IVINS CITY
PLANNING COMMISSION
MINUTES
March 19, 2024
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 Pam Gardiol, Commissioner Perry Brown, and Commissioner Doug Clifford.

Staff Attending: Dale Coulam-City Manager/Attorney and Mike Haycock-Building and Zoning Administrator.

Audience Attending: Bonnie Kline, Sharon Gillespie and James Barden, Ryan Money and Lance Anderson.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Doug Clifford

C. Invocation--Commissioner Doug Clifford

D. Disclosures-None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None.

3) PUBLIC HEARING AND ACTION ITEMS-None.

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Desert Cove Preliminary Plan, located at approximately 200 North Kwavasa Drive. Southern Land Ventures, LLC/Peak Land Ventures LLC-Owner. Ryan Money-Applicant.

Mike Haycock stated that we have previously seen this application. It had expired, but the developer is ready to move forward on it again. It is surrounded by two agriculture parcels and their zone is RE-12.5. There is RE-15 on both sides and one with lot averaging above it. Their plan has remained the same as previously approved, and TRC reviewed it and found that it still complies with our zoning and ordinances. **Commissioner Pam Gardiol** stated that while going around to look at areas for Accessory Dwelling Units, it struck her that we in our community say in our General Plan that open space is important, and yet what she see us developing gives no sense of open space. This plan is the same way. **Mike Haycock** stated that typically we have an impact fee for parks. A developer pays into that impact fee and go towards parks throughout the City. We don't have a requirement for that. **Commissioner Pam Gardiol** stated that she respects that parks are important. We hear residents say that they come here because of the beauty of this environment. As she drove across the city, she sees sterile environments. Why? **Mike Haycock** stated that we could look at our ordinances. We have open space required in the multi-family zone. That is something we can look at in the future when we review our ordinances. **Commissioner Pam Gardiol** stated that while researching moderate-income housing she identified twenty measures of success in principles of design. One of those principles is variation of architecture allows for shadows and interest. Another is a sense of incongruity in how the buildings are placed to create a sense of openness. She asks that we discuss that in further detail rather than a wall that doesn't recognize a sense of nature. **Mike Haycock** stated that historically when we have done zoning ordinances, we have created setbacks to make sure that everyone does line up. We do have in our development guidelines

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about massing and that the structures themselves have variation. We would have to look at different options. **Commissioner Pam Gardiol** stated that she would like to do that. **Dale Coulam** stated that they did give up open space in the form of a fairly large detention basin. There will be landscaping around that. The legislature mandates that we approve a subdivision if it meets our ordinances, which this does. There is not a lot of flexibility on this. **Commissioner Pam Gardiol** stated that we should be spending a good portion of our meetings on long-term planning. By default we spend it approving developments. Our land is disappearing, and we have an opportunity as our legacy to say the things which we think are most important. **Chairman Dave Robinson** stated that on our detention ponds, they should be dual-purposed for parks. He knows there is a potential for damage during flooding like residual mud, but that is his proposal to use that space. **Commissioner Perry Brown** stated that he knows this has been submitted once before, but since this has expired have we not rezoned the land just to the south? We did the northwest corner and southeast corner. That suggests we will have subdivisions on those. He is curious about the access going from this neighborhood to the next? **Mike Haycock** stated that they have their two required accesses. Public Works may have whatever the new subdivision submits, access differently. This still meets our zoning ordinance. **Commissioner Perry Brown** stated that he is surprised no one redesigned it to integrate with the development to the south. That didn't happen here and he understands this is a resubmittal. We need to keep that in mind in the future so we don't isolate communities. **Commissioner Doug Clifford** stated that is there anything that could be done to add character to that detention basin? **Chairman Dave Robinson** stated that because of impact fees we should look into that with the parks department to develop a few of these out. **Mike Haycock** stated that this is collecting a lot of our city water to the north, more than our typical developments. **Chairman Dave Robinson** stated that is fine, but we should look at using that land whenever possible. **Mike Haycock** stated that we do have those discussions with TRC, but he can mention that to the parks department. **Chairman Dave Robinson** stated that there are a lot of these detention basins that could hold one or two pickleball courts which is concrete and wouldn't be a problem if it got rained out. **Mike Haycock** stated that you have to have so much drainage per hour so it may not work on all detention basins. Pickleball courts may not meet the infiltration rate that is needed.

MOTION: Commissioner Doug Clifford moved to approve Desert Cove Preliminary Plan, located at approximately 200 North Kwavasa Drive. Southern Land Ventures, LLC/Peak Land Ventures LLC-Owner. Ryan Money-Applicant. Roll Call Unanimous.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried unanimously.

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

B. Discuss and review Accessory Dwelling Units.

Mike Haycock stated that there is more that goes into setbacks than just zoning. The Fire Code says when you have an accessory structure, you can build it from zero to five feet if you provide a firewall. If you have a soffit that is two to five feet, you can do that same fire protection on the bottom side of the soffit. Shingles and clay tiles have a fire rating to them as well. If you want to build near a property line, then there are ways to protect a structure. Our zoning ordinance says if it is less than ten feet, that an accessory structure is counted as part of the primary requirements. Unless you are in a side yard setback. Typically they are also ten feet. So there would be ten feet

between the buildings, or ten feet between your wall and the accessory structure. It is further away then ten feet from the primary structure, it is not counted as part of the primary. That is an accessory structure. **Chairman Dave Robinson** stated that he wants to talk about existing homes because the subdivision they all went and looked at is building new homes, with or without ADUs, where maybe they take a bedroom and bathroom already in the home and lock it off as an ADU and it doesn't change the square footage. What he is looking at are the homes that are already built that want an ADU for the purpose of renting it out and getting their costs down. We need to see what we can do to make that feasible. If up to 15,000 sq ft range, if we would allow a requirement for them to go closer than ten feet to the property line and use the firewall. That would give them enough room for them to be able to build a structure. Is it possible for us to do that within our ordinances? On a 15,000 sq ft structure, detached would probably not work. It would need to be attached. The way the ordinance reads now, it is two feet from the property line and ten feet from the house, which is twelve feet they can't use on a 15,000 sq ft lot. It is just not going to happen. He himself has nineteen feet between his house and the property line. If he attached it to the house, he is left with only nine feet. We need to help those in that middle lot sizes to be able to go down and gain some square footage and still meet fire code. **Mike Haycock** stated that if that is the direction that the Commission wants to go, we can write that up. **Chairman Dave Robinson** stated that if they are above the 15,000 sq ft lots, they have the space to be able to do attached or detached. Below 10,000 sq ft lots, it just wouldn't be possible. **Mike Haycock** stated that our ordinance allows a typical detached accessory dwelling structure of 600 sq ft and if your base footprint is over 6000 sq ft on your house, then you can go bigger. 600 sq ft is 20x30. If it is slender, maybe 15x40 ft. **Chairman Dave Robinson** stated yes and if you use his lot as an example neither of those fit. **Mike Haycock** stated that if the single family dwelling has a three-car garage it works, but if it is only a two-car garage, you also have to provide parking. **Chairman Dave Robinson** stated but that car could also just be in the driveway. **Mike Haycock** stated that is up to the Commission on how they want to write the ordinance. **Commissioner Doug Clifford** stated that as he looked through those homes in Unity Village, it became apparent that there is no room on any lot except one to do a detached structure. **Mike Haycock** stated that on a corner side yard, currently our setbacks are 25 feet on both frontages. **Commissioner Doug Clifford** stated that several of those do have an internal ADU, which gives the advantage of extra income that we are hoping to give a lot of people in the community. Do a lot of newer homes give the option of an ADU from the get-go? **Mike Haycock** stated that it has been done for awhile. Kayenta has a lot. **Chairman Dave Robinson** stated that is what he is saying, is that there is a difference between people building a new house versus the thousands we already have that would like to look at that option and how we accommodate them. **Commissioner Doug Clifford** stated that the place this would help is in old Ivins with the big, narrow, deep backyards with gardens, or horse corrals, or chicken coops. We have seen some of those do lot splits as a solution because they get income from the sale of half their lot. If they wanted an income stream though, the accessory dwelling concept fits well in the older area with larger lots. Builders aren't designing them for current houses. How do we incentivize them to provide that option? **Mike Haycock** stated that educated builders are all over this and charge a higher price per square foot for that casita because they know they are giving you income for it. FHA loads count that as income. Contractors are already selling this. **Chairman Dave Robinson** stated we don't need to incentivize builders. It is already happening. How do we incentivize those that have a home already that would like to have this option? **Commissioner Pam Gardiol** stated that as she drove around the city, she noticed that

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larger lots are where they were most conducive. Contemporary design is not conducive without an impact on adjacent neighbors. She was struck by the mass of cement everywhere. It isn't just about finding a place to put a building, but how we make it organic, so we are not impacting neighbors. The ten feet needs to be a consideration as well so we are not just sterilizing a neighborhood. **Mike Haycock** stated that permits we issue in 15,000 sq ft or less are all attached detached structures. They can't get them close enough to the wall to be ten feet away from the house. We could maybe tweak those middle lot sizes setbacks to allow more of those in that range. **Chairman Dave Robinson** stated that once you pass a half acre, you should have enough property to be able to do what you need to do. The square footage currently can only be a percentage of the footprint of the primary structure? **Mike Haycock** stated yes or 600 sq ft. After 6000 sq ft you are allowed to have a bigger casita. We rarely see that. **Commissioner Doug Clifford** inquired what other communities are doing who are all facing the same challenges? **Mike Haycock** stated he hasn't looked since the ADU ordinance came from the state. He hasn't done that research. He has been looking at the intent of what Ivins is trying to do. He thinks that all our detached structures should be written the same, whether it is a garage, an awning, or an ADU. Our rules should be consistent for that, for either attached or detached so we don't have conflict. We also need to look at our parking requirements for these. **Commissioner Pam Gardiol** stated to also look at what kind of buffering we will have besides a wall. What sound buffering, landscaping are we going to build into that ordinance? **Mike Haycock** stated those are things we will need to discuss. Detached structures on bigger lots tend to be put on the outside edge of the property so they can have a bigger yard or lawn area in the middle. **Commissioner Pam Gardiol** inquired if spreading all those structures out impacts the contiguous properties? **Mike Haycock** stated that they would use firewalls. Sound may be a concern. There is not really anything in our ordinance right now to address that. If we allow detached structures within three feet that may be something we want to address. We have never had that as a complaint though. **Chairman Dave Robinson** inquired if Mike Haycock had enough direction to write up a draft? **Mike Haycock** stated that smaller lots can fill up a hundred percent of their setback areas with buildings right now, if they are attached. It sounds like we want ADUs attached on smaller lots and that we don't limit the primary structure. On 15,000 or 21,000 sq ft lots, if we do it by lot size rather than a zone we can work on that as a good first step. **Chairman Dave Robinson** stated that anything below that size, let's see if we can go closer to the property lines, because even a couple of feet will help with structure size. **Commissioner Pam Gardiol** stated that if we do that, there is more buffering mitigation that needs to take place. **Commissioner Doug Clifford** inquired in the last six months or so, is there more interest in attached or detached structures? **Mike Haycock** stated he is having to deny people on smaller lots that are looking to do this, probably once every other week, especially on detached. They are either too close to the property line, or can't meet the ten feet setback. We can make attached work more on the smaller lots than detached. Of course, people like the idea of detached if it is two different families or a guest. They may want that but wind up with the attached option as the ordinance is written now. **Chairman Dave Robinson** stated that is why he would like to narrow that down to eight feet with firewall mitigation so it gives the ability for structures to be built in those areas. **Mike Haycock** stated if we say attached ADUs are okay up to 15,000 sq ft and then up to 21,000 sq ft with some provisions of reducing setbacks. **Chairman Dave Robinson** stated we would need those same provisions in the 15,000 sq ft lot as well. So you want it to say below 15,000 sq ft. **Commissioner Doug Clifford** inquired if 600 sq ft was a hard number? **Mike Haycock** stated no. **Commissioner Doug Clifford** stated we could change that

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minimum. **Chairman Dave Robinson** stated that is not a minimum. There is no minimum. You are allowed to build up to 600 sq ft. **Mike Haycock** stated that is room enough for a kitchen and studio. Attached means it can also be as high as the tallest part of the primary structure. We will need to talk about height as well. Do you want two-story casitas, with maybe parking down below? We typically have one-story casitas here. It can't be higher than the existing structure. Do you want to limit attached casitas to one-story? **Commissioner Pam Gardiol** stated yes. **Chairman Dave Robinson** stated he is on the fence. He doesn't know. If the structure is already that high, why not if there is room for a setback? It could help with parking. **Commissioner Pam Gardiol** stated we have a neighborhood that has a double-wide garage and then another garage that is higher. She is envisioning that the ADU could be as high as that second garage. **Chairman Dave Robinson** stated potentially. **Mike Haycock** stated that our ordinance allows that now. Height and setbacks are the same as the primary structure. **Commissioner Pam Gardiol** inquired if we are also talking about a detached ADU? **Mike Haycock** stated that if it is within 10 feet it is considered attached, but it is detached from the primary structure. We didn't want massing or tall structures so on single story they raise the rooflines to build the taller garages. Our height ordinance is 25 feet tall so that can be one-story and people will build that just to get their RV parking in. The intent of the code was to keep the height down, but people have the right to have an RV and store it. It is written the way it is currently to create a balance there. We are causing mass roofing rather than eliminating it with our requirement. **Chairman Dave Robinson** stated as we have talked about this, he had in his mind they would be single-story, not two-story. He could see the concept of a garage underneath. He gets that. **Commissioner Pam Gardiol** stated that she respects that may be popular in certain places, but she is not in favor of them here. What is the intent of what we want this community to look like? We say one thing in the General Plan and then do something else. **Commissioner Doug Clifford** stated that having everything the same height is too uniform. **Commissioner Pam Gardiol** stated she doesn't want to see castle parapets. **Mike Haycock** stated on our detached requirements we go three feet back and then you can be eight feet tall. As they move further out, they can go taller. The intent is to keep a view and not have twenty foot walls. But on attached, within ten feet in, you can have a garage that is 25 feet tall. **Chairman Dave Robinson** stated he is kind of leaning towards allowing two-story. **Commissioner Perry Brown** stated he needs to get a better vision of what a higher structure would look like. He is having trouble visualizing it. **Chairman Dave Robinson** stated that a detached structure cannot be any higher than the highest point of the home. **Commissioner Doug Clifford** stated that you can't have a big two-story garage on a single-story house. **Mike Haycock** stated that he believes the intent was to have variations in the roofline, to start low and then go higher. **Chairman Dave Robinson** stated that we already have in the detached ordinance that the further you go away from the property line, the taller it can be. **Mike Haycock** stated yes but that language is not in the attached ordinance. **Chairman Dave Robinson** stated regarding attached they could build their house 25 feet tall, and later decide to do an addition. That's how that gets built as tall as the house. **Mike Haycock** stated that another option is to take away the guideline that if it is within 10 feet that it meets the primary dwelling requirements. If you take that rule away, they are all detached structures. **Chairman Dave Robinson** stated then we are looking at how close people put it to the house. An inch. He doesn't like that, because then it becomes a game and a problem. **Mike Haycock** stated that is why it is written the way it is. **Chairman Dave Robinson** stated that he likes that as it gets closer to the property line, we reduce the maximum height. **Mike Haycock** stated that eight feet away is a total of 15 feet high on detached. Ten feet away is

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twenty feet high. **Commissioner Pam Gardiol** stated that whatever the intent is of this ordinance should align with the General Plan. We are talking about the elements of the ordinance but if the General Plan is the recommended guiding document of our city, then this ordinance should align with what we are trying to create as a community. **Mike Haycock** stated that we are complying with the moderate-income section of the General Plan. That is what we are heavily trying to address. We are reducing a few requirements to allow a few more of these. **Commissioner Pam Gardiol** stated that she realizes that is important as we continue to grow, but there are other elements of the General Plan as well. We are not focusing on the big picture and that concerns her. **Chairman Dave Robinson** stated that he doesn't see it that way, because there are design guidelines that go into this, but are not part of this particular ordinance we are hammering out. Dimensionally, we are trying to figure out how to fit this in and make it work. The parking ordinance as well as other ordinances all still apply. We are trying to figure out how multiple people in the city that want to take advantage of this, can. We are not detracting from any other part of the General Plan. All those guidelines still exist. View corridors still exist and that is why we are discussing how many stories because we are concerned about viewshed and how to apply that so we don't go too far. **Chairman Dave Robinson** stated he thinks he is okay with two-story with a limited height standard, maybe 18 feet if the existing house is already that high. If it is lower, then it has to be single-story. **Mike Haycock** stated he will write some of these changes and bring back a draft. Lots over 21,000 sq ft we may want to talk about a percentage of coverage. Drive around and look at some of our bigger areas. A lot of bigger lots are actually in smaller zones. **Commissioner Doug Clifford** stated that he is not sure over half-acre lots are the ones that people are most likely to put ADUs on with new homes. Existing homes with large lots are what we really should focus on. He knows people that are building ADUs and living in them and renting out the house as well.

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for March 5, 2024.

MOTION: Commissioner Pam Gardiol moved to approve the Ivins City Planning Commission Meeting Minutes for March 5, 2024.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried unanimously.

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

5) REPORTS

A. Planning Commission

Commissioner Pam Gardiol stated that she received an email from CJ Koharcheck, and the Council did as well regarding our parking ordinance analysis. **Mike Haycock** stated that we have to get through the Moderate-Income Housing report but in the coming months we will add chapters to review and the parking ordinance is one of them. He has things from the previous Council still in the queue.

B. Chairman

Chairman Dave Robinson stated that this may be his last meeting. His time on the Commission is up, and we will see on Thursday if Council votes him back in. **Commissioner Pam Gardiol** stated that she would like Chairman Dave Robinson to know that however the Council meeting plays out, it has been an honor to work with him. **Chairman Dave Robinson** stated that

he has enjoyed working with the Commission and the staff as well. It has been great and we have gotten a lot of things accomplished. There is still a lot more to get done.

C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated that other items in the queue are seeing what the State Legislature has changed and that we are compliant and making those changes. Those will take priority.

D. City Manager/Attorney Dale Coulam

E. Items to be placed on future agendas.

6) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

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

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