IVINS CITY
PLANNING COMMISSION
MINUTES
June 16, 2015
435-628-0606

1) WELCOME AND CALL TO ORDER

A. Acknowledgement of Quorum

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chairman Jeff Loris, Commissioner Adel Murphy, Commissioner Lance Anderson, Commissioner Bryan Pack, and Commissioner Mike Scott.

Staff Attending: Kevin Rudd-Building and Zoning Administrator, Dale Coulam-City Manager/Attorney, and Sharon Allen-Deputy City Recorder.

Audience Attending: Randy Ence, Verona Ence, Kelvin Thompson, Kathy Barth, Lloyd Warner, Barry Richards, Margo Richards, Claudette Larsen, Suzy Appel, Dave Appel, Delores Osborn, Jeremy Hargis, Judith Kapuscinski, Gary Pendleton, Debra Pendleton, Mariah Perez, Melanie Neighbor, Jeff Neighbor, Vaughn Cottam, Brent Green, Gary Baker, Debra Hafen, Elizabeth Mackey, David Preston, David Hafen, Dennis Murphy, as well as a few others who did not sign in.

B. Flag Salute-Commissioner Mike Scott

C. Invocation-Commissioner Adel Murphy

D. Disclosures

Commissioner Lance Anderson stated that he may have a possible conflict on the overlay.

2) REPORTS AND PRESENTATIONS --None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on proposed amendments to the Ivins City General Plan (amendments to the written text) and to the Land Use Plan (to create a Short-Term Rental Overlay and a Recreation Vehicle Park Overlay).

Kevin Rudd stated that there are two portions to this agenda item. First there is the written text of the General Plan which the Planning Commission has updated. Next is the Land Use Plan. The Land Use Plan designates all of the allowed land uses throughout the city. The zoning map is more specific and spells out detailed zones for the land uses. This Land Use Plan amendment proposes two overlay zones a Resort Recreation Short Term Rental Overlay; and a Resort Recreational Vehicle Overlay. There is an application on 22 acres of the proposed overlay for short-term rentals. The original application was processed as a zoning ordinance text amendment, but when it went before the City Council they determined that it would better to accomplish short-term rentals as an overlay zone. Short-term rental overlay over single family zoning would allow people to purchase a single family dwelling, live in it or rent it out for 30 days or less. Short-term rental overlay over multi-family zoning would allow condos or townhomes to be rented for 30 days or less. The City is working on creating a zone where it would be regulated by an HOA and property management company. The City Council also asked the Planning Commission to consider and discuss the creation of an RV Park overlay which would be similar to the RV Park in Virgin, Utah. The RV Park Overlay is not driven by an application and should not delay the application on Short-Term Rentals. If the Planning Commission makes a recommendation to approve this, they would approve a use only. Then we

would create the zone to specifically detail those uses. We are here to determine if we want short-term rentals with an overlay that allows more control. **Chairman Jeff Loris** opened the Public Hearing. Public comments were regarding height and size of homes, setbacks, lighting and storm water flow. General concerns were regarding no vested interest in caring for the neighborhood by renters, increased traffic, speed, noise, ATV, motorcycle and trailer traffic, etc. The public comment voiced unanimous opposition to a Recreation Vehicle Park Overlay. **Kevin Rudd** stated that we are not regulating the size of the home. The size of the home is determined by the developer, not by the City. It is driven by the market. The maximum building height in residential zones is 25 ft.; in St. George and Washington the maximum height is 35 ft. The homes would not front onto 800 South or Main Street. He stated when a development goes in it improves the storm water, and that most of our recent flooding problems we have had come from undeveloped property. He stated the lighting ordinance requires lower levels of lighting than the homes built prior to 2007. He reiterated that the Planning Commission would create the zone that would detail all these concerns. Another concern discussed was keeping the overlays from creeping into other areas, long-term residing in short-term areas, general impacts, maintenance of the site, property values, and making recommendations to the lengths of stays. There being no further public comment, **Chairman Jeff Loris** closed the Public Hearing.

B. Discuss and consider recommendation on proposed amendments to the Ivins City General Plan (amendments to the written text) and to the Land Use Plan (to create a Short-Term Rental Overlay and a Recreation Vehicle Park Overlay).

Kevin Rudd stated that if approved, the zoning text would need to address regulations for short-term rental landscaping and overall maintenance to keep the development looking good. Parking and a business license requirement for each individual unit would also need to be addressed. **Commissioner Bryan Pack** stated the public seems to not like the location, not necessarily the short-term overlay. **Kevin Rudd** stated all cities have a problem with illegal rentals but that is because the zoning is weaker there. On a short-term rental the City could say what time to keep the noise down. **Dale Coulam** stated that in other overlays in the City there has been a density bonus given if the developer gives up something or creates open space. This could mean the lots could end up smaller than the zone underlying the overlay. **Commissioner Lance Anderson** stated that the City's overlays have benefitted the City. It gives us more ways to negotiate. **Chairman Jeff Loris** stated that all the concerns that people talked about are already under an ordinance. **Kevin Rudd** stated we could create a short-term rental and mitigate concerns by putting in more stringent requirements. **Commissioner Adel Murphy** stated the Planning Commission went over zoning draft several times because they are putting so much foresight in for other residents. **Commissioner Lance Anderson** stated that he believes the Planning Commission should not make the RV Park part of the conversation. The overlay is a good idea for the short-term rentals. **Commissioner Bryan Pack** stated that he is in favor of the short-term overlay and with the expectation that the City use the work the Planning Commission has done and address the concerns so it has more protection than with the zoning that is there already. **Commissioner Adel Murphy** stated that short-term will be more restrictive than any other zone we have. **Commissioner Mike Scott** stated that the overlay can mitigate any legitimate problems. We can't guarantee there is always going to be great neighbors, but the City has some teeth to enforce concerns that everybody is dealing with. He stated that he would like to drop the RV Park discussion as well. **Chairman Jeff Loris** stated that we should table the RV Park and focus on short-term rentals.

MOTION: Commissioner Bryan Pack moved to approve recommendation to approve amendments to the Ivins City Land Use Plan (to create a Short-Term Rental Overlay on the North side of the highway at 800 South for the application only).
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Commissioner Adel Murphy	NAY

Chairman Jeff Loris opened the Public Hearing for the text of the General Plan. Judith Kapuscinski stated that she had a couple of edits and listed those items. **Commissioner Lance Anderson** requested removing the roman numerals. There being no further public comment, **Chairman Jeff Loris** closed the Public Hearing.
MOTION: Commissioner Mike Scott moved to approve recommendation on proposed amendments to the Ivins City General Plan (amendments to the written text) with changes.
SECOND: Commissioner Adel Murphy
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of the Ivins City Planning Commission minutes for June 2, 2015.

Commissioner Bryan Pack stated that although the minutes reflect that he was not present, his vote still showed on the motions and needs to be removed.
MOTION: Commissioner Mike Scott moved to approve the Ivins City Planning Commission minutes for June 2, 2015, as amended.
SECOND: Commissioner Adel Murphy
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

6) REPORTS

A. Planning Commission

Commissioner Mike Scott stated there will be an Arts Steering Committee meeting at the City Office with at least eight members tomorrow night.

B. Chairman
C. Building & Zoning Administrator, Kevin Rudd
D. City Attorney, Dale Coulam
E. Items to be placed on future agendas

Kevin Rudd stated he has been working on the draft for the overlay. He would like Planning Commission to review prior to the Public Hearing and fine tune it at the next meeting.

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT
SECOND: Commissioner Bryan Pack
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE