

**ON JUNE 26, 2019 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:** Michelle Cloud, Dayton Hall, Mark Sampson, Rebecca Bronemann, Ralph Ballard, and Shelley Goodfellow

**Members Excused:** Chris Christensen, Paul Farthing and Mark Borowiak

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

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

Ralph Ballard motioned to approve the agenda as posted, seconded by Rebecca Bronemann. Motion passed unanimously.

**New Business:**

**2019-CUP-06 Consideration and possible approval of a conditional use permit for a 23'4" tall garage located 2674 S. 4390 West – Brion and Donna Egan applicants, American Heritage Homes agents**

Klen Brooks was present to represent the application. He explained their client had three lots and they did a lot line adjustment to create two lots. Their house and existing RV garage are on one lot. The owner wants to add another RV garage and it will be on the new larger lot. It will be the same height as the house and there will be a breezeway between the two garages. He stated all three structures will cover seven thousand square feet of the lot. Mark Sampson clarified it is the same owner for both lots. He asked if that calculation was based on both lots. Mr. Brooks stated yes. *Mark Sampson motioned to approve application 2019-CUP-06 based on the staff findings; 1. The height of the building will be less than 1 ½ times more than the average height of the existing adjacent buildings. 2. The proposed building is more than 5' from the rear and side property lines and will match the architecture of the existing homes and proposed homes. 3. The proposed building and the house together will leave for more than 50% of this property free of buildings. Ralph Ballard seconded the motion. The vote was as follows; Michelle Cloud-Aye, Dayton Hall-Aye, Mark Sampson-Aye, Rebecca Bronemann-Aye, Ralph Ballard-Aye, and Shelley Goodfellow-Aye. Motion carried.*

**2019-CUP-07 Consideration and possible approval of a conditional use permit for a 23' high RV garage located at 1199 N. 200 West – Mike Gubler applicant**

Mike Gubler was present to represent the application. Toni Foran clarified this is not 16 acres as stated in the staff report. It is actually .67 acre and staff reviewed it according to that size. Mr. Gubler stated he built the main home last year and now the owners are ready to build the RV garage. He commented it meets all the setbacks and they have left the twenty-five foot easement open. *Dayton Hall motioned to approve application 2019-CUP-07 based on the staff findings; 1. The height of the building will be less than 1 ½ times more than the average height of the existing adjacent buildings. 2. The proposed building is more than 5' from the rear and side property lines and will match the architecture of the existing homes and proposed homes. 3. The proposed building and the house together will leave for more than 50% of this property free of buildings. Rebecca Bronemann seconded the motion. The vote was as follows; Michelle Cloud-Aye, Dayton Hall-Aye, Mark Sampson-Aye, Rebecca Bronemann-Aye, Ralph Ballard-Aye, and Shelley Goodfellow-Aye. Motion carried.*

Mark Sampson asked again why these types applications come to Planning Commission if they meet all the requirements. Toni Foran explained she likes to have more backing because neighbors complain about the greater height. She stated greater size is approved by staff but greater height is approved by Planning Commission. She stated if they want to change the code to make both administrative, they can. Rebecca Bronemann explained some of the taller outbuildings that have living on the top floor look right down into the neighbor's yard and the City was getting a lot of complaints about it. She asked if there was a way to have separate standards for just an RV garage or if there is living area. Commissioners agreed that is the best solution.

**2019-LUCA-06 Discussion on proposed land use code changes regarding final site plans in improved industrial parks and model homes in master planned communities – staff**

Toni Foran stated the first item is the site plan review. She explained the site plans in industrial subdivisions that the Planning Commission review have met all the conditions so this will change the application to administrative instead of waiting for a Planning Commission meeting. Rebecca Bronemann commented this gets rid of the red tape and streamlines the process. Ms. Foran stated if it is not in a developed subdivision then it would come to the Planning Commission. Dayton Hall read 10-6-7 A. *The Planning Commission may direct that any matter over which it has jurisdiction be referred to the staff of the Planning Commission for review and preparation of recommendations. Such action shall be taken either by motion of the Planning Commission or pursuant to duly adopted bylaws of the Planning Commission. The authority for such referrals may be revoked at any time by motion of the Planning Commission or amendment of its bylaws, as the case may be. D. Unless the Planning Commission shall otherwise direct, any person who has applied for authorization to develop property under the terms of this title may in writing consent to the staff recommendation and waive further action by the Planning Commission, the staff recommendation shall be considered approved by the Planning Commission. He interprets that to mean the Commissioners can approve the Zoning Administrator to approve those final site plans. He thought it would simplify the process to use this section rather than changing the language. He suggested if the ordinance is reworded that they use this language, The Zoning Administrator is authorized to approve final site plans for industrial buildings in approved industrial subdivisions pursuant to the requirements of this title; provided, however, that an applicant may elect at any time that the Planning Commission consider the approval of the proposed final site plan, in which case the application shall be placed on the agenda for the next available public meeting of the Planning Commission.* Mr. Hall explained the Zoning Administrator can approve the application but if they don't come to an agreement then the applicant can request to come to the Planning Commission. Ralph Ballard agreed that works better. He stated it is a good idea because this would be the first appeal. Mr. Hall commented he was trying to avoid the Appeals Board. Shelley Goodfellow asked if they will change the conditional use for greater height to administrative at the next meeting too. Ms. Foran stated she thought they had discussed having different standards for accessory buildings that have living space in the greater height portion of the building. Mr. Foran stated the reason the next section 10-39-15 came up is there is an issue with Copper Rock development. She explained new subdivisions would usually at this point be about a month from recording and getting building permits but Copper Rock can't be considered complete until the sewer has been installed. She explained the sewer isn't scheduled to be completed until February but the applicant's goal is to have five homes built and have three open for Parade of Homes in February. She stated these changes will allow master planned communities to make changes. Mr. Ballard clarified the City Council can make changes to the development agreement. Ms. Foran stated this is the way to make it legal and let the Council set the limitations. Mr. Hall stated he thinks it is a good idea. Commissioners all agreed.

**Planning Commission business:**

1. Planning Commission concerns and ideas. Toni stated she keeps getting approached by restaurants to use the old Maverik building but there isn't enough parking. She pointed out there is no on street parking. She asked if the Commissioners wanted to give them any leeway. Rebecca stated she remembered that Maverik said they would remove the tanks and the buildings. Toni agreed but it was never done. Rebecca asked if there was anything the City could do to make them tear it down. Toni stated no, nothing was formalized to require it.
2. Toni handed out copies of some old bylaws. She stated they are very old so it is probably time to update them.
3. Commissioners discussed different ideas to accommodate a new business. Dayton stated if no one is there it will get run. Darin mentioned if they could do an agreement with the rental company to the east it would be beneficial. Toni stated the old Maverik site is .35 acres. She stated she doesn't know if parking would work with what is there and the easement along the North. She said on parking space per one hundred square feet is required for a restaurant. Michelle commented that would be twenty six parking spots for this location. Toni stated Main Street Café looked at it but they have access to more than twenty six parking spots at their current location so they didn't think it would work. Commissioners discussed parking options. Darin pointed out there are several properties like this that have nice buildings but no parking. Toni questioned if they need to make exceptions on some of the existing buildings. She mentioned another City that got rid of downtown parking requirements and it worked great but they didn't have a State highway through the middle of their City. Toni mentioned JB's has been a restaurant so if another restaurant comes in they will be grandfathered in for the parking. Shelley stated the rundown buildings don't great so she would like to see something changed so they can be utilized. Dayton agreed they should try something to see if it works. Toni suggested adding the following to the code *the Planning Commission can deviate from the parking requirements on new uses in existing buildings in order to foster economic development.* Commissioners agreed to put that change on for the Public Hearing at the next meeting.

Mark asked what the current traffic count was on SR-9. Toni stated she doesn't know but she can find out. Fay stated he didn't think the bylaws that were passed out are the latest ones. Toni agreed but stated she couldn't find other ones. She stated it is time to update them regardless. She mentioned the Mayor has suggested changing it so the Chair does not vote so there can't be a tie.

**Meeting adjourned at 6:46 pm.**