

IRON COUNTY, UTAH
IRON COUNTY PLANNING COMMISSION
MINUTES
May 1, 2025

The Iron County Planning Commission held its regularly scheduled meeting Thursday, May 1, 2025 at 5:30 pm, Cedar City Festival Hall – located at 105 North 100 East, Cedar City, Utah.

Members Present

Michelle Tullis – Chair
Erick Cox
Roger Thomas
Mark Halterman
Dennis Gray
Mike Platt

Member Excused

Jared Christensen

Staff Present

Reed Erickson, Iron County Planner
Terry Palmer, Iron County Building Official
Sam Woodall, Iron County Deputy Attorney
Rich Wilson, Iron County Engineer
Merilee Wilson, Iron County Engineering Dept.

Others Present

Robert Nelson
Rob Allred
Clarence Jones
Jeremy Hunt

Representing

Self
PRT Builders
PDC
Self

Others Present

Arlo Fawson
Jared Holt
Kimball Holt

Representing

Go Civil
Bar V Holdings
Holt Dairy

1. WELCOME AND PLEDGE OF ALLEGIANCE

Chair Tullis opened the meeting at 5:30 pm.

Dennis Gray led the Pledge of Allegiance.

2. PUBLIC COMMENTS – Non-Agenda Items

Chair Tullis opened time for public comments.

No comments were made.

Chair Tullis closed the public comments.

3. CONDITIONAL USE PERMIT APPLICATION – “Kennel” (34.12 Acres) ...continued from April 3, 2025 meeting.

Located near 677 S 3400 W, Parowan, UT. (APN: C-1048-0001-0000)

Applicant: Parowan Gap Dog Rescue & Sanctuary, c/o Zohar Lahav

Introduction:

Reed Erickson shared the following:

- The public hearing was held April 3, 2025 so no hearing will be held at this meeting, but the ICPC may choose to allow comments.
- The proposed location is on the northwest side of I-15 near Parowan.
- The parcel is zoned A-20 as are the surrounding parcels. The property to the east across I-15 is zoned R-5.
- Due to the feedback from the last meeting, the applicant has provided an updated preliminary site plan for phase 1.
- Phase 1 includes the kennel and the clinic. Phase 2 will include the larger restaurant.
- The impacts discussed at the April 3rd meeting, including noise decibel levels, will be addressed as mitigation items in the CUP.
- Rob Allred and Clarence Jones are in attendance tonight representing the applicant.
- The staff and the applicant have met a couple of times since the last ICPC meeting to discuss the concerns brought up and changes are reflected in the CUP draft.
- The applicant, Zohar Lahav has reviewed the CUP. He is in agreement with the CUP draft that was given to the ICPC members at this meeting.
- Phase 1 will develop in 3 Steps. The County will monitor the growth for each Step.
- *Phase 1, Step 1 requirements:*
 - The road, 4300 W, needs to be acquired as a 66-foot ROW. The roadway must be built to county gravel standard with a minimum of a 14-foot wide chip sealed road. By the time Step 3 occurs, the roadway will need to be the full 28 feet wide chip seal.
 - Acoustic walls, included in the drawing, are for the perimeter of the kennel areas. They will be 7 feet tall with a sound barrier between 2 gabion walls. Additional landscape will be added for beautification.
 - Step 1 is limited to a small water system up to 25 people, which includes 18 employees total and some visitors.
- *Phase 1, Step 2 requirements:*
 - Phase 1, Step 2 will begin when the number requirements in Step 1 are surpassed for employees, water, parking, number of dogs, store, café, etc.

- Septic will still be less than 5000 gallons per day, but may change in Step 3.

Planning Commission & Staff Discussion:

- Details discussed by the ICPC and staff included:
 - The gabion wall barriers are 7 feet high and are listed in the CUP in Item #3 (referencing Exhibit A).
 - Field-testing is needed at the property line for noise decibel levels. The staff suggests using 60 decibels as the highest level allowed at the property line.
 - Adding decibel requirements to the CUP in both Item 18 and the Exhibit for Step 1.
 - The applicant will only need to get approval for Steps 2 and 3 if they change what the CUP allows.
 - After discussing roadway concerns about building the road in stages, passing other vehicles on a 14-foot chip sealed road may cause dust and throw gravel, and options for pullouts and controlling dust, the ICPC members determined the CUP requirements were acceptable due to the flatness and site distance available with the road.

Public Comments:

The ICPC members agreed to allow public comments.

Chair Tullis asked if the public had any comments.

No comments were made.

Planning Commission Action – (Approve, Approve with modifications, Deny or Continue):

Chair Tullis read the Review and Findings (17.28.050).

All ICPC members agreed the application meets the criteria.

Motion: Roger Thomas made a motion to grant the Conditional Use Permit for the 34.12-acre property identified in Agenda Item #3 having found the application to be in compliance with the requirements of Iron County Land Management Code, specifically 17.28.050 with modifications for calling out the decibel level and the sound barrier as discussed.

Second: Seconded by Mark Halterman.

Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

4. ZONE CHANGE APPLICATION – “R-2 to LI” (2.0 Acres)

Located near 5700 W and 450 N, Cedar City, UT. (APN: E-0188-0002-0000)

Applicant: Deb Nelson

Introduction:

Reed Erickson shared the following:

- The location of the property is between Hwy 56 and Iron Springs Road, located in the Tier II boundary adjacent to property within Cedar City boundaries.
- Cedar City's annexation plan is included for the ICPC to review with the Zone Change Application.
- Cole Ashdown owns the 2-acre property to the north. He is agreeable to change his lot to Light Industrial (LI) so his R-2 zoned property is not an island in the middle of LI zoned properties, as long as he can continue to use the property as rental property. The county will provide a letter for Mr. Ashdown stating the lot is a pre-existing lot so renting for residential may continue as specified in the non-conforming section of county code.
- The applicant and county are working with the adjacent property owners to the east to allow access because the west side of both properties will be along the proposed 5700 W belt route.
- The staff recommends that Mr. Ashdown's property be included in the zone change.

Public Hearing:

Chair Tullis opened the public hearing and read the Zoning Considerations.

- Kristen Hunter shared:
 - She lives across the street west of the Nelson property.
 - Ashdowns are on “her well”, but the Nelsons do not have water. She is over the water company and the well will not be able to handle LI use.
 - 5700 West will not handle truck traffic as it is. When Big Ben's Storage was built along 5700 West, the roads were never returned to their original condition. She needs reassurance the roads will be replaced.
 - Big Ben's Storage does not have downward facing lighting and wants this CUP to include downward lighting. The County Ordinance Sections 10.12.33 and 16.35.030 say downward facing light is required and must be turned on and off at certain times. She recommends they be motion activated and stay on for only 15 minutes.

Planning Commission & Staff Discussion:

- Terry Palmer thanked Ms. Hunter for sharing her concerns and said he would look into the lighting at Big Ben's Storage and shared that the staff is discussing the creation of a dark sky ordinance.
- Rich Wilson agreed to look into the road issues.
- Mike Platt asked if Ms. Hunter's concerns would be addressed when a CUP application came in, and conditions determined.
- Terry explained that these concerns would be addressed with a CUP or with a building permit, and that they do have the ability to pull water to the property from the Water Conservancy District.
- Reed reviewed the requirements for the LI zone and the staff agreed this zone change meets those requirements.

Close Public Hearing:

Chair Tullis closed the public hearing.

Planning Commission Action – Recommend to County Comm. (Approve, Approve with modifications, Deny or Continue):

Motion: Mark Halterman made a motion to recommend that the Iron County Commission approve the zone change in agenda item #4 along with the 2-acre property adjacent to the north.

Second: Seconded by Mike Platt.

Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

5. ZONE CHANGE APPLICATION – “A-20 to LI” (204.22 Acres)

Located near 5900 W to 6900 W Silver Hills Parkway, Cedar City, UT. (APN: E-0180-0002-0000, E-0181-0000-0000, E- 0183-0000-0000 & E-0184-0001-0002)

Applicant: Fiddlers Canyon, LLC, represented by Go Civil Engineering

Disclosure: Chair Tullis disclosed she has a professional relationship with applicant so she will not be voting.

Introduction:

Reed Erickson shared the following:

- This application is for a 204-acre property currently zoned A-20.
- Several adjacent properties have been rezoned to Light Industrial (LI) within the last 2 years.
- Silver Hills Pkwy gives access to the applicant's property.
- All adjacent property owners were notified of this public hearing.
- If this is approved as proposed, one adjacent property will be an island of A-20 within the LI zone. The owner did not respond to the letter, and since the County does not have a phone number, the ICPC could assume they are in agreement with the zone change.
- The staff would like to include the adjacent property with this zone change, but it is up to the ICPC to determine whether to include it or wait and continue to try to reach out to the property owner.
- The applicant's property currently has water from the Water Conservancy District.
- The lots on the north end of the applicant's property are 5 acres and are allowed to have septic systems, but if they ever desire to change to less than 5 acres, sewer will be required. Sewer is being planned nearby at Iron Springs Road and along 6725 West.
- The LI zone is feasible with the infrastructure currently available and for what infrastructure is being planned.

ICPC clarified the following with the staff:

- The current map does not show the previous lot line adjustment on the applicant's property.
- The staff could continue to try to contact the property owner that will be an island of A-20 within LI zoned property and, if they agree, this could be presented and explained at the County Commission meeting before approval.
- There is no vesting in zoning and that is part of the reason the County deals with zoning as a legislative process. because there is no “right” to keep it zoned or re-zone, which is why the ICPC is allowed to make that recommendation. The only time anyone is entitled to retain zoning that already exists is when they have a complete land use application submitted.
- The adjacent property does not appear to have any activity on it.
- One of the main differences between A-20 and LI is that residential is not allowed in LI.
- Staff will try to contact the property owner prior to the May 12, 2025 County Commission Meeting.

Public Hearing:

Chair Tullis opened the public hearing.

No comments were made.

Close Public Hearing:

Chair Tullis closed the public hearing.

Planning Commission & Staff Discussion:

Reed stated that the staff and ICPC discussion has covered all the rezoning considerations.

Planning Commission Action – Recommend to County Comm. (Approve, Approve with modifications, Deny or Continue):

Motion: Erick Cox made a motion to recommend to the Iron County Commission that the 204.22 acres zone change from A-20 to LI for Agenda item #5 be approved with the inclusion of the additional 20 acres of island property with attempts made to contact the property owner and make them aware of the proposal, absent their objection.

Second: Seconded by Mike Platt.

Discussion: Roger Thomas asked that Reed inform the County Commission about the attempts to contact the property owner and the results of those attempts.

Motion Passed: (Voting: Michelle Tullis, abstained; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

6. ZONE CHANGE APPLICATION – “A-20 to IA” (87.58 Acres)

Located near 1600 S 500 W, Beryl, UT. (APN: E-1409-0001-0002 & E-1410-0003-1410-04)

Applicant: Escalante Farms, LLC, c/o Jared Holt

Introduction:

Reed Erickson shared the following:

- The application is to rezone 87.58 acres, south of Beryl Junction along SR-18 west of Newcastle, from Agriculture 20 (A-20) to Intensive Agriculture (AI).
- Surrounding properties include A-20, Commercial (C), and some Residential 2 acre (R-2).
- IA zoning requires an 80-acre minimum unless it is adjacent to an existing IA zone. The applicant did a lot line adjustment so that this parcel is 87.58 acres now.
- The zone change is needed before the applicant applies for a CUP for a Type VI Animal Operation, which is the next agenda item.
- The approval of the CUP is contingent upon the County Commission approving the zone change.

To explain the purpose of the zone change, Reed shared the following about the proposed CUP:

- The proposed CUP is for a lagoon facility to help handle the sewer effluent from the dairy.
- The setbacks are 200 feet off the property lines, from the road, and from any other well or water source.
- The road that goes to the pivot will be re-routed along the west side of the new lagoon.
- The lagoon is 50-acre-feet of water, and is approximately 400 feet by 350 feet, which is $\frac{1}{4}$ the size of the most recently built lagoon they have on another property to the east.
- The applicant provided drawings associated with the size and dimensions, showing it would be closer to several pivots in an area that would serve effluent from the lagoon.
- The application is also governed by the State of Utah with a nutrient management plan and the lagoons are permitted through the Dept. of Environmental Quality Water Division (DEQ).
- The applicant currently has the ability to apply effluent without a lagoon, but the lagoon allows them to stage the effluent, mix it, dilute it, and apply it to crops quicker than with the current lagoon system.
- Currently, applying the effluent in the fields occurs about 20 days in the Spring and 20 days in the Fall. With the new lagoon, the time is expected to be reduced to 14 days each.

Public Hearing:

Chair Tullis opened the Public Hearing and read the meeting considerations. The following comments were made:

- Jeremy Hunt shared that he lives north of the property, his front door is 70 feet from the property where effluent will be land applied, and asked what can be done if the odor is unacceptable, hoping this would be addressed in the CUP.
- Robert Nelson stated he is in opposition of the project and provided an email and written statement of his reasons, which include:
 - Health and safety concerns for the 100 people living within one and a quarter miles of the proposed location.
 - The potential droplets from the fluid being a major concern and a catastrophe waiting to happen.
 - The Newcastle area has already been damaged because the process is already happening there. If canvassed, he thinks there will be many people with symptoms relative to the side effects of the operation.
 - He has smelled the current lagoons several times a year.
 - He feels the property values will go down and will affect him and his neighbors financially, especially if this is the first phase of many to come.
 - He wants to be heard and his research considered.
- Jared Holt, applicant, asked to respond and stated the following:
 - Addressing Mr. Nelson, he shared they were not aware of his concerns, but would like to respond to them.
 - First, the nutrient management plan by NRCS has recommended a way to improve air quality in the Newcastle area with a digester. Covering the lagoon will capture the gasses. They expect the odors to be cut in half. The changes will begin in October.
 - Secondly, they plan to improve the water quality by moving the application of the effluent further west. They did do that with the second lagoon and are now doing that with this one.
 - They currently have the right to apply the effluent, with the current Nutrient Management Plan in place, to any of those pivots near the new lagoon site.
 - Originally, the challenge was that the lagoon was shallow and flat, a contractor had to clean it out, there was not enough sludge storage, they were applying effluent every month, and it was not designed well. They are redoing it all: adding a digester in that area, putting in another storage lagoon, relining it, adding a pump to control the sludge, and applying effluent only in the Spring and Fall.
 - By moving it further west, per NRCS's request, it will reduce application to 14 days in the Spring and 14 days in the Fall.
 - When applying, they will use LEPA irrigation systems so it is essentially dropping the fluid at ground level so it will not go into the air.
 - Application will not happen on alfalfa and not often on corn. They will apply it to triticale so the application will not happen every year in areas that are going to be of concern.
 - When applying effluent near Newcastle, if the neighbors call and say the winds have changed, they will turn it off.
 - Having more storage will dilute the effluent more. This also solves a public safety issue to have more storage.
 - They hope to prove they are working to get the odor down with less droplets in the air by moving to a closer lagoon, diluting the effluent more, and applying closer to ground.
- Robert Nelson added his concerns regarding:
 - Storm water and applied effluent mixing in the ground and getting into the ground water.
 - Prevailing winds picking up effluent and pushing it into the air causing breathing concerns.

- The location needs to change, not the idea. Proximity of the church, school, and residents are very close, and in the path of prevailing winds. This is similar to when past bombs were detonated that were thought to be safe, but later all became down-winders.
- The ICPC should prevent this project, so health issues don't have to be mitigated later. One dead person is too many.
- Jared Holt responded:
 - First, the uptake of water from the 200-acre foot lagoon is not like flood irrigating was done 40 years ago. The plants will be watered and nothing more.
 - Secondly, the 200-acre foot lagoon has been there 5 years and they are not seeing what he is saying about it affecting the ground water. The groundwater is very pure and is closely monitored. The nitrites in the ground have changed very little and are tightly controlled by the DEQ through continuous monitoring.
 - Third, the 200-acre foot lagoon is in area with clay. DEQ was involved when they drilled down below the barrier, they found that the soil below was bone dry. They have not had ground water issues at the dairy or the lagoon. They have no intention of storing year round water in the lagoon. Unless they have an emergency, they will not run water just to run it because of the pumping costs. They will run water over for a weekend and stage it for immediate use.
- Robert stated that it does not matter if it gets in the ground, but if it is in the dirt, it becomes a dust particle.
- Jeremy Hunt asked about the dilution rate and having access to DEQ information.
- Jared clarified the dilution rate minimum would be 1 to 1, but it is more like 9 to 1. The amount of dilution is determined by how much they can pump from Friday at 5:00 pm to Monday at 8:00 pm.

Close Public Hearing:

Chair Tullis closed the public hearing.

Planning Commission & Staff Discussion:

Erick Cox asked and Jared Holt clarified they will pipe the water and that it will not be trucked.

Planning Commission Action – Recommend to County Comm. (Approve, Approve with modifications, Deny or Continue):

Motion: Dennis Gray made a motion to recommend to the Iron County Commission that the zone change from A-20 to IA for the 87.58-acre property in agenda item #6 be approved.

Second: Seconded by Roger Thomas.

Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

7. CONDITIONAL USE PERMIT APPLICATION – “Type VI Animal Operation” (87.58 Acres)

Located near 1600 S 500 W, Beryl, UT. (APN: E-1409-0001-0002 & E-1410-0003-1410-04)

Applicant: Escalante Farms, LLC, c/o Jared Holt

Introduction – Review:

Reed Erickson shared the following:

- This CUP application for a Type VI Animal Operation is eligible for consideration, but is contingent upon the approval of the zone change in Agenda Item #6.
- This is a separate CUP, but references the dairy CUP previously approved because it is the staging lagoon for the other operation.
- The draft CUP outlines conditions that monitor and address the lagoons and how they are constructed and operated.
- Jared Holt has reviewed the draft and is agreeable with the conditions that were proposed.
- Mitigations that the CUP identifies include:
 - Compliance with EPA groundwater monitoring.
 - Property identification markers/fencing.
 - Compliance with Section 17.30.080 regarding odors.
 - Dust control during construction.
 - Setbacks.

Roger Thomas asked Rich Wilson if he agreed with the science and the TDS based on the Iron County water management plans.

Rich responded:

- He does agree with the science.
- TDS means Total Suspended Solids, which are the solids that do not transfer easily (they don't percolate through the ground well).
- The one thing to be concerned about is the nitrogen levels over time. DEQ is monitoring it and we learned from Mr. Holt that they have not had an issue due to the lining.
- The science of soils using drip irrigation is called atomizing. When the particles are broken down, they do not travel with the wind and they literally stick to the soil.
- In the US, the estimate is that the percolation and absorption would hit the aquifer in about 100 yrs. When the soil is clay, the number of years increases.
- For reference, when the setback required is 100 feet, 90% of all treatment out of a typical residential septic system happens in the first 2 feet. The remaining 98 feet is just buffering.
- He does not want to minimize Mr. Nelson's concerns because they are legitimate, but the DEQ knows what is needed based on their experience.

Kimball Holt explained:

- To keep nitrate out of the soil, the effluent is being applied directly onto the plants, not just on the ground.
- Triticale uptakes a massive amount of nitrogen and puts it into growth so it does not have percolation of nitrogen in the soil.
- Alfalfa creates its own nitrogen so effluent is not applied to alfalfa.
- During the application of effluent, there will be a smell for those 20 days, which they hope to reduce to 14 days. Afterward there is very little smell.
- They work as fast as they can, use the diluting factor, and apply it to plants that are already greening up so they uptake the nutrients immediately.
- In the past, the odor from the lagoon was due to a 4 to 5 foot sludge layer. With the digester, it should have significantly less volatile solids as they are essentially breaking down all year long and a significant amount will be destroyed in the form of burning methane.

Jared Holt shared:

- The lagoon is designed to have a 1-2 foot area where the fluid will not be picked up by strong wind, and they will adjust the depth as needed. They will rarely store it in the lagoon except just prior to spraying.
- The sludge goes first to the digester, then to a storage lagoon, then to the staging lagoon, then to the west staging lagoon, and finally to the station unit. Solids will drop out along the path or they will dilute it.

Public Hearing:

Chair Tullis opened the public hearing and asked the attendees to follow the meeting considerations. The following comments were made:

- Jeremy Hunt expressed he was not sure what all is considered for CUP's, and asked if water in the ICPC's realm of knowledge.
- Erick Cox responded that the ICPC has discussed residential septic requirements and nitrate levels for the past 2 years.
- Rich Wilson shared that he designed waste water for 17 years and regulated them for 8 years so he has expertise in water and septic.
- Jeremy asked for details on effluent getting into their regular irrigation lines that are interconnected and what safeguards are in place.
- Kimball Holt shared that every farmer is supposed to have a backflow valve. They always have a backflow valve and add an additional valve if it is connected to effluent, so if the first valve fails there will be the backup. All their lines have these valves installed.
- Robert Nelson stated that in the application, it indicates they are asking for approval for an animal operation up to 2000 cows. He asked if this is the first phase of many and noted they did not address items "e" and "f", but have given information that indicates their intent in this meeting.

Close Public Hearing:

Chair Tullis closed the public hearing.

Planning Commission & Staff Discussion:

- Roger Thomas clarified:
 - This CUP is for the lagoon and not about growth of the dairy. The applicant would have to get approval for any growth.
 - He appreciated that Mr. Holt listened to the neighbors when they called him.
 - The Dairy has been there a long time and the owners are making a strong effort to make it better.
- Rich stated that the applicant is willing to turn off the spray if needed and their practice is to listen to neighbors.
- Erick Cox read the Review and Findings (Section 17.28.050, Section A). The ICPC agreed the requirements were met with the mitigations discussed.
- Reed noted that Section B is for added conditions as have been added to the CUP.

Planning Commission Action – (Approve, Approve with modifications, Deny or Continue):

Motion: Mike Platt made a motion to approve the CUP for the 87.58 acres for Agenda Item #7, contingent on the zone change approval by the County Commission, having found the application to be in compliance with the requirements of the County Land Management Code, specifically Section 17.28.05.

Second: Seconded by Erick Cox.

Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

8. PRELIMINARY SUBDIVISION APPLICATION – “Painted Desert Subdivision, Phase 2” 32 Lots (20.23 Acres)

Located near 5100 N 2300 W, Cedar City, UT.

Applicant: Performance Real Estate, LLC, represented by Go Civil Engineering

Introduction:

Reed Erickson shared the following:

- This application is for Phase 2, includes 32 lots, and is located south of Phase 1 off Midvalley Road and west along 2300 West near a recently approved R4K subdivision off Midvalley Road.
- When a subdivision is more than 11 lots, it comes before the ICPC for approval.
- The planned sewer line will come from Rancho Bonita Subdivision, Phase I and II, runs down to its own sewer lift station in the northwest corner of Painted Desert Phase I, and then is lifted back out to 2300 West.
- The planned road accommodates for the sewer line and the application meets the County subdivision requirements.
- The continued discussion is regarding variances for streetlights, fencing, and curb/gutter/sidewalk to match what was approved in Phase 1.
- The County is interested in having developments include street lighting in critical areas. The applicant does not believe streetlights are needed because all the houses are required to have photocell lights on the front of each house to light up the area.
- The staff has discussed adding streetlights with the power company and are awaiting more information.

- All requirements were reviewed for the R-1/2 zone and the only variations are street lighting and fencing.
- Fencing of each phase does not make sense so that is not an issue.
- There is no public hearing for this, but the adjacent property owners were sent letters and they have 10 days to make comments so changes may be incorporated if needed.
- Construction drawings are in process and will be reviewed by staff.
- Arlo Fawson, with Go Civil, is here to answer questions.

Planning Commission & Staff Discussion:

The ICPC and staff discussed the following:

- Painted Desert Phase 2 giving Homestead Meadows an easement for sewer.
- Responsibility of County vs Developer to pay for lift stations.
- Additional staff meetings have been scheduled to discuss the limit of hook-ups allowed to the lift station before having to upsize, the County's collection of a lift station upgrade fee, and impact fees.
- Hook-up costs are in 2 stages: \$348 for sewer upgrade and an impact fee of approximately \$750 per homeowner.
- Phase 3 will be flat and a portion may not be included in the lift station.
- No curb and gutter in Painted Desert Phase 1 and Estates at Sunrise Ranch worked well, even though the owners got concerned when water was sitting in the retention basin. The basin did what it was supposed to do.
- Variations to subdivisions may need to stop being granted since the conclusion is often that if it was done before, it can be done again.
- Allowing Phase 2 to match Phase 1 of same development seems logical.
- Meetings with staff and County Commissioners are needed to discuss street lighting power payments before determining a lighting variation for future subdivisions.
- The staff is waiting for the power company to provide details regarding lighting costs and maintenance before determining the post height, how far apart, times lit, safety, and maintaining a dark sky.
- PUD's with narrow streets may have enough front house lighting without posts due to the street width being only 20 to 24 feet.
- Encouraging the County Commission to approve a safe lighting and dark sky ordinance due to the density of housing and high traffic at intersections.
- The current Safe Street for All (SS4A) project has brought the need for the ordinance for lighting at intersections to the Commissioners attention.

Planning Commission Action – (Approve, Approve with modifications, Deny or Continue):

Motion: Mike Platt made a motion to approve the Preliminary Subdivision Application in Agenda Item #8, having found it to be in compliance with the requirements of the Iron County Land Management Code, specifically Chapter 16.12.

Second: Seconded by Erick Cox.

Reed clarified that fencing is not required all the way around Phase 2 because it was not required in Phase 1, but the developer is putting in block walls.

Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

9. General Plan Amendment - Tier III & IV and Zoning Change Discussion (Summit & Newcastle areas)

Located in the Tier III areas of Summit and Newcastle

Applicant: Iron County

Introduction:

Reed shared the following:

- The County Commission has approved changes suggested by the ICPC for Kanarraville, Parowan, and Paragonah.
- The discussion tonight is a continued discussion regarding Summit and Newcastle's Tier IV and Tier III areas.
- Beryl is not currently part of the discussion because it was not part of the Septic Density Study and even though there are many lots, they are pre-existing lots and no property less than 20 acres will be subdivided.
- The purpose of a Septic Density Study is to preserve groundwater so the studies were done in areas in the County with larger concentrations of existing and potential septic.
- The original 1995 Tier system was significantly amended in 2005 and it is time to update it to incorporate the Septic Density Study information regarding current nitrate levels, acceptable nitrate levels, the number of septic tanks that currently exist, and the number that should be allowed in any given area.
- A Summary of the Tiering Systems is as follows:
 - Tier I: Urbanized Area available for Urban Growth within existing municipal boundaries.
 - Tier II: Urban Expansion Area for Urban Growth within a reasonable proximity to existing municipal boundaries that are eligible to be annexed.
 - Tier III: Land available for Urban Growth that can be developed as a new master planned community, village, or resort.
 - Tier IV: Areas generally appropriate for agricultural uses and rural densities due to remoteness from infrastructure.
- Regarding the proposed changes to the Newcastle area:
 - The original Septic Data Analysis showed there are 105 septic systems in the study area and 364 existing lots. The allowed number of septic systems is 220 to be able to stay at or below the 3.5 contamination level. That means 144 of the existing lots should not have septic.

- To address the issue of the 144 lots, the study area was made smaller, the lots were reviewed, and it was determined the minimum lot size should be 10 acres per septic for any new subdivision.
- Changing the Tier II and Tier III area sizes around Newcastle allows more ability to grow, and clears up the confusion that property owners have about how they can divide their property.
- The staff is proposing to reduce the Tier III area and buffer that with zoning for A-20 and some RA-20 so that it does not allow the heavier impact of Industrial or Commercial agriculture uses area.
- Regarding the proposed changes to the Summit area:
 - A 10-acre minimum per septic system is also the requirement for Summit.
 - The Septic Density Study did not follow the existing Tier IV or Tier III boundaries because better overall analysis needed to be made showing where wells were and what the lot sizes were.
 - The staff is proposing that the Tier III boundary reflect the growth changes based on the Septic Density Study.

Planning Commission and Staff Review/Discussion:

Reed will email out the proposed changes for both Newcastle and Summit, including the slides shown tonight, for the ICPC to review and give feedback.

No Action Required.

10. ELECTION OF OFFICERS

Chair and Vice-Chair

Introduction:

Reed Erickson explained the following

- The election of the Chair and Vice-Chair is done annually.
- County Ordinance 17.08.030 states the planning commission shall elect one of their members as chair and one of their members as vice-chair and that no member shall serve as chair for more than two consecutive terms.
- Last year the ICPC elected a new chair and vice-chair and they could continue through this year.

Planning Commission Action – (Elect or re-elect officers for 2025):

CHAIR

Open Nominations for Chair: Chair Tullis opened nominations for Chair.

Nomination for Chair: Chair Tullis nominated Erick Cox as Chair.

Second: Seconded by Roger Thomas.

Accept: Erick Cox agreed to the nomination.

Nomination for Chair Passed: All in favor (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

VICE-CHAIR

Open Nominations for Vice Chair: Chair Tullis opened nominations for Vice-Chair.

Nomination for Vice-Chair: Mike Platt nominated Jared Christensen.

Second: Seconded by Mark Halterman.

Nomination for Vice-Chair Passed: All in favor (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

11. MINUTES... consider approval of minutes for the April 3, 2025 meeting.

Motion: Mike Platt made a motion to approve the April 3, 2025 minutes with the correction on agenda item #8, page 7, to change "night pollution" to "light pollution".

Second: Seconded by Erick Cox.

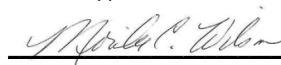
Motion Passed: (Voting: Michelle Tullis, aye; Erick Cox, aye; Mark Halterman, aye; Roger Thomas, aye; Dennis Gray, aye; Mike Platt, aye)

12. STAFF REPORTS... A. Building Department B. County Attorney C. Planner & Services Coordinator
No reports given.

13. ADJOURN

Chair Tullis adjourned the meeting at 8:07 pm.

Minutes Approved June 5, 2025 by the Iron County Planning Commission



6/6//2025