

**ON JANUARY 11, 2018 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:** Bob Petersen, Michelle Cloud, Mark Borowiak, Ralph Ballard, Paul Farthing, Yovonda Hall, Rebecca Bronemann, and Chris Christensen

**Staff Present:** Planning Director Toni Foran, Planning Assistant Cindy Beteag, City Council Representative Darin Larson and City Attorney Fay Reber

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

Yovonda Hall motioned to approve the agenda as posted. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye.

Chairman Petersen opened the Public Hearing at 6:05 p.m. to take comments on the following zoning map change changes request:

**A zone change request on 54 acres located at approximately 3100 West south of 600 North from R-1-6 and R-1-10, Single Family Residential 6,000 and 10,000 sq. ft. lots, to R-1-8, Single Family Residential 8,000 sq. ft. lots.**

Bob Richards with Keller Williams was present to represent the application. He stated the proposed property is for sale and they feel that by changing the zoning on this property it will be the highest and best use for it. They feel that 10,000 sq. feet is a little too big and 6,000 square feet is too small so this change would create a more manageable size of lots. He stated the owners want to recommend to the future buyer that they develop a master plan on the entire property and include some open space.

No comments from the public.

Chairman Petersen closed the Public Hearing at 6:07 p.m. and re-opened the Public Meeting.

**2018-ZC-01 Consideration and possible recommendation to the City Council on a zoning map amendment for 54 acres located at approximately 3100 West south of 600 North from R-1-6 and R-1-10, Single Family Residential 6,000 and 10,000 sq. ft. lots, to R-1-8, Single Family Residential 8,000 sq. ft. lots – 3-H Foundation applicant, Bob Richards agent.**

Chris Christensen asked if all the lots would go from R-1-6 to R-1-8. Chairman Petersen explained it is currently a mix of R-1-6 and R-1-10 so this will make all lots R-1-8. Mr. Christensen asked if the Master Plan was updated in 2016. Toni Foran explained it was adopted in 2011 but they have had updates on transportation, trails, and affordable housing since then. Mr. Christensen stated there are a lot of rocks and rolling hills on the proposed property. He stated he feels that R-1-6 fits better and doesn't see a need to change the zone. Ms. Foran explained the previous developers wanted to place higher density along 600 North with lower density farther away from the road. She stated the zoning is the way it is because previous property owner requested it that way. She stated making it all the same zone instead of the two zones will only create thirty five more lots. She mentioned the back yard setback would become only ten feet if it is changed to R-1-8 as opposed to twenty feet in the R-1-10 zone. Mr. Christensen asked what the reasoning was for the zone change request. Mr. Richards stated mainly just for consistency. They feel this will be a better subdivision than a more dense subdivision. Chairman Petersen stated with the market right now the lower maintenance yards has a high demand. Ralph

Ballard asked what the differences are for the different zones. Ms. Foran stated the back yard setback is twenty feet in R-1-10 and ten feet in R1-8 but the side setback would be eight feet in R-1-6 and ten feet in R-1-10 and R-1-8. Commissioners discussed setbacks and patios/covers. Mr. Ballard stated they need to think about side setbacks for future use. He stated the smaller the setback the harder it is to have access for fire protection. He stated some areas are getting too crowded especially when residents start parking trailers and RV's on the side of the house. *Rebecca Bronemann motioned to recommend approval of application 2018-ZC-01 to the City Council based on staff findings; 1. The proposed amendment is compatible with the goals and policies of the general plan by recognizing the area is appropriate for development in a Single Family area which is conveniently located within less than two miles to a fire station, a regional park, and shopping facilities. 2. The proposed amendment is in harmony with existing development, though it would result in 35 more dwelling units than originally anticipated in this area. 3. Public facilities and services must be developed by the applicant to be adequate to serve the subject property. 4. Accommodation for master planned roads must be included in the planning on this property to ensure good traffic circulation in this area. Michelle Cloud seconded the motion. The vote was as follows; Bob Petersen-Aye, Michelle Cloud-Aye, Mark Borowiak-Aye, Ralph Ballard-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Rebecca Bronemann-Aye, and Chris Christensen-Aye. Motion carried.*

**2018-CUP-01 Consideration and possible approval of a conditional use permit for a detached RV garage located at 2829 S. 3200 West in Dixie Springs that is taller and larger than allowed by permitted use in the zone – Mike and Heather Hugie applicants**

Mike Hugie explained the adjoining property owner dug out his lot to sell it and it created a twenty seven foot wall that needs to be retained. He explained they will use the wall of the detached garage to retain the adjoining lot. Chairman Petersen asked if there was a slope from the hill to the street. Mr. Hugie stated it is about a six foot slope to the road. Ralph Ballard commented that he thinks it looks like good fix. He asked how much taller the wall would be than the level of the dirt because the dirt will continue to move. Mr. Hugie stated two feet. Chairman Petersen asked if the back wall would have to be retaining as well. Mr. Hugie stated it depends on what the engineer requires. Chris Christensen asked if there needs to be setback off the retaining wall. Ms. Foran stated on accessory buildings it is three feet from footing and two feet from drip edge of roof. She stated the picture is deceiving because the wall is not on the property line but it meets the setbacks. *Paul Farthing motioned to approve application 2018-CUP-01 based on staff findings; 1. The proposed building is of compatible architecture. 2. The proposed building is for a use permitted in the zone. 3. The property will still contain more than 35% of pervious surface. 4. The height of the building is 1/3 higher than the adjoining house so will not be more than 1 ½ times more than the average height of the proposed immediately adjacent building. Ralph Ballard seconded the motion. The vote was as follows: Bob Petersen-Aye, Michelle Cloud-Aye, Mark Borowiak-Aye, Ralph Ballard-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Rebecca Bronemann-Aye, and Chris Christensen-Aye. Motion carried.*

**2018-CUP-02 Consideration and possible approval of conditional use permit for a detached garage/craft room located at 332 S. 720 West that is larger than allowed by permitted use in the zone –applicant Danny Campbell, property owners Scott and Cokie Colton**

Danny Campbell was present to represent the applicant. He stated the owner is an avid quilter and she doesn't have enough room in the house to leave her stand up all the time. He explained in this zone they are allowed five hundred square feet for an accessory building. They are proposing an accessory building with a single parking space, half bath and a craft room. Mr. Campbell stated it will match the existing structures. Yovonda Hall asked if it will have an air conditioner. Mr. Campbell stated yes. Ralph Ballard asked if it could be a casita. Toni Foran explained it can't be because one of the conditions of a detached casita is it can't be larger than what is allowed by permitted use. *Ralph Ballard motioned to approve*

*application 2018-CUP-02 based on staff findings; 1. The proposed building is of compatible architecture. 2. The proposed building is for a use permitted in the zone. 3. The property will still contain more than 35% of pervious surface. Yovonda Hall seconded the motion. The vote was as follows: Bob Petersen-Aye, Michelle Cloud-Aye, Mark Borowiak-Aye, Ralph Ballard-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Rebecca Bronemann-Aye, and Chris Christensen-Aye. Motion carried.*

**2018-PP-01 Consideration and possible recommendation to the City Council on a preliminary plat for Coronado Ridge Phase 3, a 29 lot subdivision located at approximately 585 N 3150 West-Rock Solid Builders applicant, James Cheney agent**

James Cheney was present to represent the application. He stated they got the easement signed today for the road. He stated he will buy the commercial piece from Kendrick Rogers once he knows if this will go through and that will give him access. He stated he knows they will have to do a lot of retainage but he would like to address that as it is closer to building. Chairman Petersen asked if he had seen the concerns for the slope on lots 5, 6, 7, 8, 9 and 10. Mr. Cheney explained they will do a lot of grading and have a retaining wall so there will be a flat buildable pad. Chairman Petersen asked if a preliminary plat had been done on this property before. Toni Foran stated a plan was brought in 2014 but it had fewer lots because they didn't want to take out the slope. Chris Christensen asked if staff still had enough concerns that the application should be tabled. Ms. Foran stated she did receive a phone call today regarding the easement but she has no proof that they are in place or that the property has been purchased. She mentioned it was a strong recommendation from the JUC to table the application until everything is received. Paul Farthing stated they need to know more details on the lots mentioned earlier. Mr. Cheney stated they will be terracing the lots. Ms. Foran stated they need to know heights and details to see how much they are changing. Ralph Ballard stated walk out basements would be a good addition to the development. Mr. Farthing stated Coronado Ridge is a good project so if they keep in tune with that it will be nice. Chairman Petersen asked if he has the staff comments. Mr. Cheney stated yes. Chris Christensen asked what a tortoise take area was. Ms. Foran explained when the desert tortoise was declared endangered the County was able twenty years ago to enter into a Habitat Conservation Plan that established the Red Cliffs Reserve. The areas that are adjacent to the reserve are called take areas which means a biologist will come in and clear any tortoises on the proposed property before it can be developed. Mr. Ballard stated they need more information before they can approve this application. *Chris Christensen motioned to table application 2018-PP-01 until staff and JUC comments are resolved. Rebecca Bronemann seconded the motion. The vote was as follows: Bob Petersen-Aye, Michelle Cloud-Aye, Mark Borowiak-Aye, Ralph Ballard-Aye, Paul Farthing-Aye, Yovonda Hall-Aye, Rebecca Bronemann-Aye, and Chris Christensen-Aye. Motion carried.*

**Approval of minutes:** Yovonda Hall pointed out on the second to last page, line 39 there is an incomplete sentence. Yovonda Hall motioned to approve the December 14, 2017 minutes as corrected. Mark Borowiak seconded the motion. *The vote was as follows: Bob Petersen-Aye, Michelle Cloud-Aye, Mark Borowiak-Aye, Ralph Ballard-Abstained, Paul Farthing-Aye, Yovonda Hall-Aye, Rebecca Bronemann-Aye, and Chris Christensen-Aye. Motion carried.*

**Planning Commission business:**

1. **Discussion on proposed changes to Land Use Code Public Facilities Zone codes.** Toni handed out new copies. She went through the purpose of chapter and all the uses. Commissioners agreed to take out all residential uses and an animal hospital. Ralph pointed out someone could want to open an animal hospital out by the shelter which is in a public facility zone. Toni mentioned a shelter out by the prison that is proposed. Commissioners decided to leave it as not permitted. Commissioners discussed the definition for a Child Care Center. Toni stated she

felt that if any child care was appropriate then it would be a center that served a school or university. Yovonda pointed out it opened it up to allow a large center. Commissioners decided to make it not permitted. Toni stated she doesn't understand why mineral extraction would be permitted in the open space zones. Commissioners discussed different areas. Chris asked if child care definitions matched the state's definition. Toni stated yes they mirror it. Toni stated under the development standards she doesn't understand why the front setback had to be more for public facilities and open space than for residential. Commissioners decided to take out size restrictions of accessory buildings and use the same setbacks as commercial. Ralph asked if they want it as administrative. Toni stated she is not sure if she wants development standards in these zones because they are all so different. She stated the building code will dictate where it can be built. Chris asked if they could be made to be a conditional use permit. Toni stated there has to be specific conditions and requirements for a conditional use permit. Commissioners agreed to remove that section.

2. **Discussion on proposed Downtown District Zone.** Toni stated she had a map printed out of the downtown areas. Commissioners moved to the map to discuss the area.
3. **Discussion on Night Sky ordinances.** Toni stated Maverik is building a new location as well as another convenience store so maybe they need to look at the lighting ordinance to minimize the impact on surrounding residential uses. She has already received a petition from one of the neighborhoods that are against a convenience store being built by them. She handed out different packets from other cities for the Commissioners to review to see what they wanted to include in our ordinance. She mentioned there will be a class at the Spring Conference on this subject. Commissioners discussed the impact of street lighting. Yovonda asked if there was something in the ordinance regarding marquees. She stated they can be very bright and make it hard to see if you look at them and then back at the road. Toni stated she will look at what other cities do but our ordinance only regulates when they affect residential properties. She encouraged Commissioners to look at the two types of street lights currently in use – one kind at Ivy Wood Subdivision off 870 West and one at Zion Village Townhomes off 2170 West

**Meeting adjourned at 7:40 p.m.**