

2022-2025 Voting Record: Zoning & Land Use Issues

Updated April 2025

About Zoning vs. Land Use Changes

Some argue that if the City Council approves a zone change even if it aligns with the Land Use Map, we are ignoring the will of residents who probably would prefer to stop or at least slow new development. But that's not the case. In fact, the City Council would be following the vision for the city that was established through community input and a lot of planning effort over many years.

The Land Use Map reflects the long-term direction of the city, created through public involvement and past decision-making. It reflects what makes the most practical and actionable sense for Ivins, balancing the needs of residents with the rights of property owners. Property owners, developers, and residents alike must be able to rely on this plan to make decisions about their future.

When a zoning change request matches what the Land Use Map envisions, approving it is not an arbitrary choice, it is following the city's established direction. In other words, it's not about forcing development where it doesn't belong; it's about implementing the plan that was already in place.

The Importance of Following the Land Use Map

I have been deeply frustrated in the past when I've seen the City ignore the Land Use Map and approve land use changes that completely disregarded the vision it was meant to uphold. There have been times when higher density or entirely different uses were approved, despite the map clearly indicating otherwise. These were mistakes, ones that should never be repeated.

The Land Use Map is not just a suggestion. It is the foundation of responsible planning, providing stability and predictability for property owners, developers, and residents. When it is ignored, we create chaos, turning zoning into a free-for-all rather than a strategic framework for our city's future.

To be clear, I am not against change when it is truly necessary. If circumstances have shifted, whether due to a change in our long-term vision for the city, infrastructure limitations, or other legitimate reasons, then adjustments may be warranted. But those changes must be backed by solid, fact-based reasoning, not political pressure or the whims of the moment.

See more at, "How To Think About Rezone Proposals" at <https://www.mikescott4ivins.com/?p=3483>

4/17/25: Consider adopting the Ivins City Annexation Policy Plan. **Action:** I voted to approve the plan. (Note: Some residents were concerned because they interpreted this as the city's desire to move ahead and include these surrounding lands into the city. That is not the purpose of the plan. The plan is more strategic, giving the city some say in how surrounding lands get developed if the landowners choose to develop.)

4/3/25: Consider a Zoning Amendment from RA-1 (Residential Agriculture) to R-1-7.5 (Residential Single Family, lot size 7,500 square feet) at approximately 200 West 200 South. **Action:** I voted to approve because the density was consistent with surrounding homes.

3/20/25: Consider amending the Subdivision Ordinance to remove requirements for installation of secondary water systems on new development. **Action:** I voted to approve this change because the Water conservancy District has changed its plan from delivering secondary water to Ivins from the Santa Clara river to treating that water to culinary quality.

3/6/25: Zone Amendment from RA-1 (Residential Agricultural 1 acre) to R-1-7.5 (Residential Single Family 7500 square feet) on approximately 9.21 acres. **Action:** I was the only vote against the rezone. I would have approved the rezone but I believed the property owner should have committed to some simple measures to minimize impact to adjacent homes.

3/6/25: Discussion regarding a Memorandum of Understanding and Agreement regarding requirements to minimize the impact of grandstand construction at Black Desert Resort for the PGA and LPGA events. **Action:** All council members pushed for changes to significantly reduce the time the grandstand closest to homes in Ivins was under construction and in use, from about 150 days for the PGA last year to 90 days for the PGA and 60 days for the LPGA.

2/20/25: Public Hearing to approve a Zone Amendment from RC (Resort Commercial) to CLM (Commercial Light Manufacturing) on a portion of property located at 1650 East Snow Canyon Parkway (Note: For gas regulator station for Enbridge Gas) **Action:** I voted to approve, with the finding that Enbridge agreed to CUP that will satisfy our design and screening concerns.

11/21/24: Consider amending regulations governing Recreational Vehicle Resorts and possible amendments to the Conditional Use Permit for Hidden Springs RV Resort. **Action:** I lobbied for changes to minimize the resort's impact along Hwy 91, specifically improving the landscaping requirements and limiting the height of RVs parked in the resort along Hwy 91.

3/21/24: Consider a Zone Amendment from Resort Mixed-Use to Resort Commercial on approximately 4.813 acres. **Action:** I was opposed to the zone change, but voted to approve the zone change on the condition that STRs would not be permitted and that there would be height limits on the western portion of the site to protect existing homes.

2/15/24: Consider a Zone Amendment from RA-1 (Residential Agriculture District, minimum lot size 1 acre) to RE-15 (Residential Estates, minimum lot size 15,000 sq ft) on approximately 7.36 acres at approximately Kwavasa Drive (600 West) and Center Street. **Action:** I voted to approve the zone change since it was consistent with surrounding properties.

2/15/24: Consider a Zone Amendment from RA-1 (Residential Agriculture District, minimum lot size 1 acre) to RE-15 (Residential Estates, minimum lot size 15,000 sq ft) on approximately 5.59 acres at approximately Kwavasa Drive (600 West) and Center Street. **Action:** I voted to approve the zone change since it was consistent with surrounding properties.

12/21/23: Consider a 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-M (Residential Multi-Family) and instead recommends approval of a Zone Amendment to R-1-

7.5 (Residential Single Family, minimum lot size 7,500 sq ft) on approximately 1.97 acres, located approximately on the corner of Main Street and 200 South. **Action:** I voted to deny the proposed land use change to a higher density land use. **Action:** I was the only vote against a zone change to higher density because it was not compatible with surrounding homes.

12/7/23: Consider a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential) and a Zone Amendment from R-1-10 (Residential, minimum lot size 10,000 sq ft) to R-2-10 (Residential, Two-Family District, minimum lot size 10,000 sq ft) on approximately .70 acres located at approximately 320 North Main. **Action:** I voted to deny a land use change to a higher density land use. **Action:** I voted to deny a zone change to a higher density zone

11/2/23: Consider a Concurrent Land Use Amendment from HDR (High-Density Residential) and LDR (Low-Density Residential) to CR (Commercial Resort) and a Zone Amendment from RA-5 (Residential Agricultural, minimum lot size 5 acres) and RE-15 (Residential Estates, minimum lot size 15,000 sq ft) to RC (Resort Commercial) on approximately 31.107 acres at approximately Kwavasa Drive South and Kayenta Parkway. **Action:** I voted against a low density residential land use change to a land use that would allow short-term rentals. **Action:** I voted against a zoning change that would allow short-term rentals

11/2/23: Consider a Zone Amendment from RA-5 (Residential Agricultural, minimum lot size 5 acres) to RE-37 (Residential Estates, minimum lot size 37,000 sq ft) with lot averaging on approximately 98.11 acres at approximately north of Kaleva and Kwavasa. **Action:** I voted to approve a zone change from agricultural to a low density residential zone but with the agreement (prompted by me) to take the allowed use of “resort” out of the table of uses for residential

10/19/23: Consider approving a Preliminary Plan for Black Desert Resort Boardwalk Village, located at approximately Snow Canyon Parkway and East Black Desert Drive. **Action:** I voted to approve the preliminary plan with the clarification/stipulation that the buildings immediately along Snow Canyon Parkway would be limited to one-story.

10/19/23: Consider approving a proposed Class V Conditional Use Permit for the SITLA site at approximately Puerto Drive and 400 South, east side of the future Hamblin Parkway. **Action:** I had raised several concerns about the permit at our last meeting. These concerns have now been addressed in a revised conditional use permit, so I voted in favor.

10/19/23: Consider approving a Preliminary Plan for The Retreat at Snow Canyon-East, located approximately east of the future Hamblin Parkway. SITLA-Owner. EWD,LLC/Jerry Miyahara-Applicant. **Action:** I was the lone vote against this preliminary plan since it made a significant change from the prior plan, increasing the number of short-term rentals from 243 to 393 units.

10/5/23: Consider amending Ivins Code regarding Hidden Springs RV Resort to increase the allowed total square footage of the living area within the clubhouse. **Action:** I voted in favor of this change because it did not create any negative impacts on the surrounding properties.

10/5/23: Consider amendments to the Hidden Springs RV Resort Conditional Use Permit to increase the allowed total square footage of the clubhouse and allowing the clubhouse height to be increased to 35 feet as allowed in the RC zone. **Action:** I voted in favor of increasing the height limit from 25 to 35 feet because it was consistent with the height allowed in commercial zones and because the topography of

the site results in the clubhouse foundation being 9 to 12 feet below street grade, which significantly minimizes the impact of building height.

8/3/23: Consider a Zone Amendment from RA-5 (Residential Agriculture, minimum lot size 5 acres) to RE-37 (Residential Estates, minimum lot size 37,000 sq ft), RE-20 (Residential Estates, minimum lot size 20,000 sq ft) with lot averaging, and RE-15 (Residential Estates, minimum lot size 15,000 sq ft), without lot averaging at approximately Kayenta Parkway and Highway 91. **Action:** I voted in favor of the zone change because the section with 37,000 square foot lots provided a good buffer to existing adjacent homes and the higher density changes for the rest of the property were higher density than I preferred, I had initially been asking for 25,000 square foot lot sizes in the May city council meeting, but this revised application was better, ending up with approximately 27,600 square foot lots, making it less dense than previously considered, which made it more acceptable.

8/3/23: Consider a Zone Text and Ridgeline Map amendment to provide protection for rock outcroppings that may not meet the definition of a ridgeline, but are still worthy of preservation and protection. **Action:** I expressed my concerns with the text amendments, particularly how they diminished sensitive lands protection on the ridgeline on the SITLA site and made a motion to continue this discussion to consider text changes.

6/15/23: Consider removal of STRO (Short-Term Rental Overlay) zoning district on Crossings at Red Desert at approximately 800 South Main. **Action:** I voted to approve the removal of the short-term rental overlay.

5/18/23: Consider a Zone Amendment from RA-5 (Residential Agriculture District, minimum lot size 5 acres) to RE-15 (Residential Estates, minimum lot size 15,000 sq ft) at approximately Kayenta Parkway and 450 North. **Action:** I voted to deny the higher density zone change (15,000 sq.ft. lots) and instead approve a zone change to 25,000 sq.ft. lots. The rest of the council opposed my motion.

3/23/23: Consider a Zone Amendment from RA-5 (Residential Agriculture District, minimum lot size 5 acres) to RE-15 (Residential Estates, minimum lot size 15,000 sq ft) on approximately 18.202 acres at approximately Kwavasa and 800 West. **Action:** I voted to approve the zone change because it was compatible with surrounding properties.

2/16/23: Consider a Zone Amendment from RE-43 (Residential Estates, minimum lot size 43,000 sq ft) to RE-12.5 (Residential Estates, minimum lot size, 12,500 sq ft) on approximately 9.5 acres. **Action:** I voted to approve the zone change because it was compatible with surrounding properties.

1/19/23: Consider a Zone Amendment from RA-5 (Residential Agricultural, minimum lot size 5 acres) to Low Density Residential RE-15 (Residential Estates, minimum lot size 15,000 sq ft) on approximately 17.533 acres, at approximately Highway 91 and 1000 West. **Action:** I voted to approve the zone change because it was compatible with surrounding properties.

1/5/23: Consider an amendment to the Development Agreement for the land located in Black Desert Resort. **Action:** I voted to approve because this amendment is just to incorporate North Village into the Development Agreement.

12/1/22: Consider a zone change on the horsehead portion that was withdrawn from consideration in Ordinance No. 2021-16, on September 2, 2021. **Action:** I voted to approve the zone change because it was compatible with surrounding properties.

9/29/22: Consider a Land Use Amendment from LDR (Low Density Residential) to RC (Resort Commercial) and a Zone Amendment from RE-20 (Residential Estates, minimum lot size 20,000 sq ft) to RC (Resort Commercial) and RE-37 (Residential Estates, minimum lot size 37,000 sq ft) on approximately 31.5 acres at approximately Black Desert North Village on Snow Canyon Parkway and the future Hamblin Parkway. **Action:** I was the only no vote. I opposed changing the land use from low density residential to resort commercial.

