

**Torrey Planning and Zoning Commission Meeting**  
**Wednesday, July 5, 2017; 6:30 PM Minutes**  
**Torrey Town Pavilion**

Members Present: Pearl Thorndal-Stewart, Aaron Jensen, Tracy Potter, Richard Jensen, Diane Borgerding, Donita Pace, and Mary Betingfieldsmith

Torrey Town Board Member Present: None

Members Absent: None

Guests: Martin Townsend, Linda Townsend, Robert Czapla, Barb Czapla, Leita Kingsland, John Benson, Joe Perkins, Michelle Perkins, David Nelson, John Mueller, Joseph Fortner, Michael Moon, Chad Moon, Sal Fidone, and Colleen Dudleston.

1) Minutes Approval

- Pearl moved to approve minutes of last meeting, Richard 2<sup>nd</sup>, unanimously approved

2) John Benson and Leita Kingston presented an update for the east Torrey annexation plan.

- The annexation committee sent out a letter to people who they had not been able to contact previously, they have not heard back from any of these people yet.
- Some people had a problem with the Town Ordinances matching the on line ordinances, four people have volunteered to review and suggest corrections.
- A meeting will be held at the John Benson residence at 11 AM on Friday, July 7, everyone interested is invited to attend.
- Comments by Leita about inconsistencies in the Town Ordinances, the committee meeting on Friday will come up with a list to present to the Town Board. Most errors are small errors such as spelling, grammar, inconsistencies, etc.
- Two issues the Torrey Annexation Committee is working on: (1) Review Ordinances, talk to Town Council (2) East Annexation, still in process.

3) Look at lawyers response to the short-term rental ordinance:

- Committee to look over ordinance and lawyer's suggestions.
- Lawyer requested definition of "Tiny House" be put in the ordinance.
- Conditional use permit is not recommended by the League of Cities and Towns, they are trying to get away from conditional use permits.
- Parking for short-term rentals should be on the owner's property. Tracy will bring this up at the July Town Council meeting.
- Responsible party should be readily available (do not put an hourly amount of time).
- Section 12 should be consistent with Section 10, do not put dollar amounts because they are obsolete quickly.
- Penalties should be imposed by the judge and not be an immediate incarcerated offence.
- Please read the Lawyer's comments for complete list of suggestions.
- It was suggested to read information at the Website "stradvocacy.org" for more information about short term rentals.
- The short-term rental item will be turned over to the Town Council.

- 4) Discuss the information from Colleen Allen, Wayne County Recorder, about how town ordinances mesh with subdivisions.
  - Question as to whether the town ordinances override the subdivision Covenants, Conditions, and Restrictions (CC&R).
  - The P & Z Committee recommends the Town Council request the town lawyer to clarify whether the CC&R overrides the town ordinance or vice-a-versa.
  - Discussion on how this affects a building permit requested by Dindy Daw in the Heather Mesa Subdivision on the west side of Torrey.
  
- 5) Request for a variance by Cindy Daw from Heather Mesa Subdivision
  - Cindy wants to build a house that is 937 square feet, she wasn't sure whether to ask for a variance from the 1200 square foot size restriction from Torrey Town Ordinances.
  - Heather Mesa Subdivision has its own CC&R that may override the Torrey Town Ordinance.
  - Heather Mesa's CC&R states it must be "conventional construction"; it's up to Eric Torgerson, Wayne County Building Inspector, to make the decision and approve or disapprove whether its conventional construction.
  - Committee and audience had a discussion about subdivisions, ordinances, questions, etc.
  - Mary will request the Town Council revisit the 1200 square feet minimum building rule and consider a lesser square foot rule.
  - Aaron made a motion to table the Heather Mesa Subdivision discussion until we have more information from the town lawyer motion was 2<sup>nd</sup> by Tracy.
  
- 6) Recreational Vehicle (RV) Park in Sleeping Rainbow Subdivision:
  - Sleeping Rainbow is a subdivision, is zoned as residential, does not have any CC&R's. Torrey does not have a sub-division ordinance, thus it falls under the Wayne County subdivision ordinance, the county goes by the Utah State Rules for subdivision. 100% of the subdivision owners have to agree to change the zoning from rural residential to any other zoning.
  - Mary discussed the process that would need to take place before changing from residential zoning to any other zoning. Some conditions are: site plan, proof of adequate water, insurance, public input, etc.
  - Colleen Dudleston requested a RV park on property in Sleeping Rainbow subdivision. Mary called Colleen and asked if she would like to proceed, Colleen said they have not decided whether to proceed at this time. Colleen is considering a two site RV park at this time.
  - A discussion ensued about the number of short term rental properties that are currently in Sleeping Rainbow Subdivision.
  - Concerns were voiced about traffic on the road to and through Sleeping Rainbow Subdivision.
  - Concerns were voiced about storage containers being brought in and used as homes in Sleeping Rainbow Subdivision, this has been happening since the annexation of Sleeping Rainbow.
  - Subdivisions in Torrey are under the State subdivision rules.
  
- 7) Discuss requirements for posting agenda.

- State law requires the agenda to be posted 24 hours before the meeting takes place.
- Items are required to be on the agenda before the P&Z can take action on an item.
- After the meeting is over, the minutes and recording has to be posted on the town website. There is also a state site where minutes and recordings are to be posted.
- Paula Pace, Town Clerk, will be contacted for posting of minutes and recordings of the P&Z meetings.
- Mary presented a form to be used by those people who request to be on the P&Z agenda.
- Motion by Richard, 2<sup>nd</sup> by Diane to accept the form that allows individuals and action items to be put on the P&Z agenda, unanimously approved.
- Motion by Tracy, 2<sup>nd</sup> by Pearl that we allow people to talk about agenda items without the individual being put on the agenda.
- Discussion about how to get the word out to the public to get more people to attend the meetings and give comments.
- It was suggested the Torrey Website be updated with meeting information and announcements be put on the monthly water bill.

8) Update on dark sky application for Torrey Town:

- Mary sent the dark sky application in yesterday for Torrey Town to be considered as a dark sky community.
- The dark sky request will be reviewed and either given to the board or sent back requesting additional information.
- The lighting ordinance does not require current residents to change their lighting, although residents have been asked to consider changing their lighting to be dark sky friendly. Funding to change lighting has been from donations.
- 80% of people in the world cannot see the Milky Way, if Torrey gets the dark sky recognition, we will be the 1<sup>st</sup> in Utah and 15<sup>th</sup> in the World to receive this designation.
- There was a discussion about the sign at the Saddlery being changed or dimmed if under new ownership.

9) Next meeting is Aug. 9 @ 6:30 PM at the Torrey Town Hall

10) Tracy made a motion to adjourn, 2<sup>nd</sup> by Richard, unanimously approved.