IVINS CITY
PLANNING COMMISSION
MINUTES
January 17, 2017
435-628-0606

1) WELCOME AND CALL TO ORDER

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 05:30 p.m. All present included Chairman Jeff Loris, Commissioner Adel Murphy, Commissioner Mike Scott, Commissioner Bryan Pack, and Commissioner Lance Anderson.

Staff Attending: Dale Coulam-City Manager/Attorney, Sharon Allen-Deputy City Recorder.

Audience Attending: Fritz Sawyer, Claudette Larsen, Delores Osborn, Kevin Lounsbury, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute

C. Invocation

D. Disclosures--None.

2) REPORTS AND PRESENTATIONS - Presentation to the Planning Commission-Kevin Smith, CEO of Tuacahn.

Kevin Lounsbury stated he was honored to be here. Kevin Smith could not be here today. We wanted to report what we have done this last year at Tuacahn and express gratitude to Ivins City for having a hand in what we do up there. We have a brand new gift shop/orchestra room facility. It is a 19,000 square foot building. The cafe part of the building is in progress. We are getting new amphitheater seating and have expanded a little bit. We now have grass seating as well to keep the amphitheater cooler at night. We had our first 12,000+ season ticket sales this year. We are the largest theater attendance in the state of Utah. We are bigger than Shakespeare. We bring about 265,000 annual attendees. That is about 85 million dollars to our community. We are second only to Zion National Park.

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing on Ordinance 2017-02, regarding zoning text amendments clarifying distinction between legislative and administrative decisions.

Dale Coulam stated there was a recent Utah Supreme Court ruling that clarified the distinction between administrative and legislative decisions, even for site-specific zone changes. We have been given a mandate by the State to clarify our ordinances to accurately reflect the statutes and case law. The State in this legislative session is making another change to LUDMA and will state by statute some of these clarifications. The City Council is the legislative body for the City. They adopt and amend the Land Use Ordinances, including the zoning ordinance and subdivision ordinance, and they are the only legislative body that has authority to do so. Decision making standards depend on whether it is determined to be an administrative or legislative proceeding. Legislative proceedings use the reasonably debatable standard. There has to be a finding, something that is reasonably debatable to justify the decision. Administrative decisions, on the other hand, use the substantial evidence standard. Administrative appeals are only for administrative decisions and are heard by the City's administrative law judge. Once that decision has been reached, it could then be appealed to a court. No automatic stay clarifies that there is no

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automatic stay of the Land Use Authority's decision; you have to ask for it. **Chairman Jeff Loris** opened the Public Hearing. Hearing no comments, **Chairman Jeff Loris** closed the Public Hearing.

B. Discuss and consider recommendation on Ordinance 2017-02, regarding zoning text amendments clarifying distinction between legislative and administrative decisions.

MOTION: Commissioner Bryan Pack moved to approve recommendation on Ordinance 2017-02, regarding zoning text amendments clarifying distinction between legislative and administrative decisions.
SECOND: Commissioner Mike Scott
VOTE: The motion carried.

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

5) DISCUSSION AND POTENTIAL ACTION ITEMS-

A. Open Meetings Training.

Dale Coulam gave a power point presentation, a copy of which is available upon request to City Hall. The Open Meetings and Rules of Order handouts are a list of rules taken from the Utah Code and our City Code. Copies of these handouts are also available upon request to City Hall. Dale Coulam cautioned to watch out for pre-and post-meeting discussions. Don't give the appearance of impropriety. Chance meetings and social gatherings are not meetings, but you cannot discuss meeting agenda items. State law requirements on public notice require a minimum of 24 hours' notice unless it is a Public Hearing that may require ten days or two weeks' notice depending on the type of public hearing. There also must be an agenda, and it has to be publicly posted. There also has to be a recording that allows us to make audio available to the public. Dale Coulam concluded his presentation by pointing out some interesting differences between Roberts Rules of Order and the State requirements for Open Meetings.

B. Discuss and consider approval of the Ivins City Planning Commission minutes for January 3, 2017.

MOTION: Commissioner Adel Murphy moved to approve the Ivins City Planning Commission minutes for January 3, 2017.
SECOND: Commissioner Bryan Pack
VOTE: The motion carried.

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

6) REPORTS

A. Planning Commission

Commissioner Lance Anderson inquired if there was a proposed gym coming to Ivins. **Dale Coulam** stated not that he was aware of. The City would love to build one or partner with Rocky Vista University to build one, but the City doesn't have that kind of money.

B. Chairman

C. Building & Zoning Administrator, Kevin Rudd

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D. City Attorney, Dale Coulam

Dale Coulam stated that sadly, Kevin Rudd will not be returning to us so the Building and Zoning report can be stricken off the next agenda. **Chairman Jeff Loris** inquired if we have a time line for when we will have a new building official. **Dale Coulam** stated no that they started posting and interviewing but technically the time frame has not yet expired.

E. Items to be placed on future agendas

Dale Coulam stated that we need to work on the twin-home zone. We may do changes in the zoning ordinance as far as unused zones and replacing the Mobile Home District zone. We talked about replacing the R-2-6 with the twin home zone. The duplex zone has never been applied for; nor has the RE-75 zone. **Commissioner Lance Anderson** stated we should look at commercial zones too. **Dale Coulam** stated he will take a look at those too.

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 Mike Scott	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE

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