IVINS CITY
PLANNING COMMISSION
MINUTES
March 18, 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 Doug Clifford, Commissioner Perry Brown, Commissioner Dave Robinson, and Commissioner Brandon Weight.

Staff Attending: Bryan Pack-City Attorney, **Mike Haycock**-Building and Zoning Administrator and **Sharon Allen**-Deputy City Recorder.
Audience Attending: Tiffany and Floyd Wynn, Bonnie Kline, Ben Gottfredson, David Lewis, Rob Roush, Austin Best, as well as others that did not sign in.

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-

A. Public Hearing regarding Zone Amendment from RA-1 to R-1-7.5 on approximately 5 acres, located at approximately 200 West and 200 South. Tim and Gia Best-Owner/Applicant.

Chair Pam Gardiol stated that this public hearing is to ensure that any possible rezoning is within the specifications listed in the current land use plan as presented in the General Plan. **Mike Haycock** stated that the land use is medium density residential. The options in that land use are RE-12.5, R-1-10, and R-1-7.5. There is R-2-10 to the north, the boundary to the east is R-1-10, the south is undeveloped and in the subdivision enhancement overlay, the lots are smaller but the average there is closer to RE-15. The overlay has some give and take so they had smaller lots but gave more open space to have those lots. Austin Best stated he is the son of the owners of the project. These will be single-family and styled after Unity Village to the south of Unity Park. Maybe a sales price of 600k-750k, affordable housing, but not low-income. **Chair Pam Gardiol** opened the Public Hearing. **Bryan Pack** stated there was no one on Zoom. Hearing no further comments, **Chair Pam Gardiol** closed the Public Hearing.

DRAFT

B. Discuss and consider recommendation regarding a Zone Amendment from RA-1 to R-1-7.5 on approximately 5 acres, located at approximately 200 West and 200 South. Tim and Gia Best-Owner/Applicant.

Commissioner Dave Robinson stated RE-15 is kind of misleading because the lots are much smaller on that PUD than the zone. They may be closer to 5k square feet. There is R-1-7.5 to the northeast and northwest of it. R-1-10 is immediately near it, but in his opinion, R-1-7.5 fits in that area. Austin Best stated that he and his brother will build a home on this parcel and possibly sell the others if that works out financially. **Chair Pam Gardiol** stated that the General Plan speaks of housing and neighborhood development. Ivins supports neighborhoods the bring a variety of housing options designed to meet the financial and aesthetic needs of our broad range of residents. Housing should be designed to face existing streets except on major and minor collector roads to reduce the creation of walled in neighborhoods that diminish the overall sense of community. The city should ensure the distribution of densities across Ivins to foster balanced growth and promote a system within neighborhoods to connect residents with each other and the natural environment. As the gentleman said, the proposed zoning would allow for a moderate priced home, if there is such a thing.

MOTION: Commissioner Dave Robinson moved to approve recommendation regarding a Zone Amendment from RA-1 to R-1-7.5 on approximately 5 acres, located at approximately 200 West and 200 South. Tim and Gia Best-Owner/Applicant, based upon findings that it fits our design for that area and is similar to other properties. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

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

C. Public Hearing regarding a Zoning Text Amendment to the Table of Uses allowing moving trucks and trailer rentals as an accessory use to a permitted self-storage facility located at approximately 47 East 800 South. Benjamin Gottfredson-Owner/Applicant.

Chair Pam Gardiol stated that the Commission is to determine if the proposed usage aligns with the General Plan and zoning standards, and specific findings to approve or deny this decision. This is a legislative item because it is a zone change. **Mike Haycock** stated that this would be a change to the zoning ordinance in the Table of Uses, in the C-1 zone specifically. In

DRAFT

Chapter Six we talk about the zoning district's purpose, which reads as follows: Commercial districts are provided to allow a variety of commercial uses and intensity of uses with differing development standards that provide a diversity of commercial uses that meet the needs of city residents and visitors. It is a General Plan goal of Ivins City to become a destination resort community sensitive to the high quality of the surrounding desert environment, landscapes and views. The commercial districts provided are designed to locate commercial uses sensitive to the goals of the city. All commercial uses are required to enhance and add to the character of the city by providing building features to achieve the goals of the General Plan and this title. This is not a use that has historically been approved in Ivins. One of the complexities of the use is parking. This item came to our attention based off complaints towards this specific applicant. The street is where the U-hauls end up so if we want to look at this use, we need to also look at our parking standards. TRC did not feel this fits with other uses allowed in that zone. **Chair Pam Gardiol** clarified that the TRC is the city department heads who review items coming before the Planning Commission and City Council. Ben Gottfredson stated he recently acquired the storage location. He is excited to be in Ivins, he grew up here and loves running their business here as well. The motion we propose is because if you think about what is best for the people of Ivins we know they want to limit storage growth, but this site is already commercial. It makes a lot of sense to have U-Haul available to the public as a resource and not have to travel to St George. It helps the environment to use less gas. He believes this complaint came up because of a development across the street. They are digging up the road. Those people will be here a temporary amount of time. We think long after those developers are gone, people will want this resource locally. People don't normally drive outside their three-mile radius without thinking it is a major inconvenience. We have parking space within the facility hidden from the road, and can store the trucks. Parking should not be a reason for this to be banned. This is a no-brainer. **Commissioner Brandon Weight** inquired where the U-Hauls are being parked now? On the street? Ben Gottfredson stated we didn't know it was such a big issue, but some are parked in the facility and when people bring them back they park them on the street at drop-off, after hours. We move them the next morning. **Commissioner Brandon Weight** inquired if there is enough parking stalls on-site for the U-Hauls they have? Ben Gottfredson stated yes. **Commissioner Brandon Weight** inquired if they could write a policy requiring them to park it on their property? Ben Gottfredson stated yes, they could send out instructions telling people specifically where to drop-off. That is possible. **Commissioner Dave Robinson** stated he is unaware of where the parking is inside there. There is a shop area you have up for lease right now. Where else? Ben Gottfredson stated on the southwest corner there was a dumpster, and they got rid of that for more parking. With overflow, there are big storage units that they could park the trucks inside. We can reduce how many and with this warning we can resolve the problem. **Mike Haycock** stated that this is a talk about uses in our C-1 zone and if we do expand from here and approve this use, we would need to write supplemental standards. Right now, we need to focus on the C-1 zone and if this is appropriate in the Table of Uses. **Chair Pam Gardiol** inquired that if we add this to the C-1 zone, then anywhere in the city that was a C-1 zone, this would be

DRAFT

allowed? Ben Gottfredson inquired if you could make it an option to request a special permit of some kind to allow it? **Commissioner Brandon Weight** stated you are denying it because it is not in the Table. The applicant is not permitted to do what he is doing. **Mike Haycock** stated unless you recommend to the City Council to allow that use in the C-1 zone. **Commissioner Brandon Weight** stated it is not currently even legal for him to do what he is doing. **Bryan Pack** stated at the moment, no. The application tonight is not to allow him that use. The application is to change the Table of Uses, thereby allowing him the use. If you voted to recommend this, there would be a new line added to the Table of Uses about moving truck rentals, and to designate what class of review. If you approve this you would be approving conditions in the C-1-zone only, and it would still be prohibited in the other zones. **Commissioner Perry Brown** stated that if we were to change the Table of Uses to include this item, it opens up this use as applicable to any C-1 zone in the city. **Commissioner Dave Robinson** stated we need to take that into account. We aren't approving or not approving what he wants to do, but making this something that is available in this zone. This discussion is about trucks, but it could lead to a rental car agency as well. **Chair Pam Gardiol** opened the Public Hearing. David Lewis stated he represents U-Haul Corporation of Southern Utah and lives in Santa Clara. He would like to see this added as an accessory use to the self-storage business. We want to serve the under-served area of Ivins and Santa Clara. It reduces pollution and cost for customers. This area needs this. There are almost 17k residents between the two cities and our maps show this is an under-served area. **Bryan Pack** stated there was no one on Zoom. Hearing no further comments, **Chair Pam Gardiol** closed the Public Hearing.

D. Discuss and consider recommendation of a Zoning Text Amendment to the Table of Uses allowing moving trucks and trailer rentals as an accessory use to a permitted self-storage facility located at approximately 47 East 800 South. Benjamin Gottfredson-Owner/Applicant.

Commissioner Dave Robinson stated he is torn. We like our views and we don't want cars parked on the street. Think about that in this particular application, but we are doing this for the entire area of Ivins. Does this type of business meet our needs in Ivins? He is not sure he is on board, but he is not sure he would deny it here. **Mike Haycock** stated maybe the Commercial Light Manufacturing would be more appropriate. If you picture the statement he read earlier, we are a resort community and want to support resort. How it is written now, the businesses in C-1 should support resort commercial. This location is not appropriate in the Commercial Light Manufacturing zone as written, but if we ask ourselves where this belongs, it would fit best in that Commercial Light Manufacturing zone. **Commissioner Brandon Weight** inquired if Mike Haycock can show The Commission onscreen some of the C-1 and our Commercial Light Manufacturing zones? **Mike Haycock** stated that there was a Commercial Light Manufacturing that was just done for utility needs. Another area is near Kayenta. Most of those C-1 areas already have a use. **Commissioner Brandon Weight** stated that is three areas in Ivins. **Mike Haycock** stated that there is only one area for potential building. **Commissioner Doug**

Clifford stated that Ryder's or Troy's is similar zone-wise with cars parked outside. This is less intrusive than some of those and they are the C-1 zone. **Mike Haycock** stated historically the City Council and Planning Commission has looked at storage and moving vans as not an appropriate use and they removed it from the Table of Uses. **Chair Pam Gardiol** stated spot-zoning is not a legal usage. **Mike Haycock** stated those zones were historic. That was in the past and if we were to do that now, we would call that spot-zoning. Typically, you don't want to see Commercial Light Manufacturing next to residential neighborhoods. Historically, Council has thought that this use doesn't belong in those red C-1 areas. **Chair Pam Gardiol** stated that the General Plan read as follows: "Foster growth that will improve the character of the community and residents, quality of life and consider the long-term decision making to ensure responsible growth." Overall, she thinks that what the Council and Commission has said in the past still stands. She has concerns with this petition. The overburden of parking on the site and the petitioner has the best of intentions and is a stellar individual, but the basic law of the universe is that change happens. Owners may change, but approving this stays with the land. Our consequences of the decisions that we make now, hold into the future. **Commissioner Dave Robinson** stated we can't look at this application in particular, but this as a whole. Some of what we can write into an ordinance could combat that, requirements such as no street parking. That could come down the road. It needs to remain C-1 if we approve it. He can visualize the idea of a rental car company. If we approve it, what kind of restrictions would we put on rental vehicles? **Bryan Pack** stated it is not necessarily all or nothing. You could make it a conditional use, a Class IV or V so that any negative impacts could be addressed. If they can't reasonably be mitigated, the use would not be allowed. Also, we could create specific standards now to allow the use under conditions like parking inside. That would require more than a chapter or a section on this use. The applicant wants to make it an accessory use to self-storage units, which can also be done. We could also craft it to say daily truck rentals and not open it up for car rental agencies, if the Planning Commission doesn't think that is an appropriate use. **Mike Haycock** stated that in the land use plan, there is RMU and Neighborhood Commercial, and those areas and zones and combinations of options that make a zone cohesive. This does not support the definition we have in front of us. **Commissioner Perry Brown** stated he is separating this issue from the property, but he doesn't see any C-1 zone that he would be excited to see rental facilities in. There are other areas it could possibly be requested. There were a whole bunch of different options presented and we haven't discussed any of those options. He is not in a position to make a decision, and if we recommend to allow this, we would need to have those discussions first. **Commissioner Brandon Weight** stated he is torn between facts and the parcel in question and he doesn't deny the need. He doesn't know that Ivins is the place for that. He doesn't know what zone we would even put it in. He doesn't have enough information to make a decision. **Chair Pam Gardiol** stated that we just did a zone change and looked closely at how it would integrate into surrounding areas. As with any C-1, Commercial Light Manufacturing and Neighborhood Commercial, how do we integrate it into the environment and if there are neighborhoods, where is the appropriate place? **Commissioner Brandon Weight** stated that we

DRAFT

don't have a shopping district. No matter which C-1 zone we pick, it would be next to a residential community. **Commissioner Doug Clifford** stated that the best option most likely would be to put restrictions on this to allow the business to go on. The ability to have a rental truck for moving is not a bad idea in our area. It is a common service, and the storage area can integrate this in without a lot of visual clutter. He is not ready to pass this on, but he would rather address a Conditional Use Permit for the existing facility, not set up a whole zone. It is one place that already has people coming in and out, if they can do it without compromising things visually for the neighbors. It cannot be expanded beyond their property. That seems fair to me to facilitate it without compromising the neighborhood. **Commissioner Brandon Weight** stated he can get on board with that, but we were told it needs to be looked at generally. **Mike Haycock** stated to be able to make this a use, it needs to be put it in a zone and then it becomes about everybody in that zone. It could be in the Table of Uses as a conditional use to make that work. **Chair Pam Gardiol** stated maybe we need a little more information. **Mike Haycock** stated if we are looking at this broadly, we would take a look at parking, screening and design guidelines and all the work that goes into that. Are there three Commissioners that are set to look at those type of guidelines? Because that is something staff would need to take some time to do. The Fire Department has concerns about getting into this parcel. They would need a lot of land to make it work, and we would need buffering and screening to fit into what we want to see in Ivins. **Commissioner Perry Brown** stated that this would involve a new type of traffic into that area, larger trucks and trailers and is it compatible with the residential development going on across the street? **Commissioner Doug Clifford** stated no, why would it change? The truck would have to have ingress and egress into that area, and that is essential, and not new. **Commissioner Perry Brown** stated this would also have customers coming in with cars. It does add to it. **Chair Pam Gardiol** stated we can vote on the petition as it stands or we can revise it? **Commissioner Dave Robinson** stated if we approved this, we would do a Class V Conditional Use Permit and then develop those standards at a later time and build around that. **Bryan Pack** wondered how many Class V's do we have conditional standards for? Could we make it a Class V Conditional Use Permit knowing that all negative impacts will be addressed through that process? **Mike Haycock** stated he would go to the parking chapter and the sign and the design guidelines. The conditional use would rely on those guidelines. **Bryan Pack** stated yes, that is an approved use to meet all those conditions. The difference is you are imposing the conditions at the time of application based on a specific property or you impose the conditions generally for all properties that might be subject to this use. Let us look at our code more to identify which one of those makes more sense. There are some conditional uses that have specific guidelines but there are many that we don't, and those get left up to the Planning Commission and the City Council to identify what those negative impacts are and how to reasonably mitigate them. If that can be done, then we permit it. **Commissioner Brandon Weight** stated if we make it a Conditional Use Permit based on a zone and the applicant can't meet those conditions, we force him out. There is no guarantee that the conditions could be met, which was the whole premise for the application. That is where he is struggling. **Commissioner Perry Brown** stated what is the process to

