



# HURRICANE CITY UTAH

Mayor

City Manager

Nanette Billings Kaden DeMille

## City Council

*David Hirschi  
Kevin Thomas  
Clark Fawcett  
Drew Ellerman  
Joseph Prete*

### Hurricane City Council Meeting Agenda

September 4, 2025

3:30 PM

City Council Chambers 147 N 870 W, Hurricane

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

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#### **3:30 p.m. Work Meeting**

1. Discussion with Todd Brightwell from Southern Utah Alliance of Economic Development

#### **5:00 p.m. Pre-meeting**

1. Agenda Summary

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

Prayer

Thought

Pledge of Allegiance

Declaration of any conflicts of interest

Minutes of the Special City Council Meeting for July 23, 2025, and regular meeting for August 7, 2025

Recognition of Merlin Spendlove for his years of service

Presentation of the Golf Pro Shop Expansion Project

#### **Public Forum – Comments from Public**

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 3 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 12:00 p.m. the Tuesday one week before the Council meeting.

## OLD BUSINESS

1. Consideration and possible approval of a **Development Agreement with Pops Chips and Salsa**
2. Consideration and possible approval of **Ordinance 2025-12 amending Title 10, Chapter 43** regarding site-built dwelling units in platted RV parks; Land Use Code Amendment No. LUCA25-04; Western CRE-Joby Venuti, Applicant; Rosenberg & Associates, Agent

## NEW BUSINESS

1. Consideration and possible approval of **Resolution 2025-34 appointing members to the Beautification Committee**
2. Consideration and possible approval of the **composition of an RFQ** relating to financing and incentives relating to economic development
3. Consideration and possible approval of a **proclamation supporting the Hey Put It Down campaign**
4. Consideration and possible approval of **Resolution 2025-35 amending the facility rates** for gymnasium rentals - Tiffani Wright
5. Consideration and possible approval of **Resolution 2025-36 Supporting America250 Utah**
6. Consideration and possible approval of the **Logo Usage Agreement and Memorandum of Understanding** for use of the America250 logo
7. Consideration and possible approval of **Zone Change Amendment Ordinance No. ZC25-09**, a proposed zone change located at approximately 200 N and 300 E from Highway Commercial to Single Family Residential R1-10; parcel numbers H-226-A-2, H-226-B, and H-230-A; the LeBaron Children Family Partnership, applicant; Ed LeBaron, agent.
8. Consideration and possible approval of **Zone Change Amendment Ordinance No. ZC25-10**, a proposed zone change located at 235 N 1580 W from Residential Agriculture RA-1 to Single Family Residential R1-10; parcel H-CWE-6; George Love, Applicant; Tim Scott, Agent.
9. Consideration and possible approval of **Zone Change Amendment Ordinance No. ZC25-12**, a proposed zone change located at 184 N State Street from Single Family Residential R1-10 to Multiple Family RM-3; parcel H-178; White Glove Construction - Kevin Hanson, Applicant.
10. Consideration and possible approval of a **local consent for a single event beer garden** for Pecan Valley Clubhouse
11. Discussion regarding allowing a **walking path through the City property** for Valley Academy students - Bryan Hall
12. Consideration and possible approval of **Ordinance 2025-19 Amending section 8-4-2** regarding the Municipal Power Board - Mike Johns
13. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request
14. Mayor, Council, and staff reports

## Adjournment

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

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

\_\_\_\_\_ for the City Recorder

## **Agenda Summary for Hurricane City Council September 4, 2025**

### **3:30 p.m. Work Meeting**

1. Discussion with Todd Brightwell from Southern Utah Alliance of Economic Development.

### **5:00 p.m. Pre-Meeting**

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

Minutes of the Special City Council Meeting July 23, 2025, and regular meeting August 7, 2025.

Recognition of Merlin Spendlove for his years of service.

Presentation of the Golf Pro Shop Expansion Project.

### **Old Business**

1. At the City Council meeting on August 7, 2025, the Council discussed the possibility of permitting commercial kitchens in residential zones as a home-based business. The discussion was triggered by the Altenas' business called Pop's Chips and Salsa. Due to the way businesses are classified by the State, the Altenas' production of salsa required a commercial license, which the City Code does not permit as a home-based business. Instead of a general code amendment to allow all businesses classified as commercial kitchens to operate as a home-based business, it was suggested that a development agreement permitting the use for the Altenas would be more appropriate.

Following that discussion, the Council considered the approval of a potential development agreement at the August 21, 2025, Council meeting. However, at the meeting, the applicant requested that additional uses be permitted under the development agreement, including uses specified under the Utah Code that were unfamiliar to City staff. The Council continued the item to allow City staff to review the applicant's requests.

City staff have reviewed the matter further and a revised development agreement up for possible approval. The development agreement would allow any products permitted as a cottage food product, plus chips, salsa, queso, and seasonings. The agreement also specifies that the owner may qualify for exemptions under the Home Consumption and Homemade Food Act (HB 181) regardless of the terms in the agreement. The proposed agreement also requires compliance with all other requirements of home-based businesses, it requires Building Official approval of the kitchen, it does not allow the expansion of the kitchen beyond its current size, and the ability to operate a commercial kitchen shall terminate when the Altenas no longer own the property; provided, however, that the Altenas are permitted to transfer the property to an LLC or a trust. – Dayton Hall

2. Updated for 9/4/25 – This item was tabled at the August 7, 2025, meeting until the applicant was ready to present it to the Council. The applicant submitted a proposed solution on Wednesday afternoon; however, staff has not yet had the opportunity to review it. – Cindy Beteag

Updated for 8/7/25 - This item was continued at the July 3, 2025 City Council meeting to allow the applicant to meet on site with city staff and a representative of the City Council to discuss possible alternative proposals. That meeting occurred on July 22, 2025. At the conclusion of the meeting, the applicant stated that he intended to provide an updated proposal for staff to review; staff is awaiting the updated materials. – Gary Cupp

#### Project Description

The applicant is requesting a change to the Hurricane City Land Use Code, Title 10, regarding development standards for permanent site-built dwellings (i.e., “stick-built” single-family homes) in platted RV parks such as Canyons RV. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and limited manufactured home use. Canyons RV Park is unusual because it is a platted RV park subdivision that has been developed mostly with permanent residential units. This is because in 2019, the same applicant petitioned the City to change the code to allow stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. The 2019 code change was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered porches not exceeding 15’ high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.”* However, the size and height limits have prevented the construction of garages on the site-built homes; therefore, the applicant is requesting that these restrictions be adjusted to facilitate garage construction. The height limit is proposed to be increased to 35 feet, and the 900-square-foot size limit is proposed to apply to the building footprint. These changes would allow the homes to expand to two stories in height and 1,250 to 1,400 square feet in size.

#### **New Business**

1. There was a vacant seat on the Beautification Committee. The proposed resolution appoints a person to fill this vacancy and also adds a new seat to the board.
2. The Council will discuss economic development during the work meeting. This agenda item has been included to allow the Council to take action immediately if a decision is reached and they are ready to move forward. – Cindy Beteag

3. At the last Council meeting, the Council viewed the 'Hey Put It Down' campaign promoting no texting and driving and expressed support for passing a proclamation to show their backing. The proposed proclamation reflects that support. – Cindy Beteag
4. Updates the fee schedule for gymnasium rentals at the Hurricane City Athletic Campus. City and school district programs remain free, while club/competitive teams, tournaments, and special events will be charged set hourly rates, with possible discounts for resident teams and bulk scheduling. – Tiffani Wright
5. This resolution establishes the Hurricane Utah250 Community Committee to commemorate Hurricane City's role in America's 250th anniversary. It formalizes the City's partnership with America250 Utah, authorizes the Mayor to appoint committee members, and affirms the Council's support for local projects that educate, engage, and unite the community while promoting tourism and economic development. – Cindy Beteag
6. To participate in America250, the America250 Utah Community Licensing Agreement and a Memorandum of Understanding for use of the logo must be approved and implemented. The County provided these agreements, and Legal has reviewed both documents with no concerns regarding Council approval. – Cindy Beteag
7. The applicant is requesting a zone change from Highway Commercial (HC) to Single Family Residential R1-10 on 2.61 acres located east of State St spanning from 200 N to 300 N, near the base of the Hurricane Cliffs. Based on a review of available records, it appears this property has been zoned Highway Commercial since the late 1990s. The applicant has indicated their intention to initially construct one single-family home, followed by the potential development of additional single-family residences on the site. A public hearing on the proposed zone change was held at the August 14, 2025, Planning Commission meeting and no public comments or objections to the proposed zone change were received. The Planning Commission discussed the item and felt that even though some commercial land would be lost if the zone change were approved, that it was unlikely to be developed commercially. They also felt that the property is better suited for residential development due to the mostly residential nature of the surrounding blocks. The Planning Commission voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC comments.

Findings:

Staff finds that the request adequately satisfies the four approval standards for zone changes:

- The site has a General Plan designation of "Multifamily." The zone change request is

generally consistent with the General Plan, whereas the existing Highway Commercial zoning designation of the property is not. Single Family Residential R1-10 better aligns with the intent of the General Plan, since single-family development is supported by the Multifamily land use designation. Nevertheless, the General Plan is not binding, and approval of the zone change would be a reduction in commercial land inventory that strays from the City Council's stated objective to preserve commercial property.

- The proposed zoning is harmonious with the character of existing development in the vicinity. The area has predominately single-family homes in the vicinity.

- The proposed amendment will not adversely impact the area, since it would facilitate additional single-family development similar to that of neighboring properties.

- Public facilities and services are generally adequate to serve the subject property, though several considerations remain. There are legal ambiguities regarding the status of 200 N as it turns north towards the existing water tank that may make development of property off of 200 N difficult without participation from neighboring property owners. However, these difficulties exist regardless of the zoning of the property and can be addressed at the development stage.

Recommendation:

Staff is mindful of the City Council's stated objective to preserve commercially zoned land, and this action, if approved, would be a reduction in the City's commercial land inventory. Alternatively, the request adequately satisfies the code considerations for approving a zone change. Therefore, staff provides two recommended decision options for the City Council to consider:

- Deny the requested zone change, since it constitutes a reduction in commercial property within the City; or

- Approve the request, subject to staff and JUC comments, since it adequately satisfies the four approval standards for zone changes. – Gary Cupp

8. The applicant is requesting a zone change from Residential Agriculture RA-1 to Single Family Residential R1-10 on a 0.989-acre property located at 235 N 1580 W. A public hearing on the proposed zone change was held at the August 28, 2025, Planning Commission meeting and several in-person comments objecting to the zone change were received. Also, several written public comments objecting to the proposed zone change were received and are attached to the packet. The comments primarily objected to changing to a zone that would allow smaller lots than one acre. The Planning Commission had no substantial discussion on the item and voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC

comments.

Findings: Staff finds that the request adequately satisfies the four approval standards for zone changes:

- The General Plan Map shows this area as “Single Family.” The proposal meets the General Plan consistency standards for Single Family development.
- The proposal is compatible with the surrounding development of single-family homes.
- The proposed amendment will not adversely impact the area, since it is similar in scope to the surrounding development in the vicinity.
- Services and public facilities are adequate to support any future development.

Recommendation: Staff recommends approval subject to staff and JUC comments. – Gary Cupp

9. The applicant is requesting a zone change from Single Family Residential R1-10 to Multiple Family RM-3 on a 1.22-acre property located at 184 N State Street. A public hearing on the proposed zone change was held at the August 28, 2025, Planning Commission meeting and one public comments objecting to the proposed zone change was received. The commenter stated that RM-3 would be too dense. The Planning Commission discussed the item and also said that RM-3 would be too dense and felt that RM-2 would be more appropriate for the site. The vote was unanimous to recommend approval of a zone change to RM-2 to the City Council subject to staff and JUC comments.

Findings: Staff finds that the request adequately satisfies the four approval standards for zone changes:

- The General Plan Map shows this area as “Multifamily.” The proposal meets the General Plan consistency standards for multiple family development.
- The proposal is compatible with surrounding development of townhomes and closely clustered single-family homes.
- The proposed amendment will not adversely impact the area, since it is similar in scope and zoning to the surrounding development in the vicinity.
- Services and public facilities are adequate to support any future development.

Recommendation: Staff recommends approval subject to staff and JUC comments. – Gary Cupp

10. The applicant is requesting local consent for a beer garden as part of the Trail Hero Appreciation event. A background check has been completed, and there are no concerns from staff or the Police Department regarding issuance of local consent. Pecan Valley currently holds a restaurant liquor license restricted to the bottom floor of the clubhouse; however, the applicant is requesting to serve alcohol on the second level for this event. – Cindy Beteag
11. Valley Academy owns property located to the north of the current City Office property and recently purchased and opened a second location directly to the south of the City Office building. The school is requesting permission for students to walk across City property to travel between the two locations. Staff has placed this item on the agenda for Council discussion to receive direction. If the Council is in favor, an agreement will need to be drafted for review.
12. Staff would like to present a change to the date of the regularly scheduled monthly Power Board Meetings from the 1<sup>st</sup> Wednesday of each month to the 2<sup>nd</sup> Wednesday of each month. The time would remain the same, unless after discussion at Power Board a different time is recommended and agreed upon. The reason for this recommendation has to do with the fact that meetings are currently the same weeks as City Council which make it difficult to coordinate agenda items that require council approval. The posting requirements for Council meetings often means we don't have the recommendation from the board prior to needing it placed on the agenda. Moving it to the 2<sup>nd</sup> week will give us time to present things to the Power Board, get their recommendations, and prepare the documents and summaries in time for the Council meeting the following week. This item is scheduled for discussion on the Power Board Agenda for the 9/3/25 meeting. The Power Board recommendation will be provided to Cindy Beteag promptly after that meeting. – Crystal Wright
13. Mayor, Council, and staff reports.
14. Closed Meeting upon request.

1 Minutes of the Hurricane City Council special meeting held on July 23, 2025, in the Council  
2 Chambers at 147 North 870 West, Hurricane, Utah at 3:30 p.m.

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

5  
6 **Members Excused:** Joseph Prete

7  
8 **Also Present:** City Attorney Dayton Hall, Public Works Director Mike Vercimak, Assistant Public  
9 Works Director Weston Walker, City Planner Gary Cupp, Assistant Planner Fred Resch III, Streets  
10 Superintendent Hayden Roberts, Power Director Mike Johns, City Engineer Arthur LeBaron, HR  
11 Director Sel Lovell, Water Superintendent Ken Richins, Water Supervisor Kory Wright, and City  
12 Recorder Cindy Beteag. John Postert Hurricane Valley Fire District Representative

13  
14 **AGENDA**

15 **3:30 p.m. - Call to Order**

16 Mayor Billings welcomed everyone and called the meeting to order.

17 Prayer and Thought: Brock Ridding

18 Pledge of Allegiance: Cory Anderson

19 **New Business**

- 20 1. Presentation and request by Pecan Valley area developers served by Turf Sod  
21 Road for City participation in financing and constructing a second paved  
22 access road needed to satisfy the International Fire Code

23  
24 Mayor Billings explained that staff had identified four potential strategies, but she first asked  
25 the developers to present their own proposed solutions.

26  
27 Jared Westoff, representing Sand Hollow Village, explained that the project has preliminary plat  
28 approval for 166 lots, which required a second access. An agreement was made with the former  
29 Fire Chief to provide a twenty-foot-wide, all-weather gravel road to meet this condition. He  
30 noted that permits have been pulled for the first two-thirds of Phase 1, and improvements for  
31 Phase 2 are nearly complete. The construction drawings for Phase 3 have since expired and  
32 need to be re-signed; however, the fire district has declined to sign off due to the absence of a  
33 paved second access. Mr. Westoff stated that a new condition is now being imposed requiring a  
34 paved, thirty-two-foot-wide road with four-foot shoulders—something that was not originally  
35 planned. He added that the construction drawings for Phase 4 have already been approved and  
36 signed, and they are working to keep the project active. Mr. Westoff expressed that adding a  
37 new condition at this stage is unusual and should have been applied at the time of preliminary  
38 plat approval. He noted that the project is already vested, and any new requirements should be

39 applied to future plats. He noted that in other cities, the access originally approved with the  
40 plat is considered sufficient, and he believes this project should be treated in the same manner.

41  
42 Brock Ridding added that, as a developer, it is important to know that approvals have value  
43 when going through the process. He noted that off-site improvements are typically conditions  
44 of a zone change or a preliminary plat and are generally only revised if the zone or the number  
45 of lots is modified. He expressed concern that if Hurricane begins imposing changes in this  
46 manner, it will create difficulties for developers seeking to build in the community.

47  
48 Cory Anderson explained that they have been working in the Pecan Valley area for some time  
49 to establish infrastructure and recently constructed another road connecting to the north side,  
50 with all plans signed off. He stated that although all phases have been approved, they are now  
51 being told they cannot record any completed plats. He highlighted that they have complied  
52 with all City requirements and installed all utilities at their own cost. Mr. Anderson noted that  
53 the secondary access originally agreed upon with the City met the requirements at the time and  
54 expressed that the burden should not fall on them if additional development was later  
55 approved. He further explained that there are no buildings in place yet, only lots, so the safety  
56 requirement does not currently apply. The road in question is part of the Pecan Valley Resort,  
57 which will be developed in the future; therefore, if constructed now, it would need to be  
58 redone. He stated that their plans have not changed, they have met all requirements, and he  
59 feels the City is attempting to revise the agreement by imposing new conditions.

60  
61 Chris Wyler, owner of Pecan Valley Resort, stated that he has a recorded plat with significant  
62 financial investment and that permits are currently being held. He expressed concern about the  
63 difficulty of halting progress in the middle of development and noted he would have preferred  
64 receiving a letter outlining the specific requirements. Mr. Wyler asked whether a financing  
65 option, such as a Public Infrastructure District (PID), might be available to allow them to  
66 construct the improvements now as required, rather than having to redo them in the future.

67  
68 David Hirschi motioned to go into a closed session at 3:54 p.m. to discuss a proposed  
69 development agreement and reasonably imminent litigation. Seconded by Clark Fawcett.  
70 Motion carried unanimously.

71  
72 2. Closed Meeting pursuant to Utah Code section 52-4-205 to hold a strategy  
73 session regarding a proposed development agreement and reasonably imminent  
74 litigation

75 David Hirschi motioned to go out of closed session at 5:00 p.m. Seconded by Kevin Thomas.  
76 Motion carried unanimously.

77 Mayor Billings reconvened the meeting and stated that she feels the Council has identified a  
78 good solution that addresses both the developers and the Fire District. She explained that the

79 Council has decided not to take action on the agenda item at this time and recommended that  
80 it be tabled.

81

82 3. Reconsideration and possible approval of amending the Street Department's 5-  
83 year improvement plan to include and prioritize the immediate construction of a  
84 second paved access road for development in the Pecan Valley area, currently only  
85 served by Turf Sod Road

86 Kevin Thomas motioned to table amending the Street Department's 5-year improvement plan  
87 to include and prioritize the immediate construction of a second paved access road for  
88 development in the Pecan Valley area, currently only served by Turf Sod Road. Seconded by  
89 David Hirschi. Motion carried unanimously.

90 Mayor Billings explained that the recommendation is to advise the Building Official to allow all  
91 development with existing preliminary plat approval to move forward. She noted that if a  
92 development is in a grace period or the approval has expired, no extensions will be granted  
93 until the required road is completed. All new preliminary plat approvals will be required to  
94 meet the second access requirement, and future zoning and preliminary plats will be subject to  
95 this standard until the road is finished. Cory Anderson commented that this requirement should  
96 apply at the preliminary plat stage, not during a zone change request. Mayor Billings responded  
97 that the availability of adequate facilities and related issues will be considered during zone  
98 change requests. Brock Ridding asked whether construction drawings could be renewed, and  
99 Mayor Billings confirmed that they could.

100

101 **Adjournment:** Kevin Thomas motioned to adjourn at 5:06 p.m. Seconded by Drew Ellerman.  
102 Motion carried unanimously.

1 Minutes of the Hurricane City Council meeting held on August 7, 2025, in the Council Chambers  
2 at 147 North 870 West, Hurricane, Utah at 3:30 p.m.

3 **Members Present:** Mayor Nanette Billings and **Council Members:** Kevin Thomas, Clark  
4 Fawcett, and Joseph Prete.

5  
6 **Members Excused:** David Hirschi and Drew Ellerman

7  
8 **Also Present:** City Manager Kaden DeMille, City Attorney Dayton Hall, Police Chief Kurt Yates,  
9 Public Works Director Mike Vercimak, Assistant Public Works Director Weston Walker, City  
10 Planner Gary Cupp, Assistant Planner Fred Resch III, Power Director Mike Johns, City Engineer  
11 Arthur LeBaron, Recreation Director Tiffani Wright, Building Official Larry Palmer, HR Director  
12 Sel Lovell, Water Supervisor Kory Wright, and City Recorder Cindy Beteag.

13  
14 **AGENDA**

15 **3:30 p.m. Work Meeting with the County Commissioners**

16 Present: Commissioner Victor Iverson, Commissioner Gil Almquist, Commissioner Adam Snow,  
17 Scott Messel, Nichole Felshaw, Attorney Devin Snow. Millie Anderson, Cindy Beteag, Joe  
18 Decker, Dayton Hall, Fred Resch III, Kaden DeMille, Gary Cupp, Arthur LeBaron, Mike Vercimak,  
19 and Weston Walker.

20 Commissioner Iverson opened the discussion by explaining that Paul Hill was unable to attend  
21 the meeting, so he would present the request outlined in the letter included on the agenda. He  
22 explained that the proposal is to construct a Desert Research Center near the DMV and that  
23 they are seeking a letter of support from the City. He noted that while Utah State is the  
24 designated land grant university, many grant opportunities are currently being left untapped.  
25 Establishing the center would create opportunities for the University to invest in local research.  
26 The plan is to approach the Legislature to request an appropriation for the building, and once  
27 funding is secured, they would return to the City Council to request a waiver of impact fees.  
28 Mayor Billings pointed out that the email specifically requested a waiver of impact fees but  
29 noted that the current Council cannot commit future councils to that request.

30 Commissioner Iverson stated that Councilman Kevin Thomas had reached out to discuss the  
31 Fire District, and he felt it would be more productive to bring everyone together for the  
32 conversation. He explained that when the cities originally came together, they asked the  
33 County to form a Special Service District, which at the time had the authority to approve tax  
34 increases. However, state law has since changed, requiring that only the legislative body that  
35 created the District can approve such increases. He acknowledged Hurricane City's concern that  
36 it does not have adequate representation on the Board. Commissioner Iverson noted that a tax  
37 increase has been anticipated for more than five years and added that the City has the option  
38 to form its own fire department if desired. Mayor Billings confirmed that the City would need  
39 County approval to withdraw from the District. She also read comments from Commissioner

40 Hirschi, who expressed interest in having additional representation on both the sewer and fire  
41 boards and stated his opposition to the recent tax increase.

42 Councilman Thomas stated that his primary concern is representation, noting that smaller  
43 communities should not have the same number of votes as the largest city in the district. He  
44 also raised concerns about the budget, explaining that the City regularly makes cuts to balance  
45 its finances rather than turning to citizens to cover shortfalls. Chief Joe Decker responded that  
46 the Fire District has already made significant cuts and is currently operating at the bare  
47 minimum. The only remaining option would be to reduce staff. He explained that a property tax  
48 increase was necessary last year because funding had been depleted. While efforts are being  
49 made to scale back the budget, they are also working to maintain service levels. Councilman  
50 Thomas clarified that the property tax increase is not like a general obligation bond; instead, it  
51 is a consistent tax that remains at the same rate. Councilman Fawcett further explained that  
52 the tax rate is calculated based on assessed property values each year, and once the rate is set,  
53 it applies to new growth. Mayor Billings noted that the budget report she previously received  
54 did not reflect the increase that occurred later in the year, resulting in an inaccurate picture of  
55 available funds. Because the same incomplete information was also provided to the public, it  
56 created a perception that they were being misled. She highlighted the need for an additional  
57 fire station on 3000 South and stated that new development should bear the cost. Chief Decker  
58 added that as all the surrounding communities continue to sprawl outward, the expense of  
59 providing adequate fire service only increases.

60 Commissioner Almquist stated that he would prefer a tax increase over higher insurance rates.  
61 Chief Decker explained that the challenge comes from areas that have sprawled outward from  
62 the community, which impacts fire protection ratings. Those ratings, in turn, affect insurance  
63 costs and in some cases result in residents losing coverage altogether. He added that the cost of  
64 buildings and equipment has continued to rise, and the District is already operating at the  
65 minimum level required. Mayor Billings noted that the Commissioners are the taxing entity and  
66 asked the Council if they believed the City should have greater representation on the board.  
67 Commissioner Almquist questioned whether they should follow a legislative model or a senate  
68 model for representation. Commissioner Iverson stated that when Hurricane rejoined the  
69 District after Springdale and Rockville joined, the City did not regain its second seat. He said he  
70 has spoken with the District's attorney about possible options but does not believe the County  
71 can force changes to the Board's structure. Mayor Billings observed that the Board itself does  
72 not want Hurricane to have additional representation. Washington County Attorney Devin  
73 Snow suggested that one option could be adding a bylaw requiring a supermajority vote for  
74 budget matters. Commissioner Snow asked whether that decision would rest with the  
75 Commission or the Board. Mr. Snow clarified that either body could approve it. Mayor Billings  
76 added that she had attempted to involve city managers in the budget process, but the Board  
77 rejected the idea. Mr. Snow concluded by stating that while the Commission establishes the  
78 District, the Board is responsible for regulating it.

79 Chief Decker stated when the District was created, the purpose of the Board was to represent  
80 the whole district, not just the one community that each person is from. However, the

81 representatives have to show up. Hurricane’s representative has only been to two meetings  
82 this year. He pointed out the Fire District has come to every staff and council meeting for  
83 Hurricane. They are making the effort to be present. Councilman Fawcett stated he was part of  
84 the budget process last year. He didn’t feel like he got the information that he needed. It was  
85 lacking. The City needs to receive the budget. He can only verify things if he is able to see the  
86 budget. He stated the District also hired people that weren’t part of the budget when he was  
87 told those positions weren’t going to be filled. Chief Decker explained they were not adding  
88 positions but filling the ones that were open. Councilman Fawcett stated he couldn’t fully  
89 support the increase because he didn’t have enough information. He questioned if there would  
90 be an increase every time a station is built. He stated they need to set aside money for future  
91 buildings so that doesn’t happen. Chief Decker stated they are still trying to do a sales tax. What  
92 they have done has got them even. They plan to pay for stations and new equipment with  
93 impact fees. They are currently doing an impact fee study. He wants to be a partner. Mayor  
94 Billings feels like they are a good partner, but she thinks the disconnect is no one wanted the  
95 tax increase. She appreciates the work they do. Commissioner Almquist stated they are trying  
96 to find what is just right. Hurricane is growing like crazy, so funds are always short. Councilman  
97 Fawcett stated he would feel better, and citizens would like it more if we had more  
98 representation on the Board. Commissioner Iverson agreed the budget wasn’t very easy to read  
99 in the beginning, but he feels that Chief Decker and Mayor Hoster have made it better. He can  
100 appreciate why the City doesn’t feel like they have the representation that they should. Mayor  
101 Bilings stated she appreciates everything the District is doing. She stated the only issue is that  
102 no one wants a large tax increase. Chief Decker agreed they shouldn’t have got to that large of  
103 an increase at once but that didn’t happen.

104 Dayton Hall stated that a resolution currently identifies the board members, and that resolution  
105 could be amended to address how budget items are voted on. Devan Snow agreed, noting that  
106 the County could either amend the existing resolution or adopt a new one. Commissioner Snow  
107 questioned whether the County has the authority to make such changes and risk upsetting the  
108 smaller communities that may oppose it. Devan Snow confirmed that the County does have  
109 that authority, though he acknowledged it could create tension among the communities.  
110 Commissioner Iverson suggested having the legal teams prepare options to present to the  
111 Board. Commissioner Adams noted that while changes could be made, they might lead to  
112 widespread frustration and even prompt some communities to consider leaving the District.  
113 Councilman Thomas asked for clarification on who determines the amount if a sales tax is  
114 approved. Chief Decker explained that the proposal allows for up to a 1% sales tax, but they  
115 missed last year’s deadline. As written, the new EMS tax would give the legislative body  
116 authority to impose up to one-third of a percent, while anything higher would require voter  
117 approval. He also noted that the property tax increase was approved with a provision to  
118 remove it if the sales tax is implemented. Commissioner Snow clarified that while the  
119 Commission holds final authority, the Board manages day-to-day operations. Commissioner  
120 Iverson expressed concern that 1% is too high and stated that one-third of a percent would be  
121 more reasonable, adding that care must be taken to avoid a sales tax rate that drives people to

122 shop elsewhere. Mayor Billings noted that even if a sales tax is approved, a truth-in-taxation  
123 should be completed.

124 Mayor Billings stated she also wanted to talk about RAP Tax. She asked the Commissioners if  
125 they were thinking about changing the formulas. She explained the City is planning on using  
126 these funds for the indoor pool, so they wanted to make sure they planned correctly. Devan  
127 Snow stated it is staying the same, but the County is collecting the administrative fee.  
128 Councilman Fawcett stated it has been wonderful and very helpful. Commissioner Almquist  
129 stated the Commissioners are doing things behind the scenes to keep the economy thriving.  
130 Commissioner Iverson stated he knows the City is doing a lot of good things with their theater  
131 and recreation programs. Mayor Billings stated the next topic that she wants to discuss is  
132 economic development. She stated Hurricane needs their help with moving the flyovers on SR-9  
133 up on the priority list. She asked them to talk to the legislators. This can't wait. We are almost  
134 to failure. She asked for their help to encourage this need. Commissioners agreed. Mayor  
135 Billings asked if they are considering changing their board to five commissioners. Commissioner  
136 Adams stated no. It would cost too much and the other counties that have changed have not  
137 operated better. It is a full-time job that needs attention. Commissioner Almquist added that  
138 they thought that time might come so the new building can accommodate that if it changes in  
139 the future.

140 Commissioners were excused at 5:00 p.m.

141 **5:00 p.m. Pre-meeting** - Discussion of Agenda Items, Department Reports

142 Mayor Billings presented a St. George flyer on water usage that Hurricane's utility office has  
143 been distributing. She requested that the flyer be updated with Hurricane-specific information  
144 before being redistributed. She also introduced Utah Brown's field program, explaining its  
145 purpose and the funding opportunities available. Mayor Billings further announced that two  
146 long-time employees will soon be retiring: Merlin Spendlove, who has served with the Fire  
147 District for thirty-seven years, and Kent Abegglen, the City's Golf Pro.

148 Chief Yates reported that it has been a busy month, with numerous storage unit burglaries  
149 investigated. A recent search warrant uncovered a large amount of stolen property, as well as  
150 individuals living inside the units. Items recovered included drugs, stolen firearms, bicycles, and  
151 coins valued at over \$3,000. He noted that the K9 officer will be attending POST training this  
152 week. With school beginning on Monday, there will be an increased police presence to assist  
153 with traffic and safety as students and staff adjust. The Department will also be participating in  
154 the "Shop with a Cop" back-to-school shopping event this week. He stated Officer Tanner Pike  
155 will be the new traffic officer, assigned specifically to address traffic concerns. He also  
156 announced that Officer Chad Holt will be retiring at the end of the month, and that testing for  
157 new officers will take place on Wednesday.

158 Kory Wright stated that the department is busy addressing leaks during the peak season. He  
159 stated that the Dixie Springs Well is nearing completion and that the Sky Ranch Tank has been

160 excavated to the bottom and is ready for pipeline construction. He also noted that permission  
161 has been granted to run the line for the Sky Ranch Well.

162 Larry Palmer compared building permit numbers for the first six months of 2024 and 2025. He  
163 reported that single-family home permits increased from 130 last year to 195 this year.  
164 Townhome permits rose from 60 to 70, and condominium units increased slightly from 24 to  
165 26. Commercial permits decreased from 35 last year to 13 this year, while there was one  
166 apartment building approved this year, comprising 16 units. Total valuation for permits was just  
167 under \$67 million in 2024 and just under \$72 million in 2025.

168 Sel Lovell stated they have still been working on the employee manual that will come to the  
169 Council soon.

170 Mike Vercimak announced that Dave Zundel is the new airport manager. A military retiree, Mr.  
171 Zundel is expected to be a valuable asset to the airport. He also stated that construction for the  
172 AWOS project is scheduled to begin in mid-October. The locator position has been filled by Tate  
173 Wilkinson. He noted that Balance of Nature is nearing the point of calling for a punch list on  
174 three roadways. Since the last council meeting, six preconstruction meetings have been held.

175 Weston Walker reported that the streets crews have been relocating the crosswalks on 870  
176 West to prepare for school next week, and all crosswalks have been repainted. He also noted a  
177 new traffic pattern on 200 West, which now has a four-way stop. Although the change has  
178 generated discussion, warning signs have been posted to notify citizens. He stated that the 100  
179 North project is nearing completion and that there is another traffic pattern change on Main  
180 Street. The irrigation project on 920 West is still ongoing. He added that the streets department  
181 has filled the supervisor position with Darin Wolsleger, who will begin next week.

182 Mike Johns reported that a generator went down, but they were able to relocate another unit  
183 to maintain operation of the natural gas generators. He stated that the contract for AMI meters  
184 has been signed, allowing the project to move into its next phase. The capital facilities plan is  
185 currently under review, and the new impact fee is set to go into effect next week. He also noted  
186 that the UAMPS conference will take place in two weeks at Lake Tahoe.

187 Arthur LeBaron reported that he is working on consultant selection for three road projects and  
188 the second access at Sand Hollow State Park. He noted that UDOT staff is exploring interim  
189 solutions for the 3400 and 3700 West intersections, which may help alleviate congestion. The  
190 PID project at Sand Hollow will construct a south leg of 3700 West with sufficient width to  
191 accommodate a turn lane. He also met with UDOT staff regarding the travel demand model for  
192 downtown. UDOT is reviewing other options and the City's master plan to identify potential  
193 changes to traffic patterns. He stated the Rainbow Canyon HOA requested that the City take  
194 over their streets. He explained that the streets are only thirty-two feet wide with no sidewalks  
195 and cannot be widened due to existing home setbacks. He told the HOA that the City would not  
196 take over the streets but offered them the option to present their request to the Council,  
197 noting he did not expect it to be approved. Council agreed with his assessment. He stated that  
198 the crosswalk relocations have been an improvement and should be beneficial. Push-button

199 signals will be relocated to 700 West at 300 North. He also met with the Goulds Wash EIS  
200 group, noting that the process is wrapping up, with a public comment period and a meeting  
201 scheduled for October 22 at 6 p.m. at the Community Center. Some easements will need to be  
202 acquired, but the regulated floodplain footprint will be smaller. Finally, he noted that Peach  
203 Days are approaching quickly, and staff is preparing for the event.

204 Tiffani Wright stated that *The Prince of Egypt* has started at the theater, and *Frozen* has been  
205 approved for this time next year. *Seven Brides for Seven Brothers* is scheduled for the spring.  
206 She noted that this is the last weekend for the summer pool season; fall swim sessions will  
207 follow, after which the pool will be open only on weekends. The City plans to go out to bid in  
208 October for construction, though work will not start until January. The gym project is expected  
209 to be completed by November, but January is a more likely timeline. She stated that several  
210 volleyball clubs are interested in using the gym space on weekends and asked whether club  
211 rates should match the hourly rental rate. Mayor Billings stated she would like the City to host  
212 tournaments. Mrs. Wright noted that the next budget includes a position to operate the gyms,  
213 which could help coordinate those events. Kaden DeMille cautioned against booking the gyms  
214 every weekend to ensure residents still have access. Councilman Prete requested further  
215 discussion on rates. Mayor Billings asked that this be added as a discussion item on the next  
216 agenda. Mrs. Wright also attended the Peach Days meeting, where attendees requested  
217 expanding the Molly's Nipple trailhead to provide more parking for the Equestrian Park. Arthur  
218 LeBaron opposed that expansion, citing prior commitments to the Canyons subdivision  
219 regarding the park's size. Mayor Billings highlighted the need to move forward with a second  
220 access through BLM land. Mrs. Wright added that additional seating will be brought in for the  
221 rodeo. She concluded by noting that fall programs start next week and that the recent rate  
222 changes for resident and nonresident registration have not caused any issues.

223 Gay Cupp stated the Planning Commission has a large agenda next week due to lack of  
224 meetings in July. There will be several items coming to Council.

225 Fred Resch III reported that he has not had time to address code enforcement issues due to the  
226 large Planning Commission agenda but plans to work on them after the packet is distributed. He  
227 stated that the Beautification Committee met and is exploring options to improve bus stop  
228 areas. He noted that the Planning Commission approved a preliminary plat for a portion of the  
229 SkyRim project, which includes 132 townhome units. Additionally, the final site plan for Calvary  
230 Chapel was approved, and construction is expected to begin as soon as possible. He added that  
231 the moderate-income housing plan has been submitted to the State, and he is confident that  
232 the City is in compliance.

233 **6:00 p.m. - Call to Order –**

234 Mayor Billings welcomed everyone and called the meeting to order.

235 Prayer, Thought, and Pledge was led by Councilman Fawcett.

236

237 Declaration of any conflicts of interest

238 None declared.

239

240 Minutes of the Regular City Council Meeting for May 15, 2025, June 5, 2025, June 19, 2025,  
241 and Special Meeting June 24, 2025

242

243 Kevin Thomas motioned to approve the May 15, 2025, June 5, 2025, June 19, 2025, and Special  
244 Meeting June 24, 2025, minutes as written. Seconded by Clark Fawcett. Motion carried  
245 unanimously.

246

247 Mayor Billings announced that the Hurricane High School boys football team will be running to  
248 the “H” tomorrow, followed by a breakfast on the visitor’s side near the bleachers. This year  
249 marks the 100-year anniversary of the “H,” with the theme *Loyal to the Soil*. She reminded the  
250 Council that they will ride on a float in the Peach Days parade on Saturday morning and that on  
251 Friday night, they will present the Mayor’s Awards. She reported that the pickleball courts will  
252 go out to bid after Peach Days. The State has indicated that there is insufficient data on the  
253 reliable yield of the aquifer, so additional studies are planned. The City has applied for a line  
254 extension grant to support economic development on SR-7 utilities. NRCS is still working on  
255 funding for the water projects. She handed out a flyer from Liberty Village highlighting events  
256 during Constitution Week. Mayor Billings recognized several upcoming retirements: Merlin  
257 Spendlove from the Fire District, Officer Chad Holt after twenty years of service, and Golf Pro  
258 Kent Abegglen. She noted that there will be a pancake breakfast at the Fire District in  
259 celebration of 911. She then highlighted the “One Kind Day Act” for juvenile justice youth  
260 services, including a mural unveiling event on August 26 from 11:30 a.m. to 1:30 p.m. by the  
261 DMV. Flyers promoting conversations with youth about issues such as underage drinking are  
262 being prepared for recreational areas, with a group of citizens coordinating placement. She also  
263 mentioned the “Hey Put It Down” campaign against texting and driving and asked the Council if  
264 they would like to support the initiative.

265 **Public Forum – Comments From Public**

266 Jody Knowleden stated that he is new to the area and has applied for multiple positions within  
267 the City but has only received one interview. He expressed concern that he is being overlooked  
268 despite having more experience than the positions require and feels he may be facing age  
269 discrimination. He noted that each time he applies, he receives a notice that the position has  
270 been filled, only to see it reposted later. He also stated that the wages offered do not reflect his  
271 experience, and he is qualified to operate any of the City’s equipment. He reiterated that he has  
272 significantly more experience than required, is continually passed over, and believes the offered  
273 wages are insufficient. He noted that he is a resident who wants to work and urged that the  
274 situation be addressed.

275 Adelin Hirschi explained that she received notice that her residential hosting license could not  
276 be renewed next year due to zoning restrictions. She acknowledged that the City’s primary  
277 concern is density but noted that there have been no nuisance complaints and that sufficient

278 parking is available. She requested that the City consider allowing this use within their zoning,  
279 emphasizing that she has complied with all regulations. She expressed concern about the  
280 financial impact of the denial, noting that the listing for her house stated it was a permitted use  
281 when she purchased the home and that a license had previously been issued. She hopes to  
282 have the opportunity to renew the license in the future.

283 Dan Zaleski stated that he lives on 100 North, which has been under construction for six  
284 months. He recently learned that a stop sign will be installed on Main Street, which was not  
285 there previously, and he is concerned it will alter traffic patterns. He noted that parking is  
286 limited on 100 North, most homes have little or no parking, and speeding is an ongoing issue.  
287 He expressed concern that moving the stop sign will turn 100 North into a through street,  
288 making it difficult for residents to safely exit their properties. He requested that a four-way stop  
289 be installed at Main and 100 North and that a new traffic pattern sign be placed on Main Street.  
290 He also mentioned that stop signs on 100 North and 100 West have not yet been adjusted, and  
291 the northbound sign on 100 West is obscured by the bulb-out. Mayor Billings explained that  
292 stop signs are installed based on traffic studies and noted that the situation can be reviewed  
293 and adjusted as needed once construction on the roads is completed.

294 Jonathan Zieber, a resident of Painted Sands and neighbor to the previously mentioned  
295 residential hosting license, stated that the license was issued in error by City staff, as the use is  
296 not permitted in that zone. He noted that the City decided to allow the license to continue until  
297 next year to give the business time to wind down and acknowledged that the situation was not  
298 entirely the licensee's fault, citing incorrect information from the realtor and builders. He  
299 expressed concerns about the number of complaints related to short-term rentals and asked  
300 whether the City could educate realtors or perform spot checks on all licenses issued in recent  
301 years to ensure no other incorrect licenses were issued. He noted that he does not want to be  
302 kept awake at night by visitors.

303 **OLD BUSINESS**

- 304 ~~1. Consideration and possible approval of Zone Change Amendment Ordinance~~  
305 ~~ZC25-11, a request for a zone change located at 2400 W and Liberty Way from~~  
306 ~~Light Industrial (M-1) to Single Family Residential (R1-10/PDO) and to update the~~  
307 ~~overall PDO for the Balance of Nature Gardens property; Parcel Number H 3373-~~  
308 ~~NP-BL; Douglas Howard, Owner; EPS Group, Inc., Agent~~ **APPLICANT WITHDREW**  
309 **APPLICATION**

310  
311 Clark Fawcett motioned to table the Zone Change Amendment Ordinance ZC25-11 a request for  
312 a zone change located at 2400 W and Liberty Way. Seconded by Kevin Thomas. Motion carried  
313 unanimously.

