IVINS CITY
PLANNING COMMISSION
MINUTES
March 21, 2023
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 Bob Morris, Commissioner Doug Clifford, and Commissioner Derek Larsen.
Staff Attending: Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator, Fred Castagne and Sharon Allen-Deputy City Recorder.
Audience Attending: Dean and Helen Cavaletto, Chris Haddad, Barbara Lewis, Craig Cooper, CJ Koharcheck, Sharon Gillespie, Lynette Miller, Michael Cook, Michael and Sharon Barton, Dave Appel, Lance Anderson, Larry and Ronda Page, Lisa Ganz, Steve Kamlowsky, William Thompson, Debra Hafen, Elizabeth Mackay, as well as others that did not sign in.

A. Acknowledgement of Quorum
B. Flag Salute--Commissioner Doug Clifford
C. Invocation--Commissioner Doug Clifford
D. Disclosures--None

2) REPORTS, PRESENTATIONS AND APPOINTMENTS

A. Retreat at Snow Canyon Concept Plan Report, located at approximately Puerto Drive and 400 South. SITLA-Owner. Jerry Miyahara/EWD, LLC-Applicant.

Mike Haycock stated that this is located at 400 South and Puerto Drive and abuts Black Desert Resort. R-1-10 is the buffer zone to the west. To the North it is an RE-37 buffer, with RM in the middle. Resort Commercial is on the east side abutting Black Desert Resort, which is also Resort Commercial and Hamblin Parkway goes through the project and acts as a divider for the RM Multi-Family zone. The only zone that requires amenities is the RM Multi-Family zone. The only high density is in the middle of the project in the RM Multi-Family zone. The table shows the amenities and what type of units there are. The stubbed drives and motor courts are basically shared parking areas. Sensitive Lands, Preliminary Plan and Conditional Use Permits will be their next step. **Commissioner Pam Gardiol** inquired as she looks at the proposed plan, if there is an elevation plan that shows integration of the design with existing lands? Are they proposing to clear-cut the land? It is a tightly packed development, knowing and having walked that area. **Mike Haycock** stated that the Sensitive Lands Committee will look over the outcroppings and topography and ridges and make those decisions. We don't go into elevations on concept plans. When we get through the next few stages and the project develops more, we will see the topography and heights of the buildings and what this project will look like. **Commissioner Pam Gardiol** stated some will be three-story buildings. Where are those located? **Mike Haycock** stated that is in the Resort Commercial zone. The east side of Hamblin Parkway. They can be up to 35 feet tall. **Commissioner Pam Gardiol** stated it is very tightly packed and the only open space she sees is naturally the wash. What mitigation is being done? Are they armoring that wash? **Dale Coulam** stated that everything west of the wash is a subdivision application process. There will be a concept, a preliminary, and a final plat. Because this involves sensitive lands, the

Sensitive Lands Committee will have a review. It takes place before or during their Preliminary Plan. On the east side of the wash is the commercial resort, which is also a site plan, or a concept plan. It is to notify you and the City Council that this is what they are thinking of doing and then the detailed plan comes in the next stage. Anything commercial goes through a Conditional Use Permit process and the Planning Commission will look at potential adverse consequences from the project and impose reasonable conditions to mitigate or offset those adverse impacts. The whole project overall, will have a development agreement. Those together will all outline specifics, as we go through the additional detailed application processes. It is hard to say without the evaluation from the Sensitive Lands Committee to say what is sensitive and what to mitigate. They will point out sensitive areas for the Conditional Use Permit or the Preliminary Plan. Then the Commission and the public when a Public Hearing is held, will have input. It is ultimately up to the City Council to then decide what those mitigating factors and adverse impacts will be. There is a ridge along Puerto that doesn't show as the concept map looks flat as drawn on paper. The Sensitive Lands Committee will determine if that is a ridgeline that is to be protected as defined in the sensitive lands ordinance. They also determine degrees of slope. There is a much more involved process yet to come. This is a peek that allows us to start getting ready. The Sensitive Lands Committee is next and a ruling by City Council and then their other applications can proceed. The terms of the Development Agreement and Conditional Use Permit are then fleshed out. This is a report explaining what this peek is showing, and there is a much more involved process to follow, as Black Desert Resort did. They also had a lengthy Development Agreement and Conditional Use Permit. This will be similar. Conditions may also be referenced in the Development Agreement because it runs with the land. It binds any future owners to the same terms. **Commissioner Pam Gardiol** inquired about the denied stay? **Dale Coulam** stated that there was an appeal filed on the zoning of this property and a motion to stay, which was denied by the Judge. The applicant at their own risk is proceeding with filing an application. If the appeal is successful and the decision of the Council is overturned the developer would go back to zoning. Then all of these applications would be for not.

3) PUBLIC HEARING AND ACTION ITEMS

A. Public Hearing on Movara Villas Amended and Extended Preliminary Plan, located at approximately 290 W Fitness Way. Movara Fitness, LLC-Owner. Cameron Kelsch-Applicant.

Mike Haycock stated that this is located at Hwy 91 and Fitness Way. They would like to add one unit and have added parking for it. It meets zoning and TRC has reviewed and recommends approval. **Commissioner Pam Gardiol** stated that in the staff report it states that the subdivision complies with City ordinances by obtaining and satisfying any documentation requested by city engineer or other appropriate city staff member regarding agreements with adjacent owners. **Dale Coulam** stated that there is a joint parking and access agreement. **Chairman Dave Robinson** opened the Public Hearing. Fred Castagne stated that no one was on zoom. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

B. Discuss and consider recommendation regarding Movara Villas Amended and Extended Preliminary Plan, located at approximately 290 W Fitness Way. Movara Fitness, LLC-Owner. Cameron Kelsch-Applicant.

MOTION: Commissioner Derek Larsen moved to approve recommendation regarding Movara Villas Amended and Extended Preliminary Plan, located at approximately 290 W Fitness Way. Movara Fitness, LLC-Owner. Cameron Kelsch-Applicant. Roll Call Unanimous.

SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

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

C. Public Hearing on the Crossings at Red Desert Amended Preliminary Plan, located at approximately 800 South Main Street, VE Management and Investment CoOwner/Applicant.

Mike Haycock stated that this parcel is located at Main Street and 800 South. The approved original Preliminary Plan showed this phasing line along the road, but they would like to amend the plan to the back side of that row of townhouses and also picking up some amenities on this phase. **Dale Coulam** stated that the draft Development Agreement has been provided to the applicant. The only change they are making to the previously approved Preliminary Plan is the phase line. Assuming the Commission and City Council approve to amend the Preliminary Plan, the developer will be on hold until we get the Development Agreement back. It won't be on an agenda for final plat until the Development Agreement is finalized and approved. **Chairman Dave Robinson** opened the Public Hearing. William Thompson lives on 800 South and received his notice a week ago and this is the first he heard from the Planning Commission about the development. What is the standard notice procedure? **Dale Coulam** stated we publish notice in the newspaper, our website, and the Utah Public Notice website by statute. As a courtesy we mail to owners within 300 feet of the project. William Thompson stated the amendment is minor, but this project is a huge development. **Dale Coulam** stated this project originally had on it a Short-Term Rental Overlay. They have elected not to do Short-Term Rentals on this project and the Development Agreement will reflect that. That runs with the land. There is also a different set of design guidelines for Short-Term Rental projects, so they would have to start over if they wanted to do that. They have elected not to. Sharon Gillespie lives on Ridgecrest Circle. She stated that this is Phase One. Can the Short-Term Rental apply to future phases? **Chairman Dave Robinson** stated this is for the whole project. Sharon Gillespie inquired if they sold would the Short-Term Overlay remain in place? **Dale Coulam** stated the Development Agreement will be recorded and run with the land and be in the chain of title. They will not be allowed to do Short-Term Rentals on this property. Debora Hafen lives on 800 South. She did not get any notifications. She is a neighboring adjacent property owner. This is property that her sister sold a few years back. The irrigation water line was on the developer's property. She has taken out that pipe. The developer should be responsible to lay the pipe back down since we moved it because of them. What wall will be between our property? She is concerned that children will decide to make her field a playground and no one is allowed on her property without her permission. Elizabeth Mackay stated she lives on 675 South. How many lots are in Phase One? **Mike Haycock** stated that there are an additional twelve lots in Phase One that are taken out of Phases Two and Three. They are taking four out of Phase Three, and eight out of Phase Two and moving those to Phase One. Plus two amenities. Fred Castagne stated there was no one on zoom. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

D. Discuss and consider recommendation regarding the Crossings at Red Desert Amended Preliminary Plan, located at approximately 800 South Main Street, VE Management and Investment Co Owner/Applicant.

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Commissioner Pam Gardiol inquired if the motion is to approve pending the submittal of a Development Agreement? **Dale Coulam** stated no the amended Preliminary Plan is not held up by the Development Agreement. You make a recommendation and then City Council will consider it. They will not be able to go past that until the Development Agreement is worked out. **Commissioner Doug Clifford** inquired what is the reasoning for this amendment? Steve Kamlowsky with Brown Consulting stated that they need to do utility laterals on both sides of that road so they decided to do that whole road now so it will look like a complete neighborhood. **Commissioner Derek Larsen** inquired if it will be a block wall that borders the subdivision? Steve Kamlowsky stated yes. There are a total of 78 units in the project. Most are townhomes and 14 duplex twinhomes.

MOTION: Commissioner Bob Morris moved to approve recommendation regarding the Crossings at Red Desert Amended Preliminary Plan, located at approximately 800 South Main Street, VE Management and Investment Co Owner/Applicant. Roll Call Unanimous.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried.

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

E. Public Hearing regarding Zone Amendments on Table 33-2 to allow Dwellings in the Resort Commercial Zone.

Mike Haycock in the Resort Commercial Zone, Mixed-Use Overlay was the only route to do Single-Family, condos, or two-family or multi-family dwellings. The concern has been why do a Mixed-Use Overlay for a less aggressive type of structure when it should already be in the table as being allowed? We have it for your recommendation to make it a Class IV Conditional Use Permit instead of not allowed. **Chairman Dave Robinson** stated the idea is that Resort Commercial and Resort Mixed Use would for residential to be built within those zones? **Dale Coulam** stated correct. You could have residential subdivisions within a commercial project. This eliminated the requirement of a rental pool and gives them flexibility and not have to use the entire zoned parcel as Resort Commercial for potential overnight rentals. You could have a neighborhood in there. Like Black Desert Resort's North Village, there is a portion for permanent homes. Technically things are supposed to be in a pool because of the way the table read. This will get the Table of Uses up to date and accurate so when people go online they can see what the ordinance actually requires. **Chairman Dave Robinson** opened the Public Hearing. Michael Cook lives on Padre Canyon Drive and inquired what the effect of this is? It appears it will create much more latitude for developers to put Short-Term Rentals in with residential development. **Chairman Dave Robinson** stated that it would actually do the opposite. **Dale Coulam** stated that we have told developers that right now, they have to put them in a rental pool and if they want to have a residential neighborhood that doesn't have Short-Term Rentals they would still have to be in a pool. **Chairman Dave Robinson** stated what this does is if you have Resort Commercial the residents within there don't have to be a part of the pool or be part of Short-Term Rentals. Michael Cook inquired if they are Short-Term Rentals would they still have to be in a pool? **Dale Coulam** stated yes they would. Fred Castagne stated that there was no one on zoom. Lisa Ganz lives on Bickmore and inquired why this is a Class IV rather than a Class V? **Dale Coulam** stated that is what it has always been. The Planning Commission can make a

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different recommendation since the Table is up for amendment. Lisa Ganz stated she encourages it being changed to a Class V. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

F. Discuss and consider recommendation regarding Zone Amendments on Table 33-2 to allow Dwellings in the Resort Commercial Zone.

Commissioner Doug Clifford stated that someone opting out internally of not being in the Short-Term Rental pool would also run with the property. It is not an ownership change. **Dale Coulam** stated it is easy if they want a section of residential neighborhood in a Development Agreement but in the resort portion of the property if you have someone that never wants to rent and they want to opt out, they would have to record something to have it run with the land. It is possible. **Commissioner Doug Clifford** stated it would be an extra burden on the owner to go through that. **Chairman Dave Robinson** stated the goal is that someone can put regular housing within Resort Commercial that is designated as a non-rental. They can have residential without a zone change and go with the property forever to never have to be in a pool. **Commissioner Pam Gardiol** inquired about the pros or cons of a Class IV versus a Class V? **Chairman Dave Robinson** stated he doesn't see the need to go to Class V. **Dale Coulam** stated that Class IV is a Public Hearing before the Planning Commission and you make the decision. Class V is a Public Hearing before Planning Commission and decided by City Council. **Commissioner Pam Gardiol** inquired if that second review is recommended? **Dale Coulam** stated not really. If you think City Council should be the deciding body you can recommend that. They see these minutes so they could also recommend that it be changed to a Class V themselves. **Chairman Dave Robinson** stated that traditionally is has been this body for these types of items. **Commissioner Bob Morris** stated this doesn't need to go to City Council. It is going away from Short-Term Rentals which is what we want. It can stay a Class IV. **Dale Coulam** stated your recommendation tonight is moving on to City Council because it is a zoning ordinance which is recommended by Planning Commission and decided by City Council.

MOTION: Commissioner Bob Morris moved to approve recommendation regarding Zone Amendments on Table 33-2 to allow Dwellings in the Resort Commercial Zone. Roll Call Unanimous.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Continued discussion of the General Plan Chapters 1-3.

Chairman Dave Robinson stated that he has read the notes from Commissioners Pam Gardiol and Doug Clifford. Last time we met we went through each one individually. He is hoping it has already been reviewed and we can just answer if there a question on anything you have read? The two do overlap. Commissioner Pam Gardiol wrote the vision statement and included much of what Doug Clifford had written, with a few variations. **Commissioner Pam Gardiol** stated she tried to honor Commissioner Doug Clifford's work and synthesize the two, not supersede. **Commissioner Doug Clifford** stated he liked it and that after receiving Commissioner Pam Gardiol's vision statement he thought it was good, but we should go through

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it so we all agree point by point. We need a review of section two which is the data and body of facts. **Chairman Dave Robinson** stated that we said those data of facts will be an appendix and relate back. **Commissioner Doug Clifford** stated we need to see how that will look. **Chairman Dave Robinson** stated that is formatting. **Commissioner Doug Clifford** inquired who will do the final writing? Does Mike Haycock do the wordsmithing on that? **Mike Haycock** stated if assigned to him, he will do it but it is your General Plan. You understand best where you want to go. You need to agree on your concepts and we will help from there. **Chairman Dave Robinson** stated we need to get it worded the way we want it then we can format it and implement everything together. **Commissioner Doug Clifford** stated we took it and just moved things into the right place, there was a lot of replication in the original document. We took that out. Commissioner Pam Gardiol took the vision statement and from there it has brought down a number of points in Chapter Three as goals or objectives and making sure they each meet all key points. We have reduced the repetition. Let's make sure we have the 15 goals covered in this current work. **Commissioner Pam Gardiol** stated however we reformat this, there should be more financial data and included and make it quantifiable. We have not yet addressed that. **Chairman Dave Robinson** stated we discussed referencing that data. Or you want to put more of that data at this level here? **Commissioner Pam Gardiol** stated yes. In some cases we will reference, but in others we haven't identified what those quantifiable elements might be. There are other descriptive tables included. She is not saying we have to do it, but are there areas where we want more clarification, timelines, etc? **Chairman Dave Robinson** stated he agrees it needs to be connected. We can plug those things in as we go. **Commissioner Pam Gardiol** stated the end document must holistically cover all of these elements. She read the vision statement. Ivins is a community where we feel safe and secure. We belong here. We respect and protect the magnificent landscape that defines the unique and spiritual sense of place honored by the peoples who have lived here for centuries. We carefully plan for change always remembering that we have borrowed the land from future generations. Our growth stewardship creates homes for all who are drawn here. We recognize that any ecosystem, including our community, thrives only with diversity. We craft open, uncrowded spaces to bring people together to recreate, talk, support each other, and work collaboratively for the common good. We have a multitude of recreational opportunities so that all citizens and guests can be transformed by the grandeur of this place. We draw professional and commercial services that support our citizens and our City's financial needs. We encourage and draw arts and cultural experiences that permeate the community's culture. **Chairman Dave Robinson** stated he likes it but one concern he saw was "we craft open and uncrowded spaces." How is that perceived on more dense projects? Some will be more dense to appease the State for affordable housing. **Commissioner Doug Clifford** stated as it drops down from the vision statement to an action item it reflects what we are proposing. It is not actionable. It is a vision. She is pushing the City to look at even crowded spaces, to leave a semblance of openness in dense communities. It will take a lot of clever design changes and ingenuity on the part of designers to get that look at feel. **Commissioner Pam Gardiol** stated on Moderate-Income Housing she has looked for best practice designs across the country and following the 20 principles of design, where you have the density but the whole project can be beautifully designed. **Commissioner Derek Larsen** how does that design get enforced with an ordinance? **Chairman Dave Robinson** stated there are ways. We used to do it. We have had to change the way we have done things in the City. He is good with the vision statement. **Commissioner Doug Clifford** stated we can continue to offer density bonuses to people who need to consolidate open space. If they are little sanctuary areas