DRAFT

postpone this until we can review what is possible or not? **Bryan Pack** stated if there is additional analysis you would like to see, or you need to think about this for a couple weeks, you could motion to table but it would be helpful to give some guidance for staff. **Commissioner Brandon Weight** stated he would be okay tabling if staff could bring back a list of conditions that they felt would work to approve this use. **Bryan Pack** stated keep in mind that TRC has already looked at that and recommended not doing it. It needs to be driven by you because we have already determined we don't think this works. We would not be in favor of this. If you want to possibly approve it, give staff some general guidelines. **Commissioner Dave Robinson** stated he would like staff to look at screening and parking. **Commissioner Brandon Weight** states he agrees. Not parking on the street, even at drop off. We will always get complaints from neighbors if they park on the street. **Chair Pam Gardiol** stated the burden should not be on the residents to comply. **Commissioner Doug Clifford** stated he hates to say they can't do it at all if the issue is parking, which can be solved. What were the key reasons TRC recommended denial when reviewing this? **Mike Haycock** stated by the time we get through screening, buffering, parking and Fire Department access this parcel will not be able to get a Class V Conditional Use Permit on this property if you go with our TRC recommendation. They have a storage unit use, but these trucks would all have to be put inside units for this to work. Dropping off, pick-up, size of road, whether it is minor or major collector, etc. The only way to have this work is if all the trucks are inside storage units and he doesn't know if that is a good business model for a storage facility. In whole it did not fit with other C-1 uses. We are listed as a resort community, and it would be pictured as barber shops and computer shops that support a resort community. That is more appropriate in the C-1. On both answers, lot specific and where it fits in the C-1 zone, we recommended denial. **Bryan Pack** stated storage units are not allowed. **Mike Haycock** stated there is about 1500 square feet left that is allowed in Kayenta. **Bryan Pack** stated that other than that though, any new storage facilities are no longer allowed in Ivins, same with self-service gas or automotive stations. **Mike Haycock** stated a small gas station would be in the C-1 zone. There are limits on the size of that. **Chair Pam Gardiol** stated that TRC has looked at the safety and the impact. At this point they don't merit allowing this use in the C-1 zone.

MOTION: Commissioner Brandon Weight moved to deny recommendation of a Zoning Text Amendment to the Table of Uses allowing moving trucks and trailer rentals as an accessory use to a permitted self-storage facility located at approximately 47 East 800 South. Benjamin Gottfredson-Owner/Applicant based on the findings of fact that TRC did not find this an appropriate or viable use and does not fit with the General Plan. Mike Haycock stated that this will go to City Council with a negative recommendation.
SECOND: Commissioner Perry Brown

VOTE: The motion carried.

Chair Pam Gardiol	AYE

DRAFT

Commissioner Perry Brown	AYE
Commissioner Brandon Weight	AYE
Commissioner Doug Clifford	NAY
Commissioner Dave Robinson	NAY

E. Public Hearing on proposed amendments to the Ivins City Annexation Policy Plan; adopted as an amendment to the Ivins City General Plan.

Mike Haycock stated that we had concerns presented from Santa Clara and now time again to hear from the public to recommend to the City Council. **Chair Pam Gardiol** stated last hearing, the Planning Commission made some minor modifications, and this is the updated version. We have received extensive comments from some of the residents, and those related to the environmentally protected area in Area 4, funding, that there is an increased area from the 2005 plan. The 2025 plan now focuses on Areas 2 and 5, and exclude Areas 1, 3 and 4 which have an extremely low likelihood of annexation. There was also a question as to whether Section 6 should be on the expansion map. **Bryan Pack** stated that he received a resident comment regarding notice, which has been properly noticed with 14 days notice to the public and specific notice to affected entities. Those include the County, Special Service District, the Water District, the Solid Waste District and Mosquito Abatement District, the School District, Santa Clara and St George. Sharon Allen posted the notice as a Class A notice under State Code on 2/24/25. **Chair Pam Gardiol** opened the Public Hearing. Rob Roush stated he lives in Red Desert and has submitted his report to the Commission if anyone has questions. **Chair Pam Gardiol** thanked Rob Roush for his extensive research and commitment to the community. **Bryan Pack** stated there was no one on Zoom. Hearing no further comments, **Chair Pam Gardiol** closed the Public Hearing. **Commissioner Doug Clifford** stated Rob Roush deserves high praise for the work he put in on his presentation. He believes he won't see anything other than a turtle reserve on that side of the fence.

F. Discuss and consider recommendation on proposed amendments to the Ivins City Annexation Policy Plan; adopted as an amendment to the Ivins City General Plan.

Chair Pam Gardiol inquired if Rob Roush's comment is on the expansion map or not? There are pros and cons if we could get clarification. **Mike Haycock** stated this is area to the north and TRC recommendation is to submit for the boundary around Ivins so that if there is a request, we have the right to either approve or deny. The TRC recommendation is to leave it there in case there is an application. We want that option to say yes or no and that protects the public's interests. **Bryan Pack** stated that option is the right word. The only way they can annex into Ivins is if it is on the Plan. We are not obligated to annex for any number of reasons or no reason at all, and just because it is on our Plan does not mean someone else cannot annex it. We would get notice if they tried to annex it and we could lodge an objection at that time if we wanted to. A

DRAFT

Boundary Commission may deny that objection. There would be plenty of opportunity at that time to have those discussions with those entities. This just gives us the option. **Commissioner Dave Robinson** inquired if Area 2 was absorbed by Area 5? **Commissioner Doug Clifford** stated whether the area is included or not won't change what happens to that property. The ownership or management will determine that. Having said that, looking at our community you notice that nothing is permanent. Putting it in the plan or not does not affect the long-term development of that property. Leaving it as part of the Annexation Plan is fine. The City deserves to be in the middle of that discussion and be a player in it. **Commissioner Dave Robinson** stated he doesn't see it ever being developed but if it becomes a park we want the option to be a part of that. That was why last meeting he wanted that section of Area 5 changed to be added on there to make that an option for us. **Commissioner Perry Brown** stated that is consistent with what staff proposed and recommended, with exception the Shivwits Reservation.

MOTION: Commissioner Dave Robinson moved to approve recommendation on proposed amendments to the Ivins City Annexation Policy Plan; adopted as an amendment to the Ivins City General Plan. Roll Call Unanimous.
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for March 4, 2025.

MOTION: Commissioner Dave Robinson moved to approve the Ivins City Planning Commission Meeting Minutes for March 4, 2025.
SECOND: Commissioner Perry Brown

VOTE: The motion carried unanimously.

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

DRAFT

Commissioner Dave Robinson	AYE
Commissioner Brandon Weight	AYE

5) REPORTS

A. Planning Commission Members

B. Chair

Chair Pam Gardiol stated that the Utah Land Use Institute Spring Conference is on March 27th 8:30-4 pm. One of the key take-aways from those sessions is their report on legislation actions.

C. Building and Zoning Administrator, Mike Haycock

Thursday City Council will start talking about implementing the General Plan. If you thought the last two years were work, the hard part is implementing it. We will work on fencing and Accessory Dwelling Units and make headway on that. We are talking about it at TRC to bring ordinances forward. It is not all land use. All Department Heads were told to look at the ordinances under their purview. The hard work is not over, and it will take a while to do it correctly. Next meeting is April Fools. **Chair Pam Gardiol** thanked Mike Haycock for his amazing effort through the General Plan and as we move forward into review. **Mike Haycock** stated it would be nice to have the budget for a professional planner that understands it in whole. **Chair Pam Gardiol** stated that his talents and ability are phenomenal, and no one can be in all places at once.

D. City Attorney, Bryan Pack

E. Items to be placed on future agendas.

6) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT
SECOND: Commissioner Dave Robinson

VOTE: The motion carried unanimously.

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

DRAFT