



**TOQUERVILLE CITY  
PLANNING COMMISSION MEETING AGENDA  
Wednesday September 20, 2017  
Work Meeting 6:30 p.m. with Regular Meeting to Follow  
Held at 212 N. Toquerville Blvd, Toquerville Utah**

**6:30 PM WORK MEETING:**

1. Discussion on Ordinance 2017.XX Deferral Ordinance for Improvements
2. Discussion on Proposed Resort Zone
3. Discussion on Final Draft of General Plan

**REGULAR MEETING:**

1. Call to Order by Chairman Ruesch; Pledge of Allegiance by David Hawkins
2. Disclosures and Declaration of Conflicts from Commission members (if any)

**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.

**B. 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

**C. ADJOURN:**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Dana McKim at 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.org](http://www.toquerville.org), and posted in four places at least 24 hours in advance of this meeting. The four places are: (1) City Office Board; (2) Toquerville Post Office Kiosk; (3) Cholla Park Kiosk; (4) Westfield Road Kiosk. Posted September 18, 2017 by Toquerville City Recorder, Dana M. McKim.



# TOQUERVILLE CITY

ORDINANCE 2017-09-07

AN ORDINANCE AMENDING SECTIONS OF TITLE 10, CHAPTER 5 OF THE TOQUERVILLE CITY CODE TO ALLOW FOR THE DEFERMENT OF THE INSTALLATION OF PUBLIC IMPROVEMENTS AND SITE WORK REQUIRED BY THE CITY DURING THE CONSTRUCTION OF A BUILDING OR DWELLING.

## RECITALS

WHEREAS, Toquerville City, as a municipal corporation and political subdivision of the State of Utah ("City"), has authority pursuant to its constitutionally granted police powers, to protect the health, safety and general welfare of the residents of the City by regulating land uses within the City; and

WHEREAS, the Toquerville City Council ("City Council") is the governing body of the City.

WHEREAS, the City has determined that there is a need, in addition to traditional forms of security to insure future installation of deferred public improvements and site work to provide a way to allow an owner/developer, in unusual circumstances, to defer installation of public improvements and site work by written agreement with the City that is recorded against the property where a building or dwelling has been constructed but the public improvements and site work have not been completed.

## ORDINANCE

NOW THEREFORE, BE IT HEREBY ORDAINED by the City Council of Toquerville City, State of Utah, as follows:

1. AMENDMENT AND RESTATEMENT OF TITLE 10, CHAPTER 5, SECTIONS 2 & 3 OF THE TOQUERVILLE CITY CODE. The following section of the Toquerville City Code is hereby amended and restated in its entirety as follows:

***10-5-2: COMPLETION OF IMPROVEMENTS PRIOR TO RECORDATION OF FINAL PLAT, SITE PLAN OR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY:***

- A. *Policy: In order to protect residents and property owners of the City from dangerous and undestorable conditions that result from unfinished public improvements and site work, such as erosion as flooding, as well as a lack of fire protection and emergency response facilities and access and pedestrian access, it is the policy of the City that no certificate of occupancy will be*



*issued by the City unless and until all public improvements and site work for the property upon which the building or dwelling is located has been completed or ~~or~~ in instances where the installation of said public improvements and site work would be pointless, the owner has agreed in a written recorded covenant that runs with the land, that when the installation of said public improvements and site work is appropriate and warranted (as determined by the City) ~~that or the~~ owner will participate financially and otherwise in the City's installation of said public improvements and site work.*

**B. For the construction of a building or dwelling, the owner (or its developer) shall provide to the City the following:**

- 1. Application:** *A building permit application designating the name and contact information for the owner of the property, the developer (if different), the contactor (and license number), the size and dimensions of the building (in square feet), the names and contact information of all anticipated subcontractors performing a material sub-trade.*
- 2. Detailed Building Plans:** *A detailed set of building plans showing all components of the building including foundation, framing, plumbing, electrical, HVAC, roofing that have been engineered reviewed and approved by licensed and bonded structural engineer.*
- 3. Detailed Site Plan.** *A detailed site plan showing the location and nature of drainage work, grade changes, retaining walls, buildings, permanent structures, utility connections, service lines and meters shall be submitted to the City's Building Department prior to issuance of building permit. The Site Plan shall be reviewed and approved by a licensed and bonded civil engineer and surveyor.*
- 4. Fees (Impact and Connection).** *Payment of all impact and connection fees as calculated by the City's staff in compliance with the City's Uniform Fee Schedule.*
- 5. Other Information.** *All other information, reports, certificates, proof insurance or licensure as may be required ~~the~~ City's Building Department and Chapter 6 of Title 10 of the Toquerville City Code.*

**C. Construction According To Approved Plans:** *The City shall not issue a certificate of occupancy for a building or dwelling unless all required public improvements and site work have been constructed in accordance with the plans approved by the City's Building Department, in its sole discretion, except as specified in Section 10-5-3 of this Chapter*



**10-5-3: SECURITY FOR COMPLETION:**

- A. *Approval Conditions: In the event that public improvements and site work are not completed, inspected and City approved by the time a building or dwelling is completed and ready for occupancy, the City may issue an occupancy permit; provided, that all of the following conditions are met:*
1. *The building or buildings, or portions thereof to be occupied have been constructed in accordance with the approved plans for those buildings, and are in full compliance with applicable building and safety codes, and are completed to the extent that only public improvements and site work remains unfinished;*
  2. *The City Building Department determines that occupancy of the buildings, or portions thereof, prior to completion of required public improvements and site work is safe, and that access for emergency vehicles is adequate with the site improvements unfinished; and*
  3. *The owner/developer posts adequate security for the benefit of the City and the public to ensure completion of the public improvements and site work in full compliance with the approved Building and Site Plans, the City's Standards and Specifications for Public Improvements and all building and safety codes adopted by the City.*
- B. *Form Of Security Arrangement; The security arrangement to be provided to the City by the owner/developer in exchange for a deferral of the City's requirement to install all necessary public improvements and site work prior to the issuance of a certificate of occupancy for a building or dwelling, may only be one of the following types:*
1. *Cash on Deposit. A cashier's check or a money market certificate made payable only to the City and deposited into one of the City's accounts maintained with the State of Utah or a federally insured financial institution. The amount of the deposit shall be determined by the City and shall be equal to one hundred twenty five percent (125%) of the amount reasonably estimated by the City engineer as being necessary to complete all remaining public improvements and site work shown on the approved building and site plans. In the event that the owner/developer disputes the cost estimate of the City engineer, the owner/developer may prove lower construction cost by providing binding contracts between the owner/developer and a licensed and insured general contractor or subcontractor appropriate to perform the required work at a stated, fixed price. These contracts must be supported by a full security agreement, ensuring performance by the subcontractor or contractor. Bid proposals are not satisfactory for this purpose. If the contracts submitted are acceptable in form, the amount of security required shall be one hundred*





twenty five percent (125%) of the total contract price of all such contracts submitted, plus the estimated reasonable cost of performing any work not covered by the contracts. Specifications in such contracts shall be sufficiently clear to identify the work called for under the contract.

2. **Security Escrow:** A trust or escrow account maintained by i) a state or federally chartered (and federally insured) financial institution, ii) law firm with an Utah IOLTA Trust Account, or iii) an escrow company licensed in the State of Utah, containing immediately available funds in the amount designated in Subsection 10-5-3.B.1. The Trust or Escrow Account shall be subject to a Cash on Deposit Control Agreement in a form acceptable to the City attorney which is executed by both the owner/developer, the City and the financial institution, escrow company or law firm where the proceeds of the account are being held in trust for the City.
3. **Recorded Deferral Agreement:** In lieu of any other type of Security Arrangement, upon submittal of a deferral application, the City Council, upon making a finding of unusual circumstances, such as the inability to determine the proper grade and dimensions of necessary public improvements or the likely construction of the public improvements and site work as part of a larger City project or Special Assessment Area ("SAA") project, may allow an owner or developer to defer completion of required public improvements and site work pursuant to written deferral agreement recorded in the Official Records on file in the Office of the Recorder of Washington County, State of Utah. Said deferral agreement must be signed by all owner of the affected property and at a minimum shall require the owner to: (1) covenant to pay for completion of the public improvements and site work relating to their property at such time as the City determines, in the City's sole discretion and in the manner the City determines, including but not limited to, through a Special Assessment Area (SAA), and/or (2) waive and release any objection to the creation of any SAA that would fund the completion of the improvements. When recorded, the benefits and the burdens of said deferral agreement shall attach to the entirety of the property and shall be a covenant that runs with the land.

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- C. **General Terms Applicable to all Security Arrangements:** The terms of any security arrangement, whether expressly incorporated therein or not, shall include, but is not limited to:
  1. An incorporation by reference of the City approved building plans and site plan for the building or dwelling and all data required by Section 10-6-2 of this Title,



2. *The covenant to complete the public improvements and site work within a period of time not to exceed one (1) year from the date the Certificate of Occupancy is issued by the City,*
3. *In Cash on Deposit or Security Escrow situations, a stipulation that the security proceeds may be reduced upon request of the owner/developer as the public improvements and site work are installed. The amount of the reduction shall be determined by the City. Such requests may be made only once every thirty (30) days, and no reductions shall be authorized until such time as the City Building Department or Public Works Department (as the case may be) has inspected the public improvements and/or site work and found them to be in compliance with City specifications and approved plans. All reductions shall be granted only by the written authorization of the Mayor or his/her designee.*
4. *In Cash on Deposit or Security Escrow situations, a covenant that if the security proceeds are inadequate to pay the cost of the completion of the public improvements and site work according to City specifications for whatever reason, including previous reductions, then the owner/developer shall be responsible for the deficiency.*
5. *In Cash on Deposit or Security Escrow situations, if, after giving the owner/developer a written demand for payment pursuant to a deferral agreement or control agreement and the expiration of 30 days, funds are not received by, or transferred to, the City within thirty (30) days of the demand, then the City's costs of obtaining the demanded amount, including attorney's fees and costs or outside attorney fees and court costs, shall be deducted from the security proceeds.*
6. *An acknowledgement that the cost of completing public improvements and site work shall include reimbursement to the City's Public Works Department and/or City Engineer and all other City departments for the costs of administration of the completion of the improvements, including inspection costs.*
7. *A covenant to hold the City harmless and defend it from any and all liability that may arise as a result of the public which are installed until such time as the City accepts the improvements.*
8. *A stipulation that the time period for the completion of the required public improvements and site work may only be extended in the following manner:*
  - a. *Upon approval of the City Council, the time period may be extended an additional one year from the expiration date of the original security agreement.*



b. *Said approval shall be in a form approved by the City attorney's office and in compliance with all provisions of this section.*

9. *All public improvements and site work required under this title and the City's standards and specifications for public improvements shall be designed and installed by an engineer, contractor or subcontractors licensed by the State of Utah.*

D. *Payment of Interest: Any interest accruing while cash is on deposit with the City or on deposit with a 3<sup>rd</sup> party such as a financial institution, escrow company or law firm, shall, unless expended for completion of public improvements and site work required, inure to the benefit of the City and not the owner/developer. Accordingly, the City shall not be required to pay interest to an owner/developer on any funds deposited as part of a Security Arrangement.*

E. *Release of Funds: The City shall relinquish and return funds held on deposit with the City or under a Security Escrow with financial institution, escrow company or law firm for the purpose of paying for public improvements and Site Work once completed and accepted by the City. The City shall release funds equal to the actual cost of performing the public improvements and site work as the work progresses, minus ten percent (-10%). Upon satisfactory completion of all required public improvements and site work, all funds shall be immediately released to the owner/developer, except those funds required to secure project during the one year warranty period.*

F. *Modification of Plans: An owner/developer may request modifications to plans covering public improvements and site work by submitting revised building plans and site plans to the City Engineer for review and final action. If the modification of the building plans and site plans increases the cost of required site improvements, additional security must be provided by the owner/developer to cover the increased costs.*

G. *Phased Projects: Public improvements and site work applicable to each phase of a phased project or development pursuant to Chapter 19, Article F of this title shall be completed or security for completion provided as each phase is constructed and either platted or occupied. Site improvements or other phases of the project shall be completed or security offered as those phases are completed.*

2. **REPEALER.** This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.



3. **SAVINGS CLAUSE:** If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.
  
4. **EFFECTIVE DATE.** This Ordinance shall take effect immediately upon approved by the City Council.

PASSED AND APPROVED this \_\_\_\_\_ day of September, 2017.

Paul Heideman	Aye	_____	Nay	_____
Keen Ellsworth	Aye	_____	Nay	_____
Mark Fahrenkamp	Aye	_____	Nay	_____
Brad Langston	Aye	_____	Nay	_____
Ty Bringhurst	Aye	_____	Nay	_____

**CITY OF TOQUERVILLE**  
a Utah Municipal Corporation

\_\_\_\_\_  
M. Darrin LeFevre, Mayor

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Dana McKim, City Recorder

Date: \_\_\_\_\_





# Chapter 15

## Recreation Resort Zone Overlay

### PURPOSE AND OBJECTIVES:

- A. Purpose: The recreation resort zone is established to designate certain areas within the city of Toquerville where it is desirable and beneficial to the area economy to allow for a mix of limited commercial, public, and residential uses. Specifically, to authorize recreation and resort developments in which residential dwelling units may be occupied by the owners thereof on a full or part time basis, to authorize the rental of residential units on an overnight or short term (30 days or less) basis by owners who reside elsewhere; and to authorize limited commercial and public uses that are incidental to and compatible with resort developments.
- B. Objective: The objective of the recreation resort zone is to allow full service resort developments with short and long term residential use combined with those commercial and public facilities necessary to create a desirable resort atmosphere.

### SCOPE:

The requirements of this chapter shall apply to any recreation resort zone within the city. Such requirements shall not be construed to prohibit or limit other applicable provisions of this title, this code, or other laws except to the extent such provisions are provided by this chapter

### MINIMUM ACREAGE:

The recreation resort zone shall be applied only to projects consisting of at least five (5) acres

### SITE LOCATION:

The recreation resort zone shall only be allowed on collector or higher street classification. However, a lower street classification may be considered if the applicant can demonstrate that the development would have no negative affect to adjoining properties.

### USES ALLOWED:

All uses must be shown on a preliminary site plan presented with the application to change an area on the zoning map to recreation resort.

**A. Permitted Uses:** Permitted uses allowed within the recreation resort zone are as follows:

1. Single and multiple dwelling unit residential, including condominium and townhouse complexes. Unit and/or complex owners may reside in the dwelling units or offer them for rent or lease either long term or short term.
2. Any commercial use related to the support or servicing of those uses referred to in subsection A1 of this section and the facilities related thereto including, but not limited to:

Childcare facilities.