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in the middle it really does function as open space. Thanksgiving Point is crowded but they use it for wedding receptions and they are not large, but the landscaping and placement of buildings makes it feel like you are alone in a busy environment. There are things we can do if that is the encouragement. San Francisco has block houses that are all the same. Let's not do that. We want to avoid the ones like in Santa Clara. **Chairman Dave Robinson** stated we used to request that a subdivision have so much park or open space, and we have shifted that to drainage basins. They are there for a purpose, especially lately. So having read this, he thinks this is great. He is hoping not to read this all over again tonight if anyone has comments. If we like this language let's solidify it and format it and insert our tables and graphs. **Commissioner Pam Gardiol** inquired what additional info do we need in order to quantify, cross-reference or bullet anything that is no longer relevant? **Chairman Dave Robinson** that is the input he is looking for. He marked his up for items he wanted to discuss. **Commissioner Doug Clifford** stated on Vision Element Section A.a. we agreed to leave it. **Commissioner Pam Gardiol** inquired is that information all current and has anything changed? **Chairman Dave Robinson** stated that for years we were the only one that had a no-kill shelter. We still have that. That family worked hard on that. **Commissioner Derek Larsen** stated we should add "no-kill" to the "animal control." **Commissioner Pam Gardiol** stated she could draft a statement about that. **Commissioner Doug Clifford** stated that we have current goals 14 and 10. **Commissioner Pam Gardiol** stated she put everything in under each section. **Chairman Dave Robinson** stated that is all he has for that section to show that we are a pet-friendly area. **Commissioner Doug Clifford** stated Section A.b. says "Ensure that public facilities, services, and utilities are adequate to meet the needs of present and future residents of Ivins City." That is similar to emergency services. **Chairman Dave Robinson** stated so we are good on that section. Goal A.b states "Assess impact fees as necessary to *ensure* that new developments are paying the appropriate costs of the utilities and services. Analyze current levels of service for City services and set targets to be maintained as future development occurs. Assess user fees as necessary to provide funding for established levels of service. Promote energy and water conservation in existing and new developments." **Commissioner Doug Clifford** stated on the water, it should be a whole separate section. Stick that in Goal 12 which is water development or responsible growth section. **Chairman Dave Robinson** stated on "Through Special Assessment Areas or other means, bring older neighborhoods within the City up to standard in terms of public services." Is that what gets brought in? Roads? **Commissioner Pam Gardiol** inquired is it infrastructure? **Dale Coulam** stated we have used that for streets in the old section of town. Special assessment means it will be placed on your property and it is not popular. In the old part of town there was a recession and cost dropped dramatically, so we got good bids but the City also paid a portion of those costs. It goes through a process and that one passed. There were other attempts that did not pass. It is an infrequent tool. **Chairman Dave Robinson** inquired about infill curb and gutter? In some cases we go in when there is not a project there. How doe those get paid for? **Dale Coulam** stated generally we don't pay for infrastructure development. However, sometimes there are small sections and we don't foresee development in the near future. Staff may then recommend to the City Council that they approve an expenditure for the City to do those improvements. Many times it is for safety concerns so we want it completed. It is up to the Council to decide which gaps are completed at the City's expense and whether we have the budget for it. There may also be a balance in a fund for it. Chuck Gillette budgets for a small amount of gap fill to be done each year. **Chairman Dave Robinson** stated so it doesn't get charged back to that property owner. **Commissioner Pam Gardiol** stated regarding the special

