



TOQUERVILLE CITY PLANNING COMMISSION MEETING MINUTES

Wednesday September 20, 2017

Work Meeting 6:30 p.m. - Regular Meeting 7:00 p.m.

Held at 212 N. Toquerville Blvd, Toquerville Utah

Present: Planning Chairman Mike Ruesch; Commissioners: Jerome Gourley, Alex Chamberlain, Jake Peart; Zoning Official-Mike Vercimak, PC/CC Liaison-Keen Ellsworth, Recorder-Dana McKim; Public: M. Darrin LeFevre, Rebecca Hansen, Dane Graham, Wayne Olsen.

6:30 PM WORK MEETING:

Chairman Ruesch called the meeting to order at 6:31 p.m.

Reports

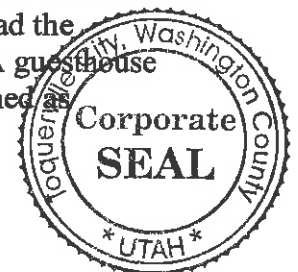
1. PC/CC Liaison Keen Ellsworth:

Ellsworth gave a recap of what occurred at the last city council meeting. The short term rental ordinance was tabled. Ellsworth had previously given the commission a proposal of suggested changes for them to review and possibly recommend modifications to the city council. The commission decided to keep the term "Bed and Breakfast" rather than change it to an "owner occupied short term rental". The commission changed the term "nightly/short term rental" to "vacation rental" and did not change it to the suggested term, "owner absentee short term rental" for simplicity reasons. The Planning Commission did not want to add a density requirement for bed and breakfast establishments. They believed these businesses would be weeded out by the free market. The Commission suggested the bed and breakfast locations may or may not serve breakfast. Chamberlain thought the consensus of the council was in favor of allowing more bed and breakfast establishments than vacation rentals because the owners of the business are on-site. It preserves neighborhoods with permanent neighbors. Chamberlain pointed out they changed the separation requirements to not include the rental permits exceed 2% of the entire number of residents within the city, they lowered the application fee, and the penalties. Ellsworth asked about vacation rental modifications. He asked what homeowners can do who own casitas or mother-in-law quarters which are detached. He asked why those owners cannot be a bed and breakfast or a vacation rental. Chairman Ruesch believed the code does allow for detached bed and breakfast establishments. The property has to be "on site". The Planning Commission believed "on site" means within the same parcel, and not within the same structure.

Discussion about the changes and how people can develop their property was discussed between the Commission and members of the public. The Commission was not interested in creating a cap for bed and breakfast establishments.

Ellsworth spoke about why the city council decided to not pass the accessory building ordinance proposed by the commission. Ellsworth believed further legislation was unnecessary and the city could enforce non-conforming structures as they are found to be illegal. Property owners should be allowed to build an accessory building with living quarters within them. The time the use becomes illegal is when they are rented out. Discussion was had about whether or not the city had the resources to pursue violations. A guesthouse has to be within an accessory building. A guesthouse cannot be constructed on that being the sole purpose. The principal use should be defined something other than being a guesthouse.

Work meeting was closed at 7:06.



7:00 PM REGULAR MEETING:

1. Call to Order by Chairman Ruesch at 7:06 p.m. The Pledge of Allegiance was led by Commission Jerome Gourley. There were no disclosures, nor declaration of conflicts from Commission members.

A. REVIEW OF MINUTES:

1. Review and Possible Approval of Planning Commission Meeting Minutes from the Work and Regular Business Meeting on August 16, 2017.

Commissioner Jerome Gourley made a motion to approve the meeting minutes from August 16, 2017. Motion was seconded by Commissioner Jake Peart. Motion carried 4-0. Ruesch-aye, Chamberlain-aye, Peart-aye, Gourley-aye.

C. BUSINESS/ACTION ITEM(S):

None

D. HO/CUP REVIEW & POSSIBLE RECOMMENDATION:

1. Nightly/Short Term Rental ~ Mountain Charm Retreat at 216 West Mountain Charm Road for Gary Chaves
2. Nightly/Short Term Rental ~ at 203 N Ash Creek Drive for Wayne and Caleen Olsen
3. CUP Bed and Breakfast ~ The Boulevard House at 234 North Toquerville Boulevard for Mark and DeAnn Jeppson
4. CUP Bed & Breakfast ~ Zion's Edge at 2 Willow Lane for James and TyAnn Clark

Commissioner Alex Chamberlain made a motion to approve the conditional use permits listed on the agenda. Motion was seconded by Commissioner Jake Peart. Motion carried 4-0. Ruesch-aye, Chamberlain-aye, Peart-aye, Gourley-aye.

Chairman Ruesch ended the regular business meeting at 7:11 and reopened the Work Meeting to discuss the remaining work agenda items.

Digital Recorder expired at this time.

Discussion on Ordinance 2017.XX Deferral Ordinance for Improvements
Item not discussed.

Discussion on Proposed Resort Zone:

Mike Vercimak spoke about a proposed vacation rental zone and whether or not the benefits of creating a designated zone, or designing an overlay for zoning was briefly discussed.

Discussion on Final Draft of General Plan:

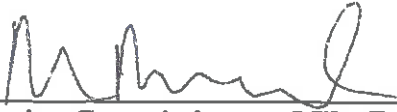
The commission discussed the need for the bypass road, how Toquerville will look in the near future and how the general plan draft fits the needs of Toquerville.

Jake Peart would like to discuss flag lots at the next Planning Commission Meeting.

E. ADJOURN:

Meeting adjourned at 7:41 p.m.





Planning Commissioner – Mike Ruesch

10-10-2017

Date

Attest:



Toquerville City Recorder – Dana M. McKim

