IVINS CITY
PLANNING COMMISSION
MINUTES
June 17, 2025
435-628-0606

1) WELCOME AND CALL TO ORDER

CHAIR AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Chair Pam Gardiol, Commissioner Brandon Weight, Commissioner Doug Clifford, and Commissioner Perry Brown.

Staff Attending: Bryan Pack-City Attorney, Rob Dalley-Building and Zoning Administrator, Chuck Gillette-City Engineer and Sharon Allen-Deputy City Recorder.
Audience Attending: Bonnie Kline, James Barden Sharon Gillespie, Robert Bowler, Ryan Kane, David Hodges, Clark Colledge, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Commissioner Brandon Weight

C. Invocation--Commissioner Brandon Weight

D. Disclosures--Commissioner Brandon Weight stated that he works for Civil Science, but is in no way involved with Item 4A-the Hafen Farms development. No other conflicts.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None.

3) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing to amend Chapters 11 and 12 regarding Accessory Dwelling Units.

Chair Pam Gardiol stated there is an August deadline to report to the State the City's ordinance for Accessory Dwelling Units as a part of the Moderate-Income Housing plan. Councilmember Sharon Gillespie drafted the ordinance along with staff and there were issues the Commission brought up at the last meeting. Those have been noted. We responded with changes and those have been revised. This is the current revised document. We are looking at Chapters 11 and 12 and doing some synthesis of those two chapters. Councilmember Sharon Gillespie stated in drafting this document, she researched a lot of other cities. In our Moderate-Income Housing plan, this is one of the milestones we set to have completed by August 1st. She took the notes from last meeting and made some edits. It is not perfect, but a lot closer to what you all were looking for. One question was the opening language for purpose and intent and the majority of

DRAFT

that is for the benefit of the State and shows the State what we are doing as a City for the Moderate-Income Housing Plan. **Bryan Pack** suggested maybe this section could become part of thee recitals rather than be in the code itself. Councilmember Sharon Gillespie stated we reduced that section. She has shortened it considerably and then listed the six standards and why they created them. It is valuable and pertinent information. Under General Regulations C and D were separated because we wanted to eliminate any opportunity for ambiguity. Under 3C Development Standards, the question was raised whether a lot can have two Accessory Dwelling Units. No, they can have one internal and one external. We clarified that in the document. There was concern over the amount of hard surface regarding parking spaces, and blending into a neighborhood feel. The streets are already there and they have to have parking. Unless they create additional parking on the lot, they have to park on the street. Internal Accessory Dwelling Units are also required to meet code as the primary structure. We didn't feel we needed to call those code requirements out. **Commissioner Doug Clifford** inquired is that still an additional parking restriction? Councilmember Sharon Gillespie stated yes. Lots proposed for Accessory Dwelling Units shall have an existing family dwelling unit established or approved prior to the consideration of the use applications to allow the Accessory Dwelling Unit. So it has to be built or in plan review already. Item P asked about buffering, and that is covered in setbacks. On occupancy, we stated that Accessory Dwelling Units shall only be provided for the occupancy of one family and the definition deals with unrelated people. Garages and carports Item D there was a concern about storage if a carport is too small. We can't regulate that. **Bryan Pack** stated currently we don't regulate that in the rest of the City. **Chair Pam Gardiol** stated we are now increasing intensity and putting a second or third residence on that lot will create spill over to a carport. **Rob Dalley** stated there are only certain areas where metal carports are allowed. Councilmember Sharon Gillespie an attached carport is allowed, and no different than filling up a garage with everything but cars and parking on the street or driveway. **Bryan Pack** stated we can regulate the use of a carports or garages but we have not up to this point. It could create enforcement issues. **Chair Pam Gardiol** stated her issue is that they can have a second use, and then a third. We could have three families living on one lot. Sharon Gillespie stated theoretically you could. Item J states no Accessory Dwelling Units above garages. There is quite an issue with privacy when you do that. Placement of Accessory Dwelling Units are normally to the back and to the side of most lots. A second level would look down into the lot of your neighbor. Height restriction is another reason we chose to take it out. That is up to the Commission and Council. **Rob Dalley** stated if you need that changed, we would have to change the table. Councilmember Sharon Gillespie stated that would have to be an ordinance change down the road. Accessory units for agriculture we felt to leave it in because it is a detached unit and they could have one depending on lot size. **Bryan Pack** stated leave it in because you are essentially taking three different code sections so those standards probably need to stay. **Commissioner Perry Brown** stated that since they chose to leave it in, revise the title to Accessory Dwelling and Agricultural Units. Councilmember Sharon Gillespie stated we can. **Bryan Pack** inquired in setbacks and building heights is there a difference between subparagraph A and C? They look the

DRAFT

same except "external" and "detached." Councilmember Sharon Gillespie stated she will simplify that. Lot coverage has been simplified to say "to avoid the appearance over overcrowding in residential zones and to protect setbacks and fire safety, the lot coverage of an Accessory Dwelling Unit shall not exceed 30% of the backyard area." Everything we researched from other cities showed they did a percentage of the backyard area. St George a couple weeks ago decided on 25%. **Rob Dalley** stated building is defined from a building standpoint as the back of the house corner to corner in a straight line. **Commissioner Doug Clifford** stated that a lot of backyards now are all over with juts and jogs and has deep points. **Commissioner Brandon Weight** stated since that is a key variable, define it so staff doesn't have to argue the determination of what a setback is. Councilmember Sharon Gillespie stated they will add an appropriate definition of a backyard area. We will research it and find a legal definition. Item 7C is deleted for repetition. **Commissioner Brandon Weight** stated this is clerical, but when you delete that C renumber it with another "C." **Bryan Pack** stated that 3A, application for an Accessory Dwelling Unit requires evidence of owner occupancy. That is during building permitting. Councilmember Sharon Gillespie stated that owner occupancy has to be the primary Accessory Dwelling Unit, the internal Accessory Dwelling Unit or the external Accessory Dwelling Unit. Item 10 regarding addressing shall have the same address number but the Accessory Dwelling Unit shall be referred to as "Unit B." Addresses must be in a visible location on the street front portion of the home. This is for public safety. **Bryan Pack** stated in Section 3E, add "other than described in Subsection 10." **Commissioner Brandon Weight** stated that addressing should be a definition rather than a paragraph. **Bryan Pack** stated it should stay where it is. It is a specific condition or a regulation they have to meet. Councilmember Sharon Gillespie stated the next section is kit homes, which is the term used by the industry. They are increasing in popularity as an alternative to reduce the cost of building. Utah refers to these and has a third party preferred list of contractors. To be on the State list, they have to meet certain standards. **Commissioner Doug Clifford** stated include modulars as well. **Rob Dalley** stated modular homes is under HUD. That is a different code. They are in the process of hiring a State representative to inspect third-party inspections. This is all fluid right now at the State level. We inspect kit homes. We don't allow modular homes but those are governed by HUD. **Bryan Pack** stated look closely at how those two are defined. Councilmember Sharon Gillespie stated we can get you that definition. Next is design standards lot coverage. **Bryan Pack** stated that it looked like the numbers may be from another ordinance. It shows a different percentage and minimum lot size. Councilmember Sharon Gillespie stated these are examples from other cities. We may want to delete these. We can add the examples with our numbers but we will need someone that can draw. **Commissioner Brandon Weight** stated Page 8 design standards starts at D and then goes to Page 9. Councilmember Sharon Gillespie stated should be A. That will be corrected. **Commissioner Brandon Weight** stated that the lot coverage example is part of design standards, so make it an Appendix, or put it as Item 16. **Commissioner Doug Clifford** stated Item 6 is lot coverage and put those pictures under lot coverage and eliminate Item 16. **Chair Pam Gardiol** opened the Public Hearing. Ryan Kane stated he has been a resident for 20 years.

DRAFT

He has bought a lot on 350 North and is wanting to do a garage with an apartment above it. He sees issues with doing that. He saw the spirit and intent of the ordinance is to provide housing options for residents and their families. But then you restrict that spirit and intent. Square footage of an external Accessory Dwelling Unit cannot exceed 1000 square feet. That seems small. It is hard to do a two-bedroom. He'd like to see 12-1400 square feet. Section 4J no Accessory Dwelling Units on top of attached garages. If the building height meets the ordinance it is hard to restrict putting an apartment on top. Lot coverage back yard definition should be anything behind the fence or wall. His lot has a large side yard which will be their back yard. Incorporate anything behind the fence which could include the side yard. As far as height and size restrictions he doesn't understand if an Accessory Dwelling Unit can be within the same setback requirements, why can it not have the same height and size requirements? If the primary meets those requirements, why not allow the Accessory Dwelling to meet those as well? Add in section 7C that if Accessory Dwelling Unit is in the allowed setbacks, it can have the same height. The spirit and intent is that we are trying not to be a nuisance to our neighbors and allow an apartment to be built. Meeting setbacks fixes that. Item 15D states that balconies for a second story are prohibited. Again that should not be restricted. If we meet building size setbacks what is the difference between a primary or a secondary dwelling unit looking down? Robert Bowler lives on 170 West and he appreciates them being willing to take this on and get it done and have staff work hard on this. He applauds them. He is a realtor and works in this space every day. Section 7B and C is a duplicate and Section 9 talks about parking. The intent here is to have cars organized and orderly and not stacked. He would suggest Accessory Dwelling Unit parking starts at the side of the house where the garbage cans hide. Even tandem parking. That would help with parking. It states in here that Accessory Dwelling Unit parking may not be in tandem. There are not many homes in the city able to get two cars side by side but you could get two in front and back. On his house, he can get an RV in there but not two cars. Remove the word tandem. Modular homes have a chassis. If you take the tongue and chassis away, it is no longer modular if it doesn't come with wheels. **Rob Dalley** stated the State is reviewing this right now. We are allowing homes that are permanently affixed to a foundation. Robert Bowler stated allow kit products but not something on a chassis. On the diagram, rework that to indicate the side of the homes can be included in the percentage calculation. **Bryan Pack** stated there is no one on Zoom. Hearing no further comments, **Chair Pam Gardiol** closed the Public Hearing.

B. Discuss and Consider recommendation to amend Chapters 11 and 12 regarding Accessory Dwelling Units.

Commissioner Doug Clifford inquired where does the side yard start? Councilmember Sharon Gillespie stated we will research and include side and back yard definitions. The numbers in our example don't represent ours, but the side yard is further back. It depends on lots, where the primary dwelling is located, and setbacks. **Rob Dalley** stated we have setback requirements. The front is typically 25 feet and different zoning that is 8 and/or 10 foot setbacks which is tight. To change that would be changing other ordinances and then on his building inspection side, we'd

DRAFT

have to require one-hour firewalls and increased the home cost exponentially. The closer you go to property line, the more restrictive the fire rating is. Be aware if we mess with side yards we've have to change other ordinances. 10 feet or closer makes it part of the main structure. It has to meet setbacks for an Accessory Dwelling Unit. **Commissioner Doug Clifford** stated are we talking about parking or Accessory Dwelling Units in that side yard space? 90% of RVs are parked there now. In the setback area. What is the purpose of setback in terms of fire code? **Rob Dalley** stated when you stack cars in there a Fire Chief would tell you no. **Commissioner Brandon Weight** stated that instead of one detail for the lot coverage example and parking, just make parking an Accessory Dwelling Unit example. Define the side yard and back yard there as well. Councilmember Sharon Gillespie stated that the portion that says Accessory Dwelling Unit parking may not be in tandem. Is that being included in the primary dwelling parking? The intent is that you have to have separate parking for the Accessory Dwelling Unit. **Bryan Pack** stated take tandem out and make parking separate from the primary residence. **Commissioner Doug Clifford** stated be careful because ingress and egress of parking are not necessarily separate. **Rob Dalley** stated that some municipalities won't allow on-street parking. Fire Code needs so much space on a street. We are saying that we do. **Commissioner Brandon Weight** stated they only one curb cut. They still have to access it from the side. Maybe that is the way to solve the issue. Councilmember Sharon Gillespie stated 1000 square feet maximum is standard across the State. The minimum is 600 square feet and 1000 square feet max. Apartments above garages there is a building height issue along with setbacks. Why we changed that because of setbacks it typically won't fit. We don't want to change that height ordinance. Balconies are the same thing. It is a privacy issue. **Bryan Pack** stated that combining the three code sections into one and repealing Section 107 and 106. CCRs will often prohibit an Accessory Dwelling Unit. Nothing we do here will impact that. The State does not overrule CCRs he believes, but he will double check. You can add in your motion to allow for any other non-material changes to go to Council.

MOTION: Commissioner Perry Brown moved to approve recommendation to amend Chapters 11 and 12 regarding Accessory Dwelling Units with the modifications made and recorded and any other non-substantive changes. Roll Call Unanimous.
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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

DRAFT

C. Public Hearing regarding Amendments to the Deed Restriction and Permitting Section of Accessory Dwelling Units in Single Family Residential Zones.

Chair Pam Gardiol stated this was discussed at last meeting. We are striking the sentence regarding casitas. She opened the Public Hearing. **Bryan Pack** stated no one is on Zoom. Hearing no comments, **Chair Pam Gardiol** closed the Public Hearing.

D. Discuss and consider Amendments to the Deed Restriction and Permitting Section of Accessory Dwelling Units in Single Family Residential Zones.

Commissioner Brandon Weight stated if we eliminate Section A we will need to reformat that. **Bryan Pack** stated if the intent is to repeal Sections 106 and 107 this would be eliminated anyway. It renders this change moot. It can be moved forward but it may not go to Council. **Commissioner Doug Clifford** stated that homeowners can't subdivide. **Bryan Pack** stated the deed restriction doesn't impact that at all.

MOTION: Commissioner Perry Brown moved to approve recommendation of Amendments to the Deed Restriction and Permitting Section of Accessory Dwelling Units in Single Family Residential Zones. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of Hafen Farms Preliminary Plan, located at approximately 400 East and 400 South. Clark Colledge-Applicant. Hafen Farms, LLC-Owner.

Chair Pam Gardiol stated this a proposal for 35 lots on 9.21 acres and is Medium-Density Residential and zoned R-1-7.5. TRC has determined this subdivision is in compliance with City code requirements and the land use plan. **Rob Dalley** stated that the lots along 400 East and the driveways will front that street. The internal street, they are in talks with the owner above and they will put a hammerhead or cul-de-sac in to meet their turnaround. They may one day extend this road through. **Commissioner Brandon Weight** stated regarding 400 East and 400 South his concern is with narrowing 400 East and widening 400 South that the lanes line up. Do we need signage there? **Chuck Gillette** stated they will set the curb based on center line and measured over and will provide for that lane. It will line up. There is not enough volume there to require

striping on that corner. The gutter acts as a delineator by itself. It is a flood street. **Commissioner Brandon Weight** stated that his thought was a bulb out. They need to adhere to our current transportation cross-section requirements. This would help transition to the new standard. **Chuck Gillette** stated he would have to think about that. He likes a bulb out idea to make shorter pedestrian crossing distance, but this area may not be critical enough to make them do it. He will look at it. It is hard time to say that the code requires that to be done. There is an existing storm drain and we put a camera in and agreed that if we transferred this section of land to them, they would put new drainage line in their roadway that would tie back over. They benefit for a bigger lot and it pays for the line for us and is easier for us to access it and corrects the condition of that pipe. It will be a condition that they upsize that storm drain to handle their flows and our flows. **Commissioner Perry Brown** inquired where their access is? **Chuck Gillette** stated they would have driveways that will front the street. We don't typically do that on minor collectors. We couldn't find there was an actual restriction against it. If there is space they could park, but probably not due to that cross-section. **Chair Pam Gardiol** inquired if it was in line with zoning? **Bryan Pack** stated that the other surrounding zoning is irrelevant at this point. We are looking at this plan and deciding if this meets code or not at this stage. **Commissioner Perry Brown** stated it was appropriate zoning when we talked about it before. Clark Colledge stated regarding the storm drain he has spoken with Tom Jorgensen. They are currently in that process about tentatively taking that property in exchange for rerouting the storm drain at the northern border of the property with a collection box and tying it in and upsizing our storm drain line to accommodate that runoff. One of those conditions is to determine what that cost would be. We are still waiting on that sizing requirement. They are open to it. A preliminary agreement has been drafted. Some of that requires the attached plan as an appendix to the agreement and go to your City Council for approval. As far as parking on 400 East, no street parking will be allowed. They will have some signage. **Commissioner Brandon Weight** inquired if the roadway classifications have they been switched? **Chuck Gillette** stated it has been a major collector as long as he has been here. **Bryan Pack** stated if you intend to approve this preliminary plan, make it conditioned on the development agreement being approved to move that storm drain. **Commissioner Doug Clifford** moved as Bryan Pack stated, contingent on that storm drain approval. 2nd by **Commissioner Brandon Weight**. Unanimous. David Hodges inquired if they can move forward if the land swap does not occur? **Chuck Gillette** stated the land swap is important and if it doesn't happen, we would need access to those rear yards and a bigger easement. This plan may not work. We may need a development agreement no matter what. **Commissioner Perry Brown** moved to reopen the item. **Commissioner Doug Clifford** 2nd the motion. **Commissioner Brandon Weight** stated if the agreement changed, they would not be able to put in a block wall. **Chuck Gillette** stated correct. **Bryan Pack** stated if the land swap doesn't go through there are building limitations in that area due to a larger easement being required by the City. **Sharon Allen** stated these could also be noted on a final plat. **Bryan Pack** stated the development agreement is needed only if the storm drain is rerouted and a land swap occurs. **Chuck Gillette** stated the City also need some sort of mechanism that restricts

DRAFT

building a wall on the property line. That is what we need to look at. **Bryan Pack** stated we would recommend to do a development agreement either way. Redo the motion and vote to approve this preliminary plan contingent on the land swap development agreement that could potentially add land and storm drain rerouted and upsized through the road.

MOTION: Commissioner Doug Clifford moved to approve Hafen Farms Preliminary Plan, located at approximately 400 East and 400 South. Clark Colledge-Applicant. Hafen Farms, LLC-Owner contingent on the land swap development agreement that could potentially add land and the storm drain to be rerouted and upsized through the road. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

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

B. Discuss and consider Code Revision Proposal for Ultra Water Efficiency Standards.

Chuck Gillette stated there is a list of standards that were passed by the Washington County Water Conservancy District and developed to create an opportunity for developments to reduce water usage. They've created a way for subdivisions to go a step further and it is not mandatory to adopt these standards, but the language here is to encourage developers to consider these standards to improve water efficiency. Washington County Water Conservancy District offers discounts in impact fees so there is a financial incentive. It is up to you if we put it into our code. We put it into our water efficiency Section 14.11.801 and created a new section. It stands alone as its own section. **Commissioner Perry Brown** stated we are just approving a paragraph that says take a look at the Washington County Water Conservancy District standards. **Chuck Gillette** stated it is just asking for very little landscaping. It states no grass and eliminates water softeners. It adds so much salt and it is impossible to filter out. **Commission Brandon Weight** inquired if these are subject to change in the future? Would it strongarm the City later into a position we don't want to be in? **Chuck Gillette** stated we are encouraging only. We are not making this mandatory.

MOTION: Commissioner Perry Brown moved to approve discussion of the Code Revision Proposal for Ultra Water Efficiency Standards. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

DRAFT

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

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for June 3, 2025.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for June 3, 2025.
SECOND: Commissioner Perry Brown

VOTE: The motion carried unanimously.

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

5) REPORTS

A. Planning Commission Members

B. Chair

C. Building and Zoning Administrator, Rob Dalley

D. City Attorney, Bryan Pack

E. Items to be placed on future agendas.

6) ADJOURNMENT

MOTION: Commissioner Perry Brown moved to approve ADJOURNMENT
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

Chair Pam Gardiol	AYE
Commissioner Brandon Weight	AYE
Commissioner Doug Clifford	AYE

DRAFT

Commissioner Perry Brown	AYE

DRAFT