IVINS CITY
PLANNING COMMISSION
MINUTES
March 1, 2022
435-628-0606

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chairman Jeff Loris, Commissioner Doug Clifford, Commissioner Pam Gardiol, Commissioner Bob Morris, and Commissioner Dave Robinson.
Staff Attending: Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.
Audience Attending: Claudette Larsen, Dave and Suzy Appel, Lance Anderson, as well as others that did not sign in.

1) WELCOME AND CALL TO ORDER

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Bob Morris

C. Invocation--Commissioner Bob Morris

D. Disclosures--None

2) REPORTS AND PRESENTATIONS -

A. Concept Plan Report for Crossings at Red Desert, located at approximately 800 South and Main Street. VE Management Investment Co. LLC-Owner. David Lynn-Applicant.

Mike Haycock stated that this is a concept plan for 82 lots on 10 acres, currently zoned R-M and R-2-6 in High Density Residential and it is located approximately 800 South and Main Street. The proposed density and use is consistent with the general plan. **Chairman Jeff Loris** stated that the east side is twinhomes and the middle has townhomes. They have open space and amenities. **Mike Haycock** stated that will come at Preliminary Plan. We will calculate the square footage there. **Commissioner Dave Robinson** stated this is the land directly south of Red Mountain storage units. **Commissioner Pam Gardiol** stated that in the findings and analysis it says that Technical Review Committee will address utility and fire access and setbacks that will be addressed in the Preliminary Plan. Can you walk through that. **Mike Haycock** stated that those are items that will be brought forth at Preliminary Plan. Tom Jorgensen brought out some details on the engineering side as far as accesses and secondary accesses with the surrounding subdivisions. Preliminary Plan is when those details come forward. **Commissioner Pam Gardiol** inquired if she was doing a development and laying out her site plan, and these are requirements of the City, why would they not incorporate these into this drawing to start with? **Mike Haycock** stated that concept plan is just putting something on paper that is forming throughout the process before it gets to final plat. That process is when it meets our ordinances completely. Right now, it just matches the intent of the land use plan. **Commissioner Dave Robinson** stated that a developer would put a lot of money and effort into a plan that we may not allow. They do a concept plan to ask if we are okay with that their plan is. It is a money thing on their side. **Mike Haycock** stated it doesn't meet our ordinance yet but it meets the intent of the land use and zoning map. We work together to make it meet our ordinances and what works the best. We talk with Technical Review Committee and with the developer to mold the project. **Commissioner Pam Gardiol** inquired so ultimately when it comes back to us, it will meet the ordinance? **Mike Haycock** stated yes at Preliminary Plan it will have a full review. **Commissioner Bob Morris** stated they present their plan and we tell them what they

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have to do. That comes back to us to be approved. **Commissioner Pam Gardiol** inquired if she is a developer and going to spend this money, why wouldn't she talk to the City first about the ordinances so that what she is developing is closer to what she is trying to create? **Mike Haycock** stated that coming to the Technical Review Committee is all the Department heads sitting down at one time for complete collaboration. If they bring a Concept Plan to the Technical Review Committee we look at it and head them in the right direction and then at Preliminary Plan they say what needs to be fixed. **Commissioner Bob Morris** stated he was an electrical contractor for 25 years and there were five power companies so he went to each and tell them what he wanted to do and they would tell him what he had to do rather than learn five manuals for each City. Each one has its own set of rules. That would be a major undertaking. **Chairman Jeff Loris** stated that this is one of two parcels in the entire City that are allowed Short-Term Rentals by the City Council. This is Multi-Family and Short-Term Rental.

3) PUBLIC HEARING AND ACTION ITEMS—

A. Discuss and consider approval of Indigo Trails Phase 1-I Final Plat, located at approximately 510 South and Kwavasa Drive. ANA Enterprises, LLC-Owner/Applicant

Mike Haycock stated that this final plat consists of 3 lots on .97 acres and the land use is Low-Density Residential. The property is zoned RE-15, (Residential Estates, minimum lot size 15,000 sq ft) which is one of the zones allowed for Low-Density Residential. The proposed density is consistent with the General Plan. Technical Review Committee reviewed this on 2/22/22 and recommends approval. **Chairman Jeff Loris** stated that he looked this over and sees no issues.

MOTION: Commissioner Bob Morris moved to approve Indigo Trails Phase 1-I Final Plat, located at approximately 510 South and Kwavasa Drive. ANA Enterprises, LLC-Owner/Applicant

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Pam Gardiol	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

B. Discuss and consider approval of Indigo Trails Phase 2-B Final Plat, located at approximately Juniper Way and Wild Indigo Way. ANA Enterprises, LLC-Owner/Applicant.

Mike Haycock stated this subdivision is in two zones and two land uses, Medium-Density and High-Density. The property is zoned R-1-7.5 (Singe-Family Residential, minimum lot size 7,500 sq ft) and RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) and all zones allow for these densities and is consistent with the General Plan. The Technical Review Committee reviewed the plan on 2/2/2022 and recommends approval. There are a few phases of this that extend through different zones and uses. **Chairman Jeff Loris** stated he has no issues.

MOTION: Commissioner Bob Morris moved to approve Indigo Trails Phase 2-B Final Plat, located at approximately Juniper Way and Wild Indigo Way. ANA Enterprises, LLC-Owner/Applicant.

SECOND: Commissioner Dave Robinson

VOTE: The motion carried.

Chairman Jeff Loris	AYE

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Commissioner Doug Clifford	AYE
Commissioner Pam Gardiol	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

C. Discuss changes to the Tables of Uses.

Dale Coulam stated that he read the minutes from last meeting but he wanted to clarify Bar Establishment and Sexually-Oriented Businesses. Both need to be classified as a Class V Conditional Use. Sexually-Oriented businesses were already listed in that chapter of the Ivins code as being allowed only in the Commercial Light Manufacturing zone but the table of uses just referenced the alcohol ordinance or the Sexually-Oriented business license ordinance, but did not specify a classification. So it was unclear if they just needed to get a permit from Mike Haycock, or go to City Council and Planning Commission as they both should. This is for cleaning that up. He explained in the memo last meeting the club license we previously had in our table of uses was really for a dining club alcohol ordinance so there was food involved and alcohol. There was a change not too long ago that said you had to choose to either be a full service restaurant and get licensed, or get a license as a bar establishment, which did not require food with it. The previous alcohol ordinance would have allowed dining club in C-1, General Commercial or Resort Commercial, so imagine a bar establishment with no food and opening in Canyon Crossing. That is probably the worst intersection in the City to open a bar and then possibly have inebriated people attempt to leave and have an accident. The second worst would be 200 East and Hwy 91 which is C-1. We would hate to see just a bar establishment there. There is a restaurant license use there. Black Desert Resort has a lot of licenses available, like banquet room and guest services. They have dining establishments that have alcohol with those. They don't have the need for just strictly a bar establishment, nor would we want one in the Resort Commercial zone because we could have the unintended consequence of every Resort Commercial zone having a bar. This needs to be in Commercial Light Manufacturing and both those uses need to be Class V Conditional Uses, both the bar establishment and Sexually-Oriented businesses in lieu of just referring to that Chapter of the City code. That wasn't sufficient. The Chapter in City code on alcohol licenses now says that bar establishments will only be allowed in Commercial Light Manufacturing and Sexually-Oriented Business Chapter says the same thing. The Table of Uses needs to reflect the same information and designate them both as Class V Conditional Uses so we know what the process is if an application comes in. Otherwise, you covered all other items last meeting. **Commissioner Dave Robinson** stated that his concern was we were lumping bars with full service restaurants and this is splitting them out, so this is perfect. **Dale Coulam** asked if we would have a Public Hearing next meeting. **Mike Haycock** stated that about 150 feet is where you cannot hear the car wash dryers or machinery anymore. If you add to the Table of Uses that car washes can be 250 feet away from residential that would be sufficient, so we will add that into public comment next week. in our C-1 zone it will be hard to be 250 feet away from residential.

D. Discuss Land Use Map, Zoning Map and General Plan Amendments.

Mike Haycock stated with subdivisions that are already in progress that comply with the land use and zoning map, it would be difficult to buffer Resort Mixed-Use zone in the area we were discussing. Speaking with property owners to the north they feel that where existing commercial and High Density is appropriate where it is. The Commercial Neighborhood area was inadvertently left as-is, and he took the liberty of doing the same thing along Red Mountain Boulevard to show you what that would look like in that area. That may be something you would

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want to look at, putting a little Resort Mixed-Use over there and some commercial and some densities there. **Commissioner Bob Morris** stated the Commercial Neighborhood is in the wrong place and needs to be moved up. That is Troy's auto body and that is next to his lot. **Mike Haycock** stated it could be clouded. **Commissioner Dave Robinson** inquired about the property at the end of Center Street, we were talking about moving Commercial down but instead this has Resort Mixed-Use. **Mike Haycock** stated that Resort Mixed-Use is a commercial zone and has those buffers in that zone already. That was the easiest way to represent it. **Chairman Jeff Loris** stated that the exceptional thing is that Mike Haycock discussed this with the landowners and asked Lance Anderson about leaving that zone there. They wanted to keep that commercial pod up there. **Mike Haycock** stated the difficult thing about where Resort Mixed-Use was placed is that there are houses there and actively farmed farmland. **Commissioner Dave Robinson** stated we had talked about changing the zoning in certain areas. The zones don't match a lot of what we are discussing. Are we instructed to get the maps to match and even though there is farming going on, even if we changed the zoning, they would continue to do what they are doing there. But once the land is sold it would be changed to that zone. **Mike Haycock** stated it is fair to leave the property rights with the owner of the property. By changing the zoning ourselves we are making decisions that should be theirs, who they sell their property to, and how they use their property. It is not a good idea to do zone changes without an application in front of us. What we are doing is the land use portion of it, and the map states "sandbox" because we are playing around with different ideas of what we want in the future. **Dale Coulam** stated that they don't necessarily need to match. The Land Use Plan represents your vision for what the City will look like in the future and the zoning is what it is currently. We don't want to go around changing zones and make people's current use legal non-conforming. They wouldn't be able to make any changes to it. They would only be able to maintain that use. Lightfoot's for example we changed from C-1 Commercial to CN Neighborhood Commercial and at the time natural gas was in for an alternative fuel for cars. They couldn't expand the use to add natural gas pumps because they were legal non-conforming. They couldn’t add on to their building. All they could do is just maintain the facility that they have. So eventually City Council went back and changed it to C-1 Commercial, so it truly represented the use it is and allow them to keep up with the times. We should use those zone changes sparingly. The Land Use Plan can differ from the zoning because it represents your vision for the future. Currently we matched holding areas where we haven't designated a specific use. The Land Use Plan could change and we see maybe it goes from Low-Density to Medium-Density or maybe an area needs a CN Neighborhood Commercial hub, so you can change it on the Land Use Plan and not change the zone. Then when a property owner comes in to ask to match the land use, you are respecting property rights. **Commissioner Dave Robinson** stated some of the discussion that night when we met with City Council was that they wanted to start on some of the RA-5 holding zones and look at changing those immediately. So do we not want to do that? Was that kind of an overreach? **Dale Coulam** stated if we know what the plan is and we recognize that the zoning doesn't match, the City could remove that hurdle and match what their intention is and what we agree with. Or we can wait for an applicant and see what zone they would like. We have both options, but at a minimum, they want an asterisk with an explanation that what is currently shown may not be what the property actually ends up to be. **Commissioner Bob Morris** stated he is for the asterisk, he has been all along. **Mike Haycock** stated that we have started on the language on the asterisk. It basically says see the land use map. **Chairman Jeff Loris** inquired we made those three or four parcels Resort Mixed-Use, is that the way we

want to go rather than a bubble? **Dale Coulam** stated typically land use uses bubbles and zoning has more property specific boundaries. **Chairman Jeff Loris** stated that on the intersection of Center Street and 700 West if we put a bubble. **Mike Haycock** stated there is some Low-Density there, so it would be two bubbles. CN Neighborhood Commercial would probably be a bigger bubble there but there is not a lot of room there to buffer. **Commissioner Doug Clifford** stated he there is a lot of back and forth on this. Bubbles is making an amorphous land use. Once we put a label on it with a particular zone, it freezes people's way of thinking and concept of it. He is wondering if we have the right language and methods. We can't direct it. It is just going to happen. They buy the property, they apply and it gets decided. When it comes to zoning that is all you can put there. He gets confused when we talk about areas and bubbles in describing that to someone who wants to know the general direction the City is going. How to do you graphically show someone that this is something we think is possible in the future but not cast in concrete. How do we present this to help people understand? **Mike Haycock** stated if you want to tell people what your City is going to look like in 10 years, do you have walkable communities, do you have large lots, a bedroom community. **Commissioner Doug Clifford** stated we need to show graphically and show how it evolved. They aren't hard zoned. **Chairman Jeff Loris** stated that regarding the zone map, and takings and changing people's land that is not a good idea, but we can look at the land use and we see that the areas we have bubbles on are the areas we think should be Resort Mixed-Use or Commercial, etc. The graphical representation is really the Land Use Plan. We shouldn't look at zoning at all. **Commissioner Bob Morris** stated this is a vision. We are not working on zoning. **Chairman Jeff Loris** stated that the another area that changed is around Vista Medical Center. **Mike Haycock** stated that clarifies where you are going to do some Resort Mixed-Use along those traffic corridors. **Chairman Jeff Loris** inquired what is the difference between Resort Mixed-Use and CN Neighborhood Commercial? **Mike Haycock** stated that we should discuss Resort and what is in there. It may be more appropriate to call it Resort, and have Resort Mixed-Use and Commercial in there and maybe commercial RV. By doing that we would be grouping our commercial non-resort separately. **Chairman Jeff Loris** stated rather than have that bubble on 700 West use Resort Mixed-Use instead of CN Neighborhood Commercial. **Mike Haycock** stated if we start to diversity Resort Commercial and Commercial, then you will have a little more separation between the two. The intent is you want more resort than apartments and High-Density transit. We want more traditional resorts and hotels. **Chairman Jeff Loris** stated that he would suggest they use Resort Mixed-Use and cloud the area to the north and south to be High-Density residential rather than Commercial Neighborhood. **Commissioner Dave Robinson** stated that we are trying to buffer commercial. Resort Mixed-Use kind of buffers itself, so it would be almost counterproductive in that area to be Commercial. **Chairman Jeff Loris** stated we can recommend that it be removed. **Mike Haycock** stated that was just a thought of getting something other than Resort Mixed-Use. He is not up to speed on table of uses of what is allowed and not allowed, but in our first exercise when you placed things where you wanted them, most of those items were allowed in the CN Neighborhood Commercial zone. Resort Mixed-Use didn't include beauty shops and more of a spa-type use. One thing that is not in our tool box is just a separate Mixed-Use separated from the Resort Mixed-Use to make it a more walkable community for the residents. Resort Mixed-Use is more for the vacationers. **Commissioner Dave Robinson** inquired that the new gas station is actually Resort Mixed Use? **Chairman Jeff Loris** stated that on the zoning it is Resort Commercial and on the land use it is Resort Mixed-Use. **Dale Coulam** that would be consistent with Mike Haycock's

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recommendation, because on the land use instead of Resort Mixed-Use just call it Resort. Then we put special zoning for that area. You would have Resort Commercial and RV Park and now under that pink area you would have three choices of zones and be more consistent with what we've got showing between the land use and current zoning. There are a lot of times we have Resort Mixed-Use but it is zoned Resort Commercial and that is just because it is labeled with only one zone, so that is all it can be. It should be broader than that and bring in all the resort-type uses under that land use. That would make more sense. **Commissioner Dave Robinson** stated he likes the idea of going with a broader resort to allow within that some subsections. **Chairman Jeff Loris** stated that having a walkable area within a Mixed-Use between commercial and residential would be nice. Apartments maybe with retail below and residential above to stay and shop or go to dinner and remove our carbon footprint. **Commissioner Bob Morris** stated agreed. **Mike Haycock** stated he will draft something and he thinks we are on a good path. **Commissioner Doug Clifford** inquired what is the plan for open houses? **Mike Haycock** stated he will leave that up to the Commission to set that time and say when you are ready. We should have something to present to get opinions from the community and property owners. **Commissioner Doug Clifford** stated maybe we could do a beta with a group and have them critique it. We want this to be understandable to citizens because right now they don't. **Mike Haycock** stated he would suggest also having two Commissioners and two Council members so no quorum. **Commissioner Pam Gardiol** inquired who would be selected to be on the beta test, so there is no perception we hand-picked? **Dale Coulam** stated he understands the idea, but he doesn't know how you'd randomly select people.

E. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for February 15, 2022

MOTION: Commissioner Pam Gardiol moved to approve the Ivins City Planning Commission Meeting Minutes for February 15, 2022
SECOND: Commissioner Bob Morris
VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Pam Gardiol	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

4) REPORTS

A. Planning Commission

Commissioner Dave Robinson stated that they got approved for Youth Council and moving forward with that. Trying to get it out to the members of the community so kids can come apply. They are taking applications from 8th to 11th grade so that next year they will be 9th-12th. **Commissioner Bob Morris** stated we do have posters to place if any businesses would like to help get the word out. **Commissioner Doug Clifford** stated that he wants to get rid of the monitors and clear off the counter to see the audience. The tablet screens work fine. Ask City Council if they are okay with that. **Chairman Jeff Loris** stated that the tablets are much easier to use.

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

Mike Haycock stated that there will be some new items coming forward on our next agenda.

5) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Pam Gardiol	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

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