IVINS CITY
PLANNING COMMISSION
MINUTES
December 5, 2023
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 Derek Larsen, Commissioner Perry Brown, and Commissioner Pam Gardiol.

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

Audience Attending: Wayne Seitz, James Barden, David Kelley, Dustin Ence, Brent Ence, Hank Schnaubelt, Sharon Gillespie, Daniel Foster, Richard and Diana Grow, Nate and McKenzie Hansen, Barbara Swanson, Kathy Hunt, Mindy Romberger, Mark Christensen, Brent Baxter, Lance Anderson, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Chairman Dave Robinson

C. Invocation--Chairman Dave Robinson

D. Disclosures-None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None.

3) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing regarding a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential), and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-M (Residential Multi-Family) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant.

Mike Haycock stated that this is located on 200 South and Main Street. The land use is Medium-Density Residential. The zone map shows some R-1-10 but is mainly surrounded by RE-12.5. **Commissioner Pam Gardiol** inquired what other area would this petitioner's request mirror, in increasing density? **Mike Haycock** stated that housing to the north is 12,500 sq ft. The area to the south is not built on directly across the street. The zoning there is R-1-10. RM is what is requested but not necessarily what needs to be approved. This is looking at the land use and the zone. **Commissioner Pam Gardiol** inquired what in that area is a higher density that integrates with this request? **Mike Haycock** stated that the R-1-7.5 zone is a block away to the west that is on the lower side of the medium-density. **Chairman Dave Robinson** stated that there is RM on Center Street that would be the closest. Brent Ence stated that he is the property owner and applicant. This is land from his grandfather that they had when they needed to bring water and farming to Ivins. His Uncle acquired it and he bought it from his estate several years ago. He intended to build a house there and be closer to his aging parents. We ended up building his corrals out on Kwavasa and now both his parents are gone. He came to the city and asked what the city needs and can benefit from. He came away from that meeting thinking that we are looking for a place for younger families to start up and that is why he has gone this direction. He knows some members think we need buffering but duplexes are a block away and small lots half a block away and it is consistent with the intersection of Ivins. It is close to the school. It is not a

highly traveled area. He has no plans to develop it right now. He is just looking at the future. **Chairman Dave Robinson** stated that he received approximately 80 signatures that were given to him in a petition to stop this zone change. He opened the Public Hearing. Nate Hansen lives on 200 South and he is against this being High-Density Residential and asks that we keep it Medium-Density Residential like the lots around that area. It is close to school and it would be great to see something more affordable for families such as smaller homes, but a rental situation brings people that are not particularly invested in the town of Ivins. The medical students have their housing already. There are good-sized lots around there. Ivy Circle is a great area and some homes along those lines would be wonderful to help support younger families moving into the area. Daniel Foster stated he agrees. He lives in Ivy Circle. There is no high-density residential within his vision of that area. They are all single-family homes there. He would like to see more of those. People have the right to develop their property with the caveat no monstrosities. Lisa Ganz on Zoom stated she lives on Bickmore and appreciates the recap on the property. The developer has a right to apply for a zone change, but it is not consistent with the surrounding area and should stay medium-density residential. In the table of uses there are a number of things that are allowed in high-density residential such as a nursing home, an educational facility. She is reluctant to say high-density residential should be opposed because of that. Townhomes or multi-family dwellings are not consistent with the area. If there are no plans to build, then there is no need to make a change to the zone. He is not required to present a plan. To change a zone without any knowledge of what is going there is not right. High-density residential dwellings is not the right fit. McKenzie Hansen has lived on 200 South for 16 years and they love it here. When they first moved in there were no curb, gutters or sidewalks there, and her son almost got hit on a rainy day because a car swerved to avoid a puddle. Ivins did a wonderful job addressing their concern and made it a safe spot for kids to walk to and from school. 200 South is a feeder street to Red Mountain Elementary. It is a busy street with cars coming and going and with the four-way stop, cars not stopping. When cars park on the street it is hard to cross the street safely. With high-density residential there, more cars would park on the street. It is actually kind of dangerous to have more cars on that street during the school year each morning and afternoon. This area is in the Old Ivins Township, with single-family homes. Ivy Place brought in some of the best solid neighbors in our area, and they are committed to Ivins. Do something like that. Barbara Swanson stated she moved here 11 years ago. Ivins is so amazing and fun and the people are wonderful. She lives across from Red Mountain and 200 East and the traffic is unbelievable. 200 South has people speeding at 50 mph sometimes. She is opposed to high-density residential for people that aren't invested in the area. Smaller homes like Ivy Place would be very nice. That is what is really needed. Kathy Hunt lives on 100 East and she did the petition within a couple blocks of the people around us. We live here to keep it a small town. Her father-in-law was one of the settlers who has since passed on. Keep this area historic like it should be. Homeowners should do what they want with their property within a realm of not interrupting the lives of those before them. She lives on an acre and most are on half-acres. High-density residential homes on Center makes sense but not down in this historic area. Keep it medium-density residential and not renters with a temporary mindset. Don't make it high-density residential if we don't even know what the plan is going in there. Mindy Romberger lives on 200 South and Brent Ence built her home and he builds beautiful homes. She loves it. All around us are single-family homes and it would be out of place to have condos or apartments there. The school makes it a busy street during the beginning and ending of school days. It could be a real problem with parking and people going in and out. It would make it busier than it already is. She loves the people that build

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their homes and are invested. Rentals don't get taken care of the way others care for their own homes because it is temporary. Dustin Ence stated that he lives on 1175 South and looking at the zone map, RM is scattered throughout the city. There is not an area where it is condensed. Putting it not along the highway, our gateway into our beautiful city, it should be more centralized. It is not a main focus street. He thinks it would be wise move to move RM to this area and the 20 acres south of this property to also concentrate that higher density. Let the lower density be on the outskirts and at the entrance to our city. Hearing no other comments, **Chairman Dave Robinson** closed the Public Hearing.

B. Discuss and consider recommendation of a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential), and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-M (Residential Multi-Family) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant.

Chairman Dave Robinson stated he drove over to the property and around that area and he was really torn on the situation because there is R-1-7.5 and RM nearby, but it is really surrounded by RE-12.5 and R-1-10 across the street. He understands we are trying to get more affordable housing here. Because of the cost of land we have to add more residents to a single piece of property. It is a conflict. How do we serve both purposes? **Commissioner Perry Brown** stated that this is similar to last meeting and in that case, the surrounding homes were all single-family on larger lots. He is also very interested in affordable housing in Ivins and there are a number of areas we can look at for higher density use and would not be in the middle of single-family homes. Having the petitioner say there are no plans other than the zone change seems premature. **Commissioner Pam Gardiol** stated that she also is struck by the similarity of last meeting's zone change application. She appreciates that the vibrancy and diversity of a community enriches how we understand each other. Her concern is that the precedent would be set by changing what is obviously an incongruent request in relation to abutting properties and is not wise or what we should do at this time. She would be against making this zone change. **Commissioner Doug Clifford** stated that this is similar, but not quite the same because there is more land that is zoned close in proximity to this one. We are facing a challenge in the state and country to find places for our first-time homeowners and even renters to afford. Who is going to be the first one we tell that they have to put in some high-density residential? We have talked about buffering. On this small parcel that is hard to do. The parcels to the south you could do buffering and head more to high-density residential. We have to find a place to put more density. People can't afford the dirt to move in. Houses need to be smaller to be able to afford that. Renters do have a stake as well in our community because it is young people that want to live and work here and just can't afford it. It is their only option. Renting is viable and does not make them bad citizens. **Chairman Dave Robinson** stated that high-density residential is not necessarily rentals. That is not always the case. **Commissioner Doug Clifford** stated that renters are also invested because they want to live here and work here in the area, and this is not the cheapest place to live. People's kids can't afford to live here. Traffic around the school needs to be fixed regardless of what goes in on the property. Vista School is the same way for a couple hours each day. He is torn because we have to find a plan. Someone threw the term out last meeting about spot-zoning and we said we like to see buffering. There is property in this area that will need to become something. Smaller homes, not necessarily rentals, that people can afford. How do we get those? In the General Plan, the central area of the city was mentioned as the place that had an advantage of building more inexpensive homes. There are a lot of

