officers, Partners, Members, Board of Directors and Shareholders
(if necessary attach a separate sheet)

Name	Address	Phone	DOB	Social Security Number
Chris Wyler	[redacted]			

3. Business Name / Location / Management

Name under which business will be operated (if different from name of the applicant, corporation or partnership) _____

Business Address 2431 S 5210 W Hurricane Ut 84737
(Street) (City) (State/Zip)

Phone Number 435-467-2216

Owner of Property Chris Wyler

Name of Business Manager Bryson D Wyler
(Middle)

Social Security # [redacted] of Birth [redacted]

Phone Number [redacted]

*Distance in feet from nearest public or public or private school 3.4 miles
*Distance in feet from nearest church 5.2 miles
*Distance in feet from nearest public playground 2.8 miles
*Distance in feet from nearest public park 2.8 miles
*Distance in feet from nearest public library 8.9 miles

4. Classification of license applied for:

_____Airport Lounge	_____Banquet
_____Bar	_____Beer Recreational
_____Hotel	_____Off-Premise Beer
_____Package Agency	_____Reception Center
_____Restaurant-beer only	X Restaurant-Full
_____Restaurant-Limited	_____Tavern
_____Beer wholesaler	_____Liquor warehouse
_____Manufacturing	

5. Miscellaneous Information (For purposes of the following questions, the term "you" shall refer to any applicant, corporate officer, corporate director, corporate agent, LLC member, partner or manager)

Have you ever been engaged in any other business where beer or alcoholic beverages were sold to the public?_____Yes X No. If yes, state name of business, location of business, nature of business, date(s) ofoperation. _____

_____

_____

Have you at any time been convicted of a felony in any court in the United States?
_____Yes X No. If so, give particulars – City, Dates, pertinent information, etc. _____

_____

_____

Have you been convicted or have you entered a plea of guilty at any time to a law violation involving beer or alcoholic beverages?_____Yes__X__No. If so, give particulars – City, Dates, pertinent information, etc._____

Give particulars of your employment or business engaged in during the past five years, stating dates, business name and address, nature of business, position or title, employer's name and address of business. See attached

Are business premises to be leased?_____Yes__X__No. If yes, state name and address of lessor and nature of lessor's interest in business premises. _____

Will food be served at business location?__X__Yes_____No (If yes, please attach a sample of the menu you plan to use)

Has a license covering any place in which you had a financial interest ever been revoked or suspended?_____Yes__X__No If yes, state type of license, location of license, date license was revoked or suspended, reason for revocation or suspension _____

6. Additional Information: Give any additional information which you believe will help the City Council to make a decision upon your application: _____

STATE OF UTAH)
: ss.
COUNTY OF WASHINGTON)

I,_____, being first duly sworn, depose and say as follows:

1. The foregoing Application and Questionnaire is in all respects true and correct, to the best of my knowledge and belief;
2. I am the applicant above-named and have not leased, assigned, or entered into a profit-sharing arrangement of any type with any other person for operation of the above-named business except as disclosed herein;
3. I have received and read the beer/alcoholic beverage license ordinance of the City of Hurricane, and I believe that this application in all respects conforms to the requirements thereof;
4. I consent to the entry in or upon the business premises by City employees or representatives at reasonable times for the purpose of inspecting the business premises to ensure compliance with applicable laws, ordinances, rules and regulation; and
5. I understand and agree that any false information contained in this application shall be grounds for denial of this application and shall constitute perjury.

_____
Applicant

SUBSCRIBED AND SWORN TO before me this_____day of_____, 20___

_____
(NOTARY PUBLIC OR CITY LICENSE OFFICER)

FULL SERVICE RESTAURANT LIQUOR LICENSE
Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Services Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant.

AUTHORITY: Utah Code 32B-1-202; 32B-5-201, 203, 205 and 206

_____, ☐ City ☐ Town ☐ County
Local business license authority

hereby grants its consent to the issuance of a full-service restaurant liquor license to:

Business Name (DBA): PV Resort Amenities

Entity Name (or owner's name if sole proprietor): PV Resort Amenities

Location Address: 2431 S 5210 W Hurricane Ut 84737

_____
Authorized Signature

_____ _____
Name/Title Date

This is a suggested format. A locally produced city, town, or county form is also acceptable.
The local consent must be submitted to the DABS by the applicant as part of a complete application.

Incorporaton Date	Title	Bussiness Name	Business Address	Nature of Business	Notes
6/7/2024	Owner	PV Resort Amenities	2431 S 5210 W, Hurricane UT 84737	Water Park and Related Acitivities	
11/7/2022	Owner	Morii Property Management LLC	5202 W 2250 S, Hurricane UT 847387	Property Management	
5/21/2021	Owner	Pecan Valley Resort Homeowners Association, Inc.	5202 W 2250 S, Hurricane UT 847387	HOA	
6/17/2021	Owner	Artisan Homes LLC	5202 W 2250 S, Hurricane UT 847387	Builder	
2/7/2023	Owner	Pecan Valley Resort, LLC	5202 W 2250 S, Hurricane UT 847387	Operating Company	
12/15/2022	Owner	CL Wyler Company, LLC	5202 W 2250 S, Hurricane UT 847387	Own other companies	
7/10/2019	Owner	Pecan Valley Development	5202 W 2250 S, Hurricane UT 847387	Developer	
7/11/2019	Owner	Pecan Valley Holdings, LLC	5202 W 2250 S, Hurricane UT 847387	RE Holding Company	
6/16/2015	Owner	Law Holdings, LLC	5202 W 2250 S, Hurricane UT 847387	RE Holding Company	
1/1/2005	Owner	Artisan Tile	5202 W 2250 S, Hurricane UT 847387	Tile Installation	Sold in 2022

DocuSign Envelope ID: 4F5BC96B-CF8E-4F37-BE19-C868E694CC8D

Philippians 2:3 Consulting
154 Private Road 8103
Canton, TX 75103
T: (903) 312-5566

Dear City of Hurricane,

I am writing to provide a professional reference for Chris Wyler, whose character and professional capabilities I have come to know well through our business interactions at Philippians 2:3 Consulting. Chris exemplifies integrity, dedication, and a commitment to high standards in all his endeavors.

In our professional dealings, Chris has consistently demonstrated a strong work ethic and a reliable sense of responsibility. He manages complex challenges effectively, consistently meeting project goals with efficiency and accuracy. His strategic thinking and innovative approach have significantly impacted various business ventures.

Chris's character is evident in his honest and transparent interactions with colleagues, clients, and stakeholders. His leadership fosters a collaborative work environment, encouraging team members to perform at their best.

Chris remains calm under pressure, approaching tasks with a focused and positive attitude. His resilience and problem-solving abilities are commendable, leading to successful outcomes even in challenging situations.

Additionally, Chris communicates complex ideas clearly and effectively. He has built and maintained strong client relationships, resulting in successful partnerships and long-term collaborations. His dedication to continuous learning and professional development is both noteworthy and beneficial.

In summary, Chris Wyler is a professional of exceptional character and capability. I am confident he will excel in the Pecan Valley Resort project.

Please feel free to contact me if you require further information or wish to discuss Chris's character in more detail.

Sincerely,

DocuSigned by:
FD780BAF0BD84ED...

Johnny Blevins
President – CEO
Philippians 23 Consulting

To Whom It May Concern,

I am writing to enthusiastically recommend Christopher Wyler for your consideration. I have had the pleasure of knowing Christopher both personally and professionally for 17 years, during which time I have witnessed his outstanding character, exceptional work ethic, visionary mindset, and strong ethical standards.

Christopher Wyler consistently demonstrates a remarkable commitment to excellence in all his endeavors. His unique blend of strategic foresight and hands-on implementation skills allows him to navigate complex challenges while ensuring operational efficiency.

In addition to his professional achievements, Christopher is renowned for his integrity and reliability. He approaches every task with dedication and meticulous attention to detail, consistently delivering results that exceed expectations. His collaborative spirit and willingness to go above and beyond have earned him the respect and admiration of his colleagues.

In the community, he consistently empowers others by creating opportunities and setting ambitious goals. His contributions extend well beyond the norm, adding substantial value to our local community and the broader city as a whole.

I am confident that Christopher Wyler's leadership, vision, and integrity make him an ideal candidate for your city board. His insights and commitment will undoubtedly contribute to shaping our community's future policies and decisions.

Please do not hesitate to contact me at 801-645-0344 or jayrichie45@gmail.com if you require any further information. I wholeheartedly endorse Christopher Wyler without reservation.

Sincerely,

Jason Richards
Owner, Ascendancy Flooring

Date of Application 7-10-2024

License Fee $50.00
Application Fee $25.00
Total Due $75.00

HURRICANE CITY
UTAH

147 N 870 WEST, HURRICANE, UTAH 84737
PHONE: 435-635-2811 FAX: 435-635-2184
www.cityofhurricane.com

BUSINESS LICENSE APPLICATION

NOTICE: Please complete each statement below. Incomplete applications will not be accepted.

SECTION A — BUSINESS INFORMATION

Name of Business: Pecan Valley Resort Amenities

Business Phone: 435-619-5611 Business Email: admin@pecanvalleyresort.com

Business Address: 2431 S. 5210 W. (Street Number) (Suite) Hurricane (City), Utah (State) 84737 (Zip)

Mailing Address (if different): 5202 W. 2250 S. (Street Number) Hurricane (City), Utah (State) 84737 (Zip)

State Sales Tax Number (if applicable): Pending Dept. of Commerce Entity #: 14026575-0142

Professional License # (if applicable): NA Federal Identification #: 99-3413200

Website: WWW.pecanvalleyresort.com

Description of Business: Clubhouse, Waterpark and Restaurant.

Will there be any building or remodeling: NO Will the business be located in a newly constructed building: Yes

Commercial Lease-Property Owner Written Approval: Are you a Sexually Oriented Business: No

Does your business sell alcohol: Yes Does your business sell tobacco products: NO

PART B — HOME OCCUPATION APPLICANTS ONLY

- Will customers visit the home.....
- Will display or stock of merchandise be at home .....
- Will employees be at the house.....
- Any unusual traffic be created in neighborhood.....
- Will parking on roadside be needed.....
- Will flammable, toxic or poisonous materials be kept at the home .....
- Will there be any disposal of material into the septic or sewer system? .....
- What portion of home is to be used for business (25% total structure area)_____

PART C — BUSINESS OWNER INFORMATION

A list of all corporate officers or partners must be included. This list must include name, home address, and phone number.

Owner's Name: Christopher Wyler Phone Number: [redacted]

Home Address: [redacted] (Zip)

Please add any additional owners/partners on a separate piece of paper and attach.

➢ **This form is an application for a business license. The receipt for payment of license fees thereof does not constitute being approved to operate a business. The actual license will be issued only when all inspections are completed and signed off by the various City departments and approval is given by the Business License Office. To open and/or operate a business without final approval is a Class B Misdemeanor and punishable by law.**

Manager (if different): Bryson Wyler

Phone Number: [redacted]

All businesses licensed in Hurricane City must be in compliance with applicable fire codes and regulations at all times. New businesses may be required to pass a fire inspection prior to issuance of a business license. Fire inspections encompass, but are not limited to: fire equipment such as extinguishers, exits and aisles, electrical equipment, storage, and fire protection systems. Inspections may include additional areas of concern specific to particular business activities and/or locations. The licensing clerk will inform new applicants whether an initial inspection is required. Please contact the Hurricane Valley District at 435-635-9562 to schedule an inspection.

I understand that compliance with applicable fire codes and regulations is required for all businesses licensed in Hurricane City. I understand that a fire inspection of my business may be required in the future and would be conducted by Hurricane City Fire Department personnel. I understand that failure to comply with applicable fire codes and regulations may be grounds for revocation of my business license.

I UNDERSTAND AND AGREE to comply with all regulations of Title 3 Business License Regulations. I **UNDERSTAND that business shall not commence at this location without first obtaining an official copy of the business license,** and that inspections of the City Building, Zoning, Fire Officials, and the County Health Officials must first be completed and the building approved by these officials for business activities.

Applicant's Signature

7.10.2024
Date

Office Use Only

TOTAL FEES $ 75.00 **AMOUNT PAID $** 75.00

DATE 7/11/24 **RECEIPT #** 8.18014

CITY LICENSE NUMBER _____

Home Occupation: yes / (no) Zone: RR Permitted Use: (yes) / no

Planning Commission Approval Required: yes / (no) If yes, which approval: site plan / conditional use

Planning Commission approval date: N/A Zoning approval/date: _____

New Construction: (yes) / no Remodel: yes / (no) Building Permit: (yes) / no

Certificate of Occupancy or Tenant Improvement inspection required: (yes) / no

In & Out Pools
5168 W 2150 S
Hurricane, UT 84737
T: (435) 359-7449

Dear City of Hurricane,

I am writing to offer a professional endorsement for Chris Wyler, with whom I have developed a deep appreciation for. Chris consistently demonstrates integrity, dedication, and a steadfast commitment to maintaining excellence in all his endeavors.

Throughout our business interactions, Chris has consistently displayed a robust work ethic and a strong sense of accountability. He adeptly navigates complex challenges, consistently achieving project objectives with efficiency and accuracy. His strategic insights and innovative approach have significantly influenced various business initiatives.

Chris's integrity shines through in his open and honest interactions with colleagues, clients, and stakeholders alike. His leadership style creates a positive work environment, empowering each team member to perform at their peak.

Even in high-pressure situations, Chris remains composed, approaching tasks with a focused and positive demeanor. His resilience and problem-solving abilities have consistently yielded successful outcomes, even in challenging circumstances.

Furthermore, Chris excels in communicating complex ideas clearly and effectively. He has forged and maintained strong client relationships, resulting in successful partnerships and enduring collaborations. His commitment to continuous learning and professional growth is both commendable and advantageous.

In conclusion, Chris Wyler is a professional of outstanding character and capability. I am confident that he will make valuable contributions to the Pecan Valley Resort project.

Please contact me should you require any additional information.

Sincerely,

Enoch Barlow 7-11-24

Enoch Barlow
Founder- CEO
In & Out Pools

SET THE STAGE
SOUTHERN UTAH

7/9/2024

To City of Hurricane,

First off, thank you for your consideration. I am very excited to see this project come to life. From the time I met Chris, I was fascinated with his potential opportunity and vision. Since this time, I have been routing him on and would love to write a letter of recommendation regarding Chris Wyler.

I originally met Chris at the beginning of 2023. I was immediately attracted to Chris' overall demeanor and sense of vision for the greater good of the Pecan Valley area. We have become well acquainted through our business interactions at Set the Stage of Southern Utah along with frequent visits to the area. Chris demonstrates integrity, dedication, and a commitment to excellence in all his endeavors, and I am grateful to be a part of it.

Chris's character is reflected in his honest and transparent interactions with the people around him. I have witnessed interactions along the way and admire his execution to on his commitments. His leadership style creates a collaborative work environment, motivating team members to perform at their highest potential. The team at Pecan Valley is the best in class and continues to do amazing work!

One thing I admire about Chris is he has developed and maintained strong client relationships, resulting in successful partnerships and long-term collaborations. His commitment to continuous learning and professional growth is both notable and advantageous. I personally know Chris is involved in different Mastermind groups and other growth-related activities. As a professional, this trait is one that makes me confident in his ability to execute and fulfill his vision.

Thank you for your consideration

Sincerely,

Spencer Smith

SET THE STAGE of Southern Utah
801.573.7600

SET THE STAGE

Straight Line Plumbing

Bart Taylor
7940 N Sapphire trl
St. George UT 84770
barttaylor@str8line.net
435 632 9378
07/09/2024

To Whom It May Concern,

I am writing to wholeheartedly recommend Chris Wyler. I have had the pleasure of knowing Chris for a number of years in both a personal and professional capacity, and I can confidently attest to his exceptional character and integrity.

Chris has consistently demonstrated a strong commitment to his community and has been an active participant in numerous local initiatives. His dedication to civic engagement and his willingness to volunteer his time and resources for the betterment of our community are truly commendable. Chris has a genuine passion for helping others, which is evident in the positive impact he has made on those around him.

In his professional endeavors, Chris is known for his reliability, diligence, and strong work ethic. He approaches every task with enthusiasm and a can-do attitude, ensuring that he delivers high-quality results. His problem-solving skills and ability to work collaboratively with others make him a valuable asset in any team setting.

On a personal level, Chris is a person of high moral standards and integrity. He is honest, trustworthy, and always strives to do the right thing. His respectful and compassionate nature makes him a well-liked and respected member of our community.

In summary, Chris Wyler possesses the qualities and character that make him an outstanding candidate for any role or responsibility. I have no doubt that he will continue to contribute positively and be a great asset to the community. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,

Bart Taylor

Bart Taylor



PECAN VALLEY
RESORT



COCKTAILS

CLASSIC MOJITO
Rum infused with fresh lime, mint and sugar. — $12

ROYAL MARTINI
Freshly brewed espresso mixed with rum and lime. — $14

RASPBERRY MOJITO
Rum stirred with raspberry, fresh mint, lime and sugar. — $12

DAIQUIRI
Rum, lemon juice and sugar mixed with apple. — $12

RETRO MARGARITA
Tequila, lime juice, rum with pinch of salt. — $13

DRY FRUIT MOJITO
Vodka mixed with sugar and dry fruits — $13

CLASSIC MARGARITA
Tequila mixed with sugar and lime — $13

WHISKEY

MANHATTAN
White rum mixed with whiskey and sugar. — $15

WHISKEY SOUR
Fresh lemon juice infused premium whiskey and lime. — $16

BOURBON FLIP
Premium whiskey, lime mixed with sugar syrup. — $16

OLD FASHIONED
Brown sugar, lime and sugar mixed with whiskey. — $15

PAPER PLANE
Premium whiskey mixed with lime and sugar. — $16

GIN FIZZ
Premium gin mixed with sugar syrup — $13

GIM GIMLET
Premium gin with lime and tequila — $13

BEER

DOMESTIC $8

IMPORTED $8

Menu

STARTERS

Nachos $13
Corn tortilla chips smothered in creamy queso, pico, pickled jalepenos and topped with Crema

Chicken Fajita Quesadillas $11
Homemade tortillas stuffed with grilled onions, chicken, bell peppers and mixed cheese

Deep Fried Pickles $9
Crispy, dill pickles served with homemade ranch

Boneless Tenders $12
5 Tenders doused in your favorite sauce - Plain, BBQ, Garlic Parm, Buffalo, Habanero

Nachos on Waffle Fries $12
Try our famous Nachos served on waffle fries for some extra flavor

Mozzerella Sticks $9
5 cheese sticks served with homemade ranch or marinara sauce

Chips and Guacamole $12
Try our chips served with homemade guacamole and a side of fresh salsa for a special treat

6 Wings $10
Perfectly seasoned and friend wings served in your favorite sauce - Plain, BBQ, Garlic Parm, Buffalo, Habanero

10 Wings $15

20 Wings $25

PIZZAS

$12
One Topping
Classic pizza made with your favorite single topping

$18
Meat Lovers
Classic cheese pizza topped with bacon, chicken, pepperoni, and sausage
- Make it Supreme for $1.50

$18
Hawaiian
Chicken, bacon, red onion, mozz cheese, and grilled pineapple

Ask us about our healthy options. Upgrade to the cauliflower crust for $4

EXTRA TOPPINGS $1 EACH

Pepperoni
Sausage
Bacon
Chicken
Black Olives
Onion
Bell Peppers
Mushroom
Pineapple
Tomato
Extra Cheese

PECAN VALLEY
RESORT

Menu

SPECIALTIES

Comes with your choice of 2 sides -
Mashed Potatoes, Green Beans, Side Salad, Waffle Fries, Green Beans, Steamed Veggies

Famous Hamburger Steak $22
A half pound freshly ground beef hand-pressed and seared to perfection.. Covered in brown or white gravy, grilled onions and mushrooms

Chicken Fried Steak $23
Hand battered steak deep fried and topped with homemade cream gravy.

Chicken Fried Chicken $22
Hand breaded chicken breast deep fried and topped with homemade cream gravy

Pan Seared Chicken $21
Hand seasoned chicken breast pan seared to perfection

Fried Fish $18
Fried fish hand battered and served with our special homemade sauce

BURGERS

Burgers are 1/2 lb fresh meat hand pressed and cooked to a perfect temperature. Served on House bun with fries.

The Original $16
Your favorite burger made with melted cheddar, lettuce, tomato, onion, and pickles

Bacon Burger $17
Take our famous classic burger and add some thick cut bacon for the perfect pairing. Add Homemade guac for $1.00

Buffalo Ranch Chicken Burger $16
Hand breaded chicken breast deep fried and topped with our house ranch and Buffalo sauce

Menu Item Name

$12
This is a description of the item on the menu. List all of the ingredients and details here.

SALADS

$15
House Salad
Our house salad of mixed greens, bacon, tomatoes, sliced red onions, shredded cheese, and croutons

$16
Caesar Salad
Green leaf lettuce topped with Parmesan cheese, croutons, and caesar dressing

$16
Wedge Salad
Lettuce wedge served with all the sides of our house salad

Add bacon or grilled or crispy chicken to any salad for $3

Dressings: Ranch, Caesar, Blue Cheese, House Vinaigrette, Raspberry Vinaigrette, Honey Mustard

KIDS MENU

Hot Dog	$8
Grilled Cheese	$7
Cheese Burger	$8
Chicken Strips	$7

DRINKS

Fountain Drink	$2
Homemade Tea	$2
Homemade Lemonade	$2
Coffee	$3

PECAN VALLEY
RESORT

Pecan Valley Resort

Safe Alcohol Mission Statement

Introduction

Pecan Valley Resort Amenities aims to provide a customer experience that fosters safety, fun, and recreation for families. We offer a variety of activities to create a fun, inclusive environment. These include indoor golf simulators, an arcade, a restaurant, an amenity waterpark, live bands, playgrounds for kids, and additional amenities as the resort grows. Pecan Valley strives to maintain an upscale resort ambiance where safety and enjoyment are our top priorities.

In the Beach House area, where these amenities are provided, we aim to offer a full restaurant experience, including alcohol service. Alcohol will be served only with food and to seated guests. Alcohol consumption will always be accompanied by food and will not be allowed in areas where guests can walk around with alcohol or consume it without food.

Pecan Valley is committed to adhering to the guidelines set forth by the Utah Department of Alcoholic Beverage Services and maintaining even higher standards. This commitment ensures a safe environment for our guests, resort, and staff, making our community proud.

Outlined below are the steps Pecan Valley will take to uphold our commitment to excellence.

Steps to Excellence

1. Staff Age Requirement

All alcohol serving staff will be 21 years or older to ensure maturity and responsibility in handling

alcohol.

2. Seller-Server Certification

All staff will complete their responsible Seller-Server certification class before beginning work, ensuring they are well-trained in safe alcohol service.

3. Management Training

All management involved in any part of our operations will take the Utah DABS Alcohol Manager Class to ensure top-level compliance and understanding of alcohol service regulations.

4. Monthly Onsite Training

Onsite training will be held monthly to ensure all standards are being met and staff are updated on any new regulations or practices.

5. 10 Steps to Alcohol Service

All staff members will sign the 10 Steps to Alcohol Service document, which outlines our commitment to responsible service. This document is available for your viewing.

6. Public Posting of Standards

We will post our 10 Steps to Alcohol Service in all areas where alcohol is served, making our standards clear and visible to all guests.

7. Responsible Alcohol Service Plan

We have created a comprehensive Responsible Alcohol Service Plan, available for your viewing, which details our policies and procedures for safe alcohol service.

8. Random Audits

We will conduct random audits of our alcohol operations to ensure all standards are being met or exceeded at all times, maintaining the highest level of service and safety.

PECAN VALLEY RESORT

Title: Responsible Alcohol Service Plan for Pecan Valley Resort Amenities

Introduction: This plan outlines strategies for promoting responsible alcohol service to ensure the safety and well-being of patrons, staff, and the community.

1. Staff Training:
    - Comprehensive training on local alcohol laws, signs of intoxication, and refusal techniques.
    - Regular refresher courses and certification requirements.
2. Identification and Age Verification:
    - Strict ID checking for patrons appearing underage.
    - Acceptance of only government-issued IDs with photo and date of birth.
3. Monitoring and Limiting Consumption:
    - Active observation for signs of intoxication.
    - Policies to limit drinks served per individual.
    - Offering non-alcoholic beverage options.
4. Intervention and Assistance:
    - Responsible intervention for intoxicated patrons.
    - Confident and respectful refusal of service.
    - Designated staff for handling intoxicated patrons.
5. Alternative Transportation:
    - Arranging taxis or ride-sharing services for intoxicated patrons.
    - Providing information on public transportation options.
    - Encouraging the use of designated driver programs.
6. Community Engagement:
    - Collaboration with law enforcement agencies.
    - Participation in community education programs.
    - Creating a supportive environment for seeking assistance.
7. Evaluation and Improvement:
    - Regular assessment through staff feedback and incident reports.
    - Adjustments and enhancements based on evaluation findings.
    - Commitment to continuous improvement in responsible alcohol service practices.

Conclusion: By implementing these measures, we aim to create a safe and enjoyable environment while fulfilling our responsibility for responsible alcohol service.

10 Steps To Responsible Alcohol Service

Pecan Valley is committed to the responsible service of alcoholic beverages. In accordance with this commitment, all employees are required to follow the procedures outlined below.

1. No employee will serve an alcoholic beverage to anyone under the age of 21. Further, it is the policy of Pecan Valley that no one be served alcoholic beverages which are intended to be given to a person under the age of 21.
2. All employees will carefully check identification of anyone who appears to be under 30 years of age
    a. Acceptable documentation is a valid governmentally issued driver's license with a photo or a photo ID issued by a government agency.
    b. The employee will carefully check the identification to determine its authenticity. A manager should be informed if there is any appearance of forgery or tampering.
    c. In the absence of authentic identification, or in the case of double, the employee will refuse service of alcoholic beverages to the customer.
3. No employee will serve an alcoholic beverage to anyone who is or appears to be intoxicated.
4. No employees will serve alcoholic beverages to anyone to the point of intoxication.
5. It is the employee's responsibility to notify a manager when a customer shows signs of intoxication or is requesting alcoholic beverages above the limits of responsible beverage service.
6. Any intoxicated customer wishing to leave the establishment will be urged to use alternative transportation provided or arranged by the establishment.
7. All employees are obligated to inform law enforcement authorities when intervention attempts fail.
8. No employees will drink alcoholic beverages while clocked in or in uniform.

9. No employee will serve a single customer no more than two opened alcoholic drinks at one time.
10. All employees who serve/sell alcoholic beverages will successfully complete a Utah DABS approved seller/server training course prior to beginning employment, and will renew prior to expiration of their training certification.

The sale/service of alcoholic beverages should not be a routine! It is one of the few legal products you can sell that could put you in jail

THE MANAGEMENT FULLY SUPPORTS THESE POLICIES AND WILL STAND BEHIND OUR EMPLOYEES IN THEIR DECISIONS TO PROMOTE RESPONSIBLE SERVICE.

Employee Name:_____ Employee Signature:_____

License/Pe	Historical P	Category N	Type	Business N	Address	County	Original Iss	Conditional
RF-1	RE00018	On-Premis	Restaurant	BIT AND S	1212 ZION	Washingtor	20-Dec-85	No
RF-135	RE01713	On-Premis	Restaurant	OLIVE GAI	1340 E 17(	Washingtor	23-Feb-07	No
RF-138	RE01722	On-Premis	Restaurant	TEXAS RO	2654 E RE	Washingtor	30-Mar-07	No
RF-166	RE01859	On-Premis	Restaurant	SPOTTED	428 ZION F	Washingtor	28-Jan-09	No
RF-184	RE01924	On-Premis	Restaurant	DON PEDF	1004 W RE	Washingtor	27-Oct-09	No
RF-196	RE01990	On-Premis	Restaurant	SAKURA J	81 N 1100	Washingtor	24-Feb-11	No
RF-198	RE02002	On-Premis	Restaurant	PEPPER'S	144 W BRI	Washingtor	24-Feb-11	No
RF-211	RE02076	On-Premis	Restaurant	GEORGE'S	2 W ST GE	Washingtor	28-Feb-12	No
RF-243	RE02179	On-Premis	Restaurant	ANASAZI S	1234 W SU	Washingtor	26-Feb-13	No
RF-245	RE02194	On-Premis	Restaurant	FISH ROCI	1585 W LE	Washingtor	29-Apr-13	No
RF-248	RE02203	On-Premis	Restaurant	BUFFALO '	221 S RIVE	Washingtor	24-Jun-13	No
RF-251	RE02213	On-Premis	Restaurant	COURTYA	185 S 147(	Washingtor	30-Jul-13	No
RF-264	RE02267	On-Premis	Restaurant	RED ROBI	640 W TEL	Washingtor	########	No
RF-276	RE02309	On-Premis	Restaurant	RED LOBS	263 N RED	Washingtor	28-Oct-14	No
RF-300	RE02397	On-Premis	Restaurant	HOLIDAY I	1808 S CR	Washingtor	26-Jan-16	No
RF-309	RE02416	On-Premis	Restaurant	KING'S LAI	1515 ZION	Washingtor	29-Mar-16	No
RF-332	RE02483	On-Premis	Restaurant	KORAL KA	2400 N TO'	Washingtor	31-Jan-17	No
RF-336	RE02503	On-Premis	Restaurant	CAFE SAB	290 E ST G	Washingtor	25-Apr-17	No
RF-340	RE02513	On-Premis	Restaurant	OUTBACK	250 N RED	Washingtor	########	No
RF-349	RE02533	On-Premis	Restaurant	PORTER'S	897 ZION F	Washingtor	27-Jun-17	No
RF-36	RE00848	On-Premis	Restaurant	SWITCHBA	1149 ZION	Washingtor	26-Apr-96	No
RF-364	RE02566	On-Premis	Restaurant	APPLEBEE	156 S RIVE	Washingtor	31-Oct-17	No
RF-373	RE02599	On-Premis	Restaurant	HYATT PL/	1819 S 12(	Washingtor	19-Dec-17	No
RF-38	RE00916	On-Premis	Restaurant	ZION LOD(	7 ZION PA	Washingtor	28-Jun-96	No
RF-382	RE02614	On-Premis	Restaurant	WING NUT	250 N RED	Washingtor	27-Feb-18	No
RF-420	RE02680	On-Premis	Restaurant	THE GRILL	5662 W CL	Washingtor	28-Aug-18	No
RF-423	RE02685	On-Premis	Restaurant	GURU'S SI	1091 N BL	Washingtor	25-Sep-18	No
RF-47	RE01107	On-Premis	Restaurant	PANCHO &	1050 S BL	Washingtor	23-Oct-98	No
RF-480	RE02781	On-Premis	Restaurant	ANTHERA	281 ZION F	Washingtor	24-Sep-19	No
RF-482	RE02784	On-Premis	Restaurant	PIG'S EAR	75 N 2000 '	Washingtor	27-Aug-19	No
RF-521	RE02839	On-Premis	Restaurant	BALCONY	370 W HW'	Washingtor	31-Mar-20	No
RF-550	RE02879	On-Premis	Restaurant	CAFE FEE	2 W ST GE	Washingtor	27-Oct-20	No
RF-551	RE02880	On-Premis	Restaurant	BLUES KA	307 N BLU	Washingtor	27-Oct-20	No
RF-571	RE02906	On-Premis	Restaurant	JACK'S SP	1149 ZION	Washingtor	30-Mar-21	No
RF-572	RE02907	On-Premis	Restaurant	DULIVIA R	1149 ZION	Washingtor	30-Mar-21	No
RF-579	RE02915	On-Premis	Restaurant	CAMP OU	709 ZION F	Washingtor	27-Apr-21	No
RF-593	RE02933	On-Premis	Restaurant	FEELLOVE	1101 ZION	Washingtor	22-Jun-21	No
RF-628	RE02982	On-Premis	Restaurant	ST HELEN	395 E TEL	Washingtor	21-Dec-21	No
RF-631	RE02986	On-Premis	Restaurant	BIGSHOTS	1108 W BL	Washingtor	25-Jan-22	No
RF-645	RE03002	On-Premis	Restaurant	CASA TEQ	545 N MAI	Washingtor	29-Mar-22	No
RF-65	RE01341	On-Premis	Restaurant	DON PEDF	567 S VALI	Washingtor	26-Sep-01	No
RF-666	RE03028	On-Premis	Restaurant	LONGHOR	1333 S AU'	Washingtor	########	No
RF-678	RE03041	On-Premis	Restaurant	MAZATLAN	1141 W ST	Washingtor	26-Jul-22	No
RF-698	RE03064	On-Premis	Restaurant	WHIPTAIL	445 ZION F	Washingtor	25-Oct-22	No
RF-71	RE01348	On-Premis	Restaurant	CHILI'S (S	311 N RED	Washingtor	31-Oct-01	No
RF-713	RE03084	On-Premis	Restaurant	RIB & CHC	1677 S CO	Washingtor	20-Dec-22	No
RF-714	RE03085	On-Premis	Restaurant	XETAVA G	815 N COY	Washingtor	20-Dec-22	No
RF-724	RE03095	On-Premis	Restaurant	LA FONDA	82 N CORA	Washingtor	26-Jan-23	No
RF-727	RE03098	On-Premis	Restaurant	OVATION /	1525 E OV	Washingtor	26-Jan-23	No
RF-730	RE03101	On-Premis	Restaurant	ZION CAN'	95 ZION P/	Washingtor	23-Feb-23	No
RF-735	RE03106	On-Premis	Restaurant	KAISEKI SI	1770 E RE	Washingtor	27-Apr-23	No

RF-736	RE03107	On-Premis	Restaurant	GURUS SF	4210 S BL	Washingtor	23-Feb-23	No
RF-759	RE03134	On-Premis	Restaurant	SILVER RE	4391 S EN	Washingtor	29-Jun-23	No
RF-766	RE03143	On-Premis	Restaurant	PAINTED F	2 W ST GE	Washingtor	########	No
RF-774	RE03152	On-Premis	Restaurant	AUTO CAM	1322 E HW	Washingtor	########	No
RF-779	RE03159	On-Premis	Restaurant	LOS TAPA	987 S BLU	Washingtor	29-Jun-23	No
RF-781	RE03161	On-Premis	Restaurant	BLOOMIN(	3174 S BL(	Washingtor	29-Jun-23	No
RF-792		On-Premis	Restaurant	Stage Coa	99 N STAT	Washingtor	31-Aug-23	No
RF-823		On-Premis	Restaurant	Green Igua	250 N RED	Washingtor	30-Nov-23	No
RF-848		On-Premis	Restaurant	Tias Resta	1812 W SU	Washingtor	25-Jan-24	No
RF-870		On-Premis	Restaurant	Ahis Fresh	157 E RIVE	Washingtor	28-Mar-24	
RF-872		On-Premis	Restaurant	Wild Thym	2501 ZION	Washingtor	25-Apr-24	No
RF-90	RE01461	On-Premis	Restaurant	ERNESTO'	929 W SUN	Washingtor	########	No

New This Month?
Existing
Existing
Existing

Existing
Existing
Existing
Existing
Existing
Existing
Existing
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Existing
Existing
Existing

Utah Full-Service Restaurant Liquor License Laws and Rules

Overview

Utah's full-service restaurant liquor licenses allow the sale of all types of alcoholic beverages (beer, wine, spirits) with meals. The Utah Department of Alcoholic Beverage Control (DABC) oversees these regulations.

Key Requirements

Eligibility and Application Process

Age

Applicants must be at least 21 years old.

Background Check

Required for all applicants.

Documentation

Submit a detailed business plan, floor plan, and financial statements.

Local Approval

Obtain approval from the local city or county before applying at the state level.

Operational Rules

Service Hours

Alcohol can be served from 11:30 AM to Midnight.

Food Service

Alcohol must be served with a substantial food order; food sales must be the primary source of revenue.

Dispensing Area

Alcoholic beverages must be prepared in a separate area from the dining space.

Certified Servers

Only certified servers can dispense alcohol.

Minors

Minors are not allowed in the bar area where alcohol is dispensed.

Training

Employee Training

All employees serving alcohol must complete an approved alcohol training and education seminar.

Compliance and Enforcement

Inspections

Regular inspections by the DABC to ensure compliance.

Record Keeping

Maintain detailed records of alcohol purchases and sales.

Penalties

Violations can result in fines, suspension, or revocation of the liquor license.

Important Points

Alcohol must be served with food.

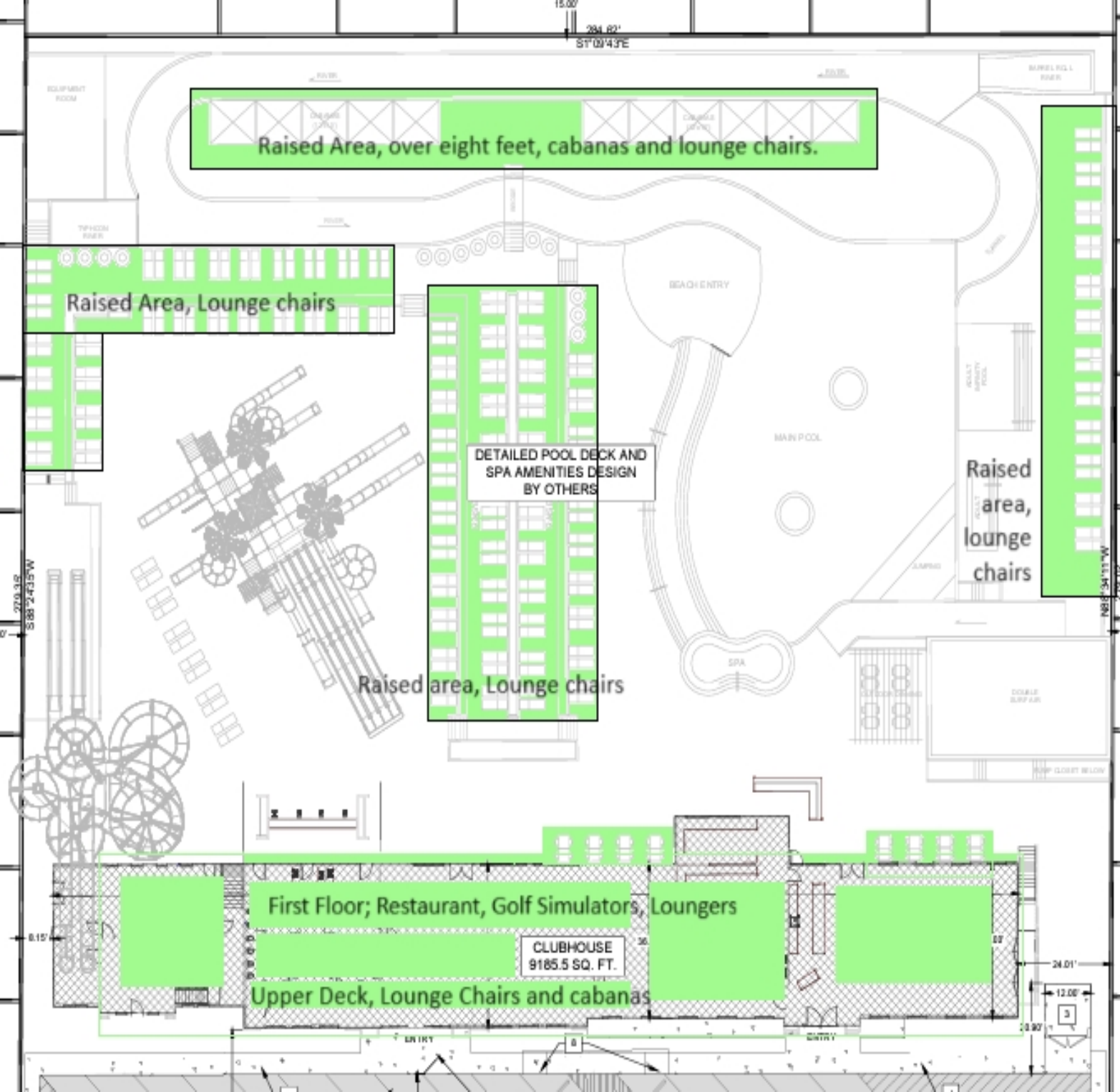
Servers must be trained and certified.

The area for alcohol preparation must be separate from the dining area.

Adherence to operational hours and meticulous record-keeping is mandatory.

Conclusion

Obtaining a full-service restaurant liquor license in Utah requires strict adherence to the DABC's rules and regulations. The process involves thorough preparation, including background checks, server training, and ongoing compliance with operational guidelines. Regular inspections and strict enforcement of these rules ensure that licensed establishments maintain high standards.


Raised Area, over eight feet, cabanas and lounge chairs.
Raised Area, Lounge chairs
DETAILED POOL DECK AND SPA AMENITIES DESIGN BY OTHERS
Raised area, lounge chairs
Raised area, Lounge chairs
First Floor; Restaurant, Golf Simulators, Loungers
CLUBHOUSE 9185.5 SQ. FT.
Upper Deck, Lounge Chairs and cabanas

FULL-SERVICE RESTAURANT LIQUOR LICENSE
Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission (1) to issue an on-premise alcohol license for a person to store, sell, offer for sale, furnish, or allow the consumption of an alcoholic product on the premises of the applicant.

AUTHORITY: Utah Code 32B-1-202; 32B-5-201, 203, 205 and 206

Hurricane City, ☑ City ☐ Town ☐ County
Local business license authority

hereby grants its ***conditional*** consent to the issuance of a full-service restaurant liquor license to:

Business Name (DBA): PV Resort Amenities

Entity Name (or owner's name if sole proprietor): Chris Wyler

Location Address: 2431 S 5210 West

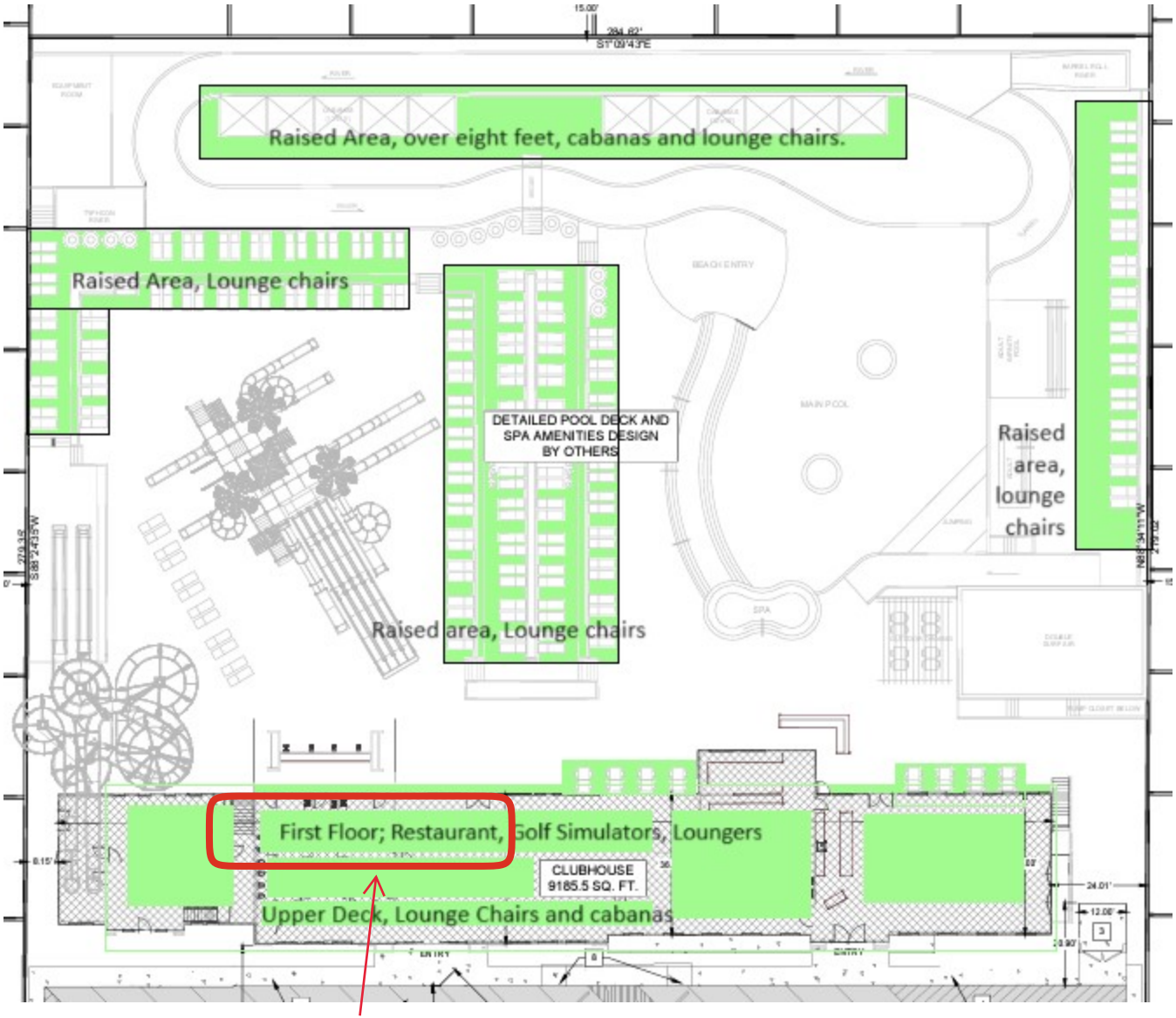
Hurricane City's local consent is limited to the "First Floor Restaurant" as shown on the attached drawing.

Authorized Signature

Nanette Billings/Mayor
Name/Title

8/15/2024
Date

This is a suggested format. A locally produced city, town, or county form is also acceptable.
The local consent must be submitted to the DABC by the applicant as part of a complete application.



Hurricane City's local consent is limited to the First Floor Restaurant as shown above.

HURRICANE CITY
UTAH

STAFF COMMENTS

Discussion regarding public infrastructure and possible approval to move forward with a **power line extension** to the area south of Sky Ranch - Mike Vercimak and Scott Hughes

Discussion:
August 15, 2024 Summary:
This item was continued at the last meeting with directions for staff to obtain additional information regarding the timeline of potentially providing needed infrastructure and services to the area.

August 1, 2024 Summary:
This item was heard at the May 16, 2024, meeting where it was continued with the direction to the Public Works Director to provide a report on the status of other infrastructure and services in the area south of Sky Ranch. Mike Vercimak has prepared that report, and it is available in the packet. It was continued at the previous meeting due to staff not being present. - Cindy Beteag

On the south side of Sky Ranch we have 5 individual entities that have made application to the Power Department and Power Board for a line extension. High Desert Ranch, Sky Ranch Ph. 6, Moccasin Flats Lot 19, Solaroca and the Hurricane Water Department. In reviewing a line extension, we have taken into consideration the available capacity as well as the physical infrastructure. Both are currently lacking for all besides the Water Dept. We have reserved capacity for them, but they still lack adequate infrastructure. The Power Dept. has preliminarily looked at options to extend power to these 5 entities and believe that it is possible. It would require a substantial amount of infrastructure upgrades and new installations. The Power Dept. staff and Power Board have recommended approval of the extensions as a joint project with the following conditions. First, all easements are obtained by the entities, prior to final approval of the project. Second, all estimated costs are paid in advance of starting the project with the caveat that if the project ends up costing more than the estimate the parties agree to pay additional expense, pro rata, to cover the full cost and if the project ends up costing less than the estimate the parties will be reimbursed according to their pro rata share. And third, that the parties will sign a contract with the City that covers all the terms of the agreement including that all the money will be paid up front or the project is not approved. If the Council were to approve the extensions with these conditions, the Power Dept. could finalize the designs and cost estimates and finalize the contracts with Legal. Then if all conditions are fulfilled, bring the contracts back to the Council for final signatures.
For additional helpful information please see the attached documentation for a map and brief history of the power capacity issues out south of town. Also, if you have any questions, please feel free to reach out to Scott Hughes.

City Attorney Comment:
When considering a request for a power line extension, HCC 8-4-3 states that “The City Council may grant or deny the request as in its discretion deemed best for the welfare of existing power users in the City.” When considering requests to extend power lines into new areas of the City, it is recommended that the Council also consider the feasibility and appetite of providing other necessary services and utilities to the new area. Allowing a developer to extend power lines to a new development area will create an expectation that other services and utilities to support development will also be made available.

Findings:

Recommendation:

Attachments:
1. History
2. Map
3. 046-01-2024-04 High Desert Ranch Water Analysis First Review Memo 2024-05-09
4. Re Desert Ranch Water Analysis
5. Report from Public Works
6. Utility Report supplemental

Capacity History South of Town

Mid to Late 2021 -

Raised flag of low capacity on CW-101

Circuit CW-101 study - Sept. 2021

Study found that with mods- 550 units available

Late 2021

Started working on substation property and routes for transmission

Throughout 2022

Analyzed existing projects with current entitlements

Assigned projects with signed CD's as Cap. Proj. 1.0

These projects equalled 528 units

Cap. Proj. 1.0 did not require any substantial infrastructure upgrades

5 developments received Preliminary Plat approvals

Hurricane Fields Estates Ph. 4-8

The Views at Hurricane Cliffs Ph. 1-2

Horseman's Edge

Cordero Ph.2

Cordero Ph.3

Late 2022 or Early 2023

2 developments were denied PP because of lack of adequate infrastructure

Desert Sky Estates

Southern Dunes Town Homes

Early 2023

Desert Sky and Southern Dunes invited back to CC and approved PP with the condition that Power Dept. staff would not sign CD's until the "inadequate infrastructure" issue was resolved.

Same night, Bench Lake Town Homes received PP with the same condition

Early to mid 2023

Circuit CW-103 study

Option to increase capacity on CW-103 by 767 units with additional infrastructure and upgrades

Additional option with connecting to Three Falls Substation(under construction) could provide an additional 333 units with additional infrastructure

Together; provided option of additional 1100 units

8 projects mentioned would need 1048 units

Mid to late 2023

Options presented to 8 projects and CC as Cap. Proj. 2.0 with terms

All easements would first have to be in place

Secured final needed easements from Scott Stratton

Every project would have to have deposited the estimated funds in the City's account

Term of reconcilliation after project completion could mean added cost for developer or reimbursement of any unused funds

Contracts have to be signed by all developers and the City

All agreed, signed the contracts, and the 8 projects deposited their portions to the City

City agreed to not withold CD signatures for "inadequate infrastructure" and complete infrastructure upgrades within 2 years

Late 2023 - present

Multiple developments have continued to ask for power capacity

Somewhere north of 2000 units

Capacity Project 1.0

Project	Units
Moccasin Flats	19
Copper Rock	21
Golf View Estates	62
Pebble Beach	21
Rock View Estates	30
North Slope Ph. 1	58
North Slope Ph. 2	48
North Slope Ph. 3&4	87
Cordero Ph. 1	37
Total Units	383

Capacity Project 1.1

Project	Units
Hurr. Fields Ph. 1-3	35
Rock Hollow	53
Cactus Creek Storage	1
Southern Shores	56
Total Units	145

Capacity Project 2.0

Project	Units
Hurr. Fields Ph. 4-8	56
Horseman's Edge	60
Bench Lake TH	200
Hurricane Cliffs	60
Desert Sky	73
Southern Dunes	345
Cordero Ph. 2	40
Cordero Ph. 3	214
Total Units	1048

Capacity Project 2.1

Project	Units
Sky Ranch Ph. 6	28
High Desert Ranch	20
Total Units	48

Capacity Project 2.2

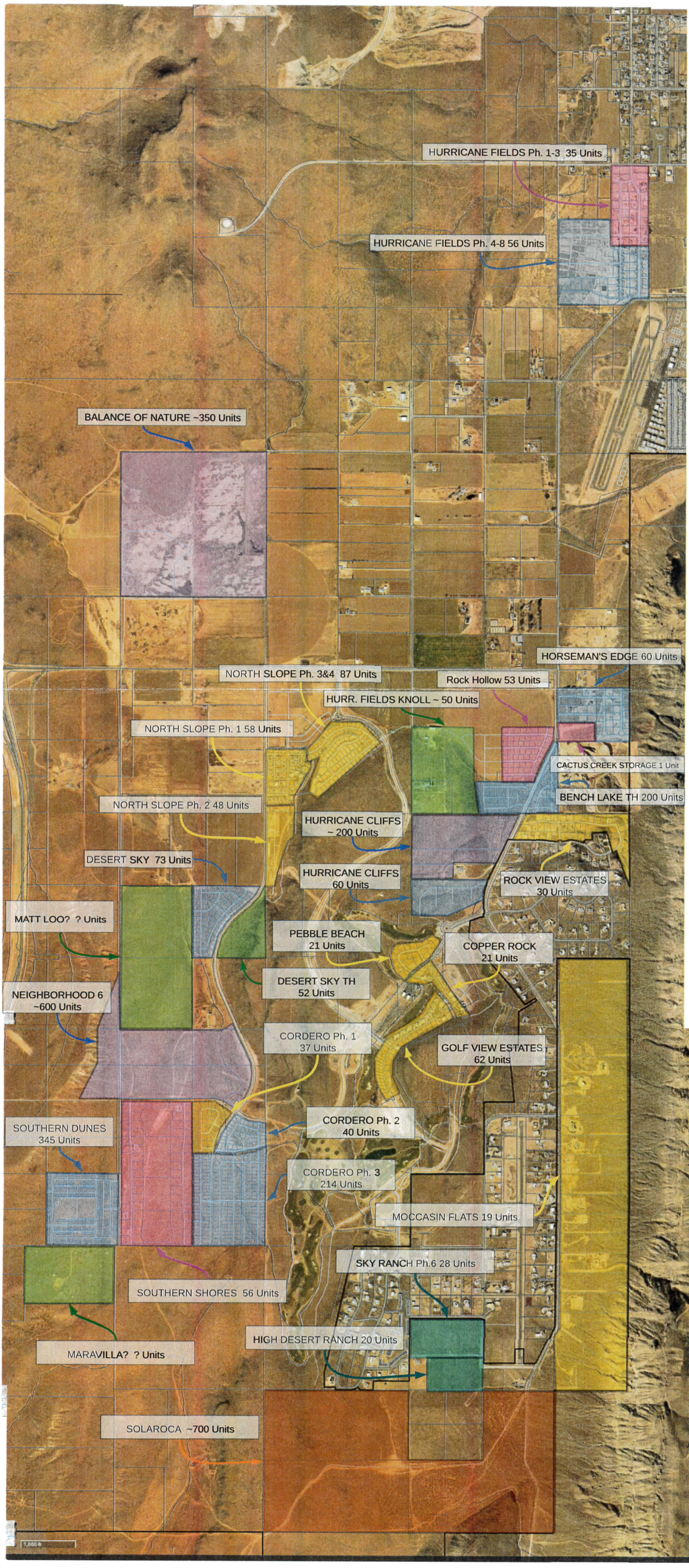
Project	Units
Solaroca	700
Total Units	700

Capacity Project 3.0

Project	Units
Neighborhood 6	600
Balance of Nature	350
Hurricane Cliffs	200
Total Units	1150

Capacity Project 4.0

Project	Units
Hurricane Fields Knoll	50
Desert Sky TH	52
Matt Loo	?
Maravilla	?
Total Units	?



ALPHA ENGINEERING
43 South 100 East, Suite 100
St George, Utah 84770
T 435.628.6500
F 435.628.6553
alphaengineering.com

May 9, 2024

Hurricane City Water Department
Attention: Ken Richins
646 West 600 North
Hurricane, Utah 84737

Re: High Desert Ranch Water Analysis

Dear Ken:

As requested, we have performed a hydraulic analysis in the vicinity of the proposed High Desert Ranch subdivision located on parcel H-3403-K. As you are aware the proposed subdivision is within the Hurricane City municipal boundary. The Hurricane Valley Water System (HVWS), which is owned and operated by the Washington County Water Conservancy District (WCWCD) provides service to the properties immediately west and east of the proposed subdivision. The Hurricane City culinary system is east of the proposed subdivision in 1100 West where it ends at the intersection with 4620 South, and north of the proposed subdivision on Torrey Pines Road in the Copper Rock subdivision. An exhibit showing the property and extent of the existing HVWS and City culinary lines is attached with this letter.

As you are aware the southernmost hydrant on the City system on 1100 West was flow tested and produced approximately 1,300 gpm. The hydrant south of the property on the HVWS was also flow tested and produced approximately 1,244 gpm. Note that the City system in this area is currently serviced from the South Fields Tank which has a base elevation of 3580 feet, while the HVWS is served from a separate tank at a base of approximately 3540 feet. The two systems are currently interconnected in two locations to provide looping and supplement flow from one system to another when required.

As the proposed High Desert Ranch subdivision resides in the Hurricane City boundary it will be necessary for the developer to extend the Hurricane City water system to and throughout the subdivision. Section 3.6.4 of the *Hurricane City Standards for Design and Construction* indicates that "the water system shall be looped and valves shall generally be spaced such that a break in any one length of main will put no more than six hundred feet of main, nor more than two fire hydrants out of service…". Section 4.4.1.4.M of the *City Standards* also indicates that dead end mains shall not be installed which exceed 600 feet in length.

Two options were evaluated to provide required fire flow and looping for the proposed development.

The option to connect to the Hurricane City system on 1100 West, and coordinate with the WCWCD and install an additional interconnect between the HVWS and City system was evaluated. It would be necessary that the connection to the HVWS be at an agreed upon location with the developer, City, and WCWCD to meet the above referenced City requirements. This would require the installation of a Pressure Reducing/Sustaining Valve Vault at the interconnect location. The hydraulic analysis shows that with a connection to the City main on 1100 West and an additional interconnect to the HVWS, modeled fire flows will be near 1,300 gpm, similar to the

hydrants flow tested in the area, which is below the required 1,500 gpm. In addition, we understand the WCWCD is not willing to allow another connection to the HVWS at this time.

The option to connect to the Hurricane City system in two locations was evaluated. This would include connection to the Hurricane City system on 1100 West and a connection to the Hurricane City infrastructure in the Copper Rock subdivision to the north of the proposed development. The hydraulic analysis shows that with a connection to the City main on 1100 West and an additional interconnect to the City main on Torrey Pines Road, modeled fire flows will be near 1,800 gpm.

We recommend the developer obtain easements and extend 8" water lines to existing City infrastructure in 1100 West and Torrey Pines Road.

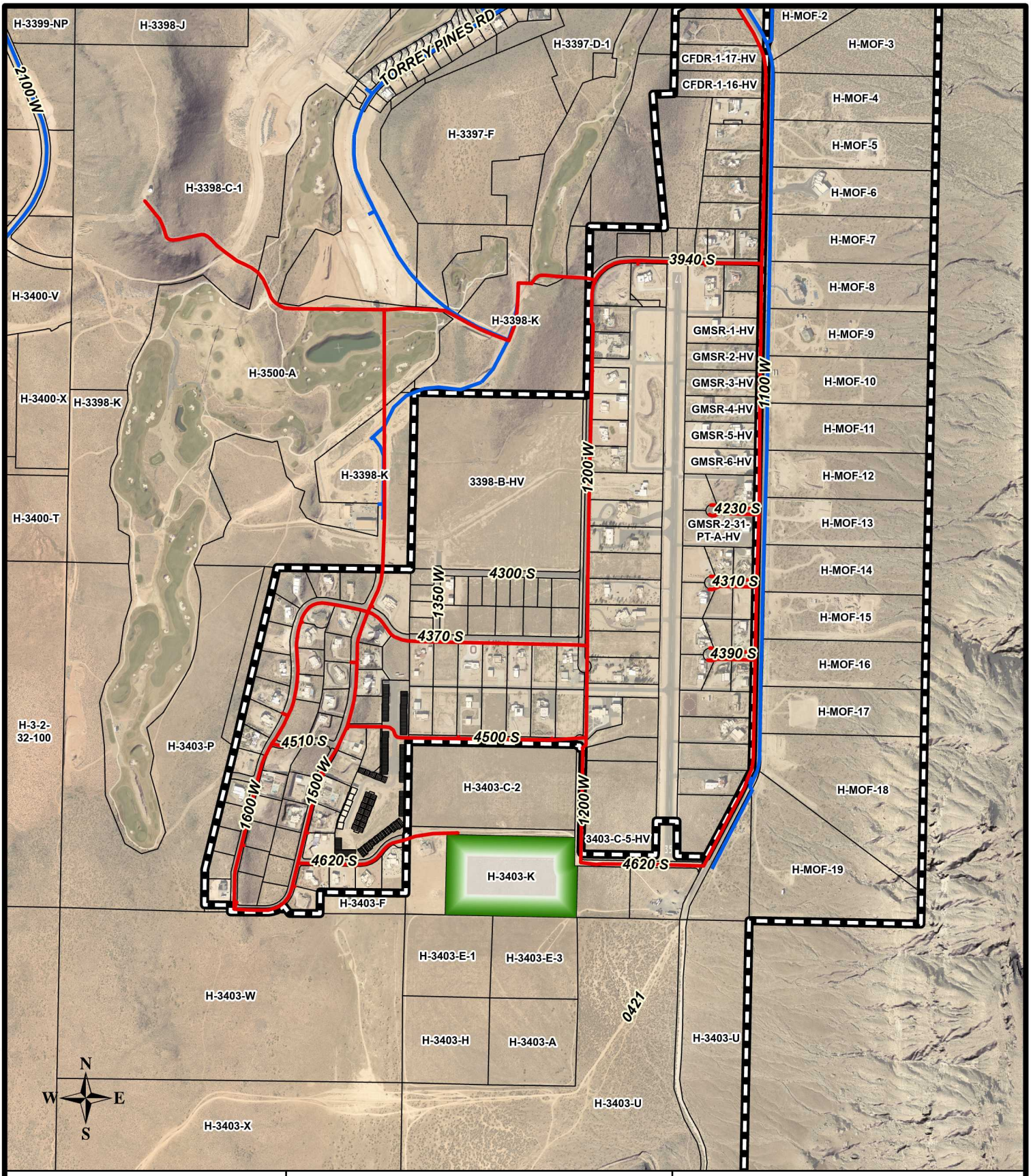
This analysis only includes preliminary hydraulic recommendations for the proposed development and does not address materials and construction design, including valving and hydrants, which we would recommend be reviewed prior to approval of the construction drawings. If you have any questions, please let us know.

Sincerely,



Glen E. Carnahan, P.E.
ALPHA ENGINEERING COMPANY

Encl: Existing Water Mains Exhibit



0 250 500 1,000 1,500

Feet

Legend

- Existing Hurricane City Culinary Main
- Existing Hurricane Valley Water System Main
- Hurricane Municipal Boundary
- High Desert Ranch
- Washington County Parcels

ALPHA ENGINEERING
43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

Existing Water Mains

Sky Ranch Area, Hurricane, Utah

Spatial Reference:	UT83-SF
Drawn By:	JRH
Scale:	1" = 1,000 feet
Date:	April 30, 2024

P:\046-01-2024-04 Grassy Meadows Sky Ranch Water Analysis\Drawings\GIS\ArcPro\046-01-2024-04 ArcPro\046-01-2024-04 ArcPro.aprx, AEBORDER 85x11 Portrait, 4/30/2024 8:41 AM wslack

Cindy Beteag

From: Arthur Lebaron
Sent: Tuesday, May 14, 2024 10:09 AM
To: Kory Wright; Kaden DeMille; Dayton Hall; Cindy Beteag; Nanette Billings; Mike Vercimak; Gary Cupp
Cc: Jeremy Pickering
Subject: RE: I am sharing '046-01-2024-04 High Desert Ranch Water Analysis First Review Memo 2024-05-09' with you

All,

Thanks for sharing this memo. I would like to chime in that the supply to this area many not be sufficient to allow the City to approve any further development. Peak demands in the summertime keep the level in the South Fields tank dangerously low, from what I have heard. I recommend that this issue be addressed in this, and any future review memos that influence our decision-making on approvals for projects that are especially dependent on the South Fields Tank until we can get the Sky Ranch tank and well in service.

Thanks,

Arthur

From: Kory Wright <kwright@hurricane.utah.gov>
Sent: Tuesday, May 14, 2024 8:49 AM
To: Kaden DeMille <kaden@hurricane.utah.gov>; Dayton Hall <dayton@hurricane.utah.gov>; Cindy Beteag <cindy@hurricane.utah.gov>; Nanette Billings <billings@hurricane.utah.gov>; Mike Vercimak <mike@hurricane.utah.gov>; Gary Cupp <gary@hurricane.utah.gov>; Arthur Lebaron <arthur@hurricane.utah.gov>
Subject: I am sharing '046-01-2024-04 High Desert Ranch Water Analysis First Review Memo 2024-05-09' with you

One app for all your Word, Excel, PowerPoint and PDF needs. Get the Microsoft 365 app: https://aka.ms/GetM365

Sent from my Verizon, Samsung Galaxy smartphone
Get Outlook for Android

Utility Report
Bench Lake Area
July 10, 2024

This report covers the area from the south end of Sky Ranch to Hurricane City south boundary on the south, from 1100W to the Hurricane City west boundary on the west, and from the Southern Shores Ski Lake to the Hurricane City south boundary on the North.

The subject properties are currently zoned RA-1 (one unit per acre) or R1-10 (one unit per 10,000 square feet). Most of the property in this area either meets their Future Land Map Use designation or has received a zone change in the past five years.

Approved units in this area (by development) are as follows:

Solaroca:	700 units
Copper Rock:	355 units- by PDO approval
Silver Flats	1145 units assuming normal R1-10 development (zone change is still Pending. (3.5 units per acre)
Calypso Ridge:	362 units assuming normal R1-10 development (3.5 units per acre)
Sand Hollow Mesa- Neighborhood 8	455 units by PDO approval. This project does not entirely lie within the outlined area.
Total approved units:	**3,175**

An additional 233 units may be possible based on Future Land Use Map densities and Surrounding developments.

Grand total of units To be served	**3,408**

The area is only served by one roadway, 1100 West, which is classified as a major collector road with a Right of Way of 70 feet. Major collector streets are designed to accommodate up to 600 units. 1100 West is mostly a prescriptive right of way. Extensive right-of-way acquisition will be required in order to develop the master planned width of 1100 West.

The area is served by a 12-inch waterline on 1100 West. The WCWCD does have a water system in the area, but that system is at or above capacity. At the present time there is insufficient storage capacity in the area to meet fire regulations.

There is no natural gas available in this area. Dominion Energy is actively pursuing easements to allow for the installation of gas mains to serve the area.

Sewer service at this time does not extend to the area outlined. Sewer main lines extend through Copper Rock development but do not actually reach a point of connection to Sky Ranch. An easement through a portion of Copper Rock and a line extension through Sky Ranch would be necessary to serve the area with sanitary sewer on the east side and continuing sewer mains going south on the western side of the area would provide sanitary sewer on the west.

Power capacity for this area is located at the Three Falls substation, but presently, there is insufficient infrastructure to deliver the power. A plan has been presented which would deliver power to this area, but the financial burden will fall on those wishing to develop.

Communication providers in the area did not respond to the brief survey sent out to gather information about their respective utilities, but in general they tend to follow power along the same easements and rights of way.

Storm water is conveyed naturally down existing washes and low places and there is not a storm drain system to service the area. Drainage in this area will tend to flow toward the clay pit ~~located on~~ 3000 south. Provisions to carry the storm water flows are needed in the form of culverts, bridges, open channels, swales and underground storm water facilities.

Hurricane Valley Fire District has concluded that there is inadequate water pressure and fire flows in this area. It is noted that the Hurricane City Water department was able to re-route some water that helped the situation, but it will be insufficient to service the area outlined.

It should also be noted that there is only one access that is available south of 3000 South and per IFC appendix D there must be a minimum of 2 access roads. It should be mentioned that 2100 West and 2400 West serve the area, although they do not currently connect to 1100 West through the subject area.

There is also the need for an additional fire station in the area to meet the present ISO standards for response time. The nearest station to this area is station 41 located at 202 East State Street.

Conclusions

We can summarize the availability of utilities to the area south and west of Sky Ranch as follows:

1. There is insufficient capacity and storage for culinary water in this area until such time as the Sky Ranch well and new 2-million-gallon storage tank are constructed, and supply lines are built to deliver the water.
   The estimated time frame for this to happen is approximately 2 years. This area is in the Water Department master plan for build out of culinary and secondary water systems. All water mains are identified by size. Whenever development

happens, they will be required to install all water mains and storage capacity needed for their development, unless existing capacity is available.

2. Sanitary sewer service will require an easement through the Copper Rock development and a line extension through Sky Ranch to accommodate sewer service on the eastern side of this area. Sewer service on the west side will develop as the sewer mains are constructed from the Southern Shores area going south.

3. Power capacity for this area will come from Three Falls substation located on 1300 South and 1100 West and from a substation located in the Sand Hollow Mesa area. At the present time there is sufficient capacity at the Three Falls substation to supply the area outlined. A new distribution line and off-site infrastructure will need to be provided by anyone wishing to develop in this area, along with providing easements and rights-of-way for such infrastructure.

4. 1100 West, as it now stands, is not capable of providing access to this area at an acceptable level of service. This roadway for the most part is a chip seal road with no pedestrian accommodations. The average improved width is about 26 feet.

   From the entrance to Copper Rock going south to the end of Sky Ranch the area on both sides of the road has been developed and little attention was given to roadway improvements since the road was in the County when most of the development occurred. When the area east of 1100 West was annexed into the city, the road came along with the annexation. There is still a portion of the roadway near the entrance to Copper Rock that is in the County.

   1100 West will require extensive expansion to provide the level of service mandated by a major collector road, including 44 feet of pavement along with designed and acceptable pedestrian routes and adequate drainage facilities.

   There is no second access from the area described. A second access will likely come from a road that loops around the south end of Sky Ranch and ties into 2400 West and back to 3000 South.

5. For orderly development of this area drainage will also need to be considered and accommodated using curb, gutter, underground storm drain, open channels, culverts and bridges. Current drainage in the area is basically allowing flows to use historic drainage channels and crossing these channels with culverts or bridges. This area will ultimately drain to the clay pit on 3000 South.

6. There is currently no natural gas service in this area, but Dominion Energy is actively seeking corridors to extend service to the area. The biggest hurdle faced

by Dominion is the acquisition of rights of way for the installation of gas lines. Natural gas would normally follow the standard location in our street right-of-way cross section, but since much of 1100 West is a prescriptive right-of-way, this hinders the ability for utilities to install their infrastructure. Dominion Energy lists right- of- way acquisitions as their biggest obstacle in serving the area with natural gas.

7. Our partners in communications utilities did not respond to a query about their plans for service in this area. Generally speaking, they follow the development of power either above or underground.

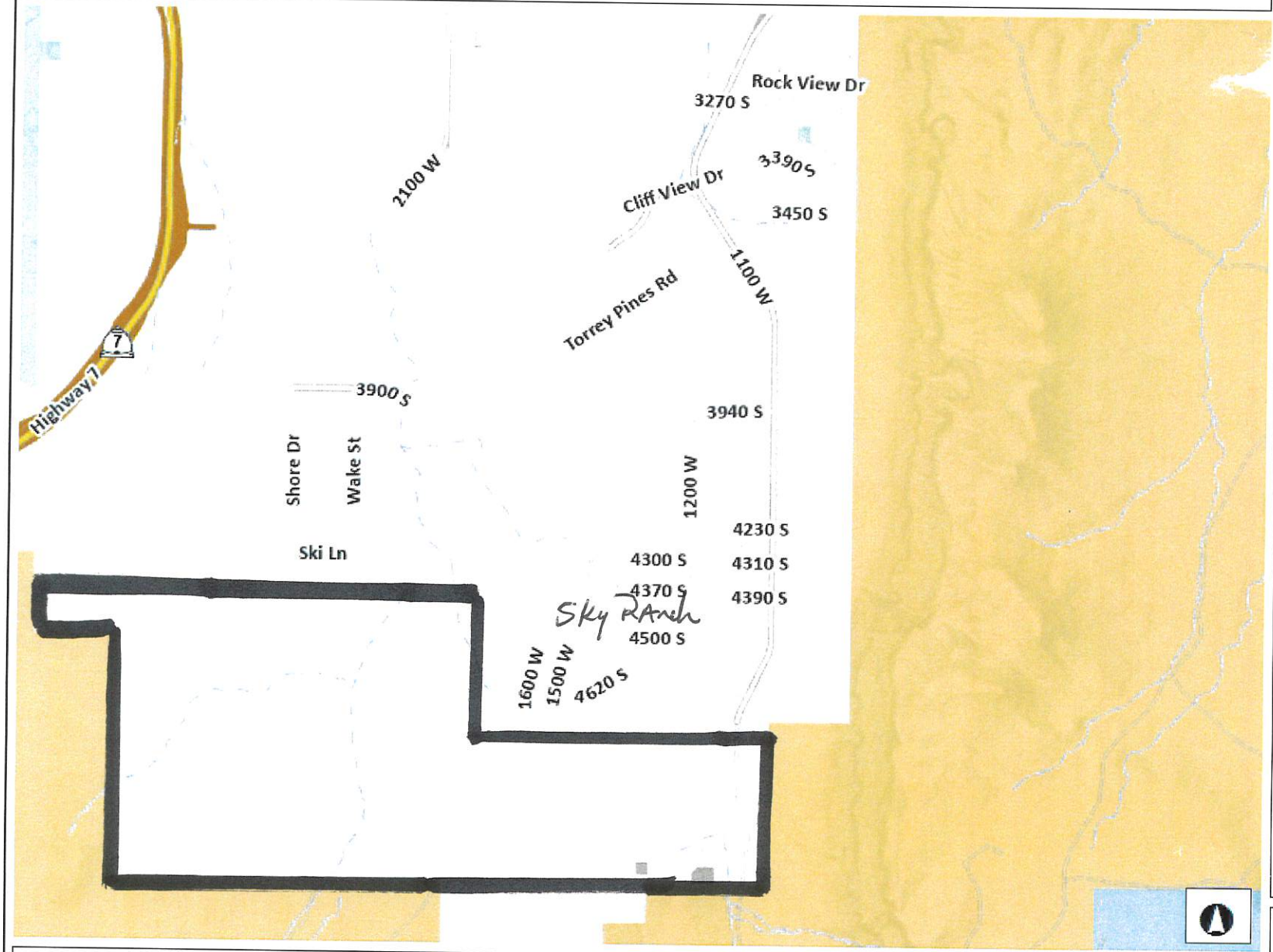
8. The water system in the area will need to be upgraded to meet the flow requirements for Hurricane Valley Fire District. A new well and tank south of Sky Ranch that provides source and storage to the system will need to be constructed and connected to the water system to meet the needs of additional development in the subject area.

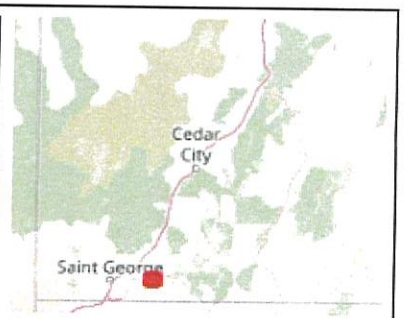
   Per current IFC regulations, a second access road to the area will need to be built.

   Due to the distance from the closest fire station and to meet ISO response times a new fire station in this area must also be considered.

9. A final consideration is the long-term cost of growth in this relatively remote area. While much of the initial cost to develop in this area will be covered by the respective developers, the long-term maintenance costs will be covered by the community at large.

Title





Legend

Ownership

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wilde
- National Park Service
- Shivwits 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

6,018.7 0 3,009.33 6,018.7 Feet

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.

Utility Report
Bench Lake Area
Supplemental Information
August 7, 2024

Subsequent to the City Council meeting held on August 1, 2024, and at the request of the Mayor and City Council, additional investigations on the status of utilities in the Bench Lake area were conducted.

A meeting was held with the major stakeholders on August 7, 2024, and the status and timing of providing infrastructure and services to the area was discussed.

It is apparent that each utility and service provider has a master plan for the area. It is also evident that each provider is working on completion of the master plan albeit each provider is at a different point in perfecting their plans.

A question was asked, "What is your anticipated time frame for providing backbone infrastructure to this area?" The answer to this question, as a consensus, was approximately two years. The two largest hurdles to overcome are engineering and right of way acquisition. The following is a brief description of each utility provider and what they expect in the next two years.

Water:

Water is currently in the process of drilling a new culinary well south of Sky Ranch and are planning to bid a 2-million-gallon water tank this fall. They anticipate a completion date of about 2 years. It might be noted that at this time the water quality and quantity from the well have not been proven. This tank and well will provide storage and source capacity for this area.

Power:

Engineering and power line easements are the biggest hurdles to overcome with providing adequate power to this area. The time frame for power infrastructure to be available may be less than 2 years, but the big unknown is easement and right of way acquisition. The costs and time frame for this expansion will rest mainly with the development community and how fast they would like to approach the situation.

Sewer:

Ash Creek Special Service District is also faced with easement and right of way issues but feel confident that a 2-year time frame would work for their needs.

Streets and Roads:

It is estimated that the current 1100 West roadway is capable of sustaining additional growth in the area. As growth occurs, impact fees can be used to pay for upgrades to the roadway including road widening, drainage improvements and pedestrian access.

As the area develops, and local roads are built the traffic flow will be spread out over other areas and a road network will eventually ensure that traffic flow will be appropriately accommodated.

A second access to this area could be accomplished in several ways but will depend largely on how and where development occurs. To the West, 2100 W and 2400 W are going to be additional accesses to this area.

Drainage:

Some drainage improvements will need to be made to 1100 West and these will be costs that are paid for by the City, but most of the drainage concerns will be addressed during the development of the area and as development occurs.

After consideration is given to the backbone infrastructure of water, power, sewer and streets being installed to the area it would then fall to the ordinary development process as prescribed by our land management code for each subdivision to construct the roadways and utilities each need.

Each developer would be required to meet the standards and specifications of the city and other utility providers as each project is brought forth and plans are reviewed and approved.

In conclusion, it can be said that each utility provider is currently working to upgrade their service in this area. Some of the costs associated with this endeavor will be paid by the utility but most of the cost will be paid for by the developers.

Although a rough time frame of two years to complete backbone infrastructure to the area is anticipated, it may be less for some providers and more for others.

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **memorandum of understanding (MOU) with Liberty Village**. -Mayor Billings

Discussion:

August 15, 2024 Summary:
At the last meeting, the Council and the City Attorney expressed reservations about authorizing a third party to utilize the City logo on its materials. Liberty Village has now proposed an alternative, which is that the City will approve any materials on which Liberty Village wants to place the City logo. This is the same approach accepted by Washington County in a similar MOU. Paragraph 1 has been updated to require prior written approval of the City Manager before the City's logo is used. -Dayton Hall

August 1, 2024 Summary:
Liberty Village Utah is a non-profit corporation. Liberty Village is requesting that the City authorize Liberty Village to use the City's logo on Liberty Village's website and promotional materials. The original draft MOU proposed by Liberty Village has been modified substantially by the City Attorney. The modified draft authorizes the City to direct the removal of its logo from any website or materials within 12 hours and allows either party to terminate the MOU with four days prior written notice. In an attempt to reduce the legal exposure that accompanies allowing another entity to utilize the City's logo, the City Attorney added paragraphs 5, 6, and 7 to the MOU. -Dayton Hall

Findings:

Recommendation:

Attachments:

1. Liberty Village flyer
2. 240808 HURRICANE CITY MOU Partnership - Logo (v. 2)

LIBERTY
★ VILLAGE ★



DISCOVER

Liberty Village, a 32-acre colonial-style American history theme park nestled in the beautiful landscapes of Southern Utah, brings American history to life.

EXPERIENCE

Liberty Village combines educational content with entertainment to promote a deeper understanding and appreciation of America's history, its founding documents, and the core principles that shaped our nation.

SUPPORT

As a non-partisan and non-denominational 501(c)(3) non-profit organization, we depend on the generosity of our supporters.

*As of July 25, 2024, over $22M has been raised towards the total $162M required for completing all phases of the park.

For more information, visit www.libertyvillage.org

LIBERTY VILLAGE PARTNERS

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DEVELOPMENT PLAN

32 acres
6 neighborhoods

Replica buildings

1. Green Dragon Tavern
2. The Stable
3. Isaiah Thomas Print Shop
4. House of Hancock Mercantile
5. Sheriff / Courthouse
6. Library Company of Philadelphia
7. Betsy Ross Home
8. Bakery
9. Paul Revere Silversmith
10. Apothecary
11. Thones Kunder House
12. Declaration House / Elizabeth Powel House
13. St. John's Episcopal Church
14. Independence Hall
15. Mt Vernon Mansion
16. Mt Vernon 16-sided Barn
17. Mt Hope Barn
18. Monticello
19. Chandler
20. Tailor / Hatmaker
21. Blacksmith

Structures & Features

22. North Restroom
23. Jamestown
24. Plymouth Rock
25. Indigenous Peoples exhibit
26. Kids Play Area
27. 13 Colonies Plaza cupola
28. West Restroom
29. East Restroom
30. Washington Presidential Pavilion
31. Jefferson Presidential Pavilion
32. Madison Presidential Pavilion
33. Adams Presidential Pavilion
34. Old North Bridge

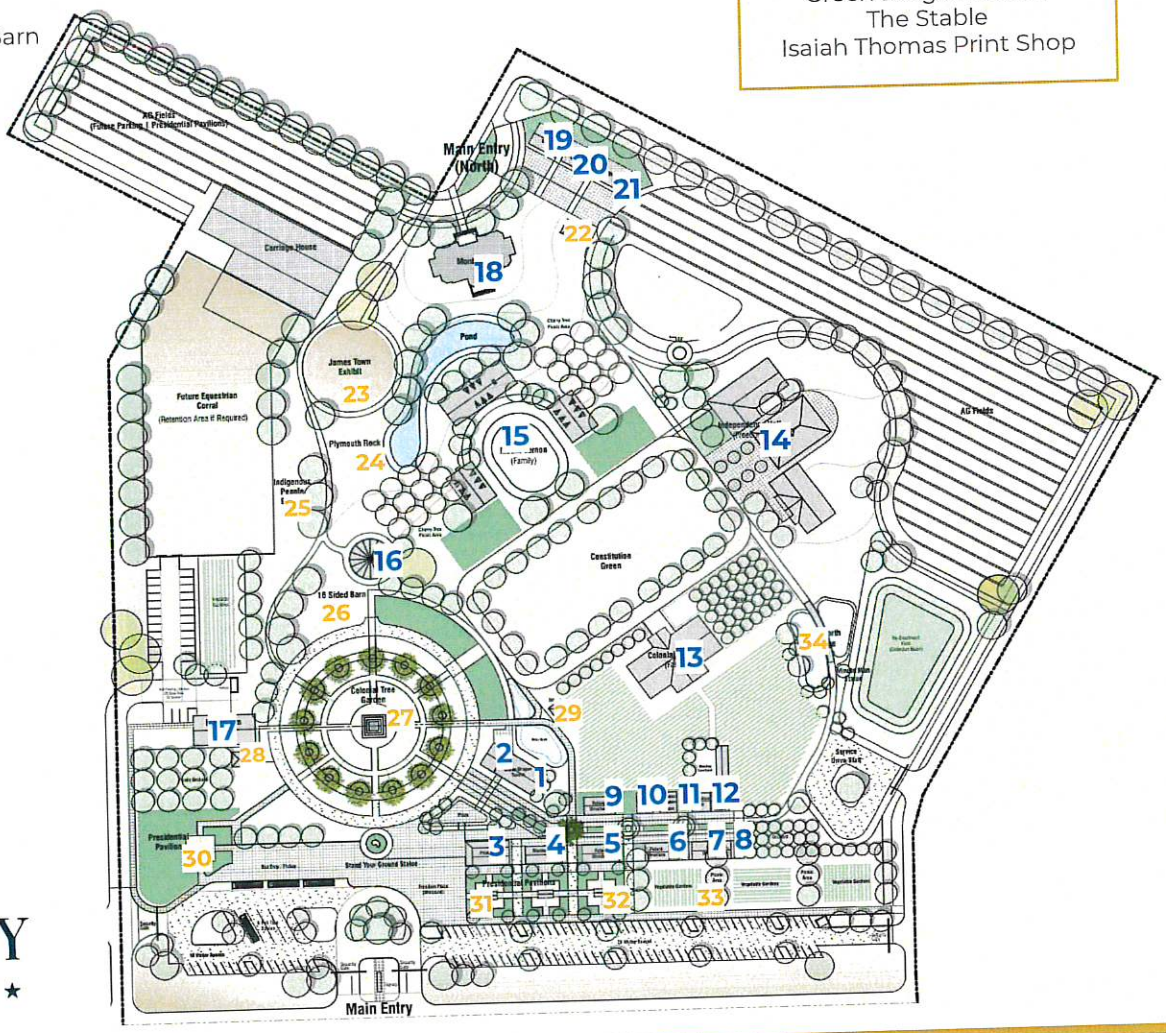
Neighborhoods

13 Colonies Plaza
Colonial Square
Independence Way
Constitution Green
Freedom Plaza
Early America

Opening 2025

Phase 1:
13 Colonies Plaza

Phase 2:
Green Dragon Tavern
The Stable
Isaiah Thomas Print Shop



LIBERTY
★ VILLAGE ★

LIBERTY★VILLAGE

Memorandum of Understanding

This Memorandum of Understanding (the "MOU") formalizes an alliance between LIBERTY VILLAGE UTAH, a Utah non-profit corporation ("Non-Profit") and HURRICANE CITY ("City"). The objectives of this alliance are as follows:

1. **Logo Usage:** Subject to the terms of this MOU, both parties agree that the City's logo can be used on the Non-Profit's website and promotional materials. This agreement is intended to enhance visibility and credibility for the Non-Profit while promoting unity and a shared purpose with the City. The City's written approval is required prior to each use of the City's logo, which approval or denial shall be made by the City Manager. The Non-Profit will use the City's logo in accordance with City's branding guidelines. The City may direct that its logo be removed from any website or materials, and the Non-Profit shall remove the City's Logo within 12 hours of the City's direction.
2. **Collaborative Activities:** In addition to logo usage, both parties may also seek to leverage their respective resources, expertise, and networks to maximize impact and achieve positive outcomes through activities to be defined and mutually agreed upon.
3. **Duration:** This MOU shall commence on AUGUST 15, 2024, and remain in effect until DECEMBER 31, 2025, unless terminated earlier.
4. **Termination:** Either party may terminate this MOU with 4 days prior written notice to the other party. In the event of termination, both parties shall fulfill any outstanding obligations incurred during the term of this MOU.
5. **No Joint Venture:** Nothing contained in this MOU (i) shall constitute the Non-Profit and the City as members of any partnership, joint venture, association, syndicate, unincorporated business or other entity, (ii) shall be construed to impose any liability as such on any of them, or (iii) shall be deemed to confer on any of them any express, implied, or apparent authority to incur any obligation or liability on behalf of the other.
6. **Indemnification:** The Non-Profit hereby indemnifies and agrees to defend and hold harmless City, and its officers, officials, employees, agents, and representatives (each an "Indemnified Person") from and against any and all liabilities, obligations, claims, losses, damages, penalties, actions, judgments, suits, costs, expenses, or disbursements of any kind or nature (collectively, the "Claims", which may be imposed on, incurred by, or asserted against, any Indemnified Person arising in connection with this MOU, including the defense of any Indemnified Person's actions and/or inactions in connection with this

MOU. Without limitation, the foregoing indemnities shall apply to each indemnified person with respect to any Claims that in whole or in part are caused by or arise out of the negligence of such and/or any other Indemnified Person, except to the limited extent the Claims against an Indemnified Person are proximately caused by such Indemnified Person's gross negligence or willful misconduct. If Non-Profit or any third party ever alleges such gross negligence or willful misconduct by any Indemnified Person, the indemnification provided for in this section shall nonetheless be paid upon demand, subject to later adjustment or reimbursement, until such time as (a) a court of competent jurisdiction enters a final judgment as to the extent and effect of the alleged gross negligence or willful misconduct, or (b) City has expressly agreed in writing with Non-Profit that such Claim is proximately caused by such Indemnified Person's gross negligence or willful misconduct. The indemnification provided for in this section shall survive the termination of this MOU and shall extend and continue to benefit each individual and entity that is or has at any time been an Indemnified Person hereunder.

7. **Immunity**: City advises that it is a governmental entity in the State of Utah and is bound by the provisions of the Utah Governmental Immunity Act (Title 63G, Chapter 7, Utah Code Annotated, 1953, as amended) and does not waive any procedural or substantive defense or benefit provided or to be provided by the Governmental Immunity Act or comparative legislation enactment, including with limitation, the provisions of Section 63G-7-604 regarding limitation of judgments. Any indemnity and insurance obligations incurred by City under this MOU are expressly limited to the amounts identified in the Act.

This MOU signifies the mutual understanding and agreement between Non-Profit and City. Both parties acknowledge their acceptance and commitment to the terms outlined herein.

LIBERTY VILLAGE UTAH	HURRICANE CITY
Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Title: _____	Title: _____
Date: _____	Date: _____

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **bid to construct phase 1 of the City's irrigation expansion project** - Ken Richins

Discussion:
On June 27th, 2024, the Water Department held a bid opening for the phase 1 irrigation project. Five qualified contractors placed bids. The winning bid was Interstate Rock Products for $7,859,191.00.
Bowen and Collins Engineering the engineers over this project recommend to the City Council to award the project to Interstate Rock.
The Water Board discussed this on July 30,2024, and there was a consensus that the bid be awarded to the low bidder Interstate Rock. -Ken Richins

Findings:

Recommendation:

Attachments:
1. Bid Recommendation Hurricane Irrigation Phase 1

BOWEN COLLINS & ASSOCIATES

20 NORTH MAIN, SUITE NO. 107 • ST. GEORGE, UTAH 84770
TEL: (435) 656-3299

June 28, 2024

Ken Richins
Superintendent
Hurricane City
147 North 870 West
Hurricane, UT 84737

Subject: Recommendation of Award of Contract to Interstate Rock Products for the Hurricane Irrigation Efficiency – Phase 1 Project

Dear Ken:

Bids for Phase 1 construction of the Hurricane Irrigation Efficiency Project were received by Hurricane City (City) on Thursday, June 27, 2024. Bowen Collins & Associates (BC&A) completed a review of the bids that were received from five general contractors. Interstate Rock Products, Inc. was the apparent low bidder with a Base Bid price of $7,859,191. Interstate Rock has signed and submitted the appropriate bid forms, provided a 5% Bid Bond, acknowledged all contract addenda, and provided a schedule that meets the requirements specified in the contract documents.

A summary of the bids received for the project is provided below for reference and a detailed breakdown of the bids is attached for information.

Rank	Contractor	Base Bid Price	Difference from Low Bid
1	Interstate Rock	$7,859,191.00	-
2	JP Excavation	$8,992,510.00	$1,133,319.00 (14%)
3	M&T Enterprises	$9,313,434.41	$1,454,243.41 (19%)
4	Feller Enterprises	$9,391,071.61	$1,531,880.61 (19%)
5	Landmark Excavating	$10,600,795.00	$2,741,604.00 (35%)

The bid document specifies that *"All bids shall be checked for mathematical errors by the Engineer. If errors have been made in the extension of the figures, it will be assumed that the unit prices are correct and the total amounts will be revised to reflect the corrections."* Consequently, required adjustments to Interstate Rock Product's overall bid price were made for a few discrepancies between the unit price and total bid price. These adjustments resulted in a small increase in the listed bid price of approximately $3,000.

We have also reviewed the proposal documentation, including the schedule and Statement of Qualifications from Interstate Rock Products and found them responsive. A copy of the preliminary schedules submitted by the five bidders is attached for reference. We recommend that coordination take place with Interstate Rock Products and an agreement should be executed pending receipt of appropriate bonds and insurance documents following Notice of Award.

Please call with any questions or concerns regarding this recommendation. BC&A looks forward to working with the City through the successful completion of this important project.

Sincerely,

Bowen, Collins & Associates



Todd Olsen, P.E.
Project Manager

Cc. Lance Smith – NRCS

Attachment

BID SCHEDULE SUMMARY
Hurricane Irrigation Efficiency Project - Phase 1
Hurricane City / NRCS
Bids Were Opened On: Thursday, June 27, 2024

Corrected Bid Total to Match Unit Prices

BOWEN COLLINS & ASSOCIATES

BASE BID				Engineer's Option		M&T Enterprises		Landmark Excavating		Feller Enterprises		Interstate Rock		JP Excavating		Unit Price Summary		
Item No.	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	*Average*	*Low*	*High*
1	Mobilization	1	Lump Sum	$444,210	$444,210	$427,127.00	$427,127.00	$630,000.00	$630,000.00	$395,000.00	$395,000.00	$460,000.00	$460,000.00	$500,000.00	$500,000.00	*$482,425.40*	*$395,000.00*	*$630,000.00*
1A	Survey Control and Staking	1	Lump Sum	$50,000	$50,000	$83,912.11	$83,912.11	$100,000.00	$100,000.00	$60,000.00	$60,000.00	$105,000.00	$105,000.00	$60,000.00	$60,000.00	*$81,782.42*	*$60,000.00*	*$105,000.00*
2	Traffic Control	1	Lump Sum	$87,470	$87,470	$64,362.00	$64,362.00	$533,000.00	$533,000.00	$187,000.00	$187,000.00	$251,906.00	$251,906.00	$50,000.00	$50,000.00	*$217,253.60*	*$50,000.00*	*$533,000.00*
3.1	Furnish and Install 4" PVC DR 25 C-900 Pipe Purple	370	Linear Feet	$60	$22,200	$88.50	$32,745.00	$95.00	$35,150.00	$80.15	$29,655.50	$46.00	$17,020.00	$75.00	$27,750.00	*$76.93*	*$46.00*	*$95.00*
3.2	Furnish and Install 6" PVC DR 25 C-900 Pipe Purple	26,340	Linear Feet	$66	$1,738,440	$90.45	$2,382,453.00	$61.50	$1,619,910.00	$81.79	$2,154,348.60	$56.50	$1,488,210.00	$79.00	$2,080,860.00	*$73.85*	*$56.50*	*$90.45*
3.3	Furnish and Install 8" PVC DR 25 C-900 Pipe Purple	11,510	Linear Feet	$72	$828,720	$97.10	$1,117,621.00	$68.50	$788,435.00	$88.79	$1,021,972.90	$63.50	$730,885.00	$80.00	$920,800.00	*$79.58*	*$63.50*	*$97.10*
3.4	Furnish and Install 10" PVC DR 25 C-900 Pipe Purple	870	Linear Feet	$79	$68,730	$108.50	$94,395.00	$85.00	$73,950.00	$101.79	$88,557.30	$74.50	$64,815.00	$112.00	$97,440.00	*$96.36*	*$74.50*	*$112.00*
3.5	Furnish and Install 12" PVC DR 25 C-900 Pipe Purple	3,290	Linear Feet	$88	$289,520	$117.50	$386,575.00	$93.00	$305,970.00	$112.23	$369,236.70	$85.00	$279,650.00	$109.00	$358,610.00	*$103.35*	*$85.00*	*$117.50*
3.6	Furnish and Install 14" PVC DR 25 C-900 Pipe Purple	1,360	Linear Feet	$100	$136,000	$122.90	$167,144.00	$99.00	$134,640.00	$117.18	$159,364.80	$89.00	$121,040.00	$120.00	$163,200.00	*$109.62*	*$89.00*	*$122.90*
3.7	Furnish and Install 16" PVC DR 25 C-900 Pipe Purple	2,620	Linear Feet	$110	$288,200	$135.20	$354,224.00	$112.00	$293,440.00	$131.80	$345,316.00	$100.00	$262,000.00	$132.00	$345,840.00	*$122.20*	*$100.00*	*$135.20*
4.1	Furnish and Install 6" Ductile Iron Drain Pipe	70	Linear Feet	$70	$4,900	$144.40	$10,108.00	$155.00	$10,850.00	$289.47	$20,262.90	$160.00	$11,200.00	$82.00	$5,740.00	*$166.17*	*$82.00*	*$289.47*
4.2	Furnish and Install 8" Ductile Iron Pipe	130	Linear Feet	$130	$16,900	$123.00	$15,990.00	$170.00	$22,100.00	$307.54	$39,980.20	$140.00	$18,200.00	$103.00	$13,390.00	*$168.71*	*$103.00*	*$307.54*
4.3	Furnish and Install 10" Ductile Iron Pipe	80	Linear Feet	$80	$6,400	$131.80	$10,544.00	$180.00	$14,400.00	$333.10	$26,648.00	$140.00	$11,200.00	$115.00	$9,200.00	*$179.98*	*$115.00*	*$333.10*
5.1	Furnish and Install 4" Gate Valve (WD 316), Complete	12	Each	$2,500	$30,000	$1,930.00	$23,160.00	$3,200.00	$38,400.00	$3,211.32	$38,535.84	$1,350.00	$16,200.00	$1,400.00	$16,800.00	*$2,218.26*	*$1,350.00*	*$3,211.32*
5.2	Furnish and Install 6" Gate Valve (WD 316), Complete	57	Each	$3,000	$171,000	$2,397.50	$136,657.50	$3,900.00	$222,300.00	$3,637.08	$207,313.56	$2,950.00	$168,150.00	$2,500.00	$142,500.00	*$3,076.92*	*$2,397.50*	*$3,900.00*
5.3	Furnish and Install 8" Gate Valve (WD 316), Complete	26	Each	$3,300	$85,800	$3,585.00	$93,210.00	$5,100.00	$132,600.00	$4,932.43	$128,243.18	$4,350.00	$113,100.00	$3,500.00	$91,000.00	*$4,293.49*	*$3,500.00*	*$5,100.00*
5.4	Furnish and Install 10" Gate Valve (WD 316), Complete	6	Each	$4,800	$28,800	$5,484.50	$32,907.00	$7,750.00	$46,500.00	$7,348.51	$44,091.06	$5,850.00	$35,100.00	$4,100.00	$24,600.00	*$6,106.60*	*$4,100.00*	*$7,750.00*
5.5	Furnish and Install 12" Butterfly Valve (WD 316), Complete	2	Each	$5,110	$10,220	$6,050.00	$12,100.00	$12,225.00	$24,450.00	$12,181.48	$24,362.96	$11,000.00	$22,000.00	$4,500.00	$9,000.00	*$9,191.30*	*$4,500.00*	*$12,225.00*
5.6	Furnish and Install 14" Butterfly Valve (WD 316), Complete	3	Each	$7,670	$23,010	$8,683.00	$26,049.00	$11,300.00	$33,900.00	$11,110.63	$33,331.89	$13,800.00	$41,400.00	$6,000.00	$18,000.00	*$10,178.73*	*$6,000.00*	*$13,800.00*
5.7	Furnish and Install 16" Butterfly Valve (WD 316), Complete	2	Each	$10,230	$20,460	$12,827.00	$25,654.00	$20,600.00	$41,200.00	$21,928.79	$43,857.58	$7,300.00	$14,600.00	$9,400.00	$18,800.00	*$14,411.16*	*$7,300.00*	*$21,928.79*
6.1	Furnish and Install 6" 90 Degree Bends	21	Each	$560	$11,760	$773.50	$16,243.50	$1,100.00	$23,100.00	$724.84	$15,221.64	$680.00	$14,280.00	$950.00	$19,950.00	*$845.67*	*$680.00*	*$1,100.00*
6.2	Furnish and Install 6" 45 Degree Bends	6	Each	$450	$2,700	$762.20	$4,573.20	$1,050.00	$6,300.00	$689.04	$4,134.24	$670.00	$4,020.00	$950.00	$5,700.00	*$824.25*	*$670.00*	*$1,050.00*
6.3	Furnish and Install 6" 22.5 Degree Bends	10	Each	$410	$4,100	$751.10	$7,511.00	$1,030.00	$10,300.00	$674.51	$6,745.10	$660.00	$6,600.00	$950.00	$9,500.00	*$813.12*	*$660.00*	*$1,030.00*
6.4	Furnish and Install 6" 11.25 Degree Bends	19	Each	$430	$8,170	$756.60	$14,375.40	$1,035.00	$19,665.00	$681.78	$12,953.82	$670.00	$12,730.00	$950.00	$18,050.00	*$818.68*	*$670.00*	*$1,035.00*
6.5	Furnish and Install 8" 90 Degree Bends	3	Each	$830	$2,490	$923.30	$2,769.90	$1,215.00	$3,645.00	$887.03	$2,661.09	$920.00	$2,760.00	$1,100.00	$3,300.00	*$1,009.07*	*$887.03*	*$1,215.00*
6.6	Furnish and Install 8" 45 Degree Bends	2	Each	$830	$1,660	$882.50	$1,765.00	$1,170.00	$2,340.00	$835.27	$1,670.54	$880.00	$1,760.00	$1,100.00	$2,200.00	*$973.55*	*$835.27*	*$1,170.00*
6.7	Furnish and Install 8" 22.5 Degree Bends	3	Each	$830	$2,490	$878.30	$2,634.90	$1,165.00	$3,495.00	$829.82	$2,489.46	$880.00	$2,640.00	$1,100.00	$3,300.00	*$970.62*	*$829.82*	*$1,165.00*
6.8	Furnish and Install 8" 11.25 Degree Bends	3	Each	$830	$2,490	$862.40	$2,587.20	$1,150.00	$3,450.00	$808.94	$2,426.82	$860.00	$2,580.00	$1,100.00	$3,300.00	*$956.27*	*$808.94*	*$1,150.00*
6.9	Furnish and Install10" 90 Degree Bends	1	Each	$1,120	$1,120	$1,066.00	$1,066.00	$1,540.00	$1,540.00	$1,263.02	$1,263.02	$1,050.00	$1,050.00	$1,200.00	$1,200.00	*$1,223.80*	*$1,050.00*	*$1,540.00*
6.10	Furnish and Install10" 45 Degree Bends	1	Each	$830	$830	$1,085.50	$1,085.50	$1,440.00	$1,440.00	$1,148.62	$1,148.62	$1,050.00	$1,050.00	$1,200.00	$1,200.00	*$1,184.82*	*$1,050.00*	*$1,440.00*
6.11	Furnish and Install10" 22.5 Degree Bends	2	Each	$830	$1,660	$1,085.00	$2,170.00	$1,440.00	$2,880.00	$1,147.71	$2,295.42	$1,050.00	$2,100.00	$1,200.00	$2,400.00	*$1,184.54*	*$1,050.00*	*$1,440.00*
6.12	Furnish and Install 14" 11.25 Degree Bends	2	Each	$2,290	$4,580	$1,780.00	$3,560.00	$2,685.00	$5,370.00	$2,043.31	$4,086.62	$1,750.00	$3,500.00	$1,700.00	$3,400.00	*$1,991.66*	*$1,700.00*	*$2,685.00*
6.13	Furnish and Install 16" 45 Degree Bends	2	Each	$2,680	$5,360	$2,029.50	$4,059.00	$3,000.00	$6,000.00	$2,366.82	$4,733.64	$1,950.00	$3,900.00	$1,800.00	$3,600.00	*$2,229.26*	*$1,800.00*	*$3,000.00*
6.14	Furnish and Install 6" Tee	14	Each	$800	$11,200	$872.10	$12,209.40	$1,175.00	$16,450.00	$839.87	$11,758.18	$870.00	$12,180.00	$1,200.00	$16,800.00	*$991.39*	*$839.87*	*$1,200.00*
6.14A	Furnish and Install 6"x4" Tee	2	Each	$770	$1,540	$821.10	$1,642.20	$1,200.00	$2,400.00	$875.83	$1,751.66	$910.00	$1,820.00	$1,200.00	$2,400.00	*$1,001.39*	*$821.10*	*$1,200.00*
6.15	Furnish and Install 8" Tee	4	Each	$2,770	$11,080	$1,194.50	$4,778.00	$1,450.00	$5,800.00	$1,151.10	$4,604.40	$1,100.00	$4,400.00	$1,300.00	$5,200.00	*$1,239.12*	*$1,100.00*	*$1,450.00*
6.16	Furnish and Install 8" x 4" Tee	4	Each	$860	$3,440	$1,028.50	$4,114.00	$1,350.00	$5,400.00	$1,042.54	$4,170.16	$1,550.00	$6,200.00	$1,300.00	$5,200.00	*$1,254.21*	*$1,028.50*	*$1,550.00*
6.17	Furnish and Install 8" x 6" Tee	3	Each	$960	$2,880	$1,108.00	$3,324.00	$1,400.00	$4,200.00	$1,037.61	$3,112.83	$1,000.00	$3,000.00	$1,300.00	$3,900.00	*$1,169.12*	*$1,000.00*	*$1,400.00*
6.17A	Furnish and Install 10"x4" Tee	1	Each	$1,280	$1,280	$1,070.50	$1,070.50	$1,650.00	$1,650.00	$1,362.64	$1,362.64	$1,250.00	$1,250.00	$1,400.00	$1,400.00	*$1,346.63*	*$1,070.50*	*$1,650.00*
6.18	Furnish and Install 10" x 6" Tee	3	Each	$1,200	$3,600	$1,434.50	$4,303.50	$1,850.00	$5,550.00	$1,600.57	$4,801.71	$1,250.00	$3,750.00	$1,500.00	$4,500.00	*$1,527.01*	*$1,250.00*	*$1,850.00*
6.19	Furnish and Install 10" x 8" Tee	1	Each	$2,130	$2,130	$1,472.50	$1,472.50	$1,665.00	$1,665.00	$1,406.24	$1,406.24	$1,250.00	$1,250.00	$1,600.00	$1,600.00	*$1,478.75*	*$1,250.00*	*$1,665.00*
6.20	Furnish and Install 12" x 6" Tee	1	Each	$2,150	$2,150	$1,759.00	$1,759.00	$2,500.00	$2,500.00	$1,768.50	$1,768.50	$1,500.00	$1,500.00	$1,600.00	$1,600.00	*$1,825.50*	*$1,500.00*	*$2,500.00*
6.20A	Furnish and install 12" x 4" Tee	3	Each	$1,510	$4,530	$2,933.00	$8,799.00	$2,200.00	$6,600.00	$1,492.49	$4,477.47	$1,350.00	$4,050.00	$1,500.00	$4,500.00	*$1,895.10*	*$1,350.00*	*$2,933.00*
6.21	Furnish and Install 16" x 6" Tee	1	Each	$3,030	$3,030	$2,877.00	$2,877.00	$3,500.00	$3,500.00	$2,949.74	$2,949.74	$2,350.00	$2,350.00	$3,000.00	$3,000.00	*$2,935.35*	*$2,350.00*	*$3,500.00*
6.21A	Furnish and Install 16" x 4" Tee	1	Each	$2,410	$2,410	$4,572.50	$4,572.50	$3,650.00	$3,650.00	$3,132.03	$3,132.03	$4,750.00	$4,750.00	$3,000.00	$3,000.00	*$3,820.91*	*$3,000.00*	*$4,750.00*

BID SCHEDULE SUMMARY CONTINUED
Hurricane Irrigation Efficiency Project - Phase 1
Hurricane City / NRCS
Bids Were Opened On: Thursday, June 27, 2024

Corrected Bid Total to Match Unit Prices

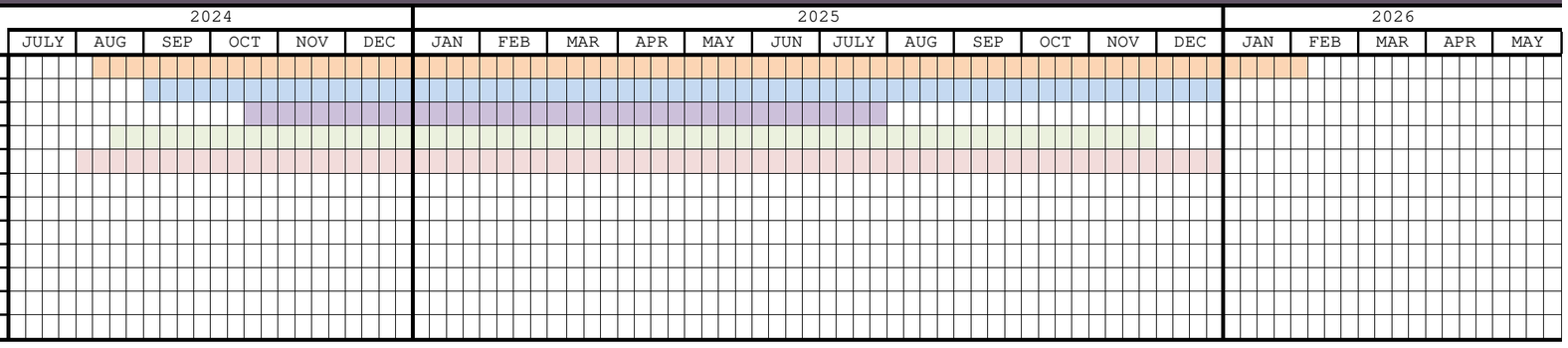
BOWEN COLLINS & ASSOCIATES

BASE BID				Engineer's Option		M&T Enterprises		Landmark Excavating		Feller Enterprises		Interstate Rock		JP Excavating		Unit Price Summary		
Item No.	Description	Quantity	Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	*Average*	*Low*	*High*
6.22	Furnish and Install 6" Cross	2	Each	$1,160	$2,320	$1,392.00	$2,784.00	$1,300.00	$2,600.00	$319.42	$638.84	$970.00	$1,940.00	$1,000.00	$2,000.00	*$996.28*	*$319.42*	*$1,392.00*
6.23	Furnish and Install 8" x 6" Cross	1	Each	$2,390	$2,390	$1,641.00	$1,641.00	$1,600.00	$1,600.00	$1,327.24	$1,327.24	$1,200.00	$1,200.00	$1,600.00	$1,600.00	*$1,473.65*	*$1,200.00*	*$1,641.00*
6.24	Furnish and Install 14" x 8" Cross	1	Each	$3,120	$3,120	$2,953.50	$2,953.50	$3,500.00	$3,500.00	$2,907.06	$2,907.06	$2,350.00	$2,350.00	$3,600.00	$3,600.00	*$3,062.11*	*$2,350.00*	*$3,600.00*
6.25	Furnish and Install 8" x 6" Reducer	3	Each	$460	$1,380	$829.80	$2,489.40	$1,100.00	$3,300.00	$730.39	$2,191.17	$830.00	$2,490.00	$1,000.00	$3,000.00	*$898.04*	*$730.39*	*$1,100.00*
6.26	Furnish and Install 10" x 8" Reducer	2	Each	$600	$1,200	$1,106.00	$2,212.00	$1,300.00	$2,600.00	$974.56	$1,949.12	$1,100.00	$2,200.00	$1,100.00	$2,200.00	*$1,116.11*	*$974.56*	*$1,300.00*
6.27	Furnish and Install 12" x 10" Reducer	1	Each	$710	$710	$1,083.00	$1,083.00	$2,000.00	$2,000.00	$1,144.53	$1,144.53	$1,050.00	$1,050.00	$1,600.00	$1,600.00	*$1,375.51*	*$1,050.00*	*$2,000.00*
6.28	Furnish and Install 14" x 12" Reducer	1	Each	$1,260	$1,260	$2,018.00	$2,018.00	$2,650.00	$2,650.00	$1,983.93	$1,983.93	$1,950.00	$1,950.00	$1,900.00	$1,900.00	*$2,100.39*	*$1,900.00*	*$2,650.00*
6.29	Furnish and Install 16" x 14" Reducer	1	Each	$2,170	$2,170	$1,840.00	$1,840.00	$2,800.00	$2,800.00	$2,143.79	$2,143.79	$1,800.00	$1,800.00	$2,200.00	$2,200.00	*$2,156.76*	*$1,800.00*	*$2,800.00*
6.30	Furnish and Install 8-in. EBAA Flex-tend Flexible Expansion Joint	4	Each	$2,500	$10,000	$11,045.00	$44,180.00	$11,100.00	$44,400.00	$12,038.91	$48,155.64	$7,100.00	$28,400.00	$10,000.00	$40,000.00	*$10,256.78*	*$7,100.00*	*$12,038.91*
6.31	Furnish and Install 10-in. EBAA Flex-tend Flexible Expansion Joint	4	Each	$2,500	$10,000	$14,372.00	$57,488.00	$14,600.00	$58,400.00	$16,040.44	$64,161.76	$8,850.00	$35,400.00	$1,400.00	$5,600.00	*$11,052.49*	*$1,400.00*	*$16,040.44*
7.1A	3/4" Service Connections (WD 305), Complete	339	Each	$2,800	$949,200	$1,898.50	$643,591.50	$2,175.00	$737,325.00	$1,023.39	$346,929.21	$1,900.00	$644,100.00	$3,500.00	$1,186,500.00	*$2,099.38*	*$1,023.39*	*$3,500.00*
7.1	1" Service Connections (WD 305), Complete	116	Each	$3,000	$348,000	$2,079.00	$241,164.00	$2,400.00	$278,400.00	$1,275.54	$147,962.64	$1,900.00	$220,400.00	$3,600.00	$417,600.00	*$2,250.91*	*$1,275.54*	*$3,600.00*
7.2	1.5" Service Connections (WD 305), Complete	9	Each	$3,500	$31,500	$3,306.50	$29,758.50	$3,900.00	$35,100.00	$3,009.86	$27,088.74	$3,150.00	$28,350.00	$5,200.00	$46,800.00	*$3,713.27*	*$3,009.86*	*$5,200.00*
7.3	2" Service Connections (WD 305), Complete	14	Each	$4,500	$63,000	$3,931.50	$55,041.00	$5,000.00	$70,000.00	$4,252.06	$59,528.84	$3,650.00	$51,100.00	$5,500.00	$77,000.00	*$4,466.71*	*$3,650.00*	*$5,500.00*
7.4	4" Service Connections (WD 305), Complete	9	Each	$6,500	$58,500	$4,768.00	$42,912.00	$6,300.00	$56,700.00	$6,334.29	$57,008.61	$6,350.00	$57,150.00	$8,000.00	$72,000.00	*$6,350.46*	*$4,768.00*	*$8,000.00*
8.1	1" Air Valve Vault (C/2660), Complete	11	Each	$6,500	$71,500	$11,587.00	$127,457.00	$13,000.00	$143,000.00	$9,731.72	$107,048.92	$7,350.00	$80,850.00	$6,900.00	$75,900.00	*$9,713.74*	*$6,900.00*	*$13,000.00*
8.2	2" Air Valve Vault (C/2660), Complete	7	Each	$10,000	$70,000	$12,041.00	$84,287.00	$13,500.00	$94,500.00	$10,418.42	$72,928.94	$7,350.00	$51,450.00	$10,000.00	$70,000.00	*$10,661.88*	*$7,350.00*	*$13,500.00*
9	Minor Blowoff Drain, See Detail C/2671, Complete (tees/bends of detail alre	8	Each	$7,000	$56,000	$6,546.50	$52,372.00	$7,900.00	$63,200.00	$10,235.14	$81,881.12	$7,600.00	$60,800.00	$9,100.00	$72,800.00	*$8,276.33*	*$6,546.50*	*$10,235.14*
10.1	Asphalt Replacement (3" Asphalt Thickness)	423,000	Square Feet	$4.40	$1,861,200	$3.15	$1,332,450.00	$4.95	$2,093,850.00	$4.28	$1,810,440.00	$3.05	$1,290,150.00	$2.45	$1,036,350.00	*$3.58*	*$2.45*	*$4.95*
10.2	Asphalt Replacement (2.5" Asphalt -Thickness)	131,000	Square Feet	$4.00	$524,000	$3.04	$398,240.00	$4.50	$589,500.00	$3.80	$497,800.00	$2.75	$360,250.00	$1.88	$246,280.00	*$3.19*	*$1.88*	*$4.50*
11.2	Pothole Repair (3" Asphalt add 2" Roadbase)	500	Square Feet	$5.00	$2,500	$7.85	$3,925.00	$50.00	$25,000.00	$18.40	$9,200.00	$27.00	$13,500.00	$6.10	$3,050.00	*$21.87*	*$6.10*	*$50.00*
12.1	Concrete Sidewalk Replacement	7,950	Square Feet	$16	$127,200	$8.71	$69,244.50	$17.50	$139,125.00	$6.93	$55,093.50	$11.00	$87,450.00	$10.00	$79,500.00	*$10.83*	*$6.93*	*$17.50*
12.2	Concrete Waterway Replacement	1,700	Square Feet	$16	$27,200	$17.46	$29,682.00	$40.00	$68,000.00	$15.99	$27,183.00	$17.50	$29,750.00	$11.00	$18,700.00	*$20.39*	*$11.00*	*$40.00*
13	Curb and Gutter Replacement	1,020	Linear Feet	$80	$81,600	$35.26	$35,965.20	$102.00	$104,040.00	$49.34	$50,326.80	$12.00	$12,240.00	$45.00	$45,900.00	*$48.72*	*$12.00*	*$102.00*
14	Replace Roadway Monuments	9	Each	$3,000	$27,000	$475.00	$4,275.00	$1,200.00	$10,800.00	$1,015.51	$9,139.59	$620.00	$5,580.00	$900.00	$8,100.00	*$842.10*	*$475.00*	*$1,200.00*
15	Restore 650 South Retaining Wall	1	Lump Sum	$5,000	$5,000	$16,173.00	$16,173.00	$6,000.00	$6,000.00	$4,086.51	$4,086.51	$2,900.00	$2,900.00	$12,000.00	$12,000.00	*$8,231.90*	*$2,900.00*	*$16,173.00*
16	Trench Stabilization Material	200	Cubic Yard	$70	$14,000	$46.50	$9,300.00	$290.00	$58,000.00	$29.01	$5,802.00	$38.00	$7,600.00	$60.00	$12,000.00	*$92.70*	*$29.01*	*$290.00*
17	Flowable Fill Backfill	100	Cubic Yard	$300	$30,000	$453.50	$45,350.00	$275.00	$27,500.00	$307.71	$30,771.00	$130.00	$13,000.00	$300.00	$30,000.00	*$293.24*	*$130.00*	*$453.50*
18	Non-woven Geotextile Fabric	700	Square Yard	$6	$4,200	$3.65	$2,555.00	$2.00	$1,400.00	$7.31	$5,117.00	$2.25	$1,575.00	$5.00	$3,500.00	*$4.04*	*$2.00*	*$7.31*
19	30" D50 Riprap	1,290	Cubic Yard	$94	$121,260	$70.70	$91,203.00	$98.00	$126,420.00	$59.73	$77,051.70	$48.00	$61,920.00	$40.00	$51,600.00	*$63.29*	*$40.00*	*$98.00*
20	Sewer Lateral Connection	5	Each	$5,000	$25,000	$1,353.00	$6,765.00	$3,600.00	$18,000.00	$1,224.33	$6,121.65	$4,600.00	$23,000.00	$3,200.00	$16,000.00	*$2,795.47*	*$1,224.33*	*$4,600.00*
21	Water Service Connection	5	Each	$3,000	$15,000	$1,605.00	$8,025.00	$1,800.00	$9,000.00	$5,612.84	$28,064.20	$3,300.00	$16,500.00	$4,500.00	$22,500.00	*$3,363.57*	*$1,605.00*	*$5,612.84*
22	Rock Excavation	1,800	Cubic Yard	$70	$126,000	$25.75	$46,350.00	$140.00	$252,000.00	$10.90	$19,620.00	$64.50	$116,100.00	$20.00	$36,000.00	*$52.23*	*$10.90*	*$140.00*
23	Public Information Program Allowance	1	Lump Sum	$200,000	$200,000	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	*$200,000.00*	*$200,000.00*	*$200,000.00*
24	Temporary Environmental Control Fencing, detail C/2273	1,000	Linear Feet	$15	$15,000	$6.40	$6,400.00	$20.00	$20,000.00	$4.07	$4,070.00	$7.55	$7,550.00	$5.00	$5,000.00	*$8.60*	*$4.07*	*$20.00*
TOTAL					$9,338,070.00		$9,313,434.41		$10,600,795.00		$9,391,071.61		$7,859,191.00		$8,992,510.00	*$9,231,400.40*	*$7,859,191.00*	*$10,600,795.00*
DIFFERENCE FROM LOW BID:					$1,478,879		$1,454,243		$2,741,604		$1,531,881		$0		$1,133,319.00			
% DIFFERENCE FROM LOW BID:					18.82%		18.50%		34.88%		19.49%		0.00%		14.42%			

Updated: June 28, 2024

Construction Schedule Review

Contractor	Finish Before Required Date	Start Date	End Date	Duration (Wks)
M&T Enterprises	yes	12-Aug-24	9-Feb-26	72
Landmark Excavating	yes	3-Sep-24	30-Jan-26	64
Feller Enterprises	yes	23-Oct-24	28-Jul-25	38
Interstate Rock	yes	16-Aug-24	24-Nov-25	62
JP Excavating	yes	5-Aug-24	22-Dec-25	68



HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **bid to construct the irrigation pond, filters, and booster station** for the irrigation expansion project - Ken Richins

Discussion:
On July 16,2024, the Water Department held a bid opening for the irrigation ponds, filter and pump station. The winning bid was Interstate Rock for$ 7,960,938.50.
Alpha Engineering the engineer for this project recommend to the city council to award the project to Interstate Rock.
The water board discussed this on July 30, 2024, and there was a consensus that the bid be awarded to the low bidder Interstate Rock. - Ken Richins

Findings:

Recommendation:

Attachments:
1. Recommendation from Alpha Engineering - Pump station & bonds

ALPHA ENGINEERING

43 South 100 East, Suite 100
St George, Utah 84770

T 435.628.6500
F 435.628.6553

alphaengineering.com

August 8, 2024

Hurricane City Water Department
Attention: Ken Richins
646 West 600 North
Hurricane, Utah 84737

Re: Hurricane Irrigation Efficiency Project – Pump Station & Ponds Bid Recommendation

Dear Ken:

Bids were received for the Hurricane Irrigation Efficiency Project – Pump Station & Ponds on July 16, 2024 at 2:00 p.m. at the Hurricane City offices. Four bids were received for the project. After reviewing the submitted bids and the unit costs of the low bid in comparison to other bids received, there are not any major discrepancies. Interstate Rock also provided the required Statement of Qualifications and an acceptable schedule with the bid documents.

We recommend approval of the lowest bidder, Interstate Rock Products, Inc. to be the contractor for the Hurricane Irrigation Efficiency Project – Pump Station & Ponds at the total bid price of $7,960,938.50

The bid tabulation is attached for your reference.

Let me know if I can provide any additional information.

Sincerely,

Glen E. Carnahan, P.E.
ALPHA ENGINEERING COMPANY

Encl: Bid Tabulation Sheet
Schedule

City of Hurricane
Hurricane Irrigation Efficiency Project - Pump Station Ponds
Bid Tabulation - July 16, 2024

BID SCHEDULE

				IRP		Whitaker		PCI		Feller Enterprises		Average Unit Prices
Item	**Description**	**Quantity**	**Units**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**	
1	Mobilization	1	L.S.	$236,000.00	$236,000.00	$471,000.00	$471,000.00	$475,000.00	$475,000.00	$200,000.00	$200,000.00	$345,500.00
2	Removals	1	L.S.	$1,750.00	$1,750.00	$42,700.00	$42,700.00	$23,000.00	$23,000.00	$36,389.32	$36,389.32	$25,959.83
3	Site Grading - Cut	92,565	C.Y.	$8.75	$809,943.75	$9.70	$897,880.50	$4.40	$407,286.00	$12.46	$1,153,359.90	$8.83
4	Site Grading - Fill	981	C.Y.	$7.25	$7,112.25	$7.90	$7,749.90	$3.50	$3,433.50	$7.94	$7,789.14	$6.65
5	Pump Station	1	L.S.	$2,314,500.00	$2,314,500.00	$2,363,000.00	$2,363,000.00	$3,000,000.00	$3,000,000.00	$3,446,086.02	$3,446,086.02	$2,780,896.51
6	3-MG Reinforced Concrete Settling Pond	2	Each	$983,500.00	$1,967,000.00	$869,000.00	$1,738,000.00	$1,200,000.00	$2,400,000.00	$966,581.50	$1,933,163.00	$1,004,770.38
7	Concrete Apron and headwall	1	L.S.	$41,200.00	$41,200.00	$32,500.00	$32,500.00	$46,000.00	$46,000.00	$55,231.56	$55,231.56	$43,732.89
8	Furnish & Install Retention Basin Riprap	1,050	S.F.	$3.40	$3,570.00	$4.00	$4,200.00	$10.44	$10,962.00	$14.49	$15,214.50	$8.08
9	Furnish & Install 6" Road Base and 2" Gravel Surfacing	63,200	S.F.	$1.30	$82,160.00	$1.50	$94,800.00	$1.00	$63,200.00	$1.74	$109,968.00	$1.39
10	Furnish & Install Electrical Service to Pump Station	1	L.S.	$333,000.00	$333,000.00	$249,000.00	$249,000.00	$253,344.00	$253,344.00	$262,823.53	$262,823.53	$274,541.88
11	Furnish & Install 30" Ductile Iron Pipe with Polyethylene Encasement	2,884	L.F.	$510.00	$1,470,840.00	$515.00	$1,485,260.00	$467.00	$1,346,828.00	$501.71	$1,446,931.64	$498.43
12	Furnish & Install 30-Inch Flanged Butterfly Valve	2	Each	$30,500.00	$61,000.00	$24,300.00	$48,600.00	$26,000.00	$52,000.00	$31,387.04	$62,774.08	$28,046.76
13	Furnish & Install 30-Inch Flanged Gate Valve	2	Each	$64,700.00	$129,400.00	$70,200.00	$140,400.00	$60,000.00	$120,000.00	$69,078.74	$138,157.48	$65,094.69
14	Furnish & Install 30" x 30" Flanged Tee	1	Each	$11,700.00	$11,700.00	$11,700.00	$11,700.00	$12,000.00	$12,000.00	$12,847.44	$12,847.44	$12,061.86
15	Furnish & Install 30" Flanged 45 Degree Wye	1	Each	$18,600.00	$18,600.00	$19,900.00	$19,900.00	$19,000.00	$19,000.00	$19,805.41	$19,805.41	$19,326.35
16	Furnish & Install 30" MJ 45 Degree Elbow	6	Each	$8,050.00	$48,300.00	$11,300.00	$67,800.00	$8,115.00	$48,690.00	$7,138.41	$42,830.46	$8,650.85
17	Furnish & Install 30" MJ 90 Degree Elbow	4	Each	$8,650.00	$34,600.00	$13,200.00	$52,800.00	$8,725.00	$34,900.00	$7,941.87	$31,767.48	$9,629.22
18	Furnish & Install 30" FL x MJ Adaptor	8	Each	$6,550.00	$52,400.00	$7,530.00	$60,240.00	$8,725.00	$69,800.00	$5,457.74	$43,661.92	$7,065.69
19	Furnish & Install 30" Canal Gate	2	Each	$42,300.00	$84,600.00	$71,200.00	$142,400.00	$48,000.00	$96,000.00	$44,755.51	$89,511.02	$51,563.88
20	Furnish & Install Inlet Structure	2	Each	$23,700.00	$47,400.00	$28,300.00	$56,600.00	$32,000.00	$64,000.00	$32,667.32	$65,334.64	$29,166.83
21	Furnish & Install Outlet Structure	2	Each	$43,900.00	$87,800.00	$51,700.00	$103,400.00	$38,000.00	$76,000.00	$18,486.02	$36,972.04	$38,021.51
22	Furnish & Install 4" SDR-35 PVC Drainpipe	200	L.F.	$45.50	$9,100.00	$85.50	$17,100.00	$65.00	$13,000.00	$38.51	$7,702.00	$58.63
23	Furnish & Install 4" Cleanout	2	Each	$1,650.00	$3,300.00	$1,910.00	$3,820.00	$785.00	$1,570.00	$2,119.40	$4,238.80	$1,616.10
24	Furnish & Install 6' Galvanized Chain Link Security Fence	2,825	L.F.	$36.50	$103,112.50	$35.50	$100,287.50	$34.00	$96,050.00	$38.00	$107,350.00	$36.00
25	Furnish & Install 16' Chain Link Security Gate	1	Each	$2,550.00	$2,550.00	$2,450.00	$2,450.00	$2,500.00	$2,500.00	$3,148.32	$3,148.32	$2,662.08
26	Furnish & Install Tortoise Fence	1	L.F.	$14.50	N/A	$11.50	N/A	$12.00	N/A	$14.57	N/A	$13.14
			Total Bid Schedule		$7,960,938.50		$8,213,587.90		$8,734,563.50		$9,333,057.70	

Corrected Bid Total

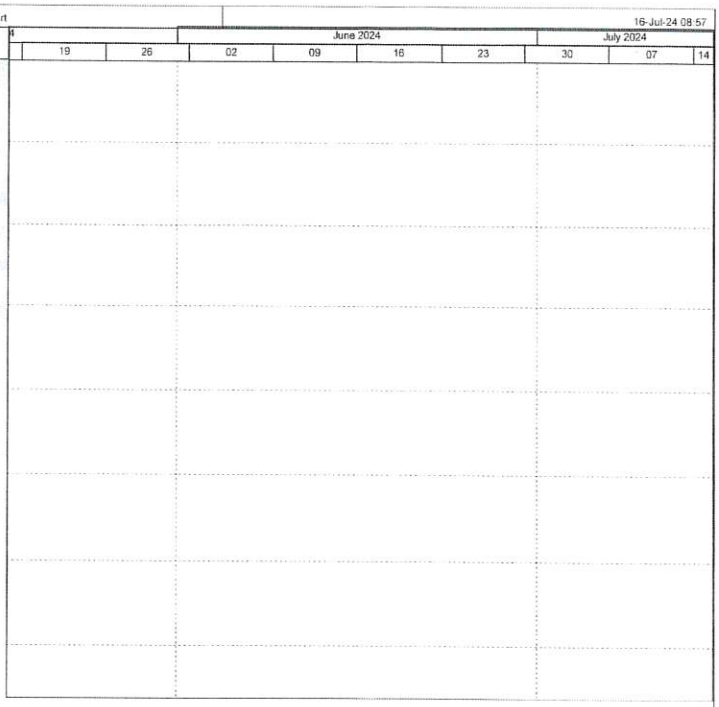
ALPHA ENGINEERING

HURICANE CITY IRRIGATION EFFICIENCY PUMP STATION PONDS

Gantt Chart

16-Jul-24 08:57

Activity ID	Activity Name	Orginal Duration	Remaining Duration	Start	Finish
HCPUMPSTATION	HURICANE CITY IRRIGATION EFFICIENCY PUMP STATION & PONDS	201	201	05-Aug-24	15-May-25
HCPUMPSTATION.1	MILESTONES	201	201	05-Aug-24	15-May-25
MS-100	NTP	1	1	05-Aug-24*	05-Aug-24
MS-110	CONSTRUCTION DURATION	176	176	06-Aug-24	11-Apr-25
MS-120	SUBSTANTIAL COMPLETION	1	1	14-Apr-25	14-Apr-25*
MS-130	PUNCHLIST	22	22	15-Apr-25	14-May-25
MS-140	FINAL COMPLETION	1	1	15-May-25	15-May-25
HCPUMPSTATION.2	PRECON	154	154	05-Aug-24	11-Mar-25
HCPUMPSTATION.2.1	SUBMITTALS	10	10	06-Aug-24	19-Aug-24
SUB-100	PUMPS	10	10	06-Aug-24	19-Aug-24
HCPUMPSTATION.2.2	REVIEW / APPROVE	5	5	20-Aug-24	26-Aug-24
REV-100	PUMPS	5	5	20-Aug-24	26-Aug-24
HCPUMPSTATION.2.3	PROCUREMENT	154	154	05-Aug-24	11-Mar-25
PROC-100	PUMPS	154	154	05-Aug-24	11-Mar-25
HCPUMPSTATION.3	CONSTRUCTION	182	182	06-Aug-24	21-Apr-25
HCPUMPSTATION.3.1	SITE WORK	182	182	06-Aug-24	21-Apr-25
CON-100	MOBILIZATION	3	3	06-Aug-24	08-Aug-24
CON-110	SITE GRADING	54	54	09-Aug-24	24-Oct-24
CON-120	PUMP STATION GRADING	10	10	16-Aug-24	29-Aug-24
CON-130	30" DUCTILE IRON PIPE	40	40	30-Aug-24	25-Oct-24
CON-140	ELECTRICAL SERVICE TO PUMP STATION	30	30	28-Oct-24	09-Dec-24
CON-150	ELECTRICAL POWER COMMISION	15	15	10-Dec-24	31-Dec-24
CON-160	MAINTANENCE ROAD	6	6	14-Apr-25	21-Apr-25
HCPUMPSTATION.3.2	PUMP STATION	158	158	30-Aug-24	11-Apr-25
PUMP-110	UNDERGROUND PIPING & ELECTRICAL ROUGHIN	36	36	30-Aug-24	21-Oct-24
PUMP-120	CAST-IN-PLACE CONCRETE (FOOTINGS/SLAB/WALLS/ROOF)	44	44	22-Oct-24	23-Dec-24
PUMP-130	MECHANICAL PIPING & ELECTRICAL	36	36	24-Dec-24	12-Feb-25
PUMP-150	INSTALL PUMPS	4	4	12-Mar-25	17-Mar-25
PUMP-160	FINISH ELECTRICAL / HVAC / SCADA	10	10	18-Mar-25	31-Mar-25
PUMP-170	START-UP	5	5	01-Apr-25	07-Apr-25
PUMP-180	PUMP STATION SITE CONCRETE FLATWORK	4	4	08-Apr-25	11-Apr-25
HCPUMPSTATION.3.3	SETTLING PONDS	118	118	25-Oct-24	10-Apr-25
POND-100	FINISH SUBGRADE - NORTH	7	7	25-Oct-24	04-Nov-24
POND-110	AGGREGATE BASE - NORTH	7	7	05-Nov-24	14-Nov-24
POND-120	FORM / IRON / POUR / STRIP - NORTH	45	45	15-Nov-24	17-Jan-25
POND-130	FINISH SUBGRADE - SOUTH	7	7	20-Jan-25	28-Jan-25
POND-140	AGGREGATE BASE - SOUTH	7	7	29-Jan-25	06-Feb-25
POND-150	FORM / IRON / POUR / STRIP - SOUTH	45	45	07-Feb-25	10-Apr-25



Remaining Level of Effort | Actual Work | Critical Remaining Work
Actual Level of Effort | Remaining Work | Milestone

TASK filter: All Activities

© Oracle Corporation

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **MOU with Washington County School District** regarding the use of facilities - Kaden DeMille

Discussion:
The Washington County School District contacted Kaden DeMille to inform him that a new memorandum of understanding (MOU) is needed, as a signed copy of the existing one cannot be located. Despite several attempts by staff to communicate with the School District, they have been unable to reach anyone. Staff will continue to try and get in contact with the School District before the meeting; however, if they cannot obtain a copy of the agreement, this item will need to be continued. - Cindy Beteag

Findings:

Recommendation:

Attachments:
None

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **reimbursement agreement arising from the Buck's Ace Hardware development**

Discussion:
With the approval and construction of the Ace Hardware project at 1400 West State Street, Ace Hardware was required as part of their approval to construct a portion of 1400 West and 150 South according to the City's Transportation Master Plan. The Ace Hardware team has submitted a request for reimbursement for the cost of system improvements and this agenda item is an attempt to satisfy this request.

Arthur LeBaron

Findings:
The City Engineer is tasked with determining the cost of system improvements that are eligible for reimbursement. The follow explains the rationale that was used to make that determination: Ace Hardware's project would have required the construction of an access from State Street to their site, which is a project improvement. The construction of additional roadway is considered a system improvement. However, frontage improvements such as curb, gutter, and sidewalks are considered project improvements when they are required for site development along master planned roadways. After reviewing project costs submitted by Ace Hardware, the cost of all asphalt paving has been added up, minus the cost of paving required for an access from State Street. These costs are summarized in the attached spreadsheet, and is the basis for the reimbursement value recommendation. It is the finding of the City Engineer that Ace Hardware should be reimbursed a total of $102,640.37.

It is important to note that the same rationale that was applied to reimbursement to the RV Park to the west of Ace Hardware has been applied to this project. The RV Park constructed their portion of 150 South along their frontage.

Arthur LeBaron

Recommendation:

Attachments:
1. Reimbursement Agreement - Ace Hardware

REIMBURSEMENT AGREEMENT

This Reimbursement Agreement ("Agreement") is made and entered into on August 15, 2024, by and between the Hurricane City, a Utah municipal corporation, hereinafter referred to as "City", and Gails Boys, LLC, a Utah limited liability company, hereinafter referred to as "Developer", (each of the foregoing individually a "Party" and collectively the "Parties").

Recitals

A. Developer is constructing a commercial development for an Ace Hardware at the intersection of State Street and 1400 West, which development is planned to include three additional commercial lots.
B. As part of the development, Developer is constructing roadway improvements in 1400 West and 150 South.
C. The roadway project improvements to service the commercial development are to provide access to the development off of State Street on 1400 West.
D. In addition to the project improvements, Developer is constructing roadway system improvements on 1400 West and 150 South.
E. Developer is requesting reimbursement for the roadway system improvements.
F. The City Engineer has reviewed the request and has found that it complies with Hurricane City Code Title 9 Chapter 6.
G. To facilitate and further specify the system improvements to be provided by Developer and for which Developer is seeking reimbursement, the Parties desire to enter into this agreement.

Agreement

Now, therefore, in consideration of the premises recited above and the terms set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, City and Developer hereby agree as follows:

1. Developer agrees to dedicate, or obtain the dedication of, the portions of 1400 West and 150 West, together with the improvements, as identified on the detailed plan attached as Exhibit A.

2. The estimated value of the reimbursement-eligible and above-described improvements for the roadway is **$102,640.37**, as detailed in the engineer's estimate shown in Exhibit B attached hereto.

3. City agrees to reimburse Developer for eligible reimbursable costs in the following manner:

    a. Waive the Streets Impact Fee for each of the four lots within the development, which is estimated to be a total amount of $11,442.95, but is subject to increase.

b. After each lot has been issued a building permit with the waived impact fee, the City shall pay to the Developer the remainder of the $102,640.37 owed after accounting for the waived impact fees.

4. Maximum reimbursement under this agreement shall be **$102,640.37**.

5. No interest shall be paid on any amount due under the terms of this Agreement.

6. Developer agrees that City may audit Developer's financial and other records as necessary to verify the costs reimbursed under this Agreement.

7. This Agreement shall expire ten (10) years from the date of signature, regardless of the total amount of reimbursement paid by the City to Developer. The term may be extended if agreed upon by both Parties.

IN WITNESS THEREOF, this Agreement has been executed by City and by a duly authorized representative of Developer as of the date first written above.

Hurricane City, a Utah Municipal Corporation

By: _____
Mayor

ATTEST:_____

Recorder

DEVELOPER – Gails Boys, LLC, a Utah limited liability company

_____
By: Buck Hurst
Its: Manager

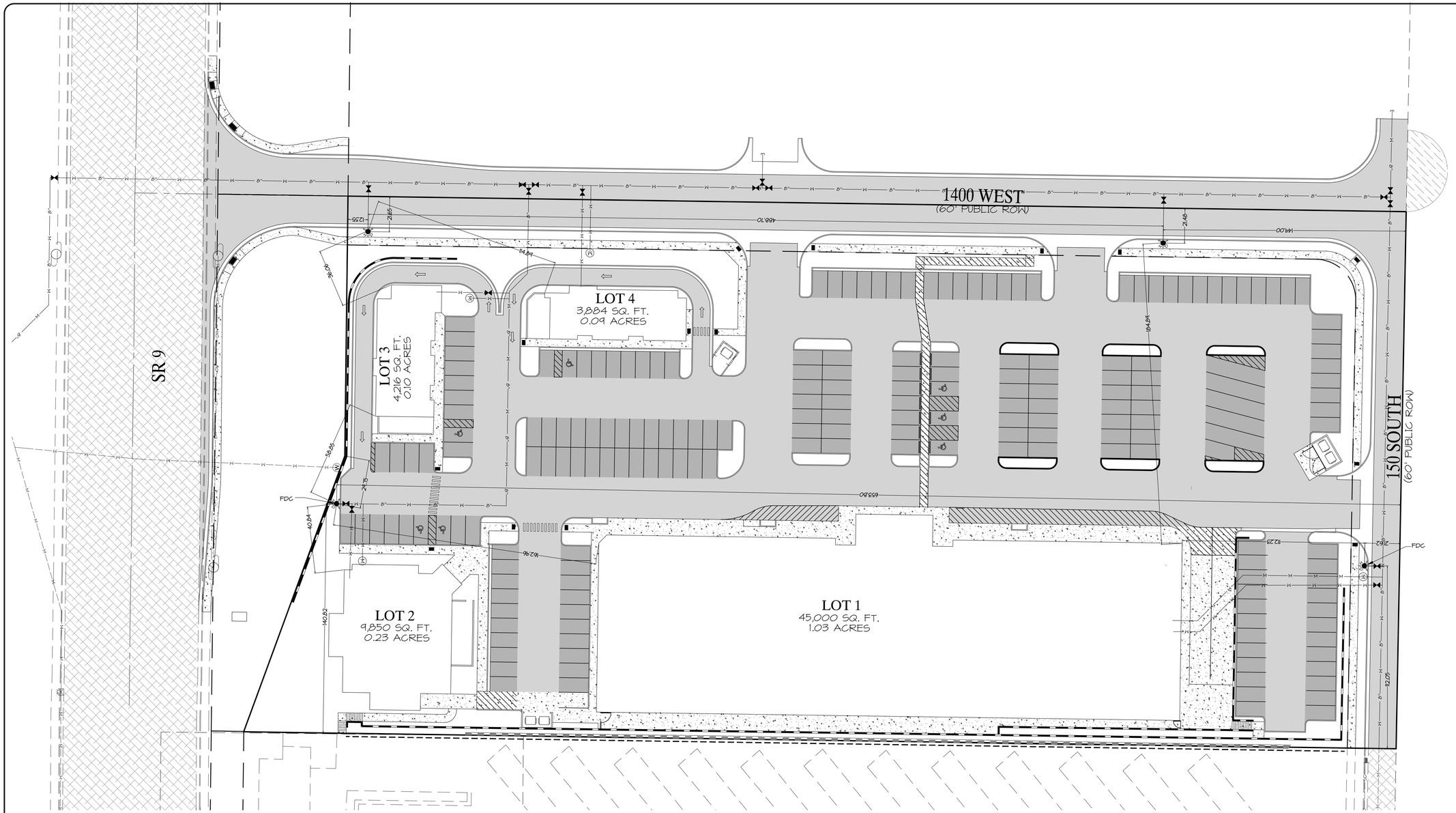
STATE OF UTAH)
:ss
COUNTY OF _____)

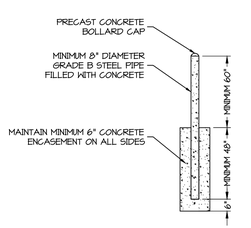
On the ____ day of _____, 2024, personally appeared before me Buck Hurst, who being by me duly sworn, did say that he is the Manager of Gails Boys, LLC and that the within and foregoing instrument was signed on behalf of said limited liability company with proper authority and duly acknowledged to me that he executed the same.

_____

Notary Public

EXHIBIT A
Improvement Plan

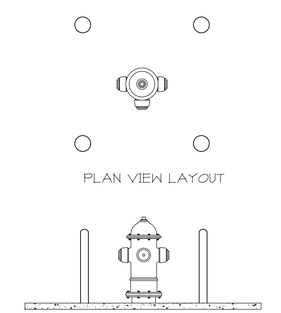




TYPICAL BOLLARD DETAIL

NOTE:

1. BOLLARDS SHALL BE PLACED AT NO MORE THAN 5FT O.C. SPACING
2. BOLLARDS SHALL BE LOCATED TO PROVIDE NO LESS THAN 3FT CLEAR DISTANCE FROM PROTECTED OBJECT.
3. ADDITIONAL PLACEMENT AS PER ARCHITECTURAL AND FIRE PROTECTION DRAWINGS



PLAN VIEW LAYOUT

FIRE HYDRANT BOLLARD LAYOUT

N.T.S.

NOTES:

- BUILDING SHALL NOT BE USED AS HIGH-PILE STORAGE AREA AS PER INTERNATIONAL FIRE CODE §202.
- OWNER WILL NOT BE UTILIZING ALTERNATIVE METHODS OR MATERIALS TO ACHIEVE EQUIVALENT LIFE SAFETY REQUIREMENTS.
- AERIAL FIRE APPARATUS ROADWAY SHALL BE MAINTAINED AS A 26 FT WIDE ROADWAY THE ENTIRE LENGTH OF THE SOUTHWEST EXTERIOR WALL. 26FT CLEAR SPACE TO BE PERPETUALLY MAINTAINED
- ALL FIRE APPARATUS ACCESS ROADS SHALL BE UNIMPEDED AND CONTINUOUS THROUGH PROPERTY. NO STORAGE OF MATERIAL WITHIN FIRE LANE IS PERMITTED. ALL FIRE ACES ROADWAYS SHALL BE PERMANENTLY MARKED WITH "NO PARKING -FIRE LANE" SIGNAGE AND/OR PAINTED CURBS. ALL HARD SURFACES WITHIN FIRE LANE MUST BE SIGNED AND/OR HATCHED AS PER INTERNATIONAL FIRE CODE §503.1.
- FIRE LANE SIGNS SHALL BE TO MUTCD R8-3I 18" X 24" OR APPROVED EQUIVALENT.
- CALCULATIONS IN SUPPORT OF APPARATUS ROADWAY BEARING CAPACITY WILL BE PROVIDED WITH SUBMITTAL.
- PROVIDE KNOX ELECTRIC FENCE CONTROL ON ALL ELECTRICALLY OPERATED GATES. INSTALL KNOX PADLOCK ON ALL MANUALLY OPERATED GATES.
- ALL FIRE HYDRANTS SHALL BE 6-INCH DIAMETER, LOCATED A MIN 40 LN FT FROM BUILDING AND MAINTAIN 3 FT CLEAR SPACE AROUND HYDRANT.
- IMMEDIATE ACCESS TO THE FIRE DEPARTMENT CONNECTION SHALL BE MAINTAINED AT ALL TIMES WITHOUT OBSTRUCTION BY FENCES, BUSHES, TREES, WALLS OR OTHER FIXED OR MOVEABLE OBJECTS AS PER INTERNATIONAL FIRE CODE §912.2
- ALL PRIVATE FIRE MAINS AND LEAD INS TO BE C900 CL150 PIPE
- ALL FIRE LEAD-INS TO BE 8" C900 CL 150 WITH DUCTILE IRON (DI) OR STAINLESS STEEL (SS) FIRE RISERS WITH HAND HOSES AND FLOW SWITCHES

SITE DATA

PARCEL NUMBER:
H-3-1-33-3211
H-3-1-33-2456
H-3-1-33-2457
H-3-1-33-2458

SITE ADDRESS:
100 S 1450 W

CURRENT ZONE:
HC

GENERAL PLAN:
SINGLE FAMILY

TOTAL PARKING.

PARKING PROVIDED	199 SPACES
TRAILER PARKING PROVIDED	6 SPACES
ADA PARKING PROVIDED	7 SPACES
REGULAR PARKING PROVIDED	186 SPACES

TOTAL BUILDING AREA:
BUILDING: 50,400 SQ.FT.

LOT COVERAGE (DEVELOPMENT AREA):

BUILDING:	50,400 SQ. FT.
HARD SURFACE:	142,084 SQ. FT.
LANDSCAPING:	26,854 SQ. FT.
PERCENT LANDSCAPING:	8.16%

TOTAL PARCEL AREA:
H-3-1-33-3211
PARCEL AREA:: 202,248 SQ. FT. (4.64 ACRES)
H-3-1-33-2456
PARCEL AREA:: 8,950 SQ. FT. (0.23 ACRES)
H-3-1-33-2457
PARCEL AREA:: 4,216 SQ. FT. (0.10 ACRES)
H-3-1-33-2458
PARCEL AREA:: 3,884 SQ. FT. (0.09 ACRES)

TOTAL AREA:: 219,348 SQ. FT. (5.03 ACRES)

LEGEND:

- EXISTING 1' CONTOUR
- EXISTING 5' CONTOUR
- PROPOSED 1' CONTOUR
- PROPOSED 5' CONTOUR
- PROPOSED RETAINING WALL
- EXISTING ASPHALT
- PROPOSED 2 1/2" ASPHALT
- PROPOSED 3" ASPHALT
- EXISTING WATER MAIN
- PROPOSED WATER LINE
- EXISTING WATER METER
- PROPOSED 1" WATER METER
- PROPOSED 1 1/2" WATER METER
- EXISTING WATER VALVE
- PROPOSED WATER VALVE
- EXISTING FIRE HYDRANT
- PROPOSED FIRE HYDRANT

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

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

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

DATE:	05/03/2023
JOB NO.:	13250-22
DESIGNED BY:	TKH
CHECKED BY:	JWB
DWG:	SITE

REVISIONS
DATE
01/11/23
CITY REDLINES

ROSENBERG ASSOCIATES
CIVIL ENGINEERS • LAND SURVEYORS
352 East Riverside Drive, Suite A-2 St. George, Utah 84790
Ph (435) 673-8586 Fx (435) 673-8397
www.racivil.com

FIRE ACCESS PLAN
FOR
BUCK'S ACE HARDWARE HURRICANE
HURRICANE
UTAH

PROFESSIONAL ENGINEER
JARED W. BATES
7877022
STATE OF UTAH

SHEET
2.1
3 OF 16 SHEETS

EXHIBIT B

Approved Cost

Buck's Ace Hardware Reimbursement Summary

All paving on 1400 West and 150 South are considered system improvements except for the access improvements from SR-9 to the property line on 1400 West.

Reimbursable Expenses					
Roadway	Item	Quantity	Unit	Unit Cost	Total
1400 West	Grading, Road Base, and Asphalt	21590	Sq ft.	$ 3.10	$ 66,929.00
150 South	Grading, Road Base, and Asphalt	5220.96	Sq ft.	$ 6.84	$ 35,711.37
				Total:	$ 102,640.37

Estimated Impact Fees	
Lot 1	$ 8,142.95
Lot 2	$ 1,800.00
Lot 3	$ 800.00
Lot 4	$ 700.00
Total:	$ 11,442.95

Difference: $ (91,197.42)

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a p**roclamation designating September 17 through 23 as Constitution Week** - Karen Shuman, Daughters of American Revolution

Discussion:
The Daughters of the American Revolution honor Constitution Week by requesting the mayors of various cities in Washington County to sign a proclamation. Each August, they present this proclamation to the Council. If approved, it will designate September 17 through 23 as Constitution Week. - Cindy Beteag

Findings:

Recommendation:

Attachments:
1. Proclamation 2024 - Constitution Week

PROCLAMATION

WHEREAS, September 17, 2024, marks the two hundred and thirty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Nanette Billings, by virtue of the authority vested in me as Mayor of Hurricane City do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Hurricane City to be affixed this 15th day of August of the year of our Lord two thousand twenty-four.

_____
Nanette Billings, Mayor

[Seal] Attest:

_____
Cindy Beteag, City Recorder

The foregoing Proclamation was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 15th day of August, 2024. Whereupon a motion to adopt and approve said Proclamation was made by _____ and seconded by _____. A roll call vote was then taken with the following results.

	Yea	Nay	Abstain	Absent
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Clark Fawcett	___	___	___	___
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___

_____
Cindy Beteag, Recorder

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of **Ordinance 2024-10 Amending Title 7, Chapter 5, Section 13 regarding the placement of markers** at the Hurricane City Cemetery - Kevin Thomas

Discussion:
Our ordinance never excluded benches with backs historically. Then about 2 years ago, the parks department wanted to update the ordinance for a variety of reasons because it was very outdated. When they gave the council the updated ordinance, they gave us the full, entire ordinance, on a busy night with a long agenda. A brief summary of the changes that were included was given to the council by both Darren Barney and Dayton Hall. Neither of their summaries included the fact that the new ordinance would forbid benches with backs on them. It was a simple half-sentence that was missed by everyone, except for Darren, who had written that into the ordinance but didn't mention it in his summary of the changes. Not realizing that this was part of the new ordinance, I made the motion to pass the changes requested. Over a year later, it came to my attention that a person wanting to install a bench with a back in it, was told by the cemetery staff that the back was forbidden. The monument company who built the bench said they believed that there had been a mistake because he had built the bench for my son's grave, which had a back on it. The monument company was directed to talk to Kathy Excell who told them that I had made the motion to pass the new ordinance. I had the ordinance put back on the agenda to fix this. During that discussion, there was some disagreement on the part of the council and Joseph Prete made a motion to remove the prohibition of the backs with the provision that it would again become prohibited after a certain time period. His motion passed 3 to 2. That is the way the ordinance is currently written. We now have a new council and I would like to revisit the ordinance to see if we can remove the sunset clause from the ordinance. - Kevin Thomas

Findings:

Recommendation:

Attachments:
1. Ordinance 2024-10 Amending 7-5-13 City Cemetery regulations

Ordinance No. 2024-10

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 7, CHAPTER 5 OF THE HURRICANE CITY CODE GOVERNING THE CITY CEMETERY

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 7, Chapter 5, Section 13 of the Hurricane City Code governing the City Cemetery; and

WHEREAS, the City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY ORDAINED that Title 7, Chapter 5, Section 13 of the Hurricane City Code shall be, and is hereby, amended as follows:

CHAPTER 5. - CEMETERIES

Sec. 7-5-1-12 Remains Unchanged

Sec. 7-5-13. – Placement of markers.

It shall be unlawful for any person to erect, place or cause to be placed any marker or monument on any lot in the cemetery in violation of the rules and regulations promulgated by the City Council regarding the placement, construction and design of all such markers.

A. *Ownership and responsibility.* Headstones are personal property. All monuments within the cemetery are the property of lot owners, their heirs or the responsible party that ordered and placed them. All care and upkeep of the monuments is the responsibility of the owner. The cemetery is maintained by City crews who exercise great care in keeping the grounds groomed. The City will not be responsible for inadvertent scratches and chips that occur from routine maintenance. Such happenings are a condition that go with the privilege of placing markers in the cemetery.

B. *Size Limitations and Requirements.* All headstones or markers must be placed on a concrete pad or footing that provides a six-inch border around the base of the headstone or marker. The top of the concrete pad or footing must be flush with the surface of the lawn. Monuments and concrete borders must be placed within the boundary of the grave or graves of the owner in conformity with established rows. Monuments for single graves may not exceed 36 inches in width, not counting the concrete border. Monuments for double graves sharing a monument may not exceed 72 inches in width, not counting the concrete border. No monument may exceed a depth of 26 inches, including the concrete border. No raised monument may exceed a height of 42 inches above the concrete border. Monuments in the specific areas of the cemetery designated for infant and cremation burials shall be flat monuments with the top of monuments flush with the surface of the lawn and shall have maximum widths of 28 inches and maximum depths of 16 inches. Bench monuments are permitted and are required to maintain the same maximum dimensions as traditional monuments ~~but benches with backs are not allowed; provided, however, that benches with backs shall be temporarily permitted for applicants that, prior to January 1, 2025, have applied to the City to place a bench in the cemetery or have paid~~

~~a monument company for the design and construction of a bench to be placed in the cemetery on a specific plot~~. All permanent vases must be attached to the monument, stone, base or cast into the concrete border. No vases separate from the memorial will be permitted. Memorials will be placed in an orderly manner in predesignated rows as directed by the Cemetery Superintendent. Flat markers, level with the ground, with approval of the cemetery superintendent may be installed between established rows. No flower vases or containers, permanent or otherwise, will be permitted on the markers. Only one raised marker is permitted per grave. Family monuments must comply with this section. If a monument is determined by the Cemetery Superintendent to be oversized, interferes with the sprinkler irrigation system, or is otherwise in violation of this chapter, the owner shall pay for the necessary modifications.

C. *Interference with excavation.* The owner or responsible party is responsible for the removal and replacement of a marker that must be moved for the excavation of a grave, or for the expenses of such service if contracted. If the owner or responsible party wishes, the City will make arrangements for the service with a local monument dealer at the owner's expense.

D. *Recommendations.* Consult with a monument manufacturer on monument materials suitable to handle conditions at the cemetery. Markers are subject to temperature extremes, snow, ice, sprinkler irrigation water and occasional nicks and chips from mowing equipment. It is recommended that raised markers have a rough nosed base or edge rather than a polished smooth surface.

E. *Obstructions.* No fences, foot markers or other obstructions or installations except a headstone or monument will be permitted in the cemetery.

(1998 Code § 8-236; 2000 Code; Ord. 2005-20, 9-1-2005; Ord. No. 2022-51, 10-3-2022; Ord. No. 2023-06, 4-20-2023)

BE IT FURTHER ORDAINED that this Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 15th day of August 2024.

Hurricane City

_____
Nanette Billings, Mayor

Attest:

_____
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 15th day of August 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Clark Fawcett	___	___	___	___
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___

_____
Cindy Beteag, Recorder

HURRICANE CITY
UTAH

STAFF COMMENTS

Discussion regarding the **cemetery plot rates for resident versus nonresident** at the Hurricane City Cemetery - Mayor Billings

Discussion:
Mayor Billings was approached by several residents who expressed frustration over being charged a non-resident fee for a cemetery plot, despite owning land in the area and being originally born here. The fee difference for resident versus non-resident plots is a common practice in many municipalities, and in Hurricane, it is only a $200 difference. For reference, Washington City's fee schedule is attached.

Mayor Billings assured these residents that she would bring this issue before the Council for discussion. The reasoning behind a lower resident fee is that residents contribute to the city's economy through daily or weekly tax contributions.

If the Council decides to keep the fees as they are, a possible solution could be that residency be determined by voter registration, which would clarify any misunderstandings for those owning land within the city limits. Alternatively, if the Council prefers to have the same fee for both residents and non-residents, they need to decide whether to adopt one of the existing fees or set a new amount. The council should also take into consideration the effect that changing the rates will have on the city budget and the monies that come in from the sale of plots. - Cindy Beteag

Findings:

Recommendation:

Attachments:
1. Washington City's fees

Washington City

CEMETERY			
PLOT FEES	**Resident**	**Non-Resident**	
Plot	$600.00	$2,000.00	
Ossuarium	$400.00	$500.00	
Columbarium (Companionship two-urn Capacity)	$1,000.00	$1,250.00	
Specialty Discount			$(100.00)
BURIAL FEES	**Weekday**	**Weekend / After Hours**	
Interment	$400.00	$550.00	
Interment Non-Resident	$650.00	$950.00	
Infants	None	None	
Cremation Interment	$200.00	$400.00	
Disinterment	$1,250.00		
Certificate Change	$40.00		
Late Notice (less than 24 hours)	$100.00		

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of **Ordinance 2024-11 amending Title 10 Chapter 6 and Chapter 39** regarding subdivisions LUCA24-03. - Gary Cupp

Discussion:
Utah State House Bill 476 (2024) made a number of changes to the subdivision ordinance that was previously modified in 2023. The subdivision process will remain essentially unchanged, with the primary update relating to UCA 10-9a-604.2(3)(b), which mandates that *"A municipality may not require a subdivision improvement plan to be submitted with both a preliminary subdivision application and a final subdivision application."* Hurricane City Code Title 10, Chapter 39 currently requires, as per the state code prior to this update, subdivision improvement plans (i.e. construction drawings) to be submitted with preliminary plat and final plat applications. To conform to the updated state code pertaining to the review of preliminary plats, it is proposed that construction drawings no longer be required with preliminary plat applications, and shall only be required when a final plat application is submitted. There are also additional changes to the subdivision ordinance that reflect other updates that were made in the state code as part of HB476. Staff also proposes minor changes to Title 10, Chapter 6 (Decision Making Bodies) to identify the Planning Commission as the approval authority for preliminary plat applications. The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved. Staff recommends that City Council approve the proposed land use code amendments to Title 10, Chapters 6 and 39, as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet. --Gary Cupp

Findings:

Recommendation:

Attachments:
1. Title 10 Chapter 6 Amendments (FR3 edits)
2. 240802 Updated Subdivision ordinance (FR3 redlines) (DH RL)
3. Title 10 Chapter 6 Amendments (clean)
4. 240802 Updated Subdivision ordinance (clean)
5. Ordinance 2024-11 amending Title 10, Chapters 6 and 39 pertaining to Subdivisions
6. LUCA24-03 Subdivisions CC Staff Report

CHAPTER 6. DECISION MAKING BODIES AND OFFICIALS

Sec. 10-6-1. Purpose.

The purpose of this chapter is to set forth the authority of the decision making bodies and officials responsible for administering the provisions of this title.

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

Sec. 10-6-2. Scope.

The authority of the decision making bodies and officials set forth in this chapter shall apply to the entirety of this title, subject to its various provisions.

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

Sec. 10-6-3. City Council.

A. *Powers not enumerated in this title.* See City Council powers and duties set forth in title 1, chapters 5 and 6 of this Code.

B. *Powers and duties related to this title.* In administering this title, the City Council shall have the power and authority to act as the Land Use Authority for the matters set forth below. All such power and authority shall be exercised pursuant to the procedural and other applicable provisions of this title.

1. Final adoption, modification or rejection of a proposed general plan or any amendment thereto for all or part of the City and its surroundings.
2. Final adoption, approval, modification or rejection of any amendments to the text of this title and to the land use map, including any application for a zone change.
~~3. Any preliminary plat application for the subdivision of property into more than two lots.~~
34. Approval, denial, or modification of a request for annexation into the City.
45. Hear and decide appeals from decisions of the Historic Preservation Commission and the final plat approval staff.
56. Establishment of a fee schedule for applications required by the provisions of this title.

(Ord. 2017-16, 11-16-2017)

Sec. 10-6-4. Planning Commission.

A. *Established.* A Planning Commission, consisting of eight members, is hereby established to exercise the powers and duties specified herein. Members of the Planning Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission.

B. Appointment and terms of office.

1. Planning Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

    a. The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of four years and until a successor is appointed; provided, that the term of the first members shall be such that the terms of two members shall expire each year.

    b. Terms of Planning Commission members shall begin on or before the first Monday in February of each year.

    c. Planning Commission members may be reappointed for successive terms.

    d. The Mayor, with the advice and consent of the City Council, may remove any member of the Planning Commission for cause if written charges are filed against the member with the Mayor; provided, that the member shall be afforded a public hearing if one is requested.

    e. A vacancy occurring on the Planning Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Planning Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

C. *Organization and procedure.* The Planning Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Planning Commission shall select one of its members as chairperson to oversee the proceedings and activities of the Planning Commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

    a. The chairperson shall serve for a term of one year.

    b. The chairperson, with the advice and consent of the Planning Commission, shall appoint one of the Planning Commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Planning Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission.

3. The Planning Commission shall meet on a regular date each month, as determined by the Planning Commission, and at such other times as the Planning Commission may determine. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Planning Commission unless a quorum of its members is present. Five members of the Planning Commission shall constitute a quorum. The minimum number of yes votes required for the Planning Commission to take any action shall be the majority of members present, unless otherwise prescribed by law.

5. Decisions of the Planning Commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Planning Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its examinations and other official actions. The Planning Commission may, but is not required to, have its proceedings contemporaneously transcribed by a court reporter or a tape recorder.

    a. The Planning Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may also make a concurring or dissenting report or recommendation to the City Council.

    b. The minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the Planning Commission. All records in the office of the Planning Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

D. *Powers and duties.*

1. The Planning Commission is hereby designated as the Land Use Authority to hear and decide applications for:

a. Conditional use permits filed under this title

b. Preliminary and final site plan applications, as provided under section 10-7-10 of this title

c. Preliminary plat applications, as provided under section 10-39-6 of this title ~~conditional use permits filed under this title.~~

2. In addition, the Planning Commission shall make a recommendation to the City Council for:

a~~1~~. A general plan and amendments to the general plan, as provided in section 10-7-6 of this title;

b~~2~~. Land use ordinances, zoning maps, official maps, and amendments, as provided in section 10-7-7 of this title;

c~~3~~. An appropriate delegation of power to at least one designated Land Use Authority to hear and act on a land use application;

d~~4~~. An appropriate delegation of power to at least one Appeal Authority to hear and act on an appeal from a decision of the Land Use Authority;

ee~~5~~. Application processes that: a) may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested; and b) shall protect the right of each:

    a. Applicant and third party to require formal consideration of any application by a Land Use Authority;

    b. Applicant, adversely affected party, or municipal officer or employee to appeal a Land Use Authority's decision to a separate Appeal Authority; and

    c. Participant to be heard in each public hearing on a contested application.

E. *Examinations and surveys.* The Planning Commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to perform its function to promote City planning and development.

F. *Appeals.* Any person aggrieved of a final decision of the Planning Commission may appeal that decision to the Appeal Authority Board by filing a written appeal stating the grounds therefor within 14 days from the date of the decision or action.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2005-15, 7-21-2005; Ord. 2018-11, 9-20-2018)

Sec. 10-6-5. Appeals Board.

A. *Established.* In order to provide for just and fair treatment in the administration of this title, and to ensure that substantial justice is done, an Appeals Board is hereby established to exercise the powers and duties specified herein. The Appeals Board shall consist of three members.

B. *Qualifications, appointment, and compensation.*

1. Appeals Board members shall consist of:
    a. One member professionally trained in land use, law, or public administration;
    b. One member who is not a City resident; and
    c. One member who is a City business owner.
2. No member of the Appeals Board shall be a member of the City Council, the Planning Commission, or City staff.
3. Appeals Board members shall be appointed by the Mayor with the advice and consent of the City Council.
4. Appeals Board members shall be compensated in accordance with a contract approved by the City Council.

C. *Standards of actions.*

1. The Appeals Board shall:
    a. Act in a quasi-judicial manner; and
    b. Serve as the final arbiter of issues involving the interpretation or application of land use ordinances.

D. *Powers and duties.*

1. The Appeals Board is hereby designated as the Land Use Authority to hear and decide the following matters:
    a. Applications for a determination of special exceptions, as provided in section 10-7-11 of this title;
    b. Applications for a variance from the terms of this title, as provided in section 10-7-12 of this title;
    c. Applications to determine the existence, expansion or modification of a nonconforming use or noncomplying structure, as provided in section 10-7-14 of this title.
2. The Appeals Board is hereby designated as the Appeal Authority to hear and decide the following matters:
    a. Appeals from Planning Commission decisions regarding conditional use permits, as provided in section 10-7-9 of this title;
    b. Appeals from administrative decisions by the Zoning Administrator applying the provisions of this title.

E. *Appeals.* Appeals to the Appeals Board shall be filed in writing with the City Recorder within 14 days from the date of the decision or action appealed and shall state the grounds for the appeal. The officer or department from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

F. *Notice of hearing.* The Appeals Board shall fix a reasonable time for the hearing of each appeal, give public notice thereof and due notice to the parties in interest as provided in section 10-7-4 of this title.

G. *Decisions of the board.* At the hearing of any matter the parties affected may appear in person with or without an attorney. The Appeals Board shall decide all appeals and other issues brought before it within a reasonable time.

H. *Stay of proceedings.* An appeal to the Appeals Board shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board that by reason of the facts stated in the appeal, a stay would in his or her opinion, cause immediate peril to life or property. In such case, proceedings shall not be stayed except by a restraining order granted by the Appeals Board or by the District Court upon application, notice, and due cause shown.

I. *Restrictions on scope of appeal.*

1. Only land use decisions applying the land use ordinance to a particular application, person, or parcel may be appealed to the Appeals Board.
2. The Appeals Board may not consider any land use ordinance amendments.
3. Appeals may not be used to waive or modify the terms or requirements of the land use ordinance.

J. *Burden of proof.* The person or entity making the appeal has the burden of proving that an error has been made. Every appeal shall refer to the specific provisions of the ordinance involved and shall exactly set forth the error that is claimed. The appealing party is required to present to the Appeal Authority every theory of relief that it could raise in district court.

K. *Standards.* In reviewing an action or decision from which an appeal has been taken, the Appeal Authority shall apply the appropriate standards, requirements or criteria as specified within this title and state law for such action or decision, and accordingly shall review the action or decision only to determine if an error was made in applying the land use ordinance.

L. *Stay of action.* An appeal stays all proceedings in furtherance of the action appealed from unless the City Council finds and certifies to the Appeal Authority that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order issued by the district court.

M. *Administrative powers on appeal.* In his/her decision, the Appeal Authority may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed. At the public meeting, the Appeal Authority may continue consideration to a later date. If consideration of the appeal is adjourned, within 35 days following the closing of the public meeting on an appeal, the Appeal Authority shall act on the appeal at a public meeting held in conformance with Utah Code Annotated title 52, chapter 4, open and public meetings.

N. *Decision and findings.* The Appeal Authority's decision takes effect on the date his or her written decision is issued. The decision of the Appeal Authority regarding the appeal shall contain a full record of the findings of the body in the particular case. The Appeal Authority's decision constitutes a final, appealable decision.

O. *District court review of Appeal Authority decision.* No decision of an official or administrative body of the City administering or interpreting the land use ordinance may be appealed directly to the district court. Before petitioning for district court review, a person must exhaust all administrative remedies by appealing to the Appeals Board in accordance with this section and receiving a final decision issued by the Appeals Board. Any person adversely affected by any decision of the Appeals Board, including the City Council, may file a petition for review of the decision with the district court within 30 days of the Appeals Board's final decision. The right to file a petition for review of the Appeals Board's decision is lost if the petition is not filed within 30 days of the decision.

1. In the petition, the plaintiff may allege only that the Appeals Board's decision was not supported by substantial evidence or was arbitrary, capricious or illegal. The court shall review the decision of the Appeals Board pursuant to the standards found in Utah Code Annotated section 10-9a-801(3).
2. The Appeals Board shall transmit to the reviewing court the record of its proceedings, including its minutes, findings, orders and if available, a true and correct transcript of its proceedings. If the proceeding was recorded, a transcript of that recording is a true and correct transcript for purposes of this subsection.
3. The filing of a petition does not stay the decision of the Appeals Board. However, before filing the petition, the aggrieved party may petition the Appeals Board to stay its decision. Upon receipt of a petition to stay, the Appeals Board may order its decision stayed pending district court review if the Appeals Board finds it to be in the best interest of the municipality.
4. After the petition is filed the petitioner may seek an injunction staying the Appeals Board's decision.
5. The petitioner may not present any information, evidence, or theory of relief that was not presented to the Appeals Board.

P. *Appeals from the board.* Any person aggrieved by a final decision of the Appeals Board may appeal such decision to district court, provided that the petition for such relief is presented to the court within 30 days from the date of the decision of the Appeals Board.

(Ord. 2018-11, 9-20-2018)

Sec. 10-6-6. Historic Preservation Commission.

A. *Established.* In order to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, a Historic Preservation Commission, consisting of five members, is hereby established to exercise the powers and duties specified herein. Members of the commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission. It is the intent of this section that the City shall have the power to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, through the establishment of a Historic Preservation Commission and a historic district as provided in Utah Code Annotated section 17A-3-1301 et seq., as amended.

B. *Purpose.* The purpose of the historic district is to:

1. Preserve buildings and related structures of historic and architectural significance; and
2. Allow improvements to existing structures or new construction to be conducted without destroying or damaging the historic character of said district or neighborhood.

C. *Appointment and terms of office.*

1. Historic Preservation Commission members shall be appointed by the Mayor with the advice and consent of the City Council.
    a. Members of the Historic Preservation Commission shall have a demonstrated interest, competence or knowledge in or of historic preservation. To the extent available in the City, two commission members shall be professionals, as defined by the National Park Service Regulations, from the disciplines of history, architecture or architectural history.
    b. The terms of Historic Preservation Commission members shall be staggered. Each member of the Historic Preservation Commission shall serve for a term of not less than two nor more than four years, as determined by the City Council, and until a successor is appointed; provided, that the term of the first members shall be such that the term of one member shall expire each year.

c. Terms of Historic Preservation Commission members shall begin on or before the first Monday in February of each year.

d. Historic Preservation Commission members may be reappointed for successive terms.

e. The Mayor, with the advice and consent of the City Council, may remove any member of the Historic Preservation Commission for cause if written charges are filed against the member with the City Manager; provided, that the member shall be afforded a public hearing if one is requested.

f. A vacancy occurring on the Historic Preservation Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Historic Preservation Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

D. *Organization and procedure.* The Historic Preservation Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Historic Preservation Commission shall select one of its members as Chairperson to oversee the proceedings and activities of the commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

a. The chairperson shall serve for a term of one year.

b. The chairperson, with the advice and consent of the Historic Preservation Commission shall appoint one of the commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Historic Preservation Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Historic Preservation Commission.

3. The Historic Preservation Commission shall meet at least twice each year. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Historic Preservation Commission unless a quorum of its members is present. Three members of the commission shall constitute a quorum.

5. Decisions of the commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Historic Preservation Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its examinations and other official actions.

a. The Historic Preservation Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may also make a concurring or dissenting report or recommendation to the City Council.

b. The minutes of all meetings of the Historic Preservation Commission shall be prepared and filed in the office of the commission. All records in the office of the Historic Preservation Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

E. *Powers and duties.* The Historic Preservation Commission shall have all the powers and duties, explicit or implied, given such commissions by state law, including, but not limited to, the following. Each of such powers and duties shall be exercised pursuant to the procedural and other provisions of this title.

1. The commission shall conduct or cause to be conducted a survey of the historic, architectural and archaeological resources within the City. The survey shall be compatible with the state inventory of historic and archaeological sites. Survey and inventory documents shall be maintained and open to the public. The survey shall be updated as deemed appropriate by the commission.

2. The commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the City. When the Historic Preservation Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in this area before rendering its decision.

3. The Historic Preservation Commission shall act in an advisory capacity to the City Council, Planning Commission and all other officials and departments of the City, with respect to the identification and protection of local historic and archaeological resources.

4. The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic preservation and the City's history.

5. The Historic Preservation Commission shall identify an area or areas containing significant historic buildings or structures to be known as the Hurricane Historic District, which district shall be established by an overlay zone to this title. The commission shall also propose for adoption by the City Council by subsequent ordinance rules and regulations pertaining to new construction within the historic district, as well as alterations, repairs or demolition of existing buildings within said district deemed to be of significant historical value. When such rules or regulations have been adopted by ordinance by the City Council, the Historic Preservation Commission shall assist in enforcing said rules and regulations.

6. The commission shall further support the enforcement of all state laws relating to historic preservation, including, but not limited to, Utah Code Annotated sections 17A-3-1301 et seq., 9-8-201 et seq., and 9-8-401 et seq., as amended.

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

Sec. 10-6-7. Staff referral by Planning Commission.

A. *Staff referral.* The Planning Commission may direct that any matter over which it has jurisdiction be referred to the staff of the Planning Commission for review and preparation of recommendations. Such action shall be taken either by motion of the Planning Commission or pursuant to duly adopted bylaws of the Planning Commission. The authority for such referrals may be revoked at any time by motion of the Planning Commission or amendment of its bylaws, as the case may be.

B. *Appointment of Hearing Officer.* In the event a matter is referred to the Planning Commission staff which requires a public hearing, the City Manager shall appoint a Hearing Officer to conduct the hearing in accordance with applicable requirements of this title.

C. *Review and recommendation.* If a matter is referred to the Planning Commission staff as permitted by this section, the staff shall conform to any instructions or limitations contained in the referral, and subject

thereto shall review the referred matter, conduct any necessary hearings, and prepare written recommendations for the Planning Commission.

D. *Decision.* Unless the Planning Commission shall otherwise direct, any person who has applied for authorization to develop property under the terms of this title may in writing consent to the staff recommendation and waive further action by the Planning Commission. If the applicant waives further action by the Planning Commission, the staff recommendation shall be considered approved by the Planning Commission. Thereafter necessary permits may be issued subject to the terms of this title and any applicable conditions of approval.

E. *Limitation.* This section shall not apply to any action with respect to which the Planning Commission is required by law to take direct action.

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

Sec. 10-6-8. Zoning Administrator.

A. *Appointment.* The City Manager shall designate a staff person who shall be primarily responsible for administering and enforcing this title. Such person shall be known as the Zoning Administrator.

B. *Interpretation.* The Zoning Administrator shall interpret the ordinance to members of the public, City departments, and to other branches of government, subject to general and specific policies established by the Planning Commission and City Council. Upon request, the Zoning Administrator shall make a written interpretation of the text of this title pursuant to section 10-7-18 of this title.

C. *Administrative duties.* The Zoning Administrator shall accomplish or cause to be accomplished all administrative actions required by this title, including the giving of notice, holding of hearings, preparation of staff reports and receiving and processing of appeals.

D. *Negotiation and advice.* The Zoning Administrator may negotiate with and advise all persons making application for any project which requires approval by the Planning Commission or City Council.

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

Sec. 10-6-9. Final plat approval staff.

Commented [FR1]: Is this language still sufficient

A. The City planning, public works, legal, and engineering staff and/or contract employees are hereby designated to approve subdivision final plats.

B. Appeals of decisions made by the final plat approval staff shall be made to the City Council.

(Ord. 2017-16, 11-16-2017)

CHAPTER 39. SUBDIVISIONS

Sec. 10-39-1. General provisions.

A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience, and general welfare of the inhabitants of the City in the division or subdivision of land and related matters affected by each subdivision.

B. Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and shall be in harmony with good neighborhood development of the area concerned, and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

C. In cases where unusual topographical or other exceptional conditions exist such as sensitive lands, collapsible soils or other conditions necessitating any exceptions from or additional requirements to this chapter, said exceptions or requirements may be set by the Planning Commission and/or the City Engineer.

Sec. 10-39-2. Scope.

A. No person shall subdivide any tract of land which is wholly or in part within the City boundaries except in compliance with this chapter.

B. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, or offer for recording in the office of the county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter.

C. All lots, plots, or tracts of land located within a subdivision shall be subject to this chapter regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.

D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas, including land qualifying as sensitive lands within Title 10, Chapter 24 of this Code.

Sec. 10-39-3. Definitions.

The following words and phrases used in this chapter, in addition to those listed in chapter 3 of this title, shall have the respective meanings hereafter set forth, unless a different meaning clearly appears from the context:

Adjacent landowner means any property owner of record, according to the records of the county recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Affected entity means as stated in statute, a county, municipality, independent special district, local district, school district, interlocal cooperation entity, specified public utility, or the state department of transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

B. The entity has filed with the municipality a copy of the entity's general or long range plan; or

C. The entity's boundaries or facilities are within one mile of land which is the subject of a general plan amendment or land use ordinance change.

Block means the land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

Bona fide division or partition of land for agricultural purposes means the division of a parcel of land into two or more lots none of which is less than five acres in an area, and where no dedication of any street is required to serve any such lots or parcels of land so created.

City means Hurricane City, Utah.

City Council means the City Council of Hurricane City, Utah.

City Engineer means the City Engineer of Hurricane City, Utah, or a consulting engineering firm designated as the City Engineer by the City Council.

City Planner means the professional planner of the City, or person designated as such by the City Council.

Communications easement means an exterior easement for placement of facilities intended to be used in connection with the delivery of multichannel video programming services, cable services, information services, or telecommunications or telecommunications services.

Communications infrastructure means facilities planned to be used in connection with the delivery of multichannel video programming services, cable services, information services, telecommunications or telecommunications services, which term shall include, but not be limited to, conduit.

Construction drawings means Subdivision improvements plans, as defined herein.

County means Washington County, Utah.

Culinary Water Authority means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Dedication means land set aside by an owner for any general and public uses.

Easement means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on, or above said lot or lots.

Final plat means the final drawing of the subdivision and dedication prepared for filing of record with the county recorder and in compliance with all the requirements set forth in this chapter and adopted pursuant thereto.

General plan means a plan, labeled "General Plan of Hurricane City," including maps or reports or both, which has been approved by the City Council as required by law, or such plan as it may be amended from time to time.

Joint Utility Committee means the representatives of the City, Ash Creek special service district, and franchisee utility companies authorized to review and sign construction drawings.

Lot means a separately delineated parcel of real property having a number and designation shown on a recorded subdivision plat, or a contiguous quantity of real property defined in a deed by metes and bounds which has a separate property identification number according to the records of the county recorder and is not shown on a recorded subdivision plat.

Lot right-of-way means a strip of land of not less than 26 feet wide connecting a lot to a street for use as private access to that lot.

Official zoning map means a zoning map adopted by the City Council pursuant to the provisions of Utah Code Annotated section 10-9a-501, as amended.

Open space means designated land within the subdivision which shall always remain undeveloped, which shall be included in improved parks and recreational areas, or which shall remain all natural.

Person means any individual, corporation, partnership, limited liability company, or partnership, firm, or association of individuals, however styled or designated.

Planning Commission means the Hurricane City Planning Commission. The Planning Commission shall be the “administrative land use authority” as defined in Utah State Code 10-9a-604.1(1)(b) as amended.

Plat means a map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Review Cycle means the occurrence of:

(i) the applicant's submittal of a complete subdivision land use application;

(ii) the City's review of that subdivision land use application;

(iii) the City's response to that subdivision land use application, in accordance with this section; and

(iv) the applicant's reply to the City's response that addresses each of the City's required modifications or requests for additional information.

Sanitary Sewer Authority means the Ash Creek special service district, a public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems within the City.

Security means an escrow agreement, irrevocable letter of credit, or other security instrument given by the subdivider to ensure the proper installation of public improvements.

Street means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than 26 feet wide which has been made public by right of use and which affords the principal access to the abutting property.

Street, arterial means a street, existing or proposed, which serves or is intended to serve as a major trafficway, and is designated on the general plan as a controlled access highway, major

street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

Street, collector means a street, existing or proposed, which is the main means of access to an arterial street system.

Street, cul-de-sac means a street which originates from a designated City street with no other outlet and forcing a radius turn area, not to exceed 660 feet in length without the written approval of the City Council, the Planning Commission and the Fire Chief.

Street, private means a right-of-way or easement in private ownership not dedicated or maintained as a public street.

Street, residential means a street, existing or proposed, which is supplementary to a collector street and which serves or is intended to serve local needs of a neighborhood.

Subdivider means any individual, firm, association, syndicate, copartnership, corporation, trust or other legal entity commencing proceedings under this chapter to effect a subdivision for himself or for another.

Subdivision:

A. Includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument; and
2. Except as provided herein, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

B. Does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
2. A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if no new lot is created and the adjustment does not violate applicable land use ordinances; or
3. A recorded document executed by the owner of record, revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property, or joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.

The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" as to the unsubdivided parcel of property or subject the unsubdivided parcel to the provisions of this chapter.

Subdivision application means a land use application for the subdivision of land.

Subdivision improvement plans means the civil engineering plans associated with required infrastructure improvements and municipally controlled utilities required for a subdivision.

Subdivision ordinance review means review by the City to verify that a subdivision ~~land use~~ application meets the criteria of the City's ~~subdivision~~ ordinances.

Subdivision plan review means a review of the applicant's subdivision improvements and other aspects of the subdivision ~~land use~~ application to verify that the application complies with City ordinances and applicable installation standards and inspection specifications for infrastructure improvements.

Sec. 10-39-4. Necessity of plat; exemption from plat requirements.

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

A. A subdivision creating no more than one new lot may be approved with written approval by City staff without the necessity of preparing and filing a preliminary plat or final plat if:

The proposed subdivision:

1. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the City staff has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;
2. Has been approved by the culinary water authority and the sanitary sewer authority;
3. Is located in a zoned area; and
4. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

B. 1. A lot or a parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:

a. Qualifies as land in agricultural use under Section 59-2-502 of the Utah Code, as amended;

b. Meets the minimum size requirement of applicable land use ordinances; and

c. Is not used and will not be used for any nonagricultural purpose.

2. The boundaries of each lot or parcel exempted under Subsection (A) and (B) of this Section shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604 of the Utah Code, as amended, shall be recorded with the Washington County Recorder.

3. If a lot or parcel exempted under Subsection (B)(1) of this Section is used for a nonagricultural purpose, the municipality may require the lot or parcel to comply with

the requirements of Section 10-9a-603 of the Utah Code, as amended, and the subdivision requirements of this Chapter.

C. 1. Documents recorded in the Washington County Recorder's Office that divide property by a metes and bounds description do not create an approved subdivision allowed by this Chapter unless the written approval required by Subsection (A) of this Section is attached to the document.

2. The creation of a lot under Subsection (A) of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the Joint Utility Committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.

D. Lots or parcels created in violation of this section shall not be issued a building permit until the violation is corrected.

Sec. 10-39-5. Notice requirements.

A. Notice of proposal to vacate some or all of a public street, right-of-way, or easement. The legislative body shall hold a public hearing and give notice of the date, place, and time of the hearing at least ten days before the public hearing by:

1. Mailing notice to the record owner of each parcel that is accessed by the public street, right-of-way, or easement;

2. Mailing notice to each affected entity;

3. Posting notice on or near the street, right-of-way, or easement in a manner that is calculated to alert the public;

4. Published on the City's official website until the public hearing concludes; and

5. Publishing notice on the state public notice website.

B. Notice for an amendment to a subdivision. For an amendment to a subdivision, the City shall provide notice of the date, time, and place of at least one public meeting.

1. At least ten calendar days before the public meeting, the notice shall be:

a. Mailed to the record owner of each parcel directly adjacent of the proposed amendment; or

b. Posted on the property.

(1) The applicant must post a sign at least ten days before the public meeting in a visible location, that is sufficient in size, durable, and legible by passers-by.

Sec. 10-39-6. Preliminary plat process.

A. Designation of Administrative Land Use Authority. The Planning Commission is designated as the Administrative Land Use Authority that reviews and approves or denies preliminary subdivision applications; provided, however, that the review and approval of subdivisions creating no more than one new lot under Section 10-39-4 of this Chapter is governed by that Section.

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B. Pre-Application Meetings.

1. If an applicant requests a pre-application meeting, the City shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the municipal staff shall provide or have available on the municipal website the following:
   (i) copies of applicable land use regulations;
   (ii) a complete list of standards required for the project;
   (iii)preliminary and final application checklists; and
   (iv)feedback on the concept plan.

C. Review of Preliminary Plat Application.

1. Off-site extension of water mains shall be approved pursuant to Sec. 8-1-8 of this code prior to submittal. Off-site extension of power lines shall be approved pursuant to Sec. 8-4-3 of this code prior to submittal.

~~1.~~2. Preliminary plat applications shall comply with all requirements of this Title and Utah Code Title 10, Chapter 9a, as amended.

~~2.~~3. The applicant shall (1) obtain and complete a preliminary plat application form and application checklist and (2) have the proposed plat ~~and subdivision improvement plans~~ prepared by a licensed engineer or surveyor.

~~3.~~4. The applicant shall submit the completed application, proposed plat, ~~proposed subdivision improvement plans~~, subdivider's agreement set out in section 10-39-12, and the required fees to the Planning Department.

~~4.~~5. Planning Department staff shall review the submitted documents for completeness. Any proposed preliminary plat ~~and subdivision improvement plan~~ that, on its face, fails to comply with an applicable zoning ordinance or development agreement, shall render the application incomplete, and the applicant shall be notified of the incomplete application.

~~5.~~6. Upon the Planning Department's determination of a complete application, the proposed preliminary plat ~~and subdivision improvement plans~~ shall be submitted for review to the Joint Utility Committee and appropriate City departments.

~~6.~~7. No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the Joint Utility Committee and appropriate City departments shall complete the initial review of the application~~, including subdivision improvement plans~~.

~~7.~~8. Upon the completion of the initial review of the application, the Zoning Administrator shall place the application on the next available Planning Commission agenda for a public hearing and consideration by the Planning Commission.

~~8.~~9. Applicant or Applicant's authorized representative shall appear at the scheduled meeting before the Planning Commission to present the proposed preliminary plat and answer questions.

~~9.~~10. The Planning Commission may approve, deny, or approve with conditions a proposed preliminary subdivision plat.

~~10.~~11. If a preliminary subdivision plat application complies with applicable municipal ordinances and the requirements of Utah Code Title 10, Chapter 9a, as amended, the Planning Commission shall approve the preliminary plat application.

D. Approval of the preliminary subdivision plat by the Planning Commission shall authorize the subdivider to proceed with the preparation and review of a final subdivision plat application; provided, however, that an applicant may submit a final subdivision plat application to be processed concurrently with a preliminary subdivision application.

E. After preliminary subdivision plat approval from the Planning Commission, a complete application for final subdivision plat approval must be submitted within one year of the preliminary plat approval date or the preliminary subdivision plat approval shall expire. 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.

F. Approval of a preliminary subdivision plat by the Planning Commission shall not constitute approval of the subdivision improvement plans.

Sec. 10-39-7. Preliminary plat requirements.

The preliminary plat shall include or be accompanied by the following:

A. *Description.* In a title block located in the lower right hand corner of the sheet the following is required:

1. The proposed name of the subdivision.
2. The location of the subdivision, including the address and the section, township and range.
3. The names and addresses of the owner or subdivider if other than the owner.
4. Date of preparation and north point.
5. Scale shall be of sufficient size to adequately describe in legible form all required elements.

B. *Existing conditions.* The preliminary plat shall show:

1. The location of the nearest monument.
2. The boundary of the proposed subdivision and the acreage included.
3. All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other commission studies.) And all property contiguous to the proposed subdivision.

4. The location, width and names/numbers of all existing streets within 200 feet of the subdivision and of all prior streets or other public ways, easements, utility rights-of-way, parks and other public open spaces, within and adjacent to the tract.
5. 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 100 feet beyond the tract boundaries.
6. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.
7. Contours at vertical intervals not greater than five feet.
8. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.

C. *Proposed plan.* The subdivision plans shall show:

1. The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements.
2. The layout, numbers and typical dimensions of lots. Designation of buildable area is required for each lot.
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
4. Easements for water, sewers, drainage, utilities, lines and other purposes.
5. Street cross sections and street grades.
6. A plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.
7. Approximate radius of all centerline curves on highways or streets.
8. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street.
9. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.
10. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
11. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
12. If the subdivision is to be built in phases, the plat shall show possible phasing lines.
13. A tentative plan or method for providing nondiscriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

14. Complete subdivision improvement plans shall be reviewed by the Joint Utility Committee.

Sec. 10-39-8. Subdivision Improvement Plans.

As part of a complete preliminary plat application, the applicant shall have subdivision improvement plans prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with:

1. Current Hurricane City land use ordinances;
2. Current Hurricane City standards and specifications;
3. Hurricane City drainage manual;
4. Ash Creek special service district construction standards;
5. Hurricane City power standards and specifications;
6. Applicable building code;
7. Applicable fire code; and
8. Dixie Escalante power standards and specifications, if applicable.

B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:

1. A general assessment of the requirements needed to develop on the site.
2. Site preparation and grading and the suitability of on site soils for use as structural fill.
3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
5. Anticipated total and differential settlement.
6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
7. Design criteria for restrained and unrestrained retaining or rockery wall.
8. Moisture protection and surface drainage.

C. Subdivision improvement plans are valid for 24 months after final signature. Subdivision improvement plans signed more than 24 months prior to construction of improvements shall be expired. For a project where construction has started and all improvements shown on the plan will be constructed, the Public Works Director may permit construction to continue. Subdivision improvement plans showing multiple phases of a project are valid only for those improvements constructed within the first

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~~24 months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.~~

Sec. 10-39-~~9~~8. Final plat and subdivision improvement plan application and approval process.

A. Once the preliminary plat is approved, applicant shall submit a complete final plat application, application checklist, subdivision improvement plans, an electronic copy of the final plat, required fee, and any other required documents to the Planning Department.

B. Planning Department staff shall review the submitted documents for completeness. Upon the Planning Department's determination of a complete application, the proposed final plat and subdivision improvement plans shall be submitted for review to the Joint Utility Committee and appropriate City departments.

1. Subdivisions of single family homes, duplexes, and townhomes: No later than 20 business days after the day on which the applicant submits a complete final plat application, the City shall complete a review of the applicant's final subdivision land use application, including subdivision plan reviews.
    a. In reviewing a subdivision land use application, any member of the Joint Utility Committee or applicable City department may require:
        i. additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
        ii. modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information;
        iii. Requests under sections (i) and (ii) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be indexed by the Public Works Director and provided to the applicant;
        iv. Except for a modification or correction necessary to protect public health and safety or to enforce state or federal law, and unless a change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a City's subdivision improvement plan review is waived.
    b. No later than 20 business days after the City has returned requested modifications or additions to the applicant, the applicant shall provide to the City:
        i. Revised subdivision improvement plans;
        ii. A written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any;

iii. The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of revisions or additions for each required correction;

iv. If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed;

v. If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.

c. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City's previous review cycle, the City's previous review cycle, the City may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

d. If a final subdivision application complies with the requirements of applicable City ordinances, Utah Code Title 10, Chapter 9a, as amended, and the preliminary subdivision approval, the City shall approve the final subdivision application.

2. Subdivisions not consisting of single family homes, townhomes or duplexes: The Joint Utility Committee shall review and redline the completed plans
   a. When redlines are completed the Public Works Director shall prepare a summary of needed changes and return redlined plans to the applicant.
   b. Applicant shall then submit corrected construction drawings addressing all redlined items to the City Engineer for review and verification that all redlines have been addressed.
   c. Applicant shall then submit three copies of the corrected construction drawings to the City Engineer for possible signature. After the City Engineer signs, applicant must obtain all required signatures and return signed plans to Public Works Director for final signature

3. The process laid out in subsection (1) of this section for subdivisions consisting of single family homes, townhomes, or duplexes shall constitute one review cycle. No more than four review cycles for a subdivision improvement plan review may be required, except as otherwise provided herein. The City may not, outside of the review cycle, engage in a substantive review of the required infrastructure improvements.

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4. Any dispute involving the review of subdivisions consisting of single family homes, townhomes, or duplexes if, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received:
    a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah State Code 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or
    b. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the City Appeals Board pursuant to section 10-7-19 of this Code.
5. If an applicant makes a material change to a plan set, the City Engineer has the discretion to restart the review process of the final plat application, but only with respect to the portion of the plan set that the material change substantially affects.

C. Once the final plat approval staff has granted approval of a final plat and a bond or other financial security is in place in accordance with section 10-39-13 of this chapter, the subdivider may schedule a preconstruction meeting with the City Public Works Department. Upon receipt of written notice to proceed from City, construction of the subdivision may proceed. No construction shall be permitted prior to receipt of written notice to proceed.

Sec. 10-39-9. Subdivision Improvement Plans.

As part of a complete final plat application, the applicant shall have subdivision improvement plans prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with:

1. Current Hurricane City land use ordinances;
2. Current Hurricane City standards and specifications;
3. Hurricane City drainage manual;
4. Ash Creek special service district construction standards;
5. Hurricane City power standards and specifications;
6. Applicable building code;
7. Applicable fire code; and
8. Dixie Escalante power standards and specifications, if applicable.

B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:

1. A general assessment of the requirements needed to develop on the site.
2. Site preparation and grading and the suitability of on site soils for use as structural fill.

3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
5. Anticipated total and differential settlement.
6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
7. Design criteria for restrained and unrestrained retaining or rockery wall.
8. Moisture protection and surface drainage.

C. Subdivision improvement plans are valid for 24 months after final signature. Subdivision improvement plans signed more than 24 months prior to construction of improvements shall be expired. For a project where construction has started and all improvements shown on the plan will be constructed, the Public Works Director may permit construction to continue. Subdivision improvement plans showing multiple phases of a project are valid only for those improvements constructed within the first 24 months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

Sec. 10-39-10. Final plat requirements.

A. *Required information.* The final plat shall show:

1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the Planning Commission.
2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
4. Every existing right-of-way and easement grant of record. Where the same is granted to a specific entity, that entity must be clearly identified.
5. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
6. All street centerline data must be shown, together with its relationship to the property lines, corners, etc.
7. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, state, county or other official monuments.

8. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).

9. Street monuments to be installed by the subdivider in accordance with the requirements of the City standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.

10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.

11. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.

12. The parent parcel number, as shown on the records of the Washington County Recorder.

B. *Required forms and certificates.* In addition the final plat shall contain the standard forms for the following:

1. A registered professional land surveyor's signed certificate of survey, together with a statement that:

   a. The surveyor holds a license in accordance with Utah Code Annotated title 58, chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
   b. The surveyor has completed a survey of the property described on the plat in accordance with Utah Code Annotated section 17-23-17 and has verified all measurements; and
   c. Has placed monuments as represented on the plat.

2. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.

3. Mortgagee or other lienholder's consent to record, if applicable.

4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.

5. Certificate of approval of Ash Creek special service district.

6. A note stating as follows: Hurricane City operates a municipal culinary water system with limited water supply. Approval of a plat by Hurricane City does not guarantee that sufficient water will be available to serve lots depicted on any plat. Any land use applicant may be required by Hurricane City to provide a guarantee of water availability. If there is any approval without a water guarantee, the applicant assumes the entire risk of water availability for a platted lot.

7. Certificate of approval and acceptance by the City as evidenced by the signature of the Mayor.

8. Certificate of approval of the City Engineer.

9. Certificate of approval as to form executed by the City Attorney.

10. A one and one-half inch by five inch space in the lower right hand corner of the drawing for the use of the county recorder.

11. Certificate of approval of the county treasurer.

C. *Other information required.* The following information or documentation shall be submitted with the final plat or prior to recordation:

1. A sworn statement or title report stating that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full.

2. An original copy for staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the county recorder prior to or concurrently with the final plat.

3. An up-to-date title or subdivision report for the property being subdivided. Applicant is responsible to ensure the final plat addresses and accounts for liens, easements, and other encumbrances on the property being subdivided.

4. Mylar of approved final plat submitted and reviewed for substantial conformance with paper final plat.

5. Applicant shall be responsible to provide any additional information requested by the county recorder, including electronic versions of mylars.

D. *Requirements for recordation.*

1. Final plat approval.

2. Bond or other financial security in place.

3. Final title or subdivision report prepared and submitted to the City Attorney with an effective date within 30 days of the date the mylar is recorded.

4. Proof of satisfaction of payment of any water impact fee due Washington County Water Conservancy District, if applicable.

5. For property to be dedicated to the City for streets, roads, rights-of-ways, or other parcels intended for the use and benefit of the general public, free and clear title to the property, unless the encumbrance is an easement the acceptance of which will not adversely affect the public. Provided, however, that appropriate mortgagee or other lienholders' consent to record the final subdivision plat shall be adequate for purposes of this section to address liens recorded against the property.

6. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek special service district superintendent. The City Attorney shall be the last signer of the mylar just prior to recordation.

7. Preliminary acceptance by City of all public and private improvements as shown on approved construction drawings.

8. If submitted mylar shows material changes from the approved paper final subdivision plat, applicant shall submit an application for an amended plat and get approval of the amended plat before recordation will be permitted to occur.

E. *Recordation of plat.* Applicant shall be responsible to coordinate with the City Attorney for the recording of the final plat and for the payment of any recording fees. Applicant shall be responsible to ensure that, after the City Engineer signs a final subdivision plat mylar, the remaining conditions to qualify the mylar for recording are accomplished and the mylar is recorded with the county recorder within one year of the date of the City Engineer's signature. Failure to record the final plat within one year of the date of final signature by the City Engineer shall result in revocation of the final plat. When a final plat is revoked, a new preliminary plat must be approved before applying for new final plat approval.

Sec. 10-39-11. Subdivision streets and fencing.

A. *Relation to adjoining street systems.*

1. The arrangements of streets in new subdivisions shall make provision for the continuation of the existing streets to adjoining areas insofar as such may be deemed necessary by the Planning Commission for public requirements. New streets within subdivisions shall not preclude future access to adjoining properties.

2. Standard residential streets shall approach the arterial or collector streets at an angle of not less than 80 degrees.

3. Except as otherwise provided elsewhere in this Code, all subdivision streets and roadways shall be constructed and installed in accordance with the City roadway construction standards.

B. *Fencing.*

1. *Where required.* A solid masonry, chainlink or other nonclimbable fence not less than six feet in height shall be installed on both sides of existing supply irrigation ditches or canals, or bordering open reservoirs or nonaccess streets, and which are located within or adjacent to the subdivision, except where the Planning Commission determines that park areas including streams or bodies of water shall remain unfenced.

2. *Prevent nuisance or hazard.* The Planning Commission may also require the construction or installation of a fence in any subdivision where the Planning Commission determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or the adjoining property.

3. *Agricultural fencing.* Unless otherwise waived by affected agricultural property owners, fencing abutting agricultural property shall be required of subdivider. Fencing shall meet or exceed the standard Utah Department of Transportation ("UDOT") Right-of-Way Fencing and Gates as described in UDOT's then-applicable Standard Specifications for Road and Bridge Construction, consisting of wire mesh and two strands of barbed wire. The affected agricultural property owner shall have the option to pay the additional cost to install a fence beyond this minimum standard. The fence, design, and materials shall be approved with the construction drawings for the subdivision together with other subdivision improvements.

Sec. 10-39-12. (Reserved)

Sec. 10-39-13. Guarantee of completion of improvements; form of surety; release of funds.

Subdivider shall guarantee improvements in accordance with the following:

A. *Completion of improvements before recordation.* If subdivider desires to construct improvements as shown on approved construction drawings prior to recordation:

1. Recordation of the plat shall not occur until the improvements required in connection with the subdivision have been completed and conditionally accepted.
2. Subdivider shall provide guarantee of conditionally accepted improvements in a form acceptable to the City as shown in subsection C of this section in the following amount:
    a. Ten percent of the total cost of all the required improvements shall be retained by the City during the 12-month (24-month if applicable) warranty period.

B. *Recordation before completion of improvements.* If the subdivider desires to have a plat recorded prior to construction of improvements subdivider shall guarantee completion, within two years from the date of final plat approval by the City Council, of installation and construction of the required improvements in compliance with all City standards.

C. *Form of surety.* In order to guarantee completion of improvements, subdivider shall provide one of the following types of sureties or guarantees:

1. *Escrow.* The subdivider shall deposit with any insurance company, bank, or savings and loan institution in an escrow account an amount of money equal to at least 115 percent of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent of the cost of all the required improvements of the subdivision as a guarantee amount, as determined by the City Engineer. The escrow agreement shall be subject to approval by the City Attorney and shall be signed by the subdivider, the City, and the escrow holder, and shall contain substantially the following language:

AGREEMENT

The undersigned hereby promises and warrants that it has on deposit in an escrow account for the benefit of Hurricane City Corporation, the sum of _____ ($_____), which represents at least one hundred fifteen percent (115%) of the costs of the engineer's estimated costs for improvements not constructed or installed by the subdivider plus ten percent (10%) of the cost of improvements of the _____ subdivision.

The undersigned hereby agrees that the foregoing sum of money shall be used exclusively for the purpose of paying for the costs of materials, construction, and installation of the improvements required by the Hurricane City Subdivision Chapter. The undersigned further

agrees that the money held in an escrow account shall be paid out to the contractors installing and constructing the required improvements only upon approval of the City. The subdivider shall not withdraw from the escrow account any amount in excess of 100% of the estimated cost of the improvements, but shall pay from other sources any costs for such improvements which exceed the engineers estimate approved by the City.

After all improvements are made, completed and preliminarily accepted by the City, a sum equal to 10% of the estimated costs of improvements shall remain with the escrow holder for a period of 12 months as a warranty that all improvements are installed and inspected to City specifications, and that all defects occurring within the first 12 months (24 months if applicable) are corrected and approved by the City.

If, after 12 months (24 months if applicable), all or any part of the required improvements are not installed, constructed, and maintained according to the standards required in the Hurricane City Subdivision Ordinance, Hurricane City shall notify in writing the subdivider and escrow holder of the defects and shall make demand on the subdivider that the defects be corrected. If the defects are not corrected within 30 days, Hurricane City may correct the defects and charge to the escrow holder the costs of correcting the defects.

The escrow holder shall, on receiving reasonable proof from Hurricane City of the defect and that Hurricane City has incurred the cost of correcting the defect, pay to Hurricane City from the escrow account the cost of correcting the defect, and the escrow holder shall be held harmless by the parties by reason of payment to Hurricane City.

If, 12 months (24 months if applicable) after preliminary acceptance of the improvements required by City's standards and specifications and shown on approved construction drawings, the required improvements remain substantially free from latent defects, Hurricane City shall certify such fact to the escrow holder, and the escrow holder shall release to the subdivider any money still held in the escrow account, and the escrow holder shall be discharged of its obligations to Hurricane City.

(Authorized Signature)

The escrow agreement may contain such additional provisions as the parties deem necessary.

2. *Irrevocable letter of credit.* The subdivider shall file with the City an irrevocable letter of credit from a duly chartered state or national bank or savings and loan institution, which letter shall contain provisions substantially similar to that required in the escrow agreement.

The form of the irrevocable letter of credit shall be substantially as follows:

Name of Bank:

Address:

IRREVOCABLE LETTER OF CREDIT

To: Hurricane City Corporation

Date:

Letter of Credit No.:

Gentlemen:

We hereby establish our irrevocable letter of credit in your favor for the account of _____, _____, (insert name of subdivider, subdivider's address) up to the aggregate amount of _____ ($_____) (insert amount equal to one hundred fifteen percent, i.e., 115% of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent [10%] of the cost of all improvements of the subdivision as determined by the Engineer) drawn at sight on _____, _____, (insert name of bank, address of bank), accompanied by a statement signed by an officer of Hurricane City Corporation as follows: "We certify that the improvements related to the _____ (insert name of subdivision) have not been completed and the defects corrected in accordance with city ordinances and that this drawing represents the amount necessary to complete those improvements."

We hereby agree with drawers, endorsers and bona fide holders that all drafts under and in compliance with the terms of this credit will be duly honored upon presentation and delivery of documents as specified to the drawee or drawn and presented at our bank for negotiation on or before _____ (insert completion date plus 90 days). This Irrevocable Letter of Credit automatically renews for a one year term at the end of every term unless the Authorized Bank Officer provides Hurricane City written notice of termination thirty (30) days prior to the end of the term.

Very Truly Yours,

Authorized Bank Officer

3. *Other guarantee.* Such other financial guarantee that may be acceptable to the City Council.

D. *Release of funds.* As the required improvements are satisfactorily installed and have been inspected by the City, funds which have been placed in escrow for those improvements will be authorized to be released for payment of those improvements. Escrow holder is authorized to release funds from this account only after receiving a written release from City. The City is not responsible to determine the party to be paid.

After all required improvements have been installed, the subdivider shall notify the City and request that the subdivision be granted preliminary acceptance and begin the warranty period. The subdivision will then be inspected by City, and if all improvements have been completed in accordance with City ordinances and specifications, as built plans have been delivered to the Public Works Department, and a final grading plan has been submitted, the City will grant preliminary acceptance. The subdivision will then begin the 12-month (24-month if applicable) warranty period. Ten percent of the total cost of all the required improvements, as specified above, shall be retained by the City during this warranty period.

All funds in escrow surplus to the warranty amount may then be released by the City.

The purpose of retaining the ten percent warranty amount is to guarantee that the improvements have been installed correctly and that they function properly. If any improvements have not been installed correctly or fail to function properly, and the subdivider fails to correct the deficiencies within 30 days of notification thereof, then upon written notice by the City, escrow shall pay over to the City the amount necessary to complete, repair, or replace said improvements.

In the event the costs of completing, repairing, or replacing the unsatisfactory improvements exceed the amount remaining in the escrow account, the subdivider shall, within ten days of

notice thereof, pay the excess amount to the City and shall also cause to restore the escrow account or irrevocable letter of credit to the prescribed ten percent warranty amount. The City shall not issue any building permits for the subdivision until the above referenced excess costs have been paid to the City and the warranty amount (ten percent of the total cost of improvements) has been restored.

Sec. 10-39-14. Warranty of completed improvements.

Upon completion of construction and installation of all required improvements, subdivider shall warrant that said improvements shall be and shall remain free from defects in material and workmanship for a period of 12 months after the date of preliminary acceptance by City, unless said warranty period is extended for a period of up to 24 months by the City Council upon a finding that a warranty period of 12 months is inadequate to protect the public health, safety and welfare for any of the following reasons:

A. The prior poor or substandard performance by the subdivider or contractor responsible for construction and installation of the improvements;

B. The presence or existence of unstable soil conditions within the subdivision or adjacent area;

C. Extreme fluctuations in climatic conditions that would or could reasonably prevent the discovery of substandard or defective performance within a 12-month period; or

D. Any other exceptional reason or circumstances which in good faith is determined by the City Council to require a longer warranty period.

The subdivider shall be responsible to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period without cost to the City.

Sec. 10-39-15. Enforcement and permits.

A. In order to enforce compliance with this chapter, the Building Official shall not issue any permit for the proposed erection, construction, reconstruction, alteration of any structure, or use of any land until the provisions of this chapter have been meet. No City officer or employee shall issue any permit or license for the construction or installation of any building or structure or use on any subdivision lot until the following conditions have been met:

1. Such subdivision plat shall have been approved and recorded in the office of the county recorder.

2. Infrastructure improvements shown on approved construction plans for the subdivision:

a. Have been constructed and installed and preliminarily accepted; or

b. The City has received and accepted an improvement completion assurance for the subdivision in accordance with this chapter, and the following improvements have been constructed, installed, tested and accepted in accordance with the requirements of the building or fire code:

(1) A road base of untreated, compacted and graded gravel;

(2) Sewer, storm drains and storm drain facilities;

(3) Curb and gutter unless otherwise not required by this Code;

(4) Water system, including water lines and hydrants; and

(5) Power lines.

B. All required improvements must be complete within 12 months of notice to proceed.

C. The City may call upon the improvement completion assurance filed with the City for all improvements not completed within 12 months of the notice to proceed or when the first building within the subdivision seeks an occupancy permit, whichever is sooner.

D. It shall be prohibited for anyone to start construction on any building within a subdivision until they have fulfilled the requirements of this chapter.

E. Any license or permit issued in conflict with this chapter shall be null and void.

F. Notwithstanding the provisions of subsection A above, a building permit may be issued for:

1. A single model home in a subdivision may be given a building permit under the following conditions:,

a. The subdivision plat has been recorded and the project meets the bonding requirements of this chapter.

b. The subdivision has a total of ten (10) units/lots or more.

c. The Hurricane Valley Fire District has confirmed that all fire protection requirements for the subdivision have been satisfied as determined by the District.

d. The proposed model home is within 250' of a functional fire hydrant.

e. A model home must be identified on the subdivision construction drawings and approved by the Joint Utility Committee.

d Approval, Amendment Or Denial Authority; Findings: A model home approved pursuant to this paragraph requires a site plan. The zoning administrator has the authority to approve, require amendments to, or deny the site plan. In approving a model home site plan, the following findings shall be made:

1. The design of the improvements:

a. Is consistent with the preliminary plat and its conditions.

b. Is consistent with the zoning requirements of the zone.

c. Will not adversely affect the public health, safety and welfare.

2. Signage is consistent with the city sign regulations.

3. There is adequate off-street parking.

4. All weather surface access is provided to the model home and parking areas.

5. Fire protection is provided to the site and approval by the Hurricane Valley Fire District
.

6. Sanitary facilities are provided at the site for public use.

7. A dumpster is provided for the site.

2. A model home complex (multiple model units) within a master-planned community with a planned development overlay upon approval by the City Council of an amendment to the development agreement stating the terms and conditions for issuance of the building permit.

3. An Occupancy Permit may only be issued for a model home if the subdivision meets the standards contained within this Chapter and the home meets all other building code requirements

Sec. 10-39-16. Plat amendments.

The procedure for consideration and approval of any addition, alteration, modification, or change to an approved plat shall be substantially the same as is required for initial plat approval unless the Zoning Administrator determines that such addition, alteration, modification, or other change does not constitute a significant change from the intent or effect of the approved plat.

Sec. 10-39-17. Fees.

The following fees are hereby established:

A. *Preliminary plat application fee.* At the time of filing of the preliminary plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

B. *Final plat application fee.* At the time of filing the final plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements.

C. *Habitat conservation fee.* Before plat is released for recordation, subdivider shall pay applicable per acre habitat conservation impact fee to City.

D. *Recording fee.* At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee.

Sec. 10-39-18. Penalty; validity.

A. *Penalty.* Any subdivider or other person who shall violate or fail to comply with any of the provisions for this chapter shall be guilty of a class B misdemeanor, and punished as provided by law upon conviction.

B. *Validity.* If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid, such holding shall not affect the validity of the remaining portion of this chapter.

CHAPTER 6. DECISION MAKING BODIES AND OFFICIALS

Sec. 10-6-1. Purpose.

The purpose of this chapter is to set forth the authority of the decision making bodies and officials responsible for administering the provisions of this title.

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

Sec. 10-6-2. Scope.

The authority of the decision making bodies and officials set forth in this chapter shall apply to the entirety of this title, subject to its various provisions.

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

Sec. 10-6-3. City Council.

A. *Powers not enumerated in this title.* See City Council powers and duties set forth in title 1, chapters 5 and 6 of this Code.

B. *Powers and duties related to this title.* In administering this title, the City Council shall have the power and authority to act as the Land Use Authority for the matters set forth below. All such power and authority shall be exercised pursuant to the procedural and other applicable provisions of this title.

1. Final adoption, modification or rejection of a proposed general plan or any amendment thereto for all or part of the City and its surroundings.
2. Final adoption, approval, modification or rejection of any amendments to the text of this title and to the land use map, including any application for a zone change.
3. Approval, denial, or modification of a request for annexation into the City.
4. Hear and decide appeals from decisions of the Historic Preservation Commission and the final plat approval staff.
5. Establishment of a fee schedule for applications required by the provisions of this title.

(Ord. 2017-16, 11-16-2017)

Sec. 10-6-4. Planning Commission.

A. *Established.* A Planning Commission, consisting of eight members, is hereby established to exercise the powers and duties specified herein. Members of the Planning Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission.

B. Appointment and terms of office.

1. Planning Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

a. The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of four years and until a successor is appointed; provided, that the term of the first members shall be such that the terms of two members shall expire each year.

b. Terms of Planning Commission members shall begin on or before the first Monday in February of each year.

c. Planning Commission members may be reappointed for successive terms.

d. The Mayor, with the advice and consent of the City Council, may remove any member of the Planning Commission for cause if written charges are filed against the member with the Mayor; provided, that the member shall be afforded a public hearing if one is requested.

e. A vacancy occurring on the Planning Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Planning Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

C. *Organization and procedure.* The Planning Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Planning Commission shall select one of its members as chairperson to oversee the proceedings and activities of the Planning Commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

a. The chairperson shall serve for a term of one year.

b. The chairperson, with the advice and consent of the Planning Commission, shall appoint one of the Planning Commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Planning Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission.

3. The Planning Commission shall meet on a regular date each month, as determined by the Planning Commission, and at such other times as the Planning Commission may determine. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Planning Commission unless a quorum of its members is present. Five members of the Planning Commission shall constitute a quorum. The minimum number of yes votes required for the Planning Commission to take any action shall be the majority of members present, unless otherwise prescribed by law.

5. Decisions of the Planning Commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Planning Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its

examinations and other official actions. The Planning Commission may, but is not required to, have its proceedings contemporaneously transcribed by a court reporter or a tape recorder.

a. The Planning Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may also make a concurring or dissenting report or recommendation to the City Council.

b. The minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the Planning Commission. All records in the office of the Planning Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

D. *Powers and duties.*

1. The Planning Commission is hereby designated as the Land Use Authority to hear and decide applications for:

a. Conditional use permits filed under this title

b. Preliminary and final site plan applications, as provided under section 10-7-10 of this title

c. Preliminary plat applications, as provided under section 10-39-6 of this title

2. In addition, the Planning Commission shall make a recommendation to the City Council for:

a. A general plan and amendments to the general plan, as provided in section 10-7-6 of this title;

b. Land use ordinances, zoning maps, official maps, and amendments, as provided in section 10-7-7 of this title;

c. An appropriate delegation of power to at least one designated Land Use Authority to hear and act on a land use application;

d. An appropriate delegation of power to at least one Appeal Authority to hear and act on an appeal from a decision of the Land Use Authority;

e. Application processes that: a) may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested; and b) shall protect the right of each:

a. Applicant and third party to require formal consideration of any application by a Land Use Authority;

b. Applicant, adversely affected party, or municipal officer or employee to appeal a Land Use Authority's decision to a separate Appeal Authority; and

c. Participant to be heard in each public hearing on a contested application.

E. *Examinations and surveys.* The Planning Commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to perform its function to promote City planning and development.

F. *Appeals.* Any person aggrieved of a final decision of the Planning Commission may appeal that decision to the Appeal Authority Board by filing a written appeal stating the grounds therefor within 14 days from the date of the decision or action.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2005-15, 7-21-2005; Ord. 2018-11, 9-20-2018)

Sec. 10-6-5. Appeals Board.

A. *Established.* In order to provide for just and fair treatment in the administration of this title, and to ensure that substantial justice is done, an Appeals Board is hereby established to exercise the powers and duties specified herein. The Appeals Board shall consist of three members.

B. *Qualifications, appointment, and compensation.*

1. Appeals Board members shall consist of:

    a. One member professionally trained in land use, law, or public administration;

    b. One member who is not a City resident; and

    c. One member who is a City business owner.

2. No member of the Appeals Board shall be a member of the City Council, the Planning Commission, or City staff.

3. Appeals Board members shall be appointed by the Mayor with the advice and consent of the City Council.

4. Appeals Board members shall be compensated in accordance with a contract approved by the City Council.

C. *Standards of actions.*

1. The Appeals Board shall:

    a. Act in a quasi-judicial manner; and

    b. Serve as the final arbiter of issues involving the interpretation or application of land use ordinances.

D. *Powers and duties.*

1. The Appeals Board is hereby designated as the Land Use Authority to hear and decide the following matters:

    a. Applications for a determination of special exceptions, as provided in section 10-7-11 of this title;

    b. Applications for a variance from the terms of this title, as provided in section 10-7-12 of this title;

    c. Applications to determine the existence, expansion or modification of a nonconforming use or noncomplying structure, as provided in section 10-7-14 of this title.

2. The Appeals Board is hereby designated as the Appeal Authority to hear and decide the following matters:

    a. Appeals from Planning Commission decisions regarding conditional use permits, as provided in section 10-7-9 of this title;

    b. Appeals from administrative decisions by the Zoning Administrator applying the provisions of this title.

E. *Appeals.* Appeals to the Appeals Board shall be filed in writing with the City Recorder within 14 days from the date of the decision or action appealed and shall state the grounds for the appeal. The officer or department from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

F. *Notice of hearing.* The Appeals Board shall fix a reasonable time for the hearing of each appeal, give public notice thereof and due notice to the parties in interest as provided in section 10-7-4 of this title.

G. *Decisions of the board.* At the hearing of any matter the parties affected may appear in person with or without an attorney. The Appeals Board shall decide all appeals and other issues brought before it within a reasonable time.

H. *Stay of proceedings.* An appeal to the Appeals Board shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board that by reason of the facts stated in the appeal, a stay would in his or her opinion, cause immediate peril to life or property. In such case, proceedings shall not be stayed except by a restraining order granted by the Appeals Board or by the District Court upon application, notice, and due cause shown.

I. *Restrictions on scope of appeal.*

1. Only land use decisions applying the land use ordinance to a particular application, person, or parcel may be appealed to the Appeals Board.

2. The Appeals Board may not consider any land use ordinance amendments.

3. Appeals may not be used to waive or modify the terms or requirements of the land use ordinance.

J. *Burden of proof.* The person or entity making the appeal has the burden of proving that an error has been made. Every appeal shall refer to the specific provisions of the ordinance involved and shall exactly set forth the error that is claimed. The appealing party is required to present to the Appeal Authority every theory of relief that it could raise in district court.

K. *Standards.* In reviewing an action or decision from which an appeal has been taken, the Appeal Authority shall apply the appropriate standards, requirements or criteria as specified within this title and state law for such action or decision, and accordingly shall review the action or decision only to determine if an error was made in applying the land use ordinance.

L. *Stay of action.* An appeal stays all proceedings in furtherance of the action appealed from unless the City Council finds and certifies to the Appeal Authority that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order issued by the district court.

M. *Administrative powers on appeal.* In his/her decision, the Appeal Authority may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed. At the public meeting, the Appeal Authority may continue consideration to a later date. If consideration of the appeal is adjourned, within 35 days following the closing of the public meeting on an appeal, the Appeal Authority shall act on the appeal at a public meeting held in conformance with Utah Code Annotated title 52, chapter 4, open and public meetings.

N. *Decision and findings.* The Appeal Authority's decision takes effect on the date his or her written decision is issued. The decision of the Appeal Authority regarding the appeal shall contain a full record of the findings of the body in the particular case. The Appeal Authority's decision constitutes a final, appealable decision.

O. *District court review of Appeal Authority decision.* No decision of an official or administrative body of the City administering or interpreting the land use ordinance may be appealed directly to the district court. Before petitioning for district court review, a person must exhaust all administrative remedies by appealing to the Appeals Board in accordance with this section and receiving a final decision issued by the Appeals Board. Any person adversely affected by any decision of the Appeals Board, including the City Council, may file a petition for review of the decision with the district court within 30 days of the Appeals Board's final decision. The right to file a petition for review of the Appeals Board's decision is lost if the petition is not filed within 30 days of the decision.

1. In the petition, the plaintiff may allege only that the Appeals Board's decision was not supported by substantial evidence or was arbitrary, capricious or illegal. The court shall review the decision of the Appeals Board pursuant to the standards found in Utah Code Annotated section 10-9a-801(3).

2. The Appeals Board shall transmit to the reviewing court the record of its proceedings, including its minutes, findings, orders and if available, a true and correct transcript of its proceedings. If the proceeding was recorded, a transcript of that recording is a true and correct transcript for purposes of this subsection.

3. The filing of a petition does not stay the decision of the Appeals Board. However, before filing the petition, the aggrieved party may petition the Appeals Board to stay its decision. Upon receipt of a petition to stay, the Appeals Board may order its decision stayed pending district court review if the Appeals Board finds it to be in the best interest of the municipality.

4. After the petition is filed the petitioner may seek an injunction staying the Appeals Board's decision.

5. The petitioner may not present any information, evidence, or theory of relief that was not presented to the Appeals Board.

P. *Appeals from the board.* Any person aggrieved by a final decision of the Appeals Board may appeal such decision to district court, provided that the petition for such relief is presented to the court within 30 days from the date of the decision of the Appeals Board.

(Ord. 2018-11, 9-20-2018)

Sec. 10-6-6. Historic Preservation Commission.

A. *Established.* In order to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, a Historic Preservation Commission, consisting of five members, is hereby established to exercise the powers and duties specified herein. Members of the commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission. It is the intent of this section that the City shall have the power to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, through the establishment of a Historic Preservation Commission and a historic district as provided in Utah Code Annotated section 17A-3-1301 et seq., as amended.

B. *Purpose.* The purpose of the historic district is to:

1. Preserve buildings and related structures of historic and architectural significance; and

2. Allow improvements to existing structures or new construction to be conducted without destroying or damaging the historic character of said district or neighborhood.

C. *Appointment and terms of office.*

1. Historic Preservation Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

   a. Members of the Historic Preservation Commission shall have a demonstrated interest, competence or knowledge in or of historic preservation. To the extent available in the City, two commission members shall be professionals, as defined by the National Park Service Regulations, from the disciplines of history, architecture or architectural history.

   b. The terms of Historic Preservation Commission members shall be staggered. Each member of the Historic Preservation Commission shall serve for a term of not less than two nor more than four years, as determined by the City Council, and until a successor is appointed; provided, that the term of the first members shall be such that the term of one member shall expire each year.

c. Terms of Historic Preservation Commission members shall begin on or before the first Monday in February of each year.

d. Historic Preservation Commission members may be reappointed for successive terms.

e. The Mayor, with the advice and consent of the City Council, may remove any member of the Historic Preservation Commission for cause if written charges are filed against the member with the City Manager; provided, that the member shall be afforded a public hearing if one is requested.

f. A vacancy occurring on the Historic Preservation Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Historic Preservation Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

D. *Organization and procedure.* The Historic Preservation Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Historic Preservation Commission shall select one of its members as Chairperson to oversee the proceedings and activities of the commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

a. The chairperson shall serve for a term of one year.

b. The chairperson, with the advice and consent of the Historic Preservation Commission shall appoint one of the commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Historic Preservation Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Historic Preservation Commission.

3. The Historic Preservation Commission shall meet at least twice each year. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Historic Preservation Commission unless a quorum of its members is present. Three members of the commission shall constitute a quorum.

5. Decisions of the commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Historic Preservation Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its examinations and other official actions.

a. The Historic Preservation Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may also make a concurring or dissenting report or recommendation to the City Council.

b. The minutes of all meetings of the Historic Preservation Commission shall be prepared and filed in the office of the commission. All records in the office of the Historic Preservation Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

E. *Powers and duties.* The Historic Preservation Commission shall have all the powers and duties, explicit or implied, given such commissions by state law, including, but not limited to, the following. Each of such powers and duties shall be exercised pursuant to the procedural and other provisions of this title.

1. The commission shall conduct or cause to be conducted a survey of the historic, architectural and archaeological resources within the City. The survey shall be compatible with the state inventory of historic and archaeological sites. Survey and inventory documents shall be maintained and open to the public. The survey shall be updated as deemed appropriate by the commission.

2. The commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the City. When the Historic Preservation Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in this area before rendering its decision.

3. The Historic Preservation Commission shall act in an advisory capacity to the City Council, Planning Commission and all other officials and departments of the City, with respect to the identification and protection of local historic and archaeological resources.

4. The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic preservation and the City's history.

5. The Historic Preservation Commission shall identify an area or areas containing significant historic buildings or structures to be known as the Hurricane Historic District, which district shall be established by an overlay zone to this title. The commission shall also propose for adoption by the City Council by subsequent ordinance rules and regulations pertaining to new construction within the historic district, as well as alterations, repairs or demolition of existing buildings within said district deemed to be of significant historical value. When such rules or regulations have been adopted by ordinance by the City Council, the Historic Preservation Commission shall assist in enforcing said rules and regulations.

6. The commission shall further support the enforcement of all state laws relating to historic preservation, including, but not limited to, Utah Code Annotated sections 17A-3-1301 et seq., 9-8-201 et seq., and 9-8-401 et seq., as amended.

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

Sec. 10-6-7. Staff referral by Planning Commission.

A. *Staff referral.* The Planning Commission may direct that any matter over which it has jurisdiction be referred to the staff of the Planning Commission for review and preparation of recommendations. Such action shall be taken either by motion of the Planning Commission or pursuant to duly adopted bylaws of the Planning Commission. The authority for such referrals may be revoked at any time by motion of the Planning Commission or amendment of its bylaws, as the case may be.

B. *Appointment of Hearing Officer.* In the event a matter is referred to the Planning Commission staff which requires a public hearing, the City Manager shall appoint a Hearing Officer to conduct the hearing in accordance with applicable requirements of this title.

C. *Review and recommendation.* If a matter is referred to the Planning Commission staff as permitted by this section, the staff shall conform to any instructions or limitations contained in the referral, and subject

thereto shall review the referred matter, conduct any necessary hearings, and prepare written recommendations for the Planning Commission.

D. *Decision.* Unless the Planning Commission shall otherwise direct, any person who has applied for authorization to develop property under the terms of this title may in writing consent to the staff recommendation and waive further action by the Planning Commission. If the applicant waives further action by the Planning Commission, the staff recommendation shall be considered approved by the Planning Commission. Thereafter necessary permits may be issued subject to the terms of this title and any applicable conditions of approval.

E. *Limitation.* This section shall not apply to any action with respect to which the Planning Commission is required by law to take direct action.

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

Sec. 10-6-8. Zoning Administrator.

A. *Appointment.* The City Manager shall designate a staff person who shall be primarily responsible for administering and enforcing this title. Such person shall be known as the Zoning Administrator.

B. *Interpretation.* The Zoning Administrator shall interpret the ordinance to members of the public, City departments, and to other branches of government, subject to general and specific policies established by the Planning Commission and City Council. Upon request, the Zoning Administrator shall make a written interpretation of the text of this title pursuant to section 10-7-18 of this title.

C. *Administrative duties.* The Zoning Administrator shall accomplish or cause to be accomplished all administrative actions required by this title, including the giving of notice, holding of hearings, preparation of staff reports and receiving and processing of appeals.

D. *Negotiation and advice.* The Zoning Administrator may negotiate with and advise all persons making application for any project which requires approval by the Planning Commission or City Council.

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

Sec. 10-6-9. Final plat approval staff.

A. The City planning, public works, legal, and engineering staff and/or contract employees are hereby designated to approve subdivision final plats.

(Ord. 2017-16, 11-16-2017)

CHAPTER 39. SUBDIVISIONS

Sec. 10-39-1. General provisions.

A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience, and general welfare of the inhabitants of the City in the division or subdivision of land and related matters affected by each subdivision.

B. Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and shall be in harmony with good neighborhood development of the area concerned, and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

C. In cases where unusual topographical or other exceptional conditions exist such as sensitive lands, collapsible soils or other conditions necessitating any exceptions from or additional requirements to this chapter, said exceptions or requirements may be set by the Planning Commission and/or the City Engineer.

Sec. 10-39-2. Scope.

A. No person shall subdivide any tract of land which is wholly or in part within the City boundaries except in compliance with this chapter.

B. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, or offer for recording in the office of the county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter.

C. All lots, plots, or tracts of land located within a subdivision shall be subject to this chapter regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.

D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas, including land qualifying as sensitive lands within Title 10, Chapter 24 of this Code.

Sec. 10-39-3. Definitions.

The following words and phrases used in this chapter, in addition to those listed in chapter 3 of this title, shall have the respective meanings hereafter set forth, unless a different meaning clearly appears from the context:

Adjacent landowner means any property owner of record, according to the records of the county recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Affected entity means as stated in statute, a county, municipality, independent special district, local district, school district, interlocal cooperation entity, specified public utility, or the state department of transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

B. The entity has filed with the municipality a copy of the entity's general or long range plan; or

C. The entity's boundaries or facilities are within one mile of land which is the subject of a general plan amendment or land use ordinance change.

Block means the land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

Bona fide division or partition of land for agricultural purposes means the division of a parcel of land into two or more lots none of which is less than five acres in an area, and where no dedication of any street is required to serve any such lots or parcels of land so created.

City means Hurricane City, Utah.

City Council means the City Council of Hurricane City, Utah.

City Engineer means the City Engineer of Hurricane City, Utah, or a consulting engineering firm designated as the City Engineer by the City Council.

City Planner means the professional planner of the City, or person designated as such by the City Council.

Communications easement means an exterior easement for placement of facilities intended to be used in connection with the delivery of multichannel video programming services, cable services, information services, or telecommunications or telecommunications services.

Communications infrastructure means facilities planned to be used in connection with the delivery of multichannel video programming services, cable services, information services, telecommunications or telecommunications services, which term shall include, but not be limited to, conduit.

Construction drawings means Subdivision improvements plans, as defined herein.

County means Washington County, Utah.

Culinary Water Authority means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Dedication means land set aside by an owner for any general and public uses.

Easement means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on, or above said lot or lots.

Final plat means the final drawing of the subdivision and dedication prepared for filing of record with the county recorder and in compliance with all the requirements set forth in this chapter and adopted pursuant thereto.

General plan means a plan, labeled "General Plan of Hurricane City," including maps or reports or both, which has been approved by the City Council as required by law, or such plan as it may be amended from time to time.

Joint Utility Committee means the representatives of the City, Ash Creek special service district, and franchisee utility companies authorized to review and sign construction drawings.

Lot means a separately delineated parcel of real property having a number and designation shown on a recorded subdivision plat, or a contiguous quantity of real property defined in a deed by metes and bounds which has a separate property identification number according to the records of the county recorder and is not shown on a recorded subdivision plat.

Lot right-of-way means a strip of land of not less than 26 feet wide connecting a lot to a street for use as private access to that lot.

Official zoning map means a zoning map adopted by the City Council pursuant to the provisions of Utah Code Annotated section 10-9a-501, as amended.

Open space means designated land within the subdivision which shall always remain undeveloped, which shall be included in improved parks and recreational areas, or which shall remain all natural.

Person means any individual, corporation, partnership, limited liability company, or partnership, firm, or association of individuals, however styled or designated.

Planning Commission means the Hurricane City Planning Commission. The Planning Commission shall be the “administrative land use authority” as defined in Utah State Code 10-9a-604.1(1)(b) as amended.

Plat means a map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Review Cycle means the occurrence of:

(i) the applicant's submittal of a complete subdivision land use application;

(ii) the City's review of that subdivision land use application;

(iii) the City's response to that subdivision land use application, in accordance with this section; and

(iv) the applicant's reply to the City's response that addresses each of the City's required modifications or requests for additional information.

Sanitary Sewer Authority means the Ash Creek special service district, a public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems within the City.

Security means an escrow agreement, irrevocable letter of credit, or other security instrument given by the subdivider to ensure the proper installation of public improvements.

Street means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than 26 feet wide which has been made public by right of use and which affords the principal access to the abutting property.

Street, arterial means a street, existing or proposed, which serves or is intended to serve as a major trafficway, and is designated on the general plan as a controlled access highway, major

street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

Street, collector means a street, existing or proposed, which is the main means of access to an arterial street system.

Street, cul-de-sac means a street which originates from a designated City street with no other outlet and forcing a radius turn area, not to exceed 660 feet in length without the written approval of the City Council, the Planning Commission and the Fire Chief.

Street, private means a right-of-way or easement in private ownership not dedicated or maintained as a public street.

Street, residential means a street, existing or proposed, which is supplementary to a collector street and which serves or is intended to serve local needs of a neighborhood.

Subdivider means any individual, firm, association, syndicate, copartnership, corporation, trust or other legal entity commencing proceedings under this chapter to effect a subdivision for himself or for another.

Subdivision:

A. Includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument; and
2. Except as provided herein, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

B. Does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
2. A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if no new lot is created and the adjustment does not violate applicable land use ordinances; or
3. A recorded document executed by the owner of record, revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property, or joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.

The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" as to the unsubdivided parcel of property or subject the unsubdivided parcel to the provisions of this chapter.

Subdivision application means a land use application for the subdivision of land.

Subdivision improvement plans means the civil engineering plans associated with required infrastructure improvements and municipally controlled utilities required for a subdivision.

Subdivision ordinance review means review by the City to verify that a subdivision application meets the criteria of the City's ordinances.

Subdivision plan review means a review of the applicant's subdivision improvements and other aspects of the subdivision application to verify that the application complies with City ordinances and applicable installation standards and inspection specifications for infrastructure improvements.

Sec. 10-39-4. Necessity of plat; exemption from plat requirements.

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

A. A subdivision creating no more than one new lot may be approved with written approval by City staff without the necessity of preparing and filing a preliminary plat or final plat if:

The proposed subdivision:

1. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the City staff has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;
2. Has been approved by the culinary water authority and the sanitary sewer authority;
3. Is located in a zoned area; and
4. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

B. Agricultural Exemptions

1. A lot or a parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:
    a. Qualifies as land in agricultural use under Section 59-2-502 of the Utah Code, as amended;
    b. Meets the minimum size requirement of applicable land use ordinances; and
    c. Is not used and will not be used for any nonagricultural purpose.
2. The boundaries of each lot or parcel exempted under Subsection (A) and (B) of this Section shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604 of the Utah Code, as amended, shall be recorded with the Washington County Recorder.

3. If a lot or parcel exempted under Subsection (B)(1) of this Section is used for a nonagricultural purpose, the municipality may require the lot or parcel to comply with the requirements of Section 10-9a-603 of the Utah Code, as amended, and the subdivision requirements of this Chapter.

C. Approval Required

1. Documents recorded in the Washington County Recorder's Office that divide property by a metes and bounds description do not create an approved subdivision allowed by this Chapter unless the written approval required by Subsection (A) of this Section is attached to the document.

2. The creation of a lot under Subsection (A) of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the Joint Utility Committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.

D. Lots or parcels created in violation of this section shall not be issued a building permit until the violation is corrected.

Sec. 10-39-5. Notice requirements.

A. Notice of proposal to vacate some or all of a public street, right-of-way, or easement. The legislative body shall hold a public hearing and give notice of the date, place, and time of the hearing at least ten days before the public hearing by:

1. Mailing notice to the record owner of each parcel that is accessed by the public street, right-of-way, or easement;

2. Mailing notice to each affected entity;

3. Posting notice on or near the street, right-of-way, or easement in a manner that is calculated to alert the public;

4. Published on the City's official website until the public hearing concludes; and

5. Publishing notice on the state public notice website.

B. Notice for an amendment to a subdivision. For an amendment to a subdivision, the City shall provide notice of the date, time, and place of at least one public meeting.

1. At least ten calendar days before the public meeting, the notice shall be:

   a. Mailed to the record owner of each parcel directly adjacent of the proposed amendment; or

   b. Posted on the property.

      (1) The applicant must post a sign at least ten days before the public meeting in a visible location, that is sufficient in size, durable, and legible by passers-by.

Sec. 10-39-6. Preliminary plat process.

A. Designation of Administrative Land Use Authority. The Planning Commission is designated as the Administrative Land Use Authority that reviews and approves or denies preliminary subdivision applications; provided, however, that the review and approval of subdivisions creating no more than one new lot under Section 10-39-4 of this Chapter is governed by that Section.

B. Pre-Application Meetings.
   1. If an applicant requests a pre-application meeting, the City shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
   2. At the pre-application meeting, the municipal staff shall provide or have available on the municipal website the following:
      (i) copies of applicable land use regulations;
      (ii) a complete list of standards required for the project;
      (iii)preliminary and final application checklists; and
      (iv)feedback on the concept plan.

C. Review of Preliminary Plat Application.

   1. Off-site extension of water mains shall be approved pursuant to Sec. 8-1-8 of this code prior to submittal. Off-site extension of power lines shall be approved pursuant to Sec. 8-4-3 of this code prior to submittal.
   2. Preliminary plat applications shall comply with all requirements of this Title and Utah Code Title 10, Chapter 9a, as amended.
   3. The applicant shall (1) obtain and complete a preliminary plat application form and application checklist and (2) have the proposed plat prepared by a licensed engineer or surveyor.
   4. The applicant shall submit the completed application, proposed plat, , subdivider's agreement set out in section 10-39-12, and the required fees to the Planning Department.
   5. Planning Department staff shall review the submitted documents for completeness. Any proposed preliminary plat that, on its face, fails to comply with an applicable zoning ordinance or development agreement, shall render the application incomplete, and the applicant shall be notified of the incomplete application.
   6. Upon the Planning Department's determination of a complete application, the proposed preliminary plat shall be submitted for review to the Joint Utility Committee and appropriate City departments.
   7. No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the Joint Utility Committee and appropriate City departments shall complete the initial review of the application .

8. Upon the completion of the initial review of the application, the Zoning Administrator shall place the application on the next available Planning Commission agenda for a public hearing and consideration by the Planning Commission.
9. Applicant or Applicant's authorized representative shall appear at the scheduled meeting before the Planning Commission to present the proposed preliminary plat and answer questions.
10. The Planning Commission may approve, deny, or approve with conditions a proposed preliminary subdivision plat.
11. If a preliminary subdivision plat application complies with applicable municipal ordinances and the requirements of Utah Code Title 10, Chapter 9a, as amended, the Planning Commission shall approve the preliminary plat application.

D. Approval of the preliminary subdivision plat by the Planning Commission shall authorize the subdivider to proceed with the preparation and review of a final subdivision plat application; provided, however, that an applicant may submit a final subdivision plat application to be processed concurrently with a preliminary subdivision application.

E. After preliminary subdivision plat approval from the Planning Commission, a complete application for final subdivision plat approval must be submitted within one year of the preliminary plat approval date or the preliminary subdivision plat approval shall expire. 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.

F. Approval of a preliminary subdivision plat by the Planning Commission shall not constitute approval of the subdivision improvement plans.

Sec. 10-39-7. Preliminary plat requirements.

The preliminary plat shall include or be accompanied by the following:

A. *Description.* In a title block located in the lower right hand corner of the sheet the following is required:

1. The proposed name of the subdivision.
2. The location of the subdivision, including the address and the section, township and range.
3. The names and addresses of the owner or subdivider if other than the owner.
4. Date of preparation and north point.
5. Scale shall be of sufficient size to adequately describe in legible form all required elements.

B. *Existing conditions.* The preliminary plat shall show:

1. The location of the nearest monument.
2. The boundary of the proposed subdivision and the acreage included.
3. All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of

the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other commission studies.) And all property contiguous to the proposed subdivision.

4. The location, width and names/numbers of all existing streets within 200 feet of the subdivision and of all prior streets or other public ways, easements, utility rights-of-way, parks and other public open spaces, within and adjacent to the tract.
5. 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 100 feet beyond the tract boundaries.
6. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.
7. Contours at vertical intervals not greater than five feet.
8. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.

C. *Proposed plan.* The subdivision plans shall show:

1. The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements.
2. The layout, numbers and typical dimensions of lots. Designation of buildable area is required for each lot.
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
4. Easements for water, sewers, drainage, utilities, lines and other purposes.
5. Street cross sections and street grades.
6. A plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.
7. Approximate radius of all centerline curves on highways or streets.
8. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street.
9. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.
10. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
11. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
12. If the subdivision is to be built in phases, the plat shall show possible phasing lines.

13. A tentative plan or method for providing nondiscriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

Sec. 10-39- 8. Final plat and subdivision improvement plan application and approval process.

A. Once the preliminary plat is approved, applicant shall submit a complete final plat application, application checklist, subdivision improvement plans, an electronic copy of the final plat, required fee, and any other required documents to the Planning Department.

B. Planning Department staff shall review the submitted documents for completeness. Upon the Planning Department's determination of a complete application, the proposed final plat and subdivision improvement plans shall be submitted for review to the Joint Utility Committee and appropriate City departments.

1. Subdivisions of single family homes, duplexes, and townhomes: No later than 20 business days after the day on which the applicant submits a complete final plat application, the City shall complete a review of the applicant's final subdivision land use application, including subdivision plan reviews.
    a. In reviewing a subdivision land use application, any member of the Joint Utility Committee or applicable City department may require:
        i. additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and
        ii. modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information;
        iii. Requests under sections (i) and (ii) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be indexed by the Public Works Director and provided to the applicant;
        iv. Except for a modification or correction necessary to protect public health and safety or to enforce state or federal law, and unless a change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development, a change or correction not addressed or referenced in a City's subdivision improvement plan review is waived.
    b. No later than 20 business days after the City has returned requested modifications or additions to the applicant, the applicant shall provide to the City:
        i. Revised subdivision improvement plans;

ii. A written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any;

iii. The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of revisions or additions for each required correction;

iv. If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed;

v. If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.

c. After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City's previous review cycle, the City's previous review cycle, the City may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

d. If a final subdivision application complies with the requirements of applicable City ordinances, Utah Code Title 10, Chapter 9a, as amended, and the preliminary subdivision approval, the City shall approve the final subdivision application.

2. Subdivisions not consisting of single family homes, townhomes or duplexes: The Joint Utility Committee shall review and redline the completed plans
   a. When redlines are completed the Public Works Director shall prepare a summary of needed changes and return redlined plans to the applicant.
   b. Applicant shall then submit corrected construction drawings addressing all redlined items to the City Engineer for review and verification that all redlines have been addressed.
   c. Applicant shall then submit three copies of the corrected construction drawings to the City Engineer for possible signature. After the City Engineer signs, applicant must obtain all required signatures and return signed plans to Public Works Director for final signature.

3. The process laid out in subsection (1) of this section for subdivisions consisting of single family homes, townhomes, or duplexes shall constitute one review cycle. No more than four review cycles for a subdivision improvement plan review may be required, except as otherwise provided herein. The City may not, outside of the review cycle, engage in a substantive review of the required infrastructure improvements.

4. Any dispute involving the review of subdivisions consisting of single family homes, townhomes, or duplexes if, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received:
    a. For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah State Code 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or
    b. For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the City Appeals Board pursuant to section 10-7-19 of this Code.
5. If an applicant makes a material change to a plan set, the City Engineer has the discretion to restart the review process of the final plat application, but only with respect to the portion of the plan set that the material change substantially affects.

C. Once the final plat approval staff has granted approval of a final plat and a bond or other financial security is in place in accordance with section 10-39-13 of this chapter, the subdivider may schedule a preconstruction meeting with the City Public Works Department. Upon receipt of written notice to proceed from City, construction of the subdivision may proceed. No construction shall be permitted prior to receipt of written notice to proceed.

Sec. 10-39-9. Subdivision Improvement Plans.

As part of a complete final plat application, the applicant shall have subdivision improvement plans prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with:

1. Current Hurricane City land use ordinances;
2. Current Hurricane City standards and specifications;
3. Hurricane City drainage manual;
4. Ash Creek special service district construction standards;
5. Hurricane City power standards and specifications;
6. Applicable building code;
7. Applicable fire code; and
8. Dixie Escalante power standards and specifications, if applicable.

B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:

1. A general assessment of the requirements needed to develop on the site.
2. Site preparation and grading and the suitability of on site soils for use as structural fill.

3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
5. Anticipated total and differential settlement.
6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
7. Design criteria for restrained and unrestrained retaining or rockery wall.
8. Moisture protection and surface drainage.

C. Subdivision improvement plans are valid for 24 months after final signature. Subdivision improvement plans signed more than 24 months prior to construction of improvements shall be expired. For a project where construction has started and all improvements shown on the plan will be constructed, the Public Works Director may permit construction to continue. Subdivision improvement plans showing multiple phases of a project are valid only for those improvements constructed within the first 24 months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

Sec. 10-39-10. Final plat requirements.

A. *Required information.* The final plat shall show:

1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the Planning Commission.

2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.

3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.

4. Every existing right-of-way and easement grant of record. Where the same is granted to a specific entity, that entity must be clearly identified.

5. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.

6. All street centerline data must be shown, together with its relationship to the property lines, corners, etc.

7. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, state, county or other official monuments.

8. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).

9. Street monuments to be installed by the subdivider in accordance with the requirements of the City standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.

10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.

11. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.

12. The parent parcel number, as shown on the records of the Washington County Recorder.

B. *Required forms and certificates.* In addition the final plat shall contain the standard forms for the following:

1. A registered professional land surveyor's signed certificate of survey, together with a statement that:

   a. The surveyor holds a license in accordance with Utah Code Annotated title 58, chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
   b. The surveyor has completed a survey of the property described on the plat in accordance with Utah Code Annotated section 17-23-17 and has verified all measurements; and
   c. Has placed monuments as represented on the plat.

2. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.

3. Mortgagee or other lienholder's consent to record, if applicable.

4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.

5. Certificate of approval of Ash Creek special service district.

6. A note stating as follows: Hurricane City operates a municipal culinary water system with limited water supply. Approval of a plat by Hurricane City does not guarantee that sufficient water will be available to serve lots depicted on any plat. Any land use applicant may be required by Hurricane City to provide a guarantee of water availability. If there is any approval without a water guarantee, the applicant assumes the entire risk of water availability for a platted lot.

7. Certificate of approval and acceptance by the City as evidenced by the signature of the Mayor.

8. Certificate of approval of the City Engineer.

9. Certificate of approval as to form executed by the City Attorney.

10. A one and one-half inch by five inch space in the lower right hand corner of the drawing for the use of the county recorder.

11. Certificate of approval of the county treasurer.

C. *Other information required.* The following information or documentation shall be submitted with the final plat or prior to recordation:

1. A sworn statement or title report stating that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full.

2. An original copy for staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the county recorder prior to or concurrently with the final plat.

3. An up-to-date title or subdivision report for the property being subdivided. Applicant is responsible to ensure the final plat addresses and accounts for liens, easements, and other encumbrances on the property being subdivided.

4. Mylar of approved final plat submitted and reviewed for substantial conformance with paper final plat.

5. Applicant shall be responsible to provide any additional information requested by the county recorder, including electronic versions of mylars.

D. *Requirements for recordation.*

1. Final plat approval.

2. Bond or other financial security in place.

3. Final title or subdivision report prepared and submitted to the City Attorney with an effective date within 30 days of the date the mylar is recorded.

4. Proof of satisfaction of payment of any water impact fee due Washington County Water Conservancy District, if applicable.

5. For property to be dedicated to the City for streets, roads, rights-of-ways, or other parcels intended for the use and benefit of the general public, free and clear title to the property, unless the encumbrance is an easement the acceptance of which will not adversely affect the public. Provided, however, that appropriate mortgagee or other lienholders' consent to record the final subdivision plat shall be adequate for purposes of this section to address liens recorded against the property.

6. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek special service district superintendent. The City Attorney shall be the last signer of the mylar just prior to recordation.

7. Preliminary acceptance by City of all public and private improvements as shown on approved construction drawings.

8. If submitted mylar shows material changes from the approved paper final subdivision plat, applicant shall submit an application for an amended plat and get approval of the amended plat before recordation will be permitted to occur.

E. *Recordation of plat.* Applicant shall be responsible to coordinate with the City Attorney for the recording of the final plat and for the payment of any recording fees. Applicant shall be responsible to ensure that, after the City Engineer signs a final subdivision plat mylar, the remaining conditions to qualify the mylar for recording are accomplished and the mylar is recorded with the county recorder within one year of the date of the City Engineer's signature. Failure to record the final plat within one year of the date of final signature by the City Engineer shall result in revocation of the final plat. When a final plat is revoked, a new preliminary plat must be approved before applying for new final plat approval.

Sec. 10-39-11. Subdivision streets and fencing.

A. *Relation to adjoining street systems.*

1. The arrangements of streets in new subdivisions shall make provision for the continuation of the existing streets to adjoining areas insofar as such may be deemed necessary by the Planning Commission for public requirements. New streets within subdivisions shall not preclude future access to adjoining properties.

2. Standard residential streets shall approach the arterial or collector streets at an angle of not less than 80 degrees.

3. Except as otherwise provided elsewhere in this Code, all subdivision streets and roadways shall be constructed and installed in accordance with the City roadway construction standards.

B. *Fencing.*

1. *Where required.* A solid masonry, chainlink or other nonclimbable fence not less than six feet in height shall be installed on both sides of existing supply irrigation ditches or canals, or bordering open reservoirs or nonaccess streets, and which are located within or adjacent to the subdivision, except where the Planning Commission determines that park areas including streams or bodies of water shall remain unfenced.

2. *Prevent nuisance or hazard.* The Planning Commission may also require the construction or installation of a fence in any subdivision where the Planning Commission determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or the adjoining property.

3. *Agricultural fencing.* Unless otherwise waived by affected agricultural property owners, fencing abutting agricultural property shall be required of subdivider. Fencing shall meet or exceed the standard Utah Department of Transportation ("UDOT") Right-of-Way Fencing and Gates as described in UDOT's then-applicable Standard Specifications for Road and Bridge Construction, consisting of wire mesh and two strands of barbed wire. The affected agricultural property owner shall have the option to pay the additional cost to install a fence beyond this minimum standard. The fence, design, and materials shall be approved with the construction drawings for the subdivision together with other subdivision improvements.

Sec. 10-39-12. (Reserved)

Sec. 10-39-13. Guarantee of completion of improvements; form of surety; release of funds.

Subdivider shall guarantee improvements in accordance with the following:

A. *Completion of improvements before recordation.* If subdivider desires to construct improvements as shown on approved construction drawings prior to recordation:

1. Recordation of the plat shall not occur until the improvements required in connection with the subdivision have been completed and conditionally accepted.
2. Subdivider shall provide guarantee of conditionally accepted improvements in a form acceptable to the City as shown in subsection C of this section in the following amount:
    a. Ten percent of the total cost of all the required improvements shall be retained by the City during the 12-month (24-month if applicable) warranty period.

B. *Recordation before completion of improvements.* If the subdivider desires to have a plat recorded prior to construction of improvements subdivider shall guarantee completion, within two years from the date of final plat approval by the City Council, of installation and construction of the required improvements in compliance with all City standards.

C. *Form of surety.* In order to guarantee completion of improvements, subdivider shall provide one of the following types of sureties or guarantees:

1. *Escrow.* The subdivider shall deposit with any insurance company, bank, or savings and loan institution in an escrow account an amount of money equal to at least 115 percent of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent of the cost of all the required improvements of the subdivision as a guarantee amount, as determined by the City Engineer. The escrow agreement shall be subject to approval by the City Attorney and shall be signed by the subdivider, the City, and the escrow holder, and shall contain substantially the following language:

AGREEMENT

The undersigned hereby promises and warrants that it has on deposit in an escrow account for the benefit of Hurricane City Corporation, the sum of _____ ($_____), which represents at least one hundred fifteen percent (115%) of the costs of the engineer's estimated costs for improvements not constructed or installed by the subdivider plus ten percent (10%) of the cost of improvements of the _____ subdivision.

The undersigned hereby agrees that the foregoing sum of money shall be used exclusively for the purpose of paying for the costs of materials, construction, and installation of the improvements required by the Hurricane City Subdivision Chapter. The undersigned further agrees that the money held in an escrow account shall be paid out to the contractors installing and constructing the required improvements only upon approval of the City. The subdivider shall not withdraw from the escrow account any amount in excess of 100% of the estimated cost of the improvements, but shall pay from other sources any costs for such improvements which exceed the engineers estimate approved by the City.

After all improvements are made, completed and preliminarily accepted by the City, a sum equal to 10% of the estimated costs of improvements shall remain with the escrow holder for a period of 12 months as a warranty that all improvements are installed and inspected to City specifications, and that all defects occurring within the first 12 months (24 months if applicable) are corrected and approved by the City.

If, after 12 months (24 months if applicable), all or any part of the required improvements are not installed, constructed, and maintained according to the standards required in the Hurricane City Subdivision Ordinance, Hurricane City shall notify in writing the subdivider and escrow holder of the defects and shall make demand on the subdivider that the defects be corrected. If the defects are not corrected within 30 days, Hurricane City may correct the defects and charge to the escrow holder the costs of correcting the defects.

The escrow holder shall, on receiving reasonable proof from Hurricane City of the defect and that Hurricane City has incurred the cost of correcting the defect, pay to Hurricane City from the escrow account the cost of correcting the defect, and the escrow holder shall be held harmless by the parties by reason of payment to Hurricane City.

If, 12 months (24 months if applicable) after preliminary acceptance of the improvements required by City's standards and specifications and shown on approved construction drawings, the required improvements remain substantially free from latent defects, Hurricane City shall certify such fact to the escrow holder, and the escrow holder shall release to the subdivider any money still held in the escrow account, and the escrow holder shall be discharged of its obligations to Hurricane City.

(Authorized Signature)

The escrow agreement may contain such additional provisions as the parties deem necessary.

2. *Irrevocable letter of credit.* The subdivider shall file with the City an irrevocable letter of credit from a duly chartered state or national bank or savings and loan institution, which letter shall contain provisions substantially similar to that required in the escrow agreement.

The form of the irrevocable letter of credit shall be substantially as follows:

Name of Bank:

Address:

IRREVOCABLE LETTER OF CREDIT

To: Hurricane City Corporation

Date:

Letter of Credit No.:

Gentlemen:

We hereby establish our irrevocable letter of credit in your favor for the account of _____, _____, (insert name of subdivider, subdivider's address) up to the aggregate amount of _____ ($_____) (insert amount equal to one hundred fifteen percent, i.e., 115% of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent [10%] of the cost of all improvements of the subdivision as determined by the Engineer) drawn at sight on _____, _____, (insert name of bank, address of bank), accompanied by a statement signed by an officer of Hurricane City Corporation as follows: "We certify that the improvements related to the _____ (insert name of subdivision) have not been completed and the defects corrected in accordance with city ordinances and that this drawing represents the amount necessary to complete those improvements."

We hereby agree with drawers, endorsers and bona fide holders that all drafts under and in compliance with the terms of this credit will be duly honored upon presentation and delivery of documents as specified to the drawee or drawn and presented at our bank for negotiation on or before _____ (insert completion date plus 90 days). This Irrevocable Letter of Credit automatically renews for a one year term at the end of every term unless the Authorized Bank Officer provides Hurricane City written notice of termination thirty (30) days prior to the end of the term.

Very Truly Yours,

Authorized Bank Officer

3. *Other guarantee.* Such other financial guarantee that may be acceptable to the City Council.

D. *Release of funds.* As the required improvements are satisfactorily installed and have been inspected by the City, funds which have been placed in escrow for those improvements will be authorized to be released for payment of those improvements. Escrow holder is authorized to release funds from this account only after receiving a written release from City. The City is not responsible to determine the party to be paid.

After all required improvements have been installed, the subdivider shall notify the City and request that the subdivision be granted preliminary acceptance and begin the warranty period. The subdivision will then be inspected by City, and if all improvements have been completed in accordance with City ordinances and specifications, as built plans have been delivered to the Public Works Department, and a final grading plan has been submitted, the City will grant preliminary acceptance. The subdivision will then begin the 12-month (24-month if applicable) warranty period. Ten percent of the total cost of all the required improvements, as specified above, shall be retained by the City during this warranty period.

All funds in escrow surplus to the warranty amount may then be released by the City.

The purpose of retaining the ten percent warranty amount is to guarantee that the improvements have been installed correctly and that they function properly. If any improvements have not been installed correctly or fail to function properly, and the subdivider fails to correct the deficiencies within 30 days of notification thereof, then upon written notice by the City, escrow shall pay over to the City the amount necessary to complete, repair, or replace said improvements.

In the event the costs of completing, repairing, or replacing the unsatisfactory improvements exceed the amount remaining in the escrow account, the subdivider shall, within ten days of notice thereof, pay the excess amount to the City and shall also cause to restore the escrow account or irrevocable letter of credit to the prescribed ten percent warranty amount. The City shall not issue any building permits for the subdivision until the above referenced excess costs have been paid to the City and the warranty amount (ten percent of the total cost of improvements) has been restored.

Sec. 10-39-14. Warranty of completed improvements.

Upon completion of construction and installation of all required improvements, subdivider shall warrant that said improvements shall be and shall remain free from defects in material and workmanship for a period of 12 months after the date of preliminary acceptance by City, unless said warranty period is extended for a period of up to 24 months by the City Council upon a finding that a warranty period of 12 months is inadequate to protect the public health, safety and welfare for any of the following reasons:

A. The prior poor or substandard performance by the subdivider or contractor responsible for construction and installation of the improvements;

B. The presence or existence of unstable soil conditions within the subdivision or adjacent area;

C. Extreme fluctuations in climatic conditions that would or could reasonably prevent the discovery of substandard or defective performance within a 12-month period; or

D. Any other exceptional reason or circumstances which in good faith is determined by the City Council to require a longer warranty period.

The subdivider shall be responsible to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period without cost to the City.

Sec. 10-39-15. Enforcement and permits.

A. In order to enforce compliance with this chapter, the Building Official shall not issue any permit for the proposed erection, construction, reconstruction, alteration of any structure, or use of any land until the provisions of this chapter have been meet. No City officer or employee shall issue any permit or license for the construction or installation of any building or structure or use on any subdivision lot until the following conditions have been met:

1. Such subdivision plat shall have been approved and recorded in the office of the county recorder.

2. Infrastructure improvements shown on approved construction plans for the subdivision:

a. Have been constructed and installed and preliminarily accepted; or

b. The City has received and accepted an improvement completion assurance for the subdivision in accordance with this chapter, and the following improvements have been constructed, installed, tested and accepted in accordance with the requirements of the building or fire code:

(1) A road base of untreated, compacted and graded gravel;

(2) Sewer, storm drains and storm drain facilities;

(3) Curb and gutter unless otherwise not required by this Code;

(4) Water system, including water lines and hydrants; and

(5) Power lines.

B. All required improvements must be complete within 12 months of notice to proceed.

C. The City may call upon the improvement completion assurance filed with the City for all improvements not completed within 12 months of the notice to proceed or when the first building within the subdivision seeks an occupancy permit, whichever is sooner.

D. It shall be prohibited for anyone to start construction on any building within a subdivision until they have fulfilled the requirements of this chapter.

E. Any license or permit issued in conflict with this chapter shall be null and void.

F. Notwithstanding the provisions of subsection A above, a building permit may be issued for:

1. A single model home in a subdivision may be given a building permit under the following conditions:,

a. The subdivision plat has been recorded and the project meets the bonding requirements of this chapter.

b. The subdivision has a total of ten (10) units/lots or more.

c. The Hurricane Valley Fire District has confirmed that all fire protection requirements for the subdivision have been satisfied as determined by the District.

d. The proposed model home is within 250’ of a functional fire hydrant.

e. A model home must be identified on the subdivision construction drawings and approved by the Joint Utility Committee.

d Approval, Amendment Or Denial Authority; Findings: A model home approved pursuant to this paragraph requires a site plan. The zoning administrator has the authority to approve, require amendments to, or deny the site plan. In approving a model home site plan, the following findings shall be made:

1. The design of the improvements:

a. Is consistent with the preliminary plat and its conditions.

b. Is consistent with the zoning requirements of the zone.

c. Will not adversely affect the public health, safety and welfare.

2. Signage is consistent with the city sign regulations.

3. There is adequate off-street parking.

4. All weather surface access is provided to the model home and parking areas.

5. Fire protection is provided to the site and approval by the Hurricane Valley Fire District
.

6. Sanitary facilities are provided at the site for public use.

7. A dumpster is provided for the site.

2. A model home complex (multiple model units) within a master-planned community with a planned development overlay upon approval by the City Council of an amendment to the development agreement stating the terms and conditions for issuance of the building permit.

3. An Occupancy Permit may only be issued for a model home if the subdivision meets the standards contained within this Chapter and the home meets all other building code requirements

Sec. 10-39-16. Plat amendments.

The procedure for consideration and approval of any addition, alteration, modification, or change to an approved plat shall be substantially the same as is required for initial plat approval unless the Zoning Administrator determines that such addition, alteration, modification, or other change does not constitute a significant change from the intent or effect of the approved plat.

Sec. 10-39-17. Fees.

The following fees are hereby established:

A. *Preliminary plat application fee.* At the time of filing of the preliminary plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

B. *Final plat application fee.* At the time of filing the final plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements.

C. *Habitat conservation fee.* Before plat is released for recordation, subdivider shall pay applicable per acre habitat conservation impact fee to City.

D. *Recording fee.* At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee.

Sec. 10-39-18. Penalty; validity.

A. *Penalty.* Any subdivider or other person who shall violate or fail to comply with any of the provisions for this chapter shall be guilty of a class B misdemeanor, and punished as provided by law upon conviction.

B. *Validity.* If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid, such holding shall not affect the validity of the remaining portion of this chapter.

Ordinance No. 2024-11

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTERS 6 AND 39 WITH REGARDS TO SUBDIVISIONS

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 10, Chapters 6 and 39 of the Hurricane City Code governing subdivisions; and

WHEREAS, the City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane; and

WHERAS, the Planning Commission of Hurricane City has recommended approval of the changes;

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 6 of the Hurricane City Code is amended to read as follows:

CHAPTER 6. DECISION MAKING BODIES AND OFFICIALS

Sec. 10-6-1. Purpose.

The purpose of this chapter is to set forth the authority of the decision making bodies and officials responsible for administering the provisions of this title.

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

Sec. 10-6-2. Scope.

The authority of the decision making bodies and officials set forth in this chapter shall apply to the entirety of this title, subject to its various provisions.

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

Sec. 10-6-3. City Council.

A. *Powers not enumerated in this title.* See City Council powers and duties set forth in title 1, chapters 5 and 6 of this Code.

B. *Powers and duties related to this title.* In administering this title, the City Council shall have the power and authority to act as the Land Use Authority for the matters set forth below. All such power and authority shall be exercised pursuant to the procedural and other applicable provisions of this title.

   1. Final adoption, modification or rejection of a proposed general plan or any amendment thereto for all or part of the City and its surroundings.

2. Final adoption, approval, modification or rejection of any amendments to the text of this title and to the land use map, including any application for a zone change.

3. Approval, denial, or modification of a request for annexation into the City.

4. Hear and decide appeals from decisions of the Historic Preservation Commission and the final plat approval staff.

5. Establishment of a fee schedule for applications required by the provisions of this title.

(Ord. 2017-16, 11-16-2017)

Sec. 10-6-4. Planning Commission.

A. *Established.* A Planning Commission, consisting of eight members, is hereby established to exercise the powers and duties specified herein. Members of the Planning Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission.

B. Appointment and terms of office.

1. Planning Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

a. The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of four years and until a successor is appointed; provided, that the term of the first members shall be such that the terms of two members shall expire each year.

b. Terms of Planning Commission members shall begin on or before the first Monday in February of each year.

c. Planning Commission members may be reappointed for successive terms.

d. The Mayor, with the advice and consent of the City Council, may remove any member of the Planning Commission for cause if written charges are filed against the member with the Mayor; provided, that the member shall be afforded a public hearing if one is requested.

e. A vacancy occurring on the Planning Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Planning Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

C. *Organization and procedure.* The Planning Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Planning Commission shall select one of its members as chairperson to oversee the proceedings and activities of the Planning Commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

    a. The chairperson shall serve for a term of one year.

    b. The chairperson, with the advice and consent of the Planning Commission, shall appoint one of the Planning Commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Planning Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission.

3. The Planning Commission shall meet on a regular date each month, as determined by the Planning Commission, and at such other times as the Planning Commission may determine. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Planning Commission unless a quorum of its members is present. Five members of the Planning Commission shall constitute a quorum. The minimum number of yes votes required for the Planning Commission to take any action shall be the majority of members present, unless otherwise prescribed by law.

5. Decisions of the Planning Commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Planning Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its examinations and other official actions. The Planning Commission may, but is not required to, have its proceedings contemporaneously transcribed by a court reporter or a tape recorder.

    a. The Planning Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may also make a concurring or dissenting report or recommendation to the City Council.

    b. The minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the Planning Commission. All records in the office of the Planning Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

D. *Powers and duties.*

1. The Planning Commission is hereby designated as the Land Use Authority to hear and decide applications for:

a. Conditional use permits filed under this title

b. Preliminary and final site plan applications, as provided under section 10-7-10 of this title

c. Preliminary plat applications, as provided under section 10-39-6 of this title

2. In addition, the Planning Commission shall make a recommendation to the City Council for:

a. A general plan and amendments to the general plan, as provided in section 10-7-6 of this title;

b. Land use ordinances, zoning maps, official maps, and amendments, as provided in section 10-7-7 of this title;

c. An appropriate delegation of power to at least one designated Land Use Authority to hear and act on a land use application;

d. An appropriate delegation of power to at least one Appeal Authority to hear and act on an appeal from a decision of the Land Use Authority;

e. Application processes that: a) may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested; and b) shall protect the right of each:

a. Applicant and third party to require formal consideration of any application by a Land Use Authority;

b. Applicant, adversely affected party, or municipal officer or employee to appeal a Land Use Authority's decision to a separate Appeal Authority; and

c. Participant to be heard in each public hearing on a contested application.

E. *Examinations and surveys.* The Planning Commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to perform its function to promote City planning and development.

F. *Appeals.* Any person aggrieved of a final decision of the Planning Commission may appeal that decision to the Appeal Authority Board by filing a written appeal stating the grounds therefor within 14 days from the date of the decision or action.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2005-15, 7-21-2005; Ord. 2018-11, 9-20-2018)

Sec. 10-6-5. Appeals Board.

A. *Established.* In order to provide for just and fair treatment in the administration of this title, and to ensure that substantial justice is done, an Appeals Board is hereby established

to exercise the powers and duties specified herein. The Appeals Board shall consist of three members.

B. *Qualifications, appointment, and compensation.*

1. Appeals Board members shall consist of:

   a. One member professionally trained in land use, law, or public administration;

   b. One member who is not a City resident; and

   c. One member who is a City business owner.

2. No member of the Appeals Board shall be a member of the City Council, the Planning Commission, or City staff.

3. Appeals Board members shall be appointed by the Mayor with the advice and consent of the City Council.

4. Appeals Board members shall be compensated in accordance with a contract approved by the City Council.

C. *Standards of actions.*

1. The Appeals Board shall:

   a. Act in a quasi-judicial manner; and

   b. Serve as the final arbiter of issues involving the interpretation or application of land use ordinances.

D. *Powers and duties.*

1. The Appeals Board is hereby designated as the Land Use Authority to hear and decide the following matters:

   a. Applications for a determination of special exceptions, as provided in section 10-7-11 of this title;

   b. Applications for a variance from the terms of this title, as provided in section 10-7-12 of this title;

   c. Applications to determine the existence, expansion or modification of a nonconforming use or noncomplying structure, as provided in section 10-7-14 of this title.

2. The Appeals Board is hereby designated as the Appeal Authority to hear and decide the following matters:

   a. Appeals from Planning Commission decisions regarding conditional use permits, as provided in section 10-7-9 of this title;

   b. Appeals from administrative decisions by the Zoning Administrator applying the provisions of this title.

E. *Appeals.* Appeals to the Appeals Board shall be filed in writing with the City Recorder within 14 days from the date of the decision or action appealed and shall state the grounds for the appeal. The officer or department from whom the appeal is taken shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

F. *Notice of hearing.* The Appeals Board shall fix a reasonable time for the hearing of each appeal, give public notice thereof and due notice to the parties in interest as provided in section 10-7-4 of this title.

G. *Decisions of the board.* At the hearing of any matter the parties affected may appear in person with or without an attorney. The Appeals Board shall decide all appeals and other issues brought before it within a reasonable time.

H. *Stay of proceedings.* An appeal to the Appeals Board shall stay all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board that by reason of the facts stated in the appeal, a stay would in his or her opinion, cause immediate peril to life or property. In such case, proceedings shall not be stayed except by a restraining order granted by the Appeals Board or by the District Court upon application, notice, and due cause shown.

I. *Restrictions on scope of appeal.*

1. Only land use decisions applying the land use ordinance to a particular application, person, or parcel may be appealed to the Appeals Board.
2. The Appeals Board may not consider any land use ordinance amendments.
3. Appeals may not be used to waive or modify the terms or requirements of the land use ordinance.

J. *Burden of proof.* The person or entity making the appeal has the burden of proving that an error has been made. Every appeal shall refer to the specific provisions of the ordinance involved and shall exactly set forth the error that is claimed. The appealing party is required to present to the Appeal Authority every theory of relief that it could raise in district court.

K. *Standards.* In reviewing an action or decision from which an appeal has been taken, the Appeal Authority shall apply the appropriate standards, requirements or criteria as specified within this title and state law for such action or decision, and accordingly shall review the action or decision only to determine if an error was made in applying the land use ordinance.

L. *Stay of action.* An appeal stays all proceedings in furtherance of the action appealed from unless the City Council finds and certifies to the Appeal Authority that, by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order issued by the district court.

M. *Administrative powers on appeal.* In his/her decision, the Appeal Authority may reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed. At the public meeting, the Appeal Authority may continue consideration to a later date. If consideration of the appeal is adjourned, within 35 days following the closing of the public meeting on an appeal, the Appeal Authority shall act on the appeal at a public meeting held in conformance with Utah Code Annotated title 52, chapter 4, open and public meetings.

N. *Decision and findings.* The Appeal Authority's decision takes effect on the date his or her written decision is issued. The decision of the Appeal Authority regarding the appeal shall contain a full record of the findings of the body in the particular case. The Appeal Authority's decision constitutes a final, appealable decision.

O. *District court review of Appeal Authority decision.* No decision of an official or administrative body of the City administering or interpreting the land use ordinance may be appealed directly to the district court. Before petitioning for district court review, a person must exhaust all administrative remedies by appealing to the Appeals Board in accordance with this section and receiving a final decision issued by the Appeals Board. Any person adversely affected by any decision of the Appeals Board, including the City Council, may file a petition for review of the decision with the district court within 30 days of the Appeals Board's final decision. The right to file a petition for review of the Appeals Board's decision is lost if the petition is not filed within 30 days of the decision.

    1. In the petition, the plaintiff may allege only that the Appeals Board's decision was not supported by substantial evidence or was arbitrary, capricious or illegal. The court shall review the decision of the Appeals Board pursuant to the standards found in Utah Code Annotated section 10-9a-801(3).

    2. The Appeals Board shall transmit to the reviewing court the record of its proceedings, including its minutes, findings, orders and if available, a true and correct transcript of its proceedings. If the proceeding was recorded, a transcript of that recording is a true and correct transcript for purposes of this subsection.

    3. The filing of a petition does not stay the decision of the Appeals Board. However, before filing the petition, the aggrieved party may petition the Appeals Board to stay its decision. Upon receipt of a petition to stay, the Appeals Board may order its decision stayed pending district court review if the Appeals Board finds it to be in the best interest of the municipality.

    4. After the petition is filed the petitioner may seek an injunction staying the Appeals Board's decision.

    5. The petitioner may not present any information, evidence, or theory of relief that was not presented to the Appeals Board.

P. *Appeals from the board.* Any person aggrieved by a final decision of the Appeals Board may appeal such decision to district court, provided that the petition for such relief is presented to the court within 30 days from the date of the decision of the Appeals Board.

(Ord. 2018-11, 9-20-2018)

Sec. 10-6-6. Historic Preservation Commission.

A. *Established.* In order to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, a Historic Preservation Commission, consisting of five members, is hereby established to exercise the powers and duties specified herein. Members of the commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the commission. It is the intent of this section that the City shall have the power to identify, preserve, protect and enhance historic areas and structures lying within the boundaries of the City, through the establishment of a Historic Preservation Commission and a historic district as provided in Utah Code Annotated section 17A-3-1301 et seq., as amended.

B. *Purpose.* The purpose of the historic district is to:

1. Preserve buildings and related structures of historic and architectural significance; and

2. Allow improvements to existing structures or new construction to be conducted without destroying or damaging the historic character of said district or neighborhood.

C. *Appointment and terms of office.*

1. Historic Preservation Commission members shall be appointed by the Mayor with the advice and consent of the City Council.

    a. Members of the Historic Preservation Commission shall have a demonstrated interest, competence or knowledge in or of historic preservation. To the extent available in the City, two commission members shall be professionals, as defined by the National Park Service Regulations, from the disciplines of history, architecture or architectural history.

    b. The terms of Historic Preservation Commission members shall be staggered. Each member of the Historic Preservation Commission shall serve for a term of not less than two nor more than four years, as determined by the City Council, and until a successor is appointed; provided, that the term of the first members shall be such that the term of one member shall expire each year.

    c. Terms of Historic Preservation Commission members shall begin on or before the first Monday in February of each year.

    d. Historic Preservation Commission members may be reappointed for successive terms.

    e. The Mayor, with the advice and consent of the City Council, may remove any member of the Historic Preservation Commission for cause if written charges are filed against the member with the City Manager; provided, that the member shall be afforded a public hearing if one is requested.

f. A vacancy occurring on the Historic Preservation Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.

2. Members and alternate members of the Historic Preservation Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act as set forth in Utah Code Annotated section 63G-7-102 et seq., as amended.

D. *Organization and procedure.* The Historic Preservation Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Historic Preservation Commission shall select one of its members as Chairperson to oversee the proceedings and activities of the commission, and shall adopt rules for the transaction of business and the conduct of its proceedings.

a. The chairperson shall serve for a term of one year.

b. The chairperson, with the advice and consent of the Historic Preservation Commission shall appoint one of the commission members as alternate chairperson to act in the absence of the chairperson. The chairperson and alternate chairperson may be reelected for successive terms.

2. The Historic Preservation Commission may adopt reasonable policies and procedures, consistent with the provisions of this title, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Historic Preservation Commission.

3. The Historic Preservation Commission shall meet at least twice each year. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in Utah Code Annotated title 52, chapter 4, as amended.

4. No official business shall be conducted by the Historic Preservation Commission unless a quorum of its members is present. Three members of the commission shall constitute a quorum.

5. Decisions of the commission shall become effective at the meeting or hearing in which the decision is made, unless a different time is designated in the commission's rules or at the time the decision is made.

6. The Historic Preservation Commission shall keep written minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and keep records of its examinations and other official actions.

a. The Historic Preservation Commission shall transmit reports of its official acts and recommendations to the City Council. Any member of the commission may

also make a concurring or dissenting report or recommendation to the City Council.

b. The minutes of all meetings of the Historic Preservation Commission shall be prepared and filed in the office of the commission. All records in the office of the Historic Preservation Commission are public records and shall be available for public review and access in accordance with title 1, chapter 8 of this Code, government records and access management.

E. *Powers and duties.* The Historic Preservation Commission shall have all the powers and duties, explicit or implied, given such commissions by state law, including, but not limited to, the following. Each of such powers and duties shall be exercised pursuant to the procedural and other provisions of this title.

1. The commission shall conduct or cause to be conducted a survey of the historic, architectural and archaeological resources within the City. The survey shall be compatible with the state inventory of historic and archaeological sites. Survey and inventory documents shall be maintained and open to the public. The survey shall be updated as deemed appropriate by the commission.

2. The commission shall review and comment to the state historic preservation officer on all proposed national register nominations for properties within the boundaries of the City. When the Historic Preservation Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the commission, the commission shall seek expertise in this area before rendering its decision.

3. The Historic Preservation Commission shall act in an advisory capacity to the City Council, Planning Commission and all other officials and departments of the City, with respect to the identification and protection of local historic and archaeological resources.

4. The Historic Preservation Commission shall work toward the continuing education of citizens regarding historic preservation and the City's history.

5. The Historic Preservation Commission shall identify an area or areas containing significant historic buildings or structures to be known as the Hurricane Historic District, which district shall be established by an overlay zone to this title. The commission shall also propose for adoption by the City Council by subsequent ordinance rules and regulations pertaining to new construction within the historic district, as well as alterations, repairs or demolition of existing buildings within said district deemed to be of significant historical value. When such rules or regulations have been adopted by ordinance by the City Council, the Historic Preservation Commission shall assist in enforcing said rules and regulations.

6. The commission shall further support the enforcement of all state laws relating to historic preservation, including, but not limited to, Utah Code Annotated sections 17A-3-1301 et seq., 9-8-201 et seq., and 9-8-401 et seq., as amended.

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

Sec. 10-6-7. Staff referral by Planning Commission.

A. *Staff referral.* The Planning Commission may direct that any matter over which it has jurisdiction be referred to the staff of the Planning Commission for review and preparation of recommendations. Such action shall be taken either by motion of the Planning Commission or pursuant to duly adopted bylaws of the Planning Commission. The authority for such referrals may be revoked at any time by motion of the Planning Commission or amendment of its bylaws, as the case may be.

B. *Appointment of Hearing Officer.* In the event a matter is referred to the Planning Commission staff which requires a public hearing, the City Manager shall appoint a Hearing Officer to conduct the hearing in accordance with applicable requirements of this title.

C. *Review and recommendation.* If a matter is referred to the Planning Commission staff as permitted by this section, the staff shall conform to any instructions or limitations contained in the referral, and subject thereto shall review the referred matter, conduct any necessary hearings, and prepare written recommendations for the Planning Commission.

D. *Decision.* Unless the Planning Commission shall otherwise direct, any person who has applied for authorization to develop property under the terms of this title may in writing consent to the staff recommendation and waive further action by the Planning Commission. If the applicant waives further action by the Planning Commission, the staff recommendation shall be considered approved by the Planning Commission. Thereafter necessary permits may be issued subject to the terms of this title and any applicable conditions of approval.

E. *Limitation.* This section shall not apply to any action with respect to which the Planning Commission is required by law to take direct action.

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

Sec. 10-6-8. Zoning Administrator.

A. *Appointment.* The City Manager shall designate a staff person who shall be primarily responsible for administering and enforcing this title. Such person shall be known as the Zoning Administrator.

B. *Interpretation.* The Zoning Administrator shall interpret the ordinance to members of the public, City departments, and to other branches of government, subject to general and specific policies established by the Planning Commission and City Council. Upon request,

the Zoning Administrator shall make a written interpretation of the text of this title pursuant to section 10-7-18 of this title.

C. *Administrative duties.* The Zoning Administrator shall accomplish or cause to be accomplished all administrative actions required by this title, including the giving of notice, holding of hearings, preparation of staff reports and receiving and processing of appeals.

D. *Negotiation and advice.* The Zoning Administrator may negotiate with and advise all persons making application for any project which requires approval by the Planning Commission or City Council.

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

Sec. 10-6-9. Final plat approval staff.

A. The City planning, public works, legal, and engineering staff and/or contract employees are hereby designated to approve subdivision final plats.

(Ord. 2017-16, 11-16-2017)

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 39 of the Hurricane City Code is amended to read as follows:

CHAPTER 39. SUBDIVISIONS

Sec. 10-39-1. General provisions.

A. The underlying purpose and intent of this chapter is to promote the health, safety, convenience, and general welfare of the inhabitants of the City in the division or subdivision of land and related matters affected by each subdivision.

B. Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and shall be in harmony with good neighborhood development of the area concerned, and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

C. In cases where unusual topographical or other exceptional conditions exist such as sensitive lands, collapsible soils or other conditions necessitating any exceptions from or additional requirements to this chapter, said exceptions or requirements may be set by the Planning Commission and/or the City Engineer.

Sec. 10-39-2. Scope.

A. No person shall subdivide any tract of land which is wholly or in part within the City boundaries except in compliance with this chapter.

B. No person shall sell or exchange, or offer to sell or exchange, any parcel of land which is a part of a subdivision of a larger tract of land, or offer for recording in the office of the

county recorder any deed conveying such a parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this chapter.

C. All lots, plots, or tracts of land located within a subdivision shall be subject to this chapter regardless of whether or not the tract is owned by the subdivider or a subsequent purchaser, transferor, or holder of the land.

D. The review cycle restrictions and requirements of this section do not apply to the review of subdivision applications affecting property within identified geological hazard areas, including land qualifying as sensitive lands within Title 10, Chapter 24 of this Code.

Sec. 10-39-3. Definitions.

The following words and phrases used in this chapter, in addition to those listed in chapter 3 of this title, shall have the respective meanings hereafter set forth, unless a different meaning clearly appears from the context:

Adjacent landowner means any property owner of record, according to the records of the county recorder, whose property adjoins or abuts property proposed for subdivision, or any portion thereof.

Affected entity means as stated in statute, a county, municipality, independent special district, local district, school district, interlocal cooperation entity, specified public utility, or the state department of transportation, if:

A. The entity's services or facilities are likely to require expansion or significant modification because of an intended use of land;

B. The entity has filed with the municipality a copy of the entity's general or long range plan; or

C. The entity's boundaries or facilities are within one mile of land which is the subject of a general plan amendment or land use ordinance change.

Block means the land surrounded by streets and other rights-of-way other than an alley, or land which is designated as a block on any recorded subdivision plat.

Bona fide division or partition of land for agricultural purposes means the division of a parcel of land into two or more lots none of which is less than five acres in an area, and where no dedication of any street is required to serve any such lots or parcels of land so created.

City means Hurricane City, Utah.

City Council means the City Council of Hurricane City, Utah.

City Engineer means the City Engineer of Hurricane City, Utah, or a consulting engineering firm designated as the City Engineer by the City Council.

City Planner means the professional planner of the City, or person designated as such by the City Council.

Communications easement means an exterior easement for placement of facilities intended to be used in connection with the delivery of multichannel video programming services, cable services, information services, or telecommunications or telecommunications services.

Communications infrastructure means facilities planned to be used in connection with the delivery of multichannel video programming services, cable services, information services, telecommunications or telecommunications services, which term shall include, but not be limited to, conduit.

Construction drawings means Subdivision improvements plans, as defined herein.

County means Washington County, Utah.

Culinary Water Authority means the department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property.

Dedication means land set aside by an owner for any general and public uses.

Easement means that portion of a lot or lots reserved for present or future use by a person or agency other than the legal owner or owners of said property or properties. The easement may be for use under, on, or above said lot or lots.

Final plat means the final drawing of the subdivision and dedication prepared for filing of record with the county recorder and in compliance with all the requirements set forth in this chapter and adopted pursuant thereto.

General plan means a plan, labeled "General Plan of Hurricane City," including maps or reports or both, which has been approved by the City Council as required by law, or such plan as it may be amended from time to time.

Joint Utility Committee means the representatives of the City, Ash Creek special service district, and franchisee utility companies authorized to review and sign construction drawings.

Lot means a separately delineated parcel of real property having a number and designation shown on a recorded subdivision plat, or a contiguous quantity of real property defined in a deed by metes and bounds which has a separate property identification number according to the records of the county recorder and is not shown on a recorded subdivision plat.

Lot right-of-way means a strip of land of not less than 26 feet wide connecting a lot to a street for use as private access to that lot.

Official zoning map means a zoning map adopted by the City Council pursuant to the provisions of Utah Code Annotated section 10-9a-501, as amended.

Open space means designated land within the subdivision which shall always remain undeveloped, which shall be included in improved parks and recreational areas, or which shall remain all natural.

Person means any individual, corporation, partnership, limited liability company, or partnership, firm, or association of individuals, however styled or designated.

Planning Commission means the Hurricane City Planning Commission. The Planning Commission shall be the "administrative land use authority" as defined in Utah State Code 10-9a-604.1(1)(b) as amended.

Plat means a map or depiction of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, and streets, or other divisions and dedications.

Review Cycle means the occurrence of:

(i) the applicant's submittal of a complete subdivision land use application;

(ii) the City's review of that subdivision land use application;

(iii) the City's response to that subdivision land use application, in accordance with this section; and

(iv) the applicant's reply to the City's response that addresses each of the City's required modifications or requests for additional information.

Sanitary Sewer Authority means the Ash Creek special service district, a public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems within the City.

Security means an escrow agreement, irrevocable letter of credit, or other security instrument given by the subdivider to ensure the proper installation of public improvements.

Street means a thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare not less than 26 feet wide which has been made public by right of use and which affords the principal access to the abutting property.

Street, arterial means a street, existing or proposed, which serves or is intended to serve as a major trafficway, and is designated on the general plan as a controlled access highway, major street, parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

Street, collector means a street, existing or proposed, which is the main means of access to an arterial street system.

Street, cul-de-sac means a street which originates from a designated City street with no other outlet and forcing a radius turn area, not to exceed 660 feet in length without the written approval of the City Council, the Planning Commission and the Fire Chief.

Street, private means a right-of-way or easement in private ownership not dedicated or maintained as a public street.

Street, residential means a street, existing or proposed, which is supplementary to a collector street and which serves or is intended to serve local needs of a neighborhood.

Subdivider means any individual, firm, association, syndicate, copartnership, corporation, trust or other legal entity commencing proceedings under this chapter to effect a subdivision for himself or for another.

Subdivision:

A. Includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat or other recorded instrument; and
2. Except as provided herein, divisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural and industrial purposes.

B. Does not include:

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
2. A recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if no new lot is created and the adjustment does not violate applicable land use ordinances; or
3. A recorded document executed by the owner of record, revising the legal description of more than one contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property, or joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances.

The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision" as to the unsubdivided parcel of property or subject the unsubdivided parcel to the provisions of this chapter.

Subdivision application means a land use application for the subdivision of land.

Subdivision improvement plans means the civil engineering plans associated with required infrastructure improvements and municipally controlled utilities required for a subdivision.

Subdivision ordinance review means review by the City to verify that a subdivision application meets the criteria of the City's ordinances.

Subdivision plan review means a review of the applicant's subdivision improvements and other aspects of the subdivision application to verify that the application complies with City ordinances and applicable installation standards and inspection specifications for infrastructure improvements.

Sec. 10-39-4. Necessity of plat; exemption from plat requirements.

All subdivisions shall be required to prepare and receive approval of a preliminary and final plat in accordance with the provisions of this chapter, except as follows:

A. A subdivision creating no more than one new lot may be approved with written approval by City staff without the necessity of preparing and filing a preliminary plat or final plat if:

The proposed subdivision:

1. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the City staff has approved the location and dedication of any public street, municipal utility easement, any other easement, or any other land for public purposes as the municipality's ordinance requires;
2. Has been approved by the culinary water authority and the sanitary sewer authority;
3. Is located in a zoned area; and
4. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

B. Agricultural Exemptions

1. A lot or a parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if the lot or parcel:
    a. Qualifies as land in agricultural use under Section 59-2-502 of the Utah Code, as amended;
    b. Meets the minimum size requirement of applicable land use ordinances; and
    c. Is not used and will not be used for any nonagricultural purpose.
2. The boundaries of each lot or parcel exempted under Subsection (A) and (B) of this Section shall be graphically illustrated on a record of survey map that, after receiving the same approvals as are required for a plat under Section 10-9a-604 of the Utah Code, as amended, shall be recorded with the Washington County Recorder.
3. If a lot or parcel exempted under Subsection (B)(1) of this Section is used for a nonagricultural purpose, the municipality may require the lot or parcel to

comply with the requirements of Section 10-9a-603 of the Utah Code, as amended, and the subdivision requirements of this Chapter.

C. Approval Required

1. Documents recorded in the Washington County Recorder's Office that divide property by a metes and bounds description do not create an approved subdivision allowed by this Chapter unless the written approval required by Subsection (A) of this Section is attached to the document.

2. The creation of a lot under Subsection (A) of this section shall not be approved until a plan for providing utilities and other required improvements to the proposed lot has been reviewed and signed by members of the Joint Utility Committee. No building permit will be issued for said lot until the approved improvements are constructed and accepted.

D. Lots or parcels created in violation of this section shall not be issued a building permit until the violation is corrected.

Sec. 10-39-5. Notice requirements.

A. Notice of proposal to vacate some or all of a public street, right-of-way, or easement. The legislative body shall hold a public hearing and give notice of the date, place, and time of the hearing at least ten days before the public hearing by:

1. Mailing notice to the record owner of each parcel that is accessed by the public street, right-of-way, or easement;

2. Mailing notice to each affected entity;

3. Posting notice on or near the street, right-of-way, or easement in a manner that is calculated to alert the public;

4. Published on the City's official website until the public hearing concludes; and

5. Publishing notice on the state public notice website.

B. Notice for an amendment to a subdivision. For an amendment to a subdivision, the City shall provide notice of the date, time, and place of at least one public meeting.

1. At least ten calendar days before the public meeting, the notice shall be:

   a. Mailed to the record owner of each parcel directly adjacent of the proposed amendment; or

   b. Posted on the property.

      (1) The applicant must post a sign at least ten days before the public meeting in a visible location, that is sufficient in size, durable, and legible by passers-by.

Sec. 10-39-6. Preliminary plat process.

Designation of Administrative Land Use Authority. The Planning Commission is designated as the Administrative Land Use Authority that reviews and approves or denies preliminary subdivision applications; provided, however, that the review and approval of subdivisions creating no more than one new lot under Section 10-39-4 of this Chapter is governed by that Section.

Pre-Application Meetings.

1. If an applicant requests a pre-application meeting, the City shall, within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback.
2. At the pre-application meeting, the municipal staff shall provide or have available on the municipal website the following:
   (i) copies of applicable land use regulations;
   (ii) a complete list of standards required for the project;
   (iii) preliminary and final application checklists; and
   (iv) feedback on the concept plan.

Review of Preliminary Plat Application.

1. Off-site extension of water mains shall be approved pursuant to Sec. 8-1-8 of this code prior to submittal. Off-site extension of power lines shall be approved pursuant to Sec. 8-4-3 of this code prior to submittal.
2. Preliminary plat applications shall comply with all requirements of this Title and Utah Code Title 10, Chapter 9a, as amended.
3. The applicant shall (1) obtain and complete a preliminary plat application form and application checklist and (2) have the proposed plat prepared by a licensed engineer or surveyor.
4. The applicant shall submit the completed application, proposed plat, , subdivider's agreement set out in section 10-39-12, and the required fees to the Planning Department.
5. Planning Department staff shall review the submitted documents for completeness. Any proposed preliminary plat that, on its face, fails to comply with an applicable zoning ordinance or development agreement, shall render the application incomplete, and the applicant shall be notified of the incomplete application.
6. Upon the Planning Department's determination of a complete application, the proposed preliminary plat shall be submitted for review to the Joint Utility Committee and appropriate City departments.
7. No later than 15 business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes, the Joint Utility

Committee and appropriate City departments shall complete the initial review of the application .

8. Upon the completion of the initial review of the application, the Zoning Administrator shall place the application on the next available Planning Commission agenda for a public hearing and consideration by the Planning Commission.
9. Applicant or Applicant's authorized representative shall appear at the scheduled meeting before the Planning Commission to present the proposed preliminary plat and answer questions.
10. The Planning Commission may approve, deny, or approve with conditions a proposed preliminary subdivision plat.
11. If a preliminary subdivision plat application complies with applicable municipal ordinances and the requirements of Utah Code Title 10, Chapter 9a, as amended, the Planning Commission shall approve the preliminary plat application.

Approval of the preliminary subdivision plat by the Planning Commission shall authorize the subdivider to proceed with the preparation and review of a final subdivision plat application; provided, however, that an applicant may submit a final subdivision plat application to be processed concurrently with a preliminary subdivision application.

After preliminary subdivision plat approval from the Planning Commission, a complete application for final subdivision plat approval must be submitted within one year of the preliminary plat approval date or the preliminary subdivision plat approval shall expire. 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.

Approval of a preliminary subdivision plat by the Planning Commission shall not constitute approval of the subdivision improvement plans.

Sec. 10-39-7. Preliminary plat requirements.

The preliminary plat shall include or be accompanied by the following:

A. *Description.* In a title block located in the lower right hand corner of the sheet the following is required:

1. The proposed name of the subdivision.
2. The location of the subdivision, including the address and the section, township and range.
3. The names and addresses of the owner or subdivider if other than the owner.
4. Date of preparation and north point.
5. Scale shall be of sufficient size to adequately describe in legible form all required elements.

B. *Existing conditions.* The preliminary plat shall show:

1. The location of the nearest monument.
2. The boundary of the proposed subdivision and the acreage included.
3. All property contiguous to the property to be subdivided and under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing master street plan or other commission studies.) And all property contiguous to the proposed subdivision.
4. The location, width and names/numbers of all existing streets within 200 feet of the subdivision and of all prior streets or other public ways, easements, utility rights-of-way, parks and other public open spaces, within and adjacent to the tract.
5. 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 100 feet beyond the tract boundaries.
6. Existing ditches, canals, natural drainage channels and open waterways and proposed realignments.
7. Contours at vertical intervals not greater than five feet.
8. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow ground water, and windblown sand) and recommendations for their mitigation.

C. *Proposed plan.* The subdivision plans shall show:

1. The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements.
2. The layout, numbers and typical dimensions of lots. Designation of buildable area is required for each lot.
3. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
4. Easements for water, sewers, drainage, utilities, lines and other purposes.
5. Street cross sections and street grades.
6. A plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision.
7. Approximate radius of all centerline curves on highways or streets.
8. Each lot shall abut a street shown on the subdivision plat or on an existing publicly dedicated street.

9. All remnants of lots below minimum size left over after subdividing of a larger tract shall be added to adjacent lots or common areas, rather than allowed to remain as unusable parcels.
10. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
11. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
12. If the subdivision is to be built in phases, the plat shall show possible phasing lines.
13. A tentative plan or method for providing nondiscriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

Sec. 10-39- 8. Final plat and subdivision improvement plan application and approval process.

A. Once the preliminary plat is approved, applicant shall submit a complete final plat application, application checklist, subdivision improvement plans, an electronic copy of the final plat, required fee, and any other required documents to the Planning Department.

B. Planning Department staff shall review the submitted documents for completeness. Upon the Planning Department's determination of a complete application, the proposed final plat and subdivision improvement plans shall be submitted for review to the Joint Utility Committee and appropriate City departments.

Subdivisions of single family homes, duplexes, and townhomes: No later than 20 business days after the day on which the applicant submits a complete final plat application, the City shall complete a review of the applicant's final subdivision land use application, including subdivision plan reviews.

In reviewing a subdivision land use application, any member of the Joint Utility Committee or applicable City department may require:

additional information relating to an applicant's plans to ensure compliance with municipal ordinances and approved standards and specifications for construction of public improvements; and

modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information;

Requests under sections (i) and (ii) shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be indexed by the Public Works Director and provided to the applicant;

Except for a modification or correction necessary to protect public health and safety or to enforce state or federal law, and unless a change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts

the infrastructure needed for the specific development, a change or correction not addressed or referenced in a City's subdivision improvement plan review is waived.

No later than 20 business days after the City has returned requested modifications or additions to the applicant, the applicant shall provide to the City:

Revised subdivision improvement plans;

A written explanation in response to the City's review comments, identifying and explaining the applicant's revisions and reasons for declining to make revisions, if any;

The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of revisions or additions for each required correction;

If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed;

If an applicant does not submit a revised plan within 20 business days after the municipality requires a modification or correction, the municipality shall have an additional 20 business days to respond to the plans.

After the applicant has responded to the final review cycle, and the applicant has complied with each modification requested in the City's previous review cycle, the City's previous review cycle, the City may not require additional revisions if the applicant has not materially changed the plan, other than changes that were in response to requested modifications or corrections.

If a final subdivision application complies with the requirements of applicable City ordinances, Utah Code Title 10, Chapter 9a, as amended, and the preliminary subdivision approval, the City shall approve the final subdivision application.

Subdivisions not consisting of single family homes, townhomes or duplexes: The Joint Utility Committee shall review and redline the completed plans
When redlines are completed the Public Works Director shall prepare a summary of needed changes and return redlined plans to the applicant.
Applicant shall then submit corrected construction drawings addressing all redlined items to the City Engineer for review and verification that all redlines have been addressed.

Applicant shall then submit three copies of the corrected construction drawings to the City Engineer for possible signature. After the City Engineer signs, applicant must obtain all required signatures and return signed plans to Public Works Director for final signature.

The process laid out in subsection (1) of this section for subdivisions consisting of single family homes, townhomes, or duplexes shall constitute one review cycle. No more than four review cycles for a subdivision improvement plan review may be required, except as otherwise provided herein. The City may not, outside of the review cycle, engage in a substantive review of the required infrastructure improvements.

Any dispute involving the review of subdivisions consisting of single family homes, townhomes, or duplexes if, on the fourth or final review, the City fails to respond within 20 business days, the City shall, upon request of the property owner, and within 10 business days after the day on which the request is received:
For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with Utah State Code 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or
For a dispute arising from the subdivision ordinance review, advise the applicant, in writing, of the deficiency in the application and of the right to appeal the determination to the City Appeals Board pursuant to section 10-7-19 of this Code.

If an applicant makes a material change to a plan set, the City Engineer has the discretion to restart the review process of the final plat application, but only with respect to the portion of the plan set that the material change substantially affects.

C. Once the final plat approval staff has granted approval of a final plat and a bond or other financial security is in place in accordance with section 10-39-13 of this chapter, the subdivider may schedule a preconstruction meeting with the City Public Works Department. Upon receipt of written notice to proceed from City, construction of the subdivision may proceed. No construction shall be permitted prior to receipt of written notice to proceed.

Sec. 10-39-9. Subdivision Improvement Plans.

As part of a complete final plat application, the applicant shall have subdivision improvement plans prepared by a licensed engineer for all on site and required off site improvements in accordance with the following:

A. Final plan and profile must be prepared in accordance with:

1. Current Hurricane City land use ordinances;
2. Current Hurricane City standards and specifications;
3. Hurricane City drainage manual;
4. Ash Creek special service district construction standards;
5. Hurricane City power standards and specifications;
6. Applicable building code;
7. Applicable fire code; and
8. Dixie Escalante power standards and specifications, if applicable.

B. Specific geotechnical recommendations for the design and construction of the proposed subdivision shall include the following if applicable:

1. A general assessment of the requirements needed to develop on the site.
2. Site preparation and grading and the suitability of on site soils for use as structural fill.
3. Stable cut and fill slopes including recommendations concerning the effects of material removal and the introduction of water.
4. Recommendations for foundation type and design criteria, including, but not limited to, bearing capacity of natural or compacted soils, provisions to mitigate the effects of expansive, compressible, or collapsible soils, differential settlement and varying soil strength, and the effects of adjacent loads.
5. Anticipated total and differential settlement.
6. Special design and construction considerations, as necessary, such as the excavation and replacement of unsuitable materials, excavation difficulties, stabilization, or special foundation provisions for problem soil conditions.
7. Design criteria for restrained and unrestrained retaining or rockery wall.
8. Moisture protection and surface drainage.

C. Subdivision improvement plans are valid for 24 months after final signature. Subdivision improvement plans signed more than 24 months prior to construction of improvements shall be expired. For a project where construction has started and all improvements shown on the plan will be constructed, the Public Works Director may permit construction to continue. Subdivision improvement plans showing multiple phases of a project are valid only for those improvements constructed within the first 24 months of approval. New approvals must be obtained and any new standards shall apply for future phases or delayed projects.

Sec. 10-39-10. Final plat requirements.

A. *Required information.* The final plat shall show:

1. The name or designation of the subdivision that is distinct from any plat already recorded in the county recorder's office, as approved by the Planning Commission.
2. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.

3. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
4. Every existing right-of-way and easement grant of record. Where the same is granted to a specific entity, that entity must be clearly identified.
5. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
6. All street centerline data must be shown, together with its relationship to the property lines, corners, etc.
7. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, state, county or other official monuments.
8. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).
9. Street monuments to be installed by the subdivider in accordance with the requirements of the City standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.
10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.
11. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.
12. The parent parcel number, as shown on the records of the Washington County Recorder.

B. *Required forms and certificates.* In addition the final plat shall contain the standard forms for the following:

1. A registered professional land surveyor's signed certificate of survey, together with a statement that:
   a. The surveyor holds a license in accordance with Utah Code Annotated title 58, chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
   b. The surveyor has completed a survey of the property described on the plat in accordance with Utah Code Annotated section 17-23-17 and has verified all measurements; and
   c. Has placed monuments as represented on the plat.

2. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.
3. Mortgagee or other lienholder's consent to record, if applicable.
4. A notary public's acknowledgment of the signature of the mortgagee or each owner signing the plat.
5. Certificate of approval of Ash Creek special service district.
6. A note stating as follows: Hurricane City operates a municipal culinary water system with limited water supply. Approval of a plat by Hurricane City does not guarantee that sufficient water will be available to serve lots depicted on any plat. Any land use applicant may be required by Hurricane City to provide a guarantee of water availability. If there is any approval without a water guarantee, the applicant assumes the entire risk of water availability for a platted lot.
7. Certificate of approval and acceptance by the City as evidenced by the signature of the Mayor.
8. Certificate of approval of the City Engineer.
9. Certificate of approval as to form executed by the City Attorney.
10. A one and one-half inch by five inch space in the lower right hand corner of the drawing for the use of the county recorder.
11. Certificate of approval of the county treasurer.

C. *Other information required.* The following information or documentation shall be submitted with the final plat or prior to recordation:

1. A sworn statement or title report stating that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full.
2. An original copy for staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the county recorder prior to or concurrently with the final plat.
3. An up-to-date title or subdivision report for the property being subdivided. Applicant is responsible to ensure the final plat addresses and accounts for liens, easements, and other encumbrances on the property being subdivided.
4. Mylar of approved final plat submitted and reviewed for substantial conformance with paper final plat.
5. Applicant shall be responsible to provide any additional information requested by the county recorder, including electronic versions of mylars.

D. *Requirements for recordation.*

1. Final plat approval.
2. Bond or other financial security in place.
3. Final title or subdivision report prepared and submitted to the City Attorney with an effective date within 30 days of the date the mylar is recorded.
4. Proof of satisfaction of payment of any water impact fee due Washington County Water Conservancy District, if applicable.
5. For property to be dedicated to the City for streets, roads, rights-of-ways, or other parcels intended for the use and benefit of the general public, free and clear title to the property, unless the encumbrance is an easement the acceptance of which will not adversely affect the public. Provided, however, that appropriate mortgagee or other lienholders' consent to record the final subdivision plat shall be adequate for purposes of this section to address liens recorded against the property.
6. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek special service district superintendent. The City Attorney shall be the last signer of the mylar just prior to recordation.
7. Preliminary acceptance by City of all public and private improvements as shown on approved construction drawings.
8. If submitted mylar shows material changes from the approved paper final subdivision plat, applicant shall submit an application for an amended plat and get approval of the amended plat before recordation will be permitted to occur.

E. *Recordation of plat.* Applicant shall be responsible to coordinate with the City Attorney for the recording of the final plat and for the payment of any recording fees. Applicant shall be responsible to ensure that, after the City Engineer signs a final subdivision plat mylar, the remaining conditions to qualify the mylar for recording are accomplished and the mylar is recorded with the county recorder within one year of the date of the City Engineer's signature. Failure to record the final plat within one year of the date of final signature by the City Engineer shall result in revocation of the final plat. When a final plat is revoked, a new preliminary plat must be approved before applying for new final plat approval.

Sec. 10-39-11. Subdivision streets and fencing.

A. *Relation to adjoining street systems.*

1. The arrangements of streets in new subdivisions shall make provision for the continuation of the existing streets to adjoining areas insofar as such may be deemed necessary by the Planning Commission for public requirements. New streets within subdivisions shall not preclude future access to adjoining properties.

2. Standard residential streets shall approach the arterial or collector streets at an angle of not less than 80 degrees.

3. Except as otherwise provided elsewhere in this Code, all subdivision streets and roadways shall be constructed and installed in accordance with the City roadway construction standards.

B. *Fencing.*

1. *Where required.* A solid masonry, chainlink or other nonclimbable fence not less than six feet in height shall be installed on both sides of existing supply irrigation ditches or canals, or bordering open reservoirs or nonaccess streets, and which are located within or adjacent to the subdivision, except where the Planning Commission determines that park areas including streams or bodies of water shall remain unfenced.

2. *Prevent nuisance or hazard.* The Planning Commission may also require the construction or installation of a fence in any subdivision where the Planning Commission determines that the absence of a fence may create a nuisance or hazard to the welfare of the residents of the subdivision or the adjoining property.

3. *Agricultural fencing.* Unless otherwise waived by affected agricultural property owners, fencing abutting agricultural property shall be required of subdivider. Fencing shall meet or exceed the standard Utah Department of Transportation ("UDOT") Right-of-Way Fencing and Gates as described in UDOT's then-applicable Standard Specifications for Road and Bridge Construction, consisting of wire mesh and two strands of barbed wire. The affected agricultural property owner shall have the option to pay the additional cost to install a fence beyond this minimum standard. The fence, design, and materials shall be approved with the construction drawings for the subdivision together with other subdivision improvements.

Sec. 10-39-12. (Reserved)

Sec. 10-39-13. Guarantee of completion of improvements; form of surety; release of funds.

Subdivider shall guarantee improvements in accordance with the following:

A. *Completion of improvements before recordation.* If subdivider desires to construct improvements as shown on approved construction drawings prior to recordation:

1. Recordation of the plat shall not occur until the improvements required in connection with the subdivision have been completed and conditionally accepted.
2. Subdivider shall provide guarantee of conditionally accepted improvements in a form acceptable to the City as shown in subsection C of this section in the following amount:

a. Ten percent of the total cost of all the required improvements shall be retained by the City during the 12-month (24-month if applicable) warranty period.

B. *Recordation before completion of improvements.* If the subdivider desires to have a plat recorded prior to construction of improvements subdivider shall guarantee completion, within two years from the date of final plat approval by the City Council, of installation and construction of the required improvements in compliance with all City standards.

C. *Form of surety.* In order to guarantee completion of improvements, subdivider shall provide one of the following types of sureties or guarantees:

1. *Escrow.* The subdivider shall deposit with any insurance company, bank, or savings and loan institution in an escrow account an amount of money equal to at least 115 percent of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent of the cost of all the required improvements of the subdivision as a guarantee amount, as determined by the City Engineer. The escrow agreement shall be subject to approval by the City Attorney and shall be signed by the subdivider, the City, and the escrow holder, and shall contain substantially the following language:

AGREEMENT

The undersigned hereby promises and warrants that it has on deposit in an escrow account for the benefit of Hurricane City Corporation, the sum of _____ ($_____), which represents at least one hundred fifteen percent (115%) of the costs of the engineer's estimated costs for improvements not constructed or installed by the subdivider plus ten percent (10%) of the cost of improvements of the _____ subdivision.

The undersigned hereby agrees that the foregoing sum of money shall be used exclusively for the purpose of paying for the costs of materials, construction, and installation of the improvements required by the Hurricane City Subdivision Chapter. The undersigned further agrees that the money held in an escrow account shall be paid out to the contractors installing and constructing the required improvements only upon approval of the City. The subdivider shall not withdraw from the escrow account any amount in excess of 100% of the estimated cost of the improvements, but shall pay from other sources any costs for such improvements which exceed the engineers estimate approved by the City.

After all improvements are made, completed and preliminarily accepted by the City, a sum equal to 10% of the estimated costs of improvements shall remain with the escrow holder for a period of 12 months as a warranty that all improvements are installed and inspected to City specifications, and that all defects occurring within the first 12 months (24 months if applicable) are corrected and approved by the City.

If, after 12 months (24 months if applicable), all or any part of the required improvements are not installed, constructed, and maintained according to the standards required in the Hurricane City Subdivision Ordinance, Hurricane City shall notify in writing the subdivider and escrow holder of the defects and shall make demand on the subdivider that the defects be corrected. If the defects are not corrected within 30 days, Hurricane City may correct the defects and charge to the escrow holder the costs of correcting the defects.

The escrow holder shall, on receiving reasonable proof from Hurricane City of the defect and that Hurricane City has incurred the cost of correcting the defect, pay to Hurricane City from the escrow account the cost of correcting the defect, and the escrow holder shall be held harmless by the parties by reason of payment to Hurricane City.

If, 12 months (24 months if applicable) after preliminary acceptance of the improvements required by City's standards and specifications and shown on approved construction drawings, the required improvements remain substantially free from latent defects, Hurricane City shall certify such fact to the escrow holder, and the escrow holder shall release to the subdivider any money still held in the escrow account, and the escrow holder shall be discharged of its obligations to Hurricane City.

(Authorized Signature)

The escrow agreement may contain such additional provisions as the parties deem necessary.

2. *Irrevocable letter of credit.* The subdivider shall file with the City an irrevocable letter of credit from a duly chartered state or national bank or savings and loan institution,

which letter shall contain provisions substantially similar to that required in the escrow agreement.

The form of the irrevocable letter of credit shall be substantially as follows:

Name of Bank:

Address:

IRREVOCABLE LETTER OF CREDIT

To: Hurricane City Corporation

Date:

Letter of Credit No.:

Gentlemen:

We hereby establish our irrevocable letter of credit in your favor for the account of _____, _____, (insert name of subdivider, subdivider's address) up to the aggregate amount of _____ ($_____) (insert amount equal to one hundred fifteen percent, i.e., 115% of the estimated costs of the improvements not constructed or installed by the subdivider plus ten percent [10%] of the cost of all improvements of the subdivision as determined by the Engineer) drawn at sight on _____, _____, (insert name of bank, address of bank), accompanied by a statement signed by an officer of Hurricane City Corporation as follows: "We certify that the improvements related to the _____ (insert name of subdivision) have not been completed and the defects corrected in accordance with city ordinances and that this drawing represents the amount necessary to complete those improvements."

We hereby agree with drawers, endorsers and bona fide holders that all drafts under and in compliance with the terms of this credit will be duly honored upon presentation and delivery of documents as specified to the drawee or drawn and presented at our bank for negotiation on or before _____ (insert completion date plus 90 days). This Irrevocable Letter of Credit automatically renews for a one year term at the end of every term unless the Authorized Bank Officer provides Hurricane City written notice of termination thirty (30) days prior to the end of the term.

Very Truly Yours,

Authorized Bank Officer

3. *Other guarantee.* Such other financial guarantee that may be acceptable to the City Council.

D. *Release of funds.* As the required improvements are satisfactorily installed and have been inspected by the City, funds which have been placed in escrow for those improvements will be authorized to be released for payment of those improvements. Escrow holder is authorized to release funds from this account only after receiving a written release from City. The City is not responsible to determine the party to be paid.

After all required improvements have been installed, the subdivider shall notify the City and request that the subdivision be granted preliminary acceptance and begin the warranty period. The subdivision will then be inspected by City, and if all improvements have been completed in accordance with City ordinances and specifications, as built plans have been delivered to the Public Works Department, and a final grading plan has been submitted, the City will grant preliminary acceptance. The subdivision will then begin the 12-month (24-month if applicable) warranty period. Ten percent of the total cost of all the required improvements, as specified above, shall be retained by the City during this warranty period.

All funds in escrow surplus to the warranty amount may then be released by the City.

The purpose of retaining the ten percent warranty amount is to guarantee that the improvements have been installed correctly and that they function properly. If any improvements have not been installed correctly or fail to function properly, and the subdivider fails to correct the deficiencies within 30 days of notification thereof, then upon written notice by the City, escrow shall pay over to the City the amount necessary to complete, repair, or replace said improvements.

In the event the costs of completing, repairing, or replacing the unsatisfactory improvements exceed the amount remaining in the escrow account, the subdivider shall, within ten days of notice thereof, pay the excess amount to the City and shall also cause to restore the escrow account or irrevocable letter of credit to the prescribed ten percent warranty amount. The City shall not issue any building permits for the subdivision until the above referenced excess costs have been paid to the City and the warranty amount (ten percent of the total cost of improvements) has been restored.

Sec. 10-39-14. Warranty of completed improvements.

Upon completion of construction and installation of all required improvements, subdivider shall warrant that said improvements shall be and shall remain free from defects in material and workmanship for a period of 12 months after the date of preliminary acceptance by City, unless said warranty period is extended for a period of up to 24 months by the City Council upon a finding that a warranty period of 12 months is inadequate to protect the public health, safety and welfare for any of the following reasons:

A. The prior poor or substandard performance by the subdivider or contractor responsible for construction and installation of the improvements;

B. The presence or existence of unstable soil conditions within the subdivision or adjacent area;

C. Extreme fluctuations in climatic conditions that would or could reasonably prevent the discovery of substandard or defective performance within a 12-month period; or

D. Any other exceptional reason or circumstances which in good faith is determined by the City Council to require a longer warranty period.

The subdivider shall be responsible to make all repairs to and maintain the improvements and every part thereof in good working condition during the guarantee period without cost to the City.

Sec. 10-39-15. Enforcement and permits.

A. In order to enforce compliance with this chapter, the Building Official shall not issue any permit for the proposed erection, construction, reconstruction, alteration of any structure, or use of any land until the provisions of this chapter have been meet. No City officer or employee shall issue any permit or license for the construction or installation of any building or structure or use on any subdivision lot until the following conditions have been met:

1. Such subdivision plat shall have been approved and recorded in the office of the county recorder.

2. Infrastructure improvements shown on approved construction plans for the subdivision:

a. Have been constructed and installed and preliminarily accepted; or

b. The City has received and accepted an improvement completion assurance for the subdivision in accordance with this chapter, and the following improvements have been constructed, installed, tested and accepted in accordance with the requirements of the building or fire code:

(1) A road base of untreated, compacted and graded gravel;

(2) Sewer, storm drains and storm drain facilities;

(3) Curb and gutter unless otherwise not required by this Code;

(4) Water system, including water lines and hydrants; and

(5) Power lines.

B. All required improvements must be complete within 12 months of notice to proceed.

C. The City may call upon the improvement completion assurance filed with the City for all improvements not completed within 12 months of the notice to proceed or when the first building within the subdivision seeks an occupancy permit, whichever is sooner.

D. It shall be prohibited for anyone to start construction on any building within a subdivision until they have fulfilled the requirements of this chapter.

E. Any license or permit issued in conflict with this chapter shall be null and void.

F. Notwithstanding the provisions of subsection A above, a building permit may be issued for:

1. A single model home in a subdivision may be given a building permit under the following conditions:,

a. The subdivision plat has been recorded and the project meets the bonding requirements of this chapter.

b. The subdivision has a total of ten (10) units/lots or more.

c. The Hurricane Valley Fire District has confirmed that all fire protection requirements for the subdivision have been satisfied as determined by the District.

d. The proposed model home is within 250' of a functional fire hydrant.

e. A model home must be identified on the subdivision construction drawings and approved by the Joint Utility Committee.

d Approval, Amendment Or Denial Authority; Findings: A model home approved pursuant to this paragraph requires a site plan. The zoning administrator has the authority to approve, require amendments to, or deny the site plan. In approving a model home site plan, the following findings shall be made:

1. The design of the improvements:

a. Is consistent with the preliminary plat and its conditions.

b. Is consistent with the zoning requirements of the zone.

c. Will not adversely affect the public health, safety and welfare.

2. Signage is consistent with the city sign regulations.

3. There is adequate off-street parking.

4. All weather surface access is provided to the model home and parking areas.

5. Fire protection is provided to the site and approval by the Hurricane Valley Fire District
.

6. Sanitary facilities are provided at the site for public use.

7. A dumpster is provided for the site.

2. A model home complex (multiple model units) within a master-planned community with a planned development overlay upon approval by the City Council of an amendment to the development agreement stating the terms and conditions for issuance of the building permit.

3. An Occupancy Permit may only be issued for a model home if the subdivision meets the standards contained within this Chapter and the home meets all other building code requirements

Sec. 10-39-16. Plat amendments.

The procedure for consideration and approval of any addition, alteration, modification, or change to an approved plat shall be substantially the same as is required for initial plat approval unless the Zoning Administrator determines that such addition, alteration, modification, or other change does not constitute a significant change from the intent or effect of the approved plat.

Sec. 10-39-17. Fees.

The following fees are hereby established:

A. *Preliminary plat application fee.* At the time of filing of the preliminary plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats.

B. *Final plat application fee.* At the time of filing the final plat, the subdivider shall deposit with the City a nonrefundable fee made payable to Hurricane City. The City Council shall by resolution from time to time prescribe the amount of such fee, which shall be for the purpose of reimbursing the City for the expense of checking and reviewing such final subdivision plats, and inspecting subdivision improvements.

C. *Habitat conservation fee.* Before plat is released for recordation, subdivider shall pay applicable per acre habitat conservation impact fee to City.

D. *Recording fee.* At the time of recording the final plat, the subdivider shall be responsible for payment of the recording fee.

Sec. 10-39-18. Penalty; validity.

A. *Penalty.* Any subdivider or other person who shall violate or fail to comply with any of the provisions for this chapter shall be guilty of a class B misdemeanor, and punished as provided by law upon conviction.

B. *Validity.* If any section, subsection, sentence, clause, or phrase of this chapter is, for any reason, held to be invalid, such holding shall not affect the validity of the remaining portion of this chapter.

NOW THEREFORE, BE IT ORDAINED BY THE HURRICANE CITY COUNCIL OF HURRICANE CITY, UTAH THAT:

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. This Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 15th day, August 2024.

Hurricane City

_____
Nanette Billings, Mayor

Attest:

_____
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 15th day of August 2024. Whereupon a motion to

adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Clark Fawcett	___	___	___	___
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___

_____

Cindy Beteag, Recorder

PLANNING & ZONING
HURRICANE CITY
UTAH

STAFF COMMENTS

Agenda Date:	**08/15/2024**
Application Number:	LUCA24-03
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	N/A
Request:	Amend Title 10 Chapter 6 and 39 with regards to Subdivisions.
Recommendation:	Approve
Report Prepared by:	Gary Cupp/Fred Resch

Discussion:
Utah State House Bill 476 (2024) made a number of changes to the subdivision ordinance that was previously modified in 2023. The subdivision process will remain essentially unchanged, with the primary update relating to UCA 10-9a-604.2(3)(b), which mandates that *"A municipality may not require a subdivision improvement plan to be submitted with both a preliminary subdivision application and a final subdivision application."* Hurricane City Code Title 10, Chapter 39 currently requires, as per the state code prior to this update, subdivision improvement plans (i.e. construction drawings) to be submitted with preliminary plat and final plat applications. To conform to the updated state code pertaining to the review of preliminary plats, it is proposed that construction drawings no longer be required with preliminary plat applications, and shall only be required when a final plat application is submitted. There are also additional changes to the subdivision ordinance that reflect other updates that were made in the state code as part of HB476. Staff also proposes minor changes to Title 10, Chapter 6 (Decision Making Bodies) to identify the Planning Commission as the approval authority for preliminary plat applications.

The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved.

Recommendation: Staff recommends that City Council approve the proposed land use code amendments to Title 10, Chapters 6 and 39, as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet.

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of **Ordinance 2024-12 amending Title 10, Chapter 3, 12, 13, 14, 15, and 16** regarding child care centers, licensed family child care, and residential certificate child care LUCA24-04. - Gary Cupp

Discussion:
In 2017, the City adopted updated definitions and classifications of child care centers and daycare uses in the Hurricane City Code. It was recently noticed that the use tables in the zoning code were not updated with the corresponding new terminology but are still showing the old terms. This ordinance will update Title 10, Chapters 3 and 12 through 16, and the land use tables, with the terminology adopted in 2017. The use tables will be updated to reflect the following terms:

- *Child care center* (currently listed as “Family childcare center”)
- *Licensed family child care* (currently listed as “Family child daycare facility”)
- *Residential certificate child care* (currently listed as “Family child residential certificate care facility”)
- The term "*Family child group daycare facility"* is no longer applicable and is being removed from all use tables.

The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved. Staff recommends that City Council approve the proposed land use code amendments as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet. --Gary Cupp

Findings:

Recommendation:

Attachments:
1. LUCA24-04 Daycares CC Staff Report
2. Ordinance 2024-12 amending Title 10, Chapter 3 and Chapters 12 through 16 pertaining to Daycare
3. Sec._10_3_4.__Definitions (clean)
4. Sec._10_12_3.___Uses_allowed. (clean)
5. Sec._10_13_3.___Uses_allowed. (clean)
6. Sec._10_14_3.___Uses_allowed. (clean)
7. Sec._10_15_3.___Uses_allowed. (clean)

8. Sec._10_16_3.___Uses_allowed. (clean)

PLANNING & ZONING
HURRICANE CITY
UTAH

STAFF COMMENTS

Agenda Date:	**08/15/2024**
Application Number:	LUCA24-04
Type of Application:	Land Use Code Amendment
Action Type:	Legislative
Applicant:	Hurricane City
Agent:	N/A
Request:	Amend Title 10 with regards to child care centers.
Recommendation:	Approve
Report Prepared By:	Gary Cupp/Fred Resch III

Discussion:
In 2017, the City adopted updated definitions and classifications of child care centers and daycare uses in the Hurricane City Code. It was recently noticed that the use tables in the zoning code were not updated with the corresponding new terminology but are still showing the old terms. This ordinance will update Title 10, Chapters 3 and 12 through 16, and the land use tables, with the terminology adopted in 2017. The use tables will be updated to reflect the following terms:

- *Child care center* (currently listed as "Family childcare center") Generally a commercial use in a commercial building and only permitted in commercial zones. Must be licensed by the Utah Department of Health & Human Services. Excludes kindergartens, facilities associated with other commercial uses, or activity programs.

- *Licensed family child care* (currently listed as "Family child daycare facility") Generally a residential use and permitted in all residential zones or zones that permit residential uses. Must be licensed by the Utah Department of Health & Human Services. Allows up to two employees and the number of children is derived by a formula.

- *Residential certificate child care* (currently listed as "Family child residential certificate care facility") Generally a residential use and permitted in all residential zones or zones that permit

residential uses. Must be licensed by the Utah Department of Health & Human Services. Allows one employee and the number of children is derived by a formula.

- Lastly, the term *"Family child group daycare facility"* is no longer applicable and is being removed from all use tables; the Utah Department of Health & Human Services no longer issues these licenses.

The Planning Commission heard this item on August 8, 2024, and unanimously recommended that the proposed land use code amendments be approved.

Recommendation: Staff recommends that City Council approve the proposed land use code amendments as outlined in the discussion above and as presented in the documents attached to the August 15th, 2024, agenda packet.

Ordinance No. 2024-12

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTERS 3, 12, 13, 14, 15, AND 16 WITH REGARDS TO DAYCARE

WHEREAS, the City Council of Hurricane, Utah desires to amend Title 10, Chapters 3, 12, 13, 14, 15, and 16 of the Hurricane City Code governing Daycare; and

WHEREAS, the City Council deems this amendment necessary and desirable for the preservation of the general health, safety, and welfare of the residents of Hurricane; and

WHERAS, the Planning Commission of Hurricane City has recommended approval of the changes;

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Title 10, Chapter 3, Section 4, in part, of the Hurricane City Code is amended to read as follows:

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

...

Child care center means a facility providing child care in a non-residential setting on a regular schedule, as defined and licensed by the Utah Department of Health & Human Services. The number of children allowed will be determined by the facility's total square footage. The following are not classified as child care centers:

A. Kindergartens, nursery schools, and other daytime programs operated by public or private elementary and secondary schools or institutions of higher learning;

B. Facilities operated in connection with a fitness center, shopping center, or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or

C. Special activities or programs, including athletics, crafts instruction, and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations.

Licensed family child care means child care provided in a private home as defined by Utah Administrative Rule R430-90 and licensed by the Utah Department of Health & Human Services.

Residential certificate child care means child care provided in a private home as defined by Utah Administrative Rule R430-50 and licensed by the Utah Department of Health & Human Services.

...

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 12, Section 3 of the Hurricane City Code is amended to read as follows:

Sec. 10-12-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within agricultural zones shall be as set forth in table 10-12-1 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 10-12-1 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 10-12-1
PERMITTED AND CONDITIONAL USES ALLOWED IN AGRICULTURAL ZONES

Use	Zones				
	A-40	A-20	A-10	A-5	A-1
Agricultural uses:					
Accessory building	P	P	P	P	P
Agricultural business	P	P	P	P	P
Agricultural industry	P	P	P	P	C
Agriculture	P	P	P	P	P
Agritourism	P	P	P	P	C
Animal specialties	P	P	P	P	C
Animals and fowl for recreation and family food production	P	P	P	P	P
Stable, private	P	P	P	P	P
Residential uses:					
Assisted living facility	P	P	P	P	N
Building, accessory	P	P	P	P	P
Dwelling, earth sheltered	P	P	P	P	P
Dwelling, single-family	P	P	P	P	P
Dwelling, single-family with single accessory dwelling unit	P	P	P	P	P
Dwelling, temporary	P	P	P	P	P
Guesthouse for family members and non-paying guests	P	P	P	P	P
Home base business	P	P	P	P	P
Manufactured home	P	P	P	P	P
Residential facility for elderly persons[1]	P	P	P	P	N
Residential facility for persons with a disability[1]	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N
Short term rental	N	N	N	N	P
Public and civic uses:					
Auditorium or stadium	N	N	N	N	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	N	N	N	N
Cultural service	P	P	P	P	P
Golf course	N	N	N	N	N
Hospital	N	N	N	N	N
Park	P	P	P	P	P
Protective service	P	P	P	P	P
Reception center	C	C	C	C	C
Stable, public	P	P	P	P	C
Utility, minor	P	P	P	P	P
Utility substation	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	P	P	C	C	N
Agritourism activities	P	P	P	P	C
Animal hospital	P	P	P	P	P
Bed and breakfast, home	P	P	P	P	P
Garden center	P	P	P	P	P
Kennel, residential	P	P	P	P	P
Licensed family child care[2]	P	P	P	P	P
Media service	N	N	N	N	N
Personal care service, home based[2]	P	P	P	P	P
Personal instruction service, home based[2]	P	P	P	P	P
Child care center	N	N	N	N	N
Produce stand	P	P	P	P	P
Recreation and entertainment, outdoor	C	C	C	C	N
Residential certificate child care facility[2]	P	P	P	P	N
Vehicle repair, limited	N	N	N	N	N
Veterinary service	P	P	P	P	P
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title				

Notes

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

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-12-1 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 agricultural zones shall include, but are not limited to, the following:

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

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

Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any applicable provision of this Code.

Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

Household pets.

Keeping of machinery, livestock, and farming equipment as needed for agricultural use.

Nurseries and greenhouses.

Playhouses, patios, porches, gazebos, and incidental storage buildings.

Produce stands.

Swimming pools and hot tubs for use by residents and their guests.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. 2020-03, 2-6-2020; Ord. No. 2022-61, 2-2-2023)

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 13, Section 3 of the Hurricane City Code is amended to read as follows:

Sec. 10-13-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within residential zones shall be as set forth in table 10-13-1 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 10-13-1 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 10-13-1
PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

Use	Zones								
	R1-15		R1-10	R1-8	R1-6	RM-1	RM-2	RM-3	MH/RV
Agricultural uses:									
Accessory building	P	P	P	P	P	P	P	P	
Agricultural business	N	N	N	N	N	N	N	N	
Agricultural industry	N	N	N	N	N	N	N	N	
Agriculture	N	N	N	N	N	N	N	N	
Agriculture residential	P	P	P	P	P	P	P	P	
Animal specialties	P	P	N	N	N	N	N	N	
Animals and fowl for recreation and family food production	P[3] /C	P[3] /C	P[3]	P[3]	N	N	N	N	
Stable, private	N	N	N	N	N	N	N	N	
Residential uses:									
Assisted living facility	C	C	C	C	N	N	N	N	
Boarding house	N	N	N	N	N	N	N	N	
Building, accessory	P	P	P	P	P	P	P	P	
Dwelling, earth sheltered	P	P	P	P	P	P	P	N	
Dwelling, multiple-family	N	N	N	N	P	P	P	N	
Dwelling, single-family	P	P	P	P	P	P	P	P	
Dwelling, single-family with single accessory dwelling unit	P	P	P	P	N	N	N	N	
Dwelling, temporary	P	P	P	P	P	P	P	P	
Dwelling, two-family	N	N	N	N	P	P	P	N	
Guesthouse or casita	P	P	P	N	N	N	N	N	
Manufactured home	P	P	P	P	N	N	N	P	
Manufactured/mobile home park	N	N	N	N	N	N	N	P	
Manufactured/mobile home subdivision	N	N	N	N	N	N	N	P	
Protective housing facility	N	N	N	N	N	N	N	N	
Rehabilitation/treatment facility	N	N	N	N	N	N	N	N	
Residential facility for elderly persons[1]	P	P	P	P	P	P	P	P	
Residential facility for persons with a disability[1]	P	P	P	P	P	P	P	P	
Residential facility for troubled youth	N	N	N	N	N	N	N	N	

Short term rental[4]	N	N	N	N	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N	N
Public and civic uses:								
Airport	N	N	N	N	N	N	N	N
Auditorium or stadium	N	N	N	N	N	N	N	N
Bus terminal	N	N	N	N	N	N	N	N
Cemetery	P	P	P	P	P	P	P	P
Church or place of worship	P	P	P	P	P	P	P	P
Club or service organization	N	N	N	N	N	N	N	N
College or university	N	N	N	N	N	N	N	N
Convalescent care facility	N	N	N	N	N	N	N	N
Correctional facility	N	N	N	N	N	N	N	N
Cultural service	N	N	N	N	N	N	N	N
Golf course	P	P	P	P	P	P	P	P
Government service	N	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N	N
Park	P	P	P	P	P	P	P	P
Post office	N	N	N	N	N	N	N	N
Protective service	P	P	P	P	P	P	P	P
Reception center	N	N	N	N	N	N	N	N
School, elementary, middle, high or private	P	P	P	P	P	P	P	P
School, vocational	N	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N	N
Utility, minor	P	P	P	P	P	P	P	P
Commercial uses:								
Agricultural sales and service	N	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N	N
Bed and breakfast, home	P	P	P	P	N	N	N	N
Bed and breakfast inn	N	N	N	N	N	N	N	N
Business equipment rental, services, and supplies	N	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N	N

Club, private	N	N	N	N	N	N	N	N
Construction sales and service	N	N	N	N	N	N	N	N
Convenience store	N	N	N	N	N	N	N	N
Licensed family child care [2]	P	P	P	P	P	P	P	P
Residential certificate child Care [2]	P	P	P	P	P	P	P	P
Child care center	N	N	N	N	N	N	N	N
Funeral home	N	N	N	N	N	N	N	N
Garden center	N	N	N	N	N	N	N	N
Gas and fuel, storage and sales	N	N	N	N	N	N	N	N
Gasoline service station	N	N	N	N	N	N	N	N
Hostel	N	N	N	N	N	N	N	N
Hotel	N	N	N	N	N	N	N	N
Kennel	N	N	N	N	N	N	N	N
Kennel, residential	P	P	P	P	P	P	P	P
Laundry or dry cleaning, limited	N	N	N	N	N	N	N	N
Liquor store	N	N	N	N	N	N	N	N
Media service	N	N	N	N	N	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N	N
Medical service	N	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N	N
Office, general	N	N	N	N	N	N	N	N
Parking garage, public	N	N	N	N	N	N	N	N
Parking lot, public	N	N	N	N	N	N	N	N
Pawnshop	N	N	N	N	N	N	N	N
Personal care service, home based[2]	P	P	P	P	P	P	P	P
Personal instruction service, home based[2]	P	P	P	P	P	P	P	P
Printing and copying, limited	N	N	N	N	N	N	N	N
Printing, general	N	N	N	N	N	N	N	N
Produce stand	N	N	N	N	N	N	N	N
Recreation and entertainment, indoor	N	N	N	N	N	N	N	N
Recreation and entertainment, outdoor	N	N	N	N	N	N	N	N
Recreational vehicle park	N	N	N	N	N	N	N	P
Repair service	N	N	N	N	N	N	N	N
Research service	N	N	N	N	N	N	N	N
Residential hosting facility	P	P	P	P	N	N	N	N

Restaurant, fast food	N	N	N	N	N	N	N	N
Restaurant, general	N	N	N	N	N	N	N	N
Retail, general	N	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N	N
Shopping center	N	N	N	N	N	N	N	N
Tattoo establishment	N	N	N	N	N	N	N	N
Tavern	N	N	N	N	N	N	N	N
Temporary trailer	P	P	P	P	P	P	P	P
Transportation service	N	N	N	N	N	N	N	N
Vehicle and equipment rental or sale	N	N	N	N	N	N	N	N
Vehicle and equipment repair, general	N	N	N	N	N	N	N	N
Vehicle repair, limited	N	N	N	N	N	N	N	N
Veterinary service	N	N	N	N	N	N	N	N
Warehouse, self-service storage	N	N	N	N	N	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title							
Industrial uses:								
Automobile wrecking yard	N	N	N	N	N	N	N	N
Freight terminal	N	N	N	N	N	N	N	N
Heavy industry	N	N	N	N	N	N	N	N
Junk or salvage yard	N	N	N	N	N	N	N	N
Laundry services	N	N	N	N	N	N	N	N
Manufacturing, general	N	N	N	N	N	N	N	N
Manufacturing, limited	N	N	N	N	N	N	N	N
Mineral extraction	N	N	N	N	N	N	N	N
Wholesale and warehousing, general	N	N	N	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N	N	N	N

Notes

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See section 10-37-15 of this title for permitted animals and fowl.
4. Whole home vacation rentals in residential zones are a nonconforming use pursuant to Ordinance No. 2023-20. See licensing and operations requirements in title 10, chapter 51 of this Code.

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-13-1 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 residential zones shall include, but not be limited to, the following:

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

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

   Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other City ordinance.

   Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

   Household pets.

   Nurseries and greenhouses, when used for family food production.

   Playhouses, patios, porches, gazebos, and incidental storage buildings.

   Swimming pools and hot tubs for use by residents and their guests.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. No. 2023-20, 12-7-2023)

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 14, Section 3 of the Hurricane City Code is amended to read as follows:

Sec. 10-14-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within residential agriculture zones shall be as set forth in table 10-14-1 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 10-14-1 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 10-14-1
PERMITTED AND CONDITIONAL USES ALLOWED IN
RESIDENTIAL AGRICULTURE ZONES

Use	Zones	
	RA-1	RA-.5
Agricultural uses:		
Agricultural business	P	N
Agricultural industry	N	N
Agriculture	P	P
Animal specialties	P	P
Animals and fowl for recreation and family food production	P	P[3]
Stable, private	P	P
Residential uses:		
Assisted living facility	P	P
Boarding house	N	N
Building, accessory	P	P
Dwelling, earth sheltered	P	P
Dwelling, multiple-family	N	N
Dwelling, single-family	P	P
Dwelling, single-family with single accessory dwelling unit	P	P
Dwelling, temporary	P	P
Dwelling, two-family	N	N
Guesthouse	P	P
Manufactured home	P	P
Manufactured/mobile home park	N	N
Manufactured/mobile home subdivision	N	N
Protective housing facility	P	P
Residential facility for elderly persons[1]	P	P
Residential facility for persons with a disability[1]	P	P
Residential facility for troubled youth	C	C
Short term rental[4]	N	N
Public and civic uses:		
Auditorium or stadium	N	N
Cemetery	P	P
Church or place of worship	P	P
Club or service organization	N	N
Convalescent care facility	N	N
Cultural service	P	P
Golf course	P	P
Hospital	N	N
Park	P	P
Protective service	P	P
Reception center	C	C
Stable, public	P	N
Utility, minor	P	P
Utility substation	P	P
Commercial uses:		
Agricultural sales and service	N	N
Animal hospital	P	P

Bed and breakfast, home	P	P
Bed and breakfast inn	N	N
Garden center	N	N
Kennel, residential	P	P
Licensed family child care[2]	P	P
Media service	N	N
Personal care service, home based[2]	P	P
Personal instruction service, home based[2]	P	P
Child care center	N	N
Produce stand	P	P
Recreational vehicle park	N	N
Residential certificate child care facility[2]	P	P
Residential hosting facility	P	P
Temporary trailer	P	P
Veterinary service	N	N
Warehouse, self-service storage	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title	

Notes

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See section 10-37-15 of this title for permitted animals and fowl.
4. Whole home vacation rentals in residential zones are a nonconforming use pursuant to Ordinance No. 2023-20. See licensing and operations requirements in title 10, chapter 51 of this Code.

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-14-1 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 residential agriculture zones shall include, but not be limited to, the following:

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

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

   Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other City ordinance.

   Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

Household pets.

Nurseries and greenhouses.

Playhouses, patios, porches, gazebos, and incidental storage buildings.

Swimming pools and hot tubs for use by residents and their guests.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. No. 2022-61, 2-2-2023; Ord. No. 2023-20, 12-7-2023)

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 15, Section 3 of the Hurricane City Code is amended to read as follows:

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
Licensed family child care[2]	P	N	N	P	N
Residential certificate child care [2]	P	N	N	P	N
Child care center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N
Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	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)

BE IT HEREBY FURTHER ORDAINED, by the City Council of Hurricane, Utah that Title 10, Chapter 16, Section 3 of the Hurricane City Code is amended to read as follows:

Sec. 10-16-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within business and industrial zones shall be as set forth in table 10-16-1 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 10-16-1 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 10-16-1
PERMITTED AND CONDITIONAL USES ALLOWED IN
BUSINESS AND INDUSTRIAL ZONES

Uses	Zones			
	BMP	PO	M-1	M-2
Agricultural uses:				
Accessory building	P	P	P	P
Agricultural business	N	N	N	N
Agricultural industry	N	N	P	N
Agriculture	N	N	N	N
Agriculture residential	N	N	N	N
Animal specialties	N	N	P	N
Animals and fowl for recreation and family food production	N	N	N	N
Stable, private	N	N	N	N
Residential uses:				

Accessory building	P	P	P	P
Assisted living facility	N	N	N	N
Boarding house	N	N	N	N
Dwelling, earth sheltered	N	N	N	N
Dwelling, multiple-family	N	N	N	N
Dwelling, single-family	N	N	N	N
Dwelling, single-family with accessory apartment	N	N	N	N
Dwelling, two-family	N	N	N	N
Guesthouse	N	N	N	N
Manufactured and mobile home park	N	N	N	N
Manufactured and mobile home subdivision	N	N	N	N
Manufactured home	N	N	N	N
Protective housing facility	N	N	N	N
Rehabilitation/treatment facility	P	P	P	P
Residential facility for elderly persons[1]	P	P	N	N
Residential facility for persons with a disability[1]	P	N	N	N
Residential facility for troubled youth	N	N	P	N
Transitional housing facility	N	N	P	N
Public and civic uses:				
Airport	N	N	N	N
Auditorium or stadium	N	N	N	N
Bus terminal	P	N	N	N
Cemetery	N	N	N	N
Church or place of worship	P	P	N	N
Club or service organization	P	P	N	N
College or university	P	P	N	N
Convalescent care facility	P	N	N	N
Correctional facility	N	N	N	N
Cultural service	P	P	N	N
Golf course	N	N	N	N
Government service	P	P	N	N
Hospital	P	P	N	N
Operations center	P	N	P	P
Park	P	P	P	P
Post office	P	P	P	P
Protective service	P	P	P	P
Reception center	P	P	N	N
School, elementary, middle, or high	N	N	N	N
School, vocational	P	P	P	P
Stable, public	N	N	N	N
Utility, major[3]	N	P	P	P
Utility, minor[3]	P	P	P	P
Commercial uses:				
Agricultural sales and service	P	N	P	P
Animal hospital	P	P	N	N
Bail bond service	P	P	P	P
Bank or financial institution	P	P	N	N
Bed and breakfast, home	N	N	N	N
Bed and breakfast inn	N	N	N	N
Business equipment rental, services, and supplies	P	N	P	N

Club, private	P	N	N	N
Construction sales and service	P	N	P	P
Convenience store	P	N	P	P
Licensed family child care [2]	N	N	N	N
Residential certificate child care [2]	N	N	N	N
Child care center	P	N	P	N
Funeral home	P	N	N	N
Garden center	P	N	N	N
Gas and fuel, storage and sales	N	N	P	P
Gasoline service station	P	N	P	P
Hostel	P	N	N	N
Hotel	P	N	N	N
Kennel	P	P	P	P
Kennel, residential	N	N	N	N
Laundry or dry cleaning, limited	P	N	N	N
Liquor store	P	P	P	P
Media service	P	P	P	P
Medical or dental laboratory	P	P	P	P
Medical service	P	P	N	N
Motel	P	N	N	N
Office, general	P	P	N	N
Parking garage, public	P	P	P	P
Parking lot, public	P	P	P	P
Pawnshop	P	N	N	N
Personal care service	P	P	N	N
Personal instruction service	P	P	N	N
Printing and copying, limited	P	P	P	N
Printing, general	P	N	P	P
Produce stand	N	N	N	N
Recreation and entertainment, indoor	P	N	N	N
Recreation and entertainment, outdoor	P	N	N	N
Recreational vehicle park	N	N	N	N
Repair service	P	N	P	N
Research service	P	P	P	P
Restaurant, fast food	P	N	N	N
Restaurant, general	P	P	N	N
Retail, general	P	N	N	N
Secondhand store	P	N	N	N
Shopping center	N	N	N	N
Tattoo establishment	P	N	N	N
Tavern	P	N	N	N
Temporary trailer	P	P	P	P
Transportation service	P	N	P	P
Vehicle and equipment rental or sale	P	N	P	N
Vehicle and equipment repair, general	P	N	P	P
Vehicle repair, limited	P	N	P	P
Vehicle wash	P	N	P	P
Veterinary service	P	N	N	N
Warehouse, self-service storage	P	N	P	P

Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title			
Industrial uses:				
Automobile wrecking yard	N	N	C	C
Freight terminal	N	N	P	P
Heavy industry	N	N	N	P
Junk or salvage yard	N	N	N	N
Laundry services	P	N	P	P
Manufacturing, general	P	N	P	P
Manufacturing, limited	P	N	P	P
Mineral extraction	N	N	N	P
Wholesale and warehousing, general	P	N	P	P
Wholesale and warehousing, limited	P	N	P	P

Notes

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

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-16-1 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 business and industrial zones shall include, but not be limited to, the following:

   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.

   Dwelling units for security and maintenance personnel.

   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.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2016-11, 11-17-2016; Ord. 2020-28, 12-17-2020)

NOW THEREFORE, BE IT ORDAINED BY THE HURRICANE CITY COUNCIL OF HURRICANE CITY, UTAH THAT:

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. This Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 15th day, August 2024.

Hurricane City

_____
Nanette Billings, Mayor

Attest:

_____
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 15th day of August 2024. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
David Hirschi	___	___	___	___
Kevin Thomas	___	___	___	___
Clark Fawcett	___	___	___	___
Drew Ellerman	___	___	___	___
Joseph Prete	___	___	___	___

_____

Cindy Beteag, Recorder

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

Child care center means a facility providing child care in a non-residential setting on a regular schedule, as defined and licensed by the Utah Department of Health & Human Services. The number of children allowed will be determined by the facility's total square footage. The following are not classified as child care centers:

A. Kindergartens, nursery schools, and other daytime programs operated by public or private elementary and secondary schools or institutions of higher learning;

B. Facilities operated in connection with a fitness center, shopping center, or other activity where children are cared for temporarily while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and readily available; or

C. Special activities or programs, including athletics, crafts instruction, and similar activities, conducted on a periodic basis by civic, charitable, private, or governmental organizations.

Licensed family child care means child care provided in a private home as defined by Utah Administrative Rule R430-90 and licensed by the Utah Department of Health & Human Services.

Residential certificate child care means child care provided in a private home as defined by Utah Administrative Rule R430-50 and licensed by the Utah Department of Health & Human Services.

Sec. 10-12-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within agricultural zones shall be as set forth in table 10-12-1 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 10-12-1 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 10-12-1
PERMITTED AND CONDITIONAL USES ALLOWED IN AGRICULTURAL ZONES

Use	Zones				
	A-40	A-20	A-10	A-5	A-1
Agricultural uses:					
Accessory building	P	P	P	P	P
Agricultural business	P	P	P	P	P
Agricultural industry	P	P	P	P	C
Agriculture	P	P	P	P	P
Agritourism	P	P	P	P	C
Animal specialties	P	P	P	P	C
Animals and fowl for recreation and family food production	P	P	P	P	P
Stable, private	P	P	P	P	P
Residential uses:					
Assisted living facility	P	P	P	P	N
Building, accessory	P	P	P	P	P
Dwelling, earth sheltered	P	P	P	P	P
Dwelling, single-family	P	P	P	P	P
Dwelling, single-family with single accessory dwelling unit	P	P	P	P	P
Dwelling, temporary	P	P	P	P	P
Guesthouse for family members and non-paying guests	P	P	P	P	P
Home base business	P	P	P	P	P
Manufactured home	P	P	P	P	P
Residential facility for elderly persons[1]	P	P	P	P	N
Residential facility for persons with a disability[1]	P	P	P	P	P
Residential facility for troubled youth	N	N	N	N	N
Short term rental	N	N	N	N	P
Public and civic uses:					
Auditorium or stadium	N	N	N	N	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	N	N	N	N
Cultural service	P	P	P	P	P
Golf course	N	N	N	N	N
Hospital	N	N	N	N	N

Park	P	P	P	P	P
Protective service	P	P	P	P	P
Reception center	C	C	C	C	C
Stable, public	P	P	P	P	C
Utility, minor	P	P	P	P	P
Utility substation	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	P	P	C	C	N
Agritourism activities	P	P	P	P	C
Animal hospital	P	P	P	P	P
Bed and breakfast, home	P	P	P	P	P
Garden center	P	P	P	P	P
Kennel, residential	P	P	P	P	P
Licensed family child care[2]	P	P	P	P	P
Media service	N	N	N	N	N
Personal care service, home based[2]	P	P	P	P	P
Personal instruction service, home based[2]	P	P	P	P	P
Child care center	N	N	N	N	N
Produce stand	P	P	P	P	P
Recreation and entertainment, outdoor	C	C	C	C	N
Residential certificate child care facility[2]	P	P	P	P	N
Vehicle repair, limited	N	N	N	N	N
Veterinary service	P	P	P	P	P
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title				

Notes

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

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-12-1 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 agricultural zones shall include, but are not limited to, the following:

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

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

Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any applicable provision of this Code.

Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

Household pets.

Keeping of machinery, livestock, and farming equipment as needed for agricultural use.

Nurseries and greenhouses.

Playhouses, patios, porches, gazebos, and incidental storage buildings.

Produce stands.

Swimming pools and hot tubs for use by residents and their guests.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. 2020-03, 2-6-2020; Ord. No. 2022-61, 2-2-2023)

Sec. 10-13-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within residential zones shall be as set forth in table 10-13-1 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 10-13-1 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 10-13-1
PERMITTED AND CONDITIONAL USES ALLOWED IN RESIDENTIAL ZONES

Use	Zones								
	R1-15		R1-10	R1-8	R1-6	RM-1	RM-2	RM-3	MH/RV
Agricultural uses:									
Accessory building	P	P	P	P	P	P	P	P	
Agricultural business	N	N	N	N	N	N	N	N	
Agricultural industry	N	N	N	N	N	N	N	N	
Agriculture	N	N	N	N	N	N	N	N	
Agriculture residential	P	P	P	P	P	P	P	P	
Animal specialties	P	P	N	N	N	N	N	N	
Animals and fowl for recreation and family food production	P[3] /C	P[3] /C	P[3]	P[3]	N	N	N	N	
Stable, private	N	N	N	N	N	N	N	N	
Residential uses:									
Assisted living facility	C	C	C	C	N	N	N	N	
Boarding house	N	N	N	N	N	N	N	N	
Building, accessory	P	P	P	P	P	P	P	P	
Dwelling, earth sheltered	P	P	P	P	P	P	P	N	
Dwelling, multiple-family	N	N	N	N	P	P	P	N	
Dwelling, single-family	P	P	P	P	P	P	P	P	
Dwelling, single-family with single accessory dwelling unit	P	P	P	P	N	N	N	N	
Dwelling, temporary	P	P	P	P	P	P	P	P	
Dwelling, two-family	N	N	N	N	P	P	P	N	
Guesthouse or casita	P	P	P	N	N	N	N	N	
Manufactured home	P	P	P	P	N	N	N	P	
Manufactured/mobile home park	N	N	N	N	N	N	N	P	
Manufactured/mobile home subdivision	N	N	N	N	N	N	N	P	
Protective housing facility	N	N	N	N	N	N	N	N	
Rehabilitation/treatment facility	N	N	N	N	N	N	N	N	
Residential facility for elderly persons[1]	P	P	P	P	P	P	P	P	
Residential facility for persons with a disability[1]	P	P	P	P	P	P	P	P	

Residential facility for troubled youth	N	N	N	N	N	N	N	N
Short term rental[4]	N	N	N	N	N	N	N	N
Transitional housing facility	N	N	N	N	N	N	N	N
Public and civic uses:								
Airport	N	N	N	N	N	N	N	N
Auditorium or stadium	N	N	N	N	N	N	N	N
Bus terminal	N	N	N	N	N	N	N	N
Cemetery	P	P	P	P	P	P	P	P
Church or place of worship	P	P	P	P	P	P	P	P
Club or service organization	N	N	N	N	N	N	N	N
College or university	N	N	N	N	N	N	N	N
Convalescent care facility	N	N	N	N	N	N	N	N
Correctional facility	N	N	N	N	N	N	N	N
Cultural service	N	N	N	N	N	N	N	N
Golf course	P	P	P	P	P	P	P	P
Government service	N	N	N	N	N	N	N	N
Hospital	N	N	N	N	N	N	N	N
Operations center	N	N	N	N	N	N	N	N
Park	P	P	P	P	P	P	P	P
Post office	N	N	N	N	N	N	N	N
Protective service	P	P	P	P	P	P	P	P
Reception center	N	N	N	N	N	N	N	N
School, elementary, middle, high or private	P	P	P	P	P	P	P	P
School, vocational	N	N	N	N	N	N	N	N
Stable, public	N	N	N	N	N	N	N	N
Utility, major	N	N	N	N	N	N	N	N
Utility, minor	P	P	P	P	P	P	P	P
Commercial uses:								
Agricultural sales and service	N	N	N	N	N	N	N	N
Animal hospital	N	N	N	N	N	N	N	N
Bail bond service	N	N	N	N	N	N	N	N
Bank or financial institution	N	N	N	N	N	N	N	N
Bed and breakfast, home	P	P	P	P	N	N	N	N
Bed and breakfast inn	N	N	N	N	N	N	N	N

Business equipment rental, services, and supplies	N	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N	N
Club, private	N	N	N	N	N	N	N	N
Construction sales and service	N	N	N	N	N	N	N	N
Convenience store	N	N	N	N	N	N	N	N
Licensed family child care [2]	P	P	P	P	P	P	P	P
Residential certificate child Care [2]	P	P	P	P	P	P	P	P
Child care center	N	N	N	N	N	N	N	N
Funeral home	N	N	N	N	N	N	N	N
Garden center	N	N	N	N	N	N	N	N
Gas and fuel, storage and sales	N	N	N	N	N	N	N	N
Gasoline service station	N	N	N	N	N	N	N	N
Hostel	N	N	N	N	N	N	N	N
Hotel	N	N	N	N	N	N	N	N
Kennel	N	N	N	N	N	N	N	N
Kennel, residential	P	P	P	P	P	P	P	P
Laundry or dry cleaning, limited	N	N	N	N	N	N	N	N
Liquor store	N	N	N	N	N	N	N	N
Media service	N	N	N	N	N	N	N	N
Medical or dental laboratory	N	N	N	N	N	N	N	N
Medical service	N	N	N	N	N	N	N	N
Motel	N	N	N	N	N	N	N	N
Office, general	N	N	N	N	N	N	N	N
Parking garage, public	N	N	N	N	N	N	N	N
Parking lot, public	N	N	N	N	N	N	N	N
Pawnshop	N	N	N	N	N	N	N	N
Personal care service, home based[2]	P	P	P	P	P	P	P	P
Personal instruction service, home based[2]	P	P	P	P	P	P	P	P
Printing and copying, limited	N	N	N	N	N	N	N	N
Printing, general	N	N	N	N	N	N	N	N
Produce stand	N	N	N	N	N	N	N	N
Recreation and entertainment, indoor	N	N	N	N	N	N	N	N
Recreation and entertainment, outdoor	N	N	N	N	N	N	N	N
Recreational vehicle park	N	N	N	N	N	N	N	P

Repair service	N	N	N	N	N	N	N	N
Research service	N	N	N	N	N	N	N	N
Residential hosting facility	P	P	P	P	N	N	N	N
Restaurant, fast food	N	N	N	N	N	N	N	N
Restaurant, general	N	N	N	N	N	N	N	N
Retail, general	N	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N	N
Shopping center	N	N	N	N	N	N	N	N
Tattoo establishment	N	N	N	N	N	N	N	N
Tavern	N	N	N	N	N	N	N	N
Temporary trailer	P	P	P	P	P	P	P	P
Transportation service	N	N	N	N	N	N	N	N
Vehicle and equipment rental or sale	N	N	N	N	N	N	N	N
Vehicle and equipment repair, general	N	N	N	N	N	N	N	N
Vehicle repair, limited	N	N	N	N	N	N	N	N
Veterinary service	N	N	N	N	N	N	N	N
Warehouse, self-service storage	N	N	N	N	N	N	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title							
Industrial uses:								
Automobile wrecking yard	N	N	N	N	N	N	N	N
Freight terminal	N	N	N	N	N	N	N	N
Heavy industry	N	N	N	N	N	N	N	N
Junk or salvage yard	N	N	N	N	N	N	N	N
Laundry services	N	N	N	N	N	N	N	N
Manufacturing, general	N	N	N	N	N	N	N	N
Manufacturing, limited	N	N	N	N	N	N	N	N
Mineral extraction	N	N	N	N	N	N	N	N
Wholesale and warehousing, general	N	N	N	N	N	N	N	N
Wholesale and warehousing, limited	N	N	N	N	N	N	N	N

Notes

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

3. See section 10-37-15 of this title for permitted animals and fowl.

4. Whole home vacation rentals in residential zones are a nonconforming use pursuant to Ordinance No. 2023-20. See licensing and operations requirements in title 10, chapter 51 of this Code.

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-13-1 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 residential zones shall include, but not be limited to, the following:

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

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

Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other City ordinance.

Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

Household pets.

Nurseries and greenhouses, when used for family food production.

Playhouses, patios, porches, gazebos, and incidental storage buildings.

Swimming pools and hot tubs for use by residents and their guests.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. No. 2023-20, 12-7-2023)

Sec. 10-14-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within residential agriculture zones shall be as set forth in table 10-14-1 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 10-14-1 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 10-14-1
PERMITTED AND CONDITIONAL USES ALLOWED IN
RESIDENTIAL AGRICULTURE ZONES

Use	Zones	
	RA-1	RA-.5
Agricultural uses:		
Agricultural business	P	N
Agricultural industry	N	N
Agriculture	P	P
Animal specialties	P	P
Animals and fowl for recreation and family food production	P	P[3]
Stable, private	P	P
Residential uses:		
Assisted living facility	P	P
Boarding house	N	N
Building, accessory	P	P
Dwelling, earth sheltered	P	P
Dwelling, multiple-family	N	N
Dwelling, single-family	P	P
Dwelling, single-family with single accessory dwelling unit	P	P
Dwelling, temporary	P	P
Dwelling, two-family	N	N
Guesthouse	P	P
Manufactured home	P	P
Manufactured/mobile home park	N	N
Manufactured/mobile home subdivision	N	N
Protective housing facility	P	P
Residential facility for elderly persons[1]	P	P
Residential facility for persons with a disability[1]	P	P
Residential facility for troubled youth	C	C
Short term rental[4]	N	N
Public and civic uses:		
Auditorium or stadium	N	N
Cemetery	P	P
Church or place of worship	P	P
Club or service organization	N	N
Convalescent care facility	N	N
Cultural service	P	P
Golf course	P	P
Hospital	N	N

Park	P	P
Protective service	P	P
Reception center	C	C
Stable, public	P	N
Utility, minor	P	P
Utility substation	P	P
Commercial uses:		
Agricultural sales and service	N	N
Animal hospital	P	P
Bed and breakfast, home	P	P
Bed and breakfast inn	N	N
Garden center	N	N
Kennel, residential	P	P
Licensed family child care[2]	P	P
Media service	N	N
Personal care service, home based[2]	P	P
Personal instruction service, home based[2]	P	P
Child care center	N	N
Produce stand	P	P
Recreational vehicle park	N	N
Residential certificate child care facility[2]	P	P
Residential hosting facility	P	P
Temporary trailer	P	P
Veterinary service	N	N
Warehouse, self-service storage	N	N
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title	

Notes

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See section 10-37-15 of this title for permitted animals and fowl.
4. Whole home vacation rentals in residential zones are a nonconforming use pursuant to Ordinance No. 2023-20. See licensing and operations requirements in title 10, chapter 51 of this Code.

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-14-1 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 residential agriculture zones shall include, but not be limited to, the following:

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

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

Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other City ordinance.

Home based businesses, subject to applicable standards of chapter 42, home based businesses, of this title.

Household pets.

Nurseries and greenhouses.

Playhouses, patios, porches, gazebos, and incidental storage buildings.

Swimming pools and hot tubs for use by residents and their guests.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2009-01, 2-5-2009; Ord. 2016-11, 11-17-2016; Ord. 2017-03, 1-19-2017; Ord. 2018-04, 4-5-2018; Ord. No. 2022-61, 2-2-2023; Ord. No. 2023-20, 12-7-2023)

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
Licensed family child care[2]	P	N	N	P	N
Residential certificate child care [2]	P	N	N	P	N
Child care center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N
Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	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. 10-16-3. Uses allowed.

A. *Permitted and conditional uses.* Permitted and conditional uses allowed within business and industrial zones shall be as set forth in table 10-16-1 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 10-16-1 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 10-16-1
PERMITTED AND CONDITIONAL USES ALLOWED IN
BUSINESS AND INDUSTRIAL ZONES

Uses	Zones			
	BMP	PO	M-1	M-2
Agricultural uses:				
Accessory building	P	P	P	P
Agricultural business	N	N	N	N
Agricultural industry	N	N	P	N
Agriculture	N	N	N	N
Agriculture residential	N	N	N	N
Animal specialties	N	N	P	N
Animals and fowl for recreation and family food production	N	N	N	N
Stable, private	N	N	N	N
Residential uses:				
Accessory building	P	P	P	P
Assisted living facility	N	N	N	N
Boarding house	N	N	N	N
Dwelling, earth sheltered	N	N	N	N
Dwelling, multiple-family	N	N	N	N
Dwelling, single-family	N	N	N	N
Dwelling, single-family with accessory apartment	N	N	N	N
Dwelling, two-family	N	N	N	N
Guesthouse	N	N	N	N
Manufactured and mobile home park	N	N	N	N
Manufactured and mobile home subdivision	N	N	N	N
Manufactured home	N	N	N	N
Protective housing facility	N	N	N	N
Rehabilitation/treatment facility	P	P	P	P
Residential facility for elderly persons[1]	P	P	N	N
Residential facility for persons with a disability[1]	P	N	N	N
Residential facility for troubled youth	N	N	P	N
Transitional housing facility	N	N	P	N
Public and civic uses:				
Airport	N	N	N	N
Auditorium or stadium	N	N	N	N
Bus terminal	P	N	N	N
Cemetery	N	N	N	N
Church or place of worship	P	P	N	N

Club or service organization	P	P	N	N
College or university	P	P	N	N
Convalescent care facility	P	N	N	N
Correctional facility	N	N	N	N
Cultural service	P	P	N	N
Golf course	N	N	N	N
Government service	P	P	N	N
Hospital	P	P	N	N
Operations center	P	N	P	P
Park	P	P	P	P
Post office	P	P	P	P
Protective service	P	P	P	P
Reception center	P	P	N	N
School, elementary, middle, or high	N	N	N	N
School, vocational	P	P	P	P
Stable, public	N	N	N	N
Utility, major[3]	N	P	P	P
Utility, minor[3]	P	P	P	P
Commercial uses:				
Agricultural sales and service	P	N	P	P
Animal hospital	P	P	N	N
Bail bond service	P	P	P	P
Bank or financial institution	P	P	N	N
Bed and breakfast, home	N	N	N	N
Bed and breakfast inn	N	N	N	N
Business equipment rental, services, and supplies	P	N	P	N
Club, private	P	N	N	N
Construction sales and service	P	N	P	P
Convenience store	P	N	P	P
Licensed family child care [2]	N	N	N	N
Residential certificate child care [2]	N	N	N	N
Child care center	P	N	P	N
Funeral home	P	N	N	N
Garden center	P	N	N	N
Gas and fuel, storage and sales	N	N	P	P
Gasoline service station	P	N	P	P
Hostel	P	N	N	N
Hotel	P	N	N	N
Kennel	P	P	P	P
Kennel, residential	N	N	N	N
Laundry or dry cleaning, limited	P	N	N	N
Liquor store	P	P	P	P
Media service	P	P	P	P
Medical or dental laboratory	P	P	P	P
Medical service	P	P	N	N
Motel	P	N	N	N
Office, general	P	P	N	N

Parking garage, public	P	P	P	P
Parking lot, public	P	P	P	P
Pawnshop	P	N	N	N
Personal care service	P	P	N	N
Personal instruction service	P	P	N	N
Printing and copying, limited	P	P	P	N
Printing, general	P	N	P	P
Produce stand	N	N	N	N
Recreation and entertainment, indoor	P	N	N	N
Recreation and entertainment, outdoor	P	N	N	N
Recreational vehicle park	N	N	N	N
Repair service	P	N	P	N
Research service	P	P	P	P
Restaurant, fast food	P	N	N	N
Restaurant, general	P	P	N	N
Retail, general	P	N	N	N
Secondhand store	P	N	N	N
Shopping center	N	N	N	N
Tattoo establishment	P	N	N	N
Tavern	P	N	N	N
Temporary trailer	P	P	P	P
Transportation service	P	N	P	P
Vehicle and equipment rental or sale	P	N	P	N
Vehicle and equipment repair, general	P	N	P	P
Vehicle repair, limited	P	N	P	P
Vehicle wash	P	N	P	P
Veterinary service	P	N	N	N
Warehouse, self-service storage	P	N	P	P
Wireless telecommunication facility	See section 10-50-5, table 10-50-1 of this title			
Industrial uses:				
Automobile wrecking yard	N	N	C	C
Freight terminal	N	N	P	P
Heavy industry	N	N	N	P
Junk or salvage yard	N	N	N	N
Laundry services	P	N	P	P
Manufacturing, general	P	N	P	P
Manufacturing, limited	P	N	P	P
Mineral extraction	N	N	N	P
Wholesale and warehousing, general	P	N	P	P
Wholesale and warehousing, limited	P	N	P	P

Notes

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

B. *Accessory uses.* Permitted and conditional uses set forth in table 10-16-1 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 business and industrial zones shall include, but not be limited to, the following:

   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.

   Dwelling units for security and maintenance personnel.

   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.

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

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2016-11, 11-17-2016; Ord. 2020-28, 12-17-2020)

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **power line extension request** for Copper Sky Estates - Scott Hughes

Discussion:
According to Hurricane City Code:
Sec. 8-4-3. - Application for service. Any person, including any subdivider, who desires to have the power lines extended within the City may make application to the Power Board in writing. A description of such proposed extension accompanied by a map showing the location and size of the proposed line extension shall be submitted in writing which shall be reviewed by the Power Superintendent and taken to staff meeting for review before approaching the City Council. The City Council may grant or deny the request as in its discretion deemed best for the welfare of existing power users in the City. (1998 Code § 14-314; 2000 Code)

The Power Board recommended preliminary approval for these extensions (items 10-14) to the City Council to give the Power Dept. staff direction to proceed with working in partnership with the developers to determine all of the designs, details and responsibilities of the developers to accomplish the necessary improvements and upgrades to deliver these extensions. Once the details are determined, the applications would be returned to the City Council for a final approval to proceed with the projects. - Scott Hughes

Copper Sky Estates (60 total 400-amp Units) or (120 total 200-amp Units)
The Power Department recommends approval for this subdivision. There is capacity at Three Falls Substation. Improvements to existing infrastructure would need to be made in one section and would need to participate with other developers to build a new distribution circuit to Three Falls Substation. - Brian Anderson

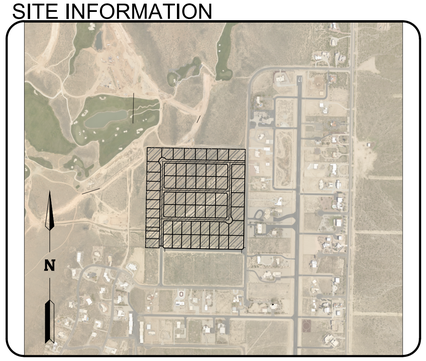
Findings:

Recommendation:

Attachments:
1. Copper Sky 928-04 Preliminary Layout
2. Copper Sky Application for Power Services
3. Power Line1 Map
4. Power Line2 Map



SITE INFORMATION



SITE INFORMATION

OWNER/DEVELOPER/APPLICANT
TARA LLC
3565 SOUTH REDWOOD ROAD
SALT LAKE CITY, UTAH 84119
PH. (801) 560-0176

PLAN PREPARER
ALPHA ENGINEERING COMPANY
43 SOUTH 100 EAST, SUITE 100
ST. GEORGE, UTAH 84770
PH. (435) 628-6500
FAX (435) 628-6553

PROJECT LOCATION
PARCEL # 3398-B-HV
APPROX. 4300 SOUTH 1200 WESST
HURRICANE, UTAH

SITE NOTES

TOTAL AREA: 39.18 ACRES

EXISTING ZONING (COUNTY):
OPEN SPACE TRANSITIONAL – 20 ACRES (OS-20)

PROPOSED ZONING:
RESIDENTIAL ESTATES – 20,000 S.F. (RE-20.0)

MINIMUM LOT SIZE PER ACSSD: 0.5 ACRES

GRAPHIC SCALE
100 0 50 100 200 400
(IN FEET)
1 inch = 100ft. (22x34 SHEET)
1 inch = 200ft. (11X17 SHEET)

N

NO.	DATE	BY	DESCRIPTION

REVISIONS

PRELIMINARY
NOT FOR CONSTRUCTION

ALPHA ENGINEERING
43 South 100 East, Suite 100 • St George, Utah 84770
T: 435.628.6500 • F: 435.628.6553 • alphaengineering.com

TITLE: LAYOUT 1

PROJECT: TARA PARAS-39 ACRE PARCEL
HURRICANE, UT

PROJECT #	928-04
NAME	RKB
DATE	JUNE 5, 2024
SCALE	AS NOTED

SHEET 1
1 OF 1

FILE 928-04 EXH.DWG

P:\928-04 Copper Sky Estates Preliminary Design\Drawings\Exhibit Drawings\928-04 EXH.dwg, LAYOUT 1, 6/5/2024 3:38:29 PM, mdeHaas

APPLICATION FOR POWER SERVICES

HURRICANE CITY
UTAH

Applicant Name Tara Paras Phone Number (801) 994-0652

Spouse or Co-Applicant

Mailing Address
(REQUIRED) CITY STATE ZIP

Service Address
(REQUIRED) CITY STATE ZIP

SUBDIVISION/LOT OR PARCEL # 3398-B-HV /

Email Address tara@parasrealestate.com

PREQUALIFIED ELECTRICAL CONTRACTOR

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER)

☒ SUBDIVISION OR MULTI-UNIT DEVELOPMENT # OF UNITS 60

TYPE OF SERVICE ☒ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED

SINGLE PHASE ☒ 120/240 ☐ 240/480

THREE PHASE ☐ 120/208 ☐ 277/480

SERVICE/ PANEL AMPS ☐ 200 ☒ 400 ☐ 600 ☐ OTHER

SITE PLANS WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION **ATTACHED** ☐ YES
(REQUIRED)

*Large industrial and small commercial will require load calculations prepared by an electrical engineer and shall be attached to this application
*All designs will have a fee from the power dept, all fees must be paid before power is given

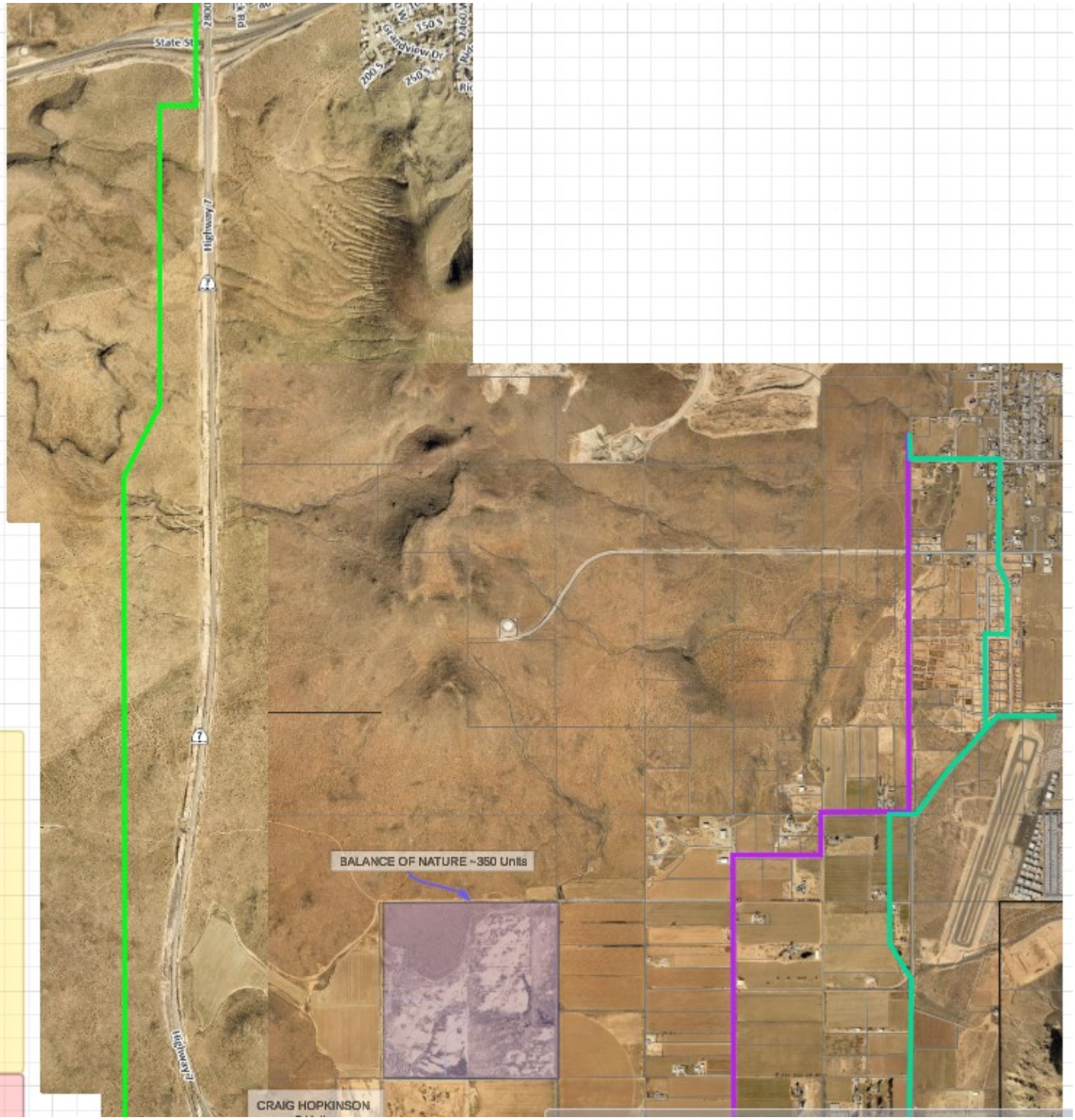
(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)

Power Department comments:

Hurricane City Power recommend for approval ☐
Hurricane City Power recommend for denial ☐

☐ I acknowledge that I have read and understand Hurricane City's new Application For Power Service

Developer Hurricane City Power



Capacity Project 1.0

Project	Units
Moccasin Flats	19
Copper Rock	21
Golf View Estates	62
Pebble Beach	21
Rock View Estates	30
North Slope Ph. 1	58
North Slope Ph. 2	48
North Slope Ph. 3&4	87
Cordero Ph. 1	37
Water Dept. Well/Pump	8
Total Units	391

Capacity Project 1.1

Capacity Project 1.1

Project	Units
Hurr. Fields Ph. 1-3	35
Rock Hollow	53
Cactus Creek Storage	1
Southern Shores	56
Total Units	145

Capacity Project 2.0

Project	Units
Hurr. Fields Ph. 4-8	56
Horseman's Edge	60
Bench Lake TH	200
Hurricane Cliffs	60
Desert Sky	73
Southern Dunes	345
Cordero Ph. 2	40
Cordero Ph. 3	214
Total Units	1048

Capacity Project 2.1

Project	Units
Sky Ranch Ph. 6	28
High Desert Ranch	20
Total Units	48

Capacity Project 2.2

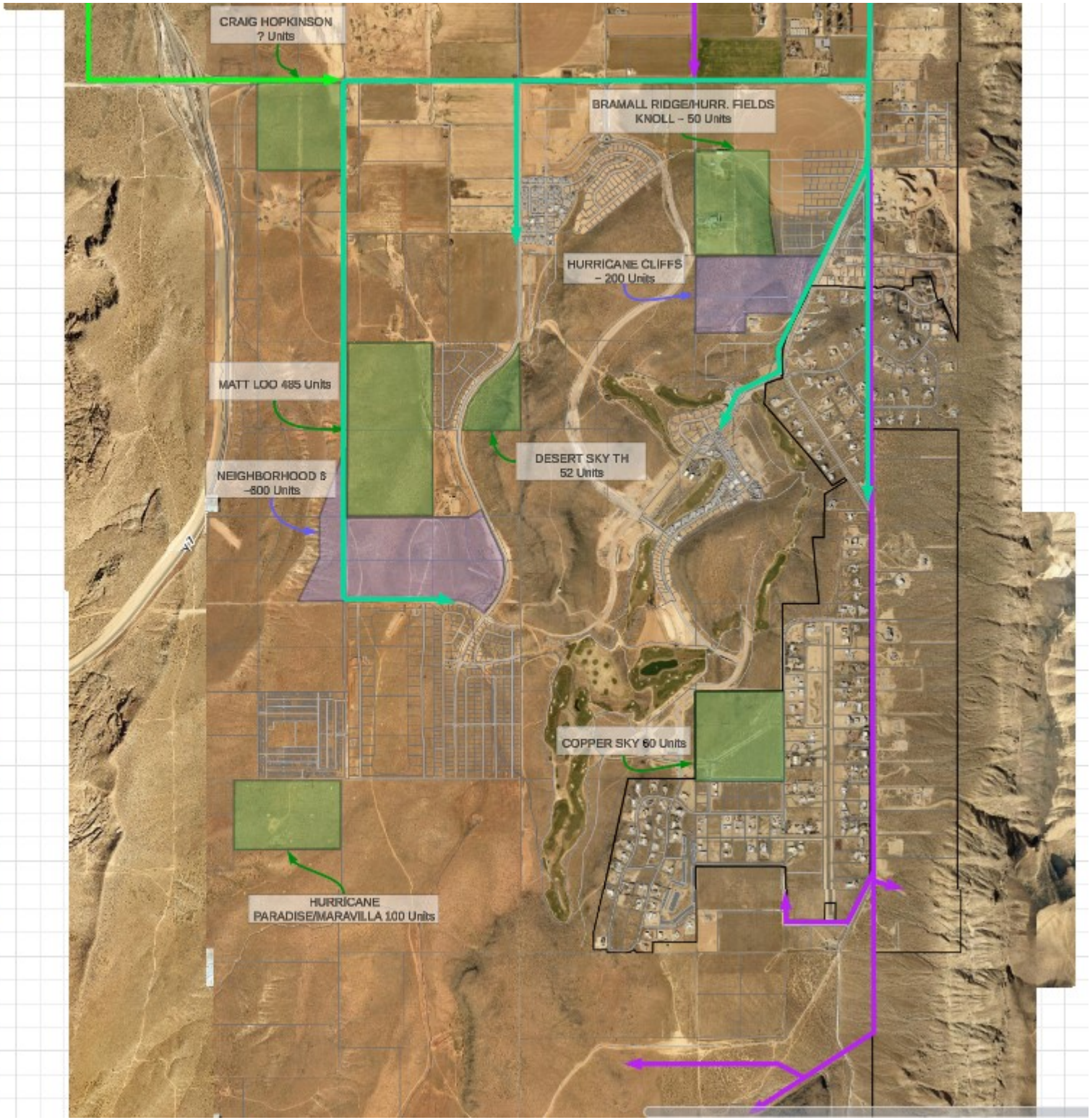
Project	Units
Solaroca	700
Total Units	700

Capacity Project 3.0

Project	Units
Neighborhood 6	600
Balance of Nature	350
Hurricane Cliffs	200
Total Units	1150

Capacity Project 4.0

Project	Units
Hurricane Fields Knoll	50
Desert Sky TH	52
Matt Loo	485
Maravilla	100
Craig Hopkinson	?
Copper Sky	60



HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **power line extension request** for Sand Hollow Mesa Neighborhood 6 - Scott Hughes

Discussion:
Sand Hollow Mesa Neighborhood 6 (594 total 200-amp Units)
The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

Findings:

Recommendation:

Attachments:
1. 378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT
2. Sand Hollow Mesa Application for Power Service (002)

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	31.40'	20.00'	28.27'	N43°54'10"W	89°56'58"
C2	31.43'	20.00'	28.30'	S46°05'50"W	90°03'02"
C3	148.62'	363.00'	147.58'	S79°23'37"W	23°27'27"
C4	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C5	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C6	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C7	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C8	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C9	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C10	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C11	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C12	29.74'	226.00'	29.71'	S2°41'51"E	7°32'19"
C13	154.83'	200.00'	151.00'	N21°06'23"W	44°21'24"
C14	64.19'	226.00'	63.98'	N82°56'06"E	16°16'26"
C15	65.79'	226.00'	65.56'	N66°27'31"E	16°40'44"
C16	32.39'	20.00'	28.97'	S75°28'44"E	92°48'14"
C17	105.79'	200.00'	104.56'	S75°55'09"W	30°18'20"
C18	40.53'	174.00'	40.44'	N84°23'54"E	13°20'50"
C19	50.99'	174.00'	50.81'	N69°19'46"E	16°47'26"
C20	31.36'	20.00'	28.25'	N15°50'41"E	89°50'36"
C21	31.36'	20.00'	28.25'	S15°50'41"W	89°50'36"
C22	31.47'	20.00'	28.32'	S74°09'19"E	90°09'24"
C23	27.10'	20.00'	25.07'	N67°53'25"W	77°37'35"
C24	91.71'	50.00'	79.38'	N54°09'35"W	105°05'14"
C25	80.89'	50.00'	72.35'	N44°43'40"E	92°41'17"
C26	46.28'	50.00'	44.65'	S62°24'34"E	53°02'14"
C27	5.95'	50.00'	5.94'	S32°29'02"E	6°48'49"
C28	6.65'	50.00'	6.64'	N25°16'07"W	7°37'01"
C29	64.21'	226.00'	63.99'	N68°54'19"E	16°16'40"
C30	7.47'	25.00'	7.44'	N37°38'19"W	17°07'23"
C31	14.94'	50.00'	14.89'	N37°38'19"W	17°07'23"
C32	59.95'	174.00'	59.66'	N70°38'14"E	19°44'31"
C33	108.39'	200.00'	107.07'	S76°17'34"W	31°03'10"
C34	58.28'	226.00'	58.12'	N84°25'54"E	14°46'31"
C35	11.13'	174.00'	11.13'	N89°59'12"E	3°39'54"
C36	65.73'	174.00'	65.34'	N77°19'54"E	21°38'42"
C37	34.35'	174.00'	34.29'	N86°09'49"E	11°18'39"
C38	18.81'	226.00'	18.80'	N89°26'07"E	4°46'05"
C39	49.45'	226.00'	49.35'	N80°46'59"E	12°32'10"
C40	88.35'	200.00'	87.63'	S79°09'51"W	25°18'36"
C41	9.97'	75.00'	9.96'	N25°16'07"W	7°37'01"
C42	31.58'	226.00'	31.55'	N70°30'44"E	8°00'21"
C43	31.42'	20.00'	28.28'	S68°29'27"E	90°00'00"
C44	3.32'	25.00'	3.32'	S25°16'07"E	7°37'01"
C45	70.16'	592.00'	70.12'	S20°05'43"E	6°47'27"
C46	61.22'	637.00'	61.20'	S20°44'14"E	5°30'25"
C47	31.42'	20.00'	28.28'	N68°29'28"W	89°59'57"
C48	31.42'	20.00'	28.28'	S21°30'33"W	90°00'00"
C49	69.88'	727.00'	69.85'	N20°44'14"W	5°30'25"
C50	31.41'	20.00'	28.28'	N21°30'38"E	89°59'50"
C51	61.97'	362.71'	61.90'	N28°22'58"W	9°47'22"
C52	38.06'	362.71'	38.04'	N36°17'01"W	6°00'43"
C53	33.91'	407.71'	33.90'	N36°54'24"W	4°45'57"
C54	71.97'	407.71'	71.88'	N29°27'59"W	10°06'51"
C55	6.56'	407.71'	6.55'	N23°56'56"W	0°55'16"
C56	18.37'	20.00'	17.73'	N49°47'48"W	52°37'00"
C57	56.96'	50.00'	53.93'	N43°28'16"W	65°16'03"
C58	45.00'	50.00'	43.50'	N14°56'44"E	51°33'58"
C59	45.00'	50.00'	43.50'	N66°30'43"E	51°33'58"
C60	45.00'	50.00'	43.50'	S61°55'19"E	51°33'58"
C61	56.96'	50.00'	53.93'	S3°30'18"E	65°16'03"
C62	18.37'	20.00'	17.73'	S2°49'13"W	52°37'00"
C63	6.56'	362.71'	6.55'	S24°00'21"E	1°02'08"
C64	71.97'	362.71'	71.85'	S30°12'29"E	11°22'08"
C65	21.50'	362.71'	21.50'	S37°35'28"E	3°23'49"
C66	50.47'	407.71'	50.43'	S35°44'36"E	7°05'32"
C67	61.97'	407.71'	61.91'	S27°50'35"E	8°42'31"
C68	31.41'	20.00'	28.28'	S68°29'37"E	89°59'39"

ADDITIONAL NOTES

STORM WATER CAN BE LOCALLY RETAINED AND CONTROLLED USING RETENTION BASINS. THIS IS THE METHOD TO HANDLE STORM WATER.

THERE ARE NO IRRIGATION FACILITIES.

PROPERTY CAN BE SERVED BY HURRICANE CITY WATER, AND ASH CREEK SPECIAL SERVICE DISTRICT.

THERE ARE NO WELLS, SPRINGS OR SEEPS ON THIS PROPERTY.

OWNER PLANS TO ALLOW PLACEMENT OF COMMUNICATIONS INFRASTRUCTURE AND PLACEMENT OF UTILITY INFRASTRUCTURE ON AND ALONG ALL RIGHTS-OF-WAY AND EASEMENTS.

PROPERTY IS ZONED AS:
RA-1: RESIDENTIAL AGRICULTURAL - 1 UNIT PER ACRE
R1-10: RESIDENTIAL - 1 UNIT PER 10,000 SQ. FT.

THE PARENT PARCELS FOR THIS SUBDIVISION ARE:
H-3399-I-SH1, H-3399-B-SH1, H-3399-A-SH1, H-3399-D-SH1, H-3400-G-SH1, H-3400-F-SH1, H-3399-C-SH1, AND H-3400-B-SH1

OWNERS:

WESTERN STATES VENTURES SG LLC
2265 E MURRAY HOLLADAY RD
SALT LAKE CITY, UT 84117-5397

TOQUERVILLE ENTERPRISES L C
770 PORTO MIO WAY
LAS VEGAS, NV 89138

BASIS OF BEARINGS

BASIS OF BEARINGS IS S88°55'38"E 5277.10 FEET FROM THE WEST QUARTER (1/4) CORNER TO THE EAST QUARTER (1/4) CORNER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN.

DESERT TORTOISE TAKE AREA

THE PROJECT IS NOT LOCATED IN A DESERT TORTOISE TAKE AREA. (PER RED CLIFFS DESERT RESERVE TAKE AREA 7 MAP)

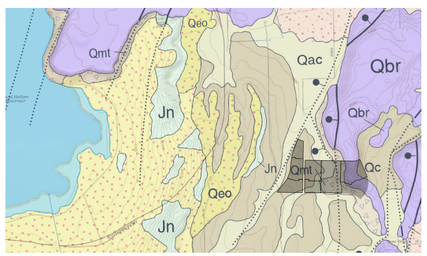
GEOLOGICAL NARRATIVE:

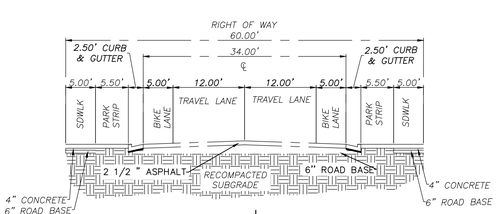
QC: COLLUVIAL DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE)
POORLY SORTED, ANGULAR, CLAY- TO BOULDER-SIZE, LOCALLY DERIVED SEDIMENT DEPOSITED PRINCIPALLY BY SLOPE WASH AND SOIL CREEP; LOCALLY INCLUDES TALUS, ALLUVIAL, AND EOLIAN DEPOSITS TOO SMALL TO MAP SEPARATELY; GRADATIONAL WITH TALUS DEPOSITS; INCLUDES OLDER COLLUVIAL DEPOSITS NOW INCISED BY ADJACENT DRAINAGES; GENERALLY LESS THAN 20 FEET (6 M) THICK, ALTHOUGH OLDER COLLUVIAL DEPOSITS ON THE KOLOB PLATEAU MAY BE AS MUCH AS 100 FEET (30 M) THICK.

QAC: ALLUVIAL AND COLLUVIAL DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE)
POORLY TO MODERATELY SORTED, GENERALLY POORLY STRATIFIED, CLAY- TO BOULDER-SIZE, LOCALLY DERIVED SEDIMENT DEPOSITED PRINCIPALLY IN SWALES, SMALL DRAINAGES, AND THE UPPER REACHES OF LARGE STREAMS BY FLUVIAL, SLOPE-WASH, AND CREEP PROCESSES; GRADATIONAL WITH BOTH ALLUVIAL AND COLLUVIAL DEPOSITS; OLDER DEPOSITS (QACO) INCLUDE GYPCRETE (SILT TO SMALL BOULDERS CEMENTED BY GYPSUM) ALONG THE MOENKOPI OUTCROP BELT JUST WEST OF ST. GEORGE THAT IS AS MUCH AS 10 FEET (3 M) THICK; OLDER DEPOSITS FORM INCISED, INACTIVE SURFACES COMMONLY INCISED BY YOUNGER (QAC) DEPOSITS; GENERALLY LESS THAN 30 FEET (9 M) THICK.

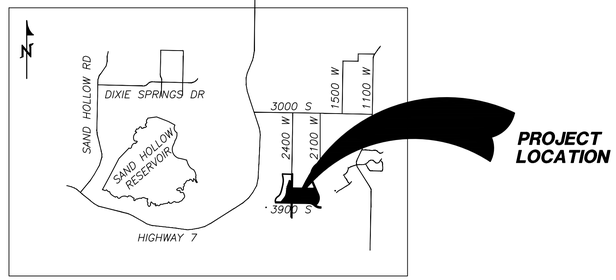
QC: COLLUVIAL DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE)
POORLY SORTED, ANGULAR, CLAY- TO BOULDER-SIZE, LOCALLY DERIVED SEDIMENT DEPOSITED PRINCIPALLY BY SLOPE WASH AND SOIL CREEP; LOCALLY INCLUDES TALUS, ALLUVIAL, AND EOLIAN DEPOSITS TOO SMALL TO MAP SEPARATELY; GRADATIONAL WITH TALUS DEPOSITS; INCLUDES OLDER COLLUVIAL DEPOSITS NOW INCISED BY ADJACENT DRAINAGES; GENERALLY LESS THAN 20 FEET (6 M) THICK, ALTHOUGH OLDER COLLUVIAL DEPOSITS ON THE KOLOB PLATEAU MAY BE AS MUCH AS 100 FEET (30 M) THICK.

QBR: REMNANTS LAVA FLOW (LOWER PLEISTOCENE)
DARK-BROWNISH-BLACK TO DARK-GRAY, MEDIUM-GRAINED BASANITE WITH SMALL OLIVINE PHENOCRYSTS; ERUPTED FROM A DEEPLY ERODED VENT ATOP THE HURRICANE CLIFFS AT THE "THREE BROTHERS," ABOUT 5 MILES (8 KM) SOUTH OF HURRICANE; DISPLACED BY THE HURRICANE FAULT ABOUT 1450 FEET (440 M); YIELDED PREFERRED 40AR/39AR PLATEAU AGES OF 1.06 ± 0.03 MA (1.07 ± 0.08 MA ISOCHRON) AND 0.94 ± 0.04 MA (0.94 ± 0.05 MA ISOCHRON) (HAYDEN, 2004A) AND AN ANOMALOUS 40AR/39AR PLATEAU AGE OF 1.47 ± 0.34 MA (1.12 ± 0.50 MA ISOCHRON) (LUND AND OTHERS, 2001, 2007A); TYPICALLY ABOUT 40 FEET (12 M) THICK.





60' TYPICAL SECTION



VICINITY MAP

N.T.S.

LEGAL DESCRIPTION PHASES 1-5

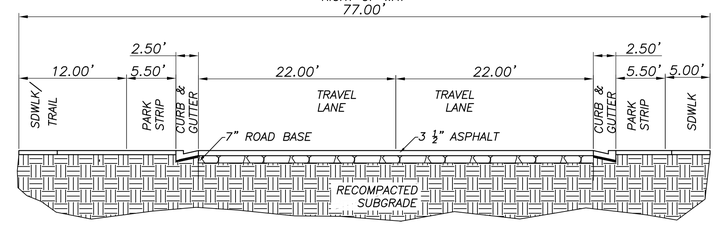
COMMENCING AT THE WEST QUARTER (1/4) CORNER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°55'38"E ALONG THE SECTION LINE, 2667.61 FEET; THENCE N01°04'22"E 93.44 FEET TO THE POINT OF BEGINNING, BEING A POINT ON THE EAST RIGHT-OF-WAY BOUNDARY OF 2400 WEST, WHICH WAS CONVEYED AND DEDICATED TO HURRICANE CITY AS 2600 WEST (DOC#20220026122); THENCE N00°57'43"E 1224.21 FEET; THENCE S88°52'39"E 2051.24 FEET TO A POINT ON THE WEST RIGHT-OF-WAY BOUNDARY OF 2100 WEST (DOC#20180050579); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING THREE (3) COURSES: (1) S23°29'27"E 588.75 FEET; (2) SOUTHERLY ALONG THE ARC OF A 727.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 822.69 FEET, THROUGH A CENTRAL ANGLE OF 64°50'14", (LONG CHORD BEARS: S08°55'40"W 779.49 FEET); (3) S41°21'04"W 10.77 FEET; THENCE N88°55'38"W 278.98 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CLIFF VIEW DRIVE, WHICH WAS CONVEYED AND DEDICATED TO HURRICANE CITY AS COPPER ROCK PARKWAY (DOC#20180050579); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES: (1) WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT A DISTANCE OF 384.99 FEET, HAVING A RADIUS OF 807.00 FEET AND A RADIAL BEARING OF S28°24'15"W, THROUGH A CENTRAL ANGLE OF 27°20'02" (LONG CHORD BEARS: N75°15'46"W 381.35 FEET); (2) N88°55'47"W 290.85 FEET; (3) N89°44'50"W 1160.17 FEET; (4) N88°55'41"W 59.69 FEET; (5) NORTHWESTERLY ALONG THE ARC OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 31.38 FEET, THROUGH A CENTRAL ANGLE OF 89°53'24", (LONG CHORD BEARS: N43°58'59"W 28.26 FEET) TO THE POINT OF BEGINNING.

AREA CONTAINS 2,824,127 SQUARE FEET OR 64.833 ACRES.

LEGAL DESCRIPTION PHASES 6-8

COMMENCING AT THE WEST QUARTER (1/4) CORNER OF SECTION 29, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S88°55'38"E ALONG THE SECTION LINE, 1462.72 FEET TO THE POINT OF BEGINNING; THENCE N01°04'19"E 73.46 FEET TO THE NORTH RIGHT-OF-WAY LINE OF CLIFF VIEW DRIVE, WHICH WAS CONVEYED AND DEDICATED TO HURRICANE CITY AS COPPER ROCK PARKWAY (DOC#20180050579); THENCE N37°19'38"E 865.31 FEET; THENCE N26°46'36"E 109.92 FEET; THENCE N02°53'19"E 392.08 FEET; THENCE N08°00'26"E 304.97 FEET; THENCE N26°17'39"E 345.64 FEET; THENCE N18°51'54"E 222.79 FEET; THENCE S70°27'47"E 318.03 FEET TO THE WEST RIGHT-OF-WAY BOUNDARY OF 2400 WEST, WHICH WAS CONVEYED AND DEDICATED TO HURRICANE CITY AS 2600 WEST (DOC#20220026122); THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: (1) S01°05'05"W 671.37 FEET; (2) S00°57'43"W 1224.13 FEET; THENCE S00°56'39"W 116.99 FEET TO THE BEGINNING OF A 20 FOOT RADIUS NON-TANGENT CURVE, HAVING A RADIAL BEARING OF N89°04'17"W, SHARED BY 2400 WEST AND CLIFF VIEW DRIVE; THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: (1) NORTHWESTERLY ALONG SAID CURVE TO THE LEFT A DISTANCE OF 31.37 FEET, THROUGH A CENTRAL ANGLE OF 89°51'24" (LONG CHORD BEARS: N43°59'59"W 28.25 FEET); (2) N88°55'41"W 1108.15 FEET; THENCE N01°04'19"E 3.54 FEET TO THE POINT OF BEGINNING.

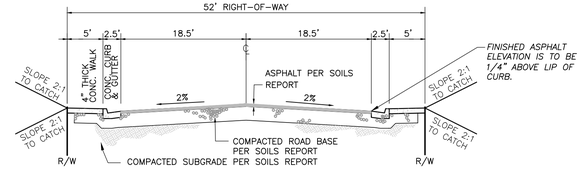
AREA CONTAINS 1,329,823 SQUARE FEET OR 30.529 ACRES.



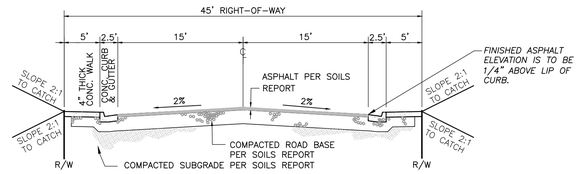
77' TYPICAL SECTION

N.T.S

52' TYPICAL SECTION



45' TYPICAL SECTION



GEOLOGICAL HAZARDS

FAULTS & SURFACE FAULTING	SPECIAL STUDY AREA, UNKNOWN, APPROX/BUR
LIQUEFACTION	H2 - HIGH2-SIMILAR IN TEXTURE TO HIGH CATEGORY, NO GROUND-WATER INFORMATION M2 - SIMILAR IN TEXTURE TO MODERATE CATEGORY, NO GROUND-WATER INFORMATION L2 - LOW2-SIMILAR IN TEXTURAL CHARACTERISTICS TO LOW, NO GROUND-WATER INFORMATION
FLOODING	ZONE X - AREA OF MINIMAL FLOOD HAZARD
LANDSLIDE HAZARD	L - LOW: AREAS WHERE CATEGORY D GEOLOGIC UNITS CROP OUT ON SLOPES GREATER THAN 30 PERCENT (16.7°)
ROCKFALL HAZARD	M-MODERATE ROCK-FALL-HAZARD
BRECCIA PIPES AND PALEOKARST	NONE
CALICHE	CA - CALICHE
COLLAPSIBLE SOIL	CSA - STREAM/TERRACE ALLUVIUM >=3% CSB - STREAM/TERRACE ALLUVIUM, NO DATA CSC-FAN ALLUVIUM, HOLOCENE
EXPANSIVE SOIL	ESL-SOILS WITH LOW SUSCEPTIBILITY FOR EXPANSION ESM-SOILS WITH MODERATE SUSCEPTIBILITY FOR EXPANSION
GYPSIFEROUS SOIL & ROCK	NONE
PIPING & EROSION	P&ES-SOILS SUSCEPTIBLE TO PIPING AND EROSION
SHALLOW BEDROCK	BRB-BURIED: AREAS WHERE DEPTH TO BEDROCK IS GENERALLY ≤10 FEET BENEATH SOIL COVER BRH-HARD: AREAS WHERE GENERALLY HARD AND RESISTANT BEDROCK VISIBLE AT GROUND SURFACE
WIND BLOWN SAND	WBSL-LOW: MIXED-UNIT GEOLOGIC DEPOSITS WITH WIND-BLOWN COMPONENT
SHALLOW GROUND WATER	WBSH-HIGH: MODERN SAND-DUNE OR SHEET-SAND DEPOSITS

THE MITIGATION OF POTENTIAL HAZARDS WILL BE RECOMMENDED IN THE FUTURE GEOTECHNICAL REPORT.

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NO	DESCRIPTION	DATE	BY
	REVISIONS		

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	N.T.S.
JOB NO.	378-002

SHEET NO:
1 OF 11

376-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C69	474.95'	614.50'	463.22'	N1°20'55"W	44°17'04"
C70	106.23'	385.21'	105.90'	N31°23'20"W	15°48'05"
C71	106.23'	385.21'	105.90'	N31°23'20"W	15°48'05"
C72	31.42'	20.00'	28.28'	N21°30'33"E	90°00'00"
C73	72.04'	174.00'	71.53'	N10°47'21"W	23°43'19"
C74	81.29'	727.00'	81.25'	N14°46'50"W	6°24'23"
C75	71.22'	637.00'	71.19'	S14°46'50"E	6°24'23"
C76	91.32'	592.00'	91.23'	S12°16'52"E	8°50'17"
C77	81.29'	727.00'	81.25'	N8°22'27"W	6°24'23"
C78	71.22'	637.00'	71.19'	S8°22'27"E	6°24'23"
C79	81.29'	727.00'	81.25'	N1°58'04"W	6°24'23"
C80	71.22'	637.00'	71.19'	S1°58'04"E	6°24'23"
C81	204.13'	592.00'	203.12'	S2°00'59"W	19°45'24"
C82	81.29'	727.00'	81.25'	N4°26'19"E	6°24'23"
C83	71.22'	637.00'	71.19'	S4°26'19"W	6°24'23"
C84	474.95'	614.50'	463.22'	N1°20'55"W	44°17'04"
C85	81.29'	727.00'	81.25'	N10°50'42"E	6°24'23"
C86	71.22'	637.00'	71.19'	S10°50'42"W	6°24'23"
C87	81.29'	727.00'	81.25'	N17°15'05"E	6°24'23"
C88	71.22'	637.00'	71.19'	S17°15'05"W	6°24'23"
C89	91.95'	592.00'	91.86'	S16°20'39"W	8°53'57"
C90	60.54'	75.00'	58.91'	N3°12'19"E	46°15'02"
C91	38.96'	50.00'	37.98'	N2°24'08"E	44°38'39"
C92	17.89'	25.00'	17.52'	N0°35'09"E	41°00'42"
C93	31.16'	75.00'	30.94'	N34°17'46"W	23°48'29"
C94	20.29'	50.00'	20.15'	N34°34'26"W	23°15'08"
C95	9.60'	25.00'	9.54'	N35°12'05"W	21°59'51"
C96	22.41'	75.00'	22.33'	N37°38'19"W	17°07'23"
C97	3.77'	637.00'	3.77'	S20°37'27"W	0°20'21"
C98	63.69'	177.50'	63.35'	S31°04'21"W	20°33'27"
C99	71.76'	200.00'	71.37'	N31°04'21"E	20°33'27"
C100	67.46'	222.50'	67.20'	S29°28'44"W	17°22'13"
C101	100.35'	727.00'	100.27'	N24°24'33"E	7°54'32"
C102	12.38'	222.50'	12.38'	S39°45'27"W	3°11'14"
C103	44.34'	75.00'	43.70'	N50°24'12"E	33°52'34"
C104	29.56'	50.00'	29.13'	N50°24'12"E	33°52'34"
C105	14.78'	25.00'	14.57'	N50°24'12"E	33°52'34"
C106	77.88'	727.00'	77.85'	N31°25'58"E	6°08'17"
C107	70.70'	727.00'	70.67'	N37°17'16"E	5°34'19"
C108	21.16'	95.00'	21.12'	S34°56'53"W	12°45'49"
C109	16.15'	727.00'	16.15'	N40°42'36"E	1°16'22"
C110	51.05'	32.50'	45.96'	S86°21'05"W	90°00'01"
C111	86.39'	55.00'	77.78'	N86°21'05"E	90°00'01"
C112	70.85'	65.00'	67.40'	S59°50'45"W	62°27'13"
C113	60.14'	65.00'	58.02'	N62°25'19"W	53°00'38"
C114	11.33'	807.00'	11.33'	S61°59'53"E	0°48'16"
C115	5.13'	95.00'	5.13'	N37°15'58"W	3°05'48"
C116	16.31'	95.00'	16.29'	N43°43'51"W	9°50'06"
C117	32.12'	277.50'	32.10'	N51°57'51"W	6°37'52"
C118	29.82'	50.00'	29.38'	N53°14'26"E	34°10'35"
C119	33.85'	322.50'	33.84'	N51°39'21"W	6°00'52"
C120	25.21'	75.00'	25.09'	N60°08'59"E	19°15'41"
C121	39.39'	322.50'	39.36'	S58°09'42"E	6°59'50"
C122	28.93'	20.00'	26.47'	S20°13'27"E	82°52'19"
C123	105.45'	300.00'	104.91'	N58°43'06"W	20°08'23"
C124	69.57'	277.50'	69.39'	S62°27'43"E	14°21'53"
C125	33.21'	807.00'	33.21'	N67°11'19"W	2°21'29"
C126	105.45'	300.00'	104.91'	N78°51'29"W	20°08'23"
C127	69.57'	277.50'	69.39'	S76°49'36"E	14°21'53"
C128	36.92'	807.00'	36.92'	N69°40'42"W	2°37'17"
C129	23.82'	277.50'	23.82'	S86°28'07"E	4°55'09"
C130	45.51'	807.00'	45.51'	N72°36'17"W	3°13'53"
C131	48.25'	807.00'	48.24'	N75°56'00"W	3°25'33"
C132	47.68'	807.00'	47.67'	N79°20'19"W	3°23'07"
C133	39.05'	807.00'	39.05'	N82°25'04"W	2°46'21"
C134	29.63'	20.00'	26.99'	N41°21'58"W	84°52'33"
C135	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C136	31.42'	20.00'	28.28'	N46°04'16"E	89°59'54"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C137	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C138	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C139	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C140	72.04'	174.00'	71.53'	S10°47'21"E	23°43'19"
C141	71.17'	226.00'	70.88'	N7°56'59"W	18°02'36"
C142	53.59'	174.00'	53.38'	S31°28'27"E	17°38'53"
C143	154.83'	200.00'	151.00'	N21°06'23"W	44°21'24"
C144	50.61'	226.00'	50.50'	N23°23'11"W	12°49'49"
C145	9.07'	174.00'	9.07'	S41°47'29"E	2°59'12"
C146	53.18'	226.00'	53.06'	N36°32'36"W	13°29'00"
C147	48.87'	226.00'	48.78'	S37°05'23"E	12°23'25"
C148	5.43'	174.00'	5.43'	N42°23'28"W	1°47'15"
C149	50.01'	226.00'	49.91'	S24°33'18"E	12°40'44"
C150	154.83'	200.00'	151.00'	N21°06'23"W	44°21'24"
C151	57.24'	174.00'	56.98'	N32°04'26"W	18°50'51"
C152	46.34'	226.00'	46.26'	S12°20'28"E	11°44'56"
C153	15.79'	322.50'	15.79'	N87°31'32"W	2°48'19"
C154	57.45'	322.50'	57.37'	N81°01'11"W	10°12'23"
C155	28.93'	20.00'	26.47'	S62°38'52"W	82°52'19"
C156	3.77'	177.50'	3.77'	S20°36'14"W	1°12'56"
C157	3.22'	222.50'	3.22'	S20°47'51"W	0°49'43"
C158	55.45'	222.50'	55.30'	S13°14'38"W	14°16'42"
C159	75.56'	177.50'	75.00'	S7°48'01"W	24°23'30"
C160	53.80'	222.50'	53.67'	S0°49'21"E	13°51'17"
C161	175.54'	200.00'	169.96'	S3°55'58"E	50°17'20"
C162	76.46'	177.50'	75.87'	S16°44'11"E	24°40'53"
C163	51.81'	222.50'	51.70'	S14°25'16"E	13°20'33"
C164	31.01'	222.50'	30.98'	S25°05'05"E	7°59'05"
C165	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C166	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C167	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C168	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C169	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C170	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C171	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C172	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C173	31.13'	20.00'	28.08'	S45°39'44"W	89°10'51"
C174	31.70'	20.00'	28.49'	S44°20'16"E	90°49'09"
C175	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C176	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C177	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C178	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C179	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C180	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C181	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C182	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C183	35.91'	202.50'	35.87'	S6°09'09"W	10°09'40"
C184	16.22'	202.50'	16.22'	S13°31'40"W	4°35'22"
C185	46.34'	180.00'	46.21'	S8°26'50"W	14°45'02"
C186	40.55'	157.50'	40.44'	N8°26'50"E	14°45'02"
C187	60.30'	242.50'	60.15'	N8°11'45"E	14°14'52"
C188	60.30'	242.50'	60.15'	N8°11'45"E	14°14'52"
C189	56.64'	220.00'	56.48'	S8°26'50"W	14°45'02"
C190	40.76'	197.50'	40.69'	S9°54'36"W	11°49'29"
C191	10.09'	197.50'	10.08'	S2°32'05"W	2°55'33"
C192	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C193	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C194	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C195	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C196	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C197	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C198	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C199	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C200	31.40'	20.00'	28.27'	N43°54'10"W	89°56'58"
C201	31.43'	20.00'	28.30'	S46°05'50"W	90°03'02"
C202	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C203	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C204	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C205	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C206	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C207	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C208	10.91'	20.00'	10.77'	S75°30'06"W	31°14'31"
C209	20.57'	20.00'	19.67'	S30°25'17"W	58°55'07"
C210	21.16'	95.00'	21.12'	S82°31'30"E	12°45'49"
C211	12.95'	65.00'	12.93'	S81°54'10"E	11°24'49"
C212	24.31'	65.00'	24.17'	N81°40'28"E	21°25'54"
C213	30.88'	65.00'	30.59'	N57°20'55"E	27°13'12"
C214	31.56'	65.00'	31.25'	N29°49'51"E	27°48'57"
C215	25.67'	65.00'	25.50'	N4°36'31"E	22°37'43"
C216	5.62'	65.00'	5.62'	N9°10'58"W	4°57'17"
C217	86.39'	55.00'	77.78'	N46°04'19"E	90°00'00"
C218	51.05'	32.50'	45.96'	N46°04'19"E	90°00'00"
C219	5.80'	95.00'	5.80'	N10°06'31"W	3°30'04"
C220	15.36'	95.00'	15.34'	N3°43'40"W	9°15'39"
C221	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C222	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C223	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C224	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C225	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C226	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C227	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C228	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C229	31.38'	20.00'	28.26'	S43°58'59"E	89°53'24"
C230	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C231	31.45'	20.00'	28.31'	N46°01'01"E	90°06'36"
C232	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C233	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C234	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C235	14.14'	95.00'	14.12'	S5°30'14"W	8°31'32"
C236	7.02'	95.00'	7.02'	S11°53'06"W	4°14'11"
C237	4.40'	65.02'	4.40'	S11°49'55"W	3°52'50"
C238	30.37'	65.02'	30.10'	S3°29'21"E	26°45'41"
C239	31.13'	65.02'	30.83'	S30°35'05"E	27°25'46"
C240	31.24'	65.02'	30.94'	S58°03'41"E	27°31'26"
C241	20.88'	65.02'	20.79'	S81°01'17"E	18°23'46"
C242	12.95'	65.02'	12.93'	N84°04'34"E	11°24'32"
C243	21.16'	95.32'	21.12'	N84°40'08"E	12°43'15"
C244	16.41'	20.00'	15.96'	N65°24'58"W	47°01'27"
C245	14.96'	20.00'	14.62'	N20°28'16"W	42°51'57"
C246	86.39'	55.00'	77.78'	N43°55'41"W	90°00'00"
C247	51.05'	32.50'	45.96'	N43°55'41"W	90°00'00"
C248	31.38'	20.00'	28.26'	N43°58'59"W	89°53'24"
C249	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C250	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C251	13.03'	226.00'	13.03'	S87°16'35"E	3°18'11"
C252	30.26'	226.00'	30.23'	S81°47'22"E	7°40'15"
C253	20.00'	226.00'	19.99'	S75°25'10"E	5°04'09"
C254	31.42'	20.00'	28.28'	N62°06'54"E	90°00'00"
C255	31.42'	20.00'	28.28'	S27°53'06"E	90°00'00"
C256	35.69'	174.00'	35.62'	S78°45'38"E	11°45'04"
C257	13.03'	174.00'	13.03'	S86°46'56"E	4°17'31"
C258	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C259	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C260	31.45'	20.00'	28.31'	N46°01'01"E	90°06'36"
C261	31.42'	20.00'	28.28'	N43°55'41"W	90°00'00"
C262	12.95'	222.50'	12.95'	N87°15'39"W	3°20'05"
C263	30.26'	222.50'	30.24'	N81°41'49"W	7°47'36"
C264	19.09'	222.50'	19.08'	N75°20'33"W	4°54'55"
C265	31.42'	20.00'	28.28'	S62°06'54"W	90°00'00"
C266	56.00'	200.00'	55.82'	N80°54'24"W	16°02'35"
C267	31.42'	20.00'	28.28'	N46°04'19"E	90°00'00"
C268	12.95'	177.50'	12.95'	S86°50'15"E	4°10'53"
C269	36.75'	177.50'	36.68'	S78°48'57"E	11°51'42"
C270	31.42'	20.00'	28.28'	S27°53'06"E	90°00'00"
C271	63.28'	226.00'	63.07'	S9°05'36"W	16°02'35"
C272	56.00'	200.00'	55.82'	S9°05'36"W	16°02'35"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C273	48.72'	174.00'	48.56'	S9°05'36"W	16°02'35"
C274	31.42'	20.00'	28.28'	S46°04'19"W	90°00'01"
C275	31.42'	20.00'	28.28'	S43°55'40"E	89°59'59"
C276	11.78'	95.32'	11.78'	N81°51'01"E	7°05'00"
C277	9.38'	95.32'	9.37'	N88°12'39"E	5°38'15"
C278	34.30'	65.02'	33.90'	S86°30'58"E	30°13'27"
C279	31.18'	65.02'	30.88'	S57°39'57"E	27°28'33"
C280	31.18'	65.02'	30.88'	S30°11'24"E	27°28'33"
C281	25.52'	65.02'	25.36'	S5°12'23"E	22°29'28"
C282	8.78'	65.02'	8.77'	S9°54'21"W	7°43'59"
C283	2.62'	92.56'	2.62'	S13°21'44"W	1°37'15"
C284	18.54'	92.56'	18.51'	S6°48'43"W	11°28'47"
C285	86.39'	55.00'	77.78'	S43°55'40"E	90°00'00"
C286	51.05'	32.50'	45.96'	N43°55'40"W	90°00'00"
C287	12.83'	20.00'	12.61'	N17°24'38"W	36°44'42"
C288	18.53'	20.00'	17.88'	N62°19'49"W	53°05'40"
C289	31.43'	20.00'	28.30'	S46°05'50"W	90°03'02"
C290	31.43'	20.00'	28.29'	N46°06'13"E	90°02'16"
C291	4.35'	20.00'	4.34'	S82°38'34"E	12°28'09"
C292	27.05'	20.00'	25.03'	S37°40'06"E	77°28'49"
C293	64.46'	200.00'	64.18'	S10°18'16"W	18°27'54"
C294	14.07'	226.00'	14.07'	S2°51'21"W	3°34'03"
C295	31.42'	20.00'	28.28'	S46°04'19"W	90°00'00"
C296	31.87'	177.50'	31.83'	N83°47'04"W	10°17'14"
C297	17.83'	177.50'	17.82'	N75°45'47"W	5°45'21"
C298	31.42'	20.00'	28.28'	N27°53'06"W	90°00'00"
C299	56.00'	200.00'	55.82'	S80°54'23"E	16°02'35"
C300	31.42'	20.00'	28.28'	N62°06'54"E	90°00'00"
C301	9.17'	222.50'	9.17'	S74°03'55"E	2°21'38"
C302	29.89'	222.50'	29.87'	S79°05'38"E	7°41'50"
C303	23.24'	222.50'	23.23'	S85°56'07"E	5°59'08"
C304	31.42'	20.00'	28.28'	S43°55'41"E	90°00'00"
C305	48.72'	174.00'	48.56'	N9°05'38"E	16°02'33"
C306	56.00'	200.00'	55.82'	S9°05'38"W	16°02'33"
C307	28.31'	226.00'	28.30'	S13°31'33"W	7°10'42"
C308	30.14'	226.00'	30.12'	S6°06'58"W	7°38'27"
C309	4.82'	226.00'	4.82'	S1°41'03"W	1°13'23"
C310	31.42'	20.00'	28.28'	S46°04'20"W	89°59'57"
C311	31.42'	20.00'	28.28'	N43°55'40"W	90°00'03"
C312	31.42'	20.00'	28.28'	S43°55'40"E	90°00'02"
C313	31.42'	20.00'	28.28'	S46°04'20"W	89°59'58"
C314	31.42'	20.00'	28.28'	S46°04'20"W	89°59'57"
C315	31.42'	20.00'	28.28'	S43°55'40"E	90°00'03"
C316	14.11'	20.00'	13.82'	N70°51'27"E	40°25'44"
C317	17.34'	20.00'	16.80'	N25°48'09"E	49°40'52"
C318	2.40'	95.32'	2.40'	N88°09'48"W	1°26'39"
C319	18.76'	95.32'	18.73'	N81°48'11"W	11°16'36"
C320	34.30'	65.02'	33.90'	S88°39'36"W	30°13'27"
C321	31.18'	65.02'	30.88'	S59°48'35"W	27°28'33"
C322	31.18'	65.02'	30.88'	S32°20'02"W	27°28'33"
C323	34.30'	65.02'	33.90'	S3°29'02"W	30°13'27"
C324	86.39'	55.00'	77.78'	S46°04'19"W	90°00'00"
C325	51.05'	32.50'	45.96'	S46°04'19"W	90°00'00"
C326	13.67'	92.56'	13.66'	S7°47'53"E	8°27'40"
C327	7.49'	92.56'	7.49'	S1°14'52"E	4°38'21"
C328	31.36'	20.00'	28.24'	N44°00'38"W	89°50'07"
C329	31.47'	20.00'	28.32'	S45°59'22"W	90°09'53"
C330	26.57'	226.00'	26.55'	S8°00'27"W	6°44'09"
C331	30.16'	226.00'	30.14'	S15°11'55"W	7°38'47"
C332	2.03'	226.00'	2.03'	S19°16'46"W	0°30'54"
C333	56.08'	174.00'	55.83'	S10°18'16"W	18°27'54"
C334	31.42'	20.00'	28.28'	S64°32'13"W	90°00'00"
C335	18.37'	20.00'	17.73'	N44°09'17"W	52°37'00"
C336	29.81'	50.00'	29.37'	N34°55'37"W	34°09'41"
C337	32.18'	50.00'	31.62'	N70°26'33"W	36°52'12"
C338	32.18'	50.00'	31.62'	S72°41'15"W	36°52'12"
C339	39.46'	50.00'	38.44'	S31°38'47"W	45°12'45"
C340	32.18'	50.00'	31.62'	S9°23'42"E	36°52'12"

CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C341	32.18'	50.00'	31.62'	S46°15'53"E	36°52'12"
C342	32.64'	50.00'	32.06'	S83°24'04"E	37°24'09"
C343	18.31'	50.00'	18.20'	N67°24'32"E	20°58'39"
C344	18.37'	20.00'	17.73'	N83°13'43"E	52°37'00"
C345	31.42'	20.00'	28.28'	S25°27'47"E	90°00'00"
C346	31.42'	20.00'	28.28'	S64°32'13"W	90°00'00"
C347	18.37'	20.00'	17.73'	N44°09'17"W	52°37'00"
C348	13.74'	50.00'	13.70'	N25°43'11"W	15°44'49"
C349	32.18'	50.00'	31.62'	N52°01'41"W	36°52'12"
C350	32.18'	50.00'	31.62'	N88°53'53"W	36°52'12"
C351	39.20'	50.00'	38.20'	S50°12'25"W	44°55'13"
C352	71.08'	50.00'	65.25'	S12°58'51"E	81°27'21"
C353	30.47'	50.00'	30.00'	S71°10'04"E	34°55'05"
C354	30.07'	50.00'	29.62'	N74°08'48"E	34°27'11"
C355	7.85'	20.00'	7.80'	N68°10'16"E	22°30'06"
C356	10.51'	20.00'	10.39'	S85°31'14"E	30°06'55"
C357	31.42'	20.00'	28.28'	S25°27'47"E	90°00'00"
C358	8.19'	9974.00'	8.19'	S19°33'38"W	0°02'49"
C359	8.21'	9999.99'	8.21'	N19°33'38"E	0°02'49"
C360	8.23'	10026.00'	8.23'	S19°33'38"W	0°02'49"
C361	31.42'	20.00'	28.28'	S64°35'02"W	90°00'00"
C362	9.27'	226.00'	9.27'	N71°35'27"W	2°20'59"
C363	30.19'	226.00'	30.17'	N76°35'36"W	7°39'18"
C364	30.93'	226.00'	30.90'	N84°20'28"W	7°50'26"
C365	31.42'	20.00'	28.28'	N43°54'55"W	90°00'00"
C366	64.57'	200.00'	64.29'	S79°39'56"E	18°29'57"
C367	56.95'	174.00'	56.69'	N79°32'22"W	18°45'06"
C368	31.42'	20.00'	28.28'	S46°05'05"W	90°00'00"
C369	31.33'	20.00'	28.22'	N25°17'23"W	89°44'51"
C370	2.58'	226.00'	2.58'	N88°35'18"W	0°39'14"
C371	56.00'	200.00'	55.82'	S80°54'24"E	16°02'35"

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NO	DESCRIPTION	DATE	BY
	REVISIONS		

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:

SAND HOLLOW MESA, NEIGHBORHOOD 6

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	N.T.S.
JOB NO.	378-002

SHEET NO:

2 OF 11

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

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SITE DATA

	SQ. FT	ACRES
AREA		
TOTAL AREA	3,775,930	86.68
TOTAL STORM BASIN	137,414	3.15
DESCRIPTION	QUANTITY	
TOTAL LOTS/UNITS	594	
UNITS PER ACRE	6.85	

PHASE TABLE

PHASE NO.	NO. OF. LOTS OR UNITS
PHASE 1	60 LOTS
PHASE 2	46 LOTS
PHASE 3	106 LOTS
PHASE 4	108 REC UNITS
PHASE 5	68 REC UNITS
PHASE 6	83 REC UNITS
PHASE 7	79 REC UNITS
PHASE 8	43 REC UNITS
TOTAL	593

LEGEND

- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING STORM DRAIN LINE
- TRAIL LINE

N / W / E / S

100 0 100
SCALE IN FEET

FUTURE COMMERCIAL PAD
FOUND ALPHA 3" ALUM. CAP WEST 1/4 COR. SEC. 29, T42S, R13W, S.L.B.&M.
POINT OF BEGINNING PHASES 6-8
AMENITIES 11,419 SQ. 0.26 ACRES
AMENITIES 10,586 SQ. FT 0.24 ACRES
AMENITIES 14,446 SQ. FT 0.33 ACRES
AMENITIES 20,164 SQ. FT 0.46 ACRES
PHASE 8
PHASE 7
PHASE 6
PHASE 5
PHASE 4
PHASE 3
PHASE 2
PHASE 1
NO-BUILD ZONE
H-3399 BLAKE FREI, ET AL.
H-3399-NP SPILSBURY CATTLE CO 1 LLC
H-3399-B-SH1 WESTERN STATES VENTURES SG LLC
H-3400-J-SH2 TOQUERVILLE ENTERPRISES LLC
H-3400-Q RIVER VALLEY DEV LLC
3700 SOUTH (60' PUBLIC STREET)
2400 WEST (EXISTING 70' PUBLIC STREET, PLANNED 77' PUBLIC STREET) MAJOR COLLECTOR W/ TRAIL WEST SIDE
EXISTING MAJOR COLLECTOR W/ TRAIL WEST SIDE
2100 WEST, PLANNED 77' WIDTH
EAST SIDE OF 2100 WEST IS 8 ACRES OF OPEN SPACE PRESERVED OF HILL SIDE AND NATIVE LANDSCAPED
DETENTION BASIN/PARK 135,285 SQ. FT 3.11 ACRES
CLIFF VIEW DRIVE (3900 S) (EXISTING 90' PUBLIC STREET, PLANNED 84' WIDTH)
SOUTHERN SHORES
CORDERO PHASE 1
SHORE DRIVE (45' PRIVATE STREET)
WAKE STREET (45' PRIVATE STREET)
MATCHLINE A
POINT OF BEGINNING PHASES 1-5
S88°55'38"E 5277.10' (BASIS OF BEARINGS)
1204.89'
2609.49'
WATER RIGHTS: 81-4810 (A44817) 81-5359 (A46432) 81-802 (T49976)
FND. MARKED 1X6 LAVA STN. EAST 1/4 COR. SEC. 29, T42S, R13W, S.L.B.&M.

NO	DESCRIPTION	DATE	BY
	REVISIONS		

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

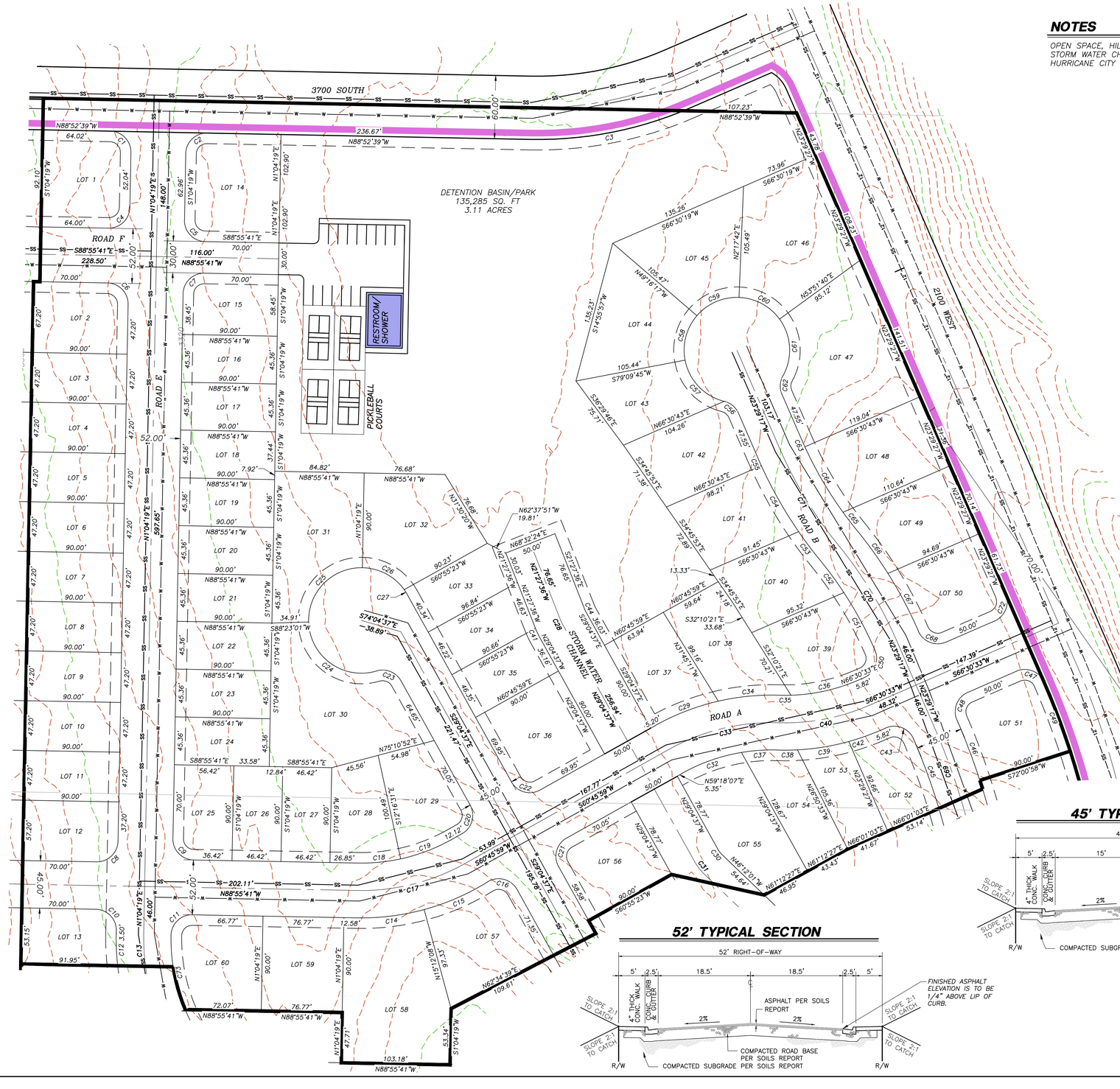
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=100'
JOB NO.	378-002
SHEET NO:	**3 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 1

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



NOTES

OPEN SPACE, HILLSIDE, DETENTION BASIN/PARK, AND STORM WATER CHANNEL TO BE DEDICATED TO HURRICANE CITY

LEGEND

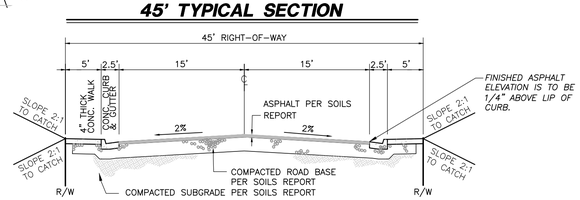
- RIGHT–OF–WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- TRAIL LINE

LOTS

Number	Area
1	7561 Sq. Ft.
2	5962 Sq. Ft.
3	4248 Sq. Ft.
4	4248 Sq. Ft.
5	4248 Sq. Ft.
6	4248 Sq. Ft.
7	4248 Sq. Ft.
8	4248 Sq. Ft.
9	4248 Sq. Ft.
10	4248 Sq. Ft.
11	4248 Sq. Ft.
12	5062 Sq. Ft.
13	4717 Sq. Ft.
14	9093 Sq. Ft.
15	5174 Sq. Ft.
16	4082 Sq. Ft.
17	4082 Sq. Ft.
18	4082 Sq. Ft.
19	4082 Sq. Ft.
20	4082 Sq. Ft.
21	4082 Sq. Ft.
22	4082 Sq. Ft.
23	4082 Sq. Ft.
24	4082 Sq. Ft.
25	4992 Sq. Ft.
26	4178 Sq. Ft.
27	4178 Sq. Ft.
28	5398 Sq. Ft.
29	6564 Sq. Ft.
30	13796 Sq. Ft.
31	10022 Sq. Ft.
32	9311 Sq. Ft.
33	4516 Sq. Ft.
34	4333 Sq. Ft.
35	4163 Sq. Ft.
36	8014 Sq. Ft.
37	6132 Sq. Ft.
38	6820 Sq. Ft.
39	7266 Sq. Ft.
40	6527 Sq. Ft.
41	6703 Sq. Ft.
42	7322 Sq. Ft.
43	5951 Sq. Ft.
44	8340 Sq. Ft.
45	8343 Sq. Ft.
46	11715 Sq. Ft.
47	14148 Sq. Ft.
48	8280 Sq. Ft.
49	7159 Sq. Ft.
50	7280 Sq. Ft.
51	7528 Sq. Ft.
52	5009 Sq. Ft.
53	4364 Sq. Ft.
54	5381 Sq. Ft.
55	8216 Sq. Ft.
56	6993 Sq. Ft.
57	8895 Sq. Ft.
58	13372 Sq. Ft.
59	6909 Sq. Ft.
60	7386 Sq. Ft.

52' TYPICAL SECTION

45' TYPICAL SECTION



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ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 1
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

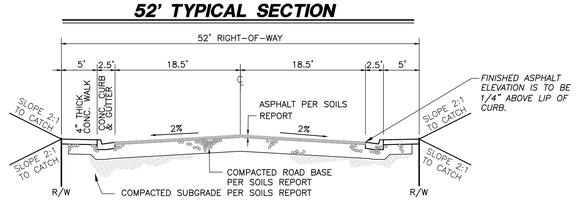
DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**4 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

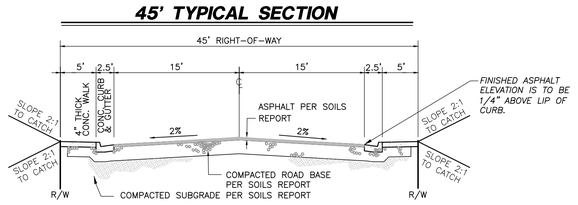
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 2

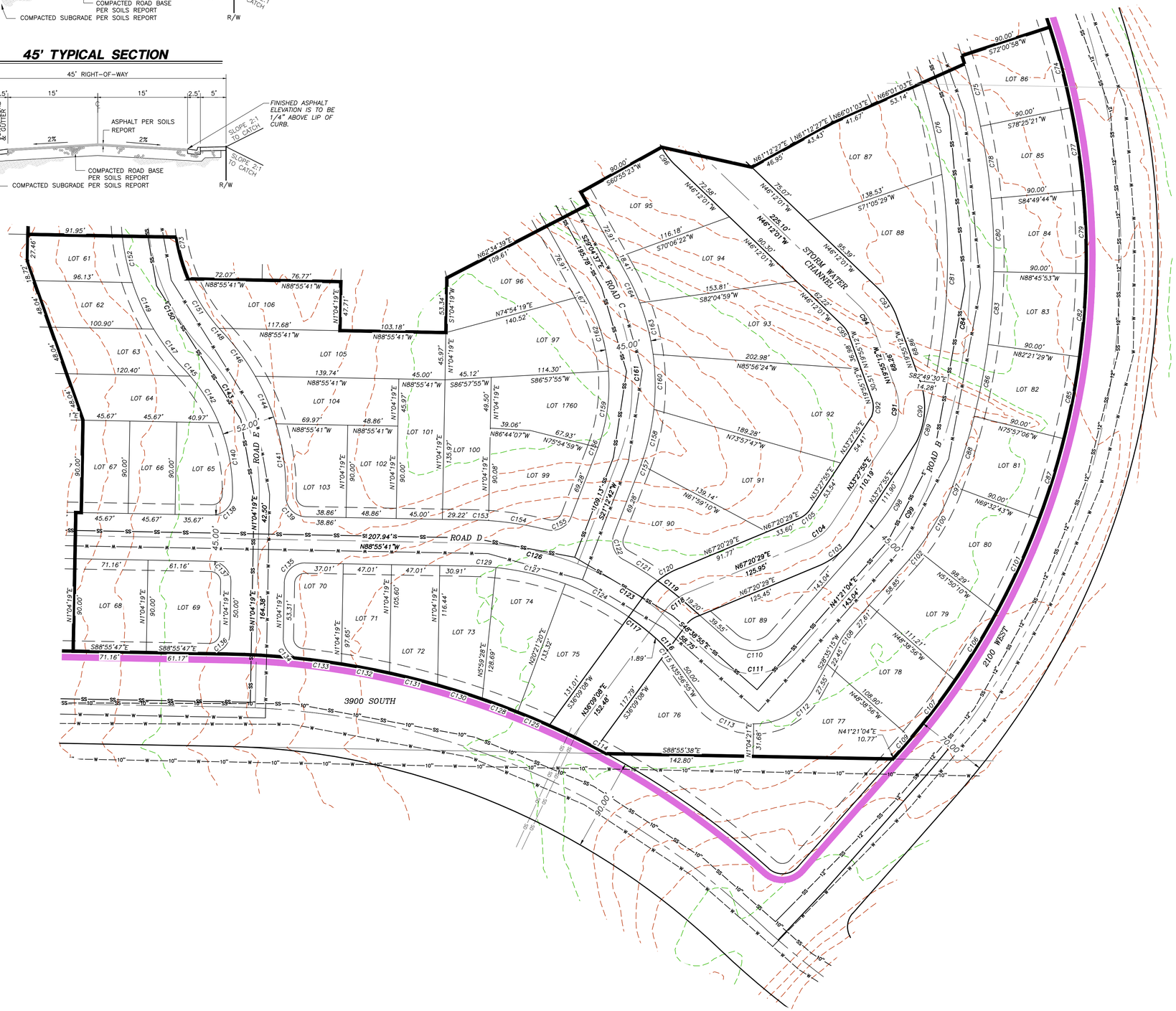
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

52' TYPICAL SECTION



45' TYPICAL SECTION





LEGEND

- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- EXISTING STORM DRAIN LINE
- TRAIL LINE

LOTS

Number	Area
61	4285 Sq. Ft.
62	4387 Sq. Ft.
63	4918 Sq. Ft.
64	5759 Sq. Ft.
65	4587 Sq. Ft.
66	4110 Sq. Ft.
67	4110 Sq. Ft.
68	6405 Sq. Ft.
69	7133 Sq. Ft.
70	5224 Sq. Ft.
71	4766 Sq. Ft.
72	5207 Sq. Ft.
73	6065 Sq. Ft.
74	6986 Sq. Ft.
75	6803 Sq. Ft.
76	8285 Sq. Ft.
77	7870 Sq. Ft.
78	7934 Sq. Ft.
79	7803 Sq. Ft.
80	7925 Sq. Ft.
81	6863 Sq. Ft.
82	6863 Sq. Ft.
83	6863 Sq. Ft.
84	6863 Sq. Ft.
85	6863 Sq. Ft.
86	6863 Sq. Ft.
87	13275 Sq. Ft.
88	13285 Sq. Ft.
89	6832 Sq. Ft.
90	8686 Sq. Ft.
91	12314 Sq. Ft.
92	15254 Sq. Ft.
93	12729 Sq. Ft.
94	8268 Sq. Ft.
95	8163 Sq. Ft.
96	8941 Sq. Ft.
97	8493 Sq. Ft.
98	6658 Sq. Ft.
99	8122 Sq. Ft.
100	6047 Sq. Ft.
101	6119 Sq. Ft.
102	4397 Sq. Ft.
103	5468 Sq. Ft.
104	5896 Sq. Ft.
105	9253 Sq. Ft.
106	6447 Sq. Ft.

N
W E
S
50 0 50
SCALE IN FEET

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ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 2

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**5 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

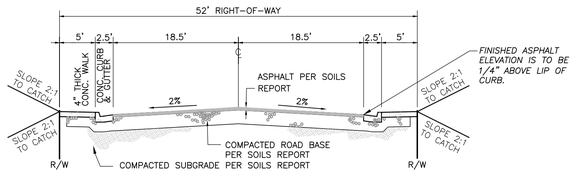
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 3

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

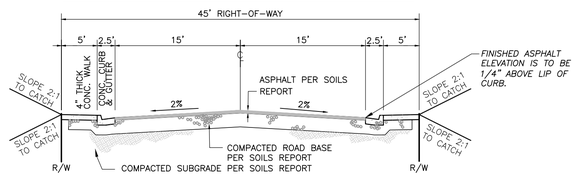
LEGEND

- RIGHT–OF–WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- TRAIL LINE

52' TYPICAL SECTION

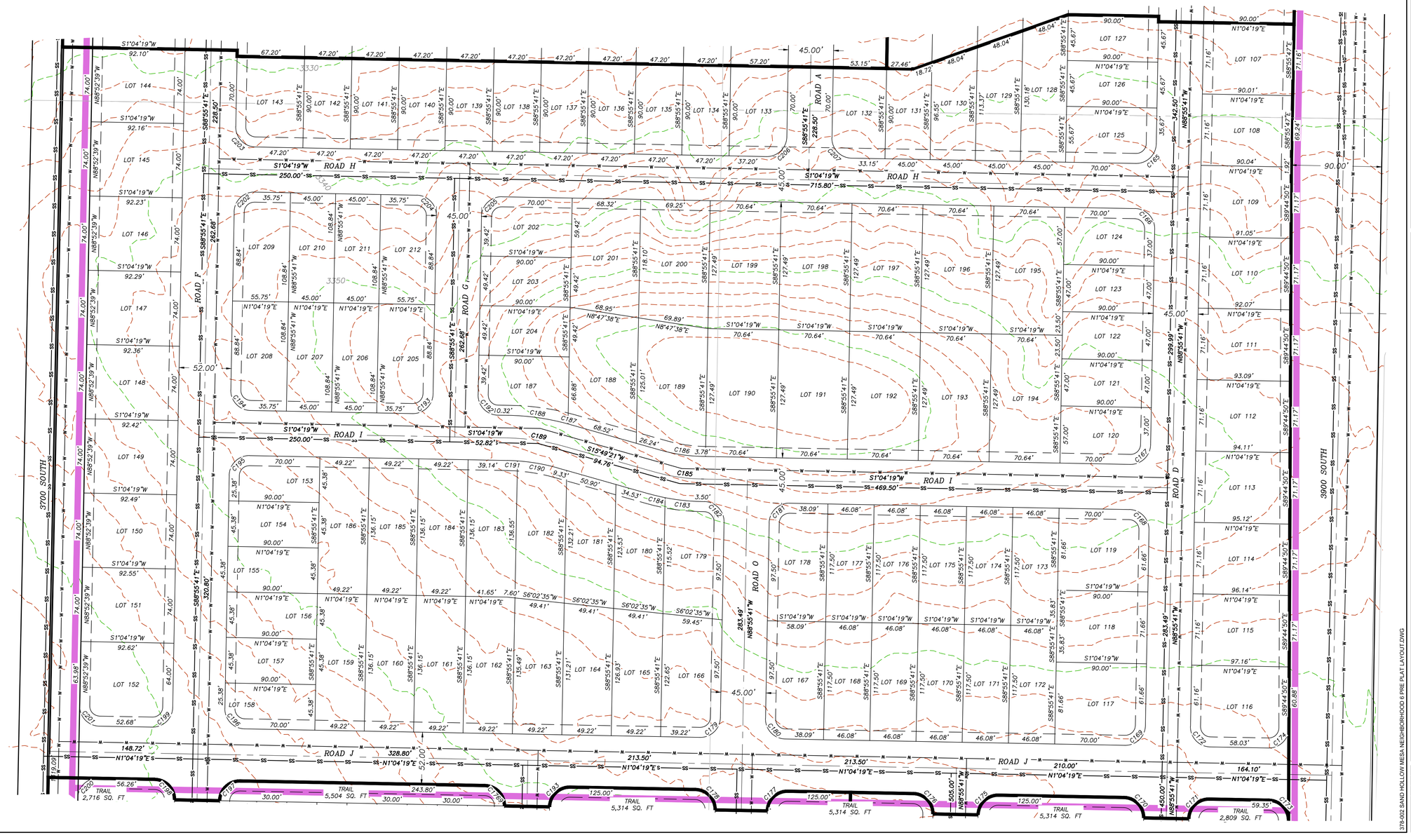


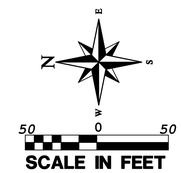
45' TYPICAL SECTION



LOTS

Number	Area	Number	Area
107	6405 Sq. Ft.	159	6702 Sq. Ft.
108	6405 Sq. Ft.	160	6702 Sq. Ft.
109	6444 Sq. Ft.	161	6702 Sq. Ft.
110	6516 Sq. Ft.	162	6699 Sq. Ft.
111	6588 Sq. Ft.	163	6564 Sq. Ft.
112	6661 Sq. Ft.	164	6353 Sq. Ft.
113	6733 Sq. Ft.	165	6143 Sq. Ft.
114	6806 Sq. Ft.	166	7025 Sq. Ft.
115	6878 Sq. Ft.	167	6740 Sq. Ft.
116	7758 Sq. Ft.	168	5414 Sq. Ft.
117	7264 Sq. Ft.	169	5414 Sq. Ft.
118	6450 Sq. Ft.	170	5414 Sq. Ft.
119	7264 Sq. Ft.	171	5414 Sq. Ft.
120	5044 Sq. Ft.	172	5414 Sq. Ft.
121	4230 Sq. Ft.	173	5414 Sq. Ft.
122	4230 Sq. Ft.	174	5414 Sq. Ft.
123	4230 Sq. Ft.	175	5414 Sq. Ft.
124	5044 Sq. Ft.	176	5414 Sq. Ft.
125	4924 Sq. Ft.	177	5414 Sq. Ft.
126	4110 Sq. Ft.	178	6740 Sq. Ft.
127	4110 Sq. Ft.	179	6758 Sq. Ft.
128	6237 Sq. Ft.	180	5871 Sq. Ft.
129	5480 Sq. Ft.	181	6294 Sq. Ft.
130	4723 Sq. Ft.	182	6663 Sq. Ft.
131	4107 Sq. Ft.	183	6704 Sq. Ft.
132	4698 Sq. Ft.	184	6702 Sq. Ft.
133	5062 Sq. Ft.	185	6702 Sq. Ft.
134	4248 Sq. Ft.	186	6702 Sq. Ft.
135	4248 Sq. Ft.	187	5409 Sq. Ft.
136	4248 Sq. Ft.	188	8243 Sq. Ft.
137	4248 Sq. Ft.	189	8869 Sq. Ft.
138	4248 Sq. Ft.	190	9007 Sq. Ft.
139	4248 Sq. Ft.	191	9007 Sq. Ft.
140	4248 Sq. Ft.	192	9007 Sq. Ft.
141	4248 Sq. Ft.	193	9007 Sq. Ft.
142	4248 Sq. Ft.	194	9007 Sq. Ft.
143	5962 Sq. Ft.	195	9007 Sq. Ft.
144	6817 Sq. Ft.	196	9007 Sq. Ft.
145	6822 Sq. Ft.	197	9007 Sq. Ft.
146	6827 Sq. Ft.	198	9007 Sq. Ft.
147	6832 Sq. Ft.	199	9007 Sq. Ft.
148	6837 Sq. Ft.	200	8504 Sq. Ft.
149	6842 Sq. Ft.	201	7753 Sq. Ft.
150	6846 Sq. Ft.	202	5262 Sq. Ft.
151	6851 Sq. Ft.	203	4448 Sq. Ft.
152	7611 Sq. Ft.	204	4448 Sq. Ft.
153	3999 Sq. Ft.	205	5982 Sq. Ft.
154	4084 Sq. Ft.	206	4898 Sq. Ft.
155	4084 Sq. Ft.	207	4898 Sq. Ft.
156	4084 Sq. Ft.	208	5982 Sq. Ft.
157	4084 Sq. Ft.	209	5982 Sq. Ft.
158	3999 Sq. Ft.	210	4898 Sq. Ft.
		211	4898 Sq. Ft.
		212	5982 Sq. Ft.





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NO	DESCRIPTION	DATE	BY

REVISIONS

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 3

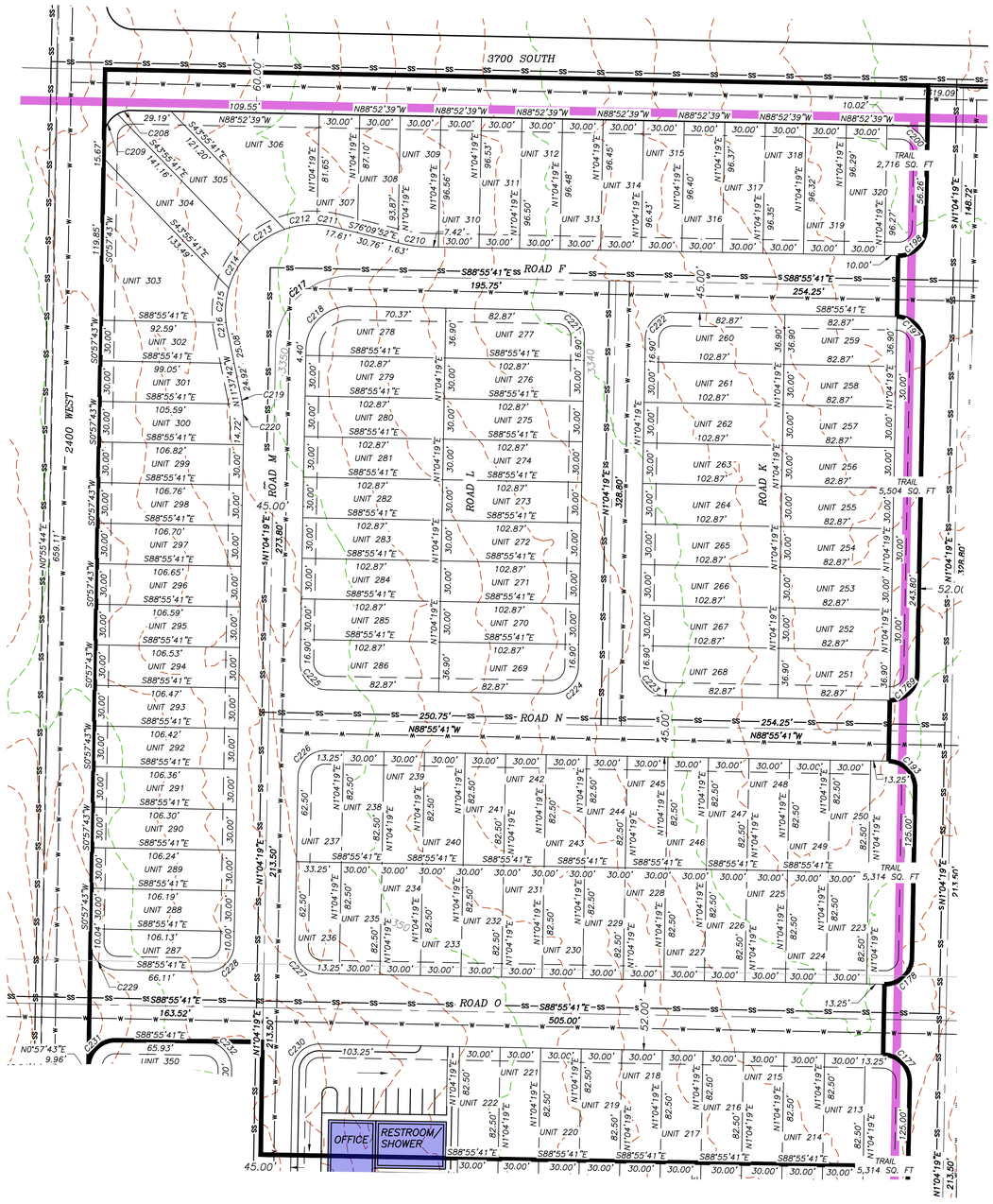
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**6 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 4

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH


3700 SOUTH
60.00'
109.55'
N88°52'39"W
ROAD F
S88°55'41"E 195.75'
S88°55'41"E 254.25'
ROAD M
ROAD L
ROAD K
ROAD N
N88°55'41"W 250.75'
N88°55'41"W 254.25'
ROAD O
S88°55'41"E 505.00'
S88°55'41"E 163.52'
2400 WEST
N0°55'44"E 659.11'
S0°57'43"W 2400.00'
N1°04'19"E 273.80'
N1°04'19"E 328.80'
S1°04'19"E 148.72'
N1°04'19"E 213.50'
N1°04'19"E 213.50'
N1°04'19"E 179.80'
N1°04'19"E 52.00'
45.00'
52.00'
TRAIL
2,716 SQ. FT
5,504 SQ. FT
5,314 SQ. FT
5,314 SQ. FT
OFFICE
RESTROOM/ SHOWER
UNIT 306
UNIT 305
UNIT 304
UNIT 303
UNIT 302
UNIT 301
UNIT 300
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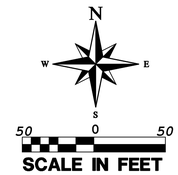
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 5

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH



RV/LODGING UNITS

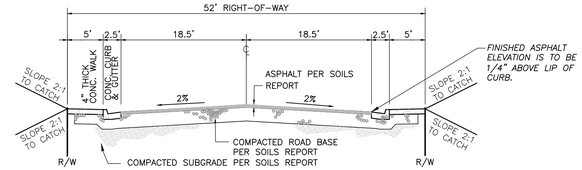
Number	Area
321	2991 Sq. Ft.
322	3004 Sq. Ft.
323	3017 Sq. Ft.
324	3030 Sq. Ft.
325	3043 Sq. Ft.
326	3056 Sq. Ft.
327	3068 Sq. Ft.
328	3081 Sq. Ft.
329	3094 Sq. Ft.
330	3107 Sq. Ft.
331	3120 Sq. Ft.
332	3112 Sq. Ft.
333	2962 Sq. Ft.
334	2777 Sq. Ft.
335	6325 Sq. Ft.
336	4257 Sq. Ft.
337	4221 Sq. Ft.
338	7084 Sq. Ft.
339	2830 Sq. Ft.
340	3033 Sq. Ft.
341	3158 Sq. Ft.
342	3164 Sq. Ft.
343	3166 Sq. Ft.
344	3168 Sq. Ft.
345	3170 Sq. Ft.
346	3171 Sq. Ft.
347	3173 Sq. Ft.
348	3175 Sq. Ft.
349	3177 Sq. Ft.
350	3006 Sq. Ft.
351	2475 Sq. Ft.
352	2475 Sq. Ft.
353	2475 Sq. Ft.
354	2475 Sq. Ft.
355	2475 Sq. Ft.
356	2475 Sq. Ft.
357	2475 Sq. Ft.
358	2475 Sq. Ft.
359	2475 Sq. Ft.
360	2475 Sq. Ft.
361	2475 Sq. Ft.
362	2475 Sq. Ft.
363	2475 Sq. Ft.
364	2475 Sq. Ft.
365	2475 Sq. Ft.
366	2475 Sq. Ft.
367	2475 Sq. Ft.
368	2475 Sq. Ft.
369	2475 Sq. Ft.
370	2475 Sq. Ft.
371	2475 Sq. Ft.
372	2475 Sq. Ft.
373	2475 Sq. Ft.
374	2657 Sq. Ft.
375	2516 Sq. Ft.
376	2475 Sq. Ft.
377	2475 Sq. Ft.
378	2475 Sq. Ft.
379	2475 Sq. Ft.
380	2475 Sq. Ft.
381	2475 Sq. Ft.
382	2475 Sq. Ft.
383	2475 Sq. Ft.
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385	2475 Sq. Ft.
386	2475 Sq. Ft.
387	2475 Sq. Ft.
388	2475 Sq. Ft.



