IVINS CITY
PLANNING COMMISSION
MINUTES
July 14, 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 Chairman Bryan Pack, Commission Lance Anderson, Commissioner Bob Morris, and Commissioner Doug Clifford.

Staff Attending: Dale Coulam-City Manager/Attorney, Mike Rodriguez-Building and Zoning Administrator, Lane Mecham-Director of Finance, Chuck Gillette-City Engineer, Tom Jorgensen-Assistant Public Works Director, Sharon Allen-Deputy City Recorder.

[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 Doug Clifford

C. Disclosures

Commissioner Lance Anderson stated that he has final plats on items 5A and 5B. 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 12-C Final Plat, located at approximately Paiute Drive. Kayenta Development-Owner/Applicant.

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated that this is a single lot plat on total acreage of .573. The final plat complies with the approved preliminary plan, TRC has reviewed this and staff recommends approval.

MOTION: Commissioner Doug Clifford moved to approve Taviawk 12-C Final Plat, located at approximately Paiute Drive. Kayenta Development-Owner/Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Bryan Pack	AYE
Commissioner Bob Morris	AYE
Commissioner Doug Clifford	AYE
Commission Lance Anderson	RECUSE

B. Discuss and consider approval of Mojave Phase 1-A Amended and Extended Final Plat, located at approximately Saguaro and Mojave Way. Custom Contracting/AnA Enterprises-Owner. AnA Enterprises-Applicant.

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated this is the subdivision east of Guy Lane and between Ryders and Indigo Trails. Mojave Mesa has RE-12.5 at the westernmost side and R-1-7.5 on the easternmost side. They are amending and extending the final plat which has 14 lots on a 1.79 acre site and they are asking to amend and extend the

boundary of the subdivision increasing the acreage on lots 34 and 35 and changing notes 3 and 4 and removing a portion of Mojave Way from the subdivision. In order to comply with the side setbacks that front the streets, they needed to widen the setbacks on lots 34 and 35. TRC reviewed this plat and it complies with city ordinances. The notes were to clarify the correct lot numbers that were being affected and impacted by this extension. It was to clean up the text in those notes.

MOTION: Commissioner Doug Clifford moved to approve Mojave Phase 1-A Amended and Extended Final Plat, located at approximately Saguaro and Mojave Way. Custom Contracting/AnA Enterprises-Owner. AnA Enterprises-Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Bryan Pack	AYE
Commissioner Bob Morris	AYE
Commissioner Doug Clifford	AYE
Commission Lance Anderson	RECUSE

C. Discuss and consider recommendation of amendments to Density Allowances for Multi-Family.

Commissioner Bob Morris stated that Kade Ence's email showed that his interpretation is exactly what we are trying to achieve. It was rather impressive. He doesn't agree, but his interpretation is right in line with what we are trying to accomplish. **Mike Rodriguez** stated that Sharon Allen sent it to different multi-family developers to get some feedback and it is spot on with what the density bonuses may be addressing and the desire to see lower heights and single-story buildings if possible and allowing different amenities to be considered for density bonuses. **Commissioner Lance Anderson** stated that we moved it ahead for public hearing, but put it on this agenda if we needed more conversation. **Commissioner Doug Clifford** inquired if we asked for feedback from developers? **Commissioner Lance Anderson** stated Kade Ence. **Mike Rodriguez** stated Sharon Allen sent it out to a number of different folks, but Kade Ence is the one that responded. **Chairman Bryan Pack** stated let's move it forward, and we can tweak it based on those processes. We will set it for a public hearing. **Commissioner Doug Clifford** stated yes he would like to hear peoples' opinions on whether they like this or not. **Commissioner Bob Morris** stated that is why he was impressed with Kade Ence's response, even though he wasn't happy with what we are doing.

