

**IVINS CITY
PLANNING COMMISSION
MINUTES
June 18, 2019
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 Bryan Pack, Commissioner Lance Anderson, Commissioner Doug Clifford, and Commissioner Bob Morris.

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

Audience Attending: Mayor Chris Hart, Kent Bylund, Jenny Johnson, Laurie Floisland, Lisa Rutherford, Claudette Larsen, Rich Svien, George Stoddard, Joe Platt, Matt Lofthouse, Kathy Barton, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Bryan Pack

C. Invocation--Commissioner Bryan Pack

D. Disclosures

Commissioner Lance Anderson stated he has a final plat for Posovi 3-B on the agenda. No other conflicts.

2) REPORTS AND PRESENTATIONS --None

3) BUSINESS LICENSES -None

4) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing to approve a proposed Class IV Conditional Use Permit for Black Desert Construction/Project Information Office. Enlaw, LLC-Owner. Patrick Manning-Applicant.

Mike Rodriguez stated this is the construction and project information office site located just south of the horse roundabout. It is about a half an acre site on an overall 70 acre site. This is an application for a Conditional Use Permit to be able to place these temporary construction office trailers while they prepare to do their larger projects. One will be a construction office, one will be for storage use and one will be the project information office. The public can go in and get information about the overall project. The reason the applicant wants these trailers in is because there is currently a permit for construction of a ranch road project coming north off of Pioneer Parkway in Santa Clara, and there is a new water line being extended into this site that is being constructed by St George City. These structures are temporary until the overall project will be constructed and then these will be replaced. They are asking for this small site to be graded out to provide parking for the entrance off the horse roundabout. The proposed improvements have been reviewed by TRC and are in compliance with City regulations. **Commissioner Bob Morris** inquired if the sales trailer will be a modular too? **Mike Rodriguez** stated they will all be temporary modular buildings, and it will be a place for the designers, architects and contractors to be able to meet. **Commissioner Bob Morris** inquired if it needs to have a deadline on it or is this permit for a specific period of time? **Mike Rodriguez** stated this will not have an end date on it, but it will be there until they do the overall projects and will then be replaced. **Chairman Jeff Loris** inquired what is the phasing? **Mike Rodriguez** stated the sales trailer would likely be

1 a month or 6 weeks after the first trailer. **Chairman Jeff Loris** opened the Public Hearing. Lisa
2 Rutherford stated that she realizes the public hearing is for the project facilities and the
3 conditional use permit, but she is looking at the overall project itself. She has problems with the
4 idea of a golf course in this area. We have a County that complains that we have water issues and
5 it would be wise to encourage developers to go a different route. Hearing no further
6 comments, **Chairman Jeff Loris** closed the Public Hearing.

B. Discuss and consider approval of a proposed Class IV Conditional Use Permit for Black Desert Construction/Project Information Office. Enlaw, LLC-Owner. Patrick Manning-Applicant.

7 **Dale Coulam** stated that our statutes identify applicable standards for determining reasonable
8 conditions. There are 14 items on the list, but what is relevant to this application is #6 Building
9 Colors-and that these are painted to blend into the site. This can be a condition and the applicant
10 is already saying they will do it. #7 would be another one where they need to be sure to comply
11 with our ordinances, like lighting and signage. Signage would require a permit issued through
12 Mike Rodriguez. **Chairman Jeff Loris** stated that there was a narrative that was also submitted.
13 The second to last paragraph stated that all three trailers will be painted to blend with natural
14 terrain. That fits in with ordinances. **Dale Coulam** stated yes and the applicants have said they
15 are willing to do it, but Planning Commission should actually state it if you agree with that
16 condition. **Mike Rodriguez** stated they will need to obtain a building permit and we make
17 certain that the ordinances are complied with at that time. **Commissioner Lance**
18 **Anderson** inquired if Black Desert Resort had obtained anything for their project yet. People ask
19 me why we are putting up trailers if we don't know what the resort will be for? They want to do
20 it to start planning and to do the road, correct? **Dale Coulam** stated yes they have already started
21 planning. They want to give out input as to what their concept is and also to receive input as they
22 finalize the design. **Commissioner Lance Anderson** stated people are concerned about
23 temporary trailers. When will they remove it? **Dale Coulam** stated we have temporary
24 conditional use permits that limits the duration. This duration depends on the project itself, which
25 is unknown right now, but trailers are not allowed on a permanent basis so that aspect of it is
26 temporary. It will be replaced with something we don't know the timing on that
27 yet. **Commissioner Lance Anderson** stated that property has had several ideas go there and so
28 people are leery of the word temporary. Can we put a time limit on this? **Mike Rodriguez** stated
29 we could put it on as a condition. Relocating them would require another permit. **Commissioner**
30 **Lance Anderson** stated Item #9 condition is that we ask to have some level of landscaping going
31 on there at the entrance. **Dale Coulam** stated that we can't impose permanent landscaping on the
32 project yet, but you could impose plants to screen the buildings. Kent Bylund stated that he is
33 with Enlaw and if you look at the layout the project information trailer has sand, sage and natural
34 growth in front of it. That will be screened that way. The City of St George is bringing water
35 lines in, but at the very center 1200 ft due south of this, they are also doing a two-acre lake that
36 feeds through a system and has to be a certain elevation. We will do something there but we
37 don't want to do anything permanent that we will have to rip back out. **Dale Coulam** stated those
38 entrance features are not designed yet\ **Commissioner Bob Morris** inquired what the anticipated
39 build-out date was. Kent Bylund stated 36 months at the most. We are trying to keep this green
40 belt at least through the middle part of next year. **Commissioner Bryan Pack** stated he would
41 like to suggest use limitations related to the project. So they are not leasing it out, or have
42 temporary buildings and running a business out of it. He would propose a one-year time frame
43 on the conditional use permit, and bring it back to us to reapply at that point and have more

information about landscape, etc. **Commissioner Lance Anderson** stated he would be okay with two years. **Commissioner Doug Clifford** inquired what phase in the project would the entrance feature be completed. Will it be fairly soon or at the end of the project? Kent Bylund stated we should see some conceptual plans there fairly soon. We have already received some iterations for the entrance. It will be in the first phase. Our goal is to start with the hotel. **Commissioner Bryan Pack** inquired if there were any concerns about lighting or traffic? **Commissioner Lance Anderson** stated they would just follow our ordinances for those. Joe Platt with Enlaw stated we don't intend to start any development until a year from now if we receive approval. So 18 months may be a better timeframe. He is The Reserve HOA president. Kent Bylund is the chair of the design review committee. Those folks are much tougher on us than you guys could ever be. Our reputation speaks for what our intentions are. We hate trailers and they are ugly. We will do our best to make them presentable, but our goal is to get them out of there as quickly as we possibly can. **Commissioner Bryan Pack** stated this is our Planning Commission's approval. **Dale Coulam** stated that is correct. This conditional use is a permitted use, so you can't deny it but you can put conditions on it. You outlined several conditions--color, landscape, lighting, time frame to come renew and report, and limited to the project use. **Commissioner Lance Anderson** stated we don't want it rented out.

MOTION: Commissioner Bryan Pack moved to approve a proposed Class IV Conditional Use Permit for Black Desert Construction/Project Information Office. Enlaw, LLC-Owner. Patrick Manning-Applicant subject to two-year renewal period, colors blend with the natural terrain and meet design guidelines, buildings not be leased or used with any unaffiliated or unrelated party with this project, there be some sort of landscaping at the front entrance, and comply with city ordinances such as lighting ordinances.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE

5) DISCUSSION AND POTENTIAL ACTION ITEMS—

A. Discuss and consider election of Planning Commission Chair and Vice-Chair.

Chairman Jeff Loris stated commission Adel Murphy left us and I have been doing this awhile it is time. **Commissioner Lance Anderson** moved Bryan Pack as the new Chair and Commissioner Doug Clifford as the new Vice-Chair. **Commissioner Bryan Pack** stated that he sees his Thursdays being problematic. He coaches every Thursday night. **Dale Coulam** stated that Mike Rodriguez has been filling in on the report to the City Council . **Commissioner Bryan Pack** stated that St George City also has meetings on Thursdays. Motion died due to lack of a second.

MOTION: Chairman Jeff Loris moved to approve election of Planning Commission Chair and Vice-Chair and that Commissioner Bryan Pack be the new Chair and that Commissioner Lance Anderson be the new Vice-Chair.

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Lance Anderson	NAY

B. Discuss and consider approval of the Final Plat for Turner Subdivision, located at approximately 375 N 200 W. Harold Turner-Owner. Matt Lofthouse-Applicant.

Mike Rodriguez stated that this is a simple flaglot subdivision and it is 1.6 acre site with currently one lot residence at the front of that lot. The second home in the back will be built to take care of the owner who is becoming elderly. The City Engineer required an easement and water line that needed to be shown. Those changes have been completed. It now complies with our regulations.

