IVINS CITY
PLANNING COMMISSION
MINUTES
July 15, 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 Perry Brown, Commissioner Doug Clifford, and Commissioner Brandon Weight.

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

Audience Attending: Bonnie Kline, Sharon Gillespie, James Barden, Koko Head, Kory Jardine, Graham Larsen, Matilda Mylander and Shad Johnson, Jerry Miyahara, Brett Henke, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Dave Robinson

C. Invocation--Dave Robinson

D. Disclosures--None

2) REPORTS, PRESENTATIONS AND APPOINTMENTS-None.

3) PUBLIC HEARING AND ACTION ITEMS-

A. Public Hearing regarding a Zone Amendment from RA-1 (Residential Agricultural, 1 acre) to R-1-7.5 (Residential Single Family 7,500 square feet), on approximately 9.87 acres. Located at approximately 400 East and 200 South. Wilford Leon Hafen Trust-Owner/Applicant.

Chair Pam Gardiol inquired if the petitioner would like to present? Wilford Leon Hafen stated he set up a Trust for his kids and he is representing them. They've all had medical issues and he believes in agricultural ground and he has maintained that for decades. But he has to let it go to let his kids have some income. He is ready to change it back to residential like it was in the 90's. He has been here since the day he was born, 81 years. He still has agricultural property and it is important for the City to have. Their family could use some prayers. He appreciates the Commission. **Chair Pam Gardiol** stated her wishes and prayers are with his family. **Rob Dalley** stated that this goes along with the General Plan. This piece will tie into the parcel below it. There is a road that goes up and he will tie into that road. Commissioner Dave Robinson stated that we talked about this recently and the surrounding area is R-1-7.5 and is congruent with the area. **Chair Pam Gardiol** opened the Public Hearing. Seeing no one on Zoom, she closed the Public Hearing.

B. Discuss and consider recommendation of a Zone Amendment from RA-1 (Residential Agricultural, 1 acre) to R-1-7.5 (Residential Single Family 7,500 square feet), on approximately 9.87 acres. Located at approximately 400 East and 200 South. Wilford Leon Hafen Trust-Owner/Applicant.

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Commissioner Dave Robinson stated he has no discussion. **Chair Pam Gardiol** stated she concurs. The City has an Open Space Committee and agriculture is so important. The City is working wherever possible to preserve as much open space as we can.

MOTION: Commissioner Perry Brown moved to approve recommendation of a Zone Amendment from RA-1 (Residential Agricultural, 1 acre) to R-1-7.5 (Residential Single Family 7,500 square feet), on approximately 9.87 acres. Located at approximately 400 East and 200 South. Wilford Leon Hafen Trust-Owner/Applicant. The request is congruent to adjacent lands and fits in that neighborhood and with the General Plan. Roll Call Unanimous.
SECOND: Commissioner Dave Robinson
VOTE: The motion carried unanimously.

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

C. Public Hearing regarding code revisions for the Ultra Water Efficiency Development Standards.

Chuck Gillette stated that we have discussed this last meeting, but the Water Conservancy District has come up with some standards to encourage even more conservation that what we have put into place with our code. We aren't requiring these, but they are encouraged. So we are adding a new section to our code encouraging developers to follow these standards. We are not offering any incentives at this time, but there are incentives to developers with the Conservancy District if they follow it. **Chair Pam Gardiol** opened the Public Hearing. Hearing no comments and no comments on Zoom, **Chair Pam Gardiol** closed the Public Hearing.

D. Discuss and consider recommendation of code revisions for the Ultra Water Efficiency Development Standards.

MOTION: Commissioner Dave Robinson moved to approve recommendation of code revisions for the Ultra Water Efficiency Development Standards. Roll Call Unanimous.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

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

E. Public Hearing regarding a Class V Conditional Use Permit for Black Desert Resort, located at approximately 1500 East Black Desert Drive. Enlaw, LLC-Owner. Koko Head-Applicant.

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Chair Pam Gardiol stated that this is regarding a pickleball facility with 24 outdoor courts, one is a champion court, seating, lighting, fencing and some support buildings, like restrooms and storage, etc. It is located on the west side of the Resort. Koko Head stated he is the managing Counsel for Black Desert Resort. They have a general Conditional Use Permit for the Resort, but in consulting with the TRC, they suggested Black Desert Resort file this separately to address the pickleball area. The map is shown and attached. The area was cleared for a grading permit for the PGA last year that they used for parking. Now would like to utilize it as an additional amenity for the Resort. Kory Jardine and Graham Larsen are here to answer any questions. We chose the architect specifically to design this project to integrate this facility and maintain the look and feel of Black Desert Resort. **Rob Dalley** stated that this is a new Conditional Use Permit as directed by the Mayor to do this separately. They would like to have this done by April for a tournament. Most of the Commission went on a tour to get a visual of how this would sit in that low valley. It fits the area. **Chair Pam Gardiol** opened the Public Hearing. Hearing no comments and no one on Zoom, **Chair Pam Gardiol** closed the Public Hearing.

F. Discuss and consider recommendation of a Class V Conditional Use Permit for Black Desert Resort, located at approximately 1500 East Black Desert Drive. Enlaw, LLC-Owner. Koko Head-Applicant.

Commissioner Dave Robinson stated that there are two maps. Koko Head stated that the one is the location of what they will build, the second one is the legend to follow. **Chair Pam Gardiol** stated in following the General Plan, we are tasked to preserve the unique character of Ivins. Secondly, to help ensure a consistent community supported pattern of growth is achieved. The back entrance as you mentioned is still coming from a neighborhood. To them, it is the front entrance. The look and feel of Black Desert Resort is world-class spectacular, but as we discussed on the property, how does it integrate into Ivins? Issues brought up on-site were the height of light standards and light value and hours of operation. Koko Head stated he will defer to his experts. His reference to the back entrance is to distinguish it from the Snow Canyon entrance. We are in the process of completing Hamblin that will go all the way through the SITLA property and tie in with Red Mountain. Graham Larsen stated that we are working closely with the property owner to the west for integration of the overall planning of this and connectivity. That is ongoing regarding utility and pedestrian integration and what that will look like. They will comply with current city standards on lighting. Hours of operation will be a staffed location. There will be zones for lighting and staff members will turn those lights on on courts being played. Lights are off by 10 pm. We would not open until 7 am along with the golf course. **Commissioner Doug Clifford** inquired about parking congestion and if they shuttle in? Noise pollution is the constant thumping falling balls. Noise is part of hours of operation obviously. What is the proximity to other buildings? Koko Head stated that would be SITLA property to the west. Jerry Miyahara can speak to that. This is an amenity of the Resort. This will not be a public facility. They are shuttled via golf carts. When we have an event it will be a special event permit and it may be off-site, like Tuacahn, our property in Santa Clara, etc. There will not be a ton of traffic. There will be a gate at this entrance to limit access from the public roads. He is used to listening to tennis balls being hit but since this is in a recessed area hopefully that won't be a problem. Jerry Miyahara stated that a part of the map shows the SITLA site plan attached and their Retreat will be a height limit of 35 feet. With that product type the use here is mitigated. We support their plan. **Commissioner Dave Robinson** inquired that this won't be accessible to Ivins residents? Koko Head stated both the water park and the pickleball courts are

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designed as an amenity for the Resort. It may eventually become accessible to the public one day, but it has to be in stages as the development goes forward. It would be done just by reservation and coordinate that through the Resort, just like golf. We have a 1200 vehicle parking garage being built as we speak. The Resort is designed to walk, shuttle, bike and keep vehicular traffic off Black Desert Drive during these type of events. **Commissioner Doug Clifford** inquired if there are concession areas in here? Graham Larsen stated yes we propose to have a pathway to connect to get to Oasis. Not a full kitchen, but there will be food and beverage offerings there later. We did consider sound and we moved the roundabout over to provide some buffer from that. **Commissioner Doug Clifford** stated you are wise to make it a stadium-type development. They are very popular. **Chair Pam Gardiol** stated this is a new Conditional Use Permit for pickleball. Is it just for Black Desert Resort? **Rob Dalley** stated it is just for Black Desert Resort. **Chair Pam Gardiol** stated discussion items we have brought up like light, height, noise and traffic etc, we need to make sure that those things are in compliance with our code, but they needed to be brought up. **Bryan Pack** stated list any adverse impacts and measures being taken to mitigate those so we can outline that in their permit.

MOTION: Commissioner Dave Robinson moved to approve recommendation of a Class V Conditional Use Permit for Black Desert Resort, located at approximately 1500 East Black Desert Drive. Enlaw, LLC-Owner. Koko Head-Applicant, based on lighting, hours of operation, and sound meeting the City's requirements and code. Commissioner Perry Brown asked that they include following through with the shuttle plan for parking. Rob Dalley stated we have hours of operation in our code. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight
VOTE: The motion carried unanimously.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval of a six-month extension for Moenkopi Trails Preliminary Plan, located at approximately east of Kayenta Parkway and South of Willow Springs Way. Owner/Applicant-RT Marten Utah, LLC and Kayenta Homesites, Inc.

Rob Dalley stated that the applicant is taking a bit longer and asking for a six month extension. We recommend approval. **Commissioner Dave Robinson** inquired if they are asking for anything new? Brett Henke stated they are not asking for any changes to the plan. They don't want to record the plat yet, so they don't have to bond for the infrastructure.

MOTION: Commissioner Perry Brown moved to approve a six-month extension for Moenkopi Trails Preliminary Plan, located at approximately east of Kayenta Parkway and South of Willow Springs Way. Owner/Applicant-RT Marten Utah, LLC and Kayenta Homesites, Inc. based on no changes to the plan. Roll Call Unanimous.
SECOND: Commissioner Doug Clifford

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VOTE: The motion carried unanimously.