9/29/22: Consider a Concurrent Land Use Amendment from LDR (Low Density Residential), MDR (Medium Density Residential), HDR (High Density Residential) and CN (Commercial Neighborhood) to all HDR (High Density Residential) and a Zone Amendment from RE-20 (Residential Estates, minimum 20,000 sq ft lots), RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, 12,500 sq ft lots) and RA-5 (Residential Agriculture, minimum lot size 5 acres) to RE-20 (Residential Estates, minimum 20,000 sq ft lots), RE-15 (Residential Estates, minimum 15,000 sq ft lots), RE-12.5 (Residential Estates, minimum 12,500 sq ft lots) and lot averaging overlay on approximately 15 acres located at approximately Kwavasa, 600 West to 800 West. **Action:** I voted to approve the land use change because it converted some commercial land use to residential. **Action:** I voted to approve the zone change since the zoning plus lot average was compatible with nearby homes.

9/29/22: Consider a Zone Amendment from R-1-5 (Residential Single Family, minimum lot size 5,000 sq ft) and RM (Multi-Family) to RC (Resort Commercial) on approximately 9.618 acres at approximately Guy Lane and Fitness Way. **Action:** I was the only no vote. I opposed changing the zoning from residential to commercial and opposed any zone that would allow short-term rentals, which the proposed zone would allow.

9/1/22: Consider a Zone Amendment for the SITLA site with approximately 113 acres. **Action:** In a previous meeting I objected to the applicant's plans for development because what was proposed was not allowed in the Resort Mixed Use zone that existed. In this meeting the applicant proposed to change the zone to Resort commercial. I voted no because this allowed short term rentals.

8/4/22: Consider changing the land use from LDR (Low Density Residential) to RC (commercial resort) and to change the zoning from RA-5 (Residential Agriculture, minimum lot size 5 acres) to RC (Commercial Resort) on property at approximately 1500 East Black Desert Drive at the southwest corner of Black Desert Resort that abuts the SITLA parcel and consists of approximately 8.444 acres. **Action:** I voted to approve the change. I prefer to not change land use on a case by case basis but this site had a land use of low density residential but was surrounded by Resort Commercial, which I would not have voted in favor of but those changes were made before I was on council.

6/2/22: Consider adopting regulations for landscaping and water conservation for new construction. **Action:** I voted to approve.

5/5/22: Consider amending Table 33-2 Table of Uses Nonresidential Zoning Districts. **Action:** I voted to approve because these changes limited some commercial activities.

3/3/22: Consider a Concurrent Land Use Amendment from LDR (Low Density Residential) to HDR (High Density Residential) and a Zone Amendment from RA-1 (Residential Agricultural, minimum lot size 1 acre) to R-TH (Townhomes), rather than R-M (Residential Multi-Family) as requested by Applicant/Owner, on approximately 3.91 acres. **Action:** I voted against changing the land use from low density residential to multifamily because adjoining homes were either low or medium density single-family. **Action:** I voted against the zone change for the same reason – its incompatibility with neighboring homes and due to the shape of the site an inability to create a lower density buffer along the boundary with adjoining homes.

3/3/22: Consider amendments regarding ground-mounted solar. **Action:** I voted to approve because I was able to add conditions that minimized impact to adjoining homes

1/6/22: Consider a concurrent Land Use Amendment request, recommending no change to the Land Use from MDR (Medium Density Residential) to HDR (High Density Residential) as requested, but to retain the existing Land Use of MDR (Medium Density Residential); and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-1-10 (Single Family Residential, minimum lot size 10,000 sq ft), rather than to R-TH (Townhomes) as requested by Applicants, on approximately .90 of an acre at approximately 145 West and 100 South. **Action:** I voted to approve the Planning Commission recommendation because it recommended lower density than the applicant requested and that kept the property compatible with adjacent homes.