MOTION: Commissioner Bryan Pack moved to approve the Final Plat for Turner Subdivision, located at approximately 375 N 200 W. Harold Turner-Owner. Matt Lofthouse-Applicant.

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE

C. Discuss and consider approval of the Final Plat for Posovi Subdivision, Phase 3-B, located at approximately Talatawi Way. Kayenta Development-Owner. Lance Anderson-Applicant

Commissioner Lance Anderson recused himself. **Mike Rodriguez** stated that the City Engineer asked that the no build area be placed on this so we can identify where those areas area. This plat complies with city regulations.

MOTION: Commissioner Bryan Pack moved to approve the Final Plat for Posovi Subdivision, Phase 3-B, located at approximately Talatawi Way. Kayenta Development-Owner. Lance Anderson-Applicant

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Lance Anderson	RECUSE

D. Discuss changing regulation of ridgelines.

Dale Coulam stated that roof ridgelines and breezeways were brought up last meeting so we have it on the agenda to discuss. **Commissioner Lance Anderson** stated that when Learnkey was trying to get a permit along Snow Canyon Parkway, we came up with some good philosophies. As an example, we are opening ourselves up to multi-family that has not ever been applied yet, or been an issue with us until recently. We have some massive rooflines. The intent was to get more offsets and breezeways as a walk or as a break to see the vistas in Ivins. **Chairman Jeff Loris** stated Entrada does it regularly, they have what looks like a chimney element that raises it and makes a break and creates a difference. **Commissioner Lance**

1 **Anderson** stated that it should be lower than the normal ridgeline, so you get a relief. **Chairman**
2 **Jeff Loris** stated that townhomes now are all the same pitch but if we offset horizontally the
3 pitch meets the same ridgeline there. Do you require them to lower and raise the ridgeline so the
4 units are not the same? **Dale Coulam** stated the ordinance is very specific as to eve lines but it
5 never mentions ridgelines directly. It is implied. On the wall-facing, there has to be different
6 planes every so often by two feet. It says there should be something similar on the roof with a 12
7 inch offset. Instead of that straight steady ridge, we saw as an example on Kanta's elevations
8 where it bumped across every foot. It was implied by this ordinance, so at a minimum this
9 ordinance needs to be clarified **Commissioner Lance Anderson** stated we are finally seeing the
10 application of this ordinance that was done how many years ago, and have never really had to
11 apply it. This was approved in 2014 and the mass is noticeable. It could even go from a pitch to
12 flat and then back to a pitch. **Mike Rodriguez** stated that while approving the architectural
13 drawings for Red Mountain Vista Townhomes we went back and forth with the applicant and the
14 designers to come up with something that complied with our code, and it states roof variations
15 need to be similar to wall variations, but we got hung up on where it says offsets for parapets on
16 flat roofs or eve lines on pitched roofs, and if it had said ridgelines instead of eve lines that
17 would have been required and addressed that particular issue. It does not mention ridgelines and
18 so we approved it in the manner that we did. **Commissioner Lance Anderson** stated that is an
19 example of history being applied today. Mike Rodriguez has to take what it says and interpret it.
20 Kevin Rudd had 20+ years of history and time to make a judgement on it. **Mike**
21 **Rodriguez** stated just changing that sentence from eve line to roof ridgeline will require a
22 builder to have an offset at a minimum of 12 inches on the ridgeline of that roof like Robert
23 Ence's. **Commissioner Lance Anderson** stated that we are receiving a lot of applications so we
24 need to be careful. **Commissioner Bryan Pack** stated he likes the idea of having it broken up.
25 What does that do to cost of construction or the value of the finished product? **Commissioner**
26 **Lance Anderson** stated that it is his opinion that aesthetics creates value. **Commissioner Bryan**
27 **Pack** stated if that was the case, we wouldn't have to legislate, it would happen
28 organically. **Commissioner Lance Anderson** stated that it takes more skill to get it done to not
29 look like a factory build. There is a cost. **Commissioner Doug Clifford** stated a one foot change
30 makes other changes in the roof line. There will be an aesthetic line every 12 or 24
31 inches. **Commissioner Lance Anderson** stated that he wants to put it on the agenda to discuss
32 this further.

33 **E. [Discuss maximum density for the Multi-Family/High Density Development.](#)**

34 **Dale Coulam** stated that Commissioner Lance Anderson brought this item up as well. In Kanta
35 there was a proposal for 9 units per acre and our ordinance specifically says the allowed density
36 for mutli-family is 15 units per acre. If that number is too high then we need to change the
37 number in the ordinance. **Commissioner Lance Anderson** stated he always thought the
38 Planning Commission had the ability to change the number because it says up to 15. But we have
39 recently learned that they make that decision or put any amenities in to get it. **Dale**
40 **Coulam** stated if an ordinance is ambiguous you read it in favor of the applicant. **Commissioner**
41 **Bryan Pack** inquired how many lots can be in an R-1-5 zone? **Commissioner Lance**
42 **Anderson** stated that after roads you have 80%. **Commissioner Doug Clifford** stated that it is
43 worth it to do an analysis before choosing a random number. You have a number of levels.
44 Maybe three levels. **Chairman Jeff Loris** stated a maximum of 35 ft. **Dale Coulam** stated if you
45 go 60 ft away from the roadway, you may be able to have more for another story on the
height. **Commissioner Doug Clifford** stated it would be worthwhile to think about and how

1 much recreation area people will need within those complexes. We would have parking
2 requirements external to the building, streets and roads and engineering planning on that would
3 give us a number we could look at. Something with a good density and enough amenities to
4 make these locations fit the theme of what our City should be. **Commissioner Lance**
5 **Anderson** stated that his issue with high density is that those people may have a bed but they
6 need somewhere to enjoy life. They will go elsewhere with less density to do that. It conflicts
7 with the people living in the low density areas because we cram people and so people want to get
8 out into open space. These particular applications don't have parks near them and need to cross
9 busy streets. That worries me. **Chairman Jeff Loris** stated our land use plan shows that is where
10 it is master planned to be. **Commissioner Lance Anderson** stated that ruling has changed. We
11 just had a big application down by the church. **Chairman Jeff Loris** stated they tried to but that
12 application was denied. **Commissioner Lance Anderson** stated people will continue to apply
13 unless we get a plan that works for the City. **Chairman Jeff Loris** stated that we need to look at
14 stay with the land use plan. You thought that the cut-off for low density and medium density was
15 400 West. Now it has crept over to 600 West. **Commissioner Lance Anderson** stated it is all
16 low-density over there except Movara and Sage Cove. We have changed the master plan to meet
17 those densities. Sometimes it makes sense, but we keep changing the plan. We are starting to
18 become Sunset and all those apartments by Big-O Tire. **Chairman Jeff Loris** stated those are all
19 sitting one block away behind Sunset. **Commissioner Lance Anderson** stated the issue is signs
20 and used car lots and salvage yards. **Commissioner Bob Morris** stated that the density number
21 of 15 is what we have a problem with, but if we say a smaller number and then with a
22 conditional use permit they could get to 15. **Commissioner Lance Anderson** stated that he
23 doesn't think the number 15 would ever work. He just wonders what we want. He wants to make
24 sure people have enjoyment of life when they have their home. **Chairman Jeff Loris** stated
25 really what we want is to change the density. **Commissioner Lance Anderson** stated or require
26 more amenities in the ordinance so that the numbers don't matter. **Commissioner Doug**
27 **Clifford** stated that there is a difference between Conditional Use Permit and already approved
28 density. If the density is 10, and a Conditional Use Permit allows that they do something
29 different to get a higher density, it gives the City some way to make that more meaningful to that
30 development. **Dale Coulam** there is a density bonus provision. **Commissioner Lance**
31 **Anderson** stated let's gather more information, drive around, get ideas and look at density.
32 Maybe we make it 7 or 8 and with a bonus to get to 10. An acre times 80% becomes your zone.
33 So RE-5, that is about 7 units per acre. They have 9, but no open space. It has never been applied
34 to our townhome situation. 15 is high. **Chairman Jeff Loris** stated he is leaning toward 10. We
35 will look into it. **Commissioner Lance Anderson** stated we just need to find the magic number.
36 These are not considered affordable housing.

F. Discuss accessory dwelling units.

37 **Dale Coulam** stated that a couple Council members have stated that it may be some time before
38 you get a recommendation from the affordable housing task force and they have requested that
39 you consider this in a formal way so that it could come before the City Council and they could
40 take action. Now it is not the full Council asking, so you could go back with a no, and they could
41 vote if they wanted to require the Planning Commission to review it further. **Commissioner**
42 **Lance Anderson** stated we need to wait for the affordable housing task force. **Mike**
43 **Rodriguez** stated we have a few more meetings to go. The next one is in a couple weeks. We are
44 waiting on a couple of people that were tasked with items to complete those. **Commissioner**
45 **Bryan Pack** stated he doesn't know if he understands the need or how big it is. We don't have all

1 the information in front of us. We want it to be a comprehensive attempt to solve the problem
2 and he is not convinced that casitas are the solution or the way to go. We need the task force to
3 get that information for us. **Commissioner Bob Morris** inquired what was the accessory
4 dwelling discussion about? **Dale Coulam** stated the two prior Commissioners expressed the idea
5 that allowing the rental of accessory dwelling units would turn single family residential into
6 multi-family and change the nature of the neighborhood. **Commissioner Bob Morris** stated he
7 has a bed and breakfast but he is licensed and pays taxes. It is revenue generating. We use it as a
8 short-term overnight rental. Casitas would be a monthly rental. It looks like a solution for more
9 affordable housing. **Dale Coulam** stated that there are different requirements to meet for a bed
10 and breakfast than a short-term rental. Short-term requires an overlay and a minimum of 5 acres
11 in size and we have some of those overlay areas that have not developed. **Commissioner Lance**
12 **Anderson** stated that Indigo Trails has one but they are not using it. **Commissioner Doug**
13 **Clifford** stated Southern California did this for low income housing but people who pass the
14 requirements for these accessory dwelling units are immediately turning them into VRBO
15 overnight rentals and using them for tourists, so it didn't solve the issue for low income
16 housing. **Commissioner Lance Anderson** stated that the monthly rentals become overnight
17 because there is more money in it. They take that chance of being non-
18 conforming. **Commissioner Bryan Pack** stated the task force will help us identify which route
19 to go. It is attractive as a homeowner and making income and having an extra place for kids. He
20 is not convinced from a community standpoint. Where will the water come from? If we double
21 the units in our city, we need to consider all that. Our water projections are based on our current
22 land use plan and densities. If we open up and double the densities it blows our projections out of
23 the water. Let's figure out the impact is before we make assumptions. **Commissioner Bob**
24 **Morris** stated that he does not think it will have the impact that is being
25 expressed. **Commissioner Lance Anderson** stated we may need to clarify the definition of
26 casita because it could also mean a room in someone's house because it has a separate
27 entrance. **Commissioner Bob Morris** stated personally he has a city acre but it is treated like a
28 postage stamp. The City doesn't consider the size of your lot, only the size of your primary
29 dwelling unit. He puts an addition on his house to be allowed a 750 sq ft accessory dwelling unit.
30 Do we know how many casitas there are at this point? **Commissioner Lance Anderson** stated
31 that you can't currently rent an accessory dwelling unit. **Mike Rodriguez** stated it will be a task
32 to figure out how many casitas or dwelling units we have since some are just
33 rooms. **Commissioner Bob Morris** stated he is talking about separate structures. **Mike**
34 **Rodriguez** stated it may take awhile, but we can figure that out. We will work on getting that
35 information. **Commissioner Bryan Pack** stated that should be a task of the task force is to come
36 up with that information.

G. [Tabled Discuss and consider approval of the Ivins City Planning Commission minutes for June 4th 2019.](#)

6) REPORTS

A. [Planning Commission](#)

37 **Commissioner Lance Anderson** inquired as far as applications is there anything that we can do
38 to slow that process down on density? **Dale Coulam** stated you could pass a temporary
39 ordinance that puts things on hold for 6 months, but that is usually for a larger issue. It would be
40 easier to pick a number and then take the time to study it. **Commissioner Lance**
41 **Anderson** inquired could we do that? 8 would be his number. **Chairman Jeff Loris** stated R-2-
42 10 is 5000 and that gives us 7 units. **Commissioner Bryan Pack** inquired what areas are

currently zoned multi-family that would be a concern? Why don't we just not do any multi-family zone changes until we figure this out? What areas are at risk? **Chairman Jeff Loris** stated right on 600 is the only area. **Commissioner Lance Anderson** stated we wouldn't change that area so he is not concerned about that. **Dale Coulam** stated it has been continued for next meeting so we can take a look at it.

B. Chairman

C. Building and Zoning Administrator, Mike Rodriguez

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

7) **ADJOURNMENT**

MOTION: Commissioner Lance Anderson moved to approve ADJOURNMENT

SECOND: Commissioner Bob Morris

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Bryan Pack	AYE
Commissioner Lance Anderson	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE