

City of Hurricane

Mayor John W. Bramall City Manager Clark R. Fawcett

Planning Commission

Mark Borowiak, on leave Michelle Cloud, Chairman Paul Farthing Rebecca Bronemann Chris Christensen Ralph Ballard Shelley Goodfellow Mark Sampson Dayton Hall

AGENDA OF A MEETING OF THE HURRICANE CITY PLANNING COMMISSION

6:00 p.m. Thursday, June 11, 2020

Notice is hereby given that the Hurricane City Planning Commission will hold a Regular Meeting commencing at 6:00 p.m. in the Council Room at 147 N. 870 West, Hurricane, UT. A roll call will be taken, along with the Pledge of Allegiance and prayer and /or thought by invitation.

6 p.m. Public Hearing to take comments on the following:

- 1. A Zoning Map amendment request on 120 acres located at the south end of the unfinished 2100 West south of 3000 South at approximately 2400 West from R-1-10, Single Family Residential 10,000 sq. ft. lots, to 40 acres of RR, Recreation Resort to allow 120 vacation rental units, and 80 acres of R-1-6, Single Family Residential, 6,000 sq. ft. lots. Parcel #'s H-3400-N, H-3400-O, H-3400-Q, H-3400-R, H-3400-S, and H-3400-T.
- 2. A Zoning Map amendment request on 6.34 acres located at 1051 N. 200 West from R-1-10, Single Family Residential 10,000 sq. ft. lots, to RA-1, Residential Agricultural one acre, to allow establishment of a public stable and other agricultural uses. Parcel # H-3-1-27-12011

New Business:

2020-ZC-09	Consideration and possible recommendation to the City Council on a proposed Zoning Map amendment request on 120 acres located at the south end of the unfinished 2100 W and south of 3000 S at approximately 2400 W from R-1-10, Single Family Residential 10,000 sq. ft. lots, to 40 acres of RR, Recreation Resort to allow 120 vacation rental units, and 80 acres of R-1-6, Single Family Residential, 6,000 sq. ft. lots. Parcel #'s H-3400-N, H-3400-O as Recreational Resorts and H-3400-Q, H-3400-R, H-3400-S, and H-3400-T as R1-6. Brant Tuttle- applicant.
2020-ZC-10	Consideration and possible recommendation to the City Council on a proposed Zoning Map amendment request on 6.34 acres located at 1051 N. 200 West from R-1-10, Single Family Residential 10,000 sq. ft. lots, to RA-1, Residential Agricultural one acre, to allow establishment of a public stable and other agricultural uses. Parcel # H-3-1-27-12011. Jade and Staci Glazier applicant.

2020-APA-05	Consideration and a possible recommendation to the City Council of a new Agriculture Protection zone, located at 4650 W 2300 S. Parcel # H-4119-C and H-4119-C-1. Carson D Tait applicant.
2020-CUP-03	Consideration and possible approval of a Conditional Use Permit for an accessory metal building, located at 280 W 300 N. Curtis Brown Applicant.
2020-FSP-08	Consideration and possible approval of a final site plan for Desert Sage Townhomes located at 295 N and 2170 W. Bill Zitting Applicant, Charles Hammon Agent,
2020-PP-12	Consideration and possible recommendation to the City Council on a preliminary plat for Pecan Valley Phase 3, a 21 lot subdivision located 5140 W and around 2060 S . Chris Wyler Applicant.
2020-AFP-02	Consideration and possible recommendation to the City Council on an amended final plat for Seville Subdivision, located at 900 W 360 S. Jason Smith Applicant.
2020-LUCA-04	Consideration and possible recommendation to the City Council on a proposed Land Use Code amendment to Title 10 Chapter 15 regarding vendor carts Consideration and possible approval of a request for an alternate method of
	landscape irrigation located at 5211 W Industrial Dr- Deron Leach

Approval of minutes:

Adjournment

ZONE CHANGE APPLICATION

City of Hurricane Fee: \$500.00 147 North 870 West For Office Use Hurricane, UT 84737 File No. (435) 635-2811 Receipt No. FAX (435) 635-2184 Name: BEAUT TUTTLE, HONTHERN ENGINEERING Telephone: 801-802-8992 Address: 1040 E 800 N, OREM, 4TH 84097 Fax No. 801-802-8993 Agent (If Applicable): SALAT AS ABOVE Telephone: 801-380-2(14 (cell) Email: btuffle @ neiwtah. com Agent Email: Address/Location of Subject Property: 2300 WEST 3900 SOUTH, HURZICALLE H-3400-N, H-3400-0, H-3400-S Tax ID of Subject Property: 4-2400-0, 4-3400-T Existing Zone District: R6-60 Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) With the market demand for smaller loss for homeowners to maintain and pardiase, the east to here is rejocating a zolle change from RI-10 to RI-16. The westerly to acres is regrestive a zone change from RI-10 to Recreational Resort where the owner can enjoy amenities of a chebhouse, pool, and the option to place their property in a vacation rental with a monogeners consultated Requirements: The zone change application shall provide the following: The name and address of every person or company the applicant represents; ___× a. An accurate property map showing the existing and proposed zoning classifications; All abutting properties showing present zoning classifications; An accurate legal description of the property to be rezoned; . Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning. \times f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property 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 Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. 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. (Office Use Only) Date Received: Application Complete: Date application deemed to be complete: _____ Completion determination made by: _

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-ZC-09

Type of Application:

Zone Change, Legislative

Applicant:

Brant Tuttle, Northern Engineering

Request:

A zone change from R1-10, to R1-6 and Recreational Resort

Location:

South end of the unfinished 2100 W and south of 3000 S at approximately

2400 West

General Plan:

Planned Community

Existing Zoning:

R1-10

Discussion: The applicant is requesting that the eastern parcels, of 80 acres, be rezoned to R1-6, which would allow a minimum lot size of 4,800 sq. ft. and an average lot size of 6,000 sq. ft (parcels H-3400-Q, H-3400-R, H-3400-S, and H-3400-T). The request also contains 40 acres on the west side of Southern Shores Development a to be rezoned as Recreational Resort (parcels H-3400-N and H-3400-O). The Cordero property has previously been rezone to R1-10 and the requested rezones falls to the east and west of the approved preliminary plat subdivision Southern Shores Development.

Fields and Natural Space Fields and Natural Space (Future Copper Rock) Fields and Natural Space Fields and Natural Space

In order to change the zoning on any parcel of land within the City of Hurricane the following questions need to be addressed.

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

Response: The General Plan Map shows the area as a future planned community. This rezone could help tie into that plan. However, the draft plan that was submitted with the development does contain enough information about how the properties will be integrated in order to create a Planned Development.

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

Response: The proposed zoning would be of an overall higher density than the current zoning located around the property. However, Copper Rock to the east, will be building a variety of housing sizes and types as part of their development.

3. Will the proposed amendment affect adjacent property?

Response: The proposed amendment will affect the adjacent property owners. There is currently an approved preliminary plat for an R1-10 development sandwiched between the parcels requested for rezone. It may also have an impact on services and roads in the area when developed.

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

Response: No. There is currently no gas, phone, or cable in the area. The applicant would need to bring power and water to the site. In addition, the applicant would need to provide a water model, and sufficient infrastructure must be provided to loop the service. There is also insufficient roadways and access to the site to support any subdivision or improvements, including no proper fire access. The use of the sewer system in 2100 West subject to payment under a pioneering agreement between Ash Creek and Copper Rock Development.

Findings: Staff makes the following findings:

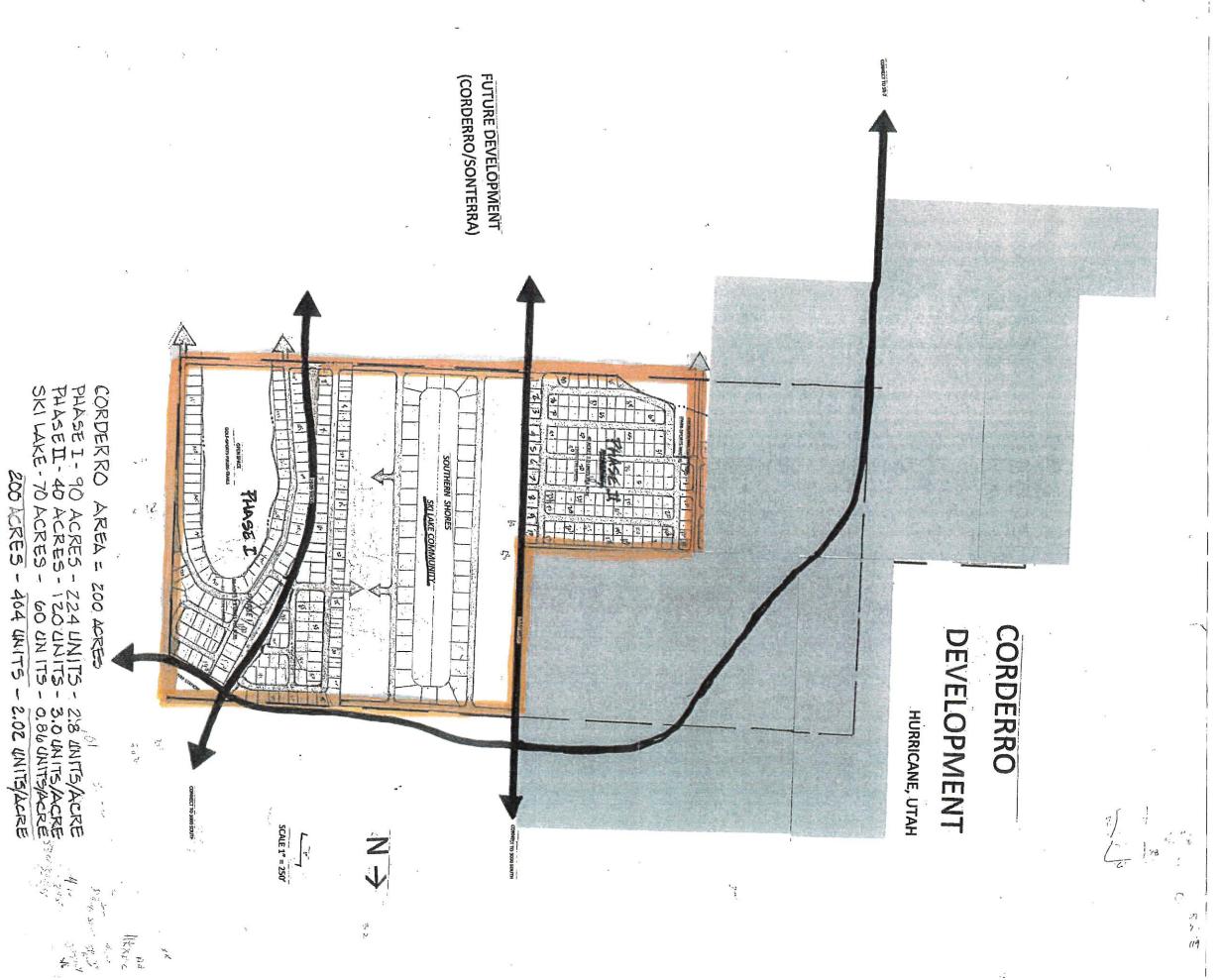
- 1. The proposed amendment may be compatible with the General Plan, but more information would be required.
- 2. The proposed amendment is in harmony with the overall character of future development to the east but would be denser than other zoning and future development.
- 3. Public facilities are insufficient for the proposed zoning.
- 4. The proposed amendment will affect adjacent property when it is developed.

Recommendation: Staff recommends the Planning Commission review this application and the zone change amendment standards as well as take into consideration the comments from residents that will be made in the public hearing before making a recommendation to the City Council. Staff does not recommend approval of the rezone because of the limited infrastructure and other needed amenities in the area.

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CENTER OF SECTION 30		(D) H-3421 S ½, SE ¼, NE ¼	(H) H-3400 S ½, SW ¼, NW ¼	(G) H-3400 S ½, SE ¼, NW ¼ CENTER OF SECTION 29	(D) H-3399-B S ½, SW ¼, NE ¼	(I) H-3399-B S ½, SE ¼, NE ¼	
	(E) H-3420 N ½, NW ¼, SE ¼	(F) H-3421 N ½, NE ¼, SE ¼	(I) H-3400 N ½, NW ¼, SW ¼	(J) H-3400 N ½, NE ¼, SW ¼	(E) H-3399-B N 1/2, NW 1/4 SE 1/4 RIVER VALLEY DEVELOPMENT, LLC	(Q) H-3400 N ½, NE ¼, SE ¼ TOQUERVILLE ENTERPRISES, LLC	-28
SAND HOLLOW ROAD	(H) H-3421 S ½, NW ¼, SE ¼	(G) H-3421 S ½, NE ¼, SE ¼	(L) H-3400 S ½, NW ¼, SW ¼	(K) H-3400 S ½, NE ¼, SW ¼	(F) H 3399-B S 1/2, NW 1/4, SE 1/4 RIVER VALLEY DEVELOPMENT, LLC	(R) H-3400 S 1/2, NE 1/4, SE 1/4 TOQUERVILLE ENTERPRISES, LLC	
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31		31 H-3422 N ½, NE ¼, NE ¼	32	3	2	32	_
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CENTER OF SECTION 30 (24*3.6") SCALE 1" = 300' (11*x17') SCALE 1" = 600' (E) $H-3420$ $N \frac{1}{2}$, $NW \frac{1}{4}$, $SE \frac{1}{4}$ (I) H-3421 SAND HOLLOW ROAD (I) (I) $H-3421$ $S \frac{1}{2}$, $NW \frac{1}{4}$, $SE \frac{1}{4}$ (I) $H-3421$ $N \frac{1}{2}$, $SW \frac{1}{4}$, $SE \frac{1}{4}$	(G) H-3421 S ½, NE ¼, SE ¼ (J) H-3421	(E) H-3400 N ½, SW ¼, NW ¼ (H) H-3400 S ½, SW ¼, NW ¼ (I) H-3400 N ½, NW ¼, SW ¼ (L) RA-1 H-3400 S ½, NW ¼, SW ¼ (M) H-3400 N ½, SW ¼, SW ¼ (M) (M) H-3400 N ½, SW ¼, SW ¼	(F) H-3400 N ½, SE ¼, NW ¼ RA-1 (G) H-3400 S ½, SE ¼, NW ¼ CENTER OF SECTION 29— (J) H-3400 N ½, NE ¼, SW ¼ (K) H-3400 S ½, NE ¼, SW ¼ (N) H-3400 N ½, SE ¼, SW ¼ TOQUERVILLE ENTERPRISES, LLC	(A) H-3399-B N ½, SW ¼, NE ¼ (D) H-3399-B S ½, SW ¼, NE ¼ RIVER VALLEY DEVELOPMENT, LLC (F) H-3399-B S ½, NW ¼, SE ¼ RIVER VALLEY DEVELOPMENT, LLC (G) R-1 H-3399-B N ½ SW ¼, SE ¼ TOQUERVILLE ENTERPRISES, LLC	(B) H-3399-B N ½, SE ¼, NE ¼ (I) H-3399-B S ½, SE ¼, NE ¼ TOQUERVILLE ENTERPRISES, LLC (R) H-3400 S ½, NE ¼, SE ¼ TOQUERVILLE ENTERPRISES, LLC (S) H-3400 N ½, SE ¼, SE ¼ TOQUERVILLE ENTERPRISES, LLC (T)	PDO
THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHERN ENGINEERING, INC.	H-3421 S ½, SE ¼, SE ¼ 30 29 31 32 H-3422 N ½, NE ¼, NE ¼ (B) H-3422 S ½, NE ¼, NE ¼ RA-1	H-3400 S 1/2, SW 1/4, SW 1/4	H-3400 S 1/2, SE 1/4, SW 1/4 TOQUERVILLE ENTERPRISES, LLC 2/5		H-3400 S $1/2$, SE $1/4$, SE $1/4$ 100	33 JOB NO.
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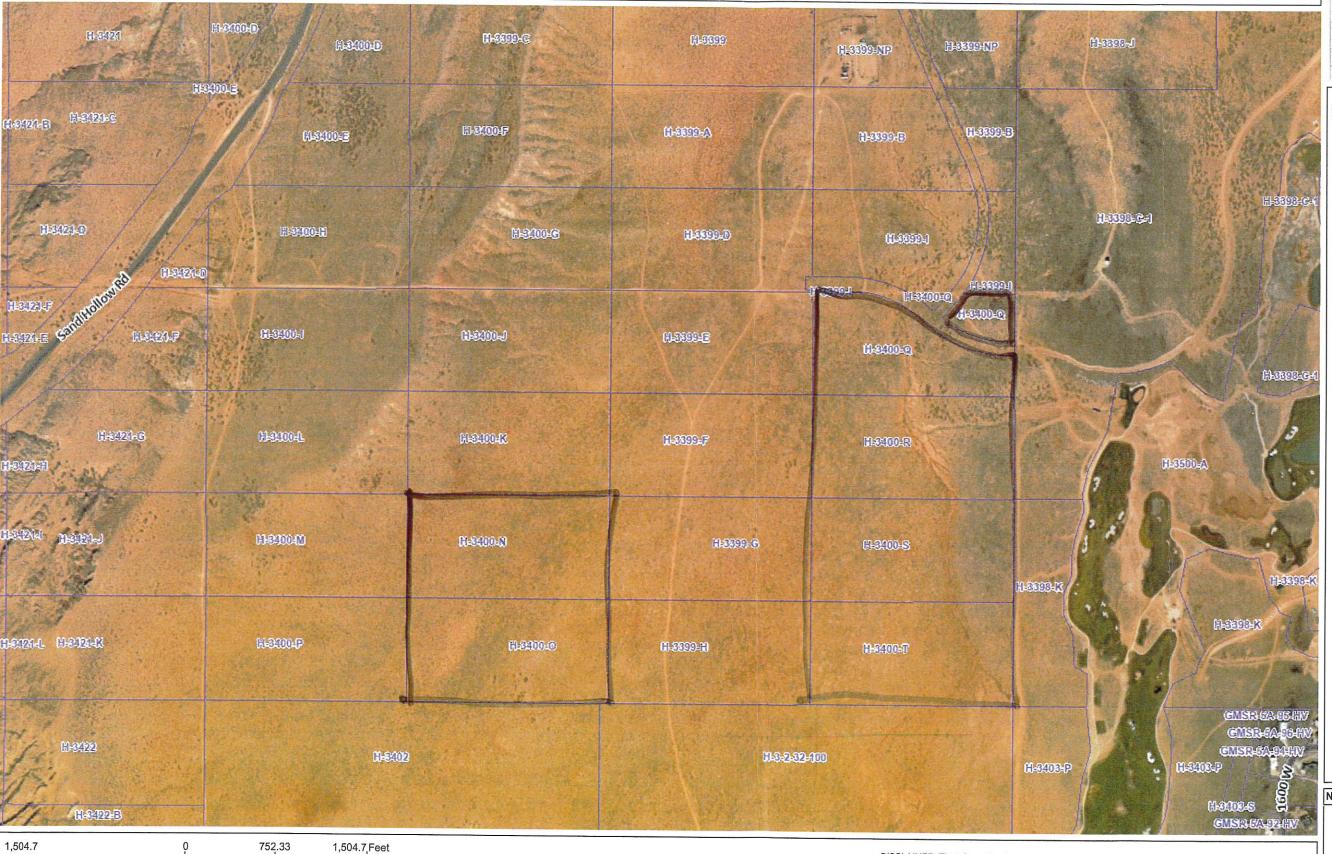
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(24°x36°) SCALE 1° = 300' (11°x17') SCALE 1° = 600'	(C) H-3421 N ½, SE ¼, NE ¼	(E) H-3400 N ½, SW ¼, NW ¼ Planned	(F) H-3400 N ½, SE ¼, NW ¼ Community	(A) H-3399-B N ½, SW ¼, NH ¼	(B) H-3399 B N ½, SE ¼, NE ¼	
CENTER OF SECTION 30	(D) H-3421 S ½, SE ¼, WE ¼	(H) H-3400 S ½, SW ¼, NW ¼	(G) H-3400 S ½, SE ¼, NW ¼ CENTER OF SECTION 29	(D) H-3399-B S ½, SW ¼, NE ¼	(I) H-3399-B S ½, SE ¼, NE ¼	
(E) H-3420 N ½, NW ¼, SE ¼ Planned Community	(F) H-3421 N ½, NE ¼, SE ¼	(I) H-3400 N ½, NW ¼, SW ¼	(J) H-3400 N ½, NE ¼, SW ¼	(E) H-3399-B N 1/2, NW 1/4, SE 1/4 RIVER VALLEY DEVELOPMENT, LLC	(Q) H-3400 N ½, NE ¼, SE ¼	28
(H) H-3421 S 1/2, NW 1/4, SE 1/4	(G) H-3421 S ½, NE ¼, SE ¼	(L) H-3400 S ½, NW ¼, SW ¼	(K) H-3400 S ½, NE ¼, SW ¼	(F) H-3399-B S 1/2, NW 1/4, SE 1/4 RIVER VALLEY DEVELOPMENT, LLC	(R) H-3400 S 1/2, NE 1/4, SE 1/4 TOQUERVILLE ENTERPRISES, LLC	
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THESE DRAWINGS, OR ANY PORTION THEREOF, SHALL NOT BE USED ON ANY PROJECT OR EXTENSIONS OF THIS PROJECT EXCEPT BY AGREEMENT IN WRITING WITH NORTHEREN PROINEERING, INC.						
DESIGNED BY:	DATE:	Northern ENGINEERING INC ENGINEERING-LAND PLANNING CONSTRUCTION MANAGEMENT 1040 6 OREM. (801)	E. 800 N. UTAH 84097 802-8992 SPILSB	URY PROPERTY	CURRENT GENERAL F HURRICANE, UTAH	JOB NO. 3-16-052 EXHIBIT 4





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Title



Dixie National
Forest

St. George





Notes

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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.

ZONE CHANGE APPLICATION

City of Hurricane 147 North 870 West Hurricane, UT 84737 (435) 635-2811 FAX (435) 635-2184 Clade 3 State Clade 4 Light Section 1 Clade 5 Light Secti
Name: Jac 70190 Glazier Telephone: 1051 N 200 W. Hurr UT 84737
Additions.
Agent (If Applicable): Telephone:
Email: alazierstacognall Agent Email:
Address/Location of Subject Property: 1051 N 200 W. Humcane UT 84
Tax ID of Subject Property: H-3-1-27-120 / Existing Zone District:
Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary) We are requesting that our Zone be changed to Residential Agricultural. We have close to
Submittal Requirements: The zone change application shall provide the following:
 a. The name and address of every person or company the applicant represents; b. An accurate property map showing the existing and proposed zoning classifications; c. All abutting properties showing present zoning classifications; d. An accurate legal description of the property to be rezoned; e. Stamped envelopes with the names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning. f. Warranty deed or preliminary title report or other document (see attached Affidavit)
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 Thursday and fourth Wednesday of each month at 6:00 p.m. Contact the Planning Department for the deadline date for submissions. 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.

Office Use Only) Date Received: Application Complete: YES NO
Date application deemed to be complete: Completion determination made by:

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-ZC-10

Type of Application:

Zone Change, Legislative

Applicant:

Jade and Staci Glazier

Request:

A zone change from R1-10, Single Family Residential, to Residential

Agriculture 1 (RA-1)

Location:

1051 N 200 W

General Plan:

Single Family up to 4 units

Existing Zoning:

R1-10

Zoning

Discussion: The property owners had recently applied for a business license for a public stable, that uses is not permitted under the current zoning of R1-10. When the license went before the City Council, the Council discussed with the applicant the possibility about being able to apply for a zone change. The Council motion to table to the business license application for three months to allow the applicant sufficient time to apply for a zone change.

Adjacent Land Use

		Trajacent Hana Osc
North		Confluence Park and BML Land
East	R1-10	Homes and some fields
South	R1-10	Homes and Subdivision
West		Red Cliff Desert Reserve

In order to change the zoning on any parcel of land within the City of Hurricane the following questions need to be addressed,

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

Response: The General Plan Map shows the area as future single-family development, with up to four units an acre. Within chapter 5 of the current general plan, Agricultural Policies A states:

The City encourages and will take all effective measures to permit land-owners to retain land in agricultural use as long as possible, and will provide incentives to retain significant portions of the land as agricultural. (Hurricane, 2011, p. 28)

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

Response: Currently, the property's existing agricultural activities are a legal nonconforming use. The change of zoning would bring the property's uses into compliance. To the South and East of the property is residential development, and to the North and West is Confluence Park and Red Cliff Desert Reserve.

3. Will the proposed amendment affect adjacent property?

Response: Yes. The zoning would allow for higher agriculture use on the property. As stated above, the applicant is seeking to create a public stable, where customers may rent a place to keep their horses. The RA-1 would limit the number of lots on any future subdivision on the property.

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

Response: Yes. However, staff is concerned about a future business using the easement on Parcel H-3-1-27-21-03, and if it could be used for business access.

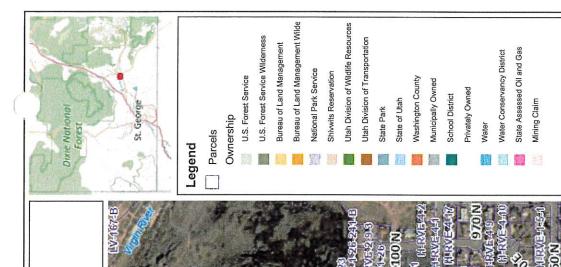
Findings: Staff makes the following findings:

- 1. The proposed amendment is compatible with the goals and policies of the General Plan, but in conflict with General Plan map.
- 2. The proposed amendment is generally in harmony with the overall character of existing development.
- 3. Public facilities are adequate.
- 4. The proposed amendment will affect adjacent property, but the change of zone may limit any future development on the property.

Recommendation: Staff recommends the Planning Commission review this application and the zone change amendment standards as well as take into consideration the comments from residents that will be made in the public hearing before making a recommendation to the City Council. Staff recommends approval.



Glazier property



M 007

11.30

(H-3-1-27-(207)

(H344-27-440)

Notes

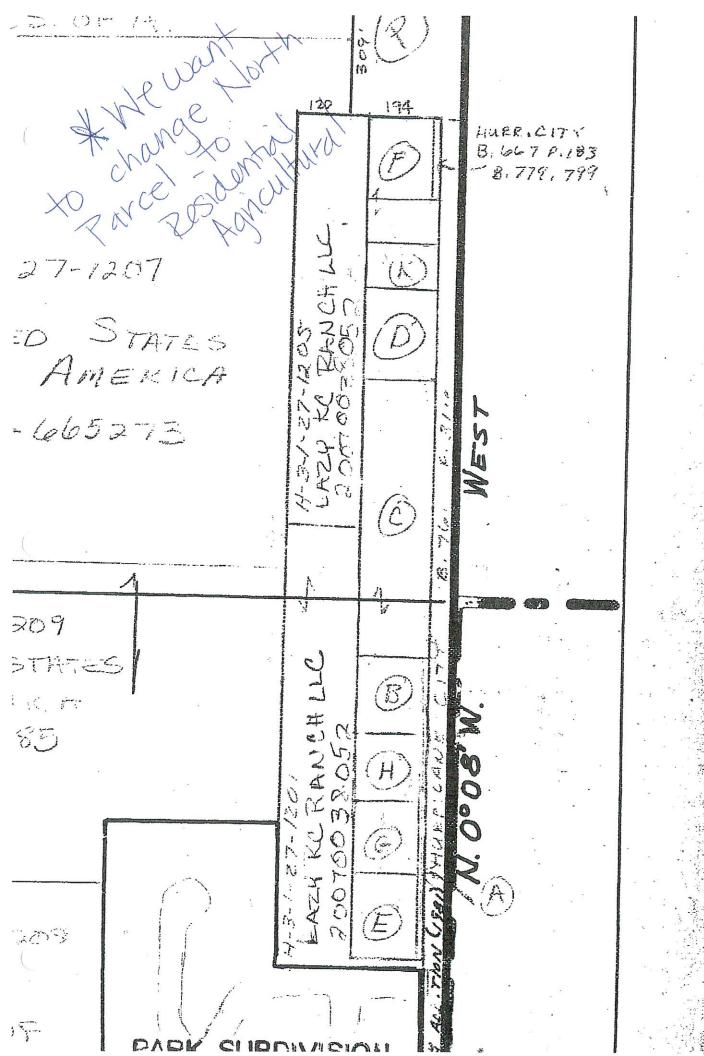
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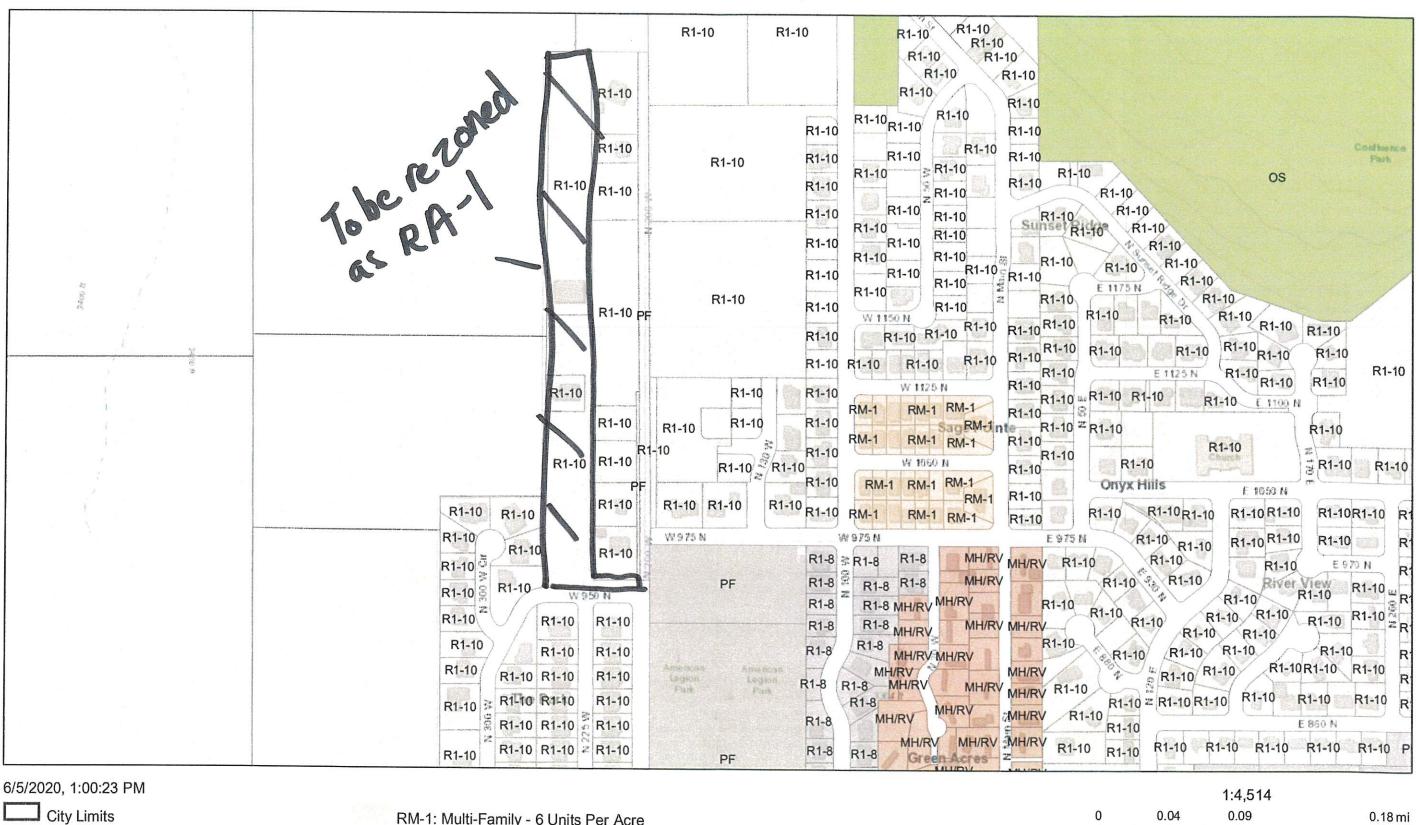
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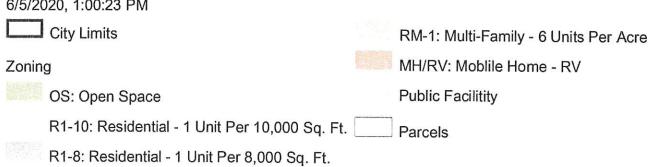
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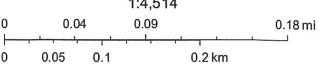
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Wasshington County, Utah will not be held responsible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



Print Current map level







Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

AGRICULTURAL PROTECTION AREA APPLICATION

City of Hurricane

147 North 870 West Hurricane, UT 84737 (435) 635-2811 FAX (435) 635-2184	For Office Use Only File No. 2020 ~ Receipt No.	APA-05 JIA
Name: Carson D. Tait	Telephone: 435.	703.0916
Address: 4650 W 2300 S, Hurricane UT 847	37Fax No	
Agent (If Applicable):		
Email: taitmuleskinner@hotmail.com		
To be included in an agriculture protection area es least five (5) contiguous acres.	stablished within Hurricane City	land must consist of at
The application shall include: 1. The land in agriculture production that the proprotection area. 2. Any limits on the types of agriculture production		
3. For each parcel of land: (a) The owners of the number or account number of each parcel; and (c the parcel tax records.) The number or account number	er of acres as listed on
Owners Name(s)	Tax Parcel #	# of acres
Carson Tait	H-4119-C	3
Carson Tait	H-4119-C-1	1

In order for this to be a complete application, it shall include:

(a) a plat from the county recorder's office showing each parcel of land with each outlined in color to identify proposed area. (b) application fee, if any, as outlined on the city fee schedule, available from the city recorder/clerk.

