

Washington County Land Use Authority Meeting

November 13, 2025

The Regular Meeting of the Planning Commission of Washington County was called to order by Chairman Brian McMullin at 1:30 p.m. on November 13, 2025, in the Washington County Commission Chambers and via Zoom, at 111 East Tabernacle Street in St. George, Utah. The Commissioners in attendance were Brian McMullin, Mark Owens, Kevin Jones, Brad Gaston, Brandon Anderson, Olivia Anderson and Keith Kelsch. The Washington County Staff in attendance: Scott Messel, Director of Community Development, Victoria Hales, Washington County Deputy Attorney; Elliott Taylor, Public Works Engineer; Lance Gubler, Building Inspector; Sinalei Tutagalevao, Administrative Permits Assistant; and Emerson Rivera, Zoning & Code Compliance Specialist.

MEETING OPENING AND WELCOME.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Chairman McMullin.

ROLL CALL / STATEMENTS OF CONFLICT OF INTEREST.

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

- MOVING PERMIT (Public Meeting – Administrative).** Review an application for a moving permit in the New Harmony area. A manufactured home previously on the property was destroyed in a fire in 2020. The manufactured home being considered for the moving permit will replace the home lost to the fire. Due to the age of the manufactured home (1988) being considered for the moving permit, the Planning Commission will need to approve the moving permit in a public meeting. The parcel is 3093-A-5-A-1-NS and is currently zoned A-5 (Agricultural 5-acre minimum lot size). The property is approximately located at 1832 E Hwy 144, New Harmony UT 84757. The applicant is Shiela Finlinson.

Mr. Messel gave an overview of the property location being considered for the moving permit. He explained a manufactured home was previously on the property but was lost to a fire. Code requires a moving permit for moving any structure, but in this case, because of the age of the structure, the Planning Commission needs to approve any unit older than 15 years of age.

Mr. Messel reviewed the recommendations:

1. The public meeting was properly noticed.
2. The public meeting was held on November 13, 2025, in the regularly scheduled Planning Commission meeting.

3. The applicant has submitted a complete application and provided confirmation of required utilities being available to support the manufactured home proposed for the property.
 4. JUD Staff reviewed the proposal for the replacement home and provided recommendations for approval.
 5. The applicant will be required to convert the proposed three-bedroom home to two bedrooms to satisfy limits of the septic system. Certification from the Health Department will be required prior to issuance of the Certificate of Occupancy.
 6. The applicant will be required to obtain a manufactured home building permit, which will require inspection and approval of foundation, anchoring, interior modifications to room count, and connection of all utilities prior to Certificate of Occupancy approval.
- Mr. Messel showed pictures of the unit which was burned and the proposed unit to be brought onto the property. The applicant stated they will be replacing the siding and roof prior to occupancy.
 - Mr. Messel stated the application had been reviewed by JUD staff and approved the unit to be brought on site.
 - Commissioner McMullin asked if there would need to be two motions on this item.
 - Ms. Hales stated only one administrative motion was required to approve the moving permit.
 - Commissioner Owens asked if any other modifications are required of the unit.
 - Mr. Messel stated she will need to get a building permit for a manufactured home and the bedroom count will need to be reduced to two bedrooms.
 - Shiela Finlinson approached the podium and stated her daughter has met with the SW Utah Health department and agreed to reduce the bedroom count to comply with the septic requirements.
 - Commissioner Owens asked if she had subs lined up to help with the installation.
 - Commissioner Kelsch asked what type of skirting would be used around the home and whether a normal building permit with Certificate of Occupancy would be required from this process.
 - Ms. Finlinson responded they intended to use block for the skirting.
 - Commissioner Owens asked if Ms. Finlinson needed any help with the installation.
 - Ms. Finlinson indicated she did not anticipate needing help.

MOTION:

Commissioner Owens motioned to APPROVE the boundary line adjustment. Commissioner Jones seconded the motion. All Commissioners voted in favor, the motion passed.

2. **MAJOR HOME OCCUPATION (Public Hearing - Administrative).** Review an application for a Major Home Occupation in the Dammeron Valley area. The applicant operates a custom metal fabricating business for automotive restorations. The parcel under consideration is DVHG-3, currently zoned RE-20 (Residential Estate 20000 sq ft minimum lot size). The Major Home Occupation will need to be approved by the Planning Commission in a public meeting. The property is approximately located at 735 N High Ground Dr, Dammeron Valley UT 84783. The applicant is Walker Ray.

Mr. Messel gave an overview of the language in the code related to Major Home Occupations. He further went through conditions which Staff will require including the following:

1. Home occupations are a permitted use in the RE-20 (Residential Estate 20000 sq ft minimum lot size) zone, if judged by the Planning Commission to be in harmony with the zone.
2. Parcel DVHG-3 is a zoning compliant parcel in the RE-20 (Residential Estate 20000 sq ft minimum lot size) zone with 0.70 acres of lot area.
3. Major home occupations shall be secondary in nature to the primary residential use.
4. The business will maintain a Washington County Business license and renew annually, noting any expansion of activities which may require re-approval from the Planning Commission.
5. The home occupation shall maintain the residential character of the residential neighborhood as defined in County Code. No other home occupations are approved at this time.
6. The home occupation shall not be the source of nuisance complaints from neighboring property owners with traffic, noise, or outdoor storage of materials.
7. Obtain a remanufacturing license through the Motor Vehicle Enforcement Department.
8. Failure to comply with the following conditions may result in revocation or non-renewal of the Major Home Occupation business license, or other enforcement action under federal, state, or local laws and regulations:
 - Vehicles, vehicle parts, equipment, and supplies shall be fully in the enclosed garage building.
 - No storage or display of goods shall be visible from outside of the garage building. No more than five vehicles or vehicle chassis may be worked on or assembled at one time.
 - No other buildings or structures shall be used in the Major Home Occupation business.
 - The business is limited to two non-family employees who shall park on-site.
 - No delivery of supplies or equipment by semi-trucks or semi-trailers. Delivery only by vehicles customarily used for residential deliveries.
 - No lease or transfer of the use or license to any other person or entity. No renting of bays or equipment to any other person or entity.

- No solicitation of sales or visits by the general public. Customer visits only by appointment.
 - No signs or advertising displayed on the property.
 - No noise, fumes, smoke, odor, dust, lighting, traffic, or on-street parking above what is customary for the residential lot. Any noise emanating beyond the property line during daytime for a continuous period of ten minutes or more is prohibited if the average decibel level at or beyond the property line is 75 dB or more. As a condition of approval, the Planning Commission is requiring decibel monitoring and records retention by the owner with disclosure of the decibel readings to the Community Development department upon request.
 - No increased demand for utility services beyond normal residential use, including trash collection, water, sewer, power, or fire protection.
 - Comply with all building and fire codes.
 - Designees of the Community Development department have inspection authority to determine eligibility and compliance.
-
- Mr. Messel stated he is happy to provide any additional details.
 - Commissioner McMullin stated his appreciation for the conditions from staff and shared a general concern regarding setting a precedence for future operators who may try to seek a similar approval.
 - Ms. Hales stated these are suggested conditions which are specific to this application and can be approved or not approved by the Planning Commission.
 - Commissioner McMullin stated he visited the shop and invited the applicant to approach the podium.
 - The applicant stated his cycling of vehicles through the shop takes more than a year.
 - Commissioner Jones expressed a restriction of not being able to receive deliveries from semi-trucks.
 - Commissioner Jones asked the applicant about the frequency of deliveries and how car bodies are delivered.
 - The applicant stated most chassis are delivered from car haulers or if something is larger, he will arrange to have it offloaded at another location with a fork truck.
 - Commissioner Kelsch mentioned there was another small engine repair operation which was approved several months ago.
 - Commissioner Kelsch felt as though receiving some freight deliveries from a pup or semi would be appropriate.
 - The applicant stated it is difficult for him to receive freight deliveries because he doesn't have a forklift or the ability to receive those type of deliveries.
 - Commissioner Anderson stated she has observed the property as being very clean and little to no outside disturbance.
 - Commissioner Owens asked what the height of the structure is.
 - The applicant stated he thought it was 26' tall.
 - Commissioner Jones stated from the street it does not appear to be tall or imposing on the neighborhood.
 - Commissioner Owens asked if the structure keeps in harmony with the residential character of the neighborhood.
 - Commissioner Jones stated the design was more modern, but not a farm house. He felt like the design aesthetic was appropriate with other homes which can be observed.

- Mr. Rivera took decibel level readings and found the noise of grinding to be very minimal. Due to the proximity of the road, there is other outside noise which dominates the atmosphere vs the sound of grinding or fabrication.
- Commissioner Jones stated he agreed the road noise is the dominate feature.
- Ms. Hales stated she would like to share the legal standard. She wanted to make sure the Planning Commission contemplated the impact on new neighbors coming into the area.
- Commissioner Anderson stated the direction of doors and windows should help mitigate noise for neighbors.
- Mr. Messel stated the Planning Commission needed to set the hours of operation.
- Commissioner Owens reiterated his concern with the number of conditions being placed on the applicant, which indicates it is not compatible with the residential neighborhood.
- Commissioners Jones asked the applicant about hours of operation – 7:00 am to 5:00 pm Monday through Friday is the verbal recommendation along with d.

MOTION:

Commissioner Jones motioned to APPROVE the Major Home Occupation. Commissioner Gaston seconded the motion. The motion passed.

3. **PARTIAL AMENDED PLAT (Public Hearing - Legislative):** Review an application to amend the Pine Valley Ranchos subdivision plat. The application is intended to correct the plat to show lot amendments which have occurred between private property owners. Three lots are involved in this application, and the landowners are working together to correct the plat and return the three lots to a legal status. Parcels under consideration include; PVR-A-C-2-A, PVR-A-C-7-A, and PVR-A-C-8-A. The properties are approximately located at 797 W Oakridge Dr, Pine Valley UT 84781. The applicants are Randy Cardon, Maria Lavinia Gualino, and GLCH Investments, LLC.

Mr. Messel explained this is a public hearing and a legislative decision as easements are affected in this partial amended plat process. Mr. Messel provided an overview of the property and what prompted the need for a partial amended plat. The three parcels have gone through some trading and adjusting of property lines in the past which made them illegal parcels. He explained that the owners of the parcels are coming together to try and rectify this. Mr. Messel explained that one of the parcels has a home with a deck that was hanging over the property line and this deck has since been removed. He provided a diagram of the proposed amended plat which would only be affecting lots 2, 7 and 8. Mr. Messel showed which property lines would be adjusted and which easements would be moved. In particular, he explained how the lines and easements would be adjusted for the affected home to better meet the setbacks.

Mr. Messel recommended to the Planning Commission the following:

1. The amended plat and public hearing were properly noticed.
2. The public hearing was held on November 13, 2025, in the regularly scheduled Planning Commission Meeting.
3. The new lot configurations will meet the acreage requirement of the FR-13.5 (Forest Residential 13500 sq ft minimum lot size) zone.

4. The amended plat will restore three parcels in the Pine Valley Ranchos subdivision to legal status.
5. The Planning Commission finds that good cause exists for the vacation and relocation of the public utility easement along the interior lot line, and the public interest or any person will not be injured by the vacation.

Mr. Messel invited the Planning Commissioners to ask questions.

- Commissioner Brandon Anderson pointed out that the easement is still running through the building on the side, on the new plat and advised this may not be favorable for owners. He suggested that the easement be removed so that it does not run under the building.
- Mr. Messel asked Mr. Elliott Taylor (County Engineer) if there would be any need for that easement along the side.
- Ms. Hales provided that according to her understanding, that it was a porch in the easement and not structural house.
- Ms. Hales advised that if the easement is there, then it is at the owners risk if infrastructure needs to be put in the easement, if there is no easement it would be at the County's risk. She further stated that generally the County would prefer to keep it's easements.
- Commissioner Brandon Anderson responded that more of the city's are removing the side yard easements as they find, they are not needed.
- Mr. Hales provided that this is the result of people moving lot lines without approval as it becomes a mess that has to be cleaned up later. This is an example of a clean-up.
- Commissioner Brandon Anderson interposed that he agrees that this is a clean-up but cautioned against creating another problem.
- Ms. Hales advised that the Public Works would be the one to make that decision of whether the side easement should be vacated.
- Commissioner Kelsch suggested that in the future it would be nice if the approval of a plat is required in the final before any lot can be sold to avoid guessing the location of setbacks. He further suggested that lots should be surveyed before they can be sold.
- Mr. Messel explained that the County is going through growing pains and in the past it may not have been verifiable but he went on to explain that the building inspectors are better trained now and they ensure that the proper setbacks are met.
- Commissioner Kelsch pointed out that with dirt roads such as this one, it is hard to know where the setbacks are, he added it would be nice to have it implemented down the road, at least the corners.
- Commissioner Brandon Anderson stated that it is required that the surveyor does state in every lot, that the applets should be done. He pointed out that it does state in this plat that they have or are or will put the corners in.
- It was discussed amongst Commissioner Brandon Anderson, Mr. Scott Messel and Ms. Victoria Hales that the decision to vacate that easement only on west side of lot 8 up to the jog would be up to Public Works.
- Elliott Taylor, Washington County engineer approached the podium and recommended that the easements be kept, based on the grade in this subdivision. Mr. Taylor stated that not everything has well-managed drainage, so it would be wise to keep the easement, he was unsure if this was a drainage and utility easement.

- Commissioner Brandon Anderson understood that if it is for drainage purposes then it would be best to keep the easement. He suggested adding 'drainage' to the purpose of the utility, as it only shows 'utility'.
- Commissioner Brandon Anderson stated having an easement under a house will cause an issue with any bank or financial institution once they know of it. He voiced that the creation of this problem should not be a result of trying to clean up this current issue.
- Mr. Taylor responded by wanting to clarify if there was just a deck over the easement.
- The engineer representing the property was invited to the podium for clarification.
- Mr. Steve Kamlowksi of Brown Consulting Engineers approached the podium and stated that the existing house had a porch that was over the line. The porch has been removed; however, the house is still 4 feet away from the new line. He continued by saying the easement note was copied from the original plat. He stated that it is unsure whether there are any utilities in the new lot line. Mr. Kamlowksi stated that the existing house would be in the easement if it was 10 feet wide.
- Commissioner Mark Owens advised he is familiar with the lot to the east and that the power is in the back of the lots and it is overhead power and he recommends that the County should keep the easement.
- Ms. Hales held that having the easements is good for the County.
- Commissioner Brandon Anderson asserted that if anything was needed in the easement, the owner will need to tear the house down at their cost. He added that 99% of the time side easements are never used.
- Ms. Hales replied that the County does not want to have to take more easement from the 'other guy' in order to use the 4 feet that we have.
- Commissioner Brandon Anderson said that he knows 99 percent of these side easements are never used and is more worried about the easement going under the house. He asked where the easement can go up to the edge of the house and not be the standard 10.
- Mr. Kamlowksi asked if the easement can be changed on the side of the house from 10 feet to 4 feet.
- Ms. Hales verbalized the County would prefer to keep the easement with the following additional changes:
 6. Warranty language be added to the Owners Dedication.
 7. Drainage and utility easement be added to the easement notes.
 8. Add to easement notes that the old easement is being vacated and relocated.

Chairman Brian McMullin opened the Public Hearing.

- No comments.

Chairman Brian McMullin closed the Public Hearing.

MOTION:

Commissioner Owens motioned to APPROVE the Partial Amended Plat. as submitted, with findings 1 – 5 plus the additional three changes as provided by Ms. Hales. Motion was seconded by Commissioner Keith Kelsch. The motion passed.

4. **ZONE CHANGE AND PROJECT PLAN (Public Hearing – Legislative):** Review and make a recommendation regarding approval, modification, or denial of a requested Zone Change and Project Plan for a Planned Development Residential Project known as Solara 75 in the unincorporated County at 1850 W Mills Ln by Leeds, Utah. The applicant proposes 60 townhomes, and 14 single family lots, with an overall project density of 7.39 dwellings/acre. To obtain the proposed density, 5 units will be deed restricted as moderate income housing units. The applicant is Solara Communities, LLC.

Mr. Messel provided this item was tabled in a previous Planning Commission Meeting to a date certain. Mr. Messel provided that the project plan and zone change for the Solara 75 was reviewed in the last meeting. Mr. Messel provided an overview of the project. Mr. Messel verbalized that there were concerns regarding inconsistencies with some of the different phasing lines and plans. He explained that staff had met with the engineers and designers of the project following the tabling of this item and talked through the items that were raised. Mr. Messel mentioned that the engineers and designers were here and can answer questions regarding the updates that were made. Mr. Messel went over some of the adjustments that were made such as; rockery walls, landscaping, building rendering, trail system and lighting. He stated that staff reviewed adjustments and the issues that were brought up in the last Planning Commission Meeting were addressed.

Chairman Brian McMullin reopened the Public Hearing.

No comments.

Chairman Brian McMullin closed the Public Hearing.

- Commissioner Keith Kelsch raised concern about the current location of the sewer lift station. He stated that from an aesthetic viewpoint of a licensed realtor and builder he advised the location of it can be improved and suggested moving it to the far back corner of the subdivision.
- Mr. Bob Hermanson of Bush and Gudgel representing the project today addressed Commissioner Keith Kelsh's comment. He explained that grading wise, the current location is the best location they could come up with.
- Commissioner Kelsch suggested dropping it down to the bottom corner of lot 104, especially as cul-de-sacs sell a little better. He suggested the station will be a big distraction for that.
- Mr. Bob Hermanson commended the comment and will look into it with staff and Ash Creek about maybe relocating the station.
- A discussion about the benefits of relocation of the sewer lift station location ensued amongst the Commissioner Gaston, Kelsch and Mr. Hermanson.
- Commissioner Olivia Anderson queried if the three dumpsters would be servicing the 60 condos. She also asked about how the trash for the single-family homes would be handled. Commissioner Olivia Anderson also asked about HB48 about the new fee that will be imposed by the State on rural homes and whether that was considered by the designers and builders. Furthermore, she stated that it is most likely that the homes in the plans would qualify for that new HB48 fee. She also advised that the homeowner or potential new buyer will need to be notified that there will be a fee.
- Mr. Hermanson addressed Commissioner Olivia Andersons queries by stating that the dumpsters would be servicing the condos, but the single family homes would have their own trash bins. He continued that the new HB48 fee imposed by the state discussion is a hot topic

but is not really in his wheelhouse. He went on to talk about sprinkling and advised that they would not be sprinkling as their intent is to keep the costs down and make them more affordable.

- Commissioner Mark Owens asked if there would be a secondary egress off the proposed roads namely – “Alley D”, “Alley E” and “Alley B”?
- Mr. Hermanson showed the secondary egress on the screen, which is adjacent to the project along the northwest side that wraps around that whole side. He explained that this secondary access is not planned for everyday use but in an emergency situation it can be used by everyone.
- Ms. Hales reminded the commissioners that this project has only one major road in, which is why they are limited to a 75-unit density, based on the new code the Planning Commission recommended to be enacted where a density bonus can be got. She continued by saying this plan meets the code that was passed in conjunction with this concept plan in prior iterations a couple of months ago.
- Mr. Hermanson gave an overview of the parking options and went over accessibility and proximity of parking to homes.
- Commissioner Olivia Anderson asked about the petition to BLM for access due to the one major road and asked if this was the same project.
- Ms. Victoria confirmed that is was and that this is their first development phase (they have two phases to their 75-unit project) as they plan on developing (subject to them getting the entitlements) the entire 200 acres. She further explained that they cannot build the 76th unit until they have another access road - she explained that their two options for road access are:
 - 1) From the BLM to the right
 - 2) From a private property owner to the left.
- Ms. Hales continued by saying obtaining a secondary road access is for the developers to work out before they can get any entitlements for their 76th unit.

MOTION:

Commissioner Brad Gaston motioned to make a recommendation of APPROVAL to the County Commission of the zone change and Solara 75 Project plan as updated. Motion was seconded by Commissioner Brandon Anderson. The motion passed.

5. **MINUTES:** Consider approval of the minutes of the regular Planning Commission meetings held on October 14, 2025.

MOTION:

Commissioner Keith Kelsch motioned to APPROVE minutes. Motion was seconded by Commissioner Brad Gaston. The motion passed.

6. **COUNTY COMMISSION ACTION REVIEW:**

- Mr. Messel advised the Planning Commission of State code changes made to LUDMA, CLUDMA, affordable housing and critical infrastructure – in ag protection, industrial protection and gravel and mining operation.
- Ms. Hales added that LUDMA and CLUDMA have been renumbered, which means our code also needs to be changed.

- County Commission approved Water Use and Preservation Element of the General Plan which Planning Commissioners heavily reviewed.
- Commissioner Mark Owens asked about the Bryce Christiansen Gravel and Mining Project.
- Ms. Hales responded that our code requires them to have a Gravel and Mining Plan and the Planning Commissioners will get to see it.

7. **COMMISSION & STAFF REPORTS:**

8. **ADJOURNMENT**

MOTION:

Commissioner Keith Kelsch motioned to ADJOURN. The motion passed.

Meeting adjourned at 2:50 pm.