# IVINS CITY
# PLANNING COMMISSION
# MINUTES
# September 1, 2026
# 435-628-0606

## 1) WELCOME AND CALL TO ORDER

**CHAIRMAN AND COMMISSIONERS:** The meeting was called to order at 5:30 p.m. All present included Chair Perry Brown, Commissioner Doug Clifford, Commissioner Dave Robinson, Commissioner Brandon Weight, and Commissioner Pam Gardiol.

**Staff Attending:** Chuck Gillette-City Manager, Bryan Pack-City Attorney, Rob Dalley-Building and Zoning Administrator and Sharon Allen-Deputy City Recorder.
**Audience Attending:** Jerry Nostadt

**A. Acknowledgement of Quorum**

**B. Flag Salute--Commissioner Doug Clifford**

**C. Invocation--Commissioner Doug Clifford**

**D. Disclosures--None.**

## 2) REPORTS, PRESENTATIONS AND APPOINTMENTS—None.

## 3) PUBLIC HEARING AND ACTION ITEMS—None.

## 4) DISCUSSION AND POTENTIAL ACTION ITEMS

**A. Discuss Amendment/modifications to the Accessory Dwelling Unit ordinance.**

**Rob Dalley** stated that this is to bring us up to date with State law and new legislation. We clarified a couple definitions and cleaned it up a bit. **Commissioner Doug Clifford** inquired about tiny homes. There is a classification of modular home needed that is more like a tiny home and is a broadly used term. It is brought in and put on a foundation. They can have basements. In some areas they are popular and are a convenient way to build a reasonably large home without going through the building process. **Rob Dalley** stated this is ordinance is for accessory dwelling use. That would be for kit homes that are very small that go in the back yard. Modular homes are run under the HUD program. It can be a single wide but those are under HUD laws and need the manufacturer's stamp and still gets a building permit to hook up to water, sewer and power and how they get tied down. **Commissioner Doug Clifford** stated how is that different than a tiny home? **Commissioner Dave Robinson** stated that a modular home is similar to

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mobile home, manufactured home, park models. Are those approved to use as accessory dwelling units? He would think those would be under tiny homes. **Chuck Gillette** stated line 96 states that if they have wheels and a chassis they are a mobile home. If they are brought in and set on a foundation that would not be a tiny home. **Commissioner Doug Clifford** stated change the title from tiny home to add modular or manufactured homes. It is terminology often used. Kit homes don't move. **Commissioner Dave Robinson** stated a mobile home is designed to move again and again. What about container homes? They don't look like containers when you are done. They put siding on those. Would those be added? If they are made to look like a home, what is the difference? **Commissioner Pam Gardiol** inquired what the intent of the tiny home is? If it has to have the same color and materials as the other homes on the site. Is there a reason that container homes, mobile or modular homes could not be used? Does it blend into the environment and meet those requirements? It has to align with the building standards of the community. **Commissioner Brandon Weight** inquired if modulars are not permitted here in Ivins? **Commissioner Doug Clifford** inquired if we allow tiny homes, why not the others? **Commissioner Brandon Weight** stated he could build a modular home that is only 96 sq ft. The kit home is brought in pieces and constructed there. A modular home is manufactured in a warehouse and brought to you with the same result. **Chair Perry Brown** stated that the issue is that tiny homes are allowed. **Commissioner Doug Clifford** stated that it says no cargo containers on that same line. **Commissioner Dave Robinson** stated that modular homes are self contained structurally and strapped to the ground. They are not technically required to have a foundation. **Chuck Gillette** stated this code says they do. **Rob Dalley** stated the building code requires it to be tied down to a foundation to withstand wind speeds and seismic. **Commissioner Pam Gardiol** stated that is the reason a mobile home would not be allowed? **Rob Dalley** stated that they need to be tied down too. They are on a slab and they run cables through the structure in the beams to tie to the foundation. **Commissioner Brandon Weight** stated it is no longer a mobile home if they take the chassis and the wheels off. He doesn't see the problem. **Commissioner Doug Clifford** stated that the term tiny home is just one version of all these types of homes. **Commissioner Dave Robinson** inquired is it code that they have to be on a concrete slab? Jacks need to be set on a pad to level it and then tie downs go into the ground. **Rob Dalley** stated they don't do jacks anymore. **Commissioner Brandon Weight** stated all the manufactured homes he has seen are on concrete foundations. **Commissioner Dave Robinson** stated he wants to make this distinction so that no one comes in with a 1972 mobile home that would not be allowed in any mobile home park and park it on a lot and make it permanent. We do want to allow tiny homes and park models to be able to use them. There is an age requirement on mobile homes. **Chuck Gillette** stated that on both tiny and kit homes require they be slab on grade or perimeter foundation. **Rob Dalley** stated they need permits as well so you can't

