IVINS CITY
PLANNING COMMISSION
MINUTES
April 2, 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 Derek Larsen, and Commissioner Doug Clifford.
Staff Attending: Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator, Will Wagner-Zoom, and Sharon Allen-Deputy City Recorder.
Audience Attending: Sharon Gillespie, Bonnie Kline, and Frankie Fleming.

A. Acknowledgement of Quorum
B. Flag Salute--Commissioner Derek Larsen
C. Invocation--Commissioner Derek Larsen
D. Disclosures--None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-

A. Swear in reappointed Planning Commission Member and Elect a New Chairman.

Chairman Dave Robinson was sworn in before the meeting. Staff is going to review if his term is up as Chairman.

MOTION: Commissioner Pam Gardiol moved to approve electing Dave Robinson as Chairman pro-tem while Staff looks into his term.
SECOND: Commissioner Doug Clifford
VOTE: The motion carried unanimously.

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

3) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing on Proposed Amendments to the Subdivision Ordinance.

Dale Coulam stated that all developments, including those that just require a site plan, should all go through the same process of review. It is cleaner that way. The first change being added is to say that all developments require site plan approval, even when a development may not involve the subdivision of lots, or require a final plat to be approved or recorded, shall follow the subdivision application and review process, and all applicable design and construction regulations in this title 15 of subdivision regulations. 15.04.103 is the change that the Technical Review Committee reviewed applicants at "concept plan". There is still such a process by statute, but we have changed it to a "pre-application plan", which is more appropriate, and give the applicants' initial feedback. An electronic copy is to be required with the application. Paragraph 4 of Section 104 the word "concept" is changed to "pre-application plan". On Section 202, the application itself, one (1) 24x36 or larger of the preliminary plan is required and one (1) 11x17. We don't use paper nearly as much so we wanted that number reduced, so those following

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paragraphs eliminate the paper copy requirement so it is just in electronic format. Section 203 is regarding the review process, and if more than two reviews are necessary, the applicant is required to pay an extra fee. An application that is filed comes with two TRC meetings. One that tells them what the corrections are and the second to come back and review those changes. If more than two reviews are needed, they will pay for additional meetings. Some developments have gotten away with a lot of free meetings and we wanted to make that change, to make it fair to everyone. Section 302 the application for a final plat reduces the number of copies submitted, and added a requirement for a final drainage report. The most substantive change is in the review process for the Final Plat Review Authority, which we said is made up of the city engineer or assistant engineer. Council witnessed a few of these meetings and found it a waste of time to have three people present for the process. Chuck Gillette and Tom Jorgensen are making the comments usually, so they should be the ones to review those final changes and approve the final plat. On the mylar and signature of the mylar the Planning Commission no longer signs the mylar. The Final Plat Review Authority will. The Mayor will no longer sign either. On recording, it discusses those signatures and fees have been "paid" instead of saying "satisfied." Chapter Five is consistent with that very first change of having a site plan required to go through this process and to clarify when construction plans are submitted, which is with the final plat application. For developments that are not subdivisions and do not require a recorded plat, but do have an approved site plan that would require site construction plans to be approved by the public works department and the city engineer, a separate application form shall be submitted for review and approval with the following items: application fee set by resolution; stamped construction drawings-three copies and a final drainage study; maintenance and inspection agreement for low-impact development facilities and cost estimate in accordance with standard specifications. That estimate is then used to determine the improvement bond. **Chairman Dave Robinson** stated that when there are two lots it still follows the subdivision process? **Dale Coulam** stated it always had to but one lot never really stated that specifically, so we have followed the subdivision ordinance as a matter of pattern because applicants understood that process, but now it states all developments that require site plan approval will follow this process. It makes it easier for an applicant and staff to follow those rules. **Chairman Dave Robinson** opened the Public Hearing. **Will Wagner** stated that no one was on Zoom. Hearing no further comments, **Chairman Dave Robinson** closed the Public Hearing.

B. Discuss and consider recommendation on Proposed Amendments to the Subdivision Ordinance.

Commissioner Pam Gardiol stated on 15.04.101 it states the purpose of the pre-application consultation is to provide the applicant an informal evaluation to familiarize them with the applicable provisions of this title, including the General Plan which should be utilized in planning and designing. This seems nebulous and there are times that she has asked a petitioner how their development aligns with the General Plan and is met with blank stares. How can we make that more substantive? **Dale Coulam** stated that the General Plan is not an enforceable document or code. Ordinances are adopted using its guidance and vision. During the subdivision process the State tells us that if an applicant meets all our requirements, the laws and ordinances that are in place, they are entitled to an approval. We can't try to bootstrap the General Plan into being law by making it a requirement of an ordinance. **Commissioner Pam Gardiol** stated that the wording seems nebulous. If it said "General Plan and related ordinances". Something that says to pay attention. **Dale Coulam** stated it should be considered but not made an enforceable law. We can change it to say "familiarize the applicant with the General Plan, the zoning

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ordinance and this title." That could make it a stronger statement. **Commissioner Pam Gardiol** stated it shows the alignment to that document. **Dale Coulam** stated you would just recommend "as amended" when you make that motion. **Commissioner Pam Gardiol** stated in 15.04.103 it says "schedule a meeting with TRC to review the pre-application for initial feedback. Then it says an electronic copy is to be provided with the application." Add the word "plans". On 15.04.203(a) there is a gap. **Dale Coulam** stated he eliminated that space. Part 3 Section 203 substantive review states that if the Technical Review Committee "determines" and take out "review." Final Plat 15.04.302(6) to be consistent, reduce the copies of the subdivision final plat to one (1). She also has punctuation she will submit for consideration. The Planning Commission Chair is currently on the Final Plat Review Authority, correct? **Dale Coulam** stated yes but it will become the city engineer or assistant engineer and a committee of one. **Commissioner Derek Larsen** stated he understands the changes. Is this to be in compliance with the State? **Dale Coulam** stated yes.

MOTION: Commissioner Derek Larsen moved to approve recommendation on Proposed Amendments to the Subdivision Ordinance, as amended. Roll Call Unanimous.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried unanimously.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and review Accessory Dwelling Units.

Mike Haycock stated that items are crossed out in blue because he moved those general requirements into the actual general requirements section. **Chairman Dave Robinson** stated that on #9 it has "no accessory dwelling shall be rented, which is crossed out, leased or sold separately from the lease or sale of the primary building. **Mike Haycock** stated that was the original language and he took it out because we do allow renting accessory dwelling units now. You can't lease or sell separately from the sale of the primary building. **Dale Coulam** stated "lease" or "rent" for that purpose are pretty much interchangeable. **Chairman Dave Robinson** stated that the word "lease" gives it more of a long-term thought. **Mike Haycock** stated we can cross out "lease" too. **Commissioner Pam Gardiol** stated that #11 has domestic livestock and fowl. What would that look like? **Mike Haycock** stated there are rules specifically on how to keep livestock. This refers you back to that chapter on how to build that structure and those requirements. He added #13 here the option that they match the primary dwelling or comply with Chapter 19, which are our design requirements. If there is a manufactured house, you can't match that type of siding, which is listed in Chapter 19. **Chairman Dave Robinson** inquired what about lap siding? **Mike Haycock** stated yes, if it is in Chapter 19. You can come up with better wording but he just didn't want conflict between the two. Reflective metal siding is a good example. **Commissioner Derek Larsen** stated put Chapter 19 first in there to emphasize that. **Commissioner Pam Gardiol** stated that 12(1) says that a residential agricultural zone be a maximum of 2500 total square footage and shall be constructed of materials and colors that blend with the natural environment. Is that also related to Chapter 19? **Mike Haycock** stated no that is specific for agricultural use. You can decide if you want to keep that or have it reflect the same as the other sections. In the agricultural zone, detached structures can be built first. It may not have an original structure to match. You could

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send them back to Chapter 19 as well. **Commissioner Doug Clifford** stated these can be galvanized siding on barns. That statement is historic. Traditionally that is how it was done. **Commissioner Pam Gardiol** stated if this is what we aspire to, then it makes sense to change that to match the others. **Commissioner Derek Larsen** stated he worries about making a farm building match and making it so much more expensive because we are requiring matching materials. **Mike Haycock** stated we could also say no requirements for agricultural buildings. The intent was not to have reflective metals. **Chairman Dave Robinson** stated let's use Chapter 19 in this section, and then review it and make some adjustments. Is that what you are saying? **Mike Haycock** stated in the future. Right now we are looking at accessory dwelling units to make the State happy. **Commissioner Doug Clifford** stated that this is so accessory dwelling units can be larger buildings, but they will have to meet Chapter 19 requirements. Change #13 to say all but agriculture accessory structures. We are saying that can be different than having to architecturally match a primary structure but it cannot be reflective. **Chairman Dave Robinson** stated he thought we were directing it to Chapter 19. Then we review Chapter 19 to refine it. **Commissioner Doug Clifford** stated that is fine, but we need to not have reflective materials in there. **Mike Haycock** stated he will work on that. Next is accessory buildings considered attached. Those are within 10 feet of another structure. He limited the height to 20 feet and hip roof is 22 feet, which will go to the top of the wall and angle away from property. **Chairman Dave Robinson** stated that is reduced down from what is typically 25 feet. **Mike Haycock** stated on properties 13k to 21k square feet we have reduced the side and rear yard to five feet. Accessory structures considered attached and its required parking are required to be behind the front of the wall of the primary structure. Parking should be in front of the accessory dwelling unit, not in front of the primary house. Parking should be in the garage. **Commissioner Derek Larsen** stated "behind the wall" is the key phrase there. He is okay with that. **Mike Haycock** stated parking below the accessory dwelling unit could also be an option. **Chairman Dave Robinson** stated that means we are moving the accessory dwelling unit 20 ft from the front of the house. They could also do a bottom floor garage to make that. **Mike Haycock** stated that if they attached it, it would be the same structure. It also gives more options for allowing an accessory dwelling unit, which is what we are trying to accomplish here. Next is accessory structures considered attached may be combined with multiple types of accessory structures uses. **Chairman Dave Robinson** inquired what other types of accessory structures could be proposed? **Mike Haycock** stated hobby rooms, detached awnings, etc. **Commissioner Pam Gardiol** stated she is concerned about the size of the footprints expanding and growing like barnacles. **Mike Haycock** stated he has question marks later on to see how big the biggest structures are that the Commission would like to see in what areas. Right now accessory dwelling units are 600 sq ft. **Chairman Dave Robinson** stated the purpose of accessory dwelling units is to make homes affordable housing and to get some rental spots to allow people help to live here. People using this for man caves or she-sheds and use accessory dwellings as an excuse to get closer to property lines he has a problem with. He doesn't want people using what we are trying to help with, to take advantage or circumvent the setback law. **Mike Haycock** stated so instead of multiple combinations, just a garage and accessory dwelling unit as a combined allowed use. Not ten other structures connected to that. What about awnings? **Chairman Dave Robinson** stated he has no issue with an awning. **Commissioner Doug Clifford** stated we need to make it more feasible for people with smaller lots to have an accessory dwelling unit. He doesn’t see a lot of other people scheming. **Chairman Dave Robinson** stated he is all for people using their property, just not to encroach upon the setback rules we have, under the guise of

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building an accessory dwelling unit. **Mike Haycock** stated he can rewrite this section and say for accessory dwelling units only. A detached garage below an accessory dwelling unit can meet that. Maybe a small awning. Ten foot setbacks for anything else. **Commissioner Pam Gardiol** inquired about the impact of intensity of activity to neighboring homeowners? **Mike Haycock** stated on the smaller lots, we are already looking pretty dense. As we get to bigger lots, they open up a bit. The only limit on them is the primary dwelling setback. Accessory buildings considered attached takes away some of that effect. Next is accessory buildings considered detached. Those are ten feet away, bigger lots with more room. We want them to look more open. **Commissioner Pam Gardiol** stated that even in the smaller neighborhoods it is more important to have that buffer space. **Mike Haycock** stated then we need to go back to the previous chapter. We could discuss a percentage of coverage area. When we talk about affordable housing, they go property line to property line to make them affordable. An example we have been given was seven feet apart with the setback which is fire code and a firewall. That is about as close as you can get. **Commissioner Pam Gardiol** stated that was Mr. Ence and Mr. Nilson at the Utah Land Institute conference, which were night and day designs. Mr. Ence does not represent what we would want in this community. A row of tight boxes with garages. Mr. Nilson's was a far better design. **Chairman Dave Robinson** stated on the smaller lots accessory dwelling units won't fit. On the medium ones we give a little there to make this work and on the larger lots they get a bit more spread out. **Mike Haycock** stated that lots greater than 21k to 31k behind the primary structure, we are suggesting 35% coverage; 31k to 42k sq ft lots at 30% coverage; and 42k lots or larger at 25% coverage. That came from driving around and looking at what is already established. We could move it to front of the lot and look at those percentages. **Commissioner Doug Clifford** stated has problems with this when we say behind the wall of the primary structure. It could have a patio and the home is a "U" and their entertainment is in the center. There may be a wing of the house that goes up a ways. Calculating it this way is not the right way to go. What if we did a base calculation percentage of total lot coverage? **Mike Haycock** stated we can do that. He likes that better. How it is done now is we take the footprint of the house. If you have a small house, so will your accessory structure. You don’t want it to get bigger than the primary structure. **Chairman Dave Robinson** stated percentage is the way to go with this. **Mike Haycock** stated then we need to open up Chapter 11 because now we are not just altering detached structures, we are going over lot coverage for a whole parcel. We have people adding square footage to their primary so they can have a bigger secondary structure. That is not what we are trying to do. **Chairman Dave Robinson** stated take the whole lot size and calculate that and see if it is similar to what numbers we are getting now. **Mike Haycock** stated right now, we also have a one-story and a two-story home with the same square footage and you don't get credit for the second story because it is based off the footprint. Maybe you could say it must be 10% smaller than the primary structure. **Chairman Dave Robinson** inquired if detached garages right now is 50%? **Mike Haycock** stated it also refers to frontages. If you have a wide front it is 60% and an acre is 70% and gets bigger depending on lot size. We downsize a lot of requests on secondary structures because of the primary footprint. Then people get creative to get what they want, like going taller, or adding onto the house. **Mike Haycock** inquired are we limiting garage sizes on a detached structure? All lot sizes? Right now we control it by setbacks and percentage of coverage. **Commissioner Pam Gardiol** stated accessory dwelling units are not to put two full-size primary structures on a lot designed for one. It is to put a small accessory dwelling unit. There needs to be some proportion to align with accessory dwelling units and the garage. **Chairman Dave Robinson** stated they are

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already allowed. **Commissioner Pam Gardiol** inquired do we want a dwelling compound on the same lot? **Mike Haycock** stated Santa Clara is going in the direction of 1k sq ft as the maximum size. Going over 600 sq ft is about the size of a two-car garage. You should have two parking spots for that. **Chairman Dave Robinson** stated so we use the percentage but create a maximum. **Mike Haycock** stated that is how the ordinance is written now and we should discuss that. **Commissioner Pam Gardiol** inquired what is intent for usage of the property? **Chairman Dave Robinson** stated large lots have multiple intents. That is why they buy them. They want to put their detached garage, the motorhome and camper, their toys, their horses, stables, etc. It is two different ideas we are discussing. Large lots of this size are different. **Commissioner Doug Clifford** stated when we talk accessory dwelling unit, that is not a detached garage. **Mike Haycock** stated that is part of the discussion. How much area do you want structures to cover and how big of an accessory dwelling unit do we want them to build? **Commissioner Doug Clifford** stated he wants to make sure we don't throw a wrench in allowing a large garage and making your house secondary if that is what they choose. **Chairman Dave Robinson** stated that is fine on those bigger lots. That is why people buy them. **Commissioner Pam Gardiol** stated even with accessory dwelling unit the percentage of coverage of that lot should limit how they parcel it out, whether it is an accessory dwelling unit or chickens. Make it a percentage. **Chairman Dave Robinson** stated it says accessory structure on sections 2, 3, and 4 not dwelling. Do we leave it at that and let them divide it how they want or do we say how much can be dwelling, how much can be a garage? He doesn't want to do that. On big lots, tell them how much space they have to build on and they decide what they want to build. **Mike Haycock** stated he added to the original table two more setbacks options for detached structures of 12' and 15' do we want to maintain that you can't pass the primary structure height, or allow them to be taller than the primary structure? **Chairman Dave Robinson** stated he likes the continuation of the graduation. **Mike Haycock** stated they are taller from established grade. **Chairman Dave Robinson** inquired if the house is a single-story, do we allow a two-story accessory dwelling unit? **Mike Haycock** stated or limiting the maximum height to 20 ft. **Commissioner Pam Gardiol** stated she prefers the latter. **Commissioner Doug Clifford** stated there is a whole subdivision with RV garages that look like they are taller than the houses. **Mike Haycock** stated that those were made to be considered attached. **Commissioner Derek Larsen** stated he likes the table as written. **Chairman Dave Robinson** stated he thinks so too. **Mike Haycock** stated that the Ivins map in this ordinance has special requirements for the old township. Are we taking that out? **Dale Coulam** stated if you remove that, they would be left as legal non-conforming, they can only maintain what they have, no new construction. You would have to call out those boundaries if you take the map out, that would be legal non-conforming. **Mike Haycock** stated this would be for carports. He will make sure it doesn't take rights away. Smaller accessory building requirements he left the same. That is out of the building code. Our new accessory dwelling unit ordinance already addresses that. He took out that replication. Accessory dwelling units may be authorized in a high-density zone because there may still be a one-acre lot in a high-density zone. The parameters are set by setbacks and percent of coverage. He recommends including something on R-2 lots. That should only allow 1-2 accessory dwelling units. **Chairman Dave Robinson** stated if it is a duplex they are likely renting, do we allow them to make two more? **Mike Haycock** stated property line is what we need to talk about. There is no property line, so maybe only allow only one accessory dwelling unit between the two. **Chairman Dave Robinson** stated he would say zero detached accessory dwelling units for R-2. **Mike Haycock** stated he crossed out sized of accessory

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dwelling units so we can have the discussion. 600 sq ft is what it is now. That is enough for a bedroom and living area. Santa Clara is looking at going with 1k sq ft but then he thinks you need two parking spots. **Commissioner Pam Gardiol** stated she is concerned about the intensity on the lot, whatever the size. She wants to limit it to 600 sq ft. **Commissioner Derek Larsen** stated on smaller lots that is fine but on the larger lots putting anything over 600 sq ft we would require a second parking spot. It depends on your lot size. If you have a detached garage and parking under it is easy to go over 1k sq ft on lots over an acre. We don't need to put a limit on it. **Commissioner Pam Gardiol** stated she wants to be sure we avoid footprint creep. **Mike Haycock** stated there is no reason to have an accessory dwelling unit over 1k sq ft. He thinks the max should be somewhere between 600 sq ft and 1k sq ft. **Commissioner Derek Larsen** stated to make sure we note that you can never have too big a garage. Occupancy for accessory dwelling units is one family. The State has a definition of family. **Chairman Dave Robinson** stated use percent of coverage on the rewrite. Whatever they want to build is fine. They are all covered under detached structures and just need to meet the percentage and setbacks. **Mike Haycock** stated he will rewrite it and bring it back. **Commissioner Doug Clifford** stated go out and drive around to get examples and a feel for variation. It makes it easier to visualize. **Chairman Dave Robinson** stated Padre Canyon has varying types to go see. **Commissioner Pam Gardiol** stated that this Mike Haycock's write-up was nicely done.

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for March 19, 2024.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for March 19, 2024.
SECOND: Commissioner Pam Gardiol
VOTE: The motion carried unanimously.

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

5) REPORTS

A. Planning Commission

Commissioner Pam Gardiol stated that she attended the Utah Land Use Institute session on March 22nd with the Mayor, Council, Mike Haycock, Dale Coulam and Chuck Gillette. Ivins was very represented. Her take-aways were there will be more land use issues coming out of the next legislature as well. The difference between Ence and Nilson developments were so different. Rather than Ence's institutional development, the Nilson development looked at how to create a sense of community and were beautifully done. They also did a mock planning commission meeting. They reported that comprehensive staff reports inform the Commission. She hopes our staff reports can continue to become more comprehensive. She was there during the General Plan discussion, and the Mayor requested that the Commission try to attend when possible whenever the Council is discussing the General Plan. It is helpful for them to know our rationale of why we recommended something, so she said she would pass that along.

B. Chairman

C. Building and Zoning Administrator, Mike Haycock

D. City Manager/Attorney Dale Coulam

E. Items to be placed on future agendas.

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Mike Haycock stated he read the Kayenta April Fool's newsletter and Kayenta's Hellhole Canyon Manor application was rejected. **Dale Coulam** clarified that ULI is different than the Utah Land Use Institute (ULUI). **Mike Haycock** stated that we have a couple preliminary plans coming back that have expired.

6) ADJOURNMENT

MOTION: Commissioner Derek Larsen moved to approve ADJOURNMENT

SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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

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