IVINS CITY
PLANNING COMMISSION
MINUTES
February 2, 2021
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 Bob Morris, Commissioner Jeff Loris, and Commissioner Doug Clifford.

Commissioner Jeff Loris arrived at 6:10 pm.

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

Audience Attending: CJ Koharcheck, Regina Roper, Chris Haddad, Ron Stoops, Gail Brinner, Dan and Debi Clarkson, Jerry and Stephanie Nostadt, Dustin Ence, Barry Burcile, Tom Medlock, Thom Oliphant, Jenny Johnson, Ed Parks, Gail Brimner, Russell Morris, Steve Cottam, Gordon Heaton, Brandon Neal, Donna White, Loly Gubler, as well as others who did not sign in. From Zoom, speakers attending were Scott Meham, Suzy Appel, Rochelle Crimin, Jonathan Upchurch, Steve Corry, Lorrie Morris, Lindsey Brinkerhoff, Cherise Spencer, Rebecca Hafen, Nichole Richins, Linda Wilson, Robert and Amy Miller, Susan Mayhorn, Lisa Rutherford, Shad Johnson, Vinnie Chavez, Joe Ray, Maughn Gregory, Nathan Dupre, Nancy Foreman, and Kyle Clark.

A. Acknowledgement of Quorum

B. Invocation--Commissioner Lance Anderson

C. Disclosures

Commissioner Lance Anderson stated that he has a conflict with Item 4C and 4D as the applicant. No other conflicts.

2) REPORTS AND PRESENTATIONS -None

3) PUBLIC HEARING AND ACTION ITEMS—
For those desiring to attend, the Council Room will have 12 seats available. All other comments will be supplied via email to sallen@ivins.com prior, or on Zoom during the meeting.

A. Public Hearing regarding proposed amendments to the current Outdoor Lighting Ordinance.

Chairman Bryan Pack stated this has been discussed many weeks and the Public Hearing to craft an ordinance to send to City Council. The first general comment he would like to make is that the Planning Commission only recommends. City Council is not bound by what we do and may change what we recommend and they will have their own inquiry and take their own action. This is not a Q&A session. Commissioners will be attentive and take notes on items we feel may merit further discussion amongst us. Please keep your comments to two minutes or less. There are representative comments being made tonight, so let us know if you are doing that so we can adjust the time accordingly. If someone expresses a similar opinion, please don't duplicate it. We are hoping comments will be direct and factual in order to help us engage in meaningful discussion. The Commission knows that there are a great number of people on both sides of this issue. We encourage emails to the Deputy Recorder and include those as part of the record. We

