IVINS CITY
PLANNING COMMISSION
MINUTES
May 17, 2022
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 Dave Robinson, Commissioner Pam Gardiol, Commissioner Doug Clifford, and Commissioner Derek Larsen. Commissioner Bob Morris was present via Zoom. **Staff Attending:** Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator, Marty Thomas-Public Works Assistant, and Sharon Allen-Deputy City Recorder. **Audience Attending:** Therese Keith, Jack Keith, Sharon Quillirion, Patrick Manning, Karen Kushner, Lynne Grandvoinet, Cathy Vanderplas, Norman and Carne King, Austin Best, Tom and Phyllis Meyer, Dave and Connie Gibson, Eric and Cathy Mortensen, Trisha Costanzo, Alane Costanzo, Gary Jones, Deb Montgomery, Sandra Todd, Darlene Dube, Marcia Delucchi, Ellen and Bill Wentworth, Claudette Larsen, Dan and Jan Brown, Lynne Johnson, Milsa Harper, Dean and Hellen Cavaletto, Tammie Ursia, Dale and Francene Crum, Nancy and Gary Alba, John and Kathy Roberts, Don and Jerilynn Round, B Ayers, Barbara Mosley, Marrin Mosley, Michael and Sharon Barton, Peggy Middleton, James Schwendinger, Dee Edmonds, David Andrews, Craig and Teresa Fife, CJ Koharcheck, Michael and Dana Cook, Steven Weida, Edward Breitenbach, Paul and Joanne Wimsatt, Floyd and Tiffany Wynn, Jean Kim, Terri Hagler, Shauna Fisher, Steve and Mima Norris, Bryson and Trudy Despain, Dave and Sandy Benson, Gary and Kathy Deland, Lynn Ward, Stuart Reynolds, Larry and Sandy Taylor, John and Ann Raditsas, Martel and Jane Jensen, James Barden, Tim and Shelley Bryan, Jen Tavanau, Mike and Niki Hugo, Randel and Judy Dawes, Gary and Sharlene Bronson, Brett and Diane Muse, Tawna Ridd, Daniella and Matt Reichmann, Susan Thomas, James Garbacz, Craig Wyatt, Susan Walker, Chuck and Jewel Pugh, Chuck and Kim Payne, Mike and Julie Dumas, Bob Nickerson, Brian Waller, Barbara Alexander, Evon Hunt, Paul and Laurie Nowak, Norm and Jodie Hansen, Ronald Ragan, Fred Brown, Randy Johnson, Jennifer Monrreal, Bud and Donna Sumner, Evelyn Kosidowski, Lance Anderson, Wyn Rogers Agel, Jerald Munford, Harry Webb, Brian Sheffield, Craig and Elstad, Stephenie Nast, Celeste Gardner, Ken Fitzgerald, Jennifer Coffelt, Jane Gardner, Susan Walke, Kathleen Gueyonard, Sunni Morris, Connie Butterfield, Dennis McMillan, Jo Nebeker, Arla Bruch, Lorraine Reynolds, Fred Castagne, Jerry Miyahara, Scott Stowell, Greg McArthur, as well as others that did not sign in.

A. Acknowledgement of Quorum

Commissioner Bob Morris attended via Zoom.

B. Flag Salute--Commissioner Doug Clifford

C. Invocation--Commissioner Doug Clifford

D. Disclosures

Commissioner Derek Larsen stated he and a business partner have $1000 refundable deposit down for Black Desert Resort. **Chairman Dave Robinson** stated that he lived adjoining Rainbow Canyon for 18 years and has numerous friends still in that area. No other conflicts.

2) REPORTS AND PRESENTATIONS -None.

3) PUBLIC HEARING AND ACTION ITEMS—

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A. Public Hearing on a Class IV Conditional Use Permit Amendment for Black Desert Resort, located at approximately 1500 East Snow Canyon Parkway, north of the horse roundabout. Enlaw, LLC-Owner. Patrick Manning-Applicant.

Mike Haycock stated that this amends the application we saw about a month ago. The applicant is requesting to move the sales trailer from the horse roundabout entrance to the golf village entrance. The parking will stay in place. If volume of traffic increases, they will add more parking spots. The Zoning Ordinance states four parking stalls per hole for a golf course. So that is compliant. **Commissioner Pam Gardiol** stated that this was probably covered previously but the report states it has been reviewed by the Sensitive Lands Committee and designated as an area that can be disturbed. Is this move still in the constraints of the sensitive lands area? **Mike Haycock** stated yes. **Chairman Dave Robinson** opened the Public Hearing. No one was on Zoom. Hearing no comments, **Chairman Dave Robinson** closed the Public Hearing.

B. Discuss and consider approval of Class IV Conditional Use Permit Amendment for Black Desert Resort, located at approximately 1500 East Snow Canyon Parkway, north of the horse roundabout. Enlaw, LLC-Owner. Patrick Manning-Applicant.

MOTION: Commissioner Bob Morris moved to approve Class IV Conditional Use Permit Amendment for Black Desert Resort, located at approximately 1500 East Snow Canyon Parkway, north of the horse roundabout. Enlaw, LLC-Owner. Patrick Manning-Applicant.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Bob Morris	AYE
Commissioner Pam Gardiol	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE

C. Public Hearing on proposed city-wide Land Use Map and Zoning Map amendments as discussed in recent Planning Commission meetings and Open Houses.

Mike Haycock stated that we have added a note that better explained the holding zones of RA-1 and RA-5. It basically says see the land use map and another note that says the land use map is subject to change with a concurrent land use and zone change application. That will help people understand what the intent will be in the future. The sandbox map has stayed consistent with what the map looked like originally. It is called sandbox because we have been playing around with this for 3-4 months. We have had meetings and open houses for the public and where it left off two weeks ago was to make sure that people understood what we were doing with the Resort and Commercial zones and allow public comment for a Resort Mixed Use area that was extended to the North. We have taken Resort-type uses and put them together rather than each having their own land use. Now in Resort, we can have all Residential zones, Resort Commercial and Resort Mixed Use. In the Commercial Zone, we have CN-Neighborhood Commercial C-1, CLM-Commercial with Light Manufacturing, Resort Mixed Use and added a Mixed Use for the future. We also put in a Mixed Use overlay as something that can be done in that land use. Those were the changes previously discussed and are now on the map where we can see them now. **Dale Coulam** stated that due to a land use classification of Resort Mixed Use we have examples along where Black Desert Resort is you will see a land use of Resort Mixed Use and a land use that has been assigned to the SITLA parcel. This parcel has been designated land use wise as Resort Mixed Use. The current zoning map as it exists today creates confusion. Black Desert Resort shows Resort Commercial, not Resort Mixed Use. Historically, everything shown

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on the land use as Resort Mixed Use was designated as Resort Commercial on the zoning map which is favorable to the City because we have a zoning district for Resort Commercial and design guidelines and zoning that controls what they can and can't do in that zone. With Resort Mixed Use if you designated it Resort Mixed Use they submit a project plan and select a Residential zone and a Commercial zone. Resort Mixed Use is all Residential zones and all Commercial zones to pick from to make that mixed use. They write a project plan or in olden days it was a Planned Development. We no longer have that zone, which back in the day had written text for that project. That project plan now becomes the zoning. We couldn't tell you in advance what the design guidelines would be until we received the project plan. From the City's perspective he favors the way it has been done in the past. Resort Mixed Use is one of the zones it could be under Resort, but the other is Resort Commercial. Resort Mixed Use right now says the only thing you can do is zone it Resort Mixed Use. It only has one available zone. We are trying to clarify and simplify that to fit what we have done in the past and works very well. Then we know how high buildings will be and architectural features and the setbacks. That is more advantageous to the City. We have been trying to simplify the zoning map. RA-1 and RA-5 were just undeveloped pieces of property that hadn't had their zoning changed yet. That is not really what is intended for the future. They have been called a holding zone and we are trying to clarify that and put a note on the legend that says it can change so people will know that and it is better understood. We are also trying to clarify the land use map by saying Resort is Resort except for Resort RV. We want that to be very clear the difference between the two. That one stays as it is. The other will be under the land use heading of simply Resort. The zoning map would say Resort Commercial or Resort Mixed Use where they do a project plan and go through that process. The reason for the Public Hearing was because the sandbox map did not show the Resort and that has now changed to show as Resort. It was talked about but not decided on. So we will give opportunity to see the correct sandbox map and make comments on that change labeling the Resort use as Resort. The zoning map says what type of Resort it is. That is why we are back here for another Public Hearing. **Commissioner Pam Gardiol** stated that we need to show the Resort flow chart to the audience. **Commissioner Doug Clifford** stated that we need to pass this as part of the land use plan with that definition, the map and the zone change for RA-5 and RA-1 asterisk with definitions for that. **Mike Haycock** stated also the section that brings resort further north. Look at the areas of commercial he put in on the map at city centers like Red Mountain corridor and 200 South to decide what if any areas you want to make Resort. We should have that discussion. **Chairman Dave Robinson** opened the Public Hearing. Michael Cook stated he is located in Padre Canyon Drive. This change could allow an applicant to gain zoning without presenting a plan? **Dale Coulam** stated without written text. The plan you are referring to is showing buildings and locations and elevations. That is not part of the zoning process. Some applicants show that but they are not required to. Zoning designates the type of use and the density in Residential. On a commercial piece of property, which Resort Mixed Use is, it is a blend of residential and commercial. It is not so much about density as it is use. That comes with a Class V Conditional Use Permit and a Public Hearing, both at Planning Commission and City Council. There would be input when we actually see the plan. With a Conditional Use Permit you can anticipate some adverse effects of the development and impose reasonable conditions to try to mitigate those. Michael Cook inquired is this a change in the process? **Dale Coulam** stated right now the Planning Commission can recommend a Resort Mixed Use. That is in keeping with the current maps we have and is the only zoning available for a land use of Resort Mixed Use. Movara was Resort Commercial as the only mixed use project we had. Historically, we have

