

ON FEBRUARY 11, 2016 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.

Members Present: Ryan Cashin, Paul Farthing, Yovonda Hall, Bob Petersen, Ralph Ballard, John Johnson, and Branden Anderson

Members Excused: Bill Wilkey

Staff Present: Planning Director Toni Foran, City Attorney Fay Reber and City Council member Darin Larson

The meeting was called to order by Chairman Ryan Cashin at 6:00 p.m. The Pledge of Allegiance was led by Paul Farthing and Ralph Ballard offered the prayer. Roll call was taken.

Approval of agenda: Yovonda Hall motioned to approve the February 11, 2016 agenda as posted. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye.

2016-CUP-04-Consideration and possible approval of a conditional use permit for a detached garage with a casita that is larger than allowed by permitted use at 3469 W. 400 North – Applicant David Kelsey

Bob Peterson asked Mr. Kelsey to explain where the building will sit on the property. Mr. Kelsey stated it will go along the back wall. He explained if you look at the lot from the street, you would look right into the garage door. Mr. Petersen asked how close it would be to the main house. Mr. Kelsey stated there is a ten foot minimum and he will meet that. Branden Anderson asked if the back of the structure will be a retaining wall. Mr. Kelsey confirmed it will. Commissioners confirmed it will match the house when constructed. *Bob Peterson motioned to approve application 2016-CUP-04 based on the following findings; 1. The proposed building is in keeping with the General Plan and Land Use Code. 2. A new structure that matches existing homes should have a positive aesthetic affect and a positive economic effect. 3. Recording of a restrictive document will help limit any possible negative impacts from the casita. Yovonda Hall seconded the motion. The vote was as follows; Ryan Cashin-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, John Johnson-Aye, and Branden Anderson-Aye. Motion carried.*

2016-RDA-01 Consideration and possible recommendation to the City Council on a road dedication plat for Turf Sod Road and 5140 West Road – Hurricane City applicant

Toni Foran stated this easement has been prescriptive for many years but the property owner at the end of the dedication wants to bring in a water line and build a house or two. She stated in order for him to bring in the water line, he needs to dedicate the road. She stated it is not the full width of the road, only one side. It is a master planned road. Branden Anderson asked if half of the road is for Turf Sod Road or 5140 West. Ms. Foran stated it will be 5140 West and provided an opportunity for him to review the full size plat. *Branden Anderson motioned to recommend approval of application 2016-RDA-01 to the City Council. Paul Farthing seconded the motion. The vote was as follows; Ryan Cashin-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, John Johnson-Aye, and Branden Anderson-Aye. Motion carried.*

2016-CUP-05 Consideration and possible approval of a conditional use permit for a detached garage that is larger than allowed by permitted use at 5380 W. 3180 South – Lindsay & Laura Atwood applicants

Toni Foran explained neither the contractor nor the applicants were able to attend the meeting. She stated the staff recommendation did not include that if the lots are separated in the future, then they would have to remodel the structure and pay impact fees but it needs to be included. She stated the lots are joined right now. Yovonda Hall asked if the setbacks would still be met if this was a house on a separate lot. Ms. Foran stated yes.

Yovonda Hall motioned to approve application 2016-CUP-05 based on the following findings; 1. The proposed building is in keeping with the General Plan and Land Use Code. 2. A new structure that matches existing homes should have a positive aesthetic affect and a positive economic effect. 3. The greater size building is located on a lot larger than a normal R-1-8 lot. Approval is subject to the condition that if in the future the lots are split, all impact fees must be paid, structure must be remodeled into a house and a building permit must be obtained. Branden Anderson seconded the motion. The vote was as follows; Ryan Cashin-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, John Johnson-Aye, and Branden Anderson-Aye. Motion carried.

Commission Work Session:

1. **Discussion regarding residential hosting in MH/RV zones** – Toni stated when the Planning Commission forwarded the residential hosting ordinance to the City Council they approved it down to the R1-6 zone. The Council has asked the Commissioners to reconsider the ordinance and make sure they do not want it to be allowed in the MH/RV zones. She stated when it was discussed in staff meeting, the majority did not want it to expand to that zone. Yovonda stated the Commissioners discussed it in depth and asked if there was a reason they wanted it included. Toni stated the person that requested it be reconsidered is no longer on the Council. Darin explained they also wanted them to look at it being allowed by a conditional use permit (CUP) in that zone. Ryan stated they did discuss it being allowed by CUP but they didn't know how to not allow it to run with the land. Toni stated maybe the best time to discuss the possibility is after the Commissioners have had their CUP training. Ryan made a recommendation to table this discussion until after the training. Commissioners agreed.
2. **Discussion on vacation rental licensing standards in PDO zones**- Toni stated in the PDO zones vacation rentals are allowed so instead of holding those rentals to the requirements of the ordinance, the City has been requiring a business license. The fire department still does an inspection but some of the homes have bunk rooms that are holding more than ten people in just one room. She asked if the Commissioners would like to look at creating an ordinance for these zones. Ralph asked how the HOA controls them. Toni stated she is unsure. Bob asked if the fire department allowed that many people in a home. Paul stated it is limited to ten people. Ralph suggested tabling this item until Bill is present to see how the HOA handle the vacation rentals in the Retreat.
3. **Training on Open Meeting Act** – Toni handed out a PowerPoint presentation for the Commissioners to review. She stated the State law requires that the members of a public body have annual training on the Open Meeting Act. Toni read each slide and explained the Commissioners role and the rules they are required to follow.
4. **Report on City Council actions and directions to Planning Commission** – Toni stated the Council is very close to having a whole house vacation rental ordinance. They are scheduled to meet on March 17th to hopefully finalize the ordinance. She stated the major discussions items are not allowing them within 600 feet of each other, a maximum number of allowances based on population and a requirement that they can't have a license if the house has not been used as a residential structure for a year. Darin stated they are discussing the fees as well.

Staff and Commission concerns and updates

Toni stated staff is still looking at making changes in the South Fields area zoning. She mentioned a list of all property owners is ready if the Planning Commission decides to move forward. She stated

she read some of the USGS geotechnical reports and they talk about the soils being an “adverse construction condition”. She stated it is a decision the Commissioners need to make if they want to keep it agriculture. Bob asked what the grading was below Scott Nielson’s property. Toni explained the City Council gave Kelly Murie a grading permit.

Approval of minutes: Bob Petersen motioned to approve the January 27, 2015 minutes as presented. Yovonda Hall seconded the motion. The vote as follows; Ryan Cashin-Abstained, Paul Farthing-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Ralph Ballard-Aye, Branden Anderson-Aye, and John Johnson-Aye. Motion carried.

Meeting adjourned at 7:01 p.m.