

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
June 10, 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 Commissioner: David Browning. Staff: Zoning Official Mike Vercimak, Recorder Ruth Evans. City Council Liaison Gary Chaves. Public: Mayor Lynn Chamberlain, Lynn Olds, Anita Eaton, Josh Zitting, Emily Lowe, Randy Scott. Absent: Alternate Commissioner Jason Grygla.

A. CALL TO ORDER:

Chairman Butterworth called the meeting to order at 6:30 p.m. Commissioner Turner led the Pledge of Allegiance. There were no disclosures, nor conflict declarations from Commissioners.

B. REVIEW OF MINUTES:

Review and possible approval of Planning Commission Meeting minutes from May 20, 2020.

Commissioner Greg Turner moved to approve the meeting minutes from May 20, 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.

Resident Anita Eaton commented that during recent meetings, most residents, Commissioners, and Councilmembers have stated their preference is ½ acre or larger lots, even though the City has an R-1-12 (1/4 acre) zoning option. The City is refusing to allow R-1-12 zoning. The City and community members have a responsibility to provide affordable housing, and ½ acre lots are not very affordable. There is also a State mandate to provide affordable housing.

D. REPORTS:

Planning Chair Manning Butterworth reported the online version of the City Code has been updated as of May 19, 2019 and is now being serviced by American Legal Publishing. There are several updated ordinances that are not being reflected online as of today. Staff has been in contact with them and they are working to update the online code.

Commissioner Catlin commented that he and Commissioner Campbell will be meeting Monday at 3:00 p.m. to review what trees and plants should be included in the proposed commercial design standards. Everyone is welcome to give input.

Zoning Official Mike Vercimak did not have anything to report.

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 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-1-20 Single Family Residential. Current zoning is MU-20 Multiple Use.

There were no comments from the public.

2. Public input is sought on a Master Planned Development Overlay conceptual proposal submitted by Lowe Land TK, LLC.

Resident Lynn Olds commented that the Planning Commission is heading in the right direction with the R-1-20 zoning. The Commissioners should review slopes and required space percentages, it should have more. The City Engineer should review this application.

F. BUSINESS ITEM(S):

1. Annual renewal for a Conditional Use Permit for a bed and breakfast located at 124 N Ash Creek Drive – Adventure Zion Inc./Renee Garner.
2. Annual renewal for a Conditional Use Permit for a wedding and event facility located at 580 E Spring Drive – The Springs Weddings and Events LLC/Shawn and Teila Huntsman.
3. Annual renewal for a Condition Use Permit for a bed and breakfast located at 15 Springs Drive – The Queen’s Bed and Breakfast/Reina Rivas.
4. Annual renewal for a Conditional Use Permit for a bed and breakfast located at 245 W Sunset Ave – Zion View Bed and Breakfast/Jessica Russo.
5. Annual renewal for a Nightly Rental Permit for a nightly rental located at 131 N Toquer Blvd – Zion’s Nest #2/Tami Young.

The Commissioners discussed these five annual renewals all have current business licenses and no complaints.

Commissioner Dan Catlin moved to approve the annual renewal for Business items 1-5. 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.

6. Discussion and possible approval of a business license application for Zittingdale Consulting LLC and VPC Voice LLC/Joshua Zitting.

Chairman Butterworth asked Mr. Zitting to clarify his address and if both businesses would be conducted at the same address. Mr. Zitting clarified that his business was in La Verkin, but is now in Toquerville. There are no employees or parking issues.

Commissioner Rebecca Hansen moved to approve the business license application for Zittingdale Consulting and VPC Voice LLC. 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 approval of a sign permit application for Lions Gate Recovery.

The Commissioners discussed the staff comments, the nameplate type of sign applied for, signs for businesses in residential zones, where the sign would go on the property, and that the sign is for identification purposes, not for advertising purposes. Resident Anita Eaton commented that originally the Code said no signs in residential areas. Unless the Code has changed, no signs should be allowed. Zoning Official Mike Vercimak responded that the Code has changed and does allow for signs in residential zones. Chairman Butterworth read the staff comments into the minutes. They are: The applicant is seeking permission to install a business identification sign at the property located at 1533 Cane Circle. The property is currently zoned R-1-20. The basis for review of this application is found in chapter 10-22-7 of Toquerville Code. This chapter deals with signs allowed in residential zones. This section does not address commercial signs or signs for commercial enterprises, but it does allow for "Nameplate" signs with a maximum area of (2) two square feet, and it states that the sign shall not advertise a home occupation. Lions Gate is a permitted business in a residential zone. Since this section is silent on commercial signs, but does allow nameplate signs, this sign application could be considered as a "Nameplate" showing only the name and logo.

Commissioner Greg Turner moved to approve the sign permit application with staff comments for Lions Gate Recovery. Commissioner Rebecca Hansen seconded the motion. Motion carried 4-1. Greg Turner – aye, Rebecca Hansen – aye, Manning Butterworth – aye, Dan Catlin – nay, Joey Campbell – aye.

8. Discussion and possible recommendation on ORD.2020.XX Animal Control.

Commissioner Turner reported this version has been presented to the City Council with the two main changes of keeping conditional use permits and not allowing chickens on lots smaller than 6,000 sq. feet.

Commissioner Dan Catlin moved to recommend approval of ORD.2020.XX Animal Control with stated changes. 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.

9. Discussion and possible recommendation 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-1-20 Single Family Residential. Current zoning is MU-20 Multiple Use.

Commissioner Dan Catlin moved to recommend approval of ORD.2020.XX R-1-20 zone change application. Motion was seconded by Commissioner Greg Turner.

Chairman Butterworth read one of the staff comments from Hurricane Valley Fire Department which states they will need a fire station built in this area in the near future. Chairman Butterworth mentioned that our Code does not mention fire stations and what zone they should be built in. Zoning Official Mike Vercimak commented that fire stations are classified as quasi-public buildings. Resident Anita Eaton commented that their development agreement dedicates a certain number of acreage for police and fire stations.



Commissioner Dan Catlin moved to recommend approval of ORD.2020.XX R-1-20 zone change application with staff comments. 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.

10. Discussion and possible recommendation on a Master Planned Development Overlay conceptual proposal submitted by Lowe Land TK, LLC.

The Commissioners discussed the staff comments, the hillside ordinance as it pertains to this application, how to calculate developable areas, keeping continuity on the west side of town with R-1-20 zoning, and possibly granting an exception to the hillside ordinance for this application. The City Attorney is still reviewing the development agreement. Chairman Butterworth commented that the MPDO still lists the 80-acre parcel as part of this application, but that it is not part of the 715 acres and should be removed. The Commissioners discussed dwelling unit calculations, making a recommendation to omit the 80-acre parcel and to correct the numbering in the MPDO.

Commissioner Joey Campbell moved to recommend approval of the MPDO conceptual proposal submitted by Lowe Land TK LLC with stated corrections. Motion was seconded by Commissioner Greg Turner. Motion carried 4-1. Commission Vote: Greg Turner – aye, Rebecca Hansen – nay, Dan Catlin – aye, Manning Butterworth – aye, Joey Campbell – aye.

G. ADJOURN:

Chairman Butterworth adjourned the meeting at 7:27 p.m.



Planning Chair – Manning Butterworth



Date



City Recorder – Ruth Evans

