# IVINS CITY
# PLANNING COMMISSION
# MINUTES
# May 4, 2021
# 435-628-0606

**1) WELCOME AND CALL TO ORDER**

**CHAIRMAN AND COMMISSIONERS:** The meeting was called to order at 5:33 p.m. All present included Chairman Jeff Loris, Commissioner Bryan Pack, Commissioner Doug Clifford, Commissioner Bob Morris, and Commissioner Lance Anderson.

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

**Audience Attending:** Claudette Larsen, Dan and Debi Clarkson.

**A. Acknowledgement of Quorum**

**B. Invocation--Chairman Jeff Loris**

**C. Disclosures**

**Commissioner Lance Anderson** stated that he had a conflict with items 4A and 4B. No other conflicts.

**2) REPORTS AND PRESENTATIONS -None**

**3) PUBLIC HEARING AND ACTION ITEMS—None**

**4) DISCUSSION AND POTENTIAL ACTION ITEMS--**

**A. Discuss and consider approval of Indigo Trails Phase 1-H Final Plat, located at approximately Kwavasa Drive and Wild Indigo Way. AnA Enterprises-Owner. Lance Anderson-Applicant.**

**Commissioner Lance Anderson** recused himself. **Cody Mitchell** stated that this is located on the south side of Hwy 91. The application is for a four lot subdivision on 1.694 acres. Lot #27 is on the east side of Wild Indigo Way, while the other three are off of Kwavasa Drive. The Plat is consistent with the Preliminary Plan that was reviewed by Council in February 2016. The proposed improvements are in compliance with City Ordinances.

**MOTION: Commissioner Bob Morris moved to approve Indigo Trails Phase 1-H Final Plat, located at approximately Kwavasa Drive and Wild Indigo Way. AnA Enterprises-Owner. Lance Anderson-Applicant.**

**SECOND: Commissioner Bryan Pack**

**VOTE: The motion carried.**

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

**B. Discuss and consider approval of Taviawk Phase 12-G Final Plat, located at approximately Aiyana Way and Paiute Drive. Kayenta Development, Inc-Owner/Applicant.**

**Commissioner Lance Anderson** recused himself. **Cody Mitchell** stated this plat is located on the south side of Paiute Drive and on the northeast corner of Aiyana Way. This is a single lot

subdivision on a 1.325 acre parcel and it is consistent with approval of the Planning Commission and City Council's review of the Preliminary Plan in March 2013. Improvements are compliant with City Ordinances. **Chairman Jeff Loris** stated that the final plat is the definition between the entire area. The line definitions are only on the exterior element of the entire plat. There is line definition between the road and the site and none of those are defined as bearings or curves. Will it be defined somewhere else so the person that owns the lot will know the defined and agreed ownership? If we look between the street and the ownership of the lot, there is no defined bearing or length. When will that be defined between ownership and street? **Dale Coulam** stated you can approve this, as amended. Make sure that is corrected before recording.

**MOTION: Commissioner Bryan Pack moved to approve Taviawk Phase 12-G Final Plat, located at approximately Aiyana Way and Paiute Drive. Kayenta Development, Inc-Owner/Applicant, subject to the condition that the interior lot boundary separating the road and the lot be formally defined with metes and bounds.**

**SECOND: Commissioner Bob Morris**

**VOTE: The motion carried.**

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

**C. Discuss and consider exteriorcolors.**

**Dale Coulam** stated that this was just a status report. What brought this to the Commission for review was one particular property in Heritage Estates subdivision, and now there are potentially three homes that could be affected. That could be decided as to whether or not they are vested in prior laws that existed at the time the subdivision was approved. That request has been submitted to the Private Property Rights Ombudsman for an opinion letter. That usually takes a few weeks, depending on how many requests are in front of ours. We also probably don't want to spend a lot of time discussing this at this point because of HB 98. HB 98 was passed and then vetoed by the Governor because of flood insurance issues. There are several pieces to that bill. One deals with exterior colors and design elements and the Governor has indicated when it comes back in the special session, he will sign it. That will significantly impact our discussion on this topic. He understands there will be a special session on May 18th. It would be worthwhile to wait another meeting. He recommends holding off for a decision on HB 98 for the broader discussion. As for the specific lots in Heritage Estates he will update when he gets that advisory opinion from the Ombudsman on those three lots. We would still have the rest of the City to work on based on HB 98 does to that. **Commissioner Lance Anderson** requested seeing a copy of the Ombudsman letter. **Dale Coulam** stated yes and said he would send a copy of all on to the Planning Commission. **Commissioner Chairman Jeff Loris** stated there is no motion, this was just discussion.

**D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for April 13, 2021.**

**MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for April 13, 2021.**

**SECOND: Commissioner Doug Clifford**

**VOTE: The motion carried.**

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| Chairman Jeff Loris | AYE |

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| Commissioner Bryan Pack | AYE |
| Commissioner Doug Clifford | AYE |
| Commissioner Bob Morris | AYE |
| Commissioner Lance Anderson | AYE |

**5) REPORTS**

**A. Planning Commission**

**B. Chairman**

**C. Building and Zoning Administrator, Cody Mitchell**

**Cody Mitchell** stated that we have some land use proposals and Jon Graf has been in this week to talk about re-opening up the Concept Plan on that. Black Desert Resort is applying to amend their temporary Conditional Use Permit.

**D. City Attorney, Dale Coulam**

**E. Items to be placed on future agendas**

**6) ADJOURNMENT**

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

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

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