



Mayor
John Bramall

City Manager
Clark R. Fawcett

City of Hurricane

City Council
Nanette Billings
Darin Larson
Joseph Prete
Dave Sanders
Kevin Tervort

Hurricane City Council Meeting Agenda

August 20, 2020

5:00 PM

Hurricane Fine Arts Building-92 South 100 West, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the Hurricane Fine Arts Building located at 92 South 100 West, Hurricane, UT. A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation.

THOSE WISHING TO SPEAK DURING PUBLIC FORUM MUST SIGN IN WITH THE RECORDER BY 6:00 P.M.

AGENDA

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

6:00 p.m. - Call to Order

Presentation of an award to KPI Concepts

6:15 p.m. – Public Forum – Comments from Public

Please Note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda, public comments will be limited to 2 minutes per person per item. A spokesperson representing a group to summarize their concerns will be allowed 5 minutes to speak. Repetitious commentary will not be allowed. If you need additional time, please request agenda time with Cindy Beteag in writing before 5:00 p.m. the Wednesday one week before the Council meeting.

NEW BUSINESS

1. Discussion regarding fees for baseball fields rentals
2. Consideration and possible approval to **reimburse Ash Creek Sewer District for road improvements on 3000 South related to SR-7 and sewer line installation**-Mike Chandler
3. Consideration and possible approval of a **proclamation designating September 17 through 23 as Constitution Week**-Karen Shuman, Daughters of American Revolution
4. Consideration and possible approval **granting local consent for a beer garden for Flog Fest 2020**-Lonny Boys Barbecue
5. Discussion and possible action **regarding a letter and resolution in opposition to the SUU Aviation**
6. Consideration and possible approval of a **development agreement with D&G Property Holdings regarding construction in Quail Creek Industrial Ph4** -Douglas Dennett applicant
7. Discussion on **level of participation in the UAMPS Carbon Free Power Project (CFPP)**-Dave Imlay
8. Discussion and possible approval to **add Purgatory Facilities Cost to 2020-21 Budget**-Dave Imlay
9. Consideration and possible approval on a **Zoning Map amendment request on 1.20 acres located at 1242 S 920 West from RA-1, residential agriculture 1 unit per acre, to RA-0.5, residential agriculture 2 units per acre, to match surrounding properties. Parcel ID H-3-2-3-338.** Ian and April Gates Applicant

10. Consideration and possible approval on a Zoning Map amendment request on the following parcel #'s: H-3409 B-2 (north half), H-3410, H-3410-B, H-3410-C, H-3410-D, and H-3410-E from RA1, residential agriculture 1 unit per acre, to HC, highway commercial, to be consistent with the current improvement of the Southern Parkway. Parcel #'s: H-3409, H-3409-C-2, H-3409-D, a portion of H-3410, and H-3410-B located at approximately 3000 S and the new planned SR-7 Interchange (Sand Hollow Rd) from RA-1, residential agriculture 1 unit per acre, to RM-2, multi-family 10 units per acre, to align the current zoning to the General Plan. Parcel #'s: H-3409-E, H-3409-F, H-3409-G, and a portion of H-3410-C, H-3410-D, and H-3410-E from RA-1, residential agriculture 1 unit per acre, to R1-6, residential 1 unit per 6000 square feet, to bring the zoning to a designation that is consistent with the developments in the vicinity. Toquerville Enterprises LLC Applicant, Matt Ekins, Gallian Welker and Beckstrom LC Agent.
11. Consideration and possible approval on a Zoning Map amendment request at 660 W 100 North from R1-10, residential 1 unit per 10,000 square feet, to RM-2, multifamily 10 units per acre, to rent out 4-bedroom house and 2 bedroom attached apartment when they are no longer occupying the main dwelling unit. Jon and Kathleen Nilson Agents
12. Consideration and possible approval on a Zoning Map amendment request for parcel #'s H-312-A, H-3-1-25-331, H-348-B-1-A, and H-3-1-36-440 from R1-15 located on HWY 59 Hurricane Bench (at the bend in the road), residential 1 unit per 15,000 square feet, to PC, planned commercial, to have both residential and commercial. Ted Fullerton Agent.
13. Consideration and possible approval on a Zoning Map amendment and preliminary site plan request for the following parcel #'s: H-3-1-31-140, H-3-1-31-411, H-3-1-31-420, H-3-1-4101, and a portion of H-3-1-31-1102 located south of 600 N and 3100 West, to overlay the existing R1-10, residential 1 unit per 10,000 square feet, and R1-8, residential 1 unit per 8,000 square feet, to have a PDO, planned development overlay. Frank Lindhart/ Shoshone Land Company Agent. Civil Science Agent.
14. Consideration and possible approval on a Zoning Map amendment request on the following parcel #'s H-3356-B and H-3356-D located approximately 1100 W and quarter mile north of 3000 South, from RA-1, residential agriculture 1 unit per acre, to RA-0.5, residential agriculture 2 units per acre. Gavin Godfrey Applicant. Luck Godfrey Agent
15. Consideration and possible approval on a Planned Development Overlay (PDO) amendment request on the following parcel #'s: H-3394-A-4-A-1, H-3397-H, H-3398-C-1, H-3500-C, H-CLF-1-1 thru H-CLF-1-20 located at approximately 1100 West and 3390 South, from PDO Residential, PDO Recreation Resort.
16. Consideration and possible approval on a Zoning Map amendment request on the following parcel #'s: H-3-2-7-33011 and H-3-2-7-33021 located at approximately 3400 West and Redstone Rd, from RA-1, residential agriculture 1 unit per acre, to RA-0.5, residential agriculture 2 units per acre, to allow home sites similar to the adjacent Redstone Springs subdivision. Charles Harker Applicant.
17. Consideration and possible approval on a Zoning Map amendment request located at approx. 785 W 600 North from R1-10, residential 1 unit per 10,000 square feet, to RM-2, multi-family 10 units per acre. Jon Cheney Applicant, Forte Land Co Agent.
18. Consideration and possible approval of an ordinance issuing a moratorium on zone change requests for six months-Stephen Nelson
19. Mayor, Council and Staff reports

Adjournment

I hereby certify that the above notice was posted to the city website, (www.cityofhurricane.com) posted to the state public notice website, and at the following locations:
1. City office – 147 North 870 West, Hurricane, UT
2. The Post Office – 1075 West 100 North, Hurricane, UT
3. The library – 36 South 300 West, Hurricane, UT
for the City Recorder

Change Order #3 – 3000 South Road Design Modifications

“During the design phase of this project the City of Hurricane’s standard road cross-section and pavement design standard were referenced for the paving of 3000 South after the installation of the new regional sewer pipeline was completed. Because the existing road consists of several layers of chip seal underlaid by various depths of road base, the standard was considered superior to pre- existing conditions and therefore adequate. During the course of construction, trench compaction results and field observation of native material created a concern that the standard pavement design might be inadequate for the poor soils in the area. Ash Creek Special Service District engaged Landmark Testing services to do soils sampling analysis and to develop three separate road design recommendations for the new roadway. The three conditions were, a simple chip-seal overlay, a 10-year design, and a 20-year design. Each of the designs consisted of significantly more sub-grade preparation (the layer of material laid underneath the actual road cross-section) as well as additional road base (the preparatory layer directly under the asphalt pavement.) Additionally, the recommendation was that the material not be placed with “wheeled” machinery as the existing soils had the predisposition to “pump” any water, eliminating the structural strength of the entire section. In consultation with the staff, administration, and mayor regarding the preferred alternative the 20-year design was selected. This roadway is a significant transportation corridor which is anticipated to see rapidly increasing traffic due to the imminent completion of SR-7 and the increase in residential construction in the Bench Lake area. The total change in cost including materials, tools, and labor is \$527,414.99. Ash Creek Special Service District kindly requests that after consulting with Hurricane City Staff and Administration, and receiving their full support, that the City Council agree to reimburse the District for the cost of ensuring that 3000 South is a valuable and serviceable asset for the foreseeable future. “

CHANGE ORDER

Order No.: THREE

Date: July 31, 2020

NAME OF PROJECT: Bench Lake Area Sewer Project
OWNER: Ash Creek Special Service District
CONTRACTOR: Interstate Rock Products

The following changes are hereby made to the CONTRACT DOCUMENTS:

Item #1 - 3000 South Roadway 20-Year Design Asphalt Replacement

At the request of the Ash Creek Special Service District, additional testing has been completed on the 3000 South corridor from Station 185+00 to 1100 West to recommend a 20-year pavement design. This item has a net increase to the contract price. The original bid includes 3" of Asphalt over 6" of roadbase from Station 216+98 to 1100 West, in Bid Item #58. In Change Order #1 as part of the additional gravity sewer in 3000 South west of 2100 West, additional asphalt was added from Station 189+28 to Station 216+98 as Bid Item #67. The entirety of these Bid Items will be replaced with a 20-year pavement design from Station 189+28 to 1100 West. At the request of the owner additional asphalt and roadbase improvements will be added to the project to complete the segment of the roadway between the new asphalt of the UDOT SR-7 Project (Sand Hollow to SR-9) and the asphalt added at the new gravity sewer in Change Order #1, from Station 180+30 to Station 189+28.

The following Bid Items have been removed from the contract as outlined below to account for the new roadway design:

- Bid Item #38 (Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase), decreased by 6,624 S.F. This reduction removes the remainder of the 6 foot wide new asphalt patch over the pressure sewer line from Station 178+24 to Station 189+28. This item will be replaced with a 20-year pavement design as outlined in new Bid Items #72 through #74 below.
- Bid Item #58 (Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase Sta. 216+98 to Sta. 270+40), decreased by 182,998 S.F. This item will be replaced with a 20-year pavement design as outlined in new Bid Items #72 through #74 below.
- Bid Item #67 (Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase Sta. 189+28 to Sta. 216+98), decreased by 82,991 S.F. This item will be replaced with a 20-year pavement design as outlined in new Bid Items #72 through #74 below.

The following Bid Items, with unit prices provided by the contractor, have been added to the Bid Schedule to account for the new 20-year pavement roadway design at the extent of the new gravity sewer from Station 189+28 to 1100 West:

- Bid Item #72 - 10" Thick Subbase Course, with a quantity of 265,231 S.F.
- Bid Item #73 - 8" Thick Aggregate Base Course, with a quantity of 265,231 S.F.
- Bid Item #74 - 3.5" Thick Asphalt, with a quantity of 265,231 S.F.

Bid Item #75, with a unit price provided by the contractor, has been added to the Bid Schedule to account for the new asphalt between the UDOT SR-7 Project (Sand Hollow to SR-9) and the asphalt added at the new gravity sewer in Change Order #1 (Station 180+30 to 189+28):

- Bid Item #75 - 3.5" Thick Asphalt, with a quantity of 29,471 S.F.

New Bid Item #76 - Existing Road Base Preparation has been added to the Bid Schedule to account for the new asphalt between the UDOT SR-7 Project (Sand Hollow to SR-9) and the asphalt added at the new gravity sewer in Change Order #1 (Station 180+30 to 189+28), with a break down shown below:

New Bid Item #76:

Project Management Labor	1 Hour @ \$65.00/hr	\$65.00
6" of Roadbase at top of Pressure Sewer Trench	5,388 S.F. @ \$1.00/S.F.	\$5,388.00
Removal of Existing Asphalt and Shaping Existing Roadbase	29,471 S.F. @ \$0.15/S.F.	\$4,420.65
	Subtotal	\$9,873.65
	Bond Cost (1%)	\$98.74
	Contractor Overhead & Profit (10%)	\$987.37
	New Bid Item #75 Total	\$10,959.75

BID SCHEDULE

Item #	Item Description	Quantity	Units	Unit Cost	Total
38	Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase	-6,624	S.F.	\$4.00	(\$26,496.00)
58	Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase Sta. 216+98 to Sta. 270+40	-182,998	S.F.	\$2.00	(\$365,996.00)
67	Sawcut, Remove and Replace 3" Asphalt over 6" Roadbase Sta. 189+28 to Sta. 216+98	-82,991	S.F.	\$2.10	(\$174,281.10)
72	10" Thick Subbase Course Station 189+28 to 1100 West	265,231	S.F.	\$1.20	\$318,277.20
73	8" Thick Aggregate Base Course Station 189+28 to 1100 West	265,231	S.F.	\$0.94	\$249,317.14
74	3.5" Thick Asphalt Station 189+28 to 1100 West	265,231	S.F.	\$1.75	\$464,154.25
75	3.5" Thick Asphalt Station 180+30 to Station 189+28	29,417	S.F.	\$1.75	\$51,479.75
76	Existing Roadbase Preparation Station 180+30 to Station 189+28	1	L.S.	\$10,959.75	\$10,959.75
ITEM TOTAL					\$527,414.99

Original CONTRACT PRICE

\$4,246,824.55

The CONTRACT PRICE adjusted by previous CHANGE ORDERS:

\$4,681,720.98

The CONTRACT PRICE due to this CHANGE ORDER will be increased/(decreased) by:

\$527,414.99

The CONTRACT PRICE including this CHANGE ORDER will be:

\$5,209,135.97

Recommended By: Alpha Engineering Company

Date: 8/11/2020 [Signature]
Name

P.E.
Title

Accepted By: Interstate Rock Products

Date: 8/12/2020 [Signature]
Name

Sec/Treas
Title

Approved By: Ash Creek Special Service District

Date: 8.14.20 [Signature]
Name

Superintendent
Title

PROCLAMATION

WHEREAS, September 17, 2020, marks the two hundred and thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, John Bramall, by virtue of the authority vested in me as Mayor of Hurricane City do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

AND ask our citizens to reaffirm the ideals of the Framers of the constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of Hurricane City to be affixed this 20th day of August of the year of our Lord two thousand twenty.

John W. Bramall, Mayor

[Seal] Attest:

Cindy Beteag, City Recorder

Council,

Lonny Boy's Barbecue is applying for local consent to hold a beer garden during the Flog Fest 2020. It will be held at the County Fairgrounds on September 25th-26th. A background check is required on beer licenses but I didn't receive the release form yet because Jeanne was out of town. I told Lon that since she is an existing beer license holder they could get the form back to me on Thursday for us to process that part of the application. They need local consent at this Council meeting in order to meet the application deadline for the Utah DABC.

Thanks

Cindy Beteag



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

Date of Application _____

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

◆ SINGLE EVENT BEER PERMIT ◆

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

SECTION A — BUSINESS INFORMATION

Name of Business: Sonny Boys Barbecue Express DBA Lonny Boys Barbecue
Business Phone: 435-218-5254 Fax Number: _____
Contact Person: LOW ALLEN
Business Address: 980 West State Street Hurricane Utah 84737
(Street Number) (Suite) (City) (State) (Zip)
Mailing Address (if different): 3422S 1050W Hurricane Utah 84737
(Street Number) (City) (State) (Zip)
State Sales Tax Number: 12608061-002 STC Does this business have a current DABC license: RL00836
Business Type (check one): S
Proprietorship ☐ Partnership ☐ Corporation ☒ Religious Organization ☐ Non-profit Corporation ☐

SECTION B — EVENT INFORMATION

Event Name: FLOG FEST 2020
Event Venue: LEGACY PARK (FAIR GROUNDS HURRICANE)
(Street Number) (Suite) (City) (State) (Zip)
Date (s) of the event: SEPT 25 & 26 Alcohol Service hours: 11AM to 9PM
Type of Event: TRUCK & DIESEL SHOW
Will food be available? Y Full Meals? Y Will minors attend the event? Y

PART C — BUSINESS OWNER INFORMATION

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

Owner's Name: Jeanne Allen Title: 811712020
Home Address: _____
(Street Number) (City) (State) (Zip)
Home Phone: _____ Cell Phone: _____

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

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



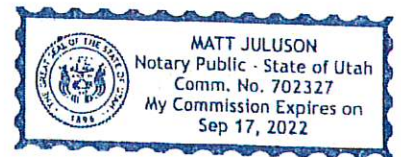
STATE OF UTAH)

: ss.

COUNTY OF WASHINGTON)

I, Jeane Allen, being first duly sworn, depose and say as follows:

1. The foregoing Application and Questionnaire is in all respects true and correct, to the best of my knowledge and belief and
2. I am the applicant above-named and have not leased, assigned or entered into a profit-sharing arrangement of any type with any other person for operation of the above-named business except as disclosed herein; and
3. I have received and read the beer/alcoholic beverage license ordinance of the City of Hurricane, and believe that this application in all respects conforms to the requirements thereof and
4. I consent to the entry in or upon the business premises by City employees or representatives at reasonable times for the purpose of inspecting the event premises to insure compliance with applicable laws, ordinances, rules and regulation; and
5. I understand and agree that any false information contained in this application shall be grounds for denial of this application and shall constitute perjury.



SUBSCRIBED AND SWORN TO before me this 17th day of Aug, 2020

[Signature]
Applicant
[Signature]
(NOTARY PUBLIC OR CITY LICENSE OFFICER)

TOTAL FEES \$ <u>300.00</u>	Office Use Only	AMOUNT PAID \$ <u>300.00</u>
DATE <u>8/17/20</u>	RECEIPT # <u>8.14236</u>	
CITY LICENSE NUMBER: _____		
DATE APPLICATION WENT TO CITY COUNCIL: <u>8/20/20</u>		
DATE OF APPROVAL FROM STATE: _____		

TEMPORARY BEER EVENT PERMIT
Local Consent

PURPOSE: Local business licensing authority provides written consent to the Alcoholic Beverage Control Commission to issue an event permit to an applicant for the purposes of storage, sale, offer for sale, furnish, or allow the consumption of beer on the event premises

AUTHORITY: Utah Code 32B-9-201

City of Hurricane
Local business license authority

, ☒ City [] Town [] County

hereby grants its consent to the issuance of a temporary single event permit license to:

Applicant Entity/Organization: Sonny Bays Barbecue Express DBA Lonny Bays Barbecue

Event Name: FLOG FEST 2020

Event location address: LEGACY PARK 325N 5500W HURRICANE UT 84737
street city state zip

On the 25th & 26th day(s) of September, 2020
dates month year

during the hours of 11AM to 9PM, pursuant to the provision of Utah Code 32B-9.
defined hours from - to

Authorized Signature

Name/Title

Date

This is a suggested format. A locally produced city, town, or county form is acceptable.
AS OF SEPTEMBER 1, 2015, LOCAL CONSENT MUST BE SUBMITTED TO THE DABC BY THE APPLICANT.

FLOG

FEST

2020

**BIGGEST TRUCK SHOW / DIESEL
PERFORMANCE EVENT IN THE WEST**



WHEN: SEPT. 25-26, 2020

WHERE : WASHINGTON CO. LEGACY PARK

**FOR MORE INFO VISIT
FLOGINDUSTRIES.COM**

S5400 West

Walkway

Initial ID

verification check &
Event Ticket booth

Vendors

Inside
vendors

Alcohol age
verification check

Beer Garden
Barricade area

Beer
Garden

Aprox 30' x 40'

Vena area
References
or beer
(garden)

Bathrooms

stage

Show
Trucks

Dyno

Registration
booth

burnout competition

Food
Vendors

Spectator Parking

SECURE BARRICADES AROUND AREA

SEATING

AREA

AGE ID
STAMP
CHECK

ENTRANCE
SECURITY
CHECK

CRASH
&
SCOUTS
AREA

BEAR
TRAILER

SECURED

SECURE
FOOD
SUPPLIES
AREA

* OUTPOST EVENT

* SECURED BARRICADES

* TRAINED STAFF
FOR ID CHECK
AND SERVICE

* HAND STAMP

* TRAINED SOLDIERS

* SECURITY PEOPLE

* FOOD AVAILABLE

A RESOLUTION BY THE HURRICANE CITY COUNCIL
IN NON-SUPPORT OF THE SOUTHERN UTAH UNIVERSITY AVIATION PROGRAM

WHEREAS the City of Hurricane desires to protect the health, safety, and welfare of its citizens; and

WHEREAS the City of Hurricane has endured a detrimental nuisance to both its residential and business communities; and

WHEREAS the City of Hurricane has not given permission to Southern Utah University to use the Hurricane City Airport; and

WHEREAS the City of Hurricane is not receiving any monetary compensation from Southern Utah University for the use of the Hurricane City Airport; and

WHEREAS the City of Hurricane desires to request the cease and desist the use of the Hurricane City Airport by the Southern Utah University Aviation Program; and

BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF HURRICANE, UTAH that Hurricane City does not support Southern Utah University Aviation Program's use of the Hurricane City Airport.

PASSED AND APPROVED this _____ day of _____, 2020.

John W Bramall, Mayor

ATTEST:

Cindy Beteag, City Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Fine Arts Building on the 20th day of August, 2020. Whereupon a motion to adopt and approve said Resolution was made by _____ and seconded by _____. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Nanette Billings	___	___	___	___
Darin Larson	___	___	___	___
Joseph Prete	___	___	___	___
Dave Sanders	___	___	___	___
Kevin Tervort	___	___	___	___

August 20, 2020

Southern Utah University
President Scott Wyatt
Board of Trustees
351 University Blvd.
Cedar City, Utah 84720

Re: SUU Professional Pilot Aviation Program

Ladies and Gentlemen:

The City of Hurricane has received several complaints regarding the SUU Helicopters that are flying over our community on a continual basis. These SUU Helicopters appear to be using the Hurricane Airport as a training ground for their aviation program. As a result, the helicopters have created a detrimental nuisance for our community. Businesses and our residential community have been negatively affected by the continual overhead flying and training maneuvers being conducted by the SUU Aviation Program and their students.

Hurricane City has never authorized the use of our city airport for this program. There is not a current agreement in place, nor is the City receiving any monetary compensation for the use of the airport.

The Hurricane City Council respectfully requests that the SUU Aviation Program immediately cease and desist the use of the Hurricane City Airport until this issue is addressed and resolved in an appropriate manner. If the SUU Aviation Program does not comply with this cease and desist demand, Hurricane City will take any and all legal remedies available to satisfy this situation, up to and including closure of the Hurricane City Airport.

Please contact me at your earliest convenience so we can resolve this matter.

Sincerely,

Mayor John Bramall
Hurricane City

AGENDA FORM

Date of City Council meeting: 8-20-2020

Name of Person Making Presentation: Douglas Dennett

Address: 1413 Sandhill Dr.
Washington, Utah 84780

Contact #:

Phone: 435 703 3684

e-mail: dennettconstruction@gmail.com

Approximate length of discussion: 10 to 20 minutes

Description of item to be discussed: Development agreement
to be able to start construction of 8 to 10
Buildings in Quail Creek Industrial ph 4

If this is a complaint issue:

Have you tried to resolve the issue with staff? ☐ yes ☐ no

If yes, with whom? _____

If you have a power point presentation, we would encourage you to keep it under 10 minutes. All other items discussed will be done as quickly and as efficiently as possible.

WHEN RECORDED, MAIL TO:

Douglas Dennett
D&G Property Holdings, LLC
1413 South Sandhill Drive
Washington, Utah 84780

**DEVELOPMENT AGREEMENT FOR THE PROPOSED QUAIL CREEK
INDUSTRIAL PARK PHASE 4 SUBDIVISION
HURRICANE CITY, WASHINGTON COUNTY, UTAH**

This Development Agreement (the "Agreement") is entered into as of this ____ day of _____ 2020, by and between D&G Property Holdings LLC, a Utah limited liability company ("D&G" or "Developer"), and the City of Hurricane (the "City"), a municipal corporation and political subdivision of the State of Utah. D&G is the Developer of certain real property located in Hurricane City, Washington County, Utah, on which it proposes the development of a project to be known as Quail Creek Industrial Park Phase 4.

RECITALS

A. Developer is the owner of approximately 41 acres of real property located in Hurricane City, Washington County, Utah, as reflected in Exhibit A, which is attached hereto and incorporated herein by this reference (the "Property"). Developer proposes the development of an industrial park subdivision known as Quail Creek Industrial Park Phase 4, as more fully described on **Exhibit A** and as more fully set forth herein (the "Project").

B. This Agreement is intended to set forth the agreement between Developer and the City regarding the development of the Project.

C. Developer has voluntarily represented to the City that it will enter into this binding development Agreement.

D. Developer is willing to make certain improvements on the Project in a manner that is in harmony with the objectives of the City's General Plan and long range development objectives and which addresses the more specific planning issues set forth in this Agreement and is willing to abide by the terms of this Agreement in order to obtain approval to begin certain construction activities, as identified below, before the time improvements are complete and dedicated to the City in connection with the development of the Project.

E. The City has authorized the negotiation and adoption of development agreements under appropriate circumstances in which, among other possible factors, the proposed development contains outstanding features that advance the policies, goals, and objectives of the City's General Plan, preserves and maintains the development objectives of the City, and contributes to capital improvements which benefit the City.

F. The City, acting pursuant to its authority under Utah Code Ann. § 10-9a-101, et seq., and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Agreement.

Now, therefore, in consideration of the mutual covenants, conditions and considerations as more fully set forth herein, Developer and the City hereby agree as follows:

AGREEMENT

1. Recitals; Findings. The foregoing recitals are incorporated herein by reference. The City finds that the development of the Project pursuant to this Agreement and the City ordinances will result in meaningful planning and economic benefits to and will further the health, safety and welfare of the City and its residents by, among other things, requiring development of the Project in a manner consistent with the applicable rules, regulations and policies of the City. The City is entering into and approving this Agreement pursuant to its authority under the Utah Municipal Land Use, Development, and Management Act (Utah Code Ann. 10-9a-101, et seq.) (“LUDMA”) and the City ordinances and has made certain determinations with respect to the Property and, in the exercise of its legislative discretion, has elected to approve this Agreement as an agreement, compromise, and settlement as to the matters covered by this Agreement.

2. Project Plan; Development Pursuant to this Agreement.

2.1. Project and Preliminary Plat. Any Project Preliminary Plat, as well as any exhibits attached thereto, which may be submitted hereafter, are an integral part of this Agreement, and the City’s approval of such Preliminary Plat and the proposed Project are conditioned upon the Project being developed in accordance with the requirements stated herein.

2.2. Development. Upon the City’s execution of this Agreement, Developer is authorized to proceed with the Project in accordance with the conditions set forth in this Agreement and the provisions and requirements of the City’s subdivision approval process. This includes authorizing Developer to apply for and receive building permits to begin construction activities and improvements to any lot within the Project prior to formal acceptance of Improvements by the City. Provided, however, that no certificate of occupancy may issue until the City’s acceptance of the Improvements.

3. Construction Standards on Project. All improvements in the Project contemplated by this Agreement shall be installed in accordance and consistent with (a) the conditions of this Agreement and any exhibits referred to herein, (b) Hurricane City Design and Construction Standards, (c) the City’s subdivision approval process and (d) all other governmental and regulatory standards.

4. Obligations of Developer.

4.1. Improvements. Developer shall install, construct, provide for and complete at its sole cost the subdivision improvements (the “Improvements”) shown on

the Preliminary Plat. All such improvements shall be constructed in a good and workmanlike manner and in accordance with applicable regulations and governmental standards and within the time periods for development set forth herein, the City's subdivision approval process, or as otherwise agreed to by the City:

4.2. Costs Associated with the Improvements.

- (a) Construction Costs. Developer will pay all costs to install, construct, and complete the Improvements.
- (b) Maintenance Costs. Until such time as a particular component of the Improvements is dedicated to and accepted by the City and standard maintenance thereof is assumed by the City, Developer shall maintain, at its cost, such component of the Improvements.

4.3. Inspection of Improvements. Upon completion of the Improvements, the City shall inspect the Improvements within a reasonable time after receipt of written notice of completion of such Improvements from Developer. The City shall approve the Improvements so long as they are constructed in accordance with this Agreement and the City's adopted standards therefore, as verified by the City's inspection.

4.4. Documentation Supporting Provisions Herein. If the City determines that any provision of this Agreement requires a separate (recordable or otherwise) document/agreement to protect or clarify the City's rights consistent with the intent of the parties under this Agreement, both parties shall cooperate in preparing and completing such documents.

5. Reserved Legislative Powers. Nothing in this Agreement shall limit the City's future exercise of its police powers in enacting zoning, subdivision, development, transportation, environment, open space, and related land use plans, policies, ordinances and regulations after the date of this Agreement.

6. Subdivision Plat Approvals and Compliance with City Design and Construction Standards. Developer expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve Developer from the obligation to comply with all applicable requirements of the City necessary for approval and recordation of subdivision plats for the Project, including the payment of fees and compliance with all other applicable ordinances, resolutions, regulations, policies and procedures of the City, including but not limited to, the Hurricane City Subdivision Ordinance and Standards and Specifications for Design and Construction.

7. Bonding for Improvements. Developer shall comply with all bonding for completion, restoration and guarantee of improvement requirements of the City. Specifically, as a condition of recording any final plat for the Project, Developer shall provide the following bonds, or equivalent security, as allowed by Hurricane City ordinances:

7.1. Completion of all Improvements or Completion Security. If Developer does not complete all improvements prior to recordation of the final plat of the Project's first phase, or any other phase, a completion bond shall be provided to the City. Such

completion bond (or other form of security provided by the City's Subdivision Ordinance) shall be in an amount equal to 125% of the estimated construction costs necessary to complete such improvements. The security must be in a form acceptable to the City.

7.2. Restoration Bond. If Developer intends to install improvements rather than provide a completion bond, Developer must provide a restoration bond to the City in the amount determined by the City. (If a restoration bond is not provided, plat recording may not occur until all improvements are installed and approved by the City.)

7.3. Warranty Security. At the completion of the improvements for which completion security is required in Paragraph 7.1, Developer shall provide the City with a warranty bond (or other form of security provided by the City's Subdivision Ordinance) in an amount equal to the greater of (i) ten percent (10%) of the construction costs referred to in Paragraph 7.1, or (ii) ten percent (10%) of the actual construction costs for such improvements. The security must be in a form acceptable to the City.

7.4. Application. In case of any discrepancy between the bonding/security provisions in this Agreement and the City's Subdivision Ordinance provisions regarding bonding/security, the provision providing greater protection to the City (as such is determined by the City) shall be applicable.

8. Agreement to Run with the Land. This Agreement shall be recorded against the Property described in **Exhibit A** and shall be deemed to run with the land and be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

9. Assignment. Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld.

10. No Joint Venture, Partnership or Third Party Rights. It is not intended by this Agreement to, and nothing contained in this Agreement shall, create any partnership, joint venture or other arrangement between Developer and the City. No term or provision of this Agreement is intended to, or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder.

11. Binding Effect. Subject to the provisions of Paragraph 9, all of the provisions of this Agreement shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto.

12. Integration. This Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

13. Severability. If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due to its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

14. Previous Agreements. Except as otherwise expressly provided herein, this Agreement is the exclusive agreement of the parties and replaces and supersedes all prior agreements between the parties pertaining to this Project.

15. Miscellaneous.

15.1. Attorney Fees. Should any party default in any of the covenants or agreements herein contained, such defaulting party shall pay all costs and expenses, including a reasonable attorney's fee, which may arise or accrue from enforcing this Agreement or in pursuing any remedy provided hereunder or by applicable law, whether such remedy is pursued by filing suit or otherwise. This obligation of the defaulting party to pay costs and expenses includes, without limitation, all costs and expenses, including a reasonable attorney's fee, incurred on appeal and in bankruptcy proceedings.

15.2. Survival. It is expressly agreed that the terms, covenants and conditions of this Agreement shall survive any legal act or conveyance required under this Agreement.

15.3. Headings. The section and other headings contained in this Agreement are for reference purposes only and shall not in any way affect the meaning or interpretation of this Agreement.

15.4. Plat Notes. Primary provisions of this Agreement, as determined by the City, shall be included as notes on the final plat(s) of the Project, as well as incorporated into Project Restrictive Covenants and Homeowners Association corporate documents, if any.

IN WITNESS WHEREOF, the parties have executed this Development Agreement the day and year first above written.

HURRICANE CITY
A Utah Municipality

Attest:

By:

_____, Mayor

_____, City Recorder

DEVELOPER

D&G Property Holdings, LLC

By: _____

Its: _____

STATE OF UTAH)

ss.

COUNTY OF WASHINGTON)

On this ____ day of _____ 2020, before me personally appeared _____ and _____ whose identities are personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that they are respectively the Mayor and Recorder of HURRICANE CITY, and that the foregoing document was signed by them by authority, and they acknowledged before me that Hurricane City executed the document and that the document was the act of Hurricane City for its stated purpose.

Notary Public

STATE OF UTAH)

ss.

COUNTY OF WASHINGTON)

On the ____ day of _____ 2020, personally appeared before me _____ whose identity is personally known to or proved to me on the basis of satisfactory evidence, and who, being by me duly sworn (or affirmed), did say that he is the _____ of _____, and did duly acknowledge to me that the foregoing document was entered into on behalf of such entity by authority of its organizational documents and that the document was the act of _____, for its stated purpose.

Notary Public

EXHIBIT A

[Legal Description]

Executive Summary on the CFPP Agenda Item

Hurricane, along with all the other UAMPS Carbon Free Power Project (CFPP) participants signed a Power Sales Agreement (PSA). One aspect of the CFPP PSA is each time a new Budget Plan of Finance is proposed or existing Budget Plan of Finance is amended, each participant has the opportunity to increase entitlement shares, decrease entitlement shares, stay with current entitlement share or exit the CFPP altogether. This is being called an "off-ramp".

These off-ramps were included in the PSA to help give comfort to the participants if the CFPP became something they no longer wanted to be part of.

No City Council action is required if Hurricane chooses stay with Hurricane's current energy entitlement. If Hurricane desires to increase or decrease entitlement, or exit the project altogether, City Council action is required.

The Power Board and Power Staff is comfortable with Hurricane's current energy entitlement share which also includes an associated development cost share. The problem is if other participants lower their energy entitlement or opt out altogether during this off-ramp period, others that don't do the same will receive a larger development cost share. This is due to the cost of development being spread across the energy entitlements.

The complexity of the off-ramp and options available to Hurricane are what I plan to address with the City Council. Hurricane has over a month to make the decision. Hurricane will have one more Power Board meeting to discuss further options and City Council's directions. Also, UAMPS is willing to present to the Council directly if I am not able to answer Council's questions adequately.

EXHIBIT B

SCHEDULE I

SCHEDULE OF PARTICIPANTS, ENTITLEMENT SHARES, DEVELOPMENT COST SHARES, CAPITAL CONTRIBUTION PERCENTAGES, DEBT SERVICE PERCENTAGES AND DEBT SERVICE SHARES AS OF JULY 17, 2019*

PARTICIPANT	KILOWATTS			ENTITLEMENT SHARE	
	ORIGINAL	JUMP	TOTAL	ORIGINAL	ADJUSTED
Beaver	2,100	836	2,936	1.3725%	1.3784%
Blanding	2,500	996	3,496	1.6340	1.6413
Bountiful	5,000	1,991	6,991	3.2680	3.2822
Brigham City	15,250	6,073	21,323	9.9673	10.0108
Enterprise	600	239	839	0.3922	0.3939
Ephraim	3,000	1,195	4,195	1.9608	1.9695
Fairview	900	358	1,258	0.5882	0.5906
Fallon	2,000	0	2,000	1.3072	0.9390
Fillmore	3,500	1,394	4,894	2.2876	2.2977
Heber	10,000	3,983	13,983	6.5359	6.5648
Holden	500	199	699	0.3268	0.3282
Hurricane	10,100	4,022	14,122	6.6013	6.6300
Hyrum	10,000	3,983	13,983	6.5359	6.5648
Idaho Falls	10,000	3,983	13,983	6.5359	6.5648
Kanosh	300	115	415	0.1961	0.1948
Kaysville	5,000	1,859	6,859	3.2680	3.2202
Lehi	15,000	5,974	20,974	9.8039	9.8469
LMUD	3,000	1,195	4,195	1.9608	1.9695
Logan	5,000	1,991	6,991	3.2680	3.2822
Los Alamos	8,000	3,186	11,186	5.2288	5.2516
Lost River	1,000	398	1,398	0.6536	0.6563
Monroe	600	239	839	0.3922	0.3939
Morgan	1,000	398	1,398	0.6536	0.6563
Mt. Pleasant	1,800	717	2,517	1.1765	1.1817
Murray	10,250	4,082	14,332	6.6993	6.7286
Oak City	500	199	699	0.3268	0.3282
Paragonah	200	80	280	0.1307	0.1315
Parowan	3,000	1,195	4,195	1.9608	1.9695
Payson	5,000	1,991	6,991	3.2680	3.2822
Salmon River	1,000	398	1,398	0.6536	0.6563
Santa Clara	3,000	1,195	4,195	1.9608	1.9695
SESD	2,000	797	2,797	1.3072	1.3131
Spring City	400	159	559	0.2614	0.2624
Washington	11,000	4,381	15,381	7.1895	7.2211
Weber Basin	500	199	699	0.3268	0.3282
TOTAL	<u>153,000</u>	<u>60,000</u>	<u>213,000</u>	<u>100.0000%</u>	<u>100.0000%</u>

* As of July 17, 2019, the Participants' Development Cost Shares are equal to their Adjusted Entitlement Shares. Capital Contribution Percentages, Debt Service Percentages and Debt Service Shares to be inserted upon the issuance of any Bonds.

CFPP July 30th Subscription Workshop

Agenda

- Power Sales Contract Overview of Withdrawal, Reduction, and Increase of Entitlement Share Provisions
- Staff Observations on the Impacts of Withdrawals/Reductions
- Revisiting Proposal on JUMP Shares Based on New DOE Multi Year Award
 - LCOE Based on When Participant Enters into the Project
- Takeaways & Next Steps

Withdrawal or Reduction of Entitlement Shares

- *Section 204(a). Participant Withdrawal*
 - During the Licensing Period, the Participant shall have the right to withdraw from its participation in the Project
- *Section 301(d). Entitlement Share*
 - At the times at which the Participant may deliver a Notice of Withdrawal to UAMPS pursuant to Section 204 and in lieu of delivering a Notice of Withdrawal, the Participant may elect to reduce its Entitlement Share by delivering a Notice of Reduction to UAMPS.

Notice & Effective Dates

- Notice of Withdrawal or Reduction
 1. 2nd phase of Licensing Period (2023)
 - Withdrawal effective the last day of the then-current phase of the Licensing Period
 2. amendment to the Budget and Plan of Finance that increases the maximum amount of Development Costs that may be incurred for the then-current phase of the Licensing Period
 - Withdrawal effective immediately prior to the effective date of an amendment to the Budget and Plan of Finance
 3. notice that withdrawals or Entitlement Share reductions elected by other Participants would result in an increase in its Development Cost Share
 - Withdrawal effective immediately prior to the effective date of the increase in the Participants' Development Cost Shares
 4. the determination of its governing body not to approve the definitive Budget and Plan of Finance at the end of the Licensing Period
 - Withdrawal effective the last day of the then-current phase of the Licensing Period
 5. its determination to withdraw from the Project at the end of the then-current phase of the Licensing Period
 - Withdrawal effective the last day of the then-current phase of the Licensing Period

Section 204(c)

- A Participant that elects to withdraw from the Project shall remain responsible for the payment of an amount equal to its Development Cost Share of all Development Costs incurred up to the effective date of the Participant's withdrawal from the Project

Section 204(e)

- A Participant that elects to withdraw shall, within twelve months of the effective date of its withdrawal or within such longer period as may be permitted by the PMC, repay the amounts together with any interest expense on such amounts and any other charges incurred by UAMPS

Section 204(b)

- UAMPS shall give prompt notice to the Project Management Committee of withdrawal or reduction of a Participant's Entitlement Share.
 - Participant Authorizing Resolutions Approving CFPP Participant require that a Participant Representative shall not deliver a Notice of Withdrawal or a Notice of Reduction under the Power Sales Contract without prior consultation with, and prior approval from, the Governing Body.
- The PMC shall determine the effect of such withdrawals or reductions on the development of the Project and whether to proceed with the development of the Project or to suspend or terminate the Project.
- If the Project Management Committee determines to proceed with the Project and if such withdrawals or reductions would result in an increase in the Development Cost Share of any Participant then a new Schedule I will be distributed
- PMC shall give notice of determination to proceed with the Project to the Participants.

Section 301(c)

- (c) During the Licensing Period and for so long as less than all of the Project Capability has been sold pursuant to the Power Sales Contracts and any Excess Power Sales Agreements, the Participant may, by notice to UAMPS and upon the approval of the Project Management Committee, elect to increase its Entitlement Share by any amount, subject to (i) the limitation set forth in subsection (b) above, and (ii) such standards and procedures as may be established by the Project Management Committee. Any such increase in the Participant's Entitlement Share shall be effective at the beginning of the second phase of the Licensing Period or the Construction Period, as applicable.

Subscription Reduction Realities

1. 100% of Development Costs must be covered by the Participants
2. Unilateral and nonuniform Reductions will increase non-reducing Participants Development Cost Shares
 - Reductions may not result in an actual reduction in a reducing Participant's Development Cost Share
3. Reduction Death Spiral Scenario → reductions result in PMC termination which will result in Participants being billed

Subscription Observations

1. Withdrawal and Reductions will discourage new participation
2. Remaining Participants have flexibility to increase Entitlement Shares so long as CFPP is not fully subscribed (Sec. 301(c))
3. Uniform Pro Rata Reductions Protect Participants from Increases to Development Cost Shares
4. Way to Mitigate Reduction Impact to Continued CFPP Development=Participant notices reduction for Phase and then provides a notice of increase for the COLA review phase (may or may not result in a reduction of a Participant's Development Cost Share)
 - UAMPS staff will provide hypothetical reduction levels to ensure no change to the Participants' Development Cost Shares during the next workshop

Two Conceptual Examples to Dealing with New DOE Multi Year Award

- Retain Benefit to JUMP Participants OR Eliminate JUMP and reallocate LCOE to existing Participants and set slightly higher LCOEs for subsequent Participants

JUMP Discount Example

- One NPM @ 60MW
- DOE support for the JUMP NPM (\$375M)
- Discount as to other NPMs
 - \$36/MWh (60 MW)
 - \$53/MWh (660 MW)
 - Based on LCOE of \$52/MWh
- Current Participants have max 30% JUMP shares, so their “blended LCOE” = \$48/MWh
- LCOE for JUMP module Entitlement Shares would be subject to changes in actual project costs
- May not optimally promote additional subscription

LCOE Based on Date of Participation Entry Example

- 12 NPMs @ 60MW each or a total of 720MW
- One-third of the CFPP is 4 NPMs @ 60MW each (total of 240MW)
- Different LCOEs based on three tranches
- Below \$/MWh for tranches are based on LCOE Result of \$55/MWh
 - First tranche @ 91% of actual cost (\$50/MWh)
 - Second tranche @ 100% of actual cost (\$55/MWh)
 - Third tranche @ 109% of actual cost (\$60/MWh)
- Actual LCOEs would be dependent on actual project costs (percentages for tranches would remain the same)
- More likely approach to gain additional subscription

Takeaways & Next Steps

- Withdrawal/Reduction will impact Project viability
- Reduction Coordination Key to Minimize Impact to Project and Participant Development Cost Shares
- Power Sales Contract allow Participants with flexibility to reserve Entitlement Shares for future Phase (2nd Phase of Licensing) assuming not fully subscribed
- Next Workshop to Discuss Reduction Scenarios to Illustrate Impact to Participant Development Cost Shares (Aug. 6th?)
 - More Specific Proposal Based on Feedback and discussion of duration for interim PMC budget
- Staff support of reduction scenario analysis at Participant request
- August PMC meeting → discuss approve reallocation of JUMP support to New DOE Multi Year Award
 - 3 Tranche LCOE Proposal
 - JUMP Shares LCOE versus Non JUMP Shares Proposal

Executive Summary for Purgatory Agenda Item

The Purgatory Flats Substation was built by Rocky Mountain Power to supply needed electric capacity on the eastside of Washington County for the UAMPS participants, Dixie Power and Rocky Mountain Power.

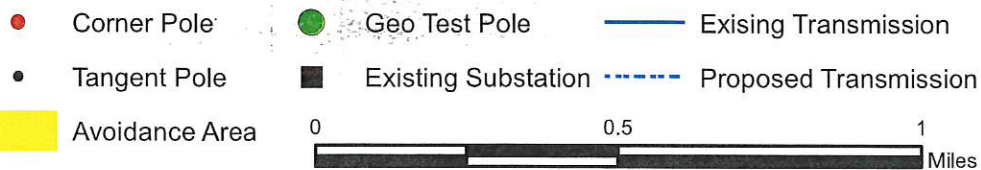
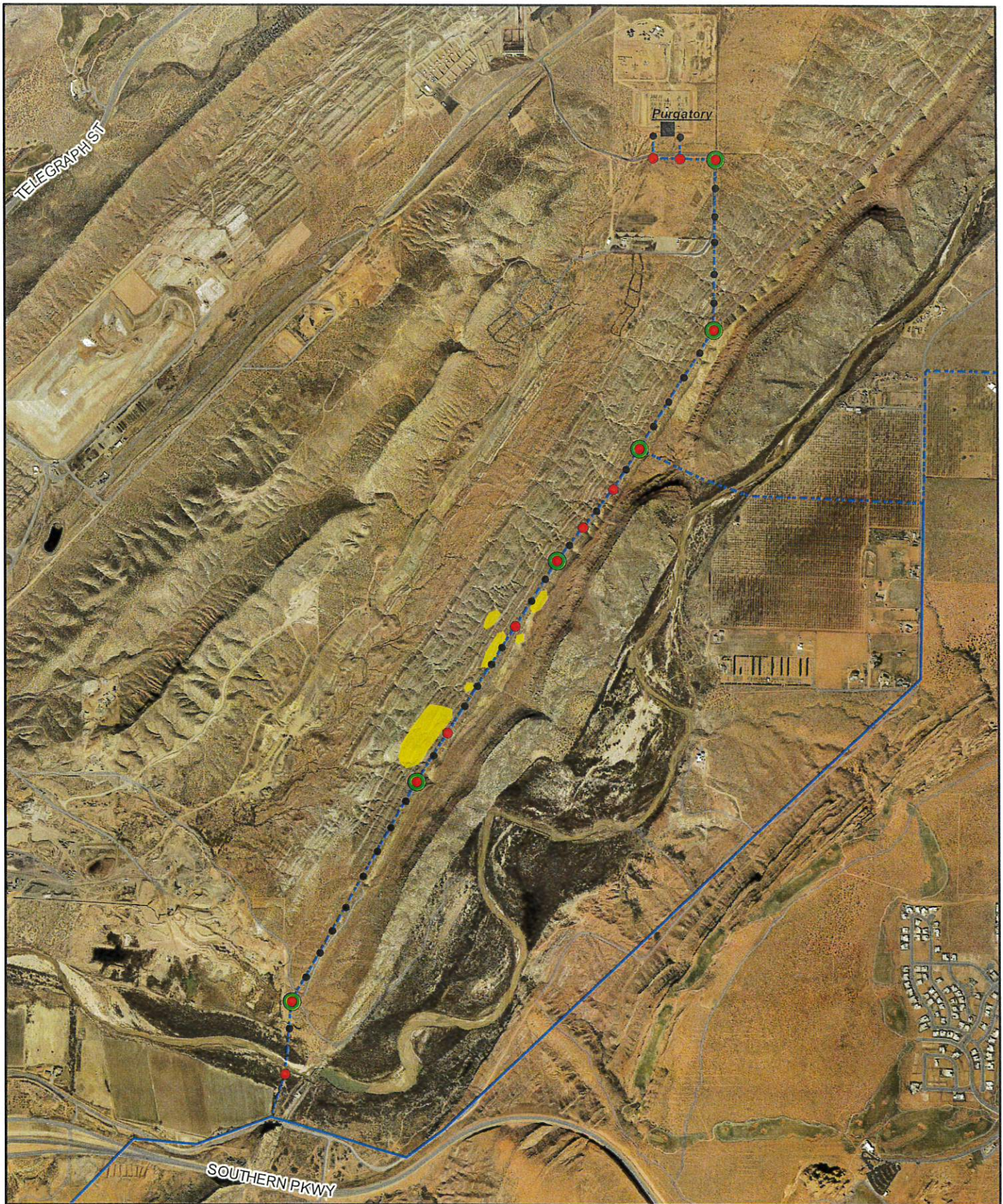
With the completion of Purgatory Flats, Hurricane is now served by two UAMPS 69 KV transmission lines instead of one. This upgrade will serve Hurricane's electric load growth for the immediate future and beyond. Eventually, Hurricane City will need to request a 138 KV connection at Purgatory. This connect will require Hurricane to build self-supporting structures to bring the lines out of Purgatory.

Dixie Power needed a 138 KV line connection at Purgatory from the outset. Hurricane approached Dixie and asked if Dixie would design their self-supporting structures to accommodate Hurricane future 138 Purgatory connection. They agreed, engineered the structures and built the structures to accommodate not only their own needs but also Hurricane's future needs.

I have asked Dixie Power several times for an invoice for the added expense of Dixie accommodating Hurricane. I have had a \$125,000 place holder in the both the 2018-19 and 2019-20 Budget in hopes that amount would be sufficient to cover Hurricane's portion of the cost. Dixie never sent an invoice. I asked again recently for an invoice. Dixie Power finally sent a spread sheet of the cost of the project. Dixie and Hurricane started the discussion on how to cost split those costs.

The total cost of the project was \$236,268.92. After several emails back and forth, Dixie and Hurricane decided it was a mutually beneficial project and thought a 50/50 cost share would be appropriate.

I will be addressing the City Council for approval to add \$118,134.46 to the 2020-21 Budget to be able to pay the pending invoice from Dixie Power for Hurricane's cost share of the Purgatory 138 KV structures.



Date: 10/10/2018



While every effort has been made to ensure the accuracy of this information, Dixie Power makes no warranty, expressed or implied, as to the accuracy and expressly disclaims liability for the accuracy thereof. No warranty is made by the Dixie Power for the use of this map for purposes not intended by Dixie Power.

Structure #	Foundation Labor Cost	Foundation Concrete Cost	Pole Cost	Pole Labor Cost	Total Structure Cost
40	\$30,433.70	\$4,931.76	\$69,382.00	\$2,677.50	\$107,424.96
41	\$30,433.70	\$4,931.76	\$79,666.00	\$2,747.85	\$117,779.31
62	\$0.00	\$190.07	\$7,511.00	\$3,363.58	\$11,064.65
Subtotals	\$60,867.40	\$10,053.59	\$156,559.00	\$8,788.93	
			Total		\$236,268.92

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:
File No. 2020-ZC-18
Receipt No. 8-141083

Name: Tan + April Gates Telephone: 435-632-8869

Address: 1242 S 920 W Hurricane Fax No. _____

Agent (If Applicable): _____ Telephone: 435 669 4557 (Dad)

Email: April.Gates@era.com Agent Email: _____

Address/Location of Subject Property: 1242 S. 920 W. Hurricane

Tax ID of Subject Property: H-3-2-3-338 Existing Zone District: R-A-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Propose R-A-O.S zoning to match surrounding existing properties

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) 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)

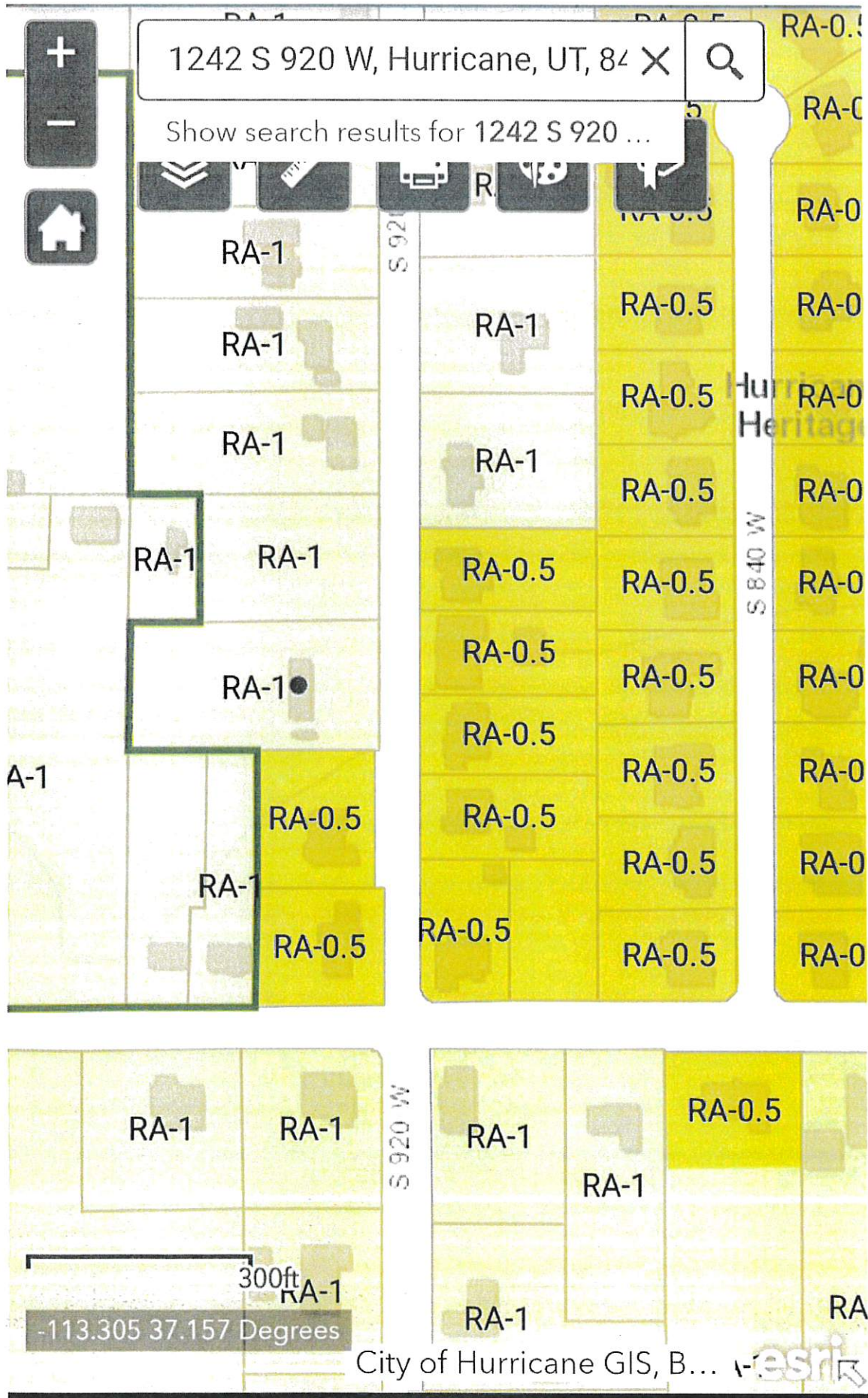
Date Received: _____ Application Complete: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____



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

WGS_1984_Web_Mercator_Auxiliary_Sphere



B



PROPOSED LOT .60

B

ID

Address

County

Status

(0)/A

(/dashboard)

(/transactions/all)

(/customers)

(/leads)

(/transactions)

...

Layers

Address Search

Navigation

Measurements

Analytics

Base Map

Print Map

Direct Search

Enable Parcel Layer

Enable Parcel Popup

Enter Tax ID to Query

Utah

Search

Layers

Base Layers

Layers

USA - Roads

☒ Utah - Google Imagery

☐ Utah - Imagery

☐ Utah - 2006 Imagery

☐ Utah - Imagery

☐ Utah - 2006 Imagery

☐ Utah - Imagery

☐ Utah - Traffic Count

☐ DEM - Home Value

☐ DEM - Median Net

☐ DEM - ...

EXISTING
CURRENT LOT

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-18

Type of Application: Zone Change, Legislative

Applicant: Ian and April Gates

Request: A zone change from Residential Agriculture-1 (RA-1) to Residential Agriculture -0.5 (RA-0.5)

Location: 1242 S 920 W

General Plan: Low-Density Single Family 1-3 Units an acre

Existing Zoning: RA-1

Planning Commission Recommendation:

The Planning Commission gave a positive recommendation for the proposed zone changed based on the findings within this report.

Discussion: The applicant is seeking to rezone their 1.20-acre parcel from RA-1, single acre lots, to RA-0.5 to half-acre lots. This zone change may allow the applicant to create a flag lot behind the current home. The standards for these zones can be found in [Hurricane City Code 10-14](#).

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	RA-1 and RA-0.5	Farm Fields and RA Single Family Homes
East	RA-1 and RA-0.5	Farm Fields and RA Single Family Homes
South	RA-1 and RA-0.5	Farm Fields and RA Single Family Homes
West	Ag Protection Area	Farm Land

Public Hearing: There was one comment at the public hearing speaking for this development.

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 the goals, objectives, and policies of the City's General Plan?*

Response: The General Plan Map shows the area as a future low-density single-family 1-3 units an acre. RA-0.5 would meet the criteria of the General Plan Map.

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

Response: The properties directly to the south and east are zoned for RA-0.5, while the homes to the north are zoned RA-1. The property behind is located in an agriculture protection zone.

3. Will the proposed amendment affect the adjacent property?

Response: If the zoning request is granted, it would likely allow the applicant to subdivide the lot and create a flag lot according to [Hurricane City Code 10-37-10 Flag Lots](#). The additional home may have a slight impact on the surrounding area, but some would be mitigated by improvements that would be required. Any development of a flag lot would require the applicant to make improvements to the property's frontage, including some property dedication and road and sidewalk improvements. The applicant would also be required to fence the back property line adjacent to the agriculture protection zone as required in [Hurricane City Code 10-39-11 Subdivision Streets and Fencing](#).

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

Response: There are utility services in the area, including water, sewer, and power. The applicant would be required to make improvements to the street and sidewalk in front of the property if the property is subdivided in the future.

Findings:

Staff makes the following findings:

1. The proposed amendment is compatible with the goals and policies of the General Plan.
2. The proposed amendment is generally in harmony with the overall character of existing development.
3. Public facilities are adequate to provide service to the parcel.
4. The proposed amendment will not have a noticeable increased impact on the area.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards and take into consideration the comments from residents. Staff recommends approval based on the findings above.

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-ZC-19
Receipt No. 7-658725

Name: Toquerville Enterprises, LLC

(702) 204-9536 (Jerry)

Telephone: (702) 326-2006 (Vyonne)

Address: 2448 West Valley View Drive, Hurricane UT

Fax No. _____

Agent (If Applicable): Matt Ekins, Gallian Welker & Beckstrom, LC

Telephone: (435) 628-1682

Email: vyonnem@icloud.com
jerrymspils@gmail.com

Agent Email: matt@utahcase.com

Address/Location of Subject Property: Sand Hollow Rd and 3000 South, Hurricane UT

Tax ID of Subject Property: See Attached Exhibit A Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

See Attached Exhibit B for explanation and Exhibit C for legal descriptions

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) showing evidence that the applicant has control of the property

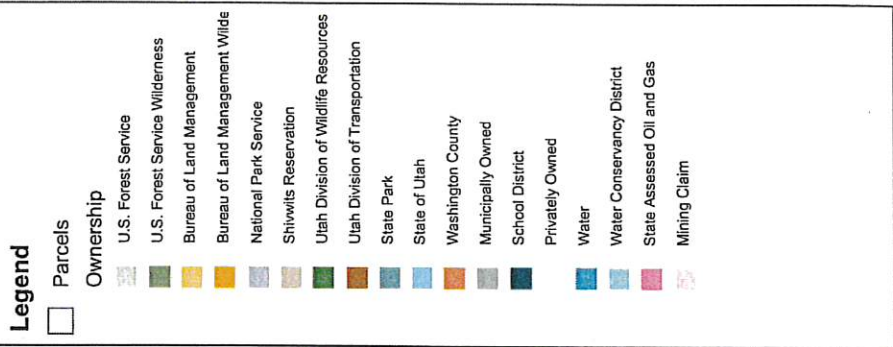
Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____



Notes

1,504.7	0	752.33	1,504.7 Feet
---------	---	--------	--------------

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

WGS_1984_Web_Mercator_Auxiliary_Sphere

EXHIBIT A

Parcel Numbers for Toquerville Enterprises, LLC Zone Change Application

Highway Commercial Parcels (HC):

H-3409-B-2 (north half only) and the east side of SR 7 for parcels H-3410, H-3410-B, H-3410-C, H-3410-D, H-3410-E.

Multi-Family Residential (RM-2):

H-3409, H-3409-C-2, H-3409-D and the west side of SR 7 for parcels: H-3410, H-3410-B.

Residential (R-1-6):

H-3409-E, H-3409-F, H-3409-G and the west side of SR 7 for parcels H-3410-C, H-3410-D and H-3410-E.

EXHIBIT B

Proposed Zone Changes for Toquerville Enterprises, LLC Zone Change Application

The current General Plan calls for the subject property to be used within a Planned Community offering a mixture of housing types and supporting uses such as commercial, light industrial, offices, churches, schools, and/ parks. Previously, Toquerville Enterprises had received approval from Hurricane City for a concept master plan called Sand Hollow Mesa. The current zoning of Residential Agriculture is not consistent with the General Plan and the zoning and the concept plans previously approved by Hurricane City. Thus, this Application seeks to modify the zoning for the parcels to offer housing, commercial, and facility schools and parks.

The Application is for anticipated use and development and intended to be consistent with the prior approval of the Sand Hollow Mesa overlay and current development of the Southern Parkway. There is no specific developments or improvements contemplated. The Application is submitted for more detailed input on the ongoing considerations for updates to the General Plan.

Highway Commercial Parcels (HC):

Affecting Parcels H-3409-B-2 (north half only) and the east side of SR 7 for parcels H-3410, H-3410-B, H-3410-C, H-3410-D, H-3410-E.

The change request is to adjust the current zoning from Residential Agriculture to be consistent with the current improvement of the Southern Parkway and Interchange at 3000 South. Also, the proposed changes are consistent with the commercial uses approved by Hurricane City and noted in the General Plan. With the 3000 South Interchange, the character of the anticipated uses will change to uses consistent with permitted uses for Highway Commercial. See Hurricane Code 10-15-1.

For similar roadway improvements at SR 9 Interchange with the Southern Parkway, Sand Hollow Road and SR 9 and Telegraph and SR 9, the zoning regularly incorporates Highway Commercial Zoning. See attached maps.

Permitted uses within Highway Commercial include: public and civic improvements like churches, parks and utility services; commercial uses like gas station, retail, hotel, medical services, recreation, restaurant, shopping, and vehicle services. All of these uses are consistent with the location of the interchange, vehicle traffic and services utilized by residents traveling on the interchange and Southern Parkway. The proposed zone changes bring the permitted uses in line with the General Plan and in harmony with the development in the vicinity of these parcels.

The zoning is consistent with the anticipated uses and development from 3000 South, both to the east and west of the 3000 South Interchange that is slated for future development. See Jones & DeMille Engineering Report, December 23, 2019. The proposed zone changes are also in line with the Sand Hollow Mesa concept uses that are incorporated in the General Plan.

Multi-Family Residential (RM-2):

Affecting Parcel H-3409, H-3409-C-2, H-3409-D and the west side of SR 7 for parcels: H-3410, H-3410-B.

The change for zoning on this parcel is to align the current zoning to the General Plan. Multifamily residential zoning is intended to function as a transition from Highway Commercial to Residential zoning. Furthermore, the permitted uses for the RM-2 include: schools, park, higher density residential housing (condo or townhomes). See Hurricane Code 10-13-3. Development standards would permit 10 units per lot. See Hurricane Code 10-13-4.

No specific development is considering with the zone change. The purpose is to bring the zoning to a designation that is consistent with the developments in the vicinity and the nature and character of the land. Considering the Sand Hollow Mesa concept uses, the high density was proposed at 10-12 units per acre. RM-2 zoning permits for 10 units per a one acre minimum.

Residential (R-1-6):

Affecting Parcels H-3409-E, H-3409-F, H-3409-G and the west side of SR 7 for parcels H-3410-C, H-3410-D and H-3410-E.

These parcels of land are suited for residential development. The land overlooks the Sand Hollow State Park/Reservoir together with vistas of Pine Valley and the Red Cliffs Reserve. Residential use is appropriate with the parcels set back from the Southern Parkway,

No specific development is considering with the zone change. The purpose is to bring the zoning to a designation that is consistent with the developments in the vicinity, with the nature and character of the land and with the potential future development opportunities. The Sand Hollow Mesa concept plan designated this area as medium density, 7-9 units per acre. The zone development standard is 4,800 sq. ft. minimum per lot, with approximately 9 units per acre. See Hurricane Code 10-13-4.

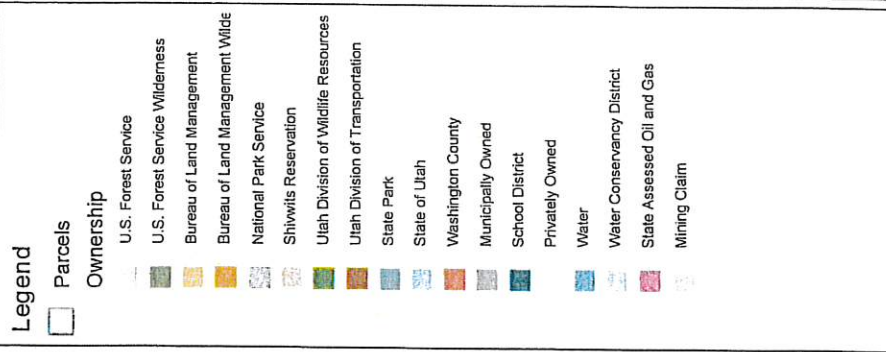
General Considerations:

These parcels are unimproved land. Presently, there are some utility services in the vicinity. Ash Creek Service District is within months of completing the main waste water line along 3000 South to the treatment facilities along Sand Hollow Road. Power lines run along 3000 South. There is no water infrastructure available for these properties. It is anticipated that utilities will be installed with the future development of parcels.

Currently, there are no improved roads on the property. There are some two-track dirt roads. It is anticipated that roadway improvements will extend on the east and west of the 3000 South Interchange after it is completed.

Adjacent properties are also undeveloped lands. In general terms, the develop of the subject property will bring utilities to the area and help facilitate the development of adjacent properties consistent with the General Plan. Surrounding properties are designated for business/light industrial, residential, commercial and mixed uses.

In December 2011, the Hurricane City Council reviewed plans for a master planned community encompassing these parcels that would include uses for mixed residential housing with supporting uses such as commercial, light industrial, offices, churches, schools, and/ parks. This Application is consistent with the previous planning and approvals. A copy of the concept use plan is attached with this Application. This document included acreage calculations. A map with parcel acreages estimate adjusted for the SR 7 Southern Parkway is attached.



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

WGS_1984_Web_Mercator_Auxiliary_Sphere

TE Zone Application 8



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

WGS 1984 Web Mercator Auxiliary Sphere

Notes

Parcel H-3409-B-2, North Half is proposed commercial. The South Half is proposed high density residential.

TE Zone Application 9

Legend

Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management V

National Park Service

Shiwits Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

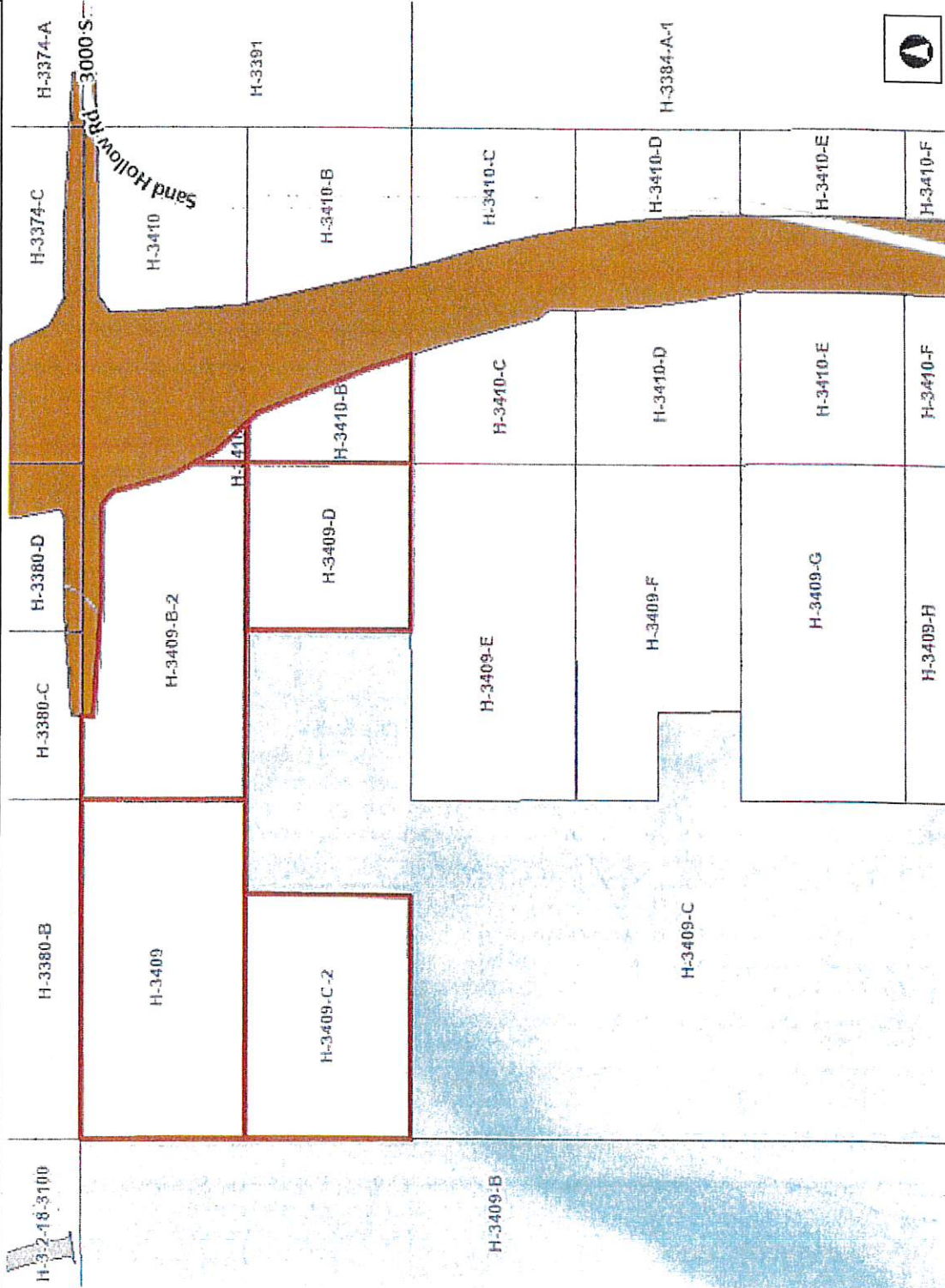
Water Conservancy District

State Assessed Oil and Gas

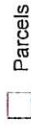
Mining Claim



RM-2 Parcel Map



Legend



Ownership

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

Notes

H-3409, H-3409-B-2 (South Half Only),
H-3409-C, H-3409-D, H-3410-B (West
of SR 7 Only)

TE Zone Application 10

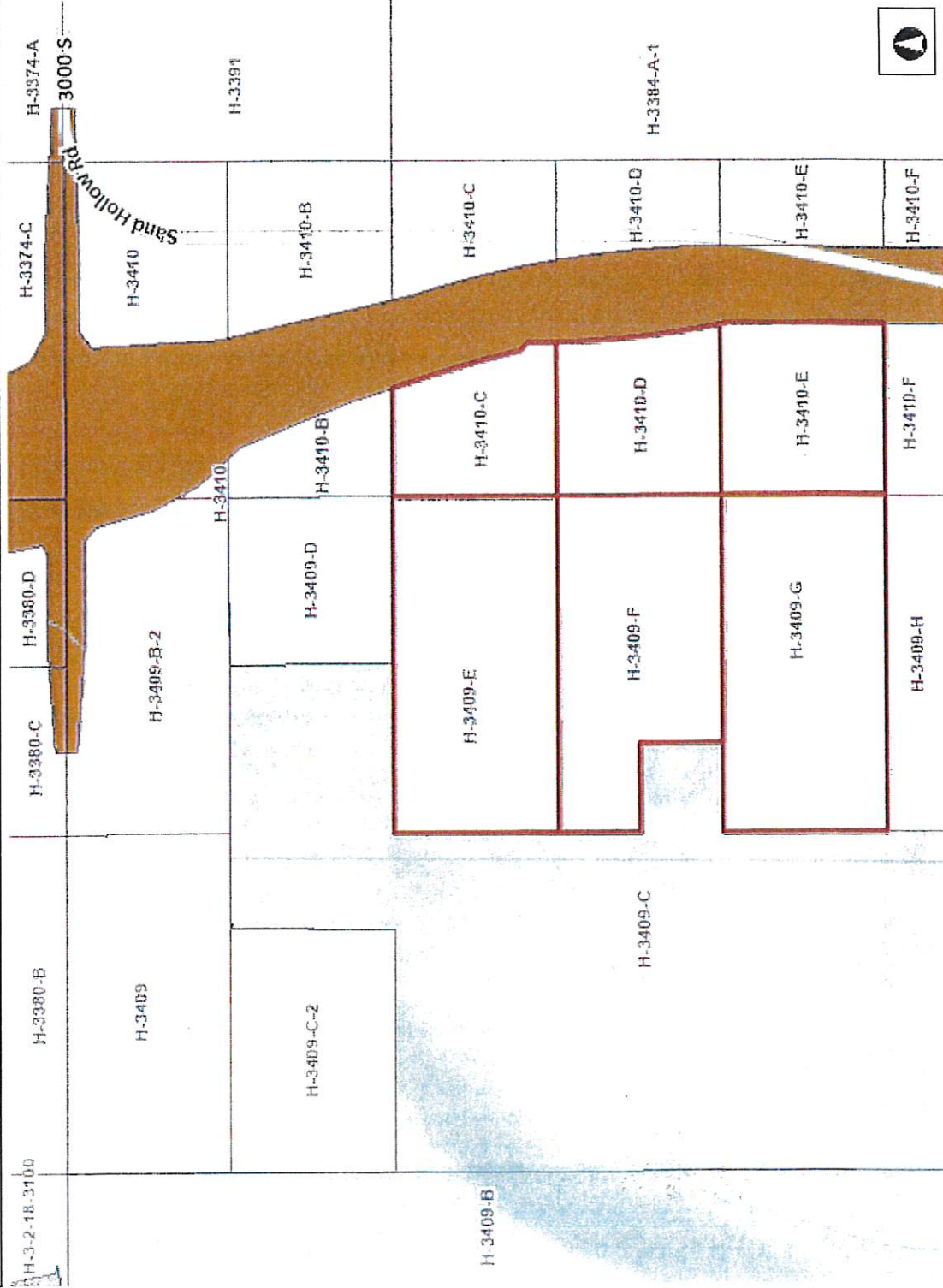
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible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

1,504.7 752.33 1,504.7 Feet

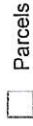
WGS_1984_Web_Mercator_Auxiliary_Sphere



R-1-6 Parcel Map



Legend



Parcels

Ownership

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

Notes

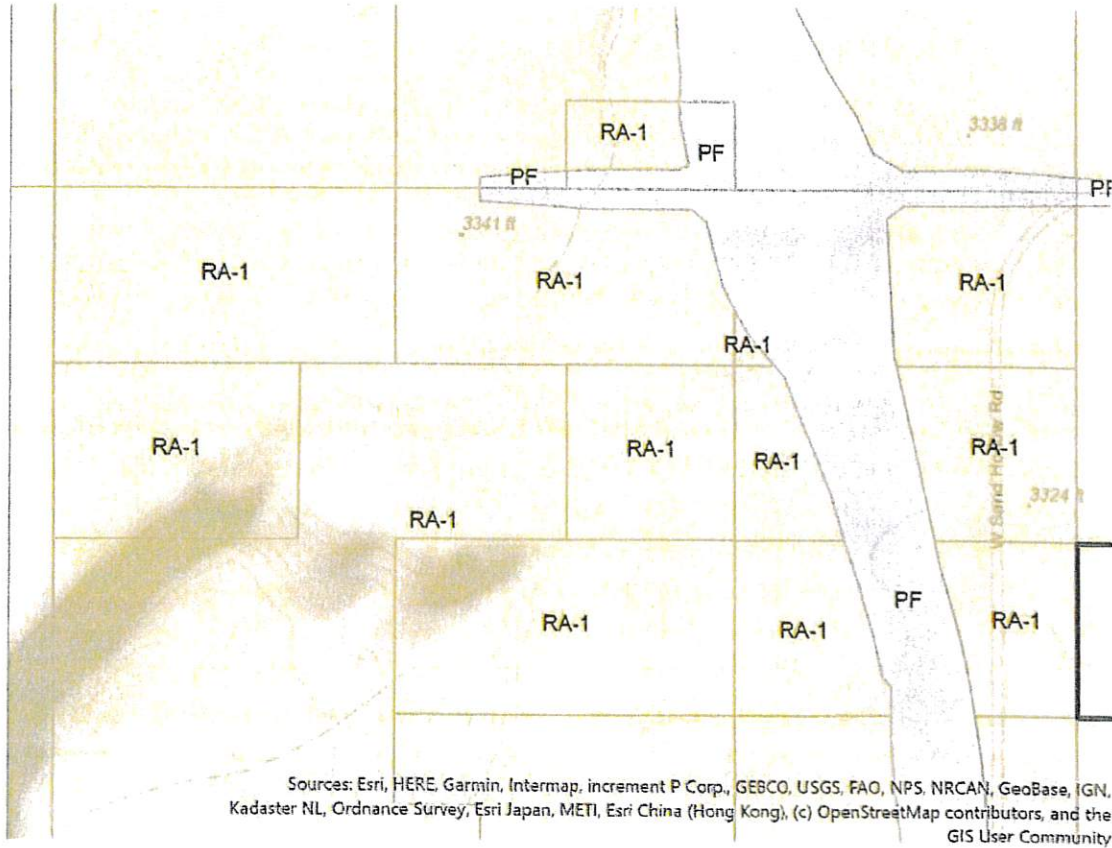
H-3409-E, H-3409-F, H-3409-G
H-3410-C (West of SR 7 Only)
H-3410-D (West of SR 7 Only)
H-3410-E (West of SR 7 Only)
TE Zone Application 11

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.

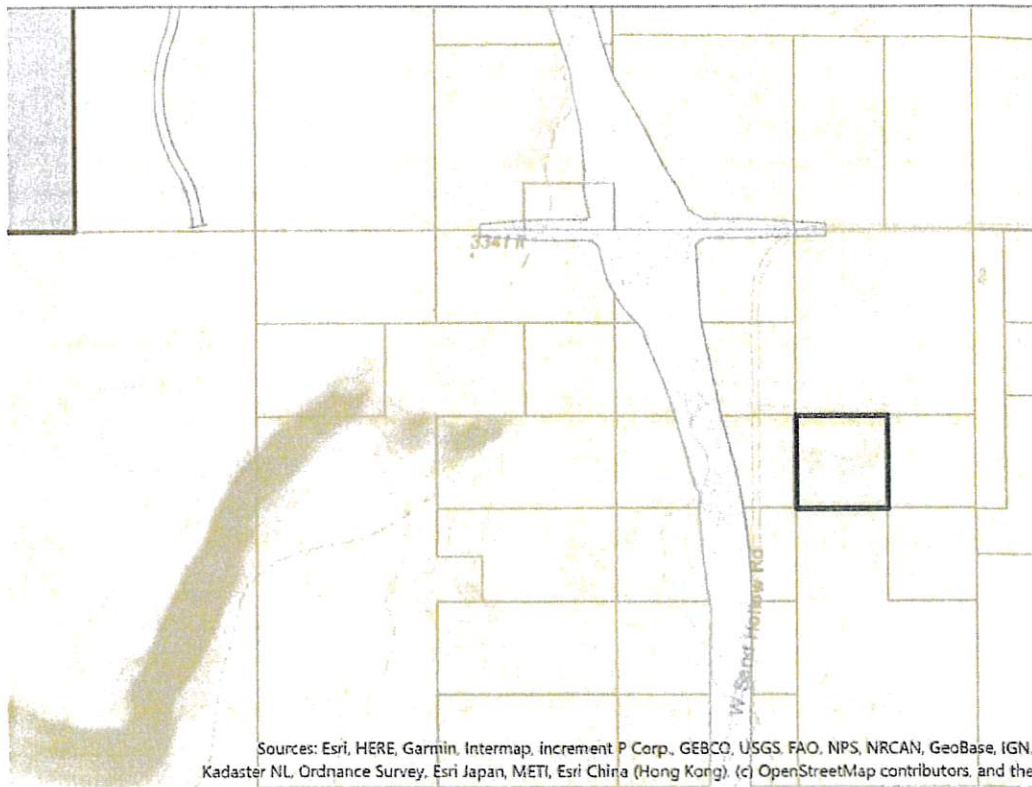
1,504.7 0 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

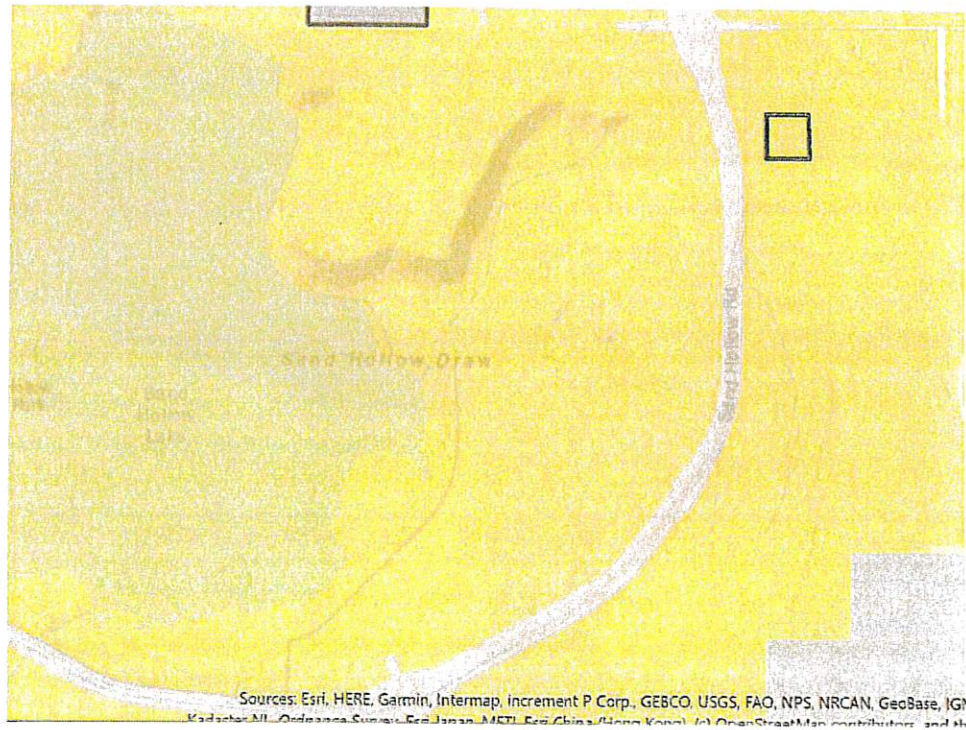
Current Zoning for 3000 South Interchange



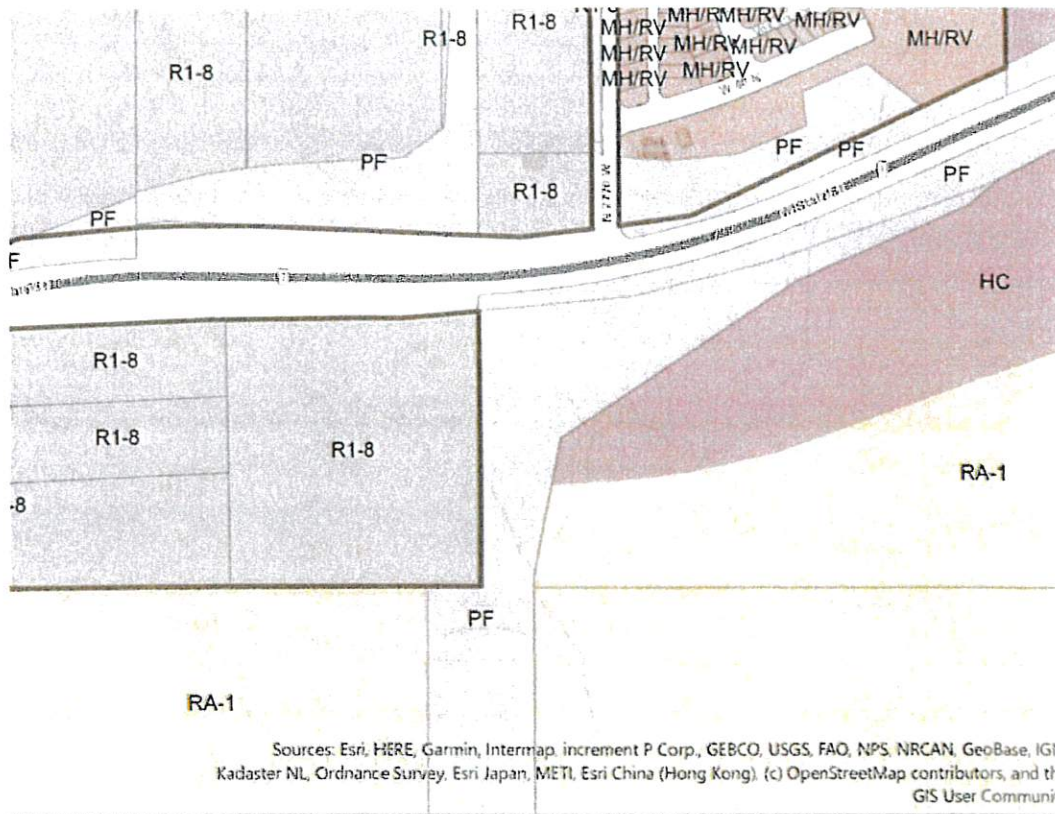
Current Zoning for Subject Parcels and Adjacent Parcels



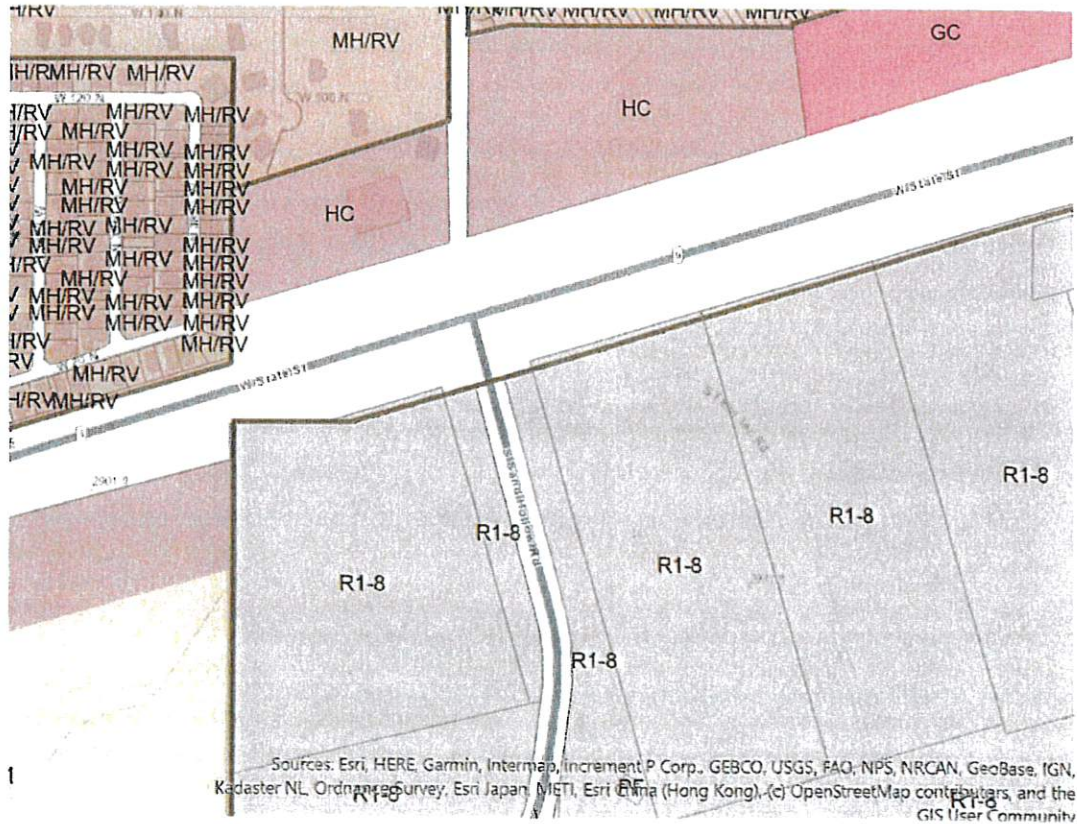
Current Zoning for Sand Hollow Toquerville Enterprise Parcels



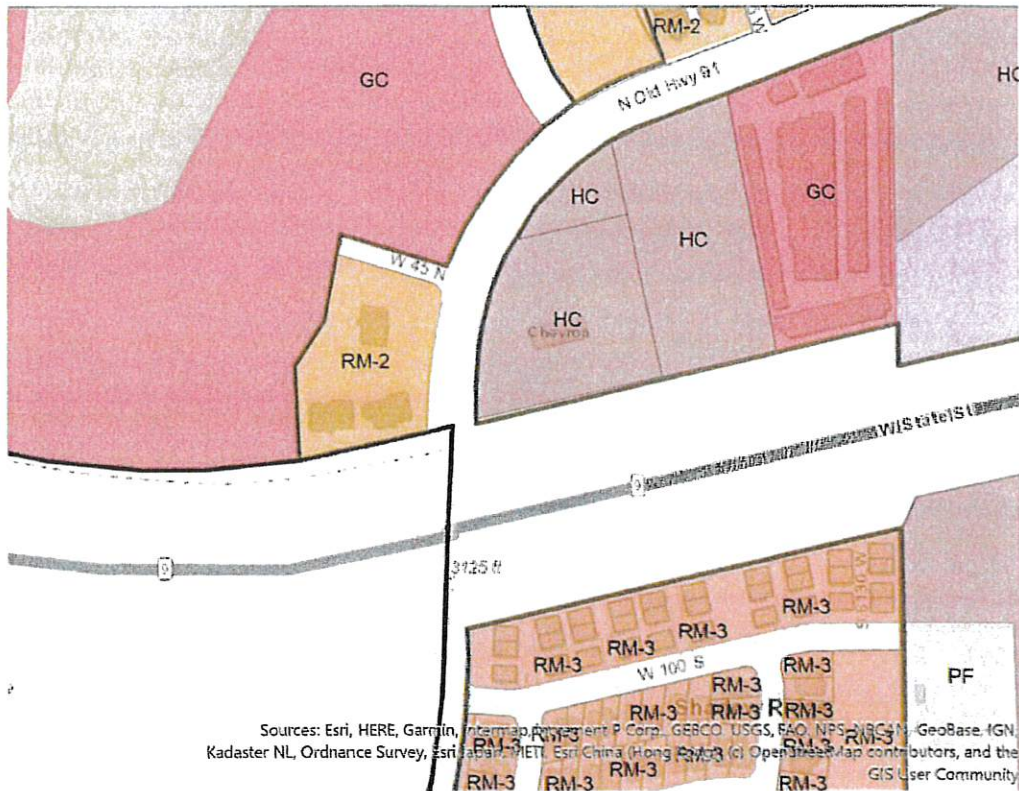
Current Zoning for SR 9 and SR 7 Interchange

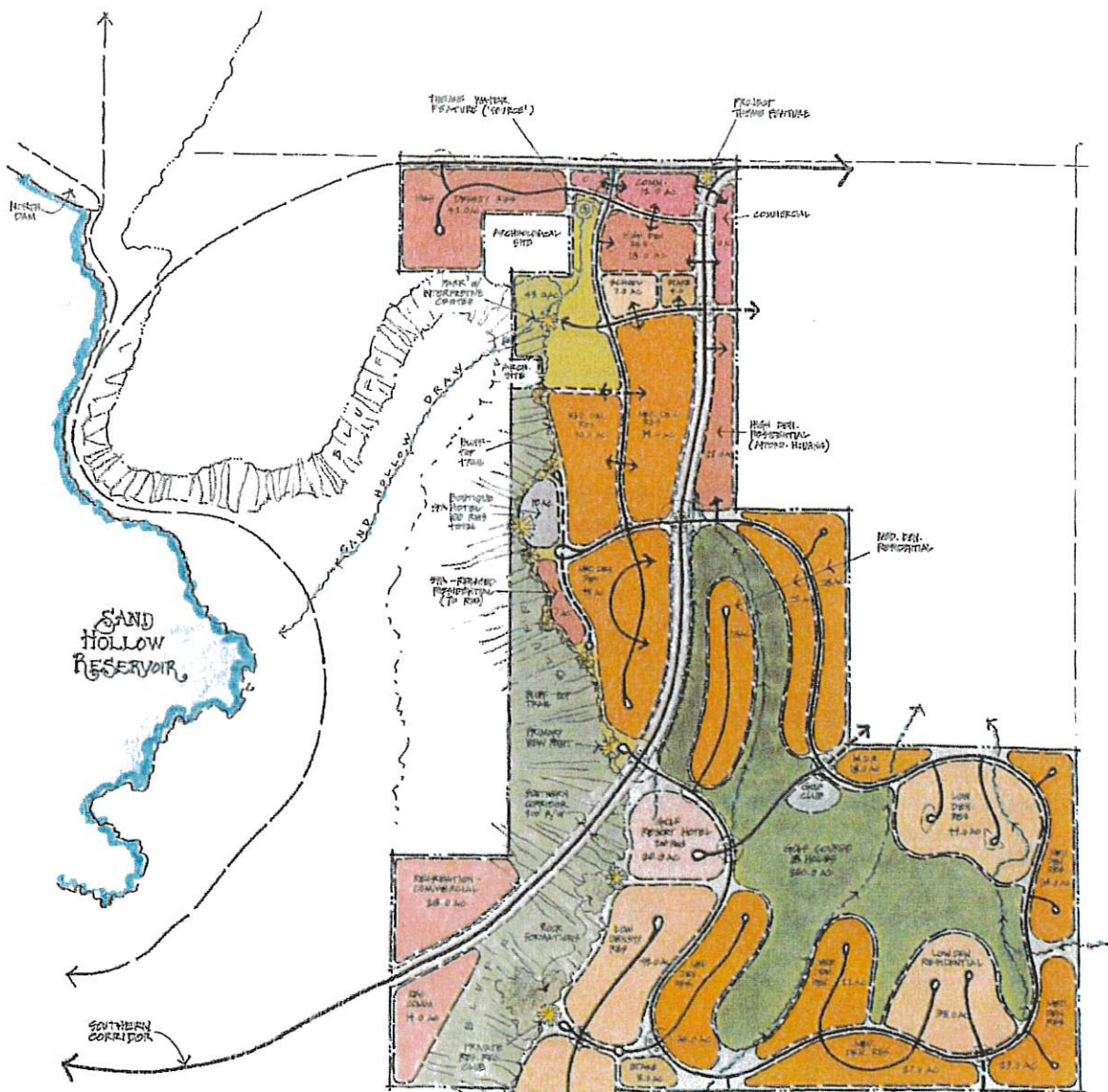


Current Zoning for SR 9 and Sand Hollow Road



Current Zoning for SR 9 and Telegraph St.





LAND USE LEGEND

LOW DENSITY RESIDENTIAL	- 172 AC @ 4-6 dph/a (u) = 800 units
MED DENSITY RESIDENTIAL	- 326 AC @ 7-9 dph/a (u) = 2000 units
HIGH DENSITY RESIDENTIAL	- 90 AC @ 10-12 dph/a (u) = 990 units
INCLUDING AFFORDABLE HOUSING (20% UNIT @ 60% AND 80% PLANNED REGENERATION (70 units))	4458 UNITS
GOLF COURSE - 18 HOLES (INCLUDES PRACTICE RANGE, CLUBHOUSE, ETC.)	220 AC
COMMERCIAL - THOMAS VILLAGE CENTER (CASH STORE, TRADING CENTER, ETC.)	22 AC
PARK w/ INTERPRETIVE CENTER (INCLUDES BUMP TRAIL, VIEW POINTS & ACCESS TO ARCHAEOLOGICAL SITE)	45 AC
SCHOOL SITE	7 AC
STAGE / CHURCH SITE (100 x 100 / 100 x 100)	9 AC
BOULEVARD w/ HOTEL - (200 ft. INCLUDES 20 RESIDENTIAL UNITS)	10 AC
SELF RESORT HOTEL - (200 ft. w/ LIMITED RECREATIONAL OFFSHOOT)	20 AC
RECREATION / COMMERCIAL (OPTIONAL LAND LEVEL USES)	10 AC
SLOPE - GOLF OPEN SPACE	150 AC
SOUTHERN CORRIDOR - 200 ft/w	12 AC
NORTH PARKWAY LAND ROAD 2/4	7 AC
MING INTERNAL COLLECTOR ROAD (GREEN BELT, LAND, FEATURES, ETC.)	77 AC
TOTAL	1225 AC

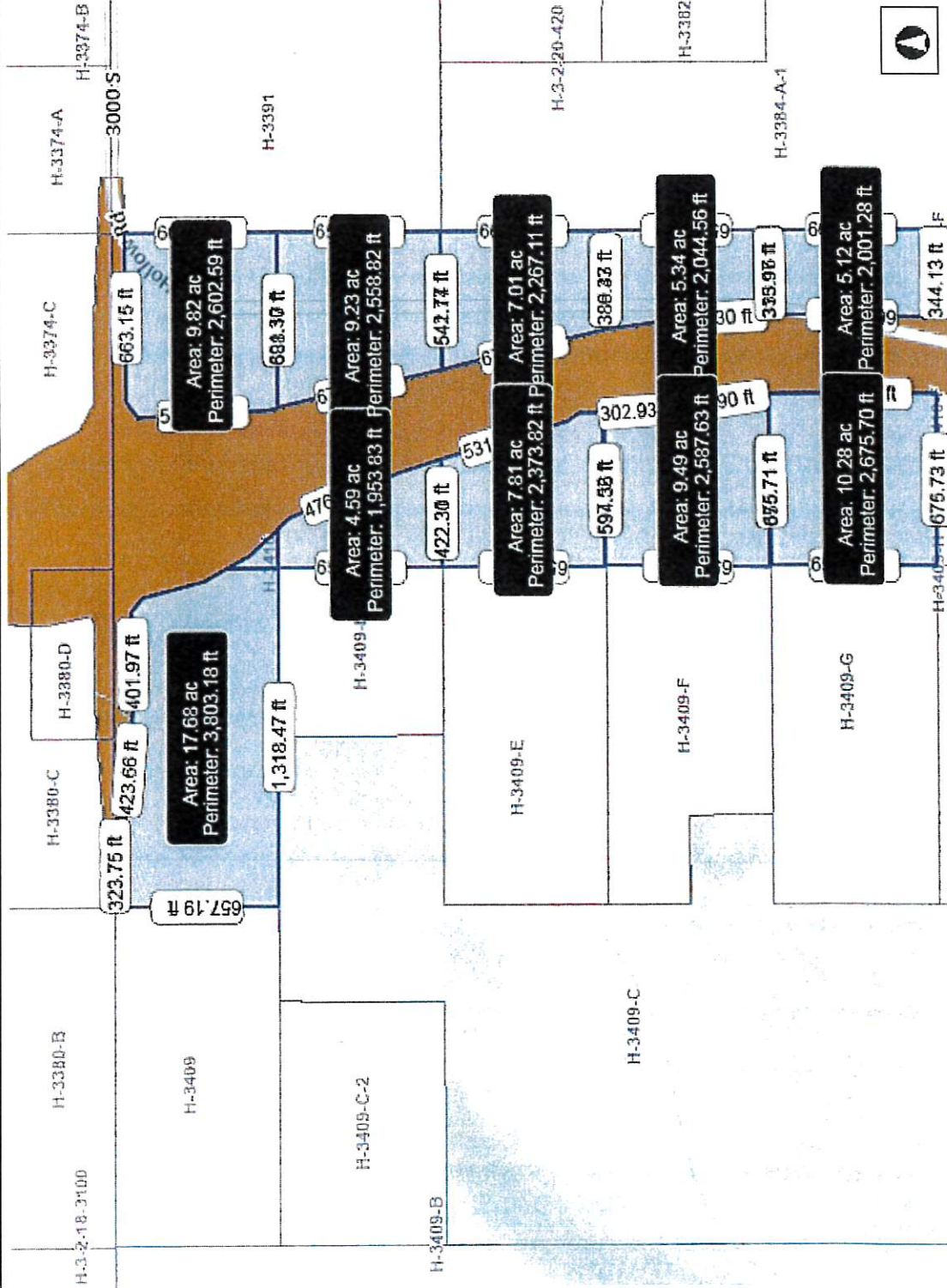
CONCEPT LAND USE MASTER PLAN

SAND HOLLOW MESA
HURRICANE, UTAH
TOQUERVILLE - SUMMIT
DEVELOPMENT

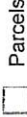
BEG ARCHITECTS
22 MARCH 05



Parcel Acreage



Legend



Ownership

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

Notes

Parcel H-3410 West of SR 7 is .29 Acres

TE Zone Application 19

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.

1,504.7 752.33 1,504.7 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

EXHIBIT C

Legal Descriptions for Parcels in Toquerville Enterprises, LLC Zone Change Application

Highway Commercial Parcels (HC):

H-3409-B-2

THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 19, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.
NORTH HALF ONLY

EAST OF SR 7 Southern Parkway:

H-3410

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-B

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-C

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-D

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20 TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-E

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

Multi-Family Residential (RM-2):

H-3409

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 19, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3409-C-2

THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHEAST
1/4, AND ALL OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE
NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP
42 SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3409-D

THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4
OF SECTION 19, TOWNSHIP 42
SOUTH, RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

WEST SIDE of SR 7 Southern Parkway

H-3410

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-B

THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

Residential (R-1-6):

H-3409-E

THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF
SECTION 19, TOWNSHIP 42 SOUTH,

RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3409-F

THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4
OF THE NORTHEAST 1/4; THE
NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF
THE SOUTHEAST 1/4; THE SOUTHEAST
1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE
NORTHEAST 1/4; AND THE SOUTHEAST 1/4 OF
THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 19,
TOWNSHIP 42 SOUTH, RANGE 13 WEST, OF
THE SALT LAKE BASE & MERIDIAN.

H-3409-G

THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF
SECTION 19, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

WEST SIDE of SR 7 Southern Parkway

H-3410-C

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-D

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 20 TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

H-3410-E

THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF
SECTION 20, TOWNSHIP 42 SOUTH,
RANGE 13 WEST, OF THE SALT LAKE BASE & MERIDIAN.

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-19

Type of Application: Zone Change, Legislative

Applicant: Toquerville Enterprises

Request: A zone change from Residential Agriculture-1 (RA-1) to Highway Commercial (HC), Multi-Family Residential (RM-2) and Residential (R1-6).

Location: 3000 S and the new planned SR-7 Interchange (Sand Hollow Rd)

General Plan: Planned Community

Existing Zoning: RA-1

Planning Commission Recommendation

The Planning Commission gave an evenly split recommendation on this item. Half of the Planning Commission voted for a favorable recommendation, while the other half was opposed. The general feeling from the Planning Commission who gave a favorable recommendation was that the application zoning match the current General Plan and the zoning would likely match future planning. Those that voted against the recommendation wanted to wait to see what the updated General Plan Map would have this area planned.

Discussion: The applicant is seeking to rezone their 86.37-acres from RA-1, single acre lots; to HC, RM-2, and R1-6 zoning. The applicant has provided reasoning for the proposed zone change in Exhibit B of this application (attached). This would allow for a variety of land-use types and would generally match what is planned within the General Plan, except for the applicant has not submitted any development plan that would typically be seen for a Planned Community. The main concern from staff is that the City is currently working on updating the City General Plan, in which the SR-7 corridor is one of the primary areas under consideration for the update. Staff and the General Plan consultants anticipate that this area will likely be the location of significant growth in the future. This rezone may match what the City will plan for this area, but also may conflict with future planning.

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	RA-1	Farm Fields and Open Space
East	RA-1	Farm Fields and Open Space (Future Copper Rock)
South	RA-1	Farm Fields and Open Space
West	RA-1	Farm Fields and Open Space

** SR-7 is currently being constructed through the center of the zone change request.*

Public Comments

There were no public comments made during the public hearing.

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 the goals, objectives, and policies of the City's General Plan?*

Response: The General Plan Map shows the area as a mix of uses, including Planned Community, Business/Light Industrial, Multi-Fam Res 6-15 Units, an Acre. The general proposal meets some of the General Plan Map criteria, except that the planned community area is not being presented as a fully planned community. Once SR-7 is constructed, it will provide the proper amount of transportation through the area to support the uses as proposed.

Staff's primary concern is the General Plan Map is being updated, and the City is examining what uses will best fit within this area. The plan is also looking at future housing and commercial needs within this area as well. Though the zone change request may meet the future general plan's goals, staff feels this application is premature and should be reexamined after the new General Plan is adopted in early 2021.

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

Response: Most of the surrounding area is currently farmland or open space, except for Copper Rock, half a mile east of the proposal. However, with the SR-7 project, staff anticipates substantial growth by the SR-7 and 3000 S interchange, as shown in the General Plan.

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

Response: Yes. Currently, there is very little development in the area. This proposal will lead to growth and impact to the surrounding areas. The new SR-7 will provide traffic mitigation to the surrounding roadway, but other roadways will see an increasing impact. Any development in the area would need to provide a traffic impact study.

However, future growth in the area has been anticipated in Hurricane City general and master plans.

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

Response: The area currently lacks the infrastructure to support the project, but some services are being installed or updated with the SR-7 project. Any development would need to provide a full water model to determine how the property would be served. Sewer in the area flows to the east, and any

development would likely need to work with property owners to the east and pump in some areas. There is no gas, cable, phone, or power adjacent to the property. There are also a couple of master plan roadways in the area that would need to be developed with any subdivision.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan, though the zone change does not include a site plan or a development plan. This area is under review by the City to have the uses updated within the General Plan Map because of anticipated growth in the area.
2. The proposed amendment is not generally in harmony with the overall character of existing development, but the development type is anticipated within the General Plan.
3. Public facilities are currently not adequate to provide service to the parcels but can be developed in such a way to provide those services.
4. The proposed amendment will have a noticeable increased impact on the area, but the growth is anticipated within the General Plan.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff does not recommend approval based on the fact the City is currently updating the General Plan mapping for this area and will be finished in the next six months. Staff would recommend the applicant wait until the General Plan is updated and resubmit a rezone application.

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-ZC-20
Receipt No. 7.658821

Name: Jon and Kathleen Wilson Telephone: 760-936-3195

Address: 660 W. 100 N Fax No. N/A

Agent (If Applicable): N/A Telephone: N/A

Email: nilsonkathy@gmail.com Agent Email: N/A

Address/Location of Subject Property: 660 W. 100 N.

Tax ID of Subject Property: A-324-C-1 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Requesting zone change from RM-1 to RM-2 in order to rent out 4 bedroom house and 2 bedroom attached apartment when we purchase a new home in the Hurricane area. No real use change, just change from single family to multiple family for when we no longer reside in the home.

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-20

Type of Application: Zone Change, Legislative

Applicant: Jon and Kathleen Nilson

Request: A zone change from Residential (R1-10) to Multi-Family Residential (RM-2).

Location: 660 W 100 N

General Plan: Mixed Use Neighborhood

Existing Zoning: Residential (R1-10)

Planning Commission Recommendation

The Planning Commission gave a positive recommendation based on the findings within this report.

Discussion: The applicant is seeking to rezone their .28 acres from R1-10 to RM-2 "in order to rent out 4 bedroom house and 2 bedrooms attached apartment when [they] purchase a new home in the Hurricane area. No real use change, just change from single-family to multiple families for when [they] no longer reside in the home." The applicant is seeking the zone change to rent out the four-bedroom home and the two-bedroom accessory dwelling unit if they move out. The zone change would change the house's classification from "Dwelling, single-family with single accessory dwelling unit" to "Dwelling, two-family."

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	R1-10	Single Family Homes
East	R1-10	Single Family Homes
South	General Commercial	Single Family Home, Mobile Home Park
West	R1-10 and RM-2	Future 700 W and undeveloped property

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 the goals, objectives, and policies of the City's General Plan?*

Response: The General Plan Map shows the area as Mixed Use Neighborhood, which would allow for multi-family uses.

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

Response: Most of the homes in the area are single-family use, except for the MH Park to the south. There will likely be a multi-family development to the west once that parcel is developed. There is at least six off-street parking areas on the property, which would be sufficient for the proposed use. The 660 W is a private drive and is currently grandfathered in for the current use. City code would not usually allow for multiple dwelling units access off of the same drive.

3. Will the proposed amendment affect the adjacent property?

Response: Any impact will be minimal. The proposal does not increase the impact of the use, except it allows both sections of the home to be used as a rental property.

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

Response: Yes, because the overall use of the home will not be changing. There is already the required infrastructure, including roadways, curb, gutter, sidewalk, utilities, landscaping, and parking.

Findings:

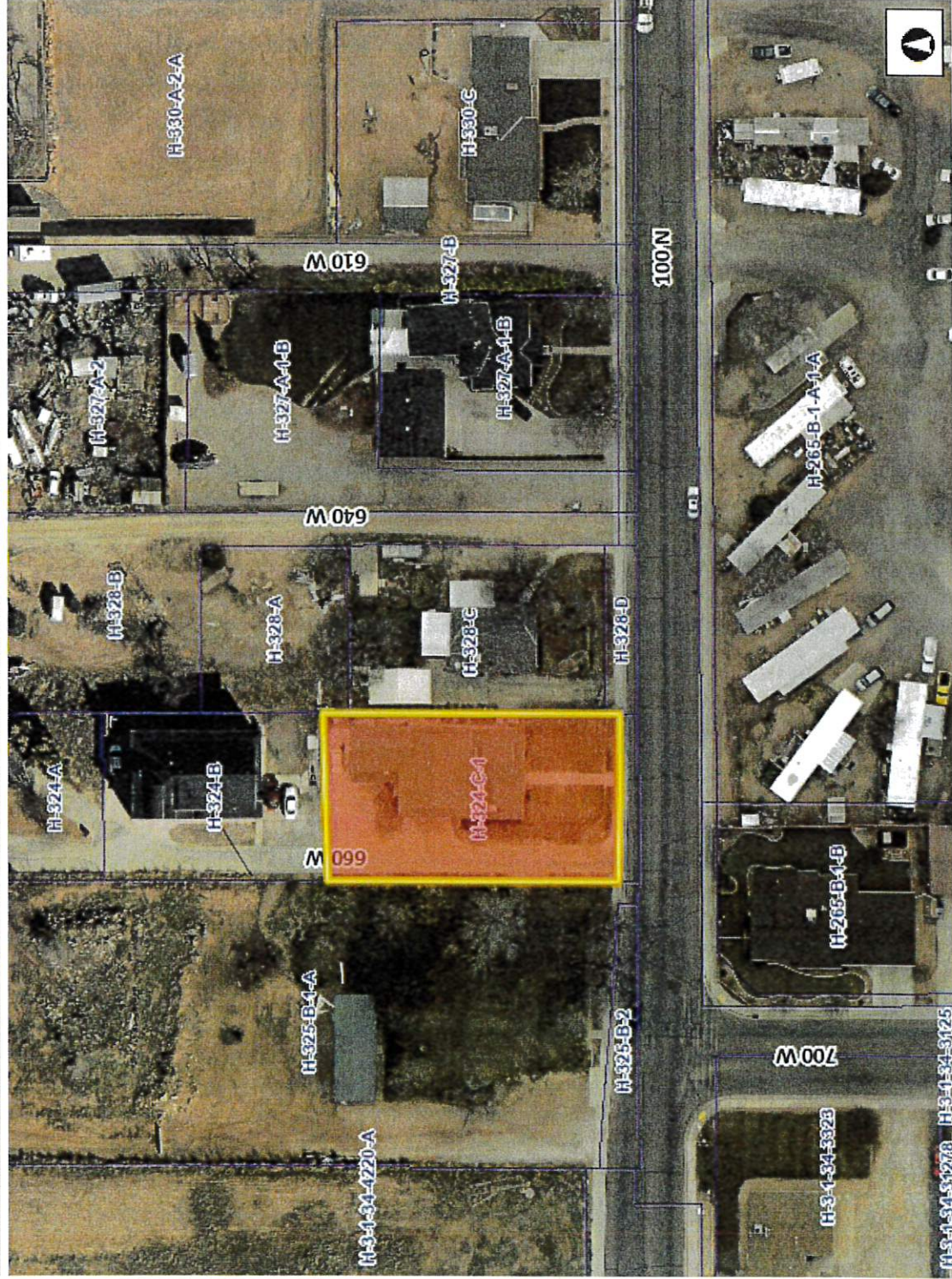
Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is generally in harmony with the overall character of existing development and will have minimal impact.
3. Public facilities are currently adequate to provide service to the home, and no improvements are anticipated.
4. The proposed amendment will have no noticeable increased impact on the area.

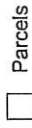
Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff recommends approval based on the findings above.



660 W 100 N Zone Change



Legend



Parcels

Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Shiwiwi Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

Water Conservancy District

State Assessed Oil and Gas

Mining Claim

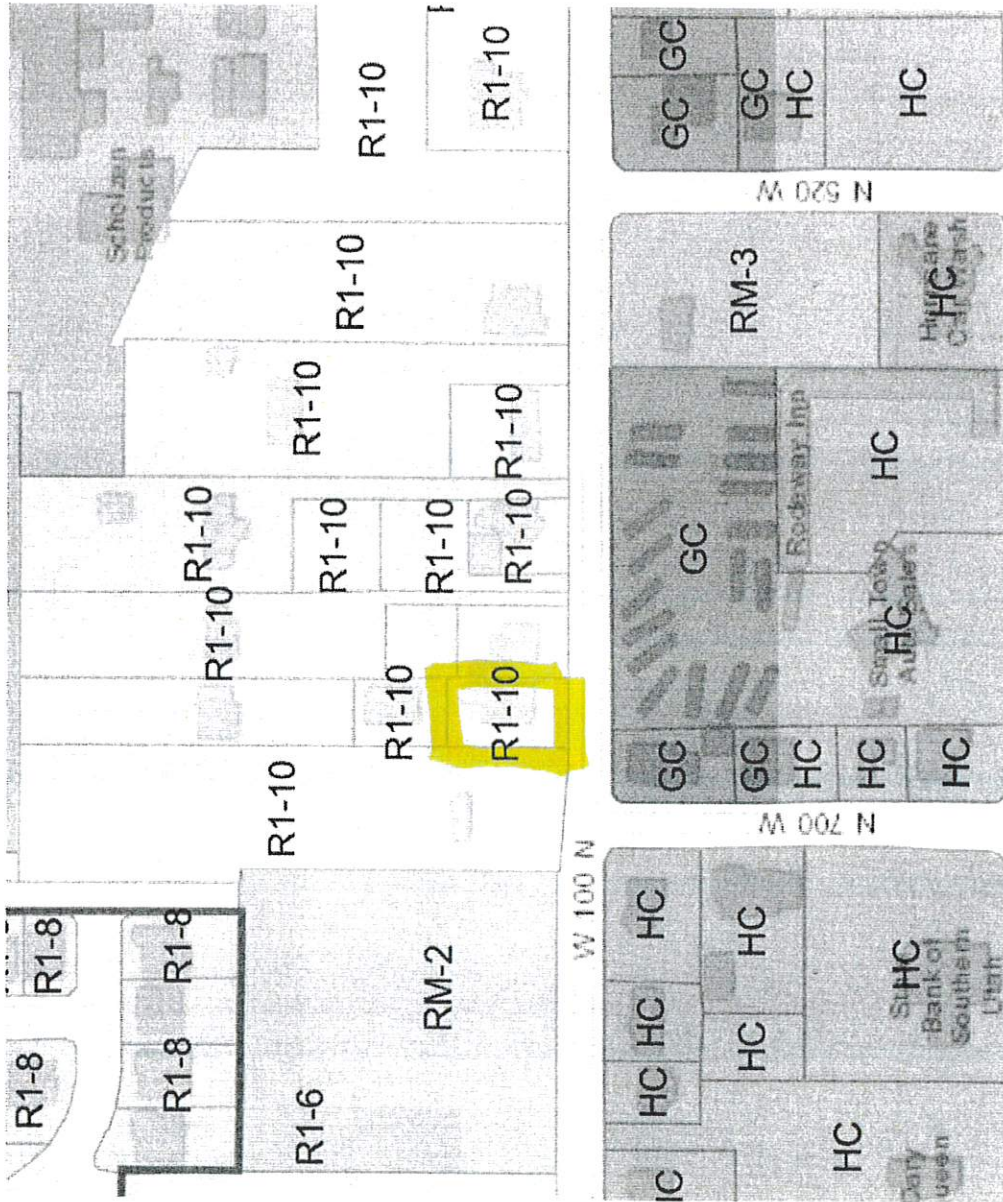
Notes

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

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

20

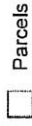




660 W 100 N



Legend



Ownership

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

Notes

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

188.1 0 94.04 188.1 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-2C-21

Receipt No. 7.658823

Name: Kachina Ridge LLC Telephone: _____
Address: 782 S. River Rd #289 St. George, UT Fax No. _____
84790
Agent (If Applicable): Ted Fullerton Telephone: 801-319-7907
Email: _____ Agent Email: fullerton.t@gmail.com

Address/Location of Subject Property: HWY 59 Hurricane Bench
H-312-A, H-3-1-25-331

Tax ID of Subject Property: H-348-B-1-A, H-3-1-36-440 Existing Zone District: R1-15

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

Client is wanting to rezone to 'PC' so he can
have both commercial & residential (52.24 acres)

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-21

Type of Application: Zone Change, Legislative

Applicant: Kachina Ridge LLC

Agent: Ted Fullerton

Request: A zone change from Residential (R1-15) to Planned Commercial

Location: HWY 59 Hurricane Bench (at the bend in the road)

General Plan: Mixed Use Neighborhood

Existing Zoning: Residential (R1-15)

Planning Commission Recommendation

The Planning Commission made a positive recommendation with the conditions for the applicant to supply a preliminary utility plan, updated and complete site plan, and approved development agreement.

Discussion: The applicant is seeking to rezone 54.99 acres from R1-15 to Planned Commercial to develop "both commercial and residential". Planned Commercial purpose is as follows:

10-11-2 Zone Purposes: (D)

4. The purpose of the PC zone is to provide areas where a combination of destination oriented business, retail commercial, entertainment, and related uses may be established, maintained and protected to serve both residents and nonresidents of the city. Typical uses in this zone include large scale, master planned commercial centers with outlying commercial pads, big box stores, offices, and various types of high density residential uses.

This zone allows a variety of uses, including higher density multi-family and commercial uses. These uses should be planned out to meet the standards listed within the code. The applicant has provided a preliminary site plan that staff has few concerns about that will be addressed below.

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	Outside of Hurricane	Cliffs and the Virgin River
East	Outside of Hurricane	Cliffs and the Virgin River
South	R1-15 and R1-10	Single Family Homes and undeveloped property
West	R1-10 and HC	Cliffs

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 the goals, objectives, and policies of the City's General Plan?*

Response: The General Plan Map shows the area as Mixed Use Neighborhood, which would allow for multi-family uses and commercial. The application does meet the proposed future use of the property. The Moderate Income Housing Plan states the following for placement of density of housing:

While the City cannot control the housing market, it can take steps to ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome development. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. (Hurricane, Moderate-Income Housing Plan, 2019, p. 6)

It is likely that homes located in this area will not be considered affordable based on the location and required improvements for building on the property. These homes may or may not have commercial around them.

Staff also feels like the proposed change in the zone is very open-ended and would allow many different uses. Mixed-Use Neighborhood recommends that a site plan to be required within the area. The proposed site plan will not necessarily represent the end product since it is not attached to the zoning unless it is attached to a development agreement.

The City Council should also consider what development it would like to see on the Hurricane Cliffs. It may be appropriate to reject the application based on the fact the City is updating the future land use map and the vision of the area may change with the new plan.

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

Response: The surrounding area is mostly open space, cliffs, and few single-family homes to the south. There is very little development in the area. The only access roadway is SR-59. This development would generally not be in harmony with current development; however, the City General Plan map does show this area with future commercial and residential growth.

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

Response: This type of density may have an impact on the surrounding area. It will cause more traffic on SR-59, and the applicant would be required to provide a traffic study and work closely with UDOT about improvements and access to the roadway. The applicant would be required to provide services on

the property, therefore bringing service to the area. This may allow future development of the surrounding property.

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

Response: No. There are several concerns about bringing service to the project. Sewer will need to be brought to the property and bored under the highway from the bottom of the cliffs. Water is in the area, but has very low water pressure, this may lead to inadequate service. Low water pressure may even lead to problems with fire suppression systems. Power is very limited in the area and would need to be expanded and developed to the property. There is no gas in the area, and limited phone and cable. There is also concerns about second access to meet fire code standards.

The applicant has met with utility departments, fire, city staff, and UDOT and believes they would be able to bring those services up to City Standards for the development.

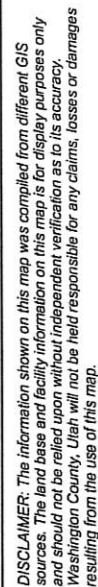
Because of these concerns, staff recommends that a preliminary utility plan and a full preliminary site plan is included with a development agreement to ensure the property owner can complete the project as presented. These concerns should be resolved before approval should be given.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan, but the zoning request has a wide range of options for development.
2. The proposed amendment is generally not in harmony with the overall character of existing development in the area. However, commercial and residential development is planned for the area in the General Plan.
3. Public facilities are not adequate to provide service to the development and staff believes need further study before granting a rezone.
4. The proposed amendment will have a noticeable increased impact on the area, but the growth is anticipated within the General Plan.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff would not recommend a change of zoning for Planned Commercial on this site without a full site plan with a preliminary utility plan and a development agreement.



1,504.7	0	752.33	1,504.7 Feet
---------	---	--------	--------------

WGS_1984_Web_Mercator_Auxiliary_Sphere

Notes

Legend



Ownership

U.S. Forest Service

U.S. Forest Service Wilderness

Bureau of Land Management

Bureau of Land Management Wildlife

National Park Service

Shivwits Reservation

Utah Division of Wildlife Resources

Utah Division of Transportation

State Park

State of Utah

Washington County

Municipally Owned

School District

Privately Owned

Water

Water C

State Assessed Oil and Gas

Mining Claim

LOCATED IN SECTIONS 25, 26, 35, & 36, T41S, R13W, S13E, 1/4
HURRICANE, WASHINGTON COUNTY, UTAH



BEING A PORTION OF SECTION 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854,

R1-15: RESIDENTIAL
R1-10: RESIDENTIAL

- A1 KACHINA RIDGE LLC - PARCEL: H-312-A
 A2 KACHINA RIDGE LLC - PARCEL: H-311-25-331
 A3 KACHINA RIDGE LLC - PARCEL: H-348-B-140
 A4 KACHINA RIDGE LLC - PARCEL: H-348-B-140
 B1 PINKI LEASING LLC - PARCEL: H-348-B-15-B
 B2 BALLARD RALPH & RUTH M TRUST - PARCEL: H-314-A-1
 B3 BALLARD RALPH & RUTH M TRUST - PARCEL: H-314-B-1
 B4 WASHINGTON COUNTY WAREHOUSE TRUST - PARCEL: 3407-A-HV
 C1 LEE & LOWMEY LLC - PARCEL: 3303-B-1 DIV
 C2 LEE & LOWMEY LLC - PARCEL: 3303-B-3-B
 D1 UTAH STATE - PARCEL: H-3313
 D2 UTAH STATE - PARCEL: H-348-B-1-A
 E1 JOHNSON INC - PARCEL: H-348-B-2-A

LOCATED AT IN SECTIONS 25, 26, 35, & 36, T41S, R13W, S1E, 41.
HURRICANE, WASHINGTON COUNTY, UTAH

1001

SHEET NO.
1 OF 2

LOCATED IN SECTIONS 25, 26, 35, & 36, T41S, R13W, S11B.M
HURRICANE, WASHINGTON COUNTY, UTAH

[illegible]

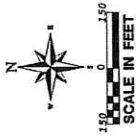
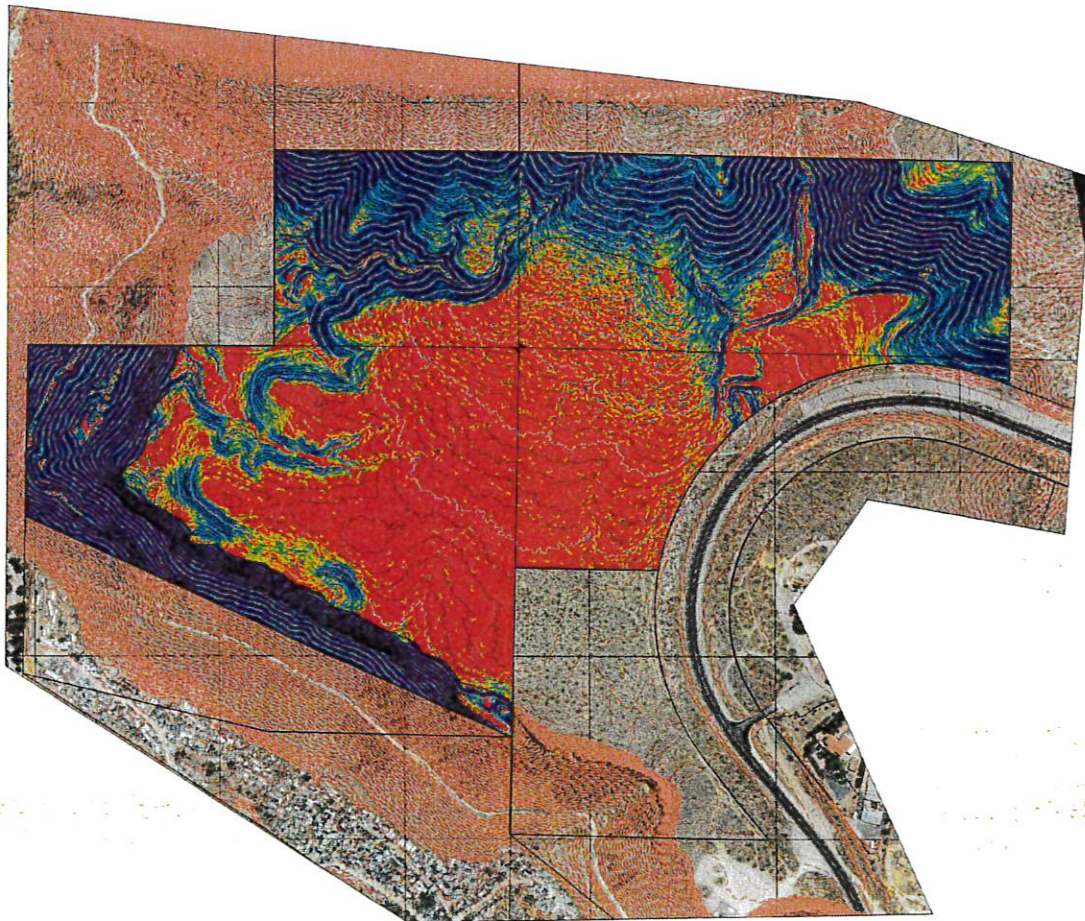
R1-15: RESIDENTIAL
R1-10: RESIDENTIAL
OSC-20: OPEN SPACE CONSERVATION 20 AC MIN. (WASHINGTON COUNTY ZONE)
PC: PLANNED COMMERCIAL

- | | |
|---|-------------------------------------|
| A | KACHINA RIDGE LLC - PARCEL: H-312-A |
| B | KACHINA RIDGE LLC - PARCEL: H-312-A |
| C | KACHINA RIDGE LLC - PARCEL: H-312-A |
| D | KACHINA RIDGE LLC - PARCEL: H-312-A |
| E | KACHINA RIDGE LLC - PARCEL: H-312-A |
| F | KACHINA RIDGE LLC - PARCEL: H-312-A |
| G | KACHINA RIDGE LLC - PARCEL: H-312-A |
| H | KACHINA RIDGE LLC - PARCEL: H-312-A |
| I | KACHINA RIDGE LLC - PARCEL: H-312-A |
| J | KACHINA RIDGE LLC - PARCEL: H-312-A |
| K | KACHINA RIDGE LLC - PARCEL: H-312-A |
| L | KACHINA RIDGE LLC - PARCEL: H-312-A |
| M | KACHINA RIDGE LLC - PARCEL: H-312-A |
| N | KACHINA RIDGE LLC - PARCEL: H-312-A |
| O | KACHINA RIDGE LLC - PARCEL: H-312-A |
| P | KACHINA RIDGE LLC - PARCEL: H-312-A |
| Q | KACHINA RIDGE LLC - PARCEL: H-312-A |
| R | KACHINA RIDGE LLC - PARCEL: H-312-A |
| S | KACHINA RIDGE LLC - PARCEL: H-312-A |
| T | KACHINA RIDGE LLC - PARCEL: H-312-A |
| U | KACHINA RIDGE LLC - PARCEL: H-312-A |
| V | KACHINA RIDGE LLC - PARCEL: H-312-A |
| W | KACHINA RIDGE LLC - PARCEL: H-312-A |
| X | KACHINA RIDGE LLC - PARCEL: H-312-A |
| Y | KACHINA RIDGE LLC - PARCEL: H-312-A |
| Z | KACHINA RIDGE LLC - PARCEL: H-312-A |

PROPOSED ZONE MAP FOR:
KACHINA RIDGE

DATE: 12/27/20
SCALE: 1:50'

SLOPE MAP FOR:
KACHINA RIDGE
 LOCATED IN SECTIONS 25, 26, 35, & 36, T4S, R3W, S1E4M
 HERRICANE, WASHINGTON COUNTY, UTAH



Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	10.00%	759921.31	Blue
2	10.00%	11.00%	61797.65	Light Blue
3	11.00%	12.00%	55448.89	Light Green
4	12.00%	13.00%	51946.80	Green
5	13.00%	14.00%	47891.89	Dark Green
6	14.00%	15.00%	43556.55	Yellow-Green
7	15.00%	16.00%	40478.34	Yellow
8	16.00%	17.00%	37940.00	Orange
9	17.00%	18.00%	37128.82	Red-Orange
10	18.00%	19.00%	35536.17	Red
11	19.00%	20.00%	33991.72	Dark Red
12	20.00%	21.00%	33301.50	Brown
13	21.00%	22.00%	32405.80	Dark Brown
14	22.00%	23.00%	31382.24	Black
15	23.00%	24.00%	31298.56	Dark Blue
16	24.00%	25.00%	30454.66	Medium Blue
17	25.00%	26.00%	30004.02	Light Blue
18	26.00%	27.00%	30220.96	Very Light Blue
19	27.00%	28.00%	29814.03	White
20	28.00%	29.00%	28884.27	Light Gray
21	29.00%	30.00%	27866.75	Medium Gray
22	30.00%	99999901.00%	876491.20	Dark Gray

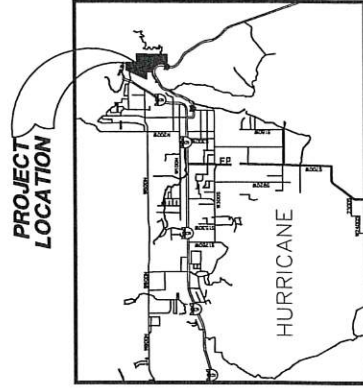
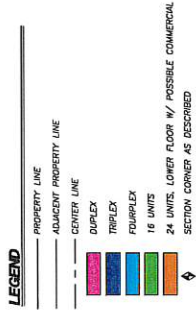
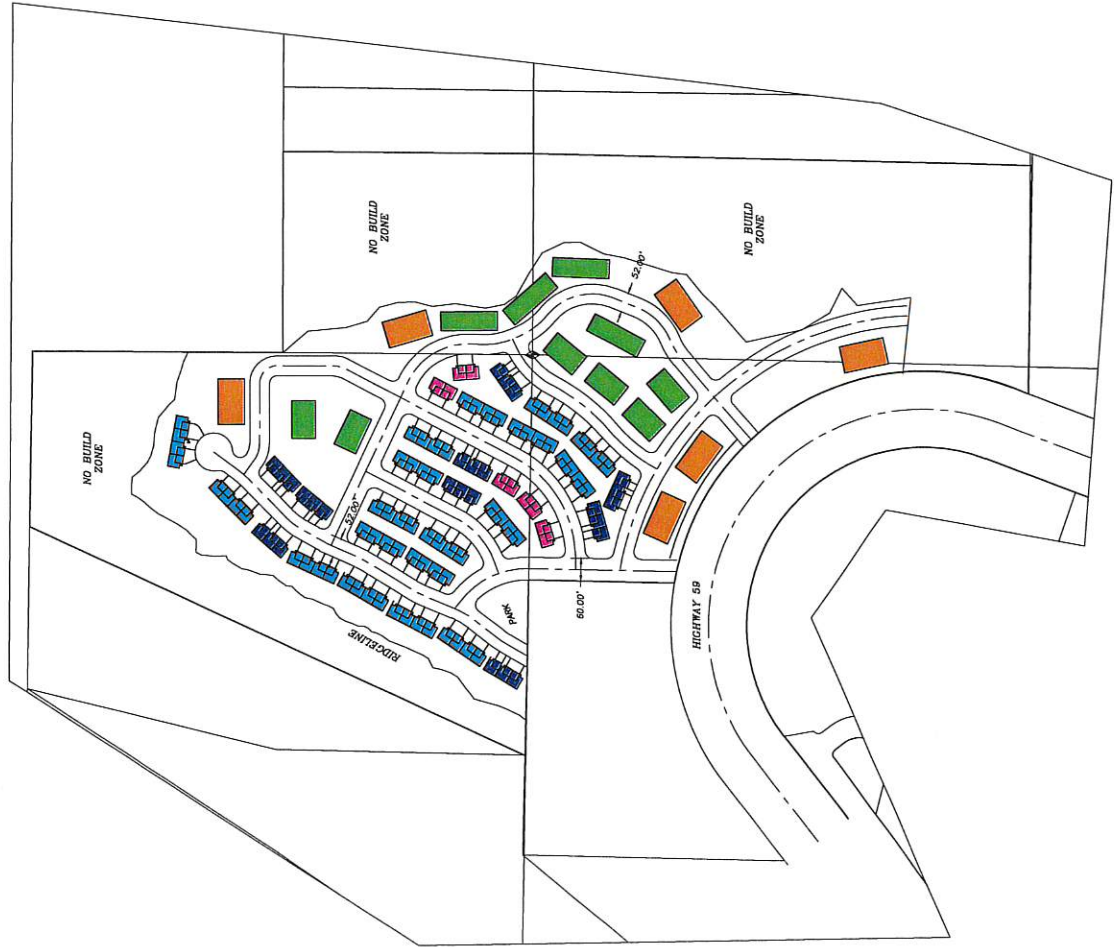
NO.	REVISIONS	DATE	BY

PROVALUE ENGINEERING, INC.
 Engineers - Land Surveyors - Land Planners
 20 South Red Lake Blvd.
 P.O. Box 1000
 Panguitch, UT 84650
 Phone: (435) 683-1000
 Fax: (435) 683-1005

SLOPE MAP FOR:
KACHINA RIDGE
 LOCATED IN SECTIONS 25, 26, 35, & 36, T4S, R3W, S1E4M
 HERRICANE, WASHINGTON COUNTY, UTAH

DATE: 11-14-2020
 SCALE: 1"=60'
 SHEET NO.: 1 OF 1

PRELIMINARY SITE PLAN FOR:
KACHINA RIDGE
 LOCATED IN SECTIONS 25, 26, 35, & 36, T45S, R31W, S3E4M
 HURRICANE, WASHINGTON COUNTY, UTAH



PRELIMINARY SITE PLAN FOR:
KACHINA RIDGE
 LOCATED IN SECTIONS 25, 26, 35, & 36, T45S, R31W, S3E4M
 HURRICANE, WASHINGTON COUNTY, UTAH



PROVAL ENGINEERING, INC.
 Engineers - Land Surveyors - Land Planners
 22 South Main Street, Suite 1
 Hurricane, UT 84037
 Phone: (435) 444-4477
 Fax: (435) 444-4477

NO.	REVISIONS	DATE	BY

DATE: 1-12-2006	SHEET NO.
SCALE: 1"=60'	1 OF 1
JOB NO.	
DATE: 1-12-2006	

1. Is the proposed amendment consistent with goals, objectives, and policies of the city's general plan?

Staff Response: The General Plan Map shows the area as Mixed-Use Neighborhood, which would allow for multi-family uses and commercial. The application does meet the propose future use of the property. The Moderate Income Housing Plan states the following for placement of density of housing:

While the City cannot control the housing market, it can take steps to ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome development. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. (Hurricane, Moderate-Income Housing Plan, 2019, p. 6)

It is likely, that homes located in this area will not be considered affordable based on the location and required improvements for building on the property. These homes may or may not have commercial around them.

Staff also feels like the proposed change in the zone is very open-ended and would allow many different uses. Mixed-Use Neighborhood recommends that a site plan to be required within the area. The proposed site plan will not necessarily represent the end product since it is not attached to the zoning.

ProValue Response:

We have provided a preliminary site plan that will provide various options of housing. In the proposed development, we want to provide multifamily housing and commercial options.

The commercial uses of the project have not been finalized, but we are exploring several possibilities from restaurants, convenience stores, spa type professional, and other retail services.

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

Staff Response: The surrounding area is mostly open space, cliffs, and few single-family homes to the south. There is very little development in the area. The only access roadway is SR-59. This development would generally not be in harmony with current development; however, the City General Plan map does show this area with future commercial and residential growth.

ProValue Response:

Our proposed plan will be in harmony with the general plan with mixed use.

3. Will the proposed amendment affect the adjacent property?

Staff Response: This type of density may have an impact on the surrounding area. It will cause more traffic on SR-59, and the applicant would be required to provide a traffic study and work closely with UDOT about improvements and access to the roadway. The applicant would be required to provide

services on the property, therefore bringing service to the area. This may allow future development of the surrounding property.

ProValue Response:

We will comply with UDOTs request for a spot improvement in this area to take care of all traffic needs and make it safe for vehicles to exit and enter into the development.

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

Staff Response: No. There are several concerns about bringing service to the project. Sewer will need to be brought to the property and bored under the highway. Water is in the area, but has very low water pressure, this may lead to inadequate service. Low water pressure may even lead to problems with fire suppression systems. Power is very limited in the area and would need to be expanded and developed to the property. There is no gas in the area, and limited phone and cable. There is also concerns about second access to meet fire code standards.

ProValue Response:

We are willing to comply with city's request to upgrade all public facilities and utility systems. The improvement will include spot improvements, safe access off the highway, upgraded power systems, new water tanks, sewer collection/delivery systems and/or treatment systems and fire protection systems. We expect that the cost of these improvements could be about USD 10 million.

Staff findings:

1. The proposed amendment is generally compatible with the goals and policies of the current general plan.
2. The proposed amendment is generally not in harmony with the overall character of existing development on the area. However, commercial and residential development and staff believes need further study before granting a rezone.
3. Public facilities are not adequate to provide service to the development and staff believes need further study before granting a rezone.
4. The proposed amendment will have a noticeable a=increases impact on the area, but the growth is anticipated within the general plan.

ProValue Response: The technical reports the staff require will be provided during the design process. As previously stated, we are willing to upgrade the public facilities to be adequate for this development.

Recommendation: staff recommends the planning commission review the application and the zone change based on standards as well as take into consideration the comments from residents. Staff would not recommend a change of zoning for [planned commercial on this site without a full site plan with a preliminary utility and a development agreement.

ProValue Response: All the information that staff requires and requests be placed in the development agreement.



Pre-App Number: PA-101123

Property Owner Information

Name: Jason Griffith - Kachina Ridge, LLC
Mailing Address: 243 East St George Blvd #200,
City, State, Zip: St. George, UT 84770
Email: Jasong@naixel.com
Phone: 4356275709

Applicant Information

Name: MRCL
Mailing Address: 782 S River Rd
City, State, Zip: Saint George
Email: magnus5t@yahoo.com
Phone: 8013197907

Purposed Access Information

Physical Address: 603 E Hwy 59 Hurricane Utah 84737
State Route ID: 0059
Latitude: 37.183
Access Width(in feet): 9
Access Category: Other
Parcel Number: H-3-1-36-440
Milepost Marker: 21
Longitude: -113.274
Access Use: Residential
Side of Highway: North

PROJECT NAME AND BRIEF SCOPE OF WORK DESCRIPTION

Kachina Ridge

Possible residential or commercial development. Currently zoned R-15. Would like to meet with DOT representative at earliest convenience to get estimates of possible improvements that would be required for Hwy improvements under various development scenarios

Meeting Date	Time Spent	Participant Name	Representing	Email	Phone
02-MAR-20	8	Jeff Bunker	UDOT	jbunker@utah.gov	4358934753
		Matt Rhodes	UDOT	mrhodes@utah.gov	4355908897
		Ted Fullerton	Owner		

Total Time Spent: 8

Access Application Review Level Fee: \$475.00

SITE PLAN / ACCESS NOTES

Turn lanes will be required for access to the highway at this location. Plans need to be completed by a licensed engineer and submitted to UDOT for review.

TRAFFIC IMPACT STUDY NOTES

Turn lanes will be required for access to the highway at this location. Plans need to be completed by a licensed engineer and submitted to UDOT for review.

TIS WAIVER

Approved: Y **Name: Jeff Bunker**

Title: Permits Engineer

UTILITIES NOTES

No asphalt cuts will be permitted in association with this project.

DRAINAGE NOTES

All drainage to remain on stie. No draiage will be allowed within the UDOT Right of Way.

OTHER NOTES

Turn lanes will be required for access to the highway at this location. Plans need to be completed by a licensed engineer and submitted to UDOT for review.

Required Default Documents

Plan Set

Documents Required / Identified at Pre-Application Meeting

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-20-22

Receipt No. 7.658831

Name: Frank Lindhart / Shoshone Land Company Telephone: 801-229-4447

Address: 2608 W 510 N, Hurricane, UT 84737 Fax No. _____

Agent (If Applicable): Civil Science Telephone: 435-668-4023

Email: frankgl@gemstoneproperties.com Agent Email: bwalker@civilsience.com

Address/Location of Subject Property: 600 North & 3000 East, Coronado Drive

Tax ID of Subject Property: H-3-1-31-140, H-3-1-31-411,
H-3-1-31-420, H-3-1-4101,
portion of H-3-1-31-1102 Existing Zone District: R-1-10 & R-1-8

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
The proposed zoning request is overlay the existing R-1-8 & R-1-10 zoning with Planned Development.
The overall density will be approximately 3.97 units per acre for the combined 100.78 acres.

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

PRELIMINARY SITE PLAN REVIEW APPLICATION

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

Fee \$200.00

For Office Use Only:

File No. 2020-PSP-04

Receipt No. 7.658831

Name: Frank Lindhart / Shoshone Land Company **Telephone:** 801-229-4447

Address: 2608 W 510 N, Hurricane, UT 84737 **Fax No.** _____

Agent (If applicable): Civil Science **Agent's Phone:** 435-668-4023

Email: frankgl@gemstoneproperties.com **Agent Email:** bwalker@civilsience.com

Address/Location of Subject Property: 600 North & 3000 East, Coronado Drive

Tax ID of Subject Property: H-3-1-31-140, H-3-1-31-411,
H-3-1-31-420, H-3-1-4101,
portion of H-3-1-31-1102 **Zone District:** R-1-10 & R-1-8

Proposed Use: (Describe, use extra sheet if necessary) The proposed site plan contains a mix
of multifamily townhomes and single family homes on approximately 100.78 acres.

This application shall be accompanied by the following:

- ☒ 1. A vicinity map showing the general location of the project.
- ☒ 2. Three (3) copies of a site plan showing:
 - ☒ Topography showing 2' contours, identification of 30% or greater slopes;
 - ☒ The layout of proposed uses;
 - ☒ Location of open space when applicable;
 - ☒ Proposed access to the property and traffic circulation patterns;
 - ☒ Adjoining properties and uses;
 - ☒ NA Proposed reservations for parks, playgrounds, school, and any other public facility sites, if any;
- ☒ 3. Preliminary utility plan, including water, sewer, and storm drainage plans, and including access points to utilities;
- ☒ 4. Tables showing the number of acres in the proposed development and a land use summary; and
- ☒ TBD 5. A phased development plan if applicable.
- ☒ 6. 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 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 the 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 due to an incomplete application could result in a month's delay.

(Office Use Only)

Date Received: _____ Received by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-22/ 2020-PSP-04

Type of Application: Zone Change/Planned Development Overlay/Site Plan, Legislative

Applicant: Frank Lindhart/Shoshone Land Company

Agent: Civil Science

Request: A zone change from R1-10 and R1-8 to R1-8 PDO

Location: South of 600 N and 3100 W

General Plan: High Density Single Fam Res 4-8 Units/Acre

Existing Zoning: R1-10 and R1-8

Planning Commission Recommendation

The Planning Commission gave a positive recommendation based on the findings within this report.

Discussion: The applicant is seeking to rezone to an R1-8 with a Planned Development Overlay (PDO) on 100.78 acres. PDOs are established following the standards within [Hurricane City Code 10-23](#). Within the PDO standards, there is a list of criteria that must be considered before approving a PDO.

10-23-7: APPROVAL OF PLANNED DEVELOPMENT OVERLAY ZONE:

B. Approval Criteria: Submittal of an application for a planned development overlay zone does not guarantee that the zone or a preliminary site plan will be approved. A zoning map amendment and preliminary site plan may be approved only if the city council, after receiving a recommendation from the planning commission, finds:

- 1. The proposed planned development overlay zone and associated preliminary site plan:*
 - a. Does not conflict with any applicable policy of the Hurricane City general plan;*
 - b. Meets the spirit and intent of this chapter as set forth in section 10-23-1 of this chapter;*
 - c. Will allow integrated planning and design of the property and, on the whole, better development than would be possible under conventional land use regulations;*
 - d. Meets the use limitations and other requirements of the zone with which the planned development overlay zone is combined, except as otherwise allowed by this chapter;*
 - e. Meets the density limitations of the underlying zone, unless a density bonus is granted pursuant to the provisions of this chapter; and*
 - f. If a density bonus is authorized, provides superior site design and increased amenities, as provided in subsection 10-23-8C of this chapter, which ameliorate the potential impact of increased density; and*
- 2. The applicant has:*
 - a. Sufficient control over the property to be developed to ensure development will occur as approved;*

- b. *The financial capability to carry out the planned development project; and*
- c. *The capability to start construction within one year of final plan approval.*

C. Imposition Of Conditions: In order to make findings necessary to approve a planned development overlay zone, conditions of approval may be imposed on a preliminary site plan to assure the planned development will:

- 1. Accomplish the purpose of this chapter;*
- 2. Be developed as one integrated land use rather than as an aggregation of individual and unrelated buildings and uses; and*
- 3. Meet the requirements of the zone in which the proposed development is located except as such requirements are modified by this chapter and as shown on an approved preliminary site plan for the planned development.*

Any PDO must be approved with a development agreement to ensure the applicant keeps to the preliminary site plan.

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	R1-8 and M-1	Single family developments
East	R1-8 PDO	Undeveloped Property
South	R1-8, RM-1 PDO and HC	Single Family Homes and undeveloped property
West	R1-10 and R1-8	Single Family Development

Density

The applicant is seeking to create 400 total units, split into 216 at R1-8 sizing, 80 lots at R1-6 sizing, and 104 townhomes. The base zone R1-8 would allow around 4.35 units an acre, assuming 20% of the property is being used for roadways and other public infrastructure. This would allow for a total of 435 total units. If the applicant did not request to change the underlying zone, the applicant would be allowed 407 units.

Site Plan

The applicant has submitted a full site plan. Staff has reviewed the site plan and a few changes and adjustments concerning road layout that needs to be adjusted before final approval. A few of these concerns are as follows:

- The access on 600 North needs to align with 3000 S
- A roadway will need to be placed where lot two is to match the alignment of the Lava Knowles (Ridgeview) Subdivision
- Block lengths need to be verified to be less than 800 ft long.
- Road three-way intersection should be changed to be four-way intersections along the west side to provide greater connectivity.
- Phasing of the project will affect required access roads to meet fire code

The applicant has reached out to staff about these concerns and is working on a new layout.

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 High-Density Single Fam Res 4-8 Units/Acre, which would not normally allow for any townhomes. The Moderate Income Housing Plan states the following for placement of density of housing:

While the City cannot control the housing market, it can take steps to ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome development. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. (Hurricane, Moderate-Income Housing Plan, 2019, p. 6)

The proposed townhomes would be located across from a future light industrial area if fully developed. The townhomes are also located adjacent to 600 N, a major transportation corridor within Hurricane City. The townhomes do conflict with the General Plan Map, but staff believes they are appropriately located, and the development's overall density is less than a standard multi-family zoning.

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

Response: The surrounding area contains single-family homes to the west and south of the project and undeveloped property on the east and north. The majority of the development would be harmonious with the project, matching single-family homes lot sizes. There are no townhome developments within the area.

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

Response: The development would have an impact on the surrounding developments. Some of the proposed access roads will link into other subdivisions for their access point. This development will overall have an impact to the area just based on the size of the proposed project.

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

Response: There are utility and other services in the area, including water, power, sewer, phone, cable, and gas. Each of these utilities will need to be fully reviewed on the construction documents if approved.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is generally in harmony with the overall character of existing development in the area.
3. Public facilities are adequate to provide service to the development.
4. The site plan needs some more design work to ensure it meets Hurricane City connectivity standards.
5. The proposed amendment will have a noticeable increased impact on the area, but the growth is anticipated within the General Plan.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff recommends approval of the proposed zone change and PDO with the following conditions:

1. The site plan is updated with staff comments
2. A development agreement is written and approved with the project.

City Limits

Zoning Overlay

Planned Development Overlay

R1-6: Residential - 1 Unit Per 6,000 Sq. Ft.

Public Facility

☐ Parcels

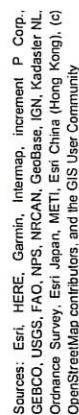
A horizontal scale bar with tick marks. Above the bar, the values 0, 0.05, 0.1, 0.15, and 0.2 are labeled, with 'mi' at the end. Below the bar, the values 0, 0.07, 0.15, and 0.3 are labeled, with 'km' at the end. The text '1:5,733' is centered above the bar.

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

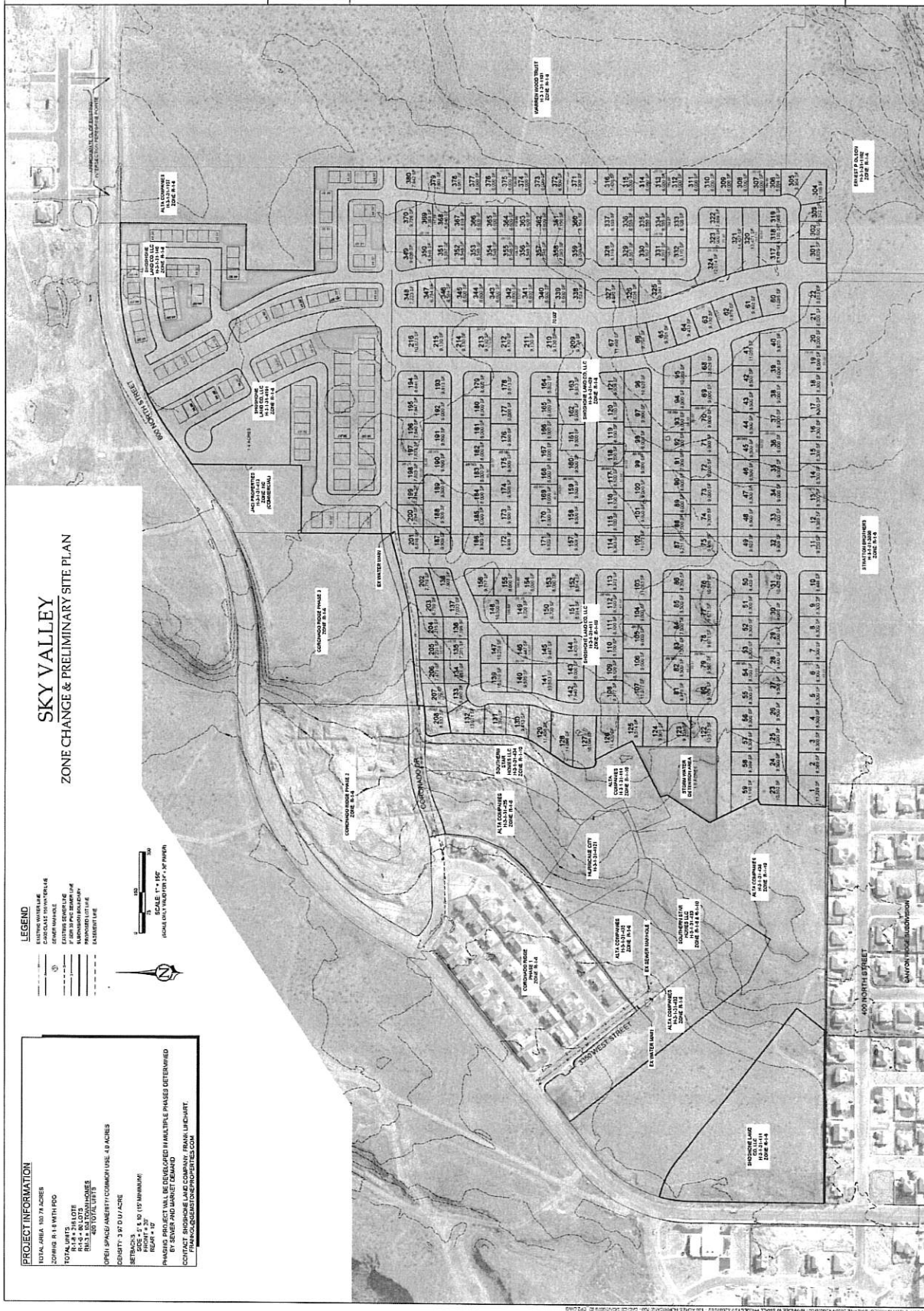
Web AppBuilder for ArcGIS
City of Hurricane

The map displays a residential area with various zoning districts. The central area, outlined in red, is labeled "SUBJECT PARCEL". This area is primarily zoned R1-8, with some R1-10 and R1-6 zones. To the left of the subject parcel is a large area zoned NC (Neighborhood Commercial). To the right is a large area zoned R1-8. The bottom of the map shows a residential area with a mix of R1-8, R1-6, and R1-10 zones. The top of the map shows a residential area with R1-8 and R1-6 zones. The map includes a street grid with street names like "RIDGE" and "W. 10th St". The map is oriented with North at the top.

0



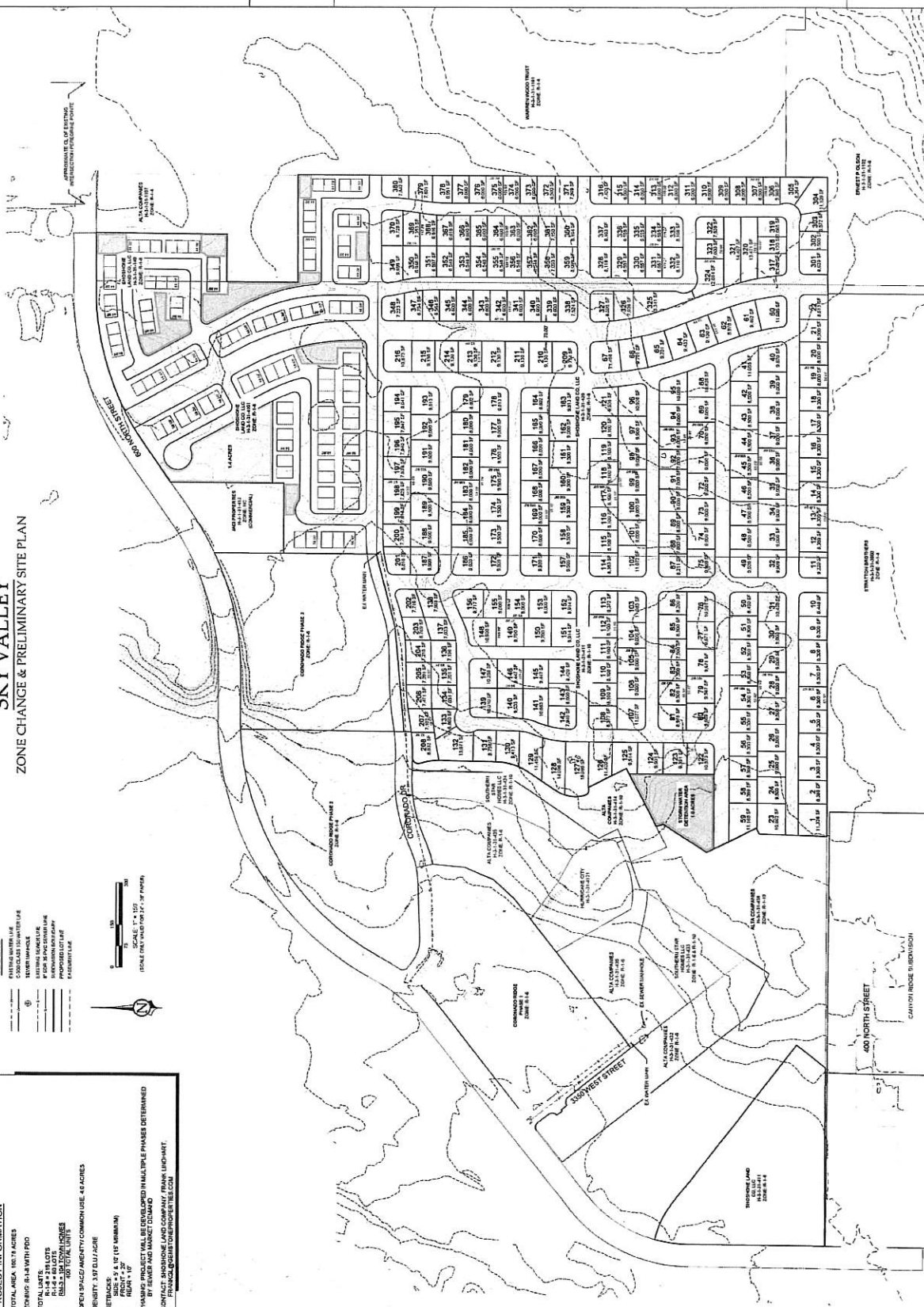
Web AppBuilder for ArcGIS
City of Hurricane



LEGEND

PROJECT INFORMATION

TOTAL AREA: 10.75 ACRES
ZONING: R-1.5 WITH PDD
TOTAL LOTS:
R-1.5 = 216 LOTS
R-1.5 = 8 LOTS
R-1.5 = 207 LOTS
480 TOTAL LOTS
DENSITY: 3.97 D.U./ACRE
 setbacks: 5' x 10' (15 MINIMUM)
FRONT = 30'
REAR = 10'



Tuesday, August 11, 2020

City of Hurricane / Planning Commission
Paul Farthing, Chair
147 N 870 W
Hurricane, UT 84737
(435) 635-2184 fax

Mark & Pamela Simons
627 N 3000 W
Hurricane, UT 84737
(435) 862-1574
mark@marksimons.com

Regarding Zone Change Application 2020-ZC-22 (Shoshone Land Company) – 08/13/2020 meeting

Commission members,

My wife and I live directly across the street from this area that is requesting a zoning change. While I agree people who own property should be allowed to utilize it this change would be a big impact to this area. Looking at the drawings there is only one exit pretty much for 400 houses until others decide to add more neighborhoods, etc. The other would be going through Coronado ridge.

600 North is already a busy street and having to wait to turn north on 3000 W from 600 N can cause delay if traffic is going west on 600 North. This causes traffic to have to wait on 600 N going east as there are not turn lanes, just a narrow 2 lane road.

On 2019-GPA-07 which is JACI Properties H-3-1-31-413 along 600 N the City Council was denied as not meeting the needs of the city, that commercial was warranted for the area. (See reference 1)
If a small 1.84 acre site would have traffic issues, wouldn't a 100+ acres be even worse?

What about things like the schools, right now elementary is bused all the way to Coral Canyon and this would cause issues. Then you have waste services, postal, etc. which will cause delays or shortage of services.

I believe there needs to be more major egress out of the development but not on to 600 N.

If you do approve this site as planned, I would certainly hope that the property of H-3-1-30-320 and adjacent would remain commercial type zoning unless 600 N were to be configured in a 4 lane with turn lane type road.

Respectfully,

Mark Simons

Mark Simons (electronically signed in St George Utah)

Reference 1 : City Council, September 19, 2019 -

192 2. Consideration and possible approval of a General Plan Map amendment request on 1.84 acres

193 located at approximately 3076 West 600 North from Commercial to Multi-family Residential –

194 Jaci Properties

195

196 Planning Commission recommended denial of this application with a vote of 5 to 1. James Cheney is the

197 applicant. He doesn't have a specific plan for the property yet but would prefer to develop a residential

198 project rather than a commercial one.

199

200 Kain Essy lives off 600 North and fights traffic going by this location and shared concerns regarding

201 multi-family housing and potential rise in criminal activities.

202

203 Bill Ennis said it is difficult to find a place to live here in Hurricane. He supports having more multi-family

204 options.

205

206 Murna Trump worries about future high impact fees and supports multi-family developments.

207

208 Without any further comment, Darin Larson made a motion to move out of the public hearing.

209 Seconded by Pam Humphries. Motion approved with Pam Humphries, Darin Larson, Cheryl Reeve, Kevin

210 Tervort and Kevin Thomas voting aye.

211

212 Kevin Thomas feels this does not meet the requirements and he cannot justify this change. Commercial

213 uses will be needed in the future.

214

215 Kevin Thomas made a motion to deny the General Plan Map amendment request on 1.84 acres located

216 at approximately 3076 West 600 North from Commercial to Multi-family Residential, it does not meet

217 the needs or requirements of the area. Seconded by Pam Humphries. Motion approved with Pam

218 Humphries, Cheryl Reeve, Kevin Tervort and Kevin Thomas voting aye. Darin Larson voted no.

<https://www.utah.gov/pmn/files/559875.pdf>

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:
File No. 2020-2C-23
Receipt No. 7-658830

Name: Gavin Godfrey Telephone: 801-671-4682
Address: 90 E 100 S, St. George, UT 84790 Fax No. gavingodfrey55@gmail.com
Agent (If Applicable): Luke Godfrey Telephone: 435-229-4126
Email: lgodfrey7@gmail.com Agent Email: bwalker@civilsience.com
Address/Location of Subject Property: 2898 S 1100 W
Tax ID of Subject Property: H-3356-B & H-3356-D Existing Zone District: RA-1
Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
Proposed RA-0.5 large estate lots

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-23

Type of Application: Zone Change Legislative

Applicant: Gavin Godfrey

Agent: Luke Godfrey

Request: A zone change from Residential Agriculture 1 (RA-1) to RA-0.5

Location: 1100 W and Quarter Mile North of 3000 S

General Plan: Ag/Rural Res 5-10 Acres/ Airport Protection Area

Existing Zoning: RA-1

Planning Commission Recommendation

The Planning Commission recommended denying the application based on the findings within this report.

Discussion: The applicant is seeking a zone change for just over 10 acres from RA-1 to RA-0.5 to build "large estates lots". This lot location is within the "Bench Lake Area", which the City Council has recently directed staff to write an ordinance to be prepared for a Rural Road Cross Section. This will allow an applicant to use a modified cross-section in this area if the lots are one acre or larger.

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	RA-1	Farm Land
East	RA-1	Farm Land
South	RA-1 and A-5	Farm Land
West	RA-1 and A-5	Farm Land

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

Response: The application does not meet the goals of the City General Plan. The City has this area listed for agriculture use with five to ten acre lots. The current zoning is RA-1, which allows for single acre lots. The current zoning allows for higher density than recommended by the General Plan. The City

Council, in the discussion of the Rural Road Cross Section on July 30, 2020, also generally supported this area to be maintained a single acre lot zoning.

Hurricane City's General Plan states the following regarding agricultural policies:

The Hurricane City area was developed for agricultural purposes; first with the Hurricane Canal that irrigated approximately 2000 acres, later the Bench Lake area was developed with water from the Hurricane Canal. Much later areas around the Sands area were developed with underground wells. All other areas have been used over the years as winter grazing areas for livestock...

Agriculture is important to Hurricane and may become more important in the future as changes in economic and global patterns drive the demand for more locally produced food. Many areas currently in agricultural production are located on soil that is collapsible and is not suitable for other types of development.

Agricultural Policies:

- A. 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.*
 - B. Small orchards, truck farms, and hobby farms as well as larger operations are anticipated to fill needs for local food production.*
 - C. Working with those property owners that desire it, City will provide Agricultural Protection under the law.*
 - D. Facilitate low cost water and power to agricultural operations.*
 - E. Work to limit leapfrog development, which places pressure on existing agricultural projects.*
 - F. Recognize the advantage to the City in encouraging the food production on collapsible soil areas.*
- (Hurricane, City of Hurricane General Plan, 2011, p. 28)*

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

Response: The surrounding area is mostly farmland. There are a few subdivisions and homes in the general area.

3. Will the proposed amendment affect the adjacent property?

Response: The total development would allow around 16 lots, and would have minimal impact on the area. The applicant would be required to fence the full subdivision boundary if a subdivision was proposed as required by Hurricane City subdivision code for developments in agricultural areas.

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

Response: There are some facilities in the area, but others would need to be extended. The applicant would need to do some road dedication along 1100 W. Sewer would need to be brought down from 3000 S.

Findings:

Staff makes the following findings:

1. The proposed amendment is not generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is not generally in harmony with the overall character of existing development in the area.
3. Public facilities are not adequate to provide service to the development but could be developed as part of a subdivision process.
4. The proposed amendment will have a noticeable increased impact on the area, but will be minimal because of the small size of the project.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff does not recommend approval of the proposed zone change based on the conflict the application has with the proposed use listed within the general plan.



Godfrey Zone Change



752.3
0
376.17
752.3 Feet
WGS_1984_Web_Mercator_Auxiliary_Sphere

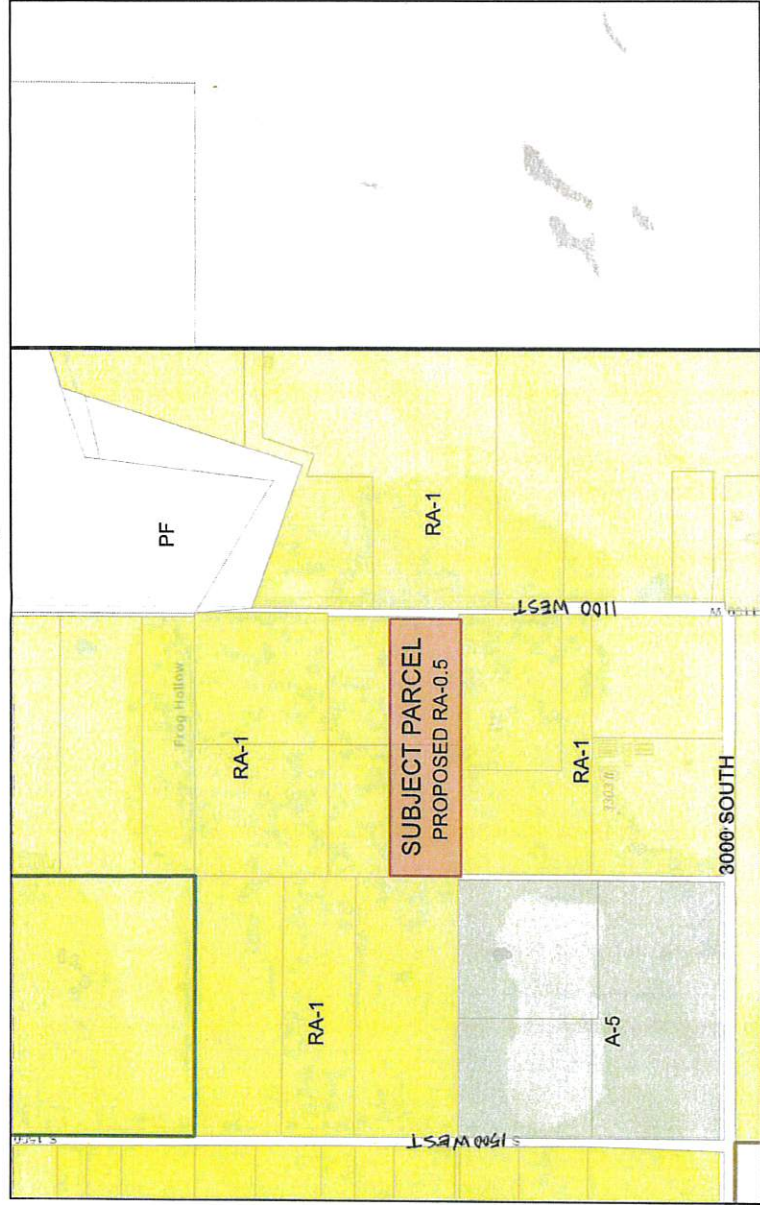
DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Washington County, Utah will not be held responsible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

Notes

Legend

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

Zone Change



7/27/2020, 10:51:32 AM

City Limits

Zoning Overlay

Agricultural Protection Overlay

Planned Development Overlay

Zoning

RA-1: Residential Agricultural - 1 Unit Per Acre

R1-10: Residential - 1 Unit Per 10,000 Sq. Ft.

Public Facility

A-5: Agricultural - 1 Unit Per 5 Acres

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, Web AppBuilder for ArcGIS

City of Hurricane

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2626-2C-24

Receipt No. _____

Name: Fairway Vista Estates LC Telephone: 435-463-2400

Address: P.O. Box 160, Hurricane UT, 84737 Fax No. _____

Agent (If Applicable): Alliance Consulting, Mike Bradshaw Telephone: 435-673-8060

Email: kknudson@Primeres.com Agent Email: mwb@allianceconsulting.us

Address/Location of Subject Property: 1567 W Copper Rock Parkway

Tax ID of Subject Property: see attached Existing Zone District: PDO

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
see attached

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-24

Type of Application: Zone Change/Planned Development Overlay/Site Plan Amendment, Legislative

Applicant: Fairway Vista Estates LC

Agent: Alliance Consulting, Mike Bradshaw

Request: A request to expand the recreation resort are within Copper Rock PDO

Location: 1100 W and 3390 S

General Plan: Planned Community

Existing Zoning: R1-10 PDO

Planning Commission Recommendation

The Planning Commission gave a positive recommendation based on the findings within this report.

Discussion: The applicant is seeking to modify their PDO site plan to do the following

1. *Resort Recreation Zone- Reconfigured to include all of Area 11 and 20 lots in the existing Cliff View Phase 1 Subdivision of Area 12. The acreage of the modified Resort Recreation Zone is 203 Ac. Area 11- Reconfigured to include 11.9 acres and maintained the number of lots of 60, increasing the density to 5 units/ac. The reconfiguration of Area 11 also includes the addition of the Clubhouse / Event Center area of 2.08 acres for a combined total of 13.17 acres.*

To amend a PDO overlay, an applicant must follow the same procedure to gain preliminary approval as stated below:

10-23-7: APPROVAL OF PLANNED DEVELOPMENT OVERLAY ZONE:

G. Amendments: Amendments to approved plans and specifications shall be obtained by following the procedure required for preliminary plan approval. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

The approval procedure can be seen below.

10-23-7: APPROVAL OF PLANNED DEVELOPMENT OVERLAY ZONE:

B. Approval Criteria: Submittal of an application for a planned development overlay zone does not guarantee that the zone or a preliminary site plan will be approved. A zoning map amendment and preliminary site plan may be approved only if the city council, after receiving a recommendation from the planning commission, finds:

1. *The proposed planned development overlay zone and associated preliminary site plan:*

- a. Does not conflict with any applicable policy of the Hurricane City general plan;*
- b. Meets the spirit and intent of this chapter as set forth in section 10-23-1 of this chapter;*
- c. Will allow integrated planning and design of the property and, on the whole, better development than would be possible under conventional land use regulations;*
- d. Meets the use limitations and other requirements of the zone with which the planned development overlay zone is combined, except as otherwise allowed by this chapter;*
- e. Meets the density limitations of the underlying zone, unless a density bonus is granted pursuant to the provisions of this chapter; and*
- f. If a density bonus is authorized, provides superior site design and increased amenities, as provided in subsection 10-23-8C of this chapter, which ameliorate the potential impact of increased density; and*

2. The applicant has:

- a. Sufficient control over the property to be developed to ensure development will occur as approved;*
- b. The financial capability to carry out the planned development project; and*
- c. The capability to start construction within one year of final plan approval.*

C. Imposition Of Conditions: In order to make findings necessary to approve a planned development overlay zone, conditions of approval may be imposed on a preliminary site plan to assure the planned development will:

- 1. Accomplish the purpose of this chapter;*
- 2. Be developed as one integrated land use rather than as an aggregation of individual and unrelated buildings and uses; and*
- 3. Meet the requirements of the zone in which the proposed development is located except as such requirements are modified by this chapter and as shown on an approved preliminary site plan for the planned development.*

Any PDO must be approved with a development agreement to ensure the applicant keeps to the preliminary site plan.

Density

The applicant is not proposing to increase the overall density or units of the project. However, area 11 will have a higher density because of creating a permanent clubhouse in the area.

Site Plan

The overall site plan layout has not changed but has proposed more resort recreational units and changed the temporary clubhouse into a permanent one. Staff has provided the March 2019 approved site plan for comparison.

Zoning

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 planned community that currently has resort zoning. The application does comply with the plan.

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

Response: The surrounding area has resort zoning, and the development has been planned for this purpose. Though it is being expanded, it is overall compatible with the surrounding uses.

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

Response: The change in the site plan and zoning should have little effect and impact on the surrounding property owners.

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

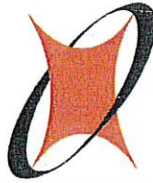
Response: There are adequate facilities to support the project. As part of the expansion of the resort zoning, the applicant is adding an additional clubhouse and event center to accommodate the addition to the resort zoning.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is generally in harmony with the overall character of existing development in the area.
3. Public facilities are adequate to provide service to the development.
4. The proposed amendment will not have a noticeable increased impact on the area.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff recommends approval of the amended proposed zone change and site plan for the Copper Rock PDO.



ALLIANCE CONSULTING
A Planning and Engineering Firm

July 27, 2020

Attn: Stephen Nelson
City of Hurricane
147 North 870 West
Hurricane, UT 84737

RE: Copper Rock Development PDO – Preliminary Site Plan Modification

Stephen-

The property owners and developers of the Copper Rock Development are requesting an update to the Preliminary Site Plan as established in the Planned Development Agreement recorded on April 26, 2017 with Doc #20170023909. A PDO Preliminary Site Plan Modification Application is being submitted along with the modified Site Master Plan dated July 2020.

The modified Site Master Plan includes a total of 894 acres and a total of 2200 units. A complete summary of the modifications is delineated below:

1. Resort Recreational Zone - Reconfigured to include all of Area 11 and 20 lots in the existing Cliff View Phase 1 Subdivision of Area 12. The acreage of the modified Resort Recreation Zone is 203 Ac.
2. Area 11 – Reconfigured to include 11.09 acres and maintained the number of lots of 60, increasing the density to 5 units/ac. The reconfiguration of Area 11 also includes the addition of the Clubhouse / Event Center area of 2.08 acres for a combined total of 13.17 ac.

This proposed request does not change the total number of units that were approved with the original PDO agreement.

The Tax ID's of the Subject Properties are:

H-3394-A-4-A-1,
H-3397-H,
H-3398-C-1,
H-3500-C,
H-CLF-1-1 to 20

The property owners included in the application are:

Copper Rock Properties, LC
P.O. Box 160
Hurricane, UT 84737
Parcel ID's: H-3394-A-4-A-1, H-3397-H, & H-3398-C-1

Fairway Vista Estates, LC
P.O. Box 160
Hurricane, UT 84737
Parcel ID's: H-CLF-1-5 through 1-20

Copper Rock Golf Course, LC
P.O. Box 160
Hurricane, UT 84737
Parcel ID: H-3500-C

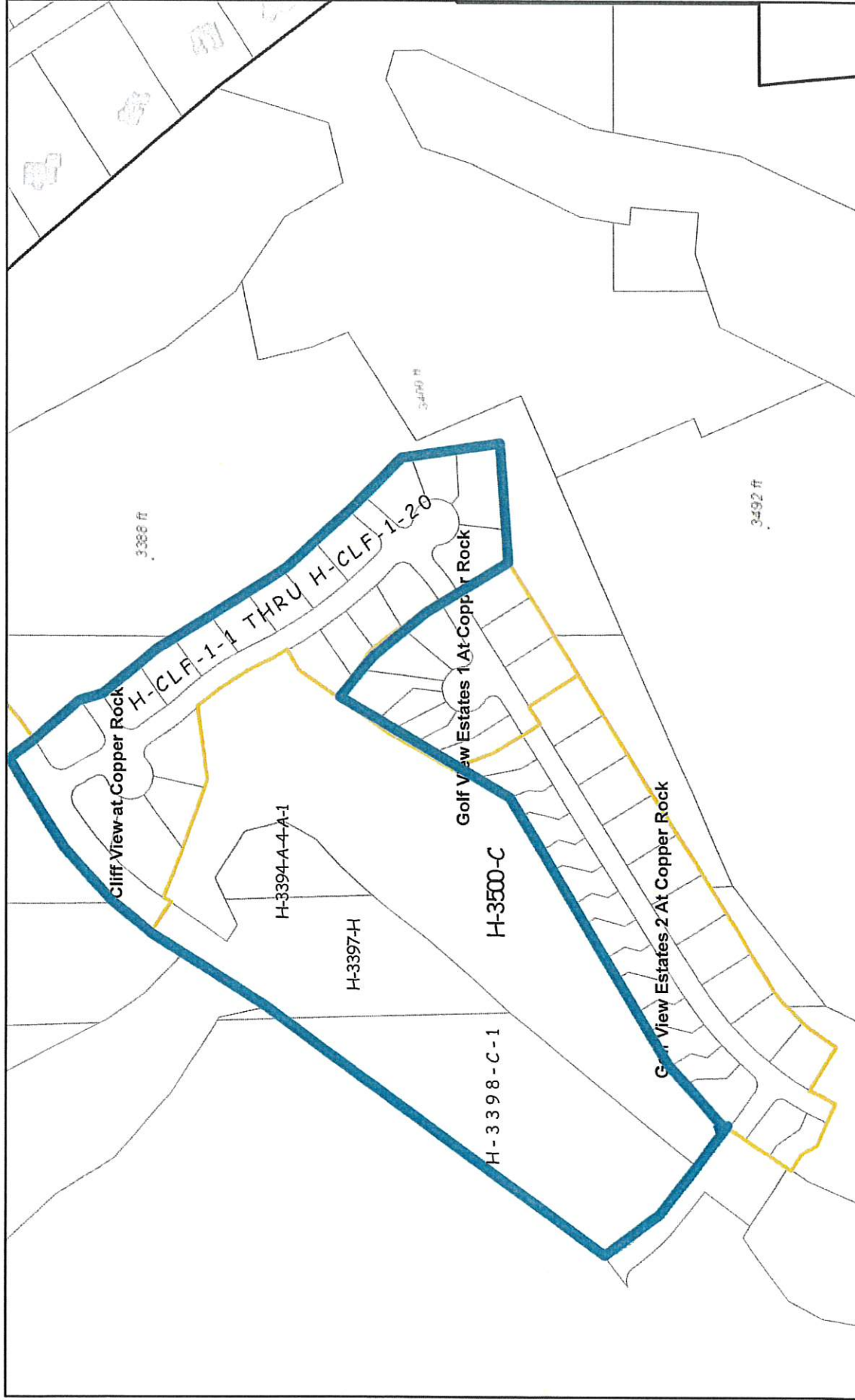
Thank you for your continued efforts in this project. If there are any questions or comments regarding this request, please feel free to contact me at (435) 673-8060.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Michael Bradshaw", with a long, sweeping horizontal line extending to the right.

Michael Bradshaw, EIT, PLS
Project Manager

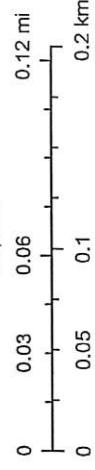
Copper Rock Zone Change



7/30/2020, 9:00:25 AM

City Limits Subdivision Parcels

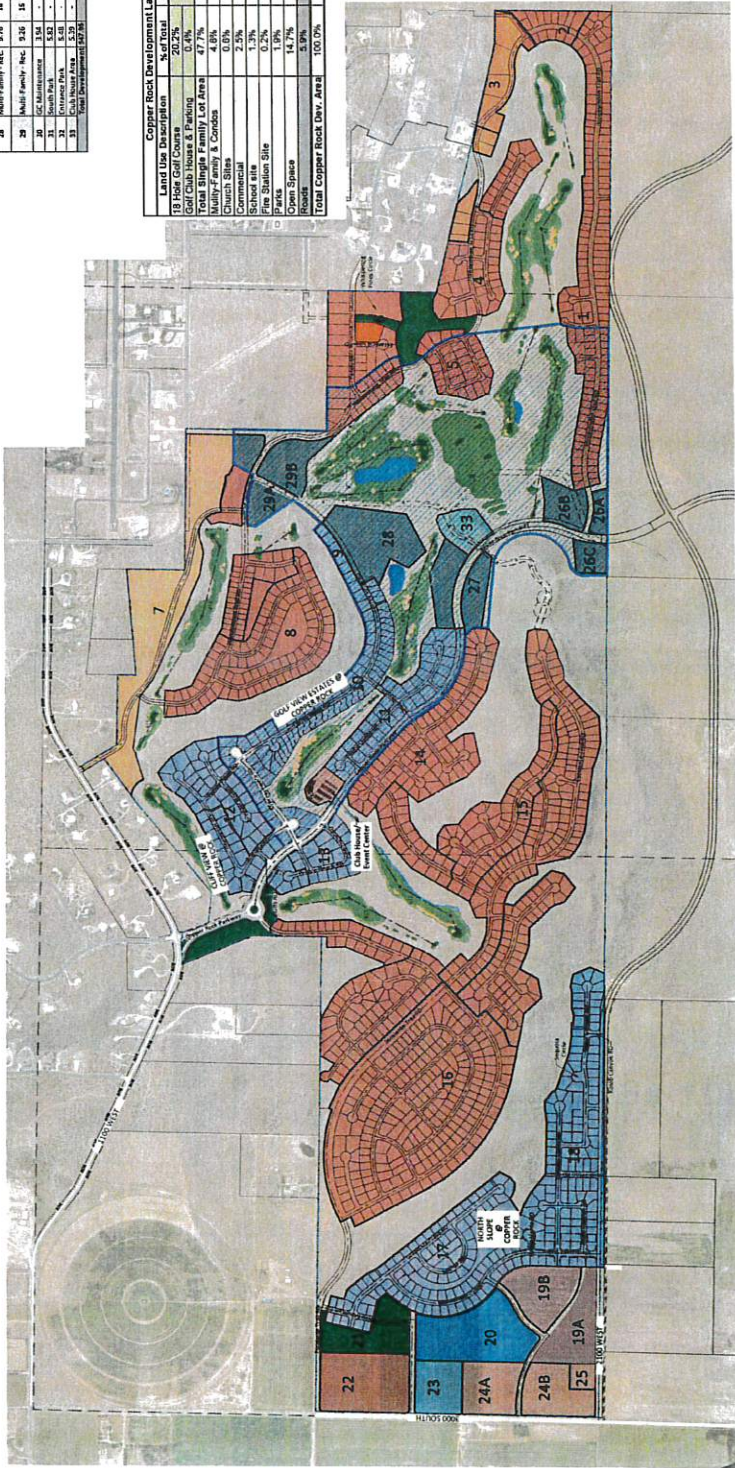
1:4,514



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, City of Hurricane GIS
City of Hurricane GIS, Bureau of Land Management, Utah AGRC, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA |

COPPER ROCK DEVELOPMENT AMENDED MASTER PLAN - JULY 2020 CITY OF HURRICANE, WASHINGTON COUNTY, UTAH

- LEGEND:
- GOLF CLUB HOUSE
 - GOLF COURSE MAINTENANCE FACILITY
 - MULTI FAMILY - RECREATIONAL
(highly vacation oriented)
 - SINGLE FAMILY - 1 LOT PER ACRE DENSITY
 - SINGLE FAMILY - MIXED DENSITY
 - MULTI FAMILY - RESIDENTIAL
 - PRELIMINARY PLATTED LOTS
 - PROPOSED PARKS
 - RESORT RECREATIONAL ZONE 203 acres



NO.	DESCRIPTION	Acres	Density (units/acre)	Total Units
1	WOLF HOLE #1	14.93	3	45
2	WOLF HOLE #2	14.93	3	45
3	WOLF HOLE #3	14.93	3	45
4	WOLF HOLE #4	14.93	3	45
5	WOLF HOLE #5	14.93	3	45
6	WOLF HOLE #6	14.93	3	45
7	WOLF HOLE #7	14.93	3	45
8	WOLF HOLE #8	14.93	3	45
9	WOLF HOLE #9	14.93	3	45
10	WOLF HOLE #10	14.93	3	45
11	WOLF HOLE #11	14.93	3	45
12	WOLF HOLE #12	14.93	3	45
13	WOLF HOLE #13	14.93	3	45
14	WOLF HOLE #14	14.93	3	45
15	WOLF HOLE #15	14.93	3	45
16	WOLF HOLE #16	14.93	3	45
17	WOLF HOLE #17	14.93	3	45
18	WOLF HOLE #18	14.93	3	45
19	WOLF HOLE #19	14.93	3	45
20	WOLF HOLE #20	14.93	3	45
21	WOLF HOLE #21	14.93	3	45
22	WOLF HOLE #22	14.93	3	45
23	WOLF HOLE #23	14.93	3	45
24	WOLF HOLE #24	14.93	3	45
25	WOLF HOLE #25	14.93	3	45
26	WOLF HOLE #26	14.93	3	45
27	WOLF HOLE #27	14.93	3	45
28	WOLF HOLE #28	14.93	3	45
29	WOLF HOLE #29	14.93	3	45
30	WOLF HOLE #30	14.93	3	45
31	WOLF HOLE #31	14.93	3	45
32	WOLF HOLE #32	14.93	3	45
33	WOLF HOLE #33	14.93	3	45
34	WOLF HOLE #34	14.93	3	45
35	WOLF HOLE #35	14.93	3	45
36	WOLF HOLE #36	14.93	3	45
37	WOLF HOLE #37	14.93	3	45
38	WOLF HOLE #38	14.93	3	45
39	WOLF HOLE #39	14.93	3	45
40	WOLF HOLE #40	14.93	3	45
41	WOLF HOLE #41	14.93	3	45
42	WOLF HOLE #42	14.93	3	45
43	WOLF HOLE #43	14.93	3	45
44	WOLF HOLE #44	14.93	3	45
45	WOLF HOLE #45	14.93	3	45
46	WOLF HOLE #46	14.93	3	45
47	WOLF HOLE #47	14.93	3	45
48	WOLF HOLE #48	14.93	3	45
49	WOLF HOLE #49	14.93	3	45
50	WOLF HOLE #50	14.93	3	45
51	WOLF HOLE #51	14.93	3	45
52	WOLF HOLE #52	14.93	3	45
53	WOLF HOLE #53	14.93	3	45
54	WOLF HOLE #54	14.93	3	45
55	WOLF HOLE #55	14.93	3	45
56	WOLF HOLE #56	14.93	3	45
57	WOLF HOLE #57	14.93	3	45
58	WOLF HOLE #58	14.93	3	45
59	WOLF HOLE #59	14.93	3	45
60	WOLF HOLE #60	14.93	3	45
61	WOLF HOLE #61	14.93	3	45
62	WOLF HOLE #62	14.93	3	45
63	WOLF HOLE #63	14.93	3	45
64	WOLF HOLE #64	14.93	3	45
65	WOLF HOLE #65	14.93	3	45
66	WOLF HOLE #66	14.93	3	45
67	WOLF HOLE #67	14.93	3	45
68	WOLF HOLE #68	14.93	3	45
69	WOLF HOLE #69	14.93	3	45
70	WOLF HOLE #70	14.93	3	45
71	WOLF HOLE #71	14.93	3	45
72	WOLF HOLE #72	14.93	3	45
73	WOLF HOLE #73	14.93	3	45
74	WOLF HOLE #74	14.93	3	45
75	WOLF HOLE #75	14.93	3	45
76	WOLF HOLE #76	14.93	3	45
77	WOLF HOLE #77	14.93	3	45
78	WOLF HOLE #78	14.93	3	45
79	WOLF HOLE #79	14.93	3	45
80	WOLF HOLE #80	14.93	3	45
81	WOLF HOLE #81	14.93	3	45
82	WOLF HOLE #82	14.93	3	45
83	WOLF HOLE #83	14.93	3	45
84	WOLF HOLE #84	14.93	3	45
85	WOLF HOLE #85	14.93	3	45
86	WOLF HOLE #86	14.93	3	45
87	WOLF HOLE #87	14.93	3	45
88	WOLF HOLE #88	14.93	3	45
89	WOLF HOLE #89	14.93	3	45
90	WOLF HOLE #90	14.93	3	45
91	WOLF HOLE #91	14.93	3	45
92	WOLF HOLE #92	14.93	3	45
93	WOLF HOLE #93	14.93	3	45
94	WOLF HOLE #94	14.93	3	45
95	WOLF HOLE #95	14.93	3	45
96	WOLF HOLE #96	14.93	3	45
97	WOLF HOLE #97	14.93	3	45
98	WOLF HOLE #98	14.93	3	45
99	WOLF HOLE #99	14.93	3	45
100	WOLF HOLE #100	14.93	3	45

Land Use Description	% of Total	Acres	Total Units
19 Hole Golf Course	20.2%	8,053.719	101
Clubhouse	0.1%	4.0	2
Multi-Family 1st Floor	47.7%	17,676.059	426
Multi-Family 2nd Floor	4.9%	1,769.009	41
Church Sites	0.6%	217.600	5
Commercial	2.5%	953.320	22
Fire Station Site	0.2%	87.327	2
Open Space	1.9%	727.101	17
Resort	14.7%	5,717.123	131
Total Copper Rock Dev. Area	100.0%	33,662.206	654

ALLIANCE CONSULTING
 A Planning and Engineering Firm

2003 N. Coral Canyon Blvd. Suite 201 Westwood, Utah 84780-0277 Tel: (435) 673-8000 Fax: (435) 673-0259

MASTER PLAN
 COPPER ROCK DEVELOPMENT
 LOCATED IN SECTION 16, T1, S27, R28E
 TOWNSHIP 43 SOUTH, RANGE 15 WEST 188M
 CITY OF ST. GEORGE, WASH. CO., UTAH

COPPER ROCK DEVELOPMENT AMENDED MASTER PLAN - MARCH 2019 CITY OF HURRICANE, WASHINGTON COUNTY, UTAH

- LEGEND:
- GOLF CLUB HOUSE
 - GOLF COURSE MAINTENANCE FACILITY
 - MULTI FAMILY - RECREATIONAL (highly vacation oriented)
 - SINGLE FAMILY - 1 LOT PER ACRE DENSITY
 - SINGLE FAMILY - MIXED DENSITY
 - MULTI FAMILY - RESIDENTIAL
 - PRELIMINARY PLATTED LOTS
 - RESORT RECREATIONAL ZONE 176 acres



DATE: 3/28/2019
 PREPARED BY: 4187
 SCALE: 1"=400'
 REVISIONS: CIP
 DRAWN BY: CIP
 CHECKED BY: CIP
 DATE: CIP

2020 N 4000 Canyon Blvd Suite 200 Washington, Utah 84603 (435) 673-0063 Fax (435) 673-0063
ALLIANCE CONSULTING
 A Planning and Engineering Firm

MASTER PLAN
 COPPER ROCK DEVELOPMENT
 LOCATED IN SECTION 16, 23, 27, 28
 TOWNSHIP 43 SOUTH, RANGE 13 WEST 13&14M
 CITY OF ST. GEORGE, WASH. CO., UTAH

SHEET
 MP
 of 5 sheets

POD #	DESCRIPTION	Acres	Density	Units/Acre	Total Units
1	West of Hole #1	24.92	5	321	1,008,034
2	SW Corner Hole #3	10.11	3	28	440,452
3	East of Hole #3	9.25	1	10	402,801
4	East of Hole #5	16.08	3	54	75,190
5	East of Hole #6	22.89	3	69	94,125
6	East of Hole #7	22.89	3	69	94,125
7	SE of Hole #14-16	24.00	1	24	1,008,034
8	West of Hole #16	31.35	4	120	1,360,000
9	Football #10-15	7.29	4	27	243,004
10	East of Hole #10	8.59	4	35	656,102
11	North of Hole #11	15.17	3	45	517,549
12	North of Hole #12	15.17	3	45	517,549
13	South of Hole #12	7.92	3	23	346,000
14	South of Hole #12	24.58	4	80	1,070,726
15	Hill Top	41.71	4	157	1,819,662
16	North Hill	98.61	3	318	4,259,379
17	Hill Football	27.93	4	109	1,127,113
18	Hill Football	27.93	4	109	1,127,113
19	Residential LAF	15.59	15	234	679,162
20	School	12.02	1	1	524,775
21	North Park	5.40	1	1	235,000
22	Commercial	5.40	1	1	235,000
23	Church	5.00	1	1	217,727
24	Commercial	12.02	1	1	524,775
25	Fire Station	2.00	1	1	87,120
26	Multi-Family - Rec.	6.09	15	103	972,173
27	Multi-Family - Rec.	7.08	15	105	280,658
28	Multi-Family - Rec.	7.08	15	105	280,658
29	Multi-Family - Rec.	7.08	15	105	280,658
30	GC Maintenance	3.94	1	1	75,865
31	South Park	5.42	1	1	253,528
32	Fire Station	5.40	1	1	235,000
33	Club House Area	5.40	1	1	235,000
34	Club House Area	5.40	1	1	235,000
35	Club House Area	5.40	1	1	235,000
36	Club House Area	5.40	1	1	235,000
37	Club House Area	5.40	1	1	235,000
38	Club House Area	5.40	1	1	235,000
39	Club House Area	5.40	1	1	235,000
40	Club House Area	5.40	1	1	235,000
41	Club House Area	5.40	1	1	235,000
42	Club House Area	5.40	1	1	235,000
43	Club House Area	5.40	1	1	235,000
44	Club House Area	5.40	1	1	235,000
45	Club House Area	5.40	1	1	235,000
46	Club House Area	5.40	1	1	235,000
47	Club House Area	5.40	1	1	235,000
48	Club House Area	5.40	1	1	235,000
49	Club House Area	5.40	1	1	235,000
50	Club House Area	5.40	1	1	235,000
51	Club House Area	5.40	1	1	235,000
52	Club House Area	5.40	1	1	235,000
53	Club House Area	5.40	1	1	235,000
54	Club House Area	5.40	1	1	235,000
55	Club House Area	5.40	1	1	235,000
56	Club House Area	5.40	1	1	235,000
57	Club House Area	5.40	1	1	235,000
58	Club House Area	5.40	1	1	235,000
59	Club House Area	5.40	1	1	235,000
60	Club House Area	5.40	1	1	235,000
61	Club House Area	5.40	1	1	235,000
62	Club House Area	5.40	1	1	235,000
63	Club House Area	5.40	1	1	235,000
64	Club House Area	5.40	1	1	235,000
65	Club House Area	5.40	1	1	235,000
66	Club House Area	5.40	1	1	235,000
67	Club House Area	5.40	1	1	235,000
68	Club House Area	5.40	1	1	235,000
69	Club House Area	5.40	1	1	235,000
70	Club House Area	5.40	1	1	235,000
71	Club House Area	5.40	1	1	235,000
72	Club House Area	5.40	1	1	235,000
73	Club House Area	5.40	1	1	235,000
74	Club House Area	5.40	1	1	235,000
75	Club House Area	5.40	1	1	235,000
76	Club House Area	5.40	1	1	235,000
77	Club House Area	5.40	1	1	235,000
78	Club House Area	5.40	1	1	235,000
79	Club House Area	5.40	1	1	235,000
80	Club House Area	5.40	1	1	235,000
81	Club House Area	5.40	1	1	235,000
82	Club House Area	5.40	1	1	235,000
83	Club House Area	5.40	1	1	235,000
84	Club House Area	5.40	1	1	235,000
85	Club House Area	5.40	1	1	235,000
86	Club House Area	5.40	1	1	235,000
87	Club House Area	5.40	1	1	235,000
88	Club House Area	5.40	1	1	235,000
89	Club House Area	5.40	1	1	235,000
90	Club House Area	5.40	1	1	235,000
91	Club House Area	5.40	1	1	235,000
92	Club House Area	5.40	1	1	235,000
93	Club House Area	5.40	1	1	235,000
94	Club House Area	5.40	1	1	235,000
95	Club House Area	5.40	1	1	235,000
96	Club House Area	5.40	1	1	235,000
97	Club House Area	5.40	1	1	235,000
98	Club House Area	5.40	1	1	235,000
99	Club House Area	5.40	1	1	235,000
100	Club House Area	5.40	1	1	235,000

Land Use Description	% of Total	Acres	Total Units
18 Hole Golf Course	20.2%	8,003,719	181
Golf Club House & Training	0.4%	1,738,228	4
Total Single Family Lot Area	47.7%	17,838,228	41
Churches & Schools	0.6%	1,788,009	41
Commercial	2.5%	954,300	22
School site	1.3%	525,700	12
Fire Station	1.3%	525,700	12
Open Space	14.7%	5,711,123	131
Resort	5.9%	2,362,286	53
Total Copper Rock Dev. Area	100.0%	38,962,286	804
			2,200

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-2C-25

Receipt No. 8141366

Name: CHARLES HARKER Telephone: (435) 231-1089

Address: 2105 SOUTH 3325 WEST, HURRICANE, UT Fax No.

Agent (If Applicable): Telephone:

Email: charles@bzico.com Agent Email:

Address/Location of Subject Property: 2015 SOUTH 3225 WEST, HURRICANE
H-3-2-7-33011 AND

Tax ID of Subject Property: H-3-2-7-33021 Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)
PROPOSED RA-0.5 TO ALLOW HOMESITES SIMILAR TO THE ADJACENT REDSTONE SPRINGS SUBDIVISION

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) 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: YES ☐ NO ☐

Date application deemed to be complete: Completion determination made by:

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-25

Type of Application: Zone Change, Legislative

Applicant: Charles Harker

Agent: N/A

Request: Zone Change from Residential Agriculture 1 (RA-1) to Residential Agriculture 0.5 (RA-0.5)

Location: 3400 W and Redstone Rd

General Plan: High Density Single Family Res 4-8 Units/Acre

Existing Zoning: RA-1

Planning Commission Recommendation

The Planning Commission made a favorable recommendation on the proposed zone change based on the findings within this report.

Discussion: The applicant is seeking to change the zoning on the property to "allow homesites similar to the adjacent Redstone Springs Subdivision".

The total acre size is 16.51 acres.

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	R1-8 PDO	Elim Valley/Undeveloped property
East	RA-1	Undeveloped Property and Steep Slopes
South	RA-1 and RA-0.5	RA-0.5 Single Family Homes
West	R1-8 PDO	Elim Valley/Undeveloped property

Zoning

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 high-density single-family homes. The application is compliant with the General Plan Map.

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

Response: The proposed zoning will match the development directly south of the rezone request. The proposed zoning north will also be single-family lots once developed as part of the Elim Valley Project.

3. Will the proposed amendment affect the adjacent property?

Response: The change may have an impact to the development to the south. There is a private easement on the north side that traverses the property to access a lot to the southeast. Any development on this property would likely have an impact on the easement.

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

Response: There are adequate facilities to support the rezone. Public services will need to be developed into the property as part of any subdivision. The developer would also need to do some road dedication on 3400 W and connect Redstone Rd through the property to 3400 W.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is generally in harmony with the overall character of existing development in the area.
3. Public facilities are adequate to provide service to the development.
4. The proposed amendment will have a noticeable increased impact on the area but is comparable to the development around the parcels.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff recommends approval of the proposed zone change.

ZONE CHANGE APPLICATION

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

Fee: \$500.00

For Office Use Only:

File No. 2020-2C-26
Receipt No. 7-658849

Name: JON CHENEY (FORTE LAND CO / CSB DEVELOPMENT) Telephone: (435) 231-1447

Address: 86 E KOLOR CIR TOQUERVILLE Fax No. —

Agent (If Applicable): FORTE LAND CO Telephone: (801) 635-9650

Email: cheneyhomes@gmail.com Agent Email: HR@forte.land

Address/Location of Subject Property: 785 W 500 N

Tax ID of Subject Property: H-3-1-34-411 Existing Zone District: R1-10

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)

RM-2 TO CONFORM TO HURRICANE CITY GENERAL PLAN

AND PROVIDE HOUSING MEETING THE MODERATE-INCOME HOUSING PLAN.

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) 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: YES ☐ NO ☐

Date application deemed to be complete: _____ Completion determination made by: _____

STAFF COMMENTS

Agenda: August 20, 2020 **File Number:** 2020-ZC-26

Type of Application: Zone Change/ Legislative

Applicant: Jon Cheney/ Forte Land Co & CSB Development

Agent: Forte Land Co & CSB Development

Request: A zone change from Residential (R1-15) to Planned Commercial

Location: South of 600 N and 870 W

General Plan: Mixed Use

Existing Zoning: R1-10

Planning Commission Recommendation

The Planning Commission recommended approval with a development agreement based on the terms and recommendations of this report.

Discussion: The applicant is seeking to rezone the 16.97 acres parcel from R1-10 to RM-2. The developer is planning on seeking a PDO in the future on the parcel, but wanted to get the overall density secured first. Staff has received several emails in opposition to the proposed zone change from the neighborhood to the south of the development that has been forwarded to the Planning Commission. The applicant is wanting to put single-family homes along the south of the property to property buffering and phasing transition of housing types within the parcel. However, since the application is just a rezone and not a PDO, if the zoning is approved without a development agreement, the applicant would be allowed to develop the parcel for permitted use within the Hurricane City Code.

The applicant has stated that the purpose of the rezone is to "conform to the Hurricane City General Plan and provide housing meeting the moderate-income housing plan"

	<u>Zoning</u>	<u>Adjacent Land Use</u>
North	Open Space	BLM Land and Open Natural Space
East	R1-6 and HC	Developing Project and property
South	R1-8 PDO	Single Family Homes
West	Public Facilities	Hurricane Elementary and Valley Academy

Site Plan

A site plan has been included with the application for reference. The site plan does contain single-family homes along the south of the property. This site plan will also be attached to the development agreement.

Public Hearing

A few member of the public had sent in letters or voiced opposition about the proposed development adjacent to Ivy Wood Subdivision to the south.

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

Response: The General Plan Map shows the area Mix Use, which would allow for a variety of housing and commercial use. The location of the development next to schools and other commercial uses provides the development to access need facilities and reduce vehicle traffic generated from the project. The Moderate Income Housing Plan states the following regarding placement of density of housing:

While the City cannot control the housing market, it can take steps to ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome development. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. (Hurricane, Moderate-Income Housing Plan, 2019, p. 6)

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

Response: The surrounding area contains mostly single-family homes, with schools to the west, and some townhomes to the east. Several property owners from the south have reached out with concerns that the proposed development will not be harmonious with their subdivision.

3. Will the proposed amendment affect the adjacent property?

Response: The development will impact the surrounding area, but the impact has been anticipated within the General Plan. The applicant would also have to construct part of 700 W, a future Major Collector, which will help offset their impact on some of the surrounding communities.

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

Response: There are utility and other services in the area, including water, power, sewer, phone, cable, and gas. Each of these utilities will need to be fully reviewed on the construction documents if a development is approved for this parcel. Staff would also need a traffic impact study as well.

Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the goals and policies of the current General Plan.
2. The proposed amendment is generally in harmony with the area, though staff and residents have concerns about the impact on the property to the south.
3. Public facilities are adequate to provide service to the development.
4. The proposed amendment will have a noticeable increased impact on the area, but the growth is anticipated within the General Plan.

Recommendation: Staff recommends the City Council review this application and the zone change based on standards as well as take into consideration the comments from residents. Staff recommends approval of the proposed zone change with the following conditions:

1. The applicant is not allowed to build any multi-family along the southern board of the property and future development should have a phase transfer of density from south to north to help provide a better transition in housing types. This may be handled with granting the rezone on just the north end of the parcel, or secured within a proposed development agreement.

Cindy Beteag

From: Stephen Nelson <stephen@cityofhurricane.com>
Sent: Wednesday, August 19, 2020 11:10 AM
To: Cindy Beteag
Subject: FW: 785 W 600 N Zone Change Comments

From: Tc Carter <ttc.carter@gmail.com>
Sent: Tuesday, August 4, 2020 4:17 PM
To: stephen@cityofhurricane.com
Subject: 785 W 600 N Zone Change Comments

Stephen,

I moved into Ivy Wood Subdivision (subdivision directly below zone change area) 6 months ago knowing that the area above us would be part of the neighborhood we are currently in with similar housing. I am perfectly ok with more houses coming in above me, i am not ok with 10 houses per acre. Currently we are 4 houses per acre at the max and more than doubling that will either cause that area to go vertical or to have townhomes, meaning I would lose my views in a home I just purchased 6 months ago. If you wanted to rezone that area it should have been done when Ivy Woods came in. Ivy Woods are brand new homes with new home owners. Many of those home owners just started making enough money to escape townhomes or apartments (I fall under this category) and get away from junky homes that create trash dumpsters and tall street lights everywhere. I just moved from a townhome 6 months ago, you get trash litter everywhere.

I feel like this is a very unfair move to make, this area is all brand new and people just started their lives here. Now you are changing what types of homes can be here, so soon after these new homes have been constructed. I would be very disappointed with the City of Hurricane if they allowed this zone change, let these tightly packed in homes go to St. George or Washington. People move to Hurricane to get away from that way of life.

Thank You,
Tony Carter
262-408-7596

P.S. - I will be at the Public Hearing to voice my opinion.

Teach InfoWest Spam Trap if this mail is spam:

REMEMBER: Never give out your account information, password, or other personal information over e-mail.

Cindy Beteag

From: Stephen Nelson <stephen@cityofhurricane.com>
Sent: Wednesday, August 19, 2020 11:10 AM
To: Cindy Beteag
Subject: FW: 785 w 600 n zone change proposal

-----Original Message-----

From: Rachel Schest <rschest@gmail.com>
Sent: Wednesday, August 5, 2020 11:38 AM
To: stephen@cityofhurricane.com
Subject: 785 w 600 n zone change proposal

Hi Stephen,

I defiantly want to voice my opinion about this zone change. I am 100% against it. Building homes is fine to do in the lot, but please do not built apartments or townhomes. Not only will you hurt the property value, but I truly believe this is a bad idea as people moved back here to be away and bringing in apartments/townhomes will ruin the environment back here. I feel very strongly about this as I would assume my neighbors would as well. I am willing to go house to house about this in the neighborhood that I live in (Ivy Wood) if necessary. Truly whatever it takes.

As someone who is just starting out with owning their own property, one thing I would like to comment on is the fact that finding a house in this area specifically is so frustrating and hard. I really believe building normal homes in this zone is the way to go, as people want to buy homes, not rent a town home or apartment. Owning a home is the dream, not renting. I've lived in southern Utah for almost 4 years and I've never lived in an area that was so weird about building and home availability.

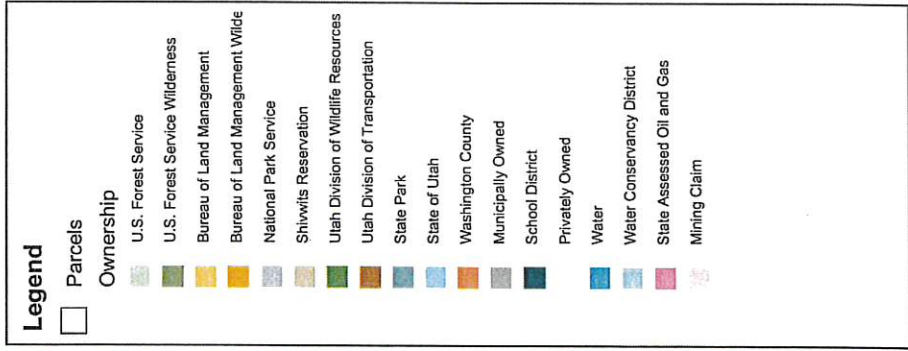
With that said, I've unfortunately lived in a townhome for the other 3 years of living here. I understand they are nice because they don't take up much room and can house more people- but I don't think this is the solution this area needs, especially Hurricane. I will never understand why anyone would think it's a great idea to move in apartments and townhomes next to a neighborhood. If this is a must, surely there is plenty of other land in Hurricane that can be used for a high density area, that will not have a negative impact with the community. Are there no other existing townhomes/apartments that have land around them, where you could continue to expand in an appropriate area?

Again, I understand that the area around will eventually get developed, and that is totally okay because that's how it works. But a zone change is not it.

I moved to Hurricane to get away from congested areas. Hurricane has always seemed different about respecting the environment and caring about things more than what St George does (in my experience) but with this proposal change it would seem that the city of Hurricane is losing that if this is what's going to happen. I understand people want to move to the St George area, but please do not turn this area into a St George. If I wanted to live in a congested area, I would have stayed and bought a house in St George.

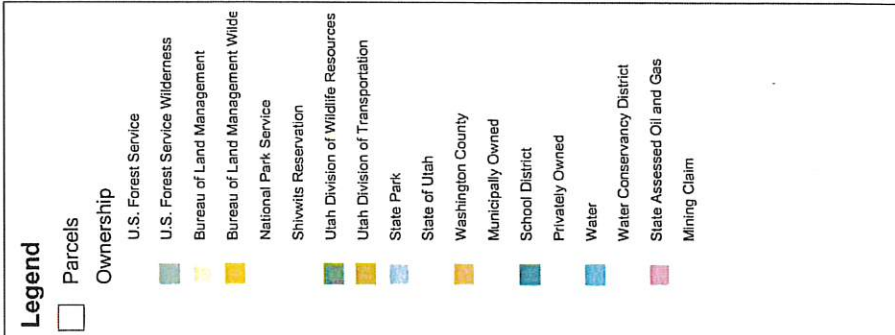
Thank you for taking the time to read my long complaint. Fair warning: I'm sure this won't be the only complaint I have regarding this zone change proposal.

Have a great day.



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.





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.

1,504.7	0	752.33	1,504.7 Feet
---------	---	--------	--------------

WGS_1984_Web_Mercator_Auxiliary_Sphere



Hurricane Hollow PDO Moderate Income Housing Plan

Property Description: 16.9 acres at 450-600 North and 700-870 West.

Current Zoning: R1-10

Proposed Zone Change: RM-2 (10/acre) with Planned Development Overlay (PDO)

Total Doors: 136. (Total doors allowed with RM-2 = 169)

Building Types: (See Concept Plan and Elevations)

1. 14 Single Family detached - along Ivy Wood neighborhood.
2. 62 Tri-Plex - in middle of development.
3. 60 Twin-Home - on north end of development.

Past Projects in Hurricane City: Hurricane Heights

Moderate Income Housing Plan - November, 2019

1. City Goals:

"Our ultimate goal is to facilitate housing for moderate income families that does not require them to pay more than 30% of income for gross housing costs, including utilities, a rate of approximately \$1291 monthly, using the methods outlined in the State's requirements for moderate income housing plans." *(page 2 MIHP)*

2. City Methods:

"The methods planned for this reporting year are amending the general plan to ensure multi-housing types are amending the land use code to define densities and allow for density bonuses in mixed use, planned commercial and neighborhood commercial zones where housing for moderate and low income housing households is created and restricted by deed instruments." *(page 2 MIHP)*

3. Population: It appears that with the current Pandemic, more people are seeking to move to smaller towns that have less likelihood of COVID-19 outbreaks. Washington County, and especially Hurricane City, are seeing this occurring now.

"The population estimates created by the 2009 and 2017 American Community Survey methodology show a change of just over 3,000 residents in that time frame, with a projection of a 2024 population of 17,982. The City's



own estimates of current 2019 population, based on building permits and an average household size of 2.9 residents, is **20,319**, which exceeds the projected 2024 population. Based on a 5% growth rate, the City anticipates a **2024 population of at least 25,900**. The 2010 Census population for Hurricane was 8,800 so the population has increased by 11,519 in a little less than 10 years. Because the City has an area of over 52 square miles and large areas of undeveloped private property, it is anticipated the City will continue to gain population significantly every year." (page 4 MIHP)

"In the past 3 years the City has recognized the need to approve zoning changes and project plans that provide a wider variety of housing options.... Demand is high for these units and prices remain market driven.... Given the current patterns of development and considering development proposals currently in review, housing supply will continue to increase along with population." (page 4 MIHP)

4. Vacation Rentals - We are not vacation or nightly rentals.

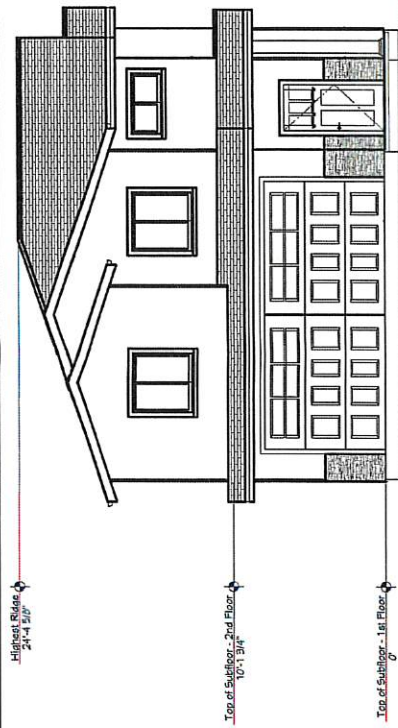
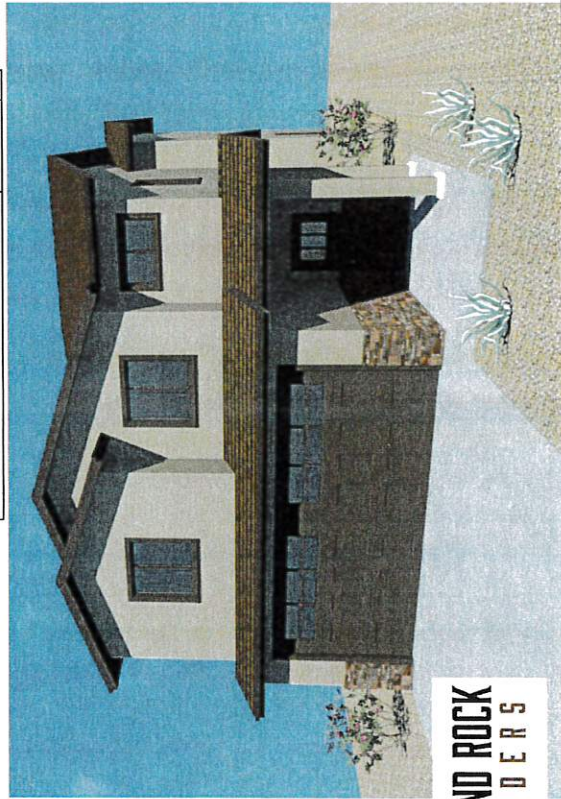
"Unfortunately, the proliferation of vacation rental properties in both neighboring municipalities continues to drive housing availability and prices up in all areas. Employees that have to travel further and further from Hurricane to find affordable housing has a negative impact on business development and transportation corridors leading in and out of the community. (page 3 MIHP)

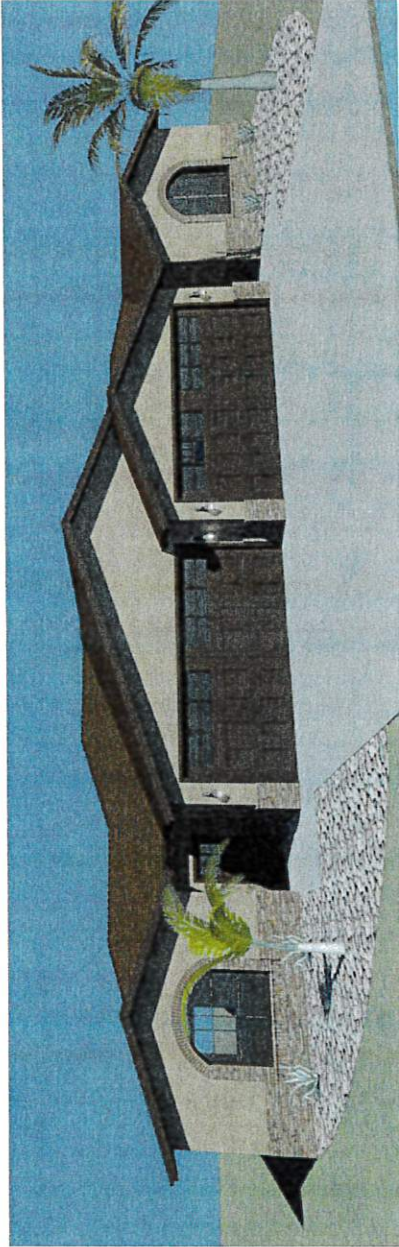
5. Affordability/Pricing

- a. What is Affordable Housing - \$245,000-\$285,000 based on AMI.
- b. Housing should be at about 30% or \$1,200/month

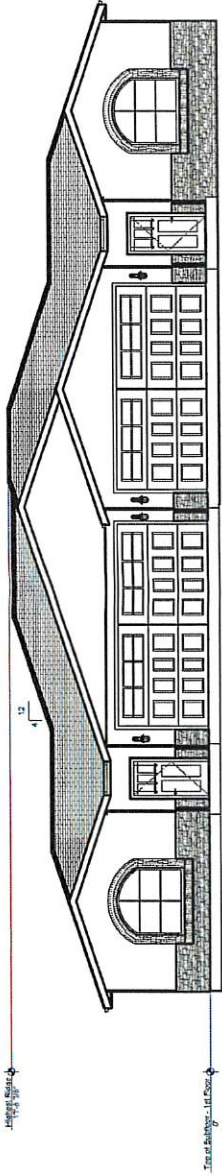
"With the knowledge that low to moderate income families are being priced out of the single family housing market based on an average sales price of \$295,600 and an affordable monthly payment of \$1291 including utilities, allowing the development of more small lot and multifamily housing is the method the City expects to use for the next year to continue to encourage moderate to low income housing." (page 6 MIHP)

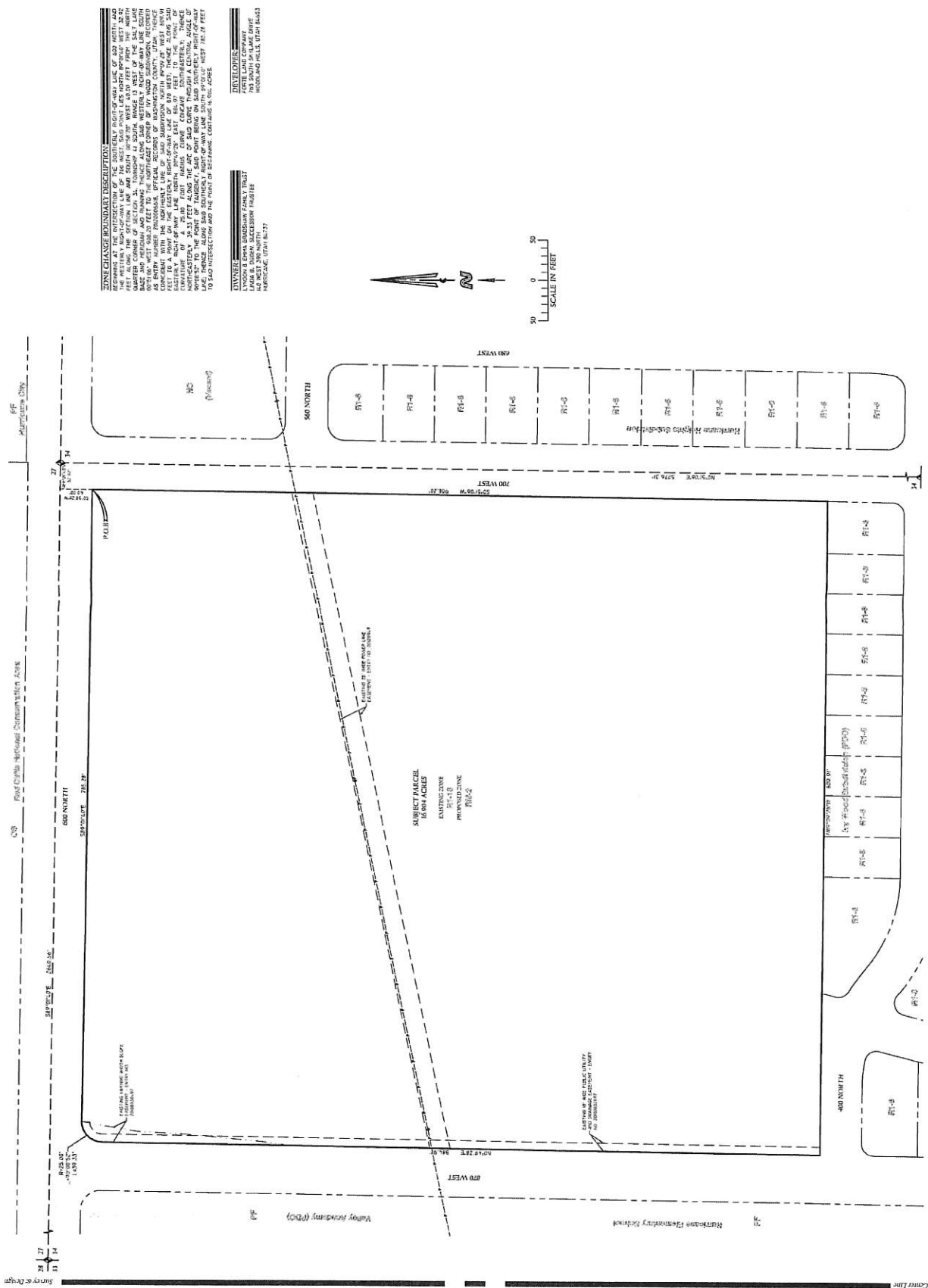
"The specific tools outlined in Utah State Law that the City will utilize are: 2. Allow for moderate income residential development in mixed use zones and planned commercial and neighborhood commercial zones based on guaranteed low to moderate income rental or ownership rates for the next 15 years." (page 6 MIHP)





DRB
DIAMOND ROCK
BUILDERS





STAFF COMMENTS

Agenda: August 20, 2020

Ordinance 2020-15

Action Type: Ordinance Change, Legislative

Applicant: Staff

Request: Approve a Temporary Ordinance Establishing a Moratorium on Zone Change and General Map Amendments

Reviewed: Planning Department, City Attorney

Discussion

Hurricane City is in the process of updating its General Plan and General Plan Map, which should be completed by the end of 2020 or early 2021. The General Plan is the primary document that guides legislative land uses decisions within the City. Hurricane City Code describes some of the purposes of the General Plan as follows:

10-2-2: GENERAL PLAN:

A. Purpose: In order to accomplish the purposes set forth in chapter 1 of this title the city has prepared and adopted a comprehensive, long range general plan for present and future needs of the city, and growth and development of the land within the city. The plan may provide for:

- 1. Health, general welfare, safety, energy conservation, transportation, prosperity, civic activities, aesthetics, and recreational, educational, and cultural opportunities.*
- 2. Reduction of the waste of physical, financial, or human resources that result from either excessive congestion or excessive scattering of population.*
- 3. Efficient and economical use, conservation, and production of the supply of food and water, and drainage, sanitary, and other facilities and resources.*
- 4. Use of energy conservation and solar and renewable energy resources.*
- 5. Protection of urban development.*
- 6. Protection and promotion of air quality.*
- 7. An official map, pursuant to title 72, chapter 5, part 4, transportation corridor preservation, of the Utah code. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)*
- 8. The protection or promotion of moderate income housing. (Ord. 2005-15, 7-21-2005)*

Hurricane City Code states the following when considering a zone change:

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

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

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

Because of the importance the General Plan has for the City in making long-term decisions about zoning and land use policy, staff recommends that the City Council place a temporary moratorium on the receipt, processing, and approval of applications for the General Plan Map and Zone Change Applications. Cities are granted this ability to establish a temporary land use regulation in Utah code:

UCA 10-9a-504 Temporary Land Use Regulations.

(1) (a) A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:

- (i) the legislative body makes a finding of compelling, countervailing public interest; or*
- (ii) the area is unregulated.*

(b) A temporary land use regulation under Subsection (1)(a) may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure or any subdivision approval.

(c) A temporary land use regulation under Subsection (1)(a) may not impose an impact fee or other financial requirement on building or development.

Hurricane City Code also allows for the consideration of land use code:

10-7-20: TEMPORARY REGULATIONS:

A. Authorized: The City Council may, without a public hearing, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the City if the Council makes a finding of compelling, countervailing public interest; or the area is unzoned.

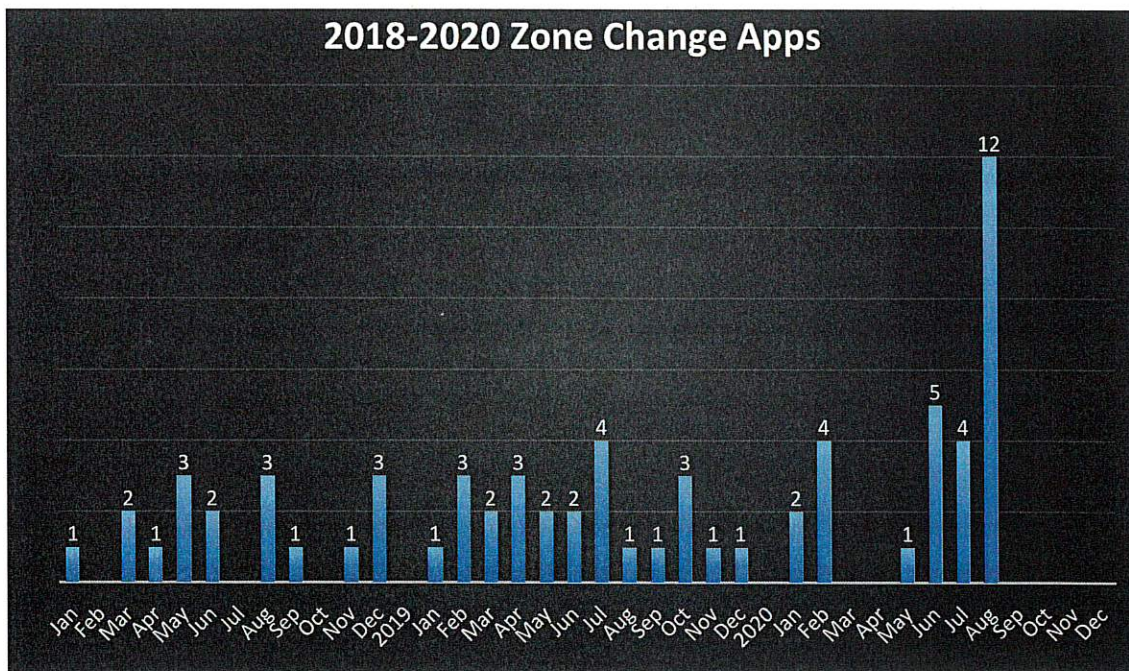
1. A temporary land use regulation may prohibit or regulate the erection, construction, reconstruction, or alteration of any building or structure, or subdivision approval.

2. A temporary land use regulation may not impose an impact fee or other financial requirement on building or development.

3. A temporary land use regulation shall not exceed six (6) months in duration.

Zoning Numbers Request

When staff first proposed this idea to the City Council a couple of months ago, the Council asked staff to review how many zone change applications we have received over the past few years and what we could anticipate. As you can see from the graph below, we have seen more zone change applications this year than in the years before.



Some of the uptick for August is in part, individuals seeking the change before any moratorium is put in place. However, many of these applicants have told staff they were planning on submitting a zone change within the next few months if a moratorium was not being considered.

Recommendation: Discuss and approved the proposed ordinance 2020-15

AN ORDINANCE ESTABLISHING TEMPORARY LAND USE REGULATIONS PROHIBITING THE RECEIPT, PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR GENERAL MAP AMENDEMENT AND ZONE CHANGES

WHEREAS, Hurricane City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and

WHEREAS, the City finds that UC §10-9a-101 et. seq. and related sections provide that the City Council may enact zoning and subdivision ordinances establishing regulations for land use and development within the City; and

WHEREAS, the City finds that the management and administration of the applications for zoning, re-zoning, subdivision approval and annexation are an integral part of the function of both the Hurricane City Planning Commission and Hurricane City Council; and

WHEREAS, Hurricane City, is in the process of updating its General Plan and General Plan Map; and

WHEREAS, the City finds that the continued receipt of applications or approval of such is not in the best interest of the City nor its residents and would be harmful to the public interest until the City's updates and adopts the new General Plan and General Plan Map; and

WHEREAS the City finds that a certain amount of time will be required to complete the review, design, and amendment of said general plan and map; and

WHEREAS the City finds that UC §10-9a-504 provides, in part, that the City Council may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality.

WHEREAS, Utah State Law provides as follows:

UCA 10-9a-504 Temporary Land Use Regulations.

- (1) (a) A municipal legislative body may, without prior consideration of or recommendation from the planning commission, enact an ordinance establishing a temporary land use regulation for any part or all of the area within the municipality if:

3. These temporary land use regulations may be rescinded prior to the end of said six (6) month period, upon a finding by the Hurricane City Council that it would be in the best interest of the City so to do.
4. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period of time this Ordinance remains effective. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.
5. Should any provision, clause or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.
6. This ordinance shall become effective upon posting as required by law.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall be considered to be of an urgent nature, and this ordinance shall take effect immediately upon publication or posting as required by law.

PASSED AND APPROVED this _____ day of August, 2020.

CITY OF HURRICANE

John Bramall, Mayor

Attest:

Cindy Beteag, City Recorder