IVINS CITY
PLANNING COMMISSION MINUTES
May 13, 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 Dave Robinson, Commissioner Doug Clifford, and Commissioner Brandon Weight.

Staff Attending: Bryan Pack-City Attorney, Rob Dalley-Building and Zoning Administrator, and Sharon Allen-Deputy City Recorder.

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-None.

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and Review-Habitat Conservation Ordinance.

Chair Pam Gardiol stated that this is the reauthorization fee for the habitat conservation plan. **Rob Dalley** stated that this ordinance is a review of the ordinance that has been in place since 1995. There is .02% that is charged on every building permit. **Commissioner Dave Robinson** inquired what that fee goes to? We collect the fee and it goes to the County. **Bryan Pack** stated there is an agreement between entities that have habitat in their area, which includes the federal government. It is used for conservation efforts and projects, fencing and administrative costs. **Commissioner Dave Robinson** inquired when something like that needs to happen within the city, who pays for it? **Bryan Pack** stated that all of that goes through the conservation plan. As part of the process when finding a tortoise, they take some mitigation efforts. The way it is addressed is if there is an endangered species the County does an analysis. That was amended in 2020. It allows the developer to be considered for development under this federal permit. By paying into the plan, you help mitigate the impacts of your development. **Commissioner Dave Robinson** stated as a former general contractor and developer, all these little costs add up.

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That information was helpful to understand. He wanted to be sure Ivins was not double-paying or having to do maintenance, that we don't also deal with the fencing, etc. **Chair Pam Gardiol** stated that as this is written for the Council's signature, the Planning Commission must consider and conduct a public hearing. **Commissioner Dave Robinson** stated it sounds like a mandate, but we do have to review every five years. **Bryan Pack** stated that the review is limited to endangered species. If the City went away from this agreement, the developer would deal with the federal government directly. **Chair Pam Gardiol** stated that the finding is to protect the developer. **Bryan Pack** stated that items A through G are all good findings. **Commissioner Brandon Weight** stated that right now we have to comply because there is an agreement with the federal government and that is why we have to do it. If those are the findings, why does it come to the Commission at all? **Commissioner Doug Clifford** inquired what has been done with the money? **Rob Dalley** stated in Iron County the prairie dog has become an issue, and in every lot the Department of Natural Resources does a test. It becomes costly. Anyone found harming them costs even more. **Commissioner Brandon Weight** stated that the State is similar to the County with these co-op agreements that allow a developer to be able to build and construct. The other option is too expensive for one entity to take on. It gives the developer and the city options otherwise. **Chair Pam Gardiol** stated we will schedule the public hearing for our next meeting. **Commissioner Doug Clifford** stated when we do, can we get information for how much money they have collected? **Bryan Pack** stated yes we can get that information.

B. Discuss and consider Planning Commission Review of Plats.

Chair Pam Gardiol stated there was a discussion of the subdivision we have all driven by and looked at. What were the lessons learned and how do we review and convey information to the Technical Review Committee? Do we need to possibly change the ordinance? **Commissioner Dave Robinson** stated that his concern at this subdivision were the drainage issues. The access for rescue and fire are just driveways basically. Where is the division of land? Who owns that area and who is liable? Those driveways have a steep approach and anyone that drives a car would drag on it. **Chair Pam Gardiol** stated the cul-de-sac area at the last two homes it quite significant. **Commissioner Dave Robinson** stated that it was a poor design by the developer. Drainage and fire were his main concerns. If those are driveways, how are we regulating who can park where? **Chair Pam Gardiol** stated there was a sense of congestion and she felt almost claustrophobic with all the cement and cars. Some may be aware of the DR Horton development in Long Valley. That development has a sense of a community, they are not just stuffing units in. It is very well done. **Commissioner Dave Robinson** stated we are supposed to be looking for ways to create affordable housing and these are big houses on very small lots. **Commissioner**

Doug Clifford stated that without going beyond our scope, we need to look at this and ask if this really fit the code, letter and spirit of the law. If it meets code, we may need to change the code. If that development can go through and come out as an approved process, anyone can do the same thing. **Chair Pam Gardiol** stated let's look at this development in conjunction with the code to see if there was a gap or not. **Commissioner Doug Clifford** stated he doesn't want to generate more work, but looking at the things we don't like would be helpful to address. **Commissioner Dave Robinson** stated that his issue is if this is our code we need to change the code. It is creating a dangerous and possible flood situation. That is his point. He didn't care for this development from the beginning, but that was not his concern, as long as it met code. Do we need to change our code? **Chair Pam Gardiol** stated the code states that we are authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City. Based on the manifestation of this development, do our codes align? **Commissioner Doug Clifford** stated we need to quantify the issues that we have found unacceptable. We see a trend from the State that more land use decisions need to come out from the Planning Commission. **Commissioner Dave Robinson** stated we need to look at those ordinances to look for changes. Look at drainage, the turnaround, and emergency access, then compare them to that subdivision. **Rob Dalley** stated that he had concerns when this was presented at the Technical Review Committee, and he was told by his predecessor that those were driveways. They are paved roads. When he did the plan review, that was how he looked at them. **Bryan Pack** stated we can take this back to the Technical Review Committee and have our engineers discuss what codes were used in order to pass these items. Schedule this discussion for the next Planning Commission meeting.

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for April 29, 2025.

MOTION: Commissioner Dave Robinson moved to approve the Ivins City Planning Commission Meeting Minutes for April 29, 2025.
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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Chair Pam Gardiol	AYE
Commissioner Dave Robinson	AYE
Commissioner Doug Clifford	AYE
Commissioner Brandon Weight	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 Dave Robinson moved to approve ADJOURNMENT
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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

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