

**IVINS CITY
PLANNING COMMISSION
MINUTES
December 18, 2018
435-628-0606**

1) WELCOME AND CALL TO ORDER

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 05:30 p.m. All present included Chairman Jeff Loris, Commissioner Lance Anderson, Commissioner Bryan Pack, and Commissioner Mike Scott.

Staff Attending: Dale Coulam-City Manager/Attorney, Mike Rodriguez-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.

Audience Attending: Ed Haworth.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Bryan Pack

C. Invocation--Chairman Jeff Loris

D. Disclosures

Commissioner Lance Anderson stated he has a final plat on the agenda for Posovi 2-E. No other conflicts.

2) REPORTS AND PRESENTATIONS --None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS—None

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. Discuss and consider proposed Overlay Amendments to Chapters 7 and 8 of the Zoning Ordinance.

Dale Coulam stated that we incorporated changes where we eliminated some overlays and moved items around. We spent time on Subdivision Enhancement Overlay and got into a discussion about open space. There are two areas in the ordinance where it talks about open space. One area summarizes open space and lists two items that are open space and two other items for density bonus. The discussion came down to whether we should combine the two that talk about open space, and whether streetscape buffers should be counted. Some of that we may want to focus on for a density bonus. What we focused on was that we may want to combine those two sections in some way but include landscape buffer at least on major highways. 30 ft buffer is required on Highway 91, which is quite a bit, so give a bonus for that. The other concept that Lance Anderson threw out was that in every case we have required 10% to play the game. Recently we have had Haven and Arrowhead. **Commissioner Lance Anderson** stated Arrowhead changed their zoning to reduce density. **Dale Coulam** stated true and Haven wanted to keep the same density they were allowed for that parcel, since it had been shrunk down because of a large regional detention basin. That is a significant sized parcel and with that large detention basin, to give 10% works. If they are smaller, Lance Anderson is wondering if we required less than 10% then we can talk to the developers about single story homes, wider setbacks between homes and get some benefits for the community that we otherwise wouldn't get, rather than cookie-cutter subdivisions. **Commissioner Lance Anderson** stated define what 10% is and what that includes. Let's define what open space means. If it is out of the realm of possibility for everyone, they will just go through our conventional subdivision. **Mike**

1 **Rodriguez** stated we need a clearer definition of what counts as open space. Also maybe
2 consider having a separate definition for natural or unimproved open space and then improved
3 which could include a variety of items within a development. Play and picnic areas, lawn areas,
4 volleyball or sandcourts, recreational improvements. **Dale Coulam** stated streetscape
5 enhancements and landscaping around detention basins, planting trees along the street or the
6 detention basins and medians, pedestrian biking facilities, etc. It was focused on streetscape
7 enhancements, buffering and screening. **Commissioner Lance Anderson** listed out section
8 16.07.511 Page 7. **Dale Coulam** stated that criteria matches item #1 because those are what we
9 have always applied. But things we have excluded in the past are actually defined as open space.
10 We need to make it uniform in our ordinance. Should we combine these two and if so, on
11 streetscape enhancements, what type of street. **Commissioner Lance Anderson** stated not
12 interior. It should be the streets that the broader community travels. After we define that, we
13 decide if 10% is the right percentage. We want to encourage people to use this tool instead of
14 doing conventional subdivisions, so we can have a say for the broader
15 community. **Commissioner Mike Scott** some sites, developers can't even play the game. But if
16 they do 5%, there is a deduction elsewhere. It could be zero open space, but single story,
17 etc. **Commissioner Lance Anderson** stated maybe we don't do a buy in but list a percent for
18 each item. **Commissioner Mike Scott** stated the maximum is 25%. They can't do open space,
19 but they can do other things. Maybe they can get 15% density bonus. **Commissioner Lance**
20 **Anderson** stated on lot averaging that number is always too tight to play the game. **Dale**
21 **Coulam** stated that is in Part 7. On page 7 where Lance Anderson was reading, we added the
22 adjoining subdivisions and broader community language. Nowhere does it talk about streetscape
23 as a basis for a density bonus. But we have done it from time to time. **Commissioner Mike Scott**
24 stated the way we are revising this if something benefits broader community, like streetscape, it
25 is a plus for our community. Everyone gets the benefit as they drive and walk by. **Commissioner**
26 **Lance Anderson** stated developers don't necessarily want bigger lots, but are forced to because
27 of 10% buy in. **Commissioner Mike Scott** stated we are going in a great direction. He will
28 write some ideas up. **Commissioner Lance Anderson** stated lot averaging overlays 25% is the
29 minimum. Let's think about how that applies. If it is inside the subdivision, why do we
30 care? **Mike Rodriguez** stated regardless as long as they have minimum size, across the board a
31 subdivision can qualify for lot averaging if every lot number is the same and that they are all the
32 minimum size of that district. **Commissioner Mike Scott** stated the developer would make that
33 decision on what they think the market warrants. As far as community is there a downside? If
34 they put small lots in, there is less impact. **Chairman Jeff Loris** stated the corner on 200 West
35 and Center. When we did a public hearing, they were putting smaller lots against larger homes.
36 We need to push for buffers. Do larger lots on the outside. **Commissioner Lance**
37 **Anderson** stated if Altura could have put bigger lots in, instead of spacing everything else out, it
38 would have changed their demographic. On Indigo for example, if he was trying to do lot
39 averaging and put smaller lots in front that would be a situation where you could get bigger and
40 smaller lots, but 25% wouldn't allow it. **Commissioner Bryan Pack** stated the percentage is
41 there to make subdivisions consistent. From an affordable housing standpoint, we have places
42 where we could put smaller lots. What are we trying to accomplish by any density requirements?
43 What are we trying to protect? The aesthetic of it? Make property values more
44 affordable? **Commissioner Lance Anderson** stated the philosophy on density has changed over
45 the years. Ence Homes for example builds homes out fast, they are single-level, built well and
46 quickly, landscaped, etc. We need to think about what is around it, and how it affects lifestyle,

1 aesthetics, density, the amount of traffic traveling through the area. RE-20 zone still has same
2 amount of people regardless of their proximity to each other. **Chairman Jeff Loris** stated the
3 land use plan has a higher density in the township overlay area, less dense as you go east and
4 west and go south we have a higher density. it seems the whole point of less houses is to have
5 more open space. **Commissioner Lance Anderson** stated they are trying to achieve in Kayenta
6 the opposite of what we are trying to do in our ordinances. We are creating open space all the
7 way around each house because no one can disturb the landscape. In the city we are trying to get
8 all the houses together so that the open space is for the broader community. **Chairman Jeff**
9 **Loris** stated Kayenta has a core, the Coyote Gulch area and commercial buildings packed really
10 tight together that are multi-level. The reason to have lower density is to have more open
11 space. **Commissioner Bryan Pack** stated that is not a safety or affordability issue for you then,
12 it is an aesthetic issue. **Chairman Jeff Loris** stated it is ergonomics. If you live downtown in the
13 city, you want to be able to walk or travel quickly to your destination. As you move further out
14 of town, lots are larger. Continue discussion next meeting.

B. Discuss and consider relevant portions of Chapter 12 regarding accessory dwelling units.

15 **Dale Coulam** stated that he took Chapter 12 accessory dwelling units and took portions of that
16 chapter and put it together so that it is one document. The gist of the regulation is that you can't
17 rent them. Two things that prevent them from being rented are a deed restriction and utilities
18 have to run through the primary home. The owner can give a renter a copy of the bill, but the
19 owner is responsible if a renter does not pay. We would probably want to keep that portion of it.
20 Also, there was discussion about the owner having to live in the primary home, but that is hard to
21 enforce. **Commissioner Lance Anderson** stated that Adel Murphy has strong feelings about the
22 zone being RE single family residential units, so we need to think about that. **Dale**
23 **Coulam** stated yes it really changes it to Multi-Family but there is probably a fair share of these
24 properties renting these out already. We may want to make changes and amend the ordinance
25 and have a Public Hearing on the ordinance to recommend to City Council; or have a Public
26 Hearing to see if we should even allow the rental of accessory dwelling units and get opinions
27 before starting an ordinance. **Commissioner Bryan Pack** inquired if the affordable housing
28 issue is the reason this is coming forward? **Dale Coulam** stated we have talked about giving a
29 presentation from the ULCT's powerpoint they have on this. **Commissioner Bryan Pack** stated
30 if it is for affordable housing reasons we need to see all the angles before we go too
31 far. **Chairman Jeff Loris** stated that we have an affordable housing issue, but the majority of
32 people are already breaking the rules, so we are looking to allow it. Do we take that as a general
33 understanding that if the majority is breaking the rules then we should allow it? **Commissioner**
34 **Bryan Pack** stated that is not a reason to do it. **Commissioner Lance Anderson** stated ULCT
35 stated affordable housing and what it really means is different to everyone. If it is more than 33%
36 of your income you are in affordable housing. Are we trying to satisfy the perception? How can
37 we accommodate the lifestyle of the people in Ivins? **Dale Coulam** stated it is a problem. People
38 can't find housing here and the State wants us to do something about it. **Commissioner Bryan**
39 **Pack** stated he is not ready to say that. He agrees with Adel Murphy that this would turn single
40 family into multi family. It may be the easiest way, but he is not ready to say that yet. **Dale**
41 **Coulam** stated that the State says they don't want to go there, but if we don't create affordable
42 housing, there is a bill in California that takes away a city's land use authority after fining us
43 heavily and then the State would regulate it. They say they don't want to go there. As a City we
44 oppose the State taking away land use authority but during his time here, he has seen it erode

1 more every legislative session. There is a Land Use Task Force and more of a compromise every
2 year. It is starting to head that way. If the City responds, the State will back off. They want to see
3 some results for moderate income housing with an update every year, and a 5 year plan and what
4 we are doing and a detailed report on what progress we are making. It is a serious problem that
5 we have 50K people there is no housing for, but yet they are living somewhere. It is impacting
6 our neighborhoods now. Is it as big an impact as we think it is? We will watch the presentation
7 and analyze what the impact is. **Commissioner Lance Anderson** stated we need to show that we
8 are trying to meet their criteria, and still affect us the least. We need to be attentive but not
9 encroach on people's lifestyle. Parking is an issue. **Mike Rodriguez** stated short-term rentals will
10 get brought up again. There are a large number of accessory dwellings being used. You will have
11 a side that wants them for rentals and some to use as housing. **Chairman Jeff Loris** inquired that
12 accessory dwellings are limited to one? **Mike Rodriguez** stated accessory dwellings you can
13 only have one in addition to the primary. It is limited to the size and location and its use.
14 Continue discussion next meeting.

C. Discuss and consider approval of Final Plat for Posovi 2-E, located at approximately Uwan Drive. Kayenta Development-Owner. Lance Anderson-Applicant.

15 Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated that Posovi 2-E was
16 originally approved back in February 2013 and lapsed. This complies with the preliminary plan
17 and staff recommends approval.

18 **MOTION: Commissioner Bryan Pack moved to approve Final Plat for Posovi 2-E, located**
19 **at approximately Uwan Drive. Kayenta Development-Owner. Lance Anderson-Applicant.**

20 **SECOND: Commissioner Mike Scott**

21 **VOTE: The motion carried.**

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE
Commissioner Lance Anderson	RECUSE

D. Discuss and consider approval of minutes for December 4, 2018.

22 **MOTION: Commissioner Bryan Pack moved to approve minutes for December 4, 2018.**

23 **SECOND: Commissioner Mike Scott**

24 **VOTE: The motion carried.**

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

6) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

28 **Dale Coulam** stated he had bad news to report. Wally Ritchie has accepted a position in Orange
29 County. His last day is the 18th of January. We hate to see him go. He has been a great asset to
30 the City and the community. **Commissioner Lance Anderson** stated that he appreciates all his
31 efforts. **Dale Coulam** stated he is going to a sanitation district and a 400 million dollar budget
32 and it is a big step for him. Chairman Jeff Loris stated that Wally Ritchie has the skills for
33 it. **Dale Coulam** wished everyone a Merry Christmas and a Happy New Year.

E. Items to be placed on future agendas

7) ADJOURNMENT

1 **MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT**

2 **SECOND: Commissioner Mike Scott**

3 **VOTE: The motion carried.**

Chairman Jeff Loris	AYE
Commissioner Lance Anderson	AYE
Commissioner Bryan Pack	AYE
Commissioner Mike Scott	AYE

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