Suggestions for consideration by City Council and Planning Commission concerning appropriate land-use and zoning classifications

As the recent series of misunderstandings and concerns about possible changes to parkland have demonstrated, Ivins City needs to have a clear means of protecting park land that can only be changed through a process involving public input. The following suggestions are intended to provide that mechanism for the future, establishing a pair of new zoning classifications that will not only satisfy most concerns about the current fire station expansion but set up protections for the future.

The Immediate Problem:

Figures 1a and 1b, on page 2, show the area of the originally proposed zone changes. Figure 1a shows the rezoning proposal map, with the areas originally proposed for rezoning outlined in yellow (the red areas show parcels required to be notified). Figure 1b shows the landownership of individual parcels, with parcels owned by Ivins City outlined in yellow; the other parcels on that block are owned by the LDS Corporation.

Public facilities, including buildings owned by Ivins City and parkland, have been zoned as Residential (in the Heritage Park case, as RE-12.5). The Residential zones require a setback that is large, and the City felt it appropriate to rezone the fire station as Commercial in order to obtain a smaller setback. Because the fire station, City Hall, and all of Heritage Park are in one parcel (Figure 1b), this implied that the entire park would be rezoned to Commercial. (Although it was not needed for setback purposes, the City apparently chose to take this opportunity to also rezone the parcel containing the police station. I do not know why a small part of the parking lot, owned by LDS Corp, was included in the rezoning proposal.) The problem, clearly expressed by residents at the Public Hearing, is this: How do we avoid reclassifying the fire station without also reclassifying the park, which would allow any future City Council (or this one, for that matter) to establish commercial enterprises within the park with minimal public input?

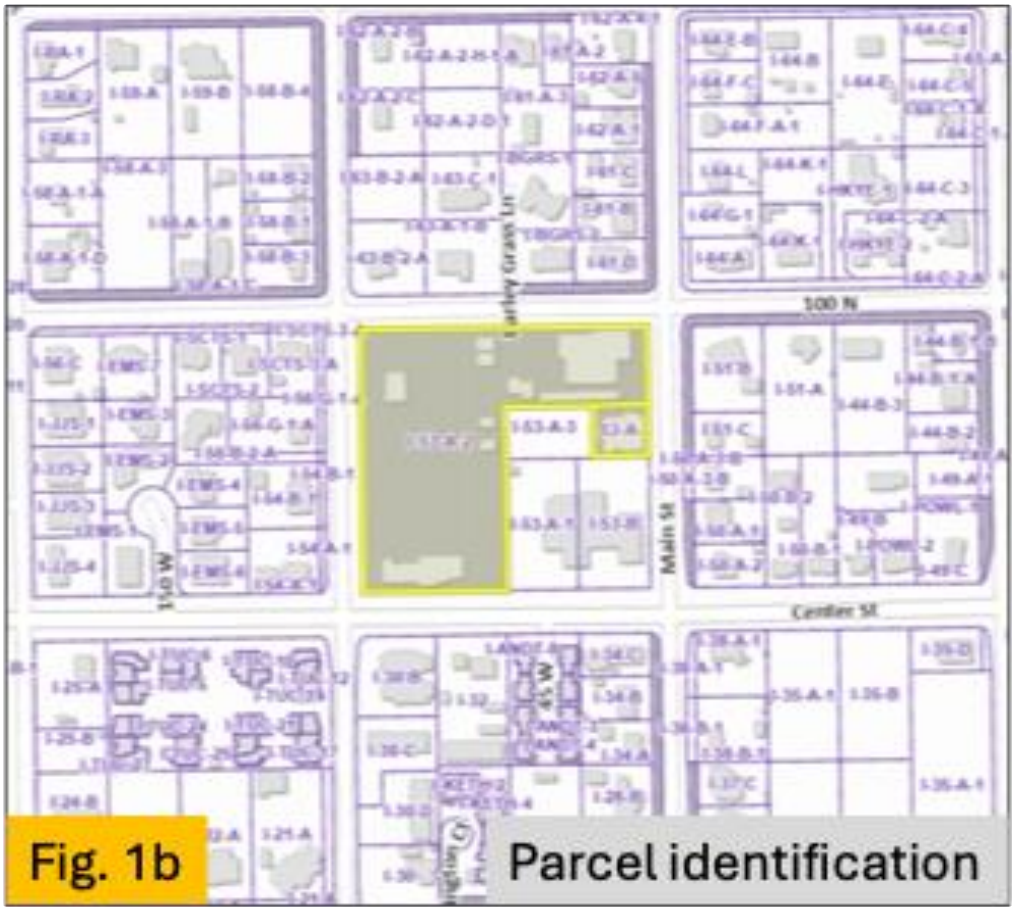
Possible Solutions to the Immediate Problem:

The most-popular suggested solutions were ones that involved revising part of the City Code to exclude City buildings from the residential setback requirement, or creating an agreement for this property in particular. While those would likely work in this instance, they leave a few problems in place:

- They would allow future expansion of facilities (such as the fire station) to take place, further reducing park land, without requiring resident input (a Public Hearing) because it would not require any rezoning of the park.
- They leave in place the highly confusing use of Residential zoning for public facilities.
- They do not separately identify public recreational (or similar) spaces from buildings intended for City use, potentially leading to confusion as parcels containing both are repurposed.

I feel that only solving the immediate problem leaves a messy situation and one that can in the future be exploited in ways that could subvert the public interest. These issues and possible solutions are discussed on page 3.


100 N
Center St
Main St
Fig. 1a Original rezoning proposal


100 N
Center St
Main St
Fig. 1b Parcel identification

A Broader Solution: The following discussion refers, in addition to Figures 1a and 1b on the previous page, to the figures on page 4, labeled as Figures 2a and 2b.

Figures 2a and 2b cover an area of central Ivins, showing the Land Use Plan classifications in Figure 2a and the Zoning Classifications in Figure 2b. There are two areas circled on both maps in Figure 2; one identifies the Heritage Park – City Hall area, and another area that will be used as a cautionary example.

The circled area in the right-of-center mapped area is clearly shown as PARK in the Land Use Plan (map) in Figure 2a. In fact, I had recently visited this "PARK" area and concluded that it might be an excellent choice for a new baseball field for "pick-up" games, replacing the undersized one currently at Heritage Park. The zoning shown in Figure 2b is listed as Residential (RA-1), as is the school across the street. Schools and churches are allowed in any zoning classification (and thus exempt from City Council approval, requiring only Planning Commission approval). The pre-existing zoning classification apparently does not change once the school or church is in place (perhaps this is intended to retain the original classification in the event that the church or school is later closed down). Note that there is a major difference between the situation at this site, which is owned by the LDS Corp, and Heritage Park, which is owned by the City – a church or school could not be placed in Heritage Park without a change in ownership first. LDS ownership of the future church site trumps the Land-Use classification, of course.

I propose three steps to make a more-permanent and universal solution to the zoning and land-use problems exhibited by these two examples.

1. Divide the Heritage Park parcel into at least three parcels – one for the fire station, one for City Hall, and one for the park itself.
2. Create at least two new zoning classifications and apply them appropriately:
    a. One for recreational (and similar) uses, such as
        i. Parks
        ii. Cemeteries
        iii. Trails
        iv. Etc.
    b. One for city-owned buildings and other facilities, such as
        i. City Hall, Police and Fire/EMS facilities
        ii. Public Works facilities
        iii. Water tanks and retention basins
        iv. Etc.
3. Revise the Land Use Plan (map) to reflect actual usage if already built out and intended usage as build out continues, and to reflect modern sensibilities and intentions. While the first two steps are fairly straightforward, this step will require extensive discussion and citizen input, and may take at least a full year to accomplish.

What can go wrong? Plenty. I'm not an attorney, and am still learning the City Code, so there may well be pitfalls in my suggestions. But let's get this started and not just use some quick fix for the single instance in front of us at the moment.

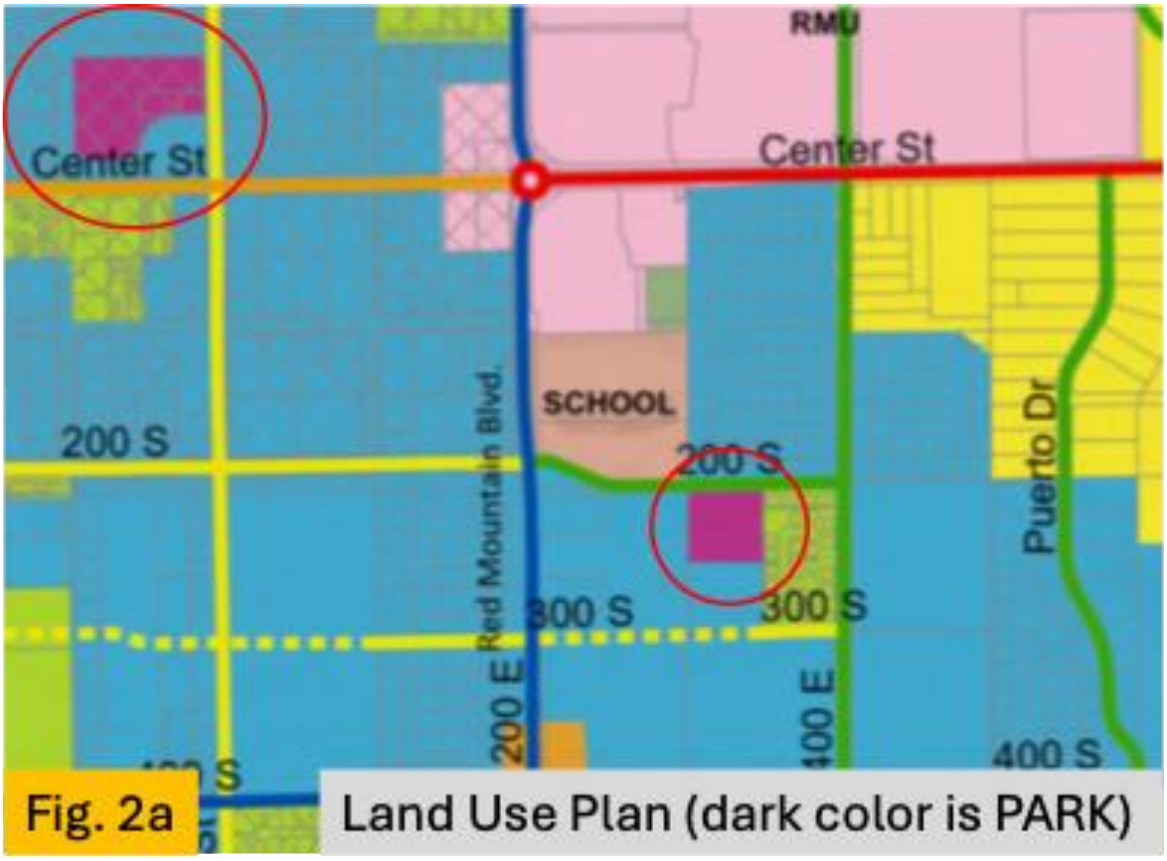


Fig. 2a Land Use Plan (dark color is PARK)

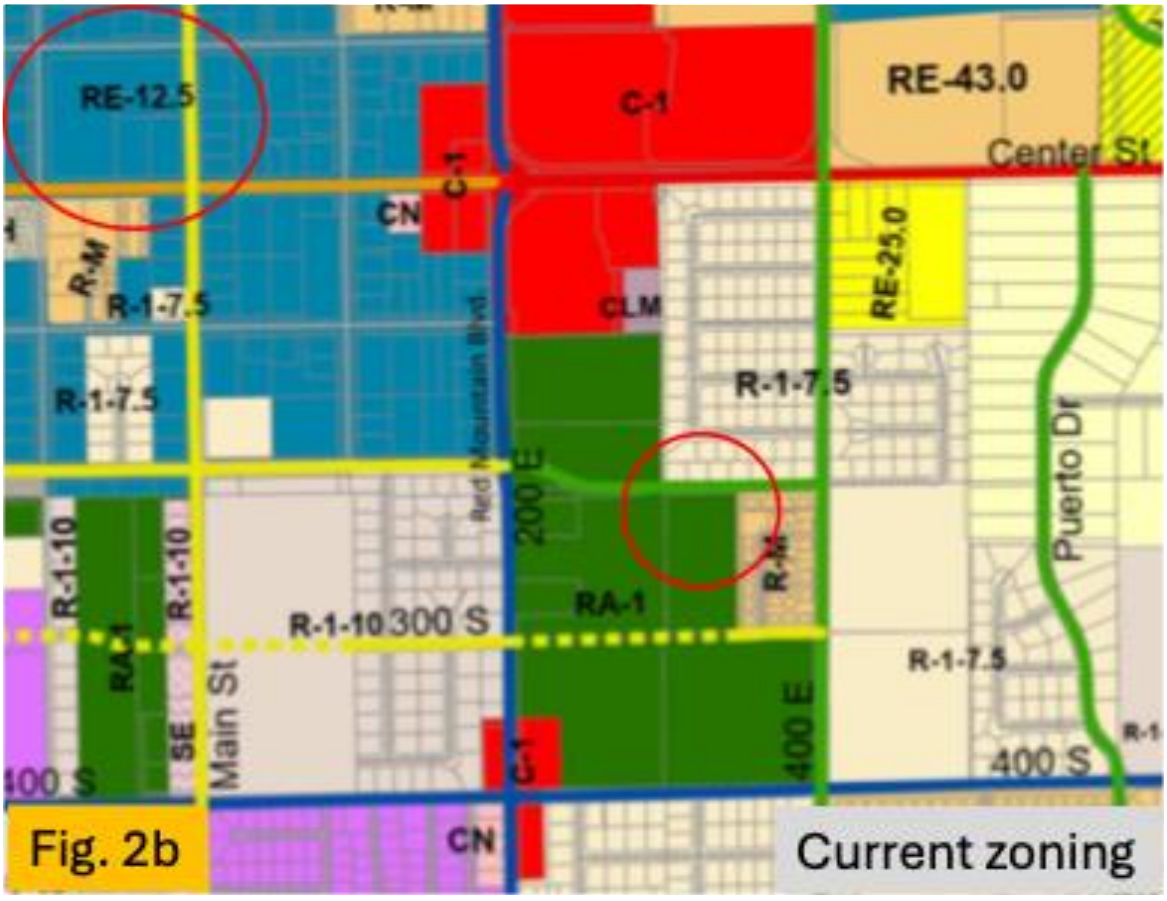


Fig. 2b Current zoning