

IRON COUNTY, UTAH
IRON COUNTY PLANNING COMMISSION
MINUTES
November 6, 2025

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The Iron County Planning Commission held its regularly scheduled meeting, November 6, 2025, at 5:30 p.m., Cedar City Festival Hall – located at 105 North 100 East, Cedar City, Utah.

**Members Present**

Erick Cox, Chair  
Jared Christensen  
Michelle Tullis  
Roger Thomas  
Mark Halterman

**Excused**

Dennis Gray  
Michael Platt

**Staff Present**

Reed Erickson, Iron County Planner  
Brett Hamilton, Iron County Planner  
Terry Palmer, Iron County Building Official  
Sam Woodall, Iron County Deputy Attorney  
Rich Wilson, Iron County Engineer

**Others Present**

Scott Tobler  
Jeff Smith  
Deanna Smith  
Abby Cox  
Tracy Zeppenfeld  
Dustin & Melissa Hughes  
Nick & Ashlee Lloyd

**Representing**

Self  
Self  
Self  
Self  
Self  
Selves  
Selves

**Others Present**

Josh Adams  
David and Cayce Stonehouse  
Norm Forbush  
Brian Zeppenfeld  
Tony Galindo  
Natalie Bradford  
Kim Covington

**Representing**

Self  
Selves  
Self  
Self  
HMR  
HMR  
HMR

**1. WELCOME AND PLEDGE OF ALLEGIANCE**

Chair Cox opened the public meeting.  
Jared Christensen led the pledge of allegiance.

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

Chair Cox explained that the subdivision on 4000 N has been pulled from the agenda tonight.  
Chair Cox opened the public comments.  
No comments were made.  
Chair Cox closed the public comments.

**3. CONTESTED ADMINISTRATIVE LAND USE PERMIT APPLICATION - Contractor's Shop/Office, small (5.00 Acres)**

5749 N 2300 W, Cedar City, UT (D-0502-0001-001906)

*Applicant: Ashlee Lloyd*

**Introduction:**

Brett Hamilton shared the following:

- The Administrative Land Use Permit (ALUP) for a contractor's shop/office, small is being contested.
- An ALUP is reviewed by the staff who work to resolve any conflicts or concerns that arise through mitigations or conditions. When those are not resolved, and the application is contested, the application is brought to the Planning Commission for a decision.
- This ALUP is on property located in Hidden Valley Ranchos at 2300 W and 5700 N.
- The property is zoned Residential 5-acre (R-5) and is surrounded by other R-5 zoned property.
- A small contractor/office is permitted in the R-5 zone as shown in the Land Use Table and is defined as a facility providing limited employee staging of general building repair service and maintenance such as and including installation of plumbing, roofing, electrical, heating and air conditioning according to the zoning district subject to regulation 17.36.600.
- This ALUP is for Double L Plumbing and Electrical. They park their work vehicles there and they have built a garage to house the materials and supplies for the business. The ALUP also lists their hours of operation, number of employees, and what they do, which are all in compliance with what the code allows.
- The regulations listed in Code 17.36.600 states:
  - The number of work vehicles that can be on the property is less than or equal to 5.
  - The number of heavy equipment, including trailers, is also less than or equal to 5.
  - The number of employee vehicles cannot be more than 7.
  - The hours are limited to 7:00 am to 7:00 pm.
  - They cannot have any off-street parking. On-site parking is allowed and it must be toward the back so it is not as visible.
  - No inoperable vehicles are allowed to be stored on the property.
  - All materials, parts, and supplies either need to be within a fully enclosed building or completely screened from adjacent properties or from the street.
  - The majority of work must be performed at the job sites, at off-site locations.

- The property has a newly constructed home at the north end. The business is closer to the home on the southern end of the property.
- Work trucks and equipment are being parked to the west of the garage. Most employees park in the front of the garage to the east likely to avoid being in the way of the work trucks and equipment.
- The county has added a condition to require a 45-foot setback from all property lines, for any business related parking or equipment storage. This is to mitigate the neighbor's concerns of parking too close to them. A 45-foot setback is standard in an R-5 zone for any structure.
- The business does have 5 service work vehicles, 2 pieces of heavy equipment, and 4 employees.
- The staff followed Code 17.38.030 to review and make a determination regarding the ALUP. This process does allow for additional mitigations to be placed on the project depending on the specific site where it is located and depending on what the operation is. Those mitigations are based on neighbor concerns and staff suggestions.
- The main concerns from neighbors included parking facilities, vehicular ingress and egress, and anything that could be related to nuisance factors such as noise, smoke, dust, and dirt.
- The applicants are Nick and Ashlee Lloyd and are here to answer any questions the planning commission has.
- A copy of the letter from the adjacent neighbor has been given to the planning commissioners. The neighbor states the business use is incompatible with the residential zone, there are adverse impacts from the business on them and others such as public health, safety, and welfare, that a nearby bus stop is in conflict, and that the access, noise, and traffic would affect property values and livability.
- A condition is that all vehicles must use 2300 W, not 5700 N and a 45-foot setback for all vehicles and equipment related to the business, including the commercial dumpster.
- A public hearing is not required for an ALUP but the planning commission has the discretion to get input or feedback from the staff, applicant, or neighbors.

