

**IRON COUNTY, UTAH
IRON COUNTY PLANNING COMMISSION
MINUTES
May 7, 2026**

The Iron County Planning Commission held its regularly scheduled meeting, May 7, 2026 at 5:30 p.m., at Cedar City Festival Hall – located at 105 North 100 East, Cedar City, Utah.

Members

Erick Cox, Chair
Mark Halterman
Mike Platt
Dennis Gray
Michelle Tullis
Roger Thomas

Staff

Brett Hamilton, Iron County Planner
Terry Palmer, Iron County Building Official/Zoning Administrator
Merilee Wilson, Engineering Dept.
Sam Woodall, Iron County Attorney

Others Present

Representing

Shane Flanigan	Self
Julie Hernandez	Self
Kristen Clark	Self
Ralph Christensen	Self
Michael Carpenter	Self
Connie Puig	Self
Jennifer Fife	Self
Dallas Buckner	Go Civil
Stephanie Karr	Self
Craig Laub	Self
Bob Peterson	Self
Kaley Peterson	Self
Shari Oliver	Self
Brandon Hunter	Self
Thomas Loveheart	Self
Billy Tutor	Rasmussen Trust
Michael Slayton	Self
Ramon Prestwich	Self
Mary Stults	Self

Others Present

Representing

Diana Girtain	Self
Shirley Ober	Self
Christina Brown	Self
Vik Brown	Self
Janae Carpenter	Self
Elice Puig	Self
Brent Hunter	Self
Andrea Wright	Self
Nancy Maffitt	Self
Rozann Petersen	Self
Bob Giles	Self
Tamra Bochart-Slayton	Indian Peaks Band of Paiutes
Troy Wynn	Self
Bruce McDonald	Self
T L	Self
Jessica Tutor	Rasmussen Trust
Jessica Tryon	Self
Doug Croft	Self
Nichole Phillips	Self

Note: Many individuals who spoke during the public comments did not sign in.

1. WELCOME AND PLEDGE OF ALLEGIANCE

Chair Cox opened the public meeting at 5:30 p.m.
Mark Halterman led the pledge.

2. PUBLIC COMMENTS – Non-Agenda Items

Chair Cox opened the public comments and reminded the public for non-agenda items we do keep record of them for research, but it is not an opportunity for questions and answers. The reason the data center was not on the agenda this evening is because the developer is reviewing the CUP and associated draft conditions. They are not ready due to the number of conditions that have to be reviewed. When commenting, stand and be recognized, state you name, address the commission and no repeating comments. The following comments were made:

- Tamara Bochart-Slayton shared concerns regarding information about the proposed data center, including, water being used for land because land existed long before political boundaries existed, long-term water needs and power generation needed for this development, not having enough information about the data center such as cooling method for the power plant, expected daily & annual water use, worst case water demand scenarios, long-term of impacts to ground water, expected cumulative impact of taxes, and future expansion phases. She expressed concerns about the impacts to the land including water stewardship, sustainability, cultural responsibility, intergenerational survival, and the industrial growth not moving forward faster than the public's ability to fully understand its long-term consequences. The Paiute Tribe requests full disclosure of projected water use for the data center and power

infrastructure, an independent hydraulic review of long-term water use, a disclosure of employment numbers compared to resource consumption, additional opportunities for meaningful public and tribal consultation, consideration of cumulative impacts for future impacts, and the strain on regional resources. She stated that short term economic promises should not affect long-term stability and future access to water, and stated that the Indian Peaks Band of Paiutes formally opposes this project.

