IVINS CITY
PLANNING COMMISSION
MINUTES
October 13, 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 Pam Gardiol, Commissioner Doug Clifford, and Commission Brandon Weight, via Zoom.

Staff Attending: Chuck Gillette-City Manager, Bryan Pack-City Attorney, Rob Dalley-Building and Zoning Administrator, Cade Visser-Director of Finance and Sharon Allen-Deputy City Recorder. Commissioner Brandon Weight attended via Zoom.
Audience Attending: Sharon Gillespie, Jeff Thomas, Doug Browning and Robert Bolar, as well as others that did not sign in.

A. Acknowledgement of Quorum

B. Flag Salute--Chair Perry Brown

C. Invocation--Chair Perry Brown

D. Disclosures--None.

2) REPORTS, PRESENTATIONS AND APPOINTMENTS—None.

3) PUBLIC HEARING AND ACTION ITEMS—

A. Public Hearing amending sections of the Accessory Dwelling Unit regulations regarding ADU's, garages, carports, accessory units for agriculture and manufactured homes to comply with State Code.

Rob Dalley stated that this was a lengthy discussion, and we clarified and updated the ordinance from last meeting. **Cade Visser** stated no one was on Zoom. Hearing no comments, **Chair Perry Brown** closed the Public Hearing.

B. Discuss and consider amending sections of the Accessory Dwelling Unit regulations regarding ADU's, garages, carports, accessory units for agriculture and manufactured homes to comply with State Code.

Commissioner Pam Gardiol stated that Line 280 and 281 is a continuation of the same sentence. It is a very long run-on sentence. **Commissioner Doug Clifford** stated that the HUD regulations have to follow certain guidelines. **Rob Dalley** stated anything built off-site

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under HUD has to be inspected through HUD and it has to be labeled on the trailer. **Commissioner Doug Clifford** inquired if Line 280 and 281 are under those standards? **Rob Dalley** stated yes.

MOTION: Commissioner Doug Clifford moved to approve recommendation amending sections of the Accessory Dwelling Unit regulations regarding ADU's, garages, carports, accessory units for agriculture and manufactured homes to comply with State Code. Roll Call Unanimous.
SECOND: Commissioner Pam Gardiol

VOTE: The motion carried unanimously.

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

C. Public Hearing Amending Title 14 of the Ivin City Code Entitled "Buildings and Construction."

Rob Dalley stated that this has been looked at as well for updating the 2024 International Building Code. **Chair Perry Brown** opened the Public Hearing. No one was on Zoom. Hearing no comments, **Chair Perry Brown** closed the Public Hearing.

D. Discuss and consider recommendation Amending Title 14 of the Ivin City Code Entitled "Buildings and Construction."

Doug Clifford asked Rob Dalley if there was anything he noticed that the Commission should be aware of? **Rob Dalley** stated no, this is in line with the State Code and we added everything we needed to on the appendices and spent time making sure we complied with the 2024 IBC Codes. We did add the swimming pool code in as an addition because we have never really adopted it here.

MOTION: Commissioner Pam Gardiol moved to approve recommendation Amending Title 14 of the Ivin City Code Entitled "Buildings and Construction." Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

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

E. Public Hearing regarding amendments to Building Permit Issuance and CO Rules.

Rob Dalley stated that this is also to comply with Senate Bill 284 to clarify that there are certain things we can hold up a Certification of Occupancy for, and a lot of things we cannot. **Chuck Gillette** stated that the whole document is a redline. It is a complete rewrite. **Chair Perry Brown** opened the Public Hearing. No one was on Zoom. Hearing no comments, **Chair Perry Brown** closed the Public Hearing.

F. Discuss and consider recommendation regarding amendments to Building Permit Issuance and CO Rules

Chair Perry Brown stated in the second "Whereas" put a comma after land use. **Commissioner Pam Gardiol** stated on line 32 it says "The Building Official shall issue a Certificate of Occupancy when the Building Official determines that all requirements to the Certificate of Occupancy have been satisfied, including as applicable:" but line 53 says "The City may withhold a Certificate of Occupancy." It is redundant after reading line 32 if they are compliant. Lines 56 and 57 as well. **Chuck Gillette** stated he doesn't disagree with that premise. We can word that differently or take that phrase out. **Commissioner Brandon Weight** stated he agrees. **Chuck Gillette** stated we can say that public sidewalk is required but reword it.

MOTION: Commissioner Pam Gardiol moved to suspend F. Discuss and consider recommendation regarding Building Permit Issuance and Certificate of Occupancy Rules, with amendments. Roll Call Unanimous.
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

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

4) DISCUSSION AND POTENTIAL ACTION ITEMS

A. Discuss and consider approval for Ember Mesa Subdivision, located at approximately Hamblin Parkway and Red Mountain Blvd. Ember Mesa, LLC-Owner. Jeff Thomas-Applicant.

Jeff Thomas stated that he is with their engineering firm for S&S Homes. We had a main sticking point of getting improvements along Hamblin Parkway. We are taking improvements down to the subdivision to the north and a trail will be installed that connects down to Old Hwy 91 as well. Pedestrians will be able to access through there, and landscaping will be installed between the trail and the privacy wall and to the end of the property and landscaping to the end of the improvements. Everything else complies with City standards and they will provide some detention on the southeast corner because that is where the City would prefer to see it. **Commissioner Pam Gardiol** stated that there would be no landscaping on the north side of the trail. In her subdivision not only was the trail put in that abuts Padre Canyon Wash, but there was a berm between the trail and the houses. They were also responsible in maintaining the landscaping on the other side. What is planned for the other side? **Chuck Gillette** stated that was a while ago when the Springs was developed. They may have had a development agreement on that. He does not know what regulatory authority the City used to require them to landscape that. **Commissioner Pam Gardiol** inquired if it is a code or an exception? **Chuck Gillette** stated normally we cannot require something unless it is written in the Code. On this subdivision compared to the north side we asked them to provide curb and gutter all the way down. This subdivision we asked them to do the same but they were uncomfortable because there was very little purpose. We did make the owner to the north put in road base. Instead we negotiated to install the path all the way to Hwy 91 and provide landscape and bollard lighting along the path between the wall.

MOTION: Commissioner Doug Clifford moved to approve Ember Mesa Subdivision, located at approximately Hamblin Parkway and Red Mountain Blvd. Ember Mesa, LLC-Owner. Jeff Thomas-Applicant, as it supports the General Plan and land use ordinances and is consistent with current zoning and land use regulations. Roll Call Unanimous.
SECOND: Commissioner Brandon Weight

VOTE: The motion carried unanimously.

Chair Perry Brown	AYE
Commissioner Pam Gardiol	AYE

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Commissioner Brandon Weight	AYE
Commissioner Doug Clifford	AYE

B. Discuss amendments to Title 5 Chapter 3-Home-Based Businesses and Obtaining a Business License.

Chair Perry Brown stated he appreciates the work that Cade Visser and staff put into this in reformulating the ordinance. This describes the process of obtaining or renewing a business license and sets conditions to Type 1 and Type 2 impacts, and whether or not we have administrative approval with possible conditions mitigating any adverse impacts. **Cade Visser** stated he took the recommendations made at last meeting, took out impacts that might not be needed and came up with a table of impacts. Type 1 business owner's impacts will be related to employees, traffic, parking and potential nuisances. If you can meet all these impacts, we'd keep it under Type 1 and issue a license. If you are an office, like a CPA for example, and never have anyone come in, you are exempt. If you still want a business license, we can issue one and have you on your merry way. The previous version at the last meeting was about when you couldn't meet these impacts which determined whether you could have a business license or not. With a Type 2, if you may be potentially impacting beyond those initial impacts, your hopes and dreams don't die, but you may have to go through the process of meeting to see if the zoning is correct. There may still be questions by the TRC and to be classified as a Type 2, TRC would look over the application and mitigate impacts before it needs to come to the Planning Commission. Then City Manager would certify it or see if Planning Commission needs to see it as a Conditional Use Permit. If that is the case it would be the same process we currently have for Conditional Use Permits. What we talked about last meeting is this process provides flexibility, but it may also provides for more lengthy requirements. This would require more effort and presentation. Each year they would come in and certify if anything has materially changed they are still under the rules of the Type 1 or their Type 2 Conditional Use Permit. If they are no longer meeting that, they would either need to scale down their operation, or possibly move to a different location. We tried to not regulate more than we need to but provide clarity for the business owner and other property owners. We tried to keep those quantitative metrics in. We would like to go through this so that maybe next meeting we can have a public hearing and keep the process rolling. **Chair Perry Brown** stated in order to move in this direction, it was really necessary to separate between Type 1 and Type 2. **Commissioner Doug Clifford** stated that he doesn't know how many people would fall in to a Type 2 review. **Cade Visser** stated he would say the majority of businesses would be a Type 1. This net they cast is not strict, but it allows us to look at what is our maximum capacity that should be a store front or if it belongs in a commercial business area.

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Commissioner Pam Gardiol stated that she is impressed with Cade Visser and staff's wholistic view on this, and building in the possibility for communication with the applicant. She likes that it could go to the TRC for review and then come to the Commission. There are places to collaborate while respecting the feel of a neighborhood. Commissioner Dave Robinson had stated last meeting that there are generational changes here and how Ivins started as a farming community. The Cottonmill years ago in Washington was a home-based business. My Grandmother who lived in Delta had a small manufacturing company. My mother was the distributor of her slippers. My mother had two small businesses in our home, a financial business and one in health care. She herself has had an international business she ran out of her home for 30 years. Is it the tools that we use in the home-based business that decides what type they qualify for? It still comes back to whether we have a feel of a neighborhood while we are living our lives. She likes that this ordinance has time for discussion and tries to protect both the quality of life we want in our neighborhoods and gives people the opportunity to realize their dreams. This is a nice mix of that. **Chair Perry Brown** stated there is a notion that so many people work from home now, but that is not necessarily their own home-based business. There are a lot of people working from home that is not for their own business. You have accommodated that within this and he appreciates that change. Working for someone else is not a home-based business. **Commissioner Doug Clifford** stated this was a positive change because it allows the majority of people to go through the more simplified Type 1 process. Did you look at other communities and what they have done? **Cade Visser** stated yes. **Commissioner Doug Clifford** inquired if this concept was common? **Cade Visser** stated no, one other City required a Conditional Use Permit every time. Not many other cities went down this route. The positive of this is the flexibility and collaboration. The list helps expedite in black and white what someone can do. **Chair Perry Brown** stated this may take a little more time, but it is not a long involved discussion about individual items. If the reviewer says it fits, a business license will be issued. **Cade Visser** stated if we look at everything under one blanket and not taking the time to collaborate, then it may or may not fit in one area. But this gives us an opportunity to look at it and make something work. **Chair Perry Brown** inquired on Section 5.03.104(2)(f) Line 70 states "a description of equipment, machinery, vehicles, materials, chemicals, inventory, and outdoor activities associated with the business;" would this trigger something to be looked at for any storage equipment and materials? Because 5.03.104(6)(c) also mentions storage areas. Should the wording be similar to be consistent to include storage of materials and equipment in both places? **Cade Visser** stated he will fix. **Commissioner Doug Clifford** inquired if people come in and go to a Type 2 and do a Conditional Use Permit, do they have that guidance? **Chuck Gillette** stated TRC gets it first and they say whether it can be reasonably mitigated. There are review standards on 5.03.104 (8) on Line 113. **Bryan Pack** stated Line

83 it states that TRC recommends, so either Staff or the Planning Commission reviews it beyond there. We don't want TRC to do it just so it wouldn't have to be an open meeting. **Commissioner Doug Clifford** stated it is an untried gray area we will have to navigate. **Bryan Pack** stated it is not much different than a Class IV Conditional Use Permit. The analysis is essentially the same. This would just happen to be for a home-based businesses. **Chuck Gillette** stated if the impact can't be mitigated then it doesn't belong there. **Commissioner Doug Clifford** stated it will come down to opinions. **Bryan Pack** stated opinions based on evidence. There have to be findings. **Commissioner Doug Clifford** stated that he doesn't think we need a huge Table of Uses, but there will be people who disagree on this. **Bryan Pack** stated the other approach was a black/white standard with no flexibility or discretion. This one is more reasonable and reasonable people can differ on what that is. He is not worried about it on the City's side as long as we base decisions on findings and supported by Staff. You just have to work through what those reasonable conditions are. **Commissioner Doug Clifford** stated over time, those first cases will become law and then will now be the standard. **Commissioner Brandon Weight** stated thank you for this document. The approach is that most of these will be a simple Type 1 and it will be irregular to have a Type 2. He respects Commissioner Doug Clifford's points, but those would be rare, few and far between. If Staff still has the human evaluation and even if it was black/white a person still evaluates if it meets that. This approach allows for a responsibility to our community and neighbors and has flexibility and covers all the different options for at-home businesses while giving the City discretion to identify those that need to move to a commercial location. **Commissioner Doug Clifford** stated he thinks this is a great way to do it. Law by effective cases is a great way to do it. He thinks that is fine, but be aware that is what will happen. Over time we will get conflicting applications. **Chuck Gillette** stated he was hesitant when we headed down this road. Kudos to Cade Visser and to Bryan Pack for helping. It is reasonable and has enough friction to be a Type 2 business. It is reasonable for those larger businesses to be more heavily scrutinized. Council may think it is a bad idea and they may go back to the original ordinance but this is a good prototype. This is the Planning Commission's own ordinance that came from your own ideas. **Commissioner Pam Gardiol** stated Line 111 she would like Planning Commission capitalized, Line 114, 125 and 129. **Bryan Pack** stated our Code doesn't capitalize those defined terms. It doesn't affect the enforceability. **Commissioner Pam Gardiol** asked to just make them consistent. Line 147 Table of Impacts was capitalized elsewhere. She commended Cade Visser and Bryan Pack for what they have done and it is a good faith effort. **Chair Perry Brown** stated clean it up a bit and get it on the Planning Commission for next meeting. **Chuck Gillette** stated hopefully you all saw the provision that identified a grandfathering option for existing businesses. **Commissioner Pam Gardiol** stated she likes it. **Chair Perry Brown** stated it was appropriate. We don't

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want to toss out the past. When businesses come through we will see if they are in compliance or not.

C. Discuss Ivins City Land Use Map.

Rob Dalley stated that we want to set a meeting with Matt Loo and the Planning Commission Chair and go over the blocks of how we are breaking this up. We just want to feed it to the Commission a piece at a time so no one gets overwhelmed. He leaves Thursday for his national convention so we will get this on our November meeting.

D. Discuss and consider approval of the Ivins City Planning Commission Meeting Minutes for September 29, 2026.

MOTION: Commissioner Pam Gardiol moved to table the Ivins City Planning Commission Meeting Minutes for September 29, 2026.
SECOND: Commissioner Doug Clifford

VOTE: The motion carried unanimously.

Chair Perry Brown	AYE
Commissioner Pam Gardiol	AYE
Commissioner Brandon Weight	AYE
Commissioner Doug Clifford	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.

Rob Dalley stated we will post for the Public Hearing for November 17th for the home-based business and discussion of the Land Use Plan.

6) ADJOURNMENT

MOTION: Commissioner Doug Clifford moved to approve ADJOURNMENT
SECOND: Commissioner Pam Gardiol

VOTE: The motion carried unanimously.

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

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