



Washington County Land Use Authority Meeting June 10, 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 June 10, 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, Keith Kelsch and Olivia Anderson. The Washington County Staff in attendance: Scott Messel, Director of Community Development, Victoria Hales, Washington County Deputy Attorney; Elliott Taylor, Public Works Engineer, Emerson Rivera, Zoning & Code Compliance Specialist; and Reid Walkenhorst, Planner.

MEETING OPENING AND WELCOME.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Chairman McMullin.

ROLL CALL / STATEMENTS OF CONFLICT OF INTEREST.

Chairman Brian McMullin: No Conflict
Vice Chairman Mark Owens: No Conflict
Commissioner Kevin Jones: Absent
Commissioner Brad Gaston: No Conflict
Commissioner Olivia Anderson: No Conflict
Commissioner Brandon Anderson: Absent
Commissioner Keith Kelsch: No Conflict

1. **ZONE CHANGE AND LOT LINE ADJUSTMENT (Public Hearing – Legislative).** Review an application for Zone Change and Lot Line Adjustment. The applicant owns three parcels in the Leeds area which he's proposing to bring into zoning compliance by means of a lot line adjustment and zone change. The parcels under consideration are 3182-A-1-F-HV, 3169-B-1-HV, and 3169-D-HV, currently zoned OST-20 (Open Space Transition 20-acre minimum lot size) and RE-40 (Residential Estate 40,000 sq. ft. min. lot size) but are undersized for the applicable zones. The applicant proposes to rezone the parcels to the RA-1 (Residential Agricultural 1-acre min. lot size) Zone. Parcel one will total approximately 1.5 acres, parcel two will total approximately 1.05 acres, and parcel 3 will total approximately 2.14 acres. The applicant is Jason Holm.

Mr. Scott Messel (Community Development Department Director) gave an overview of the parcels under consideration for a zone change.

Staff recommendations are as follows:

1. Notice of Public Hearing was issued May 29, 2025, in the following locations:



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- Washington County Administrative Building, Washington County Branch Libraries – Enterprise, Hildale, Hurricane, New Harmony, Santa Clara, Springdale, St. George, Washington City, and the Utah State Public Notice Website.
2. The public hearing was held on June 10, 2025, in the regularly scheduled Planning Commission Meeting.
 3. The applicant has provided a professional land survey document showing the proposed layout of the new parcels which meet the acreage requirements of the RA-1 (Residential Agricultural 1-acre minimum lot size) zone.
 4. Access has been provided for each lot.
 5. Availability of water has been confirmed for each lot.
 6. Septic feasibility has been approved for each lot.
 7. Approved access has been provided for each lot.
 8. A will serve letter from Rocky Mountain Power has been provided.
 9. A will serve from Hurricane Valley Fire has been provided.
 10. The applicant has resolved nuisance complaints with construction equipment and ancillary vehicles and trailers to the satisfaction of Washington County Code Enforcement. Operating and storing equipment for a construction business is not allowed in residential zones, the applicant is approved to operate a home office.

Commissioner McMullin asked if all the violations have been corrected and whether it would be useful to have conditions added to have the applicant comply within a certain time limit.

Mr. Emerson Rivera explained that the applicant has complied. He still has some remaining equipment on the property which might be used for the retaining wall. The applicants' present retaining wall permit allows for this, if it is current.

Ms. Victoria Hales (Washington County Deputy Attorney) stated that legally a zone change cannot be conditioned. Ms. Hales explained that Mr. Rivera has worked with the applicant in bringing him into compliance and will continue to work with him. She stated that once the zone is changed, the permitted and conditional uses for the zone change accordingly. She stated that industrial or manufacturing businesses are not permitted in either zone. However, they can have a home office, which is what they currently have.

Commissioner Olivia Andersen queried about business licenses.

Ms. Hales explained that home occupations are permitted in residential zones, namely: Minor (business license not required) and a Major Home Occupation (business license required).

Chairman McMullin opened Public Hearing:



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Mark Nielson, who lives directly behind the property expressed the following:

- Concerned about his quality of life and property value.
- He opposed the zone change.
- He is concerned about the amount of dirt that was brought in because it raised the applicants' lot up by eight feet.
- Concerned as the applicant told him that he would be bringing in more dirt to take it up a further five feet.
- He said if the applicant keeps building the lot up, they would be looking down on his property as well as the other neighbors' properties.
- He is concerned about the pipe, sewage, drainage, and water run off into his backyard and he wants to ensure it is done right.
- He would like to see a one-story home, not a two story, with a nice clean look like Kayenta.
- Height of the applicant's home and would like to see a planning condition to keep homes at the same level.
- Wants to see a plat map packet which shows lot lines and where the homes will be situated.
- Whether public was able to review or to have a say in the look of the homes?
- Diesel spillage and if there was any record of it being cleaned up.

