IVINS CITY
PLANNING COMMISSION
MINUTES
November 13, 2018
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 Commissioner Bryan Pack, Commissioner Mike Scott, and Commissioner Lance Anderson.

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

Audience Attending: Claudette Larsen, Rich Svien, Shelley Moeller, Sharon Barton, and Bill Wentworth.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Lance Anderson

C. Invocation--Commissioner Bryan Pack

D. Disclosures

Commissioner Lance Anderson stated that he has a conflict with Taviawk XI-R Final Plat. No other conflicts.

2) REPORTS AND PRESENTATIONS --None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS—None

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. Discuss and consider proposed Zoning Text Amendments to introductory Chapters regarding Districts and Overlays

Dale Coulam introduced an amendment to Chapter 8 Mixed Use Overlays and Sensitive Lands Development. He explained that a project plan for a mixed-use development is necessary to specify the regulations based upon the two selected zoning districts, one residential and the other commercial. The only way to come up with the zoning for that project is to combine the two, similar to what a written text was with a planned development long ago. The overriding thought on Sensitive Lands is that this is not an overlay. These are regulations to govern development in sensitive lands areas. Nowhere on our zoning map do we have the letters SL to designate a sensitive lands overlay. We already have a sensitive lands map. Chapter 8 states that if your land is within a designated sensitive lands area on the map, there are certain procedures to go through to get approval. That requires going to the Sensitive Lands Committee for a recommendation. The sensitive lands development regulations govern how development occurs within areas designated as having sensitive lands. **Commissioner Lance Anderson** inquired so really there should not be an RMU, Resort Mixed Use? **Dale Coulam** stated technically no. It would be a Mixed Use because resort commercial is one of the commercial zoning districts that could be selected for Mixed Use. On our land use plan, we have some areas designated on that plan as RMU **Commissioner Lance Anderson** stated in the Resort Commercial it says offices are not allowed, which is confusing because what is an office? Our community is not big enough to say that is not allowed. **Dale Coulam** stated we may want to look at the table of uses. If the office was related to the resort it was part of the resort, but professional office spaces generally may

conflict with your chosen combination. **Commissioner Lance Anderson** stated to keep our community growing we need to allow that. Insurance agent, salons, etc., rather than leave a building sitting empty. **Dale Coulam** stated we will look at the table of uses. Otherwise it is the Zoning Administrator's interpretation. **Commissioner Bryan Pack** pointed out a couple of areas where the word "overlay" should have been sticken but was not. **Dale Coulam** thanked him for noting that. **Commissioner Lance Anderson** inquired if there will be Mixed Use on the land use plan and Mixed Use on the zoning plan and when the two come together, such as by Conditional Use Permit. **Dale Coulam** stated first you have your zoning regulations through a project plan that is established by a zoning map amendment. **Commissioner Lance Anderson** inquired everyone has to apply for a new zone with a plan and that is the new zone at that point? **Dale Coulam** stated you would do an application to amend the zoning map and then have a project plan approved as part of that process. **Commissioner Bryan Pack** stated it should happen together, because without the project plan you won't know what the requirements or the restrictions are. **Dale Coulam** stated you would apply for Mixed Use, select your two zonings; one residential, one commercial and one process. it would still be an amendment. **Commissioner Lance Anderson** stated if it already had Mixed Use on the map then it wouldn't be. **Dale Coulam** stated if there was it would have a project plan and if they wanted something developed differently, they would have to go through the amendment process to change the project plan. The project plan sets forth the requirements of the zoning district, which is different than a development agreement, so you could have both. You have requirements for commercial and requirements for residential and for mixed use zone. Height in residential is 25 ft. Height in commercial is 35 ft. You can apply to the maximum of either zone. If in the project plan they write in a new height limit; 45 ft, there is nothing currently in the ordinance that prohibits that. In essence it is going through a zone change and changing the text of the zoning. So it is legal, but that may not be the intent. We would need to add a sentence to the ordinance that the maximum requirements cannot exceed the regulations of either zone. **Commissioner Lance Anderson** stated that Kevin Rudd did it in the past that it couldn't be greater than the maximum of both. **Commissioner Bryan Pack** stated he would be in favor of that. **Commissioner Mike Scott** stated if there was stand-alone residential cap it there and if there was a residential and commercial mix cap it at commercial. **Commissioner Bryan Pack** stated apply to each individual building, as opposed to the district. **Dale Coulam** stated that is part of your approval process. The project plan needs to be some combination of the two base districts not to add new provisions. **Commissioner Mike Scott** stated we need to make it clear that if you have a structure that is a combination of commercial and residential that we will allow the commercial height on that, instead of having to define that more than 50% of the square footage has to be commercial. **Dale Coulam** stated he will draft language that if part of the mixed-use project is residential only then residential standards would apply. If it has a commercial element to it, all or some of the commercial elements may apply, but not beyond that. The only other changes are to a couple of tables and the Sensitive Lands Development where there was a column for a Planned Development District. We have eliminated the Planned Development District so strike those columns. Sections 216, 217 and 218 all dealt with Planned Development and are no longer applicable. That is Chapter 8. What you will see come forward will be a combination of Chapters 7 and 8 and you have seen the different components now. There may be some other areas we want to tweak in some parts of Chapters 7 or 8, but the biggest part is Subdivision Enhancement Overlay. We never came to a concrete decision for what density bonus we give. We have left some blanks that need to be filed in and we may add some other requirements or bonuses. Once

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those are defined we will go to Public Hearing with the combined ordinance for Chapters 7 and 8 and make a recommendation to City Council.

B. Discuss and consider approval of Final Plat for Taviawk XI-R, located at approximately Paiute Drive and Wicasa Way. Kayenta Development-Owner. Lance Anderson-Applicant.

Commissioner Mike Scott stated that we do not have a quorum to approve this tonight. **Commissioner Lance Anderson** inquired if he can recuse himself and still vote? **Dale Coulam** stated no. Rules of procedure say if you are the applicant, you have to step down. We don't have quorum to vote on it this evening. It will be on the next agenda.

C. Discuss and consider approval of minutes for October 30, 2018.

MOTION: Commissioner Bryan Pack moved to approve minutes for October 30, 2018.
SECOND: Commissioner Lance Anderson
VOTE: The motion carried.

Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

Dale Coulam stated as a future agenda item City Council has asked that we look at accessory dwelling units and whether we allow people to rent those, what the ramifications are and come back with a recommendation. Part of the housing gap problem and affordable housing has a fairly easy initial solution. We are short 50,000 units to house people and they are living here someplace. Where are they? They are already living in some of these places, specifically not allowed by law. We need to consider making it legal. It is difficult to enforce. We have casitas, houses and basements and need to consider each of those types of housing. Some HOA's would still prohibit that, and we have a deed restriction, so we would have to come up with some type of application process to apply to remove that if people wanted their title cleared of that restriction. We need to come up with some regulations for it. **Commissioner Lance Anderson** stated we went from allowing it, to not allowing it. He has been watching the mindset of people over the years. It is a need. Those homes then have someone in them taking care of them; he would rather that than having them vacant and no one caring for them.

7) ADJOURNMENT

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

Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	AYE

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