



# HURRICANE CITY UTAH

**Mayor**

**City Manager**

Nanette Billings    Kaden DeMille

## Planning Commission

*Michelle Cloud  
Paul Farthing  
Rebecca Bronemann  
Ralph Ballard  
Shelley Goodfellow  
Mark Sampson  
Penny James-Garcia  
Dayton Hall, Chair*

### Hurricane Planning Commission Meeting Agenda

February 10, 2022  
6:00 PM

Hurricane City Offices 147 N 870 W, Hurricane

Notice is hereby given that the Hurricane City Planning Commission will hold a Regular Meeting commencing at **6:00 p.m. in the Hurricane City Offices 147 N 870 W, Hurricane, UT.**

Meeting link:

<https://cityofhurricane.webex.com/cityofhurricane/j.php?MTID=me42b4eb65609e35eb0e0664c925c9dbc>

Meeting number: 2632 882 4836

Password: HCplanning

Host key: 730111

Join by phone +1-415-655-0001

Access code: 2632 882 4836

Host PIN: 9461

A roll call will be taken, along with the Pledge of Allegiance and prayer and /or thought by invitation. Details on these applications are available in the Planning Department at the City Office, 147 N. 870 West

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

#### **Public Hearings**

1. A Zone Change Amendment request located north of 3000 S and west of 2100 W to amend the zoning boundary on 160 acres already approved as R1-10 PDO, planned development overlay, and M-1 zone, light industrial, from 26.7 acres of M-1 to 31.83 acres of M-1 with the remainder remaining R1-10 PDO, Parcel number: H-3373-NP. Molly's View LLC Applicant. Richard Wedig Agent.

#### **New Business**

1. 2022-ZC-04: Discussion and consideration of a recommendation of approval of a Zone Change Amendment request located north of 3000 S and west of 2100 W to amend the zoning boundary on 160 acres already approved as R1-10 PDO, planned development overlay, and M-1 zone, light industrial, from 26.7 acres of M-1 to 31.83 acres of M-1 with the remainder remaining R1-10 PDO, Parcel number: H-3373-NP. Molly's View LLC Applicant. Richard Wedig Agent.

2. 2022-CUP-03: Discussion and consideration of approval of a conditional use permit for an accessory building of greater size and height located at 1458 S 700 W. Andrew Hathaway Applicant.
3. 2022-PP-04: Discussion and consideration of a recommendation for a preliminary plat for Gateway at Sand Hollow Commercial, a 6 lot commercial subdivision, located between SR-9 and Sand Hollow Road. Western MTG and Realty Co Applicant. Brent Moser Agent.
4. 2022-AFP-01: Discussion and consideration of a recommendation of an amended final plat for Pioneer Estates Lot 5 located at 252 S 1430 W. Pat Stone Applicant
5. 2022-PSP-03: Discussion and consideration of approval of a preliminary site plan for Sand Hollow Mancaves located at the northeast corner of Sand Hollow Road and Abbey Road. Dixie Man Caves LLC Applicant. Jason Miller Agent
- 2022-PP-08 : Discussion and consideration of a recommendation of approval of a preliminary plat for Sand Hollow Mancaves located at the northeast corner of Sand Hollow Road and Abbey Road. Dixie Man Caves LLC Applicant. Jason Miller Agent
6. 2022-PP-07: Discussion and consideration of a recommendation for a preliminary plat for Desert Bloom, a 576 lot subdivision located at approximately 600 S 3500 W. D. R. Horton Applicant. Adam Allen Agent.
7. 2022-PP-08: Discussion and consideration of a recommendation for a preliminary plat for Elim Estates, a 135 lot subdivision located at approximately 1400 S 4300 W. Bright Ideas REI Applicant. Adam Allen Agent.

#### **Planning Commission Business:**

1. City Council Recap
2. Water Conservation
3. Planned Commercial
4. Accessory Dwelling Units
5. Site Plan Design

#### **Approval of Minutes**

1. December 15, 2021

#### **Adjournment**



# 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. 2022-2C-04

Receipt No. 7.689243

Name: Molly's View, LLC Telephone: (435) 767-1463  
Address: 1568 S RIVER RD STE 200, ST. GEORGE, UT 84790 Fax No. \_\_\_\_\_  
Agent (If Applicable): RICHARD WEDIG Telephone: (435) 229-4878  
Email: promedmgmt@gmail.com Agent Email: promedmgmt@gmail.com  
Address/Location of Subject Property: 2600 South 2350 West  
Tax ID of Subject Property: H-3373-NP Existing Zone District: M-1/R1-10 PDO  
Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary)  
Change M-1 ZONE FROM 26.7 ACRES TO 31.83 ACRES  
to BUILD A SPRUNG BUILDING TO BEGIN MANUFACTURING IN JULY.

**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.

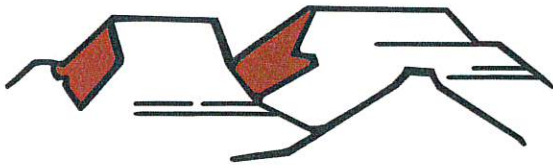
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(Office Use Only)

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

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





PLANNING & ZONING  
**HURRICANE CITY**  
**UTAH**

*Stephen Nelson, Planning Director*  
*Fred Resch, Assistant Planner/Code Enforcement*  
*Brienna Spencer, Planning Technician*

January 28, 2022

Dear property owner,

The Hurricane City Planning Commission will hold a Public Hearing during its regular meeting on October 14, 2021 commencing at 6 p.m. to take comments on a zone change amendment request located at approx.. 2600 South 2350 West to change the current 26.7 acres of M-1, light industrial, to have a total of 31.83 acres of M-1, light industrial. Parcel number H-3373-NP. A map showing the proposal is included with this mailing.

If you would like to make comments, please plan to attend the meeting, or provide written comments for the Planning Commission's consideration by 3 p.m. the day of the meeting.

If you are a property owner within the zone change area, you may access the City's land use code providing information on the specific zone to be applied to your property via the city's website, [cityofhurricane.com](http://cityofhurricane.com), under the Planning and Zoning link. The land use code is Title 10 the zone included in this zone change request is located in Chapter 16. The purpose statement for each zone may be found in Chapter 11.

If you are a property owner within the zone change area you may, no later than 10 days after the day of the first public hearing, file a written object to the inclusion of your property in the proposed zoning map amendment. Send any such objection to the Planning Department at 147 N. 870 West, Hurricane, UT 84737. A copy of any and all objections will be provided to the City Council for their consideration during the decision-making process for the zone map amendment.

Please contact me at 435-635-2811 X 118 or email [publiccomment@cityofhurricane.com](mailto:publiccomment@cityofhurricane.com) if you have any questions or concerns.

Sincerely,

*Stephen Nelson*

Stephen Nelson, Planning Director

<b>Agenda Date:</b>	02/10/2022
<b>Application Number:</b>	2021-ZC-04
<b>Type of Application:</b>	Zone Change PDO Amendment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Molly's View LLC
<b>Agent:</b>	Richard Wedig
<b>Request:</b>	A Zone Change Request from R1-10 PDO to M-1
<b>Location:</b>	North of 3000 S and 2100 W
<b>Zoning:</b>	R1-10 PDO
<b>General Plan Map:</b>	Mixed-Use

**Discussion:**

The applicant is seeking zone change on 5.13 acres within the already approved Balance Pointe development from R1-10 PDO to M-1 to add on to their industrial area. While creating their plans, the applicant realized they needed more space for their manufacturing hub. They want to build a temporary hub while they build their main building, so they are applying for a zone change to add to their already approved development. City staff, including the heads of the utility departments, have already met with the applicants to discuss their options.

	<b>Zoning</b>	<b>Adjacent Land Use</b>
<b>North</b>	R1-10 PDO	Already approved Balance Pointe development
<b>East</b>	R1-10 PDO	Already approved Balance Pointe development



<b>South</b>	RA-1	Undeveloped and Washington County Water Conservancy District clay extraction pit.
<b>West</b>	M-1	Already approved, Balance Pointe development and RA-1 undeveloped property.

### JUC Comments

1. **Power:** No concerns
2. **Water:** Still waiting on water model but no concerns at this time
3. **Streets:** No concerns
4. **Sewer:** No concerns
5. **Engineering:** Previous concerns still outstanding but this is a minor change
6. **Fire:** No concerns just far from a fire station currently
7. **Gas/Cable/Water Conservancy:** No issues

### Staff Comments

1. **Density:** By adding to the M-1 and taking away from the R1-10 PDO portion of the development the density calculations for the development have changed slightly. The R1-10 PDO portion of the development is now 2.5 units an acre, an increase from 2.3, this is still well within the compliance of the R1-10 PDO zoning. R1-10 zoning typically allows for up to 3.49 units an acre.

### ***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 Mixed Use:

*Mixed use areas should be developed as small districts or community centers offering a mix of retail, dining, entertainment, employment, and supporting residential. These developments should be easy and safe to navigate on foot and located in areas with access to major roads and surrounded with appropriate residential densities to support these uses.*

At the request of Balance of Nature, this area was mapped as Mixed Use on the General Plan Map. This would allow the area to include manufacturing, commercial, and residential uses as well as take advantage of its location near the SR-7 and 3000 S interchange. This zone change would add to the development's potential as an economic development driver in the area. The General Plan has the following goals with regards to economic development.

### ***ECONOMY GOAL 1: SUSTAIN A DIVERSE AND RESILIENT ECONOMY POLICIES***

- 1.1. *The City supports the revitalization of the downtown area.*
- 1.2. *The City strives to create an environment that will attract new business and employment to Hurricane.*
- 1.3. *The City strives to attract clean, non-polluting industries.*
- 1.4. *The City supports industrial uses with convenient access to transportation and other services.*

- 1.5. The City encourages commercial development in “walkable” (pedestrian - oriented) centers.*
- 1.6. The City supports private investments in workforce development, training, technology, and education for the evolving needs of a diverse workforce and changing economy.*
- 1.7. The City supports the redevelopment of existing commercial and industrial sites in both urban and rural areas.*
- 1.8. The City supports provision of basic and enhanced services needed to foster local employment opportunities.*
- 1.9. The City supports secondary-income options on agricultural land through home and accessory rural occupations.*
- 1.10. The City supports the development of businesses that will pay living wage jobs.*
- 1.11. School sites should be located in such a manner that they provide educational services in convenient and safe locations.*
- 1.12. The City shall work with the School District to ensure that schools are designed to minimize negative impacts on surrounding neighborhoods.*
- 1.13. The City shall continue to work with Dixie State College to expand programs and facilities in the Hurricane Valley.*
- 1.14. The City continually collaborates with municipalities, economic development, business groups, non-profit organizations, and educational institutions on a coordinated regional approach to economic and workforce development.*

## **STRATEGIES**

- 1.1. Coordinate with health care companies to expand their medical facility in Hurricane.*
- 1.2. Create a downtown master plan that will guide the City in redevelopment and recommend standards for public infrastructure, streets, sidewalks and trails, bike lanes, housing, and commercial uses.*
- 1.3. Create an economic development master plan that will outline strategies for attracting business and retaining current business within the City and identify a council to execute and implement the plan.*
- 1.4. Create a retail strategy plan that understands current sales tax generators and where areas of growth might be best accommodated.*
- 1.5. Create a financial sustainability model that projects key future expenditures and revenues to best understand city capacity and future development potential/impacts.*
- 1.6. Support creating commercial spaces in population Centers in the City to provide services to those areas.*
- 1.7. Create a citywide understanding of the financial implications of each development type, clearly outlining fiscal impacts and costs of services for all commercial and residential uses.*
- 1.8. Support mixed use developments in key areas to support future commercial growth. Require a minimum percentage of those developments be retained as commercial space.*
- 1.9. Support continued industrial growth and zone changes in appropriate areas of the City.*
- 1.10. Support the Zion Regional Collaborative to bring infrastructure improvements into the area that will help attract tourists.*
- 1.11. Create activities in the downtown area to attract people to commercial sites.*
- 1.12. Periodically review and update the City’s policy regarding the implementation of Public Infrastructure Districts (PIDs), as well as a vision for enacting Community Reinvestment Areas (CRAs) to support a variety of commercial and residential properties.*

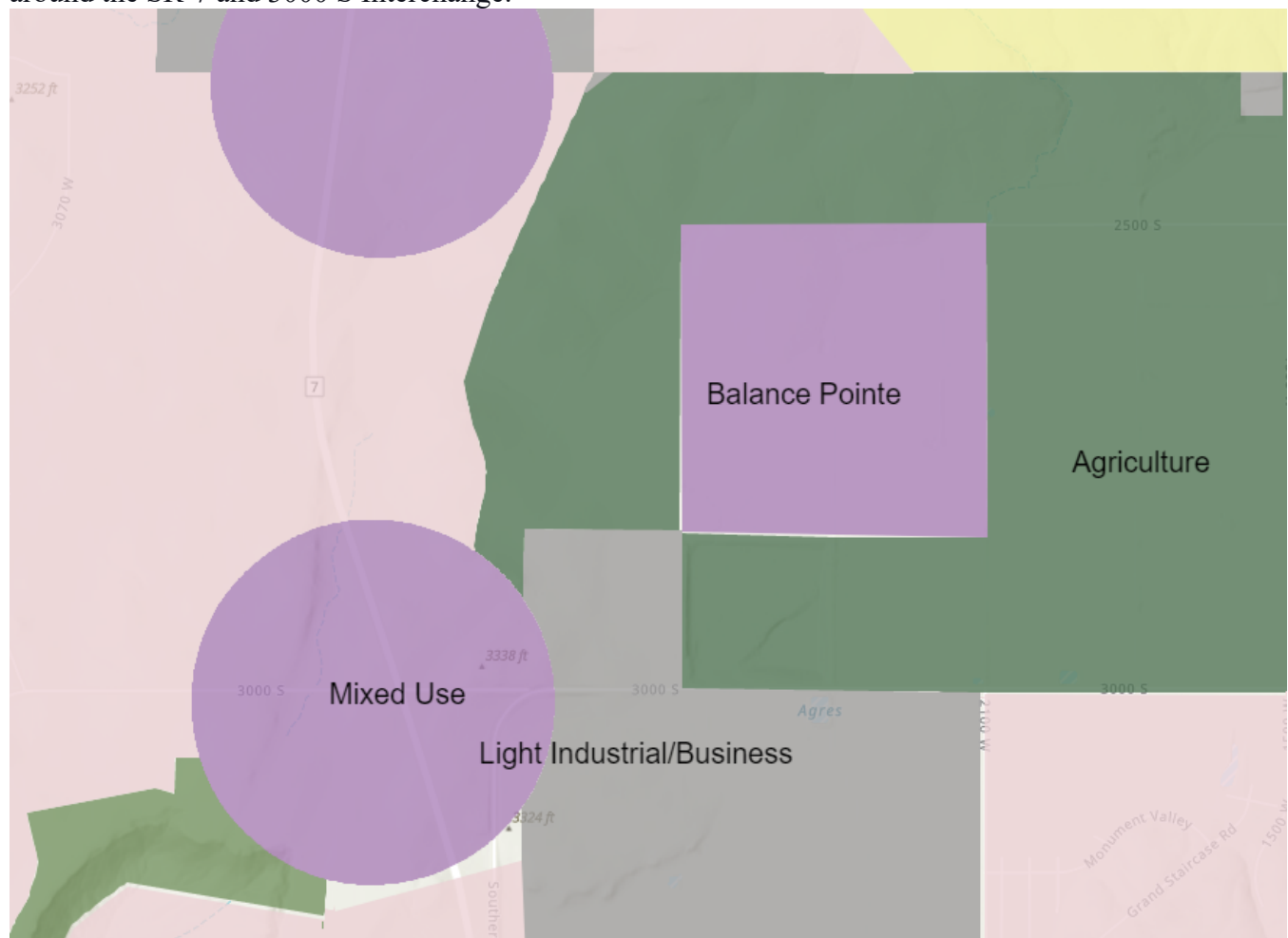
*1.13. Allow for Heavy Industrial in proper areas, ensure there is proper buffering between heavy industrial sites and residential areas.*

*(Hurricane General Plan 2021, p 54-55)*

The General Plan also supports the mixed-used and placing housing next to services and job opportunities. (See [Hurricane General Plan](#) 2021 pages 41-43).

***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. The area surrounding this proposed change has already been approved as an R1-10 PDO for the remainder of Balance Pointe. The north, east, and west properties to the overall development are planned to remain in agricultural use with RA-1 zoning. The property to the south is an extraction pit used by the water conservancy district. In addition, there are some proposed and planned mixed-use and commercial development areas to the south and southwest of the property around the SR-7 and 3000 S Interchange.



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

**Response:** Yes, it will have some impact on the area. This will marginally increase the amount of industrial use on the property but it's impact on adjacent property will pale in comparison to the impact of the rest of the already approved development.

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

**Response:** There are currently almost no services in the area. Balance of Nature, along with a number of other developers, are working to get services to the area. Balance of Nature wants to get moving on their manufacturing area as soon as possible which the power and water departments have given preliminary approval to.

**Findings:**

Staff makes the following findings:

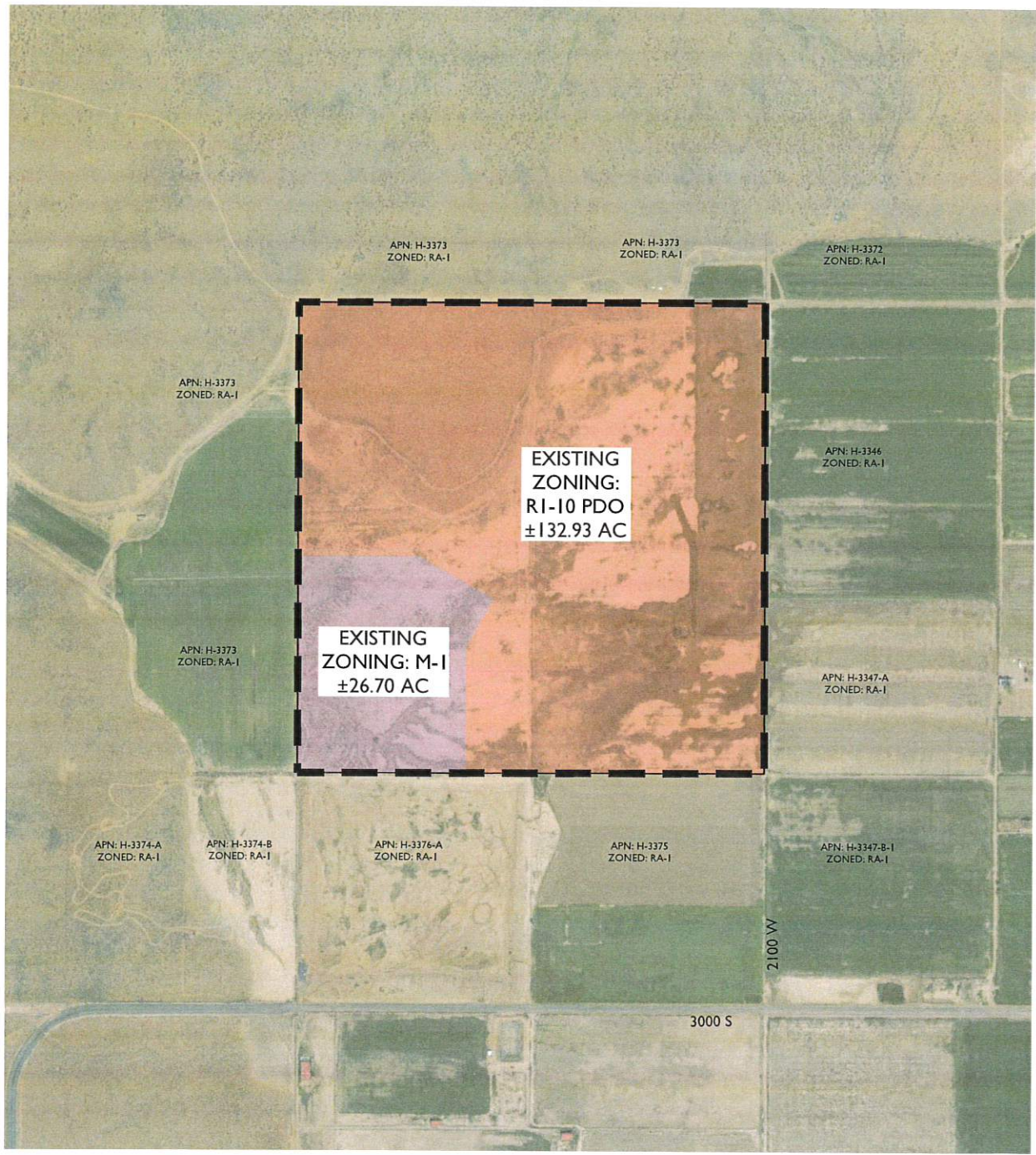
1. The proposed amendment is generally compatible with the current General Plan's map and goals.
2. The proposed amendment is generally in harmony with the overall character of the approved development surrounding it, but there is almost no development adjacent to the property right now.
3. The proposed amendment will have an impact on the area but it is as anticipated with the remainder of the Balance Pointe development.
4. The services are currently not adequate for the development, and would only become adequate after surrounding properties develop or the applicant may install and construct significant offsite improvements. Applicant has signaled willingness to complete these improvements

**Recommendation:** Staff recommends the Planning Commission review this application and the zone change based on standards and considers residents' comments. Staff would recommend approval of this amendment to their development based on staff and JUC comments.

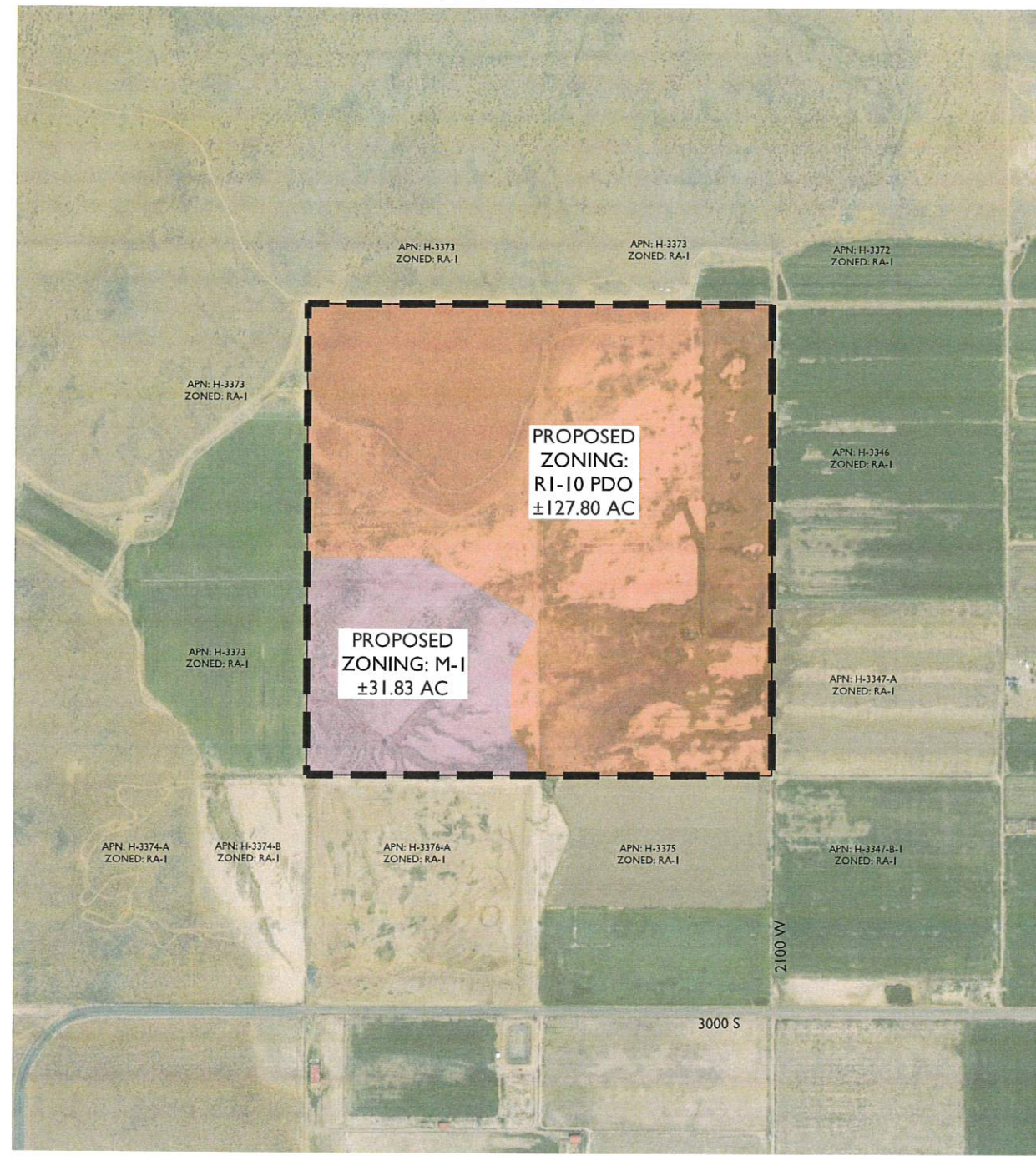


ZONING EXHIBIT FOR  
BALANCE POINTE

EXISTING



PROPOSED



PROJECT TEAM

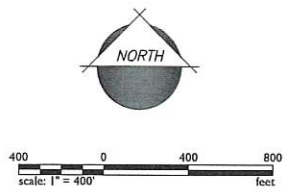
**PROPERTY OWNER:**  
MOLLYS VIEW LLC  
1568 S RIVER RD, STE 200  
SAINT GEORGE, UT 84790  
CONTACT: ORCUTT | WINSLOW

**ARCHITECT:**  
ORCUTT | WINSLOW  
2929 N CENTRAL AVE, ELEVENTH FLOOR  
PHOENIX, AZ 85012  
TEL: (602) 257-1764  
CONTACT: NEIL TERRY

**PLANNING, & LANDSCAPE ARCHITECTURE:**  
EPS GROUP, INC.  
1130 N ALMA SCHOOL RD., SUITE 120  
MESA, AZ 85201  
TEL: (480) 503-2250  
FAX: (480) 503-2258  
CONTACT: JOSH HANNON  
josh.hannon@epsgroupinc.com

PROJECT DATA

A.P.N.:	H-3373-NP
GROSS AREA:	± 159.63 AC
EXISTING LAND USE:	VACANT/ UNDEVELOPED
PROPOSED LAND USE:	MIXED-USE
EXISTING GENERAL PLAN DESIGNATION:	MIXED USE
EXISTING ZONING:	RI-10 PDO (132.93 AC) M-1 (26.70 AC)
PROPOSED ZONING:	RI-10 PDO (127.80 AC) M-1 (31.83 AC)






## CONDITIONAL USE PERMIT

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

Fee: \$ 250

For office use only:

File No: 2022-CUP-03

Receipt: 8.155216

### APPLICATION & SUBMITTAL CHECKLIST

Name: Andrew Hathaway Telephone: 8015779306

Address: hathaway x@hotmail.com Fax No. \_\_\_\_\_

Email: 1458 S. 700 W. Hurricane, ut 84737

Agent (If applicable): \_\_\_\_\_ Agent's Phone: \_\_\_\_\_

Agent email: \_\_\_\_\_

Address of Subject Property: 1458 S. 700W. Hurricane, ut 84737

Tax ID of Subject Property: H.3.2.10.408 Zone District: \_\_\_\_\_

Proposed Conditional Use: (Describe, use extra sheet if necessary) Accessory Building  
to store RV's and Boat

### This application shall be accompanied by the following:

- ☒ 1. A plot plan showing the following:
  - ☒ Property boundaries, dimensions and existing streets.
  - ☒ Location of existing and proposed building or livestock facility
  - ☒ Adjoining property lines and uses within one hundred (100) feet of subject property.
- ☒ 2) A reduced copy of all plans (8 1/2 x 11 if readable, or 11 x 17) if original plans are larger.
- ☒ 3) Building floor plans for new construction
- ☐ 4) A statement of how the applicant intends to meet the conditions for the use desired
- ☐ 5) Signed and notarized Affidavit of Property owner showing evidence that the applicant has control of the property or copy of warranty deed

**NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application cannot be reviewed until it is complete. Fee is part of the application.**

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(Office Use Only)

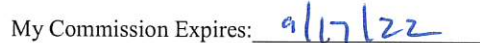
Date Received: \_\_\_\_\_ Received by: \_\_\_\_\_

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

STATE OF UTAH )  
 )  
 ) :ss  
COUNTY OF )

(Property Owner)

  
(Notary Public)



\_\_\_\_\_  
(Property Owner)

(Notary Public)

My Commission Expires:\_\_\_\_\_

<b>Agenda Date:</b>	<b>02/10/2022</b>
<b>Application Number:</b>	2022-CUP-03
<b>Type of Application:</b>	Conditional Use Permit
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Andrew Hathaway
<b>Agent:</b>	
<b>Request:</b>	A conditional use permit for a building with a greater height and size
<b>Location:</b>	1458 S 700 W
<b>Zoning:</b>	RA-1
<b>General Plan Map:</b>	Single Family

**Discussion:** The applicant proposes constructing a 4,800 sq. ft. and 28'1 7/8" tall casita/garage. Hurricane City Code (HCC) 10-14-4 allows the maximum square feet and height of an accessory building to be 2000 sq. ft. and 20' tall. A property owner may apply for a conditional use permit to build a taller building and a building of a greater size. The standards to obtain a conditional use permit are as follows:

*10-7-9: CONDITIONAL USE PERMIT E. Approval Standards: The following standards shall apply to the issuance of a conditional use permit:*

*1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.*

*2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2g of this section: ...*

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

*(1) The height may not be greater than two (2) stories or 1.5 times the average height of the immediately adjacent buildings, whichever is greater and the building must be of compatible architecture with immediately adjacent buildings.*

*(2) When a greater height accessory building is approved, the building must be set back a minimum of five feet (5') from side and rear property lines when the adjoining property is for single family residential use.*

*(3) The greater size building desired must be of compatible architecture with immediately adjacent buildings, must leave at least fifty percent (50%) of the lot on which it is located free of buildings, and must be for a use permitted in the zone in which it is located. (Ord. 2018-14, 12-20-2018)*

**Findings:**

1. The proposed building is not greater than two stories.
2. The proposed building is planned to have a white stucco exterior, which does not match the exterior to the house as shown below.



*Google Street View of the main home*

A white colored building as presented on the cover page of their plans would not match the exterior of their home but stucco finish is compatible architecture with the surrounding neighborhood.

3. The building is set back a minimum of 5' from the side property lines and 5' off the back.
4. Total coverage from the two buildings will be approximately 7,600 sq ft which is approximately 18% of the property.

**Recommendation:** Based on the above findings, staff recommends approval of a conditional use permit.



CODE REVIEW

CONCRETE

- 01. TYPICAL CONTROL MUST BE PROVIDED PRIOR TO POUR OF BASEMENT SLAB.
- 02. ALL FOOTINGS SHALL EXTEND BELOW FROST DEPTH MEASURED FROM THE BOTTOM OF THE FOUNDATION TO THE BOTTOM OF THE FLOORING DEPTH OF THE FOUNDATION.
- 03. FOUNDATION SURFACING SHALL BE 18 INCHES THICK AND 4 INCHES WIDE.

FRAMING

- 01. ALL HEADERS TO BE DOUBLE 2X12S UNLESS OTHERWISE NOTED.
- 02. WATER RESISTANT BOARD MAY NOT BE USED ON EXTERIOR WALLS AND CEILING OR ON ANY EXTERIOR SURFACES.
- 03. BRACKET WALLS ARE REQUIRED EXACTLY AS SHOWN ON PLAN AND SHALL BE ENGINEERED IF GOVERNMENT AGENCY REQUIRED.
- 04. GARAGE SHALL BE SEPARATED FROM ANY OTHER PART OF THE HOUSE BY A WALL OR WALLS ADJACENT TO LIVING AREAS AND ON CEILING OF GARAGE.
- 05. DOORS FROM LIVING AREAS OPENING INTO GARAGE SHALL BE A 20 MINUTE RATED DOOR WITH CLOSURE.

PLUMBING

- 01. SANITARIUM SYSTEM SHALL NOT BE INSTALLED IN GARAGE FIRE WALLS.
- 02. BACK FLOW PREVENTION MUST BE PROVIDED ON HOSE BIBBS AND IN SPRINKLING SYSTEMS.
- 03. A PRESSURE REDUCTION VALVE SHALL BE INSTALLED ON THE MAIN WATER LINE ENTERING THE HOUSE AND SHALL BE INSTALLED IN AN ACCESSIBLE LOCATION.
- 04. PROTECTIVE STRAPS ON WATER HEATER, HEAT PUMP, AND MUST BE INSTALLED WITH AN EXPANSION TANK.
- 05. WATER HEATER SHALL BE INSTALLED ON AN 18" HIGH PLATFORM AND MUST BE INSTALLED WITH AN EXPANSION TANK.

MECHANICAL

- 01. ALL VENTILATION IS REQUIRED FOR HOMES WITH A MECHANICAL SYSTEM. FOR HOMES WITH A MECHANICAL SYSTEM, THE SYSTEM SHALL BE INSTALLED IN THE GARAGE OR ATTIC SPACE. FOR HOMES WITHOUT A MECHANICAL SYSTEM, THE SYSTEM SHALL BE INSTALLED IN THE GARAGE OR ATTIC SPACE.
- 02. OUTSIDE COMBUSTION AIR SHALL BE PROVIDED TO ALL FUEL BURNING APPLIANCES UNLESS OTHERWISE NOTED.
- 03. UNFINISHED ATTIC SPACE SHALL HAVE A MINIMUM INSULATION VALUE OF 3" ON SLOPE, R-13 ON FLOOR, AND R-19 ON CEILING.
- 04. ALL DUCTS SHALL BE INSTALLED IN THE ATTIC SPACE. ALL DUCTS SHALL BE INSTALLED IN THE ATTIC SPACE.
- 05. ALL DUCTS SHALL BE INSTALLED IN THE ATTIC SPACE. ALL DUCTS SHALL BE INSTALLED IN THE ATTIC SPACE.

ELECTRICAL

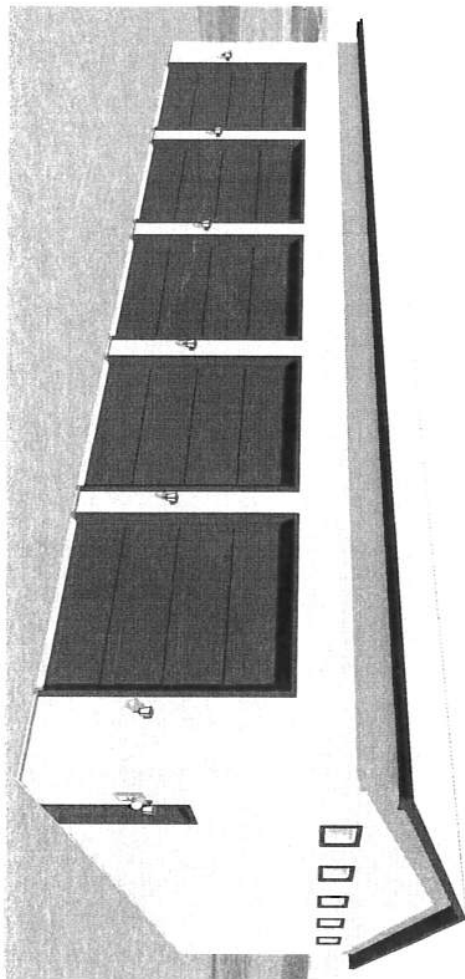
- 01. SERVICE WIRE SHALL BE HAND WOUND AND SHALL BE INSTALLED IN THE GARAGE OR ATTIC SPACE.
- 02. BATHROOM RECEPTACLE OUTLETS SHALL BE INSTALLED BY DIRECTED TO A BATHROOM CIRCUIT WITH OTHERS AND SHALL BE GFCI PROTECTED.
- 03. ALL KITCHEN SURFACE OUTLETS, BATH OUTLETS, AND GARAGE OUTLETS SHALL BE GFCI PROTECTED.
- 04. GARAGE OUTLETS SHALL BE MOUNTED 18" ABOVE FINISHED FLOOR FIN.
- 05. OUTDOOR OUTLETS SHALL BE GFCI RATED AND SHALL BE WEATHER PROTECTED.
- 06. ALL CEILING FANS SHALL BE INSTALLED WITH FAN RATED BOXES.

GENERAL NOTES:

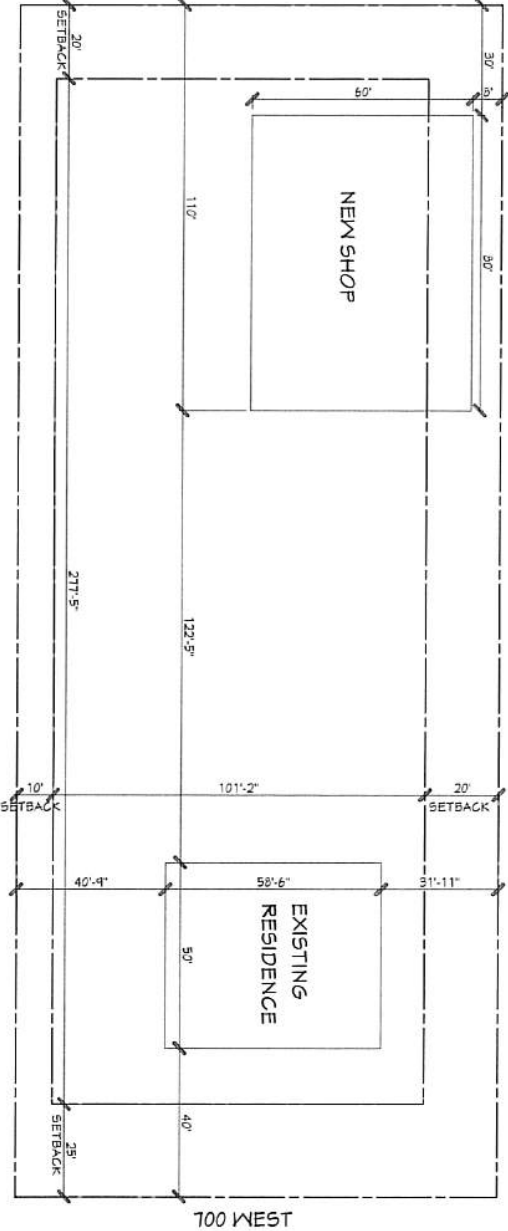
- 1. SITE ADDRESS: 970 N 120 E HURRICANE, UT 84737
- 2. LEGAL DESCRIPTION: REFER TO SUBDIVISION PLAT AS PREPARED BY THE CIVIL ENGINEER, AND TO THE LOCAL JUDICIAL OFFICE FOR THE LOCAL JURISDICTION.
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 4. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 5. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR THE LOCATION OF THE CONSTRUCTION.
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 11. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.
- 12. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE 2015 INTERNATIONAL RESIDENTIAL CODE, INCLUDING ANY LOCAL AMENDMENTS, AND SHALL BE IN ACCORDANCE WITH THE LOCAL JURISDICTION.

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A-2	Floor Plan	
A-3	Roof - Hatching Plan	
A-4	Front & Rear Elevations	
A-5	Side Elevations	
A-6	Electrical Plan	



SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH



PLOT PLAN  
SCALE: 1"=20'  
N

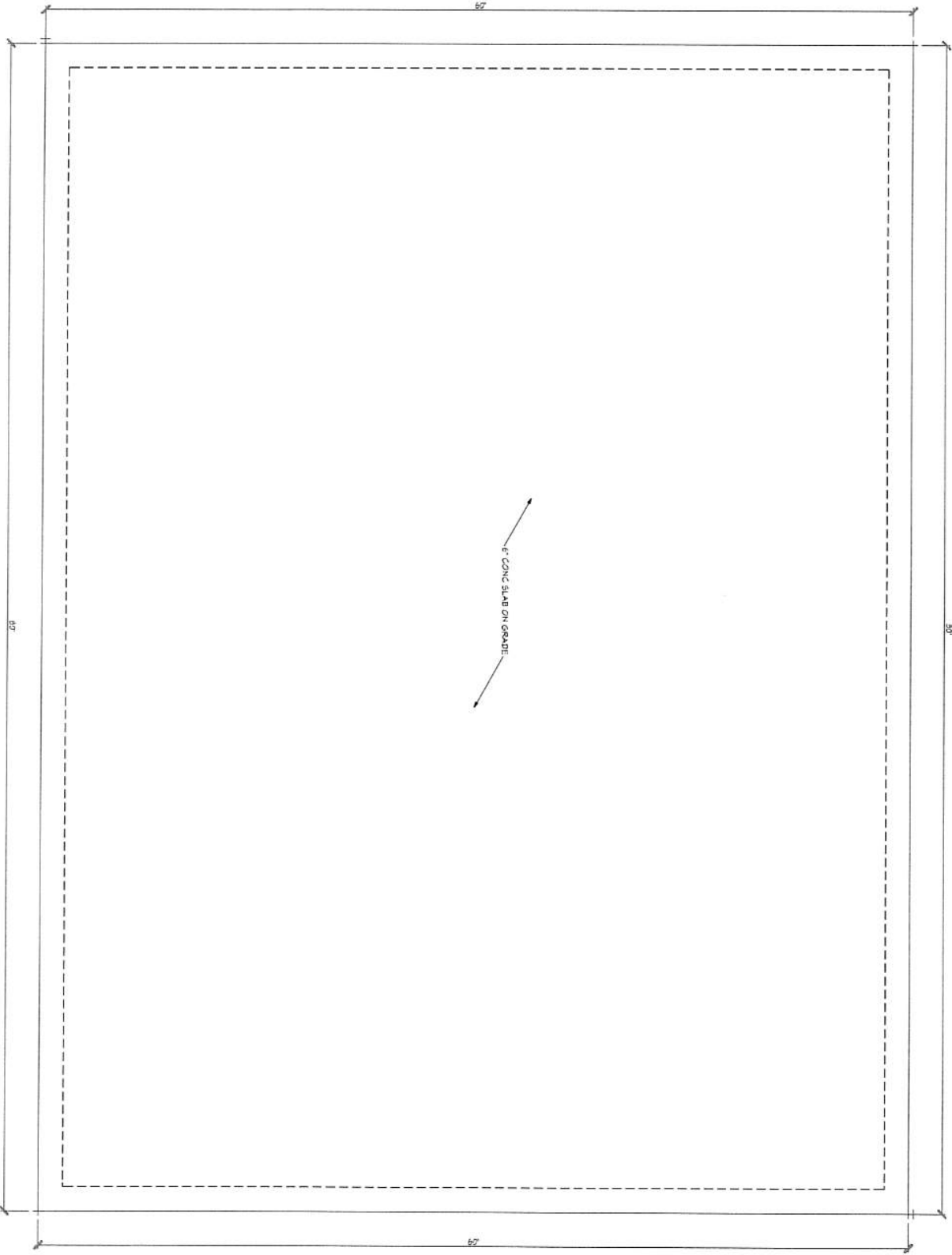
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DATE: 1/2/2022  
DRAWN BY: KT  
PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

Drawn Works  
970 N 120 E  
HURRICANE, UT 84737  
435-534-1450  
KEVIN D. THOMAS HOME DESIGNER

SHEET:  
COVER  
PAGE



FOOTING & FOUNDATION PLAN  
SCALE: 1/4"=1'-0"

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DATE: 1/3/2022

DRAWN BY: KT

PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

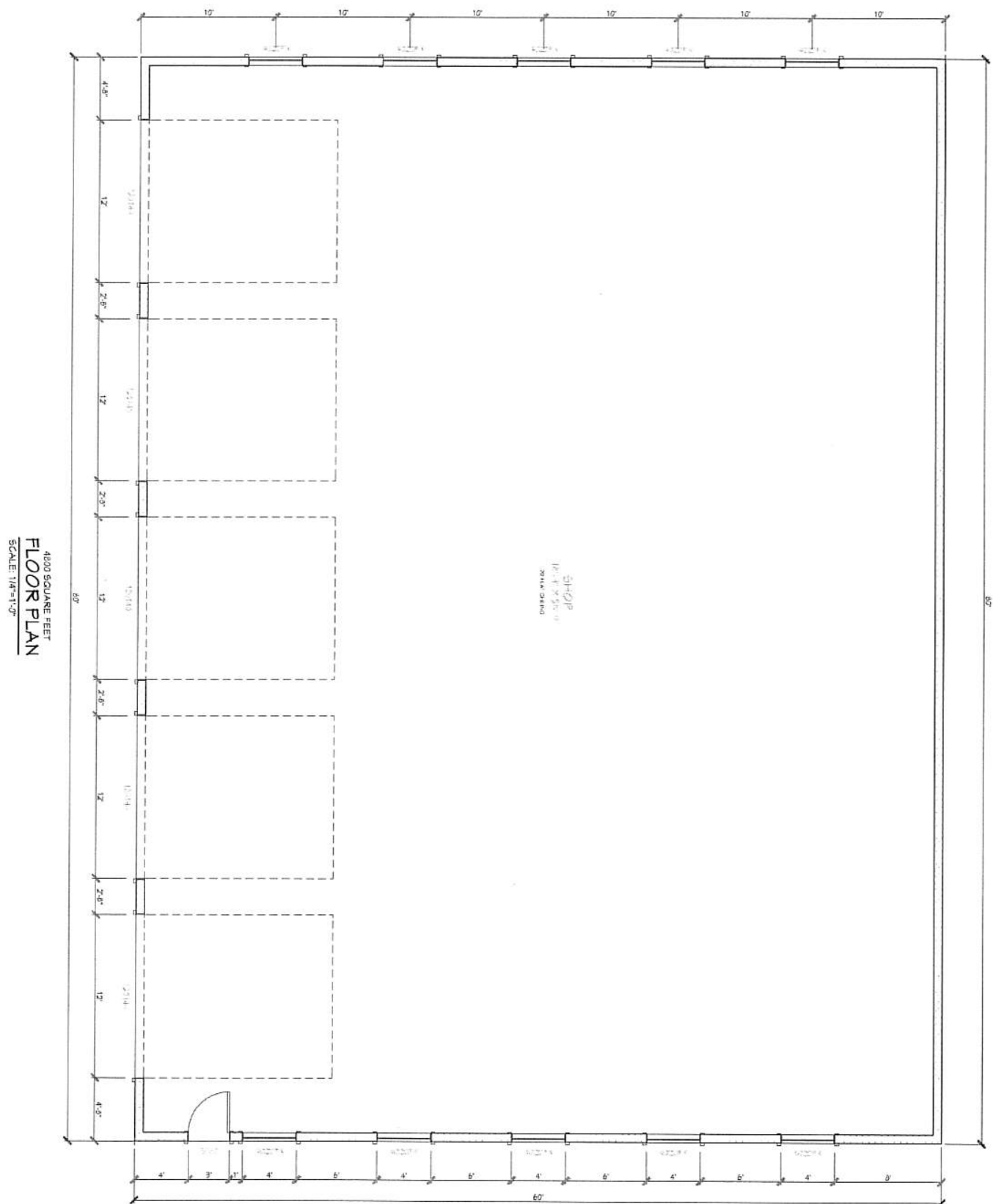
*Draw Works*  
970 N 120 E  
HURRICANE, UT 84737  
435-634-1450

KEVIN D. THOMAS HOME DESIGNER

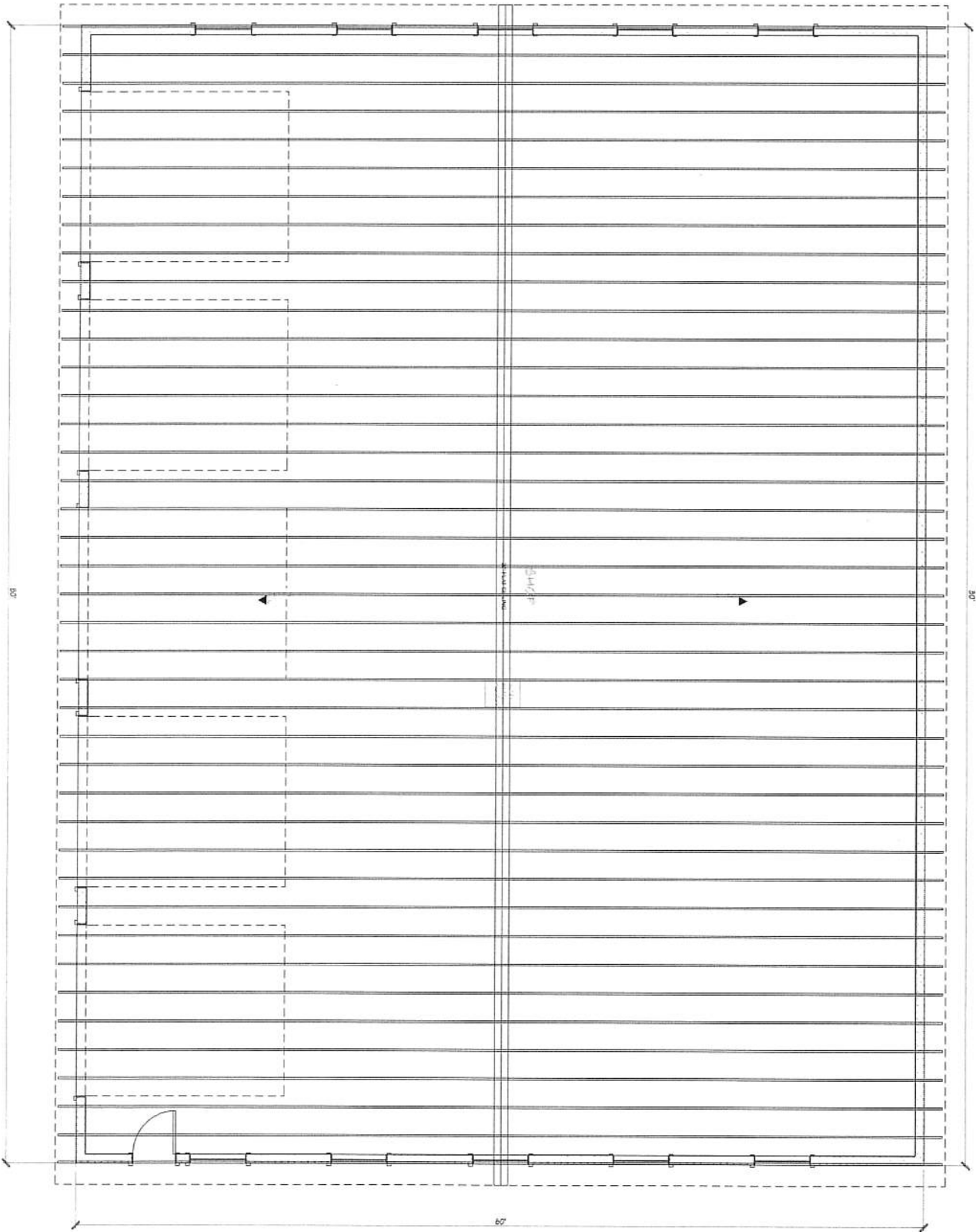
SHEET:

A-1

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ROOF FRAMING PLAN  
SCALE: 1/4"=1'-0"

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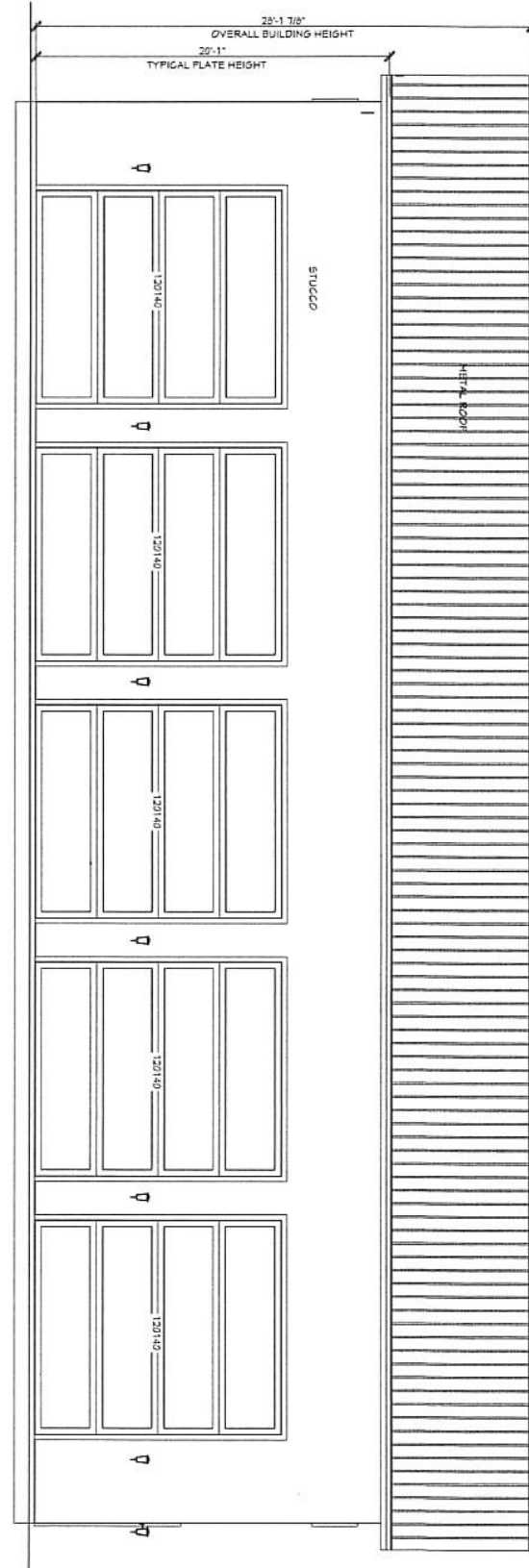
DATE: 1/9/2022  
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PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

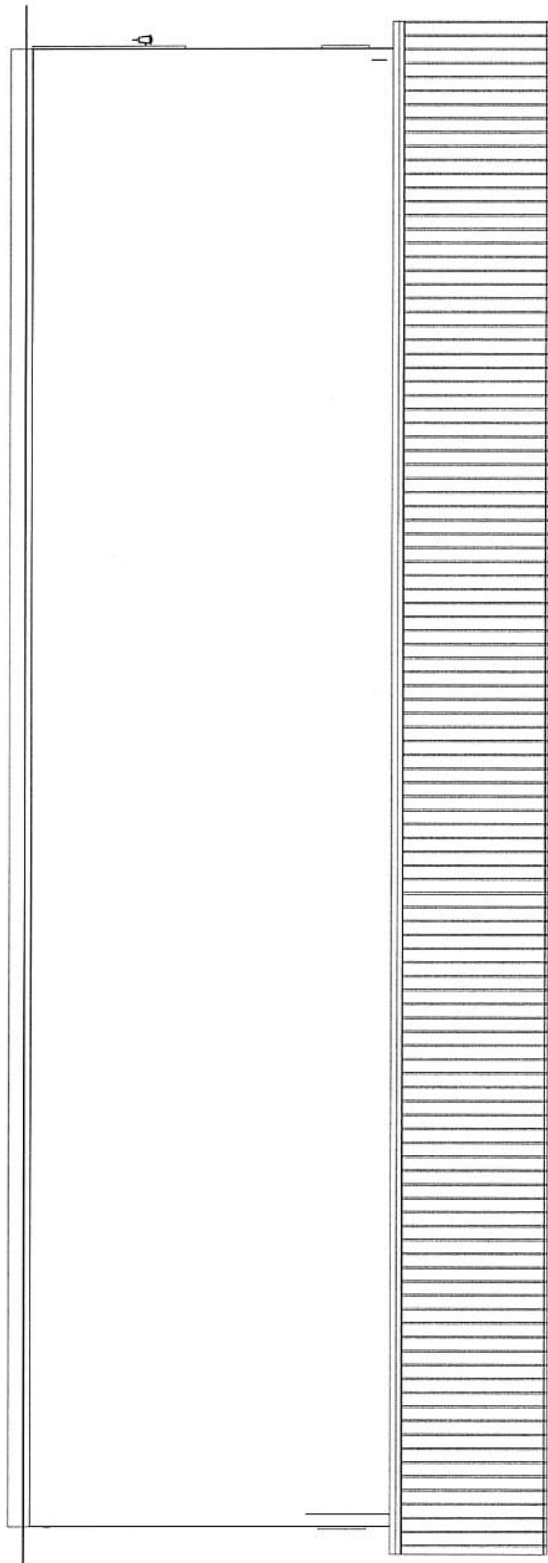
*Draw Works*  
970 N 120 E  
HURRICANE, UT 84737  
435-634-1450  
KEVIN D. THOMAS HOME DESIGNER

SHEET:  
A-3

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**FRONT ELEVATION**  
SCALE: 1/4"=1'-0"



**REAR ELEVATION**  
SCALE: 1/4"=1'-0"

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DATE: 1/9/2022

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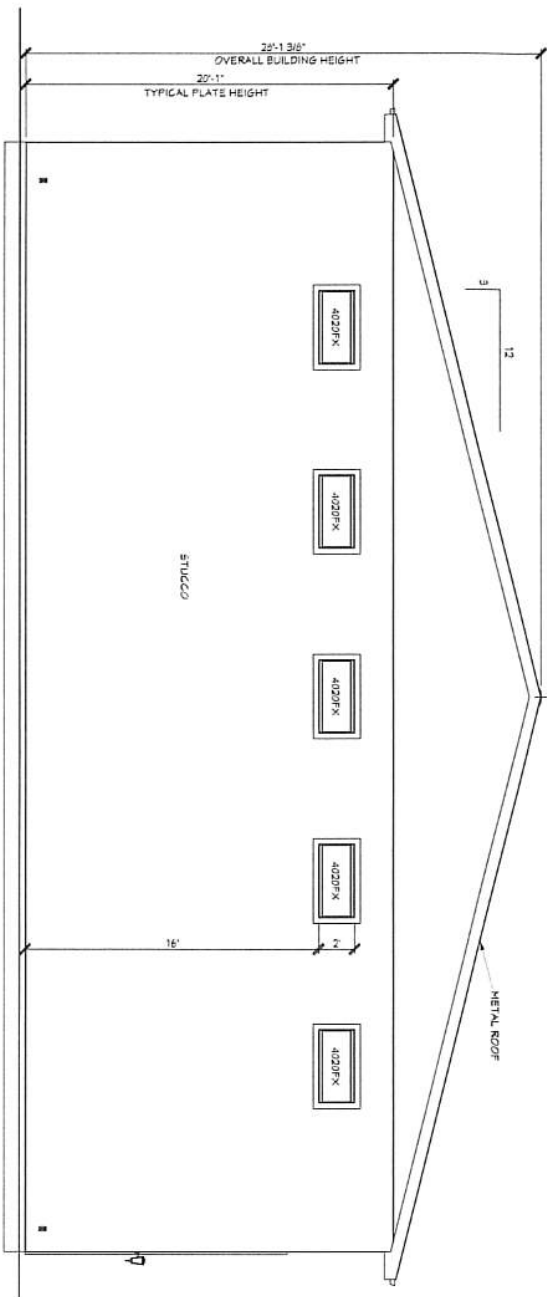
PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

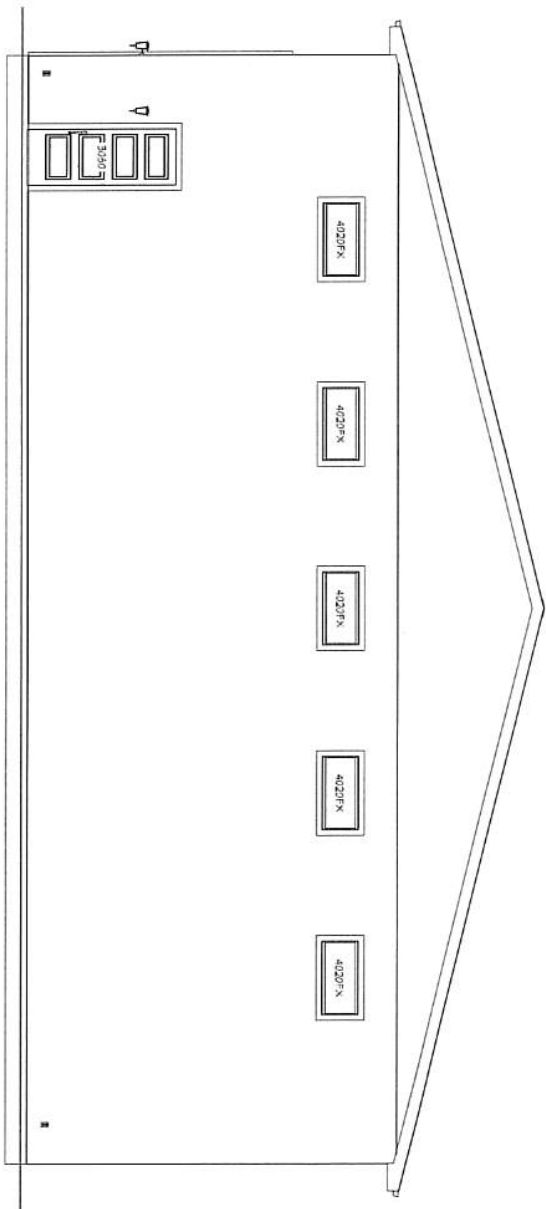
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970 N 120 E  
HURRICANE, UT 84737  
435-634-1450  
KEVIN D. THOMAS HOME DESIGNER

SHEET:

A-4



LEFT SIDE ELEVATION  
SCALE: 1/4"=1'-0"



RIGHT SIDE ELEVATION  
SCALE: 1/4"=1'-0"

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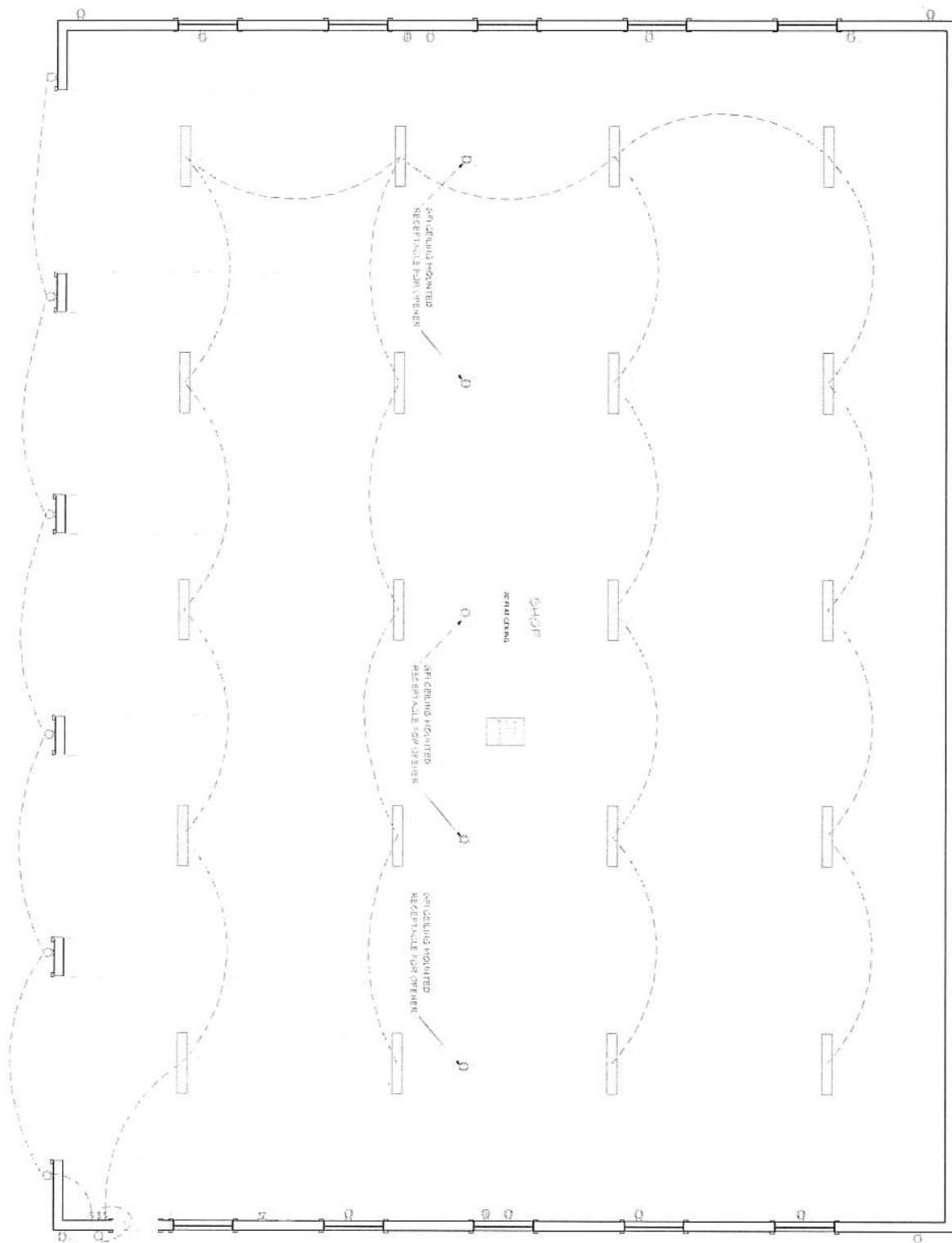
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PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

*Draw Works*  
970 N 120 E  
HURRICANE, UT 84737  
435-634-1450  
KEVIN D. THOMAS HOME DESIGNER

SHEET:

A-5



**ELECTRICAL PLAN**  
**SCALE: 1/4"=1'-0"**

ELECTRICAL LEGEND	
	DESCRIPTION
□	COMMON FISH MOUNT CEILING LIGHT
Ⓜ	RECESSED CANTILEVER LIGHT
Ⓜ	CEILING MOUNTED BASSSET PAK
□	WALL MOUNTED LIGHT FIXTURE
Ⓜ	CHANDLERIER PINE LIGHT FIXTURE
□	LED BAN LIGHT FIXTURE
Ⓜ	12W RECEPTACLE
Ⓜ	12W RECEPTACLE
Ⓜ	GROUND FAULT INTERRUPT 120V RECEPTACLE
Ⓜ	WEATHER PROTECTED GFI 120V RECEPTACLE
Ⓜ	120V FLOW RECEPTACLE
Ⓜ	SWITCHES SINGLE POLE 120V/120V
□	CABLE TV JACK
Ⓜ	TELEPHONE 120V, ETHERNET CATOR NETWORK
Ⓜ	FUEL GAS CONNECTION
□	FIBER OPTIC DETECTOR
□	SOUND DETECTOR
—	ELECTRICAL WIRE/IN PANEL

**COPYRIGHT NOTICE**

DATE: 1/3/2022

DRAWN BY:  
KT

PROJECT #21152

SHOP FOR  
ANDREW HATHAWAY  
1458 S 700 W  
HURRICANE, UTAH

*Draw Works*  
970 N 120 E  
HURRICANE, UT 84737  
435-634-1450

KEVIN D. THOMAS HOME DESIGNER

SHEET:

A-6

# 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. 2022-PP-04  
Receipt No. 8-154843

Name: Western MTG & Realty Co. Telephone: \_\_\_\_\_

Address: 6610 W Court St. Pasco, WA 99302 Fax No. \_\_\_\_\_

Email: thippett@westernmort.com Agent Email: enhancedhomesofutah@gmail.com

Agent (If Applicable): Brent Moser Telephone: 801-793-0346

Address/Location of Subject Property: Sand Hollow Rd.

Tax ID of Subject Property: See Attached Zone District: See Attached

Proposed Use: (Describe, use extra sheet if necessary. Include total number of 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.



- ☒ 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: \_\_\_\_\_

## **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.

AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )

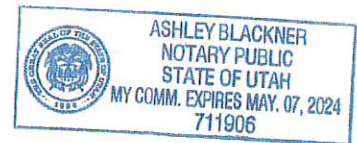
COUNTY OF Washington :ss

I (we), WESTERN MORTGAGE + REALTY COMPANY, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

WESTERN MORTGAGE + REALTY CO.  
(Property Owner)  
[Signature] Vice President  
(Property Owner)

Subscribed and sworn to me this 13th day of MAY 2024.  
[Signature]  
(Notary Public)

Residing in: HURRICANE, UT  
My Commission Expires: 5/7/2024



Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



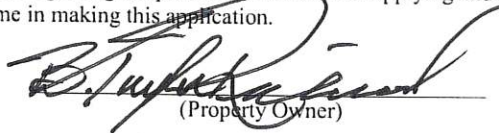
AFFIDAVIT  
PROPERTY OWNER

STATE OF UTAH )

:ss

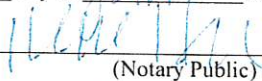
COUNTY OF )

I (we), B Taylor Richards, being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

  
(Property Owner)

(Property Owner)

Subscribed and sworn to me this 27 day of Jan, 2022

  
(Notary Public)



Residing in: Salt Lake

My Commission Expires: 7/28/25

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



## STAFF COMMENTS

<b>Agenda Date:</b>	<b>02/10/2022</b>
<b>Application Number:</b>	2022-PP-04
<b>Type of Application:</b>	Preliminary Plat Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Western MTG & Realty Co
<b>Agent:</b>	Brent Moser
<b>Request:</b>	Approval of a Preliminary Plat
<b>Location:</b>	Between SR-9 and Sand Hollow Road
<b>Zoning:</b>	HC and GC
<b>General Plan Map:</b>	General Commercial

### Update 2/10/2022

The affidavit from the other property owner within this proposed subdivision has been provided by the applicant. Staff would recommend approval of this preliminary plat subject to staff and JUC comments and sufficient buildout of the Sand Hollow Gateway PID.

### Discussion:

The applicant has filed a preliminary plat for the Gateway at Sand Hollow Commercial District. This area is currently proposed as six commercial lots all fronting Sand Hollow Road. A preliminary site plan for part of the property was approved in December and now the applicant is going to subdivide the property. This project will be highly dependent on utilities and road connections from the Gateway at Sand Hollow PID.





6. There are two cliffs on the property. The Sensitive Lands code states that sensitive lands are defined as:
- Any area where there is a change in elevation which is equal to or greater than ten percent (10%) (1 foot of vertical grade change for every 10 feet of horizontal run) for a distance of one hundred feet (100') or more, and where said grade change covers an area of at least two (2) contiguous acres, or an entire parcel if said parcel is less than two (2) acres. (See section [10-24-9](#), appendix diagram A of this chapter.)*
  - Any area within one hundred feet (100') of the edge of a bluff. The "edge of a bluff" means an area where there is a substantial abrupt change in slope along the edge of a predominantly flat area of land. The slope of the land below the abrupt edge typically has a grade that is near or exceeds thirty percent (30%) or greater, and has a vertical elevation change of at least one hundred feet (100') or greater, and lies within sensitive lands described in subsection A of this section. (See section [10-24-9](#), appendix diagram B of this chapter.)*
  - The boundaries of all areas within one hundred (100) vertical feet of a ridgeline. A "ridgeline" means the junction of a rising steep slope on one side and a descending slope that may be gentle or steep on the opposite side. (See section [10-24-9](#), appendix diagram C of this chapter.)*
  - From Washington County GIS it appears that less than 2 acres of the property are cliff face so no sensitive lands application is required. Applicant will need to keep all buildings at least 25 feet from the cliff face.
  - The contours on the plat do not appear to fully match the contours shown on the Washington County GIS. Staff will use the county data for their analysis.



7. Utilities are not available to the property but will be with the PID buildout. Construction drawings will not be accepted for this property until PID construction drawings are approved.

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff recommends the item is continued until the applicant is able to provide the signature of the other property owner. If the applicant is able to provide signoff information from the other property owner, staff would recommend approval based on staff and JUC comments and sufficient build out of PID infrastructure.

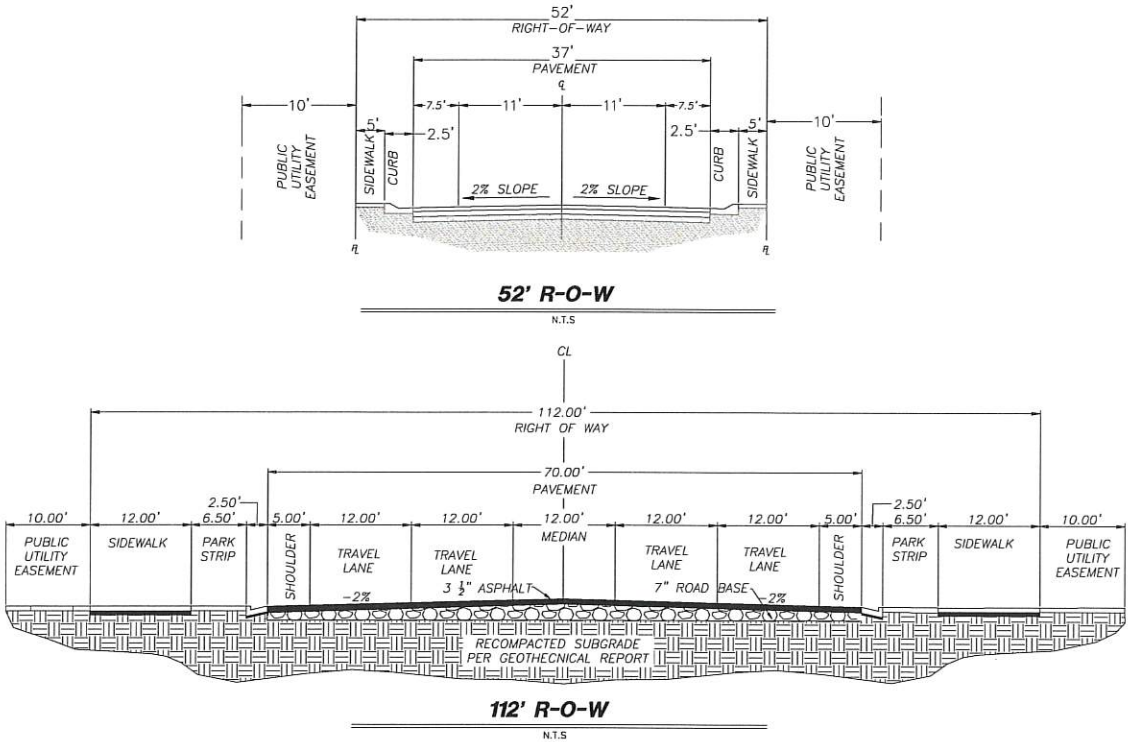


PRELIMINARY PLAT FOR:  
**GATEWAY COMMERCIAL AT SAND HOLLOW**

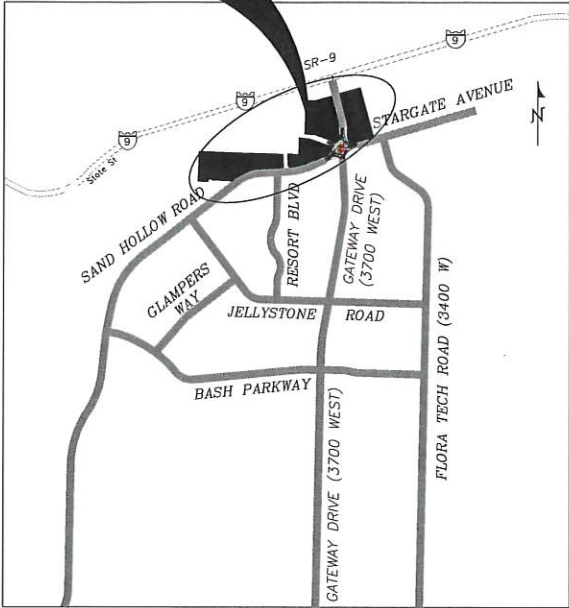
LOCATED IN SECTION 1, T42S, R14W, S1.B.&M.  
HURRICANE, WASHINGTON COUNTY, UTAH

**GATEWAY COMMERCIAL AT SAND HOLLOW DESCRIPTION:**

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 1, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; THENCE N1°24'34"E 2310.43 FEET; THENCE N1°24'34"E 97.33 FEET TO THE POINT OF BEGINNING. THENCE S83°40'58"W 12.51 FEET; THENCE N89°25'51"W 22.89 FEET; THENCE WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 1616.32 FEET AND A RADIAL BEARING OF N05°17'42"W, A DISTANCE OF 72.41 FEET, THROUGH A CENTRAL ANGLE OF 02°34'01" (LONG CHORD BEARS: S85°59'19"W 72.41 FEET); THENCE S87°16'22"W 80.70 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A 19.50 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 30.63 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" (LONG CHORD BEARS: N47°43'38"W 27.58 FEET); THENCE S84°31'13"W 52.06 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 19.50 FEET AND A RADIAL BEARING OF S87°16'22"W, A DISTANCE OF 30.63 FEET, THROUGH A CENTRAL ANGLE OF 90°00'00" (LONG CHORD BEARS: S42°16'22"W 27.58 FEET); THENCE S87°16'22"W 249.86 FEET; THENCE WESTERLY ALONG THE ARC OF A 826.50 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 501.64 FEET, THROUGH A CENTRAL ANGLE OF 34°46'31" (LONG CHORD BEARS: S69°53'07"W 493.97 FEET); THENCE S52°29'51"W 313.79 FEET; THENCE N37°19'49"W 33.37 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 208.67 FEET AND A RADIAL BEARING OF S47°15'52"W, A DISTANCE OF 168.22 FEET, THROUGH A CENTRAL ANGLE OF 46°11'20" (LONG CHORD BEARS: N65°49'48"W 163.70 FEET); THENCE N88°51'09"W 285.33 FEET; THENCE WESTERLY ALONG THE ARC OF A 28.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 20.51 FEET, THROUGH A CENTRAL ANGLE OF 41°57'43" (LONG CHORD BEARS: N67°52'17"W 20.05 FEET); THENCE WESTERLY ALONG THE ARC OF A 50.00 FOOT RADIUS REVERSE CURVE TO THE LEFT (LONG CHORD BEARS: N80°03'34"W 54.71 FEET), CENTER POINT LIES S43°06'34"W THROUGH A CENTRAL ANGLE OF 66°20'17" A DISTANCE OF 57.89 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 50.00 FOOT RADIUS COMPOUND CURVE TO THE LEFT (LONG CHORD BEARS: S53°36'09"W 54.71 FEET), CENTER POINT LIES S23°13'43"E THROUGH A CENTRAL ANGLE OF 66°20'17" A DISTANCE OF 57.89 FEET; THENCE N88°40'59"W 199.69 FEET; THENCE N01°31'31"E 591.26 FEET; THENCE S88°16'22"E 765.18 FEET; THENCE S88°27'47"E 947.23 FEET; THENCE S88°30'21"E 52.14 FEET; THENCE S88°27'11"E 224.48 FEET; THENCE N01°24'29"E 378.60 FEET; THENCE N02°17'47"E 90.13 FEET; THENCE N01°17'31"E 880.34 FEET; THENCE S88°43'14"E 254.45 FEET; THENCE N74°26'03"E 348.01 FEET; THENCE N74°35'29"E 246.68 FEET; THENCE N74°46'22"E 500.00 FEET; THENCE S15°13'38"E 1306.80 FEET; THENCE S74°46'24"W 476.08 FEET; THENCE S77°30'55"W 77.72 FEET; THENCE WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 90.00 FEET AND A RADIAL BEARING OF N17°26'13"W, A DISTANCE OF 24.40 FEET, THROUGH A CENTRAL ANGLE OF 15°31'55" (LONG CHORD BEARS: S80°17'45"W 24.32 FEET); THENCE WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 89.91 FEET AND A RADIAL BEARING OF N01°53'21"W, A DISTANCE OF 20.25 FEET, THROUGH A CENTRAL ANGLE OF 12°54'20" (LONG CHORD BEARS: N85°26'11"W 20.21 FEET); THENCE WESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 89.92 FEET AND A RADIAL BEARING OF N11°00'04"E, A DISTANCE OF 29.91 FEET, THROUGH A CENTRAL ANGLE OF 19°03'40" (LONG CHORD BEARS: N69°28'06"W 29.78 FEET); THENCE N59°56'46"W 15.87 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 100.43 FEET AND A RADIAL BEARING OF N30°53'43"E, A DISTANCE OF 29.07 FEET, THROUGH A CENTRAL ANGLE OF 16°34'58" (LONG CHORD BEARS: N50°48'47"W 28.96 FEET); THENCE NORTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 88.83 FEET AND A RADIAL BEARING OF N48°34'15"E, A DISTANCE OF 33.42 FEET, THROUGH A CENTRAL ANGLE OF 21°33'34" (LONG CHORD BEARS: N30°38'58"W 33.23 FEET); THENCE NORTHERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 580.00 FEET AND A RADIAL BEARING OF N69°51'22"E, A DISTANCE OF 159.43 FEET, THROUGH A CENTRAL ANGLE OF 15°44'57" (LONG CHORD BEARS: N12°16'09"W 158.93 FEET); THENCE S87°08'40"W 96.87 FEET; THENCE SOUTHERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 378.12 FEET AND A RADIAL BEARING OF S89°56'48"E, A DISTANCE OF 42.34 FEET, THROUGH A CENTRAL ANGLE OF 06°24'55" (LONG CHORD BEARS: S03°09'16"E 42.32 FEET); THENCE SOUTHERLY ALONG THE ARC OF A 105.00 FOOT RADIUS REVERSE CURVE TO THE RIGHT (LONG CHORD BEARS: S18°04'24"W 86.87 FEET), CENTER POINT LIES S83°38'18"W THROUGH A CENTRAL ANGLE OF 48°52'14" A DISTANCE OF 89.56 FEET; THENCE S42°30'35"W 15.13 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF A 115.00 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 82.38 FEET, THROUGH A CENTRAL ANGLE OF 41°02'42" (LONG CHORD BEARS: S63°01'56"W 80.63 FEET); THENCE WESTERLY ALONG THE ARC OF A 285.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (LONG CHORD BEARS: S88°18'00"W 47.15 FEET), CENTER POINT LIES N06°26'43"W THROUGH A CENTRAL ANGLE OF 09°29'25" A DISTANCE OF 47.21 FEET; THENCE WESTERLY ALONG THE ARC OF A 285.00 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (LONG CHORD BEARS: N80°49'54"W 60.80 FEET), CENTER POINT LIES N03°02'42"E THROUGH A CENTRAL ANGLE OF 12°14'48" A DISTANCE OF 60.92 FEET; THENCE S17°13'22"W 72.11 FEET; THENCE S74°38'08"E 15.52 FEET; THENCE SOUTHERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 82.00 FEET AND A RADIAL BEARING OF S14°08'43"W, A DISTANCE OF 158.96 FEET, THROUGH A CENTRAL ANGLE OF 11°04'17" (LONG CHORD BEARS: S20°19'08"E 135.21 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 588.93 FEET AND A RADIAL BEARING OF N52°39'11"W, A DISTANCE OF 92.54 FEET, THROUGH A CENTRAL ANGLE OF 09°00'12" (LONG CHORD BEARS: S41°50'55"W 92.45 FEET); THENCE SOUTHWESTERLY ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 714.11 FEET AND A RADIAL BEARING OF N38°54'42"W, A DISTANCE OF 265.23 FEET, THROUGH A CENTRAL ANGLE OF 21°16'50" (LONG CHORD BEARS: S61°43'43"W 263.71 FEET); THENCE S72°04'43"W 22.72 FEET; THENCE S72°07'26"W 105.95 FEET; THENCE WESTERLY ALONG THE ARC OF A 1619.45 FOOT RADIUS CURVE TO THE RIGHT A DISTANCE OF 243.83 FEET, THROUGH A CENTRAL ANGLE OF 08°37'35" (LONG CHORD BEARS: S76°25'49"W 243.60 FEET); THENCE WESTERLY ALONG THE ARC OF A 1618.82 FOOT RADIUS COMPOUND CURVE TO THE RIGHT (LONG CHORD BEARS: S82°06'02"W 76.59 FEET), CENTER POINT LIES N09°15'18"W THROUGH A CENTRAL ANGLE OF 02°42'40" A DISTANCE OF 76.60 FEET TO THE POINT OF BEGINNING.



**PROJECT LOCATION**



**VICINITY MAP**

N. T. S.

**GEOLOGICAL HAZARDS**

FAULTS & SURFACE FAULTING	NONE
LIQUEFACTION	H2 - HIGH2-SIMILAR IN TEXTURE TO HIGH CATEGORY, NO GROUND-WATER INFORMATION
FLOODING	ZONE X-AREA OF MINIMAL FLOOD HAZARD
LANDSLIDE HAZARD	NONE
ROCKFALL HAZARD	NONE
BRECCIA PIPES AND PALEOKARST	NONE
CALICHE	CA - CALICHE
COLLAPSIBLE SOIL	CSA-STREAM/TERRACE ALLUVIUM >=3%
EXPANSIVE SOIL	ESL-LOW SUSCEPTIBILITY TO EXPANSION
GYPSIFEROUS SOIL & ROCK	NONE
PIPING & EROSION	P&ES-SOILS SUSCEPTIBLE TO PIPING AND EROSION
SHALLOW BEDROCK	BRB-BURIED: AREAS WHERE DEPTH TO BEDROCK IS GENERALLY ≤10 FEET BENEATH SOIL COVER
WIND BLOWN SAND	WBSL-LOW MIXED-UNIT GEOLOGIC DEPOSITS, WHICH CONTAIN WIND-BLOWN COMPONENT
SHALLOW GROUND WATER	NONE

**GEOLOGICAL NARRATIVE**

THIS PARCEL OF LAND LIES INSIDE A VOLCANO MOUNTAIN LAVA FLOW (MIDDLE PLEISTOCENE) SHOWN WITH A Qbv. IT ALSO LIES INSIDE AN ALLUVIAL AND EOLIAN DEPOSITS (HOLOCENE TO UPPER PLEISTOCENE) SHOWN WITH A Qae. THIS AREA ALSO HAS A MEDIUM TO DARK-GRAY TO GRAYISH-BLACK, FINE TO MEDIUM-GRAINED ALKALI BASALT (Qbv) WITH SPARSE OLIVINE PHENOCRYSTS; ERUPTED FROM A VENT AT VOLCANO MOUNTAIN (Qbv) SOUTHWEST OF HURRICANE; DIVISIBLE INTO THREE SEPARATE FLOWS (BieK, 2003a, 2003b); YOUNGEST AND MIDDLE-LEVEL FLOWS YIELDED 40Ar/39Ar AGES OF 0.289 ± 0.024 Ma AND 0.353 ± 0.045 Ma, RESPECTIVELY (SANCHEZ, 1995), IN ACCORD WITH K-Ar AGES OF 0.289 ± 0.085 AND 0.303 ± 0.30 (BEST AND OTHERS, 1980) ON THE MIDDLE-LEVEL FLOW; MIDDLE-LEVEL FLOW IS DISPLACED ABOUT 240 FEET (73 m) BY THE HURRICANE FAULT AT TIMPOWEAP CANYON AND LOCALLY HAS PILLOW BASALT AT ITS BASE; THE OLDEST LAVA FLOW FLOWED ABOUT 8 MILES (13 km) DOWN THE VIRGIN RIVER; LAVA FLOWS ARE GENERALLY 35 TO 45 FEET (11-14 m) THICK AND FORM ROUGH, BLOCKY SURFACES, BUT THE MIDDLE-LEVEL FLOW IS AS MUCH AS 170 FEET (50 m) THICK WHERE IT FILLS THE ANCESTRAL VIRGIN RIVER CHANNEL. THIS AREA ALSO HAS MODERATELY SORTED GRAVEL, SAND, AND SILT DEPOSITED IN SMALL CHANNELS AND ON ALLUVIAL FLATS, AND WELL-SORTED, FINE- TO MEDIUM-GRAINED, REDDISH-BROWN EOLIAN SAND LOCALLY REWORKED BY ALLUVIAL PROCESSES, YOUNGER DEPOSITS (Qae) FORM ACTIVE DEPOSITIONAL SURFACES, WHEREAS OLDER DEPOSITS (Qaeo) TYPICALLY FORM INCISED, INACTIVE SURFACES; AS MUCH AS ABOUT 20 FEET (6 m) THICK.

**OWNER:**

WESTERN MTG & REALTY CO  
6610 WEST COURT STREET  
PASCO, WASHINGTON 99302  
(509) 521-9354

**LAND USE SUMMARY**

TOTAL LOTS: 6  
AVERAGE LOT SIZE: 454,036 SQ FT (10.42 AC)

NO	REVISIONS	DESCRIPTION	DATE	BY

**PROVALUE ENGINEERING, INC.**  
Engineers - Land Surveyors - Land Planners  
120 South 800 West, Suite 100  
Provo, UT 84601  
Phone: (435) 668-8387



PRELIMINARY PLAT FOR:  
**GATEWAY COMMERCIAL AT SAND HOLLOW**

LOCATED IN SECTION 1, T42S, R14W, S1.B.&M.  
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 1/24/2022  
SCALE: N/A  
JOB NO.  
336-002  
SHEET NO:  
**1 OF 2**

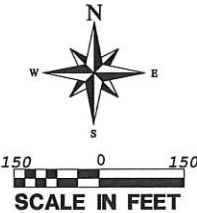
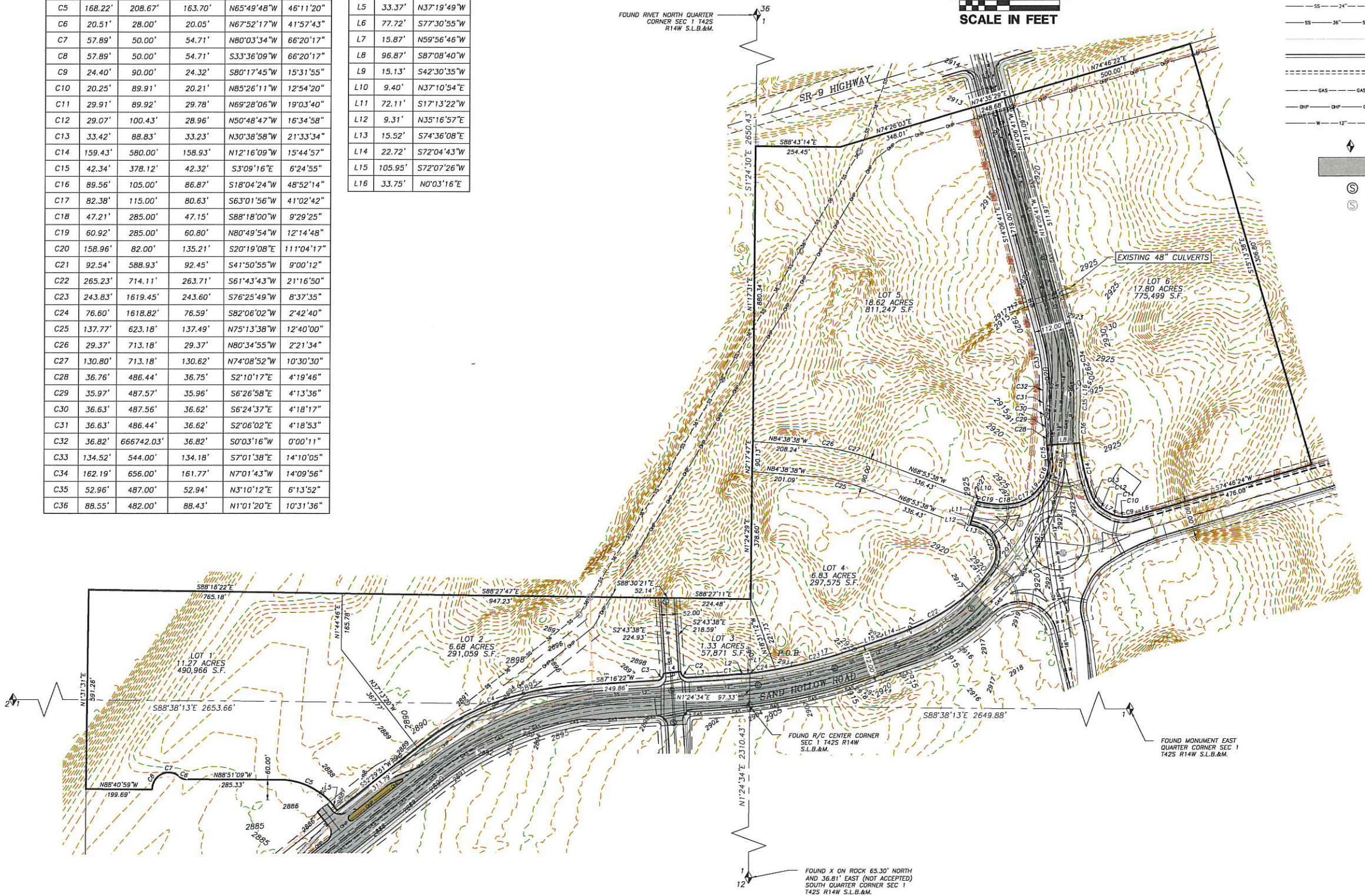


PRELIMINARY PLAT FOR:  
**GATEWAY COMMERCIAL AT SAND HOLLOW**

LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.  
HURRICANE, WASHINGTON COUNTY, UTAH

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD DIST.	CHORD BRG.	DELTA
C1	72.41'	1616.32'	72.41'	S85°59'19"W	2°34'01"
C2	30.63'	19.50'	27.58'	N47°43'38"W	90°00'00"
C3	30.63'	19.50'	27.58'	S42°16'22"W	90°00'00"
C4	501.64'	826.50'	493.97'	S69°53'07"W	34°46'31"
C5	168.22'	208.67'	163.70'	N65°49'48"W	46°11'20"
C6	20.51'	28.00'	20.05'	N67°52'17"W	41°57'43"
C7	57.89'	50.00'	54.71'	N80°03'34"W	66°20'17"
C8	57.89'	50.00'	54.71'	S33°36'09"W	66°20'17"
C9	24.40'	90.00'	24.32'	S80°17'45"W	15°31'55"
C10	20.25'	89.91'	20.21'	N85°26'11"W	12°54'20"
C11	29.91'	89.92'	29.78'	N69°28'06"W	19°03'40"
C12	29.07'	100.43'	28.96'	N50°48'47"W	16°34'58"
C13	33.42'	88.83'	33.23'	N30°38'58"W	21°33'34"
C14	159.43'	580.00'	158.93'	N12°16'09"W	15°44'57"
C15	42.34'	378.12'	42.32'	S3°09'16"E	6°24'55"
C16	89.56'	105.00'	86.87'	S18°04'24"W	48°52'14"
C17	82.38'	115.00'	80.63'	S63°01'56"W	41°02'42"
C18	47.21'	285.00'	47.15'	S88°18'00"W	9°29'25"
C19	60.92'	285.00'	60.80'	N80°49'54"W	12°14'48"
C20	158.96'	82.00'	135.21'	S20°19'08"E	111°04'17"
C21	92.54'	588.93'	92.45'	S41°50'55"W	9°00'12"
C22	265.23'	714.11'	263.71'	S61°43'43"W	21°16'50"
C23	243.83'	1619.45'	243.60'	S76°25'49"W	8°37'35"
C24	76.60'	1618.82'	76.59'	S82°06'02"W	2°42'40"
C25	137.77'	623.18'	137.49'	N75°13'38"W	12°40'00"
C26	29.37'	713.18'	29.37'	N80°34'55"W	2°21'34"
C27	130.80'	713.18'	130.62'	N74°08'52"W	10°30'30"
C28	36.76'	486.44'	36.75'	S2°10'17"E	4°19'46"
C29	35.97'	487.57'	35.96'	S6°26'58"E	4°13'36"
C30	36.63'	487.56'	36.62'	S6°24'37"E	4°18'17"
C31	36.63'	486.44'	36.62'	S2°06'02"E	4°18'53"
C32	36.82'	666742.03'	36.82'	S0°03'16"W	0°00'11"
C33	134.52'	544.00'	134.18'	S7°01'38"E	14°10'05"
C34	162.19'	656.00'	161.77'	N7°01'43"W	14°09'56"
C35	52.96'	487.00'	52.94'	N3°10'12"E	6°13'52"
C36	88.55'	482.00'	88.43'	N1°01'20"E	10°31'36"

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	12.51'	S83°40'58"W
L2	22.89'	N89°25'51"W
L3	80.70'	S87°16'22"W
L4	52.06'	S84°31'13"W
L5	33.37'	N37°19'49"W
L6	77.72'	S77°30'55"W
L7	15.87'	N59°56'46"W
L8	96.87'	S87°08'40"W
L9	15.13'	S42°30'35"W
L10	9.40'	N37°10'54"E
L11	72.11'	S17°13'22"W
L12	9.31'	N35°16'57"E
L13	15.52'	S74°36'08"E
L14	22.72'	S72°04'43"W
L15	105.95'	S72°07'26"W
L16	33.75'	N0°03'16"E



- LEGEND**
- OUTER PROPERTY LINE
  - PROPERTY LINE
  - CENTER LINE
  - SECTION LINE
  - PROPOSED 10' PUBLIC UTILITY EASEMENT
  - EXISTING 20' SEWER EASEMENT
  - EXISTING MINOR CONTOUR
  - EXISTING MAJOR CONTOUR
  - EXISTING SEWER LINE, SIZE SHOWN
  - PROPOSED 36" SEWER LINE
  - FUTURE ROW LINE
  - PROPOSED CURB AND GUTTER
  - FUTURE CURB INSTALLED WITH PID ROADS
  - EXISTING GAS LINE
  - EXISTING OVERHEAD POWER
  - EXISTING WATER LINES, SIZE SHOWN
  - SECTION CORNER AS DESCRIBED
  - PROPOSED PAVEMENT
  - PROPOSED REROUTED 24" SEWER MANHOLE
  - EXISTING 24" SEWER MANHOLE

REVISIONS		DATE	BY
NO.	DESCRIPTION		

**PROVALUE ENGINEERING, INC.**  
Engineers - Land Surveyors - Land Planners  
200 South 800 West, Suite 1  
Hurricane, UT 84757  
Phone: (435) 649-8387

PRELIMINARY PLAT FOR:  
**GATEWAY COMMERCIAL AT SAND HOLLOW**  
LOCATED IN SECTION 1, T42S, R14W, S.L.B.&M.  
HURRICANE, WASHINGTON COUNTY, UTAH

DATE: 1/04/2022  
SCALE: 1"=150'

JOB NO.  
336-002

SHEET NO:  
**2 OF 2**



# AMENDED FINAL PLAT APPLICATION

**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. 2022-AFP-01

Receipt No. 8-155168

Name: Pat Stone Telephone: (435) 619-7994

Address: 328 S 1150 W, Hurricane, UT Fax No. \_\_\_\_\_

Email: stonepat1969@gmail.com Agent Email: \_\_\_\_\_

Agent (If Applicable): \_\_\_\_\_ Telephone: \_\_\_\_\_

Address/Location of Subject Property: Pioneer Estates Subdivision, Lot 5

Tax ID of Subject Property: H-PE-5 Number of Lots: 2

Subdivision Name: Pioneer Estates Subdivision Phase: 1

**Submittal Requirements: 1-large paper copy, 1-11 X 17, and 1 disk in 2004 or newer Auto-Cad format**

1. The final plat shall show:

- \_\_\_\_\_ a. The name or designation of the subdivision that is distinct from any plat already recorded in the County Recorder's office, as approved by the Planning Commission.
- \_\_\_\_\_ b. The boundaries, course, and dimensions of all of the parcels of ground divided, by their boundaries, course, and extent, whether the owner proposes that any parcel of ground is intended to be used as a street or for another public use, and whether any such area is reserved or proposed for dedication for a public purpose.
- \_\_\_\_\_ c. The lot or unit reference, block or building reference, street or site address, street name or coordinate address, acreage or square footage of all parcels, units, lots, and the length and width of the blocks and lots intended for sale.
- \_\_\_\_\_ d. Every existing right-of-way and easement grant of record for communications infrastructure, for underground facilities as defined in Section 54-8a-2 of the Utah Code and for other utility facilities. Where the same is granted to a specific entity, that entity must be clearly identified.
- \_\_\_\_\_ e. True angles and distances to the nearest established street lines or official monument, which shall be accurately described on the plat and shown by appropriate symbols.
- \_\_\_\_\_ f. All street center line data must be shown, together with its relationship to the property lines, corners, etc.
- \_\_\_\_\_ g. The accurate location of all monuments shall be shown on the plat, and shall be identified, including all United States, State, County or other official monuments.
- \_\_\_\_\_ h. The dedication to the public of all streets and highways included in the proposed subdivision (except approved private streets).

- \_\_\_\_\_ i. Street monuments shall be installed by the subdivider in accordance with the requirements of City Standards. Locations of said monuments shall be approved by the City Engineer and indicated on the subdivider's plat by the appropriate symbols.
- \_\_\_\_\_ j. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses by all property owners.
- \_\_\_\_\_ k. Where it is proposed that streets be constructed on property controlled by a public agency or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the City Attorney.

2. **Required Forms & Certificates:** In addition the final plat shall contain the standard forms for the following:

- \_\_\_\_\_ a. A registered professional land surveyor's certificate of survey, together with a statement that: (a) the surveyor holds a license in accordance with Title 58, Chapter 22 of the Utah Code, Professional Engineers and Professional Land Surveyor's Licensing Act; (b) the surveyor has completed a survey of the property described on the plat in accordance with Section 17-23-17 of the Utah Code and has verified all measurements; (c) has placed monuments as represented on the plat. **Plat must signed and stamped by the licensed surveyor prior to final plat submittal.**
- \_\_\_\_\_ b. The owner's certificate of dedication of all streets, roads, rights-of-way or other parcels intended for the use and benefit of the general public.
- \_\_\_\_\_ c. Mortgagee or other lien holder's Consent to Record, if applicable.
- \_\_\_\_\_ d. A notary public's acknowledgement space for the signature of the mortgagee and/or each owner signing the plat.
- \_\_\_\_\_ e. Certificate of approval of Ash Creek Special Service District.
- \_\_\_\_\_ f. Certificate of approval of the City Engineer.
- \_\_\_\_\_ g. Certificate of approval of the City Council, as evidenced by the signature of the Mayor
- \_\_\_\_\_ h. Certificate of approval as to form executed by the City Attorney.
- \_\_\_\_\_ i. A one and one-half inch by five inch (1 ½" x 5") space in the lower right-hand corner of the drawing for the use of the County Recorder.

3. **Other Information Required:** The following information or documentation shall be submitted:

- \_\_\_\_\_ a. A completed form from the Washington County Treasurer's office (see attached copy of form) for property located within the subdivision verifying that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full
- \_\_\_\_\_ b. An original copy for Staff review of the proposed deed restrictions or CC&Rs in proposed final form with signature lines for all owners of any interest in the subdivision who would sign the final subdivision plat must be submitted with final plat application. After being approved by staff this document shall be signed, acknowledged by a notary public, and recorded in the office of the County Recorder along with the final plat.
- \_\_\_\_\_ c. Title report for the property being subdivided.
- \_\_\_\_\_ d. A disk of the final plat prepared in 'Auto-Cad 2004' (or newer format)

**Application Process:** The following steps occur:

- A completed application with all required documents and fee payment as outlined above is submitted to the Planning Department along with the paper copy of the amended plat.
- A paper copy of the amended plat is submitted to the City Engineer for review. The City Engineer will red line the plat and email the subdivision engineer of required changes that need to be made. If a plat is still not ready for the City Engineers signature after the second submittal, an additional fee must be paid before the Engineer performs another review. An approved mylar of the final plat must



be signed by the City Engineer before the City Council meeting at which the amendment is to be submitted

- A plat amendment without the notarized signatures of all the owners of record on the mylar or on consent to record forms will require a public hearing. The applicant will be required to pay all notification and/or publication costs for notice of the hearing.

Requirements for recordation:

1. Amended plat approval by the City Council
4. Two disks of the final plat provided in 'Auto Cad 2004' format – one for the City, and one for the County Recorder.
5. Review of the title report by the City Attorney.
7. All signatures must be on the mylar, including property owners of record according to the title report, City officials and Ash Creek Special Service District Superintendent. The City Attorney is the last signer of the mylar just prior to recordation.
8. Someone from the City Attorney's office will accompany the developer's representative to the County Recorder's office for recordation. The developer pays recording fees.

A development with CC&R's should submit a copy of the CC&R's to the Planning Staff and one to the City Attorney for review at the time the plat amendment is submitted.

**Note: An amended plat that includes the abandonment of a dedicated road or for a subdivision that is not fully improved requires a different application and procedure**

\*\*\*\*\*

(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>	<b>02/10/2022</b>
<b>Application Number:</b>	2022-AFP-01
<b>Type of Application:</b>	Amended Final Plat
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Pat Stone
<b>Agent:</b>	
<b>Request:</b>	Approval of an Amended Final Plat
<b>Location:</b>	252 S 1430 W
<b>Zoning:</b>	RA-0.5
<b>General Plan Map:</b>	Single Family

**Discussion:** The applicant has applied to amend the final plat for Pioneer Estates to divide Lot 5 into two separate parcels. Since the subdivision was already recorded an amended final plat is required for any further subdivisions.

### JUC Comments

1. **Power:** Will need to build in power according to red lines
2. **Water:** Will need to dig in another meter
3. **Streets:** Will need improvements
4. **Sewer:** Lot 5A would need additional improvements. Sewer line is next to the property line which may require a public utility easement. Will need to look out for sewer line with road improvements
5. **Engineering:** As required for several other lots within this development that were split, road improvements will be needed on 300 S and 1430 W including curb, cutter, and sidewalk.
6. **Cable/Phone/Gas/Water Conservancy/Parks:** No comments

### Staff Comments

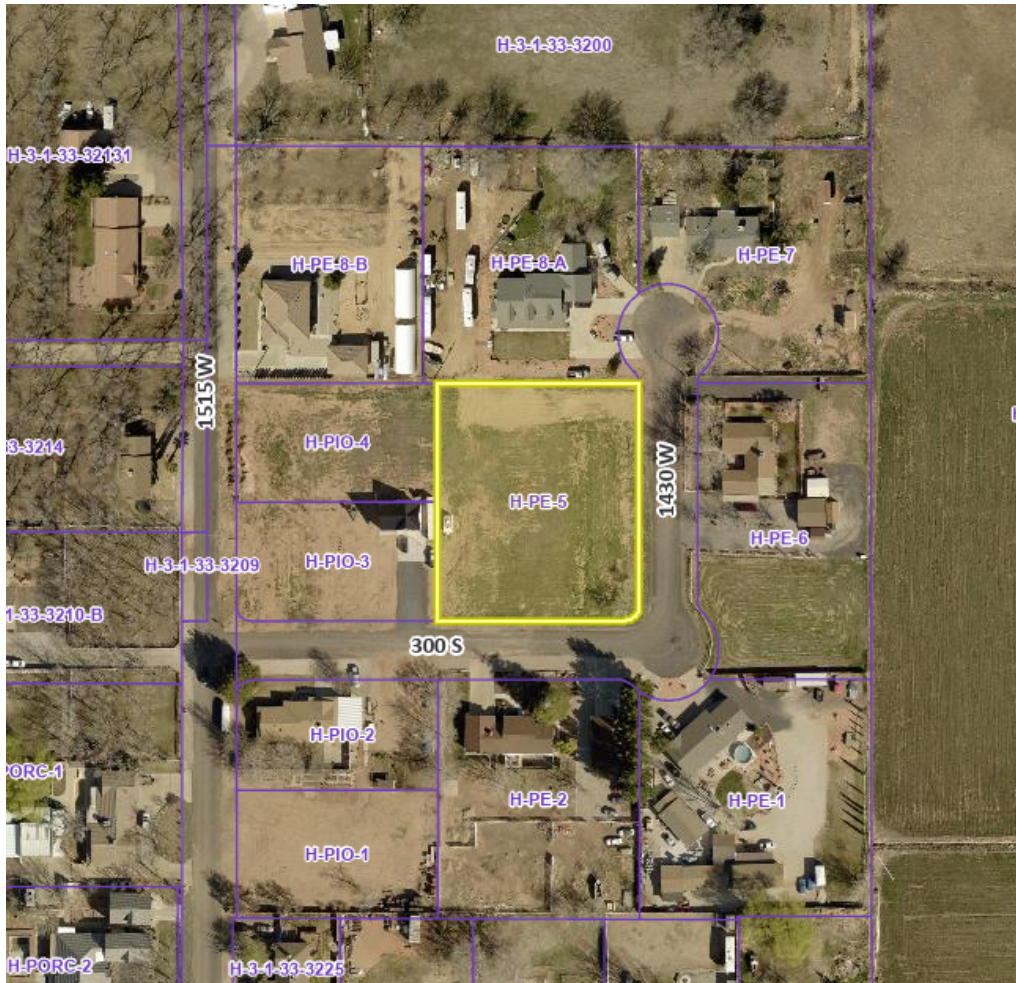
1. The plat meets amended final plat standards contained in [Utah Code 10-9a-608](#). Subdivision Amendments, updated in 2020. The following are the key items:
  - a. Depicts only the portion of the subdivision that is proposed to be amended
  - b. Includes a plat name distinguishing the amended plat from the original plat
  - c. Describes the differences between the amended plat and the original plat
  - d. Includes references to the original plat
2. The Final Plat needs a full review by the City Engineering Department for surveying details.

3. There is a 7.5" utility easement along the northern and western property boundary that is not indicated on this amended final plat but is on the original final plat for this subdivision. There is currently a power line that is located within that easement as shown below.

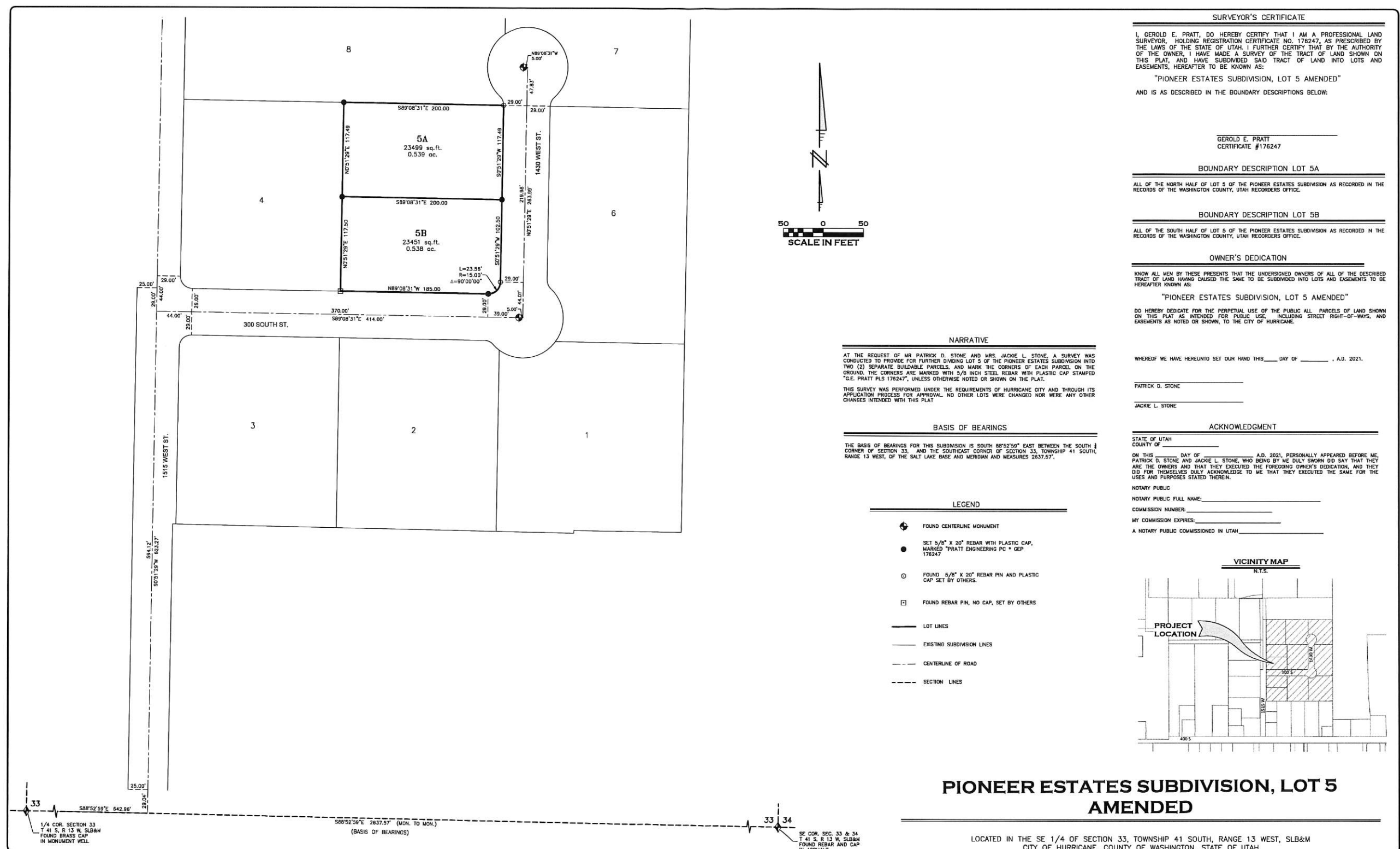


4. The property is zoned RA-0.5, the two lots will be .539 and .538 acres so they are in compliance with the zoning

**Recommendation:** Staff recommends that the Planning Commission review this application based on Hurricane City and State Code standards. Staff would recommend approval of the item subject to staff and JUC comments.







SURVEYOR'S CERTIFICATE

I, GEROLD E. PRATT, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, HOLDING REGISTRATION CERTIFICATE NO. 176247, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND EASEMENTS, HEREFTER TO BE KNOWN AS:

"PIONEER ESTATES SUBDIVISION, LOT 5 AMENDED"

AND IS AS DESCRIBED IN THE BOUNDARY DESCRIPTIONS BELOW:

GEROLD E. PRATT  
CERTIFICATE #176247

BOUNDARY DESCRIPTION LOT 5A

ALL OF THE NORTH HALF OF LOT 5 OF THE PIONEER ESTATES SUBDIVISION AS RECORDED IN THE RECORDS OF THE WASHINGTON COUNTY, UTAH RECORDERS OFFICE.

BOUNDARY DESCRIPTION LOT 5B

ALL OF THE SOUTH HALF OF LOT 5 OF THE PIONEER ESTATES SUBDIVISION AS RECORDED IN THE RECORDS OF THE WASHINGTON COUNTY, UTAH RECORDERS OFFICE.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNERS OF ALL OF THE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND EASEMENTS TO BE HEREFTER KNOWN AS:

"PIONEER ESTATES SUBDIVISION, LOT 5 AMENDED"

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE, INCLUDING STREET RIGHT-OF-WAYS, AND EASEMENTS AS NOTED OR SHOWN TO THE CITY OF HURRICANE.

WHEREOF WE HAVE HERETO SET OUR HAND THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021.

PATRICK D. STONE

JACKIE L. STONE

ACKNOWLEDGMENT

STATE OF UTAH  
COUNTY OF \_\_\_\_\_

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2021, PERSONALLY APPEARED BEFORE ME, PATRICK D. STONE AND JACKIE L. STONE, WHO BEING BY ME DULY SWORN DID SAY THAT THEY ARE THE OWNERS AND THAT THEY EXECUTED THE FOREGOING OWNER'S DEDICATION, AND THEY DID FOR THEMSELVES DULY ACKNOWLEDGE TO ME THAT THEY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

NOTARY PUBLIC

NOTARY PUBLIC FULL NAME: \_\_\_\_\_

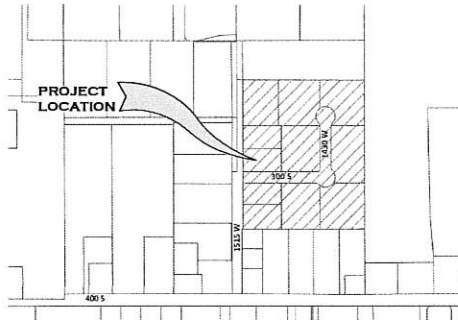
COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

A NOTARY PUBLIC COMMISSIONED IN UTAH

VICINITY MAP

N.T.S.



PIONEER ESTATES SUBDIVISION, LOT 5  
AMENDED

LOCATED IN THE SE 1/4 OF SECTION 33, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SLB&M  
CITY OF HURRICANE, COUNTY OF WASHINGTON, STATE OF UTAH

<b>PRATT ENGINEERING, P.C.</b> CIVIL ENGINEERING AND LAND SURVEYING 51 NORTH 1000 WEST, SUITE 300 HURRICANE, UTAH 84757 FAX: (435) 635-5765 TEL: (435) 635-2329	<b>CITY ENGINEER'S APPROVAL</b> THE ABOVE SUBDIVISION HAS BEEN REVIEWED AND IS APPROVED IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE THIS ____ DAY OF _____, A.D. 2021. DATE: _____ HURRICANE CITY ENGINEER	<b>APPROVAL OF ASH CREEK SPECIAL SERVICE DIST.</b> I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. THIS ____ DAY OF _____, A.D. 2021. SUPERINTENDENT, SSD	<b>APPROVAL AND ACCEPTANCE BY HURRICANE CITY, UTAH</b> WE, THE CITY OF HURRICANE, HAVE REVIEWED THE ABOVE PLAT AND HEREBY ACCEPT SAID PLAT WITH ALL COMMITMENTS AND ALL OBLIGATIONS PERTAINING THERETO THIS ____ DAY OF _____, A.D. 2021. ATTEN: CITY RECORDER JOHN W. BRAMALL, MAYOR HURRICANE, UTAH	<b>APPROVAL AS TO FORM</b> APPROVED AS TO FORM THIS ____ DAY OF _____, A.D. 2021. HURRICANE CITY ATTORNEY	<b>TREASURER APPROVAL</b> I, WASHINGTON COUNTY TREASURER, CERTIFY ON THIS ____ DAY OF _____, A.D. 2021 THAT ALL TAXES, SPECIAL ASSESSMENTS, AND FEES DUE AND OWING ON THIS SUBDIVISION FINAL PLAT HAVE BEEN PAID IN FULL. WASHINGTON COUNTY TREASURER	<b>ACCEPTANCE OF COUNTY RECORDER</b> FILE NAME: 2020-0825 DATE: MAY 06, 2021 SERIES 1 OF 1 WASHINGTON COUNTY RECORDER
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# PIONEER ESTATES SUBDIVISION

PART OF LOTS 5, 6, 11 & 12, BLK. 12, OF THE HURRICANE FIELD SURVEY IN S. 33, T. 41S, R. 13W, S.L.B. & M.

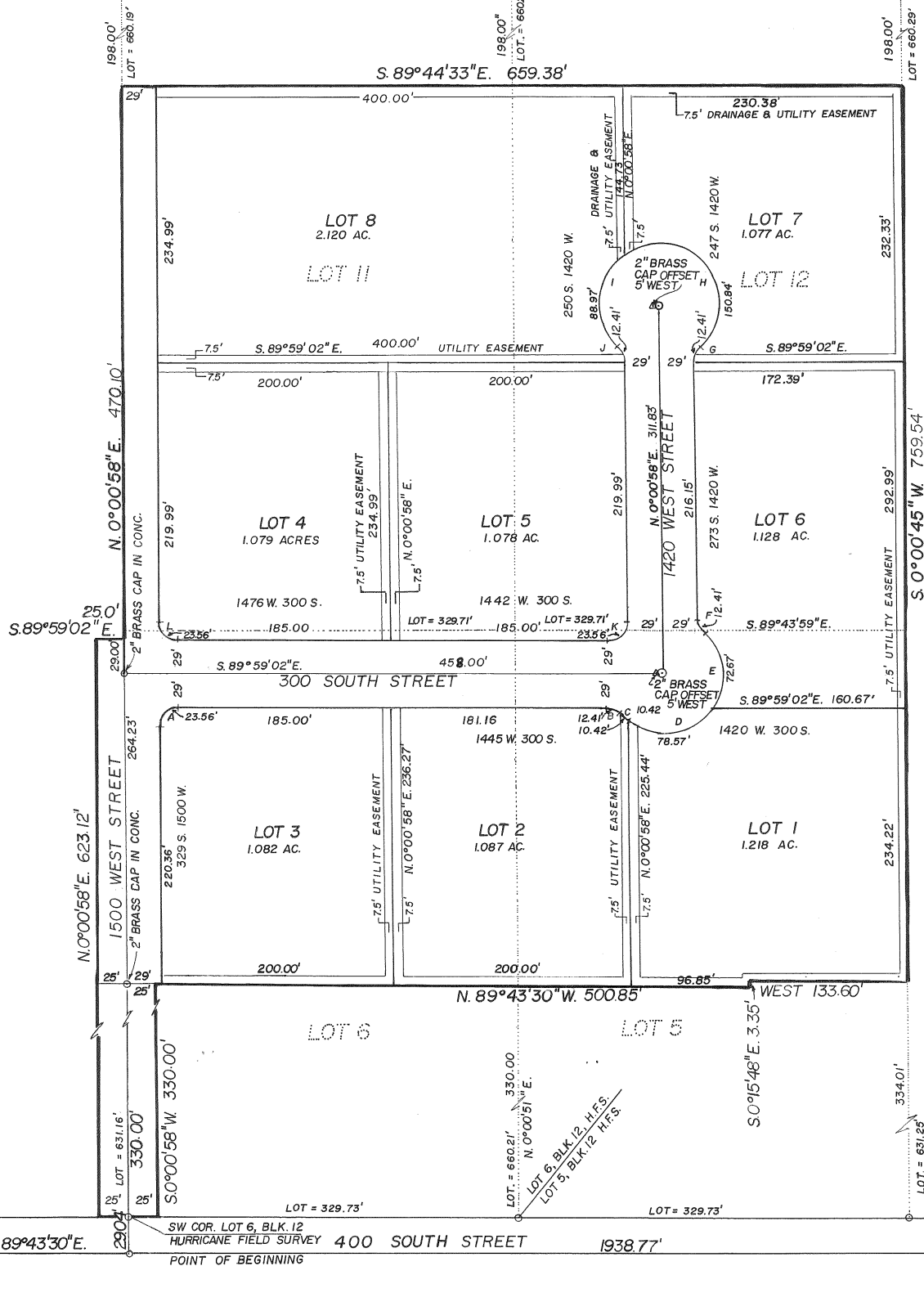
NW COR. LOT 11, BLK. 12, H.F.S.

LOT = 329.69'

LOT = 329.69'

NE COR. LOT 12, BLK. 12, H.F.S.

SCALE: 1" = 60'



CURVE DATA				
CURVE No	DELTA	RADIUS	TANGENT	LENGTH
A	90°00'00"	15.00	15.00	23.562
B	47°23'47"	15.00	6.584	12.408
C	11°56'45"	50.00	5.231	10.424
D	90°01'56"	50.00	50.028	78.568
E	82°48'53"	50.00	44.092	72.269
F	47°23'47"	15.00	6.584	12.408
G	47°23'47"	15.00	6.584	12.408
H	172°50'38"	50.00	799.614	150.835
I	101°56'56"	50.00	61.689	88.967
J	47°23'47"	15.00	6.584	12.408
K	90°00'00"	15.00	15.00	23.562
L	90°00'00"	15.00	15.00	23.562

## SURVEYOR'S CERTIFICATE

I, JAMES T. BALLARD, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 4490, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as PIONEER ESTATES SUBDIVISION.

### BOUNDARY DESCRIPTION

COURSE	DIST.	REMARKS
		BEGINNING AT THE SW COR. OF LOT 6, BLK. 12, HURRICANE FIELD SURVEY 8 RUNNING THENCE N. 89°43'30" W. 25.00 FT.
		THENCE
		N. 0°00'58" E. 623.12 FT. THENCE
		S. 89°59'02" E. 25.00 FT. TO THE W. LINE OF SAID LOT 6; THENCE
		N. 0°00'58" E. 470.10 FT. ALONG SAID LOT LINE; THENCE
		S. 89°44'33" E. 659.38 FT. TO THE EAST LINE OF LOT 12, BLK. 12, H.F.S.; THENCE
		S. 0°00'45" W. 759.54 FT. ALONG SAID LOT LINE; THENCE
		WEST 133.60 FT. THENCE
		S. 0°15'48" E. 3.35 FT. THENCE
		N. 89°43'30" W. 500.85 FT. PARALLEL TO THE SOUTH LINE OF BLK. 12 H.F.S.; THENCE
		S. 0°00'58" W. 330.00 FT. TO THE SOUTH LINE SAID BLK. 12; THENCE
		N. 89°43'30" W. 25.00 FT. TO THE POINT OF BEGINNING. CONTAINING 12.087 ACRES.

BASIS FOR BEARING S. 89°43'30" E. BET. THE S. 1/4 COR. & THE SE COR. S. 33

5/7/1981  
DATE

*James T. Ballard* No. 4490

### OWNER'S DEDICATION

Know all men by these presents that WE, the undersigned owner (s) of the above described tract of land, having caused same to be subdivided into lots and streets to be hereafter known as

### PIONEER ESTATES SUBDIVISION

do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for Public use.

In witness whereof WE have hereunto set our hands this 5<sup>TH</sup> day of JUNE A.D. 19 81

*Robert F. Williams*  
*W. B. Williams*  
*Joseph C. Spencer*  
*W. Lee Morrell*  
*M. Lee Morrell, Attorney at Law*  
*For Harrison & Jessie Morrell*

*Robert G. Gordon*  
*Donald O. Gordon*  
*Robert E. Perry*  
*Joan A. Perry*

### ACKNOWLEDGEMENT

STATE OF UTAH } S.S.  
County of WASHINGTON

On this 5<sup>TH</sup> day of JUNE A.D. 19 81, personally appeared before me, the undersigned Notary Public, in and for said County of WASHINGTON, in said State of Utah, the signer(s) of the above Owner's Dedication, 9 in number, who duly acknowledged to me that THEY signed it freely and voluntarily and for the uses and purposes therein mentioned.

My Commission expires 12-28-81  
*Larry J. Babbs*  
Notary Public  
Residing in WASHINGTON County

### CORPORATE ACKNOWLEDGEMENT

STATE OF UTAH } S.S.  
County of \_\_\_\_\_

On this the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_, personally appeared before me, the undersigned notary public in and for said State and County \_\_\_\_\_, who after being duly sworn, acknowledged to me that \_\_\_\_\_

a \_\_\_\_\_ corporation, that \_\_\_\_\_ signed the owners dedication freely and voluntarily for and in behalf of said corporation for the purposes therein mentioned and that said corporation executed the same.

My Commission expires \_\_\_\_\_  
Notary Public  
Residing in \_\_\_\_\_ County

### PIONEER ESTATES SUBDIVISION

(NAME OF SUBDIVISION)

SALT LAKE BASE & MERIDIAN

PLANNING COMMISSION  
APPROVED THIS 5<sup>TH</sup> DAY OF JUNE A.D. 19 81  
BY THE CITY PLANNING COMMISSION.  
*Rosemary Lee*  
VICE-CHAIRMAN, PLANNING COMM.

CITY ENGINEER'S CERTIFICATE  
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
4/5/81  
DATE CITY ENGINEER

APPROVAL AS TO FORM  
APPROVED AS TO FORM THIS 5<sup>TH</sup> DAY OF JUNE A.D. 19 81  
*Ronald W. Thompson*  
CITY ATTORNEY

CITY COUNCIL  
PRESENTED TO THE HURRICANE CITY COUNCIL THIS 8<sup>TH</sup> DAY OF JUNE 1981  
AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.  
*James A. Resnow*  
ATTEST: CLERK  
*Don L. Davis*  
MAYOR

RECORDED # 228098  
STATE OF UTAH, COUNTY OF WASHINGTON  
RECORDED AND FILED AT THE REQUEST OF  
SOUTHERN UTAH TITLE COMPANY  
DATE JUNE 9, 1981 TIME 9:45 AM BOOK \_\_\_\_\_ PAGE FILED  
FEE \$ 14.00  
*Hubert S. Smiley*  
COUNTY RECORDER

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. 2022-PSR-03

Receipt No. 8-154977

Name: DIXIE MAN CAVES LLC Telephone: 435-632-3303

Address: 1101 W Blackberry Cite Fax No. \_\_\_\_\_

Agent (If applicable): JASON MILLER Agent's Phone: 435-632-3303

Email: SUNRISELECTRIC@msn.com Agent Email: \_\_\_\_\_

Address/Location of Subject Property: SAND HOLLOW ROAD

Tax ID of Subject Property: 87-4184598 Zone District: \_\_\_\_\_

Proposed Use: (Describe, use extra sheet if necessary) MAN CAVE STORAGE

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

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

## **PRELIMINARY SITE PLAN**

### **PURPOSE**

The site plan review process is established to encourage adequate advanced planning and assure a good quality environment for the City. Such procedure is intended to provide for orderly, harmonious, safe, and functionally efficient development consistent with priorities, values, and guidelines stated in the various elements of the Hurricane City General Plan, and the Land Use Ordinance, and to protect the general welfare of the community.

### **WHEN REQUIRED**

The preliminary site plan review is only required on the following projects when the Zoning Administrator determines the scope of the project requires both the preliminary site plan and site plan approval.

- a. Any multiple-family residential use;
- b. Any public or civic use;
- c. Any commercial use; or
- d. Any industrial use.

The preliminary site plan is also required with a submittal of zone changes to Planned Development Overlay, or changes to an approved Planned Development Overlay.

A preliminary site plan is not intended to permit actual development of property pursuant to such plan, but is prepared merely to represent how the property could be developed. Submittal, review, and approval of an application for a preliminary site plan shall not create any vested rights to development.

Upon approval of a preliminary site plan, the applicant may prepare and submit the greater level of detail required for a site plan review application, which is required before construction may commence.

### **PROCESS**

The preliminary site plan is submitted to the Planning and Building Department approximately 1 week and 1 day by no later than 12:00 p.m. prior to a regularly scheduled Planning Commission meeting. During this time prior to the meeting, staff will review the plan, and prepare a report and recommendation for the Planning Commission. The Planning Commission at the public meeting will review the application and staff's report, and approve, approve with conditions, or deny the preliminary site plan.

### **APPEALS**

Since there are no vested rights with the approval of a preliminary site plan, the matter is generally not appealed. However, if an appeal is made, it would be filed with the Clerk of the Board of Adjustment located in the Planning and Building Department, and heard by the Board of Adjustment. The decision of the Board of Adjustment is final unless appealed to a court of competent jurisdiction within thirty (30) days from the date of decision of the Board of Adjustment.

# 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. \_\_\_\_\_

Receipt No. \_\_\_\_\_

Name: Dixie Water Company LLC Telephone: 435-632-3303

Address: 1101 W Blackberry Circle Fax No. \_\_\_\_\_

Email: ~~SWH@swcwater.com~~ Agent Email: \_\_\_\_\_

Agent (If Applicable): \_\_\_\_\_ Telephone: \_\_\_\_\_

Address/Location of Subject Property: Sand Hollow Rd

Tax ID of Subject Property: 87-4164586 Zone District: 6C

Proposed Use: (Describe, use extra sheet if necessary. Include total number of 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.



<b>Agenda Date:</b>	<b>02/10/2022</b>
<b>Application Number:</b>	2022-PSP-03 2022-PP-08
<b>Type of Application:</b>	Preliminary Site Plan and Preliminary Plat Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Dixie Man Caves LLC
<b>Agent:</b>	Jason Miller
<b>Request:</b>	Approval of a Preliminary Site Plan
<b>Location:</b>	Northwest corner of Sand Hollow Road and Abbey Road
<b>Zoning:</b>	GC
<b>General Plan Map:</b>	Neighborhood Commercial

#### Discussion:

The applicant has filed a preliminary plat and site plan for “man cave” storage units to be built along Sand Hollow Road to the west of the Marla at Elim Valley development. The applicant is planning 33 luxury storage units to be sold off as condominium units. The applicant has also filed a preliminary plat application for the subdivision.

#### JUC Comments

The following items will need to be addressed:

1. **Power:** Dixie Power area. No power in the area. PID is likely to bring power to the area. Will likely need 20’ power easement along Sand Hollow Road for a major power line.
2. **Sewer:** An abandoned sewer line goes through the full parcel that needs to be accounted for. Each lot has their own lateral
3. **Street:** Private streets may need a second access if not sprinkled.
4. **Water:** Meter to east unit, needs ductile iron piping within private roadways. Fire lines will be required. Need a looped system. Will need to review construction drawings.
5. **Engineering:** 26’ asphalt driving surface. No parking along the streets. Full improvements along Sand Hollow Road and Abbey Road. Need to loop water. Likely does not need second access if it meets the fire code.
6. **Fire:** Will need sprinklers and fire separation.
7. **Phone:** No comments
8. **Gas:** In Sand Hollow Road. Streets need utility easements



*Map is approximate*

#### **Staff Comments: Preliminary Site Plan and Preliminary Plat**

1. The property is zoned General Commercial. The site would be classified as “warehouse/self storage” which is a permitted use in that zone. Applicant wants to allow for flexibility in uses and the General Commercial zoning allows for a wide variety of uses. Overnight occupancy would not be allowed.
2. The plan does not indicate where or if there will be any office space within this development.
3. The site plan does not indicate parking: Parking is required at a calculation of: “*1 space per employee on highest employment shift*” ; it looks like most parking will be contained on the lots. Street parking will not be allowed with this current design.
4. The plan does not show what the surrounding uses are, which is required. Most of the area is currently undeveloped but there are multiple residential projects planned in the area.
5. Plans do not show any potential contour or geotechnical restraints in the area. This is a requirement but the area is relatively flat.
6. Setbacks are compliant with General Commercial standards of 20 feet in the front and 10 feet on the sides and rear sides near residential uses. There are no minimum size lots in commercial zones.

7. A will serve letter from the culinary and sanitary water providers has not been submitted.

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Staff would recommend approval based on staff and JUC comments.









12/31/2021

PROJECT BOUNDARIES  
 AT SAND HOLLOW  
 LOCATED IN HURRICANE, UTAH

JOB NO. 211187  
 SCALE: 1" = 40'  
 APPROVED:  
 DATED: 07-03-22



**BUSH & GUDGE, INC.**  
 Engineers - Planners - Surveyors  
 205 East Tabernacle Suite #4  
 St. George, Utah 84770  
 Phone (435) 673-2337 / Fax (435) 673-3161  
 www.bushandgudge.com

No.	Date	By	Revision









## **Bush and Gudgell, Inc.**

**Engineers • Planners • Surveyors**

St. George, Utah

www.bushandgudgell.com

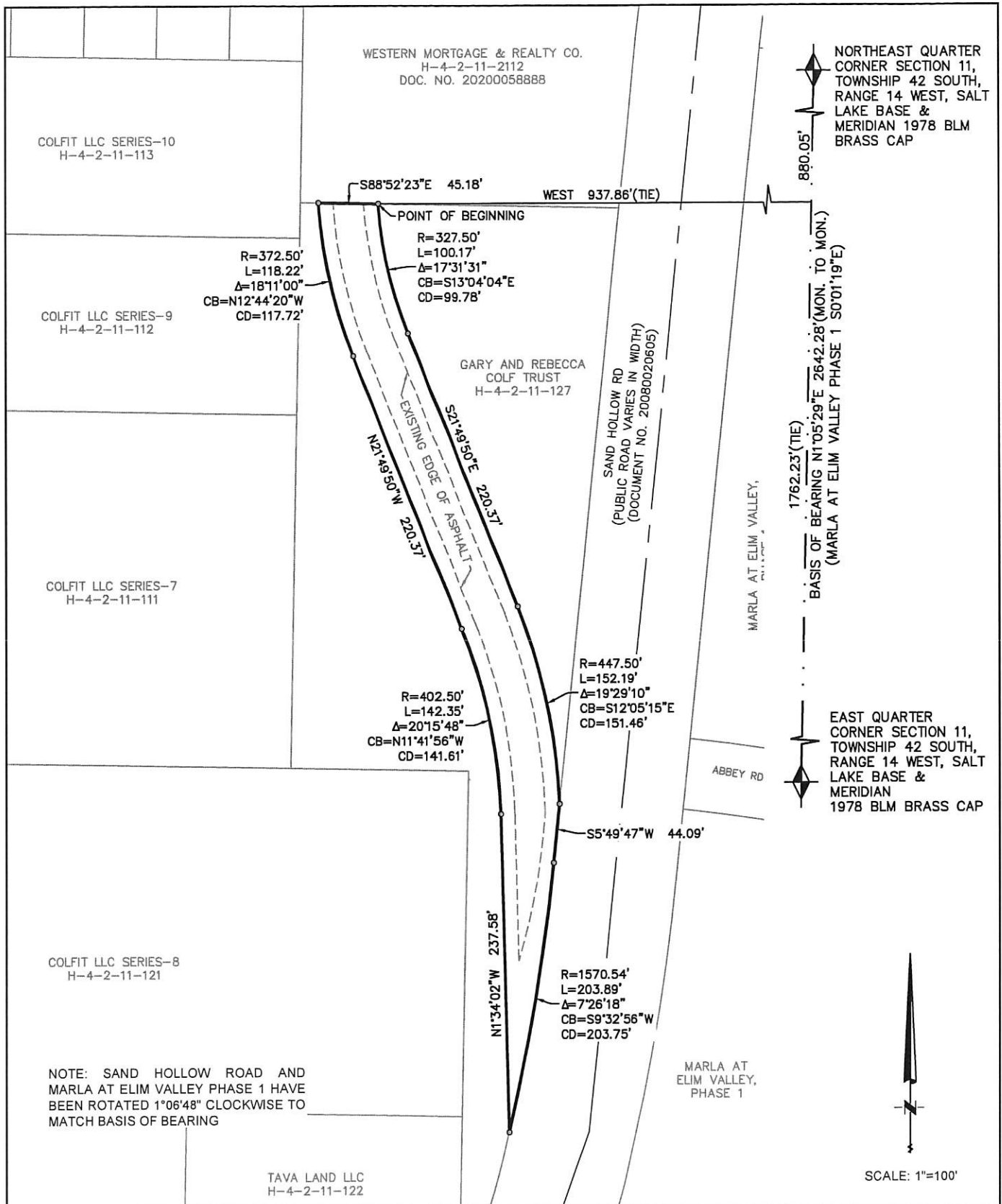
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### **Exhibit "A"** **Legal Description**

Abandoning a portion of a prescriptive roadway in the Northeast Quarter of Section 11, Township 42 South, Range 14 West, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point on the south boundary line of a parcel of land, more particularly described in document no. 20200058888, Official Records, Washington County, Utah, said point lies North 01°05'29" East along the section line 1762.23 feet and West 937.86 feet, from the East Quarter Corner of Section 11, Township 42 South, Range 14 West, Salt Lake Base and Meridian, and running thence southerly along a 327.50 foot radius non-tangent curve to the left, (long chord bears South 13°04'04" East a distance of 99.78 feet), center point lies North 85°41'42" East through a central angle of 17°31'31", a distance of 100.17 feet; thence South 21°49'50" East 220.37 feet; thence southerly along a 447.50 foot radius curve to the right, (long chord bears South 12°05'15" East a distance of 151.46 feet), center point lies South 68°10'10" West through a central angle of 19°29'10", a distance of 152.19 feet to a point on the west right-of-way line of Sand Hollow Road, a public road dedicated as document no. 20080020605, Official Records, Washington County, Utah; thence along said line the following two (2) courses: 1) South 05°49'47" West 44.09 feet and 2) southerly along a 1570.54 foot radius curve to the right, (long chord bears South 09°32'56" West a distance of 203.75 feet), center point lies North 84°10'13" West through a central angle of 07°26'18", a distance of 203.89 feet; thence North 01°34'02" West 237.58 feet; thence northerly along a 402.50 foot radius curve to the left, (long chord bears North 11°41'56" West a distance of 141.61 feet), center point lies South 88°25'58" West through a central angle of 20°15'48", a distance of 142.35 feet; thence North 21°49'50" West 220.37 feet; thence northerly along a 372.50 foot radius curve to the right, (long chord bears North 12°44'20" West a distance of 117.72 feet), center point lies North 68°10'10" East through a central angle of 18°11'00", a distance of 118.22 feet to said south boundary line; thence South 88°52'23" East along said line 45.18 feet, to the point of beginning.

Containing 27,539 square feet or 0.63 acres.

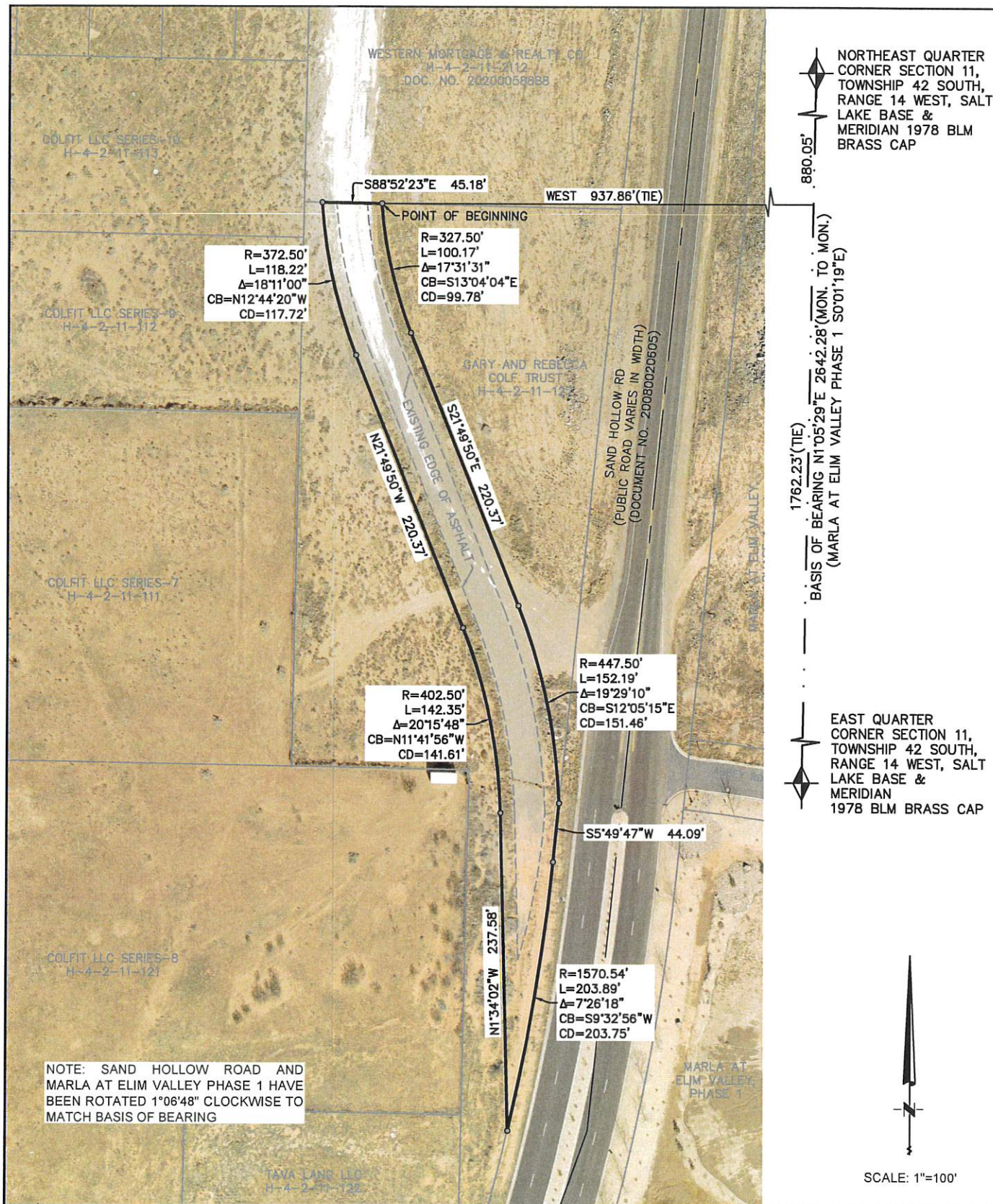


**EXHIBIT B**  
**ROADWAY ABANDONMENT**  
**B & G 211065**



**BUSH & GUDGELL, INC.**  
Engineers - Planners - Surveyors  
205 East Tabernacle Suite #4  
St. George, Utah 84770  
Phone (435) 673-2337 / Fax (435) 673-3161





**EXHIBIT C**  
**ROADWAY ABANDONMENT**  
**B & G 211065**



**BUSH & GUDGELL, INC.**  
Engineers - Planners - Surveyors  
205 East Tabernacle Suite #4  
St. George, Utah 84770  
Phone (435) 673-2337 / Fax (435) 673-3161





## STAFF COMMENTS

<b>Agenda Date:</b>	4/1/2021
<b>Application Number:</b>	N/A
<b>Type of Application:</b>	Roadway Abandonment
<b>Action Type:</b>	Legislative
<b>Applicant:</b>	Gary Colf
<b>Agent:</b>	Bob Hermandson, Bush & Gudgell, Inc
<b>Request:</b>	Roadway Abandonment on Parcel H-4-2-11-127
<b>Location:</b>	Westside of Sand Hollow Road and Abbey Road
<b>Zoning:</b>	General Commercial
<b>General Plan Map:</b>	Planned Community

**Discussion:** The property owner is asking the City to abandon the existing right-of-way on his property so he can develop the property in a way that is more beneficial to the site. 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 advertised and noticed in accordance with the code above. 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 and there were no major concerns raised by any of the utility companies. There is a sewer line in the roadway, but the petitioner has met with Ash Creek and resolved their concerns by agreeing to remove the pipe and fill where the pipe was to their standards. An official notice has been sent to all of the utility companies.

## **Staff Review**

Staff has reviewed the application and does not have major concerns about the roadway abandonment. A realignment of roadways within the area would likely lead to better connectivity. The applicant will need to provide additional roadways and access point to develop the property as requested by the zone change.

The roadway in question is not part of the City's Transportation Master Plan.

**Recommendation:** Staff recommends the City Council review this application and the attached resolution.



**A RESOLUTION OF THE CITY COUNCIL OF HURRICANE, UTAH,  
APPROVING THE COLF PETITION FOR ABANDONMENT OF A PUBLIC RIGHT-  
OF-WAY LOCATED ON PARCEL H-4-2-11-127**

**WHEREAS**, Utah Code 72-5-105 grants the City power to abandon public highways, streets, or roads that are maintained and operated by the City; and

**WHEREAS**, Gary Colf has petitioned the City requesting the public right-of-way located on his property described in the attached survey and legal description be abandoned; and

**WHEREAS**, the City has held a public hearing and provided notice as required by Utah Code 10-9a-208;

**WHEREAS**, the proposed abandonment has been presented to the Hurricane Joint Utility Committee and no objections were raised; and

**WHEREAS**, the roadway in question is not part of the City's Transportation Master Plan and a new roadway and intersection layout in the area would be beneficial to the City, the property owner, and adjacent property owners; and

**WHEREAS**, the roadway has limited traffic and the abandonment will not negatively effect adjacent property owners.

**BE IT HEREBY RESOLVED** by the City Council of Hurricane, Utah that the attached petition and survey to vacate the public roadway, as described in the attached record of survey, located on Parcel H-4-2-11-127, be abandoned and vacated.

DATED this 1<sup>st</sup> day of April, 2021.

---

John Bramall, Mayor

Attest:

---

Cindy Beteag, Recorder

The foregoing Resolution was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 1<sup>st</sup> day of April, 2021. Whereupon a motion to adopt and approve said Resolution was made by \_\_\_\_\_ and seconded by \_\_\_\_\_. A roll call vote was then taken with the following results:

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

\_\_\_\_\_  
Cindy Beteag

# 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. 2022-PP-07

Receipt No. 8-155141

**Name:** D.R. Horton (DON BEAN)  
12351 S Gateway Park Place #D101

**Telephone:** 385-226-8859

**Address:** Draper, Utah 84020

**Fax No.** \_\_\_\_\_

**Email:** dgbean@drhorton.com

**Agent (If Applicable):** Adam Allen

**Telephone:** 435-680-6711

**Address/Location of Subject Property:** Approx 600S 3500W

**Tax ID of Subject Property:** H-4-2-12-1102

**Zone District:** R-1-8/R-1-6

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

Single Family Lots - 576 Lots Total

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

- X 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- X a. The proposed name of the subdivision.
  - X b. The location of the subdivision, including the address and section, township and range.
  - X c. The names and addresses of the owner or subdivider, if other than the owner.
  - X d. Date of preparation, and north point.
  - X e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- X 2. Existing Conditions: The preliminary plat shall show:
- X a. The location of the nearest monument.
  - X b. The boundary of the proposed subdivision and the acreage included.
  - X 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.)
  - X 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.
  - X 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.
  - X 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.
- ☒ N/Ai. 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: \_\_\_\_\_



AFFIDAVIT  
PROPERTY OWNER

STATE OF Arizona )  
COUNTY OF Mohave )<sup>SS</sup>

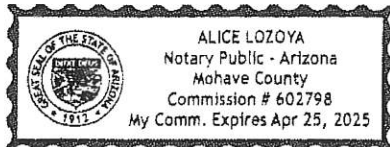
I (we), WESTERN MORTGAGE & REALTY CO., being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

WESTERN MORTGAGE & REALTY CO.  
(Property Owner)

[Signature]  
(Property Owner)

Tim. M. Jippett, Vice Pres

Subscribed and sworn to me this 18th day of January 2022



Alice Lozoya  
(Notary Public)

Residing in: Arizona

My Commission Expires: April 25, 2025

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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. 2022-PSP-04  
Receipt No. 8-155191

**Name:** D.R. HORTON (DON BEAN) **Telephone:** 385-226-8859

12351 S GATEWAY PARK PLACE, D100

**Address:** DRAPER, UTAH 84020 **Fax No.** \_\_\_\_\_

**Agent (If applicable):** ADAM ALLEN **Agent's Phone:** 435-680-6711

**Email:** adam@alcsq.com

**Address/Location of Subject Property:** approx 600S 3500W

**Tax ID of Subject Property:** H-4-2-12-1102 **Zone District:** R-1-6 / R-1-8

**Proposed Use:** (Describe, use extra sheet if necessary) \_\_\_\_\_  
576 Single Family Lots

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

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

AFFIDAVIT  
PROPERTY OWNER

STATE OF Arizona )  
COUNTY OF MoHAVE ) ss

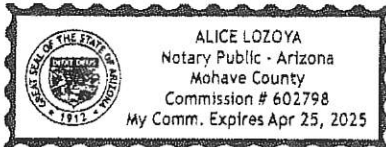
I (we), WESTERN MORTGAGE & REALTY CO., being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

WESTERN MORTGAGE & REALTY CO.  
(Property Owner)

[Signature]  
(Property Owner)

Tim. M. Tippet, Vice Pres

Subscribed and sworn to me this 18th day of January, 2022



Alice Lozoya  
(Notary Public)

Residing in: Arizona

My Commission Expires: April 25, 2025

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



<b>Agenda Date:</b>	02/10/2022
<b>Application Number:</b>	2022-PP-07
<b>Type of Application:</b>	Preliminary Plat and Preliminary Site Plan Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	D. R. Horton (Don Bean)
<b>Agent:</b>	Adam Allen
<b>Request:</b>	Preliminary Plat and Preliminary Site Plan Application
<b>Location:</b>	Approximately 600 S 3500 W
<b>Zoning:</b>	R1-8/R1-6
<b>General Plan Map:</b>	Planned Community

#### Discussion:

The applicant is seeking preliminary plat and preliminary site plan approval for a subdivision containing 576 lots located within the Sand Hollow Gateway PID for the Desert Bloom subdivision. This property is in the middle of the Gateway at Sand Hollow PID, to the south of the previously approved Elim Valley Apartments and to the north of the previously approved Peach Springs Estates. This property requires extensive PID infrastructure to be put in and is planned to be served by several PID roadways. Construction drawings for the PID are still under review. Any approval should be conditioned on sufficient buildout of the Sand Hollow Gateway PID infrastructure

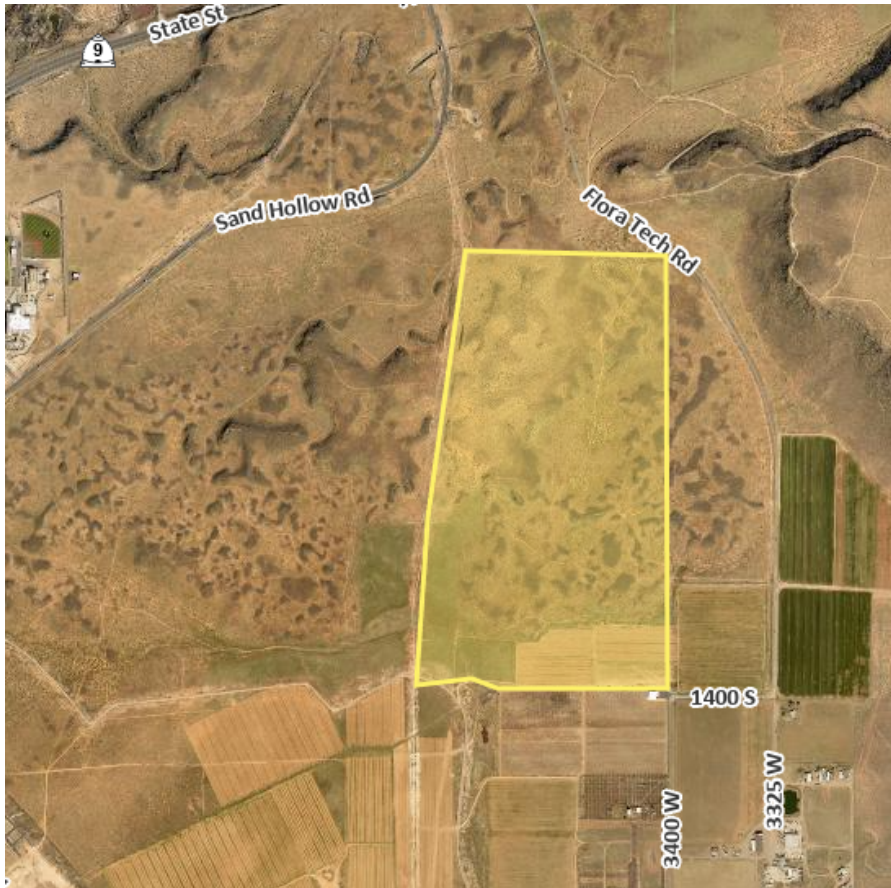
#### JUC Comments

The following items will need to be addressed:

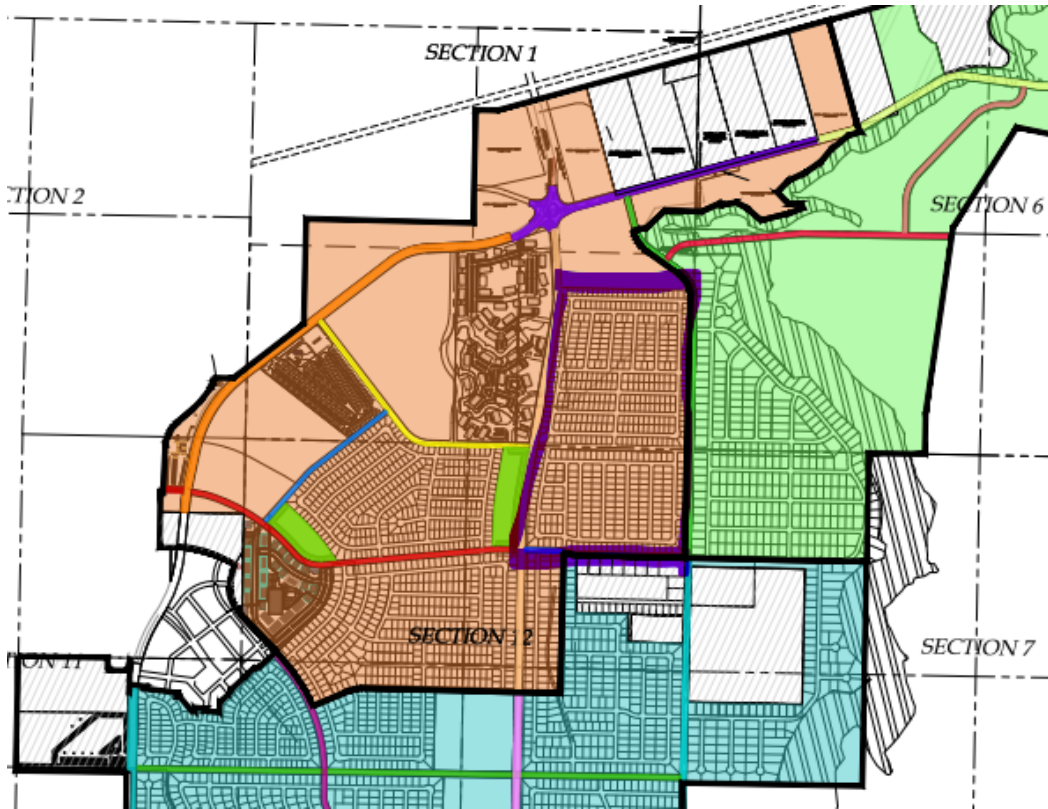
1. **Power:** Dixie Power area. Power needs to come from the PID. There is a power line along Flora Tech Road that needs to be addressed.
2. **Sewer:** Have a sewer plan for the region but it has not been installed yet
3. **Streets:** No comments
4. **Water:** Full water model needed for this subdivision. No water lines or service yet in the area.
5. **Engineer:** Need a larger picture for the region. Need a traffic impact study. Block lengths need to be under 800 feet. Drainage needs to be addressed, and planned to be addressed with regional infrastructure.
6. **Fire:** Need access and fire turnarounds in each phase.
7. **Cable/Phone:** No comments
8. **Gas:** There is capacity in the area

9. **Water Conservancy District:** 16 inch line in Gateway Drive that feeds Sand Hollow. 18 inch line in Flora Tech that feeds St. George.

Applicant attended JUC meeting and is aware of these items



*Map is approximate*

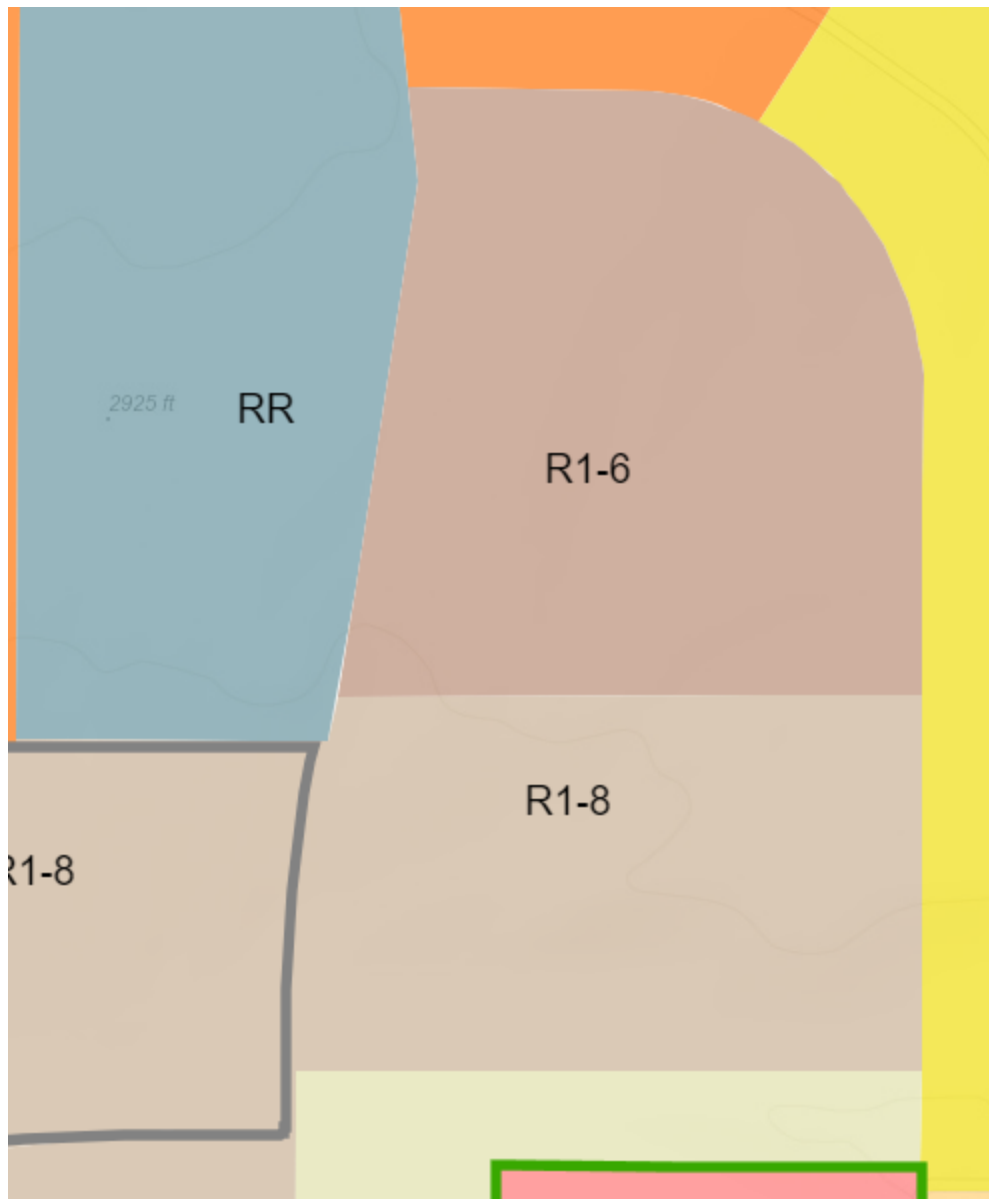


*Desert Bloom on Gateway at Sand Hollow PID Map. Boundaries are approximate*

**Staff Comments: Preliminary Plat**

02/10/2022

2022-PP-08  
2022-PSP-05



1. Zoning is R1-8 and R1-6. Within the R1-6 area, the average lots size is 6,044 sq. ft. Within the R1-8 area, the average lot size is 8,062.5 sq. ft. All other lots meet Hurricane standards.
2. The plan appears to show the proposed “Jellystone Road” as the boundary between the R1-6 zone and the R1-8 zone. Per the zone map above that line is not exactly correct, the R1-8 zone extends approximately one block north of Jellystone Road, as well as there is a section of R1-10 zoning just north of the peach farm. Staff has discussed the zoning boundary with the applicant, and the applicant is applying the property description to the City zoning map to check for compliance. Hurricane City Code states the following:

***Sec. 10-11-4. - Rules for locating zone boundaries.***



*F. Uncertainties. When a physical or cultural feature existing on the ground is at variance with one shown on the official zoning map, or in case any other uncertainty exists with respect to a zone boundary, the Zoning Administrator shall determine the boundary location, subject to appeal to the Appeals Board as provided in this title.*

*G. Zoning Administrator to make determination. The Zoning Administrator shall have the authority to make all zone boundary clarifications and determinations subject to the rules above and appeal to the Appeals Board as provided in this title.*

Based on the current information, staff does not believe they can make the proper determination at this time until additional information has been submitted.

3. The plat shows the future roadways and utilities in the area, but currently, these services do not exist.
4. The applicant has noted that the property isn't located in a desert tortoise take area.
5. PID roadways in this property include: Future Flora Tech Drive (western boundary) Gateway Drive (eastern boundary) Jellystone Road (bisects the property north/south) Bash Parkway (southern boundary)
6. The scale on some pages is not correct. See P.1.3.
7. Some block lengths do not meet city design standards.

#### *3.2.4.2 INTERSECTIONS*

*F. When designing local road networks, block lengths without an intervening connector street shall not exceed eight hundred feet (800') in length unless previous approval has been obtained from the City Engineer. Cul-de-sacs are not considered an intervening connecting street.*

8. Street Connections:
  - a. Staff would prefer that road E stub to the property to the north. Staff would encourage this applicant to negotiate with the development to the north to ensure that their property boundaries and street connections are properly established.
  - b. Road LL should stub to the future Flora Tec Road.
9. There is no open space planned within this development. None is required by code; however, there is a PID planned park to the west of this development.
10. A will serve letter from Hurricane City Water and Ash Creek Sewer District has been provided
11. Utilities: The property is isolated but has services planned for the area. The PID has submitted plans to bring services to the site to the JUC, but these plans are in the review process and have not received approval at the time of this report. 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)*

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. At this time, staff would recommend continuing the item until the zoning boundary issue has been resolved.

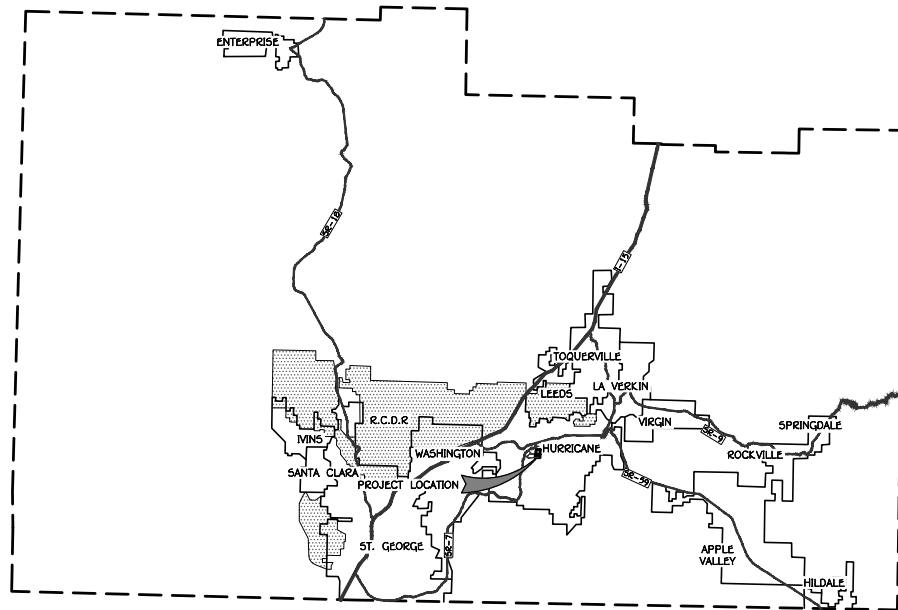
Other Items to consider.

1. That Sand Hollow PID roadway and utility plans are approved by the JUC, and that the PID
2. Staff and JUC comments

# DESERT BLOOM

## SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SLB&M COUNTY OF WASHINGTON, CITY OF HURRICANE, UTAH

PRELIMINARY PLAT  
JANUARY 2022



WASHINGTON COUNTY

### PROJECT DATA:

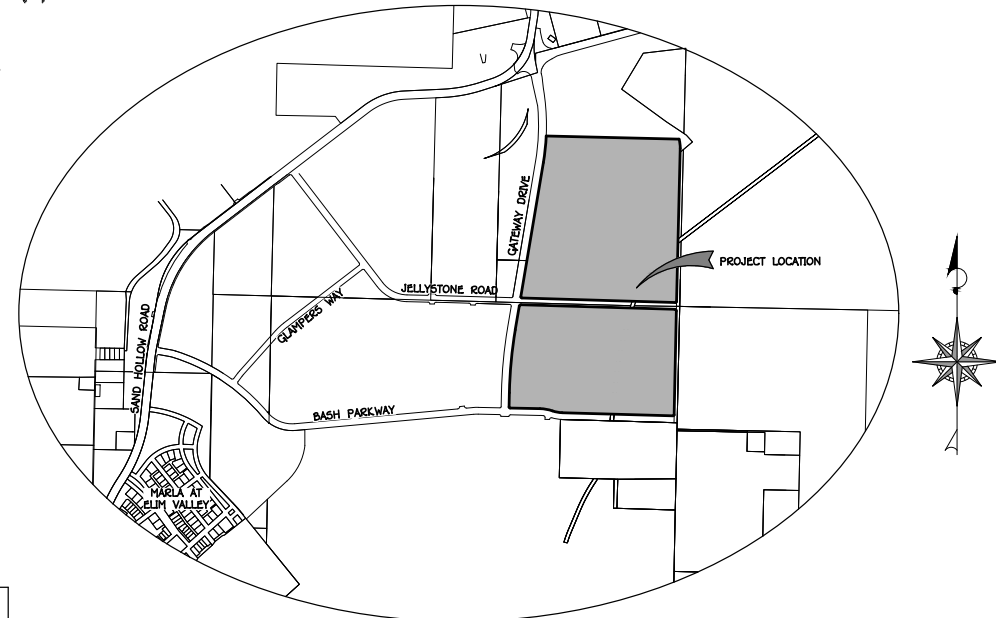
NORTH AREA:  
ZONING: R-1-6  
PARCEL SIZE: 69.78 ACRES  
# OF LOTS: 371 LOTS  
DENSITY: 5.32 DU/AC  
AVERAGE LOT SIZE: 6,044.6 SQ. FT.

SOUTH AREA:  
ZONING: R-1-8  
PARCEL SIZE: 51.05 ACRES  
# OF LOTS: 205 LOTS  
DENSITY: 4.02 DU/AC  
AVERAGE LOT SIZE: 8,062.5 SQ. FT.

TOTAL LOTS: 576 LOTS

### SHEET INDEX

#	SHEET	DESCRIPTION
1	P.1.1	COVER SHEET
2	P.1.2	OVERALL SITE, BOUNDARY, PHASING PLAN
3	P.1.3	DETAILED SITE PLAN NORTH
4	P.1.4	DETAILED SITE PLAN SOUTH
5	P.1.5	DETAILED GRADING PLAN NORTH
6	P.1.6	DETAILED GRADING PLAN SOUTH
7	P.1.7	DETAILED UTILITY PLAN NORTH
8	P.1.8	DETAILED UTILITY PLAN SOUTH



### VICINITY MAP (N.T.S.)

SECTION 12, TOWNSHIP 42 SOUTH  
RANGE 14 WEST SLB&M

### LEGAL DESCRIPTIONS:

NORTH PARCEL  
BEGINNING AT A POINT THAT IS ON THE EAST LINE OF GATEWAY DRIVE, AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT LIES SOUTH 88°46'40" EAST 2651.36 FEET ALONG THE NORTH SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 12; THENCE SOUTH 88°17'53" EAST ALONG THE NORTH SECTION LINE 852.38 FEET AND NORTH 42.02 FEET; FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE ALONG THE EAST LINE OF SAID GATEWAY DRIVE THE FOLLOWING THREE (3) COURSES: 1) NORTHWESTERLY ALONG A 12.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 39°22'59" WEST A DISTANCE OF 18.84 FEET, CENTER POINT LIES NORTH 01°42'07" EAST) THROUGH A CENTRAL ANGLE OF 97°49'56", A DISTANCE OF 21.34 FEET, 2) NORTH 09°32'02" EAST 1,045.68 FEET AND 3) NORTHERLY ALONG A 2,545.00 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 06°06'43" EAST A DISTANCE OF 303.83 FEET, CENTER POINT LIES NORTH 80°27'58" WEST) THROUGH A CENTRAL ANGLE OF 06°50'39", A DISTANCE OF 304.01 FEET; THENCE SOUTH 88°39'19" EAST 1,510.19 FEET TO THE WEST LINE OF THE FUTURE FLORA TEC DRIVE; THENCE SOUTHERLY ALONG SAID WEST LINE AND A 368.68 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 07°08'22" EAST A DISTANCE OF 105.60 FEET, CENTER POINT LIES SOUTH 74°39'37" WEST) THROUGH A CENTRAL ANGLE OF 18°28'02", A DISTANCE OF 105.96 FEET; THENCE SOUTH 01°22'30" WEST ALONG SAID FUTURE WEST LINE 1,740.88 FEET TO THE NORTH LINE OF JELLYSTONE WAY, AS ON FILE WITH THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE SOUTHWESTERLY ALONG SAID NORTH LINE A 12.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 46°32'18" WEST A DISTANCE OF 17.73 FEET, CENTER POINT LIES NORTH 88°37'30" WEST) THROUGH A CENTRAL ANGLE OF 90°19'37", A DISTANCE OF 19.71 FEET; THENCE NORTH 88°17'53" WEST 1,745.37 FEET TO THE POINT OF BEGINNING.

CONTAINING 3,039,598 SQUARE FEET OR 69.78 ACRES.

SOUTH PARCEL  
BEGINNING AT A POINT THAT IS ON THE SOUTH LINE OF JELLYSTONE ROAD, AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE, SAID POINT LIES SOUTH 88°46'40" EAST 2651.36 FEET ALONG THE NORTH SECTION LINE TO THE NORTH QUARTER CORNER OF SECTION 12; THENCE SOUTH 88°17'53" EAST ALONG THE NORTH SECTION LINE 842.16 FEET AND SOUTH 35.02 FEET; FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE SOUTH 88°17'53" EAST ALONG SAID SOUTH LINE 1,747.09 FEET; THENCE SOUTHEASTERLY ALONG SAID SOUTH LINE AND A 19.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 43°33'23" EAST A DISTANCE OF 27.45 FEET, CENTER POINT LIES SOUTH 01°42'07" WEST) THROUGH A CENTRAL ANGLE OF 89°29'07", A DISTANCE OF 30.45 FEET TO THE WEST LINE OF THE FUTURE FLORA TEC ROADWAY; THENCE SOUTH 01°11'07" WEST ALONG SAID WEST LINE 1,176.36 FEET TO THE NORTH LINE OF BASH PARKWAY, AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE ALONG SAID NORTH LINE THE FOLLOWING FIVE (5) COURSES: 1) SOUTHWESTERLY ALONG A 12.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS SOUTH 46°23'23" WEST A DISTANCE OF 17.74 FEET, CENTER POINT LIES NORTH 88°48'53" WEST) THROUGH A CENTRAL ANGLE OF 90°24'33", A DISTANCE OF 19.72 FEET, 2) NORTH 88°24'27" WEST 1,262.13 FEET, 3) WESTERLY ALONG A 358.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 79°31'15" WEST A DISTANCE OF 110.58 FEET, CENTER POINT LIES NORTH 01°35'40" EAST) THROUGH A CENTRAL ANGLE OF 17°46'09", A DISTANCE OF 111.03 FEET, 4) WESTERLY ALONG A 457.24 FOOT RADIUS REVERSE CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 79°42'52" WEST A DISTANCE OF 144.29 FEET, CENTER POINT LIES SOUTH 19°21'50" WEST) THROUGH A CENTRAL ANGLE OF 18°09'23", A DISTANCE OF 144.89 FEET, AND 5) NORTH 88°47'33" WEST 339.24 FEET TO THE EASTERLY LINE OF GATEWAY DRIVE, AS ON FILE IN THE WASHINGTON COUNTY RECORDER'S OFFICE; THENCE ALONG SAID EAST LINE THE FOLLOWING FOUR (4) COURSES: 1) NORTHWESTERLY ALONG A 12.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 43°47'13" WEST A DISTANCE OF 17.68 FEET, CENTER POINT LIES NORTH 01°12'27" EAST) THROUGH A CENTRAL ANGLE OF 90°00'40", A DISTANCE OF 19.64 FEET, 2) NORTH 01°13'07" EAST 160.57 FEET, 3) NORTHERLY ALONG A 4,955.00 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 05°22'35" EAST A DISTANCE OF 719.11 FEET, 4) NORTH 09°32'02" EAST 272.76 FEET, AND 5) NORTHEASTERLY ALONG A 19.50 FOOT RADIUS CURVE TO THE RIGHT, (LONG CHORD BEARS NORTH 50°37'04" EAST A DISTANCE OF 25.63 FEET, CENTER POINT LIES SOUTH 80°27'58" EAST) THROUGH A CENTRAL ANGLE OF 82°10'09", A DISTANCE OF 27.96 FEET TO THE POINT OF BEGINNING.

CONTAINING 2,223,816 SQUARE FEET OR 51.05 ACRES.

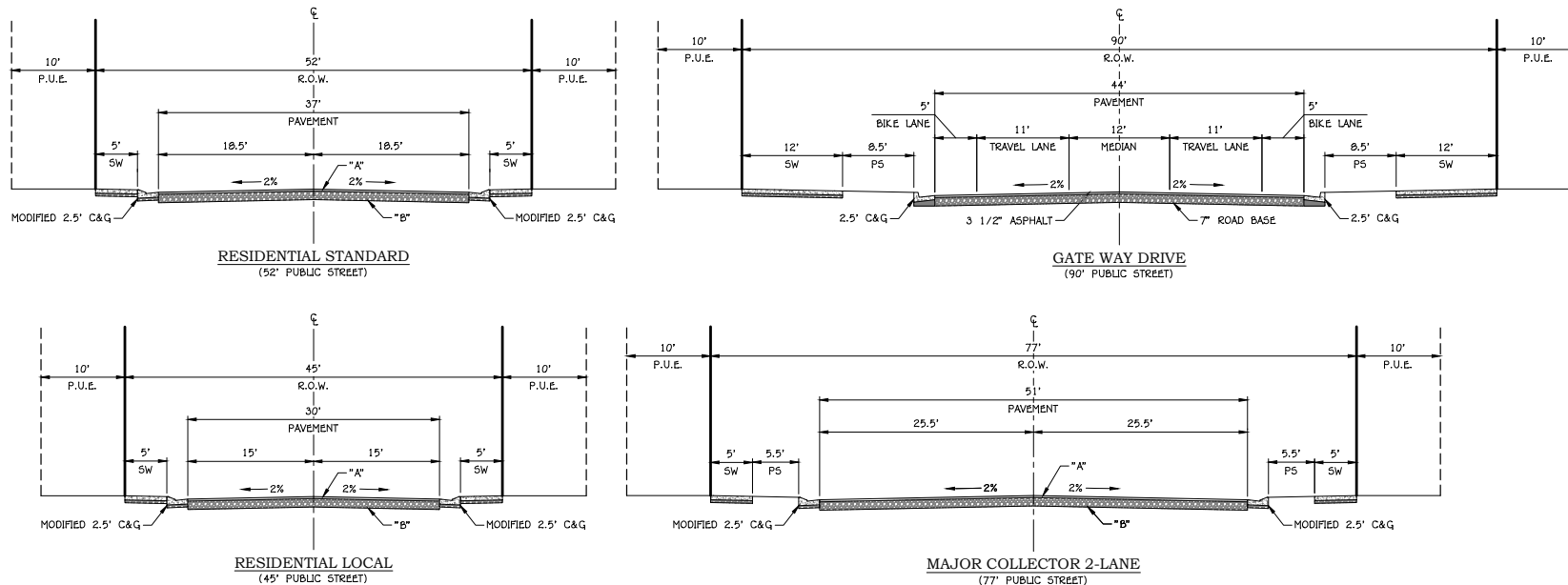
BASIS OF BEARINGS FOR THIS DESCRIPTION IS NORTH 88°51'50" WEST 2657.22 FEET BETWEEN THE SOUTHEAST CORNER (NW COR SEC 12) AND THE SOUTH QUARTER CORNER OF SECTION 2, TOWNSHIP 42 SOUTH, RANGE 14 WEST.

### PROJECT MANAGER

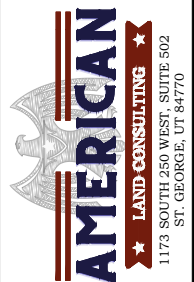
AMERICAN LAND CONSULTING  
1173 SOUTH 250 WEST, SUITE 502  
ST. GEORGE, UT 84770  
CONTACT: ADAM ALLEN  
PHONE: (435) 680-6711  
EMAIL: adam@alcsig.com

### APPLICANT:

D.R. HORTON  
12351 S GATEWAY PARK PLACE  
SUITE D100  
DRAPER, UTAH 84020  
CONTACT: DON BEAN  
PHONE: (385) 226-8859  
EMAIL: DGBEAN@DRHORTON.COM



PRELIMINARY  
NOT FOR  
CONSTRUCTION

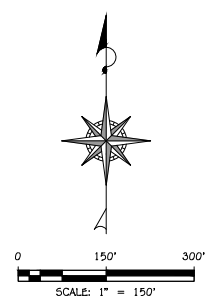


DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

DESERT BLOOM  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
COVER SHEET  
PRELIMINARY PLAT

P.1.1

SHEET: 1 of 8



- PRELIMINARY PLAT NOTES:**
1. THE PROPOSED PROJECT IS LOCATED IN SECTIONS 1&12, TOWNSHIP 42 SOUTH, RANGE 14 WEST SLB&M
  2. BASED ON THE RED CLIFFS DESERT RESERVE TAKE AREA MAPS THE PROJECT SITE IS NOT LOCATED IN A DESERT TORTOISE TAKE AREA.

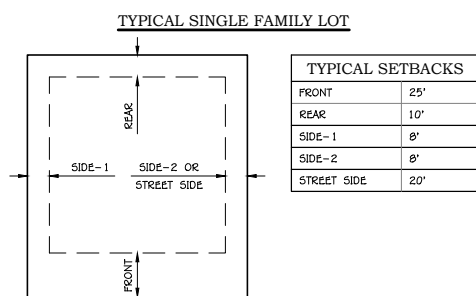
**PROJECT DATA:**

**NORTH AREA:**  
ZONING: R-1-6  
PARCEL SIZE: 69.78 ACRES  
# OF LOTS: 371 LOTS  
DENSITY: 5.32 DU/AC  
AVERAGE LOT SIZE: 6,044.6 SQ. FT.

**SOUTH AREA:**  
ZONING: R-1-8  
PARCEL SIZE: 51.05 ACRES  
# OF LOTS: 205 LOTS  
DENSITY: 4.02 DU/AC  
AVERAGE LOT SIZE: 8,062.5 SQ. FT.

**TOTAL LOTS: 576 LOTS**

- SITE & UTILITY PLAN LEGEND:**
- PROPERTY BOUNDARY LINE
  - - - MATCH LINE
  - - - BUILDING SETBACK AND/OR UTILITY EASEMENT
  - PHASE LINE



REV. DATE: REVISION

PRELIMINARY  
NOT FOR  
CONSTRUCTION

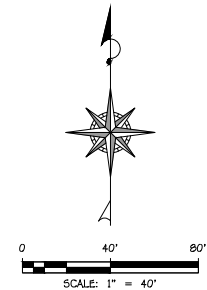
AMERICAN  
LAND CONSULTING  
1173 SOUTH 250 WEST, SUITE 502  
ST. GEORGE, UT 84770

DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

DESERT BLOOM  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
OVERALL SITE PLAN  
PRELIMINARY PLAT

P.1.2  
SHEET: 2 of 8





- PRELIMINARY PLAT NOTES:**
1. THE PROPOSED PROJECT IS LOCATED IN SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST SBL&M
  2. BASED ON THE RED CLIFFS DESERT RESERVE TAKE AREA MAPS THE PROJECT SITE IS NOT LOCATED IN A DESERT TORTOISE TAKE AREA.

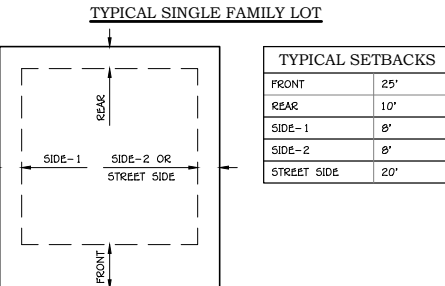
**PROJECT DATA:**

**NORTH AREA:**  
ZONING: R-1-6  
PARCEL SIZE: 69.78 ACRES  
# OF LOTS: 371 LOTS  
DENSITY: 5.32 DU/AC  
AVERAGE LOT SIZE: 6,044.6 SQ. FT.

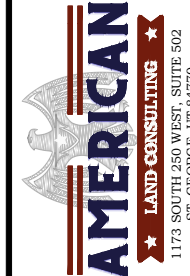
**SOUTH AREA:**  
ZONING: R-1-8  
PARCEL SIZE: 51.05 ACRES  
# OF LOTS: 205 LOTS  
DENSITY: 4.02 DU/AC  
AVERAGE LOT SIZE: 8,062.5 SQ. FT.

**TOTAL LOTS: 576 LOTS**

- SITE & UTILITY PLAN LEGEND:**
- PROPERTY BOUNDARY LINE
  - MATCH LINE
  - BUILDING SETBACK AND/OR UTILITY EASEMENT
  - ASPHALT PAVEMENT SURFACE



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



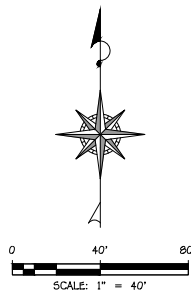
DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

**DESERT BLOOM**  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SBL&M  
HURRICANE, UTAH

**SITE PLAN**  
PRELIMINARY PLAT

**P.1.3**  
SHEET: 3 of 8





**PROJECT DATA:**

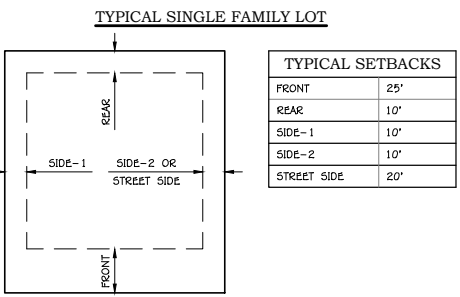
**NORTH AREA:**  
ZONING: R-1-6  
PARCEL SIZE: 69.78 ACRES  
# OF LOTS: 371 LOTS  
DENSITY: 5.32 DU/AC  
AVERAGE LOT SIZE: 6,044.6 SQ. FT.

**SOUTH AREA:**  
ZONING: R-1-8  
PARCEL SIZE: 51.05 ACRES  
# OF LOTS: 205 LOTS  
DENSITY: 4.02 DU/AC  
AVERAGE LOT SIZE: 8,062.5 SQ. FT.

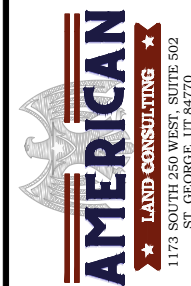
**TOTAL LOTS: 576 LOTS**

**SITE & UTILITY PLAN LEGEND:**

- PROPERTY BOUNDARY LINE
- MATCH LINE
- BUILDING SETBACK AND/OR UTILITY EASEMENT
- ASPHALT PAVEMENT SURFACE



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



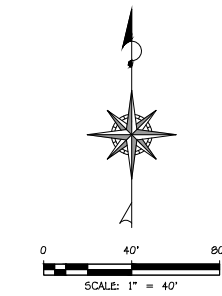
DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

**DESERT BLOOM**  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH

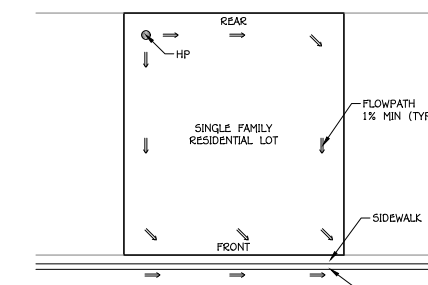
**SITE PLAN**  
PRELIMINARY PLAT

**P.1.4**  
SHEET: 4 of 8

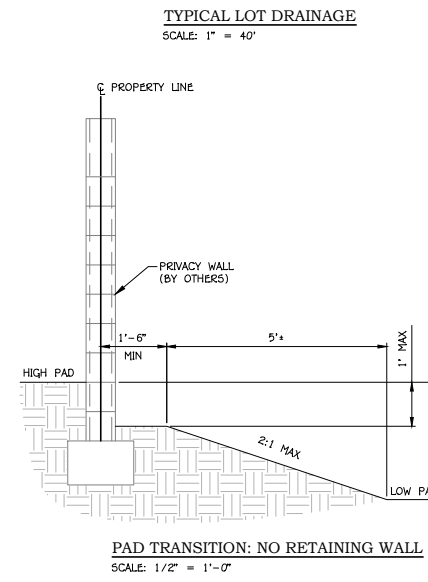




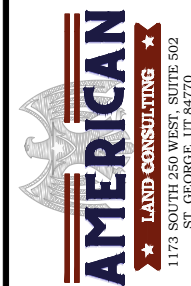
- GRADING & DRAINAGE LEGEND:**
- 2010 FINISH GRADE MAJOR CONTOUR
  - 2002 FINISH GRADE MINOR CONTOUR
  - 2010 EXISTING GRADE MAJOR CONTOUR
  - 2002 EXISTING GRADE MINOR CONTOUR
  - 2010 SURFACE FLOW DIRECTIONAL
  - PAD:3006.0 PROPOSED PAD ELEVATION
  - MATCH LINE
  - PHASE LINE



- NOTES:**
1. DRAIN AWAY FROM STRUCTURES AT 5% FOR 10' MINIMUM.
  2. PROVIDE POSITIVE DRAINAGE FROM REAR OF LOT TO STREET.



PRELIMINARY  
NOT FOR  
CONSTRUCTION

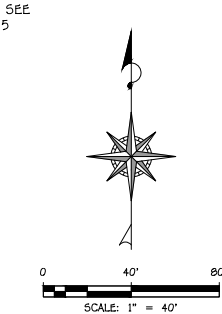


DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

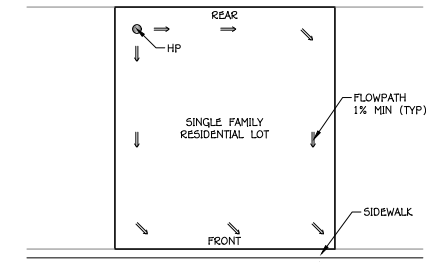
DESERT BLOOM  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
GRADING PLAN  
PRELIMINARY PLAT

P.1.5  
SHEET: 5 of 8



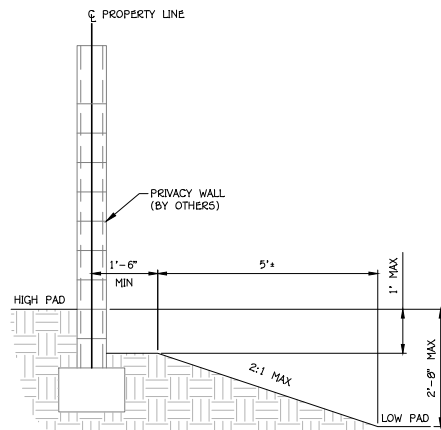


- GRADING & DRAINAGE LEGEND:**
- 2010 FINISH GRADE MAJOR CONTOUR
  - 2002 FINISH GRADE MINOR CONTOUR
  - 2010 EXISTING GRADE MAJOR CONTOUR
  - 2002 EXISTING GRADE MINOR CONTOUR
  - SURFACE FLOW DIRECTIONAL
  - PROPOSED PAD ELEVATION
  - MATCH LINE
  - PHASE LINE



- NOTES:**
- DRAIN AWAY FROM STRUCTURES AT 5% FOR 10' MINIMUM.
  - PROVIDE POSITIVE DRAINAGE FROM REAR OF LOT TO STREET.

**TYPICAL LOT DRAINAGE**  
SCALE: 1" = 40'



**PAD TRANSITION: NO RETAINING WALL**  
SCALE: 1/2" = 1'-0"

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



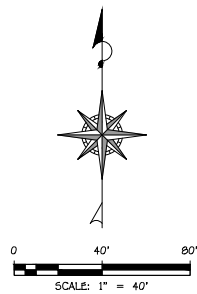
**DATE:** 1/22/2022  
**JOB #** 21-051  
**DRAWN BY:** ASA  
**CHECKED BY:** ASA

**DESERT BLOOM**  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
**GRADING PLAN**  
PRELIMINARY PLAT

**P.1.6**

SHEET: 6 of 8





UTILITY PLAN LEGEND:

- PROPOSED WATER LINE (SIZE PER PLAN)
- EXISTING WATER LINE (SIZE PER PLAN)
- STANDARD FIRE HYDRANT
- PROPOSED SEWER LINE (SIZE PER PLAN)
- EXISTING SEWER LINE (SIZE PER PLAN)
- SANITARY SEWER MANHOLE
- PROPOSED GAS LINE
- EXISTING GAS LINE
- PROPOSED JOINT UTILITY TRENCH
- EXISTING JOINT UTILITY TRENCH
- MATCH LINE
- PHASE LINE

PRELIMINARY  
NOT FOR  
CONSTRUCTION

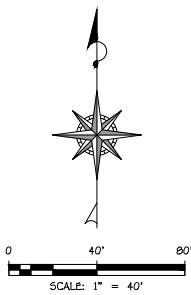


DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

DESERT BLOOM  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
UTILITY PLAN  
PRELIMINARY PLAT

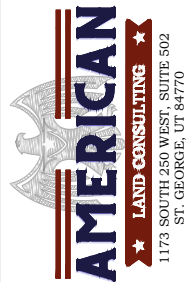
P.1.7

SHEET: 7 of 8



- UTILITY PLAN LEGEND:
- PROPOSED WATER LINE (SIZE PER PLAN)
  - EXISTING WATER LINE (SIZE PER PLAN)
  - STANDARD FIRE HYDRANT
  - PROPOSED SEWER LINE (SIZE PER PLAN)
  - EXISTING SEWER LINE (SIZE PER PLAN)
  - SANITARY SEWER MANHOLE
  - PROPOSED GAS LINE
  - EXISTING GAS LINE
  - PROPOSED JOINT UTILITY TRENCH
  - EXISTING JOINT UTILITY TRENCH
  - MATCH LINE
  - PHASE LINE

PRELIMINARY  
NOT FOR  
CONSTRUCTION



DATE: 1/22/2022  
JOB #: 21-051  
DRAWN BY: ASA  
CHECKED BY: ASA

DESERT BLOOM  
SECTIONS 1&12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
UTILITY PLAN  
PRELIMINARY PLAT

P.1.8

SHEET: 8 of 8



## **Ash Creek Special Service District**

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

January 18, 2022

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

**RE: D.R. Horton Single Family** – Sections 1 & 12, Township 42 South, Range 14 West, SLB&M

Stephen,

There is sewer capacity for this project. The developers understand that utilities are not currently in place. The developers understand and agree that they will need to get plan approval for the sewer system.

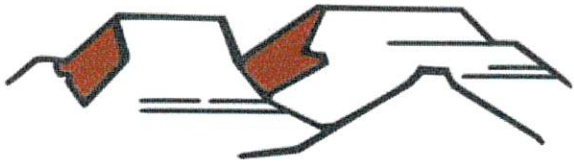
After approval they agree to pay all costs associated with construction and impact fees.

Please let us know if you have any questions.

Sincerely,

Amber Gillette, P.E.  
Engineer  
Ash Creek Special Service District





# HURRICANE CITY

## UTAH

*Water Department*  
*Ken Richins, Superintendent*

January 20, 2022

To Whom It May Concern:

A will serve letter has been requested for Elim Valley located at approximately 600 S 3500 W in Hurricane, Utah.

Yes, we do have culinary water in the area of 600 S 3500 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



# 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. 2022-PP-08  
Receipt No. 8155190

Name: Bright Ideas REI Telephone: 801-979-8633

Address: 1173 S 240 W #504 Fax No. \_\_\_\_\_

Email: Todd@brotherskeeperutah.com

Agent (If Applicable): Adam Allen Telephone: 435-680-6711

Address/Location of Subject Property: Approx 1400S 4300W

Tax ID of Subject Property: H-4-2-12-1102 Zone District: R-1-8

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

Single Family Lots - 135 Lots Total

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

- X 1. Description: In a title block located in the lower right-hand corner of the sheet the following is required:
- X a. The proposed name of the subdivision.
  - X b. The location of the subdivision, including the address and section, township and range.
  - X c. The names and addresses of the owner or subdivider, if other than the owner.
  - X d. Date of preparation, and north point.
  - X e. Scale shall be of sufficient size to adequately describe in legible form, all required conditions of Chapter 39, City Subdivision regulations.
- X 2. Existing Conditions: The preliminary plat shall show:
- X a. The location of the nearest monument.
  - X b. The boundary of the proposed subdivision and the acreage included.
  - X 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.)
  - X 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.
  - X 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.
  - X 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.
- ☒ N/Ai. 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: \_\_\_\_\_

AFFIDAVIT  
PROPERTY OWNER

STATE OF Arizona  
COUNTY OF Mohave :ss

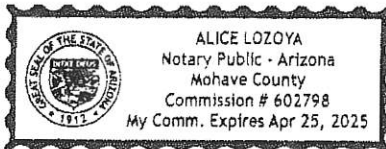
I (we), WESTERN MORTGAGE & REALTY CO., being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

WESTERN MORTGAGE & REALTY CO.  
(Property Owner)

[Signature]  
(Property Owner)

TIM M. TIPPETT, Vice Pres

Subscribed and sworn to me this 18th day of January 2022



Alice Lozoya  
(Notary Public)

Residing in: Arizona

My Commission Expires: April 25, 2025

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

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. 2022-858-05

Receipt No. 8-155-190

**Name:** BRIGHT IDEAS REI **Telephone:** 801-979-8633

1173 S 250 W #250

**Address:** ST GEORGE, UTAH 84770 **Fax No.** \_\_\_\_\_

**Agent (If applicable):** ADAM ALLEN **Agent's Phone:** 435-680-6711

**Email:** adam@alcsq.com

**Address/Location of Subject Property:** approx 1400 S 4300W

**Tax ID of Subject Property:** H-4-2-12-1102 **Zone District:** R-1-8

**Proposed Use:** (Describe, use extra sheet if necessary) \_\_\_\_\_

135 Single Family Lots

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



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

AFFIDAVIT  
PROPERTY OWNER

STATE OF Arizona  
COUNTY OF Mohave

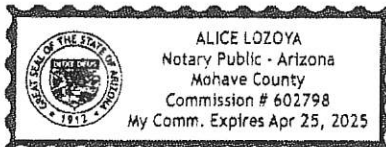
I (we), WESTERN MORTGAGE & REALTY CO., being duly sworn, depose and say that I (we) am (are) the owner(s) of the property identified in the attached application and that the statements herein contained and the information provided identified in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I (we) also acknowledge that I have received written instructions regarding the process for which I am applying and the Hurricane City Planning staff have indicated they are available to assist me in making this application.

WESTERN MORTGAGE & REALTY CO.  
(Property Owner)

[Signature]  
(Property Owner)

TIM M. TIPPETT, Vice Pres

Subscribed and sworn to me this 18th day of January 2022



Alice Lozoya  
(Notary Public)

Residing in: Arizona

My Commission Expires: April 25, 2025

Agent Authorization

I (we), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s) \_\_\_\_\_ to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

Residing in: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

<b>Agenda Date:</b>	<b>02/10/2022</b>
<b>Application Number:</b>	2022-PP-08
<b>Type of Application:</b>	Preliminary Plat and Preliminary Site Plan Application
<b>Action Type:</b>	Administrative
<b>Applicant:</b>	Bright Ideas REI
<b>Agent:</b>	Adam Allen
<b>Request:</b>	Preliminary Plat and Preliminary Site Plan Application
<b>Location:</b>	Approximately 1400 S 4300 W
<b>Zoning:</b>	R1-8
<b>General Plan Map:</b>	Planned Community

#### Discussion:

The applicant is seeking preliminary plat and preliminary site plan approval for a subdivision containing 135 lots located within the Sand Hollow Gateway PID for the Elim Estates subdivision. This property is due east of the existing Marla at the Elim Valley development. This property requires extensive PID infrastructure to be put in and is planned to be served by several PID roadways. Construction drawings for the PID are still under review. Any approval should be conditioned on sufficient buildout of the Sand Hollow Gateway PID infrastructure

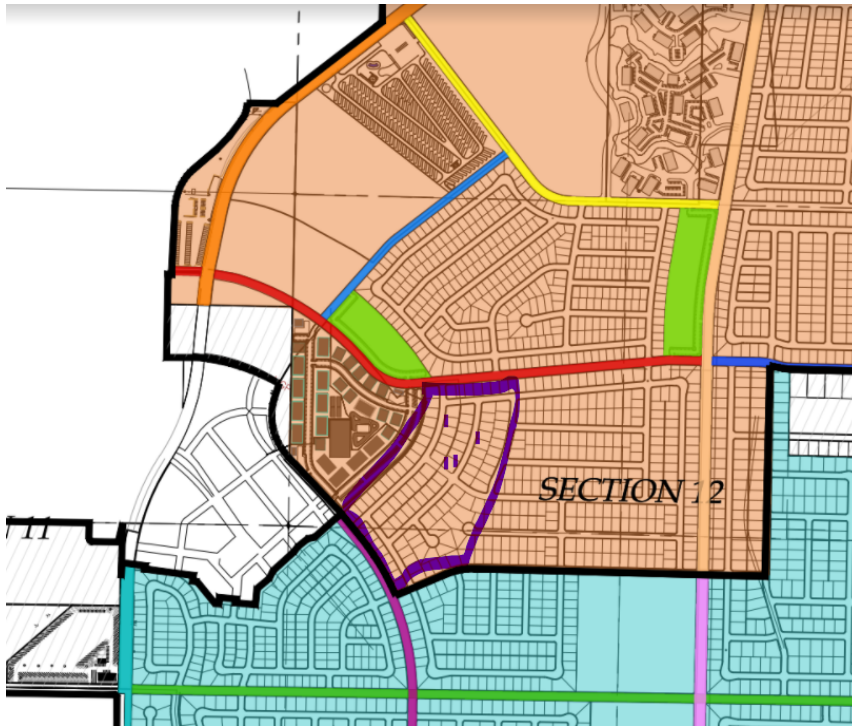
#### JUC Comments

The following items will need to be addressed:

1. **Power:** Need Bash Parkway to be put in for power
2. **Sewer:** Need PID improvements
3. **Streets:** Need to get infrastructure to it
4. **Water:** Will need a full water model. Water line in Iron Bridge Boulevard should be dedicated right up front. Need phasing plan if applicable.
5. **Engineer:** Traffic impact study needed. Drainage plan submitted
6. **Fire:** Have an access issue currently. Need two accesses
7. **Cable/Phone:** Good
8. **Gas:** Good
9. **Water Conservancy District:** Drainage area to the north needs to be maintained.







*Elim Estates on Gateway at Sand Hollow PID Map. Boundaries are approximate*

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

1. Zoning is R1-8. Staff would recommend that the average lot size be put on a note on the plat. 3.31 units an acre is less dense than the maximum density in R1-8.
2. The plat shows the future roadways and utilities in the area, but currently, these services do not exist.
3. The applicant has noted that the property isn't located in a desert tortoise take area.
4. All block lengths meet city standards
5. Road N is a 60' right of way. Houses are allowed to front 60' right of ways. Generally speaking, staff recommends that collector roadways have limited driveway access.
6. Staff appreciates the connections to the property to the east. There are no planned connections to the property to the west, but that area is zoned Recreation Resort with a planned parking lot along the border and thus may not be desirable for connections.
7. There is no open space planned within this development. None is required by code; however, there is a PID planned park to the north of this development.
8. A will serve letter from Hurricane City Water and Ash Creek Sewer District has been provided
9. Utilities: The property is isolated but has services planned for the area. The PID has submitted plans to bring services to the site to the JUC, but these plans are in the review process and have not received approval at the time of this report. 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)*

**Recommendation:** Staff recommends the Planning Commission review this application based on standards with Hurricane City Code. Any approval of the application should have the following conditions.

1. That Sand Hollow PID roadway and utility plans are approved by the JUC, and that the PID provides a plan and timing for bringing services to this property before it can move forward.
2. Staff and JUC comments

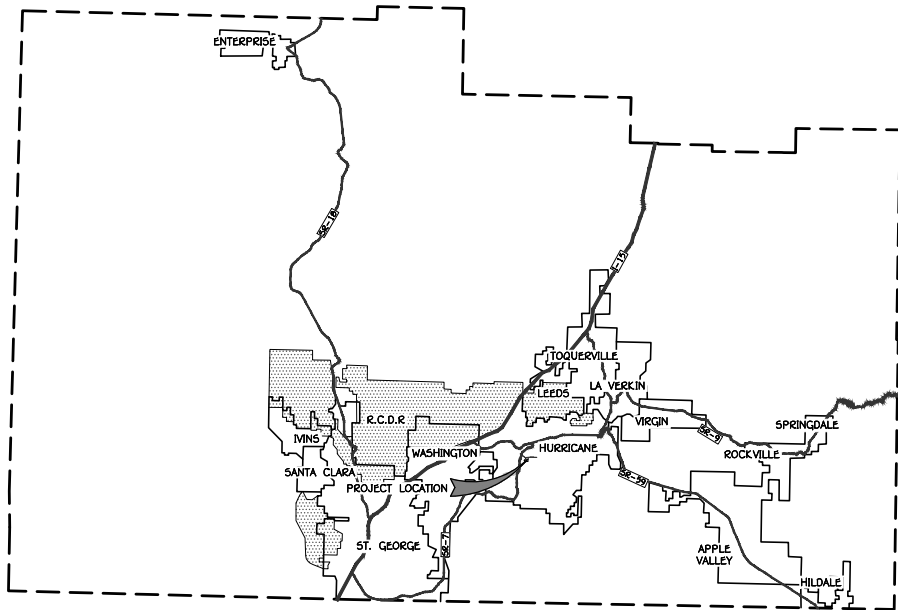
ELIM ESTATES

SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SLB&M

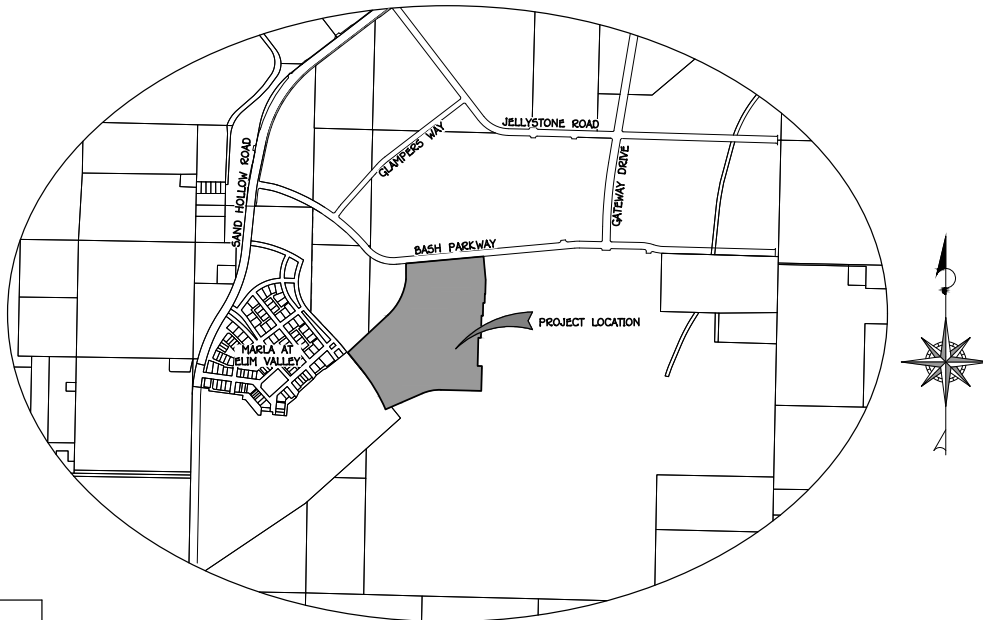
COUNTY OF WASHINGTON, CITY OF HURRICANE, UTAH

PRELIMINARY PLAT

JANUARY 2022



WASHINGTON COUNTY

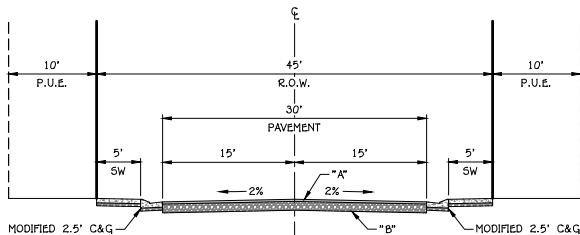


VICINITY MAP (N.T.S.)

SECTION 12, TOWNSHIP 42 SOUTH

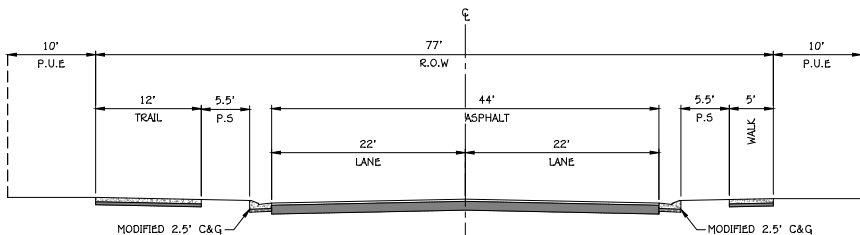
RANGE 14 WEST SLB&M

SHEET INDEX		
#	SHEET	DESCRIPTION
1	P.1.1	COVER SHEET
2	P.1.2	SITE PLAN
3	P.1.3	GRADING PLAN
4	P.1.4	UTILITY PLAN



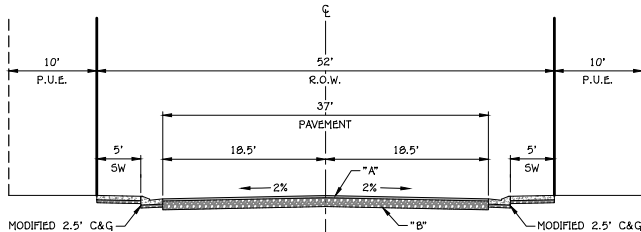
RESIDENTIAL LOCAL

(45' PUBLIC STREET)



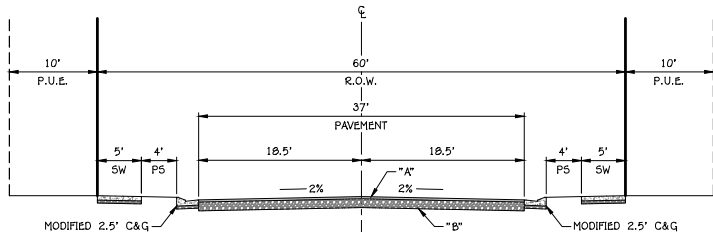
BASH PARKWAY

(77' PUBLIC STREET)



RESIDENTIAL STANDARD

(52' PUBLIC STREET)



RESIDENTIAL STANDARD ALTERNATE

(60' PUBLIC STREET)

LEGAL DESCRIPTION:

BEGINNING AT A POINT THAT LIES ON THE SOUTH LINE OF BASH PARKWAY, SAID POINT LIES SOUTH 01°07'24" WEST 1,536.05 FEET AND EAST 1,066.28 FEET FROM THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 42 SOUTH, RANGE 14 WEST, SALT LAKE BASE AND MERIDIAN; RUNNING THENCE NORTH 84°49'05" EAST ALONG THE SOUTH LINE OF BASH PARKWAY 804.71 FEET; THENCE SOUTH 05°10'55" EAST 152.00 FEET; THENCE SOUTH 05°11'52" EAST 116.12 FEET; THENCE SOUTH 01°30'03" WEST 161.90 FEET; THENCE NORTH 80°29'57" WEST 5.00 FEET; THENCE SOUTH 01°30'03" WEST 100.00 FEET; THENCE NORTH 80°29'57" WEST 16.44 FEET; THENCE SOUTH 01°30'03" WEST 145.00 FEET; THENCE NORTH 80°29'57" WEST 15.40 FEET; THENCE SOUTH 01°30'03" WEST 252.00 FEET; THENCE NORTH 80°29'57" WEST 29.43 FEET; THENCE SOUTH 01°30'03" WEST 321.46 FEET; THENCE SOUTH 80°29'57" EAST 49.37 FEET; THENCE SOUTH 01°30'03" WEST 282.00 FEET; THENCE NORTH 80°29'57" WEST 459.08 FEET; THENCE WESTERLY ALONG A 500.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS SOUTH 79°00'54" WEST 215.97 FEET, CENTER POINT LIES SOUTH 01°29'14" WEST) THROUGH A CENTRAL ANGLE OF 24°56'41", A DISTANCE OF 217.60 FEET; THENCE SOUTH 66°32'33" WEST 454.07 FEET; THENCE NORTHWESTERLY ALONG A 2,000.00 FOOT RADIUS NON-TANGENT CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 31°16'01" WEST 544.08 FEET, CENTER POINT LIES SOUTH 66°33'03" WEST) THROUGH A CENTRAL ANGLE OF 15°30'08", A DISTANCE OF 545.77 FEET; THENCE NORTH 39°05'04" WEST 233.49 FEET; THENCE NORTH 46°57'15" EAST 627.22 FEET; THENCE NORTHEASTERLY ALONG A 653.44 FOOT RADIUS CURVE TO THE LEFT, (LONG CHORD BEARS NORTH 26°39'56" EAST 453.16 FEET, CENTER POINT LIES NORTH 43°02'45" WEST) THROUGH A CENTRAL ANGLE OF 40°34'38", A DISTANCE OF 462.77 FEET; THENCE NORTH 00°01'18" WEST 179.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,771,470 SQUARE FEET OR 40.67 ACRES.

PROJECT MANAGER  
AMERICAN LAND CONSULTING  
1173 SOUTH 250 WEST, SUITE 502  
ST. GEORGE, UT 84770  
CONTACT: ADAM ALLEN  
PHONE: (435) 680-6711  
EMAIL: adam@alcsq.com

APPLICANT:  
BRIGHT IDEAS REI  
1173 SOUTH 250 WEST, SUITE 504  
ST. GEORGE, UTAH 84770  
CONTACT: TODD SMITH  
PHONE: (801) 979-0633  
EMAIL: TODD@BROTHERSKEEPERUTAH.com

CIVIL ENGINEER  
AMERICAN ENGINEERING & LAND SURVEYING  
1173 SOUTH 250 WEST, SUITE 502  
ST. GEORGE, UT 84770  
CONTACT: AUSTIN CHAPPELL, P.E.  
PHONE: (435) 668-5015  
EMAIL: austin@aelssg.com

PRELIMINARY  
NOT FOR  
CONSTRUCTION



DATE: 12/15/2021  
JOB #: ALC-21-0XX  
DRAWN BY: SSA  
CHECKED BY: ASA

ELIM ESTATES

SECTION 12, TOWNSHIP 42 S, RANGE 14 W SLB&M

HURRICANE, UTAH

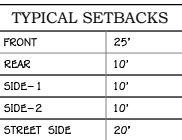
COVER SHEET

PRELIMINARY PLAT

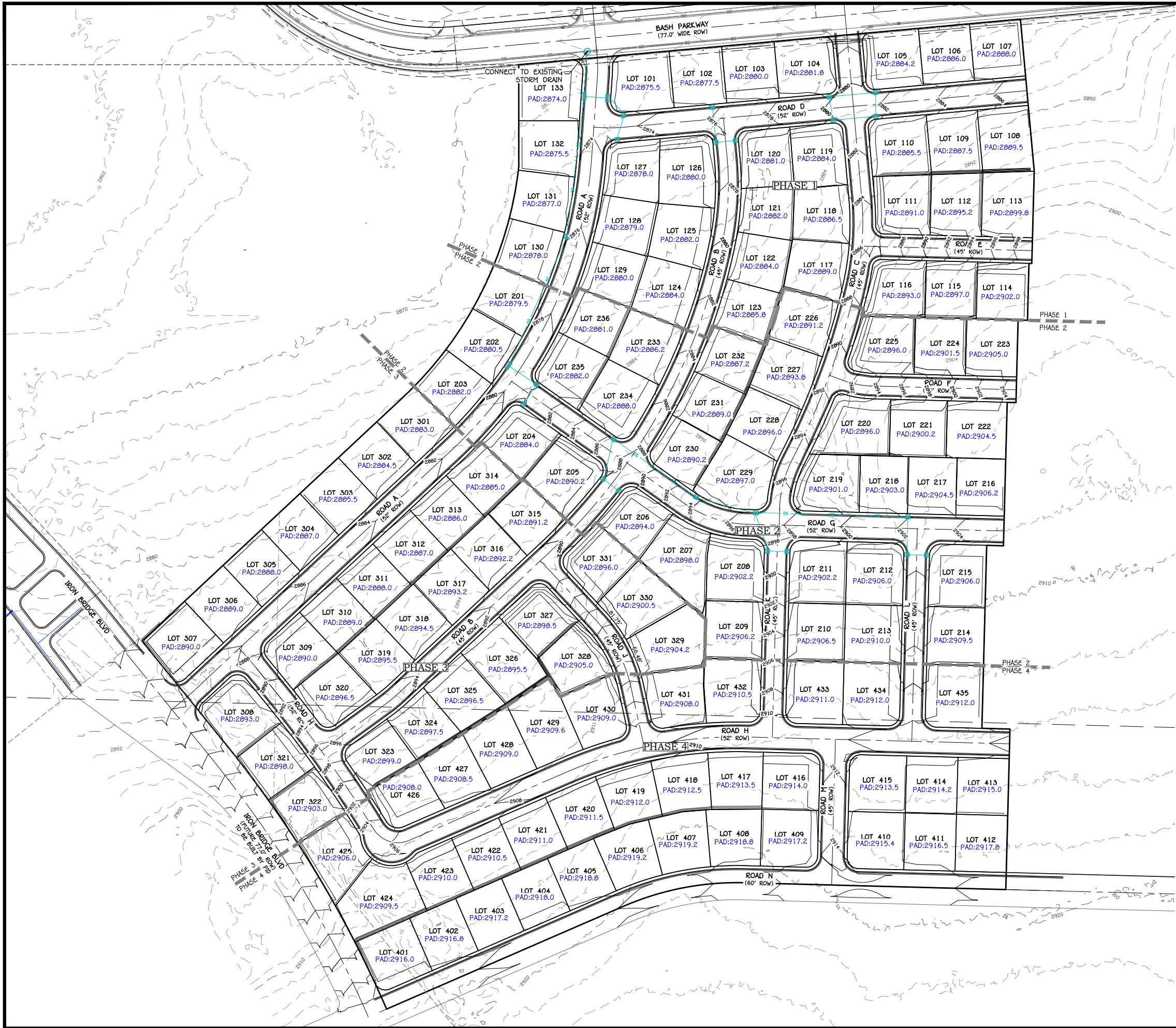
P.1.1

SHEET: 1 of 5



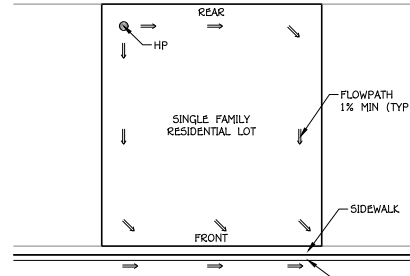






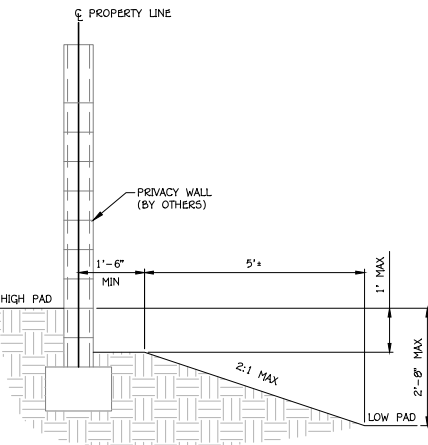
GRADING & DRAINAGE LEGEND:

- EXISTING PROPOSED DESCRIPTION
- PROPERTY BOUNDARY LINE
  - PHASE LINE
  - 60" STORM DRAIN MANHOLE
  - CURB INLET SINGLE CATCH BASIN
  - CURB INLET DOUBLE CATCH BASIN
  - 2010 FINISH GRADE MAJOR CONTOUR
  - 2002 FINISH GRADE MINOR CONTOUR
  - 2010 EXISTING GRADE MAJOR CONTOUR
  - 2002 EXISTING GRADE MINOR CONTOUR
  - 50 PROPOSED STORM DRAIN LINE
  - 50 EXISTING STORM DRAIN LINE



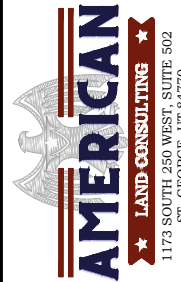
- NOTES:
- DRAIN AWAY FROM STRUCTURES AT 5% FOR 10' MINIMUM.
  - PROVIDE POSITIVE DRAINAGE FROM REAR OF LOT TO STREET.

TYPICAL LOT DRAINAGE  
SCALE: 1" = 40'



PAD TRANSITION: NO RETAINING WALL  
SCALE: 1/2" = 1'-0"

PRELIMINARY  
NOT FOR  
CONSTRUCTION



DATE: 12/15/2021  
JOB #: ALC-21-0XX  
DRAWN BY: SSA  
CHECKED BY: ASA

ELIM ESTATES  
SECTION 12, TOWNSHIP 42 S, RANGE 14 W SLB&M  
HURRICANE, UTAH  
GRADING PLAN  
PRELIMINARY PLAT

P.1.3

SHEET: 3 of 5







## **Ash Creek Special Service District**

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

January 18, 2022

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

**RE: Elim Single Family** – Section 12, Township 42 South, Range 14 West, SLB&M

Stephen,

There is sewer capacity for this project. The developers understand that utilities are not currently in place. The developers understand and agree that they will need 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,

Amber Gillette, P.E.  
Engineer  
Ash Creek Special Service District



# City of Hurricane

---

*Water Department*  
*Ken Richins, Superintendent*

January 12, 2022

To Whom It May Concern:

A will serve letter has been requested for Elim Valley Estates located at approximately 400 S and 4300 W in Hurricane, Utah.

Yes, we do have culinary water in the area of 400 S and 4300 W in Hurricane, Utah.

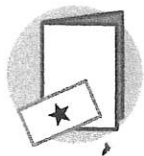
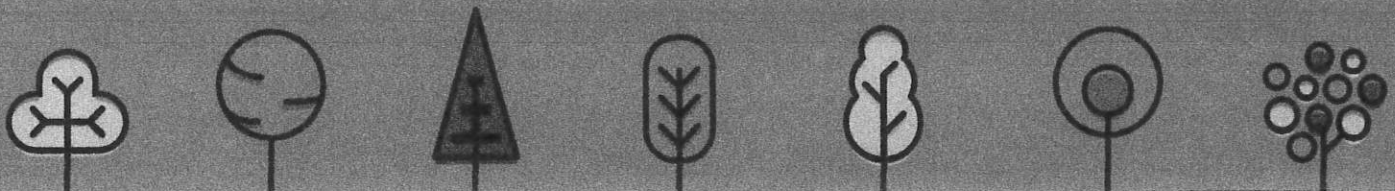
A hydraulic water study may be required to ensure the waterline will deliver the required fire flows. A looped water system may be required

Sincerely,

Hurricane City Water – Dallan Wadsworth



# RECEIVE UP TO \$30 OFF ON SELECT TREES



Secure your coupon and information packet today by emailing your name and address to [julie@wcwcd.org](mailto:julie@wcwcd.org).

## QUALIFICATIONS

- Valid for the purchase of one (1) tree per property.
- Property must be located in Washington County.
- Tree must be purchased from a participating retailer between February 15 through May 1 or September 1 through December 1.
- The redemption value is \$30 (or less if the purchase price is less than \$30).
- Coupon only valid on select trees. Review the list of qualifying trees prior to purchasing.
- Trees must be 5-gallon or larger (15 gallon sizes are recommended).
- Coupon does not cover sales tax.
- Coupon is not transferable or redeemable for cash.
- Offer not valid on prior purchases.

## PARTICIPATING RETAILERS

### Star Nursery

1145 W. Sunset Blvd.  
St. George, UT 84770

385 W. Telegraph Road  
Washington, UT 84780

1335 S. Dixie Drive  
St. George, UT 84770

### Ballard's Nursery

691 N State St  
Hurricane, UT 84737

### Elim Valley Nursery

1825 South Flora Tech Rd  
Hurricane, UT 84737

### Sandia Nursery

4234 S Washington Fields Rd  
Washington, UT 84780

### Big Trees Nursery

240 N 100 E  
Kanarrville, UT 84742



This program is funded by the Washington County Water Conservancy District and Utah Community Forestry Council. This program's funding period ends May 1, 2022.

# QUALIFYING TREES:

Common Name	Scientific Name	Size (HxW)	Type
Podless Sweet Acacia	<i>Acacia farnesiana</i> 'Sierra Sweet'	20'x20'	Deciduous
Sensation Boxelder	<i>Acer negundo</i> 'Sensation'	30'x25'	Deciduous
Apple Serviceberry	<i>Amelanchier</i> x <i>grandiflora</i>	25'x20'	Deciduous
Common Hackberry	<i>Celtis occidentalis</i>	60'x60'	Deciduous
Nettleleaf Hackberry	<i>Celtis reticulata</i>	30'x30'	Deciduous
Western Redbud	<i>Cercis occidentalis</i>	15'x10'	Deciduous
Desert Willow	<i>Chilopsis linearis</i>	25'x15'	Deciduous
Cockspur Hawthorn	<i>Crataegus crusgallii</i>	35'x35'	Deciduous
Arizona Cypress	<i>Cupressus arizonica</i>	40'x20'	Deciduous
New Mexico Olive/Privet	<i>Forestiera neomexicana</i>	18'x12'	Deciduous
Kentucky Coffee Tree	<i>Gymnocladus dioicus</i>	80'x55'	Deciduous
Golden Raintree	<i>Koelreuteria paniculata</i>	40'x40'	Deciduous
Crabapple	<i>Malus</i> spp.	20'x20'	Deciduous
Texas Umbrella Tree	<i>Melia azedarach</i>	40'x40'	Deciduous
Wilson Olive	<i>Olea europaea</i> 'Wilson'	25'x20'	Evergreen
Pinyon Pine	<i>Pinus edulis</i>	36'x20'	Evergreen
Alleppo Pine	<i>Pinus halepensis</i>	40'x70'	Evergreen
Stone Pine	<i>Pinus pinea</i>	40'x60'	Evergreen
Japanese Black Pine	<i>Pinus thunbergii</i>	20'x60'	Evergreen
Arizona Sycamore	<i>Platanus wrightii</i>	50'x50'	Deciduous
Texas Honey Mesquites	<i>Prosopis glandulosa</i>	40'x35'	Deciduous
Screwbean Mesquite	<i>Prosopis pubescens</i>	15'x20'	Deciduous
Arizona Velvet Mesquite	<i>Prosopis velutina</i>	30'x30'	Semi-Deciduous
Western Honey Mesquite	<i>Prosopis glandulosa torreyana</i>	30'x20'	Deciduous
Texas Red Oak	<i>Quercus buckleyi</i>	50'x50'	Deciduous
Holly Oak	<i>Quercus ilex</i>	60'x60'	Evergreen
Burr Oak	<i>Quercus macrocarpa</i>	80'x80'	Deciduous
Shumard Oak	<i>Quercus shumardii</i>	40'x60'	Deciduous
Cork Oak	<i>Quercus suber</i>	70'x70'	Evergreen
Lacebark Elm	<i>Ulmus parvifolia</i>	40'x50'	Deciduous
Arizona Rosewood	<i>Vauquelinia californica</i>	15'x20'	Evergreen
Japanese Zelkova	<i>Zelkova serrata</i>	50'x50'	Deciduous



# Recommended Ordinances to Extend Limited Water Supplies

Zach Renstrom | City Council Meetings | September 2021

# Water Supply

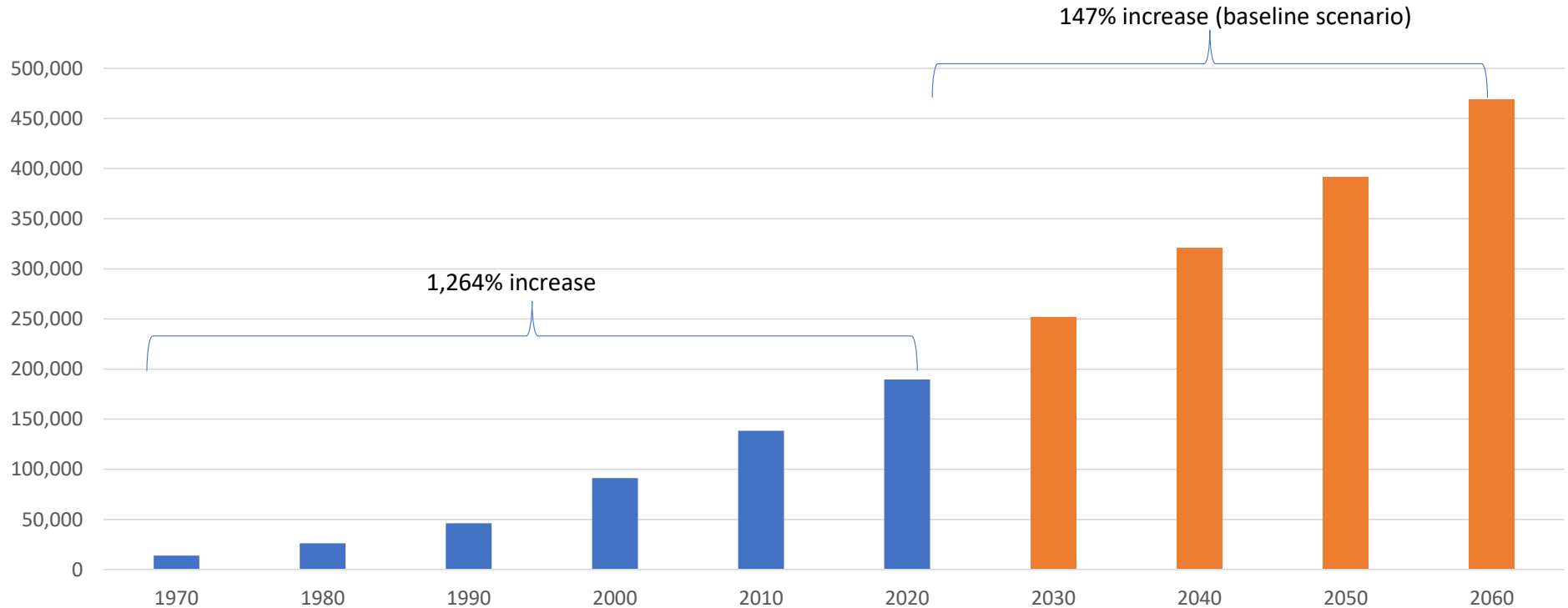
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Washington County's major population centers are 100% dependent on the Virgin River basin, which is closed to further appropriations.





# Population Growth





## Water Conservation

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- Washington County has decreased its water use by more than 30% since 2000
- First county to meet the statewide water conservation goal
- More than \$70 million invested in recent conservation efforts



# District Recommendations

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- Time-of-day watering ordinance
- Water waste ordinance
- Water efficiency standards for all new construction



# Water Efficiency Standards

- Ongoing collaboration with all our municipal partners to ensure standards are consistent throughout the county
- Standards would apply to all **new** construction, including all homeowner association areas and those served by secondary irrigation water





# Residential Standards

Applies to all new residential construction, including single and multi-family housing



Two options:

Traditional  
Conservation

WaterSense  
Certified

# Residential Standards: Traditional

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- Indoor requirements
  - Hot water recirculation system
  - WaterSense labeled fixtures
  - Energy Star appliances
  - Multi-family housing individually metered with the capability of tracking/reporting unit specific use





# Residential Standards: Traditional

- Outdoor requirements
  - Limit irrigated landscape area to 2,500 square feet, lawn to 750 square feet
    - Pools, spas and other water features count toward 750 square feet unless covered
  - Install landscape specific meters at each property
  - Use a minimum number of approved water-efficient trees and shrubs; irrigate with a drip system
  - Install water-smart irrigation controllers
  - Avoid lawn on park strips, slopes greater than 25% and areas less than 8 ft wide
  - Require pool covers
  - Secure city verification

# Residential Standards: Traditional Cost

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Conservation Measure	Average Cost	Anticipated Water Savings (per gallon/year/home)
Hot water recirculation system	\$550	10,600
WaterSense toilet	\$0	1,900
WaterSense faucet	\$0	3,700
WaterSense showerhead	\$0	2,800
Energy Star dishwasher	\$100	400
Landscape modifications (separate meter, smart controller and more efficient landscape on 10,000 sq ft lot)	\$3,250	28,700
Pool cover	\$10,000	10,000



# Residential Standards: Traditional Concept



# Examples



10,300 sf lot



9,040 sf lot



# Large Lot Examples



18,500 sq ft lot



18,700 sq ft lot

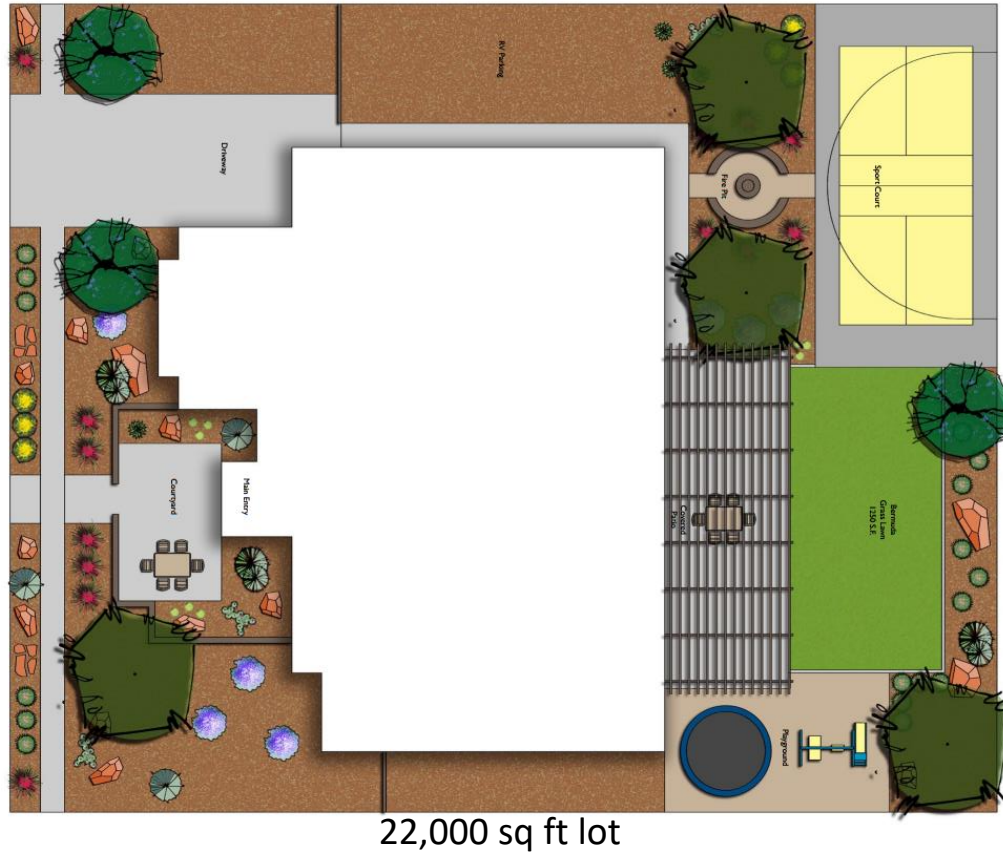


# Residential Standards: Certified

- Allows for greater flexibility
- Certification by approved verifier
- Additional costs



# Residential Standards: Certified Concept



# Examples Requiring Certification



10,900 sq ft lot



18,200 sq ft lot



# Commercial, Institutional and Industrial Standards

- Indoor requirements
  - Hot water recirculation system
  - WaterSense labeled fixtures
  - Energy Star appliances
  - Submeter all units
  - Recycle pumps at carwash facilities

# Commercial, Institutional and Industrial Standards

- Outdoor requirements
  - Lawn prohibited unless a waiver is granted demonstrating a functional purpose
  - Install landscape specific meters at each property
  - Use only approved water-efficient trees and shrubs; irrigate via drip system
  - Install water-smart irrigation controllers
  - Enforce water budget and require use of secondary irrigation at golf courses
  - Prohibit decorative water features
  - Limit commercial misting systems for use from May – August
  - Secure city verification



# Feedback, Q&A

wcwcd.org  
info@wcwcd.org

## CHAPTER 3: SINGLE FAMILY AND MULTIPLE FAMILY RESIDENTIAL WATER EFFICIENCY STANDARDS

These provisions are applicable to all new construction, and new development in any residential zone, or for any single family or multiple family residential development in any zone.

### -3-1: Construction Standards

- A. New single family or multiple family residential dwellings 1,000 square feet or greater shall install hot water recirculation systems, unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.
- B. New single family or multiple family residential dwellings shall install WaterSense labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.
- C. New single family or multiple family residential dwellings shall install Energy Star qualified appliances.
- D. All multiple family units with ground floor square footage or individually platted, shall be separately metered, submetered, or equipped with alternative technology capable of tracking the water use of the individual unit, and the information shall be made available to the resident of each unit. Individually platted condominium units are excepted if a property owners association owns and maintains the water lines and meters. All multiple family projects require separate water meters for all outdoor water usage, including landscaping.

### -3-2: Landscape Standards

- A. For all new residential construction or development, the landscaping shall meet the following requirements:
  - 1. Single Family Dwellings, and Multiple Family Dwelling Projects with Ten Units or Less:
    - a. The total grass area shall not exceed the following:

Lot size	Maximum grass
Up to 6,000 sf	750 sf
Up to 12,000 sf	1,000 sf
Up to 18,000 sf	1,250 sf
Up to 24,000 sf	1,500 sf
More than 24,000 sf	2,000 sf
    - b. In addition, grass is prohibited in park strips, all landscape areas less than eight feet wide, and on any slope that exceeds 15%; and

- 205 c. Each single dwelling shall have a minimum of two water-efficient shade trees  
206 with a minimum one-and-one-half-inch (1½") caliper trunk. Each multiple  
207 family development with ten units or less shall follow city approved landscape  
208 plans for number of shade trees.  
209

- 210 2. Multiple Family Dwelling Projects with More than Ten Units: Comply with the  
211 Landscape Standards in \_\_-4-2, below.  
212

213 **\_\_-3-3: Restrictive Covenants in Conflict with Water Efficiency Standards**

214 Any homeowners or property owners association governing documents, such as bylaws, operating  
215 rules, covenants, conditions, and restrictions that govern the operation of a common interest  
216 development, recorded after passage of this ordinance, are void and unenforceable if they conflict  
217 with the water efficiency standards in this ordinance, or if they have the effect of prohibiting or  
218 restricting compliance with this ordinance.  
219

220  
221 **CHAPTER 4: NONRESIDENTIAL ZONES AND DEVELOPMENT WATER**  
222 **EFFICIENCY STANDARDS**  
223

224 These provisions are applicable to all new construction and new development in all nonresidential  
225 zones, and nonresidential development in any zone.  
226

227 **\_\_-4-1: Construction Standards**  
228

- 229 A. Hot water recirculation systems shall be installed, unless hot water delivery can be  
230 demonstrated to occur without first displacing more than 0.6 gallons of system water.  
231  
232 B. WaterSense labeled fixtures shall be installed, including, but not limited to faucets,  
233 showerheads toilets, and urinals.  
234  
235 C. Energy Star qualified appliances shall be installed.  
236  
237 D. All shell units with ground floor square footage, or individually platted, shall be  
238 separately metered, submetered, or equipped with alternative technology capable of  
239 tracking the water use of the individual unit, and the information shall be made available  
240 to the individual unit. Individually platted condominium units are excepted if a property  
241 owners association owns and maintains the water lines and meters. All nonresidential  
242 projects require separate water meters for all outdoor water usage, including landscaping.  
243  
244 E. All carwash projects shall recirculate and limit the maximum amount of water to 35  
245 gallons per vehicle washed.  
246



247 F. Exterior, decorative water features are prohibited, except up to five decorative water  
248 features with 50 gallon or less capacity and maintained recirculating pumps.  
249

250 G. All golf courses using water district or municipal water supplies shall irrigate with  
251 secondary irrigation water and shall have separate water meters for the golf course.  
252 Irrigation with potable water is prohibited. Each golf course development shall submit  
253 and follow a water budget with the Landscape Documentation Packet and identify water  
254 conservation measures for city approval.  
255

256 H. Outside misting systems shall only operate during the May through August time period  
257 where the daily high temperature is 90 degrees Fahrenheit or greater.  
258

#### 259 **-4-2: Landscape Standards**

260

261 A. All new construction and new development in all nonresidential zones, and nonresidential  
262 development in any zone, shall meet the Landscape Design Standards and Irrigation  
263 Design Standards of this ordinance.  
264

265 1. Grass is not permitted outside of an active recreation area. In addition, grass is  
266 prohibited in park strips, all landscape areas less than eight feet wide, and on any  
267 slope that exceeds 15%. Note 15% is about a 4 to 1 slope  
268

269 2. Landscape and irrigation installers shall follow the plans that have been signed  
270 and approved by the city.  
271

272 3. Each project shall propose and follow an approved Planting Plan that has a  
273 minimum of 40% vegetative cover of a landscaped area with water-efficient  
274 shade trees and bushes adequate in number and configuration to visually enhance  
275 the project, prevent heat islands, and prevent soil erosion. The configuration of  
276 the vegetation in the Planting Plan is in the sole discretion of the city.  
277

278 4. If secondary irrigation water is available, each project shall connect to the system  
279 for all outdoor water use. A city may make minor exceptions, allowing use of  
280 treated water for outdoor plantings in small beautification areas, in its sole  
281 discretion.  
282

#### 283 **B. Required Documentation**

284

285 1. **Landscape Documentation Package:** A copy of a Landscape Documentation  
286 Package shall be submitted to and approved by the city prior to the issue of any  
287 building permit. A copy of the approved Landscape Documentation Package shall  
288 be provided to the property owner or site manager. The Landscape  
289 Documentation Package shall be prepared by a professional landscape architect  
290 (PLA) and shall consist of the following items:



Waterboards opinion of items chapter 3 CONSTRUCTION STANDARDS.

Please use the commonsense parts of the proposed landscape ordinance. Possible examples.

3- 1A Hot water recirculation systems make sense.

3-1 B Water sense fixture requirement, fixtures can easily be replaced after occupancy. Why not keep suggesting water saving devices and keep offering grants.

3-1 C Continue to offer grants based on energy star rating.

3-1-D Encourage outside water meters where feasible not mandated. One size does not fit all.

### 3.2: LANDSCAPE STANDARDS

3-2 A. Ease up on lawn restrictions, encourage lawn irrigation recirculation systems, the only loss is consumptive use and evaporation, made up by harvesting rainwater.

Encourage use of low water consumption grass varieties

3-2 B encourage low consumption water park strips

3-2 C Do not mandate types of plants and trees. Encourage low water use varieties using rebate grants. For the use of listed varieties.

### 3-3: RESTRICTIVE COVENANTS IN CONFLICT WITH WATER EFFICENCY STANDARDS

The board wanted to make sure existing homeowners association rules can be grandfathered or recognized. (Example the next phase of an existing development.)

### CHAPTER 4: NON-RESIDENTIAL ZONES AND DEVELOPMENT WATER EFFICENCY STANDARD

Most of this chapter seems to mirror the residential standards. Waterboards concerns were forcing owners to hire a landscape architect for design.

can the district create several designs, (Encourage use of recommended design using water savings data)?

Pressure regulation on landscape should be encouraged depending on water quality concerns. If secondary water is not clean it will plug pressure reducing valves.

Water sense labeled smart controllers irrigation controllers make sense, offer rebates

Encourage low flow volume irrigation equipment.

? should a standardized landscape ordinance include urbanized farming? What about Agriculture related residential zoning?

If all the shall references were removed from the ordinance there would be a good place to start.

NOTE: The districts draft ordinance is kind of like the ten commandments. The waterboard recommendations are kind of like the 10 suggestions. Hopefully there can be some common ground that does not appear we are dictating. If the landscape draft is approved as written, the cities will need to staff new departments to enforce all the new regulations.

1                                   **ORDINANCE NO. 20\_\_ - \_\_\_\_\_**

2                   **AN ORDINANCE ADOPTING AND IMPLEMENTING REGULATIONS FOR**  
3                   **LANDSCAPING AND WATER CONSERVATION FOR DEVELOPING LAND IN**  
4                   **\_\_\_\_\_ CITY, UTAH**

5  
6                   **RECITALS AND LEGISLATIVE FINDINGS**

7                   WHEREAS, Washington County is one of the most arid and fastest growing regions in  
8                   Utah with all its major population centers dependent on a single water resource that is prone to  
9                   drought, so it is essential that additional water conservation initiatives are enacted to protect the  
10                  county's population, economy and quality of life;

11                  WHEREAS, \_\_\_\_\_ City, in partnership with Washington County and the Washington  
12                  County Water Conservancy District, want to establish uniform standards for water efficient new  
13                  development, to address limited water supplies, drought conditions, and the sustainability of  
14                  future water resources;

15                  WHEREAS, \_\_\_\_\_ City, Washington County, and the Washington County Water  
16                  Conservancy District want to ensure that the City and its residents continue to have a reliable,  
17                  resilient, and sustainable water supply;

18                  WHEREAS, establishing standards for all new construction including single family  
19                  residential, multi-family residential, commercial, and manufacturing development will help  
20                  sustain a reliable and resilient water supply to all residents;

21                  WHEREAS, it is in the public interest to conserve the public's water resources and to  
22                  promote water efficient construction and landscaping to protect and enhance the community's  
23                  environmental, economic, recreational, and aesthetic resources by promoting efficient use of  
24                  water in our community's buildings and landscapes, reduce water waste, and establish a structure  
25                  for designing, installing, and maintaining water efficient buildings and landscapes throughout the  
26                  City;

27                  WHEREAS, establishing standards for the use of water for outdoor landscaping and  
28                  irrigation will help sustain a reliable and resilient water supply to all residents;

29                  WHEREAS, carefully managing the county's water resources is of great importance to  
30                  our community for the protection of present and future citizens;

31                  WHEREAS, this proposed ordinance is necessary and proper for the safety, peace and  
32                  good order of the City and its citizens; and

33                  WHEREAS, this proposed ordinance is necessary for the preservation and longevity of  
34                  these lands.

NOW THEREFORE, be it ordained by the City Council of \_\_\_\_\_, Utah that the attached standards and regulations are adopted, and shall be incorporated into the ordinances of the City, as Title \_\_\_, Chapters \_\_\_ through \_\_\_. This Ordinance shall become effective on the date executed below and upon posting as required by law.

APPROVED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_ City

ATTEST:

\_\_\_\_\_

Approved as to Form:

\_\_\_\_\_

\_\_\_\_\_ City Attorney

TITLE \_\_\_\_

CHAPTER 1: GENERAL PROVISIONS

\_\_-1-1: SHORT TITLE

\_\_-1-2: CONFLICT

\_\_-1-3: APPLICABILITY

The provisions of this title are applicable to all new construction, development and major landscape improvements in the city. The provisions of this ordinance are severable and if any provision, clause, sentence, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of this ordinance or their applicability to other persons or circumstances.

CHAPTER 2: DEFINITIONS

\_\_-2-1: DEFINITIONS

The following definitions shall apply to this ordinance:

Active Recreation Area: An area that is dedicated to active play where grass may be used as the playing surface. Examples of active recreation areas include sports fields, play areas, and other similar uses designated for physical activity.

Check Valve: A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow.

Controller: A device used in irrigation systems to automatically control when and how long sprinklers or drip irrigation systems operate.

Drip Irrigation: An irrigation system that delivers water by adding water at the plant's base and root zone, usually measured in gallons per hour. Drip irrigation exhibits a droplet, trickle, umbrella or short stream pattern, to reduce evaporation, overspray, and water use, and improving water conservation.

Drip Emitter: A drip irrigation fitting that delivers water slowly at the root zone of the plant, usually measured in gallons per hour.

Grading Plan: The grading plan shows all finish grades, spot elevations, drainage as necessary, and new and existing contours with the developed landscaped area.

Grass: A surface layer of earth containing mowed grass with its roots.



Ground Cover: Material planted in such a way as to form a continuous cover over ground that can be maintained at a height no more than twelve (12) inches.

Hardscape: Elements of landscape constructed from non-living materials such as concrete, boulders, brick, blacktop, and lumber. It includes patios, decks, and paths, but does not include driveways and sidewalks.

Hydrozone: Portion of landscape area having plants with similar water needs and rooting depth. A hydrozone may be irrigated or non-irrigated.

Irrigation Plan: A plan that shows the components of the irrigation system with water meter size, backflow prevention, precipitation rates, flow rate, and operating pressure for each irrigation circuit, and identification of all irrigation equipment.

Irrigation Runoff: Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and that flows onto other areas.

Landscape Architect: A person who holds a professional license to practice landscape architecture in the state of Utah. Per State Code, licensed landscape architects, licensed architects, licensed land surveyors, and licensed engineers can professionally stamp plans that fall under the practice of landscape architecture. This includes commercial landscape and irrigation plans.

Landscape Area: Area within a lot or parcel that is not the home footprint, driveway, sidewalk or patio.

Landscape Designer: A person who may or may not hold professional certificates for landscape design/architecture, and who generally focuses on residential design and horticultural needs of home landscapes. Landscape designers cannot legally create commercial landscape plans.

Landscape Documentation Package: The documentation of graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features to comply with the provisions of this ordinance. The Landscape Documentation Package shall include a project data sheet, a site plan, a planting plan, an irrigation plan, construction details, and a grading plan.

Landscape or Landscaping: Any combination of berms; living plants, such as trees, shrubs, vines, ground covers, annuals, perennials, ornamental grass, or seeding; natural features such as rock, stone, or bark chips; and structural features, including but not limited to outdoor artwork, screen walls, fences or benches that create an attractive and pleasing environment.

Landscape or Landscaping Maintenance: Maintaining or keeping any landscaping, or any area required to be landscaped:

- A. In a live and thriving condition, with consideration for normal growth and water needs;
- and

B. Fertilized, mowed, trimmed, edged, mulched and free from weeds, dead plants, litter, refuse, or debris in compliance with regionally accepted horticultural practice and city ordinances.

Landscape Plan: A plan that clearly and accurately identifies the location and species of new and existing trees, shrubs, ground covers, and other plants on a site, and any other landscape element, and includes an irrigation plan.

Mulch: Any organic material such as leaves, bark, wood chips, straw; inorganic material such as crushed stone or gravel; other materials left loose and applied to the soil surface for the beneficial purpose of controlling weeds and conserving soil moisture.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Plant List: A list of locally adaptable and environmentally sustainable plants for compliant Planting Plans as provided by the Washington County Water Conservancy District.

Planting Plan: A Planting Plan that clearly and accurately identifies the type, size, and locations for new and existing trees, shrubs, planting beds, ground covers, grass areas, driveways, sidewalks, hardscape features, and fences.

Precipitation Rate: The depth of water applied to a given area, usually measured in inches per hour.

Pressure Regulating Valve: A valve installed in an irrigation mainline that reduces a higher supply pressure at the inlet down to a regulated lower pressure at the outlet.

Pressure Compensating: A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.

Rehabilitated Landscaping: Landscape area in which over 50% percent of existing landscaping is removed and replaced. Includes all landscaping funded in part, or completely, by Washington County Water Conservancy District's landscape conversion program.

Secondary Irrigation Water: Non-potable water that is untreated and used for irrigation of outdoor landscaping.

Slope: A vertical rise in feet measured over a horizontal distance, expressed as a percentage, measured generally at right angles to contour lines.

Water-Conserving Plant: A plant that can generally survive with available rainfall once established, with possible supplemental irrigation needed or desirable during spring and summer months or during drought periods.

160 **CHAPTER 3: SINGLE FAMILY AND MULTIPLE FAMILY RESIDENTIAL WATER**  
161 **EFFICIENCY STANDARDS**

162  
163 These provisions are applicable to all new construction, and new development in any residential  
164 zone, or for any single family or multiple family residential development in any zone.

165  
166 **\_\_-3-1: Construction Standards**

- 167  
168 A. New single family or multiple family residential dwellings 1,000 square feet or greater  
169 shall install hot water recirculation systems, unless hot water delivery can be  
170 demonstrated to occur without first displacing more than 0.6 gallons of system water.  
171  
172 B. New single family or multiple family residential dwellings shall install WaterSense  
173 labeled fixtures, including, but not limited to faucets, showerheads, toilets, and urinals.  
174  
175 C. New single family or multiple family residential dwellings shall install Energy Star  
176 qualified appliances.  
177  
178 D. All multiple family units with ground floor square footage or individually platted, shall  
179 be separately metered, submetered, or equipped with alternative technology capable of  
180 tracking the water use of the individual unit, and the information shall be made available  
181 to the resident of each unit. Individually platted condominium units are excepted if a  
182 property owners association owns and maintains the water lines and meters. All multiple  
183 family projects require separate water meters for all outdoor water usage, including  
184 landscaping.

**Commented [SN1]:** Council is concerned about these items about lowering the quality of life issues.

185  
186 **\_\_-3-2: Landscape Standards**

- 187  
188 A. For all new residential construction or development, the landscaping shall meet the  
189 following requirements:  
190  
191 1. Single Family Dwellings, and Multiple Family Dwelling Projects with Ten Units  
192 or Less:  
193  
194 a. The total grass area shall not exceed the following:  
195 

Lot size	Maximum grass
Up to 6,000 sf	750 sf
Up to 12,000 sf	1,000 sf
Up to 18,000 sf	1,250 sf
Up to 24,000 sf	1,500 sf
More than 24,000 sf	2,000 sf

  
196  
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201  
202 b. In addition, grass is prohibited in park strips, all landscape areas less than eight  
203 feet wide, and on any slope that exceeds 15%; and  
204

**Commented [SN2]:** What about water pasture land for animals grazing. Any exception for large farm parcels.

**Commented [SN3]:** Can be very difficult. Bermuda Grass as an alternative.

**Commented [SN4]:** Calculate what lot sizes. Offer rebates for smart water irrigation systems.

c. Each single dwelling shall have a minimum of two water-efficient shade trees with a minimum one-and-one-half-inch (1½") caliper trunk. Each multiple family development with ten units or less shall follow city approved landscape plans for number of shade trees.

2. Multiple Family Dwelling Projects with More than Ten Units: Comply with the Landscape Standards in \_\_-4-2, below.

**Commented [SN5]:** Enforcement. Maybe ways to provide incentives

### **-3-3: Restrictive Covenants in Conflict with Water Efficiency Standards**

Any homeowners or property owners association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, recorded after passage of this ordinance, are void and unenforceable if they conflict with the water efficiency standards in this ordinance, or if they have the effect of prohibiting or restricting compliance with this ordinance.

**Commented [SN6]:** Is this legal? It seems like it would be questioned.

## **CHAPTER 4: NONRESIDENTIAL ZONES AND DEVELOPMENT WATER EFFICIENCY STANDARDS**

These provisions are applicable to all new construction and new development in all nonresidential zones, and nonresidential development in any zone.

### **-4-1: Construction Standards**

- A. Hot water recirculation systems shall be installed, unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.
- B. WaterSense labeled fixtures shall be installed, including, but not limited to faucets, showerheads toilets, and urinals.
- C. Energy Star qualified appliances shall be installed.
- D. All shell units with ground floor square footage, or individually platted, shall be separately metered, submetered, or equipped with alternative technology capable of tracking the water use of the individual unit, and the information shall be made available to the individual unit. Individually platted condominium units are excepted if a property owners association owns and maintains the water lines and meters. All nonresidential projects require separate water meters for all outdoor water usage, including landscaping.
- E. All carwash projects shall recirculate and limit the maximum amount of water to 35 gallons per vehicle washed.



F. Exterior, decorative water features are prohibited, except up to five decorative water features with 50 gallon or less capacity and maintained recirculating pumps.

G. All golf courses using water district or municipal water supplies shall irrigate with secondary irrigation water and shall have separate water meters for the golf course. Irrigation with potable water is prohibited. Each golf course development shall submit and follow a water budget with the Landscape Documentation Packet and identify water conservation measures for city approval.

H. Outside misting systems shall only operate during the May through August time period where the daily high temperature is 90 degrees Fahrenheit or greater.

#### **\_\_-4-2: Landscape Standards**

A. All new construction and new development in all nonresidential zones, and nonresidential development in any zone, shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance.

1. Grass is not permitted outside of an active recreation area. In addition, grass is prohibited in park strips, all landscape areas less than eight feet wide, and on any slope that exceeds 15%.
2. Landscape and irrigation installers shall follow the plans that have been signed and approved by the city.
3. Each project shall propose and follow an approved Planting Plan that has a minimum of 40% vegetative cover of a landscaped area with water-efficient shade trees and bushes adequate in number and configuration to visually enhance the project, prevent heat islands, and prevent soil erosion. The configuration of the vegetation in the Planting Plan is in the sole discretion of the city.
4. If secondary irrigation water is available, each project shall connect to the system for all outdoor water use. A city may make minor exceptions, allowing use of treated water for outdoor plantings in small beautification areas, in its sole discretion.

B. Required Documentation

1. Landscape Documentation Package: A copy of a Landscape Documentation Package shall be submitted to and approved by the city prior to the issue of any building permit. A copy of the approved Landscape Documentation Package shall be provided to the property owner or site manager. The Landscape Documentation Package shall be prepared by a professional landscape architect (PLA) and shall consist of the following items:

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- a. Project Data Sheet containing the following:
    - i. Project name and address;
    - ii. Applicant or applicant agent's name, address, phone number, and email address;
    - iii. Landscape architect's name, address, phone number, and email address; and
    - iv. Landscape contractor's name, address, phone number and email address, if available at this time.
  - b. Planting Plan. A detailed Planting Plan shall be drawn at a scale that clearly identifies the following:
    - i. Location of all plant materials, a legend with common and botanical names, and size of plant materials;
    - ii. Property lines and street names;
    - iii. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
    - iv. Existing trees and plant materials to be removed or retained;
    - v. Scale: graphic and written;
    - vi. Date of design;
    - vii. Designation of hydrozones, and
    - viii. Details and specifications for tree staking, soil preparation, and other planting work.
  - c. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the Planting Plan and contain the following information:
    - i. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
    - ii. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;

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- iii. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with irrigation equipment (i.e., sprinklers, drip emitters, bubblers, etc.); and
  - iv. Installation details for irrigation components.
  - d. Grading Plan. A grading plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
    - i. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements; and
    - ii. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements, as well as drainage.
  - 2. Plan Review, Construction Inspection, and Post-Construction Monitoring.
    - a. As part of the building permit approval process, a copy of the Landscape Documentation Package shall be submitted with a city provided pre-submittal checklist completed to initiate a review and approval process before construction begins.
    - b. All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
    - c. During construction, site inspection of the landscaping may be performed by the city Building Inspection Department or other entity tasked with approvals.
    - d. Following construction, and prior to issuing an occupancy permit, an inspection shall be scheduled with the Building Inspection Department or other appointed entity to verify compliance with the approved landscape plans. The Certificate of Substantial Completion shall be completed by the property owner, developer, contractor or landscape architect and submitted to the city.
    - e. The city or other appointed entity reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.

380

381 **CHAPTER 5: LANDSCAPE AND IRRIGATION DESIGN STANDARDS FOR ALL**  
382 **NEW DEVELOPMENT IN ANY ZONE**

383

384 **10-5-1: Plant Selection**

385

386 Plants shall be well-suited to the microclimate and soil conditions at the project site. Native, locally  
387 adaptable and environmentally sustainable plants are acceptable. See the Washington County Water  
388 Conservancy District's recommended plant list on [wcwcd.org](http://wcwcd.org). Plants with similar water needs shall  
389 be grouped together as much as possible into hydrozones for efficient irrigation. Invasive plant  
390 species as identified by the city shall not be planted.

391

392 A. Areas with slopes greater than 15% shall be landscaped with deep-rooting, water-conserving  
393 plants that do not include grass.

394

395 B. Park strips and other landscaped areas less than eight (8) feet wide shall be landscaped with  
396 water-conserving plants and/or mulch that do not include grass.

397

398 **10-5-2: Tree Selection**

399

400 Tree species shall be selected based on growth characteristics and site conditions, including available  
401 space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall  
402 be suited for water-efficient landscapes. Trees shall be selected and planted in accordance with the  
403 following city guidance:

404 A. Broad canopy trees shall be selected where shade or screening of tall objects is desired;

405

406 B. Low-growing trees shall be selected for spaces under utility wires;

407

408 C. Select trees from which lower branches will be trimmed to maintain a healthy growth habit  
409 where visual clearance and natural surveillance is a concern;

410

411 D. Narrow or columnar trees shall be selected for small spaces, or where awnings or other  
412 building features limit growth, or where greater visibility is desired between buildings and  
413 the street for natural surveillance;

414

415 E. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees,  
416 retaining walls, above and below ground utilities, lighting, and other obstructions; and

417

418 Trees shall be irrigated on a separate hydrozone as needed for efficient irrigation and allow for  
419 watering under water-shortage conditions when other plant material may not be watered due to  
420 drought conditions.

421



422 **—5-3: Irrigation Design Standards**

- 423 A. Pressure Regulation. A pressure regulating valve shall be installed by the builder or  
424 developer, and maintained by the owner, if the static service pressure exceeds 90 pounds per  
425 square inch (psi). The pressure-regulating valve shall be located between the meter and the  
426 first point of water use, or first point of division in the pipe, and shall be set at the  
427 manufacturer's recommended pressure for the sprinklers.  
428
- 429 B. Irrigation Controller. It is required that landscaped areas use a WaterSense labeled smart  
430 irrigation controller, which automatically adjusts the frequency and/or duration of irrigation  
431 events in response to changing weather conditions. All controllers shall be equipped with  
432 automatic rain delay or rain shut-off capabilities and have memory retention capability to  
433 retain pre-programmed irrigation schedules. Sites are not exempt from water waste  
434 prohibitions.  
435
- 436 C. Each valve shall irrigate a landscape with a similar site, slope and soil conditions, and plant  
437 materials with similar watering needs. Grass, trees and non-grass areas shall be irrigated on  
438 separate valves. Drip emitters and sprinklers shall be placed on separate valves.  
439
- 440 D. Low-volume irrigation equipment (i.e., drip emitters, bubblers) shall be provided for each  
441 tree.  
442
- 443 E. Drip irrigation shall be used to irrigate plants in non-grass areas. Spray head to drip  
444 conversion for rehabilitated landscape sites may be acceptable with city approval of Irrigation  
445 Plans.  
446
- 447 F. High conservation efficiency spray nozzles are required for sprinkler applications.  
448
- 449 G. Sprinkler heads shall have matched precipitation rates with each control valve circuit.  
450
- 451 H. Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to  
452 reduce potential for breakage.  
453
- 454 I. Check valves are required. Pressure compensating valves and sprinklers are required where a  
455 significant variation in water pressure occurs within the irrigation system due to elevation  
456 differences.  
457
- 458 J. Filters and end-flush valves shall be provided for drip irrigation lines.  
459
- 460 K. Landscape watering with potable (treated) water is prohibited from 10 a.m. to 8 p.m., from  
461 June 1 to September 1, to maximize irrigation efficiency.  
462
- 463 L. Water waste is prohibited. Waste includes overwatering, irrigating during a precipitation  
464 event, water that sprays or flows off your property, failure to comply with drought  
465 restrictions and/or a failure to repair irrigation system leaks and/or malfunctions in a timely  
466 manner.  
467
- 468 Overwatering can be avoided by following the water district's recommended irrigation  
469 schedule and practices as noted on [wcwd.org](http://wcwd.org). The generally recommended schedule is:

- Winter (Nov – Feb) – sprinkler and drip irrigation up to 1 day a week. Irrigation is typically not needed in December and January
- Spring (Mar – April) – sprinkler irrigation up to 3 days a week and drip irrigation up to 2 days a week
- Summer (May – Aug) – sprinkler irrigation up to 4 days a week and drip irrigation up to 3 days a week
- Fall (Sept – Oct) – sprinkler irrigation up to 3 days a week and drip irrigation up to 2 days a week

M. Program valves for multiple repeat cycles are required to reduce runoff on slopes and for soils with slow infiltration rates.

DRAFT

**10-11-2: ZONE PURPOSES:**

D. Commercial Zones: Commercial zones provide areas where a combination of business, commercial, entertainment, office, and related activities may be established, maintained and protected. Commercial zones are intended to provide a suitable environment for those commercial and service uses vital to the economic base of the city.

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

**10-15-1: PURPOSE:**

See section [10-11-2](#) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

**10-15-2: SC10-15-1: PURPOSE:**

See section [10-11-2](#) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

**SCOPE:**

The provisions of this chapter shall apply to any real property located in a commercial zone as shown on the official zoning map. No building, structure or real property shall be used and no building or structure shall be hereafter erected, structurally or substantially altered, or enlarged except as set forth in this chapter. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, or other laws. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

**10-15-3: USES ALLOWED:**

A. Permitted And Conditional Uses: Permitted and conditional uses allowed within commercial zones shall be as set forth in [table 10-15-1](#) of this section. Permitted and conditional uses are indicated by a "P" or "C", respectively, in the appropriate column. Uses not permitted are indicated by "N". Any use not shown on [table 10-15-1](#) of this section shall be prohibited unless the Zoning Administrator determines the use is substantially the same as a permitted or conditional use as provided in subsection [10-7-18E4](#) of this title.

**TABLE 10-15-1**

**PERMITTED AND CONDITIONAL USES ALLOWED IN COMMERCIAL ZONES**

	Zones				
Use	NC	GC	HC	PC	POC

Residential uses:					
Building, accessory	P	N	N	P	P
Dwelling, multiple-family <sup>4</sup>	N	N	N	P	P
Dwelling, single-family <sup>4</sup>	N	N	N	P	N
Dwelling, temporary	N	N	N	N	N
Dwelling, two-family <sup>4</sup>	N	N	N	P	P
Manufactured home	N	N	N	N	N
Manufactured/mobile home park	N	N	N	N	N
Protective housing facility	N	N	N	N	N
Rehabilitation/treatment facility	N	P	P	P	P
Residential facility for elderly persons <sup>1</sup>	P	N	N	P	P
Residential facility for persons with a disability <sup>1</sup>	P	N	N	P	P



Residential facility for troubled youth	N	N	N	N	N
Transitional housing facility	N	N	N	N	N
Public and civic uses:					
Auditorium or stadium	N	P	P	P	N
Bus terminal	N	P	P	P	N
Cemetery	P	P	P	P	P
Church or place of worship	P	P	P	P	P
Club or service organization	P	P	P	P	P
Convalescent care facility	N	P	P	P	N
Cultural service	P	P	P	P	P
Golf course	P	P	P	P	P
Government service	N	P	P	P	N
Hospital	N	P	P	P	N
Operations center	N	P	P	P	P
Park	P	P	P	P	P
Post office	P	P	P	P	P
Protective service	P	P	P	P	P

Reception center	C	P	P	P	P
Utility, major <sup>3</sup>	N	N	N	C	C
Utility, minor <sup>3</sup>	P	P	P	P	P
Utility substation <sup>3</sup>	P	P	P	P	P
Commercial uses:					
Agricultural sales and service	N	P	P	P	N
Animal hospital	P	P	P	P	N
Bail bond service	N	P	P	P	N
Bank or financial institution	P	P	P	P	P
Bed and breakfast, home	N	N	N	N	N
Bed and breakfast inn	P	P	P	P	N
Business equipment rental, services, and supplies	P	P	P	P	P
Car wash	P	P	P	P	P
Club, private	N	P	P	P	N
Construction sales and service	N	P	P	N	N
Convenience store	P	P	P	P	P

Family child daycare facility <sup>2</sup>	P	N	N	<u>PN</u>	N
Family child group daycare facility <sup>2</sup>	P	N	N	<u>PN</u>	N
Family child residential certificate care facility <sup>2</sup>	P	N	N	<u>PN</u>	N
Family childcare center	P	P	P	P	P
Funeral home	N	P	P	P	N
Garden center	P	P	P	P	P
Gas and fuel, storage and sales	N	N	C	N	N
Gasoline service station	P	P	P	P	N
Hostel	N	P	P	P	N
Hotel	N	P	P	P	N
Kennel	C	P	C	C	C
Kennel, residential	P	N	N	N	N
Laundry or dry cleaning, limited	P	P	P	P	P
Liquor store	N	P	P	P	N
Media service	P	P	P	P	P
Medical or dental laboratory	N	P	P	P	N

Medical service	P	P	P	P	P
Motel	N	P	P	P	N
Office, general	P	P	P	P	P
Parking garage, public	N	P	P	P	P
Parking lot, public	N	P	P	P	P
Pawnshop	N	N	P	P	N
Personal care service	P	P	P	P	P
Personal instruction service	P	P	P	P	P
Printing and copying, limited	P	P	P	P	P
Printing, general	N	P	P	P	P
Produce stand	P	P	P	<u>PN</u>	P
Recreation and entertainment, indoor	P	P	P	P	P
Recreation and entertainment, outdoor	N	P	P	P	N
Recreational vehicle park	N	N	P	<u>NP</u>	N
Repair service	P	P	P	<u>CP</u>	P
Research service	N	P	P	<u>NP</u>	N
Restaurant, fast food	P	P	P	P	P



Restaurant, general	P	P	P	P	P
Retail, general	P	P	P	P	P
Secondhand store	P	P	P	P	P
Shopping center	P	P	P	P	P
Takeoff and landing of aircraft	N	N	N	N	N
Tattoo establishment	P	P	P	N	N
Tavern	N	P	P	P	N
Temporary trailer	P	P	P	P	P
Transportation service	N	P	P	<u>CP</u>	N
Vehicle and equipment rental or sale	N	P	P	<u>CP</u>	N
Vehicle and equipment repair, general	N	P	P	N	N
Vehicle repair, limited	N	P	P	<u>CP</u>	P
Veterinary service	P	P	P	N	N
Warehouse, self-service storage	P	P	N	N	N
Wireless telecommunication facility	See section <a href="#">10-50-5</a> , <a href="#">table 10-50-1</a> of this title				
Industrial uses:					
Laundry services	N	N	N	P	N

*I*

Wholesale and warehousing, general	N	N	N	P	N
Wholesale and warehousing, limited	N	N	N	N	N

Notes:

1. See chapter 46 of this title.
2. See chapter 42 of this title.
3. See chapter 45 of this title.

4. In the area designated as Downtown District on the General Plan map, existing single family residential uses may continue as permitted residential uses. Use and development standards for an R-1-8 Zone shall apply. Existing approved multi-family and two family uses may continue as permitted residential uses. Use and development standards for an RM-2 Zone would apply. No new residential uses are permitted.

(Ord. 2016-11, 11-17-2016; amd. Ord. 2017-14, 8-17-2017)

B. Accessory Uses: Permitted and conditional uses set forth in [table 10-15-1](#) of this section shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.

2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established. (Ord. 2017-14, 8-17-2017)

3. Accessory uses in commercial zones shall include, but not be limited to, the following:

Accessory dwelling units attached to a commercial permitted use structure or on the same lot and under same ownership as a permitted use structure.

Accessory dwelling units for security and maintenance personnel.

Cafeterias, dining halls and similar food service facilities when located within the main use and operated primarily for the convenience of employees, residents, clients, or visitors to the main use.

Garages and off street parking areas, subject to applicable standards of chapter 34, "Off Street Parking And Loading", of this title.

Recreational areas and facilities for the use of employees.

Recycling collection stations.

Refreshment stands and food and beverage sales located in uses involving public assembly.

Temporary uses, subject to applicable standards of chapter 48, "Temporary Uses", of this title. (Ord. 2012-8, 10-18-2012; amd. Ord. 2017-14, 8-17-2017)

#### C. Conditional Uses

1. Conditional uses may be considered by the Planning Commission if the use fits with the surrounding uses and will not cause any objectionable conditions as laid out in 10-15-7
2. For a repair service, transportation service, or vehicle and equipment rental or sale these uses should be near major roadways and have sufficient setback from residential parts of the development

#### **10-15-4: DEVELOPMENT STANDARDS:**

Development standards within commercial zones shall be as set forth in [table 10-15-2](#) of this section.

**TABLE 10-15-2**

#### **DEVELOPMENT STANDARDS IN COMMERCIAL ZONES**

Development Standard	Zones				
	NC	GC	HC	PC	POC
Lot standards:					
Minimum lot area	No requirement	No requirement	No requirement	5 acres (see note 3)	5 acres

**Commented [1]:** Probably need an exact number but no idea what that should be

**Commented [2]:** Should be moved to 10-15-7

**Commented [3R3]:** But leave cross-reference in the footnote so it is clear where to go to look for the standards.

Minimum lot width	No requirement	No requirement	No requirement	No requirement	No requirement
Building standards:					
Maximum height, main building <sup>1</sup>	35 feet	35 feet	35 feet	55 feet	55 feet
Maximum height, accessory building	20 feet	20 feet	20 feet	20 feet	20 feet
Setback standards - front yard:					
All buildings <sup>2</sup>	20 feet	20 feet	20 feet	<u>10', corner lots 20' 20 feet</u>	20 feet
Setback standards - rear yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet  Otherwise: No requirement				
Accessory building					
Setback standards - interior side yard:					
Main building	New building on a lot abutting an existing agricultural or residential use: 10 feet  Otherwise: No requirement				
Accessory building					
Setback standards - street side yard:					



Main building	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory building	Not permitted	Not permitted	Not permitted	Not permitted	Not permitted

Notes:

1. Except as otherwise permitted by subsection [10-15-7A](#) of this chapter.
2. Except as modified by the provisions of subsection [10-37-12F](#), "Setback Measurement", of this title.
3. An area less than five acres may be zoned for Planned ~~Commercial~~ [Commercial](#) use if the City Council finds that the zoning meets the following:
  - a. The zone change meets the standards within Hurricane City Code 10-7-7.
  - b. The property is ~~sufciently-incorporated~~ [incoperated](#) into an ~~existing~~ [excisting](#) commercial or multi-family development, and the proposed change will further the purpose of the ~~Planneding~~ [Commercial](#) ~~Commerical~~ Zone.

(Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

**10-15-5: REGULATIONS OF GENERAL APPLICABILITY:**

The use and development of real property in commercial zones shall conform to regulations of general applicability as set forth in the following chapters of this title:

- A. Design and compatibility standards: See chapter 33 of this title.
- B. Landscaping and screening: See chapter 32 of this title.
- C. Motor vehicle access: See chapter 35 of this title.
- D. Natural resource inventory: See chapter 31 of this title.
- E. Off street parking: See chapter 34 of this title.
- F. Signs: See chapter 36 of this title.
- G. Supplementary development standards: See chapter 37 of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

**10-15-6: REGULATIONS FOR SPECIFIC USES:**

To the extent that use and development of real property includes any matter encompassed by a regulation for a specific use as set forth in division 6 of this title, such regulation shall apply in addition to the requirements of this chapter and shall prevail over any conflicting provision of this chapter. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

#### **10-15-7: SPECIAL REGULATIONS:**

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

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

C. Dust, Odor, Smoke, Noise, And Vibration: Each use specified in section [10-15-3](#), table [10-15-1](#) of this chapter shall be free from objectionable dust, odor, smoke, noise, and vibration.

D. Highway Commercial Zone Location: For property abutting SR-9, the Highway Commercial Zone shall begin at the highway right-of-way line and shall extend a distance of five hundred feet (500') from the State highway right-of-way line.

E. Vendor Carts: Vendor carts, as defined below, are subject to the following definitions, rules and limitations:

#### 10-15-8: Planned Commercial Standards

A. Planned Commercial Developments shall incorporate elements of commercial and residential within each zoned area and development.

B. Mix Use Types: Planning Commercial Developments shall incorporate both commercial and residential uses.

a. Horizontal Mix Use: Development that combines single-use buildings on distinct parcels in a range of land uses in a planned development project.

b. Vertical Mixed Use: Development that combines different uses in the same building. Commercial or public uses shall only occupy lower levels.

A-c. Live/work Units: A live/work unit is defined as a single unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant. Livework units must be deed-restricted that these units may only be owner-occupied and can not be sublet to long-term or short-term renters.

**Commented [4]:** Limit the size of live work to single bed room at most.

**Commented [5]:** Allow for long term renter for the full unit or owner occupied.

C. A preliminary site plan shall be submitted with every zone change to Planned Commercial. Site plan shall have:

- a. A minimum of 20% of floor area shall be used for commercial uses listed within table 10-15-1. A minimum of 20% of floor area shall be used for long-term residential use as listed within table 10-15-1.
  1. The Planning Commission may approve a lower percentage of housing for developments that are adjacent to multi-family development.
  2. The Planning Commission may approve a lower percentage for commercial development if the project is located within or adjacent to existing commercial property.
  - 4.3. Each project shall have a mixture of use, including commercial and housing.
  4. Residential Density: Residential Units shall not exceed 20 units an acre for residential areas.
    - a. Horizontal Mix Use: Residential areas shall be calculated based on the footprint of residential buildings and sections of buildings, parking, amenities, and roadways that primarily serve residential areas.
    - b. Vertical Mix Use: Buildings shall be measured by the percentage of space within the building that is used to occupy commercial vs residential. Then the percentage of each use shall apply to the footprint of the building to calculate density, including residential parking, amenities, and roadways that primarily serve residential areas.
      - i. Example: If a two-story building has a building footprint of 10,000 sq. ft. and the first floor is completely commercial use and the second floor is residential use, then 5,000 sq. ft. shall count towards the density of residential use.
    - c. Live/work Units: Units that meet the definition contained within the chapter shall be considered commercial use and shall not count toward the overall density of the project.
    - d. Shared Uses: Amenities and parking shall be designed with both commercial and residential uses in mind. Amenities that both serve residential and commercial uses shall count toward residential density area.
      - i. Parking: Shared Parking must comply with Hurricane City Code 10-34-9.

b. A development agreement between the city and the applicant may be required by the city council and executed before the zoning designation shall be effective.

C. Each Planned Commercial development shall provide a preliminary site and final site plan as required in Hurricane City Code 10-7.

D. Landscaping: Landscaping within a Planned Commercial development shall follow the following standards:

1. Street trees are required for every 50' of frontage. These trees may be incorporated within park strips, landscape buffers, or planter boxes within the right-of-way.
2. The applicant shall comply with Hurricane City Standards for landscaping.
3. In lieu of a 10' landscaping buffer along the right-of-way frontage, an applicant can provide that space for sidewalks, outdoor dining, and retail space that enhances the neighborhood's walkability.
4. Parking lots and parking courts shall remain buffered by a 10' landscape area with one tree and three shrubs for every 35' linear feet.

**Commented [6]:** Buffered from what? From the street?

E. Off Street Parking: Parking lots shall not be located in front of buildings nearest the right-of-way but shall be contained within parking courts located to the side or behind buildings that front the right-of-way. Buildings may be located behind parking lots if other buildings are fronting onto the right-of-way, and a pedestrian path can be used to access the building from the right-of-way.

F. Street Design: A Developer or the City may propose different street cross-sections that enhance walkability, street life, outdoor gathering, traffic calming, street parking, and beautification. The City Council may must approve a different street new cross-section with a recommendation from the Planning Commission.



#### 10-3-4 DEFINITIONS OF WORDS AND PHRASES

ACCESSORY DWELLING UNIT: A subordinate residential ~~dwelling unit~~~~living-area~~ created within a single-family dwelling or on the same residential lot as a single-family dwelling which meets the requirements of chapter 41 of this title.

##### 10-41-1: PURPOSE:

The purpose of this chapter is to establish use and development regulations for accessory dwelling units. These regulations are intended to ensure that limited use of accessory dwelling units allowed in a residential zone do not disturb the single-family residential character of a neighborhood. (Ord. 2018-04, 4-5-2018)

##### 10-41-2: SCOPE:

The requirements of this chapter shall apply to all accessory dwelling units in single-family zones. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this Code, and other laws. (Ord. 2018-04, 4-5-2018)

##### 10-41-3: PERMITTED USE:

The accessory dwelling units described below shall be allowed as permitted uses in any residential zone, or any other zone in which such uses are permitted uses, subject to the development standards of section [10-41-4](#) of this chapter. The definition of each use is set forth in chapter 3 of this title.

Accessory dwelling units.

Guesthouse or casita.

Kitchen. (Ord. 2018-04, 4-5-2018)

##### 10-41-4: DEVELOPMENT STANDARDS; PERMITTED USE:

The development standards set forth in this section shall apply to any accessory unit allowed as a permitted use.

A. Definition; Setbacks And Size: An accessory dwelling unit is an accessory use to the main residential dwelling unit. Setbacks and size and lot coverage limitations established for accessory buildings in each zone shall apply.

B. Egress And Life Safety Requirements: The dwelling unit must meet egress and life safety requirements of the International Residential Building Code.

C. Ownership: The owner or immediate family member of the owner of the main dwelling unit shall occupy the main dwelling unit on the residential property as his/hers/their primary residence before an accessory dwelling unit may be rented.

D. Limit: ~~Only one accessory dwelling unit and/or casita shall be established on one residential property.~~ [Only one accessory dwelling unit and/or casita shall be](#)

established on one residential property. Multiple accessory dwelling units shall be allowed by a ~~conditional~~ conditional use permit.

Parking Plan

Landscaping Plan

Occupancy~~Occupany~~ plan: No more than 10 people shall be allowed

E. Entrance: The accessory dwelling unit shall have its own outside entrance.

F. Landscaping: Landscaping shall be provided and maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for onsite parking in relation to adjacent properties and the street. Landscaping may include, but shall not be limited to, planting trees in the park strip.

G. Secondary Use: The accessory dwelling unit shall be clearly incidental and secondary to the primary use of the dwelling for residential purposes.

H. Maximum Size, Impervious Surface: The accessory dwelling unit, if it is detached, must meet the size limitations for the zone or have been granted a conditional use permit.

I. Residential Hosting: ~~One~~An detached accessory dwelling unit may be used per residential lot for residential hosting pursuant to the terms of licensing for residential hosting. (Ord. 2018-04, 4-5-2018)

#### **10-41-5: COMPLIANCE WITH DEVELOPMENT STANDARDS:**

A. Residential properties with accessory dwelling units found to be in violation of the development standards set forth in section 10-42-4 of this title shall be subject to all applicable remedies set forth in chapter 9 of this title to ensure compliance.

B. Residential properties with a restrictive easement that does not permit renting of an accessory dwelling unit must apply to the Planning Department to have that restrictive easement lifted before obtaining a rental permit.

C. In order to ensure accessory dwelling units meet the development standards, a permit must be issued by the Planning Department for the rental use of the unit. (Ord. 2017-03, 1-19-2017)

Sec. 10-51-4. Development standards; home bed and breakfast and residential hosting facilities.

The development standards set forth in this section shall apply to all home bed and breakfast and residential hosting facilities.

A. *Location.* home bed and breakfast or a residential hosting facility shall be located in a single family residential structure deemed suitable for habitation.

B. *Guestrooms.* Rentable guestrooms shall be limited to not more than four bedrooms (not to be rented separately and individually), in the primary building or the entirety of a single room in a detached ADU for each home bed and breakfast or residential hosting facility\_ in addition to the rooms occupied by the full time residents. Total number of people, including owner, owner's family, and guests occupying the home at one time shall be no more than ten. Maximum occupancy must be posted in each room.

C. *Current codes.* Guestrooms must meet current International Residential ~~Code~~ codes for egress and be provided with smoke and CO2 detectors. A fire exiting route plan must be posted in each sleeping room.

D. *Meals.* If meals are offered, meals shall be served only:

1. To overnight guests.

E. *Landscaping.* Landscaping shall be provided and maintained to minimize impact on neighboring properties, to retain residential character, and to provide a visual buffer for on site parking in relation to adjacent properties and the street. Landscaping may include, but shall not be limited to, planting trees in the park strip.

F. *Parking.* Nonfrontage, off street parking shall be provided as follows:

1. Two spaces for owner.

2. One space per guestroom.

3. Parking must be located on the same property as the guestrooms.

4. Tandem parking is permitted for one space only.

5. Off street parking may not be provided within the front yard setback other than the existing driveway. (?)

6. Landscaping is required between parking and adjoining residential properties. (?)

G. *Signs.* Only one sign not larger than one foot by two foot in size may be used to advertise a home bed and breakfast or residential hosting facility. The sign may not be illuminated unless by a single down facing low wattage fixture.

H. *Street standards.* A home bed and breakfast or residential hosting facility shall be located on a street that meets fire code requirements.

I. *Structural modifications.* Structural modifications may not be made to separate sleeping rooms from the remainder of the house without a valid building permit.

J. *Other regulations.* A home bed and breakfast or residential hosting facility is subject to all other applicable sections of this Code, including, but not limited to, building and fire codes, transient lodging facility regulations, and transient room tax requirements.

## **Sec. 10-7-9. Conditional use permit.**

A. *Purpose.* This section sets forth procedures for considering and approving conditional use permits.

B. *Authority.*

1. The Planning Commission is authorized to issue conditional use permits for the following uses:

Agricultural industry.

Agritourism activities.

Animal specialties.

Assisted living facility.

Greater heights than permitted by this Code in all zones except residential and residential agricultural zones.

Greater size than permitted by this Code in all zones except residential and residential agricultural zones.

Metal building in commercial and residential zones.

Multi family in commercial zones.

Multiple accessory dwelling units in residential and commercial zones

Public stable.

Reception center.

Recreation and entertainment, outdoor.

2. The Zoning Administrator is authorized to issue conditional use permits for the following uses:

Animals and fowl for recreation and family food production.



Greater size accessory buildings than permitted by this Code in residential zones.

Greater size accessory buildings than permitted by this Code in residential and residential agricultural zones.

Greater height accessory buildings than permitted by this Code in residential and residential agricultural zones.

C. *Initiation.* A property owner, or the owner's agent, may request a conditional use permit as provided in subsection D1 of this section.

D. *Procedure.* An application for a conditional use permit shall be considered and processed as provided in this subsection.

1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the City's schedule of fees. The application shall include at least the following information:

- a. The name, address and telephone number of the applicant and the applicant's agent, if any;
- b. The address and parcel identification of the subject property;
- c. The zone, zone boundaries and present use of the subject property;
- d. A description of the proposed conditional use;
- e. A plot plan showing the following:
  - (1) Applicant's name;
  - (2) Site address;
  - (3) Property boundaries and dimensions;
  - (4) Layout of existing and proposed buildings, parking, landscaping, and utilities; and
  - (5) Adjoining property lines and uses within 100 feet of the subject property;
- f. Traffic impact analysis, if required by the City Engineer or the Planning Commission;
- g. A statement by the applicant demonstrating how the conditional use permit request meets the approval standards for the conditional use desired; and
- h. Such other and further information or documentation as the Zoning Administrator may deem necessary for proper consideration and disposition of a particular application.

2. After the application is determined to be complete, the Zoning Administrator shall schedule a public meeting before the Planning Commission as provided in section 10-7-4 of this chapter or shall review the application to determine if it meets the standards for an administrative conditional use permit.

3. A staff report evaluating the application shall be prepared by the Zoning Administrator for a conditional use permit that will be reviewed by the Planning Commission.

4. The Planning Commission shall hold a public meeting and shall thereafter approve, approve with conditions, or deny the application pursuant to the standards set forth in subsection E of this section. A conditional use shall be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with the applicable standards, the conditional use may be denied.

5. After the Planning Commission or Zoning Administrator makes a decision, the Zoning Administrator shall give the applicant written notice of the decision.

6. A record of all conditional use permits shall be maintained in the office of the Zoning Administrator.

E. *Approval standards.* The following standards shall apply to the issuance of a conditional use permit:

1. A conditional use permit may be issued only when the proposed use is shown as conditional in the zone where the conditional use will be located, or by another provision of this title.

2. Standards for each use must be reviewed. Specific standards are set forth for each use in subsections E2a through E2l of this section:

***E2a-E2k removed for brevity***

L. Standards for multiple accessory dwelling units in a residential or commercial zone

1. Multiple accessory dwelling units may be permitted based on the lot area of the property at a rate in the table below assuming all other conditions for an accessory dwelling unit are met.

<u>Lot Area</u>	<u>Number of Accessory Dwelling Units</u>
<u>0-0.49 acres</u>	<u>1</u>

<u>0.5-1 acres</u>	<u>2</u>
<u>1-1.49 acres</u>	<u>3</u>
<u>1.5 and more acres</u>	<u>4</u>

2. Fifty percent (50%) of the land area on the lot must be free of building

3. A parking plan must be provided that shows adequate off street parking on the lot at a rate of one space per bedroom

4.4. A landscape plan must be provided that shows how buildings will be shielded from other residential lots

2.5. Occupancy plan: no more than ten (10) people can stay in one (1) building

6. Only one (1) accessory dwelling unit can be used as a short term rental. All others must be for long term occupancy or as a guesthouse for non-paying guests.

7. Separate conditional use permits must be received for every accessory building that does not meet the height or size requirements of 10-13-4

F. *Appeal of decision.* Any person adversely affected by a decision of the Planning Commission regarding the transfer, issuance, or denial of a conditional use permit may appeal such decision to the Appeals Board by filing written notice of appeal stating the grounds therefor within 14 days from the date of such decision.

G. *Appeal of decision by Zoning Administrator.* Any decision of the Zoning Administrator regarding the issuance or denial of a conditional use permit, shall, upon request by the applicant within ten days after a determination by the Zoning Administrator, be submitted for a de novo review and decision by the Planning Commission at their next available meeting.

H. *Effect of approval.* A conditional use permit shall not relieve an applicant from obtaining any other authorization or permit required under this title or any other title of this Code.

1. A conditional use permit may be transferred so long as the use conducted thereunder conforms to the terms of the permit.

2. Unless otherwise specified by the Planning Commission and subject to the provisions relating to amendment, revocation or expiration of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land.

I. *Amendment.* The procedure for amending any conditional use permit shall be the same as the original procedure set forth in this section.

J. *Revocation.* A conditional use permit may be revoked as provided in section 10-9-6 of this title.

1. In addition to the grounds set forth in section 10-9-6 of this title, any of the following shall be grounds for revocation:

- a. The use for which a permit was granted has ceased for one year or more;
- b. The holder or user of a permit has failed to comply with the conditions of approval or any City, state, or federal law governing the conduct of the use;
- c. The holder or user of the permit has failed to construct or maintain the site as shown on the approved site plan, map, or other approval materials; or
- d. The operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a court of competent jurisdiction in any civil or criminal proceeding.

2. No conditional use permit shall be revoked against the wishes of the holder or user of the permit without first giving such person an opportunity to appear before the Planning Commission and show cause as to why the permit should not be revoked or the conditions amended. Revocation of a permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.

K. *Expiration.* A conditional use permit shall expire and have no further force or effect if the building, activity, construction, or occupancy authorized by the permit is not commenced within one year after approval.

(Ord. No. 2021-05 , 6-3-2021)





## Site Plan Design Ordinance Updates

As part of the 2021 General Plan Update there were a number of improvements to current city ordinances that were suggested to help improve open space and our trail systems, protect our night sky, and promote the building of diverse housing types within the city. With those goals in mind there has been a desire to update our site plan design ordinances in Title 10 Chapter 33 and elsewhere within the city code. This is a brief explanation for the changes that are being proposed and why they are being proposed in this way.

### Multi Family Open Space

As part of our current ordinances 50% of total land area in multi-family developments must be open space. As the current definition of open space is incredibly broad, currently a development can be in compliance with this code by covering 50% of the property in parking lots, or including otherwise unusable sensitive lands. This is also an extreme number, not consistent with what just about any city in the region is doing, and has never been strictly enforced through the years. We are proposing lowering the amount of required open space to 20% but making the definition of open space much stricter. We propose defining open space as excluding parking areas and unimproved sensitive lands and requiring amenities to be provided within this open space.

### Outdoor Lighting

The General Plan identified the city's dark skies as a valuable natural resource for the community. Zion National Park was recently declared a Dark Sky Park and astro-tourism is a valuable part of the city's tourism industry. To quote directly from the General Plan:

*"Over the past several years, many rural communities or communities surrounding large areas of protected lands, such as national parks have been pushing to reduce light pollution....*

*Protecting these night skies provides a beautiful natural asset for the community, but it can also offer an economic advantage. Since most light pollution comes from unnecessary outdoor lighting, or lighting that is not properly shielded, eliminating excess outdoor lighting can improve visibility of the night sky can save millions of dollars"*

One of the goals of the General Plan is to add more forceful and less confusing language, while still providing necessary exceptions, to the city code. It is important to note that most of the more recent development in the city already meets this code. This code is very similar to what has been done by other cities in the region.



## **Pedestrian Circulation**

The General Plan as well as the Active Transportation Master Plan endorse continued buildout of the city's pedestrian network. Pedestrian networks throughout large planned developments, multifamily or otherwise, are important and it is important that the developments have these types of connectivity with other properties. We are proposing that applicants provide a plan to show us the pedestrian connectivity between their properties and adjacent properties for the health of the community. As well we are proposing that new applicants adhere to standards set out in the Active Transportation Master Plan and make all walkways 10-12 feet wide.

## **Parking**

During the approval process for the new recreation resort ordinance there was a desire on the part of the City Council, as well as from some recent developments to add some flexibility to our parking code. As currently written perpendicular and diagonal parking along public streets is not allowed, despite being grandfathered in in a number of places within the city. Separate parking lots can have a larger impact than just allowing the parking to be along local roads and residential streets in many circumstances. This will allow for more landscaped open space within developments while still providing the required and necessary parking

#### **10-3-4: DEFINITIONS OF WORDS AND PHRASES**

**OPEN SPACE:** Generally unobstructed land such as, but not limited to, landscaped buffers and yards, parks, trails, meadows, forested areas, pastures, and farm fields, [excluding parking areas](#).

#### **10-13-5: REGULATIONS OF GENERAL APPLICABILITY:**

The use and development of real property in Residential Zones shall conform to regulations of general applicability as set forth in the following chapters of this title:

- A. Design and compatibility standards: See chapter 33 of this title.
- B. Landscaping and screening: See chapter 32 of this title.
- C. Motor vehicle access: See chapter 35 of this title.
- D. Natural resource inventory: See chapter 31 of this title.
- E. Off street parking: See chapter 34 of this title.
- F. Signs: See chapter 36 of this title.
- G. Supplementary development standards: See chapter 37 of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

#### **10-13-7: SPECIAL REGULATIONS:**

- A. Animals: Within R1, RM, and MH/RV Zones, where permitted by the zone, the keeping of animals shall normally be simultaneous with occupied residential use. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)
- B. Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown in section [10-13-4](#), [table 10-13-2](#) of this chapter, the maximum size of an accessory building may be increased pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.
- C. Increased Height: Notwithstanding the height limitations shown in section [10-13-4](#), [table 10-13-2](#) of this chapter a greater building height may be allowed in Residential Zones pursuant to a conditional use permit in accordance with the standards in section [10-7-9](#) of this title.
- D. Separation: To buffer the dwelling areas and provide site safety, multi-family projects shall be separated from different land uses by means of a landscape barrier, a berm, a wall, or other means approved by the Planning Commission during final site plan. The commission will consider adjacent land uses and zoning when determining an acceptable separation design. (Ord. 2018-09, 9-6-2018)

~~E. Open Space: In multiple-family residential zones, common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)~~

**Commented [1]:** This is redundant

#### **10-33-5: SITE PLAN DESIGN:**

A. General Considerations: Site layout should help create a coherent and unified project. The impact of site design on surrounding property owners should be taken into consideration. Projects should be designed to minimize negative impacts on adjoining property.

B. Loading And Service Bays: Landscaped areas and walls should be used to decrease noise levels. Service and loading bays (automotive, service, tire, etc.) shall be oriented away from neighboring residential areas and major public streets.

C. Natural Features: Prominent natural features of land, as shown on a natural features inventory, such as hillsides, views or other features should be considered when designing the site. The design should seek to preserve significant natural features and avoid site design problems associated with floodplains, steep slopes, drainage areas, or other similar features.

D. Noise Impact: Site design shall include provisions for limiting noise, particularly as to adjacent residential property. The occupants of a development should be protected from noise from both outside and within the site through screening, berming, setbacks, and building materials. Noise generating equipment should be located and buffered to minimize impact on adjacent residential uses or districts.

E. ~~Open Space:~~ Open space should be used as a buffer between adjacent properties.

**Commented [2]:** Add a tree calculation, like one tree for every 1,000 sq. ft. of open space.

1. The open space within a development should be integral to the development, not small leftover pieces of land.

**Commented [3]:** Maybe define Open Space if it is not already.

a. One tree shall be planted for every 1,000 square feet of landscaped open space

2. Courtyard areas should be designed as usable space.

3. Recreation and outdoor activity areas should be provided to accommodate all users. Development projects oriented toward elderly users should be provided with passive activities.

4. Amenities within a development project should be proportional to the size of the project.

5. Open space should be an integral part of a development project, connecting recreational facilities with other areas utilizing continuous common areas.

6. Private open spaces such as patios and balconies are encouraged. Patios and balconies should be a minimum sixty (60) square feet in area and have a minimum narrow dimension of six feet (6').

7. In Multiple-Family Residential Zones and multifamily areas of Planned Developments, open landscaped space shall be at least 20% of the total land space of the development.

1. Areas with sensitive lands can only count towards this open space if some feature or amenity is added such as a trail in order to make the land usable.
2. Townhome developments with backyards extending at least 10 feet from the back of houses shall only be required to have 15% open space.
3. Duplex developments with backyards extending at least 10 feet from the back of houses shall only be required to have 10% open space.
4. Open and common space must contain some kind of amenities as laid out below

<u>Number of units</u>	<u>Number of amenities</u>
<u>0-15</u>	<u>0</u>
<u>16-50</u>	<u>1</u>
<u>51-100</u>	<u>3</u>
<u>101-200</u>	<u>4</u>
<u>201-300</u>	<u>5</u>

- a. Developments above 300 units shall add one amenity for every 50 units.
- b. Amenities may include but are not limited to pools of at least 1500 sq ft, ~~hot tubs~~, health or fitness facilities, playgrounds, community gardens, dog parks, sport courts, and club houses.
- c. If multiple amenities are required the type shall vary
- d. For developments requiring multiple amenities: duplicates of amenities shall be avoided but may be approved by the Planning Commission.
- e. Open landscaped space and amenities shall be centrally located within the development or otherwise easily accessed by all residents within the development. Amenities shall be maintained by a common ownership or deeded to the city.
- f. Amenity plans shall be submitted with preliminary site plans and shall be approved or denied by the Planning Commission based on the Commission's determination of whether the number, nature, and size of

**Commented [4]:** Create a table showing what this would mean.

**Commented [5]:** Define what can count towards this 20%.

**Commented [6]:** Areas with sensitive lands can count towards this open space if some feature or amenity is added.

**Commented [7]:** Follow up with St. George to see if they like this code.

**Commented [8]:** Including "hot tubs" as its own category suggests that 5 hot tubs for 300 units might be sufficient.

**Commented [9]:** Define that these should be Under some sort of common ownership. ex: "Maintained and owned by the HOA or the City."

**Commented [10]:** Should we consider a priority list, like in the RR zone?



the proposed amenities in the amenity plan satisfies the requirements and purposes of this chapter.

- g. Planning Commission may lower the amount of open landscaped space or amenities required if the development is within one-quarter mile of a city park

~~common open space should equal or exceed the ground floor area of all buildings on site. Projects greater than one story should provide common open space equivalent to the ground floor area plus fifty percent (50%) of all additional floor area. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)~~

~~F. Outdoor Lighting: Lighting should limit its impact on adjacent properties and adhere to general dark sky principles. Only lighting that is needed should be installed.~~

~~1. The exterior lighting of a project should provide for the illumination of buildings and grounds for safety purposes, but that utilizes only the amount of light necessary for the purpose. Lighting should be fully cut off according to National Dark Sky Association standards, focused downward, hooded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjoining properties.~~

~~2. Fixtures used in exterior lighting should be fully shielded, light only the area where light is needed, be no brighter than necessary, and minimize blue light emissions.~~

~~3. Walkway lighting should be fully shielded and no more than one hundred (100) lumens.~~

~~4. All new lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.~~

~~5. Lighting that can be programmed to dim or shut off when it is safe to do so is preferred, such as one-half ( $\frac{1}{2}$ ) hour after business closing or after twelve o'clock (12:00) midnight.~~

~~6. Light levels at the property line should not exceed 0.1 foot-candles (fc) adjacent to business properties, and 0.05 foot-candles at residential property boundaries.~~

~~7. Gas canopy and drive-up cover lighting shall be down lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.~~

~~8. Residential lighting: Lighting should be shielded, focused downward, and placed and screened so that light does not cause light trespass on or spill onto any adjoining properties. Motion lights focused away from neighboring properties rather than lights that are always on are preferred. (Ord. 2019-04, 5-2-2019)~~

**Commented [11]:** Moved to a new section below

F: Outdoor Lighting Plan: All final site plans shall submit an outdoor lighting plan that complies with Hurricane outdoor lighting standards.

G. Outside Storage: Approved outside storage areas shall be screened from street view and nearby residence, office, and commercial areas. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

H. Pedestrian Circulation: A network of convenient, safe, and raised or textured pedestrian paths should connect areas within the project, and the project to adjacent properties and transit facilities.

1. The location and number of access points to a site, the interior circulation pattern, and the separation between pedestrians and vehicles should be designed to maximize safety and convenience, and should be harmonious with proposed and neighboring buildings.

2. Trails should be at least 10 feet wide unless they are so marked on the Active Transportation Master Plan. Trails indicated on the Active Transportation Master Plan shall be at least 12 feet wide

4. For multifamily developments or Planned Developments a pedestrian circulation plan shall be submitted with the Preliminary Plat application. Pedestrian circulation plan shall contain:

- a. Location of walkways
- b. Width of walkways
- c. Connection points between adjacent properties
- d. Location of Active Transportation Master Plan trails, if any, in the vicinity of the property and any internal pathways connections to these trails
- e. Connections between residential buildings and amenities
- f. Street crossings and crosswalks which shall be clearly marked

~~—52. Internal Walkways shall be well lighted with lights no higher than three feet (3') high that are fully shielded to provide visibility, security and a pleasant environment and prevent glare and light trespass. (Ord. 2019-04, 5-2-2019)~~

5. Covered or locked bicycle storage should be provided in all multifamily developments at a rate on one space per two units

- a. This shall be provided through private storage like garages or storage units or public storage like covered bike parking under shared staircases.

**Commented [12]:** The following should be added:

1. Trail width standards.
2. Master Plan
3. Ped Plan should be submitted with the preliminary plat. Should show the following:
  - a) Location of walkways
  - b) width of walkways
  - c) Connection points.
  - d) Location of Master Plan Trails
  - e) Connection with homes and amenities
  - f) Street crossings and crosswalks.
4. Show connections into adjacent developments.

**Commented [13]:** \_Marked as resolved\_

**Commented [14]:** \_Re-opened\_

**Commented [15]:** Does a garage meet this requirement, or must there be separate storage?

I. Privacy: Site design and floor plan layouts should be organized to provide privacy for the proposed project and surrounding uses. Window and door placement, and patio/balcony areas should not directly overlook adjacent properties.

J. Security: A site should be designed to avoid creating conditions which may invite criminal activity.

1. Buildings, windows, and landscaping should be located to maximize surveillance of entryways, pathways, and parking lots.

2. Adequate lighting should be provided throughout the development.

K. Solar Exposure: An energy efficient design which reduces summer heat gain and winter heat loss and encourages outdoor usable areas should be incorporated into the site plan.

1. An energy efficient design to reduce summer heat gain through window and door placement, and landscaping, use of innovative construction materials, or building orientations is encouraged.

2. Providing shade for outdoor activity areas such as picnic areas and courtyards is encouraged.

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.

M. Walls: Different projects and uses should be physically separated to minimize the impact of unattractive or noisy areas and provide a buffer between properties.

1. Walls which front on a public street should be designed to include colors, materials, forms, and architectural accents compatible with the main building.

2. Minimum requirements for screening walls: See chapter 37 of this title.

N. Auxiliary Equipment: Generators and other large auxiliary equipment should be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties.

1. Equipment should be kept low to the ground.

2. Walls, landscaping, and other materials shall be used to screen auxiliary equipment.

O. Minimum Site Plan Requirements: See applicable base and overlay zone standards (chapters 11 to 30) of this title. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

#### 10-33-7: OUTDOOR LIGHTING

The purpose of this section is to encourage lighting practices that minimize light pollution, glare, light trespass, and sky glow in order to preserve the night sky and the rural character of our community

1. Scope: All exterior lighting installed after the effective date of this ordinance shall conform to the requirements of this section.
2. Requirements: Only lighting that is needed shall be installed.
  - a. For commercial and industrial properties: exterior lighting shall be fully cut off, focused downwards, and fully shielded so that no light source is visible, and placed and screened so that it does not cause light trespass on any adjacent properties.
    - i. Fully cut off lighting shall be defined as lighting fixtures that have completely opaque tops and sides, such that light can only escape from the bottom and is aimed towards the ground with no light aiming upwards
  - b. All new exterior lighting shall have a color temperature of three thousand (3,000) K or less, with a temperature of two thousand seven hundred (2,700) K preferred.
  - c. Walkway lighting within multifamily developments and planned developments shall be fully shielded and no more than one thousand (1000) lumens and no more than three feet above the ground
  - d. Motion sensor lighting shall not be on for more than five minutes a time
  - e. Gas canopy and drive-up cover lighting shall be down-lighting and recessed so no part of any light fixture or lens extends below the lower surface of the canopy frame.
  - f. Recreational facilities shall be required to have full cutoff light fixtures and not have light trespass onto adjacent properties except for where it is unavoidable
  - g. Light poles with floodlights in parking lots and other such facilities shall not exceed eighteen (18) feet in height and shall adhere to all other requirements of this chapter
  - h. Signs: Signs may be unlighted, lighted externally, lighted internally, or backlit. All sign lighting must be designed, directed, and shielded in such a manner that the light source is not visible beyond the property boundaries where the sign is located. Lighting for signs must be directed such that

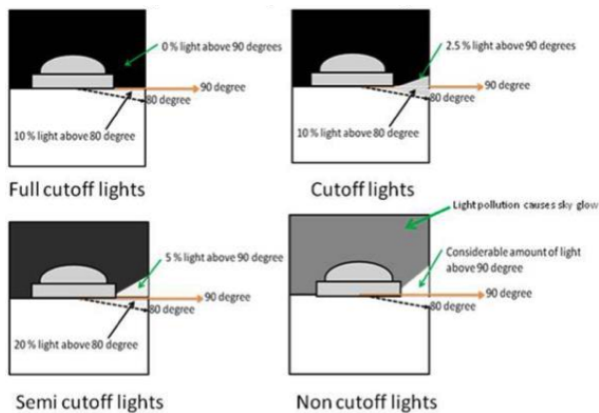
only the sign face is illuminated. All lighted signs must have stationary and constant lighting.

3. Exceptions:

- a. Lighting that has a brightness of less than one thousand (1,000) lumens or one sixty (60) watt bulb
  - b. Floodlights with external shielding of the light source and is angled towards the ground at 30 degrees or less
  - c. Temporary lighting by emergency services
  - d. Lighting for the United States of America and State of Utah flags
  - e. ~~Motion sensing lighting that are on for less than five minutes at a time, and are not used for extended lighting~~
  - f. Lighting for public or private outdoor events provided the lighting is turned off by 12:00 am and the event is in compliance with all other city ordinances
  - g. Holiday lighting: Any decorative lighting put up on a temporary time period for the celebration of a special event or holiday
  - h. The lighting of telecommunication towers to meet Federal Aviation Administration regulations;
  - i. Lighting at airports in order to comply with Federal Aviation Administration requirements. All other lighting must meet this code.
  - j. Lighting used only for recreational lighting when all reasonable measures have been taken to minimize the lighting of surrounding properties. Any adjacent luminaires surrounding the recreational facility, such as lighting for sidewalks, are not exempt.
  - k. Motion sensor lights that are on for less than five minutes at a time.
4. Nuisance lighting: Light trespass from all commercial and industrial properties to residential properties in a way that causes a nuisance is prohibited.
5. Diagrams and exhibits: Guidelines for outdoor lighting are below
- a. Cutoff lights

Commented [16]: redundant





#### Examples of Acceptable / Unacceptable Lighting Fixtures



#### 4-2-2: ENUMERATION OF NUISANCES:

- A. Specified: Nuisances shall include, but shall not be limited to, the following:
1. Rubbish: Keeping or depositing on, about or over property or premises, or maintaining or allowing to remain on said property or premises, any of the following:

- a. Rubbish, refuse, junk, trash or debris.
- b. Abandoned, discarded or unused furniture, equipment, automobiles, stoves, refrigerators, freezers, construction materials, cans, containers or other objects not being used.
2. Befouling Water: Befouling water in any spring, stream, well or water source supplying water for culinary purposes.
3. Privies, Cesspools: Allowing any privy vault or cesspool, or other individual wastewater disposal system, to become a menace to health or a source of odors or contamination to air or water.
4. Garbage Containers, Offensive: Permitting any garbage container to remain on the premises when it has become unclean and offensive.
5. Garbage Accumulation: Allowing vegetable waste, garbage, litter, filth or refuse of any nature to accumulate within or upon any property, except when it is temporarily deposited for immediate removal.
6. Manure Accumulation: Permitting the accumulation of manure in any stable, stall, corral, feed yard, yard or in any other building or area in which any animals are kept.
7. Slaughterhouses, Feed Yards: Permitting any slaughterhouse, market, meat shop, stable, feed yard or other place or building wherein any animals are slaughtered, kept, fed or sold to remain unclean or in any state or condition detrimental to health or creating a nuisance because of odors, or which is conducive to the breeding and proliferation of flies or rodents.
8. Discharging Offensive Water Or Liquid Waste: Discharging or placing any offensive water, chemical spray, liquid waste or refuse of any kind into any street, alley, sidewalk, gutter, stream, wash, natural watercourse, ditch, canal or any vacant lot or which, as the result of continued discharge, will render the place of discharge offensive or likely to become so.
9. Collecting Grease, Offensive Matter: Keeping or collecting any stale or putrid grease or other offensive matter.
10. Flies And Mosquitos: Having or permitting upon any premises any fly or mosquito producing condition.
11. Public Drinking Vessels: Keeping any drinking vessel for public use without providing a method of decontamination between uses.

12. Ablutions Near Drinking Fountain: Permitting or performing any ablutions in or near any public drinking fountain.

13. Dwellings Or Places Of Employment; Sanitary Condition: Failing to furnish any dwelling house, boarding house, factory, office or other place of employment with such privy vaults, water closets, sinks or other facilities as may be required to maintain the same in sanitary condition.

14. Refusal To Clean Septic Tanks: Neglecting or refusing to discontinue use of, clean out, disinfect and fill up all septic tanks, privy vaults and cesspools or other individual wastewater disposal systems within twenty (20) days after notice from an enforcement officer or official of the city.

15. Stagnant Water; Offensive Substances: Permitting any lot or excavation site to become the repository of stagnant water or any decaying or offensive substances.

16. Obstructing Public Ways, Watercourses, Parks: Obstructing or tending to obstruct or interfere with or render dangerous to passage or travel any street or sidewalks, lake, stream, drainage, canal or basin, or any public park without first obtaining the written permission of the city council..

[17. Lighting: Light trespass from a commercial or industrial property to a nearby residential property. Excessive light trespass from one residential property to another](#)

#### 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.

C. Private Driveway: Parking for single-family and two-family dwellings may be accessed from a public street via a private driveway unless such access is a violation of the City's access management plan and other access is possible. Parking for townhouses may be accessed from a public street with a functional classification of "residential local" via a private driveway. Parking for townhouses on streets with a higher functional classification must provide parking that is accessed from a parking lot aisle and not directly from the public street. (Ord. 2018-03, 4-5-2018)

D. Backing Space: Backing space shall be provided for all parking lots so that cars will not back onto a public street. Public sidewalks shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so a vehicle will not exit by backing onto a public street.

E. Curb Cuts: Curb cuts and driveways allowing access to a public street shall conform to the requirements of chapter 35 of this title.

F. Internal Circulation: Each parking lot shall provide for traffic circulation on the property adequate to access all parts thereof without the necessity of exiting onto a public street.

G. Landscaping: Parking lots shall be landscaped as provided in chapter 32 of this title.

H. Lighting: Parking lots used at night shall be adequately lighted, utilizing hooded light sources. Parking lot lights shall be arranged to reflect light away from adjoining residential premises.

I. Paving: Unless expressly provided otherwise in this title, every parking lot required by this title shall:

1. Be paved with asphalt, concrete or some other all weather surfacing material;
2. Maintained to eliminate dust or mud; and
3. Be graded and drained to dispose of all surface water. Such surface water drainage shall not cross a public sidewalk. (Ord. 03-5-1, 5-1-2003, eff. 6-1-2003)

J. Diagonal and perpendicular street parking is permitted in all nonindustrial zones but shall comply with the following standards:

1. Shall only be located on local or residential roadways
2. Shall be maintained by a homeowners association or other private entity and shall be paved with concrete. Public parking for parks or other City amenities shall be maintained by Hurricane City and may be asphalt.
3. After every 10 spaces, there shall be a bulb-out that is a minimum of 20' in length and landscaped with shrubs no higher than two feet, and at least a single tree pruned and located to ensure proper line of sight is maintained.
4. Parking shall not cross the sidewalk, and sidewalks shall wrap around the outside of parking areas.
5. Parking areas shall be located fifty feet (50') away from any intersection of public roadways.

6. [The City Engineer must approve the proposed cross-section during the preliminary plat process](#)



**ON WEDNESDAY, DECEMBER 15, 2021 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 NORTH 870 WEST HURRICANE UT, 84737**

**Members Present:** Mark Sampson, Shelly Goodfellow, Paul Farthing, Ralph Ballard, Rebecca Bronemann, Michelle Cloud, and Penny James-Garcia.

**Members Excused:** Dayton Hall

**Staff Present:** Planning Director Stephen Nelson, Assistant Planner Fred Resch, Planning Technician Brienna Spencer and City Engineer Representative Darrin LeFevre

Chairman Dayton Hall called meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Michelle Cloud and Shelly Goodfellow offered the prayer. Roll call was taken.

*Paul Farthing motioned to approve the agenda as posted. Rebecca Bronemann seconded the motion. Unanimous.*

**Public Hearings**

**1. A Zone Change Amendment request located at 1100 W 3000 S from RA-0.5, residential agricultural one unit per half acre, to RA-0.5 with a PDO, Planned Development Overlay, Parcel numbers H-3396-C, H-3396-D, and H3396-E.**

No comments

**2. A Zone Change Amendment request located at 1766 W 400 N from R1-10, residential, one unit per 10,000 sq ft, to R1-6, one unit per 6,000 sq ft with a PDO, Planned Development Overlay. Parcel number: H-3-1-33-2446.**

No comments

*Ralph Ballard motioned to close the public hearing and move to the open meeting. Paul Farthing seconded the motion. Unanimous.*

**New Business:**

**2021-ZC-43 / 2021-PSP-24 Discussion and consideration of a recommendation of a proposed zone change located at 1100 W 3000 S from RA-0.5, residential agricultural, one unit per half acre, to RA-0.5 with a PDO, Planned Development Overlay. Diamond Edge Construction, Applicant. Scott Stratton, Agent**

Scott Stratton went over his application. He explained the sizes of his lots, bigger in phase one along the front of the project. Phase three was put in to have nightly rentals which will provide horse stalls for its guests. After speaking with many members of the community, they thought having those amenities available for a nightly rental would be an asset to our city so he decided to add a section that would provide that amenity for guests. There is no other place aside for Winchester Hills that allows overnight guests to keep their horses onsite. He shared that Kelby Iverson is boarding 80-90 horses a night and stated this would be a desirable product. Stephen Nelson went over the changes brought before the commission. The applicant has requested a 20% density bonus because they will be dedicating land to

1 the city, which meets the standards of the code. He also went over the fire concern and the spacing of  
2 accesses. Typically, when you have two access points, they need to be a specific distance apart. They  
3 have made the changes with those, which now meets the code. Mr. Nelson stated that his real big  
4 concern with the project is phase three that allows for nightly rentals. In the past, we have approved  
5 nightly rentals in a PDO but have been required to have amenities and onsite management. What the  
6 applicant is presenting does not meet that typical standard. We don't have anything like this, so our  
7 code doesn't really state anything about it so it is up to the Planning Commission to consider whether or  
8 not it meets the intent of the commercial part of the PDO code. Mark Sampson stated that they  
9 originally recommended denial, the city council workshopped it and they recommended RA-0.5 while  
10 encouraging the applicant to come back with a PDO which would allow for larger lots in the front and  
11 smaller lots in the back while providing a buffer. Councilman Darren Larsen asked Mr. Stratton what his  
12 plans are with the open space on the South side of the property. Mr. Stratton stated that he didn't want  
13 ready mix to have to come in and mitigate the slope separating the two properties and it provides a  
14 buffer between them. The plan is to dedicate the open space for parking to the trail head. Mr. Sampson  
15 asked if there was a concern to someone rolling off the cliff? Mr. Stratton thought they would put a big  
16 chain link fence in so people could see what was on the other side of it. Mr. Sampson shared that a few  
17 months ago we went through a process to protect Ready Mix and asked if there is any interaction that  
18 we are playing with. Mr. Nelson stated that when they record the subdivision, they will have to have  
19 language on the plat that states they are close to a critical infrastructure materials overlay. Michelle  
20 Cloud asked if the lots in phase three are big enough to build a house and have a place for horses to be.  
21 Mr. Stratton stated that they are all third acre lots. The horses will really only be in the stalls at night,  
22 most horse people keep their horses with them. Mr. Nelson stated that typically all you need is a tenth  
23 of an acre to board a horse. Mrs. Cloud shared that we are at our tipping point with vacation rentals but  
24 this is not something we have and she can see how it would be a marketable product. Penny James-  
25 Garcia stated that she doesn't like the PDO, she feels like it's a sneaky way to get what he originally  
26 asked for; RA-1 to R-10, which is what the planning commission voted against. He persuaded the council  
27 to go from one acre to half acre. 68% of the lots are less than half an acre, which is what it's zoned for.  
28 This was set up to protect the ag area out there, to protect the larger lots. She thinks going down to less  
29 than half acre is not okay. She asked Mr. Nelson if there are any plans for stables at the new equestrian  
30 park. He shared that he is unaware if there will be overnight boarding options. Shelly Goodfellow asked  
31 if the original zone change was contingent on a 300-foot buffer zone up against the gravel pit like the  
32 Interstate Rock critical infrastructure materials protection as well as having access to the trail? She  
33 hopes that it is because she hates to see an established business and then we allow a development right  
34 next to it. And then we get meetings full of people coming in and complaining about the operations. She  
35 doesn't want the burden to fall back on the gravel pit when they were there first. If the zone change was  
36 contingent on those two things, she doesn't think the dedications should be counted towards a density  
37 bonus as well. Mrs. Goodfellow loves the idea about the vacation rentals because she thinks it's  
38 something that is needed in Hurricane because we don't have anything like it. The vacation rental needs  
39 to be a permitted use under the ag zones. Also, if amenities are required, the corrals and stables should  
40 count towards that requirement. She doesn't think that it should be lumped in with our normal  
41 recreation resort zone because if the units are sold and if the new owners decide to remove the stables,  
42 it can just be used as regular nightly rentals. Mr. Nelson stated that typically within a PDO, requirements  
43 for the development are put into a development agreement. Mrs. Goodfellow thinks that the density  
44 meets the half acre zone. She thinks everything is good but she thinks it needs work with the PDO.

1 Rebecca Bronemann agrees with Mrs. Goodfellow. She also thinks that owners are not going to want to  
2 buy a large lot next to a gravel pit. Recreation resort in phase three, closest to the gravel pit is the best  
3 place for it because they are only there temporarily which means they are less likely to come in and  
4 complain about the gravel pit. She would like to see some sort of mitigation of smell and all the things  
5 that come with horses to a minimum. Paul Farthing shared that the subdivision is a good subdivision but  
6 the vacation rentals is a really bad idea. Everyone is saying horses and half acre lots, but it's not half  
7 acres. They are basically quarter acre lots and that is too small for horses. He is thinking about those  
8 living long term and dealing with the vacation rentals. It's not conducive to the area, it's not a fit. He  
9 asked about the second fire access and who's property it is on. Mr. Stratton stated that it is access  
10 through the Catoor's property. Mr. Nelson stated that they will have to sign an easement through the  
11 property, that is typically obtained during construction drawings. Mr. Stratton doesn't care if this is  
12 vacation rentals or not. He just had a lot of people come to him and tell him this is a product that is  
13 needed so he thought he would try. Mr. Farthing doesn't think quarter lots is big enough for a horse, let  
14 alone more. He asked Councilman Darrin Larsen if he could fit a horse on his half acre lots. Mr. Larsen  
15 stated he has plenty of room for a big pool but all a horse really needs is a 10x12 space. Ralph Ballard  
16 shared that when he saw the first plan proposed, he hated it because there has been so much resistance  
17 to the fields being chopped up. But when he saw this, he got thinking that this idea amazes him. He  
18 would leave it all half acre and make them a bit more fancy with bigger lots so the entire subdivision  
19 could be horse stuff and completely agriculture. If this is a product needed, he should run with it. Mr.  
20 Stratton shared that people don't want some kind of fancy rental. They want a place to sleep and keep  
21 their horses. They are at the rodeo, they aren't sitting around the pool and giving their horse a bath. He  
22 understands what Mr. Ballard is saying. Mr. Ballard stated that he's not meaning a fancy house, but a  
23 nice stable. Something he noticed was the design and even landscaping wasn't really designed to get  
24 horses in. Mr. Stratton stated that each unit would have to be designed for it. Mr. Ballard stated that he  
25 wouldn't just do vacation rentals but he would incorporate it into the entire subdivision because it  
26 would be tied into the atmosphere of the fields. Mrs. Bronemann stated to make it all horse property so  
27 the phase one people know what they are buying so they don't complain later on that horses will be  
28 coming and going with temporary vacation rentals, she thinks it could be really good.

29 *Paul Farthing motioned a recommendation of approval of 2021-ZC-43 and 2021-PSP-24 as presented*  
30 *without any vacation rental aspects. Michelle Cloud seconded the motion. Ralph – nay, because he feels*  
31 *like the horse portion of it would be an asset to furthering the ag feel of the fields and the proximity to*  
32 *the fairgrounds and he thinks that would be what pulls him to an eye vote, Paul Farthing – aye, Rebecca*  
33 *Bronemann– nay, for the same reasons as Ralph Ballard, Mark Sampson – nay, Shelly Goodfellow – nay*  
34 *for the same reasons as Ralph Ballard, if not, she would rather see half acre lots. Penny James-Garcia –*  
35 *nay because it does not meet the rezoning of half acre. Michelle Cloud- aye, Mark Sampson – nay.*  
36 *Motion fails.*

37 Further discussion was had – Scott Stratton argued that all he hears is that they don't want agriculture  
38 because of the flies and people not taking care of their horse but it wouldn't be any different than if  
39 they were half acres and had their own horses on it. There will still be flies, there will still be horses, and  
40 they still crap. It doesn't matter whether they are rentals or not. They either want agriculture there or  
41 they don't want agriculture. He stated that he bends over backwards to give as much agriculture as he  
42 can. He's met with Kelby Iverson, whose boarding 80-90 horses a night right now, multiple time and he  
43 said this is awesome. He was going to be here tonight in support, he's fought him on everything else

he's proposed. The commissioners stated that it's the lot sizes. Mr. Nelson stated that they could have .4 of an acre for a horse but the intent behind that is so they sufficient grounds for the animal. Mrs. Goodfellow stated that this is new grounds. She loves the agricultural aspect that is being put in but she thinks it needs time. Just because it has to get to the City Council is not a reason to push and rush things through. Mr. Sampson asked what continuing of it would do and Mr. Stratton stated that he does not want to continue it because of the 2.5 million dollars in interest he's paying. Mr. Farthing stated that he doesn't think continuing it is going to do anything because they aren't going to redesign the project to make it all half acre and then approve it. That's not what he submitted and it's his right to submit what he wants. Mrs. James-Garcia stated that it is his right to submit what he wants but he's upset because he's been at it a year but its' because he keeps asking for changes. He gets approved for something but then he comes back and asks for something else. If he would just go with what he is approved, he could be building now. Mr. Stratton wanted to make it clear that he was originally R1-8 and the city changed it to acre. Mr. Nelson stated that when he purchased the property, the general had this for middle density housing but we changed the general plan after the fact and it impacted his ability to get a zone change. It's always had the zoning of RA-1.

*Shelly Goodfellow motioned a recommendation of denial of 2021-ZC-43 and 2021-PSP-24. Penny James-Garcia seconded the motion. Ralph Ballard – aye, Paul Farthing – aye, Rebecca Bronemann – nay, because they should allow the vacation rentals, Mark Sampson – aye, Shelly Goodfellow – aye, Penny James-Garcia – aye, Michelle Cloud– aye. Motion carries.*

**2021-ZC-44 / 2021-PSP-26      Discussion and consideration of a recommendation of a zone change located at 1766 W and 400 N from R1-10, residential one unit per 10,000 sq ft to R1-6, residential one unit per 6,000 sq ft, all to contain a PDO, Planned Development Overlay. ARS Divitaes LLC Applicant. Grace Hayes Agent.**

Kyle Rasmussen represents ProValue engineering. He went over the proposal with a detention basin, one 11-unit building, one 12-unit building, and a playground. There will also be 67 parking spots. They will be giving the City the Goulds Wash area. Stephen Nelson stated that they are proposing 23 units all together, the density is based on the developable area. Right now, the proposed density is not permittable under our current code for R1-6. 18-units is what is currently allowed. His other concern is the access point off 600 North, which is on a big hill. It is feasible to have it be an access point but there will have to be a lot of design work to make it possible. The reason the applicant is requesting access off 600 North is because they don't have access from the neighboring project so they are essentially land locked. The project to the west of the proposed zone change has stated that they are willing to sell them a lot to have access through their project, but they would have to come to terms of purchasing. Penny James-Garcia likes this better than the vacation rentals up the street. We need the multifamily units in the area. Her concerns are the point of view off the property. She also is unsure of the housing next to the wash; she thinks it needs to be protected. Mr. Nelson stated that they are dedicating some space along Goulds Wash to the City which will protect it. Grace Hayes stated that she doesn't understand the density of it all which is why they hired out ProValue. However, when they purchased the lot, Firerock was not approved and when it was approved, its land locked their property. Paul Farthing stated the property is not landlocked, they have access off 600 North, it will just be costly. Shelly Goodfellow stated that she doesn't think that they can cost effectively develop their land without the density proposed but she does think that it is up to the property owner to continue to do due diligence while they own the property come in and ask for the connectivity needed for development. Rebecca

1 Bronemann thinks that the density is needed for the project to work, she hopes we can make it work.  
2 Mr. Farthing doesn't think you allow density for a developer to make it work for their development.  
3 We're not here to solve their problems, we're here to approve what is best for the city. If you're going to  
4 do multifamily, it needs to be in an area for it. Ralph Ballard stated that it is at the bottom of the hill, will  
5 there eventually be access down to the cove. He has a little bit of a hard time with developments when  
6 we take some ground here and some ground there and tell them where they can build. Mr. Nelson  
7 referenced the density code. Density and density bonuses were discussed further. Michelle Cloud  
8 shared that this piece of land was looked at to be undevelopable and they have come up with a  
9 marketable product.

10 *Ralph Ballard motioned a recommendation of approval of 2021-ZC-44 and 2021-PSP-26 subject to staff*  
11 *and JUC comments Rebecca Bronemann seconded the motion. Unanimous.*

12 **2021-AFP-18 Discussion and consideration of a recommendation of an amended final plat for Dixie**  
13 **Springs Plat C Amendment A located at 2622 S 3480 W. Michael Brassannini Applicant-ZC**

14 Stephen Nelson stated that the only note not in the comments was the back utility easement that is  
15 shown, they don't need it there. They are just consolidating two lots.

16 *Rebecca Bronemann motioned a recommendation of approval of 2021-AFP-18 subject to staff and JUC*  
17 *comments as well as eliminating the public utility easements. Unanimous.*

18 **Planning Commission Business:**

19 

- **Planning Commission Terms**

- 20
  - Staff went over findings of each commissioners' seats and when seats will be up after four-

21 year terms.

22 **Adjournment**