In order to apply for agricultural protection, the area being proposed must be evaluated based upon; State Code 17-41-305, Criteria to be applied in evaluating proposals for the creation of agriculture protection areas.

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area the advisory committee, planning commission, and county commission shall apply the following criteria:

- 1. Whether or not the land is currently being used for agriculture production;
- 2. Whether or not the land is zoned for agriculture use;
- 3. Whether or not the land is viable for agriculture production;
- 4. The extent and nature of existing or proposed farm improvements; and
- 5. Anticipated trends in agriculture and technological conditions.
- *NOTE: the term *agricultural production* is defined by state law as follows:

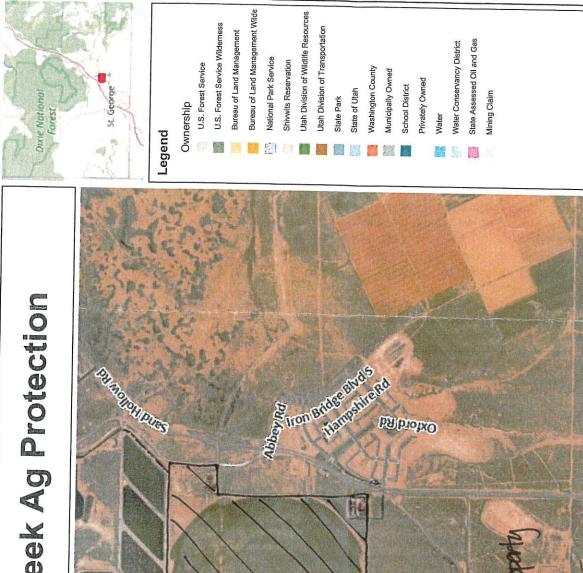
State Code 17-41-101 Definitions

"Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

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Ash Creek Ag Protection



Notes

3,009.3 Feet ,504.66 WGS_1984_Web_Mercator_Auxiliary_Sphere 3,009.3

1930'S 2040'S & 57

MOT75

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, Ulah will not be held responsible for any claims, losses or damages resulting from the use of this map.

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-APA-05

Type of Application:

Agricultural Protection Overlay

Applicant:

Carson D. Tait

Request:

A report for the City Council on a proposal to create an

Agricultural Protection Area

Location:

4650 W Turf Sod Rd (total of 4 acres)

General Plan:

Public Facility

Existing Zoning:

RA-1

Discussion: This request is not to change the zone but to protect the land with an Agricultural Protection Area. State law sets the standards for review by the Planning Commission and the County Agricultural Protection Area Advisory Committee (Dixie Conservation District). An Agricultural Protection Area grants certain legal protections to the property, including preventing rezoning the property, providing a defense against nuisance actions, notice to new subdivisions, and limiting eminent domain actions. These protections are found in Utah Code, sections of which are included in this report.

One criterion within Hurricane City Code is that an Agricultural Protection Area requires "A minimum area of five (5) contiguous acres shall be included in an agriculture protection area."(10-21-3 (D)). However, since the property to North and West are currently under review for an agricultural protection overlay, a property owner may apply that their property be added to the overlay as contained in 10-21-7 (A):

- 1. Any owner may add land to an existing agriculture protection area by:
 - a. Filing a proposal with the city council; and
 - b. Obtaining approval of the city council for the addition of the land to the area.
- 2. The city council shall comply with the provisions for creating an agriculture protection area in determining whether or not to accept the proposal.

The Dixie Conservation District reviewed the application on May 26, 2020, and gave a positive recommendation to the City Council.

	Zoning	Adjacent Land Use
North	Agricultural Protection Overlay	Fields and Sewer Treatment
East South West	R1-8 and PF RA-1, R1-8, and R1-10 Agricultural Protection Overlay	Subdivision and fields Fields and a couple of houses Fields and Sewer Treatment

- 1. The criteria set by State law (17-41-303) for a "written report to the legislative body" is that it:
- 2. Analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of themunicipality....:

This proposals appear to support objectives to maintain agricultural properties and to develop in a generally open and low profile way.

3. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305 –

In evaluating a proposal and in determining whether or not to create or recommend the creation of an agriculture protection area, industrial protection area, or critical infrastructure materials protection area, the advisory committee, planning commission, and applicable legislative body shall apply the following criteria:

(1) whether or not the land is currently being used for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;

(2) whether or not the land is zoned for agriculture use, industrial use, or critical infrastructure materials operations, as the case may be;

(3) whether or not the land is viable for agriculture production, industrial use, or critical infrastructure materials operations, as the case may be;

- (4) the extent and nature of existing or proposed farm improvements, the extent and nature of existing or proposed improvements to or expansion of the industrial use, or the extent and nature of existing or proposed improvements to or expansion of critical infrastructure materials operations, as the case may be; and (5)
- (a) in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions;
- (b) in the case of an industrial protection area, anticipated trends in technological conditions applicable to the industrial use of the land in question; or
- (c) in the case of a critical infrastructure materials protection area, anticipated trends in technological conditions applicable to the critical infrastructure materials operations of the land in question.

The current agricultural production that is taking place on the property includes the pasturing of farm animals. The Zoning is RA-1.

4. Recommends any modifications to the land to be included in the proposed agricultural protection area

Commissioners should discuss any modifications they might recommend with the applicants.

5. Analyzes and evaluates any objections to the proposal.

No objections have been raised with the Hurricane City. The City Council will hold a public hearing, and notices will be sent according to the requirements within the state and Hurricane City code.

6. Includes a recommendation to the legislative body to either accept, accept and modify, or reject the proposal.

Recommendation: Staff recommends the Planning Commission review the evaluation criteria, discuss the application with the applicants, and pass the written report to the City Council with any modifications the Planning Commission finds necessary.

June 11, 2020

Report to City Council on proposed Agricultural Protection for Tait. Parcels H-4119-C and H-4119-C-1.

The Planning Commission forwards the following findings regarding this application:

- 1. The land is currently being used for agricultural production or has plans to be used for immediate agricultural production.
- 2. The land is zoned for agricultural uses, RA-1
- 3. The land is viable for agricultural use
- 4. The property is congruent with a proposed 306.72 Acre Agriculture Protection Overlay Zone for Ash Creek Sewer District.
- 5. Approving use of this land for agriculture is consistent with current and expected technological trends in agriculture.

Future Use

- 1. The General Plan maps has the area listed as Public Uses
- 2. Turf Sod Road is master planned to be improved in the future. Most roadways are not built until the property is developed.



The Planning Commission recommends that the City Council approve the overlay request subject to the approval of the Ash Creek Sewer District application.

2. Whether or not the land is zoned for agriculture use; 3. Whether or not the land is viable for agriculture production; 4. The extent and nature of existing or proposed farm improvements; and 5. Anticipated trends in agriculture and technological conditions. *NOTE: the term agricultural production is defined by state law as follows: State Code 17-41-101 Definitions "Agriculture production" means production for commercial purposes of crops, livestock, and livestock products, the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator. List the type(s) of agricultural production that is currently occurring on the parcel(s) being included: Pasture, farm animals In what zoning district is the parcel(s) currently located: RA1 Is the parcel(s) irrigated? Tes Describe the types and number of structures that are located on the parcel(s): 1 Home, 2 containers, List the extent and nature of existing or proposed farm improvements: Pasture, animal corrals What do you anticipate to be the trends in agriculture and technical conditions for the agricultural production on the parcel(s)? No changes Signature of Applicants Date (Office Use Only) Date Received: Application Complete: YES to perfect to where the state of the ending Date application deemed to be complete: Completion determination made by:

1. Whether or not the land is currently being used for agriculture production;

CONDITIONAL USE PERMIT

City of Hurricane 147 N 870 W Hurricane, Utah 84737 (435) 635-2811 FAX (435) 635-2184

Fee: \$250

For office use only:

File No: 2020 - CUP- 03

APPLICATION & SUBMITTAL CHECKLIST Telephone: 435.229-1145 Name: Fax No.____ Email: +brown3146@yah0Agent Email: Agent (If applicable): ______Agent's Phone:_____ Agent email: Address of Subject Property: 280 W Tax ID of Subject Property: ______Zone District: Proposed Conditional Use: (Describe, use extra sheet if necessary) Steel building for parking cars (garage) This application shall be accompanied by the following: 1. A plot plan showing the following: Property boundaries, dimensions and existing streets. Location of existing and proposed building or livestock facility Adjoining property lines and uses within one hundred (100) feet of subject property. 2) A reduced copy of all plans (8 ½ x 11 if readable, or 11 x 17) if original plans are larger. 3) Building floor plans for new construction 4) A statement of how the applicant intends to meet the conditions for the use desired 5) Signed and notarized Affidavit of Property owner showing evidence that the applicant has control of the property or copy of warranty deed NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application cannot be reviewed until it is complete. Fee is part of the application. **************************** (Office Use Only)
Date Received: 20 Date Received: _______ Received by: ______ Completion determination made by: ______

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-CUP-03

Type of Application:

Conditional Use Permit, Administrative

Applicant:

Curtis Brown

Request:

A Conditional Use Permit for a pre-engineered metal building in

an R-1-10 zone

Location:

280 W 300 N

General Plan:

Mixed Use

Existing Zoning:

Single Family Residential R1-10

Discussion: The applicant is proposing to construct a 30' x 30' pre-engineered metal garage in a residential location. The land-use code states this requires a conditional use permit:

10-33-3: BUILDING DESIGN

- 5. Preengineered metal buildings:
- a. Shall be permitted in all agricultural, residential agriculture, industrial, and public facility zones;
- b. Shall be allowed by conditional use permit in all commercial and residential zones.

Staff Comments:

Standards for approval are as follows:

10-7-9: CONDITIONAL USE PERMIT

- $E.\ Approval\ Standards:$ The following standards shall apply to the issuance of a conditional use permit:
- 1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.
- 2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section:
- g. Standards for metal buildings:
- (1) In residential (R-1) zones the height and size may not be greater than permitted in the zone.
- (2) The building must meet the following design standards:
- (A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.
- (B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project

application is submitted. Colors shall be compatible with surrounding structures.

- (C) Reflective surfaces or colors which may produce excessive reflections or glare that may create a potential safety problem are prohibited.

 The building must meet the following design standards:
- 1. The proposed building will be a metal building and roof, all materials are durable, require low maintenance, and are of the same quality as surrounding development.
- 2. The building will be a clay color, brown roof, and white trim
- 3. The building size and height is less than the allowed maximum.
- 4. The building and is not expected to produce excessive reflections or glare.
- 5. The building will be attached to the primary structure with a breezeway, and therefore will need to meet the primary building setbacks.

Findings:

- 1. The proposed building is of durable, low maintenance materials
- 2. Colors are compatible with surrounding structures.
- 3. No problems with glare or reflectivity are anticipated.

Recommendation: Based on the above findings, staff recommends approval of a conditional use permit for the proposed pre-engineered metal building subject to the applicant meeting all setbacks and building permit requirements.

APPROVAL STANDARDS (From Section 10-7-9 of Land Use Code)

a. Standards for a reception center:

- (1) Hours of operation must be compatible with adjoining uses and comply with Hurricane City noise regulations.
- (2) Parking must be provided.
- (3) The use of on street parking to provide up to forty percent (40%) of the required parking may be permitted if adjoining uses are not residential uses and the street is fully improved.
- (4) The center must have an approved site plan.
- (5) If beer, wine, or other alcoholic beverages are served, the center must be licensed by the State Alcohol Control Board.

b. Standards for an agricultural industry:

- (1) Adequate fencing and/or enclosures must be provided to ensure animals and fowl are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.

c. Standards for a public stable:

- (1) Adequate fencing and/or enclosures must be provided to ensure horses are confined safely and in conformance with acceptable animal husbandry standards.
- (2) Applicant must provide a plan for how manure will be handled to prevent it becoming a nuisance and must follow the plan.
- (3) Evidence must be provided on how the applicant will maintain control of flies and vermin.
- (4) Site must contain adequate off street parking for customers. All trailers must be contained on site.

d. Standards for an assisted living facility:

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

e. Standards for greater heights and size than permitted by the Code:

- (1) The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater.
- (2) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least thirty five percent (35%) of the lot on which it is located as a pervious surface, and must be for a use permitted in the zone in which it is located.

h. Standards for metal buildings:

- (1) In Residential (R-1) Zones the height and size may not be greater than permitted in the zone.
- (2) The building must meet the following design standards:

(A) Exterior building materials shall be durable, require low maintenance, and be of the same or higher quality as surrounding developments.

(B) Details of proposed colors and materials, including color chips, samples, and colored building elevations, shall be shown on building plans when a development project application is submitted. Colors shall be compatible with surrounding structures.

(C) Reflective surfaces or colors which may produce excessive reflections or glare that may

create a potential safety problem are prohibited.

(D) In a commercial zone the faces of the building visible from nearby streets must include architectural relief items of non-metal materials including wood, stone, or stucco.

APPEALS

Any person adversely affected by a decision regarding the transfer, issuance or denial of a conditional use permit, may appeal such decision to the Board of Adjustment by filing written notice of appeal, stating the grounds therefore within fourteen (14) days from the date of the decision. The appeal is filed with the Clerk of the Board of Adjustment located in the Planning Department. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction with thirty (30) days from the date of decision of the Board of Adjustment.

Steel building will be Clay for main building, brown roof, and white trim



Specifications for Garage

Size: 30' x 30' x 10'

Snow load: 40 lbs Ground Snow Load

Sides: Closed

Ends: Closed

Frame: 14 Ga sq tubing

Sheet Metal: 29 Gauge

Height: 10 ft Walls with 14' ft Peak

Roof: 3/12 pitch Vertical

Door:

(1) 18' x 8'

(1) 8' x 8' Overhead Door Frameouts

(1) 36" x 80" Walk in door

(1) 24" x 36" Window

Wind: 105 mph winds with 115 mph gusts for 3 seconds

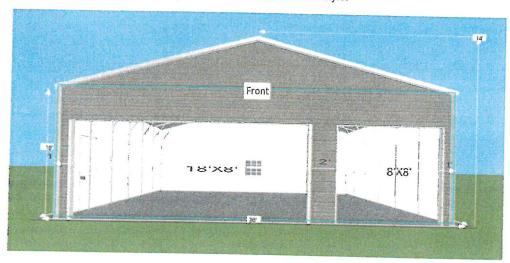
Anchors: 30 Titan Screws

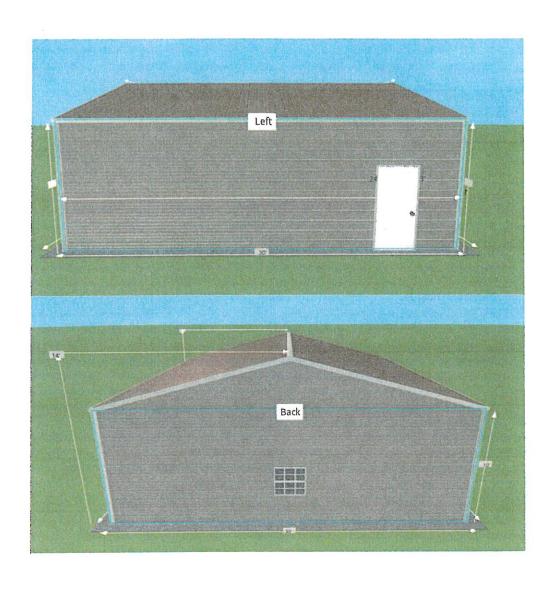
All Quality Buildings are engineered by A&A Engineering

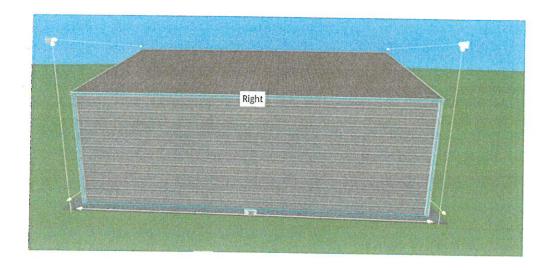
Sales: Megan Parker

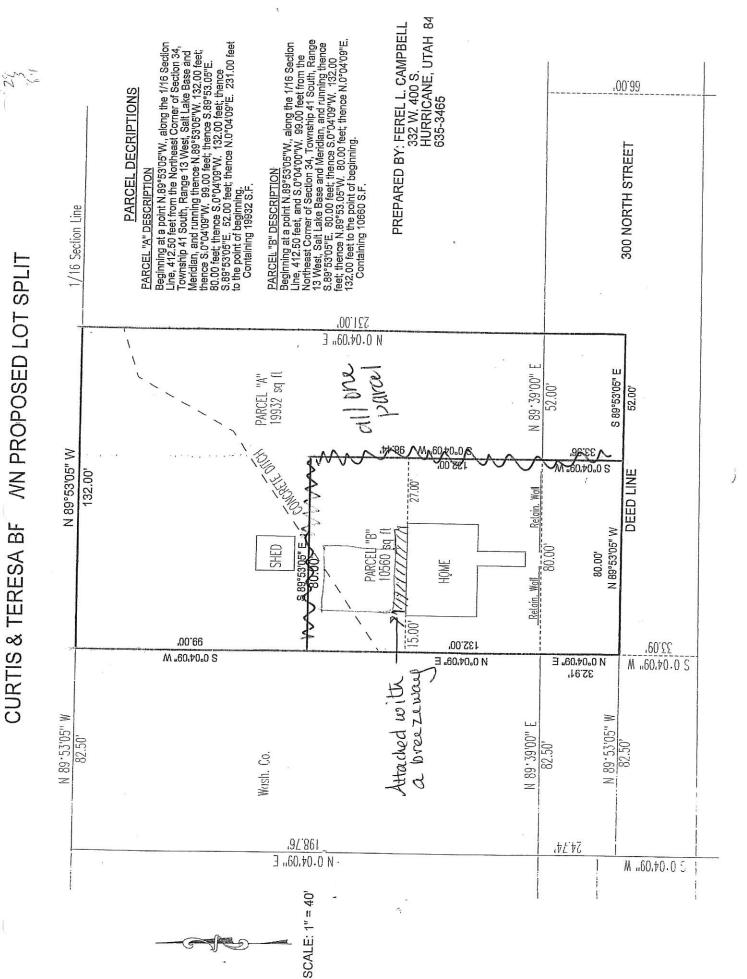
435-708-1926

- (D) (K) Post (uprights) can be 14 ga. or 12 ga. galvanized square tubing, they come in lengths of 5' up to 18'.
- (E) (F) Bottom rails are made from our standard 20' long 14 ga. galvanized square tubing included are 7" pre-welded inserts (sleeves) by our production department, these are made of 14 ga. (either 2" or 2 ½") galvanized square tubing that connect the post to the bottom rail; with optional extensions of 5' to achieve the length desired.
- (G) Header bars and vertical supports for overhead doors, roll-up doors are made of 14 ga. either 2" or 2 $\frac{1}{2}$ " galvanized square tubing, these are used to install the door tracks and the electric opener system on overhead doors.
- (H) 29 ga. panels come standard on 13 different colors for the roof, sides and ends (26 ga. special order panels are also available with a 20-year warranty.)
- (I) 18 ga. 2 $\frac{1}{2}$ " x 1 $\frac{1}{2}$ " channels are used as knee braces on buildings up to 30' wide and as peak braces on buildings up to 19' wide.
- (J) "L" Brackets are installed to join two pieces of square tubing together where there will not be a pre-welded connection or sleeve.
- (M) Trusses (bows) are pre-fab of galvanized square tubing 14 ga. or 12 ga., the size varies by the width of the building and they can range from 8' wide up to 30' wide.
- (N) 4 $\frac{1}{4}$ " x 1 $\frac{1}{2}$ " 18 ga. hat channels are used on a-frame styles with vertical roof & sides and on regular style with the vertical end option.
- (O) 11' Ridge cap trim is used only on a-frame with vertical roof style.









FINAL SITE PLAN APPLICATION

City of Hurricane 147 North 870 West Hurricane, UT 84737 (435) 635-2811 FAX (435) 635-2184 Fee: \$250.00

For Office Use Only:
File No. 2020 FSP-08

Receipt No. 7.656369

Name: Bill Zitting, Desert Sage Townhomes	_Telephone: 435-635-4068
Address: 256 West 100 South, Hurricane, UT 84737	Fax No. 435-635-4137
Agent (If Applicable): Charles Hammon, PE	Telephone: 435-619-4586
Email: charles@exceldesign.us	
Address/Location of Subject Property: 295 North 2170 West	<u>t</u>
Tax ID of Subject Property: H-3-1-33-43361	Zone District: RM-3
Proposed Use: (Describe, use extra sheet if necessary) Project	t consists of 44 townhouse units,
park area, dog park, common, limited common and private areas.	

Submittal Requirements: This application must be accompanied by a set of development plans which meet the following standards:

- Plans shall be drawn at a scale of no smaller than 1"=100'
- Submit one (1) set of plans on 11 x 17 inch paper. Also submit one (1) copy of all plans on larger sheets when ever a reduction is required.
- Except for the landscaping plan, the other plans shall be prepared, stamped and signed by a professional engineer licensed by the State of Utah.

The following shall be shown on separate sheets:

1)	Site	plan including:
		•

- x a) All facilities related to the project located within two hundred and fifty (250) feet of the site boundary;
- x b) Layout, dimensions, and names of existing and future road rights-of-way;
- c) Project name, North arrow, and tie to a section monument;
- x d) The boundary lines of the project site with bearings and distances;
- x e) Layout and dimensions of proposed streets, buildings, parking areas, and landscape areas;
- x f) Location, dimensions, and labeling of other features such as bicycle racks, dumpsters, trash cans, fences, signage, and mechanical equipment;
 - x g) Location of man-made features including irrigation facilities, bridges, and buildings
- x h) A tabulation table showing total gross acreage, square footage of street rights-of-way, square footage of building footprint, square footage of total building floor area, number of parking spaces, and, if any, the number and type of dwellings and the percentage devoted to each dwelling type and overall dwelling unit density;
 - x i) Identification of property, if any, not proposed for development, and;
- x j) Proposed reservations for parks, playgrounds, and school or other public facility sites, if any.

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-FSP-08

Type of Application:

Preliminary Plat and Preliminary site plan

Applicant:

Bill Zitting

Agent:

Charles Hammon

Request:

Preliminary Plat for new Townhomes

Location:

230 North 2170 West

General Plan:

Multi-Residential Types

Current Zoning:

RM-3

Discussion: This final site plan is for 4.10 acres located between the Haven Assisted Living and the Retreat at Sky Mountain Apartments. It is for 44 townhome lots in 8 structures with common and limited common areas as well as private pads. Common areas are located in the Rocky Mountain Power powerline easement. The Planning Commission gave approval of the preliminary site plan on April 9, 2020.

JUC Comments:

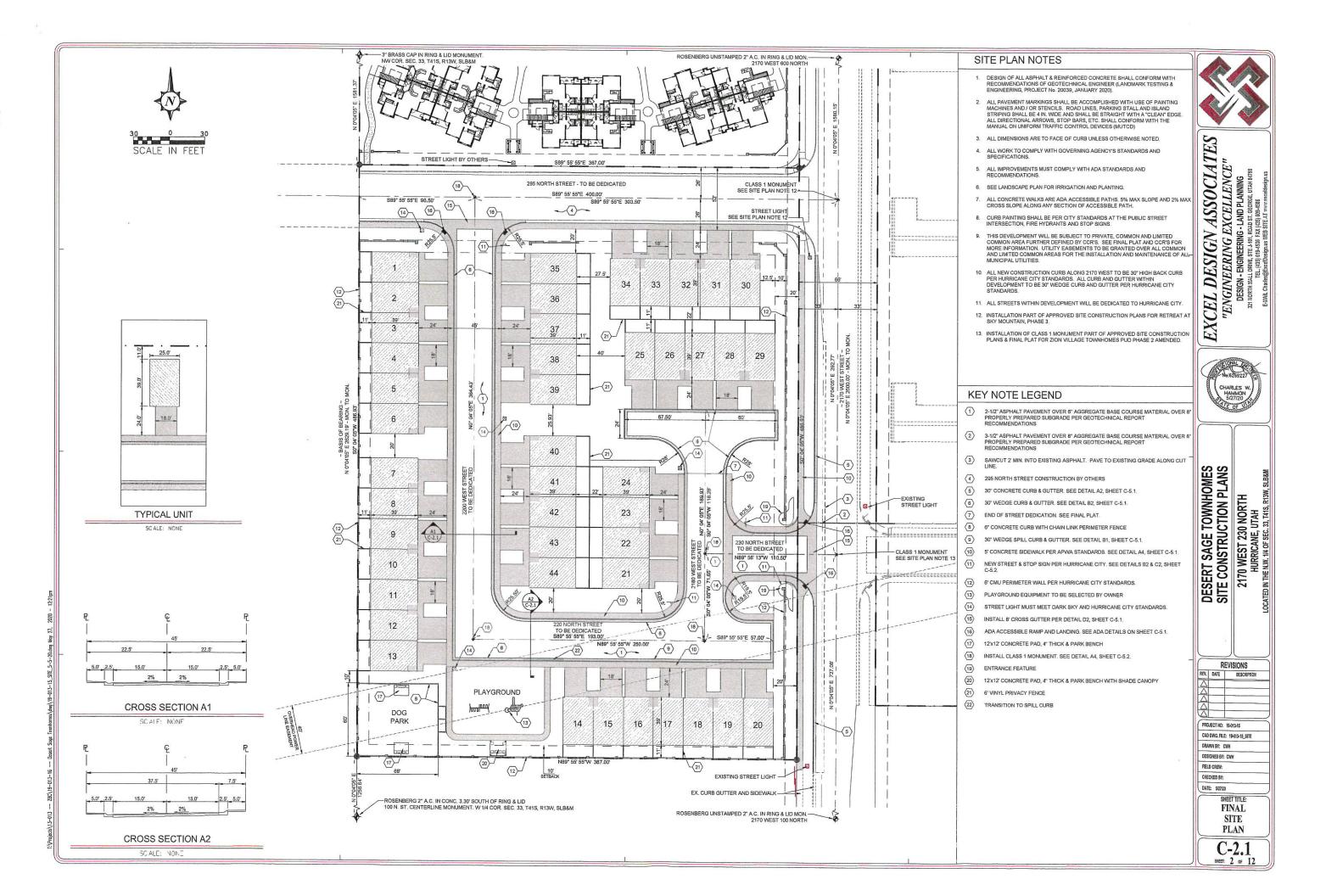
The full construction set was signed on June 3, 2020

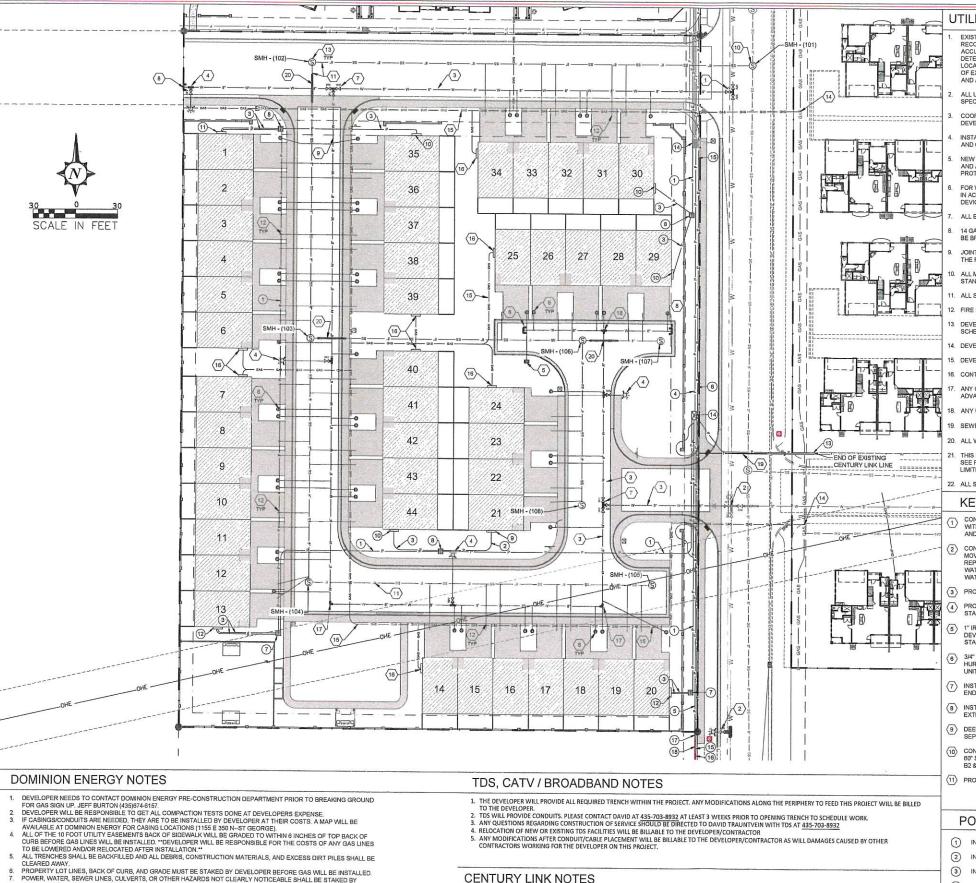
Staff Comments on Final Site Plan:

- 1. Common areas shown on the plat include a dog park and a playground, as well as some open space between units.
- 2. A 6' block wall is shown around the project perimeter except along the 295 North street where driveways and building front yards face the street. The wall is planned to be set back far enough at entrances to meet sight distance requirements.
- 3. A landscape plan has been submitted with the final site plan, demonstrating the project meets the minimum requirements of the Land Use Code for multi-family development.
- 4. The dog park is surrounded by chain-link fencing.

- 5. The applicant has not submitted an outdoor lighting plan as required. Outdoor lighting must comply with dark sky provisions and Hurricane City Code 10-33-5 (F) Out Door Lighting. Staff recommends that an outdoor lighting aspect is added to the plans.
- 6. The applicant has not submitted details for the playground or the shad cover in the dog park. Staff recommends that those plans be submitted before the final plat.
- 7. The applicant has not submitted a final site plan. One of the conditions of the approval was as follows:
 - a. Final plat or final site plan application must be accompanied with CC&R's prohibiting parking of recreational vehicles within the project in accordance with the following code section: 10-34-6: NUMBER AND TYPE OF PARKING SPACES: G. Recreational Vehicle Parking: Adequate and accessible recreational vehicle parking storage areas shall be required in each multi-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles
 - b. The applicant has agreed to add that provision to the CC&Rs and submit it with the final plat.

Recommendation: Staff recommends approval of the final site plan subject staff comments.





CENTURY LINK NOTES

DELIVERY

DEVELOPER TO PROVIDE ALL TRENCHING, BACKFILL, AND ROAD CROSSINGS. CENTURY LINK SUB CONTRACTOR (NEILS FUGAL) WILL PLACE CONDUIT IN TRENCH. CALL 435-632-6553 15 DAYS PRIOR TO REQUIRING CONDUIT TO SCHEDULE

DELIVERY.

2. ANY BREAKS/BLOCKAGES IN CONDUIT RESULTING FROM IMPROPER BACKFILL OR OTHER CONSTRUCTION/UTILITY PLACEMENT ARE THE DEVELOPER RESPONSIBILITY TO REPAIR AND MAY RESULT IN DELAY OF SERVICE.

3. CONTACT CENTURY LINK RIGINEER AT 25-584-7920 WITH ANY QUESTIONS OR CHANGES TO JUC PLANS.

4. ANY CENTURY LINK FACILITY RELOCATIONS ASSOCIATED WITH PROJECT WILL BE BILLABLE 100% TO OWNER/DEVELOPER AND MUST BE SCHEDULED A MINIMUM 45 DAYS IN ADVANCE.

UTILITY PLAN NOTES

- EXISTING UNDERGROUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF PLANS, AND NO GUARANTEE IS MADE AS TO ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE ONTRACTOR TO ETERMINE THE EXISTENCE AND LOCATION OF THOSE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD B LOCATING SERVICES. ANY ADDITIONAL COSTS INCURRED AS A RESULT OF CONTRACTOR'S FAILURE TO VERIFY LOCATION OF EXISTING UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT.
- ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LOCAL MUNICIPALITY CODES, STANDARDS, AND SPECIFICATIONS. INSTALLATION OF UTILITIES SHALL CONFORM TO HURRICANE CITY STANDARDS AND SPECIFICATIONS.
- COORDINATE ALL UTILITY SERVICES WITH APPROPRIATE PROVIDER. EASEMENTS AND PERMITS TO BE OBTAINED BY DEVELOPER PRIOR TO CONSTRUCTION.
- INSTALLATION OF ELECTRIC POWER AND COMMUNICATION FACILITIES SHALL BE COORDINATED WITH UTILITY PROVIDER AND CONFORM TO THE MOST CURRENT EDITION OF THE NATIONAL ELECTRICAL SAFETY CODE.
- NEW WATER LINES SHALL CONFORM TO THE AMERICAN WATER WORKS ASSOCIATION (AWWA) SPECIFICATIONS C200-86. AND ANY LOCAL RESTRICTIONS. WATER LINES SHALL BE INSTALLED 3' (MIN.) BELOW FINISH GRADE FOR FROST
- FOR WORK PERFORMED WITHIN THE RIGHT-OF-WAY, A TRAFFIC CONTROL PLAN SHALL BE DEVELOPED AND IMPLEMENTED IN ACCORDANCE WITH THE CURRENT FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES" (MUTCD).
- ALL EXCAVATIONS AND BACKFILL SHALL CONFORM TO HURRICANE CITY STANDARDS AND SPECIFICATIONS.
- 14 GAUGE WIRE SHALL BE TAPED TO THE BOTTOM OF ALL WATER LINES FOR LOCATING PURPOSES. THE WIRE SHALL ALSO BE BROUGHT UP AT EACH VALVE BOX AND HYDRANT.
- JOINT RESTRAINT TO BE INSTALLED ON THE NEW PIPELINE. USE MEGA-LUG ON THE FITTINGS AND FIELD LOCK GASKETS THE REQUIRED LENGTH OF RESTRAINED PIPE.
- L MANHOLES, VALVE BOXES AND OTHER SIMILAR ITEMS SHALL HAVE CONCRETE COLLAR PER HURRICANE CITY
- ALL SEWER STUBS SHALL BE END CAPPED AND INCLUDE A STAND-PIPE INDICATOR
- 12. FIRE FLOW REQUIREMENTS FOR EACH UNIT IS 1,500 GALLONS PER MINUTE FOR 2 HOURS.
- 3. DEVELOPER TO PROVIDE ALL TRENCHING AND PLACE CENTURY LINK PROVIDED CONDUIT. CALL 435-632-6553 TO
- 14. DEVELOPER TO PLACE PULL STRING IN CONDUIT AND REPAIR ANY BREAKS.
- 15. DEVELOPER TO PROVIDE RECORDED PLAT WITH ADDRESSES PRIOR TO WIRE PLACEMENT
- CONTACT CENTURY LINK ENGINEER WITH QUESTIONS; ZACK MATHEWS, 435-668-7445.
- ANY CENTURY LINK RELOCATIONS WITH THIS PROJECT WILL BE BILLABLE AND NEED TO BE SCHEDULED 30 DAYS IN
- SEWER TRENCHING PER ASH CREEK SEWER DISTRICT STANDARDS. SEE DETAIL D2, SHEET C-5.5.
- 20. ALL WATER TRENCHING PER HURRICANE CITY STANDARDS. SEE DETAIL B4. SHEET C-5.4.
- THIS DEVELOPMENT WILL BE SUBJECT TO PRIVATE, COMMON AND LIMITED COMMON AREA FURTHER DEFINED BY CCR'S. SEE FINAL PLAT AND CCR'S FOR MORE INFORMATION. UTILITY EASEMENTS TO BE GRANTED OVER ALL COMMON AND LIMITED COMMON AREAS FOR THE INSTALLATION AND MAINTENANCE OF ALL MUNICIPAL UTILITIES.
- 22. ALL STREETS WITHIN DEVELOPMENT WILL BE DEDICATED TO HURRICANE CITY

KEY NOTE LEGEND

- CONNECT TO EXISTING 12" DUCTILE IRON WATERLINE WITH 12" BUTTERFLY VALVES ON EACH MAINLINE END AND 8" GATE VALVE ON BRANCH LINE.
- (2) CONNECT TO EXISTING 12" DUCTILE IRON WATERLINE MOVE EXISTING FIRE HYDRANT TO NEW LOCATION REPLACE HYDRANT CONNECTION TO EXISTING WATERLINE WITH 8" GATE VALE AND 8" PVC
- PROPOSED 8" PVC WATER LINE.
- PROPOSED FIRE HYDRANT PER HURRICANE CITY STANDARDS. SEE DETAIL A2, SHEET C-5.4.
- "IRRIGATION SERVICE LINE. BACKFLOW PREVENTION DEVICE & MASTER METER PER HURRICANE CITY STANDARDS. SEE DETAIL B2, SHEET C-5.2.
- (6) 3/4" WATER SERVICE LINE AND MASTER METER PER HURRICANE CITY STANDARDS. TYPICAL PER EACH UNIT. SEE DETAIL C2, SHEET C-5.2.
- 7) INSTALL 6" CROSS. INSTALL 8" GATE VALVES ON EACH
- (B) INSTALL 8" CLOSED END CAP ON WATERLINE EXTENSION
- 9 DEEPEN WATERLINE AS NEED TO MAINTAIN SEPARATION BELOW STORM DRAIN PIPE
- (10) CONNECT TO EXISTING 8" SEWER PVC PIPE WITH NEW 60" SEWER MANHOLE. SEE SEWER MANHOLE DETAILS B2 & C2, SHEET C-5.5.
- 11) PROPOSED 8" PVC SEWER LINE.

- PROPOSED 4" PVC SEWER LATERAL. TYPICAL FOR EACH UNIT. SEE DETAIL A4, SHEET C-5.5.
- PROPOSED SEWER MANHOLE. SIZE PER PLAN. SEE DETAILS B2 & C2, SHEET C-5.5.
- CONNECT TO EXISTING 4" GAS LINE AND EXTEND 2" GAS SERVICE INTO PROJECT
- INSTALL NEW 2" GAS SERVICE LINE 1" BEHIND
- (16) INSTALL GAS METER PACK
- 8" 90° BEND (18)
- CENTURY LINK TRENCH
- 20' DUCTILE IRON SEWER SLEEVE AT WATER CROSSING. CENTER SLEEVE OVER WATERLINE (20)

INSTALL 5 SOCKET METER PACK (150 AMP EACH

INSTALL 6 SOCKET METER PACK (150 AMP EACH)

INSTALL 7 SOCKET METER PACK (150 AMP EACH)

EXISTING 2-1/2" PVC WITH 1/0 15 KV

EXISTING THREE-PHASE VAULT

(15) CONNECT TO EXISTING 6" PVC STUB

(17) CONNECT TO EXISTING 4" PVC STUB

(16) EXISTING 6" PVC FOR FUTURE

TV ASSOCIATE GEXCELLENCE" UNG-LAND PLANNING 1. FAX (485) 608-4585 WEB SITE AT WITH TL DESIGN . NGINEERING E. DESIGN - ENGINEERING STHORTH MALL DRIVE, STE JAIN, ROD THE (JAS) BUSSE FAX.



EX

DESERT SAGE TOWNHOMES SITE CONSTRUCTION PLANS

REVISIONS REV. DATE DESCRIPTION

LOCATED IN THE

PROJECT NO: 19-013-15 CAD DWG. FILE: 19-013-15 SITE DRAWN BY: CWH DESIGNED BY: CWH FIELD CREW: CHECKED BY:

> DATE: 5/27/20 SHEET TITLE:

UTILITY PLAN

C-4.1SHEET: 4 OF 1

- 3 INSTALL 3" PVC WITH 500 MCM TRIPLEX
- INSTALL 4" PVC WITH 4/0 15 KV THREE-PHASE
- 6 INSTALL 6" PVC FOR FUTURE

- POWER KEY NOTE LEGEND
- 1) INSTALL 2-1/2" PVC WITH 1/0 15 KV
- 2 INSTALL 3" PVC WITH 350 MCM TRIPLEX
- 4
- (5) INSTALL 4" PVC FOR FUTURE
- (7) INSTALL 37.5 KVA TRANSFORMER
- 8 INSTALL 50 KVA TRANSFORMER
- INSTALL 4 SOCKET METER PACK (150 AMP EACH)

(11)

(12)

(13)

(14)

(18) EXISTING 4" PVC FOR FUTURE

HIGH PRESSURE GAS NOTE: IF HIGH PRESSURE GAS LINES ARE LOCATED IN OR NEAR YOUR DIGGING AREA, BEFORE DIGGING PLEASE CALL: BRYAN WARD (435)559-6547.

FAILURE TO COMPLY WITH THE ABOVE NOTES WILL RESULT IN DELAY OF SERVICE TO THIS PROJECT. CONTACT CRAIGH ANSEN, (433)-574-5144, AT LEAST TWO WEEKS PRIOR TO BEING READY, FOR SCHEDULING OF INSTALLATION.

IMPORTANT NOTICEGAS WILL BE PUT ON THE SCHEDULE FOR INSTALLATION WHEN POWER TRENCH IS BURIED.

STREETS ARE WITHIN 6 INCHES OF SUBGRADE, AND THE 10 FOOT UTILITY EASEMENT IS GRADED TO THE TOP BACK OF









DESIGN NOTES: 1. CONTRACTOR TO ENSURE THAT THE DESIGN INTENT

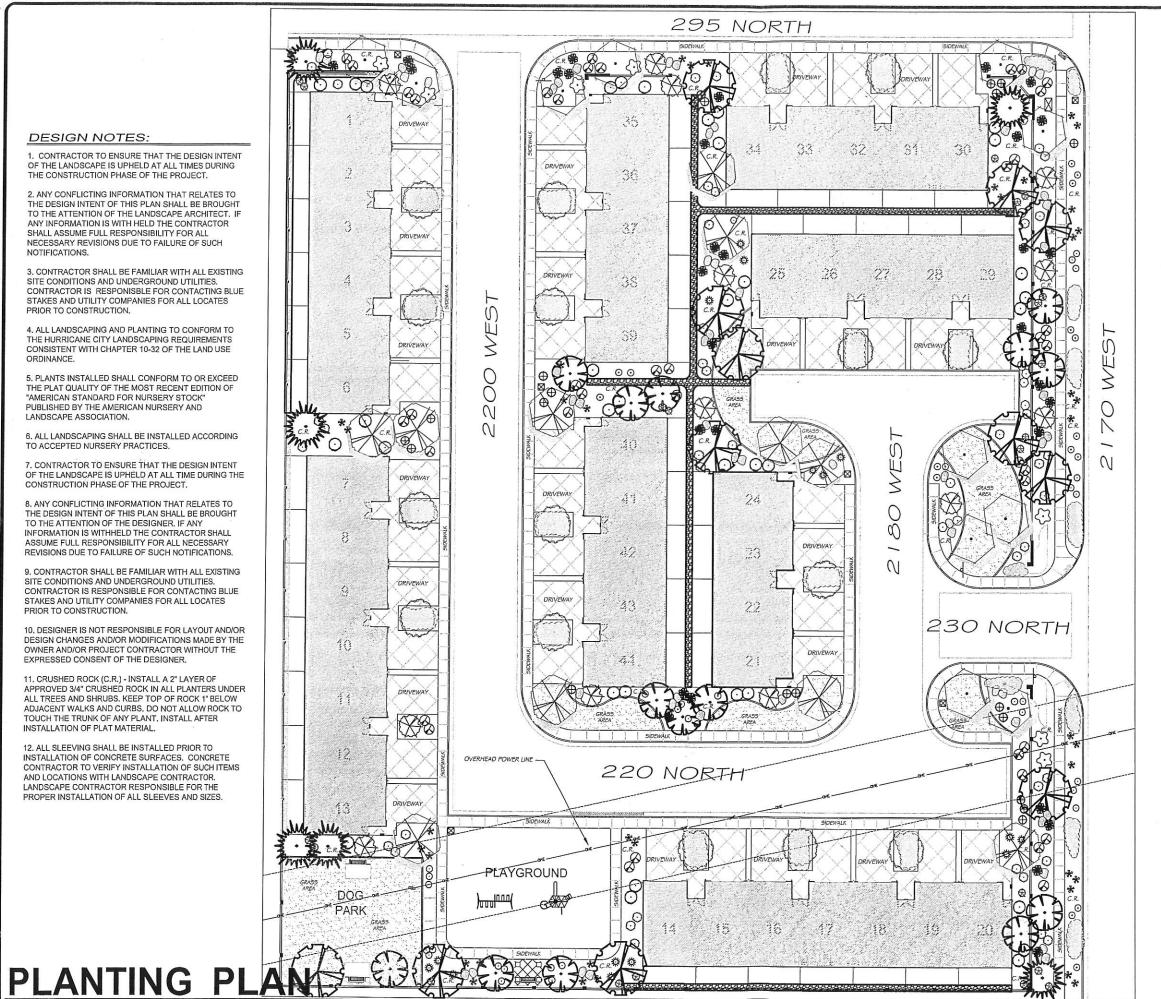
NOTIFICATIONS

2. ANY CONFLICTING INFORMATION THAT RELATES TO THE DESIGN INTENT OF THIS PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. IF ANY INFORMATION IS WITH HELD THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE OF SUCH

OF THE LANDSCAPE IS UPHELD AT ALL TIMES DURING

THE CONSTRUCTION PHASE OF THE PROJECT.

- 3. CONTRACTOR SHALL BE FAMILIAR WITH ALL EXISTING SITE CONDITIONS AND UNDERGROUND UTILITIES. CONTRACTOR IS RESPONISBLE FOR CONTACTING BLUE STAKES AND UTILITY COMPANIES FOR ALL LOCATES
- 4. ALL LANDSCAPING AND PLANTING TO CONFORM TO THE HURRICANE CITY LANDSCAPING REQUIREMENTS CONSISTENT WITH CHAPTER 10-32 OF THE LAND USE ORDINANCE.
- 5. PLANTS INSTALLED SHALL CONFORM TO OR EXCEED THE PLAT QUALITY OF THE MOST RECENT EDITION OF "AMERICAN STANDARD FOR NURSERY STOCK" PUBLISHED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION.
- 6. ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO ACCEPTED NURSERY PRACTICES.
- 7. CONTRACTOR TO ENSURE THAT THE DESIGN INTENT OF THE LANDSCAPE IS UPHELD AT ALL TIME DURING THE CONSTRUCTION PHASE OF THE PROJECT.
- 8. ANY CONFLICTING INFORMATION THAT RELATES TO THE DESIGN INTENT OF THIS PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGNER. IF ANY INFORMATION IS WITHHELD THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE OF SUCH NOTIFICATIONS.
- 9. CONTRACTOR SHALL BE FAMILIAR WITH ALL EXISTING SITE CONDITIONS AND UNDERGROUND UTILITIES. CONTRACTOR IS RESPONSIBLE FOR CONTACTING BLUE STAKES AND UTILITY COMPANIES FOR ALL LOCATES PRIOR TO CONSTRUCTION.
- 10. DESIGNER IS NOT RESPONSIBLE FOR LAYOUT AND/OR DESIGN CHANGES AND/OR MODIFICATIONS MADE BY THE OWNER AND/OR PROJECT CONTRACTOR WITHOUT THE EXPRESSED CONSENT OF THE DESIGNER.
- 11. CRUSHED ROCK (C.R.) INSTALL A 2" LAYER OF APPROVED 3/4" CRUSHED ROCK IN ALL PLANTERS UNDER ALL TREES AND SHRUBS. KEEP TOP OF ROCK 1" BELOW ADJACENT WALKS AND CURBS. DO NOT ALLOW ROCK TO TOUCH THE TRUNK OF ANY PLANT, INSTALL AFTER INSTALLATION OF PLAT MATERIAL.
- 12. ALL SLEEVING SHALL BE INSTALLED PRIOR TO INSTALLATION OF CONCRETE SURFACES. CONCRETE CONTRACTOR TO VERIFY INSTALLATION OF SUCH ITEMS AND LOCATIONS WITH LANDSCAPE CONTRACTOR. LANDSCAPE CONTRACTOR RESPONSIBLE FOR THE PROPER INSTALLATION OF ALL SLEEVES AND SIZES.





PLANT LEGEND

FRAXINUS VĒLUTINA RIO GRANDĒ

QUERCUS VIRGINIANA SOUTHERN LIVE SOUTHERN LIVE OAK

RAXINUS OXYCARPA RAYWOODII IAYWOOD ASH

CHAMAEROP5 HUMIUS MEDITERRANEAN FAN PALM LIGUSTRUM JAPONICUM TEXANUM

0

NANDINA DOMESTICA MOON BAY MOON BAY NANDINA

HESPERALOE PARVIFLORA RED YUCCA

TEUCRIUM CHAMAEDRYS GERMANDER

SEE DETAIL ' J ', SHEET LI .04

6" COLORED CONCRETE MOWCURB SEE DETAIL ' M ', SHEET L1 04 2,110 LNFT

4" COLORED STEEL EDGING BETWEEN ³/₄" ROCK & 2"-4" ROCK SEE DETAIL" L', SHEET L1.04. 1,595 SQFT

2"-4" CRU5HED ROCK 32.875 5GFT





DESERT SAGE **TOWNHOMES**

SHEET CONTENTS: PLANTING

06/03/2020 JOB NO.: 06032020

PRELIMINARY PLAT APPLICATION

City of Hurricane 147 North 870 West Hurricane, UT 84737 (435) 635-2811 FAX (435) 635-2184

Fee: \$150.00

For Office Use Only:
File No. 2020- TP-IP
Receipt No. 7.15135

Name: Ch	ris Wyler		Telephone: _	435-467-2216	
Address: 51	46 S 1930 W, Hurricane	e, UT 84737	Fax No		
Email:wylti	ile@gmail.com	Agent Email:_	bwalker@civ	ilscience.com	_
Agent (If App	olicable): Civil Science)	_ Telephone: _	435-986-0100	
Address/Loca	ation of Subject Property:	:_ 5150 West 230	0 South		
Tax ID of Sub	oject Property: H-4-2-10-2	224 & H-4-2-10-225	Zone District:	Res Rec	_
Proposed Use	: (Describe, use extra shee	t if necessary. Include	le total number o	f lots) 59 Single	family
lots with res	sort recreational uses a	nd amenities.			
	c. The names and addr d. Date of preparation, e. Scale shall be of sur of Chapter 39, City sing Conditions: The prelimin a. The location of the r	of the subdivision. subdivision, including resses of the owner or and north point. fficient size to adequa Subdivision regulation hary plat shall show:	the address and se subdivider, if other tely describe in leg ss.	ction, township and a than the owner.	range.
_	c. All property under subdivided. (Where the prospective stree and the street system of the location, width a the subdivision and other public open sp	the control of the the plat submitted control system of the unplat m of the part submit Commission studies.) and names/numbers of of all prior streets or aces, within and adjace	subdivider, even vers only a part of ted parts of the sul ted shall be consi f all existing street other public ways ent to the tract.	though only a por the subdivider's trace odivider's land shall dered in light of ex s within two hundred s, utility rights of w	et, a sketch of be submitted, isting Master d (200) feet of ay, parks and
	reservoirs or ponds we the tract boundaries. _f. Existing sewers, we	wells and springs or within the tract and at ater mains, culverts izes, grades, manholes	a distance of at lea or other undergr	est one hundred feet round facilities with	(100') beyond

STAFF COMMENTS

Agenda:

June 11, 2020

File Number: 2020-PP-12

Type of Application:

Preliminary Plat, Administrative

Applicant:

Chris Wyler

Agent:

Civil Science

Request:

Preliminary Subdivision Plat for 21 lots

Location:

5140 W and around 2060 S

General Plan:

Residential

Current Zoning:

Recreation Resort.

