

IRON COUNTY, UTAH IRON COUNTY PLANNING COMMISSION

## MINUTES

October 2, 2025

The Iron County Planning Commission held its regularly scheduled meeting, October 2, 2025, at 5:30 p.m., Cedar City Festival Hall – located at 105 North 100 East, Cedar City, Utah.

<u>Members Present</u>	<u>Excused</u>	<u>Staff Present</u>	
Erick Cox, Chair	Jared Christensen	Reed Erickson, Iron County Planner	
<u>Others Present</u>	<u>Representing</u>	<u>Others Present</u>	<u>Representing</u>
Mike Stratton	Self	Kay Myers	Self
Dallas Buckner	Self	Karen Kinney	Self & John Baker
Jon Quitiquit	Go Civil Engineering	John Kinney	Self
Scott Day	Self	Brian Richardson	Self
Kila Day	Self	Leslie Brandt	Self
Natalie Day	Self	Nitza Brooks	Self
Jolynn Carpenter	Self	Linda Webb	Self
Glenn Carpenter	Self	Janet Borg	Self
Roger & Marty Ming	Selves	Matthew Napier	Self
Tom Willsey	Self	Shawn Brooks	Self
Cindy M Kinney	Self	Ron & Beverly Flud	Self, Mike Sherratt, Al & Gail Forsyth, Jim & Vickey Pollard
Paula Milby	Self	Celine Dalton	Self
Triessa Hepworth	Self	Vicki Christian	Self
Robert Ballou	Self		

## 1. WELCOME AND PLEDGE OF ALLEGIANCE

Chair Cox opened the meeting at 5:30 p.m.

Mike Platt led the Pledge of Allegiance.

Chair Cox excused Jared Christensen (Planning Commissioner) and Sam Woodall (Iron County Deputy Attorney).

## 2. PUBLIC COMMENTS – Non-Agenda Items

Chair Cox opened the public comments.

No comments were made.

Chair Cox closed the public comments.

## Agenda Clarification:

Brett Hamilton shared that agenda item #6, regarding the proposed agriculture protection area, will be postponed because staff was not able to present the item to the Agriculture Advisory Board due to the government shutdown. This will be moved to November's agenda.

### 3. Zone Change Application – Ordinance 2025-9; proposed zone changed from RA-20 to R-1/2 on approximately 141.25 acres.

## Introduction:

Brett Hamilton shared the following:

- The property is located near Lund Hwy and Three Peaks Recreation Area at approximately 4000 N and 4400 W.
- The proposed belt route goes diagonally through the property.
- The current zoning is RA-20 and they are proposing to change it to R-1/2.
- The R-1/2 zone can only be considered when there is infrastructure available; otherwise, this area would be a 5-acre minimum.
- The water and sewer infrastructure is available so this proposal can be brought before the planning commission.
- The owner, Equestrian Trails Ranch, also owns the three adjacent parcels, which are already zoned R-1/2 and have been for 20+ years.

- The property to the north is R-1 and the other three sides are surrounded by R-1/2. As you move further away, there is property zoned R-5, RA-20 and A-20, and then to the northwest is the Specially Planned Area (SPA) for the Three Peaks Golf Community.
- The owner's conceptual layout only shows the portion for the existing project area, which includes the belt route that we wanted to show everyone. The rest of the land does not have a conceptual plan at this time.
- Even though they are requesting R-1/2, they are also planning to include 1-acre lots. Their intent is not to have it all as maximum density. They are planning to have multiple sized lots including 1/2, 3/4, and 1-acre lots.
- To recap:
  - the layout for the area is only conceptual;
  - this agenda item is for the zone change only;
  - the applicant is Equestrian Trails Ranch who is being represented by Dallas Buckner with Go Civil Engineering;
  - the 141.25 acres is within the Tier II boundary where services are available;
  - adjacent property to the east is zoned R-1/2;
  - the property is located southwest of Midvalley Road and Lund Highway.;
- This is a legislative decision for the Planning Commission who will make a recommendation to the County Commission who will have the final decision.
- The planning commissioners were previously emailed the public comments that were received in writing, plus one more was printed off and distributed to the commissioners at this meeting.