have received a great number of emails and have done our best to review every one of them. We may not vote on this issue tonight, but just receive the public comment. We may reconvene at our next meeting to discuss further and then move it forward to City Council. With that, he opened the Public Hearing. If you are in chambers come forward and we are also monitoring Zoom. CJ Koharcheck stated that she has sent multiple emails. She is speaking on behalf of 559 signatories. This is not just for Kayenta but for all of Ivins. She read the statement. We support a strong lighting ordinance that protects the night sky by carefully regulating lighting, while also promoting safety for residents as stated in the Ivins General Plan. We support maintaining all of the current references to preserve, protect and enhance the night sky in the lighting ordinance. We support prohibiting the use of electronic message boards. We support lowering the maximum lumen output on lighting of our national/state flag from 6000 to 1500 as proposed. We support using LEDs with amber filters on streetlighting. We do not support exempting home accent lighting from the lighting ordinance. No outdoor lighting should be totally exempt from the lighting restrictions outlined in the ordinance. Removing all restrictions on home accent lighting gives any homeowner the unlimited right to light up their home, regardless of any light trespass it may create for their neighbors. We do not support any of the other proposed changes to the lighting ordinance because they weaken protections for neighbors, increase the risk of glare and light trespass, are contrary to the visions and goals in the General Plan, weaken enforceability and create ambiguity. On a personal note, there are clusters of concerns that tend to be where we know new development is coming in. Canyon Crossing, Black Desert Resort and the SITLA 120 acres. We would like to keep the protections the way they are. Regina Roper stated that many of us came from other areas and my husband is an astronomer and specifically chose Ivins because of its sensitivity to light issues. To think this might be taken from us feels like bait and switch. She doesn't understand all the signs about "Save our Freedom" and "Save our Rights". We also have rights. We have the right to be free of light that shines into my bedroom window at night. She lived with that for a year. Ivins has been shown to be the third safest city in the state of Utah in a December 2020 survey by the National Council for Home Safety and Security. We don't need uplighting to emphasize the architectural beauty of your home. We can enjoy that during the day, but at night we would like to be able to enjoy the sky. She is fine with changing the kelvin to 3000 and with Christmas lights. We aren't doing anything draconian, but we are definitely weakening the General Plan. That is not the role of the Planning Commission. This has gotten out of control and would like to find a way to have a happy medium. If you don't feel safe, move to somewhere brighter. Las Vegas maybe. We need to find common ground. It is not about regulation it is about being considerate of mother nature and your neighbors. She has only been here six years and doesn't like the changes in development because we are losing our dark sky. She doesn't own that land. They don't own the sky above her, she has the right to have her dark sky. Ron Stoops lives in Suncrest subdivision and has sat through these meetings and listened. At one time the Commission talked about bringing in an electrical engineer and expert and he has heard many times the Commission asking what an explanation of things were. He doesn't understand why we aren't doing that. We seem to be confused with whether we are talking about people’s rights to have lighting or being safe. It is his understanding that everything we build here is under the 2018 International Building Code, so when you build a parking lot it tells you what you need to do. If we aren't doing that, then we do have a safety issue. The other night we increased up from 2 to 3 in the parking lot and increased it by a third. If you follow that building code, there is no safety issue. We have taken something as a safety issue and twisted it around to put lighting on eaves 6 inches on center. We use every inch of space on our lots. We have 20 foot

setbacks and so when he looks out at his wall in his backyard, the eve of the guys house next to him is right there. Will there be lights on there? Is he going to go up the hip? Across the ridge? What color will it be? Blinking? He has heard all those things here. When you drive through Santa Clara or St George there is a real difference. We are in a cocoon. He likes that. Ivins shows up on Google as a bedroom community. Tom Oliphant stated he has lived here most of his life. There is a safety concern. Being the fourth safest community in Utah is not true. Lone Peak is a larger community than we are. Our crime rate is higher than theirs. Santaquin. Spanish Fork. North Ogden. North Park. Payson. These are all communities that are larger than we are, and our crime rate is a lot higher. He has had someone break into his house and try to rape his daughter and there was not enough light. People have tried to look into the bedroom windows in the middle of the night. There is not enough light and it is very frustrating. He is an EMT firefighter. He hates to respond to Kayenta because he can't see the home addresses. It is very difficult and unsafe for him. How often do people get hit because they can't see them because there is not enough light in the street? He is not in favor of limiting kelvins. It doesn't need to be excessive, but it does not need to be a safety issue to others. Ed Parks lives in Padre Lakes. He moved from a county that had crime problems and they put in lighting. Crime went down 75%. He drives down Center Street and it is so dim and he has come close to hitting people because there is not enough light. He is in favor of providing better light for more safety. It makes a big difference. Dan Clarkson has lived here since 2019 and one of the features that drew them here was it was different from the rest of the county in ways that they value. It has a small town feel and orderly appearance coupled with spectacular surroundings is very special. He served in the US Navy for 31 years, 27 active duty, and has resided all over the country as well as overseas. He has seen towns and cities that let proper growth, services, and quality of life suffer because of local government losing sight of what makes their town stand out. The proposed changes and relaxation of the dark sky initiative is a case in point. If we let this happen, we will never get our dark sky back. Flagstaff Arizona has preserved their dark sky since 1958 with no impact on growth or public safety. We should not let Ivins become another Bluff Street. We have a great thing here. Let's strive to keep it. We are surrounded by mostly nocturnal wildlife. The more light we produce, the more impact that will have on our local wildlife. Stephanie Nostadt lives at Red Mountain Estates. There is a website on Ivins crime rate that states it has decreased by 8%. She would like to know if the whole lighting issue has more to do with the new monstrosity going up, as it does with lighting? If we speak about conflict of interest, she has heard Commissioner Bob Morris go over lighting and increasing it, and if he owns an electrical company, she personally thinks he should have no say. Gail Brimner stated she is about safety also. If the lighting and landscape lighting on houses is too bright, you can't see into the security cameras with light glare. You would have no proof or way to identify if someone is by your house. She is against bright landscaping along houses. Tom Medlock lives in Suncrest West development and moved here 11 months ago from Norwalk, California. Lights absolutely everywhere. You cannot see the sky from the glare. They put in high intensity LED throughout the neighborhood and still have break ins and a murder right across the street from his house. It did not seem to make it better with or without lights. He moved here for the dark sky and he hopes it stays that way. Lane Mecham opened the mike for Zoom members. Scott Meham lives in Desert Rose and if people have concern regarding any anecdotal problems, they also need to be stating statistics. Do we have more crime than St George? He doubts it. If people put a spotlight in front of their house with a motion sensor, it would deter people from trying to get in your home. That is an option for safety that wouldn't cause a problem for downlighting. When

our dark sky is gone, we will never get it back again. He likes going outside and being able to see the stars. Suzy Appel stated that she has lived here 14 years and moved here for the quality of life and loves this place. We know what Ivins is about and the night sky is a huge reason why we love it here. We love the stars and sky. She sells real estate and people coming into this area love the idea that we are different. If you want bright sky go to St George and you can have plenty of light. It hasn't affected our security whatsoever. Please do not change our dark sky. Rochelle Crimin lives in Ivy Circle and has for 4 years now from Richfield. We enjoy the quiet and dark sky and more rural feeling. Dark sky is not all about star gazing. She likes sitting outside on full moon nights and the brilliance of the moon. That is diminished when you have a lot of light pollution. She likes to watch the meteor showers. When we built our house here, we had plenty of choices to have attractive lighting and she thinks she has an attractive home with plenty of lighting for her entryway. There were plenty of affordable choices for the outside of our home that were in compliance. Once you lose the dark sky, it never comes back. She would encourage the Commission to not change the lighting ordinance. Jonathan Upchurch stated that he lives on Cochise Way and has sent a letter in to the Commission which he will refer to line numbers. Line 262 and 267, for three decades we had high pressure sodium street lighting. A few years ago, when LED lighting arrived, it was bright and blue, harsh and glaring. The public reacted to that and that is what led to our current lighting ordinance. That prescribes Color Correlated Temperature of non-residential properties of about 2200 degrees kelvin and the proposed ordinance would increase that color temperature to 4000 degrees kelvin. He doesn't know if that was an arbitrary number, but he thinks that everyone needs to know what 4000 degrees kelvin looks like. We need a demonstration and a way for the public to see that level of lighting and that color temperature and whether that is acceptable to them. It is highly important to note that the AMA encourages the use of 3000 degrees kelvin or lower lighting for outdoor installations such as roadways. Please keep that in mind when thinking about changing the color temperature. Line 331 to 335 both in the existing and proposed ordinance, there is no requirement for color temperature for roadway lighting. Right now, the ordinance says that we shall preferably use high pressure sodium. That is the soft orange/yellow color that the public likes. This new ordinance is proposing to change it to LED as the preferred which would be a very high color temperature and the public is probably not going to like it. Line 206 has a definition for Plasma Lamp but that is a term that is not used in the proposed ordinance so that doesn't need to be in there. On the other hand, the term Correlated Color Temperature is used in the ordinance, and there is no definition. He emailed a definition that the Commission could use. He has emailed his comments to the Planning Commission and to Dale Coulam. Please consider them as you move forward. Steve Corry stated that he lives in Kwavasa and moved here for the dark sky. He is a former public employee that worked for Parks and Rec and he knows that artificial light has been found to affect nocturnal habits and patterns of bats and owls and such. Overlighting has also been found to affect the moods of people and disturb their sleep patterns. He enjoys Ivins as it is. Respect the environment and lighting we have. He would encourage the Commission to continue the dark sky ordinance as it is and not make any changes. Lorrie Morris stated that she has lived here 27 years and bought here so that she can have the ability to choose how to build her home and have that freedom. She is not worried about the crime here in Ivins but it is difficult to move around at night, to drive. Her lights get turned off outside automatically at 10:00. The moon lights up her yard enough. If people really look at the ordinance, not much is changing. The fixtures are staying the same, light trespass and downlighting is staying the same. A lot of the night sky items are staying in the ordinance and are not being changed. She doesn't understand

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how moving safety up the list of importance can be a problem. This is about safety and being able to see and move and drive. It's about being able to allow lighting for safety and to have the freedom to do so. Lindsey Brinkerhoff moved here 22 years ago and raised her children in this community and she never felt it was unsafe here. Our Police Department does a good job in keeping us safe. She chose to live here because she loves the quiet and the sky. She does not like the changes people want to make. This is our bedroom community. It is very sad it has to change. She does believe in preserving the night sky and nature and our surroundings. There is a monstrosity being built out here, and it is important to preserve as much as we possibly can. Dustin Ence stated he was raised here his whole life, 35 years. He is proud to call Ivins home. He is very heavily involved in construction within Ivins. He finished his degree in architecture in 2019 from University of Utah and his senior project was to design a planetarium in the St George area. They put a survey on their site and asked for good locations for this planetarium and overwhelmingly Ivins was brought up. We are known for our night sky. Our new Ivins sign tells us it would be contradictory to lessen restrictions on lighting. He is very much for dark sky and he would even vote to have more restrictions on exterior lighting. Cherise Spencer lives on 1175 South and she stated that she was outside City Hall with a bunch of people that want to give their opinion and she is passing the phone around. **Chairman Bryan Pack** stated if there are unique things needing to be mentioned that is fine. Rebecca Hafen stated that she is the family that has a farm in the middle of town. She is hugely concerned about safety. They have had people light their backhoe on fire, open pens to let animals loose and slash fences. It is not safe to her animals or her children. She lost a backhoe that was thousands and thousands of dollars. We can protect our farm if we have better lighting. It is important for the people in this town, as well as the things we own and protect and spent money on for our family and way of life. If it is not safe, then we can't protect them. We can't protect our animals in the dark. We can't protect our children out there working in the dark. We need to be able to put up safety lights that can shine whenever motion happens. If someone is going to try to take that freedom away from us, they are taking away our lifestyle. They are taking away what we have invested time and money and effort into. This farm was here before Ivins was even a town. People are moving to town and trying to take our rights away. There are people that have been here that need you to preserve their way of life also. Nichole Richins stated we see the sky, but my family prefers to go outside and play games and we don't like to do it in the dark, because that is our lifestyle. It gets dark at 5:00 pm in the winter. She wants the choice to use her outdoor living area she has invested in, to live, not sit in the dark. Discussing holiday lighting was a whole overreach. That is something that is HOA policy, not citywide. Linda Wilson stated that she has been here for 73 years and this is her hometown. She loves the night sky, but we need lighting for security and our sense of safety. She will not turn her lights out. She will fight for her lighting. The people that are coming in and want the night sky, go out in the black hills and enjoy it. Robert Miller lives off 200 South but was born and raised in Southern California and if you look west you can see the light from it right now. Lights keep the peeping toms from your windows. The darker it is the more you will get. California is a cesspool of crime. Turning the lights off doesn't work. There is plenty of dark sky in the desert. HOA should not be assessed for the whole town. It is freedom. He should be able to use whatever light bulb he wants outside and there are a lot of people that want the same. Steve Cottam stated if a developer wants to limit outside lighting, he can do that in his CCRs or if a neighborhood or HOA wants to limit outside lighting they can and the City should support that. Leave him alone. Gordon Heaton lives across the street on 100 North and has been here since 1985. He can sympathize with Steve Cottam who spoke prior to him. People in Kayenta

with CCR's live there because they like that type of restriction or they don't mind it. He minds it. Very much so. If they want to do this, let them. He does not and will fight it as best he can right now. They will say that to get their plan to work everyone has to comply. That is probably true. If you pay attention, it is most evident on nights when it is a little cloudy, the vast majority of extraneous light coming into this area comes from St George. It will never be completely dark as long as St George exists. Let those who like to live messing in each others' business do it, and leave the rest of us alone. Brandon Neal has been a resident for over 20 years and he agrees with the other gentleman. There is a lot of light that spill from other cities and towns even Las Vegas. Some of the new ordinances that have been changed and proposed to impose on some of these older developments are not wanted by members of those developments. Comments being made for the night sky initiative have been from newer developments. He would propose that these developments stick to their own CCR's to change their lighting ordinances, but not ours. He sent in a letter to the Planning Commission. He is not in support of the night sky initiative nor the modernization of any lighting ordinance placing further restrictions on the citizens of Ivins. The current lighting ordinance shows too much overreach. He is the father of four children and feels the need for well-lit streets for the safety of our children and all pedestrians. He believes there are some developments in Ivins City that need more lighting to properly see pedestrians and obstructions in the road. It is the responsibility of the Ivins City Planning and Zoning Commission and City Council to be sure they are approving and providing the safest possible lighting on all roads and all developments in Ivins. He has driven through these developments at night and has seen that safety was definitely not the first concern when considering lighting. It is not the right for any group to decide laws and ordinances outside their own development. Please do not let these minor groups affect your decisions when considering the safety of the majority of Ivins residents. The majority of Ivins citizens have jobs and children as their first priority and should not have to worry about taking time to write letters and attend Council meetings to try to protect their rights. It is the job of the Planning Commission and City Council to help protect our individual rights. Please do not make any more restrictions on our lighting. Donna White stated she lives just across the street and has lived here her whole life. It used to be a place where we were able to let kids run without fear for their safety, but with growth, comes crime. Those up to no good hide in the shadows. If we had streetlights they wouldn't be hiding under a streetlight. This is so upsetting to her. Her daughter goes to work before it is light and goes home after dark on closing shifts. There have been times she has been scared to get out of her truck. She has called us to walk her in because someone was standing around out there and she can't tell who it is, because it is dark. We need more lighting. The parks need lights with a curfew. Please think of our safety and the safety of our children. Amy Miller stated she is on 100 West and this initiative and changing things is an overreach of government. We don't want to look like Las Vegas strip by any means but should be able to choose the kind of lights we would like to have on our home and that there shouldn't be such a strong restriction. It is better for our protection and if people are against it start an HOA rule and regulate it that way. It is our personal choice and our home ownership rights and we should be able to choose what we want to do. Loly Gubler stated she has lived here her whole life and lives across the street from the park. Since moving there she has noticed people come across into the park and disappear. It is not safe. We need those street lights on. She has had her window busted on her car. Animals have been killed. We installed cameras with spotlights in order to deter some of the issues. It is not safe and last she checked Ivins City is not an HOA and these are homeowners rights to protect their homes and investments. It is not anybody's place to tell us how we can light our house. Russell Morris

