

ON AUGUST 25, 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: Dayton Hall, Mark Sampson, Shelley Goodfellow, Michelle Cloud, Ralph Ballard (late), and Penny James-Garcia.

Members Excused: Paul Farthing and Rebecca Bronemann

Staff Present: Planning Director Stephen Nelson, Planning Technician Brienna Spencer, Councilman Darin Larsen, 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 and Darin Larsen offered the prayer. Roll call was taken.

Public Hearing

1. A proposed Land Use Code amendment to Title 10-chapter 7, regarding Building Permits.

No comments.

2. A General Plan map amendment request located at 600 North and 2800 West from single-family to mixed-use.

Comments were submitted and are on the record. They are attached at the end of these minutes.

Sharron Shoresallen lives in Peregrine Pointe and is a member of the Chamber of Commerce. She is the one who submitted 80 signatures from 54 residence within Peregrine Pointe. Her first concern is water. Sewage is another concern. Are we meeting the concerns for water and sewage for longer term usage? Another thing is noise, if we have apartments and an RV park, we lose the dark sky and our view. 600 North cannot handle more traffic. If there is an RV park, there will be an increase of traffic of recreational vehicles. Having an RV park across the street will decrease the values of their homes by 7%. There are children that live in Peregrine Pointe, if they were to see something shiny across the street, what are the chances of them running across 600 North to investigate? She talked about low-income housing and the projects that are going on here in Southern Utah. She stated that the neighbors would like to keep it single family.

James Metler lives in Sky Ridge and he supports all of Sharron Shoresallen's comments. We already have plenty of RV parks. We need to keep things upscale and not go down in the opposite direction.

Dayton Hall explained what this application is asking for. Mixed use is a mix between commercial and single family. If the applicant were to be granted the general plan map amendment, they would still have to come in for a zone change application.

Mrs. Shoresallen asked why there was a plan layout included in the documents. Stephen Nelson addressed this by stating that he thought it would be good for the commissioners and councilmen to see some sort of a layout of what they may propose.

Bob Pierce asked the planning commission what the benefit to Hurricane City to allow this change?

Mike Andrews lives in Peregrine Pointe and this is his second opportunity to discuss a grievance of uses in this area. He brought up the Interstate Rock Zone change request from a year ago. He stated that the general plan is what people look at before moving to Hurricane, just like he did before moving

here a few years ago. The city came up with a plan, it's a good one. Where in the current plan did the city plan for something like this that the developer wants to do? He shared that there was a city that came up with a 30–40-year plan and they told the developers where they wanted this mixed use and drove them to those areas.

Frank Lindhardt is the developer for Sky Ridge. He has spoken with many residences within his development that has voiced an opposition. Mr. Lindhardt stated that the general plan map amendment request is really just a blob, the plan presented is what their intent is and he appreciates the developer for providing it so the community knows what their long-term plan is for the parcel. He stated that recreational resort is just commercial. People are coming and going and not a part of the neighborhood. The council agreed that Peregrine Pointe didn't need vacation rentals and he hopes they agree this doesn't need it either. He stated that when they came in with his development to the West, he had to follow the 4 units per acre with the mixed use. He would like the commissioners to consider whether it is appropriate for this type of density next to their homes.

Gary Croft wanted to emphasize the point of crime in high density areas. His wife is a retired police officer from Nevada and they pushed apartments and the crime rate when up. Anytime you have apartments, no matter how nice they are, the crime goes up.

Rick Richardson is the project designer on this project. He stated they will have to go through zone changes to get the uses they want and the density numbers are still not set. They do not plan to ever put any RV spots on the property. They would like to put in some recreational resort homes. Whatever is built will be nice. They would like to create a high-end townhome development. They are trying to be conscientious of water and the surrounding neighborhoods. Some of the congregation asked Mr. Richardson to speak a little bit more on the recreational resort. He was also asked about apartments proposed and if there was ever a plan to have the entire project be apartments. Mr. Richardson stated that they never had the plan to have the property be all apartments.

Gary Croft spoke a second time and stated that the applicant is in it to make money. They ask for changes based off how they want things to go. In the end, it's all about money.

Debbie Taylor lives in Sky Ridge and opposes this proposal. She has been a real estate broker and recreational resort is a vacation rental and they are a nightmare. She doesn't think that sticking something like this in the middle of all our homes is a good idea, it'll become like the problem in Dixie Springs.

James Melter spoke again about how we don't need a misuse of our beautiful area.

3. A Zone Change amendment request located at approx. 250 North and 2800 West to update the existing PDO, planned development overlay, with the underlying MH/RV, mobile home/RV

A comment was submitted and is on record. It is attached to the end of these minutes. No additional comments.

New Business:

2021-LUCA-04 Discussion and consideration of a recommendation of a proposed Land Use Code amendment to Title 10-chapter 7, regarding Building Permits.

Penny James-Garcia clarified that if this goes to a dispute, it comes to the planning commission and then the board of appeals and doesn't go to the City Council. She asked what the thinking was behind

this process? Stephen Nelson stated that if it is outside of ordinance 10-7-21, then it would go to the City Council. Dayton Hall stated that his thought is that the City Council is elected whereas the Planning Commission is appointed so they might be in a better position to make the harder decision. Mark Sampson asked if this was the ordinance that Fay Reber was drafting up some language. Mr. Hall stated it was a different one.

Michelle Cloud motioned recommendation of approval of 2021-LUCA-04 to the City Council. Shelley Goodfellow seconded the motion. Unanimous.

2021-GPA-03 Discussion and consideration of a recommendation of a General Plan map amendment request located at 600 North and 2800 West from single-family to mixed-use. Parcels: H-3-1-31-1106, H-3-1-31-1107, and a part of H-3-1-31-1104. DAF DEV LLC Applicant

Rick Richardson represents the applicant. Mark Sampson asked Mr. Richardson if they have thought about moving the road a little bit. Mr. Richardson stated that they have spoken with staff and after that, this looked like a good place to put something commercial on a road that could potentially be a very busy cross section at 2800 West and 600 North. Stephen Nelson stated that 2800 West has been designed now and it includes the curve. The curve of the road makes it safer with the typography of the property, which is why they had moved it like this. Mr. Richardson stated that there are two large arterial roads bordering the east and west property lines that are not already there and they have been working with the city to figure them out. Michelle Cloud stated that when she sees something that proposes multifamily, she thinks of attainable housing. However, then she falls back on our general plan and what we see for this area and unless there is a compelling reason to change it, she thinks it's a little premature. Ralph Ballard asked at what point do we price people out of the area? We talk about attainable housing and crime in the area, but when do we get them out of the market? Some of the comments were about children who rent vacation rentals somewhere else. He often thinks that sometimes he would rather have a bad neighbor for a few nights than for a lifetime. He appreciates those who have given factual statements and have done the work. Mr. Ballard asked the congregation to please be patient with their neighbors that want to move here. If we would have closed the doors to Hurricane years ago, there are a lot of people who wouldn't be here now. Shelley Goodfellow asked the fellow commissioners if they have ever wondered if single family housing isn't attainable because there isn't any out there? She's concerned that it is never going to slow down. As she looks at the possible proposed plans, the commercial and recreational resort actually fits with where it is laid out. Especially with the major roadways coming in. She asked Mr. Nelson if this is ever planned to be a freeway? Mr. Nelson went over the status of 2800 West and the future intent of it. Mrs. Goodfellow stated that we have thousands of vacation rentals within the city. Penny James-Garcia stated that our general plan is new, we spent approximately \$90,000 for this plan. She thinks we need to implement it and regardless of the public comments, she would vote against this simply because we have this general plan for a reason. Mrs. James-Garcia stated that she thinks we need to protect our single-family zones just like we need to protect our agriculture. She shared that she searched our general plan to find where it says anything about recreational resort, there is a very small section that shows where that should be but there is a whole lot of areas for single family. Stable single-family homes and vacation rentals both do great things for our city but there is a place where we should keep those. The general plan is our foundation and we need to keep to it. Dayton Hall asked the public if they would think this would be more appropriate to have a neighborhood commercial by the raise of hand. No one agreed and raised their hands. It was expressed it would be more appropriate next to Walmart. Mr. Hall stated that this type of use is appropriate next to arterial roads but agrees with Mrs. James-Garcia that this is premature especially when our plan isn't a year old yet. Mr. Richardson stated that there isn't a lack of