D. Discuss and consider proposed zoning text amendments regarding grading.

Chuck Gillette stated that you have a copy of the ordinance but to recap we have this new grading program where it really restricts the ability to build up pads next to existing developments and this is what the maximum of what we could do to restrict grading and prevent problems that we have had where people are building fill lots adjacent to existing homes and people are seeing their views disappear. We are not entitled to a view but it is heartbreaking to see, and so we are trying our best to come up with a solution on views and privacy. Last meeting he told the Commission we would be doing a sample subdivision and picked an area where we may one day have a problem. So Tom Jorgensen applied these principles to that lot. Most changes we made have been to section 135 since the last meeting. Cody Mitchell had some things he was looking at and he had a diagram he was using to help people understand the fencing rules and it is so helpful that he took those diagrams and merged them. For interior lots as an example, we created Figure 11-11 on the interior lot in the interior of the subdivision and this is where we can put fences. The red line represents where they can put rear yard privacy

walls, which has a maximum height of 7 feet. The yellow is where we allow the courtyard wall and the maximum height is actually based on how far it is set back from the road and we have what we call a wall hedge line that has a maximum height of 3 and a half feet and then this dotted line is what we call a non-obstructing fence line, like wrought iron or chain link. He took out chain link because it is not very attractive and just wrote in wrought iron. We are not going to allow wall hedges that are 3 and a half feet tall to be any close than 3 feet to the property line and he had written 4 feet last meeting and we did change paragraph C a little bit. A fence, wall or retaining wall located on an interior property line separating two residential lots with differing elevations maximum height of the fence, wall or retaining wall shall not exceed 7 feet above grade on either side of the fence, wall or retaining wall, unless one) the property owners adjoining the fence, wall or retaining wall agree in writing to a greater height, and two) a retaining wall is placed against a cut area to retain the natural grade in which case the fence, wall and retaining wall shall not exceed 9 feet. Fences may not be bermed for the purposes of increasing allowable height. We added this sentence as well. For situations where more than 4 feet of grade difference, it is necessary to use a terraced wall and then we reference Section 136. The corner lot example is a new figure. We need to protect clear view and this 30 ft by 30 ft triangle and in the 12 ft by 12 ft triangle we clarify where these rear yard fences go. This diagram makes it really clear show what's going on and what is going on the wall hedge and we added those figures. So that is all the changes since last meeting. **Commissioner Lance Anderson** stated when you have an R-1-7.5 lot and a 25 setback and then a 20 foot driveway. That makes no sense. What is the purpose of the 25 ft if you have a 20 ft driveway? Both roads are corners. **Chuck Gillette** stated that is for aesthetics. **Commissioner Lance Anderson** stated we need them in the front too then. The front is more important than the side. **Mike Rodriguez** stated there is a reduced front setback on smaller lots in the medium density zone. In the other zones, when you have a minimum street setback of 25 feet on the front, it also applies to the size. R-1-7.5 is different where you are allowed a front setback of 20 feet. You can have a 20 foot driveway but the code does state you must have a side yard fronting a street of 25 feet. **Commissioner Lance Anderson** stated from a design standpoint he would like to change the ordinance for a 25 feet setback for your driveway and allow your house to move up to 15 feet in the front. **Mike Rodriguez** stated that we would require a text amendment to some of the zoning districts to do that and address them all at one time. **Commissioner Lance Anderson** stated everyone jams their garages to the front because of that 20 foot setback. **Mike Rodriguez** stated we could look at the required setbacks in the different zoning districts and make some adjustments, but it will take an overall amendment to the zoning district code sections. **Commissioner Lance Anderson** stated with these diagrams, that is something that will have to be changed in the future. He wants that as a future agenda item. **Chuck Gillette** stated that it doesn't show distance on the diagram, so that one would not need to be changed. **Commissioner Doug Clifford** stated on the diagrams you show walls being contiguous all the way around but we are seeing a lot of cases where the landscaping decorative walls going 20 feet across the front or the side of the property and then stopping. Do we want our wall and fence section to cover those decorative type of walls that are now being used as landscaping? A lot of people up here in the Palisades area are using retaining walls as part of the landscaping and using them to terrace the property. **Chuck Gillette** stated the diagram is the maximum extent of that wall, that is as close to the property line as they are allowed to push it. It covers these other walls. We looked at Palisades specifically when putting together this diagram. We have it written in the code, and courtyard wall is what that falls under. So the front yard

courtyard walls is defined as the walled area in the front yard which is open to the sky and used as a private outdoor patio. Front yard setbacks shall not be less than 10 ft to the back of the sidewalk or 10 ft from the property line where no sidewalk exists. Then it says the height restriction, and there is a separate rule for courtyard walls that are located in the front yard and control access may be located on the side yard property line. There are separate rules for when they are in controlled access or gated developments. It is starred and says that distances may be reduced to 7 ft 6 inches in gated communities. **Commissioner Lance Anderson** inquired why 3 ft 6 headwall? **Chuck Gillette** stated it doesn't obstruct views so it is allowed to go out further and someone could build a hedge as long as they don't penetrate the triangles. **Commissioner Lance Anderson** stated he would suggest 48 inches to make it worthwhile. **Commissioner Doug Clifford** stated people are starting to use their front yard as their recreational part of their lot. To get privacy, they are putting up some big front walls. 6 or 7 foot walls right close to the driveway to gain privacy. They are putting their pools in the front yard. Do we have regulations on that? **Chuck Gillette** stated this is it. **Commissioner Lance Anderson** stated in Indigo Trails we don't have front, side and backyards, we have living spaces. These are for very conventional cookie cutter designs. He doesn't want us in a box here. We need to allow more creativity to create value. **Chuck Gillette** stated that is certainly why we come to the Planning Commission to get your input. **Commissioner Lance Anderson** stated this works on 75% of subdivisions, but we are trying to create something in Ivins. If we move the 3 foot 6 inches up to 48 inches we could solve swimming pool wall problems. **Commissioner Doug Clifford** stated we have areas in the Palisades where you could drive down the street and think we are going through a tunnel with big walls on both sides and you can't see the houses. It gives security and privacy, but no curb appeal. **Chuck Gillette** stated that there are some walls in Palisades that made us push back the 10 feet because of that. This wall got pushed back to 7.5 instead of 5 feet. We are looking for input. If you don't want a separate rules for gated communities, make that motion. **Commissioner Lance Anderson** stated it is a gated community because they want more flexibility. If they don't want that, it is up to them. Does it meet health, safety and welfare. It is different than the rest of the environment. **Commissioner Doug Clifford** stated we don't have HOA yet because it hasn't reached buildout. We need to define what is a front yard. The north lots, because of the slope of the properties, those tend to have open front yards for the views, but the lots on the south side will have a big wall. They put all their amenities out front because they want the house to set back on the lot for the view. The big wall in the front is to protect their play area and their pool. He is just bringing it to our attention. He doesn't have a solution for it. **Chuck Gillette** stated we are going to show you how applying the grading ordinance will impact a potential subdivision. **Tom Jorgensen** stated so we picked Quail Cove subdivision and we took two empty parcels that are positioned just north of Quail Cove. He showed the existing grading for Quail Cove. They have existing slope in the back of these lots. We took that grading ordinance and applied it to three lots that would border Quail Cove. We would like to apply the portion of the grading ordinance that had these lots sitting above the road, and sink the road down low. This road drains out to 400 West so there is really no chance we can sink this road down any further than what we have so that left us with the portion of the ordinance where the road would go in at a minimal slope to provide for drainage and these lots dropped down 2 feet below top back of curb along this roadway. He then showed what the cross-section would look like. In this example it would be a 2:1 slope in the back to meet existing grade. We would have drainage in the back and drain out to 400 West. **Commissioner Lance Anderson** inquired what zone would this be? Lot size? Because when you are dealing with a 20 foot setback and you drop