- 314  
315 **2. Consideration and possible approval of Ordinance 2025-12 amending Title 10, Chapter**  
316 **43 regarding site-built dwelling units in platted RV parks; Land Use Code Amendment**  
317 **No. LUCA25-04; Western CRE-Joby Venuti, Applicant; Rosenberg & Associates, Agent**

318  
319 Mayor Billings explained that Councilman Ellerman and staff met with the applicant; however,  
320 since Councilman Ellerman is not present, the applicant requested that the item be tabled until  
321 he’s in attendance.

322  
323 Kevin Thomas motioned to table Ordinance 2025-12 amending Title 10, Chapter 43 until the  
324 applicant requests it to be back on the agenda. Seconded by Joseph Prete. Motion carried  
325 unanimously.

326

327 **NEW BUSINESS**

328 **1. ~~Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-~~**  
329 **~~07, a proposed zone change for portions of the future Hurricane Civic Center property,~~**  
330 **~~located between the current city offices and 1150 W, from Single Family Residential R1-~~**  
331 **~~10 and Public Facility to Single Family Residential R1-4, Public Facility, and General~~**  
332 **~~Commercial; Parcel Numbers H 3-1-34-4210, H 3-1-34-4320, H 3-1-34-4331, H 3-1-34-~~**  
333 **~~4332; Hurricane City, Applicant. Gary Cupp~~ **APPLICANT REQUESTED ITEM TO BE****  
334 **MOVED TO THE AUGUST 21ST AGENDA**

335

336 Mayor Billings explained that two council members are absent, and since full attendance is  
337 needed for the discussion, she requested that the item be continued to a future meeting.

338

339 Clark Fawcett motioned to continue the Zone Change Amendment Ordinance ZC25-07 a  
340 proposed zone change for portions of the future Hurricane Civic Center property to the August  
341 21<sup>st</sup> agenda. Seconded by Kevin Thomas. Motion carried unanimously.

342

343 **2. Consideration and possible approval of local consent for a beer garden for Trail Hero -**  
344 **Rich Klein**

345

346 Rich Klein stated that this year will mark the tenth anniversary of Trail Hero. He noted that beer  
347 has been sold at the event in previous years without any issues. The primary change this year is  
348 that the event will be moved to the fairgrounds, providing a safer environment. Trail Hero is a  
349 five-day guided trail ride, and the funds raised—typically \$80,000 to \$120,000 annually—are  
350 donated to local non-profits. He highlighted his support for public land use and stated that the  
351 new location will offer a great venue for the event. Mayor Billings noted that the new access to  
352 Sand Hollow has been approved and is progressing. Chief Yates stated that staff have no  
353 concerns with issuing local consent. Mr. Klein added that the beer garden will have a larger  
354 footprint than in previous years but will operate similarly to the fair’s setup.

355

356 Joseph Prete motioned to approve the local consent for a beer garden for Trail Hero. Seconded  
357 by Kevin Thomas. Motion carried unanimously.

358



401           **5. Discussion to consider a possible Land Use Code Update to the Home Based Business**  
402           **Ordinance to allow commercial kitchens in residential zones**

403  
404 Harry and Summer Altena explained that they built a commercial kitchen in their home. They  
405 stated that they asked staff if the use was allowed and have now spent over \$50,000 on  
406 construction. When they applied for a business license, they were informed it could not be  
407 approved. Mrs. Altena noted that a letter from the State indicated a commercial kitchen could  
408 potentially be allowed in a home if approved. They sought City guidance and were advised to  
409 obtain approval from the Fire District and Ash Creek, which they did. They also confirmed with  
410 the City that the kitchen was allowed, and the State inspected and approved it. However, the  
411 business license was ultimately denied because commercial kitchens are not permitted in  
412 residential zones. She added that a cottage license is not applicable for products such as salsa.  
413 Mayor Billings stated that Trent Staggs with the State contacted her regarding assistance to  
414 resolve the issue. She referred the matter to the Planning Commission to explore whether the  
415 City code could be updated to allow this type of business. Gary Cupp clarified that the matter  
416 has not yet been presented to the Planning Commission and that this discussion is intended to  
417 determine if the Council wants to explore permitting commercial kitchens in homes. He noted  
418 there may have been miscommunication between staff and the applicants. He reviewed the  
419 difference between a cottage kitchen and a commercial kitchen, explaining that the home-  
420 based business ordinance allows a cottage kitchen but not a commercial kitchen. Salsa does not  
421 qualify under the cottage license, and a commercial license would be required, which the City  
422 ordinance currently prohibits in residential zones. He added that a commercial license from the  
423 State would allow production of any product, potentially creating nuisances in a residential  
424 area.

425  
426 Mayor Billings asked what the City would need to do to allow the Altenas' business. Gary Cupp  
427 explained that it would require a land use code update to permit a commercial kitchen in a  
428 residential zone, but cautioned that such a change could allow broader commercial production  
429 in neighborhoods. Mayor Billings asked whether restrictions could be added to prevent  
430 restaurants from being operated in a home. Mr. Altena noted that the business would still be  
431 subject to home-based business regulations. Mrs. Altena added that their current setup works,  
432 but it may not work for everyone. Mayor Billings explained that if the City allows it for one  
433 resident, it must be allowed for all if they meet the requirements. Mr. Cupp stated he could  
434 explore restrictions in the ordinance but cautioned that permitting this use could open the door  
435 to other problems. Councilman Thomas suggested considering a conditional use permit for this  
436 type of business. Councilman Fawcett raised concerns about potential waste or odor issues and  
437 recommended narrowing permitted uses to minimize nuisances and protect neighborhoods.  
438 Mr. Cupp noted that the Council would need to consider broader implications beyond chips and  
439 salsa to prevent future problems. Councilman Prete expressed concern about changing the  
440 ordinance, citing potential issues such as grease traps, sprinkler systems, and odors, and felt it  
441 would be too problematic to allow in residential areas. Councilman Thomas added that he does

442 not want to send the matter to the Planning Commission yet and prefers to explore other  
443 options first.

444  
445 Kevin Thomas motioned to continue the Land Use Code Update discussion regarding Home  
446 Based Businesses to the next meeting as a discussion and possible recommendation. Seconded  
447 by Joseph Prete. Motion carried unanimously.

448  
449 **6. Consideration and possible approval of an amendment to the Kachina Ridge**  
450 **Development Agreement - Kent Stephens**

451  
452 Mayor Billings read the following summary that was provided in the packet written by Dayton  
453 Hall. “This item is a request by HS Properties, LLC to adjust and extend the termination date  
454 within the Kachina Ridge Development Agreement. The subject property is 75.9 acres on the  
455 Hurricane Hill north of Highway 59. The Agreement was approved by the Council on December  
456 3, 2021, in conjunction with a zone change rezoning the property to Planned Commercial. In  
457 addition to the standard requirements that the developer bring utilities to the property, the  
458 Agreement requires that the developer design and construct intersection improvements on SR-  
459 59 to UDOT standards, including over/underpass, traffic signals, turn lanes, and other right-of-  
460 way improvements. The Agreement also states that the City Council has the option to  
461 terminate the Agreement if the final plat for the property has not been recorded by December  
462 3, 2028. The developer has been working with UDOT to complete a design for the highway  
463 interchange, but the process has been moving slowly and has suffered some setbacks. The  
464 developer’s request is that the Agreement be amended to give the Council the option to  
465 terminate if a preliminary plat has not been approved by the City by December 3, 2028, instead  
466 of requiring the recording of a final plat before the termination option is available. This  
467 amendment would avoid the potential situation where a preliminary plat has been approved  
468 and construction has started on the development, but the final plat is not recorded by the  
469 deadline, giving the Council the contractual ability to terminate the Agreement mid-  
470 development.”

471  
472 Mayor Billings explained that UDOT has changed the project scope from two lanes to four  
473 lanes, which has extended the design timeline. Kent Stephens added that they have been  
474 working with UDOT for years through regional planning and multiple traffic studies. He noted  
475 that UDOT’s long-term plan changed during this process. All work related to the development  
476 that they can complete has been done, and they now require UDOT approvals to move forward.  
477 He stated that UDOT’s slower pace has caused delays beyond their control. Mayor Billings  
478 expressed appreciation that Mr. Stephens brought the matter forward before the deadline for  
479 discussion. Dayton Hall noted that amending the development agreement would be the  
480 cleanest way for the Council to proceed if they choose to move forward. Councilman Fawcett  
481 confirmed that staff has no concerns with extending the timeline. Councilman Thomas  
482 expressed concern about constructing a large ramp if there are existing problems at the bottom  
483 of the hill. Mayor Billings clarified that the applicant’s responsibility is limited to the

484 interchange, and UDOT must address issues at the bottom of the hill. Councilman Thomas  
485 agreed that the applicant should not be shut down after receiving preliminary plat approval.  
486 Councilman Prete noted that when the Council originally approved the zone change, he likely  
487 voted against it due to infrastructure, traffic, and access concerns. He noted that a large  
488 development could exacerbate traffic issues at the bottom of the hill and expressed reluctance  
489 to allow the project to continue unchecked. He also noted that changes in State plat review  
490 limit the Council's oversight. Councilman Fawcett agreed that any concerns should be  
491 addressed first.

492

493 Clark Fawcett motioned to approve amending the Kachina Ridge Development Agreement to  
494 extend it to preliminary plat instead of final plat. Motion died for lack of second.

495

496 Kevin Thomas motioned to continue amending the Kachina Ridge Development Agreement to  
497 the next meeting. Seconded by Joseph Prete. Kevin Thomas and Joseph Prete voted aye. Clark  
498 Fawcett stated there needs to be more direction before it moves to the next meeting and voted  
499 nay. Motion died.

500

501 Councilman Prete stated that he would like the preliminary plat to come before the Council  
502 rather than the Planning Commission. Dayton Hall explained that this could be incorporated  
503 into the development agreement if the applicant agrees. Councilman Fawcett noted that while  
504 he understands Councilman Prete's concerns about a previous decision, the underlying zoning  
505 remains in place even if the development agreement expires. Mr. Hall clarified that if no final  
506 plat is approved, the Council has discretion to terminate the agreement, in which case the  
507 property would revert to its previous zoning.

508

509 Clark Fawcett motioned to continue amending the Kachina Ridge Development Agreement for  
510 two weeks, subject to the proposed language being sent out to the Council in advance for  
511 review. Seconded by Joseph Prete. Motion carried unanimously.

512

513 Kevin Thomas motioned to go into a public hearing at 7:57 p.m. Seconded by Joseph Prete.  
514 Motion carried unanimously.

515

516 **7. Public Hearing to take comments on the following:**

517

518 a. A request to vacate a portion of Flora Tech Road

519

520 Mayor Billings read the following two statements that were submitted online.

521

522 "I feel that we really need to keep this road opened. It's always been a favorite. Some people  
523 are always in a hurry and drive too fast. Since the new road has been opened the traffic. On  
524 Flora Tech is a lot more quite but still very convenient to take. Hope they will reconsider  
525 keeping it opened." – Pearl Adolphson

526  
527 “Due to family situations, I probably will be unable to attend. I have spoken with Brent Moser  
528 and Arthur LeBaron previously about our sign. I assume it will need to be relocated due to the  
529 impending construction and directional info on sign will need to be updated. I request assistance  
530 from developer and the City to accomplish this. Could that be a condition of the closure?” – Lea  
531 Thompson

532  
533 Karl Rasmussen, representing the clients, explained that abandoning the road is urgent, as it  
534 will be a deal breaker for pending applications in the area. Dayton Hall clarified that Mr.  
535 Rasmussen represents Cypress Capital and Western Mortgage, the property owners involved,  
536 and that they are in favor of the road abandonment.

537  
538 Kevin Thomas motioned to go out of public hearing at 8:02 p.m. Seconded by Joseph Prete.  
539 Motion carried unanimously.

540  
541 **8. Consideration and possible approval of Resolution 2025-29 abandoning a portion of**  
542 **Flora Tech Road**

543  
544 Mayor Billings read the following summary that was provided in the packet written by Arthur  
545 LeBaron. “Flora Tech Road is an old County Road that is a prescriptive right-of-way the City  
546 inherited as part of the 1978 Dixie Springs Addition annexation. The City has maintained the  
547 road and it is a public right-of-way by prescriptive use, which means there is no official  
548 dedication plat. With imminent development being proposed as part of the Gateway at Sand  
549 Hollow PID, the time has come to replace Flora Tech Road with a new roadway network that is  
550 in accordance with the City’s Transportation Master Plan (see attached Exhibit). In order to  
551 vacate a public right-of-way the City must follow a statutory process outlined in State Code,  
552 which requires advertisement, a public hearing, and a resolution. City Staff has reviewed the  
553 petition to vacate and recommends approval.”

554  
555 Arthur LeBaron reiterated that the City’s Master Plan does not currently include Flora Tech  
556 Road in its existing configuration. He noted that development pressure in the area has  
557 prompted a proposal to replace the road. The City has not invested significant resources in the  
558 current road, understanding it is not a long-term solution. He confirmed that a workaround is  
559 available for property owners who currently access their properties from this road and that  
560 they have agreed to relocate Lea Thompson’s sign.

561  
562 Kevin Thomas motioned to approve Resolution 2025-29 abandoning a portion of Flora Tech  
563 Road. Seconded by Clark Fawcett. Motion carried unanimously.

564  
565 **9. Consideration and possible approval of Resolution 2025-30 Amending the Power**  
566 **Connection Fees - Mike Johns**

567  
568 Mayor Billings read the following summary that was provided in the packet written by Crystal  
569 Wright. “We last updated our Power Connection Fees in June 2024 and established at that time  
570 we would review them annually, at a minimum, to update labor rates, material costs, and  
571 equipment costs. We will update them as needed in between those times if any material  
572 significantly increases and it’s necessary to do so. However, this is the normal annual review  
573 and update for those items. This item is on the August 6, 2025, Power Board agenda. Staff  
574 anticipates a positive recommendation.” She added that it was unanimously recommended by  
575 the Power Board. Mike Johns explained the biggest addition is the material cost on the hookup  
576 portion. The remainder is the cost difference for labor increases.

577  
578 Joseph Prete motioned to approve Resolution 2025-30 Amending the Power Connection Fees.  
579 Seconded by Clark Fawcett. Motion carried unanimously.

580  
581 **10. Consideration and possible approval of Resolution 2025-31 Amending the Residential**  
582 **Power Analog Meter Rate - Mike Johns**

583  
584 Mayor Billings read the following summary that was provided in the packet written by Crystal  
585 Wright. “We have a rate for a Residential Analog Meter on our books that hasn’t been used in a  
586 very long time. The actual cost per kWh is equal to our regular Residential rate, however the  
587 Base Rate is currently \$10 higher than a regular residential customer who has their monthly  
588 reading collected by radio. This \$10 increase is not sufficient to cover the increased labor rate &  
589 truck visit, especially because we will be doing it for just a select few. We have signed the  
590 contract and are moving forward toward our AMI metering project which will eliminate radio  
591 reads almost entirely. Visually reading meters will be a very big step backward. We’ve recently  
592 had 2 residents inquire about looking into that rate and we’ve conducted a review of the cost  
593 for us to change those meters out, and updated costs to collect those reads manually each  
594 month. We would like to have this rate updated in advance of any new residents requesting  
595 that rate. There are currently no customers on this rate, with the potential to add only the 2  
596 who are inquiring about the rate. This item is on the August 6, 2025, Power Board agenda. Staff  
597 anticipates a positive recommendation.”

598  
599 Mayor Billings stated that the recommendation was also unanimously approved by the Power  
600 Board yesterday. Mike Johns explained that they have received requests to opt out of the AMI  
601 meters due to health concerns. Initially, he did not support an opt-out feature, but the  
602 proposed fee schedule will update them to cover the costs of those who choose to opt out.  
603 Councilman Fawcett confirmed that no one has opted out yet, but some may do so once the  
604 AMI meters are installed. Mr. Johns noted that the higher fee is intended to discourage opting  
605 out, as a key feature of AMI metering is anti-tampering and reducing power theft. Mayor  
606 Billings added that staff will also be able to remotely turn meters on and off for nonpayment  
607 with the AMI system.

608 Mr. Johns mentioned that the idea of limiting opt-outs to medically necessary cases was  
609 considered but not implemented, though it may be revisited if issues arise. Dayton Hall  
610 explained that the Power Board reviewed all options and concluded that citizens should have  
611 the ability to opt out, with the option to revisit the policy if it becomes problematic. Mr. Johns  
612 added that the cost of an opt-out meter will be slightly higher, as it will still be an AMI meter  
613 but with the radio functionality disabled.

614  
615 Clark Fawcett motioned to approve Resolution 2025-31 Amending the Residential Power  
616 Analog Meter Rate. Seconded by Joseph Prete. Motion carried unanimously.

617  
618 **11. Mayor, Council, and staff reports**

619  
620 Cindy Beteag noted that there is one more day of early voting tomorrow at the Community  
621 Center. In-person voting will also be available on Election Day from 7 a.m. to 8 p.m. at the same  
622 location. She reminded the Council that the Utah League Conference will take place during the  
623 first week of October and asked members to confirm with Millie Anderson by August 22nd if  
624 they plan to attend. Mayor Billings stated that the regular council meeting would need to be  
625 canceled or rescheduled that week due to members being out of town. The Council decided to  
626 cancel the October 2nd meeting and reschedule it for September 29th.

627  
628 **12. Closed Meeting held pursuant to Utah Code section 52-4-205, upon request**

629 Joseph Prete motioned to into a closed meeting at 8:25 p.m. to discuss pending litigation, a  
630 potential development agreement, and purchase of real property. Seconded Clark Fawcett.  
631 Motion carried unanimously.

632  
633 **Adjournment:** Kevin Thomas motioned to go out of closed session and adjourn the meeting  
634 at 9:16 p.m. Seconded by Clark Fawcett. Motion carried unanimously.

635



## STAFF COMMENTS

**Item:** Consideration and possible approval of a Development Agreement with Pops Chips and Salsa.

**Discussion:** At the City Council meeting on August 7, 2025, the Council discussed the possibility of permitting commercial kitchens in residential zones as a home-based business. The discussion was triggered by the Altenas' business called Pop's Chips and Salsa. Due to the way businesses are classified by the State, the Altenas' production of salsa required a commercial license, which the City Code does not permit as a home-based business. Instead of a general code amendment to allow all businesses classified as commercial kitchens to operate as a home-based business, it was suggested that a development agreement permitting the use for the Altenas would be more appropriate. Following that discussion, the Council considered the approval of a potential development agreement at the August 21, 2025, Council meeting. However, at the meeting, the applicant requested that additional uses be permitted under the development agreement, including uses specified under the Utah Code that were unfamiliar to City staff. The Council continued the item to allow City staff to review the applicant's requests.

City staff have reviewed the matter further and a revised development agreement up for possible approval. The development agreement would allow any products permitted as a cottage food product, plus chips, salsa, queso, and seasonings. The agreement also specifies that the owner may qualify for exemptions under the Home Consumption and Homemade Food Act (HB 181) regardless of the terms in the agreement. The proposed agreement also requires compliance with all other requirements of home-based businesses, it requires Building Official approval of the kitchen, it does not allow the expansion of the kitchen beyond its current size, and the ability to operate a commercial kitchen shall terminate when the Altenas no longer own the property; provided, however, that the Altenas are permitted to transfer the property to an LLC or a trust. – Dayton Hall

**Findings:**

**Recommendation:**

Recording Requested By, and  
Return Recorded Document to:  
Hurricane City  
147 N. 870 W.  
Hurricane, UT 84737

APN: H-DSP-D-74

## **DEVELOPMENT AGREEMENT FOR ALTENA PROPERTY**

This Development Agreement For Altana Property (“Agreement”) is made and entered as of the 21<sup>st</sup> day of August, 2025 (the “Effective Date”), by and between HURRICANE CITY, a Utah municipal corporation (hereinafter referred to as the “City”) and HARRY JOHN ALTENA JR. and KRISTIN NIKOLE ALTENA (the “Altenas”). The City and the Altenas are referred to collectively as the “Parties.”

### **RECITALS**

- A. The Altenas are the owners of land located within Hurricane City as is more particularly described on EXHIBIT A, attached hereto and incorporated by reference (the “Property”).
- B. The Altenas have requested a home-based business license to accommodate a commercial kitchen for the production of chips and salsa for their business (i.e., Pops Chips).
- C. The subject property is zoned Single Family Residential R1-10. The City Code does not permit commercial kitchens in residential zones, and the Altenas have requested to enter into a development agreement with the City to allow a commercial kitchen in their residence for the limited production of chips and salsa, and to be issued a business license.
- D. Based on the circumstances unique to the Altenas’ Property, the City Council desires to approve the requested development agreement.
- E. This Agreement is a development agreement authorized by Utah Code section 10-9a-532, as amended.

### **AGREEMENT**

NOW, THEREFORE, in consideration of the mutual covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Altenas agree as follows:

1. *Incorporation.* The above recitals are incorporated by reference herein.
2. *Single Family Dwelling Permitted to Operate a Commercial Kitchen.* One commercial kitchen is permitted on the Property; provided, however, that the following conditions are met and maintained:

- a) Limited Production. The kitchen shall be used only for the production of the following:
    - i. Cottage food products, as defined in Utah Code Annotated section 4-5-501 (2025), as may be amended; and
    - ii. Chips, salsa, queso, and seasonings.
  - b) Compliance with Development Standards for Home Based Businesses. Use of the commercial kitchen shall comply with all development standards pertaining to home-based businesses cited in Section 10-42-4, Subsections A through L of the City Code, as may be amended.
  - c) Home Consumption and Homemade Food Act. Nothing in this Agreement is intended to restrict the Altenas' ability to qualify for treatment as a Producer under the Utah Home Consumption and Homemade Food Act as set forth in Title 5, Chapter 5a of the Utah Code, as may be amended, provided that the Altenas meet all conditions and requirements set forth therein.
3. Expansions Prohibited. The area of the residence devoted to the commercial kitchen shall not be expanded or enlarged in size or use.
  4. Building Official Approval. As a condition precedent to the permissions granted to the Altenas in this Agreement, the Hurricane City Building Official shall inspect and approve the commercial kitchen and associated improvements.
  5. Acknowledgement of Potential Liability For Any Damage to the Sanitary Sewer System Caused by Operation of a Commercial Kitchen. The Altenas acknowledge the potential for liability and damages relating to the repair and/or replacement of sanitary sewer infrastructure, on and/or off-site, resulting from the operation of the commercial kitchen.
  6. Compliance with Federal Code; Utah Code; City Code; and City Standards, Manuals, and Specifications. Except for the conditional permission to operate a commercial kitchen for the limited production of chips and salsa on the residentially zoned Property, this Agreement in no way waives or limits the requirements of the Altenas to comply with all applicable federal laws and regulation, Utah codes and regulations, City codes, and City Standards, Manuals, and Specifications. The Altenas shall comply with all applicable laws and regulations.
  7. Termination of Agreement Upon Transfer of Property or Cessation of Use. This Agreement shall be recorded in the Office of the Washington County Recorder against the Property but does not run with the land and shall only benefit and only be binding on current owners of the Property. If use of the commercial kitchen ceases or the Property is sold or transferred to any entity or individual(s) other than the Altenas, this Agreement will be automatically terminated. However, the Altenas' retitling of the Property into an entity or trust wholly owned and controlled by the Altenas shall constitute ownership by the Altenas and shall be permitted without resulting in the termination of this Agreement; provided, however, that if such an entity or trust ever becomes owned or controlled by anyone other than the Altenas, this Agreement shall be automatically terminated.



STATE OF UTAH            )  
  :SS  
COUNTY OF UTAH        )

On the \_\_\_\_\_ day of \_\_\_\_\_, 2025, personally appeared before me Harry John Altena Jr. and Kristin Nikole Altena, who being by me duly sworn, did say that they executed the foregoing document.

---

Notary Public

**EXHIBIT A**

Lot Seventy-Four (74), DIXIE SPRINGS SUBDIVISION AMENDMENT AND EXTENSION PLAT "D", according to the Official Plat thereof, on file in the Office of the Recorder of Washington County, State of Utah.



## STAFF COMMENTS

**Item:** Consideration and possible approval of Ordinance 2025-12 amending Title 10, Chapter 43 regarding site-built dwelling units in platted RV parks; Land Use Code Amendment No. LUCA25-04.

### **Discussion:**

Updated for 9/4/25 – This item was tabled at the August 7, 2025, meeting until the applicant was ready to present it to the Council. The applicant submitted a proposed solution on Wednesday afternoon; however, staff has not yet had the opportunity to review it. – Cindy Beteag

Updated for 8/7/25 - This item was continued at the July 3, 2025 City Council meeting to allow the applicant to meet on site with city staff and a representative of the City Council to discuss possible alternative proposals. That meeting occurred on July 22, 2025. At the conclusion of the meeting, the applicant stated that he intended to provide an updated proposal for staff to review; staff is awaiting the updated materials. – Gary Cupp

### Project Description

The applicant is requesting a change to the Hurricane City Land Use Code, Title 10, regarding development standards for permanent site-built dwellings (i.e., “stick-built” single-family homes) in platted RV parks such as Canyons RV. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and limited manufactured home use. Canyons RV Park is unusual because it is a platted RV park subdivision that has been developed mostly with permanent residential units. This is because in 2019, the same applicant petitioned the City to change the code to allow stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. The 2019 code change was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered porches not exceeding 15’ high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.”* However, the size and height limits have prevented the construction of garages on the site-built homes; therefore, the applicant is requesting that these restrictions be adjusted to facilitate garage construction. The height limit is proposed to be increased to 35 feet, and the 900-square-foot size limit is proposed to apply to the building footprint. These changes would allow the homes to expand to two stories in height and 1,250 to 1,400 square feet in size.

### Planning Commission Meeting

A public hearing on the item was held at the May 22, 2025, planning commission meeting and no public comments or objections were received. The planning commissioners discussed the item and

expressed support for the proposed code change. The commissioners felt that the changes would improve a bad situation that had inadvertently been created with the old park-model dwellings that were approved for the Canyons RV Park several decades ago. They also felt that the code change might help to provide needed affordable housing options. And although this is a general code update, the commission was comfortable with the global nature of the changes, since Canyons RV Park is the only RV park subdivision with separate water meters that was recorded prior to January 2020, and these standards could therefore only be applied to Canyons RV. In other words, there are no other RV parks that would be allowed to construct 1,400-square-foot, two-story, site-built homes. The Planning Commission unanimously recommended approval of the proposed code update for Canyons RV.

**Findings:**

**Recommendation:**

To: Hurricane City Council

8-25-2025

From: Western Commercial Real Estate, PLLC

RE: Land Use Code Amendment

To Whom it May Concern:

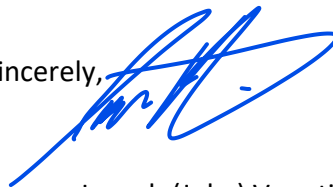
After meeting with Staff and Councilman Ellerman on site, I would like to change my request to simply update table 10-43-1 to match the R-1-4 Zoning sizes, specifically the 4,000 lot size, 15' separation, and 30' (2-story) height limitation.

In the case of the Canyons RV Resort:

- A. The subdivision is in a PDO, so a density bonus may apply. Lot sizes in the 3,500 ft<sup>2</sup> range were discussed, as well as potential 20' front setbacks (due to the limited depth of the lots); but there would also be other requirements, such as completion of the common area, that would need to be part of a Development Agreement specific to that subdivision.
- B. The smaller 35'x70' lots do not meet the size requirements (even with a density bonus) so they will stay restricted to the 900 ft<sup>2</sup> stick framed houses with a maximum height of 15' as it is now.

There are many other factors involved with the Canyons RV Resort subdivision that will need to be addressed directly with the HOA. I will re-visit the potential plat amendment, development agreement, etc. if those items can be satisfied. In the meantime, I would simply like to make the request listed in the first paragraph of this letter.

Sincerely,



Joseph (Joby) Venuti, Manager  
Western Commercial Real Estate, PLLC



# Application

Application Accepted Date: 05/01/2025

Type of Improvement: Land Use Code Amendment Application  
Description:

Tenant / Project Name: Canyons RV Resort

Bldg. Address: 100N 2750 W  
City: Hurricane City State: UT Zip: 84737  
Subdivision: Canyons RV Resort Phase:  
Block: Lot #: multiple Parcel ID #: Multiple Tax ID's  
Zone: MH/RV  
Property Owner: Western Commercial Real Estate, PLLC  
Permit Contact: Joby Venuti P:(435) 632-5629  
Email: joby@netutah.com

### CONTACT INFORMATION

Engineer of Record: Rosenberg & Associates  
Email: brandona@racivil.com P: (435) 673-8586

General Contractor: Western CRE  
License #: P: (435) 632-5629  
City: State: Zip:  
Email: joby@netutah.com

### APPLICATION DETAILS

# of Units: 0 custom text:

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

### APPROVALS

	DATE	INFO

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

APPLICATION NUMBER: PLANLUCA25-04

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: Joseph Venuti

Signature of Applicant/Authorized Agent or Owner: Date:

Application Approved By: Date:

Application Issued By: Date:

Receipt #: 230222562-05/01/25



PLANNING & ZONING  
**HURRICANE CITY**  
**UTAH**

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

**LAND USE ORDINANCE TEXT AMENDMENT  
CHECKLIST**

*For office use only: \$500.00 Fee*

The proposed text amendment would be to what Chapter and section of the current Land Use Code: \_\_\_\_\_

Section 10-43-6. D.1.

The purpose this change would accomplish \_\_\_\_\_

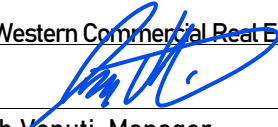
See Attached

- 1) If the proposed request is to create a new zone applicant shall attach a purpose statement for this new zone as found in Chapter 11 for the existing zones. Purposed uses and standards shall be submitted as found in the appropriate zoning group; Residential, Residential Agricultural, Commercial, Industrial, or Open Space and Public Facility Zones.

**Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second and fourth Thursday of each month at 6:00 p.m. The deadline for submission is 14 days prior to the desired meeting. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.**

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

Applicant Name: Western Commercial Real Estate, PLLC Date: 05-01-2025

Signature:   
Joseph Venuti, Manager



**STAFF COMMENTS**

<b>Agenda Date:</b>	<b>05/22/2025 - Planning Commission</b>
<b>Application Number:</b>	LUCA25-04
<b>Type of Application:</b>	Land Use Code Amendment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Joby Venuti
<b>Agent:</b>	Rosenberg & Associates
<b>Request:</b>	Amend Title 10, Chapter 43 regarding site built dwellings in platted RV parks.
<b>Zoning:</b>	Mobile Home/RV Park MH/RV
<b>Recommendation:</b>	Recommend approval to the City Council.
<b>Report Prepared By:</b>	Fred Resch III

**Discussion:**

The applicant is requesting a change to the Hurricane City Land Use Code regarding permanent site-built dwellings (i.e. “stick-built” single-family homes) in platted RV parks. Generally, site-built units are not permitted in RV parks, since RV parks are intended for RV camping and some manufactured home use. The applicant is the developer within Canyons RV park. Canyons RV park is unusual due to the mostly permanent residential nature of a site that is a platted RV park subdivision. In 2019 the applicant petitioned the City to change the code to allow for stick-built dwelling units for lots in platted RV park subdivisions that were recorded prior to January 2020. This code was adopted with the following language: *“However, a site built dwelling unit up to 900 square feet inclusive of covered porches not exceeding 15’ high shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the County Recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50% of the lot in structures.” (HCC 10-43-6(D)(1))*

Because of the restrictions on building height and size included in the code cited above, the site-built dwellings constructed in Canyons RV park over the past several years have been built without garages. As the developer prepares additional lots, the applicant is requesting the height restriction be removed, so the buildings can be built with a garage and living space on the now-permissible second story. Staff does not have any inherent concerns with the proposal.

**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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## Sec. 10-43-6. Development standards.

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

A. *General requirements.*

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

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

C. *Site improvements.*

1. *Access to lots and spaces.* Sufficient access shall be provided to each manufactured home or recreational vehicle lot or space to allow maneuvering of homes or vehicles into position.
  - a. The accessway shall be kept free from trees and other obstructions.
  - b. Paving under a manufactured home is not required if adequate support is provided as required by applicable building codes. Use of planks, steel mats or other means to support the manufactured home during placement is allowed so long as the same are removed upon completion of placement.
2. *Common area.* Except for a manufactured home subdivision, one or more common areas equal to at least ten percent of the land area of the development shall be set aside for the joint use and enjoyment of occupants. Land covered by vehicular roadways, sidewalks, and off street parking shall not be included in calculating this ten percent common area requirement; provided, however, that in initial phases of development, the minimum area shall be not less than one-half acre or ten percent of the land area under development, whichever is greater.
3. *Connection to City services.* Each manufactured home or recreational vehicle shall be connected to the City water system and the Ash Creek special service district wastewater disposal system, except as otherwise allowed by the regulations for such systems.
4. *Landscaping.* Any area not covered by a manufactured home or recreational vehicle, hard surfacing, or a building shall be landscaped per an approved site plan.
5. *Laundry.* A laundry may be provided for the convenience of residents within a manufactured home park or subdivision or recreational vehicle park, but not for the general public.

- 
6. *Lighting.* Lighting shall be provided to meet safety standards and the lighting guidelines in section 10-33-7 of this title and shall be shown on the site plan.
  7. *Parking.* Off street parking requirements for a manufactured home park or subdivision or recreational vehicle park shall be provided on each lot or space as follows:
    - a. Manufactured home park or subdivision: two parking spaces per lot or space.
    - b. Recreational vehicle park: one parking space per RV space.
    - c. Each parking space shall have a minimum width of nine feet and minimum depth of 18 feet.
    - d. Before a lot or space may be occupied, all off street parking areas and driveways shall be surfaced with a material acceptable to the City.
  8. *Roadway design.* Accessways within a manufactured home park or recreational vehicle park shall conform to construction design standards and specifications adopted by the City unless modified by a planned development approved pursuant to chapter 23 of this title.
  9. *Roads within a manufactured home subdivision.* Roads within a manufactured home subdivision shall conform to construction design standards and specifications adopted by the City unless modified by a planned development approved pursuant to chapter 23 of this title.
  10. *Skirting.* Each manufactured home shall be skirted.
  11. *Storage, waste receptacles, and additions.*
    - a. All storage and solid waste receptacles other than individual homeowner trash receptacles shall be contained within an enclosure at least six feet high.
    - b. All patios, carports, garages and other additions to a manufactured home shall be compatible in design and construction with the associated home. Such facilities shall be constructed in accordance with applicable building codes and kept in good repair.
  12. *Storm drainage facilities.* Storm drainage facilities shall be constructed to protect residents of the development as well as adjacent property owners in accordance with applicable provisions of this Code and the adopted storm drainage plan as reasonably determined by the City Engineer.
- D. *Standards specific to recreational vehicle parks.*
1. No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel. However, a site built dwelling unit up to a footprint of 900 square feet inclusive of covered porches and a maximum height of 35 feet shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the county recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50 percent of the lot in structures.
  2. Recreational vehicle parks shall not be designed for use as permanent residences, except for that of the owner/manager and permanent maintenance personnel. All recreational vehicles within a recreational vehicle park shall display current license plates/tags.
  3. Reserved.
  4. Each park must provide an adequate and easily identifiable office or registration area. The location of the office shall not interfere with the normal flow of traffic into and out of the recreational vehicle park.

5. Each recreational vehicle unit shall be equipped with wheels, which remain on the unit; however, the wheels may be blocked for stability.
6. No permanent room additions shall be attached to recreational vehicles, nor shall any permanent structure be constructed on a recreational vehicle lot except shade structures open on three sides that conform to current NFPA standards for recreational vehicle parks and campgrounds.
7. A minimum of one toilet, one sink, and one hot shower, each designed for complete privacy, for each 40 spaces, or fraction thereof, is required.
8. Conversion of an established residential park to another residential use shall be subject to review and approval based on codes and zones in place at the time of conversion. A zone change will be required.

E. *Table 10-43-1.*

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

Development standard	Manufactured home subdivision	Manufactured home park	Recreational vehicle park
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres
Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel
Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height, <del>service building</del>	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,000 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	As allowed under the NFPA 1194 standard for RV parks and

			campgrounds as it currently exists and as it may be amended in the future
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard, interior	10 ft.	8 ft.	7 ft.
Side yard, street	20 ft.	15 ft.	7 ft.
Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			
Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section		
Common area	Not required	10% of land area; see subsection C2 of this section	
Connection to City services	Must connect to City water system and Ash Creek special service district wastewater disposal system; see subsection C3 of this section		
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section		
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section		
Roadway and accessway design	See subsections C8 and C9 of this section		

(Ord. 2014-10, 11-6-2014; Ord. 2019-04, 5-2-2019; Ord. 2020-05, 2-6-2020; Ord. No. 2023-13, 8-3-2023)

Created: 2025-05-09 16:10:59 [EST]

(Supp. No. 4, Update 1)



This request is to change the language in Section 10-43-6. D. 1. to read - a site built dwelling unit *with a footprint* up to 900 square feet... No other changes are being requested

This request is being made so that the buyers can add garages in the 900 s.f. on the main floor and a second floor for living in the small houses being constructed in the Canyons. The second floor would allow the houses to be approximately 1,250 s.f. to 1,400 s.f.

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH AMENDING TITLE 10, CHAPTER 43 WITH REGARDS TO DEVELOPMENT STANDARDS FOR SITE BUILT DWELLING UNITS IN PLATTED RV PARK SUBDIVISIONS**

**WHEREAS**, the City Council of Hurricane, Utah desires to amend Title 10, Chapter 43 of the Hurricane City Code governing development standards for site built dwelling units in platted RV park subdivisions; and

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

**WHEREAS**, the Planning Commission of Hurricane City has recommended approval of the changes;

**BE IT HEREBY ORDAINED** by the City Council of Hurricane, Utah that Title 10, Chapter 43, Section 10-43-6(D)(1) of the Hurricane City Code is amended to read as follows:

*D. Standards specific to recreational vehicle parks.*

1. No manufactured homes or site built dwelling units shall be permitted, except for that of the owner/manager and permanent maintenance personnel. However, a site built dwelling unit up to a footprint of 900 square feet inclusive of covered porches and a maximum height of 35 feet shall be permitted on a deeded RV lot included in an RV subdivision recorded in the office of the county recorder before January 2020 that is served by an individual water meter and individual power meter and that does not result in coverage of more than 50 percent of the lot in structures.

**BE IT HEREBY FURTHER ORDAINED**, by the City Council of Hurricane, Utah that Title 10, Chapter 43, Section 10-43-6(E) of the Hurricane City Code is amended to read as follows:

*E. Table 10-43-1.*

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

Development standard	Manufactured home subdivision	Manufactured home park	Recreational vehicle park
General standards:			
Location	See subsection A2 of this section		
Minimum development size	10 acres	10 acres	5 acres

Ownership	Individual lots	Park must remain single parcel	Park must remain single parcel
Plan preparation	Licensed architect, licensed engineer and/or licensed land surveyor required; see subsection A3 of this section		
Required zone	MH/RV; see chapter 13 of this title		
Building standards:			
Maximum height	35 ft.	35 ft.	35 ft.
Maximum height, accessory building	12 ft.	12 ft.	12 ft.
Lot/space standards:			
Minimum lot/space area	5,700 sq. ft.	4,000 sq. ft.	1,000 sq. ft.
Minimum lot/space width	60 ft.	50 ft.	As allowed under the NFPA 1194 standard for RV parks and campgrounds as it currently exists and as it may be amended in the future
Minimum lot/space depth	95 ft.	70 ft.	40 ft.
Setback standards:			
Front yard	15 ft.	15 ft.	5 ft.
Rear yard	10 ft.	10 ft.	5 ft.
Side yard, interior	10 ft.	8 ft.	7 ft.
Side yard, street	20 ft.	15 ft.	7 ft.
Accessory building	5 ft.; if adjacent to exterior boundary or utility easement, then 10 ft.	3 ft.; if adjacent to exterior boundary or utility easement, then 7.5 ft.	5 ft.
Separation between structures	20 ft.	20 ft.	14 ft.
Site improvements:			
Access to lots and spaces	Sufficient area to maneuver homes or vehicles required; see subsection C1 of this section		
Common area	Not required	10% of land area; see subsection C2 of this section	

Connection to City services	Must connect to City water system and Ash Creek special service district wastewater disposal system; see subsection C3 of this section
Landscaping	Open and unpaved areas must be landscaped; see subsection C4 of this section
Laundry	Laundry may be provided for residents, but not general public; see subsection C5 of this section
Roadway and accessway design	See subsections C8 and C9 of this section

**NOW THEREFORE, BE IT ORDAINED BY THE HURRICANE CITY COUNCIL OF HURRICANE CITY, UTAH THAT:**

1. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.
  
2. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
  
3. This Ordinance shall, after adoption and approval, take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this 5<sup>th</sup> day, June 2025.

Hurricane City

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 5<sup>th</sup> day of June 2025. Whereupon a motion to adopt

and approve said Ordinance was made by \_\_\_\_\_ and seconded by  
\_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, Recorder



## STAFF COMMENTS

**Item:** Consideration and possible approval of Resolution 2025-34 appointing members to the Beautification Committee.

**Discussion:** There was a vacant seat on the Beautification Committee. The proposed resolution appoints a person to fill this vacancy and also adds a new seat to the board. – Cindy Beteag

**Findings:**

**Recommendation:**

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, APPOINTING  
BEAUTIFICATION COMMITTEE MEMBERS.**

**WHEREAS**, Hurricane City has created a Beautification Committee as an informal steering committee to assist with and spearhead beautification efforts throughout the City; and

**WHEREAS**, there are currently vacant positions on the Beautification Committee, and Seth Foster and Hope Foster have been identified as qualified candidates willing to serve; and

**WHEREAS**, the City Council recognizes the importance of maintaining an active and engaged Beautification Committee to support the city's beautification initiatives and goals;

**BE IT HEREBY RESOLVED** by the City Council of Hurricane City, Utah, as follows:

1. Hope Foster is hereby appointed to the Beautification Committee to fill a vacant position, with a term commencing immediately and expiring on February 1, 2026.
2. Seth Foster is hereby appointed to the Beautification Committee to fill a vacant position, with a term commencing immediately and expiring on February 1, 2027.
3. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED the 4<sup>th</sup> day of September, 2025.

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4<sup>th</sup> day of September 2025. Whereupon a motion to adopt and approve said Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, City Recorder



## STAFF COMMENTS

**Item:** Consideration and possible approval of the composition of an RFQ relating to financing and incentives relating to economic development.

**Discussion:** The Council will discuss economic development during the work meeting. This agenda item has been included to allow the Council to take action immediately if a decision is reached and they are ready to move forward. – Cindy Beteag

**Findings:**

**Recommendation:**



## STAFF COMMENTS

**Item:** Consideration and possible approval of a proclamation supporting the Hey Put It Down campaign.

**Discussion:** At the last Council meeting, the Council viewed the 'Hey Put It Down' campaign promoting no texting and driving and expressed support for passing a proclamation to show their backing. The proposed proclamation reflects that support. – Cindy Beteag

**Findings:**

**Recommendation:**

## PROCLAMATION

**WHEREAS**, distracted driving is a leading cause of preventable crashes, injuries, and fatalities on our roads, with texting and driving being one of the most dangerous and avoidable distractions; and

**WHEREAS**, national and state statistics consistently show that sending or reading a text while driving takes a driver's eyes off the road for an average of five seconds, the equivalent of driving the length of a football field at 55 miles per hour without looking; and

**WHEREAS**, Hurricane City is committed to the safety and well-being of all residents, visitors, and travelers within our community; and

**WHEREAS**, the "Hey, Put It Down" campaign raises awareness about the dangers of texting and driving and encourages drivers of all ages to take responsibility for their actions behind the wheel; and

**WHEREAS**, it is essential that drivers model safe and responsible behavior, particularly for young drivers, by refraining from texting, emailing, or using handheld devices while operating a motor vehicle; and

**WHEREAS**, by joining together as a community to promote this campaign, we affirm that one text or call is never worth a life.

**NOW, THEREFORE**, the Hurricane City Council does hereby proclaim support for the "**Hey, Put It Down**" Campaign and urges all citizens to take the pledge to drive safely, stay focused, and never text and drive.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Hurricane city to be affixed this 4<sup>th</sup> of September, 2025.

---

Nanette Billings, Mayor

[Seal] Attest:

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Cindy Beteag, City Recorder

The foregoing Proclamation was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4<sup>th</sup> day of September, 2025. Whereupon a motion to adopt and approve said Proclamation was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results.

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

\_\_\_\_\_  
Cindy Beteag, Recorder



## STAFF COMMENTS

**Item:** Consideration and possible approval of Resolution 2025-35 amending the facility rates for gymnasium rentals.

**Discussion:** Updates the fee schedule for gymnasium rentals at the Hurricane City Athletic Campus. City and school district programs remain free, while club/competitive teams, tournaments, and special events will be charged set hourly rates, with possible discounts for resident teams and bulk scheduling.  
- Tiffani Wright

**Findings:**

**Recommendation:**

A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, AMENDING FEES FOR GYMNASIUM RENTALS.

WHEREAS the Hurricane City Council is authorized by Section 10-3-717 of the Utah Code and Section 1-5-6(G)(1) of the Hurricane City Code to establish fees for municipal services; and

WHEREAS the City Council desires to amend the follow fees; and

WHEREAS the Hurricane City Council finds that it is necessary and desirable for the preservation and protection of the health, safety, and welfare of the residents of Hurricane,

BE IT HEREBY RESOLVED by the City Council that the following fee schedule is hereby amended and adopted for implementation:

**HURRICANE CITY ATHLETIC CAMPUS**

Gym rates are per court per hour

	<b>Gymnasium</b>
<b>Priority 1</b>	
City-run programs, practices, leagues, and games	No Charge
<b>Priority 2</b>	
School district events, practices, and competitions	No Charge
<b>Priority 3</b>	
Club/Competitive Teams. Reduced rate available for resident teams only.	\$50 / \$20
<b>Priority 4</b>	
Tournaments and Special Events	\$100

**Notes:**

Approved club teams may receive a **10% discount** for bulk/extended scheduling, at the discretion of the Recreation Director. As an example, scheduling of 8+ hours per week for 6+ weeks may qualify for a discount.

Additional charges may apply for staffing, security, cleanup, or special facility needs.

Tournament and event rentals will require approval, a signed facility use agreement, and proof of liability insurance.

The City reserves the right to adjust scheduling in order to prioritize community programs.

BE IT FURTHER RESOLVED that this Resolution shall take effect at the earliest date allowed by law.

DATED this 4<sup>th</sup> day of September, 2025.

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, Hurricane City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4<sup>th</sup> day of September, 2025. Whereupon a motion to adopt and approve said Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, Recorder



## STAFF COMMENTS

**Item:** Consideration and possible approval of Resolution 2025-36 Supporting America250 Utah.

**Discussion:** This resolution establishes the Hurricane Utah250 Community Committee to commemorate Hurricane City's role in America's 250th anniversary. It formalizes the City's partnership with America250 Utah, authorizes the Mayor to appoint committee members, and affirms the Council's support for local projects that educate, engage, and unite the community while promoting tourism and economic development. – Cindy Beteag

**Findings:**

**Recommendation:**

**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH, SUPPORTING AMERICA250  
UTAH**

**Whereas** Governor Spencer J. Cox and the Utah State Legislature created the America250 Utah Commission (also known as America250 Utah);

**Whereas** the mission of America250 Utah is to commemorate and celebrate, reflect on our nation's past, build community, and look toward the future by educating, engaging, and uniting Utahns and visitors to our state;

**Whereas** America250 Utah is seeking partnerships with counties and municipalities to further its mission;

**Whereas** this partnership will include the formation of a local committee called the Hurricane Utah250 Community Committee.

**Whereas** the Hurricane Utah250 Community Committee will focus on important events, people, and places within Hurricane City to commemorate Hurricane City's role in America's 250th anniversary; and

**Whereas** local projects will enhance tourism, community building, and economic development opportunities.

**Now, therefore be it *RESOLVED*, that the Hurricane City Council:**

1. Establishes and recognizes the Hurricane Utah250 Community Committee as its official committee and delegate to the Hurricane City Mayor the authority to appoint members to the committee.
2. Will partner with America250 Utah to support the efforts of America 250, as may be specifically approved by the Council.
3. Will support signature programs of the America250 Utah Commission, as may be specifically approved by the Council; and
4. Will reasonably support the Hurricane Utah250 Community Committee in its local efforts to educate, engage, and unify Utahns and our visitors in Hurricane City.

PASSED AND APPROVED the 4<sup>th</sup> day of September, 2025.

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Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4<sup>th</sup> day of September 2025. Whereupon a motion to adopt and approve said Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, City Recorder



## STAFF COMMENTS

**Item:** Consideration and possible approval of the Logo Usage Agreement and Memorandum of Understanding for use of the America250 logo.

**Discussion:** To participate in America250, the America250 Utah Community Licensing Agreement and a Memorandum of Understanding for use of the logo must be approved and implemented. The County provided these agreements, and Legal has reviewed both documents with no concerns regarding Council approval. – Cindy Beteag

**Findings:**

**Recommendation:**

# **AMERICA250 UTAH**

## **LOGO USAGE AGREEMENT**

This Trademark License Agreement (“Agreement”) is entered into on ~~September 4, 2025~~ (“Effective Date”) by and between the State of Utah’s Department of Cultural and Community Engagement, a state governmental entity with a principal place of business at 3760 S. Highland Dr., Millcreek, UT 84106 (“Department”) and Hurricane City, a Utah municipality, with a principal place of business at 147 N 870 West, Hurricane, UT. 84737 (“Entity”). The Parties execute the Agreement under relevant provisions of the Interlocal Cooperation Act at Title 11, Chapter 13 of the Utah Code.

### **BACKGROUND FACTS**

In preparation for America’s 250th anniversary (“Semiquincentennial”) in 2026, Utah’s goal is to create a brand identity for the Semiquincentennial that can bring communities together and generate awareness for the anniversary. To that end, America250 Utah has chosen to utilize a licensing agreement for its logo and name with the national foundation, America250™. The Department’s hope is that, in coordination with counties, cities, tribes, and organizations planning events around the state, we can create a unifying America250 Utah brand that creates a sense of cohesion leading up to 2026, bringing together celebrations and commemorations around the state and country.

To permit local governments to access the America250 Utah logo and use the America250 name in individual brand identity, we will share this Agreement, which functions as a standalone licensing agreement, with county, city, and tribal committees that complete the steps detailed in the next paragraph. These local governments will receive a community-specific logo to use. To become a Utah250 Community member and receive a community-specific logo, Entity must do each of the following:

- 1) Pass a resolution in a public meeting of its governing commission or council;
- 2) Submit to the Department a list of Entity’s Utah250 Community committee members;
- 3) Share with the Department the committee’s plans and detail how Entity will utilize any funds or branding received by America250 Utah in alliance with America250 Utah’s mission, vision, and pillars; and
- 4) Sign and return this Agreement to the Department.

### **SCOPE OF WORK**

After communities have completed the above four steps, America250 Utah will share a unique, community-specific logo with the municipality and an organizing stipend. Counties and Tribal nations that create a Utah250 Community committee may receive a stipend of \$3,000 and city councils may receive a stipend of \$1,500.

## **TERMS AND CONDITIONS**

The parties agree as follows:

### **ARTICLE I—DEFINITIONS**

Unless the Agreement clearly indicates the contrary, the following terms have the following meanings:

1.1 “Confidential Information” means information that is deemed private, protected, controlled, or confidential under applicable state and federal laws, including personal information. The Department and the State of Utah reserve the right to identify, during and after this Agreement, additional reasonable types of categories of information that must be kept confidential under federal and state laws.

1.2 “Trademark” means the Entity-specific logo that the Department creates and provide to Entity under this Agreement.

1.3 “Licensed Products” means any Entity-designed or -produced products that feature the Trademark.

1.4 “Licensed Territory” means the United States and its territories, and possessions.

### **ARTICLE II—GRANT OF TRADEMARK LICENSE**

2.1 If for any reason Entity wishes to utilize the America250 Utah or America250™ logos or marks in a way not permitted by this Agreement, Entity must first submit a request to Nicole Handy for Department review and approval.

2.2 Upon the terms and conditions in this Agreement, the Department grants to Entity and Entity accepts, for the Agreement term, the limited right to use the Trademark in the Licensed Territory.

2.3 Unless sooner terminated under Article VI, the Agreement will remain in force until December 31, 2026. If the Agreement is renewed, the new Agreement shall expire five (5) years from the prior expiration date.

2.4 The Department shall be permitted to provide input on and final say on the Trademark’s use in any Licensed Product.

2.5 This Agreement may be amended or modified only by written agreement of both parties, which amendment will be attached to this Agreement. Automatic renewals will not apply to this Agreement, even if listed elsewhere in the Agreement.

2.6 The Department may use the Trademark however it wishes and may grant license rights for any use of its Trademark to other vendors during the term of this Agreement.

2.7 Entity has no authorization, express or implied, to bind the Department or the State of Utah to any agreements, settlements, liability, or understanding and agrees not to perform acts as an agent for the Department.

2.8 The Department and the America250 Foundation, Inc. (“Foundation”) have executed a separate agreement (“Contract”), available to Entity upon request, that governs the Department’s right to use and sublicense at least one separate trademark from which the Trademark is derived. In using the Trademark, Entity shall be bound to all terms and limitations applicable to the Department under the Contract. Among other things, those terms and limitations include Branding and Trademark Usage Guidelines that govern the use of the Trademark. Though the Department has reviewed the Contract and made the good-faith determination that nothing in this Agreement conflicts with the separate agreement, this determination does not constitute legal advice. Entity shall be responsible for securing legal advice and opinions from its own legal counsel.

### **ARTICLE III—USE OF TRADEMARK**

3.1 Except as authorized under this Agreement, Entity will not use the Trademark or trade name in any manner for or in connection with the use, advertising, sale, offer for sale, or promotion of any Licensed Products without the express written consent of the Department. Entity agrees to comply with all licensing terms and limitations applicable to the State of Utah under its STATE & TERRITORY PARTNERSHIP & SUBLICENSE AGREEMENT with America250.org.

3.2 Entity undertakes fully and without reservation to render to the Department all assistance in connection with any matter pertaining to the Trademark protection, including furnishing documents, records, files, or other information; making available its employees; and executing all necessary documents. The Foundation will maintain the registration for the Trademark.

3.3 Apart from its license rights under this Agreement, Entity will not acquire any right, title, or interest in the Trademark during this Agreement.

3.4 Entity may not challenge the validity or ownership of the Trademark or assist in any claim that is adverse to the Department or the State of Utah. Furthermore, Entity may not commit an act that may prejudice the Foundation or the Department’s rights in the Trademark or damage the Foundation or the Department’s reputation. Entity may not attempt to register a trademark similar to the Trademark. The Parties agree that if Entity violates this or any other provision in this Agreement, the Department or the State of Utah will suffer economic harm and the Department or the State of Utah will be entitled to seek reasonable damages.

3.5 In addition to the permitted uses described in Article III, Entity may use the Trademark to do each of the following:

- i. Promote events and programs commemorating the Semiquincentennial.
- ii. Share the Trademark with agencies and organizations in the Entity’s city, county, or tribal jurisdiction;

- iii. Produce, sell, and distribute merchandise bearing the Trademark, subject to all other terms of this Agreement, including Article IV;
  - iv. Create and promote an America250 website with Entity’s county, city, or tribal name prominently represented; and
  - v. Utilize the Trademark—but not any of the separate trademarks from which the Trademark is derived—for fundraising, corporate sponsorship, or any other commercial activity.
- 3.6 Entity may not do any of the following:
- i. Alter the Trademark in any way;
  - ii. Pursue merchandising or royalty agreements involving the words “America250” or any registered America250 mark; or
  - iii. Use the Trademark in connection with the promotion of any partisan or political event or activity.

#### **ARTICLE IV—QUALITY CONTROL**

4.1 As noted in Section 2.8, the Trademark derives from separate trademarks owned by the Foundation. Entity may not design or sell products that feature any of those separate trademarks without the Department’s prior written approval.

4.2 Entity will produce, sell, and distribute Licensed Products in accordance with all applicable federal, state, and local laws. The quality of the Licensed Products will at all times be equal to or greater than the quality of any other products currently produced or sold by Entity.

4.3 On each anniversary of this Agreement, or from time to time upon the Department’s reasonable request, the Department may review random samples of Licensed Products. The Department may also review any labels, cartons, containers, packing and wrapping material, and advertising and promotional items used in connection with the use Trademark by Entity.

4.4 If the Department objects to a quality change in the Licensed Products, it will inform Entity immediately, in writing, and specify the reasons for such disapproval. Entity will have twenty-one (21) days from the certified mail receipt of such notice to cure any defects. If the Parties acknowledge that the cure will take longer than twenty-one (21) days, Entity may ask for one 14-day extension. If any defects are not cured, the Department may terminate the Agreement under Article 6.1.

#### **ARTICLE V—ADVERTISING**

5.1 From time to time upon the Department’s reasonable request, Entity will furnish to the Department, without cost, representative advertising, promotion, and sales examples of materials bearing the Trademark to the Department to ensure that the Trademark’s use accords with this Agreement.

5.2 In all printed materials, Entity must acknowledge that the Foundation owns and the Department sublicenses the Trademark.

## **ARTICLE VI—DEFAULT AND TERMINATION**

6.1 The Department may terminate this Agreement with cause at any time by written notice to Entity. Cause includes Entity's breach of any provisions in this Agreement or if Entity is otherwise in default and does not cure the breach or default within twenty-one (21) days after written notice by the Department, delivered via USPS certified mail.

6.2 This Agreement may also be terminated without cause (for convenience), in advance of the expiration date, by either party, upon one hundred eighty (180) days' prior written termination notice being given to the other party.

6.3 If this Agreement is terminated by the Department for cause, or terminated without cause by either party, the Parties will confer on the sale of remaining Licensed Product and the Department reserves the right to demand that the remaining inventory be sold within one hundred eighty (180) days. Upon termination of this Agreement, and after the one hundred eighty (180) day sell-off period, Entity will be prohibited from selling Licensed Product. If any portion of the stipend has not been used or spent by Entity, then within five business days of notice of termination from the Department, Entity shall refund the unused portion of the stipend. If Entity creates a material breach of this Agreement, the Department shall have the right to demand and collect the stipend from Entity.

## **ARTICLE VII—INDEMNIFICATION AND INSURANCE**

7.1 Entity shall hold harmless, defend, and indemnify the Department against any and all claims, demands, and causes of action arising out of any defects or Entity's failure to perform as to the Licensed Products or any material used in connection therewith or any use thereof.

7.2 Entity represents that it is a fully self-insured governmental entity covered by Utah's Division of Risk Management or a comparable agency within its county, municipal, or tribal government. Based solely on this representation, Entity shall not be required to carry additional insurance. If at any time during the Agreement term the first sentence of this section ceases to be true, Entity shall immediately purchase commercial general liability insurance from an insurance company authorized to do business in the State of Utah. The limits of such insurance shall be no less than one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) aggregate, and Entity shall add the State of Utah as an additional insured with notice of cancellation.

7.3 Entity warrants that any Licensed Products provided by them under this License Agreement will not, to Entity's knowledge, infringe any third-party copyrights, patents, Trademark, or trade secrets that exist, arise, or are enforceable under the laws of the United States.

## **ARTICLE VIII—MISCELLANEOUS**

8.1 The Parties are governmental entities subject to the Governmental Immunity Act ("Act").

The execution of this Agreement does not constitute a waiver or forfeiture of any protections or defenses under the Act.

8.2 This Agreement is governed by the laws, rules, and regulations of Utah. Any action or proceeding arising from this Agreement shall be brought in a court of competent jurisdiction in the State of Utah. Exclusive venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.

8.3 Entity agrees to abide by federal and state employment laws, including: (i) Title VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e), which prohibits discrimination against any employee or applicant for employment or any applicant or recipient of services, on the basis of race, religion, color, or national origin; (ii) Executive Order No. 11246, as amended, which prohibits discrimination on the basis of sex; (iii) 45 CFR 90, which prohibits discrimination on the basis of age; (iv) Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disabilities; and (v) Utah's Executive Order, dated December 13, 2006, which prohibits unlawful harassment in the workplace. Entity further agrees to abide by any other laws, regulations, or orders that prohibit the discrimination of any kind by any of Entity's employees.

8.4 Entity will not represent itself as the agent or legal representative for the Department, the State of Utah, or the Foundation for any purpose whatsoever, and has no right to create or assume any similar obligation, express or implied, for or on behalf of the Department, the State of Utah, or the Foundation in any way. This Agreement does not create any agency, partnership, or joint venture between the parties.

8.5 This Agreement will not be assigned, transferred, or sublicensed by Entity except with the Department's prior written consent. Any violation of the preceding sentence is null and void and any attempt by Entity to assign, transfer, or sublicense its rights will result in immediate termination of this Agreement and Entity's rights to the Trademark. Subject to such restriction and to the restriction against assignment provided above, this Agreement binds to the parties' benefit and their permitted successors.

8.6 If any part of this Agreement is declared invalid or unenforceable by a court of competent jurisdiction, the remaining portions of the Agreement shall remain valid.

8.7 Neither party will be held responsible for delay or default caused by fire, riot, act of God, and/or war that is beyond that party's reasonable control. The Department or the State of Utah may terminate this Agreement after determining such delay will prevent successful performance of this Agreement.

8.8 A waiver of any right, power, or privilege shall not be construed as a waiver of any subsequent right, power, or privilege.

8.9 In the event of any judicial action to enforce rights under this Agreement, the prevailing party shall be entitled its costs and expenses, including reasonable attorney's fees incurred in connection with such action.

8.10 This Agreement constitutes the complete and final agreement between the parties and supersedes any and all other prior and contemporaneous agreements and understandings between the parties, whether oral or written.

8.11 All notices and statements required under this Agreement will be in writing addressed to the parties as set forth below and sent certified mail or email, return receipt requested, unless an address change notification is given in writing. The mailing date is the date the notice or statement is given.

If to the Department:

Attn: Nicole Handy  
Department of Cultural and Community  
Engagement  
3760 South Highland Drive  
Salt Lake City, UT 84114

If to Entity:

Attn: Cindy Beteag  
Hurricane City  
147 N 870 West  
Hurricane, UT 84737

(This section is intentionally left blank. Signature page follows)

IN WITNESS, the parties have caused this instrument to be duly executed as of the day and year first above written.

**State of Utah, Department of  
Cultural and Community  
Engagement:**

**Hurricane City:**

---

Print Name:  
Title:  
Date:

---

Print Name:  
Title:  
Date

**MEMORANDUM OF UNDERSTANDING**  
*Between the*  
**AMERICA250 UTAH COMMISSION**  
*and*

---

1. Parties

This Memorandum of Understanding (“MOU”) is between America250 Utah Commission, hereinafter referred to as (“A250UT”), a state governmental entity, and (\_\_\_\_\_), a Utah municipality or county, hereafter referred to as (\_\_\_\_\_).

2. Purpose

The purpose of this memorandum is to outline the materials and information that (\_\_\_\_\_) will share with A250UT in direct connection to the stipend received.

3. MOU Agreement

Now, therefore, in consideration of the mutual promises and undertakings of the parties to the MOU, and for the other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the parties enter into this MOU subject to the following terms and conditions:

**SPECIAL TERMS**

4. A250UT agrees to:

- a. Allocate a stipend of \$ \_\_\_\_\_ to (\_\_\_\_\_) for use on events or promotion of local America250 Utah community initiatives.
- b. Provide updates on America250 Utah events and programs around the state during every other month calls starting in August 2025.
- c. Maintain open communication lines for questions and support.

