

**TOQUERVILLE CITY COMBINED CITY COUNCIL &
PLANNING COMMISSION MEETING**

**Special Meeting Minutes
May 21, 2020, at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah**



This meeting was conducted electronically via Zoom.

Present: Mayor Lynn Chamberlain; Councilmembers: Gary Chaves, Justin Sip, Keen Ellsworth, Ty Bringhurst, Chuck Williams; Staff: Attorney Heath Snow, Treasurer June Jeffrey, Deputy Treasurer Dana McKim, Public Works Director Lance Gubler, Recorder Ruth Evans; Planning Commissioners: Planning Commission Chair Manning Butterworth, Dan Catlin, Greg Turner, Rebecca Hansen, Joey Campbell, David Browning, Jason Grygla; Public: Dennis Owen, Hoyt Cousins, Lynn Olds, Lorin Lowe, Randy Scott, Anita Lowe.

A. CALL TO ORDER:

Mayor Chamberlain called the meeting to order at 6:01 p.m. The Pledge of Allegiance was led by Planning Commissioner Greg Turner. The invocation was offered by Planning Commissioner Rebecca Hansen.

B. PUBLIC HEARING:

1. Public input is sought on the proposed creation of Pine View Public Infrastructure District Nos. 1-6 for the purpose of allowing public input on (A) whether the requested service is needed in the area of the proposed districts, (B) whether the service should be provided by the city or the proposed districts; and (C) all other matters relating to the request or the proposed districts.

The parties involved with the creation of these PID's were not ready to conduct the public hearing. Attorney Snow commented that because this public hearing notice has already been published, it may be postponed to a later date and does not need to be republished. The Council discussed postponing this public hearing until the Regular City Council Business Meeting on June 11th.

C. BUSINESS

1. Discussion and possible action on ORD.2020.XX A Zone Change application submitted by Lowe Land TK, LLC for Tax ID parcels T-101-A, T-103, T-3166, T-3-0-34-3000, T-3-0-34-140, T-3-0-27-321, T-3167. Proposed zoning is R-1-12 Single Family Residential. Current zoning is MU-20 Multiple Use.
2. Discussion and possible action on a Master Planned Development Overlay submitted by Lowe Land TK, LLC.

Mayor Chamberlain asked Hoyt Cousins to give a brief overview of this zone change application and the Master Planned Development Overlay concept submittal proposed by the Lowe family. Mr. Cousins explained the acreage calculations, density calculations, base density counting, units per acre, and proposed recreation areas. Their proposal includes five residential areas and two non-residential districts.



Concerns brought up during the Planning Commission meeting were addressed, including preserving the rural feel and small town of Toquerville, quality of future development, creating walkable neighborhoods, proposed trail systems, parks, pedestrian and bicycle paths, and proposed roadways. The Council and Commissioners discussed the pros and cons of the proposed R-1-12 Single Family Residential zoning, how the proposal would change if R-1-20 zoning was used instead of R-1-12, if the City would allow various lot sizes, incentivizing developers with open space bonus density, and how the MPDO is tied together with the zone change and the development agreement.

Resident Lynn Olds commented that the zoning should stay consistent with R-1-20 to prevent current developers from also wanting R-1-12 zones. The Council should approve developments consistent with what the residents want. R-1-12 does not fit in with the City's Master Plan. Do not disregard all the hard work that went into developing the Master Plan.

Resident Randy Scott commented that the City did not approve the Walls subdivision to have R-1-12 zoning.

The Council discussed the next steps the Planning Commission needs to make and that they will need to make a recommendation on the MPDO submittal to the City Council for them to proceed with their vote. There was a discussion on whether to have the motion in a separate meeting or a motion in this joint meeting.

Commissioner Dan Catlin moved to recommend denial of the Master Planned Development Overlay submitted by Lowe Land TK LLC. 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.

Mayor Chamberlain discussed the three voting options now before the Council on this item; to deny the zone change and the MPDO application, approve them, or approve and recommend the zone be changed to R-1-20.

Councilman Gary Chaves moved to approve the zone change subject to it being changed to R-1-20 with the conditions of staff recommendations and a development agreement being executed and recorded.

Councilman Bringhurst recommended giving the developer more time to redesign their plans using the R-1-20 zoning.

Councilman Gary Chaves moved to table the zone change and MPDO submittal until the developer can update their plans using R-1-20.

There was additional discussion regarding giving the developer more time to update their application and that the Council should either table this item or approve it using the applicant's original request of R-1-12 zoning.

Councilman Gary Chaves withdrew his previous motions.

Councilman Justin Sip moved to approve the zone change at R-1-12.



The Council discussed how the applicant might amend their proposal using R-1-20 zoning and how they could recalculate their densities. The Council was reminded that they discussed this zoning proposal several months ago and indicated their approval for the applicant using the R-1-12 zoning. The current proposal accounts for roughly 44% of their land being used for open space. Using R-1-20 zoning could account for more homes than using R-1-12 zoning. The MPDO will come out the same using either zoning.

Attorney Snow stated his preference would be to have the Lowe's submit an amended MPDO using the R-1-20 zoning and then have it go back to Planning Commission for review. The Planning Commission meeting could be moved back a week to accommodate the City Council vote on June 11. Mr. Cousins was asked to modify his client's proposal to R-1-20 and have the modifications ready for June's meetings.

Councilman Ty Bringhurst moved to table until June the proposed R-1-12 zone change and MPDO submittal with instructions to the applicant to update their proposal to R-1-20 using the traditional method of gross calculation. Councilman Gary Chaves seconded the motion.

There was discussion on the motion regarding tabling this until next month or approving the zone change tonight at R-1-20. Attorney Snow instructed the Planning Commission to hold another public hearing with the updated R-1-20 zoning and the updated MPDO at their Special Meeting on June 10th. The Commissioners could then make another recommendation to the City Council.

Councilman Ty Bringhurst moved to table until June the proposed R-1-12 zone change with instructions to the applicant to update their proposal to R-1-20 using the traditional method of gross calculation. Councilman Gary Chaves seconded the motion. Motion carried 4-1. Chuck Williams – aye, Gary Chaves – aye, Ty Bringhurst – aye, Keen Ellsworth – nay, Justin Sip – aye.

Councilman Ty Bringhurst moved to table until June the proposed MPDO submittal with instructions to the applicant to update their proposal to R-1-20 using the traditional method of gross calculation. Councilman Justin Sip seconded the motion. Motion carried 4-1. Chuck Williams – aye, Gary Chaves – aye, Ty Bringhurst – aye, Keen Ellsworth – nay, Justin Sip – aye.

3. Discussion and possible action on the proposed creation of Pine View Public Infrastructure District Nos. 1-6 for the purpose of allowing public input on (A) whether the requested service is needed in the area of the proposed districts, (B) whether the service should be provided by the city or the proposed districts; and (C) all other matters relating to the request or the proposed districts.

The applicant was not ready to have the public hearing on this date so the hearing will be postponed until the June 11th meeting.

Councilman Keen Ellsworth moved to postpone this item until June. Councilman Justin Sip seconded the motion. Motion carried 4-1. Chuck Williams – aye, Gary Chaves – aye, Ty Bringhurst – nay, Keen Ellsworth – aye, Justin Sip – aye.



D. ADJOURN:

Mayor Chamberlain commented that the next City Council and Planning Commission meetings will be regular meetings, and not digital Zoom meetings.

Commissioner Catlin commented that he appreciates the public and their comments regarding these items. The Commissioners are doing their best under the circumstances and with the information they have available to them.

Councilman Justin Sip moved to adjourn the Special City Council and Planning Commission Meeting. Councilman Ty Bringhurst seconded the motion. Motion unanimously carried, 5-0. Ty Bringhurst – aye, Keen Ellsworth – aye, Justin Sip – aye, Gary Chaves – aye, Chuck Williams – aye.

The meeting was adjourned at 8:16 p.m.



Mayor – Lynn Chamberlain

6/11/2020
Date



Attest: City Recorder – Ruth Evans