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

B. Discuss and consider Home Occupation Regulations.

Chair Pam Gardiol stated that we were asked to review this document. This is the second time we have looked at it. **Commissioner Dave Robinson** stated it is ambiguous and it leaves it to a person's discretion instead of actual code. It leaves us wide open. We just got done taking some property from agriculture to residential. What is the first home-based business in Ivins? Farming. That is one of our home-based business. Now we say we want to keep agriculture but stop people from having a home-based business if it doesn't meet their standards. This could severely affect people. There are members of City Council doing this for personal reasons. If there are safety concerns like parking, let's look at those, but not throw something together that could damage the future of the businesses here. We need affordable housing in the area and part of that is renting Accessory Dwelling Units. Home-based businesses are another factor and way to do that. It sometimes is their main source of income. He is very opposed to this at this point. The first statement says we only want residents no businesses in their home. What does capable around surrounding businesses mean? Does it not fit, or do you just not like it? It is not right. It is very open-ended for too much discussion for one or two people to decide if it can be used for what they want it to be used for. We have a right to do what we want with our property and we have people that work for the City with in-home businesses. Do they need a license for a home office? We need to not damage other people's property or ability to run a business out of their home. It shall not disrupt the character of the neighborhood. What is that? What is the character? What is the disruption? It needs to be done well enough and not singling people out. What we have done with our lighting ordinance he thinks should go away but he accepts it because it has give and take. This does not. **Commissioner Doug Clifford** stated that the wording is ambiguous. It states improve the morals? Do we have a list of those definitions? This comes down to codes but it is a slippery slope. **Commissioner Brandon Weight** stated he has a love/hate relationship with this. His ex-wife started a business out of their home and has grown from here. She is very successful and started right here in Ivins. We should write this to not shatter people's hopes and dreams but not let it go overboard. This is vague. He works from home and this sounds like he is breaking the rules just working from home. It is not my business but it is a business. It needs to be completely redone. **Commissioner Doug Clifford** stated he would like to see other City's examples. **Commissioner Perry Brown** stated we need to be specific about what kinds of businesses we are talking about in here. **Chair Pam Gardiol** stated community planning is leaning towards boundaries on what we are putting on what neighborhoods look like have harmed the fabric of our country and the intent on the standards we used were their hours we could expect or traffic or would driveways be blocked. There was a sense of energy in the community. She agrees with her colleagues that we are not there yet and she would challenge them to share ideas so we do come up with a document that meets the intent of what we are trying to do. **Commissioner Dave Robinson** stated that sterile is the word. Ivins has become more sterile these last few years. We want them to meet this narrow margin and gotten away

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from what is healthy. He travels a lot and some of the most fun places they ate at, were in homes in a middle of a community that has been converted into a restaurant. Parking is not great and the neighbors know what they're getting into. They are nestled into these communities and neighborhood rental places. **Rob Dalley** stated we don't want to lose the charm of Ivins City. We can blend these ideas and go back to the drawing board and start over. Email comments of what you would like to see. **Chair Pam Gardiol** stated we are a property right's State. If she has a home business she respects her neighbor and those around me. Balance what it means to be a community and respecting a neighbor needs quiet or to park in their driveway. We can table this while we get more input. It is just a discussion.

C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for June 17, 2025.

MOTION: Commissioner Doug Clifford moved to approve the Ivins City Planning Commission Meeting Minutes for June 17, 2025, as amended with Bryan Pack's change on line 35 that they reopened that item. Add that it was a unanimous vote. Unanimous.
SECOND: Commissioner Perry Brown
VOTE: The motion carried unanimously.

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

5) REPORTS
A. Planning Commission Members
B. Chair

Chair Pam Gardiol stated that site visits are valuable to ensure the Commission has a thorough understanding of the related issues for the petition. She contacted large and small cities around the state to learn how many of them have site visits for their Commission and/or Council. Some cities still do have site visits; others did have them until the pandemic. The cities that currently do not have site visits noted that they have lost valuable discussion about the site when Commission members are responsible to visit the site. Chair Gardiol stated that the site visit is not for discussion or decision-making, but to benefit the Commission in a collective review of the site. **Chair Pam Gardiol** stated her concern that the City is inconsistent in when and for whom site visits are conducted. She is concerned that the City can be perceived as biased or selective in addressing the site issues. She proposes that the Commission hold consistent site visits. **Commissioner Doug Clifford** stated that the only downside is that they tend to become a meeting and break into discussion. **Bryan Pack** stated it is a formal meeting. It starts here at Council chambers. The code you followed is correct. We have never denied a site visit to an applicant. He does not know how they are typically requested. **Commissioner Brandon Weight** stated he did not receive a note on the site visit meeting. **Chair Pam Gardiol** and **Commissioner Perry Brown** stated they got the invitation from the Mayor. **Commissioner Brandon Weight** stated that if he sent to the City email he wouldn't see it. He has a full time job and he has to make sacrifices to be here. He chooses to be but for him it

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would have to occur after 5 pm and not during the day. **Chair Pam Gardiol** stated when she served for 12 years on another Commission, she worked full-time as well. **Commissioner Brandon Weight** stated it is important to consider, in a system that works for everyone.

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 Perry Brown
VOTE: The motion carried unanimously.

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

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