



Mayor  
John Bramall

City Manager  
Kaden DeMille

# City of Hurricane

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

## Hurricane City Council Meeting Agenda

August 19, 2021

4:00 PM

City Council Chambers 147 N 870 W, Hurricane

Notice is hereby given that the City Council will hold a Regular Meeting in the City Council Chambers 147 N 870 W, Hurricane, UT. This meeting will also be available via GoToMeeting. To join the meeting you can do the following: 1.

**Download the GoToMeeting app and enter Access Code 111653501 2. Visit**

**<https://global.gotomeeting.com/join/111653501> 3. Dial 1(872) 240-3212 and enter Access Code 111653501**

A silent roll call will be taken, followed by the Pledge of Allegiance and prayer by invitation.

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

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### AGENDA

**4:00 p.m. Work Meeting with Scott Stratton**

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

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

### 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.

### OLD BUSINESS

1. Consideration and possible approval of a proposed **zone change amendment request on 327 acres from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel ID's H-3402 and H-3401-A.** Silver Flats LLC/ Duane Fielding Applicant, Jon Jensen Agent.
2. Consideration and possible approval on an **amended final plat application for Hurricane Storage Units Partial Amendment A (Lot 4), a 17 lot subdivision located at 130 N Old Highway 91.** Jeff Andrus/Jasco Ind. Park, Ryan Scholes Agent
3. Consideration and possible approval on a **zoning map amendment request located at 122 S 200 W from GC, general commercial, to RM-3, multifamily 15 units per acre.** Parcel H-92-A-1-A-1. Sunnie LLC Applicant, Scott Stratton Agent.
4. Consideration and possible approval for a **preliminary plat, Bench Lake Townhomes, a 172-unit townhome development located on 1100 W and south of 3000 S.** Blue Mountain Property Enterprise LLC, Scott Stratton Agent
5. Consideration and possible approval of a proposed **zone change amendment request located at approx. 160 W and 1200 S, parcel numbers H-L-1-2-B and H-L-1-D-1 to contain a PDO, planned development overlay.** Stormi LLC Applicant, Scott Stratton Agent.

**NEW BUSINESS**

1. **Canvassing of the Primary Election**
  2. Consideration and possible approval of the **Active Transportation Master Plan**
  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 of **local consent for Red Bull Rampage Reception-Pig's Ear American Bistro**
  5. Consideration and possible approval to **donate lot 38 In Falcon Ridge to Habitat for Humanity**
  6. Consideration and possible approval to **combine parcels H-3-1-33-3311 and H-3-1-33-33123**-Jared Higgins
  7. Consideration and possible **approval of a Resolution appointing Scott Hughes as UAMPS Hurricane Representative**-Dave Imlay
  8. Consideration and possible approval **of a preliminary plat, Dratter Estates**, located at 650 S and 840 W, containing 8 lots. Peter J Dratter Applicant, Colt D Stratton Agent.
  9. **Public Hearing** to comments on the following:
    - a. **A Sensitive Land application for Copper Rock Estates** located at 1100 West and Copper Rock Parkway containing 30 lots
  10. Consideration and possible approval **of a preliminary plat, Copper Rock Estates, located at 1100 W and just north of Copper Rock Parkway**, for a 30-lot subdivision and a sensitive lands application for hillside. DAF Development LLC Applicant, Rick Richardson Agent.
  11. *Consideration and possible approval for a **General Plan Map Amendment request located at 3071 S 1100 W on 57.5 acres from Rural Residential to Single Family Residential***. Parcel numbers: H-3343-A-4, H-3343-A-1, H-3396-A, H-3396-C, H-3396-D, H-3396-E. Troy Catoor and Diamond Edge Construction LLC and Moses Russ and Judy Applicants. Scott Stratton Agent.
  12. Consideration and possible approval **for a Zone Change and preliminary site plan request on 37 acres from RA-1, residential agriculture 1 unit per acre, to R1-8, residential 1 unit per 8,000 square feet, with a PDO, planned development overlay**. Parcel H-3386-B. Louise P Spendlove Applicant. Tyler Meyers Agent.
  13. Consideration and possible approval **for a General Plan Map Amendment request located at approx. 2100 W and 2500 S from agriculture to Rural Residential**. Parcels H-3345 and H-3346. Nielsen, Kristin L TR Applicant, Neil Walter Agent.
  14. Consideration and possible approval **of a proposed zone change amendment request located at approx. 2170 W and 600 N. with parcel numbers H-3-1-33-4401 and H-3-1-33-441 from R1-6, residential one unit per 6,000 square feet, to RR, recreation resort. While parcel number H-3-1-33-4420 is from R1-10, residential one unit per 10,000 square feet, to contain a split zoning of NC, neighborhood commercial, and RR, recreation resort**. Zion Village Resort LLC, Jay Rice Applicant, Alpha Engineering, Jared Madsen PE Agent.
  15. Consideration and possible approval **of a proposed zone change amendment request located at 475 N State St from HC, highway commercial, to RR, recreation resort**. Parcel ID's H-286-A-1 and part of H-30252-A. Shamo Christen D and Charo S and Corporation of the Episcopal Church in Utah Applicant. Matt Lowe Agent.
  16. Discussion regarding **abandoning the eastern portion of 300 North**-Stephen Nelson
  17. Consideration and possible approval to **purchase historical markers for National Day of Service on September 11, 2021**-Nanette Billings
  18. Consideration and possible approval of a **proclamation designating September 13 through 20 as Ironman Volunteer Week**
-

**19.** Consideration and possible approval of **electric golf car lease with DLL Finance LLC, in the amount of \$8,098.48-Kaden DeMille**

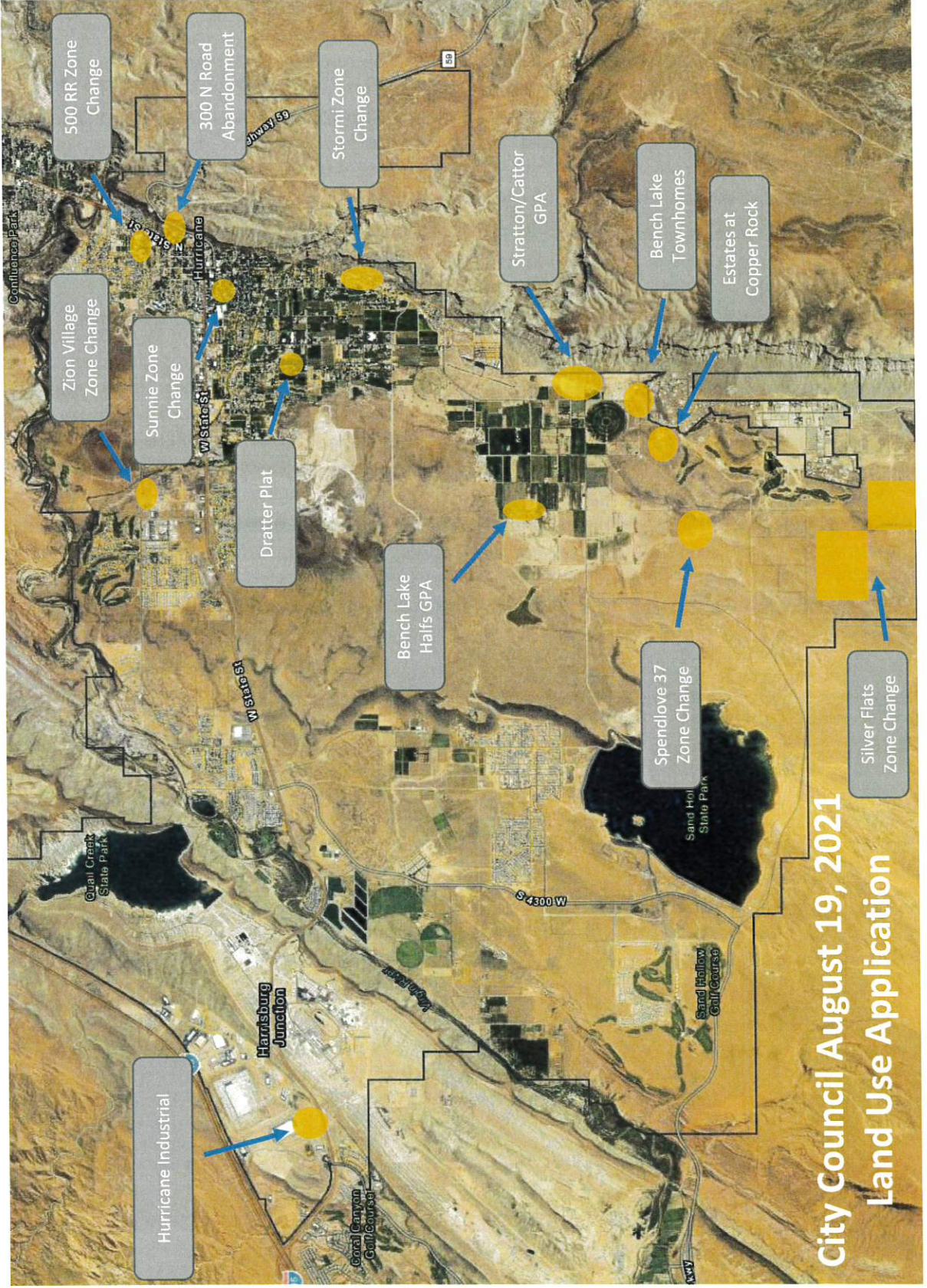
**20.** Consideration and possible approval of a **resolution adjusting building permit rates.**

**21.** *Mayor, Council and Staff reports*

**22. Adjournment**

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

1. City office – 147 North 870 West, Hurricane, UT
  2. The Post Office – 1075 West 100 North, Hurricane, UT
  3. The library – 36 South 300 West, Hurricane, UT
- \_\_\_\_\_ for the City Recorder



**City Council August 19, 2021  
Land Use Application**

Hurricane Industrial

Zion Village  
Zone Change

Sunnie Zone  
Change

Dratler Plat

500 RR Zone  
Change

300 N Road  
Abandonment

Stormi Zone  
Change

Stratton/Cattor  
GPA

Bench Lake  
Townhomes

Estates at  
Copper Rock

Bench Lake  
Halfs GPA

Spendlove 37  
Zone Change

Silver Flats  
Zone Change

Continence Park

Coral Creek  
State Park

W State St

Harrisburg  
Junction

S 4300 W

Sand Hollow  
State Park

Sand Hollow  
Golf Course

Coral Canyon  
Golf Course

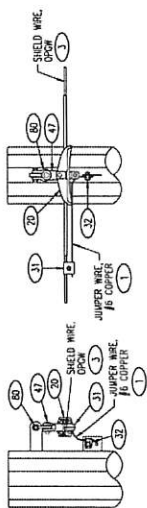
8400 W

8400 W

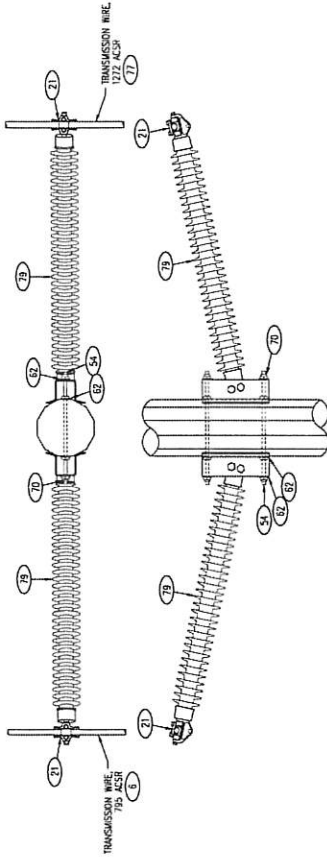
89

ITEM	QTY	DESCRIPTION	MANUF.	CAT. NO.
1	15'	WIRE, #6 AWG SOLID BARE COPPER, SOFT DRAWN	-	-
3	AS REQD	WIRE, 0.030" O.D. 48 FIBER, HEAVYCORE DMG-11127	AFL	SK-29/61/512
5	AS REQD	WIRE, 3/16" DIA ALUMINUM WIRE, 1350	-	-
6	AS REQD	WIRE, 7/8" DIA ALUMINUM WIRE, 1350	-	-
9	1	INSULATOR, SPOOL, ANSI SA-2	VECTOR	VI 2612
10	6	INSULATOR, PIN, 1/2" DIA, 1/2" CLAMP TOP	HEWLETT	HP-1507P
12	1	CROSSARM, FIBERGLASS, 14", TAPERED, 6 POSITION	PAPA	DA0007680422
20	1	CLAMP, SUSPENSION, 0.030" O.D.	AFL	30M5000297
21	6	CLAMP, TENSION, 7/8" ASER & 1/2" ASER	HEBBELL	15C150
27	1	IE, SPOOL, C-NECK, 3/8" ASER WIRE	PREFORMED	SP1-1360-P
32	3	CONNECTOR, CROWBAR, 0.030" O.D. TO #6 CU O.D. 1/8" O.D.	AFL	08020011
35	6	PIN, INSULATOR, 6" SHAFT, 3/8" DIA, 1" NUTLON THREADS	HEBBELL	6214101
44	6	PIN, INSULATOR, 6" SHAFT, 3/8" DIA, 1" NUTLON THREADS	HEBBELL	6214101
47	1	BOLT, DOUBLE WASHING, 3/8" DIA, 1" LENGTH REQUIRED	MACLANI	225***
54	6	BOLT, DOUBLE WASHING, 3/8" DIA, 1" LENGTH REQUIRED	HUGHES	180***
56	2	BOLT, WASHING, 3/8" DIA, 1" LENGTH REQUIRED	HUGHES	180***
62	26	WASHER, ROUND, 7/16" DIA	HUGHES	180***
70	14	NUT, LOCK, 3/4" DIA	HUGHES	180***
73	1	GROUND ROD, 3/4" DIA, COPPERBONDED	ERICOH	611460
74	1	GROUND CLAMP, 3/4" DIA, 1" DIA CU	ERICOH	611460
77	AS REQD	WIRE, 1/2" DIA ALUMINUM WIRE, 1350	-	-
79	6	INSULATOR, HORIZONTAL POST, 1/2" DIA, BENDABLE CURVED BASE	HEBBELL	U-50271-23
80	1	ANCHOR SINKER, 19 LB	HEBBELL	ASSUBINK

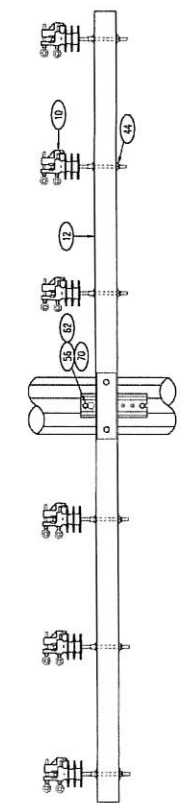
\*\*\* COMPLETE PART NUMBER FOR LENGTH AS REQUIRED.



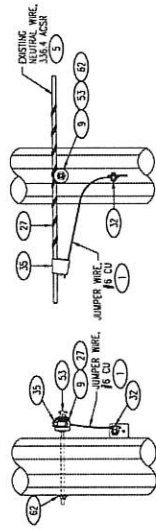
SHIELD WIRE DETAIL (A)  
SCALE: NIS



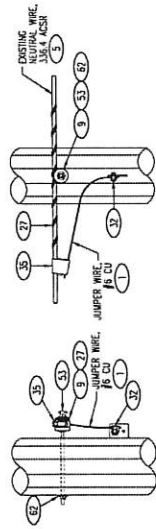
TRANSMISSION WIRE DETAIL (B)  
SCALE: NIS



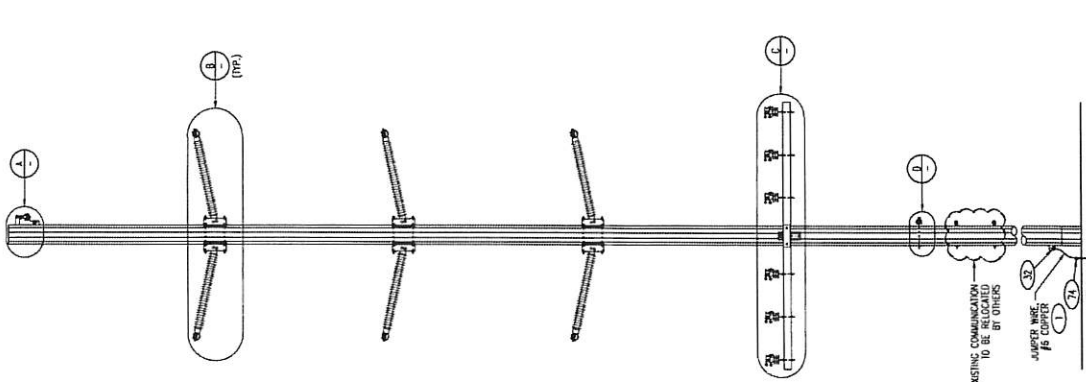
TRANSMISSION WIRE DETAIL (C)  
SCALE: NIS



NEUTRAL TANGENT DETAIL (B)  
SCALE: NIS



DISTRIBUTION TANGENT DETAIL (C)  
SCALE: NIS



135  
59 kV DOUBLE CIRCUIT TANGENT STRUCTURE (11)  
SCALE: NIS  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARL  
PHASE A STRUCTURE (19, 20, 21, 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)

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FOR REVIEW AND COMMENT  
(04/18/2011)

NOTES:  
1. MATERIAL LISTS ARE FOR INDICATION OF ITEMS ONLY. THE CONTRACTOR SHALL PURCHASE ALL MATERIAL INDICATED ON THE MATERIAL LIST AND ANY OTHER MATERIAL NECESSARY FOR PROJECT CONSTRUCTION.

**HURRICANE CITY POWER**  
600 NORTH 89 AV THUNDERBOLT LANE SEASBOLD - PHASE 2 & 3A  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARL

100% FOR CONSTRUCTION  
100% ISSUED FOR CONSTRUCTION  
100% FOR CONSTRUCTION

DATE: 04/15/2011  
TIME: 10:00 AM

PROJECT NO: 037-035  
SHEET NO: 113

REVISIONS

DATE: 04/15/2011  
TIME: 10:00 AM  
BY: [Signature]  
DESCRIPTION: [Signature]

SCALE: NIS

CONFIDENTIAL

Hurricane City Power  
Professional Engineers, Inc.  
1000 North 89th Avenue, Suite 100  
Seasbald, Florida 32058  
Tel: 321-247-1111  
Fax: 321-247-1112  
www.hurricane-city.com

NO.	DATE	DESCRIPTION	BY	CHKD
1	04/15/2011	ISSUED FOR CONSTRUCTION	[Signature]	[Signature]

DATE	04/15/2011	TIME	10:00 AM
BY	[Signature]	CHKD	[Signature]
DESCRIPTION	ISSUED FOR CONSTRUCTION		

DATE	04/15/2011	TIME	10:00 AM
BY	[Signature]	CHKD	[Signature]
DESCRIPTION	ISSUED FOR CONSTRUCTION		



138 KV Line  
69 KV Line  
Substation Locations

Brentwood

Anticline

Purgatory

Balance of Nature  
Future Site

15

318

9

7

7

7

City of  
Hurricane

Washington

Washington

Washington

16. NWE 1610

3700 W

2600 W

W 0920

W State St

Wington Pkwy

N SR 318

16. NWE 1610

W State St

W State St

Footth's Canyon Dr

3700 W

3400 W

3680 W

2700 S

4010 W

Dixie Springs Dr

Sand Hollow Rd

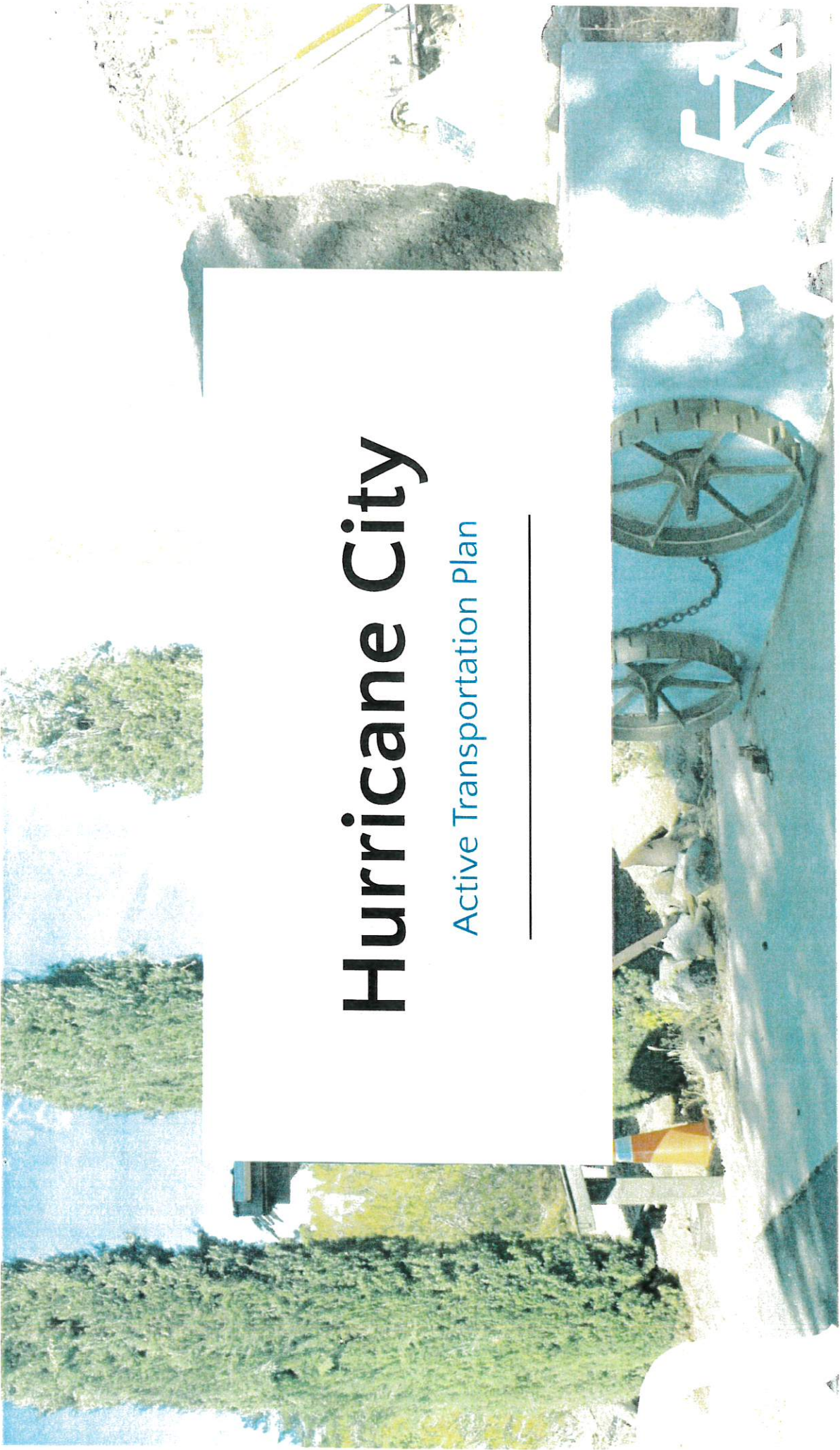
3150 S

3000 S

3070 W

Sand Hollow Pkwy

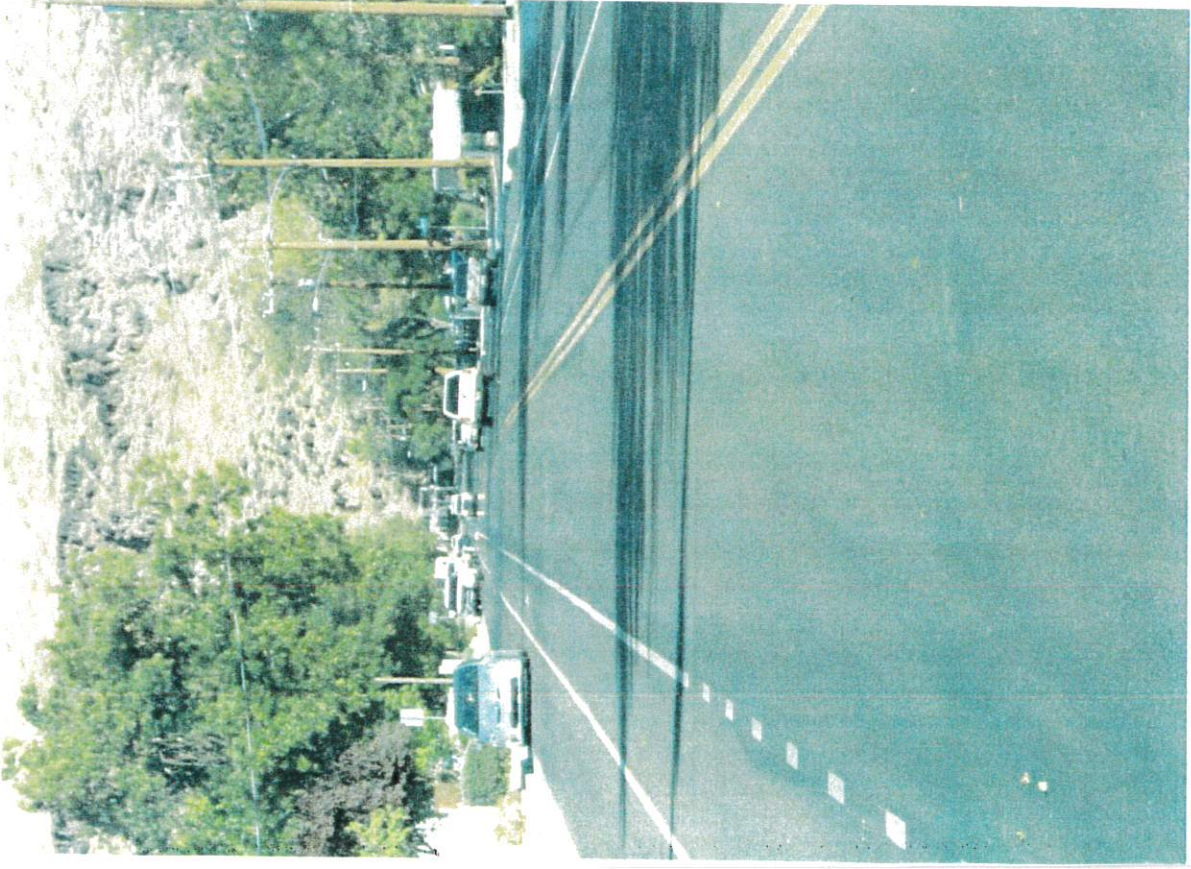
3150 S



# Hurricane City

Active Transportation Plan

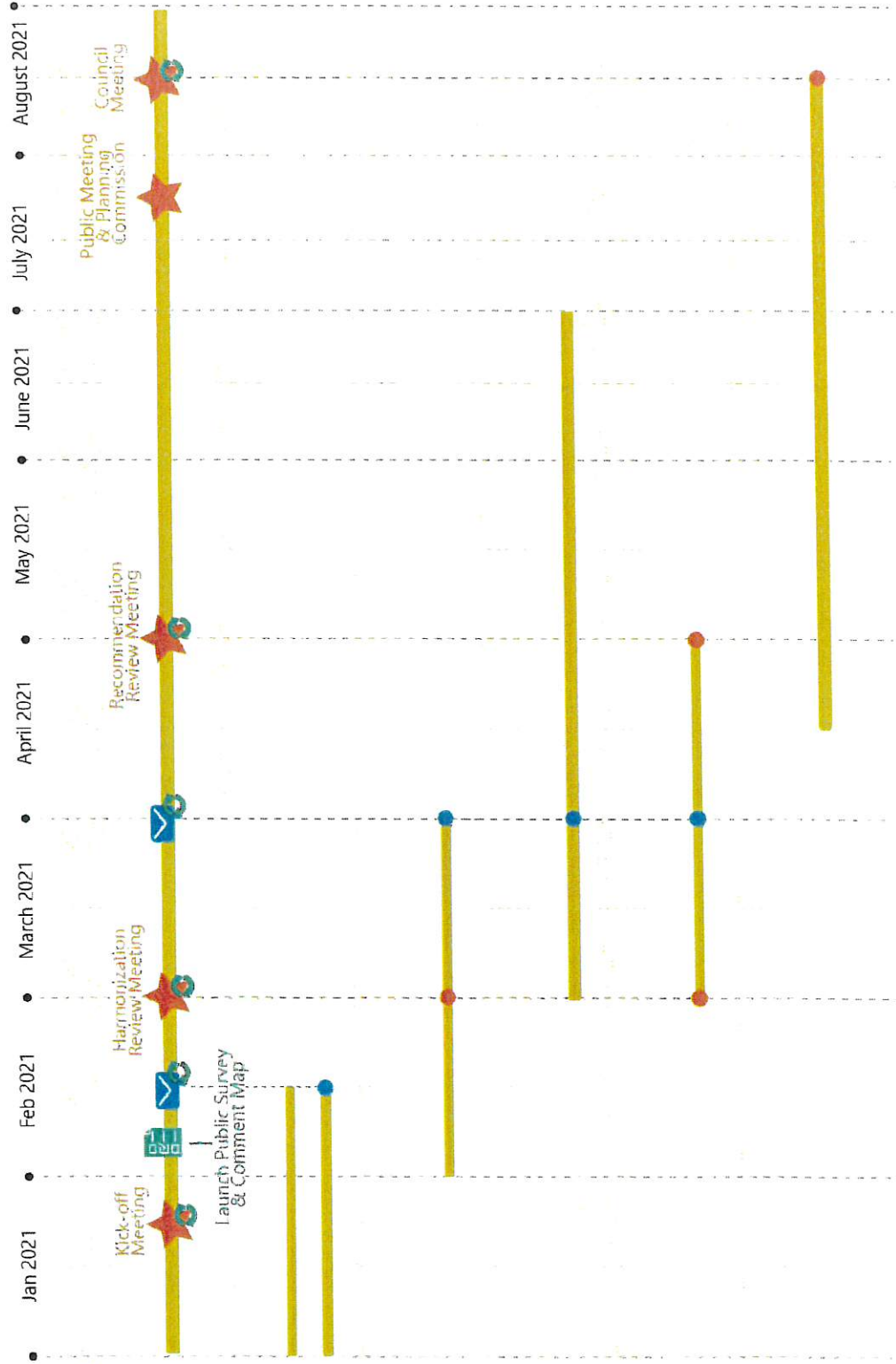
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# Presentation Topics

1. Project Schedule
2. Website & Survey
3. Past Plans Harmonization
4. Final Active Transportation Map
5. Future Roadway Classification and Cross-Sections
6. AT Committee Guidance

# Schedule



## Task 1: Stakeholder Engagement

- Stakeholder Engagement Strategies
- Stakeholder Meeting
- Milestone Follow-Up
- Key StoryMap Update

## Task 2: Review Existing Plans

- Collect Data and Plans
- Review Key Destinations, Existing and Proposed Facilities

## Task 3: Harmonize Plans

- Create Unified Map of Planned Facilities & Propose Additional Infrastructure

## Task 4: Develop Cross-Sections and Standards

- Develop Roadway, Trail and Intersection Cross-Sections and Standards

## Task 5: Recommendations & AT Committee Assistance

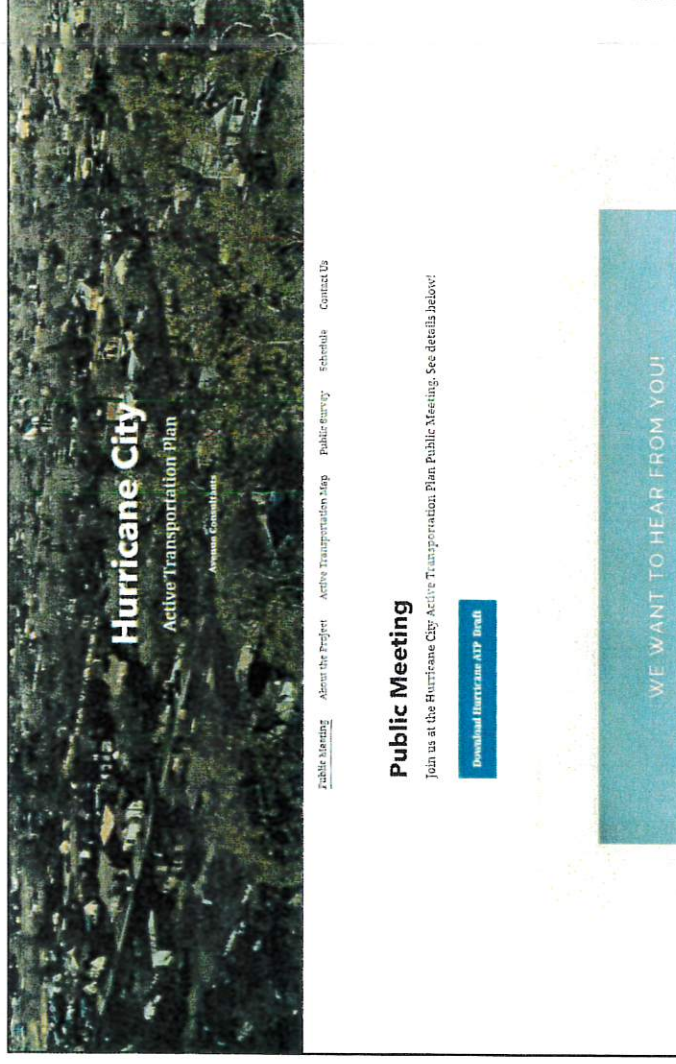
- Assist on the Creation of an Active Transportation Committee

## Task 6: Documentation & Delivery

- Finalize and Document Active Transportation Plan

# Website & Survey

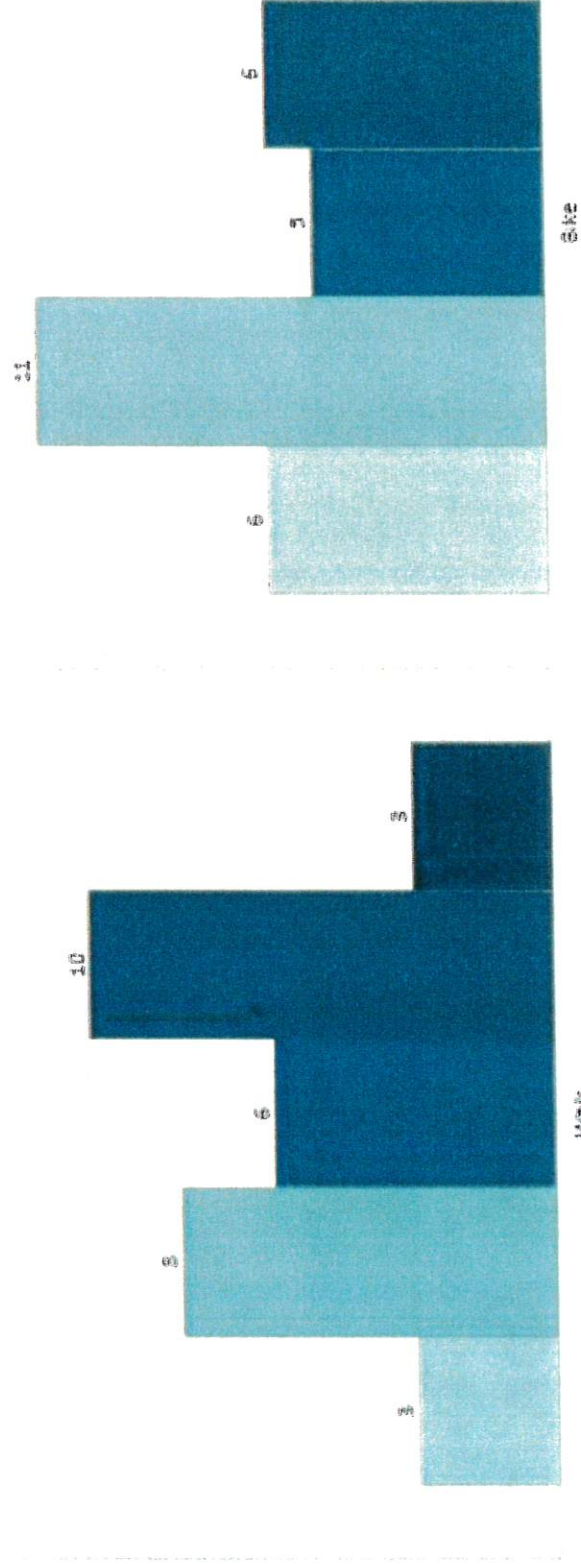
- Website launched at the beginning of the project, kept the public and stakeholders informed throughout the process
  - **2,063** views to date
- Survey published in **February 2021** during the Dixie MPO Online Expo
- Survey Assessed
  - Ease of walking/biking
  - Destinations
  - Facility Comfort
- **30** people completed survey
- Survey included a **comment map** where people left location-specific comments



# Survey Results

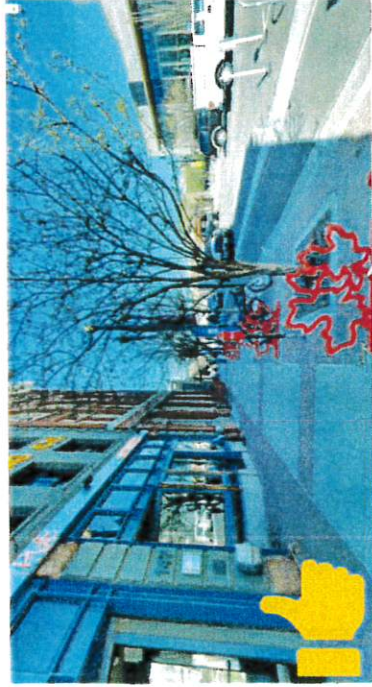
How easy is it to walk and bike in your community?

Very Difficult    Difficult    Neutral    Easy    Very Easy

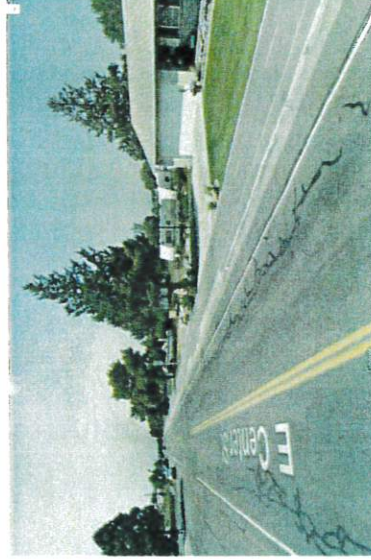


# Survey Results

Please identify how comfortable you would be **walking** in each situation:



On a sidewalk or multi-use trail adjacent to a physically separated bike lane.



On a sidewalk or multi-use trail adjacent to the street



On a sidewalk or multi-use trail adjacent to a park strip



# Survey Results

## WHAT DESTINATIONS DO YOU WANT TO WALK OR BIKE TO IN HURRICANE?

### DESTINATIONS

- Main Street Park
- Three Falls
- Ghouls Wash Community Center
- Sand Hollow State Park
- Quail Creek State Park

### ROUTES

- State Street
- 600 North
- **Connected trail system** throughout Hurricane
- **Rural routes** – less cars and nice views
- **Connections** to towns outside of Hurricane (St. George, LaVerkin)

# Comment Map Results

## Results

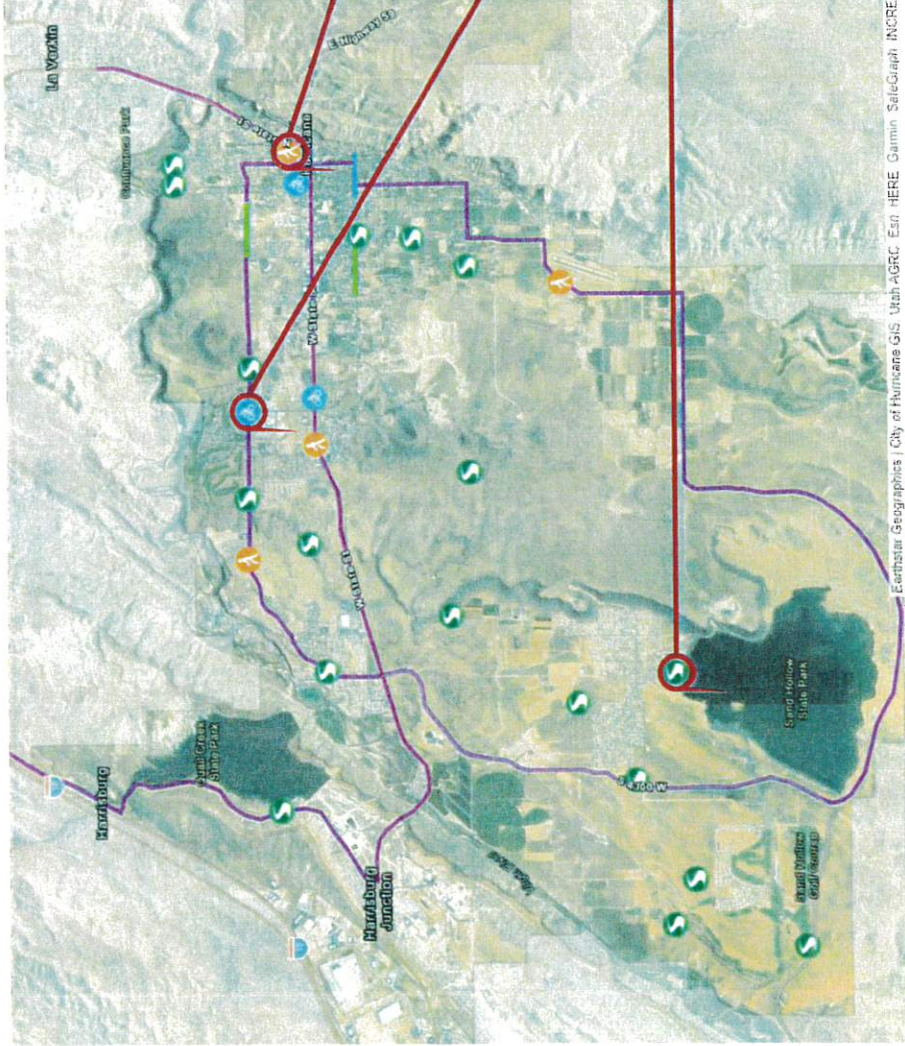
- 25 Suggestions
  - 18 Trails
  - 3 Bike Lanes
  - 4 Sidewalks

**Type of improvement: Sidewalk**  
**Location: 200 N 100 E**

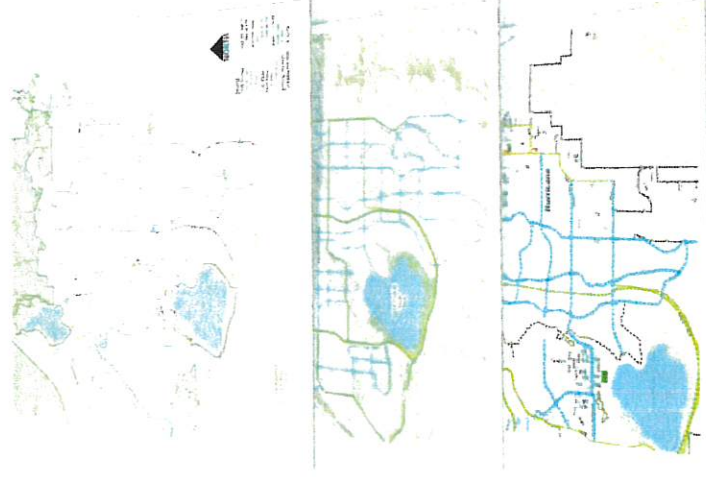
**Type of improvement: Bike Lane**  
**Location: 600 N, from Sky Mountain Area to LaVerkin/Hurricane**

**Type of improvement: Trail**  
**Location: Dixie Springs Park to Sand Hollow State Park**

<https://avenuecon.maps.arcgis.com/apps/Crowdsour ceReporter/index.html?appid=8942fcabd5d34babbb3 a2c51b2230718c>



# Past Plans Harmonization

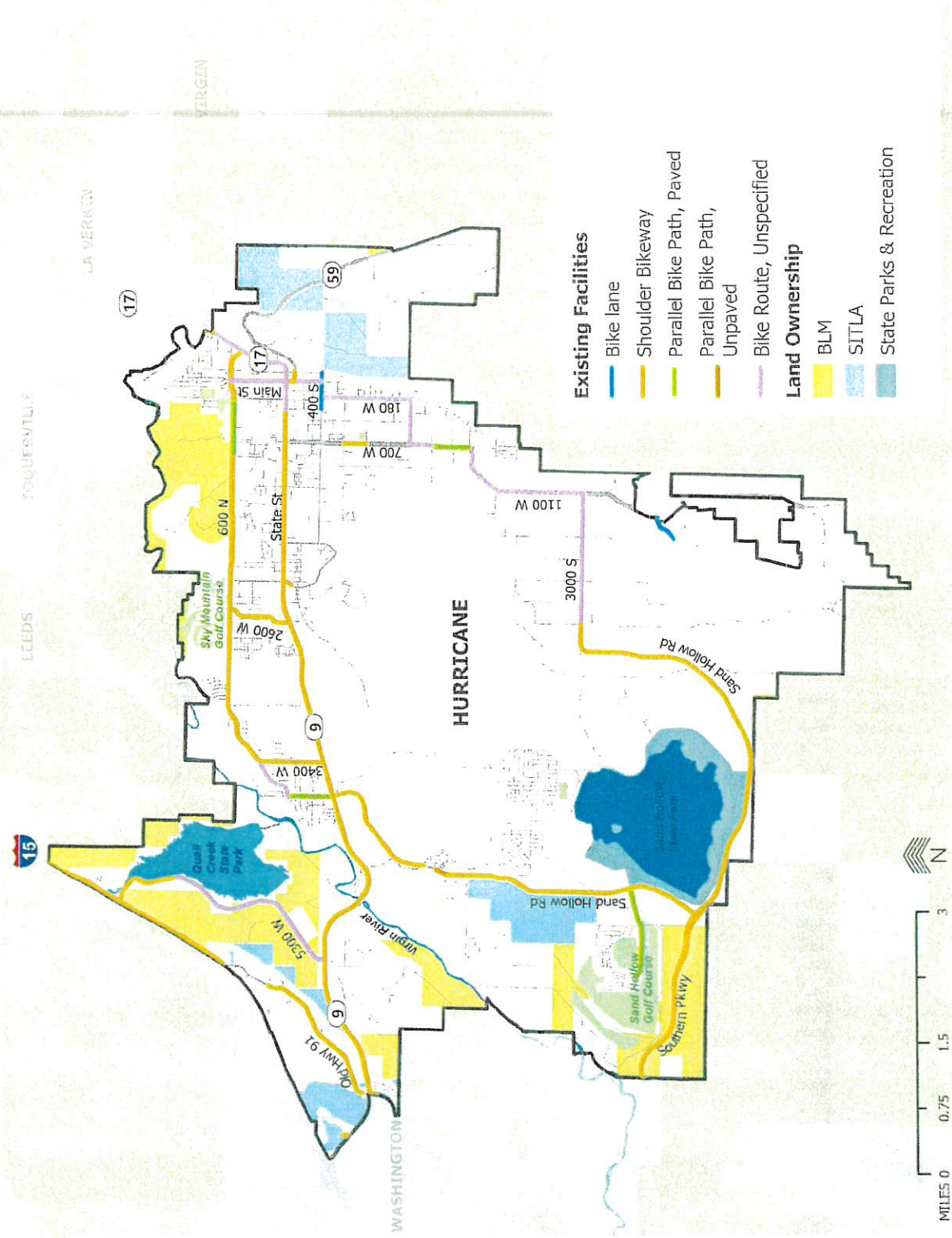


## Studies and Maps Analyzed

1. **600 N Trail Alignment/Three-Rivers Trail (2020)**
2. **SR-9 SES (2020)**
3. **SR-7 Active Transportation Plan (2020)**
4. **Hurricane Transportation Master Plan Map (2019)**
5. **Hurricane Trails Master Plan Map (2019)**
6. **Hurricane Transportation Master Plan (2018)**
7. **Washington City Active Transportation Plan (2017)**
8. **Dixie MPO Regional Active Transportation Plan (2015)**
9. **Hurricane Trails Master Plan Map (2011)**

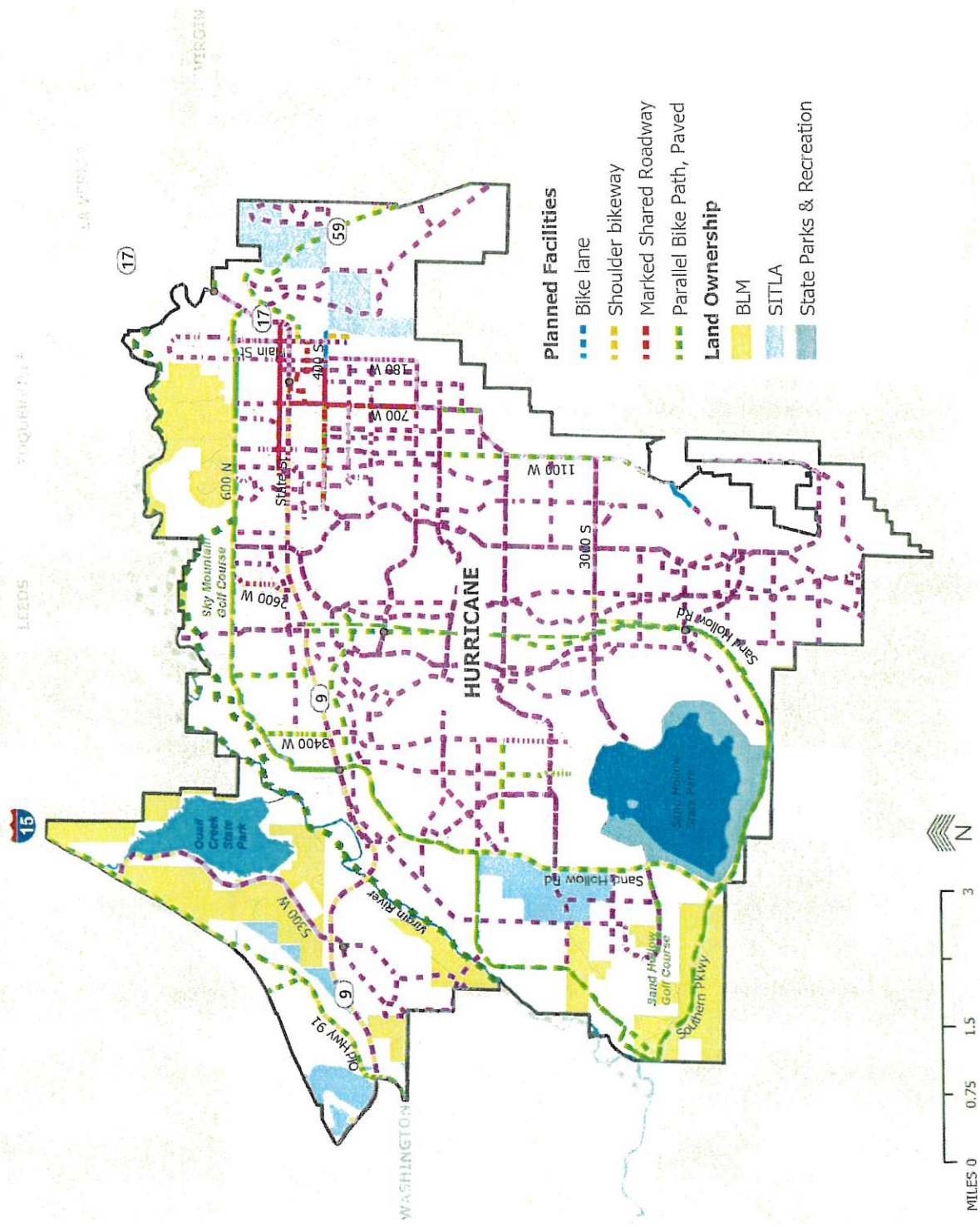
# Existing AT Facilities

Revised map after input received during kick-off meeting

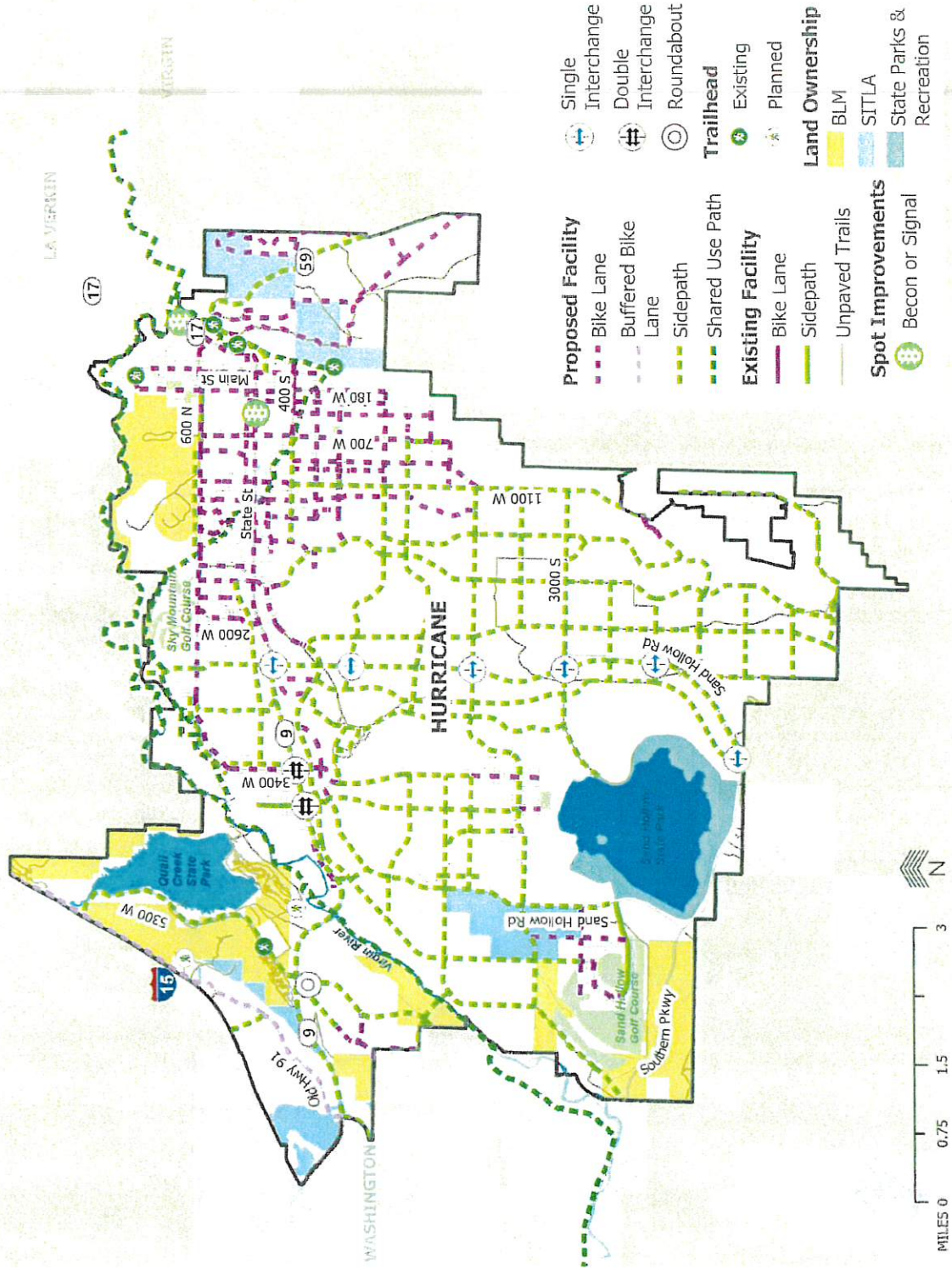


# Planned AT Composite

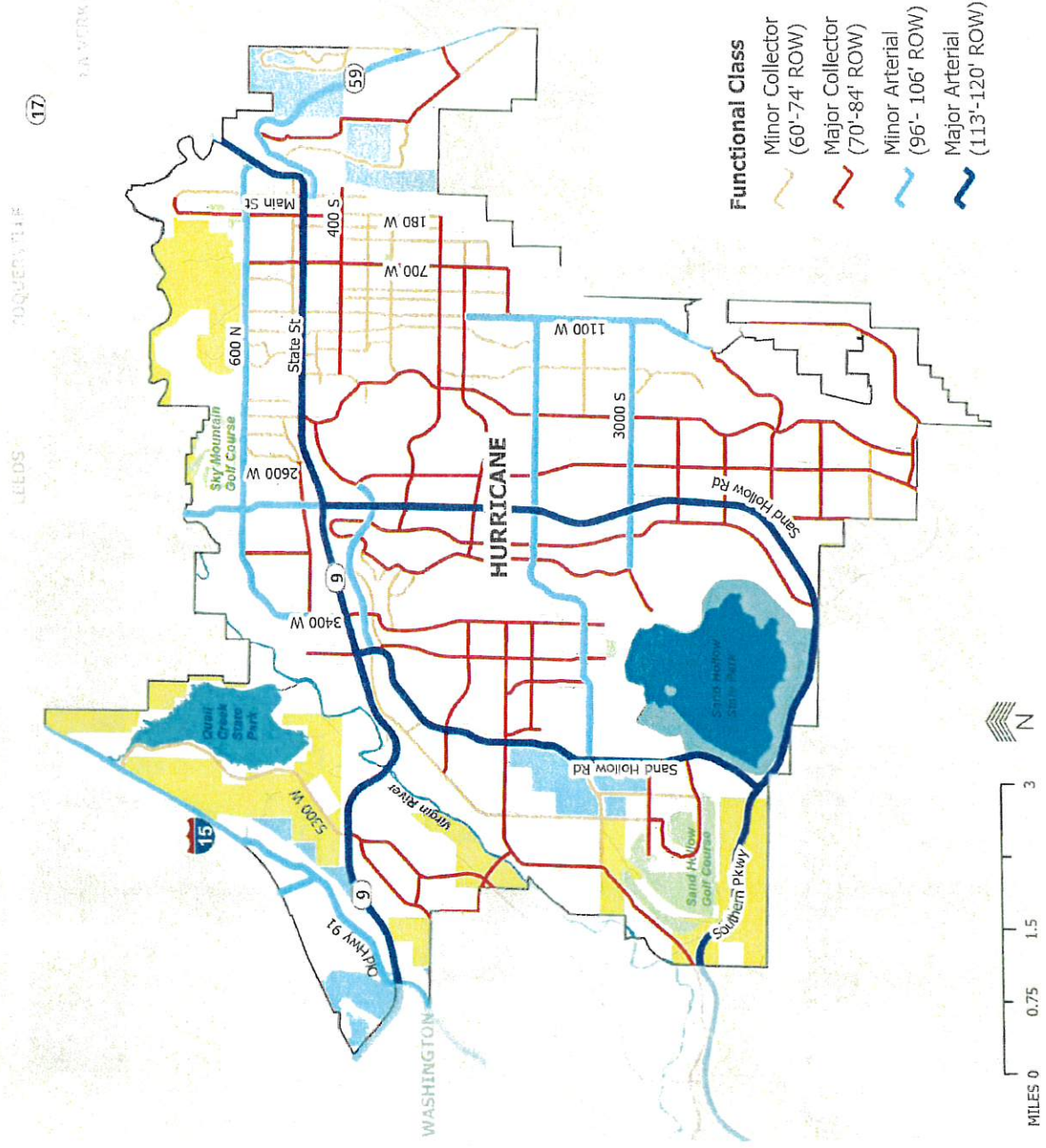
Recommendations from all plans



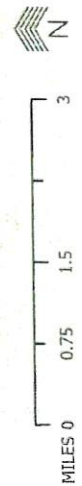
# Final Planned AT Facilities



# Future Functional Classification



- Functional Class**
- Minor Collector (60'-74' ROW)
  - Major Collector (70'-84' ROW)
  - Minor Arterial (95'-106' ROW)
  - Major Arterial (113'-120' ROW)
- Land Ownership**
- BLM
  - SITLA
  - State Parks & Recreation



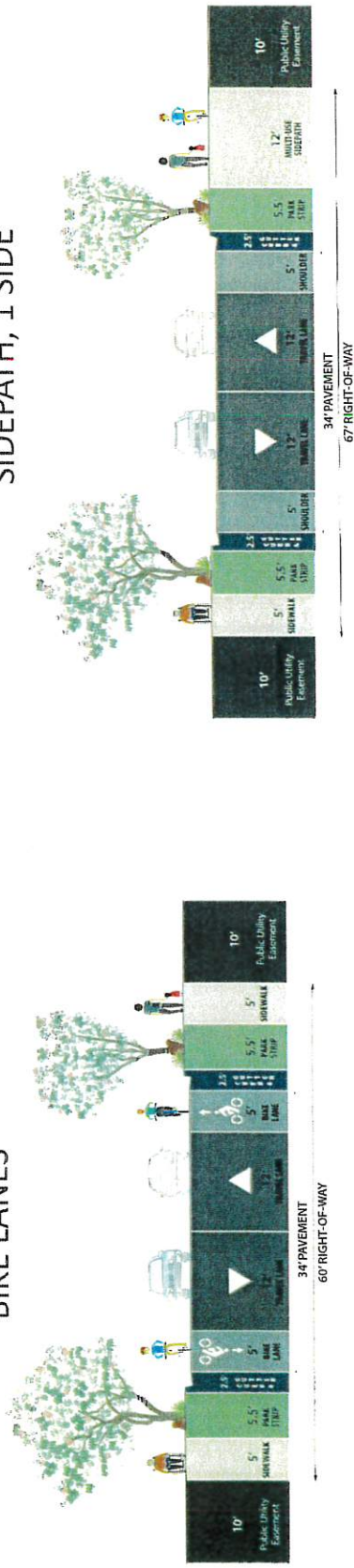
LEEDS

DOUGHERTY

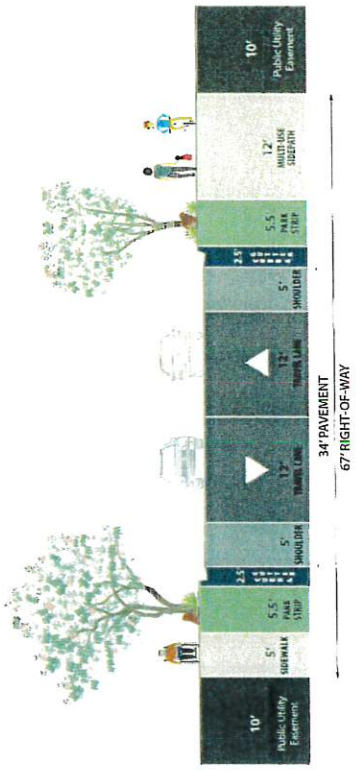
(17)

# Cross-Sections | Minor Collector

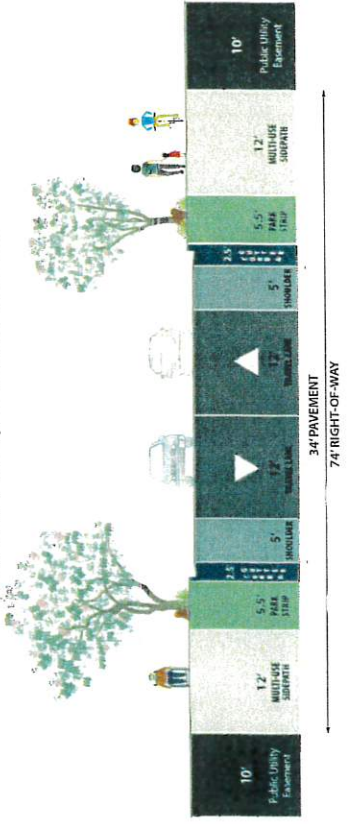
BIKE LANES



SIDEPATH, 1 SIDE

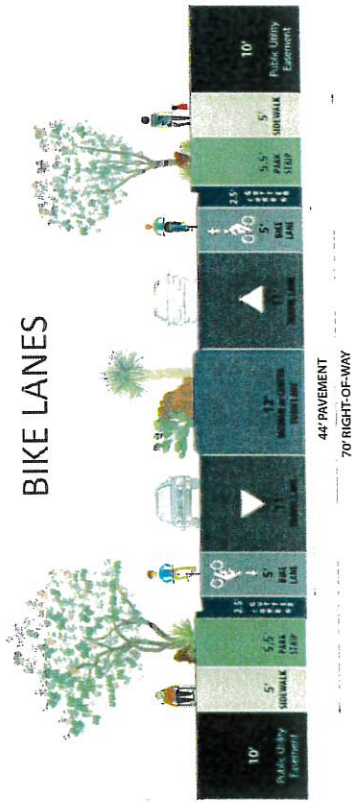


SIDEPATH, BOTH SIDES

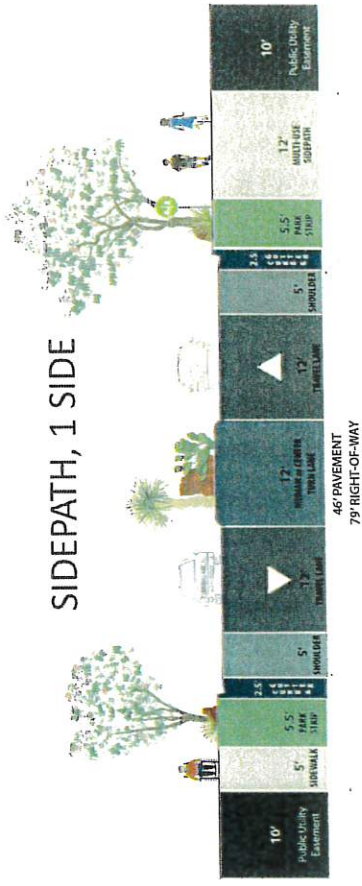


# Cross-Sections | Major Collector

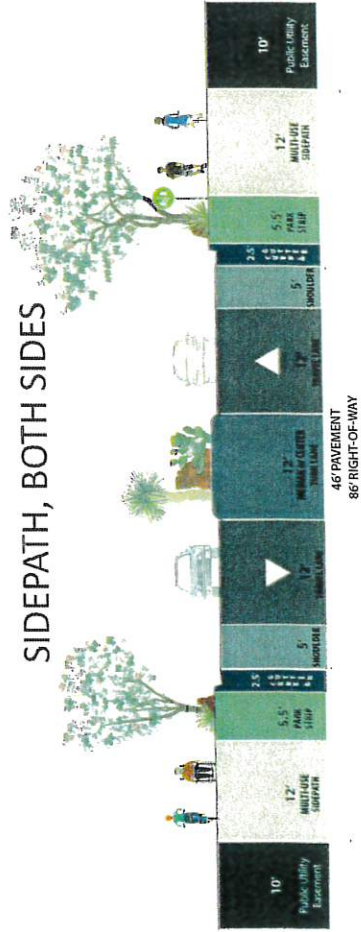
BIKE LANES



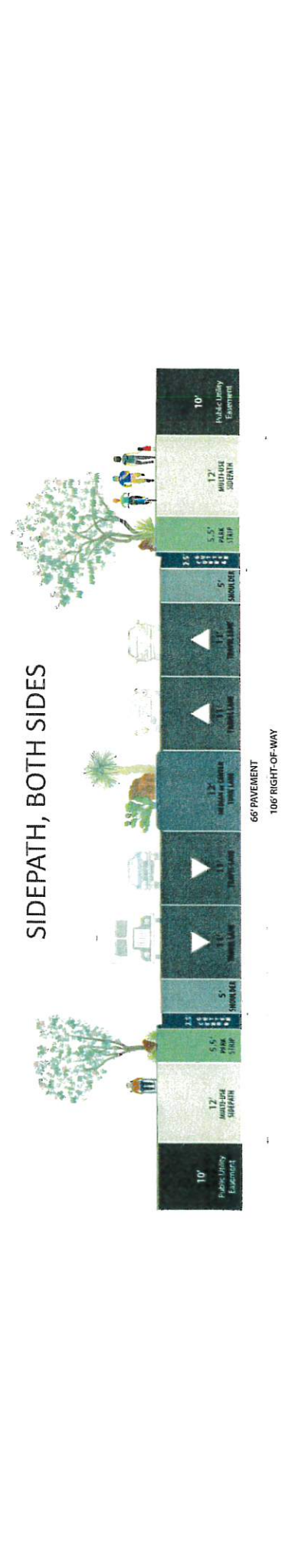
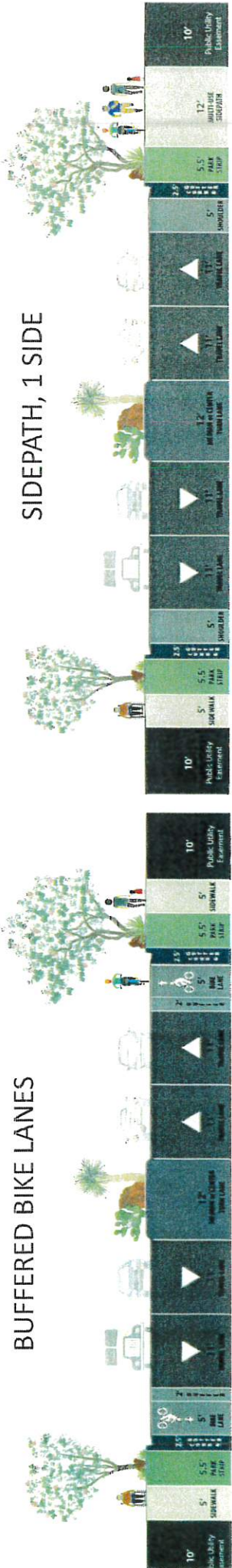
SIDEPATH, 1 SIDE



SIDEPATH, BOTH SIDES

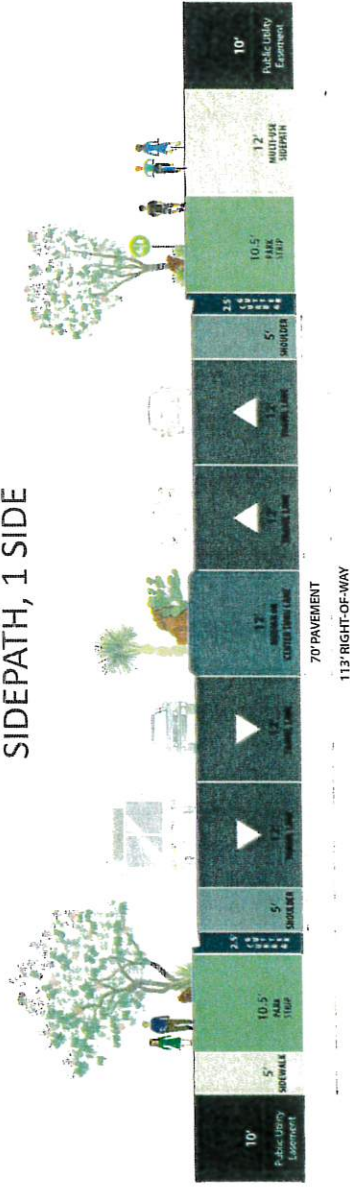


# Cross-Sections | Minor Arterial

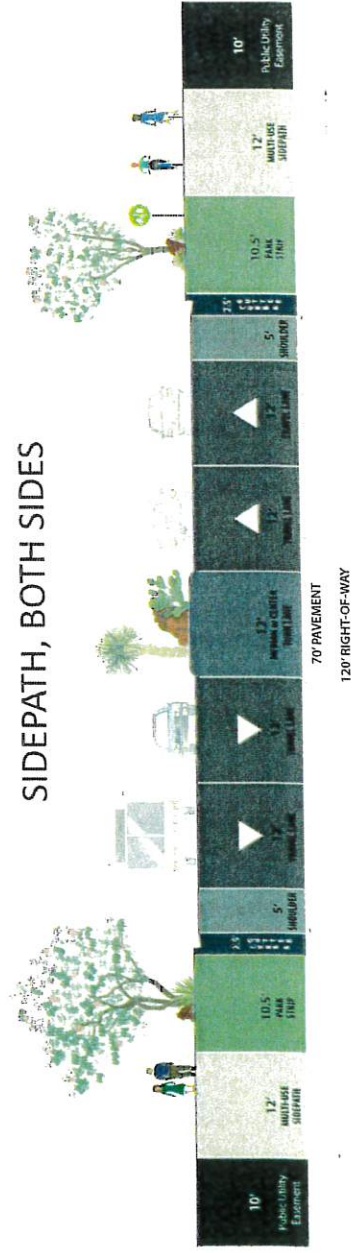


# Cross-Sections | Major Arterials

SIDEPATH, 1 SIDE

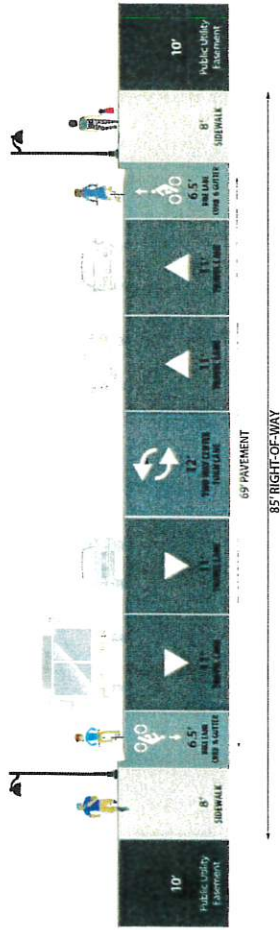


SIDEPATH, BOTH SIDES

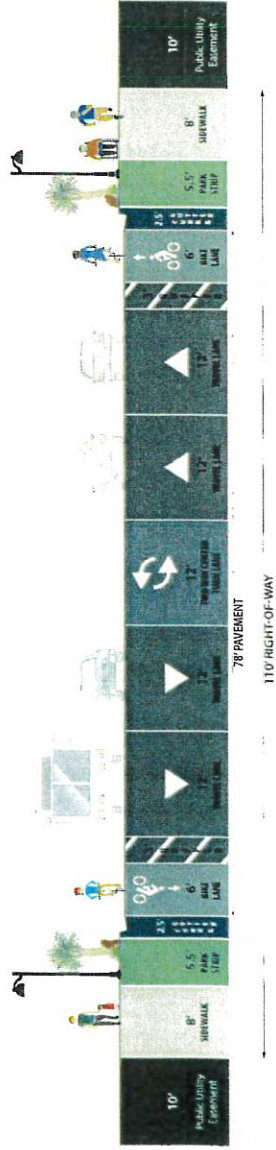


# Cross-Sections | SR-9 Downtown

EXISTING RIGHT-OF-WAY

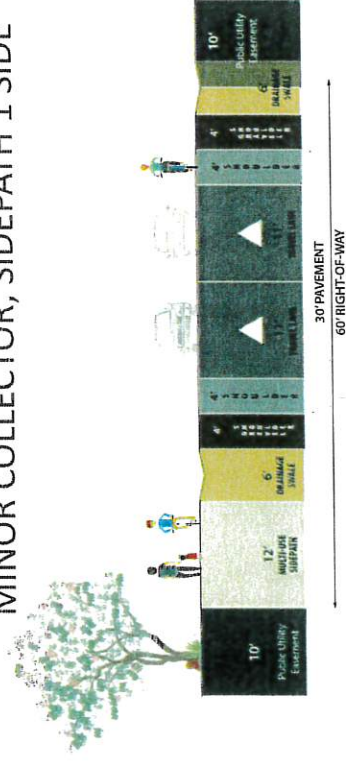


IDEAL RIGHT-OF-WAY

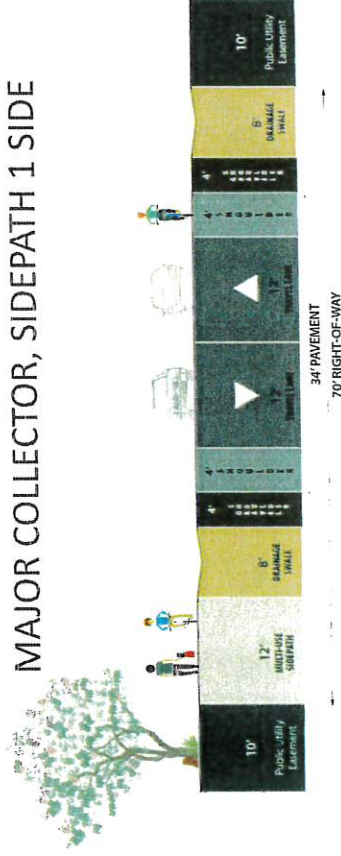


# Cross-Sections | Rural

MINOR COLLECTOR, SIDEPATH 1 SIDE

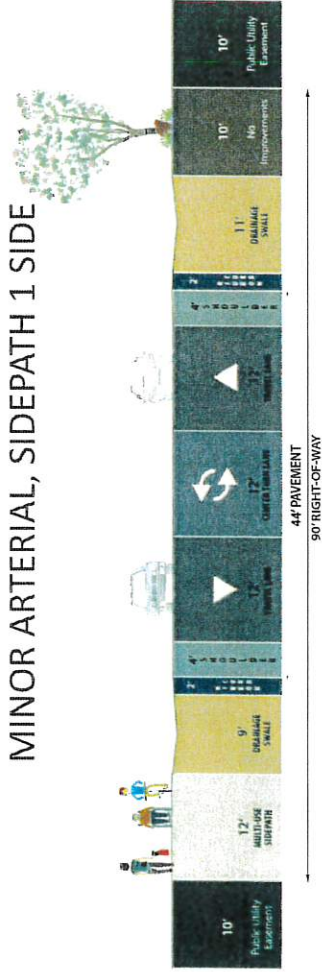


MAJOR COLLECTOR, SIDEPATH 1 SIDE

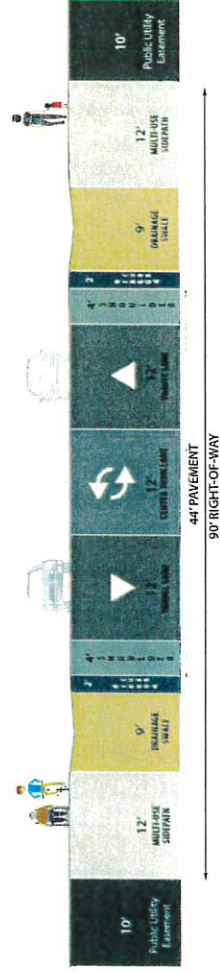


# Cross-Sections | Rural

MINOR ARTERIAL, SIDEPATH 1 SIDE



MINOR ARTERIAL, SIDEPATH BOTH SIDES

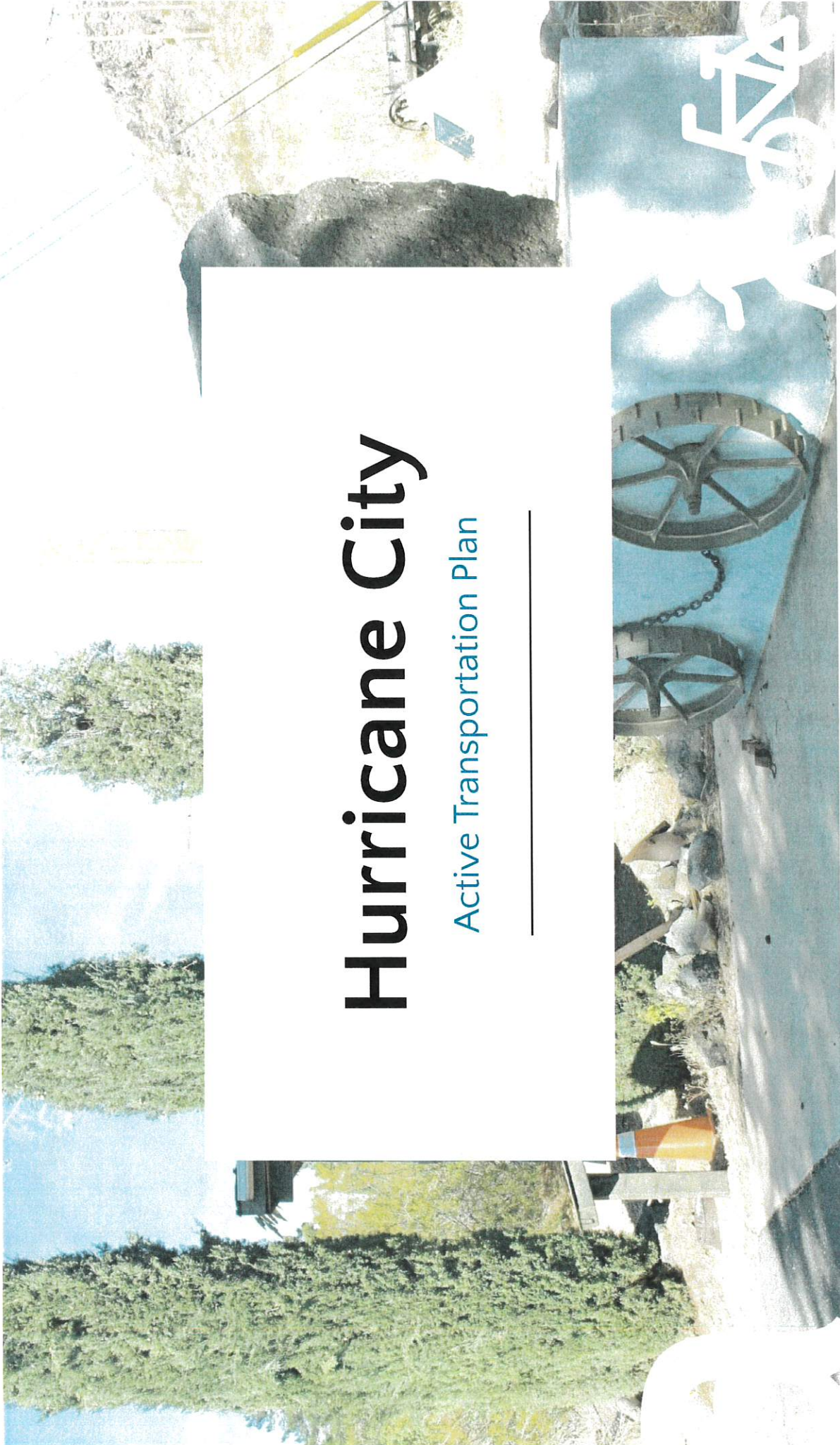




# Thank you!

Hurricane City Active Transportation Plan

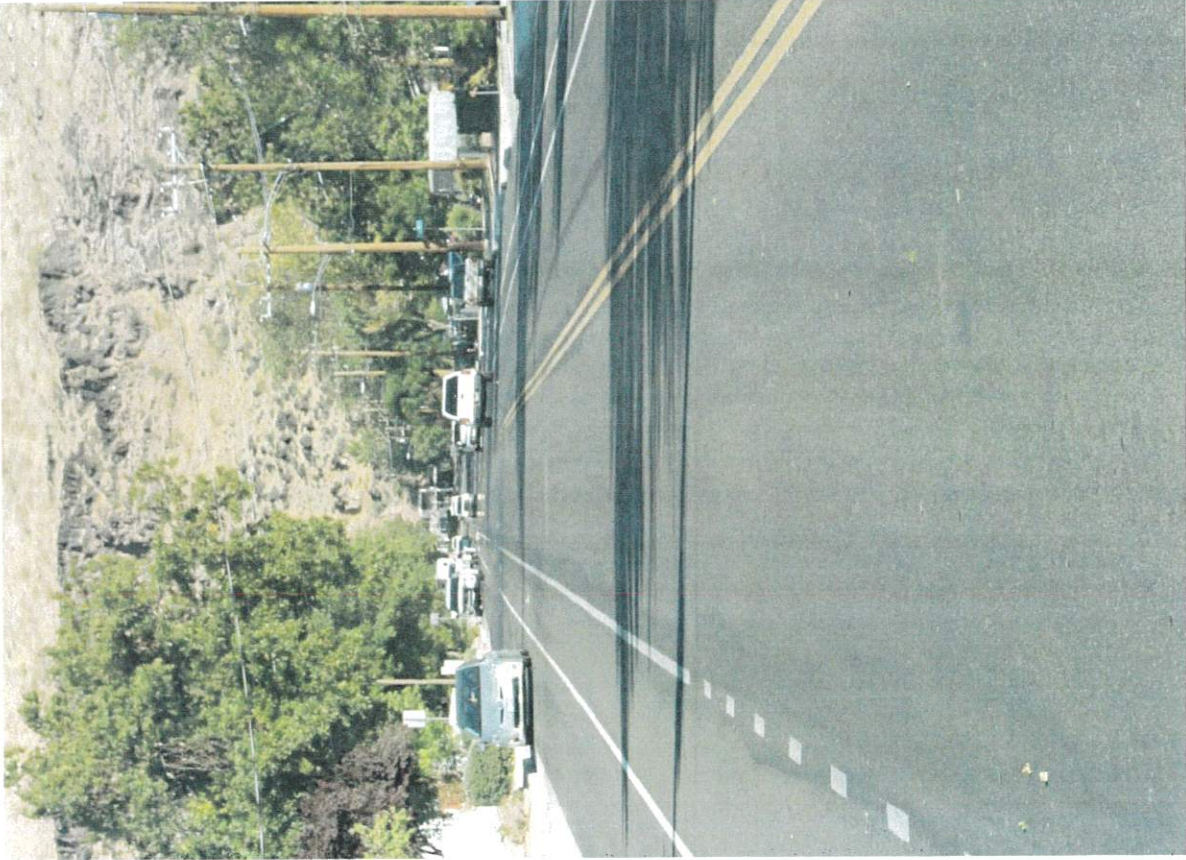
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# Hurricane City

Active Transportation Plan

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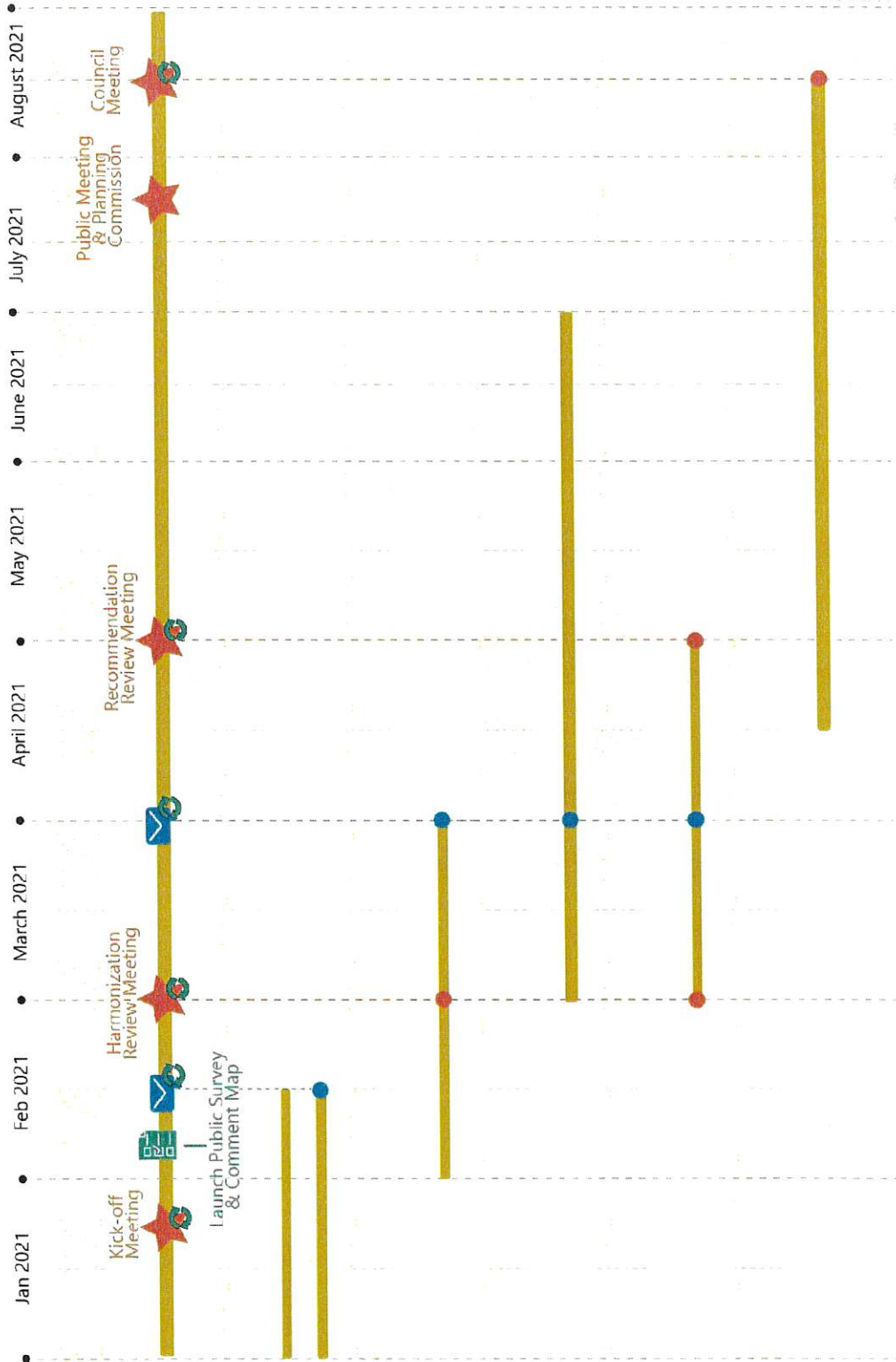


# Presentation Topics

1. Project Schedule
2. Website & Survey
3. Past Plans Harmonization
4. Final Active Transportation Map
5. Future Roadway Classification and Cross-Sections
6. AT Committee Guidance



# Schedule



## Task 1: Stakeholder Engagement

- Stakeholder Meeting
- Stakeholder Engagement Strategies
- Milestone Follow-Up
- Key StoryMap Update

## Task 2: Review Existing Plans

- Collect Data and Plans
- Review Key Destinations, Existing and Proposed Facilities

## Task 3: Harmonize Plans

- Create Unified Map of Planned Facilities & Propose Additional Infrastructure

## Task 4: Develop Cross-Sections and Standards

- Develop Roadway, Trail and Intersection Cross-Sections and Standards

## Task 5: Recommendations & AT Committee Assistance

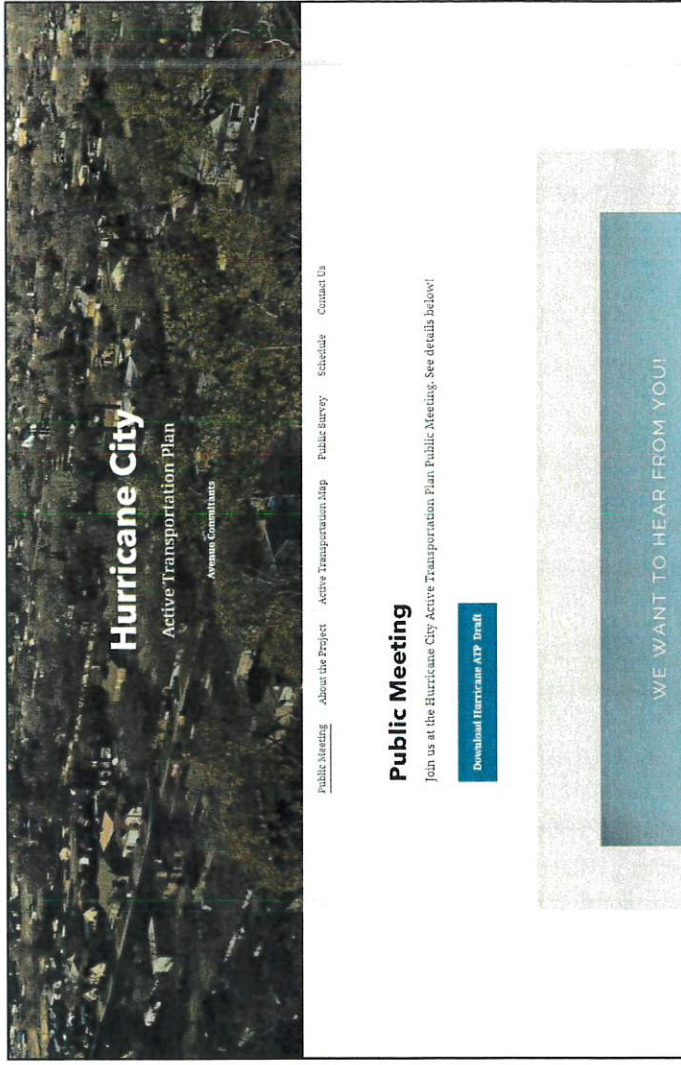
- Assist on the Creation of an Active Transportation Committee

## Task 6: Documentation & Delivery

- Finalize and Document Active Transportation Plan

# Website & Survey

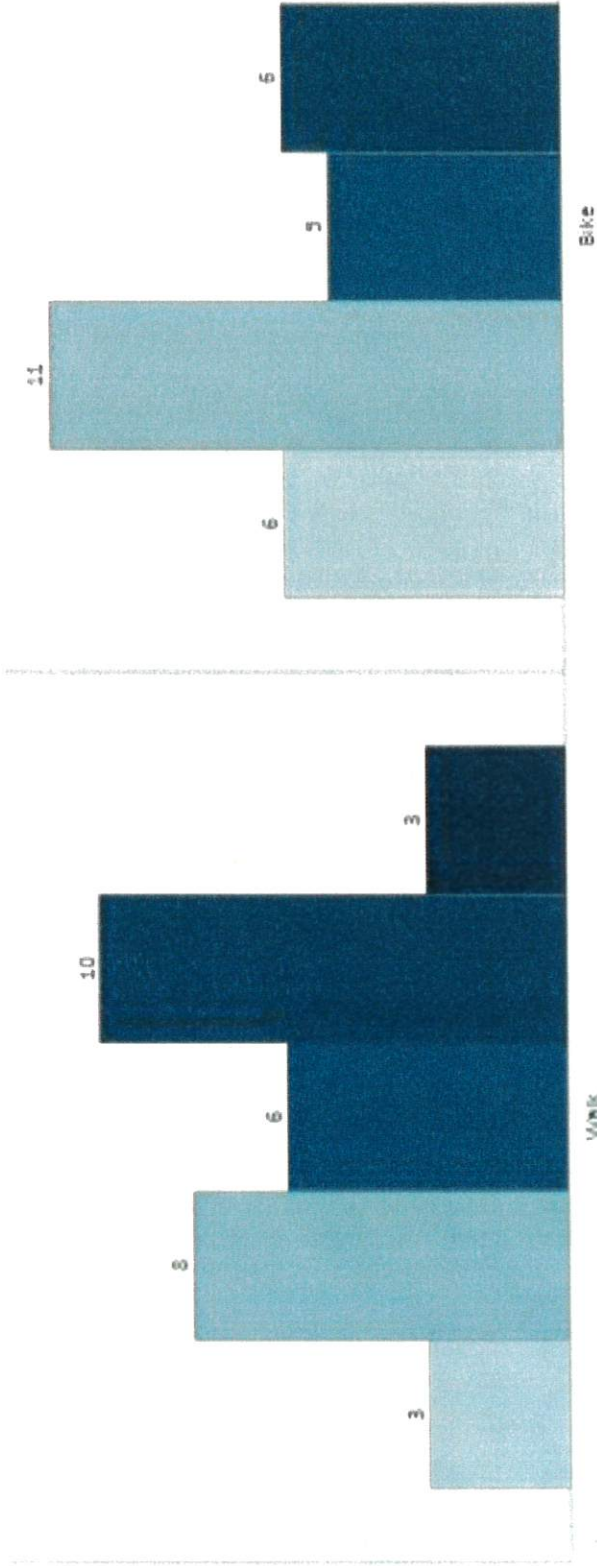
- Website launched at the beginning of the project, kept the public and stakeholders informed throughout the process
  - **2,063** views to date
- Survey published in **February 2021** during the Dixie MPO Online Expo
- Survey Assessed
  - Ease of walking/biking
  - Destinations
  - Facility Comfort
- **30** people completed survey
- Survey included a **comment map** where people left location-specific comments



# Survey Results

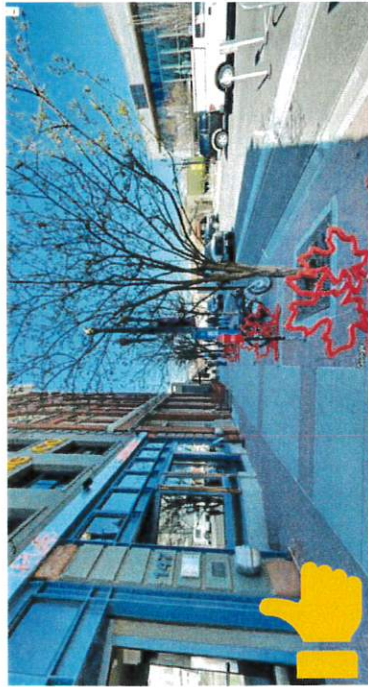
How easy is it to walk and bike in your community?

