

**IVINS CITY
PLANNING COMMISSION
MINUTES
February 15, 2022
435-628-0606**

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chairman Jeff Loris, Commissioner Doug Clifford, Commissioner Bob Morris, Commissioner Dave Robinson, and Commissioner Pam Gardiol.

1) WELCOME AND CALL TO ORDER

Staff Attending: Mike Haycock-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.

Audience Attending: Brad Osburn, Sally Jensen, Mike Corbett, Jenny Johnson, Chris Haddad, Nancy Martinez, 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 AND PRESENTATIONS -

A. Concept Plan Report for Vista Subdivision, located at approximately 145 West 100 South. Sally Jensen-Owner Applicant.

Mike Haycock stated that this is the zone change that we saw a few weeks ago coming to fruition. TRC has reviewed this plan and is consistent with the General Plan. This is a three lot subdivision with an existing single family dwelling on the property. **Commissioner Doug Clifford** inquired about the driveway access? **Mike Haycock** stated that the Fire Department has looked at the road access and when it comes to Preliminary plan there will be two driveways consistent with Fire Department regulations. **Commissioner Pam Gardiol** inquired where are those access options located? **Mike Haycock** stated it will be a turn around area for the Fire Department, a hammerhead or a circle. It will be just the one access, consistent with the ordinance. **Commissioner Pam Gardiol** inquired if there is adequate space to put that turn around in? **Mike Haycock** stated that we will check that at Preliminary Plan for compliance.

3) PUBLIC HEARING AND ACTION ITEMS—

A. Discuss Amendments to Chapter 33 Tables of Uses.

Mike Haycock stated that Dale Coulam attached a list of discussion points. To highlight, because of water restrictions in the future we have asked to remove golf courses in the table of uses. Remove or clarify carwashes, depending on the type like drive-through or self-wash. We would like to clarify hotel. Right now the definition suggests it should be a typical hotel, but in Ivins it may be appropriate to have a horizontal hotel that is not all one building. The definition should reflect buildings like Sentierre where you have separate buildings rather than a typical three story hotel that is all connected. So we want to look at that definition as well as motels. We can combine the two or leave those definitions separate. Licensing and Bar Establishments, it shows as a Class V Conditional Use Permit. We thought that we should prohibit that in all uses except CLM Commercial Light Manufacturing zone. That changes the Table of Uses in a direction more consistent with the business licensing the State did a few years ago. Same with Sexually Oriented Businesses. Put them in the CLM Commercial Light Manufacturing zone. **Chairman Jeff Loris** inquired so should we remove golf courses entirely, making them a

1 prohibited use in the future? We are in a drought now, but is this reasoning for water or
2 recreation? We are a destination location because of the beauty of this area. He doesn't see a lot
3 of spaces in our land use that would be feasible. **Mike Haycock** stated that water is the driving
4 factor for adding that specific use to the agenda. **Commissioner Pam Gardiol** stated she is in
5 favor of removing it. **Commissioner Dave Robinson** stated he would be against it. There is not
6 a lot of places we could put it in anyway, but if we annex property in, it would prohibit it in that
7 area. Water is an issue right now, but it won't be forever. **Commissioner Bob Morris** stated that
8 he is concerned we are going to remove golf courses but can't remove Sexually Oriented
9 Businesses. It is unnecessary to remove it. Whatever business goes in, they would have to get the
10 water. **Commissioner Doug Clifford** stated that it is unnecessary to remove it. We could have
11 Top Golf or mini golf that would not be an 18 hole resort that would be smaller and may get
12 around the water issue. Water is a problem for everything so singling out golf courses is
13 unnecessary. **Chairman Jeff Loris** stated we also aren't removing car washes so why would we
14 remove golf courses? Other municipalities just restrict the application of golf courses or car
15 washes, if we put an asterisk that they can only build if they have the water. **Commissioner**
16 **Dave Robinson** stated we can't approve it anyway if there is no water. That is a moot point.
17 Don't remove it. **Commissioner Pam Gardiol** stated at this time there is no place to put it. The
18 Table of Uses are not static. At this point since there is no place to put it, taking it out better
19 aligns the uses with what is feasible at this time. **Commissioner Bob Morris** stated that is hard
20 to put it back in once it has been removed. It is unnecessary to remove it. **Chairman Jeff**
21 **Loris** stated it seems the majority wants to leave golf courses in. It will have Public Hearings at
22 both Planning Commission and City Council to be scrutinized again. Moving to carwashes and
23 prohibiting them, do we want any more like Lightfoots to be allowed in the future? Their water
24 ends up in the drainage system. **Commissioner Dave Robinson** stated they actually recirculate
25 their water with a tank off to the side. There is a State law now that all facilities of that type have
26 to use that recirculation equipment and reuse water. **Commissioner Pam Gardiol** stated that she
27 is glad it is a standard that it is recirculated. Another issue is the noise at Harmon's car wash. So
28 where would that peripheral noise go in neighborhoods with that constant din? She would be in
29 favor of only allowing hand operated facilities rather than automatic ones. **Commissioner Doug**
30 **Clifford** stated the noise primarily comes off the vacuums and we have noise limits on any
31 property. We may get to a point we can't wash our cars at all at home so we may want
32 one. **Commissioner Bob Morris** stated he doesn't want to make everyone go to Santa Clara to
33 wash their car, but the issue is where would we allow it to go. If we are responsible about that we
34 could keep it here in our community, benefit from the tax revenue and the convenience. **Mike**
35 **Haycock** stated that the two zones carwashes are allowed in are C-1 and CLM, and those are
36 Class IV Conditional Use Permits. **Chairman Jeff Loris** stated that the definition of carwash is a
37 structure with machine or hand operated facilities used principally for the cleaning, washing,
38 polishing or waxing of motor vehicles. A facility of this type may be able to accommodate more
39 than one vehicle at the same time. **Commissioner Bob Morris** stated that the definition seems
40 good. **Commissioner Doug Clifford** stated they could add conditions to it, like the recirculating
41 water, noise system or decibel level. **Commissioner Pam Gardiol** stated she appreciates the
42 comment about decibel level but even legislating that level it can still be invasive on a
43 neighborhood so we would want to monitor that closely. Do we have the ability to do that and
44 have it be within the law? **Commissioner Dave Robinson** stated that he owned a race track and
45 neighbors were concerned about the noise so the City limited the time of day when we could
46 operate. We have construction and all kinds of noise that goes on during the day. In the evening

1 it could have been a nuisance. **Commissioner Bob Morris** inquired what if we got rid of C-
2 1? **Mike Haycock** stated there is only one CLM district out by Kayenta. Maybe require a buffer
3 between existing residential for noise control. Maybe a certain distance away, like we do for
4 schools and churches. He will look into the distance and restrictions regarding noise and
5 light. **Chairman Jeff Loris** stated that this is sounding more like a noise issue rather than a
6 water issue because of the recirculation requirements given by the State. **Commissioner Pam**
7 **Gardiol** stated she would encourage the research regarding the buffer be the most outer limits on
8 what is invasive, because those requirements are not always realistic. Let's look at that
9 thoroughly and find out what the options are. **Chairman Jeff Loris** stated regarding clarifying
10 the definition of hotels like Sentierre so we would allow horizontal single level buildings,
11 modularly separated structures. **Mike Haycock** stated that the part that was not consistent was
12 through a common entrance, lobby or hallway to four or more guestrooms. Sentierre doesn't have
13 a lobby and it is not the primary entrance. **Chairman Jeff Loris** inquired can we strike
14 that? **Commissioner Bob Morris** stated that it should say hotel building(s) and make it plural.
15 Strike common entrance and he doesn't know if we should limit it but leave it at four or more
16 guestrooms, otherwise it is just a short-term rental. **Commissioner Doug Clifford** stated this is
17 the same type of thing as the RV park with those cabins to rent. It is written under the RV but it
18 is similar. **Commissioner Dave Robinson** stated that looking at resorts we already have like
19 Movara Villas that has external single units, Red Mountain Resort and Black Desert Resort is
20 planning on doing that as well. We are already down that road and it has not been an issue. Why
21 are we trying to change it? **Commissioner Bob Morris** stated we are just changing the definition
22 to match the kind of hotels we have. **Chairman Jeff Loris** stated it would be permitted non-
23 conforming and we want them to be permitted and conforming so we are changing the verbiage
24 to match the uses allowed to be consistent. If we put building(s), making it plural offering
25 temporary lodging or overnight accommodations for four or more guestrooms. Strike access
26 provided through a common entrance, lobby or hallway. **Commissioner Pam Gardiol** stated
27 that however we define this needs to be aligned with the view priority in the General Plan and
28 the site plan aligns with the use of the land so they are not sprawling. **Chairman Jeff**
29 **Loris** stated yes that is why we rely heavily on TRC for that to make sure those site plans and
30 preliminary plans are taken care of. **Commissioner Bob Morris** stated they have to go in an area
31 where hotels are allowed. They can't buy five homes in an area and start renting them out and
32 call it a hotel. **Chairman Jeff Loris** stated that they also have to have a Class V Conditional Use
33 Permit and go before Public Hearings before us as well as City Council. Item 4 states that in
34 2018 entities holding a dining club alcohol license were required to identify themselves as either
35 a full service restaurant or a bar establishment. We need to add bar establishment as a type of
36 license issued by the State that requires City consent. Full service restaurants already existed. Bar
37 establishment is a recognized use/license by the State we should add bar establishment to the
38 table of uses as shown as a Class V Conditional Use Permit only in the CLM Commercial Light
39 Manufacturing zoning District and prohibited in all other zoning districts. He inquired why in
40 CLM and not C-1? **Mike Haycock** stated he is not sure. If it is something you would like to do,
41 we can discuss it. **Chairman Jeff Loris** stated that the City has C-1 close to church and Hwy 91.
42 We wouldn't like a bar there. There is some by Rocky Vista University which might be nicer for
43 the college students, although they are trying to study for medical exams. **Commissioner Dave**
44 **Robinson** inquired are we blending restaurant with bar use? **Mike Haycock** stated this is just
45 specific to bars that serve alcohol. State requirements for both we want to be consistent with their
46 licensing requirements. We wanted to place bars in a zone and be specific in the table of

1 uses. **Commissioner Dave Robinson** stated it looked like we are trying to lump them together
2 as he reads it. We have a restaurant spot open in Canyon Crossing eventually and he would
3 assume they may want to have an alcohol license. **Commissioner Bob Morris** stated we are
4 trying to isolate it by putting it in Commercial Light Manufacturing. **Commissioner Pam**
5 **Gardiol** wherever it goes a key element is buffering and hours of operation as it significantly
6 impacts neighborhoods. Closure time for some bars is 2 a.m. and those may be limited to State
7 law. **Chairman Jeff Loris** stated that the only two places we have CLM is in Kayenta near Fire
8 Lake Park adjacent to the storage units, and a small piece at Red Mountain Elementary so we are
9 restricting based on the zone. **Commissioner Dave Robinson** inquired if Black Desert Resort
10 has plans to put a bar in? **Mike Haycock** stated that Black Desert Resort has a combination of
11 uses and have already gotten their permissions so it should not affect what they are allowed to do
12 in the hotel and is in the Development Agreement and in their Conditional Use
13 Permit. **Commissioner Bob Morris** stated he is all for making it difficult to put a bar in a
14 neighborhood. He would suggest isolate it out to a remote place, but then again he doesn't
15 drink. **Commissioner Pam Gardiol** inquired what is the impact on neighborhoods and daily
16 life? **Chairman Jeff Loris** stated there is one more area down by Mojave Mesa by Ryders
17 garage. The developer of that area probably will not file for a alcohol license in his
18 neighborhood. He has no problem adding that to commercial light
19 manufacturing. **Commissioner Doug Clifford** stated there is heavy regulation with the State. It
20 won't be in residential near a school or a church. There is a lot of restrictions. **Commissioner**
21 **Dave Robinson** stated this is only for bars, not restaurants. **Commissioner Pam Gardiol** stated
22 that State law does little to prevent the intrusion into neighborhoods. We need to be careful
23 where we put it. She took the zoning map and drove Ivins. Going out by Ryders and imagining a
24 placement of a bar there that is open until 2 am could create lots of business for our police
25 officers. **Chairman Jeff Loris** stated that Sexually Oriented Businesses must have a zoning
26 district where it would be allowed as a Conditional Use Permit under the business licensing
27 chapter of City Code. A Sexually Oriented Business is only allowed in Commercial Light
28 Manufacturing district but should also reflect that in the table of uses that it is a Class V
29 Conditional Use Permit only in the Commercial Light Manufacturing zoning district, and
30 prohibited in all other districts. It just needs to be changed. **Mike Haycock** stated it has no
31 zoning designation and so we would add a Class V Conditional Use Permit under the
32 Commercial Light Manufacturing zone only. **Commissioner Bob Morris** inquired do we have
33 to do that? We can't prohibit it? The State says you have to provide it. **Commissioner Pam**
34 **Gardiol** stated she would say the same here, and that it needs buffering and to be monitored
35 closely. Are people coming and going in the middle of the night? **Commissioner Doug**
36 **Clifford** stated hours of operation are restricted at the State level. It would be police
37 enforcement. **Chairman Jeff Loris** stated that they also need to come to City Council and
38 Planning Commission for Public Hearing as well, stipulated in a Conditional Use Permit.

B. Discuss Land Use Map, Zoning Map and General Plan Amendments.

39 **Chairman Jeff Loris** stated he and Commissioner Pam Gardiol looked at traffic flow through
40 Ivins and what has changed with the map as it was done several years ago. Major collectors that
41 come through Ivins is Center Street and turns into a major arterial as it comes past 200 East and
42 has moved from 750 West through changes in the Transportation Master Plan to 600 on the south
43 and Kwavasa on the North. The land use shows a large commercial bubble north of that, closer
44 to Kayenta. That would be similar to the Tuacahn roundabout where Canyon Crossings is.
45 Commercial is around that area and it is feasible that we have a commercial pocket on 600 West

1 and Center Street. It could be more centered around where traffic would be. There is no
2 commercial shown around this point on this map. It is up to the north a bit more. It seems like it
3 would happen around the intersection. So Tuacahn and that roundabout, where Rocky Vista
4 University is, and down south by Ryders. We talked about move the commercial further south
5 where it is more feasible and pull the bubble further down South. **Commissioner Dave**
6 **Robinson** stated he agrees. That makes sense. **Chairman Jeff Loris** stated that it would help
7 with light pollution out in Kayenta and it is still owned by the same owner. **Mike Haycock** stated
8 that one thing he has noticed is that holding zones create scatter based on land for sale. It would
9 be nice to buffer those areas. Each of those areas already has some residential there.

10 **Commissioner Bob Morris** stated that he still just wants the asterisk. We can't change it from
11 agricultural until the land owner wants to quit farming. What do we do to a land owner when we
12 change it to residential or commercial? Which would be more lucrative for them? Do we deny
13 them their rights to a better sale? **Mike Haycock** stated that it would be nice to have corridors so
14 it is more organized. We can't tell someone this is what you are going to sell your property for,
15 but we can say what type of uses we would like to see there and change it on the land use map. It
16 doesn't force their sale and it may change or make their property values more or less attractive. If
17 you don't you will have exactly what you have now. **Commissioner Dave Robinson** stated so
18 we would be designating what our designed use would be, not necessarily changing the zoning in
19 that area. **Mike Haycock** stated yes and we can still have the asterisk. We aren't changing any
20 zones and we still have the misnomer out there that what a property is labeled is what it will be.
21 We need to change the advertising. Real estate agents need to look at the land use plan when
22 they are selling a property, not just the zoning map. The land use map tells the story of what
23 direction we are headed. **Chairman Jeff Loris** stated that as we have seen applications come
24 through the money makers seem to be the higher the density the more homes they can sell per sq
25 ft. As we look at the flow through town when the Parkway came through that opened up Santa
26 Clara and St George to come through Ivins. Resort Commercial has been used mostly by Black
27 Desert Resort and west of the roundabout that is not developed by Tuacahn wash is Resort
28 Commercial and fits with Resort Mixed Use and that matches up as we come down Center
29 Street. Going up 200 East you come to the commercial areas that are adjacent to the trailer
30 homes and were made Commercial because they were existing situations with Lightfoots, the
31 restaurant and post office. 200 West has a small piece where Troy built his shop so that was also
32 pre-existing. There are the storage units on Main Street but that is not really the main corridor for
33 our City. 200 East and 200 West are high usage, as well as 600 West. 400 is quite busy but has a
34 few stop signs to slow traffic down. The Transportation Master Plan shows a lot of use coming
35 through Kwavasa. C-1 at end of town across from the RV resort is also designated. As we look at
36 how the City is set up, you can see where the traffic and people go. What we need to look at is
37 the far exterior bookends. Black Desert Resort takes up most of east side. There is a small piece
38 by Red Mountain Spa and Sentierre and Tuacahn is taken care of. Really the west side and what
39 may be annexed in to the west. We need to look at bubbles of commercial elements and non-
40 commercial elements on the west side and what kind of flow will happen. **Commissioner Dave**
41 **Robinson** commercial property would be really good in that area because it is bordering the
42 water. He assumes they will have entertainment, like paddleboards, etc. Could be eateries or
43 paddle board rentals. He thinks it makes perfect sense. **Chairman Jeff Loris** stated the zoning
44 for that area is an RA-1 holding zone. RE-20 to the southwest that has already been through
45 application and to the west is RA-1 holding pattern. They are low density but there is a potential
46 for change as it is just a holding pattern. It seems like a feasible place if we were to move those

1 bubbles. **Mike Haycock** stated the Western Corridor affects the southern end. **Chairman Jeff**
2 **Loris** stated it comes from the Santa Clara River and cuts through north of the community park
3 and there is farm that the corridor sits on the south end next to. It is all agriculture use there right
4 now. There is a planned roundabout on 200 East and would be an excellent place for
5 commercial. **Mike Haycock** stated we have received an application for townhomes on 800 South
6 and Main Street. You are buffering those townhomes with a Medium Density area. **Chairman**
7 **Jeff Loris** stated they had an overlay on it for Short-Term Rental and the large triangle that is a
8 more High Density use there. Ties in with the use of that area. **Mike Haycock** stated that buffers
9 the Medium Density from Commercial. **Chairman Jeff Loris** stated that the Corridor passes
10 through Santa Clara and passes north again through the Black Desert Resort area and through the
11 SITLA land and back through Black Desert Resort. **Mike Haycock** stated there is application
12 coming from Rize-Up who is looking at the SITLA land and they have buffering and geological
13 features they are balancing. It looks to be compliant with the Master Plan. That application is
14 coming to move from the holding zone to what is consistent with the land use plan. There may
15 be some talk about changing buffer areas a bit. **Commissioner Dave Robinson** stated that most
16 of that road goes through Black Desert Resort. **Chairman Jeff Loris** stated and SITLA. It
17 follows the wash. Resort Mixed Use is where there will be a commercial application
18 there. **Commissioner Doug Clifford** stated that is organic growth. Chairman Jeff Loris stated
19 there is a good portion of open space that was required to stay open for the golf course and the
20 lava flow. **Mike Haycock** stated we have plenty of commercial zones. Leading in to the south,
21 make it consistent to maintain the uses that are already planned there. **Commissioner Doug**
22 **Clifford** stated that a comment was made about congregating our commercial, but he thinks
23 distributing commercial fits the nature of Ivins more. We don't want a large shopping center
24 somewhere. We are looking for small boutique style shops scattered around the community to
25 provide proximity to those homes. Shotgun may be what we want. **Mike Haycock** stated one
26 thing we don't have is a general mixed use, where you can have businesses below a one or two-
27 story apartment complex. May want to look at adding that as a walkabout community. If you put
28 all your apartments together they are not usually successful. If you scatter High Density it is
29 usually more successful. **Chairman Jeff Loris** stated that down south next to the highway we
30 have a lot of High Density with Red Mountain Vista Townhomes, Sage Villas, Movara Villas
31 and Azalea Townhomes. **Commissioner Dave Robinson** stated that regarding the annex area, he
32 is thinking about what zones would go in. The area where the corridor is would give us some
33 beautiful commercial and then do homes up closer to the ridge. He knows that is out of range for
34 awhile but need to be thinking about it. **Chairman Jeff Loris** stated that 400 West loops around
35 as a minor arterial and it is also a gathering point. **Mike Haycock** stated that he will draw up
36 some corridors and drop that one commercial bubble down to 400. Do you want to be specific on
37 some buffers as we do that? We will put a map together and see if what we draw meets what you
38 want. He inquired if there was any specific size acreage selected or just the two corner R-1
39 pieces at the end of Center Street? **Commissioner Dave Robinson** stated that the 750 West loop
40 has an RA-1 to the north and the southwest and directly south is RE-20, and RA-15 to the
41 northwest. So just move that bubble down. **Mike Haycock** will bring back those changes.

C. Discuss exterior of homes in regards to LRV.

42 **Mike Haycock** stated he went one direction and will now respectfully listen to the Commission's
43 opinion. Enforcement is probably the most difficult ordinance he's ever enforced but it shows the
44 interest of the community and that is important to them and to the City of Ivins. It is totally in
45 your court to tell me what you want this to look like so he can communicate that to the City

1 Council. **Commissioner Pam Gardiol** stated while being as neutral as possible and doing
2 research to understand, a couple issues came to mind. There has been a gap in applying this
3 ordinance. Is there a precedence that we can't enforce the ordinance we have? **Mike**
4 **Haycock** stated if there is a development agreement or not, it makes it hard to tell a contractor he
5 can't have it but the other can. When it is a competition to sell houses and white sells, we are
6 affecting the market. It is not a consistency in enforcement or interpreting the ordinance, but
7 maybe there has been a difference of what small amounts have been as to what he thinks small
8 amounts are. When you look at a building and say it fits in the community, but it may not to
9 someone else. Consistency wasn't a major part of it, but there is an inconsistency in
10 interpretation. **Commissioner Pam Gardiol** inquired if that inconsistency however small it may
11 be compromise our ability to enforce what we have now, or what is created? **Mike**
12 **Haycock** stated no. **Commissioner Pam Gardiol** stated she tends to go back to see the context
13 in which a decision is being made. She read Chapter 19 Site Plan and Building Design
14 Requirements. Under Purpose it reads the desert setting of the city is both a spectacular and
15 fragile environment. It is worthy of preservation and requires careful stewardship. The
16 magnificent setting of the City requires that all uses and buildings complement and be in
17 harmony with the natural environment. The purpose of this chapter is to promote a level of
18 building and site design consistency, sensitivity to the natural environment of the City, and to
19 protect and promote the unique community identity of the City. That was the thing that resonated
20 with her the most is the unique community identity. As she has read the General Plan under
21 16.19.103 Building Design Requirements in unique and building design requirements. Structures
22 To Blend With the Environment: It is the vision of the City that all buildings and their associated
23 facilities and improvements will blend with the forms, colors and textures of the city's desert
24 setting. The City encourages creative and varied architecture reflecting its desert character,
25 avoiding extremes and uncharacteristic themes, styles and color. The goal is for all manmade
26 structures to blend harmoniously with the natural environment. If this is the intent of this chapter,
27 then we align our decision with what is in the chapter or table this until we have the General Plan
28 neighborhood meetings and gather input from citizens and see if they feel this is still the intent of
29 the community or is it time to redefine this wording in either this chapter or the General Plan? It
30 is premature for the Commission to act on this at this point. **Commissioner Dave**
31 **Robinson** stated we are now talking about Light Reflective Value generally, not just a trim. It is
32 supposed to blend with our community and that is great, but we put this Light Reflective Value
33 as if that is going to some way make that happen. If you drive through the west side of Ivins and
34 Padre Canyon area is all white sandstone. A few feet further is black lava rock. What are we
35 trying to blend with? There should not be a restriction on color. He understands we don't want
36 something that looks completely out of place, but Light Reflective Value allows for all colors he
37 wouldn't want on his house. State law says we cannot restrict it. What we have done was made
38 an end run as a City and made them sign a development agreement to abide by our colors. He
39 thinks that is an overreach and Light Reflective Value is a ridiculous restriction that needs to be
40 removed. There are some subdivisions that don't even come close to meeting Light Reflective
41 Value that are gorgeous and have no issues. There were some homes before the agreement that
42 were allowed to be built outside of the Light Reflective Value and wasn't being pushed hard.
43 They are scattered out. Trying to put the hammer down now is just overreach by us and needs to
44 be done away with. **Chairman Jeff Loris** stated that Development agreements are put forward
45 as recommendations as a favor to the City to comply with Light Reflective Value. It is not a
46 defining element on whether the City will allow a subdivision or not. They can stipulate to it or

1 not, but it is not a hostage situation. Developers have a chance to deny or agree to
2 it. **Commissioner Dave Robinson** stated that a developer will sign anything because they have
3 money on the line and they will do what they have to, to get their development
4 done. **Commissioner Bob Morris** stated that we are making their lives miserable. The
5 requirements are very detailed. He is a property rights guy. He disagrees with Light Reflective
6 Value because it is a bad metric. He has faith in developers that the colors he uses will make
7 their build more valuable. We currently have a modern trend with roofstyles and colors. Things
8 change. His son was getting his home restuccoed and according to Light Reflective Value he
9 wasn't in compliance. We have had people taking rocks off the front of houses and having to
10 change because of this Light Reflective Value ordinance. We are not a Homeowners
11 Association. This is unnecessary and he would like to see it disappear. **Commissioner Doug**
12 **Clifford** stated that we skirted around this and he knew it would come back. He agrees with the
13 comments that are being made. He googled other cities color restrictions or legislation and found
14 almost nothing. There is not a major city in the US that has a color code to conform to. However,
15 cities do tend to have a color. Not through legality or laws, but through environment and building
16 materials they have to use. It becomes a defacto standard for trying to blend. That is what we say
17 in the General Plan is we want it to blend in. It would be nice to have matching colors, but he
18 doesn't think we can restrict it. The State has made it pretty clear but we tried to take a back door
19 to keep it. If someone wants a restricted neighborhood where the homes are similar in color
20 and shape, go to an HOA and they will have a color palette. Light Reflective Value is used by
21 designers. We cannot legislate it or force it. The State told us we can't do it. The only way we are
22 getting around it is with development agreements. We are wearing out our inspectors and making
23 a lot of people mad for no real reason. **Chairman Jeff Loris** stated that as we all feel strongly
24 about Light Reflective Value it is really dependent on the public and have the City Council there.
25 They are really who pushed Light Reflective Value through. Our Commission seated here is set
26 against this, but we are open to get input from the community and serve to make this a beautiful
27 area. He thinks we should table this. **Mike Haycock** stated we could see where the State
28 legislature heads this year and sometimes the homebuilders association throws things in last
29 minute. We can talk to the public about land use and Light Reflective Value and we will also
30 have a Public Hearing on this as well. **Commissioner Dave Robinson** stated that in addition to
31 this is landscaping. The house next to mine is white and mine is black. He doesn't care what
32 landscaping they have over there. We shouldn't regulate that either. **Commissioner Doug**
33 **Clifford** stated that we have people hanging out there and trying to enforce something we don't
34 believe in, so maybe put it back on as a Public Hearing to do away with it two weeks from
35 now. **Mike Haycock** stated we would have a Public Hearing and have the ordinance deleting the
36 Light Reflective Value section. It is not a rush though. We have come to an understanding with
37 the contractors just through time. We still have contractors coming in that we are having to tell
38 them that the colors they are putting on are not what they submitted. We are enforcing it and it is
39 a bit of a battle but we don't want to rush through and make a hasty decision on it. This
40 community has talked about this several times. **Commissioner Pam Gardiol** stated her concern
41 on public input on something this controversial she was thinking as we have community
42 meetings, not just a public hearing, and find out how people feel. She is hoping we can hold
43 them throughout the City as we do the General Plan. If we are proactive in how we are reaching
44 out as we gather that input we will have a better understanding how the community feels about
45 Light Reflective Value. **Commissioner Bob Morris** stated that he remembers the dismay the
46 painting professional had. There are a lot of people like me that don't like being told what they

1 can and can't do with their own property. Let HOA's handle this, that's great. A neighbor will tell
2 on them and they'll get fined or get a lawyer. Developers are of course going to pick colors that
3 are going to sell and enhance the value of what they are trying to market. There are so many of
4 us though that just want to feel like we own our home, not just paying property tax and letting
5 the City tell us what we can do on our own property.

6 **Commissioner Doug Clifford** stated that in our effort to chuck out the baggage we don't throw
7 out the General Plan because it is still valid in its desire to have an overall theme for our City.
8 We need to emphasize that. Most people want to blend in but not everyone and that's okay. We
9 are not trying to change the General Plan but we need to address this from the General Plan
10 standpoint and we don't want to have to enforce these details. **Mike Haycock** stated that he does
11 not have an opinion in this so if there are three that want it on the agenda we can, or take it to
12 public comment or hold it until after Legislature. **Commissioner Pam Gardiol** stated she would
13 like to wait for the input process from the community on the General Plan neighborhood
14 meetings. **Commissioner Dave Robinson** would like to vote at the next meeting Public
15 Hearing. **Commissioner Bob Morris** stated he would vote for a Public Hearing. **Commissioner**
16 **Doug Clifford** stated he would like to look at the Public Hearing as input. Go ahead and put it on
17 the agenda.

D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for February 1, 2022

18 **Commissioner Pam Gardiol** stated on Page 4 the vote to table the amendment to chapter 16 she
19 voted nay.

20 **MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning**
21 **Commission Meeting Minutes for February 1, 2022, as amended.**

22 **SECOND: Commissioner Dave Robinson**

23 **VOTE: The motion carried.**

Chairman Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE
Commissioner Pam Gardiol	AYE

4) REPORTS

A. Planning Commission

24 **Commissioner Dave Robinson** stated we are working on a youth council for Ivins City and it
25 will be on the City Council agenda. He and Commissioner Bob Morris will both be there. We
26 have a few volunteers from the community that are going to help guide this.

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

28 **Mike Haycock** stated that in the future, home occupations were completely taken out of the
29 zoning ordinance so we should put it back on table and define it and set some boundaries to it.
30 The State has got their hands into business licensing and so we had put it completely in the
31 State's hands, but we should maintain the amount of parking, hours of operation, noise, etc.
32 Fences, walls and retaining walls has some discrepancies. We are really busy right now with
33 ordinances, but those items will be coming forward. **Commissioner Dave Robinson** stated he
34 would love to help with that ordinance.

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas

5) **ADJOURNMENT**

MOTION: Commissioner Bob Morris moved to approve ADJOURNMENT

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

Chairman Jeff Loris	AYE
Commissioner Doug Clifford	AYE
Commissioner Bob Morris	AYE
Commissioner Dave Robinson	AYE
Commissioner Pam Gardiol	AYE