

**IVINS CITY
CITY COUNCIL AND PLANNING COMMISSION JOINT SPECIAL
MEETING MINUTES
January 18, 2022
435-628-0606**

1) PRESENTATION AND DISCUSSION OF IVINS CITY LAND USE PLAN.

CHAIRMAN AND COMMISSIONERS: The meeting was called to order at 5:30 p.m. All present included Mayor Chris Hart, Councilmember Jenny Johnson, Councilmember Mike Scott, Commissioner Dave Robinson, Commissioner Doug Clifford, Commissioner Pam Gardiol, and Planning Commission Chairman Jeff Loris.

Staff Attending: Dale Coulam-City Manager/Attorney, Mike Haycock-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.

Audience Attending: Terry Marten, Dave and Suzy Appel, Sharon Barton, as well as others that did not sign in.

Mayor Hart called the meeting to order. The purpose of this meeting is to introduce and discuss the Ivins City Land Use Plan and also a review of the Ivins City General Plan and this may likely be a very comprehensive long-term review of perhaps the most important document we have in the City that defines the vision and prescribes what we need to contemplate within the City. The General Plan consists of six chapters and the work we do will likely focus only on two or three of those. Chapter 2 has to do with growth, thus land use and zoning, and will consume a good portion of our time as we begin this process. Chapter 3 describes the vision for the City and although our vision is a good one, there may be some refining to do there, and Chapter 5 is the elements of the General Plan. The Planning Commission will work through the land use portion of this and make recommendation to the City Council and likely be adopted Chapter by Chapter or section by section. The map lies before you. Going back a number of years to when this map was generated the City envisioned itself to retain a rural agricultural flavor and to incorporate some commercial development and provide for a variety of different housing types as described in the General Plan which requires Low Density Residential, Medium Density Residential and High Density Residential and includes Multi-Family and so forth. The balancing act is always how to make provisions for all those housing types to occur so all socioeconomic groups can have access to reside in Ivins and where to place these various land use bubbles and zones. Terry Marten was a major contributor during the last review of this and how the land use and eventual zoning plays to things like transportation, which is always a consideration and existing development. He recommends as we meet together to discuss what concerns we have with the existing land use plan, and what we envision of the land use plan and give this a thorough review. The last time we went through this, it took months. There will be public hearings and it is our intent to hold an open house type meeting. He opened the discussion to any members that would like to focus on points they want reviewed and perhaps changed. **Councilmember Mike Scott** stated one of the issues that was brought up with the Planning Commission while discussing this project was the disconnect between the land use plan and the zoning map with regard to RA-1 and RA-5. We are dealing with a complex topic that will take a while to solve. He wondered if we could break it up and take the low hanging fruit off the table immediately by just changing all the RA-1 and RA-5 zones to reflect the lowest densities. So if land use shows Low Density Residential make it the lowest density it is like RE-43 so that at least you have a

1 matchup between the two. It is a quick clean sweep that gets the two maps in sync with each
2 other. **Councilmember Jenny Johnson** stated that would be a negative in her opinion because
3 then people are confused thinking that is going to be the zone. **Commissioner Mike Scott** stated
4 good point. **Dale Coulam** stated perhaps eliminate RA-5 and allow RA-1 to acknowledge the
5 agricultural portion. **Mayor Hart** stated there may be areas where the current land owner wishes
6 to have that land remain in an agricultural zone and use. We have to take into account those who
7 own property and what their vision for that has been. Some of our long-term residents have
8 owned their property for decades. With that in consideration the assignment is to determine what
9 the long-term vision is for the City. Often when farming families move or pass away that land
10 then is put up for sale and takes on a residential use. He does like that idea and what the
11 expectation of that land will be. We need to clarify what our actual intent is. **Councilmember**
12 **Jenny Johnson** proposed that we do what Sue Gordhamer had mentioned that until we get it
13 all figured out, we put a stamp that it is a holding zone so that when people come in they know it
14 is a holding zone. That could be done immediately to eliminate confusion until we find out more
15 details and what we are going to do to fix it. **Mayor Hart** stated land use usually goes first but if
16 it is blatantly a problem we could recommend they act on that. **Chairman Jeff Loris** stated that
17 we discussed putting in an asterisk and stipulate they are holding zones. Water is an issue in the
18 area, the most prevalent piece of land being Terry Marten's, east of 750 West. It is shown as a
19 park, but if that land is going to be used as water it should reflect that and the impact that it has
20 on our densities. **Mayor Hart** stated that the footprint of the reservoir should be illustrated on
21 the map but maybe not designated as a park. It is not recreational but solely for water storage.
22 The surrounding residents and owner are not anxious to have that turn into another Firelake Park.
23 The City doesn't need another Firelake Park. We have that base covered. People would be
24 allowed to access it, but it won't be convenient to get a kayak or canoe in there. There may be
25 some fisherman and a rustic trail along one side of the perimeter of it for mountain
26 bikes. **Chairman Jeff Loris** stated that most of the area in there is already stipulated as the Dry
27 wash area. **Mayor Hart** stated it could stay that way, and just put an overlay over it for the
28 reservoir. **Councilmember Jenny Johnson** stated it could be stated as park because there are
29 many kinds of parks. It could be labeled with fishing and hiking and biking, but not a boat
30 park. **Dale Coulam** stated it could also be designated as open space as far as our vision. Once it
31 is created and holds water it will show as a body of water, but for now designated and reserved
32 as open space. **Mayor Hart** stated that we have been disadvantaged by this pretend zoning
33 because state law requires when we do studies, to use our land use plan for projections of
34 population and in all those areas where we show Low-Density then certain assumptions are made
35 by the engineering firms that are doing the studies. Universally we end up with a different
36 population number than might actually occur when the City is fully zoned. That doesn't mean we
37 wipe out all the Low-Density. As a matter of fact, Kayenta residents and the developer prefer
38 that it remains a Low-Density project. Our discussions need to be realistic to be helpful long-
39 term for the City as we conduct these periodic studies on transportation, water,
40 etc. **Commissioner Dave Robinson** stated what is the difference in RA-1 and RA-5 other than
41 lot size? If we move it to one or the other, what is that difference of what they can do with that
42 land? **Dale Coulam** stated agricultural versus an estate lot, which is strictly residential with no
43 agricultural use. **Commissioner Dave Robinson** stated there are people that would like to do
44 things with their land and don't have enough space to do them because of our restrictions. **Dale**
45 **Coulam** stated lot sizes are really the difference there, but RE-37 or larger may allow for certain
46 types of animals to be kept. It is not a commercial operation, but someone might raise chickens.

1 You can have a garden. Agricultural is not prohibited, but it is restricted in the residential
2 zones. **Mayor Hart** stated that fortunately a large portion of our City has been platted so we
3 know what we are getting. How do we bring about these transitions? We have clusters of High-
4 Density Multi-Family housing, Kayenta, and more traditional lots that tends to be near 600. We
5 need to put this land use map together based on how likely development would occur, and
6 whether they blend or not. **Mike Haycock** stated that Lance Anderson was of the mind that if it
7 is a simple zone change then we have done the leg work already over the years by assigning
8 densities here. If we take the densities and change the zone map to accommodate what is already
9 on there, that is the easiest fix. **Dale Coulam** stated that it could just be a note on the map but it
10 is regarding and changes the nature of what is expected of certain zoning districts. That should
11 go through the Planning Commission with the opportunity for public input. **Mayor Hart** stated
12 he thinks that it sounds like we are requesting that we reverse that problem early on before the
13 general review of the land use plan. **Mike Haycock** stated that to communicate with contractors
14 and developers, it would be nice to tell them exactly what they can do in their
15 zone. **Commissioner Dave Robinson** stated that regarding additional annexations for the City
16 and the Western Corridor coming in, there is a potential for more residential, but also retail
17 commercial to help our tax base for the area. He would like to see what areas are being annexed
18 in. **Mayor Hart** stated there is substantial property to the South of us. That could take
19 place. **Commissioner Dave Robinson** stated it should be in the back of our minds what we are
20 doing with that property if that's possible. **Mayor Hart** stated that with water a concern,
21 expansion is not an urgency but a good idea to keep in mind. **Commissioner Doug**
22 **Clifford** stated that we have heard a lot about water issues. What is the current situation with
23 subdivisions that have been approved but have not gone through the permit stage and could be
24 held up with water? **Mayor Hart** stated the expectation is that water is one of the essential
25 services that the City provides and it would be available. There is a big change in motion at the
26 Washington County Water Conservancy District regarding entitlement. **Dale Coulam** stated that
27 there is some vesting that occurs at Preliminary Plan approval and the count we get from the
28 Washington County Water Conservancy District is through Preliminary Plan. We can't arbitrarily
29 say we won't pass a final plat as that could be a taking, but if the Washington County Water
30 Conservancy District determines there are more lots than we can provide water to, that would be
31 different. **Mayor Hart** stated that the District has a fixed capacity established by State Law.
32 Every residential unit has to be attached to .89 acre feet of water. There is a movement to try and
33 change that because we use less than that. The expectation is that it will drop down to .78 acre
34 feet and increases the number of available units. Equivalent Residential Units or ERU is the
35 paramount acronym to think about. If the District has a fixed number based on current capacity
36 of ERUs, he expects that those will be distributed to the various municipalities and counties
37 according to population. That would then allow each City to know what they can use within their
38 City boundaries. There are approximately 750 platted lots in Ivins that are not built on yet. The
39 District will provide a will-serve letter to developments that essentially guarantee water. If you
40 don't have a will-serve letter we could be back to the old days that stamped plats to say the City
41 does not guarantee water for this project. We are wholly dependent on the Conservancy District.
42 Some of the bigger cities will argue that they deserve more than other cities. But the fair thing
43 would be to give each City a number to work with and track the math. It will be up to the City
44 Council and Planning Commission how to appropriate those lots. **Commissioner Dave**
45 **Robinson** inquired does that take into account our secondary water system? Where are we with
46 that? **Mayor Hart** stated that comes into account with the amount of available water. We are

1 moving ahead with phase one of the plumbing for secondary irrigation to provide water to these
2 developments that have plumbing within them that don't have secondary water. We will get to
3 those developments first, where the meters just need to be installed and then you have irrigation.
4 The purpose of the reservoir and another likely built at Graveyard Wash is for irrigation. It is to
5 provide water for landscape use. As these reservoirs come online, the District's capacity then
6 expands and increases the number of ERUs for each City. As we have watched development
7 occur at the pace it is now, he fears that some Cities have already over-committed their water
8 shares. He hopes that is not the case but we are working to obtain those numbers so they know
9 that they have at least .89 acre feet. **Commissioner Dave Robinson** stated so we are moving
10 forward with our secondary system? **Mayor Hart** stated yes and we are served by a pipeline that
11 comes to us from Quail Creek for culinary water, and that pipe has a capacity that is just a few
12 years away from reaching that capacity. Our plan is to replace culinary water with secondary
13 water. The big push for the reservoir is that we don't have sufficient storage on the west side of
14 the County to provide that, and we have considerable additional capacity to produce reuse water
15 at the treatment plant. We could add several reservoirs and fill them in the winter and use them
16 in the summer. Our City Engineer, Chuck Gillette has a map that shows what the anticipated
17 phases of that secondary water system are. **Commissioner Doug Clifford** stated that he has not
18 seen a diagram or water ratio we use for agricultural versus residential. We have quite a few
19 fields that are raising crops still. **Mayor Hart** stated the ag conversion is a variable that will
20 expand as agricultural land leaves that use and becomes residential. That water influences the
21 number of available ERUs. That is true of any water source that hasn't been tapped into. The
22 problem the District faces is we are wholly dependent on the Virgin River drainage. The Lake
23 Powell pipedream is potentially way out there. We are diving deep into reuse, and conservation
24 is a huge thing as well. **Commissioner Doug Clifford** stated most agricultural water that is used
25 for alfalfa fields comes from underground? **Mayor Hart** stated no it comes from the reservoirs.
26 Sandhollow, Gunlock and Ivins. They come from not necessarily a different source, but a
27 different entitlement. The irrigation districts have most of the old water rights out there and they
28 get the water first, so if agriculture does their part to conserve as well they can do a lot more with
29 a lot less water. **Chairman Jeff Loris** stated that .89 is 800 gallons per day per house. .56 is 500
30 gallons per day per house. St George plans on 490 gallons per unit per day and they have had
31 that number for at least 15 years. We are almost twice that allotment. **Mayor Hart** stated that it
32 is actually the State that comes up with that number. If we do a good job of conservation and can
33 demonstrate over two years' worth of data to change or reduce that number they'll consider
34 reducing that. There is a huge conservation movement with the District, and just generally.
35 Essentially conservation is the easiest and cheapest water source if we just all use less of
36 it. **Commissioner Dave Robinson** stated that we have additional wells that St George takes care
37 of that are added into our culinary system. **Mayor Hart** stated St George recently built a
38 treatment plant southeast of Gunlock and that is their well field. As Ivins City, we were born in
39 1931 and we have very few of our own water rights. The regional agreement that brought the
40 Water Conservancy District into being is our only hope to sustain us and provide any growth.
41 Development is affected by water, but it probably won't change what you are going to do
42 because Washington County has always found a way to fix the problem. We just need to get
43 serious about conservation and reuse. Not every square inch of the City is a problem. Most of the
44 work is completed. **Commissioner Dave Robinson** stated it sounds like the suggestion is to deal
45 more with the zoning map? He thinks we need to do modifications on the land use. **Mayor**
46 **Hart** stated there are modifications that need to be done, but the immediate problem is more of a

1 zoning problem rather than land use. **Mike Haycock** stated regarding the land use he would like
2 to meet with the community and property owners at open houses and proposed we set dates for
3 those two things. We need to give them notice of what we are doing. **Mayor Hart** stated that we
4 are working on something that is going to very directly impact these owners that in some cases
5 have possessed this land for generations. **Dale Coulam** stated that we normally notice property
6 owners within 300 feet and we should break up the City as we do this by chunks. We don't have
7 capacity to hold every property owner in the City. **Mayor Hart** stated we could do East, West
8 and Middle and invite anyone that wants to come to any meeting to come. **Commissioner Doug**
9 **Clifford** stated it is a good idea to break it up that way, but some of our areas are already done.
10 We can take a marker and mark it out. **Mayor Hart** stated he would say about half is done. Page
11 8 of the General Plan shows Ivins' existing developed areas. That gives you at least an idea. **Dale**
12 **Coulam** stated we may want to get some initial comments as to what the public's and owners'
13 concerns are, but wait a bit because one of the issues as to why we are addressing the land use
14 plan, is that is an element of the General Plan. He thinks we need to work on the visionary
15 document before we can implement solid info on the land use map. Early meetings can be about
16 concerns and get an idea on refining the General Plan, and then guide us that way to the Land
17 Use Plan. Then do some open houses discussing what we have determined. **Mayor Hart** stated
18 that Chapter 3 is a description of the vision for the City and should become almost memorized.
19 We have the same concerns that were voiced back then. Circumstances and data changes so it is
20 still a healthy review but the vision is the guiding principle. If we do that first, then everything
21 else we do is consistent with that. **Commissioner Pam Gardiol** stated that one important thing is
22 the dynamics of the City continue to change and new people coming to the community haven't
23 seen the plan and giving them a voice helps them to have a larger context of where the
24 community is going and how their area is being affected. Open houses are really important even
25 if not a word changes. **Mayor Hart** stated when he came here in the late 90's there were 3-4,000
26 people here and it has doubled in just the short time he has been here, so there are a lot of new
27 residents. **Commissioner Doug Clifford** stated that those are really important two-way meetings
28 and he is betting a majority of the people have never seen the General Plan. It would be a
29 valuable part of those meetings to do a tutorial on the General Plan and what it is. Residents just
30 need the information and be able to ask simple questions and they should know the
31 answers. **Mayor Hart** stated he did try to do that at the neighborhood meetings and they were
32 fairly well attended but was still just a fraction of our residents. He plans to devote his newsletter
33 to this effort. www.ivins.com is so simple to get to and click a button for the General Plan. **Dale**
34 **Coulam** stated we will make it a button on the front page. **Councilmember Mike Scott** stated
35 he likes focusing on the General Plan and getting up-front community input. In addition to that,
36 getting into details of changing land use and zoning maps it may be too much. Maybe we should
37 be dealing with just the parcels and ID numbers we are thinking of changing and send notices out
38 within 300 feet of that. That may be a way to narrow things down. **Jenny Johnson** stated she
39 would oppose that. The entire community should have input, not just those with property
40 interests. **Councilmember Mike Scott** stated he doesn't disagree but we want to make absolutely
41 sure that those people know it is happening. They may not be reading the newsletter or looking at
42 the website. It is a second shot at getting their attention. This is a cohesive plan for the whole
43 City. **Mayor Hart** stated it will be a discussion for the whole City on where the City would like
44 to go. That involves everybody. **Mike Haycock** stated the intent was contacting owners for just
45 those two zones but everyone would be noticed on the community meetings. He didn't want to
46 involve the whole City just those two zones at first if those are his marching orders, but he is

open to doing both at the same time. **Mayor Hart** stated if the focus early on is this problem with two mystical zones that is a very refined discussion and the public will have something to say about it. **Mike Haycock** stated he can put a schedule together and get with the Council. **Mayor Hart** stated for sure notify the specific property owners involved and we will publish it as a general invitation for the public. **Mike Haycock** stated he is not sure how many property owners we are talking about. He will look into it.

2) **ADJOURNMENT**

MOTION: Planning Commission Chairman Jeff Loris moved to approve

ADJOURNMENT

SECOND: Councilmember Mike Scott

VOTE: The motion carried.

Mayor Chris Hart	AYE
Councilmember Jenny Johnson	AYE
Councilmember Mike Scott	AYE
Commissioner Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Pam Gardiol	AYE
Planning Commission Chairman Jeff Loris	AYE