Roger Thomas asked and Brett explained the County works on a Tiered System to help with growth patterns, and explained that the location of this proposed zone change is in Tier II. The four Tiers are:

- Tier I is all of the incorporated municipalities (Cedar City, Parowan, Brian Head, Paragonah, Kanarraville).
- Tier II is generally the area just outside the municipalities and has the potential for annexation or future growth within the next 20 years.
- Tier III is a specially planned self-contained community.
- Tier IV is everything else, which is the majority of the county and has a 20-acre minimum.

Dennis Gray clarified that Dallas and Brett would have the opportunity to respond to public comments after the public hearing if needed.

#### **Public Hearing:**

Chair Cox opened the public hearing. The following comments were made:

- Shawn Brooks asked and Brett explained that tiers could be changed and that some tier areas have recently changed through a legislative process that includes public hearings and approval of amendments to the general plan.
- Shawn asked and Reed Erickson explained that property cannot just be taken. The Tiering System came into place in 1995 and this area has been Tier II since then.
- Chair Cox stated that this application falls within the current Tier II area, which allows this density.
- Brian Richardson asked and Reed explained that lot size is based on density, which means there is an overall number of units allowed based on the zoning. In the R-1/2 zone, two units per acre are allowed, which means that on a 20-acre parcel, there could be 40 lots and those lots could vary in size. The code also has a provision for higher density housing, but that is not what this applicant is asking for.
- Cory Williams asked and Reed explained that the only way higher density would be allowed is if the applicant combines their properties and it totals 320 acres.
- Dallas Buckner shared that one parcel is 119 acres and the other is 141 acres so the total is 250 acres at this point.
- Reed shared that there is opportunity for a performance subdivision in Tier II, which allows a higher density in the R-1/2 zone, but it is for a unique subdivision type.
- Cory asked and Reed explained that if the applicant buys more property and wants to add it to this project he would have to get Tier II approval for that land. To have high-density housing, they would have to purchase another 320 acres and do it as a standalone project in the Tier III area.
- Cory asked and Reed explained any size lots are allowed in a Tier III zone including townhomes (4 units per building).
- Reed clarified the applicant's plan is to have single-family houses in this Tier II proposed project.
- Beverly Flud shared concerns that Cedar City is not regenerating water and is worried about how this will affect the rural areas with animals. She feels new neighbors will start complaining about flies, goats, etc. that are currently in the area. She wants to keep it special and doesn't want stick-built homes that all look alike.
- Chair Cox explained the developer is required to have water shares appropriate for their project.
- Beverly asked and Reed clarified that the developer must have 1934 water rights. Any water right can be used for agriculture, development, etc. and is a commodity that is bought and sold on the market. There is no new water. Proof of their legitimate 1934 water right is required.
- Reed added that the safe yield for water in Iron County is 28,000-acre feet coming in and going out (note; the Cedar Valley groundwater management plan notes a safe yield of 21,000 acre-feet and an average annual depletion of ~28,000 acre-feet). That is how much we have available to use. That is why 1934 water rights are required. If anyone buys new rights, it will

hinder the 28,000 acre-feet yield. The county will not allow a development using new water rights because that water is not part of the safe yield. The State water engineer has determined the potential date of reduction is 10 years, then 15 years, and then 10 years from then on until it gets back to 1934.

- Beverly asked if the people who bought newer-dated water rights would be bought out and if the planners have looked at doing a moratorium on development.
- Reed explained that the CICWCD is working on bringing more water to Iron County from Wah Wah Valley and Pine Valley in Beaver County. The State water engineer has created the Groundwater Management Plan to correct the mistake of overselling water. Water rights are like property rights and can be sold or used as they want. The county has not discussed doing a moratorium.
- Roger Ming shared he was sent a letter a year ago saying they were going to take away his water rights.
- Chair Cox explained that the County does not take water rights, the state engineer manages them.
- Reed added that new water rights will not be used for developments.
- Matt Napier shared the neighbors are not in favor of the development, asked how their rights are protected, and stated they have covenants stating what they are allowed to build. They feel upset because the County seems totally ready to approve this and they don't know how to fight it.
- Cindy Kinney shared that they all moved out there to have a rural life, but with Three Peaks Recreation, speeding vehicles, noise from events, potentially 250 more homes, and light pollution that comes with that, they will lose their lifestyle.
- Dennis Gray asked that the public please speak for the allotted time of 2-3 minutes so everyone can be heard, and to not repeat what others have already said.
- Colene Newby shared her concern about radical legislation, losing farmers and ranchers, and having to chase children away from sheep herds more often than chasing dogs out. She feels the County has not looked at the people that are already there. She is concerned that approximately 1000 acres of R-1/2 zoning would only have one ingress/egress, that there is already a lack of water, that 2000 people (with dogs and vehicles) will be too many and will not mesh in an area with sheep. She would like to see the zone changed to something higher than R-1/2 in the agricultural area.
- Lisa Webb shared that this development approval will take away her dream, that the pollinator program in the area will suffer, that the dark skies will be destroyed, that the girls' home is already too bright, and that 250 homes is too many. She would like to see 5-acre lots instead of 1/2-acre lots.
- Karen Kinney does not understand why zoning even exists if it can be changed at any time. She bought her property in 1992 and is now getting encroached on with development and the belt route. She wants to be able to count on the County to protect the area and wants to know why the County is putting this proposal before them if there is nothing they can do.
- Chair Cox explained the only real way to protect yourself is to buy the property and that it is an allowable use in the zone.
- Karen asked and Dallas Buckner, representing the developer, shared that the applicant does own additional property in Iron County so he likely has the water rights. The developer must prove that he does have water when the proposed development is brought to the County for approval.
- Roger Ming shared that he bought water rights and is only allowed to use it in certain basin areas. He also asked if the belt route is part of the project.
- Chair Cox explained that the developer will have to prove or buy within the required basin, but that is up to the State water engineer to determine. He noted that this agenda item is not about approving the subdivision, just the zone change.
- Dallas shared that a portion of the project will be dedicated or sold to the County for the belt route based on the County's master plan. In the past, the County has done a variance to have little or no street lighting.
- Reed added that the County is considering requiring some minimal lighting because other developments have had some issues when there is no light, but it will be pointed downward to align with dark sky preferences. As for the belt route, the developer will not build the road, but there will be access to the property along frontage roads.
- Kila Day shared her concerns about water and having to continue to drill down further to get water every few years, which also causes silt issues for property owners.
- Chair Cox explained that the water for this subdivision would be brought in by the CICWCD.
- Dallas added that the CICWCD has numerous wells throughout the county and they will pull water from different wells at different times of the year. This subdivision would hook into the water line at 4000 N and 4800 W. The Pine Valley water project will benefit the county. He explained the developer is not going to drill their own well for this project because the infrastructure already exists.
- Nitza Brooks asked and Chair Cox explained that the future part of the development could possibly come out at 4400 W, but they would have to solve that when they are ready to apply for the future development noting that 300 houses will not be built immediately. This area does have the infrastructure to support development.
- Janet Borg shared that they call the sheriff two times per week due to illegal activities and feel more development will escalate these issues because law enforcement is understaffed and not protecting citizens.

- Paula Milby explained to the public that the County is required to follow legislation for any lot in an existing zone. Although, the developer is asking for a rezone in this case. The planning commissioners cannot tell them no if they meet the requirements, so the public needs to understand the requirements because an emotional argument will not do the public any good.
- Rich Wilson added that the planning commission is looking for compelling arguments or evidence. Nowhere in the ordinance does it say it can be denied because of public clamor. This property is next to R-1/2 so it is acceptable to request the rezone.
- Sheryl Stratton stated that she has watched California and Nevada go downhill due to development and this area will be the same, and no one is going to like it.
- Chair Cox shared the considerations the County uses to determine if the rezone is acceptable, and also noted that the children of farmers are no longer wanting to farm so they are selling the land.
- Shawn Brooks asked how traffic will be mitigated because it will be dangerous and asked what back door deals were happening to get the belt route in and this development approved.
- Chair Cox explained the planning commissioners are all volunteers and are trying to listen to concerns and share information.
- Terry Palmer quickly replied that insults are not acceptable and that the commissioners were taking in the public's comments to try to resolve issues, but the public is not listening to what is being said. The county would like to know if anyone has any solutions.
- Janet Borg feels the solution is to require a lot of open space in any development.
- Marty Ming asked and Terry explained that controlling water use is the CICWCD's responsibility, not the County's, but that Brett would be addressing some State legislation regarding water later in the meeting.
- Terry added that the County is doing a study now to address sewer, transportation, and drainage for the entire County.
- Rich shared the County knows that traffic is a big concern and explained what was being done by the County to address the concerns:
  - The Master Transportation Plan was discussed at the Planning and County Commission meetings for over 18 months starting two years ago.
  - The belt route has been planned for many years and was re-studied and revised in 2023-2024.
  - Recently the Master Transportation plan was amended to include adding 3700 W as a public road to connect to Midvalley Road to aid in traffic flow for other proposed development in that area.
  - There are two ways to get the roads built, one is raising taxes and the second is to do it slowly by having the developers improve the roads where they build.
- Rich also stated that the County does not come to any decision until the rules are reviewed and the public is heard, and then they determine ways to mitigate any issues legally.
- Reed shared:
  - The challenge the Planning Commission and County Commission face is trying to balance between State law, County ordinance, and personal property rights for both existing residents and new residents.
  - This Planning Commission makes a decision after weighing all those different interests and then recommends to the County Commission so there will be another public hearing on October 13<sup>th</sup> at the County Commission meeting the public may attend. The County Commission will make the final decision.
  - This process is called feasibility at the zoning level, which means the developer must address drainage, sewer, transportation, water, and general public health, safety, and welfare.
  - The criteria for any ordinance are to consider all factors before approving or denying.
  - The public generally expresses a "not in my backyard" response and Reed understands they want to keep this as RA-20 so the public has to convince the Planning Commissioners this is not good for the overall plan of the County, not just your area. If the public can do that, the Planning Commission may not grant it, but it is your burden to prove.
- Paula asked and Reed confirmed that the belt route has been on the boards for 20 years and that the portion planned along the northern border of this proposed development will be addressed when the subdivision plans are submitted. The developer will only improve the roads that are needed in the area the subdivision would impact.
- Sheryl asked and Chair Cox explained that the impact on the school system and all other public entities is a ripple effect.
- Reed added that the Iron County School District has purchased property along Lund Hwy for a school. They already see the need and are planning for that.
- Beverly asked if the developer might consider putting in a park to help disperse the density and possibly synchronize equestrian trails.
- Dallas shared:
  - The application for rezoning includes the belt route location on the plans, but noted that the plans are not fully laid out because they are still determining the lot sizes and how the curve of the belt route will be aligned.
  - The development agreement has already set aside areas for open space and roads. The main road will be 100 feet wide and will have a median, which goes above and beyond the County's requirements.
  - They plan to have an HOA to maintain the open space and trails.
  - Trails are being planned throughout the subdivision that are 16.5 feet wide.

