

TOQUERVILLE CITY
PLANNING COMMISSION MEETING AGENDA
July 8, 2026, at 6:00 p.m.
212 N. Toquer Blvd, Toquerville Utah

This meeting will also be broadcast via YouTube live on the Toquerville City YouTube channel at <https://www.youtube.com/channel/@toquervillecity>

A. CALL TO ORDER:

1. Call to Order – Chair Haymore
2. Pledge of Allegiance – Commissioner Harrison
3. Statement of Belief/Opening Prayer – Commissioner Leavitt
4. Disclosures and Declaration of Conflicts from Commission Members

B. APPROVAL OF AGENDA:

1. Approval of agenda order

C. CONSENT AGENDA:

1. Review and possible approval of meeting minutes from June 10, 2026, Planning Commission Meeting.

D. BUSINESS:

1. **Preliminary Plat Application** submitted by Wall Construction Inc. for Phase 3 of Parkside at Desert Mountain (Tax IDs: T-91-A-1-A-2 and T-91-A-1-A-1).
 - A. Applicant/Staff Report
 - B. Public Hearing
 - C. Discussion and Possible Recommendation
2. **Nightly Rental Application** for 1115 S. Westfield Road, submitted by Derek Bergstrom. Tax ID: T-AHP-A-45, current zoning is Residential (R-1-20 District).
 - A. Applicant/Staff Report
 - B. Public Hearing
 - C. Discussion and Possible Recommendation
3. **Zone Change Application** submitted by Bradley Harrell, BAEF LLC for Tax IDs: T-3-0-22-233 and T-3-0-27-144. The current zoning is Residential (R-1-20 District), and the proposed zoning is Highway Commercial (H-C).
 - A. Applicant/Staff Report
 - B. Public Hearing
 - C. Discussion and Possible Recommendation
4. **Ordinance 2026.XX** – an ordinance amending Title 10, Chapter 3, Section 1 of the Toquerville City Code to add provisions establishing a process for the removal of any Planning Commission member.
 - A. Applicant/Staff Report
 - B. Public Hearing
 - C. Discussion and Possible Recommendation

E. REPORTS:

1. Planning Commission Chair
2. Planning Commissioners
3. Planning & Zoning Administrator – Emily Teaters
4. Assistant City Manager – Darrin LeFevre

F. ADJOURN:

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office 435.635.1094, at least 48 hours in advance. This Agenda will be posted on the State website at <http://pmn.utah.gov>, posted on the Toquerville City website at www.toquerville.utah.gov, and at the City Office Building at 212 N Toquer Blvd. Posted July 7, 2026, by Toquerville City Recorder, Emily Teaters.

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
June 10, 2026, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah

Present: Chair: Dean Haymore; Commissioners: Glenn Leavitt, Angela Harrison, Mila Allinson; Commissioner Alternates: Mark Welker; Staff: Assistant City Manager Darrin LeFevre, City Recorder & Planning/Zoning Administrator Emily Teaters, Attorney Kayla Gothard; Absent: Commissioner Lonnie Christensen.

A. CALL TO ORDER – 6:00 PM

https://www.youtube.com/live/7-R0UA_zKg?si=WQ_4k9UJ9RRzlhOm&t=16

Chair Dean Haymore called the meeting to order at 6:00 p.m. Commissioner Leavitt led the Pledge of Allegiance. The invocation was led by Chair Haymore. There were no declarations of conflicts.

B. APPROVAL OF AGENDA:

https://www.youtube.com/live/7-R0UA_zKg?si=6gN_SKkzUy3L7GuE&t=165

1. Approval of agenda order.

Chair Haymore noted that he requested the agenda be changed from staff/applicant report to applicant/staff report.

Commissioner Leavitt made a motion to accept the agenda as printed. Commissioner Harrison seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

C. CONSENT AGENDA:

https://www.youtube.com/live/7-R0UA_zKg?si=ZrqfHmZWtCGO0eY-&t=237

1. Review and possible approval of meeting minutes from May 13, 2026, Planning Commission Meeting.

The Commissioners briefly discussed this item.

Commissioner Leavitt made a motion to approve the meeting minutes from May 13, 2026. Commissioner Harrison seconded the motion. Motion carried 4-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – abstain.

D. BUSINESS:

1. **MPDO Modification Application** submitted by Firelight Development, Inc., proposing a material modification to the Firelight MPDO Plan related to road cross sections.

https://www.youtube.com/live/7-R0UA_zKg?si=fE8q0PmhWF21Zscv&t=310

A. Applicant/Staff Report

Stephen Wood with Firelight introduced this item, noting the application they submitted is related to cross-sections. Stephen went over the different cross-sections and noted the intent is to make the cross-sections clearer. Chair Haymore asked questions regarding maintenance and use of the cross-sections. Stephen explained that the asphalt, curb and gutter will be dedicated to the City, and

anything outside of that will be owned and maintained by a master or sub-association, depending on the location of the street. Darrin LeFevre provided a staff report on the agenda item, going over the standard cross-sections and explaining that this will contribute to the City's master trail system. Darrin noted that the final plat will have notes stating the trails and sidewalks are accessible for use by everyone. Chair Haymore brought up concerns with street parking. Darrin explained that there will be designated parking stalls and no-parking signs on certain streets. The Commissioners and staff discussed the cross-sections and street widths. Emily Teaters pointed out that there is a proposed 10-foot trail in certain areas. Commissioner Welker asked questions regarding the planter strips along the cross-sections. Stephen stated there will be more shrubs and bushes, as well as some places for small trees. The Commissioners and staff discussed motorized scooters and bikes on sidewalks, as well as adding bike lanes.

B. Public Hearing

Chair Haymore opened the public hearing. There were no comments from the public. Chair Haymore closed the public hearing.

Commissioner Harrison made a motion to close the public hearing. Commissioner Leavitt seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

C. Discussion and Possible Recommendation

Commissioner Harrison made a motion to recommend approval of the MPDO Modification for Sunriver Firelight. Commissioner Leavitt seconded the motion.

Darrin LeFevre noted that the Planning Commission could make a recommendation to add a bike lane to the cross sections.

Commissioner Harrison made a motion to recommend approval of the MPDO Amendment Modification for the Sunriver Firelight with the additional possibility of a bike lane being incorporated, for all of Firelight. Commissioner Allinson seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

2. **Ordinance 2026.XX** – an ordinance amending Title 10, Chapter 17, Section 4 of the Toquerville City Code regarding the transfer of nightly rental licenses upon change of ownership of a dwelling.

https://www.youtube.com/live/7-R0UA_zKg?si=RHXn3jao8-AtCud2&t=1507

A. Applicant/Staff Report

Emily Teaters reported on this item, noting it was at the direction of City Council. Emily pointed out that the agenda item sheet explains that a member of the public spoke during the public forum, asking that nightly rentals be treated more like a business and that licenses be transferable. Emily summarized the proposed changes within the ordinance. Chair Haymore asked questions regarding public notice of the nightly rental change, and Emily explained that notice will not be sent to surrounding property owners because the use of the home would not change.

Commissioner Welker brought up concerns about limiting the transferability of the license. Attorney Gothard noted that the ordinance is currently drafted to allow for any transfer.

B. Public Hearing

Chair Haymore opened the public hearing. There were no comments from the public. Chair Haymore closed the public hearing.

Commissioner Harrison made a motion to close the public hearing. Commissioner Welker seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

C. Discussion and Possible Recommendation

The Commissioners briefly discussed a motion.

Commissioner Allinson made a motion to recommend approval of Ordinance 2026.XX amending Title 10, Chapter 17, Section 4 of the Toquerville City Code, regarding the transfer of Nightly Rental licenses upon change of ownership of a dwelling. Commissioner Harrison seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

3. **Ordinance 2026.XX** – an ordinance amending Title 10, Chapter 19D, Section 12 of the Toquerville City Code related to fencing regulations and permit requirements.

https://www.youtube.com/live/7-R0UA_zKg?si=gsqGNZ16zw6Rq_sh&t=1878

A. Applicant/Staff Report

Emily Teaters introduced this item and reviewed the current fencing regulations and proposed ordinance changes. The ordinance was clarified to apply to all fencing within the City, a site triangle requirement was added, fences must allow access to water meter boxes, and barbed wire is permitted in specific zones subject to height restrictions. Commissioner Harrison raised questions regarding pre-existing fences. Commissioner Leavitt asked about the cost to residents of obtaining a land survey, and Emily clarified that the survey requirement had been removed. Commissioner Welker expressed concerns about inspection requirements. The commissioners and staff also discussed fences located within utility easements.

B. Public Hearing

Chair Haymore opened the public hearing. There were no comments from the public. Chair Haymore closed the public hearing.

Commissioner Welker made a motion to close the public hearing. Commissioner Harrison seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

C. Discussion and Possible Recommendation

Emily requested that in the motion they limit D1 to the scope of the items listed. The Commissioners and staff discussed the review process for fence permits.

Commissioner Welker made a motion to recommend approval on Ordinance 2026.XX an ordinance amending Title 10, Chapter 19D, Section 12 of the Toquerville City Code related to fencing regulations and permit requirements, with the exception of masonry walls, which will be subject to building permits. Commissioner Allinson seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

4. **Ordinance 2026.XX** – an ordinance amending Title 10, Chapter 16A of the Toquerville City Code to establish standards for trails in hillside areas.

https://www.youtube.com/live/7-R0UA_zKg?si=slijAH635g4SMqto&t=3055

A. Applicant/Staff Report

Emily Teaters introduced this item, noting that it was also prepared at the direction of the City Council. She explained that the current code does not allow development on slopes exceeding 30 percent and that standards were added for the development of trails within hillside areas. Development would still be subject to a hillside development permit. Emily then summarized the changes made to the ordinance and the standards that were added.

B. Public Hearing

Chair Haymore opened the public hearing. There were no comments from the public. Chair Haymore closed the public hearing.

Commissioner Harrison made a motion to close the public hearing. Commissioner Welker seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

C. Discussion and Possible Recommendation

Commissioner Harrison made a motion to recommend approval of Ordinance 2026.XX an ordinance amending Title 10, Chapter 16A of the Toquerville City Code to establish standards for trails in hillside areas. Commissioner Leavitt seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

5. **Discussion and possible adoption** of the Planning Commission Policies and Procedures Manual.

https://www.youtube.com/live/7-R0UA_zKg?si=DohQsGUSG9eqFLb3&t=3250

Emily Teaters introduced this item explain that the Policies and Procedures manual was reviewed by Planning Commission members over the course of a year. The review was finished in January of 2025 but never adopted. The Commissioners and staff discussed changing the format of the manual but not the substance.

Commissioner Allinson made a motion to adopt the Policies and Procedures Manual for Planning Commission. Commissioner Harrison seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

E. REPORTS:

https://www.youtube.com/live/7-R0UA_zKg?si=JgJ03La81UC5Lxw0&t=3363

1. Planning Commission Chair
There were no reports.

2. Planning Commissioners
Commissioner Allinson reported on a meeting she went to for the Southern Utah Bicycle Alliance. She noted that she was asked to provide an update on the Toquerville City Active Transportation Plan.

3. Planning & Zoning Administrator – Emily Teaters
Emily Teaters provided updates on Firelight, a Preliminary Plat received for Phase 3 of Parkside, and a Nightly Rental Permit Application currently in review.

Attorney Kayla Gothard reported that she took a new job with the County.

