

TOQUERVILLE CITY COUNCIL
Special City Council Meeting Minutes
August 25, 2022 at 6:00 pm
212 N. Toquer Blvd, Toquerville, UT



Present: Councilmembers: Ty Bringhurst, Justin Sip, Gary Chaves, Rachel Peart; Staff: Planning and Zoning Administrator Darrin LeFevre, Recorder Daisy Fuentes, Attorney Heath Snow; Absent: Mayor Keen Ellsworth, Chuck Williams, City Manager Afton Moore, Planning Chairman Joey Campbell, Conflict Council Bruce Jenkins

A. CALL TO ORDER:

1. Councilman Bringhurst called the meeting to order at 6:01 p.m.
2. Councilwoman Peart led the Pledge of Allegiance.
3. Councilman Chaves gave the invocation.

B. APPROVAL OF AGENDA:

The Council reviewed the agenda.

Councilman Chaves moved to approve the agenda. Councilwoman Peart seconded the motion. Motion carried, 3-0 Justin Sip – aye, Gary Chaves – aye, Rachel Peart – aye.

Disclosures and Declarations of Conflicts from Council Members.

Councilman Chaves declared a conflict. He owns a nightly rental in Toquerville.

Attorney Snow declared a conflict. He represents Firelight included in items D1 and D2.

C. PUBLIC HEARING:

1. Public Input is sought on a Final Plat application submitted by Sun River Firelight for Ph. 1. Tax ID # T-128-PV1, T-141-PV1. T-199-PV1.
No Comment
2. Public Input is sought on final approval of the Firelight MPDO Plan and an Ordinance amending the City's Official zoning Map to designate the Firelight Subject Property as having MPDO Zoning.

Pratt Call

Pratt asked about how the MPDO is changing and where it was before. He also asked about the legal advice given by Attorney Snow. Councilman Bringhurst explained that Attorney Snow will not give advice to the city on those items. That is the job of Conflict Council Bruce Jenkins. The current zoning is R-1-20. Darrin Lefevre gave an example on some of the benefits of an MPDO rather than a R-1-20 zone which include larger parcels of ground and the ability to cluster in exchange for density bonuses. This does allow apartments but not mobile homes. Pratt questioned if the due diligence has been done to be sure the developer will be able to complete the project.

Dawn Everett

Dawn asked about the ability to build a lower density rather than a higher density. The council explained that that they can change it to a lower density without getting approval from the city. She also asked if they are obligated to bring water. The council explained they do.

Public hearing was closed

D. BUSINESS:

1. Discussion and possible action on a Final Plat application submitted by Sun River Firelight for Ph. 1. Tax ID #T-128-PV1, T-141-PV1, T-199-PV1.

Councilman Chaves motioned to approve Final Plat application submitted by Sun River Firelight, Item D1. Councilman Sip seconded the motion. Motion carried, 3-0 Justin Sip – aye, Gary Chaves – aye, Rachel Peart – aye.

2. Discussion and possible action on final approval of the Firelight MPDO Plan and an Ordinance amending the city's Official Zoning Map to designate the Firelight Subject Property as having MPDO Zoning.

Councilman Chaves wants to know what the citizens of Toquerville want. Councilman Bringhurst explained that ordinance was put in place to keep residential areas residential. Councilmembers discussed the MPDO. Attorney Heath Snow elaborated on this subject.

Councilman Chaves made a motion to approve the Firelight MPDO final plan and to change the wording on the zoning plan from nightly rental units to nightly rental development with a permit code PC located in commercial planning area C3 with restrictions pending approval of the Nightly Rental Ordinance. Councilman Sip seconded the motion. Motion carries, 3-0. Justin Sip – aye, Gary Chaves – aye, Rachel Peart – aye.

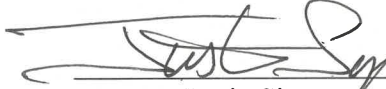
3. Discussion and possible action on Ordinance 2022.XX – Nightly Rental Ordinance.

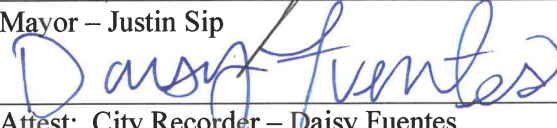
Zoning Administrator Darrin LeFevre explained this item. Councilman Bringhurst explained the difference between this ordinance and the nightly rental ordinance that Firelight is involved with. Planning Commission determent a renewal of this ordinance will now have to go to Planning Commission unless the staff has reviewed this request and there are 2 or more complaints.

Councilman Sip made a motion to approve item D3 Nightly Rental Ordinance with the change to item S2 that the number be changed from 5 to 10 mobile homes will be allowed and all other changes be made. Councilwoman Peart seconded the motion. Motion carried, 3-0. Justin Sip – aye, Gary Chaves – aye, Rachel Peart – aye.

E. ADJOURN:

Councilman Bringhurst adjourned the meeting at 8:17 p.m.



Mayor – Justin Sip


Attest: City Recorder – Daisy Fuentes

08-5-22
Date