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never done a Resort Mixed Use at the zoning level. It has been on land use. Planning Commission can recommend to keep it the same or change it to resort. That is an option they have. **Chairman Dave Robinson** stated that either way a plan is submitted. One comes up with their own game plan. Resort Commercial we already have framework that is established by the City. It is more structured. **Dale Coulam** stated Resort Mixed Use is written text and they submit a Conditional Use Permit, which is their picture. Resort Commercial we already have that zoning and it is clear. We know what it is. It is one step. We have already done the guidelines and the written text ourselves. The new layout simply says we call it Resort. Some applicants show us a plan at zone change but they are not required to. They do it in the hopes it improves their chances of getting a zone change. Dan Brown stated he is located on Praya Drive. None of this means anything because it says everything is subject to change. **Commissioner Pam Gardiol** stated that Eisenhower once said planning is everything, plans are nothing. Without a guideline how do those that want to contribute to our community have an idea of what the expectation is? Planning maps give us an idea of our intent. CJ Coharcheck lives on Puerto and stated that thank goodness this is subject to change and not locked in yet, because we do not want to see zoning go from RA-5 to Resort Mixed Use. **Chairman Dave Robinson** stated that it goes through this process. We cannot change it just because someone wants to. Nikki Warren lives on Talasi Way and inquired as to the rationale in why some areas got identified to change to commercial? Resort to her means resort. Black Desert Resort is Resort Commercial because there is more there than just homes or hotels. If something is designated commercial it will just be businesses like Canyon Crossing. Which areas specifically so residents know what is being changed? **Commissioner Doug Clifford** stated it could be a business like a hotel but it is a broad term. **Mike Haycock** stated it is a good discussion to have what areas should be commercial and what should be resort. **Dale Coulam** stated Red Mountain Boulevard, 400 East and 400 South. Nikki Warren stated so that is like where the barber shop is, you are requesting to keep that commercial? **Mike Haycock** stated that is up for discussion. Commercial can be C-1 or Mixed Use and we are working on getting a better definition and making this a walkable community. We are going to be talking about our moderate income plan and what the State requires there. This allows us a commercial/professional living situation for a more walkable community. That has been the discussion these last few months. We are looking along routes that are already developed for transportation. We will be talking about the General Plan the end of June and making changes the State wants us to make. We want to start looking at these areas now. There are already zones there, so it would take a concurrent land use and zone change application to change it. Those areas are up for discussion as to whether they should be Commercial or Resort. There is not a lot of difference between Commercial or Resort Mixed Use. **Dale Coulam** stated that land use is the future vision. It wont change the zone yet. He suggested changing the land use to Resort on the SITLA piece but they wouldn't get their zone change until the next agenda item and a Public Hearing. The underlying zone stays unless there is an application. Available commercial zones could be CN-Neighborhood Commercial, C-1 which allows a gas station. Resort Commercial no longer allows a gas station, and Commercial Professional Research such as offices, or Commercial with Light Manufacturing which will never happen in the middle of town. That is more industrial-type use. That is our future. Right now, if it is zoned residential they can still build residential according to the zone it has. **Chairman Dave Robinson** stated that they are in bubbles and do not follow land lines exactly because it is a vision and general. Niki Hugo stated she lives on Mesa Vista and in regards to the Hafen property, the fields in the center of town, she would counsel to have as tight control as possible there. Commercial versus Resort are not our

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only choices. We could also put residential there. Put things in place so we know what the plans are way in advance. **Dale Coulam** stated that it is currently Medium Density Residential with a little Neighborhood Commercial on the corner. Red Mountain Market, Family Dollar and Lightfoots. It is proposed to change that corner to Commercial, and it is already Medium Density Residential on the land use plan. Lance Anderson stated he lives on Fitness Way. The commercial area on approximately 300 North and 700 South. We ask that be removed. It does not jive with anything around there. Leave it as High Density Residential to match the current use. And then at the area they call the horsehead, ab out 800 West and 300 South, there is an application when the moratorium ends to make that Medium Density Residential. So go from Low Density Residential to Medium Density Residential. His interest in that is he helps with the Kayenta Development. The Papanikolas piece is still marked Low Density Residential. That is just a fix. **Dale Coulam** stated yes the City Recorder confirmed an ordinance was passed on that. It is High Density Residential and has R-1-5 as a buffer and has townhomes. Good catch. Lance Anderson stated that land that is in the process of being developed was for 28 lots, 12,500 sq ft and shows Medium Density Residential. That also needs to show correctly on the map. Cathy Vanderplas stated she wants to remind the Planning Commission of the Ivins City General Plan which states that the purpose is to steer development toward a well conceived future preserving the city's magnificent natural assets and desirable lifestyle by avoiding the pitfalls of reckless growth. The community vision for the future states the primary objective of the General Plan is to protect and enhance the quality of life for residents and visitors alike, the spiritual quality of the land, magnificent landscapes, open space, clean serene environment, variety and charm. Careful planning and preparation for the future-water. Protect spectacular vistas for all to enjoy. Preserve a unique community that reflects the serenity of its natural surroundings. Plan for and manage development so growth does not outpace the capacity of public facilities and services. Encourage the type of development that enhances the qualities that makes living in Ivins City desirable. Read your own guidelines. Take into account those that have lived here for many years. We moved here for the beautiful vista and it is quiet and peaceful. Celeste Gardner stated she lives on Praya Drive. If you change the SITLA parcel to resort, will it be bought and appraised at the going value? **Dale Coulam** stated that right now it is a joint application. They continue ownership and participate in the revenue derived off of the property. They may sell the property outright, but right now it is a joint application for the zone change. Celeste Gardner inquired if it is between the developer and the State, would it still come under City guidelines? **Dale Coulam** stated that SITLA technically is under State law but there is a provision that says they don't have to follow all of the zoning regulations the City has in place. For example, Vista School did not follow all the City's guidelines. Some of that the State stepped in, regulated, inspected and oversaw the process. They may not have to follow all of it. But they have chosen at this point to go through the process like any other developer would. That may change. He doesn't know. Celeste Gardner stated that her concern is that the developer may buy lots for less than appraised value. **Dale Coulam** stated if they sell it, it has to be at full market value based on appraisal. As long as SITLA is an owner, they have to follow those requirements of the State and pay full fair market value for the land. That goes through the City as a public hearing process. Lisa Ganz stated through Zoom that she lives on Bickmore Circle. She is against doing zone or land use changes prior to the General Plan. We are fortunate that the other item is on the agenda tonight, because it has raised awareness on how land use is done. Not enough community input has been done in this process. A page and a half of notes collected from poorly attended open houses is not due diligence for understanding what is going on with the

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land use with the City. We should have robust community input on what the City wants, not just developers and land owners. The graphs and charts of the 2015 General Plan are severely outdated. A lot of things have changed since that time. We need to update and assess the current state of the City before we go forward and make any land use changes. The General Plan is first and land use is an element of the General Plan. The sandbox plan has so much density and so much designated to housing. Not enough is dedicated to open space or parks or community gathering areas. We have exceeded our population projections. Poor land use planning will have a long term impact. Wait for more community input on the total plan and do not move these land use changes forward. Sharon Aspenberg stated from Zoom that she lives on Chosovi Court. There was an item from the May 3rd meeting where Terry Marten suggested that 2.5 acres north of the Kayenta Art Village be changed to a resort land use. The area he is requesting has low-density homes that have been built on either side. It is very close to existing homes on both sides. Kayenta Art Village is Resort Commercial which has worked out well because it does not have short term rentals. His intention on the 2.5 acres is to have short-term rentals. There is a large resort area south of Kayenta Parkway and no homes around that property. That seems to be a better spot to put nightly rentals. She thought changes to the land use need to be done by application to make the public aware. She just happened upon this request, but she did not see any record of those votes by Planning Commission. Are these Public Hearings to replace requirements for applications for changes by developers? **Dale Coulam** stated he agrees with comments that we are proposing to make new changes to accommodate what would otherwise be an applicant. With an application you can focus on that area more specifically. What Lance Anderson brought up were changes that are already in process, and it is helping us clean up the map we have going forward. Changing land use does require an application. Planning Commission could see a vision to change one but an applicant can't just say while you are at it, change this. This was just to clean up, otherwise they need to go through the application process. Norm Hansen stated he lives on Mesa Vista and the way he understands the zoning with SITLA land is that they have the right to propose quite a few things but as you consider these zone changes, consider the residents around that zone change and all those that it would affect. Look at the community and what could actually happen. Have common sense and good direction in letting them move forward. **Chairman Dave Robinson** stated we are talking about the land use. Dean Cavaletto stated he lives on Splitrock Drive and although the Commission was discussing land use amendments, he wanted them to know that rezoning the SITLA property to Resort Commercial or Resort Mixed Use is incompatible. High-density nightly rentals typical of Resort, Resort Commercial or Resort Mixed Use zones are incompatible with residential neighborhoods around it. Transient residents do not make good neighbors and often cause destruction to neighboring communities such as noise, inconsiderate driving and parking, social ills and strain on local fire, police and medical care. Regarding traffic a potential for an additional 500 units permitted for nightly rentals result in a significant increase in traffic on Snow Canyon Parkway. Ingress and egress from Entrada is already challenging 1500 trips to the Parkway will increase the risk of accidents for residents who have primary access there. The potential addition of 500 plus residential units permitted for nightly rentals will result in significantly higher water usage. Washington County as a whole is water stressed. Any rezoning of the SITLA property to Resort, Resort Commercial or Resort Mixed Use must be accompanied by a proportional reduction of permitted water use elsewhere in the City. Regarding housing, the City and Washington County as a whole have insufficient housing for families and young people. Rezoning the SITLA property to Resort, Resort Commercial or Resort Mixed Use will

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exacerbate already limited housing stock for families and young people. It will create additional affordable housing needs for the service sector. Economically the City and Washington County has a whole has a relatively high proportion of retirees. They place a high demand on services. By rezoning this property, it will impact service requirements, hollowing out our economy to the service sector. He strongly objects to the land use proposal and the rezoning of SITLA land. Gwenn Davies stated through Zoom that she lives on Kwavasa Drive and if you look at the sandbox map specifically the area in Kayenta she wonders if the north part of the resort area increased in size? If so, by how much? **Chairman Dave Robinson** stated that if they were to increase that area, it would come through as an application to the Planning Commission. **Dale Coulam** stated comparing the two maps they look similar, but if it does enlarge the area it needs to be done by application as opposed to part of this process. Gwenn Davies stated that she believes the agenda that was posted could be more descriptive and clear so that residents have a better feel as to what is going to be talked about so that people who are reading these items would attend and speak. It would give a more complete and robust conversation for all parties involved. Jody Adams stated she lives at 1500 East Splitrock. At what point is water availability taken into consideration? If it gets zoned Resort or Commercial there is a lot more traffic and water. It is like Memorial Day weekend every single day here with the traffic. Every bit of open space is going up for sale. When do we talk about whether or not we have the infrastructure for a resort? **Dale Coulam** stated that it does come later. SITLA has already had its land use change to Resort Mixed Use by the City Council. The change on the sandbox is to call that land use Resort to give choices for the zones that could be chosen, so Resort Mixed Use or Resort Commercial. Then our zoning guides what we want there rather than coming up with their own plan. During that process they are required to provide a traffic study to make sure that the streets are adequate to handle that traffic. Regarding water, there are ongoing discussions with the Washington County Water Conservancy District to come up with a method to determine how many units are left. It gets real when someone applies for a building permit. Mayor Hart has referred to it as a will-serve letter which is a commitment from the Conservancy District that shows they have the water to serve that property. That is on a case by case basis and at some point they will say we don't have anymore water. The District controls that. They may allocate water from another area of the County otherwise Ivins would be at build-out. Jody Adams inquired for traffic do you expand lanes or tell them they can't have that many people if we don't have the infrastructure? **Dale Coulam** stated that the Parkway may need an additional roundabout or two. Jody Adams stated it is changing the landscape. She hopes we will take all of this into consideration at this point. **Chairman Dave Robinson** stated that the Washington County Water Conservancy District has control of the water and when we can't have anymore then we won't. Until then, we can't restrict growth based on that. Lance Anderson stated that he lives on Fitness Way and on Center Street and 600 Kwavasa there are two houses and a barn. They would like that area removed because that is not a good place. They would have to tear things down to build anything commercial there. The portion above Coyote Gulch, there are no homes up there, it is the piece that extends up from the commercial area, but his understanding is that the land use map is open for use requests. That is why we have these meetings. It did increase a bit up there for topography. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

D. Discuss and consider recommendation on a proposed city-wide Land Use Map and Zoning Map amendments as discussed in recent Planning Commission meetings and Open Houses.

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Chairman Dave Robinson inquired on the commercial in the middle of town. Was that marked something else before? **Mike Haycock** stated Resort is what it was. That is one for discussion. Either is appropriate. Their uses are similar. It just gave you options for when we start talking about moderate income housing or when our General Plan changes. Right now, a developer can't come in and ask for Mixed Use there. The two land uses are really close and either is appropriate, at your option. **Chairman Dave Robinson** stated the Resort section Lance Anderson talked about, we did that to make it a more walkable community. **Mike Haycock** stated that since then a subdivision has come in and started the process. That may change your vision there. If you pass it along, then it will be the discussion with City Council. Lance Anderson had also requested neighborhood commercial there to be consistent with High Density Residential or surrounding it. Both of those bubbles are items you may want to discuss. We do have a project coming in that area and changes the philosophy we had when we first talked about that area. If you pass it forward it will definitely be discussed at City Council or you could remove it now. **Commissioner Doug Clifford** stated that the Medium Density in lower Palisades needs to be noted that it definitely is not Medium Density. **Mike Haycock** stated he is looking into the history of that change to get that correct. **Commissioner Doug Clifford** stated the Commercial that shows C-1 on the zoning you can leave it as school. People asked how thorough people have to be coming in to to look at land use changes. Things get firm as you move from the General Plan to land use to zoning to building permits. The General Plan is vague and a vision. It is a statement about how nice it would be if it could all play out that way. Then reality happens. That is why we change the General Plan periodically to reflect what is happening in our community. When he first came here he read the General Plan and saw that the basis for the future taxation and funding for the City was going to be resort. The area he left was fighting to get businesses and industry in the community. He wondered how can you ever fund a City on resort? We are starting to move that way. It is not bad or good. It is just what is happening. We have passed the point where we put in some shopping centers to generate future revenue. Ivins is going to face a challenge in the future in revenue. How are you going to fund it without higher taxation? We get a lot of our funding from building. When you get close to buildout in a community, you have to find another source. We are trying to find where that will migrate to. We cannot live on growth forever. That is the nature of the General Plan. The land use is one step more towards clarity of the plan. Cities grow. It is not a science. As it grows, we find the arteries are roadways and the areas of commercial become our transportation plan. It is thought out now and when we make a major collector we establish a whole new chapter in the City. The Western Corridor will be that way when it eventually comes in. Don't look at the land use plan as something that has to happen. It is a guiding document to try to look and see where we can plan to put things in the future. It has been stated in recent meetings the last 5 years growth have been almost all middle to high-end. We have had very little at the lower end. Our plan has to account for that need and how younger families can live in Ivins and survive here. The State requires it. If we don't do it, they will come in and do it for us. We have a major challenge this year with our affordable housing plan. We are trying to balance a lot of things. The General Plan is great as a vision statement, but the plans may never pan out that way because people have their agency and may do something else with the property they own and they have the right to do that. **Commissioner Derek Larsen** stated regarding the sandbox plan, are there any other areas that would be more beneficial to give the City more control of what goes in there? SITLA for example. Would a different zone give us more leverage for when that parcel is developed? **Dale Coulam** stated if we don't make that change to Resort then it just stays

