IVINS
CITY COUNCIL WORK MEETING
MINUTES
March 29, 2022

NOTICE: This meeting was held electronically and in person. City Hall was the anchor location for the electronic meeting. You may listen to the audio feed by going to www.ivins.com under "City Council" on the right of the home page and selecting "Audio".

1) WELCOME AND CALL TO ORDER

MAYOR AND COUNCIL: The meeting was called to order at 4:09 p.m. and announced there was a quorum present.

All present included Mayor Hart, Council Member Scott, Council Member Mehr, Council Member Johnson, Council Member Murphy, and Council Member Anderson.

STAFF: City Manager/Attorney Dale Coulam, Director of Finance Cade Visser and City Recorder Kari Jimenez.

EXCUSED: None.

A. Acknowledgement of Quorum

There were three (3) Council Members present in the City Council room. Council Member Mehr was in attendance electronically and Council Member Anderson was expected shortly.

B. Disclosures

There were no disclosures or conflicts of interest with items on this meeting's agenda.

2) WORK MEETING

A. Continued discussion regarding Ordinance adopting and implementing regulations for landscaping and water conservation for developing land in Ivins City

Mayor Hart commented that Council Member Scott has gone through great effort to synopsize the comments and changes that were made, as this was adopted by the City of Santa Clara and comments by the City of St. George, although the City of St. George has not adopted this yet.

Council Member Anderson was present at 4:10 p.m. and had no disclosures or conflicts of interest with items on this meeting's agenda.

The **Mayor and City Council** went page by page, through the draft ordinance provided by the Washington County Water Conservancy District, which includes line numbering on each page. They addressed the following:

Line 12. Council Member Scott referred to a potential type-o of the word "want" compared to "wants" to establish. It was determined that the draft from the County was reviewed by their professionals and to leave the word "want" as it is in the draft ordinance.

Council Member Anderson referred to the Kayenta Water Users Association (KWUA) is clarified that it provides water to some users in Ivins but has its own agreements and is not part of Ivins City. He requested that the Mayor and City Council keep that in mind. **Dale Coulam** clarified that this ordinance imposes laws on the use of water and they need to be careful on who is supplying the water and get the correct distinction because this ordinance would be implemented City wide and would govern KWUA customers, as well as Ivins City customers. It was agreed that they should reference that there are three (3) water providers to Ivins City and that water is primarily supplied by the Washington County Water Conservancy District, with a portion being supplied through Kayenta Water Users Association and the Ivins

Irrigation Company.

Chapter 1 General Provisions, line 63: Council Member Scott indicated that Santa Clara changed the wording and added some exceptions: "The provisions of this title are applicable to all new construction, development (including redevelopment), and landscape improvements in the City, except for (1) permitted uses in the Open Space zone; (b) permitted agricultural, horticultural, and gardening uses (including fruit trees) in any zone; (c) public parks or playgrounds, or public or school-owned active recreation areas, in any zone; however, all new uses which fall under (c) must be required to be served by secondary and not culinary municipal water. Landscape improvements to be irrigated solely with private, non-municipal water, may be exempt from certain provisions of this chapter as noted. **Mayor Hart** commented that the City of Santa Clara's situation is different than Ivins and specific to their community. **Dale Coulam** clarified that the City of Santa Clara has a lot more irrigation shares than Ivins does so the City of Santa Clara was looking at their own unique circumstances. He referred to Red Mountain Elementary School in Ivins and indicated that Ivins City has a contract with them that Ivins will provide the school water in perpetuity. In the past they have watered a lot and possibly more than necessary. He inquired if the City wanted to state that as an exception, or use that to negotiate a new contract with them to provide a reasonable amount of water, rather than water in perpetuity. **Mayor Hart** commented that the Water Conservancy District is working with the School District to identify decorative turf so that the School District can begin to reduce their consumption of water. **Dale Coulam** stated that he would like to re-open negotiations with the School District for Red Mountain Elementary. **Council Member Anderson** inquired what the exchange was between the City and the elementary school. **Dale Coulam** clarified that it was for the City to use the school's field but the schools and municipalities are now required by law to share resources. **Mayor Hart** inquired how that translates into the language of this ordinance. **Dale Coulam** indicated to take out the exemption for schools. The Water Conservancy District is going to negotiate its own agreement with the School District but Ivins wants to re-negotiate for Red Mountain Elementary. **Council Member Murphy** felt that the best way to deal with that was to talk to the School District and not include it in the ordinance. **Council Member Anderson** wanted to see "(b) permitted agricultural, horticultural, and gardening uses (including fruit trees) in any zone" left in, but say that it must be supplied by private water. **Council Member Murphy** commented that that ordinance is only for new construction, new development and major landscape improvements. **Council Member Anderson** commented that if someone were to remodel and obtain a permit, they may fall into this criteria but it isn't clear. **Council Member Scott** suggested that at this point, they use the Water Conservancy District language because the Mayor and City Council Members are all aware of the other exceptions that Santa Clara has put in and Ivins still has time in the future to think about that. The **Mayor and City Council** agreed. **Mayor Hart** referred to the other exception that relates to public parks or playgrounds and commented that this ordinance would apply to the City as well. **Dale Coulam** clarified that it would but that the City uses irrigation water for those. There are people who have asked why the City is watering during hours that they are not allowed to water. That is because the irrigation water is based on availability from the irrigation company and that is when the City has to water. **Council Member Johnson** commented that people who are on the old irrigation line, should be allowed to water differently and that should not be under the same restrictions of this ordinance and that should be clarified. **Mayor Hart** commented that maybe the exemption is users of Ivins Irrigation Company water. **Council Member Anderson** suggested private water. **Mayor Hart** clarified

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that the only exception would be users of private water sources that they own. **Council Member Scott** commented that this ordinance has two key chapters, Chapters 3 and 4. Chapter 3 deals with water conservation requirements for residential and Chapter 4 deal with water conservation requirements for commercial. He has suggested that they add a new chapter for Resorts. He referred to lines 63 and 64, there was another suggestion that came from Sentierre to clarify what development the ordinance covers by modifying the first sentence to read "...major landscape improvements in the City, excepting current projects with a previously-approved Development Agreement or Conditional Use Permit..." **Dale Coulam** agreed. **Council Member Johnson** liked the ability for the Mayor and Council to address things in a certain amount of time and have the opportunity to address and make changes. **Dale Coulam** commented that it is important to define what vesting is. If a project has a Conditional Use Permit or Development Agreement, they are vested. **Mayor Hart** inquired if that was included in the Definitions. **Council Member Scott** indicated that it was not, but could be included. **Dale Coulam** clarified that it was suggested to appear under "Applicability" and agreed with that. He clarified that if someone has a Development Agreement or it is an existing older development that did not require a Development Agreement for residential, or if it is some kind of a commercial use and they have a Conditional Use Permit, then they are exempt because they are vested This ordinance is talking about new developments. **Mayor Hart** inquired if any language should be added or changed to clarify that. **Dale Coulam** stated that the sentence that Sentierre suggested should be added under "Applicability" at the beginning. **Council Member Anderson** inquired if someone were to amend, if they would still be under the old rules. **Dale Coulam** indicated that he would think so.

Definitions:

Line 75 "Active Recreation Area". **Stan Castleton** with Sentierre Resort cautioned the City to be careful with the definitions, unless they are really well defined, in order for staff to follow and enforce them. He inquired if an event on a lawn is included or not. **Dale Coulam** suggested that it be listed as an activity area where the lawn is used for special events or an outdoor event space.

Line 77 "Active Recreation Area". Council Member Scott indicated that the City of St. George added "Artificial Turf Grass" but did not provide a definition. A Google definition indicates "A surface of synthetic fibers made to look like natural grass." and suggested that definition be added. The **Mayor and City Council** agreed.

Line 78 "Check Valve". **Council Member Scott** stated that the City of Santa Clara deleted that but it was unknown why. The **Mayor and City Council** agreed to leave that in the ordinance.

Line 80 "Controller". **Council Member Scott** indicated that the City of St. George added a note to "add smart/internet connected, etc. Maybe consider separate definition". If the City adds that, it would be a requirement to have the more sophisticated controller. **Mayor Hart** explained the difference between the sophisticated controllers with a sensor and the less sophisticated controllers with no sensor. **Council Member Johnson** inquired if they could put both definitions in there. **Council Member Scott** clarified that controllers are mentioned in the ordinance so if the City makes the definition of a controller be smart or internet connected, then that is what will be required. They could have a definition for "Controller" and a definition for "Smart Controller". **Council Member Anderson** commented that the smart controllers go off of the weather but the weather between Ivins and Leeds can be completely different. It was a good idea but they are not functioning like they should. The **Mayor and City Council** agreed to add a second definition.

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Line 90 "Grass". **Council Member Scott** stated that the City of St. George and the City of Santa Clara took that out because they were using "lawn" but he suggested that Ivins keep the verbiage as the Water Conservancy District wrote it. The **Mayor and City Council** agreed.
Line 108 "Landscape Area". **Council Member Scott** suggested that the definition be changed to cover Resorts, as follows: "For developments regulated by Chapters 3 or 4: Area within a lot or parcel that is not the home footprint, driveway, sidewalk or patio. For Resorts regulated by Chapter 6: Area within the resort development that is not a building footprint, driveways, parking lots, sidewalks, patios, sports courts and other hard surfaces." **Council Member Anderson** indicated that commercial can be one parcel like a resort , depending on how they take ownership and can be subdivided. **Council Member Scott** stated that a resort may group its landscaping differently throughout the whole resort than may be done at each single family home. **Mayor Hart** commented that this would be covered by what will be the eventual definition of a Resort, that does state that it is a mixed use that covers and types of buildings that are all part of the overall resort. **Council Member Anderson** indicated that a Resort is a commercial property. **Mayor Hart** stated that the City is defining that separately. The **Mayor and City Council** agreed to add the Chapter 6 language as it is written on Council Member Scott's comparison document.
Line 135. **Council Member Scott** indicated that the City of Santa Clara added a definition for multi-family. The Water Conservancy District defined Chapter 3 as applying to single family homes and multi-family homes up to 10 units and Chapter 4 applying to multi-family, over 10 units and non-residential. Ivins City has a twinhome designation. The City of Santa Clara changed Chapter 3 to be single family and up to two family homes and then Chapter 4 would be more than two family homes, triplexes and non-residential. He inquired where Ivins is going to put small multi-family buildings - in the residential section or the commercial section? He suggested that Ivins add the City of Santa Clara's definition that Chapter 3 is truly residential with single family and two family homes and then add one additional exclusion for hotel rooms and resorts. The other option is he could put something together as a separate chapter for multi-family. **Mayor Hart** suggested that single family would be single family through tri-plex and when they hit 4 units, that is usually a 2-story building and a more massive type of building with different parking requirements. **Council Member Murphy** clarified that single family, duplex and triplex would be residential. The County Assessors' Office send the 4 plex units and larger to the commercial staff and under 4 units, they are assessed by the residential staff. The **Mayor and City Council** agreed that single family included single family, duplex and triplex and to include 4 or more units for multi-family in a new chapter.
Line 138 "Plant List". Council Member Scott stated that the City of Santa Clara deleted that definition completely but he suggested that they retain the verbiage provided by the Washington County Water Conservancy District. The **Mayor and City Council** agreed. **Stan Castleton** commented that as a developer, the definition of what a tree is going to be difficult for staff and could be a source of confusion. **Council Member Scott** agreed that was an issue, for which he did not have a solution.
Line 149. Council Member Scott recommended that the following definition be added for Resorts: A full-service lodging and recreational facility located in a Resort Commercial zone that is the primary provider of a range of amenities, recreation, or wellness facilities to emphasize a leisure or wellness experience beyond those found at motels and hotels. Separately platted residences or commercial facilities will be deemed part of the Qualified Resort so long as they are intended to be rented or otherwise used as part of the hotel operations. **Stan**

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Castleton commented that for purposes of securities, the owners cannot be forced to place their property into the rental program. They may want to take the requirement to rent, out of the definition. **Mayor Hart** suggested using the word "may" instead of "will". **Council Member Scott** clarified that so long as they are intended to be rented or otherwise used because they are intended to be rented. **Council Member Anderson** referred to multi-family and the requirement for a landscape plan. He would like that to be removed as a requirement. **Mayor Hart** commented that with larger multi-family projects, staff would like to see an engineering stamp on the plans. **Council Member Anderson** commented that most of the projects that have been built in Ivins, have been less than 90 units. **Mayor Hart** suggested that there may need to be a cutoff and to think about that.

After Line 153. Council Member Scott suggested adding a new definition for single family like the City of Santa Clara did and modify that to go up to three (3) units - single family, duplexes and triplexes. **Dale Coulam** clarified that Ivins City defines single family as a unit that only allows a single family. A twinhome is two (2) families and a triplex is three (3) families. They could say for single family, including twinhomes and triplexes for purposes of this ordinance. **Council Member Scott** clarified that Chapter 3 would be redefined to say single family, duplexes and triplexes. **Dale Coulam** clarified it should read "for purposes of this ordinance, single family will include twinhomes and triplexes. **Council Member Scott** stated that the City of Santa Clara added that a Single Family is any residential use comprised of a dwelling designed for occupation by only one family in any zone, and for purposes of this Chapter, includes primary dwellings, dwellings containing an approved internal accessory dwelling unit, and approved accessory dwelling units. The **Mayor and City Council** agreed to add the language. **Council Member Johnson** inquired if someone has an accessory dwelling unit that is used as a rental, does that increase the amount of percentage of lawn that they can have because that is another dwelling that can have landscaping? **Dale Coulam** clarified that under the City of Santa Clara's ordinance, accessory dwelling units were included in the single family definition.

Line 158 "Water-Conserving Plant". Council Member Scott inquired if they wanted a definition for water-efficient shade trees and what would the Council consider those to be. **Mayor Hart** commented that water-efficient shade tree may not be a water-efficient tree. **Stan Castleton** commented that the solution needs to be very clear so that developers know what to do. **Council Member Mehr** inquired if Ivins needs to be super restrictive on what kind of tree someone plants. **Council Member Scott** commented that one of the issues is how staff will deal with those things. **Stan Castleton** indicated that he will have someone at next City Council meeting to address that. **Council Member Mehr** commented that a fruit tree may not be a water-efficient shade tree but people should be able to plant them for food. **Council Member Anderson** stated that they are trying to conserve energy and trees conserve energy so the Council needs to think about this realistically. **Mayor Hart** suggested that the Council look at language or information that will be forthcoming from Stan Castleton or his contact.

Line 160 "Chapter 3". Council Member Scott suggested that they change the title of that Chapter to "Single Family, Twinhomes and Triplexes" or whatever is decided.

Line 163. Council Member Scott indicated that the Water Conservancy District's wording is "These provisions are applicable to all new construction...". The title is for single family but the City of St. George was suggesting that be clarified by saying "These provisions are applicable to all new single family and multi-family residential construction developments..." and suggested that for extra clarification, Ivins include the language for all single family, twinhomes, triplexes

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or whatever they decide to include in the title. The City of St. George also had a side note inquiring what they do about remodeled housing. The **Mayor and City Council** decided to keep that as excluded and this ordinance is to apply to new construction only.

Line 168 regarding hot water recirculating systems. Mayor Hart stated that the important thing is that the language specifies that the requirement is for the fixture furthest from the hot water source. **Mayor Hart** commented that 0.6 gallons is too high. Anything less than that number is better. **Council Member Mehr** inquired if as to the cost for this and commented that they need to be thoughtful about that. **Council Member Anderson** indicated that the cost ranges from $450 to $1,000. He referred to the displacement amount and inquired how staff would check that. **Council Member Scott** inquired what is hot water and how was that measured. **Mayor Hart** suggested that if a home is over 1,000 sq ft, a hot water recirculation system would be required. **Council Member Scott** reiterated that construction of 1000 sq ft or greater, shall install a hot water recirculating system. **Council Member Anderson** suggested 1500 sq ft but the **Mayor and City Council** ultimately agreed on 1200 sq ft and to remove all of the language after the comma.

Line 172 regarding installation of WaterSense labels. Council Member Scott suggested adding the verbiage "...at least as water-efficient,..." The **Mayor and City Council** agreed. **Council Member Anderson** did not agree with the WaterSense toilets. **Mayor Hart** indicated that this would be the same for the appliances. **Council Member Scott** suggested adding the verbiage"...at least as energy efficient." **Council Member Anderson** inquired if it was relatively easy for a consumer to obtain these type of appliances. **Mayor Hart** stated that it was. The **Mayor and City Council** agreed with the additional verbiage.

Line 178 regarding multiple family units with ground floor square footage or individually platted. Council Member Scott stated that the City of St. George brought up that ground floor square footage or individually platted was unclear. Since the Chapter deals with single family, this particular excludes that, is only talking about multiple family units and Ivins is only going to be talking about two (2) and three (3) units, he suggested that the language of "ground floor square footage or individually platted" be removed, as it does not apply because Ivins will be adding another Chapter. **Council Member Anderson** referred to apartments and commented that those would not be individually metered. He thought they were metered by unit and condos only have one (1) meter. **Mayor Hart** indicated that this is still a big question with the Water Conservancy District because they have gotten a lot of pushback on individually metering apartments. The object of apartments is affordability and that adds another layer of substantial costs. Ivins needs to clarify that in its ordinance but that was still a big question on how to address that. He suggested contacting Zach Renstrom with the Conservancy District and see where their research has taken them. **Council Member Scott** stated that when he creates the multifamily Chapter, that will be something they will try to deal with.

Line 185 regarding water features. Council Member Scott indicated that the Conservancy District's ordinance does not reference water features in this section in Chapter 3 at all, it only references them in in Chapter 4, but single family homes can have water features. He suggested adding another paragraph under 3-1: Construction Standards, that being paragraph "E", to read as follows: "Exterior, decorative water features must be limited to an aggregate capacity of fifty (50) gallons or less and recirculating pumps are required in each feature. Exterior decorative water features shall only be located on individual single and two-family lots and not as entry features to a subdivision or community." This would not apply to resorts. **Council Member**

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Anderson commented that commercial areas might want to use them for aesthetics and because it cools the air. **Mayor Hart** stated that pools are built that include water features so this may need to fall under pools. **Council Member Scott** inquired if they should a standalone definition for water features. **Mayor Hart** indicated "yes".

Line 185 regarding pools. Council Member Scott stated that the City of St. George talked about adding the requirement that the area of any pool would count towards the amount allowed for grass. He suggested adding another paragraph under 3-1: Construction Standards, that being paragraph "F", to read as follows: "The square footage of any uncovered pool will be counted towards the allowed amount of grass. A pool is considered uncovered if it does not have a UL approved cover that is electrically operated." They want to encourage covered pools and suggested that 50% of the square footage of any pool with a UL approved electrically operated cover be counted towards the allowed amount of grass because covered pools are still used so there will be evaporation. **Mayor Hart** commented that there are other motivations for a person to put in an automatic cover including UL rated which is an insurance component and other incentives for covered pools for dust control and better maintenance. **Council Member Anderson** suggested 25% because they want to encourage pool covers. The **Mayor and City Council** agreed with 25%.

Line 188 regarding landscape standards. Council Member Scott indicated that the City of St. George took out the word "new" but it would be more clear if that word is left in the ordinance. The City of Santa Clara added the following exception "...except where landscaping will be irrigated solely with a private, non-municipal water source." The **Mayor and City Council** agreed to leave in the word "new" and to include the exception language that the City of Santa Clara added.

Line 194 relating to grass area. Council Member Scott stated that the City of Santa Clara changed this section to "The total irrigated landscape area must not exceed sixteen percent (16%) of the lot square footage. Lawn area must not exceed eight percent (8%) of the lot square footage, up to a maximum of two thousand five hundred (2,500) square feet of lawn area." He suggested that it be changed to say "Grass area must not exceed eight percent (8%) of the lot square footage, up to a maximum of one thousand five hundred (1,500) square feet of grass area." If there is less grass, less water will be used but grass does serve purposes for families and they want to encourage landscaping rather than just dirt or rocks. The **Mayor and Council** discussed definitions of irrigated landscape area and decided to focus on grass and not worry about the rest of the lot. They decided to look at language or information that will be forthcoming from Stan Castleton or his contact.

Council Member Mehr was excused at 6:00 p.m.

CJ Davis is a resident of Ivins and a local business owner and developer and was concerned about the buckets and caps that have been set with percentages and numbers they have. If this was for affordable housing then those things may make sense but this is for conservation. The **Mayor and City Council** discussed percentages of grass area not exceeding a certain percentage of the total development's square footage and maximum square footage numbers. They determined that the grass area could not exceed eight percent (8%) but were undecided on an up to number of maximum square footage of grass area that would be allowed.

Line 202 regarding grass in park strips, certain landscape areas and certain slops. Council Member Scott indicated that the City of Santa Clara increased the slope to 20% and the City of St. George used the 15% that the Water Conservancy District suggested. **Mayor Hart** inquired if Ivins had any cross sections that use park strips because if so, there was no reason for grass in

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any of those. The **City Council** agreed. **Mayor Hart** stated that it needs to be defined as what's usable and possibly adding a definition for decorative grass. **Council Member Scott** commented that the following verbiage should be added: "...in addition decorative grass is prohibited as is grass on any slope that exceeds 10%. The **Mayor and City Council** agreed.

Line 205 regarding water-efficient shade trees. Council Member Scott indicated that the Water Conservancy District suggests a minimum of two water-efficient shade trees. The City of Santa Clara eliminated that requirement completely and the City of St. George had notes saying "plus one additional shade tree per so many square feet of landscaped area. The **Mayor and City Council** agreed to eliminate that and not require water-efficient shade trees.

Line 208 regarding secondary irrigation. Council Member Scott stated that the City of Santa Clara added that any lot in any zone that is larger than one-half (1/2) acre must use secondary irrigation. The **Mayor and City Council** agreed that they cannot require that because Ivins City does not have secondary water available to everyone. **Mayor Hart** clarified that at some point in time Ivins City would want to require that and suggested that it could be worded "as where available."

Line 210 regarding multiple family dwelling projects. Council Member Scott suggested that be removed and address those separately.

Line 213 regarding restrictive covenants in conflict with water efficiency standards. Council Member Scott suggested that the first part of that paragraph to read "Any provisions in homeowners or property owners association governing documents..." so that it only invalidates specific provisions and not entire documents. The **Mayor and Council** agreed.

Line 224 regarding Chapter 4. Council Member Scott indicated that the Water Conservancy District and the City of St. George City say this section is for all non-residential but earlier had it as multifamily. He suggested defining non-residential and have a multi-family section and then use the Water Conservancy Districts wording, adding the following at the end: "...excepting current projects with a previously-approved Development Agreement or CUP and excepting construction and development within a resort which will be subject to the requirements of a new Chapter. The **Mayor and Council** agreed.

Line 232 regarding WaterSense labeled fixtures. Council Member Scott suggested using the same wording as in Chapter 3.

Line 235 regarding Energy Star. Council Member Scott suggested using the same wording as they previously discussed.

Line 237 regarding shell units with ground floor square footage being separately metered. Council Member Scott stated that needs to be clarified. Earlier they talked about just taking that out because it may be something that belongs in commercial. It was confusing and he did not see a need for it. **Council Member Anderson** indicated that he did not think it belonged in commercial because those buildings are always changing. He suggested leaving in the portion of individually platted and that should have its own meter. If it's a group of buildings, then it's one ownership. **Mayor Hart** stated that one of the issues that the Water Conservancy District is facing is someone coming in and putting in a single meter for multiple units, paying a fixed fee for the water source, but using considerably more water. The Water Conservancy District is trying to get away from having that happen and that is why they are pushing for separately metered units in multifamily. **Council Member Anderson** commented that he was okay with individually platted. One meter using all of that water, would be charged at a higher tier. **Mayor Hart** clarified that in a single house, only one meter is used. It's the commercial and multifamily where a single meter could serve multiple units. **CJ Davis** commented that a single

commercial unit, on a single plated lot, the building itself would have to be metered. The outside landscaping would need plants to meet the landscape requirement and that would require a separate meter, which is two (2) impact fees. He inquired what kind of outdoor landscaping does most of Ivins City commercial have? The average Ivins City commercial building does not seem like it would need to be required to have a separate meter for their landscape. **Mayor Hart** clarified that ultimately there will be a separate meter for all outdoor landscaping throughout the City, as the City gets the secondary system in place. **CJ Davis** indicated this is for culinary with two (2) culinary meters, one for anything outside the building and one for anything inside the building. **Mayor Hart** agreed that did not make sense if it is all culinary. If secondary water is involved, then the outside landscaping should go on a separate meter. **CJ Davis** commented that the way this reads, currently you would have two (2) culinary meters. **Mayor Hart** requested that a new version of this paragraph be drafted. **Council Member Scott** stated that is a good point, because it is culinary.

Line 244 regarding carwash projects. The **Mayor and City Council** commented that they did not want to see anymore carwashes like are being built in the City of Santa Clara and the City of St. George. **Dale Coulam** referred to the type of car washes that are at Lightfoots and indicated that the Planning Commission was leaning towards allowing a hand wash version car wash but not an automated car wash. He has seen people in the City power washing their cars at their own homes. **Council Member Anderson** noted that Lightfoot's has a SWPPP storm water prevention plan but when people are washing vehicles in their yard, it goes down the street. **CJ Davis** indicated that he has studied this quite a bit and most cities throughout the state are differentiating between tunnel car washes and self-serve car washes. He did not have any data on what people use but stated when you're dropping quarters in something or your credit card is dinging on the screen, there is some urgency about what you're doing. **Council Member Scott** suggested that if the Planning Commission makes a recommendation to eliminate car washes or change the definition of a car wash, and the City Council agrees with that, they change the Table of Uses or take it out of the Table of Uses. In this ordinance, it's just limiting the amount of water that will be used. The Water Conservancy District is proposing limit of 35 gallons. It can be in the ordinance and then later change the Table of Uses depending on what is decided. That would dictate what kind of car wash would be allowed or not but if they are allowed, the water is capped of at some level. **Mayor Hart** stated that what matters, is the actual water use because right now, the car washes throughout Washington County have not been required to have recirculating systems and they are using excessive amounts of water. **Council Member Anderson** indicated that this ordinance will dictate how much water a carwash can use, if carwashes are allowed. **Mayor Hart** stated that he liked the idea of there being a restriction and it makes it obvious that a recirculating system would be required.

Line 247 regarding exterior decorative water features. **Council Member Anderson** inquired how the use of gallons is measured because it depends on the surface area. **Council Member Scott** indicated that currently exterior, decorative water features are prohibited, except up to five decorative water features with 50 gallon or less capacity and maintained recirculating pumps but they could define the surface area. **Stan Castleton** stated that 50 gallons is not a water feature, that's too small. **Council Member Anderson** indicated that he has homeowners that want the water feature to help with the noise on Highway 91. **Mayor Hart** commented that currently someone could have up to five, 50 gallons. That could be one (1) 250 gallon feature instead. The language did not make any sense. **Council Member Johnson** inquired if they should increase the number of gallons. **Council Member Scott** inquired if they need to put a

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limit on the number of features or just gallons. The **Mayor and City Council** agreed that it should just be gallons. **Council Member Johnson** suggested 300 gallons. **Mayor Hart** clarified that 300 gallons is the standard tank size. The **Mayor and City Council** agreed. **Council Member Johnson** inquired if it was the intent for the Council to get through the entire ordinance tonight. The **Mayor and Council** agreed to go through the ordinance, with a stopping point of "4-2 Landscape Standards". **Mayor Hart** inquired if these would be used in commercial. **Council Member Anderson** stated that the use of water is inviting.

Line 250 regarding golf courses. Dale Coulam indicated that the Planning Commission is looking at excluding those from the Table of Uses and prohibit those for now but leave the possibility for mini-golf or top golf. The **Mayor and City Council** agreed.

Line 256 regarding outside misting systems. Council Member Scott inquired what time of year those would allowed or would it be based on outside temperature or is misting systems something that can be regulated. **Mayor Hart** indicated that it would be impossible to enforce. The **Mayor and City Council** agreed to allow outside misting systems but not regulate them so that language should be removed.

3) <u>ADJOURNMENT</u>

MOTION: Council Member Anderson moved to adjourn
SECOND: Council Member Scott
VOTE: The motion carried.

Council Member Scott	AYE
Council Member Johnson	AYE
Council Member Murphy	AYE
Council Member Anderson	AYE
Council Member Mehr	ABSENT

The meeting adjourned at 6:55 p.m.

Respectfully,

Kari Jimenez
Ivins City Recorder

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