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properties hidden away in the center of Ivins and we need a plan how to put homes in those areas. He doesn't know where to start. We keep pushing this off and not solving our problem and we are not helping these young families find a home. The Veteran's home told us that they can't get workers because they can't afford to live here. 15 years ago, our home costs were not that expensive. Property was less. You could build for less. We still had the rural feeling with farmland or a garden. Younger people don't want that. We have to start somewhere. This property and the adjacent property could be a really nice area to move towards smaller homes to afford to live in. **Commissioner Derek Larsen** stated what are our checks and balances for moving this forward? **Dale Coulam** stated we don't see a plan at zoning, as outlined by statute. That is optional for the developer. If you wanted smaller homes and changed the land use to high-density residential that would allow R-1-5 so 5,000 sq ft lot. Medium-Density Residential is R-1-7.5 and that is in closer proximity to RM. Those are decent-sized lots. Desert Rose and parts of Heritage Estates and Mountain View Estates are R-1-7.5 that could be more affordable. Whether it gets costs down to new young families, he doesn't know. If you change the zone the next step would be to see a plan for multi-family. Single-family homes can be in multi-family if they chose, or they could build twinhomes, townhomes or apartments, all those options are on the table with the RM zone. Brent Ence was kind enough to be the guinea pig for our design guidelines and helped us tweak those and put in some beautiful townhomes on Main Street with architectural features with pop-outs and offsets in the walls and roofline. **Commissioner Derek Larsen** stated there is recourse if they came back with a plan that didn't look appropriate. **Dale Coulam** stated if it is a townhome or apartment or multi-family, they have to comply with our design guidelines. **Chairman Dave Robinson** stated that RM is usually multi-family. They can build single-family but what zone is in between? **Dale Coulam** stated if you change the land use to high-density residential it could be 5000 sq ft homes. That is smaller than the R-1-7.5. **Chairman Dave Robinson** stated that he looks at that lot and how do you subdivide that into either of those zones with roads? If we gave that option, how would that work? **Commissioner Pam Gardiol** stated that the General Plan is a guideline that we have invested 10 months into looking at every word in that document to say who we are and who we want to be. She agrees we need to be a more diverse community. Diversity creates richness in the community. Our community is evolving. With the pressing issues we are looking at to create homes for everyone that wants to live here, we state that in the current draft of the Genera Plan. In this situation her concern is a precedent that could be set because the adjacent property is all zoned one way. There are no denser dwellings to integrate this with. If we move forward we set a precedent of being arbitrary. She is not comfortable with that. **Commissioner Perry Brown** stated that last meeting we dealt with a subdivision that had nice opportunities for homeowners and he was very supportive of that development. Small single-family homes are not multi-family. This is premature because the petitioner could come back later with condos or small homes but right now we are only being asked to make a zone change. He is not comfortable with this. **Commissioner Derek Larsen** stated it is hard to place high-density residential. No one ever wants that near them. The other application we looked at a couple weeks ago was different in that it was a smaller piece of property and nothing near it. There are spots around this area. It is tough. There is not any attainable housing in Ivins right now. **Commissioner Doug Clifford** inquired what benefit would it do for us to propose a lower medium-density residential zoning? That is not what he applied for. If that was what he envisioned, that is what he would have proposed and would have been a simpler sell. Zoning can change as things fill in. There is lot of land in that area that has not yet been divided. He doesn't

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think leaving it the way it is, but maybe not necessarily the RM. We have to start moving towards this. This is a crisis. It really is. **Dale Coulam** stated that this is legislative and so you can recommend what you feel fits there the best, and it is ultimately up to the City Council. The applicant could withdraw or just see what the City Council decides. **Commissioner Doug Clifford** stated that this would send a message to recommend R-1-7.5 to the property because he believes we need to have more density in this area. We need to make a move towards high-density residential. **Chairman Dave Robinson** stated that his opinion is that we recommend R-1-7.5 or deny it. **Commissioner Doug Clifford** stated he agrees. Every meeting we will discuss zoning. It is a country-wide problem. There are other R-1-7.5 around this area. It would show that we are trying to do what we said we would do in the General Plan by providing housing for the people that want to live in Ivins. We are not doing that right now. **Commissioner Derek Larsen** stated on SITLA it was easier to buffer within the development. This can't be buffered. **Commissioner Doug Clifford** stated we wouldn't need to buffer if we do R-1-7.5 because it is the same zone as next door. **Chairman Dave Robinson** stated that R-1-7.5 is what Ivy Place is and what most people really like.

MOTION: Commissioner Doug Clifford moved to recommend denial of a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential), and recommend a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) instead of RM (Residential Multi-Family) to R-1-7.5, (Residential, minimum lot size 7,500 sq ft) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant.

SECOND: The motion failed for want of a second.

MOTION: Commissioner Pam Gardiol moved to deny recommendation of a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential), and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to R-M (Residential Multi-Family) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant on the basis of setting a precedent as arbitrary.

SECOND: The motion failed for want of a second.

MOTION: Commissioner Perry Brown moved to recommend reconsideration of Commissioner Doug Clifford's motion to deny a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR (High-Density Residential), and recommend a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) to instead of R-M (Residential Multi-Family), R-1-7.5 (Residential, minimum lot size 7,500 sq ft) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant.

SECOND: Commissioner Derek Larsen

VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	AYE
Commissioner Pam Gardiol	NAY

MOTION: Commissioner Doug Clifford moved to approve recommendation to deny a Concurrent Land Use Amendment from MDR (Medium-Density Residential) to HDR

(High-Density Residential), and a Zone Amendment from RE-12.5 (Residential Estates, minimum lot size 12,500 sq ft) and instead of R-M (Residential Multi-Family) R-1-7.5 (Residential, minimum lot size 7,500 sq ft) on approximately 1.97 acres. Located at approximately the corner of Main Street and 200 South. Brent Ence Trust-Owner/Applicant.
SECOND: Commissioner Derek Larsen
VOTE: The motion carried.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	NAY
Commissioner Pam Gardiol	NAY

C. Public Hearing regarding Table 33-1 Residential Table of Uses, Prohibiting Resorts in all Residential Zones. Ivins City-Applicant.

