

Emery County Planning & Zoning

Meeting Minutes

April 8th, 2026 1:00 p.m.

Join Zoom Meeting

<https://zoom.us/j/4353813570?pwd=NWduRlZzRCtGNUdnd1d0NkNNdmxIZz09>

passcode:Emery

IN ATTENDANCE: Gary Arrington, Bruce Wilson, Tyler Jeffs, Jim Jennings, Natalie Olsen, Commissioner Leonard

EXCUSED: Bill Dellos and Bart Cox

VISITORS:

1. Welcome:

The meeting was opened by Bruce Wilson due to the absence of the Chairman. It was initially noted that a quorum was not present, and no official decisions could be made. The Commission proceeded with presentations and discussions with the intent to table items if necessary.

Later in the meeting, Chairman Gary Arrington arrived, and a quorum was established. The meeting was then formally called to order.

2. Discuss/Approve/Deny: March 11th, 2026 Meeting Minutes.

Bruce made a motion to approve the minutes with a second from Tyler. The motion passed unanimously.

3. Presentation by Craig Johansen on Water Issues

Craig Johansen, representing Cottonwood Creek Consolidated Irrigation Company, presented concerns regarding misuse of irrigation (B-share) water.

Key Points Discussed:

- Distinction between A shares (culinary/transferable) and B shares (agricultural only, non-transferable).
- Reports of homes being built using untreated irrigation water (raw water) plumbed into residences.
- Concerns about:
 - Lack of enforcement of water and building regulations
 - Building permits issued without proper culinary water verification
 - Subdivisions approved without confirmed water rights
- Highlighted a specific subdivision where lots were sold without valid culinary water access.
- Emphasized need for:
 - Better coordination between county, cities, and irrigation companies
 - Stronger ordinance language and enforcement
 - Improved public awareness (“buyer beware”)

4. Discuss/Approve/Deny: Rasmussen Minor Subdivision

Applicant presented plans to subdivide property to allow construction of a residence for a family member. Documentation was verified.

All requirements met, including:

- Culinary water connection (North Emery Water) with shares transferred
- Power availability confirmed
- Septic system approved (perc test completed)
- access via approved encroachment permit

Bruce made a motion to approve the Rasmussen Minor subdivision with a second from Tyler. Voting was unanimous.

5. Discuss/Approve/Deny: Curtis Minor Subdivision

Applicant proposed subdividing property into two parcels for residential development (family use).

Discussion:

Applicant has initiated coordination with utilities but has not finalized all improvements
Commission clarified:

- Full utility installation is not required prior to subdivision approval
- Must be completed prior to building permit issuance

Water shares (A shares) available and understood by applicant

Tyler made a motion to approve the Curtis Minor subdivision with a second from Bruce. Voting was unanimous.

6. Discuss/Approve/Deny: JD Lefler Minor Subdivision Amendment

Applicant requested amendment to subdivide an 8-acre parcel into smaller 2-acre lots.

Discussion:

Purpose: reduce financial risk and limit acreage tied to mortgage

Utilities available, but concerns raised regarding:

- Future culinary water access to additional lots

Planning Commission required:

- Addition of water line easement in recorded description
- Written agreement for easement where applicable

Tyler made a motion to approve the JD Lefler Minor subdivision with a second from Bruce. Voting was unanimous.

7. Discuss/Approve/Deny: Oliver Minor Subdivision Amendment

Tyler made a motion to table the Oliver Minor Subdivision because of lack of information with a second from Bruce. Voting was unanimous.

8. Discuss/Approve/Deny: TN Nielson Minor Subdivision

Tyler made a motion to table the TN Nielson Minor Subdivision because of lack of information with a second from Bruce. Voting was unanimous.

9. Discussion on Future Solar:

Craig Johansen provided public comment regarding solar development.

Key Recommendations:

- Reclamation Bond Requirement:
 - Suggested requiring a reclamation bond up front prior to construction, rather than years later.
 - Noted recent state-level changes requiring earlier bonding.
 - Recommended the County consider models such as SITLA's approach.
- Buffer Zones:
 - Recommended establishing buffer requirements between solar developments and adjacent private properties not wishing to participate.

Planning Commission Response:

- Acknowledged both recommendations as valid considerations.
- Confirmed these items will be reviewed during the upcoming zoning ordinance update process.

Additional Discussion:

Concern expressed regarding timelines tied to expiring federal subsidies, potentially creating pressure to approve projects before July 1.

Commissioners acknowledged the urgency but reiterated the need for better long-term planning and regulation.

Discussion reflected that earlier solar approvals were made with the goal of supporting local power plant longevity and economic stability.

10. Discuss Any Other Business:

Survey Discussion (Solar & Ordinance Input)

The Planning Commission discussed more about the distribution and funding options for the county-wide survey intended to gather public input on zoning and solar development.

Options Considered:

- Mailing to all residents via box holder mailing
- Publishing on ETV10 front page with QR code
- Posting flyers throughout communities

Decisions/Direction:

- General consensus to pursue mailing to all box holders, potentially combined with a QR code option.
- Discussion included:
 - Budget constraints and need for funding support from County Commissioners
 - Concerns about duplicate responses (QR code vs paper)
 - Possible inclusion of optional identifying questions (city, PO Box)

Survey Content Updates:

- Add question regarding solar and taxes:
"If future solar projects would lower your property taxes annually, would you be more in favor of additional solar development in Emery County?"

Purpose of Survey:

- Provide data to support a formal recommendation to County Commissioners
 - Assist in updating zoning ordinances
 - Reflect community sentiment rather than relying solely on commission opinion
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Solar Revenue Discussion

Information shared regarding potential financial impacts of solar projects:

- Existing solar and battery projects projected to generate approximately \$24 million over 20 years
- Additional proposed projects could increase that to approximately \$42 million over 20 years

Key Points:

- Revenue could potentially:
 - Help offset school bond debt
 - Reduce property taxes (estimated discussion around ~13%)
- Importance of structuring agreements to:
 - Keep projects on the tax rolls
 - Minimize or eliminate tax incentives where possible
- Emphasis on coordination with:
 - County Commissioners
 - School District
 - Other taxing entities

General Consensus:

- Solar development should provide clear financial benefit to county residents, particularly in reducing tax burdens.
 - Strong interest in ensuring future projects contribute meaningfully to the tax base.
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Future Planning & Recommendations

- The Planning Commission discussed preparing a formal recommendation on solar development for the County Commission.
- Consensus to:
 - Wait for survey results before finalizing recommendations
 - Possibly provide a preliminary update to commissioners in the interim

Additional Topics for Future Discussion:

- Impacts and regulation of minor subdivisions
 - Water share requirements and enforcement
 - Potential opportunity zones for development
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Planning Commission Vacancy

- Announcement made that there is an open position on the Planning Commission.
- Interested individuals are encouraged to submit applications for consideration.

11. Adjourn:

Tyler made a motion to adjourn the meeting. The meeting was adjourned.

The next meeting will be held May 13th at **11:00 am**.