

1 **ON MARCH 8, 2018 AT 6:00 P.M., THE HURRICANE CITY PLANNING COMMISSION MET IN THE CITY**  
2 **COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT.**

3  
4 **Members Present:** Mark Borowiak, Yovonda Hall, Bob Petersen, Michelle Cloud, Paul Farthing,  
5 Ralph Ballard, Chris Christensen, and Rebecca Bronemann  
6

7 **Staff Present:** Planning Director Toni Foran, Planning Assistant Cindy Beteag, City Attorney Fay  
8 Reber, and City Council Representative Kevin Thomas  
9

10 Chairman Ballard called the meeting to order at 6:00 p.m. The Pledge of Allegiance was led by Michelle  
11 Cloud and Rebecca Bronemann offered the prayer. Roll was taken.  
12

13 Chairman Ballard stated the old business will need to be continued and application 2018-FSP-02 needs  
14 to be moved to the first of meeting. *Yovonda Hall motioned to approve the agenda as amended.*  
15 *Rebecca Bronemann seconded the motion. The vote was as follows; Mark Borowiak-Aye, Yovonda Hall-*  
16 *Aye, Bob Petersen-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Ralph Ballard-Aye, Chris Christensen-Aye,*  
17 *and Rebecca Bronemann-Aye. Motion carried.*  
18

19 **Old Business:**

20 **2018-FSP-01 Consideration and possible recommendation to the City Council on a final site plan for a**  
21 **61 space RV Park at approximately 120 N. 3700 West and for common area amenities within the Sand**  
22 **Hollow Manufactured Home Park – Sand Hollow Park LLC applicant – Mark Wells representative**  
23 *Bob Petersen motioned to continue application 2018-FSP-01 until the next meeting. Yovonda Hall*  
24 *seconded the motion. The vote was as follows; Mark Borowiak-Aye, Yovonda Hall-Aye, Bob Petersen-*  
25 *Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Ralph Ballard-Aye, Chris Christensen-Aye, and Rebecca*  
26 *Bronemann-Aye. Motion carried.*  
27

28 **New Business:**

29 **2018-FSP-02 Consideration and possible approval of a final site plan for a container storage unit**  
30 **project at 5577 W. 240 North – Dustin and Sabrina Ward applicants**

31 Sabrina Ward stated they came to the Planning Commission with a concept plan for container storage  
32 units and now they are ready to move forward. She stated they will let their tenants park their RV's and  
33 boats on the property as well. Chairman Ballard asked staff if they had any comments. Toni Foran  
34 stated the only question she had is are they are having a dumpster enclosure on site. She stated it isn't  
35 required since it is enclosed and not visible from the street. She mentioned they will need a building  
36 permit for the office. Chairman Ballard clarified open storage was a permitted use in this zone. Ms.  
37 Foran stated as long as it is enclosed. Yovonda Hall asked if they would do a dumpster. Ms. Ward stated  
38 yes. Chris Christensen asked if they had adequate fire suppression. Dustin Ward stated they are adding a  
39 fire hydrant in the middle of the project. Mr. Christensen asked if the landscaping was adequate. Ms.  
40 Foran stated yes. Ms. Ward asked if they had to come back to Planning Commission for the approval on  
41 the office. Ms. Foran explained that is done through the building department. *Michelle Cloud motioned*  
42 *to approve application 2018-FSP-02 subject to a dumpster being provided and a building permit is*  
43 *required for the office. Rebecca Bronemann seconded the motion. The vote was as follows; Mark*  
44 *Borowiak-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Ralph*  
45 *Ballard-Aye, Chris Christensen-Aye, and Rebecca Bronemann-Aye. Motion carried.*  
46

47 **2018-CUP-03 Consideration approval of a conditional use permit for a 1020 sq. ft. accessory dwelling**  
48 **unit in an R-1-8 zone at 3407 W. 400 North – F. Bruce Covington and Marcia Covington applicants**

49 Ben Ruesch, attorney for the applicants, was present to represent the application. He introduced the  
50 applicants and their mother. He stated his clients are requesting a conditional use permit for a detached

