

**IVINS CITY
PLANNING COMMISSION
MINUTES
December 14, 2021
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 Commissioner Doug Clifford, Commissioner Bob Morris, and Commissioner Dave Robinson.

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

Audience Attending: Brianna Goodwin-Dummar, Dan and Jan Brown, Sally and Mike Corbett, Patrick Manning, Suzy Appel, Rob Reid, Brett Henke, Joanne Cooper, Lorrie Morris, Cheryl Hutchings, Beth Gale, Braden Nelson, as well as others that did not sign in.

***Notice:** You may listen to the live audio feed by going to www.ivins.com under "Upcoming Events." When the meeting is live, it will reflect "In Progress" --Click on the "In Progress: link to listen to the meeting live. https://ivins.granicus.com/GeneratedAgendaViewer.php?view_id=2&event_id=988

A. Acknowledgement of Quorum

MOTION: Commissioner Bob Morris moved to approve A. Acknowledgement of Quorum nominating Commissioner Doug Clifford as Chair for December 14, 2021 meeting.

SECOND: Commissioner Dave Robinson

VOTE: The motion carried.

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

Commissioner Dave Robinson was sworn in and introduced himself as our new Planning Commissioner. He has been in Ivins for over 28 years and loves it. He has spent a lot of his life developing and as a general contractor, both residential and commercial. He worked on the design side of that as well. He currently owns a mechanic shop in St George. He is hoping to bring his knowledge to the table and help guide things and to learn some new things as well.

B. Flag Salute--Commissioner Bob Morris

C. Invocation--Commissioner Bob Morris

D. Disclosures--None.

2) REPORTS AND PRESENTATIONS -None.

3) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing on a Concurrent Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-TH (Townhomes) on approximately .90 acres, located at approximately 145 West and 100 South. Sally Jensen-Trust-Owner. Sally Jensen and Mike Corbett-Applicants.

Mike Haycock stated that there is currently a single-family dwelling on this property. It is surrounded by medium density, although one corner of the property is connected to a

1 commercial property. They are proposing going from 12.5 to Townhomes, and on 200 South
2 there are some duplexes and on 200 East there is some high-density. It is surrounded, other than
3 by one commercial, by mostly single-family dwellings. **Commissioner Dave Robinson** inquired
4 if the existing house there was being removed? **Mike Haycock** stated we don't have that
5 information yet. This public hearing is just to discuss the land use and zone. **Commissioner**
6 **Doug Clifford** opened the Public Hearing. Brianna Goodwin-Dummar stated she lives next door
7 to the property on 100 South. She is concerned about changing it from High Density Residential
8 to Medium Density Residential. Ivins is growing rapidly. They purchased their home in March
9 and moved from Hurricane to Ivins because of larger lot sizes. They can play outside without
10 worry of safety issues and vehicles filling the streets. Ivins patrols their City streets well. She has
11 witnessed many new homes being built in the area since her purchase and there are currently 54
12 new rentals in Ivins and surrounding areas and over 80 new townhomes being built. She is here
13 to request not changing the zone. As a widow, she is the sole responsible person in charge of her
14 children. Putting Townhomes next to her property makes her fear for her children's safety. They
15 walk to school and play outside every day. Many neighbors agree with her, but fear speaking up
16 due to wanting to change zones in the future or making enemies. Lorrie Morris stated she lives
17 on 200 South and her property backs up to this property. She does not want to see it change to
18 High-Density Townhomes because it is a skinny street and there is no other High-Density on that
19 street. On Center Street and on 100 West, everyone uses their garages as a storage unit and so
20 many parked cars on those streets. We would have that as well. It wouldn't be any different. It is
21 a quiet neighborhood and all 1/3 acre lots. She would not like to see it go to High-Density.
22 Cheryl Hutchings lives on 100 West and her property is adjacent to this property. She stated
23 putting High-Density two-story in the middle of a block does not sound wise. There are already a
24 lot of High-Density Townhomes in the area. Adding more would not be wise. Joanne Cooper
25 stated she lives east of this property and dead-set against this zone change for higher density. We
26 have a nice quiet neighborhood surrounded by Townhomes and parking is a consideration. Roads
27 aren't wide enough. She is confused why we wouldn't find out if they are using the whole
28 property or tearing that house down and assumes we would want that information. Beth Gale
29 stated this is in her backyard and they have put a fence up because she values her privacy. If it is
30 a Townhome, they will look right into her backyard. She is against this. It will take the value of
31 her property down. Sally Jensen stated she is the applicant proposing the zone change. She
32 moved here and loves Ivins and her neighbors no matter what happens here. On the property
33 there is a 106 year old home and people say we should tear it down to make better use of the
34 land, but we fell in love with it. The home has character. It has been remodeled and is quaint and
35 cute. It makes it a unique and awesome place. Morris' live behind us and they have a bed and
36 breakfast right up to our property that they rent out. There is commercial property, an auto body
37 shop right next to us. There are Townhomes surrounding us. This is not that big property,
38 especially with an existing house on it. We are not building a huge complex. We want all to be
39 happy. The property was full of weeds when we came. The shed that was torn down had ten
40 large scorpions, and Mike Corbett got stung by one. The ideal is to improve the property and the
41 neighborhood and clean it up. We want to do something that is not overwhelming. It will bring
42 kids to play with. We are just small people doing a small project. There were boats and sheds
43 there. It was a mess. We have worked hard trimming trees trying to save them from bores. We
44 don't want to destroy anything Ivins has. We want to improve it and make it better. We don't
45 want to leave vacant land and a house to termites, scorpions and tumbleweeds. We love it here
46 and this is not a huge project. Braden Nelson stated he lives on 200 West and is worried about

1 more Townhomes coming to this area because of inadequate parking with narrow streets. There
2 are a lot of Townhomes in the area and they get congested in those areas. The school bus on 200
3 West has sideswiped a vehicle parked on the road. It doesn't really go with the plan with single-
4 family homes all the way around it. The neighbors have cleaned the property up nice though.
5 Rob Reid stated that this property adjoins commercial and other High-Density residential in the
6 area. It is a good transition and does fit the area. It would meet all Ivins codes and have
7 landscaping and parking on-site. This is a pretty straight forward infill project. Hearing no other
8 comments, **Commissioner Doug Clifford** closed the Public Hearing.

B. Discuss and consider recommendation of a Concurrent Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-TH (Townhomes) on approximately .90 acres, located at approximately 145 West and 100 South. Sally Jensen-Trust-Owner. Sally Jensen and Mike Corbett-Applicants.

9 **Commissioner Dave Robinson** stated that several months back City Council stated they wished
10 they could see projects prior to approval. Is that possible? **Dale Coulam** stated the process does
11 not require it. Land use and zoning is a density question. To some it seems backwards, but in
12 most cases, they don't know what to develop until they know what density is
13 allowed. **Commissioner Bob Morris** stated it is a Pandora's box because once we allow the
14 High-Density, they can sell the land and there is nothing binding but the former promise and they
15 have left. Changing density is a serious concern. All the other promises of height and
16 landscaping is not binding. This property is ringed with Townhomes but it is a heritage area. It
17 doesn't fit. The word Townhome has me concerned. Duplex, tri-plex or single family flaglots,
18 Medium-Density designations would fit the personality of that property. He has duplexes next
19 door but this is right in the middle of a heritage area with neighbors that have lived there for
20 years and years and are established. It doesn't justify going to High-Density just because there
21 are lots available. **Commissioner Dave Robinson** stated that a flaglot would be more feasible in
22 this situation to fit with the neighborhood. **Commissioner Doug Clifford** stated that if it is left at
23 Medium Density Residential they could do 12,500 or 10,000 sq ft, so they could do three
24 lots. **Commissioner Bob Morris** stated that would be very fitting in the
25 neighborhood. **Commissioner Doug Clifford** inquired with roads? **Commissioner Bob**
26 **Morris** stated that would be up to Rosenberg to figure out. **Commissioner Dave**
27 **Robinson** stated even if they do single-family they can still build a two-story home and fit in the
28 guidelines of that area. **Commissioner Doug Clifford** stated that he has rented VRBO in
29 Highland and there was a whole collection of Townhomes and Multi-Family units, and there was
30 infrastructure around them that supports it. This appears to be really isolated. It doesn't fit our
31 philosophy to have transition zones between other zones. He is not in favor of
32 this. **Commissioner Bob Morris** stated with our narrow streets and people parking we have to
33 turn tight on that street. **Dale Coulam** stated that the options for a motion are that Planning
34 Commission could recommend a different land use/zone or they could just move to deny and
35 leave it to City Council to see what they want to do.

36 **MOTION: Commissioner Bob Morris moved to recommend the application on a**
37 **Concurrent Land Use Amendment from MDR (Medium Density Residential) to HDR**
38 **(High Density Residential) and a Zone Amendment from RE-12.5 (Residential Estates,**
39 **minimum lot size 12,500 sq ft) to R-TH (Townhomes) on approximately .90 acres, located**
40 **at approximately 145 West and 100 South. Sally Jensen-Trust-Owner. Sally Jensen and**
41 **Mike Corbett-Applicants be moved to Medium Density Residential, with minimum lot size**

1 **R-1-10 (10,000 sq ft.) instead of Townhomes.**

2 **SECOND: Commissioner Dave Robinson**

3 **VOTE: The motion carried.**

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

C. **Public Hearing on a Preliminary Plan for Black Desert Resort Phase 1 Subdivision, located at approximately Snow Canyon Parkway and Black Desert Drive. Enlaw, LLC-Owner. Patrick Manning-Applicant.**

4 **Dale Coulam** stated that this is a Public Hearing for the Preliminary Plan for Black Desert but he
5 would note that a Public Hearing is not required. It is purely an administrative decision. A Public
6 Hearing is required on a Preliminary Plan only when there is an overlay involved. This is a big
7 project, but nothing can be changed as far as conditions or densities. **Mike Haycock** stated that
8 eventually there will be 324 lots, but for now, they are just doing the plotting of the structure.
9 TRC has reviewed the project and finds it to be in compliance with City Ordinances. This is a
10 Resort Mixed Use with hotels condos, spa and a convention center, which is all consistent with
11 the zone. **Commissioner Doug Clifford** opened the Public Hearing. Hearing no
12 comments, **Commissioner Doug Clifford** closed the Public Hearing.

D. **Discuss and consider recommendation regarding a Preliminary Plan for Black Desert Resort Phase 1 Subdivision, located at approximately Snow Canyon Parkway and Black Desert Drive. Enlaw, LLC-Owner. Patrick Manning-Applicant.**

13 **Commissioner Doug Clifford** stated he would like to hear from the applicants. Patrick Manning
14 stated that they feel really good about with what has been presented. There has been a lot of
15 collaboration with residents, City staff, and elected officials. Comments led us to removing the
16 elevator completely to the top of the building, so there is no longer public roof access and that
17 has been the only major change. This is a luxury hotel and the first phase will include all of the
18 underground parking, several plazas, convention center, spa, three restaurants and 298 condo-
19 hotel units. The golf course is well underway and planning it to be fully open November of next
20 year. We have 1300 reservations for buyers and the entire first phase is sold out with hard non-
21 refundable deposits. **Commissioner Bob Morris** inquired what is the timeline on when this will
22 be built out? Patrick Manning stated they are looking at October 2024. They were required to
23 protect 30-35 acres of lava and they left about 68 percent of the lava out there. **Mike**
24 **Haycock** stated that most of this first phase is outside of the lava. Patrick Manning stated other
25 than the golf course, yes. The golf course is within those areas. Everything not in the golf course,
26 they are working diligently on completing the conservation easement for the benefit of
27 Ivins. **Commissioner Bob Morris** inquired if they were still going to build the model rooms?
28 Patrick Manning stated because some people didn't like the idea of more temporary buildings,
29 they were going to do a warehouse out in Industrial Park, but then they got started on the hotel
30 and we would be starting construction there soon, so there was no reason to build the model
31 units. **Commissioner Bob Morris** stated there are some construction trailers out there. **Mike**
32 **Haycock** stated that those construction trailers are part of their grading permit. **Dale**
33 **Coulam** stated they are mobilizing construction trailers for those that are actually working on-
34 site. **Commissioner Doug Clifford** inquired what percentage does this first phase represent of
35 the completed project? Patrick Manning stated this is about 17 acres total and so this is close to
36 1/3, and also as far as density.

MOTION: Commissioner Bob Morris moved to approve recommendation regarding a Preliminary Plan for Black Desert Resort Phase 1 Subdivision, located at approximately Snow Canyon Parkway and Black Desert Drive. Enlaw, LLC-Owner. Patrick Manning-Applicant.

SECOND: Commissioner Dave Robinson

VOTE: The motion carried.

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

E. Discuss and consider recommendation regarding revisions to the Ivins City Land Use Plan.

Mike Haycock stated that if we start looking at RA-1 and RA-5 zones and see where you would really want to put them. If you replace the holding zones, we have to think about future commercial, future Townhomes and future Multi-Family. If we take away those holding zones, where do you put those? If you look at the map right now, there are not a lot of places for those to go, and that is what is good about the holding zone. The other option is to keep the holding zones and advertise that so that people that are moving in understand what they are moving in next to and what potential is for future development. **Commissioner Bob Morris** stated that would take a professional planner to have that kind of vision. **Mike Haycock** stated what he would like to do is in two weeks get opinions about these holding zones and start formulating a new land use plan and have a work meeting on the second meeting in January. Then we would have an Open House and have two Planning Commissioners and two City Councilmembers and talk with the public on where we are at on that plan. Formulate those thoughts to a work meeting about what those holding zones would look like and then bring in the public on what that would look like when the plan is a lot closer and let them comment. We also want to include the property owners that are in those holding zones. **Dale Coulam** stated that these RA-5 and RA-1 are zones, but we are talking about initially is the land use plan. It would all appear as yellow Low-Density residential areas. You also look at the zoning map and find the land use that fits it. When you go to a specific zone, you can really upset some land owners. Changing the land use to what the vision is would be the way to go, but to know what it really is you have to also refer to the zoning map and the holding zone areas. The Mayor usually in January holds neighborhood meetings and so we will introduce this and get public comment and then have an Open House and invite the property owners being affected and voice some of their issues. Before we change it, it has to go through the Public Hearing process for formal comments on the record. We are looking at changing the land use plan but we have to look at zoning as well. We use the General Plan as our guide. We are taking the vision that is outlined in the General Plan and trying to implement that in our land use but the City is growing so we need to take all that into account. **Mike Haycock** stated we need to consider buffers as well and what is around it. We do need somewhere for Multi-Family and how we make it blend with what is already built. **Commissioner Bob Morris** stated that has been our mission and he thinks we have been true to that blending. **Mike Haycock** stated the next two weeks look at RA-1 and RA-5 zones and look at the land use plan and start formulating your ideas. We will discuss this further at the next meeting.

F. Discuss and consider recommendation defining Ivins City Solar, Ground-Mounted Solar and Wind Power and Allowable Uses.

