

IVINS CITY
PLANNING COMMISSION
MINUTES
December 17, 2024
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 Dave Robinson, Commissioner Doug Clifford, Commissioner Brandon Weight, and Commissioner Perry Brown.

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

Audience Attending: Richard Oliver, Chloe Duncan, Bonnie Kline, Ethan Pack, Randy Johnson, Jon and Nicole Graf, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Chair Pam Gardiol

C. Invocation--Chair Pam Gardiol

D. Disclosures--None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS--None.

3) PUBLIC HEARING AND ACTION ITEMS--

A. Public Hearing regarding the Moderate-Income Housing Plan.

Chair Pam Gardiol stated that this item is for the public to offer input into the Commission's discussion. We are doing a final review before sending this on to the City Council and making any final edits that may arise from this public hearing. **Mike Haycock** stated that per State law, Ivins is required to produce a Moderate-Income Housing report through ordinance, as part of the General Plan. This document is different than last meeting because the State has asked us for some additional changes. On Milestone 3, we actually put dates in to firm that up. On Milestone 4, we added a fourth quarter newsletter that will educate the public as to where we are at. Those are the two biggest changes. The three goals we have chosen are lettered to match State law. Goal A is to rezone for densities to facilitate the production of Moderate-Income Housing. Goal S is to eliminate impact fees for accessory dwelling unit that is not an internal accessory dwelling unit as defined in State code. Goal E is to create or allow for and reduce regulations related to internal accessory dwelling units or detached accessory dwelling units in residential zones. Those are the three goals and strategies that Ivins has selected to meet the State's qualifications and have a compliant report. **Chair Pam Gardiol** opened the Public Hearing. **Bryan Pack** stated no one was on Zoom. Hearing no comments, **Chair Pam Gardiol** closed the Public Hearing.

B. Discuss and consider recommendation of the Moderate-Income Housing Plan.

Commissioner Dave Robinson stated these changes are mandated by the State and he is willing to move forward with a motion. **Chair Pam Gardiol** stated in Goal A on Page 2 it states that "the goal is in conjunction with our land use plan and we will approve higher densities" and she would like a change to add the words "by which we will approve higher densities." On Milestone 3 regarding rezoned properties it starts with 2022. Why are we going back? **Mike Haycock** stated the start of this report was 2022 and this takes us through 2026, which is the last year of our five-year report. We have done a rezone in that timeframe from low-density to RM which is high-density. There is no guarantee we will approve all applications, but the State wants us to remember Moderate-Income Housing when we do rezones. All of our rezones have been to a higher density. **Chair Pam Gardiol** stated this report was sent to the State and they requested we cure these deficiencies, so this now shows what the State is expecting from us. **Mike Haycock** stated that is correct.

MOTION: Commissioner Dave Robinson moved to approve recommendation of the Moderate-Income Housing Plan, as amended. 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 Brandon Weight	AYE
Commissioner Perry Brown	AYE

C. Public Hearing regarding Amendments to Chapter 14 Regarding Class I Use Permits.

Chair Pam Gardiol stated that this is to gather public input for this draft. The Commission is to do a final review then send a final revised copy to the Council. **Mike Haycock** stated the chapter on Class 1 Conditional Use applications deals with temporary uses. If a race or event comes through our town this Chapter deals with that. We have had a few discussions and it is in black because all corrections have been made and is ready for ordinance form. **Chair Pam Gardiol** opened the Public Hearing. **Bryan Pack** stated that no one was on Zoom. Hearing no comments, **Chair Pam Gardiol** closed the Public Hearing.

D. Discuss Zoning Text Amendments to Title 16 Chapter 14 Regarding Class I Use Permits.

Commissioner Doug Clifford inquired if there had been any changes to those red-lines? **Mike Haycock** stated no.

MOTION: Commissioner Dave Robinson moved to approve recommendation of Zoning Text Amendments to Title 16 Chapter 14 Regarding Class I Use Permits. Roll Call

- 1 **Unanimous.**
2 **SECOND: Commissioner Brandon Weight**
3 **VOTE: The motion carried unanimously.**

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

E. Public Hearing Regarding Hidden Springs RV Conditional Use Permit.

- 4 **Chair Pam Gardiol** stated that the purpose is to provide the public an opportunity for input and
5 then review and send any edits to City Council for amending the Conditional Use Permit. **Mike**
6 **Haycock** stated that the previous meeting had a request to change the date for landscaping. We
7 have reviewed this and it is ready for public comment. **Chair Pam Gardiol** opened the Public
8 Hearing. **Bryan Pack** stated no one was on Zoom. Hearing no comments, **Chair Pam**
9 **Gardiol** closed the Public Hearing.