Chairman McMullin closed the Public Hearing.

Ms. Hales suggested that Mr. Elliott Taylor (Public Works Engineer) talk about the retaining issue for this property.

Mr. Taylor advised any retaining wall over four feet will need to be engineered.

Commissioner Owens asked Mr. Taylor questions about requirements for the retaining wall and Mr. Taylor responded accordingly. Mr. Messel also added to the discussion regarding processes involved relating to subdivision standards.

Commissioner Owens expressed concerns about equipment storage on the property.

Mr. Messel advised that staff would keep an eye on the property and speak with the property owner to ensure he understands what he needs to do to stay in compliance.

Commissioner McMullin queried the parameters around the amount of fill material to build up the lot.

Mr. Taylor talked about the different limits or volume amounts for a grading permit and what instances would require one.



Commissioner McMullin invited the applicant to the podium.

The applicant approached the podium and stated his name; Jason Holm.

Commissioner McMullin questioned Mr. Holm about the amount of material he had brought onto his site and approximately how many feet.

Mr. Holm responded that they brought about one hundred dump truck loads, which resulted in about 6 or 7 feet.

Commissioner McMullin asked about the septic feasibility study.

Mr. Holm responded that the septic feasibility study was already in place.

Commissioner Gaston asked a question which was not clear due to microphone placement. His question was addressed by Mr. Messel who provided an explanation or example about protection strips in the Homespun subdivision which have since been cleaned up.

Ms. Hales addressed building height limitations for the lot zone is 35 feet. Mr. Messel added that the State does not allow municipalities to dictate how a dwelling should look as this would be addressed in the development agreement or in the HOA requirement for the subdivision. Ms. Hales explained that these are developer driven and cannot be County driven.

Commissioner Kelsch asked the applicant about who his Geotech engineer is and whether compaction tests were performed.

The applicant explained what steps were taken and the results of the tests.

MOTION:

Commissioner Kelsch motioned to recommend the APPROVAL of this zone change to the County Commission. Commissioner Gaston seconded the motion. All Commissioners voted in favor, the motion passed.

2. **DISCUSSION – WATER CONSERVATION ELEMENT OF THE GENERAL PLAN (Public Meeting – Administrative).** Review and discuss draft language of the Water Conservation Element of the General Plan. Discussion only.

Mr. Messel stated that they wanted to have a discussion with the Planning Commission about the water conservation element of the General Plan. Mr. Messel shared that the State



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requires each municipality to include a water conservation element in their general plan. Mr. Messel stated that the Water Conservancy District are the water managers in the area and has a current water management plan in place which he hoped could be used in the general plan. However, that is not the case. Mr. Messel stated that the State code outlines the elements needed in place for our water conservation element of the general plan. Ms. Hales stated that the WCWCD takes care of about 92% of the water supply in Washington County.

A discussion took place amongst the Commissioners; Ms. Hales and Mr. Messel, regarding the water conservation elements.

3. **MINUTES:** Consider approval of the minutes of the regular Planning Commission meeting held on May 13, 2025.

MOTION:

Commissioner Kelsch motioned to APPROVE minutes, Commissioner McMullin seconded the motion. The motion passed unanimously.

4. **COUNTY COMMISSION ACTION REVIEW:**

Legislative Approvals

- Glen Cove Estates Phase 2 – Final Plat
- Carter Subdivision – Final Plat
- Pine View Mountain Estates – Amended Plat – Michelle DePrizio
- Gardner Lakeview Heights – Amended Plat – Doran Barton
- Dixie Deer Estates Phase 5 – Road Vacation, Carson Circle
- Moderate Income Housing Plan – Strategy Update

5. **COMMISSION & STAFF REPORTS**

6. **ADJOURNMENT.**

MOTION:

Commissioner Gaston motioned to ADJOURN the meeting, the motion was seconded by Commissioner Kelsch. The motion passed unanimously.

Meeting adjourned at 2:20 pm.

Sinalei Tutagalevao
Administrative Permits Assistant

Approved: