Emery County Planning & Zoning
Meeting Minutes
September 9th, 2026 1:00 p.m.

Join Zoom Meeting
https://zoom.us/j/4353813570?pwd=NWduRlZzRCtGNUdnd1d0NkNNdmxlZz09

passcode:Emery

IN ATTENDANCE: Gary Arrington, Bruce Wilson, Tyler Jeffs, Bart Cox, Laurel Killpack, Whitney Phelps, Jessie Lobato, Seth Manning, Joe Begay, Natalie Olsen, Commissioner Leonard
EXCUSED: Jim Jennings

VISITORS:

1. **Welcome:**
   Gary Arrington welcomed everyone to the meeting.

2. **Discuss/Approve/Deny: August 12th, 2026 Meeting Minutes.**
   Bart made a motion to approve the minutes with a second from Tyler. The motion passed unanimously.

3. **Discuss/Approve/Deny: Desert Edge (Troy Anderson) Minor Subdivision**
   Troy and Suzanne Anderson presented a request for the Desert Edge Minor Subdivision in Farrin.
   The Andersons own approximately 11 acres and proposed dividing approximately 3.2 acres from the south portion of the property for Jeff and Suzanne Ewell.
   The proposed subdivision will contain one home and will not require new roads, curb and gutter, or sidewalks.
   The applicants reported that:
   - Utilities are available along Dutch Flat Road.
   - A water line has been installed and approved by the Special Service District.
   - The Road Department has provided an encroachment letter.
   - Power service has been arranged, with the line planned to be placed underground to the home.
   - Septic approval has been submitted to the Health Department.

   The Commission reviewed the subdivision information and checklist and discussed the remaining required signatures and approvals.
   Bart made a motion and was seconded by Tyler to approve the subdivision as amended, contingent upon the property owners meeting the required stipulations. Motion passed unanimously.
   The applicants were advised that the Planning and Zoning approval and acceptance signature would need to be completed by Jim Jennings.

4. **Discuss/Approve/Deny: Final thoughts on Solar ordinance and discuss Public hearing date.**
   The Commission continued discussion of the proposed solar ordinance and reviewed changes and additions made following previous meetings.

   Community Impact/Benefit Fee:
   - The proposed draft included a $100,000 annual community impact fee.
   - Commissioners discussed the need to research comparable fees and determine how the amount should be established.
   - Discussion included whether the fee should be based on project size, megawatts, acreage, or another standard.
   - Commissioners discussed how funds could be distributed to directly benefit county residents, including recreation, county and city events, and other community needs.
   - Commissioners requested additional information and justification for the fee and discussed whether funds should be specifically budgeted and line-itemed rather than distributed through a separate committee.

   Vegetation and Water Requirements:
   - The Commission identified a potential conflict between requirements for vegetation or shrubbery around solar projects and provisions prohibiting the use of culinary or agricultural water for that vegetation.
   - Commissioners requested further review of state requirements and available water sources.

   Wildlife Mitigation:
   - Discussion was held regarding requiring solar applicants to consult with state and federal wildlife agencies.
   - Commissioners discussed whether consultation should include a formal agreement or mitigation approval prior to consideration of a project.

   Legal Review:
   - The Commission discussed having the County Attorney review the proposed ordinance and the Planning Commission's recommended changes before proceeding.
   - Additional revisions will be made following legal review.

   Project Classification and Review Process:
   - The Commission discussed placing future utility-scale solar projects under Level III Conditional Use requirements.
   - Changes to the ordinance tables and related sections will be needed to reflect the Level III classification and clarify the approval process.
   - Commissioners also discussed clarifying whether references to a "person" should include an entity.

   Setbacks and Project Spacing:
   - The Commission reviewed proposed setback and buffer requirements.
   - Discussion was held regarding the proposed five-mile minimum spacing between projects and whether the requirement could unnecessarily restrict areas that may otherwise be suitable for development.
   - The proposed 5% limitation on the county's private land base was also discussed, with commissioners requesting additional information regarding the current percentage.

- The possibility of allowing waivers in certain situations, including for non-participating residential parcels, was discussed.

Power/Interconnection Requirements:

- Commissioners discussed requiring an applicant to be in the power company's interconnection queue or have an interconnection agreement before submitting a solar application.

Property Rights and County Development:

- The Commission discussed balancing county development, property rights, community impacts, and future land-use considerations when developing the ordinance.

Enforcement:

- The Commission discussed the challenges associated with enforcing county ordinances, including the need for coordination among Planning and Zoning, the County Attorney, Sheriff's Office, and County Commission.
- Potential staffing and funding needs for code enforcement were discussed.

Public Hearing:

- Commissioners discussed holding a public hearing on the proposed solar ordinance, potentially in the evening to provide greater opportunity for public participation.
- The ordinance will be further reviewed and revised before the public hearing.
- The Commission anticipates additional discussion following public comments and legal review.

No final action was taken on the solar ordinance during this meeting.
Planning Commission was asked to review the draft and provide additional comments and proposed changes before the next meeting.

5. **Discuss Any Other Business:**
   The Planning Commission discussed the potential for future solar and other development projects within and near Emery County and the need to consider future land-use planning.
   Discussion included the possibility of creating a **desert zoning designation** to address development and visual impacts along areas visible from I-70 and other prominent locations.
   The Planning Commission also discussed the need to continue evaluating how future projects may affect county revenues, infrastructure, wildlife, recreation, and surrounding communities.
   The solar ordinance will remain on the agenda for continued review.

6. **Adjourn:**
   Bruce made a motion to adjourn the meeting. The meeting was adjourned.

The next meeting will be held October 14th at **1:00 pm**.