

**ON JULY 28, 2021 AT 6:30 PM., 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, Paul Farthing, Rebecca Bronemann, Michelle Cloud, and Penny James-Garcia.

**Members Excused:** Ralph Ballard

**Staff Present:** Planning Director Stephen Nelson, Planning Technician Brienna Spencer and City Engineer Representative Darrin LeFevre

Chairman Dayton Hall called meeting to order at 6:30 p.m.

Paul Farthing motioned to move agenda item 2021-AFP-11 be moved to the first discussion item. Dayton Hall agreed that would be okay.

*Rebecca Bronemann motioned to approve the agenda as amended. Seconded by Shelley Goodfellow. Unanimous.*

The Pledge of Allegiance was led by Chris Shamo and Shelley Goodfellow offered the prayer. Roll call was taken.

**Public Hearing**

**1. A proposed consideration of the new Active Transportation Master Plan.**

Arthur LeBaron lives on 810 South and is the City Engineer. He shared that he often hears the public asking why the city doesn't have bike paths. He stated that the simple answer is that we do not have a plan for them. This plan is quite visionary with side paths throughout the entire city on every road not developed yet. If we stick to this plan, in years, people will talk about how great our bike paths are. If we stick to the plan, we will be able to accomplish it.

Steve Jones lives on 920 West. His concern is bringing in these bike paths along this road would be that some properties would not have a very far distance to the road or pathway to their house. There is a lot of space that will be taken from these older homes if we allow for the extra.

Phillip Callam is a physical therapist in the area. He encourages his clients to engage in anything physical. Anything we can do to make it accessible to our community and makes it safer has his support.

**2. A Zone Change Amendment request located at approx. 2170 W and 600 N. With parcel numbers H-3-1-33-4401 and H-3-1-33-441 from R1-6, residential one unit per 6,000 square feet, to RR, recreation resort. While parcel number H-3-1-33-4420 is from R1-10, residential one unit per 10,000 square feet, to contain a split zoning of NC, neighborhood commercial, and RR, recreation resort.**

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

Jamie Child has three issues with this zone change. The main one is the parking. There are already serious issues at the current resort with the parking. Guests have to park further away and the streets are being filled up. Adding another resort would only add to the parking issue. The second issue is the garbage. There is nowhere to put it like a dumpster. They are concerned about the amount of trash that

will continue to be blowing around. The third issue is the overcrowded pool. There is an issue with short term rentals with a lot of them within the area.

Lawrence Debarry lives in Provo and owns a property at Zion Village. The issue is parking. Adding more resort homes, will just exacerbate the existing issue.

**3. ~~A Zone Change Amendment request on 37 acres from RA-1, residential agriculture one unit per acre, to R1-8, residential one unit per 8,000 square feet, with a PDO, planned development overlay. Requested the item be postponed until August 12, 2021.~~**

No comments.

**4. A Zone Change Amendment request on 327 acres from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel ID's H-3402 and H-3401-A**

No comments.

**5. A Zone Change Amendment request located at 475 N State St from HC, highway commercial, to RR, recreation resort. Parcel ID's H-286-A-1 and part of H-30252-A**

No comments.

**6. A proposed Land Use Code amendment to Title 10-chapter 26, regarding Recreational Resort requirements.**

No comments.

**New Business:**

**Discussion and consideration of a recommendation of the proposed Hurricane City Active Transportation Master Plan.**

Thomas – representative of the company creating our Active Transportation Master Plan. He shared they have been working on this since January. They started out by looking at existing trails. They have been working with Stephen Nelson and Arthur LeBaron on this and drafting up different ideas. Mr. Nelson stated that initially they didn't have most public comment because of funding but when revising our general plan, we received a lot of feedback and public comment about this. One question asked to the public was how easy it is to walk and bike around town. Most people shared that it's easy to walk around town but not really bike around town. Mr. Thomas continued to share with the commissioners the different questions asked to the public and the feedback received. They spent a lot of time thinking about how it will look and feel on the roadway. They looked at the functional class of what they were looking for and provided a cross section design, which was presented to the commissioners. Michelle Cloud asked Mr. Thomas if there is a mechanism to deal with a circumstance where things may cause a hardship to a property owner and affect their house setbacks. Mr. Thomas shared that there is a lot of flexibility with the layout of the cross sections where needed. Penny James-Garcia stated when talking to people tonight, a lot of people were excited about what they were seeing. Someone asked about cost estimates, which are not something provided at the moment. Mr. Nelson stated that most comments shared were positive and encouraging. He didn't hear any comments that were directly contrary to the

design. Mrs. James-Garcia stated that she is excited to have a bike path run along 600 North. How did the City of Washington and City of St. George go about funding their paths? Mr. Nelson stated that chapter 7 in the Active Transportation Master Plan talks about funding and talked about a few of those things. Most of 600 north is already developed so we can't go back and ask developers to develop the bike path. Mrs. James-Garcia asked how realistic is the 600 north trail really going to be? Mr. Nelson touched on the process the City will have to go through to build out these trail systems on existing streets and neighborhoods. Mr. Thomas stated that there is more and more funding for active transportation. Cities who prioritize their trail systems are going to be rewarded more. Mark Sampson asked Mr. Nelson about execution if this is approved. Mr. Nelson stated the city will officially adopt this and developers have to legally abide by the development standards. The biggest difference between this updated map and our existing map is this one is adding an additional 5 feet to the existing master planned roads. Staff and the commissioners discussed the current and proposed cross sections and the way it'll affect developers and property owners. Arthur LeBaron stated that the majority of streets in Hurricane do not currently exist. 920 West is already master planned to be 60 foot right of way. He mentioned the east end of 600 north and what had to happen to make it work and go in. His hope is that the city will adopt a plan that will create a nice community. Dayton Hall mentioned the country cross sections and stated this plan should reflect that. Paul Farthing thinks this is a good plan and we should move it forward. Shelley Goodfellow thinks this plan looks really good and we need to get going on this now because there is a lot of development coming. Her concern is that because she is on a 90-foot roadway, it's already going to take 2/3rds of an acre and she's going to have to give up a lot of land. We need to remember that this is just a guideline. Rebecca Bronemann shared that this is a general plan and it will be amended but as long as we have a guide those things can be amended when they come up. Mr. Thomas stated that the value of having a plan is not set in stone, it's a guideline as well as the perks of getting additional funding.

*Mark Sampson motioned to approve and forward the Hurricane City Active Transportation Master Plan onto the City Council subject to adding country cross sections and addressing the intersection of Highway 7. Paul Farthing seconded the motion. Unanimous*

**2021-ZC-25 Discussion and consideration of a recommendation of a proposed zone change amendment request located at approx. 2170 W and 600 N. with parcel numbers H-3-1-33-4401 and H-3-1-33-441 from R1-6, residential one unit per 6,000 square feet, to RR, recreation resort. While parcel number H-3-1-33-4420 is from R1-10, residential one unit per 10,000 square feet, to contain a split zoning of NC, neighborhood commercial, and RR, recreation resort. Zion Village Resort LLC, Jay Rice Applicant, Alpha Engineering, Jared Madsen PE Agent.**

Jared Madsen stated that the parking issue has been on Jay Rice's mind from the beginning. There is a private pool for every unit besides two as well as a public clubhouse and community pool. Mr. Madsen asked about 500 north and what it is because he was not aware of it. Stephen Nelson shared that when the city initially approved the Fire Rock subdivision, it was contingent on requiring the adjacent property owner to provide access of services. He stated that in our code, it states that a site plan be provided with a RR zone change request. Paul Farthing would like to approve something with all the problems hashed out. There should be a dedicated space to address the issue with the existing resort. Why would we give more resort when the parking is already an issue? Shelley Goodfellow stated that recreation

resort is held to a higher standard. The garbage and the parking issues are all things the commission has to consider. She doesn't think that a lot of short-term rentals should be clustered and right now we have a lot along Sand Hollow Road and right here on 2170 West. If we are going to limit what our citizens can do with their own property, maybe we should do the same thing on outside investors. Short term rentals and rules within the city were discussed. Michelle Cloud shared that all the affordable housing in Moab was eaten up by vacation rentals. The same thing happened in Park City. She is not in favor of it for those reasons. Rebecca Bronemann stated that she thinks approving this will negatively affect the adjacent properties with their existing issues. Penny James-Garcia always has issues with someone who comes in and buys property knowing it is zoned one way and ask for something else. When she drove through, she noticed the parking issues as well as all the overflowing trash. She is against this because of these reasons. With each unit having individual pools makes her concerned to support this with the drought we are in. We need to consider what we are doing with our water resources. Mark Sampson stated that the RV storage doesn't seem like it's going to address the issues of parking, especially if they have to be rented at an additional cost.

*Paul Farthing motioned to continue 2021-ZC-25 so the applicant can fix the alignment of 500 North and the other comments discussed. Mark Sampson seconded the motion. Dayton Hall – abstained, Penny James-Garcia – nay, Paul Farthing, Mark Sampson, Shelley Goodfellow, Michelle Cloud, and Rebecca Bronemann – aye.*

**2021-ZC-28 Discussion and consideration of a recommendation of a proposed zone change amendment request on 327 acres from RA-1, residential agriculture one unit per acre, to R1-10, residential one unit per 10,000 square feet. Parcel ID's H-3402 and H-3401-A. Silver Flats LLC/ Duane Fielding Applicant, Jon Jensen Agent.**

Jon Jensen introduced himself and the project to the commissioners. Rebecca Bronemann asked about the open space and if it was due to the sensitive lands. Mr. Jensen stated that is correct. Mrs. Bronemann mentioned the comment on the services not being to the property and asked what they plan to do to get those out there. Penny James-Garcia thinks the zoning is too great, there are no services, and us changing the zoning to get investors is not our problem. Mark Sampson asked about the map presented and the location of city limits. Dayton Hall stated that for a while now, he's been saying that we've been overextending zone changes headed to the south of town. He has a problem as we continue to allow these. We need to continue to look at what we approve to the south of 3000 south. The roads are inadequate and so are the services. Further discussion was had on infrastructure and services. Paul Farthing stated he has no issue with the concept but it's premature at the moment. Mr. Jensen stated that there is a demand for this now, not tomorrow, or in 10 years. There are currently 51,000 households wanting to move to Utah and there aren't the homes for it. Copper Rock has a road that will match right up to the end of this property. Development is maybe 2 years away. When we say no to this, we are saying no to our kids looking for a place to live. Shelley Goodfellow agrees with the applicant and maybe it is because it's not multi-family or recreation resort and that gets her excited. She doesn't think this is too far out. We just approved Copper Rock to the East and the Romney group project to the West. She does agree that the density is higher than what she would like to see. She would suggest approving this and capping the density off at 4 units an acre. Mrs. Bronemann asked Stephen Nelson how far out the surrounding developments are on bringing services to their projects. Mr. Nelson addressed that on the map presented. There are multiple things that will need to be discussed and worked through with the surrounding developments to bring the services to the area.

Michelle Cloud can attest to the demand. People love this area and they want to come here. She feels that area of town had a blanket zone RA-1 for us to change as we see fit as the development happens. Mrs. Cloud agrees with Mrs. Goodfellow with the 4 units per acre cap density but she feels this is an appropriate area for this zoning. Mrs. James-Garcia stated that we are not against growth, just slow down a bit. She is concerned for the roads and the infrastructure. We, as a planning commission, are charged with planning and it seems we keep saying yes. There has to be a point where we stop and slow things down. Until we can solve and provide adequate services, we need to stop. Mr. Jensen stated that if we don't use the water we are going to lose it. The state wants the city to approve more development.

*Shelley Goodfellow motioned to recommend approval of 2021-ZC-28 as long as they cap the density at 4 units or less per acre and subject to staff and JUC comments. Michelle Cloud seconded the motion. Penny James-Garcia – nay, Mark Sampson – aye, Dayton Hall – nay, Shelley Goodfellow – aye, Michelle Cloud – aye, Rebecca Bronemann – nay. Motion carries.*

*Dayton Hall, Penny James-Garcia, and Rebecca Bronemann send a descending motion to the City Council as well.*

**2021-ZC-29 Discussion and consideration of a recommendation of a proposed zone change amendment request located at 475 N State St from HC, highway commercial, to RR, recreation resort. Parcel ID's H-286-A-1 and part of H-30252-A. Shamo Christen D and Charo S and Corporation of the Episcopal Church in Utah Applicant. Matt Lowe Agent.**

Mark Sampson asked Karl Rasmussen about the location of the property next to the light at 600 North and SR-9. They will have access off 500 North. Stephen Nelson stated he thinks this is a good location for what they want to do. The applicant has talked about what they want to do and Mr. Nelson would like to continue this because he would like to make sure these things are included in the preliminary site plan.

*Shelley Goodfellow motioned to continue 2021-ZC-29 until a site plan can be provided. Rebecca Bronemann seconded the motion. Unanimous.*

**2021-ZC-20 / 2021-PSP-05 Discussion and consideration of a recommendation of a proposed zone change amendment and preliminary site plan request on 101.25 acres located at approx. 2800 West and 150 N to contain a PDO, planned development overlay with the underlying zoning R1-8, residential one unit per 8,000 square feet and a portion to be reserved for commercial. Plumbholdings, LLC and Walter Plumb Applicants, Craig Hopkinson Agent.**

Craig Hopkinson went over the changes on the site plan to accommodate the planning commissions previous comments and recommendations. Penny James-Garcia asked Stephen Nelson about the active transportation master plan and if this development would need to follow those standards if adopted. Mr. Nelson stated that we are not approving cross sections right now. If the trail system is adopted, we can require they match what we adopt. Mark Sampson asked about this being a PDO. Mr. Nelson stated that with this being a PDO, we can require how the cross sections look and how we want them. Dayton Hall doesn't agree with the staff on the comment about adequacy of services because there are services available to be developed to the property.

*Penny James-Garcia motioned a recommendation of approval of 2021-ZC-20 and 2021-PSP-05 as proposed while addressing staff comments regarding the connection of 2800 West and the amenities in the park's renderings; also including the new cross sections as determined in the proposed Master Transportation Plan be included in the PDO. Mark Sampson seconded the motion. Unanimous.*

**2021-CUP-07 Discussion and consideration of an approval conditional use permit for an accessory building of greater height and size located at 754 W 1130 S. Ryan Reeve Applicant, Shawn Patten Agent.**

Shawn Patten explained what they are wanting to do. It will be harmonious with the existing home. Shelley Goodfellow thinks it's a good project. All the commissioners thanked the applicant for the beautiful house in the community.

*Rebecca Bronemann motioned to approve 2021-CUP-07 on the condition that the two lots are combined. Shelley Goodfellow seconded the motion. Unanimous.*

**2021-PP-19 / 2021-HIL-03 Discussion and consideration of a recommendation of a preliminary plat, Copper Rock Estates, located at 1100 W and just north of Copper Rock Parkway, for a 30-lot subdivision and a sensitive lands application for hillside. DAF Development LLC Applicant, Rick Richardson Agent.**

Todd Getz explained the project. Stephen Nelson stated that he has one issue with the application and that is the sensitive lands. Our code requires each lot have a slope analysis which they have not provided. Chapter 10 title 24 section 6 was referenced and discussed. Mr. Nelson stated that right now there all these lots that have sloping over 10% and up to 20%. If the sloping is a certain percentage, each lot needs to be a certain size. Penny James-Garcia asked about the staff comment on changing the name.

*Paul Farthing motioned to continue 2021-PP-19 / 2021-HIL-03 to give them time to resolve the sensitive lands issues. Penny James-Garcia seconded the motion. Unanimous.*

**2021-AFP-10 / 2021-PP-20 Discussion and consideration of a recommendation on an amended final plat application for Hurricane Storage Units Partial Amendment A (Lot 4), a 17-lot subdivision located at 130 N Old Highway 91. Jeff Andrus/Jasco Ind. Park, Ryan Scholes Agent**

Ryan Scholes explained the project and went over the changes. Stephen Nelson went over the presented plat and reminded the commissioners of what the initial concerns were and went over what the remaining concerns are. The easements throughout the property were discussed. Michelle Cloud asked the applicant if they have read the staff comments and if they have any concerns about them. Penny James-Garcia asked Mr. Nelson if the newly proposed roads meet city standards. Mr. Nelson stated that they do.

*Dayton Hall motioned a recommendation of approval of 2021-AFP-10 / 2021-PP-20 subject to staff and JUC comments but amended as follows: JUC comment 1 from water: remove the sentence "would rather have a street over the utility lines", JUC comment 2 from engineering: include only the sentence "need to continue the storm drain system from the north and south", include JUC comments 3-7, and remove staff comments 2 and 3 but include the remainder of staff comments 4-10. Paul Farthing seconded the motion. Unanimous.*

**2021-PP-21 Discussion and consideration of a recommendation of a preliminary plat, Sandstone Fields Subdivision, located on Dixie Spring Drive and approx. 4300 W, with a proposed 22 lots. Seth Foster Applicant, Alpha Engineering Agent**

Seth Foster went over what they are planning to do with their project. Paul Farthing asked about the secondary access for the church.

*Michelle Cloud motioned a recommendation of approval of 2021-PP-21 subject to staff and JUC comments. 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 104 lots. 2770 W State St, LLC Applicant, Joby Venuti Agent.**

Joby Venuti asked to be continued and explained why he would like to do so.

*Penny James-Garcia motioned to continue 2021-PP-22. Mark Sampson seconded the motion. Paul Farthing abstained due to personal and financial interest. Dayton Hall, Mark Sampson, Penny James-Garcia, Shelley Goodfellow, Michelle Cloud, and Rebecca Bronemann – aye. Motion carries.*

**2021-AFP-11 Discussion and consideration of a recommendation of an amended final plat application for Dixie Springs Subdivision Amendment and Extension Plat “D” Partial Amendment A (Lots 196 & 197), located at 3259 W 2490 S. Square D Builders LLC Applicant, Darren Dryer Agent**

*Mark Sampson motioned recommendation of approval of 2021-AFP-11. Rebecca Bronemann seconded the motion. Unanimous.*

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

Stephen Nelson went over the proposed code update. He shared his recommendation of how the commissioners should approach the updated code to work through what they would like to see. Shelley Goodfellow thinks the short-term rentals within residential regulations is good and that we should regulate and cap it within the recreation resort as well.

*Penny James-Garcia motioned to continue 2021-LUCA-03. Mark Sampson seconded the motion. Unanimous.*

**Planning Commission Business:**

1. Road Improvement (Exaction) Ordinance Amendments
2. Planned Commercial Ordinance Update
3. City Council Recap
  - a. Most items were continued. The zone change on 650 South for Dratter was approved based off Planning Commission recommendation of the zoning being RA-0.5.

*Shelley Goodfellow motioned to adjourn. Paul Farthing seconded the motion. Unanimous.*

**Adjournment**