IVINS CITY
PLANNING COMMISSION
MINUTES
September 1, 2020
435-628-0606

1) WELCOME AND CALL TO ORDER

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Commissioner Lance Anderson, Commissioner Doug Clifford, Commissioner Jeff Loris, and Commissioner Bob Morris.

Staff Attending: Dale Coulam-City Manager/Attorney, Lane Mecham-Director of Finance, Chuck Gillette-City Engineer and Sharon Allen-Deputy City Recorder.

Audience Attending: Flint Decker

[This meeting was held electronically via Zoom, with some staff located at City Hall as the anchor location.]

A. Acknowledgement of Quorum

B. Invocation--Commissioner Jeff Loris

C. Disclosures

Commissioner Lance Anderson stated that he has Taviawk 11-W on the agenda. 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 approval of Taviawk 11-W Final Plat. Located on Wicasa Drive. Kayenta Development Inc-Owner/Applicant.

Commissioner Lance Anderson recused himself. **Lane Mecham** read the staff report that this application consists of one lot on .699 acreage. This plat complies with the approved Preliminary Plan and TRC reviewed on 8/27/20 and recommends approval.

MOTION: Commissioner Doug Clifford moved to approve Taviawk 11-W Final Plat. Located on Wicasa Drive. Kayenta Development Inc-Owner/Applicant.

SECOND: Commissioner Jeff Loris

VOTE: The motion carried.

Commissioner Doug Clifford	AYE
Commissioner Jeff Loris	AYE
Commissioner Bob Morris	AYE
Commissioner Lance Anderson	RECUSE

B. Discuss and consider approval of Palisades at Snow Canyon Phase 7 Final Plat (Amended). Located at approximately Park Avenue Way and Desert Lane. GP Ivins and Land LLC-Owner. Bush and Gudgell/Adam Allen-Applicant.

Lane Mecham read the staff report that the property owner is asking to amend the previously approved final plat to reduce the size of the lots on the south side of the plat and widen lot 238 by an additional 15 feet. The previously approved final plat had not been recorded. TRC reviewed on 8/27/20 and it is in compliance with city ordinances. They recommend

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approval. **Commissioner Doug Clifford** stated that the house itself is already built. It is just a lot line adjustment basically.

MOTION: Commissioner Doug Clifford moved to approve Palisades at Snow Canyon Phase 7 Final Plat (Amended). Located at approximately Park Avenue Way and Desert Lane. GP Ivins and Land LLC-Owner. Bush and Gudgell/Adam Allen-Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Jeff Loris	AYE
Commissioner Bob Morris	AYE

C. Discuss and consider proposed amendments regarding grading.

Commissioner Lance Anderson moved to table without Bryan Pack here. 2nd by **Commissioner Bob Morris**. **Commissioner Doug Clifford** inquired if he can bring up a point that there was a situation in Palisades last week that was being worked on and had recently gone through combining two lots which led to a reasonably significant change in the elevation of the two lots. They brought in fill to meet elevation of the already existing home and the neighbor was concerned about what was happening, so Chuck Gillette went out and met with the neighbor and the developer and worked out a compromise. His question is, in situations where we have a city ordinance and an HOA, who trumps there? **Chuck Gillette** stated HOAs comply with our rules. **Commissioner Lance Anderson** stated they have to comply with City's rules but HOA's can be more strict. **Dale Coulam** stated that they can't use HOA rules to change what our statute requires. They can be more strict. They cannot loosen a standard and violate an ordinance. **Commissioner Doug Clifford** inquired if there is any precedent being set in that situation, because it now has two elevations in that property? What rights do each of those individuals have? **Commissioner Lance Anderson** stated that is a good thing to think about when we are combining lots. TRC doesn't look at lot line adjustments, but they look at lots when they are combined. We just need to bring awareness as we have staff looking at it to negotiate with the owner and who they would affect. It just isn't an issue that usually gets brought up. **Chuck Gillette** stated we have done a few lot combinations before but this is the first time it has ever really created a conflict. We can do the negotiation before we approve the lot combining. In this case the building permit is being used as a means to control the grading and comply with our standard. **Commissioner Doug Clifford** stated that his understanding is that the result was agreeable to both parties. It turned out okay. **Commissioner Lance Anderson** stated that is staff working for you. **Commissioner Doug Clifford** stated that they appreciated staff getting involved. **Dale Coulam** inquired if the two lots that were on the agenda tonight had any issues? **Commissioner Doug Clifford** stated no, that those two lots tonight were level. **Commissioner Lance Anderson** stated that now that we are aware of it we will remember. But we have never had this problem before. **Dale Coulam** stated we can look at it at preliminary plan and at final plat. If it is a prior final plat that has already been approved, the building permit may be the only avenue. **Commissioner Lance Anderson** stated that he thought about the ordinances we are trying to make, we are creating value. Sometimes that is not what people are trying to achieve in the smaller lots. If you want more value, you create bigger lots or keep heights down to create viewshed. He sees the benefit, but when he calculates the differences, it increases the cost. Think about that regarding grading. **Commissioner Doug**

