



# HURRICANE CITY

UTAH

**Mayor**

Nanette Billings

**City Manager**

Kaden DeMille

## Planning Commission

*Mark Sampson, Chair  
Shelley Goodfellow, Alternate Chair*

*Ralph Ballard  
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Brad Winder  
Kelby Iverson  
Amy Werrett  
Michelle Smith*

## Hurricane Planning Commission Meeting Agenda

August 28, 2025  
6:00 PM

Hurricane City Offices 147 N 870 W, Hurricane

Notice is hereby given that the Hurricane City Planning Commission will hold a Regular Meeting commencing at 5:00 p.m. at the Hurricane City Offices 147 N 870 W, Hurricane, UT.

Meeting link:

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

Meeting number: 2632 882 4836

Password: HCplanning

Host key: 730111

Join by phone +1-415-655-0001 US Toll

Access code: 2632 882 4836

Host PIN: 9461

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

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### 6:00 p.m. - Call to Order

Roll Call

Pledge of Allegiance

Prayer and/or thought by invitation

Declaration of any conflicts of interest

### Public Hearings

1. A Zone Change Amendment request located at 184 N State Street from R1-10, residential one unit per 10,000 square feet, to RM-3, multi-family 15 units per acre. Parcel number H-178.
2. A Land Use Code Amendment request to Title 10, Chapters 3, 7, & 37 regarding accessory buildings in the front yards.

### OLD BUSINESS

1. LUCA25-06: Discussion and consideration of a recommendation to the City Council on a Land Use Code Amendment request to Title 10, Chapters 3, 7 & 37, regarding accessory building in front yards.

## **NEW BUSINESS**

1. ZC25-10: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 235 N 1580 W, from RA-1, residential agriculture one unit per acre, to R1-10, single family residential one unit per 10,000 sqft. George Love, Applicant. Tim Scott, Agent.
2. ZC25-17: Discussion and consideration of a recommendation to the City Council on a Zone Change Amendment request located at 184 N State Street from R1-10, residential one unit per 10,000 square feet, to RM-3, multi-family 15 units per acre. White Glove Construction-Kevin Hanson, Applicant.
3. PP25-08: Discussion and consideration of a possible approval of a preliminary plat for Rock Hollow, a 55 lot single family subdivision located at 3300 S 1100 W. Teancum Properties LLC, Applicant. Karl Rasmussen, Agent.

## **Planning Commission Business:**

1. Discussion on parking standards

## **Approval of Minutes:**

## **Adjournment**



## STAFF COMMENTS

<b>Agenda Date:</b>	<b>08/28/2025 - Planning Commission</b>
<b>Application Number:</b>	LUCA25-06
<b>Type of Application:</b>	Land Use Code Amendment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Hurricane City
<b>Agent:</b>	N/A
<b>Request:</b>	Amend Title 10, Chapters 3, 7 & 37 regarding accessory buildings in the front buildable area of lots.
<b>Recommendation:</b>	Recommend approval to the City Council.
<b>Report Prepared By:</b>	Gary Cupp

### Updated discussion 08/28/2025

This item was tabled at the June 26th, 2025 meeting to allow staff to revise the proposed ordinance update based on the discussion with the Planning Commission at that meeting. Staff has now incorporated the Planning Commission's direction to update the land use code to only allow accessory buildings in the front buildable area on lots in agricultural and residential agriculture zones; and to allow accessory dwelling units (ADU) in the front buildable area in all zones where ADUs are permitted with the requirement of a conditional use permit for ADUs on lots under 0.5 acres in size. Staff has also updated the definitions for "dwelling units" and ADUs to address code conflicts that have been encountered regarding the use of casitas and guesthouses.

### Discussion:

This item was tabled at the June 12, 2025, meeting to allow more discussion regarding the question of whether or not accessory buildings should be allowed in residential front yards. Planning staff has proposed to update Title 10 chapter 3 to clarify dwelling unit definitions, and chapter 37 to allow accessory buildings in the front yard area of lots under certain conditions. Recently, a property owner requested to have an accessory dwelling unit (ADU) in his front yard, and staff initially denied the request based on Hurricane City Code (HCC) section 10-37-12(G)(1), which states that yards are to be unobstructed except for accessory buildings in a rear yard or interior side yard. In other words, this code section gives an exception allowing accessory buildings in the side and rear yards only, and since an ADU is an accessory building, it cannot be located in the front yard. But since the code does not explicitly disallow accessory buildings in front yards, staff ultimately cannot legally deny the property owner's request for an ADU in his front yard.

It is therefore proposed that the code be updated to explicitly allow accessory buildings in front yards, provided it is setback a minimum of 100 feet from the front property line.

**Recommendation:**

The Planning Commission should consider the proposed ordinance amendment and any public comments received at the public hearing. Staff recommends the Planning Commission make a recommendation of approval to the City Council.

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*Accessory dwelling unit (ADU) means a subordinate residential dwelling unit located on the same lot as a principal dwelling used for long-term or short-term occupancy, which provides sleeping, kitchen, and sanitation facilities. An ADU may be internal to, attached to, or detached from the principal dwelling. Guesthouses and casitas shall be deemed ADUs when used for short-term housing of any person not qualifying as the property owner's family; however, guesthouses and casitas used exclusively by the property owner's family shall not be considered ADUs. that is being used to provide long term or short term housing of any person not qualifying as the property owner's family, as that term is defined in this section. Each subordinate residential dwelling unit meeting this definition shall constitute a separate ADU regardless of how the units are configured or accessed. Guesthouses and casitas shall be considered an ADU when used for long term or short term housing of any person not qualifying as the property owner's family. An ADU may be internal, attached, or detached from the primary dwelling. All ADUs must meet the requirements of chapter 41 of this title.*

- A. A unit shall be considered an ADU for purposes of this title regardless of the identity or relationship of the occupant to the property owner, except as provided for guesthouses and casitas in this section.*
- B. Each subordinate residential dwelling unit meeting the definition of an ADU shall constitute a separate ADU, regardless of configuration, location, or means of access.*
- C. No more than one ADU shall be permitted per residential lot, unless a conditional use permit is obtained and the standards of Chapter 7 of this title are met.*
- D. All ADUs shall comply with the requirements of Chapter 41 of this title.*

...

*Dwelling unit means one or more rooms in a dwelling-conditioned living space designed for or occupied as separate living quarters which provide sleeping and sanitary facilities and which includes kitchen facilities, all for exclusive use by a single family maintaining a household or a single person or group utilizing the unit for a short-term stay.*

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*Guesthouse or casita means a secondary dwelling unit, without kitchen facilities, located on a lot with one main dwelling unit which is:*

- A. Used for housing of guests without compensation;*
- B.A. Not sold separately from the sale of the main dwelling unit on the lot and encumbered by a recorded agreement which provides notice of this condition;*
- C.B. May be rented short-term or leased pursuant to a license or permit to allow such use; and*
- D.C. Is served by the same utility connections as the main dwelling unit.*

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

- A. *Purpose.* This section sets forth procedures for considering and approving conditional use permits.
- B. *Authority.*
  - 1. The Planning Commission is authorized to issue conditional use permits for the following uses:
    - Agricultural industry.
    - Agritourism activities.
    - Animal specialties.
    - Assisted living facility.
    - Farm stands selling commercially packaged handicrafts or commercially processed or packaged food stuffs.
    - Greater heights than permitted by this Code in all zones except residential and residential agricultural zones.
    - Greater size than permitted by this Code in all zones except residential and residential agricultural zones.
    - Metal building in commercial and residential zones.
    - Multi family in commercial zones.
    - Public stable.
    - Reception center.
    - Recreation and entertainment, outdoor.
    - Fences or walls of greater height.
  - Accessory dwelling units in the front buildable area on lots less than 0.5 acres in size.**
  - 2. The Zoning Administrator is authorized to issue conditional use permits for the following uses:
    - Animals and fowl for recreation and family food production.
    - Greater size accessory buildings than permitted by this Code in residential zones.
    - Greater size accessory buildings than permitted by this Code in residential and residential agricultural zones.
    - Greater height accessory buildings than permitted by this Code in residential and residential agricultural zones.
- C. *Initiation.* A property owner, or the owner's agent, may request a conditional use permit as provided in subsection D1 of this section.
- D. *Procedure.* An application for a conditional use permit shall be considered and processed as provided in this subsection.
  - 1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:
    - a. The name, address and telephone number of the applicant and the applicant's agent, if any;

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- b. The address and parcel identification of the subject property;
- c. The zone, zone boundaries and present use of the subject property;
- d. A description of the proposed conditional use;
- e. A plot plan showing the following:
  - (1) Applicant's name;
  - (2) Site address;
  - (3) Property boundaries and dimensions;
  - (4) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
  - (5) Adjoining property lines and uses within 100 feet of the subject property.
- f. Traffic impact analysis, if required by the City Engineer or the Planning Commission;
- g. A statement by the applicant demonstrating how the conditional use permit request meets the approval standards for the conditional use desired; and
- h. Such other and further information or documentation as the Zoning Administrator may deem necessary for proper consideration and disposition of a particular application.

- 2. After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission as provided in section 10-7-4 of this chapter or shall review the application to determine if it meets the standards for an administrative conditional use permit.
- 3. A staff report evaluating the application shall be prepared by the Zoning Administrator for a conditional use permit that will be reviewed by the Planning Commission.
- 4. The Planning Commission shall hold a public meeting and shall thereafter approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards, the conditional use may be denied.
- 5. After the Planning Commission or Zoning Administrator makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.
- 6. A record of all conditional use permits shall be maintained in the office of the Zoning Administrator.

E. *Approval standards.* The following standards shall apply to the issuance of a conditional use permit:

- 1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.
- 2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section:
  - a. *Standards for a reception center.*
    - (1) Hours of operation must be compatible with adjoining uses and comply with City noise regulations.
    - (2) Parking shall be contained onsite.
    - (3) The center must have an approved site plan.

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- (4) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the state alcohol control board.
- (5) Reception center use must be secondary to any agricultural use on the property.
- (6) Property shall be a minimum of five acres.
- (7) In RA zoning, reception center shall only be used a maximum of five days a month.
- (8) Building must meet the fire code and be inspected by the fire marshal or their representative prior to the approval of the conditional use permit.
- (9) The applicant shall provide an emergency access plan that shall be approved by the fire marshal prior to the approval of the conditional use permit.

b. *Standards for an agricultural industry.*

- (1) Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Animal enclosures used for intensive animal feeding operations must be at least 25 feet from any adjacent parcel that, at the time the applicant first seeks the conditional use, is zoned residential or residential-agricultural pursuant to chapters 13 or 14 of this title.

c. *Standards for a public stable.*

- (1) Adequate fencing and/or enclosures must be provided to ensure horses are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Site must contain adequate off street parking for customers. All trailers must be contained on site.
- (5) Barns must be located at least 30 feet from any adjacent parcel that, at the time the applicant first seeks a conditional use permit, is zoned residential or residential-agricultural.

d. *Standards for an assisted living facility.*

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

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

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

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- (2) A greater height conditional use permit may not be issued for a flag lot if the proposed structure is higher than the average height of all residential structures within a 300-foot radius of the proposed structure.
- (3) A greater height accessory building must be set back a minimum of five feet from side and rear property lines when the adjoining property is zoned or used for single family residential use.
- (4) In no event shall a building exceed 55 feet in height.

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

- (1) The greater size building desired must be of compatible architecture with immediately adjacent buildings.
- (2) At least 50 percent of the lot on which the building is located must remain free of buildings.
- (3) The building must be for a use permitted in the zone in which it is located.

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

- (1) Adequate fencing must be provided to ensure animals and fowl are confined safely.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) The number of fowl will be limited by the point system used in section 10-37-15 of this title.
- (5) Livestock numbers may be limited at the administrator's discretion based on the size of the lot and the facilities available to contain and protect the animals.

h. *Standards for metal buildings.*

- (1) In residential (R-1) zones the height and size may not be greater than permitted in the zone.
- (2) The building must meet the following design standards:
  - (A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
  - (B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.
  - (C) Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.
  - (D) In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

i. *Standards for animal specialties.*

- (1) Adequate fencing and/or enclosures must be provided to ensure animals are confined safely and in conformance with acceptable animal husbandry standards.

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- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Animal enclosures used for intensive animal feeding operations must be at least 25 feet from any adjacent parcel that, at the time the applicant first seeks the conditional use, is zoned residential or residential agricultural pursuant to chapters 13 or 14 of this title.
- j. *Standards for agritourism activities.*
  - (1) Hours of operation must be compatible with adjoining uses and comply with City noise regulations.
  - (2) On-site parking must be provided.
  - (3) The use of on street parking to provide up to 40 percent of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
  - (4) In agricultural zones, this use must be accessory to an established agricultural use.
- k. *Standards for multi-family residential.* In order to promote and preserve commercial growth and to allow infill development of empty and vacant lots in the area designated as downtown on the general map, vacant parcels zoned for commercial uses as listed in this title may, as a conditional use, be allowed for multi-family residential use if the following criteria are met:
  - (1) No habitable building has been on the parcel for the previous three years.
  - (2) The land use on at least two sides of the property are residential use at the time of application. Property on the opposite side of a public road or right-of-way shall be considered adjacent for this criteria. Properties that do not meet this criteria may be approved for mix-use development as listed below.
  - (3) Mix use is allowed. If the proposed development is a mix of commercial use and residential use, then residential units shall be placed on a floor above the commercial use, or in a way to allow commercial buildings to front onto the public roadways. If mixed use, the commercial shall comply with the commercial zoning standards and housing shall comply with RM-3 zoning standards.
  - (4) Homes in the downtown area shall have the front of buildings face public roadways. The only exception for this requirement is for mix use developments and for parcels that would allow development of units behind units that front the public right-of-way. Every effort should be made to ensure the frontage of roadways are faced with the frontage of buildings. Walls, fences, and the rear of buildings fronting on to public right-of-way should be avoided.
  - (5) Dwelling units and sites shall comply with RM-3 zoning standards and density. RM-3 minimum required area shall not apply.
- l. *Standards for multiple accessory dwelling units in a residential, agriculture, or commercial zone.*
  - (1) Multiple accessory dwelling units may be permitted based on the lot area of the property at a rate in the table below assuming all other conditions for an accessory dwelling unit are met.

Lot area	Number of accessory dwelling units
0.79 acres or smaller	1
0.8 acres and greater	2

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- (2) Fifty percent of the land area on the lot must be free of buildings.
- (3) A parking plan must be provided that shows adequate off street parking on the lot at a rate of one space per bedroom.
- (4) A landscape plan must be provided that shows how buildings will be shielded from other residential lots.
- (5) Occupancy plan: no more than ten people can stay in one building.
- (6) Only one accessory dwelling unit can be used as a short-term rental. All others must be for long term occupancy or as a guesthouse for non-paying guests.
- (7) Separate conditional use permits must be received for every accessory building that does not meet the height or size requirements of section 10-13-4.

- m. *Standards for a fence or wall of greater height.*
  - (1) Except for fences or walls surrounding public utility facilities, the fence or wall may not be located in the front yard of the property, but must be located in the rear or side yard;
  - (2) The fence or wall may not exceed ten feet in height;
  - (3) Except for fences or walls surrounding public utility facilities, the topography of the subject property and surrounding properties must be of such a unique or unusual character that a wall of greater height is necessary for the typical quiet enjoyment of the property;
  - (4) The fence or wall shall comply with all other provisions of this title.
- n. *Standards for commercial kennels.*
  - (1) Facilities shall be designed and operated so that noise generated from resident animals shall not exceed 50 decibels (50 dBA), as measured from the nearest property line. Flexibility in noise abatement design, such as solid wooden, metal, or masonry walls, is permitted to achieve the required decibel level.
  - (2) Outdoor dog runs shall be designed to reduce barking provocation. Dogs shall only be allowed in outdoor kennels between sunrise and sunset each day.
  - (3) Animal waste shall be collected daily and managed and properly disposed of for all animals on the property. Disposal shall be according to an approved waste disposal plan.
  - (4) The parts of a building where animals are boarded shall be fully enclosed and sufficiently insulated to provide both noise mitigation and climate control shelter for the animals.
  - (5) Outdoor facilities, including outdoor runs and exercise areas, shall not be located within 150 feet of any single-family zoning district.
  - (6) All lighting must comply with section 10-33-7 of this Code.
  - (7) All requirements of any applicable public health agencies and/or other regulatory agencies shall be met, and all necessary permits shall be obtained.
  - (8) All animals maintained in kennels shall be confined on the premises or trained or exercised or bred under the owner's control and shall be enclosed in a secure shelter during the hours of darkness, except when they are shown, tried, worked, or hunting under the owner's control.

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- o. *Standards for farm stands selling commercially packaged handicrafts or commercially processed or packaged foods.*
  - (1) The farm stand is located on a parcel zoned agricultural or residential agriculture not less than one acre in size.
  - (2) Merchandise sold in the farm stand shall comply with the following conditions:
    - (A) All merchandise sold at the farm stand shall conform to the farm stand definition in section 10-3-4.
    - (B) The structure shall be primarily devoted to the sale of agriculturally produced or farmed products.
    - (C) Fifty percent of the structure's total sales area shall be devoted to the sale of farm products grown or produced on the property on which the farm stand is located.
    - (D) The sale of accessory items (i.e. unprocessed or home-processed foodstuffs such as canned goods, baked goods, and homemade handicrafts), commercially processed or packaged food stuffs, or commercial handicrafts shall be subordinate to the sale of agriculturally produced or farmed products, and the area of the structure utilized for the sale of such accessory items shall be less than 50 percent).
  - (3) Commercially processed or packaged foods must be fully labeled for retail sale pursuant to applicable state and local health regulations.
  - (4) Only one such structure not exceeding 500 square feet in size is allowed per legal lot or parcel. Structures are not permitted on lots or parcels that were subdivided in violation of this Code.
  - (5) The height may not be greater than permitted in the associated zoning district.
  - (6) Structure must comply with all setbacks of the associated zoning district.
  - (7) Use must be subordinate to an established agricultural use.
  - (8) The conditional use shall be discontinued if the size of the lot or parcel is reduced in area to less than one acre by subdivision or any other land-dividing activity.
  - (9) Operation of the farm stand requires a business license pursuant to title 3 of this Code.
  - (10) The use is not located in a recorded subdivision.

**p. Standards for accessory dwelling units (ADU) in the front buildable area on lots less than 0.5 acres in size.**

- (1) The ADU must be subordinate in size and use to a primary residence.**
- (2) The ADU must be architecturally consistent with the primary residence.**
- (3) The height and size of the ADU may not be greater than permitted in the zone.**
- (4) The ADU must meet the primary setback requirements of the zone.**

F. *Appeal of decision.* Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance, or denial of a conditional use permit may appeal such decision to the Appeals Board by filing written notice of appeal stating the grounds therefor within 14 days from the date of such decision.

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- G. *Appeal of decision by Zoning Administrator.* Any decision of the Zoning Administrator regarding the issuance or denial of a conditional use permit, shall, upon request by the applicant within ten days after a determination by the Zoning Administrator, be submitted for a de novo review and decision by the Planning Commission at their next available meeting.
- H. *Effect of approval.* A conditional use permit shall not relieve an applicant from obtaining any other authorization or permit required under this title or any other title of this Code.
  - 1. A conditional use permit may be transferred so long as the use conducted thereunder conforms to the terms of the permit.
  - 2. Unless otherwise specified by the Planning Commission and subject to the provisions relating to amendment, revocation or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.
- I. *Amendment.* The procedure for amending any conditional use permit shall be the same as the original procedure set forth in this section.
- J. *Revocation.* A conditional use permit may be revoked as provided in section 10-9-6 of this title.
  - 1. In addition to the grounds set forth in section 10-9-6 of this title, any of the following shall be grounds for revocation:
    - a. The use for which a permit was granted has ceased for one year or more;
    - b. The holder or user of a permit has failed to comply with the conditions of approval or any City, state, or federal law governing the conduct of the use;
    - c. The holder or user of the permit has failed to construct or maintain the site as shown on the approved site plan, map, or other approval materials; or
    - d. The operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a court of competent jurisdiction in any civil or criminal proceeding.
  - 2. No conditional use permit shall be revoked against the wishes of the holder or user of the permit without first giving such person an opportunity to appear before the Planning Commission and show cause as to why the permit should not be revoked or the conditions amended. Revocation of a permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.
- K. *Expiration.* A conditional use permit shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the permit is not commenced within one year after approval.

(Ord. 2016-11, 11-17-2016; Ord. 2017-14, 8-17-2017; Ord. 2017-16, 11-16-2017; Ord. 2018-04, 4-5-2018; Ord. 2018-12, 10-18-2018; Ord. 2018-14, 12-20-2018; Ord. 2019-10, 9-19-2019; Ord. 2020-03, 2-6-2020; Ord. No. 2021-05, 6-3-2021; Ord. No. 2022-10, 5-19-2022; Ord. No. 2022-21, 7-7-2022; Ord. No. 2022-61, 2-2-2023; Ord. No. 2023-17, 9-21-2023; Ord. No. 2024-06, 6-6-2024; Ord. No. 2025-08, 5-15-2025)

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## **Sec. 10-37-12. Lots and yards.**

- A. *Every building on legally created lot.* Every building shall be located and maintained on a legally created lot as defined in this title, unless such lot is a legally nonconforming lot. Not more than one single-family dwelling or commercial structure shall occupy any one lot except as authorized by the provisions of this title.
- B. *Sale or Lease of required land.* No land needed to meet the size, width, yard, area, coverage, parking or other requirements of this title shall be sold, leased, or otherwise transferred away, whether by subdivision or metes and bounds, so as to create or increase the nonconformity of a lot, building, or site development. No lot having less than the minimum width and area required by the zone where it is located may be divided from a larger parcel of land, except as permitted by this section or by the Appeals Board pursuant to the requirements of this title.
  - 1. A reduction in the minimum required area of a lot owned by the City, county, state, or other public entity or utility provider may be granted a special exception approved by the Appeals Board provided:
    - a. Such lot is used exclusively for public purposes; and
    - b. No living quarters are located on such lot.
  - 2. If a portion of a lot which meets minimum lot area requirements is acquired for public use in any manner, including dedication, condemnation or purchase, and such acquisition reduces the minimum area required, the remainder of such lot shall nevertheless be considered as having the required minimum lot area if all of the following conditions are met:
    - a. The lot contains a rectangular space of at least 30 feet by 40 feet exclusive of applicable front and side yard requirements, and exclusive of one-half of the applicable rear yard requirements, and such rectangular space is usable for a principal use or structure.
    - b. The remainder of the lot has an area of at least one-half of the required lot area of the zone in which it is located.
    - c. The remainder of the lot has access to a public street.
- C. *Reduction of minimum lot width and area requirements.* Minimum lot area or lot width requirements of this title shall not be construed to prevent the use of a lot for a single-family dwelling so long as such lot was:
  - 1. Held in separate ownership on the effective date of this title; and
  - 2. Was legally created when it became nonconforming as to area or width.
- D. *Adjacent lots when used as one building lot.* When a common side lot line separating two or more contiguous lots is covered or proposed to be covered by a building, such lots shall constitute a single building site and the setback requirements of this title shall not apply to a common lot line if a document is recorded indicating the owner's intent to use the combined lots as a single development site. The setback requirements of this title shall apply only to the exterior side lot lines of the contiguous lots so joined.
- E. *Double frontage lots.* Lots having frontage on two or more streets shall be prohibited except for corner lots and double frontage lots in subdivisions which back onto streets shown on the City's road master plan. Such double frontage lots shall be accessed only from an internal subdivision street. Frontage on lots having a front lot line on more than one street shall be measured on one street only.
- F. *Setback measurement.* The depth of a required yard abutting a street shall be measured from the lot line except as set forth below:
  - 1. In blocks where more than 50 percent of the buildable lots have main buildings which do not meet the current front yard setback of the zone where the block is located, the minimum front yard requirement

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for new construction shall be equal to the average existing front yard size on the block. In no case shall a front yard of more than 30 feet be required.

2. On lots with frontage on the curve of a cul-de-sac or "knuckle" street, the front setback may be measured from a straight line drawn joining the front corners of the lot. In no case may the living area be any closer than 15 feet from the back of sidewalk or the garage be any closer than 20 feet from the back of sidewalk.

G. *Yards to be unobstructed; exceptions.* Every part of a required yard shall be open to the sky and unobstructed except for:

1. Accessory buildings in the Buildable Area of a rear yard or interior side yard;
2. Accessory buildings in the front Buildable Area on lots in Agricultural and Residential Agriculture zones;
3. Accessory dwelling units (ADU) in the front Buildable Area on lots greater than 0.5 acres in size in zones where ADUs are permitted, subject to meeting primary setback requirements;
24. The ordinary projections of window bays, roof overhangs, skylights, sills, belt courses, cornices, chimneys, flues and other ornamental features, which shall not project into a yard more than four feet;
35. Open or lattice enclosed fire escapes, fireproof outside stairways and balconies open upon fire towers projecting into a yard not more than five feet; and
46. Any part of an uncovered deck or patio, excluding nonopaque railings.

H. *Yard space for one building only.* No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this title, shall be considered as providing a yard or open space for any other building, nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

I. *Lot coverage.* In no zone shall a building or group of buildings with their accessory buildings cover more than 50 percent of the area of the lot.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003; Ord. 2005-12, 6-2-2005; Ord. 2017-14, 8-17-2017; Ord. 2018-12, 10-18-2018)



**HURRICANE CITY** Hurricane City  
Application

Application Accepted Date: 07/31/2025	
Type of Improvement: Zone Change Application	
Description: Zone change to facilitate a lot line adjustment wi	
Tenant / Project Name: Love Zone Change	
Bldg. Address: 235 N 1580 W	
City: Hurricane City	State: UT Zip: 84737
Subdivision: Cottonwood Estates	Phase: _____
Block: _____	Lot #: 6 Parcel ID #: H-CWE-6
Zone: RA-1	
Property Owner: George Love and Valayne Love	
Permit Contact: Tim Scott	P:(360) 567-8844
Email: tim.scott@red-plains.com	

**CONTACT INFORMATION**

Engineer of Record: Tim Scott		
Email: tim.scott@red-plains.com	P: (360) 448-7999	
General Contractor: Tim Scott		
License #: _____	P: (360) 448-7999	
City: _____	State: _____	Zip: _____
Email: tim.scott@red-plains.com		

**APPLICATION DETAILS**

Valuation	\$	0.00
<b>PERMIT FEES</b>		
Planning Fee	\$	500.00
Planning Fee	\$	500.00
<b>Sub Total:</b>	\$	<b>500.00</b>
<b>Permit Total:</b>	\$	<b>500.00</b>
<b>Amount Paid:</b>	\$	<b>500.00</b>
<b>Remaining Due:</b>	\$	<b>0.00</b>

**APPROVALS** | **DATE** | **INFO**

Setbacks	Front:	Rear:	Left:	Right:
Min.				
Actual:				

**APPLICATION NUMBER:** PLANZC25-10

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

Applicant Name: Tim Scott

Signature of Applicant/Authorized Agent or Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Application Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Application Issued By: \_\_\_\_\_ Date: \_\_\_\_\_

Receipt #: 236963049-07/14/25

## **Zone Change for Lot 6, Cottonwood Estates (235 N 1580 W)**

Applicant: George Love

Parcel: Lot 6, Cottonwood Estates

Current Zoning: RA-1 (Residential Agricultural, 1-acre minimum lot size)

Proposed Zoning: R1-10 (Single Family Residential, 10,000 sq. ft. minimum lot size)

### **Request Summary:**

The property owner of Lot 6 in Cottonwood Estates, located at 235 N 1580 W, respectfully requests a zone change from RA-1 to R1-10. This request is being made in conjunction with a proposed lot line adjustment with the adjacent property owner to the west. The adjustment would reduce the size of Lot 6 below the 1-acre minimum required under the current RA-1 zoning designation.

### **Justification for Zone Change:**

#### **1. 1. Lot Line Adjustment Necessity:**

The proposed lot line adjustment is a mutually agreed-upon arrangement between neighboring property owners to better align property boundaries for practical use and future development. However, this adjustment would result in Lot 6 falling below the 1-acre minimum required in the RA-1 zone.

#### **2. 2. Compatibility with Surrounding Development:**

The surrounding area includes a mix of residential zoning types, and the proposed R1-10 zone is consistent with the City of Hurricane's General Plan and the character of nearby residential neighborhoods. The R1-10 zone allows for single-family residential development on lots of at least 10,000 square feet, which remains compatible with the existing and planned land uses in the vicinity.

#### **3. 3. Efficient Land Use:**

Rezoning to R1-10 will allow for more efficient use of the land while maintaining the integrity and aesthetic of the neighborhood. It supports the City's goals of promoting responsible growth and housing diversity.

#### **4. 4. Compliance with City Ordinances:**

The proposed zone change complies with the City of Hurricane's zoning ordinance requirements for R1-10, as outlined in Chapter 13 of the City Code. The lot, even after the adjustment, will meet the minimum lot size and dimensional standards of the R1-10 zone.

### **Conclusion:**

The applicant respectfully requests approval of this zone change to facilitate a minor boundary adjustment and to bring the property into compliance with zoning regulations. This change will not adversely affect neighboring properties and aligns with the City's vision for residential development.



## STAFF COMMENTS

<b>Agenda Date:</b>	08/28/2025 - Planning Commission
<b>Application Number:</b>	ZC25-10
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	George Love
<b>Agent:</b>	Tim Scott
<b>Request:</b>	Zone Change from RA-1 to R1-10
<b>Location:</b>	235 N 1580 W
<b>Zoning:</b>	RA-1
<b>General Plan Map:</b>	Single Family
<b>Recommendation:</b>	Recommend approval to the City Council.
<b>Report Prepared by:</b>	Fred Resch III

### Discussion:

The applicant is requesting a zone change from Residential Agriculture 1 (RA-1) to Single Family Residential 10 (R1-10) on a 0.99 acre lot located on the corner of 1580 W and 250 N. The applicant has stated their intention is to effect a lot-line adjustment to reduce the existing parcel size. This zone change could allow up to four possible lots on the property.