two feet, that is a 10 percent slope. He dropped lots down trying to work out a similar situation but then the driveways get too steep. **Tom Jorgensen** stated that problems they foresee are drainage and access into these lots. **Commissioner Lance Anderson** stated so if this is a conventional subdivision, who maintains the water lines behind the lots? Is it the City, or do you make them have an HOA? **Chuck Gillette** stated it is a problem because the City doesn't want to maintain storm drains in property owners backyards. **Commissioner Lance Anderson** stated he likes the idea, he just need to make sure people know who maintains it. **Commissioner Doug Clifford** inquired when you have a lot that is almost completely flat, where does it drain to? Tom Jorgensen stated there is usually a mild slope either to the front or the back depending on where we need the drainage to go. They put in grade with their landscaping so it drains. **Commissioner Lance Anderson** stated houses are usually 10 inches above pad. To get water to run, unless it is on concrete, you need a 2% slope. **Tom Jorgensen** stated on a building pad, we don't necessarily want water to run but rather sit and eventually sheet off. **Commissioner Lance Anderson** stated the building code says it has to fall away from the house at a quarter inch per foot. His rule of thumb in Kayenta, Indigo Trails, or Mojave Mesa is to have it a quarter inch away from the house but have a daylight area so if you have a big storm it can get out. **Tom Jorgensen** stated in the next scenario, it only works if we can dig down the road below natural grade, so that when we get to the crown of this roadway it is about 5 or 6 feet that we are digging down. Then we put our pad one foot above the top back of curb and you can see we are only filling maybe half a foot. **Commissioner Lance Anderso**n stated that in Kayenta he tries to be 18 inches lower than the lowest part of natural grade to carry the water out onto the roads. **Tom Jorgensen** stated that these roadways have the potential to be dug in even more than that. This is kind of the gist of how the grading ordinance would be applied to a subdivision. **Commissioner Lance Anderson** stated that you are going against engineers because they do cut and fills so they match. He likes this idea to design a subdivision, not just make the cut and fills match. **Chuck Gillette** stated this is a great example because we can't take the road any deeper and we are concerned that we may have a drainage problem on those lots because all the water for the subdivision has to run through those curb and gutters right in front of those lots that are set low. Maybe they would have to put in some larger storm drains in the street as well as behind the lots. **Commissioner Lance Anderson** stated S&S subdivision is dug in so deep on the far end, about 4 feet, trying to keep the pads lower than surrounding properties and that helped them. **Chuck Gillette** stated we took what was being done there to apply many of these ideas. When it gets built, we will see what the results will be. **Commissioner Lance Anderson** stated we asked them to do that per an agreement so we didn't have pads up in the air just to make the drainage work. On the drainage behind the lots, he likes the idea, but wants to make very clear who maintains and how it gets maintained. **Chuck Gillette** stated yes we need to figure that out. **Commissioner Lance Anderson** stated yes and making sure that the area we are allowing the drainage and fences to go, that there is room to get some kind of apparatus and suction trucks back there to clean it. He wants to go over the ordinance next meeting and go over all the details and how things apply. **Chuck Gillette** stated this ordinance says this is the ideal and if they can't meet the ideal, they need to meet with Staff. **Chairman Bryan Pack** asked for the redlined version for next meeting, and Commissioner Doug Clifford will look at the walls being a little more restrictive and Commissioner Lance Anderson will look at the front and side yard definitions. Then let's discuss possible solutions. **Commissioner Lance Anderson** stated another idea is that a yard is for aesthetics and for vehicle safety. That is why there are clear zones. If you are giving up space outside your courtyard wall people should be able to get a little closer or a

little further away if they don't create a problem with the clear zone. It is more aesthetically pleasing to get closer and further away if the space is usable. Safety and aesthetics is what we are trying to accomplish. **Commissioner Bob Morris** stated it looks over-complicated and very unfriendly for a homeowner to navigate through themselves. Do they need a lawyer to interpret it? If people are made aware of this before and have the opportunity to address it during plan check that's fine, but oftentimes these people are informed after the fact and they don't have the drainage, or didn't anticipate all that is involved, they just wanted to build a wall. **Chairman Bryan Pack** asked the Commission to be prepared at next meeting to discuss these issues.

E. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for June 30, 2020.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for June 30, 2020.
SECOND: Commission Lance Anderson
VOTE: The motion carried.

Chairman Bryan Pack	AYE
Commission Lance Anderson	AYE
Commissioner Bob Morris	AYE
Commissioner Doug Clifford	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

Mike Rodriguez stated we have a few items coming forward. A final plat for Anasazi Village, a Preliminary Plan for Red Mountain Terrace on Hwy 91 and 200 East, and Retreat at Black Desert zone changes for that SITLA parcel, and Commission Lance Anderson has some rezones out in the Crescent Moon area. **Commissioner Lance Anderson** requested to put setbacks on a future agenda item after we get some of these other items cleared away.

7) ADJOURNMENT

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

Chairman Bryan Pack	AYE
Commission Lance Anderson	AYE
Commissioner Bob Morris	AYE
Commissioner Doug Clifford	AYE