IVINS CITY
PLANNING COMMISSION
MINUTES
November 17, 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, Commissioner Lance Anderson, Commissioner Jeff Loris, Commissioner Doug Clifford, and Commissioner Bob Morris.

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

Audience Attending: Cody Mitchell, Ed and April McDonald.

A. Acknowledgement of Quorum

B. Invocation

C. Disclosures

Commissioner Lance Anderson stated he has an item on the agenda for 4A and 4B. No other conflicts.

2) REPORTS AND PRESENTATIONS -None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing on recommendation to approve a Concurrent Land Use Amendment from LDR (Low-Density Residential) to a mix of RMU (Residential Mixed-Use) and HDR (High-Density Residential); and a Zone Amendment from RA-5 (Residential Agriculture, minimum lot size 5 acres) to RMU (Resort Mixed-Use), with R-M (Resort Multi-Family) and R-1-5 (Single Family Residential, minimum lot size 5,000 sq ft) as the zoning districts, on approximately 18.172 Acres. Located at Approximately Fitness Way and Guy Lane. Teancum Properties, LLC and Washington County School District-Owner. AnA Enterprises, LLC-Applicant.

Lance Anderson recused himself. **Mike Rodriguez** stated that this is a Concurrent Land Use Amendment from Low Density Residential to a mix of Residential Mixed Use and High Density Residential and a zone amendment from Residential Agriculture minimum lot size 5 acres to Resort Mixed Use, RM Multi-Family and R-1-5 single family residential on a minimum lot size 5000 sq ft on a little over 18 acres at approximately Fitness Way and Guy Lane. This is just south of Sage Villas and a little west across Guy Lane and Ryders Automotive Center, and part of it southwest of Fitness Way. **Commissioner Doug Clifford** inquired about the road that is going due South that runs in front of Ryders, where does it go? **Mike Rodriguez** stated that it continues south and depending how this moves forward with development, it will show how the new development will occur. It goes through and Fitness goes behind Movara and extends westerly to the Mojave Mesa development. Any new development application we consider streets as part of that development. **Commissioner Bob Morris** stated what happened to the commercial aspect and this being in an industrial area? **Mike Rodriguez** stated that Ryders is C-1 and we have Mixed Use and townhome zoning around that. Lots of Multi-Family is developing around there and it is consistent with that. **Chairman Bryan Pack** opened the Public Hearing. **Lance Anderson** wanted to clarify that on the concern about Ryders being the only C-

1, RMU allows C-1 to be used if it fits in the future. **Commissioner Bob Morris** stated he reached out to Larry Ryder. Hearing no comments, **Chairman Bryan Pack** closed the Public Hearing.

B. Discuss and consider recommendation to approve a Concurrent Land Use Amendment from LDR (Low-Density Residential) to a mix of RMU (Residential Mixed-Use) and HDR (High-Density Residential); and a Zone Amendment from RA-5 (Residential Agriculture, minimum lot size 5 acres) to RMU (Resort Mixed-Use), with R-M (Resort Multi-Family) and R-1-5 (Single Family Residential, minimum lot size 5,000 sq ft) as the zoning districts, on approximately 18.172 Acres. Located at Approximately Fitness Way and Guy Lane. Teancum Properties, LLC and Washington County School District-Owner. AnA Enterprises, LLC-Applicant.

Commissioner Bob Morris stated that he bought behind Troy's Automotive and he was aware of noise issues and those kinds of things. Larry Ryder has a thriving business and it puts pressure on him as it goes all residential around him. Now his parking situation is put under a microscope. **Lance Anderson** stated the townhomes are right there. The commercial piece he doesn't know what they will do there but on the High Density Residential to RM zone it is in a hole and he has put 12-14 feet of dirt in Mojave Mesa to create a nice subdivision, but with the road and sewer station there, they won't have that opportunity. So he will need to mass his way out with the RM and move to R-1-5 and R-1-7.5 and close off the road on Mojave and allow that to fit in with Ryders in the future and continue with flat roof houses and call it Mojave Flats. Start with High Density and work out to Low Density. **Commissioner Doug Clifford** stated that he remembered a similar situation in an area he lived in, and a similar area ending up in residential. He may need to put up a fence, but that is part of being in business. **Chairman Bryan Pack** stated this feels like a good spot to do what he is doing. Massing and going a little higher density along this corridor. He wouldn't want Ryders to feel pressure to move or close, he is a valuable service there, but there is compatibility in that area. He is in favor of recommending this.

MOTION: Commissioner Bob Morris moved to approve recommendation to approve a Concurrent Land Use Amendment from LDR (Low-Density Residential) to a mix of RMU (Residential Mixed-Use) and HDR (High-Density Residential); and a Zone Amendment from RA-5 (Residential Agriculture, minimum lot size 5 acres) to RMU (Resort Mixed-Use), with R-M (Resort Multi-Family) and R-1-5 (Single Family Residential, minimum lot size 5,000 sq ft) as the zoning districts, on approximately 18.172 Acres. Located at Approximately Fitness Way and Guy Lane. Teancum Properties, LLC and Washington County School District-Owner. AnA Enterprises, LLC-Applicant.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

C. Public Hearing on recommendation to approve a Concurrent Land Use Amendment from a mix of LDR (Low-Density Residential) and RMU (Residential Mixed Use) to just LDR (Low-Density Residential); and a Zone Amendment from a mix of RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and RC (Resort Commercial) to

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RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and RE-20 (Residential Estates, minimum lot size 20,000 sq ft), on approximately 28.62 Acres, located at approximately Red Mountain Circle and Snow Canyon Parkway. Parkway Partners-Owner. Shaun Sullivan/Sullivan Homes-Applicant.

Mike Rodriguez stated that this is a concurrent land use and zone change amendment from a mix of Low Density Residential and Residential Mixed Use to only Low Density Residential and a zone amendment from a mix of RE-37 and Resort Commercial to RE-37 and RE-20. They are doing away with Resort Commercial on approximately 28.62 acres. This is located on approximately Red Mountain Circle and Snow Canyon Parkway across from Encanto development before Red Mountain Resort. There was a buffer that was created for RE-37 and they are proposing to retain that area that abuts Padre Canyon Estates and then do the remainder RE-20. **Commissioner Jeff Loris** inquired on the buffer between the existing and new commercial there it didn't have the little toe that comes across there. Is there a reason it comes into the buffer area? **Mike Rodriguez** stated that the terrain in that area is kind of a low spot. Adam Allen with Bush and Gudgell is representing the applicant if we have questions. **Chairman Bryan Pack** opened the Public Hearing. Hearing no comments, **Chairman Bryan Pack** closed the Public Hearing.

D. Discuss and consider recommendation to approve a Concurrent Land Use Amendment from a mix of LDR (Low-Density Residential) and RMU (Residential Mixed Use) to just LDR (Low-Density Residential); and a Zone Amendment from a mix of RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and RC (Resort Commercial) to RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and RE-20 (Residential Estates, minimum lot size 20,000 sq ft), on approximately 28.62 Acres, located at approximately Red Mountain Circle and Snow Canyon Parkway. Parkway Partners-Owner. Shaun Sullivan/Sullivan Homes-Applicant.

Adam Allen stated the little toe coming into the RE-37 they tried to maintain as much as possible, but there will be a road running back in there and it gets pretty skinny, so trying to have a 37,000 sq ft lot down there makes it unusable. We are trying to make this a residential lot, so we are hoping to cut into the buffer a little bit. **Commissioner Jeff Loris** stated when this was on review before the citizens wanted the existing land use to be the same there. He doesn't think there is enough of a concern changing to the RE-20 to keep the consistency of the size of the lots. It is not commercial, it is all housing. **Dale Coulam** stated it was in the motion as a 300 foot buffer, but this is a zone change application and to put that toe in there is at the Planning Commission's discretion. **Commissioner Lance Anderson** stated that was when it was commercial. Now that it is residential, he doesn't see an issue with it. **Mike Rodriguez** stated that the western corridor extends through the southeastern-most portion and the applicant is aware that they have to deal with that. **Commissioner Lance Anderson** inquired will there be a road that connects to the corridor from this parcel? **Mike Rodriguez** stated they are not certain yet. They are limited to the number of lots they can have with one access. More than 30, they will need a second access. **Commissioner Doug Clifford** inquired if the entrance will be from the Padre Canyon area? **Mike Rodriguez** stated no the access will be coming from Snow Canyon Parkway, across from Encanto.