Indoor and outdoor recreation facilities.

On site property management.

Personal care services.

Professional office space related to property management.

Restaurant and outdoor dining.

Retail stores.

Sales and rental offices.

3. Motel, hotel, bed and breakfast inn, or boarding house.

**B. Prohibited Uses:** Any use not listed shall be prohibited unless the zoning administrator determines the use is substantially the same as a permitted or conditional use as provided

**C. Accessory Uses:** Permitted and conditional uses set forth above shall be deemed to include accessory uses and activities that are necessarily and customarily associated with and incidental and subordinate to such uses.

1. Accessory uses shall be subject to the same regulations that apply to permitted and conditional uses in the same zone except as otherwise expressly provided in this title.
2. No accessory use, building, or structure shall be allowed on a lot unless a permitted or conditional use has been established.
3. Accessory uses in residential zones shall include, but not be limited to, the following:

Hobby activities when conducted by an occupant of the premises solely for personal enjoyment, amusement, or recreation and which does not conflict with any other city ordinance.

Household pets.

Nurseries and greenhouses, when used for resort landscape or food production.

Playgrounds, patios, porches, gazebos, and incidental storage buildings in accordance with the approved site plan for the zone.

Short term storage and parking areas and facilities for recreational vehicles, boats, and trailers which are incidental and otherwise related to other approved uses.

Swimming pools and hot tubs; tennis and other sport courts; clubhouses; and other common recreation or sport facilities for use by residents and their guests.



**Notes:**

3. Except a greater height may be approved subject to a conditional use permit.

- C. An application for a zone map change to recreation resort zone shall be accompanied by a completed preliminary site plan application. An approved final site plan shall be required before construction or site work in a recreation resort zone.

**REGULATIONS OF GENERAL APPLICABILITY:**

The use and development of real property in the recreation resort zone shall conform at a minimum to regulations of general applicability as set forth:

- A. Site plan approval will require off-street, improved parking as follows:

1. Residential units- 2 parking spaces
2. Short term rental units- 1 parking space per sleeping room

- B. Landscaping and screening:

1. A landscaping plan shall be submitted as part of the Site plan for approval.

- C. Motor vehicle access:

1. Road width and design will be determined in accordance with City Standards and Specifications.
2. Off-site parking is required.
3. Emergency vehicle access must be provided to all locations.

- D. Signs:

1. Signs in the Resort Zone shall comply and conform to Chapter 22 of this code.

- E. . Supplementary development standards:

1. Supplementary and additional standards may be required after preliminary Site Plan review.



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**9/6/2017**

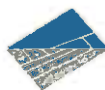
**DRAFT**

**SPECIAL THANKS TO**

Mayor Darrin Lefevre  
Keen Ellsworth, Councilmember  
Brad Langston, Councilmember  
Ty Bringhurst, Councilmember  
Paul Heideman, Councilmember  
Mark Fahrenkamp, Councilmember

Toquerville Planning Commission  
Lance Gubler, Water & Maintenance Supervisor  
June Jeffery, Treasurer  
Dana Mckim, Recorder

**DEVELOPED WITH**



**RURAL  
COMMUNITY  
CONSULTANTS**

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# INTRODUCTION

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## ROLE OF THIS PLAN

Utah State Law (Title 10 Chapter 9a et.seq) requires local plans and development guidelines to address general health, safety, moral and welfare issues. The law also requires public participation in the planning process through adequate public notice and open public meetings. Moreover, city leadership sees the great value in anticipating change and growth in order to shape development.

This plan will serve as a framework for city decision makers as they consider future land use, development, and other decisions. The Plan is an advisory document that is designed to provide a formal policy foundation for enhancing city and community relations, pursuing economic development activities, coordinating infrastructure planning, encouraging responsible natural resource use, and fostering regional cooperation.

## PLAN DEVELOPMENT

The Toquerville Planning Commission and City Council placed a high priority on public involvement in the development of this plan. Public participation strategies utilized in the formulation of this plan was provided via four different options:

- online public surveys
- subject matter stakeholder interviews; and
- public open house events and public hearings.

The public participation occurring during the formulation of this plan has been instrumental in shaping the the plan's content and direction. The results of the public input were particularly influential in the description of the desired future conditions of each issue.

## PLAN ADMINISTRATION

It is anticipated that the Plan will be updated and revised as circumstances change, new data becomes available, and future challenges and opportunities arise. The process for amending the Plan, as outlined in state law and city ordinances requires formal action by the city's Planning Commission and City Council.

Implementation materials related to this Plan were compiled into an appendix and published under a separate volume.

# COMMUNITY CONTEXT

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## COMMUNITY VISION

Residents of Toquerville enjoy a community with a family-friendly atmosphere. The area benefits from natural features such as the scenic vistas, black rock ridgelines, and river gorges. The existing residential development along Toquer Boulevard creates a historic feel, and there is a very strong sense from residents that the city should continue to be primarily residential.

## SOCIO ECONOMICS

Toquerville has experienced significant residential growth in recent years. The US Census Bureau's American Community Survey estimates that the city has more than doubled since 2000. (The current population is estimated to be 1,838). The city's age distribution is dominated by those that are now, or will soon be, out of the workforce (0-18 and +55).

It is estimated that over 80% of the housing units are owner-occupied, and that approximately 10% of housing units are vacant. Real estate websites vary on average home values (most ranging from \$250,000 to \$400,000).

The average annual salary of individual city residents is estimated to be \$32,641, which is very close to the County average. However, the Toquerville median household income of \$65,909 is significantly higher than the average of Washington County (\$50,800). Most employment income is generated in other locations because there are very few opportunities in Toquerville. The majority of people working had a 25 minute commute (likely to the St. George area).

## LAND CAPACITY ANALYSIS

The health, safety, and welfare of citizens is the first priority of the city. The city feels that natural, open spaces and visual resources are valuable shared assets. Special consideration should be given to structures and infrastructure that is built in areas with potentially problematic slopes, soils, or drainage. Because someone can build on a parcel does not mean something should be built there.

According to Rangeland Resources of Utah (published by the Utah Public Lands Policy Coordination Office in 2009), Toquerville is in the semidesert climatic life zone. Toquerville is hot and receives little annual precipitation. Additionally, the area has unique topography and geography. Major creeks running through Toquerville are Ash Creek and La Verkin Creek.

Highway 17 (also known as Toquer Boulevard within Toquerville City) runs in a primarily north/south direction from I-15 into neighboring La Verkin, bisecting the city. Toquer Boulevard (Highway 17) crosses Ash Creek in the northern part of the city limits, then runs along the base of a natural ridgeline to the east of the road, skirting Ash Creek until it crosses La Verkin Creek just south of the Toquerville/La Verkin City line.

The soil is sandy with gradual slopes above the Ash Creek gorge on both sides. Much of the land to the east of Highway 17 is lava fields with black soil and steep slopes. To the west of Ash Creek lies more habitable terrain, though development is currently sparse.

According to the Washington County Area Soil Survey, the soils in the area are typically fine sand about 8 to 20 inches deep and are usually reddish-yellow. These soils are excessively drained, until moisture meets the underlain shallow bedrock. Slopes range from 2 to 20 percent and elevations vary from 2,700 to 4,000 feet. Vegetation native to this part of the desert includes shrubs, forbs, grasses, and cactus.

# COMMUNITY CONTEXT

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## ANTICIPATED CHANGES

Toquerville will continue to grow in the future. The city is anticipating this growth and has established land use policies that will accommodate different types of growth, while also preserving community character. Several planned or proposed future projects could dramatically change land use patterns in the city. The city will continuously plan for these future projects in order to manage the changes these projects will bring.

## SR-17 BYPASS ROAD

This project is intended to reduce the amount of traffic through existing residential neighborhoods, especially on Toquerville Boulevard, by creating a new highway route on the west side of the city. However, the project could also dramatically alter land use patterns in the city by providing access and infrastructure to vast amounts of undeveloped land. The real estate market for that area is likely to favor residential, but will also include commercial development type that require heavy adjacent traffic flow (e.g. gas stations, hotels, restaurants, retail shopping, etc) and a gradient of housing styles that integrate well into the existing residential context. Future housing near the proposed bypass road should be shielded from heavy traffic, noise and other negative corridor effects.

## POTENTIAL RESERVOIR

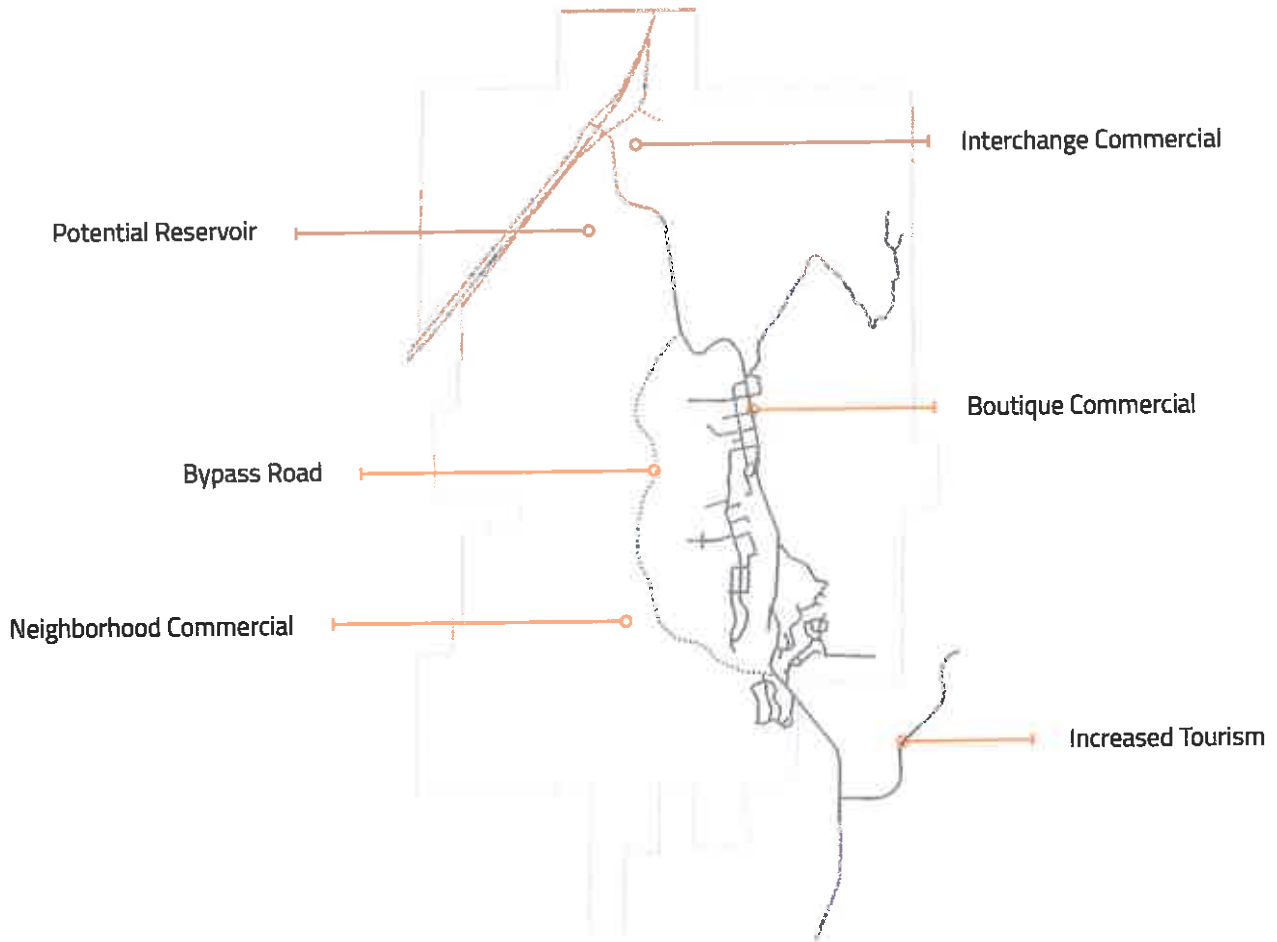
The Washington County Water Conservancy District has a long range plan to develop a water storage reservoir near Anderson Junction. In addition to providing water storage, the reservoir has the potential to be a recreational amenity for the city. The city should develop a land use plan to integrate the new reservoir into the rest of the community.

## INTERCHANGE COMMERCIAL AREA

Currently there is little development at Anderson Junction. However, the development of the proposed reservoir, combined with increasing traffic exiting and entering the freeway from SR-17 will better provide conditions that will support commercial development at Anderson Junction. The city has an opportunity to establish a plan for this area now, before development has been proposed, that will make future commercial development in this location complementary to the existing historic character of the community. Anderson Junction can become a gateway to Toquerville, so careful attention to how this area is planned will preserve the overall character of the community.

## INCREASED TOURISM

Visitation to Zion National Park has increased significantly in recent years. This is expected to continue. The impact on Toquerville will be felt immediately in the amount of traffic on local roads, and over time, it is reasonable to expect commercial development pressure near the interchange.





# LAND USE

## EXISTING CONDITIONS

### *MAJOR PATTERNS*

- Most existing development is low-density, single-family development. Residents have expressed a strong desire to maintain the existing residential character of the community.
- Residential land use is almost entirely suburban style, single-family development on medium to large lots. Some rural estate style development is scattered throughout the community. Most recent development has been in subdivisions with densities of four units per acre or fewer.
- Residential development occurs in distinct neighborhoods or areas that, due to topography and other geographic constraints, are somewhat isolated from each other. These neighborhoods include: Toquerville Heights, Trail Ridge Estates, Cholla Creek, West Field Road area, and historic old town.

### *NON-RESIDENTIAL USES*

- Non-residential uses include municipal uses (i.e. city offices, parks), institutional uses (churches, Post Office), commercial uses (property rental, group homes, home based businesses), and agricultural or open space uses (farming, hobby farms).
- Residents have encouraged the city to use caution in expanding opportunities for non-residential land use, especially in the area of existing neighborhoods.

## DESIRED FUTURE CONDITIONS

Toquerville facilitates orderly and fiscally responsible residential, commercial, industrial, agricultural and recreational growth and development. As a priority, the city will maintain and enforce land use policies and ordinances that complement the area's rural lifestyle and character.

The city's aesthetics play a positive role in attracting businesses and creating a desirable community. Construction and maintenance of buildings and properties reflects positively on the city and its residents.

The city takes advantage of proposed projects to diversify the mix of land use in the community. This provides a more robust economic base for the city, expanded employment opportunities for residents, and increased convenience by locating services closer to existing residential development.

# LAND USE



## IMPLEMENTATION

Goal 1: Preserve Toquerville's historic residential character and feel.

Objective 1: Preserve the historic character of "old town" and Toquer Boulevard by maintaining existing residential density and encouraging preservation of existing homes.

Strategies for the city:

- Incentivize the preservation of existing historic homes through grant funding, local historic preservation programs, etc.
- Require newly proposed development in the Toquerville Boulevard area to be compatible in density and appearance to existing development in the area.

Strategy ideas for the public:

- Encourage citizens to participate in the Washington County Historical Society and other relevant organizations.

Objective 2: Accommodate new residential development in areas with existing municipal services.

Strategies for the city:

- Continue to use staged fees to encourage new development to be located near developed areas with fully developed streets, water, and sewer infrastructure (the further the new development is located from existing development the higher the fee). Uses with greater impacts should receive greater fees proportionally.
- Cottam Well is anticipated to serve new development on the west side Toquerville's existing services within the current city boundary. A new service zone will be implemented when the time comes.
- Avoid rezoning residentially zoned areas to higher density if the area is not served by adequate public facilities.
- Encourage new residential growth in areas such as Trail Ridge Estates and surrounding area, as well as Westfield Road.

Objective 3: Maintain existing general residential density, but encourage efficient design in new subdivision development near geologic, hydrologic, and topographic features in order to preserve open space and natural resources (i.e. hillsides, ridgelines, streams, etc), and in order to avoid inefficient (and costly or inaccessible) infrastructure development.

Strategies for the city:

- Incentivize cluster development in new subdivision design through streamlined permitting or other development incentives. Support cluster developments where they maintain existing allowable units in a project, but preserve open space by reducing lot size requirements. Lots are "clustered" together while open space is preserved outside of the lots as a community amenity.

Goal 2: Promote economic development and opportunity for residents through targeted and thoughtful development of commercial areas in the city.

Objective 1: Encourage small boutique retail and service development in limited scope along Toquerville Boulevard in historic old town.

Strategies for the city:

- Make allowance in the land use ordinance for small-scale art galleries, eateries, boutique craft, professional offices and other similar commercial uses on Toquerville Boulevard.

Strategy ideas for the public:

- Patronize local businesses.
- Support the development of a local chamber of commerce as the number of local businesses increase.

## LAND USE

Objective 2: Promote commercial development in areas, and in a manner, that does not impact existing or planned residential development, and does not detract from the residential character of the community.

Strategies for the city:

- Encourage commercial development at the I-15/SR-17 interchange at Anderson Junction and the new bypass corridor.
- Create a commercial hub at Anderson Junction with retail and services catering to both travelers on I-15 and local residents.
- Connect the commercial area at Anderson Junction with the rest of the community with road and trail networks in order to encourage easy travel to the commercial hub from other areas of the community.

Goal 3: Preserve areas that could be used for future industrial use.

Objective 1: Industrial development is generally out-of-character with Toquerville's existing residential character. However, industrial uses (e.g. small manufacturing, office space, etc) may be appropriate along the I-15 frontage road and in the undeveloped northwestern parts of the city.

Strategies for the city:

- The city should preserve these areas for future industrial use and not encourage residential or commercial development in nearby areas that could create future incompatibilities.

Goal 4: Preserve areas that could be used for future open space or recreation use.

Objective 1: Maintain sufficient city-scale recreation opportunities and open space, like parks, trails, picnic areas, and natural vistas.

Strategies for the city:

- Manage lands around and near the Anderson Junction Reservoir for open space and recreational uses.
- Prevent conflicts between residents and people who recreate by improving infrastructure or land use code (e.g. bike lanes, buffers between land uses, etc).





# LAND USE DESIGNATIONS



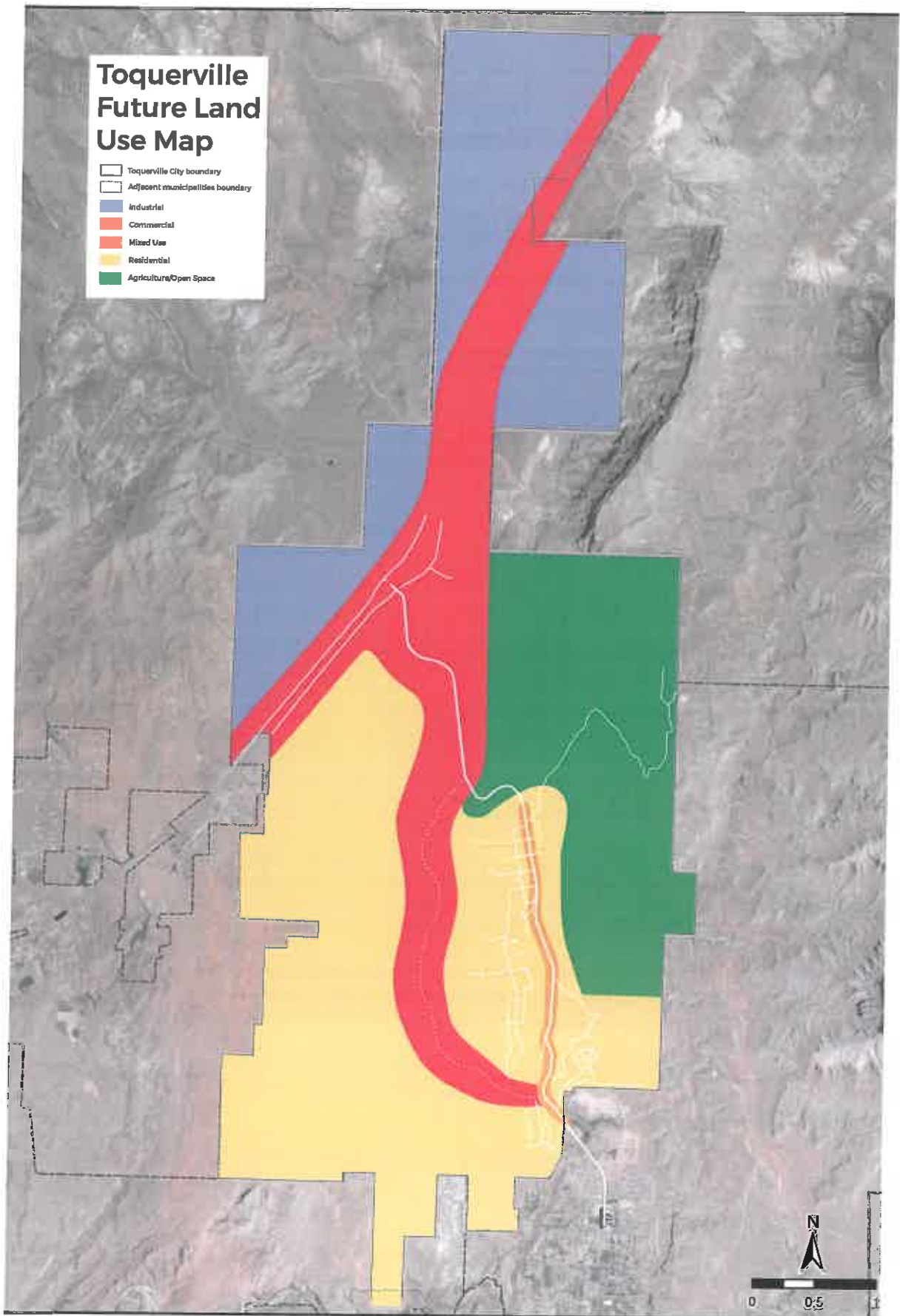
## RESIDENTIAL LAND USES

DESCRIPTION	IMPLEMENTATION
<i>LOW DENSITY, RESIDENTIAL AGRICULTURAL</i>	Single family residential lots of one acre or more with integrated agricultural and animal uses. Located mainly in the outlying areas on the west side of the city.
<i>LOW DENSITY RESIDENTIAL</i>	Single family residential estate lots of one-half acre or more.
<i>MEDIUM DENSITY RESIDENTIAL</i>	Single family residential lots of one-quarter to one-half acre.
<i>TRANSITION RESIDENTIAL</i>	Single family residential lots of less than one-quarter acre, and multi-family residential uses.
<i>MIXED USE</i>	Residential uses mixed harmoniously, intentionally, and thoughtfully with commercial uses. The residential use and commercial use should complement each other. Examples include live-work units, two story structures with light commercial on the first floor and residential on the second, and similar types of development.

## COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL USES

DESCRIPTION	IMPLEMENTATION
<i>BOUTIQUE AND ARTISAN RETAIL AND SERVICES</i>	Light commercial services such as art galleries, cafes, artisan retail and other similar uses located in the historic core of the city. Commercial uses should complement the historic character of the city.
<i>TOURIST, TRAVELER, AND RECREATIONAL COMMERCIAL - ANDERSON JUNCTION/ RESERVOIR AREA</i>	Commercial uses serving tourists and travelers, such as: restaurants, gas / service stations, transient lodging, and similar uses. Also recreational uses associated with the Anderson Junction reservoir such as recreational equipment and gear rental, campgrounds, and similar uses.
<i>FRONTAGE ROAD INDUSTRIAL</i>	Light industrial uses located along the I-15 frontage road, such as warehousing, light manufacturing, distribution, etc.







## EXISTING CONDITIONS

### *HOUSEHOLD PATTERNS*

- The average household in Toquerville contains 3.56 people, which is significantly above the Washington County average of 2.89 people per household. The percentage of the population under the age of 18 is fairly high (approximately 30%).
- Most households in Toquerville own their homes (approximately 80%). Vacancy rates are fairly low (about 10%). High ownership rates and low vacancy rates are indicative of a stable community with low turnover.
- Anecdotal information indicates that a number of households contain multi-generational families.

### *DEVELOPMENT PATTERNS AND EXISTING STOCK*

- Current housing in Toquerville is almost exclusively low density, single family development.
- In 2015 there were 588 housing units, 576 of which were single family homes.
- As the city continues to grow, new areas will become available for housing development. The city is planning for the needs of future residential neighborhoods (transportation, utilities, parks, etc.) to adequately serve new development.

### *MODERATE INCOME HOUSING*

Moderate income housing as defined by the Utah State Code 10-9a-408 is, "housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located."

- High ownership rates and low vacancy rates have increased housing costs in the community. Families with moderate incomes may have limited housing options in Toquerville.
- The 2015 median income level for Washington County (according to the American Community Survey) for a household was approximately \$50,800. The moderate income level (80% of the median income) is \$40,640 for the Washington County area.
- In the St. George region the demand for housing is increasing; in part this may be caused by people buying up available housing stock to use for vacation rentals.

## DESIRED FUTURE CONDITIONS

Toquerville is a predominantly single family residential community and is a desirable place to live because residents take pride in the community and are concerned about its character and appearance. The city encourages the good upkeep and appearance of residential properties.

The city will maintain current patterns of residential development in terms of lot size and density when new housing projects are proposed. The city plans for the housing needs of families with children, but also looks for opportunities for when those children leave the home.

The city pursues housing policies that promote the existing character of the community, while expanding the availability of housing for families with moderate incomes.



# HOUSING

## IMPLEMENTATION

Both the city and its residents positively impact the character of the community's strong neighborhoods and cohesiveness.

Goal 1: Maintain and enhance the current appearance, upkeep, and character of housing units and neighborhoods.

Objective 1: Keep housing and residential neighborhoods in a clean and well maintained appearance.

Strategies for the city:

- Enforce nuisance ordinances prohibiting junk storage and weeds on residential properties.
- Encourage residents to take pride in the appearance of their yards and homes by establishing a "Mayor's Award" for well maintained properties, or properties with significant improvements in appearance.
- Advertise and support service project opportunities for youth groups, civic clubs, and other organizations to clean trash from public rights-of-way and parks.
- Initiate a public information campaign promoting the benefits of clean up efforts and recycling, and explaining the health and safety risks from refuse, noxious weeds, and inoperable vehicles.

Strategy ideas for the public:

- Take responsibility for keeping their yards clean and well maintained.
- Help neighbors with yard maintenance. Pick up trash, sweep the street and sidewalks, take loads of junk to the dump, etc.

Objective 2: Maintain current and future housing stock in a state of good repair.

Strategies for the city:

- Adopt and enforce a property maintenance ordinance establishing basic standards for keeping properties well maintained (e.g. no broken windows, etc).
- Provide information on housing weatherization grants available through Five County Association of Governments and other similar home improvement assistance programs.

Goal 2: Maintain the character of neighborhoods in the city by encouraging comparable uses and densities to existing neighborhoods and development patterns.

Objective 1: Promote new housing development that is compatible with, and complementary to, historic development patterns.

Strategies for the city:

- Adopt subdivision design standards for the "old town" area (density, property frontage, street layout, street cross section, etc) that reflect historic development patterns near Toquer Boulevard.
- Allow flexibility in subdivision design (e.g. cluster style development) that maintains existing densities, but also allows for creative development, hillside preservation, and preservation of open space.



# HOUSING

Goal 3: Increase the availability and selection of housing for families with diverse household incomes, including moderate income families.

Objective 1: Accommodate the housing needs of a diversity of household income levels without jeopardizing the existing rural character of the community.

Strategies for the city:

- Allow “disguised density,” two and three-unit multi-family housing structures that have the outward look and appearance of single family housing where permitted by the zoning code (as mixed-use, and located in transitional areas).
- Permit multi-generational households living in the same housing unit.
- Establish a mixed-use zoning ordinance and amend the city’s subdivision ordinances to require proposed developments in that zone to have a mix of housing types and densities to fulfill future demand for higher density development. Disperse this zone to areas throughout the city where sufficient infrastructure exists.

Objective 2: Work with community housing development organizations to develop high quality housing options for moderate income households.

Strategies for the city:

- Develop relationships with representatives from community housing development organizations.
- Consider utilization of programs offered by the Utah Housing Corporation within the city’s and that agency’s funding capacities.
- Build community support for moderate income housing through education on the importance of, and need for moderate income housing.







# TRANSPORTATION

## EXISTING CONDITIONS

Transportation patterns in Toquerville can be described in two main categories:

- 1) travel by residents within the city and to jobs and services outside of the city, and
- 2) travel passing through the city between I-15 and major destinations south of the city (Zion and Grand Canyon National Parks, Lake Powell, Page City, Hurricane City, etc).

### ROAD NETWORK

- There is currently one main through-route in the city, State Route 17 (SR17). As it passes through the historic old town portion of the city, SR-17 is known as Toquerville Boulevard. Because it is a State Route, UDOT has jurisdiction over SR-17 and maintains the road and right-of-way. The city has only indirect influence and authority over this road.
- This route is the main artery connecting the north bound traffic from the Hurricane Valley to I-15. This route also provides the main connection from I-15 to Zion National Park.
- A number of homes have short driveways that access SR-17 in the historic area.
- The city has a network of local roads that feeds onto SR-17 as the main artery. Each area of the city has its own network of city streets (e.g. old town, West Field, Cholla Creek, Toquerville Heights, Trailridge Estates). However, none of these individual road networks have good connectivity to any other part of the city.
- The city has roads in a variety of development stages. There are 14.04 miles of paved roads, 4.27 miles of gravel roads, and 2.38 miles of dirt roads; there's a total of 20.69 miles of roadways in town.

### TRAFFIC LEVELS

- UDOT road counts for SR-17 show Average Daily Traffic of around 3,000 vehicles per day in 2014. This volume of traffic is well within the design capacity of the two-lane highway. However, increasing traffic on SR-17 creates negative impacts for residents (safety, noise issues, etc).
- Recent significant increases in visitation to Zion National Park have compounded the problems with the city's network. Because of the impacts associated with increased traffic, residents and city have advocated for a bypass road that would take through-traffic out of the developed part of the city.
- Current traffic volumes on the local street network are not a problem. However, because of the lack of connectivity between the local street networks in different areas of the city, traffic and congestion is likely to become problematic with future development.

### ALTERNATIVE AND ACTIVE TRANSPORTATION

- Residents report one of the things they enjoy most about living in Toquerville is the ability to walk, bike, or ride OHV's to get from one place to another. However, the city does not currently have extensive infrastructure to support these alternative means of transportation.
- The city does not have a public trail system (motorized or non-motorized). Sidewalks are only found in some areas and they do not connect to major destinations.
- The city has the opportunity to develop alternative and active transportation infrastructure to further promote walking and bicycling as alternative to driving.
- Although SR-17 is a popular cycling route, bicycle infrastructure on that road (signage, wider shoulders, bike lanes, etc.) is non-existent. Bicycle improvements are not found on the local street network either.



# TRANSPORTATION

## DESIRED FUTURE CONDITIONS

The city's transportation system keeps the small-town feel, is maintained with safe roadways and access, and provides opportunity for many modes of transportation.

Through careful land use planning and infrastructure investment, Toquerville is able to reduce the impacts of through-traffic accessing I-15 on Toquerville neighborhoods, as well as provide a wide range of safe and convenient transportation options for travel within the community.

The city's plans and developments ensure walking, bicycling, and OHV use are all viable means of transportation within the city.

## IMPLEMENTATION

Goal 1: Reduce the impact of through-traffic accessing I-15.

Objective 1: Provide alternate access from LaVerkin to I-15 by creating a bypass road.

Strategies for the city:

- Continue to acquire ROW for the bypass corridor.
- Work with UDOT to prioritize funding for byway construction.
- Advocate at the Dixie MPO for byway project prioritization.
- Secure agreements with developers for by-pass road improvements and intersection development.
- Work with UDOT to direct more Zion National Park, Grand Canyon National Park, and Lake Powell traffic through Hurricane rather than Toquerville.

Strategy ideas for the public:

- Advocate with local and regional elected officials for byway construction funding.

Objective 2: Reduce conflicts between different forms of transportation on SR-17.

Strategies for the city:

- Work with UDOT to create bicycling infrastructure on SR-17 (wider shoulders, bike lanes, "share the road" signs, etc).
- Emphasize speed reduction and safety with County law enforcement providers.

Strategy ideas for the public:

- Be courteous and respectful to bicycles and pedestrians while driving on the highway.
- When biking and walking on the highway, know and obey the rules of the road for cyclists and pedestrians.

Goal 2: Provide a wide range of safe and convenient transportation options for residents to get from one area of the city to another.

Objective 1: Encourage and continue to promote walking to current in-town destinations, and anticipate future walking destinations in the commercial areas.





# TRANSPORTATION

## Strategies for the city:

- Provide safe walking infrastructure by making sure city sidewalks are in good repair.
- Prioritize pedestrian needs in decision-making processes.
- Utilize the impact fee collected for trails to further connectivity within the city as well as facilitating regional connections.

## Strategy ideas for the public:

- Help cultivate a culture of walking in the community by walking to accomplish short trips in the community in lieu of driving.

## Objective 2: Encourage safe bicycling within the city.

### Strategies for the city:

- Provide safe bicycling infrastructure (bike lanes, widen shoulders, share the road signs, etc.) on local streets.
- Adopt a bicycle component of an Active Transportation Plan.

### Strategy ideas for the public:

- Be courteous and respectful to bicycles and pedestrians while driving on the highway.
- Make more trips to destinations within the community via bicycle.

## Objective 3: Provide opportunities to use OHV's to travel within the community.

### Strategies for the city:

- Provide OHV trails from one part of the city to another.

### Strategy ideas for the public:

- Follow OHV rules of etiquette and ride with respect within the city.
- Encourage slow speeds on paved roads.

## Objective 4: Develop a system of multi-use paths that connect different areas of the city.

### Strategies for the city:

- Acquire ROW for trail network as new development is proposed.
- Apply for financial and technical assistance for trail construction from state and federal funding agencies (Utah State Parks Recreational Trail Fund, Transportation Alternative Program, RTCA, etc).

### Strategy ideas for the public:

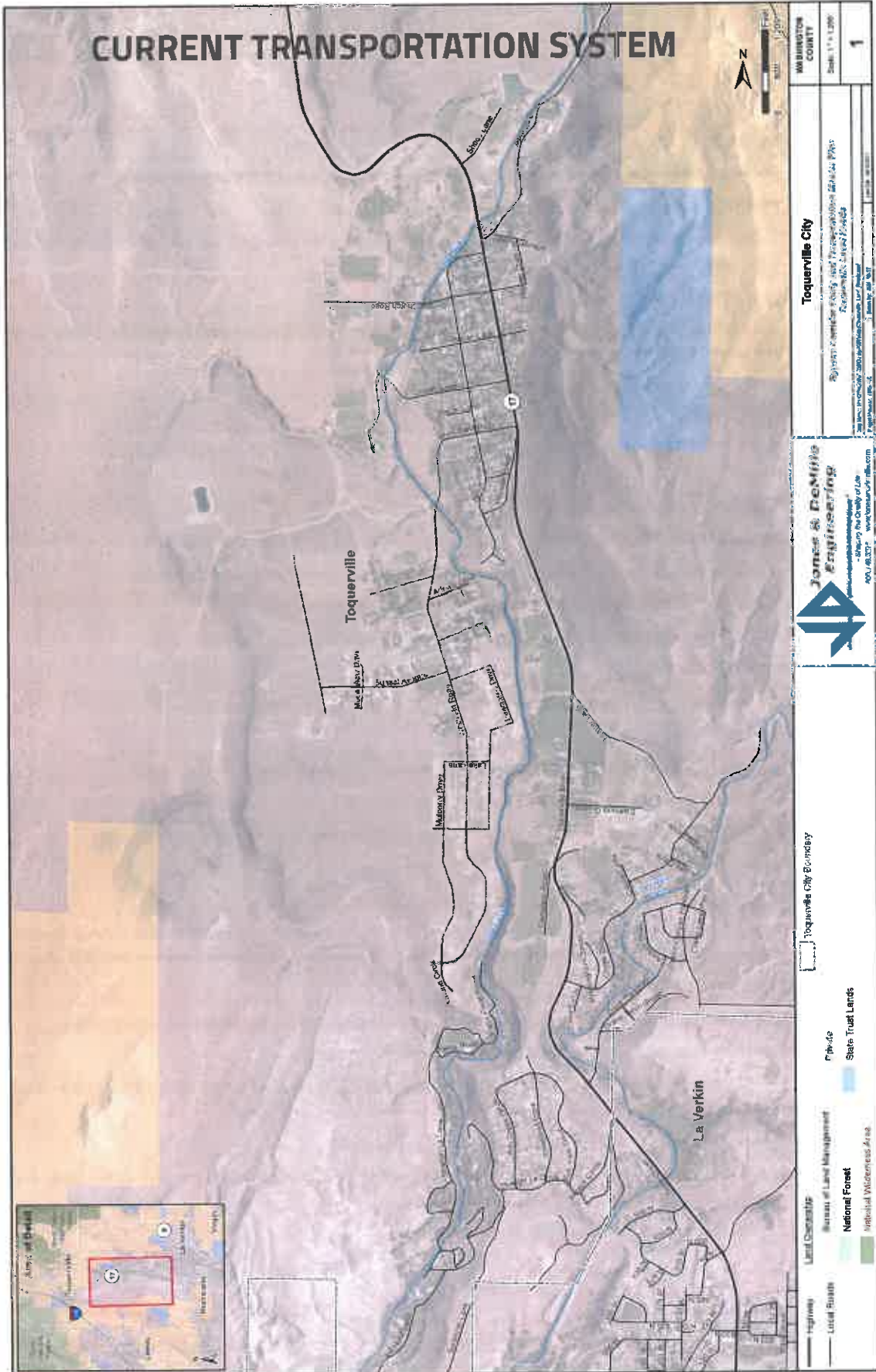
- Assist the city in researching and helping prepare funding applications for trail construction.
- Organize volunteer trail building and trail maintenance groups.

## Objective 5: Provide access to trails, open spaces, and other recreational opportunities on public lands adjacent to the city.

### Strategies for the city:

- Work with BLM, Red Cliffs Desert Reserve, other public land managers on developing trail connections from the city to public lands.
- Encourage responsible use of trails on public lands.

# CURRENT TRANSPORTATION SYSTEM

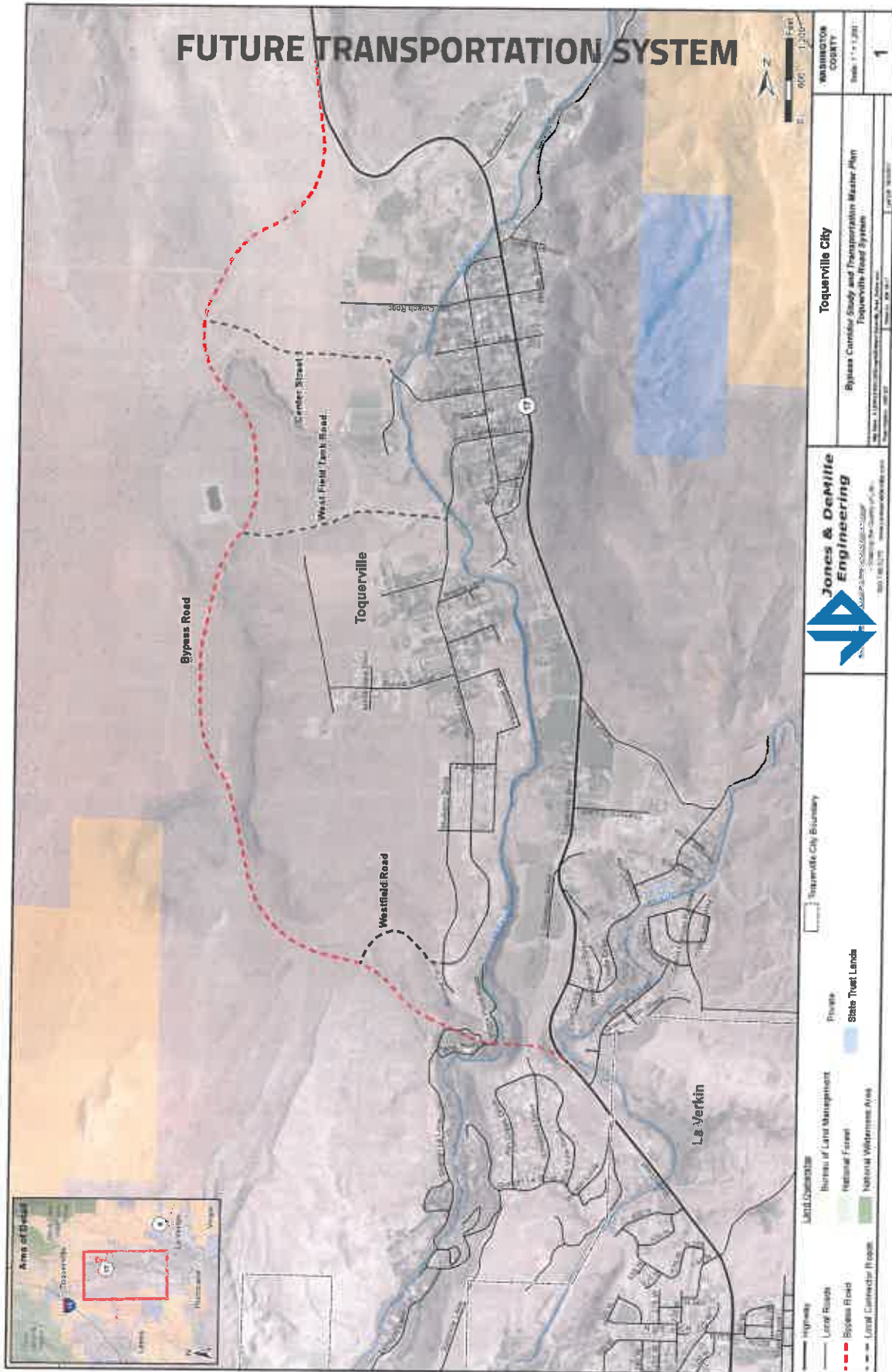


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**Toquerville City**  
System Complete Policy and Transportation Service Plan  
Toquerville Street Project  
2015-2035  
1 January 2017

WASHINGTON COUNTY	Scale: 1" = 1,200'
1	

# FUTURE TRANSPORTATION SYSTEM







## EXISTING CONDITIONS

### *HISTORIC ACTIVITY:*

- Commercial and industrial development has not been a major emphasis in the city's recent past development. However, enhanced economic development will generate revenue for the city to be able to expand and enhance community services.

### *NEIGHBORHOOD COMMERCIAL:*

- The city does not currently have significant commercial activity. There is a small number of home occupations, some residential treatment facilities for youth and adults, and some limited artisan retail.
- There is the potential for regulated small scale boutique retail on Toquerville Boulevard that will provide unique shopping and service experiences in a way that preserves the historic nature and existing character of the community.

### *ANDERSON JUNCTION AREA:*

- Anderson Junction (the I-15 / SR-17 interchange) accommodates a significant amount of tourist traffic. Tourists heading to Zion and Grand Canyon National Parks, Lake Powell, Sand Hollow Reservoir, and other tourist and recreational venues pass through this intersection.
- Because the interchange area is removed from most of the existing developed areas of the city, new commercial development in this area will not have a significant impact on the character of the community.
- As popular tourist destinations such as Zion National Park continue to see congestion and crowding, there will be increasing opportunity for recreation and tourist services to accommodate demand in other areas of Washington County.

### *RESERVOIR DEVELOPMENT POTENTIAL:*

- The Washington County Water Conservancy District has proposed a new reservoir near the Anderson Junction area. When developed, this reservoir could provide a unique economic development opportunity for the City.

### *INDUSTRIAL POTENTIAL:*

- There is no development currently in the northwest boundary of the city. Its proximity to I-15 make it a great candidate for industrial uses.
- Any development in this area will be highly visible to travelers on the interstate.

## DESIRED FUTURE CONDITIONS

The city's proactive economic development efforts facilitate a diverse and resilient local economy. They have a clear economic direction that is underpinned by the efforts of private enterprise.

The city benefits by capitalizing on significant, emerging opportunities for commercial and economic development. Toquerville's commercial development is compatible with the city's character as a rural residential community, and reflects the city's history and architectural heritage.

Capitalizing on the move toward the sharing economy and increasing demand for authentic and local experiences allows the city to promote economic development in the existing developed areas of the city without detracting from the community character.

The city point-of-origin sales tax revenue increases to meet future demand for services.

# ECONOMY

## IMPLEMENTATION

Goal 1: Promote commercial development in new areas of the City.

Objective 1: Promote traveler and tourist retail and services at Anderson Junction.

Strategies for the city:

- Create a special zone for the Anderson Junction area that encourages and promotes service, retail, and convenience uses geared toward tourists and travelers.
- Adopt commercial design guidelines to ensure development in new areas are attractive and compatible in appearance with the remainder of the city, and that differentiate Toquerville's interchange area from others in the county.
- Work with property owners near Anderson Junction to market available parcels through edcUtah's "Sure Sites" program.

Strategy ideas for the public:

- Shop at retail and service providers in the Anderson Junction area.

Objective 2: Once development commences, use the new reservoir at Anderson Junction as economic development driver.

Strategies for the city:

- Create a special zone for the reservoir area that allows recreation support uses such as retail, service, lodging, and campgrounds.
- Adopt design guidelines for reservoir area to ensure development around the reservoir maintains a consistent feel and theme.
- Develop infrastructure (roads, utilities, etc.) necessary for reservoir development to be successful.

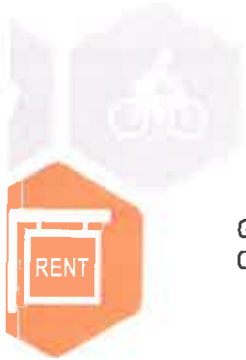
Objective 3: Encourage light industrial uses along the I-15 frontage.

Strategies for the city:

- Create a special zone for the frontage road area that allows light industrial, warehousing, wholesale, and light manufacturing uses.
- Adopt design guidelines for the frontage road area to ensure development in this area presents a positive image of the City when viewed from I-15.



## ECONOMY



Goal 2: Promote creative economic development activities that complement and are compatible with the City's existing residential neighborhoods.

Objective 1: Allow responsible room sharing and owner-occupied bed and breakfasts in existing neighborhoods.

Strategies for the city:

- Protect existing character of residential neighborhoods by establishing standards for room sharing and bed and breakfasts.
- Help residents be good ambassadors for the City when hosting guests by sharing basic customer service guidelines.

Strategy ideas for the public:

- Help promote Toquerville and the region to visiting guests and tourists by being good hosts.

Objective 2: Promote small-scale boutique retail and services along Toquerville Boulevard.

Strategies for the city:

- Establish a mixed-use zone for Toquerville Boulevard that allows small scale boutique and artisan retail and complementary services seamlessly integrated with surrounding residential uses.

Strategy ideas for the public:

- Shop local goods and services in the Toquerville Boulevard area.

Objective 3: Encourage home occupations that use technology and foster entrepreneurship.

Strategies for the city:

- Streamline permitting requirements for home occupation permits.
- Continue to promote Toquerville as a desirable community with a high quality of life to attract skilled workers and entrepreneurs.
- Develop information infrastructure (e.g. fiber optic network to all homes) to allow meaningful telecommuting and technology based home occupations.









## PUBLIC SERVICES & INFRASTRUCTURE

### EXISTING CONDITIONS

#### *CULINARY WATER:*

The city is the culinary water provider in Toquerville. According to the 2016 Toquerville Water Capital Facilities and Fee Plan, there are 495 equivalent residential connections. It is anticipated that by 2026 there will be 777 equivalent residential connections, and that by 2036 there will be 1,077 equivalent residential connections.

The City of Toquerville receives its water for municipal use from Toquerville Springs; water from these springs is shared by the Washington County Water Conservancy District, City of Hurricane, and the City of La Verkin.

For the Anderson Junction area the city buys water from the Washington County Water Conservancy District. This water comes from the Cottam Well source that is located just southwest of the Junction.

The city has two 400 gallon per minute pumps that pump water from the springs, through the chlorinator, and up to the Springs Tank and Westfield Tank.

According to the information presented in the 2016 Toquerville Water Capital Facilities and Fee Plan, the city should have enough water from the water rights at Toquerville Springs for the year 2036. If more water is used, the need for more water is solved through the local agreement that the city has with the Washington County Water Conservancy District. This agreement is called the original water supply agreement.

The city currently uses less than the State requirement suggests per user for indoor use. In Utah approximately 60% of water use is applied outside of homes on landscaping.

Culinary water in Toquerville has the following rates

- \$36.21 monthly base rate for 0 to 10,000 gallons
- plus \$4 per 1,000 gallons over 10,000 gallons, and \$6 over 30,000 gallons

Non-irrigation users without access have the following summer rates (March 1st to Nov. 1st)

- \$36.21 a monthly base rate for 0 to 20,000 gallons
- plus \$4 per 1,000 gallons over 20,000 gallons, and \$6 per 1,000 gallons over 30,000 gallons

#### *SECONDARY WATER:*

Toquerville Secondary Water System (TSWS) is managed by the Washington County Water Conservancy District (WCWCD). The WCWCD's monthly surcharge is \$1.75 for 3/4" meter.

#### *SEWER:*

Waste water in Toquerville is treated by the Ash Creek Sewer District. Rates are as follows:

- permanent residential - \$25/month,
- business - \$32/month
- Large residential facilities have rates determined by the sewer district based on water usage

#### *PAVEMENT PRESERVATION:*

Roadways and pavement in Toquerville are generally in good repair and the city intends to maintain asphalt at regular intervals even when pavement conditions appear fine. Preventing rapid degradation of pavement conditions will require consistently treating surfaces with chipseal, crack seal, slurry seal, etc.

#### *STORMWATER AND DRAINAGE:*

The Washington County Water Conservancy District (WCWCD) has proposed a new reservoir near the Anderson Junction area. When developed, this reservoir could provide a unique economic development opportunity for the City.

Storm water drain fee for Toquerville households is \$6 per residence per month. Stormwater is sufficiently managed by the WCWCD at this time. Future development may create a greater need for stormwater management in the future.

# **PUBLIC SERVICES & INFRASTRUCTURE**

## *PARKS AND TRAILS:*

At this time there are no trails that are maintained by the city in the city limits. The city is implementing an impact fee for future trails and some concepts for a new trail have been discussed. There are two parks in Toquerville: Toquerville City Park, which is 10.32 acres, and Trail Ridge Estates, 4.23 acres. As the city grows in population it is expected that more parks will be created to meet the needs of recreating citizens. More small parks create increased opportunity and easier access to parks, but having a few large parks is more cost effective for the city to maintain.

## *SOLID WASTE REMOVAL:*

As of Summer 2017 the Washington County Solid Waste District manages solid waste in Toquerville City. Regular garbage costs a household \$11.15 a month, and recycling is \$3 a month.

## *LAW ENFORCEMENT, FIRE SUPPRESSION AND FIRST RESPONDERS:*

Hurricane Valley Fire District covers Toquerville City and provides the city with fire suppression. As of 2017 the services provided by Hurricane Valley Fire District meet the needs of the city.

## *POWER*

Rocky Mountain Power supplies electricity to Toquerville City.

## *TELECOMMUNICATIONS*

According to the Utah Residential Broadband Map, most populated areas of Toquerville have wireline, fixed wireless, and mobile wireless technology. Centurylink, AT&T, T-Mobile, and Verizon all provide telecom services in Toquerville; some services have maximum advertised speeds of 30 Mbps for downloads and 3 Mbps for uploads. These services from the private sector meet the needs of most Toquerville residents.

## **DESIRED FUTURE CONDITIONS**

When surveyed about the type of new development that would promote Toquerville's community character, a majority of Toquerville residents have expressed demand for new parks and trails.

Residents are able to walk and bike safely and conveniently within the city.

The city manages recreation access to the reservoir in a way that generates revenue for other public recreation amenities within the city.



## PUBLIC SERVICES & INFRASTRUCTURE

### IMPLEMENTATION

The primary method of implementation for public services and infrastructure is through a city's annual capital improvements program. The city currently conducts this as part of their annual budget process. The appendix to this plan contains a form that might help facilitate a tighter alignment between the goals of this plan and the budget.





**APPENDIX  
DRAFT v3  
9/6/2017**

**DRAFT**



**SPECIAL THANKS TO**

Mayor Darrin Lefevre  
Keen Ellsworth, Councilmember  
Brad Langston, Councilmember  
Ty Bringhurst, Councilmember  
Paul Heideman, Councilmember  
Mark Fahrenkamp, Councilmember

Toquerville Planning Commission  
Lance Gubler, Water & Maintenance Supervisor  
June Jeffery, Treasurer  
Dana Mckim, Recorder

**DEVELOPED WITH**



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Toquerville City leaders placed a high priority on data quality and public involvement for the development of this plan. This was gathered through different avenues:

## ONLINE COMMUNICATION

A website was created for the initiative (<http://toquervilleplan.org/>). It was advertised with flyers (below) and through the city's social media channels. The website was designed to gather input from residents through an online survey. The survey generated 126 responses.

## SUBJECT MATTER STAKEHOLDER INTERVIEWS

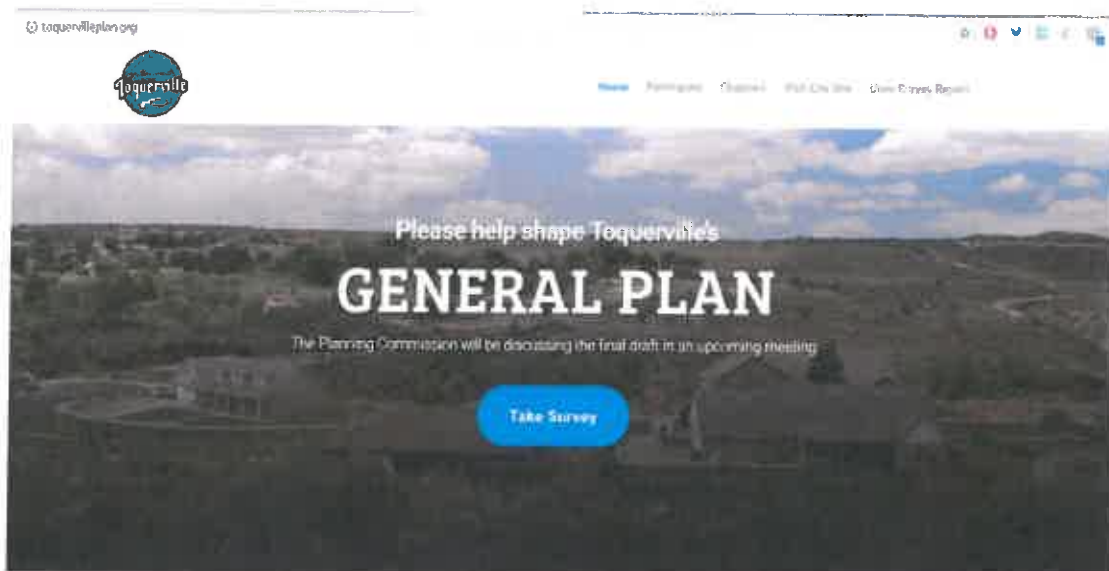
Individual interviews were conducted with different stakeholder groups and subject matter experts that live in the city. Some of these interviews were conducted via telephone, but most were done in-person through "windshield tours" with the project consultant. The results of these interviews were incorporated into the plan, but the commenters were promised anonymity.

## PEER REVIEW

As drafts were developed, they were reviewed and edited by professional planners and subject matter experts that are familiar with the area. The results of these reviews were incorporated into the plan, but the commenters were promised anonymity.

## PUBLIC OPEN HOUSE

Open house events were held at different times during the process. The Planning Commission and City Council meetings also followed standard noticing protocol.



## Participate

Take the survey at [toquervilleplan.org](http://toquervilleplan.org) | Download the survey at [toquervilleplan.org](http://toquervilleplan.org) | The logo and colors are provided by the City of Toquerville.

# PUBLIC INPUT

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What are the most important factors contributing to Toquerville's community character?

124 out of 126 people answered this question

1	Family-friendly atmosphere	84 / 68%
2	Natural features (rivers, scenic vistas, ridgelines)	74 / 60%
3	Interpersonal relationships between community members	68 / 55%
4	Walkable community	54 / 44%
5	Proximity to trails and outdoor recreational amenities	50 / 40%
6	Lack of commercial development	48 / 39%
7	Shade trees on Toquer Boulevard	47 / 38%
8	Town Parks	27 / 22%
9	Historic district on Toquer Boulevard	25 / 20%
10	Style of residential development	13 / 10%

Which of the following types of new development do you think will promote Toquerville's community character?

121 out of 126 people answered this question

1	Parks and open space	72 / 60%
2	Residential	30 / 25%
3	Commercial	15 / 12%
4	Light industrial	3 / 2%
5	Manufacturing	1 / 1%

With which statement do you agree more:

122 out of 126 people answered this question

1	Toquerville should remain a primarily residential community. I am ok with the fact that most people need to commute outside of the city for employment and that there are limited options for shopping and other commercial services in the city.	88 / 72%
2	Toquerville should encourage more commercial development within certain areas of the city to generate jobs for residents, provide shopping and services closer to home, and to generate more tax revenue to support and expand city services.	34 / 28%

## What types of economic development, if any, should be established in the City?

124 out of 126 people answered this question

1	Bed and breakfasts (short term rental of individual rooms in owner occupied homes) in residential zones	75 / 60%
2	Home based businesses and telecommuting	68 / 55%
3	Small boutique retail on Toquer Boulevard	63 / 51%
4	Commercial and light industrial uses near I-15	58 / 47%
5	Vacation rentals (short term rental of homes) in residential zones	53 / 43%
6	Commercial uses located along SR-17 throughout the community	26 / 21%
7	None	10 / 8%
8	Other	3 / 2%

## Thinking of residential neighborhoods, what are the most important factors that contribute to Toquerville's community character?

121 out of 126 people answered this question

1	Maintenance of lot	87 / 72%
2	Amount of open space around the property	73 / 60%
3	Size of lot	58 / 48%
4	Design and appearance of the house	54 / 45%
5	Number of people living in the house	22 / 18%
6	Age of the house	13 / 11%
7	Size of house	8 / 7%
8	Other	2 / 2%

# PUBLIC INPUT

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Housing costs in Toquerville make it difficult for families with average or below average incomes to find quality housing in the city.

122 out of 126 people answered this question

1	Somewhat agree	44 / 36%
2	Somewhat disagree	33 / 27%
3	Disagree	28 / 23%
4	Agree	17 / 14%

The City should look for ways to expand housing availability for families of multiple income levels in Toquerville.

122 out of 126 people answered this question

1	Disagree	40 / 33%
2	Somewhat disagree	34 / 28%
3	Somewhat agree	31 / 25%
4	Agree	17 / 14%

What strategies would you support to expand housing options in Toquerville?

122 out of 128 people answered this question

1	None	52 / 43%
2	Accessory Dwelling Units (e.g. mother-in-law apartments, long term rental of guest houses)	42 / 34%
3	Smaller lots with smaller houses	21 / 17%
4	Duplexes	15 / 12%
5	Multi-family housing	15 / 12%
6	Subsidized housing	10 / 8%
7	Other	8 / 7%

How do you typically get from one place to another for trips entirely within Toquerville e.g. going to the Post Office, visiting friends/families, going to church, etc.?

124 out of 126 people answered this question

1	Drive a vehicle	101 / 81%
2	Walk	72 / 58%
3	Ride a bike	32 / 26%
4	Other	9 / 7%

How important is it to be able to get safely from one area of the City to another by walking or biking e.g. getting from Cholla Creek to Toquer Boulevard?

124 out of 126 people answered this question

1	Very important	73 / 59%
2	Somewhat important	35 / 28%
3	Not important at all	16 / 13%

Which improvements would make it easier for you to walk or bike in the City?

115 out of 126 people answered this question

1	Bike lanes / bike path along SR-17	64 / 56%
2	More connections to trails leading to open areas on the outskirts of the city	62 / 54%
3	More sidewalks on city streets	42 / 37%
4	Bike paths in residential areas of the city	33 / 29%
5	Wider sidewalks on Toquer Boulevard	24 / 21%
6	Other	12 / 10%

# PUBLIC INPUT

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## Who in your household walks or bikes the most within Toquerville?

123 out of 126 people answered this question

1	10-19 years old	47 / 38%
2	0-9 years old	35 / 28%
3	60-69 years old	31 / 25%
4	30-39 years old	28 / 23%
5	40-49 years old	21 / 17%
6	50-59 years old	19 / 15%
7	20-29 years old	11 / 9%
8	70+ years old	9 / 7%

## How long does it take you to get to work?

113 out of 126 people answered this question

1	20-30 minutes	36 / 32%
2	10 minutes or less	24 / 21%
3	10-20 minutes	22 / 19%
4	30-40 minutes	14 / 12%
5	Other	14 / 12%
6	more than 40 minutes	3 / 3%

## With the exception of SR-17 / Toquer Boulevard, how concerned are you about the amount of traffic on Toquerville streets?

120 out of 126 people answered this question

1	Not concerned at all	59 / 49%
2	Somewhat concerned	41 / 34%
3	Very concerned	20 / 17%

## How concerned are you about the amount of traffic on SR-17 / Toquer Boulevard?

120 out of 126 people answered this question

1	Somewhat concerned	46 / 38%
2	Very concerned	45 / 38%
3	Not concerned at all	29 / 24%

In conjunction with UDOT and the Dixie MPO, the City has been investigating a bypass road that will provide an alternate route for the majority of traffic between La Verkin and I-15 off Toquer Boulevard. How important is it for the City to continue to actively pursue this bypass route?

122 out of 126 people answered this question

1	Very important	75 / 61%
2	Somewhat important	27 / 22%
3	Not important	20 / 16%

The bypass road would likely reduce traffic on Toquer Boulevard. This affects me:

123 out of 126 people answered this question

1	positively	79 / 64%
2	doesn't affect me	30 / 24%
3	unsure	8 / 7%
4	negatively	6 / 5%

The bypass road would likely reduce noise on Toquer Boulevard. This affects me:

122 out of 126 people answered this question

1	positively	76 / 62%
2	doesn't affect me	34 / 28%
3	negatively	7 / 6%
4	unsure	5 / 4%

# PUBLIC INPUT

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The bypass road would likely create access to new areas of the City, making development of these areas possible.

This affects me:

123 out of 126 people answered this question

1	positively	56 / 46%
2	negatively	28 / 23%
3	unsure	21 / 17%
4	doesn't affect me	18 / 15%

Should the city charge residents and visitors a fee for camping or day use recreation at the new reservoir?

119 out of 126 people answered this question

1	Yes	49 / 41%
2	Not sure	44 / 37%
3	No	26 / 22%

Do you support Toquerville City managing the new Anderson Junction Reservoir?

120 out of 126 people answered this question

1	Yes definitely	47 / 39%
2	Yes somewhat	32 / 27%
3	Not sure	30 / 25%
4	No	11 / 9%

How satisfied are you with the culinary water in Toquerville?

121 out of 126 people answered this question

1	Completely satisfied	74 / 61%
2	Somewhat satisfied	37 / 31%
3	Not satisfied	10 / 8%



## How satisfied are you with the secondary (irrigation) water in Toquerville?

120 out of 126 people answered this question

1	Somewhat satisfied	55 / 46%
2	Completely satisfied	35 / 29%
3	Not satisfied	30 / 25%

## How satisfied are you with the cell phone reception in Toquerville?

122 out of 126 people answered this question

1	Completely satisfied	72 / 59%
2	Somewhat satisfied	36 / 30%
3	Not satisfied	14 / 11%

## How satisfied are you with internet connectivity or speed in Toquerville?

120 out of 126 people answered this question

1	Somewhat satisfied	60 / 50%
2	Not satisfied	32 / 27%
3	Completely satisfied	28 / 23%

## What is your gender?

120 out of 126 people answered this question

1	Female	71 / 59%
2	Male	49 / 41%



## PART 1: RECOMMENDED CHANGES TO EXISTING ORDINANCES

### *Section 10-1-3, paragraph G:*

Suggestion: To be more consistent with the direction in the proposed general plan, this section could be reworded to say, “To require new subdivisions of land to be located where existing adequate public services and facilities are in place to serve the subdivision (transportation, utilities, etc.)”

### *Section 10-1-4:*

Suggestion: Local governments can only impose conditions on land use approvals that are clearly outlined in the land use ordinance. Conditions not supported by ordinance are generally not legally defensible. It is suggested to remove the language after the second paragraph in this section.

### *Section 10-1-8-6:*

Suggestion: This is generic language copied straight from State Law regarding noticing requirements. The City may wish to make these requirements specific to Toquerville. The requirements may also need to be updated based on changes to the State Law.

### *Chapter 10-2:*

Suggestion: The City may wish to ensure all definitions in this chapter are actually used in the ordinance. Further, it is important to make sure the definitions have the meanings the City intends. It appears that many definitions in this chapter are either copied from other codes or may not be precisely what Toquerville has in mind. Specifically:

**Building Height:** Establishes a building height measurement system designed for relatively flat and uniform ground. This May not be appropriate for sloping lots in Toquerville.

**Carrying Capacity:** This definition conflicts with the specialized use of “carrying capacity” used in the flood hazard ordinance. Other than the flood hazard ordinance the term is not used in the land use ordinance. This definition should be removed.

**Family:** This definition states that a family is no more than three unrelated persons living together. The State Law says local governments can't restrict family size to less than four unrelated persons living together (State Code 10-9a-505.5).

**Farmer's Market:** Limiting sale to food from Utah only may be problematic with commerce clause of constitution. The City may wish to revise this definition to remove reference to food produced in Utah.

**Historic Building:** This definition should probably reference the historic commission, not the planning commission.

**Street, Public:** This definition says that public streets must be at least 35 feet wide. Are all city streets currently at least 35 feet wide? For example, Pecan Lane on the east side of SR-17 appears to only be 22'. Is this a public street? The City may wish to revise this definition to say a public street is any street that is maintained by the City and the right-of-way for which has been dedicated or deeded to the City.

**Transient Lodging Facility:** The State Law defines transient lodging as 30 days or less. The City may want to change this definition to be consistent with the state.

**Visual significance:** This definition is somewhat vague and is not used anywhere in the ordinance. The City may wish to remove this definition from the code.

# ZONING RECOMMENDATIONS

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## *Section 10-3-1:*

Suggestion: Many local governments require Planning Commissioners to be residents of the City. The Toquerville ordinance does not require residency for Planning Commissioners. This is something the City may wish to consider. There is nothing in the Code that requires it at this point.

## *Section 10-3-2:*

Suggestion: There is no longer state law authorization for a city to offer “special exceptions.” The city may want to remove special exceptions from the Code.

## *Chapter 10-4:*

Comment: Has the City adopted an annexation map? If not, this is something the City should complete.

## *Section 10-4-6(C):*

Suggestion: The City may want to establish more specific criteria for when it is acceptable to change zone upon annexation (rather than current policy of “acceptable” or “unacceptable”).

## *Chapter 10-6:*

Suggestion: The tables in this chapter do a great job to help convey information about submittal requirements. However, the number of notes qualifying the information in the tables is complex. These could be streamlined potentially.

## *Section 10-6-2(G):*

Suggestion: The city can't enforce CC&R's, thus there should probably not be a requirement for CC&R's to be submitted as part of an application.

## *Section 10-6-2:*

General Comment: This section asks for very detailed and somewhat complex information to be submitted with each development. Is the City prepared to administer these submittal requirements consistently with all applications? If so, these are very good and comprehensive. If not, these requirements should be boiled down to the most important submittal information the City needs.

## *Section 10-7-2:*

Suggestion: State code 10-9a-405 and 10-9a-406 state that the General Plan is advisory only, and that only public uses must comply with the general plan (not “all land use decisions” as the Toquerville code currently states). This section may need to be revised to be consistent with State Law.

## *Section 10-8-4:*

Suggestion: This section indicates rights are vested pursuant to section 10-1-8. 10-1-8 talks about noticing for meetings. This reference may need to be corrected. Further, pursuant to State Law, an applicant vests rights upon submittal of a complete application and payment of fees. The City ordinance regarding vested rights must be consistent with State Law. Lastly, it is unclear what “rights” are being vested with an application for a zone amendment? Zone amendments are legislative actions that normally would not grant vested rights to an applicant (unlike an application for an administrative action like a building permit, subdivision, or conditional use). The City may wish to remove this whole section.

# ZONING RECOMMENDATIONS

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## *Section 10-9A-2:*

Suggestion: Permitted uses in this zone should include “One single family dwelling per lot or parcel of land”

## *Section 10-10A-2:*

Suggestion: This section should reference single-family dwelling, not single-unit dwelling.

## *Tables in 10-10A-4:*

Suggestions:

The reference to the maximum height in zone R-1-12 references church steeples. It is unclear what this reference means.

There is a reference to a “minimum road setback.” This term is not defined anywhere. It would be helpful to clearly define this term to make the regulation most effective.

The table appears to make allowances for taller accessory buildings by conditional use permit. CUP's are for uses, not buildings. If the City wants to have more control over taller accessory buildings it would be more appropriate to establish standards that must be met to qualify for the taller building, rather than treating them as conditional uses.

## *Chapter 10-10A:*

Suggestion: Based on the proposed general plan update it would may be appropriate to add owner occupied bed and breakfasts and room sharing as allowable uses. Standards for B&B's are found in already found in chapter 10-17, but it would be a good idea to clearly state in which zones they are allowed in this chapter 10-10A.

## *Section 10-10B-2:*

Suggestion: The definition of multi-family does not include twinhomes or townhomes. The only residential use currently allowed is multi-family. If the City wants to allow duplexes, twinhomes, or townhomes in this zone they need to be added to the list of permitted uses.

## *Section 10-11A-3:*

Suggestion: Residential dwellings above commercial is listed as a conditional use in this zone. However, this use is not consistent with the purpose of the zone as established in 10-11A-1. It would be better to make a whole new “mixed-use” zone to accommodate residential mixed with commercial, rather than trying to make it fit in the Multiple Use zone. This would also be consistent with the direction in the proposed general plan.

## *Section 10-11A-4:*

Suggestion: Most of the development standards in this zone are established by conditional use permit. Conditional use permits regulate uses, not development standards for buildings or lots. It appears the City wants to be able to negotiate development standards on a case by case basis for development in this zone. The best method to accomplish that is not through conditional use permits. A development agreement process would probably be a better fit.

## *Sections 10-12A-3, 10-12B-2, 10-12B-3:*

Suggestion: The catch all “other uses...” clause should be removed. Utah State Law states Permitted and Conditional uses must be specifically identified in the ordinance. This clause opens the City to the potential for a number of uses they may find objectionable.

# ZONING RECOMMENDATIONS

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## *Chapter 10-12B:*

Suggestion: This zone sounds very much like what the proposed general plan envisions for the Anderson Junction / Reservoir area. This zone could be more fully developed and revised to more fully promote the vision for Anderson Junction expressed in the General Plan.

## *Chapter 10-15A:*

Suggestion: The design guidelines for historic zone development are very comprehensive. These guidelines are well written and thorough. The City should ensure it has the resources to both administer and enforce these comprehensive and complex guidelines.

## *Section 10-15B-1:*

Suggestion: This zone appears to contain a purpose statement only. This zone should be completed with process, development standards, etc. Use of the PD zone could help implement many of the objectives of the general plan (subdivision design, neighborhood character, etc.)

