

TOQUERVILLE CITY
PLANNING COMMISSION MEETING MINUTES
May 12, 2021 at 6:00 pm
212 N. Toquer Blvd, Toquerville Utah



Present: Chairman Dan Catlin, Commissioners: Greg Turner, Joey Campbell, Jason Grygla, Gary Tomsik. Staff: Zoning Official Mike Vercimak, Recorder Ruth Evans, City Council Liaison Gary Chaves. Absent: Alternate Commissioner Cathleen Lee.

A. CALL TO ORDER:

Chairman Catlin called the meeting to order at 6:00 p.m. Commissioner Tomsik 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 April 14, 2021.

Commissioner Joey Campbell moved to accept the meeting minutes from April 14, 2021. Commissioner Greg Turner seconded the motion. Motion unanimously carried 4-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye.

C. PUBLIC FORUM:

Liz Miles from Southwest Utah Public Health Department would like to see the City's ordinances on tobacco laws strengthened and have them specify that no special tobacco stores be allowed in town.

D. REPORTS:

Planning Chair Dan Catlin reported on several items discussed from the City's Council's last work meeting. The Attorney has recommended changes to the lot line change ordinance. The Planning Commissioners have the role of being a separate recommending body and the Commissioners need to follow the City's ordinances if we expect the public to follow the ordinances.

There were no reports from any Planning Commissioners.

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:

1. Public input is sought on a zone change application for 8.31 acres submitted by BBBA LLC for Tax ID parcel T-107-B-1. Current zoning is MU-20 Multiple Use. Proposed zoning is R-1-20.

Karl Rasmussen from ProValue Engineering and Applicant Jackson Ream commented that this parcel is in Trail Ridge Estates and they would like to change it to residential zone for future development.

There were no comments from the public.



2. Public input is sought on Ordinance 2021.XX 10-15C MPDO density bonus. An ordinance amending density bonus calculations definitions and basis for calculations.

Chairman Catlin commented that this is the second public hearing on this ordinance. The City Council made additional recommendations after it was initially submitted by the Planning Commission.

There were no comments from the public.

3. Public input is sought on Ordinance 10-15B Planned Development Overlay Zone. An ordinance removing section 10-15B Planned Development Overlay Zone.

There were no comments from the public.

F. BUSINESS ITEM(S):

1. Annual renewal of a home occupation permit for a home office located at 1563 Ash Creek Dr. Applicant Leif Bjarnson.
2. Annual renewal of a conditional use permit for a bed and breakfast located at 457 S Westfield Rd. Applicant Rebecca Hansen.
3. Annual renewal of a home occupation permit for a home office located at 460 N Toquer Blvd. Applicant Todd Young.
4. Annual renewal of a home occupation permit for a gun sales business located at 48 W Old Church Rd. Applicant Randy Scott.

Commissioner Joey Campbell moved to approve the annual renewals for Leif Bjarnson, Rebecca Hansen, Todd Young, and Randy Scott. Commissioner Gary Tomsik seconded the motion. Motion unanimously carried 4-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye.

5. Discussion and possible recommendation on a zone change application for 8.31 acres submitted by BBBA LLC for Tax ID parcel T-107-B-1. Current zoning is MU-20 Multiple Use. Proposed zoning is R-1-20.

Chairman Catlin read the staff comments for this zone change. The applicant is seeking a zone change to continue with Phase 3 of the Trail Ridge Estates subdivision and continue with the same size lots that are currently there.

Commissioner Joey Campbell moved to recommend approval with staff comments for a zone change application for BBBA LLC. Commissioner Greg Turner seconded the motion. Motion unanimously carried 4-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye.

Commissioner Jason Grygla entered the meeting at 6:19 p.m.

6. Discussion and possible recommendation on Ordinance 2021.XX 10-15C MPDO density bonus. An ordinance amending density bonus calculations definitions and basis for calculations.

The Commissioners discussed the changes the Council and Attorney Snow recommended. Chairman Catlin added this ordinance is not to have this replace the subdivision ordinance



and the proposed lots have to be the same zoning as existing lots. The Commissioners discussed paragraph 10-15C-9-1 which was inadvertently struck by Attorney Snow and that it should remain in the ordinance.

Commissioner Joey Campbell moved to recommend approval of Ordinance 2021.XX 10-15C MPDO density bonus with the paragraph 10-15C-9-1 to remain in the ordinance. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye, Jason Grygla – aye.

7. Discussion and possible recommendation on Ordinance 10-15B Planned Development Overlay Zone. An ordinance removing section 10-15B Planned Development Overlay Zone.

The Commissioners discussed the PDO ordinance is not needed and that everything can be covered in the MPDO ordinance.

Commissioner Joey Campbell moved to recommend approval of Ordinance 2021.XX 10-15B Planned Development Overlay Zone. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye, Jason Grygla – aye.

8. Discussion and possible recommendation on a final site plan submitted by Precept Holding LLC for an RV/tiny cabin resort. Tax ID # T-3-0-27-3410. Zoning is HC Highway Commercial.

Zoning Official Mike Vercimak commented that this application has been in the works for almost two years. The applicant has been working on their construction drawings and is almost done. They still need to submit a landscaping plan showing 15% of their property will be landscaped and a screening plan that will screen the section between Highway 91 and SR-17. The applicant submitted an updated site plan today and all the reviews have been done on their previous site plan.

Barry Thompson with Center Line Survey & Design commented that the only change to the final site plan was the design of the buildings changed from a log cabin style to a modern style. The footprints are all the same, it is strictly the façade of the building that changed.

Chairman Catlin commented that this item will need to be tabled until staff can review the new set of plans.

Applicant Jerry Eves commented that they will take back the new plans and go with the original log cabin style plans that were previously submitted. UDOT has held up this project with their realignment of the freeway interchange, not the developer. If this new design is going to cause a delay, then use the previously submitted plans. The design does not change the site plan.

Zoning Official Mike Vercimak commented that the construction drawings are not completely signed off yet and that UDOT hasn't submitted an agreement setting forth the improvements required on SR-17 yet. Mr. Vercimak reminded the applicant the site plans do not show landscaping or screening. The Planning Commission could recommend approval



based on staff comments and the developer would have to meet the conditions prior to City Council meeting.

Chairman Catlin responded that he will not move forward with the plans that were submitted today.

Mr. Vercimak reminded the developer that if the log cabin style final site plan is approved then that is what the developer has to build. The Commissioners can vote to recommend approval with conditions that will be reviewed prior to the City Council meeting.

Applicant HR Brown commented that this project started in 2019 and the City said they were going to change the frontage road, so we had to change our construction drawings. The application came back through to the city and the road changed again. Then there were delays with COVID. The delays were out of the developer's control. The developer would like to get going on this project as soon as possible.

Commissioner Jason Grygla moved to recommend approval of the original final site plan submitted by precept Holding LLC for an RV/tiny cabin resort dated May 5, providing the applicant makes the changes recommended in the staff comments. Motion was seconded by Commissioner Joey Campbell. Motion unanimously carried 5-0. Commission Vote: Greg Turner – aye, Jason Grygla – aye, Dan Catlin – aye, Gary Tomsik – aye, Joey Campbell – aye.

G. DISCUSSION ITEM(S):

1. Discussion on 10-22 Sign regulations.

Commissioner Tomsik is reviewing this ordinance and comparing it to other cities. There are some things that may not be applicable to Toquerville and some redundancies that need to be cleaned up. The Commissioners will need to decide what type of signs the City wants, and recommendations will be discussed at the next meeting.

2. Discussion on public facilities located in zones not identified.

The City's public facilities are currently not located in the correct zones. The Commissioners discussed which zones these facilities should be permitted in or if they should be conditional uses. The Commissioners recommended standardizing the language and adding public, quasi-public, and utility facilities to each zone as a permitted use.

3. Discussion on Ordinance 10-9A-2, A-3 Agriculture Districts, Permitted & Conditional Uses.

The City Council asked the Planning Commission to review the permitted and conditional uses of the agriculture zone to see if these uses need to be expanded upon. The Commissioners discussed the current and conditional uses and agreed that an agriculture zone should remain strictly agriculture or tied directly to an agriculture purpose. The Planning Commission has to follow the code with no exceptions. Commercial businesses that are not agriculture related should not be allowed in the agriculture zone. Chairman Catlin commented that no changes should be made to the agriculture zone's permitted and conditional uses. The Commissioners decided to discuss this item again at the June meeting.



4. Discussion on Washington County lot line change requirements.

The Commissioners discussed the County’s lot line adjustment procedures have recently changed based on if the property is inside or outside a platted subdivision. The city code will need to be adjusted and re-worded to state these new procedures. Zoning Official Mike Vercimak will make the changes and submit these changes for discussion at the next meeting.

5. Discussion on 2021 Legislative changes to land use laws.

The Commissioners discussed there were new changes made to the State code in the most recent legislative session and that they will need to compare how the changes compare with current city ordinances. Some of the new changes deal specifically with nightly rentals and there are amendments to the International Residential Code which may or may not impact our city. Mr. Vercimak will send out a copy of the legislative changes to the Commissioners and Commissioner Turner will consolidate all comments received.

6. Discussion on commercial design standards small house/cabins.

The Commissioners discussed some cities are having issues with these tiny houses or cabins being constructed off site and not being properly inspected by city building inspectors. The Commissioners are concerned about these buildings not being properly inspected and discussed the city requiring the building to come without drywall or insulation and subject to inspection. The City could require this by an agreement with each developer or put it into city code. Chairman Catlin will take this assignment and look into options for the city.

H. ADJOURN:

Commissioner Joey Campbell moved to adjourn the meeting. Commissioner Greg Turner seconded the motion. Motion unanimously carried 5-0. Greg Turner – aye, Gary Tomsik – aye, Dan Catlin – Aye, Joey Campbell – aye, Jason Grygla – aye.

Chairman Catlin adjourned the meeting at 8:01 p.m.



Planning Chair – Joey Campbell

6/09/2021

Date



City Recorder – Ruth Evans

