



TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
January 11, 2023, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Chairman Shaun Huntsman, Commissioners: Gary Tomsik, Stacey Eaton, Wayne Olsen, Andrea Allred ; Staff: City Manager Afton Moore, Planning and Zoning Administrator Darrin LeFevre, Planning and Zoning Official Ryker Steglich, City Recorder Daisy Fuentes; City Council Liaison via Zoom: Gary Chaves; Absent: Val Preslar

A. CALL TO ORDER:

Chairman Huntsman called the meeting to order at 6:02 p.m. Commissioner Tomsik led the Pledge of Allegiance.

No disclosures of conflict from commissioners.

B. AGENDA:

A. Approval of agenda order

Commissioner Olsen motioned to approve the agenda order. Commissioner Tomsik seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton - aye, Gary Tomsik – aye.

C. REVIEW OF MINUTES:

1. Review and possible approval of Planning Commission Meeting Minutes from January 4, 2023.

Commissioner Eaton made a motion to approve the meeting minutes as written. Commissioner Olsen seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton - aye, Gary Tomsik – aye.

D. PUBLIC FORUM:

Anita Eaton

Anita informed the commissioners about a dog incident in her neighborhood and within the city. She was hoping to have some enforcement of the ordinances Toquerville has towards dogs.

Mark Hare

Mark discussed his worries with the bypass road passing through Shangri-La.

Commissioner Olsen made a motion to close the public forum. Commissioner Allred seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

E. REPORTS:

1. Planning Chairman, Shaun Huntsman

No reports

2. Commissioners

Stacey Eaton reported that he attended a Joint Utilities Committee to see the entire process and suggested that other commissioners attend.

3. Planning and Zoning Administrator, Darrin LeFevre



Darrin reported that Ryker Steglich was promoted to Planning and Zoning Official.

BUSINESS ITEM(S):

Discussion and possible action on a zone change application submitted by Bob Lichfield. Tax ID #'s: T-163-A-1-A approximately 8.6 acres current zoning is Single Family Residential R-1-20/Highway Commercial, T-168-E 7.41 acres current zoning is Single Family Residential R-1-20 and T-163-A-2 2.10 acres current zoning is Single Family Residential R-1-20. Proposed zoning is Highway Commercial.

Darrin LeFevre explained the zone change application process and deemed the application complete. The commissioners, staff and the applicant discussed the application.

- A. Public Hearing: Public input is sought on a zone change application submitted by Bob Litchfield. Tax ID #'s: T-163-A-1-A approximately 8.6 acres current zoning is Single Family Residential R-1-20/Highway Commercial, T-168-E 7.41 acres current zoning is Single Family Residential R-1-20 and T-163-A-2 2.10 acres current zoning is Single Family Residential R-1-20. Proposed zoning is Highway Commercial.

Dean Haymore

Dean owns 41+ acres above the suggested property and has lived here for the past 5 years after retiring. He asked about which areas were part of the proposed zone change.

Neil MacDonnell

Neil does not want this property to be rezoned. He lives right next to the property and does not want this land to take away from the surrounding neighbors. He gave a petition signed by neighbors to Chairman Huntsman.

Mark Hare

Mark also explained how he could not like this zoning change to happen in Shang-Ra-La because it would disturb the peace and tranquility.

Ray Bence

Ray read a letter written by his wife (Kathy Bence) who was not able to make it tonight. She wants the city to regulate how people zone their land fairly for everyone. She suggested to wait until there is a need for particular business. She mentioned the bypass road and Toquer Boulevard.

Leif Bjarnson

Leif owns three lots surrounding this property and he expressed his concern on a zone change application without knowing what will be built in the zone.

Mike Franzese

Mike does not want the parcel to be rezoned. He worries about gas stations, strip malls, crime rate, pollution, and other impacts in the valley.



Karen explained that the surrounding residents already hear the music from the events center and nightly rentals. She commented on the applicant's desire to live in Shangri-La and questioned why the city would allow the zone change.

Anita Eaton

Anita talked about the conditional uses within zones. She brought up the event center and some of the Air-bnb's that do not have business licenses or permits.

Kurt Krehbiel

Kurt believes there is already plenty of commercial land in Toquerville. He also questioned if the zone change would benefit the city and residents or only the applicant.

Bill Kieffer

Bill questioned if he wants to stay in Toquerville. He's intentions when moving here were to get away from the big city.

Commissioner Eaton read an email that was submitted by Timothy Mahoney via email. Timothy wants to keep the small town feel of Toquerville, he feels that this is unnecessary because there is no specific reason to change the zoning and the application is poorly written and confusing.

Commissioner Eaton made a motion to close the public hearing. Commissioner Olsen seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

B. Possible recommendation to City Council

The commissioners went through the standards of review on Toquerville City Code 10-8-3 and voiced their concerns with each item. The concerns included the highway commercial 'need' for Toquerville, history of the land, the general plan designation area, permitted uses within the zone change, traffic congestion and traffic hazard issues with the current road and the general plan. City Manager Afton Moore read Toquerville City code 10-7-2 Consistency Policy about the general plan and how parcels that are not conforming could be made compliant by rezoning parcels. She clarified that the applicant is following that policy by applying for a zone change. The commissioners spoke to the applicant.

Commissioner Eaton made a motion to recommend denial of the zone change. Commissioner Alternate Allred seconded the motion. Motion carried 5-0. Gary Tomsik – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Wayne Olsen – aye, Andrea Allred – aye.

2. Discussion and possible action on a nightly rental application submitted by Rick Woods. Tax ID #: T-AHP-A-125 Current zoning is R-1-12 – Single Family Residential.



Darrin LeFevre mentioned his staff comments and deemed the application complete. Staff answered questions from the commissioners.

- A. Public Hearing: Public input is sought on a nightly rental application submitted by Rick Woods. Tax ID #: T-AHP-A-125 Current zoning is R-1-12 – Single Family Residential.

No comments from the public.

Commissioner Olsen made a motion to close the public hearing. Commissioner Eaton seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

Ryker Steglich read the Hurricane Valley Fire Districts comments said during the Joint Utilities Committee. They would like to make a site visit to determine if a fire system is necessary within the home.

- B. Possible recommendation to City Council.

Commissioner Olsen made a motion to approve the nightly rental application submitted by Rick Woods. Tax ID #: T-AHP-A-125 without withholding the fire inspection prior to issuance of permit with staff and JUC comments. Commissioner Eaton seconded the motion. Motion carried 5-0. Wayne Olsen – aye, Stacey Eaton – aye, Shaun Huntsman – aye, Gary Tomsik – aye, Andrea Allred – aye

3. Discussion and possible action on a nightly rental application submitted by Mike and Beckie Herring. Tax ID #: T-TOTE-1. Current zoning is R-1-20 – Single Family Residential.

Darrin LeFevre spoke about the application and answered questions from the commissioners.

- A. Public Hearing: Public input is sought on a nightly rental application submitted by Mike and Beckie Herring. Tax ID #: T-TOTE-1. Current zoning is R-1-20 – Single Family Residential. *Limit 3 minutes per person; please speak into the microphone and state full name.*

Leif Bjarnson

He showed his support for nightly rentals but had concerns about the parking space sizing.

Gary Tomsik read a letter submitted via email by Jane Meyers opposed to the nightly rentals.

Shaun Huntsman read a letter submitted by Jeannie Holder via email. She did not specify what nightly rental she was opposed to.

Commissioner Eaton made a motion to close the public hearing. Commissioner Olsen seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

- B. Possible recommendation to City Council.



Applicant Beckie Herring answered questions from the commissioners regarding the parking area of the rental. Staff and the commission discussed the application.

Commissioner Eaton motioned to approve the nightly rental application for item F3 application submitted by Mike and Beckie Herring subject to staff comments, upon approval of parking and JUC comments. Commissioner Allred seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

4. Discussion and possible action on a nightly rental application submitted by Laura Chavez. Tax ID #: T-TEA-B-27-A-1. Current zoning is R-1-20 – Single Family Residential.

Darrin LeFevre reviewed the application and answered questions from the commissioners regarding occupancy and parking. The applicant Laura Chavez explained the nightly rental would be rented out while she is away for school, but her husband will stay in Toquerville.

- A. Public Hearing: Public input is sought on a nightly rental application submitted by Laura Chavez. Tax ID #: T-TEA-B-27-A-1. Current zoning is R-1-20 – Single Family Residential.

Leif Bjarnson

Commented on the busy street and parking availability.

Jake Peart

Jake commented on the nightly rental residency requirements.

Commissioner Allred made a motion to close the public hearing. Commissioner Tomsik seconded the motion. Motion carried 5-0. Andrea Allred – aye, Wayne Olsen – aye, Shaun Huntsman – aye, Stacey Eaton – aye, Gary Tomsik – aye.

- B. Possible recommendation to City Council.

Commissioner Alternate Allred motioned to approve the nightly rental application for item F4 application submitted by Laura Chavez. Tax ID #: T-TEA-B-27-A-1 with staff comments, JUC comments and fire inspection. Commissioner Olsen seconded the motion. Motion carried 5-0. Wayne Olsen – aye, Stacey Eaton – aye, Shaun Huntsman – aye, Gary Tomsik – aye, Andrea Allred – aye

G. DISCUSSION ITEM(S):

1. Discussion on RV Ordinance.

Planning and Zoning Administrator Darrin LeFevre explained the proper procedure for updating code. Ryker will research and revise code and ask the commissioners for comments. This item will be moved to February 8th meeting.

2. Discussion on combining contiguous lots within a recorded subdivision.

Commissioner Eaton has a conflict of interest on this item, he currently has an open application to the city. He explained the current process, the processes of other cities and state code. He recommended to the commissioners and staff to create an ordinance that complies with state code

for combining lots outside of a subdivision. Darrin LeFevre helped explain this item. The commissioners and Darrin also discussed utility easements. Commissioners gave direction to staff to create a code.

H. ADJOURN:

Chairman Shaun Huntsman adjourned the meeting at 8:29 p.m.



Planning Chairman Shaun Huntsman

7/25/23
Date



City Recorder – Daisy Fuentes

