

**IRON COUNTY COMMISSION MEETING
APRIL 14, 2025**

Minutes of the Iron County Commission meeting convened at 9:00 a.m. April 14, 2025 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Paul Cozzens	Commission Chair
Michael Bleak	Commissioner
Kenneth Robinson	Commissioner
Jonathan T. Whittaker	County Clerk

Also present:

Lucas Little	County Auditor
Ken Carpenter	County Sheriff
Nicole Rosenberg	County Treasurer
Richard Wilson	County Engineer
Sam Woodall	County Deputy Attorney
David Johnson	County Economic Development
Maria Twitchell	County Tourism
Nicole Rosenberg	County Treasurer
Jennifer Bradbury	County HR Director
Reed Erickson	County Planner

Others in attendance:

Carol Barker	Pat Brower	Linda Hahne
Doug Knuth	Adam Long	Jon Oglesby
Jeff Richards	Nathan Runyon	Bruce Washburn

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INVOCATION

An invocation was offered by Kenneth Robinson.

PLEDGE OF ALLEGIANCE

Those assembled were led in the Pledge of Allegiance by Bruce Washburn.

APPROVAL OF MINUTES

Michael Bleak made a motion to approve the minutes of the Iron County Commission meeting held March 24, 2025. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

APPROVAL OF CLAIMS FOR PAYMENT

Kenneth Robinson made a motion to approve Claims for Payment from March 24, 2025, to April 13, 2025. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

COMMISSION REPORTS

Kenneth Robinson, Iron County Commissioner, reported that he met with the Elliot Work Group that was developing the Iron County Fairgrounds 25-year plan, and he attended a jail construction meeting. Ken noted that he met with Dan Jessen, Parowan City Manager, Jon Whittaker, and Bruce Anderson regarding a potential land exchange between Iron County and Parowan City at the Parowan Landfill site and a crushing pit on the east side of Parowan. On the previous Thursday night, Ken attended the Farm Bureau meeting. Senator Vickers and Representative Shipp took a minute to talk about the seven bills passed through the House and Senate and Governor Cox vetoed, including SB 197 (regarding Circuit Breaker tax relief). The House and Senate did not feel that there was enough support to get a majority vote to overrule the governor on SB 197.

Michael Bleak, Iron County Commissioner, reported that he met with George Colson, Luke Little, and a couple of members of State Emergency Management regarding Federal Emergency Management Agency (FEMA) funds awarded to Iron County for flood repairs. Mike expressed his appreciation to George Colson for working with FEMA. The requested amount of \$17K ended up being \$300K approved through FEMA. Commissioner Bleak, Sam Woodall, and George Colson traveled to Salt Lake last year and had a conversation with Darren Bushman, Department of Emergency Medical Services (EMS), regarding issues with EMS – Gold Cross in Iron County. Commissioner Bleak reported that he met with Bret Howser, Brian Head Town Manager, and Dan Benson, Brian Head Marshall, regarding fire issues. He noted that there

would be a ribbon cutting for the new Cedar City Airport Terminal, with the date to be determined, and he continued to attend the new Sheriff Complex meetings.

Ken Robinson, Iron County Commissioner noted that he failed to report that the National Oceanic & Atmospheric Administration (NOAA) had declared a drought situation in Southern Utah, and he had communicated with the Department of Agriculture director for the State of Utah. He also met with Amber Hatch, Weed Department Supervisor, trying to give her a space to call home for storage and to maintain her equipment.

Paul Cozzens, Iron County Commissioner, noted that approximately one month ago, Reed Erickson, Iron County Planner, sent a letter regarding the Union Pacific Railroad wanting to cap some old wells along the railroad tracks used for the old steam engines. Paul reported that he was able to contact Rod Carroll, General Director-Real Estate Field Operations & Acquisitions for Union Pacific Railroad, who informed him that there was a Railroad Act of 1928 that focused on the disposition of federal railroad Rights-of-Way (ROW) that could be transferred for public use to counties. Paul explained that there was a challenge with capping the well because Modena had 7 homes, and Lund had 5 homes that used the well for culinary purposes. Discussion continued regarding the wells and water rights. He met with Platt & Platt about raising the elevation of the new jail 2-3 feet to help alleviate water issues. He attended the 5-County meetings where they were asked, by the governor, to identify one project that was affecting the 5-County area the most that could use help mitigating some of the issues. The Zion Park reservation system was that issue. He explained that Zion Park was considering moving to a reservation system. This would hurt attendance, which would affect many downstream attractions. Commissioner Cozzens reported that the tariffs were beginning to affect the budget of the new Sheriff Complex, and they were trying to buy materials in advance before prices increased. He met with Wade Adams, Iron County Fleet Supervisor, regarding Enterprise Rent-A-Car's commercial fleet program. The DMV in Cedar City was seeing an increase in registrations from people out of town. There was a discussion regarding what was involved in the registrations and what could be done to help them. Paul attended the Iron County Planning Commission meeting. Dennis Gray began his position as the new member of the Planning Commission.

Jon Whittaker, Iron County Clerk, reported that he met in Kanarraville with the Fire Chiefs and Spencer Rollo, Iron County Fire Warden, to introduce and discuss the idea of a Fire District Feasibility Study.