5. (\_\_\_\_\_) agrees to:

- a. Promote America250 Utah in at least one public forum, e.g., social media post, onstage mention, or promotional materials.
- b. Collect and keep record of local anniversary events and information to share with A250UT as part of a brief archive report due August 2026, including:
  - i. How stipend dollars were utilized
  - ii. Local event/initiative(s), date(s), location(s), purpose, attendance, social media engagement, etc.
  - iii. Additional digital artifacts, including photographs
  - iv. Post at least one event on [NowPlayingUtah.com](http://NowPlayingUtah.com) specifically tagging America250 Utah
- c. To allow America250 Utah to share contact information of its designated contact for (\_\_\_\_\_) local America250 committee on the America250 Utah website for public use and access. Please designate contact below:
  - i. Contact name \_\_\_\_\_
  - ii. Contact email \_\_\_\_\_
  - iii. Contact Phone number \_\_\_\_\_
  - iv. Address \_\_\_\_\_

6. Compliance with Laws

In performance of this MOU, both parties shall comply with all applicable federal, state, and local laws, codes, regulations, rules and orders.

\* \* \*

By signing below, (\_\_\_\_\_) represents that it has carefully read this MOU and has had the opportunity to review and discuss the MOU with legal counsel. No representations, statements, or inducements, either oral or written, apart from those contained in this MOU, have been made.

\_\_\_\_\_  
Nicole Handy  
Executive Director, America250 Utah Commission  
Department of Cultural and Community Engagement

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Affiliation: \_\_\_\_\_

\_\_\_\_\_  
Date

For additional information contact:

Chris Abbott  
Associate Director, America250 Utah Commission  
Utah Department of Cultural & Community Engagement  
[chrisabbott@utah.gov](mailto:chrisabbott@utah.gov)  
801.707.7833



## STAFF COMMENTS

**Item:** Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-09, a proposed zone change located at approximately 200 N and 300 E from Highway Commercial to Single Family Residential R1-10; parcel numbers H-226-A-2, H-226-B, and H-230-A; the LeBaron Children Family Partnership.

**Discussion:** The applicant is requesting a zone change from Highway Commercial (HC) to Single Family Residential R1-10 on 2.61 acres located east of State St spanning from 200 N to 300 N, near the base of the Hurricane Cliffs. Based on a review of available records, it appears this property has been zoned Highway Commercial since the late 1990s. The applicant has indicated their intention to initially construct one single-family home, followed by the potential development of additional single-family residences on the site. A public hearing on the proposed zone change was held at the August 14, 2025, Planning Commission meeting and no public comments or objections to the proposed zone change were received. The Planning Commission discussed the item and felt that even though some commercial land would be lost if the zone change were approved, that it was unlikely to be developed commercially. They also felt that the property is better suited for residential development due to the mostly residential nature of the surrounding blocks. The Planning Commission voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC comments.

### Property Information

Property Size – approx. 2.61 acres

Current Zoning – Highway Commercial

General Plan – Multifamily

Currently undeveloped

Parcels H-226-A-2, H-226-B, and H-230-A

**Findings:** Staff finds that the request adequately satisfies the four approval standards for zone changes:

1. The site has a General Plan designation of “Multifamily.” The zone change request is generally consistent with the General Plan, whereas the existing Highway Commercial zoning designation of the property is not. Single Family Residential R1-10 better aligns with the intent of the General Plan, since single-family development is supported by the Multifamily land use designation. Nevertheless, the General Plan is not binding, and approval of the zone change would be a reduction in commercial land inventory that strays from the City Council’s stated objective to preserve commercial property.

2. The proposed zoning is harmonious with the character of existing development in the vicinity. The area has predominately single-family homes in the vicinity.
3. The proposed amendment will not adversely impact the area, since it would facilitate additional single-family development similar to that of neighboring properties.
4. Public facilities and services are generally adequate to serve the subject property, though several considerations remain. There are legal ambiguities regarding the status of 200 N as it turns north towards the existing water tank that may make development of property off of 200 N difficult without participation from neighboring property owners. However, these difficulties exist regardless of the zoning of the property and can be addressed at the development stage.

**Recommendation:** Staff is mindful of the City Council's stated objective to preserve commercially zoned land, and this action, if approved, would be a reduction in the City's commercial land inventory. Alternatively, the request adequately satisfies the code considerations for approving a zone change. Therefore, staff provides two recommended decision options for the City Council to consider:

1. Deny the requested zone change, since it constitutes a reduction in commercial property within the City; or
2. Approve the request, subject to staff and JUC comments, since it adequately satisfies the four approval standards for zone changes.



# Application

Application Accepted Date: 07/29/2025 Type of Improvement: <u>Zone Change Application</u> Description: _____ Tenant / Project Name: <u>LeBaron Children Family Partnership</u> Bldg. Address: <u>200 N 300 E.</u> City: <u>Hurricane City</u> State: <u>UT</u> Zip: <u>84737</u> Subdivision: <u>none</u> Phase: _____ Block: _____ Lot #: _____ Parcel ID #: <u>H-226-B, H-226-A-2,</u> Zone: <u>Highway Commercial</u> <u>H230-A</u> Property Owner: <u>The LeBaron Children Family Partnership</u> Permit Contact: <u>Ed LeBaron</u> P:(435) 467-3652 Email: <u>lebaronstucco@hotmail.com</u>	<table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Valuation</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td colspan="3" style="text-align: center; background-color: #cccccc;"><b>PERMIT FEES</b></td> </tr> <tr> <td>Planning Fee</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">500.00</td> </tr> <tr> <td>Planning Fee</td> <td style="text-align: right;">\$</td> <td style="text-align: right;">500.00</td> </tr> <tr> <td><b>Sub Total:</b></td> <td style="text-align: right;"><b>\$</b></td> <td style="text-align: right;"><b>500.00</b></td> </tr> <tr> <td><b>Permit Total:</b></td> <td style="text-align: right;"><b>\$</b></td> <td style="text-align: right;"><b>500.00</b></td> </tr> <tr> <td><b>Amount Paid:</b></td> <td style="text-align: right;"><b>\$</b></td> <td style="text-align: right;"><b>500.00</b></td> </tr> <tr> <td><b>Remaining Due:</b></td> <td style="text-align: right;"><b>\$</b></td> <td style="text-align: right;"><b>0.00</b></td> </tr> </table>	Valuation	\$	0.00	<b>PERMIT FEES</b>			Planning Fee	\$	500.00	Planning Fee	\$	500.00	<b>Sub Total:</b>	<b>\$</b>	<b>500.00</b>	<b>Permit Total:</b>	<b>\$</b>	<b>500.00</b>	<b>Amount Paid:</b>	<b>\$</b>	<b>500.00</b>	<b>Remaining Due:</b>	<b>\$</b>	<b>0.00</b>
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<b>CONTACT INFORMATION</b>																									
General Contractor: <u>Ed LeBaron</u> License #: _____ P: (435) 467-3652 Address: <u>356 W. 850 N.</u> City: <u>LaVerkin</u> State: <u>UT</u> Zip: <u>84745</u> Email: <u>lebaronstucco@hotmail.com</u>																									
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APPLICATION NUMBER: PLANZC25-09																									
<small>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.</small>																									
Applicant Name: <u>Ed LeBaron</u>																									
Signature of Applicant/Authorized Agent or Owner: _____ Date: _____																									
Application Approved By: _____ Date: _____																									
Application Issued By: _____ Date: _____																									
Receipt #: 238558524-07/29/25																									

Narrative for zone change parcels H-226-A-2, H-226-B, H-230-A

Hurricane City, Building Department, Planning Commission, and City Council

The 3 parcels we are requesting a zone change for are located at approximately 200 N. and 300 E. in Hurricane. The current zoning for all 3 properties is highway commercial and as a family we desire to have the zoning changed to R1-10 to allow us to be able to build single-family residences for our family members to occupy. I am a native of Hurricane along with all of the other people of the Family Partnership. I grew up on the property directly to the West of these parcels where they are now building 2-story nightly rentals. My parents have had some of the parcels for several decades and secured the remaining parcels over 30 years ago. I spend my childhood in this area and have fond memories of enjoying the canal and surrounding properties riding motorcycles and just having a great childhood. It was always my dream to retire and build my forever home in Hurricane on one of these parcels. I, along with my other siblings, have had several conversations with our parents about how we would divide the parcels, and who would like to build on these properties.

Both my parents have passed on now but they had divided up the properties allowing us to have lots to build on. Thirty years ago I never imagined that it was a possibility that I might not be able to build a forever home on this property. Now I am realizing that with the existing zoning of the property this is not a possibility currently.

None of this property fronts the highway, and it is surrounded by several single-family residences. The zone change would allow us to build low-density single family residences and keep in harmony with the existing development in the area. There would be no impact to traffic as opposed to commercial development. The biggest benefit would be that it would enable us as long-time Hurricane natives to be able to use the land as we had always imagined it would be used for.

Although the property is zoned highway commercial, it is currently in FAA greenbelt and is used primarily for farming and raising cattle. We intend to keep it this way, and per our parents wishes as well as our desires, we will never sell the property or allow commercial development on this property. At least that is the feeling of our generation (all the members of the family partnership). It's hard to predict what future generations would do. I would like to build my home on one of these parcels right away, but the remaining parcels will remain in greenbelt until other members of the Family Partnership are ready to do the same.

We appreciate your consideration on this matter and hope you will see this as a positive thing for our family, the neighborhood, and the community.

Sincerely,



Ed LeBaron  
representing The LeBaron Children Family Partnership



ORDINANCE NO ZC25-09

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE FOR PARCELS H-226-A-2, H-226-B, AND H-230-A FROM HIGHWAY COMMERCIAL (HC) TO SINGLE FAMILY RESIDENTIAL 10 (R1-10)

*WHEREAS*, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

*WHEREAS*, the proposed amendment is generally compatible with the current General Plan; and

*WHEREAS*, the proposed amendment is generally in harmony with the overall character of the proposed surrounding development; and

*WHEREAS*, the proposal will not have an adverse impact on the surrounding area; and

*WHEREAS*, there are adequate facilities to support the proposed zone change; and

*WHEREAS*, the Planning Commission gave a positive recommendation on the proposed zone change.

***BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:***

That parcels H-226-A-2, H-226-B, and H-230-A from Highway Commercial (HC) to Single Family Residential 10 (R1-10).

PASSED AND APPROVED on this 4th day of September 2025.

Hurricane City

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4th day of September 2025. Whereupon a motion to adopt and approve said Ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, City Recorder

**EXHIBIT A**  
**ZONING MAP**



**STAFF COMMENTS**

<b>Agenda Date:</b>	<b>08/14/2025 - Planning Commission</b>
<b>Application Number:</b>	ZC25-09
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	The LeBaron Children Family Partnership
<b>Agent:</b>	Ed LeBaron
<b>Request:</b>	Zone Change from HC to R1-10
<b>Location:</b>	200 N and 300 E
<b>Zoning:</b>	HC
<b>General Plan Map:</b>	Multifamily
<b>Recommendation:</b>	(Refer to body of report.)
<b>Report Prepared by:</b>	Gary Cupp

**Discussion:**

The applicant is requesting a zone change from Highway Commercial (HC) to Single Family Residential R1-10 on 2.61 acres located east of State St spanning from 200 N to 300 N, near the base of the Hurricane Cliffs. Based on a review of available records it appears this property has been zoned Highway Commercial since the late 1990s. The applicant has indicated their intention to initially construct one single-family home, followed by the potential development of additional single-family residences on the site.

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	HC	Commercial development (hotel and assisted living)
<b>East</b>	R1-10	Undeveloped property (Hurricane Cliffs)
<b>South</b>	R1-10	Single Family Homes
<b>West</b>	HC	Single Family Homes, short-term rental development



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 Single Family Residential R1-10 is, therefore, generally consistent with the General Plan, whereas the existing Highway Commercial zoning designation of the property is not. And given the property's proximity to the downtown core and nearby multifamily developments, a lower-density residential use such as R1-10 better aligns with the intent of the General Plan, since single-family development is supported by the Multifamily land use designation for this area of the city. Notwithstanding, staff is also mindful of the City Council's expressed desire to protect commercially zoned land in the city. And even though the current Highway Commercial zoning conflicts with the General Plan, the General Plan is not binding, and approval of the zone change would be a reduction in commercial land inventory that strays from the City Council's stated objective to preserve commercial property. Nevertheless, the requested zone change adequately satisfies the code consideration for General Plan consistency.

***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 many single-family homes in the vicinity.

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

**Response:** Even though the area is zoned Highway Commercial, the entire block consists largely of residentially developed properties; therefore, the proposed zoning amendment is unlikely to have an adverse effect on adjacent residential lots. In fact, it could be considered less impactful than commercial development that could potentially be permitted under the existing commercial zoning, particularly in terms of traffic generation, noise, lighting, and parking.

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

**Response:** See JUC comments below. Public facilities and services are generally adequate to serve the subject property, though several considerations remain. There are legal ambiguities regarding the status of 200 N as it turns north towards the existing water tank that may make development of property off of 200 N difficult without participation from neighboring property owners. However, these difficulties exist regardless of the zoning of the property and can be addressed at the development stage.

**Other Considerations**

**JUC Comments:**

*The following comments will need to be addressed:*

1. **Public Works:** A connection should be made between 200 N and 300 N for traffic and water looping.
2. **Power:** Application for all new services. Develop Under ground power into development. May be required to move a power pole and service to accommodate entryways (at developer cost).
3. **Sewer:** [No comments received.]
4. **Streets:** [No comments received.]
5. **Water:** Okay.
6. **Engineering:** 300 N is an atypical width and hasn't been constructed to street standards. Split zoning should be discouraged. The eastern end of 200 N is difficult to identify because there are existing utilities to and from the water tank but there hasn't been an explicit road/easement dedication. It appears there are gaps between parcel descriptions. 200 N doesn't have a proper dead end (a typical cul de sac or fire apparatus turnaround (HCS 3.2.4.5, IFC app. D)). Access to State Street to and from 200 N is limited to right in/right out movements due to the existing median. These properties are adjacent to the Hurricane Canal trail described in the Active Transportation Plan 2021 and an existing trailhead is on 200 N. The proposed zone matches its existing neighboring zones to the west and south. Most properties north of the site appear to utilize the existing highway commercial zone. The zone change would isolate what appears to be a non-primary residence from the rest of the HC zone (H-226-A-1). A residential development would likely require the participation of neighboring property owners; however, any development could have a similar effect. Commercial standards seem more flexible. A zone change could motivate redevelopment of the area in which facilities are improved by the applicant. However, access to the site and the ambiguous nature of the property to the east (is it a road, trail, utility corridor, private property?) are concerning.
7. **Fire:** Approved.
8. **Cable:** [No comments received.]
9. **Phone:** [No comments received.]
10. **Fiber:** No comment.
11. **Gas:** Okay.
12. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigates interference with district facilities and property interests. The District reserves the right to rescind this acknowledgement if additional information becomes available. The district has not determined whether water will be available for this development and does not hereby make any guarantee of water availability. In addition, the development must conform with applicable district requirements, including but not limited to payment of fees.

#### **Staff Comments:**

1. Informal city policy over the past several years has not been supportive of zone changes from commercial to residential. There are some mitigating factors at play here, such as the property's location off State St and the low-density nature of the requested zone. However, this is a developing area of the City and as this area develops it may be productive as commercial property.

#### **Findings:**

Staff makes the following project findings:

1. The zone change request is generally consistent with the General Plan, whereas the existing Highway Commercial zoning designation of the property is not. Single Family Residential R1-10 better aligns with the intent of the General Plan, since single-family development is supported by the Multifamily land use designation. Nevertheless, the General Plan is not binding, and approval of the zone change would be a reduction in commercial land inventory that strays from the City Council's stated objective to preserve commercial property.
2. The proposal is compatible with surrounding development of single family homes and townhomes.
3. The proposed amendment will not adversely impact the area, since it would facilitate additional single-family development similar to that of neighboring properties.
4. Public facilities and services are generally adequate to serve the subject property, though several considerations remain. There are legal ambiguities regarding the status of 200 N as it turns north towards the existing water tank that may make development of property off of 200 N difficult without participation from neighboring property owners. However, these difficulties exist regardless of the zoning of the property and can be addressed at the development stage.

**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. Based on staff and JUC comments, and on the project findings, the Planning Commission should consider making one of the following recommendations to the City Council:

1. **Deny** the requested zone change, since it constitutes a reduction in commercial property within the City; or
2. **Approve** the request, subject to staff and JUC comments, since it adequately satisfies the four approval standards for zone changes.



## STAFF COMMENTS

**Item:** Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-10, a proposed zone change located at 235 N 1580 W from Residential Agriculture RA-1 to Single Family Residential R1-10; parcel H-CWE-6.

**Discussion:** The applicant is requesting a zone change from Residential Agriculture RA-1 to Single Family Residential R1-10 on a 0.989-acre property located at 235 N 1580 W. A public hearing on the proposed zone change was held at the August 28, 2025, Planning Commission meeting and several in-person comments objecting to the zone change were received. Also, several written public comments objecting to the proposed zone change were received and are attached to the packet. The comments primarily objected to changing to a zone that would allow smaller lots than one acre. The Planning Commission had no substantial discussion on the item and voted unanimously to recommend approval of the zone change by the City Council subject to staff and JUC comments.

### Property Information

Property Size – approx. 0.989 acres

Current Zoning – RA-1

General Plan – Single Family

Existing Development – 1 single-family residence

Parcel No. H-CWE-6

**Findings:** Staff finds that the request adequately satisfies the four approval standards for zone changes:

1. The General Plan Map shows this area as "Single Family." The proposal meets the General Plan consistency standards for Single Family development.
2. The proposal is compatible with the 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 any future development.

**Recommendation:** Staff recommends approval subject to staff and JUC comments. – Gary Cupp





# 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**

*(This area contains a large 'DRAFT' watermark)*

Valuation	\$	0.00
<b>PERMIT FEES</b>		
Planning Fee	\$	500.00
Planning Fee	\$	500.00
<b>Sub Total:</b>	<b>\$</b>	<b>500.00</b>
<b>Permit Total:</b>	<b>\$</b>	<b>500.00</b>
<b>Amount Paid:</b>	<b>\$</b>	<b>500.00</b>
<b>Remaining Due:</b>	<b>\$</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>	<b>08/28/2025 - Planning Commission</b>
<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.]

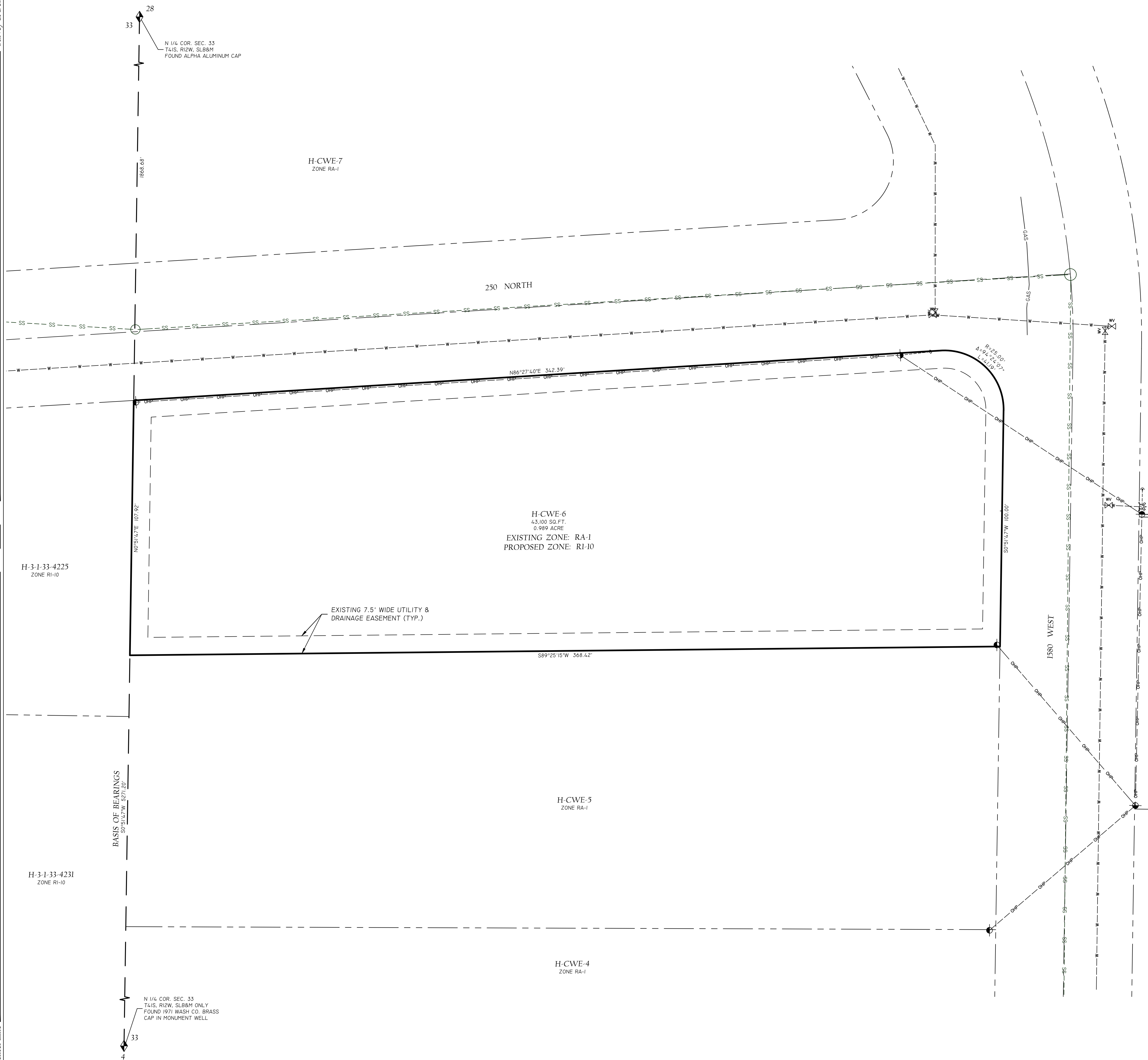
10. **Fiber:** No comment.
11. **Gas:** Add existing gas.
12. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves the right 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:**

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

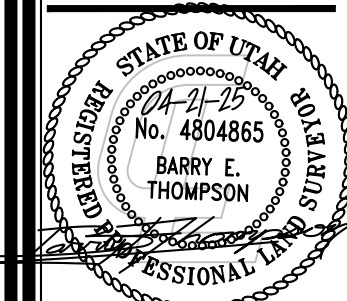
PROPOSED ZONE: U RI-10

**OWNER:**

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

NO.	DATE	APPROVED BY	REVISIONS

**Center Line**  
 146 SOUTH STATE STREET, LAVERKIN, UTAH 84745  
 PHONE: (435) 767-8415



JOB # (CLIENT #)  
2412-0327 (1112)  
FILE NAME:  
LOVE ZC MAP

ZONE CHANGE MAP  
 COTTONWOOD ESTATES LOT 6 EXHIBIT  
 FOR  
 RED PLAINS PROFESSIONAL, INC.  
 255 N. 1580 W.  
 HURRICANE, UTAH 84737

## Brienna Spencer

---

**From:** Gary Cupp  
**Sent:** Thursday, August 14, 2025 3:55 PM  
**To:** Fred Resch; Brienna Spencer  
**Subject:** FW: Zone Change.

---

**From:** Weasel Chaplin <socrat21@gmail.com>  
**Sent:** Thursday, August 14, 2025 3:39 PM  
**To:** Gary Cupp <gary@hurricane.utah.gov>  
**Subject:** Zone Change.

I understand my next door neighbor would like to have his property rezoned. I am dead set against this. His property is part of the Cottonwood Subdivision and we have all signed a document of Covenants and Restrictions.

It is his plan to sell the back half of his lot. I have been told two different stories as to what will happen to that section. One, a single home will be built and two, two homes will be built. I don't know what the truth is as every party involved has told me different stories.

This lot is right next to my home at 205 N. 1580 W. It will impact the entire subdivision as it will open the door to people doing whatever they want. I have lived here 32 years and don't want to be crowded in (or out). I don't want any more homes built along my fence line as it will impact my privacy and view.

I feel I'm being forced to hire an attorney again in order to maintain our way of life and my property values.

I dropped off 9-10 copies of my of paperwork at the front desk of the Planning Dept this afternoon. I failed to add my name and address somehow, but wish to make it clear. My name, address and phone number below.

David Chaplin  
205 N. 1580 W.  
Hurricane, UT 84737  
(435) 635-3637 (landline)

8-13-25

To the Planning Commission,

As property owners in this area, we are  
against changing the zoning. We do not want  
smaller lots to cram more houses or apartments in this  
area - it should stay the way it is zoned -  
we have enough apartments and town houses on the 600 North  
Block - leave our area alone -

The traffic is already bad enough on 1580 W -  
With the wide road coming down to our smaller street.

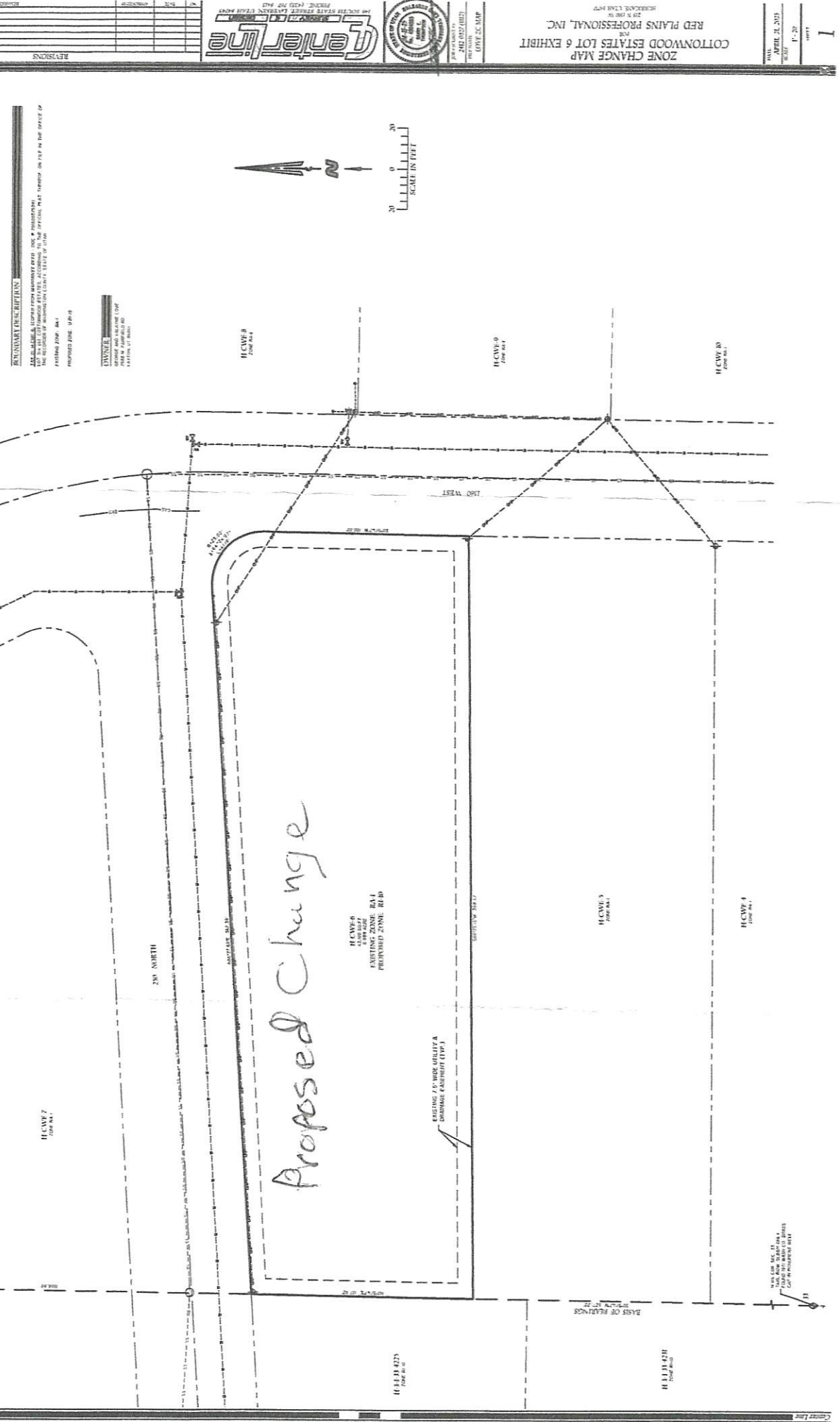
Lyn da Jensen

**RECEIVED**

8/14/25

11:11 AM

I am dead set against this subdivision. It will change the dynamic of the subdivision. I bought my house 32 years ago knowing everybody in the subdivision would live under the same rules. George here has flouted the rules ever since he bought the property & 235 ft.



AMENDMENT to: DECLARATION OF RESTRICTIONS

Recorded May 11, 1982 - DOCUMENT No. 238081-Book: 309 Page 689-690

DAVID O. WHITAKER and DOROTHY A. WHITAKER

owner of that certain real property situated in this State of Utah, Washington County described as follows:

COTTONWOOD ESTATES SUBDIVISION  
 Lot: 1 thru 14 of DOCUMENT No. \_\_\_\_\_ as shown  
 on a Map recorded in BOOK \_\_\_\_\_, Page, \_\_\_\_\_ of  
 Miscellaneous Maps, records of Washington County, Utah

hereby covenants, agrees and declares that all of said lots and property are and will be held, sold and conveyed subject to the following covenants, conditions and restrictions, which are hereby declared to be for the benefit of the whole tract and all of the property described herein, and the owners thereof, their successors and assigns. Said restrictions establish and impose a general plan for the improvement and development of said tract and all of the property described herein and the adoptions and establishment of covenants and restrictions upon said land and each and every lot and portion thereof and upon the use, occupancy and enjoyment thereof. Every conveyance of any of said lot or lots or property or portion thereof in said tract of land shall be and is subject to the said covenants, conditions and restrictions, as follows:

21563

1. The words "tract" and subdivision" as used herein shall include all of the land described herein.
2. All lots in the tract shall be known and described as residential lots and shall be used for no other purposes.
3. No building shall be located nearer than 35 feet to the front lot line or nearer than 15 feet to the side street line. In any event, no building shall be located on any residential building plot nearer than 35 feet to the front lot line nor 10 feet of any side lot line. All barns, sheds shall not be nearer than 150 feet from property line.
4. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
5. No trailer, basement, tent, shack, garage, barn or other outbuilding erected in the tract, shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
6. No Pre-fab, modular, or trailer homes shall be allowed or constructed in tract.
7. No dwelling shall be erected on any lot in the tract unless it has at least 1600 sq. feet, actual living space, excluding porches, steps, basements, and garages.
8. No fence or hedge exceeding 3 feet in height shall be erected or permitted between street and front setback line.
9. Poultry, rabbits, cows, sheep, hogs or any other stock or animals raised in said tract shall conform with the Utah Health Code.
10. No derrick or other structure designed for use in boring, mining or quarrying for water, oil or natural gas or precious minerals shall ever be erected, maintained or permitted upon any lot in said Tract.

If the parties hereto, or any of the, or their heirs or assigns shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

A breach of any of the covenants, conditions or restrictions shall not defeat or render invalid the lien of any mortgage or deed of trust made in good faith and for value on said lots or property or any portion thereof, but said covenants, conditions and restrictions shall be binding upon and effective against any owner of said land whose title is acquired by the foreclosure of any lien or mortga thereon or sale under any deed of trust given to secure the payment of money.

DATED this May date of 6, 19 82

David O. Whitaker  
Dorothy A. Whitaker

STATE OF UTAH )  
COUNTY OF WASHINGTON)

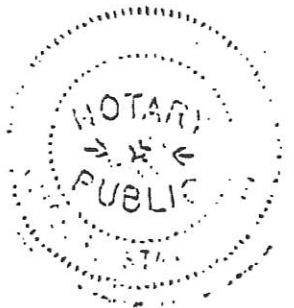
On this 6th day of May, 1982, personally appeared before me David O. Whitaker and Dorothy A. Whitaker, husband and wife, who signed the above instrument in my presence.

Rosemary Lee  
Rosemary Lee, Notary

My Commission expires 9/7/84

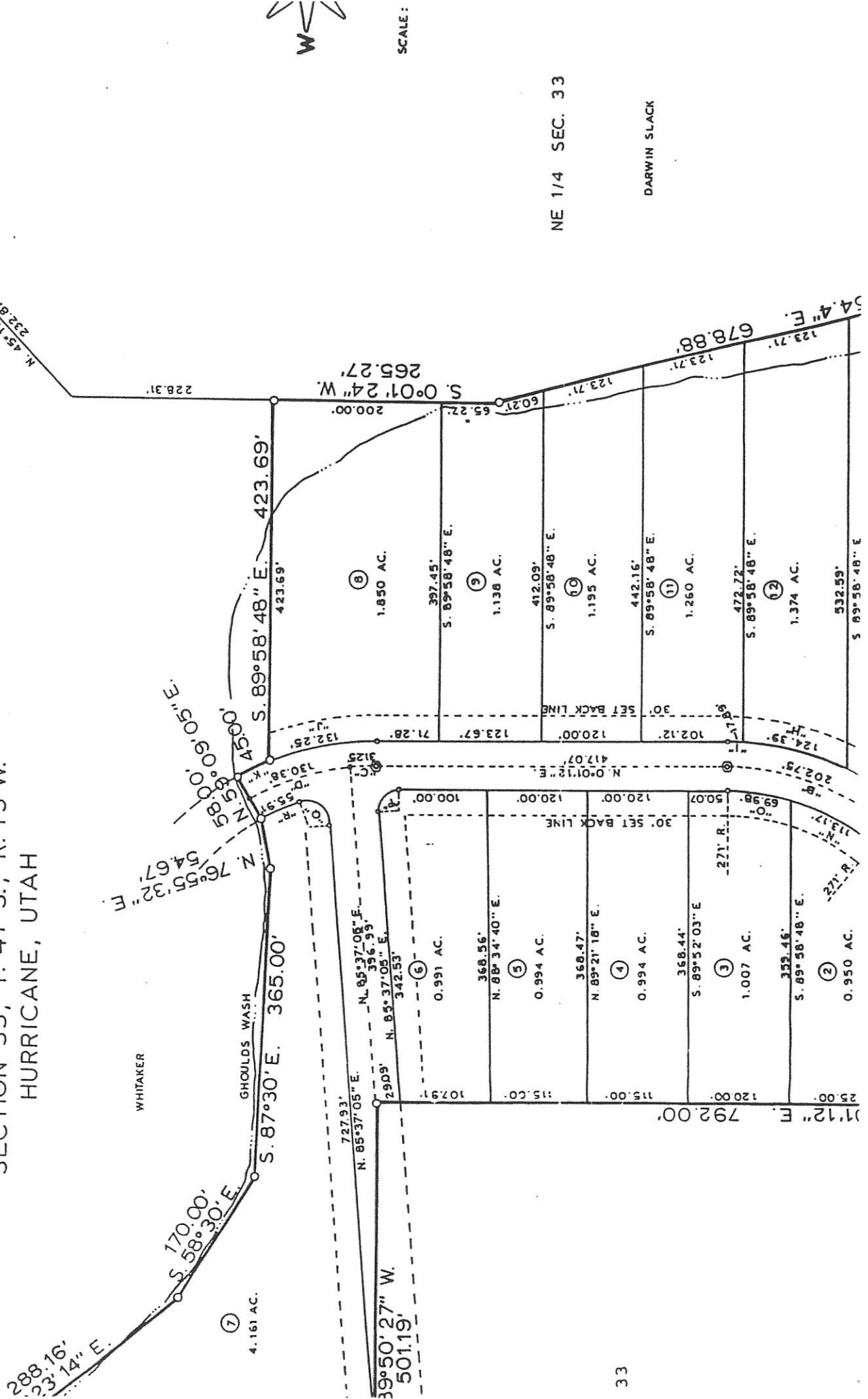
Residing in Hurricane, Utah

RECORDED: David O. Whitaker  
FILE: 309  
REC: 5/8  
1982 MAY 11 AM 10:03  
238081  
NOTARY PUBLIC  
WASHINGTON



# COTTONWOOD ESTATES

SECTION 33, T. 41 S., R. 13 W.  
HURRICANE, UTAH



SCALE:

NE 1/4 SEC. 33

DARWIN SLACK

ORDINANCE NO ZC25-10

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE  
FOR PARCEL H-CWE-6 FROM RESIDENTIAL AGRICULTURE 1 (RA-1) TO SINGLE  
FAMILY RESIDENTIAL 10 (R1-10)

*WHEREAS*, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

*WHEREAS*, the proposed amendment is generally compatible with the current General Plan;  
and

*WHEREAS*, the proposed amendment is generally in harmony with the overall character of  
the proposed surrounding development; and

*WHEREAS*, the proposal will not have an adverse impact on the surrounding area; and

*WHEREAS*, there are adequate facilities to support the proposed zone change; and

*WHEREAS*, the Planning Commission gave a positive recommendation on the proposed  
zone change.

***BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:***

That parcel H-CWE-6 is rezoned from Residential Agriculture 1 (RA-1) to Single Family  
Residential 10 (R1-10).

PASSED AND APPROVED on this 4th day of September 2025.

Hurricane City

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4th day of September 2025. Whereupon a motion to adopt and approve said Ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, City Recorder

**EXHIBIT A**  
**ZONING MAP**



## STAFF COMMENTS

**Item:** Consideration and possible approval of Zone Change Amendment Ordinance No. ZC25-12, a proposed zone change located at 184 N State Street from Single Family Residential R1-10 to Multiple Family RM-3; parcel H-178; White Glove Construction.

**Discussion:** The applicant is requesting a zone change from Single Family Residential R1-10 to Multiple Family RM-3 on a 1.22-acre property located at 184 N State Street. A public hearing on the proposed zone change was held at the August 28, 2025, Planning Commission meeting and one public comment objecting to the proposed zone change was received. The commenter stated that RM-3 would be too dense. The Planning Commission discussed the item and also said that RM-3 would be too dense and felt that RM-2 would be more appropriate for the site. The vote was unanimous to recommend approval of a zone change to RM-2 to the City Council subject to staff and JUC comments.

### Property Information

Property Size – approx. 1.22 acres

Current Zoning – R1-10

General Plan – Multifamily

Existing Development – 1 single-family residence

Parcel No. H-178

**Findings:** Staff finds that the request adequately satisfies the four approval standards for zone changes:

1. The General Plan Map shows this area as “Multifamily.” The proposal meets the General Plan consistency 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 any future development.

**Recommendation:** Staff recommends approval subject to staff and JUC comments. – Gary Cupp



# 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

**CONTACT INFORMATION**

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

**APPLICATION DETAILS**

*(This area contains a large 'DRAFT' watermark)*

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



**APPROVALS      DATE      INFO**

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

APPLICATION NUMBER: PLANZC25-12

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: 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>	<b>08/28/2025 - Planning Commission</b>
<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:**

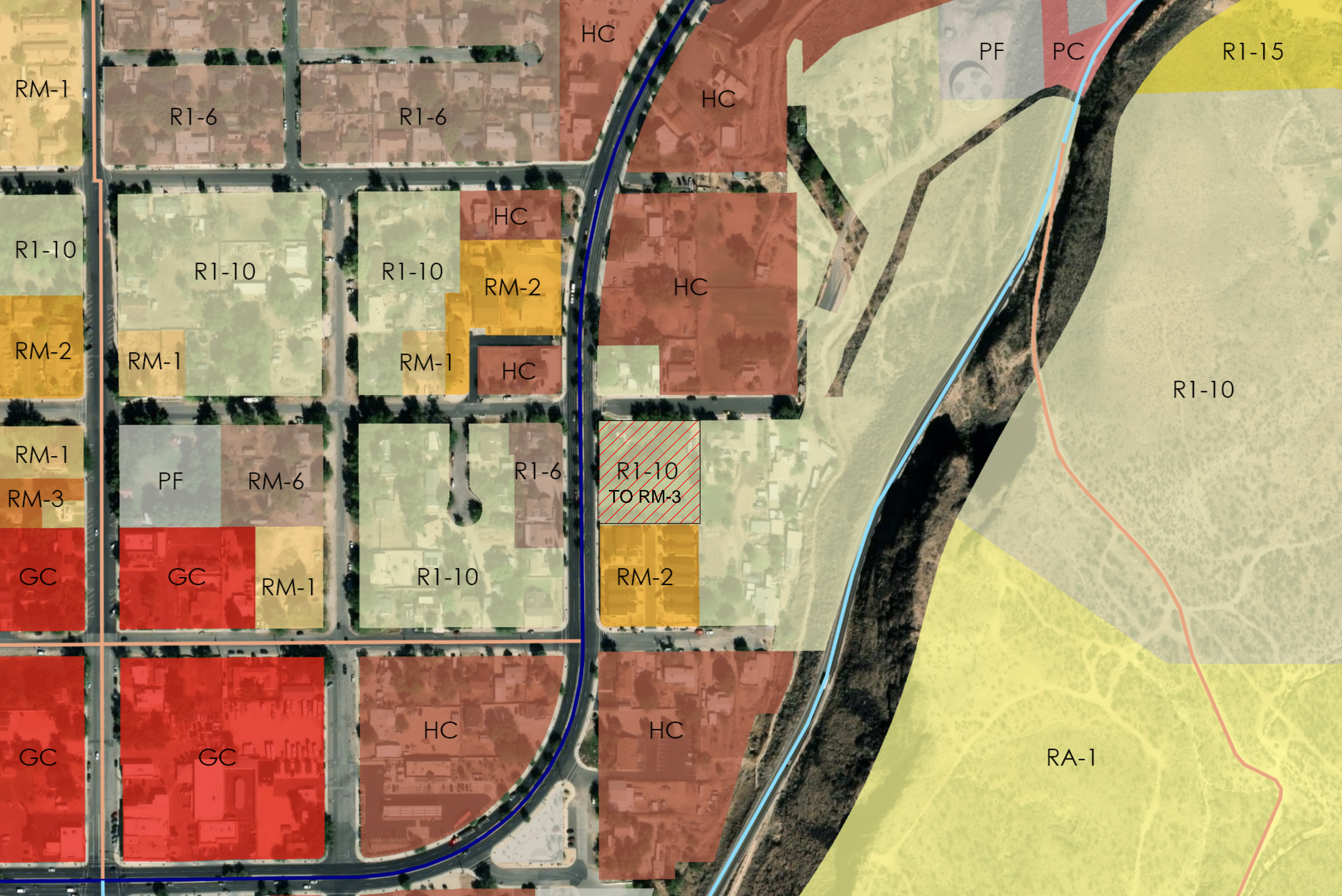
7. **Fire:**
8. **Cable:**
9. **Phone:**
10. **Fiber:**
11. **Gas:**
12. **WCWCD:** Washington County Water Conservancy District hereby acknowledges that based on the information provided, the plans adequately mitigate interference with district facilities and property interests. The District reserves 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.