single-family homes. He addressed the water concern. He believes he tried really hard to be considerate of the surrounding neighbors. This design is not a guarantee, it is just an idea. The only way they can get to something similar to this is by a mixed use. Councilman Darin Larsen stated that about 80% of the approvals is for single family homes. He stated that when the vacation rentals are clustered together they are less of a problem with the neighborhoods. Mr. Nelson stated that typically we don't get many complaints in resorts and they mostly come from rentals scattered throughout single family neighborhoods. Mrs. James-Garcia stated that 2800 West so badly needs to be there to access 600 North. Maybe one day it will go to Leeds or be a major arterial road, but it's needed for the existing residence, not to bring in recreational resort or commercial. Mr. Nelson went over the numbers of short-term rentals that have already been approved within the city.

Mark Sampson motioned a recommendation of denial of 2021-GPA-03 to the city Council because it doesn't rise to the level of the general plan. Penny James-Garcia seconded the motion. Roll call – all ayes. Unanimous.

Penny James-Garcia thanked Mr. Richardson about the offer to meet with the residence to come up with a plan for this property and encourages him to continue to do that.

2021-ZC-30 Discussion and consideration of a recommendation of a Zone Change amendment request located at approx. 250 North and 2800 West to update the existing PDO, planned development over, with the underlying MH/RV, mobile home/RV Parcel H-3-1-32-33071. Paul Farthing Applicant, Joby Venuti Agent.

Stephen Nelson asked Joby Venuti if he saw the staff comments. Mr. Venuti stated that he did see them. He explained to the public that he is not asking for mobile home RV, this was already zoned that. What he is doing is bringing the development standards up to compliance with current PDO zone. When the current PDO was granted, it did not allow for a density bonus, he's wanting to bring it up to what current code says to apply for his density bonus. Each of these lots will have space for a garage if it's ever wanted. They will have room for parking as well. He hates parking on the street, he thinks it makes a mess. They are willing to deed restrict every lot to make it so they have to develop these lots this way. They are not planning to use stucco or wood on the outside, they will be using concrete board. Penny James-Garcia likes that this will be affordable. She thinks this meets a lot of the things that are unique. Mr. Venuti stated that he doesn't have any issue with staff comments. Mrs. James-Garcia asked where we are with the zoning. Mr. Nelson stated that there aren't any issues with the 102 units the zoning allows for. He went over a few other concerns, most were addresses. His biggest question is that there are a lot of places that implement open space, just not a very good plan for what is going there. Staff is generally supportive of the project but he would like a bit more of an idea of what is happening in the open space areas. Mr. Venuti has no problems with showing a full landscaping plan. Most people love nature and trees. He went over a few different plans they've thought about. This doesn't need to be a huge expensive neighborhood, but it can still be really nice. Shelley Goodfellow is all for the density bonus. It allows for a more legit home ownership but it also doesn't make people live on top of people. She thinks the location is great and would like to see a bit more of this in the city. Ralph Ballard doesn't particularly like the design of the homes that have been proposed but that mostly a taste issue. He also doesn't have an issue with the density bonus as long as the common area is usable. Michelle Cloud stated that this is something we don't have and she's excited to see it. It could be a tool in our toolbox and is great for attainability. She shared that there was a 30% increase in the average home price within a year. She is all for the density bonus as long as the applicant is giving the city what is appropriate. Mark Sampson asked Mr. Nelson for clarification on what Mr. Venuti is asking for with the zoning. Mr. Nelson addressed that comment sharing that the PDO is currently there as part

of the Canyon's RV Resort Master Plan. But this parcel didn't have anything planned. When reviewing the code, you can still do a PDO type of development but there would be a cap at the density. In order to change that, you have to treat it as a zone change to change the conditions of a PDO. Parameter fencing was discussed for the lots that run along and are directly below Sky Ridge. Mr. Venuti stated that he didn't plan to put up fencing with those slopes already being there. He continued to state that he can do an RV park or mobile home park. He thinks the PDO zone needs to be updated and he's asking for the density bonus. Dayton Hall likes what is proposed and the applicant has provided enough evidence to ask for the density bonus.