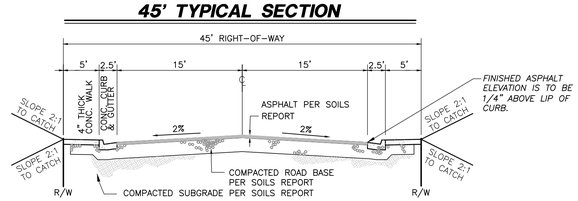
LEGEND

- RIGHT–OF–WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- TRAIL LINE

52' TYPICAL SECTION



45' TYPICAL SECTION



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NO	DESCRIPTION	DATE	BY

REVISIONS

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ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 5

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**8 OF 11**

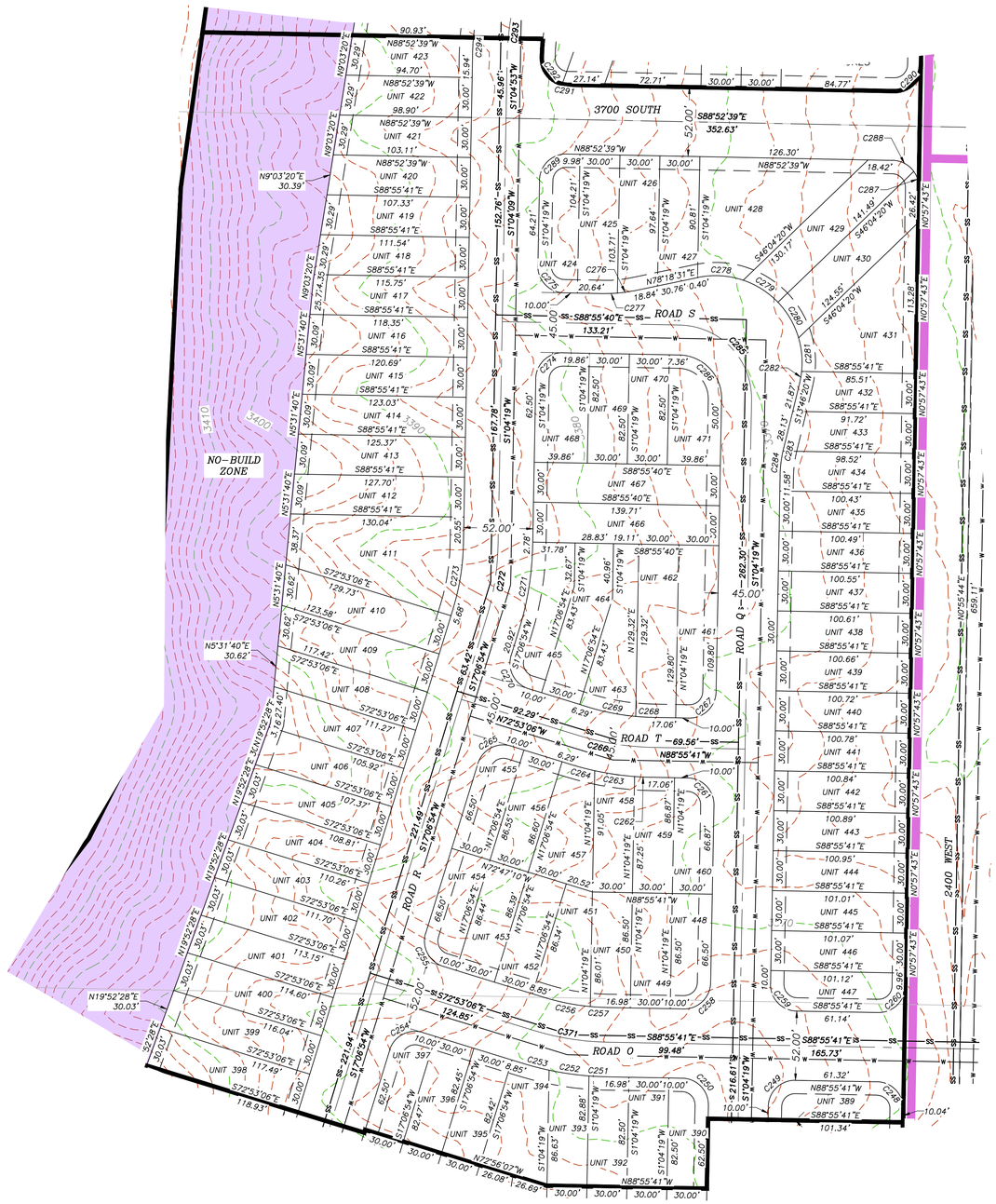
378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 6

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

RV/LODGING UNITS

Number	Area
389	2868 Sq. Ft.
390	2389 Sq. Ft.
391	2475 Sq. Ft.
392	2477 Sq. Ft.
393	2532 Sq. Ft.
394	3378 Sq. Ft.
395	2473 Sq. Ft.
396	2474 Sq. Ft.
397	2389 Sq. Ft.
398	3546 Sq. Ft.
399	3503 Sq. Ft.
400	3460 Sq. Ft.
401	3416 Sq. Ft.
402	3373 Sq. Ft.
403	3329 Sq. Ft.
404	3286 Sq. Ft.
405	3243 Sq. Ft.
406	3199 Sq. Ft.
407	3247 Sq. Ft.
408	3430 Sq. Ft.
409	3615 Sq. Ft.
410	3800 Sq. Ft.
411	7416 Sq. Ft.
412	3866 Sq. Ft.
413	3796 Sq. Ft.
414	3726 Sq. Ft.
415	3656 Sq. Ft.
416	3586 Sq. Ft.
417	3515 Sq. Ft.
418	3409 Sq. Ft.
419	3283 Sq. Ft.
420	3162 Sq. Ft.
421	3030 Sq. Ft.
422	2904 Sq. Ft.
423	2780 Sq. Ft.
424	2955 Sq. Ft.
425	3124 Sq. Ft.
426	3028 Sq. Ft.
427	2827 Sq. Ft.
428	7321 Sq. Ft.
429	4135 Sq. Ft.
430	4013 Sq. Ft.
431	6054 Sq. Ft.
432	2651 Sq. Ft.
433	2854 Sq. Ft.
434	3001 Sq. Ft.
435	3014 Sq. Ft.
436	3016 Sq. Ft.
437	3017 Sq. Ft.
438	3019 Sq. Ft.
439	3021 Sq. Ft.
440	3023 Sq. Ft.
441	3024 Sq. Ft.
442	3026 Sq. Ft.
443	3028 Sq. Ft.
444	3029 Sq. Ft.
445	3031 Sq. Ft.
446	3033 Sq. Ft.
447	2863 Sq. Ft.
448	2509 Sq. Ft.
449	2595 Sq. Ft.
450	2593 Sq. Ft.
451	2798 Sq. Ft.
452	2591 Sq. Ft.
453	2593 Sq. Ft.
454	2508 Sq. Ft.
455	2510 Sq. Ft.
456	2597 Sq. Ft.
457	3302 Sq. Ft.
458	2664 Sq. Ft.
459	2608 Sq. Ft.
460	2520 Sq. Ft.
461	3808 Sq. Ft.
462	3892 Sq. Ft.
463	3446 Sq. Ft.
464	3564 Sq. Ft.
465	3374 Sq. Ft.
466	4191 Sq. Ft.
467	4191 Sq. Ft.
468	3202 Sq. Ft.
469	2475 Sq. Ft.
470	2475 Sq. Ft.
471	3062 Sq. Ft.


3700 SOUTH
ROAD S
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ROAD O
2400 WEST
NO-BUILD ZONE
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N88°52'39"W
N0°03'20"E
N1°04'19"W
S88°52'39"E
S88°55'40"E
S88°55'41"E
N88°55'41"W
N0°57'43"E
S46°04'20"W
N78°18'31"E
N12°47'10"W
N72°53'06"W
S72°53'06"E
N19°52'28"E
S17°06'54"W
N17°06'54"E
S1°04'19"W
N1°04'19"E
N5°31'40"E
S1°04'09"W
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S1°04'19"W
S1°04'19

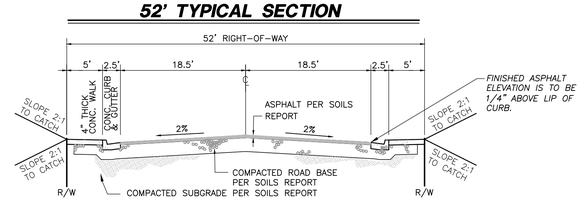
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 7

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

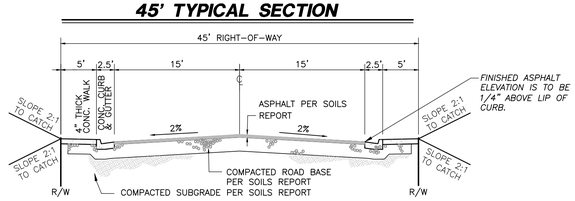
RV/LODGING UNITS

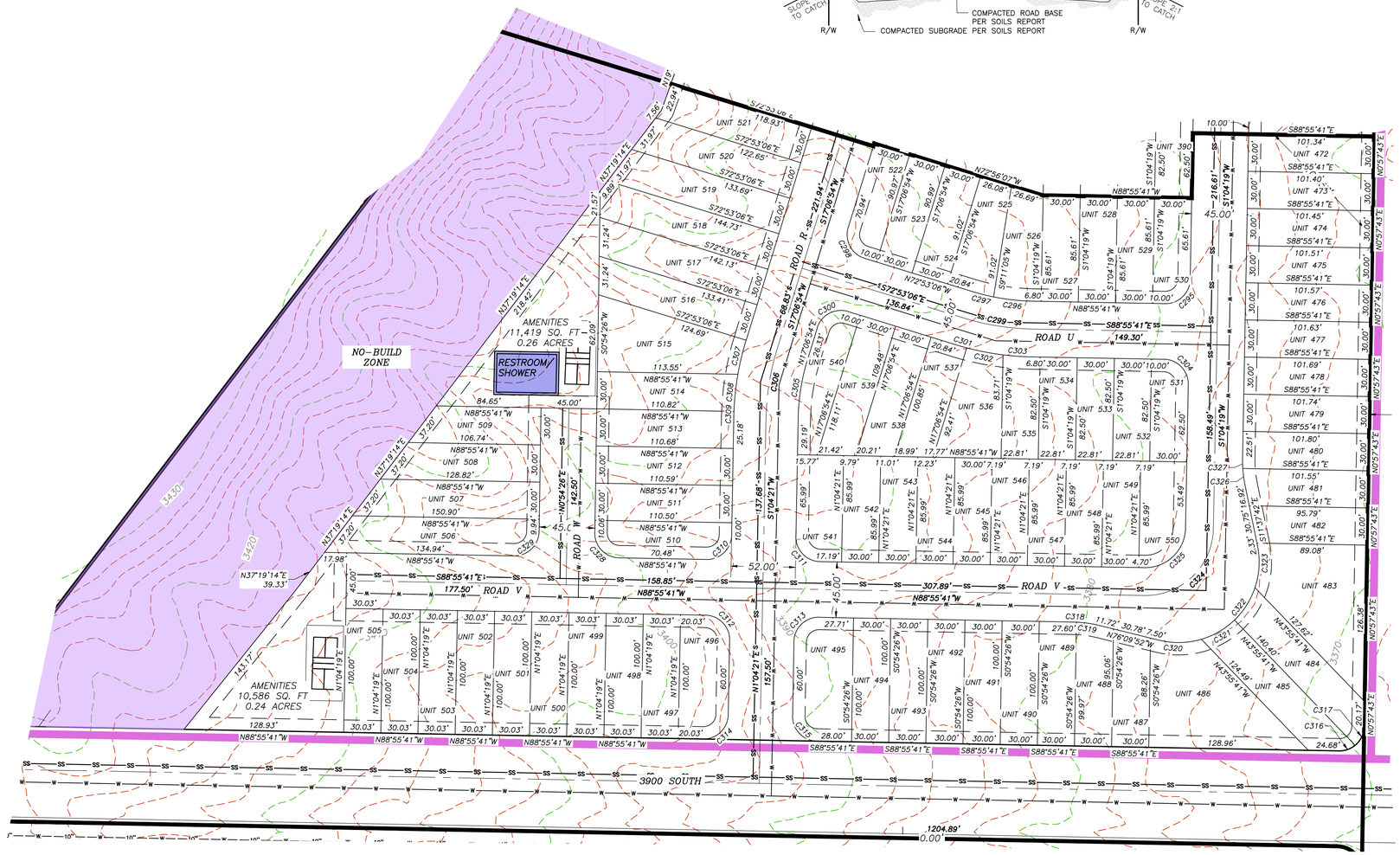
Number	Area
472	3041 Sq. Ft.
473	3043 Sq. Ft.
474	3045 Sq. Ft.
475	3046 Sq. Ft.
476	3048 Sq. Ft.
477	3050 Sq. Ft.
478	3051 Sq. Ft.
479	3053 Sq. Ft.
480	3054 Sq. Ft.
481	2970 Sq. Ft.
482	2773 Sq. Ft.
483	7240 Sq. Ft.
484	4074 Sq. Ft.
485	4005 Sq. Ft.
486	7409 Sq. Ft.
487	2750 Sq. Ft.
488	2942 Sq. Ft.
489	3000 Sq. Ft.
490	3000 Sq. Ft.
491	3000 Sq. Ft.
492	3000 Sq. Ft.
493	3000 Sq. Ft.
494	3000 Sq. Ft.
495	4614 Sq. Ft.
496	3831 Sq. Ft.
497	3003 Sq. Ft.
498	3003 Sq. Ft.
499	3003 Sq. Ft.
500	3003 Sq. Ft.
501	3003 Sq. Ft.
502	3003 Sq. Ft.
503	3003 Sq. Ft.
504	3003 Sq. Ft.
505	3003 Sq. Ft.
506	4772 Sq. Ft.
507	4196 Sq. Ft.
508	3533 Sq. Ft.
509	2871 Sq. Ft.
510	3143 Sq. Ft.
511	3316 Sq. Ft.
512	3319 Sq. Ft.
513	3322 Sq. Ft.
514	3355 Sq. Ft.
515	5277 Sq. Ft.
516	3871 Sq. Ft.
517	4133 Sq. Ft.
518	4366 Sq. Ft.
519	4176 Sq. Ft.
520	3845 Sq. Ft.
521	3598 Sq. Ft.
522	2643 Sq. Ft.
523	2729 Sq. Ft.
524	2730 Sq. Ft.
525	2946 Sq. Ft.
526	2876 Sq. Ft.
527	2568 Sq. Ft.
528	2568 Sq. Ft.
529	2568 Sq. Ft.
530	2482 Sq. Ft.
531	2389 Sq. Ft.
532	2475 Sq. Ft.
533	2475 Sq. Ft.
534	2475 Sq. Ft.
535	2484 Sq. Ft.
536	3663 Sq. Ft.
537	2897 Sq. Ft.
538	3155 Sq. Ft.
539	3414 Sq. Ft.
540	3144 Sq. Ft.
541	3112 Sq. Ft.
542	2580 Sq. Ft.
543	2580 Sq. Ft.
544	2580 Sq. Ft.
545	2580 Sq. Ft.
546	2580 Sq. Ft.
547	2580 Sq. Ft.
548	2580 Sq. Ft.
549	2580 Sq. Ft.
550	2972 Sq. Ft.

52' TYPICAL SECTION



45' TYPICAL SECTION





LEGEND

- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- TRAIL LINE

50 0 50
SCALE IN FEET

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NO	DESCRIPTION	DATE	BY
	REVISIONS		

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

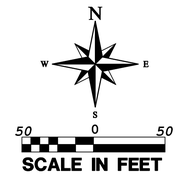
PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 7
LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**10 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PHASE 8

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

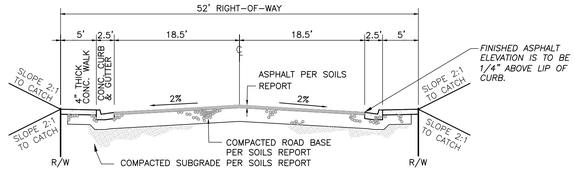


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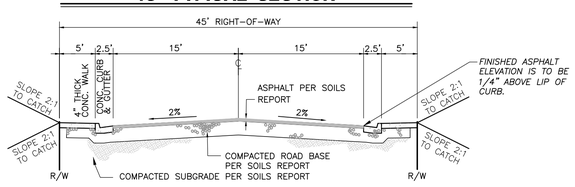
NO	DESCRIPTION	DATE	BY

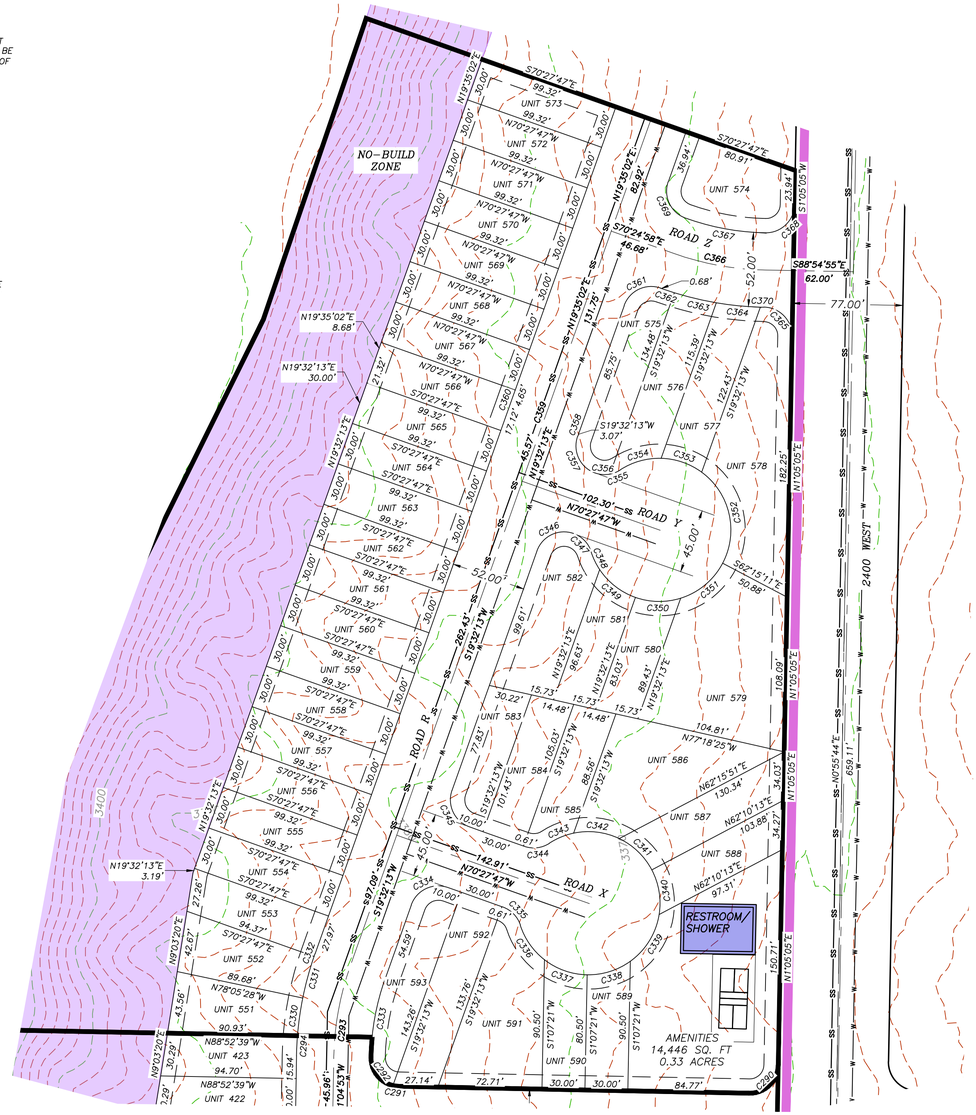
REVISIONS

52' TYPICAL SECTION



45' TYPICAL SECTION





LEGEND

- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY LINE
- LOT LINE
- CENTER LINE
- SECTION LINE
- WATER LINE
- SANITARY SEWER LINE
- PHASE LINE
- 10' PUBLIC UTILITY EASEMENT LINE
- EXISTING SEWER LINE
- EXISTING WATER LINE
- TRAIL LINE

RV/LODGING UNITS

Number	Area
551	3143 Sq. Ft.
552	3319 Sq. Ft.
553	2913 Sq. Ft.
554	2980 Sq. Ft.
555	2980 Sq. Ft.
556	2980 Sq. Ft.
557	2980 Sq. Ft.
558	2980 Sq. Ft.
559	2980 Sq. Ft.
560	2980 Sq. Ft.
561	2980 Sq. Ft.
562	2980 Sq. Ft.
563	2980 Sq. Ft.
564	2980 Sq. Ft.
565	2980 Sq. Ft.
566	2980 Sq. Ft.
567	2980 Sq. Ft.
568	2980 Sq. Ft.
569	2980 Sq. Ft.
570	2980 Sq. Ft.
571	2980 Sq. Ft.
572	2980 Sq. Ft.
573	2980 Sq. Ft.
574	4548 Sq. Ft.
575	3930 Sq. Ft.
576	3683 Sq. Ft.
577	3510 Sq. Ft.
578	8144 Sq. Ft.
579	9473 Sq. Ft.
580	2533 Sq. Ft.
581	2641 Sq. Ft.
582	5081 Sq. Ft.
583	2903 Sq. Ft.
584	3097 Sq. Ft.
585	2968 Sq. Ft.
586	6421 Sq. Ft.
587	3447 Sq. Ft.
588	2964 Sq. Ft.
589	2511 Sq. Ft.
590	2511 Sq. Ft.
591	6023 Sq. Ft.
592	4162 Sq. Ft.
593	3860 Sq. Ft.

PROVALUE ENGINEERING, INC.
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20 South 850 West, Suite 1
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PRELIMINARY PLAT FOR:
SAND HOLLOW MESA, NEIGHBORHOOD 6, PH 8

LOCATED IN SECTION 29, T42S, R13W, S.L.B.&M.
HURRICANE, WASHINGTON COUNTY, UTAH

DATE	12/13/2023
SCALE	1"=50'
JOB NO.	378-002
SHEET NO:	**11 OF 11**

378-002 SAND HOLLOW MESA NEIGHBORHOOD 6 PRE PLAT LAYOUT.DWG

APPLICATION FOR POWER SERVICES

HURRICANE CITY UTAH

Applicant Name Romney Group Phone Number 801-824-7875

Spouse or Co-Applicant

Mailing Address 2265 E Murray Holladay Road, Holladay, UT 84117
(Required)

Service Address 3800 South 2200 West, Hurricane
(Required)

SUBDIVISION/LOT OR PARCEL # Sand Hollow Mesa Neighborhood 6 /

Email Address thane@theromneygroup.com and karl@pv-eng.com
(Required)

PREQUALIFIED ELECTRICAL CONTRACTOR Snow Electric

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER)

☑ SUBDIVISION OR MULTI UNIT DEVELOPMENT # OF UNITS 594

TYPE OF SERVICE ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED

Single Phase ☑ 120/240 ☐ 240/480

3 Phase ☐ 120/208 ☐ 277/480

SERVICE/ PANEL AMPS ☑ 200 ☐ 400 ☐ 600 ☐ OTHER

SITE PLAN WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION **ATTACHED** ☑ YES ☐ NO
(REQUIRED)

*Industrial and Commercial requests will require load calculations prepared by an electrical engineer and shall be attached to this application

*All designs will have a fee from the power department. These fees must be paid before power is given.

(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)
For Official Power Department Comments ONLY:

Hurricane City Power recommend for approval ☐

Hurricane City Power recommend for denial ☐ Date 7/31/2024

☑ I acknowledge that I have read and understand Hurricane City's new construction application and requirements

Developer  Hurricane City Power

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **power line extension request** for Balance of Nature Phase 2B and Phase 3 - Scott Hughes

Discussion:
Balance of Nature Phase 2B & 3 (2,762.15 total Diversified kw)
The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

Findings:

Recommendation:

Attachments:
1. 240514 - Illustrative Master Plan 5-14-24
2. BON Application for Power Service (002)
3. BoN Gardens - Energy Analysis - Hurricane City_20240801 Clayton_NT



KEYNOTES

1. PERIMETER ORCHARD PARKING
2. CARRIAGE PICK-UP
3. ENTRY FEATURE / MONUMENT SIGNAGE
4. ENTRY PEDESTRIAN NODE PARK
5. LAKE / WATER FEATURE
6. IRRIGATION WATER TANK
7. ORCHARD GROVE
8. COMMUNITY GARDENS / AGRARIAN FIELDS
9. HORSE CARRIAGE TRAIL
10. SPECIALTY MEDICAL CENTER
11. ONE ROOM LEARNING LABS
12. COLONIAL CHURCH
13. INDEPENDENCE HALL
14. MT. VERNON
15. TOWN SQUARE
16. MONTICELLO
17. BALANCE OF NATURE TRIAD SCULPTURE
18. STAGE / SHADE STRUCTURES
19. AMPHITHEATER
20. THE GREAT LAWN
21. SHADE STRUCTURES
22. COLONIAL TREE GARDEN
23. HEADQUARTERS CAMPUS
24. PARKING
25. WELLNESS CAMPUS
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
33. PROPOSED WELL LOCATION
34. GYM / RECREATION CENTER
35. PERFORMING ARTS CENTER
36. WALIPINI GREENHOUSE - WITH GUEST ROOMS
37. WALIPINI GREENHOUSE - WITH FUTURE GUEST ROOMS
38. COLONIAL VRBO RENTALS
39. CASITA / LEARNING LAB

NORTH

NTS

APPLICATION FOR POWER SERVICES

HURRICANE CITY UTAH

Applicant Name Balance of Nature Phone Number 435-688-7454

Spouse or Co-Applicant

Mailing Address 1568 S River Road #200 St. George, UT 84790
(Required)

Service Address 2300 West 2820 South (Liberty Way)
(Required)

SUBDIVISION/LOT OR PARCEL # H-3373-NP-BL /

Email Address karl@pv-eng.com , Clayton Mabey <cmabey@vbfa.com>; fish.b@owp.com
(Required)

PREQUALIFIED ELECTRICAL CONTRACTOR Rich Electric

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER)

☑ SUBDIVISION OR MULTI UNIT DEVELOPMENT # OF UNITS SEE TABLE

TYPE OF SERVICE ☐ RESIDENTIAL ☑ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED

Single Phase ☐ 120/240 ☐ 240/480

3 Phase ☐ 120/208 ☑ 277/480

SERVICE/ PANEL AMPS ☐ 200 ☐ 400 ☐ 600 ☑ OTHER SEE TABLE

SITE PLAN WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION **ATTACHED** ☑ YES ☐ NO
(REQUIRED)

*Industrial and Commercial requests will require load calculations prepared by an electrical engineer and shall be attached to this application

*All designs will have a fee from the power department. These fees must be paid before power is given.

(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)
For Official Power Department Comments ONLY:

Hurricane City Power recommend for approval ☐

Hurricane City Power recommend for denial ☐

Date 7/31/2024

☑ I acknowledge that I have read and understand Hurricane City's new construction application and requirements

Developer _____ Hurricane City Power _____

Balance of Nature Gardens, A Planned Community For Balance of Nature Hurricane, UT

Update by Clayton Mabey 8/1/24

Community Elements as Depicted on Master Plan

Revised by Neil terry 8/2/24

SCHEDULE	PHASING PRIORITY	DESCRIPTION	SIZE EACH (INCL GARAGE)	QTY	TOTAL SIZE (SF) (Input)	Power Density W/SF (Input)	Connected kW (Calc)	Service Voltage (Input)	Amps at Service Voltage (Calc)	Amps at 480V (Calc)	Amps at 12.47kV (Calc)	% (Input)	Diversified kW (per unit) (Calc)	Service Voltage (Input)	Ph	Amps at Service Voltage (Calc)	Estimated Transformer Size (kVA) (Input)	Estimated Main Panel Size (Amps) (Input)	Amps at 480V (Calc)	Amps at 12.47kV (Calc)	Oper. Hours/ Year (Calc)	Oper. Hours/ Day (Input)	Annual Usage (kWhrs) (Calc)	Average Monthly Usage (kWhrs) (Calc)
Sept '22 - Jan. '24	1A	2100 W and 2600 W from 3000 S to 2900 S, 2900 S																						
	1B	2100 W and 2600 W from 2900 S to 2700 S, 2700 S																						
Jan '24 - Jul '26	2A	Horse and Carriage Grounds	3,500 SF	1	3,500 SF	9	31.5	240	75.77944573	37.89	1.46	15%	4.73	240	1	11.36691686	25	100*	5.68	0.22	4383	12	20,710	1,726
	2A	Liberty Village Grounds (Liberty Village Phases 1-2)																						
	2A	600 Carriage House Conditioned Space	600 SF	1	600 SF	2	1.2	240	2.886836028	1.44	0.06	100%	1.20	240	1	2.886836028	25	100*	1.44	0.06	5478.75	15	6,575	548
	2A	Blacksmith Shop	600 SF	1	600 SF	9	5.4	240	12.99076212	6.50	0.25	30%	1.62	240	1	3.897228637	25	100*	1.95	0.08	4383	12	7,100	592
	2A	Print Shop	1,176 SF	1	1,176 SF	9	10.584	240	25.46189376	12.73	0.49	30%	3.18	240	1	7.638568129	25	100*	3.82	0.15	4383	12	13,917	1,160
	2A	Green Dragon Tavern	4,330 SF	1	4,330 SF	9	38.97	240	93.75	46.88	1.80	30%	11.69	240	1	28.125	25	100*	14.06	0.54	4383	12	51,242	4,270
	2A	Bakery Shop	1,034 SF	1	1,034 SF	9	9.306	240	22.38741339	11.19	0.43	75%	6.98	240	1	16.79056005	25	100*	8.40	0.32	4383	12	30,591	2,549
	2A	Mount Hope Barn	4,375 SF	1	4,375 SF	9	39.375	240	94.72430716	47.36	1.82	30%	11.81	240	1	28.41729215	50	100*	14.21	0.55	4383	12	51,774	4,315
	2A	Independence Hall	30,968 SF	1	30,968 SF	9	278.712	240	670.4965358	335.25	12.90	60%	167.23	240	1	402.2979215	100	200	201.15	7.74	4017.75	11	671,877	55,990
	2A	Service Building(s)	600 SF	1	600 SF	9	5.4	240	12.99076212	6.50	0.25	75%	4.05	240	1	9.743071594	25	100*	4.87	0.19	4383	12	17,751	1,479
	2A	Site/Area Lighting/Signage	5,000 SF	1	5,000 SF	1	5	240	12.02848345	6.01	0.23	80%	4.00	240	1	9.622786759	25	100*	4.81	0.19	4017.75	11	16,071	1,339
										511.75	**19.70**		**216.48**						**260.39**	**10.02**			**887,608**	**73,967**
Jan '25 - Jan '27	2B	Water Well		1			50	480	60.14241724	60.14	2.32	80%	40.00	480	3	48.1139338	45	100*	48.11	1.85	2191.5	6	87,660	7,305
										60.14	**2.32**		**40.00**						**48.11**	**1.85**			**87,660**	**7,305**
Oct '24 - Jul '27	3	Mixed Use Residential - Types:																						
	3	1 Bedroom (Above Mixed Use)	958 SF	12	11,496 SF	9	103.464	240	248.9030023	124.45	4.79	55%	4.74	240	1	11.40805427	25	100*	68.45	0.22	3652.5	10	207,846	17,321
	3	1 Bedroom (Above Mixed Use)	1,362 SF	6	8,172 SF	9	73.548	240	176.9341801	88.47	3.41	55%	6.74	240	1	16.21896651	25	100*	48.66	0.31	3652.5	10	147,749	12,312
	3	2 Bedroom (Above Mixed Use)	1,359 SF	6	8,154 SF	9	73.386	240	176.5444573	88.27	3.40	55%	6.73	240	1	16.18324192	25	100*	48.55	0.31	3652.5	10	147,423	12,285
	3	4 Bedroom (Above Mixed Use)	2,506 SF	12	30,072 SF	9	270.648	240	651.0969977	325.55	12.53	55%	12.40	240	1	29.84194573	25	100*	179.05	0.57	3652.5	10	543,698	45,308
	3	Ampitheater																						
	3	Mixed Use (Retail, Professional Office, Restaurants)	90,240 SF	1	90,240 SF	12	1082.88	240	2605.080831	1,302.54	50.14	50%	541.44	208	3	1502.931249	300	1000	651.27	25.07	4383	12	2,373,132	197,761
	3	Gym	12,600 SF	1	12,600 SF	12	151.2	208	419.7015456	181.87	7.00	25%	37.80	208	3	104.9253864	75	200	45.47	1.75	4383	12	165,677	13,806
	3	Visitor Center/Recreation	12,600 SF	1	12,600 SF	12	151.2	208	419.7015456	181.87	7.00	30%	45.36	208	3	125.9104637	75	200	54.56	2.10	4383	12	198,813	16,568
	3	Town Square with Water Feature																						
	3	Corporate Offices	175,000 SF	1	175,000 SF	12	2100	208	5829.188133	2,525.98	97.23	50%	1,050.00	480	3	1262.990762	1000	1600	1,262.99	48.62	4748.25	13	4,985,663	415,472
	3	Liberty Village Phase 3																						
	3	Church	7,400 SF	1	7,400 SF	11	81.4	240	195.8237105	97.91	3.77	60%	48.84	240	1	117.4942263	50	200	58.75	2.26	4017.75	11	196,227	16,352
	3	Mount Vernon	9,100 SF	1	9,100 SF	11	100.1	240	240.8102386	120.41	4.63	60%	60.06	240	1	144.4861432	50	200	72.24	2.78	4017.75	11	241,306	20,109
	3	Elizabeth Powel house	10,136 SF	1	10,136 SF	11	111.496	240	268.2255581	134.11	5.16	60%	66.90	240	1	160.9353349	50	200	80.47	3.10	4017.75	11	268,778	22,398
	3	Monticello Welcome Hall	9,100 SF	1	9,100 SF	11	100.1	240	240.8102386	120.41	4.63	60%	60.06	240	1	144.4861432	50	200	72.24	2.78	4017.75	11	241,306	20,109
	3	16-Sided Barn	2,124 SF	1	2,124 SF	11	23.364	240	56.20669746	28.10	1.08	60%	14.02	240	1	33.724018848	25	100	16.86	0.65	4017.75	11	56,322	4,694
	3	Sherrifs Office	1,200 SF	1	1,200 SF	11	13.2	240	31.7551963	15.88	0.61	60%	7.92	240	1	19.05311778	25	100	9.53	0.37	4017.75	11	31,821	2,652
	3	Colonial Restaurant	900 SF	1	900 SF	11	9.9	240	23.81639723	11.91	0.46	60%	5.94	240	1	14.28983834	50	100	7.14	0.28	4017.75	11	23,865	1,989
	3	Mount Vernon Octogon	15,150 SF	1	15,150 SF	11	166.65	240	400.9093533	200.45	7.72	75%	124.99	240	1	300.682015	75	200	150.34	5.79	5478.75	15	684,775	57,065
	3	One-Room Schools/Discovery Labs	2,500 SF	6	15,000 SF	12	180	240	433.0254042	216.51	8.33	75%	22.50	240	1	54.12817552	25	100*	162.38	1.04	5478.75	15	739,631	61,636
	3	Walapinis	25,434 SF	4	101,736 SF	2	203.472	240	489.4919169	244.75	9.42	75%	38.15	240	1	91.77973441	25	100*	183.56	1.77	5478.75	15	836,079	69,673
	3	Walapini Guest Units	300 SF	16	4,800 SF	9	43.2	208	119.9147273	51.96	2.00	75%	2.03	240	1	4.871535797	25	100*	38.97	0.09	5478.75	15	177,512	14,793
	3	Central General Delvery and Distribution Center	10,250 SF	1	10,250 SF	12	123	240	295.9006928	147.95	5.69	75%	92.25	240	1	221.9255196	50	200	110.96	4.27	5478.75	15	505,415	42,118
										6,209.35	**239.01**		**2,762.15**						**3,322.45**	**104.12**			**12,773,038**	**1064419.814**
Jan '26 - Jul '28	4	Single-Family Residences - Sizes:																						-
	4	Colonial House District	3,000 SF	6	18,000 SF	9	162	240	389.7228637	194.86	7.50	40%	10.80	240	1	25.98152425	25	100*	77.94	0.50	3652.5	10	236,682	19,724
	4	Large Lot Single-Family Homes	3,320 SF	9	29,880 SF	9	268.92	240	646.9399538	323.47	12.45	40%	11.95	240	1	28.75288684	25	100*	129.39	0.55	3652.5	10	392,892	32,741
	4	Small Lot Single-Family Homes	3,864 SF	45	173,880 SF	9	1564.92	240	3764.722864	1,882.36	72.46	40%	13.91	240	1	33.46420323	25	100*	752.94	0.64	3652.5	10	2,286,348	190,529
	4	Green Court Homes	3,108 SF	21	65,268 SF	9	587.412	240	1413.135104	706.57	27.20	40%	11.19	240	1	26.91685912	25	100*	282.63	0.52	3652.5	10	858,209	71,517
	4	Rowhouses	2,920 SF	48	140,160 SF	9	1261.44	240	3034.642032	1,517.32	58.41	40%	10.51	240	1	25.2886836	25	100*	606.93	0.49	3652.5	10	1,842,964	153,580
	4	Alley-Loaded Homes	2,508 SF	81	203,148 SF	9	1828.332	240	4398.41224	2,199.21	84.65	40%	9.03	240	1	21.72055427	25	100*	879.68	0.42	3652.5	10	2,671,193	222,599
										6,823.79	**262.66**		**2,269.21**						**2,729.52**	**3.12**			**8,288,288**	**690,691**
After 2028	Future	Hospital	64,200 SF	1	64,200 SF	14	898.8	480	1081.120092	1,081.12	41.61	70%	629.16	480	3	756.7840647	750	1200	756.78	29.13	6209.25	17	3,906,612	325,551
	Future	Wellness Campus	6,000 SF	4	24,000 SF	12	288	480	346.4203233	346.42	13.33	70%	50.40	240	3	121.2471132	50	1200	60.62	2.33	6209.25	17		
	Future	Learning Labs/Casitas	1,406 SF	6	8,436 SF	12	101.232	480	121.7667436	121.77	4.69	70%	11.81	208	3	32.78335406	112.5	400	14.21	0.55	5844	16	414,120	34,510
	Future	Corporate Office Expansion	100,000 SF	1	100,000 SF	12	1200	208	3330.964647	1,443.42	55.56	50%	600.00	480	3	721.7090069	750	1200	721.71	27.78	4748.25	13	2,848,950	237,413
										1,549.31	**59.64**		**691.37**						**831.61**	**32.01**			**4,320,732**	**360,061**
		Building Totals			**1,362,202 SF**					**15,154.34**	**583.33**		**5,979.21**						**7,192.09**	**151.13**			**26,357,325**	**2,196,444**

*Either combined with another service or smaller size if allowed/approved.

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **power line extension request** for Hurricane Paradise - Scott Hughes

Discussion:
Hurricane Paradise (99 total 200-amp Units)
The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

Findings:

Recommendation:

Attachments:
1. Paradise Application for Power Service
2. Paradise Plansheets

APPLICATION FOR POWER SERVICES

HURRICANE CITY UTAH

Applicant Name Steven Lord Phone Number 801-718-5993

Spouse or Co-Applicant _____

Mailing Address 2208 W 700 S Springville, UT 84663
(Required)

Service Address Approx. 2400 W Ski Ln. Hurricane, UT 84737
(Required)

SUBDIVISION/LOT OR PARCEL # _____/_____

Email Address steven@elevateng.com
(Required)

PREQUALIFIED ELECTRICAL CONTRACTOR _____

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER)

☑ SUBDIVISION OR MULTI UNIT DEVELOPMENT # OF UNITS 99

TYPE OF SERVICE ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED

Single Phase ☐ 120/240 ☐ 240/480

3 Phase ☐ 120/208 ☐ 277/480

SERVICE/ PANEL AMPS ☑ 200 ☐ 400 ☐ 600 ☐ OTHER _____

SITE PLAN WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION **ATTACHED** ☑ YES ☐ NO
(REQUIRED)

*Industrial and Commercial requests will require load calculations prepared by an electrical engineer and shall be attached to this application

*All designs will have a fee from the power department. These fees must be paid before power is given.

(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)

For Official Power Department Comments ONLY:

Hurricane City Power recommend for approval ☐

Hurricane City Power recommend for denial ☐ Date _____

☐ I acknowledge that I have read and understand Hurricane City's new construction application and requirements

Developer _____ Hurricane City Power _____

LEGEND

- LOT LINES (PROPERTY)
- PROPOSED CURB AND GUTTER
- STRIPING
- EXISTING FENCE

PROPOSED ZONING

OVERAL PROJECT SIZE:	1,742,245	SF± (40.00 ACRES)
ROW:	402,362	SF± (9.24 ACRES)
RESORT:	199,558	SF± (4.58 ACRES)
SF LOTS:	1,140,325	SF± (26.18 ACRES)
TOTAL SF LOTS:	98 LOTS	

PARKING TABULATION:

RESORT: 24 STALLS

S88° 56' 51"E 1635.18'

N88° 56' 51"W 55.01'

N0° 54' 43"E 1066.93'

S1° 08' 27"W 1066.81'

84' ROW — 32.00' ASPHALT

24.00'

45' ROW

30' ASPHALT

R20.00'

70.00'

4.00'

TRAILER PARKING

48 UNITS

52.00' ROW — 32.00' ASPHALT

77' ROW

N88° 57' 05"W 1630.92'

LOT 1 9645.54 SQ FT 0.22 ACRES
LOT 2 11178.93 SQ FT 0.26 ACRES
LOT 3 11302.02 SQ FT 0.26 ACRES
LOT 4 11277.22 SQ FT 0.26 ACRES
LOT 5 11252.42 SQ FT 0.26 ACRES
LOT 6 10463.19 SQ FT 0.24 ACRES
LOT 7 10601.10 SQ FT 0.24 ACRES
LOT 8 10579.82 SQ FT 0.24 ACRES
LOT 9 10557.69 SQ FT 0.24 ACRES
LOT 10 10487.57 SQ FT 0.24 ACRES
LOT 11 8926.05 SQ FT 0.20 ACRES
LOT 12 8968.92 SQ FT 0.21 ACRES
LOT 13 8963.58 SQ FT 0.21 ACRES
LOT 14 8958.22 SQ FT 0.21 ACRES
LOT 15 8952.86 SQ FT 0.21 ACRES
LOT 16 8726.38 SQ FT 0.20 ACRES
LOT 17 14630.52 SQ FT 0.34 ACRES
LOT 18 8837.47 SQ FT 0.20 ACRES
LOT 19 8033.43 SQ FT 0.18 ACRES
LOT 20 8027.70 SQ FT 0.18 ACRES
LOT 21 7928.23 SQ FT 0.18 ACRES
LOT 22 7996.51 SQ FT 0.18 ACRES
LOT 23 7996.54 SQ FT 0.18 ACRES
LOT 24 7996.58 SQ FT 0.18 ACRES
LOT 25 11860.58 SQ FT 0.27 ACRES
LOT 26 14982.16 SQ FT 0.34 ACRES
LOT 27 9054.47 SQ FT 0.21 ACRES
LOT 28 9541.54 SQ FT 0.22 ACRES
LOT 29 9541.48 SQ FT 0.22 ACRES
LOT 30 9541.43 SQ FT 0.22 ACRES
LOT 31 9541.37 SQ FT 0.22 ACRES
LOT 32 9284.99 SQ FT 0.21 ACRES
LOT 33 8685.02 SQ FT 0.20 ACRES
LOT 34 8594.40 SQ FT 0.20 ACRES
LOT 35 8594.40 SQ FT 0.20 ACRES
LOT 36 8594.54 SQ FT 0.20 ACRES
LOT 37 8584.33 SQ FT 0.20 ACRES
LOT 38 8605.14 SQ FT 0.20 ACRES
LOT 39 8584.65 SQ FT 0.20 ACRES
LOT 40 8595.07 SQ FT 0.20 ACRES
LOT 41 8600.39 SQ FT 0.20 ACRES
LOT 42 8590.14 SQ FT 0.20 ACRES
LOT 43 8600.59 SQ FT 0.20 ACRES
LOT 44 8560.64 SQ FT 0.20 ACRES
LOT 45 11314.06 SQ FT 0.26 ACRES
LOT 46 11393.92 SQ FT 0.26 ACRES
LOT 47 11366.15 SQ FT 0.26 ACRES
LOT 48 11407.25 SQ FT 0.26 ACRES
LOT 49 11415.58 SQ FT 0.26 ACRES
LOT 50 11504.38 SQ FT 0.26 ACRES
LOT 51 11385.10 SQ FT 0.26 ACRES
LOT 52 11466.39 SQ FT 0.26 ACRES
LOT 53 11667.54 SQ FT 0.27 ACRES
LOT 54 11911.00 SQ FT 0.27 ACRES
LOT 55 11808.70 SQ FT 0.27 ACRES
LOT 56 11777.10 SQ FT 0.27 ACRES
LOT 57 11802.33 SQ FT 0.27 ACRES
LOT 58 11675.73 SQ FT 0.27 ACRES
LOT 59 11718.44 SQ FT 0.27 ACRES
LOT 60 11734.44 SQ FT 0.27 ACRES
LOT 61 11651.69 SQ FT 0.27 ACRES
LOT 62 11621.81 SQ FT 0.27 ACRES
LOT 63 11773.96 SQ FT 0.27 ACRES
LOT 64 11787.63 SQ FT 0.27 ACRES
LOT 65 11827.24 SQ FT 0.27 ACRES
LOT 66 11779.78 SQ FT 0.27 ACRES
LOT 67 11729.01 SQ FT 0.27 ACRES
LOT 68 11796.34 SQ FT 0.27 ACRES
LOT 69 11723.35 SQ FT 0.27 ACRES
LOT 70 11691.92 SQ FT 0.27 ACRES
LOT 71 11763.96 SQ FT 0.27 ACRES
LOT 72 12009.74 SQ FT 0.28 ACRES
LOT 73 11903.52 SQ FT 0.27 ACRES
LOT 74 11871.61 SQ FT 0.27 ACRES
LOT 75 11872.28 SQ FT 0.27 ACRES
LOT 76 11819.67 SQ FT 0.27 ACRES
LOT 77 11779.98 SQ FT 0.27 ACRES
LOT 78 11793.51 SQ FT 0.27 ACRES
LOT 79 11770.20 SQ FT 0.27 ACRES
LOT 80 11707.28 SQ FT 0.27 ACRES
LOT 81 11858.92 SQ FT 0.27 ACRES
LOT 82 11909.99 SQ FT 0.27 ACRES
LOT 83 11892.18 SQ FT 0.27 ACRES
LOT 84 11870.34 SQ FT 0.27 ACRES
LOT 85 11915.49 SQ FT 0.27 ACRES
LOT 86 11829.91 SQ FT 0.27 ACRES
LOT 87 11834.75 SQ FT 0.27 ACRES
LOT 88 11805.00 SQ FT 0.27 ACRES
LOT 89 11907.19 SQ FT 0.27 ACRES
LOT 90 17917.35 SQ FT 0.41 ACRES
LOT 91 15947.58 SQ FT 0.37 ACRES
LOT 92 13250.47 SQ FT 0.30 ACRES
LOT 93 12010.16 SQ FT 0.28 ACRES
LOT 94 11898.80 SQ FT 0.27 ACRES
LOT 95 11891.77 SQ FT 0.27 ACRES
LOT 96 11889.76 SQ FT 0.27 ACRES
LOT 97 11872.02 SQ FT 0.27 ACRES
LOT 98 11814.43 SQ FT 0.27 ACRES

12'X40'

NORTH

SCALE: 1" = 80'

0 40 80 120 160 240

CALL BEFORE YOU DIG! IT'S THE LAW BLUE STAKES 1 800 662 4111

ELEVATE ENGINEERING
2208 WEST 700 SOUTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateeng.com

NO.	REVISIONS	BY	DATE

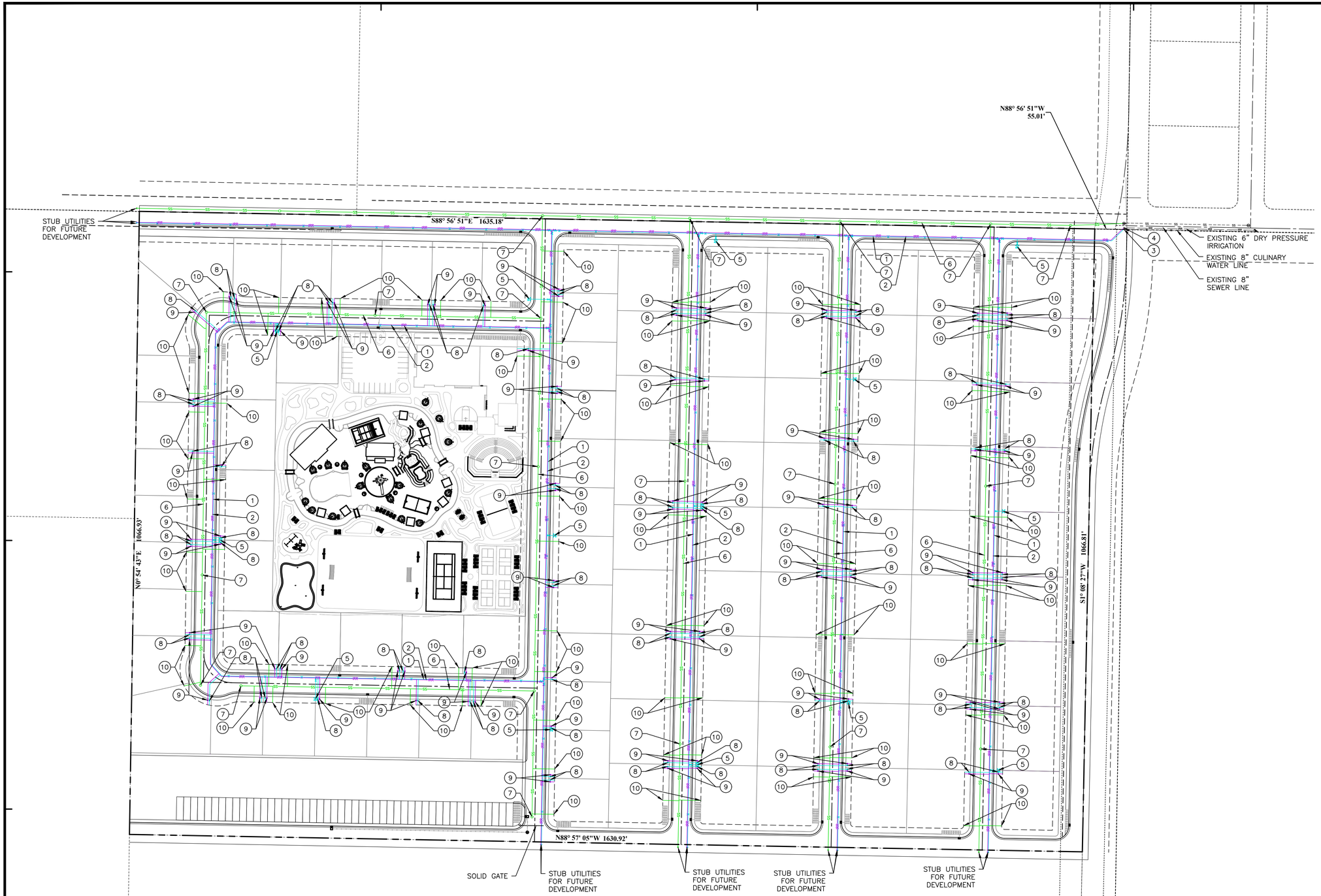
PROJECT ENGINEER: LP
DESIGNER: GB

HURRICANE PARADISE RESIDENTIAL
SITE PLAN
HURRICANE, UT

PROFESSIONAL ENGINEER 3/20/2024 10864737 LARVIN POLLOCK STATE OF UTAH

SHEET: C1-0

DATE: Mar 20, 2024



UTILITY PLAN NOTES:

1. SEE GRADING PLANS C2-0 FOR SPOT ELEVATIONS.
2. SEE UTILITY PROFILE SHEETS C3-1 THROUGH C3-15 FOR SANITARY SEWER, CULINARY WATER, AND PRESSURIZED IRRIGATION PROFILES AND ELEVATIONS.
3. ALL UTILITIES SHALL CONFORM TO CITY STANDARD DRAWINGS AND REQUIREMENTS.
4. CONTRACTOR TO COORDINATE ALL DRY UTILITY LOCATIONS (POWER, GAS, PHONE, & CABLE) WITH EACH UTILITY COMPANY.

KEYED NOTES:

1. INSTALL 8" C900 PVC CULINARY WATER LINE W/ POLY WRAP & TRACE WIRE.
2. INSTALL 8" C900/905 PVC IRRIGATION LINE & TRACE WIRE.
3. CONNECT TO EXISTING CULINARY WATER MAIN PER CITY STANDARDS.
4. CONNECT TO EXISTING IRRIGATION MAIN PER CITY STANDARDS.
5. INSTALL FIRE HYDRANT PER CITY STD DWG WD-302. SEE SHEET C5-2 FOR DETAILS.
6. INSTALL 8" PVC-SDR35 SEWER LINE @ 0.40% MINIMUM SLOPE PER CITY STANDARDS.
7. INSTALL 4'ø SEWER MANHOLE PER STANDARD DWG. SEE SHEET C5-2 FOR DETAILS.
8. INSTALL 1"ø PVC CULINARY WATER LATERAL & METER PER CITY OF HURRICANE STD DWG WTR-01. SEE SHEET C5-2 FOR DETAILS.
9. INSTALL 1"ø PVC PRESSURIZED IRRIGATION LATERAL & METER PER CITY OF HURRICANE STD DWG PI-01 & PI-02. SEE SHEET C5-2 FOR DETAILS.
10. INSTALL 4"ø PVC SANITARY SEWER LATERAL PER APWA STD DWG 431. SEE SHEET C5-2 FOR DETAILS.

NO.	REVISIONS	BY	DATE

PROJECT ENGINEER: LP
DESIGNER: GB

ELEVATE ENGINEERING
2208 WEST 700 SOUTH
SPRINGVILLE, UT 84663
PHONE: (801) 718-5993
larvin@elevateeng.com

ELEVATE ENGINEERING

HURRICANE PARADISE RESIDENTIAL
UTILITY PLAN
HURRICANE, UT

NORTH

SCALE: 1" = 80'
0 40 80 120 160 240

CALL BEFORE YOU DIG! IT'S THE LAW! BLUE STAKES 1 800 662 4111

PROFESSIONAL ENGINEER 3/20/2024 10864737 LARVIN POLLOCK STATE OF UTAH

SHEET: C4-0

DATE: Mar 20, 2024

C:\Users\AndrewMecham\Elevate Engineering Dropbox\Utah\Lonestar\Hurricane Paradise - Residential\HURRICANE PARADISE RES_1J.dwg - - Mar 20, 2024-3:40pm

HURRICANE CITY
UTAH

STAFF COMMENTS

Consideration and possible approval of a **power line extension request** for Bramall Ridge - Scott Hughes

Discussion:
Bramall Ridge (24 total 200-amp & 19 total 400-amp Units) or (62 total 200-amp Units)
The Power Department recommends approval for this subdivision. There is capacity at Three Falls or Brentwood Substation. A new distribution circuit would need to be built from either Three Falls or Brentwood Substation. It would be the responsibility of the developer to pay for all costs and acquire all easements needed. If approved, we would recommend this developer to work with other developers in the area to help share the cost of the new distribution circuit. We can work with the developer to show them possible routes for the new distribution circuit. - Brian Anderson

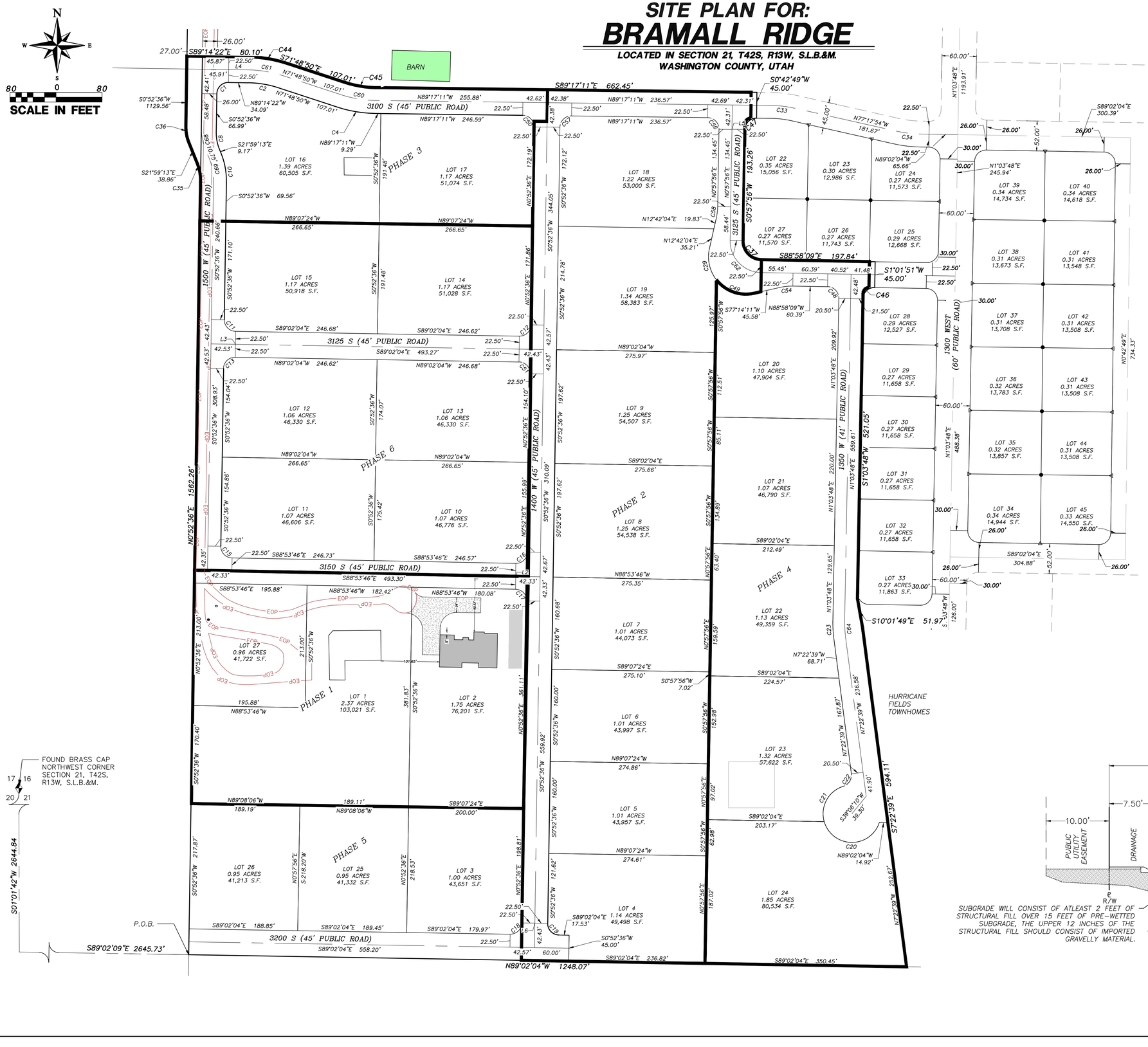
Findings:

Recommendation:

Attachments:
1. 368-003 BRAMALL RIDGE CONSTRUCTION_recover-C2-SITE PLAN
2. Bramall Ridge Application for Power Service (002)

SITE PLAN FOR:
BRAMALL RIDGE

LOCATED IN SECTION 21, T42S, R13W, S.L.B.&M.
WASHINGTON COUNTY, UTAH



LEGEND

- PROPERTY LINE
- OLD PROPERTY LINE
- X — X — EXISTING FENCE
- SECTION LINE
- EOP — EXISTING EDGE OF PAVEMENT
- FUTURE LOTS
- SECTION CORNER AS DESCRIBED

SUBDIVISION BOUNDARY LEGAL DESCRIPTION:

COMMENCING AT THE NORTHWEST CORNER S01°01'42"W ALONG THE SECTION LINE, 2644.84 FEET OF SECTION 21, TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE AND MERIDIAN; THENCE S89°02'09"E 2645.73 TO THE POINT OF BEGINNING; THENCE N00°52'36"E 1562.26 FEET; THENCE S89°14'22"E 80.10 FEET; THENCE EASTERLY ALONG THE ARC OF A 222.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 67.67 FEET, THROUGH A CENTRAL ANGLE OF 17°25'32" (LONG CHORD BEARS: S80°31'36"E 67.41 FEET); THENCE S71°48'50"E 107.01 FEET; THENCE EASTERLY ALONG THE ARC OF A 177.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 54.13 FEET, THROUGH A CENTRAL ANGLE OF 17°28'21" (LONG CHORD BEARS: S80°33'01"E 53.92 FEET); THENCE S89°17'11"E 662.45 FEET; THENCE S00°42'49"W 45.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AND A RADIAL BEARING OF S00°42'49"W, A DISTANCE OF 31.33 FEET, THROUGH A CENTRAL ANGLE OF 89°44'53" (LONG CHORD BEARS: S45°50'22"W 28.22 FEET); THENCE S00°57'56"W 193.26 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF A 32.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 51.01 FEET, THROUGH A CENTRAL ANGLE OF 89°56'05" (LONG CHORD BEARS: S44°00'07"E 45.94 FEET); THENCE S88°58'09"E 197.84 FEET; THENCE S01°01'51"W 45.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET AND A RADIAL BEARING OF S01°01'51"W, A DISTANCE OF 31.40 FEET, THROUGH A CENTRAL ANGLE OF 89°58'02" (LONG CHORD BEARS: S46°02'50"W 28.28 FEET); THENCE S01°03'48"W 521.05 FEET; THENCE S10°01'49"E 51.97 FEET; THENCE S07°22'39"E 594.11 FEET; THENCE N89°02'04"W 1248.07 FEET TO THE POINT OF BEGINNING.

AREA CONTAINS 1,728,761 SQUARE FEET OR 39.687 ACRES.

Know what's below. Call 811 before you dig.
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BLUE STAKES OF UTAH (801) serving Utah, Iron, Washington Counties, Inc.

NOTICE!

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

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NO	DESCRIPTION	DATE	BY
	REVISIONS		

PROVALUE ENGINEERING, INC.
ENGINEERS - LAND SURVEYORS - LAND PLANNERS
20 South 850 West, Suite 1
Hurricane City, Utah 84737
Phone: 435-668-8307

TITLE SHEET FOR:
BRAMALL RIDGE
LOCATED IN SECTION 21, T42S, R13W, S.L.B.&M.
HURRICANE CITY, WASHINGTON COUNTY, UTAH

368-003 BRAMALL RIDGE CONSTRUCTION

DATE	7/24/2023
SCALE	N/A
JOB NO.	368-003
SHEET NO:	C1

APPLICATION FOR POWER SERVICES

HURRICANE CITY UTAH

Applicant Name John Bramall Phone Number 435-632-4234

Spouse or Co-Applicant _____

Mailing Address 1375 W 3150 S, Hurricane, UT 84737
(Required)

Service Address 1400 W 3100 S
(Required)

SUBDIVISION/LOT OR PARCEL # Bramall Ridge /_____

Email Address johnbramall@gmail.com and karl@pv-eng.com
(Required)

PREQUALIFIED ELECTRICAL CONTRACTOR Snow Electric

SITE INFORMATION ☐ SINGLE RESIDENCE OR UNIT (1 METER)

☑ SUBDIVISION OR MULTI UNIT DEVELOPMENT # OF UNITS 43

TYPE OF SERVICE ☑ RESIDENTIAL ☐ COMMERCIAL ☐ INDUSTRIAL

VOLTAGE NEEDED

Single Phase ☑ 120/240 ☐ 240/480

3 Phase ☐ 120/208 ☐ 277/480

SERVICE/ PANEL AMPS ☑ 200 ☐ 400 ☐ 600 ☐ OTHER_____

SITE PLAN WITH DIMENSIONS FROM PROPERTY LINES TO METER BASE LOCATION **ATTACHED** ☑ YES ☐ NO
(REQUIRED)

*Industrial and Commercial requests will require load calculations prepared by an electrical engineer and shall be attached to this application

*All designs will have a fee from the power department. These fees must be paid before power is given.

(PLEASE SEE HURRICANE CITY POWER BEFORE PROCEEDING)
For Official Power Department Comments ONLY:

Hurricane City Power recommend for approval ☐

Hurricane City Power recommend for denial ☐ Date 7/31/2024

☑ I acknowledge that I have read and understand Hurricane City's new construction application and requirements

Developer _____ Hurricane City Power_____

HURRICANE CITY
UTAH

STAFF COMMENTS

Mayor, Council, and staff reports

Discussion:

Findings:

Recommendation:

Attachments:
None

HURRICANE CITY
UTAH

STAFF COMMENTS

Closed Meeting held pursuant to Utah Code section 52-4-205, upon request

Discussion:

Findings:

Recommendation:

Attachments:
None