

**TOQUERVILLE CITY
PLANNING COMMISSION
SPECIAL BUSINESS MEETING MINUTES
WEDNESDAY-MAY 9TH AT 6:30
Held at 212 N. Toquerville Blvd, Toquerville Utah**



Present: Planning Chair Alex Chamberlain; Planning Commissioners: Manning Butterworth, Jake Peart, Rebecca Hansen, Kris Smedley; Staff: Recorder McKim, Zoning Official Mike Vercimak; Public Brent Bluth. Absent: Greg Turner

6:30 PM SPECIAL BUSINESS MEETING:

The meeting was called to order by Chair Alex Chamberlain at 6:32 p.m. There were no disclosures, nor conflict declarations stated.

Chamberlain declared the public hearing item.

B. PUBLIC HEARING:

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

1. An ordinance to amend and restate section 4-1 of Title 10, Chapter 10a of the Toquerville City Code to allow the minimum frontage of subdivided lots abutting a cul-de-sac located in the City's R-1-12 zone be reduced by thirty percent (30%).

Brent Bluth from Self-Help Homes:

Thanked the commissioner for holding a special meeting to modify the code. The Ash Creek Overlook subdivision was delayed several times due to other extenuating circumstances the city has dealt with. Bluth stated the subdivision meets the use, parking requirement, and the cul-de-sac ordinance. The Toquerville code was silent on cul-de-sac requirements and hopefully, this will remedy the concern. Bluth and his engineer drafted a suggested modification to the code, due to its ambiguity to state, "Frontage may be reduced by 30% on a cul-de-sac lot if said total lot area exceeds 12,500 square feet." Attorney Snow modified the suggestion from 12,500 square feet to 12,000. Bluth explained the cul-de-sac size will not be changed. The self-help home organization believed the design benefits the property efficiently. The developer wanted to give the opportunity for these future homes to have backyards. To modify the cul-de-sac design would add approximately \$10,000.00 to the construction of the homes for utilities, concrete, and landscaping.

Chamberlain closed the public hearing.

C. BUSINESS/ACTION ITEM(S):

1. Discussion and Possible Recommendation on Ordinance 2018.XX – An Ordinance to amend and restate section 4-1 of Title 10, Chapter 10a of the Toquerville City Code to allow the minimum frontage of subdivided lots abutting a cul-de-sac located in the R-1-12 zone be reduced by thirty percent (30%):



Commissioner Butterworth suggested the proposed ordinance should include the title R-1-12 District (12,000 SQUARE FEET) above the requirements to clarify the zone in the ordinance. He wondered if the preamble is not a part of the ordinance and wanted the intent clarified. He would like the change to be included in the motion. He also thought there was redundancy in the minimum lot area and the minimum frontage. Vercimak explained due to geographical features or the implementation of a PDO zone sometimes a lot may be less than 12,000 square feet. He said what seems to be obvious becomes a point of clarification. He was asked if this ordinance would give developers a loophole to change the intent of the zone. He didn't believe it would be, because of the minimum square foot requirement. The Almond Heights Subdivision was created quite some time ago and this is the last portion of the development. He apologized to the commission the cul-de-sac was missed during the preliminary and final plat process. Commissioner Peart asked if Bluth could modify the design. Bluth stated they have accommodated with the neighborhood to create the design presented. He believed this was the best design available.

Peart asked about parking concerns. He asked how the parking works with the current layout. He asked how the design accounts for two parking spaces per lot. Bluth stated there will be two spaces on-site per lot in the driveway. Peart did print out some current cul-de-sac designs in Toquerville and LaVerkin. Some of the examples had four lots in the cul-de-sac, but most of them had five. Chamberlain asked what the radius lengths were. Peart did not know.

Chamberlain wondered if the size of the cul-de-sac was relevant to the design. There was a brief discussion about the examples presented. The Ash Creek Overlook cul-de-sac design is 106 feet. Peart spoke about his personal experience of parking in a cul-de-sac during the holidays. He recommended there shall be no off-street parking. He wondered how the fire department would be able to turn a fire truck around inside the cul-de-sac.

Chamberlain stated the examples presented by Peart, if shown to scale are substantially smaller than the Ash Creek Overlook cul-de-sac design. He didn't know about the scale accuracy of the handouts given. Commissioner Hansen thought the design was appropriate and suggested at a later date the parking could be prohibited but didn't want to initially restrict off-street parking. Commissioner Smedley believed parking could potentially present a problem.

Peart read one of the recitals in the ordinance, "Whereas, the City has determined that it is in the best interest of the health, safety and general welfare of the city and its residents to allow for the reduction of frontage requirements on subdivided lots abutting a cul-de-sac in the City's R-1-12 Zoning District" was contrary to the public comment during the preliminary plat application. There was a discussion about how many neighbors were against the preliminary design.

Chamberlain shared a couple of his thoughts. He was pretty surprised there weren't requirements for cul-de-sac designs in Toquerville. Chamberlain once worked for an engineering firm and there was always a relief when a cul-de-sac reduction was found in various city codes. It frees up restrictions from a design standpoint. He was in favor of the proposed ordinance in the R-1-12 zone. He felt the reduction was reasonable for the zone, but would not support such a reduction in a smaller zone where homes are more concentrated. He didn't believe the reduction would be needed for lots larger than 12,000 square feet.

Bluth explained the ordinance would be inserted in the R-1-12 zone and there wouldn't be a need to include the title above the requirements. The recital explains where the modifications are made.

Peart asked if parking becomes a problem in the future, how will the city mitigate the concern? Bluth believed the city may, at any time, restrict parking if it becomes a health hazard or



problem. Vercimak suggested the problem would be addressed from citizen complaints and the city will address the concern.

Commissioner Jake Peart made a motion to approve the proposed cul-de-sac reduction ordinance and include no on-street parking where the frontage is reduced by 30%, and specify the reduction only applies to an R-1-12 Zone. The motion was seconded by Commissioner Manning Butterworth.

Commissioner Hansen asked what the repercussions were to disallow parking on-street in a cul-de-sac. There was a brief discussion between commissioners about parking availability. Bluth cautioned the commission to require no on-street parking may create a capricious situation. The developer has met every section of the ordinance. Where the house will sit on the lot is what they are trying to accomplish. Hansen believed if the parking became a problem, the city would address on-street parking. Vercimak expressed a thought if there was no on-street parking it could possibly worsen the parking situation of the neighborhood and surrounding areas.

Vote on motion: Butterworth-aye, Peart-aye, Smedley-nay, Chamberlain-nay, Hansen-nay. Motion dies for lack of majority.

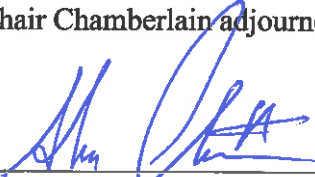
Commissioner Rebecca Hansen recommends approval to City Council Ordinance 2018.XX, an ordinance to amend and restate section 4-1 of Title 10, Chapter 10a of the Toquerville City Code to allow the minimum frontage of subdivided lots abutting a cul-de-sac located in the City's R-1-12 zone be reduced by thirty percent. The motion was seconded by Commissioner Smedley.

Commissioner Butterworth asked if the motion included the clarification in the ordinance will specify for the codifier the reduction is for only the R-1-12 zone.

Commissioner Rebecca Hansen modified her motion to include the reduction will only apply to an R-1-12 zone. The modified motion was seconded by Commissioner Smedley. Chamberlain-aye, Hansen-aye, Smedley-aye, Peart-nay.

E. ADJOURN:

Chair Chamberlain adjourned the meeting at 7:08 p.m.



Planning Commissioner – Alex Chamberlain



Date

Attest:



Toquerville City Recorder – Dana M. McKim