Very Difficult    Difficult    Neutral    Easy    Very Easy



# Survey Results

Please identify how comfortable you would be *walking* in each situation:



On a sidewalk or multi-use trail adjacent to a physically separated bike lane.

- Very Uncomfortable - 1
- 2
- 3
- 4
- 5
- Very Comfortable - 6



On a sidewalk or multi-use trail adjacent to the street

- Very Uncomfortable - 1
- 2
- 3
- 4
- 5
- Very Comfortable - 6



On a sidewalk or multi-use trail adjacent to a park strip

- Very Uncomfortable - 1
- 2
- 3
- 4
- 5
- Very Comfortable - 6



NOVA

# Survey Results

## WHAT DESTINATIONS DO YOU WANT TO WALK OR BIKE TO IN HURRICANE?

### DESTINATIONS

- Main Street Park
- Three Falls
- Ghouls Wash Community Center
- Sand Hollow State Park
- Quail Creek State Park

### ROUTES

- State Street
- 600 North
- **Connected trail system** throughout Hurricane
- **Rural routes** – less cars and nice views
- **Connections** to towns outside of Hurricane (St. George, LaVerkin)



# Comment Map Results

## Results

- 25 Suggestions
- 18 Trails
- 3 Bike Lanes
- 4 Sidewalks

**Type of improvement: Sidewalk**

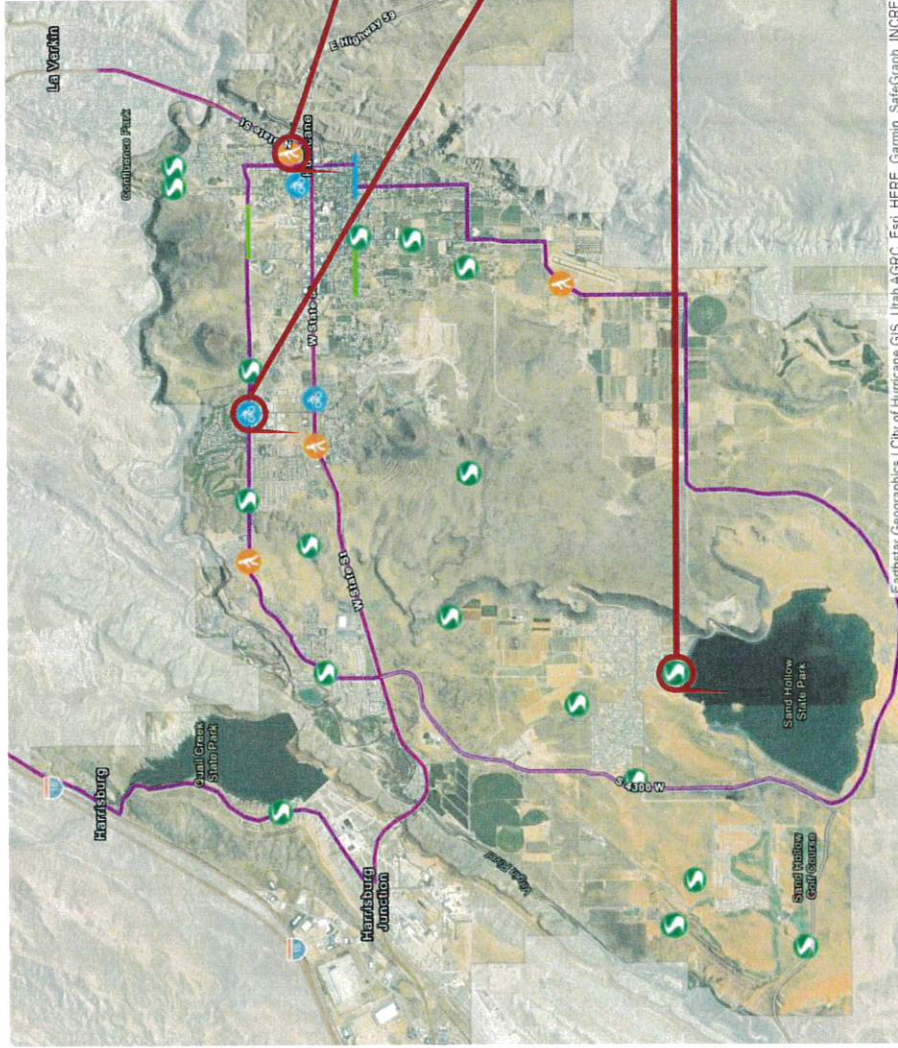
**Location: 200 N 100 E**

**Type of improvement: Bike Lane**

**Location: 600 N, from Sky Mountain Area to LaVerkin/Hurricane**

**Type of improvement: Trail**

**Location: Dixie Springs Park to Sand Hollow State Park**



<https://avenuecon.maps.arcgis.com/apps/CrowdsourcerReporter/index.html?appid=8942fcabd5d34babbb3a2c51b230718c>

# Past Plans Harmonization



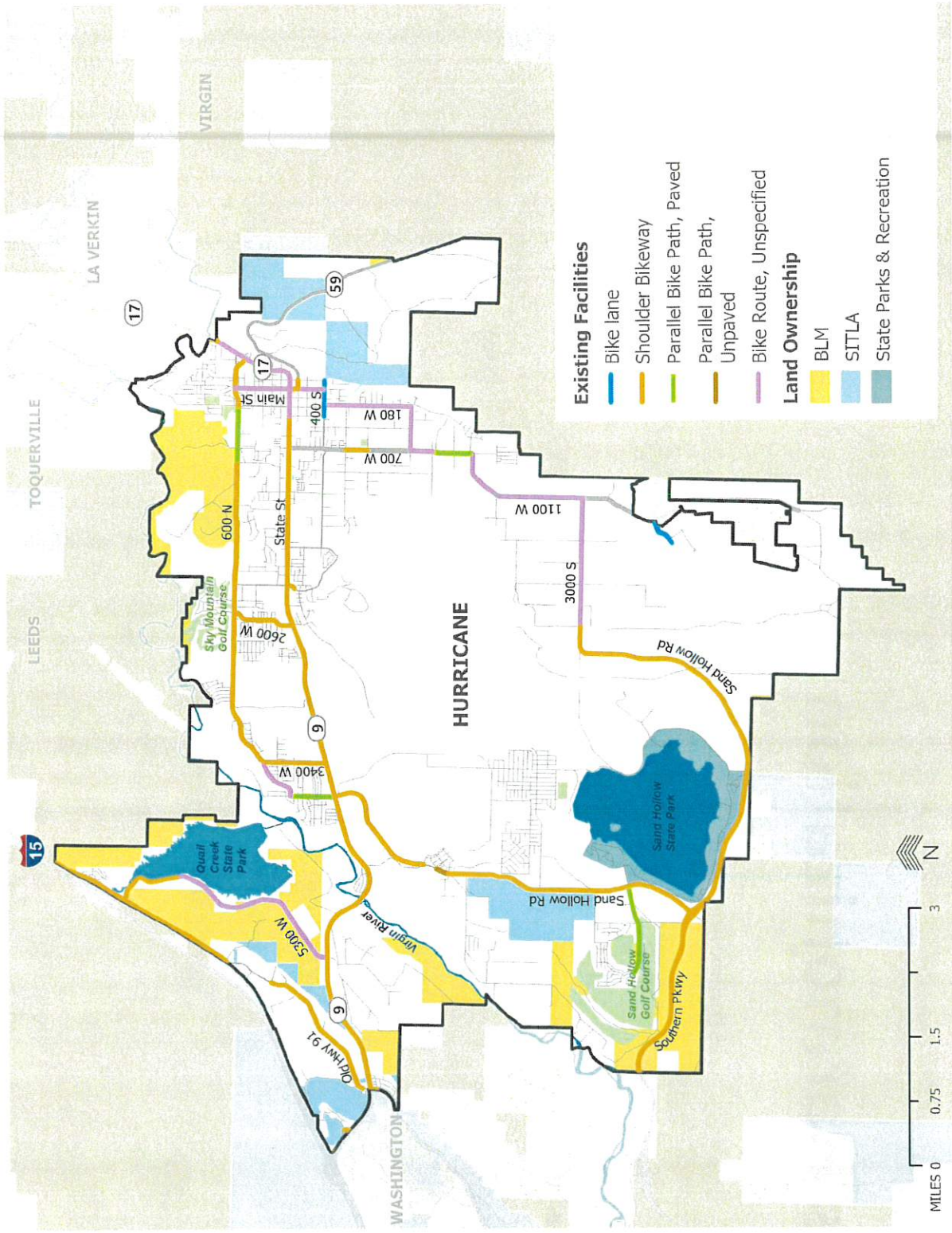
## Studies and Maps Analyzed

1. **600 N Trail Alignment/Three-Rivers Trail (2020)**
2. **SR-9 SES (2020)**
3. **SR-7 Active Transportation Plan (2020)**
4. **Hurricane Transportation Master Plan Map (2019)**
5. **Hurricane Trails Master Plan Map (2019)**
6. **Hurricane Transportation Master Plan (2018)**
7. **Washington City Active Transportation Plan (2017)**
8. **Dixie MPO Regional Active Transportation Plan (2015)**
9. **Hurricane Trails Master Plan Map (2011)**



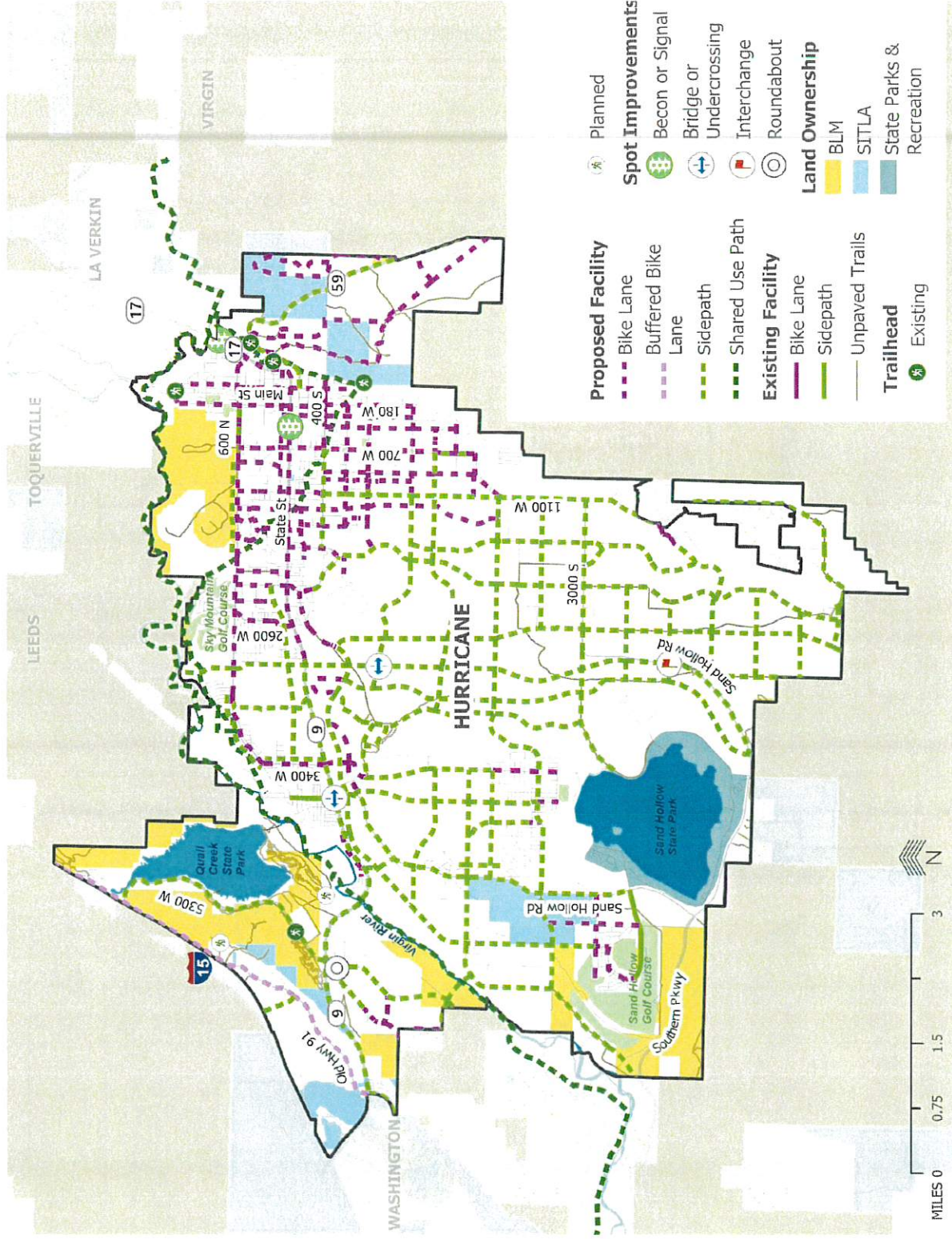
# Existing AT Facilities

Revised map after input received during kick-off meeting

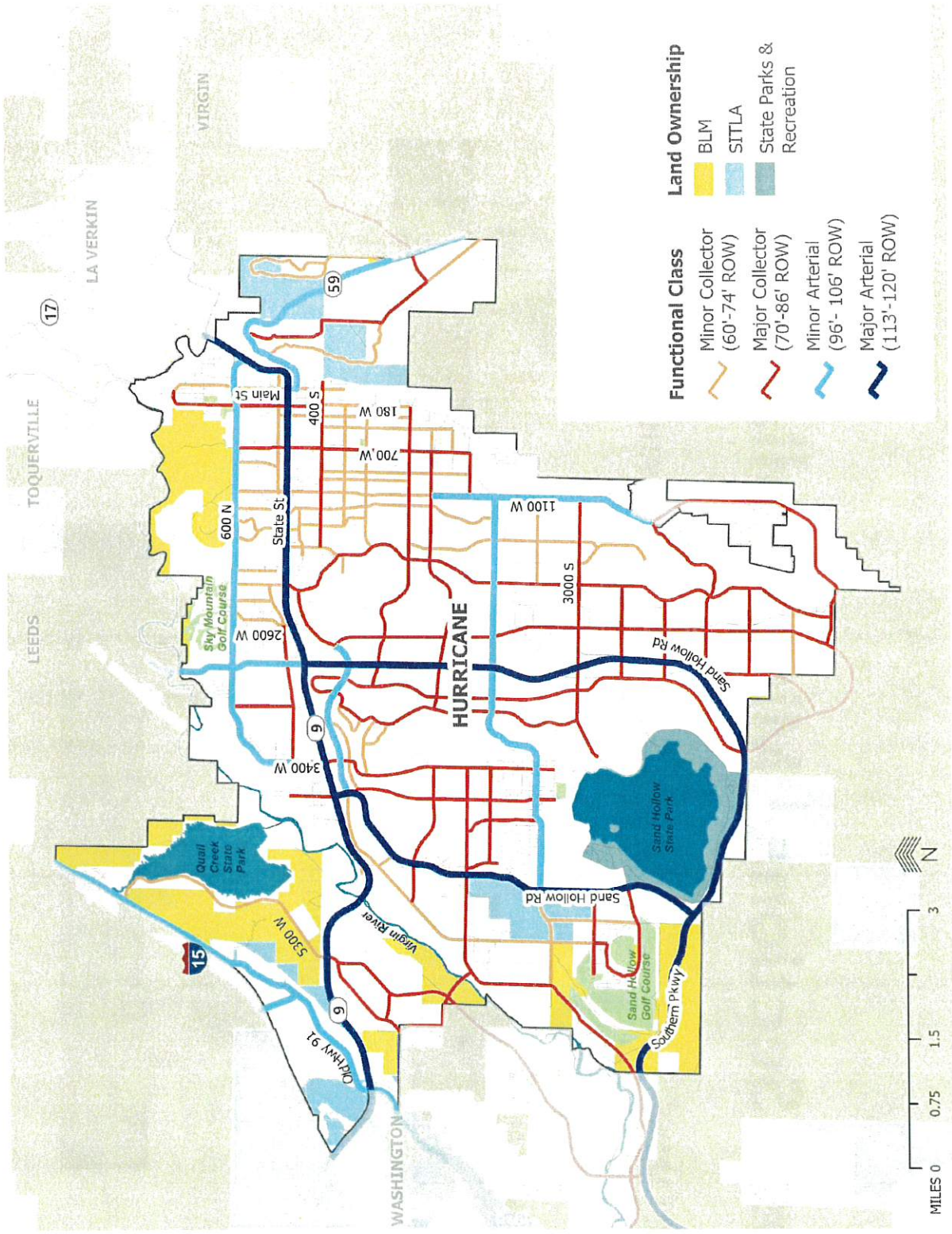




# Final Planned AT Facilities

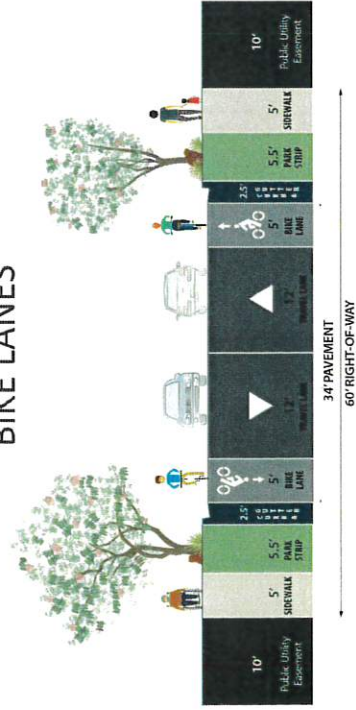


# Future Functional Classification

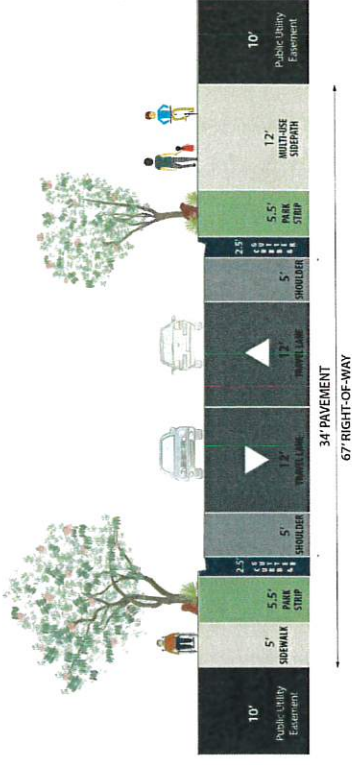


# Cross-Sections | Minor Collector

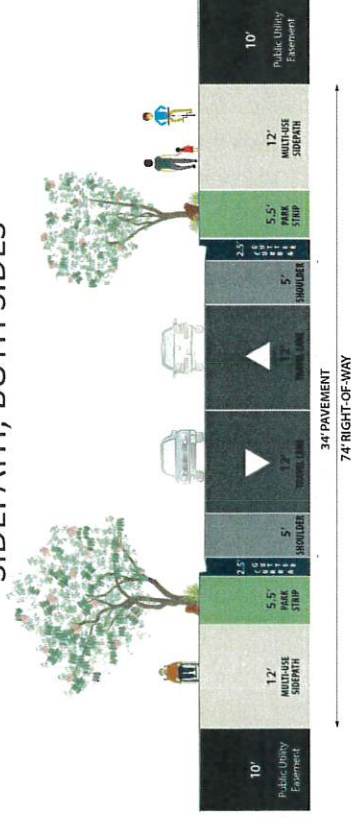
BIKE LANES



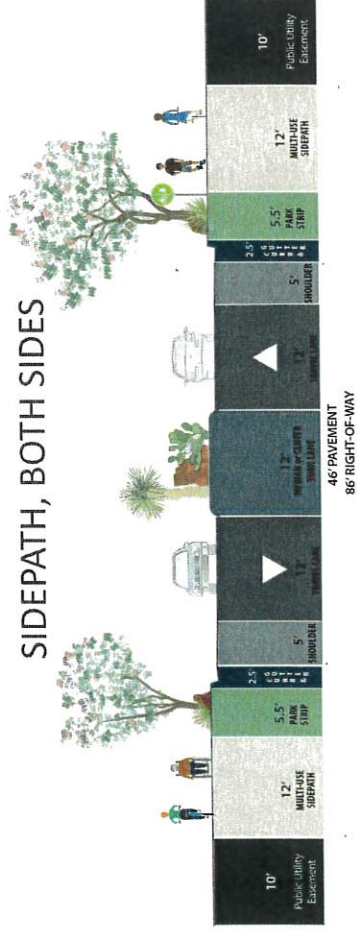
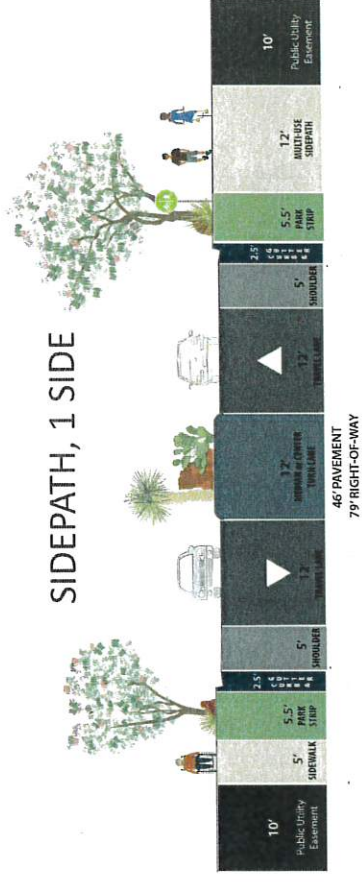
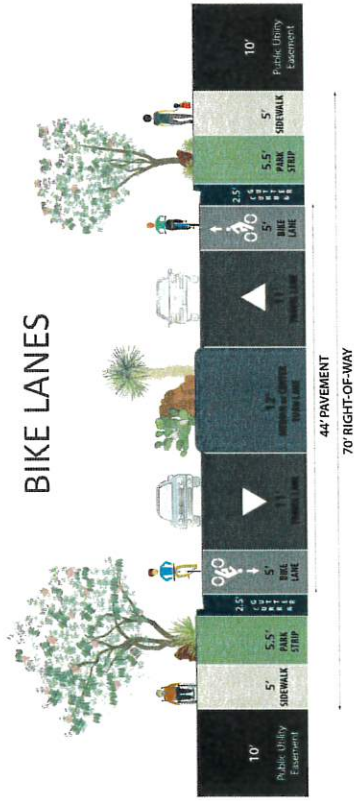
SIDEPATH, 1 SIDE



SIDEPATH, BOTH SIDES

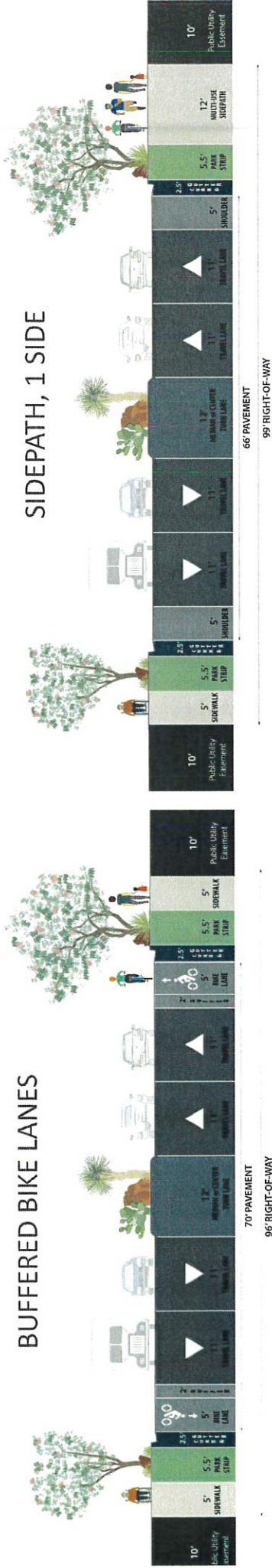


# Cross-Sections | Major Collector

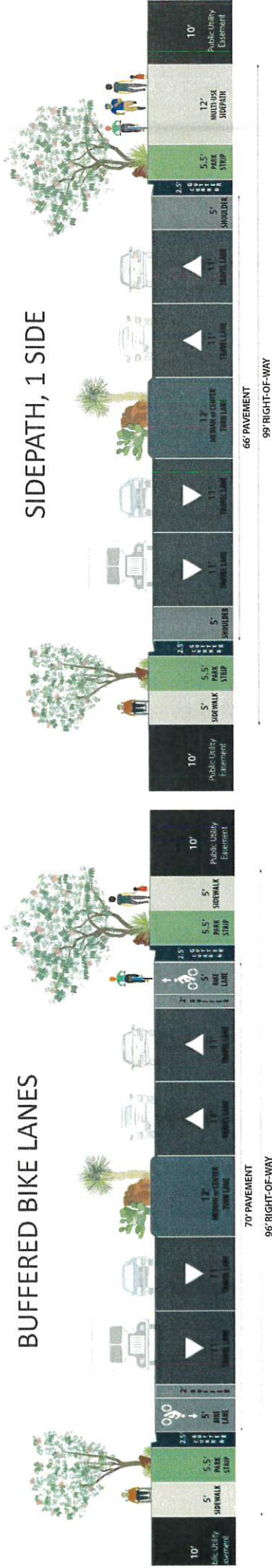


# Cross-Sections | Minor Arterial

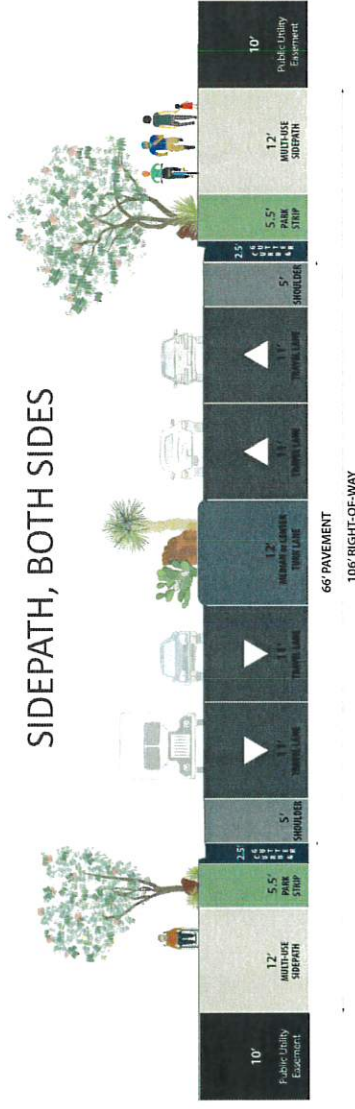
BUFFERED BIKE LANES



SIDEPATH, 1 SIDE

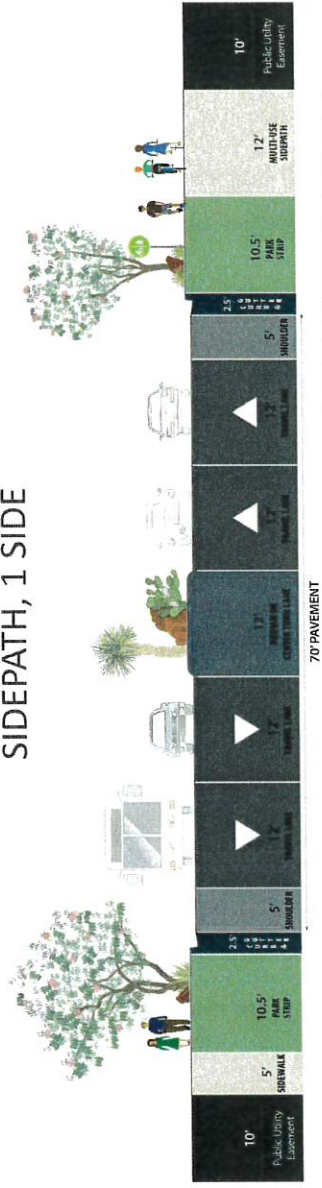


SIDEPATH, BOTH SIDES

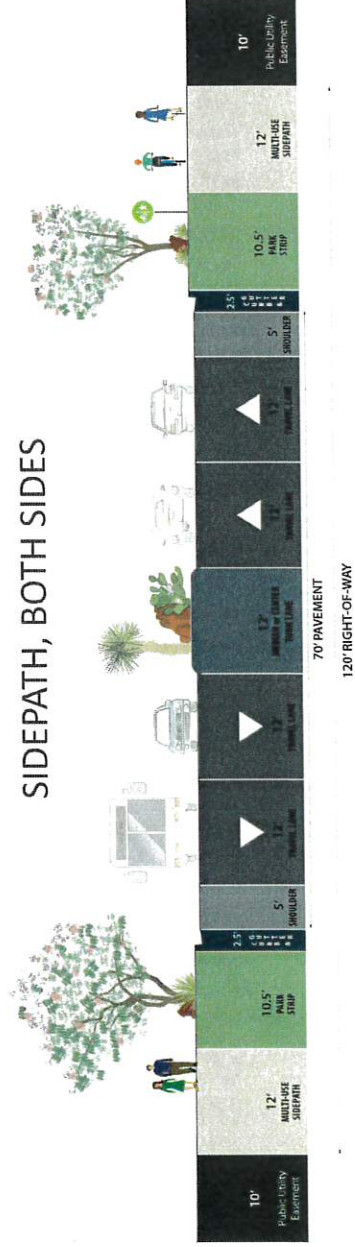


# Cross-Sections | Major Arterials

SIDEPATH, 1 SIDE

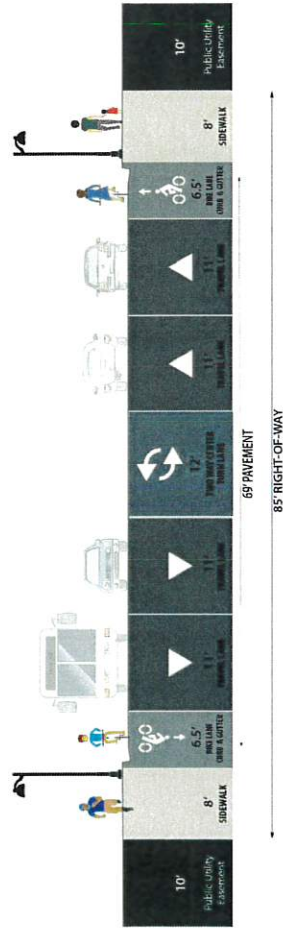


SIDEPATH, BOTH SIDES

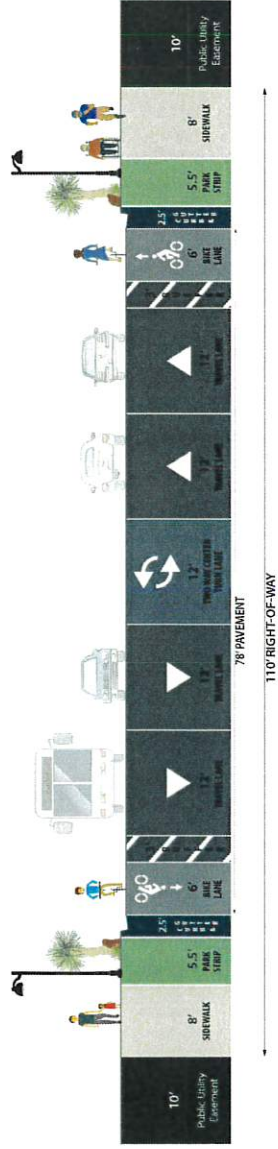


# Cross-Sections | SR-9 Downtown

EXISTING RIGHT-OF-WAY

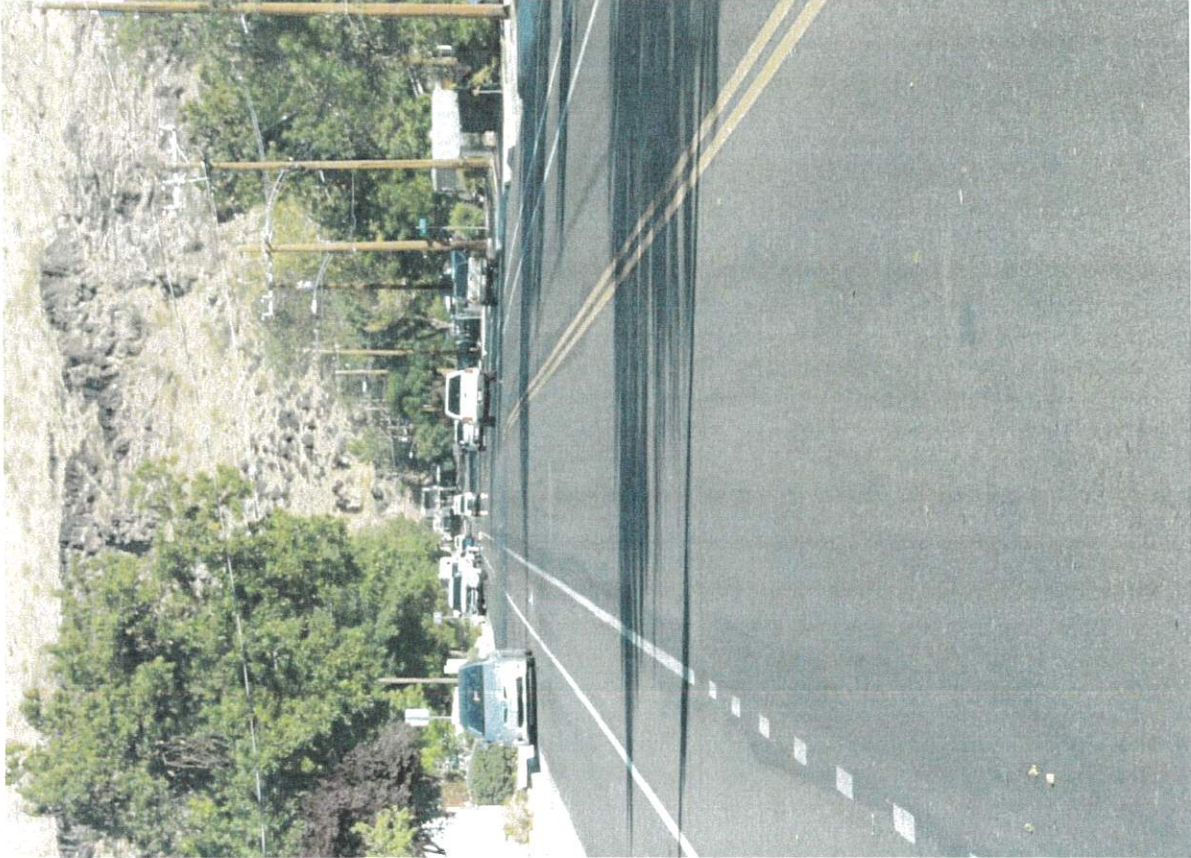


IDEAL RIGHT-OF-WAY



# Next Steps

1. Adjust plans with newly acquired feedback
2. City Council Presentation
3. Final Document delivery



An aerial photograph of a town built on a hillside, with mountains visible in the distance under a clear blue sky. The town features a mix of residential and commercial buildings, surrounded by trees and vegetation. The sky is a vibrant, clear blue.

# Hurricane City

ACTIVE TRANSPORTATION PLAN

2021



# 01

## Executive Summary

Active Transportation (AT) is crucial to ensure alternative modes of transportation and recreation for residents and visitors, such as biking and walking. Hurricane City has taken many steps over the years to plan for a safe and connected AT network, having prepared and being part of many different studies that address AT.

This study focuses on facilities used for transportation purposes (Chapter 2), which includes those within the road right-of-way (ROW) such as bike lanes, sidepaths, and neighborhood byways, as well as paved facilities outside of road ROW such as shared use paths. The goal of the present study is to harmonize all the recommendations developed in the past (Chapter 3), update them to the most recently developed future road network for the city, and provide additional AT suggestions to create a safe and connected network.

The present study does not include recommendations of soft-surface trails or other facilities used for recreational purposes only, all the information for these facilities present in this document came from the 2019 Hurricane Trails Master Plan and the 2018 Hurricane City Transportation Master Plan.

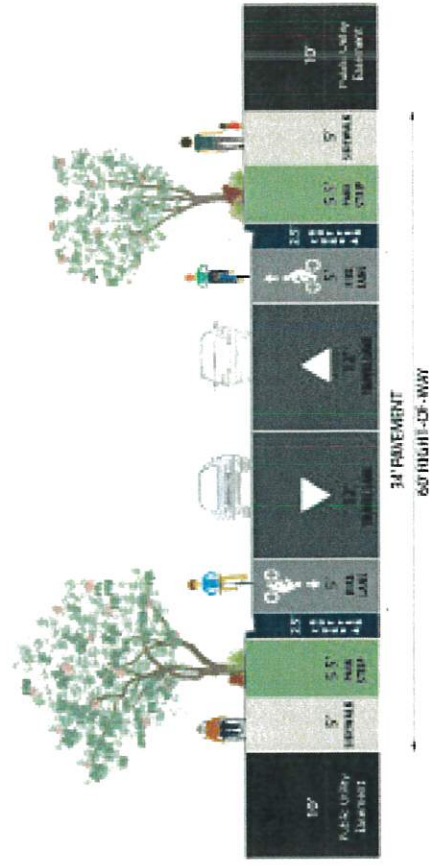
A summary of the public involvement effort can be found on Chapter 4, and updated roadway cross-sections on Chapter 5. Chapter 6 presents in more detail the proposed AT network shown on Map 1.1. Chapter 7 details policy, program and funding recommendations.



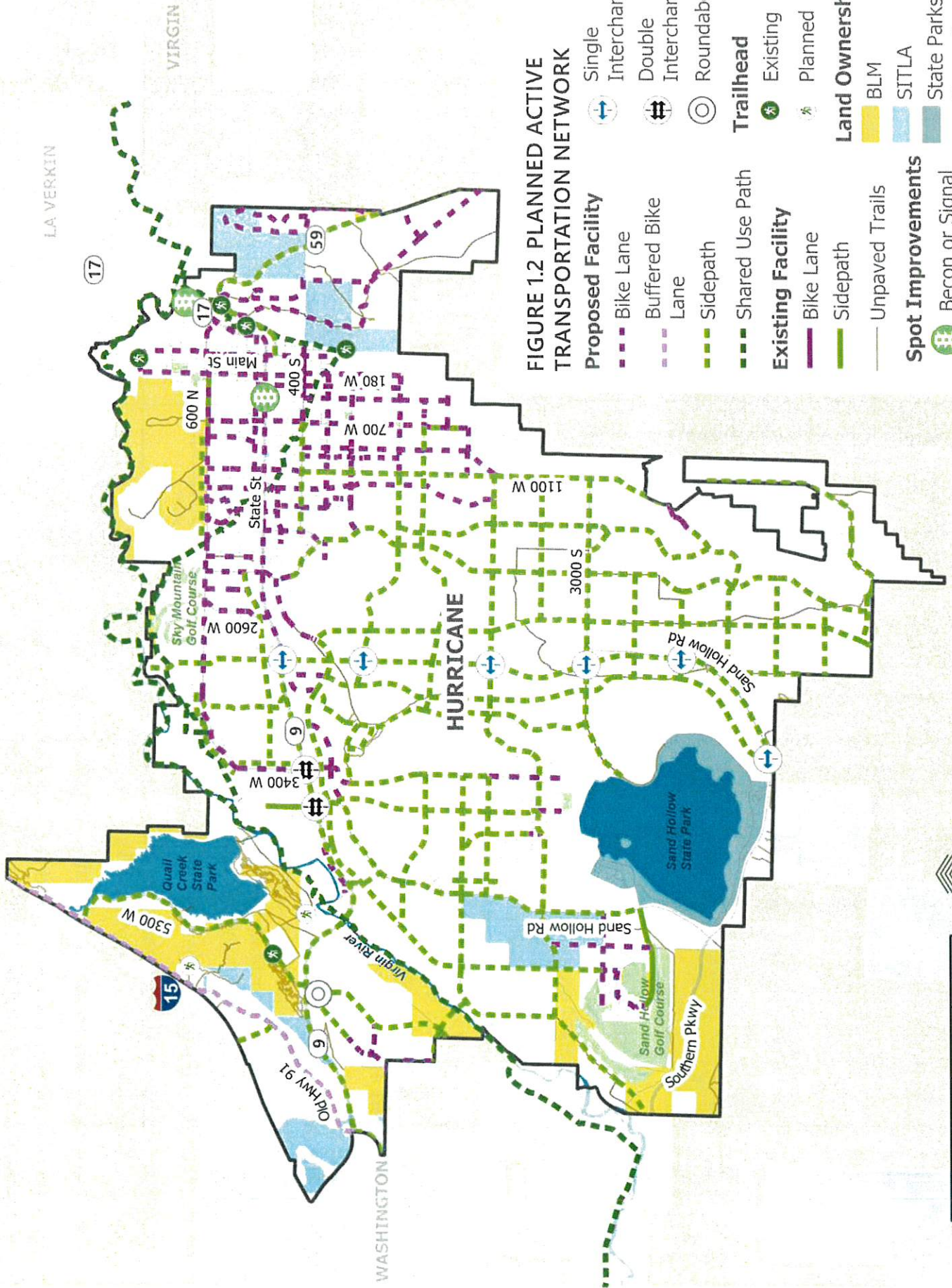
Appendix A offers guidance on how to establish an Active Transportation Committee (ATC) for Hurricane City.

Overall, the present study proposes:

- 41.5 miles of new bike lanes, and 46.7 miles of new sidepaths on existing roads;
- 21.7 miles of new bike lanes, and 79.6 miles of new sidepaths on future roads;
- 13.7 miles of shared use paths within city limits.

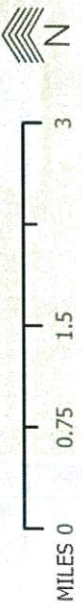


**Figure 1.1 Sample roadway cross-section: Minor Arterial accommodating bike lanes and sidewalks.**



**FIGURE 1.2 PLANNED ACTIVE TRANSPORTATION NETWORK**

- |                          |                    |                    |                          |                 |
|--------------------------|--------------------|--------------------|--------------------------|-----------------|
| <b>Proposed Facility</b> | Bike Lane          | Buffered Bike Lane | Sidepath                 | Shared Use Path |
| <b>Existing Facility</b> | Bike Lane          | Sidepath           | Unpaved Trails           |                 |
| <b>Spot Improvements</b> | Beacon or Signal   |                    |                          |                 |
| <b>Proposed Facility</b> | Single Interchange | Double Interchange | Roundabout               |                 |
| <b>Trailhead</b>         | Existing           | Planned            |                          |                 |
| <b>Land Ownership</b>    | BLM                | SITLA              | State Parks & Recreation |                 |



# 02

## Active Transportation Facility Types

Transportation, Active Transportation (AT) and Trail Plans can look differently depending on the municipality or consulting group who created them. Different organizations might have different names and criteria to denote the same type of facility, and might recommend a unique combination of distinct types of AT facilities in a certain plan. This chapter is intended to clarify the nomenclature and criteria used to identify the different types of AT facilities mentioned in this plan. This is done following the guidance established on the 2018 Hurricane City Transportation Master Plan, as part of the Transportation Master Plan.

It is important to highlight that the present study did not make recommendations for unpaved recreational trails or trailheads, all the information on these facilities were taken from the 2019 Hurricane Trails Master Plan. Instead, the focus was on paved on- and off-street facilities used for transportation purposes.

Generally, facilities are classified between the following types:

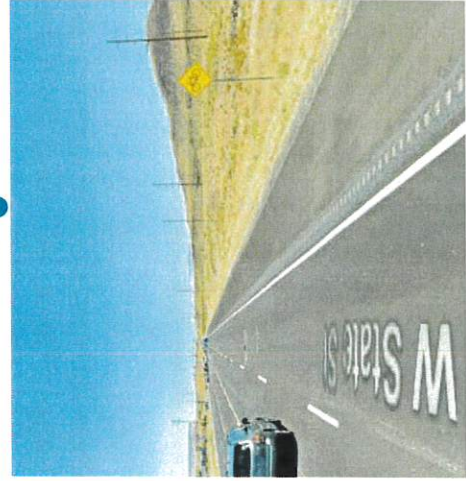
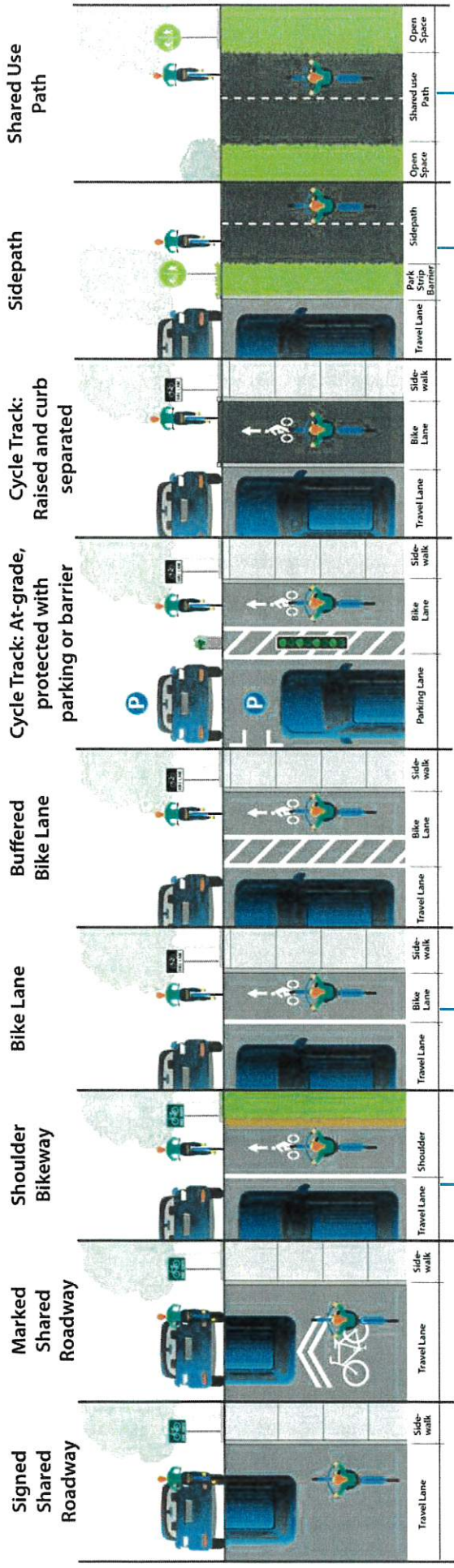
- **On-Street Facilities:** shared roadways, shoulder bikeways, bike lanes, buffered bike lanes and cycle tracks.
- **Off-Street Facilities:** sidewalks, sidepaths and shared use paths.
- **Spot Improvements:** intersection and crossing improvements, bridges and grade-separated crossings.

On-street facilities fall within the road right-of-way (ROW), while off-street facilities may or may not be located within the ROW. Examples of off-street facilities within road ROW include sidepaths and sidewalks. Off-street facilities outside of the ROW include shared use paths.

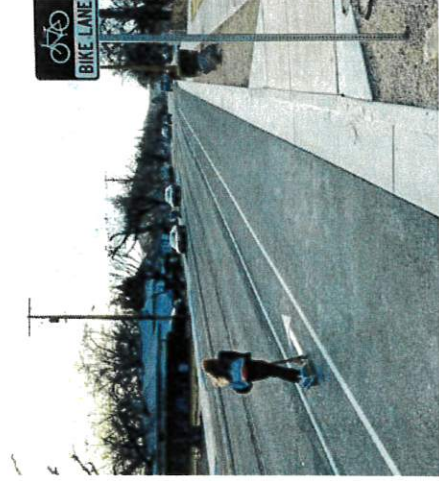
Below is a comparison of the most common types of AT facilities and how they fit within the establish AT schema from the Utah Department of Transportation (UDOT).

**Table 2.1 Comparison of the most common AT facility types.**

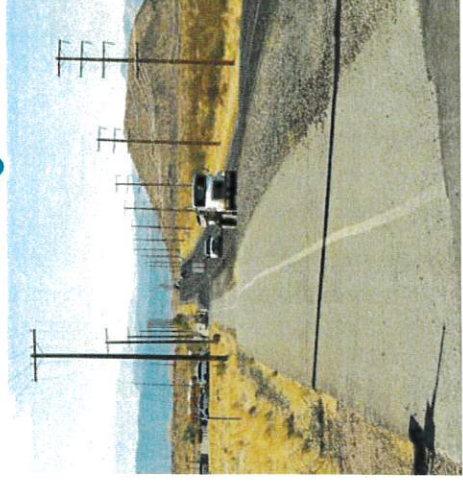
FACILITY TYPE	LOCATION	WITHIN ROW	UDOT SCHEMA
Signed Shared Roadway	On-Street	Yes	3C Signed Shared Roadway
Marked Shared Roadway	On-Street	Yes	3B Marked Shared Roadway
Shoulder Bikeway	On-Street	Yes	3A Shoulder Bikeway
Bike Lane	On-Street	Yes	2B Bike Lane
Buffered Bike Lane	On-Street	Yes	2A Buffered Bike Lane
Cycle Tracks	On-Street	Yes	1A, 1B, 1C Cycle Tracks
Sidepath	Off-Street	Yes	PP Parallel Bike Path
Shared Use Paths	Off-Street	No	n/a



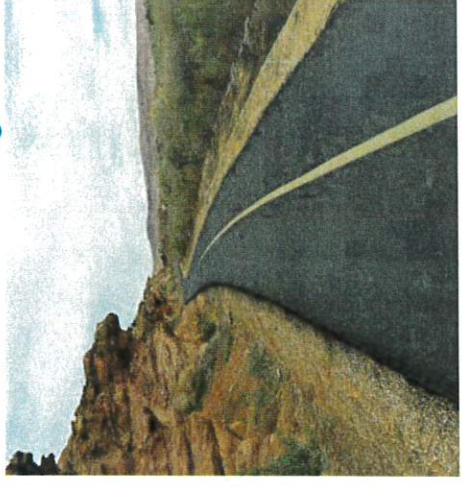
*Shoulder Bikeway along SR-9/State St*



*Bike Lane on 400 S*



*Sidepath on 600 N*



*Shared Use Path in Washington (Virgin River Trail)*

**Figure 2.1 Illustration and local photos of the different Active Transportation facility types.**

# 03

## Past Studies & Plans

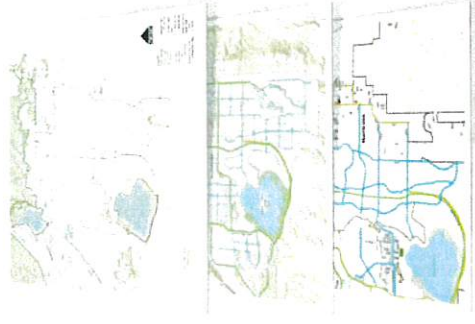
Over the past decade, a series of studies related to Active Transportation (AT) have been developed in and around Hurricane, including the City in its analyses and recommendations. These studies evaluated AT components such as bike lanes, sidepaths and shared use paths, as well as spot improvements. The combination of all of these resulted in a number of overlapping recommendations and ones that became outdated after the Hurricane Transportation Master Plan map of 2019 which detailed the future road network for the city.

These studies include:

- Hurricane General Plan (2021)
- 600 N Trail Alignment/Three-Rivers Trail (2020)
- SR-9 State Environmental Study (2020)
- SR-7 Active Transportation Plan (2020)
- Hurricane Transportation Master Plan (2019)
- Hurricane Trails Master Plan Map (2019)
- Hurricane Transportation Master Plan (2018)
- Washington City Active Transportation Plan (2017)
- Dixie MPO Regional Active Transportation Plan (2015)
- Hurricane Trails Master Plan Map (2011)

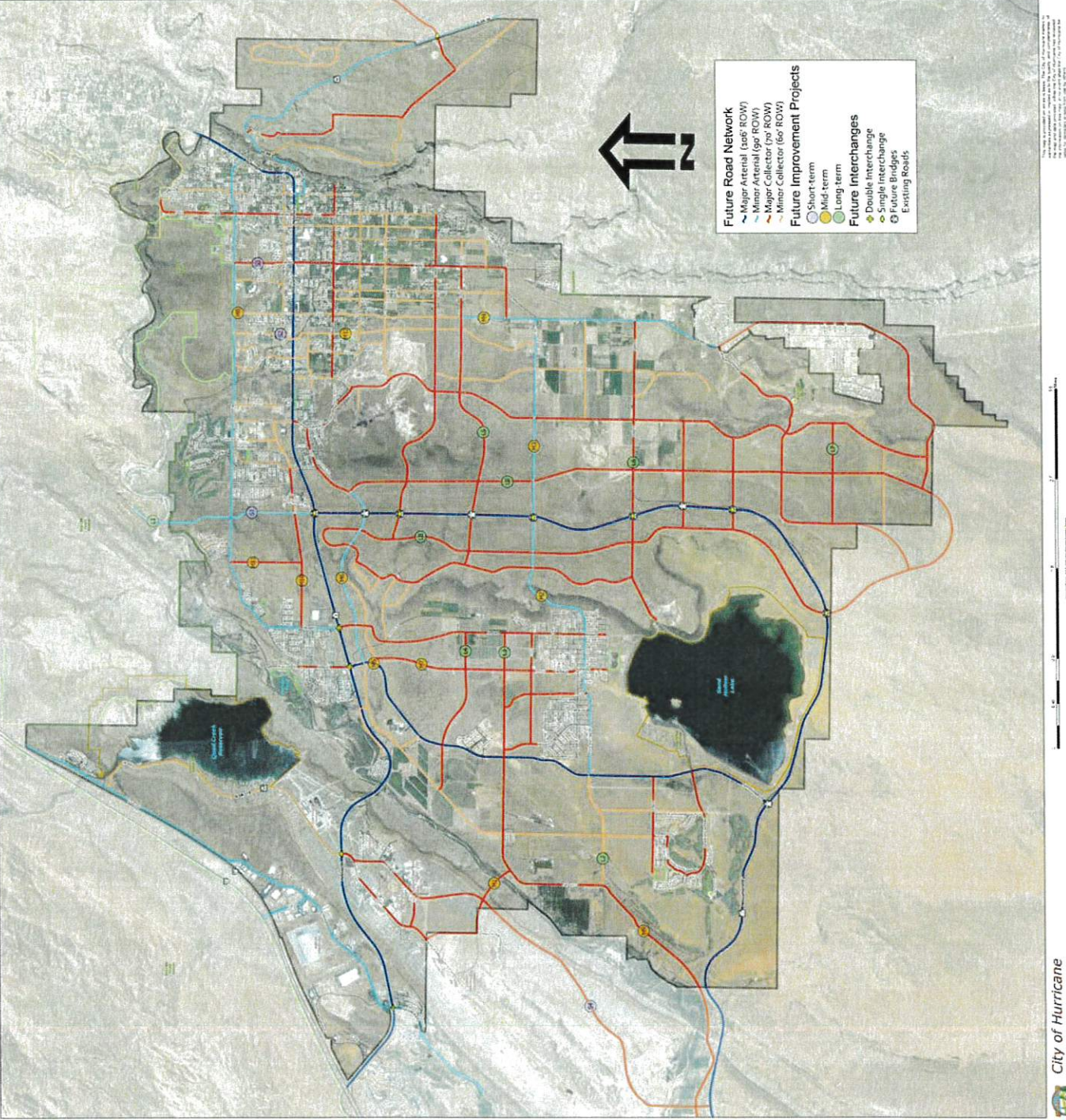
Many of these studies analyzed a series of demographic and transportation datasets for Hurricane and surrounding areas, including socio-economic, population, employment and land-use. This knowledge, coupled with extensive public outreach initiatives established by the 2021 Hurricane General Plan, and the 2018 Hurricane City Transportation Master Plan, helped establish sound recommendations for the future roadway network, as well as AT recommendations for Hurricane City.

The maps and recommendations from the most crucial studies are detailed in the following pages.



**Figure 3.1 A few plans analyzed in the present study.**

# HURRICANE TRANSPORTATION MASTER PLAN (2019)



The **2019 Hurricane Transportation Master Plan (TMP)** establishes the future road network for Hurricane City. It classifies the proposed roads by functional classes, including collectors and arterials, and their planned right-of-way (ROW) widths.

This map was important to the present study's analysis because it guided the future recommendations. In other words, any future AT recommendations proposed by this study and gathered from past plans follow the alignment of the future road network established in the 2019 Hurricane TMP.

This proposed roadway network supersedes the one established by the 2018 Hurricane TMP.

Figure 3.2 Hurricane Transportation Master Plan (2019) planned future road network.

# HURRICANE TRAILS MASTER PLAN (2019)

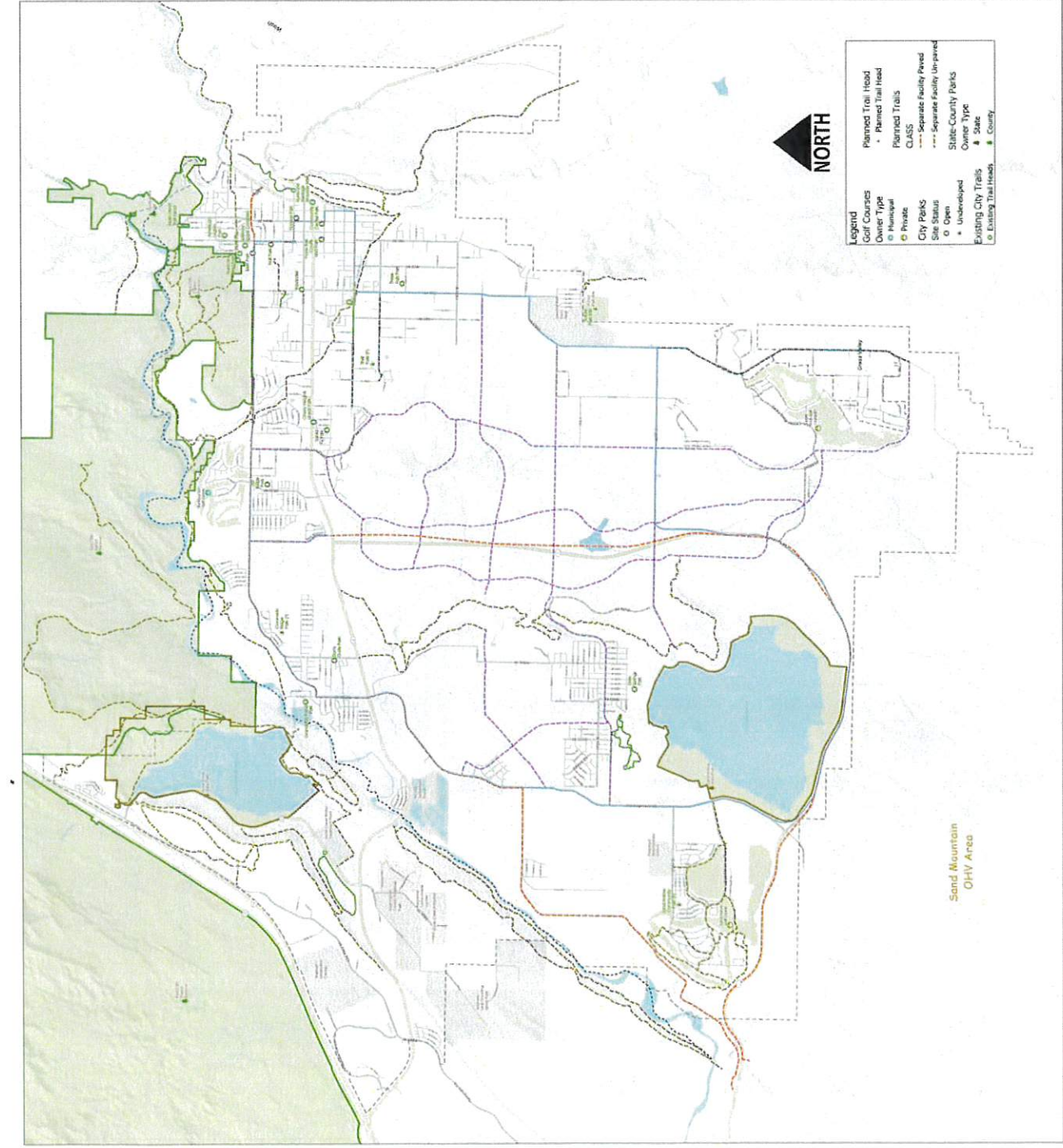


Figure 2.2 Hurricane Trails Master Plan (2019) map of proposed facilities.

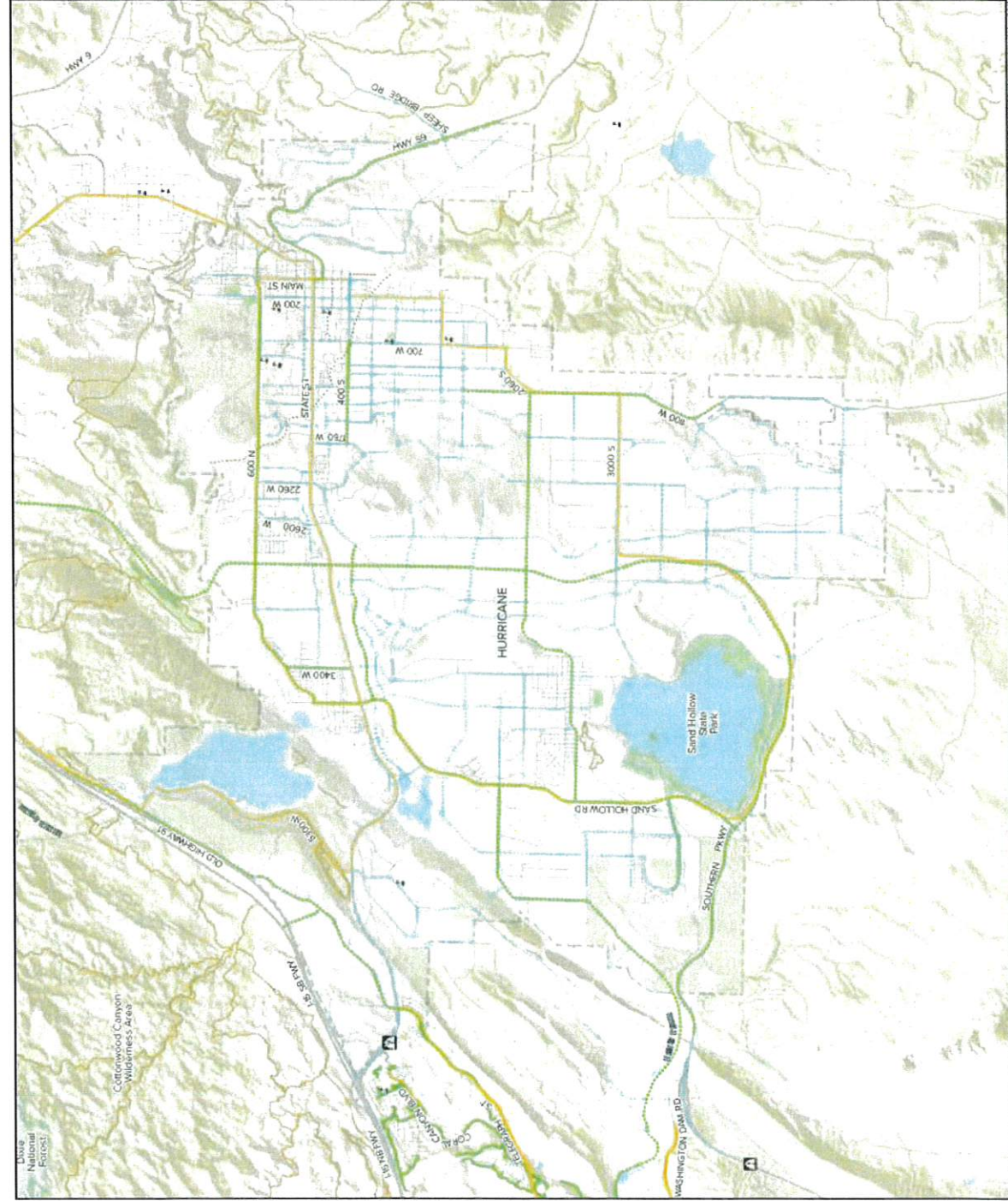
The **2019 Hurricane Trails Master Plan** supersedes the previous Trails Master Plan published in 2011.

This plan details not only recreational unpaved trails (displayed in brown), but also paved sidepaths (red) and shared use paths (blue). It also includes recreation amenities such as proposed trailheads.

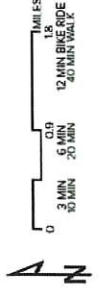
This plan helped guide the present study in regards to paved facilities both inside road ROW (sidepaths) and outside (shared use paths).

The present study does not include recommendations of soft-surface trails or other facilities used for recreational purposes only, all the information for these facilities present in this document came from the 2019 Hurricane Trails Master Plan.

# HURRICANE TRANSPORTATION MASTER PLAN (2018)



Data provided by Hurricane City, 2018; UDOT Data 2015; Map produced May, 2018



The **2018 Hurricane Transportation Master Plan** included detailed Active Transportation recommendations as seen on Figure 2-3. This study analyzed socio-economic, population, employment and land-use data to assist in the prediction of future traffic trends and establish a future roadway network for Hurricane, as well as accompanying Active Transportation recommendations.

The AT component of this study was informed by a comprehensive public outreach plan that included an online survey and interactive comment map. The respondents expressed the desire for more trails connecting to recreation destinations, and more AT infrastructure serving schools.

The plan also established non-infrastructure, policy and programmatic recommendations intended to support the city's goal to encourage more residents and visitors to ride a bicycle or walk.

Figure 2.3 Hurricane City Transportation Master Plan (2018) map of proposed AT facilities.

# DIXIE MPO REGIONAL ACTIVE TRANSPORTATION PLAN (2015)

The **Dixie MPO Regional Active Transportation Plan** provided Active Transportation (AT) recommendations for the Dixie MPO region, which includes the cities of St. George, Washington, Santa Clara, Ivins, Hurricane, LaVerkin, Leeds, Toquerville. The study analyzed the bicycle and pedestrian activity, as well as resident needs for AT, and provided facility and program recommendations for improvement.

The present study analyzed the recommendations made for Hurricane City, as well as Washington City and La Verkin where it shares borders with Hurricane.

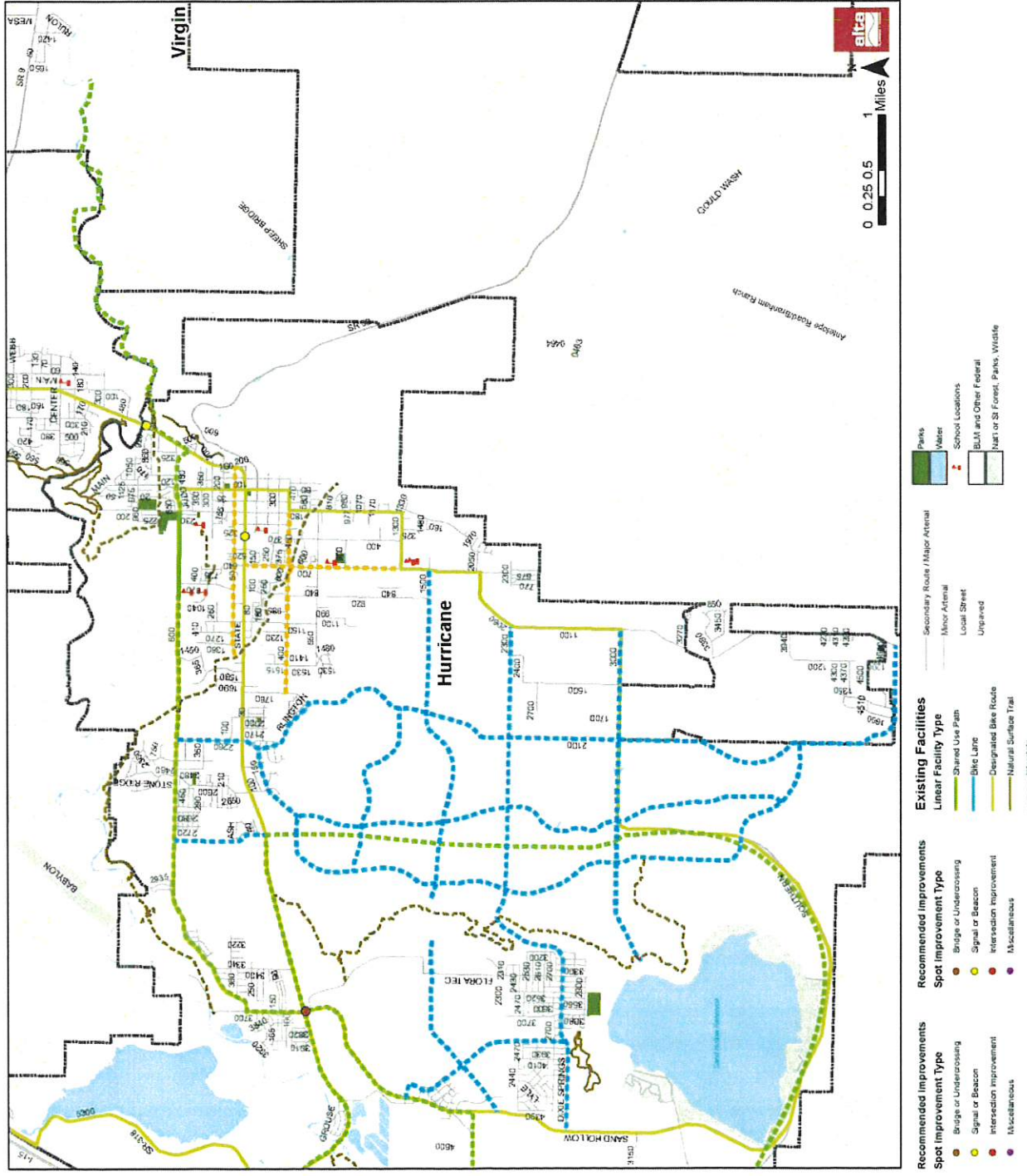


Figure 2.4 Dixie MPO Regional Active Transportation Plan (2015) AT recommendations for Hurricane City.

## SR-7 ACTIVE TRANSPORTATION PLAN (2020)

The **SR-7 Active Transportation Plan (ATP)** was developed as a guideline to plan for and develop active transportation facilities along the 26.1-mile SR-7/Southern Pkwy corridor from I-15 to SR-9. The plan coordinated with a series of stakeholders from UDOT, Washington County, SUBA, Southwest Health, and the cities of Hurricane, St. George, and Washington.

The facility proposed within Hurricane City boundaries is considered a sidepath, because it is paved and parallels roads throughout its entirety. The SR-7 ATP calls this facility a trail. Figure 2.6 details the SR-7 sidepath within Hurricane City boundaries and splits it up between 6 projects for better project phasing.

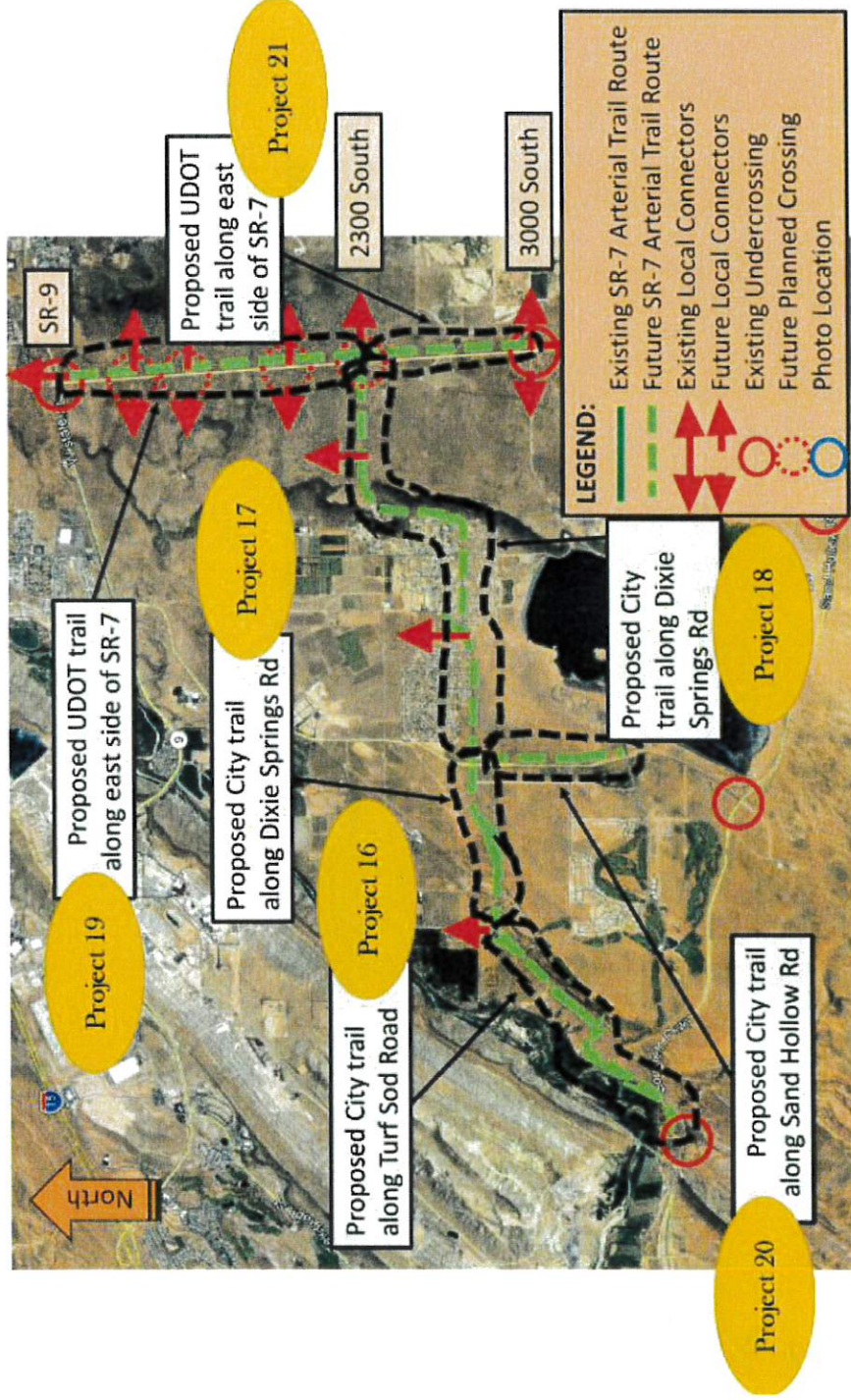
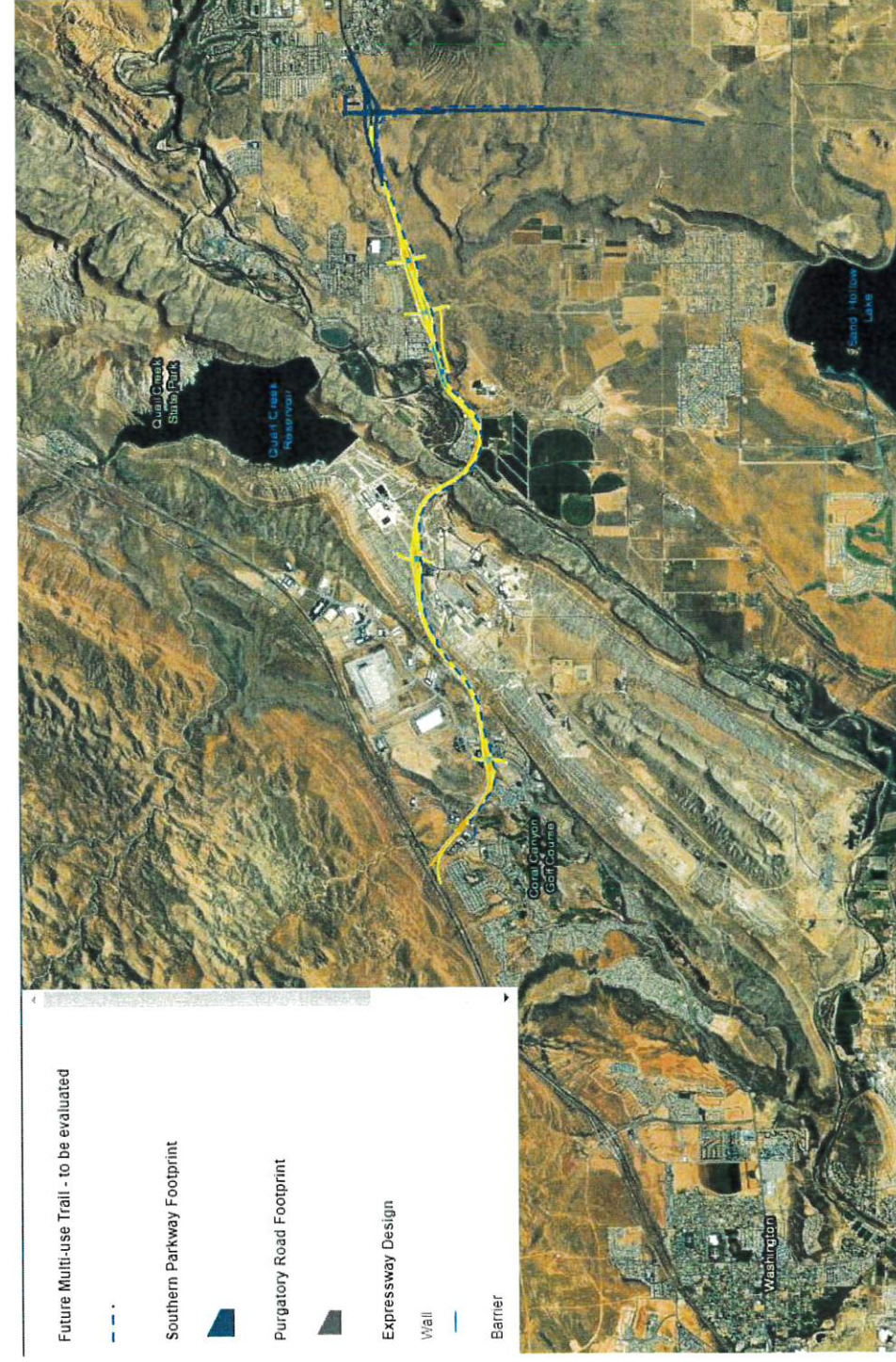


Figure 2.5 Map of the sidepath, split into several projects, proposed in Hurricane City by the SR-7 ATP (2020).

## SR-9 STATE ENVIRONMENTAL STUDY (2020)

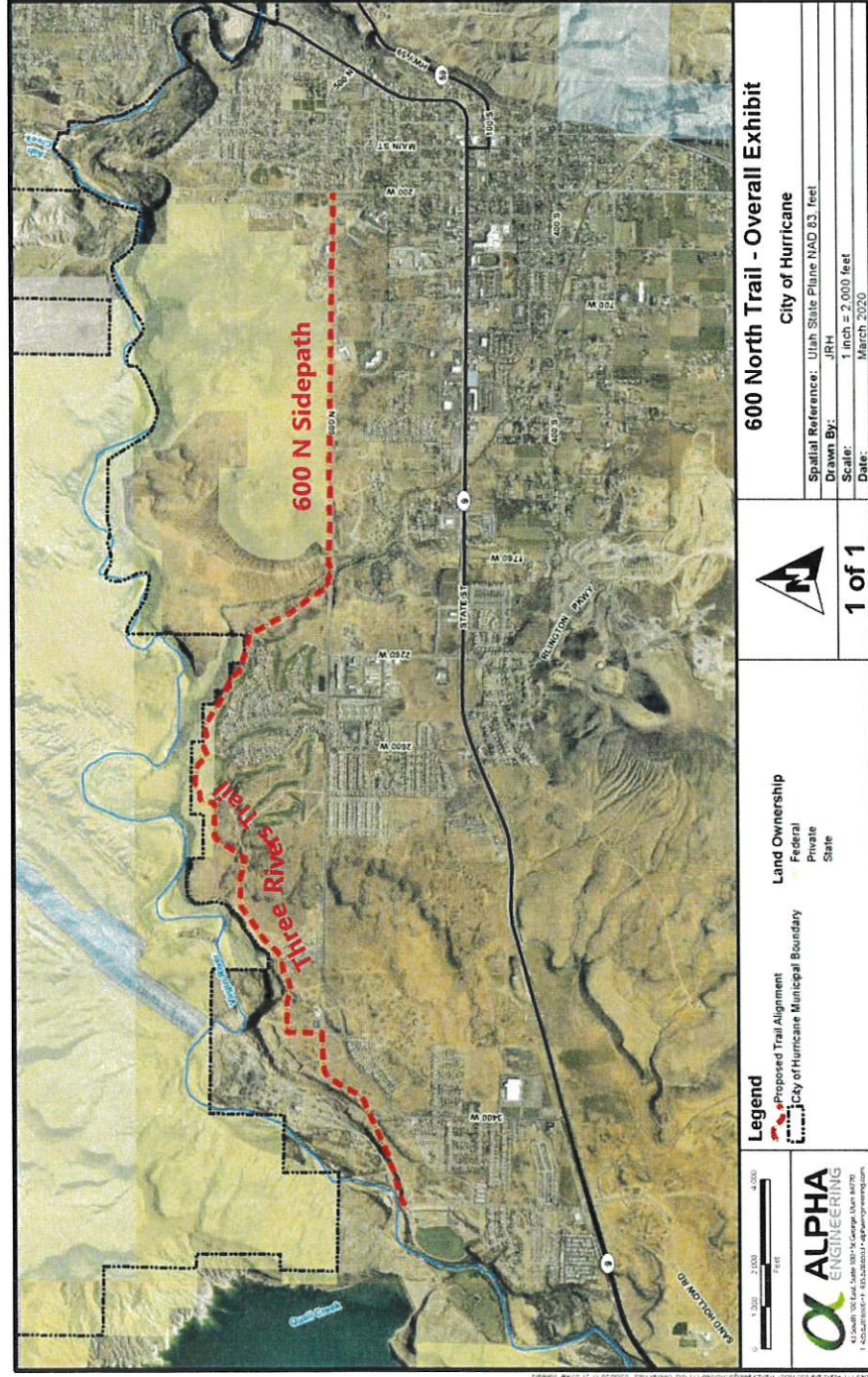


The **SR-9 State Environmental Study (SES)** screened conceptual alternatives for the improvement of State Route 9 in Washington County, between I-15 and the future Southern Parkway connection (approximately 2800 West).

The study shows a possible shared use path alignment that extends from the Coral Canyon development (near I-15) to the proposed SR-7 interchange location.

Figure 2.6 Map of possible shared use path on the south side SR-9, SR-9 SES (2020).

# 600 N TRAIL / THREE RIVERS TRAIL ALIGNMENT (2020)



On March 2020, the City hired engineers to establish a shared use path alignment (Three Rivers Trail) that would connect to a future sidepath on 600 N.

This shared use path joins 600 N near 2170 W and travels north of the Sky Mountain Golf Course where it continues west until it joins 3700 W near Grandpa's Pond.

This high-comfort system can serve recreational purposes, as well as an Active Transportation alternative to SR-9 connecting north of downtown to residential neighborhoods. This system would eventually connect to the Virgin River Trail, which could help direct those recreating on the regional trail into downtown Hurricane.

Figure 2.7 Proposed alignment of the future Three Rivers Trail and 600 N Sidepath.

## ZION CORRIDOR MULTI-USE PATHWAY FEASIBILITY STUDY (2020)

The **Zion Corridor** is planned to be a 22-mile shared use path from Zion National Park to Hurricane City. Certain sections of the pathway already exist along SR-9 in Springdale. This study analyzes a potential alignment to extend the pathway to Hurricane City. The Zion Regional Collaborative and other local organizations are working together on this plan. Below is an overall study area for the Corridor.



Figure 3.3 Study area for the Zion Corridor according to the Zion Corridor Multi-Use Pathway Feasibility Study (2020)

## WASHINGTON CITY ACTIVE TRANSPORTATION PLAN (2017)

The **Washington City Active Transportation Plan** established a proposed Active Transportation (AT) network for Washington City, as well as policy and program recommendations. Some of these AT recommendations extend to Hurricane, including a shared use path that joins the Virgin River Trail and separated bike lane along Washington Dam Rd. These connections were taken into consideration when preparing the final AT network for the current study.

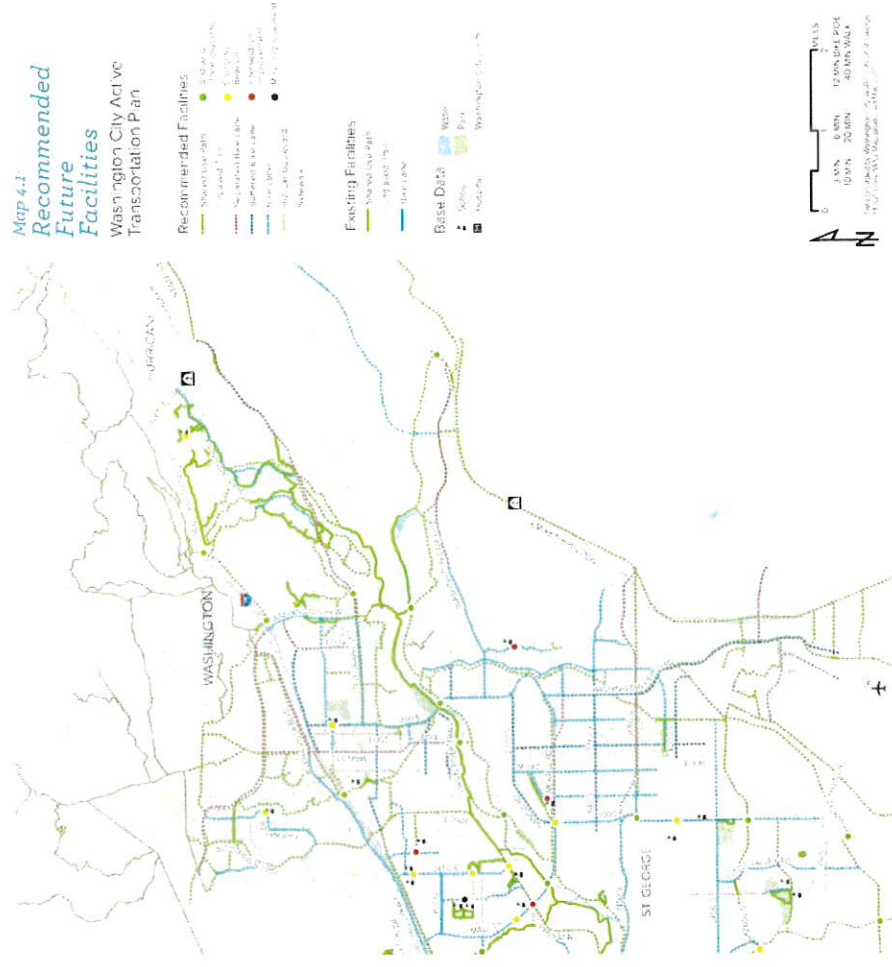


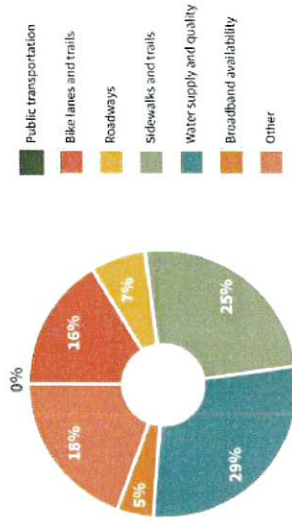
Figure 2.8 Recommended future AT network for Washington City according to the Washington City Active Transportation Plan (2017).

## HURRICANE GENERAL PLAN (2021)

Hurricane City recently updated its General Plan since the last one published in 2011. The plan followed 4 phases, with the first one establishing a solid foundation by listening and learning from residents, business owners, City staff and other community stakeholders. The team conducted interviews, launched online survey and mapping tool, presented to planning commission and city council, as well as kept the community updated via social media and email.

About 16% of the survey respondents highlighted that their favorite thing about infrastructure in Hurricane is bike lanes and trails. Similarly, about 17% responded their favorite land use is parks and trails. During meetings and interviews, the public heavily engaged in discussions about active transportation and trails, which made it clear that trails should be a priority when planning for the future.

What is your favorite thing about the **infrastructure** of Hurricane?



What is your favorite thing about the **land use** in Hurricane?

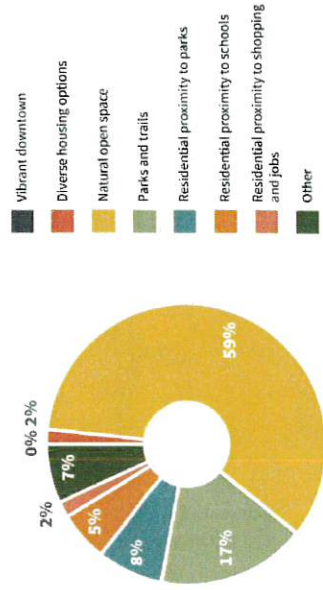


Figure 2.9 A few results of the online survey conducted during the Hurricane General Plan (2021).

The plan also established strategies, shared vision and goals for various themes, including heritage and culture, land use, housing, economy, open space and trails, natural resources and transportation.

Listed below are a some of these key elements that highlight the importance of expanding AT, including shared use paths and sidepaths (which are usually referred to as "trails") and other infrastructure such as bike lanes and sidewalks.

### HERITAGE AND CHARACTER STRATEGIES

- **2.6:** As part of local development strategy, develop local trails, maps, and guides to promote Hurricane's adventurous atmosphere.

### TRANSPORTATION GOALS

- **1.1.** New development should take into account surrounding sidewalk networks and provide a similar or higher level of comfort for pedestrians.
- **1.2.** The City prioritizes sidewalk, trail, and pedestrian facility infill.
- **1.3.** The City supports the development of walkable communities and neighborhoods.
- **1.4.** The City supports programs that encourage the use of alternative modes of transportation.

### TRANSPORTATION STRATEGIES

- **1.2.** Develop bicycle route and parking standards.
- **1.3.** Designate, sign, and leverage recreational bicycle routes.
- **1.4.** Develop an active transportation committee
- **1.8.** Develop an Active Transportation Master Plan

### OPEN SPACE AND TRAIL VISION

- In 2030, Hurricane is surrounded by scenic red-rock open space and trails for hiking, biking, walking, and OHV, and the many City-owned parks offer a wide range of activities for all ages. The City's internal sidewalk and trail system connects seamlessly to regional trails and recreation opportunities, offering endless possibilities for adventure. The City coordinates closely with state and federal organizations on Quail Creek and Sand Hollow State Parks and the surrounding BLM land, to ensure the preservation of natural open space and the continuation of unique recreation opportunities.

# 04

## Public & Stakeholder Involvement

A targeted community involvement effort was developed as part of this plan. This included building a project website, creating a community survey and interactive comment map, holding meetings with the steering committee and city council.

Extensive public outreach efforts were also developed for both the 2018 Hurricane City Transportation Master Plan and the General Plan Update. The comments, observations, and opinions discussed with the community and stakeholders, both as part of this project and past plans, provided the team with invaluable information that helped guide the planning process.

### PROJECT WEBSITE

A project website was developed early in the process to help inform stakeholders and the public about the study ([www.hurricaneatp.com](http://www.hurricaneatp.com)).

The website was continuously updated throughout the development of this plan with schedule updates, project maps, and access to the community survey. The website has been viewed over 1,500 times during the duration of the project.



**Figure 4.1 Project Website displaying the harmonized active transportation map for Hurricane City.**

### Online Survey & Interactive Comment Map

The community-wide online survey and interactive comment map were made available on the project's website during the Dixie MPO Expo, which happened online during the month of February 2021.

The survey was comprised of 5 simple questions that assessed ease of walking and biking, preferred facility comfort and destinations in Hurricane. Thirty people completed the survey and 25 comments were submitted on the map.

Below are some key takeaways from the community survey & interactive comment map:

- Most respondents find it difficult or very difficult to bike in Hurricane, while overall finding it easy to walk in the city.
- The main destinations mentioned by respondents include: Main Street Park, Three Falls Trailhead, Gould Wash Community Center, Sand Hollow and Quail Creek State Parks.
- Most respondents feel most comfortable walking on sidewalk or sidepath adjacent to a physically separated bike lane (which increases the separation from the road).
- They also reported feeling most safe biking on physically separated facilities such as cycle tracks, sidepaths and shared use paths.
- Respondents would like to see more sidewalks in developed areas, such as downtown, and high comfort facilities in less dense/developed areas.

#### HOW EASY IS IT TO WALK AND BIKE IN YOUR COMMUNITY?

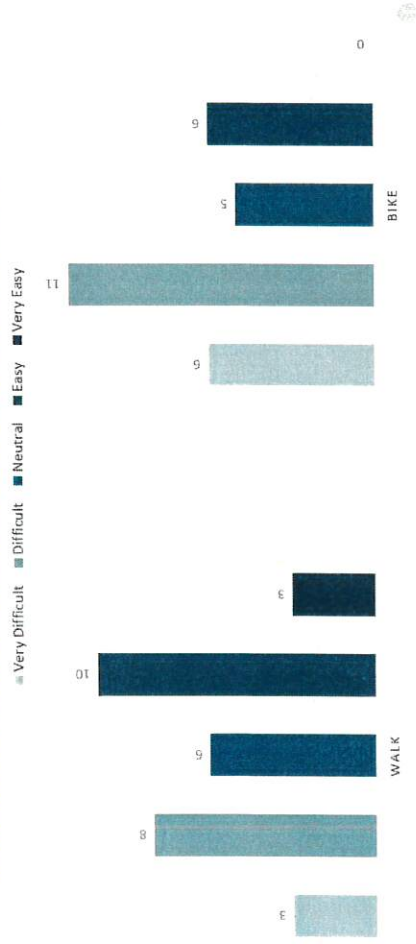


Figure 4.3 Survey results for the question related to ease of biking and walking in Hurricane.



Figure 4.2 Steering Committee members brainstorm during the project's kick-off meeting.

## MEETINGS

A series of meetings were held over the course of the project to help guide the planning process. These included a vision meetings with the project Steering Committee, as well as the City Council.

### STEERING COMMITTEE MEETINGS

The Steering Committee included the project consultant team as well as:

- Hurricane City directors and representatives from the Engineering, Planning, Parks/Cemetery, Public Works, Recreation, and Police departments
- Five County AOG/Iron County Rural Planning Organization Deputy Transportation Planning Director
- UDOT's Region Planning Manager

## **PUBLIC OPEN HOUSE**

A public open house was held on July 28th at the City Council Chambers. About 30 community members participated and provided input on the proposed facilities and cross-sections.

People expressed support for bike facilities on 600 N as well as concern in regards to OHV access near Sand Hollow State Park. Overall, the attendants showed support for the extensive active transportation network proposed by this plan.

## **CITY COUNCIL & PLANNING COMMISSION MEETINGS**

The plan was presented to Planning Commission after the public open house. The consultant team, city planner and engineer performed a thorough presentation of the plan process and shared what was heard from the public previously that day and through other public involvement efforts. The Planning Commission suggested the plan be revised by City Council with only a few modifications. The rural cross-sections were included to the report as part of the Planning Commission request.

The plan was presented to City Council on August 19th, 2021.

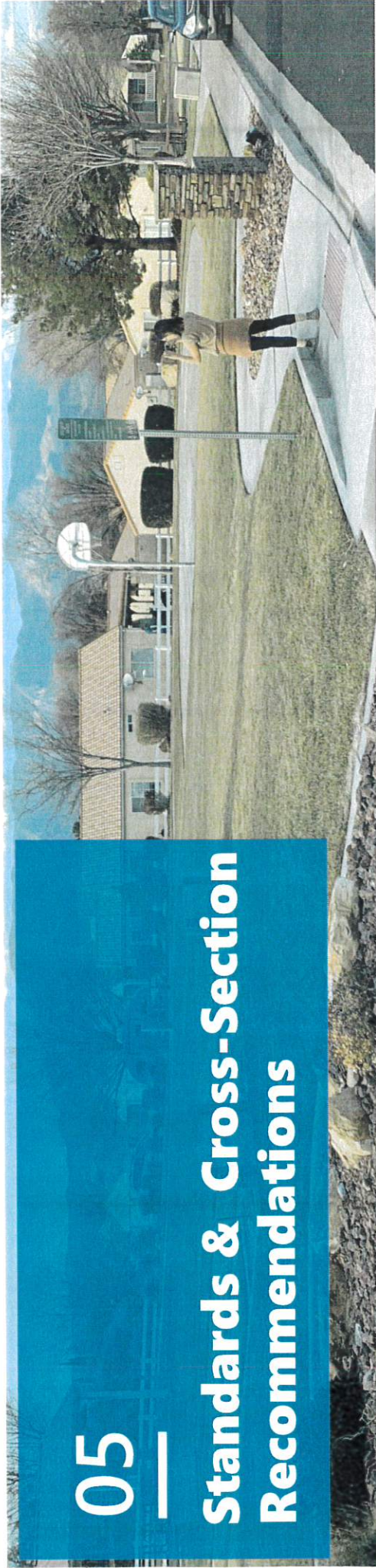


**Figure 4.4 Hurricane community members join city staff on the Hurricane ATP public open house prior to presentation to Planning Commission.**

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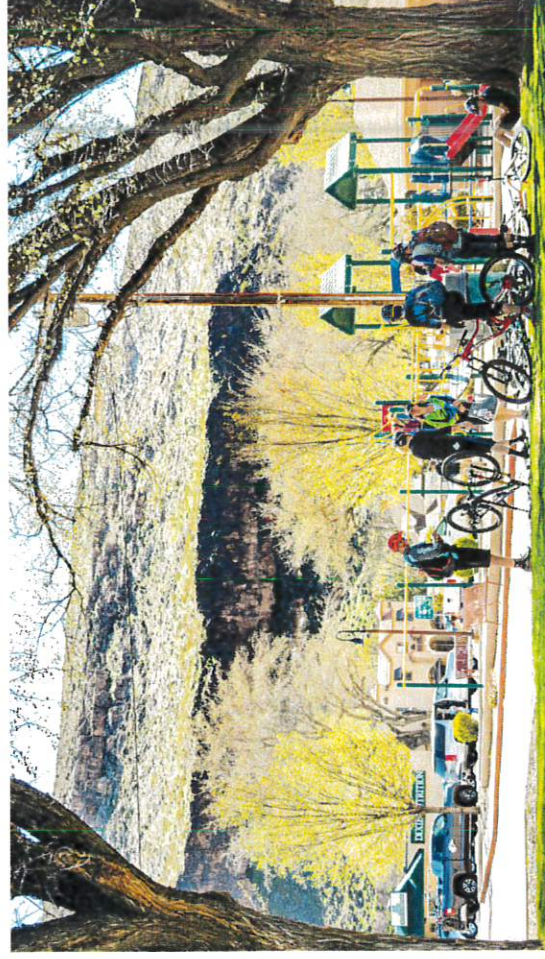
# 05

## Standards & Cross-Section Recommendations

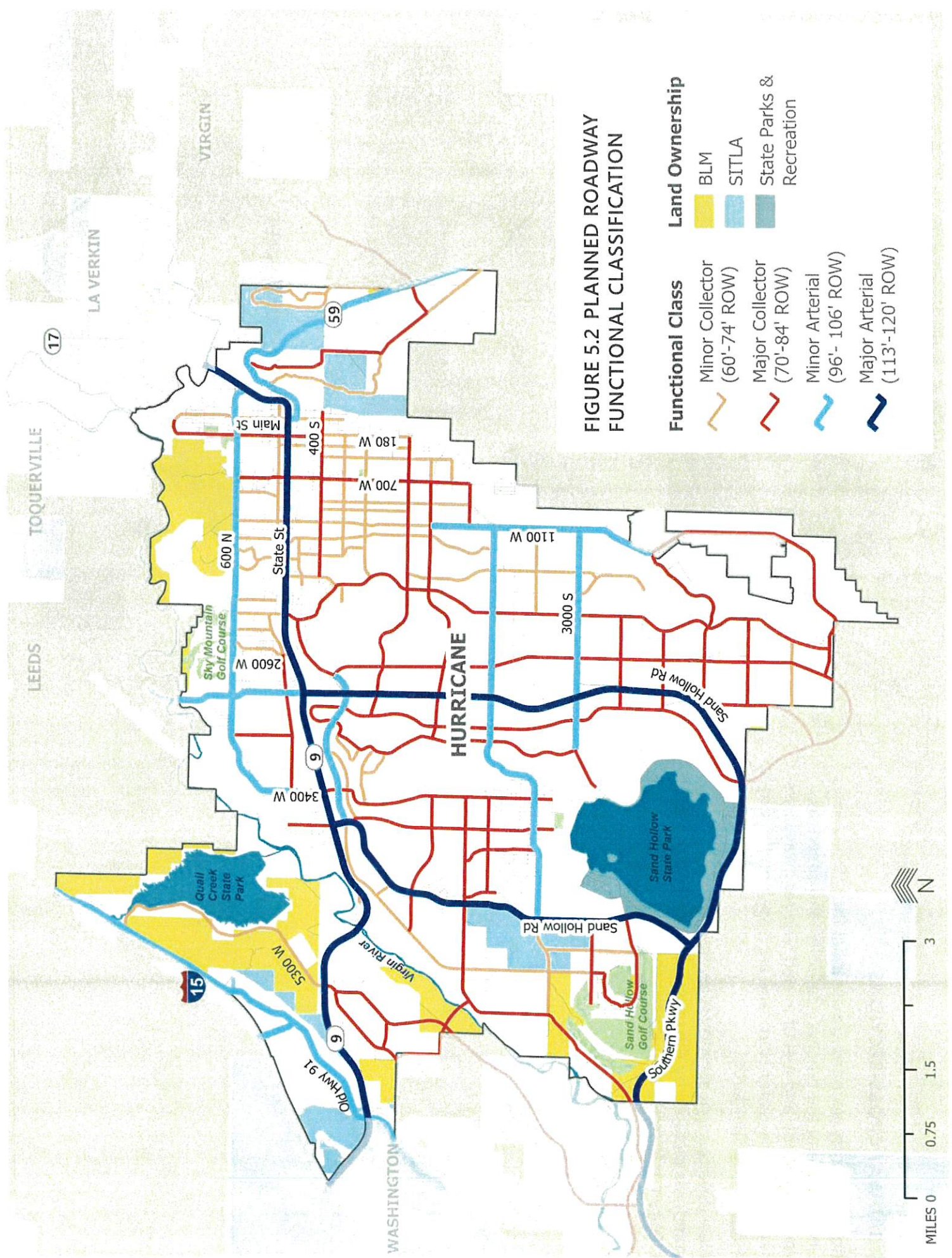


In developing this Active Transportation Plan, all Active Transportation (AT) improvements that could be effective to the existing and planned roads within the study area were considered. The following pages showcase the revised roadway cross-sections for Hurricane City that include AT components proposed on the final plan (Chapter 6). AT facility widths and design follow the National Association of City Transportation Officials (NACTO) guidelines. These Cross-sections should be adopted by the City as the official cross-sections in addition to the AT recommendations showcased on Chapter 6.

Figure 5.2 shows the planned roadway functional classification as established by the 2019 Hurricane City Transportation Master Plan.



**Figure 5.1 Mountain Bikers gather at a city park in Hurricane.**



TOQUERVILLE

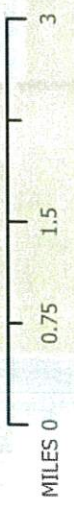
LEEDS

LA VERKIN

VIRGIN

WASHINGTON

HURRICANE



17

59

9

9

Main St

400 S

180 W

700 W

600 N

State St

1100 W

3000 S

2600 W

State St

3400 W

Sand Hollow Rd

Sand Hollow Rd

Sand Hollow Rd

Southern Pkwy

Sky Mountain Golf Course

Quail Creek State Park

Sand Hollow State Park

Sand Hollow Golf Course

15

5300 W

Opt Hwy 91

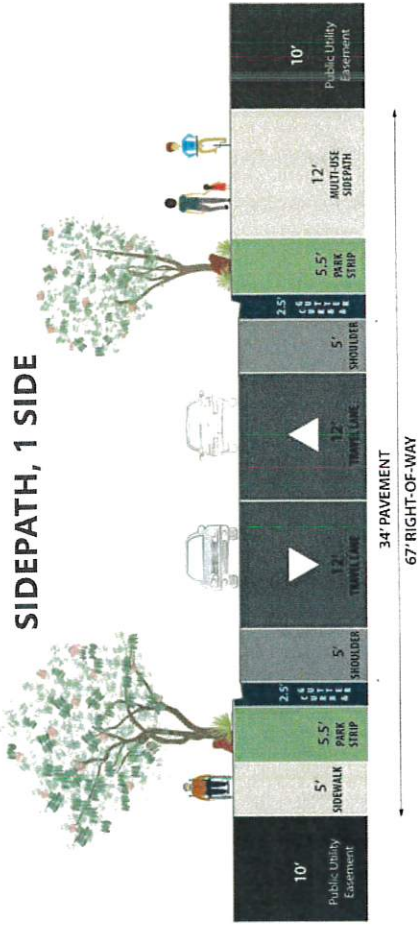
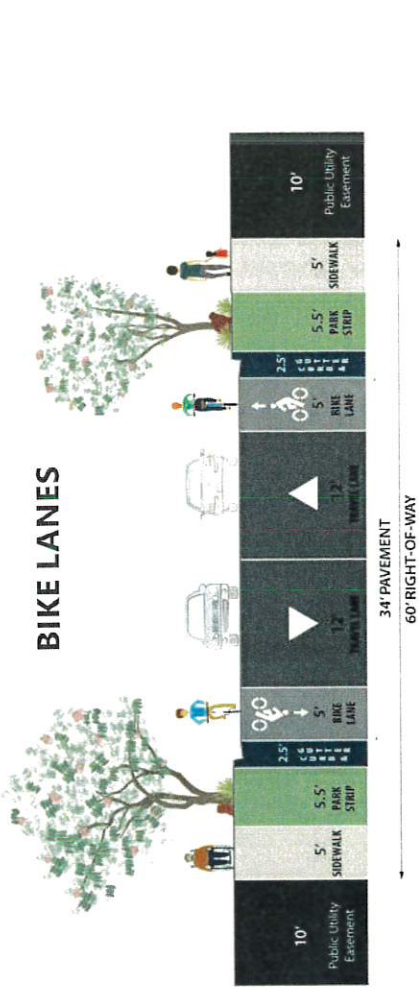
Virgin River

# MINOR COLLECTOR

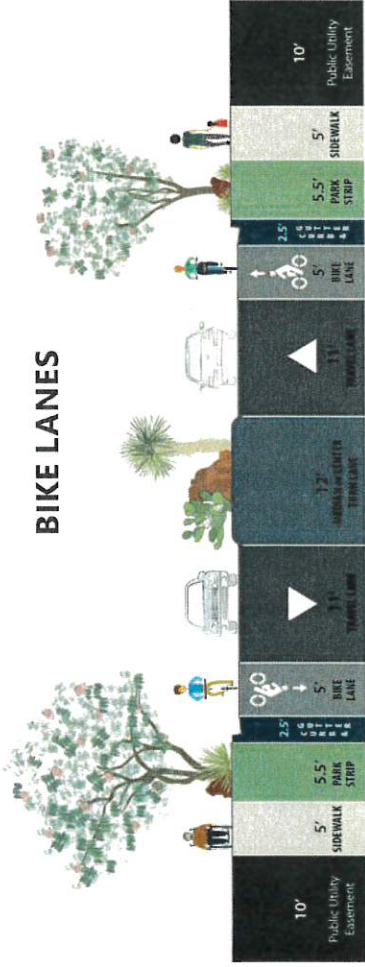
## ROADWAY CROSS-SECTIONS

Roadway cross-sections are essential for understanding the function, capacity, and speed, as well as the look and feel of a road. The roadway cross-section standards for Hurricane are based on the City's engineering standards.

New development should follow the roadway standards dictated by the cross-sections in order to ensure consistency throughout the city.



# MAJOR COLLECTOR



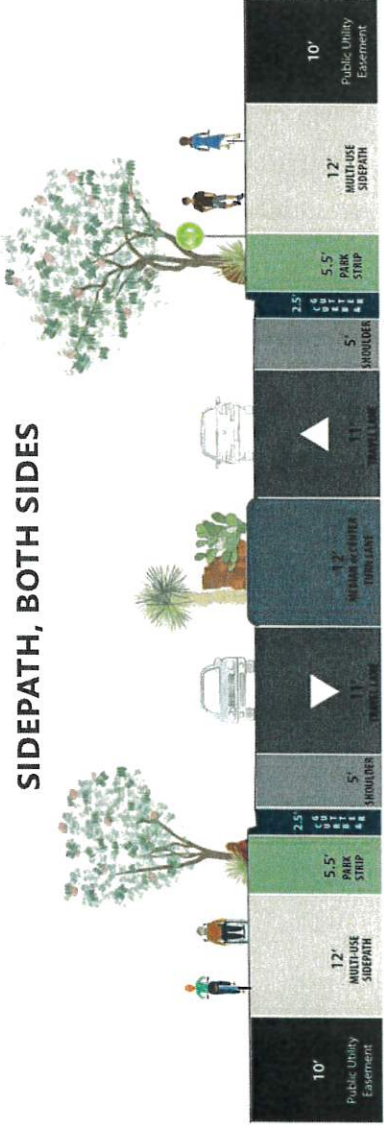
44' PAVEMENT  
70' RIGHT-OF-WAY

### SIDEPATH, 1 SIDE



46' PAVEMENT  
77' RIGHT-OF-WAY

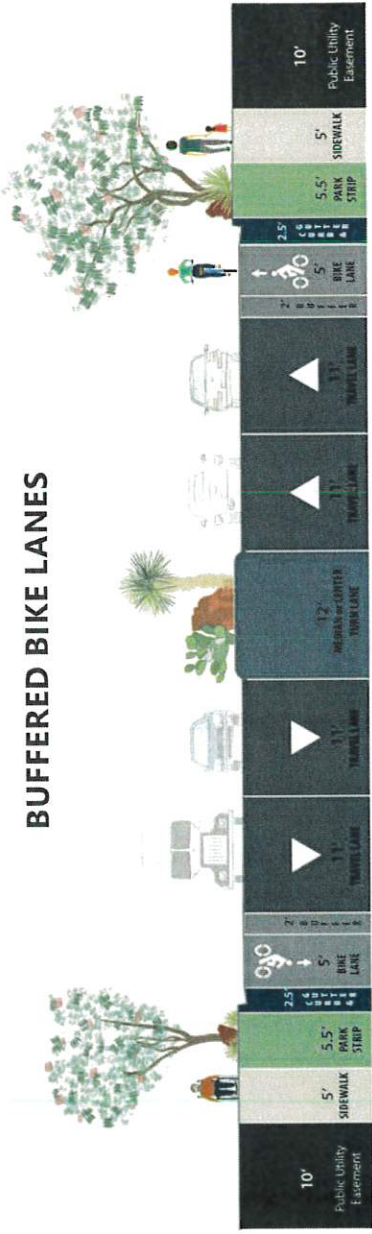
### SIDEPATH, BOTH SIDES



46' PAVEMENT  
84' RIGHT-OF-WAY

# MINOR ARTERIAL

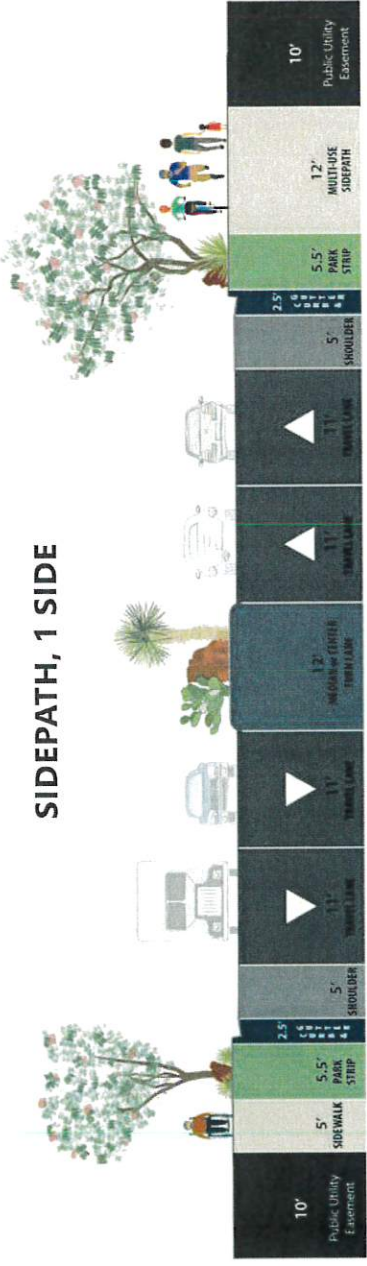
## BUFFERED BIKE LANES



70' PAVEMENT

96' RIGHT-OF-WAY

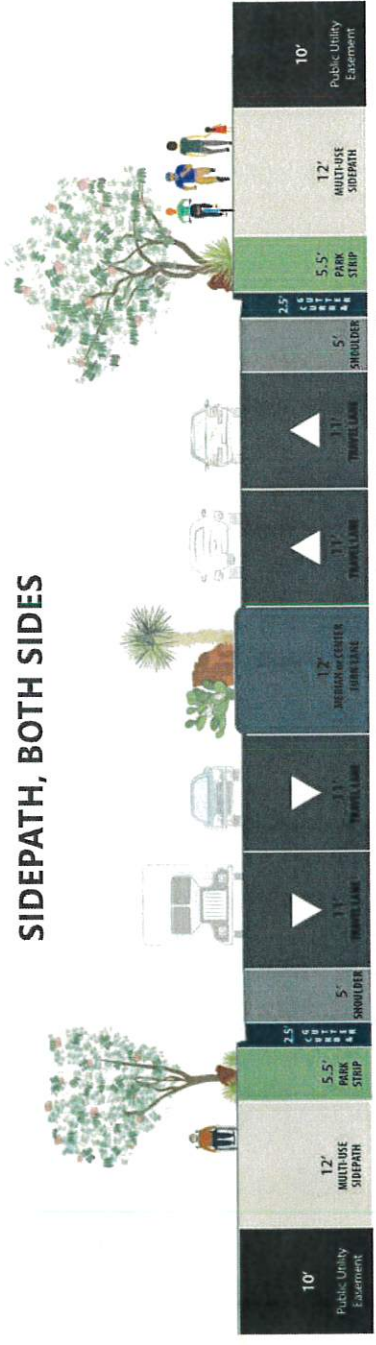
## SIDEPATH, 1 SIDE



66' PAVEMENT

99' RIGHT-OF-WAY

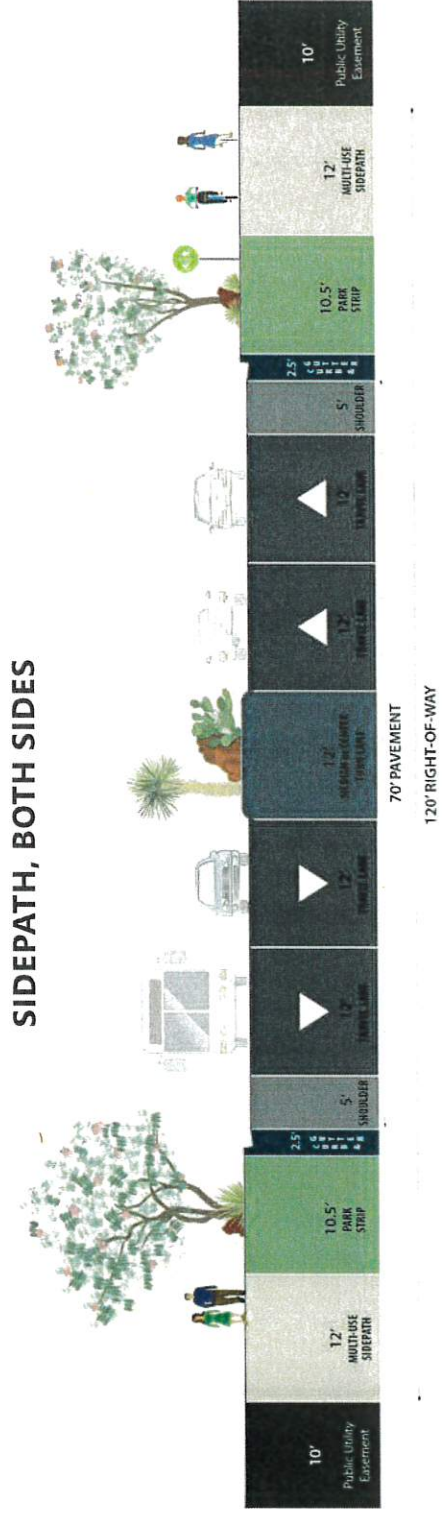
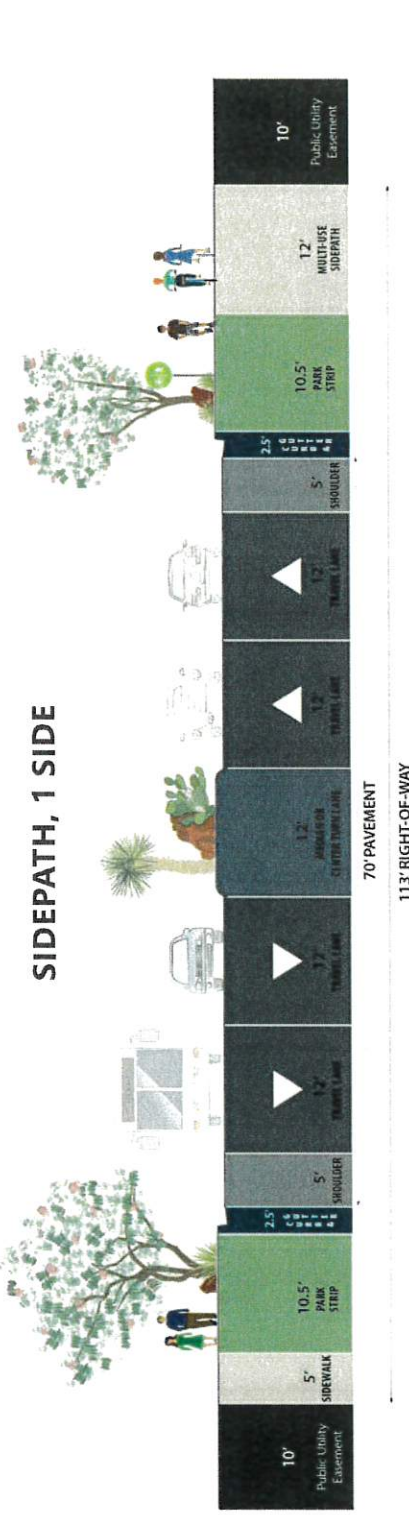
## SIDEPATH, BOTH SIDES



66' PAVEMENT

106' RIGHT-OF-WAY

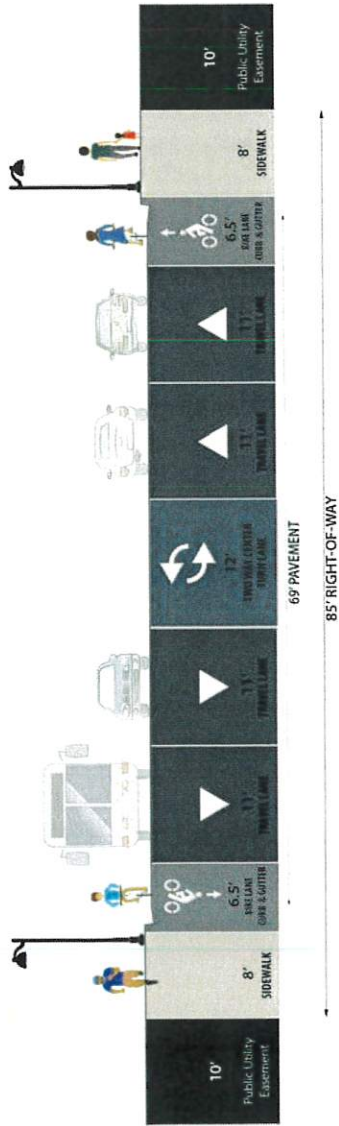
# MAJOR ARTERIAL



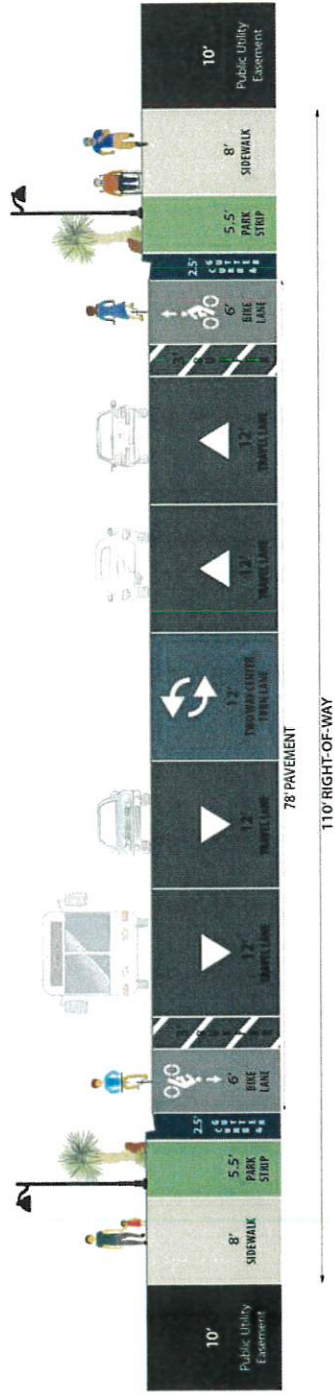
# SR-9 MAJOR ARTERIAL

Downtown Hurricane

## EXISTING RIGHT-OF-WAY WIDTH



## IDEAL RIGHT-OF-WAY WIDTH

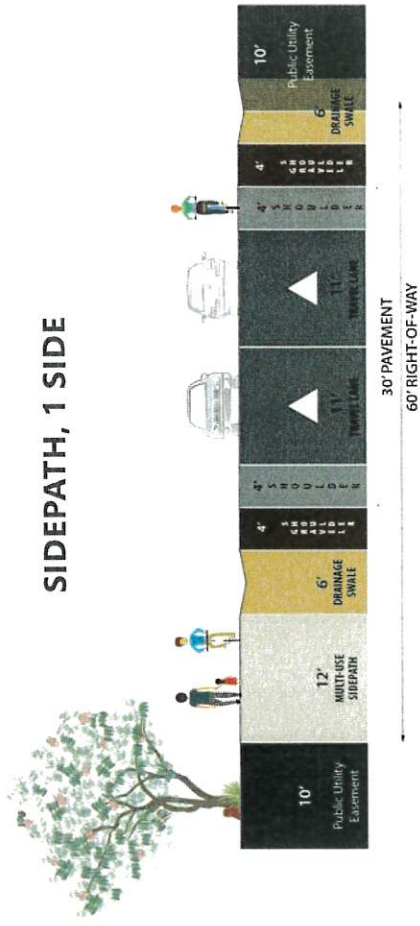


## MINOR COLLECTOR // RURAL

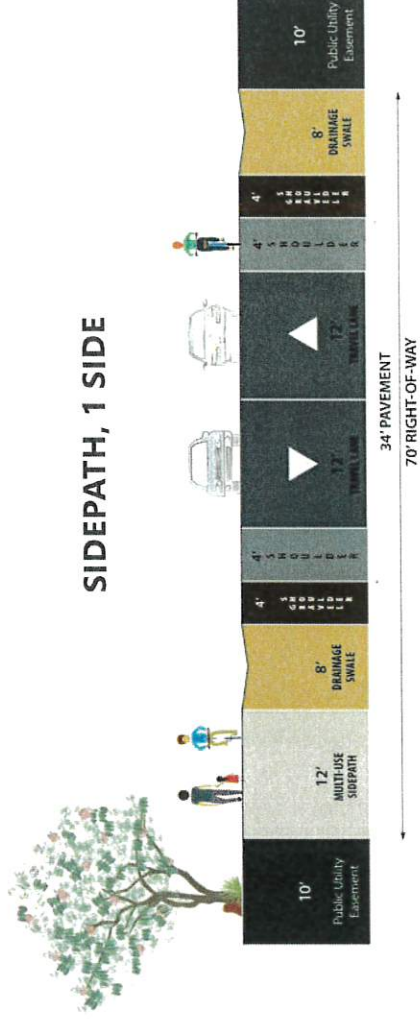
### RURAL ROADWAY CROSS-SECTIONS

The rural roadway cross-sections differ from the previous ones outlined in this document as they don't include curb and gutter, but rather a drainage swale.

These cross-sections are to be applied in some rural areas across the city such as the Bench Lake Area.

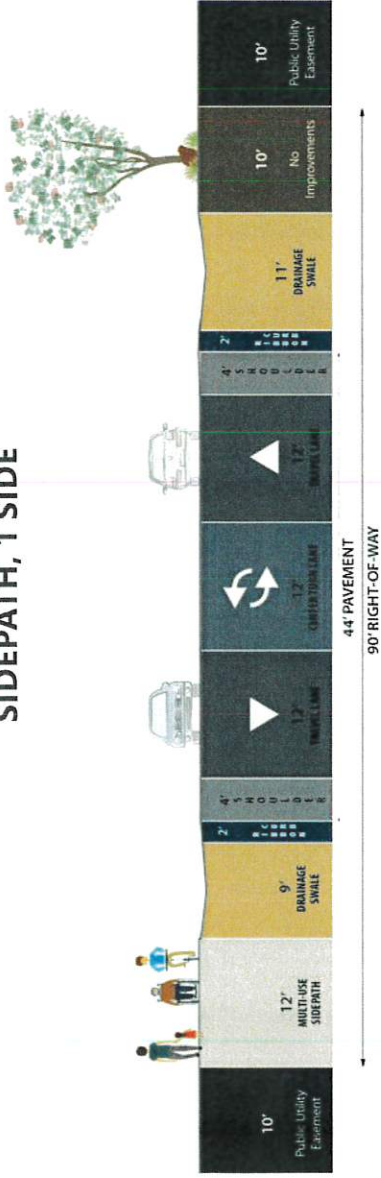


## MAJOR COLLECTOR // RURAL

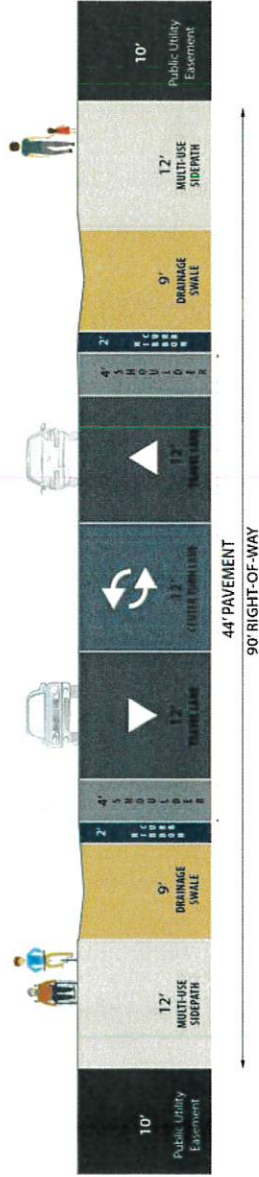


# MINOR ARTERIAL // RURAL

## SIDEPATH, 1 SIDE



## SIDEPATH, BOTH SIDES



# 06

## Active Transportation Recommendations

As shown in Chapter 2 and explored in the 2018 Hurricane City Transportation Master Plan, there is a broad spectrum of potential facility type recommendations, from shared use paths to bike lanes and cycle tracks. Each play their own role in a complete active transportation network.

Facilities recommended in this plan include:

### BIKE LANE

A conventional bike lane is one that is separated from the main roadway by a painted line. They are typically adjacent to the vehicle travel lane and are four to five feet wide. Bike lanes are often accompanied by bike lane signs and painted bike symbols at strategic intervals.

### BUFFERED BIKE LANE

Buffered bike lanes are conventional bicycle lanes paired with a designated buffer space separating the bicycle lane from the adjacent motor vehicle travel lane and/or parking lane. Buffer sizes of 2'-3' are recommended in high-traffic roadways such as minor and major Arterials.

### SIDEPATH

Sidepaths are used for both walking and biking and are physically separated from the road. These facilities parallel roads and are built within the roadway right-of-way.

Sidepaths are 10 to 12 feet wide, bi-directional and replace the sidewalk on the side of the road they are on.

### SHARED USE PATH

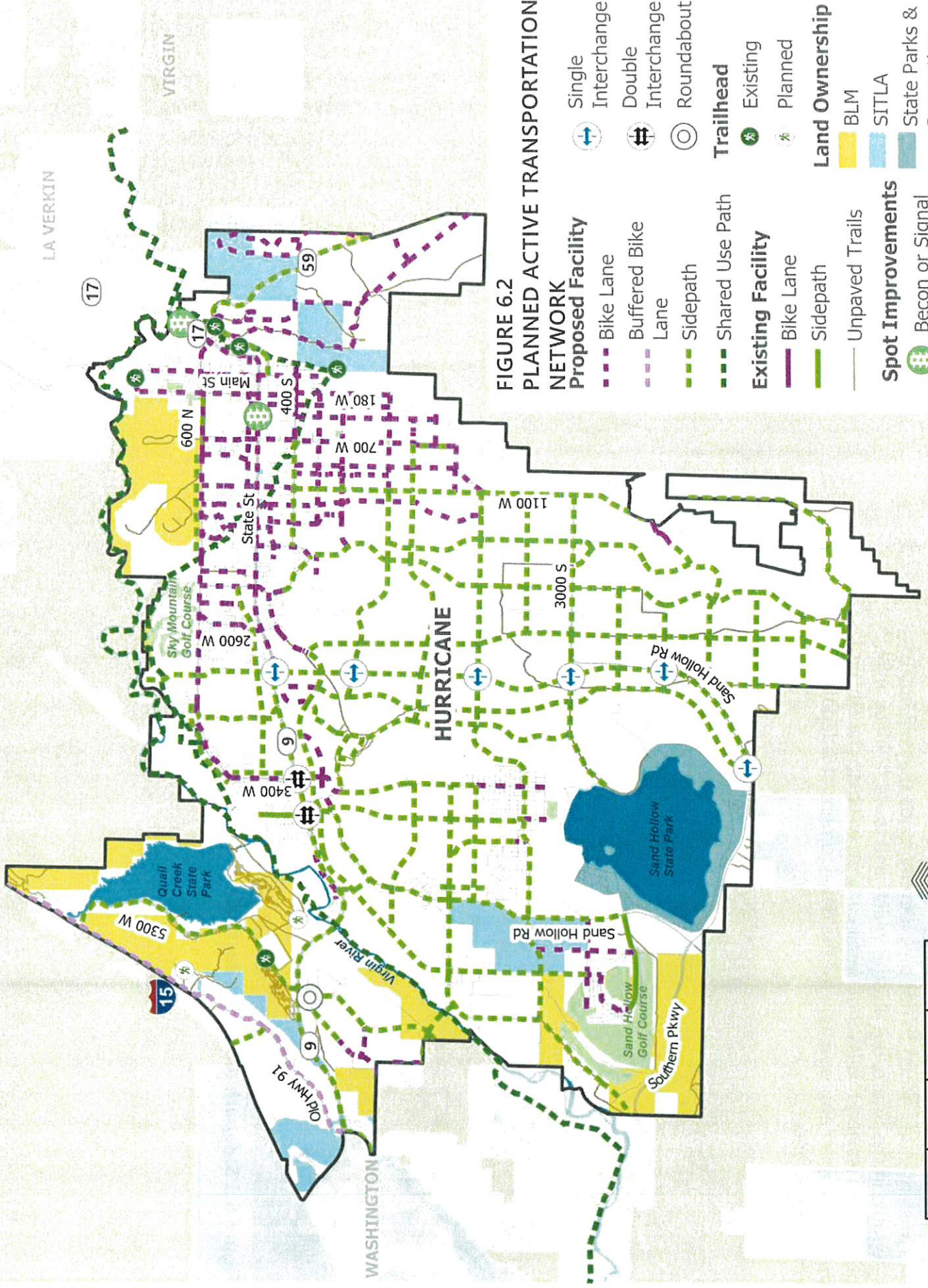
At a minimum of 10 feet wide, and ideally 12 feet wide, shared use paths are physically separated from motor vehicle traffic on an independent right-of-way.

Shared use paths can also be called bicycle paths, pathways, trails, rail-trails or other facilities built for bicycle and pedestrian traffic.

An exhaustive project map (Figure 6.2) was produced based upon the existing conditions analysis, previous plans, as well as public engagement, and coordination with the stakeholders.

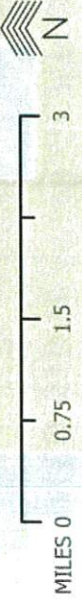


Figure 6.1 A young resident uses the bike lane to ride their scooter on 400 S.



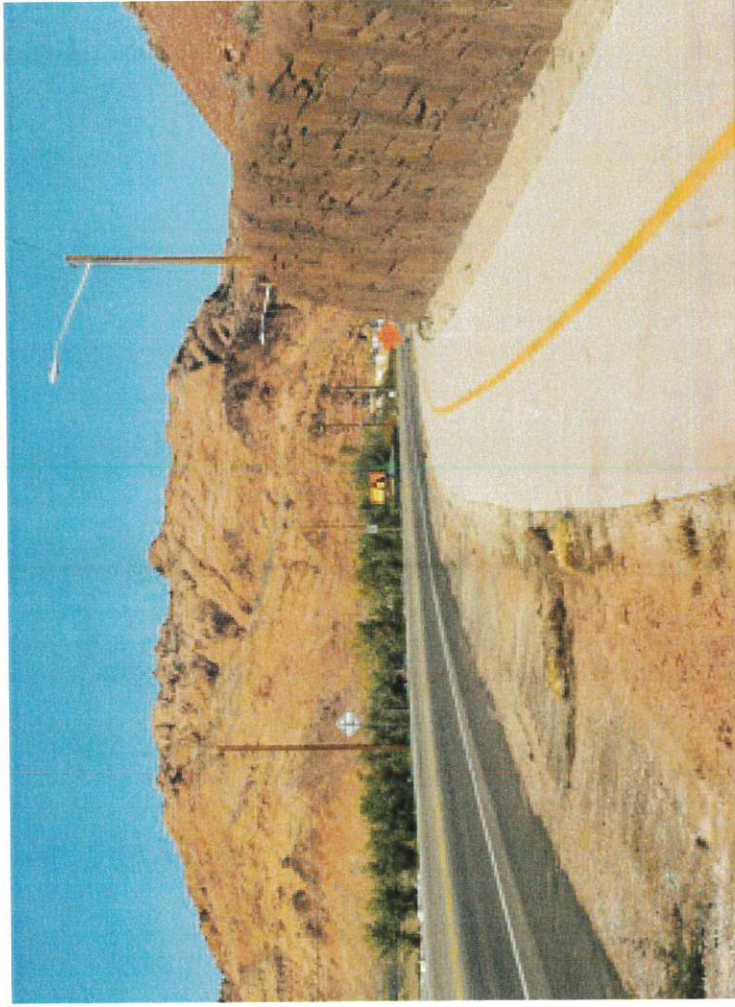
**FIGURE 6.2  
PLANNED ACTIVE TRANSPORTATION  
NETWORK**

- Proposed Facility**
- Bike Lane
  - Buffered Bike Lane
  - Sidepath
  - Shared Use Path
- Existing Facility**
- Bike Lane
  - Sidepath
  - Unpaved Trails
- Spot Improvements**
- Beacon or Signal
- Interchange**
- Single Interchange
  - Double Interchange
  - Roundabout
- Trailhead**
- Existing
  - Planned
- Land Ownership**
- BLM
  - SITLA
  - State Parks & Recreation

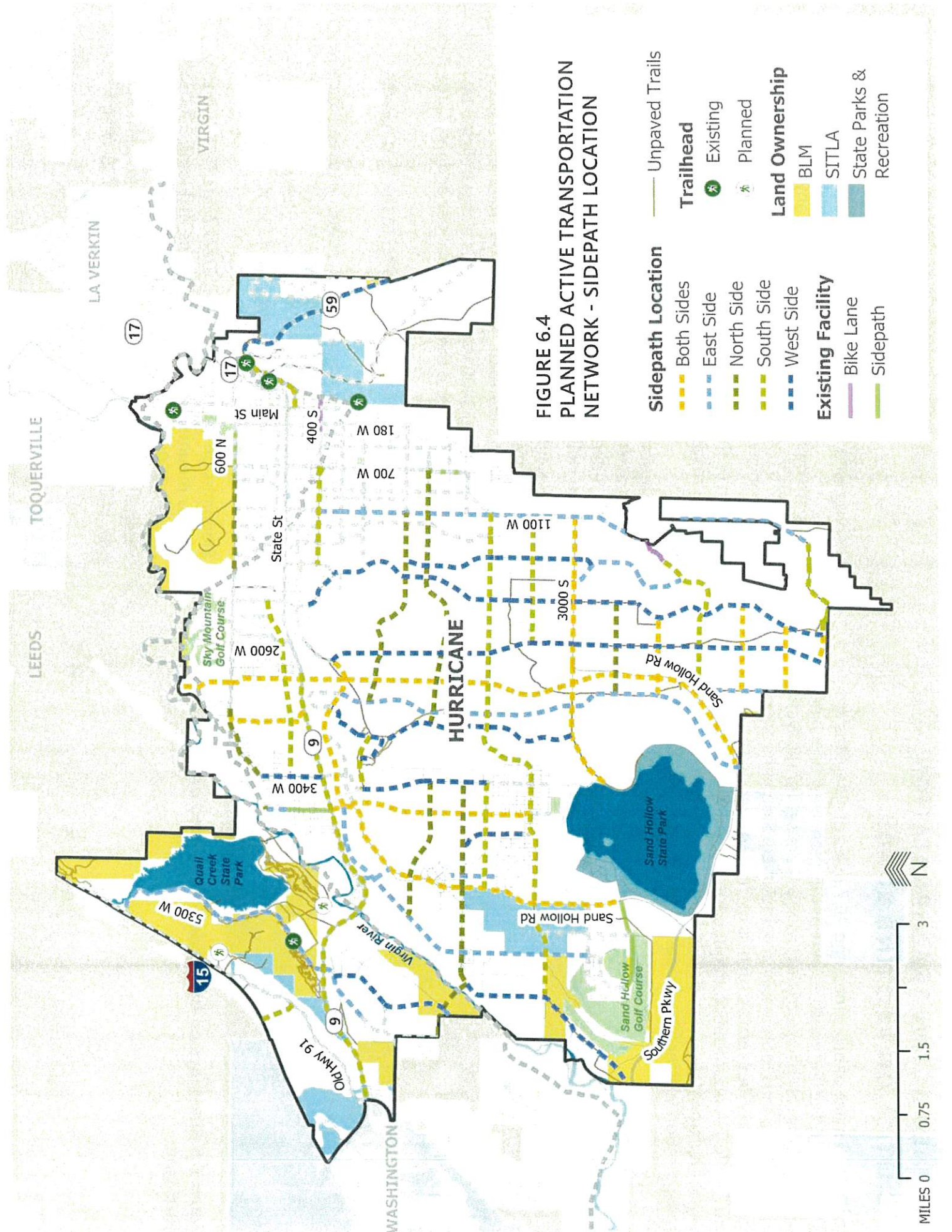


## PLANNED SIDEPATH LOCATION

The present study aimed to not only identify roads that will host sidepaths in the future, but also on which side these facilities will be located. Having this level of detail early on will help the city and developers plan appropriately for the development of sidepaths within Hurricane.



**Figure 6.3 Sideparh along the east side of US-191 in Moab.**



TOQUERVILLE

LEEDS

LA VERKIN

VIRGIN

WASHINGTON

HURRICANE



17

Main St

State St

400 S

180 W

700 W

1100 W

3000 S

2600 W

3400 W

9

Sand Hollow Rd

5300 W

15

9

91

Virgin River

Sand Hollow Rd

Southern Pkwy

Sand Hollow Golf Course

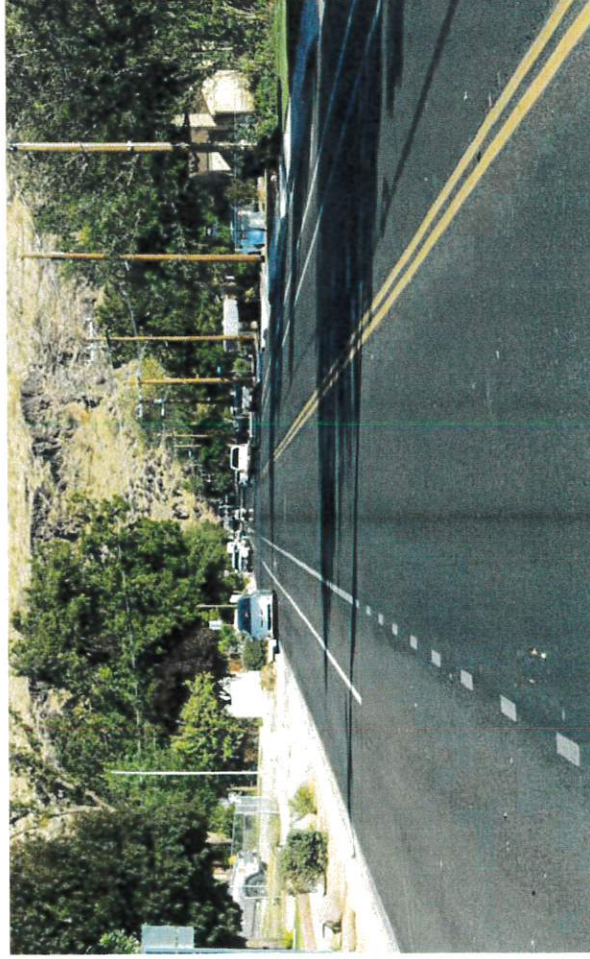
Sand Hollow State Park

Sky Mountain Golf Course

Quail Creek State Park

## PLANNED ACTIVE TRANSPORTATION FACILITIES ON EXISTING ROADS

About 41.5 miles of bike lanes, and 46.7 miles of sidepaths are proposed on existing roads as part of this plan. New bike lanes in existing roads can be established as roads are set for repavement or re-striping, thus more easily accomplished. Sidepaths are more dependent on a few factors such as on right-of-way acquisition and funding. A prioritization method for Active Transportation facility implementation was detailed in the 2018 Hurricane City Transportation Master Plan (pages 84 to 89 of that document).



**Figure 6.5 Bike lanes on both sides of the road on 400 S in Hurricane.**

Facility proposed on the current plan include:

- Sidepath on SR-9/State St from Coral Canyon Blvd to the future SR-7, where it connects to a bike lane since road ROW is too narrow to accommodate a sidepath through downtown.
- Portions of the future SR-7/Southern Pkwy sidepath on existing roads, including along Turf Sod Rd and Dixie Spring Rd.
- Sidepath along Sand Hollow Rd, west of Sand Hollow State Park, connecting the future sidepath on SR-9/State St to the existing sidepath on Sand Hollow Resort Pkwy that leads to the Sand Hollow Golf Course and Resort.
- Bike lanes along the entire extension of 600 N, where it is paralleled by planned and existing sidepaths from 200 W to where it joins the future Three-Rivers Trail near 1580 W.
- Bike lanes along 3400 W, where it is also paralleled by sidepaths that join to the 600 N facilities and the Three Rivers Trail connector.
- Bike lanes along Main St from 650 S to the Virgin River Trailhead.
- Bike lanes on several north-south streets between State St and 600 N, including 2600 W, 2460 W, 2260 W, 2170 W, 1580 W, 1450 W, 1380 W, 1150 W, 870 W, and 200 W. As well as south of SR-9/State St including 1760 W, 1150 W, 700 W, 300 W, 200 W and 180 W.
- Sidepaths on streets near Quail Creek State Park and the nearby mountain biking trail systems, including 5300 W, Old Hwy 91, 5500 W and 5300 W.
- Sidepaths in neighborhoods on the southern portion of the city, including 1000 W, 1100 W, 3325 W, 3700 W and 3000 S.

LEEDS TOQUERVILLE

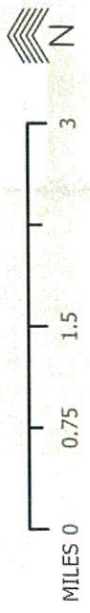
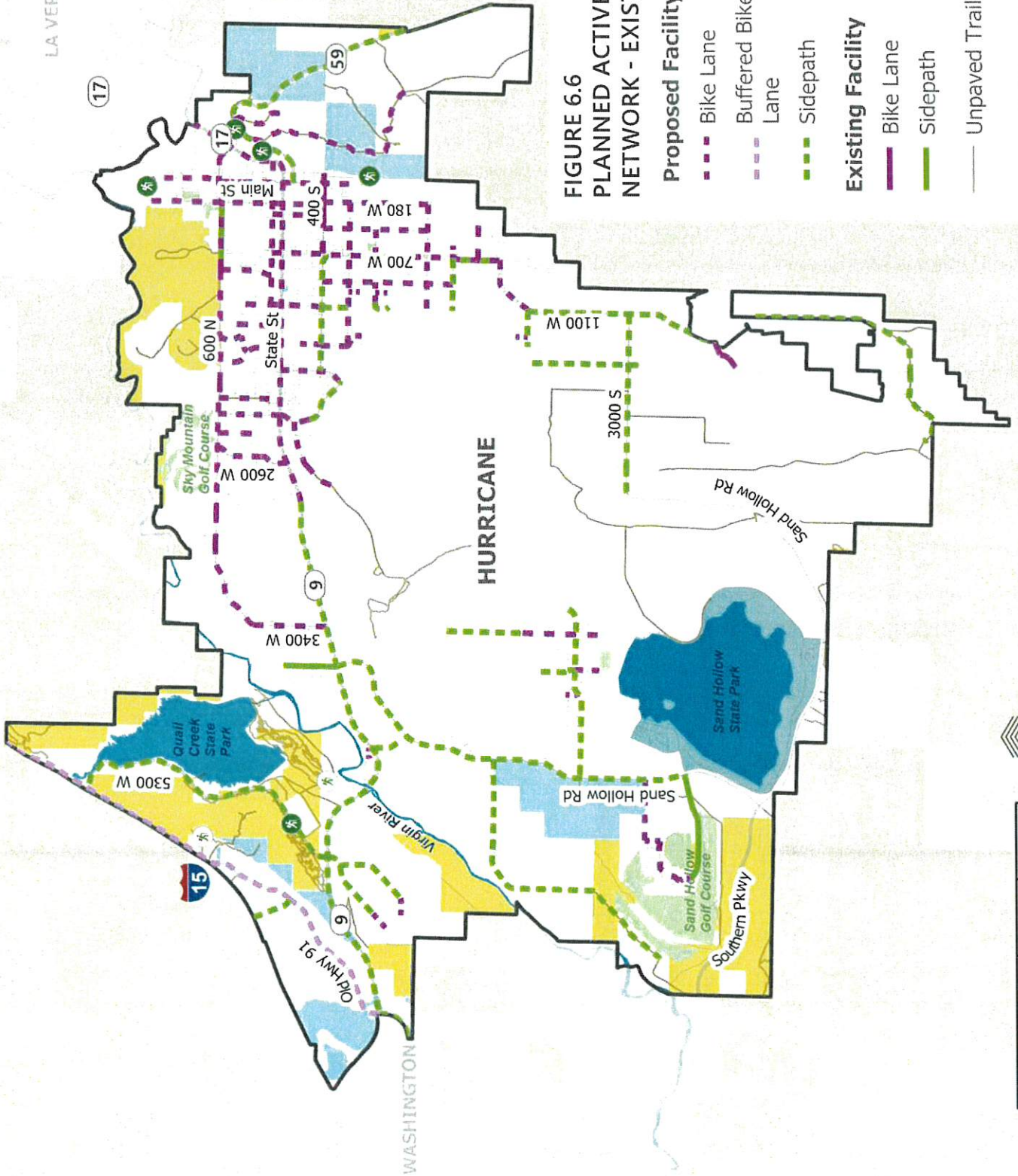
LA VERKIN

VIRGIN

WASHINGTON

HURRICANE

FIGURE 6.6  
PLANNED ACTIVE TRANSPORTATION  
NETWORK - EXISTING ROADS



## PLANNED ACTIVE TRANSPORTATION ON FUTURE ROADS

The majority of planned active transportation facilities will be located on future roads. About 79.6 miles of sidepaths and 21.7 miles of bike lanes are planned for future roads. Some of these roads, like SR-7/Southern Pkwy will be built by UDOT, while most of them will be built upon new development in the area.

For this reason, it is important that developers follow the City Active Transportation (AT) standards established in this plan when building new roads in Hurricane (see Chapter 5). Development agreements and other policies that will help Hurricane City achieve its AT goals are detailed on Chapter 6.

As seen on Figure 6.6, almost all new roads will have an AT component, most of them being sidepaths.

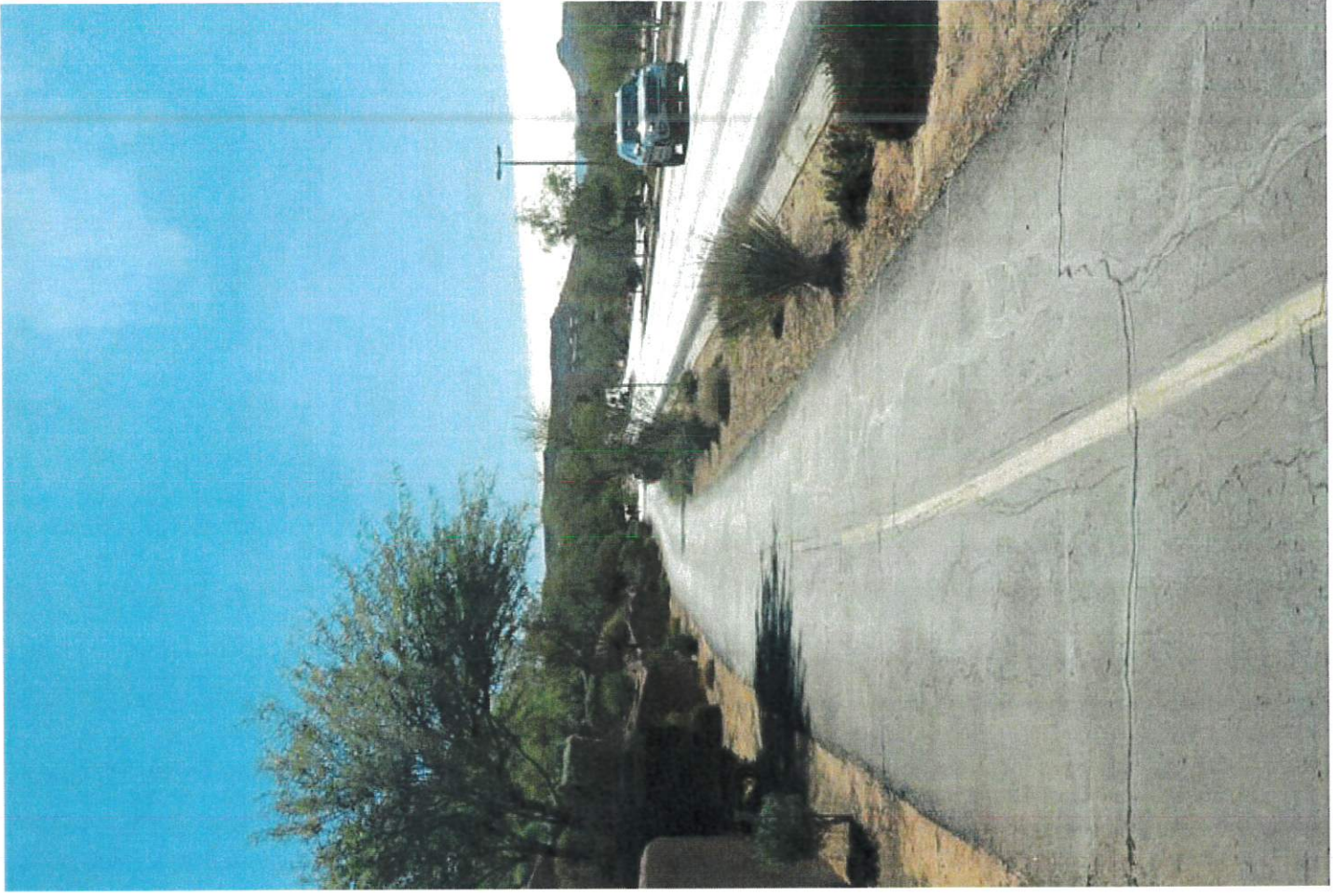
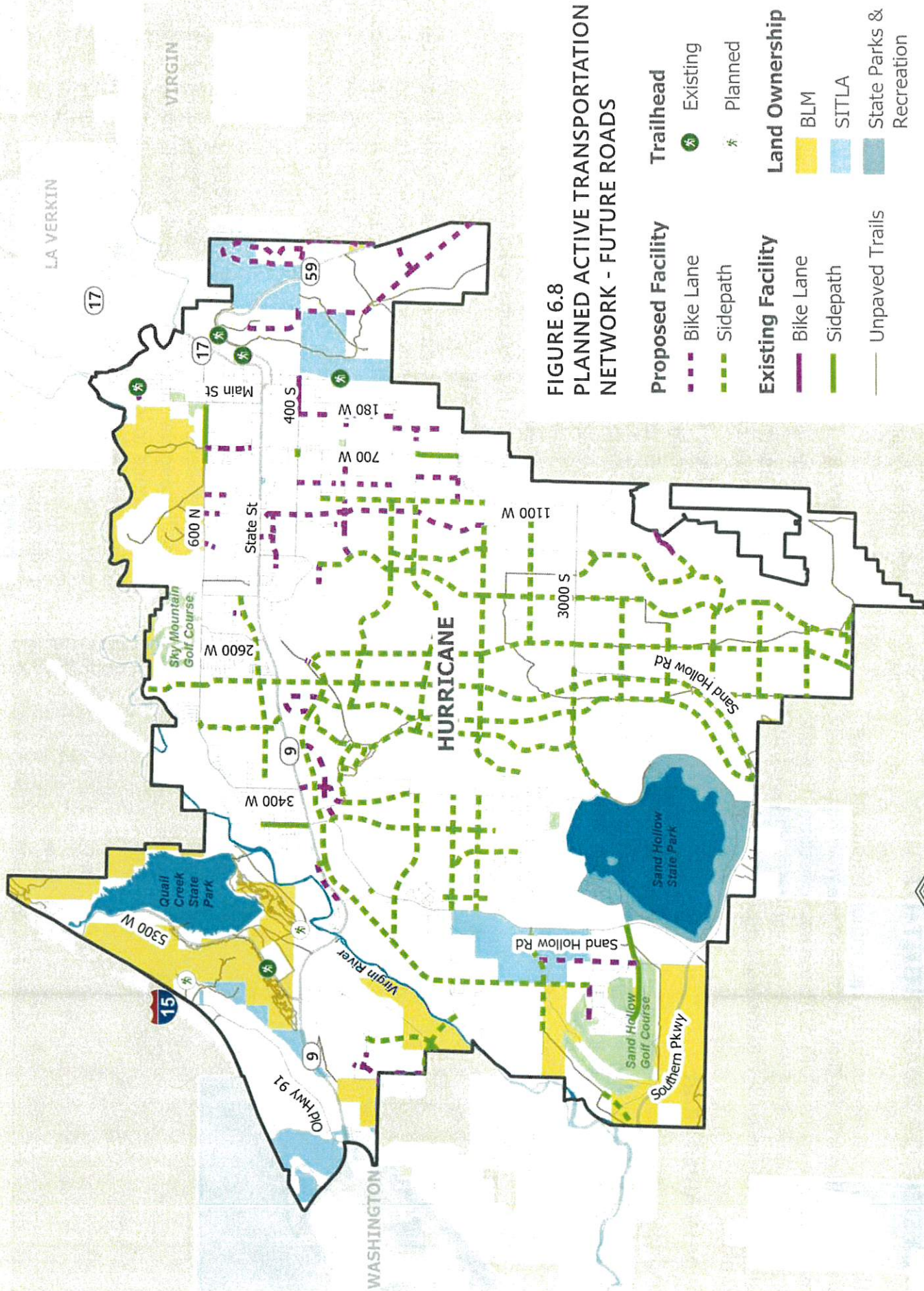
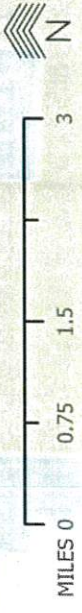


Figure 6.7 Snow Canyon Pkwy sidepath in St. George, UT.



**FIGURE 6.8  
 PLANNED ACTIVE TRANSPORTATION  
 NETWORK - FUTURE ROADS**

- |                          |                  |                            |
|--------------------------|------------------|----------------------------|
| <b>Proposed Facility</b> | <b>Trailhead</b> | <b>Land Ownership</b>      |
| —●— Bike Lane            | ● Existing       | ■ BLM                      |
| —●— Sidepath             | * Planned        | ■ SITLA                    |
| —●— Bike Lane            |                  | ■ State Parks & Recreation |
| —●— Sidepath             |                  |                            |
| —●— Unpaved Trails       |                  |                            |

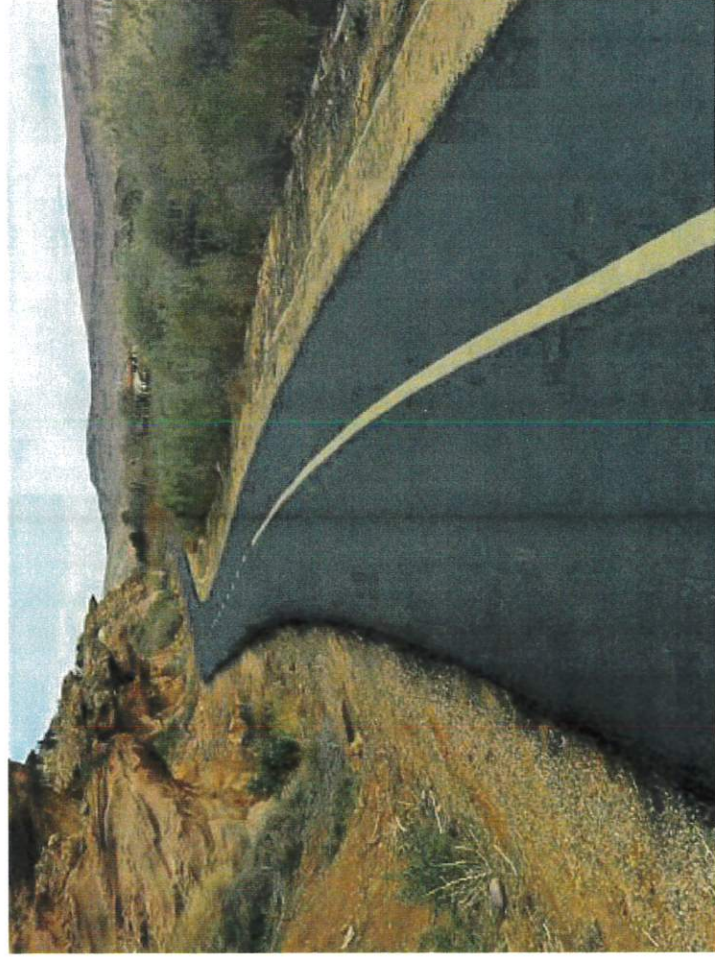


## PLANNED ACTIVE TRANSPORTATION OUTSIDE OF ROAD RIGHT-OF-WAY

The current plan also includes recommendations for active transportation (AT) facilities outside of the road right-of-way, such as shared use paths (SUP). SUPs are paved facilities that offer high comfort for users since it is not near car traffic and are usually along natural areas. See to the right descriptions for each proposed facility.

### VIRGIN RIVER TRAIL

The Virgin River Trail is a 15-mile shared use path that extends from Atkinville neighborhood in St George to the southeast border of Washington City. Extending the Virgin River Trail is a regional effort that will require a multi-city commitment, as well as support from the county and different agencies such as the Bureau of Land Management (BLM).



**Figure 6.9 Virgin River Trail, a shared use path, in Washington, UT.**

The current plan is to extend the Virgin River Trail through Hurricane and connect it to La Verkin and Virgin. Approximately 7 miles of the Virgin River Trail would be within current Hurricane City boundaries.

### THREE RIVERS TRAIL

On March 2020, the City hired engineers to establish a shared use path alignment (three-rivers trail) that would connect to a future sidepath on 600 N.

The Three Rivers Trail joins 600 N near 2170 W and travels north of the Sky Mountain Golf Course where it continues west until it joins 3700 W near Grandpa's Pond.

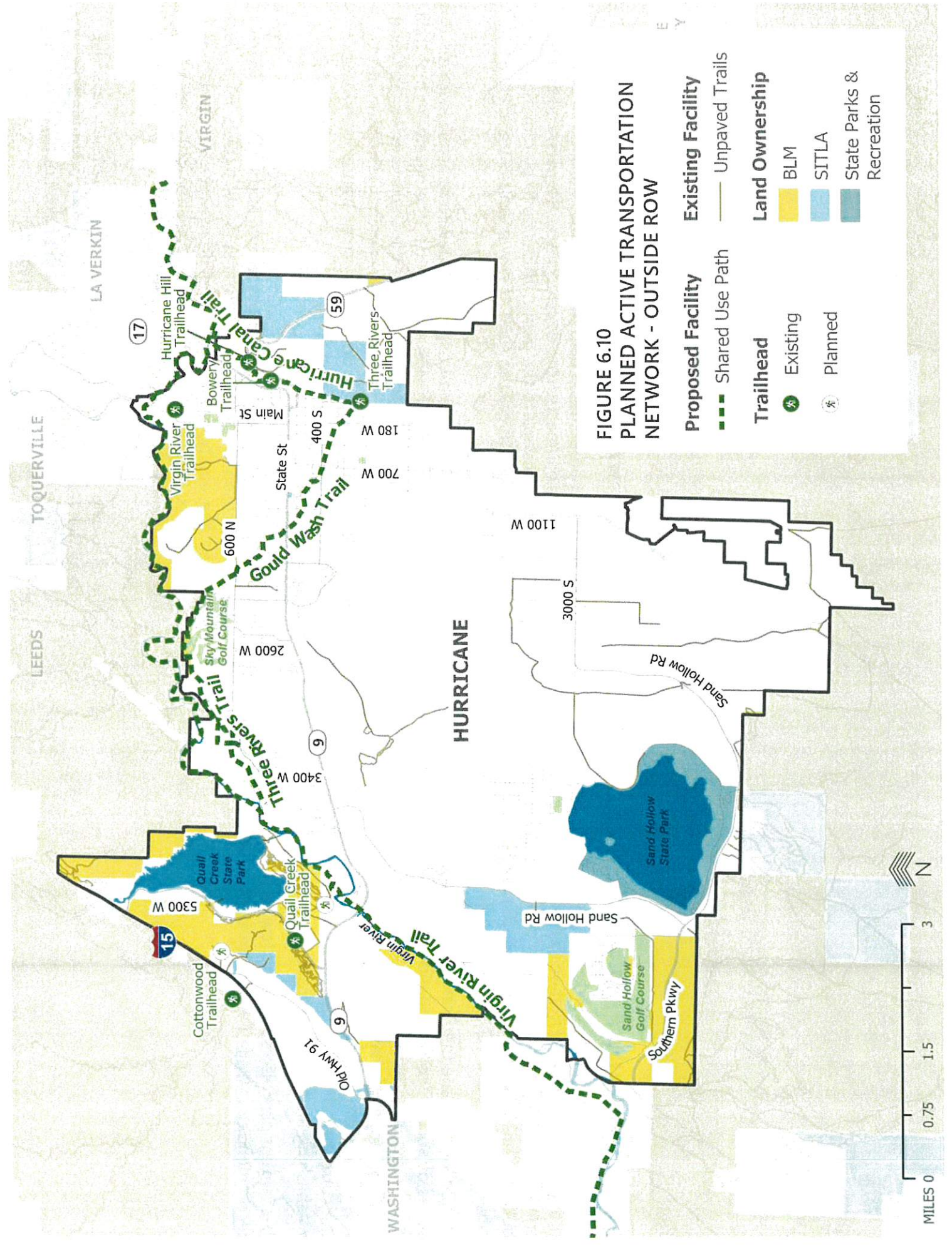
This high-comfort system can serve recreational purposes, as well as an active transportation alternative to SR-9 connecting north of downtown to residential neighborhoods. This system would eventually connect to the Virgin River Trail, which could help direct those recreating on the regional trail into downtown Hurricane.

### GOULD WASH TRAIL

The Gould Wash Trail is planned to be a 2.7-mile shared use path that extends from 600 N to the Three Rivers Trailhead. This trail would connect to the Three Rivers Trail and the 600 N sidepath, as well as to recreational trails accessed via the Three Rivers Trailhead, which will greatly increase connectivity to recreation destinations in Hurricane.

### HURRICANE CANAL TRAIL

During the Hurricane City General Plan (2021) public involvement process, residents spoke heavily in favor of establishing a shared use path along the old Hurricane Canal. The Hurricane Canal Trail is planned to join the Gould Wash Trail at the Three Rivers Trailhead on its southern end as well as connect to the Virgin River Trail to the north. The trail is planned to be 2.3 miles in length. Trail improvements should honor and value the historic nature of the canal. The City should make preservation of historic canal infrastructure a high priority while designing the trail system. Other historic signs and monuments should be considered while designing this trail facility.



**FIGURE 6.10  
PLANNED ACTIVE TRANSPORTATION  
NETWORK - OUTSIDE ROW**

- |                          |                            |
|--------------------------|----------------------------|
| <b>Proposed Facility</b> | <b>Existing Facility</b>   |
| --- Shared Use Path      | --- Unpaved Trails         |
| --- Shared Use Path      | --- Unpaved Trails         |
| <b>Trailhead</b>         | <b>Land Ownership</b>      |
| ● Existing               | ■ BLM                      |
| ○ Planned                | ■ SITLA                    |
|                          | ■ State Parks & Recreation |

# 07

## Policy & Funding Recommendations



### **POLICY & PROGRAM RECOMMENDATIONS**

Policy is crucial to ensure the recommendations made on this and previous plans come to fruition in the future. It helps establish a common understanding between different parties in charge of building the Active Transportation (AT) infrastructure, such as the city, developers, and UDOT.

The 2018 Hurricane City Transportation Master Plan provided a series of policy recommendations that support the city's goals to encourage more residents and visitors to ride a bicycle or walk (pages 93 to 97 of that document). One of the recommendations was to establish an Active Transportation Committee (ATC), which the current plan helps address. See Appendix A for guidance on establishing an ATC in Hurricane.

The current plan also suggests a few additional policy and program recommendations, all of which are summarized on Table 7.1

### **DEVELOPMENT AGREEMENTS**

Development agreements help municipalities manage land use and ensure the impacts from developments are balanced by the benefits they provide to the public. This is done by requiring the construction of facilities such as new or improved roads and sidewalks.

While these conditions imposed upon developers may increase their costs, they help provide a certainty to the developer that their investment will fit in with the vision of the city, therefore providing more certainty for a private sector investment. Development agreements help maintain uniformity across transportation, open space, land use, and general plans.

### **COMPLETE STREETS POLICY**

Complete Streets is a policy and procedural approach to roadway design focused on the needs of all transportation users, regardless of their age, ability, or mode of travel. It provides a framework for planners, engineers, and elected officials to incorporate active forms of transportation into roadway design projects wherever feasible.

In total, over 1600 Complete Streets Policies have been passed in the United States. Entities that adopted Complete Streets policies in Utah include Park City, Salt Lake City, Salt Lake County, UDOT and the Wasatch Front Regional Council (WFRC).

### SAFE ROUTES TO SCHOOL PROGRAM

Safe Routes to School is an approach that promotes walking and bicycling to school through infrastructure improvements, enforcement, tools, safety education, and incentives to foster walking and bicycling to school. A successful program encourages students living 1.5-2 miles to safely walk or bike to school.

### CONNECTIVITY STANDARDS

The City should include AT facilities within street connectivity standards for all new development. These standards should be adopted within Hurricane City Subdivision code and City design standards.

### PLANNED DEVELOPMENT OVERLAY AND MASTER PLANNED COMMUNITIES

Master Planned Communities within Planned Development Overlay Zone should be encouraged to provide enhanced pedestrian and bicycle facilities within their development. These communities should be planned and designed with active transportation in mind with paved trails, side paths, and bicycle lanes connecting with other neighboring AT facilities, neighborhoods, civic buildings, parks, and commercial areas. City should consider awarding density bonuses within Planned Development Overlays for these facilities.

### UPDATED CROSS-SECTIONS AND MAP ADOPTION

The City should adopt the proposed cross-section and map within this plan as part of the City's official design standards, cross-sections and transportation master plan and map.

**Table 7.1 Policy & Program Recommendations**

POLICY	TYPE	PLAN	RESOURCES
<b>Development Agreements</b>	Policy	2021 Hurricane City Active Transportation Plan	<ul style="list-style-type: none"> <li><a href="https://mrsc.org/Home/Explore-Topics/Planning/Land-Use-Administration/Development-Agreements.aspx">https://mrsc.org/Home/Explore-Topics/Planning/Land-Use-Administration/Development-Agreements.aspx</a></li> </ul>
<b>Complete Street Policy</b>	Policy	2021 Hurricane City Active Transportation Plan	<ul style="list-style-type: none"> <li><a href="https://smartgrowthamerica.org/resources/complete-streets-local-policy-workbook/">https://smartgrowthamerica.org/resources/complete-streets-local-policy-workbook/</a></li> </ul>
<b>Safe Routes to School</b>	Program	2021 Hurricane City Active Transportation Plan	<ul style="list-style-type: none"> <li><a href="https://saferoutes.utah.gov/">https://saferoutes.utah.gov/</a></li> <li><a href="http://www.saferoutesinfo.org/">http://www.saferoutesinfo.org/</a></li> </ul>
<b>Connectivity Standards</b>	Policy	2021 Hurricane City Active Transportation Plan	<ul style="list-style-type: none"> <li><a href="https://wfrc.org/Studies/UtahStreetConnectivityGuide-FINALAndAppendix.pdf">https://wfrc.org/Studies/UtahStreetConnectivityGuide-FINALAndAppendix.pdf</a></li> </ul>

Table 7.1 (Continued) Policy & Program Recommendations

POLICY	TYPE	PLAN	RESOURCES
<p><b>Planned Development Overlay and Master Planned Communities</b></p>	<p>Policy</p>	<p>2021 Hurricane City Active Transportation Plan</p>	<ul style="list-style-type: none"> <li>• Example of Utah jurisdictions with Planned Development Overlays include Springdale, Salt Lake County and Bountiful.</li> </ul>
<p><b>Updated Cross-Sections and Map Adoption</b></p>	<p>Policy</p>	<p>2021 Hurricane City Active Transportation Plan</p>	
<p><b>Active Transportation Committee</b></p>	<p>Policy</p>	<p>2018 Hurricane City Transportation Master Plan</p>	<ul style="list-style-type: none"> <li>• Appendix A of the current document.</li> </ul>
<p><b>Bicycle Parking Standards</b></p>	<p>Policy</p>	<p>2018 Hurricane City Transportation Master Plan</p>	<ul style="list-style-type: none"> <li>• Appendix B of the 2018 Hurricane City Transportation Master Plan.</li> <li>• <a href="https://www.apbp.org/assets/docs/EssentialsofBikeParking_FINAL.pdf">https://www.apbp.org/assets/docs/EssentialsofBikeParking_FINAL.pdf</a></li> </ul>
<p><b>Street Connectivity Standards</b></p>	<p>Policy</p>	<p>2018 Hurricane City Transportation Master Plan</p>	<ul style="list-style-type: none"> <li>• Pages 93-95 of the 2018 Hurricane City Transportation Master Plan.</li> <li>• <a href="https://wfric.org/Studies/UtahStreetConnectivityGuide-FINALAndAppendix.pdf">https://wfric.org/Studies/UtahStreetConnectivityGuide-FINALAndAppendix.pdf</a></li> </ul>
<p><b>Sidewalk Infill Strategy/ Methodology</b></p>	<p>Policy</p>	<p>2018 Hurricane City Transportation Master Plan</p>	<ul style="list-style-type: none"> <li>• Pages 95-97 of the 2018 Hurricane City Transportation Master Plan.</li> <li>• <a href="https://mrsc.org/Home/Explore-Topics/Planning/Development-Types-and-Land-Uses/Infill-Development-Completing-the-Community-Fabric.aspx">https://mrsc.org/Home/Explore-Topics/Planning/Development-Types-and-Land-Uses/Infill-Development-Completing-the-Community-Fabric.aspx</a></li> </ul>
<p><b>Designate, Sign and Leverage Recreational Bicycle Routes</b></p>	<p>Program</p>	<p>2018 Hurricane City Transportation Master Plan</p>	<ul style="list-style-type: none"> <li>• Pages 95 of the and the 2018 Hurricane City Transportation Master Plan.</li> <li>• <a href="https://www.dot.ny.gov/bicycle">https://www.dot.ny.gov/bicycle</a></li> </ul>

## FUNDING

How projects get constructed often comes down to them getting funded. This section identifies available funding resources to pay for Active Transportation (AT) projects in Hurricane City.

AT routes often span multiple jurisdictions and provide regional significance to the transportation network. As a result, other government jurisdictions or agencies often help pay for such regional benefits and projects. Those jurisdictions and agencies could include the Federal Government, the State (UDOT), the County, and the local metropolitan planning organization (Dixie MPO).

Partnering with other adjacent communities will ensure corridor continuity across jurisdictional boundaries.

### FEDERAL AND STATE FUNDING

Federal funds are available to cities and counties through the federal aid program. UDOT administers the funds. To be eligible, a project must be listed on the five-year Statewide Transportation Improvement Program (STIP)

Learn more about the STIP at <https://site.utah.gov/connect/about-us/commission/stip/>.

### Surface Transportation Program (STP)

The Surface Transportation Program (STP) funds can be used for transportation enhancements in twelve categories, including bicycle and pedestrian facilities. The Joint Highway Committee allocates a portion of the STP funds for projects around the state in urban areas. This is a five-year funding tool, and the STIP projects are updated regularly to maintain a five-year list of projects. Adding active transportation projects and other projects within Hurricane City to UDOT Region 4's transportation plan is an important early step.

### State Class B and C Program Fund

The distribution of State Class B and C Program funds is established by State Legislation and is administered by UDOT. Revenues for the program come from state fuel taxes, registration fees, driver license fees, inspection fees, and transportation permits. UDOT keeps 75% percent of these funds for their construction and maintenance programs. The rest is made available to counties and cities. Some of the roads with active transportation facilities in the study area fall under UDOT jurisdiction. It is in the best interest of each city that staff are aware of the procedures used by UDOT to allocate those funds and are proactive in requesting the funds be made available for UDOT-owned roadways in the City.

Class B and C funds are allocated to each city and county by a formula based on population, centerline miles, and land area. Class B funds are given to counties, and Class C funds are given to cities and towns. Class B and C funds can be used for maintenance and construction projects, including active transportation; however, 30% of those funds must be used for construction or maintenance projects that exceed \$40,000. The remainder of these funds can be used to match federal funds or pay the principal, interest, premiums, and reserves for issued bonds.

Learn more at <https://www.udot.utah.gov/connect/business/public-entities/local-government-program-assistance/>.

### Safe Routes to School (SRTS)

UDOT also administers Safe Routes to School (SRTS) funding. This is a \$1.2 Million annual fund to pay for active transportation safety improvements near schools across the state. Cities apply for this funding which is a reimbursement fund with no matching dollars required. This money can be used for improvements such as new trails or sidewalks, signals, crosswalks, etc.

Learn more at <https://site.utah.gov/connect/business/public-entities/safe-routes-to-school-srts-program/>.

## TIF Active & Legislative Appropriation

UDOT will consider projects via local government nominations for inclusion in their regionally important project list. In order to make that list, projects are ranked using a prioritization model, such as proximity to jobs, schools, safety of the facility and AT demand in the area. Local nominations are due between December and March. A 40% local match is required.

Another funding category related to the TIF Active fund is the recent Legislative Appropriation of \$35m towards AT projects in Utah. Using the AT prioritization model and ranking as on the TIF Active process, UDOT makes a recommendation to the Transportation Commission on which projects are more effective fund. This funding only requires a 20% local match.

Learn more at <https://www.udot.utah.gov/connect/about-us/commission/project-prioritization-process/>.

## Safe Sidewalk Program

The Utah State Legislature recognizes the need for adequate sidewalk and pedestrian safety amenities. State policy affirms the need to include pedestrian safety considerations for all projects where foot travel is a significant factor. The Safe Sidewalk Program provides a legislative funding source for constructing new sidewalks adjacent to state routes where sidewalks do not currently exist and where major construction or reconstruction is not planned for ten or more years. For further details, including criteria and contact information, please download the following summary.

Learn more at <https://www.udot.utah.gov/connect/business/public-entities/local-government-program-assistance/>, or review the summary at [https://docs.google.com/document/d/1sfOQu5qictzKD\\_Aj0yDvSO48JFuYrZZbuYsyW4bbardY/edit](https://docs.google.com/document/d/1sfOQu5qictzKD_Aj0yDvSO48JFuYrZZbuYsyW4bbardY/edit).

## Other Sources

- UDOT funds for ADA-Related Improvements
- Federal Lands Access Program (FLAP)
- Highway Safety Improvement Program (HSIP)
- Spot Safety Improvement Program (SSIP)
- BLM Challenge Cost Share (CCS) Grant Program

## **STATE-LEVEL FUNDING (NON-UDOT)**

### Recreational Trail Program

Administered by the Utah Division of State Parks and Recreation, the Recreational Trails Program required that motor fuel tax revenues generated from motor fuel sales for off-highway recreational purposes be transferred from the Highway Trust Fund to the Trails Trust Fund for recreational trail and facility improvements. This program provides grants for non-motorized and motorized trails, including the construction and maintenance of trails and facilities, staging areas, trailheads, restroom facilities, and trail signing.

Learn more at <https://stateparks.utah.gov/resources/grants/recreational-trails-program/>.

### Land and Water Conservation Fund

Administered by the Utah Division of State Parks and Recreation, the Land and Water Conservation Fund Act provides federal grants for the acquisition and/or development of public outdoor recreation areas. Any site/ facility purchased, developed, or improved with funding from this grant is protected in perpetuity (forever) as a public outdoor recreation area.

Learn more at <http://stateparks.utah.gov/resources/grants/land-and-water-conservation-fund/>.

### Utah Outdoor Recreation Grant

Administered through the Office of Outdoor Recreation, the Utah Outdoor Recreation Grant project helps communities build trails and other recreation infrastructure by awarding matching grants. The grants help enhance recreational opportunities and amenities in Utah's communities.

Learn more at <https://business.utah.gov/outdoor/uorg/>.

## COUNTY-LEVEL FUNDING

### Recreation, Arts, and Parks (RAP) Tax

The Recreation, Arts, and Parks (RAP) tax, is a local option sales tax approved by the voters administered by Washington County and municipalities. Funds generated support the development or improvement of parks, trails, and recreational facilities within the County's municipalities and unincorporated areas. This tax can fund parks, trails, and recreational facilities.

Learn more at <https://portal.washco.utah.gov/rap/>.

## MPO-LEVEL FUNDING

The Dixie Municipal Planning Organization (MPO) administers several funding programs of both federal and state dollars for the region.

### Transportation Alternatives Program (TAP)

The MPO has programming authority for about \$107,000 of TAP funds annually. Most projects have an 80/20 federal/local match split and can include sidewalks, paths, trails (including Rails-to-trails), bicycle facilities, signals, traffic calming, lighting and safety infrastructure, and ADA improvements. Funds can be used for construction, planning and design of on and off-road bicycle and pedestrian facilities.

The MPO also programs about \$2 million of Small-Urban (SU) funds to transportation projects annually. Although some AT projects have been nominated in the past for the SU funds, the MPO has yet to program any SU funds to a stand-alone AT project.

More funding options are discussed on the Dixie MPO Active Transportation Plan.

## CITY-LEVEL FUNDING

Hurricane utilizes general fund revenues for Active Transportation programs. General fund revenues are typically reserved for operation and maintenance purposes as they relate to transportation. However, general funds could be used if available to fund the expansion of AT facilities. Providing a line item in the city budgeted general funds to address improvements, which are not impact fee eligible, is a recommended practice to fund active transportation projects, should other funding options fall short of the needed amount. Revenue bonding can also be used for projects intended to benefit the entire community.

The Hurricane General Plan recommends that the City budget funds each year for Trails (see page 65 and Strategy 2.6). For 2021-2022 Fiscal Year the City budgeted \$200,000 for trails and AT. This plan should echo that recommendation for the City to budget AT funds for planning, design, construction, and grant matching.

Private interests may also provide resources for transportation improvements including active transportation. Developers can construct the local streets with bike lanes within subdivisions and may often dedicate right-of-way for trails and parks, as well. Many of the new growth areas in Hurricane should include new active transportation facilities provided by the developers.



**A**  
**APPENDIX**  
**Active Transportation**  
**Committee Guidance**

## INTRODUCTION

An Active Transportation Committee (ATC) usually serve to advise the City on opportunities to improve bicycling and walking for commuting and recreation throughout the City. This includes bicycle safety campaigns and education, transportation connectivity planning and coordination, bicycle-related legislation, and outreach opportunities.

The ATC may also serve as the liaison to NGO's and organizations whose mission is to advocate and promote bicycle- and walking-related activities within the City or region.

### STEP 1. DEFINE ATC ROLE & BUDGET

Prior to the creation of the ATC, the City should define the type of role that will be developed by the committee, and if it will be allocated a budget. Roles include advising the Mayor in active transportation (AT) related matters, help City engineers evaluate AT designs set by developers, draft AT legislation, serve as stakeholders in future AT-related plans and studies, promote bike and walking education, etc.

The ATC might use its budget to fund local AT events, such as biking workshops for children, and safety workshops for adults, safe routes to school programs, install bike fixit stations at key locations, and more. As an example, the Salt Lake County Bicycle Advisory Committee has a budget of \$20,000/year to sponsor similar initiatives.

### STEP 2. DEFINE KEY INITIAL PLAYERS & ENCOURAGE DIVERSITY

The City should determine key people that will help establish the ATC. These players can be city staff as well as local residents and other AT advocates who will be tasked with advertising the initiative to attract a diverse group of people that is representative of residents of Hurricane. In addition to residents, it is recommended that the ATC be composed by representatives of the following departments within Hurricane City:

- Planning Commission
- City Council
- Planning Director
- City Engineer
- Parks

At this stage, the initial players should establish the modes of communications that will be used to spread the word, which can include social media, website, flyers, tabling during in-person events, and advertising in schools (to encourage parent involvement).

It is encouraged that the City creates a page dedicated to the ATC on its website. This will serve as the main information portal for all ATC-related matters including meeting notices and agendas, as well as upcoming events.

This newly formed ATC should then draft the ATC by-laws to be submitted for approval by the Mayor and City Council.

### STEP 3. ESTABLISH ATC BY-LAWS

In order to create an ATC, the City should create a ATC by-laws document to help establish a framework and guide the actions of the committee. Below are a key items that should be included in this document. Each article can be composed of multiple sections.

- Vision Statement
- Mission Statement
- Article 1: Name & Authorization
- Article 2: Purpose
- Article 3: Function
- Article 4: Membership
- Article 5: Officers
- Article 6: Committees
- Article 7: Meetings
- Article 8: Amendments
- Article 9: Rules of Order
- Signature

## **VISION STATEMENT**

This should be a city-wide vision related to active transportation (AT). Below is an example adapted from the Salt Lake County Bicycle Advisory Committee:

*"To become a premier bikable and walkable community for recreation and practical transportation."*

## **MISSION STATEMENT**

The mission statement related to the specific mission of the ATC. Example:

*"The mission of the Hurricane City Active Transportation Committee is to advise the Hurricane City Mayor's Office in all active transportation-related matters, and to promote bicycling and walking as a safe, healthy, equitable, and beneficial mode of transportation."*

## **ARTICLE 1: NAME & AUTHORIZATION**

This article details the official name of the committee. Example:

*"The name of this Committee shall be the Hurricane City Active Transportation Committee (Hurricane ATC)"*

## **ARTICLE 2: PURPOSE**

This article details the purpose of the ATC as seen in the introductory paragraphs of this appendix.

## **ARTICLE 3: FUNCTION**

The function of the ATC relates to specific actions that it might take as part of its operations. This may include keeping city staff informed on AT developments occurring in the city, advocate for AT-related issues, as well as to provide recommendations to the Mayor's Office on how to improve AT city-wide.

## **ARTICLE 4: MEMBERSHIP**

This article specifies the guidelines in regards to the ATC's membership. This includes:

- Maximum number of voting members
- Number of votes each member is entitled to (usually one, including the Chair)
- Regulations regarding proxy and proxy votes
- Presence requirement for voting (physically, electronically or both)
- Who is able to participate in the ATC (City staff, residents, etc.)
- Member appointment regulations (members are usually appointed by the Mayor and corroborated by City Council)
- Anti-discrimination procedures
- Length of term (i.e. 3 years), and how many consecutive terms any given member can serve (i.e. 2)
- Member removal regulations. For example, members can be removed by the Mayor with City Council consent, or after missing a certain amount meetings without justification in established period of time (i.e. 3 times in a year)
- Methods of filling vacancy
- Regulations related to non-voting members

## **ARTICLE 5: OFFICERS**

Officers are elected members with specific duties in the committee. This includes the Chair, Vice-Chair, Secretary, and Treasurer. This article details:

- Types of officers allowed in the committee
- How and how often the voting occurs (i.e. every year during a designated meeting)
- Responsibilities each office carry in the committee

#### **ARTICLE 6: COMMITTEES**

The committee might choose to allow for sub-committees to be created. These can be comprised by members of the committee (voting and non-voting) as well as non-ATC members.

An example of sub-committee is the Executive Committee which might review issues related to the ATC between meetings.

#### **ARTICLE 7: MEETINGS**

Committee meetings are the core of every ATC. This is where most important topics are discussed and decisions are made. This article details specifics related to ATC meetings, including:

- Meeting notice procedures, including time, mode and publishing requirements. For example, notices shall be given 5 days in advance via email and ATC webpage, and be published according to the "Utah Open and Public Meetings Act Utah Code."
- Quorum and majority vote regulations
- Who may vote on ATC matters (i.e. members only)
- Procedures related to emergency meetings
- Meeting formats (in person and/or electronically)
- Accessibility requirements

#### **ARTICLE 8: AMENDMENTS**

This article establishes how amendments might be made to the ATC by-laws. This includes regulations on notice time frame and how they become effective, which is usually after Mayoral approval.

#### **ARTICLE 9: RULES OF ORDER**

This is a short article that declares that the Roberts Rules of Order shall apply in all situations not specifically covered by the by-laws.

#### **SIGNATURE**

The ATC by-laws should be dated and signed by the committee chair.

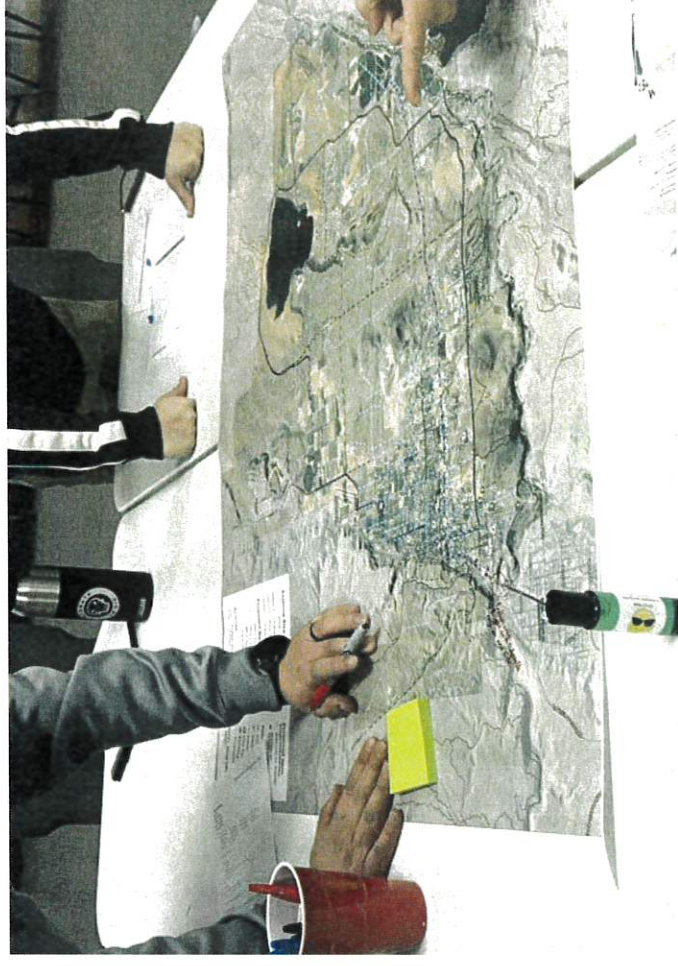
Refer to the [Salt Lake County Bicycle Advisory Community By-Laws](#) as an example.

#### **STEP 4. HOLD MEETINGS**

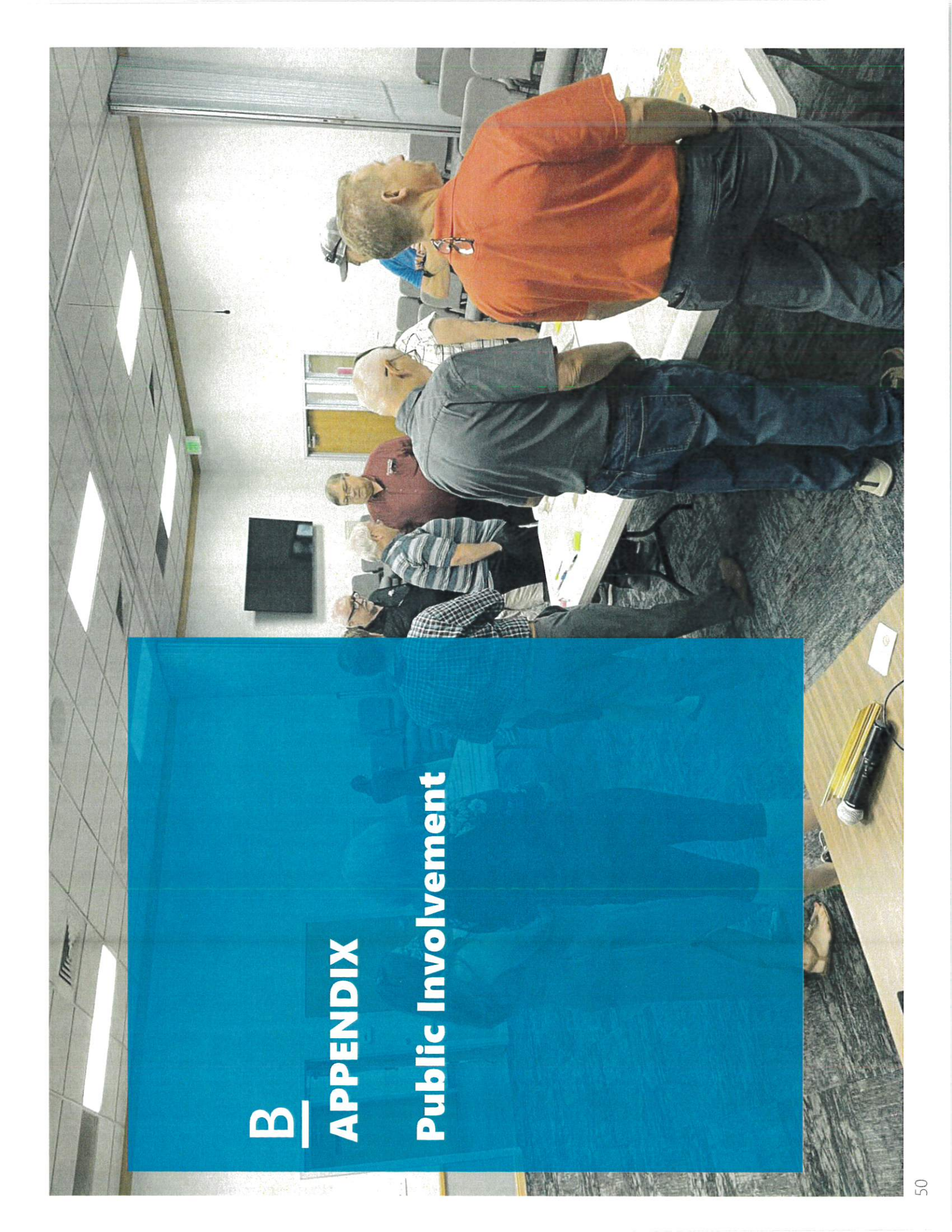
After the ATC by-laws are approved, the members are ready to start holding official meetings. Meetings should be held on a regular basis with most ATCs holding meetings once a month. It is advised that meetings are held in the evening during after-work hours in a City building that meets all City requirements for accessibility.

Meetings should be advertised in advance to encourage public participation. Often times, these meetings are the only venue residents and the general public have to actively express needs related to biking and walking. Agenda should be posted on the ATC webpage. Generally, items that are not included in the agenda cannot go to voting during that particular meeting.

Meetings and other ATC activities should follow the established by-laws.



**Figure A.1 Stakeholders collaborate over a planned Active Transportation facilities map of Hurricane City.**



**B**  
**APPENDIX**  
**Public Involvement**

As detailed on Chapter 4, the following public involvement efforts were developed for Hurricane Active Transportation Plan:

- Project Website ([www.hurricaneatp.com](http://www.hurricaneatp.com))
- Online Survey
- Interactive Comment Map
- Public Open House

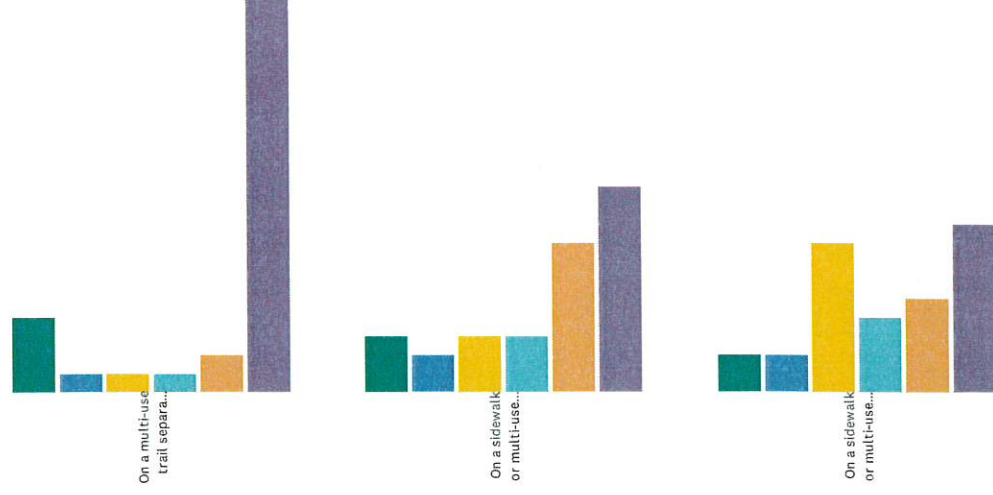
This appendix includes information gathered via all of these public involvement opportunities.

## ONLINE SURVEY

The survey received 30 responses. Multiple choice responses are shown below. Open-ended responses are shown on table B.1.

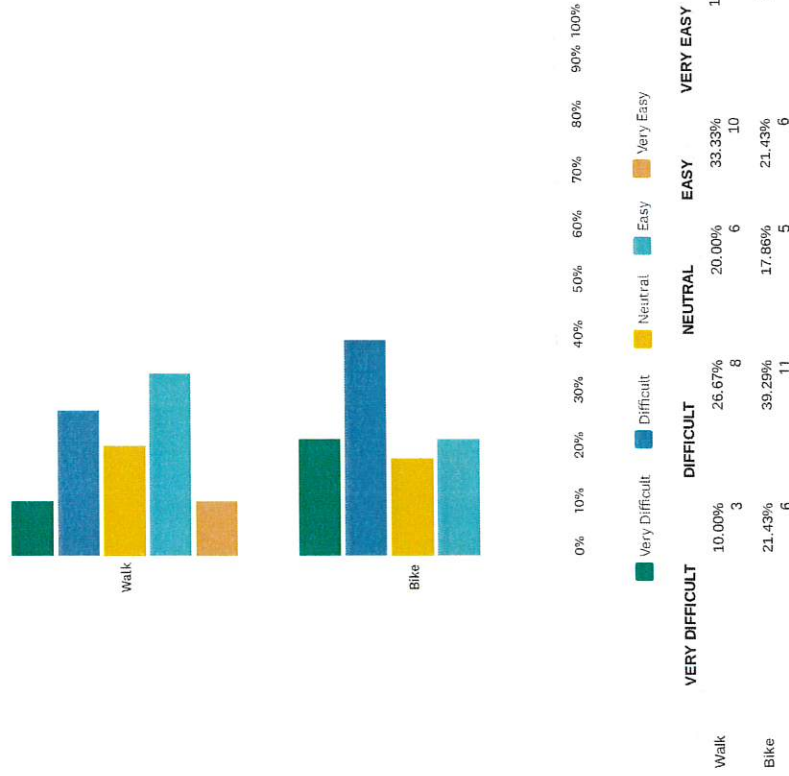
Q3 Please identify how comfortable you would be walking in each situation:

Answered: 30 Skipped: 0








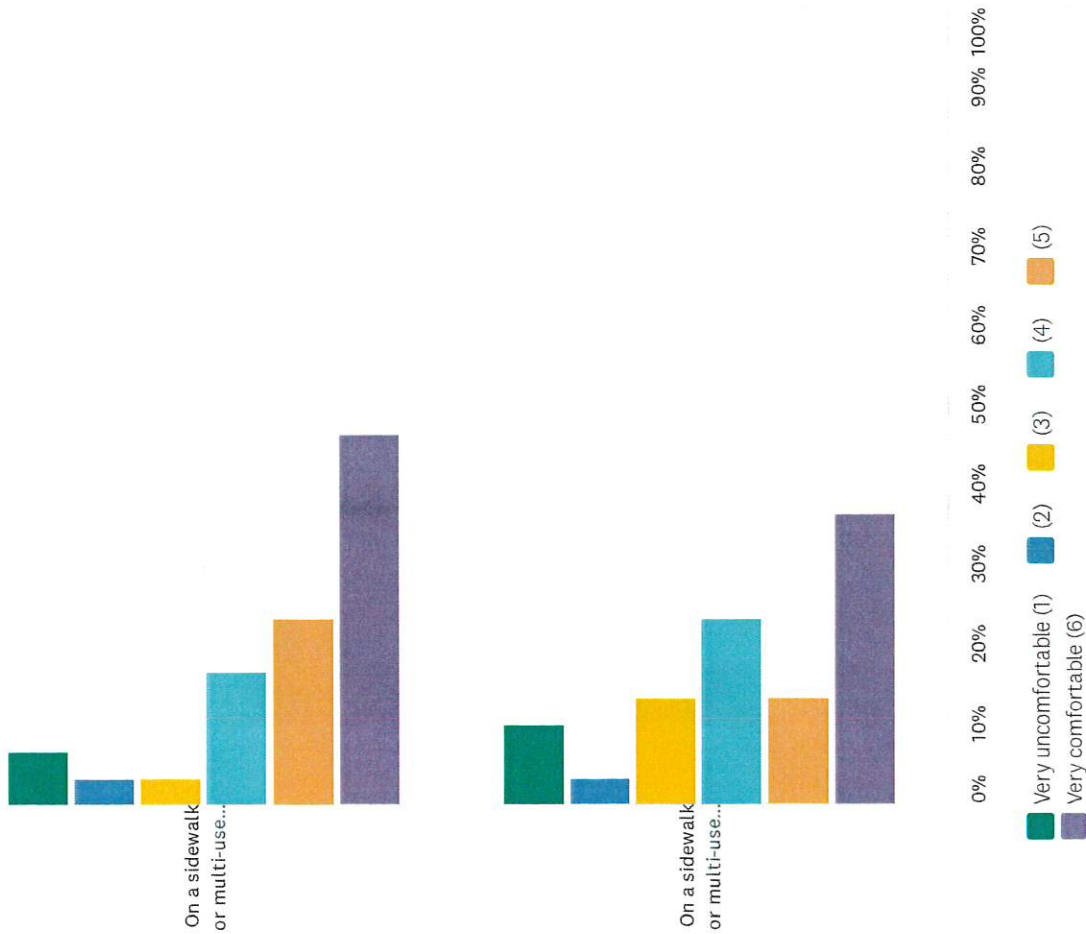
Q1 How easy is it to walk and bike in your community?

Answered: 30 Skipped: 0



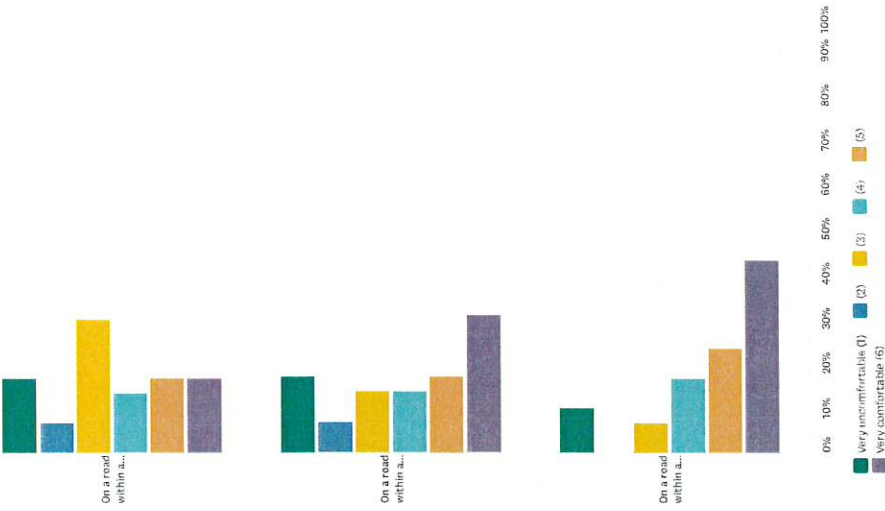
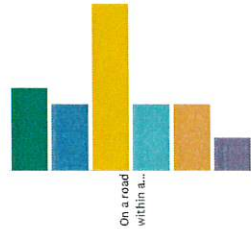
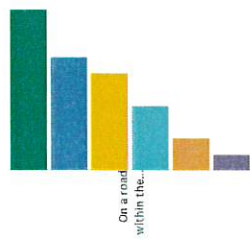
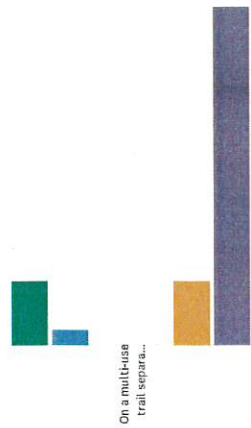
Hurricane Active Transportation Plan

	VERY UNCOMFORTABLE (1)	(2)	(3)	(4)	(5)	VERY COMFORTABLE (6)	TOTAL	WEIGHTED AVERAGE
 On a multi-use trail separate from the street.	13.33% 4	3.33% 1	3.33% 1	3.33% 1	6.67% 2	70.00% 21	30	4.97
 On a sidewalk or multi-use trail adjacent to a park strip.	10.00% 3	6.67% 2	10.00% 3	10.00% 3	26.67% 8	36.67% 11	30	4.47
 On a sidewalk or multi-use trail adjacent to the street.	6.67% 2	6.67% 2	26.67% 8	13.33% 4	16.67% 5	30.00% 9	30	4.17
 On a sidewalk or multi-use trail adjacent to a physically separated bike lane.	6.67% 2	3.33% 1	3.33% 1	16.67% 5	23.33% 7	46.67% 14	30	4.87
 On a sidewalk or multi-use trail adjacent to parked vehicles.	10.00% 3	3.33% 1	13.33% 4	23.33% 7	13.33% 4	36.67% 11	30	4.37



Q4 Please identify how comfortable you would be biking in each situation:

Answered: 30 Skipped: 0

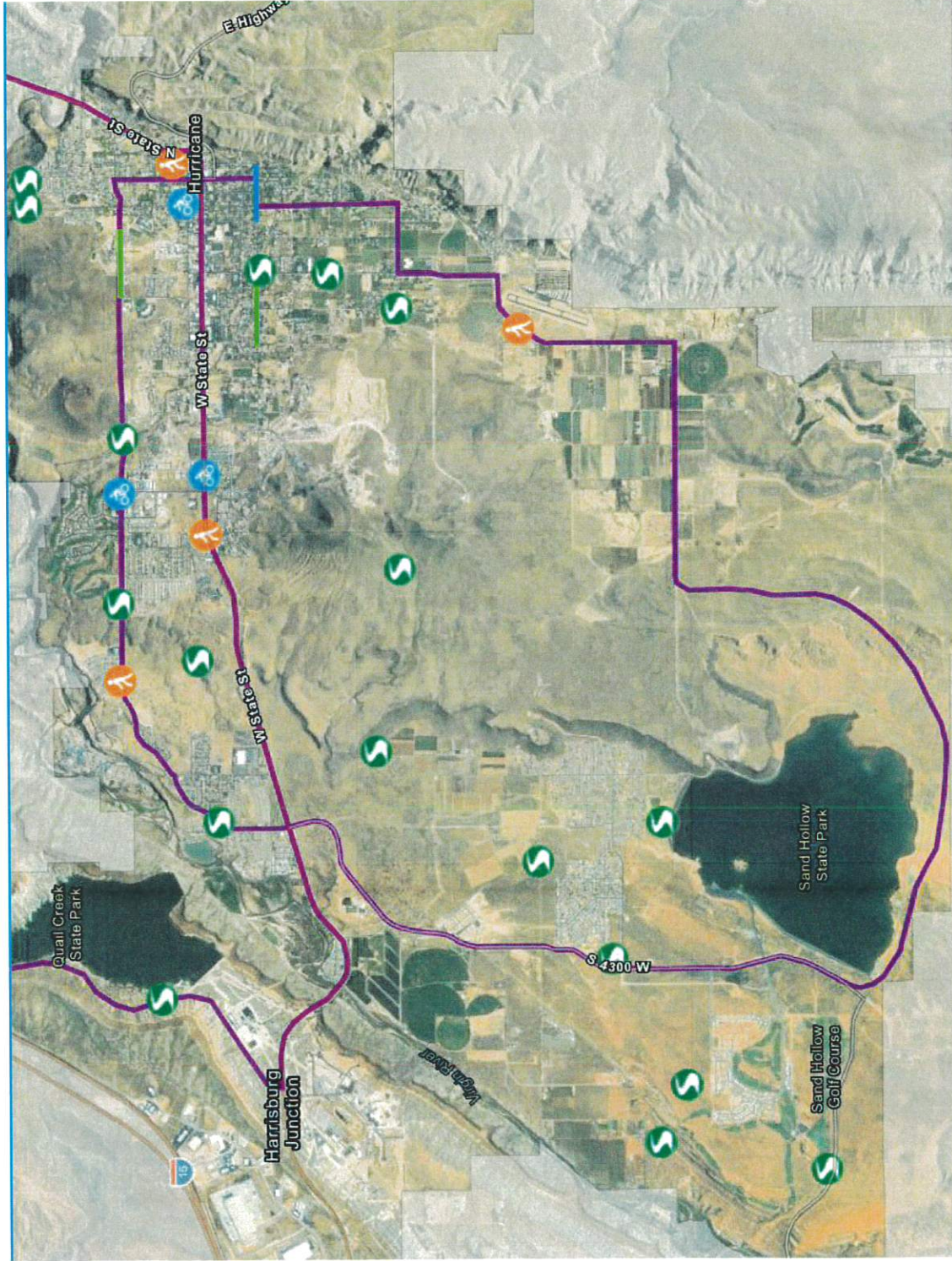


Very uncomfortable (1) Very comfortable (5)

Situation	Very uncomfortable (1)	Uncomfortable (2)	Comfortable (3)	Very comfortable (4)	Very comfortable (5)	Total	Weighted Average
On a multi-use trail separate from the street.	3.33%	0.00%	0.00%	33.33%	63.33%	30	5.07
On a road within the shoulder.	33.33%	33.33%	0.00%	13.33%	13.33%	30	2.47
On a road within a striped bike lane.	17.24%	13.79%	34.48%	13.79%	16.67%	29	3.14
On a road within a buffered bike lane.	16.67%	6.67%	30.00%	13.33%	16.67%	30	3.57
On a road within a physically separated bike lane.	17.24%	6.90%	13.79%	17.24%	31.03%	29	4.00
On a road within a physically separated two-way bikeway also known as a "cycle track".	10.00%	0.00%	6.67%	16.67%	23.33%	30	4.73

## INTERACTIVE ONLINE MAP

The interactive online map received georeferenced 25 responses, these are shown below. Open-ended responses are shown on table B.1.



### Legend

#### Desired Active Transportation Improvements



Bike Lane

Sidewalk

Trail

#### Existing Facilities



Bike Lane



Bike Route



Trail

## PUBLIC OPEN HOUSE

About 30 community members participated in the public open house. All comments have been transcribed to table B.1.

**Table B.1 Open-Ended Public Comments**

COMMENT	MODE	RESPONSE
920 W :There are properties on this street that would be dramatically affected by a 60' minor collector. 50' would be plausible without taking property owner land.	Public Meeting	
600 N: Need turnout lanes all along this road, 600 N & 870 w: 3-way stop or light at this intersection with turn lanes for people going to schools	Public Meeting	
870 W: 870 W & Hurricane Elementary School: Parking lot needs a light to improve safety and traffic flow	Public Meeting	
200 W: No parking along the west side. During baseball season, no one parks in the parking lots. Most people park on both sides of the road and it becomes a hazard.	Public Meeting	
Include cross-sections for rural roads in Bench Lake Area	Public Meeting	
Include underpasses/overpasses and interchanges along proposed SR-7 as shown on TMP	Public Meeting	
Walking or bike Trail along Gould's wash	Online Comment Map	

COMMENT	MODE	RESPONSE
<p>Paved walking/biking trail could be constructed to connect to SR-9 and create loop/link from Dixie Springs to SR-9</p>	<p>Online Comment Map</p>	
<p>Paved walking/biking trail coming off of 4300 West, leading around the Sand Hollow golf course and connecting back to SR-7. Would create smaller loops and links for residents to enjoy.</p>	<p>Online Comment Map</p>	
<p>Need walking path across 600 N connecting both sides of Gould Wash, maybe a bridge</p>	<p>Online Comment Map</p>	
<p>Developed paved walking/biking trail. This could come off of 4300 N to the north of Sand Hollow Resort; loop north then south around the resort and connect back into SR-7. The SR-7 section could have a paved walking/biking trail then leading east back toward Sand Hollow. This would create a smaller loop and linkage for residents to enjoy.</p>	<p>Online Comment Map</p>	
<p>Dedicated walking/bike path along Sand Hollow Rd</p>	<p>Online Comment Map</p>	
<p>Create paved trail linking 4300 W in vicinity of Dixie Springs (or currently undeveloped area just north) connecting to 3325 West. This creates smaller loop options and more opportunities for active transportation</p>	<p>Online Comment Map</p>	
<p>Confluence Park; Have a dedicated walking/biking path to park</p>	<p>Online Comment Map</p>	
<p>City should assess smaller connectors for paved walking/biking trail that would allow residents to link from routes such as 600 N back to SR-9 without having to do out and bike hikes/rides or undertaking epic loops. Build in the opportunity for smaller loops and connections. If done properly this would also allow residents the opportunity to use active transportation routes to access Walmart, Lins, or other vital businesses.</p>	<p>Online Comment Map</p>	

COMMENT	MODE	RESPONSE
<p>City should also focus on trails that loop or add links. It would be wonderful to have a smaller paved trail loop connecting from Fields area back to SR-9. This would provide an alternative to much longer SR-7 loop.</p>	<p>Online Comment Map</p>	
<p>Can a trail be created from the Dixie Springs Park to Sand Hollow State Park</p>	<p>Online Comment Map</p>	
<p>Can a Bike/walking path be added to Dixie Springs Drive from Hwy 9 into the State Park?</p>	<p>Online Comment Map</p>	
<p>Build a paved walking/biking trail along Turf Sod road between 4300 N and SR 7. This would allow for smaller loops and links for residents to walk and enjoy.</p>	<p>Online Comment Map</p>	
<p>Bike lane and/or sidewalk for walking from sky mountain area to laverkin/hurricane and in opposite direction toward walmart</p>	<p>Online Comment Map</p>	
<p>8 foot wide dedicated walk/bike path along SR-138/5300 W</p>	<p>Online Comment Map</p>	
<p>600 N: Dedicated walking/biking path</p>	<p>Online Comment Map</p>	
<p>Bike trail on 1300 S</p>	<p>Online Comment Map</p>	
<p>Bike trail o W Park View Dr</p>	<p>Online Comment Map</p>	

COMMENT	MODE	RESPONSE
Cycle tracks look like an expensive headache that will impede vehicle traffic.	Online Survey	
Please follow the lead of St. George and Washington cities and start developing a connected, dedicated trail system.	Online Survey	
Local drivers are too aggressive, separated bike lanes/paths are ideal	Online Survey	
Hurricane is miserable to cycle in, I have nearly been hit by cars more than once. Without dedicated biking lanes or wide shoulders, cycling is perilous.	Online Survey	
Lower the speed limit on 600 N from 3400 W to the Academy and public school on 870 W TO 35 MPH	Online Survey	
Hurricane has tons of mountain bike tourism. Let's make it as bike friendly as possible.	Online Survey	
Hurricane needs a walking and biking path, so dangerous being on the side of the roads with cars going over 60 miles an hour, I feel so unsafe so normally go to Washington or St George	Online Survey	
More dedicated walking and bike paths. Strollers on sidewalks with slanted driveways are very cumbersome and no room on roads for strollers. We drive out to Grandpas pond just to use the walking path.	Online Survey	
We need more bike trails.	Online Survey	

COMMENT	MODE	RESPONSE
I really like the idea of physical separated bike lanes.	Online Survey	
Cycling with traffic is extremely dangerous. Drivers don't care about cyclists. I've been hit before.	Online Survey	
Trails don't have to be paved	Online Survey	
Would love to see more safe biking trails separated from the traffic. Traffic is terrible.	Online Survey	
Hurricane City needs to adopt a strong plan that requires developers and home builders to install proper sidewalks and trails. It would be nice if we had more paved asphalt paths that are wider than a standard sidewalk. I don't know anyone that doesn't like this type of path. Sidewalks that have driveway cuts are a waste of money. Sidewalks should be away from the road so they will stay level.	Online Survey	

**PROCLAMATION**

**WHEREAS**, September 17, 2021, marks the two hundred and thirty-fourth 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 19<sup>th</sup> day of August of the year of our Lord two thousand twenty-one.

\_\_\_\_\_  
John W. Bramall, Mayor

[Seal] Attest:

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

**SINGLE 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 organization for the purposes of storage, sale, offer for sale, furnish, or allow the consumption of an alcoholic product on the event premises

**AUTHORITY:** Utah Code 32B-9-201

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: Promitto LLC DBA Pig's Ear American Bistro

Event Name: Red Bull Rampage

Event location address: 75 N 2000 W St F-G Hurricane UT 84737  
street city state zip

On the 15th day(s) of October, 2021  
dates month year

during the hours of 6 p.m. - 10 p.m., pursuant to the provision of Utah Code 32B-9.  
defined hours from - to

We recommend this entity as conducting a civic or community enterprise\* [ ] Yes [ ] No  
[ ] Not providing a recommendation

**\*As Part of local consent required by 32B-9-201(1)(c), the locality may provide a recommendation as to whether the entity is conducting a civic or community enterprise.** A civic or community enterprise means a function that is in the nature of a temporary special event such as a social, business, religious, political, governmental, educational, recreational, cultural, charitable, athletic, theatrical, scholastic, artistic, or scientific event. A "civic or community enterprise" generally is a gathering that brings members of a community together for the common good. Single event permits may not be issued to or obtained by an entity or organization for the purpose of avoiding or attempting to avoid the requirement of state retail alcohol licensing.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name/Title

\_\_\_\_\_  
Date



Date of Application \_\_\_\_\_

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

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

SINGLE EVENT BEER PERMIT

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

SECTION A - BUSINESS INFORMATION

Name of Business: PROMITTO LLC dba Pig's EAR AMERICAN BISTRO
Business Phone: 435 399 1957 Fax Number: 510.220.5454
Contact Person: LEANNE DOMINGUEZ
Business Address: 75 N 2000 W SUITE F/G HURRICANE UT 84737
Mailing Address (if different): [REDACTED] HURRICANE UT 84737
State Sales Tax Number: 14767758004 Does this business have a current DABC license: YES

Business Type (check one):

Proprietorship [ ] Partnership [ ] Corporation [ ] Religious Organization [ ] Non-profit Corporation [ ]

SECTION B - EVENT INFORMATION

Event Name: RED BULL RAMPAGE - POST EVENT RECEPTION
Event Venue: Pig's EAR AMERICAN BISTRO
75 N 2000 W SUITE F/G HURRICANE UT 84737
Date (s) of the event: 10/19/21 Alcohol Service hours: 6pm to 10pm
Type of Event: COCKTAILS / HORS D'OEUVRES RECEPTION
Will food be available? YES Full Meals? APPETIZERS Will minors attend the event? YES

PART C - BUSINESS OWNER INFORMATION

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

Owner's Name: PETER DOMINGUEZ Title: OWNER/MEMBER
Home Address: [REDACTED] HURRICANE UT 84737
Home Phone: Cell Phone: [REDACTED]

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.

LEANNE DOMINGUEZ OWNER/MEMBER
[REDACTED] HURRICANE UT 84737
(c)

STATE OF UTAH )

: ss.

COUNTY OF WASHINGTON )

I, LEANNE DOMINGUEZ, 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 August, 2021  
Leanne Dominguez  
 Applicant

(NOTARY PUBLIC OR CITY LICENSE OFFICER)

TOTAL FEES \$	<u>300.00</u>	Office Use Only	AMOUNT PAID \$	<u>300.00</u>
DATE	<u>8/16/21</u>	RECEIPT #	<u>7.680720-</u>	<u>200</u>
CITY LICENSE NUMBER:	_____		<u>7.680479-</u>	<u>100</u>
DATE APPLICATION WENT TO CITY COUNCIL:	<u>8/19/21</u>			
DATE OF APPROVAL FROM STATE:	_____			



**From:** [Stephen Nelson](#)  
**To:** [Cindy Beteag](#)  
**Subject:** FW: Habitat for Humanity Lot donation  
**Date:** Monday, August 16, 2021 9:16:46 AM

---

Cindy,

Could you add this onto the agenda?

Thanks!

*Stephen Nelson, AICP*

*Hurricane City  
Planning Director  
(435) 635-2811*



**From:** Community Development <community@habitatswu.org>  
**Sent:** Friday, August 6, 2021 2:42 PM  
**To:** Stephen Nelson <stephen@cityofhurricane.com>  
**Subject:** Habitat for Humanity Lot donation

Stephan,

Habitat would like to be put on the City Council agenda in the next month to ask for lot 38 in Falcon Ridge to be donated to Habitat for Humanity. Is there someone besides you that we should reach out to about this?

Thank you for your help,

Krista Longhurst  
Director of Community Involvement

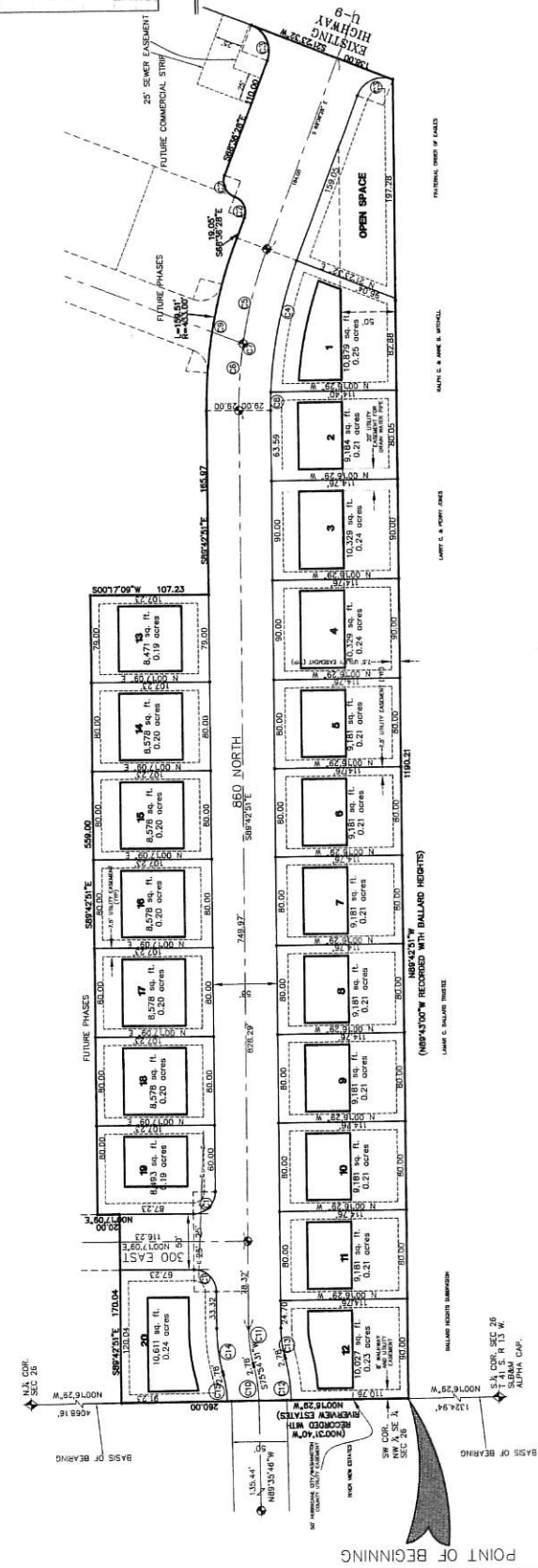
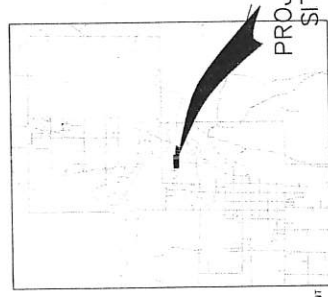
Habitat for Humanity of Southwest Utah  
835 South Bluff Street  
St George, UT 84770

office phone: (435) 674-7669 cell: (435) 414-5302  
[community@habitatswu.org](mailto:community@habitatswu.org) *What will you build?*

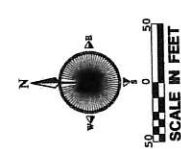
***Please remember Habitat for Humanity of Southwest Utah in your will, trust or other estate plans.***

# FALCON RIDGE, PHASE # 1

PART OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN  
HURRICANE, UTAH



CURVE	LENGTH	RADIUS	TANGENT	DELTA
C1	31.96	15.00	30.00	90.0000
C2	31.96	15.00	30.00	90.0000
C3	31.96	15.00	30.00	90.0000
C4	31.96	15.00	30.00	90.0000
C5	31.96	15.00	30.00	90.0000
C6	31.96	15.00	30.00	90.0000
C7	31.96	15.00	30.00	90.0000
C8	31.96	15.00	30.00	90.0000
C9	31.96	15.00	30.00	90.0000
C10	31.96	15.00	30.00	90.0000
C11	31.96	15.00	30.00	90.0000
C12	31.96	15.00	30.00	90.0000
C13	31.96	15.00	30.00	90.0000
C14	31.96	15.00	30.00	90.0000
C15	31.96	15.00	30.00	90.0000
C16	31.96	15.00	30.00	90.0000
C17	31.96	15.00	30.00	90.0000
C18	31.96	15.00	30.00	90.0000
C19	31.96	15.00	30.00	90.0000
C20	31.96	15.00	30.00	90.0000



- LEGEND**
- SET HURRICANE CITY STREET CONCRETE
  - BOUNDARY MONUMENT SET 1/2" x 1/8" REBAR WITH BAC CAP, MARKED LS 4492
  - G.L.D. MONUMENT BRASS CAP OR AS NOTED
  - BUILDABLE AREA

- NOTE:**
- ALL LOTS INCLUDE A 25 FOOT FRONT YARD SETBACK, A 10 FOOT SIDE YARD SETBACK, AND A 5 FOOT REAR YARD SETBACK.
  - ALL LOTS INCLUDE A 10 FOOT FRONT AND A 25 FOOT SIDE AND REAR YARD SETBACK OR AS OTHERWISE NOTED ON SHOWN ON THE PLAN.
  - EACH LOT SHALL BE CONSTRUCTED PER THE APPROVED SITE PLAN, LANDSCAPING, AND ELEVATIONS AS APPROVED BY HURRICANE CITY.
  - RETAINING WALLS MAY BE REQUIRED BEFORE PERMITS ARE ISSUED. CONSULT WITH LOCAL ENGINEERING CONSULTANT.

### SURVEYORS CERTIFICATE

I, FERRELL CAMPBELL DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, HURRICANE, UTAH, AND THAT I HAVE PERSONALLY EXAMINED THE SURVEY AND THE INSTRUMENTS USED THEREIN AND I AM Satisfied THAT THE SURVEY IS CORRECT AND ACCURATE AND I HAVE SUBSCRIBED SAID TRACT OF LAND INTO LOTS AND BLOCKS AS SHOWN ON THIS PLAN AND TO THE PLANNING COMMISSION.

**FALCON RIDGE, PHASE #1**

BEINGING AS TO THE CORNER OF THE NORTHWEST 1/4 CORNER OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN, HURRICANE, UTAH, THE POINT OF BEGINNING IS A 2" DIA BRASS CAP IN CONCRETE, 2' DIA BRASS CAP IN CONCRETE, BOUNDARY MONUMENT SET 1/2" x 1/8" REBAR WITH BAC CAP, MARKED LS 4492, G.L.D. MONUMENT BRASS CAP OR AS NOTED, BUILDABLE AREA.

**BASIS FOR BEARINGS:**  
KNOB 78°57'30" N, BETWEEN THE NORTH 1/4 CORNER AND THE SOUTH 1/4 CORNER OF SECTION 26, THIS R13K, S26M.

DATE: 2/21/2013  
FERRELL CAMPBELL  
REGISTERED LAND SURVEYOR  
333 W. 400 S.  
HURRICANE, UTAH 84737

### OWNERS DEDICATION

WE, THE UNDERSIGNED OWNERS OF ALL OF THE DESCRIBED TRACT OF LAND AND ANY PART THEREOF, HEREBY DEDICATE SAID TRACT OF LAND AND ANY PART THEREOF TO BE USED AS A PUBLIC HIGHWAY AND PUBLIC UTILITIES TO BE USED BY THE PUBLIC.

**FALCON RIDGE, PHASE #1**

WE, THE UNDERSIGNED OWNERS OF SAID TRACT OF LAND, HEREBY DEDICATE SAID TRACT OF LAND AND ANY PART THEREOF TO BE USED AS A PUBLIC HIGHWAY AND PUBLIC UTILITIES TO BE USED BY THE PUBLIC.

DATE: 2/21/2013  
COUNTY OF WASHINGTON

### ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF WASHINGTON

ON THIS 21st DAY OF FEBRUARY, 2013, I, Ferrell Campbell, REGISTERED LAND SURVEYOR, HURRICANE, UTAH, AND I, Jack Elwell, CITY CLERK, HURRICANE, UTAH, HAVE PERSONALLY EXAMINED THE SURVEY AND THE INSTRUMENTS USED THEREIN AND I AM Satisfied THAT THE SURVEY IS CORRECT AND ACCURATE AND I HAVE SUBSCRIBED SAID TRACT OF LAND INTO LOTS AND BLOCKS AS SHOWN ON THIS PLAN AND TO THE PLANNING COMMISSION.

DATE: 2/21/2013  
COUNTY OF WASHINGTON

RECORDED # 959256

STATE OF UTAH, COUNTY OF WASHINGTON

RECORDED AND FILED AT THE REQUEST OF:  
JACK ELWELL

DATE: 2/21/2013 TIME: 14:01 BOOK: 1789 PAGE: 0150

BY: [Signature]  
COUNTY CLERK

**ACCEPTANCE**

APPROVED AS TO FORM THIS DAY OF FEBRUARY, A.D. 2013, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED ACCORDING TO ITS CONFORMING TO CITY ORDINANCES.

[Signature]  
CITY CLERK

**APPROVAL AS TO FORM**

APPROVED AS TO FORM THIS DAY OF FEBRUARY, A.D. 2013.

[Signature]  
CITY CLERK

**CITY ENGINEER'S CERTIFICATE**

HURRICANE CITY ENGINEER HAS EXAMINED THIS PLAN AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN HIS OFFICE.

[Signature]  
DATE: 2/21/2013  
CITY ENGINEER

**PLANNING COMMISSION APPROVAL**

ON THIS DAY OF FEBRUARY, A.D. 2013, THE PLANNING COMMISSION HAS EXAMINED THIS PLAN AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

[Signature]  
DATE: 2/21/2013  
PLANNING COMMISSION CHAIRMAN

**PLANNING COMMISSION APPROVAL**

ON THIS DAY OF FEBRUARY, A.D. 2013, THE PLANNING COMMISSION HAS EXAMINED THIS PLAN AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

[Signature]  
DATE: 2/21/2013  
PLANNING COMMISSION CHAIRMAN







# APPLICATION TO JOIN TWO CONTIGUOUS LOTS IN A SUBDIVISION

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

Fee: \$150

For Office Use Only:

File No. \_\_\_\_\_

Owner of Lot 1: Name: Jared T Higgins

Telephone: 435-668-0161

Address: P.O. Box 459 Hurricane UT 84737 Fax No. \_\_\_\_\_

Email: Howardnem@yahoo.com

Owner of Lot 2: Name: Jared T Higgins

Telephone: 435-668-0161

Address: P.O. Box 459 Hurricane, UT. 84737 Fax No. \_\_\_\_\_

Email: Howardnem@yahoo.com

Parcel #'s of Subject Property: H-3-1-33-3311 ( & H-3-1-33-33123 ) Lot numbers: \_\_\_\_\_

Subdivision Name: NA Phase: \_\_\_\_\_

## Submittal Requirements: 1-large paper copy, and 1-11 X 17

### 1. Submittal requirements

- a. A description of the properties to be combined
- b. A drawing of the existing configuration of the lots with accurate dimensions and the locations of any easements, buildings or other structures.
- c. A drawing of the proposed new configuration of the lots with accurate dimensions and the locations of any easements, buildings or other structures.

\*\*\*\*\*

(Office Use Only)

Date Received: \_\_\_\_\_

Application Complete:  YES  NO

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

**LOT JOINING RECORD OF SURVEY FOR:**

**JARED HIGGINS**

HURRICANE CITY, WASHINGTON COUNTY, UTAH  
 LOCATED IN SECTION 33, T41S, R13W, S11B.M

NO.	DESCRIPTION	DATE	BY

ROYALTE ENGINEERING, INC.  
 2000 South Main Street, Suite 100  
 Provo, Utah 84601  
 Phone: (435) 938-3700  
 Fax: (435) 938-3700  
 Email: roy@royalte.com



LOT JOINING RECORD OF SURVEY FOR  
**JARED HIGGINS**  
 LOCATED IN SECTION 33, T41S, R13W, S11B.M  
 HURRICANE CITY, WASHINGTON COUNTY, UTAH

**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- EASEMENT LINE
- SECTION CORNER AS DESCRIBED
- SET ORIGINAL ENGINEERING REBAR & CAP P.L.S. 7/23/2021
- FOUND CENTERLINE MONUMENT AS DESCRIBED
- FOUND ORIGINAL ENC. REBAR CAP

**SCALE IN FEET**

0 10 20 30

**7/26/2021**  
 DATE

CHAD J. HILL, P.E.  
 LICENSE NO. 7837685

**SURVEYOR'S CERTIFICATE**

CHAD J. HILL, PROFESSIONAL ENGINEER, LICENSE NUMBER 7837685, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS, UTAH CODE ANNOTATED, HEREBY CERTIFY THAT THIS MAP REPRESENTS MY BEST JUDGMENT AND THAT I HAVE CONDUCTED A REASONABLE AND CAREFUL SURVEY OF THE PROPERTY DESCRIBED HEREON IN ACCORDANCE WITH SECTION 17-22-17, MONUMENTS HAVE BEEN PLACED AS REPRESENTED ON THIS PLAN. THE LEGAL DESCRIPTIONS AND PLAT ARE TRUE AND CORRECT.

**MARRATIVE**

THE PURPOSE OF THIS SURVEY IS TO JOIN PARCELS H-3-1-33-3314, H-3-1-33-3313, & H-3-1-33-3312. THE BASIS OF BEGINNING FOR THIS SURVEY IS SBP43102'E, 2873.84 FEET, AS MEASURED FROM THE SOUTHWEST CORNER TO THE SOUTH QUARTER CORNER OF SECTION 33, T41S, R13W, S11B.M.

**COMBINED PARCELS:**

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN; THENCE SBP43102'E, ALONG THE SOUTH SECTION LINE 235.20 FEET TO THE POINT OF BEGINNING; THENCE N071659'E, 176.39 FEET; THENCE N8743102'W, 114.00 FEET; THENCE N071659'E, 176.39 FEET; THENCE SBP43102'E, 214.00 FEET; THENCE N071659'E, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, TO THE SOUTH SECTION LINE, 176.39 FEET; THENCE N8743102'W, ALONG SAID LINE 214.00 FEET TO THE POINT OF BEGINNING. AREA: 87172 SQUARE FEET OR 1.98 ACRES.

**R-O-W A. (RIGHT OF WAY-A):**

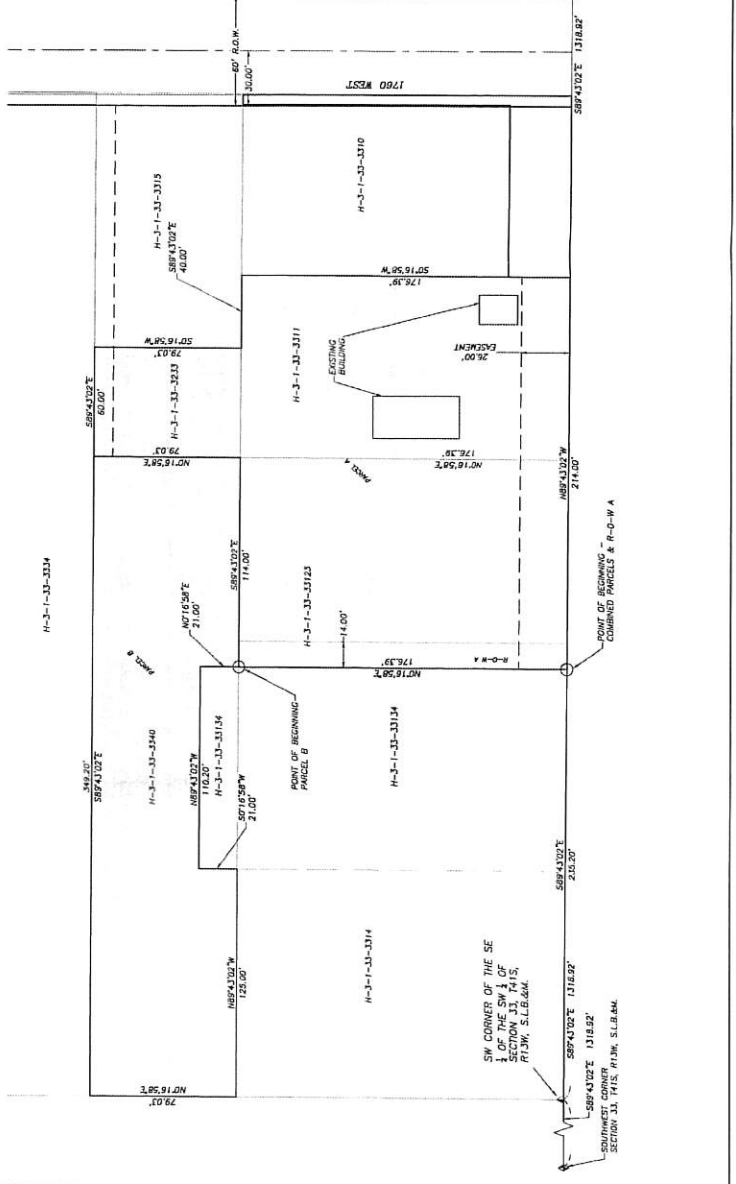
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN; THENCE SBP43102'E, ALONG THE SOUTH SECTION LINE 235.20 FEET TO THE POINT OF BEGINNING; THENCE N071659'E, 176.39 FEET; THENCE N8743102'W, 114.00 FEET; THENCE N071659'E, 176.39 FEET; THENCE SBP43102'E, 214.00 FEET; THENCE N071659'E, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, TO THE SOUTH SECTION LINE, 176.39 FEET; THENCE N8743102'W, ALONG SAID LINE 214.00 FEET TO THE POINT OF BEGINNING. AREA: 2,489 SQUARE FEET OR 0.057 ACRES.

**PARCEL A:**

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN; THENCE SBP43102'E, ALONG THE SOUTH SECTION LINE 235.20 FEET TO THE POINT OF BEGINNING; THENCE N071659'E, 176.39 FEET; THENCE N8743102'W, 114.00 FEET; THENCE N071659'E, 176.39 FEET; THENCE SBP43102'E, 214.00 FEET; THENCE N071659'E, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, TO THE SOUTH SECTION LINE, 176.39 FEET; THENCE N8743102'W, ALONG SAID LINE 214.00 FEET TO THE POINT OF BEGINNING. AREA: 42,480 SQUARE FEET OR 0.973 ACRES.

**NORTH PARCEL B:**

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE & MERIDIAN; THENCE SBP43102'E, ALONG THE SOUTH SECTION LINE 235.20 FEET TO THE POINT OF BEGINNING; THENCE N071659'E, 176.39 FEET; THENCE N8743102'W, 114.00 FEET; THENCE N071659'E, 176.39 FEET; THENCE SBP43102'E, 214.00 FEET; THENCE N071659'E, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, 79.03 FEET; THENCE SBP43102'E, 460.00 FEET; THENCE S0071659'W, TO THE SOUTH SECTION LINE, 176.39 FEET; THENCE N8743102'W, ALONG SAID LINE 214.00 FEET TO THE POINT OF BEGINNING. AREA: 25,233 SQUARE FEET OR 0.580 ACRES.





# City of Hurricane

## City Council

Mayor

John W. Bramall

Darin Larson      Kevin Tervort

Nanette Billings      Dave Sanders

Joseph Prete

RE: Parcels H-3-1-33-3340, H-3-1-33-33123, H-3-1-33-3311, and H-3-1-33-3233

November 5, 2020

Gary L Christensen  
Washington County Recorder

RE: Boundary Line Adjustments

In accordance with Utah Code, the proposed application to combine and adjust the boundaries of Parcels H-3-1-33-3340, H-3-1-33-33123, H-3-1-33-3311, and H-3-1-33-3233. The application was reviewed by the Hurricane City Council during their meeting held on August 18, 2021. The Council voted unanimously to approve the combination and boundary line adjustment, and authorized the owners to record the required documents at the Washington County Recorder office.

Attest:

\_\_\_\_\_  
Cindy Beteag- Hurricane City Recorder

**RESOLUTION  
APPOINTING UAMPS MEMBER REPRESENTATIVE**

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

1. That \_\_\_\_\_ is hereby appointed as its Representative to Utah Associated Municipal Power Systems ("UAMPS") effective immediately, together with such alternate or alternates as the Mayor shall appoint.
2. That the Mayor hereby appoints \_\_\_\_\_ as its alternate.
3. That this resolution shall remain in effect until repealed by another resolution appointing a different Representative to UAMPS.

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Recorder

# PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:

File No. 2021-PP-23

Receipt No. 8151124

Name: Peter J. Dratter Telephone: (435) 216-6971

Address: 820 S. 700 W. Hurr, Utah 84737 Fax No. N/A

Email: pdratter@msn.com Agent Email: Colt.Stratton@interstaterock.com

Agent (If Applicable): Colt D. Stratton Telephone: 435-619-3599

Address/Location of Subject Property: 650 S. and 840 W.

Tax ID of Subject Property: H-3-2-3-4220-A  
H-3-2-3-4220-B Zone District: RA-0.5

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) Property to be subdivided into a total of 8 lots.

Submittal Requirements: The preliminary plat application shall provide the following:

1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
  - a. The proposed name of the subdivision.
  - b. The location of the subdivision, including the address and section, township and range.
  - c. The names and addresses of the owner or subdivider, if other than the owner.
  - d. Date of preparation, and north point.
  - e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
2. Existing Conditions: The preliminary plat shall show:
  - a. The location of the nearest monument.
  - b. The boundary of the proposed subdivision and the acreage included.
  - c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
  - d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
  - e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

### **PURPOSE**

The preliminary plat application is the first step in land development process in those instances where land is divided for eventual sale. The process is established to insure that all proposed divisions of land conform to the City General Plan and to adopted development standards of the Land Use Ordinance.

### **WHEN REQUIRED**

The preliminary plat is required any time land is to be divided, re-subdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots or other division of land for the purpose, whether immediate or future, for offer, sale, lease or development either on installment plan or upon any and all other plans, terms and conditions. It is not required on agricultural divisions where the agricultural parcel is divided to be combined with another agricultural parcel, nor is it required when two un-subdivided properties are merged, or where the boundary between two un-subdivided properties are adjusted.

The preliminary plat must be approved before a final plat can be processed and recorded.

Subdivision approval process:

- Determine current zoning for property.
- If zoning fits desired subdivision, meet with Planning staff to discussed the proposed project.
- Obtain a preliminary plat application form and complete the application and have a plat prepared by an engineer to meet the requirements on the preliminary plat application.
- Submit completed application, preliminary plat, and required \$150 fee to Planning Department before noon on the Wednesday two weeks before desired Planning Commission meeting. ( see submittal dates sheet)
- Appear at the scheduled Planning Commission meeting to discuss preliminary plat, hear comments, answer questions, and receive recommendation of approval or disapproval from Planning Commission.
- Appear at the next scheduled City Council meeting that occurs after the Planning Commission meeting at which a recommendation was received. Hear City Council comments, answer questions, and receive City Council decision. City Council can approve the plat with conditions, recommend changes and send it back to the Planning Commission, or deny the plat.

If the preliminary plat is approved, have construction drawings for utilities and streets prepared by an engineer according to Hurricane City standards. Construction drawings must be approved by both the Hurricane Joint Utilities Committee and the Ash Creek Special Service District. Approval means changes are made and all required signatures are obtained.

Once the preliminary plat is approved by the City Council, the applicant has one year after receiving approval of the preliminary plat to submit the final plat to the Planning Commission for action. The Planning Commission may authorize a one-year time extension, provided the extension request is made before the one year time limit is reached. The Planning Commission will review and make recommendation to the City Council on the final plat when submitted. The City Council will typically review the Planning Commission recommendation within 1-2 weeks after the Commission action on the final plat.

### **APPEALS**

The Planning Commission makes a recommendation to the City Council, so there is no appeal. The City Council's action on a preliminary plat is final unless appealed to the appropriate court.



## City of Hurricane

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*Water Department*  
*Ken Richins, Superintendent*

July 20, 2021

To Whom It May Concern:

A will serve letter has been requested for Dratter Estates located at approximately 840 S and 650 W in Hurricane, Utah.

Yes, we do have culinary water in the area of 840 S and 650 W in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

Hurricane City Water – Ken Richins



July 26, 2021

Hurricane City  
Stephen Nelson  
127 N. 870 W.  
Hurricane, UT 84737

RE: Dratter Estates

Stephen,

There is sewer capacity for the units proposed in this project. The developers understand and agree that they will have to get plan approval for the sewer system.

After approval they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

Mike Chandler, P.E.  
Superintendent  
Ash Creek Special Service District





## STAFF COMMENTS

<b>Agenda Date:</b>	<b>8/19/2021</b>
<b>Application Number:</b>	2021-PP-23
<b>Type of Application:</b>	Preliminary Plat Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Peter J Dratter
<b>Agent:</b>	Colt D Stratton
<b>Request:</b>	Approval of a Preliminary Plat
<b>Location:</b>	650 S and 840 W
<b>Zoning:</b>	RA-0.5
<b>General Plan Map:</b>	Single Family Residential

### **Planning Commission Recommendation:**

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

**Discussion:** The applicant is seeking a preliminary plat for 5 acres with 8 lots. The property is zoned for RA-0.5, which allows a minimum lot size of .4 acres with an average lot size of .5 acres.

### **JUC Comments**

The applicant will need to address the following items.

1. Streets: No issues.
2. Fire: Will need a temporary turnaround at the south end of the development.
3. Water: Is in 650 South.
4. Engineering: Tailwater is a big concern. Needs to be in a pipe and drained to 650 S. Might need to do some improvements to stormwater systems in the area. 650 S street improvements will need to match the development west.
5. Sewer: Sewer is there and the depth of the manhole is 12'.
6. Power: Will need to do a line extension to the project.
7. Other Utilities: Cable and Phone are in the area.

### **Staff Comments: Preliminary Plat**

1. The lot layout and sizes comply with the underlying zoning.
2. The plat indicates that the property is not in a desert tortoise take area.
3. The plat does not identify potential geotechnical constraints on the project site as required.
4. The applicant has provided a letter from the local sanitary sewer provider (Ash Creek) and from Hurricane Water Department indicating service availability.
5. Roads: The applicant has stubbed the road to the south which complies with our connectivity standards. The applicant will need to provide a temporary fire turnaround.

6. The applicant has shown the location, width, and names/numbers of all existing streets within two hundred feet (200') of the subdivision and of all prior streets or other public ways, easements, utility rights of way, parks, and other public open spaces, within and adjacent to the tract.
7. The applicant has proposed a tentative plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision. However, there is a large tailwater issue for the property that will need to be properly drained.

**Recommendation:** Staff recommends the City Council review this application based on standards with Hurricane City Code. Staff recommends the application is approved conditioned on the comments within this application.

# PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only: File No. <u>2021-PP-19</u> Receipt No. <u>0.150379</u>
-----------------------------------------------------------------------------------

Name: DAF DEVELOPMENT LLC Telephone: 435 229 3643  
Address: 297 HILTON DR <sup>ST 3</sup> S.G. 84790 Fax No. \_\_\_\_\_  
Email: \_\_\_\_\_ Agent Email: RICK.RICHARSON@GMA.IL.COM  
Agent (If Applicable): RICK RICHARSON Telephone: 435-229-3642  
Address/Location of Subject Property: 1100 W. E. CORNER PEK WAY

Tax ID of Subject Property: H-3394-A-2-A Zone District: R15

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) \_\_\_\_\_  
SEE ATTACHED

### Submittal Requirements: The preliminary plat application shall provide the following:

- 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
  - a. The proposed name of the subdivision.
  - b. The location of the subdivision, including the address and section, township and range.
  - c. The names and addresses of the owner or subdivider, if other than the owner.
  - d. Date of preparation, and north point.
  - e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- 2. Existing Conditions: The preliminary plat shall show:
  - a. The location of the nearest monument.
  - b. The boundary of the proposed subdivision and the acreage included.
  - c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
  - d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
  - e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

- g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.
- h. Contours at vertical intervals not greater than five (5) feet.
- i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
- j. Information on whether property is located in desert tortoise take area

3. Proposed Plan: The subdivision plans shall show:
- a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
  - b. The layout, numbers and typical dimensions of lots.
  - c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
  - d. Easements for water, sewers, drainage, utilities, lines and other purposes.
  - e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
  - f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
  - g. Approximate radius of all center line curves on highways or streets.
  - h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
  - i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
  - j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
  - k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
  - l. Will this subdivision be phased? If yes show possible phasing lines.
  - m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

4. Required copies of plans:
- a. Three copies of all full scale drawings
  - b. One copy of each drawing on a 11 x 17 inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).

5. 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. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

\*\*\*\*\*

(Office Use Only)

Date Received: \_\_\_\_\_ Application Complete: YES  NO

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



## Ash Creek Special Service District

1350 S. Sand Hollow Road  
Hurricane, UT 84737  
Office: (435) 635-2348 Fax: (435) 635-8550  
ashcreek@infowest.com

June 17, 2021

Hurricane City  
Stephen Nelson  
127 N. 870 W.  
Hurricane, UT 84737

RE: Copper Rocks Estates

Stephen,

There is sewer capacity for this project. The developers understand and agree that they will have to get plan approval for the sewer system. The developer will need to acquire easements through adjacent property owner and construct off-site sewer for this development.

After approval they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Darrel Humphries".

Darrel Humphries, Office Manager  
Ash Creek Special Service District



# City of Hurricane

*Water Department*  
*Ken Richins, Superintendent*

June 17, 2021

To Whom It May Concern:

A will serve letter has been requested for Copper Rock Estates located at approximately 800 S 1530 W in Hurricane, Utah.

Yes, we do have culinary water in the area of 800 S 1530 W in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

  
\_\_\_\_\_  
Hurricane City Water – Dallan Wadsworth



# SENSITIVE LANDS APPLICATION

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

Fee: \$

<i>For Office Use Only:</i> File No. <u>2021-HIL-03</u> Receipt No. _____
---------------------------------------------------------------------------------

Name: DAF Development LLC Telephone: 435-229-3643

Address: 297 Hilton Dr Suite 3, St George UT 84790 Fax No. \_\_\_\_\_

Agent (If Applicable): Rick Richardson Telephone: 435-229-3642

Email: \_\_\_\_\_ Agent Email: Rick.RichardsonBros@gmail.com

Address/Location of Subject Property: 1100 W. & Copper Rock Parkway

Tax ID of Subject Property: H-3394-A-2-A Zone District: R1-15

Proposed Use: (Describe, use extra sheet if necessary) See Attached

**Other companion application submitted with the Development Plan:**

- \_\_\_\_\_ Preliminary Plat
- \_\_\_\_\_ Site Plan Review
- \_\_\_\_\_ Conditional Use Permit
- \_\_\_\_\_ Rezone
- \_\_\_\_\_ Other

**Submittal Requirements:**

**Please review the attached Supplemental Information to determine additional information that must be submitted with this application.**

\*\*\*\*\*

(Office Use Only)  
Date Received: \_\_\_\_\_ Application Complete: YES  NO

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

## DEVELOPMENT PLAN SUBMITTAL REQUIREMENTS

**Development Plan Submittal:** The following information shall be submitted with the application for Development Plan approval, and may be in addition to information required for a companion application being processed concurrently with the Development Plan:

1. Development plan: The development plan shall clearly show:
- a. Two (2) foot contours. The contour map shall be prepared and certified by a licensed professional civil engineer or surveyor drawn at a scale no smaller than one (1) inch equals one hundred (100) feet. Contour maps based on interpolation of maps with larger contour intervals are not acceptable.
  - b. Field surveys may be required of the applicant by the City to verify the accuracy of the contour lines shown on the contour map.)
  - c. Slopes having grades of 10-29 percent and natural slopes of thirty (30) percent or greater shall be color shaded clearly showing the difference between the two categories. This contour information shall either be computer based, or based on profile lines drawn perpendicular to contours at intervals no less than one hundred fifty (150') feet apart, nor greater than seventy-five (75') feet from an existing or proposed property line. Grades shall then be determined by calculating the slope along one hundred (100) foot segments of the profile. (See Appendix Diagram-A of the Land Use Ordinance)
  - d. To determine required minimum lot size (Section 10-24-6B of the Sensitive Land Ordinance), the average natural grade on each proposed parcel shall be calculated and indicated on the development plan. The average grade is determined by calculating the grade of the natural slope between two opposing property lines, based on profiles taken perpendicular to the contours, no less than one hundred fifty (150) apart, nor greater than seventy-five (75) feet from an existing or proposed property line.
  - e. The proposed development layout of lots, roads, proposed road grades, open space, area of disturbances, and existing native vegetation.
2. Soils Investigation Report: A soils investigation report which contains the following information:
- a. Nature, distribution and classification (Unified Soil Classification) of existing soils to the appropriate depth of influence by the proposed development, but not less than ten (10) feet deeper than the proposed excavations or to bedrock.
  - b. Strength of existing soils, bearing capacity of supporting soils, settlement estimates, collapse and shrink-swell characteristics, lateral pressures and trench excavation limitations.
  - c. Ground water levels that may affect development and estimated elevation of high ground water levels.
  - d. Appropriate laboratory testing for classification, consistency, strength and consolidation conditions.
  - e. Slope stability.
  - f. A written statement by the persons or firm preparing the soils report describing the general suitability of the site for the owner=s intended use.
3. Geotechnical Report: A geotechnical and geological report shall be prepared by a geologist licensed to practice in the State of Utah, whenever a proposed building permit or development project:
- a. Is located within one thousand (1,000) feet of an identified fault; or
  - b. Is located on slopes estimated to be twenty (20) percent or greater; or
  - c. Is determined to have potential hazards by the City Engineer, County Geologist or State Geologist.

The geotechnical and geological report when required above shall include:

- a. A geologic map showing topography, surface and subsurface geologic features and any geologic limitations to the proposed use;
- b. Depth to bedrock;
- c. Subsurface investigative logs and reports;
- d. Identification of all geologic hazards; and
- e. Measures to mitigate or eliminate geologic hazards and problems.

4. Grading and Drainage Plan: A grading and drainage plan report which includes storm water management, erosion, and grading plans describing the methods by which surface water, natural drainages, flooding (including identification of 100 year flood where applicable), erosion and sedimentation loss, and hydrologic hazards will be controlled during and after construction. The plan shall include the following information:

- a. The grading plan shall show present topography, including the location and depth of all proposed fills and cuts of finished earth surfaces, and/or use of retaining walls including height, using a contour interval of two (2) foot when grades are 0-29% and five (5) foot contours when grades 30% and over.
- b. The proposed area to be graded shall be clearly delineated on the plan.
- c. Preliminary street grades shall be identified on the plan.
- d. All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and other water management or soil erosion control measures shall be shown. Drainage calculations shall determine runoff volume and peak discharge using the "Rational Method," "SCS Curve Number Method," or appropriate equivalent. Data provided should include:

- (1) Rainfall depth, duration and distribution;
- (2) Watershed slope and drainage area delineation;
- (3) Land condition of watershed surface;
- (4) Topography of drainage area; and
- (5) Soil Descriptions in Watershed. Erosion calculations shall employ predictions of soil loss sheet erosion using the Universal Soil Loss Equation or equivalent. Data to be provided should include factors of:
  - (a) Rainfall intensity and duration;
  - (b) Soil erodability;
  - (c) Land slope and length of slope or topography;
  - (d) Condition the soil surface and land management practices in use; and
  - (e) Surface cover, grass, pavements, etc.

5. License Required: All required reports shall be prepared by persons licensed to practice their specialty or expertise in the State of Utah, if such license for practice is required.

6. Expert Advice: In reviewing technical reports, calculations, and plans which may be required, the City staff or City Engineer may find it necessary to obtain the advice of other experts regarding the adequacy of the reports submitted, and the validity of the conclusions and recommendations reached in the reports. In such cases the City staff or City Engineer may consult with such experts, with the reasonable costs of these consultations to be borne by the developer prior to any public hearing. The Planning Commission or City Council may require payment by the developer of the costs of such consultations as a condition of preliminary or final plat approval.

**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. A deadline missed due to an incomplete application could result in a month's delay. Call the Planning Department to determine the submittal deadline.**

## **PROJECTS SUBJECT TO SENSITIVE LANDS REQUIREMENTS**

The following projects are subject to Sensitive Land requirements:

1. All preliminary plats, planned developments, site plan reviews, conditional use permits and any other land use development permits authorized by City Codes when they are:
  - (a) Located on lands defined in Section 10-24-2 of the Land Use Code or identified as sensitive lands on the General Plan Sensitive Lands Map;
  - (b) Located within one thousand (1000) feet of a fault identified on a published geologic map.
  - (c) Located within one hundred (100) feet, measured perpendicularly from a fault identified as a result of on-site investigation by a registered geologist.
  - (d) Hillside and ridge and bluff areas (as set forth in section 10-24-5A of the Land Use Ordinance.).
2. Any grading on sensitive land not associated with an approved project of the types listed in subsection 1 above, when such grading will:
  - a. Disturb ten thousand (10,000) square feet or more of land area;
  - b. Create a cut or fill over three (3) feet in height; or
  - c. Create trenching over two hundred (200) feet in length.(A development plan is not required, however sufficient information must be submitted to determine compliance with Chapter 24, Sensitive Lands)
3. All building permits, including grading on vacant lots or parcels not previously processed in accordance with the provisions of this Chapter 24 of the Land Use Ordinance. (A development plan is not required, however sufficient information must be submitted to determine compliance with Chapter 24, Sensitive Lands)

## **PROJECT REVIEW PROCEDURE**

When a preliminary plat, site plan, planned development or conditional use permit or other application is located on sensitive lands, the Development Plan application is submitted as a companion application and processed concurrently. The Planning Commission will review the application(s) and on conditional use permits and site plan reviews they will approve, approve with conditions or deny the Development Plan application. On preliminary plats, or zone changes, the Planning Commission will forward a recommendation to the City Council. Following receipt of a recommendation from the Planning Commission, or on appeal, the City Council will hold a public hearing on the application and approve, approve with conditions, or deny the proposed Development Plan.

**NOTE: To fully understand the requirements for projects on sensitive lands, you should request a copy of Chapter 24 of the Land Use Ordinance from the City of Hurricane Planning Department.**



## STAFF COMMENTS

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	2021-PP-19 and 2021-HIL-03
<b>Type of Application:</b>	Preliminary Plat and Hillside Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	DAF Development LLC
<b>Agent:</b>	Rick Richardson
<b>Request:</b>	Approval of a Preliminary Plat and Sensitive Lands Application
<b>Location:</b>	1100 W and just north of Copper Rock Parkway
<b>Zoning:</b>	R1-15
<b>General Plan Map:</b>	Residential

### **Planning Commission Recommendation:**

The Planning Commission gave a positive recommendation of the preliminary plat and sensitive lands application with the following:

- The applicant complies with the conditions within this report
- Recommended approval for the exception for minimum lot size for 3, 17, 18, 23, 25, and 30 based on the proposed grading plan submitted by the builder.

**Discussion:** The applicant is seeking a preliminary plat for 17.41 acres containing a total of 30 lots. Because of the steep slopes contained within the property, the applicant has also submitted a sensitive land application. Below, staff will have three sections, JUC Comments, staff comments on the preliminary plat, and staff comments on the sensitive land application.

### **JUC Comments**

The following items will need to be addressed:

1. Sewer: Line is coming up 1100 W. Need to get sewer there.
2. Water: Tie into the water on 1100 W and Copper Rock Parkway. Need water loop at some point. Recommend tie water line to the roundabout.
3. Fire: Dead ends need turnaround when longer than 150 ft. Will likely need a water loop.
4. Engineering: If they phase they can get the same down-building. Need away out by lots 9-10. Improvements on 1100 W need to be shown.
5. Power: 1100 W needed to begin. There is a switch that will need to be reviewed when it comes in for redlines.

6. Other Utilities: Gas is not in the area.

**Staff Comments: Preliminary Plat**

1. The lot layout and sizes comply with zoning standards but many of the lots within the higher slope areas likely do not comply.
2. The applicant has provided a letter from the local sanitary sewer provider and the culinary water provider indicating service availability.
3. The preliminary plat does not list the geotechnical restraints as required, but the applicant has submitted a full geotechnical report.
4. The plat does not list if it is within a tortoise take area.
5. The road between lots 9 and 10 needs a fire turnaround.
6. Staff would recommend a change in name since the application does not have any connection with Copper Rock PDO, but generally, applicants are free to pick their development's name.
7. Only one access is provided to the north to the northern lot. The four parcels to the north are owned by the same owner and have an access easement off 1100 W. Ideally the application would provide an additional access point north along the western edge of the development in addition.



**Staff Comments: Sensitive Land Application**

All Sensitive Land Use Application must comply with [10-24 Sensitive Lands](#). For Hillside, they will need to follow the standards listed in [10-24-5 Hillside and Ridge Areas](#) and [10-24-6 Hillside and Ridge Areas, General Development Standards](#).

1. The applicant has supplied a map that meets the requirements of the Hurricane City Code.

2. The applicant has provided a geotechnical report as required.
3. The applicant has provided a grading plan that complies with Hurricane City Code.
4. The applicant has submitted lot slopes on the plan. Lots need to comply with the following section of the code.

**0-24-6: HILLSIDES AND RIDGE AREAS; GENERAL DEVELOPMENT STANDARDS:**

*A. Unbuildable Slopes: Except as may be allowed by an exception as set forth in subsection [10-24-3G](#) of this chapter, slopes of thirty percent (30%) or greater shall be undisturbed. Such areas shall be designated as a nonbuildable area if part of a residential lot, or at the election of the owner, these slopes may be offered to the city or a duly created nonprofit conservation organization. Slopes of thirty percent (30%) or greater, if included within a lot, shall not be considered as lot area contributing to the minimum area required in subsection B of this section. (See section [10-24-9](#), appendix diagram D of this chapter.) Slopes thirty percent (30%) and greater, but not exceeding forty percent (40%), may be used for street location purposes when needed to provide two (2) ways of access to the project, when the planning commission finds that:*

1. *No significant harm will result and the roadway can be provided without creating an obviously visible scar on the hillside;*
2. *The proposed modification will result in a more functional and improved plan; and*
3. *The developer/builder agrees to comply with any conditions or requirements imposed by the planning commission to mitigate any adverse effects which may result from the proposed roadway.*

*B. Subdivision Lot Size:*

*1. The following minimum lot sizes shall be required unless the existing base zone district requires a larger lot area. Lots with slopes averaging less than ten percent (10%) shall be subject to the lot size requirement of the base zone district.*

<i><u>Average Slope</u></i> <i><u>(Percent)</u></i>	<i><u>Minimum Lot Area</u></i> <i><u>(Square Feet)</u></i>	<i><u>Estimated Net Density</u></i> <sup>1</sup> <i><u>(Units</u></i> <i><u>Per Acre)</u></i>
10	15,000	2.32
11	16,500	2.11
12	18,000	1.94
13	19,500	1.79

14	21,000	1.66
15	22,500	1.55
16	24,000	1.45
17	25,500	1.37
18	27,000	1.29
19	28,500	1.22
20	30,000	1.16
21	31,500	1.11
22	33,000	1.06
23	34,500	1.01
24	36,000	0.97
25	37,500	0.93
26	39,000	0.89
27	40,500	0.86
28	42,000	0.83
29	43,500	0.80

*Note:*

*1. Based on the assumption that approximately 20 percent of the project area will be streets, the net density shown expresses the estimated yield per acre. As lots increase in size, the actual street percentage will typically decline resulting in a slight increase in net density.*

After review, staff has found the following lots do not comply with the table above: 13, 17, 18, 23, 25, and 30.

Lot	Slop	Lot Actual Size	Require Size
13	14.15%	15,500 sq. ft.	21,000 sq. ft.

17	13.86%	15,500 sq. ft.	19,500-21,000 sq. ft.
18	15.45%	15,328 sq. ft.	22,500-24,000 sq. ft.
23	11.08%	13,894 sq. ft.	16,500 sq. ft.
25	12.18%	15,670 sq. ft.	18,000 sq. ft.
30	11.11%	15,470 sq. ft.	16,500 sq. ft.

The applicant has requested an exception for these lots with an updated grading plan. Through lots 10-11, 16-18, and 23-25 to have 12-13' retaining walls and to have walk-out basements to help with the non-comply lots. Hurricane City Code allows a max height of a retaining wall of 16'. Some lots, like 13, their engineer believes that they will be able to work with the grading to be able to fit a home while maintaining a max slope of 2:1 or minor retaining walls. The following section of code allows for the Planning Commission to recommend an exception.

*10-24-3: DETERMINATION OF APPLICABILITY:*

*G. Exceptions: Exceptions to the provisions of this chapter may be granted by the city council upon recommendation from the planning commission when:*

*1. An alternative solution is proposed for the protection of the sensitive land, based on sound and generally accepted engineering and land development principles, and said alternative will result in equal or better protection than development under the standards of this chapter; and is consistent with the purposes of this chapter. The alternative shall also be consistent with the general plan policies affecting sensitive lands;*

Hurricane City has approved a similar exception for the Hurricane Village Townhomes, where they did walk-out basements. Staff is doing some additional review of the application to ensure there are no other concerns.

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. The exception the applicant has requested has precedent within the City. Staff recommends approval with the exception that has been requested.



## Ash Creek Special Service District

1350 S. Sand Hollow Road  
Hurricane, UT 84737  
Office: (435) 635-2348 Fax: (435) 635-8550  
ashcreek@infowest.com

June 17, 2021

Hurricane City  
Stephen Nelson  
127 N. 870 W.  
Hurricane, UT 84737

RE: Copper Rocks Estates

Stephen,

There is sewer capacity for this project. The developers understand and agree that they will have to get plan approval for the sewer system. The developer will need to acquire easements through adjacent property owner and construct off-site sewer for this development.

After approval they agree to pay all costs associated with construction and impact fees. Please let us know if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Darrel Humphries".

Darrel Humphries, Office Manager  
Ash Creek Special Service District



# City of Hurricane

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*Water Department*  
*Ken Richins, Superintendent*

June 17, 2021

To Whom It May Concern:

A will serve letter has been requested for Copper Rock Estates located at approximately 800 S 1530 W in Hurricane, Utah.

Yes, we do have culinary water in the area of 800 S 1530 W in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

---

Hurricane City Water – Dallan Wadsworth

# GEOTECHNICAL INVESTIGATION REPORT

Prepared for:

DAF Development LLC  
Attn.: Rick Richardson  
P.O Box 160  
Hurricane, Utah 84737

April 12, 2021

## Copper Rock Estates



Prepared by:



795 East Factory Drive  
St. George, UT 84790

Landmark Project No: 21235



April 12, 2021

DAF Development LLC  
Rick Richardson  
P.O Box 160  
Hurricane, Utah 84737

Subject: Geotechnical Investigation Report  
Copper Rock Estates  
Hurricane, Utah  
Landmark Project No.: 21235

Rick,

As requested, we have completed our Geotechnical Investigation for the above noted project. Our geotechnical recommendations, along with our field and laboratory data are presented in this report.

Our field investigation consisted of excavating 15 test pits to depths between 5.0 and 10.0 feet below the existing ground surface (bgs) throughout the area of the proposed development. Site grading recommendations are detailed in Section 5.0 and foundation recommendations are found in Section 6.0 of this report.

Landmark has great interest in providing materials testing and special inspection services during the construction phase of this project. If you advise us of the appropriate time to discuss these engineering services, we will be pleased to meet with you at your convenience.

Please feel free to contact our office at (435) 986-0566 if you have any questions.

Sincerely,  
**LANDMARK TESTING AND ENGINEERING**

**Steven Wells, P.E.**  
Geotechnical Manager

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<b>FIGURE 2:</b>	<b>SITE MAP</b>
<b>FIGURES 3 - 10:</b>	<b>TEST PIT LOGS</b>
<b>FIGURE 11:</b>	<b>UNIFIED SOIL CLASSIFICATION SYSTEM</b>
<b>FIGURES 12 &amp; 13:</b>	<b>CONSOLIDATION CURVES</b>

## 1.0 INTRODUCTION

This report presents the results of Landmark Testing & Engineering's geotechnical investigation for the Copper Rock Estates residential development in Hurricane, Utah. Figure 1 is a Vicinity Map showing the project location relative to surrounding features. Figure 2 is a Site Map showing the site and the approximate locations of the test pits completed for this investigation.

This investigation was completed to assist in developing opinions and recommendations concerning site earthwork and foundation design.

## 2.0 PROPOSED CONSTRUCTION

We understand that construction will consist of a residential development with multiple lots. We anticipate residences will be wood-framed, slab-on-grade construction supported on conventional spread footings. We understand that the residences will be both one- and two stories with anticipated loads between 1,000 and 1,800 pounds per lineal foot. We anticipated new public streets with asphalt pavement, and concrete curb, gutter and sidewalk are also planned for the residential development.

A traffic index of 5.5 is assumed for the residential streets based on the City of Hurricane Standards for Design and Construction. Any significant changes to the anticipated development should be reviewed by Landmark to evaluate the continued applicability of the recommendations contained in this report.

## 3.0 SITE SETTING

### 3.1 SURFACE CONDITIONS

The project site is located on a hillside located near the northwest corner of Copper Rock Parkway and 1100 West. The site generally slopes down from the northwest corner to the southeast corner of the property towards an existing detention pond. The inclination of the hillside ranges from 20.24 and 11.47 percent on the west end of the property to a 0.35 percent slope near the east end of the property near 1100 West. The site is covered in a moderate amount of vegetation consisting of desert brush, cacti, and other desert flora.

### 3.2 GEOLOGIC SETTING

According to the Utah Geological Survey, majority of the site is mapped as remnants lava flow (lower Pleistocene, Qbr) that consists of "Dark-brownish-black to dark-gray, medium-grained basanite with small olivine phenocrysts."<sup>1</sup> The eastern portion of the site is mapped as alluvial and eolian deposits (Holocene to upper Pleistocene, Qae) as shown on Figure 2. The soils on-site were generally consistent with the geologic mapping of the site.

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1 Interactive Geologic Map Portal, Retrieved April 8, 2021, from Utah Geological Survey, <https://geology.utah.gov/apps/intgeomap>.

### 3.3 SEISMICITY

Seismicity at the site was determined using the Structural Engineers Association (SEA), OSHPD Seismic Design Maps website. The following values are presented to assist with seismic design:

- < Latitude = 37.11523 North, Longitude = 113.31573 West
- < Site Class = C (Very Dense Soil and Soft Rock) based on ASCE 7-16 (Table 20.3.1) as referenced in 2018 IBC 1613.3.2
- < Risk Category II

Period (sec)	S <sub>a</sub> (g)	Site Class
0.2	0.604 = S <sub>S</sub>	B / C
1.0	0.200 = S <sub>1</sub>	B / C
0.2	0.507 = S <sub>DS</sub>	C
1.0	0.200 = S <sub>D1</sub>	C

(2016 ASCE-7-16, SEA, Structural Engineers Association, <https://seismicmaps.org/>)

As per section 20.1 of ASCE 7-16, “The soil shall be classified in accordance with Table 20.3-1 and section 20.3 based on the upper 100 feet of the site profile.” However, section 20.1 continues, “Where site specific data are not available to a depth of 100 feet, appropriate soil properties are permitted to be estimated by the registered design professional preparing the soil investigation report based on known geologic conditions.” Basalt bedrock and strongly cemented caliche was encountered in our test pits throughout the project site. Based on the material encountered in our test pits, the mapped geology, and our experience in the area it is the opinion of Landmark Testing and Engineering that the soils on site classify as Site Class C.

### 3.4 GEOLOGIC HAZARDS

#### Fault Rupture

The trace of the Hurricane fault is located approximately 0.5 miles east of the site and the projected trace of the Volcano Mountain Faults is located approximately 1.5 miles north of the site. The Washington fault is located approximately 8.5 miles west of the site. These faults displace late Quaternary sediments and are considered active.<sup>2</sup> Strong ground motion associated with movement along the Hurricane, Volcano Mountain, Washington or other faults associated with the Intermountain Seismic Belt is possible however, the potential for surface fault rupture is considered low.

Additionally, the interactive Utah Geologic map shows an unnamed, buried fault that runs along 1100 west as shown on Figure 2. The fault is not considered a Quaternary fault and therefore is not considered active and risk from surface rupture from this fault is low.

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2 Interactive quaternary Fault and Fold Map, Retrieved April 8, 2021, from Utah Geological Survey, <https://geology.utah.gov/apps/intgeomap>.

## Liquefaction

Liquefaction is the sudden loss of shear strength in the soil due to the build-up of excess pore water pressure.<sup>3</sup> This can occur when the soil is subjected to intense shaking such as during a seismic event. The soils that are most susceptible to liquefaction are loose, saturated sandy soils with a low fines content (material passing the #200 sieve).

The Utah Geologic Survey maps the eastern portion of the site, that is mapped as Qae, as having a high liquefaction potential. However, strongly cemented caliche and basalt were encountered at depth in the test pits within this area. Additionally, groundwater was not encountered our test pits at the time of our investigation. Therefore, due to shallow bedrock and strongly cemented caliche encountered throughout the site and lack of groundwater, we believe the liquefaction potential at the project site is low. A liquefaction study is beyond the scope of this report.

## Collapsible Soil

The Utah Geologic survey maps the Qea material on the eastern portion of the site as being Collapsible Soil 1. Collapsible soil 1 is considered unconsolidated geologic units with reported collapse values greater than or equal to 3 percent. Pinholes were encountered in the soils throughout this area, indicating that the soils are collapsible. One-dimensional consolidation tests were completed on two samples collected during our investigation to verify the collapse potential at the site. Results of the collapse tests are discussed in Section 4.2.

## 4.0 INVESTIGATION

### 4.1 FIELD INVESTIGATION

To investigate the subsurface soil conditions, fifteen (15) test pits, designated as TP-1 through TP-15, were excavated across the project site as shown on Figure 2, Site Map. The test pits were excavated to depths between 5.0 and 10.0 feet bgs with a CAT 305 mini excavator equipped with an 18-inch bucket with tiger teeth. All test pits encountered refusal on strongly cemented caliche, basalt, or strongly cemented sand except for test pits TP-4 and TP-15. These test pits were terminated at 10 feet bgs in silty gravel. Groundwater was not encountered in our test pits at the time of our investigation.

The soils encountered in our test pits generally consisted of silty sand and silty gravel with varying amounts of cobbles and boulders underlain by basalt and cemented caliche. Test pits TP-6, TP-11, and TP-14 were excavated within the mapped Qea material on the eastern portion of the site. The soils encountered in these test pits consisted of moderately cemented, silty sand with varying amounts of gravel in the upper 7 and 8.5 feet bgs. Abundant pinholes were encountered in the cemented silty sand, indicating that this material is collapsible.

---

3 Coduto, Donald P. (1999), Geotechnical Engineering: Principles and Practices, Prentice Hall, Upper Saddle River, NJ

A detailed description of the soils encountered during our investigation is included in the test pit logs on Figures 3 through 10. A key to the symbols and soil classifications used on the logs is presented on Figure 11.

#### **4.2 LABORATORY TESTING**

Soil samples from the test pits were taken to our St. George laboratory for testing. Tests performed on the samples included mechanical sieve analyses, one-dimensional consolidation tests, and one soluble-sulfate test. Laboratory test results are shown on the test pit logs on Figures 3 through 10. The one-dimensional consolidation curves are presented on Figures 12 and 13.

Sieve analyses classified the soils encountered in our test pits as silty sand, silty sand with gravel and silty gravel with sand. The moisture content of the soil samples tested ranged between 3.1 and 12.5 percent.

Two one-dimensional consolidation tests were conducted on samples collected in TP-6 at 3.5 feet bgs and in test pit TP-11 at 2.5 feet bgs, within the mapped Qea soils. The sample collected in TP-6 at 3.5 feet bgs collapsed 8.3 percent and the sample collected in TP-11 at 2.5 bgs collapsed 8.2 percent. The unit weights of the samples from test pit TP-6 and TP-11 were 90.2 and 83.3 pcf, respectively. Based on the collapse results and the in-place unit weights of the samples, we believe that the soil samples mapped as Qea have a high collapse potential.

One soluble-sulfate test was conducted on the sample collected at 2 feet bgs in test pit TP-5. The sample had 0.24 percent soluble sulfates by mass, indicating that the on-site soils are corrosive. Recommendations for corrosive soils are provided in Section 11.0.

#### **4.3 CONCLUSION**

The soils encountered in our test pits generally consisted of silty sand and silty gravel with varying amounts of cobbles and boulders underlain by caliche, basalt or strongly cemented sand. Groundwater was not encountered in our test pits at the time of our investigation. Consolidation tests show that the soils in the upper 7 and 8.5 feet near the eastern portion of the site, mapped as Qea, are highly collapsible. The soils mapped as Qea, as shown in Figures 2, will need to be over-excavated down to caliche, basalt or a suitable material as determine by the geotechnical engineer. The collapsible soils mainly effect lots 22 through 27 and small portions of lots 28 and 30. An additional investigation may be conducted on these lots to further determine the extent of the collapsible soil upon request.

General grading recommendations are provided in Section 5.0 and foundation recommendations are provided in Section 6.0.

## **5.0 SITE GRADING AND EARTHWORK**

### **5.1 GENERAL GRADING**

Prior to general site grading, the project site should be cleared and grubbed of all vegetation in all building areas, including roadways, sidewalks and other concrete flat work. We anticipate that

grubbing the upper 3 to 6-inches of soil will be sufficient to remove the majority of the roots. Following clearing and grubbing, we recommend that the soils mapped as Qbr within in the building areas, as shown on Figure 2, be over-excavated a minimum of 2 feet below the existing grade or 1 foot below the bottom of the footings, whichever is greater. The excavation may be terminated prior to reaching 2 feet below the existing ground surface or 1 foot below the bottom of the footings if caliche or basalt is encountered at a shallower depth.

The soils mapped as Qea in the eastern portion of the site should be over-excavated down to basalt, cemented caliche or a suitable material determined by the geotechnical engineer. This area mainly affects lots 22 through 27 and small portions of lots 28 and 30. Based on our test pit TP-6, TP-11 and TP-14, caliche, basalt or suitable material should be encountered between depths of 7.0 and 8.5 feet bgs. A geotechnical engineer should verify the over-excavation prior to backfilling.

Following over-excavation, we recommend that the upper 8 inches of the bottom of the excavation are scarified, moisture conditioned to within 2 percent of the optimum moisture content and compacted to a minimum of 95 percent of the maximum dry density as determined by ASTM D-1557. In areas where basalt and caliche are encountered at the bottom of the excavation and do not allow for a compaction tests, we recommend that the bottom of the excavation be verified by a geotechnical engineer.

The on-site soils are suitable for use as structure fill, provided all vegetation, material greater than 6 inches and other deleterious materials are removed.

## **5.2 ROADWAY AND UTILITY EXCAVATION**

The test pits for this investigation were excavated with a CAT 305 mini excavator with moderate to difficult effort. Refusal was encountered on caliche, basalt, or strongly cemented sand between depths of 5.0 and 10.0 feet bgs throughout the project site. A hoe ram, larger equipment, and blasting or a combination of these will be required in order to excavate the caliche and basalt.

The upper 8-inches of native soil within the proposed roadways should be scarified and recompacted to structural fill standards prior to the placement of any road base. All excavations and backfilling procedures for roadways and utility trenches should conform to the City of Hurricane Standards for Design and Construction.

## **5.3 FILL PLACEMENT AND COMPACTION**

All fill to be placed for support of footings and slabs-on-grade, whether it is on-site or imported, should be considered structural fill. On-site soils are suitable for use as structural fill provided all deleterious materials and oversized material greater than 6-inches in size are removed prior to placement. We recommend that the footings be established on bedrock or a minimum of 1 foot of structurally placed fill, with a maximum particle size of 6-inches, overlying suitably compacted on-site soils or bedrock. Footings should not transition from bedrock to structural fill. Due to the amount of material over 6-inches in diameter encountered during our investigation, imported, granular structural fill may be required.

Imported, granular structural fill should be well-graded, non-expansive, and free of organics and all deleterious materials. Soils used for imported, granular structural fill should meet the following specifications and preferably would classify as gravel.

GRADATION	PERCENT PASSING
6- inch	100
3-inch	80-100
No. 200 sieve	10-25
ATTERBERG LIMITS	
Liquid Limit	30 or less
Plasticity Index	9 or less

Material not meeting the above requirements may be suitable for use as structural fill at the discretion of the geotechnical engineer. Samples of structural fill should be submitted for testing prior to being transported to the site.

Any on-site soils used as structural fill or imported structural fill should be compacted to the following specifications.

FILL PLACEMENT AND COMPACTION	
Maximum lift thickness	8-inch (loose)
Minimum compaction	95% ASTM D-1557
Compacted Moisture Content	within 2% of optimum

Compaction of structural fill should be completed with equipment suitable for the conditions encountered in the field such that compaction requirements are met, including those areas that may be inaccessible to large rolling compactors. All structural fill should be evenly spread on a horizontal plane in eight-inch loose lifts. Each eight-inch lift of structural fill material placed at the site should be tested for compliance with the required relative compaction and moisture content prior to proceeding with additional lifts.

#### 5.4 LIGHTLY LOADED ELEMENTS

Exterior concrete slabs on grade (sidewalks, curbs, gutters, and misc.) should be established on a minimum of 4-inches of approved road base overlying 8-inches of scarified and recompacted on-site soils. Road base should meet Hurricane City Standards.

Structural fill, including road base, should be compacted to a minimum of 95 percent of the maximum dry density as determined by ASTM D-1557.

### 5.5 CUT AND FILL SLOPES

It is recommended that permanent cut or fill slopes in on-site or imported soils be maintained at a slope of one vertical to two horizontal (1V:2H) or flatter unless structurally retained. Permanent cuts into basalt bedrock may be maintained at a slope of 3 vertical to 1 horizontal (3V:1H). Retaining walls should be constructed between lots if there is a difference in elevation greater than 3 feet between the lots.

Grading of both cut and fill slopes should be such that surface water is directed away from the slopes and not concentrated on slopes or in unprotected channels. Construction procedures should ensure adequate compaction of slope faces. All excavations should conform to OSHA standards.

## 6.0 FOUNDATION & CONSTRUCTION CONSIDERATIONS

The following recommendations apply to conventional strip and spot footings. Footings should be established on bedrock or a minimum of 1 foot of structurally placed fill overlying suitably compacted on-site soils or bedrock as indicated in section 5.0. Foundations should not transition from fill to bedrock. Foundation excavations should be visually observed and tested by qualified personnel prior to placement of reinforcing steel or concrete. Additional foundation recommendations are subsequently presented.

DESCRIPTION	VALUE
Foundation Type	Continuous or spread footings
Bearing Material	1 foot of structural fill or basalt bedrock.
Allowable Bearing Capacity	1,800 psf on structural fill. 2,500 psf on basalt bedrock.
Minimum embedment depth below finished grade	12 inches (for frost and confinement)
Minimum footing width	12 inches (continuous) for single-story 18-inches for two stories 24-inches (isolated spread)
Total estimated settlement	1-inch
Total differential settlement	less than 3/4 inch

The allowable bearing capacity is based upon dead load plus long-term live load. A one-third increase in allowable bearing capacity for short duration loads such as wind or seismic loads is permitted with the alternative load combinations given in Section 1605.3.2 of the IBC.

## 7.0 FLOOR SLABS

It is recommended that concrete floor slabs be constructed on a pad that has been prepared as previously indicated. A minimum of 4-inches of relatively free-draining material should be used

beneath the slab in order to help distribute floor loads, break the rise of capillary water, and aid in the concrete curing process. Alternatively, 6 inches of road base may be used in place of the free draining-material.

Concrete slabs should be designed using rebar reinforcement and frequent crack control joints to help control normal shrinkage and stress cracking. Concrete placement and curing should meet ACI<sup>4</sup> requirements including following hot or cold weather placement recommendations, when appropriate. If a moisture-sensitive floor covering will be installed, we recommend that a vapor barrier be installed beneath the concrete slab. The moisture sensitivity of floor finishes, anticipated project conditions, and the potential effects of slab curling and cracking should be considered in determining if the barrier should be placed directly beneath the slab or beneath the free-draining gravel (see ACI 302.IR-96 for more information regarding vapor barrier location). If the vapor barrier is installed directly beneath the slab, measures should be taken to minimize excessive slab curl such as reduced joint spacing and use of a low shrinkage (low water-cement ratio) mix.

## 8.0 LATERAL EARTH PRESSURES

Lateral loads imposed on footings may be resisted by the development of passive earth pressures against the sides of footings and friction between the base of the footing and the supporting soils. Lateral earth pressure values are presented in the following table.

Case Evaluated	Soil Type	Value
Active	On-site Soils	37 psf/ft
		58 psf/ft (with seismic)
At-Rest	On-site Soils	56 psf/ft
Passive	On-site Soils	391 psf/ft
		333 psf/ft (with seismic)
Coefficient of friction $\tan(\phi*0.6)$ where $\phi = 34^\circ$	On-site Soils or Imported, structural fill (bedrock)	0.37 (0.40)

The lateral earth pressures presented do not include any safety factors except where the friction angle ( $\phi$ ) used to determine the coefficient of friction has been multiplied by 0.6 to account for smooth contact conditions. The pressures also assume horizontal backfill and that the backfill is in a drained condition with no build-up of hydrostatic pressure. The additional effects of sloping backfill, surcharge, structural loads and groundwater conditions should be included in calculating lateral earth pressures. Backfill should be placed in accordance with the requirements of structural fill except that backfill in landscape and areas that will not be subject to structural loadings may be reduced to 90% of the maximum dry density as determined by ASTM D-1557.

<sup>4</sup> American Concrete Institute

## 9.0 MOISTURE CONTROL

This soils report provides recommendations for site preparation and foundation design. Inadequate surface drainage or failure to control moisture will likely result in excessive differential movement and structural damage. The following moisture control measures are highly recommended:

1. The ground surface should be graded to drain surface water away from residences in all directions. A minimum grade of 5% in the first 10 feet is recommended. Impervious surfaces such as concrete walkways or asphalt pavement adjacent to the structure are effective in reducing the potential for water migration beneath foundations and slabs and should be considered in design. Impervious surfaces such as concrete within 10 feet of the building foundation should be sloped a minimum of 2% away from the building.
2. Roof runoff should be collected, and downspouts should be designed to discharge collected water a minimum of 10 feet beyond the building footprint.
3. Grass should not be placed within 10 feet of the foundation. Large areas of grass are discouraged. Grass, if planted, should have a minimum slope of 5% away from the foundation.
4. Xeriscape (landscaping that eliminates the need for supplemental irrigation of plants) is recommended within 10 feet of the building foundation. Bubblers, although more efficient than sprinkler irrigation, still have a significant potential of introducing excessive water into the ground and saturating foundation soils. Bubblers are not recommended in the 10 feet buffer zone area. As an alternative, sealed bottom planter boxes may be used.
5. Inadequate compaction of utility trench backfill provides a conduit for water migration. All utility trenches within the building footprint and extending 5 feet beyond the footprint should be backfilled with structural fill similar to that approved for the foundations. Backfill adjacent to structures should be compacted to at least 90 percent of the maximum dry density as determined by ASTM D-1557 and the minimum slope requirements should be followed. Backfill beneath structures and garage slabs should be compacted to at least 95% of the maximum dry density.
6. Grading should be such that surface water is directed away from all cut and fill slopes and collected only in channels protected against erosion. Water should not be allowed to pond on-site.

It should be emphasized that final grading and landscaping generally occurs after construction of the structures and observation of these features is outside of normal geotechnical inspection and observation. The owner/contractor is responsible to ensure that these surface drainage and moisture control recommendations are followed throughout the life of the structures.

## 10.0 PAVEMENT DESIGN RECOMMENDATIONS

Design of the pavement section is based on the procedures outlined in the 1993 Guidelines for Design of Pavement Structures by the American Association of State Highway and Transportation Officials (AASHTO). A traffic index of 5.5 was used for design for the residential streets based of City of Hurricane Standards for Design and Construction. Based on the soils encountered during our investigation a CBR value of 10 was used for design.

For pavement design, the following design parameters have been assumed:

- < Pavement Design Life - 20 years
- < Structural Layer Coefficients
  - Asphalt = 0.42
  - Type II = 0.12

Based on design parameters, the following pavement section is provided for the minor residential road.

Location	Asphalt Thickness (in.)	Base Course (in.)	Scarified and Compacted Subgrade (in.)
Residential Streets (T.I. = 5.5)	2.5	6.0	8.0

Recompacted on-site soils should be compacted to a minimum of 95% of the maximum dry density as determined by ASTM D-1557 and base course soils should be compacted to a minimum of 95% of the maximum dry density (ASTM D-1557). Asphalt should be compacted to at least 96% of the Marshall maximum density. Asphaltic concrete and base should be approved prior to site delivery and tested during placement for conformance with project specifications.

## 11.0 SOIL CORROSIVITY

One soluble-sulfate test was conducted on the sample collect at 2.0 feet bgs in Test Pit TP-5. The sample contained 0.24 percent by mass water-soluble-sulfates, which would put the soil in Exposure Category S2 based on ACI 318, Table 19.3.1.1. Therefore, we recommend that all concrete in contact with or within 6 inches of native soils be designed in accordance with ACI 318, Section Table 19.3.2.2 for Exposure Category S2. This includes 4,500 psi concrete and a maximum water to cement ratio of 0.45. Buried pipes should be plastic (PVC or HDPE) instead of metal, where possible.

## 12.0 FOUNDATION REVIEW AND TESTING

This report has been prepared to assist in project design and construction. Variations from the conditions portrayed in the exploratory investigations may occur which are sometimes sufficient

to require modifications to the design. In order to incorporate recommendations provided into actual field conditions and to confirm that the project specifications are implemented, we recommend that observation and testing be performed during construction to monitor over-excavation, grading, and preparation of soils upon which foundations elements or structural loads may be established.

### 13.0 LIMITATIONS

The exploratory data presented in this report were collected to provide geotechnical design recommendations for this project and subsurface site descriptions represent conditions observed at the time and at the locations explored. The investigation may not be indicative of subsurface conditions beyond the investigation locations and conditions may change with passage of time. If subsurface conditions are encountered that are significantly different than those reported herein, Landmark should be contacted immediately for the continued applicability of the recommendations. In the event changes to the project are made that differ from those presented in this report, Landmark should be made aware of the changes. Landmark will provide written verification that the recommendations and conclusions remain valid or that modifications are required.

This report has been prepared to assist in project design and construction. We respectfully request the opportunity to review the final design drawings and specifications in order to determine whether the assumptions and recommendations presented herein are applicable to the anticipated designs.


This report is not intended to be used as a bid document. Any information concerning the environmental conditions of the site is beyond the scope of this geotechnical study. This geotechnical report has been prepared to meet the specific needs of our client and may not be appropriate to satisfy the needs of other users.

Site conditions and standards of practice change, therefore, we should be notified to review and update the report and its recommendations if construction is not commenced within 3 years of the date it was issued.

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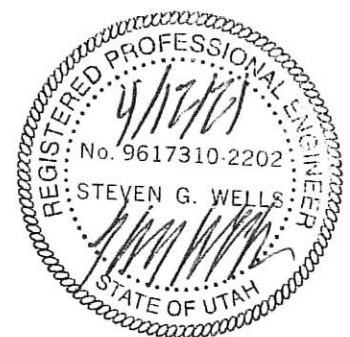
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### LANDMARK TESTING & ENGINEERING

  
Chad Coffey, E.I.T.  
Staff Engineer

Reviewed by:

Steven Wells, P.E.  
Geotechnical Manager



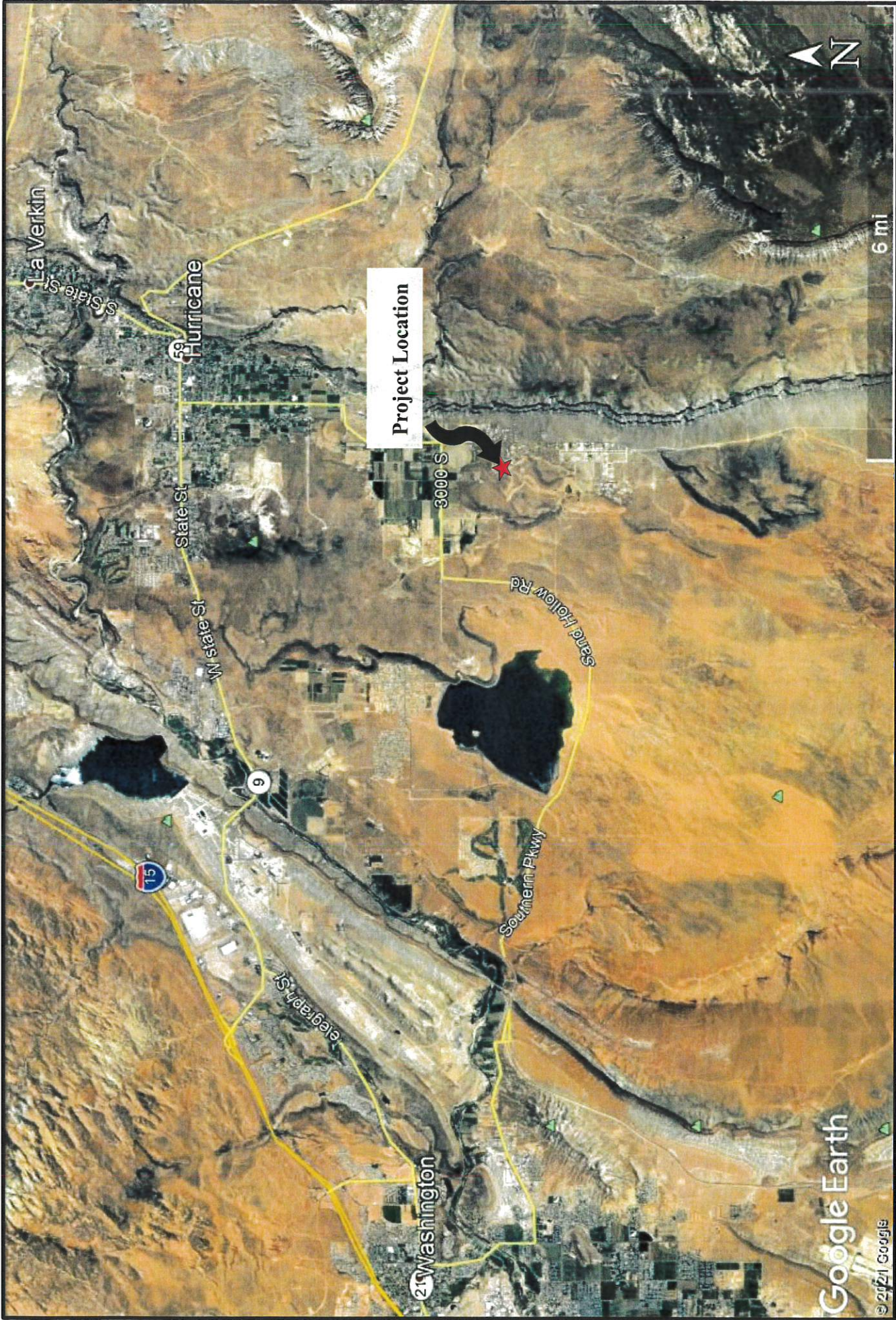


Figure 1

**Vicinity Map**  
Landmark Project No 21235



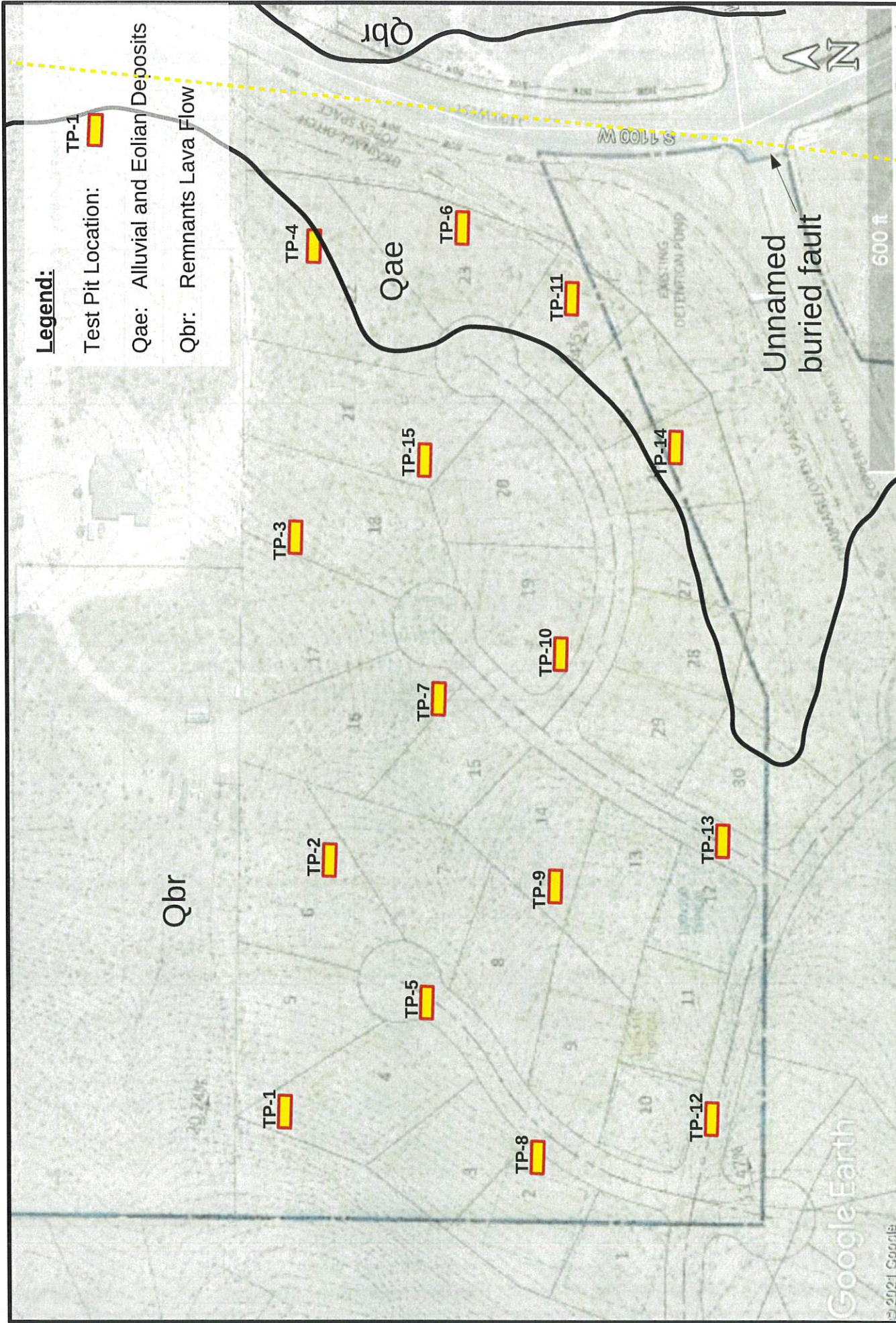


Figure 1

**Site Map**  
 Landmark Project No 21235



## TEST PIT NUMBER TP-1

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
	1		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), trace cobbles (3" to 6"), roots, dark reddish brown.									
	2		SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.									
	3											
	4											
	5		Increase in basalt cobbles.									

Refusal at 6.0 feet on basalt cobbles and boulders.  
 Refusal at 6.0 feet.  
 Bottom of test pit at 6.0 feet.

## TEST PIT NUMBER TP-2

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
	1		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), trace cobbles (3" to 6"), roots, dark reddish brown.									
	2		SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.									
	3											
	4											
	5		Increase in basalt and cemented caliche cobbles.									

Refusal at 6.0 feet on basalt cobbles and boulders.  
 Refusal at 6.0 feet.  
 Bottom of test pit at 6.0 feet.

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PROJECT NAME Copper Rock Estates  
 CLIENT DAF Development LLC  
 PROJECT NUMBER 21235  
 PROJECT LOCATION Hurricane, Utah


**Figure No. 3**

### TEST PIT NUMBER TP-3

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0											
1			SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), roots, dark reddish brown.								
5			SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.	5.1			50	38	12		


Refusal at 6.0 feet on basalt cobbles and boulders.  
Refusal at 6.0 feet.  
Bottom of test pit at 6.0 feet.

### TEST PIT NUMBER TP-4

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0											
1			SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), roots, dark reddish brown.								
5			SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.								
10											

Bottom of test pit at 10.0 feet.

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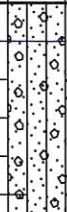
PROJECT NAME Copper Rock Estates  
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PROJECT NUMBER 21235  
PROJECT LOCATION Hurricane, Utah

**Figure No. 4**

### TEST PIT NUMBER TP-5

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

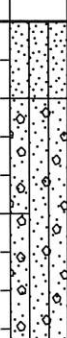
DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5		H	SILTY SAND WITH GRAVEL (SM), loose, moist, sunbangular gravel (1" to 3"), roots upper 1 foot, dark reddish brown. Brown, slightly cemented.									

Refusal at 6.0 feet on strongly cemented sand.  
 Refusal at 6.0 feet.  
 Bottom of test pit at 6.0 feet.

### TEST PIT NUMBER TP-6

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5		H	SILTY SAND (SM), loose, moist, fine-grained, roots, reddish brown.									
			SILTY SAND WITH GRAVEL (SM), medium dense to dense, dry, fine to coarse-grained, slightly cemented, pinholes, gravel (1" to 3"), reddish brown.	90.2	3.1							8.3% Collapse @ 1000 psf

Refusal at 8.5 feet on basalt.  
 Refusal at 8.5 feet.  
 Bottom of test pit at 8.5 feet.

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 PROJECT NUMBER 21235  
 PROJECT LOCATION Hurricane, Utah

**Figure No. 5**

### TEST PIT NUMBER TP-7

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5	X		SILTY SAND (SM), loose, moist, trace subangular gravel (1" to 3"), roots, dark reddish brown. Cemented caliche gravel, slightly cemented.		4.3			9	58	33		

Refusal at 5 feet bgs on cemented sand.  
Refusal at 5.0 feet.  
Bottom of test pit at 5.0 feet.

### TEST PIT NUMBER TP-8

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5	X		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), roots, dark reddish brown.  SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown. CALICHE		12.5			15	52	33		

Refusal at 5.5 feet on caliche.  
Refusal at 5.5 feet.  
Bottom of test pit at 5.5 feet.

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**PROJECT NUMBER** 21235  
**PROJECT LOCATION** Hurricane, Utah

**Figure No. 6**

## TEST PIT NUMBER TP-9

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5	[Graphic Log: Silty sand with gravel, silty gravel with sand, and basalt cobbles]		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), roots, dark reddish brown. SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown. Increase in basalt cobbles (3" to 6").									

Refusal at 6.0 feet on basalt.  
 Refusal at 6.0 feet.  
 Bottom of test pit at 6.0 feet.

## TEST PIT NUMBER TP-10

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests	
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)		
0												
5	[Graphic Log: Silty sand with gravel, silty gravel with sand, and basalt cobbles]		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1" to 3"), roots, dark reddish brown. SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown. Increase in basalt cobbles (3" to 6").									

Refusal at 5.0 feet on basalt.  
 Refusal at 5.0 feet.  
 Bottom of test pit at 5.0 feet.

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**Figure No. 7**

## TEST PIT NUMBER TP-11

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0			SILTY SAND (SM), loose, moist, fine-grained, roots, reddish brown.								
5	H		Medium dense, dry, fine to coarse-grained, slightly cemented, pinholes, trace gravel (1" to 3"), reddish brown.	83.3	3.0						8.2% Collapse @ 1000 psf
	H		SILTY GAVEL (GM), medium dense, dry, fine to coarse-grained sand, subangular gravel (1" to 3"), trace cobbles (3" to 6"), brown.								

Refusal at 9.0 feet on basalt.  
Refusal at 9.0 feet.  
Bottom of test pit at 9.0 feet.

## TEST PIT NUMBER TP-12

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0			SILTY SAND WITH GRAVEL (SM), loose, moist, sunbangular gravel (1" to 3"), roots, dark reddish brown.								
5			SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.								

Refusal at 9.0 feet on basalt and caliche.  
Refusal at 9.0 feet.  
Bottom of test pit at 9.0 feet.

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PROJECT LOCATION Hurricane, Utah

### TEST PIT NUMBER TP-13

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0			SILTY SAND (SM), loose, moist, fine-grained, reddish brown. Moderately cemented, trace gravel and cobbles.								
5			Cemented caliche gravel								

Refusal at 5.5 feet on basalt.  
 Refusal at 5.5 feet.  
 Bottom of test pit at 5.5 feet.

### TEST PIT NUMBER TP-14

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_  
 LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0			SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1"), roots, dark reddish brown. Medium dense, slightly cemented.								
7											

Refusal at 7.0 feet on caliche.  
 Refusal at 7.0 feet.  
 Bottom of test pit at 7.0 feet.

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 PROJECT LOCATION Hurricane, Utah

**Figure No. 9**

## TEST PIT NUMBER TP-15

DATE STARTED 3/18/21 COMPLETED 3/18/21 EXCAVATION COMPANY Redline ELEVATION \_\_\_\_\_

LOGGED BY Chad Coffey CHECKED BY Steve Wells EXCAVATION METHOD CAT 305 Mini-ex

NOTES \_\_\_\_\_ AT TIME OF EXCAVATION ---

DEPTH (ft)	GRAPHIC LOG	SAMPLE TYPE NUMBER	MATERIAL DESCRIPTION	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS		MECHANICAL GRADATION			Other Tests
						LIQUID LIMIT	PLASTICITY INDEX	GRAVEL (%)	SAND (%)	FINES (%)	
0	[Symbol]		SILTY SAND WITH GRAVEL (SM), loose, moist, subangular gravel (1"), roots, dark reddish brown.								
5	[Symbol]		SILTY GRAVEL WITH SAND (GM), medium dense to dense, dry, fine to coarse-grained sand, subangular gravel (1" to 2"), cobbles (3" to 6"), reddish brown.								
			Increase in cobbles and boulders (1')								
10	[Symbol]										

Bottom of test pit at 10.0 feet.

LANDMARK 2 TEST PITS - LANDMARK NEW.GDT - 4/12/21 10:29 - P:\PROJECTS\21 PROJECTS\21235\GEOTECH\COPPER ROCK ESTATES.GPJ



Landmark Testing and Engineering  
795 Factory Drive  
84790  
Telephone: 435-986-0566  
Fax: 435-986-0568

**PROJECT NAME** Copper Rock Estates  
**CLIENT** DAF Development LLC  
**PROJECT NUMBER** 21235  
**PROJECT LOCATION** Hurricane, Utah

**Figure No. 10**

# UNIFIED SOIL CLASSIFICATION SYSTEM

## MAJOR DIVISIONS

## SYMBOLS

## TYPICAL NAMES

<b>COARSE-GRAINED SOILS</b> (More than 50% of soil Retained on No. 200 sieve size)	<b>GRAVELS</b> More than 1/2 of coarse fraction > No. 4 sieve size		<b>GW</b>	Well graded gravels or gravel-sand mixtures little or no fines.
			<b>GP</b>	Poorly graded gravels or gravel-sand mixtures little or no fines.
			<b>GM</b>	Silty gravels, gravel-sand-silt mixtures
			<b>GC</b>	Clayey gravels, gravel-sand-clay mixtures
	<b>SANDS</b> More than 1/2 of coarse fraction < No. 4 sieve size		<b>SW</b>	Well graded sands or gravelly sand mixtures little or no fines.
			<b>SP</b>	Poorly graded sands or gravelly sand mixtures little or no fines.
			<b>SM</b>	Silty sands, sand-silt mixtures
			<b>SC</b>	Clayey sands, sand-clay mixtures
<b>FINE-GRAINED SOILS</b> (Less than 50% of soil Retained on No. 200 sieve size)	<b>SILTS &amp; CLAYS</b> Liquid Limit < 50		<b>ML</b>	Inorganic silts and very fine sands, rock flour, silty fine sands or clayey silts with slight plasticity
			<b>CL</b>	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays.
			<b>OL</b>	Organic silts and organic silty clays of low plasticity
	<b>SILTS &amp; CLAYS</b> Liquid Limit > 50		<b>MH</b>	Inorganic silts, micaceous or diatomaceous fine sand or silty soils, elastic silts
			<b>CH</b>	Inorganic clays of high plasticity, fat clays
	<b>OH</b>	Organic clays of medium to high plasticity, organic silty clays, organic silts		
<b>HIGHLY ORGANIC SOILS</b>			<b>PT</b>	Peat and other highly organic soils

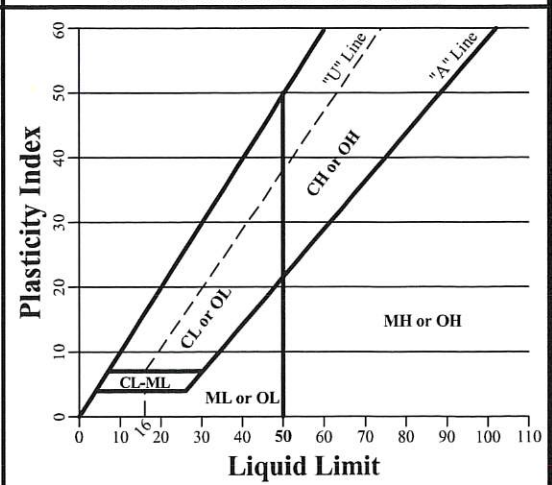
### GRAIN SIZE CHART

### SAMPLES

### PLASTICITY CURVE

CLASSIFICATION	Range of Grain Size	
	U.S. Standard Sieve Size	Grain Size in Millimeters
<b>BOULDERS</b>	Above 12"	Above 305
<b>COBBLES</b>	12" to 3"	305 to 76.2
<b>GRAVEL</b>	3" to No. 4	76.2 to 4.76
	Coarse 3" to 3/4"	76.2 to 19.1
<b>SAND</b>	Fine 3/4" to No. 4	19.1 to 4.76
	No. 4 to No. 200	4.76 to 0.074
	Coarse No. 4 to No. 10	4.76 to 2.00
	Medium No. 10 to No. 40	2.00 to 0.42
Fine No. 40 to No. 200	0.42 to 0.074	
<b>SILT &amp; CLAY</b>	Below No. 200	Below 0.074

	Relatively Undisturbed Sample
	Block Sample
	Bag Sample
	Auger Cuttings
	Bucket Sample
	Core
	No Recovery



USCS SUMMARY - LANDMARK NEW.GDT - 4/6/21 10:59 - P:\PROJECTS\21 PROJECTS\21235\GEOTECH\COPPER ROCK ESTATES.GPJ



Landmark Testing and Engineering  
 795 Factory Drive  
 84790  
 Telephone: 435-986-0566  
 Fax: 435-986-0568

**PROJECT NAME** Copper Rock Estates

**CLIENT** DAF Development LLC

**PROJECT NUMBER** 21235

**PROJECT LOCATION** Hurricane, Utah

**Figure No. 11**

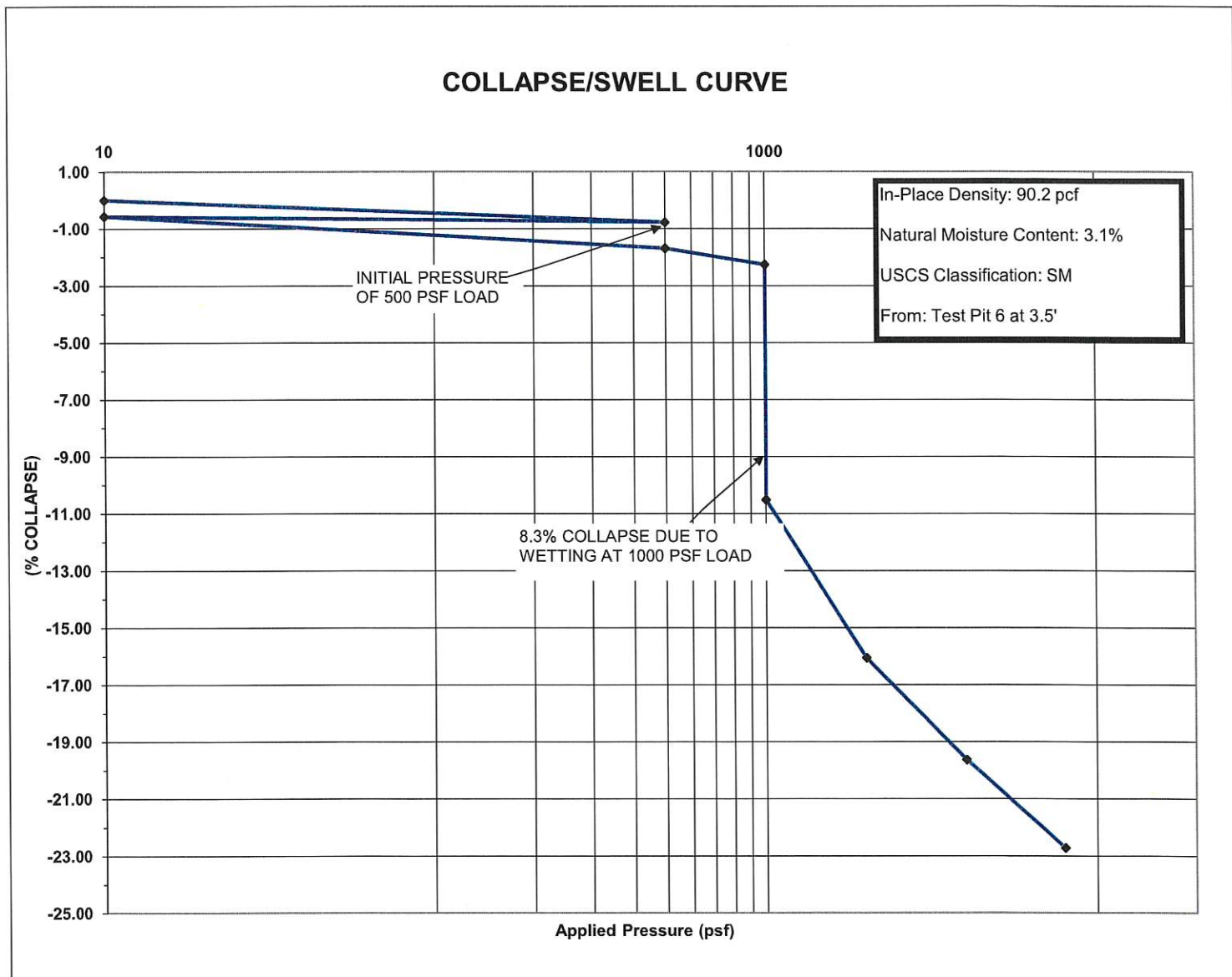


# CONSOLIDATION REPORT

**Client:** DAF Development LLC  
 297 Hilton Dr  
 St George, UT 84770

**Date of Report:** 3/30/2021  
**Reviewed By:** Z. Girsberger  
**Lab#:** 21SG1362

**Project:** Copper Rock Estates **Project #:** 21235  
**Location:** Hurricane **Sampled By:** C. Coffey **Date:** 3/18/2021  
**Type of Sample:** SM **Tested By:** N. Deschamps **Date:** 3/23/2021  
**Location of Sample:** Test Pit 6 at 3.5' **Authorized By:** Client **Date:** 3/18/2021



**FIGURE 12**

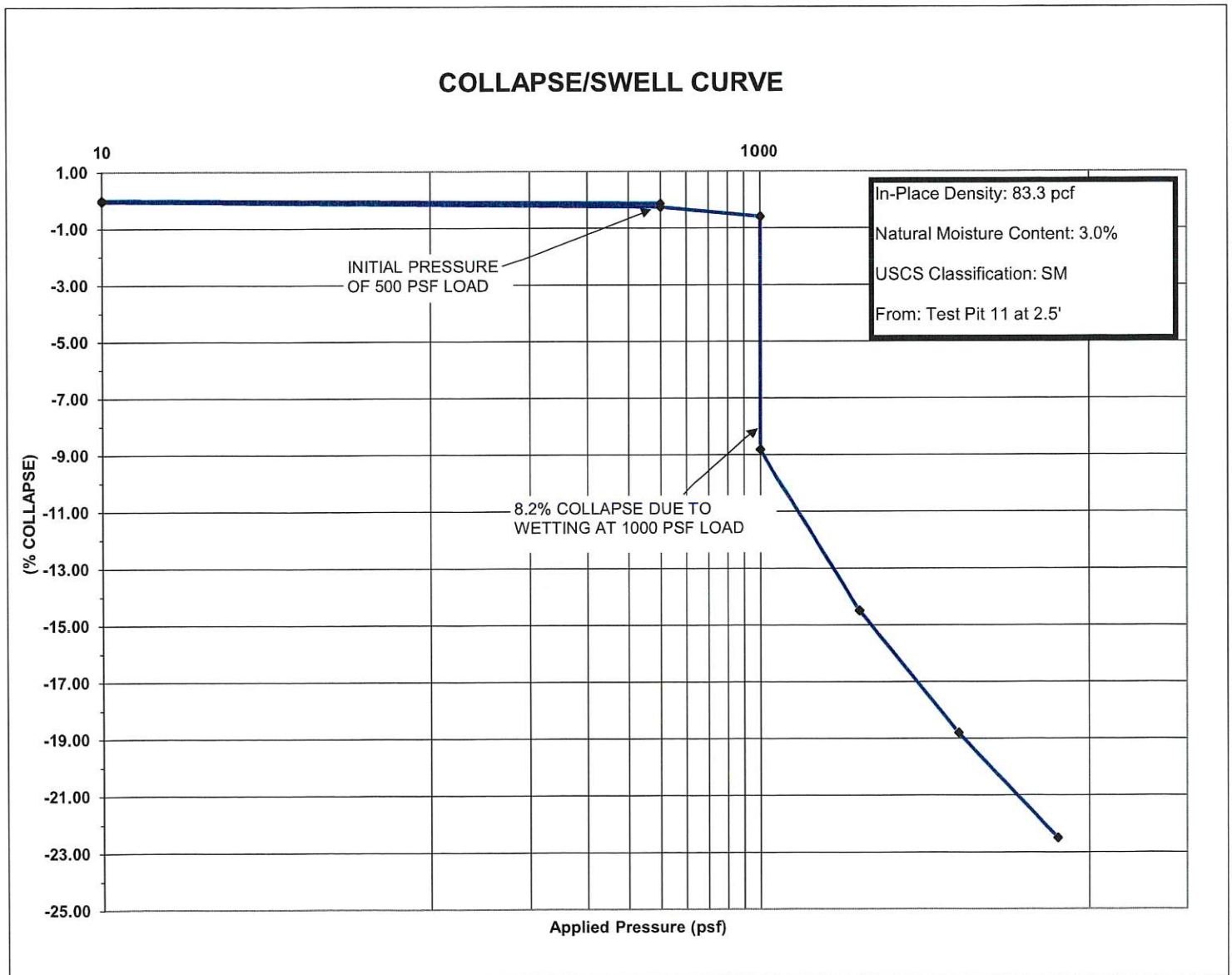


# CONSOLIDATION REPORT

Client: DAF Development LLC  
 297 Hilton Dr  
 St George, UT 84770

Date of Report: 3/31/2021  
 Reviewed By: Z. Girsberger  
 Lab#: 21SG1365

Project: Copper Rock Estates Project #: 21235  
 Location: Hurricane Sampled By: C. Coffey Date: 3/18/2021  
 Type of Sample: SM Tested By: J. Wells Date: 3/25/2021  
 Location of Sample: Test Pit 11 at 2.5' Authorized By: Client Date: 3/18/2021



**FIGURE 13**

DATE:	07/02/22
DRAWN BY:	DMPT-2
CHECKED BY:	JCA
PROJECT:	MADE
DATE:	
NAME:	
NO.:	
REV.:	

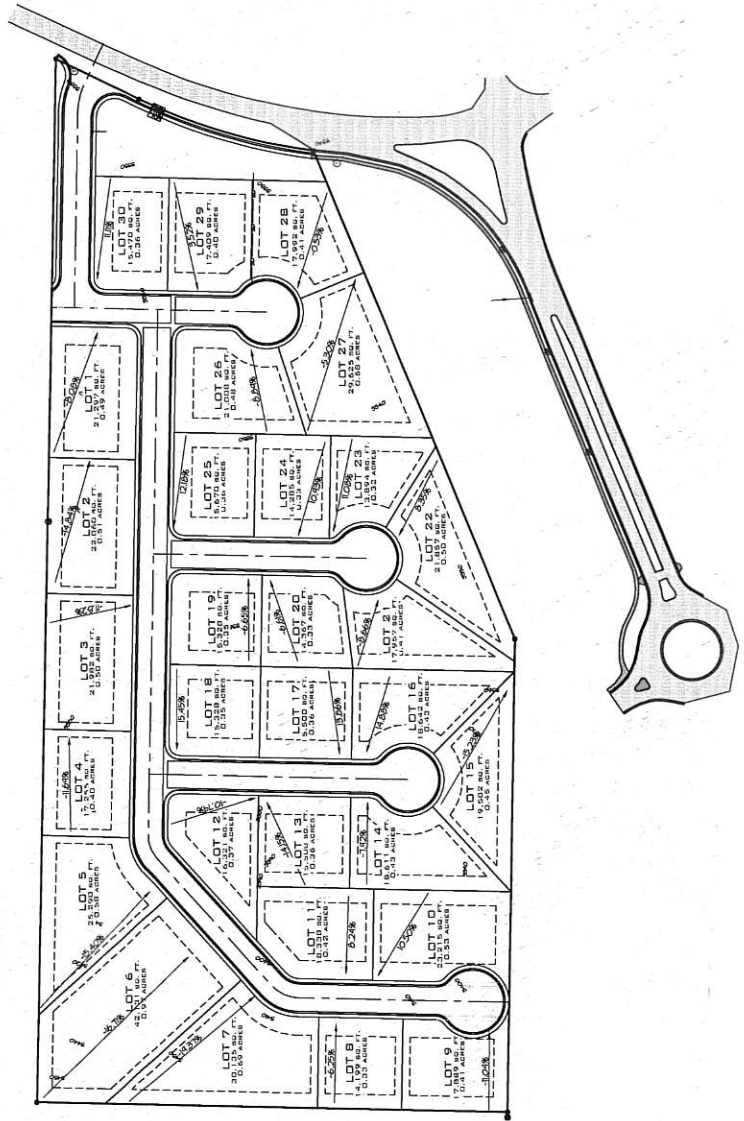
ROSENBERG ASSOCIATES  
CIVIL ENGINEERS • LAND SURVEYORS



10000 W. 10th Ave  
Suite 1000  
Denver, CO 80202  
Phone: 303.755.1000  
Fax: 303.755.1001

SLOPES PER LOT  
FOR  
ESTATES AT COPPER ROCK

SHEET  
OF SHEETS



**OWNER/DEVELOPER/CONTACT**  
THE DEVELOPER FOR THIS PROJECT IS  
RELANDSON BROS. CUSTOM HOMES  
CONTACT: REYD RELANDSON  
PO BOX 480411  
ST. GEORGE, UTAH 84778

**PROJECT ENGINEER**  
THE ENGINEER FOR THIS PROJECT IS  
ROSENBERG ASSOCIATES, INC./KBR/CAFP  
CONTACT: ROSENBERG ASSOCIATES, INC./KBR/CAFP  
3002 EAST RIVERSIDE DRIVE, SUITE 202  
ST. GEORGE, UTAH 84703 (435) 678-6666

**GEOTECHNICAL ENGINEER**  
THE ENGINEER FOR THIS PROJECT IS  
LAWRENCE WILSON CONSULTING  
CONTACT: BRUCE M. BELL, P.E.  
215 EAST FACTORY DRIVE  
ST. GEORGE, UTAH 84703 (435) 636-0266

0

Lot	Slop	Lot Actual Size	Require Size	Grading Plan
13	14.15%	15,500 sq. ft.	21,000 sq. ft.	
17	13.86%	15,500 sq. ft.	19,500-21,000 sq. ft.	12
18	15.45%	15,328 sq. ft.	22,500-24,000 sq. ft.	12
23	11.08%	13,894 sq. ft.	16,500 sq. ft.	12
25	12.18%	15,670 sq. ft.	18,000 sq. ft.	13
30	11.11%	15,470 sq. ft.	16,500 sq. ft.	

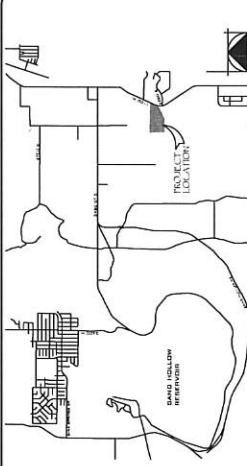
DATE:	03/22/22
DRAWN BY:	J.A.
CHECKED BY:	J.A.
SCALE:	AS SHOWN
PROJECT:	ESTATES AT COPPER ROCK
DATE:	

**ROSENBERG ASSOCIATES**  
 CIVIL ENGINEERS & LAND SURVEYORS



**GRADING PLAN**  
 FOR  
**ESTATES AT COPPER ROCK**

SHEET	OF SHEETS
-------	-----------



EXISTING	DESCRIPTION	PROPOSED
(Symbol)	ST. CONTROL	(Symbol)
(Symbol)	TOP BACK GRAB	(Symbol)
(Symbol)	ADJUST LINE GRAB	(Symbol)
(Symbol)	ADJUST LINE TO DRAIN	(Symbol)
(Symbol)	STREET CLOSURE/STAKE	(Symbol)
(Symbol)	TRUCK LINE DRAIN LINE	(Symbol)
(Symbol)	TRUCK LINE DRAIN (BIRD)	(Symbol)
(Symbol)	PROPERTY LINE	(Symbol)
(Symbol)	ROCK MANAGEMENT LINE	(Symbol)
(Symbol)	PIPE PROTRUD	(Symbol)
(Symbol)	SOAKAWAY	(Symbol)
(Symbol)	SOAKAWAY CLEAN OUT	(Symbol)
(Symbol)	WATER VALVE	(Symbol)
(Symbol)	ASPHALT PAVEMENT	(Symbol)
(Symbol)	CONCRETE PAD	(Symbol)
(Symbol)	GRAVEL DRAINAGE	(Symbol)
(Symbol)	SURFACE RUN DIRECTION	(Symbol)
(Symbol)	SHORT DRAIN DROP INLET	(Symbol)
(Symbol)	SHORT DRAIN CURB INLET	(Symbol)
(Symbol)	SHORT DRAIN MANHOLE	(Symbol)
(Symbol)	RETAINING WALL	(Symbol)

**ZONE RL-15**

MINIMUM LOT AREA: 5000 SQ. FT.  
 MINIMUM LOT WIDTH: 100.00 FT.  
 MINIMUM FRONT SETBACK: 25.00 FT.  
 MINIMUM SIDE SETBACK: 10.00 FT.  
 MINIMUM REAR SETBACK: 10.00 FT.

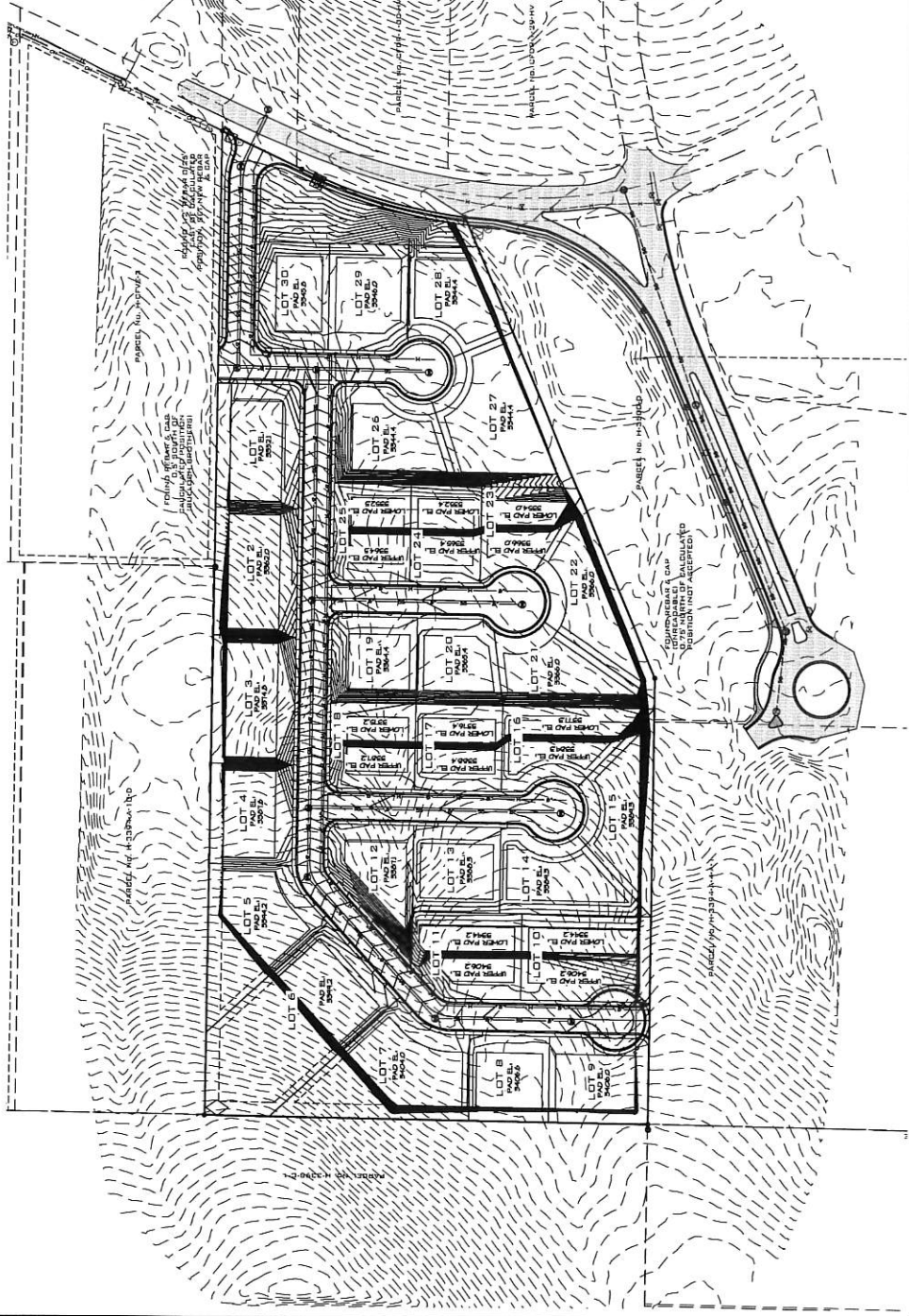
**SITE INFORMATION:**

CURRENT ZONE: RL-15  
 TOTAL AREA: 11.4 AC (493,440 SQ. FT.)  
 TOTAL LOTS: 300 LOTS  
 TOTAL PAVED STREET ROAD AREA: 5.3 AC (230,400 SQ. FT.) + 1.0 AC  
 AVERAGE LOT SIZE: 1667.00 SQ. FT. ± 20.00%

**OWNER/DEVELOPER/CONTACT:**  
 RICHMOND BRICK CUSTOM HOMES  
 10000 W. BUCKINGHAM  
 ST. GEORGE, UTAH 84701

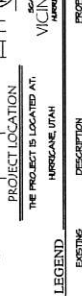
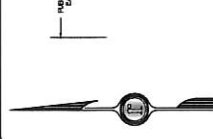
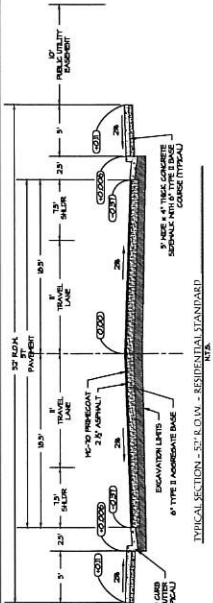
**PROJECT ENGINEER:**  
 THE ENGINEERS FOR THIS PROJECT IS:  
 ROSENBERG ASSOCIATES  
 3002 EAST RIVERSIDE DRIVE, SUITE 200  
 ST. GEORGE, UTAH 84701 (435) 673-6666

**THE ENGINEER FOR THIS PROJECT IS:**  
 J. A. ROSENBERG  
 LICENSED PROFESSIONAL ENGINEER  
 STATE OF UTAH LICENSE NO. 12547  
 ST. GEORGE, UTAH 84701 (435) 673-6666



# ESTATES AT COPPER ROCK PRELIMINARY PLAT

LOCATED IN SECTION 21, TOWNSHIP 42 SOUTH, RANGE 13 WEST OF THE  
SALT LAKE BASE AND MERIDIAN  
IN THE CITY OF HURRICANE, WASHINGTON COUNTY, UTAH.  
DEVELOPED BY: RICHARDSON BROS. CUSTOM HOMES



LEGEND

EXISTING	DESCRIPTION
(Symbol)	2' CONTOUR
(Symbol)	5' CONTOUR
(Symbol)	TOP BACK GIRD
(Symbol)	FLOWLINE GIRD
(Symbol)	WATER LINE (BY DIA)
(Symbol)	SEWER LINE (BY DIA)
(Symbol)	DITCH FLOWLINE/GRASS SHALE
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PROPERTY LINE
(Symbol)	RECONSTRUCTION LINE
(Symbol)	FIRE HYDRANT
(Symbol)	SEWER MANHOLE
(Symbol)	SEWER CLEAN OUT
(Symbol)	WATER VALVE
(Symbol)	WATER METER
(Symbol)	ASPHALT PAVEMENT
(Symbol)	CONCRETE PAD
(Symbol)	GRAVEL DRIVEWAY
(Symbol)	SURFACE FLOW DIRECTION
(Symbol)	STORM DRAIN DROP INLET
(Symbol)	STORM DRAIN GARD INLET
(Symbol)	STORM DRAIN MANHOLE
(Symbol)	RETAINING WALL

PROPOSED

(Symbol)	2' CONTOUR
(Symbol)	5' CONTOUR
(Symbol)	TOP BACK GIRD
(Symbol)	FLOWLINE GIRD
(Symbol)	WATER LINE (BY DIA)
(Symbol)	SEWER LINE (BY DIA)
(Symbol)	DITCH FLOWLINE/GRASS SHALE
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PRICE LINE (SHAN LINE)
(Symbol)	PROPERTY LINE
(Symbol)	RECONSTRUCTION LINE
(Symbol)	FIRE HYDRANT
(Symbol)	SEWER MANHOLE
(Symbol)	SEWER CLEAN OUT
(Symbol)	WATER VALVE
(Symbol)	WATER METER
(Symbol)	ASPHALT PAVEMENT
(Symbol)	CONCRETE PAD
(Symbol)	GRAVEL DRIVEWAY
(Symbol)	SURFACE FLOW DIRECTION
(Symbol)	STORM DRAIN DROP INLET
(Symbol)	STORM DRAIN GARD INLET
(Symbol)	STORM DRAIN MANHOLE
(Symbol)	RETAINING WALL



ZONE R-1.5

AVOIDED AREA	100.00 SQ. FT.
PAVEMENT	100.00 SQ. FT.
CONCRETE	100.00 SQ. FT.
GRAVEL	100.00 SQ. FT.
ASPHALT	100.00 SQ. FT.
STRENGTHEN	100.00 SQ. FT.

OWNER/DEVELOPER/CONTACT

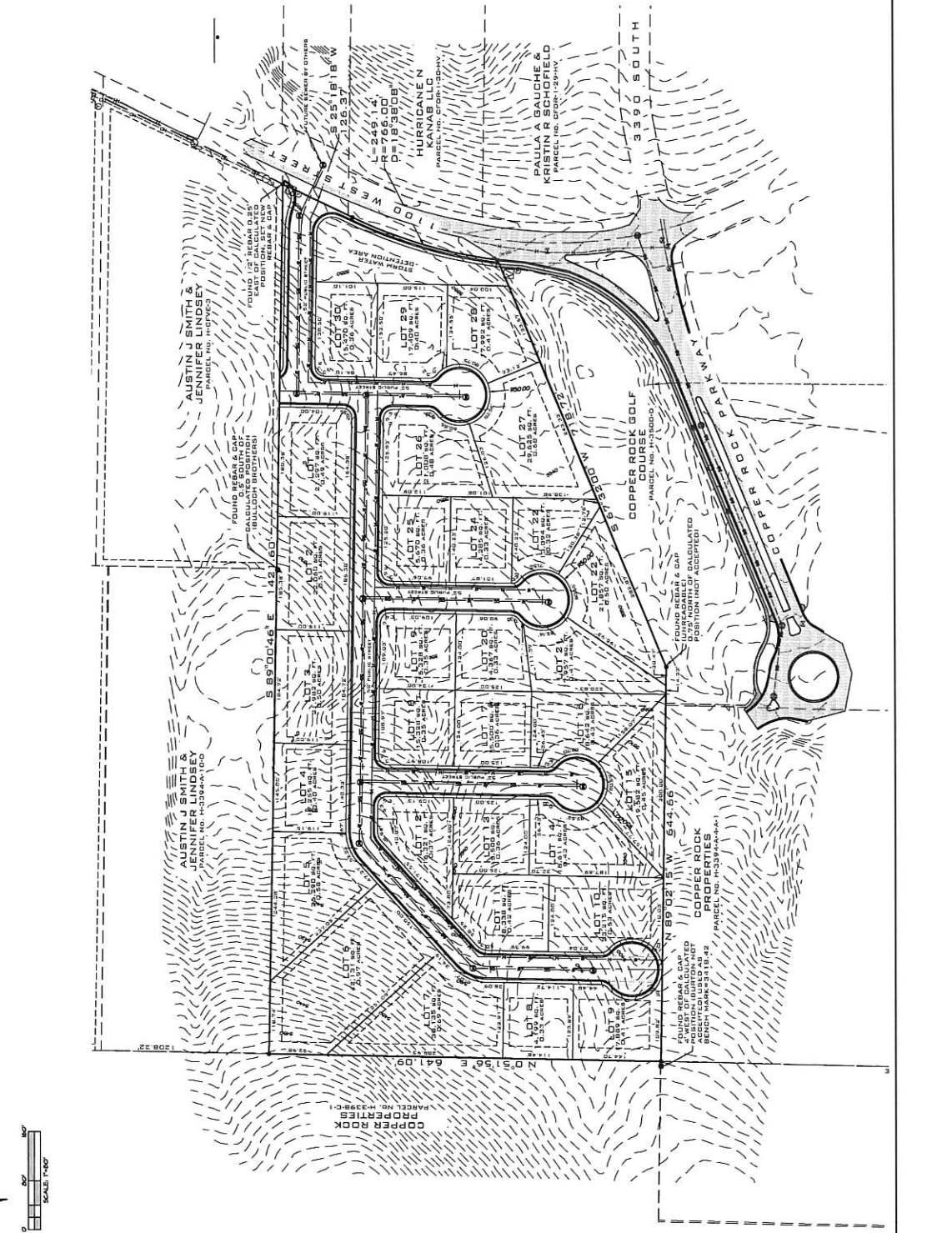
THE DEVELOPER FOR THIS PROJECT IS  
RICHARDSON BROS. CUSTOM HOMES  
CONTACT: RUBY RICHARDSON  
57 GEORGE UTAH 84302

PROJECT ENGINEER

THE ENGINEER FOR THIS PROJECT IS  
CONTACT: ROBERT A. REED, P.E. OR DR. JETER CAMP  
1000 WEST 1000 SOUTH  
57 GEORGE UTAH 84302

GEOTECHNICAL ENGINEER

THE GEOTECHNICAL ENGINEER FOR THIS PROJECT IS  
CONTACT: STEVEN WELLS, P.E.  
1000 WEST 1000 SOUTH  
57 GEORGE UTAH 84302



DATE:	07/20/22
BY:	LD/ST
REVISION:	JFA
DESIGNED BY:	JFA
CHECKED BY:	NAME
SCALE:	NAME
PROJECT:	NAME

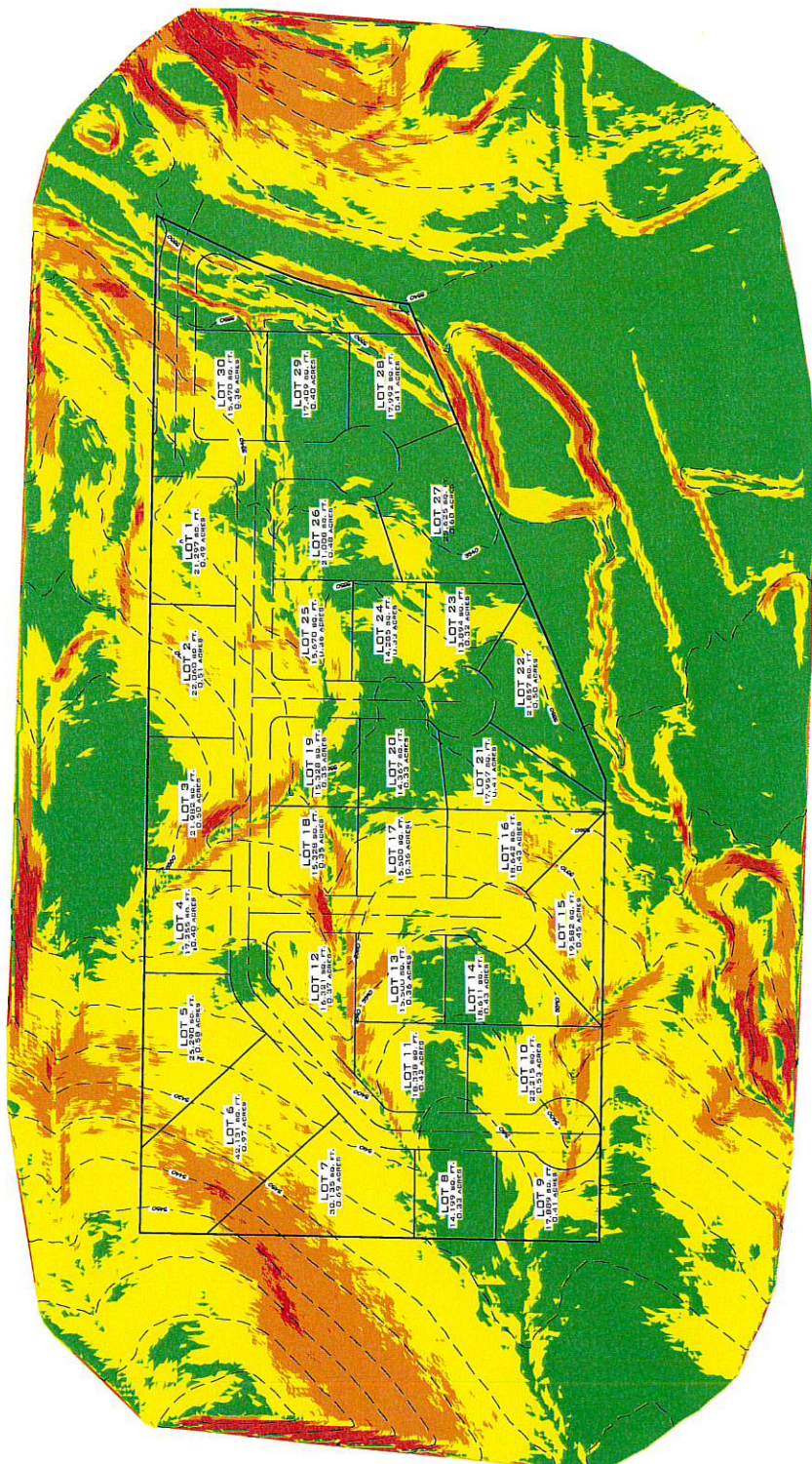
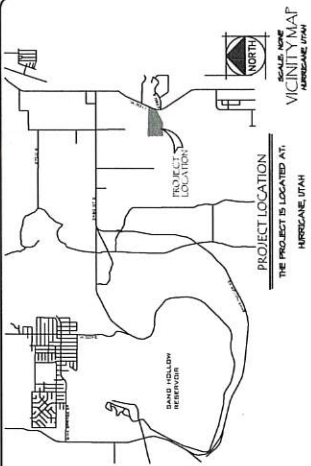
**ROSENBERG**  
 ASSOCIATES  
 CIVIL ENGINEERS • LAND SURVEYORS



11111 GARDEN DRIVE  
 SUITE 100  
 FORT WORTH, TEXAS 76134  
 (817) 339-1111

**SLOPE ANALYSIS**  
 FOR  
**ESTATES AT COPPER ROCK**

SHEET  
 OF SHEETS



Number	Minimum Slope	Maximum Slope	Color
1	0.00%	10.00%	Green
2	10.00%	20.00%	Yellow
3	20.00%	30.00%	Orange
4	30.00%	100.00%	Red

**ZONE R1-15**  
 AVERAGE LOT AREA: 10,000 SQ. FT.  
 TOTAL LOTS: 30  
 TOTAL PAVED STREET ROADWAY AREA: 516 AC (224,844 SQ. FT.)  
 TOTAL PAVED STREET ROADWAY AREA: 516 AC (224,844 SQ. FT.)  
 AVERAGE LOT BEARS: 3000/200 - 10000/200

**SITE INFORMATION:**

CURRENT ZONE: R1-15  
 TOTAL LOTS: 30  
 TOTAL PAVED STREET ROADWAY AREA: 516 AC (224,844 SQ. FT.)  
 TOTAL PAVED STREET ROADWAY AREA: 516 AC (224,844 SQ. FT.)  
 AVERAGE LOT BEARS: 3000/200 - 10000/200

OWNER/DEVELOPER/CONTACT  
 RICHARDSON BROS. CUSTOM HOMES  
 CONTACT: JEFFREY RICHARDSON  
 PO BOX 400077  
 ST. GEORGE, UTAH 84791

PROJECT ENGINEER  
 THE ENGINEER FOR THIS PROJECT IS:  
 ROSENBERG ASSOCIATES  
 CONTACT: JEFFREY RICHARDSON  
 3002 EAST RIVERSIDE DRIVE, SUITE 202  
 ST. GEORGE, UTAH 84791 (435) 678-6566

GEOTECHNICAL ENGINEER  
 THE ENGINEER FOR THIS PROJECT IS:  
 LAMARCA ENGINEERING  
 CONTACT: JEFFREY RICHARDSON  
 1705 EAST FACTORY DRIVE  
 ST. GEORGE, UTAH 84791 (435) 686-0566

# GENERAL PLAN AMENDMENT 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. 2021-GPA-01  
 Receipt No. 0149288

Name: Troy Cattoor & Diamond Edge Construction LLC Telephone: \_\_\_\_\_  
*Moses Russ & Judy*

Address: 3071 S 1100 W Hurricane, UT Fax No. \_\_\_\_\_

Email: scott.stratton4966@gmail.com Agent Email: troycattoor@gmail.com

Agent (If Applicable): Scott Stratton Telephone: Scott-435-467-4966  
Troy Cattoor Troy-435-660-0257

Address/Location of Subject Property: 3071 S. 1100 W Hurricane, property east & 4  
*H-3343-A-4, H-3343-A-1* to the north

Tax ID of Subject Property: H-3396-A, H-3396-C, Existing Zoning: RA-1  
*H-3396-D H-3343-A-4*

Existing and Proposed Land Use Designation: RA-1 to change

back to R1-10 Reason for Change (Use Extra Sheets if Necessary)

Council changed land use map they'd like it changed back.

Submittal Requirements: The Land Use Map application shall provide the following:

- \_\_\_\_ (1) An 8 1/2" x 11" map showing the area of the proposed amendment.
- \_\_\_\_ (2) A current copy of County Assessor's parcel map showing the area of the proposed amendment;
- \_\_\_\_ (3) Mapped inventory of existing land use within the area of the proposed amendment and extending 1/2 mile beyond such area;
- \_\_\_\_ (4) Written statement specifying the potential use of property within the area of the proposed amendment;
- \_\_\_\_ (5) Written statement explaining why the existing General Plan designation for the area is no longer appropriate or feasible;
- \_\_\_\_ (6) Analysis of potential impacts of the proposed amendment on existing infrastructure and public services such as traffic, streets, intersections, water and sewer, storm drains, electrical power, fire protection, garbage collection, etc. and
- \_\_\_\_ (7) Stamped envelopes with names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- \_\_\_\_ (8) Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

**NOTE: General Plan Amendments are only considered 2 times a year February and August on the third Wednesday of each month at 6:00 p.m. It is important that all applicable information noted above is submitted with the fee and application. An incomplete application will not be scheduled for Planning Commission consideration. Contact the Planning Department for the deadline date for submissions. A deadline missed or an incomplete application could result in a six-month delay.**

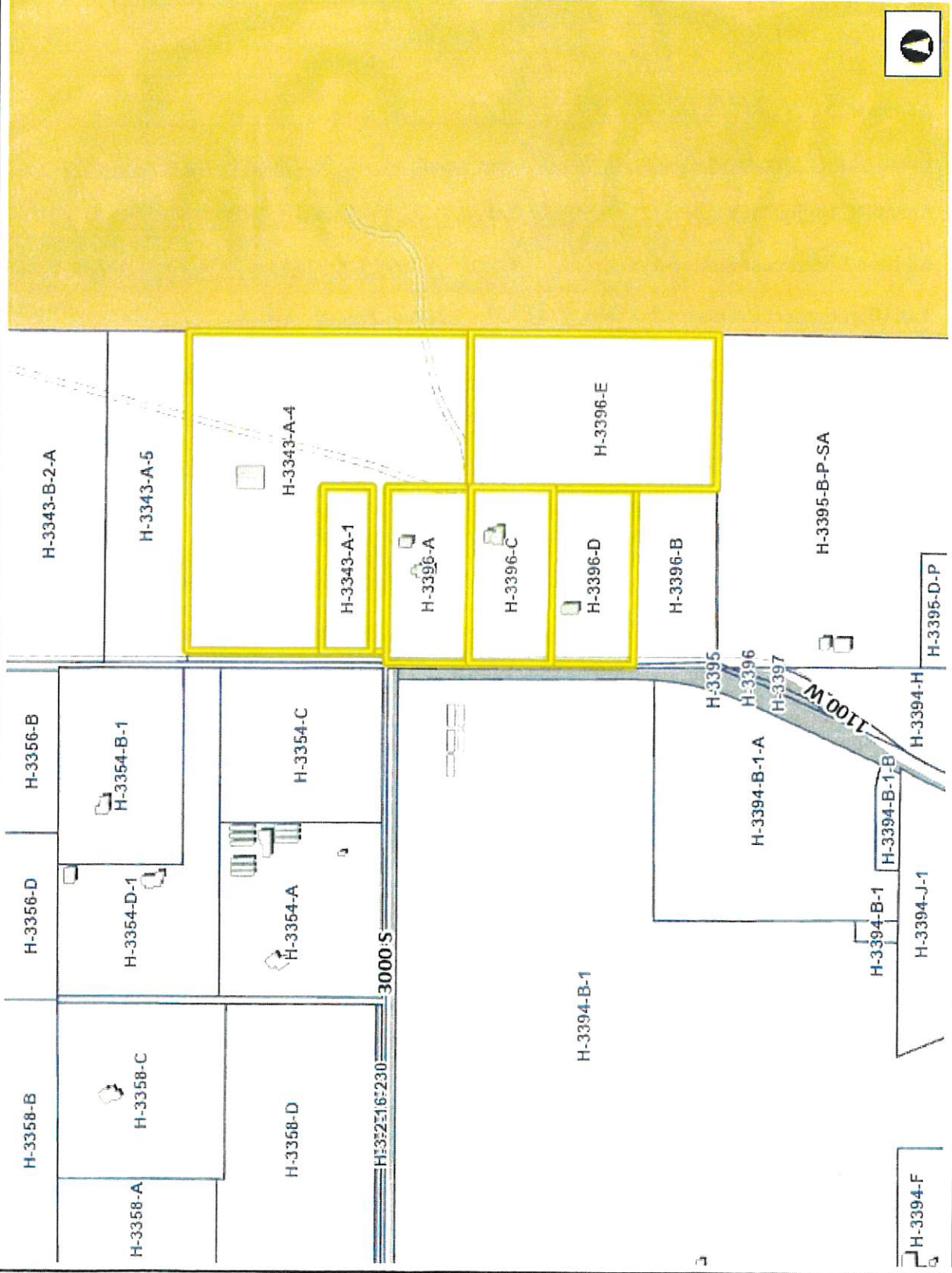
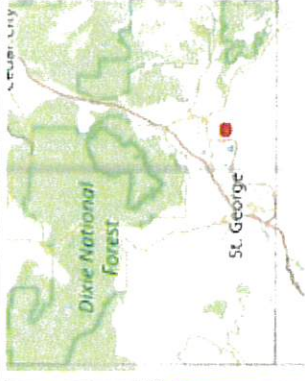
\*\*\*\*\*

Date Received: \_\_\_\_\_ Application Complete: YES  NO

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



# General Plan Amendment



**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.

# GENERAL PLAN AMENDMENT STATEMENT

4/29/2021

PARCELS: H-3343-A-4, H-3343-A-1, H-3396-A, H-3396-C, H-3396-D, H-3396-E.

PROPOSED GENERAL PLAN AMENDMENT: HIGH DENSITY SINGLE FAMILY RESIDENTIAL 4-8 (DETACHED SINGLE FAMILY HOMES 4-8 UNITS PER ACRE. DOMINATED BY DETACHED SINGLE-FAMILY HOMES AND SUPPORTING COMMUNITY USES SUCH AS BUT NOT LIMITED TO CHURCHES, SCHOOLS, AND PARKS.

CHANGING 6 PARCELS FROM 2021 GENERAL PLAN BACK TO 2019 GENERAL PLAN (HIGH DENSITY SINGLE FAMILY RESIDENTIAL 4-8).

NO POTENTIAL IMPACTS. 1100 WEST TO BE 90 FOOT R.O.W.

# GENERAL PLAN MAP FOR: SCOTT STRATTON

LOCATED IN SECTION 22, T42S, R31W, S12B.M.  
WASHINGTON COUNTY, UTAH



BUREAU OF  
LAND  
MANAGEMENT



**LEGEND**

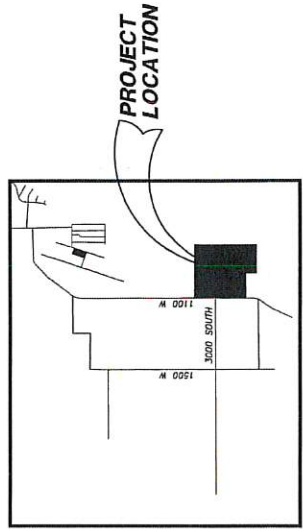
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- SECTION LINE
- SECTION CORNER AS DESCRIBED

**PROPOSED ZONE LEGEND:**

- RURAL RESIDENTIAL
- AGRICULTURAL
- PLANNED COMMUNITY

**DESCRIPTION**

PARCELS H-3141-A-1, H-3141-A-2, H-3141-A-3, H-3141-A-4, H-3141-A-5, H-3141-A-6, H-3141-A-7, H-3141-A-8, H-3141-A-9, H-3141-A-10, H-3141-A-11, H-3141-A-12, H-3141-A-13, H-3141-A-14, H-3141-A-15, H-3141-A-16, H-3141-A-17, H-3141-A-18, H-3141-A-19, H-3141-A-20, H-3141-A-21, H-3141-A-22, H-3141-A-23, H-3141-A-24, H-3141-A-25, H-3141-A-26, H-3141-A-27, H-3141-A-28, H-3141-A-29, H-3141-A-30, H-3141-A-31, H-3141-A-32, H-3141-A-33, H-3141-A-34, H-3141-A-35, H-3141-A-36, H-3141-A-37, H-3141-A-38, H-3141-A-39, H-3141-A-40, H-3141-A-41, H-3141-A-42, H-3141-A-43, H-3141-A-44, H-3141-A-45, H-3141-A-46, H-3141-A-47, H-3141-A-48, H-3141-A-49, H-3141-A-50, H-3141-A-51, H-3141-A-52, H-3141-A-53, H-3141-A-54, H-3141-A-55, H-3141-A-56, H-3141-A-57, H-3141-A-58, H-3141-A-59, H-3141-A-60, H-3141-A-61, H-3141-A-62, H-3141-A-63, H-3141-A-64, H-3141-A-65, H-3141-A-66, H-3141-A-67, H-3141-A-68, H-3141-A-69, H-3141-A-70, H-3141-A-71, H-3141-A-72, H-3141-A-73, H-3141-A-74, H-3141-A-75, H-3141-A-76, H-3141-A-77, H-3141-A-78, H-3141-A-79, H-3141-A-80, H-3141-A-81, H-3141-A-82, H-3141-A-83, H-3141-A-84, H-3141-A-85, H-3141-A-86, H-3141-A-87, H-3141-A-88, H-3141-A-89, H-3141-A-90, H-3141-A-91, H-3141-A-92, H-3141-A-93, H-3141-A-94, H-3141-A-95, H-3141-A-96, H-3141-A-97, H-3141-A-98, H-3141-A-99, H-3141-A-100.



NO.	REVISION	DATE	BY

PROVALUE ENGINEERING, INC.  
200 South Main Street, Suite 1  
Provo, Utah 84601  
Phone: (435) 438-8507

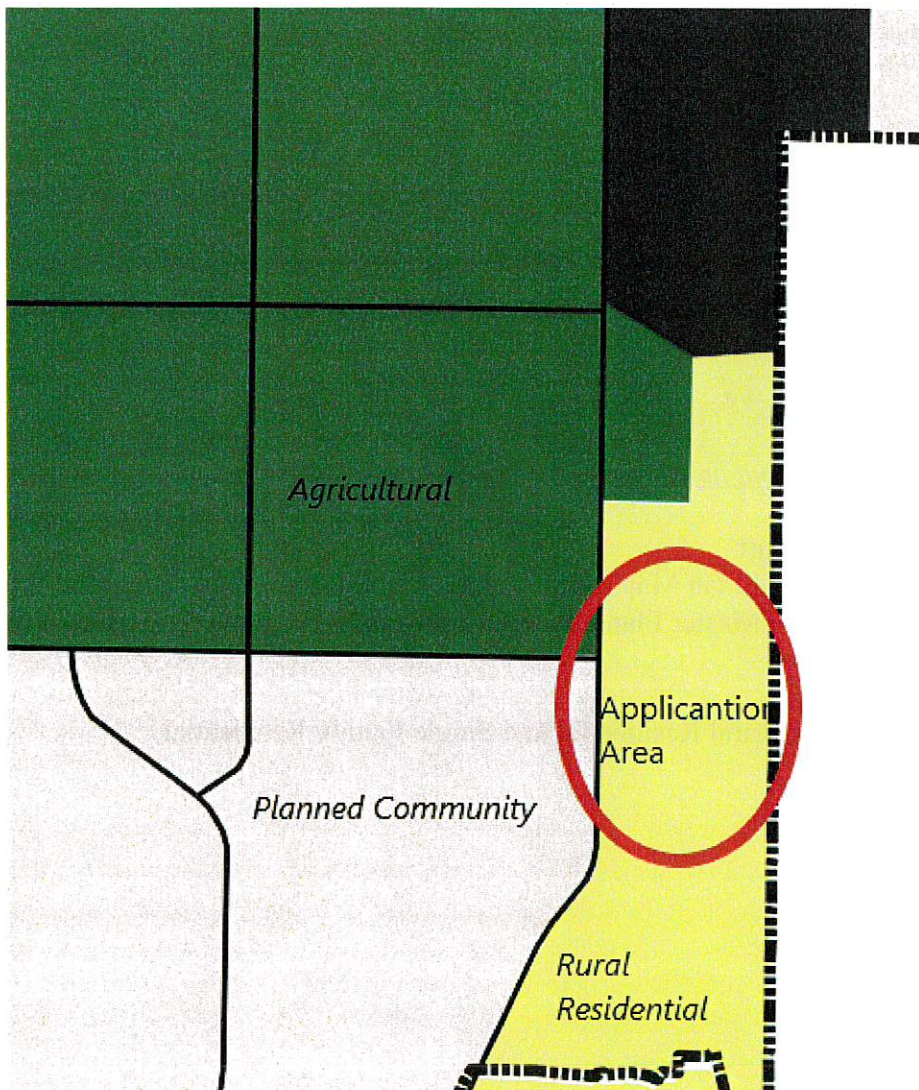
GENERAL PLAN MAP FOR:  
**SCOTT STRATTON**  
LOCATED IN SECTION 22, T42S, R31W, S12B.M.

DATE: 07/20/2021 SCALE: 1"=40'
JOB NO: 314-20
SHEET NO: 7



## STAFF COMMENTS

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	2021-GPA-01
<b>Type of Application:</b>	General Plan Map Amendment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Troy Catoor and Diamond Edge Construction LLC and Moses Russ and Judy
<b>Agent:</b>	Scott Stratton
<b>Request:</b>	A General Plan Map Amendment from Rural Residential to Single Family Residential.
<b>Location:</b>	3000 S and 1100 W
<b>Zoning:</b>	RA-0.5
<b>General Plan Map:</b>	Rural Residential



### Planning Commission Recommendation

The Planning Commission recommended denying the proposed General Plan Amendment.

There were several comments taken in opposition of the proposed application.

Sandy Catoor, a part property owner of two of the parcels under consideration, came in opposition during the public hearing.

### Discussion:

The applicant is seeking an amendment of 57.54 acres on the General Plan Map to change the following area from Rural Residential to Single Family Residential. The applicant has recently requested a zone change amendment from RA-1 to R1-10, which was tabled by

the City Council. The applicant is seeking a General Plan Map Amendment so that they can seek a future zone change of the property.

The old General Plan Map has this area as High-Density Single Family. The reason for the change was that the City wanted to preserve more areas for larger lots, and selected areas near the edge of the City or by sensitive lands. The applicant has stated that because of the surrounding land use, including the gravel pit to the south, and the poor soil conditions that this property is not ideal for half acre lots. The applicant has filed a General Map Amendment request to change their area for a map amendment. Hurricane City Code States the following

**10-2-2: GENERAL PLAN:**

*H. Amendment Of Plan: The general plan may be amended by following the procedures set forth in subsections E and F of this section. General plan amendments shall be subject to the following requirements: (Ord. 2006-4, 2-16-2006)*

*1. Persons wishing to propose a general plan amendment shall file their proposals and shall pay the fee established by the fee schedule adopted by the city council. Proposed general plan amendments will be considered by the planning commission twice a year, at the February and August meetings. Notwithstanding the foregoing, the city council or planning commission may, at any time by majority vote, authorize preparation and consideration of proposed general plan amendments. (Ord. 2007-17, 7-5-2007)*

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	RA-1 Zoning	Open Space and some Ag Use
<b>East</b>	Unincorporated	Cliffs and Natural Open Space
<b>South</b>	RA-1, M-1, and Critical Infrastructure Protection Area	Gravel Pit Protection Area and an industrial Lot
<b>West</b>	RA-1, some R1-10, and an Ag Protection Overlay	Farm Land, Future Subdivisions

*[A link to the zoning map can be found here.](#)*

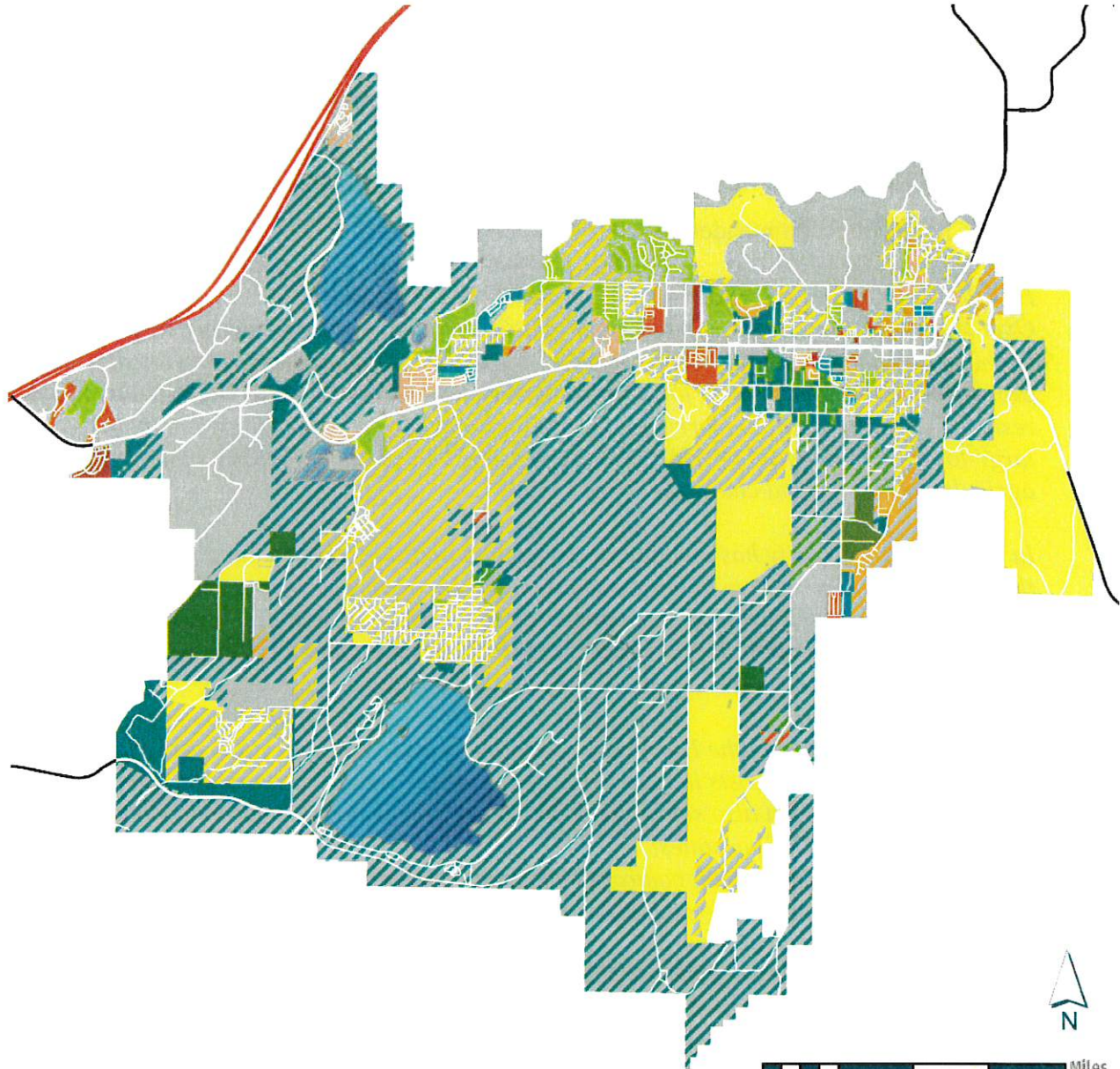
**Review of General Plan Map Amendment**

The City has wide discretion on the General Plan Map Amendments. It should take into account of the Goals and Policies of the General Plan and Master Plans, Public Feedback, and the overall vision of the City for the area.

The General Plan states the following for Rural Residential and Single Family Residential.

# CURRENT AND FUTURE HOUSING AND AGRICULTURE

\*BASED ON HURRICANE CITY'S CURRENT ZONING MAP AND DEVELOPMENT STATUS



## Legend

Agriculture 10 Acre	RA-1 Undeveloped	R1-10 Developed	Mobile Homes Developed
Agriculture 5 Acre	R1-6 Developed	R1-10 Undeveloped	Multifamily Undeveloped
RA-0.5 Developed	R1-6 Undeveloped	R1-15 Undeveloped	RM-1 Developed
RA-0.5 Undeveloped	R1-8 Developed	R1-15 Developed	RM-2 Developed
RA-1 Developed	R1-8 Undeveloped	Mobile Homes Undeveloped	RM-3 Developed

0 0.375 0.75 1.5 2.25 3 Miles



## *RURAL RESIDENTIAL*

*These areas should serve as a transition from agricultural to traditional neighborhoods or commercial uses. Appropriate residential densities for this land use include from one unit per 40 acres to RA-.5 and RA-1*

## *SINGLE FAMILY RESIDENTIAL*

*Residential neighborhoods characterized by single-family homes. These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.  
(Hurricane City, 2021, p 84)*

The following items are recommended for consideration of housing:

### *HOUSING GOAL 1: PROVIDE CHOICE IN HOUSING OPTIONS*

*Over the past several years, annual population growth in Hurricane has been between 5.5% and 6.5%, with both “for sale” and rental prices having notably increased. The City desires to provide housing opportunities for a range of incomes and family sizes. Historically, most residential development in Hurricane has been for owner-occupied single family homes, and the large-lot rural residential development patterns in some areas of the City support the agricultural history and character of the area.*

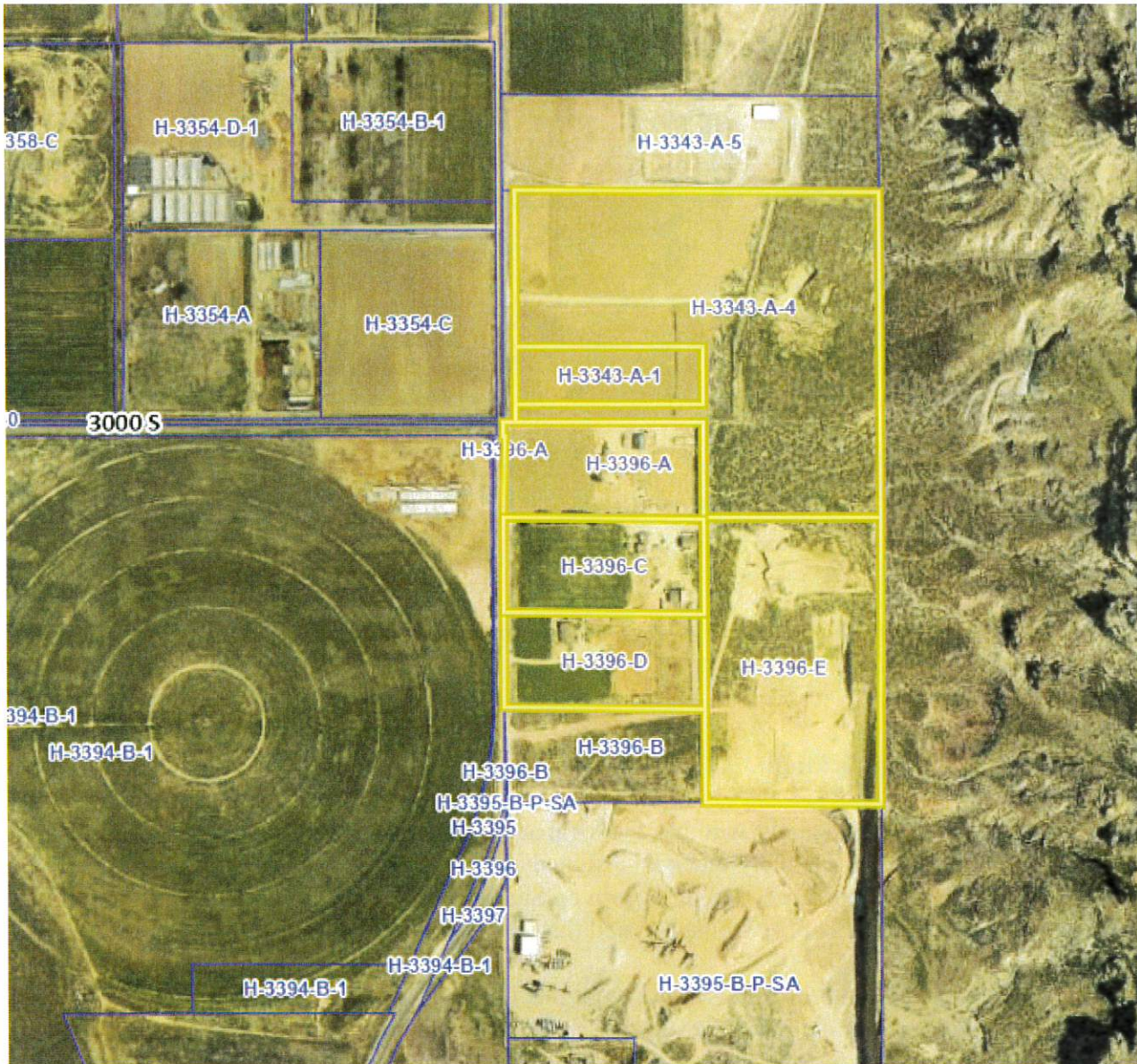
*In recent years, the City has recognized the need to approve zoning changes and project plans that provide a wider variety of housing options for Hurricane residents. A number of new multi-family housing units have been approved in recent years and are in various stages of construction and occupation. These multi-family homes are a mixture of rental apartments, rental and owner-occupied townhomes, and duplex housing.*

*In 2018, the City adopted the Hurricane Moderate Income Housing Plan. The Plan provides information on housing costs in Hurricane, local incomes, and the attainability of housing for City residents. The Plan also sets policies and identifies strategies to broaden housing availability. The 2019 Plan states:*

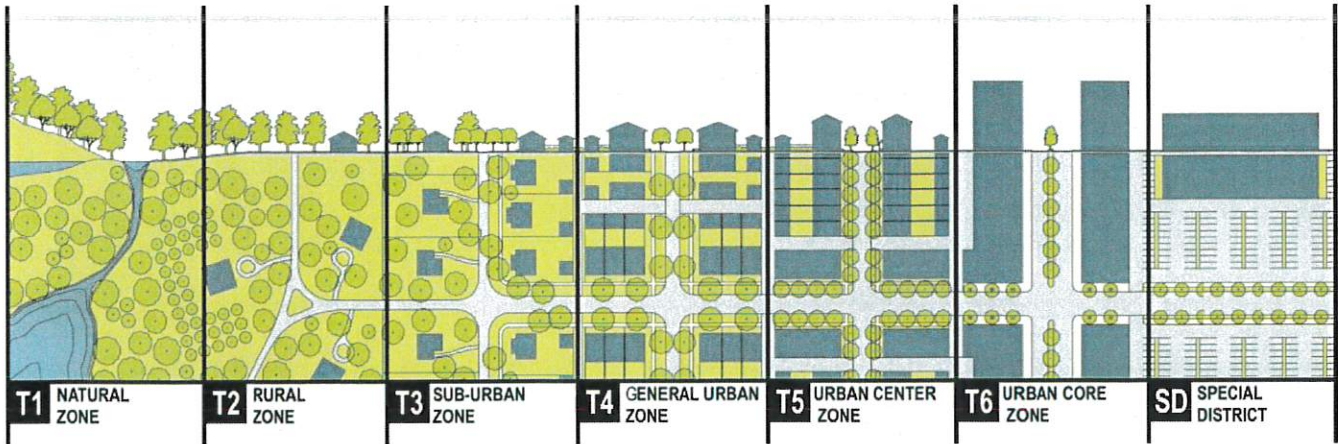
*“While the City cannot control the housing market, it can take steps to ensure housing options continue to be available for all residents of all income ranges and ages. These include locating appropriate land use designations for multi-family housing, manufactured home communities, and townhome development. Ensuring these land use designations are located in areas convenient to shopping, transportation, and jobs will help families keep transportation costs lower. The City will be starting an amendment of the entire General Plan in 2020 and will ensure consideration is given to these factors when finalizing the updated plan.”*

*(Hurricane City General Plan, 2021, p. 41)*

The history of why this area was designated as Rural Residential was because there was a desire from the Planning Commission and City Council to retain areas that would require larger lots. In the mapping processes areas were selected around agricultural areas and around the edge of town for Rural



Residential. This area was one of them. The idea of having larger lots on the edge of town follows Transect Zoning Model, as shown in the picture below. This zoning model states that as you are closer around the center of town, densities and impact should be increased. This model puts the most residents around needed services, therefore reducing overall traffic and allows the phasing of densities and uses across the City. Though there is wisdom in this model, staff does not recommend absolute strict adherence to its concepts because, like most planning models, it should be reviewed within the confines of Hurricane City and then applied appropriately. However, the principles can help guide the City in long-term planning.



It should also be noted that to the north there is a critical infrastructure protection area for a gravel pit and mining operation. Our General Plan recommends that housing is spaced away from these types of operations.

***Housing Goals...***

*1.10. Housing developments should not be placed in close proximity to heavy industrial land uses where possible. (p.42)*

**Legal Question for the Application**

There has been a concern raised about who has the legal authority to sign the application for Parcels H-3343-A-4 and H-3343-A-1. The City received a signed application by Troy Catoor to change the zoning and for the General Plan Amendment. However, Sandy Catoor who is also listed as a property owner spoke in opposition to the proposal and stated that Troy was not authorized to sign the paperwork.

The applicant asked the Planning Commission to continue the item until they could figure out the legal questions that were raised, but the Planning Commission discussed that even if all legal issues were resolved, it would not change their recommendation.

**Recommendation:** Staff recommends the City Council review this application based on goals and policies within the General Plan and considers residents' comments. Staff recommends denying the application based on the items within this report.

## PRINCIPLES OF GOVERNING

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I wish to speak about two basic principles of city government:

- 1) Planning and Zoning - It is commonly accepted that cities should plan for the way they want to grow. Hurricane recently spent in the neighborhood of \$90,000 to hire planning experts to work with the city staff and the planning commission to update the general plan for the city. They then overlaid appropriate zoning regulations to protect that plan and help the city grow in a manner consistent with the general plan.
- 2) Democracy - The will of the city residents is paramount to good governance, as well as the need to protect the rights of the individual. The balance between the will of the majority and the rights of the individual sometimes conflict. Dallin H Oaks, an expert in constitutional government, made this statement regarding such conflict: "Almost every exercise of lawmaking involves a judgment about the extent to which the laws should interfere with the freedom of one citizen in order to serve the larger good represented by the interests of citizens as a whole."

Making such a judgment is not an easy job. Nevertheless, it is what we expect from our elected officials. It requires you to be completely objective, setting aside any biases you might have, using every bit of your experience, and listening intently to the arguments made by opposing parties.

I have noticed that some members of the city council approach all conflicts between residents with a compromise solution. I believe compromise is a good way to resolve conflicts arising over policy disputes or individual arguments. However, principles cannot be compromised. You either follow a principle or you don't. Planning & Zoning and Democracy are principles of government which city residents rely upon for their protection. You should not change a zone to accommodate a developer or builder. Developers and builders are important and fulfill necessary requirements for city growth, but they are not planners. You should respect the expertise of planners and expect builders to develop according to the plan and zone put in place through the planning process.

Now, as to the specific requests from Scott and Troy to change zoning in a portion of Bench Lake. I was not a participant in the planning process which resulted in the current zone assignment for our area, but I know that residents of the area as well as many residents in other parts of the city, value the open space they see and feel in Bench Lake. Some cities protect open spaces by using tax dollars to buy development rights and keep farmers plowing and planting their ground. Bench Lake has property owners who want to do just that, without any financial incentive. Many residents feel that Hurricane's heritage of farming should be preserved, even if it is only in a very small way. Bench Lake represents the last hope of preserving that heritage. In my mind, I am certain that these feelings were expressed and felt and valued by those involved in the planning process. It was intentional that the planners zoned our area as agricultural.

In the first go around on this issue, two planning commissioners abstained from voting because they felt they had a personal relationship with Scott that might be a potential conflict of interest. They, nevertheless, did voice their opinion which certainly sounded like they were in agreement with all the other commissioners who voted not to approve the zone change request. To them I say: I understand what I consider sympathy feelings that anyone of us would have toward persons we know and like, but I trust you to set aside those feelings and remain objective. I think you should vote your conscience. To Scott, I say: is your agreement to buy Russ Moses's property contingent upon getting your desired zone change? If it is, it might diminish the sympathy feelings anyone might have for you, and encourage them to vote their conscience.

# 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. 2021-2C-27  
Receipt No. 8150355

Name: LOUISE P SPENDLOVE Telephone: 210-473-7969

Address: \_\_\_\_\_ Fax No. \_\_\_\_\_

Agent (If Applicable): TYLER MEYERS Telephone: 435-773-0707

Email: SPNDLUV@GMAIL.COM Agent Email: TY@BEATHOMEUTAH.COM

Address/Location of Subject Property: H-3386-B

Tax ID of Subject Property: H-3386-B Existing Zone District: AGRICULTURE

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

PDO WITH USES TO INCLUDE MULTIFAMILY AND R-1-8.

**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: \_\_\_\_\_

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the 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, storm water drainage systems, water supplies, and waste water and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report, and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.

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. 2021-FSP-14  
Receipt No. 0150355

Name: LOUISE P SPENDLOVE Telephone: 210-473-7969

Address: \_\_\_\_\_ Fax No. \_\_\_\_\_

Agent (If applicable): TYLER MEYERS Agent's Phone: 435-773-0707

Email: SPNDLUV@GMAIL.COM Agent Email: TY@BEATHOMEUTAH.COM

Address/Location of Subject Property: H-3386-B

Tax ID of Subject Property: H-3386-B Zone District: AG

Proposed Use: (Describe, use extra sheet if necessary) \_\_\_\_\_  
PDO WITH USES TO INCLUDE MULTIFAMILY AND R-1-8

**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;
  - \_\_\_\_\_ 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
- 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

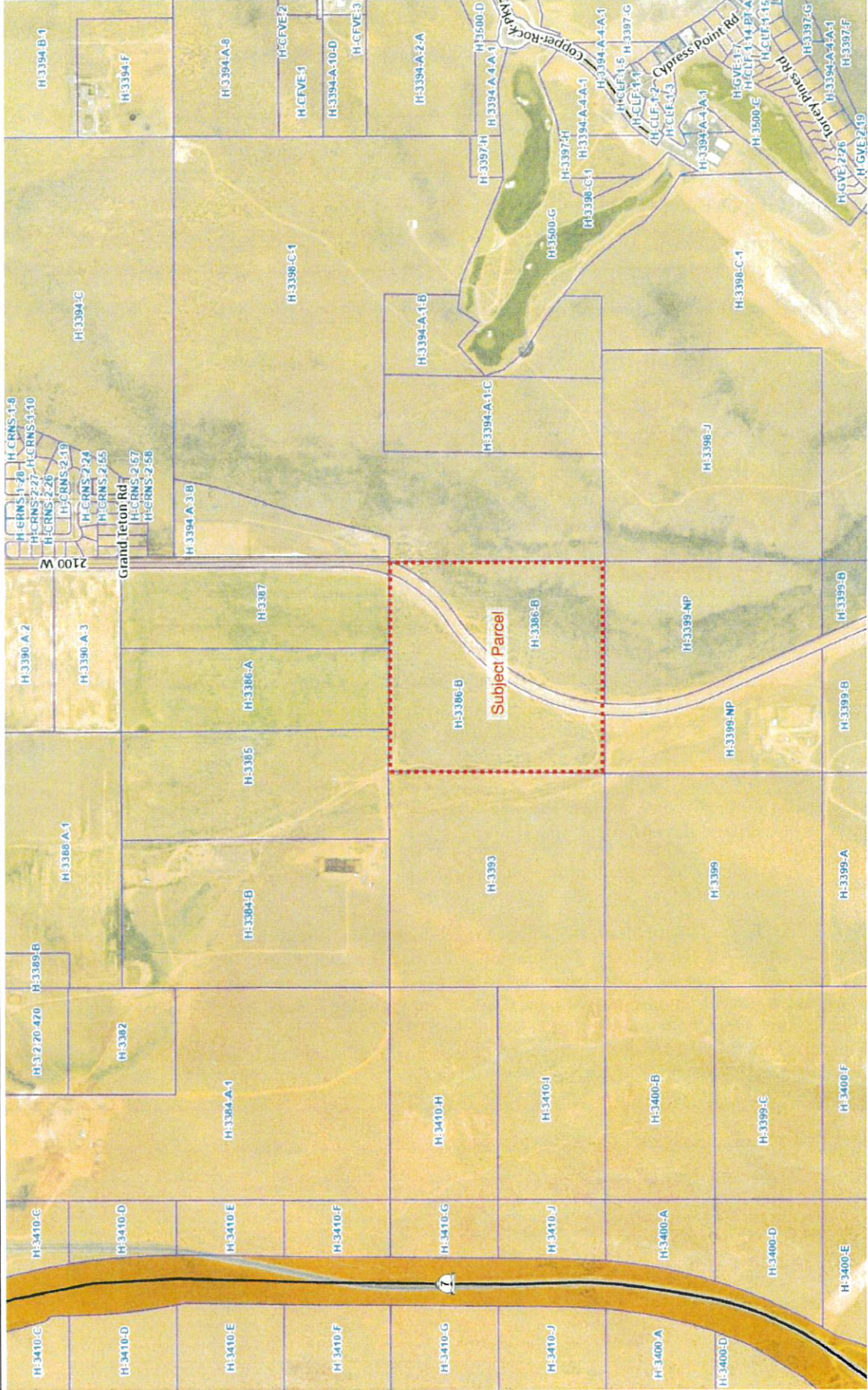
**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Planning Commission meetings are held on the second Thursday and the fourth Wednesday of each month at 6:00 p.m. 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: \_\_\_\_\_

# Spendlove 37 ac Hurricane



**Legend**

**Parcels**

- Interstate
- Other Freeways and Expressways
- Major Collector
- Minor Collector
- Principal Arterial
- Minor Arterial
- Local
- Unimproved

**Ownership**

- U.S. Forest Service
- U.S. Forest Service Wilderness
- Bureau of Land Management
- Bureau of Land Management Wildlife
- National Park Service
- Shovel's 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

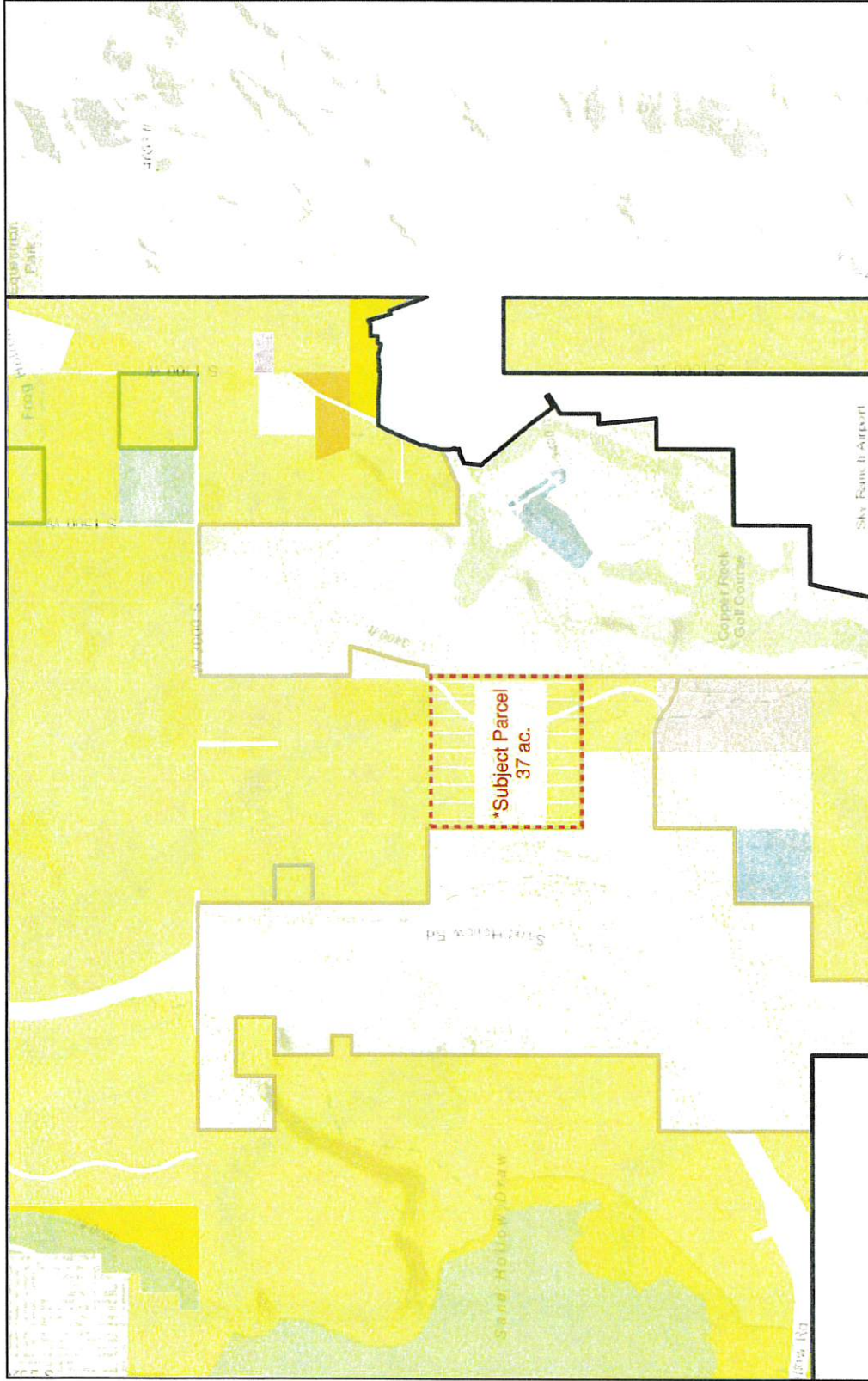
**Notes**

DISCLAIMER: The information shown on this map was compiled from different GIS sources. The land base and parcel boundaries are not guaranteed for 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

# Spendlove 37 ac zone change



6/28/2021, 2:02:37 PM

- City Limits
- Extraction Industries Overlay
- Planned Development Overlay
- Agricultural Protection Overlay

- Zoning
- A-5: Agricultural - 1 Unit Per 5 Acres
- RR: Recreational Resort Zone

**\*Subject Parcel proposed PDO overlay with multi-family and R1-8 residential zones**

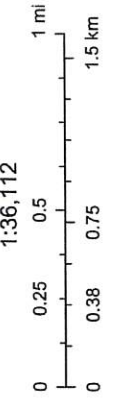


EXHIBIT :  
**A**

37 ac. Parcel  
Spindleve

PRELIMINARY SITE  
PLAN REVIEW

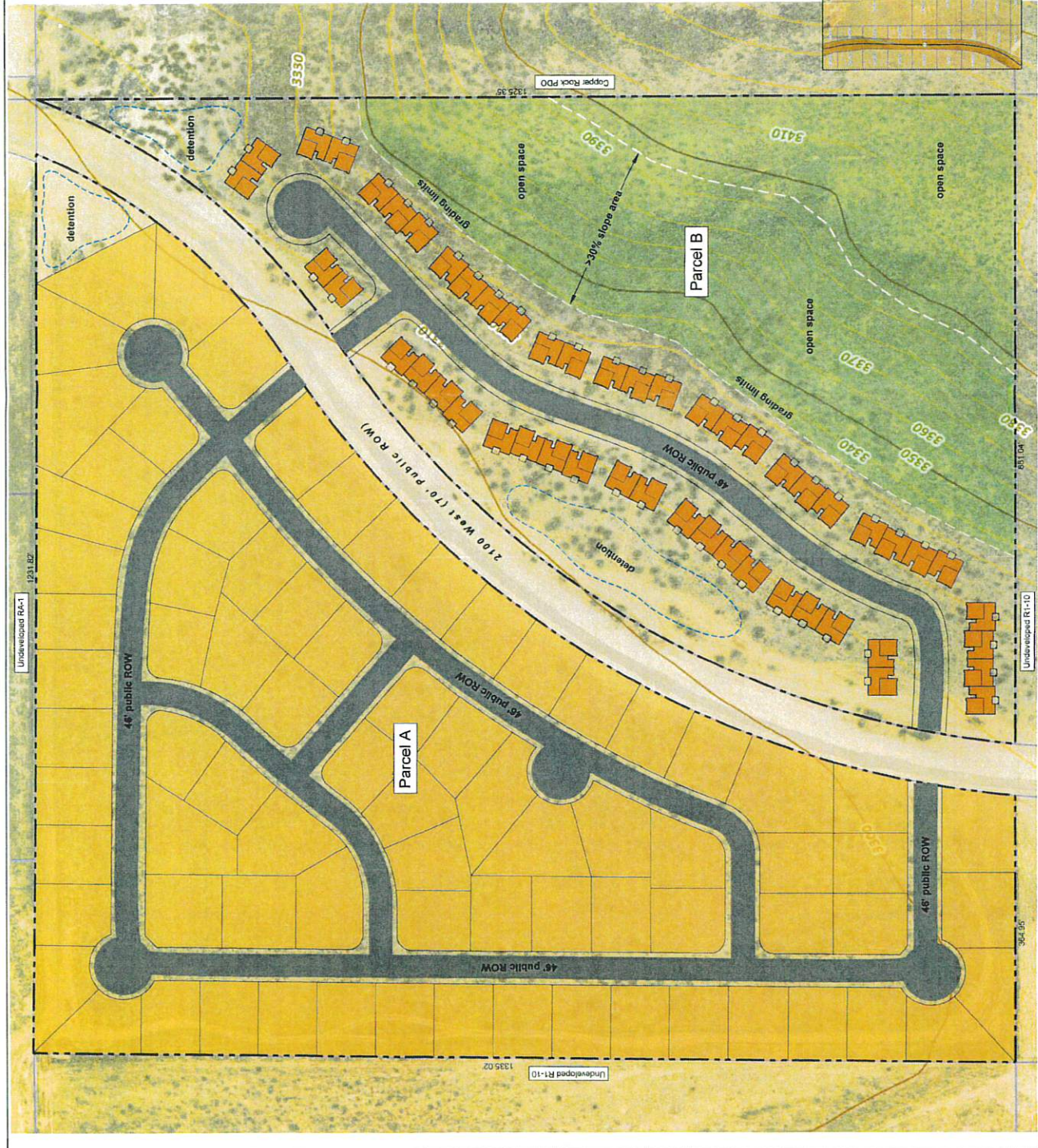
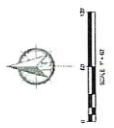
Conceptual Land Use Plan  
APN: H-3386-B  
Hurricane, UT



LAND USE SUMMARY

LAND USE	AREA (ac)	UNITS
Parcel A	21.35	78
Parcel B	14.02	51
TOTAL BOTH SITES	37.37	129

Parcel A: 9,000 SF SFD lots, 3.6 sq/lot  
Parcel B: 2-4 beds, 5,000 sq/lot, 3.2 sq/lot  
open space = 7.44 ac (46%)





## STAFF COMMENTS

<b>Agenda Date:</b>	8/12/2021
<b>Application Number:</b>	2021-ZC-27 2021-PSP-14
<b>Type of Application:</b>	Zone Change PDO
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Louise P Spendlove
<b>Agent:</b>	Tyler Meyers
<b>Request:</b>	A PDO Request with an R1-8 Underlying Zone
<b>Location:</b>	2100 W about .75 miles south of 3000 S
<b>Zoning:</b>	RA-1
<b>General Plan Map:</b>	Planned Community

### Discussion:

The applicant is seeking an R1-8 PDO approval for 37 acres sandwich between future Copper Rock and Sand Hollow Mesa. The applicant is proposing 78 single-family homes and 51 units comprising 2-4 plexes.

	Zoning	Adjacent Land Use
North	RA-1	Undeveloped property
East	R1-10 PDO	Copper Rock PDO
South	R1-10 PDO	Sand Hollow Mesa (Romney Group) Undeveloped
West	RA-1 and R1-10 PDO	Undeveloped Land and Sand Hollow Mesa (Romney Group) Undeveloped

[A link to the zoning map can be found here.](#)

### Density

Spendlove 37 PDO Density		
Land Use	Area	Units
Single Family	21.35	78
Townhomes	16.02	51
<b>Total</b>	<b>37.37</b>	<b>129</b>
Proposed Vs. Base		
<b>Proposed Units/Acre</b>		<b>3.451966818</b>
<b>R1-8 Base</b>		<b>4.4</b>



R1-8 base density is normally around 4.45 units an acre figuring about 20% of the property for public dedication and assuming the average lot is 8,000 sq. ft. Steep slopes would normally factor into limitations of density, but because 1) the applicant is proposing a PDO and 2) the applicant has moved the units off the sensitive lands, it is much less of a factor. Staff has found the density presented complies with the standards of an R1-8 PDO.

The City has an unofficial policy to keep development in the area around 4 units an acre, which this applicant complies with also.

### **Sensitive Lands**

There are steep slopes on the property and the applicant would likely need to submit a sensitive land application for the project. The following is how you calculate density on projects with steep hillsides:

### ***10-24-6: HILLSIDES AND RIDGE AREAS; GENERAL DEVELOPMENT STANDARDS:***

#### *C. Density Limitations:*

*1. The maximum number of units allowed within a project site shall not exceed the lesser of the following:*

- a. The maximum units allowed by the existing zone district on the project site, plus any bonus allowed by subsection D of this section;
- b. The maximum number of units resulting from the application of the minimum lot size standards of subsection B of this section, plus any bonus units allowed by this chapter; and
- c. The maximum number of units allowed by the general plan, plus any bonus units allowed by this chapter.

2. To determine the maximum number of allowed units for a project as limited by subsection C1 of this section, the following methods shall be applied:

a. The maximum density of a zone district is calculated as follows:

(1) When all proposed streets are known, the acreage of the total project site shall be reduced by the acreage of existing and proposed streets. This resulting net acreage factor is converted to total square feet and is then divided by the minimum parcel size in single-family zone districts to yield the number of permitted dwelling units. In multiple-family districts the total net acreage shall be divided by the allowed number of units per acre as prescribed by the applicable zone district.

(2) When the acreage of proposed streets has not been determined, the total acreage of the project site shall be reduced by twenty percent (20%) to accommodate streets, and the resulting net acreage factor is converted to square feet and then divided by the minimum parcel size in single-family zone districts to yield the number of permitted dwelling units. In multiple-family districts the total net acreage shall be divided by the allowed number of units per acre as prescribed by the applicable zone district.

**Example 1 - Acreage of streets is known:**

	<i>R1-10 zone</i>
	<i>Total site acres = 100 net acres (not including street acreage)</i>
	<i>100 acres x 43,560 square feet = 4,356,000 square feet total</i>
	<i>4,356,000 square feet divided by 10,000 square foot lots = 436 lots</i>

**Example 2 - Acreage of streets is unknown:**

	<i>R1-10 zone</i>
	<i>Total site acres = 100 acres</i>
	<i>100 acres x .80 = 80 net acres</i>

	<i>80 x 43,560 square feet = 3,484,800 square feet total</i>
	<i>3,484,800 square feet divided by 10,000 square foot lots = 348 lots</i>

*b. If densities are calculated using the minimum lot size provisions of subsection B of this section, the total net acreage of each slope category shall be divided by the allowed minimum parcel size of the applicable slope category. Total net acreage shall be determined by reducing total acreage within a slope category by the acreage of existing and proposed streets, or by the twenty percent (20%) street factor using the applicable method of either subsection C2a(1) or C2a(2) of this section. The minimum parcel size allowed by the applicable slope category shall then be divided into the net acreage to determine the dwelling unit yield for the slope category. This calculation shall be done for each slope category of ten percent (10%) or greater on the project site to determine the total allowable number of dwelling units on the project site.*

*c. The general plan densities noted on the future land use map shall be gross densities. Therefore, the maximum number of units permitted by the general plan is determined by dividing the total acreage of the project site (including the acreage of proposed streets if known), by the maximum density (units per acre) as allowed by the applicable general plan land use category.*

*3. Any proposed rezoning in sensitive land areas shall be consistent with the general plan and the densities shown on the future land use map.*

*4. If the planned development overlay zone is applied, density may exceed the base zone density to the extent allowed in chapter 23 of this title, subject to provisions therein. However, if the density transfer option noted in subsection D of this section is requested in combination with the density bonus provisions of chapter 23 of this title, the combination of planned development and density transfer bonuses shall not exceed twenty five percent (25%).*

*D. Density Transfer: A density transfer from steep slopes (generally greater than 20 percent) and ridge areas to moderate slopes (generally less than 20 percent) on or off-site is encouraged and allowed through the processing of a planned development, providing the purposes of this chapter and the general plan are maintained. A density transfer bonus may be allowed as follows:*

<i>Slope</i>		<i>Bonus Factor<sup>1</sup></i>	
<i>10 - 14%</i>		<i>1.25</i>	
<i>15 - 20%</i>		<i>1.50</i>	
<i>21 - 25%</i>		<i>2.00</i>	
<i>26 - 29%</i>		<i>2.50</i>	

30% or greater		No bonus is permitted, but density may be transferred at a rate of 1 dwelling unit for each 10 acres
----------------	--	------------------------------------------------------------------------------------------------------

Note:

1. The allowable transfer including the bonus shall be determined by multiplying the density allowed based on the percent of slope as provided in subsection B of this section by the bonus factor. (Example: In a 26 percent slope area, based on an estimated net density of 0.89 units per acre, applying the bonus [0.89 units per acre x 2.5 bonus factor] a total of 2.23 units per acre of 26 percent slope area may be transferred.)

The applicant has proposed to leave the steep slopes open and cluster the proposed density off the hillside. The applicant has not proposed any density transfer off the hillside, though they would likely qualify for such a transfer.

**Zoning Consideration**

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

**Response:** The [General Plan Map](#) shows this area as a future Planned Community:

*Master planned communities should be complete communities that offer a mixture of housing types and supporting uses such as neighborhood and supporting commercial uses, offices, churches, schools, and parks. Development in this designation should take into account the character of existing surrounding development.*

The applicant is proposing two types of housing. Generally speaking, the General Plan is in favor of PDO providing a variety of housing types within an area but should meet the overall density standards within the General Plan Map. The General Plan states the following:

**HOUSING GOAL 1: PROVIDE CHOICE IN HOUSING OPTIONS**

*Over the past several years, annual population growth in Hurricane has been between 5.5% and 6.5%, with both "for sale" and rental prices having notably increased. The City desires to provide housing opportunities for a range of incomes and family sizes. Historically, most residential development in Hurricane has been for owner-occupied single family homes, and the large-lot rural residential development patterns in some areas of the City support the agricultural history and character of the area.*

*In recent years, the City has recognized the need to approve zoning changes and project plans that provide a wider variety of housing options for Hurricane residents. A number of new multi-family housing units have been approved in recent years and are in various stages of*

*construction and occupation. These multi-family homes are a mixture of rental apartments, rental and owner-occupied townhomes, and duplex housing.*

*In 2018, the City adopted the Hurricane Moderate Income Housing Plan. The Plan provides information on housing costs in Hurricane, local incomes, and the attainability of housing for City residents. The Plan also sets policies and identifies strategies to broaden housing availability. The 2019 Plan states:*

*“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. The City will be starting an amendment of the entire General Plan in 2020 and will ensure consideration is given to these factors when finalizing the updated plan.”*

*(Hurricane City General Plan, 2021, p. 41)*

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

**Response:** Most of the area is undeveloped, with some development that is taking place in Copper Rock and further south in the Cordero subdivision. The areas around the property have been approved for a variety of housing types, including single-family homes, multi-family, resorts in Sand Hollow Mesa, and some commercial in Sand Hollow Mesa.

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

**Response:** Yes, it will have some impact on the area. There are concerns about public facilities and roadways in the immediate area which is covered in the next section.

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

**Response:** Generally services are not currently adequate to serve the project. Services have been placed in 2100 W, including water and sewer. However, the 2100 W water line is not a looped system at this time, though some developments are working on it. Power is also a concern, because of limited power in the area. The Power Department has stated that they are looking into options to bring power to the area, but current services are very limited.

The Washington County Water Conservation District has raised concerns about water supply with the current drought and growth of the area. However, no moratorium has been issued and the Conservation District has not communicated with the Cities about any need to slow current growth or development. There currently is no need to deny an application because of water.

## **Preliminary Site Plan**

1. The applicant has submitted a preliminary site plan as required with a PDO application.
2. Roadways: The applicant has shown roadways that align within its own property, however, because of the size of the western parcel, the applicant should stubb one or more roads to adjacent properties, including to the west.
3. Hillside: The applicant has not stated their intent with the open hillside located on the southeast of the project.
4. Staff does not have any concerns about parking at this point.
5. The applicant has shown draft stormwater detention areas. Though will need further review, these meet the standards for a preliminary site plan.
6. The applicant has not shown any amenities for the townhome area or park space. This is not a requirement, but staff would recommend providing some amenities for the development.

## **Findings:**

Staff makes the following findings:

1. The proposed amendment is generally compatible with the current General Plan's maps and goals.
2. The proposed amendment is generally in harmony with the overall character of the proposed surrounding development.
3. The proposed amendment will have an impact on the area, but services and roadways are planned to handle this type of growth. The applicant will need to provide roadway and utility connections to adjacent property.
4. The services are currently not adequate for the development, there is some question about the time frame of when such services could be provided.

**Recommendation:** Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Staff recommends approval of the application with the following conditions:

1. The applicant provides additional information about anticipated utility needs, namely for power and water.

**DISSENTING RECOMMENDATION OF THE HURRICANE CITY PLANNING  
COMMISSION TO THE HURRICANE CITY COUNCIL**

**RE: Application No. 2021-ZC-27;  
Zone change request on 37 acres from RA-1, residential agriculture 1 unit  
per acre to residential 1 unit per 8,000 square feet, with a planned  
development overlay;  
Parcel H-3386-B**

DISSENTING RECOMMENDATION

One member of the Planning Commission recommends that the City Council DENY the proposed zone change amendment for the reasons set forth below.

FINDINGS

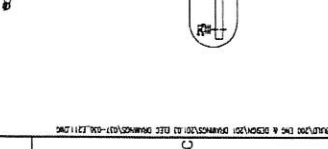
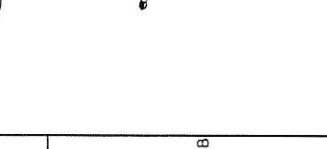
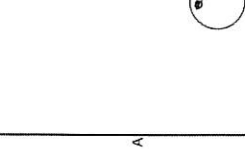
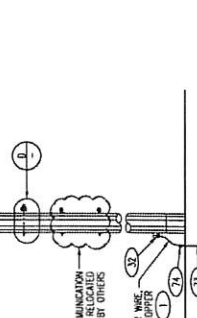
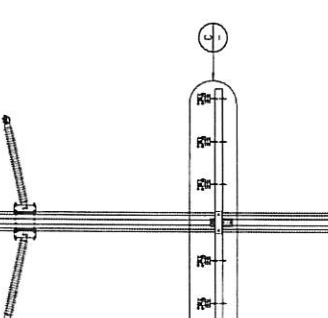
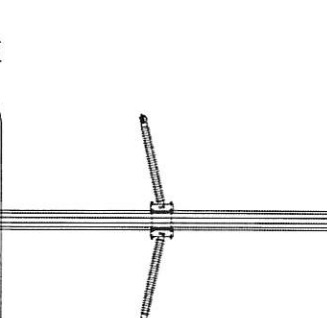
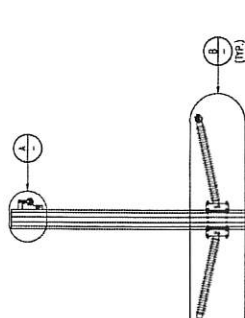
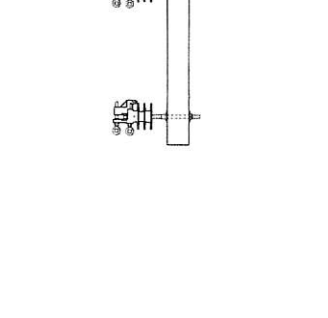
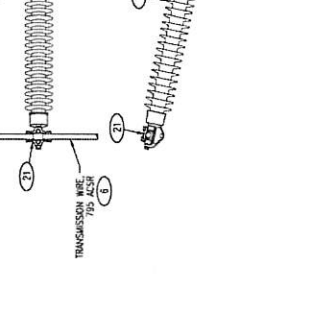
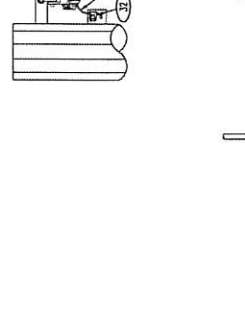
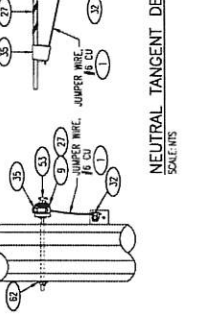
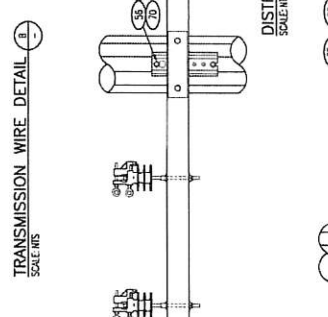
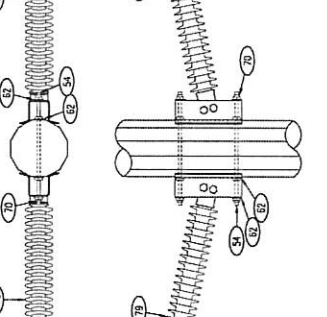
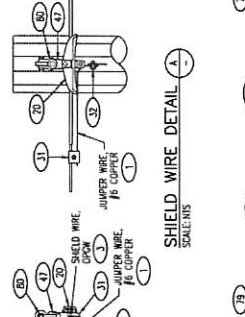
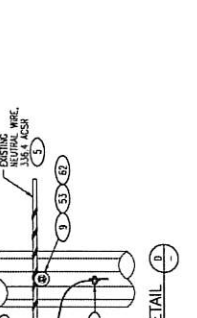
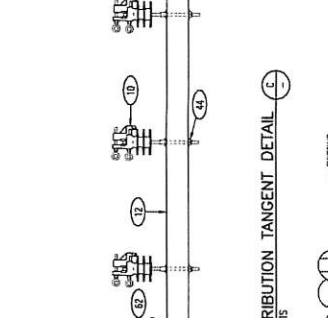
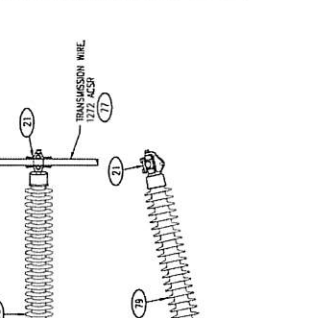
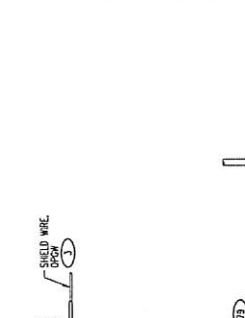
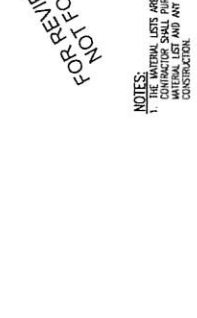
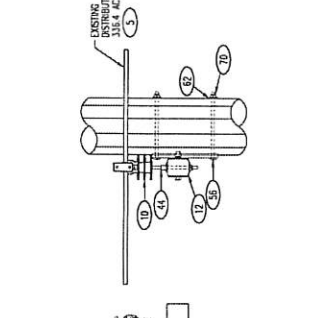
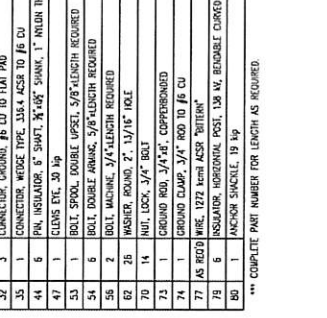
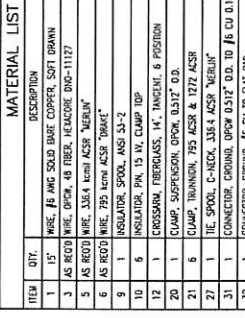
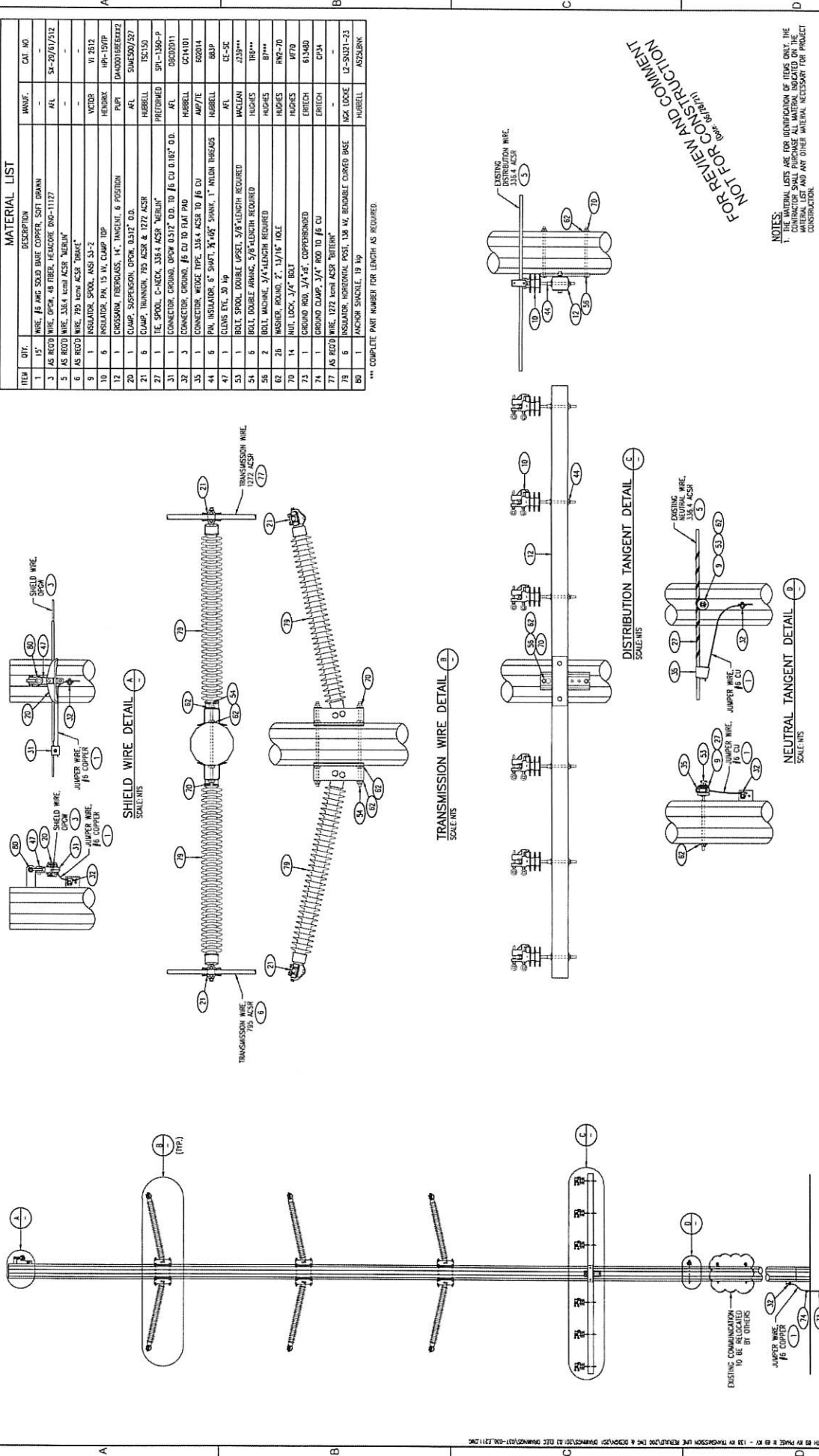
The dissenting Commissioner makes the following findings in support of his recommendation:

1. Public facilities and services are not adequate to serve the subject property. One of the four required considerations for a zone change is whether public facilities and services are adequate to serve the subject property.
  - a. Because of the several thousand units recently approved by the City Council south of 3000 South Street, the available electricity service to this area is not adequate to support additional units without upgrading the City's electrical infrastructure.
  - b. The City's Power Department raised the issue of the lack of available electricity in the Commission's August 12, 2021 meeting. Without securing an easement and installing a major transmission line along the Southern Parkway, the City will not be able to provide electricity to any additional units beyond what has already been approved. At present, the City does not have electrical service to service the increased density requested by the Applicant, so the applicant cannot satisfy the fourth criteria for a zone change.
  - c. Furthermore, the north-south corridors between the subject property and the City Proper are inadequate to support additional traffic that will result from increased density. Specifically, the most direct route between the subject property and the City center includes 700 West and 1100 West, both of which include large sections that are narrow and lack walking space and normal right-of-way improvements to justify the increased traffic, with some sections of the access road being only a prescriptive easement held by the City. The completion of Highway 7/Southern Parkway will likely reduce traffic somewhat on these inadequate roadways, but any diversion of traffic to Highway 7/Southern Parkway would be insufficient to justify additional traffic on these inadequate roadways.
2. It is recognized that other properties in this area have received zone changes over the last few years. However, as a result of recent zone changes and resulting development, facilities and services are now inadequate to support additional density in the area until the City's electrical grid and roadways are improved. Prior zone changes should not be used to justify additional zone changes; rather, as a result of prior zone changes and

resulting development, future zone changes in the Bench Lake area and south of 3000 South should be denied until the City's infrastructure can catch up to the development so that the legal criteria for a zone change can be met.

#### APPROVAL

This Dissenting Recommendation is made by Commissioner Dayton Hall.



**MATERIAL LIST**

ITEM	QTY.	DESCRIPTION	MANUF.	CAT. NO.
1	15'	WIRE, #8 AWG SOLD BARE COPPER, SOFT DRAWN	-	-
3	AS REQD	WIRE, #6 RIBB, HEAVY DUTY 1117	ATI	SA-20/61/212
5	AS REQD	WIRE, #14 AWG ACSF, "NEULIN"	-	-
6	AS REQD	WIRE, #10 AWG ACSF, "TRAK"	-	-
9	1	INSULATOR, SPOOL, ANSI SA-2	WCDOR	VI 2012
10	6	INSULATOR, PIN, 1 1/2" CLAMP TOP	HENRICH	HP-1507P
12	1	SPROCKET, FERRUGINOUS, 1", TANGENT, 6 POSITION	POP	14001082022
20	1	CLAMP, SUSPENSION, OPEN, 0.512" O.D.	ATI	SUM350/257
21	6	CLAMP, TENSION, #75 ACSF & 1/2" ACSF	HUBBELL	TS150
27	1	TIE, SPOOL, C-NECK, #14 AWG ACSF, "NEULIN"	PREFORMED	SP-1350-P
31	1	CONNECTOR, GROUND, #6 CU TO #4 PAD	ATI	0820011
32	3	CONNECTOR, GROUND, #6 CU TO #4 PAD	HUBBELL	GT1410
35	4	PIN, INSULATOR, 6" SWGT, 3/4" DIA, 1" NUT, 1/2" DIA	AMP/TE	602014
44	6	PIN, INSULATOR, 6" SWGT, 3/4" DIA, 1" NUT, 1/2" DIA	HUBBELL	602014
47	1	GLASS EYE, 3/8" ID	ATI	ET-5C
53	1	BOLT, SPOOL, DOUBLE UPPER, 5/8" LENGTH REQUIRED	WACGAN	J23**
54	6	BOLT, MACHINE, 3/4" LENGTH REQUIRED	HUGHES	HP**
55	2	BOLT, MACHINE, 3/4" LENGTH REQUIRED	HUGHES	HP**
62	26	WASHER, ROUND, 7", 1 1/2" HOLE	HUGHES	RW-70
70	14	NUT, LOCK, 3/4" BOLT	HUGHES	WT70
73	1	GROUND ROD, #4 x 1/2", COPPERBOND	EMTECH	613460
74	1	GROUND CLAMP, #4 x 1/2", #6 CU	EMTECH	CPM
77	AS REQD	WIRE, #12 AWG ACSF, "NEULIN"	ATI	LS-SUT1-23
78	6	INSULATOR, HORIZONTAL, POST, 1/2" DIA, BENDABLE CORNER BASE	HUBBELL	AS25BKN
80	1	ANCHOR SPOCKET, 19" ID	-	-

\*\*\* COMPLETE PART NUMBER FOR LENGTH AS REQUIRED

**NOT FOR CONSTRUCTION**  
REVISED 08/14/11

**NOTES:**  
1. THE MATERIAL LISTS ARE FOR IDENTIFICATION OF ITEMS ONLY. THE CONTRACTOR SHALL PURCHASE ALL MATERIAL INDICATED ON THE MATERIAL LIST AND ANY OTHER MATERIAL NECESSARY FOR PROJECT CONSTRUCTION.

**HURRICANE CITY POWER**  
600 NORTH 69 AV THOMPSON LINE ROAD - PHASE 2 & 3A  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARD

1.0000 PHASE 3A  
DATE: 06/25/11  
ISSUED FOR CONSTRUCTION  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011

**CONFIDENTIAL**  
Hurricane City Power  
12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARD  
PHASE 2 & 3A  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARD  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011

**REVISIONS**

NO.	DATE	BY	REVISIONS
1	06/25/11	JAB	ISSUED FOR CONSTRUCTION
2	07/10/11	JAB	REVISED FOR CONSTRUCTION
3	07/10/11	JAB	REVISED FOR CONSTRUCTION
4	07/10/11	JAB	REVISED FOR CONSTRUCTION
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80	07/10/11	JAB	REVISED FOR CONSTRUCTION

1.39  
69 KV DOUBLE CIRCUIT TANGENT STRUCTURE  
SCALE: 1/8"  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARD  
PHASE 2 & 3A  
WITH 12.47 KV DOUBLE CIRCUIT DISTRIBUTION UNDERBARD  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011  
REVISED FOR CONSTRUCTION  
DATE: 07/10/2011

**E211**



# GENERAL PLAN AMENDMENT 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. 2021-GPA-02  
Receipt No. 7.679199

Name: Nielson, Kristin L TR Telephone: 435-628-1609

Address: 2464 E 2000 S St. George, UT 84790 Fax No. N/A

Email: \_\_\_\_\_ Agent Email: nwalter@naiexcel.com and  
cjensen@naiexcel.com

Agent (If Applicable): Neil Walter Telephone: 435-628-1609

Address/Location of Subject Property: South of 2700 S and West of 1500 W - Bench Lake Area

Tax ID of Subject Property: H-3345 & H-3346 Existing Zoning: RA-1

Existing and Proposed Land Use Designation: Existing: Agricultural

Proposed: Rural Residential Reason for Change (Use Extra Sheets if Necessary)  
1/2 Acre Lots

**Submittal Requirements:** The Land Use Map application shall provide the following:

- (1) An 8 1/2" x 11" map showing the area of the proposed amendment.
- (2) A current copy of County Assessor's parcel map showing the area of the proposed amendment;
- (3) Mapped inventory of existing land use within the area of the proposed amendment and extending 1/2 mile beyond such area;
- (4) Written statement specifying the potential use of property within the area of the proposed amendment;
- (5) Written statement explaining why the existing General Plan designation for the area is no longer appropriate or feasible;
- (6) Analysis of potential impacts of the proposed amendment on existing infrastructure and public services such as traffic, streets, intersections, water and sewer, storm drains, electrical power, fire protection, garbage collection, etc. and
- (7) Stamped envelopes with names and addresses of all property owners within 250 feet of the boundaries of the property proposed for rezoning.
- (8) Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property

**NOTE: General Plan Amendments are only considered 2 times a year February and August on the third Wednesday of each month at 6:00 p.m. It is important that all applicable information noted above is submitted with the fee and application. An incomplete application will not be scheduled for Planning Commission consideration. Contact the Planning Department for the deadline date for submissions. A deadline missed or an incomplete application could result in a six-month delay.**

\*\*\*\*\*

Date Received: \_\_\_\_\_ Application Complete: YES  NO

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



R. Neil Walter, CFA  
direct 435 627 5720  
nwalter@naixel.com

243 E St. George Blvd #200  
St. George, UT 84770

2901 Ashton Blvd Ste 102  
Lehi, Utah 84043

6064 S Durango Dr.  
Las Vegas, NV 89113

July 14, 2021

City of Hurricane  
147 North 870 west  
Hurricane, UT 84737

RE: General Plan Amendment Application for Parcel H-3345 and H-3346

Thank you for considering our request to amend the General Plan for Parcel H-3345 and H-3346 located south of 2700 South and west of 1500 West. The current Land Use Designation for the parcels is Agricultural. The request is made to amend the General Plan to Rural Residential to allow for ½ acre lots.

We recognize the need to maintain agricultural connections in our community. The current zoning allows for 1 acre lots. We feel the Rural Residential General Plan designation is an effort to maintain those connections while being sensitive to the community's limited water resources.

The Hurricane Transportation Master Plan shows a major collector road on the west border of the parcels, and a minor collector crossing through parcel H-3346. The Transportation Master Plan indicated many major roads planned that will accommodate any level of traffic in the Hurricane Fields area. The two planned roads will bring the needed water, sewer, and electrical power to the parcels.

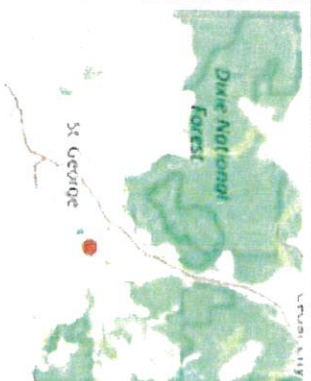
The nearest Fire Station is 4.7 miles away at 202 E State St, Hurricane, UT 84737.

Sincerely,

R. Neil Walter



# H-3345 and H-3346



## Legend

- Parcels
- 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 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.

1,504.7 0 752.33 1,504.7 Feet

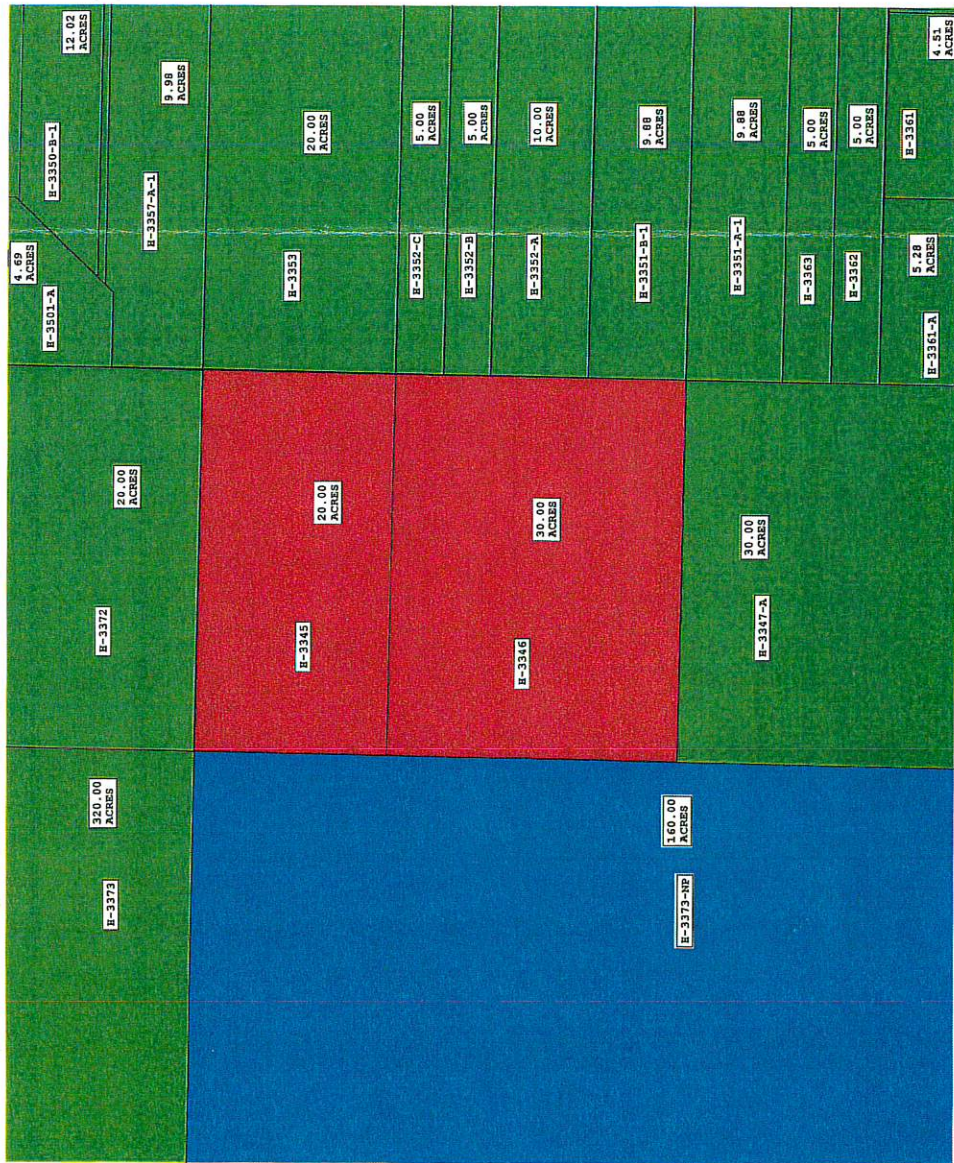
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

# PROPOSED GENERAL PLAN MAP FOR: BENCH LAKE HALFS

LOCATED IN SECTION 16, T42S, R18W, S11B&M  
HURRICANE, WASHINGTON COUNTY, UTAH

**GENERAL PLAN LEGEND:**

- AGRICULTURAL
- SINGLE FAMILY RESIDENTIAL
- MIXED USE



- LEGEND**
- PROPERTY LINE
  - LOCUS PROPERTY LINE
  - SECTION LINE

**OWNER:**

MELISSA KRISTIN L. TR.  
(435) 299-1923  
5000 S. 1000 E.  
SMITH GEORGE, UT 84790

**LEGAL DESCRIPTION FOR PROPOSED SFR USE**

PARCEL H-3346: 1/4 SW 1/4, 1/2 NORTHWEST 1/4, SOUTH 1/2, SOUTHWEST 1/4, NORTHWEST 1/4 SECTION 16 TOWNSHIP 42 SOUTH RANGE 13 WEST SALT LAKE MERIDIAN CONTAINING 30.0 ACRES

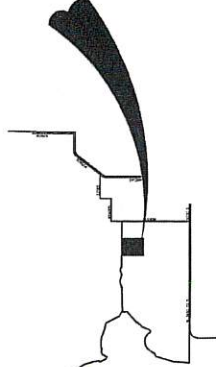
PARCEL H-3345: 1/4 SW 1/4, 1/2 SEC 16 T42S R18W S11B&M CONTAINING 20.0 ACRES

USE CHANGED FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL ENDSIDE

PLAN IS TO CHANGE PARCELS H-3346 AND H-3345 FROM AGRICULTURAL TO SINGLE FAMILY RESIDENTIAL

HURRICANE, UTAH

PROJECT LOCATION



VICINITY MAP  
N.T.S.



NO.	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.  
PROVALUE ENGINEERING, INC.  
1200 South Main Street, Suite 100  
Provo, Utah 84601  
Phone: (435) 896-3377  
Fax: (435) 896-3377



PROPOSED GENERAL PLAN MAP FOR:  
BENCH LAKE HALFS  
LOCATED IN SECTION 16, T42S, R18W, S11B&M  
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 12/06/2021  
SCALE: 1"=200'

JOB NO.: 245-003  
SHEET NO.: 1 OF 1



## STAFF COMMENTS

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	2021-GPA-02
<b>Type of Application:</b>	General Plan Map Amendment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Nielsen, Kristin L TR
<b>Agent:</b>	Neil Walter
<b>Request:</b>	A General Plan Amendment from Agriculture to Rural Residential
<b>Location:</b>	2100 W 2500 S
<b>Zoning:</b>	RA-1
<b>General Plan Map:</b>	Agriculture

### Planning Commission Recommendation

The Planning Commission recommended denying the application for the following reasons:

- Does not match the goals and policies of the General Plan
- Lack of utilities
- Not compatible with the surrounding development and land uses

There was also some public feedback in opposition to the project.

### Discussion:

The applicant is seeking a General Plan Amendment for 50 acres in the Bench Lake Area. In May of 2021, the applicant submitted a zone change application for half-acre lots at RA-0.5 Zone. The application was officially withdrawn until a General Plan Amendment could be submitted to the City.

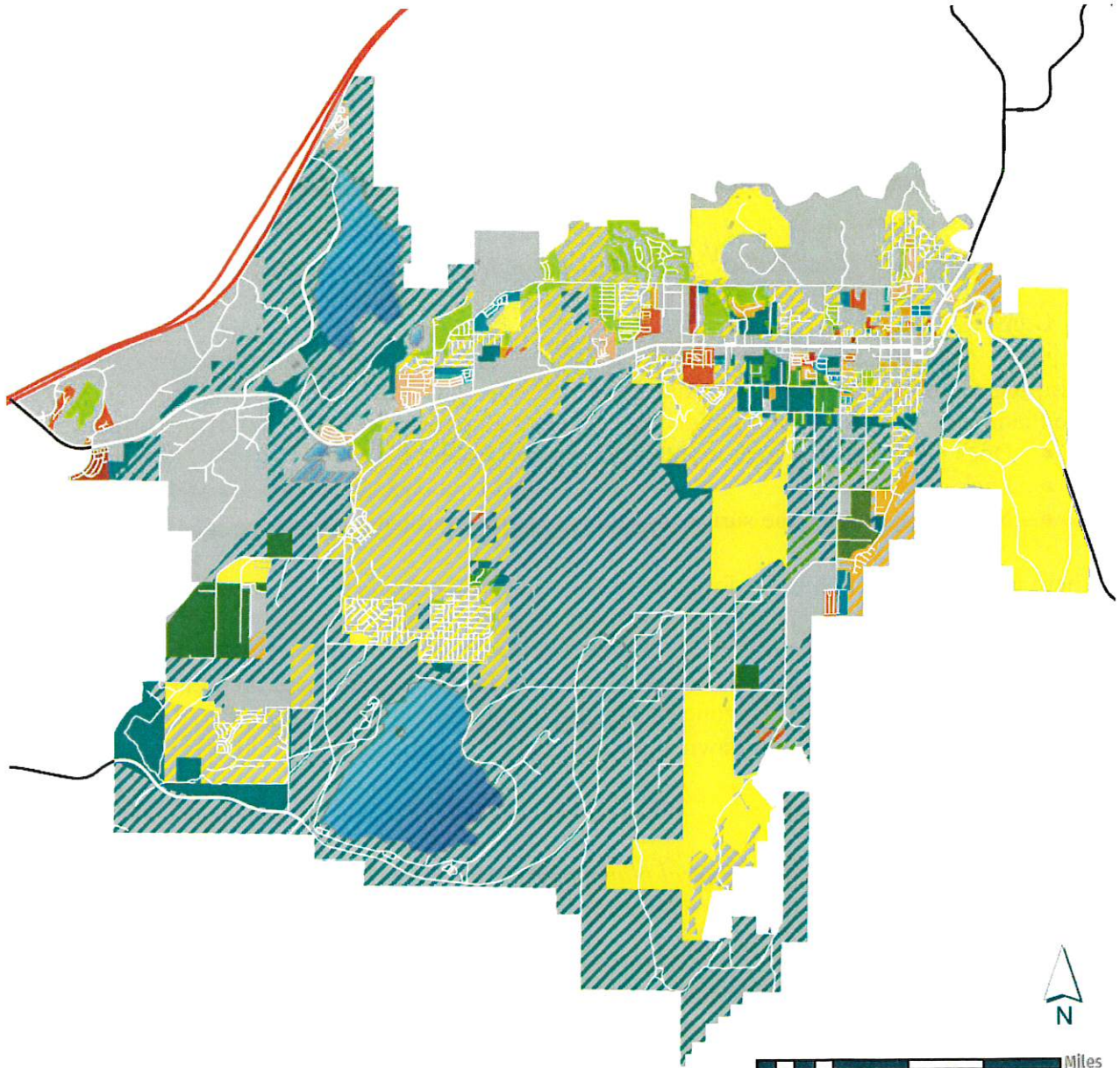
### 10-2-2: GENERAL PLAN:

*H. Amendment Of Plan: The general plan may be amended by following the procedures set forth in subsections E and F of this section. General plan amendments shall be subject to the following requirements: (Ord. 2006-4, 2-16-2006)*

*1. Persons wishing to propose a general plan amendment shall file their proposals and shall pay the fee established by the fee schedule adopted by the city council. Proposed general plan amendments will be considered by the planning commission twice a year, at the February and August meetings. Notwithstanding the foregoing, the city council or planning commission may, at any time by majority vote, authorize preparation and consideration of proposed general plan amendments. (Ord. 2007-17, 7-5-2007)*

# CURRENT AND FUTURE HOUSING AND AGRICULTURE

\*BASED ON HURRICANE CITY'S CURRENT ZONING MAP AND DEVELOPMENT STATUS



## Legend

Agriculture 10 Acre	RA-1 Undeveloped	R1-10 Developed	Mobile Homes Developed
Agriculture 5 Acre	R1-6 Developed	R1-10 Undeveloped	Multifamily Undeveloped
RA-0.5 Developed	R1-6 Undeveloped	R1-15 Undeveloped	RM-1 Developed
RA-0.5 Undeveloped	R1-8 Developed	R1-15 Developed	RM-2 Developed
RA-1 Developed	R1-8 Undeveloped	Mobile Homes Undeveloped	RM-3 Developed

0 0.375 0.75 1.5 2.25 3 Miles



	Zoning	Adjacent Land Use
North	RA-1 Zoning	Open Space and some Ag Use
East	RA-1 Zoning	Open Space and some Ag Use
South	RA-1 Zoning	Open Space and some Ag Use
West	RA-1 Zoning	Open Space and some Ag Use (Balance of Nature Property is the property to the west and is planned to be a mixed use development on the General Plan Map)

*[A link to the zoning map can be found here.](#)*

### **Review of General Plan Map Amendment**

The City has wide discretion on the General Plan Map Amendments. It should take into account of the Goals and Policies of the General Plan and Master Plans, public feedback, and the overall vision of the City for the area.

The General Plan states the following for Rural Residential and Agricultural uses:

#### *RURAL RESIDENTIAL*

*These areas should serve as a transition from agricultural to traditional neighborhoods or commercial uses. Appropriate residential densities for this land use include from one unit per 40 acres to RA-.5 and RA-1*

#### *AGRICULTURAL*

*Property used for keeping or pasturing of animals or raising of crops with supporting residential use. Appropriate residential density should be between one unit per 40 acres to one unit per five acres.*

(Hurricane City, 2021, pp. 84-85)

The following items are recommended for consideration of Agriculture:

#### *GOALS, POLICIES, AND STRATEGIES*

*The goals and policies in this section support and advance the vision for our heritage and culture and is supported by the existing conditions in this chapter. The policies in this section should be used for policy guidance and assist in decision making. The strategies are specific steps the City can take to achieve each goal. This section should be used alongside the final chapter in this document, Implementation. The Implementation Chapter combines the land use strategies with strategies from other chapters and groups them together to ensure the most efficient use of City resources.*

*Heritage and Culture 1:*

#### *PRESERVE HURRICANE'S AGRICULTURAL HERITAGE*

*Much of the land area of Hurricane is in open space and agricultural uses. These open areas provide a distinct sense of place and historical context that residents value. As Hurricane grows, some of these open areas will be put to different uses, while others will remain open or in agricultural uses indefinitely. The following policies and strategies are designed to protect the City's historical and agricultural character, while allowing for well-managed growth.*

#### *POLICIES*

*1.1.*

*Hurricane encourages the preservation of farms and open pastures that recall the agricultural heritage of Hurricane and help provide a sustainable local food source.*

1.2.

*The City encourages development within close proximity to existing services.*

1.3.

*The City supports flexibility and some diversity in land uses in agricultural areas to promote continuing agricultural operations' economic viability. Uses such as produce stands, truck farms, event venues, agritourism, seasonal activities, and worker housing may be appropriate in some agricultural areas to supplement farmers' incomes.*

1.4.

*The City supports conversion to higher value crops to keep lands in agricultural production.*

1.5.

*The City will work with landowners to provide regulatory agricultural protections where desired and feasible.*

1.6.

*The City will continue to facilitate low cost water and power to agricultural operations.*

#### **STRATEGIES**

1.1.

*Develop regulatory criteria for reviewing and acting on applications for rezoning land from agricultural to other land uses.*

1.2.

*Identify land uses that may be compatible with, and support, continued agricultural operations, and include them in the City Code land use tables.*

1.3.

*Identify properties that could qualify for Green Belt Preservation and work with property owners to achieve that status.*

1.4.

*Review City codes to identify barriers to continued agricultural production in the City*

1.5.

*Consider long-term protection of farmlands and open spaces through acquisition, bonding, conservation easements, tax districts, impact fees, etc.*

1.6.

*Encourage the use of and support applications for agricultural protection overlay zones.*

1.7.

*Work with property owners in key agricultural areas, as shown on the General Plan Map, to adopt agriculture zoning to preserve current agricultural land uses.*

1.8.

*Assist in the organization of an agricultural preservation committee.*

(Hurricane City, 2021, pp. 26)

And:

#### **AGRICULTURAL RESOURCES**

*In a study conducted by Envision Utah in 2014, an astounding 97% of Utahans favored scenarios where Utah increases production in agriculture and consumes more locally grown food, even though Utahans*

*are exporting locally-grown produce and consuming more out-of-state food. In fact, according to the American Planning Association of Utah, “roughly 3% of fruits and 2% of vegetables consumed by Utahans are grown in-state ... In contrast, Utahans produce 95% of grains, 134% of protein (beef, pork, chicken, turkey, eggs), and 26% of dairy, but not all of that production is consumed by Utahans, in part due to the lack of processing facilities.” (APA Admin)*

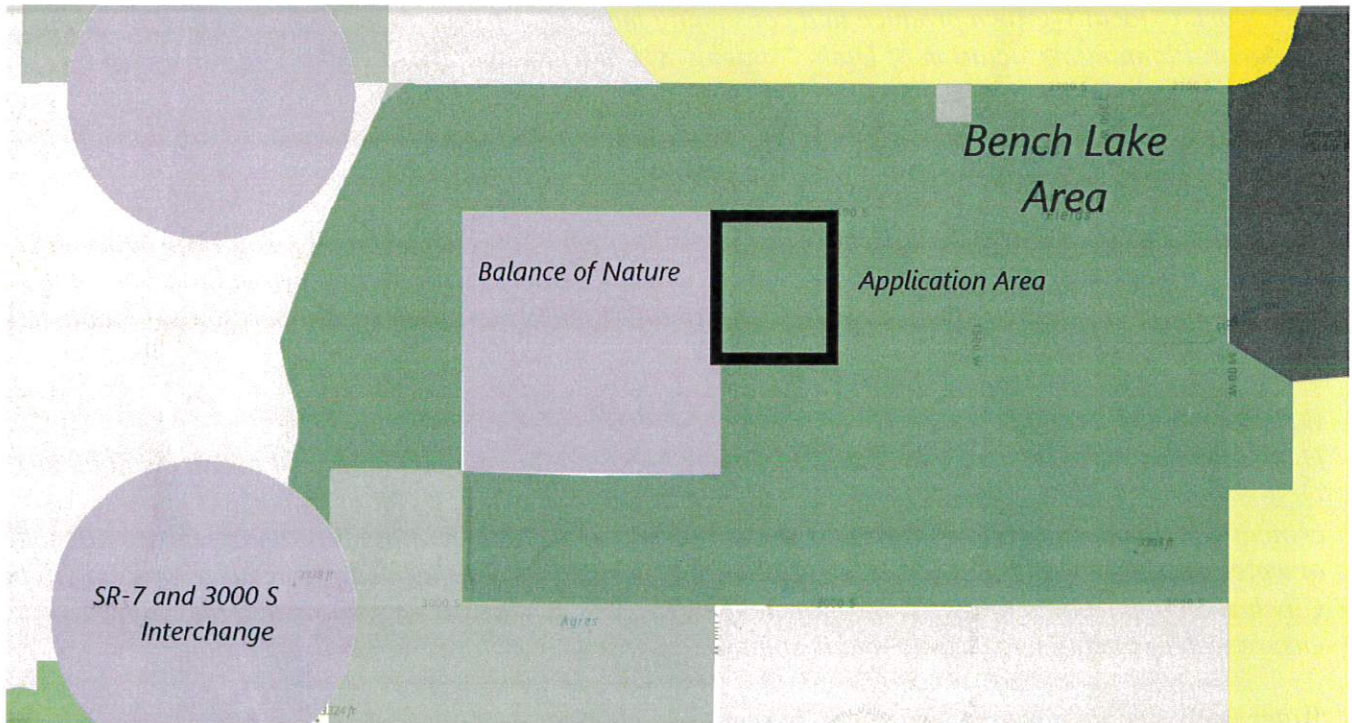
*Behind livestock and dairy, alfalfa hay is by far the most abundant agricultural resource produced in Utah and it's certainly the most common crop, in 2017 the state produced over two million tons of it. In 2017 Washington County alone had 8,507 acres of alfalfa fields followed by 114 acres of vegetable fields and 70 acres of peach fields...*

#### *WHY DOES THIS MATTER?*

*Hurricane has the opportunity to capitalize on the beautiful and abundant natural resources Southern Utah has to offer. Moving forward, as the City continues to develop, it will be important to preserve critical viewsheds that connect residents to their scenic landscape. Additionally, understanding the effect of water availability and cost to new developments is crucial in Southern Utah's semi-arid climate. The City has an opportunity to review development standards, specifically in regards to landscaping, to ensure water is being used wisely and is somewhat consistent with the natural vegetation.*

*Water is a valuable resource, especially in semi-arid climate. As a land use that requires plenty of water, agricultural uses should be closely evaluated. Agriculture is an important part of Hurricane's history and many residents call it a defining part of the City's character. Understanding the role agriculture plays in Utah's economy and how the market for locally-grown produce is evolving can bring light to new opportunities for agricultural preservation in Hurricane and inform decisions that will make the most of this high-water-use land. As Hurricane continues to develop, the City has an opportunity to strengthen food security and resilience by incorporating food networks (urban farms, community gardens, etc) into development projects.*

*(Hurricane City, 2021, pp.69-70)*



*General Plan Map*

### **History of Area**

The Bench Lake area has a long history of agriculture use. In October of 2020, the City Council designated the area as a long-term agriculture heritage area, which was reaffirmed by the adoption of the 2020 General Plan. New code such as the Rural Road Cross-Section was designed for this area, requiring a minimum of single acre lots.

However, as part of the General Plan, the City approved the 160 acres located to the west as Mix Use Area, anticipating Balance of Nature to move their new headquarters to the area. The area is also likely to grow quickly with the new interchange and approved developments like Sand Hollow Mesa and Copper Rock.

**Recommendation:** Staff recommends the Planning Commission review this application based on goals and policies within the General Plan and considers residents' comments. Though the area is growing quickly and some of the surrounding land uses are likely to change in the near future, staff would recommend denying the application based on the vision set forth in the General Plan and by the City Council for the area.

## Stephen Nelson

---

**From:** Kerri Wright <kwright\_sva@yahoo.com>  
**Sent:** Wednesday, August 11, 2021 12:44 PM  
**To:** Stephen Nelson  
**Subject:** Comments on map amendment for 8/12/21 meeting

Dear Planning Commission,

We would like to submit this email as our comment for the General Plan map amendment request located at 2100 W. 2500 S.

As agriculture property owners at the Hurricane Bench Lake we oppose the change of the General Plan amendment to change the property zoning from residential agriculture acre lots to residential agriculture half acre lots. The Hurricane Bench is some of the only agriculture property left in the area. It is some of the only area for horse owners and livestock growers left in the Hurricane Valley. Livestock owners are constantly pushed farther and farther out of town. We believe it is important to protect our agriculture land and preserve a place to continue to grow crops and own animals. We feel that this change will bring even more residents to the Hurricane Bench area in the future. If the lots are cut down to half acre parcels they may not be zoned for horses or livestock, taking away that precious agriculture land. We also believe that the growth of the Hurricane Valley is far to rapid for the water supply. Changing the zoning will mean watering twice as many lots and supplying water for twice as many households. A one acre lot for a residence is a nice parcel of land for someone wanting to own livestock or grow food, the lots do not need to be smaller. We need to preserve some of the only agriculture land we have left in Hurricane. We need to preserve some of our precious water supply!

Thank you for your time,  
David and Kerri Wright

# 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. 2021-ZC-25  
Receipt No. 0150216

Name: Zion Village Resort LLC, Jay Rice Telephone: (801) 633-3994

Address: 4968 S Holladay Pines Ct, Holladay, UT 84117 Fax No. \_\_\_\_\_

Agent (If Applicable): Alpha Engineering, Jared Madsen, P.E. Telephone: (435) 628-6500

Email: jrice2014@gmail.com Agent Email: jaredmadsen@alphaengineering.com

Address/Location of Subject Property: Near the intersection of 600 N and 2170 W

H-3-1-33-44001, H-3-1-33-441,

Tax ID of Subject Property: & H-3-1-33-4420 Existing Zone District: R1-6 & R1-10

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

See attached Proposed Zoning District and reason

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: \_\_\_\_\_

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the 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, storm water drainage systems, water supplies, and waste water and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report, and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.

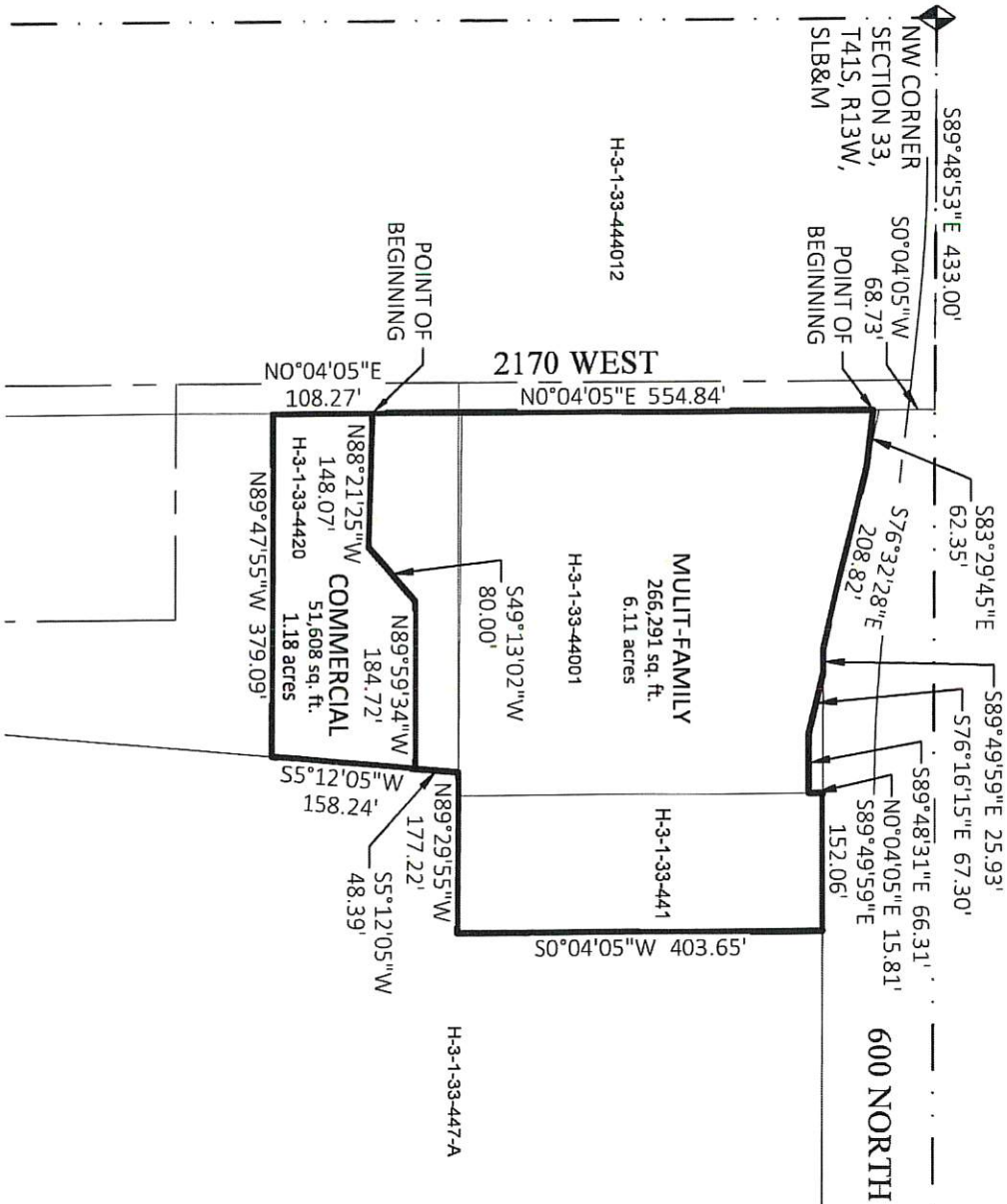
### Proposed Zoning District and Reason for the Request

We are requesting a zone change for the properties shown in the Zone Change Application. Parcels H-3-1-33-44001 and H-3-1-33-441 are currently zoned R1-6, while Parcel H-3-1-33-4420 is zoned as R1-10.

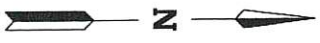
We are requesting that Parcels H-3-1-33-44001 and H-3-1-33-441, and a portion of Parcel H-3-1-33-4420 be rezoned as RM-2: Multi-Family – 10 Units per Acre. It is proposed to develop a multi-family subdivision with the ability to provide nightly rentals.

It is also proposed to rezone a portion of Parcel H-3-1-33-4420 to NC: Neighborhood Commercial to construct storage facilities for the housing units in the surrounding area.

See the attached exhibit and legal description for the parcels related to the proposed zoning classifications.



**ZONE CHANGE  
EXHIBIT "B"**



SCALE: 1" = 200'

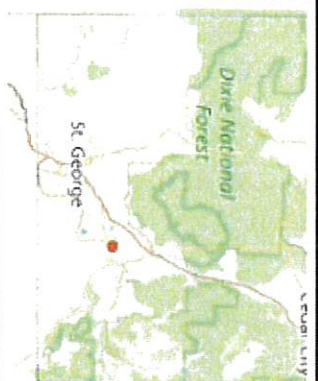
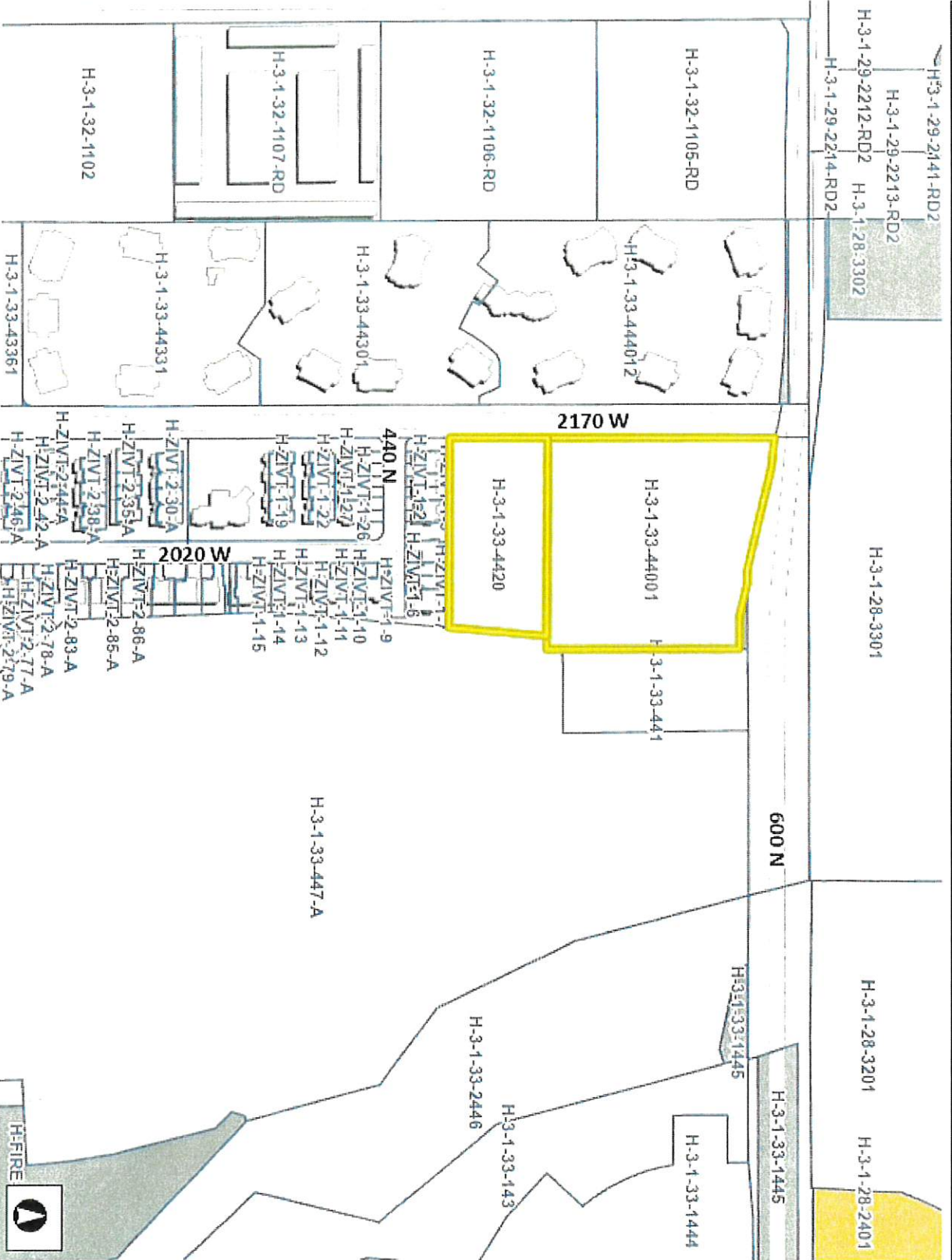
1408-05 RS 5/28/2021

**ALPHA  
ENGINEERING**

43 South 100 East, Suite 100 - St George, Utah 84770  
 T: 435.628.6500 • F: 435.628.6555 • alphaengineering.com



# Zion Village Zone Change

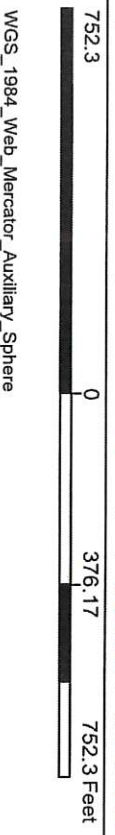


### Legend

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

### Notes

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



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43 South 100 East, Suite 100 T 435.628.6500  
St George, Utah 84770 F 435.628.6553

[alphaengineering.com](http://alphaengineering.com)

## EXHIBIT "A"

### ZONE CHANGE DESCRIPTIONS (May 28, 2021)

#### MULTI-FAMILY ZONE

Commencing at the Northwest corner of Section 33, Township 41 South, Range 13 West, Salt Lake Base and Meridian, thence South 89°48'53" East 433.00 feet along the section line; thence South 00°04'05" West 68.73 feet to the point of beginning, and running thence South 83°29'45" East 62.35 feet; thence South 76°32'28" East 208.82 feet; thence South 89°49'59" East 25.93 feet; thence South 76°16'15" East 67.30 feet; thence South 89°48'31" East 66.31 feet; thence North 00°04'05" East 15.81 feet; thence South 89°49'59" East 152.06 feet; thence South 00°04'05" West 403.65 feet; thence North 89°29'55" West 177.22 feet; thence South 05°12'05" West 48.39 feet; thence North 89°59'34" West 184.72 feet; thence South 49°13'02" West 80.00 feet; thence North 88°21'25" West 148.07 feet; thence North 00°04'05" East 554.84 feet to the point of beginning.

Contains 6.11 acres, more or less.

#### COMMERCIAL ZONE

Commencing at the Northwest corner of Section 33, Township 41 South, Range 13 West, Salt Lake Base and Meridian, thence South 89°48'53" East 433.00 feet along the section line; thence South 00°04'05" West 623.57 feet to the point of beginning, and running thence South 88°21'25" East 148.07 feet; thence North 49°13'02" East 80.00 feet; thence South 89°59'34" East 184.72 feet; thence South 05°12'05" West 158.24 feet; thence North 89°47'55" West 379.09 feet; thence North 00°04'05" East 108.27 feet to the point of beginning.

Contains 1.18 acres, more or less.



**Zone Change Exhibit**  
Zion Village Resort LLC  
Spatial Reference: Utah State Plane NAD 83 feet  
Drawn By: RIG  
Scale: 1" = 100 feet  
Date: July 28, 2021



1 of 1

- Legend**
- PP Park
  - RB-10 Residential Medium Density
  - RB-15 Residential Medium Density
  - RB-18 Residential Medium Density
  - RB-3 Residential Medium Density
  - RB-5 Residential Medium Density
  - RB-6 Residential Medium Density
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1000 W. 1000 S. SUITE 100  
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PHONE: (801) 466-1000  
WWW.ALPHAENGINEERS.COM



## STAFF COMMENTS

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	2021-ZC-25
<b>Type of Application:</b>	Zone Change Application
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Zion Village Resort LLC, Jay Rice
<b>Agent:</b>	Alpha Engineering
<b>Request:</b>	A Zone Change from R1-6 and R1-10 to Recreation Resort and Neighborhood Commercial
<b>Location:</b>	600 N and 2170 W
<b>Zoning:</b>	RA-1
<b>General Plan Map:</b>	<a href="#">North section is listed as General Commercial, south is Multi-Family</a>

### Planning Commission Recommendation:

The Planning Commission recommended to deny the application with the following findings:

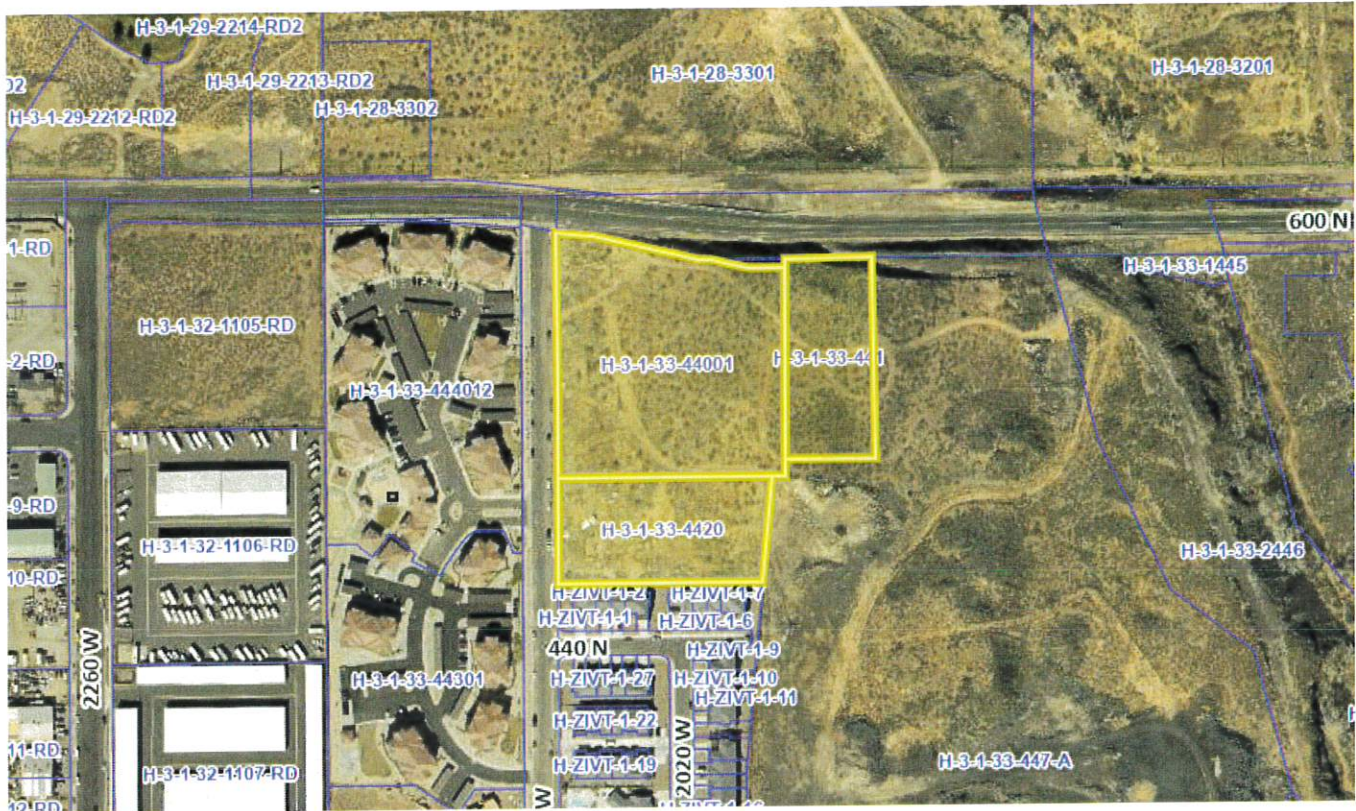
- Problems with the surrounding the development
- Not compatible with surrounding development

### Discussion:

The applicant is seeking a zone change from Residential 1-6 (6,000 sq. ft. lots) and 1-10 (10,000 sq. ft. lots) to 1.18 acres of neighborhood commercial and 6.11 acres of recreation resort. **The applicant has updated their request for the whole property to be RR, instead of the split.** The applicant is the developer of the Zion Village Resort, located on the southern property boundary.

	Zoning	Adjacent Land Use
North	R1-10	Undeveloped property
East	R1-10	Undeveloped, but future Fire Rock Subdivision
South	RR	Zion Village Resort Subdivision (townhome resort)

		development)
West	RM-3	Retreat as Sky Mountain Apartments, An Apartment Development



Recreation Resort Zoning has some unique rules and standards that can be found in [Hurricane City Code 10-26 Recreation Resort Zone](#). The purposes is described as follows:

**10-26-1: PURPOSE AND OBJECTIVES:**

*A. Purpose: The recreation resort zone is established to designate certain areas within the city of Hurricane where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term (30 days or less) basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments. (Ord. 2013-02, 3-21-2013)*

*B. Objective: The objective of the recreation resort zone is to allow full service resort developments with short and long term residential use combined with those commercial and public facilities necessary to create a desirable resort atmosphere. (Ord. 2008-10, 6-5-2008)*

Recreation Resort (RR) zoning requires a minimum of 5 acres, which this application complies with. RR zoning permits “Single and multiple dwelling unit residential, including condominium and townhouse complexes. Unit and/or complex owners may reside in the dwelling units or offer them for rent or lease either long term or short term.” It also allows some commercial uses to support the resort including office space for the management of the resort, restaurants, sales and rental offices, retail stores, and more. A RR development must provide a few amenities as listed below:

**10-26-6: DEVELOPMENT STANDARDS:**

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

B. Development standards within the recreational resort shall be set forth in [table 10-26-1](#) of this section.

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

**Response:** The General Plan Map shows this area as two different uses, the north two parcels as general commercial, and the lower parcel as multifamily. The 2021 General Plan defines them as follows:

**GENERAL COMMERCIAL**

Commercial uses that provide retail, employment and service uses for the City. These developments should be located along major corridors.

**MULTIFAMILY**

Residential neighborhoods with a combination of small-lot single family and multifamily residences that include designated shared open spaces. Each development should consider proximity of transportation, schools, shopping, etc. The specific conditions for each project would be addressed during the approval process. Appropriate densities for this land use include RM-1, RM-2, and RM-3.

The 2020 General Plan does not directly address recreation resorts. Recreation resort uses may fall both within commercial and multi-family housing, and it is up to the City to determine if the use complies within the intent of the general plan and the other main categories. The reason why it is a commercial use is each unit that is used as rental property tax is charged at 100% of the value (instead of 55% like a preliminary dwelling) and we receive Utah State Transient Room Tax for each rental ([see Airbnb's website for more details](#)). Airbnb has been one of our largest sale tax producers within the City in 2019 and 2020. The general use of short term stays is similar to a hotel or motel in impact.

The General Plan also encourages the City to take advantage of our “unique location” to attract tourists.

*Hurricane is in a unique location with close proximity to several national and state parks and a celebrated network of mountain biking trails. Capitalizing on this national and state-wide trend will have huge economic benefits and can create hundreds of jobs each year. (Hurricane City General Plan, 2021, p. 50)*

and

#### *OUR ECONOMY VISION*

*In 2030, Hurricane has a strong and resilient economy that is supported by a variety of industrial and manufacturing, recreational tourism, local businesses, and healthcare facilities with employment opportunities that offer living-wage jobs. While there are many opportunities for living-wage jobs, and the City’s downtown has activities, dining, and retail for residents, employees, and visitors to enjoy, the City maintains a small-town feel.*

#### *THIS MEANS:*

- » *Creating more opportunity for living-wage jobs*
  - » *Capitalizing on local tourism industry to bring in new strings of revenue*
  - » *Creating vibrant public places downtown for residents and visitors to gather*
  - » *Encouraging development of a new health care facility*
  - » *Encouraging more restaurants, bars, and retail options*
- (Hurricane City General Plan, 2021, p. 53)*

Though staff would recommend not to open up every area for resort or short term rentals, finding appropriate spaces for resorts likely would add to the local economy of Hurricane.

Recreation Resort zoning can also serve as a residential use also. People who buy or rent a unit within the zone are able to occupy the unit on the long term, whereas commercial settings, motels and hotels, are not allowed long-term renters. Recreation Resort zoning allows for up to 15 units an acre.

The applicant is proposing to building a parking area where it was requested for NC zoning, though now they have requested that the Planning Commission instead consider the full property for recreation resort.

#### **10-11-2: ZONE PURPOSES: (C)**

1. *The purpose of the NC zone is to provide areas where convenience buying outlets, having small trade areas, may be established to serve surrounding residential neighborhoods. This zone is intended to promote a combination of retail and service facilities that meet day to day needs of nearby residents and which are compatible in character and scale with adjacent development.*

One of the main complaints staff has received about the Zion Village Resort is about parking concerns. The applicant has discussed with the City about adding overflow parking where the proposed storage

area is proposed to be located. Staff would recommend that the applicant consider that instead of the storage area, to provide overflow parking.

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

**Response:** Most of the area is developed with multifamily housing, with resort to the south. The resort zoning would be "harmonious with the overall character". The storage facilities would be a different use than most of which is adjacent to the property. There is a light industrial zone less than a quarter of a mile to the west of the zone change.

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

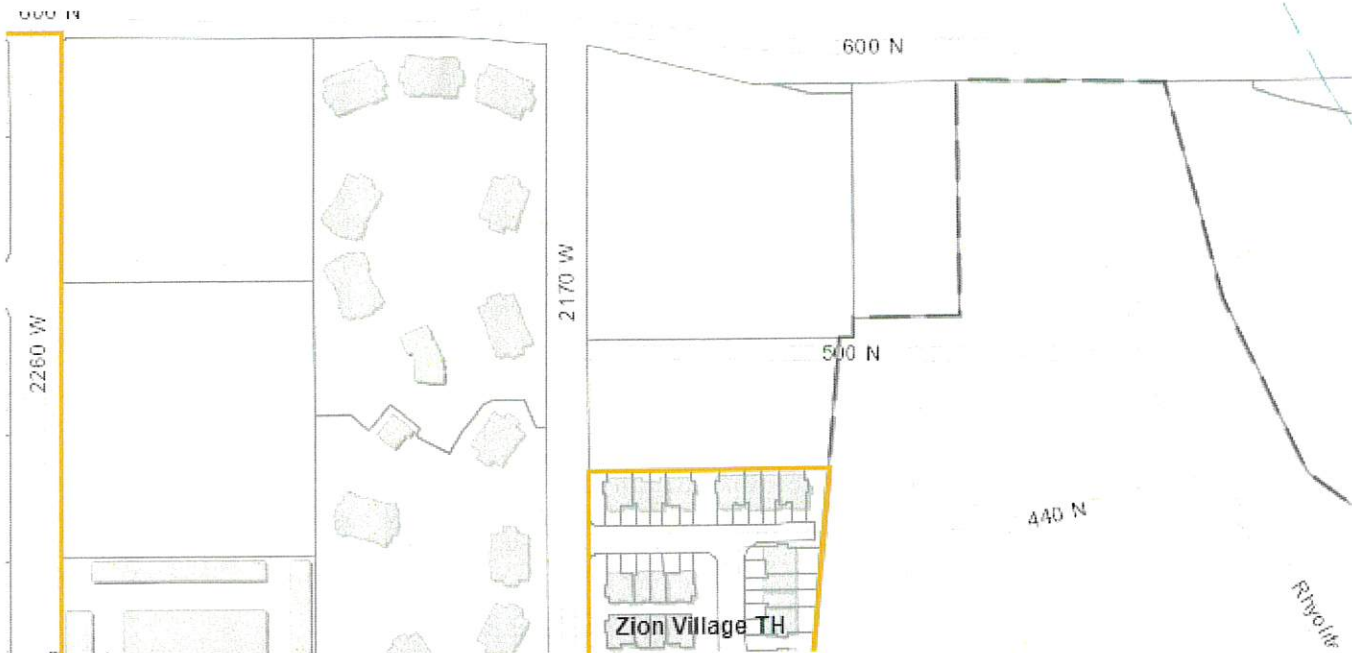
**Response:** The proposed zoning could have an impact on the surrounding property. However, the surrounding infrastructure is able to handle the impact and the General Plan has planned for these types of impacts.

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

**Response:** Facilities and services are adequate for this development. The applicant will need to improve the section of 600 N north of the project, but other services in the area are adequate to serve the proposed uses.

**Other Consideration**

- Any Recreation Resort development would need to have a clubhouse, pool, and onsite management. Zion's Village meets those requirements, but the applicant has not indicated if the new resort will be linked or not. Staff would recommend that the new resort, regardless of its connection to Zion Village, that this area provide its own clubhouse, pool, and onsite management.
- There is a planned east and west road that needs to be built as part of this project (500 N) as shown on the map below. This road serves as a vital utility and transportation connection to Fire Rock Subdivision. It should align on 2170 W with the drive access for Sky Mountain Retreat Apartments.



- Hurricane City Code requires that an “application for a zone map change to recreation resort zone shall be accompanied by a completed preliminary site plan application as set forth in section 10-7-10 of this title.” (See [10-26-6 \(C\)](#)). This has not always been required in the past for zone change for Recreation Resort, but staff would recommend that the City follow the ordinance and require it from each applicant.
- The Planning Commission is currently updating the recreation resort zoning code, as part of this update they are considering adding the following consideration for resort zoning. The following considerations are not adopted by the City, but staff believes are good items to consider when reviewing recreation resort zoning.
  - *General Plan Map: Recreation Resort shall be located in Commercial, Planned Community, Mixed Use, or Multi-Family areas as labeled by the General Plan Map.*
  - *RR Zoning shall avoid clustering in a single location, and should be limited in size relative to the commercial or multi-family zoned area. Only in rare cases should a recreation resort zone exceed 20 acres.*
  - *RR Zoning shall only be located adjacent to Major Collectors, Minor Arterials, or Major Arterial Roads.*
  - *RR Zoning should help add to the commercial viability of an area within commercial areas listed in the General Plan Map. It may do this by adding commercial amenities, tourism, or renewed development or an area.*
  - *RR Zoning should not conflict with long term housing and moderate income housing needs of an area. RR Zoning should not be located in places where multi-family housing could be built that would have easy access to public amenities and services, such as schools, parks, and utilities.*

## Preliminary Site Plan Review

1. The applicant has provided the needed 500 N as recommended at the last meeting.
2. The site has a clubhouse and community pool area as required by the City code. The applicant is also proposing two pickleball courts.
3. The applicant has provided overflow parking spaces within the development. Hurricane current parking standards do not allow for parking spaces off a public street.

### 10-34-8: PARKING LOT DESIGN AND CONSTRUCTION:

*A. Parking Plans: Plans for any proposed parking lot shall be submitted to the Zoning Administrator. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping and other features and appurtenances of the proposed development.*

*B. Access To Public Street: Except for parking for a single-family or two-family dwelling and townhouses access to a parking space or parking lot shall be from a parking lot aisle and not directly from a public street. Every parking lot shall have access to a public street. Such access may be provided through platted or recorded easements, reciprocal arrangements, or other guaranteed means.*

Staff is currently reviewing this standard and believes it deserves additional review. If done correctly, these types of spots can be a benefit to development and an efficient way to add additional parking spaces.

4. The application has shown dumpster areas along the street. These have been added to help with the garbage problems in Zion Village. However Hurricane Code states:

### 10-33-5: SITE PLAN DESIGN:

*L. Trash And Refuse Collection Areas: Areas which generate noise and odors shall be located to minimize the impact on adjacent property owners or users. Such areas shall be screened from view. Refuse enclosures at highly visible locations should be six feet (6') high, constructed of materials to match main buildings on the site, and provide latching gates for screening the opening to the enclosure.*

Where these are located right on the street, they should be moved to a less noticeable area.

5. They have added an additional 25 overflow parking spaces and 27 "Owner RV/Trailer Spaces". Hurricane City Code states the following about RV/Trailer Parking:

### 10-34-6: NUMBER AND TYPE OF PARKING SPACES:

*G. Recreational Vehicle Parking: Adequate and accessible recreational vehicle parking storage areas shall be required in each multi-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)*

Staff is not sure what the applicant intends with Owner RV/Trailer Spaces, if those would be open to anyone within the development or if they would be sold or leased to owners within the development.

6. Some of the private pools are located within a 40' roadway slope, utility, and drainage easement. These will likely need to be removed.

**Findings:**

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Generally, the uses are harmonious with surrounding development.
3. The proposed amendment will have an impact on the area, but the impact of the use is anticipated by the General Plan.
4. Services are adequate to serve the area and proposed project.
5. The applicant has submitted a Preliminary Site Plan as required. Some of the items need review, namely the location of dumpsters and parking infrastructure.

**Recommendation:** Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff would recommend that the full property be approved for Recreation Resort, instead of split between Neighborhood Commercial and Recreation Resort if approved. Any approval should be conditioned on the items within this report.



### Proposed Zoning District and Reason for the Request

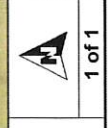
We are requesting a zone change for the properties shown in the Zone Change Application. Parcels H-3-1-33-44001 and H-3-1-33-441 are currently zoned R1-6, while Parcel H-3-1-33-4420 is zoned as R1-10.

We are requesting that these parcels be rezoned as RR: Recreation Resort. The purpose of the zone change is to provide a mix of limited commercial and resort residential use. It is proposed to develop a single-family resort subdivision with premium amenities and the ability to provide nightly rentals. The amenities will include private and community pools, a clubhouse, pickleball courts, and RV parking. It is further proposed to include RV storage facilities for the housing units in the surrounding area.

See the attached exhibit, site plan and legal description for the parcels related to the proposed zoning classifications.



**Zone Change Exhibit**  
 Zion Village Resort LLC  
 Spatial Reference: Utah State Plane NAD 83 feet  
 Drawn By: RCB  
 Scale: 1" = 100' feet  
 Date: July 2021



**ALPHA ENGINEERING**  
 1475 SOUTH 1200 WEST, SUITE 200, SALT LAKE CITY, UT 84119  
 (801) 488-8888  
 www.alpha-engineering.com

# 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. <u>2021-2C-29</u> Receipt No. <u>0160774</u>
----------------------------------------------------------------------------------

Name: Shamo Christen O + Charo S Corporation of the Episcopal Church in Utah Telephone: \_\_\_\_\_

Address: 75 S 200 E Salt Lake City, UT 84111-2147 Fax No. \_\_\_\_\_

Agent (If Applicable): Matt Lowe Telephone: 801-648-8229

Email: matt@lowecompanies.com Agent Email: ← samu

Address/Location of Subject Property: 475 N State St. Hurricane, UT

Tax ID of Subject Property: H-286-A-1 + H-3052-A Existing Zone District: HC

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)  
RR - Recreational Resort (short term rentals) with a restaurant

**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

*have one affidavit & the other document*

**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

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	2021-ZC-25
<b>Type of Application:</b>	Zone Change Application
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Corporation of the Episcopal Church in Utah and Shamo Christen D and Charo S.
<b>Agent:</b>	Matt Lowe
<b>Request:</b>	A Zone Change from Highway Commercial and R1-10 to Recreation Resort Zoning
<b>Location:</b>	500 N and SR-9
<b>Zoning:</b>	HC and R1-10
<b>General Plan Map:</b>	<a href="#">Main section is listed as General Commercial small west section is Planned Community.</a>

### Planning Commission Recommendation

The Planning Commission made a recommendation to deny the zone change application for the final reason.

- There would be a negative impact to the surrounding community
- Wants the parcel to remain as commercial use with a focus on uses that will provide additional services for residents
- Does not want additional resorts to compete with existing residential hosting

There was some public feedback, generally in opposition, but also had some support for the zone change.

### Discussion:

The applicant is seeking a zone change from 4.775 acres of Highway Commercial and .225 acres of R1-10 to 5 acres of Recreation Resort. They are proposed to do short-term rentals with a single restaurant.

	Zoning	Adjacent Land Use
North	PF and HC	Commercial business
East	MH/RV and HC	Manufactured Home Park and Commercial Space
South	HC	Commercial and Light Industrial Development
West	R1-10	Some single-family development and undeveloped property/farmland.

Recreation Resort Zoning has some unique rules and standards that can be found in [Hurricane City Code 10-26 Recreation Resort Zone](#). The purposes is described as follows:

**10-26-1: PURPOSE AND OBJECTIVES:**

*A. Purpose: The recreation resort zone is established to designate certain areas within the city of Hurricane where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term (30 days or less) basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments. (Ord. 2013-02, 3-21-2013)*

*B. Objective: The objective of the recreation resort zone is to allow full service resort developments with short and long term residential use combined with those commercial and public facilities necessary to create a desirable resort atmosphere. (Ord. 2008-10, 6-5-2008)*

Recreation Resort (RR) zoning requires a minimum of 5 acres, which this application complies with. RR zoning permits “Single and multiple dwelling unit residential, including condominium and townhouse complexes. Unit and/or complex owners may reside in the dwelling units or offer them for rent or lease either long term or short term.” It also allows some commercial uses to support the resort including office space for the management of the resort, restaurants, sales and rental offices, retail stores, and more. A RR development must provide a few amenities as listed below:

**10-26-6: DEVELOPMENT STANDARDS:**

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*B. Development standards within the recreational resort shall be set forth in [table 10-26-1](#) of this section.*

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

**Response:** The General Plan Map shows this area as two different uses, the main section as General Commercial, and the west section as Planned Community. The 2021 General Plan defines them as follows:

***GENERAL COMMERCIAL***

*Commercial uses that provide retail, employment and service uses for the City. These developments should be located along major corridors.*

***PLANNED COMMUNITY***

*Master planned communities should be complete communities that offer a mixture of housing types and supporting uses such as neighborhood and supporting commercial uses, offices, churches, schools, and parks. Development in this designation should take into account the character of existing surrounding development.*

The 2020 General Plan does not directly address recreation resorts. Recreation Resort uses may fall both within commercial and multi-family housing, and it is up to the City to determine if the use complies with the intent of the general plan and the other main categories. The reason why it is a commercial use is each unit that is used as rental property tax is charged at 100% of the value (instead of 55% like a preliminary dwelling) and we receive Utah State Transient Room Tax for each rental ([see Airbnb's website for more details](#)). Airbnb has been one of our largest sales tax producers within the City in 2019 and 2020.

The General Plan also encourages the City to take advantage of our “unique location” to attract tourists.

*Hurricane is in a unique location with close proximity to several national and state parks and a celebrated network of mountain biking trails. Capitalizing on this national and state-wide trend will have huge economic benefits and can create hundreds of jobs each year. (Hurricane City General Plan, 2021, p. 50)*

and

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*In 2030, Hurricane has a strong and resilient economy that is supported by a variety of industrial and manufacturing, recreational tourism, local businesses, and healthcare facilities with employment opportunities that offer living-wage jobs. While there are many opportunities for living-wage jobs, and the City's downtown has activities, dining, and retail for residents, employees, and visitors to enjoy, the City maintains a small-town feel.*

***THIS MEANS:***

- » *Creating more opportunity for living-wage jobs*
  - » *Capitalizing on local tourism industry to bring in new strings of revenue*
  - » *Creating vibrant public places downtown for residents and visitors to gather*
  - » *Encouraging development of a new health care facility*
  - » *Encouraging more restaurants, bars, and retail options*
- (Hurricane City General Plan, 2021, p. 53)*

Though staff would recommend not opening up every area for resort or short-term rentals, finding appropriate spaces for resorts likely would add to the local economy of Hurricane.

Recreation Resort can also serve as a residential use also. People who buy or rent a unit within the zone are able to occupy the unit on the long term, whereas commercial settings, motels and hotels are not allowed, long-term renters. Recreation Resort Zoning allows for up to 15 units an acre.

The applicant is also proposing to build a restaurant as part of the resort that would be open to the general public.



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

**Response:** Most of the surrounding development to the north, south, east is commercial and industrial type use, including storage units, salvage yard. There is also a housing development to the east, and neighborhoods to the west with some undeveloped property.

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

**Response:** The proposed zoning would likely have an impact on the surrounding property. However, its location on 500 N and SR-9 would help mitigate traffic and other impacts from the site. Most of the property directly to the west is currently undeveloped and used as agriculture property, but would likely be developed in the future. Staff would recommend either a wall or roadway between the property owner and the field to the west.

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

**Response:** Facilities and services are adequate for this development. The applicant will likely need to do some intersection improvements for their access points. They will need to coordinate with utilities to ensure they provided the services to their property while avoiding too much work on SR-9. They will also need to plan for two access points. These points will likely not be able to access SR-9. Their main access should be at the 600 N intersection.

### **JUC Comments (Updated on August 11, 2021)**

1. Streets: Need a thorough parking plan.
2. Sewer: Should flow to the south, there is a line to the south of the property.
3. Water: Will need a looped system, likely will need to loop by the restaurant property.
4. Engineering: Would recommend that 480 N should be stubbed to the west (around the alignment of the east-west road on the property just north of the restaurant). The driveway access by the restaurant might be too close to the intersection, may only be allowed for a right-in-right-out. Block spacing should be limited to 800 ft. Drainage plan will need additional review.
5. Power: Power is on SR-9. There will need to be some improvements to the site for power.
6. Gas: Located on 600 N
7. Fire: Turn radius will need to meet fire standards. Will need two access points because of the number of units, the spacing between the proposed access points looks like it may comply with the fire code, but will need additional review.

### **Other Consideration and Preliminary Site Plan**

1. One of the main considerations is that the current zoning allows an applicant to do a hotel or motel (very similar use), but is vague on how the ownership can be divided for the use. A RR zoning would allow for the further subdivision of the property and that each unit may be privately owned. The other consideration is a change in zoning would allow people to occupy any of the units for the short term (less than 30 days) or long term (longer than 30 days).
2. Any Recreation Resort Development would need to have a clubhouse, pool, and onsite management. The applicant has provided a location for these amenities on the north end of the development.
3. Staff would recommend that the restaurant be open to the general public, and not just a resort amenity.
4. A Recreation Resort needs to be a minimum of five acres, which this application complies with.

5. The applicant will need to provide proper roadways and connections to adjacent property and within the development. The applicant has stub a road to the south and to the western property to comply with Hurricane connectivity standards.
6. Hurricane City Code requires that an *“application for a zone map change to recreation resort zone shall be accompanied by a completed preliminary site plan application as set forth in section 10-7-10 of this title.”* (See [10-26-6 \(C\)](#)). The applicant has submitted a Site Plan
7. Staff would recommend overflow parking for the site and an area for trailers and RV’s to park. The restaurant requires 31 parking spaces out of the 47 provided stall parking lots.
8. The parking lot area should be contained within private ownership.
9. The site plan shows a preliminary utility plan.
10. Will need a second access point because the development exceeds 30 units. Must be approved by the Hurricane Valley Fire District. It looks like the roadways will align with the two intersections to the north.
11. Buildings will need to follow proper setbacks off of the property and staff would recommend that a table is added to the site plan containing the setback listed within Hurricane City Code 10-26-6, table 10-26-1.
12. The Planning Commission is currently updating the recreation resort zoning code, as part of this update they are considering adding the following consideration for resort zoning. The following considerations are not adopted by the City, but staff believes are good items to consider when reviewing recreation resort zoning.
  - *General Plan Map: Recreation Resort shall be located in Commercial, Planned Community, Mixed Use, or Multi-Family areas as labeled by the General Plan Map.*
  - *RR Zoning shall avoid clustering in a single location, and should be limited in size relative to the commercial or multi-family zoned area. Only in rare cases should a recreation resort zone exceed 20 acres.*
  - *RR Zoning shall only be located adjacent to Major Collectors, Minor Arterials, or Major Arterial Roads.*
  - *RR Zoning should help add to the commercial viability of an area within commercial areas listed in the General Plan Map. It may do this by adding commercial amenities, tourism, or renewed development or an area.*
  - *RR Zoning should not conflict with long term housing and moderate income housing needs of an area. RR Zoning should not be located in places where multi-family housing could be built that would have easy access to public amenities and services, such as schools, parks, and utilities.*

**Findings:**

Staff makes the following findings:

1. The application meets the standards within the General Plan and General Plan Map.
2. Generally, the uses are harmonious with surrounding development. Proper buffering should be added on the west side of the development.
3. The proposed amendment will have an impact on the area, but the impact of the uses are anticipated by the General Plan and are similar to the current zoning.
4. Services are adequate to serve the area and proposed project.

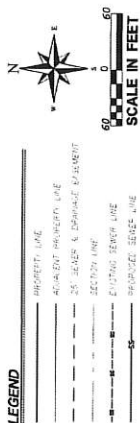
**Recommendation:** Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff would recommend approval with the following conditions:

1. That the application complies with all aspects of this report.
2. The applicant provides additional RV and trailer parking.

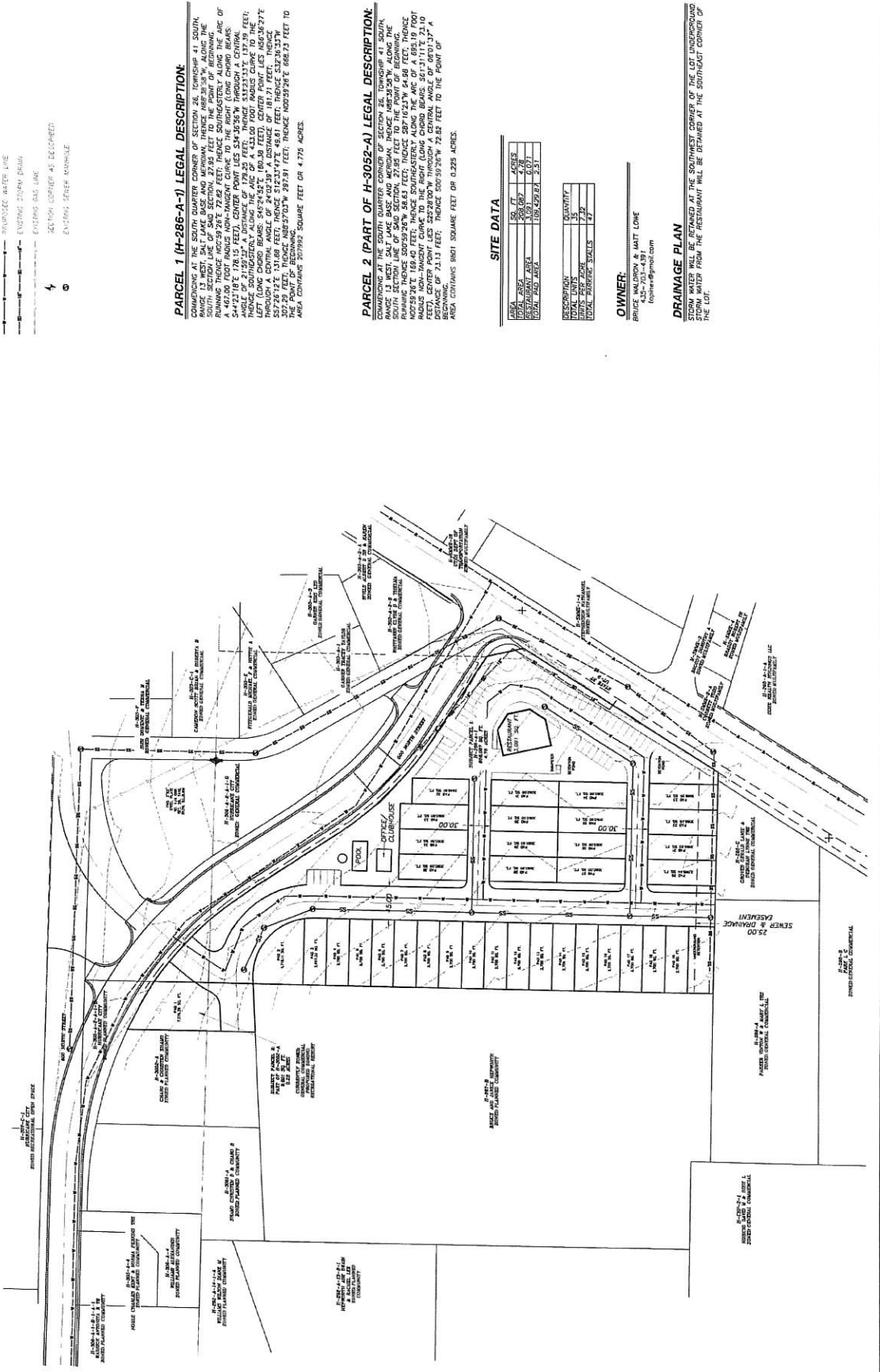


# PRELIMINARY SITE PLAN FOR: ZION HUB

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 35, T4S, R13W, S13B.M.  
HURRICANE CITY, WASHINGTON COUNTY, UTAH



- LEGEND**
- PROPERTY LINE
  - ACQUISITION PROPERTY LINE
  - 24" SEWER & DRAINAGE EASEMENT
  - SECTION LINE
  - EXISTING SEWER LINE
  - PROPOSED SEWER LINE
  - EXISTING WATER LINE
  - PROPOSED WATER LINE
  - EXISTING ZION DRIVE
  - EXISTING GAS LINE
  - SECTION CORNER AS SHOWN
  - EXISTING SEWER MANHOLE



**PARCEL 1 (H-286-A-1) LEGAL DESCRIPTION:**  
 COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 26, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, THENCE 27.85 FEET TO THE POINT OF BEGINNING, SOUTH SECTION LINE OF SAID SECTION, 27.85 FEET TO THE POINT OF BEGINNING, THENCE 4.42150 FOOT RADIUS CURVE TO THE RIGHT, BEARING 111.111111 DEGREES, THENCE 54+23.18' E, 78.12 FEET, CENTER POINT LIES S34-36.26' W THROUGH A CENTRAL POINT, THENCE SOUTHWESTERLY ALONG THE ARC OF A 433.00 FOOT RADIUS CURVE TO THE LEFT (LONG CHORD BEARS S45°49'45.2" E 184.38 FEET), CENTER POINT LIES N65°36'27.2" E 202.29 FEET, THENCE N65°36'27.2" E 111.68 FEET, THENCE S12°21'47.2" E 45.61 FEET, THENCE S32°26'33.7" W 100.00 FEET, THENCE S00°59'26.2" W 72.82 FEET TO THE POINT OF BEGINNING. AREA CONTAINS 207962 SQUARE FEET OR 4.779 ACRES.

**PARCEL 2 (PART OF H-3052-A) LEGAL DESCRIPTION:**  
 COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 34, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, THENCE N62°35'50.7" W, ALONG THE SECTION LINE OF SAID SECTION, 111.68 FEET TO THE POINT OF BEGINNING, THENCE S00°59'26.2" W 58.13 FEET, THENCE S07°16'23.7" W 64.68 FEET, THENCE N05°59'26.2" E 189.49 FEET, THENCE SOUTHWESTERLY ALONG THE ARC OF A 695.19 FOOT RADIUS CURVE TO THE RIGHT, BEARING 111.111111 DEGREES, THENCE 111.68 FEET, THENCE S00°59'26.2" W 72.82 FEET TO THE POINT OF BEGINNING. AREA CONTAINS 39071 SQUARE FEET OR 0.895 ACRES.

**SITE DATA**

DESCRIPTION	QUANTITY
TOTAL AREA	156.47 ACRES
RESTAURANT AREA	3,709.07 SQ. FT.
TOTAL PARKING STALLS	118,429.67

DESCRIPTION	QUANTITY
TOTAL PARKING STALLS	118,429.67
TOTAL PARKING STALLS	118,429.67

**OWNER:**  
 BRIGGS, MARYANN & MATT LONE  
 432-703-4397  
 fclone@provalde.com

**DRAINAGE PLAN**

STORM WATER WILL BE RETAINED AT THE SOUTHWEST CORNER OF THE LOT. UNDERGROUND STORM WATER FROM THE RESTAURANT WILL BE DETAINED AT THE SOUTHWEST CORNER OF THE LOT.

NO.	DESCRIPTION	DATE	BY

PROVALDE ENGINEERING, INC.  
 27 South Main Street, Suite 205  
 Provo, Utah 84601  
 Phone: (801) 734-8887 Fax: (801) 734-8888



ZONE CHANGE MAP FOR  
 ZION HUB  
 LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 35, T4S, R13W, S13B.M.  
 HURRICANE CITY, WASHINGTON COUNTY, UTAH

DATE: 03/23/21  
 SCALE: 1"=40'  
 SHEET: 1 OF 1

To:

Stephen A. Nelson, Planning Director  
City of Hurricane Planning Commission  
Hurricane Utah City Council  
John W. Bramall, Mayor  
Any other interested parties

I, Russell LeBaron, formally request that the section of 300 North, east of the line extended north that separates parcels H-230 and H-229-B, be formally abandoned by the City of Hurricane.

The land in question has been used exclusively by my family since the abandonment of the Hurricane Canal. Until recently, I believed that the land belonged to my family. During the time since abandonment of the canal, the City of Hurricane has neither used nor maintained the section of the street in question and it dead ends at the top of a rather steep hill. It is bordered on three sides by parcels H-297-A-1, H-349-A-1-D, and H-230. Parcel H-230 is owned by myself and Cleopha G. LeBaron, while parcels H-349-A-1-D, and H-230 belong to the LeBaron Family Partnership. The LeBaron Family Partnership was created by John and Cleopha LeBaron. John LeBaron is deceased and Cleopha LeBaron is 95 years old and trying to settle the affairs of the partnership before her death.

There are currently two utilities that cross the section of 300 North to be abandoned. Both are aerial above the section and begin at a utility pole near the property corner of H-229-B, H-230, and 300 North. Both go in a generally northeast direction crossing over H-297-A-1 and neither are near the eastern termination line of 300 North. As such, both cross property that is already owned by me.

Abandoning the section of the road in question will not close access to anyone currently using access but will allow my family to properly and legally use the land in a beneficial manner.

Thank you for your consideration,

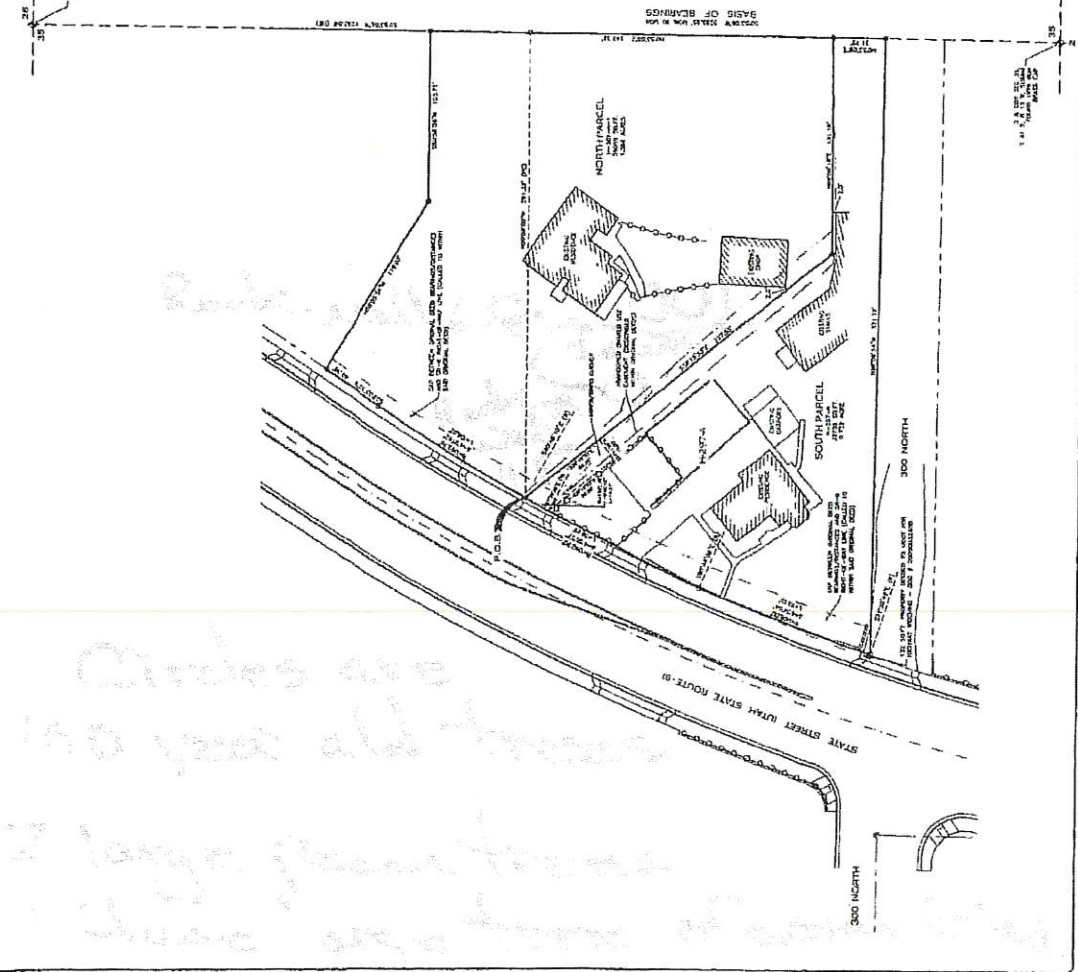
A handwritten signature in black ink, appearing to read "Russell LeBaron", with a stylized flourish at the end.

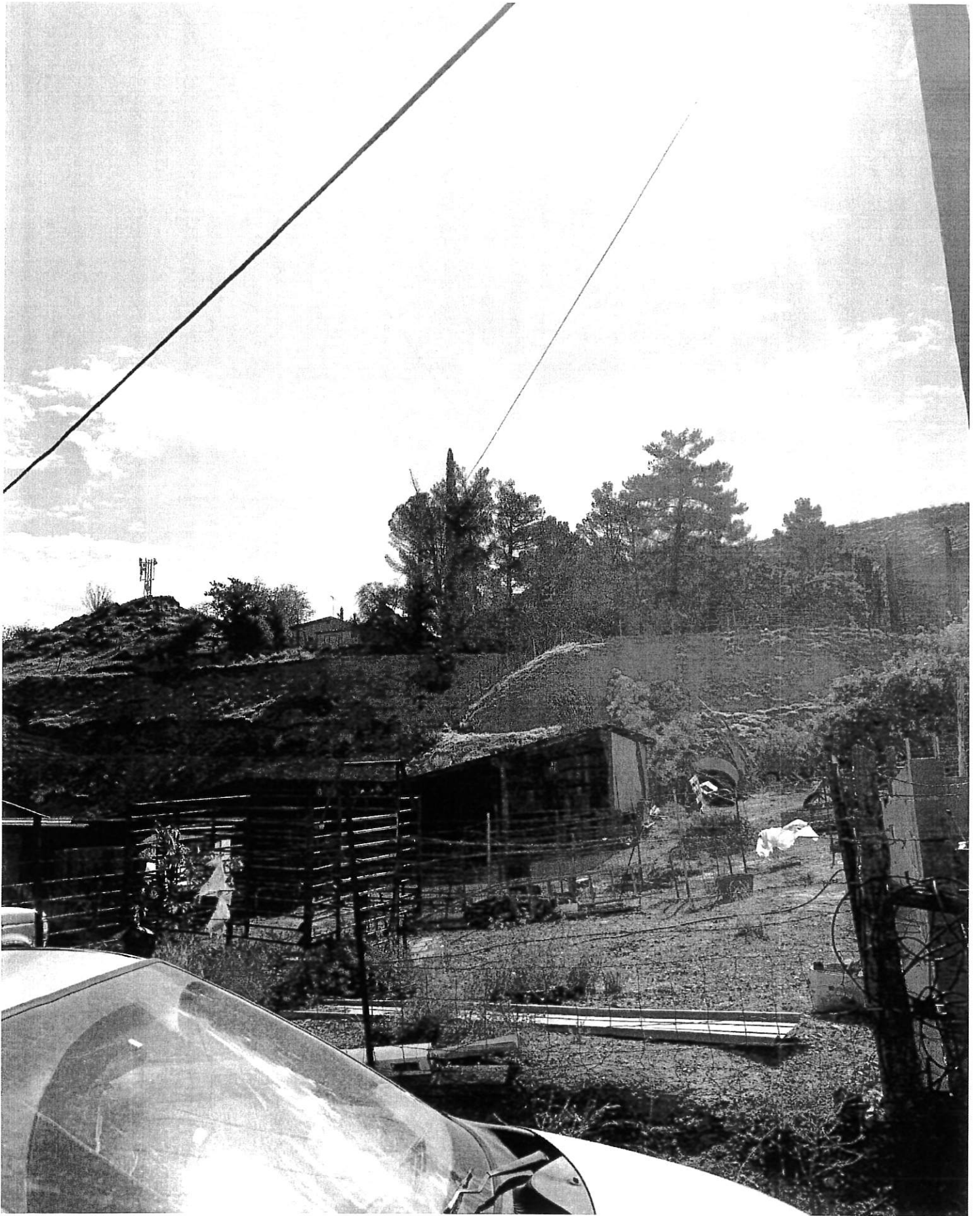
Russell LeBaron

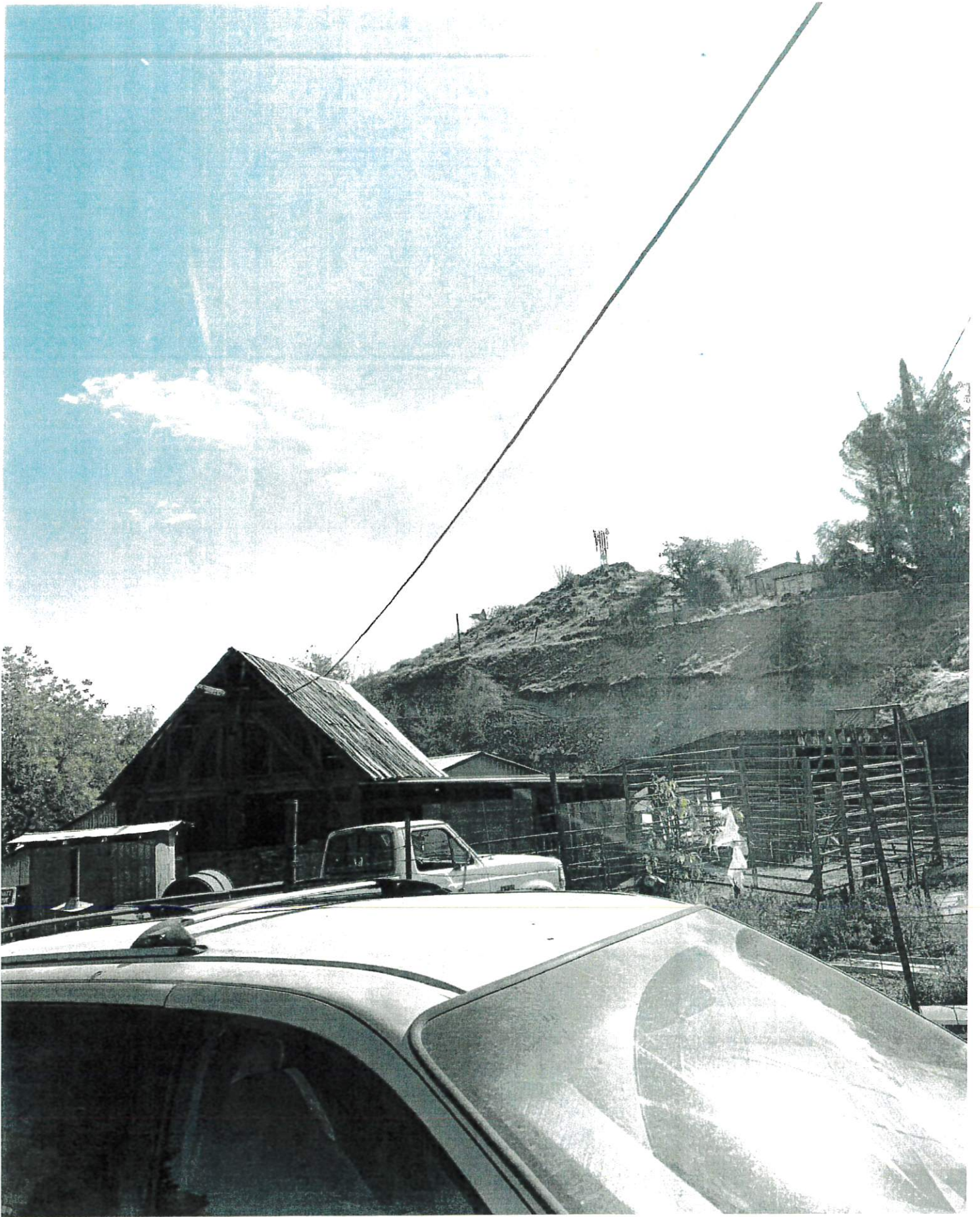
**SURVEYORS CERTIFICATE**  
 I, RATT ENGINEERING PC, a Missouri Professional Corporation, do hereby certify that the foregoing plat is a true and correct copy of the original survey as shown to me by the owner of the land surveyed, and that the same was made by me or under my direct supervision and in accordance with the provisions of the laws of the State of Missouri relating to the practice of the profession of land surveying.

**BOUNDARY DESCRIPTIONS**  
 The boundaries of the lots shown on this plat were determined by a survey made by me or under my direct supervision, and the same were found to conform to the original survey as shown to me by the owner of the land surveyed, and the same were made by me or under my direct supervision and in accordance with the provisions of the laws of the State of Missouri relating to the practice of the profession of land surveying.

**LEGEND**  
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## STAFF COMMENTS

<b>Agenda Date:</b>	8/19/2021
<b>Application Number:</b>	N/A
<b>Type of Application:</b>	Roadway Abandonment
<b>Action Type:</b>	Legislative (Discussion)
<b>Applicant:</b>	Russell LeBaron
<b>Agent:</b>	
<b>Request:</b>	Roadway Abandonment of Eastern 300 N
<b>Location:</b>	East of SR-9
<b>Zoning:</b>	Highway Commercial
<b>General Plan Map:</b>	Multi-family

**Discussion:** The property owner is asking the City to abandon the existing right-of-way on his property. The state gives City's the authority to abandon roadways and dedicated right-of-way, but the City must follow the proper process. The codes are below:

*Effective 7/1/2020*

***10-9a-208 Hearing and notice for petition to vacate a public street.***

*(1) For any petition to vacate some or all of a public street or municipal utility easement the legislative body shall:*

- (a) hold a public hearing; and*
- (b) give notice of the date, place, and time of the hearing, as provided in Subsection (2).*

*(2) At least 10 days before the public hearing under Subsection (1)(a), the legislative body shall ensure that the notice required under Subsection (1)(b) is:*

- (a) mailed to the record owner of each parcel that is accessed by the public street or municipal utility easement;*
- (b) mailed to each affected entity;*

*(c) posted on or near the public street or municipal utility easement in a manner that is calculated to alert the public; and*

*(d)*

*(i) published on the website of the municipality in which the land subject to the petition is located until the public hearing concludes; and*

*(ii) published on the Utah Public Notice Website created in Section 63F-1-701.*

*Amended by Chapter 4, 2020 Special Session 5*

The City has not advertise for the public hearing, but will for a future meeting. The following is the code that dictates how a roadway is to be vacated:

***Effective 9/22/2017***

***72-5-105 Highways, streets, or roads once established continue until abandoned -- Temporary closure.***

*(1) Except as provided in Subsections (3) and (7), all public highways, streets, or roads once established shall continue to be highways, streets, or roads until formally abandoned or vacated by written order, resolution, or ordinance resolution of a highway authority having jurisdiction or by court decree, and the written order, resolution, ordinance, or court decree has been duly recorded in the office of the recorder of the county or counties where the highway, street, or road is located.*

*(2)*

*(a) For purposes of assessment, upon the recordation of an order executed by the proper authority with the county recorder's office, title to the vacated or abandoned highway, street, or road shall vest to the adjoining record owners, with one-half of the width of the highway, street, or road assessed to each of the adjoining owners.*

*(b) Provided, however, that should a description of an owner of record extend into the vacated or abandoned highway, street, or road that portion of the vacated or abandoned highway, street, or road shall vest in the record owner, with the remainder of the highway, street, or road vested as otherwise provided in this Subsection (2).*

*(c) Title to a highway, street, or road that a local highway authority closes to vehicular traffic under Subsection (3) or (7) remains vested in the city.*

## JUC Review

The site has been reviewed by the JUC with the following comments:

1. Streets: Need more investigation
2. Power: Cannot see what they are trying to do
3. Water: Has water meter servicing the second house, cannot abandon that section containing it.
4. Fire: Needs access to the hillside, not in favor of the petition
5. Engineering” Landlocked parcels- could cause issues in the future.
6. Sewer: How to bring sewer if needed in the future to back parcels. Sewer stubbed to 300 N.



## Staff Review

Staff has reviewed the application and echo's the main concerns raised by the JUC. The road is not fully developed in the section they are requesting to be abandoned. However, the road stubs into parcel next to the hillside and may serve as the access point in the future. There are also some concerns because there are utilities in a section of the roadway. The roadway in question is not part of the City's Transportation Master Plan.

**Recommendation:** Staff recommends the City Council review this application and discuss if the City would like to consider abandonment.

**From:** [Nanette Billings](#)  
**To:** [Cindy Beteag](#)  
**Subject:** Re: Council meeting agenda  
**Date:** Tuesday, August 17, 2021 9:18:19 AM  
**Attachments:** [FILE\\_3468.pdf](#)

---

Cindy,

The marker for the ditch would say something like this:

[I will send pictures soon. Thanks](#)

Nanette Billings  
[Billings@cityofhurricane.com](mailto:Billings@cityofhurricane.com)  
435-680-2757

On Aug 17, 2021, at 7:01 AM, Cindy Beteag <[cindy@cityofhurricane.com](mailto:cindy@cityofhurricane.com)> wrote:

Thanks for the information. I thought you meant we needed 1000-2000 markers not that was the cost. I will get it fixed on the agenda.

Cindy Beteag

Cindy Beteag  
City Recorder  
City of Hurricane  
Office 435-635-2811 x 106

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

From: Nanette Billings <[billings@cityofhurricane.com](mailto:billings@cityofhurricane.com)>  
Sent: Monday, August 16, 2021 10:16 PM  
To: Cindy Beteag <[cindy@cityofhurricane.com](mailto:cindy@cityofhurricane.com)>  
Subject: Re: Council meeting agenda

Cindy,

We are looking for lateral ditches which are the little irrigation ditches in front of the Reeve home on Main Street. We already have permission to do it, but we're going to put a marker and a sign and then add it to the website for the historical driving tour.

We also need to add a sign out to the cistern water storage facility of the early 1900s at the end of 60 E and about 500 south street with the same type of a sign there. Each is about \$1000. I will get pictures abs have you upload them. Thanks.

Nanette Billings  
[Billings@cityofhurricane.com](mailto:Billings@cityofhurricane.com)

435-680-2757

On Aug 16, 2021, at 2:23 PM, Cindy Beteag  
<cindy@cityofhurricane.com> wrote:

Nanette,

This has been added. Do you have any information I should include  
in the packet?

Thanks,

Cindy Beteag

Cindy Beteag

City Recorder

City of Hurricane

Office 435-635-2811 x 106

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

From: Nanette Billings <billings@cityofhurricane.com>

Sent: Sunday, August 15, 2021 9:37 PM

To: Cindy Beteag <cindy@cityofhurricane.com>

Subject: Council meeting agenda

Cindy,

Would you see if we could add an item? Discussion and possible  
approval for historical markers for the Just Serve day on Sept 11th  
2021 for 1000-2000.

Nanette Billings

Billings@cityofhurricane.com

435-680-2757

## Lateral Ditch Lines of the Hurricane Canal

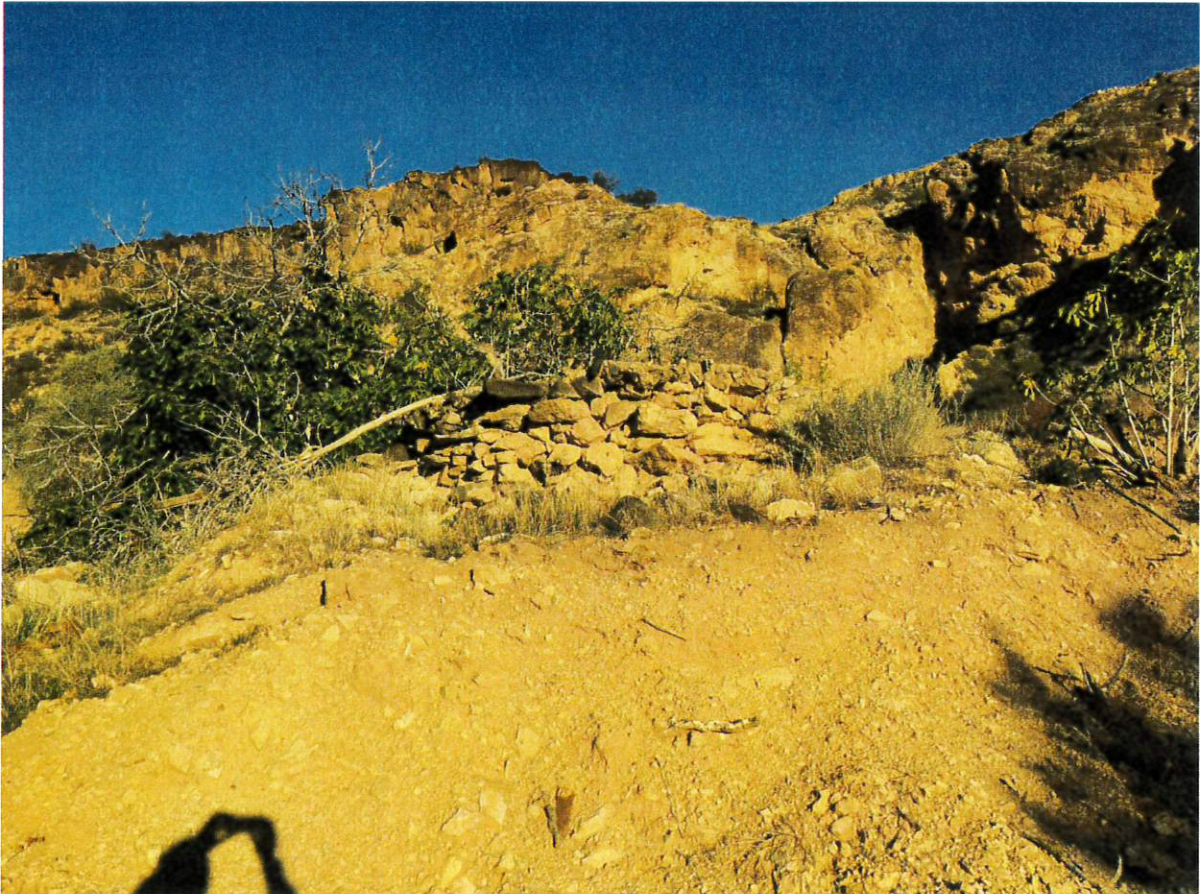
After eleven years of hard labor, water from the Hurricane Canal poured out onto the valley floor in August 1904. It was necessary for the builders to lay out a water delivery system to irrigate garden plots near their homes and to larger orchards and field crops outside of town. Most, if not all, of the main ditches and lateral ditches were dug out of the existing terrain of dirt and rocks. Later, in order to preserve water, some of the lateral ditches were lined with sandstone slabs. Like the one you see here, these linings were constructed by WPA (Work Progress Administration) workers in 1936 and 1937 when they were constructing the Hurricane Public Library and the Hurricane High School. This lateral ditch is a reminder of the sacrifice and tenacity of the settlers of this community to deliver water to over 2,000 acres of previously uncultivated land.

National Society of Sons of Utah Pioneers, Monument No. \_\_\_\_\_

From: [Nigel de Klerk](#)  
To: [Cathy Selous](#)  
Subject: Cistern pictures  
Date: Tuesday, August 17, 2011 12:34:26 PM

---

This cistern is where we want to place a sign.





Nanette Billings  
Billings@cityofhurricane.com  
435-680-2757







Small text or watermark at the bottom left of the image.



**Department Heads,**

Washington County is thrilled to be the lead agency bringing the IRONMAN 70.3 World Championship to our area. The County Commission and other Community leaders will declare September 13<sup>th</sup> – 20<sup>th</sup> as “IRONMAN WEEK in Washington County” and, where possible, businesses are encouraged to declare the week as a “Volunteer Week” or a “Week of Service.”

The County Commission authorizes department heads to allow their employees to spend up to 8 regular work hours during IRONMAN Week to assist with related events. As the funding for hours worked in this capacity will come from a different source, please coordinate with the Tourism Department to ensure accurate accounting of all time spent assisting. A summary of employees’ hours should be sent to HR for review. Opportunities and info may be found [here](#), and includes the following:

**Event Schedule - September 14-20, 2021**


Sept. 14-19: IRONMAN Village at Town Square	Sept. 17: Women’s Race (Friday)
Sept. 15: 5K, Parade, Welcome Banquet	Sept. 18: Men’s Race (Saturday), Awards
Sept 16: IRON Kids Fun Run	Sept. 20: Volunteer Celebration at Legacy Park

If you, or your employees, have any questions, please have them contact Susi Lafaele in the Tourism Office: [susi@washcofair.net](mailto:susi@washcofair.net)

Sincerely,

WASHINGTON COUNTY COMMISSION

  
Victor Iverson  
Commissioner

  
Gil Almquist  
hC airman

  
Dean Cox  
Commissioner

**RESOLUTION NO. R-2021-2774**

**A RESOLUTION PROCLAIMING SEPTEMBER 13-20, 2021 AS IRONMAN  
VOLUNTEER WEEK IN WASHINGTON COUNTY**

WHEREAS, Washington County has been home to IRONMAN events since 2010 and is preparing to host the IRONMAN 70.3 World Championship September 17-18, 2021; and

WHEREAS, IRONMAN Events have brought more than \$100 million in positive economic impact to local businesses and communities in Washington County; and

WHEREAS, the IRONMAN 70.3 World Championship will be the largest, most globally recognized event to ever be held within Washington County, bringing thousands of world-class athletes from all 50 states and over 100 countries; and

WHEREAS, these champion athletes embrace the positive characteristics and qualities of our community heritage as they overcome challenges to compete in the Land of Endurance; and

WHEREAS, the World Championship event is projected to bring an influx of nearly \$25 million in revenue from visitors to this great community; and

WHEREAS, for more than a decade, community members throughout the county have invested their time, skills and energy to host these successful IRONMAN events; and

WHEREAS, community leaders in the cities of Hurricane, Washington, St. George, Santa Clara, Ivins and other neighboring communities enthusiastically support and facilitate the event operations each year at a level deemed worthy to now host the World Championship; and

WHEREAS, the dynamic organizations at Sand Hollow and Snow Canyon State Parks, along with well trained professionals in public safety, emergency response, medical, search and rescue, transportation and communications, work together to ensure successful event operations; and

WHEREAS, to facilitate and support the World Championship activities, the Washington County School District has declared September 17 as a “no school day”; and

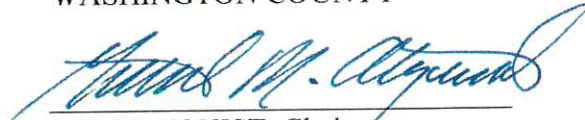
WHEREAS, an unprecedented number of volunteers will be devoting their time and talents, along with the best efforts of the above mentioned communities, agencies and organizations to coordinate the World Championship events;

THEREFORE, BE IT RESOLVED that THE COUNTY COMMISSION OF WASHINGTON COUNTY, UTAH, do hereby proclaim September 13-19, 2021, as IRONMAN Volunteer Week, a time when we can truly showcase the enduring qualities of our people and our land by embracing the event and welcoming the world. We encourage residents, businesses and organizations to enthusiastically support the World Championship event; to provide and incentivize service opportunities for employees and team members; to recognize the positive

impact of service in our county; to thank those who serve; to celebrate the achievements of the world-class athletes; to find ways to embrace the opportunities the event brings; and to "Rise to It".

VOTED UPON AND PASSED BY THE WASHINGTON COUNTY COMMISSION AT A REGULAR MEETING OF THE WASHINGTON COUNTY COMMISSION HELD ON THE 18<sup>th</sup> DAY OF MAY 2021.

WASHINGTON COUNTY



GIL ALMQUIST, Chair  
Washington County Commission

ATTEST:



Kim M. Hafen  
Washington County Clerk-Auditor

Commissioner Almquist voted Aye  
Commissioner Cox voted Absent  
Commissioner Iverson voted Aye

Approved as to Form:



Deputy Washington County Attorney

## PROCLAMATION

WHEREAS, Washington County has been home to IRONMAN events since 2010 and is preparing to host the IRONMAN 70.3 World Championship September 17-18, 2021: and

WHEREAS, IRONMAN Events have brought more than \$100 million in positive economic impact to local businesses and communities in Washington County; and

WHEREAS, the IRONMAN 70.3 World Championship will be the largest, most globally recognized event to ever be held within Washington County, bringing thousands of world-class athletes from all 50 states and over 100 countries; and

WHEREAS, these champion athletes embrace the positive characteristics and qualities of our community heritage as they overcome challenges to compete in the Land of Endurance; and

WHEREAS, the World Championship event is projected to bring an influx of nearly \$25 million in revenue from visitors to this great community; and

WHEREAS, for more than a decade, community members throughout the county have invested their time, skills and energy to host these successful IRONMAN events; and

WHEREAS, community leaders in the cities of Hurricane, Washington, St. George, Santa Clara, Ivins and other neighboring communities enthusiastically support and facilitate the event operations each year at a level deemed worthy to now host the World Championship; and

WHEREAS, the dynamic organizations at Sand Hollow and Snow Canyon State Parks, along with well trained professionals in public safety, emergency response, medical, search and rescue, transportation and communications, work together to ensure successful event operations; and

WHEREAS, to facilitate and support the World Championship activities, the Washington County School District has declared September 17 as a “no school day”; and

WHEREAS, an unprecedented number of volunteers will be devoting their time and talents, along with the best efforts of the above-mentioned communities, agencies and organizations to coordinate the World Championship events;

**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 13 through 19 as

### **IRONMAN VOLUNTEER WEEK**

AND, We encourage residents, businesses and organizations to enthusiastically support the World Championship event; to provide and incentivize service opportunities for employees and team members; to recognize the positive impact of service in our county; to thank those who serve; to celebrate the achievements of the world-class athletes; to find ways to embrace the opportunities the event brings; and to “Rise to It”.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of Hurricane City to be affixed this 19<sup>th</sup> day of August, 2021

\_\_\_\_\_  
John W. Bramall, Mayor

[Seal] Attest:

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



July 21, 2021

CITY OF HURRICANE, UTAH  
147 NORTH 870 WEST  
HURRICANE, UTAH, 84737

I have enclosed the Lease documentation for the equipment supplied by Intermountain Golf Cars. After having the documents signed, please fax or email them back to me at 515-334-7897 or [golf@dllgroup.com](mailto:golf@dllgroup.com).

Please have an **Authorized Signor (CFO, COO, Mayor, Commissioner, Executive Director, Council President, City/County Manager, City/County Administrator)** sign and date the following:

- Lease Agreement
- Maintenance Agreement
- Property Tax Acknowledgment
- Opinion of Lessee's Counsel (required for leases over \$500,000)
- Delivery and Acceptance Certificate
  - May be completed via fax, if equipment has not been delivered at time of document signing
- Agreement to Provide Physical Damage Insurance
- Authorization Agreement for Automatic Withdrawals (ACH) (OPTIONAL)
- Sales Tax Exemption Certificate (and/or Tax Information Publication form for Florida lessees)

If applicable, please send the **Advance Payment of \$8,098.48** to the following address – Attn: Golf and Turf, P.O. Box 2000, 8001 Birchwood Court, Suite C, Johnston, IA 50131.

If you have any questions, please feel free to contact me at 1-800-873-2474. Thank you for your business.

Sincerely,

KEVIN ROSA  
Account Manager – Golf, Turf & Recreational Products

## LEASE AGREEMENT (Golf Equipment – Municipal Entities)

Lessee's Budget Year Ends in the Month of:	Lease Agreement Number:	FA-186982
--------------------------------------------	-------------------------	-----------

**TO OUR VALUED CUSTOMER:** This Lease Agreement (this "Lease") has been written in "Plain English." The words "You" and "Your" are used in this Lease to mean the Lessee identified below. The words "We," "Us" and "Our" are used in this Lease to mean the Lessor who is DLL Finance LLC, 8001 Birchwood Court, P.O. Box 2000, Johnston, IA 50131 and any of our affiliates, subsidiaries, successors and assigns.

<b>LESSEE</b>	Full Legal Name: CITY OF HURRICANE, UTAH			
	Mailing Address 147 NORTH 870 WEST	City HURRICANE	State UTAH	Zip 84737

<b>SUPPLIER</b>	Name:	INTERMOUNTAIN GOLF CARS INC
	Address:	1151 N 1100 W, ST GEORGE, UT, 84770
	Phone:	(435)656-1771

### TERM AND LEASE PAYMENT SCHEDULE

You agree to the following terms:

#### TERM

The Initial Term ("Term") shall be \_\_\_\_\_ months from the Commencement Date.

Commencing on:  \_\_\_\_\_ OR  the 1st day of the month immediately following Borrower's signature on the Delivery and Acceptance Certificate and Lender's receipt thereof (the "Commencement Date").

#### PAYMENT

The aggregate sum due under this Lease includes lease payments and other amounts required to be paid under this Lease (each payment shall be referred to as a "Payment" and collectively as "the Payments") and shall be payable as follows:

The lease payment shall be as follows (the "Lease Payment"):

The first scheduled payment will be due on:  \_\_\_\_\_ OR  the Commencement Date.

Each payment thereafter will be due:

on the 1st day of the month or  as indicated below.

Number of Payments:	Payment Amount:	Payment Frequency: <input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Quarterly; or
72	\$8,092.48	On the following day(s)
Use tax per Payment (estimated):	Total Payment Amount with Sales/ Use Taxes (estimated):	
0.00	\$8,092.48	
Security Deposit:		
0.00		

#### TAXES

Sales/use tax has been estimated above to provide an approximation of the taxes and total Payment amount. The actual sales and use tax may vary and may be, depending on state law, collected at the time this Lease is entered into or added to each Payment on the terms of this Lease. **Property tax will be billed annually and is due on invoice.** If the use tax payment box above is empty or indicates \$0, we anticipate receiving a valid exemption certificate. If such certificate is not received, Sales or use tax may be billed to you and/or added to the Payments.

**PAYMENTS.** You agree to make all Payments due under this Lease to Us at P.O. Box 14535, Des Moines, IA 50306 or at such other address as We may designate from time to time. Your Payments shall constitute a current expense and do not constitute a mandatory payment obligation of You in any fiscal year beyond Your current fiscal year. Your obligations hereunder shall not be construed to be a debt in contravention of any applicable constitutional or statutory limitation or requirement concerning the creation of indebtedness by You, nor shall anything contained herein constitute a pledge of Your general credit, tax revenues, funds, or moneys.

**INSURANCE & TAXES.** You are required to provide and maintain insurance related to the Equipment (defined below) and other items described in this Lease and to pay any property, use, sales, excise, and other taxes related to this Lease or any Equipment and to pay all license and registration fees assessed against this Lease or any Equipment. You agree to furnish Us with satisfactory evidence of Your tax exemption.

**DELINQUENT PAYMENTS AND RETURNED CHECK CHARGE.** Each Payment past due more than 10 days shall be subject to a late charge accrued at a rate equal to 1.75% per month from the due date until paid or \$1, whichever is greater, but in no event shall any late charge exceed the maximum amount allowed by law. If any check or payment is returned or rejected for insufficient funds or any other reason, You shall pay to Us a fee of \$25.00 or such other amount established by Us from time to time not to exceed the maximum amount permitted under applicable law. In Our discretion, such amount shall be paid on demand or added to the next Payment and You agree to pay such increased Payment amount.

### TERMS AND CONDITIONS

**1. Lease.** We agree to lease to You and you agree to lease from Us, the equipment listed on the Equipment Schedule attached hereto and incorporated herein by reference, including all replacement parts, repairs, additions and accessories (the "Equipment") on the terms and conditions of this Lease and all exhibits, schedules and amendments hereto.

**2. Term.** Provided this Lease has been accepted and executed by both parties, this Lease shall become effective upon the Commencement Date and shall remain effective for an original term (the "Original Term") ending at the end of Your budget year in effect on the Commencement Date and shall be continued by You for additional one-year terms (each, a "Renewal Term") coinciding with Your budget year up to the total number of months indicated above as the Full Lease Term; *provided, however*, that at the end of the Original Term and at the end of each Renewal Term, You shall be deemed to have

continued this Lease for the next Renewal Term unless You shall have terminated this Lease pursuant to Section 3. Payments under this Lease shall be due as set forth on the Payment Schedule until the balance of the Payments and any additional Payments or expenses chargeable to You are paid in full. Payment amounts and other amounts required to be paid under this Lease shall be referred to in this lease as "Payments." Unless otherwise indicated in the Payment schedule provided above, the first Payment under this Lease is due when this Lease is signed by You and the remaining Payments will be due on the first day of each subsequent month through the expiration of the Term. You agree to pay Us the amount of all search fees, filing fees and administration fees specified in this Lease at the time this Lease is executed and, in any event, upon demand by Us, and to reimburse Us for the amount of all search and filing fees incurred by Us in connection with this Lease upon demand by Us. **EXCEPT AS PROVIDED IN SECTION**

3. THIS LEASE IS NON-CANCELABLE AND YOUR OBLIGATION TO PAY IN FULL THE PAYMENTS AND ANY OTHER AMOUNT DUE HEREUNDER IS ABSOLUTE, IRREVOCABLE AND UNCONDITIONAL AND IS NOT SUBJECT TO AND SHALL NOT BE AFFECTED BY ANY ABATEMENT, SET-OFF, DISPUTE, CLAIM, COUNTERCLAIM, DEDUCTION, DEFENSE OR OTHER RIGHT WHICH YOU MAY HAVE OR ASSERT AGAINST ANY SUPPLIER, DEALER, VENDOR OR MANUFACTURER OF THE EQUIPMENT OR ANY OTHER PARTY FOR ANY REASON WHATSOEVER, ALL OF WHICH YOU HEREBY EXPRESSLY WAIVE AS AGAINST US. YOU AGREE NOT TO ASSERT AGAINST US ANY CLAIMS OR DEFENSES YOU MAY HAVE WITH RESPECT TO ANY EQUIPMENT. In no case shall We be liable for any special, incidental or consequential damages based upon any legal theory, including, but not limited to, loss of profits, loss of use of the Equipment, the claims of third parties or damage to the Equipment.

**3. Non-Appropriation of Funds.** Notwithstanding anything to the contrary contained herein, You warrant that You have funds available to pay all Payments that are to be paid hereunder through the end of Your current appropriation period. If Your legislative body or other funding authority does not appropriate funds for Payments for any subsequent appropriation period and You do not otherwise have funds available to lawfully pay the Payments (a "Non-Appropriation Event"), You may, subject to the conditions herein and upon prior written notice to Us (the "Non-Appropriation Notice"), effective the later of (a) 60 days after such Non-Appropriation Notice, or (b) the end of Your then-current appropriation period (the "Non-Appropriation Date"), terminate this Lease and be released of Your obligation to make all Payments coming due after the Non-Appropriation Date. As a condition to exercising its rights under this Section, You shall (a) provide with the Non-Appropriation Notice a sworn affidavit of a responsible official that a Non-Appropriation Event has occurred and that You have attempted to obtain funding, in good faith, from all available funding sources, but those efforts have failed to obtain funding for the Payments, (b) return the Equipment on or before the Non-Appropriation Date to Us or a location designated by Us, in the condition required by, and in accordance with the return provisions of, this Lease, at Your expense, and (c) pay Us all sums payable to Us under this Lease up to the Non-Appropriation Date. In the event of any Non-Appropriation Event, We shall retain all sums paid hereunder or under the Lease, including the security deposit, if any, specified in this Lease. Termination pursuant to this Section shall not constitute a Default under this Lease; provided that the Parties agree that this Section is not intended to permit You to terminate this Lease at will or for convenience.

**4. Delivery and Acceptance; DISCLAIMER OF WARRANTIES.** You agree to accept each item of Equipment in its as-is condition when delivered and, if requested by Us, to execute the Delivery and Acceptance Certificate supplied by Us as evidence thereof. **YOU ACKNOWLEDGE THAT WE MAKE NO WARRANTY, EITHER EXPRESS OR IMPLIED WITH RESPECT TO ANY EQUIPMENT, INCLUDING WITHOUT LIMITATION, ANY IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.** You also agree that neither the manufacturer nor the supplier of the Equipment is an agent of Ours. If the Equipment is covered by a manufacturer's warranty, such warranty shall be extended to You if automatically assignable. You agree that there shall be no abatement of any Payment obligation because of unavailability of the Equipment during periods of its warranted or non-warranted repair. You agree to hold Us harmless from specific performance of this Lease and from damages, if, for any reason, the supplier, manufacturer, vendor or any other party fails to deliver, or delays in delivery of, the Equipment so ordered or if the Equipment is unsatisfactory for any reason whatsoever. You agree that any delay in delivery of or defect in the Equipment shall not affect the validity of this Lease or the obligation to make Payments hereunder. Your execution of a Delivery and Acceptance Certificate in the form attached hereto shall conclusively establish that the Equipment covered thereby is acceptable to You for all purposes of this Lease.

**5. Use, Maintenance and Return of Equipment.** You agree that all Equipment is to be used for commercial purposes and that the Equipment will not be moved outside of the contiguous forty-eight states of the United States and to notify Us of each change in the place where the Equipment is located or used not more than twenty (20) days following each change in location. You further agree as follows: (a) to operate the Equipment in a careful manner; (b) to maintain the Equipment in good repair and repair any damage thereto; (c) restrict the Equipment's use to experienced and competent operators employed by You; (d) to use the Equipment only in the conduct of Your business; (e) properly house and store the Equipment when not in use; (f) not to rent or sub-lease the Equipment without Our prior written consent except as described in Section 17; (g) to not allow any lien, encumbrance or security interest (other than as created pursuant to this Lease, if any) attach to any Equipment; (h) to comply with all laws and regulations relating to the possession, operation and use of the Equipment; and (i) to pay all license and registration fees and all sales, use, excise, property and all other federal, state and local taxes assessable against this Lease and/or any Equipment, including without limitation, its use or operation and to reimburse Us, upon demand, as additional rent, the amount of any such taxes or costs paid by Us. Upon the expiration or termination of the Lease, You agree to make the Equipment available for pick up by Us at Your cost and expense and in the same condition as when delivered, ordinary wear and tear excepted, free of any lien, encumbrance or security interest claimed by any person. You will not in any event subject the Equipment to any abrasive, corrosive or abnormal working conditions or any environmentally hazardous substance (under any applicable federal, state or local law, rule or regulation) without Our prior written consent. You shall notify Us of any change in the state of Your location (as such term is defined in the Uniform Commercial Code) not more than twenty (20) days following each change. In addition to all other amounts payable hereunder, You hereby agree to pay to Us, upon demand, all charges for the late return of any Equipment, all charges incurred by Us to repair any excessive wear and tear to any Equipment (including but not limited to repair or replacement of engine, drive train, glass, metal work and trim, rips, tears, tires in an unsafe condition and any other unsafe or abnormal condition of the Equipment), plus an amount equal to the Rate Per Excess Hour multiplied by any units of use of any Equipment in excess of the Hours of Use During Lease Term shown on the Lease. You agree to be responsible for and to pay the entire cost of all necessary maintenance and repair of the Equipment. In maintaining and repairing any Equipment, You shall conform to the recommended practices and procedures of the manufacturer of the Equipment, and shall not, without Our approval, effect any modification or alteration of or to any Equipment. You shall comply with any mandatory or recommended product recalls issued by the manufacturer. All replacement parts and improvements incorporated into

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any Equipment shall become Our property. Should this Lease be terminated prior to the expiration of the Term, the applicable Hours of Use During Lease Term will be prorated by multiplying this unit total by the actual lease term in months divided by the Term in months and the Rate Per Excess Hour will apply to all units of use in excess of this prorated unit total. We may, at any reasonable time, access the premises where the Equipment is located so that We may inspect the Equipment's existence, location, installation, condition and/or maintenance.

**6. Risk of Use, Damage and Destruction.** You assume all risk arising from the possession and operation of the Equipment and agree to defend and indemnify Us and hold Us harmless from all claims, demands, damages and losses, including reasonable attorneys' fees and expenses, arising therefrom. In the event of the theft, destruction or other total loss with respect to any item of Equipment (each item of Equipment singularly referred to herein as the "machine") during the Term or any extension thereof, You shall provide Us prompt written notice. In the event of damage thereto from any cause which in Our judgment cannot be economically repaired, or in the event of the loss of the machine, its theft, or removal from Your possession by the operation of law or otherwise, then, but only with respect to that machine, this Lease shall terminate and You shall immediately pay to Us, only with respect to that machine, the sum of all past due and future Payments for the then-current Term and interest thereon, Taxes, fees and charges to be made but not yet due under the terms of this Lease for the then-current Term, plus the residual value associated with such machine, all as indicated in Our books and records. In the event the Lease covers two or more items of equipment, the Payment allocation shall be based on the pro-rata relationship of the Minimum Equipment Insurance Amount Required, as shown in this Lease, to the total Payments. The Payments due under this Lease on the remaining items of equipment following such termination shall be reduced by the unpaid balance of the Payments allocable to the lost piece of equipment as set forth above. The amount of any insurance proceeds received by Us because of such destruction or event, and the amount received by Us upon the disposition of the machine should it be recovered, shall be deducted (i) first, from the residual value of such machine as indicated in Our books and records (the "Residual Value"), and (ii) second, from the Payments, any excess amount over the Residual Value. In the event of damage to any machine, which damage in Our judgment can be economically repaired, then this Lease shall not be terminated with respect to the machine, but rather the machine shall be restored to its original condition by You, at Your expense. We shall apply the amount of any insurance proceeds received by Us because of such damage first to the repair of the machine and any excess amount of insurance proceeds shall be credited to the Payments.

**7. Insurance.** You shall purchase and maintain, at Your expense: (a) standard all risk type property damage insurance (covering theft, destruction and/or damage) for the Equipment's full replacement value and in no event less than the Minimum Equipment Insurance Amount Required (as indicated on the Equipment Schedule) with a maximum deductible equal to the greater of \$500.00 or five percent (5.0%) of the adjusted loss; (b) liability insurance in an amount of at least one million dollars (\$1,000,000) (five million dollars (\$5,000,000) if the Equipment or any single machine is deemed a "motor vehicle" under applicable law in the state where You are located) that protects You and Us against the risk of personal injury and physical damage (to property other than the Equipment itself) arising out of or resulting from or because of the operation of the Equipment; and (c) workers' compensation coverage as required by the laws of the state in which You are located. All insurance required herein must be in a form and from an insurer satisfactory to Us and You shall keep such insurance in effect during the Full Lease Term. Evidence of all such insurance shall be provided to Us and such insurance shall provide Us with 10 days advance notice of modification or cancellation and name Us as loss payee. If such insurance is modified, cancelled or allowed to lapse, We may (but shall not be obligated to) purchase or otherwise provide such insurance from an insurer of Our choice, which may be an affiliate of Ours. The costs, limits, terms, conditions and coverage of such replacement insurance, if any, may vary from any previous coverage. We may add the costs of acquiring and maintaining such insurance and Our fees for Our services in placing and maintaining such insurance (collectively "Insurance Charge") to the Payments and You agree to pay such amount, together with interest thereon at a rate per month of 1.75% from the date such insurance was purchased or provided by Us until paid. You agree that such Insurance Charge and additional amounts and the interest thereon shall, as specified by Us, either be paid on demand or be added to the Payments and You promise to pay the resulting increase in the Payments and agree that We may make a profit. We shall have no responsibility to You for the cost or appropriateness of the premium for any insurance, the creditworthiness of any insurance company, the rebate or refund of any insurance premium to which You may be entitled or any other matter relating to any insurance even if any insurance was provided through a group policy arranged by Us. Nothing in this Lease will create an insurance relationship of any type between Us and/or any person or party. **Insurance coverage for personal liability or physical damage caused to the property of others is not provided.**

**8. UCC Filings; Article 2A Provisions; Finance Lease Status.** We are the owner of and will hold title to the Equipment under this Lease. Although the Equipment may become attached to real estate, it is and will remain personal property and will not become a fixture. If this Lease is deemed to be a security agreement, You grant us a security interest in the Equipment, whether categorized as inventory, goods or otherwise, under the Uniform Commercial Code ("UCC"), as collateral to secure payment of all of Your present and future obligations owed to Us including without limitation, Your Payments and We shall be entitled to all rights of a secured party under the applicable UCC with respect thereto. You authorize Us to prepare and file against You a financing statement describing the Equipment. You hereby authorize, ratify and approve any financing statement covering Equipment filed by Us on or prior to the date hereof. The parties intend this Lease to be a true lease and the filing of a financing statement shall not be construed as evidence to the contrary. You agree Article 2A- Leases of the UCC applies to this Lease, and this Lease will be considered a "Finance Lease" as that term is defined in Article 2A. By signing this Lease, You acknowledge and agree that the Supplier identified in the Lease is the supplier (as that term is defined in Article 2A of the UCC) of the Equipment and that You Have been informed that You are entitled to the promises and warranties provided by the manufacturer, dealer, vendor or other person supplying the Equipment in connection with the contract by which We acquired the Equipment (the "Supply Contract") and that You may contact the manufacturer, supplier, dealer or vendor of the Equipment for a description of any rights or warranties that You may be entitled to under the Supply Contract. With respect to this Lease, TO THE

EXTENT PERMITTED BY APPLICABLE LAW, YOU WAIVE ANY AND ALL RIGHTS AND REMEDIES CONFERRED UPON A LESSEE BY UCC ARTICLE 2A, including without limitation, Section 2A-508 through 2A-522 of the UCC. You also represent that all trade-in property is free and clear of all security interests, liens and encumbrances.

**9. Assignment / Sub-Lease.** You may not assign this Lease or any of Your rights hereunder, nor may You sell, transfer, sublease, rent or lend any Equipment or permit it to be used by anyone other than Your employees without Our prior written consent except as described in section 18. We may assign this Lease without notice or consent and the assignee shall succeed to all of Our rights. Any such assignee shall have all of Our rights, remedies, powers and privileges under this Lease, but shall have none of Our obligations.

**10. Default.** Each of the following is a "Default" under this Lease: (a) You fail to pay any Payment or any other payment obligation when due under this Lease; (b) You do not perform any of Your other obligations under this Lease or in any other agreement with Us or with any of Our affiliates; (c) any representation or warranty made by You proves to be incorrect in any material respect when made; (d) You become insolvent, or are generally unable to pay Your debts when due, You dissolve or are dissolved, or You assign Your assets for the benefit of Your creditors, You seek appointment of a receiver, custodian or other similar official for You or for Your assets, or You commence or have commenced against You any action for relief under any bankruptcy, insolvency or reorganization laws; (e) You sell all or substantially all of Your assets or property, (f) You shall or shall attempt to abandon, remove, sell, encumber, rent or sublet any item of Equipment except as described in section 18; (g) You shall suffer a material adverse change in Your financial condition or operations; (h) You shall cause or suffer to exist any sale or transfer of any interest which would result in a change in majority ownership of You; (i) You shall amalgamate, merge or consolidate with another entity without Our consent; (j) any guarantor of Your obligations under this Lease dies, does not perform such guarantor's obligations under the guaranty, or becomes subject to one of the events listed in clause (d), (e), (f), (g), (h) or (i) above; or (k) any letter of credit required under this Lease is breached, canceled, accelerated, terminated or not renewed for any reason.

**11. Remedies.** In the event of a Default or an event which, with the passage of time, would constitute a Default hereunder, We may, at Our option: (a) cancel or terminate this Lease or any or all other agreements that We have entered into with You; (b) declare the entire unpaid balance of all Payments immediately due and payable without notice or demand and require You to immediately pay Us, as compensation for loss of Our bargain and not as a penalty, a sum equal to (i) all past due and future Payments and interest thereon for the then-current Term, (ii) Taxes, fees and charges to be made but not yet due under the terms of this Lease for the then-current Term, and (iii) the Residual Value of the Equipment; (c) require You to deliver the Equipment to Us; (d) peacefully repossess the Equipment without court order and You will not make any claims against Us or our agents for damages or trespass or any other reason; (e) appoint a receiver/manager; (f) charge You interest on all monies due to Us at the rate of 1.75% per month from the due date thereof until paid but in no event more than the maximum rate permitted by law; (g) advise any or all account parties and any of Your renters, lessees and borrowers of the Equipment to make all rental, lease and loan payments to Us and/or direct them to return the Equipment to Us upon the expiration of the rental, lease or loan term; and (h) exercise any other right or remedy available at law or in equity. You agree to pay all of Our costs and expenses, including, without limitation, reasonable attorney's fees and expenses and collection agency fees and expenses, of enforcing Our rights against You, for the recovery or repossession of Equipment and in the collection of Your obligations to Us under this Lease. If We take possession of any Equipment, We may sell, re-lease or otherwise dispose of it with or without notice, at a public or private sale, on Your premises or elsewhere and apply the net proceeds (after We have deducted all costs related to the sale or disposition of the Equipment) (i) first, to the Residual Value; (ii) second, to Payments, Taxes, fees and charges that would have become due in the course of the Full Lease Term; and (iii) to the amounts that You owe Us. You agree that if notice of sale is required by law to be given, 10 days' notice shall constitute reasonable notice. You will remain responsible for any amounts that remain due after We have applied such net proceeds. If You fail to deliver the Equipment upon demand by Us or fail to return the Equipment in a timely manner, as determined by Us, upon the termination or expiration of this Lease or upon Default and We do not recover the Equipment, then You shall be additionally liable to Us for the fair market value of the Equipment at the time of termination or expiration of this Lease or at the time of Default, whichever is earlier. The remedies provided by this Lease in favor of Us shall not be deemed exclusive, but shall be cumulative and in addition to all other remedies in Our favor existing at law or equity or by statute or otherwise, and may be enforced concurrently or separately. No failure or delay on Our part in exercising any right or remedy shall operate as a waiver thereof or modify the terms of this Lease. A waiver of default shall not be a waiver of any other or subsequent default. Our recovery hereunder shall not exceed the maximum recovery permitted by law.

**12. Renewal.** Unless this Lease is earlier terminated pursuant to Section 3, You must give Us at least 60 (but not more than 180 unless waived by Us in Our sole discretion) days written notice before the end of the Full Lease Term that You will return the Equipment to Us. Until You give Us such written notice: (a) the Lease will automatically renew on a month-to-month basis (each a "Renewal Month Term") until You provide Us 60 days prior written notice that You will return the Equipment to Us (in which case the Lease will renew for two additional Renewal Month Terms), each Renewal Month Term will commence immediately upon the expiration of the then current term and (b) the terms of the Lease, including without limitation the amount of the Payment, will continue to apply and (c) Your security deposit, if any, will continue to be held to secure Your performance during the Renewal Month Term.

**13. Indemnification.** You are responsible for any losses, damages, penalties, claims, suits and actions, including, without limitation, court costs and attorney's fees and expenses, (collectively "Claims"), whether based on a theory of strict liability or otherwise caused by or related to (a) the manufacture, installation, ownership, operation, use, lease, possession or delivery of the Equipment, (b) any defects in the Equipment or (c) this Lease (and any supplements and amendments hereof). To the maximum extent permitted by applicable law, You agree to reimburse Us for and, if We request, to defend Us against any Claims. This indemnification will continue even after the termination of this Lease or full payment of all obligations owed by You hereunder.

**14. Representations, Warranties and Covenants.** You represent, warrant and covenant as follows: (a) You are a municipal corporation and political subdivision duly organized and existing under the constitution and laws of the state in which You are DLL 4833-2 (05/15) For municipal golf leases in all states except AR

located; (b) You are authorized under the constitution and laws of said state to enter into this Lease and the transaction contemplated hereby and to perform all of Your obligations hereunder; (c) You have been duly authorized to execute and deliver this Lease by proper action and approval of Your governing body at a meeting duly called, regularly convened and attended throughout by requisite majority of the members thereof or by other appropriate official approval; (d) this Lease constitutes Your legal, valid and binding obligation enforceable in accordance with its terms, except to the extent limited by applicable bankruptcy, insolvency, reorganization or other laws affecting creditors' rights generally; (e) no event or condition that constitutes, or with the giving of notice or the lapse of time or both would constitute, a Default exists at the Commencement Date; (f) You have in accordance with the requirements of lawfully budgeted and appropriated sufficient funds for the current fiscal year to make the Payments scheduled to come due during the Original Term and to meet Your other obligations for the Original Term and such funds have not been extended for other purposes; (g) You will do or cause to be done all things necessary to preserve and keep in full force and effect Your existence as a corporate and body politic; (h) You have complied with such public bidding requirements as may be applicable to this Lease and Your acquisition of the Equipment hereunder; (i) there is no action suit, proceeding inquiry or investigation, at law or in equity, before or by any court, public board or body, pending or threatened against or affecting You or this Lease, nor to the best of Your knowledge is there any basis therefore wherein an unfavorable decision ruling or finding would materially adversely affect the transactions contemplated by this Lease or any other document, agreement or certificate which is used or contemplated for use in the consummation of the transactions contemplated by this Lease or materially adversely affect Your financial condition or properties; (j) You have obtained all authorizations, consents and approvals of governmental bodies or agencies required in connection with the execution and delivery of this Lease or in connection with the performance of Your obligations hereunder; (k) the entering into and performance of this Lease or any other document or agreement contemplated hereby to which the You are or are to be a party will not violate any judgment, order, law or regulation applicable to You or result in any breach of, or constitute a default under, or result in the creation of any lien, charge, security interest of other encumbrance on any of Your assets or the Equipment pursuant to any indenture, mortgage, deed of trust, bank loan or credit agreement or other instrument to which You are a party or by which You or Your assets maybe be bound, except as herein provided; (l) the Equipment described in this Lease is essential to Your function or to the services You provide to Your citizens, You have an immediate need for, and expect to make immediate use of, substantially all of the Equipment, which need is not temporary or expected to diminish in the foreseeable future and the Equipment will be used by You only for the purpose of performing one or more of Your governmental or proprietary functions consistent with the permissible scope of Your authority and will not be used in the trade or business of any other entity or person; (m) You have never failed to appropriate or otherwise make available funds sufficient to pay rental or other payments coming due under any lease purchase, installment sale or other similar agreement. Your representations, warranties and covenants shall survive beyond the Full Lease Term and the termination of this Lease.

**15. Choice of Law and Jurisdiction; Waiver of Jury Trial.** The law of the state of Your address shown on the front page hereof shall govern all matters relating to this Lease. This Lease shall not be enforceable by You until signed by Us in our Johnston, Iowa offices. To the extent permitted by applicable law, You also waive Your right to a trial by jury.

**16. Waivers.** You acknowledge receipt of an executed copy of this Lease. Where permitted by law, You waive Your right to receive a copy of any financing statement, financing change statement, verification statement or other similar instrument filed or issued at any time in respect of this Lease or any amendment hereof. To the extent permitted by law, You, being fully aware of the rights and benefits afforded to You by statute, hereby waive the benefits of all provisions of any applicable statute, including, without limitation, any statute relating to leases, conditional sales, or regulatory credit, and of any regulations made thereunder in any and all states of the United States, which would, in any manner, affect, restrict or limit Our rights hereunder. You also waive and assign to Us the right of any statutory exemption from execution or otherwise and further waive any rights to demand security for costs in the event of litigation.

**17. TAX TREATMENTS AND INDEMNIFICATION.** Unless otherwise provided, this Lease is entered into on the assumption that We are the owner of the Equipment for income tax purposes and are entitled to certain federal and state tax benefits available to an owner of the equipment (collectively "Tax Benefits"), including without limitation, accelerated cost recovery deductions and deductions for interest incurred by the Lessor to finance the purchase of the Equipment, available under the Internal Revenue Code of 1986, as amended (the "Code"). You represent, warrant, and covenant to Us that (a) the Equipment will be used for a governmental or proprietary purpose; (b) You are a tax-exempt entity (as defined in Section 168(h) of the Code); (c) You will use all Equipment solely within the United States; and (d) You will take no position inconsistent with the assumption that We are the owner of the Equipment for any tax purposes. You and Us contemplate that the Equipment will be exempt from all Taxes. If, however, because of any of Your acts or omissions or any party acting through You, or the breach or inaccuracy of any representation, warranty or covenant made by You, We reasonably determine that we cannot claim, are not allowed to claim, or that we may lose or must recapture any or all of the Tax Benefits otherwise available with respect to the Equipment subject to any Lease (a "Tax Loss"), then You will, promptly upon demand, pay to Us an amount sufficient to provide Us the same after-tax rate of return and aggregate after-tax cash flow through the end of the term of such Lease then in effect that We would have realized but for such Tax Loss.

You will be responsible for as and when due and shall indemnify and hold Us harmless from and against all present and future taxes and other governmental charges, including, without limitation, those for sales, use, leasing and stamp taxes, license and registration fees, and amounts in lieu of such taxes and charges plus any penalties or interest on any of the above, (all of the foregoing are collectively the "Taxes"), imposed, levied upon, assessed in connection with, or as a result of the purchase, ownership, delivery, leasing, possession or use of the Equipment, or based upon or measured by the Payments or receipts with respect to this Lease. If You do not pay any of the Taxes, We have the right, but not the obligation, to pay them on Your behalf. You will not, however, be obligated to pay any taxes on or measured by Our net income. You authorize Us to add to the amount of each Payment any Taxes that may be imposed on or measured by such Payment. We do not have to contest any Taxes, fines or penalties. We will file all personal property,

use or other Tax returns as required by law under this Lease. In such case, You will pay to Us on demand, as an additional Payment, the amount of the personal property tax We are required to pay. You agree to reimburse Us with the next Payment for any Taxes We pay, plus a fee to Us for collecting and administering any Taxes and remitting them to the appropriate authorities on which we may make a profit and interest thereon at the highest legal rate allowed, from the date due until fully paid. If You do not pay this reimbursement with the next Payment You agree to pay Us interest on those amounts at the highest legal rate allowed from the due date until paid in full. **We make no recommendation, representation or warranty as to the treatment of this Lease for tax or accounting purposes.** You acknowledge that You have consulted with Your tax and accounting advisors concerning the appropriate tax and accounting treatment of this Lease and have not relied on advice from Us; and You hold Us harmless for any adverse consequences resulting from Your tax and accounting treatment of this Lease.

**18. Golf Cars.** If the Equipment includes golf cars, with respect to the golf cars only, notwithstanding the limitations in Section 5, 9 and 10 You may rent the golf cars on a daily or per-round basis to Your patrons, in the ordinary course of Your business. To the extent You complete an exemption certificate relative to personal property taxes on the golf cars, You agree to indemnify Us from and against any Claims related to the failure to pay personal property taxes based on such representation and You agree that you are responsible for remitting any and all required sales, use or other tax required as a result of the rental of the golf cars to patrons.

**19. Financial and Credit Information; Communication Methods.** You authorize Us to obtain credit bureau reports and make other credit inquiries that We determine are necessary and agree that without further notice We may use or request additional credit bureau reports to update Our information so long as You have any outstanding indebtedness or obligations owed to Us. You further agree to provide Us, promptly after request therefor by Us, such income statements, balance sheets and other financial statements and information and such federal and state income tax returns concerning You that We determine are necessary. Providing Your email address and/or telephone number in Your credit application or otherwise is Your acknowledgment that We may retain Your email address and/or telephone number for further communication with You. You agree to allow Us to conduct business with You using email or by calling You, regardless of the purpose of Our communication, which may include, without limitation, collections and notices under Your agreements with Us. We reserve the right to use the method of communication We deem best in interacting with You.


**20. Facsimile.** This Lease may be executed by a party and transmitted by facsimile or electronic mail. You agree that a copy of this Lease bearing Your signature which was transmitted by facsimile or printed from an electronic file shall be admissible in any legal proceeding as evidence of its contents and its execution by the parties in the same manner as an original document. You further agree not to object to the admissibility of such copy into evidence under the business records to the hearsay rule or the best evidence rule or otherwise and expressly waive any right to do so. The original or a facsimile or electronic copy of this Lease which bears both a signature of Us and You and Our original signature shall be deemed the execution original of this Lease for the purposes of taking possession of this Lease for all other purposes.

**21. Miscellaneous.** You agree the terms and conditions contained in this Lease constitute the final agreement between You and Us and is the exclusive expression of our agreement regarding the lease of the Equipment. All earlier and contemporaneous negotiations and agreements between You and Us on the matters contained herein are expressly merged into and superseded by this Lease. Any modification or addition to the

terms of this Lease must be in a written agreement identified as an amendment and signed by Us. **You agree, however, We are authorized, without notice to You, to insert in this Lease and/or the Equipment Schedule any serial number, model numbers and/or make of any item of Equipment, correct any errors in such information reflected in this Lease and/or the Equipment Schedule and correct any other patent errors or omissions in the description of any item of Equipment reflected in the Equipment Schedule, to supply information missing from this Lease or the Equipment Schedule and to correct any obvious errors in this Lease or in the Equipment Schedule.** Without limiting the foregoing, You agree we may insert the date and Number of this Lease after Your execution of the Lease. If We delay or fail to enforce any of Our rights under this Lease, We will still be entitled to enforce those rights at a later time and such rights shall not be waived. Any waiver by Us of any breach or default will not constitute a waiver by Us of any additional or subsequent breach of default nor shall it be a waiver of any of Our rights. Any waiver of a remedy, term or condition or change to the terms and conditions of this Lease must be in writing and signed by Us. All notices shall be given in writing by the party sending the notice and shall be effective when (a) deposited in the U.S. mail, with first class postage prepaid, or (b) sent by overnight courier of national reputation, in either case, addressed to the party receiving the notice at the address shown on the front of this Lease (or to any other address specified by that party in writing). All of Our rights and indemnities will survive the termination of this Lease. Our rights, privileges and indemnities, to the extent they are fairly attributable to events or conditions occurring or existing during the Term of this Lease, shall survive and be enforceable by Us and Our successors and assignees. Payments received may be applied at Our discretion to obligations hereunder or to any other indebtedness owed by You to Us despite directions, if any, appearing on the remittance or communicated to Us otherwise, and to late charges first and then to the amount owing. It is the express intent of the parties not to violate any applicable usury laws or to exceed the maximum amount of time price differential or interest, as applicable, permitted to be charged or collected by applicable law, and any such excess payment will be applied to Payments in inverse order of maturity, and any remaining excess will be refunded to You. If You do not perform any or all of Your obligations under this Lease, We have the right, but not the obligation, to take any action or pay any amounts We believe are necessary to protect Our interest. You agree to reimburse Us immediately upon Our demand for any such amounts We pay. In the event any provision of this Lease shall be determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the parties hereto agree such provision shall be ineffective and the remaining provisions of this Lease shall remain in full force if the essential provisions of this Lease for each party remain valid, legal, and enforceable. Any provision of this Lease which is, for any reason, unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such unenforceability without invalidating the remaining provisions hereof. This Lease and Equipment Schedule shall be binding upon and inure to the benefit of the parties and their permitted successors and assigns. You shall promptly execute and deliver to Us such further documents and take such further action as We may request to more effectively carry out the intent and purpose of this Lease and the Equipment Schedule. Words importing the singular include the plural and vice versa and words importing gender include all genders. If more than one lessee has signed this Lease, each of You agree Your liability is joint and several. Restrictive or similar endorsements contained on or provided in connection with any Payment You make shall not be binding on Us. Time is of the essence under this Lease.

BY SIGNING THIS AGREEMENT: (I) YOU ACKNOWLEDGE THAT YOU HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS ON EACH PAGE OF THIS AGREEMENT (II) YOU AGREE THAT THIS IS A NET LEASE, THAT YOU CANNOT TERMINATE OR CANCEL, THAT YOU HAVE AN UNCONDITIONAL OBLIGATION TO MAKE ALL PAYMENTS DUE, AND YOU CANNOT WITHHOLD, SET OFF OR REDUCE ANY SUCH PAYMENTS FOR ANY REASON, INCLUDING, WITHOUT LIMITATION, FUNDAMENTAL BREACH, (III) YOU WARRANT THAT THE PERSON SIGNING THIS LEASE FOR YOU HAS THE AUTHORITY TO DO SO, (IV) YOU CONFIRM THAT YOU HAVE DECIDED TO ENTER INTO THIS LEASE RATHER THAN PURCHASE THE EQUIPMENT FOR THE TOTAL PURCHASE PRICE AND (V) YOU AGREE THAT THIS LEASE WILL BE GOVERNED BY THE LAWS OF THE STATE OF YOUR ADDRESS ON THE FRONT PAGE HEREOF AND YOU EXPRESSLY WAIVE ANY RIGHTS TO A TRIAL BY JURY.

IN WITNESS WHEREOF, the parties have executed this Lease effective as of the date set forth on the first page of this Lease.



LESSEE SIGNATURE	CITY OF HURRICANE, UTAH	LESSOR SIGNATURE	DLL Finance LLC, At: 8001 Birchwood Court, Johnston, IA 50131
	Lessee		
	 ←		
	Authorized Signature		Authorized Signature
	<i>KADEN DEMILLE</i> <i>CITY MANAGER</i>		
	Print Name                      Title                      Date		Print Name & Title                      Date

**Equipment Schedule**

	New/ Used	Make and Model of Equipment	Serial Number	Minimum Equipment Insurance Amount Required	Hours at delivery	Hours during Lease Term	Rate per Excess Hour
CLUB CAR		TEMPLION ELEC GOLF CAR (QTY 76)		\$680,447.76	N/A	N/A	N/A

Note: Although the Equipment listed above may be described as "New", that description does not mean it was necessarily manufactured in the current year.

I have reviewed and acknowledge and agree that the Equipment description above is accurate and complete.



<b>LESSEE SIGNATURE</b>	CITY OF HURRICANE, UTAH		
	Lessee 		
	Authorized Signature 		
	Print Name	Title	Date

**Delivery and Acceptance Certificate**

	New/ Used	Make and Model of Equipment	Serial Number	Minimum Equipment Insurance Amount Required	Hours at delivery	Hours during Lease Term	Rate per Excess Hour
	NEW	CLUB CAR TEMPLION ELEC GOLF CAR (QTY 76)		\$680,447.76	N/A	N/A	N/A

The undersigned hereby certifies that Lessee has leased all items described in (the "Equipment") pursuant to the Lease Agreement between DLL Finance LLC ("Lessor") and the Lessee identified below and in the Lease Agreement No. (the "Lease") and further certifies that:

- (i) the Equipment has been delivered to and has been received by Lessee;
- (ii) all installation or other work necessary prior to the use thereof has been completed;
- (iii) all Equipment has been examined by Lessee, is in good operating order and condition, and is in all respects satisfactory to Lessee;
- (iv) the Equipment is accepted by Lessee for all purposes under the Lease Agreement and the Lease.

<b>LESSEE SIGNATURE</b>	CITY OF HURRICANE, UTAH		
	Lessee 		
	Authorized Signature 		
	Print Name	Title	Date

**Master Maintenance Agreement (Golf Cars - Municipal)**

<b>Lease Agreement Number:</b>	FA-186982	<b>Lessor:</b>	DLL Finance LLC
<b>Lessee:</b>	CITY OF HURRICANE, UTAH		
<b>Date:</b>	07/21/2021		

This Master Maintenance Agreement (the "Agreement") relates to all Equipment, as defined in the Lease Agreement identified above between the Lessee and Lessor identified above (the "Lease"). All capitalized terms shall have the meanings ascribed to them in the Lease. Lessee agrees as follows with respect to each item of Equipment which is required to be returned:

1. **RETURN OF EQUIPMENT.** Notwithstanding anything to the contrary contained in the Lease and in addition to the terms and conditions contained therein and herein, Lessee shall, at Lessee's sole cost and expense, return all, but not less than all, of the Equipment described the Lease to Lessor, or its designee immediately upon the expiration of the Term of the Lease pursuant to the terms and conditions contained in the Lease and with respect to each item of Equipment, as applicable, the following must be true:

- (A) All safety equipment must be in place and meet applicable federal, state and other governmental standards.
- (B) All windscreens, covers and guards must be in place with no sheet metal, plastic, or cowling damage.
- (C) All parts, pieces, components and optional equipment must be present, installed and operational. All accessories that accompanied the units and/or were subject to the Lease, including without limitation battery chargers, GPS equipment, diagnostic and tuning equipment shall be returned in proper order. Upon request of Lessor, all maintenance records and manuals related to the Equipment.
- (D) All motors shall operate smoothly without overheating and shall have good bearings and bushings.
- (E) All electronic controls shall operate per manufacturer's specifications. Controls which bypass normal operations shall be repaired at Lessee's expense.
- (F) All electrical systems shall be able to provide electrical output as specified by the manufacturer.
- (G) All batteries shall be in good, safe operating condition with no dead cells or cracked cases. Batteries should hold a charge and provide adequate power to operate the equipment.
- (H) All Equipment shall have serviceable brakes and tires (retaining proper air pressure, and without repair patches) and the wheels shall not be dented and/or bent.
- (I) All oil and grease seals must contain lubrication in the manufacturers designed reservoir.
- (J) All Equipment must have a relatively clean appearance.
- (K) All Equipment shall be free from excessive wear necessitating major component repair or replacement caused by lack of recommended maintenance as detailed in customer operating/maintenance manual furnished with each item of equipment.
- (L) All Equipment shall be free from structural damages and/or bent frames.
- (M) All Equipment attachments, if any, must be in good condition.

2. **RETURN PERFORMANCE.** Each item of Equipment must be able to complete the following tests:

- (A) Operate normally in forward and reverse directions through all the speed ranges or gears.
- (B) Steer normally both right and left in both forward and reverse.
- (C) Have all functions and controls work in normal manner.
- (D) Be able to stop with its service brakes in a safe distance in both forward and reverse.
- (E) Operates without leaking any fluids.
- (F) Perform its designed functions in a satisfactory manner.

Notwithstanding the above, if the total cost of the repairs for all items of Equipment subject to a Lease is less than \$100, Lessor will not bill Lessee.

3. **REPAIRS / REQUIRED PURCHASE.** If, in the Lessor's sole judgment, any item of Equipment is damaged or does not meet the standards set forth above, or if Lessee fails to discharge its obligations set forth above with regard to any item of Equipment, Lessee shall pay to Lessor, immediately upon demand, at Lessor's election, (a) the amount which Lessor determines will be necessary to return the Equipment to its required condition and/or to replace missing, damaged or non-performing items or equipment, or (b) Payments due and to become due under the terms of the Lease, Taxes, fees and charges due and to become due under the terms of the Lease, plus the residual value as indicated in Lessor's books and records associated with such item of Equipment.

4. **MISCELLANEOUS.** Lessee agrees that a copy of this Agreement bearing a signature of Lessee which was transmitted by facsimile or printed from an electronic file shall be admissible in any legal proceeding as evidence of its contents and its execution by the parties in the same manner as an original document.

<b>LESSEE SIGNATURE</b>	CITY OF HURRICANE, UTAH			<b>LESSOR SIGNATURE</b>	Accepted by: <b>DLL Finance LLC,</b> At: 8001 Birchwood Court, Johnston, IA 50131	
	Lessee					
	Authorized Signature				Authorized Signature	
	Print Name	Title	Date		Print Name & Title	

**LEASE AGREEMENT SUPPLEMENT –  
PROPERTY TAX ACKNOWLEDGEMENT**


Name of Lessee:	CITY OF HURRICANE, UTAH	(the “Lessee”)
Date of Lease Agreement:	07/21/2021	(the “Lease”)

In order to induce DLL Finance LLC (“Lessor”) to enter into the Lease pursuant to which the Equipment will be leased to Lessee, the undersigned represents the following:

- The Lessee acknowledges and understands that Lessor will file all personal property tax returns and Lessee shall reimburse Lessor for property taxes related to the Equipment.
- Property taxes will be billed annually to Lessee and are due on invoice. Lessee acknowledges that property taxes may be billed to Lessee after the Term of the Lease.
- If Lessee does not pay property taxes, Lessor has the right, but not the obligation, to pay them on Lessee’s behalf and add to the amount of such taxes to the Lease Payments.

All capitalized terms not otherwise defined herein shall have the same meanings as in the Agreement. Lessee agrees that Lessor’s emphasis of the provisions of the Agreement contained herein are for the convenience of the Lessee and shall not minimize or waive any remaining provisions of the Agreement, all of which remain in full force and effect. Lessor, its successors and assigns, and any counsel rendering an opinion on the tax-exempt status of the interest components of the Payments are entitled to rely on this acknowledgement. Lessee’s facsimile signature shall be considered binding as an original.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

<b>LESSEE SIGNATURE</b>	CITY OF HURRICANE, UTAH		
	Lessee		
			
	Authorized Signature		
	Print Name	Title	Date

**LEASE AGREEMENT  
SUPPLEMENT – OPINION OF COUNSEL**

Name of Lessee:	CITY OF HURRICANE, UTAH	(the “Lessee”)
Lease Agreement Number:	FA-186982	(the “Agreement”)

In order to induce DLL Finance LLC (“Lessor”) to enter into the Agreement pursuant to which the Equipment will be financed or leased to Lessee, the undersign represents the following:

As legal counsel of Lessee, I have examined (a) the Agreement and the corresponding documentation, which, among other things, provide for the financing or lease of the Equipment to Lessee; (b) an executed counterpart of the ordinance or resolution of Lessee which, among other things, authorizes Lessee to execute the Agreement; and (c) such other opinions, documents and matters of law as I have deemed necessary in connection with the following opinions.

Based on the foregoing, I am of the following opinions: (a) Lessee is a public body corporate and politic, duly organized and existing under the laws of the State of UTAH, and has substantial amount of one or more of the following sovereign powers (1) the power of eminent domain, and (2) police power; (b) Lessee has the requisite power and authority to purchase or lease the Equipment and to execute and deliver the Agreement and to perform its obligations under the Agreement; (c) the representative(s) of Lessee executing the Agreement has been duly authorized to do so; (d) the Agreement and the other documents either attached thereto or required therein have been duly authorized, approved and executed by and on behalf of Lessee and the Agreement is a valid and binding obligation of Lessee enforceable in accordance with its terms; (e) the authorization, approval and execution of the Agreement and all other documentation relating to the transactions contemplated thereby have been performed in accordance with all open meeting laws, public bidding laws and all applicable state and federal laws; (f) if applicable, a contract was properly awarded to the Supplier and there is no pending or threatened protest of such award or Lessee’s compliance with public bidding laws; and (g) there is no proceeding pending or threatened in any court or before any governmental authority or arbitration board or tribunal that, if adversely determined, would adversely affect the transactions contemplated by the Agreement or the security interest of Lessor or its assigns, as the case may be, in the Equipment.

All capitalized terms not otherwise defined herein shall have the same meanings as in the Agreement. Lessor, its successors and assigns, and any counsel rendering an opinion on the tax-exempt status of the interest components of the Payments are entitled to rely on this opinion.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Sincerely,

Print Name: \_\_\_\_\_  
 Admitted to Practice Law in the State  
 Address: \_\_\_\_\_  
 \_\_\_\_\_  
 Telephone: \_\_\_\_\_



**DLL FINANCE LLC  
CUSTOMER AGREEMENT TO PROVIDE PHYSICAL DAMAGE INSURANCE**

Date: 07/21/2021

Customer's Name CITY OF HURRICANE, UTAH  
 Address 147 N 870 W City HURRICANE State UT ZIP 84737-1671  
 RE: Agreement dated 09/01/2021 with DLL FINANCE LLC, P.O. BOX 3000, JOHNSTON, IA 50131-0300  
 as Assignee, Lender, or Lessor (the "Lender").

I have entered into the above agreement under which I am responsible for providing insurance against ALL RISKS of direct physical loss or damage for the actual cash value of the equipment listed in the Agreement set forth above, subject to common exclusions such as damage caused by corrosion, rust, mechanical or electrical breakdown, etc. The minimum amount of coverage required by Lender is \$680,447.76.

Make	Model	EQUIPMENT		Serial Number
		Description		
CLUB CAR	TEMLION	ELEC GOLF CAR (QTY 76)		

I affirm that I will be providing my own physical damage insurance coverage through the BELOW LISTED INSURANCE AGENT.  
 TO DEBTOR'S INSURANCE AGENT

I hereby instruct you to add DLL FINANCE LLC as a payee through a Lender's Loss Payable Clause or similar clause which provides that any acts of the Customer will not void the policy as to the Loss Payee.

To my existing policy number \_\_\_\_\_ with \_\_\_\_\_  
 which now provides the coverage required.

Lender must be given written notice within 30 days of any cancellation or non-renewal. It is also understood and agreed that a breach of the insuring conditions by the customer, or any other person, shall not invalidate the insurance to Lender.









**PLEASE FORWARD A COPY OF THE POLICY, ENDORSEMENT, OR CERTIFICATE EVIDENCING COVERAGE TO DLL FINANCE LLC, P.O. BOX 3000, JOHNSTON, IA 50131-0300. FAX (515) 334-5831, CALL (800) 863-3660 OR EMAIL DSMinsurance@DLLgroup.com.**

**PLEASE ATTACH A COPY OF THIS NOTICE TO THE PROOF OF INSURANCE.**

**ACKNOWLEDGEMENT OF CUSTOMER:** I acknowledge that copies of this document sent to Lender are for informational purposes only. I am responsible for notifying my agent of my obligation to obtain physical damage insurance.

I understand I am responsible for insurance coverage for personal liability or property damage caused to others.

**\*PLEASE BE SURE TO COMPLETE THE INFORMATION BELOW\***

 \_\_\_\_\_ Insurance Agency/Agent's Name     
  \_\_\_\_\_ Agent's E-Mail Address  
 \_\_\_\_\_ Mailing Address / PO Box     
  \_\_\_\_\_ Agent's Phone Number     
  \_\_\_\_\_ Agent's Fax Number  
 \_\_\_\_\_ City     
  \_\_\_\_\_ State     
  \_\_\_\_\_ Zip Code



**AUTHORIZATION FOR AUTOMATIC PAYMENTS (ACH DEBIT) AND PAPERLESS INVOICING**

Please follow the simple instructions in this form to set up Automatic Payment, Paperless Invoicing, or both. Ensure you complete both the "Automatic Withdrawal" and "Paperless Invoicing" sections to take advantage of both time-saving features. Please call Customer Service at (800) 873-2474 if you have any questions.

**You can fill out and submit this form online and avoid the need for a voided check by visiting <http://bit.ly/dllach2>**

**Contract Number (If Known):** \_\_\_\_\_

Customer Name: CITY OF HURRICANE  
 Customer Address: 147 N 870 W, HURRICANE, UT 84737-1671  
 Customer Phone Number: 435-635-2811

**Automatic Payments**

Bank Account Holder(s): \_\_\_\_\_  
 Bank Name: \_\_\_\_\_  
 Bank Address/Branch Location: \_\_\_\_\_  
 ABA Routing Number: \_\_\_\_\_  
 Account Number: \_\_\_\_\_

Sample Check: Your information		
Pay to the order of _____ Dollars		
987456123	00012345678	1234
ABA Routing No.	Bank Acct. No.	Check No.

This is a  checking account\*  savings account\*\*

*\*If a Checking account is identified above, please send a copy of a voided check.  
 \*\*If a Savings account is identified above, please send your bank's routing number and your savings account number on bank letterhead.*

**Authorization:** By signing below, I (we) hereby authorize DLL FINANCE LLC ("Originator") (whether acting alone or through its servicer or any agent on its behalf) to initiate withdrawals from my (our) account provided above for amounts then due under my agreements with Originator in the frequency (i.e., monthly, quarterly, etc.) as specified in my (our) agreements with Originator. I (we) understand paper invoices may be discontinued. This authorization will remain in full force and effect until the agreements are paid in full or this authorization is canceled by written notice from me (or either of us) to Originator.

Bank Account Holder Signature: _____	Signature: _____
Print Name: _____	Print Name: _____
Print Title (if applicable): _____	Print Title (if applicable): _____
Date: _____	Date: _____

**Paperless Invoicing**

**Customer Email Address:** \_\_\_\_\_

**Authorization:** By signing below, I hereby authorize DLL FINANCE LLC to email a PDF version of my invoices to me at the email address I provided above (whether acting alone or through its servicer or any agent on its behalf) when the invoice is generated. I acknowledge that paper invoices may be discontinued. This authorization will remain in full force and effect until the agreements are paid in full or this authorization is canceled by my written notice. Following receipt of your Paperless Invoicing form, our Customer Service Team will send you a confirmation letter and instructions to ensure your invoices will be received in your inbox.

Customer Signature: \_\_\_\_\_  
 Print Name: \_\_\_\_\_  
 Print Title (if applicable): \_\_\_\_\_ Date: \_\_\_\_\_



**Did you sign next to the red arrows?**

Please send this completed and signed form to our Customer Service team by mail, email or fax to:

<b>Mall:</b> P.O. BOX 2000 ATTN: ITR JOHNSTON, IA 50131	<b>Email:</b> postbookingrequests@dllgroup.com	<b>Questions? Call us:</b> (800) 873-2474
------------------------------------------------------------------	---------------------------------------------------	----------------------------------------------



Utah State Tax Commission • 210 N 1950 W • Salt Lake City, UT 84137

**Exemption Certificate**  
(Sales, Use, Tourism and Motor Vehicle Rental Tax)

**TC-721**  
Rev. 5/18

Name of business or institution claiming exemption (purchaser)		Telephone number	
Street address	City	State	ZIP Code
Authorized signature	Name (please print)	Title	
Name of Seller or Supplier:		Date	
Sales Tax License Number:		<i>Required for all exemptions marked with an asterisk (*)</i>	

The signer of this certificate **MUST** check the box showing the basis for which the exemption is being claimed.

**DO NOT SEND THIS CERTIFICATE TO THE TAX COMMISSION**  
**Keep it with your records in case of an audit.**

For purchases by government, Native American tribes and public schools, use form TC-721G.

**Resale or Re-lease**

I certify I am a dealer in tangible personal property or services that are for resale or re-lease. If I use or consume any tangible personal property or services I purchase tax free for resale, or if my sales are of food, beverages, dairy products and similar confections dispensed from vending machines (see Rule R865-19S-74), I will report and pay sales tax directly to the Tax Commission on my next sales and use tax return.

**Religious or Charitable Institution**

I certify the tangible personal property or services purchased will be used or consumed for essential religious or charitable purposes. **This exemption can only be used on purchases totaling \$1,000 or more, unless the sale is pursuant to a contract between the seller and purchaser.**

**Construction Materials Purchased for Religious and Charitable Organizations**

I certify the construction materials are purchased on behalf of a religious or charitable organization and that they will be installed or converted into real property owned by the religious or charitable organization.  
Name of religious or charitable organization: \_\_\_\_\_

Name of project: \_\_\_\_\_

**Machinery and Equipment and Normal Operating Repair or Replacement Parts Used in a Manufacturing Facility, Mining Activity or Web Search Portal or Electronic Payment Service**

I certify the machinery and equipment and normal operating repair or replacement parts have an economic life of three years or more and are for use in a Utah manufacturing facility described in SIC Codes 2000-3999 or a NAICS code within NAICS Sector 31-33; in a qualifying scrap recycling operation; in a co-generation facility placed in service on or after May 1, 2006; in the operation of a Web search portal by a new or expanding business described in NAICS Code 518112; in the operation of an electronic financial payment service described in NAICS Code 522320; or in a business described in NAICS 212, Mining (except Oil and Gas), or NAICS 213113, Support Activities for Coal Mining, NAICS 213114, Support Activities for Metal Mining, or NAICS 213115, Support Activities for Nonmetallic Minerals (except Fuels) Mining. For a definition of exempt mining equipment, see Utah Code §59-12-104(14).

**Fuels, Gas, Electricity**

I certify all natural gas, electricity, coal, coke, and other fuel purchased will be used for industrial use only and not for residential or commercial purposes.

**Machinery or Equipment Used by Payers of Admissions or User Fees**

I certify that: (1) the machinery or equipment has an economic life of three or more years and will be used by payers of admissions or user fees (Utah Code §59-12-103(1)(f)); (2) the buyer is in the amusement, gambling or recreation industry (NAICS Subsector 713); and (3) at least 51 percent of the buyer's sales revenue for the previous calendar quarter came from admissions or user fees.

**Refinery Machinery, Equipment and Normal Repair or Replacement Parts**

I certify the machinery, equipment, normal operating repair parts, catalysts, chemicals, reagents, solutions or supplies are for the use of a refiner who owns, leases, controls or supervises a refinery (see Utah Code §63M-4-701) located in Utah.

**Auto, Industrial Gas, or Drilling Equipment Manufacturer**

I certify the machinery, equipment, normal operating or replacement parts are used or consumed in a manufacturing process as described in NAICS 336111 (Automotive Manufacturing), or 325120 (Industrial Gas Manufacturing) to manufacture hydrogen of the 2002 North American Industry Classifications Systems, or by a drilling equipment manufacturer as defined in Utah Code §59-12-102.

**Pollution Control Facility**

I certify our company has been granted a "Certification of Pollution Control Facilities" as provided for by Utah Code §§19-12-101 - 19-12-305 by either the Air Quality Board or the Water Quality Board. I further certify each item of tangible personal property purchased under this exemption is qualifying.

**Steel Mill**

I certify the rolls, rollers, refractory brick, electric motors or other replacement parts will be used in the furnaces, mills or ovens of a steel mill as described in Standard Industrial Classification (SIC) 3312.

**Municipal Energy**

I certify the natural gas or electricity purchased: is for resale; is prohibited from taxation by federal law, the U.S. Constitution, or the Utah Constitution; is for use in compounding or producing taxable energy; is subject to tax under the Motor and Special Fuel Tax Act; is used for a purpose other than as a fuel; is used by an entity exempted by municipal ordinance; or is for use outside a municipality imposing a municipal energy sales and use tax. The normal sales tax exemptions under Utah Code §59-12-104 do not apply to the Municipal Energy Sales and Use Tax.

\*  **Short-term Lodging Consumables**

I certify the tangible personal property is consumable items purchased by a lodging provider as described in Utah Code §59-12-103(1)(i).

\*  **Direct Mail**

I certify I will report and pay the sales tax for direct mail purchases on my next Utah *Sales and Use Tax Return*.

\*  **Commercial Airlines**

I certify the food and beverages purchased are by a commercial airline for in-flight consumption; or, any parts or equipment purchased are for use in aircraft operated by common carriers in interstate or foreign commerce.

\*  **Commercials, Films, Audio and Video Tapes**

I certify that purchases of commercials, films, prerecorded video tapes, prerecorded audio program tapes or records are for sale or distribution to motion picture exhibitors, or commercial television or radio broadcasters. If I subsequently resell items to any other customer, or use or consume any of these items, I will report any tax liability directly to the Tax Commission.

\*  **Alternative Energy**

I certify the tangible personal property meets the requirements of Utah Code §59-12-104 and is leased or purchased by or for an alternative energy electricity production facility, a waste energy production facility, or a facility that produces fuel from alternative energy.

\*  **Locomotive Fuel**

I certify this fuel will be used by a railroad in a locomotive engine.

\*  **Research and Development of Alternative Energy Technology**

I certify the tangible personal property purchased will be used in research and development of alternative energy technology.

\*  **Life Science Research and Development Facility**

I certify that: (1) the machinery, equipment and normal operating repair or replacement parts purchased have an economic life of three or more years for use in performing qualified research in Utah; or (2) construction materials purchased are for use in the construction of a new or expanding life science research and development facility in Utah.

\*  **Mailing Lists**

I certify the printed mailing lists or electronic databases are used to send printed material that is delivered by U.S. mail or other delivery service to a mass audience where the cost of the printed material is not billed directly to the recipients.

\*  **Semiconductor Fabricating, Processing or Research and Development Material**

I certify the fabricating, processing, or research and development materials purchased are for use in research or development, manufacturing, or fabricating of semiconductors.

\*  **Telecommunications Equipment, Machinery or Software**

I certify these purchases or leases of equipment, machinery, or software, by or on behalf of a telephone service provider, have a useful economic life of one or more years and will be used to enable or facilitate telecommunications; to provide 911 service; to maintain or repair telecommunications equipment; to switch or route telecommunications service; or for sending, receiving, or transporting telecommunications service.

\*  **Aircraft Maintenance, Repair and Overhaul Provider**

I certify these sales are to or by an aircraft maintenance, repair and overhaul provider for the use in the maintenance, repair, overhaul or refurbishment in Utah of a fixed-wing, turbine-powered aircraft that is registered or licensed in a state or country outside Utah.

\*  **Ski Resort**

I certify the snow-making equipment, ski slope grooming equipment or passenger rope-ways purchased are to be paid directly with funds from the ski resort noted on the front of this form.

**Leasebacks**

I certify the tangible personal property leased satisfies the following conditions: (1) the property is part of a sale-leaseback transaction; (2) sales or use tax was paid on the initial purchase of the property; and, (3) the leased property will be capitalized and the lease payments will be accounted for as payments made under a financing arrangement.

**Film, Television, Radio**

I certify that purchases, leases or rentals of machinery or equipment will be used by a motion picture or video production company for the production of media for commercial distribution.

**Prosthetic Devices**

I certify the prosthetic device(s) is prescribed by a licensed physician for human use to replace a missing body part, to prevent or correct a physical deformity, or support a weak body part. This is also exempt if purchased by a hospital or medical facility. (Sales of corrective eyeglasses and contact lenses are taxable.)

**Out-of-State Construction Materials**

I certify this tangible personal property, of which I am taking possession in Utah, will be taken out-of-state and will become part of real property located in a state that does not have sales tax, is taxed at a lower rate, or does not allow credit for tax paid to Utah. I will report the tax on my next Utah return at the lower of the Utah rate where the tangible personal property was purchased or the rate of the location where the tangible personal property is converted to real property in the other state if the other state allows a credit for tax paid to Utah.

**Agricultural Producer**

I certify the items purchased will be used primarily and directly in a commercial farming operation and qualify for the Utah sales and use tax exemption. **This exemption does not apply to vehicles required to be registered.**

**Tourism/Motor Vehicle Rental**

I certify the motor vehicle being leased or rented will be temporarily used to replace a motor vehicle that is being repaired pursuant to a repair or an insurance agreement; the lease will exceed 30 days; the motor vehicle being leased or rented is registered for a gross laden weight of 12,001 pounds or more; or, the motor vehicle is being rented or leased as a personal household goods moving van. This exemption applies only to the tourism tax (up to 7 percent) and the short-term motor vehicle rental tax (Transportation Corridor Funding – 2.5 percent) – not to the state, local, transit, zoo, hospital, highways, county option or resort sales tax.

**Textbooks for Higher Education**

I certify that textbooks purchased are required for a higher education course, for which I am enrolled at an institution of higher education, and qualify for this exemption. An institution of higher education means: the University of Utah, Utah State University, Utah State University Eastern, Weber State University, Southern Utah University, Snow College, Dixie State University, Utah Valley University, Salt Lake Community College, or the Utah System of Technical Colleges.

\* **Purchaser must provide sales tax license number in the header on page 1.**

**NOTE TO PURCHASER:** You must notify the seller of cancellation, modification, or limitation of the exemption you have claimed.

Questions? Email [taxmaster@utah.gov](mailto:taxmaster@utah.gov), or call 801-297-2200 or 1-800-662-4335.

# ZONE CHANGE APPLICATION

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

**Fee: \$500.00**

<i>For Office Use Only:</i> File No. _____ Receipt No. _____
--------------------------------------------------------------------

Name: Silver Flats, LLC (Silver Flats) / Duane Fielding Telephone: 435.668.0346

Address: PO BOX 970271, Orem, UT 84097 Fax No. \_\_\_\_\_

Agent (If Applicable): Jon Jensen Telephone: 385.201.7848

Email: darwinf08@gmail.com Agent Email: jjensencm@gmail.com

Address/Location of Subject Property: Aprox. 4000 S. & 3000 W.

Tax ID of Subject Property: H-3402 & H-3401-A Existing Zone District: RA-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)  
\_\_\_\_\_  
R1-10

**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: \_\_\_\_\_

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the 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, storm water drainage systems, water supplies, and waste water and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report, and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.





## STAFF COMMENTS

<b>Agenda Date:</b>	<b>8/5/2021</b>
<b>Application Number:</b>	2021-ZC-28
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Silver Flats, LLC (Duane Fielding)
<b>Agent:</b>	Jon Jenson
<b>Request:</b>	A Zone Change Request to an R1-10 Zone.
<b>Location:</b>	2100 W and 4500 S
<b>Zoning:</b>	R1-8 and RA-1
<b>General Plan Map:</b>	Single Family

### Planning Commission Recommendation

The Planning Commission gave a positive recommendation with the following conditions

1. The applicant supply a utility plan
2. That any development is capped off at 4 units an acre max.

The motion passed four to three. Those that disagreed have provided a dissenting recommendation that has been included.

Though it was not part of the official motion, the staff's general impression of why the Planning Commission recommended approval to the site was because the zone change complied with the General Plan and the City has recently approved zoned changes in the surrounding area. The conditions were recommended to help meditate those concerns.

### Discussion:

The applicant is seeking zone change on 327 acres with a total proposed 1,470 units, seeking a zone of R1-10.

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	R1-10 PDOs and Recreation Resort	Undeveloped, but Cordero has some approved plat and construction drawings, and Copper Rock and Romney Group have approved PDO Site Plans.
<b>East</b>	RA-1 and R1-10 PDO	Undeveloped
<b>South</b>	RA-1	Undeveloped and BLM Land
<b>West</b>	RA-1	Undeveloped and BLM Land

The applicant's plan proposes around 4.5 units an acre, where most of the R1-10 development have about 3.5 units per acre. There is a possibility of density bonuses from sensitive lands and enhanced features of the development if the applicant seeks a PDO. The applicant has not shown or requested any

density bonus within their site plan or application to support the increased density. R1-8 zoning would support the proposed density.

### **Sensitive Lands**

There are some steep slopes on the property and the applicant would likely need to submit a sensitive land application for the project. We normally do not require a full sensitive lands application. Their site plan does contain some slop area to keep as open space. Density limitation and transfers can be found at the following link: [10-24-6 \( C\) Density Limitation](#)

### **Zone Change Criteria**

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

**Response:** The [General Plan Map](#) shows this area as a future Single Family Residential:

*Residential neighborhoods characterized by single-family homes. These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.*

The applicant is proposing to keep everything as single family housing.

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

**Response:** Most of the area is undeveloped, but there are plans for development to the north of the project with Copper Rock and Cordero, both single-family with a density similar to the proposed use.

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

**Response:** Yes, it will have some impact on the area. There are a number of units proposed and it is over a larger area. However, the City has planned for this type of use for the area. The City has typically approved R1-10 zoning with a density cap of four units an acre for an overall development within new developments for the area. Both Copper Rock and Cordero have been approved at 4 or less units an acre.

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

**Response:** There are currently almost no services in the area. Copper Rock, Romney Group, and Cordero are working to bring services to the area, but staff anticipates that it may be a number of years until services are adequate to serve the proposed development. Hurricane City code states the following:

*10-37-4: ADEQUATE PUBLIC FACILITIES:*

*Land shall be developed only where existing infrastructure is in place or will be timely provided to service proposed development. The city may require an analysis to be completed to determine whether adequate public facilities are available to service a development and whether such development will change existing levels of service or will create a demand which exceeds acceptable levels of service for roadways, intersections, bridges, storm drainage facilities, water lines, water pressure, sewer lines, fire and emergency response times, and other similar public services. The city may disapprove a proposed development if demand for public services exceeds accepted levels of service. No subsequent approval of such development shall be given until either the developer or the city installs improvements calculated to raise service levels to the standard adopted by the City. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)*

The City has generally interpreted this statement to not apply to zone change applications, but then require a more detailed plan with subdivision plats. The City did require the Romney Group with Sand Hollow Mesa to provide more detailed utility information for their PDO zone change. Any approval of the proposed zone change needs to take into consideration the remoteness of the property and the likelihood that it may take a few years before the property could do any groundbreaking without considerable off-site improvements. Staff would recommend that the applicant supply a preliminary utility plan for the project prior to approval.

Their proposed road alignments generally match the transportation master plan, which they will need to comply with.

**Findings:**

Staff makes the following findings:

1. The proposed amendment is generally compatible with the current General Plan's map and goals.
2. The proposed amendment is generally in harmony with the overall character of the proposed surrounding development, but right now there is almost no development adjacent to the property.
3. The proposed amendment will have an impact on the area, but the City has anticipated about 4 units an acre in the area.
4. The services are currently not adequate for the development, and would only become adequate after surrounding properties develop or the applicant install and construct significant offsite improvements.
5. The application density does not comply with the underlying zoning as presented.

**Recommendation:** Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. The current density does not comply with the zoning, but the site plan is more for reference. The City should also consider the access to services for the area before approval. Any approval should be a condition on filing a preliminary utility plan with the City.

**DISSENTING RECOMMENDATION OF THE HURRICANE CITY PLANNING  
COMMISSION TO THE HURRICANE CITY COUNCIL**

**RE: Application No. 2021-ZC-28;  
Proposed zone change amendment request on 327 acres from RA-1,  
residential agriculture one unit per acre, to R1-10, residential one unit per  
10,000 square feet.**

DISSENTING RECOMMENDATION

Three members of the Planning Commission recommend that the City Council DENY the proposed zone change amendment for the reasons set forth below.

FINDINGS

The three Commissioners make the following findings in support of their recommendation:

1. Public facilities and services are not adequate to serve the subject property. One of the four required considerations for a zone change is whether public facilities and services are adequate to serve the subject property.
  - a. There are currently almost no services in this area, and staff anticipates that it may be a number of years until services are adequate to serve the proposed development.
  - b. Because of the several thousand units recently approved by the City Council south of 3,000 South Street, the available electricity service to this area is not adequate to support additional units without upgrading the City's electrical infrastructure.
  - c. The north-south corridors between the subject property and the City Proper are inadequate to support additional traffic that will result from increased density. Specifically, the most direct route between the subject property and the City center includes 700 West and 1100 West, both of which include large sections that are narrow and lack sidewalks and normal right-of-way improvements to justify the increased traffic. The completion of Highway 7/Southern Parkway will likely reduce traffic somewhat on these inadequate roadways, but any diversion of traffic to Highway 7/Southern Parkway would be insufficient to justify additional traffic on these inadequate roadways.
  - d. It is recognized that other properties in this area have received zone changes. This property is viewed differently for two reasons: (1) the subject property is further south and thus further away from available utilities than any other property recently granted a zone change and (2) as a result of recent developments, facilities and services are now inadequate to support additional density in the area.
2. The proposed amendment is not harmonious with the existing development in the vicinity. One of the four required considerations for a zone change is whether the proposed amendment is harmonious with the overall character of existing development in the subject property's vicinity. The request seeks density higher than what has generally been approved for the area and would therefore not be harmonious with surrounding developments. The City has typically approved R1-10 zoning, but with a density cap of

four units an acre for an overall development. Both Copper Rock and Cordero (developments in the area) have been approved at 4 or less units an acre. Although the dissenting Commissioners recommend denial of the request, if the Council approves the requested zone change, it is suggested that the approval include a cap of 4 or less units per acre.

#### APPROVAL

This Dissenting Recommendation is made by Commissioner Dayton Hall and joined by Commissioners Penny James-Garcia and Rebecca Bronemann.

HURRICANE (H-3402)			
POD #	NEIGHBORHOODS	ACRES	DENSITY (UNIT / ACRES)
1	SINGLE FAMILY	163.47	4.5
TOTAL DEVELOPMENT		163.47	4.5
			735
			7,120,753

HURRICANE (H-3401-A)			
POD #	NEIGHBORHOODS	ACRES	DENSITY (UNIT / ACRES)
1	SINGLE FAMILY	163.47	4.5
TOTAL DEVELOPMENT		163.47	4.5
			735
			7,120,753



HURRICANE

01/07/2021

SINGLE FAMILY
  ROAD

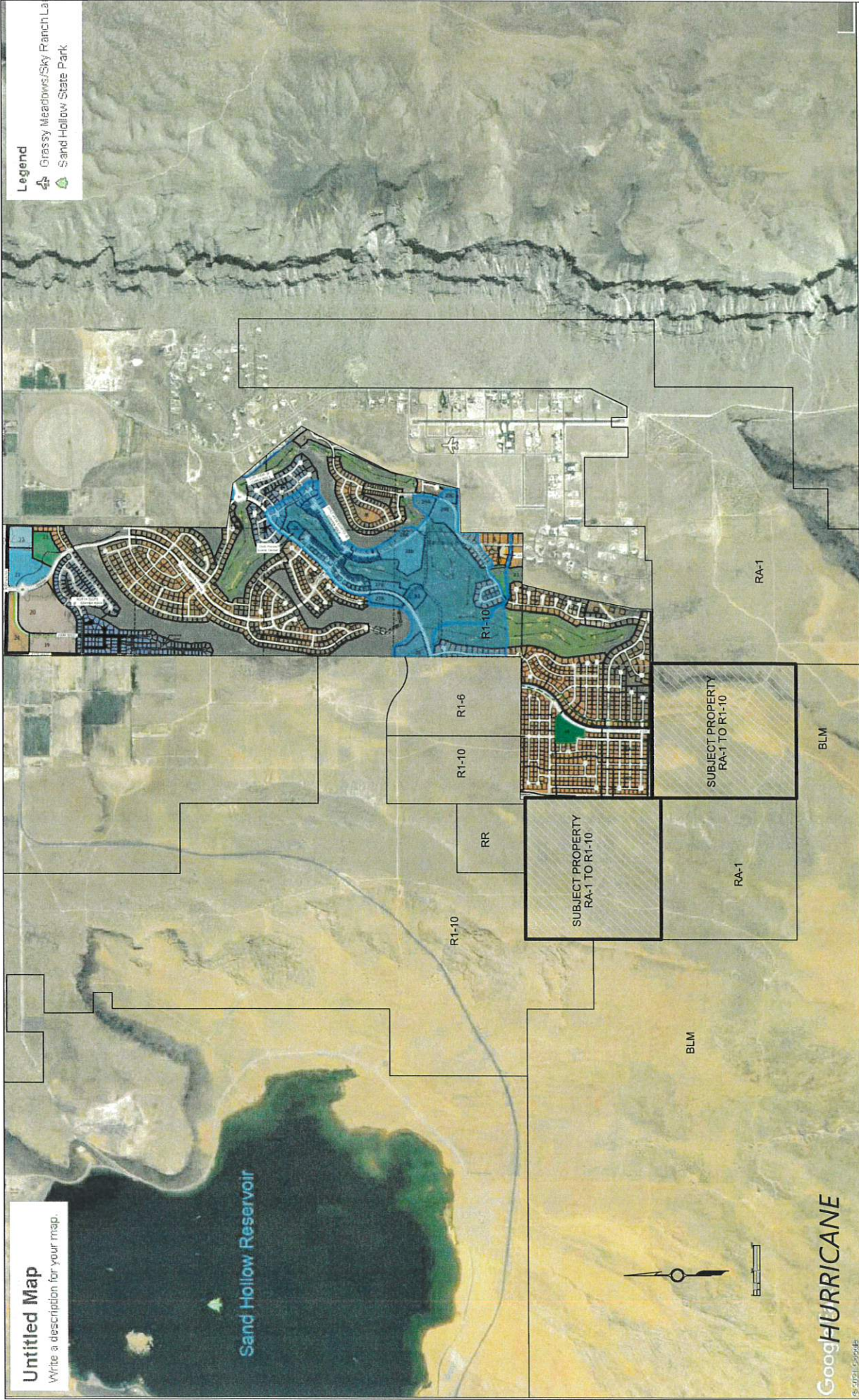
Untitled Map

Write a description for your map.

Sand Hollow Reservoir

**Legend**

- Grassy Meadows/Sky Ranch LA
- Sand Hollow State Park



## Legal Descriptions

**Parcel: H-3402**

Legal Description

S: 32 T: 42S R: 13W BEGINNING AT THE NORTHWEST CORNER OF SECTION 32, T42S, R13W, SLB&M, RUNNING THENCE S88°56'39"E, 2581.65 FEET ALONG THE SECTION LINE; THENCE S1°08'27"W, 2633.59 FEET; THENCE S0°59'20"W, 135.16 FEET; THENCE N88°44'22"W, 2571.55 FEET TO A POINT ON THE WEST LINE OF SECTION 32; THENCE N1°08'24"E, 135.16 FEET ALONG THE SECTION LINE TO THE WEST 1/4 CORNER OF SECTION 32; THENCE N0°54'45"E, 2624.41 FEET TO THE POINT OF BEGINNING.

**Parcel: H-3401-A**

Legal Description

S: 32 T: 42S R: 13W BEING THE EAST 1/4 CORNER OF SECTION 32, T42S, R13W, SLB&M, RUNNING THENCE S1°02'35"W, 2632.95 FEET ALONG THE SECTION LINE TO THE SOUTHEAST CORNER OF SECTION 32; THENCE N88°52'46"W, 2637.92 FEET ALONG THE SECTION LINE TO THE SOUTH 1/4 CORNER OF SECTION 32; THENCE N88°59'25"W, 62.00 FEET ALONG THE SECTION LINE; THENCE N0°59'20"E, 2639.66 FEET TO A POINT ON THE EAST-WEST CENTER SECTION LINE; THENCE S88°44'22"E, 62.00 FEET ALONG THE EAST-WEST CENTER SECTION LINE TO THE CENTER 1/4 CORNER OF SECTION 32; THENCE S88°44'22"E, 2640.43 FEET ALONG THE EAST-WEST CENTER SECTION LINE TO THE POINT OF BEGINNING. TOG & SUBJ TO ROW



# PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:  
File No. 2021-PP-20  
Receipt No. 8.150014

Name: Jeff Andrus Telephone: \_\_\_\_\_

Address: 2306 E 3860 S, St. George, UT 84790 Fax No. \_\_\_\_\_

Email: jandrus@lrfpartners.com Agent Email: toddgardner@alphaengineering.com

Agent (If Applicable): Alpha Engineering, Todd Gardner, P.E. Telephone: (435) 628-6500

Address/Location of Subject Property: Located along Old Highway 91

Tax ID of Subject Property: H-HSU-4 Zone District: M-1

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) \_\_\_\_\_

Proposed to construct a total of (17) 5000 & 3000 S.F. industrial buildings.

Submittal Requirements: The preliminary plat application shall provide the following:

- 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
  - a. The proposed name of the subdivision.
  - b. The location of the subdivision, including the address and section, township and range.
  - c. The names and addresses of the owner or subdivider, if other than the owner.
  - d. Date of preparation, and north point.
  - e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- 2. Existing Conditions: The preliminary plat shall show:
  - a. The location of the nearest monument.
  - b. The boundary of the proposed subdivision and the acreage included.
  - c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
  - d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
  - e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

- x   g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.
- x   h. Contours at vertical intervals not greater than five (5) feet.
- N/A   i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
- N/A   j. Information on whether property is located in desert tortoise take area

  x   3. Proposed Plan: The subdivision plans shall show:

- x   a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
- x   b. The layout, numbers and typical dimensions of lots.
- N/A   c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
- x   d. Easements for water, sewers, drainage, utilities, lines and other purposes.
- x   e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
- x   f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
- x   g. Approximate radius of all center line curves on highways or streets.
- x   h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
- N/A   i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
- N/A   j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
- x   k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
- x   l. Will this subdivision be phased? If yes show possible phasing lines.
- x   m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

  x   4. Required copies of plans:

- x   a. Three copies of all full scale drawings
- x   b. One copy of each drawing on a 11 x 17 inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).

5. 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. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

\*\*\*\*\*

(Office Use Only)

Date Received: \_\_\_\_\_ Application Complete: YES  NO

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





## STAFF COMMENTS

<b>Agenda Date:</b>	8/5/2021
<b>Application Number:</b>	2021-AFP-10
<b>Type of Application:</b>	Amended Final Plat
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Jeff Andrus/Jasco Ind. Park
<b>Agent:</b>	Ryan Scholes
<b>Request:</b>	Approval of an Amended Final Plat
<b>Location:</b>	130 N Old Highway 91
<b>Zoning:</b>	M-1
<b>General Plan Map:</b>	Business

### Planning Commission Recommendation

The Planning Commission gave a positive recommendation on the application with the conditions that the applicant comply with the items within this report, excluding the following

1. JUC Comment 1: "Would rather have a street over the utility lines."
2. JUC Comment 2: "**Engineering:** The development should be redesigned so that roadways are over the utility line. Would gain useful property by putting the roadway over the utilities....Does not love the layout."
3. Staff Comments 2 and 3

**Update:** On June 23, 2021, the Planning Commission reviewed this application and gave the applicant direction to come back with internal roadways dedicated to the public and to be built to Hurricane City standards. The applicant has redrawn the plat, and has submitted it in the form of a preliminary plat instead of an amended final plat. This is appropriate for the circumstance. Hurricane City Code states that an amended final plat:

#### *10-39-16: PLAT AMENDMENTS:*

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

The following is an updated report based on a review of the new proposed plat.

**Discussion:** The applicant has applied to amend the final plat for Hurricane Storage Units Partial Amendment A (Lot 4), being presented at the preliminary plat for Hurricane Storage Industrial Subdivision. The proposal is to subdivide the 10-acre lot into 17 lots.

### JUC Comments

Construction drawings and improvements have been approved along highway 91. The applicant will need to resubmit construction drawings for the proposed subdivision after preliminary approval.

1. **Water:** Will need to do all the water lines and make sure they are deeded to the City. Water is already looped in the area. Would rather have a street over the utility lines.
2. **Engineering:** The development should be redesigned so that roadways are over the utility line. Would gain useful property by putting the roadway over the utilities. Need to continue the storm drain system from the north and south. Does not love the layout.
3. **Sewer:** Has a sewer line on the property, all facilities should be placed in public roadways for this type of demand. It is an improvement over the last submission.
4. **Fire:** The improvement resolves their concerns.
5. **Power:** Power is in the area. Would rather have a street over the utility lines.
6. **Gas:** High-pressure line is in the area and needs to maintain proper easements.
7. **Phone and Cable:** Both are within the area.

### Staff Comments

1. The lots currently meet M-1 Standards
2. There is concern about access and utilities to the site down the easements from many of the utility companies and the City. Engineering is recommending that the project to be redesigned.
3. The easement located on the north is recommended to be fenced off and paved with gravel or roadbase to ensure the maintenance of the easement. The JUC highly recommended redesigning the layout so that a public ROW is placed over the utility lines in the north.
4. Because of the nature of this plat taking place in an approved subdivision, staff does not have a concern about a few of the normal notes required for a preliminary plat, since this development has already indicated geohazards and tortoise take area.
5. Letters have not been provided by the Hurricane City Water or Ash Creek Sewer about service availability, but both are in the area.
6. The final plat will need to add an amendment note, outlining what is being changed to the final plat, to meet the requirements of State Law.
7. Because of the new improvements, the applicant will need to turn in new construction drawings for this development and have those approved by the JUC before staff can approve the final amended plat.
8. If the plat is granted preliminary approval, staff anticipates handling it as a normal subdivision plat, meaning that staff will act as the land use authority for the construction drawings and the final plat.
9. Internal utility lines are not shown on the plat.
10. No preliminary storm system plan has been submitted as required.

**Recommendation:** Staff recommends the City Council review this application based on standards with Hurricane City and State Code. Staff would recommend approval with the condition that the applicant complies with the comments within this report. Staff would also recommend that the City Council discuss with the applicant proper protection of the utility lines within the development.





# 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. 2021-20-11  
Receipt No. \_\_\_\_\_

Name: Sunnie LLC Telephone: \_\_\_\_\_

Address: 365 W Center, LaVerkin, UT 84745 Fax No. \_\_\_\_\_

Agent (If Applicable): Scott Stratton Telephone: 435-467-4966

Email: scottstratton4966@gmail.com Agent Email: ← same

Address/Location of Subject Property: 122 S 200 W Hurricane, UT

Tax ID of Subject Property: H-92-A-1-A-1 Existing Zone District: GC

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)  
To change from GC to RM-3, to be able to build 3 townhome.

**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: \_\_\_\_\_



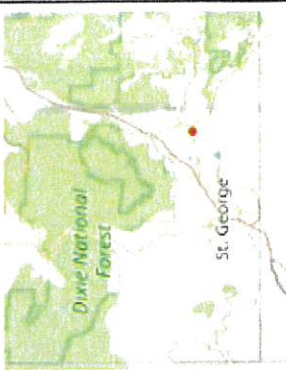
# Sunnie LLC Zone Change



**Legend**

- Parcels

**Notes**



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



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere





## STAFF COMMENTS

<b>Agenda Date:</b>	5/20/2021
<b>Application Number:</b>	2021-ZC-11
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Sunnie LLC
<b>Agent:</b>	Scott Stratton
<b>Request:</b>	A zone change from General Commercial to Residential Multi-Family-3
<b>Location:</b>	100 S 200 W
<b>Zoning:</b>	General Commercial
<b>General Plan Map:</b>	Downtown

### Planning Commission Recommendation

the Planning Commission recommended to deny this zone change application because of their positive recommendation of 2021-LUCA-01, change would be a spot zone and would not comply with Hurricane City Code at the time of application.

### Discussion:

The applicant seeks to rezone their .23 acres of property from General Commercial to Residential Multi-Family-3, 15 units an acre. The applicant is seeking to add three long-term rental units to the property. The main concern from staff is that RM-3 typically requires a total zoned area of a single acre. The applicant is requesting the zone change because they would prefer to do three long-term rentals instead of several short-term rentals, which is allowed as a motel use. Though generally, the housing type is needed, and the Downtown area would be an appropriate location. The City has allowed RM-2 zoning in the area below the normal acre requirement based on the City code that treats existing multi-family as RM-2 in the downtown area. However, that has not expanded to RM-3 zoning. ]

	Zoning	Adjacent Land Use
North	Highway Commercial/ Public Facilities	Residential (mix) with some commercial/ Fine Arts Center and Park
East	General Commercial	Residential (mix) with some commercial use.

South	General Commercial and RM-1	Residential
West	General Commercial	Residential

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

**Response:** The General Plan Map shows this area as the Downtown. The Downtown area should be an area with various uses, including housing types, commercial use, and open space. The General Plan and Moderate Income Housing Plan encourage higher density near RS-9. The first goal of the Moderate Income Housing Plan states:

1. *Encourage higher density or moderate income residential development near a major transit investment corridor – SR-9 (Hurricane City 2019, p. 6)*

Based on the last housing numbers, the City needs lower-income rental property. Though there is no commitment from the property owner to maintain affordable rental levels, the zoning would tend to provide more affordable housing. The following table is a summary of the numbers produced by the Utah Department of Workforce Services for Hurricane.

*Calculate the municipality's housing gap for the current year by entering the number of moderate-income renter households, affordable and available rental units from TABLE 1 below:*

<i>2020 Shortage</i>	<i>Renter Household</i>	<i>Affordable Rental Units</i>	<i>Available Rental Units</i>	<i>Affordable Units - Renter Households</i>	<i>Available Units - Renter Households</i>
<i>≤ 80% HAMFI</i>	875	1,465	805	590	-70
<i>≤ 50% HAMFI</i>	615	500	270	-115	-345
<i>≤ 30% HAMFI</i>	405	205	70	-200	-335
<i>Totals:</i>	1,895	2,170	1,145	275	-750

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

**Response:** Most of the area has a variety of uses, including multi-family, single-family, parks, and commercial uses. The proposed zoning would be harmonious with the overall character of the area.

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

**Response:** Yes, but the proposed development’s impact will be limited based on the property’s size.

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

**Response:** Yes, the service are adequate for the development. The property owner would be required to upgrade the street and to local power services.

## Items to Consider

Though the General Plan and Moderate Income Housing Plan would allow for this type of development, there are a couple of items to consider.

- Though the City needs additional housing, the City also needs commercial uses. Commercial uses provide benefits in taxes that support the community and can also offer services that residents enjoy. In addition, if the property becomes a motel/short-term rental use, that would bring tourists right to the downtown area that would help support local business.
- RM-3 and RM-2 Zoning require a minimum of a single acre. The City has made exceptions for RM-2 in the downtown area because non-conforming multi-family uses in the downtown area are treated as RM-2.
- The Planning Department is asking for money to complete a downtown master plan this next calendar year. This plan will recommend the different uses, standards, and amenities that the City should focus on to redevelop the area.
- The Planning Commission has made a recommendation of a code change (2021-LUCA-01) that would eliminate the minimum development size for RM-2 and RM-3 in the downtown area, and would allow multi family as a conditional use for in the downtown area for vacant property

## Findings:

Staff makes the following findings:

1. The proposed amendment is generally compatible with the current General Plan Map's goals and policies and may provide more affordable housing options.
2. The proposed amendment is generally in harmony with the overall character of the existing and proposed development. However, there is no other RM-3 zoning in the area.
3. The proposed amendment will have minimal impact on the area.
4. Yes, the services are adequate for the development.
5. The zone size would not comply with the minimum acre standard that is currently required by Hurricane City code.

**Recommendation:** Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff recommends that the Planning Commission consider the findings and the other consideration for the proposed zone change. If the Planning Commission wants to approve the zone change, the Planning Commission should also make a recommendation for changing the code.

March 19 2021

Hurricane City Planning Commission  
147 North 870 West  
Hurricane, Utah 84737

Dear Planning Commission:

We live a crossed the street from 122 South 200 West at 220 West 100 South and own a trailer park at 237 West State Street.

We do not like the proposal of putting townhouse on the lot at 122 South 200 West.

Not good idea, more cars backing out of garages onto busy 100 South with high school student on foot and in cars.

Spot zoning changes?????????

Town houses would sure look out of place.

We had similar idea:

Reason we didn't ask for zone change.

1. We are content.
2. We like our neighbors.
3. Buildings would change neighbor hood.

If zoning is changed.

We probably will be in with hat in hand, asking for one of these things:

1. Build 3 homes.
2. Build as many town houses as possible.
3. Apartment house.
4. Add to trailer park.

We most like will be saying

1. You let them.
2. Not fair.
3. Why?
4. And all of the other things heard before.

Thank you:

*Burton Sant*  
*Anna Dent*

Burton and Anna Sant

# PRELIMINARY PLAT APPLICATION

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

Fee: \$150.00

For Office Use Only:  
File No. 2021-PP-15  
Receipt No. 8-149596

Name: Blue Mountain Property Enterprises LLC Telephone: \_\_\_\_\_

Address: 256 N 200 W Fax No. \_\_\_\_\_

Email: \_\_\_\_\_ Agent Email: scottstratton4966@gmail.com

Agent (If Applicable): Scott Stratton Telephone: 435-467-4966

Address/Location of Subject Property: Approx. south of 3000s on  
1100 W Hurricane, UT  
part of H-3394-B-1 = part of rezoned.

Tax ID of Subject Property: H-3394-J-1 H-3394-H Zone District: \_\_\_\_\_

Proposed Use: (Describe, use extra sheet if necessary. Include total number of lots) To develop  
area for townhomes.

Submittal Requirements: The preliminary plat application shall provide the following:

1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
  - a. The proposed name of the subdivision.
  - b. The location of the subdivision, including the address and section, township and range.
  - c. The names and addresses of the owner or subdivider, if other than the owner.
  - d. Date of preparation, and north point.
  - e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
2. Existing Conditions: The preliminary plat shall show:
  - a. The location of the nearest monument.
  - b. The boundary of the proposed subdivision and the acreage included.
  - c. All property under the control of the subdivider, even though only a portion is being subdivided. (Where the plat submitted covers only a part of the subdivider's tract, a sketch of the prospective street system of the unplatted parts of the subdivider's land shall be submitted, and the street system of the part submitted shall be considered in light of existing Master Street Plan or other Commission studies.)
  - d. The location, width and names/numbers of all existing streets within two hundred (200) feet of the subdivision and of all prior streets or other public ways, utility rights of way, parks and other public open spaces, within and adjacent to the tract.
  - e. The location of all wells and springs or seeps, proposed, active and abandoned, and of all reservoirs or ponds within the tract and at a distance of at least one hundred feet (100') beyond the tract boundaries.
  - f. Existing sewers, water mains, culverts or other underground facilities within the tract, indicating the pipe sizes, grades, manholes and the exact locations.

- g. Existing Hurricane Canal Company facilities; other ditches, canals, natural drainage channels and open waterways and any proposed realignments.
- h. Contours at vertical intervals not greater than five (5) feet.
- i. Identification of potential geotechnical constraints on the project site (such as expansive rock and soil, collapsible soil, shallow bedrock and caliche, gypsiferous rock and soil, potentially unstable rock or soil units including fault lines, shallow groundwater, and windblown sand) and recommendations for their mitigation.
- j. Information on whether property is located in desert tortoise take area

3. Proposed Plan: The subdivision plans shall show:

- a. The layout of streets, showing location, widths, and other dimensions of proposed streets, crosswalks, alleys and easements.
- b. The layout, numbers and typical dimensions of lots.
- c. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.
- d. Easements for water, sewers, drainage, utilities, lines and other purposes.
- e. Typical street cross sections and street grades where required by the Planning Commission. (All street grades over 5% should be noted on the preliminary plat)
- f. A tentative plan or method by which the subdivider proposes to handle the storm water drainage for the subdivision.
- g. Approximate radius of all center line curves on highways or streets.
- h. Each lot shall abut a street shown on the subdivision plat or on an existing publicly-dedicated street. (Double frontage or flag lots shall be prohibited except where conditions make other design undesirable)
- i. In general, all remnants of lots below minimum size left over after subdividing of a larger tract must be added to adjacent lots, rather than allow to remain as unusable parcels.
- j. Where necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission.
- k. A letter from both the local sanitary sewer provider and culinary water provider indicating availability of service.
- l. Will this subdivision be phased? If yes show possible phasing lines.
- m. A tentative plan or method for providing non-discriminatory access to the subdivision for purposes of placement of communications infrastructure, and for purposes of placement of utility infrastructure.

4. Required copies of plans:

- a. Three copies of all full scale drawings
- b. One copy of each drawing on a 11 x 17 inch sheets. (8 1/2 x 11 is acceptable if the project is small and the plans are readable at that size).

5. 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. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the second Thursday and fourth Wednesday of each month at 6:00 p.m. The deadline to submit an application to be placed on an agenda is no later than 12:00 noon 10 full business days before the Planning Commission meeting at which you plan for your application to be heard.**

\*\*\*\*\*

(Office Use Only)

Date Received: \_\_\_\_\_ Application Complete: YES  NO

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



## City of Hurricane

*Water Department*  
*Ken Richins, Superintendent*

March 1, 2021


To Whom It May Concern:

A will serve letter has been requested for the Bench Lake Townhomes located at 1100 W 3100 S in Hurricane, Utah.

Yes, we do have culinary water in the area of 1100 W 3100 S in Hurricane, Utah.

A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

  
\_\_\_\_\_  
Hurricane City Water

# PRELIMINARY PLAT FOR: BENCH LAKE TOWNHOMES

LOCATED IN SECTION 34, T41S, R14W, S11R.6M  
WASHINGTON COUNTY, UTAH

NO.	REVISION	DATE	BY

**PROVALUE ENGINEERING, INC.**  
 Registered Professional Engineer  
 License No. 4446-0001  
 20 South Main Street, Suite 100  
 Provo, Utah 84601  
 Phone: (801) 733-8777  
 Fax: (801) 733-8778



**PRELIMINARY PLAT FOR  
BENCH LAKE TOWNHOMES**  
 5516 WEST 2ND NORTH  
 HERRINGDALE, UTAH 84131  
 LOCATED IN SECTION 34, T41S, R14W, S11R.6M

**3 OF 3**  
 SHEET NO.  
 DATE: 11/11/2011  
 DRAWN BY: JLM



LINE	LENGTH	DIRECTION
L1	11.89'	S05233.00°E
L2	22.56'	S05233.00°E
L3	11.89'	S05233.00°E
L4	3.46'	N09252.10°W
L5	6.54'	N09252.10°W
L6	6.25'	N09252.10°W
L7	6.45'	S09252.10°W
L8	11.89'	S09252.10°W
L9	12.46'	S09252.10°E

CURVE	LENGTH	RAJUS	CHORD DIST.	CHORD ANG.	DELTA
C42	23.12'	65.01'	26.92'	102°25'45.79"	335°41'00"
C43	9.30'	139.18'	9.30'	N0740.13°E	110°00'
C44	46.97'	228.12'	46.91'	N2°02'32.79"	167°14.82'
C45	41.12'	228.12'	41.05'	N07°12'38.12"	167°16.58'
C46	32.59'	228.12'	32.58'	N17°29'31.12"	80°23.50'
C47	26.89'	184.22'	26.88'	N17°23'04.12"	63°33.50'
C48	32.37'	184.22'	32.32'	N10°07'03.12"	102°01.12'
C49	31.34'	184.22'	31.30'	N44°52'32.12"	9°44.49'
C50	36.63'	28.00'	34.09'	N07°57'51.12"	75°00.00'
C51	78.18'	112.52'	77.58'	N78°46'13.12"	40°19.10'
C52	78.18'	112.52'	77.58'	N78°46'13.12"	40°19.10'
C53	56.46'	88.00'	55.85'	N78°46'13.12"	33°00'41"
C54	52.18'	20.00'	20.01'	S45°03'20.12"	87°00'20"
C55	31.46'	20.00'	20.01'	S45°03'20.12"	87°00'20"
C56	43.88'	20.00'	39.60'	N44°52'01.12"	80°00'48"
C57	43.88'	20.00'	39.60'	S45°07'43.12"	80°00'44"
C58	31.44'	20.00'	20.25'	N44°48'23.12"	89°34.12'
C59	31.37'	20.00'	20.25'	N45°11'33.12"	89°49.32'
C60	51.31'	20.00'	44.43'	N02°02'09.12"	103°00'00"
C61	31.46'	20.00'	20.32'	N03°04'13.12"	80°00'30"

CURVE	LENGTH	RAJUS	CHORD DIST.	CHORD ANG.	DELTA
C62	22.83'	26.00'	21.61'	S32°42'42.12"	65°34.30'
C63	41.88'	20.00'	39.60'	N07°57'51.12"	80°00'00"
C64	46.92'	42.50'	45.83'	N2°49'42.79"	89°23.30'
C65	46.92'	42.50'	45.83'	N07°10'18.12"	65°34.30'
C66	31.46'	20.00'	21.61'	N07°10'18.12"	65°34.30'
C67	31.95'	65.00'	31.63'	S31°27'11.12"	80°00'00"
C68	31.51'	20.00'	28.35'	N42°00'17.12"	80°16.95'
C69	38.91'	20.00'	33.61'	S24°42'00.12"	114°20.94'
C70	31.28'	20.00'	28.22'	S44°59'43.12"	89°39.93'
C71	31.50'	20.00'	28.35'	S45°00'17.12"	90°15.07'
C72	30.91'	20.00'	31.61'	N32°42'03.12"	114°20.94'
C73	22.92'	20.00'	21.89'	N07°17'52.12"	65°30.96'
C74	51.31'	20.00'	44.43'	N07°02'05.12"	104°59.96'
C75	42.38'	69.54'	46.42'	S78°42'45.12"	46°11.44'
C76	41.88'	141.36'	41.80'	N07°03'03.12"	173°13.12'
C77	37.12'	142.71'	37.01'	S08°28'28.12"	142°41.10'
C78	37.12'	142.71'	37.01'	S02°25'20.12"	142°41.10'
C79	32.05'	65.01'	31.73'	N02°44'33.12"	20°44.91'
C80	32.47'	64.89'	31.10'	N46°21'30.12"	20°30.77'

CURVE	LENGTH	RAJUS	CHORD DIST.	CHORD ANG.	DELTA
C81	184.48'	1243.00'	188.20'	N02°52'52.12"	9°08.54'
C82	43.88'	20.00'	39.60'	S02°25'20.12"	80°00'00"
C83	31.09'	65.00'	31.63'	S07°27'18.12"	89°23.30'
C84	37.06'	65.00'	37.28'	S02°28'43.12"	37°23.32'
C85	4.34'	65.00'	4.34'	S02°28'43.12"	37°23.32'
C86	6.27'	65.00'	6.28'	S2°28'46.12"	5°21.17'
C87	44.93'	65.00'	44.94'	S28°12'04.12"	39°35.33'
C88	43.29'	64.98'	42.47'	S06°04'21.12"	35°08.01'
C89	7.03'	65.14'	7.03'	S06°30'07.12"	6°50.32'
C90	8.02'	73.00'	8.02'	N08°42'00.12"	6°17'40"
C91	3.87'	73.00'	3.87'	N08°42'00.12"	3°02.25"
C92	36.63'	28.00'	34.09'	S01°57'54.12"	75°00'00"
C93	51.31'	20.00'	44.43'	N07°02'07.12"	105°00'00"
C94	36.64'	27.98'	34.08'	S01°56'50.12"	75°01'55"
C95	3.20'	65.00'	3.20'	S02°02'27.12"	3°19.97'
C96	32.76'	65.00'	32.73'	S44°25'33.12"	35°17.06'
C97	19.23'	65.00'	19.23'	S09°24'32.12"	17°01.82'
C98	73.37'	65.00'	73.24'	S02°25'16.12"	17°46.55'
C99	31.47'	20.01'	28.29'	S44°25'43.12"	89°27'20"
C100	66.60'	42.50'	66.24'	N45°00'17.12"	80°15'00"

CURVE	LENGTH	RAJUS	CHORD DIST.	CHORD ANG.	DELTA
C81	36.15'	206.77'	37.12'	N102°32'52.12"	8°24.36"
C82	22.43'	206.77'	22.42'	N25°20.36"E	6°12.56"
C83	24.44'	154.60'	24.41'	S03°12'06.12"	87°00.94"
C84	20.10'	172.65'	20.07'	S05°12'06.12"	87°00.94"
C85	52.58'	125.02'	51.15'	S72°35'47.12"	24°23.47"
C86	191.31'	1200.00'	191.11'	S19°23'52.12"	9°09.04"
C87	46.32'	42.50'	45.93'	N07°10'18.12"	65°34.30"
C88	2.64'	50.00'	2.64'	N08°42'56.12"	6°18.98"
C89	20.77'	127.50'	20.79'	N05°12'04.12"	37°01.30"
C90	20.77'	127.50'	20.79'	N05°12'04.12"	37°01.30"

CURVE	LENGTH	RAJUS	CHORD DIST.	CHORD ANG.	DELTA
C91	28.50'	20.00'	26.15'	N92°02'30.12"	81°28.94'
C92	34.37'	20.00'	30.27'	N46°25'29.12"	89°22.93'
C93	31.37'	20.00'	28.95'	N07°11'05.12"	89°24.02'
C94	28.10'	20.00'	26.10'	S46°37'20.12"	89°24.18'
C95	184.02'	36.90'	183.20'	S03°28'25.12"	181°17.30'
C96	37.87'	184.27'	37.81'	S12°28'35.12"	174°25.11'
C97	25.89'	229.23'	25.85'	S18°15'22.12"	67°29.19'
C98	26.22'	20.00'	24.38'	S32°24'16.12"	25°07.00'
C99	31.46'	20.00'	28.31'	N44°16'27.12"	80°00'24"
C100	63.25'	91.04'	61.98'	S78°44'23.12"	40°18.54'
C101	2.00'	120.52'	2.00'	S57°16'11.12"	60°01.84"
C102	2.85'	5567.0557'	2.85'	S56°02'55.12"	12°17.10"
C103	65.64'	120.33'	63.80'	S74°31'57.12"	31°40.53'
C104	0.00'	0.00'	0.00'	N07°11'34.12"	0°00.00"
C105	0.00'	0.00'	0.00'	N08°35'35.12"	0°00.00"
C106	80.57'	49.90'	55.97'	N49°02'34.12"	81°38.31'
C107	4.24'	206.82'	4.24'	N07°40'59.12"	11°18.31'
C108	103.41'	206.82'	102.33'	N07°10'02.12"	28°46.32'
C109	23.47'	206.23'	23.40'	N18°19'21.12"	82°37.18'

NO.	DESCRIPTION	DATE	BY

PROVALUE ENGINEERING, INC.  
 ENGINEERS - LAND SURVEYORS - LAND PLANNERS  
 2600 WEST 1000 SOUTH  
 SALT LAKE CITY, UT 84119  
 PHONE: (801) 488-8887



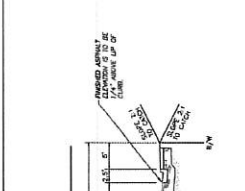
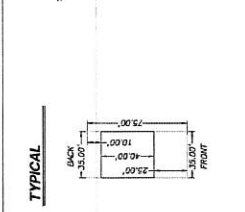
**PRELIMINARY PLAT FOR  
 BENCH LAKE TOWNHOMES**  
 5950 WEST 1000 NORTH  
 HERRING CREEK, UTAH 84113  
 LOCATED IN SECTION 34, T14S, R14W, S1&2E, #1

DATE: 01-24-2021  
 DRAWN BY: J. J. JENSEN  
 CHECKED BY: J. J. JENSEN  
 SHEET NO. **2 OF 3**

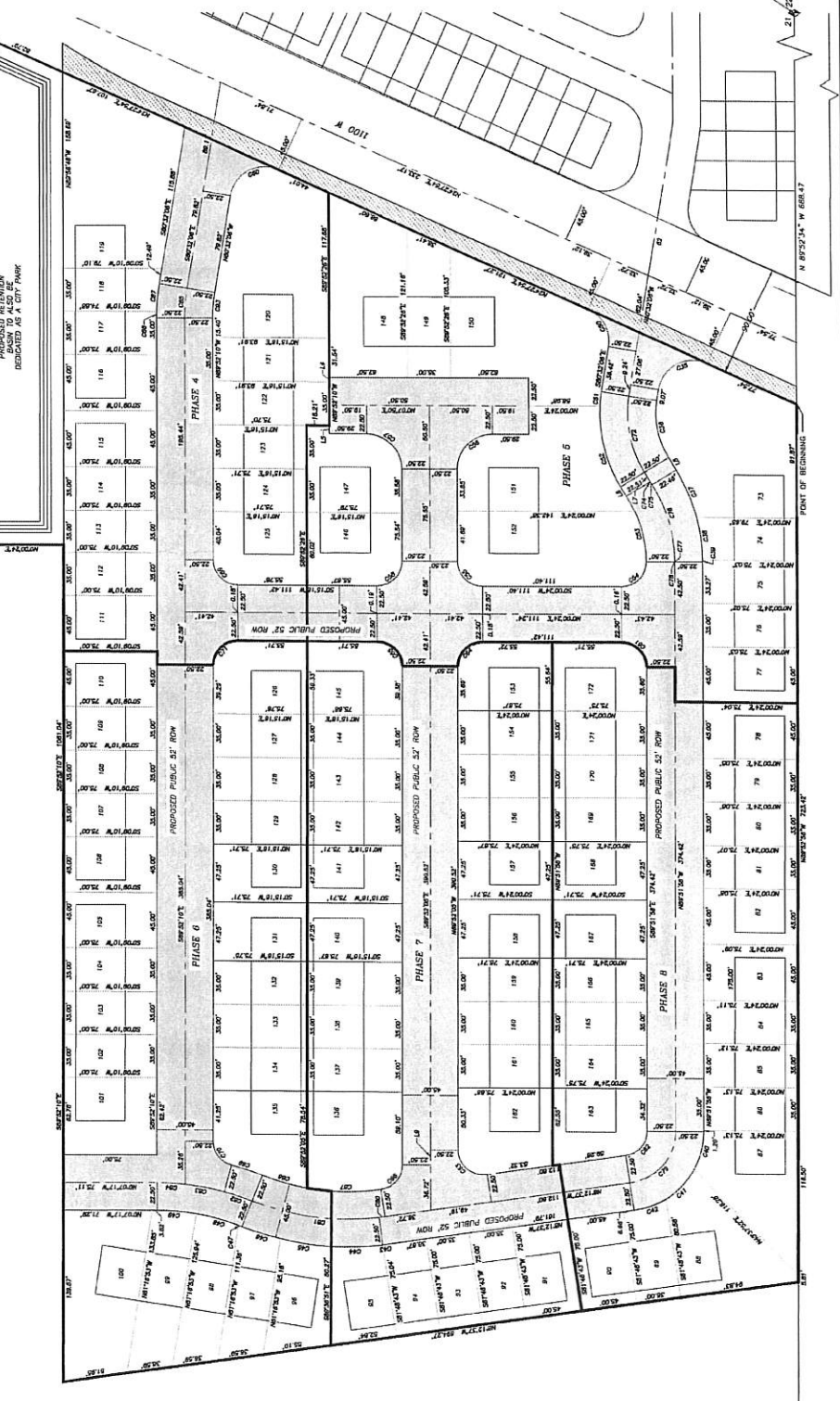


- LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - CENTER LINE
  - PHASE LINE
  - 10' PUBLIC UTILITY EASEMENT
  - EXISTING MARK CONTOUR
  - EXISTING MASH CONTOUR
  - SECTION CORNER AS DEPICTED
  - PORTION TO BE DEDICATED TO THE CITY FOR PUBLIC RIGHT-OF-WAY
  - PROPOSED PUBLIC ROW

**PRELIMINARY PLAT FOR:  
 BENCH LAKE TOWNHOMES**  
 LOCATED IN SECTION 34, T14S, R14W, S1&2E, #1  
 WASHINGTON COUNTY, UTAH



**OWNER:**  
 BLUE MOUNTAIN PROPERTY ENTERPRISES LLC  
 250 N 200 W  
 BLANDING, UT 84511-3010



**NOTICE:**  
 THIS PLAT IS SUBJECT TO THE RECORDATION ACT AND THE PLAT ACT. THE PLAT IS NOT VALID UNLESS IT IS RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF WASHINGTON, UTAH.

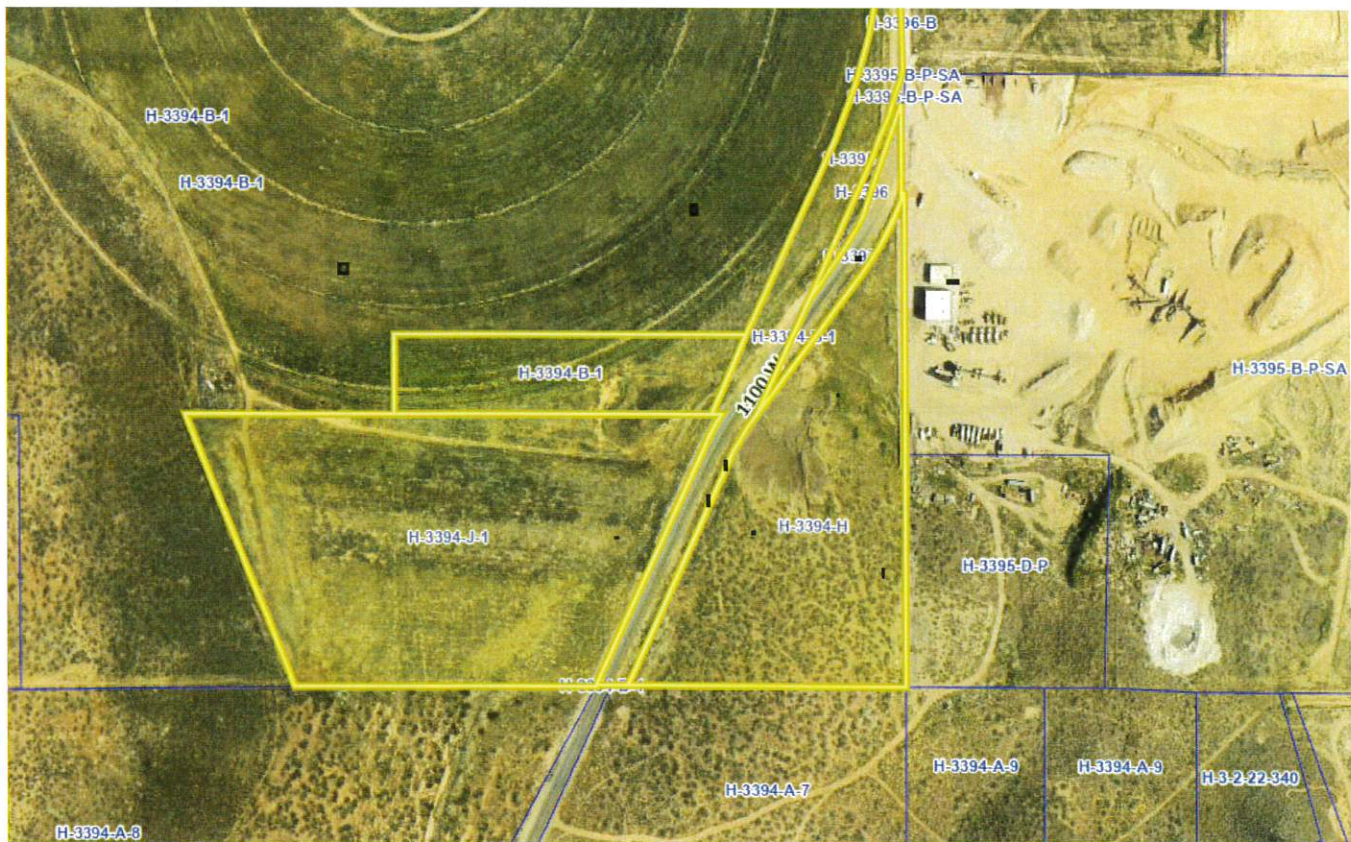
POINT OF BEGINNING  
 N 89°52'24" W 688.47'  
 S 89°52'24" W 688.47'  
 S 14°00'00" SEC 21, T14S, R14W, S1&2E, #1





## STAFF COMMENTS

<b>Agenda Date:</b>	<b>6/17/2021</b>
<b>Application Number:</b>	2021-PP-15
<b>Type of Application:</b>	Preliminary Plat Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Blue Mountain Property Enterprises LLC
<b>Agent:</b>	Scott Stratton
<b>Request:</b>	Approval of a Preliminary Plat
<b>Location:</b>	1100 W South of 3000 S
<b>Zoning:</b>	RM-2
<b>General Plan Map:</b>	Planned Community West of 1100 W and Rural Residential East of 1100 W.



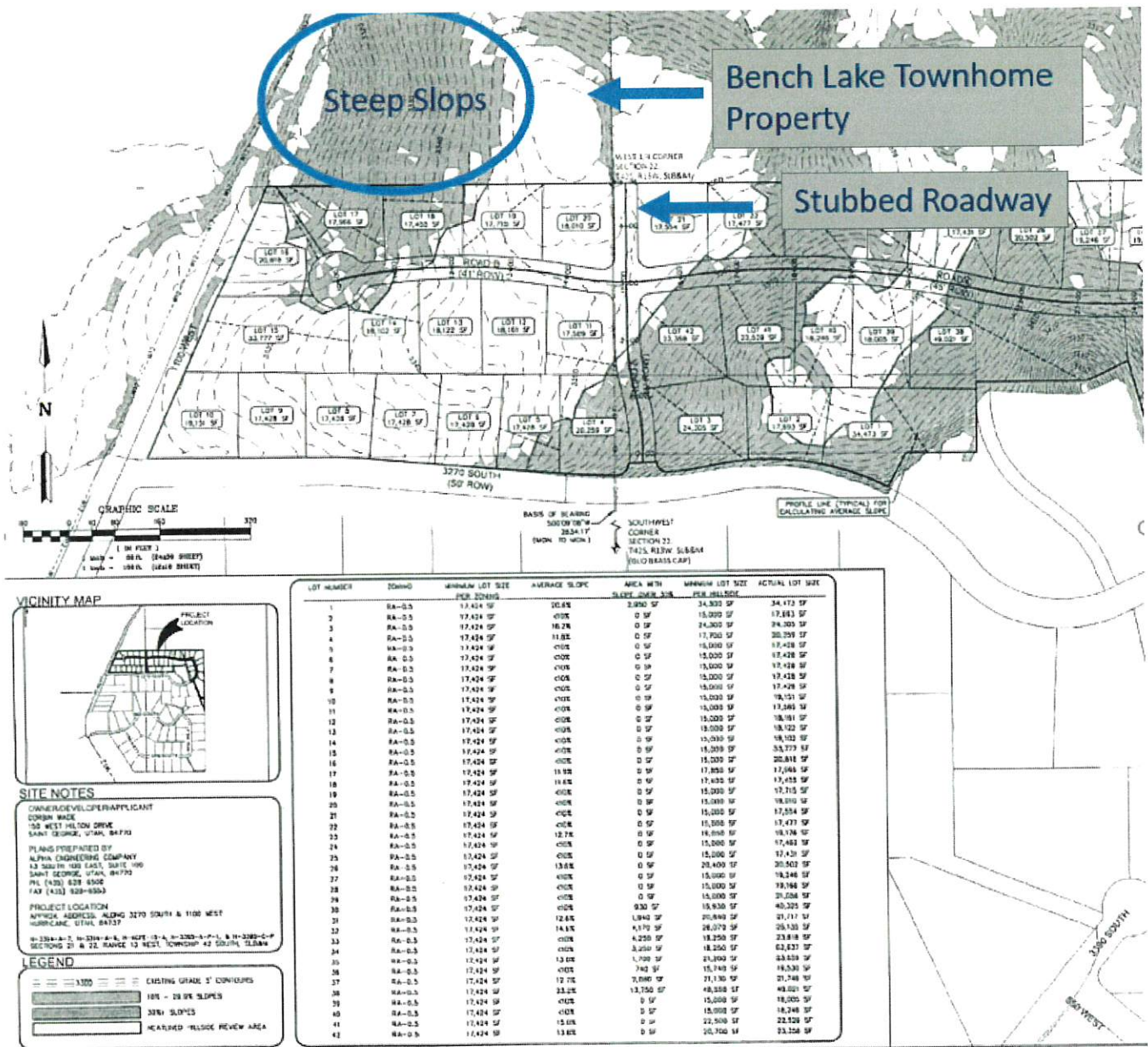
### Planning Commission Recommendation

The Planning Commission gave a positive recommendation with the condition that if staff concludes that the site needs a sensitive lands applicant that the application is moved back to the Planning Commission for review of the plan.

**Discussion:** The applicant is seeking a preliminary plat for 21.96 Acres for 172 townhome units. The property is zoned RM-2, which allows for up to 10 units an acre. The project density is at 7.83 units an acre.

**Sensitive Lands**

The applicant did not provide contour lines on the proposed preliminary plats as required. However, when Rock View (property just south of this development) submitted their sensitive lands application, their contour map showed steep slopes on the east section of this proposed subdivision as shown below. It is likely that the applicant will need to submit a sensitive land application before it may be approved.



The requirements for when a property needs to submit a sensitive lands application for hillsides is as follows:

**10-24-5: HILLSIDES AND RIDGE AREAS:**

*A. Applicability: The following procedures, submittal requirements and standards shall apply to those projects located on lands identified as having at least one of the following characteristics:*

*1. Slopes over ten percent (10%) which are:*

*a. Identified through computer generated programs capable of calculating slopes on topographic maps prepared with two foot (2') contour interval accuracy; or*

*b. Established by profile lines drawn perpendicular to contour lines at intervals no greater than one hundred fifty feet (150') apart, when the slope, measured along any one hundred foot (100') segment of the profile line is ten percent (10%) or greater. (See section 10-24-9, appendix diagram A, of this chapter.)*

*c. A slope shall be subject to this chapter only when a contiguous identified area of ten percent (10%) or greater exceeds two (2) acres, or if the site is less than one acre and the entire site is ten percent (10%) or greater.*

*2. Lands located within one hundred (100) vertical feet of a ridgeline measured perpendicular from the ridgeline; and*

*3. Lands located within one hundred feet (100') of an edge of a bluff.*

**JUC Comments**

The following items will need to be addressed:

1. **Sewer:** A sewer line will need to be brought up from 3000 S to serve the project.
2. **Water:** Will need to provide a water model for the development
3. **Fire:** May need to sprinkle the development based on response times.
4. **Engineering:** Need to do improvements on 1100 W in this area. Including a 12' trail. The property is really steep, they will need to look at drainage. They will need to provide roadway access to neighboring properties, including Rock View that has stub along their east boundary (shown above).
5. **Power:** Power is in the area, will need to redline the plan.
6. **Other Utilities:** Gas is not in the area.

**Staff Comments: Preliminary Plat**

1. The lot layout and sizes comply with zoning standards. Buildings will need to be setback 20 ft apart. Ensure RM-2 Setbacks are met.
  - a. Distance Between Buildings: 20'
  - b. Front Setback: 25'
  - c. Rear: 10'
  - d. Side: 10'
  - e. Street Side: 20'

2. The development meets the overall density standard for RM-2
3. The plat does indicate the property is not in a desert tortoise take area.
4. The plat identifies potential geotechnical constraints on the project site.
5. The applicant will need to complete 1100 W that goes between the development and their half that is adjacent to all other sections. This will include utilities, curb, gutter, asphalt, tail, and sidewalk.
6. The 1100 W cross-section is not shown on the plat, nor is the 52' cross-section as required.
7. The applicant has not provided a letter from the local sanitary sewer provider (Ash Creek) but has provided a letter from Hurricane Water Department indicating service availability.
8. The applicant needs to show the location, width, and names/numbers of all existing streets within two hundred feet (200') of the subdivision and of all prior streets or other public ways, easements, utility rights of way, parks, and other public open spaces, within and adjacent to the tract.
9. The applicant has proposed a tentative plan or method by which the subdivider proposes to handle the stormwater drainage for the subdivision, provided two stormwater facilities.
10. The plat does show phasing lines, though on page three those labels seem to be missing.
11. The applicant needs to provide connectivity to the south to connect to Rock Views stubbed road on Page 3 as shown on the plat above. The applicant will also need to stub into the property to the south for the plat on page 2. For Page 2, staff would recommend that the west roadway should stub both into the north and south.
12. The applicant needs to submit contour lines so staff can review if a sensitive land application would be required.

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff is reviewing the updated paperwork to determine if sensitive lands would be required.

# SLOPE MAP FOR: BENCH LAKE TOWNHOMES

LOCATED IN SECTION 34, T4S, R34W, S1&2E,  
WASHINGTON COUNTY, UTAH

**LEGEND**  
PROPERTY LINE  
SECTION CORNER AS DESIGNED



NO.	DESCRIPTION	DATE

**PROVALVE ENGINEERING, INC.**  
Engineers, Land Surveyors - Land Planners  
200 West 200 South, Suite 404  
Provo, Utah 84601  
Phone: (435) 846-4071

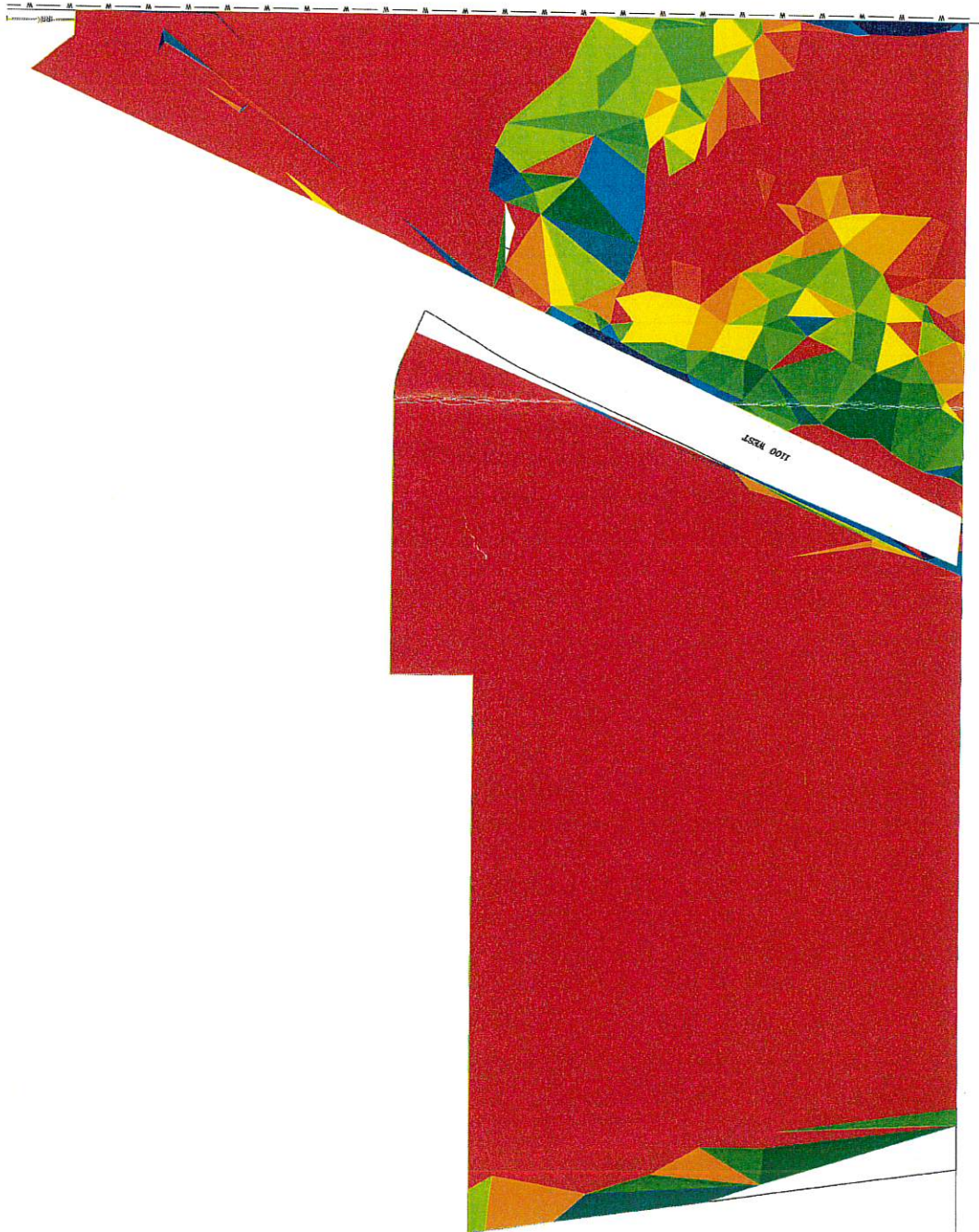


**SLOPE MAP FOR  
BENCH LAKE TOWNHOMES**

LOCATED IN SECTION 34, T4S, R34W, S1&2E,  
WASHINGTON COUNTY, UTAH

**SHEET NO.**  
**SLOPE1**

Number	Minimum Slope	Maximum Slope	Area	Color
1	0.07%	10.00%	797135.78	Red
2	10.00%	11.00%	28532.20	Orange
3	11.00%	12.00%	17976.09	Yellow
4	12.00%	13.00%	24827.97	Light Green
5	13.00%	14.00%	10867.75	Green
6	14.00%	15.00%	16333.75	Dark Green
7	15.00%	16.00%	36933.77	Light Blue
8	16.00%	17.00%	20000.25	Blue
9	17.00%	18.00%	17841.01	Dark Blue
10	18.00%	19.00%	13304.32	Very Dark Blue
11	19.00%	20.00%	14842.47	Black
12	20.00%	21.00%	5793.05	
13	21.00%	22.00%	5401.08	
14	22.00%	23.00%	6412.63	
15	23.00%	24.00%	676.29	
16	24.00%	25.00%	1971.00	
17	25.00%	26.00%	1927.36	
18	26.00%	27.00%	1103.50	
19	27.00%	28.00%	354.38	
20	28.00%	29.00%	1511.79	
21	29.00%	30.00%	270.93	
22	30.00%	317.00%	1531.00	



#	AREA, SF	ACRES	ANALYSIS
1	707136	16.23	16.23
2	28532	0.66	0.66
3	17576	0.40	1.06
4	24628	0.57	1.62
5	10688	0.25	1.87
6	18584	0.43	2.30
7	36694	0.84	3.14
8	20090	0.46	3.60
9	17842	0.41	4.01
10	13384	0.31	4.32
11	14842	0.34	0.34
12	5293	0.12	0.46
13	5401	0.12	0.59
14	6413	0.15	0.73
15	676	0.02	0.75
16	1972	0.05	0.79
17	1907	0.04	0.84
18	111	0.00	0.84
19	354	0.01	0.85
20	1512	0.03	0.88
21	271	0.01	0.89
22	1531	0.04	0.92
		21.47	

76%

11 TO 19%

ABOVE 20%

10 162.336  
2.32 1.519621  
2.11 0.851367  
1.94 1.096838  
1.66 0.407293  
1.55 0.661266  
1.45 1.221441  
1.37 0.631856  
1.29 0.528373  
1.22 0.374859  
169.629

PDO

# 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. 2021-2C-18  
Receipt No. 8.49599

Name: Stormi LLC Telephone: 435-467-4966

Address: 3605 W Center, Laverkin, UT 84745 Fax No. \_\_\_\_\_

Agent (If Applicable): Scott Stratton Telephone: 435-467-4966

Email: \_\_\_\_\_ Agent Email: scott.stratton4966@gmail.com

Address/Location of Subject Property: Property East of 101 W 1200 S Hurr. + to the No.

Tax ID of Subject Property: H-L-1-D-1 Existing Zone District: R1-15

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

*This zone change is intended to place a planned development overlay (PDO) over parcels H-L-1-D-1 + H-L-1-2-B currently zoned as R1-15, which will allow 18 lots within this subd., allow the lots to cluster on the lower buildable slopes of the sensitive hillside area, & allow for the lots to layout according to the provided exhibit.*

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: \_\_\_\_\_

## **ZONE CHANGE APPLICATION (General Information)**

### **PURPOSE**

All lands within the City are zoned for a specific type of land use (single family residential, multi-family, commercial, industrial, etc). Zoning occurs as a means to provide for a relationship between various types of land uses which promotes the health, safety, welfare, order, economics, and aesthetics of the community. Zoning is one of the main tools used to implement the City's General Plan.

### **WHEN REQUIRED**

A zone change request is required any time a property owner desires to make a significant change to the use of his/her land. The change may be from one zone density (say 1 acre lots) to smaller lots (10,000 square foot lots). Or, it may be to an entirely different type of use, such as a change from single family zoning to multiple family or commercial zoning. Since the zone applied to your land limits what you can do, a rezoning application is typically the first step toward a change.

### **REQUIRED CONSIDERATIONS TO APPROVE A ZONE CHANGE**

When approving a zone change the following factors should be considered by the Planning Commission and City Council:

1. Whether the proposed amendment is consistent with the 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, storm water drainage systems, water supplies, and waste water and refuse collection.

### **PROCESS**

Contact the Planning Department for when the deadline for submission is. After it is deemed complete, staff will review the request, and prepare a report and recommendation for the Planning Commission. This will be reviewed at a public hearing where the applicant should attend, present the project, and respond to questions from the Planning Commission. Since it is a public hearing, members of the public may also have questions or comments. At the public hearing the Planning Commission will review the application and staff's report, and forward a recommendation to the City Council of approval, approval with modifications, or denial the zone change application.

Upon receipt of the Planning Commission recommendation, typically 1-2 weeks after the Planning Commission action, the City Council will consider and act on the Commission's recommendation. The action of the City Council is final. If denied, a similar application generally cannot be heard for a year.



## STAFF COMMENTS

<b>Agenda Date:</b>	6/17/2021
<b>Application Number:</b>	2021-ZC-18
<b>Type of Application:</b>	Zone Change
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Stormi LLC
<b>Agent:</b>	Scott Stratton
<b>Request:</b>	A PDO Request
<b>Location:</b>	1100 W and 3000 S
<b>Zoning:</b>	R1-15
<b>General Plan Map:</b>	Rural Residential

### Planning Commission Recommendation

The Planning Commission gave split recommendations on approval of the attached PDO and site plan. The first motion was to approve the proposed PDO with the condition that the applicant provides a roadway and utility connection to the north. That motion failed in a three to three vote. The Planning Commission then motion to send a split recommendation to the City Council regarding the roadway connection to the north, with half the commission supporting the roadway to be connected to the north and the others supporting the application as presented.

### Discussion:

The applicant is seeking a PDO on these 10.881 acres, but maintains the underlying zoning. The reason the applicant is seeking the PDO is for additional flexibility with lot sizes and sensitive land requirements for the property.

	Zoning	Adjacent Land Use
<b>North</b>	R1-10 and R1-15	Some developed neighborhoods and undeveloped parcels
<b>East</b>	RA-1 and R1-15	Cliffs and undeveloped property
<b>South</b>	R1-15	Single Family Homes

**Density**

Density within a PDO is determined by calculating the base density of the underlying zone.

**10-23-8: DENSITY:**

A. Base Density: Base density for a planned development shall be determined as set forth in subsection B of this section. Provided, however, that base density shall not exceed the density permitted in the underlying zone in which the planned development will be situated.

B. Base Density Calculation: Base density shall be determined by calculating the number of dwelling units that could be developed on lots in a conventional subdivision under the provisions of the underlying zone where the planned development will be located (referred to as the "yield plan").

1. The yield plan shall be prepared as a conceptual plan based on requirements of this code that pertain to a conventional subdivision and shall reflect the dimensional (lot area, frontage, width, setbacks, etc.) and other standards of the underlying zone in which the proposed planned development will be located.

2. The yield plan shall take into consideration the site's natural and cultural features as shown on a natural resource inventory prepared for the property and shall demonstrate that sensitive lands identified in the natural resource inventory can be successfully included within open space areas or as part of residential lots without disturbing the health or safety of present or future city residents. At least one-half ( $1/2$ ) of the minimum area required for each lot shall be exclusive of wetlands, floodplains, and slopes exceeding thirty percent (30%).

3. The yield plan shall be drawn to scale, but need not be based on a field survey. Each yield plan shall, however, exhibit a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, taking into account the presence of wetlands, floodplains, steep slopes, existing easements and other encumbrances on the property identified by the natural resource inventory and the requirements of this title, and any other regulatory requirements applicable to the property.

The current underlying zone is R1-15, which is typically 2.35 units an acre. This means that max base density would be around 25 units for a perfectly flat parcel. The current proposal is 18 units. This limitation is due to the shape of the parcel and the sensitive lands. The application has smaller lots on the west side of the road and larger lots on the east side of the road against the cliffs.

**Sensitive Lands**

There are steep slopes on the property and the applicant would likely need to submit a sensitive land application for the project. The following is how you calculate density on projects with steep hillsides:

**10-24-6: HILLSIDES AND RIDGE AREAS; GENERAL DEVELOPMENT STANDARDS:**

C. Density Limitations:

1. The maximum number of units allowed within a project site shall not exceed the lesser of the following:



a. The maximum units allowed by the existing zone district on the project site, plus any bonus allowed by subsection D of this section;

b. The maximum number of units resulting from the application of the minimum lot size standards of subsection B of this section, plus any bonus units allowed by this chapter; and

c. The maximum number of units allowed by the general plan, plus any bonus units allowed by this chapter.

2. To determine the maximum number of allowed units for a project as limited by subsection C1 of this section, the following methods shall be applied:

a. The maximum density of a zone district is calculated as follows:

(1) When all proposed streets are known, the acreage of the total project site shall be reduced by the acreage of existing and proposed streets. This resulting net acreage factor is converted to total square feet and is then divided by the minimum parcel size in single-family zone districts to yield the number of permitted dwelling units. In multiple-family districts the total net acreage shall be divided by the allowed number of units per acre as prescribed by the applicable zone district.

(2) When the acreage of proposed streets has not been determined, the total acreage of the project site shall be reduced by twenty percent (20%) to accommodate streets, and the resulting net acreage factor is converted to square feet and then divided by the minimum parcel size in single-family zone districts to yield the number of permitted dwelling units. In multiple-family districts the total net acreage shall be divided by the allowed number of units per acre as prescribed by the applicable zone district.

**Example 1 - Acreage of streets is known:**

	R1-10 zone
	Total site acres = 100 net acres (not including street acreage)
	100 acres x 43,560 square feet = 4,356,000 square feet total
	4,356,000 square feet divided by 10,000 square foot lots = 436 lots

**Example 2 - Acreage of streets is unknown:**

	R1-10 zone
	Total site acres = 100 acres
	100 acres x .80 = 80 net acres
	80 x 43,560 square feet = 3,484,800 square feet total
	3,484,800 square feet divided by 10,000 square foot lots = 348 lots

b. If densities are calculated using the minimum lot size provisions of subsection B of this section, the total net acreage of each slope category shall be divided by the allowed minimum parcel size of the applicable slope category. Total net acreage shall be determined by reducing total acreage within a slope category by the acreage of existing and proposed streets, or by the twenty percent (20%) street factor using the applicable method of either subsection C2a(1) or C2a(2) of this section. The minimum parcel size allowed by the applicable slope category shall then be divided into the net acreage to determine the dwelling unit yield for the slope category. This calculation shall be done for each slope category of ten percent (10%) or greater on the project site to determine the total allowable number of dwelling units on the project site.

c. The general plan densities noted on the future land use map shall be gross densities. Therefore, the maximum number of units permitted by the general plan is determined by dividing the total acreage of the project site (including the acreage of proposed streets if known), by the maximum density (units per acre) as allowed by the applicable general plan land use category.

3. Any proposed rezoning in sensitive land areas shall be consistent with the general plan and the densities shown on the future land use map.

4. If the planned development overlay zone is applied, density may exceed the base zone density to the extent allowed in chapter 23 of this title, subject to provisions therein. However, if the density transfer option noted in subsection D of this section is requested in combination with the density bonus provisions of chapter 23 of this title, the combination of planned development and density transfer bonuses shall not exceed twenty five percent (25%).

D. Density Transfer: A density transfer from steep slopes (generally greater than 20 percent) and ridge areas to moderate slopes (generally less than 20 percent) on or off-site is encouraged and allowed through the processing of a planned development, providing the purposes of this chapter and the general plan are maintained. A density transfer bonus may be allowed as follows:

<b>Slope</b>		<b>Bonus Factor<sup>1</sup></b>	
10 - 14%		1.25	
15 - 20%		1.50	
21 - 25%		2.00	
26 - 29%		2.50	
30% or greater		No bonus is permitted, but density may be transferred at a rate of 1 dwelling unit for each 10 acres	

Note:

1. *The allowable transfer including the bonus shall be determined by multiplying the density allowed based on the percent of slope as provided in subsection B of this section by the bonus factor. (Example: In a 26 percent slope area, based on an estimated net density of 0.89 units per acre, applying the bonus [0.89 units per acre x 2.5 bonus factor] a total of 2.23 units per acre of 26 percent slope area may be transferred.)*

Transferring property from the steeper slopes on the east and to the lesser slopes on the west is allowed and encouraged with density bonuses by the code. A full sensitive lands plan has not been submitted for the property and staff can't confirm if the lots along the east would comply with minimum lot sizes without a full sensitive lands application. Any approval of the PDO would need to be contingent that the properties would meet the zoning standards.

### **Other Site Consideration**

There are a few site considerations in addition to the comments listed above. One of the main concerns is about the cul-de-sac on the north end of the proposed development. The property north of the project currently does not have proper access to the lot. By doing a cul-de-sac on the north end of the development may prohibit property owners to the north of the development from future development of their property. Generally, staff would recommend that a future 160 W roadway be developed from 1330 S to 1000 S as shown below. This roadway would connect all these parcels together and provide good connectivity in the area. Hurricane's subdivision code 10-39-11 gives the City the authority to require the connection.

### **10-39-11: SUBDIVISION STREETS AND FENCING:**

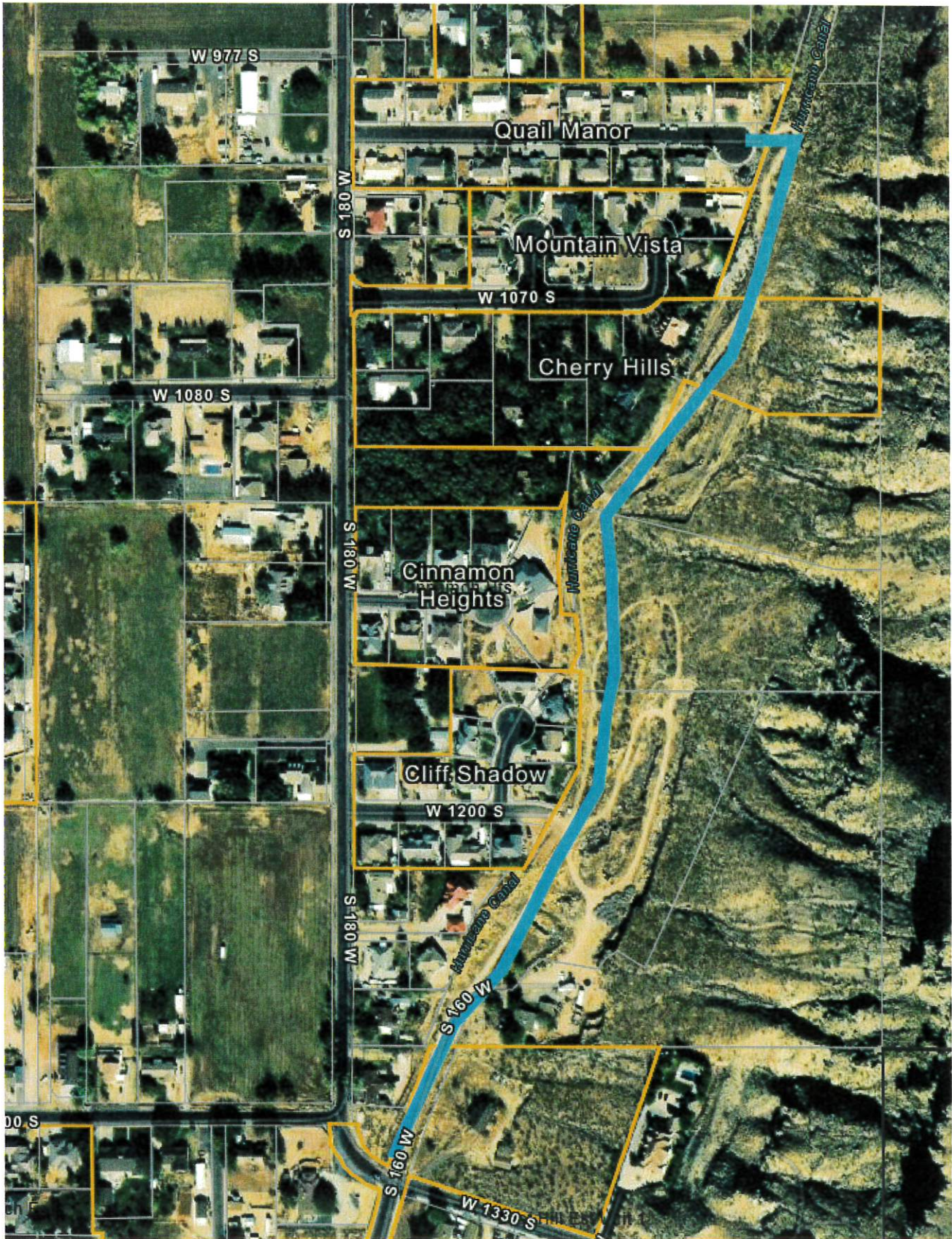
#### *A. Relation To Adjoining Street Systems:*

1. *The arrangements of streets in new subdivisions shall make provision for the continuation of the existing streets to adjoining areas insofar as such may be deemed necessary by the Planning Commission for public requirements. New streets within subdivisions shall not preclude future access to adjoining properties.*

2. *Standard residential streets shall approach the arterial or collector streets at an angle of not less than eighty degrees (80°).*

3. *Except as otherwise provided elsewhere in the Hurricane City Code, all subdivision streets and roadways shall be constructed and installed in accordance with the Hurricane Roadway Construction Standards.*

The other concern is the old Hurricane canal located on the west boundary of the property. This old canal serves as an important storm drain system and historical feature of the community.



*(Possible Future Roadway)*

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

**Response:** The [General Plan Map](#) shows this area as future Single Family Residential:

*Residential neighborhoods characterized by single-family homes. These uses should be located near supporting community uses such as, but not limited to churches, schools, and parks. Appropriate densities for this land use include R1-15, R1-10, R1-8, and R1-6.*

The proposal does meet the general criteria for the plan and remind the same density for an R1-15

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

**Response:** Most of the area is currently developed with quarter-acre lots. The proposed lot sizes and overall density would be harmonious with the surrounding development.

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

**Response:** Yes, it will have some impact on the area. The proposal does add lots behind existing homes but is zoned for the proposed density. The biggest impact the development will have is on the viability of development to the north. Without the road and other utilities connecting to the north of the property, owners may not be able to fully develop their property based on the zoning.

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

**Response:** Generally there are services in the area that are adequate to serve the property. Most services will need to be further developed as part of the development, but they are in the area.

**Findings:**

Staff makes the following findings:

1. The proposed amendment is generally compatible with the current General Plan's maps and goals.
2. The proposed amendment is generally in harmony with the overall character of the existing development.
3. The proposed amendment will have an impact on the area, but services and roadways are planned to handle this type of growth. The applicant will need to provide roadway and utility connections to the north.
4. The services are adequate for the development.

**Recommendation:** Staff recommends the City Council review this application and the zone change based on standards and considers residents' comments. Staff recommends approval with the following conditions:

1. That the roadway and utilities are stub to the property to the north
2. That the applicant submit a full Sensitive Lands Application with the preliminary plat and that the preliminary site plan shall be modified as needed to comply with Hurricane City Code 10-24 Sensitive Lands
3. That the applicant complies with all other aspects of the Hurricane City Code.