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assessment areas do we even need this bullet in here? **Dale Coulam** stated you don't necessarily need the bullet in there. The Statute allows that as a tool. This just puts out there that it is possible. Again, it is not the most popular. Most people wait until their property sells and then we get paid in a lump sum. No one wants to lien for foreclose a property over it. You don't need it from a legal standpoint. It is a Statute. **Commissioner Pam Gardiol** inquired so this is more informational? **Dale Coulam** stated yes. **Chairman Dave Robinson** inquired how many parts of town would there ever be a need for this assessment? **Commissioner Doug Clifford** stated if we need a fire hydrant by code but there is not one there, we may need to add that. It is something that is available to use. Leave it in. Chairman Dave Robinson stated the next one is to "continue to support and promote public transportation." **Commissioner Doug Clifford** stated put that in the public transportation section. We are talking about transportation twice. **Commissioner Pam Gardiol** stated or public services. **Chairman Dave Robinson** stated no those are mostly utilities. Put it in transportation under Goal 8. Next is "B Vision Element. We belong here. Maintain a strong sense of place and individual identity for the City. Guide development in a manner that enhances the City's appearance. Protect scenic vistas and the visual quality of entrances to the City." **Commissioner Doug Clifford** stated we aren't guaranteeing that everyone has a view. **Chairman Dave Robinson** stated next is "Encourage the preservation of farmland and open pastures that recall the agricultural heritage of Ivins City." **Commissioner Doug Clifford** stated that the issue on that one is if someone has farmland that want to change it to something else have the property right to do that. Unless the City is going to buy it. **Chairman Dave Robinson** stated they don't have that kind of budget. **Commissioner Pam Gardiol** stated that is why it says "encourage." **Chairman Dave Robinson** inquired can we do anything as a City to promote or encourage that? **Commissioner Doug Clifford** stated if we don't have an action item to put in an ordinance we probably can't. **Dale Coulam** stated if you bring the word "encourage" down to the "agricultural heritage" instead of at the top. Then you don't strike it entirely. **Commissioner Bob Morris** stated there are groups that come together and buy land from farmers with an agreement that they won't develop it. **Chairman Dave Robinson** stated the next section says "Establish logos, slogans, mottos, street signage, street lighting, street furniture etc. that are unique to Ivins City." We are good there. The next section is "B.b. Goal 13 Establish neighboring communities, maintain friendly, neighborly relationships with the Shivwits people, Washington County, the cities of Santa Clara and St. George, and other Washington County cities and organizations. **Commissioner Doug Clifford** inquired what does that imply and what is the strategy and goal underneath them. **Chairman Dave Robinson** stated we worked with them on Fire Lake and we worked with St George on Sandhollow Aquatic Center. It is still valid. **Commissioner Pam Gardiol** stated maybe some bullets noting associations we have had. **Chairman Dave Robinson** stated next section is "C. Vision Element. We respect and protect the magnificent landscape that defines the unique and spiritual sense of place honored by the peoples who have lived here for centuries. a. Goal 2 Natural setting. Preserve the natural beauty and vistas that give Ivins City its unique identity, including the Red Mountain and the other natural hillsides that surround the City, the natural washes, the lava beds, open spaces, and the night sky." **Commissioner Bob Morris** stated add "mutually beneficial relationships" on neighboring communities. **Chairman Dave Robinson** stated natural hillsides could be subject to argument. If we annex across Hwy 91, would it limit us to be able to build there, although this is just a vision statement? **Commissioner Pam Gardiol** stated to answer the concern what if we said "work to preserve" and in some cases preservation would not be prudent. **Commissioner Doug Clifford** stated we won't be changing things outside City limits. This is within City

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limits. What actionable thing would happen? **Chairman Dave Robinson** stated take into consideration the reservoir and the new projects going in around that in very hilly areas. **Commissioner Doug Clifford** stated that is within. This says outside City limits. This says surrounding. **Dale Coulam** stated as he reads it there would be actions as a City, like preserving vistas that gives Ivins City its unique identity. We may look at something outside the City but doing that within the City. **Commissioner Doug Clifford** stated we do that with heights of buildings. **Commissioner Derek Larsen** stated let's add "work to preserve." **Chairman Dave Robinson** stated yes that is fine. The goal is to not do something within the City that obstructs it. We can't save everyone's view. The next section is "i. Natural Supporting Objectives: Ensure that development patterns and building scales reasonably preserve views of the City's natural setting." **Commissioner Doug Clifford** stated that one really says it. We could combine the two. **Chairman Dave Robinson** stated that one is the Goal. The objective is below it. "Provide incentives for preserving open space and the lava beds." **Commissioner Doug Clifford** inquired what incentives do we have for things like that? **Chairman Dave Robinson** stated density bonuses and things like that. He would like to see more. "Discourage the development that would mar the hillside surrounding Ivins City." We have zero control over that. Should we keep that? We should strike that. **Commissioner Pam Gardiol** inquired if it went along with establishing mutually beneficial relationships? **Chairman Dave Robinson** stated the next section was "place existing and future power lines underground and remove existing poles." He likes it but is it within the City's power? **Dale Coulam** stated you should put a condition in like "when possible." They are not owned by us, so it is with third party permission. There are some above ground lines that carry too much power to go underground. **Commissioner Derek Larsen** inquired if we can add that the developer pays that? **Dale Coulam** stated it is sometimes addressed in the franchise agreement so there are circumstances that trigger it being lowered and who pays for it. **Chairman Dave Robinson** inquired could we add "encourage development to put future and existing power lines underground and remove poles where possible?" Commissioner Gardiol stated "and with third party permission." **Chairman Dave Robinson** stated the next section is "Encourage architectural lighting, landscaping and the use of colors that blend with the natural surroundings." This is an issue with personal property rights. **Commissioner Doug Clifford** stated the State may have something to say about that. We wish we could. **Chairman Dave Robinson** stated he doesn't. **Commissioner Pam Gardiol** stated it does say "encourage." **Commissioner Derek Larsen** stated we could put the word "by subdivision" in there. **Commissioner Pam Gardiol** stated the way it is written is pretty broad. **Commissioner Derek Larsen** stated that the State has been very clear about colors. **Chairman Dave Robinson** stated we talk about keeping the History of Ivins and how it was. Drive through Old Ivins and look at the colors of those houses and tell me we are trying to abide by the original colors of the people that settled this area. There is a lot of white, yellow, pink, green. **Commissioner Pam Gardiol** inquired if adding "when possible" gives more latitude? **Commissioner Doug Clifford** stated the issue is the word "blend". Who determines what blends? It has all been overthrown. **Commissioner Bob Morris** inquired if not having a white house is still being pushed? **Chairman Dave Robinson** stated it depends on if they signed a development agreement. **Dale Coulam** stated it depends if they want to comply with City guidelines or follow the State statute. **Mike Haycock** stated the one Commissioner Bob Morris is referring to did sign the development agreement to abide with design guidelines so they do need to comply with the LRV ordinance. **Commissioner Derek Larsen** stated the problem he has with that is if you don't know what you are signing. It is disingenuous of us to try to circumvent

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the State regarding color. He does not agree with the way we do it. **Chairman Dave Robinson** and **Commissioner Bob Morris** agreed. **Commissioner Pam Gardiol** stated she disagrees. She is concerned that people in the legislature do not understand the context of what goes on with the decisions they make. **Chairman Dave Robinson** stated it is more about personal property rights. **Commissioner Derek Larsen** stated he understands the desire to have subdivisions that blend and how great they look, but another subdivision may not want to, and shouldn't have to. **Commissioner Pam Gardiol** stated let's add "where possible" to give us latitude. **Commissioner Bob Morris** stated strike it. **Commissioner Doug Clifford** stated it almost implies they are the enemy if they put anything different out there. **Commissioner Bob Morris** stated it feels like a threat that if they don't sign it, the City won't cooperate with them on the whole rest of their project. **Chairman Dave Robinson** stated it is about personal property rights. **Commissioner Doug Clifford** stated that putting it in there is just rattling the cage. We can't enforce it. **Chairman Dave Robinson** stated it encourages them to be the same as everybody else. **Commissioner Pam Gardiol** stated she will try to come up with a possible option to discuss later. **Chairman Dave Robinson** stated the next section is preserve the night sky, which is another thorn that he has backed off from. He is good with the City's graduation of it. Next section is C.b Goal 12 "Water Development. Provide safe and dependable water in sufficient amounts to meet the future needs of the residents, businesses, and amenities of Ivins City. Develop in conjunction with Washington County Water Conservancy District a fair and equitable comprehensive water conservation program." We are already working on that, so that's good. **Commissioner Bob Morris** stated we need to look at flood control. **Commissioner Doug Clifford** stated that is part of it. We haven't had to think about that until this last month. **Chairman Dave Robinson** stated they have the dikes built up by the Red Mountain. But it would be okay to put that in here as well. Next is "Encourage conservation through efficient use of water and application of developing technologies." **Commissioner Bob Morris** stated add "affordable technologies." When we get required to order something, they automatically double in price. **Chairman Dave Robinson** stated next is "Promote the economical development of water resources." **Commissioner Derek Larsen** stated we have worked hand in hand with the Washington County Water Conservancy on the reservoir, and we have a secondary water system for the irrigation. **Chairman Dave Robinson** stated the next one is "Develop a reliable secondary water system." We could almost combine the two. **Commissioner Pam Gardiol** stated she recommends keeping them separate. **Commissioner Doug Clifford** agreed. **Chairman Dave Robinson** stated next is "Secure additional water to provide for the projected buildout population." That is out of our hands. Would we buy water rights if they were available? **Dale Coulam** stated Mayor Hart could weigh in on this, he is on the Conservancy Board, but the cities are working towards not being in competition with the District for acquiring new water resources. We could secure it, and then convey it. We could require new developments to bring their own water. If someone has agricultural land that they have been irrigating for years. They sell the land and then sells the water rights separately. Now that piece of land that has been irrigated is now an obligation of the City to provide water for. It drives the price of water up. We could require or encourage developments to bring their own water source or acquire their own water source. That may be a possibility i n the future. **Commissioner Pam Gardiol** stated she will make that change. **Chairman Dave Robinson** stated that goes under "Preserve and protect water rights." It falls under that same line. Next is "Assess user fees as necessary to provide funding for established levels of service." **Commissioner Doug Clifford** stated that is tiered charges for service for water you are using. The more you use, the

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more it costs. **Dale Coulam** stated it just means we will assess user fees as necessary to provide that level of service. The next one is impact fees. That is new development paying their own way for that additional growth. **Commissioner Doug Clifford** stated that Chapter One is Vision. Chapter Two is Facts and Data. Chapter Three is the Plan and refers back to the Vision. It is looking good. **Commissioner Pam Gardiol** stated she will tweak it and bring it back.

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for February 28, 2023.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for February 28, 2023.
SECOND: Commissioner Derek Larsen
VOTE: The motion carried.

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

5) REPORTS

A. Planning Commission

Commissioner Pam Gardiol inquired if there is a sign on the site when it is on the agenda? **Commissioner Doug Clifford** stated yes they do it for zoning changes. **Sharon Allen** stated also that their mailing addresses come off of the Washington County Assessor site, which is where their tax notices go. **Commissioner Derek Larsen** thanked Commissioner Pam Gardiol for all her work on the General Plan.

B. Chairman

Chairman Dave Robinson stated his only report is that it is Commissioner Bob Morris' last day and he appreciates all his service. **Commissioner Bob Morris** stated it was great to be associated with this group, and they are all amazing people .

C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated that he has given them a draft of the differences between the Resort Commercial Zone and the Resort Mixed Use Zone. He will create some drawings to visualize that more in the next couple weeks.

D. City Manager/Attorney Dale Coulam

Dale Coulam stated that Utah League of Cities and Towns has their mid-year conference coming up at the Dixie Convention Center on April 19th -21st. Registration is open now. We haven't seen a full agenda yet. If interested, let Sharon Allen know you want to attend.

E. Items to be placed on future agendas

6) ADJOURNMENT

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

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

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