PUBLIC HEARING, DISCUSSION AND POSSIBLE APPROVAL OF A PROPOSED ZONE CHANGE FROM AGRICULTURE 20 ACRES (A-20) TO COMMERCIAL (C) FOR APPROXIMATELY 63.15 ACRES, WITHIN THE N ½ NW ¼ SECTION 11, T37S, R12W, SLB&M, IRON COUNTY, UT (APN: E-277). LOCATED NEAR 4000 S AND 5700 TO 6000 W, CEDAR CITY, UT Applicant: JTS Trust; represented by Platt & Platt Engineering

Reed Erickson, Iron County Planner, reported that this property was located off I-15 at Exit 51, on the south side of Vandenberg Road. There was private land around it, and Paiute Tribal lands to the east on the other side of the interstate. The adjacent properties were zoned RA-20 on the north, and then it was adjacent to other Commercial (C) on the east side. Reed explained that the proposed use for this zone change was to extend the commercial zoning. It has excellent access and exposure. The real challenge with developing commercial on this property was the water system. He reported that this property lacked any central or public water system, and reported on some options on how to acquire the developing of a private-public water system. The property owner felt like he had great potential on the property.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding the zone change.

No comments were offered.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson, Iron County Planner, reported that after review and findings, the Iron County Planning Commission (ICPC) confirmed that the applicant was compliant with the Iron County Policy – Evaluation Consideration for Re-zone and recommended approval.

Michael Bleak made a motion to approve the zone change from Agriculture 20 Acres (A-20) to Commercial (C) as presented by Reed Erickson. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

PUBLIC HEARING, DISCUSSION, AND POSSIBLE APPROVAL OF A PROPOSED IRON COUNTY CODE AMENDMENT ORDINANCE 2025-2. AN ORDINANCE OF IRON COUNTY, UTAH TO THE IRON COUNTY LAND USE CODE – “ADDING CHAPTER 17.37 AND AMENDING SECTIONS 17.16.030 – TABLE OF USES, SECTION 17.20.010 – DEFINITIONS, AND SECTION 16.22.070 – DEVELOPMENT STANDARDS (ALLOWING SMALLER THAN ZONING MINIMUM LOT/PARCEL SIZES FOR REMAINDER LOTS/PARCELS IN “ROAD DEDICATION SUBDIVISIONS)”

Reed Erickson, Iron County Planner, explained that Chapter 17.37 Data Centers was added under the Iron County Land Use Code Title 17 – Zoning. “The purpose of this Chapter 17.37 is to establish minimum requirements and regulations for the placement, construction, and modification of data centers and digital infrastructure, as defined herein, while promoting the safe, effective use of such facilities and accompanying infrastructure systems.” Reed covered Sections 17.37.020 Definitions: “Data Center is defined herein as real and personal property consisting of a building or group of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including power and cooling equipment.”... Section 17.37.030 Regulations and design standards – Data Center Power Plants: Power Plant minimum lot size-less than 20 acres in size, and Data Center minimum lot size-less than five acres in size; Section 17.16.030 Table of Uses, and Section 17.20.010 – Definitions. He reported that under Chapter 16.22 Road Dedication Subdivision Option, Section 16.22.070 – Development Standards, the amendment 16.22.070 - A. “A minimum” and C. Minimum Lot Area and Lot Width. “Generally”; road right-of-way “should”, and the addition of “In the event that a road dedication of a master planned road results in a remainder lot or parcel that is smaller than the minimum width or area required in the zone, a note shall be placed on the plat recording recognizing said lot or parcel as a legal lot of record and a deed for said lot or parcel shall be stamped and signed by the county land use authority recognizing the lot or parcel as a legal lot of record.”

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding Ordinance 2025-2.

No comments were offered.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

Reed Erickson, Iron County Planner, reported that, after review and findings, the Iron County Planning Commission (ICPC) recommended approval.

Kenneth Robinson made a motion to approve the Iron County Code Amendment Ordinance 2025-5 as presented by Reed Erickson. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

IRON COUNTY ORDINANCE 2025-5

AN ORDINANCE OF IRON COUNTY, UTAH, “ADDING CHAPTER 17.37 – DATA CENTER”; AND AMENDING SECTION 17.16.030 – TABLE OF USES, SECTION 17.20.010 – USE DEFINITIONS, AND SECTION 17.84.010 - DEFINITIONS, AND PROVIDING AN EFFECTIVE DATE.

Whereas, Iron County has determined in accordance with the desire to provide more economic development opportunities in certain zones for Data Centers and Data Center Power Plants; and to facilitate the acquisition of property for public rights-of-way that could leave remnant parcels (too small for zoning district), various provisions and regulations need to be added, amended or modified; and

Whereas, the County Commission finds that it is in the best interest of the County after taking into consideration the citizens’ health, safety, and welfare, to amend the following ordinance; and

Whereas, the Planning Commission of Iron County has held a duly advertised and noticed public hearing on the proposed amendments to the Zoning Ordinance of Iron County, Utah and has carefully and thoroughly reviewed and considered the comments received, and has voted to forward the proposed ordinance to the Iron County Commission with a recommendation for approval; and,

Whereas, the Iron County Commission has held a duly advertised and noticed public hearing on the proposed ordinance and after considering the public comments and the language of the proposed ordinance, the County Commission concludes that the proposed ordinance appropriately considers and balances all interests in accordance with the purposes and goals of the County Land Use, Development, and Management Act; the Iron County General Plan; and, the Iron County Zoning Ordinance.

NOW THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH AS FOLLOWS:

SECTION 1.

Chapter 17.37 - DATA CENTER

17.37.010 Purpose.

The purpose of this Chapter 17.37 is to establish minimum requirements and regulations for the placement, construction, and modification of data centers and digital infrastructure, as defined herein, while promoting the safe, effective, and efficient use of such facilities and accompanying infrastructure systems.

17.37.020 Definitions.

- A. "Data Center" is defined herein as real and personal property consisting of a building or group of buildings or group of buildings or structures specifically designed or modified to house networked computers and data, and transaction processing equipment and related infrastructure support equipment, including power and cooling equipment.
- B. "Data Center Power Plant," means a utility-scale commercial facility that produces electric power for consumption by a Data Center, which may store, produce, transmit and/or distribute electric power by any combination of energy storage, solar energy, thermal energy or other power conversion technology, including from hydrocarbon-based fuels, geothermal wells, wind energy systems, or nuclear fuel systems, for the primary purpose of supplying power to the data center.

- C. "Digital Infrastructure," is any electrical infrastructure, energy and fuel infrastructure, transmission and/or distribution infrastructure supporting Data Center development, including but not limited to, fiber optic cable conduit, fuel transmission and distribution infrastructure supportive of Data Centers.

17.37.030 Regulations and design standards—Data Centers, Data Center Power Plants

All Data Centers and Data Center Power Plants shall comply with the following minimum regulations and design standards.

- A. Permitted Locations. A Data Center and/or Data Center Power Plant that complies with the provisions of this chapter may be permitted as described in Section 17.16.030, Table of Uses, Iron County Zoning Ordinance.
- B. Design Standards.
 - 1. Minimum Lot Size. No Data Center Power Plant shall be erected on any lot less than twenty acres in size. No Data Center shall be erected on any lot less than five acres in size.
 - 2. Maximum Height. The maximum height for all structures shall be established through the conditional use permit process, provided a structure height of thirty-five feet or less shall always be permitted.
 - 3. Setbacks. Data Center and Data Center Power Plant structures shall be set back from all property lines and public road rights-of-way at least sixty feet, or one and one-quarter times the height of the structure, whichever is greater. In addition, Data Center and Data Center Power Plant structures must be located at least one hundred feet from all residentially zoned lots and existing residences. Additional setbacks may be required to mitigate noise and glare impacts or to provide for designated road or utility corridors, as identified through the review process.
 - 4. Safety/Access/Fencing. An appropriate security/livestock fence (height and material to be established through the conditional use permit process) shall be placed around the perimeter of the Data Center facilities and/or any Data Center Power Plant. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
 - 5. Noise. No operating Data Center or Data Center Power Plant shall produce noise that exceeds any of the following limitations. Adequate setbacks shall be provided to comply with these limitations.
 - a. Fifty-five dBA, as measured at the property line of any neighboring residentially-zoned lot;
 - b. Fifty dBA, as measured at any existing neighboring residence between the hours of nine p.m. and seven a.m.
 - c. Sixty-five dBA, as measured at the property lines of the project boundary, unless the owner of the affected property and the planning commission agree to a higher noise level, as follows.

The owner of a neighboring property that would otherwise be protected by the sixty-five dBA noise limitation may voluntarily agree, in writing, to a higher noise level. Any such agreement must specifically state the noise standard being modified, the extent of the modification, and be in the form of a legally binding contract or easement between the landowner (including assignees in interest) and the Data Center and/or Data Center Power Plant developer, effective for the life of the project. Any such noise agreement must be submitted with the conditional use permit application and filed with the County Recorder upon issuance of the conditional use permit.
 - 6. Visual Appearance.
 - a. Data Center and Data Center Power Plant buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend the facility into the existing environment.

- b. Appropriate landscaping and/or screening materials may be required to help screen the Data Center and/or Data Center Power Plant and accessory structures from major roads and neighboring residences.
 - c. Lighting of the Data Center and/or Data Center Power Plant and accessory structures shall be limited to reasonably necessary lighting to mitigate visual impacts.
7. Electrical Interconnections. All electrical and interconnection, and distribution lines smaller than 20 kV within the project boundary shall be underground, except for power lines that leave the project or are within the substation. Said electrical lines larger than 20 kV may be given an exemption from burial because of severe environmental constraints (e.g., wetlands, cliffs, and hard bedrock), distance, and other project factors, determined by the planning commission. All electrical interconnections and distribution components must comply with all applicable codes and public utility requirements.
 8. Fire Protection. All Data Centers and Data Center Power Plants shall have a defensible space for fire protection in accordance with the Iron County Wildland-Urban Interface Code.
 9. Employment Infrastructure. Necessary utility infrastructure such as water, sewer, parking, office space, etc., shall be provided to accommodate Data Center and/or Data Center Power Plant employees and service personnel in compliance with Southwest Utah Public Health, the Utah Department of Environmental Quality and Iron County zoning regulations and building codes, as applicable.
- C. Local, State, and Federal Permits. A Data Center Power Plant shall be required to obtain all necessary permits from the Utah Department of Environmental Quality, including the Utah Division of Air Quality and the Utah Division of Water Quality, applicable permits required by Iron County, and applicable permits.

17.37.040 Permit applications.

An application for a conditional use permit to establish a Data Center and/or Data Center Power Plant shall include a complete description of the project and documentation to sufficiently demonstrate that the requirements set forth in Section 17.37.030 will be met. Supporting documentation for addressing the review criteria of Sections 17.37.050 and 17.28.050(A) is also to be provided. The land use authority may require any information reasonably necessary to determine compliance with this chapter.

It is preferred that any related conditional use permit applications for substations or transmission lines be considered in conjunction with the conditional use permit application for the Data Center and/or Data Center Power Plant; however, if the details of those improvements are not available at the time of application for the Data Center and/or Data Center Power Plant, they may be considered later, through subsequent conditional use permit review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation shall be disclosed with the application for the Data Center and/or Power Plant.

17.37.050 Provisions for conditional use permit review.

Following the provisions of Chapter 17.28, Iron County Code, additional or more thorough consideration shall be given to the following as the County determines appropriate mitigation for potential impacts or whether the application does not comply with county ordinances and should be denied:

- A. Project Rationale. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
- B. Siting Considerations. Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as wilderness study areas, areas of environmental concern, county and state parks, historic trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic view sheds, or scenic areas designated by the county; avoiding areas

of erodible slopes and soils, where concerns for water quality, landslide, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.

- C. Site and Development Plans. Site and development plans, which identify and/or locate all existing and proposed structures; setbacks; access routes; proposed road improvements; any existing inhabitable structures and residentially zoned lots within one-quarter mile of a photovoltaic solar project or one-half mile of a concentrated solar project; existing utilities, pipelines, and transmission lines; proposed utility lines (including employment infrastructure described in Section 17.37.030 (b)(9)); utility and maintenance structures; existing topographic contours; existing and proposed drainage ways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the county staff or planning commission. All maps and visual representations need to be drawn at an appropriate scale.
- D. Analysis of Local Economic Benefits. Analysis of local economic benefits, describing estimated: Project cost, generated taxes, percent of construction dollars to be spent locally, and the number of local construction and permanent jobs.
- E. Visual Impacts, Appearance, and Scenic View sheds. Potential visual impacts may be caused by components of the project such as cooling towers, steam plumes, aboveground electrical lines, accessory structures, access roads, utility trenches and installations, and alteration of vegetation. Those projects that are within a sensitive view shed or that propose structures taller than thirty-five feet must provide a view shed analysis of the project, including visual simulations of the planned structures and analysis of potential glare impacts. The number of visual simulations shall be sufficient to provide adequate analysis of the visual impacts of the proposal, which shall be from no less than four vantage points that together provide a view from all sides of the project. The planning commission may also require a Zone of Theoretical Visibility/Zone of Visual Impact (ZVI) Analysis, which is a three-hundred-sixty-degree computer analysis to map the lands within a defined radius of a location that would likely be able to see an object. Significant visual impacts that cannot be adequately mitigated are grounds for denial.
- F. Wildlife Habitat Areas and Migration Patterns. Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the United States Fish and Wildlife Service (USFWS) will be necessary.
- G. Environmental Analysis. In the absence of a required state or federal agency environmental review for the project (e.g., NEPA), the planning commission may require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water supply in the area, when there is reason to believe that adverse impacts to such may occur.
- H. Solid Waste or Hazardous Waste. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes, as well as collection methods for solid waste generated by the project.
- I. Height Restrictions and FAA Hazard Review. Compliance with any applicable airport overlay zoning requirements and the ability to comply with FAA regulations pertaining to hazards to air navigation must be demonstrated.
- J. Transportation Plan for Construction and Operation Phases. Indicate by description and map what roads the project will utilize during the construction and operation/maintenance phases of the project, along with their existing surfacing and condition. Specify any new roads and proposed upgrades or improvements needed to the existing road system to serve the project (both the construction and O&M periods)—remember to identify needed bridges, culverts, livestock fence crossings (gates and cattle guards), etc. Also, identify all areas where modification of the

topography is anticipated (cutting/filling) to construct or improve the roadways. Address road improvement, restoration, or maintenance needs associated with the construction, ongoing maintenance/repair, and potential dismantling of the project. Provide projected traffic counts for the construction period, broken down by the general type/size of vehicles, and identify approximately how many trips will have oversized or overweight loads. If significant impacts to the transportation system are anticipated, the County may require financial guarantees to ensure proper repair/restoration of roadways or other infrastructure damaged or degraded during the construction or dismantling of the project. In such case, the "before" conditions of the roadways and other infrastructure must be documented through appropriate methods such as videos, photos, and written records, to provide a proper reference for restoration.

- K. Public Safety. Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.
- L. Noise limitations. Submit sufficient information regarding noise, so as to demonstrate compliance with Section 17.37.030(B)(5).

SECTION 2.

Within **Section 17.16.030 – Table of Uses**, a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.16.030 Table of uses.

Remainder of this section remains unchanged

TABLE OF USES												
USES	ZONE DISTRICTS											
	A-20	RA-20	RR-20	R-5	R-2	R-1	R-1/2	R4 K	C	LI	I	IA
Correctional institution	C	X	X	X	X	X	X	X	C	C	X	X
Data Center	C ⁽¹⁰⁾	X	X	X	X	X	X	X	X	C ⁽¹⁰⁾	C ⁽¹⁰⁾	X
Data Center Power Plant	C ⁽¹⁰⁾	X	X	X	X	X	X	X	X	X	C ⁽¹⁰⁾	C ⁽¹⁰⁾
Day care center/assisted care center	A	A	X	A	A	A	A	X	C	X	X	X

(10) See Also Chapter 17.37

Remainder of this section remains unchanged – no deletions, only addition of uses for “Data Center and Data Center Power Plant and Notes (10).

SECTION 3.

Within **Section 17.20.010 – USE DEFINITIONS**, a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.20.010 - Definitions.

Remainder of this section remains unchanged

"Data Center" is defined herein as real and personal property consisting of a building or group of buildings or group of buildings or structures specifically designed or modified to house

networked computers and data and transaction processing equipment and related infrastructure support equipment, including, power and cooling equipment.

"Data Center Power Plant," means a utility-scale commercial facility that produces electric power for consumption by a Data Center, which may store, produce, transmit and/or distribute electric power by any combination of energy storage, solar energy, thermal energy or other power conversion technology, including from hydrocarbon-based fuels, geothermal wells, wind energy systems, or nuclear fuel systems, for the primary purpose of supplying power to the data center.

Remainder of this section remains unchanged

SECTION 4.

Within **Section 17.84.010 – DEFINITIONS**, a portion of the Iron County Code, shall be, and hereby is, identified and amended to read as follow:

17.84.010 - Definitions

Remainder of this section remains unchanged

"Digital Infrastructure," is any electrical infrastructure, energy and fuel infrastructure, transmission and/or distribution infrastructure supporting Data Center development, including but not limited to, fiber optic cable conduit, fuel transmission and distribution infrastructure supportive of Data Centers and Data Center Power Plants.

Remainder of this section remains unchanged

SECTION 5.

Chapter 16.22 Road Dedication Subdivision Option

16.22.070 - Development standards.

- A. A minimum fifteen-foot utility easements are required on each side of the dedicated road right-of-way.
- B. Subdivision Improvement Standards. Notwithstanding [Chapters 16.12](#), Preliminary Plats, and [16.20](#), Minor Subdivisions, and the Iron County Design and Construction Guidelines, road dedication subdivisions may or may not be required to provide subdivision improvements typical of subdivisions that are dividing property into multiple lots for sale or to be offered for sale. The requirement and timing of appropriate road dedication subdivision improvements will be determined for each road dedication subdivision application based on applicant request, county staff recommendation, and the administrative county land use authority approval. Any such improvement variation and/or deferment shall be noted on the road dedication subdivision plat. Guidelines for this decision follows:
1. Variation requests in accordance with Section 106 of the Iron County Design and Construction Guidelines should be noted on the plat, to be approved by the county administrative land use authority;
 2. Subdivision improvements may be deferred until an application for a building permit is requested on any legal lot or remaining parcel within the road dedication subdivision;
 3. Subdivision improvements may be deferred until the remainder parcel or lot needing the improvement is further subdivided through a preliminary/final plat or minor subdivision process;
 4. Road improvements shall comply with the typical road section standards in the Iron County Design and Construction Guidelines for rights-of-way width, improved surface width, construction materials and design, as determined through the road dedication

subdivision approval process.

C. Minimum Lot Area and Lot Width. Generally, the minimum lot area and lot width for remaining parcels on each side of the road right-of-way should meet the minimum lot area required for the zone in which the road dedication subdivision is located. In the event that a road dedication of a master planned road results in a remainder lot or parcel that is smaller than the minimum width or area required in the zone, a note shall be placed on the plat recognizing said lot or parcel as a "legal lot of record" and a deed for said lot or parcel shall be stamped and signed by the county land use authority recognizing the lot or parcel as a "legal lot of record."

SECTION 6. Severability.

Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 7. Effective Date.

This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code §17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 14th day of April, 2025.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By: Paul Cozzens
Paul Cozzens, Chair

ATTEST:

Jonathan T. Whittaker
Jonathan T. Whittaker, County Clerk



VOTING:

Michael Bleak Aye
Paul Cozzens Aye
Kenneth Robinson Aye

CONVENE AS THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA)

Paul Cozzens, Iron County Commission Chair, declared the convening as the Iron County Community Development and Renewal Agency (ICCD&RA).

PUBLIC HEARING REGARDING THE DRAFT AMENDED PROJECT AREA PLAN FOR THE IRON SPRINGS COMMUNITY DEVELOPMENT AREA (CDA)

Adam Long, ICCD&RA counsel, noted that this proposal was to add land to the existing Iron Springs Solar Project. The project was created roughly 10 years ago, and had been developed and was operating. The proposal was to amend the Project Area to include additional land (160 acres) that would accommodate a planned utility-scale Battery Energy Storage System (BESS) facility. This addition would complement the solar project that had been constructed and

was operating within the Project Area. He noted that because this developer was proposing to add land to the project area, there had to be a public hearing regarding the amended project area plan, essentially changing the boundaries of the project area to accommodate where the batteries would go. From a legal perspective, and consultation with Iron County officials, the decision was made that it would be easier to extend the project rather than do a new project area.

