

TORREY TOWN PLANNING & ZONING COMMISSION
MINUTES
September 16, 2020 – 6:30 pm
Meeting held by Zoom

P&Z Commission Chair, Mary Bedingfieldsmith, called the meeting to order at 6:30 pm

1. Roll Call

- Commissioners present: Mary Bedingfieldsmith, Don Gomes, Richard Jensen, Carrie Torrey
- Commissioners excused: none
- Commissioners absent: Amanda Brown, Aaron Jensen, Tracy Potter
- Town Council Liaison present: Pearl Thorndal-Stewart
- Community members present: Bill Barrett, Georgia Sullivan, Bob Morris, Carol Morris, Linda Townsend, Staci Roylance, Joshua Rowley, Kristin Osborn, Susan O'Connor- Wright.

2. Approve minutes of August 19, 2020

- It was MSC (Carrie, Richard) to approve the minutes. There was no discussion.

3. Conflict of Interest Statement

- Since Commission Aaron Jensen was not in attendance, this item was tabled.

4. Lighting plan for garage in Sleeping Rainbow subdivision – Michael Clarke and Staci Roylance

- Michael and Staci presented documents and discussed their plan.
- It was MSC (Don, Richard) to approve the plan.

5. Lighting plan for house on Juniper Drive – Leonard Thomas

- P&Z Commission Chair Mary B presented the lighting plan for Leonard Thomas
- After discussion, it was MSC (Richard, Carrie) with 3 votes. Don abstained

6. Lighting and Sign plan for Slacker's Pizza and Deli – Bob Morris

- It was MSC (Carrie, Richard) to proceed with discussion without the signature of the building inspector.
- Bob Morris presented documents and discussed the lighting plan.
- After discussion, it was MSC (Carrie, Don) to approve the lighting plan.
- Bob Morris presented site plan and renderings of proposed signs.
- After discussion, it was MSC (Richard, Carrie) to provide temporary approval of directional signs, designated on docs as 2, 3, and 6.
- It was MSC (Carrie, Don) to approve the proposed signs.

7. Report on research committee's progress on zoning ordinance revision – Carrie

- This item appeared as #8 on the agenda. In the interest of time, it was moved up.

- Carrie Torrey, chair of the zoning research group introduced the topic. She, along with committee members Georgia Sullivan and Mary B updated the P&Z Commission on progress to date. (Notes are attached.)
- It is expected that the committee will conclude their work by October 7 with recommendations for P&Z to consider at the October 21 meeting.
- There was cautious discussion of the potential contract with a professional land use planning consultant.

8. Sign Ordinance revision update – Don

- Don reported that the proposed adjustments are a result of discussion among P&Z Commissioners and interviews with Torrey business owners and citizens.
- Don also noted that rather than using paper, it is best to bring up the Torrey Sign Ordinance online. A link was provided.
- Don proposed that P&Z Commissioners take time to review the recommendations. Place it early on the agenda for the October 21 meeting.

9. P&Z Review of the Utah League of Cities and Towns’ Powers and Duties A Handbook for Utah Municipal Officials

- Mary B pointed out that, according to Utah law, one responsibility of a Commission Chair is to provide training for Commissioners.
- The meaning of Public Meetings and Public Hearings was discussed.
- In general, it is best to involve as many people as possible in the process.
- In an effort to keep Torrey citizens informed of P&Z matters, Diane Hamilton and Laura Boardman have volunteered to provide monthly write-ups of P&Z activity for *The Insider*. These may also be included in the monthly mailing to water users.
- It was MSC (Don, Carrie) to authorize this effort.

10. Other

- There was no further item to discuss.

11. Comments from public

- There were no public comments.

12. Next Meeting

- Mary B noted that there may be a chance to have a “hybrid” form of meeting, in-person and online.
- The next scheduled Torrey P&Z meeting is Wednesday, October 21, 2020

13. Adjourn

- At 8:40 pm, it was MSC (Carrie, Don) to adjourn.

Carrie's, Georgia's, and Mary's P&Z Presentation

Carrie

- Reminded P&Z Carrie is the chair of the research group
- Reminded P&Z that the current drafting was informed by recommendations of a Torrey Citizen's Committee on Zoning.
 - That was
 - Leon Bogedahl
 - Carrie Torrey
 - Harry Eubanks
 - Don Gomes
 - Francine Hallows
 - Janet Hansen
 - Bob Morris
 - Judi Teasdale
 - Ann Torrence
 - Tyler Ward
- Explained how the new research group was formed
 - Volunteers from the August P&Z meeting
 - Volunteers from the mailing about zoning ordinance revision
 - Volunteers representing town's various demographics are being invited now.
- It was agreed that the group will put forth no personal agendas and will only focus on what is in the best interest of the safety, prosperity, and happiness of Torrey Town residents and businesses.
- Research group members are
 - Carrie
 - Mary
 - Linda Townsend
 - Leslie Eubanks
 - Susan O'Connor-Wright
 - Bill Barrett
 - Steve Babbit
 - Georgia Sullivan
 - Mary Beckerle
 - Laura Boardman
 - Jennifer Fegely
- Explained 10 of 11 members own property in Torrey
 - Six of the 11 live here full time
 - The two that have property just outside of town, live here full-time and are working to be annexed into town.

Georgia

- Explained the focus of the group has been the commercial zone, which is now recommended to be a mixed-use zone.
- Gave the purpose of the mixed-use zone.
- The research group recommends mixed-use zone have the following designations:
 - Residential
 - Small-scale commercial

- Hybrid
- Agricultural / Undeveloped
- Taking the list of permitted activities from draft 9, the group has researched each activity and created a table which
 - Shows the 4 zones in draft 9
 - Rural Residential
 - Mixed-Use
 - Heritage Overlay
 - Agricultural Overlay
 - And identifies which use is permitted, permitted with conditions, or not permitted in which zones

Mary

- Reported that the research group sees how much work has already been done by the planning commission on the zoning revision and does not want to undo anything that has been done. The goal is to add to the work that has come before.
- As Georgia mentioned, the research group is working on a table of uses.
 - Across the top of the table are 4 zones, and down the left side are the proposed uses.
 - The uses come from draft 9's list of permitted and conditional uses.
 - The group has done extensive research into the ordinances of other towns
 - Some of the towns are in Utah and some are out. Many of them are towns suggested by the Property Rights Ombudsman's office representative.
 - That research is directing the recommendations of the research group.
- All of this has raised many questions related to how these example ordinances do/don't related to Torrey Town.
 - With mixed uses, it is apparent that some kind of buffering would be necessary. Buffering is used to protect residential properties from activities on neighboring commercial properties, and perhaps visa versa. Many towns in and outside Utah use buffering techniques which might include things like
 - Setbacks
 - Fences
 - Landscaping
 - Looking at draft 9's definitions, it seems may be some which require modification
 - Some definitions are missing
 - What are the standards that preserve Torrey's character
 - How would those standards be applied to conditions for commercial activities that might require a conditional use permit
 - What scale of activity is permitted in the Heritage Overlay vs. outside the Heritage Overlay
 - Such as a Large Hotel vs. a Small Hotel and what is the definition of those two things?
- Currently working on
 - Listing potential standards
 - Listing potential conditions
 - Attempting to find commonalities in the conditions that might apply to all commercial activities in order to reduce the number of commercial activities that might require conditional use permits

Carrie

- Timeline
 - The research group has met 3 times
 - The goal is to have recommendations ready for P&Z by October 7
 - P&Z would consider recommendations and revision at the October 21 meeting (with additional work sessions scheduled as needed)
 - An anonymous donor has offered to pay for an experienced planner (Bruce Parker) to review draft 10 to look at content of the draft.
 - The review would assure the wording accomplishes the goals of the commission representing Torrey residents and business owners...not the legalities
 - Draft 10 goes to the town council for review
 - Draft 10 goes to the town's land use lawyer (Shawn Ferrin)
 - WE NEED A MAP for the public hearing – a BIG ONE
 - Draft 10 goes to P&Z public hearing
 - P&Z revises and creates draft 11 and recommends it to the council
 - The council would have the land use lawyer look at it once more.
 - Town council has their public hearing, makes a determination, and enacts the new zoning ordinance.
 - The town council acknowledged in their work session on Monday, this might take until the end of the year.

Mary Added a Bit More

- The study group has had the assistance of Pat Comerell.
 - Her career was in planning for cities and town across Utah.
 - She sits in and answers questions.
- A study group member, while looking at several other town ordinances saw a reference to a company call Planning and Development Services. They helped prepare the ordinances.
 - Study group member called the company which is owned by Bruce Parker.
 - Bruce Parker is the owner.
 - Over 20 years he has assisted towns with their planning
 - He doesn't offer opinions about the content
 - He doesn't question decisions of the town
 - He looks at the strength of the language in zoning ordinances
 - He looks for phrases that are too vague to be enforced such as "neighborhood commercial"
 - He looks for internal inconsistencies and contradictions
 - Loose language like words that could be challenged
 - He might suggest pros and cons to ideas in the ordinance
 - He's worked with Boulder, Richfield, Wayne County, currently with Bountiful
 - A service he offers is called an audit of zoning ordinances
 - Usually takes about 10 hours
 - \$170 / hour
 - less than \$2,000
 - could be completed in a week
 - We have an anonymous donor who has offered to pay for it