Discussion:

The applicant has submitted Phase 3 for Pecan Valley. The development is located in the Recreation Resort Zone and will need to provide the following improvements.

Hurricane City Code 10-26-6:

A. Recreation resort zones shall be established on the city zoning map and may be amended from time to time by ordinance. The recreation resort zone is intended only for resort development directly providing the following minimum facilities and services: 1) a swimming pool and clubhouse and 2) an on site rental or property manager. Those resort developments in which full time/permanent residential use is authorized or contemplated shall be subject to covenants, conditions, and restrictions and governed by a property owners' association or other similar governing body.

JUC Comments:

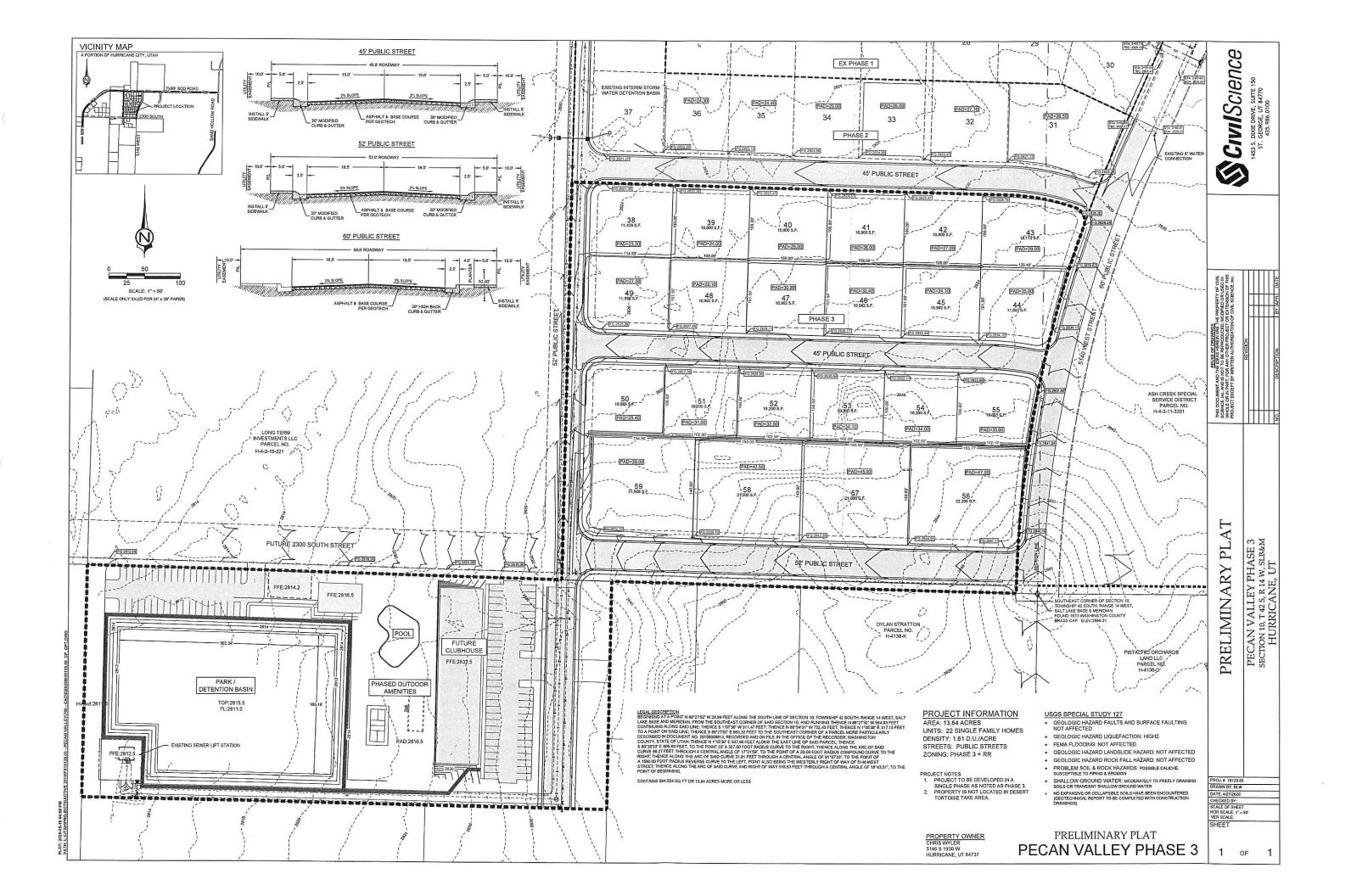
- 1. Water model for area including loop system must be provided
- 2. A solution to Turf Sod Road drainage issues must be provided. Storm drain across Turf Sod road to the detention basin
- 3. The plan must accommodate the Dixie Power planned power line upsize
- 4. Road to pumps station south of clubhouse must be improved to provide access
- 5. Retaining walls may be required in SE and S corners of the project
- 6. Look at separation requirements for fire accesses
- 7. West access to parking lot shown south of future 2300 South Street is too close to the intersection.

- 8. Design for the detention basin must include details on how it will accommodate park use.
- 9. Who will be responsible for maintaining park?
- 10. Plan on fire sprinklers in all structures with overnight uses in Phase 3 due to Recreation Resort zoning

Staff Comments

- 1. The City has given preliminary approval for phase 1 and 2, and phase 1 has received final approval.
- 2. The plat does not have a lot of frontages listed. However, RR zone does not contain a minimum lot area or frontage.
- 3. The applicant will need to obtain letters from the water department and Ash Creek Sanitary District about their ability to provide service to the area.
- 4. The applicant has not provided a map of all the property under the control of the subdivider, as required.
- 5. The plat needs a key with utility and other markings on the plat.
- 6. The plat needs to show where the future utility lines will connect into existing utilities.
- 7. The pool and clubhouse will need to be built with this phase.
- 8. The City is unsure of whom the applicant is proposing will own and maintain the park? The plan states phased outdoor amenities will be built, but it is not clear on what the outdoor amenities will be.
- 9. Each street being built to the development must be built to City standards for access. The half roads on the west and east do not show asphalt width.
- 10. The plat will need to contain more details for storm drainage design. There is concern about how the applicant will get the stormwater to the detention basin on property.
- 11. There is a missing powerline easement along the southernmost street.

Recommendation: Recommend approval of the preliminary plat to the City Council based on the conditions that the applicant fully addresses the comments listed within this report.



AMENDED FINAL PLAT APPLICATION

City of Hurricane 147 North 870 West Hurricane, UT 84737 (435) 635-2811 FAX (435) 635-2184

Fee: \$150

(435) 635	5-2811 5) 635-2184	For Office Use Onl File No Receipt No	y: 656145	
Name: _	Jason Smith	Telephon	e: <u>702</u> .	415-5500
Address	: P.O. Box 779			
Email: <u>J</u>	tason C bb frosch. com Agent Em	ail:		
Agent (It	f Applicable): <u>Jarred Bates</u> P.E.	Telephone	: 435.6	80 . 3932
Address/	f Applicable): <u>Javed Bates P.E.</u> Rosenberg Assoc Location of Subject Property: <u>Sevi</u>	110 Subdivisio	m along	900 West
	of Subject Property: # - SEVI - 1 to 19			
Subdivis	ion Name: <u>Seville</u>	Phase:	1	
	al Requirements: 1-large paper copy, 1-11 X The final plat shall show:	17, and 1 disk in	2004 or nev	ver Auto-Cad format
✓ a. ✓ b.	The name or designation of the subdivision that Recorder's office, as approved by the Planning C. The boundaries, course, and dimensions of all course, and extent, whether the owner proposes to r for another public use, and whether any such purpose.	Commission. of the parcels of that any parcel of gr	ground divid	ed, by their boundaries, ded to be used as a street
c.	The lot or unit reference, block or building ref address, acreage or square footage of all parcels, intended for sale.			
<u>d.</u>	Every existing right-of-way and easement grunderground facilities as defined in Section 54			
✓ e.	Where the same is granted to a specific entity, the True angles and distances to the nearest estable	ished street lines o		
f.	accurately described on the plat and shown by ap			
h.	All street center line data must be shown, togethe The accurate location of all monuments shall be United States, State, County or other official mon	shown on the plat,		

STAFF COMMENTS

Agenda: June 11, 2020 File Number: 2020-AFP-02

Type of Application: Amended Final Plat Application

Applicant: Jason Smith

Request: Amending Final Plat for Seville Subdivision

Location: 900 W and 360 S

General Plan: Single Family Residential up to 8 units/acres

Existing Zoning: R1-15

Discussion: The applicant is seeking to make amendments to an existing subdivision. The development is almost entirely built out, but for a few lots along the north within the floodway area. The primary changes are listed below.

List of changes:

- Add new Floodway and Floodplain lines as revised in accordance with the FEMA Letter of Map Revision (LOMR)
- Divide Lot 1 into two lots being 1 and 1A
- Vacate Public Utility Easements alongside yards and rear lot lines except what is shown
- Minimum finished floor elevations on lots 1 and 1A are also shown per LOMR
- This plat in no way alters any other lots within the subdivision except as described herein

Approval Process

Hurricane City code states the following about amended plats:

10-39-16: PLAT AMENDMENTS: [♠] □

The procedure for consideration and approval of any addition, alteration, modification, or change to an approved plat shall be substantially the same as is required for initial plat approval unless the Zoning Administrator determines that such addition, alteration, modification, or other change does not constitute a significant change from the intent or effect of the approved plat. (Ord. 2012-2, 4-19-2012)

However, because changes are happening on each lot and the elimination of the public utility easements, the City Council will need to hold a public hearing on the proposed changes and give final approval. These code requirements sections are found in the following:

10-9a-608. Subdivision amendments.

- (1) (a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.
 - (b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:
 - (i) depicts only the portion of the subdivision that is proposed to be amended;
 - (ii) includes a plat name distinguishing the amended plat from the original plat;
 - (iii) describes the differences between the amended plat and the original plat; and
 - (iv) includes references to the original plat.
 - (c) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the petition for a subdivision amendment.
 - (d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:
 - (i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or
 - (ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

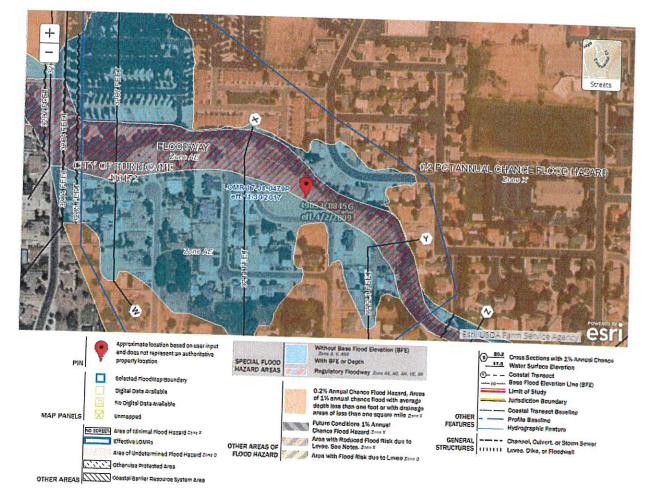
Effective 5/12/2020 10-9a-609.5. Petition to vacate a public street.

- (1) In lieu of vacating some or all of a public street through a plat or amended plat in accordance with Sections <u>10-9a-603</u> through <u>10-9a-609</u>, a legislative body may approve a petition to vacate a public street in accordance with this section.
- (2) A petition to vacate some or all of a public street or municipal utility easement shall include:
 - (a) the name and address of each owner of record of land that is:
 - (i) adjacent to the public street or municipal utility easement between the two nearest public street intersections; or
 - (ii) accessed exclusively by or within 300 feet of the public street or municipal utility easement;
 - (b) proof of written notice to operators of utilities located within the bounds of the public street or municipal utility easement sought to be vacated; and
 - (c) the signature of each owner under Subsection (2)(a) who consents to the vacation.

- (3) If a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Section 10-9a-208 and determine whether:
 - (a) good cause exists for the vacation; and
 - (b) the public interest or any person will be materially injured by the proposed vacation.
- (4) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:
 - (a) good cause exists for the vacation; and
 - (b) neither the public interest nor any person will be materially injured by the vacation.
- (5) If the legislative body adopts an ordinance vacating some or all of a public street or municipal utility easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:

 (a) a plat reflecting the vacation; or
 - (b) (i) an ordinance described in Subsection (4); and
 - (ii) a legal description of the public street to be vacated.
- (6) The action of the legislative body vacating some or all of a public street or municipal utility easement that has been dedicated to public use:
 - (a) operates to the extent to which it is vacated, upon the effective date of the recorded plat or ordinance, as a revocation of the acceptance of and the relinquishment of the municipality's fee in the vacated public street or municipal utility easement; and
 - (b) may not be construed to impair:
 - (i) any right-of-way or easement of any parcel or lot owner; or
 - (ii) the rights of any public utility.
- (7) (a) A municipality may submit a petition, in accordance with Subsection (2), and initiate and complete a process to vacate some or all of a public street.
 - (b) If a municipality submits a petition and initiates a process under Subsection (7)(a):
 - (i) the legislative body shall hold a public hearing;
 - (ii) the petition and process may not apply to or affect a public utility easement, except to the extent:
 - (A) the easement is not a protected utility easement as defined in Section <u>54-3-27</u>;
 - (B) the easement is included within the public street; and
 - (C) the notice to vacate the public street also contains a notice to vacate the easement; and
 - (iii) a recorded ordinance to vacate a public street has the same legal effect as vacating a public street through a recorded plat or amended plat.

Flood Area Plain Map



JUC Comments:

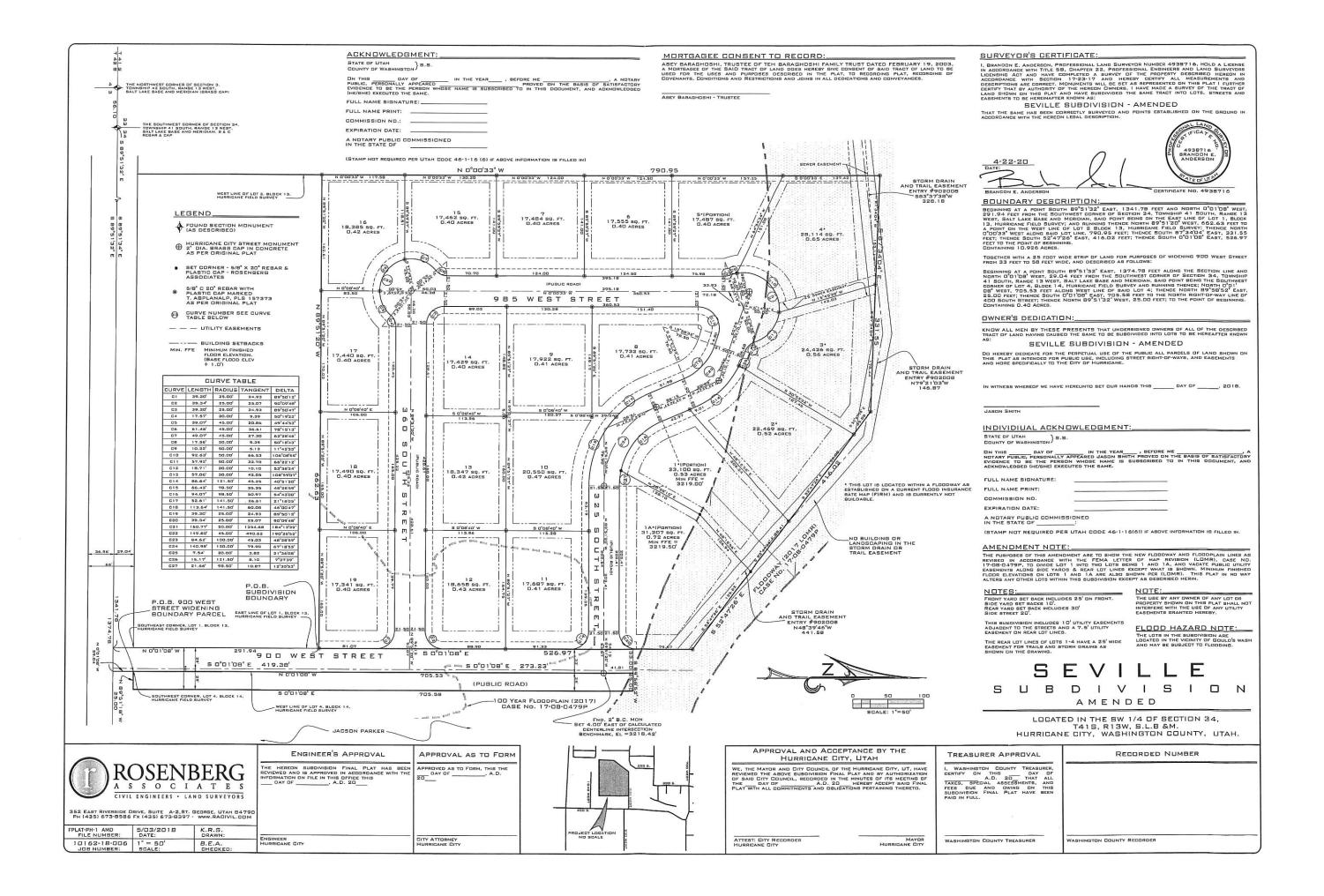
- 1. The plat should include a more robust note about flood hazards. Suggested note below:
 - a. "Any development and/or placement of permanent or temporary dwellings within the flood plain shall comply with Flood Plain Development standards and Hurricane City Code. No building shall be allowed with the mapped floodway."
- 2. JUC will need to sign off on full construction drawings

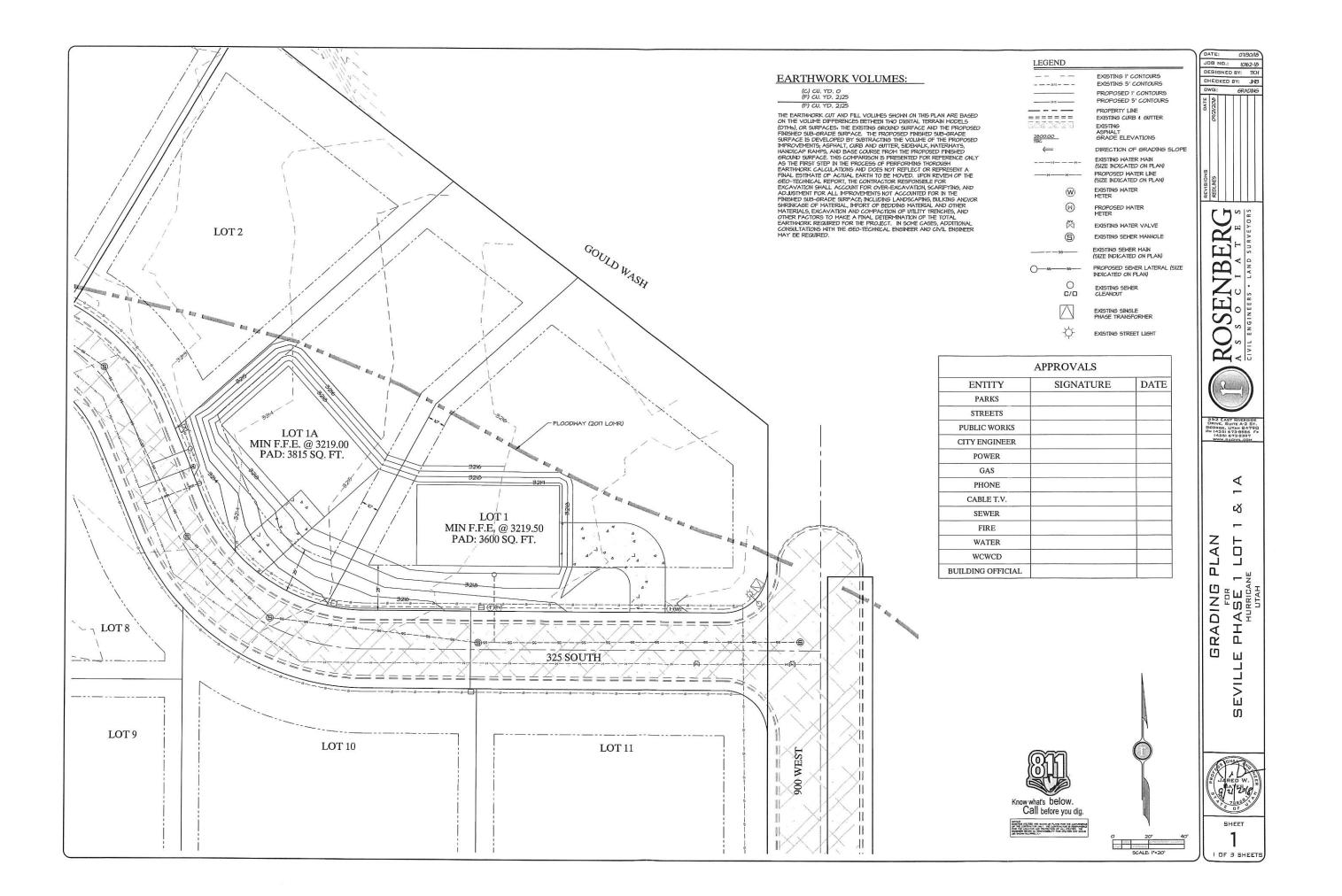
Planning and Engineering Staff Comments

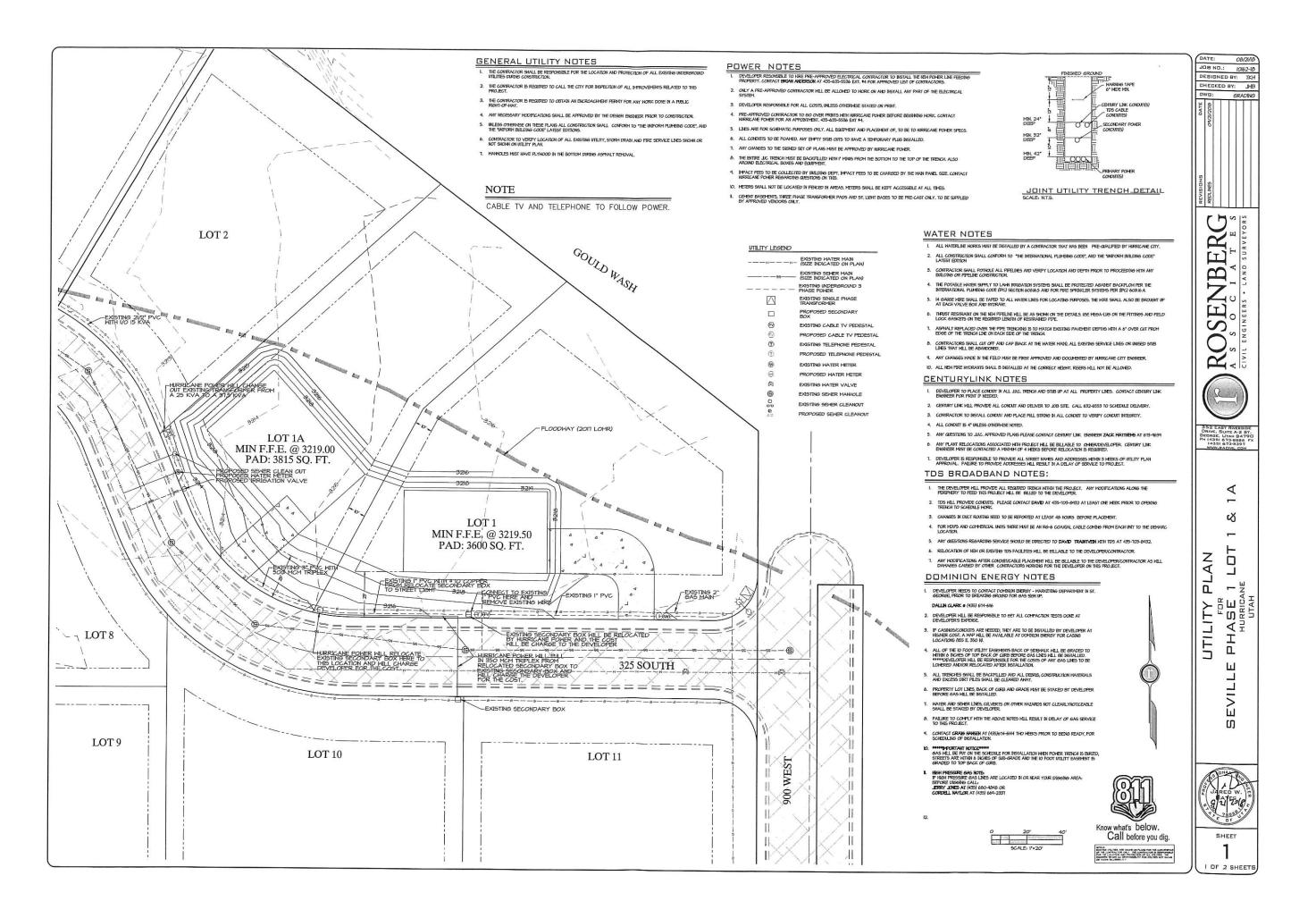
- 1. Canal company easement along the west property lines needs to be labeled
- 2. Setbacks are not required to be drawn in each lot
- 3. The Amendment note section states that all property side and rear PUEs will be eliminated, but within the "Notes" section, it reads, "This subdivision includes 10'

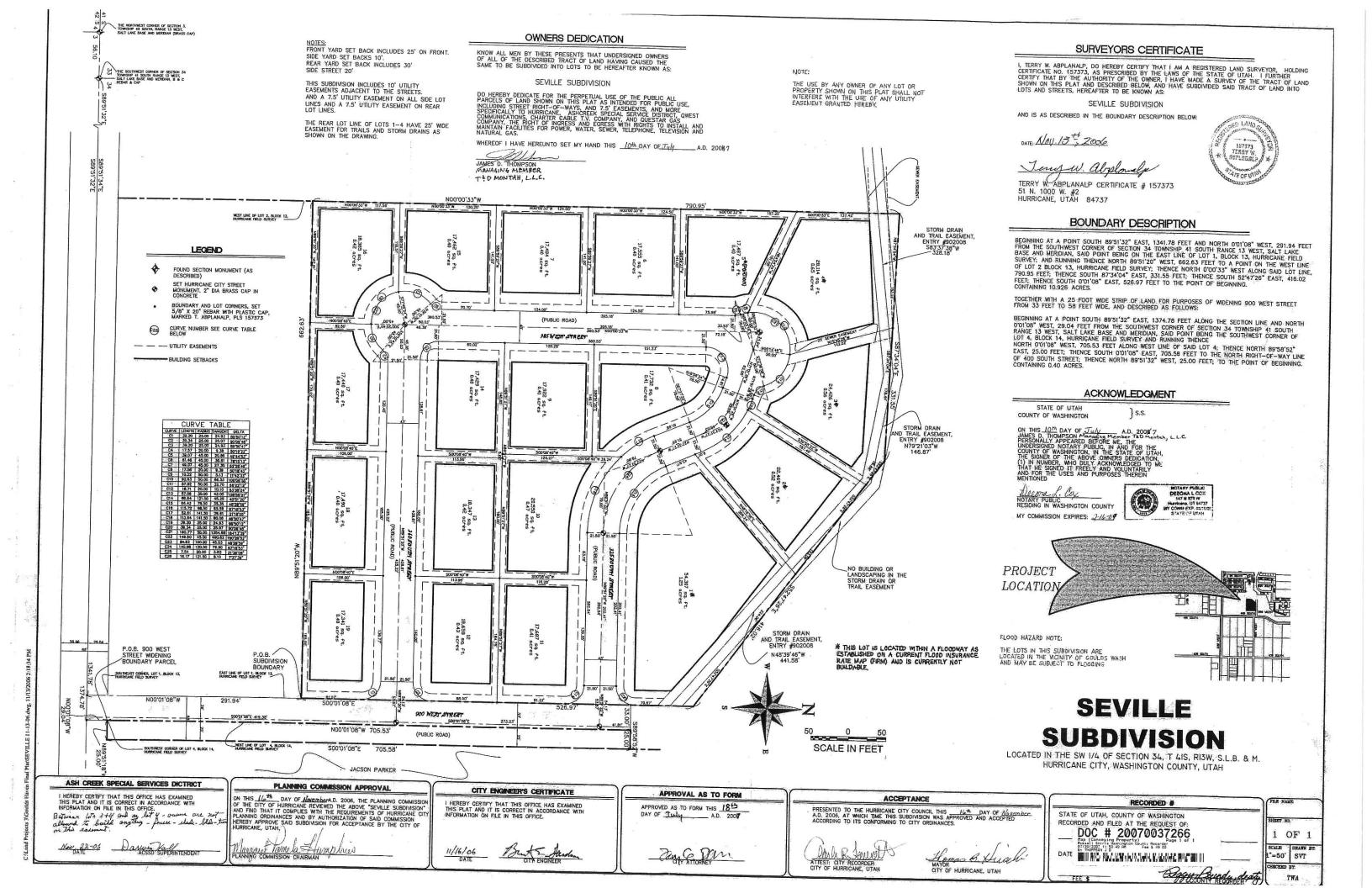
Utility Easement adjacent to the Streets and a 7.5 Utility Easement on rear lot lines." The notes should be brought into compliance with each other.

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









STAFF COMMENTS

Agenda: June 11, 2020 File Number: 2020-LUCA-04

Action Type: Recommendation to City Council, Legislative

Applicant: Staff

Request: Modify Hurricane City Code 10-15-7 (E) Vendor Carts

Discussion

City staff has reviewed and has had a desire to simplify Hurricane City's vendor cart regulations found in 10-15-7 (E).

Some of the significant recommendations are to remove sections that differentiate types of vendor carts so that all vendor cart would then comply with the same set of standards. The current code contains several categories of carts, including *long term*, *seasonal*, and *short term*. These differences create difficulty in enforcement, and there is also some overlap within these different types of carts. Therefore, staff has recommended removing those sections of code.



Staff would also like the Planning Commission to consider changing subsection 11, which currently prohibits a vendor cart from attaching or uses a tent.

The current code also places limits on how many vendor carts are allowed in the City. This code has been debated in the past, and there have been some concerns raised by restaurant owners about having too many vendors in the

area. However, staff felt that the Planning Commission should discuss the item further.

Recommendation: Discuss proposed changes and make recommendations. Then recommend approval of the proposed changes to the City Council.

10-15-7: SPECIAL REGULATIONS: ©

A. Increased Height: Notwithstanding the height limitations shown in section 10-15-4, table 10-15-2 of this chapter a greater building height may be allowed in a commercial zone for a commercial use pursuant to a conditional use permit. (Ord. 2017-14, 8-17-2017)

B. Use Within An Enclosed Building: Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be conducted completely within a completely enclosed building, except for the parking of motor vehicles and services to persons therein.

- C. Dust, Odor, Smoke, Noise, And Vibration: Each use specified in section 10-15-3, table 10-15-1 of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.
- D. Highway Commercial Zone Location: For property abutting SR-9, the Highway Commercial Zone shall begin at the highway right-of-way line and shall extend a distance of five hundred feet (500') from the State highway right-of-way line. (Ord. 2012-8, 10-18-2012)
- E. Vendor Carts: Vendor carts, as defined belowexcept food trucks, are subject to the following definitions, rules and limitations:

1. Definitions:

LONG TERM VENDOR CART: A vendor cart that is not removed from its site and is properly stored

NEXT QUALIFIED APPLICANT: An applicant for a vendor cart business license who has submitted a complete application for a specific location and paid the applicable application fee based on the date application fee was paid and determination of a complete application made, whichever shall be

SEASONAL VENDOR CART: A vendor cart meeting all the requirements of this section which is permitted for a specific season, either summer or winter. Summer seasonal permits allow operation from April 1 to September 30 and winter seasonal permits allow operation from October 1 to March 31. The holder of a seasonal vendor cart permit may renew up to thirty (30) days prior to the first date of the season if the location where the permit is sought is not occupied by another seasonal vendor cart and the seasonal vendor cart business license has been renewed.

SHORT TERM VENDOR CART: A vendor cart that is removed from its site and properly stored out of public view each day.

SPECIAL EVENT CART: A Vendor Cart-wagon, cart, booth, or similar temporary structure designed and used for the sale of goods and services at a special event for which the City has issued a special event permit pursuant to title 7, chapter 7 of this Code.

VENDOR CART: a cart that is not motorized; and that a vendor, standing outside of the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption or used for retail sells; or a motor vehicle that a vendor, standing outside of the frame of the vehicle, uses to sell or serve prepackaged food or beverages for human consumption. Food trucks are excluded by this

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definition. A temporary structure in the form of a or other mobile structure designed and intended for the sale of goods and services. The term "vendor cart" includes a long term vendor cart, or a short term vendor cart.

- 2. Rules And Limitations:
- a. Vendor Cart Locations: Long term vendor carts and short term Vendor carts are permitted only in those land use zones where commercial uses are an allowed or conditional land use. Special event vendor carts are permitted anywhere within the City if authorized by a special event permit issued by the City or at a special event sponsored by the City. The City may permit vendor carts to be located at City or state recreation spaces.
- b. Vendor Cart General Design Standards: Long term vendor carts and short term Vendor carts are subject to the following general design standards:
- (1) All long term vendor carts and short term Vendor carts must be constructed of a professional quality for use as a vending cart.

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"(2) All long term vendor carts and short term Vendor carts must be in good working condition, with no broken or rusty parts. All exterior materials must be kept clean and in neat appearance. Metal and/or wood may be used as exterior finishes. Metal surfaces shall be suitable for long term use in an exterior location. Metal vendor cart exteriors must have finished edges, concealed seams, and overlapping joints. Wood details and finishes must be suitable for long wear in an exterior location and finished in a craftsmanlike manner.

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- (3) Siding and other compatible materials used on a vendor cart must wrap all sides of the vendor cart.
- (4) Long term Vvendor carts must be windproof, waterproof and locked when not in operation.

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- (5) Vendor cart must be on wheels.
- c. Additional Requirements For All Vendor Carts:
- (1)-Vendor carts must be located on private property except feed-vendors granted space by permit at city or state owned recreation sites if such permit is established.
- (2) Vendor cart owners shall improve the immediate area around their business through the installation of pavers, landscaping, awnings, and/or short term decks to help the vendor carts to look less temporary, and to blend into the surrounding character.
- (3) When a vendor cart is independently connected to the city's culinary or irrigation water systems, power system or the Ash Creek special service district sewer system, all applicable fees must be paid.
- (4) Generators are prohibited for vendor carts, except for use as an emergency source of power when the permanent source of power to the vendor cart is temporarily unavailable.
- (5) Property owner and/or vendor shall maintain the premises and the cart in a clean, safe, and orderly condition at all times.

- (6) Operators of vendor carts must obtain and maintain in full force and effect throughout the permit a valid city of Hurricane business license.
- (7) Customer seating for a vendor cart is limited to a maximum of either four (4) seats or one picnic table not to exceed eight feet (8') in length or diameter. Additionally, vendor carts may have one
- (8) The operator of a vendor cart shall comply with all applicable health regulations.
- (9) All storage boxes, cartons, and coolers used in connection with the operation of a vendor cart shall be hidden from public view.
- (10) Short term-vendor carts must be removed from the site and properly stored out of public view each
- (11) Umbrellas or shade structures may be used on a vendor cart. Tents on or at vendor carts are prohibited. DISCUSS THIS ITEM

(12) All signage must be attached to a vendor cart. Freestanding signage on or for a short term-vendor cart is prohibited except for one two foot by three foot (2' x 3') A-frame sign that may be displayed when the vendor cart is in operation. Said sign may not be located on a public sidewalk.

(13) A vendor cart site must not create a public safety hazard. Accordingly, no aboveground pipes are permitted. Extension cords may be used only if the cord is located outside an area where the public has access.

- (14) Vendor carts must comply with Ash Creek special service district regulations for grease traps and waste disposal must be at an approved facility-
- d. Special Event Carts: Special event carts may be approved only in connection with and pursuant to the procedures for the review and approval of an event permit issued by the city pursuant to title 7, chapter 7 of this code or at a special event sponsored by the city or at an event held at the Washington County Regional Park.

Special event carts are subject to the applicable terms and conditions of the event permit. The provisions of this chapter do not apply to special event vendor carts.

e. Limitation On Number Of Vendor Cart Permits:

DISCUSS THIS SECTION

- (1) The total number of vendor carts permits that may be issued by the city under this chapter are seven (7) for all areas of the city, limited to four (4) year round permits and three (3) seasonal permits for each season. Two (2) additional full time permits may be issued in the gateway industrial
- (2) The limitations of subsection E2e(1) of this section do not require the closure or removal of any vendor cart operating within the city as of the effective date of this section, pursuant to a valid business license.
- (3) If the holder of a vendor cart business license is not operating the vendor cart at the licensed location such that the vendor cart is not open for business for at least fifty percent (50%) of the normal operating hours for a continuous period of ninety (90) days, the license shall be revoked and

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the next qualified applicant for a vendor cart business license shall be issued a permit. Use of the cart at special events does not constitute operation of a vendor cart.

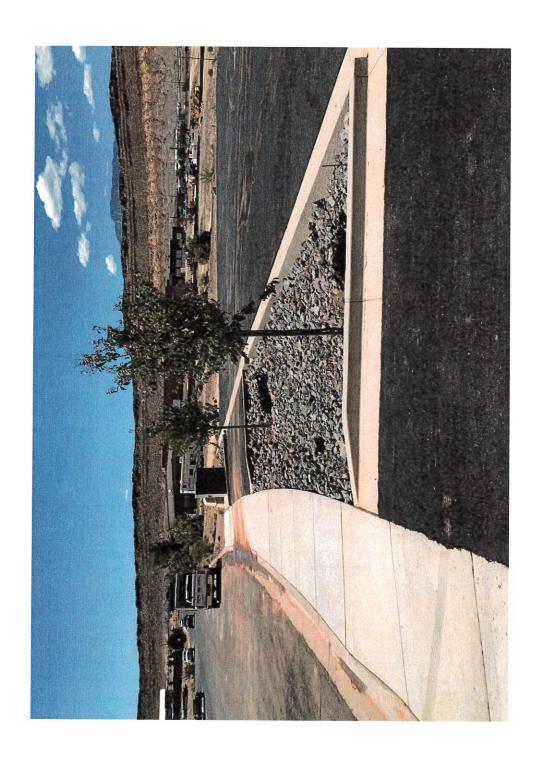
(4) If the total number of vendor carts permitted by the city ever drops below the cap number established in subsection E2e(1) of this section, the zoning administrator shall authorize a new vendor cart permit submitted by the next qualified applicant to be processed.

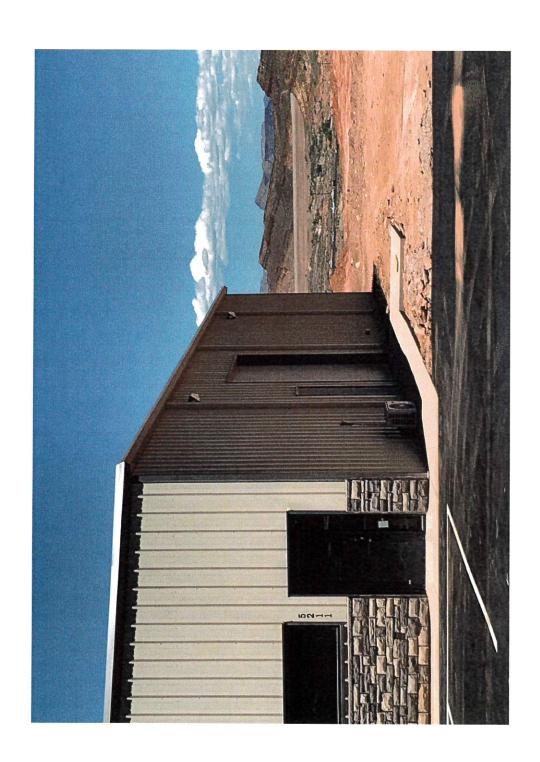
A qualified applicant must have: a) submitted a completed application; and b) paid the required application fee. If the next qualified applicant is not issued a business license within thirty (30) days of notice they are eligible for a vendor cart permit, the applicant will be moved to the bettem of the list and the next qualified applicant notified.

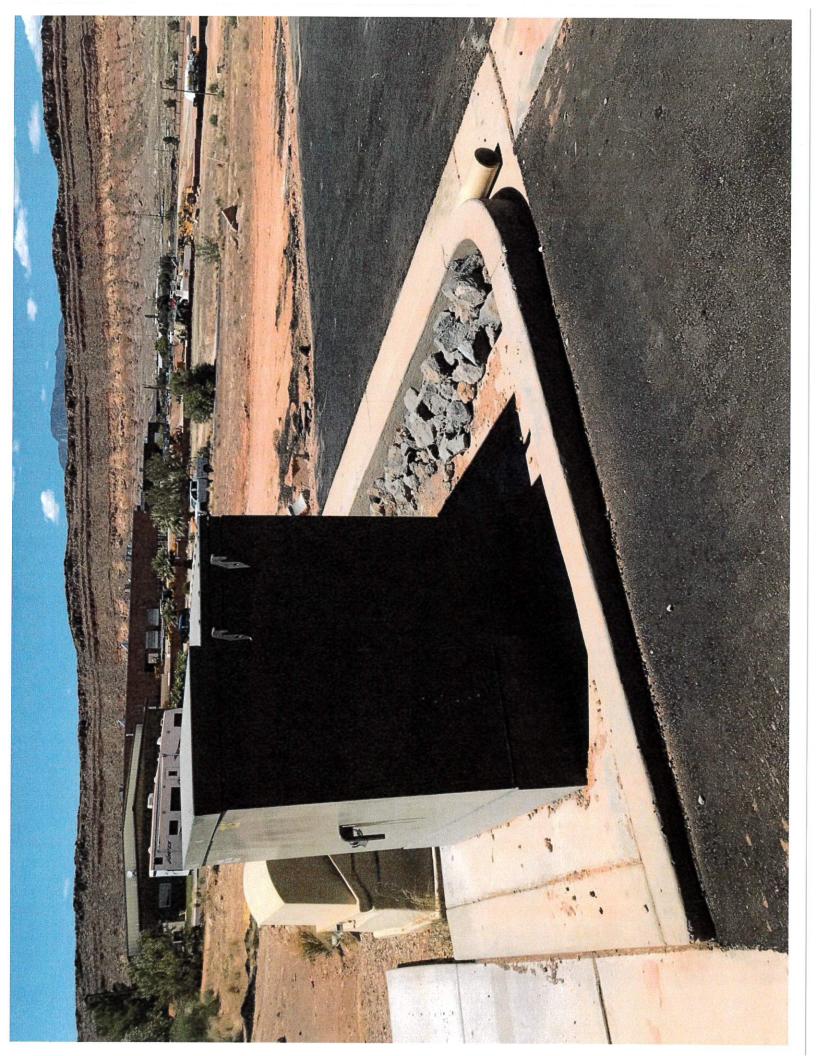
f. Right To Continue: On the effective date of this section, all vendor carts for which a valid business license exists may continue to be operated under the terms and conditions of their existing approved site plan and business license until the first to occur of: 1) the business license is revoked by city in accordance with its procedures; 2) the business license is voluntarily surrendered or expires; 3) the lease on the property is not renewed by the landowner; or 4) the vendor cart is otherwise required to be closed or removed for any lawful reason.

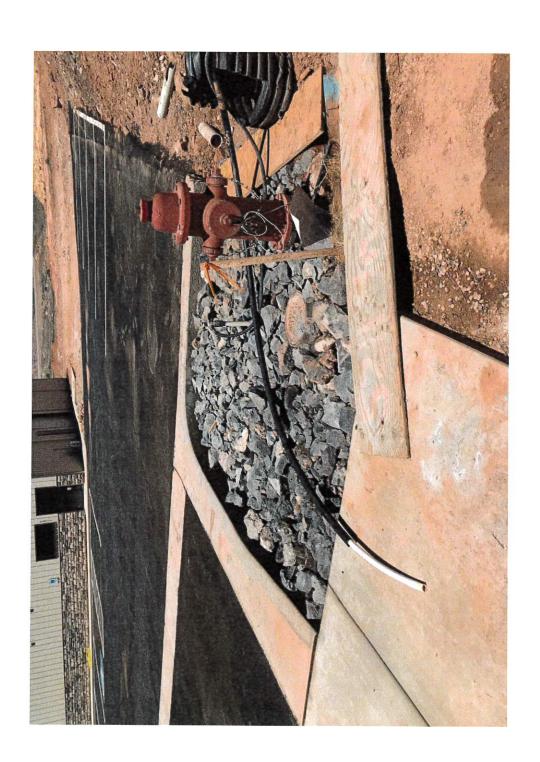
Upon the occurrence of any event described in the preceding section, the owner or operator of the vendor cart that was previously permitted must obtain a new approval and in connection therewith must be brought into compliance with the requirements of this section.

g. Conditions Of Approval: The zoning administrator may impose reasonable conditions when approving a vendor cart permit under this section. Such conditions may include, if appropriate, the requirement that the permittee provide a monetary guarantee to the city, in a form acceptable to the city attorney, ensuring the complete removal of the vendor cart, site cleanup, and site revegetation, when the vendor cart license expires without being renewed, or is revoked. (Ord. 2014-13, 11-20-2014)

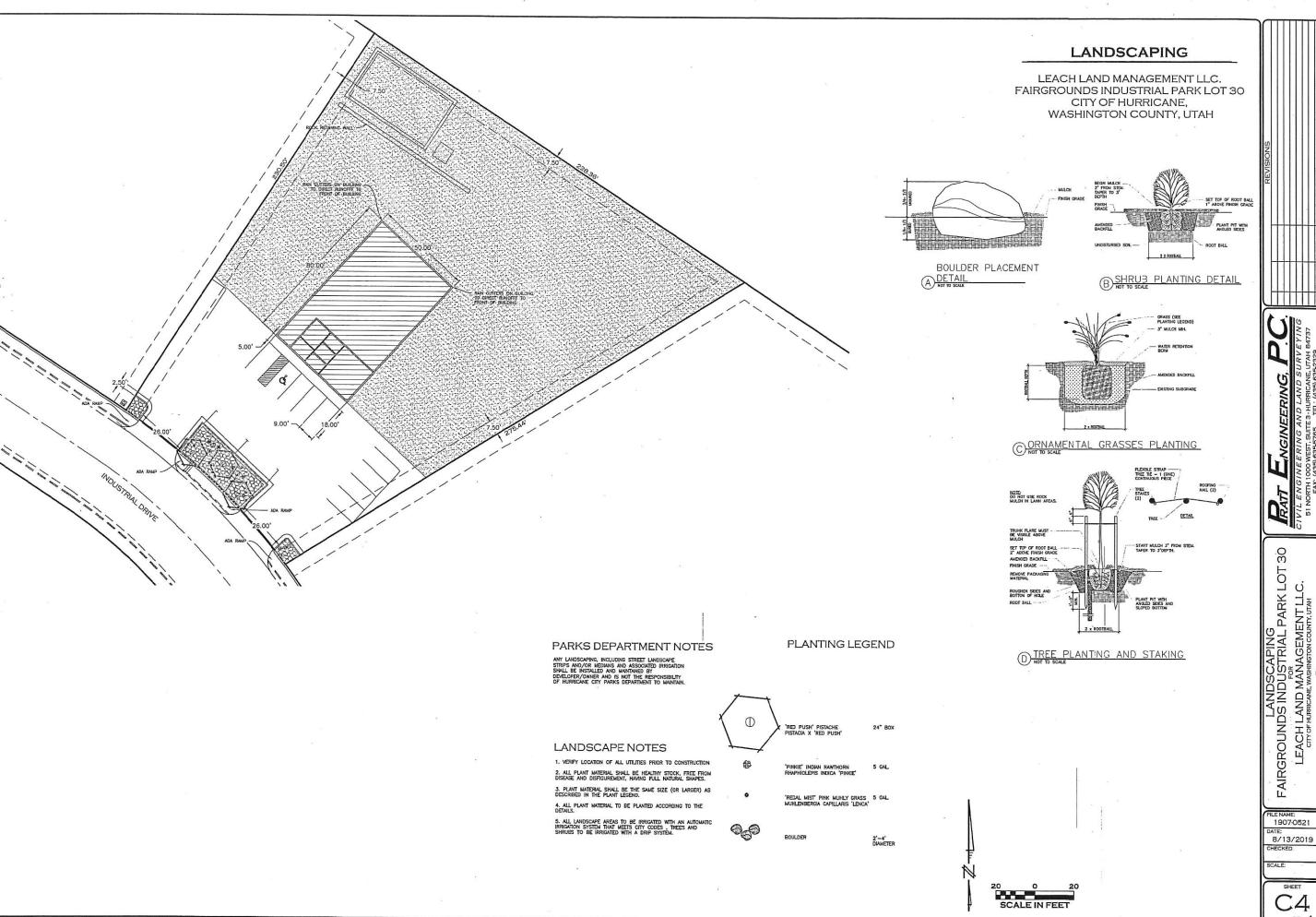












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