- James Ruble (Jimmy), a Cedar City resident, shared that although he doesn't like being car dependent, it's impossible, in the middle of the day, to make a left turn on the intersections between Main St and 200 S going towards the university.
 - Chair Cox suggested Jimmy contact UDOT and Cedar City about his concern since they are responsible for those roads.
- Diana Girtain stated she has been to the last couple of meetings. She feels it is very ironic that at the County Commission meeting, they declared an emergency drought here in Iron County and yet they are still considering a data center. She has never heard of a data center using less water than they expected to use. She is concerned what will happen if they do go over the water quota.
- Smiley Riley shared she is worried about data center. The LDS church issued a statement about being careful about our AI usage. She likes to research the town or county that she lives in and see what things the county supports. Others researching Iron County may think that all of us support the data center, which is not the case. She feels there is lot of risk with AI, and a lot of people worry about the water usage. She wants herself, her kids, and grandkids to continue to live here, but we are in a drought emergency already, which is scary, because there is potential that she might need to leave due to water shortages.
- Greg Craft, a Cedar City resident, shared he has been elected five times to a large school board and understands CUP's and that you have preliminarily approved the permit if they meet the condition of permit. He knows questions will not be answered during the public comments, but he also knows things can be clarified per Robert's Rules of Order. His concerns are that the CUP has already been approved and the County is just going through the steps.
- Bob Giles shared that he has concerns about the data center and water. He has lived here for 40 years. He has seen Parowan add many wells and they have fixed up Six Mile Spring. He was told that the data center in Delta uses twice as much energy as the State of Utah. He recommended the County think about the future and the children, stating that this was a nice town at one time and has grown so fast that it seems the attitudes are changing because of the growth. He asked the County to step up and do a good job for the people that live here and not for the money.
- Stacy Mallory shared she lives in Washington County and owns property in Iron County. She researched and found that the applicant is saying that 2-3 families would use, the same amount of water as the Data Center, but are also saying they need 12.75 water rights. She stated that to drill a well in Utah, you need at least a ½-acre of water or the water district will not approve your water right to drill a well so the numbers are not adding up. She asked why Utah's water rights are being taken away when they don't have old enough priority dates when they purchased those rights in good faith. These people would have to find other ways to get their water and then others are selling their water rights to the Conservancy District. She knows Iron County is reaching into other counties to pull water out of other basins. She lives in basin 71, the well that the applicant is going to bid in a couple of weeks will come from a different water district to pull water to Cedar City. She is for industry and moving forward, but if you have to take from different basins to do that, your city is not going to be sustainable. She recommended a bigger room for the size of the audience at the meetings and that the planning commission tune into social media to determine the number of people attending. She is anti-death threats, anti-burning things down, and she's not going to monkey wrench anything, but we do want you guys to understand that these people and their livelihoods are more important than anything that is built in this area.
- Chair Cox explained that at last month's Planning Commission meeting, the chairs were set up clear to the back of the overflow and it only filled up this end of the room so it is difficult to predict.
- Thomas Loveheart shared that he loves rural Utah and grew up knowing that places like this mattered. For generations, communities like ours were built by hard working people who valued independence. They valued responsible stewardship, family, faith, and local control. People came here for open land, quiet nights, dark skies, clean air, access to our beautiful landscapes and nature, and the feeling that ordinary people still have a voice in determining their future. More and more it feels like decisions about our communities are being made behind closed doors by outside investors and developers. Seventy percent of the Utah Legislature have deep financial ties to the development industry and out here it is even higher. It seems the locals are the last to be heard while the developers get the first seat at the table. Conservatism means protecting what is valuable, respecting the land, conversing the water, making decisions that preserve our community instead of rushing every large-scale project that promises money to the County. Rural Utah is not just an empty space waiting to be paved over and monetized, it is our home. Once it is industrialized and the water is gone, we do not get that back. He is not against progress or technology, but he is against the community being ignored and harmed by powerful interests who reshape our towns for their benefit without public support or transparency. Even though the planning commission is appointed, not elected, the people are trusting you to understand them. Representation needs to be more than approving projects and growing revenue it means listening to the people who live here before decisions are already effectively made. A commissioner in Box Elder County received over \$100,000 of contributions from developers after he approved the Stratus project. He hopes that the Iron County planning commissioners remember their responsibility is not to corporations, political pressure, or personal self-dealing; it is to the people of this county, all of us present and future.
- Kristen Clark, a Cedar City resident, shared that it feels like we are back in the covid era when everyone was panicking. She feels what is happening now is that we are panicking about the potential lack of water, about the future, and about our tax situation. The people who live here are smart and capable. We do not need the outside people telling us what to do. We need to be progressing and advancing in tech, however, she is asking that the conditions of the CUP be done in phases because this project is 5 different buildings and each phase has different water and power usages. She asked the County to make sure those phases are monitored before and after construction to make sure the conditions are met. She has talked to SUU professors, and they are willing to measure and monitor any water contaminates using their water labs. She feels the people need answers about how this project will affect the air quality and

about the how the tax deferral will affect the people. She knows that in community development, drawing in good people and good businesses is important and that includes a tax deferral, and then asked if it would really help the people if the tax is deferred for 25-30 years. She respectfully requested that the all their questions be answered, and she hopes the decision to approve will be held off until all of the conditions are met.

- Jessica Tryon shared that she has read over the application and everything Brett Hamilton has sent out. She is very grateful for his effort and all the conditions that have been added to this project. She is appreciative of the information and research that the county has done looking into the data center project. She has questions and concerns on how many data centers will be allowed in the county. She worries that if one data center comes, then it will lead to more data centers. If that is the case, her concern is how those additional data centers will affect the community.
- Nichole Philips, a Cedar City resident, shared that she received a notice for the Red Butte Energy & Data Center Campus open house. She is concerned there is a second data center coming in so quickly since the CUP for the first one is not complete. She shared that on a positive note, at least they (Red Butte) are providing an educational town hall and noted she would like to see the same for the Antelope Data Center as well.
- Chair Cox explained that the County does not control when an applicant makes their submittals.
- Brett Hamilton shared that the Red Butte application was submitted last Monday.
- Melinda shared that she is not against evolution that is natural, but what she is against is the cost of our morals. She feels that if the County continues to go on with the data center they would be going against the whole community and noted that if the planning commissioners were on social media, they would see significant opposition to the data center. The issues being discussed on social media, regarding the effects of the data center, are birth defects and people having trouble sleeping. She feels that people come to Cedar City to get away from the bigger cities and to get away from people who put money above their community. She is concerned about water, especially when Governor Cox has said that Utah needs to pray for rain, because we are in a drought. She feels the bad effects definitely outweigh any positive effects the data center might have for business or taxes.
- Tiffany Lamarca stated that she feels this is a real issue with real affects. She wants those who drove to this meeting, including the committee, to meet her in the back of the room and write down their name and number because they made the effort to drive here rather than just read about it on social media. Everybody has a piece of information that we can share and suggested they get together to share information about the wells, energy, natural stuff, and the Paiute Reservation.
- Paul Cozzens, a resident of Cedar City, has been on the water board for about eight years starting in 2014. He would like to clear up information on the water boundary lines. All of the water is owned by the State. Salt Lake residents that took a shower today probably used water from two counties away. Historically, as Utah was developed, the pioneers moved the water to where the people were. The Water Conservancy District filed on the 15,000-acre feet, that was unallocated. Groundwater management studies have been done. The Environmental Impact Study was approved for the project. Water is what this valley needs. Property owners have the right to sell their property and/or water rights. The oldest water law that exists in Utah is "First in time, first in right".

Close Public Comments:

Chair Cox closed the public comment period.

Brett Hamilton shared that future agenda items can be found at www.ironcountyut.gov/planning/meetings.

3. ZONE CHANGE – H2 Family Limited Partnership; A-20 to RR-20 - PUBLIC HEARING

Consider a request for a zone change from Agriculture 20 Acre (A-20) to Residential Recreation (RR-20) on approximately 278.91 acres. The property is generally located in Section 17, T37S, R10W, SLB&M, Cedar City, Iron County, UT. APN: D-0330-0000-0000

Applicant: Brent Hunter, represented by Mike Stewart with Red Sands Geomatics

Introduction:

Brett Hamilton shared the following:

- The application is for a zone change from A-20 to RR-20, totaling 278.91 acres.
- The only other RR-20 zone in Iron County is right next to this property, directly to the north.
- The purpose of the zone change is the property owner would like to do a seasonal subdivision.
- A seasonal subdivision is only allowed in RR-20 zone.
- The main concerns he received from the public were:
 - The property to the North, The Rasmussens', had concerns with the seasonal subdivision and if it would become a commercial venture and be subdivided, become Airbnb's and short term rentals. They are worried that their taxes would be impacted by the nearby improvements.
 - Requested that the cabins not be built closer than six hundred feet to their property.
- Brett followed up with the assessors office to ask about how property taxes work. Different zones are not grouped together for assessment and taxing purposes. Therefore, an A-20 zone would not be impacted by a change/improvement in a RR-20 zone.
- With a maximum density subdivision, instead of 14 twenty acre lots, the ordinance allows them to cluster the cabins/homes and use the remainder 250 acres as open space.
- Brett reminded the planning commissioners of the 13 criteria for evaluation of a proposed zone change.

Chair Cox opened the public hearing and read the consideration for the public hearing.

Brett Hunter, applicant: This piece of property has been in our family for 100 years. His objective is to keep it in the family. The property will be

divided into 14 lots amongst his children and himself. So each individual gets a 2 acre lot. They will own the rest in common. H squared stands for Hunter & Hilliard. He is giving the children the lots not selling them, but there will be restrictions on what they can do with the lots. He clarified that there will no Airbnb rentals or short-term rentals.

Jessica Tutor: Her concerns have been alleviated, so thank you (Rasmussen property).

Close Public Hearing:

Chair Cox closed the public hearing

Planning Commission & Staff Discussion:

- Brett Hamilton shared that this is a legislative decision and there will be another public hearing and potentially a final decision at the county commission on May 11th.
- Roger Thomas clarified that this is an allowed use in the RR-20 zone and it is the second one approved in the new zone.
- Brett clarified how a seasonal subdivision differs from other subdivisions; there are less requirements. In this subdivision they won't haul water because they already have a well dug, they won't have to improve roads, and they don't have to have sewer infrastructure.
- Brett Hunter shared that there will be a 12,000 gallon tank of water on a higher elevation so each cabin will have a gravity water flow. He feels they have adequate water.

Planning Commission Action: Recommendation to the County Commission or continue the item

Motion: Michelle Tullis made a motion to recommend to the Iron County Commission that the zone change from A-20 to RR-20, for the 278.91 acre property identified in the agenda item #3, be approved.

Second: Seconded by Mark Halterman

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

4. ZONE CHANGE – Linford K Nelson Trust - PUBLIC HEARING

Consider a request for a zone change from Rural Agriculture 20 Acre (RA-20) to Agriculture 20 Acre (A-20) on 17 properties, totaling approximately 346.74 acres. The properties are generally located northwest of Kanarrville, near Bumblebee Springs Road.

E-0288-0005-0000, E-0288-0005-0001, E-0288-0005-0002, E-0288-0005-0003, E-0288-0005-0004, E-0288-0005-0005, E-0288-0005-0006, E-0288-0005-0007, E-0288-0005-0008, E-0288-0005-0009, E-0288-0005-0010, E-0288-0005-0011, E-0288-0005-0012, E-0288-0005-0013, E-0288-0005-0014, E-0288-0005-0015, E-0323-0001-0000

Applicant: Linford Nelson, represented by Dallas Buckner with GoCivil Engineering

Planning Commission Action: Recommendation to the County Commission or continue the item

Introduction:

Brett Hamilton shared the following:

- The properties are located northwest of Kanarrville, near Bumblebee Springs Road, east of Harmony Ranch Subdivision.
- The proposal includes 17 properties all owned by the applicant. Current zoning on all 17 properties is RA-20. They are requesting to rezone it to A-20.
- Brett shared that in 2016 the county rezones several areas of the county to RA-20. This pocket was changed from A-20 to RA-20 and the applicant wants to change it back to A-20.
- Ramon Prestwich and his daughter came into the planning office with their concerns regarding the realignment of the roadway between his property and the applicants during weather conditions. They are concerned on locked fences and gates on some of these roads.
- The roadway concerns are not typically part of a zone change, but it is tied to the property since it crosses it, so it would become relevant if future development occurs. Ramon thought it was important that their concerns be put on the record.

Open Public Hearing:

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

- Ramon Prestwich: Representing his two brothers Verl & Sheldon Prestwich. The zone change is not the problem. If you look at the map there is no access except on an old dirt road. When the property was subdivided, no road improvements were required. The road is not passable at all times. Because it is muddy, and in some places are washed out. Secondly, there are no improvements on the roads the people on the four wheelers and trucks think they can just drive over the fence whether on Linford's or their property. So the road meanders on both sides of the properties. The problem with the fence is that it is very old. One of the fire's burned part of the fence which was replaced, but not on the property line. Concerned and wants to put fence on the property line and the road should be fully on Linford's property.
- Linford Nelson: Bought property in 1982. At that time it was zoned A-20. In 2016 the county changed it to RA-20. Some of the uses he wants to do are not allowed in RA- 20. Regarding the road concern, because these are legal lots of record, there is a prescriptive easement, so I can't stop people from going through. The intent is to build the road through the center of the property because that where the utilities are. So the road is an issue but should not make a difference on the zone change. The property owners will determine where the road goes on their property. On the road that Ramon mentioned all 66 feet will be on Linford's property.
- Terry Palmer: When permits issued will have to comply with WUI standard roads through the center of the property.

- Chair Cox: Clarified that they will be required to maintain the prescriptive easement and they cannot block or gate it off.
- Verl Prestwich: He has been the thistle foreman for that field for many years. Linford has had the county come to spray the thistle. Wanted to buy a lot in Richfield but the owner wouldn't let him buy it if he wasn't going to build because he didn't want it full of weeds. He mentioned when it rains the seeds come down on their lot and it becomes a challenge when he tries to take care of it himself. Those seeds keep coming back because of the rain. Worried for new people that are not aware of the thistle and how it seeds.
- Terry Palmer: Thinks the county can probably get help from the weed department because thistle is a noxious weed. He said he will talk to the weed department and see what they can do.
- Linford Nelson: Explained that the county has people to spray for noxious weeds, or he can hire them to take care of it.

Closed Public Hearing

Chair Cox closed public hearing.

Planning Commission Action: Recommendation to the County Commission or continue the item

Motion: Dennis Gray made a motion to recommend to the Iron County Commission that the zone change from RA-20 to A-20, for the 346.74 acre property identified in agenda item #4, be approved.

Second: Seconded Michelle Tullis

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

5. PRELIMINARY SUBDIVISION – Equestrian Trails Ranch Phase 2 (5.39 Acres – 15 lots)

Consider a request for a preliminary subdivision for 15 lots on 5.39 acres, generally located at the northeast corner of 4400 W. and 4200 N. APN: D-0602-0001-0006

Applicant: Equestrian Trails Ranch LLC, represented by Dallas Buckner, GoCivil Engineering

Introduction:

Brett Hamilton shared the following:

- This master plan project (Equestrian Trails Ranch) has been on a few previous agendas. There were a few properties rezoned to R1/2 recently. In January of 2026, the development agreement was approved.
- Phase 1 for 48 lots was approved.
- Phase 2 is for 15 lots and is dissected by the proposed belt route.
- One of the concerns brought up is that the lots are zoned R1/2 but the plans are for 10,000 sq. ft. lots. So he explained that in the development agreement it references that the over all project allows two units per acre. Since they have a range of lot sizes, they are allowed anywhere from 10,000 sq. ft. up to one acre lot sizes, which provides them with flexibility.
- The access is off 4400 W. 4200 N.
- The applicant would have to chip seal from 4100 W. up to 4400 W.

Staff Discussion:

- Mike Platt: Asked with the zoning in place, why are preliminary subdivisions still coming to planning commission. Some municipalities don't require preliminary subdivisions to be approved by the Planning Commission.
- Brett Hamilton: Explained that anything above ten lots must come to planning commission. The ordinance could be changed. He thinks there are a lot of different review criteria that goes into the code. There could be some adjustments made as far as what is needed like road improvements and with lots size. As staff we would still go through the process of notifications to let people know about it, but it wouldn't come to a meeting. He thinks there is still value in bringing some subdivisions to the planning commissions meetings which will more than likely be for the smaller ones like R4K's. Where the design is unique and that planning commission can have input.
- Mike Platt: Agreed that if they have a bunch of variations then bring it to the planning commission. If the subdivision is straight forward there is no need for the planning commission to review it.
- Roger Thomas: When the development agreement was drafted, he remembers it going into great detail, so he doesn't see the need to hold up the development for something that we have already approved.
- Dennis Gray: Asked what the process to change the ordinance.
- Terry Palmer: Explained the planning commission would need to bring their changes to the county staff and Brett would need to make sure it conforms with state law.
- Brett Hamilton: If the subdivision has ten or less lots it is a minor subdivision and the staff will review the preliminary plans. It could be a code amendment that is brought back through the planning commission to make a recommendation and the county commission would have to make the final decision on it.
- Dennis Gray: Asked if it is better for the planning commissioners to come back with several options for the staff to review.
- Brett Hamilton: Staff can present recommendations for the Planning Commission to consider.

Planning Commission Action: Approve, Deny, continue the item

Motion: Roger Thomas made a motion to approve agenda item #5, the preliminary subdivision for Equestrian Trails Ranch, Phase 2, 5.39 acres 15 lots, in accordance to the discussion we had.

Second: Seconded by Dennis Gray

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

6. MINUTES... consider approval of minutes for the April 2, 2026 meeting.

Motion: Michelle Tullis made a motion to approve of the minutes of April 2, 2026 as the official record of that same planning commission meeting.

Second: Seconded by Chair Cox

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

7. STAFF REPORTS...

Building Department:

- Terry Palmer: Thanked the Planning Commission for its professionalism despite the criticism and public pressure associated with recent applications. You all put your effort into it and do your homework and study and take care of what needs to be done.
- Erick Cox: Developers now know that we want them to hold an open house. The information Brett has published is valuable. Public needs to review.
- Terry Palmer: May 14th open house for Red Butte data center from 5:30-7:30 p.m.

County Attorney: No comments

Planner & Services Coordinator:

- Michelle Tullis: Wish more people understood there is process to follow, we can't deny something because of public clamor. Have rules and ordinances that the county has to follow.
- Terry stated that one gentlemen is right; the county will mitigate issues to the best of ability and the applicant must comply with them. The Pronghorn data center will likely take at least a year before getting a building permit.
- Roger Thomas: Clarified that even the CUP is simply the first step in a very long process.
- Dennis Gray: Mentioned that the data still has to comply with state agency requirements.
- Chair Cox: Stated that the information that Brett has published is critical. The public should review it to understand it, and then ask questions.

8. ADJOURN

Chair Cox adjourned the meeting at 6:45 p.m.

Minutes Approved April 2, 2026 by the Iron County Planning Commission

Lisa Woolsey

5/7/2026