

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



Present: Planning Commission Chair-Manning Butterworth; Commissioners: Greg Turner, Rebecca Hansen, Jake Peart, Chuck Williams, Alternate-Joey Campbell; Zoning Official Mike Vercimak, City Council Member Liaison Alex Chamberlain, Recorder Dana McKim; Public: Susan Whiting, Todd Gardner, Matt Wathen, Kaesha Fry, Ben DeMille.

**6:30 PM WORK MEETING:**

Chair Butterworth called the work meeting to order at 6:30 p.m.

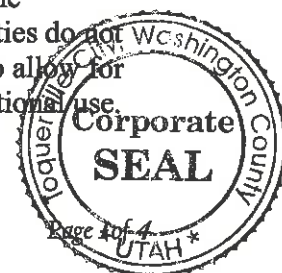
**1. Discussion of Highway Commercial Zone:**

The item of discussion was prompted from an application received during the last development staff meeting. The application affects the northern portion of Tax ID# T-3-0-22-233, located in the Anderson Junction area. The developers originally wanted to develop the property as a resort zone but changed their plan from an RV park area to an RV and storage unit complex. The proposed development is on seven acres and includes 86 storage units, 51 trailer storage units, 150 RV storage units, 6 RV parking spots, 11 regular parking spots, a store, and a service center. These types of facilities are not listed as permitted, nor conditional use permits in any of the listed zones in Toquerville. The property is currently zoned R-1-20, single-family residential and surrounded by highway commercial and R-1-20 zoning. The applicant will need to apply for a zone change and inquired what zone they should request for. It was suggested they could apply for light industrial or highway commercial. RV storage and storage unit facilities are usually developed in industrial zones. The purpose of a highway commercial zone is to provide commercial areas on major highways for the location of travel, service, and highway-oriented commercial uses. Vercimak said the zone allows for recreation vehicle parks, but not storage facilities.

Peart thought the application was a fit for the zone. Hansen had concern how to the developer would conceal the business and suggested either a solid wall or some sort of camouflaging should be constructed since the area will be the gateway into Toquerville. She wanted the area to be aesthetically pleasing so the rest of the area would be developed according to the general plan. Vercimak cautioned the commission when adding uses to a zone to carefully looking at the zone characteristics. He tasked the commission to look at the permitted uses in a highway commercial zone and if a storage unit facility would fit near the permitted uses like a grocery store, a drug store, or a motel. Councilmember Chamberlain suggested the use, if adopted, into an industrial zone would be allowed as a conditional use so the commission could recommend the developer install a wall around the facility.

Peart didn't want the proposed area to be rezoned as industrial and believed the use should be included as a conditional use in a highway commercial zone. He stated he had seen different storage type facilities like the Love's Storage facility, northeast of Las Vegas off of I-15. Storage facilities can be developed without being an eyesore. He suggested the developer could include a convenience store with the storage facilities.

Vercimak told the commission he believed Toquerville has always envisioned the Anderson Junction area to be carefully developed in such a way to be able to collect high tax revenue from the businesses since the main street is zoned single-family residential. RV storage unit facilities do not collect high tax revenue for the city. The commission needs to first decide if they want to allow for storage units in the city, and if so, where they need to be included as a permitted or conditional use.



Vercimak recited some of the permitted uses in a light industrial zone. Uses like agricultural sales and service, club or service organizations, construction sales and service, a convalescent facility, or convenience store were named as examples.

The group briefly discussed how the future plans of the SR17 interchange and Anderson Junction road will affect access to the property. Vercimak suggested the commissioners should contemplate where storage facilities should be in Toquerville according to zoning. Hansen wasn't sure if the location was an ideal place for a storage facility. Peart was in favor of the proposed development and thought it would be a nice transition area into highway commercial zoned property. Williams asked if the city had a general development plan for the Anderson Junction area and did it include infrastructure and traffic flows to and from the future reservoir project. Butterworth believed there may be an economic plan in the works for the area but wasn't sure if it has been adopted. Councilmember Chamberlain suggested it may be generally described in the recently updated Toquerville General Plan. Vercimak reminded the council the Washington County Water Conservancy District will be in charge of the reservoir project. The future alignment of the road will not deter or impede traffic flow to the proposed development. Wathen described the location of the future development and how it would be positioned on the property. Vercimak explained how many steps the developer would have to go through to start his project. He suggested a draft ordinance could be created to amend a highway commercial zone if the commission was amenable to the suggestion. Hansen suggested a highway commercial zone could be amended to include storage unit facilities as conditional use permits.

2. Discussion of a proposed Resort Zone:

Hansen forwarded some information to the commissioners she had found in other jurisdictions concerning mixed-use resort zones. Most of the information gained was positive, other than some complaints about noise complaints which sometimes occur in transient neighborhoods. Peart thought parking may be a problem as well.

**7:00 PM REGULAR MEETING:**

The meeting was called to order by Chair Butterworth at 7:00 p.m. The Pledge of Allegiance was led by Butterworth. There were no disclosures or conflict declarations from commission members.

**A. REVIEW OF MINUTES:**

1. Review and Possible Approval of Planning Commission Meeting Minutes from the Special Work and Business meeting on September 26, 2018.

*Commissioner Jake Peart made a motion to approve the meeting minutes from September 26, 2018. Motion was seconded by Commissioner Greg Turner. Motion carried unanimously 5-0. Vote: Manning Butterworth-aye, Jake Peart-aye, Chuck Williams-aye, Greg Turner-aye, Rebecca Hansen-aye.*

**B. REPORTS:**

1. Zoning Official, Mike Vercimak:

No report was given. Peart asked if the commission is still looking at moving forward with adopting a resort zone. Butterworth stated they were and the commission would continue to research and look at different options the city could implement the desired zone.

2. City Council/Planning Commission Liaison, Alex Chamberlain:

Chamberlain believed the building inspector was responsible for the enforcement of the night sky ordinance with newly constructed homes, but it was found that in his contract he is not required to check those specifications. The council realized they will need to name a lighting administrator to



enforce dark sky lighting violations. Butterworth believed the ordinance included a time period where buildings would need to gain conformance before a violation would be cited. Different lighting options regarding billboards and future development were briefly discussed. Chamberlain thanked the planning commission for working on the newly passed short-term rental ordinance. The fee schedule will be modified as well as the application form.

**C. PUBLIC FORUM:**

No comments were stated during the public forum portion of the meeting.

**D. PUBLIC HEARING:**

1. Public input is sought on a Zone Change Application submitted by Jeff Fry located at 1180 South Cholla Drive, Toquerville, UT 84774. Tax ID# T-110-A-1. Property is currently zoned A-1: Agriculture (minimum lot size of one acre). Proposed zoning is Single Family Residential, R-1-20 (minimum lot size of 20,000 square feet).

Kaesha Fry stated the application would change the zoned property from Agriculture to an R-1-20 single-family residential zone, whereas the surrounding property is currently zoned as.

**E. BUSINESS/ACTION ITEM(S):**

1. Discussion and possible recommendation on a Zone Change Application submitted by Jeff Fry located at 1180 South Cholla Drive, Toquerville, UT 84774. Tax ID# T-110-A-1. Property is currently zoned A-1: Agriculture (minimum lot size of one acre). Proposed zoning is Single Family Residential, R-1-20 (minimum lot size of 20,000 square feet):

Butterworth read the staff recommendations as follows:

The Toquerville land use codes require that for a zone change request to be granted, the Planning Commission must find that the request meets all the following standards (10-8-3-B).

1. Addresses a recognized and demonstrated need in the Community
2. Will it be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation
3. Will not result in an over-intensive use of the land or excessive depletion of natural resources;
4. Will not have a material adverse effect on community capital improvement programs;
5. Will not require a level of community facilities and services greater than that which is available;
6. Will not result in undue traffic congestion and traffic hazards;
7. Will not cause significant air, odor, water, light or noise pollution;
8. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the city; and
9. Will meet the requirements of the General Plan.

Butterworth asked Fry about access concerns and if the property is intended to be subdivided in the future. Fry replied an easement will be obtained to create a driveway. Vercimak drew on the whiteboard the lot and explained how the land will be developed in the future. A subdivision application will be submitted by the Frys to include a private street, where the back two lots will front the private street and a third lot will front Cholla Drive. Any infrastructure behind the property line will be the responsibility of the property owner for maintenances and repair.



There are two structures on the property as it sits now. The casita will not be torn down but improved upon. A third home will be constructed to front Cholla Drive. The property was an inherited non-conforming property. The Frys will need to comply with fire standards when the subdivision is created. The lot is not a part of the Cholla subdivision. Peart believed the application meets the nine criteria. Hansen voiced maintenance concerns of privately developed streets. She has seen private streets not being constructed wide enough or maintained properly. She believed the application was compatible with the neighborhood. She asked the commission was comfortable in creating more private streets. Peart thought if the road was wide enough for the residents who live at the homes it shouldn't be an issue. Vercimak reminded the commission the application was for a zone change and not a preliminary plat application.

***Commissioner Jake Peart made a motion to approve the zone change for Tax ID# T-110-A-1, as listed on the agenda. Motion was seconded by Commissioner Greg Turner. Motion unanimously carried 5-0. Vote: Jake Peart-aye, Manning Butterworth-aye, Chuck Williams-aye, Greg Turner-aye, Rebecca Hansen-aye.***

**F. HO/CUP REVIEW & POSSIBLE RECOMMENDATION:**

1. Home Occupation Permit issued to Mark Fahrenkamp for a Home Office-Fahrenkamp INC at 325 West Old Church Road
2. Home Occupation Permit issued to Ben DeMille for a Home Office-Color Country Appliance at 640 S Toquerville Boulevard.
3. Conditional Use Permit issued to Susan Whiting for a Bed and Breakfast Establishment-Zion's Garden Bed & Breakfast at 250 West Peachtree Drive.
4. Conditional Use Permit issued to Lee Miller for a Bed and Breakfast Establishment-Millers High Desert Hideaway at 1225 S Westfield Road.
5. Conditional Use Livestock Permit issued to Betty Sanchez for the keeping of six quail at 1501 Staghorn Street.

There are no outstanding issues or complaints on the renewals listed on the agenda.

***Commissioner Jake Peart made a motion to approve the home occupation and conditional use permits as listed on the agenda. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Vote: Greg Turner-aye, Rebecca Hansen-aye, Chuck Williams-aye, Jake Peart-aye, Manning Butterworth-aye.***

**G. ADJOURN:**

Chair Butterworth adjourned the meeting at 7:22 p.m.

*Manning Butterworth*  
\_\_\_\_\_  
Planning Commissioner – Manning Butterworth

11/25/18  
\_\_\_\_\_  
Date

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