RM-1

R1-6

R1-6

HC

PF

PC

R1-15

R1-10

R1-10

R1-10

HC

RM-2

HC

RM-2

RM-1

RM-1

HC

RM-1

PF

RM-6

R1-6

R1-10  
TO  
RM-3

RM-3

GC

GC

RM-1

R1-10

RM-2

GC

GC

HC

HC

RA-1

ORDINANCE NO ZC25-12

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE APPROVING THE REZONE FOR PARCEL H-178 FROM SINGLE FAMILY RESIDENTIAL 10 (R1-10) TO MULTIPLE FAMILY RESIDENTIAL 3 (RM-3)

*WHEREAS*, Utah Code 10-9a allows Cities to regulate land use within their boundaries; and

*WHEREAS*, the proposed amendment is generally compatible with the current General Plan; and

*WHEREAS*, the proposed amendment is generally in harmony with the overall character of the proposed surrounding development; and

*WHEREAS*, the proposal will not have an adverse impact on the surrounding area; and

*WHEREAS*, there are adequate facilities to support the proposed zone change; and

*WHEREAS*, the Planning Commission gave a positive recommendation on the proposed zone change.

***BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF HURRICANE CITY THAT:***

That parcel H-178 is rezoned from Single Family Residential 10 (R1-10) to Multiple Family Residential 3 (RM-3).

PASSED AND APPROVED on this 4th day of September 2025.

Hurricane City

\_\_\_\_\_  
Nanette Billings, Mayor

Attest:

\_\_\_\_\_  
Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4th day of September 2025. Whereupon a motion to adopt and approve said Ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, City Recorder

**EXHIBIT A**  
**ZONING MAP**



## STAFF COMMENTS

**Item:** Consideration and possible approval of a local consent for a single event beer garden for Pecan Valley Clubhouse.

**Discussion:** The applicant is requesting local consent for a beer garden as part of the Trail Hero Appreciation event. A background check has been completed, and there are no concerns from staff or the Police Department regarding issuance of local consent. Pecan Valley currently holds a restaurant liquor license restricted to the bottom floor of the clubhouse; however, the applicant is requesting to serve alcohol on the second level for this event. – Cindy Beteag

**Findings:**

**Recommendation:**



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

Date of Application 8/28/25

Permit Fee \$250.00  
Application Fee \$50.00  
Total Due \$300.00

**SINGLE EVENT LIQUOR PERMIT**

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

**SECTION A — BUSINESS INFORMATION**

Name of Business: Pecan Valley Resort

Business Phone: \_\_\_\_\_ Email: Samantha@pecanvalleyresort.com

Contact Person: Samantha Garong

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

Mailing Address (if different): \_\_\_\_\_  
(Street Number) (City) (State) (Zip)

State Sales Tax Number: 16049884-003-ST6 Does this business have a current DABC license: W12F-927

Business Type (check one):

Proprietorship  Partnership  Corporation  Religious Organization  Non-profit Corporation

**SECTION B — EVENT INFORMATION**

Event Name: Trail Hero Sponsor Appreciation

Event Venue: Pecan Valley Resort

2431 S 5210 W Hurricane UT 84737  
(Street Number) (Suite) (City) (State) (Zip)

Date (s) of the event: 9/30/25 Alcohol Service hours: 6 pm to 9 pm

For the sale of (check all that apply):  Beer  Heavy Beer  Wine  Liquor  Flavored Malt Beverages

Will food be available? yes Full Meals? yes Will minors attend the event? yes

**PART C — BUSINESS OWNER INFORMATION**

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

Owner's Name: Chris Waler Title: Owner

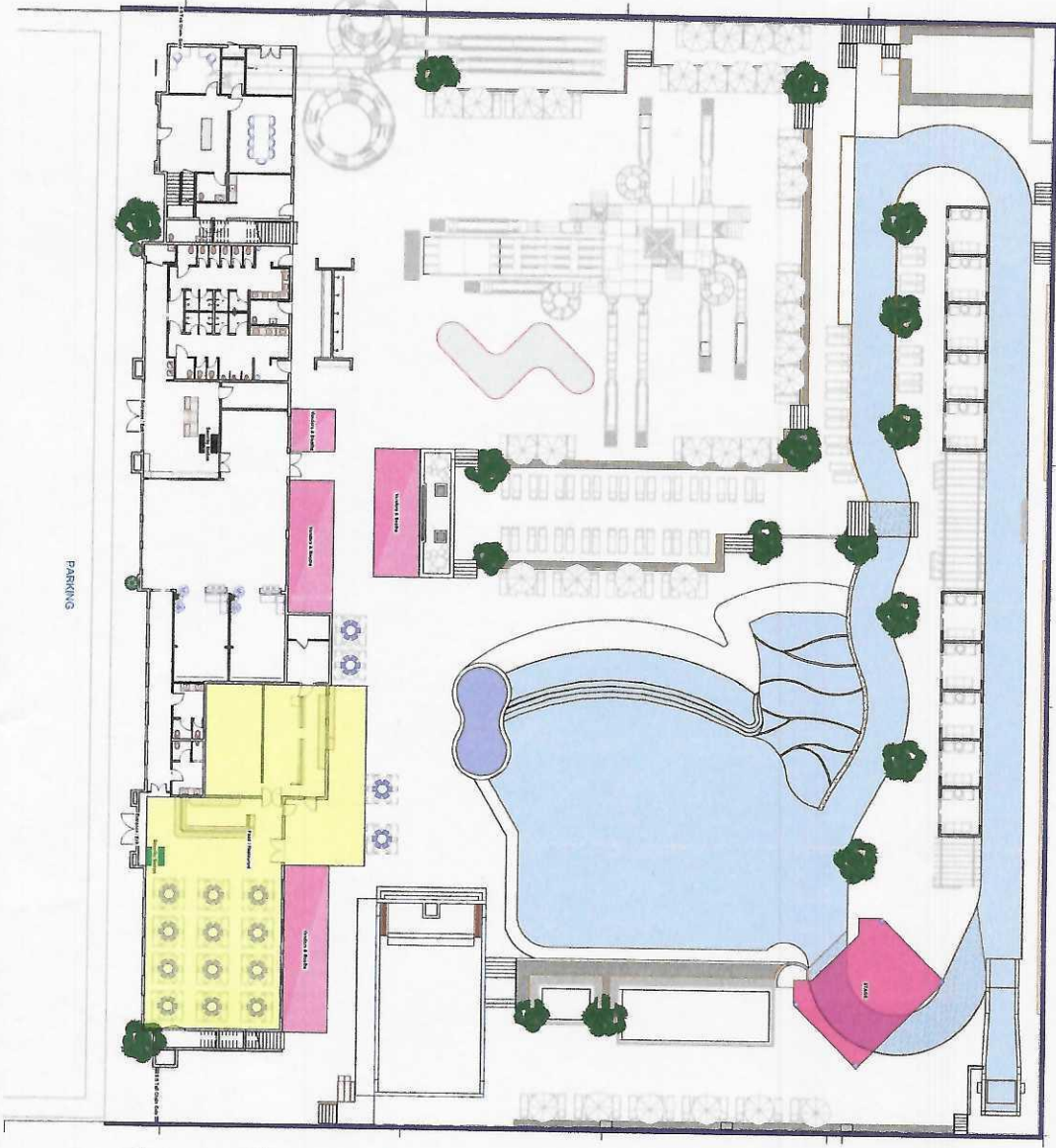
Home Address: \_\_\_\_\_  
(Street Number) (City) (State) (Zip)

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

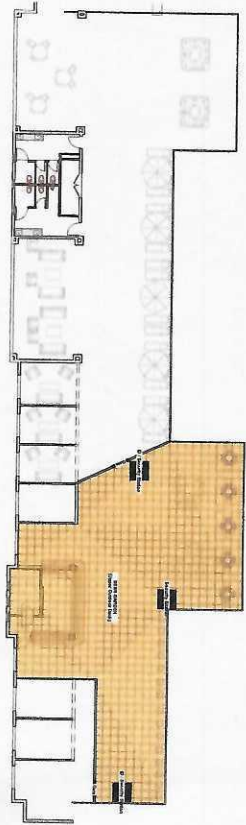
Please add any additional owners/partners on a separate piece of paper and attach.

APPLICATION MUST INCLUDE A DETAILED PLAN ON AN 8 1/2" X 11" SHEET OF PAPER SHOWING ALL CONTROL MEASURES.

Pecan Valley Resort  
 Trail Hero Sponsor and Staff Appreciation Event  
 09/30/2025



FIRST FLOOR

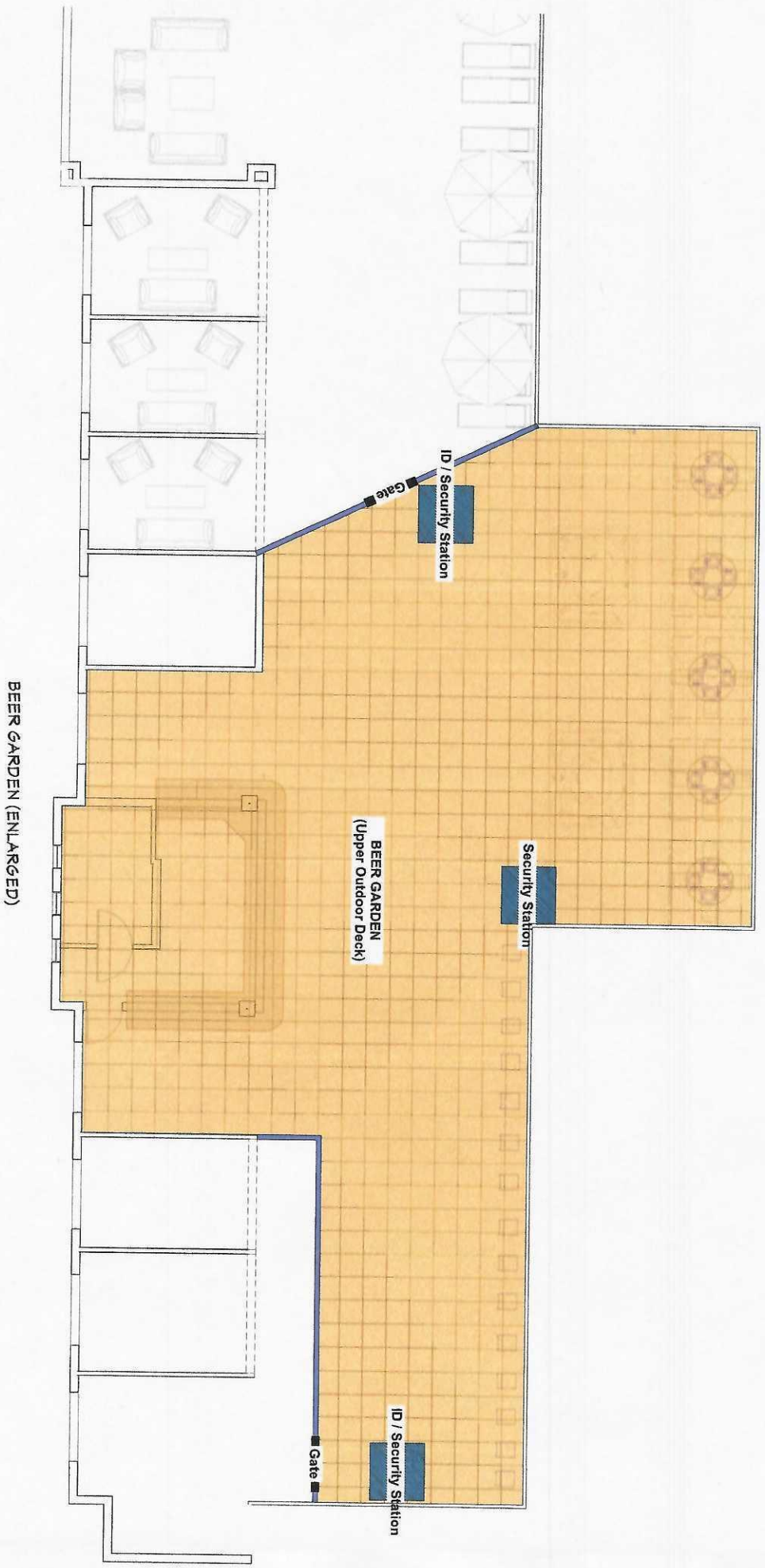


SECOND FLOOR

Plans Scaled at 1/8"=1'-0"

- 5 Hired Security and Volunteer Employees
- Fencing around the park is at least 6' and is Concrete and Iron
- 42" Barricades with gates to section off the bear garden

Pecan Valley Resort  
Trail Hero Sponsor and Staff Appreciation Event  
09/30/2025





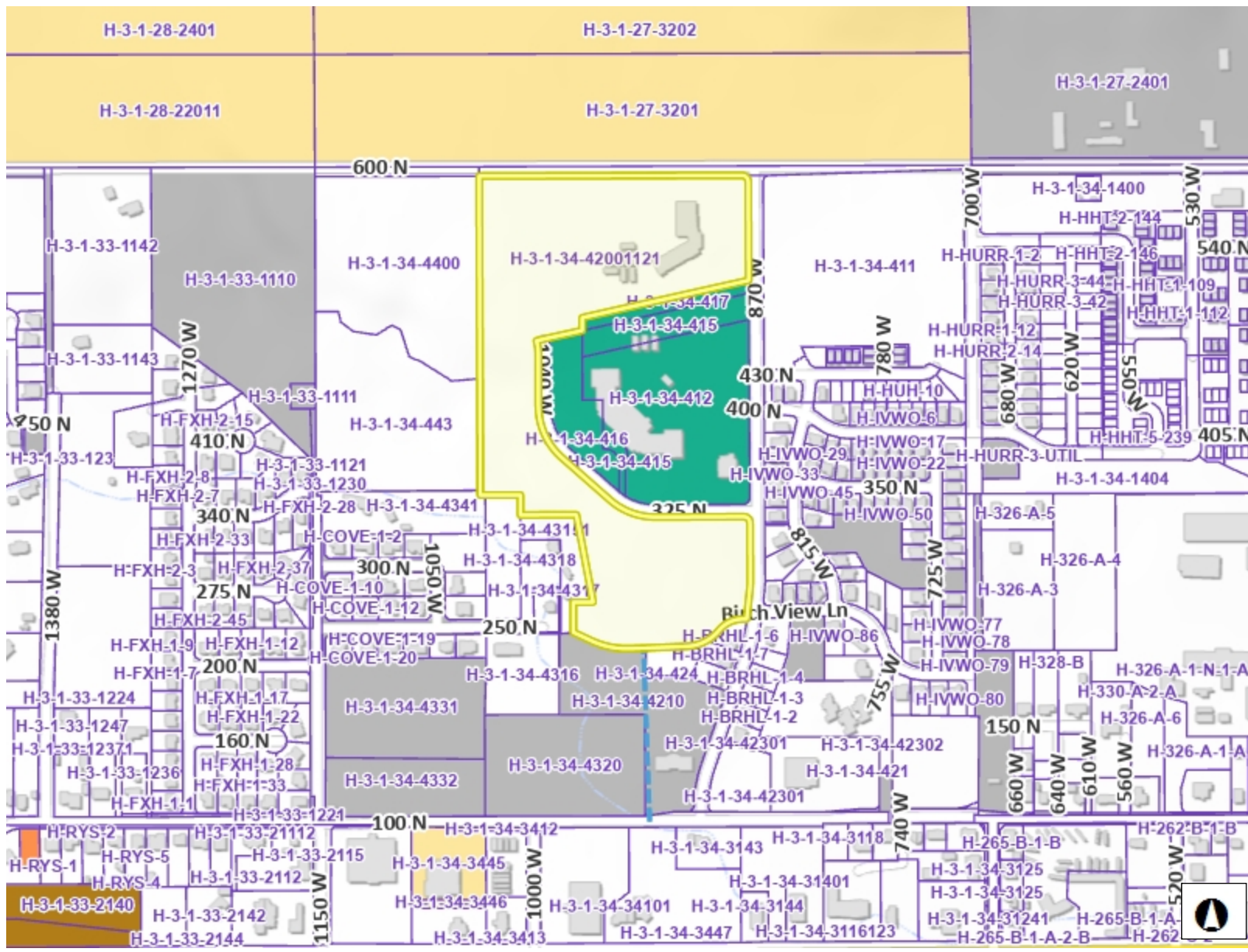
## STAFF COMMENTS

**Item:** Discussion regarding allowing a walking path through the City property for Valley Academy students.

**Discussion:** Valley Academy owns property located to the north of the current City Office property and recently purchased and opened a second location directly to the south of the City Office building. The school is requesting permission for students to walk across City property to travel between the two locations. Staff has placed this item on the agenda for Council discussion to receive direction. If the Council is in favor, an agreement will need to be drafted for review. – Cindy Beteag

**Findings:**

**Recommendation:**

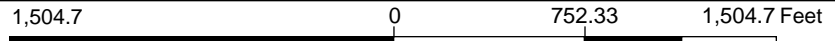


### Legend

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

### Notes

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



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere



## STAFF COMMENTS

**Item:** Consideration and possible approval of Ordinance 2025-19 Amending section 8-4-2 regarding the Municipal Power Board.

**Discussion:** Staff would like to present a change to the date of the regularly scheduled monthly Power Board Meetings from the 1<sup>st</sup> Wednesday of each month to the 2<sup>nd</sup> Wednesday of each month. The time would remain the same, unless after discussion at Power Board a different time is recommended and agreed upon. The reason for this recommendation has to do with the fact that meetings are currently the same weeks as City Council which make it difficult to coordinate agenda items that require council approval. The posting requirements for Council meetings often means we don't have the recommendation from the board prior to needing it placed on the agenda. Moving it to the 2<sup>nd</sup> week will give us time to present things to the Power Board, get their recommendations, and prepare the documents and summaries in time for the Council meeting the following week. This item is scheduled for discussion on the Power Board Agenda for the 9/3/25 meeting. The Power Board recommendation will be provided to Cindy Beteag promptly after that meeting. – Crystal Wright

**Findings:**

**Recommendation:**

**AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH  
AMENDING SECTION 8-4-2 OF THE HURRICANE CITY CODE GOVERNING THE  
MUNICIPAL POWER BOARD.**

**WHEREAS** the City Council of Hurricane, Utah desires to amend Section 8-4-2 of the Hurricane City Code governing the Chairman and Vice Chairman and conduct of meetings; and

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

**BE IT HEREBY ORDAINED** that Section 8-4-2 of the Hurricane City Code shall be, and is hereby, amended in its entirety as follows:

8-4-2: MUNICIPAL POWER BOARD

Sec. 8-4-2. - Municipal Power Board.

- A. *Created.* There is hereby created and established the Municipal Power Board (hereafter in this chapter referred to as "board"), which shall act in an advisory capacity to the City Council.
- B. *Organization of board.*
  1. *Number; appointment.* The board shall consist of six commissioners, one of whom shall be a member of the City Council and/or Mayor. All members of the board shall be appointed by the Mayor with the advice and consent of the City Council.
  2. *Term.* Commissioners serving on the board as of the effective date hereof shall continue to serve as commissioners for the following term as designated by the Mayor and City Council: one for a term of two years; two for a term of three years; two for a term of four years. All successors to the first Board of Commissioners under this chapter shall be appointed for a term of four years and until their successors are appointed and have qualified, unless they shall be removed from office as provided in subsection B4 of this section. Any commissioner may be reappointed by the Mayor with the consent and approval of the City Council.
  3. *Vacancies.* Vacancies shall be filled by the mayor with the consent and approval of the City Council, for the unexpired term. No vacancy in the board shall impair the right of the remaining commissioners to exercise all the powers of the board.
  4. *Qualifications.* To be appointed commissioner, a person must reside in the City. Any commissioner may be removed from office prior to the expiration of his appointed term by a majority vote of the City Council when such removal shall be deemed by the City Council to be in the best interests of the Power Department.

5. *Chairman and Vice Chairman; conduct of meetings.* The board will appoint from among the Board of Commissioners a Chairman and Vice Chairman of the board. The Chairman and Vice Chairman shall serve in such capacity for the length of one year. The Chairman shall preside over the meetings of the board, and the Vice Chairman shall act for the Chairman during the Chairman's absence. The board shall adopt reasonable rules for the conduct of its meetings, which shall be held at least once a month on the ~~first~~ **second** Wednesday at the Clifton Wilson Substation. All members of the board shall attend such meetings. No action shall be taken by the board except by the affirmative vote of at least three commissioners. Three commissioners shall constitute a quorum.

C. *Personnel.*

1. *Director of power system.* The City Council shall select, define the duties, and fix the compensation for a full-time "director" of the municipal power system. The director shall be responsible for the proper operation, maintenance, and care of the municipal power system, and to perform any other duties or functions required by the City Council or board. The salary of the director shall be established by the City Council after due consideration of recommendations from the board. The normal working hours of the director not necessary to ensure the proper operation, maintenance and care of the municipal power system shall be devoted to other work as needed by the City. The Power Director shall make weekly reports to the City Manager relating to the power system. All the functions and activities of the Director shall be carried on under the direction of the City Manager.
2. *Employee benefits.* Benefits of employees of the Municipal Power Department shall be governed by and subject to general employee policies in effect for all employees of the City.

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

PASSED AND APPROVED this 4<sup>th</sup> day of September, 2025.

Hurricane City

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Nanette Billings, Mayor

Attest:

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Cindy Beteag, Hurricane City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 4<sup>th</sup> day of September 2025. Whereupon a motion to adopt and approve said Ordinance was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag, Recorder