stated that he grew up in Ivins since he was 11 years old. He is one of the reasons you want more light. Playing night games, toilet papering houses, we knew which homes had motion sensor lights and where we could go and get away with things. The town was so dark. Sneaking out of the house in the basement to see his girlfriend and kiss her behind her dark house. We got away with it, because there wasn't any light. We have children here and opportunity breeds opportunity. If you want to reduce the opportunity for children to get in trouble, we need light. An unidentified resident stated that a lot of Ivins citizens are active people and light is necessary for that. She likes to run and she works hours that the only time she can go is later at night. She has stopped going recently because it is so dark that she has almost been hit by a car multiple times. Less light is not safe. Keep it lit for those that want to live that active lifestyle that we promote here in this area and will increase overall happiness in her opinion. Susan Mayhorn stated that there is a compromise approach here. We have tremendous growth right now and some big developments going in. She is wondering if we can revisit this issue in a few years after the new growth and the new lighting that comes with it? We may find a great change happening. She doesn't think it is a black and white issue that needs to be decided now, so let it rest and keep the ordinance unchanged for the next few years. We are not all standing here, but there are 550 people that signed a petition saying please don't change the ordinance. She appreciates the Commission taking everyone's voices into consideration. Lisa Rutherford stated that she has been here 20 years and when they moved here the skies were very dark. She is confused about all the other people that have lived here forever and are not concerned about the dark sky and needing light. What did they do with their children when there were dark skies back then? As far as people getting hit, what are they doing to get hit? Are they not watching how they are crossing the street? Regarding peeping toms, she closes her shades at night. She doesn't have a worry about that and she has no lights around her house at night. St George is a problem and we will have to deal with their lights. She agrees that we should wait for developments to come in and see what that light does to the City. Maybe we need to put this to a vote. There is obviously very strong feelings on both sides. Shad Johnson has lived here for 8 years and 7 years before that. He is grateful for a forum and society and constitution that allows the freedom to express our views and have opposing viewpoints and do it in a civil manner. He has always been concerned about lighting in Ivins. We don't have enough light in Ivins. Our streets are a little too dark in neighborhoods. That is a concern to him for safety primarily and being able to view and see the things you are looking for. People choose not to light theirs up, just the same as he would like to light his. He is wondering about restrictions on businesses. Being compelled to turn off lights and the types of light they can put in, would be restraining and costly to businesses and would be difficult to adhere to. If this ordinance was put in place that adjusted the lighting requirements, he is a believer that would not affect existing properties, it would occur with new developments as they build because they would agree to that in advance. Vinnie Chavez lives in Desert Rose and he appreciates everyone's comments but if we compromise on our night sky it is a slippery slope. What is next? He hears comments about people running at night and kids playing at night. Runners wear reflective gear. Pranks are just what kids do in a small town. Developers do abide by their HOAs but City ordinance trumps an HOAs ability to install bright lighting. He has lived here for six years and we chose this area because of the dark sky and he wants to keep it that way. Joe Ray lives off Kayenta Parkway and has been here in Ivins a few years but that should not matter to the rights we have here. He would like to point out that the proposed ordinance loosens the current ordinance and doesn't do anything to make Ivins more dark. If anything, it would make Ivins less dark. People complaining about the darkness are speaking at the wrong

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forum. The night sky is one reason why many people have chosen to move here. That has attributed to the town's growth and current character. It is so important to the character of Ivins that its protection is specified three times in the General Plan. Protect the night sky by carefully regulating while also promoting safety for residents. It says to preserve the night sky. It says lighting is to be subdued and night sky friendly. It is also mentioned as cherished night sky and that it is part of the natural beauty and the vistas that give Ivins City its unique identity. Clearly the City considers the night sky to be an important feature and something to be protected. The General Plan also says that the plan must be implemented through ordinances and actions. It is the intention of the Planning Commission and the City Council to create consistency between the General Plan, ordinances and policies. So clearly the lighting ordinance is one of the mechanisms for implementing the General Plan. Changes to the ordinance must be consistent with the General Plan. If they are not, they shouldn't be accepted by the Planning Commission and rejected by the City Council. He appreciates the work the Planning Commission does in helping guide the development in Ivins. He asks that the Planning Commission follow the General Plan as required and the proposed changes that are not consistent with the General Plan be removed from the proposed revisions. Maughn Gregory stated he lives in Red Mountain by the veterans home and he had two points. Every community makes rules that certain members of the community may disagree with, but that doesn't mean that it is inappropriate for communities to make rules. He appreciates the different points of view, but to count it as government overreach or put it in terms of rights or freedoms, and that to make ordinances is somehow a denial of freedom, is not correct. Safety concerns are legitimate but some people have been making claims that are not based on any kind of evidence. Evidence that has been proven shows that we do not have a safety problem in Ivins. We are the third safest City in the entire State of Utah. Nathan Dupre stated that he has lived in Kayenta for 8 years. He thanked the Planning Commission for their service and this is a tough one but he agrees with Joe Ray regarding the General Plan and the Planning Commission in their effort to modernize the lighting ordinance with the proposed changes, weaken and eliminate some existing requirements that were just approved in 2019. These were not requested by the City Council and sever increase light pollution and that is inconsistent with the General Plan. A lot of complaints are about not enough street lighting. The ordinance doesn't address the location of any street lighting. That is codified somewhere else and that is a different issue. Security lighting and timers aren't being changed. People wanting to play outside games, temporary lighting is allowed. Most changes on Correlated Color Temperature and removing the amber filters are not called for and don't support the General Plan. Nancy Foreman stated she is from Kayenta and moved here in 1998 so 20 years ago and this is a totally different place now. She has seen the growth. This is a special, pristine, beautiful place and people go into her backyard and say "wow." She has seen the increase of light coming from Mesquite and glowing from St George. She is a night photographer and goes around the country. There has to be a balance but if we do lighting do downlights to make people feel safe but not bright white and shooting up and turn off the ballfields no one is playing games in. She comes from Philadelphia where there are a lot of lights. People just don't realize how lucky we are to still have this area with natural beauty. Kyle Clark stated he is a resident here in Ivins for about 4 years and hearing both sides he thinks is great and that people are willing to compromise. That is what we should be able to do. We should be able to make decisions based off of being kind and neighborly and whether you are in an HOA or not, both should or should have the ability to dictate the types of things that are in their neighborhood, whether lighting or anything else. There are plenty of people who don't live in those type of neighborhoods who built their homes without

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HOAs to not be regulated and it is also okay to want to have specific lighting on their homes to feel safe or beautify the way they want. The petition with 550 signatures has another petition with signatures in the other direction that has over 300 signatures against the regulations. He is the parent of six small children and live on Red Mountain Boulevard. It is completely dark and unsafe at night. He grew up playing outside all the time, and in Ivins he doesn't feel safe enough to allow his kids to do that. It is worse in the neighborhood behind him with no street lights. If one neighbor has issue with a neighbor, talk to that neighbor. Hearing no other comments, **Chairman Bryan Pack** closed the Public Hearing.

B. Discuss and consider recommendation of proposed amendments to the current Outdoor Lighting Ordinance. Tabled until next meeting**.**

4) DISCUSSION AND POTENTIAL ACTION ITEMS--

A. <u>Discuss and consider approval of Palisades at Snow Canyon Phase 8 Final Plat. Located at approximately Desert Lane and Center Street. Palisades at Snow Canyon LLC-Owner. Justin Aucoin-Applicant.</u>

Cody Mitchell stated that this parcel was previously owned by Ivins City and was acquired by Justin Aucoin to extend Palisades. This final plat meets the Preliminary Plan and consists of 31 residential lots with 1 lot open for amenities. **Chairman Jeff Loris** stated this is why they have been watering. **Cody Mitchell** stated yes, for dust control and compaction. **Commissioner Doug Clifford** stated it is a major change from what had been planned for this area. This reflects the changes that have occurred over the last four years. It will be nice with the larger lots. He has a challenge of how to isolate the pathway on the east side of the subdivision that goes all the way back to the turtle reserve. That is still a closed community. **Dale Coulam** stated the trail will be deeded or dedicated to Ivins City and we have a separate agreement in place on that. They are just finishing the survey to get the proper legal descriptions and the City will own and maintain and have liability for the trail, and the HOA will own and maintain and have liability for the landscape buffer. **Commissioner Doug Clifford** stated the plan will need a wall to divide that access. **Dale Coulam** stated that above it in the other phases, it was open with a bigger landscape area, and this is a small landscape strip along the trail. This won't be as much of a burden to maintain. **Commissioner Doug Clifford** stated but it does provide an access into a gated community. We need to talk to Justin Aucoin about that and make sure we have a way of protecting that. **Dale Coulam** stated that the public would mainly be interested in access up to the trail. **Commissioner Doug Clifford** stated he hopes so. It would also provide an access to the pickleball courts and to the swimming pool.

MOTION: Commissioner Jeff Loris moved to approve Palisades at Snow Canyon Phase 8 Final Plat. Located at approximately Desert Lane and Center Street. Palisades at Snow Canyon LLC-Owner. Justin Aucoin-Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

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

B. <u>Discuss and consider approval of Encanto 5th Amended Final Plat. Lot 16, located at approximately 1355 E Snow Canyon Parkway. Fred Bone-Owner/Applicant.</u>

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Cody Mitchell stated that this amendment is increasing the size of a building envelope by 2.5 feet on north and south side of the property. This is located in Encanto, which is on the east side of Red Mountain Spa. TRC has reviewed the plat and by staff, and it is compliant with City Ordinances.

MOTION: Commissioner Bob Morris moved to approve Encanto 5th Amended Final Plat. Lot 16, located at approximately 1355 E Snow Canyon Parkway. Fred Bone-Owner/Applicant.

SECOND: Commissioner Jeff Loris

VOTE: The motion carried.

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

C. <u>Discuss and consider recommendation of Mojave Mesa 2nd Amended Preliminary Plan. Located at approximately Mojave Way. AnA Enterprises, LLC-Owner/Applicant.</u>

Commissioner Lance Anderson recused himself. **Cody Mitchell** stated this is a second amendment to Mojave Mesa and is being proposed to remove six lots on Foxtail Way on the southwest portion of the site. The plan includes 1000 minimum sq ft lots on the westernmost portion, and 7500 sq ft lots on the easternmost portion. The plan effects 22 lots on approximately 19.823 acre site. TRC has reviewed the plan and it is compliance with City Ordinances. **Commissioner Jeff Loris** stated that they are moving these lots to a different plat. **Cody Mitchell** stated yes that these lots are being assigned to another plan that is on the next agenda item. Lance Anderson stated those six lots that show darkened are being moved for HOA purposes.

MOTION: Commissioner Jeff Loris moved to approve recommendation of Mojave Mesa 2nd Amended Preliminary Plan. Located at approximately Mojave Way. AnA Enterprises, LLC-Owner/Applicant.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

D. <u>Discuss and consider recommendation of Mojave Flats Preliminary Plan. Located at Mojave Way and Guy Lane. AnA Enterprises LLC-Owner/Applicant.</u>

Commissioner Lance Anderson recused himself. **Cody Mitchell** stated that this is a follow-up to the previous item and encompasses those six lots that were amended out of that plan, and will be proposed on this plan and subdivides 9.24 acres into 29 single family home lots off of Guy Lane and Fitness Way and south of Ryders and Sage Villas Townhomes. They are consistent with the current R-1-5 and R-1-7.5 zoning and proposed improvements are in compliance with City ordinances.

MOTION: Commissioner Bob Morris moved to approve recommendation of Mojave Flats Preliminary Plan. Located at Mojave Way and Guy Lane. AnA Enterprises LLC-

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Owner/Applicant.
SECOND: Commissioner Jeff Loris
VOTE: The motion carried.

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

E. Discuss and consider recommendation of Scott Larsen Subdivision Preliminary Plan, located at approximately 70 West 200 North. Scott Larsen-Owner/Applicant.

Cody Mitchell stated that this application actually started in 2007 and it was the applicants' proposal to create a flag lot on an existing larger lot in the old township at 70 West and 200 North. He let that application expire and recently reapplied. TRC has reviewed this plan and it complies with City Ordinances.

MOTION: Commissioner Jeff Loris moved to approve recommendation of Scott Larsen Subdivision Preliminary Plan, located at approximately 70 West 200 North. Scott Larsen-Owner/Applicant.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

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

F. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for January 19, 2021.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for January 19, 2021.
SECOND: Commissioner Jeff Loris
VOTE: The motion carried.

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

5) 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

Cody Mitchell stated that we have a Concurrent Land Use and Zone Change coming up in Coyote Gulch.

6) ADJOURNMENT

DRAFT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT
SECOND: Commissioner Jeff Loris
VOTE: The motion carried.

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

DRAFT