Chair Cox asked if any of the planning commissioners had any comments or questions. They determined they would allow questions and comments but restricted the time to 3 minutes per person and 20 minutes total for the discussion.

- Michelle Tullis asked when the original ALUP was processed and Brett explained that this was brought to the county through a code enforcement case. To remedy the situation the applicant has now applied for an ALUP.
- Chair Cox asked the applicant why they did not apply for the ALUP before and Ashlee Lloyd explained they did not know they had to when the business license was approved. Also, the garage was originally permitted as a private garage but has evolved into being used for the business.
- Dustin Hughes shared his concern about traffic flow and feels a turnout would make sense for safety.
- Scott Tobler stated he lives west of the Lloyd property on 5700 N. The Lloyd's have an entrance and a road that follows the west boundary that is 25 feet from his front porch. The whole business was built in front of his front yard. There is a lot of noise that is unbearable including the service trucks idling at 7 or 7:30 am waking them up, heavy trucks pulling trailers rumbling along the road, the garbage truck coming and going to empty their commercial dumpster that is on the fence line, and their vehicles being pressure washed. He asked the planning commission to require them to have their parking area to the north of their shop or out in front of their house instead of in front of his.
- Ashlee Lloyd stated they are in compliance with the code requirements, there are other properties in the area with businesses, they are attempting to rectify all issues, and they are working on an encroachment permit for the access along 5700 N.
- Michelle Tullis noted the driveways for each property are too close.
- Nick Lloyd noted that the only time vehicles go down the driveway to 5700 N is at 5pm and only if they need to turn with a trailer. The work trucks leave at 8:00 am and come back at 4:30 or 5:00 pm.
- Scott Tobler shared that last Monday at 6:00 am a horse trailer came onto the property from 5700 N so the lights shown directly into their bedroom. If the entrance is allowed, he would like it gated so it won't be used often, but would prefer they get rid of it. The applicants live at the other end of the property and don't have to deal with the noise.
- Jared Christensen clarified the ALUP states they would only bring work equipment in and out off of 2300 W.
- Nick shared that they have told the parts delivery trucks to use the 2300 W entrance as of today.
- Chair Cox stated that the planning commission has listened and heard the concerns and can appreciate the issues, but would prefer there not be a back and forth discussion on each issue.
- Roger Thomas noted that when there are differences in zoning uses, including commercial, it is required to add a site-deterring fence and asked if the planning commissioners might consider requiring something like a block wall as a mitigating factor.
- Brett Hamilton explained that it is not a requirement, but a site-obscuring fence could be added (not necessarily a block wall).
- Terry Palmer stated that light industrial zones are required to enclose materials, which is also what is required for this ALUP.
- Roger Thomas clarified that the definition of equipment does not include trailers, just equipment.
- Roger continued that supporting private property rights is important because this is an allowed use, but the neighbor's concerns are valid and maybe mitigation could be done in a creative way.
- Michelle Tullis' idea was to possibly limit hours of operation.
- Chair Cox asked the applicant what their intent was going forward regarding the number of employees, growth, and possible relocation.

- Nick Lloyd shared that if the business gets any bigger it will have to move, but they don't plan on doing that soon even though it may happen at some point.
- Chair Cox noted the ALUP does state they are limited to what they can do at this location.
- Rich Wilson discussed the entrance and driveway by suggesting they move the road to the east to match the 45-foot setback.
- Roger Thomas added the road should have to follow 45-foot setback, but it technically is not a business driveway.
- Michelle Tullis asked and Rich explained that an encroachment permit is required when an entrance is created through a County ROW. Safety, site distance, and reasonability are considered. The Lloyd's and Tobler's driveways are fairly close and the speed limit requires approximately 125 feet between them on a 25 mph road.
- Roger Thomas asked and Rich explained the Tobler's entrances are grandfathered in, but the Lloyd's driveway is new and was not approved. Moving it to the 45-foot setback might be enough, but he would have to review it.
- Brett explained that the 45-foot setback is a condition of approval around the entire property.
- Rich stated the applicant would need to abandon or move the driveway if it does not meet distance requirements.
- Brett recapped the proposed changes include changing hours of operation, adding a site-obscuring fence, and abandoning or moving the driveway off 5700 N (abandoning for personal use as well as business use).
- Jared Christensen noted that if the entrance is moved, it might encourage use, which may be a conflict.
- Chair Cox recommended requiring access be allowed only from 2300 W.
- Mark Halterman asked and Ashlee Lloyd stated their parts deliveries are usually at 8:00 to 9:00 am and they will be entering off 2300 W. The other deliveries, like UPS and FedEx, are throughout the day.
- Roger asked the Lloyds if they were amenable to idling trucks on the east side of the building and said he hoped the neighbors would work it out together since both have rights.
- Nick Lloyd shared the biggest vehicle they have is a Ram 2500 pick-up truck and feels starting them at 7:30 is reasonable.
- Ashlee added the employees vehicles are parked in front of the building so there is not enough space to park them to idle.
- Roger Thomas clarified that the noise ordinance is 7:00 am to 10:00 pm, but the conditions state 7:00 am to 7:00 pm.
- Roger shared that he sees both sides of the story and proposed the Lloyds and Tobler's work together since the permit seems pretty balanced and fair. Chair Cox agreed.

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

Chair Cox noted the mitigation measures that were put in place with the permit were reviewed fully so he recommended the planning commissioners make a motion.

#### **Planning Commission Action – (Approve, Approve with Modifications, Deny, or Continue):**

**Motion:** Roger Thomas made a motion to grant the Administrative Land Permit.

**Second:** Seconded by Mark Halterman.

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

#### **4. CONDITIONAL USE PERMIT APPLICATION – “Resort Lodge” (39.2 Acres)**

6110 W Bumblebee Springs Rd, Cedar City, UT (E-0290-0002-0000)

*Applicant: Brandon Cox*

##### **Introduction:**

Brett Hamilton shared the following:

- The property is located north of Kanarrville on Bumblebee Springs Rd, fronts a County maintained road, and is zoned A-20, which requires a CUP.
- A resort lodge can include a hall and up to 8 RV spaces subject to a 90-day occupancy limit. The definition has a broad use since several things can be used within this definition.
- The applicant is proposing to phase the development. Phase 1 would include all of the existing structures that they have approved, plus they would like to add a pickleball court and a picnic pavilion.
- The applicants did apply for and get permission for 3 guest houses along the east side of property and are converting them to be part of the resort lodge as resort cabins as short term rentals.
- The reason to phase the project is due to water. They currently have their own private well, which is a non-public water system. On a non-public water system for commercial use, they are limited to a maximum of 24 people (including staff and residents). Once they hit the 25<sup>th</sup> person, they are required by the State to have a public water system, which has more intensive requirements and regulations.
- Additionally, when a 5<sup>th</sup> unit is added, there must be 30,000 gallons of fire suppression water on-site. The applicant is considering a pond for current water suppression at 5 units and has reached out to the Cedar City fire warden to get more information.
- Phase 2 would allow 2 additional resort cabins or 2 RV spaces, but the total number of people must stay below 25.
- The applicant is not planning to expand to Phase 3, but if a future owner wanted to expand, they would be required to have a public water system, they could add a reception hall and up to 8 RV spaces. That would be the full build out if that happens in the future based on this conditional use permit.
- The main structure holds 4-6 people and each casita holds 2 people. The owner does live on site.
- The existing barn is in back and they have identified the location for a pickleball court and a pavilion. The barn does have restrooms and additional showers. They currently have animals including Highland cows and corrals for other animals.

- Their orchard out front includes ~60 trees. They plan to grow a pumpkin patch in the future and possibly add a farm stand, which would require approval of an Administrative Land Use Permit.
- The resort lodge is meant to be experience based. The area is very open, surrounded by agriculture, and they only have one existing neighbor to the south.
- Brandon Cox is the owner/applicant.
- The impacts that were reviewed included traffic, noise, dust, lighting, dark skies, fencing, limitations with a non-public water system, expansion, setbacks, and water suppression.
- One neighbor called with concerns about lighting, but once they understood there would be a condition for downward lighting, the neighbor was fine with it.
- The Planning Commission is the deciding body and Brett asked if they had any questions. (There were no questions.)

#### **Public Hearing:**

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

- Terry Palmer noted that the owners were not in attendance since they were out of town.
- Tracy Zeppenfeld stated:
  - She doesn't understand the permits that the County says have been issued for the duplex and 3 houses and asked how old the permits were since the business has been active and ongoing for 3-4 years. She also asked when they received their business license.
  - The owner lives in the two-story building and the front building is a duplex, which is 2 units, plus they have 3 individual units as well that takes them over the limit of units allowed.
  - She wants to know how this will affect her property value and stated she does not want a resort on her street.
  - Since they likely did not get previous approval, she asked if they have been taxed and fined.
  - She asked if the zoning would change and how that would affect others land around them.
- Chair Cox noted there is no request for a zone change.
- Alexandra Galindo shared:
  - The owners already have a reception hall and she has seen them use it.
  - They live on the property and have children. They seem to have property elsewhere so many are going back and forth.
  - She questions whether they are already exceeding 24 people and using 6 units already.
  - She feels the pond will evaporate so it will not be good for fire suppression. The closest fire department is in Kanarrville and only has 2 trucks.
  - She feels the County does not have correct and current info about the property.

#### **Close public hearing:**

Chair Cox closed the public hearing.

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

- Terry Palmer shared that the County has issued building permits since 2020. He knows they have not been in operation for 3 years. He is aware of what is going on there and he is working with the applicant regarding the duplex since Iron County does not allow them. This will be addressed through a Conditional Use Permit and it will have to be rented as one unit. The building in back is technically not a reception hall and he is aware they have held a couple of weddings and other events there. Personal events are allowed.
- Chair Cox shared that he has been a firefighter in Cedar City for 23 years and said that this area is under Cedar City jurisdiction, not Kanarrville. The Iron County fire marshal will monitor the pond requirements. Code enforcement is tough for a large county so unless someone reaches out, the County may not be aware, but the County will work with the property owners to bring them in compliance.
- Reed Erickson shared that a pond becomes fire suppression by being constructed with a dry hydrant that reached to the bottom of the pond so when a truck pulls up, it draws water from the bottom of the pond. Even if it is frozen, they can draw from the bottom. When the 5<sup>th</sup> unit is added, the fire suppression water must be added. The fire warden will make sure the pond is built to specification. Also, one of the 3 guesthouses has not been given occupancy because they are in process of coming into compliance.
- Terry Palmer stated that short-term rental is allowed in Iron County with a business license. The County will be able to track the business better with this CUP in place for a resort lodge.
- Sam Woodall shared that the standard set by Iron County is to help people be compliant. Although, doing it backwards is not preferred, the desire is to bring them into compliance. In this instance, the staff identified a proper use and have determined how to help them.
- Michelle Tullis asked if they are currently out of compliance.
- Terry Palmer explained the applicants are in compliance with what they have done so far, and they are now working to move the business a step further with this CUP. He told the public to contact him if they have additional concerns.
- Chair Cox read the Review and Findings (Section 17.38.050).

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

**Motion:** Jared made a motion to grant the Conditional Use Permit for the 39.2 acres of property identified in agenda item #4, 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 Roger Thomas

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

(The agenda was reordered and Item #8 was heard before 5, 6, and 7 because Deputy Attorney Sam Woodall had to leave the meeting by 7pm)

## **8. PLANNING COMMISSION TRAINING – Conditional Use Permits**

### **Staff Introduction and Discussion – No Action**

Sam Woodall conducted training regarding Conditional Use Permits (CUP):

- One of the things that was just read while reviewing the findings for the CUP was that a CUP shall be granted. There is a reason and basis behind that, which is explained well in the book “Ground Rules” by Craig M. Call, J.D.
- In the book, on page 81, Mr. Call lists some key points:
  - *A CUP review is to see what conditions should be imposed, not whether it should be granted or denied.*
    - Meaning what conditions are going to help make this use beneficial for everyone.
    - If you as planning commissioners see a situation where you feel like this use is not working, even with a CUP, then talk about allowed uses in the zones and what is not working.
  - *Presumption is that the use should be allowed since that was how the ordinance was written.*
    - We have our table of uses, so it is presumed that the permit will be issued.
  - *No duty for applicant to eliminate all negative aspects of a use-only mitigate.*
    - The applicants do not need to eliminate all detrimental impacts. The planning commission is here to help the public with what they are concerned about.
    - At the end of the day, not everyone will be happy so use the most reasonable approach to the use that is allowed.
  - *May deny if no reasonable condition can mitigate, but should be based on a record with findings made by planning commission with substantial evidence supporting the denial.*
    - When a CUP is denied, it is important for the planning commission to make a clear record.
    - If you do not think you have all of the information needed to make a decision, you can postpone the decision.
    - If you decide not to grant a CUP, then it may cause problems if it is appealed. You must have facts not just someone's word to deny a CUP.
      - For example, Moab City's Planning Commission recommended approval for a CUP with conditions to address concerns raised during the public hearing. The City Council denied it after hearing concerns and explained the reason. The issue is not that they denied it; it is that they did not make adequate findings. Denials are often appealed and reviewed by an appeals hearing officer who will review the recording and the minutes so it is important to make sure the decision is clear and supported. After the Supreme Court reviewed it, they sent it back to the City Council to review for findings of fact and conclusions of law.
- This planning commission has done a really good job discussing the issues and fleshing out what could be done to mitigate them.
- In a recent appeal here at the County, the Appeals Hearing Officer, Randall McCune, stated in his report, “The Planning Commission's decision was supported by substantial evidence in the record, even though there was some evidence contrary to some of the decisions.” Sam shared that Mr. McCune is not stating whether the decision was correct or not, but stated it was supported and Sam agreed that it was. Mr. McCune also stated, “I greatly appreciate the Planning Commission's professionalism in not taking into consideration complaints regarding mental health of possible disability-related issues. Such issues related to a protected class and are inappropriate to consider in a land use application.”
- In Mr. Call's book, he states, “If you want a conditional use denied or conditioned, clamor all you wish, but while you are clamoring, provide some substantial evidence that can be placed on the record to justify your opposition.” He also stated the evidence must be credible.
- Sam told the planning commissioners they are doing a good job of asking for information, clarifying and working with him and the staff to get the information you need, but reminded them it needs to be supported.
- The next steps for the Planning Commission is to determine if one issue or another is being brought up more often than you want. Then, to discuss the table of uses and figure out how to clear it up so the contentious meetings are fewer and the public is less likely to complain.

Chair Cox stated they often hear that the proposed CUP is going to impact property value.

Sam stated this is public clamor, and they need to prove that it will.

Roger Thomas asked and Sam clarified that a current permit must be approved or denied based on the current Table of Uses. Nothing should be left open while waiting for changes to the Table of Uses.

Chair Cox asked if something on the Table of Uses would only be taken off if it cannot be reasonably mitigated.

Rich Wilson clarified that if an issue continually comes up, that is when it should be reviewed to see if it needs to be changed.

Roger asked and Reed clarified if an application is fully vested you cannot stop the process to make Table of Use changes.

Roger stated, regarding the appeal comments, that it sounds like the discussion between themselves supported their decision so it helps to talk about the concerns for the record.

Mark Halterman agreed that doing so for the record is important. The good thing is we are able to mitigate most of the concerns, and we are pretty good at it.

Reed Erickson shared that in the case of the appeal on the resort lodge, the planning commission talked about the road, noise, parking, and lights so it was clear the conditions to mitigate were on record and they were reasonable even if they were not fully eliminated. Mark Halterman noted that each CUP does have 36 conditions each time that are always consistent.

Brett Hamilton also noted that the slides presentations also become part of the record and can be used for an appeal. So much info is presented, but it all helps to keep it organized and understood.

Brett suggested everyone review the Table of Uses as it is now so they can be discussed at the next meeting, but noted they would not take official action. The Table of Uses is available online. He recommended the planning commissioners and staff highlight the ones they think should be discussed.

Roger asked and Reed explained that in January this year, outdoor recreation and some other uses were discussed, but it is always good to review them again.

Rich Wilson added that some were too broad, so the definitions were narrowed.

Chair Cox asked if the recurring contested issued were always in certain zones.

Reed stated that the code could be changed to include more conditions or to change the zone that something is allowed in.

## 5. GENERAL PLAN AMENDMENT – Ordinance 2025-12; Iron County Water Use and Preservation Element

*Applicant: Iron County*

### Introduction:

Brett Hamilton shared the following:

- At the last Planning Commission meeting, we discussed Ordinance 2025-12 regarding Water Use and Preservation and we received good feedback on what things should be considered.
- The roll of the General Plan is to be an advisory guide to land use decision and describes where the County is, where it wants to be, and how to get there. The plan does not create regulations or requirements, but may recommend new policies or strategies. The plan is not code, rather a guideline that includes suggestions for best practices or future changes.
- The State has mandated with SB-110 that all Counties include Water Use and Preservation in their General Plan by the end of 2025.
- The primary purpose is to integrate water planning with land use planning.
- Iron County is in an arid region and relies on groundwater and there has been decades of aquifer overdraft. The Central Iron County Water Conservancy District, who services 90% of the population, projects that by the 2030's there will be a 5000 AFY shortage.
- The CICWCD is a great partner for the County. They have put many conservation measures in place and the County plan can mirror much of what they do.
- SB-110 has 4 main criteria that has been mandated:
  - Effect of permitted development on water demand and infrastructure (What is the current water demand/budget?)
  - Methods for reducing water demand and per capita consumption for existing development.
  - Methods for reducing water demand and per capita consumption for future development.
  - Opportunities to modify operations to eliminate or reduce conditions that waste water.
- Iron County is not a water provider. Water is managed by the CICWCD, municipalities, culinary providers, and private wells.
- Iron County is primarily within the Cedar/Beaver Hydrologic Basin and within the lower Colorado River North region.
- Iron County is at 223 Gallons per Capita per Day (GCPD) compared and the average in the region is 284 so Iron County is lower than the average.
- The Cedar Valley area has reduced their water usage since 1995 by approximately 18%, which makes the County the fourth lowest in the state for water usage.
- The goal for the Lower Colorado River North region is a 19% reduction by 2030, which would bring the GCPD from 223 down to 193. The regional plan projects water reduction goals through 2065.
- There are 3 different valleys in the County that have existing groundwater management plans: Cedar Valley, Parowan Valley, and Escalante Valley (Beryl-Enterprise). Each has a Safe Yield and Groundwater Management Plan (GMP) that includes both municipal and agricultural use. The data shows the GMP annual water withdrawal vs the actual withdrawal has increased:

| Valley            | Safe Yield | GMP    | Actual Average (from 2019 to 2023) |
|-------------------|------------|--------|------------------------------------|
| Cedar             | 21,000     | 28,000 | 43,000                             |
| Parowan           | 22,000     | 33,000 | 27,000                             |
| Escalante (Beryl) | 34,000     | 65,000 | 85,000                             |
- The State's water rights are a "first in time first in right" plan. The older the water right, the longer you are able to keep it (the first person to beneficially use water can establish rights senior to subsequent users). Newer rights are most likely the ones to receive a curtailment if the implementation of the GWMP goes into place. If necessary, due to inability to reduce use, the earliest date the curtailment would go into effect are:
  - Escalante Valley, 2030
  - Cedar Valley, 2035
  - Parowan Valley, 2043
- The Gardner Policy Institute at the University of Utah projections state that within the next 35 years to 2060 that Iron County's population would grow by approximately 28,000 people, which would be near 100,000 people.

- The County has implemented a Tier System that encourages growth closer to the municipalities so the percentage of total population would generally remain about the same in the unincorporated areas.
- The projected demand comes from the CICWCD and their most recent Pine Valley Water Study from 2023. They have been able to procure grant money for:
  - Rebates and different turf replacement programs. Find information at [utahwatersavers.com](http://utahwatersavers.com).
  - Audits of usage to determine if there are leaks.
  - Education and Pricing. They estimate 75% of domestic water is used on outdoor landscaping. The more water you use the higher your rate is.
  - Efficiency Practices. Use of LEPA/LESA sprinklers (20% water savings through LESA conversion).
  - Soil Sensors
- The current Aquifer Recharge Initiative has 7 recharge projects within Cedar Valley and one more in Parowan under construction.
- Conservation efforts for future development include: Irrigation Modernization, Education/Monitoring, Technology and Monitoring, and Canal and Deliver Protection.
- To aid in conservation, Iron County:
  - Requires new subdivisions to have water rights that are issued for a period of at least 50 years from the date of issuance of a building permit.
  - May add turf limits and water efficient fixtures standards.
  - Acquire additional acreage for recharge in Escalante and Parowan Valleys.
  - May add canal linings to reduce seepage.
  - Could work with CICWCD to educate the public.
  - Monitor the canals in Coal Creek, Parowan Creek, etc.
  - Has renovated the landscape at the County Courthouse in Parowan and is currently renovating the landscape at the Justice Center in Cedar City.
  - Will keep natural landscape in the parks and at the fairgrounds to reduce water use.
  - Potentially implement a Water Wise Program.
  - Potentially identify, map, and utilize natural recharge areas including flood areas

Chair Cox noted the report was very well done and the suggestions were awesome noting this is an opportunity to make a difference ahead of time rather than trying to fix it later.

#### **Public Hearing:**

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

- Josh Adams shared:
  - His business is living soil management.
  - Irrigation does not matter as much as how much the soil will store.
  - Since this area has a lot of clay soil, adding just 1% of organic matter to 1-acre of land would increase water storage by 20,000 gallons of water.
  - Herbicides, pesticides, and fungicides cap soil off faster than excess tillage will.
  - Adding humates with targeted aeration will allow 20% additional water storage.
  - Rather than spend money of herbicides, pesticides, etc., he recommends spending it on organic matter to help retain water.
- Rich Wilson suggested requiring subdivisions to add in organic matter to aid in absorption and the size needed for retention ponds
- Reed added it would help reduce runoff as well.
- Norm Forbush stated:
  - The slides are great, but they just danced around the real problem. The solution is to quit building so much and stop catering to developers.
  - We live in a desert and depend on snowpack. He has worked for the park service for 33 years and the snow pack is never the same.
  - There are no major rivers and the wells are dry. The governor says 91% of the State is in severe or moderate drought. Iron County is in severe drought and it is getting dangerous.
  - Let's not be handing out building permits and error on the side of caution. He doesn't want Iron County to wind up like St. George. He wants the County to be managed for family and friends not for money.
- Josh Adams shared:
  - He farmed 2,600 acres in Idaho for many years and now owns Living Soil Management.
  - To be able to have covered soil means that water can be infiltrated and used to increase the holding capacity.
  - Detoxifying the different foliage and forages and using natural processes that encourage water retention is needed.
  - He is willing to share his expertise with the County without charging a fee.

#### **Close Public Hearing:**

Chair Cox closed the public hearing.

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

- Brett Hamilton explained that based on the comments he has heard, he thinks the plan could be changed.
- Chair Cox requested the County get additional information from Mr. Adams.
- Terry Palmer agreed, but noted that this plan needs to be approved and submitted as is for now.
- Reed Erickson stated that Brett did well to pull this together to meet the deadline, but it can be revised next year.

- Brett noted that the State may ask for changes as well.
  - Jared Christensen stated that the plan's numbers do not match what he knows about Escalante Valley. The farmers have already done a reduction to meet the 2030 cutoff. He is worried that if the reductions are not met, it will fall back on the farmers and that the State won't take away newer water rights from residential property owners. If so, the banks and others will sue.
  - Mark Halterman stated that all the farmers' wells are monitored now.
  - Rich Wilson stated that popular demand could change how water rights are handled.
  - Chair Cox stated that if a city accepted 1950 water rights, they made a mistake.
  - Rich Wilson shared that last November when the State presented their Water Management Plan; the Staff told developers they had to use old water rights to build. The County was accused by the local realtors of trying to manage water, so the County Commissioners reversed that decision.
  - Reed explained the purpose of this plan is to help us know where our water is coming from, how much we are using, how much we are going to need, and how we are going to provide for it. The plan has no direct regulation. It is to be aware, educate and plan for the future needs.
  - Brett stated he would go back and review the numbers for the Escalante Valley area.
  - Jared Christensen shared that he is the president of the water company in Escalante Valley and they are regulated every year, and fined if they do not meet the regulations. He feels it is the water companies who need to take care of it, not the County.
  - Reed agreed and reminded them that at the beginning of Brett's presentation, he said the County is not in the water business.
  - Rich asked if the County could get a copy of the Escalante Water board for review and Jared said they were working on one now.
- Jared: they meet and working on one.

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

**Motion:** Michelle Tullis made a motion to recommend to the County Commission to approve the General Plan Amendment, Ordinance 2025-12, Iron County Water Use and Preservation Element.

**Second:** Seconded by Chair Cox.

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

#### **6. AGRICULTURE PROTECTION AREA - 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*

##### **Introduction:**

Brett Hamilton shared the following:

- This item was discussed previously, but taking action was delayed due to needing a recommendation from the Agriculture Advisory Board, which was delayed due to the government shut down.
- The property locations referenced above are zoned A-20 and RA-20 for both areas for a total 105.51 acres on 5 parcels.
- The Sherratt family owns property to the south and requested to be included on this application. The Advisory Board recommended the County accept the Webster's application, but not to include the Sherratt property at this time due to needing a road dedication on their property for the belt route.
- The staff did talk to Paul Sherratt about the process and told him the county would be happy to work with him explaining that the County would pay the expense to do the road dedication.
- The process includes 5 criteria:
  1. Whether or not the land is currently being used for agriculture production.
  2. Whether or not the land is zoned for agriculture use.
  3. Whether or not the land is viable for agriculture production.
  4. The extent and nature of existing or proposed farm improvement.
  5. Anticipated trends in agricultural and technological conditions.
- Once approved, the Agriculture Protection Area is good for 20 years. The owner may remove it any time through a proper request.

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

- Roger Thomas asked why the advisory board recommended not to include the Sherratt property.
- Brett Hamilton explained the board spent most of the discussion on whether to add them or not and it came down to the importance of resolving the road dedication for the belt route. If the protection area were granted first, it could be more difficult for the County to acquire the road dedication.

Reed Erickson added that the staff can work with the Sherratt's on the ROW and then they can apply.

Brett noted that if the Sherratt's came in after the belt route ROW was acquired, they would likely be approved.

Rich Wilson explained the acquisition was in negotiations currently.

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

**Motion:** Mark Halterman made a motion to recommend to the County Commission approval for the Agricultural Protection Area, approximately 105.51 acres, for Clark and Ruth Webster and that it is in compliance with the requirement of the statute.

**Second:** Seconded by Jared Christensen

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



**7. GENERAL PLAN AMENDMENT AND ZONE CHANGE – Tiering & Zoning around Cedar City and Enoch**

**Staff Introduction and Discussion – No Action**

Reed Erickson shared the following:

- This item is to review the tiering and zoning for the Cedar City and Enoch areas noting the whole process will take several months.
- The full information will be emailed to each planning commissioner to review.
- In 1995, when the County created the tiering, we used the municipalities' annexation policy plans, but that has been 30 years so there is a change in where they are growing and what they are going to do.
- At this meeting, we will review some conflict areas for both Cedar City and Enoch.
- The conflict areas for Cedar City Tiering include:
  - The current tiering does not match their current annexation plan. In some locations, they are beyond the County's tiering and vice versa.
  - On the slides you receive, the green area is where the city's annexation plan is beyond our Tier II boundary and the purple area is where our Tier II boundary is beyond the city's annexation plan.
  - For Cedar Highlands, we suggest taking it out of their own Tier II from when they were incorporated and just leave the areas that were there prior to incorporation.
- In Enoch, the conflict areas for Tiering are where the sewer and water are, which is where annexation can occur.
  - The CICWCD does not provide water outside the city limits so the County should pull the Tier II back to the green line, which is where Enoch City limits are.
  - The County should not develop there due to no services, road, water, sewer, etc. Instead of the County saying someone can subdivide down to 5 acres with septic and a well, the Tier II should be pulled back and then only allow development as a unit.
  - On the south side of Enoch, no changes are needed because Cedar City and Enoch's Tier II boundaries meet.
- As you continue around the 2 municipalities, you will see areas where they do not match so he recommended they look at what is allowed in the zone, for protection areas, for access, and for available utilities.
- For now, just focus on the tiering and then we will move to zoning in the future.
- The projected schedule to get through these is
  - Planning Commission review for 3 months
  - Take the proposed changes to Cedar and Enoch to review In February
  - Hold public hearing in March
  - Take to County Commission March/April

Terry Palmer thanked Reed for all the time he has put into this and getting it ready.

**9. MINUTES...** consider approval of minutes for the October 2, 2025 meeting.

Minutes were not ready for review, but will be for the December 4<sup>th</sup> meeting.

**10. STAFF REPORTS...**

A. Building Department      B. County Attorney      C. Planner & Services Coordinator

Brett Hamilton shared that the County Commission approved the tiering and zoning changes around Brian Head.

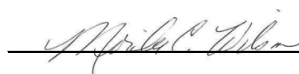
Reed Erickson stated that another amendment to the Airport Overlay will likely be presented at the December meeting.

- The FAA has a different model that other states are using that would change the overlay quite a bit on the south end because most of the complaints locally are from those south of the airport.
- The north end is overregulated so we will look at reducing regulations to allow more residential on 3000 N.
- More details will be shared at the next meeting.

**11. ADJOURN**

Chair Cox adjourned the meeting at 8:20 pm.

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



12/5/25