4. Assistant City Manager, Darrin LeFevre
Darrin LeFevre reported on the Active Transportation Plan. He noted that the Firelight cross-sections previously discussed would help support the plan. Commissioner Allinson shared that the Active Transportation Plan does not come before the Planning Commission for review. Darrin stated that the plan currently includes existing infrastructure. He also shared photos and provided updates on the Firelight development, Chief Toquer Reservoir, Boulder Ridge development, and the pickleball courts at Westfield Park.

Emily Teaters noted there is a movie in the park on Friday, and volunteers are needed for Ash-Creek streambank cleanup at Center Street.

F. ADJOURN:

https://www.youtube.com/live/7-R0UA_zKg?si=k1K3uZ8r50HIGN1B&t=4537

Commissioner Leavitt made a motion to adjourn. Commissioner Harrison seconded the motion. Motion carried 5-0. Glenn Leavitt – aye, Angela Harrison – aye, Dean Haymore – aye, Mila Allinson – aye, Mark Welker – aye.

Chair Haymore adjourned the meeting at 7:15pm.

Planning Chair – Dean Haymore

Date

Attest: City Recorder – Emily Teaters

Toquerville City Planning Commission Meeting

Agenda Item Sheet

Meeting Date: 07.08.2026

Department: Planning & Zoning

Item Title:

Discussion and possible approval of a Preliminary Plat Application submitted by Wall Construction Inc. for Phase 3 of Parkside at Desert Mountain (Tax IDs: T-91-A-1-A-2 and T-91-A-1-A-1). The site is located at the end of Old Church Road, between Sunrise Drive and the Toquerville Bypass, and is zoned Residential (R-1-20 District).

Presented By: Emily Teaters

Attachments:

- Preliminary Plat Packet

Options:

Approval/Remand

Possible Motion (Approval):

I move that the Planning Commission, as the Preliminary Land Use Authority, approve the Preliminary Plat for phase 3 of the Parkside at Desert Mountain Subdivision, finding that the application is complete under 10-19C-3 and the City's Subdivision Submittal Policy.

Background:

The Preliminary Plat is for Phase 3 of the existing Parkside at Desert Mountain Subdivision. Staff has reviewed the application and found it complete in accordance with the Preliminary Plat requirements of the subdivision ordinance (10-19C-3) and the City's Subdivision Submittal Policy. Required supporting documents have been provided, including a preliminary drainage report, landscaping and utility plans, geotechnical report, and title report.

As the Preliminary Land Use Authority under the subdivision code, the Planning Commission is responsible for reviewing the plat for compliance with City standards. This area is zoned Residential (R-1-20), and all proposed lots meet the minimum lot size requirements for the zone. The plat has also been reviewed for consistency with Toquerville City Code Title 10-19D for subdivision design and construction standards.

If the Commission finds the application meets applicable requirements, it should approve the Preliminary Plat.

Additional items will be required prior to Final Plat approval, including final reports, agreements or easements with adjacent property owners for any offsite utilities, temporary turnarounds, and drainage features.

PRELIMINARY PLAT APPLICATION

Fee: \$1,000.00

Name: Park Side at Desert Mountain Phase 3 Telephone: [REDACTED]

Wall Construction Inc.

Address: [REDACTED] Washington, UT 84780

Email: Jordan Wall [REDACTED]

Agent (If Applicable): Civil Science Telephone: 435-668-4023

Address/Location of Subject Property: 200 North Center Street

Tax ID of Subject Property: T-91-A-1-A-2, T-91-A-1-A-1 Zone District: R-1-20

Proposed Use: (Describe, use extra sheet if necessary) Single family subdivision, 14 lots

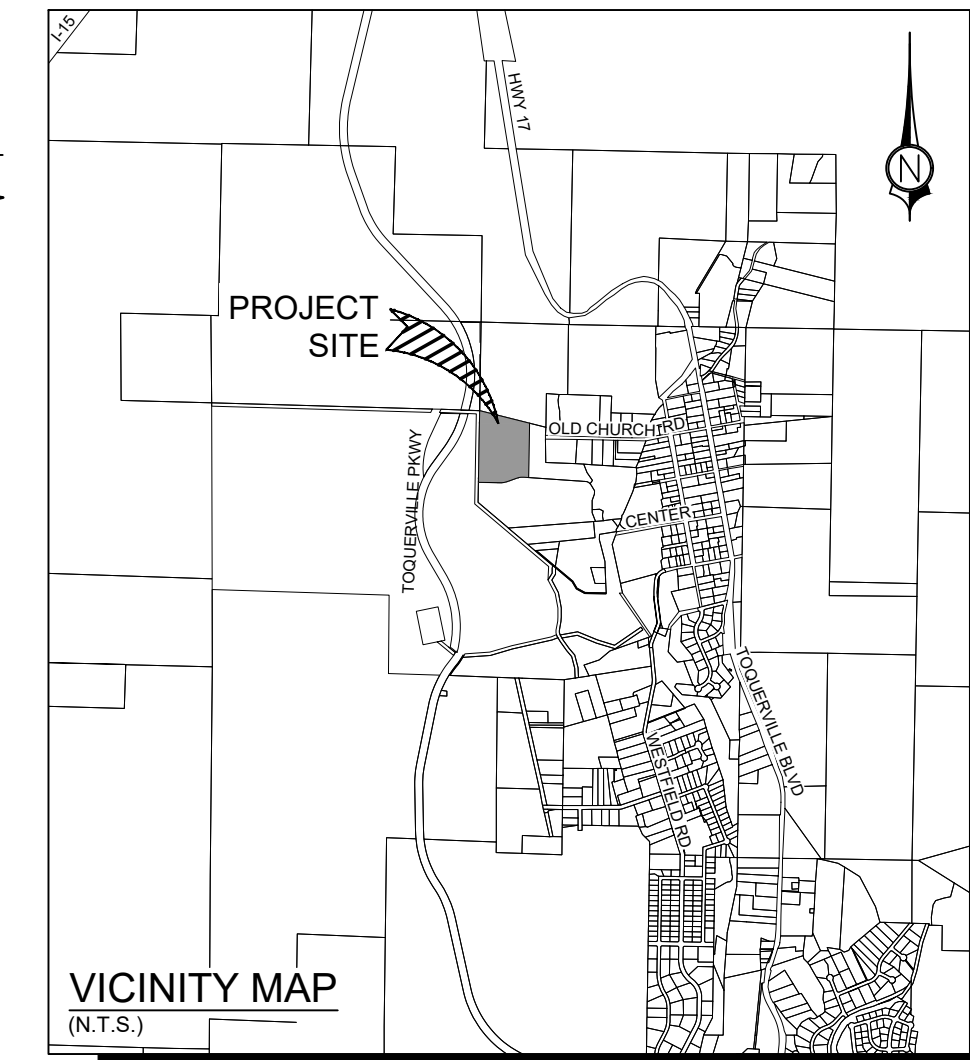
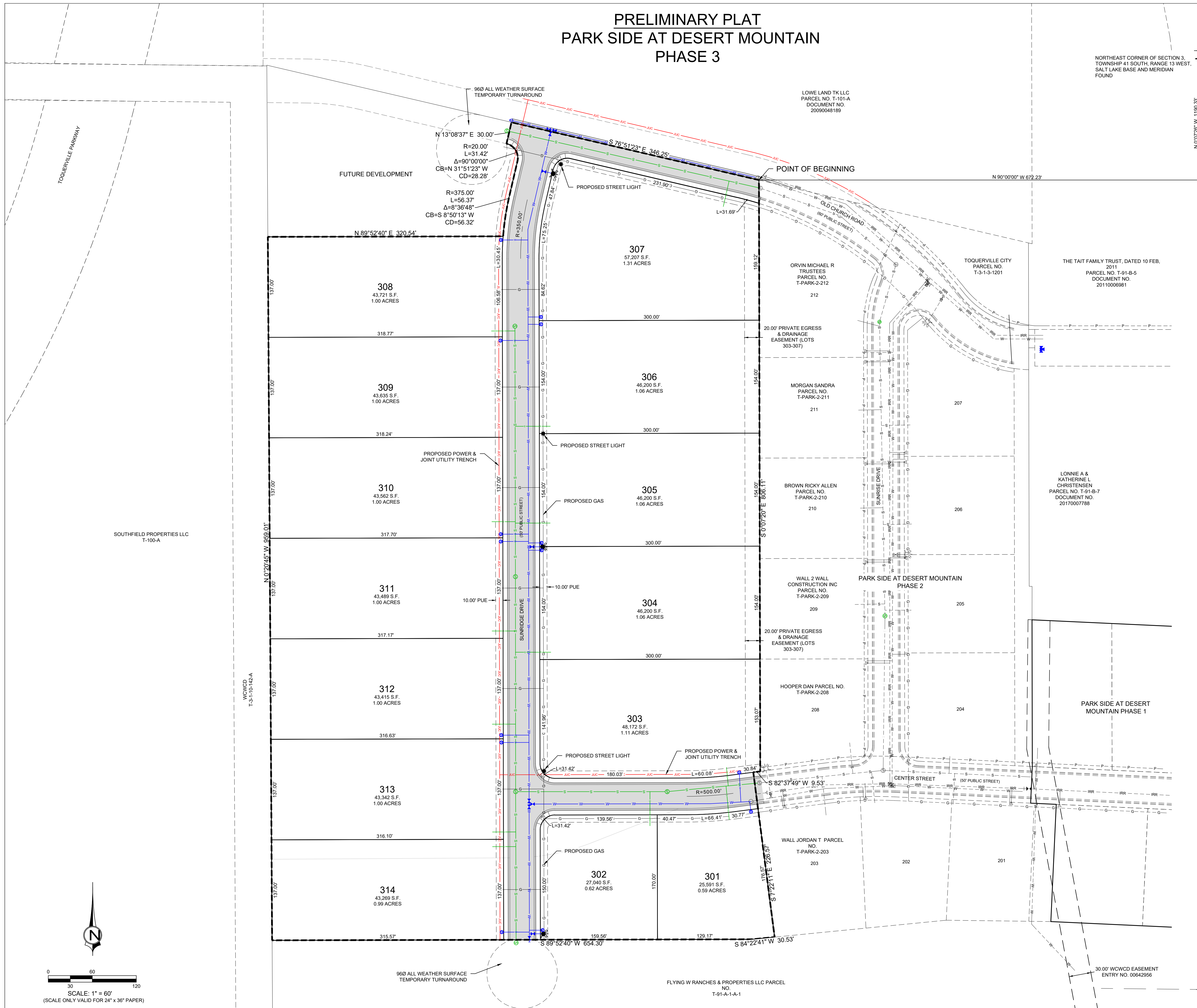
Submittal Requirements: The preliminary plat application shall consist of an application form and required fee, Toquerville City's Owner Affidavit and Consent, Professional Services Agreement and Acknowledgement of Water Supply, an electronic copy of all plans and maps in PDF format, the preliminary subdivision plat drawings and (3) legible paper copies, drawn to scale and including all requirements on the Toquerville City Policy 2025.01 – Subdivision Submittal Policy.

NOTE: It is important that all applicable information noted above is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. A deadline missed due to an incomplete application, could result in a month's delay. Planning Commission meetings are held on the third Wednesday of each month at 6:30 p.m. Contact the Planning Department for submission deadlines.

***** (Office Use Only) *****

DATE RECEIVED: 4/1/2024 DATE PAID: 4/1/2024 PAYMENT TYPE: Cheque RECEIVED BY: MD
COMPLETE: YES NO DATE APPLICATION DEEMED TO BE COMPLETE: 05/07/2024
COMPLETION DETERMINATION MADE BY: [Signature]

**PRELIMINARY PLAT
PARK SIDE AT DESERT MOUNTAIN
PHASE 3**



LEGEND

	PROJECT BOUNDARY LINE
	PROPOSED LOT LINE
	PROPOSED CURB & GUTTER
	EXISTING CURB & GUTTER
	PROPOSED 8" SEWER LINE
	PROPOSED JOINT UTILITY TRENCH (POWER)
	PROPOSED 8" WATER LINE
	PROPOSED 6" IRRIGATION LINE
	EXISTING/PROPOSED WATER VALVE
	EXISTING/PROPOSED IRRIGATION VALVE
	EXISTING/PROPOSED WATER METER
	EXISTING/PROPOSED IRRIGATION METER
	SEWER MANHOLE
	EXISTING/PROPOSED FIRE HYDRANT
	PROPOSED STREET LIGHT

LEGAL DESCRIPTION

BEGINNING AT A POINT N 0°07'26" W 1190.33 FEET ALONG THE EAST LINE OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 13 WEST, SALT LAKE BASE AND MERIDIAN, AND N 90°00'00" W 672.23 FEET, POINT BEING THE NORTHWEST CORNER OF PARK SIDE AT DESERT MOUNTAIN PHASE 2, RECORDED AND ON FILE IN THE OFFICE OF THE RECORDER, WASHINGTON COUNTY, STATE OF UTAH, FROM THE EAST QUARTER CORNER OF SAID SECTION 3, AND RUNNING THENCE ALONG THE BOUNDARY OF SAID SUBDIVISION THE FOLLOWING THREE (3) COURSES: (1) S 0°07'20" E 806.11 FEET, (2) THENCE S 82°37'49" W 9.53 FEET, (3) THENCE S 7°22'11" W 226.57 FEET; THENCE S 84°22'41" W 30.53 FEET; THENCE S 89°52'40" W 654.30 FEET, TO A POINT ON THE EAST LINE OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 2014001660, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER, THENCE N 0°20'45" W 959.01 FEET ALONG SAID LINE, THENCE N 89°52'40" E 320.54 FEET, TO A POINT ON A 375.00 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS WHICH BEARS S 85°38'11" E, THENCE ALONG THE ARC OF SAID CURVE 66.37 FEET THROUGH A CENTRAL ANGLE OF 8°36'48"; THENCE N 13°08'37" E 47.84 FEET, TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE 31.42 FEET THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE N 13°08'37" E 30.00 FEET, TO A POINT ON THE SOUTH LINE OF A PARCEL MORE PARTICULARLY DESCRIBED IN DOCUMENT NO. 20090048189, RECORDED AND ON FILE IN THE OFFICE OF SAID RECORDER; THENCE S 7°51'23" E 346.25 FEET ALONG SAID LINE, TO THE POINT OF BEGINNING.

CONTAINS 15.62 ACRES MORE OR LESS
PARCEL #: T-91-A-1-A-1 & T-91-A-1-2

PROJECT INFORMATION

ZONING: R-1-20
AREA: 15.62 ACRES
UNITS: 14 LOTS

DESERT TORTOISE TAKE AREA: NO
STREETS: PUBLIC
COMMON AREA: NONE

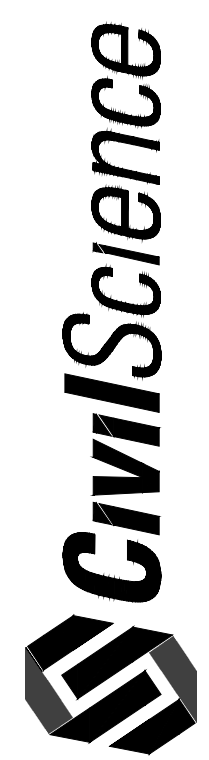
GEOTECHNICAL CONSTRAINTS

- EXPANSIVE ROCK AND SOIL - NONE PRESENT ON SITE
- COLLAPSIBLE SOIL - SOME LIMITED AREA UPPER COLLAPSIBLE SOILS (3-4% OR SO) HOWEVER IT IS LIMITED TO A MINIMAL AREA
- SHALLOW BEDROCK AND CALICHE - REFUSAL WITH THE EXCAVATOR WAS ENCOUNTERED ON BASALT OR CALICHE IN MOST OF THE TEST PITS BETWEEN A DEPTH OF 1.5 AND 3 FEET IN FOUR OF THE 6 TEST PITS. HARD ROCK CONDITIONS ARE EXPECTED FOR ALL SEWER AND UTILITY TRENCHES EXTENDING BELOW A DEPTH OF ABOUT 3 FEET.
- GYPSSIFEROUS ROCK AND SOIL - NONE PRESENT ON SITE
- POTENTIALLY UNSTABLE ROCK OR SOIL - NONE PRESENT ON SITE
- FAULT LINES - NO MAPPED FAULTS THAT NEED TO BE INVESTIGATED FURTHER.
- SHALLOW GROUND WATER - NO GROUNDWATER ENCOUNTERED IN TEST PITS OR EXPECTED WITHIN THE DEPTH OF EXCAVATION FOR THE SUBDIVISION

APPLICANT CONTACT
WALL CONSTRUCTION INC
JORDAN WALL
PO BOX 376
WASHINGTON, UT 84780
435-229-7646

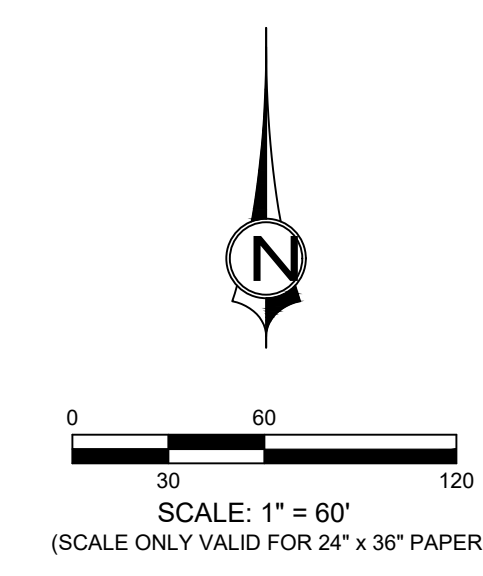
EAST 1/4 CORNER SECTION 3,
TOWNSHIP 41 SOUTH, RANGE
13 WEST, SALT LAKE BASE AND
MERIDIAN, BLM BC

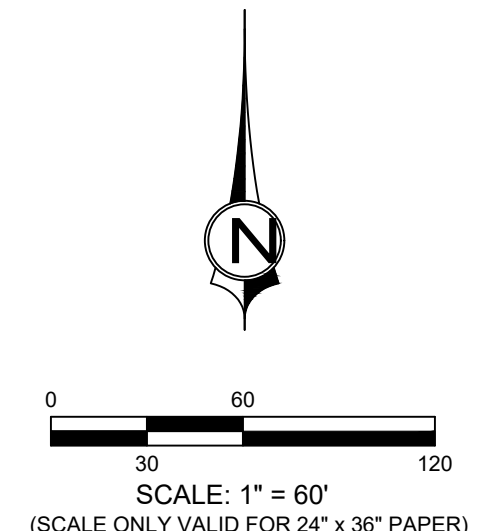
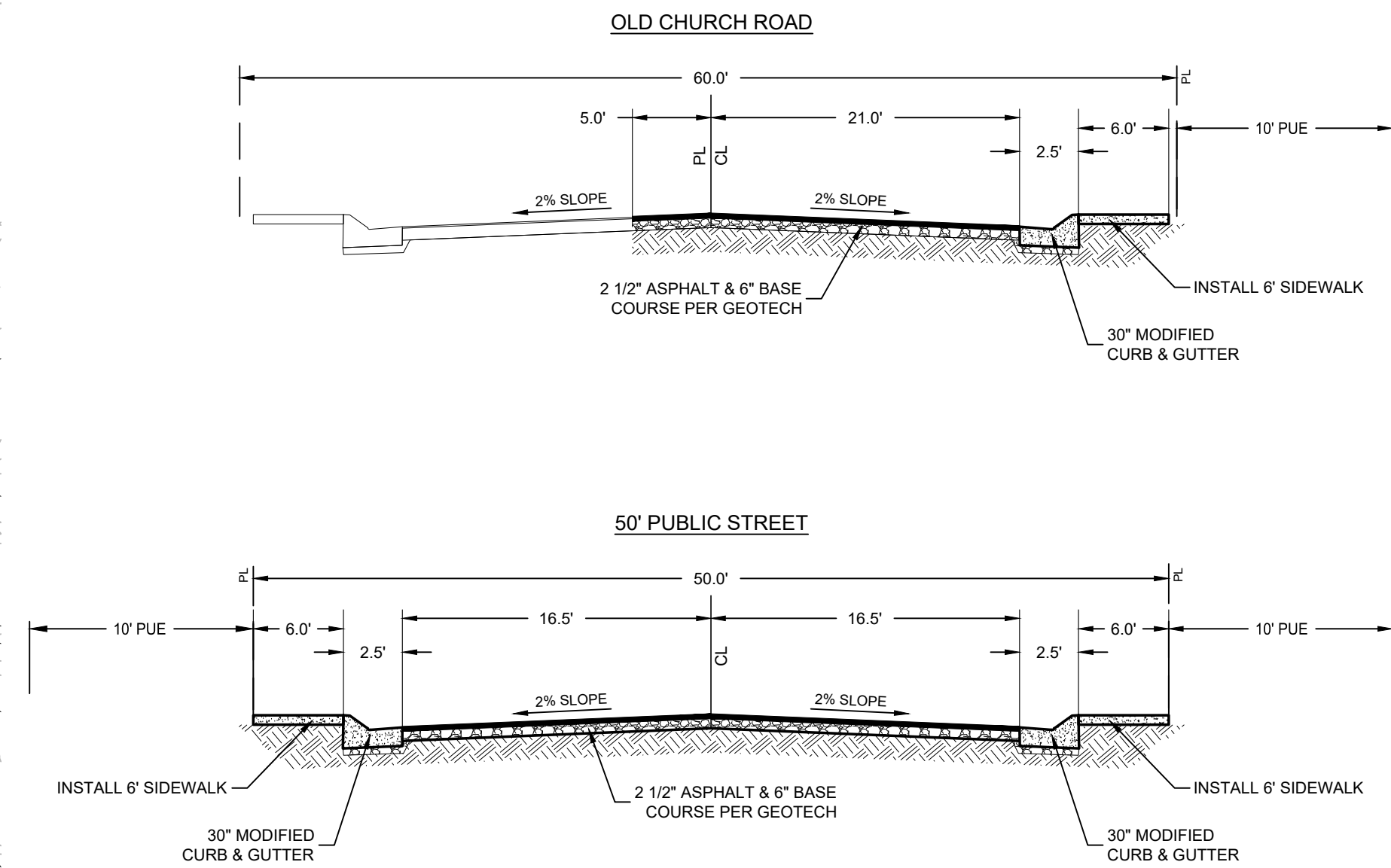
1453 S. DYNE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435-966.0100



PARK SIDE AT DESERT MOUNTAIN PHASE 3
LOCATED IN
NE 1/4 OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 13 WEST,
SALT LAKE BASE & MERIDIAN

PROJ. #:	26086
DRAWN BY:	BLW
DATE:	06/02/2026
SCALE OF SHEET	HOR SCALE: 1" = 60'
SHEET	1
	OF
	3





LEGEND

- PROJECT BOUNDARY LINE
- PROPOSED LOT LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- EXISTING 2' CONTOUR
- PROPOSED 2' CONTOUR
- DRAINAGE DIRECTION

DRAINAGE

STORM WATER FLOWS WILL BE CONVEYED IN THE CURB & GUTTER OVERLAND TO THE EXISTING STORM DRAIN SYSTEM AND BASIN INSTALLED WITH PRIOR PHASE 1. SEE SHEET 3 OF 3

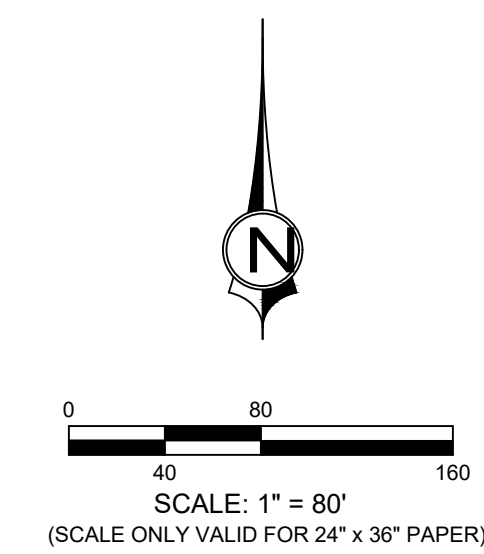
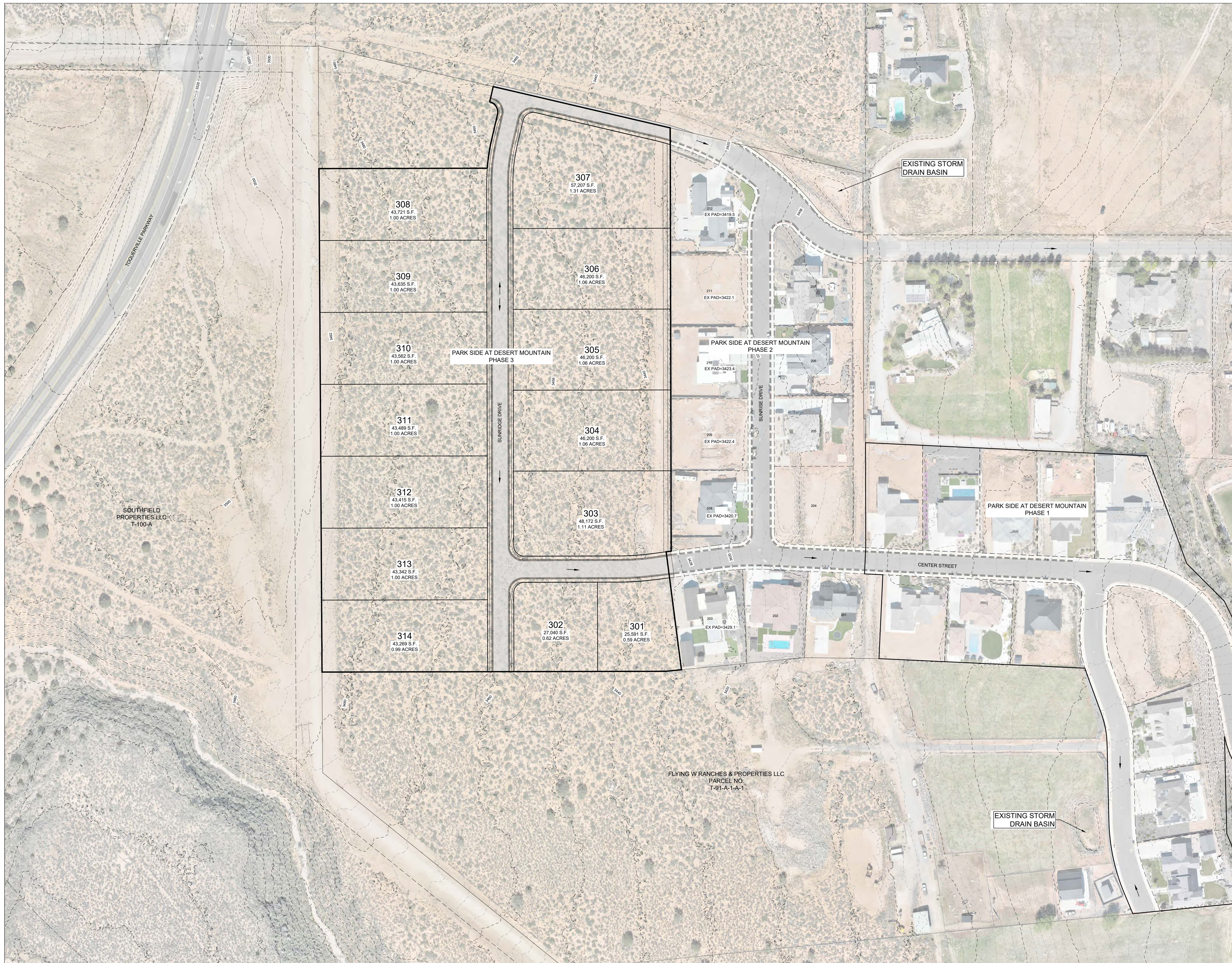
PARK SIDE AT DESERT MOUNTAIN PHASE 3
LOCATED IN
NE 1/4 OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 13 WEST,
SALT LAKE BASE & MERIDIAN

PROJ. #: 26086
DRAWN BY: BLW
DATE: 06/02/2026
SCALE OF SHEET
HOR SCALE: 1" = 60'

SHEET
2
OF
3

1453 S. DYKE DRIVE, SUITE 150
ST. GEORGE, UT 84770
435.986.0100





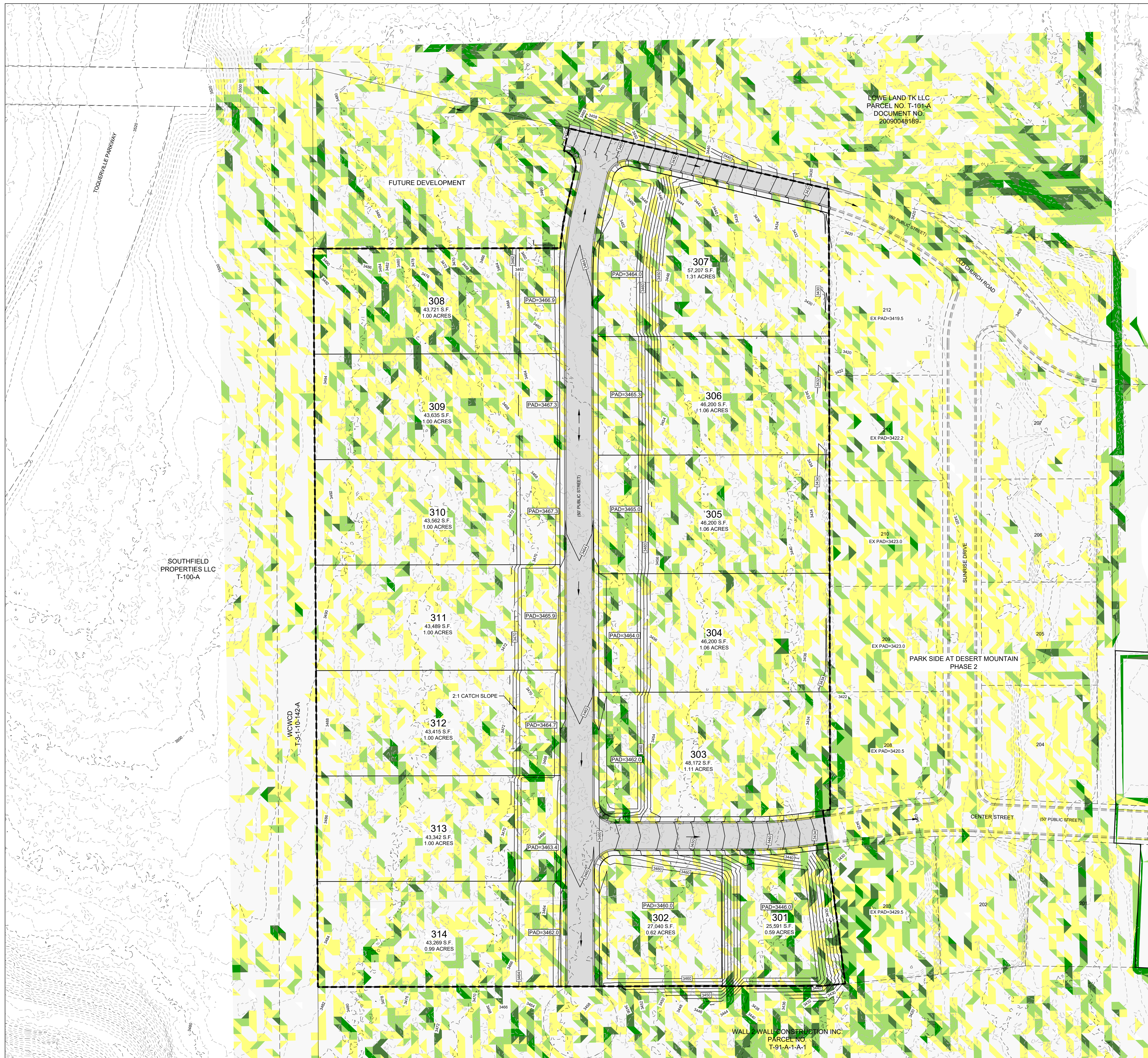
PARK SIDE AT DESERT MOUNTAIN PHASE 3
 LOCATED IN
 NE 1/4 OF SECTION 3, TOWNSHIP 41 SOUTH, RANGE 13 WEST,
 SALT LAKE BASE & MERIDIAN

PROJ. #: 26086
 DRAWN BY: BLW
 DATE: 05/06/2026
 SCALE OF SHEET
 HOR SCALE: 1" = 80'

SHEET
3
 OF
3



1453 S. DIXIE DRIVE, SUITE 150
 ST. GEORGE, UT 84770
 435.966.0100



LOWE LAND TK LLC
 PARCEL NO. T-101-A
 DOCUMENT NO.
 20090048189

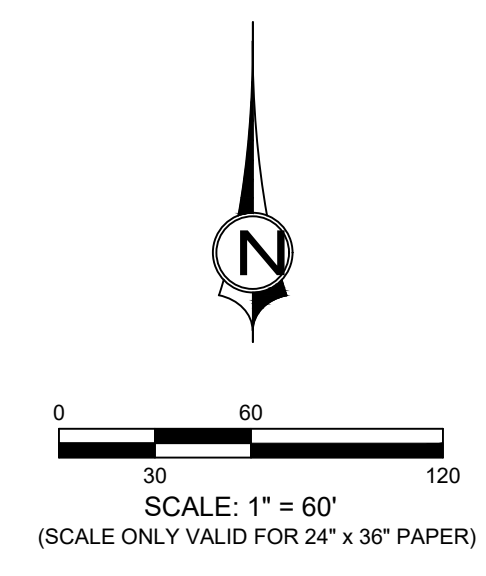
SOUTHFIELD PROPERTIES LLC
 T-100-A

WALL WALL CONSTRUCTION INC.
 PARCEL NO.
 T-91-A-1-A-1

Slopes Table		
Minimum Slope	Maximum Slope	Color
0.00%	10.90%	[Lightest Green]
11.00%	16.90%	[Light Green]
17.00%	23.90%	[Medium Green]
24.00%	29.90%	[Dark Green]
30.00%	>%	[Darkest Green]

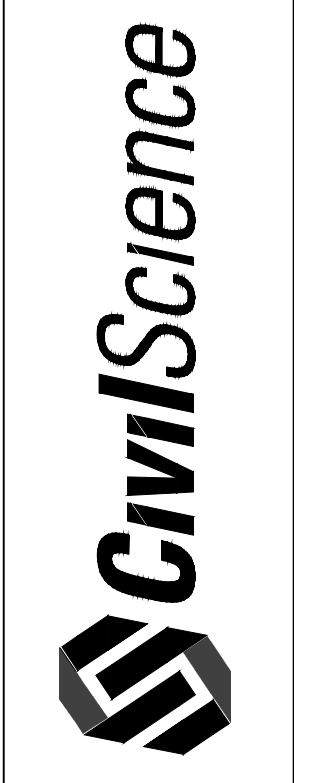
LEGEND

- PROJECT BOUNDARY LINE
- PROPOSED LOT LINE
- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- EXISTING 2' CONTOUR
- PROPOSED 2' CONTOUR
- DRAINAGE DIRECTION



PARK SIDE AT DESERT MOUNTAIN PHASE 3
 SLOPE MAP
 LOCATED IN TOQUERVILLE, UTAH

PROJ. #:	26086
DRAWN BY:	BLW
DATE:	06/30/2026
SCALE OF SHEET	HOR SCALE: 1" = 60'
SHEET	1
OF	1



1453 S. DIXIE DRIVE, SUITE 150
 ST. GEORGE, UT 84770
 435.986.0100

Toquerville City Planning Commission Meeting
Agenda Item Sheet

Meeting Date: 07.08.2026

Department: Planning and Zoning

Item Title:

Discussion and possible recommendation on Nightly Rental Application for 1115 S. Westfield Road, submitted by Derek Bergstrom. Tax ID: T-AHP-A-45, current zoning is Residential (R-1-20 District).

Presented By: Emily Teaters

Attachments:

- Nightly Rental Application
- Site Plan
- Floor Plan

Options:

Recommend Approval/Denial/Table

Possible Motion (Approval):

I move to recommend approval of the nightly rental permit application submitted by Derek Bergstrom for 1115 S. Westfield Rd (add any relevant conditions here).

Background:

A complete Nightly Rental License application was submitted pursuant to Section 10-17-4 of the Toquerville City Code. The application was reviewed for compliance with the spacing, parking, and other applicable requirements of the ordinance and was found to meet those requirements.

The required fire inspection was completed and approved by the Hurricane Valley Fire District. Public notice requirements were also completed, including mailed notice to property owners within 300 feet of the subject property for the public hearing.

The property owner indicated the nightly rental will comply with the operational requirements of the ordinance, including the maximum occupancy limit of ten (10) persons, required response times, and ownership limitations, and identified themselves as the emergency contact.

This application was submitted because the City received complaints regarding the operation of the property as a nightly rental without a valid license. The property owner has been cooperative and is working with the City to bring the property into compliance by obtaining the required license. Additional complaints have included noise associated with large groups, outdoor speakers, late-night gatherings, and barking dogs. The Planning Commission may consider this

information when making its recommendation and determining whether any conditions should be included.

The City also identified current online advertisements indicating accommodations for up to sixteen (16) guests, which exceeds the maximum occupancy permitted by Section 10-17-4. If approved, all online advertisements, listings, and promotional materials should be updated to reflect the maximum permitted occupancy of ten (10) persons before a Nightly Rental License is issued.

Approval of a Nightly Rental License does not exempt the property from ongoing compliance with the Nightly Rental Ordinance or other applicable City regulations. Section 10-17-4 provides for fines and enforcement actions for violations of the ordinance.

A Nightly Rental License may also be revoked at any time, following notice and a hearing before the Planning Commission, if the use becomes a nuisance as defined in Title 4, Chapter 1 of the Toquerville City Code. The City's nuisance regulations include loud or continuous noise and properties that generate repeated nuisance-related complaints or responses.

Bergstrom

Permit/License #

06/08/2026 - 06/07/2028

Nightly Rental Application

Reference Number

General

Application Status

Status

Under Review

Active

Application Review Status

Pre-Review	Approved	Date Submitted
Planning & Zoning	Reviewing	05/28/2026
Hurricane Valley Fire District	Not Reviewed	
Final-Review	Not Reviewed	

Fees

Payments

Nightly Rental Application Fee	\$400.00	06/08/2026	Online	\$31.50
Affected Property Owner Notice	\$31.50	05/28/2026		\$400.00
Subtotal	\$431.50	Total Paid		\$433.45
Processing Fee	\$1.95			
Total	\$433.45			
Amount Paid	\$433.45			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

First Name

Derek

Last Name

Bergstrom

Contact Email

[Redacted]

Phone Number

Street Address

City

Toquerville

State

UT

Zip Code

84774

Mailing Address

City

Toquerville

State

UT

Zip Code

84774

Will there be a designated property manager/ emergency contact, other than the owner who will be responsible for ensuring compliance?

Yes

Address Of Subject Property

1115 s westfield rd toquerville ut 84774

Tax ID Of Subject Property

T-AHP-A-45

How will you operate the Nightly Rental?

Business Entity


Federal Tax ID #

Property Manager/Emergency Contact Name

Derek Bergstrom

Property Manager/Emergency Contact Phone


Upload Owners Affidavit

 IMG_0346 2.JPG


Upload a detailed site plan drawn to standard engineering scale for the lot showing additional parking stalls, existing and proposed buildings, existing streets, and a floor plan of the dwelling. The site plan must identify the required off-street parking to be used in connection with the nightly rental.

 NightlyRentalSpecialPermit-1.pdf

Upload a map showing all properties within 300' of property boundaries.

 300 foot map.pdf

Upload a Public Notice mailing list of all properties within 300 feet of property boundaries.

 Mailing List.pdf

How many affected properties are within 300 feet of the property boundaries?

21

Applicant must provide addressed and stamped envelopes for all properties within 300 feet of property boundaries. Envelopes must be delivered to the Toquerville City office (212 N. Toquer Blvd, Toquerville, UT). Address labels may be acquired from the Washington County Records Office. **Application will not be considered complete until receipt of addressed and stamped envelopes.**

✓

Date self addressed envelopes received by Toquerville City

06/01/2026

Do you already own a Nightly Rental in Toquerville?

No

Will the Nightly Rental be in a structure that is Temporary?

No

Will the Nightly Rental occur within and under one roof?

Yes

Will the Nightly Rental be in an detached accessory dwelling?

No

Will the maximum number of occupants per dwelling being used for the nightly rental be less than ten (10)?

Yes

I understand that nightly rentals must be separated by at least five hundred feet (500') from other nightly rental properties and that the distance will be measured and verified by Planning and Zoning Administrator once a license is available.

Yes

Signature

Toquerville City, at its discretion, may require applicants to provide other documents and visual aids to assist with the impact upon the neighborhood and City. It is important that all applicable information noted above is submitted

with the application. An incomplete application will not be scheduled for Planning Commission consideration. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting.

I certify that all information contained herein is accurate, to the best of my knowledge. I certify that I have read, understand, and will comply with the nightly rental regulations listed in the Toquerville City Code Title 10, Chapter 13. I certify the property meets all local, safety, and building code requirements. I acknowledge that prior to using the property as a nightly rental, I must obtain all pertinent inspection approvals, business license approvals and pay all applicable fees. I acknowledge that the City has the right to inspect this property. I will notify that City of any changes to the permit. I understand I must keep a current business license and acknowledge that this permit is non-transferrable to another owner or another dwelling.

Electronically Signed

derek bergstrom - 05/28/2026 2:44 pm

SITE DEVELOPMENT LEGEND			
--- 4262 ---	EXISTING CONTOURS		DROUGHT TOLERANT FESCUE BLEND
--- 4262 ---	PROPOSED CONTOURS		CONCRETE SLAB
---	PROPERTY LINE		MULCH PLANTER - BARK
---	PROJECT LIMIT LINE		NATIVE OPEN SPACE - NOT IN CONTRACT
---	SETBACK LIMIT LINE		ASPHALT
---	UTILITY EASEMENT		EXISTING TREE - TO REMAIN
---	UTILITY LINE - GAS		PROPOSED TREE
---	UTILITY LINE - POWER		DECORATIVE BOULDERS
---	UTILITY LINE - SEWER		BOULDERS - TO REMAIN (PROTECT DURING CONSTRUCTION)
---	UTILITY LINE - WATER		
---	SLOPE PERCENTAGE		
	RETAINING WALL - BOULDER		
	RETAINING WALL		

GRADING NOTES
1. COORDINATE GRADES WITH LAYOUT AND FIELD STAKING PREVIOUS TO CONSTRUCTION, AND COMMUNICATE ANY DISCREPANCIES TO OWNER PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS FOR STORM DRAIN AND SEWER CONSTRUCTION, AT CONTRACTOR'S EXPENSE.

SITE DEVELOPMENT GENERAL NOTES
1. THE CONTRACTOR SHALL BE RESPONSIBLE TO FIELD VERIFY ALL EXISTING CONDITIONS, UTILITIES, MEASUREMENTS, CONNECTIONS, ETC.
2. CONTRACTOR SHALL REPORT ANY DISCREPANCIES IN THE PLANS TO THE LANDSCAPE ARCHITECT PRIOR TO COMMENCING RELATED WORK.
3. COORDINATE GRADES WITH LAYOUT AND FIELD STAKING PREVIOUS TO CONSTRUCTION, AND COMMUNICATE ANY DISCREPANCIES TO OWNER PRIOR TO CONSTRUCTION.
4. THE CONTRACTOR SHALL COMPLY WITH ALL NATIONAL, STATE, LOCAL AND RELATED CODES AND STANDARD CONSTRUCTION PRACTICES.
5. PROVIDE SMOOTH TRANSITIONS BETWEEN ALL SLOPES AND GRADE/BIOME CHANGES.



• CONCRETE DRIVEWAY OR APPROVED MATERIALS BY ACC.
 • WARP SLAB TO ALLOW DRAINAGE TO DRAINS.
 • DRIVEWAY SHALL NOT EXCEED 1% SLOPE WITHIN THE FIRST 10'-0".
 • DRIVEWAY TO BE MORE THAN JUST DEEP CUTS, A STANDED EDGE OR OTHER ALTERNATIVE TO BE PROPOSED.

ALL GRADES SHALL SLOPE AWAY FROM HOUSE AND AWAY FROM ANY ADJOINING LOT. PROPERTY TO MAINTAIN DRAINAGE WITHIN LOT, OR DIRECT TO PUBLIC STREET.

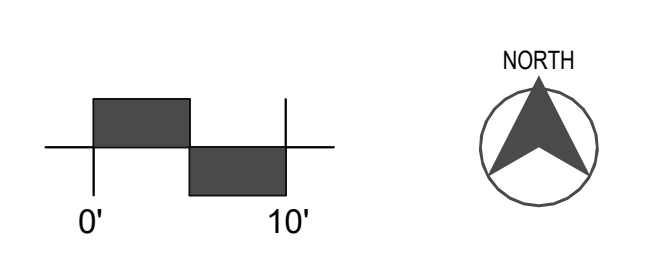
GRADE TO PROVIDE DRAINAGE AWAY FROM STRUCTURE AT ALL POINTS BUT NOT ALLOW DRAINAGE TO ADJACENT PROPERTY.

CONCEPT ONLY. POOL TO BE DETERMINED AT A LATER DATE.

LOT 45
71,997 SQ. FT.
1.65 AC.

SITE LAYOUT NOTES
1. CONTRACTOR SHALL REVIEW LAYOUT AND REPORT DISCREPANCIES IN WRITING TO PROJECT MANAGER PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL STAKE ALL LAYOUT FOR OWNER APPROVAL PRIOR TO CONSTRUCTION.
3. CONTRACTOR SHALL MAKE ADJUSTMENTS AS NEEDED TO ALLOW FOR SITE CONDITIONS, E. TREES AND TO PROVIDE FOR THE INTENT OF THE DESIGN.
4. WRITTEN DIMENSIONS SHALL PREVAIL OVER SCALED DIMENSIONS.
5. ALL CLEARING OF DEBRIS, WASTE EVACUATION AND CONSTRUCTION MATERIALS SHALL BE DEPOSED OF BY THE CONTRACTOR IN ACCORDANCE WITH LOCAL ORDINANCES.
6. CONTRACTOR SHALL COORDINATE WITH THE OWNER TO OBTAIN ALL PERMITS AND LICENSES FOR ANY PHASE OF CONSTRUCTION PRIOR TO COMMENCING THAT CONSTRUCTION.
7. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM TO JURISDICTIONAL DESIGN STANDARDS, CONSTRUCTION SPECIFICATIONS, STANDARD DRAWINGS, AND TO CONTRACT DOCUMENTS PREPARED FOR THIS PROJECT.
8. AS-BUILT DRAWINGS FOR ALL UTILITY AND IRRIGATION IMPROVEMENTS CONSTRUCTED FOR THIS PROJECT ARE THE RESPONSIBILITY OF THE CONTRACTOR AND SHALL BE SUBMITTED TO THE OWNER PRIOR TO FINAL CONSTRUCTION APPROVAL. HARD COPIES AND AUTOCAD FILES ARE REQUIRED.
9. COOPERATION WITH UTILITY COMPANIES: THE CONTRACTOR WILL NOTIFY ALL OWNERS OF UTILITIES, INCLUDING BUT NOT LIMITED TO, WATER, SANITARY SEWER, TELEPHONE, ELECTRICAL, NATURAL GAS AND TELEVISION CABLE OF PROPOSED CONSTRUCTION WITHIN THEIR AREA OF OPERATIONS. THE CONTRACTOR IS RESPONSIBLE FOR MEETING WITH AND COORDINATING CONSTRUCTION ACTIVITIES WITH THOSE OF THE UTILITY COMPANIES INVOLVED FOR FIELD LOCATION OF ALL EXISTING UTILITIES WITHIN THE AREA OF OPERATION. SHOULD THE CONTRACTOR EXPERIENCE A FAILURE BY THE UTILITY OWNERS TO COMPLY WITH THEIR RESPONSIBILITY OF RELOCATING OR ADJUSTING THEIR FACILITIES, THE OWNERS MUST BE NOTIFIED IN WRITING.
10. CONTRACTOR SHALL PROVIDE ALL CONSTRUCTION SAFETY SIGNS AND SAFETY PERSONNEL. ALL SIGNAGE SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND COMPLY WITH OWNER REQUIREMENTS.
11. CONTRACTOR SHALL CONFINE CONSTRUCTION ACTIVITY TO AREAS WITHIN THE AREAS DESIGNATED ON PLANS. UTILITY EASEMENTS AND DESIGNATED STORAGE, STAGING ACCESS, CONSTRUCTION AND MATERIAL WASTE AREAS. CONTRACTOR SHALL ABIDE BY EROSION CONTROL REQUIREMENTS AS SET FORTH HEREIN AND AS REQUIRED BY STATE, COUNTY AND LOCAL LAWS.

SEE GRADING PLAN FOR SPOT ELEVATIONS



Revisions:
 1 23.02.01 RV GARAGE + POOL DECK ADDED

THESE CONCEPT DRAWINGS & IDEAS ARE THE PROPERTY OF JEFF ANDREW, THE OWNERSHIP. ANY INFORMATION, DATA, OR MATERIALS PROVIDED TO THE CONTRACTOR BY THE OWNER OR ANY OTHER PARTY ARE TO BE USED ONLY FOR THE PROJECT AND NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FOR ANY PHASE OF CONSTRUCTION PRIOR TO COMMENCING THAT CONSTRUCTION. SHOULD THE CONTRACTOR EXPERIENCE A FAILURE BY THE UTILITY OWNERS TO COMPLY WITH THEIR RESPONSIBILITY OF RELOCATING OR ADJUSTING THEIR FACILITIES, THE OWNERS MUST BE NOTIFIED IN WRITING. THE CONTRACTOR SHALL PROVIDE ALL CONSTRUCTION SAFETY SIGNS AND SAFETY PERSONNEL. ALL SIGNAGE SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES AND COMPLY WITH OWNER REQUIREMENTS. CONTRACTOR SHALL CONFINE CONSTRUCTION ACTIVITY TO AREAS WITHIN THE AREAS DESIGNATED ON PLANS. UTILITY EASEMENTS AND DESIGNATED STORAGE, STAGING ACCESS, CONSTRUCTION AND MATERIAL WASTE AREAS. CONTRACTOR SHALL ABIDE BY EROSION CONTROL REQUIREMENTS AS SET FORTH HEREIN AND AS REQUIRED BY STATE, COUNTY AND LOCAL LAWS.

ANDREWS HOME DESIGN GROUP
 192 EAST 200 NORTH, SUITE 202
 ST. GEORGE, UT 84770
 PHONE: 801-304-7006
 www.AndrewsHomeDesign.com

BERGSTROM RESIDENCE
 LOT #45 ALMOND HEIGHTS PARK
 1105 S WESTFIELD RD.
 TOWNSVILLE, UT 84774

Sheet: ARCH - SITE PLAN
 Project:
 Project No: 21080
 Date: 2022.08.24

AS101
 BUILD SET
 SHEET SIZE: 36x48

Toquerville City Planning Commission Meeting

Agenda Item Sheet

Meeting Date: 07.08.2026

Department: Planning and Zoning

Item Title:

Discussion and possible recommendation on a Zone Change Application submitted by Bradley Harrell, BAEF LLC for Tax IDs: T-3-0-22-233 and T-3-0-27-144. The current zoning is Residential (R-1-20 District), and the proposed zoning is Highway Commercial (H-C).

Presented By: Emily Teaters

Attachments:

- Application
- Current Zoning Map
- General Plan Map
- Highway Commercial Zone Standards & Uses

Options:

Recommend Approval/Denial/Table

Possible Motion (Approval):

I move to recommend approval of the zone change application submitted by Bradley Harrell, BAEF LLC for Tax IDs: T-3-0-22-233 and T-3-0-27-144.

Background:

The applicant is requesting a zone change from Residential (R-1-20 District) to Highway Commercial (H-C). The application has been deemed complete in accordance with Toquerville City Code Title 10, Chapter 6.

The General Plan designates this area as Commercial. This designation is intended to accommodate a range of commercial, business, manufacturing, and light industrial uses. The proposed Highway Commercial (H-C) zoning is consistent with the General Plan and, if approved, would apply the standards established for that zone.

Standards for Review:

Per Toquerville City Code §10-8-3, the Planning Commission must evaluate the proposed zone change and determine whether the following standards are met:

1. Addresses a recognized and demonstrated need in the community.
2. Is compatible with the character of the neighborhood and surrounding structures in use, scale, mass, and circulation.
3. Will not result in over-intensive land use or excessive depletion of natural resources.
4. Will not have a material adverse effect on community capital improvement programs.
5. Will not require a greater level of community facilities and services than currently available.
6. Will not cause undue traffic congestion or hazards.

7. Will not cause significant air, odor, water, light, or noise pollution.
8. Will not otherwise be detrimental to the health, safety, or welfare of the community.
9. Meets the requirements of the General Plan.

The applicant has submitted a conceptual development proposal identifying intended uses for the property. The majority of the proposed uses are listed as allowed within the Highway Commercial (H-C) District, with the exception of enclosed RV storage, which is not specifically listed and would require separate approval.

While the proposal provides context for the request, the Planning Commission should keep in mind that your recommendation on the zone change is limited to the appropriateness of the proposed zoning district and not any specific development plan or use. Future development may vary, provided it complies with the allowed uses and applicable standards of the H-C District.

ARTICLE B. H-C HIGHWAY COMMERCIAL ZONE

SECTION:

10-12B-1: Purpose

10-12B-2: Allowed Use Table

10-12B-3: Physical Restrictions

10-12B-4: Special Regulations

10-12B-1: PURPOSE:

The purpose of this zone is to provide commercial areas on major highways for the location of travel, service and highway oriented commercial uses. (Ord. 2012.04, 1-18-2012; amd. Ord. 2024.16, 8-7-2024)

10-12B-2: ALLOWED USE TABLE:

Only the following uses set forth in the table below are allowed in the Highway Commercial Zone.

USE	
Animal hospital	P
Antique store	P
Athletic and sporting goods store	P
Automobile parts sales (new parts only); provided, conducted within completely enclosed building	P
Automobile rental (vehicles up to 26' in length)	P
Automobile service, repair, conducted within an enclosed building	P
Bank or financial institution	P
Bus terminal	P
Business equipment rental, services, and supplies	P
Car wash	P
Catering establishment	P
Cemetery	P
Child care center	P
Church or place of worship	P
Club or service organization	P
Commercial kennel	C
Commercial nursery	P
Convenience store	P
Department store	P
Drive-thru sales (pharmacy, dairy products, etc.)	P
Drugstore	P
Farm implement sales (outdoor display)	P
Financial, medical, and professional services	P
Furniture and large appliance sales	P
Garden supplies and plant material sales	P
Gasoline service station	P
Golf course	P
Grocery store	P
Hospital	P
Hostel	P
Hotel	P
Laundry or dry cleaning	P

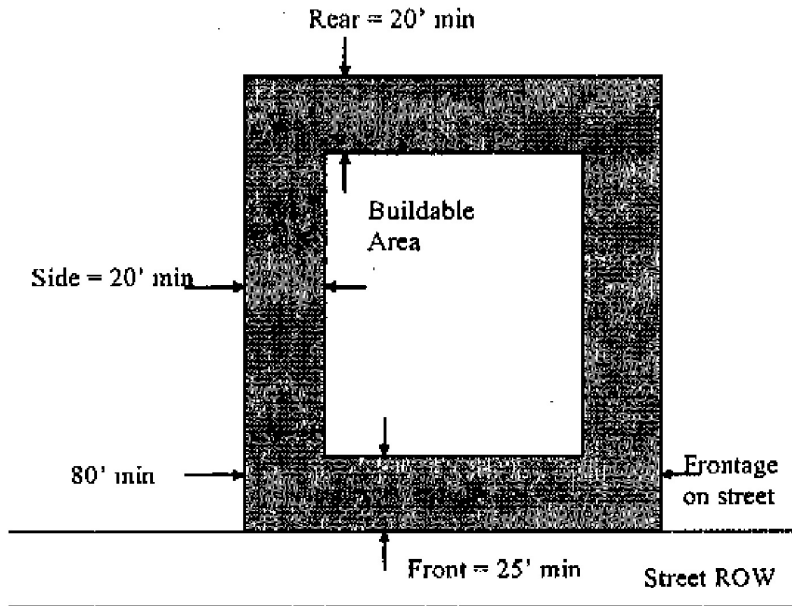
Media service	P
Motel	P
Nursing home	P
Office, general	P
Office supply, office machine sales and service	P
Operations center	P
Paint or wallpaper store	P
Park	P
Pawnshop	C
Personal care service	P
Pet grooming	P
Post office	P
Printing and copying	P
Protective service	P
Public or quasi-public uses for essential public services	P
Public utility uses	P
Reception center	P
Recreation and entertainment	P
Restaurant or fast-food establishment	P
Retail, general	P
Roadside stand for the sale of agricultural produce and related items	P
RV resort (as per 10-29)	C
Shopping center	P
Transportation service	P
Other uses similar to the above and judged by the Planning Commission to be in harmony with the character intent of this zone	C
Legend: P = Permitted Use, C = Conditional, CS = Conditional w/Standards or Permit	

(Ord. 2024.16, 8-7-2024)

10-12B-3: PHYSICAL RESTRICTIONS:

The restrictions below shall be considered minimum, and more restrictive standards may be prescribed as conditions of a conditional use permit for any use:

Minimum frontage	80 feet
Minimum setbacks	Front: 25 feet Side and rear: 20 feet
Maximum height	45 feet
Minimum finished landscaping	15 percent of the total lot/parcel area
Parking and loading	In accordance with section 10-21-13 of this title
Screening	All outdoor storage, vehicles, machinery and equipment shall be screened and/or out of public view as seen from state highways or interstate freeways and any roadway fronting or driveway providing access to the property on which it is stored
Gasoline and oil storage	All fuel storage tanks shall be completely buried beneath the surface of the ground or bermed and shall comply with all applicable state and federal regulations. All gasoline pumps, lubrication or similar devices, and other service facilities, shall not be located within minimum setbacks. All servicing of vehicles, except for the sale of gas and oil services customarily provided in connection therewith, shall be conducted completely within a structure



(Ord. 2012.04, 1-18-2012; amd. Ord. 2024.16, 8-7-2024)

10-12B-4: SPECIAL REGULATIONS:

- A. **Increased Height:** Notwithstanding the height limitation shown in section 10-12B-3 of this Article, a greater building height may be allowed in the Highway Commercial zone pursuant to a conditional use permit.
- B. **Setbacks Abutting A Residential Zone:** When abutting a residential zone, the minimum setback shall be required plus one additional foot for every foot of building height over thirty feet (30').
- C. **Protection Of Residential Zones:** Where any commercial zone adjoins any residential, as part of the required setbacks, there shall be provided and maintained along such property line a six-foot (6') solid masonry wall and a ten-foot (10') landscape buffer to protect the adjoining residential or agricultural property. The landscape buffer shall include the strategic planting of trees and shrubs to provide adequate screening. All landscaping shall comply with 10-21-5 of the Toquerville City Code.

(Ord. 2024.16, 8-7-2024)



Toquerville City ZONE CHANGE APPLICATION

Fee: See Current Fee Schedule

Name: Bradley Harrell, BAEF LLC Telephone: [REDACTED]

Address: [REDACTED] Fax No. _____

Agent (If Applicable): _____ Telephone: _____

Email: [REDACTED]

Address/Location of Subject Property: 1905 N Anderson Junction Road

Tax ID of Subject Property: T-3-0-22-233, ~~T-3-0-27-114~~, T-3-0-27-144 Existing Zone District: R-1

Proposed Zoning District and reason for the request (Describe, use extra sheet if necessary):

Highway Commercial, with a conditional use permit for approx 9.3 acres of light industrial for a climate controlled self storage, and RV enclosed Garages, RV detail facility, and a Retail U-Haul, regional rental facility.

Submittal Requirements: The zone change application shall provide the following:

- a. The name and address of every person or company the applicant represents;
- b. An accurate property map showing the existing and proposed zoning classifications;
- c. All abutting properties showing present zoning classifications;
- d. An accurate legal description of the property to be rezoned;
- e. Stamped envelopes with the names and addresses of all property owners within 300 feet of the boundaries of the property proposed for rezoning;
- f. Warranty deed or preliminary title report or other document (see attached Affidavit) showing evidence that the applicant has control of the property.

Additional fees may include the cost of amending the official zoning map, County recording fees, Attorney and engineering fees, General Plan and other city plan amendments.

Note: It is important that all applicable information noted above along with the fee is submitted with the application. An incomplete application will not be scheduled for Planning Commission consideration. Once your application is deemed complete, it will be put on the agenda for the next Planning Commission meeting. A deadline missed or an incomplete application could result in a month's delay.

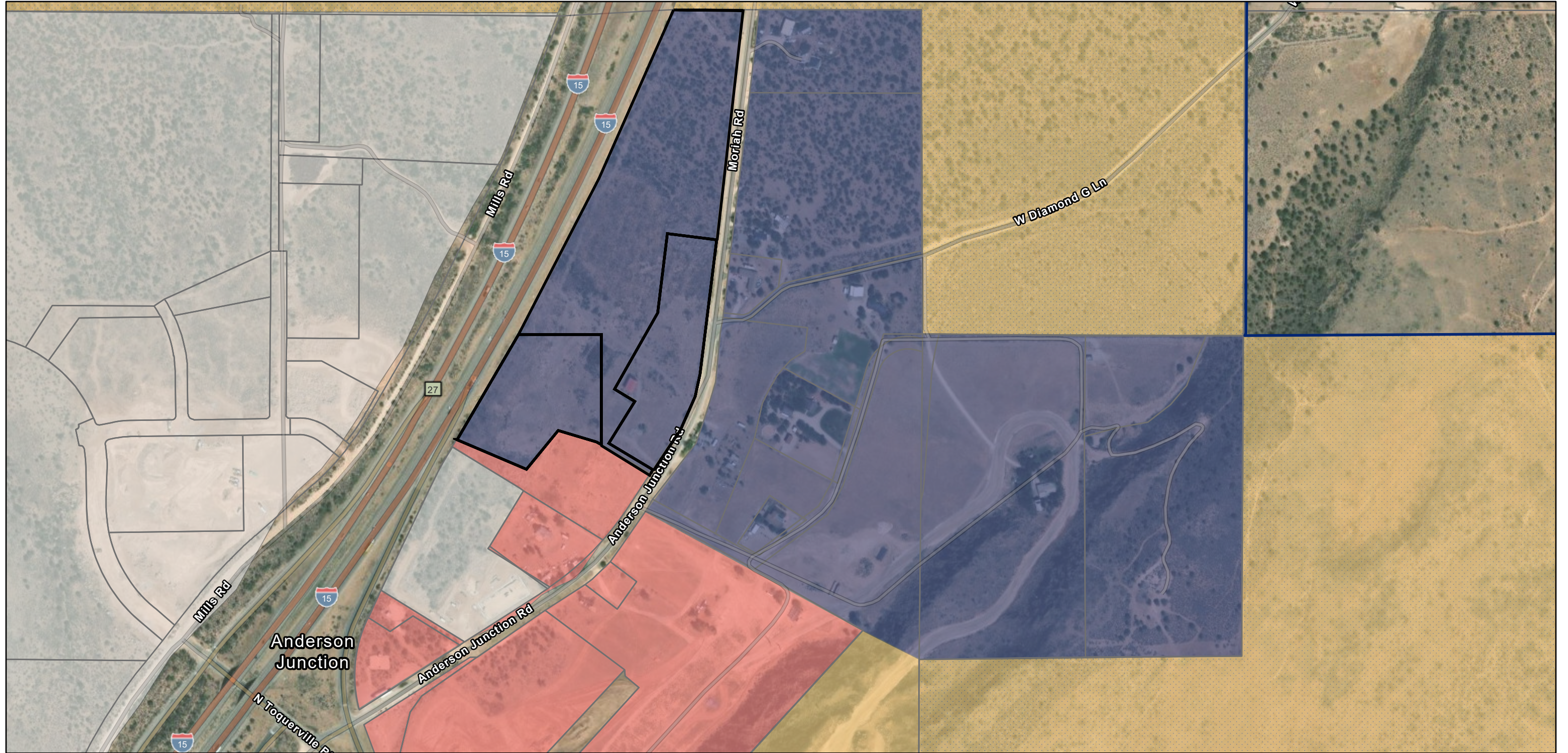
(Office Use Only)

DATE RECEIVED: 06/22/2026 [REDACTED] mp. COMPLETE: YES NO

DATE APPLICATION DEEMED TO BE COMPLETE: 6/23/26

COMPLETION DETERMINATION MADE BY: [Signature] Signature

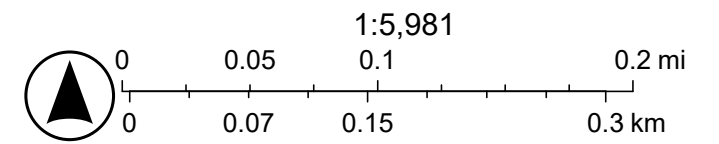
Current Zoning Map



6/24/2026, 12:48:43 PM

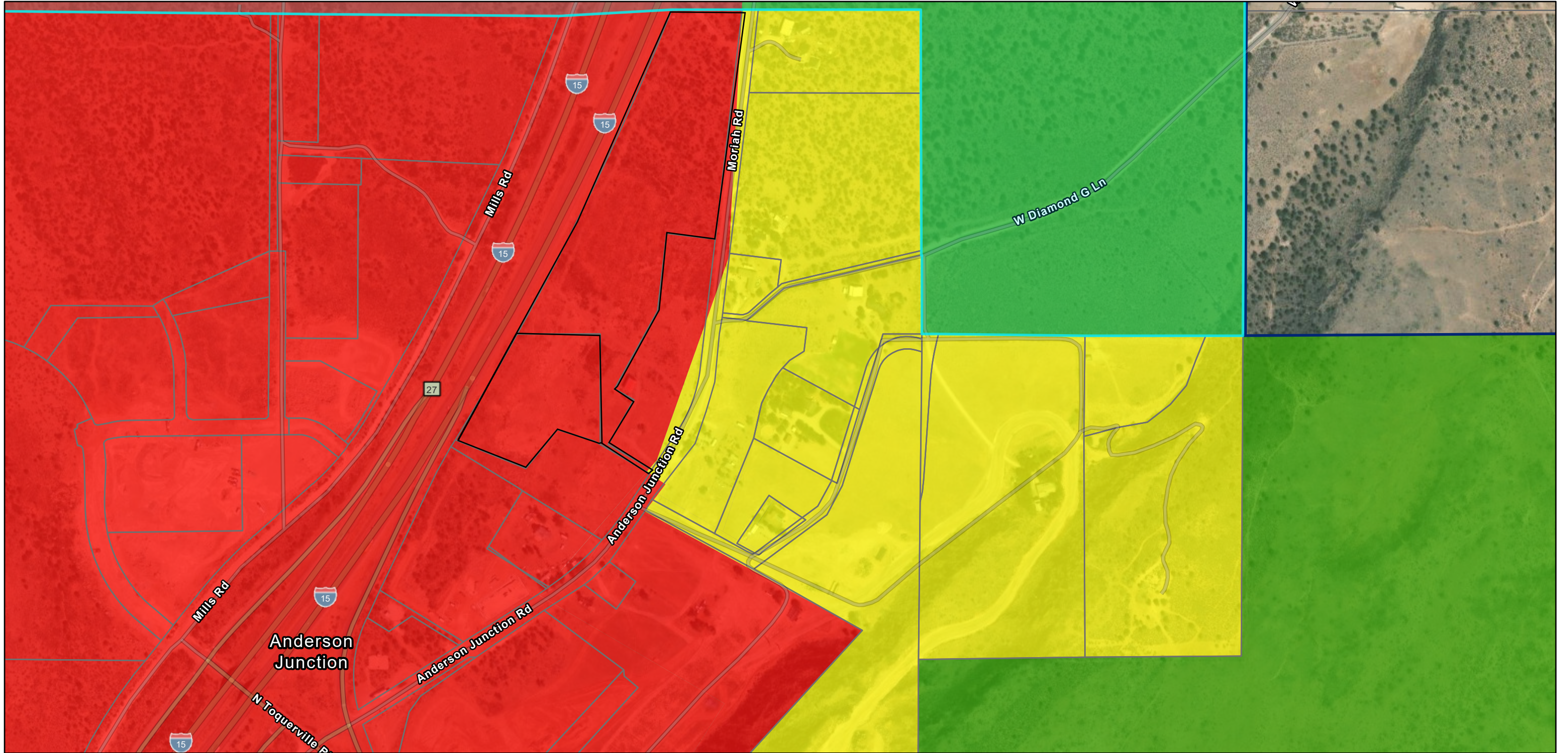
- Municipalities
- Washington County Parcels
- Zoning Districts
- BUSINESS AND MANUFACTURING
- HIGHWAY COMMERCIAL
- R-1-20 SINGLE-FAMILY RESIDENTIAL (20,000 sq. ft. Minimum lot size)
- MULTIPLE USE

- EXTRACTION INDUSTRIES OVERLAY
- World Imagery
- High Resolution 60cm Imagery
- High Resolution 30cm Imagery
- Citations
- 1.2m Resolution Metadata



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

General Plan



6/24/2026, 12:51:08 PM

Municipalities

Washington County Parcels

General Plan

Commercial

Open Space/Agricultural

Residential

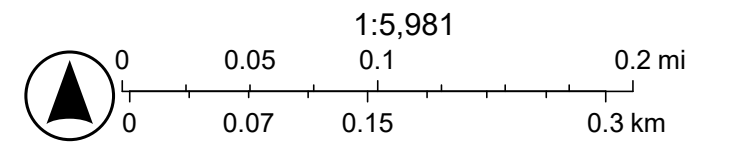
World Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Vantor

TOQUERVILLE CITY
ORDINANCE 2026.XX

AN ORDINANCE AMENDING THE TOQUERVILLE CITY OFFICIAL ZONING MAP FOR PARCELS T-3-0-22-233 and T-3-0-27-144.

RECITALS

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the Toquerville City Council (“City Council”) is the governing and legislative body of the City and is authorized to adopt land use ordinances and zoning map amendments pursuant to Utah Code § 10-20-503;

WHEREAS, Section 10-8-3 of the Toquerville City Code provides that proposed zoning map amendments are reviewed by the Planning Commission following a public hearing and forwarded to the City Council with a recommendation for approval, approval with conditions, or denial;

WHEREAS, the Planning Commission has conducted a public hearing on the proposed zoning map amendment in accordance with Section 10-8-3 of the Toquerville City Code and has forwarded a recommendation to the City Council;

WHEREAS, the City Council finds the proposed zoning map amendment is consistent with the City’s General Plan, including the Future Land Use Map, as provided in Sections 10-7-1 through 10-7-3 of the Toquerville City Code;

ORDINANCE

NOW THEREFORE be it ordained by the City Council of Toquerville City, Utah:

1. Zone Change Approval. The City Council hereby approves the zoning amendment for the following property:

Parcels T-3-0-22-233 (18.91 acres) and T-3-0-27-144 (5 acres) from R-1-20 Single Family Residential to H-C Highway Commercial.

2. Amendment of Toquerville City Official Zoning Map. The City’s Official Zoning Map is hereby amended and restated to reflect the zoning designation approved in Section 1.

3. Severability. If any Section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

4. Effective Date. This Ordinance shall take effect immediately upon adoption by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____ day of July, 2026 based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
A Utah Municipal Corporation

ATTEST:

Dan Catlin, Mayor

Emily Teaters, City Recorder

Toquerville City Planning Commission Meeting

Agenda Item Sheet

Meeting Date: 07.08.2026

Department: Legal

Item Title:

Discussion and possible recommendation on Ordinance 2026.XX – an ordinance amending Title 10, Chapter 3, Section 1 of the Toquerville City Code to add provisions establishing a process for the removal of any Planning Commission member.

Presented By: Kayla Gothard

Attachments:

- Ordinance 2026.XX

Options:

Recommend Approval/Denial/Table

Possible Motion (Approval):

I move to recommend approval of Ordinance 2026.XX amending Title 10, Chapter 3, Section 1 of the Toquerville City Code to add provisions establishing a process for the removal of any Planning Commission member.

Background:

Utah Code § 10-20-301 requires municipalities to adopt an ordinance establishing procedures for the appointment, terms, and removal of Planning Commission members.

A previous version of this ordinance was reviewed by the Planning Commission and forwarded to the City Council with a recommendation for approval. After the first version was noticed, state law was amended related to removal of Planning Commission members. The City Council tabled the ordinance and directed that it be revised to bring it into compliance with the updated statute.

This amended ordinance aligns with state law and the Planning Commission's prior recommendation that removal be for cause and require action by the City Council. The ordinance identifies the following causes for removal of a Planning Commission member:

- Using public funds for a political purpose under the Political Activities of Public Entities Act (Utah Code § 20A-11-12, as amended),
- Violating a provision of the Municipal Officers' and Employees' Ethics Act (Utah Code § 10-3-13, as amended),
- Acting with the intent to influence a land use decision or appeal in a manner that creates actual impermissible bias or an unacceptable risk of impermissible bias in the member's administrative or quasi-judicial duties, and
- Violating provisions of the Planning Commission's adopted policies and procedures manual.

In addition, the ordinance now clarifies that participation in deliberations regarding a pending land use application, by itself, is not grounds for removal. It also reiterates that Planning Commission members must comply with all Utah law conflict of interest and disclosure requirements and must recuse themselves from participation when required by law.

TOQUERVILLE CITY
ORDINANCE 2026.XX

AN ORDINANCE AMENDING TITLE 10, CHAPTER 3, SECTION 1 OF THE TOQUERVILLE CITY CODE TO ADD PROVISIONS ESTABLISHING A PROCESS FOR THE REMOVAL OF ANY PLANNING COMMISSION MEMBER

RECITALS

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the Toquerville City Council (“City Council”), as the legislative body of the City, is authorized under Utah Code § 10-20-503 to enact and amend land use regulations to protect the health, safety, and welfare of the community; and

WHEREAS, the City has established a Planning Commission to review land use applications and provide recommendations in accordance with City Code and state law; and

WHEREAS, Utah Code § 10-20-301 requires municipalities to adopt an ordinance establishing procedures for appointment, terms, and removal of Planning Commission members; and

WHEREAS, the City Council finds it necessary and appropriate to amend Section 10-3-1 of the Toquerville City Code to ensure compliance with state law and to provide clear procedures for the removal of Planning Commission members;

ORDINANCE

NOW THEREFORE, be it ordained by the City Council of Toquerville City, Utah as follows:

TITLE 10, CHAPTER 3, SECTION 1 OF THE TOQUERVILLE CITY CODE IS HEREBY AMENDED AS FOLLOWS:

10-3-1: PLANNING COMMISSION:

A. **Membership, Appointment And Quorum:** The City Planning Commission consists of five (5) members and up to two (2) alternate members. Members are appointed by the Mayor with the advice and consent of the City Council. Three (3) members of the five (5) shall be sufficient to constitute a quorum. The alternate member(s) shall attend all meetings. The members of the Planning Commission shall be current residents of the City throughout the duration of their service terms.

B. **Alternate Members:** The alternate members shall attend all meetings and serve and vote in the absence of a member of the Planning Commission under rules established by the commission.

C. Length Of Term: Members of the Planning Commission shall serve terms of four (4) years. The terms shall be staggered so that only one (1) term shall expire each year. Terms expire on December 31. With the advice and consent of the City Council, the Mayor shall appoint an interim Planning Commissioner to fill vacancies that might arise, and such appointments shall be to the end of the vacating member's term.

D. Removal: Any member of the Planning Commission may be removed for cause by the Mayor with the advice and consent of the City Council. The following shall constitute causes for removal of a Planning Commission member:

i. Using public funds for a political purpose under the Political Activities of Public Entities Act (Utah Code § 20A-11-12, as amended),

ii. Violating a provision of the Municipal Officers' and Employees' Ethics Act (Utah Code § 10-3-13, as amended),

iii. Acting with the intent to influence a land use decision or an appeal of a pending land use application in a manner that creates actual impermissible bias or an unacceptable risk of impermissible bias in the Planning Commission member's administrative or quasi-judicial duties; or

iv. Violating a provision of the policies and procedures adopted by the Planning Commission.

E. Deliberations Regarding Pending Land Use Applications: A Planning Commission member deliberating about a specific pending land use application in a Planning Commission meeting with City staff, an elected official, or the land use applicant is not a cause for removing a Planning Commission member from the Planning Commission.

F. Recusal from Deliberations and Voting: A Planning Commission member shall comply with all conflict of interest and disclosure requirements imposed by Utah law. A Planning Commission members shall recuse himself or herself from participating in the deliberation, recommendation, or vote on a land use application when required by Utah law.

~~G~~. Absence Deemed Resignation: Any Planning Commission member who is absent from two (2) consecutive or twenty-five percent (25%) of the regularly scheduled Commission meetings without prior notice to the City Recorder and/or Chairperson of the Planning Commission shall be deemed to have resigned from the Commission.

~~H~~. Powers: The Planning Commission shall have all necessary powers conferred on Planning Commissions pursuant to Utah Code Annotated title 10, Chapter 209a, as amended.

~~I~~. Chairperson: The Chairperson shall be elected by the Planning Commission, each calendar year at the first last meeting of the year, to take effect January 1 of the following year, and shall be a full voting member of the body.

~~J~~. Staff: In order to assist the Planning Commission in carrying out its duties, the Planning Commission Chairperson may request the assistance of other employees or agents of the City through an appropriate request made to the Mayor.

K.H. Policies And Procedures: The Planning Commission shall adopt rules of policy and procedure consistent with this Chapter and State law.

L.I. Compensation: The Chairperson and the members of the Planning Commission shall serve without compensation. (Ord. 2021.26, 12-15-2021; amd. Ord. 2023.20, 8-16-2023; Ord. 2023.25, 11-15-2023; Ord. 2024-01, 1-3-2024)

1. **REPEALER.** All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency and only for the period this Ordinance remains effective. This Repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

2. **SEVERABILITY.** Should any provision, clause or paragraph of this Ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this Ordinance or the Toquerville City Code to which these amendments apply. The valid part of any provision, clause or paragraph of this Ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections and subsections of this Ordinance, together with the regulations contained therein, are hereby declared to be severable.

3. **EFFECTIVENESS.** This Ordinance shall become effective immediately upon approval by the City Council.

ADOPTED AND APPROVED BY THE TOQUERVILLE CITY COUNCIL this ____ day of _____ 2026, based upon the following vote:

Councilmember:

Joey Campbell	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Todd Sands	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Wayne Olsen	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Valerie Preslar	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jenny Chamberlain	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

TOQUERVILLE CITY
a Utah Municipal Corporation

Attest:

Dan Catlin, Toquerville City Mayor

Emily Teaters, Toquerville City Recorder