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	RA-1, R1-15	Single family homes and agricultural use
<b>East</b>	RA-1	Single family homes and agricultural use
<b>South</b>	RA-1	Single Family Homes
<b>West</b>	R1-10	Single Family Homes



*Vicinity Map*

Zone changes on any parcel of land within the City of Hurricane requires consideration of the following factors pursuant to Title 10 – Hurricane City Land Use Ordinance, Section 10-7-7 (cited below):

**10-7-7: ZONING MAP AND TEXT AMENDMENTS:**

*E. Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the City Council as described in subsection [10-7-5A](#) of this chapter. In making an amendment, the following factors should be considered:*

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the City's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- 3. The extent to which the proposed amendment may adversely affect adjacent property; and*
- 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

**Analysis:**

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

**Response:** The General Plan Map shows this area as “Single Family,” which intends for development to be consistent with the following description:

*These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.*

This proposal meets the appropriate densities intended for this area of the General Plan Map, and there are a number of single family residential developments in the vicinity. Thus, staff finds the zone change request to be substantially consistent with the General Plan.

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

**Response:** The proposed zoning is harmonious with the character of existing development in the vicinity. The area has primarily single-family homes in the immediate vicinity.

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

**Response:** The proposed zoning amendment is unlikely to have an adverse effect on adjacent properties due to the small size of the property and limited impact of the development.

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

**Response:** See JUC comments below. Improvements need to be made to 250 N but there are no concerns with overall adequacy of public facilities and services.

## **Other Considerations**

### **JUC Comments:**

*The following comments will need to be addressed:*

1. **Public Works:** No comment.
2. **Power:** Required to upsize the overhead wire to accommodate additional loads. Setbacks from power lines are supposed to be 25' from centerline of power poles for any structure. Underground power needs to be built for all new homes. Application for all new buildings
3. **Sewer:** [No comments received.]
4. **Streets:** [No comments received.]
5. **Water:** Okay.
6. **Engineering:** It appears the water main in 250 N is substandard for new development (6"Ø instead of the typical 8"Ø) and curb, gutter, and sidewalk are missing from the adjacent roads. 1580 West is master planned to be 60' wide the existing public right of way is 58' wide. Inadequacies can be addressed by the applicant or their successor with the next land use application.
7. **Fire:** Approved.
8. **Cable:** [No comments received.]
9. **Phone:** [No comments received.]

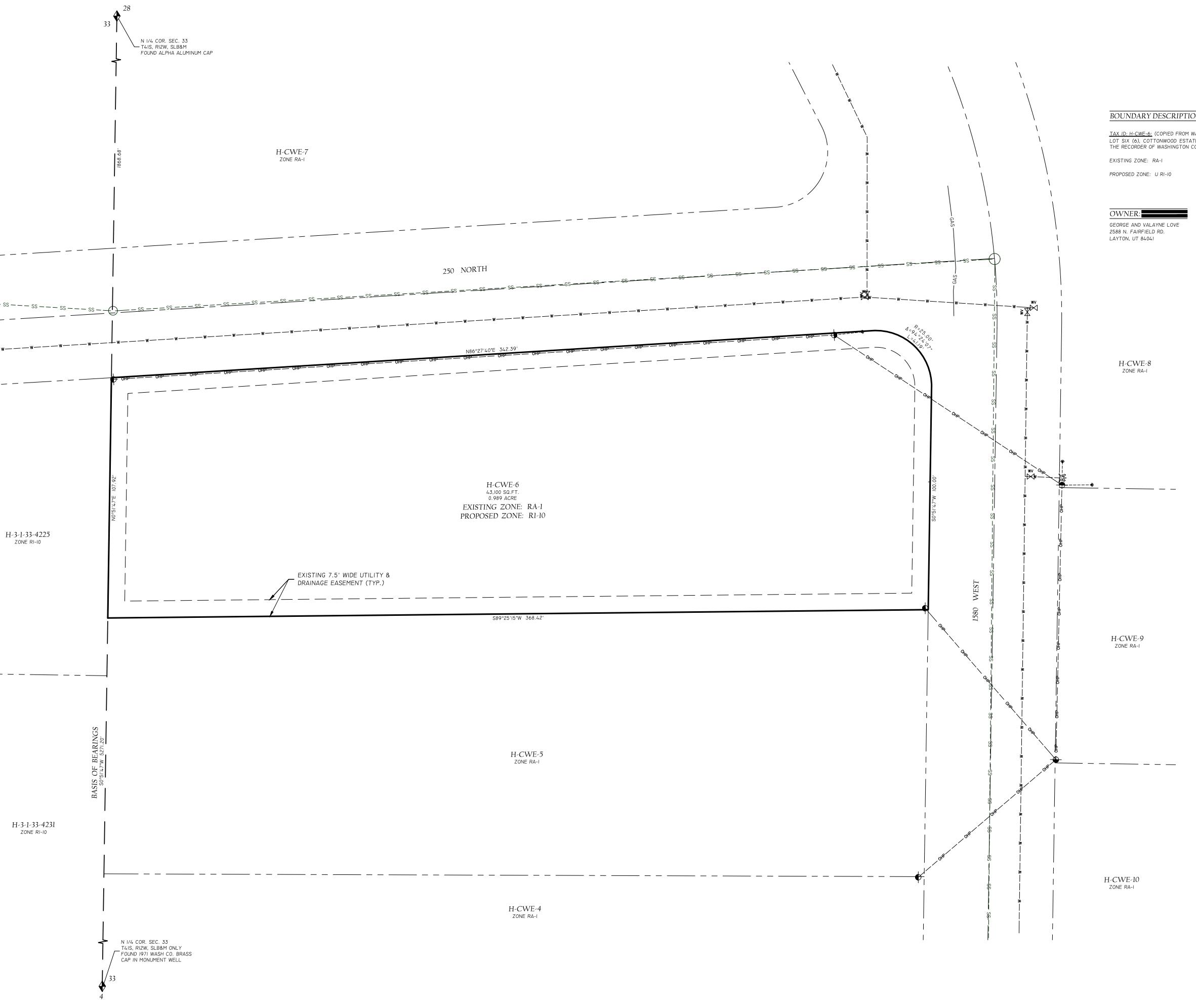
10. **Fiber:** No comment.
11. **Gas:** Add existing gas.
12. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

**Findings:**

Staff makes the following findings:

1. The proposal meets the General Plan standards for Single Family development.
2. The proposal is compatible with surrounding development of single-family homes.
3. The proposed amendment will not adversely impact the area, since it is similar in scope to the surrounding development in the vicinity.
4. Services and public facilities are adequate to support the development.

**Recommendation:** The Planning Commission should review this application based on standards within the Hurricane City Code, and consider any comments received at the public hearing. Staff finds that the request adequately satisfies the four approval standards for zone changes and recommends that the Planning Commission send a recommendation of approval to the City Council subject to staff and JUC comments.



BOUNDARY DESCRIPTION: [REDACTED]

TAX ID: H-CWE-6 (COPIED FROM WARRANTY DEED - DOC # 20160037539)  
LOT SIX (6), COTTONWOOD ESTATES, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE IN THE OFFICE OF  
THE RECORDER OF WASHINGTON COUNTY, STATE OF UTAH

EXISTING ZONE: RA-1

PROPOSED ZONE: U RI-10

OWNER: XXXXXXXXXX

GEORGE AND VALAYNE LOVE  
2588 N. FAIRFIELD RD.  
LAYTON, UT 84041

ZONE CHANGE MAP  
COTTONWOOD ESTATES LOT 6 EXHIBIT  
FOR  
RED PLAINS PROFESSIONAL, INC.  
325 S. 1800 M.

REVISIONS

# center line

REVISED

JOB # (CLIENT #):  
2412-0327 (III2)  
FILE NAME:  
LOVE ZC MA

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DATE:  
APRIL 21, 2021

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SCALE:  
1" = 20'

---

SHEET

1



**HURRICANE CITY** Hurricane City  
UTAH

**Application**

Application Accepted Date: 08/13/2025	
Type of Improvement: Zone Change Application	
Description: 1.22 ACRE PROPERTY PRESENTLY ZONED R1-10	
Tenant / Project Name: STANWORTH ORCHARDS TOWNHOMES	
Bldg. Address: 184 NORTH STATE STREET	
City: Hurricane City	State: UT Zip: 84737
Subdivision: Phase:	
Block: Lot #:	Parcel ID #: H-178
Zone: RESIDENTIAL - 1 UNIT PER 10,000 SQ FT	
Property Owner: TONYA WINONA / TERESA RIEMHOFER	
Permit Contact: KEVIN R HANSEN	P:(435) 229-6745
Email: whiteglovestg@gmail.com	
<b>CONTACT INFORMATION</b>	
General Contractor: White Glove Construction	
License #: 4897250-5501	P: (435) 229-6745
Address: 551 LOS ALAMITOS DR	
City: SAINT GEORGE	State: Utah Zip: 84790-7429
Email: whiteglovestg@gmail.com	

Valuation	\$	0.00
<b>PERMIT FEES</b>		
Planning Fee	\$	500.00
Planning Fee	\$	500.00
<b>Sub Total:</b>	\$	<b>500.00</b>

<b>Permit Total:</b>	\$	500.00
<b>Amount Paid:</b>	\$	<b>500.00</b>
<b>Remaining Due:</b>	\$	<b>0.00</b>

APPROVALS	DATE	INFO

Setbacks	Front:	Rear:	Left:	Right:
Min.				
Actual:				

APPLICATION NUMBER:	PLANZC25-12
<p>This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I here-by certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury. Maintenance Deposit is refundable after final inspection if: 1) site is kept clean 2) building is NOT occupied prior to final inspection and issuance of Certificate of Occupancy.</p>	
Applicant Name: KEVIN R HANSEN	
Signature of Applicant/Authorized Agent or Owner: Date:	
Application Approved By: Date:	
Application Issued By: Date:	
Receipt #: 239986502-08/13/25	



Kevin Hansen <whiteglovestg@gmail.com>

---

## Stanworth property rezoning

1 message

---

**Kevin Hansen** <whiteglovestg@gmail.com>  
To: Kevin Hansen <whiteglovestg@gmail.com>

Wed, Aug 13, 2025 at 11:15 AM

We propose the rezoning of the property parcel H - 178 to allow for multi-family dwelling as an R-3 property.

This is consistent with the city's master plan of future development. Is also consistent with the type of development which has been done in that area thus far ( I.E. parcel H-SILT 1THRU 11) This is the property adjacent to the South being a multi-family townhome development. We feel this is consistent with the cities goals, objectives, and policies of the city's General plan. We feel it is also harmonious with the surrounding neighborhood without any adverse effect on any adjoining properties. Our plans are to have sound walls and privacy walls created out of block to provide such use without disruption to adjoining Neighbors. Therefore, we ask for your consideration and approval of this request to move from R1 to R3 zoning which allow for proper use of this property which is on one of the busiest highways in the state.

Sincerely,

Tonya Winona,  
Teresa Riemhofer  
As Joint owners  
And

**Kevin Ray Hansen - White Glove Construction  
Owners Representative.**



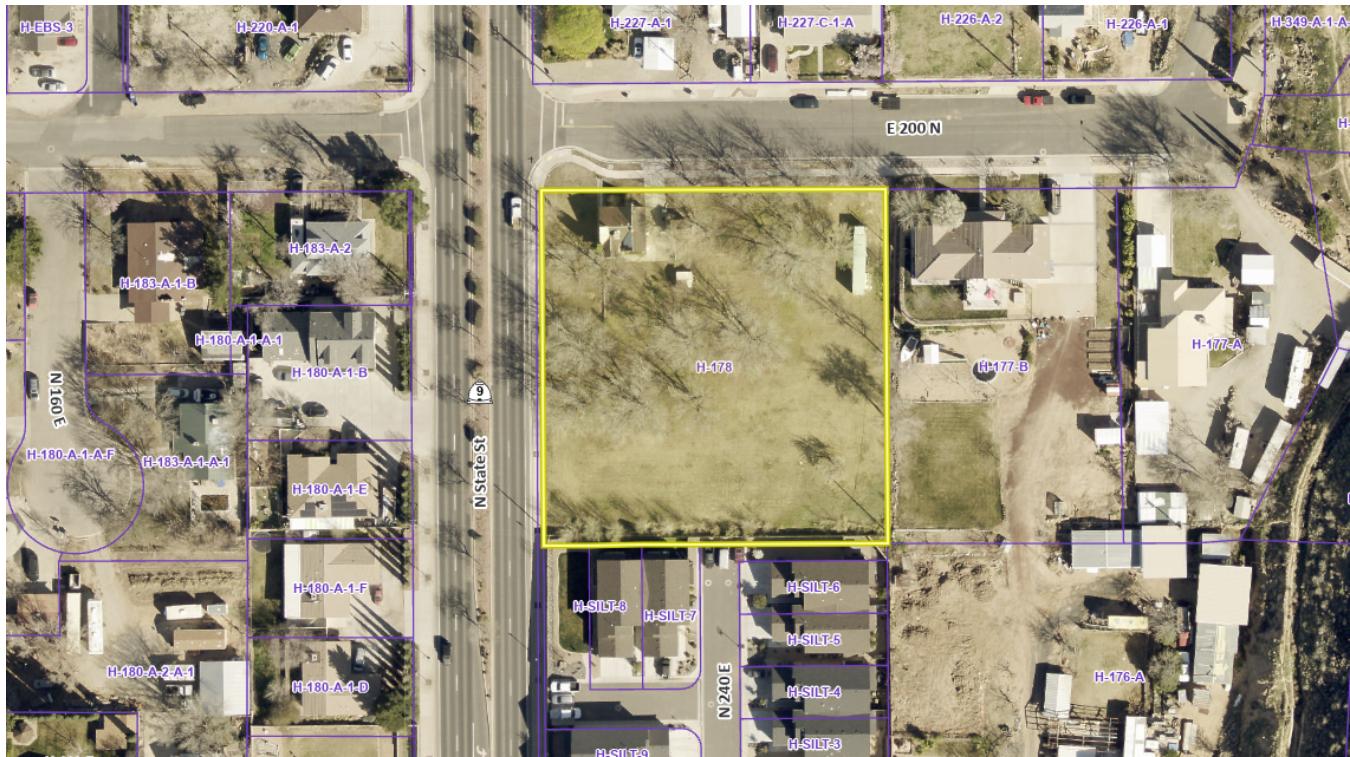
## STAFF COMMENTS

<b>Agenda Date:</b>	08/28/2025 - Planning Commission
<b>Application Number:</b>	ZC25-12
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	White Glove Construction
<b>Agent:</b>	Kevin Hansen
<b>Request:</b>	Zone Change from R1-10 to RM-3
<b>Location:</b>	184 N State St.
<b>Zoning:</b>	R1-10
<b>General Plan Map:</b>	Multifamily
<b>Recommendation:</b>	Recommend approval to the City Council.
<b>Report Prepared by:</b>	Fred Resch III

### Discussion:

The applicant is requesting a zone change from Single Family Residential 10 (R1-10) to Multiple Family 3 (RM-3) on a 1.22 acre lot located on the corner of 200 N and State St (SR-9). The property currently has a small home on site. Based on the size of the property, RM-3 zoning would allow for up to 18 units to be constructed.

