

**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, 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 Amy 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

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

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

4. A 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.

No comments

NEW BUSINESS

1. ZC25-08: Discussion and consideration of a recommendation to the City Council on 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. Chase Stratton, Applicant.

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

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

2. ZC25-09: Discussion and consideration of a recommendation to the City Council on 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. The LeBaron Children Family Partnership, Applicant. Ed LeBaron, Agent.

Ed LeBaron shared that he has always wanted to build a house on the property and was unaware it was zoned Highway Commercial. Along with his request to build a house, he seeks to rezone the remainder of the land to allow for potential future development. Mark Sampson asked about short-term rentals being built nearby. Dayton Hall explained that the city's ordinance previously allowed short-term rentals in commercial zones, but that has since changed. Brad Winder expressed concern about traffic entering back onto State Street. Mr. LeBaron noted that the street is a dead-end, surrounded by other houses and R1-10 zoning. Amy Werrett stated she believes this is a poor location for commercial use, while Shelley Goodfellow commented that residential zoning would be more appropriate given the access and surrounding homes.

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

3. LUCA25-09: Discussion and consideration of a recommendation to the City Council on a 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

-

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

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

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

Approval of Minutes:

1. July 8, 2024
2. September 26, 2024
3. October 24, 2024
4. January 23, 2025
5. February 13, 2025
6. April 24, 2025
7. June 12, 2025
8. June 26, 2025
9. July 10, 2025

Line 62 page 2. - Angie not Ashley.

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

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

Adjournment at 8:10PM