1 **Mike Haycock** stated that there is an area in our ordinance that talks about solar roof mount, but
2 nothing specific in there for design. He would like to see what the Planning Commission likes
3 and doesn't like and codify it into an ordinance. Do we even want to talk about wind? There is
4 commentary in there that it can't be two feet taller than adjoining property next to it, so that it fits
5 in if we want to go that direction. **Commissioner Doug Clifford** inquired do we have wind
6 power requested? **Mike Haycock** stated no one has requested it. **Dale Coulam** stated it is not in
7 the table of uses it is prohibited. We are asking you if you want to add that, and if so, what does
8 that look like? **Commissioner Bob Morris** stated if we banned wind power from our City we
9 would be doing our citizens a favor. It is a nuisance. It causes chop and shadowing. These are
10 meant to be out in the middle of the desert for commercial grade. Wind power doesn't have
11 efficiency and how much they actually provide as opposed to initial cost and
12 installation. **Commissioner Dave Robinson** stated wind solar can be a turbine which he doesn't
13 see being here, but they have tons of new technology coming out. Do we want to eliminate it all
14 together? There could be viable options that look just fine and don't overpower the City. They
15 have lower profile conical versions now. Regarding efficiency, when we get wind it is not very
16 consistent. **Commissioner Doug Clifford** stated we could recommend that we not even consider
17 wind. **Commissioner Dave Robinson** stated that he doesn't like telling people what colors they
18 can do, so long as it matches some part of the house or the trim. He doesn't care for the Light
19 Reflective Value. The proposal of how much of a ground system it can be, should go by the
20 construction standard and be two feet off property lines. If it is going to be a solar farm let them
21 use up every square inch they can, minus our City setbacks. A personal ground mounted system
22 has to be one acre. There is a home in Padre Canyon that has a ground mount unit on the side of
23 the house. It doesn't look bad. **Mike Haycock** stated as long as it is screened. **Commissioner**
24 **Doug Clifford** inquired if a solar farm would have to be commercial property? They aren't using
25 it all themselves. They are selling it back to someone. **Commissioner Dave Robinson** stated
26 there are a lot of dead spaces in Ivins that can't be used for anything. They are setbacks, or
27 collection basins. Why not use them to generate power? **Commissioner Doug Clifford** stated
28 other than the views. People would be more concerned about that. **Commissioner Dave**
29 **Robinson** stated they would have to be screened. **Commissioner Bob Morris** stated the mirror
30 effect destroys the natural landscape. **Mike Haycock** stated a solar farm would be looking at
31 density and landscaping. Ivins citizens care about what things look like. Doing screening and
32 landscaping, those items are important. Do you want a Conditional Use Permit with this? What
33 type of review? And what zones do you want this to be allowed in? **Commissioner Bob**
34 **Morris** stated 5-10 acres. When it becomes profitable enough for people to want to do them on a
35 small scale. A lot of solar farms popping up right now is because our federal government is
36 mandating that power companies have a certain percentage of their power from renewable
37 resources. That is prompting them to meet that requirement. We need a pre-emptive
38 standard. **Mike Haycock** stated if you don't like them you'd be more restrictive and would say
39 10% of a property can be solar farm. Less restrictive you would state 90% of the property could
40 be used for solar. **Commissioner Dave Robinson** stated still let it be landscaped so that is what
41 people see. **Commissioner Bob Morris** stated so we give instruction to staff to clean this up and
42 table this discussion until next meeting. **Commissioner Dave Robinson** stated if everything was
43 screened then we wouldn't care about them painting conduits or the aesthetics. **Mike**
44 **Haycock** stated they would need to meet our fencing code. **Commissioner Bob Morris** stated
45 that he is okay with it being a higher percentage, like 75%. He is not worried about

setbacks. **Mike Haycock** inquired does the Planning Commission want a Conditional Use Permits? Class IV would go to the Planning Commission and Class V would go to City Council.

G. Discuss and consider approval of Planning Commission Meeting Schedule FY2022.

MOTION: Commissioner Bob Morris moved to approve Planning Commission Meeting Schedule FY2022.

SECOND: Commissioner Dave Robinson

VOTE: The motion carried.

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

H. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for November 16, 2021.

MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for November 16, 2021.

SECOND: Commissioner Dave Robinson

VOTE: The motion carried.

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE

4) REPORTS

A. Planning Commission

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated that he is working on Light Reflective Value accents and trims. He has had some discussion with contractors and will send that back to the Planning Commission in a few weeks. We are defining accents and trim that is outside the Light Reflective Value and if it outside of the colors, what percentage, like 25% of the frontage, or 50%. **Commissioner Bob Morris** stated that he wants to not punish our people for letting them have the colors they want as individual homeowners. He understand it on Multi-Family and apartment complexes and townhomes.

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.

Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE