

ON March 12, 2015 AT 6:00 P.M. THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT

Members Present: John Johnson, Bill Wilkey, Branden Anderson, Ryan Cashin, Paul Farthing. Arriving late were Ralph Ballard and Bob Petersen

Members Excused: Yovonda Hall

Staff Present: Planning Director Toni Foran, City Council Representative Darin Larson, Planning Assistant Cindy Hyatt, City Attorney Fay Reber

The meeting was called to order by Chairman Cashin at 6:00 p.m. The Pledge of Allegiance was led by Boy Scout Hunter Heaton and Branden Anderson offered the prayer. Roll call was taken.

Approval of agenda: John Johnson motioned to approve the March 12, 2015 agenda. Bill Wilkey seconded the motion. Motion carried with all Commissioners voting aye.

New Business:

2015-CUP-02 Consideration and possible approval of a conditional use permit for an 1800 sq. ft. accessory building, larger than allowed by permitted use, on property located at 514 S 400 West - David Christensen applicant

David Christensen stated the proposed accessory building would be located in the back of his property. It would be for personal use only. He commented the back of his property is land locked and there is nothing else there. Chairman Cashin asked the applicant if a business would be conducted out of the accessory building. Mr. Christensen stated it would be strictly a hobby shop. *John Johnson motioned to approve application 2015-CUP-02 with the following findings; 1. The proposed building is in keeping with the General Plan and Land Use Code. 2. The greater size building will not have negative effects on surrounding properties where it is proposed to be located on the property. 3. The total buildings on the property will not cover more than 50% of the property. 4. The building's colors have been chosen to blend in with surrounding buildings. 5. Applicant can avoid any possible offensive affects by installing lighting that does not impact neighboring properties or the night sky. Bill Wilkey seconded the motion. The vote was as follows; John Johnson-Aye, Bill Wilkey-Aye, Branden Anderson-Aye, Ryan Cashin-Aye, Paul Farthing-Aye, and Ralph Ballard-Aye.. Motion carried.* Chairman Cashin stated a building permit must be obtained.

Discussion items:

1. Discussion regarding Home Bed and Breakfast and MH/RV zoning in single family home subdivision.

Toni explained Mr. Adams came in to apply for a bed and breakfast license but couldn't because he is located in Mobile Home zone where home bed and breakfast is listed as "Not Permitted." Toni stated the Sage Point subdivision was built with the same Mobile Home zoning; however, single family homes could be built to R1-6 zoning standards in that zone.. She explained in the Green Acres subdivision next to Sage Point there are stick built homes next to mobile homes. It is considered an upgrade to the mobile home zoning to have stick built homes. Toni stated after researching Sage Point's approval, she learned a zone change wasn't required when they decided to build stick build instead of install mobile homes so the developer skipped that step. Toni stated from a policy standpoint, it might be a good idea for the City to initiate a zone change for Sage Point. She commented that a zone change for Sage Point wouldn't help the Adams because they are in Green Acres. She stated normally a single lot isn't rezoned in a subdivision but the Adam's deserve a chance to speak.

Kevan Adam stated a home bed and breakfast is only allowed in R1-10 and R-15. The only difference between the zones is the lot size. Their lot is 7200 square feet and the next minimum lot size is 8000 square feet so there is only a little bit of difference. He feels there is more opportunity than in just those zones. He asked why a bed and breakfast wouldn't be allowed in Mobile Home zoning. He commented that he feels there is a big need for this service in the City. Mr. Adams stated a lot of people come visit Southern Utah and they want a different experience than a hotel stay. Shelly Adams stated she worked at one of the hotels and she was told not to talk to guests about the area. They feel it is a positive experience to have guests in the home with them. Ryan stated when dealing with ordinances, there are significant differences in zones aside from just size. He stated one major area that is considered is the setbacks as they can affect fire safety, access, ingress, egress, and traffic and parking. Ryan stated the Adams do have a unique situation where there is enough room but most lots don't have that. He stated when the ordinance was previously discussed all those concerns were considered and that is why a cutoff point was decided. Mr. Adams stated the conditional use permit would address all those issues on an individual basis so he feels it should be permitted in all zones with a conditional use permit. Ryan stated it would require direction from City Council to change the ordinance. He stated it is a not a quick discussion. Branden stated he saw the biggest challenge with the Adams property is the parking. He stated there is not a lot of egress and the parking already spills out into the roadway in the surrounding areas. Kevan stated he read the general plan and there are multiple sections that support this type of use so he is confused why it wouldn't be allowed by a conditional use permit instead of disallowing it in an entire zone. Darin stated bed and breakfasts are completely different than vacation rentals. He stated very few people take advantage of this use in any zone. He suggested taking this to the City Council as a discussion item to see if they are in favor before the Planning Commissioners begin working on it. Darin stated there haven't been a lot of requests for this use. Toni stated there was one that had a conditional use on Main Street but the license is inactive at this time. She mentioned a letter was sent today to a resident in a R-1-10 zone suggesting they get licensed as a bed and breakfast because vacation rentals out of their basement are not allowed. Toni commented as the lot frontages gets smaller parking gets hard in the smaller zones. Shelly stated she is only asking for one parking spot and it would be in the driveway. She asked how someone can have a hair or nail salon in their home and have customers coming all the time but they can't have this. Ryan stated this is very unique situation. Kevan stated he would like it looked at as a whole and not just their lot because there is a need for this use in Hurricane. Darin stated it will have to be discussed because if they are allowed in Mobile Home zones and one is opened in an area like Harrisburg then parking issues would arise. Kevan stated it is governed by the conditional use permit. He feels that is what a conditional use permit is for so the City shouldn't forbid it in an entire zone when it could work. Ryan stated Darin will take this discussion to the City Council. Ralph stated the Adams should attend the City Council meeting when it is discussed.

2. Update on Council actions

Darin stated there has been a lot of concern on social media regarding Barista's. He explained the rumors are not what happened at the City Council meeting. The City Council only denied his request for local consent for a hard liquor license. The main discussion item was the zone change requested by Gemstone Homes. Darin stated staff had recommended tabling this application but after discussion and clarification regarding access and setbacks it was approved. Toni stated the applicant wanted a variance from the buffer setback but he wasn't able to get the majority vote required so he gave up that request. Darin mentioned the applicant agreed to have lower profiles on the homes that were discussed at the last Planning Commission meeting. Darin stated Gemstone gave up an additional lot to get emergency access that will be maintained by them not the City.

Toni stated the Water Conservancy hasn't signed the agreement so the Park Side Subdivision approval can't move forward yet. It was tabled again. Fay stated he was supposed to have an answer from the Water Conservancy by Wednesday but he hasn't heard from them. He will follow up with them.

Darin stated the new park at Dixie Springs was awarded to Sunroc. It will be bonded and started soon.

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Ryan asked about the status on 600 North. Darin stated it has been about two weeks behind but it is back on track. It should be completed by the end of May. Branden stated it is on schedule and they are hoping to be completed by Memorial Day. Ralph stated if there is a funeral in the meantime, the traffic needs to be addressed. Darin stated the other portion of 600 North with the torn asphalt is still being addressed. He stated chip seal will be put on the existing road.

3. Staff reports and planning commission concerns

Toni stated a plat will be coming up for South Fields. She commented it will be a difficult plat because of the geotechnical issues in that area.

Approval of minutes: Paul Farthing stated on the last page, line 7 should be “spreading.” *Branden Anderson motioned to approve the February 25, 2015 minutes with the correction. Bob Petersen seconded the motion. The vote was as follows; John Johnson-Aye, Bill Wilkey-Aye, Branden Anderson-Aye, Ryan Cashin-Aye, Paul Farthing-Aye, Ralph Ballard-Aye and Bob Petersen-Aye. Motion carried.*

Adjournment at 6:45 p.m.