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Resort Mixed Use, but his opinion is that Resort Commercial tells us more on how it will be built and what the design guidelines are. Between those two zones he would choose Resort Commercial. RV Resort, he doesn't know that we will see another of those. Council and Commission both wanted that separate so that there was a clear distinction. **Commissioner Derek Larsen** stated he thinks it should be residential. Should we change that now on the land use map? **Dale Coulam** stated yes that is an option because the land use map is open. City Council changed it to Resort Mixed Use so he is not sure how that recommendation would go over. You could make a recommendation to change the land use to residential. The next item on the agenda is the zoning on that SITLA parcel. **Commissioner Bob Morris** stated that this has been informational. Point of order are questions answered during a Public Hearing? We have never had this much back and forth in the three years he has been on the Commission. **Dale Coulam** stated they can be. It is up to the Chair. There were some very valid questions that were raised that were shared by many in the audience and so do we hope we remember to answer all the questions or take the time to answer then? Lots of questions he answered because they were of a legal nature. He thought it was proper. **Commissioner Bob Morris** stated he thought it was chaotic. **Commissioner Doug Clifford** inquired if we are ready to move this forward to the Council? If we are looking at the SITLA property we would need to do something different. **Chairman Dave Robinson** stated if we table this the other topic is moot until this gets dealt with. **Commissioner Derek Larsen** stated he would not agree with that. **Dale Coulam** stated that there is more clarity than last meeting. If you recommend to move it forward you have a sufficient basis to do so. If you choose to deny it, it goes to City Council and they act based on your denial. If you continue it, an applicant has legal rights to have their application heard in a timely manner. We can't just keep postponing this. Planning Commission has gone far and above what is required by law as far as public notice and receiving public comment over the tentative sandbox land use. it in a expediate manner. Reasonable delay or continuation. Legal perspective the Planning Commission has gone far above and beyond hearing comment on this. It requires that it be advertised in a newspaper 10 days in advance of the Public Hearing and take public comment. It is then closed and you are in the position to make recommendation. We have now had two. We reopened to resolve a couple issues he had. Planning Commission can now decide what to recommend to the City Council. That is your charge. You can voice your concerns or opinions to the City Council, but he cautions delaying this too long. The statute is to act in a timely manner on a land use application. **Commissioner Pam Gardiol** stated that we held three outreach meetings. The third meeting was good weather and a lot of people were there. It is time with our good intent and review to pass it on to the Council.

MOTION: Commissioner Pam Gardiol moved to approve recommendation on a proposed city-wide Land Use Map and Zoning Map amendments as discussed in recent Planning Commission meetings and Open Houses.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Bob Morris	AYE
Commissioner Pam Gardiol	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	NAY

E. Public Hearing regarding recommendation of a Zone Amendment for approximately 113 acres n the portion currently sown as R-1-10 (Single Family Residential, minimum

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10,000 sq ft lots) to be changed to R-1-7.5 (Single Family Residential, minimum 7,500 sq ft lots) and the portion currently shown as RA-5 (Residential Agriculture, minimum lot size 5 acres) to be changed to RC (resort Commercial). Located at approximately Puerto Drive and 400 South. School Institutional Trust Lands Administration-Owner. Jerry Miyahara-Applicant.

Mike Haycock stated that the Western Corridor will be called Hamblin Parkway. The SITLA property is between Padre Canyon and Black Desert. It is accessed by the Western Corridor and 400 South. The property is buffered along existing development. RE-37, R-1-10 and RA-5 buffers the R-1-10 and the R-1-7.5. The applicant is requesting on the proposed map and asking that the RA-5 change to Resort Commercial and from R-1-10 to R-1-7.5. That matches the zones back to back on the adjoining property. **Chairman Dave Robinson** stated that there is a strip owned by Ivins City? **Dale Coulam** stated yes. And where there was R-1-10 before and abutted R-1-7.5, they want to match that. They are not changing the RE-37 and want to change RA-5 to Resort Commercial. **Chairman Dave Robinson** opened the Public Hearing. Dale Crom stated he moved here from Maryland and they live on Cordero Drive. If you lower from 10,000 sq ft lots to 7500 sq ft lots it adds 164 homes. If you access off of 400 South, that road is tore up and has to be replaced. The two existing storm inlets have no protection in them. When it rains, silt runs down and into our area. You say a survey was done but that means you gathered information and he doesn't think they gathered it from the neighborhoods. It also said this was highly needed. This is highly wanted. The neighborhoods are all built out as single family residences. This does not fit. We already live here then they want to come in and change it after the fact. Go down the street for apartments. He suggests we keep it as it is. Dan Brown stated he lives on Praya Drive. Black Desert Resort is in his front yard. To the south is Solace development 240 homes, 80 rentals and next to them Desert Village 195 rentals. Paradise and Arcadia. There are thousands of rentals and now you want to put more. Close to half the houses in his neighborhood are being rented. Kayenta even wants in on it. Rize Development bought 12 acres in Chuckwalla. It has to stop. Greg Cherry lives on Mesa Vista Road. He moved to Padre Canyon Estates almost 30 years ago. 20 years ago they bought a building lot on Mesa Vista Road and built our dream home to take advantage of the views and unique and pristine land. It was BLM property those days. When James Rose proposed 1000 units and a four-story hotel and parking garage bordering out lot, we were alarmed and appalled. We formed a community organization several years ago and later worked with Patrick Manning and Kyle Paisley of SITLA to address our concerns and shape the development into something we can live with. They were good to meet with us. They held quite a few meetings and made quite a number of concessions. Jerry Miyahara has committed to uphold. SITLA has the right to develop, and to develop property for public schools. Leaving the land in its current pristine state unfortunately will not happen. One of the agreements was regarding access of the road along the wash. If SITLA goes through, that road will close off except to emergency vehicles. If that gets zoned residential, Chuck Gillette the City Engineer told him it will be open that road as an access road connecting Padre Canyon Estates. Sharon Barton stated she lives on Mesa Vista Drive. 2018 Ivins City got an application from James Rose. Then it was the Retreat at Black Desert by Patrick Manning and now the revised Retreat at Black Desert, although it has no ties to Black Desert Resort, by Jerry Miyahara and James Rose as a business partner. September 2019 when City Council met to approve the Planning Commission's recommendation to a proposed General Plan amendment to the land use with Patrick Manning as an applicant, there were three Councilmembers there that night and two no longer serve. One remaining member said they wanted a bedroom community where families are

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attracted to come and live. He also stated he was not excited about recreating the Santa Clara Short-Term Rental disaster. Another huge consideration is traffic. September 2019 meeting Mayor Hart stated if you look at the zoning map the far east end of the City has been designated Resort Commercial because traffic is not to be going through neighborhoods. Today she sent the Mayor, City Engineer and Police Chief a Puerto Drive fact sheet. Heavy construction traffic has become a very dangerous problem on Puerto. Recipients of her email have been very supportive and agree something needs to be done. Traffic on Puerto, which is a residential minor collector is centrally located in Ivins and has two schools having their primary entrances off of Puerto. These 113 acres are adjacent to Puerto Drive. There is no way they can safely handle any amount of construction traffic along with regular traffic. What started out as a bad idea in September 2019 continues to be a bad idea. Don't let Ivins become the city that paved paradise and put up a parking lot. Michael Cook stated he lives on Padre Canyon Drive. He can see a multitude of reasons to recommend denial of this application. He is confused about the land use and thinks they should wait and see what Council does with what they are passing on to them before moving forward. Be careful giving carte blanche to someone with no specific concept plan, no traffic study, no showing open space, no trails or geotech study. They may find they are not able to build as much as they think they are out there. They will have already torn up the area. Will they do a completion bond to restore that area? They say they don't need an environmental impact study and yet the aquifer is near the surface at 400 South. Excavation of this magnitude could contaminate that. There is no water study. Jerry Miyahara had us over to his home, and says he has a marketing study done by a firm that they paid for. Passing this amendment without all the information is in direct conflict of statements that your City Attorney has previously stated go against the process. Previous Councils have at least received plans for the proposals. Previous Councils have been concerned with the developers involved, which are the same developers involved. This has been referred to as a horizontal hotel spread out over 113 acres. Do we want to be St George? He doesn't. He wants to live in Ivins. Michael Barton stated he lives at Mesa Vista and is against the idea. He asks that the Planning Commission back up and look at this thing. What is this really doing? We have no need for this as a City. This is just a bad idea and just takes common sense to see this is fundamentally wrong. It is clear that the size of this development will add 25% to our entire population. It is a huge impact. The developer does not care about Ivins. On their website it says they are building it in greater St George. Regarding blue clay there are two houses built in the last year and a half and excavated in excess of 20 ft. If you do the math on how much will need to be excavated on this property it is mind boggling. 1.7 million cubic yards. It is just ridiculous. David Andrews stated he lives on Puerto. This mess is against my back wall. His lot is one of the smallest at 17,000 sq ft. Padre Canyon Phase 5. You want to put 7500 sq ft lots behind mine. What are you doing to us? You don't care. This is death by a thousand cuts. He spent two and a half years going to all the Black Desert Resort meetings. Now we have to go through it all over again. You are destroying that neighborhood where we have built our homes and invested our money. It is sickening. This is wrong. If you vote for this, this is the worst thing to ever happen in the City of Ivins. Clyde Behunin stated he lives in Padre Canyon Estates on the corner of Center. We are young and we have an acre. He understands development will happen and works in development himself. Let's sidestep them to bigger lots and up to the high density. Stagger it. Are we bottlenecking ourselves in Commercial? Are we banking on Santa Clara and St George servicing us? How do we keep traffic flowing? Sunny Morris stated she lives on Puerto Drive. We have groundwater behind our house about 6 feet below and if they dig that up it will cause holy hell and contaminate the neighborhood. We have

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a natural streambed in our backyard and it drains out naturally and follows the desert landscape. It will be a mess along with 7500 sq ft lots behind us disturbing our peace. We have been there 17 years but Ivins is becoming a place they don't want to live in anymore. Tammy Racini lives in Padre Lakes. She has been here a year and already observed the overcrowding. It is a big mistake to destroy the landscape in this way. We don't need this kind of development. Devon Ferguson lives in Santa Clara where all the rental properties and vacation homes are being developed. What they are doing to our community with the noise and traffic on Rachel/Puerto will pick up substantially with this development, along with Black Desert Resort. Pioneer Parkway will be a freeway. They will need to widen it. They can't handle everything that will be coming. There is a lot of traffic and noise that will impact this. Ivins has done a fantastic job of keeping the lighting down and the skies dark. Santa Clara isn't nearly as aware of that. He appreciate the effort on that. Carma King stated she lives on Painted Hills Drive across the street from Rainbow Canyon. She has walked her dog on that property for 22 years. Her concern is the weight it puts on Ivins as a City. No only the water which is the most concerning, but Police, Fire and infrastructure. We cannot build out anymore. We try to walk across Center Street. We have Vista and the University and our dog on the leash and we go one block, half a mile to cross from where we live. We may stand there sometimes 15-20 minutes to cross the street. This is the worst kind of progress Ivins could consider. Dana Cook stated she lives on Padre Canyon Drive. She sent this email and implores the Commission to not approve the zone change requested. Most of us understand that growth is inevitable. It is necessary even. All occupations depend on growth for job security and profit. She is not anti-growth, but wants to see thoughtful growth. The Planning Commission makes decisions that determines our community's future. In addition to the impact on land use, development and growth, the Commission also helps to determine the credibility of our municipal government, so, it is important that you act in a legal and ethical manner when approving zoning and land use plans, because you are acting as a City official and, in your capacity, you are a spokesperson for the citizens and government that appointed you. According to the Handbook for Planning Commissions and Land Use Authorities, Utah Law states that as a Planning Commission, you are to make planning and zoning decisions that provide for the health, safety, and welfare of citizens. You are to make decisions that promote prosperity, improve morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses. You are to protect the tax base, secure economy in governmental expenditures, foster the state's agricultural and other industries, protect both urban and non-urban development and you are to provide fundamental fairness in land use regulation and protect property values. Putting 600 nightly rental, high-density residences smack in the middle of an established low-density neighborhood, will not protect our property values. Nor does she see how it will provide health, safety, welfare, improve morals, peace, comfort, or good order. And as for aesthetics? She sees it degrading the aesthetics of this area. Hundreds of people have enjoyed the open space of this SITLA, preciously BLM land, for generations. It is a place where we go to enjoy walks and exploration with our families. Or to take a peaceful walk with our dogs, partners or simply ourselves. It is a healing place. You can go there with an aching heart and then look up and catch a glimpse of a coyote in the distance, with the red mountains in the background, and suddenly life seems good again. Having open space where folks can "regenerate" is part of the Planning Commission's obligation to promote health and welfare for its citizens. Tim Bryan lives on Mesa Vista Road. Thank you for your service and affording us the time and opportunity to comment. He represents family as well as friends and neighbors that couldn't make it to this meeting. His biggest concern is the density

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we are moving towards in this parcel. When he sees what has been built in the area behind Harmons, his stomach rolls. High-density as far as you can see. Protect the density. He would be opposed to that same type of density. Traffic flow on Mesa Vista. When he moved here 15 years ago he understood the Western Corridor would potentially be built behind his home and what he did not anticipate was similar traffic flow in his front yard. He would be opposed to having that access open up. Be reasonable and consider those residents along those residential streets. Patrick Manning stated he represents Black Desert Resort and did the land use plan amendment for this property. He has enjoyed the collaborations with City, Staff, elected officials and the residents for the last decade. When James Rose's version came, it was hotly contested. Then when he came in we had a town hall meeting out at the Entrada clubhouse and discussed what was reasonable. That buffer zone was because residents said they'd like the same type of housing next to us. At the time that was a very reasonable request. We looked at pushing the density into the center, similar to what Jerry Miyahara is proposing. He is pleased to see him proposing less than what was first being proposed in there. Francine Crum stated she lives on Cordero Drive. She love this City but doesn't like what is going on around here. We should see mountains and desert. We don't want a brick and mortar town. Find an area where the resort belongs. Not in the middle of a residential area. It creates traffic and transients. Our neighborhood is safe. Kids play in our neighborhood. What happens when one of them gets hit by a car because of traffic? Put the resort somewhere else. Our vision is to have our neighborhood protected. Ivins should remain clean and pristine. That is how we want it in the future. CJ Coharcheck stated that she lives on Puerto. You have heard a lot of reasons tonight to just say no. The problem with going to Resort is once you are there, you only have the table of uses. Then you have to analyze all the options they could do if the zoning is changed, not the current promise. Mike Barton was talking about blue clay and has done the math. It will take 225,000 trips of 16 yard dump trucks to remove that dirt. That is a very sobering number when you are worried about traffic on Puerto with no existing Western Corridor. We have said in the General Plan that Ivins City is a resort destination. Let's check that box. Ivins has enough resorts. We don't need 500-6-- vacation rentals. What we do need is affordable housing. SITLA mission statement is administering trust lands prudently and profitably for Utah's school children and other trust beneficiaries. That is on their website. With the cost of housing in Utah continually increasing, providing affordable housing is a new kind of responsibility SITLA could take on. They are already the landowners. This would be consistent with the Houses Act introduced by Senator Mike Lee and Mitt Romney agrees SITLA land would be a good fit for affordable housing. Steve Nourse stated he has had a home in Ivins about 13 years now and they walk every day for two hours. The problem with the traffic is the speeds that people go to. The speed from that turnaround at the gas station is supposed to be 35 mph and guaranteed people go 50 mph going down that road. We can't get across because of the speed plus the amount of traffic. Now we compete with electric bikes and scooters. They are quiet and startle you. Think of the safety for the people of this town. Mike Hugo stated he lives on Mesa Vista and they looked all over Southern Utah to fit their needs before moving to Ivins. He played basketball in this church 30 years ago. He is not new here. They have a large lot because that is what they wanted, and now have that area build behind us, and the 150 ft buffer was a slap in the face. They didn't care about our opinion just did it to make accommodate. He was not against growth, but we can control it and do it in a way that is for the good of Ivins. Short-Term Rentals are not good for Ivins and have a lot of problems. The Harmons area is ugly. Lot sizes is why people move here for the way it is and not to be changed. He would encourage them to keep it Low-Density. They just want a place to golf and take our

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water. They don't care about us or the City. We should care. Steve Whiter stated he lives on Padre Canyon Drive. He is a stones throw from the SITLA property, also known as Rainbow Canyon. He has lived here since 2004 and it is hard to imagine that property being developed. It is a natural wonder. The General Plan is right on target. The plan presented to change this is incompatible with our General Plan. He urges you to vote in favor of the citizens and our quality of life. This proposal has no merit and he urges them to vote no. Let's walk that land. Bring your dog. You will come away with a different point of view. He would urge the City to find a way to preserve that land. Make it a park, or a nature preserve. Dale Coulam and Mayor Hart are influential and can get their way if they really want it. Nikki Hugo stated she lives on Mesa Vista and has since 2006. There was not much horse property here. A whole lot of retirement communities and high density, but not much horse property. It was 5 acres behind her and she thought it would be good so that they don't mind her chickens and horses. Now you want to put a resort high density with a little border behind me. People are not going to be happy to see my horses back there. There will be constant calls. Do not do this. Keep it country. We moved to Ivins because we wanted the country feel. Paul Winsat lives on Mesa Vista and over-excavated when we bought 30 years ago and it was BLM land behind us. That is now Resort Commercial. He understand that will bring in more revenue to the City and non-primary and resort taxes. High-Density scares me, especially when it is not homeowners. Resort Commercial won't let our next generation afford to buy more homes. He hopes the Commission weighs those conditions before making a decision. Connie Butterfield stated she lives on Puerto Drive, the worst piece of property in all of Ivins. She sits on the corner of 400 and Puerto. Traffic is awful and constant. They come to a screeching halt. It is a bottleneck going on 400 now. If there are rental units behind me, it can't handle it. It would be constant and no stopping it. It is hard to get out of her driveway now. Look at KSL news about what overnight rentals are doing to Moab. Take it into consideration. It is really horrible what is happening. It is driving all the people that live there out of that town. Duke Breitenbach stated he lives on Mesa Vista and most of us that have lived there 10 years or more have been involved with Black Desert Resort and SITLA. Hopefully items that were agreed to at that time would still apply under SITLA. Access on Mesa Vista washroad coming out of there is a concern, and those apartments down by Harmons, we do not want that at the SITLA property. Chuck Warren lives on Talasi Way and has been here 8 years. Wallace Stegner was known as the author of the west. He wrote a book at 90 plus years old and spoke of what is happening to the west in terms of growth and impacts, like water. This place has exploded in terms of growth in 8 years. It is unbelievable. It is being destroyed. Lisa Ganz stated on Zoom to vote no on this zone amendment. It will eventually be developed but larger less dense lots would be less impactful. We do not need Short Term Rentals anywhere in the City. They have no vested interest in our community. They come and go and will only impact our resources and quality of life and most residents are already questioning the need for more resort zoning. 5-600 units is way too much for this area. There would be two-story homes and this property is pristine. Two story anything will impact the vistas. Look at Santa Cara north of Harmons and the High School and see how they block the beautiful vistas. It is horrendous. Where is the water study, environmental study, traffic study? A thousand more cars on the road is insane. We will need traffic signals to replace roundabouts because we have too much congestion. Don't let developers comment there is market need and that they are following the City's vision. That is absolutely false. We need to get the tables and data updated in the General Plan to truly understand our housing needs. Do not make a major mistake with unintended consequences that the City cannot reverse. Vote no. Kent Fitzgerald stated he lives on Bickmore

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and knows this is challenging for the Commission. He used to live in east Ivins and understands as far as impacts go on their neighborhoods, on their life and serenity. What level of dialect do you have with other cities with regards to traffic? It is a mess down by Harmons. Communicate with Santa Clara and Washington County as a whole. If you aren't that could be a problem. Francine Crum stated she lives on Cordero and if this planning goes through is there consideration for planning to keep that area open so people can still do their recreational activities there? We are taking away our safe places to walk. Robert McFarland lives on Brianne Drive and has been a real estate agent for 7 years in Washington County. He understands most people are against this, so he would be interested to hear what Jerry Miyahara says about why this is the highest and best use of the property. He is a first time homeowner that was able to buy 2 years ago. It has jumped in price since then. With all the affordable housing issues, getting attainable housing for young families is a problem. Is this the highest and best use of the land? When we build out what are we left with? Kalynn Vanwagon lives on Cortez Trail and she knows the State of Utah has called a water emergency and Lake Powell is at an all-time low. The Lake Mead intake valve is visible for the first time since 1970. Water use alone, with 600 units, so a possibility of up to 2400 people increase to our population would put a significant strain on our water. In addition if each unit brings 1-2 cars that is 900 cars added to our population and traffic to our roads. Ivins really doesn't have the infrastructure to support that. We have lived in in a resort destination and it is difficult when all of those people influx into your town. It adds demand to law enforcement, Fire and EMS. They have little commitment to the preservation of the quality of life and economic future. They add traffic, poor air quality, increased demand on law enforcement, Fire and EMS. She feels this is a proposal that should be common sense. Vote no please. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing

F. Discuss and consider recommendation of a Zone Amendment for approximately 113 acres n the portion currently sown as R-1-10 (Single Family Residential, minimum 10,000 sq ft lots) to be changed to R-1-7.5 (Single Family Residential, minimum 7,500 sq ft lots) and the portion currently shown as RA-5 (Residential Agriculture, minimum lot size 5 acres) to be changed to RC (resort Commercial). Located at approximately Puerto Drive and 400 South. School Institutional Trust Lands Administration-Owner. Jerry Miyahara-Applicant.

Jerry Miyahara stated that there are complex issues that are present in a project like this. The land use discussion was hurting his head trying to keep track of all of that is complicated. When things get complicated it is always best to go back to the basics. He appreciates the references to the General Plan that have been made tonight. That is the vision direction that has been set up for Ivins. Greg McArthur is here from SITLA and Scott Stowell-CEO and managing membership of the partnership. Wayne Rogers with AGEC has done the soils studies, and Emily Andrus from Horrocks is here and just completed the traffic impact study. Goal number two in the General Plan is natural setting and establishes the goal to preserving natural beauty to give Ivins City its unique identity including the natural washes, lava beds and night skies. Goal number three is titled Economic Development to attract and sustain businesses. Goal number four is titled Resort Destination. It is to develop Ivins City as a resort destination and community including emerging housing options to cater to tourism. He has looked at the land use plan and the General Plan and that makes a lot of sense to him. You have set aside the east end of the City for resort uses. The economic viabilities of a City are vital at a long term legacy standpoint. Black Desert Resort is the start of that component for the City and these goal in your General Plan. They will create a source of revenue when the development and construction fees wrap up. Our extension of our

project is a natural extension for providing people that will be supporting those restaurants and retail stores, and will provide the economic basis for these goals in your General Plan to create a resort district. The challenge to this is the development sequence that takes place and it is set up for a purpose. There is a sequence as a project develops. Soils, engineering tests, all the architectural plans are all still steps ahead of us and they are all going to go through public hearing and input. This zone change is one step that is necessary to be able to allow the risk of investment to develop all of these plans and consultant work that is going to take place. In that process all along the way there will be input provided in coordination with residents in public hearings with the Planning Commission and City Council. It is important to understand that there is a continuing process of approvals. **Commissioner Derek Larsen** stated that the two minute per resident public hearing is over. This is his presentation. We have listed to your comments. Please be respectful of the process and his presentation. **Chairman Dave Robinson** stated it is nice to hear this presentation because there are many of you that have not heard this yet, and he doesn't have to tell us what he is doing. Let me make that clear. Give him your respect please. Jerry Miyahara stated four or five years ago there was 1000 units that came up with two large hotels and that created a storm. Then a plan came forth that reduced it to one hotel unit and established the transition buffer. That plan had around 6-650 units. This plan coming forth will yield around 5-550 units total and we continue to improve this plan. With a lot of input with residents and crediting Patrick Manning and Kyle Paisley with SITLA for spending a lot of time on that process. He had residents at his house a week ago. With that input the plan has continued to be refined and improved tremendously. There is no longer a hotel or spa. These are all residential single family detached for-sale builds. We will design a product that covers a spectrum of uses. All of these units will not all be nightly rentals. There is specific floorplans for nightly rentals and they are not doing that over the whole site. Our estimate is that somewhere around 40-50% units will be primary and secondary residences. We will be fully compliant with City water conservation and that is still being drafted and he has studied it. Wherever it goes to final approval, he will comply with every part of that. Water is a critical concern and he has ideas that are not in that ordinance that we would implement for water conservation. Horrocks did a traffic study. Traffic flows to the Western Corridor and to Snow Canyon Parkway and takes the bulk of traffic from our community. There is a minor portion that goes south to Red Mountain Road and down to Pioneer and 400 south. **Chairman Dave Robinson** stated that they are putting in their portion of the Western Corridor. Jerry Miyahara stated yes and part of Black Desert Resort development agreement is to extend the Western Corridor until it extends to Snow Canyon. Red Mountain Road that extends to Pioneer Parkway, that part of Black Desert Resort is being roughed in and on its way to being completed. **Chairman Dave Robinson** stated that road will be in and is part of that development. Jerry Miyahara stated yes and Hamblin Parkway west of Santa Clara who knows. But the connection to Pioneer Parkway and design and engineering of alignment off of Snow Canyon and the Western Corridor will be our main marketing access to the property. **Commissioner Doug Clifford** inquired what are those road dimensions? Patrick Manning stated that Red Mountain will be two lane with a turn lane. Jerry Miyahara stated regarding the soil side AGEC did a study several years ago. Single story flat roof around perimeters were not on our due diligence when we were doing the economics on this, but we agree to continue that promise that was made on the 7.5 zone. Trails and open space, we know development and the importance of interconnection, walking and biking trails. It is clearly a high priority on our list. There will be an interconnected pathway of trails and paths and connect to existing neighborhoods. The northern access into Mesa Vista is gone. There is no connection

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there. Commissioner Pam Gardiol had stated to him at an open house that the real test of what we do is what our grand and great grandchildren judge by what we did here. That is in alignment with his intentions. This is a legacy and a responsibility. His parents moved into Padre Canyon 20 years ago. We walked this site all the time. He is not insensitive to the special nature of this property. It will be well executed and sustainable. He is sensitive to limited resources like water. We will provide a project that we can all be proud of. **Chairman Dave Robinson** stated regarding support staff for these resorts, what is the affordability of that, is it in that range? Jerry Miyahara stated the scale is fluid but density of different types creates that range so that there are smaller units with higher density and keep that as far away from existing residents as we can. **Commissioner Pam Gardiol** stated that the project plan says detached and attached for-sale housing brings the offering of Short Term Rentals for all the homes. Jerry Miyahara stated under the Resort Commercial zone it has that ability, but our plan as far as floorplans and architecture is not to be solely targeted to nightly rentals. Closets for example. A nightly rental unit only needs only a small closet. Primary residences will have larger walk in closets. There will be product design for each type, both homeowners and nightly rentals. **Commissioner Pam Gardiol** stated in the last paragraph it talks about motorcourt townhomes. What is that definition? Jerry Miyahara stated that as a product type that is a common driveway entry way and units that all come off that central driveway. He can supply some pictures of an example. **Chairman Dave Robinson** stated similar to Desert Color. Scott Stowell stated motorcourt architecturally in higher density are intended to hide garages and then the units stack around them. It is kind of a clustering of garages and then the homes stack around them so there is not just a row of garage doors as you drive through the community. **Chairman Dave Robinson** stated that he has lived in Ivins 30 years and 18 years he was bordering this property. He has followed this from inception. He sold that home years ago and has some reservations on how some of this lays out. He struggles with the eastern side of Ivins being a Resort area, but as it encroaches upon houses there needs to be a buffer. He is impressed with the RE-37, but he has an issue at R-1-7.5. He thinks it needs to say R-1-10. The Ivins piece is a strip that is owned by the City. It is a drywash area that can run some serious water during a flood. On a previous plan it was R-1-10. His personal opinion is that he has always wanted to see a beltway or a park there. It just make sense. Ivins can't do anything with it because it is landlocked. The other part is wetlands. He would like to see R-1-10 and then that piece Open Space. That is just his opinion. **Commissioner Doug Clifford** stated these are tough decisions. No one thinks SITLA is going to ever turn this into a park. It is a State agency and they want the revenue and they have control over it. They can do what they want with it. Everyone that is the first house on their block, someone will build around you and it will not be what you envisioned it to be. That is hard to come to grips with. It will not be a beautiful open valley forever. We knew development was going to happen. The General Plan can be viewed from two different standpoints and come to very different conclusions. One of the responsibilities we have is to ensure we have adequate revenues to run our community. Until Washington County Water Conservancy District shuts us down we would be sued if we turned developments down. Until then, we are bound not to deny based on water. Given those issues this is our first test of our General Plan. Do we really believe that it is right when we say our City is going to be built around a Resort Commercial environment? We have avoided all other commercial and retail. Those are the mainstays of what keeps the community alive over time. So we are putting in resorts. Are they going to provide necessary revenues so that people can afford to live here? If the General Plan says we grow on the east side we should put the bulk of the density on that boundary. The boundary on the west

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side is inadequate with one row of RE-37. No one will buy those. If we had a plan where the density was more towards Black Desert to the east. They have got 113 acres that can stage those areas across. If we had more of a total vision of a staggered approach of how the density was going to move across that valley, it would really help. He liked hearing they will be preserving trails and pathways as much as possible to get people out of their homes and into the environment. Ivins is known for our trails and bike paths. That is a culture here we want to keep. He is concerned with the Short-Term Rental facilities that are coming in, along with everything from Santa Clara and Desert Color. Even out in Hurricane. Everywhere. We need to worry about that. It needs to be mixed with affordable housing. It is an abrupt change. He doesn't like overnight rentals. There are too many and doesn't meet the needs of phased residential areas that we like here. Something will go in there so let's make it the best and attractive as we possibly can. **Commissioner Derek Larsen** stated this is not an easy decision. The buffer of that neighborhood he doesn't love. Ivins is different than Santa Clara and Washington. Affordable housing or attainable housing in the past we haven't done anything telling developers that their homes have to be owner-occupied. Investors buy them and rent them out and we lose the opportunity to have our children and grandchildren stay in our area. He wants to see what will be owner occupied. Otherwise it is not affordable housing. It is just another rental property. We are a resort community but how much do we need? Black Desert Resort gives us some of that. Personally he doesn't see 500 houses going in there. We don't allow nightly rentals in Ivins and we are inviting it in that neighborhood and it doesn't match the General Plan. It needs a lot more buffering and larger lots typical of the neighbors around them. Similar size lots for density. He needs to see less lots and more buffering. Scott Stowell stated that these issues are all related to the project plan that we will bring back to the community. It will show densities. Before we can do that, we need to know what the zoning is. Resort Mixed Use would be better as Resort Commercial to get more structure. That is fine with us because we want a resort residential community that meets the General Plan and get the neighbors comfortable and do our fiduciary duty to SITLA and create something we are really proud of. We have done that many times throughout our careers together. We need to deal with the trail systems, open space and the amenities and public accesses to those. It is not a gated community. We really believe we are targeting primary residents. There is a significant undersupply. Nightly rentals will be in the resort commercial. We can come to an agreement as we move this process along. Nightly rentals are important to SITLA because they participate in perpetuity revenue that come from that. The majority of those tend to be secondary homeowners who put it in the rental pool to offset the cost of the second home. One management company will manage this with quality and consistently. **Dale Coulam** stated some of your last comments are making him lean back towards Resort Mixed Use. He heard that these are permanent residents and that a lot will be just residential. Higher density will be commercial with lockout units and thrown into the rental pool. That is Resort Mixed Use that allows that. Then you have Resort Commercial which is the horizontal hotel with a single management company that books reservations. He understood what was being proposed is all the units would go into a rental pool and all part of the horizontal hotel. Scott Stowell stated until we design we won't know but we intend to design houses that appeal to primary and secondary homeowners. Desert Color has no master bedrooms. We are not targeting that. He sees higher density condos that would be appropriate for nightly rental. **Dale Coulam** stated he may back off his recommendation of Resort Commercial and it is starting to sound more like Resort Mixed Use. That is fine. You can do exactly what you are proposing. He is not opposing it, but just trying to match the zone. What he has been hearing tonight and he is

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sorry if he has misunderstood, but this is sounding more like Resort Mixed Use. That may be the best land use and zone because it gives you more flexibility to do what you are saying. The Planning Commission needs to recommend a zone and it sounds more like Resort Mixed Use to him. Scott Stowell stated if that allows rentals as we need to see fit. That may work for them, but he would need to check with SITLA. He believe he could probably get consensus on that from SITLA. **Commissioner Doug Clifford** stated what we don't want is what is happening in Santa Clara. The idea of a mixed environment that is a high percentage of residential would be wonderful. What is our guarantee? What if we didn't overlay the whole thing? Scott Stowell stated he would have to talk to SITLA. That is an important revenue source for the Trust Lands. We know how to transition densities. Ivins is a high-end residential resort community. It is nothing like Desert Color or Santa Clara. Great design and architecture and high quality housing. Affordable housing is going to be most challenging. **Commissioner Derek Larsen** inquired what percentage do you think we are going to see as open space? Scott Stowell stated we know we have to meet open space requirements. There are a lot of natural washes, amenities, pickleball and opportunities to cluster in around the lava. The extension of the Western Corridor we have to dedicate the full 54 ft Right of Way. We only have to build half of it, because traffic does not require the full width. The other half for however long it takes would essentially be a park, walking and biking trails. **Dale Coulam** stated Resort Mixed Use requires a zoning application. You would have to address the project plan and have that in place and the Planning Commission has to see it and City Council approves it. He has concerns with project plan because they can kind of change the zoning but if one use is Resort Commercial use and one has lock-off units but other parts are strictly residential with primary owners that is Resort Mixed Use. That is not resort. Resort Commercial is intended to attract Short-Term Rental guests. City Council will do what they want with the land use. You have recommended resort with a couple of zones. He would have to clarify that for Council. **Commissioner Pam Gardiol** stated that we see in the document that was more marketing piece than a report to the Commission one thing and are now hearing another. She would rather see in writing what you are saying. She doesn't doubt their intentions but what is being said is not what is in your report. General Plan goal number one objective is to protect the superior quality of life and the objective is to encourage the type of development that enhances the qualities that make living in Ivins City desirable. The General Plan is that to which we aspire. We need to look at that as we are making decisions. That type of development creates communities where people interact in with each other and fosters understanding, collaboration and working for the common good. Community is not what she read in that document. Community is defined as a body of persons having a common history and/or common interest or joint ownership, participation, focus on the interest of the community. Developers come to be a part of that community. Foundational principles are the hub in which all the spokes of the wheel and the actions that we take are tied. Open spaces, lava beds, night sky, unmarred hills, views of the natural setting, businesses that reflect our common values, orderly growth. Growth there will be, it is the basic law of the cosmos. Growth with character of community and surrounding natural beauty, and encouragement of development that preserves a sense of neighborhood, preservation of our areas for a rural lifestyle consistent with local heritage, environmental protection and development that harmonizes. In this document you talk about Short Term Rentals and these are the things she has been concerned about. PBS had a special on what is happening in Zion because Springdale can no longer accommodate everyone, and Rockville bless them will still not allow commercial unless you are a bed and breakfast. Short Term Rentals does not give an implication of sense of neighborhood. All homes could be

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Short Term Rentals is what is written and she doesn't see this being in the best interest of our community. Ivins has defined itself as a resort community and we must identify what that means on the impact of the principles of the General Plan. There is a tipping point of critical mass where natural resources have been so profoundly exploited in the name of resort community that you can't go back. She called the State regarding Snow Canyon and in 2021 there were 841,529 visitors, which was up from 140k in 2020. It is the fourth most-visited State park. The State parks are seeing a new kind of visitor, ones who don't know how to respect the park and there is an increase of damage. At what point has resort community been maxed out. How many people do we bring here that are not members of the community or who do not respect the area. People want those overnight rentals and we have to look at those kinds of things. Our next generation will either curse us or bless us for what we have done. She will hold the developer to put it in writing what you are saying. We need to be sure we are not exploiting natural resources rather than taking care of them. Scott Stowell stated that SITLA and the City have to work together to figure out what that right mix is. That is part of the process. Resort Commercial permits that as a use. It could apply to all of them, but it doesn't apply until it is approved. We have not mis-stated. We will come to an agreement through this process. He is happy to put that in writing. The City participates in that nightly rental revenue as well. **Chairman Dave Robinson** stated that the topic is zone change. He understands the process and even if we approve what is here they come back again and again along the process. His understanding was it was all one big nightly rental other than the border houses. We have a basis of some being actual homes and that changes his perspective a little bit. Maybe what we are doing with zoning is incorrect for what you need. Scott Stowell stated we can still do that in either zone. **Dale Coulam** stated the definition of Resort Commercial contradicts that. It says short term rental for guests. If you market to permanent residents that is great. There would be support for that. The right fit for a zone would be Resort Mixed Use. Do a project plan where we get to see it before we approve it. So that the writing of what you are doing is consistent and lays out where the residential is. Simplify the process and look at the table of uses. You would take one residential and one commercial and develop your own table of uses for that project. You are still applying for our zoning but you get to choose the uses. It would be wise to maybe rezone as Resort Mixed Use but first work together with SITLA and start going in that direction. **Chairman Dave Robinson** inquired if the intent was for the whole thing to be available to be rented nightly? Scott Stowell stated we suggested Resort Commercial overlay and the expectation will be 50% primary home buyers. Unless they want to put their home in the rental pool, which he doubts. We were letting the market determine and design to the market, not to nightly rentals. **Chairman Dave Robinson** stated that he thinks the majority of people want more buffer. Greg McArthur represents SITLA. He stated that Desert Color and Sienna Hills in Washington both have nightly rental overlays over the majority of the project and it is 30-40% that operate as rentals but the rest is homeowners or second homes. Both communities have one HOA that manages it and tracks all that so we have solid concrete data on that. This development will follow along those lines as well. **Commissioner Bob Morris** stated that this has gotten better from what was approved a year ago. He agrees with the 10,000 size lots and the buffer was bigger than what is showing on that strip. Show detail of what size that buffer area was. **Dale Coulam** stated RE-37 but there is a provision in the zoning text that a buffer is one row of homes. To require more than that may not be legal. Unless you change the code. **Commissioner Doug Clifford** stated we can ask that without doing anything. **Dale Coulam** stated in the project plan we could negotiate that out. **Chairman Dave Robinson** stated keep the perimeter as homes and non-rentals. Single

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family homes. Density and nightly rentals in the center. Scott Stowell stated we are sensitive to that. We can work that out. **Commissioner Pam Gardiol** stated she would like to see the number of nightly rentals in relation to all buildings on that site. **Commissioner Doug Clifford** stated SITLA is looking at this thing as an investment. They are going to have to take this back and look at it. **Commissioner Pam Gardiol** stated we can meet the needs of inevitably of development that will occur there if we all come to the table and talk through it. Scott Stowell stated he will propose that to them. Greg McArthur stated that he can speak for SITLA. He was born in St George and sits on their City Council. He understands the process. He can honestly tell you this is a good development group with a long time track record. They will work with the City. SITLA has an option to where it has its own mandate and does not have to operate within City bounds and it can do what they want on their land if they choose to do so. In the history of SITLA that option has been executed zero times. That is not what SITLA wants. They want to work with the community and get the best outcome. We are absolutely open to working with the community.

MOTION: Commissioner Derek Larsen moved to table recommendation of a Zone Amendment for approximately 113 acres n the portion currently sown as R-1-10 (Single Family Residential, minimum 10,000 sq ft lots) to be changed to R-1-7.5 (Single Family Residential, minimum 7,500 sq ft lots) and the portion currently shown as RA-5 (Residential Agriculture, minimum lot size 5 acres) to be changed to RC (resort Commercial). Located at approximately Puerto Drive and 400 South. School Institutional Trust Lands Administration-Owner. Jerry Miyahara-Applicant.

SECOND: Commissioner Pam Gardiol

VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Bob Morris	AYE
Commissioner Pam Gardiol	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE

G. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for May 3, 2022

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for May 3, 2022

SECOND: Commissioner Derek Larsen

VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Bob Morris	AYE
Commissioner Pam Gardiol	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE

4) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

5) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT
SECOND: Commissioner Bob Morris
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Bob Morris	AYE
Commissioner Pam Gardiol	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE

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