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	R1-10, HC	Single family homes
<b>East</b>	R1-10	Single family homes
<b>South</b>	RM-2	Townhome development
<b>West</b>	R1-6	Single Family Homes



Vicinity Map

Zone changes on any parcel of land within the City of Hurricane requires consideration of the following factors pursuant to Title 10 – Hurricane City Land Use Ordinance, Section 10-7-7 (cited below):

**10-7-7: ZONING MAP AND TEXT AMENDMENTS:**

*E. Approval Standards: A decision to amend the text of this title or the zoning map is a matter within the legislative discretion of the City Council as described in subsection [10-7-5A](#) of this chapter. In making an amendment, the following factors should be considered:*

- 1. Whether the proposed amendment is consistent with goals, objectives and policies of the City's general plan;*
- 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
- 3. The extent to which the proposed amendment may adversely affect adjacent property; and*
- 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

**Analysis:**

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

**Response:** The General Plan Map shows this area as “Multifamily,” which intends for development to be consistent with the following description:

*“Residential neighborhoods with a combination of small-lot single family and multifamily residences that include designated shared open spaces. Each development should consider proximity of transportation, schools, shopping, etc. The specific conditions for each project would be addressed during the approval process. Appropriate densities for this land use include RM-1, RM-2, and RM-3.”*

The proposed zone change to Multiple Family Residential RM-3 is consistent with the General Plan designation for this area. Both the General Plan and the Moderate Income Housing Plan encourage a greater diversity of housing types in select locations, and this property is well suited for higher density development given its proximity to schools and the downtown employment center.

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

**Response:** The proposed zoning is compatible with the character of existing development in the area. The property located immediately to the south is zoned RM-2 and is developed with townhomes. There are also other multi-family-zoned properties found in the surrounding area, as well as single-family neighborhoods with closely clustered homes in the immediate vicinity. Therefore, the requested RM-3 zoning designation would likely be compatible with the moderately higher-density development pattern of the area.

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

**Response:** The proposed zoning amendment is not expected to adversely impact adjacent properties, given the comparable scale and varied types of existing development in the area. No adverse traffic impacts would be anticipated either, since the project would likely front on State Street.

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

**Response:** See JUC comments below. This is located in a developed area where there are no overall concerns about utility availability.

## **Other Considerations**

### **JUC Comments:**

*The following comments will need to be addressed:*

1. **Public Works:** No comments.
2. **Power:**
3. **Sewer:**
4. **Streets:**
5. **Water:**
6. **Engineering:**

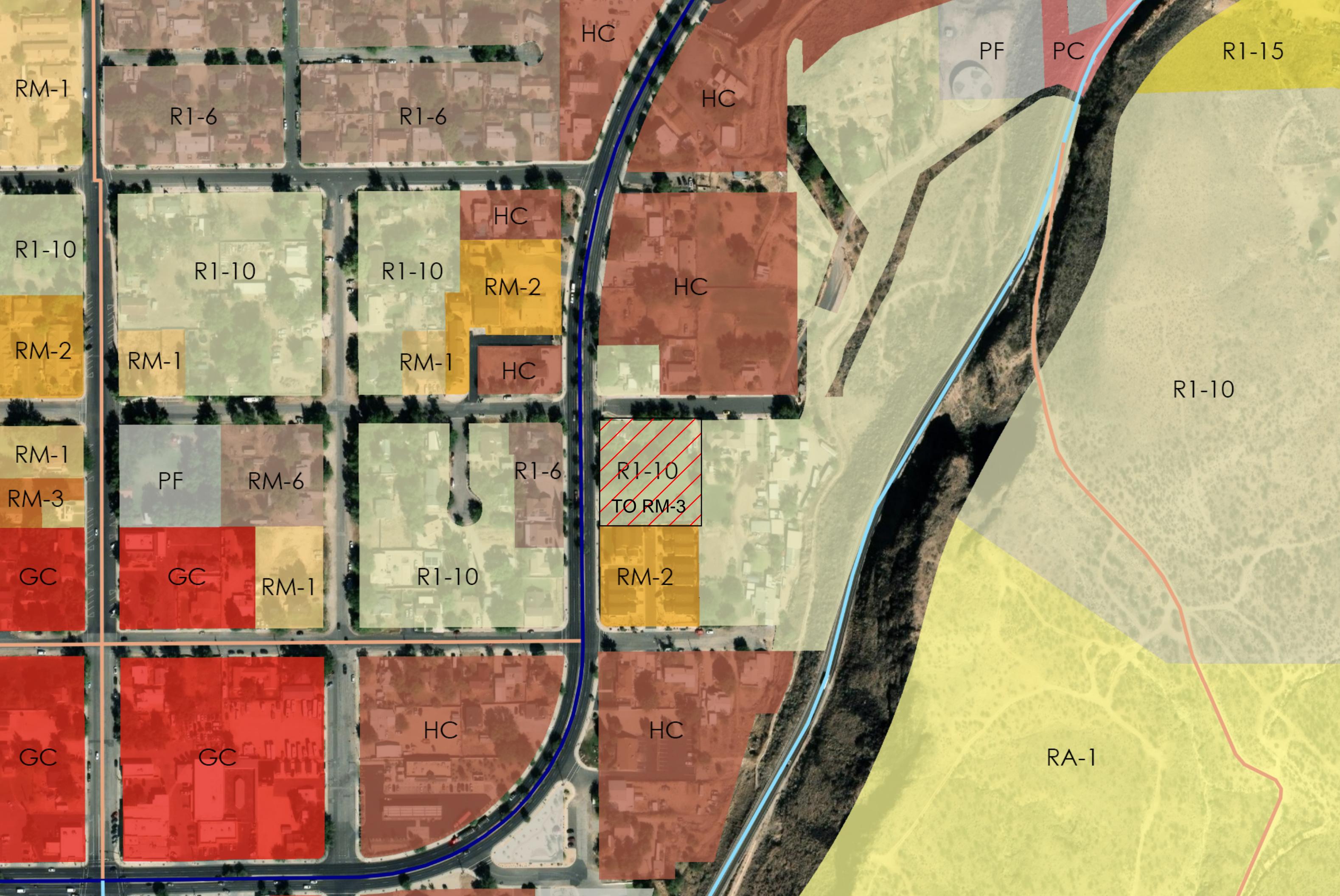
7. **Fire:**
8. **Cable:**
9. **Phone:**
- 10. Fiber:**
- 11. Gas:**
12. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves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

### **Findings:**

Staff makes the following findings:

1. The proposed amendment consistent with the City's General Plan's goals, objectives, and policies, and meets the General Plan standards for Multiple Family development.
2. The proposal is compatible with surrounding development of townhomes and closely clustered single family homes.
3. The proposed amendment will not adversely impact the area, since it is similar in scope and zoning to the surrounding development in the vicinity.
4. Services and public facilities are adequate to support the development.

**Recommendation:** The Planning Commission should review this application based on standards within the Hurricane City Code, and consider any comments received at the public hearing. Staff finds that the request adequately satisfies the four approval standards for zone changes and recommends that the Planning Commission send a recommendation of approval to the City Council subject to staff and JUC comments.



# Hurricane Planning Commission

## Meeting Minutes

August 8, 2024

Minutes of the Hurricane City Planning Commission meeting held on August 8, 2024, at 6:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

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

**Members Excused:** Michelle Cloud and Shelley Goodfellow

**Staff Present:** Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, and City Engineer Representative Jeremy Pickering.

### **6:00 p.m. - Call to Order**

## Roll Call

## Pledge of Allegiance by Paul Farthing

### Prayer and/or thought by invitation by Ralph Ballard

#### Declaration of any conflicts of interest

*Ralph Ballard motioned approve the agenda as posted. Rebecca Bronemann seconded the motion. Unanimous.*

## Public Hearings

1. A Zone Change Amendment request located at approximately 2230 W 600 N from NC, neighborhood commercial, to R1-8/PDO, residential one unit per 8,000 square feet with a planned development overlay. Parcel numbers H-3-1-29-2213-RD2 and H-3-1-29-2214-RD2. Comments were submitted and are attached at the end of these minutes.

James Mercer submitted and read a letter to the commission, emphasizing that the area is designated as residential on the general plan and already experiences heavy traffic. He voiced concerns about a lack of park space and increasing density in the city, stating it is getting out of control.

Debbie Isaacs stated that the development would negatively impact property values and raised issues related to trespassing on the golf course after hours, including vandalism, trash, and noise. She also questioned the adequacy of proposed easements and expressed concern for local wildlife.

Rick Williams shared that when he purchased his home, neighbors had been injured by golf balls, with one incident resulting in hospitalization. He felt that the proposed development is incompatible with the existing community and could create liabilities for the city if residents spill onto surrounding areas.

1 Chuck Fletcher, a resident of eight years, expressed that one of the main reasons he enjoys the area is  
2 its safety and controlled environment. He questioned why the city would change existing community  
3 rules and urged the commission to reconsider the proposal.

4  
5 Shirley Stowa, who also submitted a letter, stated that she purchased her property for the view and is  
6 alarmed by the increasing high-density developments in Hurricane. She expressed concern that the  
7 changes will significantly reduce her property's value.  
8

9       **2. A Land Use Code Amendment to Title 10 Chapter 6 and Chapter 39 regarding  
10 subdivisions.**

11       No comments  
12

13       **3. A Land Use Code Amendment to Title 10 Chapter 3, 12, 13, 14, 15, and 16 regarding  
14 childcare centers, licensed family child care, and residential certificate child care.**

15       No comments  
16

17       **NEW BUSINESS**  
18

19       **1. ZC24-07 PSP24-21: Discussion and consideration of a recommendation to the City  
20 Council on a Zone Change Amendment request located at approximately 2230 W 600 N from NC,  
21 neighborhood commercial, to R1-8/PDO, residential one unit per 8,000 square feet with a planned  
22 development overlay. Parcel numbers H-3-1-29-2213-RD2 and H-3-1-29-2214-RD2. 317 Sycamore  
23 LLC, Applicant. Brixton Call, Agent**

24 Beau Ogzewalla and Brixton Call, representing the applicant, presented a request to rezone a  
25 commercially zoned parcel to allow for a residential development. Mr. Ogzewalla emphasized their  
26 intention to bring a high-quality, value-adding project to the area instead of utilizing the existing  
27 commercial zoning to build something like storage units. He acknowledged concerns about development  
28 and noted that nearly half of the property would remain green space.  
29

30 Commissioner Mark Sampson explained that the property had previously been rezoned to R1-8/PDO for  
31 an assisted living development but reverted back to neighborhood commercial when the site plan was  
32 not finalized within the required two-year period. Commissioner Kelby Iverson inquired about uses  
33 allowed under current zoning, and staff confirmed a wide range of commercial uses are permitted by  
34 right. While Iverson is generally hesitant about zone changes, he acknowledged potential value in this  
35 proposal.  
36

37 Commissioner Paul Farthing expressed concern about road access issues identified by engineering,  
38 even though he felt the project concept was reasonable and well-placed next to a golf course. Jeremy  
39 Pickering from engineering stated that access to the east relies on another developer, and without that  
40 connection, unit count would be limited. Mr. Ogzewalla confirmed they've had conversations with the  
41 neighboring property owners and are working on shared access.  
42

43 Staff noted that while the City Council generally prefers to preserve commercial zoning, they may be  
44 open to compromise. Mr. Pickering said the proposed eastern access meets city standards, and there  
45 appear to be no major grading issues. Commissioner Rebecca Bronemann asked if access agreements  
46 with neighboring developments would be required before approval; Fred Resch III confirmed they would  
47 be required by preliminary plat but could also be requested now by the commission.  
48

49 Mr. Ogzewalla assured the commission that the units would be high-end, not \$300k entry-level homes,  
50 and that short-term rentals are not part of their plan. Commissioner Brad Winder asked about screening

1 along the west side and Mr. Ogzewalla responded that the green space may provide sufficient buffering,  
2 though they're open to further discussion.

3  
4 Commissioner Farthing noted that the project's 35 proposed units reflect a relatively low density  
5 compared to what could be allowed. Mr. Ogzewalla added that single-family homes were considered but  
6 would have to be placed closer to the golf course, which they aimed to avoid. The existing golf cart path  
7 will be preserved.

8  
9 Commissioners discussed whether the required conditions for a zone change had been met. While staff  
10 had recommended approval, City Attorney Dayton Hall stated he would prefer to see finalized access  
11 agreements before making a recommendation to the council.

12  
13 *Paul Farthing motioned to table ZC24-07 and PSP24-21 due to unresolved issues with access and  
water looping. Ralph Ballard seconded the motion. Roll call. Unanimous.*

14  
15 **2. PSP24-20: Discussion and consideration of a possible approval for a preliminary  
site plan for 65 N LLC, a transient lodging facility located at 57 N State St. Kendall Clements,  
Applicant. Karl Rasmussen, Agent.**

16 Karl Rasmussen explained that approximately half of the site has already been developed and they are  
17 now ready to complete the remainder. Due to updates in the unit layout, they were required to return  
18 with a revised site plan. Commissioner Paul Farthing asked whether the lack of comments from some  
19 departments meant there were no issues, or simply that the departments had not reviewed the plan.  
20 Fred Resch III clarified that if a department does not submit any comments during the review process,  
21 he notes it as "no comment." The commission requested that the comment language be clarified to  
22 indicate whether a department reviewed the plan and had no comments or did not respond at all.

23  
24 *Kelby Iverson motioned to approve PSP24-20 subject to JUC and staff comments. Brad Winder  
seconded the motion. Unanimous.*

25  
26  
27 **3. AFP24-11: Discussion and consideration of a possible approval of an amended  
final plat for Quail Creek Industrial Park Phase 3 Lots 13 & 14, located at 5564 W 720 S. William  
Zitting, Applicant. Eric McFadden, Agent.**

28 Fred Resch III explained that the request involves combining lots, and while the engineering department  
29 initially had concerns, those have been addressed in the updated documents submitted to the  
30 commission. Commissioner Paul Farthing asked Scott Hughes about a power department comment  
31 regarding utility equipment located in the middle of a lot. Mr. Hughes responded that although it would  
32 be best for the developer to design around the equipment, if they choose not to and the equipment must  
33 be moved, it would be done at the developer's expense. However, the city does not have a reason to  
34 require the equipment to be moved at this time.

35  
36 *Rebecca Bronemann motioned to approve AFP24-11 subject to staff and JUC comments. Ralph Ballard  
seconded the motion. Unanimous.*

37  
38  
39 **4. FSP24-28: Discussion and consideration of a possible approval of a final site plan  
for Liberty Village Phase 1, a civic educational development located at 2820 S 2300 W. Liberty  
Village-Brett John, Applicant. EPS Group, Agent.**

40 No comments from the commissioners

41  
42 *Rebecca Bronemann motioned to approve FSP24-28 subject to staff and JUC comments. Brad Winder  
seconded the motion. Unanimous.*

1           **5. PP23-17: Discussion and consideration of a possible approval of an extension of**  
2           **the preliminary plat approval for Adventus Phase 1, a mixed use development consisting of hotel**  
3           **condominiums, apartments, commercial, and restaurant space located at the corner of Abbey**  
4           **Road and Sand Hollow Road. Brent Moser, Applicant. Karl Rasmussen, Agent.**

5           Karl Rasmussen explained that the applicant is requesting an additional year for the project. They are  
6           preparing to pave Sand Hollow Road and are currently finalizing construction drawings and the final plat.  
7           Although the timeline paused when the fee was paid, they are not yet ready to proceed and need more  
8           time to complete the necessary steps.  
9

10          *Paul Farthing motioned to approve the extension for PP23-17. Rebecca Bronemann seconded the*  
11          *motion. Unanimous.*

12          **6. LUCA24-03: Discussion and consideration of a recommendation to the City Council**  
13          **on a Land Use Code Amendment to Title 10 Chapter 6 and Chapter 39 regarding subdivisions.**

14          Fred Resch III explained that in 2023, the state passed legislation outlining the process for reviewing  
15          preliminary and final plats. The original wording of the law required construction drawings to be reviewed  
16          during both stages, which was not the intended approach. The language has since been clarified to  
17          allow for the review of construction drawings at either the preliminary or final plat stage. Staff is  
18          recommending that construction drawings be reviewed with the final plat moving forward.  
19

20          *Ralph Ballard motioned a recommendation of approval of LUCA24-03. Rebecca Bronemann seconded*  
21          *the motion. Unanimous.*

22          **7. LUCA24-04: Discussion and consideration of a recommendation to the City Council**  
23          **on a Land Use Code Amendment to Title 10 Chapter 3, 12, 13, 14, 15, and 16 regarding child care**  
24          **centers, licensed family child care, and residential certificate child care.**

25          Gary Cupp explained that the proposed amendment is primarily housekeeping. In 2017, the state  
26          updated certain definitions, which the city adopted at that time. However, the city's use tables within  
27          various zoning sections were not updated to reflect those new terms. This amendment brings the use  
28          tables into alignment with the updated definitions adopted in 2017.  
29

30          *Kelby Iverson motioned a recommendation of approval of LUCA24-04. Paul Farthing seconded the*  
31          *motion. Unanimous.*

32          *Rebecca Bronemann motioned to adjourn. Paul Farthing seconded the motion. Unanimous.*

33  
34          **Adjournment at 7:45PM**

# **Hurricane Planning Commission**

## **Meeting Minutes**

November 14, 2024

Minutes of the Hurricane City Planning Commission meeting held on November 14, at 5:30 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

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

### **Members Excused:**

**Staff Present:** Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, Water Representative Kory Wright, Power Representative Scott Hughes and City Engineer Representative Jeremy Pickering.

## **5:30 p.m. - Planning Commission Business:**

## 1. Discussion on proposed amendments to the airport overlay zone

Gary Cupp explained that a state house bill passed last year requires cities to update their ordinances related to airports. Hurricane has complied by adding an airport influence area and a horizontal surface elevation area to the overlay zone. The update also clarifies building requirements and stipulations within these influence areas. The city must adopt these changes by the end of December. When Mark Sampson asked about the reason for the ordinance update, Mr. Cupp stated that it was triggered by the state house bill, but he was unsure what prompted the state to revise its regulations.

### **6:00 p.m. - Call to Order**

## Roll Call

*Paul Farthing motioned to approve the agenda as presented. Michelle Cloud seconded the motion. Unanimous.*

Pledge of Allegiance led by Paul Farthing

Prayer and/or thought by invitation give by Kelby Iverson

Declaration of any conflicts of interest – no interests declared

## Public Hearings

1. A Zone Change Amendment request located at 259 N Main St. from R1-10, residential one unit per 10,000 square feet, to RM-3, multifamily 15 units per acre.

Comments were submitted and are on record; they are attached in the meeting packet.

Jerry Vanderdoon expressed concern that the space allotted for three units is too small and believes dividing it into three would set a problematic precedent. However, he said he would not oppose dividing it into two units.

1   **2. A Zone Change Amendment request located at 1015 W 250 N from R1-10, residential one**  
2   **unit per 10,000 square feet, to RA-0.5, residential agriculture one unit per half acre.**

3   Mac Hall, a property owner directly north of the site, expressed support for the proposed zoning change,  
4   stating that he believes it should stand on its own merits.

6   **3. A Zone Change Amendment request located at 1268 W 650 S from RA-1, residential**  
7   **agriculture one unit per acre, to R1-15, residential one unit per 15,000 square feet.**

8   Comments were submitted and are included at the end of these minutes.

10   Colt Stratton expressed concern about consistency, noting that he has submitted multiple zone change  
11   requests in this area that were denied because the city preferred to maintain RA zoning. He urged the  
12   city to remain consistent and keep the zoning as RA.

14   **4. A Land Use Code Amendment to Title 10 Chapter 23 regarding Planned Development**  
15   **Overlays and Title 10 Chapter 11 and Chapter 17 regarding the Public Facility zone.**

16   Lance Gifford questioned what specific changes are being made to the code, expressing concern about  
17   updating regulations without clear details on the proposed amendments.

19   Kammy Collard expressed concern regarding the proposed civic center, questioning how a zone change  
20   can proceed amid ongoing issues with the center's layout. She suggested tabling the zone change and  
21   holding a public hearing specifically on the civic center to establish a clear plan, noting the controversy  
22   surrounding the project makes proceeding with a zone change premature.

24   Dave Barton echoed similar concerns, particularly noting that such code updates could lead to increased  
25   high-density housing developments.

27   *Kelby Iverson motioned to take the agenda out of order and discuss item number 15 first. Rebecca*  
28   *Bronemann seconded the motion. Unanimous.*

30   **OLD BUSINESS**

32   **1. LUCA24-05: Discussion and consideration of a recommendation to the City Council on a**  
33   **Land Use Code Amendment to Title 10, Chapters 3, 15, and 51 regarding transient lodging**  
34   **facilities in commercial zones. Hurricane City Planning, Applicant.**

35   Gary Cupp reminded the commission of the discussion from the last meeting, noting that they reviewed  
36   the suggestions. While no changes were made based on those suggestions, he believes the concerns  
37   can be addressed in the downtown overlay ordinance, which is planned for development in early to mid-  
38   next year.

40   *Shelley Goodfellow motioned a recommendation of approval of LUCA24-05 with the direction that we*  
41   *bring the option to allow short term rentals in historical buildings in the downtown overlay and that it be*  
42   *looked at by the end of January 2025. Michelle Cloud seconded the motion. Unanimous.*

44   **2. LUCA24-06: Discussion and consideration of a recommendation to the City Council on a**  
45   **Land Use Code Amendment to Title 10, Chapter 28 regarding development standards in rockfall**  
46   **zones. Hurricane City Planning, Applicant.**

47   Gary Cupp reminded the commission of the purpose of the review, explaining updates related to building  
48   in various hazard areas within the rockfall zone. He clarified that the review requirements are the same  
49   for medium and low hazard areas as for high hazard areas. All developments require a geotechnical  
50   report prepared by a geotechnical engineer, which includes a geological report prepared by both an  
51   engineer and a geologist. Kelby Iverson asked about 10-28-2-C-4 "No structure shall be allowed in any

1   *rockfall zone as determined by Utah Geological Survey Special Study 127 unless a site-specific study as*  
2   *outlined in subsections A and B above finds that the proposed structure is not located in a rockfall zone.*  
3   *The site-specific study may redefine the rockfall zone boundary. The adequacy, implementation, and*  
4   *acceptance of the site-specific study shall be determined by the City Engineer or designee..." so we're*  
5   *going to hire a professional that specialize in this very thing and then we're going to allow someone who*  
6   *is not a professional in this very thing accept or deny it?*

7  
8   *Paul Farthing motioned a recommendation of approval of LUCA24-06. Rebecca Bronemann seconded*  
9   *the motion. Paul Farthing, Brad Winder, Shelley Goodfellow, Ralph Ballard, Mark Sampson, Michelle*  
10   *Cloud, Rebecca Bronemann – aye. Kelby Iverson – nay. Motion carries.*

11   **NEW BUSINESS**

12  
13   **1. ZC24-09: Discussion and consideration of a recommendation to the City Council on a**  
14   **Zone Change Amendment request located at 259 N Main St. from R1-10, residential one unit per**  
15   **10,000 square feet, to RM-3, multifamily 15 units per acre. Interstate Homes LLC, Applicant.**

16  
17   *Mitch Godfrey shared plans to build a four-plex on the property to provide attainable housing and*  
18   *contribute to downtown infill. Amanda Pectol emphasized the focus on affordability. Commissioner Paul*  
19   *Farthing expressed concern that the proposed density is too high, preferring a tri-plex instead, noting*  
20   *that four units equate to 16 units per acre—exceeding current zoning allowances. Shelley Goodfellow*  
21   *agreed, stating a four-plex would be overwhelming, referencing nearby infill projects with three units that*  
22   *already felt dense. Pectol explained the request includes a density bonus requiring one unit to be deed*  
23   *restricted. Goodfellow raised parking concerns, noting the average household often has two or more*  
24   *vehicles, which may exceed available parking. Commissioner Ralph Ballard expressed growing*  
25   *reservations about infill projects. Commissioners Michelle Cloud and Rebecca Bronemann supported*  
26   *the proposal, indicating it meets zone change criteria and aligns with infill goals. Commissioner Kelby*  
27   *Iverson asked about the layout, and Godfrey stated the four units would be arranged side by side.*

28  
29   *Paul Farthing motioned a recommendation of denial of ZC24-09 based on the findings that the zone*  
30   *change is not harmonious with the overall character of the existing neighborhood and the proposed*  
31   *change will have an adverse effect on the area. Ralph Ballard seconded the motion. Roll call. Paul*  
32   *Farthing, Shelley Goodfellow, Ralph Ballard, Mark Sampson, Kelby Iverson – aye. Brad Winder,*  
33   *Michelle Cloud, Rebecca Bronemann – nay. Motion carries.*

34  
35   **2. ZC24-10: Discussion and consideration of a recommendation to the City Council on a**  
36   **Zone Change Amendment request located at 1015 W 250 N from R1-10, residential one unit per**  
37   **10,000 square feet, to RA-0.5, residential agriculture one unit per half acre. Jaymie Wetzel,**  
38   **Applicant. Karl Rasmussen, Agent.**

39  
40   *Shelley Goodfellow asked the applicant about their thoughts on dedicating land for access. Karl*  
41   *Rasmussen responded that a condition cannot be placed on a zone change and that they prefer to*  
42   *maintain their prescriptive rights, noting they are not subdividing. Mrs. Goodfellow added that there*  
43   *should be no restrictions since their proposed impact is less than what is currently allowed.*

44  
45   *Shelley Goodfellow motioned to send a recommendation of approval of ZC24-10 to the City Council.*  
46   *Ralph Ballard seconded the motion. Unanimous.*

47  
48   **3. ZC24-11: Discussion and consideration of a recommendation to the City Council on a**  
49   **Zone Change Amendment request located at 1268 W 650 S from RA-1, residential agriculture one**  
50   **unit per acre, to R1-15, residential one unit per 15,000 square feet. CCH&N Holdings LLC,**  
51   **Applicant. Daryl Brown, Agent.**

1 Watts Construction explained their request to change the zoning to align with the general plan for a  
2 housing development. Kelby Iverson expressed concern, noting the commission has rarely encouraged  
3 changing zoning to conflict with the general plan, and several residents opposed the change. Jeremy  
4 Pickering highlighted roadway access requirements, emphasizing the need to work with neighbors for  
5 feasible access in and out of the development. However, the applicant noted that neighbor cooperation  
6 should not influence the zone change decision. When asked if a more suitable zoning option exists, the  
7 applicant stated they aim to be compatible with the adjacent subdivision. Shelley Goodfellow asked if the  
8 proposed road is part of the master plan; the applicant replied it will be a standalone road.  
9

10 *Michelle Cloud motioned a recommendation of approval of ZC24-11 as it meets the four criteria for a  
11 zone change in the affirmative. Motion dies due to the lack of a second.*

12 *Paul Farthing motioned a recommendation of denial of ZC24-11 based on the findings that it is not  
13 harmonious, it will adversely affect the adjacent properties, and there are not adequate public facilities.  
14 Roll call. Paul Farthing, Brad Winder, Shelley Goodfellow, Ralph Ballard, Mark Sampson, Rebecca  
15 Bronemann, Kelby Iverson – aye. Michelle Cloud – nay.*

16 **4. AFP24-17: Discussion and consideration of a possible approval of an amended final plat  
17 for Ridge at Zion Vista Phase 1B, Lots 19 & 20, located at 557 S 1800 W. Interstate Homes LLC,  
18 Applicant. Dannie Green, Agent**

19 *Kelby Iverson motioned to approve AFP24-17. Rebecca Bronemann seconded the motion. Unanimous.*

20 **5. AFP24-18: Discussion and consideration of a possible approval of an amended final plat  
21 for Windsong Subdivision Lots 1 & 2, located at 335 W 1180 S. Beau Davis, Applicant. Karl  
22 Rasmussen, Agent.**

23 *Karl Rasmussen explained that one of the lots will be enlarged, but since it is within a subdivision, the  
24 change must go through the amended final plat process. He confirmed that the lot configurations still  
25 comply with the zoning size requirements.*

26 *Rebecca Bronemann motioned to approve AFP24-18 subject to staff and JUC comments. Paul Farthing  
27 seconded the motion. Unanimous.*

28 **6. PP24-26: Discussion and consideration of a possible approval of a preliminary plat for  
29 Cielo at Coral Canyon, a subdivision consisting of 54 townhomes, 140 vacation rental units, and  
30 218 single family residential lots and commercial space, located at Old Highway 91 and Foothills  
31 Canyon Dr. Cole West, Applicant. Tony Carter, Agent.**

32 Adam Allen with American Consulting and Engineering shared that this project is part of the old Coral  
33 Canyon subdivision and represents the final phase. Paul Farthing inquired about the sensitive lands and  
34 whether any additional review was needed. Gary Cupp responded that the sensitive lands had been  
35 previously reviewed and approved, and this phase does not alter that determination.

36 *Shelley Goodfellow motioned to approve PP24-26 subject to staff and JUC comments. Brad Winder  
37 seconded the motion. Unanimous.*

38 **7. PP24-27: Discussion and consideration of a possible approval of a preliminary plat for  
39 Black Ridge Phase 2, a 45 lot single family subdivision, located north of 900 S and east of 1760  
40 W. Wasatch Commercial Builders, Applicant. Focus Engineering, Agent.**

41 Austin Overman shared that this project is part of the development of old Colina Tina. Rebecca  
42 Bronemann inquired about JUC comment #5 and whether the redline revisions had been addressed.  
43 Jeremy Pickering responded that while the densities were adjusted, the roadway alignments remained

1 largely unchanged. Michelle Cloud asked if the water looping was an additional requirement, to which  
2 Mr. Pickering explained that many surrounding developments have completed water looping and stub  
3 installations. Although it may not be mandatory here, it will be reviewed during the construction drawing  
4 phase. Gary Cupp noted that any power line installations require approval from the council, contingent  
5 upon a prior recommendation from the power board.

6  
7 *Paul Farthing motioned to table PP24-27 until the issues with the power are resolved. Shelley*  
8 *Goodfellow seconded the motion. Unanimous.*

9  
10 **8. PP24-28: Discussion and consideration of a possible approval of a preliminary plat for**  
11 **Hawk Ridge, a residential subdivision consisting of 146 town homes and two single family lots,**  
12 **located near 2800 w and Cliffhanger Dr. Perry Development-Mitch Weis, Applicant. Bush &**  
13 **Gudgell, Agent.**

14 Brady Pierce with Perry Development shared that the original layout of this section of the Peregrine  
15 Pointe East subdivision included multifamily four-plexes and single-family homes split by the hill, but the  
16 proposed townhomes along and behind the single-family homes are considered more marketable. Fred  
17 Resch III noted that staff has concerns regarding open space and amenities, and that the powerline  
18 extension has not yet been approved. Shelley Goodfellow inquired about the water looping, and Mr.  
19 Pierce explained that the plans have been modified to loop the water line, with an updated plan  
20 submitted earlier in the week addressing that concern.

21  
22 *Ralph Ballard motioned to table PP24-28 to allow staff to give an updated recommendation and for*  
23 *issues to be worked out. Paul Farthing seconded the motion. Unanimous.*

24  
25 **9. PP23-21: Discussion and consideration of a possible approval of an extension of the**  
26 **preliminary plat for Gateway at Sand Hollow Commercial, a six lot commercial subdivision**  
27 **located between SR-9 and Sand Hollow Road, Western Mortgage & Realty Company, Applicant.**  
28 **Karl Rasmussen, Agent.**

29 Karl Rasmussen reminded the commissioners of this project. It was approved a year ago but they are  
30 still working through construction drawings and need an extension.

31  
32 *Rebecca Bronemann motioned to grant the extension for PP23-21 subject to staff and JUC comments.*  
33 *Michelle Cloud seconded the motion. Unanimous.*

34  
35 **10. CUP24-26: Discussion and consideration of a possible approval of a conditional use**  
36 **permit for a building of greater height and size located at 2521 W 250 S. Brick Loring, Applicant.**  
37 Brick Loring shared that this is an RV garage with an ADU to make his wife happy. The garage will be  
38 approximately 16' off the ground and the rest of the structure will be approximately 23' with the  
39 typography of the lot.

40  
41 *Michelle Cloud motioned to approve CUP24-26 as it meets the conditions. Rebecca Bronemann*  
42 *seconded the motion. Unanimous.*

43  
44 **11. CUP24-27: Discussion and consideration of a possible approval of a conditional use**  
45 **permit for a metal building located at 498 S 1310 W. Jay and Tracy Mansanarez, Applicant.**  
46 Jay Mansanarez shared that the zoning is R1-10 and the metal building needs special approval.

47  
48 *Michelle Cloud motioned to approve CUP24-27 as it meets the conditions. Rebecca Bronemann*  
49 *seconded the motion. Unanimous.*

1   **12. FSP24-74: Discussion and consideration of a possible approval of a final site plan for**  
2   **Rush Funplex, an indoor recreation and entertainment facility located at Coral Junction Rd and**  
3   **Coral Canyon Blvd. Rush Funplex, Applicant. Dan Milich, Agent.**

4   Dan Milich shared that parking issues have been resolved. They have completed the drawings and are  
5   ready to begin. He noted that the parking demand is significantly less than the ordinance requires, and a  
6   submitted parking study demonstrates that adequate parking will be provided despite not meeting the  
7   ordinance's minimum parking requirements.

8  
9   *Paul Farthing motioned to approve FSP24-74 subject to staff and JUC comments. Brad Winder*  
10   *seconded the motion. Unanimous.*

11  
12   **13. PP24-29: Discussion and consideration of a possible approval of a preliminary plat for**  
13   **Red Slate Estates, a 135 lot single family subdivision located at approximately 4020 W Bash**  
14   **Parkway. Heritage Land Development, Applicant. Alpha Engineering, Agent.**

15   This preliminary plat was originally approved in 2022 and phase one is nearly finalized. However, the  
16   final plat was never filed, causing the preliminary plat to expire. They are now reapplying for preliminary  
17   plat approval to proceed with submitting the phase one final plat.

18  
19   *Rebecca Bronemann motioned to approve PP24-29 subject to staff and JUC comments. Michelle Cloud*  
20   *seconded the motion. Unanimous.*

21  
22   **14. FSP24-73: Discussion and consideration of a possible approval of a final site plan for**  
23   **Hurricane Self-Storage, a storage unit complex, located at 260 N 3700 W. Mike Wade, Applicant.**  
24   **Guy Williams, Agent.**

25   No comments from the commissioners.

26  
27   *Shelley Goodfellow motioned to approve FSP24-73. Paul Farthing seconded the motion. Unanimous.*

28  
29   **15. LUCA24-08: Discussion and consideration of a recommendation to the City Council on a**  
30   **Land Use Code Amendment to Title 10 Chapter 23 regarding Planned Development Overlays and**  
31   **Title 10 Chapter 11 and Chapter 17 regarding the Public Facility zone.**

32   Dayton Hall explained that a zone change is necessary to develop the civic center as planned. Gary  
33   Cupp noted the only change to the public facility zoning is to explicitly allow government services, which  
34   are currently being provided but not formally permitted. Fred Resch III added that staff sees government  
35   services as the most appropriate use within a public facility zone. They clarified that public housing is  
36   intentionally excluded from public facility zones and controlled separately through the PDO, which would  
37   only apply to city-owned property.

38  
39   Mr. Cupp mentioned minor clarifications are still pending and the draft may change before city council  
40   review. Paul Farthing supported these updates as corrections to existing oversights rather than major  
41   ordinance changes. Shelley Goodfellow opposed giving the city special treatment, but Mr. Cupp  
42   explained that zoning the civic center as public facility allows the city to apply for a PDO as proposed.  
43   Michelle Cloud agreed with Paul, noting the city can already proceed without changes, and that only the  
44   city would apply for public facility zoning.

45  
46   Kelby Iverson had no objections to allowing government services in public facility zones and asked what  
47   zoning government services currently require. Mr. Cupp explained government services are only allowed  
48   in commercial zones, parks in residential zones, and PDOs can allow government services, but the PDO  
49   language is somewhat unclear. He cautioned against giving the city zoning privileges beyond what  
50   citizens have.

1 Councilman Kevin Thomas clarified the civic center plans resulted from a committee's oversight; a  
2 commission member was not involved, and the omission was unintentional. The city hired a consultant  
3 to explore feasible options to build the city office and police station without raising taxes. Ralph Ballard  
4 asked about which departments would move to the new city office. Kaden DeMille responded that the  
5 city administration and police have outgrown their current spaces; the old building will be remodeled for  
6 courts, and other departments may be accommodated there as the city grows.  
7

8 *Kelby Iverson motioned to table LUCA24-08 until the City Attorney has had the chance to do his further  
9 review and make changes. Ralph Ballard seconded. Roll call. All ayes. Motion carries.*

10 *Paul Farthing motioned to adjourn. Michelle Cloud seconded the motion. Unanimous*  
11

12 **Adjournment at 9:18PM**

# Hurricane Planning Commission Meeting Minutes

May 22, 2025

Minutes of the Hurricane City Planning Commission meeting held on May 22, 2025, at 6:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

**Members Present:** Mark Sampson, Paul Farthing, Shelley Goodfellow, Ralph Ballard, Brad Winder, Kelby Iverson, Michelle Smith, and Amy Werrett.

## **Members Excused:**

**Staff Present:** Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, City Engineer Representative Jeremy Pickering, Water Department Representative Kory Wright, and Councilman Kevin Thomas.

## **6:00 p.m. - Call to Order**

## Roll Call

## Pledge of Allegiance led by Michelle Smith

## Prayer and/or thought by invitation given by Shelley Goodfellow

*Paul Farthing motioned to approve the agenda as presented. Ralph Ballard seconded the motion. Unanimous.*

Declaration of any conflicts of interest – Amy Werrett shared that she used to work at Valley Academy. Shelley Goodfellow noted that her daughter is currently enrolled at Valley Academy, and Michelle Smith shared that her daughter works for Interstate Rock – the Stratton Brothers. All indicated that they will vote.

## Public Hearings

1. A Zone Change Amendment request located at 40 N 2480 W from RM-2, multifamily 10 units per acre, to HC, highway commercial. Parcel number H-3-1-32-1101-A.

No comments

2. A request to adopt a development agreement to allow for, among other terms, an increased height limitation of 85 feet within the Highway Commercial zoning on parcel numbers H-3-2-6-1406-GS1, H-3-2-6-1407, and H-3-2-6-1408-GS2.

Gary Cupp explained that the request pertains to the Zion Regional Medical Center. The property is currently zoned Highway Commercial, which permits a maximum building height of 35 feet. The applicant is seeking a variance through a development agreement to allow building heights up to 85 feet.

No comments

**3. A Land Use Code Amendment to Title 10 Chapter 43 regarding site built dwelling units in platted RV parks.**

51 Gary Cupp shared that this request pertains to a specific RV park, The Canyons. They are requesting a  
52 code update to allow a 900 square foot footprint, which would permit the addition of a garage and a  
53 second story, resulting in a maximum of 1,400 square feet. Although this is a general code update, it will  
54 only apply to certain RV parks due to date limitation language already in the ordinance.  
55

56 No comments  
57

58 **4. A Land Use Code Amendment to Title 10 Chapter 7 regarding classification of new and  
59 unlisted business uses.**

60 Fred Resch III explained that this request aligns with a recent state code update, which requires the city  
61 to adopt a specific process and comply with state-mandated procedures.  
62

63 No comments.  
64

65 **NEW BUSINESS**  
66

67 **1. ZC25-13: Discussion and consideration of a recommendation to the City Council on a  
68 Zone Change Amendment request located at 40 N 2480 W from RM-2, multifamily 10 units per  
69 acre, to HC, highway commercial. Parcel number H-3-1-32-1101-A. James Cheney/JACI  
70 Properties, Applicant. Gerold Pratt, Agent.**

71 Gerold Pratt shared that the property, a third of an acre just north of the IHC campus, would be  
72 appropriate for medical or general office use. The proposal allows for a building up to 2,500 square feet  
73 with the required parking. Michelle Smith asked about parking adequacy, and Mr. Pratt confirmed that a  
74 study was conducted and the proposed building size is the maximum allowed to meet parking standards.  
75 Paul Farthing inquired why the entire corner wasn't zoned commercial, and Mr. Pratt explained that  
76 while it might have been ideal in hindsight, the surrounding units were already built.  
77

78 *Amy Werrett motioned to send a recommendation of approval of ZC25-13 to the City Council subject to  
79 staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.*  
80

81 **2. PSP25-12: Discussion and consideration of a possible approval of a preliminary site plan  
82 for Zion Regional Medical Center, a hospital and medical office development, located at 3150 W  
83 State St. Western Mortgage and Realty Company, Applicant. Karl Rasmussen, Agent.**

84 Karl Rasmussen shared the roadway plans for the PID, which encompasses a 35+ acre hospital campus  
85 including a rehab and cancer center, labor and delivery, and related facilities. Kelby Iverson asked if any  
86 major issues stood out at the workshop meeting, and none were expressed beyond what is included in  
87 the staff report. Amy Werrett asked about the traffic study, and Mr. Rasmussen confirmed that a regional  
88 traffic study has already been performed. Paul Farthing stated that the project is beneficial for the city,  
89 providing high-paying medical jobs locally and contributing positively to the community. Jared Cox, the  
90 land developer, explained that UDOT recently passed a policy prohibiting additional access points onto  
91 SR-9, and a right-of-way is being dedicated to UDOT for an overhead main power line. Michelle Smith  
92 asked if the power lines would interfere with the project, and Mr. Rasmussen confirmed the buildings are  
93 set far enough back to avoid conflict. Shelley Goodfellow commented that the project will be great for the  
94 community. Ralph Ballard expressed concern about the lack of access off SR-9, stating that alternative  
95 solutions to redirect traffic should be considered rather than relying solely on slowing traffic.  
96

97 *Paul Farthing motioned to approve PSP25-12 subject to staff and JUC comments. Shelley Goodfellow  
98 seconded the motion. Roll call, unanimous.*  
99

100 **3. Discussion and consideration of a recommendation to the City Council on a request to  
101 adopt a development agreement to allow for, among other terms, an increased height limitation**

102 **of 85 feet within the Highway Commercial zoning on parcel numbers H-3-2-6-1406-GS1, H-3-2-6-  
103 1407, and H-3-2-6-1408-GS2. ZRMC Operating LLC, Applicant. Jared Cox and Karl Rasmussen,  
104 Agents.**

105 Dayton Hall stated that a development agreement would be a better solution than an ordinance update  
106 to address all legal considerations. Commissioner Kelby Iverson asked if an 85-foot height limit is truly  
107 necessary given 12-foot floor stories. The applicant shared a rough sketch illustrating the layout of the  
108 proposed five-story buildings. Commissioner Shelley Goodfellow noted that she has observed the site  
109 for years and felt it would be ideal for a hospital. Mr. Hall asked whether the 85-foot height request  
110 applies uniformly across the property or only to certain buildings. The applicant explained that the  
111 request is for the entire property to allow flexibility in campus design, but parking requirements will  
112 naturally limit building heights in some areas, preventing 85-foot structures across the board.  
113

114 *Shelley Goodfellow motioned to send a recommendation of approval of the development agreement that  
115 will allow for an increased height limit to 85' across these parcels subject to staff and JUC comments  
116 with the notes that the applicant keep the taller buildings closer to the bluff. Amy Werrett seconded the  
117 motion. Roll call, unanimous.*

118 **4. LUCA25-04: Discussion and consideration of a recommendation to the City Council on a  
119 Land Use Code Amendment to Title 10 Chapter 43 regarding site built dwelling units in platted  
120 RV parks. Western CRE-Joby Venuti, Applicant. Rosenberg & Associates, Agent.**

121 Joby Venuti clarified that this is a platted RV subdivision originally established in 1987 with a total of 168  
122 lots. At the time of platting, 80 lots were developed, and the remaining undeveloped lots were purchased  
123 by Mr. Venuti and his brother. They coordinated with city engineering staff to plat 100 N and, after  
124 discussions, agreed that 945 square feet was the appropriate building size to meet all setback  
125 requirements.  
126

127 *Kelby Iverson motioned a recommendation of approval of LUCA25-04 to the City Council. Paul Farthing  
128 seconded the motion. Unanimous.*

129 **5. ZC25-11 PSP25-08: Discussion and consideration of a recommendation to the City  
130 Council on a Zone Change Amendment request located at 2400 W and Liberty Way from M-1 and  
131 R1-10 (PDO) to R1-10 (PDO) and to update the overall PDO for the property. Parcel H-3373-NP-BL.**  
132 Balance of Nature Gardens is a destination garden focused on promoting happiness, health, and  
133 wellness. The applicant shared that they would like consideration of private streets so that Balance of  
134 Nature has control over them. There is perimeter parking around the site for pick-up and drop-off at the  
135 town square, and at the center of the village, they want to ensure it is a walkable area. They are  
136 requesting to remove the M-1 zoning, leaving the remainder of the property zoned R1-10 PDO. They  
137 emphasized that having control of the streets is important but that they are open for discussion.  
138

139 Mark Sampson stated that they were cut out of the process. Dayton Hall responded that they were not  
140 cut out; staff prepared the application because the applicant's submission was essentially a sales pitch.  
141 Staff spent significant time ensuring the commission had all the information needed to make an  
142 educated decision. Mr. Sampson said there should be work meetings to hash this out like there was  
143 previously. Shelley Goodfellow pointed out that the applicant has already presented their requests  
144 regarding public and private streets, and it is up to the commission to decide whether to allow them. She  
145 noted there is a lot of information to discuss, but the conversation is warranted because it is on the  
146 agenda.  
147

148 Kelby Iverson commented that this represents a shift from manufacturing to more of a residential area,  
149 and he might be more in favor of the concept. Karl Rasmussen noted that the density proposed is  
150 essentially RA-0.5. Brad Winder compared the development to Disneyland, noting that once inside, it is  
151

153 all private streets with transportation provided. Ralph Ballard stated that his perception is the project has  
154 shifted from a live-work concept to being almost entirely transient. Amy Werrett asked why there is a  
155 shift from manufacturing, and the applicant explained that Balance of Nature has changed its business  
156 model. Mrs. Werrett asked if the site functions like an admissions-only area, and the applicant clarified it  
157 is meant to invite people in to visit Balance of Nature Gardens. She also asked about the medical center,  
158 and the applicant shared it will be holistic. He explained the housing situation and commercial rental  
159 aspects, noting all components would be under single ownership with some long-term rental housing  
160 and hotel units.

161  
162 Shelley Goodfellow asked if there is a PID on the property. Mr. Rasmussen stated that a PID was  
163 approved but the applicant chose not to use it due to interest rates on bonds. Mrs. Goodfellow asked if a  
164 new owner could utilize the PID, and Mr. Hall said potentially yes. Mrs. Goodfellow expressed concern  
165 that roughly 90% of the project is commercial, making the R1-10/PDO zone potentially inappropriate.  
166 Gary Cupp clarified that the property was already zoned R1-10, and the request is only to remove the M-  
167 1. Mrs. Goodfellow emphasized concern that a new owner could completely revamp the project if not  
168 properly tied to a development agreement. Mr. Hall explained that a PDO is tied to the development  
169 agreement and site plan, and any amendments would require commission approval and potentially a  
170 zone change.

171  
172 Mrs. Goodfellow noted that previous adjacent property requests similar to this had been denied and said  
173 that she is unsure this project would have been approved if submitted in its current form originally. Paul  
174 Farthing asked if the development agreement limits the units to the proposed 239. Mr. Hall clarified that  
175 the R1-10/PDO allows housing at 1.5 units per acre, which applies only to residential units, not  
176 commercial or other uses. Mr. Cupp reiterated that the request is only to remove the 27 acres of M-1.  
177 Mrs. Goodfellow stated that she valued the previous light industrial zoning because it brought jobs to  
178 Hurricane City.

179  
180 Kelby Iverson asked how many of the prior M-1 jobs remain in Washington County. Richard Wedig  
181 responded that much of the M-1 was warehouse space with few employees. The new plan will provide  
182 more job opportunities while creating a greener setting instead of an industrial one.

183  
184 Paul Farthing motioned a recommendation of approval of ZC25-11 and PSP25-08 to the City Council  
185 subject to staff and JUC comments. Brad Winder seconded the motion. Roll call. Brad Winder – aye,  
186 Ralph Ballard – aye, Amy Werrett – aye, Kelby Iverson – aye, Mark Sampson – aye, Shelley Goodfellow  
187 – nay, Michelle Smith – nay, Paul Farthing – aye. Motion carries.

188  
189 **6. PSP25-10: Discussion and consideration of a possible approval of a preliminary site plan  
190 for Hurricane Storage, a storage unit facility, located west of the northwest corner of Turf Sod  
191 Road and Sand Hollow Road. Cristina Companies, Applicant. Tony Carter, Agent.**

192 Mark Sampson asked Mr. Carter why more storage units are needed. Mr. Carter responded that his  
193 guess is because smaller lots are being built, residents need somewhere to store their recreational toys.  
194 Shelley Goodfellow stated that she likes the self-service car wash but asked if the conservancy hadn't  
195 recently limited car washes. Fred Resch explained that each car will be limited to 35 gallons of water.  
196 Dayton Hall added that the city adopted a conservation standard requiring all new car washes to have a  
197 recirculation system to reuse water, and no more than 35 gallons per car can be used; the project will  
198 need to comply with this. Kelby Iverson asked how water conservation will be enforced? Mr. Hall  
199 responded that enforcement for a self-service wash is uncertain but will be addressed during the  
200 construction drawings phase.

201  
202 *Shelley Goodfellow motioned to approve PSP25-10. Amy Werrett seconded the motion. Unanimous.*  
203

204 **7. AFP25-05: Discussion and consideration of a possible approval of an amended final plat**  
205 **for 920 W subdivision, located at 952 S 920 W. Christine Stratton, Applicant. Nicholotte Parker,**  
206 **Agent.**

207 Nicholotte Parker shared that this item involves a lot split and lot line adjustment. She noted that their  
208 client has agreed to dedicate roadway along 920 West and to comply with curb, gutter, and sidewalk  
209 standards. She confirmed that the necessary corrections have been made and submitted them back to  
210 planning and engineering for review. There were no comments from the commission.

211  
212 *Amy Werrett motioned to approve AFP25-05 subject to staff and JUC comments. Paul Farthing*  
213 *seconded the motion. Unanimous.*

214  
215 **8. PP25-13: Discussion and consideration of a possible approval of a preliminary plat for**  
216 **The Villas at Lava Knolls, a 44-townhome development located at 330 N 3220 W. Stratton**  
217 **Brothers LLC, Applicant. Chase Stratton, Agent.**

218 Chase Stratton shared that this project involves the townhouses in the Lava Knolls subdivision. He  
219 explained that initially the units were intended to remain as four-plex rental properties, but the plan was  
220 changed to plat them individually so they can be purchased. He stated that townhouses are ideal as  
221 starter homes and emphasized the need for more of them. Amy Werrett asked whether the individual  
222 platting would provide yard space. Mr. Stratton responded that each unit will have a private patio, but  
223 most of the outdoor area will be communal space with access to shared amenities.

224  
225 *Paul Farthing motioned to approve PP25-13 subject to staff and JUC comments. Ralph Ballard*  
226 *seconded the motion. Unanimous.*

227  
228 **9. FSP25-23: Discussion and consideration of a possible approval of an amended final site**  
229 **plan for Valley Academy, a school, located at 36 N 1000 W. Tracy Stevens, Applicant. Kyle Welch,**  
230 **Agent.**

231 Tracy Stevens shared that they are splitting their campus due to growth and need to add some ADA-  
232 compliant parking spaces as well as meet a few other standards. They also plan to remodel the interior  
233 of the building. Shelley Goodfellow asked why there isn't a playground. Mr. Stevens explained that the  
234 area will serve the older grades, but they will provide shaded areas and tables for picnics. Mrs.  
235 Goodfellow commented that it is important for children to have outdoor time during the day.

236  
237 *Amy Werrett motioned to approve FSP25-23, the amended final site plan for Valley Academy subject to*  
238 *staff and JUC comments. Brad Winder seconded the motion. Unanimous.*

239  
240 **10. PSP25-14: Discussion and consideration of a possible approval of a preliminary site plan**  
241 **for Magnolia Court, a residential development consisting of six single family lots and 19**  
242 **townhomes, located at 700 W 100 N. Mike Stewart, Applicant. Civil Science, Agent.**

243 Zac Issacc, representing Civil Science, shared that this is a proposed subdivision consisting of 19  
244 townhome units and 6 single-family lots, located at the roundabout at 700 W and 100 N.

245  
246 *Paul Farthing motioned to approve PSP25-14 subject to staff and JUC comments. Ralph Ballard*  
247 *seconded the motion. Unanimous.*

248  
249 **11. AFP25-06: Discussion and consideration of a possible approval of an amended final plat**  
250 **for Port at Gateway Partial Amendment A, located at 276 Old Hwy 91. Clint Waters, Applicant.**  
251 **Karl Rasmussen, Agent.**

252 Kolby Rasmussen shared that they are requesting the amendment to align the property lines with the  
253 retaining walls that were built. There were no comments from the commissioners.

255    *Ralph Ballard motioned to approve AFP25-06 subject to staff and JUC comments. Paul Farthing*  
256    *seconded the motion. Unanimous.*

257  
258    **12. AFP25-07: Discussion and consideration of a possible approval of an amended final plat**  
259    **for Dixie Springs Plat C, located at 2700 S 3440 W. Ron Prosser, Applicant. Civil Science, Agent.**  
260    Zac Issac shared that lots 117 and 118 would like to adjust the property lines to accommodate a pool on  
261    one lot and improve the house layout on the other. There were no comments from the commission.  
262

263    *Amy Werrett motioned to approve AFP25-07 subject to staff and JUC comments. Paul Farthing*  
264    *seconded the motion. Unanimous.*

265  
266    **13. FSP25-25: Discussion and consideration of a possible approval of a final site plan for Sky**  
267    **Valley Townhomes Phase 4, a 16 townhome development, located at 570 N 3030 W. Frank**  
268    **Lindhardt, Applicant. Civil Science, Agent.**

269    Zac Issac shared that this is the continuation of Sky Valley Townhomes. Michelle Smith asked about  
270    parking, and Mr. Issac confirmed that each townhouse will have two parking spots in addition to the  
271    garage.  
272

273    *Paul Farthing motioned to approve FSP25-25 subject to staff and JUC comments. Ralph Ballard*  
274    *seconded the motion. Unanimous.*

275  
276    **14. LUCA25-05: Discussion and consideration of a recommendation to the City Council on a**  
277    **Land Use Code Amendment to Title 10 Chapter 7 regarding classification of new and unlisted**  
278    **business uses. Hurricane City, Applicant.**

279    Fred Resch III shared that this discussion is in regard to a state code update. Mark Sampson asked  
280    about the May 7th deadline, and Mr. Resch explained that they are just now addressing it. Mr. Sampson  
281    inquired about the purpose of the update, and Mr. Resch stated that currently, when someone requests  
282    a use that doesn't fit into an existing category, staff has to do their best to accommodate it. This update  
283    establishes a formal process to allow such uses to be considered. Gary Cupp added that it provides  
284    business owners an additional avenue to request council approval for uses that would normally be  
285    denied because they don't fall into a defined category within the ordinance.  
286

287    *Ralph Ballard motioned to send a recommendation of approval of LUCA25-05 to the City Council.*  
288    *Shelley Goodfellow seconded the motion. Unanimous.*

289  
290    Paul Farthing asked for an update on the projects around town and requested a reminder of what is  
291    planned and where. Staff gave a quick update.  
292

293    Shelley Goodfellow asked if, within a PDO, there is a way to enforce the underlying density and the  
294    standards for commercial development, specifically how to cap the commercial uses within the PDO.  
295    Dayton Hall responded that this is handled through the site plan and the development agreement.  
296

297    *Ralph Ballard motioned to adjourn. Shelley Goodfellow seconded the motion. Unanimous.*

298  
299    **Adjournment**

# **Hurricane Planning Commission**

## **Meeting Minutes**

August 14, 2025

Minutes of the Hurricane City Planning Commission meeting held on August 14, 2025, at 6:00 p.m. in the City Council Chambers located at 147 N. 870 West Hurricane UT, 84737

**Members Present:** Mark Sampson, Shelley Goodfellow, Brad Winder, Kelby Iverson, Michelle Smith, and Amy Werrett.

**Members Excused:** Paul Farthing, Ralph Ballard, and Kelby Iverson

**Staff Present:** Planning Director Gary Cupp, City Planner Fred Resch III, City Attorney Dayton Hall, Planning Technician Brienna Spencer, City Engineer Representative Jeremy Pickering, Water Department Representative Kory Wright, and Councilman Kevin Thomas.

### **6:00 p.m. - Call to Order**

## Roll Call

## Pledge of Allegiance led by Steve Nation

## Prayer and/or thought by invitation given by Any Werrett

*Brad Winder motioned to approve the agenda as presented. Shelley Goodfellow seconded the motion. Unanimous.*

Declaration of any conflicts of interest – Michelle Smith declared she has a conflict with agenda item #14 as she is employed by the applicant.

## Public Hearings

1. A Zone Change Amendment request located at 3000 W 400 N, from R1-8, residential one unit per 8,000 square feet, to R1-6, residential one unit per 6,000 square feet, and RM-2, multifamily 10 units per acre. Parcel number H-3-1-31-3000.

No comments

2. A Zone Change Amendment request located at approximately 200 N and 300 E from HC, highway commercial, to R1-10, residential one unit per 10,000 square feet. Parcel numbers H-226-A-2, H-226-B, and H-230-A.

## No comments

3. A Zone Change Amendment request located at 235 N 1580 W from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel H-CWE-6.

Comments submitted are attached at the end of these minutes.

David Chaplin expressed frustration over conflicting information regarding the property. He shared that he has heard that the back half may be sold to pay off the owner's home and that two homes might be

1 built on the lot. He noted that the subdivision's covenants restrict lots to one acre, and he has a long  
2 history in the neighborhood, having purchased his home 32 years ago. He emphasized a desire to  
3 maintain open space and stated he has previously had to hire an attorney to stop construction behind  
4 his property, expressing frustration at the lack of clear communication and feeling bullied by the  
5 uncertainty.

6  
7 Tim Scott, representing the property owner, provided background. He explained that Mr. Love had  
8 initially considered a zone change to create a small three-lot subdivision but abandoned that plan  
9 because it would have required donating land to the city for improvements. They also discussed adding  
10 a block wall along the back of the property. Mr. Love then proposed a lot adjustment with the property to  
11 the west, speaking with Susie, Mr. Chaplin's partner, before proceeding. Mr. Scott stated he felt  
12 compelled to speak at the meeting due to the negative feelings expressed by neighbors.

13  
14 **4. A Land Use Code Amendment request to create a Title 9 Chapter 7 and to amend Title 10  
15 Section 10-7-23 regarding MS4 storm water control regulations.**

16 No comments

17  
18 **NEW BUSINESS**

19  
20 **1. ZC25-08: Discussion and consideration of a recommendation to the City Council on a  
21 Zone Change Amendment request located at 3000 W 400 N, from R1-8, residential one unit per  
22 8,000 square feet, to R1-6, residential one unit per 6,000 square feet, and RM-2, multifamily 10  
23 units per acre. Parcel number H-3-1-31-3000. Chase Stratton, Applicant.**

24 Chase Stratton shared that the property is located just north of Walmart. The area south of 340 N has  
25 been planned for the Lava Knolls Townhomes. He explained that after swapping some land with the  
26 school district, they revised the original plan—which was simply rows of lots—to create a better layout  
27 that incorporates the land swap. The goal is to provide smaller lots to increase housing availability while  
28 maintaining consistency with the surrounding development in all three directions.

29  
30 *Shelley Goodfellow motioned a recommendation of approval of ZC25-08 subject to staff and JUC  
31 comments. Amy Werrett seconded the motion. Unanimous.*

32  
33 **2. ZC25-09: Discussion and consideration of a recommendation to the City Council on a  
34 Zone Change Amendment request located at approximately 200 N and 300 E from HC, highway  
35 commercial, to R1-10, residential one unit per 10,000 square feet. Parcel numbers H-226-A-2, H-  
36 226-B, and H-230-A. The LeBaron Children Family Partnership, Applicant. Ed LeBaron, Agent.**  
37 Ed LeBaron shared that he has always wanted to build a house on the property and was unaware it was  
38 zoned Highway Commercial. Along with his request to build a house, he seeks to rezone the remainder  
39 of the land to allow for potential future development. Mark Sampson asked about short-term rentals  
40 being built nearby. Dayton Hall explained that the city's ordinance previously allowed short-term rentals  
41 in commercial zones, but that has since changed. Brad Winder expressed concern about traffic entering  
42 back onto State Street. Mr. LeBaron noted that the street is a dead-end, surrounded by other houses  
43 and R1-10 zoning. Amy Werrett stated she believes this is a poor location for commercial use, while  
44 Shelley Goodfellow commented that residential zoning would be more appropriate given the access and  
45 surrounding homes.

46  
47 *Amy Werrett motioned a recommendation of approval of ZC25-09 subject to staff and JUC comments.  
48 Shelley Goodfellow seconded the motion. Unanimous.*

49  
50 **3. LUCA25-09: Discussion and consideration of a recommendation to the City Council on a  
51 Land Use Code Amendment request to create a Title 9 Chapter 7 and to amend Title 10 Section  
10-7-23 regarding MS4 storm water control regulations. Hurricane City, Applicant.**

1 Gary Cupp explained that once a development reaches a certain population threshold, it becomes  
2 subject to state standards designed to protect water quality as it flows back into the Virgin River. To  
3 comply, the city is creating a new chapter in Title 9, which must be adopted by the end of the year.  
4 Modifications have also been made to grading permits to meet these requirements. Amy Werrett clarified  
5 that these measures are now necessary due to the city's growth. Shelley Goodfellow asked whether this  
6 would increase construction costs, and Mr. Cupp confirmed that it would, both for staff oversight and for  
7 builders to comply. Michelle Smith noted that developers have been following similar standards for years  
8 even without Hurricane's formal requirement and inquired if staff had been hired to oversee the program.  
9 Mr. Cupp confirmed that one person has been hired to manage compliance and will report to the Public  
10 Works Director.

11 *Michelle Smith motioned a recommended approval of LUCA25-09 to adopt Title 9 Chapter 7 regarding  
12 MS4 standards. Amy Werrett seconded the motion. Unanimous.*

13  
14 **4. PSP25-06: Discussion and consideration of a possible approval of a preliminary site plan  
15 for SkyRim Flex, a 22 unit flexspace development, located at 3150 W 90 N. Blair Gardner,  
16 Applicant. Nate Reeve, Agent.**

17 Blair Gardner presented his plan for a flex-living development, noting that the opportunity was identified  
18 by the engineering team managing the SkyRim project. He explained that the design combines live/work  
19 units with commercial space on the ground floor, residential units above, and shared amenities on the  
20 upper level. Gardner noted that he has previously built 38 identical units in LaVerkin, though the layout  
21 of units facing the street is still under consideration. Commissioner Mark Sampson asked about pricing  
22 and traffic impacts; Gardner stated the units are intended for sale at approximately \$625,000 and that  
23 allowed commercial uses (such as eateries, cafes, or coffee shops) are restricted by the sewer system.  
24 Sampson also asked about potential businesses like auto repair shops; Gardner explained that CC&Rs,  
25 a development agreement, an HOA, and required business licenses will manage such issues. Gary  
26 Cupp confirmed that the proposal aligns with live/work unit requirements in the ordinance. Brad Winder  
27 asked if all JUC concerns were addressed; Cupp confirmed the updated plan resolved them. Amy  
28 Werrett inquired about rentals, and Fred Resch and Shelley Goodfellow clarified that the ordinance  
29 prohibits renting, requiring the owner to occupy and operate the unit. Michelle Smith and Goodfellow  
30 raised questions about roadway width and visitor parking; Gardner stated each unit includes three stalls.  
31

32 *Shelley Goodfellow motioned to approve PSP25-06 subject to staff and JUC comments. Amy Werrett  
33 seconded the motion. Mark Sampson, Shelley Goodfellow, Amy Werrett, and Brad Winder – aye.  
34 Michelle Smith – nay. Motion carries. Michelle Smith noted that the access is her concern with the  
35 number of units.*

36  
37 **5. PSP25-11: Discussion and consideration of a possible approval of a preliminary site plan  
38 for Exceptional Healthcare, a hospital located at 280 N Foothills Canyon Dr. Exceptional  
39 Healthcare, Applicant. Daniel Stewart, Agent.**

40 Daniel Stewart is the engineer on this project. No comments from the commissioners.

41 *Amy Werrett motioned to approve PSP25-11 subject to staff and JUC comments. Shelley Goodfellow  
42 seconded the motion. Unanimous.*

43  
44 **6. PP25-04: Discussion and consideration of a possible approval of a preliminary plat for  
45 Azure Ridge Townhomes, a 156 townhome development located at Sand Hollow Road and Ash  
46 Creek Road. Smoothie King Holdings, Applicant. Tony Carter, Agent.**

47 Adam Allen shared that the project is located just west of Ash Creek's property and has previously been  
48 reviewed as a preliminary site plan. Coordination with neighboring property owners has been completed,  
49 and the team is seeking preliminary plat approval. Commissioner Mark Sampson asked why an

1 extension was not requested for the preliminary site plan, and Fred Resch clarified that preliminary site  
2 plans do not confer vested rights. Shelley Goodfellow inquired about fire department comments, and  
3 Dayton Hall explained that the development to the south provides an additional access point, which is  
4 necessary to meet fire code requirements. Michelle Smith asked whether approving the project now  
5 might be premature, and Hall noted that the ordinance requires developments to have adequate  
6 services or a reasonable plan in place; staff believes this criterion is met, though the commission may  
7 act differently. Landowner Dave Nasal has a signed agreement with the southern developer ensuring  
8 mutual access, so neither party will be held up if one decides not to proceed. Amy Werrett asked about  
9 the requested traffic study, and Allen stated that a regional traffic study is currently underway.

10  
11 *Amy Werrett motioned to approve PP25-04 subject to staff and JUC comments. Shelley Goodfellow  
12 seconded the motion. Unanimous.*

13  
14 **7. CUP25-14: Discussion and consideration of a possible approval of a conditional use  
15 permit for a farm stand selling commercially packaged handicrafts or commercially processed or  
16 packaged food stuffs located at 2020 Flora Tech Road. Jon Garner, Applicant.**

17 Gary Cupp shared that the project meets all conditions of the conditional use permit; however, a building  
18 permit must be obtained before a business license can be issued. Shelley Goodfellow asked how it is  
19 determined when an agricultural building does not require a permit, and Dayton Hall stated that the  
20 building official, Larry Palmer, would be the appropriate person to consult regarding permit requirements.

21  
22 *Amy Werrett motioned to approve CUP25-14 subject to staff and JUC comment noting that a building  
23 permit is required before getting a business license. Michelle Smith seconded the motion. Unanimous.*

24  
25 **8. PSP25-16: Discussion and consideration of a possible approval of a preliminary site plan  
26 for Desert Fields Commercial, an office building located at 40 N 2480 W. James Cheney,  
27 Applicant. Gerold Pratt, Agent.**

28 James Cheney shared that this is a remainder piece from a townhome development. Initial discussions  
29 considered adding more parking, but that typically became storage for unused vehicles, so the plan was  
30 revised to add an actual building. Brad Winder asked about the power requirements, and Fred Resch  
31 explained that when the subdivision was originally developed, this lot was not planned for improvements,  
32 so there is no existing power stub. The applicant will need to install the necessary power infrastructure.

33  
34 *Brad Winder motioned to approve PSP25-16 subject to staff and JUC comments. Amy Werrett  
35 seconded the motion. Unanimous.*

36  
37 **9. PP25-22: Discussion and consideration of a possible approval of a preliminary plat for  
38 Magnolia Court, a six single family lot and 19 townhome lot development located at 700 W 100 N.  
39 Mike Stewart, Applicant. Brandee Walker, Agent.**

40 Mark Sampson inquired about a portion of the property being a right-of-way. Brad Winder asked whether  
41 there were any concerns regarding the historic aspect of this lot. Amy Werrett raised questions about  
42 potential traffic or parking impacts from the mix of single-family and multifamily units. Jeremy Pickering  
43 explained that a traffic study would only be triggered if there were 100 trips during peak travel times.  
44 Shelley Goodfellow asked why the stub street in the subdivision wasn't designed as a hammerhead or  
45 cul-de-sac for fire access. Mr. Pickering responded that roadways should have proper terminations, but  
46 since this street is less than 150 feet long, it meets the international fire code requirements, and the  
47 engineering department determined this was the best use of the property.

48  
49 *Shelley Goodfellow motioned to approve PP25-22 subject to staff and JUC comments. Brad Winder  
50 seconded the motion. Unanimous.*

1   **10. CUP25-16: Discussion and consideration of a possible approval of a conditional use**  
2   **permit for a telecommunications facility located at 2417 W 350 N. Matthew Schutjer, Applicant.**  
3   Matthew shared that the site currently has a Verizon cell tower, and the proposed tenant would be the  
4   second on the existing pole. No increase in height is planned.

5  
6   *Amy Werrett motioned to approve CUP25-16 subject to staff and JUC comments. Michelle Smith*  
7   *seconded the motion. Unanimous.*

8  
9   **11. FSP25-30: Discussion and consideration of a possible approval of a final site plan for**  
10   **Bucks Ace Hardware Lot 2, a restaurant located at 34 S 1400 W. Ben Shakespeare, Applicant.**  
11   **Tyler Hughes, Agent.**

12   Tylerr Hughes stated he is unsure of the building's final use. Changes have included removing a loading  
13   dock, adding a drive-thru, and eliminating three parking spaces. Michelle Smith expressed concern  
14   about parking, noting the existing supply is already insufficient. Mr. Hughes clarified that even before  
15   removing the three spaces, the project still exceeded the minimum required by nine spaces. Mrs. Smith  
16   asked about the timeline for 1400 West, and Jeremy Pickering noted it is planned in the city's 5–10 year  
17   plan. Shelley Goodfellow remarked that streets near her house have been on the five-year plan for 20  
18   years. Gary Cupp explained that the applicant submitted a parking study showing they did not need as  
19   many spaces as code requires. Mrs. Goodfellow added that more restaurants increase traffic, and the  
20   commission requested staff present how parking calculations were determined.

21  
22   *Amy Werrett motioned to approve FSP25-30 subject to staff and JUC comments. Shelley Goodfellow*  
23   *seconded the motion. Unanimous.*

24  
25   **12. FSP25-31: Discussion and consideration of a possible approval of a final site plan for**  
26   **Pecan Valley Parking & Amenities, a recreation facility located at 2250 S 5210 W. Chris Wyler,**  
27   **Applicant. Brandee Walker, Agent.**

28   Chris Wyler shared that the proposed parking lot will serve his water park and clubhouse, and opening  
29   the amenities to the public requires the addition of this lot. Gary Cupp confirmed that the parking is  
30   necessary for public access. Michelle Smith asked why the lot does not include lighting. Mr. Wyler  
31   explained that the engineer recommended against lighting due to the residential nature of the  
32   neighborhood. Fred Resch agreed, noting existing complaints about lighting in the area and  
33   emphasizing dark sky considerations.

34  
35   *Shelley Goodfellow motioned to approve FSP25-31 subject to staff and JUC comments. Brad Winder*  
36   *seconded the motion. Unanimous.*

37  
38   **13. FSP25-32: Discussion and consideration of a possible approval of a final site plan for Mad**  
39   **Moose, a vehicle rental facility located at 4345 W Abbey Road. Spencer Finch, Applicant. Karl**  
40   **Rasmussen, Agent.**

41   Fred Resch shared that the applicant submitted an updated landscaping plan and staff is now  
42   comfortable approving the application. Mark Sampson inquired about the number of machines  
43   occupying the lot and whether there would be adequate customer parking. Karl Rasmussen stated he  
44   trusts the information provided by his client. Mr. Resch clarified that the depicted parking is intended for  
45   customers, with machines parked behind or to the side of the building. Mr. Rasmussen confirmed this  
46   arrangement and noted that the machines would only occupy the lot during the day while rented for use  
47   on Sand Mountain.

48   *Amy Werrett motioned to approve FSP25-32 subject to staff and JUC comments. Michelle Smith*  
49   *seconded the motion. Unanimous.*

50   -

1   **14. AFP25-09: Discussion and consideration of a possible approval of an amended final plat**  
2   **for Quail Creek Industrial Phase 2-Realignment of Purgatory Road, located at 720 S 5300 W. D&G**  
3   **Property Holdings LLC, Applicant. Brandee Walker, Agent.**

4   A representative from Civil Science shared that their client is proposing a land swap with the city to allow  
5   for a better alignment of Purgatory Road through the Quail Creek Industrial Park. Dayton Hall explained  
6   that the land swap had already been approved. Hurricane City, in conjunction with the Council of  
7   Governments—which oversees acquisitions to preserve corridors—had previously purchased the  
8   parcels for the roadway. Under the agreement, the applicant will purchase these parcels but dedicate  
9   the roadway back to the city for corridor preservation and pay for the associated improvements.

10   Because of this dedication and the improvements being made, the land purchase price has been  
11   significantly reduced.

12  
13   Amy Werrett motioned to approve AFP25-09 subject to staff and JUC comment. Shelley Goodfellow  
14   seconded the motion. Mark Sampson, Shelley Goodfellow, Amy Werrett, and Brad Winder – aye.  
15   Michelle Smith – abstained.

16  
17   **Approval of Minutes:**

18   1.   **July 8, 2024**

19   2.   **September 26, 2024**

20   3.   **October 24, 2024**

21   4.   **January 23, 2025**

22   5.   **February 13, 2025**

23   6.   **April 24, 2025**

24   7.   **June 12, 2025**

25   8.   **June 26, 2025**

26   9.   **July 10, 2025**

27   Line 62 page 2. - Angie not Ashley.

28  
29   Mark Sampson motioned to approve the minutes for July 8, 2024, September 26, 2024, October 24,  
30   2024, January 23, 2025, February 13, 2025, April 24, 2025, June 12, 2025, June 26, 2025, and July 10,  
31   2025 as is with the adjustments that have been made. Shelley Goodfellow seconded the motion.  
32   Unanimous.

33  
34   Shelly Goodfellow motioned to adjourn. Brad Winder seconded the motion. Unanimous.

35  
36   **Adjournment at 8:10PM**