Family homes should go there. **Commissioner Mike Scott** stated he agreed to keep it Medium Density and keep it cohesive. **Commissioner Lance Anderson** stated he agrees. Those other homes are all similar sizes there. **Chairman Jeff Loris** stated that we often speak of having more uses for land like this. Does anyone think that would be feasible here? **Commissioner Bryan Pack** stated spot zoning on something like this where it is just one lot is not going to make much of a difference. There are larger scale areas that would be more compatible. **Commissioner Lance Anderson** stated if the other land owners and casitas wanted to become that use as well, then yes. **Commissioner Bryan Pack** there would be issues with parking, etc as well. **Commissioner Lance Anderson** stated trying to squeeze the road in there for fire would be tough. **Kevin Rudd** stated that a duplex would work there and maybe a tri-plex could work there. Staff doesn't make recommendations but there is a need to spread out amongst the City so it isn't all in one place. It would help to soften it. **Commissioner Bryan Pack** stated that we need planning to do that appropriately, not spot zoning, to incorporate that kind of plan.

MOTION: Commissioner Bryan Pack moved to deny recommendation on a proposed amendment to the Land Use Plan from MDR (Medium Density Residential) to HDR (High Density Residential), located at approximately 277 N. Main. Amber Davis-Applicant. Joyce Hughes-Owner.

SECOND: Commissioner Mike Scott

VOTE: The motion carried.

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

C. **Public Hearing of a proposed amendment to Ivins City Zoning Ordinance allowing and regulating Recreational Vehicle Resorts.**

Chairman Jeff Loris stated that this is on the RV ordinance itself, the text that was required by the City Council. He opened the Public Hearing. Gary Pendleton inquired on the ordinance and if it establishes density? **Commissioner Mike Scott** stated that the draft ordinance requires 7.5 units per gross usable area. The ordinance sets a minimum pad site size, design issues, setbacks, buffer area, etc. The applicant was looking for 134 spaces and the math permitted potentially 150 to 180 based on the 7.5. There would have to be a pool clubhouse, storage areas, how garbage is dealt with, lighting, pets, etc. Gary Pendleton inquired if each pad has electric and sewer? **Chairman Jeff Loris** stated yes and no generators are allowed in this ordinance. **Dale Coulam** stated that anyone can review the proposed ordinance. It is on the Ivins City website. Gary Pendleton stated that they have approximately 10 acres up on the bench in the agricultural there. **Commissioner Mike Scott** stated that the minimum site size was significant and much larger than Virgin's. We have 40 x 80 site pads so 3200 square feet. Mariah Perez stated there could be residential there as well. What are the hours they are allowed to make noise? **Commissioner Lance Anderson** stated that we have a current noise ordinance they will follow. Jon Graf stated that the ordinance mentioned a couple types of fencing and he is concerned about block on that long of a distance, that it would crack and not look good. He brought a sample of a product from Orem, a polyethylene product called Syntec in two colors. He showed a red and taupe color. It is not like a vinyl fence. It has steel reinforcement so it doesn't flex. He would like that item changed on the ordinance. David Preston has not read the ordinance but he would like to limit ATV use in the area and limit the amount of time they can stay so it won't become a trailer park. James Spendlove stated he has read the ordinance. First the

RV definition states motor vehicle and he is not sure that includes trailers. It needs more clarification between independent and dependent RVs, camper, camper shell, etc. Equestrian sites are not a good idea and he requested that not be in the ordinance. The developer should carry the cost of any and all traffic studies, etc. There should also be a requirement for impact fees and how they are going to be determined. All those pads will be hooked up and it should be clear how those impacts will be paid. He would also like to see some language for buffering the frontage on the highway and what will be on the highway. **Dale Coulam** stated that those studies are all required as drafted currently. Hearing no other comments, **Chairman Jeff Loris** closed the Public Hearing.

D. **Discuss and consider recommendation of a proposed amendment to Ivins City Zoning Ordinance allowing and regulating Recreational Vehicle Resorts.**

Dale Coulam stated that there was a Tax Commission question about short-term rentals. The written materials that have been provided shows that when 29 consecutive days end, you have to physically leave the resort. You cannot just change spaces and still be considered a short-term rental. The RV user can leave for one day and then they could start again in order to count for the transient tax. **Commissioner Lance Anderson** stated we could make it that it complies with the transient room tax rule. Spell it out and do an "and/or" so that if they change it we don't need to revisit it. **Chairman Jeff Loris** stated that Adel Murphy mentioned that she does not want horses in the ordinance. **Dale Coulam** stated that next meeting we will finalize the ordinance and vote on it.

MOTION: Commissioner Lance Anderson moved to continue discuss and recommendation of a proposed amendment to Ivins City Zoning Ordinance allowing and regulating Recreational Vehicle Resorts.

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.

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

E. **Public Hearing of a proposed amendment to the Land Use Plan from "Commercial Research" to "Resort Recreational." Located on the South side of Highway 91 at approximately 150 West. Graf Land and Livestock/Jon Graf-Applicant/Owner.**

MOTION: Commissioner Mike Scott moved to suspend the Rules of Order and first hear Items E and F, Public Hearing of a proposed amendment to the Land Use Plan from "Commercial Research" to "Resort Recreational." Located on the South side of Highway 91 at approximately 150 West. Graf Land and Livestock/Jon Graf-Applicant/Owner, prior to Items C and D.

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.

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

Kevin Rudd stated that Commercial Research is the current land use. **Dale Coulam** stated that the Land Use Plan must be changed first in order to create a zoning district of RV Resort. If you still have the same mindset as your prior meeting, then you'd recommend denial of the land use;

but you were instructed by City Council to draft an ordinance for the RV Resort so that is our next item. **Chairman Jeff Loris** opened the Public Hearing. Gary Pendleton inquired if the map is showing a buffer zone? **Kevin Rudd** stated no. This is just showing a 300-foot radius around that gets used for mailing certificates to notify the property owners. Gary Pendleton stated that he and Jon Graf have been able to work together despite their differences on this. Virgin RV Park is a model that the applicants have used. After the last Council meeting, he looked up every RV park that was mentioned as a model. At the Virgin RV Park, the Virgin River and North Creek are natural barriers, with no family residences within 300 feet of that RV Park. It is built right down next to river. They have 35-foot canopy trees. We went and took a look at it. They have made pads for smaller outfits. There are 14-foot tall ones that are in the center of the park. Some of those vehicles cost $200,000. Same with Sedona which was also mentioned. There is a natural buffer there and not a private residence within 300 feet. It's not trashy by any means, but he has two concerns. Even though there would be challenges, building in Graveyard Wash would be taking advantage of the topography and the old growth; there would be a natural buffer between the resort and other people. That fence line won't be equivalent to what the Virgin RV Park has at the Virgin River and North Creek. If they build on the flat, he asks that the application not be approved without a buffer between us and them like 150 feet. He also has 150 feet to give for a total 300-foot buffer from this. He is doing what he has to do and standing up to oppose this. It is extremely short-sighted. Virgin is an ideal place for the RV Park they have. It is not the same ideal situation for these applicants. It will not be concealed no matter how well it's planned. Mariah Perez stated she would like them to deny as well. City Council members are worried about property owners' rights, which she understands, but what about their right to privacy. She inquired why have a commission if anyone can do whatever they want. Consider the buffer if you are going to do it. Across the street is short-term rentals. RV's are going to the wayside because of Airbnb. That will slowly fade away. She'd hate to see them spend the money and put it in and then watch it die. She appreciates the Planning Commission's hard work. Jon Graf stated he has done a lot of work and research; thousands and thousands of dollars towards the feasibility of this. He has done a lot of due diligence; this is not just a whim. The ordinance requires a buffer wall six feet tall and it will be adequate. He is excited about it and would propose that the Planning Commission vote for it. It is good for the community and the people around it. It will bring traffic to the area that is good positive family-friendly traffic. In relationship to what it is zoned now, he thinks that 14-foot high RVs are better than something with a 2-3 story building. James Spendlove stated that he speaking on behalf of VE Management; one of adjoining property owners. The Land Use Plan has it as Commercial Research and is currently zoned R-1. All properties around it are zoned residential. The question is if it is compatible with current uses with adjoining properties. That should be taken into account. David Preston stated he would vote against it. He lives in Discovery. His main concerns are vacation traffic that tend to have later hours. He likes the idea of residential but commercial hours are later. ATVs will also be brought in and would ride around and cause a noise concern also. Rafael Perez stated he would vote against it. We could draw some family friendly activities, but we are drawing that anyway and the DO school will continue to bring a lot of young professionals pursuing doctorate degrees. This is short-sighted on what Ivins can become and to put it right at the gates as you come into our beautiful City would be a disservice. **Chairman Jeff Loris** closed the Public Hearing.

F. <u>Discuss and consider recommendation of a proposed amendment to the Land Use Plan from "Commercial Research" to "Resort Recreational." Located on the South side of</u>

Highway 91 at approximately 150 West. Graf Land and Livestock/Jon Graf-Applicant/Owner.

Chairman Jeff Loris inquired if our minds have changed since the last time this application was before the Planning Commission. We have hashed out the ordinance as City Council requested. **Commissioner Bryan Pack** stated this is one of the toughest subjects he has had since he has been on the Planning Commission. He wasn't totally against it before. We have done a lot of work on the ordinance, but he is still not persuaded that this is the right spot for this type of project. This could be and is the main corridor into the city. We are going to great lengths to make it as good as it can be if it goes in anyway. He would vote against but it is a very close call for him. **Commissioner Mike Scott** stated that the issue for him is that the ordinance and the Land Use Plan are important documents for the public to see what is going on around them and the Land Use Plan needs a high level of care if it changes at all. Even under the current zone, there is a lengthy Table of Uses that allow other uses. Can they really utilize their property in an economically sensible way? This is the only area that is zoned commercial research so we would be losing that zone if we change it. The Table of Uses do allow other uses that can produce revenue so he is not being limited to not being able to use his property. He is against changing the Land Use Plan. **Commissioner Bryan Pack** stated that under the current Land Use Plan we could have a potential 35 foot building there. **Chairman Jeff Loris** stated there is a 60 to 80-foot buffer. **Commissioner Bryan Pack** stated that commercial research doesn't seem like the gateway to the City either. He hasn't considered what could go there potentially as it currently sits. It would be offices, that sort of thing. **Chairman Jeff Loris** stated they would also be 9-5 buildings. **Commissioner Bryan Pack** stated it is still a close call for him. **Commissioner Lance Anderson** stated that Jon Graf has gone to a lot of work to make it feasible, but he still has a hard time with where it sits. His brother just bought a 42-foot long RV for about $250,000. People still use them but he never thought that was a good place for it. **Dale Coulam** stated commercial buildings are subject to a 35-foot height limit and are subject to design requirements. If ultimately the RV Resort is allowed, the design guidelines of the ordinance you worked on would then govern how that appears. Family Dollar is our most recent commercial structure that followed our design guidelines. **Commissioner Bryan Pack** stated that we have taken steps in the ordinance we've drafted to make it look better. **Dale Coulam** stated that it was also mentioned that they would have a transition going from single family from Resort Commercial. People buying would know what they are getting into as opposed to it changing on them or being adversely affected. There would be a row of single family homes to make the transition softer for existing residents. **Commissioner Lance Anderson** stated to help the Pendletons' and the Perez's they could give them a transition zone and allows Jon Graf to move ahead with his plan. Otherwise they could have a 35 foot building there with parking. **Dale Coulam** stated that he would discourage that the Planning Commission say there is a buffer area with nothing in between; instead say there needs to be a transitional use to soften the transition from the current use to RV Resort. **Chairman Jeff Loris** inquired if we want to change from Commercial Research to Resort Recreational? **Dale Coulam** stated if it got left commercial research, they'd look at options under commercial research and whatever zones are under that use the owner could file an application and be granted one of the allowed uses. He also has the option to do single family homes and do what it is currently zoned and proceed. The owner can also seek to change the Land Use Plan to Resort Recreational and ultimately pursue an RV Resort zone. **Commissioner Lance Anderson** stated that in 2008 we zoned most of the City RA-1 or RA-5, it was by default. **Commissioner Bryan Pack** inquired what property is on the South side? Jan

Graf stated BLM. **Commissioner Lance Anderson** stated that he thinks there is going to be a Land Use Plan change, so he wants to give the City Council an idea to come back with to meet in the middle. **Chairman Jeff Loris** stated we also need to remember this ordinance is for the City as well as the current applicants. **Commissioner Bryan Pack** would a cabin be a short-term rental? **Commissioner Lance Anderson** stated anything rented less than 30 days. We would require plumbing. **Commissioner Mike Scott** stated that cabins aren't really the same kind of transition. **Commissioner Lance Anderson** stated that a compromise should happen because someone could come in and put a 35 foot building in with parking. He would rather see a house there. **Dale Coulam** stated that with cabins it would be a transition to High Density Residential and there is no guarantee that they would end up being cabins. If you do a transition in the zoning it has to be usable area. You would allow the use but a transitional type use. There will still be a buffer area that is reasonable for the development but it wouldn't be 150 feet. If there are cabins, perhaps the buffer can be closer. **Commissioner Bryan Pack** stated that we would say in our ordinance the boundary with landowners has cabins. **Commissioner Mike Scott** we essentially design when we create these transitional areas. **Dale Coulam** stated that by giving incentives we haven't designed it; they can choose either option. **Chairman Jeff Loris** inquired so do we want to change from Commercial Research to Resort Recreational? **Commissioner Lance Anderson** stated no change. **Commissioner Mike Scott** stated no change. **Commissioner Bryan Pack** stated he was on the fence, but leaning towards no change. **Chairman Jeff Loris** stated that it should stay what it is currently.

MOTION: Commissioner Mike Scott moved to deny recommendation of a proposed amendment to the Land Use Plan from "Commercial Research" to "Resort Recreational." Located on the South side of Highway 91 at approximately 150 West. Graf Land and Livestock/Jon Graf-Applicant/Owner.

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval on a proposed Final Plat to 400 E Road Dedication. Tim Anderson/Rocky Vista University-Owner/Applicant.

Kevin Rudd stated that 400 East is shown on our road master plan. The City negotiated with property owners and it was discussed in the Conditional Use Permit that it would be constructed as part of the Rocky Vista University project. The Plat dedicates the right-of-way to comply with our Transportation Master Plan. Staff recommends approval. **Dale Coulam** clarified that it dedicated right-of-way for the path that had previously been installed using an easement on the Southern portion across Center Street. It now includes all of 400 East and sufficient right-of-way for a roundabout at 400 East when the time comes.

MOTION: Commissioner Mike Scott moved to approve a proposed Final Plat to 400 E Road Dedication. Tim Anderson/Rocky Vista University-Owner/Applicant.

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.