## *Section 10-16-2:*

Suggestion: This applicability section should be clarified to clearly identify where and the standards of the chapter apply.

## *Section 10-16A:*

Suggestion: This is an excellent ordinance governing development on hillsides. However, it is quite complex and requires detailed analysis. The City should ensure it has the resources to administer this ordinance with all its complexities.

## *Section 10-17-3:*

Suggestion: The general plan encourages owner occupied bed and breakfasts and room sharing. This is a good ordinance regulating B&B's. It could be expanded to also regulate room sharing.

## *Section 10-17-4:*

Suggestion: This section could be clarified. It says nightly rentals are entirely prohibited. Then it makes an exception to that blanket prohibition if a person gets a permit. It also does not clarify in which zones a permit may be granted, and none of the zones list nightly rentals as either a permitted or conditional use. It might be more clear remove the blanket prohibition on nightly rentals, keep the licensing and permitting requirements, and clearly state which zones allow a permit for nightly rentals.

## *Section 10-18-3-C-3:*

Suggestion: The city staff may not want to be advising applicants whether or not a variance is "needed." Staff can notify an applicant a variance is one available option, but should not state that a variance is needed. That would pre-judge the variance analysis done by the Board of Adjustment and set up unrealistic expectations of automatic approval for the applicant.

# ZONING RECOMMENDATIONS

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## *Section 10-19D-11:*

Suggestion: This section is very good in that it promotes some of the general plan goals of encouraging high quality design in subdivisions that preserve natural resources. However, the section could be made more effective with more clear standards. For example, what is a “major wash?” What is a “major rock formation?” Is ALL lava rock to be preserved? More clear standards would be helpful in making this chapter more effective. This could be accomplished through more thorough development of the sensitive lands regulations in 10-16.

## *Chapter 10-21:*

Suggestion: These standards are very good and help promote the vision for the community in the general plan. It is important to clarify when each of these different design standards applies (e.g. to a single family residence, to a subdivision, to a commercial development?).

## *Chapter 10-22:*

General Comment: Supreme court case Reed v. Town of Gilbert (2015) created new legal framework for sign regulations. The city might want to review the sign ordinance to make sure it is consistent with this new legal framework.

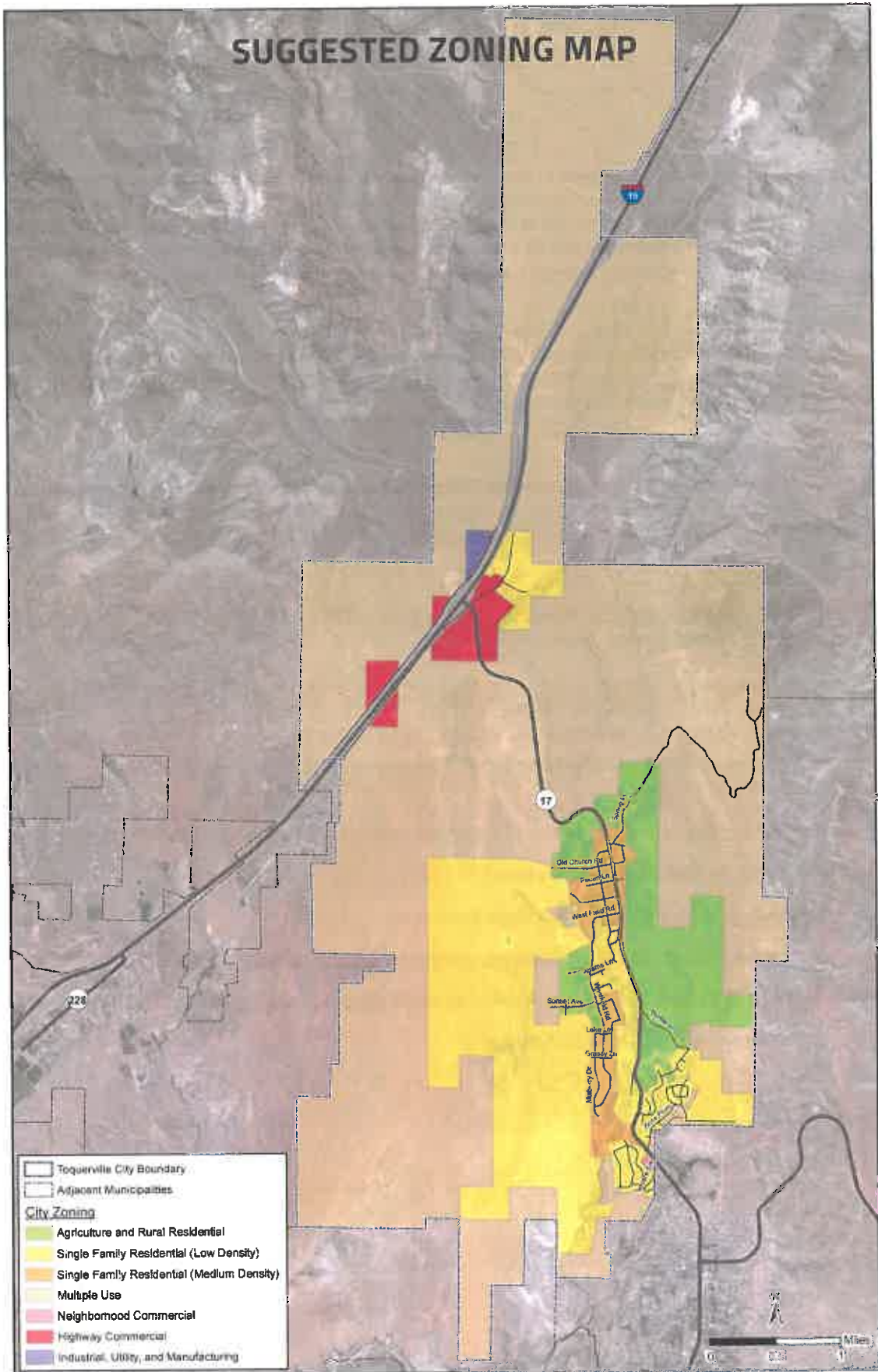
## *Chapter 10-24:*

General comment: This is a great chapter and does a good job of promoting the general plan language or protecting night skies. It should continue to be enforced.

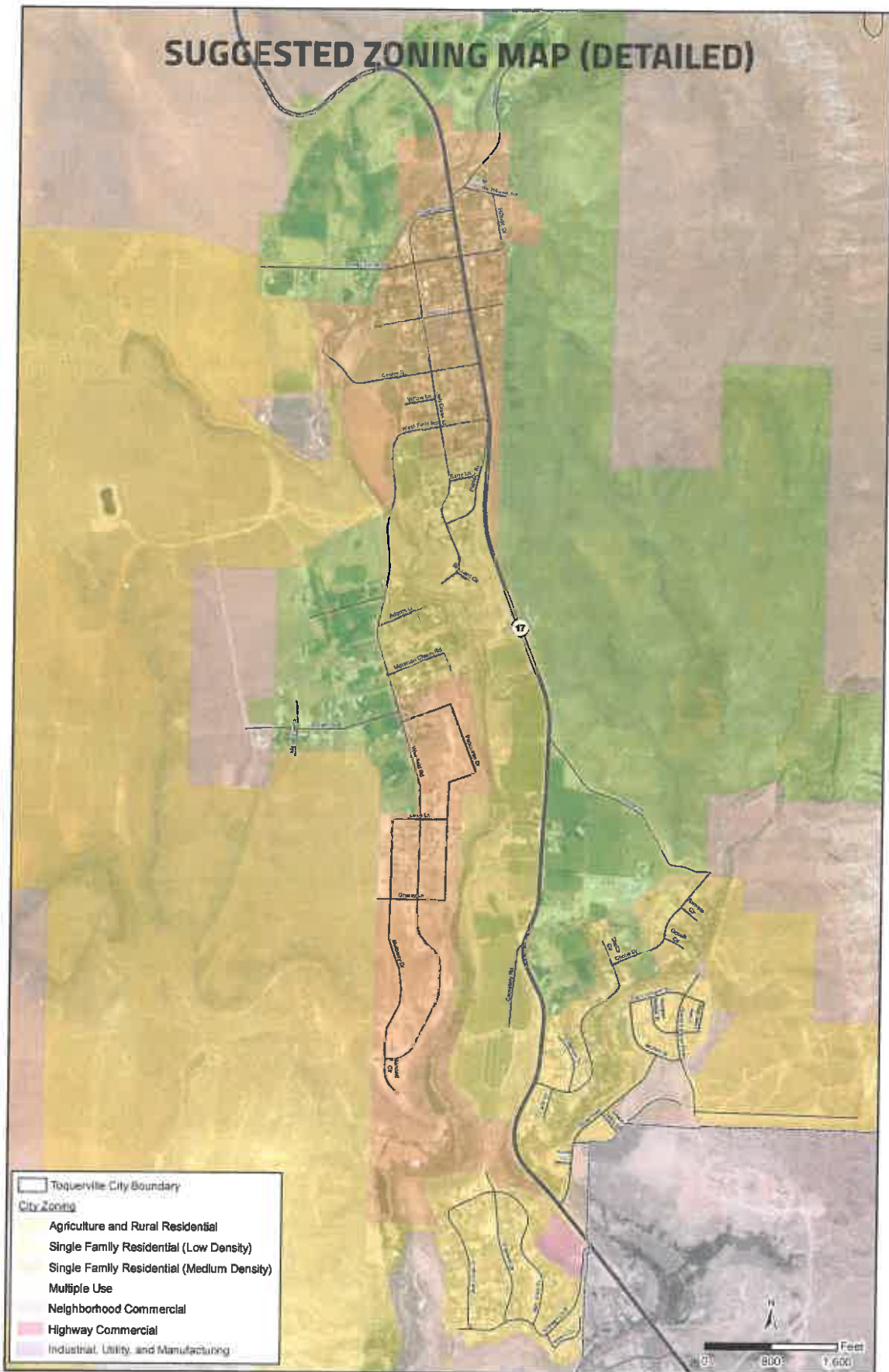
## **PART 2: RECOMMENDATIONS BASED ON GENERAL PLAN UPDATE**

1. Develop standards and allowances for small scale commercial artisan and boutique retail in old Town on Toquer Boulevard
2. Develop standards and allowances for light industrial uses on the Interstate 15 frontage road
3. Revise the residential zones to allow:
4. Multi-generational housing in a single dwelling unit
5. Disguised density (multifamily housing designed to appear like single family)
6. Develop a mixed use zone to accommodate higher densities in appropriate areas of the Town
7. Adopt a property maintenance ordinance





# SUGGESTED ZONING MAP (DETAILED)





# IMPLEMENTATION STRATEGIES

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Cities don't need a rigid plan; they need a central idea. The following steps are suggested to help Toquerville City's administration implement the vision and intent of their land use goals.

## Idea #1 - PLAN AMENDMENT PROCESS

A community's plan can be considered successful if it serves as a living document that adjusts to changing circumstances at the same time that it provides a reasonable expectation for potential investors. If the city isn't careful, these can become mutually exclusive.

**Establish a formal process to update the general plan.** The city could schedule annual meetings dedicated to amending the general plan. This could also be done in conjunction with the state-required biannual update of the housing element. Residents and developers could submit suggested changes to the plan on a standardized form which the Planning Commission would review as they are received.

## Idea #2 – PLANNING COMMISSION AGENDA ALIGNMENT

Although every city is different in the details of how it operates, the one thing they have in common is a council whose decisions affect the whole enterprise. Because they have to deal with a number of short-term issues, it is easy for them to lose focus on any kind of long-term strategy.

Cities need a way to standardize the implementation of their long-term goals. It seems like the way to do this is to keep the goals in front of everyone (especially the council) when they are facing decisions.

**Incorporate the long-term goals into their regular meetings.** Format the agenda so that each discussion item is categorized under one strategic priority. Those issues/items that don't help the city achieve a priority goal are moved to the bottom.

**Create a request form for items to be put on the council's agenda.** Require that all council agenda items are submitted using a form that asks which priority the proposed issue helps the city achieve. Doing this helps applicants (including council members) maintain focus on their goals.

## Idea #3 - PLAN/BUDGET INTEGRATION

Budget is policy, and making a plan without investing in its implementation is largely a waste of everyone's time.

City leaders need to first develop a baseline of what their strategic priorities are, and then deliberately update this vision over time.

**Host an annual pre-budget retreat with the council and administration.** The city council and planning commission should meet for a joint session before any budget requests are considered. The purpose of this meeting would be to review the city's long-range goals.

**Conduct a biannual "Discovery" event.** An outside party could facilitate a "discovery" discussion for existing and prospective City Council members (and anyone else in the public that is interested). The intent of this event would be to increase awareness of how cities actually work by describing systems, explaining rules, and sharing best practices. If done near the deadline for candidates to file in the summer, then the outcome of this event would be a more informed election in the fall. It can be assumed that an investment in "taking the long view" like this will result in better policy and budgets ongoing.

# IMPLEMENTATION STRATEGIES

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PLANNING COMMISSION AGENDA REQUEST FORM (EXAMPLE)
Thank you for your interest in making Toquerville a great place! Please submit the following in order to have your idea or issue placed on their agenda.
Which goal does this issue apply to? <ol style="list-style-type: none"><li>1. Foster a stronger sense of community.</li><li>2. Improve the climate for local businesses.</li><li>3. Expand and improve the trails system.</li><li>4. Maintain operating costs to current levels.</li><li>5. My issue does not apply to any of these goals.</li></ol>
Describe the recommended agenda item.

# IMPLEMENTATION STRATEGIES

## CAPITAL IMPROVEMENTS PROGRAM

Toquerville’s capital improvements program is essentially the investment plan for the community. State law requires all major investments to be first justified by the general plan before the investment is considered (UCA 10-9a-406). The capital improvements program is reviewed and updated annually as part of the city’s budget process.

Typical capital program development processes involve a ranking of potential investments based on how long the project has been requested or funding availability. A more strategic process is one that sorts requests by their effect on the community’s larger, stated goals.

GOAL 1:			
PRIORITY	PROJECT DESCRIPTION	ESTIMATED COST	EXPECTED FUNDING SOURCE(S)
1			
2			
3			
4			
5			

GOAL 2:			
PRIORITY	PROJECT DESCRIPTION	ESTIMATED COST	EXPECTED FUNDING SOURCE(S)
1			
2			
3			
4			
5			







## TOQUERVILLE CITY PLANNING COMMISSION MEETING MINUTES

Wednesday August 16, 2017

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

Held at 212 N. Toquerville Blvd, Toquerville Utah

Present: Planning Commission Chairman Mike Ruesch; Planning Commissioners: Jake Peart, Alex Chamberlain, Jerome Gourley; Zoning Official Mike Vercimak, Recorder Dana McKim; Public: Wayne Olsen, Ronald Olevsky, Christer Lundell, Kathryn Paredes, Marilyn Lundell, Carl Westegaard, Leslie Campbell. Commissioner David Hawkins was absent.

Meeting called to order by Chairman Ruesch at 6:04 p.m.

### **6:30 PM WORK MEETING:**

1. Discussion of Ordinance 2017.XX - Large Parcel Property Divisions:  
Chamberlain asked if the ordinance would foresee issues with landlocked property. He asked if rights of ways or easements could be obtained when property is land locked. Vercimak didn't think it would cause issues. Ruesch wanted to make sure the division wouldn't negate the subdivision process. Vercimak suggested during the application review there would be key points which would alert staff if the property was intended to be subdivided. Gourley believes the ordinance served the purposes as intended. Chamberlain supported the ordinance.
2. Discussion of Short Term Rental Proposal:  
Vercimak stated there was some confusion between owner occupied and absentee owner in the proposal submitted by Councilmember Ellsworth. He suggested to the Commission to continue to use the definitions for Bed and Breakfast Establishments and Nightly/Short Term Rentals. The commission suggested within the definition of a bed and breakfast to add "may" include the breakfast meal in the rental fee. Chairman Ruesch wanted to add 10-17-3 to describe Short-Term Rentals. City Code 10-17-4 would be inclusive of the Bed and Breakfast definition and their requirements and City Code 10-17-5 would define Nightly/Short Term Rentals. Commission Peart requested to change the word nightly/short term rentals to Vacation Rentals.
3. Discussion of Accessory Buildings:  
The Commission briefly discussed the changes. One of the proposed changes would prohibit living spaces within accessory buildings. Additional living space may be added to a residence by means of a common wall. Breezeways, exterior hallways, or patios would not be a means of connection. No accessory building may be constructed higher than eighteen feet, unless a variance is submitted to the planning commission and granted by the City Council. Accessory buildings are limited to one story. Accessory buildings have set backs of 10' behind the main building and rear setback of 5'. These types of structures may have a water closet or sink installed in a shop or garage upon review of the building official. The commission was agreeable to the changes.
4. Discussion of Keeping Livestock Within Residential Lots (5-1-4-C):  
No discussion.
5. Discussion of Ordinance 2017.XX Home Occupation Fees:  
Attorney Snow is drafting an ordinance change that will be forthcoming at the next Planning Commission meeting, which require a public hearing.



## 7:00 PM REGULAR MEETING:

Meeting called to order by Chairman Ruesch at 7:03 p.m. The Pledge of Allegiance was led by Commissioner Jerome Gourley. There were no disclosures or 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 July 19, 2017.

*Commissioner Jerome Gourley made a motion to approve the meeting minutes for July 19, 2017. The motion was seconded by Commissioner Jake Peart. The vote was unanimously carried 4-0. Gourley-aye, Peart-aye, Chamberlain-aye, Ruesch-aye.*

Chairman Ruesch opened the public hearing.

### **B. PUBLIC HEARING:**

1. Public input is sought on a Conditional Use Permit submitted by Christer Lundell for a Bed & Breakfast located at 140 West Sunset Avenue in Toquerville, UT 84774. Tax ID# T-142-A-7. Zoning is A-1.

Christer Lundell briefly described his application and was aware of the requirements.

2. Public input is sought on a Home Occupation Conditional Use Permit submitted by Kathryn Paredes for a Massage Therapy and Essential Oil Business at 1219 South Grand Canyon Parkway in Toquerville, UT 84774. Tax ID# T-TRES-1-47. Zoning is R-1-20.

Letter read by Planning Chairman Mike Ruesch:

To the Toquerville City Planning Commission:

We are submitting this letter as we wanted to be represented at this meeting. We regret having to be out of town.

We are building a home directly across from Kathryn Paredes. In regard to the proposed massage therapy and essential oil business, we are in full support.

This kind of business will not even be noticed in the Trail Ridge Estates. It will not generate much traffic, produce any noise, create an eyesore or in any way inconvenience or bother any resident of the subdivision.

Any home business proposal should be evaluated on an individual basis. In this case of this massage business, it will be as if it is invisible.

Kathryn Paredes should be allowed to pursue this venture.

Sincerely,

Rick and Kat Lambson  
102 N. Roundabout Way  
Cedar, City UT 84720  
(435) 559-3373.

Gourley questioned if Mrs. Paredes has the licensure required for her business. Paredes said she holds all the state requirements and will obtain a business license once approved by the city. Paredes will be the only massage therapist working from within the home.

3. Public input is sought on a Home Occupation Conditional Use Permit submitted by Carl Westegaard for a Locksmith Business at 932 South Peachtree Drive in Toquerville, UT 84774. Tax ID# T-AHP-A-246. Zoning is R-1-12.

Commissioner Gourley asked if the missing site plan has been submitted and if it met the requirements. Planning and Zoning Official Mike Vercimak agreed he had received the document and is fine with the plan. Commissioner Gourley asked Westegaard if he was aware there will be no signage allowed at the site. Westegaard agreed to no signage but asked if his locksmith truck may have a sign on the side of the vehicle. The commission agreed signage on a vehicle would be acceptable.

4. Public input is sought on Ordinance 2017.XX Large Parcel Property Divisions.

No comments.

5. Public input is sought on Ordinance 2017.XX Modification to Guesthouse and Accessory Building Allowances.

No comments.

6. Public input is sought on Ordinance 2017.XX Short Term Rentals.

No comments.

#### C. BUSINESS/ACTION ITEM(S):

1. Discussion and Possible Action of Ordinance 2017.XX Keeping Livestock Within Residential Lots (5-1-4-C):

The Commission did not have any comment on the proposed ordinance change. Changes would define the maximum number of animals in residential zones to be one acre or smaller. Residential parcels larger than one acre would have no imposed maximums. The keeping of livestock in Commercial and Industrial Zones would not be permitted.

***Jake Peart made a motion to recommend approval of Ordinance 2017.XX - Keeping Livestock Within Residential Lots. Motion was seconded by Alex Chamberlain. Motion unanimously carried 4-0. Gourley-aye, Chamberlain-aye, Ruesch-aye, Peart-aye.***

2. Discussion and Possible Action on a Conditional Use Permit submitted by Christer Lundell for a Bed & Breakfast located at 140 West Sunset Avenue in Toquerville, UT 84774. Tax ID# T-142-A-7. Zoning is A-1:

Mr. Lundell ordered the appropriate fire suppression system for his bed and breakfast establishment. The system should be installed within the next week. Commissioner Gourley inquired Lundell about parking concerns. Lundell stated guests will park on the east side of the property. The proposed parking area has been graded, and they have intentions to pour a concrete slab.

The staff recommendations are as follows:

1. The required off-street parking be provided and verified.
2. Maximum number of guests is 2 per room and not to exceed 10 excluding the owner and family.
3. No cooking facilities are allowed in the guest rooms.

4. All local, state and federal health requirements are met.
5. An inspection by Hurricane Valley Fire District and Toquerville Building Official be completed and any deficiencies are to be corrected.
6. Applicant must obtain all local, state and federal licenses including a business license from the City of Toquerville and a sales tax license from State of Utah.
7. The premises will receive an annual inspection by a designee of the City.
8. This permit shall not be enlarged, expanded or changed otherwise without express written consent from City of Toquerville.
9. This permit shall receive an annual review by the Toquerville Planning Commission.

***Commissioner Jerome Gourley made a motion to recommend approval with staff conditions. Motion seconded by Commissioner Alex Chamberlain. Motion unanimously carried 4-0. Gourley-aye, Peart-aye, Ruesch-aye, Chamberlain-aye.***

3. Discussion and Possible Action on a Home Occupation Conditional Use Permit submitted by Kathryn Paredes for a Massage Therapy and Essential Oil Business at 1219 South Grand Canyon Parkway in Toquerville, UT 84774. Tax ID# T-TRES-1-47. Zoning is R-1-20.

Commissioner Gourley inquired Paredes if any of the essential oils contain hazardous materials or would be offensive to any of her neighbors. She stated all the oils are natural and shouldn't cause issues with neighbors. Gourley reminded Paredes signage is not permitted with home occupation businesses.

Staff recommendations are as follows:

1. Applicant must obtain all State and local licenses required for the operation of business including a State Sales tax license and a Toquerville business license.
2. Applicant agrees to abide by the regulations set forth for a Home Occupation Permit in section 10-23-8 of the Toquerville Land Use Code.
3. Applicant agrees that all signage placed by the Applicant will conform to the sign regulations of the City of Toquerville.
4. Applicant agrees to provide off-street parking for patrons of the business.
5. This permit cannot be enlarged, expanded or changed otherwise without express written consent from the City of Toquerville.
6. This permit shall receive an annual review by the Toquerville Planning Commission.

***Commissioner Alex Chamberlain made a motion to approve the Home Occupation Conditional Use Permit to Katherine Paredes at 1219 South Grand Canyon Parkway with staff recommendations. Motion was seconded by Commissioner Jerome Gourley. Motion unanimously carried 4-0. Gourley-aye, Chamberlain-aye, Peart-aye, Ruesch-aye.***

4. Discussion and Possible Action on a Home Occupation Conditional Use Permit submitted by Carl Westgaard for a Locksmith Business at 932 South Peachtree Drive in Toquerville, UT 84774. Tax ID# T-AHP-A-246. Zoning is R-1-12:

There was no discussion by the council.

Staff recommendations are as follows:

1. Applicant obtains all required licenses, including a State Sales Tax license and a Toquerville Business license.
2. Applicant agrees to abide by all the requirements for a Home Occupation Permit as detailed in section 10-23-8 of the Toquerville Land Use code.
3. Applicant agrees that any signage installed will be in compliance with the Toquerville sign ordinance.

4. This permit cannot be enlarged, expanded or changed otherwise without express written consent from City of Toquerville.
5. This permit shall receive an annual review from Toquerville Planning Commission.

***Commissioner Jerome Gourley made a motion to approve the Home Occupation Permit submitted by Carl Westegaard at 932 S Peachtree Drive with staff recommendations. Motion was seconded by Commissioner Jake Peart. Motion unanimously carried 4-0. Peart-aye, Chamberlain-aye, Gourley-aye, Ruesch-aye.***

6. Discussion and Possible Action on Ordinance 2017.XX Large Parcel Property Divisions.

***Commissioner Jake Peart made a motion to recommend approval on Ordinance 2017.XX Large Parcel Property Divisions. Motion was seconded by Commissioner Jerome Gourley. Motion unanimously carried 4-0. Ruesch-aye, Peart-aye, Chamberlain-aye, Gourley-aye, Ruesch-aye.***

7. Discussion and Possible Action on Ordinance 2017.XX Modification to Guesthouse and Accessory Building Allowances.

***Commissioner Jake Peart made a motion to recommend approval for Ordinance 2017.XX - Modification to Guesthouse and Accessory Building Allowances. Motion was seconded by Commissioner Alex Chamberlain. Motion unanimously carried 4-0. Gourley-aye, Ruesch-aye, Peart-aye, Chamberlain-aye.***

8. Discussion and Possible Action on Ordinance 2017.XX Short Term Rentals:

Chamberlain asked about the penalties rates and why the fees were higher than other penalties. Vercimak believed the rates were high because they are preventable. Chamberlain would like to lower the penalties to \$500.00 for the first violation, \$1500.00 for the second violation, and \$4000.00 for a third violation. Chamberlain would like to reduce the application fee from \$1,000.00 to \$250.00. Commissioner Gourley was against the reduced penalty and application fee. Chamberlain thought the intent to limit the application through fees was unjust. He would like to provide equal opportunity for applications. Peart was in favor of allowing people to apply for the use and thought they should allow free market to rule. The commission had brief discussion about enforcement and what constitutes a fair price for enforcing compliancy issues. Chamberlain would rather have constant neighbors than transient rentals. Gourley thought the fees should not be a source of revenue but a deterrent for applications.

***Motion to recommend approval of Ordinance 2017.XX Short Term Rentals with reduction of the application fee from \$1,000.00 to \$250.00, to change violation penalties to \$500.00 for the first, \$1500.00 for the second, and \$4000.00 for the third, and to grammatically clean up the definition of a short term rental. Motion was seconded by Commissioner Jake Peart. Motion carried 3-1. Ruesch-aye, Peart-aye, Chamberlain-aye, Gourley-ney.***

Commissioner Gourley was against the reduction of the application fee. He was supportive of maintain the fee of \$1,000.00. Commissioner Peart would like to loosen up the requirements for obtaining a vacation rental within the City.

**D. HO/CUP REVIEW:**

1. Review and Possible Approval of a Home Occupation Conditional Use Permit issued to Vanessa Haines ~ Blankies LLC and A to Z Boutique. Property located at 942 South Peachtree Drive.
2. Review and Possible Approval of a Conditional Use Permit for Care Youth Corporation / Sequel Youth Services of Lava Heights Academy ~ Formerly known as Lava Heights Academy. Offices located at 730 E Spring Drive, Dormitory Building at 650 E Spring Drive, and a Gymnasium at 650 E Spring Drive.
3. Review and Possible Approval of a Conditional Use Permit for Southwest Wind LLC issued to Jerry Eves. Property located at North by Northwest of Anderson Junction on the West side of Interstate Highway 15, not including Pintura.

There have been no complaints or violations at the above locations. Mr. Eves would like a continuance of his conditional use permit. He emailed the city recorder and stated the project was still in the hands of PacifiCorp and requested an extension.

***Commissioner Jerome Gourley made a motion to approve the listed Conditional Use Permits, Motion was seconded by Commissioner Alex Chamberlain. Motion unanimously carried 4-0.***

Vercimak asked the Planning Commission if the commission would be interested in creating a specific zone for short term rentals. He was willing to draft a new zone ordinance if they would like him to proceed. Commission Peart was in favor of creating the proposed zone. Gourley believed to create the zone would open the door to vacation rentals and would designate a specific zone. Chamberlain and Ruesch were undecided but would like to think on the use and discuss it at the next meeting.

**E. ADJOURN:**

Chairman Ruesch adjourned meeting at 8:40 p.m.

\_\_\_\_\_  
**Planning Commissioner – Mike Ruesch**

\_\_\_\_\_  
**Date**

**Attest:**

\_\_\_\_\_  
**Toquerville City Recorder – Dana M. McKim**