Shelley Goodfellow motioned a recommendation of approval of 2021-ZC-30 to the city Council. Penny James-Garcia seconded the motion. Unanimous.

2021-PP-22 Discussion and consideration of a recommendation of a preliminary plat, Canyons RV North Parcel, located at 2800 W and Black Rock Road, containing 120 lots. 2770 W State St, LLC Applicant, Joby Venuti Agent.

Penny James-Garcia motioned a recommendation of approval of 2021-PP-22 to the city council subject to staff and JUC comments. Shelley Goodfellow seconded the motion. Unanimous.

2021-PSP-14 Discussion and consideration of approval of a preliminary site plan application for The Shores at Sand Hollow, a 310 Unit Townhome Subdivision, located at Sand Hollow Road and approx. 400 S. Western Mortgage and Realty Co. Applicant, Todd Smith Agent.

Adam Allen went over the proposal and what their plan is. Stephen Nelson stated what a PID is and what the purpose of one is. Staff and commissioners discussed the benefit of a PID for the city. Dayton Hall mentioned the comment about adequate parking. Mr. Allen stated they have two car garages and two car driveways. The off the street parking was discussed. It was mentioned that it is not allowed within the city. Dayton Hall asked Stephen Nelson if he is good with the connectivity. Mr. Nelson stated that a traffic study will be required. Penny James-Garcia stated that she doesn't particularly like that there isn't any amenities available until phase 4, that's a very long time for those buying in the other phases to wait for those. Mr. Nelson agrees but our multifamily zones don't require or outline what type of amenities be put in. Mrs. James-Garcia stated she is trying to figure out a way to protect those residence who purchase in a first phase who are promised amenities that never come. Ralph Ballard asked if parking is going to be an issue per code. Mr. Nelson stated that they are required to provide 2 spaces per unit and they are proposing 4 spaces. Mr. Ballard asked if the design of the off-street parking could be diagonal instead of straight. Mr. Nelson stated that per current code, they wouldn't meet the standards with the parking.

Mark Sampson motioned approval of 2021-PSP-14 subject to staff and JUC comments. Michelle Cloud seconded the motion. Unanimous.

2021-PP-25 Discussion and consideration of a recommendation of a preliminary plat application for The Shores at Sand Hollow, a 310 Unit Townhome Subdivision, located at Sand Hollow Road and approx. 400 S. Western Mortgage and Realty Co. Applicant, Todd Smith Agent.

Mark Sampson motioned a recommendation of approval of 2021-PSP-14 subject to staff and JUC comments. Michelle Cloud seconded the motion. Unanimous.

2021-PP-26 Discussion and consideration of approval of a preliminary site plan application for The Villas at Sand Hollow, a 90 unit, located at Sand Hollow Parkway and approx. Retreat Drive. Hurricane Hills Ranch LLC Applicant, Valerie Espinoza Agent.

Tony Carter is the engineer on the project. He explained that the applicant would like to build 5 more of the villas that are already existing. Mr. Carter has a question about the cross section in question and what is proposed matches the existing to the west. Stephen Nelson stated that he spoke with engineering and because the PDO allows for flexibility, they are okay with the change presented. Penny James-Garcia asked Mr. Nelson if there are every any complaints expressing issues with the current condos. Mr. Nelson stated he has never gotten any complaints. Mr. Carter stated that the maintenance building will be breaking off to have its own parcel. Mr. Nelson shared the overall Sand Hollow Resort master plan density allotment. Michelle Cloud asked if the road and parking connect to the existing condos, which is does not.

Penny James-Garcia motioned a recommendation of approval of 2021-PP-26 subject to staff and JUC comments including that there will be a separate parcel for the maintenance building. Shelley Goodfellow seconded the motion. Unanimous.

2021-PSP-15 Discussion and consideration of a recommendation of a preliminary plat application for The Villas at Sand Hollow, a 90 unit, located at Sand Hollow Parkway and approx. Retreat Drive. Hurricane Hills Ranch LLC Applicant, Valerie Espinoza Agent.

Penny James-Garcia motioned approval 2021-PSP-15 subject to staff and JUC comments including that there will be a separate parcel for the maintenance building. Shelley Goodfellow seconded the motion. Unanimous.

2021-LUCA-03 Discussion and consideration of a recommendation of a proposed code amendment to Hurricane City Code 10-26. Hurricane City Planning Applicant.

Stephen Nelson went over the areas within the city and the number of units approved. The city currently has 4757 units approved, this is including approved recreational resort and rentals that require a business license within a single-family zone. He shared with the commissioners the reasoning the city council approved Zion Hub zone change last week. It came down to the fact that they could already do what they were proposing under the commercial zoning without a cap in the number of units they could do and they could have decided not to do the restaurant like they were proposing. Most our complaints for vacation rentals are within Dixie Springs. Mr. Nelson shared how the city is taking care of current illegal vacation rentals. He also stated that an assistant planner was hired and one of their biggest job duties will be code enforcement. Penny James-Garcia stated that she thinks it's very important that the city council evaluate the amount of vacation rentals we have. It seems like almost half our population is that. She stated that she doesn't think we want to become a city where we are a transient community. Mrs. James-Garcia asked how we get our tourist numbers across to the bigger food restaurant chains to show them that population wise, we are there. Mr. Nelson addressed why this has been an issue with the restaurants that do come in. Economic development was discussed. Shelley Goodfellow stated that we need to find a place for more industrial. Those seem to be the areas where you have economic growth because those are typically the higher paying jobs. Mrs. Goodfellow mentioned that within this code amendment, there should be a dumpster requirement per unit. Mr. Nelson stated that he talked with the republic services and said they recommended we require 7-10 dumpsters per 100 homes that would get picked up a couple times a week. Michelle Cloud asked if the trash cans would just be replaced by the dumpsters. Mrs. Goodfellow thinks that there should be a higher standard for Recreational Resort. Mr. Nelson went over the rest of the changes made from previous discussion. Mrs. James-Garcia stated that when you have an event, that is when parking becomes an issue. On a day-to-day basis, it's not one. The current parking ordinance was discussed and how parking requirements are determined.

Shelley Goodfellow motioned to continue 2021-LUCA-03. Penny James-Garcia seconded the motion. Unanimous.

Planning Commission Business:

1) Training and Conferences

1. Conference at the end of September. The City will pay for hotel, reimburse for travel, and meals. There will be land code training as well as do all the required yearly training.
2. The Utah APA conference is during our next planning commission meeting. Stephen Nelson is planning on logging in online.
3. Stephen Nelson invited the commissioners to come and sit with him at the Peach Days booth next weekend. He went over what his plans are for the booth and the information he plans to have for the public.
4. Stephen Nelson would like to get a work meeting set up with the planning commission and city council to figure out a consistent policy on current and future applications south of 3000 south and east of SR-7 until services are adequate in the area. It was stated that the easements needed to for services have not been obtained yet.

2) City Council Recap

Approved	Denied	Continued	Tabled
	General Plan Map amendment for Scott Stratton was denied.		
Benchlake Townhomes Preliminary Plat			
Stormi LLC Zone Change – subject to a 26-foot easement between lots 9 & 10 for a flag lot			
Silver Flats Zone Change			
Active Transportation Master Plan - including the country cross sections			
Dratter Estates Preliminary Plat			
Copper Rock Estates Preliminary Plat - conditioned on them working on a new water loop and fire access			

	Benchlake area General Plan Amendment		
		Spendlove 37 acres Zone Change	
	Zion Village expansion Zone Change		
Zion Hub Zone Change			
A road abandonment on 300 north – requirement of a survey being provided			

- We are currently looking at raising impact fees for our building permits to cover our costs. We are looking at being about 85% of the cost of what the IREC recommends.

Adjournment