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just strap it down to an anchor. They have wheels when they deliver it and they are then permanently attached. **Chair Perry Brown** stated we need to modify the language from line 251 to 260. They are built somewhere else and then delivered and set on a foundation. A kit home is where all the pieces need to be put together. If we said one small home shall be permitted, you could put up whatever type home you preferred. **Bryan Pack** stated he doesn't understand the distinction between the different type of homes. The intent when Council passed this last year was that tiny home was the term that covered everything. **Commissioner Doug Clifford** stated manufactured home would be better terminology. Tiny home is a subset of that. **Rob Dalley** stated let's say off-site built homes. Those are manufactured homes built in a plant. Then take tiny homes out. **Commissioner Doug Clifford stated** yes tiny home is just one of many types of manufactured homes. **Commissioner Pam Gardiol** stated that she wants to go to lines 96-99 because container or trailers would also fit into what we are discussing. Why would a mobile home now not be included there? Bring this back to the Commission to discuss what the wording should be and what is included and excluded. **Bryan Pack** stated that this means it is not attached. Once we get to attached we are discussing line 251. **Commissioner Brandon Weight** stated also consider the fact that kit homes and manufactured homes follow specific building guidelines that meet the standards of a traditional home as far as load rating and wind speed and how they are regulated is on the City it is being installed in. Mobile home is under HUD and fits under a completely different set of manufacture requirements. Mobile home's definition has a federal guideline. The use of the words mobile home in line 96 cover us. We could even add chassis with wheels terminology. **Bryan Pack** stated mobile homes even affixed to a lot are less structurally sound. **Commissioner Brandon Weight** stated that it would not necessarily even meet building code. **Commissioner Dave Robinson** stated maybe we add the terminology in line 96 "no mobile homes registered under HUD." **Commissioner Doug Clifford** stated look at terminology for a park home. Those have a classification for a domicile moved to a location and made permanent. If he looked for an accessory dwelling unit, he would want it quick. Add a word under line 251 to take out tiny home and added the word manufactured. Tiny home is a smaller version of a manufactured home. **Commissioner Dave Robinson** stated tiny homes are in the RV Park. **Rob Dalley** stated those were part of their development agreement and they are tied down. They got inspected and the wheels were removed. **Bryan Pack** stated that is a different section of our code for RV Resort. **Commissioner Dave Robinson** stated if it is classified with HUD it is a mobile home. Tiny home rarely exceeds 4-500 square feet and many are built on trailers with wheels for easy transport while others are stick built. It really is just about the size of home. **Commissioner Brandon Weight** stated that manufactured and mobile homes fit under the same HUD category. Modular and kit homes do not. If you didn't want HUD type

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homes, you would have to say that specifically. In line 96 say both mobile and manufactured. Line 251 would have to say modular. **Bryan Pack** stated the intent was to be broad on line 251 and still fall under the building code. Line 96 is the list of what we don't want. **Commissioner Dave Robinson** stated we could say any structure under 500 square feet. **Chuck Gillette** stated size is regulated somewhere else. He likes manufactured home because it covers anything that is brought from off-site. That is the intent. If mobile homes have a tongue, the axis and set the chassis on a permanent foundation we would allow that. **Bryan Pack** stated line 94 already stated that any accessory dwelling unit needs to meet City building code requirements. If a manufactured home meets it, it would be allowed. **Chuck Gillette** stated if HUD approves it, we don't inspect inside. We hang out hat on that certification. **Commissioner Brandon Weight** stated that when it is defined as personal property matters as well. **Chuck Gillette** stated that mobile homes can walk away from the site. Banks don't like to loan on them. Insurance doesn't like to cover them. **Bryan Pack** stated he has seen plenty of mobile homes that are affixed to the property that have mortgages. They my no longer classify that as a mobile home once affixed to the property. **Commissioner Brandon Weight** stated once you reclassify them with the State. **Bryan Pack** stated it may be sufficient to say accessory dwelling units shall be a permanent structure on the lot and not get into the definitions and complies with the building code. Then it renders line 251 and 262 moot. **Commissioner Brandon Weight** stated change 261 to 268 to go into how it is permanently affixed. **Bryan Pack** stated maybe we move some of this up to 96 and get rid of the tiny homes section. **Bryan Pack** stated maybe some of the section under kit homes would still apply. Staff will look at this and come back to the Planning Commission. **Commissioner Pam Gardiol** stated she had a question under accessory units for agriculture regarding commercial kennels. Why commercial? **Chuck Gillette** stated it may be referring to a breeder raising puppies. **Bryan Pack** stated in our Table of Uses a commercial kennel is a Class V use in the RA-5 zone and in no residential zone is it allowed. While this section is over accessory dwelling unit it does have subsections that are standalone for agricultural buildings, carports, garages, etc. It needs to be in there or in a separate section, but it needs to be addressed. **Commissioner Dave Robinson** stated that most breeders have them as pets. **Bryan Pack** stated a commercial kennel has four or more dogs older than four months are kept for the purpose of boarding or breeding for a fee. **Commissioner Pam Gardiol** stated line 329 states shall not be greater than 25% behind the real wall of the primary structure. It says elsewhere that an accessory dwelling unit shall not take up more than 30% of the site. We need that clarified. Line 83 and line 180 both reference 30%. **Bryan Pack** stated the reference in line 332 is detached and attached garages including agricultural use accessory units. The other lines are discussing just the dwelling

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units. **Commissioner Perry Brown** stated both could be correct. Bring this back to the Planning Commission.

**B. Discuss Ivins City Land Use Map.**

**Chair Perry Brown** inquired what is new? **Rob Dalley** stated we are still gathering data. The attachments are what is new. Councilmember Dillon Hurt is still gathering information as well. **Commissioner Pam Gardiol** stated the General Plan 2024 survey report and comments and the action steps by Councilmember Mike Scott is the synopsis that relates to the land use map. Those are all references for discussion. What is expected of the Commission this evening? **Rob Dalley** stated this agenda item will be on each agenda. **Commissioner Pam Gardiol** requested for a staff report on what is expected of them each meeting. **Rob Dalley** stated that your next combined meeting you will go through all that data and information. **Chair Perry Brown** stated each meeting give us a summary. A word document regarding businesses would be much easier to review rather

**C. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for August 18, 2026.**

**MOTION: Commissioner Dave Robinson moved to approve the Ivins City Planning Commission Meeting Minutes for August 18, 2026.**
**SECOND: Commissioner Doug Clifford**

**VOTE: The motion carried.**

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

**5) REPORTS**

**A. Planning Commission Members**

**B. Chair**

Chair Perry Brown stated that Cade Visser is working on the home based business ordinance. He has collected examples from other cities with common elements and he will try to put together a draft that may work here and then we will work from that draft.

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**C. Building and Zoning Administrator, Rob Dalley**

**D. City Attorney, Bryan Pack**

**E. Items to be placed on future agendas.**

**Rob Dalley** stated that we will be moving new use process, modular homes, LUDMA, 2024 Building Codes, which are all State legislature changes, and a concurrent land use and zone map amendment and a development agreement. **Chuck Gillette** stated that is the property we toured. **Commissioner Doug Clifford** what is status of Black Desert Resort versus their plan? **Rob Dalley** stated they gave an update at last City Council meeting. This is a decade long build. They are getting close to a footing and foundation permit for the water park. **Chuck Gillette** stated the entrance landscaping is getting rebuilt. Their plan is to have that complete before PGA in October. They are continuing to build out Family Village. They are eventually going to start the parking garage but they have stopped half way. They will pick up the north end in the future. They want to do more pickleball courts and they have an agreement with The Retreat SITLA property and modifying that site plan but we are looking if they need a reauthorization of their conditional use permit but their development agreement has some flexibility. We will show that once they decide what they plan on doing. SITLA had their dirt work contractor come in and they are getting ready to start their mass grading. Once they get through PGA they will focus on Red Mountain Spa. A Public Infrastructure District is how they funded their current project. The City authorized that and it allowed them to put an assessment on the condominium owners within their project and the assessment comes in as a property tax. The County collects those funds and then the District pays off the bond. They are interested in doing a PID on the resort portion of SITLA project and for Red Mountain Spa. Council has to be receptive to that and approve the developer to set that up. There are disclosure laws that need to be followed very closely as people buy into that project. We are out of the loop on the Shivwits project. It depends on who you talk to on the progress of that. We are concerned about traffic and impacts to our public safety and our fire department. Maybe police as well if we service that if they call on us to provide those. **Commissioner Pam Gardiol** inquired how are we doing with the tax revenue that was projected? **Chuck Gillette** stated it is very positive. We are tracking the transient room tax and the sales and use tax and property taxes. Our original projections were lower but every month on average is higher than the previous month. It looks really good. He hopes it becomes a nice revenue generating powerhouse for the City.

## 6 ADJOURNMENT

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**MOTION: Commissioner Pam Gardiol moved to approve ADJOURNMENT**

**SECOND: Commissioner Doug Clifford**

**VOTE: The motion carried unanimously.**

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

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