IVINS CITY
PLANNING COMMISSION
MINUTES
August 2, 2022
435-628-0606

1) WELCOME AND CALL TO ORDER

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

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

Audience Attending: Lisa Ganz, Dave Appel and Lance Anderson.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Doug Clifford

C. Invocation--Commissioner Doug Clifford

D. Disclosures--None.

2) REPORTS AND PRESENTATIONS -None.

3) PUBLIC HEARING AND ACTION ITEMS

A. Discuss General Plan in regards to Moderate Income Housing.

Mike Haycock stated that he took the recommendations from last meeting and put it in paragraph form. His changes are in the packet, but **Commissioners Doug Clifford** and **Pam Gardiol** sent out some notes today to review. **Chairman Dave Robinson** read Commissioner Doug Clifford's email about Moderate Income Housing. It stated that he wanted to scope out the magnitude of the effort to do an update of the Ivins City General Plan, so he reviewed the current 2015 version to determine what changes/additions he felt were required. The following description is based on the current version with the proposed changes Councilman Mike Scott added on page 28 with his proposal on Moderate Income Housing. He has highlighted most of his references with yellow background to help follow the process. This is not meant to be a complete analysis, but a starting point for discussion. **Commissioner Doug Clifford** stated that his was an outline of what the General Plan could look like. He has gone through a couple of these in his life and has some exposure to it. Basically he went through the General Plan and tried to identify areas where the current plan was deficient and areas where emphasis may be different today than it was in 2015. The General Plan is a vision statement and we have heeded that plan the last 8 years. A lot of things have changed and need to be updated. The first part is just going through the stats, updating the census to 2020, changing populations, and anything else that is public record as background data. Do we like the format of the current plan? It is fine as far as he is concerned with using that structure. Pages 4-5 have a section on growth that needs updating. The expectation in 2015 is very different than it is now in terms of how much growth, and the impacts of that growth on our infrastructure and community both. Page 8 is the new land use map and the new data in terms of predictions of what growth would be like in the next 15-20 years. Then Chapter Three is vision and goals and this is truly a series of vision statement and are not binding or legal but establish a framework of what our ordinances and laws would be underneath, and those element statements do have some bearing. They are not prioritized but it would be worthwhile to have meetings with residents to allow comments on those to see if we

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still have a similar vision and concept as to where we think the City is going to go. We go from elements to policies, where they are then refined in a little more detail. Then it goes through goals on Page 13 of the General Plan and in those he just made a couple of comments. Under Goal #1 Quality of Life, we don't pay enough attention in the General Plan to core responsibilities of what a City is, utilities, water, power, sewer, emergency services etc. These are the basics of what people are expecting if they move into a community. These are primary goals that we have as a community and needs to be called out. **Chairman Dave Robinson** stated under Quality of Life, we should also be looking at parks and open space. **Commissioner Doug Clifford** stated it is in there on Page 15, but there is kind of layers and we start at the bottom with safety, food, water and housing and then go up. We could almost place them in the General Plan in that order to show what the emphasis really has to be as the core of the needs of our community. Housing falls into that category and we are probably not meeting the needs we should to a broad section of our community. **Chairman Dave Robinson** stated we don't talk about the cost of those services. Part of our Quality of Life is to add revenue that doesn't impose on the community to pay for a lot of these services. **Commissioner Doug Clifford** stated that meeting the City's fiduciary responsibilities is goal #1. We have to have a plan to do that. Going down the rest of the list, we have residential, public services, and we have to make a pretty major statement in the General Plan of how water will be supplied. Climate and drought we need to talk in general and also in specifics on how we will handle those needs of the area. The whole thing is meant to be a backdrop or Table of Contents of how we would approach a General Plan. He hopes that 90% of the General Plan in terms of structure would flow from what has already been done. We would just update or change an emphasis in some cases. There is no reason to reinvent it, but pick out 3-4 items and emphasize those like hypergrowth and drought. This is just meant to be a sense of direction. **Commissioner Pam Gardiol** stated she appreciates that we are getting closer to the dynamics of looking at the rest of the General Plan. She did a little tweaking and the idea is still the same but the wording aligns a little better with what is already in the Plan. She wrote that "Ivins City desires to have a variety of different housing types. Historically, density bonuses in overlay districts have been established to encourage moderate-income housing. As construction and land use costs increase, Ivins will continue to look for new solutions to the housing needs of our residents. The City will look for areas of higher densities to best complement our diverse neighborhoods. We will look for land use planning standards for mixed-use housing projects along transportation corridors for easy connection throughout the community. Ivins proactively looks for ways to modify casita/guesthouse requirements to expand housing options for our neighborhoods. Ivins' leadership and Staff seek ways to engage with State, Federal, and County agencies, School Districts, and neighboring communities to address our collective moderate-income housing challenges in a way that aligns with defining features of our General Plan. We look to amend our land use plan by developing good legislation that encourages housing solutions." That is an option in response to what was there. The New York Times had an article titled "A Town's Housing Crisis Exposes a 'House of Cards" in Sun Valley, Idaho. She thinks it relates to our Moderate Income Housing and Short-Term Rental situation. It talks about some of the very issues that Ivins is facing with the growth and how many of the people that grew up there left. They came back as firefighters or teachers and are living in campers in the woods, in boxes. They simply don't have the housing there that they need. It talks about the dynamic of Sun Valley, not just growing, but prices sky-rocketing. The demographic of people who have come in and purchased those homes have turned them into Short-Term Rentals that have priced out the people who provide services to the community. She would like

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them to think about that during these discussions. This resonated with her as something to be aware of as we make our decisions around short-term housing. **Chairman Dave Robinson** stated that as he has read the General Plan, it seems there are contradictions in the current Plan that we need to adjust and get better wording on. We will discuss that we need more open land and space around our houses and next we will talk about higher density to fit more people in to get the cost down. We have to find a way to balance that. As far as housing, his thought process on annexations of additional properties had him locating an article produced from Workforce Services of Utah Housing and Community Development office. He wanted to point out that on the 4th page in they talk about what City needs to look at. The first one is when a plan calls for it. It says a City's General Plan must plan for future development, land use and population changes. A General Plan should define the City's long term goals and the idea of annexation should be built into that requirement, and can be accomplished effectively through a State required annexation policy plan. Should we put this in the plan and denote it on maps that we have that intent? **Mike Haycock** stated we do have an annexation policy plan and it shows a lot of these areas you have talked about, but we can't zone or define that area. To annex an area, you take an area and if 50% of landowners vote yes they can annex. A lot of annexations are done by single owners. It is good to have an annexation plan, which we do. But it is hard to marry them. **Chairman Dave Robinson** stated there should be some marriage to that to a degree. If we list in the General Plan as part of our growth structure. most of that land is BLM which he has had some phone conversations with them and they are trying to go down that path to see what all that. He doesn't have all those answers yet, but he is working on it. It needs to be woven into this Plan somehow. **Mike Haycock** stated this problem is bigger than us to solve, but if you want to, write a sentence that says we are open to annexation with a mutual agreement to get it started. **Commissioner Doug Clifford** stated that the State has an annexation Plan, but does Ivins? **Chairman Dave Robinson** stated we need to show what we want to annex and why. **Commissioner Doug Clifford** said we follow the State Code for Ivins. **Chairman Dave Robinson** stated is there a way to reference back to the General Plan? **Mike Haycock** stated there is a City map that shows areas in which we are interested in annexing. If you want to go over Commissioner Pam Gardiol's copy, we can. What Commissioner Doug Clifford is showing is what we have given the State to show a historical context of what data has been given. That is just informational for your reference. **Chairman Dave Robinson** stated we have some casita and guesthouse requirements as well. **Mike Haycock** stated for the State, when you look at the form that needs to be filled out, they are looking for paragraph form. When he does the report he will put the three selections down and then attach the adopted ordinance that will be in paragraph form in the General Plan. **Chairman Dave Robinson** stated that some of the areas showing on the annexation plan off of the website have already been eaten up. The green area to the southeast is gone. The parcel he is most interested in is South of Ivins. **Commissioner Doug Clifford** stated that the green area to the north is in a Reserve. Lance Anderson stated one section is slotted as a park and other areas and it is 100 acres. Another section is a wilderness study and then there is the Tobler piece. The part in Ivins is 131 acres and is Ed Burgess and Ed Bowler, seven owners there. Everything that is green there is BLM and the fence line is current Ivins City limits. Tobler's have been in to talk about a potential annexation. It has some soils issues. **Commissioner Doug Clifford** stated who takes the first step in the process? **Chairman Dave Robinson** stated it depends. If enough individual owners come forward it would be processed by the City. The City can initiate it if they meet certain listed criteria. Either way, 50% of landowners have to agree. So since one area is 90% BLM, the BLM has to agree. **Mike**

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Haycock stated this map was made to show compliance with State law. You want contiguous boundaries not peninsulas. There was an annexation discussion but they have hurdles to go through. It is not anything to talk about yet. Theirs have nothing to do with our moderate income housing conversation because they are looking at 12500 sq ft lots and it may not be an appropriate place either because of where they are located. **Chairman Dave Robinson** stated in his talks with BLM they discussed some type of co-op and they will get back to him about different options. He would like to put that annexation plan sentence in there. He is not clear on what other verbiage they are approving. **Commissioner Doug Clifford** stated that the one that Commissioner Pam Gardiol has given us is verbiage of three points, perhaps four that could be put into the form. The one Mike Haycock is referring to is marked in red in the General Plan statement. **Mike Haycock** stated that the form for the State has to be filled out but we also need this in paragraph form. **Commissioner Doug Clifford** stated that we talked last time about finding a grant writer to help seek public money. He thinks it should be stated somewhere if we are implementing that. Maybe there is someone available in the County somewhere. **Mike Haycock** stated there is a bit of a timeframe we are working with. City Council is kicking the idea around of hiring a company to go through the General Plan process with us, especially ways to communicate with others that are not typically part of our discussions, so we can get the beat of the whole community rather than a few people. We may get a presentation from a company on that to help make those decisions, but for now we need to focus on this because time is ticking. We have one more meeting which will be public comment on whatever we draft tonight and then voted and moved onto City Council before October. We need to focus on this portion to make the State happy. **Commissioner Doug Clifford** suggested that on Pam Gardiol's item three, that we shoehorn in the hiring or facilitating a third party? **Mike Haycock** stated so you want to put in there that we are looking for opportunities for grants and grant writers. **Commissioner Doug Clifford** stated unless there is some way we can reimburse somehow with the costs that are associated with doing Moderate Income Housing, it will just be business as usual. We have to find outside money. **Mike Haycock** stated that it already states that we will work with local jurisdictions and other groups and agencies. Commissioner Doug Clifford stated he wants to add that it may be with potential external facilitation. **Commercial Pam Gardiol** stated you think this sentence is not strong enough that we are proactively or deliberately seeking ways to engage with various entities in order to address our Moderate Income Housing. You want more meat in that sentence? **Chairman Dave Robinson** stated yes we need a more direct statement saying we are seeking funds through grants and also working with agencies. **Commissioner Pam Gardiol** stated Ivins leadership and Staff seek ways to engage, etc and neighboring communities to seek grants or auxiliary funding? **Commissioner Doug Clifford** stated that after neighboring communities, add to address financial challenges. Collective Moderate Income Housing challenges of finances and funding. **Chairman Dave Robinson** stated maybe we can say to include seeking of funds and grants. **Mike Haycock** stated saying financial opportunities will open up the sentence a little bit more. **Commissioner Pam Gardiol** stated in a way that aligns with defining features of our General Plan. **Commissioner Bob Morris** stated he would like to change the word leadership to Affordable Housing Committee and Staff. **Chairman Dave Robinson** stated if we had one. **Commissioner Pam Gardiol** stated it would not only be the Affordable Housing Committee in contact with State, Federal and County agencies. **Commissioner Bob Morris** stated the Mayor was on the Committee when he was Chairman. **Mike Haycock** stated that when he read it he thought leadership meant the Mayor, City Council and the Planning Commission. Staff is the Department Heads of

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Ivins. **Commissioner Doug Clifford** stated let's put the financial opportunities statement in Item One and take it out of Item Three and leave that one the way it is. **Chairman Dave Robinson** stated he has an issue with putting the Affordable Housing Committee verbiage in there if we don't have one. **Commissioner Pam Gardiol** stated she used the term leadership because it was broad and covers anyone that has the authority to negotiate with State, Federal and County agencies. **Commissioner Doug Clifford** stated if we add the word City, then that shows it is the government leadership, which may include that Committee. Do that to Item Two as well. **Commissioner Bob Morris** stated part of our proposal to the State was that we had an Affordable Housing Committee. That was one of our goals and objectives that the State requested. Can it just drop off and pick three others? He thought we had to build up on what we had previously and continue forward. **Mike Haycock** stated that it is not clear but he believes what they are looking for on this report isn't about what happened three years ago but what we did last year and what we are doing this year. **Commissioner Bob Morris** inquired so we tell them we've dropped the Committee? Having the Committee calms our State officials. Have them do grants and give them something to do. We pushed the Accessory Dwelling Units last year that was the focus. When we achieved it, we celebrated and now there are new goals. **Mike Haycock** stated that the Mayor needs to know that we have that as a priority to maintain that. He has talked to a Councilmember about being on that Committee. He doesn't know if he has asked a Commissioner yet. It is on his mind, but he may not know it is urgent. **Commissioner Bob Morris** stated if we add it in and send it to them, that is how we make it a priority. **Chairman Dave Robinson** stated he is good with that. Add it in. Ivins City leadership, Affordable Housing Committee, and Staff. That will put pressure to get that done. Item Four is good. **Mike Haycock** stated we may need to expand in one sentence on how we are going to get there. We will accomplish the goals by amending our land use plan and setting agendas for discussing each solution and moving forward with good legislation that encourages housing solutions. We will form alliances and meet with other cities to see where common ground can be found. **Chairman Dave Robinson** stated add inter-agencies to cities there. He still wants a sentence in there about annexation. Commissioner Pam Gardiol suggested adding it to the section where it says housing needs of our residents including possible annexation opportunities. **Mike Haycock** stated we will write this up and make those changes to send to you, and the next meeting will be a Public Hearing.

B. Discuss Short Term Rental Ordinance.

Mike Haycock stated that we have the Ordinance 2015-04 that we are keeping intact because we have some areas that already have the Short-Term Rental Overlay designation. So we are keeping those rules in place for those areas. This is where developers come to look at what is available zoning-wise and so he has stricken out Item H, so they cannot apply for Short-Term Renal Overlay moving forward. Then it would be a business licensing act, not a zoning ordinance. **Chairman Dave Robinson** stated we would recommend to City Council to create that business license category for the City. **Commissioner Doug Clifford** stated we talked last time of the potential ineffectiveness of licensing and that it would be almost impossible to track and follow up on. How does it get enforced? **Chairman Dave Robinson** stated it would be compliance by complaint. The difference is, if they are licensed and a complaint comes in, we can address the complaint. We also would collect those taxes. Right now there are hundreds that operate in Ivins and are doing it under the counter. No one knows about it? **Commissioner Doug Clifford** inquired what will change that? **Chairman Dave Robinson** stated we give them a pathway to be compliant and not do it under the radar. The City would have to impose fines if

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they are caught. Some infraction they would be responsible to pay. **Commissioner Doug Clifford** stated he worries that the enforcement thing will become something that people just do anyway and no one cares. If we catch a few, word will get around though. **Chairman Dave Robinson** stated if the guy next door is compliant to a guy that isn't, he will turn them in. **Commissioner Pam Gardiol** stated that the issue is asking for forgiveness rather than permission. The direction the world is going in is that people need revenue from their properties. The other one issue about Short-Term Rentals is regarding the article she read in the New York Times about what has happened in Sun Valley and some of these things we need to be aware of strategically. As we develop the community in areas that have not yet been developed, how will the Short-Term Rentals relate? In Sun Valley there is a chasm widening between those that have two homes and those that have two jobs. Tonight we are talking about Moderate Income Housing and how do create a community where we have opportunities for diverse income levels when we are such a special community in so many ways? In Sun Valley, the spread has become so great people with Short-Term Rentals that people have been priced out of the ability to buy homes. They were different from our situation in that they have not have the dynamic growth we have. They talk about a jolt after two decades of minimal residential construction in their city, to a dramatic shift in recent years that converted renter-occupied units into those that were either kept largely vacant by the owners or used as Short-Term Rentals. It has done nothing to change the housing trajectories for the broader community. Teachers, police officers and firefighters, etc can no longer live there. We need to be aware of this as something to consider. With some job applicants unwilling to make the move, their region's School District now has 26 job openings, some unfilled for months. The District is working on plans to develop seven affordable housing units for employees. Ketchum officials, which is adjacent to Sun Valley, asked voters to approve a tax increase to fund affordable housing for hundreds of workers over the next ten years and it did not pass. The housing shortfall is threatening to paralyze what has been a thriving economy and a cherished sense of community. As we look at Short-Term Rental and we have an opportunity to have a mix, we need to look at however we use our land, creating a sense of community for the majority of residents still here. We want to invite others to our community to enjoy the beauty that is here. We need to understand the long-term picture. Who would we like to live in our community, and are we creating opportunities for them to be here? We do not want Short-Term Rentals to price out Moderate Income Housing. **Chairman Dave Robinson** stated nightly rentals can increase property values. Two former neighbors had their fifth wheels parked alongside their house that they rented out and brought in extra income to afford to live here. There are a lot of houses that are here already that people could use this as a boost to their income. Yes investors will come in and buy up houses for rentals. That will happen so there are two sides to it. But allowing people to use their homes to make additional funds he sees as bringing communities because those people aren't coming and staying in a hotel. They stay in the community, get to know the homeowners, go to our parks. Nevertheless, this is not ours to decide. This is a recommendation we were going to push forward because all of that would have to be done at City Council. We are not part of that rule. Do we have a consensus to move forward? **Mike Haycock** stated this was on the agenda to look at it before we move it on to Public Hearing next meeting. We can adjust it from there with public comment. **Commissioner Pam Gardiol** stated the wording on Page 1 of 9 states this is in the best interest of the community. Are we clear as a Commission to pass on a recommendation to City Council what those best interests are? She sees them as things that relate to the General Plan, not just financial best interest, but are these uses going to create that sense of community and things that we

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value? **Chairman Dave Robinson** stated we differ because we look at the term community in a different way. **Commissioner Pam Gardiol** stated that on Page 6 of 9 it talks about features to open space area for the benefit of both subdivision and community residents, and natural features. On one meeting when she asked about open space, she was told it was the retention pond. How are we respecting the natural environment that we are creating natural open spaces, rather than artificial ones. We want to preserve the environment by incorporating those features and this document is an opportunity to help preserve, protect and enhance. Once they are gone, they are gone. That was 16.07.809. The last one is 16.07.814 incorporating unique features and amenities. How are those unique features defined? Last meeting there was a woman talking about old growth mesquite that is a unique feature of this area and has been here for so long, and she lamented that we frequently clear cut the land and don't preserve those. As we look at how to incorporate unique features, we need to have a better appreciation of what is unique and protect it. **Mike Haycock** stated that this ordinance applies to maybe one or two neighborhoods. We would no longer be giving this zone out. There is one more subdivision that may already be vested as it is written because they have the zone. That is why he didn't make any changes to it. **Commissioner Pam Gardiol** stated the mental views and paradigms we have about making sure that short term decisions were influenced by ordinances and also by the vision for that community and were we aligning our decisions with that vision. Many times short term decisions get made at the expense of long term. **Chairman Dave Robinson** stated we have addressed that by eliminating this and now we force those applications into Resort Commercial and Resort Mixed Use areas. This is almost moot because it is addressed in Resort Commercial. We will hold a Public Hearing next meeting.

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for July 19, 2022

MOTION: Commissioner Bob Morris moved to approve the Ivins City Planning Commission Meeting Minutes for July 19, 2022
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried.

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

4) REPORTS

A. Planning Commission

Commissioner Pam Gardiol inquired where we are in the process of sending out the RFP and where we are with reviewing the entire General Plan? **Mike Haycock** stated City Council will hear from a contractor. We are waiting on Department Heads and their recommendations. We will look at those recommendations before spending time on it. We can start the Land Use portion at any time. We should wait for City Council to make a decision if they are hiring out or doing an RFP for a company to manage the social media portion. We can put it on an agenda to look at the Land Use portion. **Commissioner Pam Gardiol** inquired if we have an RFP timeframe or when to expect a response? **Mike Haycock** stated no. **Commissioner Pam Gardiol** inquired if the RFP will be for an entity who will design a strategy to do that outreach to the community to get feedback on all elements of the General Plan? Is that correct? **Mike Haycock** stated it sounds like they will work on the social media aspect and communicating with the community. Not developing the General Plan. Their consensus was it was a good document

and they don't want to change too much but there are areas that need attention. **Commissioner Pam Gardiol** inquired then the outreach is to inform the community, or to illicit input? **Mike Haycock** stated we won't know until the presentation. **Commissioner Pam Gardiol** inquired when that would be, or when Council and Commission would be getting together? **Mike Haycock** stated a date has not been set. We will wait for City Council to give us further direction.

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

D. City Attorney, Dale Coulam

E. Items to be placed on future agendas.

There will be some final plats coming.

5) ADJOURNMENT

MOTION: Commissioner Bob Morris moved to approve ADJOURNMENT

SECOND: Commissioner Doug Clifford

VOTE: The motion carried.

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

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