1 casita. He explained in 2009 the previous owner pulled a building permit for a 700 square foot slab only.  
2 He mentioned the staff report states the existing zoning is R-1-6 but the map shows it as R-1-8. Toni  
3 Foran stated the report was incorrect but the maximum size accessory building is the same for both  
4 zones. He stated the size of this lot 15,108 square feet even though it is in the R-1-8 zone. He mentioned  
5 Hurricane City ordinance 10-13-3 where it limits the size of an accessory dwelling. He stated the city  
6 previously approved the pad for 700 square feet. He feels they did because of the size of the lot. He  
7 stated the building will be the same architecture. He stated the reason they need to clarify the zoning  
8 because the table does say it can be a conditional use permit. He handed out pictures of the lot. He  
9 explained the Covingtons will be taking care of their 94 year old mother and the casita will be for her.  
10 Rebecca Bronemann asked if a building permit had been pulled. Toni Foran stated the only permit pulled  
11 is for a slab only. She stated the City doesn't have any evidence of the slab being poured for a casita.  
12 Chairman Ballard pointed out you can pour as much concrete as you want and it doesn't require a  
13 building permit. Ms. Foran explained the size can be increased but it must meet the standards. If it is  
14 detached living space it must not exceed the maximum size. If it doesn't have direct access to the main  
15 house it must be the permitted size. She stated she couldn't make it fit within the code standards. She  
16 stated the Commissioners are working on that section later in this meeting but right now it doesn't  
17 work. Chairman Ballard asked how it would affect it if it was attached or detached. Ms. Foran stated  
18 attached is easier but they are probably trying to use the concrete that is already there. Mark Borowiak  
19 clarified the only thing to consider is the size restriction. He asked if it would be the same if it was a  
20 casita or an accessory dwelling unit. Ms. Foran stated they both must meet the maximum size permitted  
21 for the zone. She stated she sympathizes with the applicants but she can't make it fit in the code.  
22 Mr. Ruesch stated he thinks the Planning Commissioners need to direct their attention to 10-13-7  
23 subsection B; *Larger Accessory Buildings: Notwithstanding the maximum building size limitation shown*  
24 *on table [10-13-2](#) in section [10-13-4](#) of this chapter, the maximum size of an accessory building may be*  
25 *increased pursuant to a conditional use permit.* He stated the slab was intended for a 700 square foot  
26 casita because there are footings. He questioned if this was denied and then appealed would a judge  
27 feel it wasn't an accessory dwelling unit. Mr. Borowiak asked for size of lot again. Mr. Ruesch stated  
28 15,108. He stated the table does allow a larger casita for the larger lots. Paul Farthing stated 500 square  
29 feet is reasonable for a casita but the proposed one is over 1000 square feet. He stated that is very large  
30 for a ninety four age lady. Mr. Ruesch stated the square footage does include the loft. Mr. Covington  
31 stated the footprint would be the same size even without the loft and the height would be the same  
32 either way. He explained the loft will mainly be used for storage. Ms. Bronemann asked what difference  
33 it would make if the footprint was 500 square feet. Mr. Covington stated they would have to remove  
34 pad and start over. Chris Christensen stated the access to the lot is at an angle. He asked if that access  
35 would be allowed off that street. Ms. Foran stated it has been there and would be allowed to continue.  
36 She stated Mr. Ruesch is right that the code says larger buildings by conditional use but each use has  
37 specific approval conditions. She explained each use has standards for approval and it only gets  
38 approved if it meets the standards. Yovonda Hall asked if there is any other option than the 500 square  
39 feet. Ms. Foran stated not with how the code is currently written but they are discussing making  
40 changes later in the meeting. She stated she thinks the reason the original permit was only for a slab  
41 was because the owners didn't want to obtain a conditional use permit. She stated if they had this  
42 wouldn't be a discussion tonight. Bob Petersen stated his concern was about the loft but they answered  
43 that question. Mr. Ruesch questioned why 10-37-3 even in there if it isn't allowed. Ms. Foran explained  
44 there are standards attached to it. Ms. Hall stated she can see why this is wanted. She stated this is a  
45 large lot but the City has standards so she doesn't know what to do other than to tell them to wait until  
46 after the ordinance is discussed. Mr. Borowiak asked if it was in an R-1-15 zone what would be allowed.  
47 Ms. Foran stated 1200 square feet. She stated that is why the larger accessory dwelling units are  
48 conditional. She mentioned if this was just a garage it wouldn't be a problem. Mr. Farthing asked how  
49 hard it would be to delay this for a month. Mr. Covington stated it will just delay the building and his  
50 mother is already living alone and doesn't hear very well. Ms. Bronemann stated she sympathizes with

1 them but she asked them to be patient while the Commissioners review the ordinance. Chairman  
2 Ballard asked if they could attach it to the house. Ms. Foran stated as long as it meets the setbacks then  
3 size doesn't matter as long as it meets the yard coverage. She stated it would be hard to connect to this  
4 house because of the design of the house. She mentioned other option is to appeal the decision to the  
5 Board of Adjustment. She explained that board is authorized to approve a variance if there are special  
6 conditions. Mr. Ruesch stated his clients would like to table the application and possibly go to the Board  
7 of Adjustments. *Rebecca Bronemann motioned to table application 2018-CUP-03 pending*  
8 *Commissioner's review of the standards. Mark Borowiak seconded the motion. The vote was as follows;*  
9 *Mark Borowiak-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Ralph*  
10 *Ballard-Aye, Chris Christensen-Nay, and Rebecca Bronemann-Aye. Motion carried.*

11  
12 **2018-PSP-RV-01 Consideration and possible recommendation to the City Council on a preliminary site**  
13 **plan for conversion of an existing subdivision on soluble soil to an RV Park at Crimson Ridge Drive and**  
14 **Old Highway 91 – Mike Stewart applicant**

15 Toni Foran stated the applicants are bringing updated plans tonight. She stated this is a complicated  
16 situation because the original subdivision has sat for a long time and they are right next to an RV Park  
17 but it doesn't meet the minimum size requirements for an RV Park. She suggested the applicants the  
18 first bring this to the Planning Commission so the Commissioners can approve the site plan before  
19 asking Board of Adjustments for a variance on the project size requirement. Chairman Ballard asked how  
20 long the subdivision has sat empty. Brandi Walker with Civil Science and applicant Mike Stewart were  
21 present to represent the application. Brandi Walker stated it was recorded in 2007. She handed out the  
22 new plans. She stated after reviewing staff comments they changed things around. She mentioned there  
23 is one house already there. She stated they intend to leave all existing roadways but they will turn the  
24 twenty seven single family lots into forty six RV pads. She stated Mr. Stewart is trying to acquire the  
25 home to turn it into the clubhouse and they will add open space and parks. She stated they recognize  
26 they are not meeting the overall area requirements and their pad sizes are too narrow but the pads are  
27 very deep so the parking would be to the front instead of the side. Mike Stewart stated for the lots that  
28 go along the wash they would like the patio area to the back so they have more space. Chairman Ballard  
29 stated he services a number of RV parks in the area with propane and width is very important. He  
30 understands they want to get as many as they can in there but he would recommend they make the lots  
31 a little bigger and nicer. He stated people will still need to get from the front to the back of the lots. Mr.  
32 Stewart stated they want to go after the higher end clients. He stated they researched different RV  
33 Parks to see what width works best. Ms. Walker stated Harrisburg lots are thirty feet wide and Chairman  
34 Ballard said it is tight in there. He stated the Commissioners want to help them create a great product  
35 and they would love to see them succeed. He stated a little wider pads might not hurt their plans too  
36 much and would bring greater returns to them. Bob Petersen agreed with Chairman Ballard on the  
37 width. Yovonda Hall stated minimum width is thirty five feet. Ms. Walker stated the lots are very deep  
38 so they did narrower pads with stacked parking. She stated the average lot depth is seventy feet. Ms.  
39 Hall stated one of the reason for the width requirement is to separate the trailers. She stated if it is  
40 narrower things get too close and there isn't access for emergency vehicles. Mr. Stewart stated they  
41 want it to be comfortable. He stated they tried to research sizes and this is what they have seen as an  
42 average.

43 Paul Farthing stated he has the same concerns. Rebecca Bronemann stated she has the same concern  
44 as Ms. Hall regarding getting emergency vehicles in there. Chris Christensen asked Ms. Foran what her  
45 major concerns were. Ms. Foran stated they addressed most of her concerns. She stated the width  
46 would be another variance. She stated staff comment #7 is her biggest concern; *Lots 16 – 14 are located*  
47 *in a Zone A on the NFIP flood panel for this area. While the mapping stops on lot 16, the flood*  
48 *management code allow the requirement for a detail study to determine if the remaining lots along this*  
49 *wash are affected. RV's may be located in the floodplain as long as there are no permanent steps, no*  
50 *free standing propane tanks, and a tow vehicle is present to move the RV out of harm's way. She stated*

1 the flood plain management is much less stringent for RV Park's than homes but she doesn't know  
2 where the flood plain is because the county ran out of money and it didn't get mapping finished for this  
3 area. She stated it is hard to tell where the water will come in a flood. She thinks they have improved  
4 the layout a lot but it is up to the Commissioners to decide if they are comfortable with recommending  
5 that much of a variance or if they want the City Council to look at it. She stated she has only seen one  
6 flood on this wash and it didn't come through this property but it is too hard to predict what a flood will  
7 do. Mr. Farthing asked how wide the adjacent lots are. Ms. Walker stated thirty feet. Ms. Foran stated if  
8 they are attracting long term people then service vehicles would be coming more often than if it were  
9 short term tenants. Chairman Ballard stated the road width is important. He stated if they are after that  
10 type of market they should make the roads wider and the pads wider. Mr. Stewart stated their roads are  
11 thirty feet wide where Harrisburg is only twenty five feet. He stated they tried to angle the roads for  
12 easier access. He asked how the Commissioners would feel if they changed the pad widths to thirty feet  
13 instead of twenty eight feet. He stated Harrisburg has wider units on them. Chairman Ballard stated  
14 they need accommodate tip outs as well.  
15 Mr. Christensen clarified the reasons for a variance is there is not acreage and the lot widths. Ms. Foran  
16 stated she doesn't have a concern with the acreage because it has sat for so long but she didn't want  
17 them to go to the Board of Adjustments until they had guidance from the Commissioners on what they  
18 would approve. She explained normally she wouldn't have the Commissioners look at an application  
19 before the Board of Adjustments but she didn't want the applicants to waste their time and money if  
20 the Commissioners didn't feel like it was a good idea. She stated it will be hard to make this an RV Park  
21 after it was already built as a single family subdivision. She stated the Commissioners can make a  
22 recommendation to City Council as it was presented or with the recommendation the pads are wider.  
23 Ms. Walker stated they have more open space than needed if they purchase the existing house. It was  
24 decided they would lose three lots if they did thirty feet wide and five lots if they did thirty five feet wide  
25 for each pad. Chairman Ballard stated this would be a great fit for the area and there is a need for this  
26 use. Mr. Farthing stated he feels they should do thirty five feet but given the depth and the wider road  
27 the Commissioners could meet in the middle somewhere. Chairman Ballard stated the depth does  
28 makes the pads a little more awkward. Mr. Farthing stated they could do a patio and make it nice. Ms.  
29 Hall stated it would be easier to only ask for a variance on the five acres rather than asking for multiple  
30 variances. She stated the extra road width is nice. Mr. Farthing asked how wide Canyons RV's road are.  
31 Ms. Foran stated the standard for road width in an RV Park is thirty feet. Ms. Foran pointed out the  
32 difference between a Park Model and an RV Park. Ms. Hall asked the applicants if they could redraw it  
33 for the City Council. Ms. Walker stated they will draw it up as thirty five feet but if that doesn't work  
34 then they will battle that with the Council. Mr. Reber stated they have to come for final site plan so the  
35 Commissioners will see it again before it is built. He stated they could go to the Board of Adjustments  
36 and they could approve as is or approve with conditions. Mr. Farthing suggested staggering the lots to  
37 allow more room in the front. Mr. Stewart stated they already planned on having a minimum setback.  
38 *Yovonda Hall motioned to recommend approval of application 2018-PSP-RV-01 based on an average pad*  
39 *width of thirty five feet and the Commissioners are okay with the variance from the minimum acreage*  
40 *requirement. Paul Farthing seconded the motion. The vote was as follows; Mark Borowiak-Aye,*  
41 *Yovonda Hall-Aye, Bob Petersen-Aye, Michelle Cloud-Aye, Paul Farthing-Aye, Ralph Ballard-Aye, Chris*  
42 *Christensen-Aye, and Rebecca Bronemann-Aye. Motion carried.*  
43

44 **2018- FSP-05 Consideration and possible approval of a final site plan for improvements to a concrete**  
45 **batch plant site located at 184 N. Old Highway 91 – Dave Stewart, owner of Pride Rock, applicant**

46 Dave Stewart was present as well as Gerold Pratt with Pratt Engineering. Mr. Stewart stated they have  
47 been working on this for a long time and it is mostly his fault that it hasn't been completed. He stated  
48 the first thing he would like to address is staff comment #3 concerning the storage building. He stated  
49 everything that shows on plat that is labeled as future won't be built right now. He explained the batch

1 plant is outside and the number one concern is everything has been stored outside so he wants to get  
2 the storage buildings built to get all that out of the yard. He stated it will make the aesthetics of his  
3 property look a lot better. He stated he will not lease the storage buildings to the public, it will only be  
4 for the batch plant business use. He explained why he delayed moving forward on this site plan. He  
5 mentioned he went to the City Council on December 21, 2017 to explain to them why he had been  
6 waiting. He stated he wants his business to grow so he is trying to design it so when he moves it can be  
7 used as a storage facility. He stated the 1.4 acres that separates his business and Black Gate LLC is where  
8 he will build a shop so he doesn't think trees are needed to separate them.

9 Toni Foran stated she is glad to hear his clarification on the storage buildings. She explained there were  
10 conditions that were set by the City Council. She stated the Commissioners got a copy of the Council  
11 minutes because part of the condition was that it would all be reviewed with the final site plan. She  
12 stated the buildings are beautiful and the wall should meet the requirements but the trees are part of  
13 the City Council's conditions so she doesn't know how the Commissioners cannot require it. She stated  
14 the other condition is the Commissioners need to see a plan for the use on the vacant land between the  
15 properties. Chairman Ballard stated Mr. Stewart had mentioned it would be a shop. Ms. Foran stated no  
16 plans have been provided. She stated zoning was approved subject to conditions and those conditions  
17 have yet to be met. Additionally, the City Council will have to approve moving forward because the  
18 development agreement for the M-2 zoning has expired.

19 Mr. Stewart explained he was going to put the new batch plant on the north 1.4 acres but he had a  
20 meeting with the neighboring property owner and he stated he would be happier if the batch plant  
21 stayed on the original two acres. Chairman Ballard asked if the dust concerns were still an issue. Mr.  
22 Stewart claimed dust is not an issue with the new batch plant. Yovonda Hall stated she remembers  
23 when this was originally discussed and she had concerns at that time. She asked if the new batch plant  
24 was dust free. Mr. Stewart stated yes. Ms. Hall stated the City Council mandated the trees and  
25 landscaping so they still need to be on there. She agreed she is happy to hear it wasn't public storage.  
26 Mr. Stewart mentioned the concrete wall would be dyed brown. Paul Farthing asked if there are two  
27 batch plants there now. Mr. Stewart stated the new one is laying down still. Mr. Farthing asked why it  
28 wasn't up yet. Mr. Stewart stated he can't erect it without approval first. Bob Petersen asked if most  
29 things were supposed to be addressed in the development agreement. City Attorney Fay Reber stated  
30 the development agreement was they had to come to the Planning Commission for final site plan  
31 approval. Ms. Foran clarified the requirements were in the minutes of the meeting not the development  
32 agreement. Michelle Cloud stated conditions were set that were not met so they need to take that into  
33 consideration. Chris Christensen asked if this application was expired. He stated he is getting a feel from  
34 staff that there are a lot of unresolved issues.

35 Mark Borowiak asked the applicants to address staff comment #10 regarding parking. Mr. Pratt stated  
36 have they have nine employees and ten trucks. He stated they meet the requirements but they can  
37 increase the parking by three if needed. Mr. Stewart stated he is not opposed to doing trees. Ms. Foran  
38 pointed out the trees are required on the M-2 lot not the M-1 lot. Mr. Stewart stated the agreement  
39 talks about a wall separating the two parcels. He has a concern with that because he doesn't want to  
40 have to go out to Old Hwy 91 just to access his other lot. He stated there is a lot of traffic on this road  
41 and that would create a lot of problems. Mr. Borowiak stated it seems like there are two projects being  
42 discussed but it should be all one project. Mr. Stewart stated it has to be separated because of the uses.  
43 Chairman Ballard asked Kevin Thomas to comment for the City Council. Mr. Thomas stated the Council  
44 entertained the applicants request in December to continue to work on this. He stated they were  
45 understanding of the reason for the delay. He stated it is a little bit late but they weren't opposed to it  
46 moving forward. Chairman Ballard stated the applicant has invested in this project because he has  
47 ordered a new batch plant. Ms. Hall pointed out he had already did that before this was seen the first  
48 time. Chairman Ballard asked if there was an agreement in place for the smaller parcel. Ms. Foran  
49 clarified the site plan tonight is for the M-2 lot. She stated he is only applying for development of one  
50 parcel. Mr. Thomas mentioned he has not seen this site plan. Mr. Farthing stated the applicant has good

1 intent and the City Council wants it to happen but the conditions with the wall in between doesn't make  
2 sense. He stated it should be looked at as one project. He stated it is a waste of property to put a buffer  
3 between his own two properties. Rebecca Bronemann stated she would like to see it happen but she  
4 would like to hear about the adjacent lot. Ms. Foran stated her concern is that it sounds like the batch  
5 plant wants to use all of the land and that is why the City Council only approved the M-2 on the one lot.  
6 Mr. Christensen asked if the application had expired. Ms. Foran stated the development agreement has  
7 expired. Mr. Christensen asked for a summary on what conditions have not been met. Ms. Foran stated  
8 the trees and shrubs and when the site plan came in the City Council asked the applicant to identify  
9 what the vacant land would be used for. Mr. Christensen asked if there is still information lacking. Ms.  
10 Foran stated if there weren't conditions coming from the City Council then it would be complete. Mr.  
11 Farthing asked if it could be tabled. Chairman Ballard asked what they would be doing with the land in  
12 between them and the neighbor. Mr. Stewart stated nothing. They will maintain it but it will be open  
13 land. He stated for the next four months they will focus on the plant and then bring in what they want to  
14 do on the other parcel. They want to make it look nice. Chairman Ballard stated what is coming from  
15 Council is the landscaping needs to be put in now. He stated it would be better for future if they put it in  
16 now.

17 Mr. Stewart stated the City Council did give them until February 28<sup>th</sup> to get this completed. The Joint  
18 Utility Committee didn't meet on the 14<sup>th</sup> and three staff members were gone the next week but they  
19 now have construction drawings signed. Commissioners clarified they are only discussing the two acres.  
20 Mr. Borowiak stated there were four conditions the Council gave the applicant that needed to be  
21 shown. He stated he has provided everything unless they want to require a landscaping plan. Mr. Pratt  
22 presented a landscaping plan that he had completed today. Commissioners discussed landscaping. Mr.  
23 Stewart stated he's not trying to put heat on anyone but the Council only gave them until February 28<sup>th</sup>  
24 and he would like to move forward. Chairman Ballard asked what the plan is lacking. Ms. Foran stated  
25 the two concerns are the adjoining properties and the trees and shrubs planted. She recommended  
26 including in the motion that there will be trees and shrubs planted around the boundary of the M-1 and  
27 M-2 properties per the Council's direction and the adjoining lot is cleaned up and left vacant until a site  
28 plan has been approved. *Mark Borowiak motioned to approve application 2018-FSP-05 subject to the*  
29 *landscaping being planted as discussed, the timing gets answered to Council satisfaction, and the*  
30 *adjacent property is left cleaned and vacant until a use on it is approved. Rebecca Bronemann seconded*  
31 *the motion. Mr. Reber stated if they start extending the time frames they need to have a clear record so*  
32 *the agreement stays into effect. He stated they extended the agreement in December to February 28<sup>th</sup>.*  
33 *He stated the Council can continue to extend the agreement if he is making good progress. He stated*  
34 *according to the agreement they have 120 days to finish construction after the final site plan approval.*  
35 *He stated he needs to go back to City Council to get back on the time frame. Yovonda Hall asked to*  
36 *include staff comments 6 and 11 in the motion. Mr. Borowiak added the following to the motion; 1. No*  
37 *"trees or shrubs that don't lose their leaves in the winter" are shown along the south or north sides of the*  
38 *property per the City Council site plan requirement. 2. The applicant has not provided a plan for the use*  
39 *on the vacant property between Black Gate LLC and this property, as desired by the City Council. At a*  
40 *minimum, that property must be cleaned and treated so no dust is created or weeds grown on the*  
41 *property. This review assumes no use on that property and it may not be used for the concrete business.*  
42 *The vote was as follows; Mark Borowiak-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, Michelle Cloud-Aye,*  
43 *Paul Farthing-Aye, Ralph Ballard-Aye, Chris Christensen-Aye, and Rebecca Bronemann-Aye. Motion*  
44 *carried.*

45  
46 **Planning Commission business:**

- 47 1. Discussion on proposed changes to regulations on detached accessory dwelling units per City  
48 Council direction. Toni stated the places that she had questions on are highlighted. She stated  
49 guest house or casita says with or without a kitchen but a kitchen is required in accessory

1 dwelling units. She asked if they wanted to set size limitations based on the size of the lot as  
2 opposed to the zoning. Commissioners discussed impervious surfaces. Ralph asked what the  
3 purpose for limiting the impervious surface. Toni stated so a lot didn't become all concrete and  
4 overload the storm drains. Mark asked if there was a difference on rentals allowed. Toni stated  
5 that is something else that needs to be discussed. Toni mentioned other communities address it  
6 by only allowing a percentage of the main dwelling unit size for the accessory unit.  
7 Commissioners discussed setbacks and if the accessory dwelling unit can be built before the  
8 main house. Chris asked what the main issue is with building the accessory dwelling unit larger.  
9 Toni stated the biggest thing that she has seen is people want to build a big shop or garage with  
10 a little living area. She stated with how the ordinance is now they can't build a larger unit than  
11 what is allowed if there is living area. She went over a few different options. Chris pointed out if  
12 the accessory unit gets too big it can create multifamily units. Yovonda stated administration  
13 can approve an accessory dwelling unit or casita without direct access to house. She asked if  
14 that included ones with residential hosting. Toni explained with the current code applicants  
15 were required to sign a restriction that it couldn't be rented separately or short term but the  
16 City Council has directed the Commissioners to look at allowing short term rentals in detached  
17 and attached units. Yovonda stated it seems to be a financial tool as well. Toni stated that is why  
18 they allowed short term rentals. Commissioners decided to regulate accessory dwelling unit's  
19 sizes by how much impervious surface is left. Ralph asked for comments from the  
20 Commissioners before they move forward. Toni stated the current code says accessory dwelling  
21 unit must not exceed maximum size plus the total impervious surface on the lot must not  
22 exceed fifty percent. She asked them if they want to leave as is or change it now. She stated the  
23 applicant tonight was about forty percent. She stated even if they say fifty percent people could  
24 go back and put all concrete in after it's built. Kevin stated he liked thirty five percent.  
25 Commissioners agreed. Michelle asked if this affected height. Toni stated height is set in the  
26 standards. Toni suggested setting some standards for greater height in the future so they don't  
27 have to come to Planning Commission. Toni asked if they were okay allowing detached units to  
28 be short term and not having affordable housing. Yovonda stated she liked the restriction and  
29 not allowing people to create multifamily everywhere but it also gives people options to use the  
30 extra space for income. Commissioners agreed to allow detached units as short term rentals.  
31 Toni stated she will take out the standards because they won't apply anymore. Ralph stated all  
32 the provisions will still apply. Toni stated they need to leave in that the accessory dwelling unit  
33 must be served by the same connection in the definition. Commissioners decided residential  
34 hosting should not be allowed in a home that is licensed as a daycare. Toni stated one of the  
35 things she would like to see in the bed and breakfast/residential hosting ordinance is that it is  
36 not allowed in multifamily zones. Commissioners discussed residential hosting could be rented  
37 in the main house and the detached accessory unit. Mark stated he doesn't want to see people  
38 building a bunch of cabins in their back yard to use as vacation rentals. Toni stated she will go  
39 through the charts and make the necessary changes. Michelle clarified it must be fixed cooking  
40 appliances for long term rentals. Toni mentioned she is going to go through the charts to make  
41 sure the daycare definitions match.

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- 1        2. Discussion on multifamily driveway access requirements in the land use code. Toni handed out
- 2        the proposal for the Commissioners to review. She stated she made it very simple. She stated
- 3        they would like to do Public Hearing at the next meeting. Commissioners agreed.
- 4        3. Discussion on Night Sky ordinances. Toni stated she found great guidelines from the
- 5        International Dark Sky Association. She stated she met with Dixie Power and Hurricane City
- 6        Power regarding the lights in Tava. She stated they are aware now of more options. She has
- 7        guidelines and will be ready to discuss them at the next meeting.
- 8        4. Planning Commission concerns and ideas. Toni stated everyone is registered for the Spring
- 9        conference.
- 10
- 11    **Meeting adjourned at 8:45 pm.**