

**TOQUERVILLE CITY**  
**PLANNING COMMISSION MEETING MINUTES**  
**Wednesday – December 18, 2019**  
**Work Meeting 6:30 p.m. – Regular Meeting 7:00 p.m.**  
**212 N. Toquer Blvd, Toquerville Utah**



Present: Chairman Manning Butterworth, Commissioners: Greg Turner, Rebecca Hansen, Dan Catlin, Joey Campbell, Alternate Planning Commissioner: David Browning. Staff: Mike Vercimak, Recorder Dana McKim, Deputy Recorder Ruth Evans. City Council/Planning Commission Liaison Alex Chamberlain. Public: Jon Jones, Gary Chaves, Laurie Mangum, Lynn Chamberlain, Woody Bean, Rob Haines.

**6:30 PM WORK MEETING:**

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

1. Discussion on design standards for commercial industrial, and MU-20 zoned property.

The Commission discussed their goal would be to provide enforceable guidance for commercial developers and to achieve the goals outlined in the City's general plan. The look of Toquerville should be defined first, and then ordinances and guidelines can be implemented. The entire city does not have to look the same; different areas of commercial and residential can have a different look and feel. Businesses should be encouraged to come to Toquerville, not pushed away with restrictive design standards. Mayor Chamberlain encouraged the Commissioners to determine the look and feel of Toquerville, while maintaining our pioneer heritage.

**7:00 PM REGULAR MEETING:**

Chairman Butterworth called the meeting to order at 7:00 p.m. Commissioner Campbell led the Pledge of Allegiance.

Commissioner Campbell disclosed a conflict of interest for item F2, his home occupation permit renewal. There were no other disclosures or declarations of conflict.

**A. REVIEW OF MINUTES:**

1. Review and Possible Approval of Planning Commission Meeting Minutes from November 20, 2019.

*Commissioner Rebecca Hansen moved to accept the meeting minutes from November 2019. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.*

**B. PUBLIC FORUM:**

*Comments from public and public requests for future agenda items.*

There were no comments from the public.

**C. REPORTS:**

1. Chairman Butterworth reported the agenda for next year has been reworked to only have one meeting instead of the separate work and regular meeting. The meeting time of 6:30 p.m. will not change. The agenda items will be rearranged to have the business items moved to the beginning of the meeting to better accommodate residents.



2. There were no reports from any Planning Commissioners.
3. Zoning Official Mike Vercimak did not have anything to report.
4. City Council/Planning Commission Liaison Alex Chamberlain reported the City Council discussed appointing a member of City Staff to be the lighting administrator. The Council approved light filters for all city street lights. Language should be added to the lighting ordinance motion specifying the color temperature of 3000k or lower. These filters will be added to the City's Specs and Standards. Commissioner Campbell wished to express his thanks to Councilman Chamberlain for all the work he has done serving on the City Council and the Planning Commission.

**D. PUBLIC HEARING:**

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

1. Public input is sought on Ordinance 2019.XX Nightly Rental Ownership – An ordinance amending Title 10, Chapter 17-3(F) – Nightly Rentals: to clarify primary residence ownership.

No public comment was given.

2. Public input is sought on Ordinance 2019.XX Nightly Rental Annual Renewal – An ordinance amending Title 10, Chapter 17-3(K) – to remove the public hearing requirement from the annual review process.

No public comment was given.

3. Public input is sought on Ordinance 2019.XX Building Permit Process – An ordinance amending Title 10, Chapter 18A Building Permits and building pad requirements.

No public comment was given.

4. Public input is sought on Ordinance 2019.XX Building Permit Chart – An ordinance amending Title 10, Chapter 6-1 Building Permit Submittal Requirements.

No public comment was given.

5. Public input is sought on Ordinance 2019.XX Exterior Lighting – An ordinance amending Title 10, Chapter 24 Exterior Lighting.

Resident Lori Mangum commented on the positive changes that have taken place, but there are still concerns. 3000k is a better color, 2700k is too yellow and too restrictive. Item 7, prohibited lighting, is too vague. The lighting ordinance as a whole is too much, at 14 pages long. Give guidance on lighting, not restrictive rules that pit neighbors against neighbors. Great effort by the Planning Commission on revising this ordinance.

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

1. Discussion and possible recommendation of a Business License Application for a home office submitted by Robert Haines/Solid Home Construction at 942 S Peachtree Drive



Mr. Haines stated there will be no traffic or additional vehicles that disrupt the neighborhood. The Commissioners did not have any further questions or comments.

***Commissioner Greg Turner moved to recommend approval with staff recommendations of the Business License Application submitted by Robert Haines. Commissioner Dan Catlin seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

2. Discussion and possible recommendation of a Business License Application for a home office submitted by Durwood Bean/A & M Innovations LLC at 962 S Peachtree Drive.

Mr. Bean would like to start a marketing and advertising business out of his home. The Commissioners did not have any further questions or comments.

***Commissioner Greg Turner moved to recommend approval with staff recommendations of the Business License Application submitted by Durwood Bean. Commissioner Rebecca Hansen seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

3. Discussion and possible recommendation on Ordinance 2019.XX Nightly Rental Ownership – An ordinance amending Title 10, Chapter 17-3(F) – Nightly Rentals: to clarify primary residence ownership.

Commissioner Turner commented there has been a lot of discussion and hard work that has gone in to the revisions of this ordinance. The City Attorney has reviewed these revisions.

***Commissioner Joey Campbell moved to recommend approval of Ordinance 2019.XX Nightly Rental Ownership. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

4. Discussion and possible recommendation on Ordinance 2019.XX Nightly Rental Annual Renewal – An ordinance amending Title 10, Chapter 17-3(K) – to remove the public hearing requirement from the annual review process.

Commissioner Turner commented the goal of the Commission was to streamline this ordinance.

***Commissioner Greg Turner moved to recommend approval with staff recommendations of the Business License Application submitted by Robert Haines. Commissioner Dan Catlin seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

5. Discussion and possible recommendation on Ordinance 2019.XX Building Permit Process – An ordinance amending Title 10, Chapter 18A Building Permits and building pad requirements.

Chairman Butterworth commented that the revisions to this ordinance were extensive but necessary. Unused and inappropriate sections were removed to streamline the process. The building pad requirement of having it 12” higher than the centerline of the road was clarified.



This requirement is geared toward new subdivisions to prevent flooding issues. Some exceptions could be made to this requirement. The Commission discussed adding an exception stating that an engineered site plan would be required if the pad is less than 12" above centerline.

***Commissioner Rebecca Hansen moved to recommend approval of Ordinance 2019.XX Building Permit Process with building pad requirement exception. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

6. Discussion and possible recommendation on Ordinance 2019.XX Building Permit Chart – An ordinance amending Title 10, Chapter 6-1 Building Permit Submittal Requirements.

***Commissioner Joey Campbell moved to recommend approval of Ordinance 2019.XX Building Permit Chart. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

7. Discussion and possible recommendation on Ordinance 2019.XX Exterior Lighting – An ordinance amending Title 10, Chapter 24 Exterior Lighting.

Commissioner Hansen discussed the goal was to be able to apply for the IDA (International Dark Sky) recognition in the future, which is one reason why there are more restrictions in Toquerville. The Commission discussed the light filters that have been installed, light temperature defined as 2700k or lower, removing defined light zones in the city, light fixtures, commercial lighting, shielded lighting, amending the graph of lighting in the code, light trespass as a nuisance, ordinance enforcement, naming a lighting administrator, penalties for not following this ordinance, and regulating lighting for future construction and developers.

***Commissioner Rebecca Hansen moved to recommend approval with revisions of Ordinance 2019.XX Exterior Lighting. Commissioner Joey Campbell seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

8. Discussion and possible recommendation on modifications to Title 5, Chapter 1 Animal Control.

Commissioner Greg Turner reported on a few more changes that need to be made to this chapter; definition of exotic animals, converting square feet to acreage, and residential beekeeping definitions.

***Commissioner Greg Turner moved to table this item until next month. Commissioner Dan Catlin seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – aye.***

9. Discussion on amending Title 10-19C-7 – Summary of Subdivision Review and Approval Process: to remove two public hearing requirements from the simple subdivision process.



The Commission discussed that the Subdivision Review table did not clearly define the four types of subdivisions. This table needed further revisions and clarifications. Chairman Butterworth has the final corrections and will update the table.

10. Discussion on amending Title 10, Chapter 16A – Hillside Development Overlay Zone.

Commissioner Campbell researched the Hillside Development Overlay Zone chapter and gave a brief history with all previous revisions. This chapter was marked up by City Councilman Paul Heideman and given to the Planning Commission to amend. The Commissioners went through each item marked for revision and found that the revisions were not necessary, and in certain instances, creates more liability for the City. The Commission decided to ask the Council for further direction regarding the purpose of amending this chapter.

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

1. Home Occupation Permit for a home office located at 345 Old Church Road – Manx Inc. – Lonnie Christensen. *(No complaints on file)*
2. Home Occupation Permit for a home office located at 604 S Westfield Road – A Star Yard Care – Joseph Campbell. *(No complaints on file)*

There have been no complaints against these businesses and both have active business licenses.

***Commissioner Dan Catlin moved to approve the Home Occupation Permit for Manx Inc. and the Home Occupation Permit for A Star Yard Care. Commissioner Greg Turner seconded the motion. Motion unanimously carried 4-1. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – Aye, Joey Campbell – Abstain.***

**F. ADJOURN:**

Chairman Butterworth adjourned the meeting at 9:20 p.m.

  
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Planning Chair – Manning Butterworth

1/22/20  
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Date

  
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City Recorder – Ruth Evans