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Clifford stated that we could make this conditional. Use it as a guideline. As we talked about it last time, it is hard to anticipate every scenario that is going to happen. **Commissioner Lance Anderson** stated that this ordinance is for a certain demographic. These rules are put into place because people come to town, build, and then leave us with the issues. All of Ivins has changed from years ago to now. We need to protect the values people have vested here right now for this community. **Commissioner Doug Clifford** stated he is still concerned about the wall-like streets in Palisades where backyards have become front yards. **Commissioner Lance Anderson** stated we turn to the Transportation Master Plan and if it is defined, they can do it. If the community wants it, then he has no issue with it because that is what they want, but if the HOA says no, then that's different. **Chuck Gillette** stated that he asked Mayor Hart his thoughts on whether he liked what was happening over there. Nobody's home values are decreasing up there, but he gets what the Commission is saying about gates into their driveway and they are looking more and more that way. If it doesn't hurt property values, we don't have a reason not to allow it. **Commissioner Lance Anderson** stated if that community wants it, then that's okay. That is why they have a gated community. **Chuck Gillette** stated that there is an idea we talked about HOAs being able to opt out of certain rules, if it was agreed upon. We already have that in our wall ordinance because it allows those courtyard walls to be pushed further out in gated communities. They would have to opt out at the beginning of the development or through their CCR's. It could be a good idea or a bad idea, but we have to be careful giving over that control. **Commissioner Lance Anderson** stated that around the outside they have to meet City ordinance because those are public streets, but along private streets they could make their rules. **Commissioner Doug Clifford** commended Chuck Gillette on doing a great job with this well crafted document and these guidelines will cause communities to be a lot safer. **Commissioner Lance Anderson** stated we will move this to the next meeting when Bryan Pack can join.

D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for August 18, 2020.

MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for August 18, 2020.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Jeff Loris	AYE
Commissioner Bob Morris	AYE

6) REPORTS
A. Planning Commission
B. Chairman
C. Building and Zoning Administrator, Mike Rodriguez
D. City Attorney, Dale Coulam

Dale Coulam stated that Lance Anderson had a public hearing last meeting for the Crescent Moon area and it involved some Light Manufacturing and some High Density Residential with R-1-5 as the zoning district, but the way it was worded was backwards. It was going from High Density and Light Manufacturing to only Light Manufacturing and yet the zone change was to R-1-5 and Light Manufacturing. If the land use change was only to Light Manufacturing, it would not allow the R-1-5. So we will redo that public hearing to change the land use mix on that parcel so that the zoning would be consistent. We are going to clean it up before it goes to City Council.

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E. Items to be placed on future agendas

7) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Jeff Loris	AYE
Commissioner Bob Morris	AYE

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