

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
Wednesday, January 17, 2018
Work Meeting 6:30 p.m. - Regular Meeting 7:00 p.m.
Held at 212 N. Toquerville Blvd, Toquerville Utah



Present: Planning Chairman Alex Chamberlain; Commissioners: Alt Manning Butterworth, Jake Peart;
Other: Zoning Official Mike Vercimak, Recorder Dana McKim, Hurricane Valley Fire Department
Representative Merlin Spendlove; Public: Greg Turner, Jodi Turner, Rebecca Hansen, Gary Chaves,
Curtis Biggs, Renae Biggs, Evelyn Isham.

6:30 PM WORK MEETING:

Chairman Chamberlain called work meeting to order at 6:30 p.m.

1. Discussion on Short Term Rentals-Bed and Breakfast and Nightly/Short Term Rentals
Butterworth believed the modifications were well crafted, but suggested a modification to 10-17-4E, the log requirement. He would like the log requirement to include a paragraph that states, "The log shall be available to city staff for examination upon request." The log is required by city code but does not require the owner to produce it. Chamberlain asked if the requirement would be better clarified in a renter agreement between the owner of an establishment and the renter.
Butterworth suggested in section 10-17-4-O should clarify 24 hours as a time period of availability. Whether or not to include the definitions of establishments in each category was briefly discussed. They suggested the nightly/short term rentals have yearly review rather than a six month review. Peart was in agreement of a yearly review.
Peart asked why the council was in favor of creating density requirements. He believed in doing so it would create a requirement which would discriminate the availability for equal business opportunity. McKim suggested cooking facilities should have further clarification. Spendlove stated the rooms where patrons stay should not have microwave ovens, a coffee pot, hot plates, or anything you could warm or cook food.
2. Discussion of Master Transportation Plan:
Jones and DeMille will give a presentation on the Master Transportation Plan next month.
Butterworth had several items he would like modified or explained. He suggested the glossary should be sorted. He wondered what the acronym RSG stood for. He thought the acronym LOS was defined but wondered what the difference was between LOSC and LOSD was. On page 15, item 2.6 stated no bicycle or pedestrian traffic were included in the plan and thought the statement was contradictory to the general plan. On page 23, item 3.2 stated graphic data was derived from the 2010 census. He wondered if the plan will need to be updated when the growth changes or does data become obsolete in conjunction with the plan. He noted on page 25, item 3.3 it speaks about more commercial development to occur in Toquerville and wondered how that was assumed. He believed Toquerville will experience more residential growth. He would like more explanation on the total employment graph and how the data was projected. On page 30, section 3.3.1.3 referenced UDOT's plan to include bike lanes on each side of the roadway of SR17. He believed the earlier statement on page 15, section 2.6 needed to be modified since the study seemed to be contradictory. On page 31, figure 12 is unable to load on the digital copy of the plan. It prints out fine but gives an error message there was insufficient data for an image. Page 32 shows Cholla drive designated as



collector road but asked why Zions parkway and Shangri-La are not. Chamberlain asked why Hunter lane had plans to pave it. Hunter Lane is a private road.

Butterworth had other notes he will have the recorder send to Jones and DeMille for discussion and possible modification.

3. Discussion on Proposed Resort Zone:

Butterworth suggested under purpose and objectives in paragraph B, the word necessities should be replaced with necessary. He inquired Vercimak about the allowed accessory uses.

Vercimak would like to act globally with the resort zone concept. Butterworth asked where the need for this zone would be. Vercimak spoke about a property alongside the interstate which would fit a resort zone. He asked if components would need to be added or omitted from the draft. Vercimak was open to any additions to the proposed zone.

4. Discussion on Flag Lots:

There was no discussion due to time constraints.

7:00 PM REGULAR MEETING:

Meeting called to order by Chairman Chamberlain at 7:00 p.m. The Pledge of Allegiance was led by Manning Butterworth. There were no disclosures from councilmembers. Chairman Chamberlain declared a conflict stating his business was up for a yearly home occupational conditional use permit review.

A. REVIEW OF MINUTES:

1. Review and Possible Approval of Planning Commission Meeting Minutes from the Work Meeting, Regular Work and Business Meeting on December 20, 2017.

Commissioner Manning Butterworth made a motion to approve the meeting minutes from December 20, 2017. Motion was seconded by Commissioner Jake Peart Second. Motion unanimously carried 3-0. Peart-aye, Butterworth-aye, Chamberlain-aye.

B. PUBLIC HEARING:

Limit three (3) minutes per person; please address the microphone and state full name and address.

1. Public input is sought on a Conditional Use Permit for a Bed and Breakfast Establishment submitted by Curtis and Renae Biggs, located at 1245 S Toquerville Boulevard in Toquerville, UT 84774. Property Tax ID# T-115-C. Zoning is A-1:

Evelyn Isham from 1267 South Shadow Creek Ln wanted to know if there would be a need for a zone change for the application. She asked where the applicants would live, and how the safety would be preserved in the neighborhood.

Renae Biggs from 1245 S Toquerville Boulevard stated they will rent out two bedrooms in their home and they will live onsite. She said they will most probably be renting out nightly stays on the weekends. There is not a need for a zone change. The property is zoned A-1 and the application is an allowed use in the zone.



2. Public input is sought on Home Occupation Permit for a Home Office submitted by Lonnie Christensen-Manx Inc. located at 345 West Old Church Road in Toquerville, UT 84774. Property tax T-91-B-7. Zoning is A-1.

No comments were made.

The public hearing was closed by Chairman Chamberlain.

C. BUSINESS/ACTION ITEM(S):

1. Discussion and Possible Appointment of Planning Commissioner Pro Tem:

The commission briefly spoke about the options of commissioner pro tem. Due to only three members on the board at the present time and Commissioner Butterworth being an alternate, it was decided to table the item until more commissioners are placed on the board.

Commissioner Jake Peart made a motion to table the item. Motion was seconded by Commissioner Manning Butterworth. Motion unanimously carried 3-0. Butterworth-aye, Peart-aye, Chamberlain-aye.

2. Discussion and Possible Action on a Conditional Use Permit Application for a Bed and Breakfast Establishment submitted by Curtis and Renae Biggs, located at 1245 S Toquerville Boulevard in Toquerville, UT 84774. Property Tax ID# T-115-C. Zoning is A-1.

Chamberlain read the comments and the recommendations from staff:

Staff recommends this application be approved with the following conditions:

1. Required off-street parking shall be provided and verified.
2. Applicant will have an inspection of the premises by Hurricane Valley Fire District and the Building Official for Toquerville City.
3. Applicant agrees to abide by all regulations outlined in Section 10-17-3, Bed and Breakfast Services of the Toquerville City Code
4. Applicant agrees to obtain all required Federal, State and Local permits including a business license from Toquerville City and a Sales and Use Tax license from the State of Utah.
5. Applicant agrees to meet and comply with all local and state health regulations.
6. This permit cannot be enlarged, expanded or changed otherwise without express written consent from the City of Toquerville.
7. This permit will receive an annual review by the Toquerville Planning Commission.

Commissioner Manning Butterworth made a motion to approve the application, subject to all staff recommendations and conditions. Motion was seconded by Commissioner Jake Peart seconded. Motion unanimously carried 3-0. Peart-aye, Chamberlain-aye, Butterworth-aye.

3. Discussion and Possible Action on a Home Occupation Permit Application for a Home Office submitted by Lonnie Christensen-Manx Inc. located at 345 West Old Church Road in Toquerville, UT 84774. Property tax T-91-B-7. Zoning is A-1.



Chamberlain read the comments with four conditions. Staff recommended application be approved with the following conditions:

1. The applicant agrees to abide by all the regulations set forth in 10-23 of the Toquerville City Code governing Home Occupations.
2. The applicant agrees to obtain all required Federal, State and Local licenses required.
3. This permit cannot be enlarged, expanded or changed otherwise without the express written consent of the City of Toquerville.
4. This permit shall receive an annual review by the Toquerville Planning Commission.

Commissioner Jake Peart made a motion to approve the Home Occupation Conditional Use Permit with staff recommendations. Motion was seconded by Councilmember Manning Butterworth. Motion unanimously carried 3-0. Chamberlain-aye, Peart-aye, Butterworth-aye.

D. HO/CUP REVIEW & POSSIBLE RECOMMENDATION:

1. Home Occupation Permit Review ~ Blue Desert Rhapsody, LLC, a multimedia production office at 61 West Old Church Road-Alex & Jenny Chamberlain
2. Home Occupation Permit Review ~Heideman Investments & Insurance, LLC, a home office at 720 S Toquerville Boulevard-Paul Heideman. Chamberlain stated he would like to disclose Heideman is his uncle.
3. Conditional Use Permit Review~Forever Friends Cremation, for a pet cremation facility and home office at 490 S Westfield Road- Angel VanValkenburg.
4. Home Occupation Permit Review for~Eagle Courier Services, a mail delivery and courier services business -Ray McQuivey.

Commissioner Peart asked if the city had received any odor complaints in the area of 490 S Westfield. Recorder McKim stated there had been no complaints. He had been approached by some community members inquiring about odors from the area. He asked what the conditions were recommended by staff and the commission when the permit was granted. McKim will research the permit and provide the information at the next upcoming Planning Commission meeting.

Commissioner Jake Peart made a motion to table item three (3) until next month. Motion was seconded by Commissioner Manning Butterworth. Motion unanimously carried 3-0. Peart-aye, Butterworth-aye, Chamberlain-aye.

Commissioner Jake Peart made a motion to approve the Home Occupation Permits for Blue Desert Rhapsody, Heideman Investments and Insurance, and Eagle Courier services. Motion was seconded by Manning Butterworth. Motion unanimously carried 3-0. Butterworth-aye, Peart-aye, Chamberlain-aye.

E. ADJOURN:

Chairman Chamberlain adjourned meeting at 7:18 p.m.





Planning Commissioner – Alex Chamberlain

March 1, 2018

Date

Attest:



Toquerville City Recorder – Dana M. McKim