MOTION: Commissioner Doug Clifford moved to approve recommendation to approve a Concurrent Land Use Amendment from a mix of LDR (Low-Density Residential) and RMU (Residential Mixed Use) to just LDR (Low-Density Residential); and a Zone Amendment from a mix of RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and

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RC (Resort Commercial) to RE-37 (Residential Estates, minimum lot size 37,000 sq ft) and RE-20 (Residential Estates, minimum lot size 20,000 sq ft), on approximately 28.62 Acres, located at approximately Red Mountain Circle and Snow Canyon Parkway. Parkway Partners-Owner. Shaun Sullivan/Sullivan Homes-Applicant.
SECOND: Commissioner Jeff Loris
VOTE: The motion carried.

Chairman Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS-

A. Discuss existing Lighting Ordinance.

Dale Coulam stated that we had lighting regulations in various places and have now combined them into Chapter 23 of the zoning ordinance. There were minimal changes, but one was to prohibit electronic message boards, so we defined it and then prohibited it. There was a change to enforcement to clarify that this applies prospectively from date of adoption, not retroactively. The proposal would be treated as a legal non-conforming use. They could be maintained and replaced, but not expanded. This was referred to the Planning Commission to make any tweaks. Bob Morris, at the time there were no LED lights, so look at that with your expertise and update some of the technical things that are listed out in this ordinance. We were not asked to discuss becoming a dark sky community. **Chairman Bryan Pack** stated that City Council expressed the desire not to continue down the dark sky compliance path, but as we recall there was a lot of community involvement on this issue. His opinion that the ordinance as amended currently addressed the issues referred to us by City Council and we could forward it to them and not adjust anything else. **Commissioner Bob Morris** stated that he has 5 suggestions. They promote safety and security on the priorities list. In 2018-18 they had three amendments that took place and it was right out of the night sky handbook and got stuck into the ordinance and it is very restrictive. He would like to eliminate the ordinance requiring a filter. 1/8" or 1/4" amber filter is required and it even dictates the manufacturer and it drops the kelvins down to 2200. It says the amber filters should be acrolite. Any engineer will tell you that there is a color rendering index to tell color, and it has to be above 50 up to 100. This amber filter takes it down to 22. If someone punched you in the face, you couldn't identify them. They put them in at Rocky Vista University and stopped. In the process of putting them on, they called his company to get an estimate to add poles to add light because it diminished visibility so badly. Eliminate the amber filter. Security lighting at Dixie State University is white light and we aren't even close to what they have. The general consensus is avoiding theft by increasing light. **Chairman Bryan Pack** stated in Section B that 2700 kelvin is too low as well. **Commissioner Bob Morris** stated yes. To try to tell people color temperature they have to light up their property with is wrong. **Chairman Bryan Pack** inquired so you would like to eliminate the color temperature, section 3 completely, rather than increase the numbers? **Commissioner Bob Morris** stated commercially we should keep control, but increase the number and eliminate the acrylic lens, and exclude residential completely. **Commissioner Lance Anderson** inquired if this was what the Council spent hours on trying to come up with the right color? **Dale Coulam** stated that yes but there has been some question as to whether 2200 was too low. **Commissioner Lance Anderson** stated that we have spent a lot of energy on it already. He has heard it both ways. Do we want to enhance houses, or