Dale Coulam stated that City Council requested this change be made in the residential zoning district because there was a use for resort on the larger residential zones. From RE-20 to RA-5 that was a Class V conditional use. Councilmember Mike Scott asked that you put X's all the way across. "A use not identified in the table of uses is determined to be a prohibited use within Ivins City." Another option is to strike resort as a use from the residential zoning table completely. That may be the cleanest way. **Chairman Dave Robinson** opened the Public Hearing. There were no public comments so **Chairman Dave Robinson** closed the Public Hearing.

D. Discuss and consider recommendation regarding Table 33-1 Residential Table of Uses, Prohibiting Resorts in all Residential Zones. Ivins City-Applicant.

Table 33-1 Residential Table of Uses
MOTION: Commissioner Doug Clifford moved to approve recommendation regarding Table 33-1 Residential Table of Uses, Prohibiting Resorts in all Residential Zones. Ivins City-Applicant. Roll Call Unanimous.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	AYE
Commissioner Pam Gardiol	AYE

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Indigo Trails Phase 1-I Final Plat, located at approximately 510 South Kwavasa Drive. AnA Enterprises, LLC-Owner/Applicant.

Mike Haycock stated that this is located on Kwavasa Drive at Indigo Trails. The zone is consistent and this is a 20,000 sq ft lot in that subdivision.
MOTION: Commissioner Derek Larsen moved to approve Indigo Trails Phase 1-I Final Plat, located at approximately 510 South Kwavasa Drive. AnA Enterprises, LLC-Owner/Applicant. Roll Call Unanimous.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

Chairman Dave Robinson	AYE

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Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	AYE
Commissioner Pam Gardiol	AYE

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for November 14, 2023.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for November 14, 2023.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	AYE
Commissioner Pam Gardiol	AYE

5) REPORTS

A. Planning Commission

Commissioner Pam Gardiol stated that in light of the herculean task of completing the General Plan there were many people who played a role, but one individual who went above and beyond the call of duty was Sharon Allen. She presented a certificate of achievement for expertise, tenacity, humor, grace and service above and beyond the call of duty to complete the 2023 Ivins City General Plan signed by the Ivins City Planning Commission. Sharon Allen thanked the team for the beautiful certificate and said let's do it again in five years. **Chairman Dave Robinson** stated that seven neighborhoods were involved at a holiday party near his house. 120 to 150 people attended. It was a great event. Music, and food, and Santa showed up for the kids. We did a drive for the Washington County School District Counselor's Closet. There are 8000 students at any given time that are in some form of homelessness, so the counselors are able to get things from toothbrushes, toothpaste, shampoo, to clothes and food items and pass it out to the students as needed. The report came back that Ivins residents donated $2600 worth of supplies. It filled his truck. Ivins really stepped up. It took in all of Altura and those west subdivisions like Suncrest, Suncrest West, Tenaya Estates and Tenaya Sands.

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

Mike Haycock gave the Planning Commission homework to read the RC zone and the RMU zone. The RMU is really difficult to build to. RC had no real regulations specific to that zone. This is just a starting place. The part this plays in Moderating-Income Housing is the RMU zone is one of the required tasks to mix commercial with residential and present that to the State. He asked the State what kind of density they want to achieve to accomplish that and they shrugged their shoulders. We will give our best shot to try to find something for affordable housing that has a commercial base then we will have done what they are asking us to do.

D. City Manager/Attorney Dale Coulam

Dale Coulam stated that the City Council will have an introduction to the General Plan on the 21st. Commissioner Pam Gardiol had suggested that there be a work meeting and Commissioners who want to attend can participate in giving them an overview when they schedule that. Next meeting is the last meeting for the current Council. It makes sense to have a work meeting with the new City Council. **Commissioner Pam Gardiol** stated that one sitting

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City Councilmember very much wanted to have a voice in reviewing that so outgoing members can give their input.

E. Items to be placed on future agendas.

Mike Haycock stated that we will be reviewing the Preliminary Plan for Phases 5 through 7 for the Retreat at Snow Canyon, west of West.

6) ADJOURNMENT

MOTION: Commissioner Derek Larsen moved to approve ADJOURNMENT

SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

Chairman Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Derek Larsen	AYE
Commissioner Perry Brown	AYE
Commissioner Pam Gardiol	AYE

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