IVINS CITY
PLANNING COMMISSION
MINUTES
July 16, 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 Chair Pam Gardiol, Commissioner Dave Robinson, Commissioner Doug Clifford, Commissioner Perry Brown, and Commissioner Brandon Weight.

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

Audience Attending: Sharon Gillespie, Kurt Hansen and Lance Anderson.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Dave Robinson

C. Invocation--Commissioner Dave Robinson

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 Sage Villas Phase 2 Preliminary Plan, located at approximately Guy Lane and Fitness Way. Sage White Mountain, LLC-Owner. Kurt Hansen-Applicant.

Mike Haycock stated that this is located along Hwy 91 adjacent to Movara and the Azalea townhomes in the RTH zone. The cross streets are Guy Lane and Fitness Way. The first phase has been built. They are proposing 16 units on the Southern end. They have a development agreement from 2019 that allows them the additional 16 lots and are entitled prior to our ordinance change. They have amenities, parking, and a locations for garbage. Those items would not be in compliance with our new ordinance, but it was in compliance at the time of the development agreement. TRC reviewed and recommends approval. **Commissioner Perry Brown** inquired if these new units also have access to the Phase 1 amenities? **Mike Haycock** stated yes they have access to the common area amenities. **Commissioner Doug Clifford** stated there is a gigantic hole being dug across the street. **Mike Haycock** stated they are either cleaning up that property in preparation of an application or to sell it, and have a grading permit. **Chair Pam Gardiol** inquired regarding the Development Agreement it states that "If the Planning Commission approves the Preliminary Plan for Sage Villas Phase 2, such approval remains valid for one year from date of approval. If the Final Plat is not approved within the one year period, the Preliminary Plan expires and shall become null and void unless granted a one-time six month extension." **Mike Haycock** stated that is typical of each subdivision. This one has construction drawings already. The Development Agreement gives them their entitlements. **Bryan Pack** stated it is appropriate to move forward. The Development Agreement sets the density and it meets that. They already have the zone. There is nothing else to review other than making sure the Preliminary Plan has all met all the elements of our ordinance. If within a year they don't move forward with this Preliminary Plan, or don't get a six month extension, they would have to come back and get a new preliminary plan but that doesn't change

that density in the Development Agreement. **Chair Pam Gardiol** inquired what is considered a standard subdivision, and how does this meet that criteria? **Mike Haycock** stated that a standard subdivision is anything that doesn't have an overlay. When they have an overlay, City Council reviews those plans as well. **Bryan Pack** stated that Footnote 9 in the report references what a standard subdivision is. It is one that conforms to the zoning district in which it is located without seeking any density bonuses or overlays. This would qualify as a standard subdivision.

MOTION: Commissioner Dave Robinson moved to approve Sage Villas Phase 2 Preliminary Plan, located at approximately Guy Lane and Fitness Way. Sage White Mountain, LLC-Owner. Kurt Hansen-Applicant, based on the findings of the staff report and information given in this discussion. Roll Call Unanimous.

SECOND: Commissioner Perry Brown

VOTE: The motion carried unanimously.

Chair Pam Gardiol	AYE
Commissioner Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Perry Brown	AYE
Commissioner Brandon Weight	AYE

