

ON AUGUST 13, 2020 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN FINE ARTS BUILDING LOCATED AT 92 S 100 West HURRICANE, UT.

Members Present: Paul Farthing, Dayton Hall, Shelly Goodfellow, Mark Sampson, Chris Christensen, Michelle Cloud, and Rebecca Bronemann.

Members Excused: Ralph Ballard

Staff Present: Planning Director Stephen Nelson, Planning Technician Brienna Spencer, City Council Representative Darin Larson, Engineering Department Representative Darrin LeFevre, and City Attorney Fay Reber.

Chairman Paul Farthing called meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Rebecca Bronemann and Shelly Goodfellow offered the prayer. Roll call was taken.

Dayton Hall proposed moving the last agenda item to be the first discussion item after the public hearing, seconded by Michelle Cloud. Motion passed unanimously.

Chairman Paul Farthing opened public hearing at 6:04 P.M. to take comments on the following:

1. A Zoning Map amendment request on the following parcel #'s: H-3-2-7-4331, H-3-2-7-45031, H-3-2-7-4501, H-3-2-7-4332 located at approx. 1355 South 3325 West from RA-1, residential agriculture 1 acre, and RM-1, multifamily 6 units per acre, to MH/RV, mobile home/RV, PC, planned commercial, and GC, general commercial.

Comments were submitted on the record and are attached to these minutes.

Leah Thompson read letter opposing zone change. Letter is attached to end of minutes.

Multiple people by raise of hand agree with Leah Thompson

Lynn Pope of Dixie Springs agrees with Leah Thompson and thanked the Planning Commission for taking the time to listen to the people.

Seth Foster one of the owners of American Heritage Homes, the immediate past president of the Southern Utah home owner's association, and the current president of the Red Stone Springs home owner's association. Mr. Foster has heard many concerns about the lowering of property value from his customers as well as fellow neighbors. He agrees with Leah Thompson and the issues with the road. Mr. Foster stated that it does not seem to harmonize with the other property around it or the upcoming zoning in the area. He feels there are better areas in Hurricane that would be a better fit this type of zone change.

Multiple people by the raise of hand agree with Seth Foster.

Nancy Russel is the president of the ACC in Dixie Springs. She asked that there be careful consideration in denying or approving the zone change that it be sure that it is a logical and desirable use for the existing area. Ms. Russel asked that there be strong consideration of the influence this type of zoning will have on the community. Decisions should be made and justified on the grounds that they protect the health, safety, and welfare of the existing community. There is also not a finalized master plan and at minimum, that should be finalized before approving a zone change request of this magnitude so the impact on the congestion can be accurately assessed. If the zone change is approved and there is a

failure to complete the project, what would the future look like for that zone change and the surrounding communities? Ms. Russel thinks in this case the applicant should be held accountable.

Joanna Yates is a resident of Dixie Springs. She agrees with what Leah Thompson had said. Ms. Yates mentioned the Zion Gate and Sand Hollow mobile parks in the area that are already zoned for this and not packed full. She doesn't think we need extra development of this kind in the area.

Jeremy Johnson – applicant, spoke of what is happening to the property and why he is proposing the zone change. The letter sent from the City of Hurricane to the State of Utah was submitted and is attached to these minutes. Mr. Johnson stated that this letter submitted is what has started everything, otherwise he wouldn't be here to make this change. The water system and sewer system are not up to code according to the State of Utah and they recommend hooking up to the city. He is asking that the City give him the proper zoning for what has already been there for as long as anyone can remember. The residence don't want to leave or go anywhere. He stated he would like to upgrade the subsidized housing but it is hard when they aren't properly zoned.

Brittany MacMear she understands what Jeremy Johnson is saying and it sounds to her that he is asking for the zone change to keep things the way they are. However, with the site plan that was submitted with his application, he is asking for 156 mobile home spots, 166 RV spots, 276 RV/boat storage spots, 65 multifamily buildings, and a hostile. She wants to make everyone aware of that and feels that is very high density for that specific area especially with the existing traffic and roads we have.

Multiple people by raise of hand agree with Brittany MacMear.

2. 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.

Seth Foster stated that he agrees with the zone change and that it would flow well with the general plan.

April and Ian Gates are the owners. April Gates explained that they would like the zone change to match the other RA-0.5 lots surrounding them. A lot survey was submitted to the committee.

3. 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 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.

No comments

4. 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.

Roseanne King stated that her property connects to a portion of the property of the proposed zone change. She has three issues; there is not adequate parking, there should not be allowed to have more than two families living on the property, and a fence should have to be put up to separate the neighboring properties.