F. Discuss and consider recommendation of Hidden Springs RV Conditional Use Permit.

- 10 **Commissioner Dave Robinson** inquired if this is the document for the second amendment we
11 are approving? **Commissioner Perry Brown** stated that on section for continuous occupancy in
12 the definitions of the ordinance, they just need to add an "and." **Bryan Pack** stated that the
13 ordinance is not before the Commission and is just informational. The Commission has already
14 passed that forward, but he will pass that on to Council for their next discussion. **Chair Pam**
15 **Gardiol** stated we are sending to City Council the second amended Conditional Use Permit
16 document. **Commissioner Doug Clifford** inquired why occupancy is left only as a period of
17 time specified with the transient room tax? **Mike Haycock** stated as worded, if that tax changes
18 over time it would always remain compliant with State law. **Commissioner Doug Clifford**
19 inquired if we could add the date of what current law is, as a maximum of 29 days?
20 **Commissioner Dave Robinson** stated this agenda item is the Conditional Use Permit document,
21 the second amended draft dated 2024. The ordinance has already been sent on and is not up for
22 discussion.
- 23 **MOTION: Commissioner Dave Robinson moved to approve recommendation of Hidden**
24 **Springs RV Conditional Use Permit. Roll Call Unanimous.**
25 **SECOND: Commissioner Perry Brown**
26 **VOTE: The motion carried unanimously.**

27

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss the Ivin City Annexation Plan.

1 **Chair Pam Gardiol** stated this is an initial review for us to provide input to this draft
2 document. **Mike Haycock** stated that he has given the Commission a paper copy of the
3 annexation plan. This is a starting point. Chuck Gillette will clarify more. There was not a lot
4 that we changed in the actual written plan. We added Shivwits as entities that could be affected
5 by our annexation plan. We updated our twenty-year population projection. It is the same chart
6 we have in our General Plan. There are new buildout times and dates. We made a change in
7 clarification to take out forest, that we are in the desert. If you remember the original map, we
8 have expanded Area 4 around our border and TRC chose that to get a bit more control around our
9 direct borders. **Commissioner Dave Robinson** stated that he thought area 4 went up to the
10 Ledges. **Mike Haycock** stated that Area 4 is extended to the old Area 1 and Area 6 that was part
11 of St George. That area is called out by St George already. **Commissioner Dave Robinson** stated
12 he thought our property went all the way to the top right of the map. **Mike Haycock** stated that
13 Area 1 and Area 5 were changed to reflect what Santa Clara has already done. If and whether the
14 reservoir comes in, we want to annex that into Ivins to help control meeting our design standards
15 if it is built on that north side. **Chuck Gillette** stated the idea of the map is to preserve the same
16 areas and we created a new Area 5 and 6. We expanded Area 1 because there is potential to annex
17 anything to our boundaries. It would take a lot to annex these areas, but we show everything
18 adjacent to our boundaries, regardless of the possibility. We did not show the Shivwits boundary
19 as a part of that. Area 4 expanded and Area 2 shrunk because we cut out Area 5, and we carved
20 that out to create a special area where we say this is in Santa Clara's annexation plan but we think
21 it should be annexed into Ivins. Old Hwy 91 is part of our entrance into our City and we should
22 be developing that. We did add a note that if Santa Clara acquires it and makes it a recreation
23 area adjacent to Graveyard Wash Reservoir, we would be happy to see that. If it develops as
24 residential or commercial, it should be developed into Ivins. Area 3 is the part of Santa Clara we
25 don't anticipate any annexations. We don't necessarily need to show Area 3, but this development
26 boundary line doesn't line up with the two cities. All of the development happening there won't
27 require movements of the boundary. You could argue that we don't need annexation Area 1, or
28 Area 4 either because it would take an act of Congress to annex those areas in. **Chair Pam**
29 **Gardiol** stated that areas 2 and 5 looked like the primary places that could annex. **Chuck**
30 **Gillette** stated yes those are the only areas with population projection for those areas to develop.
31 Area 6, which is adjacent to Black Desert, has a hill that separates Ivins and St George. That has

1 been protected by a conservation easement that City of St George owns but they have said that it
2 should belong to Ivins because of the Black Desert development. At one time Black Desert
3 Resort thought of a driving range up there but didn't do it. If it became Black Desert Resort in
4 any way, it makes more sense to become part of Ivins. **Bryan Pack** stated if that happened, we
5 wouldn't need to do an annexation, but maybe just a boundary line adjustment. **Chuck**
6 **Gillette** stated he did add in the wash there as a potential to annex that but there is no reason to
7 do that. It is in St George as well. It looks like the HOA there owns that. **Bryan Pack** stated if
8 land is already in another City there needs to be a de-annex first and that City has to say they
9 don't want it anymore. We would be in discussions with those entities. **Commissioner Dave**
10 **Robinson** inquired where is the current boundary in Area 4 that intersects with St
11 George? **Chuck Gillette** stated it doesn't. He purposely kept that area away from St George's
12 boundary. It is State Park and Federal lands. **Commissioner Dave Robinson** inquired on Areas 2
13 and 5 do they go right up to the Western Corridor? **Chuck Gillette** stated that we did leave a gap
14 because there is a reservoir in there and we previously told Santa Clara we would not go beyond
15 the Western Corridor. The two small triangles of land shown are privately held. **Bryan**
16 **Pack** stated that Santa Clara included that same property into their annexation area. They sat
17 down with Dale Coulam and the Mayor after their hearings and this map is the result of that
18 discussion. **Commissioner Dave Robinson** stated that road, if and when it gets put in, would be
19 a high commercial area to gain revenue for the City and an excellent area for lower-income
20 housing to have both sides of that Corridor. **Bryan Pack** showed Santa Clara's annexation map
21 and where the reservoir is going to be. **Chair Pam Gardiol** inquired if some parcel is in both
22 annexation plans does the applicant get to choose which city they are going to be in? **Bryan**
23 **Pack** stated they can't create a peninsula or an island and so they would make application and a
24 Boundary Commission would analyze that and decide which jurisdiction they should be in.
25 **Commissioner Dave Robinson** stated that we don't have much difference in services, so it
26 comes down to which municipality is easier to work with. **Bryan Pack** stated it depends on who
27 has the infrastructure in already. **Chuck Gillette** stated Ivins would have the easiest time
28 servicing water but Santa Clara would have the easiest time servicing sewer. Ivins could say they
29 need to put pumps in. Our interest in those properties is to create a proper entrance into the
30 City. **Commissioner Dave Robinson** inquired on the likelihood of that reservoir ever
31 happening? **Chuck Gillette** stated they have been designing it and pushing it forward the last
32 couple of years. Drywash is still on the table as well. They have prioritized Graveyard Wash to
33 be moved forward first. **Mike Haycock** stated if there are multiple property owners, and 50% of
34 property owners say they want to be in one city over the other, it can help to decide. There are a
35 lot of dynamics to annexations. We are trying to list all the options that are in our best interest
36 and the application process will pan out later. **Chair Pam Gardiol** stated that on the annexation
37 policy plan the first item states that we are trying to mitigate as many issues as possible and
38 create guidelines so there are no islands, peninsulas, etcetera as we grow. **Commissioner Dave**
39 **Robinson** stated that in Area 2, are there some privately owned parcels in there? If they wanted
40 to annex into Ivins, but between them is the Bureau of Land Management, how does that
41 work? **Chuck Gillette** stated if they wanted to annex in but we don't have access, he doesn't
42 know if the City would annex them. They would have to work that out with the Bureau of Land
43 Management themselves first. **Bryan Pack** stated it needs to be cost effective. **Chuck**

1 **Gillette** stated that we are interested in working with the Bureau of Land Management and other
2 counties and cities to get paved trails to follow the Santa Clara River on the back side of Land
3 Hill. **Mike Haycock** stated that fire and police response times are very important and if we
4 annexed any further they may need new stations. **Chair Pam Gardiol** stated on the third
5 "Whereas" in the annexation policy plan she would remove the word "future." **Commissioner**
6 **Dave Robinson** stated he would say leave the word "future" in. That is the reason for the
7 annexation. **Chair Pam Gardiol** stated it is redundant. On Page 6, is it the Paiute Nation? The
8 Paiute Tribe? **Chuck Gillette** stated that how it is written is correct. That is off of their
9 website. **Mike Haycock** stated that next meeting we will discuss this once more and then we will
10 have a Public Hearing. Look through those minor changes and digest the map.

B. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for December 3, 2024.

11 **MOTION: Commissioner Perry Brown moved to approve the Ivins City Planning**
12 **Commission Meeting Minutes for December 3, 2024. Roll Call Unanimous.**

13 **SECOND: Commissioner Dave Robinson**

14 **VOTE: The motion carried unanimously.**

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

5) REPORTS

A. Planning Commission Members

B. Chair

16 **Chair Pam Gardiol** stated that the Utah League of Cities and Towns talked about pre-legislative
17 sessions and that there are four new bills to note for municipalities. It says the Utah Housing
18 Amendments does three things; it creates an optional overlay tool for cities to provide a density
19 bonus in exchange for units to be affordable and owner-occupied. It seeks to improve data
20 collection about housing, zoning, development and infrastructure; and it requires the creation of
21 regional plans around housing by summer 2025. **Mike Haycock** stated that we don't know and
22 can't speculate where these will end up. We don't know their outcome but a lot of talk at the
23 Legislature is about Moderate-Income Housing and how to make it more realistic. It is hard at
24 our level to be able to produce Moderate-Income Housing. The State will take another whack at
25 it and we will continue to process applications, which right now we are not receiving a lot of.
26 Ivins is an expensive city to build in and the land costs are high. There is one project outside of

1 our area that SITLA is looking at developing for moderate-income housing, and we may see an
2 application there. That is in the works. They will decide what they like there and would have to
3 talk to us about annexation for that project. **Bryan Pack** stated that both he and the Mayor
4 participated in the Legislative Policy Committee meetings where they go over these issues. They
5 went through forty potential bills last meeting. They are gearing us up to preview what those
6 issues might be. He does review bill proposals weekly and none of those bills have come
7 forward. We do monitor those. **Chair Pam Gardiol** inquired what does come to us would get us
8 up to speed with those changes? **Bryan Pack** stated yes. That will drive some of your work.
9 **Commissioner Doug Clifford** stated that much of affordable housing is tied to accessory
10 dwelling units and using more of the property. How is that trending? Are people interested?
11 **Mike Haycock** stated that the phone calls have increased on internal accessory dwelling units.
12 We don't know how many are used as accessory dwelling units or for their own family. We don't
13 have that data to go towards that. **Commissioner Doug Clifford** stated we need to find a way to
14 get that data. **Chair Pam Gardiol** stated that one other item she would like to discuss is her
15 proposal last meeting to spend time familiarizing ourselves with the General Plan and she was
16 told studying it at meetings would be too intense, and would happen naturally in the body of
17 work that we are doing. Councilmember Mike Scott wrote in November that "the 2024 Ivins
18 General Plan was approved. It is the primary guiding document and principal tool to be used to
19 create the future of Ivins. Ivins is an extraordinary place and its residents know it and the Plan is
20 designed to keep it that way. To protect and preserve its cherished vistas and quality. The Plan is
21 to be taken seriously. We deeply value the natural beauty, peaceful environment, and strong sense
22 of community among our residents and we are intent in perpetuating this well into the future. It is
23 to be scrutinized and followed by elected and appointed officials, City staff and the development
24 community in all their planning." She encourages the Commission to spend ten minutes at each
25 meeting going over this. **Bryan Pack** stated that there has been talk from City Council to give
26 items to the Planning Commission to discuss. They will send these opportunities by their list of
27 priorities. The Commission will receive that direction. **Commissioner Perry Brown** stated that
28 it is important to know what is in there. We need to scrutinize it. If City Council comes to us with
29 priorities we should think of some of those things ahead of time. **Commissioner Dave**
30 **Robinson** stated that the General Plan is not law. Council makes recommendations to look at our
31 code, and then we look at that portion and execute on that. It is a document that we need to
32 follow as it gets implemented into our ordinances. **Mike Haycock** stated when the conversation
33 happens naturally it is productive. Those opportunities will come up in ordinances. We all need
34 to understand it and read it. **Commissioner Pam Gardiol** stated she is glad to hear that the City
35 Council will provide that direction to the Planning Commission. She encourages everyone to
36 read it carefully and have it in your mind. Ordinances are the law but they come from the
37 General Plan.

C. Building and Zoning Administrator, Mike Haycock

D. City Attorney, Bryan Pack

E. Items to be placed on future agendas.

6) **ADJOURNMENT**

- 1 **MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT**
- 2 **SECOND: Commissioner Dave Robinson**
- 3 **VOTE: The motion carried unanimously.**

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

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