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enjoy the night sky? We don't need a night sky, just a dark sky. For the last 17 years we have tried to preserve that dark sky. Do we want houses lit up or preserve our community as a dark sky community? For all the years he has been sitting here, the majority of the community want to preserve that. **Commissioner Bob Morris** stated he would like to see the CCT exempted out of residential. In this ordinance, there is light pollution that stops at your property line. Just want to allow people to use the CCT to enhance their most valuable investment, their home. Our lumen requirements are outdated. LED has eliminated the ultra-violet light. If lumens lit flagpoles it would be the equivalent of a floodlight. He is not an expert, but we need an electrical engineer to rewrite this for LED. There is not even an LED lamp as one of the acceptable lamps in this ordinance. We need to add LED lamp in this ordinance and need professional to tell us their opinion, because 6000 lumens per flag is a ridiculous amount of light pollution with the new technology. The last thing is that the key to good lighting is photometrics, which is cutting off light and putting it where you want it. On Snow Canyon Parkway, every light has 360 degree photometric that is supposed to be lighting the path, not the gutter. We could eliminate half the light pollution along Snow Canyon Parkway. The language is in the ordinance, but it isn't being done. **Commissioner Doug Clifford** stated that the priority on safety and concern needs to be raised. That needs to be emphasized more in the purpose at the beginning. The term night sky needs to be removed, because we are not trying for that designation. Light pollution is defined as emitting upward and obstructs the view of the night sky. That definition needs modified. Light pollution can also shine down, sideways, reflect off windows. We don't have anything on LEDs in the ordinance and they are the most prominent in home lighting. We need some verbiage in there on how LED is measured differently. Spotlights definition says shining toward the ground but is a vague term. We need to say spotlights can't have a reach past so many feet or some degree that is measurable. Refresh it to show the lighting of today, not that of ten years ago. **Commission Lance Anderson** stated that the term dark sky is more his terminology, not night sky. Safety and security is subjective in what it means. Big cities don't light up every square inch. Why do we need lighting and what is the purpose here? We are a bedroom community. He hopes we keep the portrayal that we have been trying to achieve. It is a peaceful feeling here. On paths we need to remember the purpose and who are we trying to light it for. He agrees with Doug Clifford's comments on more definition on light pollution and LEDs. If you know the history, we will get to the future and we won't miss a step. **Chairman Bryan Pack** stated before we get to a Public Hearing, we need to understand more of what Bob Morris is proposing and how it would impact us. Do we ask him to draft the changes he would like to see and redline it? **Commissioner Bob Morris** stated yes, he did redline the 2018 so he will transfer that and commercially he is in agreement that the City should maintain control, but people who are living in the center of Ivins live here so we weren't in an homeowners association and have lateral abilities that we have when we are not apart of that type of group. This is very much a CCR for the whole City. Regarding Doug Clifford's comments, there is a difference between light trespass and light pollution. He wouldn't touch the light trespass portion. Light trespass requires cut-off fixtures and shielding. No one is disputing that. He is concerned about holiday lighting. He sees multiple homes that have built-in Christmas lights. Red, white and blue on homes during election and now Christmas lasts for two months. He thinks the grandfather clause is great. **Commissioner Lance Anderson** stated it depends what is around you to see what the light trespass is. The more light, the less trespass you have. In our neighborhood a flashlight would get our attention. In your neighborhood, not so. When there is less light, less light is needed. **Commissioner Bob Morris** stated every business that's broken into they ask for

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more lighting. **Commissioner Jeff Loris** stated that he relies on Bob Morris for his electrical expertise as well as Doug Clifford, and when he tells me what to buy he gets it. We came to an agreement that he knows more than he does. **Commissioner Doug Clifford** stated that he doesn't feel comfortable putting LED's info in here. We need a consultant or a professional and ask them to put it into this document. **Dale Coulam** stated that we can go to lighting providers and ask that question of them. **Commissioner Lance Anderson** inquired what about other cities? **Commissioner Bob Morris** stated we need a professional and he doesn't have the qualifications, but he does know that it is too restrictive because we have now become our own distributor because we only allow one fixture. Sole-sourcing never brings in competition that would save money. He will redline changes, but he can't address the definitions and engineer aspects. **Chairman Bryan Pack** stated do that and create the redline version and highlight the spots you feel we need expertise. We will then consider that.

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for November 3, 2020.

MOTION: Commissioner Jeff Loris moved to approve the Ivins City Planning Commission Meeting Minutes for November 3, 2020.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Chairman Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	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 that it will be a full agenda. We have four plats from Lance Anderson and a new concurrent land use zone change on a ten-acre parcel off Kwavasa Drive off 200 North. Sentierre will be coming in with an amendment to their Preliminary Plan. Black Desert Resort is bringing in an amendment to their Conditional Use Permit.

7) ADJOURNMENT

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

Chairman Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE

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