IVINS CITY
PLANNING COMMISSION
MINUTES
December 4, 2018
435-628-0606

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

1) WELCOME AND CALL TO ORDER

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

Audience Attending: Rich Svien, Chris Haddad, Claudette Larsen, Sharon and Mike Barton, Regina Roper, CJ Koharcheck, Sherry Breitenbach, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Adel Murphy

C. Invocation--Chairman Jeff Loris

D. Disclosures

Commissioner Lance Anderson stated that he had a conflict for 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 Overlay Amendments to Chapters 7 and 8 of the Zoning Ordinance.

Dale Coulam stated that we have discussed this is in parts and now it is combined in Chapters 7 and 8 of the zoning ordinance dealing with special purpose districts and overlays. Chapter 8 is Mixed Use and Sensitive Lands. Mixed Use we had some changes. The purpose needed to match the summary. Mixed Use development is a combination of Residential and Commercial. We added in some zoning districts that weren't included in the previous ordinance. This is not an overlay since there is no single base zoning district that defines what the requirements are. He added the language that Commissioner Mike Scott raised that if it is was purely a residential component of the mixed use development, then it should follow the regulations of the residential zoning district that was selected. If it contained any portion of commercial it could use all or a portion of the commercial zoning district to come up with the project plan. The project plan used to sound like they could make their own zoning. This makes it clear that the project plan must be based upon the selected zoning districts. **Commissioner Lance Anderson** inquired didn't we say a percentage of residential to commercial? So they can't just throw a little building in there to allow the bigger taller buildings. It needs to be a percentage. **Commissioner Bryan Pack** inquired about leaving it out so we have discretion there. **Commissioner Lance Anderson** stated even though it comes in front of us, there are no parameters. **Dale Coulam** stated if there is a portion of the project that is residential, then apply residential zoning to it. **Commissioner Lance Anderson** stated what if it is a 5 acre parcel and he adds one small commercial building then the height is now 35 ft. It needs a percentage. **Mike Rodriguez** stated

that on commercial you have some discretion. **Commissioner Lance Anderson** stated if he was a developer and he saw the word portion he would pick a small building to use as commercial. **Chairman Jeff Loris** stated that it is designated RMU. Is that Residential Mixed Use or Resort Mixed Use? **Dale Coulam** stated it is Resort. RMU has been shown on the land use plan. Otherwise a Mixed-Use District is shown on the zoning map. MU is the zone. It would only work if it was commercial. It is Resort Mixed Use. MU is any commercial. RMU is that the commercial component is Resort Commercial. **Commissioner Lance Anderson** stated town center had RMU but the zoning was mixed use. We may want to take that statement out because it is confusing. It is a land use, not a zoning district. **Dale Coulam** stated we will just leave it as Mixed Use then. Sensitive Lands Part 2 of Chapter 8 we took out Planned Development portions. Very minimal changes there. Subdivision Enhancement Overlay has clarification of legislative action and administrative and the calculations to determine what the density bonus is. Sections 5-11 to 5-13. There are four things that could qualify for a density bonus. First we need to determine if we like those, or should we combine a couple of these? Do we want streetscape and landscape around detention basins--trees, etc., to be part of open space. **Commissioner Lance Anderson** stated that Subdivision Enhancement overlay always requires 10% open space and that is usually considered detention but so people would utilize it more often would we want to change what we consider open space? Maybe we could say 5%. **Chairman Jeff Loris** stated you are saying that smaller pieces with more density should have less open space? **Commissioner Lance Anderson** stated no we just need to not put so much bearing on open space and but more bearing on some of these other requirements. People with smaller subdivisions can't meet 10% so they do a conventional subdivision with wider roads and higher buildings same colors and smaller streetscapes and we don't have the ability to work with them. If we can make it 5% and give them an incentive to apply, we can require landscaped detention basins and wider streetscapes. We get more or the same open space, because we can request landscaped basins and streetscaping, single level along the edges net to the street, etc. If we get this tool in place we have more say. **Dale Coulam** stated both Arrowhead and Haven counted detention basins and the open space within their subdivision. When they came through they wanted base density to put in the same number of homes they would have without giving up the open space. **Dale Coulam** stated that before it was a little unclear. It talked about improved open space. One Council decided that improved meant raw dirt, and Desert Rose Park had to be put in by City Staff because of that. **Chairman Jeff Loris** stated that Cliffrose is a great density bonus subdivision. It is nice open space and landscape. **Commissioner Lance Anderson** stated it is a rock detention and it would be nice to have landscape. **Dale Coulam** stated we haven't always counted landscape buffer areas so the question is should those two paragraphs be combined? **Commissioner Lance Anderson** stated let's define what we want for open space. If it benefits just the subdivision doesn't do the City any good. Open space is for the traveling public. Give up something on the outside for everyone to enjoy. Do we want it to be detention, landscaping, common areas? He would like to make it so people utilize this tool so that the houses on the edges of subdivisions make it feel open. **Mike Rodriguez** stated we need to have a more clear definition of open space. One that applies towards Subdivision Enhancement Overlay or one that defines the interior of the project. **Commissioner Lance Anderson** stated the interior does not do the City any good, just the subdivision. Create an atmosphere for the traveling public. **Commissioner Adel Murphy** stated the whole idea of giving density bonuses is not for the inside of the subdivision for but the outside of the subdivision to qualify they have to provide improvements and features for the benefit of adjoining subdivisions and the broader community,

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and may include preservation of natural features, open space, park areas, etc. **Commissioner Lance Anderson** stated we just need to define open space. **Chairman Jeff Loris** stated your point of reducing the amount of open space required from 10%. Why would we do that? **Commissioner Lance Anderson** stated that this tool is not being used because we give them no reason to. It is easier to do a stamped conventional subdivision. If they get smaller lots and use detention basin on the outside of the subdivision, we need to make it usable. **Commissioner Adel Murphy** stated we have these four provisions. Why can't these things count as part of the 10%? Landscape around detention basin for example. She doesn't want to lower it, but clarify it. **Dale Coulam** stated you have three sections below that talk about density bonuses, but above we have four and two deal with open space so let's combine them so they are all a definition of open space. The table defines how much bonus you get based on percentage of land you gave up as open space. **Commissioner Lance Anderson** stated Cliffrose got the buffer with the landscape. Highway 91 gives up 30% and that should include landscape as open space. **Chairman Jeff Loris** stated when Palisades Phase 2 went in, they only dug and develop their phases and leave natural vegetation while waiting to develop. If we have finished landscape with buffer zone and landscaped then the dust stays down. **Commissioner Lance Anderson** stated when we say open space the intent is that it is landscaped and ready to turn over to the City to maintain. **Dale Coulam** stated he will resubmit this for another review.

B. Discuss relevant portions of Chapter 12 regarding accessory dwelling units.

Dale Coulam stated there has been a lot of discussion about moderate income housing and the State is getting heavily involved in this. He cut and pasted relevant portions of sections in our zoning ordinance dealing with accessory dwelling units and handed them out to the Planning Commission members. A copy is available upon request at City Hall. The first is definitions but there was generally a prohibition against renting accessory dwelling units. It required a deed restriction and all utility connection to run through the primary residence. The question is whether the city should allow the rental of accessory dwelling units. **Commissioner Lance Anderson** stated people are already doing it, we are just making it legal. The renter should not be responsible to the City, only the owner of the house. 600 sq ft may be too small. 900 sq ft may be more reasonable. **Mike Rodriguez** stated it is 600 ft or 30% of the primary structure, so they can have a larger casita if the primary home is larger. **Commissioner Adel Murphy** stated she would like to limit where they are allowed in the City. Subdivisions have CCR's that may prohibit it, but the City says they can. There is no real teeth in CCR's. If we let this happen, the owner of the main house needs to live on the property. People are currently renting out casitas on AirBnB. They are taking single family neighborhoods and turning them into multi-family. **Commissioner Lance Anderson** stated it is happening around us. **Commissioner Adel Murphy** stated just like the Subdivision Enhancement Overlay we need to think about what will be good for everybody. If people don't want multi-family next to them, we need to respect that. **Dale Coulam** stated that State Law now prohibits using those websites to prosecute. It makes enforcement difficult. **Chairman Jeff Loris** inquired if an addition and a casita are different? **Mike Rodriguez** stated a casita can be either attached or detached. It has a bathroom, a sleeping area, a kitchenette and has all improvements to stand on its own. **Chairman Jeff Loris** inquired if there was an addition on their home would we consider that a casita? **Mike Rodriguez** stated they currently sign a deed restriction that it can't be rented out. Recreational areas in basements with a kitchen we consider a casita and they sign a deed restriction.

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C. 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 Lance Anderson recused himself. **Mike Rodriguez** stated that this is a one lot subdivision on 1.33 acres. It complies with the approved preliminary plan. TRC and staff recommends approval. **Chairman Jeff Loris** stated that the cul-de-sac shows a point of inflection and there is a point of change but it is not on the curb. **Lance Anderson** stated this is where a lot will go in the future. **Chairman Jeff Loris** stated it just has a point of inflection where the curb changes. **Lance Anderson** stated he will be sure to make that change.

MOTION: Commissioner Adel Murphy moved to approve Final Plat for Taviawk XI-R, located at approximately Paiute Drive and Wicasa Way. Kayenta Development-Owner. Lance Anderson-Applicant.

SECOND: Commissioner Bryan Pack

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Adel Murphy	AYE
Commissioner Lance Anderson	RECUSE

D. Discuss and consider approval of Planning Commission 2019 Meeting Dates.

Chairman Jeff Loris stated that December 2nd is a Monday. December 3rd is Tuesday. Sharon Allen will make that change. **Mike Rodriguez** stated that the Planning Commission dates are based off City Council's calendar.

MOTION: Commissioner Lance Anderson moved to approve Planning Commission 2019 Meeting Dates.

SECOND: Commissioner Adel Murphy

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	ABSENT

E. Discuss and consider approval of minutes for November 13, 2018.

MOTION: Commissioner Adel Murphy moved to approve minutes for November 13, 2018.

SECOND: Commissioner Lance Anderson

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	ABSENT

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

Dale Coulam stated that the staff Christmas party is December 11th.

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E. Items to be placed on future agendas

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Adel Murphy

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Adel Murphy	AYE
Commissioner Bryan Pack	ABSENT

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