Paul Cozzens, Iron County Commission Chair, declared a Public Hearing open regarding the Draft Amended Project Area plan.

No comments were offered.

Paul Cozzens, Iron County Commission Chair, declared the Public Hearing closed.

RECONVENE AS THE IRON COUNTY COMMISSION

Paul Cozzens, Iron County Commission Chair, declared the resumption of the Iron County Commission.

PUBLIC COMMENTS

No comments were offered.

DISCUSSION AND POSSIBLE APPROVAL OF A REQUEST FOR FUNDING FROM THE TRANSIENT ROOM TAX (TRT) AND TRCC RESTAURANT TAX TO HELP PAY FOR THE SUU ATHLETIC FACILITY PROJECTS TO BENEFIT FUTURE SPORT TOURISM

Maria Twitchell, Iron County Tourism, noted that the TRT and TRCC boards have been looking for opportunities to develop and invest in larger projects and to provide an opportunity for more economic development in Iron County, particularly during the winter months. Maria turned the time over to Doug Knuth, SUU Director of Athletics. Doug explained that he and Jon Oglesby, Utah Summer Games (USG) Director, were here on behalf of SUU President Mindy Benson. President Benson's vision was to have SUU, Cedar City, and Iron County be the destination for activities in Southern Utah. He reported that the three primary projects with the "Athletic Facility Enhancement" included: 1) Renovation of the Multipurpose Center (Event Center/Centrum) practice gym; 2) Construction of a new synthetic surface softball field; and 3) Construction of a new multipurpose field with an inflated structure. Doug explained the current plans for the facility enhancements, the softball field, and the new multipurpose field with an inflated structure. He then turned the time over to Jon Oglesby. Jon reported that Iron County was beginning to see a high demand for people wanting to do business, particularly in sports, tourism, and large-scale events in the winter months in Cedar City and surrounding areas. Jon noted that during this academic year, there had been requests to accommodate a state wrestling tournament, state cheer championship, and 2 state basketball tournaments in the Centrum. There was a high interest, particularly from the High School Activities Association, which would be a large commitment of events if the space were available. The renovation would also allow the USG to reposition events to other months of the year, and the transformation of these projects would be an investment in our community and university. The addition of the removable air-dome over the new soccer field, as well as the turf field, would allow local high schools and youth sports teams to practice during the winter when the university was not using it. There was discussion regarding meeting the needs of SUU and the public for a responsible investment, and a commitment to accessibility/scheduling for the community.

Maria Twitchell reported that on March 19, the Iron County Tourism Advisory Board and the Iron County TRCC Advisory Board approved a recommendation of \$2.75M to go towards the SUU Athletic Facility Enhancement plan to support sports tourism development and improve quality of life for students and Iron County residents. The two boards recommend the following funding proposal: Multipurpose renovation - \$500K, Softball Field Reconstruction - \$250K, and Synthetic Surface Field and Structure - \$2M. Funding to be divided between the two funds: \$750K, One-time payment from TRT Fund Balance (payment date TBD), \$750K, One-time payment from TRCC Fund Balance (payment date TBD), \$625K from the TRT budget, paid over three years starting in 2026 (\$208,333/year), and \$625K from the TRCC Budget, paid over

three years starting in 2026 (\$208,333/year) for a total of \$2.75M. The total project cost was \$5.85. The State of Utah and SUU would be funding \$3.1M, and the board was requesting \$2.75M from Iron County. Maria explained that a Memorandum of Understanding (MOU) would be created on how the community and sports tourism would play a part and have priority in those facilities. Commissioner Bleak reported that he was the Commission Liaison over Tourism and Parks and Recreation and has been involved in these conversations for many months. In the initial meeting, the benefits and scheduling issues had been discussed. Mike expressed his appreciation to Jon Oglesby for all that he had done for the economic impact in Iron County and to the members of the TRT and TRCC boards. Both boards were satisfied and gave a positive recommendation for funding this program. Commissioner Robinson noted that this was a very exciting project, and he was in favor as long as it was open to those who were contributing to it. Discussion continued regarding scheduling, use by the public, and effects of the investment.

Kenneth Robinson made a motion to approve funding from the TRT and TRCC tax for the SUU Athletic Facility Enhancement projects as presented. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DISCUSSION AND POSSIBLE APPROVAL TO BEGIN THE PROCESS FOR A PRACTICAL SHOOTING RANGE ON THE PROPERTY OWNED BY IRON COUNTY (APN: SA-E-4135)

Patrick Brower, Iron Mountain Training Group, explained that Practical Shooting was a sport that was becoming popular, especially in Southern Utah. Pat reported that Iron Mountain Training Group hosted a shoot last weekend that raised over \$3K for a local veteran non-profit group. He noted that the benefit of hosting larger events would bring tourists, create local economic opportunities, and spread awareness of the sport. He noted that Practical Shooting was being incorporated into the USG this year. The range would provide a safe and controlled environment for firearms training, recreational use, and support for Law Enforcement (LE). There were discussions regarding the entrance to the range, the direction shooting would be, maintenance and management of the range, parking, the storage of equipment, scheduling, improvements, and financial input. He noted that although his group did not have the resources to fully develop the range at this time, they did have support from the Southern Utah Veterans Association and sports enthusiasts willing and eager to help. However, Iron County support would help expedite the process. Pat reported that the agenda item was for approval to begin the process, and working out all the details would come at a later date.

Michael Bleak made a motion for approval to begin the process for a Practical Shooting Range as presented. Second by Kenneth Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

DISCUSSION AND POSSIBLE APPROVAL OF THE CEDAR VALLEY BELT ROUTE ALIGNMENT PLAN

Richard Wilson, Iron County Engineer, explained that Kimley-Horn and Associates performed a Belt Route Access Management Proposal, and they included an Alignment Study, which began in 2023 and concluded in December 2024. The results were posted on the Iron County website, but was never brought before the Iron County Commission for the alignment to be approved. Richard reported on, and a discussion was held, regarding the interest in the acquisition of properties along the belt route, the route, Access Management Plan, the alignment, intersections, impact to property owners, speed limits, curvature of the belt route, impact to Hwy 56 and Iron Springs Road, access and crossing points, and roundabouts. He noted that the long-term goal was to have the belt route managed, maintained, and owned by UDOT. The initial plan for the development of the belt route was 20 years out, but with all the development on the west side of the valley, the Belt Route would probably begin in the next five to ten years.

Kenneth Robinson made a motion to approve the Cedar Valley Belt Route Alignment Plan, allowing for minor modifications to accommodate the developer's intent as presented.

Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

RECONVENE AS THE IRON COUNTY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (ICCD&RA)

Paul Cozzens, Iron County Commission Chair, declared the reconvening as the Iron County Community Development and Renewal Agency (ICCD&RA).

DISCUSSION AND POSSIBLE APPROVAL OF ICCD&RA RESOLUTION 2025-1, A RESOLUTION APPROVING AND ADOPTING THE AMENDED COMMUNITY DEVELOPMENT PROJECT AREA (CDA) PLAN FOR THE IRON SPRINGS SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA) Applicants: Thorton, Wilmarth & Lundgren

Adam Long, ICCD&RA Counsel, explained that the proposal was to amend the project area plan for the existing Iron Springs Solar Community Development Project Area (CDA), adding a 160-acre parcel to accommodate a Battery Energy Storage System (BESS). There were three different action areas which included: 1) Amending the project area plans that was changing the boundary, which was this Resolution and also an Iron County Ordinance later on in the agenda; 2) A proposed amendment to the existing Interlocal Agreements, which said agreements between the agency (ICCD&RA) and the taxing entities allowing the agency to receive part of the tax increment generated, accommodating the expansion and the consent of the tax entities; and 3) a conceptual area relating to the Iron Springs CDA was a proposed Participation Agreement with the BESS entity. Adam explained that this was an incentive agreement or a tax abatement agreement. In effect, it was a partial property tax rebate for BESS, which matched the solar project in both terms by way of percentage and remaining years. Paul Cozzens noted that the staff and commissioners had concerns about the amount of incentive Iron County was giving back. Adam explained the BESS incentive, the project feasibility through the use of tax increment and assistance offered, the tax base and revenue of BESS, the estimated value of BESS, and the expected battery life. He noted that the solar panels were sales tax exempt, but the battery facilities were not. After discussions, it was agreed that the incentive would be changed from 70% to 50%. Out of the 160-acre addition, only 22 acres would be used for the BESS project.

Michael Bleak made a motion to approve ICCD&RA Resolution 2025-1, approving and adopting the Amended CDA for Iron Springs Solar CDA amended portion of the battery expansion area at a 50% participation. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

DISCUSSION AND POSSIBLE APPROVAL OF ICCD&RA RESOLUTION 2025-2, A RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT FOR THE IRON SPRINGS SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA)

Michael Bleak made a motion to approve ICCD&RA Resolution 2025-2 an amended portion of the battery expansion area of the Interlocal Agreement, at a 50% participation as presented by Adam Long. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

DISCUSSION AND POSSIBLE APPROVAL OF ICCD&RA RESOLUTION 2025-3, A RESOLUTION APPROVING A PARTICIPATION AGREEMENT FOR THE IRON SPRINGS SOLAR COMMUNITY DEVELOPMENT PROJECT PLAN (CDA)

Michael Bleak made a motion to approve ICCD&RA Resolution 2025-3, the amended portion of the battery expansion area of the Participation Agreement, at a 50% participation. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

DISCUSSION AND POSSIBLE APPROVAL FOR AUTHORIZING THE AGENCY TO SIGN AN ACKNOWLEDGEMENT LETTER RELATING TO THE NEW BATTERY STORAGE PARTICIPATION AGREEMENT FOR THE IRON SPRINGS CDA

Michael Bleak made a motion to approve authorizing the agency to sign an acknowledgment letter relating to the new BESS Participation Agreement for the Iron Springs CDA amended portion of the battery expansion area at a 50% participation as presented by Adam Long. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

DISCUSSION AND POSSIBLE APPROVAL OF ICCD&RA RESOLUTION 2025-4, A RESOLUTION DESIGNATING A SURVEY AREA AS CONTEMPLATED BY UTAH CODE §17C-5-103 FOR THE PROPOSED ANTELOPE SPRINGS COMMUNITY REINVESTMENT PROJECT AREA (CRA)

Adam Long, Attorney at Smith Hartvigen, PLLC, reported that the Antelope Springs Community Reinvestment Project Area (CRA) was the statutory step in the process. The Reimbursement Agreement had previously been approved, and this resolution authorized continued discussions regarding percentages, years, and what the incentive terms would be without locking Iron County into anything. Adam explained the “Designated Survey Area.”

Kenneth Robinson made a motion to approve ICCD&RA Resolution 2025-4, a resolution designating a survey area as contemplated by Utah Code §17C-5-103 for the proposed Antelope Springs CDA as presented by Adam Long. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

CONVENE AS THE IRON COUNTY UNINCORPORATED AREA SERVICE DISTRICT #2

Paul Cozzens, Iron County Commission Chair, declared the convening of the Iron County Unincorporated Area Service District #2.

DISCUSSION AND POSSIBLE APPROVAL OF A UASD#2 RESOLUTION 2025-1, A RESOLUTION APPROVING AN AMENDED INTERLOCAL AGREEMENT FOR THE IRON SPRINGS SOLAR COMMUNITY DEVELOPMENT PROJECT AREA (CDA)

Michael Bleak made a motion to approve UASD#2 Resolution 2025-1, a resolution approving an Amended Interlocal Agreement for the Iron Springs CDA, considering a 50% participation, as presented by Adam Long. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

RECONVENE AS THE IRON COUNTY COMMISSION

Paul Cozzens, Iron County Commission Chair, declared the resumption of the Iron County Commission

DISCUSSION AND POSSIBLE APPROVAL OF ORDINANCE 2025-4, APPROVING THE AMENDED PROJECT AREA PLAN FOR THE IRON SPRINGS COMMUNITY DEVELOPMENT PROJECT AREA (CDA)

Michael Bleak made a motion to approve Ordinance 2025-4, approving the Amended Project Plan for the Iron Springs CDA, considering a 50% participation as presented by Adam Long. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

DISCUSSION AND POSSIBLE APPROVAL OF RESOLUTION 2025-4, APPROVING AN AMENDED INTERLOCAL AGREEMENT FOR THE IRON SPRINGS COMMUNITY DEVELOPMENT PROJECT AREA (CDA)

Michael Bleak made a motion to approve Resolution 2025-4 approving an Amended Interlocal Agreement for the Iron Springs CDA, considering a 50% participation as presented by Adam Long. Second by Paul Cozzens. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Nay.

PERSONNEL

Jennifer Bradbury, Iron County Human Resources (HR) Director, presented the promotion of Caleb Anderson from Full-Time Sergeant to Full-Time Operations Lieutenant. Caleb would be moving from a non-exempt status to an exempt status, and Michael Hillegar from Full-Time Corporal to Full-Time Sergeant in the Sheriff–Patrol Department, effective April 13th; the new hire of Riley Bastian as a Full-Time Corrections Deputy in the Sheriff–Corrections Department, effective April 6th. This was a backfill of a vacant position; the new hire of Tanner Campbell as a Seasonal Outdoor Maintenance Technician in the Parks and Recreation Department, effective April 28th. This was a backfill of a vacant position, and the new hire of Matthew Arnold as a Full-Time Operator/Excavator in the Engineer Department, effective April 14th. This was a backfill of a vacant position.

Kenneth Robinson made a motion to approve the Personnel changes, including the move from non-exempt status to an exempt status for Caleb Anderson, as presented by Jennifer Bradbury. Second by Michael Bleak. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

NON-DELEGATED ITEMS

Boards:

Ken Robinson reported that a member of the Weed Board stepped down, and that a position was open.

Paul Cozzens reported that Paul Monroe, Central Iron County Water Conservancy (CICWCD), asked that the commissionert write a letter of support to Cedar City’s application for a grant with the federal government regarding Effluent.

CLOSED SESSION


DISCUSSION REGARDING THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. NOTE: THIS PART OF THE MEETING MAY BE CLOSED PER UTAH CODE ANNOTATED (UCA) §52-4-205(e)

Michael Bleak made a motion to move into a closed session to discuss the purchase, exchange, or lease of real property per UCA § 52-4-205(e). Second by Ken Robinson. Voting: Michael Bleak, Aye; Paul Cozzens, Aye; Kenneth Robinson, Aye.

STATE OF UTAH)
) s.s
COUNTY OF IRON)

I, Paul Cozzens, Chairman of the Iron County Utah Commission, hereby certify that the purpose of the closed session convened was conducted in accordance with UCA § 52-4-205(e) to discuss the purchase, exchange, or lease of real property.


Signed: Paul Cozzens, Chairman


Attest: Jonathan T. Whittaker, County Clerk



END OF CLOSED SESSION

Paul Cozzens, Iron County Commission Chair, declared the closed session ended and the return to the open Iron County Commission meeting. Paul explained that there were some potential buyers that were interested in our old jail. The plan was to vacate the old jail based on the completion date of the new Sheriff's Complex, approximately May of 2027. He reported on a particular party that was interested in buying the old jail "as is" and their plans with it. Paul noted that the sale of the jail would go out for bids when the time comes.

ADJOURNMENT

Paul Cozzens, Iron County Commission Chair, declared adjournment.


Paul Cozzens, Commission Chair


Attest: Jonathan T. Whittaker, County Clerk