Paul Farthing stated that they only have two existing units and they won't be adding anymore. He also believes that multifamily zoning requires a fence to be put up around the property.

Sander Porter lives on the right of way at the end of the property. He stated from his understanding that the surrounding homes are all zoned for single family zoning. Mr. Porter mentioned the wrongs of the properties between his home and the proposed zone change. There isn't adequate parking for the property. He is opposed to the zone change.

5. 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, residential 1 unit per 15,000 square feet, to PC, planned commercial, to have both residential and commercial.

No comments

6. A Zoning Map amendment 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 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.

Comment was submitted on the record and is attached to these minutes.

Fred Oberkamp asked why isn't there a screen showing what is being discussed or at least give out addresses of the proposed zone changes? It would be nice to have some idea of what the intentions are between the two properties. He doesn't have objections but he would like more information.

7. A Zoning Map amendment request on the following parcel #'s H-3356-B and H-3356-D from RA-1, residential agriculture 1 unit per acre, to RA-0.5, residential agriculture 2 units per acre.

Alan Woods has animals and land right next to this proposed zone change. He thought that when he moved here that the agriculture would stay that way. Mr. Woods does not want to tell people what to do with their land but he thinks the area out there is still a green bell and he would like to keep it that way. Mr. Wood's stated he believes that there are places closer to town for this.

Wendy Goldridge is purchasing the property close to the proposed zone change. She was excited that the property was zoned agriculture because she has a lot of animals and a son with quads. Her biggest concern is someone moving in and complaining about animals and dust. Ms. Goldridge is sad to see agriculture leaving and would like to see it stay the same.

Carl Rasmussen lives on 1500 West. He recommends leaving the zone as RA-1 instead of RA-0.5 until the city can figure out the country roads situation and how they should be out on this side of town. Mr.

Rasmussen believes that we need consistency within the city, we need something to take care of our country roads. RA-1 has been changed throughout all the city and our roads are suffering from it.

8. 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 from PDO Residential, PDO Recreation Resort.

No comment

9. A Zoning Map amendment request on the following parcel #'s: H-3-2-7-33011 and H-3-2-7-33021 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.

Roseanne King stated that she is a 3rd generation to the area and when she sees the agriculture being changed to multifamily, every morning the people are woken up to pounding all day long. Isn't that enough?

10. 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

Comments were submitted on the record and are attached to these minutes.

Tony Carter stated that him and his girlfriend just moved into the Ivy Wood subdivision. They did a lot of research before moving. They lived in a town home located in Saint George that they were trying to get out of. Both Hurricane and St. George are hard areas to find a decent home at a reasonable price. Mr. Carter believes having town homes right next to Ivy Woods would lower their property value. They are trying to get away from that kind of development. He also mentioned the reserve area across the street that is the responsibility of the public to keep clean and safe. Bringing townhomes into the area is going to bring in trash.

Ricky Chest stated that having multiple schools right on the corner adjacent to the property already gets super congested and should be addressed before adding multiple homes to the chaos. Ms. Chest feels that the zone should stay the same and just add more single-family homes.

Stephen Nelson is a resident of Hurricane who stated that he moved to Hurricane to get away from all the traffic. Mr. Nelson asked the commissioners to consider the cost of all of us driving everywhere, the roads need to be expanded. He also mentioned that there were recently fires along 600 N and nobody could evacuate. There are so many people and it is so saturated, not just with this parcel but everywhere.

11. A Zoning Map amendment request located on the southeast corner of 600 N & 2260 W from M-1, light industrial, to RM-3, multifamily 15 units per acre, for affordable housing.

No comments

Comments closed at 6:59 p.m.

New Business

2020-CUP-05 Consideration and possible approval of a conditional use permit for a metal accessory building located in a R1-10 Zone, at 1863 W 200 S. Michael Foote Applicant.

Mark Sampson asked what the size of the shed/garage would be.

Stephen Nelson stated the applicant had changed the size to the maximum size allowed which is 1,200 square feet.

Dayton Hall motioned to approve subject to the applicant meeting the setbacks and building requirements. Seconded by Chris Christensen. Unanimous.

Old Business

2020-ZC-14 Consideration and possible recommendation to the City Council on A Zoning Map amendment request on the following parcel #'s: H-3-2-7-4331, H-3-2-7-45031, H-3-2-7-4501, H-3-2-7-4332 located at approx. 1355 South 3325 West from RA-1, residential agriculture 1 acre, and RM-1, multifamily 6 units per acre, to MH/RV, mobile home/RV, PC, planned commercial, and GC, general commercial. Jeremy Johnson Applicant.

Dayton Hall stated that we recently rezoned most of Elim Valley and we allowed some commercial in that area. He went over how the layout and zones are for that area, stating they go from higher dense back to a lower dense which is right where it abuts to the proposed zone change. Mr. Hall does not feel that the proposed zone change fits with the flow of Elim Valley and what they envisioned for the area; he believes it would be inconsistent. Another concern is the amenities and infrastructure. Mr. Hall stated that the city is not asking anyone to move out. The current use is allowed, it's been grandfathered in, what is being asked for with the change is a much higher density than what is currently being used. Shelly Goodfellow stated that the last time they had come to meeting, one of the reasons why they were wanting to change it is because the State is requiring the changes and they would have to bring in quite a bit of infrastructure for quite a way; she can see that is why it cannot stay the way that it is. However, the change has to be harmonious with the overall character of the existing development. Farming on one side and single-family housing with very low density around it and putting this right in the middle of it does not work. Mrs. Goodfellow does not want to vote for something that will displace people from their homes but if you look at the plan submitted, those existing homes will not be there, they will be put into a new one. Mrs. Goodfellow stated she was a little disappointed with the proposed plan and was excited to see a new plan come in. It feels like a bunch of other things are being thrown in with it and wishes it wasn't so heavily dense. Rebecca Bronemann stated she agrees with Mr. Hall and Mrs. Goodfellow. She doesn't want to be someone who votes to displace people from their homes. At the same time, she doesn't want to set a precedence for our community that allows for this type of zone when there are inadequate facilities, services and roads. If we start making an exception now, what is this going to say for the future of our community? Ms. Bronemann stated that we have to follow the rules because they are there for a reason and for planning. We have to follow the plan for our community and this proposed plan does not fit with a massive increase in density. Michelle Cloud stated that the proposed project does not follow the four big questions they are asked. It is not compatible with the general plan, it is not harmonious with the surrounding development, there are not adequate public facilities to provide services to it, and it does have a noticeable increase impact on the area. Ms. Cloud stated it does not follow any of those things. Mark Sampson asked Stephen Nelson if this non-compliant spot is included in our general planning update. Stephen Nelson stated that it is in the area we are looking at for our future general plan map update. Typically, they would expect a PDO type of application, where you can have a variety of development in the area. The current application, he believes, does not meet that type of criteria. Mr. Sampson asked the public to put their input in

moving forward with the have your say Hurricane website. He believes having their input will address this issue when updating the general plan. Chris Christensen stated one of his concerns is the access of Flora Tech road that is technically an easement, which is why the city hasn't improved the road. Having that road be one of the major access points to this development with all the density is concerning.

Dayton Hall motioned a recommendation of denial on 2020-ZC-14 to the City Council on the following grounds: the proposed amendment is not compatible with the general plan, the proposed amendment is not in harmony with the overall character of the existing development, the public facilities and services are not adequate to provide services to the property, and the proposed amendment will have a noticeable increased impact on the surrounding area. Seconded by Rebecca Bronemann. Unanimous.

New Business:

2020-ZC-18 Consideration and possible recommendation to the City Council on a Zoning Map amendment request on 1.20 acres 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

Shelly Goodfellow stated that she thinks this is a good use of the property and that it matches the surrounding areas. Dayton Hall noted that all they are doing is moving the line between RA-1 to RA-0.5, they are not spot zoning anything. He thinks it is appropriate.

Michelle Cloud motioned a recommendation of approval on 2020-ZC-18 to City Council. Seconded by Chris Christensen Unanimous.

2020-ZC-19 Consideration and possible recommendation to the City Council on a 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 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.

Matt Ekins represents the land owner. The zone change application is to bring the property into compliance with the general plan. Mr. Ekins explained the different zone changes along the Southern Parkway. The master plan in Hurricane does call for commercial in that area. There are no plans for development yet. He understands there are a lot of questions with the development and how utilities and infrastructure are going to be improved. However, they are only changing the zone at the moment. Mark Sampson asked if this proposed plan and main access road is what we have already agreed to. The applicant stated the primary road way was going to be Sand Hollow Rd but as SR-7 has come to life, that has changed things up a bit. Shelly Goodfellow stated she believes it meets all questions and objectives of the general plan and staff concerns. The only question is holding off until we update the general plan. She knows it fits in the scope of the general plan and she doesn't see any reason to hold it because it

would hold an undue burden on the land owner and she doesn't believe it makes the current general plan obsolete. She is for it. The applicant responded to Mrs. Goodfellow's comments about not holding the zone change under Utah Legislature code 10-9A section 504 that addresses a temporary stay during regulation. Under this section Utah Legislature have made it very clear how a moratorium can come into place. There has to be a compelling or countervailing public interest to delay this type of project. But it also addresses the limits of what you're actually staying. It limits the moratorium or stay to construction, reconstruction, or alteration of any building structure or subdivision approval. The zone application isn't addressing any construction or physical improvements to the property. Although staff is making the recommendation, it is not falling within the State statute. Utah State law requires that if there is a stay, there must be a legislative action, in this case the city council who would have to pass an ordinance that specifically says there is a stay in place. At this time, there is no such ordinance so it would be inappropriate to stay the decision on this specific application. Dayton Hall agrees with Mrs. Goodfellow however, he has a conflict of interest so he is abstaining. Chris Christensen asked if the applicant has talked with our master planners. His concern is that once they have rezoned the area, the impact of the zone ripples out throughout the entire area. The master plan should be compatible with what they are doing. Jerry Splisbury stated that they have not spoken with them. He stated that they have spoken with staff and other entities about what would have to be done with the development. He feels it fits with the existing plan. Mr. Christensen stated that the intersection at SR-7 and 3000 South is going to be key in the new development and it's critical their plan be compatible with what is going to be proposed for that area in the master plan rewrite. The applicants have had a meeting with the Hurricane engineering staff when they had gone to the JUC meeting a few weeks ago. There has been some communication with them. In regards to the general plan, they aren't asking to change it, the plan has already adopted the zoning. Paul Farthing does not feel that anyone is being held hostage, we are going to rewrite the general plan and it's not that this property is going to be developed in the next 6 months. This development, depending on the economy will take 5-10 years before the interchange is put in. Denying a zone change now and making them wait 6 months to do the zone change he thinks it's well within their purview, they can still deny the zone change without a moratorium in place. He doesn't think they are going to hold them hostage but he thinks if we're this close he wants to see the input on the general plan. Stephen Nelson stated there is going to be a lot of growth in the next 10 years, it will be one of our residential hubs. The city is meeting with a bunch of different people and we are about to go under a big change on how things are going to go in this area. Which is why staff feels that holding off for 6 months would be a good idea to see what happens with the general plan.

Shelly Goodfellow motioned a recommendation of approval on 2020-ZC-19 to City Council. Seconded by Mark Sampson. Vote as follows: Mark Sampson aye, Michelle Cloud nay, Rebecca Bronemann aye, Shelly Goodfellow aye, Paul Farthing nay, Dayton Hall abstained, Chris Christensen nay. Reporting to City Council as a tie.

2020-ZC-20 Consideration and possible recommendation to the City Council 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

Dayton Hall elaborated on what the applicant is requesting and asked for clarification to make sure he was understanding correctly; if the zone change is granted, it would not allow for any additional construction. Stephen Nelson confirmed they are only allowed two units due to the lot size. Mark

Sampson asked if they are in compliance without a zone change. Mr. Nelson stated that it is right now because the owner is living in the main dwelling unit. He stated that the zone change would allow them to rent both existing units without the owner occupying the home. Mr. Hall stated that the zone change is not a spot zone change because it is adjacent to other multifamily zoning. He is in favor of the zone change. He hears the concerns about enforcement and understand a lot of people do things throughout town that are not prohibited by code. However, he doesn't think they can make decisions assuming the town isn't going to enforce things. Decisions need to be made with the assumption the code enforcement officer is going to enforce the code. Shelly Goodfellow stated that most of the complaints against the zone change were code enforcement issues which is not something the Planning Commission has a say about. Mrs. Goodfellow thinks this type of zoning helps fulfill their obligation to create attainable housing. There is multifamily housing. It's near shopping, commercial, and schools, it fits the area and is a great use of the property. Rebecca Bronemann asked if the house would be rented out to a family and the casita be rented out to one or two people. She doesn't see the house being rented out to multiple people. Kathy Nilson stated that their plans are to rent it out like a duplex. A family in the main dwelling unit and one or two people in the apartment, max. Ms. Bronemann asked the applicant how many parking spaces were available on the property. Mrs. Nilson stated that there are four parking spaces available plus two spaces in the garage. Mark Sampson asked about the road and the future intersection happening right there. Mr. Nelson stated that the intersection is under design and review right now. Darrin LeFevre stated they are designing 700 West to go from 100 N to 600 N. The right of way that is there right now is larger than what they need to complete that road. Chris Christensen asked Stephen Nelson clarification on the specific zones and asked how many units could potentially be on the parcel. Mr. Nelson stated that only two units can be on it because the lot size is only big enough for two units under that zoning. Rebecca Bronemann addressed the fence issue and asked what the plans are for it. The applicant addressed the plans they had discussed with the neighboring property owners. Paul Farthing stated that he thinks they should be held to the same standards and have to meet the parking requirements as well as put up a fence, just like he would have to if he were to come in and build a new duplex somewhere in town. Mr. Nelson stated the minimum parking for a duplex is only 4 spaces. He stated that when looking at the parking, they have adequate parking for the zone change. It was also mentioned that if this was a duplex now, it would meet our code requirements for access.

Mark Sampson motioned a recommendation of approval on 2020-ZC-20 to the City Council. Seconded by Shelly Goodfellow. Unanimous.

2020-ZC-21 Consideration and possible recommendation to the City Council 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, residential 1 unit per 15,000 square feet, to PC, planned commercial, to have both residential and commercial. Ted Fullerton Agent.

Rebecca Bronemann stated that in the staff findings it states public utilities are not adequate to provide services to the development and asked if there was a plan to bring those facilities to the project. Carl Rasmussen stated there needs to be about 10 million dollars' worth of improvements which will include bringing power to the location, putting a water tank on the hill, and working with Ash Creek to bring sewer to the proper spot or even put in a treatment plant. Shelly Goodfellow stated that this is a tricky area to put a development. She stated the views are just beautiful and one day the infrastructure will be brought up there. Mrs. Goodfellow pointed out that the developer would have to put in 10-12 million

dollars' worth of infrastructure and the City doesn't have to. She thinks that is healthy for the City in terms of getting infrastructure in place in a very complicated area. Other than that, the traffic at that turn is scary because there isn't much happening there and very concerning. Mr. Rasmussen stated they have been working with UDOT about the roads and it will be widened with a turning lane put in so it is safe. Ted Fullerton shared that he has met with UDOT twice out at the property and he believes it will be fine. They understand what needs to be done and the road will be widened sufficiently. Dayton Hall stated it matches with the general plan, it's harmonious as it can be, and it will be the first commercial development on the hill. The biggest concern is the public facilities and services being adequate. That is why the staff is recommending that the zone change be conditioned with a full site plan and a preliminary utility kind of development agreement to address those issues. Carl Rasmussen stated that he agrees with staff and what they want to do; every improvement is doable even without the zone change because they need to happen regardless. Mr. Hall asked if all the improvements needed could be a condition of approval for a preliminary site plan or preliminary plat. Mr. Nelson stated that is correct but one of staffs' concerns is that there is such an extent of services that needs to be provided with access issues that need to be figured out. Staff would feel more comfortable with a development agreement and a complete site plan to make sure the access and utilities are going to work before the zone change is granted. Mr. Nelson stated that typically they don't require a full report for a zone change but they would like to see some preliminary information to see what is feasible. He believes if there was a good site plan to go with the zone change it would help solidify to make sure it isn't a project the City didn't anticipate to be built there. A development agreement would bind them when doing the zone change. Mr. Rasmussen stated they would like approval of the zone change based on the current site plan submitted with the application with the caveat that they get the development agreement presented to the City Council. Mr. Hall explained to the public where the location of the proposed zone change is. Chris Christensen asked why this zone application isn't in the same category as the zone change along the southern parkway. Mr. Nelson stated that the growth for this area isn't foreseen to be high dense or develop as much. Paul Farthing asked about a primary and secondary access from UDOT. The applicant stated that they have a primary access with an emergency crash gate access. Mr. Nelson stated that they have had a meeting and they have discussed the potential of one main access but there hasn't been anything official. Mr. Rasmussen stated there are two items left to have access granted. Mr. Farthing stated his concern with this is that they are giving them a very open ending zone change that says they can basically do whatever they want. When Elim valley came in, it was all spelled out on what they were going to do with the properties. Mr. Nelson said they can tie a development agreement and zone change together and approve them at the same time. His concern is the planned commercial being so open ended and the access issues without a good development agreement being attached, the zone change can be approved and they can turn in an application for a wide variety of items. The applicant stated that the site plan they submitted is what they are planning on doing. They are in talk with some restaurants, spa services, and some retail. It will be an upscale, artsy, yoga, spa type atmosphere to where people will be attracted and want to visit.

Dayton Hall motioned a recommendation of approval on 2020-ZC-21 to the City Council subject to the City's approval of a full site plan, preliminary utility plan, and a development agreement. Seconded by Chris Christensen. Unanimous.

2020-ZC-22/2020-PSP-04 Consideration and possible recommendation to the City Council 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 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.

Rebecca Bronemann stated that the lot sizes seem decently sized. Shelly Goodfellow stated it is refreshing to see single family residence after seeing so many high density multifamily units. Dayton Hall stated that they would be allowed to have 435 total units and what is being proposed is 400 units which is 35 under what is permitted. The town homes are proposed along 600 N which matches the high-density plan. Mrs. Bronemann shared that many studies have been done to show that mixed use of multi-family and single-family homes do not drop property values. Chris Christensen asked if this zone would inflict on our general plan change. Stephen Nelson replied stating that it will be residential development, matching the surrounding areas. His anticipation with this area will not change on the general plan or influence the adjacent properties. Paul Farthing feels it is more like Sky Mountain, good quality homes and doesn't have any objections.

Rebecca Bronemann motioned a recommendation of approval on 2020-ZC-22 and 2020-PSP-04 to the City Council. Seconded by Shelly Goodfellow. Unanimous.

2020-ZC-23 Consideration and possible recommendation to the City Council on a Zoning Map amendment request on the following parcel #'s H-3356-B and H-3356-D from RA-1, residential agriculture 1 unit per acre, to RA-0.5, residential agriculture 2 units per acre. Gavin Godfrey Applicant. Luke Godfrey Agent

Rebecca Bronemann mentioned staff comments about the collapsible soil and the density. The applicant stated they have addressed the collapsible soil and it will be taken care of. He expressed that there are higher dense areas close by to this property that have been rezoned from RA-1 to RA-0.5, they believe it is fitting to the areas around it. Shelly Goodfellow stated that the Planning Commission and City Council have talked a lot about this particular area in regards to the general plan and zoning. This is the last of the good farm ground in the Hurricane Valley and she is very much a property right advocate. However, she does believe that certain areas need to be preserved and zones need to be implemented that make sense for the area. Mrs. Goodfellow mentioned that the City Council has discussed and will be making a decision on is the country roads section. They may make a cross country road section where basically curb, gutter, and sidewalk are not required in order to keep the rural development. It was mentioned that she does live in this area and many neighbors have expressed that they want to see it remain the one-acre zoning. She expressed concerns about curb and gutter and flooding with the flood irrigation from the surrounding properties. Dayton Hall stated the general plan currently states that this proposed property envisions at least 5 acres, he agrees with Mrs. Goodfellow. It would be a spot zone even with the properties around the areas. The zoning for the mayor's property across the street along 3000 S was zoned that way as a buffer between high density zones to an agriculture zoning. To rezone this property to half acre in the middle of a bunch of one acre, it is not consistent or harmonious with the area. It does not fit in his mind with what the applicant is asking. If half acre zoning was permitted city code would likely require curb, gutter, and sidewalk but the surrounding properties with one-acre zoning would not have that requirement which would result in an isolated area with curb, gutter, and sidewalk. Paul Farthing stated he agrees with Mrs. Goodfellow somewhat, however, they have spot zoned in the past out there. He would love to see it all stay agriculture but with the development happening with SR-7 and

the improvements that will be made along 3000 South, the agriculture is going to eventually fall, there is too much money to be made.

Mark Sampson motioned a recommendation of denial on 2020-ZC-23 to the City Council. Seconded by Michelle Cloud. Unanimous.

2020-ZC-24 Consideration and possible recommendation to the City Council 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 from PDO Residential, PDO Recreation Resort.

Stephen Nelson stated the reason why the preliminary site plan is not there is because the development agreement give staff the ability to make changes to the actual site plan itself. Because they are looking to change some of the zoning classifications, staff has to get recommendation from the Planning Commission and approval from the City Council. Dayton Hall thinks this is an appropriate area to have recreational resort and asked for further explanation on the recreational resort zone and if it's being expanded. Mike Bradshaw explained that it is an expansion on the recreational resort. The homes that are already built are included in this zone change along with the golf course clubhouse. Although it is an expansion, it is an enhancement to the overall feel and purpose of the whole resort recreation zone of the Copper Rock development. Chris Christensen asked how many more units are being added and what the amenities are they plan to bring to the development. It's an enhancement to the RR zone. They are not adding anymore physical units, just more units to the RR zone by encompassing additional lot areas. The overall density and number of units within Copper Rock has not been changed. Stephen Nelson explained that the number of lots will stay the same, they just want to change the zone classification some of those lots are. Michelle Cloud feels that the recreational resort zoning would be good out there and around the golf course instead of having hotels.

