

IRON COUNTY, UTAH IRON COUNTY PLANNING COMMISSION
MINUTES
June 5, 2025

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

**Members Present**

Erick Cox – Chair  
Jared Christensen  
Roger Thomas  
Dennis Gray  
Michelle Tullis  
Mark Halterman

**Member Excused**

Michael Platt

**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**

Lauri Borski  
Sharon Canada  
Keith Gilbert  
Bruce Barton  
Jash Harker  
Dennis Gardner  
Gail Heath  
Jennelle Zajac  
Leisa Jaime  
Arlo Fawson  
Jed Andreason

**Representing**

Chekshani Cliffs HOA  
Self  
KSG Enterprise  
Chekshani Cliffs  
Self  
Self  
Self  
Self  
Self  
Go Civil  
Self

**Others Present**

Cynthia Long  
Dayla Ulrich  
N\_\_\_\_\_  
Michelle Vargas  
Mary Gardner  
Lisa Cobb  
Mayor Millie Halterman  
Larry Zajac  
Ty Vinny  
Nathan Janes  
Sherri Carlson

**Representing**

Craig & Ann Barton  
Self  
Self  
CCC  
Self  
Self  
Parowan City  
Self  
Self  
Self  
Self  
Self

*Note: Others in attendance did not sign in.*

**1. WELCOME AND PLEDGE OF ALLEGIANCE**

Chair Cox opened the meeting at 5:32 pm.  
Jared Christensen led the Pledge of Allegiance.

**2. PUBLIC COMMENTS – Non-Agenda Items**

Chair Cox opened time for public comments.  
No comments were made.  
Chair Cox closed the public comments.

**3. CONTESTED ALUP APPLICATION – “Guest House” Kartchner Living Trust (1.59 Acres) 1976 S Chekshani Cliffs, Kanarraville, UT (APN: E-0401-0006-0048)**

**Introduction:**

Reed Erickson shared the following regarding the contested ALUP Application:

- Administrative Land Use Permits were added to the County’s ordinance to help manage customary and frequent applications and to help streamline and shorten the process.
- The difference between an Administrative decision and a Legislative decision is:
  - Administrative permits are clear in the ordinance, they are reviewed by the staff, and mitigation conditions may be added when concerns arise (approval by staff and/or planning commission).
  - Legislative permits are also in the ordinance, are reviewed by the ICPC and/or County Commission, and there is less discretion by the ICPC and the County Commission regarding approval and mitigations.
- When a staff approved ALUP is “contested,” the application is brought before the ICPC for additional review.
- The contested application being reviewed by the ICPC at this meeting is for a guest house which is a allowed use in an R-1 zone.
- The State and County use the term ADU “Accessory Dwelling Unit” differently. The State refers to an ADU as an internal unit, meaning it has to be within the footprint of the primary dwelling and they require that all local units allow this. The applicant’s property is located

in Chekshani Cliffs, south of Kanarraville, and is zoned R-1. This property currently has 1 primary dwelling. The County ordinance says 1 guesthouse is allowed in an R-1 zone with an ALUP.

- The proposed new building is for a dwelling, a large garage, and an in-home office.
- The property owner has indicated that the building was never intended to be used as a short-term rental.
- Many subdivisions have CC&Rs and some prohibit what the county ordinances allow. The county does recognize the CC&Rs, but does not enforce them. The County will grant what the County's ordinance allows, even when in conflict with CC&Rs.
- The applicant has 1.59 acres, has water through the CICWCD, and a new septic system design approved by the SW Public Health Dept. for the guest house.
- The letters received by those contesting the ALUP application include two main issues:
  - The guesthouse would be a detriment because it will unreasonably interfere with the neighborhood compatibility.
  - The application would be injurious to property and/or improvements in the vicinity.
- Mitigation suggestions by the staff include:
  - Maintain setbacks including vegetation blocking.
  - Minimal downward lighting.
- No public hearing will be held at this meeting, but the ICPC may consider allowing those in attendance to speak.

Chair Cox noted that the ICPC reviewed the HOA letter and Reed's comments, and asked if the attendees had anything in addition to share.

Comments made by the public included:

- Two of the seven adjacent property owners have contested, one owner called instead of sending a letter.
- They bought property in Chekshani because the CC&Rs state no guesthouses and no commercial use.
- He researched townhouse codes because a townhouse would be considered a home occupation.
- The applicant circumvented the CC&Rs and went directly to the county.
- The first time he heard of the proposed guesthouse was the County's letter.
- Approval of this will set a precedent and environmental adverse effects (including septic issues) may occur if other lot owners challenge the CC&Rs.
- The guesthouse would require a septic, which could have adverse effects if others do the same.
- The County should deny this request.
- The HOA doesn't want to have to litigate.
- Concerns that the fishpond shared with 4 neighbors, including the applicant, would increase liability with a guesthouse.
- When Kartchner's applied to the HOA architectural control committee for an RV barn/workshop, they did not mention a guesthouse.
- The Kartchners wrote a letter to the HOA that said they read all the HOA rules and procedures and that they agree with them, but then they went to the county for a guesthouse approval.
- The applicant says it's not an Airbnb, but we cannot trust them based on past experiences.

Clarification made by the staff and ICPC members included:

- The applicant's diagram showed 4 adjacent owners, but the County sent eight letters, including the applicant.
- The applicant is not in attendance.
- If the property is ever sold, the current owner's intent is not binding for the future owner, which is true for any home in any subdivision.
- If the ICPC directs staff to approve the ALUP, the ICPC does not need any kind of approval from the HOA because the two processes are separate.
- The application does meet all the requirements to approve the ALUP including Item #6 of the ordinance. There is no justification to not issue the permit.
- The County is not restricted by CC&Rs. First, there is the Utah Constitution and state code, then the County Ordinances, and then to the community's CC&Rs. The community cannot restrict the County and the County cannot restrict the State. The community may enforce their rules the same way as enforcing a contract.
- Each of the HOAs set different CC&Rs, but the County has to apply its ordinances uniformly across the County noting guesthouses are allowed in all residential zones across the county. The CC&Rs are civil agreements, not legislative regulations. The issue is a private or civil matter and the County should not be pulled in to resolve it.
- When asked about the HOAs recourses, Chair Cox shared that in his subdivision, a \$50 fine is issued each week to remedy an issue and then the HOA can file a lien that would stay with the property. The HOA cannot foreclose, but can add additional fines.
- The Kartchner's submitted the ALUP application when the county informed them it was required.
- The County does not refer to CC&Rs in their permitting process because they are out of the County's jurisdiction.
- If it can be proven that the application is not in compliance with county ordinances, the County can deny the application.

**Planning Commission Action – (Direct Staff to Approve, Approve with modifications, Deny, or Continue)**

**Motion:** Dennis Gray made a motion to direct the Iron County Staff to issue the “Contested” Administrative Land Use Permit for the Kartchner Family Trust for the property identified in agenda item #3.

**Second:** Seconded by Mark Halterman.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

**4. CONDITIONAL USE PERMIT APPLICATION – “Travel Trailer Park” Four spaces (140.26 acres) Located near 3900 S 6100 W, Cedar City, UT (APN: E-0261-0026-0000)**

*Applicant Harker Ranch, c/o Paul Harker*

**Introduction:**

Reed Erickson shared the following:

- The next three agenda items are Conditional Use Permits (CUP) so the same procedure applies to each, meaning:
  - The CUP is presumed to be granted because it is an allowed use.
  - If any mitigation is needed, they will be identified in the CUP.
- The property is located off 4000 S (Vandenburg Rd) and 6100 W.
- The applicant's property is zoned Residential Agriculture 20-Acres (RA-20). Nearby properties are zoned Commercial (C), RA-20 and A-20.
- The Fire Department will make sure the layout of the trailer park has proper fire protection and ingress/egress.
- No property owners contacted the County with concerns, but the staff looked at traffic and road conditions.
- A public hearing is required for this CUP.
- Josh Harker is in attendance representing the applicant. He was invited to share additional information, but had no comments.

**Public Hearing:**

Chair Cox opened the public hearing.

No comments made

**Close Public Hearing:**

Chair Cox closed the public hearing.

**Commission and Staff Discussion:**

- Reed reminded the ICPC to review Section 17.28.050 to determine if the CUP meets the criteria, which was done.
- Jared Christensen made a disclaimer that he does business with Paul Harker, but will vote on the item.

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

**Motion:** Mark Halterman made a motion to grant the Conditional Use Permit for the 140.26-acre property identified in agenda item #4, having found the applicant to be in compliance with the Iron County Land Management Code, specifically Section 17.28.050.

**Second:** Seconded by Michelle Tullis.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

**5. CONDITIONAL USE PERMIT APPLICATION – “Surface Mining” Sand and Gravel Pit (5.0 Acres) Located near 4751 N Gap Rd, Parowan UT (BLM property)**

*Applicant KSG Enterprise, LLC, c/o Keith Gilbert*

**Introduction:**

Reed Erickson shared the following:

- The proposed CUP is located on BLM property off GAP Rd south and east of the mouth of the canyon on the west side of Gap Road.
- The applicant has a lease with BLM on a 200-acre mineral claim.
- The pit is in a specific limited area consisting of five acres.
- BLM and DOGM (Utah Division of Oil, Gas and Mining) regulate these types of projects.
- Access to pit is off Gap Rd heading west; not off the old road to previous surface mines.
- The adjacent properties are zoned A-20 and RA-20.
- Our ordinance calls this a surface mine, which is really a gravel pit, an allowed use.
- Potential impacts include dust, increased traffic, and noise.
- Recommended mitigations include:
  - Dust control using a water truck, etc.
  - Road improvements for the main haul road.
  - Minimize track out.
  - A separation distance of approximately ½ mile from any residence.

- Property ID markers/fencing around the project area.
- Operating hours are identified in the CUP conditions.
- Keith Gilbert, representing the applicant, added:
  - They have been through a cultural study and environmental study and both were approved by BLM.
  - Due to their tight schedule, they went into contract on March 18<sup>th</sup> and were approved by BLM to begin clearing the land.

#### **Public Hearing:**

Chair Cox opened the public hearing and read the public hearing considerations.

Concerns were shared regarding the following topics:

- The mineral claim and potential use of the entire 200 acres.
- BLM does not allow surface breaks from March to July and current operations are happening now.
- The potential impact on the Gap archeological features.
- The Paiute Tribe not being aware of the proposed pit.
- The visitors to the Gap and safety of children and adult bike riders and runners.
- The increased traffic, the potential impact on the roads, and the travel path of trucks along Gap Rd and 600 North.
- Dust control generally and during windy times. Lack of water to manage dust.
- Future plans to produce asphalt.
- Hours of operation.
- Land Reclamation.
- Finding another location for the project possibly where the pit can be used for water retention.
- Decrease in property value.
- Current activity on the site, required approvals, and lack of compliance.
- The County reviewing BLM permits.
- Approval of this CUP opening the door for the applicant to do more.
- BLM's requirements regarding the habitat of migratory birds and the pigmy rabbit from March 1 to July 30<sup>th</sup>.
- The noise level of the operation.
- BLM following their own mission statement.
- The County should deny the CUP.
- A review of the potential impacts and mitigations.

Clarifications of statements made by the public from the ICPC, the staff, and the applicant included:

- The applicant has staked a legal mining claim on the 200-acres and are allowed to claim minerals.
- The County's permit requires they have to be in BLM compliance to get County approval.
- When starting an operation, it takes time to get operational. They have cleared a road and have been importing rock to cap the roadway to the mine in anticipation of mitigating dust, as a good measure.
- The applicant did request a hot plant, but is not an allowed use in the A-20 zone, which is the zoning of this property. A hot plant requires an industrial zone, therefore, it is not being considered in this application. This application is only for the mining of sand and gravel.
- The hours of operation on their application are 6am to 8pm. The A-20 zone has no restrictions of hours of operation, they do plan to be able to run seven days a week, and they will travel the closest, fastest way to get the product to the customer's jobsite.
- Once the trucks leave the property onto county roads, there are no restrictions on the use of county roads, and the county does not restrict the applicant's use of a public roadway.
- Other road travel options include 2200 W and 2200 N.
- Due to the confrontational comments made toward the ICPC and staff, Mark Halterman stated the public is getting one warning that this is a public meeting and to respect it or leave.
- Reed shared that the CUP is a recorded document and the County requires copies of the BLM and DOGM approvals.
- The County does not regulate or enforce the detailed requirements of permits given by BLM.
- The tight timeline is a BLM issue and the applicant stated that BLM approved to have it cleared.
- Reed stated the County is authorizing a CUP only. Procedurally BLM issued the permit, which includes reclamation plans, air quality, etc.
- The County is responsible to only mitigate any foreseeable adverse impacts of a CUP that is an allowed use in the A-20 zone.
- UDOT requires gravel loads be covered if traveling on the highway/freeway.
- The County ordinance does not list any kind of decibel level, other than what is in the nuisance ordinance, but that could be addressed.

**Close Public Hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

The following was discussed:

- CUP item #1 addresses port-a-potties.
- Requirements to limit track out.
- Utah Storm Water Pollution Prevention Plan (SWPPP).
- Road impact is no different than farming equipment or any other trucking operation.
- Possibly limiting starting hours to 7:00 AM, but determined County noise ordinance allows 6:00 AM for an A-20 zone.
- Fencing or identification signs required around the site.
- Downward directed lighting.
- Applicant required to submit all permits or pre-approval letters.

Chair Cox read the Review and Finding (Section 17.28.050)

Reed noted there are no wetlands or steep slopes, plus, 20 additional conditions have been added as part of the CUP.

**Planning commission Action – (Approve, Approve with modifications, Deny or Continue)**

**Motion:** Roger Thomas made a motion to grant the CUP for the 5-acre property identified in agenda item #5 with the modification to add the SWPPP language, having found the application to be in compliance with the requirements of the Iron County Land Management Code, specifically Section 17.28.050.

**Second:** Seconded by Jared Christensen

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

6. **CONDITIONAL USE PERMIT APPLICATION – “General Industrial and surface mining” Asphalt Hot Plant and Sand & Gravel Pit (24.78 Acres) Located near 1441 N Granite Mountain foothills loop Rd, Cedar city, UT (BLM property)**

*Applicant: KSG Enterprise, LLC, c/o Keith Gilbert*

**Introduction:**

Reed Erickson shared the following:

- This CUP application is also from Keith Gilbert.
- The project is located off Desert Mound Road east of where it runs into Comstock Road and east of the railroad track on a road called Granite Mountain Foothill Loop Road.
- The site is located on BLM and SITLA (State Trust Land).
- The property and all adjacent property is zoned Industrial.
- The potential impacts include dust, noise, traffic, etc. Also, emissions, particulate matter, and carbon dioxide from the hot plant.
- The DEQ regulates and monitors the emissions.
- The applicant has provided the leases/permits from BLM and SITLA.
- The applicant plans to have a surface mine (sand & gravel) and an asphalt hot plant.

**Public Hearing:**

Chair Cox opened the public hearing.

No comments were made.

**Close Public Hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

- Jared Christensen read the Review and Findings (Section 17.28.050)
- Rich Wilson requested to add to Condition 9, prevention of track out by having a smooth transition of at least 50 feet of pavement to existing pavement, instead of from dirt to chip seal.
- Keith Gilbert requested the paving be done next spring and Rich agreed, if the repairs to the road where it is damaged are taken care of in the meantime.
- Reed explained that Condition #9 does say the County Engineer can require road improvements.
- Mr. Gilbert asked for clarification as to when he is required to improve the road in case his neighbor questions him and asked if the road is a RS-2477 road, are those improvements allowed.
- Rich clarified that if the County is asked, he will explain the road improvements are a requirement of the CUP, but the County is not requiring a perfect road.
- Mr. Gilbert agreed to coordinate with Rich.

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

**Motion:** Michelle Tullis made a motion to grant the CUP for the 24.78-acre property identified in agenda item #6 with road improvement and track out modifications, having found the application to be in compliance with the requirement of the Iron County Land Management Code, specifically Section 17.28.050.

**Second:** Seconded by Mark Halterman.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

7. **ZONE CHANGE APPLICATION – “I to C” (4.73 Acres) Located near 3052 N Iron Springs Rd, Cedar City, UT (APN: E-0116-0011-0000)**

*Applicant: Country Town USA Properties, LLC, c/o Sam Williams. Represented by Go Civil Engineering.*

**Introduction:**

Reed Erickson shared the following:

- The property is 4.73 acres located at Bowman's Country Kitchen on Iron Springs Road.
- The Applicant would like to change the zoning in the area from Light Industrial to Commercial because it is more conducive to the area and to the interests of the applicant. Commercial requires less setbacks so the opportunities are better.
- Water is available through the CICWCD. Septic is required, and all the other utilities are available from Iron Springs Road.

**Public Hearing:**

Chair Cox opened the public hearing.

No comments were made.

**Close Public Hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

- Roger Thomas agreed that the Commercial Zone would give them favorable setbacks and fits with the uses already in the area.
- Arlo Fawson is in attendance representing the application and Go Civil Engineering.

**Planning Commission Action – Recommend to County Commission (Approve, approve with modifications, Deny or continue)**

**Motion:** Jared Christensen made a motion to recommend to the Iron County Commission that the zone change from Industrial to Commercial, for the 4.73 acre property identified in agenda item #7 and property located nearby, be approved.

**Second:** Seconded by Mark Halterman.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

8. **AGRICULTURE PROTECTION AREA APPLICATION – (52.25 + 119.25 = 171.5 Acres) Located near 3200 N 2625 W, Cedar City, UT (APN: D-0624-0001-0000 & D-0750-0000-0000)**

*Applicant: Legrande Webster*

**Introduction:**

Reed Erickson shared the following:

- The Agriculture Protection Area:
  - Is not a zone change, it is an overlay on property that gives certain statutory protections to the property.
  - Is benefitted because the local government cannot change the zoning or zoning regulations without the consent of the property owner.
  - Has nuisance protections stating that their general operation cannot be considered a nuisance.
  - Must be added to new recorded plat and neighbors are thereby notified of the status.
  - Restricts the ability for government to exercise eminent domain on the properties within the protection area.
- Mark Halterman, ICPC member, sits on the Agricultural Advisory Board and met with the Iron County Enterprise Conservation District yesterday and they made a recommendation for approval with some modifications to zoning.
- The Planning Commission will make their recommendation tonight and then it will go to the County Commission for a public hearing on June 23<sup>rd</sup>.
- Property may be removed from the Agricultural Protection Area if a property owner submits an application to do so.
- The Green Belt status is not affected by the protection overlay.
- The Protection Area is valid for 20 years and may be reviewed at that point. If it is not reviewed or no changes are made, it is renewed automatically. A review could restrict use or take it out of protection.
- The ordinance states the area must have at least 5 acres on contiguous property and may include roads and residences.
- Legrande “Sandy” Webster owns the properties:

- The 52.25 acres was listed as 49.15 acres on the notice. There are 4 parcels that were not originally listed on the application, but they do want to include those. The east main parcel is zoned R-5 and the other four adjacent parcels are zoned R-1/2, which are not agriculture zones.
- The 119.25 acres is all zoned A-20.
- The Application Process states objections can be filed. The responses so far have all been in favor except one owner wanted a fence repaired that the applicant had previously agreed to repair. That issue needs to be resolved between themselves.

#### **Planning Commission & Staff Discussion:**

Topics discussed included:

- Eminent domain is not allowed if a property is in an Agricultural Protection Area.
- No master planned roads are in that area.
- The criteria to evaluate for State Code 17-41-303 (2)(a)(ii) includes the following five questions:
  1. Whether or not the land is currently being used for agricultural use.  
*Answer: Yes, currently used for crops, processing, preparation, etc.*
  2. Whether or not the land is currently zoned for agricultural use.  
*Answer: The 119.25 acre piece is zone A-20. The 52.25 acre piece is zoned R-5 and R-1/2 so it could be argued it doesn't meet the ordinance, but the lots are considered legal non-conforming lots that would be allowed to continue at the level that they are operating now. The lots should be rezoned to RA-20 to allow the uses that need to be protected.*
  3. Whether or not the land is viable for agricultural use.  
*Answer: Yes, the area possesses significant agriculture infrastructure.*
  4. The extent and nature of existing or proposed agricultural improvements.  
*Answer: The area possess significant agriculture infrastructure.*  
*Discussion: One reason the applicant is applying is due to nuisance complaints from normal agricultural practices, and the protection area would mean they could continue those practices. Future adjacent subdivision would have plat notes stating they are next to a protection area.*
  5. Anticipated trends in agricultural use and technological conditions.  
*Answer: Continued demand for lamb and wool production as well as more efficient sprinklers, irrigation systems, and fertilizers.*
- The other items to review in 17-41-303 (2)(a) are items (i), (iii), (iv), and (v), and have to be reviewed by the ICPC since the Advisory Board does not. A written report must include item (ii) discussed above and the below items:
  - (i) analyzes and evaluates the effect of the creation of the proposed area on the planning policies and objectives of the county or municipality, as the case may be;
  - (iii) recommends any modifications to the land to be included in the proposed **agriculture protection area**, industrial protection area, or critical infrastructure materials protection area;
  - (iv) analyzes and evaluates any objections to the proposal; and
  - (v) includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.
- Reed clarified the following for the ICPC members:
  - The general plan allows for higher density in the Tier II and Tier III areas so there could be higher density housing, but these locations are not in Cedar City's proposed annexation area and there are no master planned roads.
  - The 52.25-acre piece should be rezoned to RA-20 because it meets the 40 acre minimum and is not "spot" zoning.
  - The 119.25-acre piece is RA-20 and the applicant wants to keep it as agriculture.
  - If future owners don't want the protection area, they could apply to have it removed.
  - The minimum acreage allowed in a protection area is 5 acres of contiguous property. There is no maximum.
  - The ICPC is tasked with accepting, accepting with modification, or to reject the proposal.

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

**Motion:** Mark Halterman made a motion to recommend approval of the 119.25 and 52.25 acres as Agriculture Protection Areas with the modification to rezone the R-5 and R-1/2 parcels to RA-20 for the 52.25 acres.

**Second:** Seconded by Dennis Gray.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, 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**

##### **Introduction:**

Reed Erickson explained that this is an ongoing discussion for the Tier and Zone changes as discussed in detail at the last ICPC meeting in May.

#### **Planning Commission and Staff Review/Discussion Included:**

- Tier changes:
  - Reed displayed the maps and reviewed the proposed Tier changes asking if any additional changes were recommended by the ICPC for Summit or Newcastle areas. No changes were recommended.
  - The ICPC agreed the public hearing will be held at the next ICPC meeting.
- Zone changes:
  - Reed displayed the maps and reviewed the proposed Zone changes asking if any additional changes were recommended by the ICPC for Summit or Newcastle areas. No changes were recommended.
  - The ICPC agreed the public hearing will be held at the next ICPC meeting.

The public hearings will be held on July 10<sup>th</sup> at the ICPC meeting and on July 28<sup>th</sup> at the County Commission Meeting.

Public Notices will be posted on the public notice website, the county website, with posted signs in the areas and flyers in the post offices and County buildings.

#### **Planning Commission Action – No Action Required**

#### **10. COUNTY CODE AMENDMENTS – Setbacks in the Commercial Zoning District & Soil Suitability for Subdivisions**

##### **Introduction:**

Reed Erickson explained there are 2 provisions for consideration:

- 1) To Amend Section 17.16.040 to reduce rear setbacks from 25" to 10", when the rear property line of a lot or parcel shares a common property line with a public ROW, public road, street ROW, or railroad ROW and there are no buildings or structures within 25 feet of the propose building or structure on the commercial lot or parcel, (city, county, state, or federal).

ICPC Discussion included:

- The possibility of a flood setback could be included.
  - The Fire Department reviewed the changes and are agreeable to them.
  - The changes should clarify that no building or structures are within 25 feet of a building on an adjacent lot or parcel.
- 2) To Amend Section 16.20.070 (A) to change Soil Suitability for Subdivisions to tailor requirements to fit the project because:
    - The large lot subdivisions are doing soil suitability, but not for the best outcome. The tests are useful for the roadways if the roads location has been determined and for retention basins and lift stations, but not useful for the building lots because homes may not be built exactly where tests are done.
    - For small or minor subdivisions, no roads or infrastructure is involved so the initial soil sample isn't useful. GEM Engineering is going to suggest some alternative requirements for minor subdivisions for the ICPC to review.
    - A road dedicated subdivision currently requires the test, but is not needed, so it could be eliminated.

#### **Planning Commission Action – No Action Required**

Reed asked the ICPC to review the ordinances and proposed changes so they could discuss them at the next ICPC meeting in July.

#### **11. MINUTES...consider approval of minutes for the May 1, 2025 meeting.**

**Motion:** Michelle Tullis made a motion to approve the minutes from the May 1, 2025 meeting

**Second:** Seconded by Jared Christensen.

**Motion Passed:** (Voting: Erick Cox, aye; Jared Christensen, aye; Mark Halterman, aye; Michelle Tullis, aye; Roger Thomas, aye; Dennis Gray, aye)

#### **12. STAFF REPORTS...**

Planning Department, Reed reported:

- Regarding the expanded zone change area from last month's meeting, the involved property owners were contacted and they agreed to the changes. The zone changes were presented to the County Commission and they approved them.
- The County is in the process of creating an RFP to hire a consultant to create a Capital Facilities Plan that will address drainage, sewer, and transportation. The County Commission has approved the funding for a study for an Impact Fee Study and the first step is creating a County Capital Facilities Plan. Because this is a planning document, the ICPC will need to be involved.

#### **13. ADJOURN**

Chair Cox adjourned the meeting at 8:46 pm.

Minutes Approved July 10, 2025 by the Iron County Planning Commission



7/11/25