IVINS CITY
PLANNING COMMISSION
MINUTES
November 16, 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 Jeff Loris, Commissioner Doug Clifford, Commissioner Bob Morris, and Commissioner Lance Anderson.

Staff Attending: Mike Haycock-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.

Audience Attending: Shelly Anderson, Sharon and Michael Barton, Patrick Manning, Brett Henke, Jon Crockett, Claudette Larsen, Jenny Johnson, John Hawkins, Michael Kahn, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Bob Morris

C. Invocation--Commissioner Bob Morris

D. Disclosures

Commissioner Lance Anderson stated that he had conflicts with Items 2E, 3B and 3C of the agenda. No other conflicts.

2) REPORTS AND PRESENTATIONS -

A. Concept Plan Report for Serenity Estates, located at approximately 600 South Main. Shae Financial Group, LLC-Owner. Frank Allen-Applicant.

Mike Haycock stated that this is a total of 19 lots on 6.2 acres. The property is zoned R-1-10, single family residential, minimum lot size 10,000 sq ft. and the proposed improvements are in compliance with City ordinances. This is located at Main Street and 600 South. **Chairman Jeff Loris** stated these are nice-sized lots.

B. Concept Plan Report for Black Stone, located at approximately Main Street and Old Hwy 91. John and Ellen White-Owner. Jon Crockett-Applicant.

Mike Haycock stated that Black Stone has proposed 25 lots on 9.8 acres. This is zoned R-1-7.5, single-family residential, minimum lot size 7,500 sq ft. The proposed improvements are in compliance with City ordinances. **Chairman Jeff Loris** stated that there is no lot averaging so decent sized lots and bordered on the west side by Main Street as the access point. **Commissioner Bob Morris** stated that they have allowed for that Western Corridor and roundabout that is in the transportation plan.

C. Concept Plan Report for Black Desert Resort Phase 1, located at approximately Snow Canyon Parkway and Black Desert Drive. Enlaw, LLC-Owner. Brett Henke-Applicant.

Mike Haycock stated that this parcel consists of 17.07 acres and is zoned RC-Resort Commercial and the proposed improvements are in compliance with City ordinances. Brett Henke stated this is the same as what has been presented in the Conditional Use Permit and other presentation materials. Black Desert Drive will be part of the development off of the horse roundabout and continues over the lava. There is a proposed roundabout on Black Desert Drive. Weiskopf Way will be connected further up the parkway and terminate at the end of the Phase 1 site. This includes the hotel site, condo units, commercial like restaurants and the pro shop. That

is all included in Phase 1. The Preliminary Plan will show all of that in more detail. **Chairman Jeff Loris** inquired if there has been a traffic study done yet? Brett Henke stated there is a traffic study but there is no turnout required. That location is where there will be truck access. The main entrance will obviously be on Black Desert Drive. Deliveries will go through Weiskopf Way. There is a turning lane in the middle already for both directions. The dotted lines drawn are the current parcels in that area. As we do this concept those will change to match the proposed layout. This is what the first phase final plat proposes, the roadways, the commercial parcel, the condominium plats. It is still in development. If there is an intersection there, it will not be a major traffic location. It will be minor. The idea presented with the Conditional Use Permit was to have that boardwalk in there. The two sides of Black Desert Drive is where the two sides of a major connection happens. **Chairman Jeff Loris** stated from the horse roundabout and up to that second roundabout, is that considered a minor or major collector? Brett Henke stated no because we have the Western Corridor just up the road. It is wide because it is a welcome into the project. We are not trying to meet specific right of ways with that. **Commissioner Lance Anderson** stated this is one lot for 17 acres. It is not being subdivided. Black Desert owns all the buildings in this. Brett Henke reminded him that there will be condominium buildings in this phase. The Preliminary Plan will show all that.

D. Concept Plan Report for Black Desert North Estate Village, located at approximately Snow Canyon Parkway and Black Desert Drive. Enlaw, LLC-Owner. Jared Madsen-Applicant.

Mike Haycock stated that this parcel consists of 36 lots on 31.50 acres. Property is zoned RE-20, Residential Estates with a minimum lot size of 20,000 sq ft and RC-Resort Commercial. The proposed improvements are in compliance with City ordinances. **Chairman Jeff Loris** stated on lot 12 and 13 are those protected areas? Patrick Manning stated those are the large outcroppings through there that you can see from the road. **Commissioner Lance Anderson** inquired what is being done on that 300 foot buffer? Patrick Manning stated that is not our property. Those belong to another owner. **Commissioner Bob Morris** inquired will these be used for short-term rentals? Patrick Manning stated along the Parkway may be rented out, but that is to be determined. It would be gated behind that. It is non-rental throughout a majority of the project. He is building his own home here as well as other partners in the project and that will be gated.

E. Concept Plan Report for Kwavasa Phase 2, located at approximately Kwavasa and Kaleva. Kayenta Development-Owner. Lance Anderson-Applicant.

Mike Haycock stated that that this concept plan is being amended to 32 lots on a total of 30.34 acres and is zoned RE-43, Residential Estates, with a minimum lot size of 43,000 sq ft. This is a conventional subdivision and the proposed improvements are in compliance with City ordinances. **Chairman Jeff Loris** stated regarding waterways on lots 641-645 as they come in on the knuckle, there is a delineated line that is a waterway from the north down to that roundabout but that waterway continues due south. Is it going to be pushed into the road or into an underground waterway? **Commissioner Lance Anderson** stated by Eveningstar there is something already there, and at the bottom by Lot 641 it will capture that water and get it into the road to take it and follow the road down to Coyote Gulch and then Cactus Gulch. The dotted line follows the wash and we will require easements along there in case of access if something were ever to happen. We may do a temporary cul-de-sac. What will determine that is the water. We are still looking at that for connection.

3) PUBLIC HEARING AND ACTION ITEMS—

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A. Discuss and consider approval of Unity Village Final Plat, located at approximately 400 South and 200 West. Corner The Market LLC-Owner. Frank Allen Applicant.

Mike Haycock stated that this subdivision consists of 30 lots on a total of 10.23 acres. It is zoned R-1-10, single family residential minimum 10,000 sq ft lots with a SLA-lot averaging. The proposed improvements are in compliance with City Ordinances. The Preliminary Plan was approved by City Council on October 21, 2021. **Commissioner Doug Clifford** states this meets the Preliminary Plan. **Chairman Jeff Loris** stated there are only a few that are below the 10,000 sq ft requirement. These are quite large for the requirements.

MOTION: Commissioner Doug Clifford moved to approve Unity Village Final Plat, located at approximately 400 South and 200 West. Corner The Market LLC-Owner. Frank Allen Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

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

B. Discuss and consider approval of Mojave Mesa Phase 1-D, located at approximately Mojave Way and Palo Verde Way. Custom Contracting Corp-Owner. Lance Anderson-Applicant.

Commissioner Lance Anderson recused himself. **Mike Haycock** stated that this subdivision consists of 8 lots on a total of 1.823 acres. The property is zoned R-1-7.5 single family residential, minimum lot size 7,500 sq ft. The proposed improvements are in compliance with City Ordinances. Preliminary Plan was approved by City Council on November 7, 2021. **Chairman Jeff Loris** stated he looked through it extensively. **Commissioner Doug Clifford** stated the lots are larger than required. It looks good.

MOTION: Commissioner Bob Morris moved to approve Mojave Mesa Phase 1-D, located at approximately Mojave Way and Palo Verde Way. Custom Contracting Corp-Owner. Lance Anderson-Applicant.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

C. Discuss and consider approval of Mojave Flats Phase 1-B, located at approximately Palo Verde Way, Fox Tail and Guy Lane. Custom Contracting Corp-Owner. Lance Anderson-Applicant.

Commissioner Lance Anderson recused himself. **Mike Haycock** stated this subdivision consists of 20 lots on a total of 6.83 acres. The property is zoned R-1-7.5 single family residential minimum lot size 7,500 sq ft. The proposed improvements are in compliance with City Ordinances and City Council approved the Preliminary Plan on February 18, 2021. Lance Anderson stated as he moved up the hill they are creating bigger lots. They connect at Palo Verde. They want to take the ones along Fitness Way and make them match, but the Mojave Flats will be flat-roofed. **Chairman Jeff Loris** inquired about the curly-cue and if the City required that piece of asphalt at the end of the street to turn off. Lance Anderson stated yes there

will be a lot and a detention basin there later on. If he can get everyone to participate, he is hoping to put a basin at the end so it can be utilized as a park. That is the goal.

MOTION: Commissioner Doug Clifford moved to approve Mojave Flats Phase 1-B, located at approximately Palo Verde Way, Fox Tail and Guy Lane. Custom Contracting Corp-Owner. Lance Anderson-Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

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

D. Initial discussion regarding the Ivins City Land Use Plan.

Mike Haycock stated that Ivins City Council would like to review the land use plan and do not want to approve anymore High Density projects, especially in the holding zones. Citizens have stated they bought property abutting these holding zones thinking the smallest property size could be 1-5 acres in those areas. He doesn't know exactly what the scope is, but he has proposed to Dale Coulam that we put together a small Commission with two City Councilmembers, the Mayor and two Planning Commissioners, Staff and maybe a few citizens to look at the land use plan. Then have an open house in the next few months and have a work meeting or two. **Commissioner Lance Anderson** stated that in 2008 when the planner Bruce Parker did this, there was a purpose for the holding zones. That is the zoning map, not the land use map. It is important to understand that the land use map was never a holding zone. It is what we believed the City was going to be. As we have chipped away at it, we have taken it from Low-Density residential to Medium-Density residential as we moved further to the west. So the holding zones on the zoning map are RA-1 and RA-5. That was done when there was an issue on the hillside. They have been on the map since then. We can start with the land use map but put in the lowest density in that area for a holding, until it gets decided what it is going to be. Every property in Ivins is in a holding until it is built. **Mike Haycock** stated so basically we are just communicating better exactly what the options are. **Commissioner Lance Anderson** stated that is how all impact fees are based is on the land use and how we know what utilities and infrastructure to put into our City. **Commissioner Doug Clifford** inquired what is the lowest taxed zone? **Commissioner Lance Anderson** stated RA-5 but it doesn't matter what it is zoned, for taxes it is the use. An RA-5 will get taxed if it isn't agricultural at whatever the regular rate is. **Commissioner Bob Morris** read that Dale Coulam stated last meeting that years ago most of our current zoning ordinance was created by a professional planner who recommended that we put in holding zones. That would require people to come in and ask for a change to give Ivins more control over what was being asked for. The holding zones were Low-Density residential and either RA-5 or RA-1. It allowed people to file an application and let the governing body make the decision as to how the City developed out. The logic is there and it is a sound approach. It is just an education issue to make people understand. **Commissioner Doug Clifford** stated if people read that first before looking at their lot, they would understand that it could be something else later. **Commissioner Bob Morris** stated we can't stop progress. **Commissioner Lance Anderson** stated that there are not that many properties we have to identify. There is not a whole lot of changes we have to do. We need to get the zones themselves to match the land use plan. **Commissioner Bob Morris** stated that he sees people trying to use it to limit development. **Commissioner Doug Clifford** stated yes to try to justify

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it. **Commissioner Bob Morris** stated that even the vision can be changed or modified. It is not poured in concrete. This is more of an education thing. **Commissioner Lance Anderson** stated that map has value because it helps decide if it is a good investment or not based on that information stated. People see that there is an acre next to them, but ironically, an acre can sometimes be messier than an R-1-7.5. It is all perspective when we go to talk about this. **Mike Haycock** stated that the City Council vision is to redefine the land use plan without the holding zones. That is the direction they would like to go. **Commissioner Lance Anderson** stated that there was a salvage yard that was once part of Indigo. They came in and asked for a Conditional Use Permit to extend it and it got bought out. We have gone to great efforts to keep the Hwy 91 Corridor Plan. In his opinion, under the name of affordable housing, we stuck townhomes there. For the vision of Ivins that is why we are having so much conflict because we had Low-Density residential and we threw High-Density right in the middle of it. There has been a lot of conflict over that one decision as far as the land use plan. **Mike Haycock** stated that the Mayor will probably approach the Commission to ask for volunteers.

E. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for October 5 and October 19, 2021.

MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for October 5 and October 19, 2021.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

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

4) REPORTS
A. Planning Commission
B. Chairman
C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated he would like to work on defining accents and borders as it pertains to the LRV Light Reflective Value ordinance. We don't have an actual definition of those. We would like to either set a limit by area by percentages so it doesn't have to meet LRV standards. **Commissioner Lance Anderson** stated his ACC meeting has the criteria at 20% of the total building sq ftg. **Mike Haycock** stated if it isn't divided, it would all be on the front. **Commissioner Lance Anderson** stated no, it has to be broken up. **Mike Haycock** stated we want to get ahead of it for the contractors. Next he presented the building blocks for a wind-solar ordinance and told the Planning Commission they are welcome to send it back with red-lines. We had a ground mount solar application submitted, and there are no design standards for it. He proposed they look this over to discuss at a later meeting. We should also talk about height restriction. This is just a draft to help understand it. **Commissioner Lance Anderson** stated that Utah State has a lot of knowledge on solar. **Mike Haycock** stated that the application was a multi-rack system. Two tiers. There is a proposed land use change coming that is not as aggressive as what City Council recently denied. We are still bringing forward applications. We will leave it up to City Council to table or move forward with ones they may like to approve. We are not doing a moratorium. That would just back up the Planning Commission and make your job harder.

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D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

5) ADJOURNMENT

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

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

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