



Washington County Land Use Authority Meeting March 11, 2025

The Regular Meeting of the Planning Commission of Washington County was called to order by Chairman Brian McMullin at 1:30 p.m. on March 11, 2025, in the Washington County Commission Chambers and via Zoom, at 111 East Tabernacle Street in St. George, Utah. The Commissioners in attendance were Brian McMullin, Mark Owens, Brad Gaston, Brandon Anderson, and Keith Kelsch. Kevin Jones attended via zoom. The Washington County Staff in attendance: Scott Messel, Community Development Director; Victoria Hales, Washington County Deputy Attorney; Todd Edwards, Public Works Director; Elliott Taylor, County Engineer; Reid Walkenhorst, Planner II; Emerson Rivera, Zoning & Code Compliance Specialist; Sinalei Tutagalevao, Administrative Permits Specialist.

MEETING OPENING AND WELCOME.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Chairman McMullin.

ROLL CALL / STATEMENTS OF CONFLICT OF INTEREST.

Roll Call:

Chairman Brian McMullin: No Conflict
Vice Chairman Mark Owens: Recuse Item 4
Commissioner Kevin Jones: Attend Via Zoom
Commissioner Brad Gaston: No Conflict
Commissioner Brandon Anderson: Recuse Item 4
Commissioner Keith Kelsch: No Conflict

- AMENDED PLAT (Public Hearing – Legislative).** The applicants are seeking to partially amend the Blackridge Ranches Phase 2 subdivision plat. The two parcels affected are BRR-2-142-A-NS and BRR-2-141-A-NS, which are currently zoned RA-5 (Residential Agricultural 5-acre min lot size). The approximate location is 1684 S 2600 E, New Harmony, UT 84757. Both parcels were illegally modified by prior property owners. The amended plat will vacate and reposition easements and bring parcel BRR-2-142-A-NS back into zoning compliance for the RA-5 zone. The applicants are Lorraine Fischer and Julie Prior.

Mr. Messel explained the two parcels under consideration had been illegally modified by previous owners. The modification resulted in both lots being unable to obtain building permits. The easements will be relocated along the property line between the two properties. The amended plat proposal will bring both lots into zoning compliance. Staff



have reviewed the application and recommends the Planning Commission hold the required public hearing, and if comfortable, approve the amended plat with the findings and conditions in the staff report.

Chairman McMullin opened the public hearing.

None came forward or wished to speak.

Chairman McMullin closed the public hearing.

Ms. Hales stated when vacating an easement the Planning Commission must find good cause and no material harm to any person in granting the vacation. Further outlined in the staff report as item 4.

MOTION: Commissioner Anderson motioned to APPROVE the Amended Plat for Blackridge Ranches PH 2, the motion was SECONDED by commissioner Owens. The motion passed unanimously.

2. **CONDITIONAL USE PERMIT (Public Meeting – Administrative).** The applicant is seeking approval of a conditional use permit to install fiber optic cable along the right of way in the town of Central Utah. The fiber optic installation will bring telecommunication services to the residents of Central. The applicant is South Central Broadband.

Mr. Messel explained South Central Broadband has applied to install fiber optic cable in the Dixie Deer Estates subdivision and surrounding areas of Central. Public utilities are a conditional use in all zones.

Mr. Messel proposed the Planning Commission hold the required public meeting to consider approval of the Conditional Use permit.

Mr. Todd Reinholt, the engineer overseeing the project in Central approached the podium to answer questions from the Planning Commission.

Commissioner Owens asked if there would be trenching involved with the installation. Specifically he wanted to clarify how the fiber optic cable would be installed at the fire station location.

Chairman McMullin asked if the service would be coming down from the Enterprise area.

Mr. Reinholt confirmed the service would run south from Enterprise, along the easements adjacent to Hwy 18.

Commissioner Kelsch asked if the service would be following the roadway curvature and wanted to confirm if tracer wires would be located during the installation process.

Mr. Reinholt stated they have plans to move further South with future installations, down through the Veyo area.



Ms. Rosemary Damato stated the land surrounding the fire station in Central is owned by the National Forest Service. The fire district has a lease agreement in place with the National Forest Service.

Mr. Messel reinforced the need for encroachment permits through the Public Works department before any work takes place to install utilities in the ground.

Commissioner Kelsch suggested the applicant work closely with water districts in the area to ensure they understand where the water lines are located to prevent disruption in service.

Mr. Reinholt confirmed many small communities have poorly recorded utility lines. They have procedures in place to help mitigate damage to existing utilities, even if not properly recorded.