Chris Christensen motioned a recommendation of approval on 2020-ZC-24 to the City Council. Seconded by Dayton Hall. Unanimous.

2020-ZC-25 Consideration and possible recommendation to the City Council on a Zoning Map amendment request on the following parcel #'s: H-3-2-7-33011 and H-3-2-7-33021 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.

Michelle Cloud asked about the private easement. Stephen Nelson explained there is an easement that runs along the North end of the property. future development along the easement will have to address what to do with it. Staff's initial recommendation is to have a public roadway to give access into the development. The easement itself would start where that roadway would intersect at Redstone Dr. Mark Sampson asked what kind of easement it is. Mr. Nelson stated it is an access easement to two homes. Paul Farthing asked if there are any secondary access issues for the fire department. Mr. Nelson stated there isn't because they have access at Redstone Dr and 3400 West. Chris Christensen asked if there will be any impact on the hillside and any hillside ordinance issues that need to be addressed. Mr. Nelson stated that it depends on who they decide to develop the property. To his understanding, the applicant is planning to develop more on the West side of the property instead of the East side. If they do develop along the hillside, they will be required by code to have a sensitive lands application as well as a preliminary site plan.

Dayton Hall motioned a recommendation of approval on 2020-ZC-25 to the City Council for reasons provided by staff. Seconded by Chris Christensen. Unanimous.

2020-ZC-26 Consideration and possible recommendation to the City Council 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.

Mark Sampson addressed all the comments and letters submitted with concerns of property values. He looks at the property now and considers it to be a blight. In his perspective, he believes it'll be much better than other housing options. Michelle Cloud stated that the concerns with the density with the schools should be considered. She thinks this is a good place for affordable housing. The applicant stated that they would like to have single-family homes phase into duplexes and then into the triplexes. They will be doing a traffic study as part of the preliminary site plan and they have already completed about half of 700 West with their Hurricane Heights project. Part of this new project would be completing the rest of 700 West. Stephen Nelson stated that the completion of 700 West should help with South traffic in the area. It will be a complete connection down to SR-9 and further south as well. We will have a road starting at 600 North continuing South. Darin Lefevre explained what is happening with the improvements on 700 West and stated it'll help with traffic in the area. The applicant stated that they plan on only 8 units per acre, which is 136 units' total. They will have that buffer from Ivy Wood with single family to town homes to provide affordable living for residence. There has to be a bit of a higher density area in order to be able to provide the affordable housing to the residence of Hurricane. Rebecca Bronemann wanted on the record that high density next to lower density does not impact property values. She brought up the concerns expressed about the environmental impact on the BLM across the road. Ms. Bronemann stated that she hasn't seen a complex or development that is trashy, there are generally rules to regulate and prohibit that as well as provided dumpsters. She also expressed her concerns of the roads and the school right there. There has been talk with the general plan revision about having stop lights put in at the intersection at 600 North and 870 West. She said it makes sense to have high density next to a major collector road. We are in a crisis for affordable housing, there is not enough and we need more of it. She thinks the buffer of transition from single family to multifamily shows respect to the neighbors in the Ivy Wood neighborhood. The applicant stated the duplexes and triplexes will have an HOA to regulate and enforce cleanliness. They will do traffic studies and whatever the studies say they have to do; they will do it. Also, it has to be a bit of a higher density to pay for the land and make the development affordable. Ms. Bronemann stated this is a good place for the housing for the families just starting out and being so close to schools. Shelly Goodfellow stated she agrees with Ms. Bronemann and she prefers to see duplexes and triplexes instead of bigger units. Dayton Hall shared that he doesn't think the entire property should be rezoned to multifamily. It doesn't feel consistent with an area so close to schools. He agrees with staff comments where it should be a transitional thing, starting with multifamily along 600 North moving to single family next to Ivy Wood. Even with some multifamily, he is concerned about the increased traffic that the density is going to cause next to the crosswalks right there. It doesn't feel like it fits right there. He would like to see a preliminary site plan with the approved zone change. Chris Christensen stated he would feel more comfortable if there was some kind of transitional site plan. He believes that the transition from single family into multifamily is a good idea. Mr. Nelson stated that he thinks it would be appropriate to have the phasing and their current site plan is proposing that. He has met with the applicant and reviewed the site plan and the connections for traffic; he would feel okay moving forward. The applicant asked for clarification from

Mr. Nelson if they would need a PDO or development agreement or both that would lock them into a site plan for development. Mr. Nelson stated that a PDO is essentially a rezone with an overlay that has some expanded housing rights but locks them into a development agreement with a site plan. Fay Reber stated that just a development agreement would be needed and they wouldn't have to do the PDO. Mr. Nelson stated that just a development agreement would be okay depending on what standards the applicant is looking for. There are slightly different standards in a PDO than a standard development agreement.

Mark Sampson motioned a recommendation of approval to the City Council subject to either a PDO or development agreement. Seconded by Michelle Cloud. Mark Sampson aye, Michelle Cloud aye, Shelly Goodfellow aye, Rebecca Bronemann aye, Paul Farthing aye, Chris Christensen aye, Dayton Hall nay

2020-ZC-27 Consideration and possible recommendation to the City Council on A Zoning Map amendment request located on the southeast corner of 600 N & 2260 W from M-1, light industrial, to RM-3, multifamily 15 units per acre, for affordable housing. GVS Holdings, LLC Applicant. Dave Nasal Agent

Chris Christensen motioned to table 2020-ZC-27 until the application is complete. Seconded by Rebecca Bronemann . Unanimous.

2020-PSP-05 Consideration and possible approval of a preliminary site plan for Sky Mountain RV Park, a proposed 11.3-acre RV Park located at 2260 W and 100 N. Sky Mountain Properties Applicant. Duane Fielding Agent.

Carl Rasmussen stated they have already submitted a preliminary site plan and a zone change for the North piece. They have a connective road on 275 North. They have already started construction drawings and they will be improving 2260 West all the way up to the intersection and around on 275 North. A lot of city infrastructure will be put in. Stephen Nelson stated that there was a staff comment correction that was sent out on Monday. The only other big concern staff has is that the North section has 31 units and that number will trigger a second access, so if they want to keep it a single access, they will have to remove two units to comply with fire code. Rebecca Bronemann stated that she has no issues as long as they plan to be dark sky compliant. Applicant stated that they will have lots of trees to keep the dark sky. Michelle Cloud asked if the showers and restrooms are by the clubhouse. Mr. Rasmussen stated there will be some by the clubhouse as well as on the North end. She also asked if the lots will be for tent camping as well. Mr. Rasmussen shared that right now they are just doing spots for RV's and if someone wants to bring a tent, there will be a little pad next to the RV.

Dayton Hall motioned to approve the preliminary site plan subject to JUC and the amended staff comments which removes the reference to the minimum 1000 square feet requirement. Seconded by Mark Sampson. Unanimous.

2020-PSP-06 Consideration and possible approval of a preliminary site plan for Zion Tiny Villas, a proposed 4.97-acre RV Park located at 1481 W State St. Kennedy Family Ventures, LLC Applicant, Kylon Kennedy Agent.

Paul asked if the answer was found out about the 4.97 acres instead of 5 acres. Stephen Nelson stated that he and Fay Reber discussed that they are still not 100% sure whether or not they will be able to comply. Based on that is the preliminary approval doesn't give them any invested rights in the

development. Their recommendation is to give them approval based on their current lot size conditioned that they either get it to 5 acres or within the code are able to justify being just shy of the required 5 acres. The owners questioned with them dedicating the back for the master road that be possible consideration for a credit toward the 5 acres. Mr. Nelson stated that there is provision within the code that allows for a dedication of property to count for the overall size. It is a little vague as to when that applies so they will need to look into it to see if it applies in his case. There are some other concerns from staff besides just lot size. They are going to need a second access. There is a second access available at 1515 West to the South and they recommend this road way that is North and South gets realigned where it will be a dedicated. The other concern is there is no reference where they are doing showers and bathrooms as required by code. Mr. Rasmussen stated the restrooms and showers will be added onto the existing house that is already on the property. Paul Farthing asked if they are going to get access on 200 South. Mr. Nelson stated 200 South isn't developed on either side but 1515 West is on located on the South West corner of the property and they will be able to access it there. Staff's recommendation is their access road ties right into that intersection.

Shelly Goodfellow motioned to approve 2020-PSP-06 based on staff comments 1 & 2 and JUC comments. Seconded by Dayton Hall. Unanimous

Approval of Minutes: typo on page 6-line 31 modeler to modular. Page 5-line 25 U-dot changed to UDOT. Page 8-line 17 adamite to adamant.

Rebecca Bronemann motioned to approve with corrections discussed. Seconded by Mark Sampson. Unanimous.

Planning Commission Business

Side yard set backs on street side within residential and residential agriculture has been noticed. Moratorium goes to City Council next week.

Meeting adjourned at 9:37 p.m.