Ivins City Staff Report
City Council Meeting 11/19/2026

Agenda Item: Discussion regarding proposed amendments to the Chinle Cliffs Development Agreement and Settlement Agreement

Submitted by: Chuck Gillette, City Manager

Recommended City Council Action:
None at this time.

BACKGROUND

The Chinle Cliffs development is governed by a Development Agreement and associated Settlement Agreement dating back to 2006. These agreements established specific requirements for the development, including limitations on density, architectural design standards, grading, landscaping, open space, and infrastructure improvements.

Since the original agreements were approved, the City Council has separately approved a higher-density residential development on a portion of the property. This approval has created a situation where the original Development Agreement and Settlement Agreement may no longer align with the approved development plans.

The property owner has submitted a proposal requesting several targeted amendments to the existing agreements. The stated intent is to reconcile the agreements with the subsequent development approvals, simplify certain development requirements, and clarify infrastructure responsibilities.

The proposal is preliminary and is being presented to the City Council for discussion and direction. No formal amendment is being considered for approval at this time.

PROPOSAL

Here is a summary of the proposed amendments with analysis.

1. Removal of the Separately Approved Development Parcel

The development agreement of Mojave Village overlaps into the Chinle Cliffs development property. It is reasonable to remove the portion of the property from the original Chinle Cliffs Development Agreement and 2006 Settlement Agreement.

The remaining Chinle Cliffs property would continue to be governed by the original agreements, subject to any other proposed amendments. This would clean up confusion as we implement the agreement going into the future.

2. Modification of Architectural Requirements

The original Settlement Agreement established specific architectural requirements addressing building appearance, façade articulation, roof design, and the visibility of two-story structures. It also contemplated separate architectural guidelines and a design review committee.

The applicant would like to approach the Council about the possibility of eliminating these project-specific requirements and instead applying the architectural and building standards otherwise established by Ivins City Code. Their proposal would also allow walk-out basements where otherwise permitted by City regulations.

This change would provide greater flexibility in home design and eliminate the additional architectural review requirements established by the Settlement Agreement, but the Council should be cautious on this and consider the potential visual impacts of such changes.

3. Modification of Fencing, Grading, and Landscaping Requirements

The applicant proposes replacing certain detailed requirements for fencing, retaining walls, grading, and landscaping with the standards otherwise applicable under Ivins City Code.

The proposal specifically indicates that existing limits of disturbance, protected open space, ridgeline protections, view-shed protections, and applicable revegetation requirements would remain in effect.

Again, Council should be cautious that such changes might alter the intent of the agreement to limit visual impacts. Staff would not recommend that we let the standard fall back to the basic standards of City Code. However, some adjustments might be appropriate if the applicant can show that the current agreement has some flaws that make it not feasible.

4. Regional Detention Basin Cost Allocation

The existing Development Agreement includes provisions addressing the construction of a regional stormwater detention basin.

The applicant proposes modifying these provisions to allocate the design and construction costs between the remaining Chinle Cliffs development and the separately approved parcel based on their respective stormwater demands, capacity requirements, and benefits.

The proposal also contemplates establishing responsibilities for construction, payment timing, reimbursement, and financial security.

The applicant requests that the remaining Chinle Cliffs property retain a practical means of connecting its storm drainage facilities to the regional detention basin.

The City's existing maintenance obligations following dedication would remain unchanged.

This seems to be reasonable that some adjustments in the language is needed as, the detention basin was intended to be regional and provide attenuation of storm intensities for the entire development.

Items not Proposed for Modification

According to the applicant's proposal, the requested amendments would not:

- Increase the approved density of the remaining Chinle Cliffs development.
- Modify the separately approved density entitlement for the higher-density parcel.
- Expand the approved limits of disturbance.
- Reduce protected open space.
- Relax existing ridgeline or view-shed protections.
- Reopen the entire Settlement Agreement or eliminate other existing infrastructure obligations, except for the proposed detention basin cost allocation.

RECOMMENDATION

Staff recommends that the City Council discuss the proposed amendments and provide direction regarding which requests, if any, it would be willing to consider.

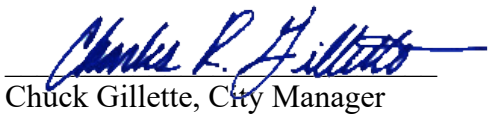
Based on that direction, staff can work with the applicant and City Attorney to evaluate the original agreements, develop appropriate amendment language, and return to the Council for formal consideration through the applicable approval process.

SUPPORT MATERIALS:

- Issue list by developer
- Original Agreements

FINANCIAL IMPACT:

None

Respectfully Submitted: 

Chuck Gillette, City Manager