- Future development in the area by this developer would be similar.
  - The intent of this zone change request is to have some 1/2-acre and some 1-acre lots plus a park.
  - The density planned is 0.87 units per acre.
- Kay Myers asked if 4000 N would still be available to travel and if it and the other master planned roads would be paved.
- Beverly asked if the belt route would have a sound barrier.
- Rich explained:
  - The County does plan to keep 4000 N as a public road and plans to chip seal it next year.
  - The County hired a consultant, Kimley-Horn, to determine the best location of the crossings along the belt route and what each should look like.
  - The County does not want to have any accesses closer than ½-mile apart (preferably 1-mile or more) along the belt route to allow traffic to flow through the valley without congestion.
  - Iron Springs Road is currently in the planning stage to be widened and improved, which is also part of the belt route plan.
  - Regarding a sound barrier question, UDOT requires a sound impact study and that will happen along the belt route. The study will help the County determine how to mitigate sound issues.
  - The growth in the County will drive the belt route to be built so the plans are to anticipate and get ahead of the growth.
- Robert Ballou stated he hoped to have a conduit that goes under belt route.

**Close public hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

- Roger Thomas asked the staff to explain the process when an applicant comes in with subdivision plans and how the development agreement works.
- Terry explained the plans show what the final product will look like, including the trails, open space, HOA. The county accepts the plan if it fits within our ordinance.
- Reed added that the development agreement is an opportunity to enhance the plan in addition to what the ordinance requires. The agreement in return assures the developer of what they can do. The contract is a negotiation between the developer and the County to structure and enhance the project by locking in the rules so over time it doesn't change partway through the project. The next step is to have the subdivision plans reviewed for engineering considerations, water review, health review, CICWCD review, drainage, etc.
- Roger explained that the approval is not just based on the zone or tier that the property is in, there are many steps before the developer can actually start building.
- Dallas shared that he has one project that started eight years ago and is now just getting the first house built.

**Planning Commission Action – Recommendation to County Commission:**

**Motion:** Dennis Gray made a motion to recommend to the Iron County Commission that Ordinance 2025-9, proposed zone change from RA-20 to R-1/2 for the 141.25-acre property identified in agenda item #3 be approved.

**Second:** Seconded by Mike Platt.

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

**4. GENERAL PLAN AMENDMENT – Ordinance 2025-10; Propose a change from Tier III to Tier IV, Tier IV to Tier II, Tier II to Tier IV in the Brian Head Area. *Applicant: Iron County***

**Introduction:**

Brett Hamilton shared the following:

- The Planning Commission and staff discussed this at the last several meetings. The Planning Commission is familiar with the proposed changes. The item is presented today as a public hearing and not just discussion, to make a recommendation to the Commission.
- To give some background, the Tiers were established in 1995, subdivision regulations in 2000, and a septic density study was done recently. These all are considered when proposing Tier changes and then Zone changes.
- The Tiers are:
  - Tier I is the urban areas.
  - Tier II is the urban expansion area, which is within a reasonable proximity to the municipality boundary.
  - Tier III are specially planned areas.
  - Tier IV is everything else in the county for agriculture and rural density due to lack of infrastructure.
- In Brian Head, Aspen Meadows was originally a Tier III specially area, but has recently been annexed into Brian Head.
- The Brian Head area map was shown with the existing boundaries and then with the proposed changes to match what has been annexed and to match their annexation plan.
- The area beyond Aspen Meadows is not being proposed as Tier II because it is expected to take 20 plus years to develop Aspen Meadows.

- There is only one small area that is being added as Tier II because it is the location of the Brian Head storage and maintenance yard.

Chair Cox explained that he was asked by Brooke Shakespeare, at the Forest Service, to get additional information about the maintenance yard because it is within Forest Service land, so he will let her know that it is in the Tier II area for potential annexation. Brett added there is a small area on the west side in the proposed change area and also clarified that Tier II does not mean it will be automatically annexed, but it does mean Brian Head can annex if and when they are ready.

**Public Hearing:**

Chair Cox opened the public hearing. The following comments were made.

- Mike Stratton stated he lives near Dry Lakes and asked what the sign meant that said the area was changing from Tier III to Tier IV.
- Terry Palmer stated that the signs were put up to notify people of the public hearing.
- Brett explained the sign Mr. Stratton read is for the proposed zone changes, which are in the next agenda item and include changes from R-1/2 and R-1 to R-5. The Tier and Zone ordinances are two different ordinances so they are discussed separately.
- Glenn Carpenter asked and Brett clarified the areas on the map colored red and blue are for the next agenda item for proposed zone changes.

**Close public hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

- Roger stated it makes sense for Aspen Meadows to be in the Tier II area and asked why the area north of Aspen Meadows was not included.
- Brett explained that ownership of that area is the main reason. Also, due to lack of infrastructure, Thunder Ridge does not anticipate that being annexed.
- Reed added the lack of infrastructure there limits the opportunity for development.

**Planning Commission Action – Recommendation to County Commission:**

**Motion:** Michelle Tullis made a motion to recommend to the Iron County Commission that Ordinance 2025-10, Tier change from Tier III to Tier IV, Tier IV to Tier II, and Tier II to Tier IV in the Brian Head area identified in agenda item #4 be approved.

**Second:** Seconded by Mark Halterman.

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

**5. ZONE CHANGE APPLICATION – Ordinance 2025-11 -- Propose a zone change from A-20, R-1, & R-1/2 to R-5; A-20, C & SPA to RA-20; C to A-20 in the Brian Head Area. Applicant: Iron County**

**Introduction:**

Brett Hamilton shared the following:

- Green Meadow Acres and Ski View Estates are currently R-1 and R-1/2 and are being proposed to change to R-5.
  - The reason for the change is due to the septic density study.
  - Many people want to subdivide, but they don't understand all the requirements and assume if they have more acreage than what the zone requires, they can subdivide. These proposed zone changes to R-5 will help with that.
  - Even though there is no infrastructure, the lots do have septic tanks and the study says lots cannot be smaller than 5 acres with a septic tank. This means that lots in an R-1 and R-1/2 zone cannot be smaller than 5 acres.
  - Changing the zoning provides the existing owner and potential buyers with the knowledge of what is allowed and helps people recognize that without sewer lines it will never be able to be subdivided to less than 5 acres.
  - If the proposed change is approved, the setbacks will change as well.
    - There is a provision in County code regarding setbacks, based on lot size.
    - For example, if you own a ½-acre lot in an R-5 zone, you would be required to meet the setbacks of the R-1/2 zone, not the R-5 setbacks.
    - Obtaining a building permit (for a new home) would still be the same requirements regardless of zoning.
- The areas surrounding the subdivision areas and the Tier II areas are, like other parts of the County, proposed to change from A-20 to RA-20. This change will restrict more intense uses next to the residential areas.
- Land on the upper end of the map has been zoned Commercial since 1985. The three parcels have nothing on them and there has never been an application to build anything, so it is being proposed to change to A-20. The land next to it will stay Commercial since there is a CUP on it and already has buildings on it.
- One other parcel at the south end, 40 acres, is owned by Crystal Mountain, who in the past was interested in building a ski resort. They also own the land surrounding it, which is RA-20, so we are proposing to change that to RA-20 and then if they ever want to do a large development they can request for a zone change back to Commercial. The topography does not make sense for it to be zoned Commercial.

**Public Hearing:**

- Sheryl Stratton stated that she understands more clearly and feels better about the changes now.

- Jolynn Carpenter asked if they had any recourse if Brian Head ever wanted to annex their property.
- Sheryl shared she has been gathering information and contact information for those that may be affected by an annexation so she will discuss it further with Jolynn.
- Mark Halterman shared that Dry Lakes was supposed to be a ski resort originally, but the State road caused it to be moved.

**Close public hearing:**

Chair Cox closed the public hearing.

**Planning Commission & Staff Discussion:**

- Reed explained:
  - Annexation only happens if a majority of property owners are in favor, which means over 50% of the Dry Lakes area owners would need to petition for the annexation.
  - Brian Head is trying to obtain land to expand their ski resort and are petitioning the Forest Service to get that land.
- Mark Halterman added that last year there were 300,000 skiers and Brian Head expects it to grow to 1,000,000 in the next 10 years with the expansion.
- Chair Cox talked about the importance of the public getting educated so having people participate in public hearings is important.

**Planning Commission Action – Recommendation to County Commission:**

**Motion:** Roger Thomas made a motion to recommend to the Iron County Commission that Ordinance 2025-11, proposed zone change from A-20, R-1, and R-1/2 to R-5; change from Commercial and SPA to RA-20; change Commercial to A-20 in the Brian Head area identified in agenda item #5 be approved.

**Second:** Seconded by Erick Cox.

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

**6. PROPOSED AGRICULTURE PROTECTION AREA on approximately 105.51 acres on five parcels.**

Located at about 4100 W & 4000 N and 4100 W and 3200 N, Cedar City, UT

*Applicant: Clark & Ruth Webster*

Brett Hamilton explained the following regarding the need to move this agenda item to the next Planning Commission Meeting:

- The Agriculture Advisory Board must review the request and they were unable to meet due to the Federal government shutdown.

Brett Hamilton shared information regarding adjacent property owner's request to be added to this Agriculture Protection Area:

- The Sherratts, who own two properties adjacent to the Webster property, have requested to be added to the Webster's application for agriculture protection.
- Staff met with Paul Sherratt about the belt route that is planned through their properties. Staff recommends that it would be best to process the Sherratts request for an agriculture protection area separately due to the extra step of working on a road dedication.

**7. GENERAL PLAN AMENDMENT – Water Use and Conservation Element**

Staff Introduction and Discussion – No Action

**Planning Commission & Staff Discussion:**

- Brett Hamilton explained:
  - State legislation requires the County to adopt a water use and conservation element into our General Plan by the end of this year.
  - The plan needs to show current and projected water use.
  - Population projections are different depending on the source you look at. Some show a future population under 100,000 and others project 155,000 or more.
  - CICWCD has done a middle ground approach to their projections; the County's plan will likely follow.
  - The CICWCD serves approximately 90% of the entire population of the County so the other 10% needs to be part of the plan.
  - Four criteria are required to be part of the water and conservation element in the County's General Plan:
    - What is the current water demand?
    - How much are we using today?
    - What can we do to reduce use today?
    - What can we do to reduce use for the future based on projections, modification to operations, and reduction conditions for wastewater?
  - Agriculture land uses the majority of the water, approximately 80%.
  - Many people think that a development uses less water, but Cache Valley found that was not true. The developments used more water per acre. The developed areas do not intend to waste water, but it does happen.

- Roger Thomas shared that there are many studies to the contrary. The municipalities can do many things to control it. The reason is usually landscaping.
- Michelle Tullis stated that this could be addressed with developers during the development agreement process.
- Reed Erickson explained that the CICWCD has regulations and incentives in place already to reduce water use. For example, if a developer puts a restriction of 600 square feet per lot, the CICWCD requires less water for that development.
- Rich Wilson noted that xeriscape does not absorb water so there may be drainage issues that need to be addressed.
- Mark Halterman asked and Brett clarified that the statistic showing there has been an 18% reduction in water within the Cedar Valley since 1990 came from the CICWCD's 2023 report.
- Chair Cox shared that the State required UDOT to reduce water use by 25% this year so UDOT has taken away landscaping, except trees.
- Mark Halterman shared that Parowan has reduced water by turning the irrigation water off early this year, 4 weeks ago.
- Brett shared that based on CICWCD's current trends information we are at a deficit even with conservation efforts so that is why there is an effort to acquire water from Pine Valley in Beaver County. Recharge efforts aren't enough either so there must be a variety of efforts made to improve the water situation.
- Reed noted that is why the Tiering System is in place so high density is not allowed where there are no water sources.
- Roger clarified that it is not the high-density, low landscaped houses that use the most water; it is the 20-acre parcel with a house in the middle, with lots of grass.
- Rich noted that people do not really understand the water very well. We are not inventing water; we are reallocating it to a different purpose.
- Chair Cox shared an example of a well in Beryl Junction that has been there since the 1960s. They had to drill 200 feet deeper due to the area farmer's high use of water in the area.
- Mark Halterman stated that the biggest problem is that no one knows how big the aquifer is.
- Rich shared that aquifers are not one big underground pond; they look like surface water (streams, rivers, ponds, lakes).
- Mark added that 90% of drills hit water in Utah.
- Brett shared potential County conservation efforts that may be included in the plan:
  - Low-flow devices in rural facilities
  - Drip Irrigation in public spaces
  - Annual leak audits
  - Agriculture (70-80% of use)
  - Protect 10,000 acres in unincorporated areas
  - Expand CICWCD's LEPA/LESA sprinkler (20% savings)
  - Canal lining and soil moisture sensors
  - Set a goal to have 10% operation reduction; 15% farm use reduction
- Brett asked the planning commissioners and the staff to let him know if they have anything they want included. He will create a draft for review and this item will be back on the agenda in November to meet the end of year deadline.

## 8. MINUTES... consider approval of minutes for the September 4, 2025 meeting.

**Motion:** Roger Thomas made a motion to approve the minutes from the September 4, 2025 meeting.

**Second:** Seconded by Dennis Gray.

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

## 9. STAFF REPORTS...

- Building Department – none
- County Attorney – not in attendance
- Planning Department:
  - Reed Erickson shared information regarding the responsibility of a legislative decision:
    - A legislative decision does not require a check-off for a list of requirements.
    - The Planning Commission has total discretion to recommend approval or denial.
    - The discussion at tonight's meeting regarding the zone change was a great discussion.
    - Decisions regarding zone changes, ordinances, or the general plan are legislative, so if they are determined to be in the best interest of the County, they may be recommended for approval.
    - If during the review, you agree it is not a benefit to the public, you can deny it.
    - Rezoning property does not require specific criteria so the public is allowed to try to influence your decision, but the decision must promote the public's general welfare.
    - The property does not have to be re-zoned to what the applicant desires; the planning commission may determine a different zone as long as it fits in the Tier it is within.

- When a decision is administrative (not legislative), the decision has to follow the ordinance requirements and is more binding. Administrative decisions need to be followed so that they cannot be challenged in court.
- Dennis Gray asked if the decision to approve the zone change was a good decision.
- Rich Wilson agreed the infrastructure supports the preliminary plans for the development so it fits in the area, but noted there is a chance that the County Commission may reject the zone change.
- Reed stated the decision logically makes sense, so the decision was good, but some comments made by the staff, the public, and the planning commission may have been slightly off. The comments were about what needs to happen for an administrative decision, not a legislative decision.
- Reed shared an example of how a legislative decision benefits the whole county:
  - Over the past couple of years, the Planning Commission has listened to concerned citizens regarding preserving night skies and has chosen to require downward lighting when approving applications. This decision has benefited the whole county, not just the individuals in the area for one agenda item.
- The staff and planning commissioners discussed ways to improve the format of public hearings:
  - To limit the time for public comments to 2-3 minutes.
  - To limit back and forth comments by having all the public comments made and then have the commissioners or staff respond after the public hearing is closed.
  - To limit repeat comments by reminding the public not to.
  - To limit the time for one agenda item to a maximum of 30 to 45 minutes.
- Reed shared the results of the appeal on the Resort Lodge up Shurtz Canyon for Brian Slade. The application approval was upheld by the Appeals Hearing Officer
- The staff thanked and shared their appreciation to the Planning Commissioners for their efforts to be educated, to work with the applicants and the public, and for dedicating their time and service as volunteers.

## 10. ADJOURN

Chair Cox adjourned the meeting at 8:10 pm.

Minutes Approved December 4, 2025 by the Iron County Planning Commission



12/5/25