B. Discuss Chapter 11 and 12 regarding Accessory Dwelling Units and Lot coverage.

Chair Pam Gardiol thanked Mike Haycock for the report with addresses to help visualize lot sizes. Can you provide context for why we are looking into this and the desired action you are asking from the Commission? **Mike Haycock** stated that most of the addresses in his report were in Padre Canyon but he did one outlier. It really showed how open these properties are and made us be able to put a percentage next to it. We didn't have any density over 25% throughout the whole neighborhood. Things look denser with trees, vegetation and landscaping but is still pretty open. Our permit denials in that area is usually because of the base footprint of the primary dwelling, and yet they have plenty of open space. That was a good representative example of what we are seeing. The other lot up above Palisades looks appropriate. It matches the sizes of what we are trying to do when we don't have or want a lot of landscaping and still has room for a house, pool and feels open. The numbers that are 40-60%, we need your opinion on if that is what you want to see there. Does the Commission like that? We need to figure out and send a recommendation to City Council on what the numbers are next to the percentages of coverage. Then he can put it into text and a format to send to the ordinance. **Commissioner Doug Clifford** stated that anything 15k square feet and above, do we put setbacks in there? **Mike Haycock** stated there is no limit on setbacks on primary dwellings, but these would limit parameters for total lot coverage, for either primary or secondary. These are proposed ideas to be developed. Right now you are allowed to build setback to setback. This is just a cheat sheet to develop the numbers. **Commissioner Doug Clifford** stated for clarity he would like to see some verbiage he feels is needed to explain that. **Commissioner Dave Robinson** stated this table is to help explain things to us. Prior to this list, 15k square feet gets smaller and is harder to add to it. 60% is a proposal number. A starting reference point. Does 40% coverage on an acre lot seem overwhelming? **Commissioner Perry Brown** stated that he appreciates the lots given to look at. He found it interesting that when the house was built fairly close to the street you can't see the open space If there was a double lot and built on one you could see the open space all the way behind. They looked fairly dense in some cases. When the home was places further back it gave more spatial awareness. **Mike Haycock** stated we can increase the front yard setback. That

would affect developments in the future. **Commissioner Perry Brown** stated it is worth looking into to maintain a fair sense of open space. Moving the setback further back would do that. **Commissioner Dave Robinson** stated it counters what we are doing here because if you reduce the area they can build, then you limit their casita size. We wouldn't want accessory dwelling units in front of homes. Moving that line forward limits and encroaches on that buildable land. **Commissioner Perry Brown** stated he understands. There has to be something in between the two to give a more open space look. Why did you choose to start at 60%? **Mike Haycock** stated that the difference between 15-20k is those larger lots look more open. 60% you can still build something bigger than smaller lots. **Commissioner Brandon Weight** stated this seems to favor symmetrical lots. How do we address that when a homeowner has a unique shaped lot? **Mike Haycock** stated Kayenta have odd shaped lots and they don't build anywhere close to the setbacks. He has thought about it, but he has no way to quantify that. If it doesn't work on someone's lot, maybe we allow the Planning Commission to look at that and override the ordinance and reduce the setbacks. **Commissioner Brandon Weight** inquired if we allow exceptions? **Mike Haycock** stated yes we do that on heights. City Council can allow buildings over 35 feet. **Chair Pam Gardiol** stated that she saw that some of the homes that were set back from the street created more of a sense of open space. Her bias is that we allow for that open space feeling in the front. We need to find the magic spot so we have open space in front as well as in the back. Create space for accessory dwelling units as well as create open space throughout the city. **Commissioner Doug Clifford** stated he agrees. Some of the historic lots are narrow and deep. On homes that are up close, the open space is lost and it doesn't give you that feeling of openness. Setbacks on larger lots should be required and makes sense. It makes the whole area feel less dense. **Commissioner Dave Robinson** inquired that on the bigger lots are you saying you would like us to add more setbacks to the front? Right now the setbacks are the same. **Mike Haycock** stated if you wanted to increase in those zones, you would go from 30 ft to 40 ft or 30 ft to 50 ft. Padre Canyon feels open because of geological needs. Homes were built where they were because of lava rock they didn't want disturbed. **Chair Pam Gardiol** stated it is an accidental plus to have the opportunity to create that throughout the community. What is the next step for the Commission? **Mike Haycock** stated setting those numbers from 40% to 60% to an actual recommendation. He felt 40% was a good number, but as you can tell, nothing that you looked at was over 25%. That would make it so people can build a little more dense on those properties than what they look like right now. He believes that is better than people adding on to their houses to make the numbers work, which is what they are doing right now to get a bigger garage or casita. We have had to deny permit applications with plenty of open space because of a small footprint on the primary dwelling so they weren't able to go any bigger on their lot. **Bryan Pack** inquired if we are still proposing a maximum size so that there aren't two full size homes on a lot? **Mike Haycock** stated yes and a maximum size for garages also so you don't get an arena. **Commissioner Dave Robinson** stated these numbers match and work well from his perspective as a former builder. Further discussion is how big we allow an accessory dwelling units or garages themselves to be, so it doesn't get out of control. **Mike Haycock** stated we plugged in 1000 square feet to start, with two additional parking spots. Carports and garages should also have an "x" amount determined as well. He should have the ordinance written and ready for recommendation. **Commissioner Doug Clifford** stated that placement of dwellings and garages are also determined by the amount of unbuildable land. He wondered about adding a statement in the ordinance that deals with lots that have a reduced amount of space due to geologic constraints, allowing changes or exceptions. **Mike Haycock** stated that

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would allow people into setbacks but that should stay consistent. Either people can build in the setback or they can't. The intent of a setback is to make neighborhoods look consistent. **Commissioner Doug Clifford** stated it is to keep people a distance away from the neighbor. **Commissioner Dave Robinson** stated that if there is a designated protected area there is no exception. You are not allowed to build on it. There are a lot of unbuildable areas all over Ivins, and this would not change that. **Mike Haycock** stated also floodplain areas. **Commissioner Brandon Weight** inquired what about pole barns? **Mike Haycock** stated that would go into the lot coverage calculation. When either three structures or total lot coverage is filled, it is gone. You can do a pole barn if it meets design guidelines and is under our percentages. He will take what they have discussed and put it into ordinance form and bring that back to review.

C. Discuss Resort Commercial and Resort Mixed Use.

Mike Haycock stated that this is Councilmember Mike Scott's comments from over a year ago. He wanted to make sure the Commission agrees with his comments and also make sure they consider landscape buffers or buffers equal to the residential it is abutting if we are making rules for the Resort Commercial zone. **Chair Pam Gardiol** stated as she read through this a lot of the rewrite was unclear. **Commissioner Dave Robinson** stated the Short-Term Residential zone is dead. **Mike Haycock** stated that the interpretation from the ombudsman's office is that we don't have an application on all of our Resort Commercial zones right now. If we write some rules to put in place and then we receive an application, they will have to comply with these new rules. We have Red Mountain Resort and next to Canyon Crossing there is a lot that is split with a ravine that goes through. **Chair Pam Gardiol** inquired if any members of the Commission have revisions for 1B? **Commissioner Dave Robinson** stated that our requirement is that there is an on-site office for these. We aren't allowing Airbnb or VRBO. **Mike Haycock** stated yes and this would be better in business licensing requirements rather than in the zoning ordinance. We have allowed resort hotels to be under one management as a zoning aspect. Details about how that office is managed is not part of the zoning ordinance but more of a policy. **Commissioner Dave Robinson** stated he doesn't think the revision should be in there and it can't be enforced. That would be through business licensing and the police department, not zoning. **Bryan Pack** stated if there was an enforcement action to be taken it would go back to Mike Haycock either way. **Chair Pam Gardiol** stated she believes we should leave it as-is and not do the revision. **Mike Haycock** stated that this is not current language. This is taken from our Short-Term Rental ordinance. What he is referring to is not in the Resort Commercial zone. **Bryan Pack** stated right now there is no guidelines in our Resort Commercial zone. This is a proposal to change what is currently in our old Short-Term Rental ordinance and use it as a potential starting point for what could be included in the Resort Commercial ordinance. What you are looking at is Commissioner Mike Scott's thinking of what was currently in the Short-Term Rental and his revision is how he wants to propose to change the Short-Term rental zone. Your discussion can broaden to ask if we want this to apply to the Resort Commercial zone? On the first question you can ask yourselves, do we want an on-site property manager within 20 minutes of the development in the Resort Commercial zone? If so, do they respond within one hour, etc? **Chair Pam Gardiol** stated now understanding the context, she thinks this verbiage works very well for both zones. **Commissioner Doug Clifford** inquired if this is really the set of requirements as a template that we want, and what is it we think is important? **Chair Pam Gardiol** would like to read through this again to see what may be missing. **Commissioner Brandon Weight** stated he would like to make a list of what should be included in the Resort Commercial zone. **Chair Pam**

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Gardiol inquired if we should table this and let the Planning Commission review further to see what else we would want to include in the template? **Mike Haycock** stated that the ordinance he rewrote last year is contrary to what Councilmember Mike Scott has presented. He has an opinion but Councilmember Mike Scott has a vote. He has not rewritten an ordinance based off of this letter. **Bryan Pack** stated let's get a list of issues that need to be regulated in this zone. We can use his document as a starting point, like an on-site property manager, amenities, parking, etc. If there are others then the Commission can see what they want to regulate. **Mike Haycock** stated this has been talked about for a year and a half and then it sat, so there is a gap. It is time to talk about these things again as we are developing the Resort Commercial zone, so it has been included for you to see what Councilmember Mike Scott's vision was for Short-Term Rentals and also horizontal hotels. Those are individually owned and managed under a single management company. That is already in the Resort Commercial zone underneath the definition of Resort Hotel. Read the Short-Term Rental Overlay chapter and put a list together of what your concerns are. This shows you what Councilmember Mike Scott's concerns are. **Chair Pam Gardiol** stated that our homework is to read the Short-Term Rental Overlay chapter and this document. **Mike Haycock** stated to then make a list of topics you think are important. **Chair Pam Gardiol** inquired when we should have this information back? **Commissioner Dave Robinson** stated we can share them here in the meeting. **Chair Pam Gardiol** stated she would like them submitted so we can collect everyone's concerns and put them in a staff report. **Commissioner Perry Brown** stated that there are places in this document that say rewrite. Those are Councilmember Mike Scott's notes? **Mike Haycock** stated that he realizes this is backwards. Now that we have an interpretation from the Ombudsman that we can't add new requirements because their zoning pre-dates our rules. Now we need to work on getting our rules right, so when we receive an application the Resort Commercial zone is well-thought out. The Short-Term Rental ordinance is a zoning ordinance. **Commissioner Dave Robinson** inquired if Councilmember Mike Scott's notes are just taking the Short-Term Rental Overlay zone ordinance and rewriting sections? **Mike Haycock** stated yes. **Chair Pam Gardiol** stated that the next meeting is July 30th. Have any comments or concerns turned in by July 25th to Mike Haycock. He will send out those chapters and the notes.

D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for June 18, 2024.

MOTION: Commissioner Dave Robinson moved to approve the Ivins City Planning Commission Meeting Minutes for June 18, 2024.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

Chair Pam Gardiol	AYE
Commissioner Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Perry Brown	AYE
Commissioner Brandon Weight	AYE

5) REPORTS

A. Planning Commission Members

B. Chair

Chair Pam Gardiol stated that conferences that she has attended talk about the importance of Planning Commissions spending the bulk of their time on long-term planning. When is it projected that we will be reviewing ordinances? **Mike Haycock** stated there is not a written

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schedule. He is getting through the Moderate-Income Housing ordinance that is mandated. When that is completed, he can look at other ordinances that need to be revised and put a schedule to it. Accessory Dwelling Units are on the list and need to be done before December. **Chair Pam Gardiol** stated that three of the Commissioners have not had a visit to Black Desert Resort. Can we get that scheduled? **Mike Haycock** stated we can set a date next meeting.

C. Building and Zoning Administrator, Mike Haycock

Mike Haycock stated that the Resort Commercial zone has other uses, so look at what you want in that set of guidelines. Not only Short-Term Rental Overlay, but also what is in the C-1 and CN Neighborhood Commercial zones and what requirements we would want. That only addresses one portion of the Resort Commercial zone.

D. City Attorney, Bryan Pack

E. Items to be placed on future agendas.

Mike Haycock stated we could possibly have up to four subdivision preliminary plans.

6) ADJOURNMENT

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

Chair Pam Gardiol	AYE
Commissioner Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Perry Brown	AYE
Commissioner Brandon Weight	AYE

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