

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
February 19, 2020 at 6:30 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Chairman Manning Butterworth, Commissioners: Greg Turner, Rebecca Hansen, Dan Catlin, Joey Campbell, Alternate Planning Commissioners: David Browning, Jason Grygla. Staff: Zoning Official Mike Vercimak, Deputy Treasurer Dana McKim, Recorder Ruth Evans. City Council Liaison Gary Chaves. Public: Teila Huntsman, Shaun Huntsman, Wayne Olsen, Polly Peart, Kevin Towt, Debara Towt, Gregg Leibe, Dan James, Tana Hall, Jake Peart, Anita Eaton, Sandra Feagin, Donna Peterson.

A. CALL TO ORDER:

Chairman Butterworth called the meeting to order at 6:30 p.m. Commissioner Hansen led the Pledge of Allegiance. Commissioner Turner disclosed a possible conflict of interest; his Bed and Breakfast is up for renewal tonight.

B. REVIEW OF MINUTES:

Review and possible approval of Planning Commission meeting minutes from January 15, 2020.

Commissioner Joey Campbell moved to accept the meeting minutes from January 15, 2020. 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.

C. PUBLIC FORUM:

Comments from public and public requests for future agenda items.

There were no comments from the public.

D. REPORTS:

1. Planning Chair Manning Butterworth reported he has spent considerable time reviewing the code on subdivisions and this chapter needs significant amendments. Commissioner Hansen should be recognized for her hard work on the Exterior Lighting ordinance that was approved by the City Council.
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 Gary Chaves did not have anything to report.

E. 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 zone change at 234 N Toquer Blvd – submitted by Polly Peart. Current zoning is Single Family Residential – R-1-12. Proposed zoning is Neighborhood Commercial – NC.

There were no public comments.



2. Public input is sought on a zone change on Parcel #s T-92, T-10, T-148-A – submitted by Lowe Land TK, LLC. Current zoning is Single Family Residential – R-1-12 and R-1-20. Proposed zoning is Agriculture – A1.

Resident Kevin Towt was against this zone change and was in favor of it remaining a residential zone. Mr. Towt would not have purchased his property if he knew it was adjacent to land that was zoned agriculture. He would like the surrounding properties to remain residential. An agriculture zone could negatively impact land values and wildlife. Domestic animals have diseases and if allowed on this land could impact the health and welfare of the people living there. Contaminated water by animal feces is a huge health concern. Resident Debara Towt wished to thank the Planning Commissioners for serving and is also concerned with diseases and pathogens that could be exposed to humans from animals. Resident Wayne Olsen expressed concern about cattle that are at the springs and possible contamination. Resident Anita Eaton, who is part of Lowe Land TK LLC, reported that the land currently has animals on it and there has been no contamination of spring water or diseases spread to humans. The purpose of the land will not change and currently has a conditional use permit for the keeping of livestock. The land is under the floodplain and cannot be built on. The horses and cattle on the land eat down the grasses which is a fire hazard. These parcels should never have been changed to residential; they have historically been agriculture and will always be used for that purpose as long as they are owned by the Lowe family.

3. Public input is sought on a proposed nightly rental located at 1565 S Chaparell Dr. – submitted by Tana Hall.

There were no public comments.

4. Public input is sought on a proposed nightly rental located at 540 E Spring Dr. – submitted by Shaun & Teila Huntsman.

There were no public comments.

5. Public input is sought on a proposed nightly rental located at 96 S Toquer Blvd. – submitted by Sandra Feagin.

There were no public comments.

F. BUSINESS ITEM(S):

1. Conditional Use Permit for assembly and sales of powered parachute crafts located at 290 S Ash Creek Dr. – Out West Light Sport Aviation/Anita and Stacey Eaton.
2. Conditional Use Permit for commercial livestock operations located at 1091 S Toquer Blvd – Diamond G Ranch/Steve and Cindi Gilbert.
3. Conditional Use Permit for a bed and breakfast located at 945 S Westfield Rd. – Becca’s Mesa View B&B/Ernest and Rebecca Olsen.
6. Conditional Use Permit for a vacation rental located at 216 Mountain Charm Rd – Mountain Charm Retreat/Gary Chaves.
7. Conditional Use Permit for a vacation rental located at 203 Ash Creek Dr – Ollie’s Rentals LLC/Wayne and Caleen Olsen.
8. Conditional Use Permit for butcher services located at 590 Toquer Blvd – Pearson’s Meats/Randy Pearson.



9. Conditional Use Permit for a bed and breakfast located at 325 W Old Church Rd – Phoenix House Bed and Breakfast/Mark Fahrenkamp.
10. Conditional Use Permit for the keeping of livestock located at 1632 Ash Creek Dr – Donna DuCrest.
12. Home Occupation Permit for a home office located at 460 N Toquer Blvd – Heather North/The Clean Finish LLC.
13. Conditional Use Permit for a bed and breakfast located at 263 N Toquer Blvd – Greg and Jodi Turner/Hidden Pioneer Cottage.

The Commissioners discussed these renewals had no complaints on file and have current business licenses.

Commissioner Dan Catlin moved to approve renewal of Business Item numbers 1, 2, 3, 6, 7, 8, 9, 10, 12, and 13. Commissioner Joey Campbell seconded the motion. Motion carried 4-1. Greg Turner – abstain, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – aye, Joey Campbell – aye.

4. Home Occupation Permit for custom gun production located at 152 W Sunset Dr. – Justin Sip Custom Guns, Inc. /Justin Sip.
5. Conditional Use Permit for a construction business located at 47 S Ash Creek Dr. – Lynn Olds Construction/Lynn Olds.
11. Home Occupation Permit for a home office located at 855 S Peachtree Dr. – Adam Jowers/JowPow Ventures LLC.

The Commissioners discussed these three renewals had no complaints on file, but have not renewed their business license as of February 19th. Second notices will be sent to remind these businesses to renew their 2020 business licenses by the next Planning Commission meeting or their permit may be revoked.

Commissioner Greg Turner moved to table Business Item numbers 4, 5, and 11 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.

14. Discussion and possible recommendation on a zone change at 234 N Toquer Blvd – submitted by Polly Peart. Current zoning is Single Family Residential – R-1-12. Proposed zoning is Neighborhood Commercial – NC.

The Commissioners discussed the application on file is complete and has been reviewed with staff comments. The Commissioners discussed the standards for review. Commissioners Hansen and Campbell were in favor of this zone change. Resident Polly Peart explained she was planning on a full service café but now plans to have a small eatery or tea shop, serving only finger foods.

Commissioner Rebecca Hansen moved to recommend approval of the zone change at 234 N Toquer Blvd from Single Family Residential R-1-12 to Neighborhood Commercial NC. 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.



15. Discussion and possible recommendation on a zone change on Parcel #s T-92, T-10, T-148-A – submitted by Lowe Land TK, LLC. Current zoning is Single Family Residential – R-1-12 and R-1-20. Proposed zoning is Agriculture – A1.

The Commissioners noted the application is complete with staff comments. Ash Creek Sewer District will be checking on any easements and has until the City Council meeting to make their findings. These parcels currently have a conditional use permit for the keeping of livestock. The possibility of contaminated drinking water was discussed and it was mentioned that the drinking water is too deep and could not be contaminated so this is not a concern. It is believed the City has inadvertently changed these zones to residential; therefore the zones should be corrected and listed as agriculture. Commissioner Catlin was notified as an adjacent property owner and felt that he should abstain from voting. The standards for review were discussed.

Commissioner Joey Campbell moved to recommend approval of the zone change on Parcel #s T-92, T-10, and T-148-A from Single Family Residential R-1-12 and R-1-20 to Agriculture A-1. Commissioner Greg Turner seconded the motion. Motion carried 3-2. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – nay, Dan Catlin – abstain, Joey Campbell – aye.

16. Discussion and possible recommendation on a proposed nightly rental located at 1565 S Chaparell Dr. – submitted by Tana Hall.

The Commissioners noted this application as complete and reviewed the staff comments. There were no concerns about this application.

Commissioner Greg Turner moved to recommend approval with staff comments of the nightly rental located at 1565 S Chaparell Dr. 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.

17. Discussion and possible recommendation on a proposed nightly rental located at 540 E Spring Dr. – submitted by Shaun & Teila Huntsman.

The Commissioners discussed the application and reviewed the staff comments. The address of 540 E Spring Dr. was clarified. The standards of review were discussed. There were no concerns about this application.

Commissioner Dan Catlin moved to recommend approval with staff comments of the nightly rental located at 540 E Spring Dr. 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.

18. Discussion and possible recommendation on a proposed nightly rental located at 96 S Toquer Blvd. – submitted by Sandra Feagin.

The Commissioners discussed the application and reviewed the staff comments. Ms. Feagin's application stated there will be no more than three guests staying at a time. Commissioner Turner commented that the maximum allowed guests can be up to ten – including residents –



and didn't want Ms. Feagin to be limited or unnecessarily restrict herself with the number of guests she is allowed. There were no further comments or concerns.

Commissioner Rebecca Hansen moved to recommend approval with staff comments of the nightly rental located at 96 S Toquer Blvd. 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.

G. DISCUSSION ITEM(S):

1. Discussion on amending Title 10, Chapter 19 Subdivisions.

Chairman Butterworth recommended a review of chapter 15 which relates to chapter 19 and made several observations regarding the correlations between the two chapters. The revisions in chapter 19 are related to commercial design standards that should be reviewed by the Commissioners. These chapters are related to land use and the Planning Commission will be involved with these processes. The Commissioners and Zoning Official Mike Vercimak discussed what processes the Planning Commission is involved with and which processes they are not involved with. The Commissioners discussed their goal is to eliminate inconsistencies and contradictions within the code and revise the code to match the current practices.

2. Discussion on commercial design standards.

Commissioner Dan Catlin distributed a draft of commercial design standards based on the look and feel of Toquerville. The Commissioners reviewed the draft and discussed concerns with commercial development, a theme for Toquerville, preserving Toquerville's pioneer heritage, balancing restrictions and business owner choices, and what direction the City Council wants the Commission to take regarding commercial design standards. Commissioner Catlin would like this item on the City Council agenda to receive further direction and feedback from the City Council.

H. ADJOURN:

Chairman Butterworth adjourned the meeting at 8:37 p.m.

Manning Butterworth

Planning Chair – Manning Butterworth

4/22/20

Date

Ruth Evans

City Recorder – Ruth Evans