MOTION:

Commissioner Owens motioned to APPROVE the Conditional Use Permit based on findings and conditions in the staff report, the motion was SECONDED by Commissioner Anderson. The motion passed unanimously.

3. **ZONE CHANGE (Public Hearing – Legislative).** Review an application for a zone change for parcel 1040-B-HV (1.40 acres) currently zoned OST-20 (Open Space Transition 20 acre min lot size) which is approximately located at 200 W 1750 N Kolob, UT, 84767. The proposed zone is SFR-1 (Seasonal Forest Residential 1 acre min lot size), which would bring the parcel into zoning compliance to obtain a building permit. The applicant is Terry Arnold.

Mr. Messel gave a description of the location of the parcel and the size of the parcel currently. To bring the property into zoning compliance, the applicant is proposing to rezone the parcel to SFR-1.

Commissioner Anderson asked if other homes had been built on the adjacent parcels sharing the same parcel number.

Mr. Messel indicated no other homes had been built. The lots do predate the subdivision ordinance, but they would need to be brought into zoning compliance prior to issuing building permits.

Chairman McMullin opened the public hearing.

None wished to speak.

Chairman McMullin closed the public hearing.

MOTION:

Commissioner Anderson motioned to APPROVE the Zone Change request, the motion was SECONDED by Commissioner Owens. The motion passed unanimously.



4. **AMENDED PLAT (Public Hearing – Legislative).** Review a proposal to partially amend the Mountain View Estates Phase 3 subdivision plat by combining lots 16 and 17 into one parcel. The approximate location is 852 E Deer Trail Drive, Pine Valley, UT 84781. The affected parcels are MVE-3-16 and MVE-3-17, which are currently zoned FR-13.5 (Forest Residential 13500 square feet min lot size). This amendment will maximize buildable space and allow for construction of a single family home. The applicant is Amber Wastlund.

Commissioner Anderson recused himself from this item.

Commissioner Owens recused himself from this item.

Ms. Hales stated a unanimous decision would be needed to consider this item today.

Mr. Messel explained the applicant has proposed to amend the Mountain View Estates subdivision plat. The applicant owns two parcels joined by a common lot line. The lot line between the two parcels has an easement which needs to be vacated, which necessitates the need for a public hearing. The two parcels would be combined to create one large parcel.

Chairman McMullin opened the public hearing.

Ms. Amber Wastlund approached the podium and explained she and her husband own both lots. The 25' setback makes it difficult to build on lot 17.

Chairman McMullin closed the public hearing.

MOTION:

Commissioner Gaston motioned to APPROVE the Amended Plat based on the findings and conditions in the staff report, the motion was SECONDED by Commissioner Kelsch. The motion passed unanimously.

5. **ZONE CHANGE (Public Hearing – Legislative).** Review an application for a zone change in the New Harmony area. The affected parcels are 3094-NS and 3091-A-2-NS which are currently zoned A-20 (Agricultural 20 acre minimum lot size). The approximate location is 1600 E 100 S New Harmony, UT 84757. The proposed area totals approximately 130 acres and includes all of parcel 3094-NS and a portion of 3091-A-2-NS. The proposed zone is RA-5 (Residential Agricultural 5-acre minimum lot size). The zone change would support the development of a subdivision project. The applicants are Edwin Voskanian and Deer Hollow Properties.

Mr. Messel explained the location of the property in the New Harmony area. The applicant has provided a basic rendering showing their plans with a future subdivision. The importance of connectivity with adjacent parcels was emphasized. The applicant is proposing a rezone to RA-5 zoning.

Commissioner Owens asked if Mr. Messel could explain why a PD is not required.



Mr. Messel explained that because the zoning request to RA-5 would result in minimum 5 acre lot size, the New Harmony Valley Overlay zone would not require a Planned Development. Planned Developments are only triggered for developments with lots smaller than 5 acres.

Chairman McMullin opened the Public Hearing and acknowledged many comments had been received in writing.

Mr. Brett Prince approached the podium and spoke on the importance of the drainage system known as the dry field ditch. He also expressed concern about the meadow drying out as more new development comes in and take ground water. He's also concerned about the impact of traffic on Hwy 144. Lastly, he wanted to share his concerns about fallout from nuclear testing, settling in the New Harmony area. He feels keeping lots bigger and preventing disturbance of the soil is beneficial for the health of the whole area.

Mr. John B spoke on water wells affecting existing well and property owners. Wells in the New Harmony area run at a low rate, which indicate the aquifers are not being replenished.

Ms. Joann Finny expressed a concern about dark skies, and how the county will ensure dark skies will not be jeopardized as new developments come in.

Mr. Messel explained the New Harmony Overlay Zone did require adherence to the Outdoor Lighting Ordinance, which would be satisfied with subdivision improvements and building permits.

Ms. Joann Finny also asked about the septic requirements. Ash Creek SSD is the sewer authority for this area. On site septic systems are allowed for lots 5 acres or larger.

Chairman McMullin closed the public hearing.

Commissioner Owens asked Todd Edwards to come to the podium to answer some questions related to the drainage affecting this area.

Mr. Edwards explained he was aware of drainage issues in the area, which would be more closely studied during the subdivision process.

Commissioner Jones asked if the proposed zone change being sought was in alignment with the New Harmony Valley Overlay zone.

Mr. Messel stated the zone change request does meet the requirements of the New Harmony Valley Overlay Zone.

Ms. Hales emphasized the zone change is limited to the area outlined on the zoning map highlighted in red.

Commissioner Anderson added to the comments from the public, that many of the issues



brought forward in today's public hearing will be addressed during the subdivision proceedings.

MOTION:

Commissioner Gaston motioned to APPROVE the zone change based on the findings and conditions in the staff report, the motion was seconded by Commissioner Owens. The motion passed unanimously.

6. **PLANNED DEVELOPMENT SCENIC BYWAY OVERLAY ZONE (PDSBOZ) AMENDMENT – PROJECT PLAN AND DEVELOPMENT AGREEMENT (Public Hearing – Legislative)**. Review a proposal to amend a Planned Development in the Scenic Byway Overlay Zone (PDSBOZ) known as Trees Ranch Resort. The applicant wishes to add sixteen transient lodging units to their existing PDSBOZ approval. The approximate location is 2491 Zion Park Blvd. near Springdale, UT. The applicant is Parunuweap Canyon, LLC.

Mr. Messel introduced the project known as Trees Ranch and introduced Tom Avant, who present the proposed changes.

Mr. Avant explained the proposal is developing a commercial lot which was originally approved but hadn't been designed in the original plan. The proposal is to add 16 transient units, which complies with the PDSBOZ zone allowance.

Commissioner Owens commented on the density and open space requirements being satisfied and well exceeded.

Commissioner Owens asked if UDOT had any new requirements based on increased traffic from the additional units.

Mr. Avant stated the UDOT requirements have not changed or caused a need for improvements.

Commissioner Owens asked how the additional units will impact the water service.

Mr. Avant explained the feasibility concurrence from DEQ and Paul Wright has been provided.

Commissioner Kelsch asked to have the concept of lockouts explained and how it will impact their development.

Mr. Avant explained the lockouts are not permitted in their development, as they can be used to increase density, which would violate the code and their agreement.

Ms. Hales explained lockouts can double or triple density in transient rental units, which is why they are not permitted.

Chairman McMullin opened the Public Hearing.

None wished to speak.



Chairman McMullin closed the Public Hearing.

Ms. Hales stated there are 3 items needing approval; The zone change will need to be approved amending the PDSBOZ for Trees Ranch, the Project Plan, and the Development Agreement.

MOTION:

Commissioner Owens motioned to APPROVE the amendment to the PDSBOZ for Trees Ranch based on the findings and conditions in the staff report, the motion was seconded by Commissioner Gaston. The motion passed unanimously.

Commissioner Owens motioned to APPROVE the Project Plan based on the findings and conditions in the staff report, the motion was seconded by Commissioner Kelsch. The motion passed unanimously.

Commissioner Owens motioned to APPROVE the Development Agreement based on the findings and conditions in the staff report, the motion was seconded by Commissioner Anderson. The motion passed unanimously.

7. **MINUTES. Consider approval of the minutes of the regular Planning Commission meetings held on February 11, 2025.**

MOTION:

Commissioner Anderson motioned to APPROVE the minutes from February 11, 2025, the motion was seconded by Commissioner Gaston. The motion passed unanimously.

8. **COUNTY COMMISSION UPDATES REMARKS, STAFF REPORTS.**

None to report.

Commissioner Gaston wished Chairman McMullin good success in his new role and thanked him for his support over the past year.

9. **ADJOURNMENT.**

MOTION:

Chairman McMullin motioned to ADJOURN the motion was seconded by Commissioner Anderson. The motion passed unanimously.

Meeting adjourned at 2:32pm



Reid Walkenhorst
Planner II

Approved: