

IRON COUNTY BUILDING AND ZONING DEPARTMENT

82 NORTH 100 EAST, SUITE 102

CEDAR CITY, UT 84720

OFFICE: (435) 865-5350 - FAX: (435) 865-5359

**APPLICATION FOR AMENDMENT(S) TO THE COUNTY GENERAL PLAN,
ZONING ORDINANCE, AND/OR LAND MANAGEMENT CODE**

Application is hereby made to the Iron County Planning Commission, and Board of County Commissioners of Iron County, Utah.

Date: _____

Applicant's Name: _____

Address: _____ City, State, Zip: _____

Mailing Address (If different): _____

Phone No: _____ Cell No: _____ Fax No: _____

Property Owner: _____

Address: _____ City, State, Zip: _____

Check which box applies:

- Proposed text amendment of the Zoning Ordinance by amending Section / Article:

- Proposed amendment of the Use District / Zoning Map of Iron County by reclassifying the following property:

Proposed Zone Change: From: _____ Classification To: _____ Classification

Address of Property: _____

Legal Description: Section _____, Township _____ South, Range _____ West _____

Lot: _____, Block: _____, Subdivision: _____

Assessor's Parcel No: _____ Account No: _____

- Proposed amendment to Tiered Growth Boundary Map by reclassifying the following property:

Proposed Tier Change: From: _____ Classification To: _____ Classification

Address of Property: _____

Legal Description: Section _____, Township _____ South, Range _____ West _____

Lot: _____, Block: _____, Subdivision: _____

Assessor's Parcel No: _____ Account No: _____

The Iron County Commission requires the following information to be submitted to the Planning and Zoning Department for every application for re-zone. Applications for re-zone will not be accepted without all of the submittal requirements listed below.

1. Completed application, including signature of applicant.
2. Submittal requirements list.
3. A detailed letter of explanation or justification for the proposal.
4. Affidavit of Legal Interest (attached). Form must be completed by the legal owner of record.
5. A current vicinity map.
(8½" x 11") at 1" = 300' scale, showing location of property. Map must be dated. Map must contain the following information:
 - a. Current zoning of the property
 - b. Cross-hatched area showing the subject property
 - c. Street names
 - d. Address grid
 - e. Names of surrounding subdivisions and prominent land features
 - f. The subject property area shall be located as close to the center of the map as possible
6. Land description and copy of property deed.
Attach the description of the actual property you wish to have rezoned on a separate page. All land descriptions must be certified by a land surveyor registered with the State of Utah.
 - a. All property descriptions shall be labeled as "Exhibit A".
 - b. The property description shall have a narrative paragraph, which names the section, township, range and meridian in which the property is located. The narrative shall also contain a rough description of the property. For example, "An area of land located in the southwest quarter of the northwest quarter of section _____, more particularly described as follows: ..."
 - c. The commencing point must be a government-surveyed corner, such as a section corner or a quarter corner.
 - d. The commencing point can be the point of beginning if the point is a section or quarter corner.
 - e. All descriptions must have a Point of Beginning.
 - f. Bearings and distances shall continuously define an area boundary with a closure accuracy of at least one part in five thousand.
 - g. The property description shall clearly define where the property is located by calling out known points or courses such as subdivision, lot corners, streets, canals, and water courses.
 - h. The all-property description shall state a return to the Point of Beginning.
 - i. The all-property description shall state the number of acres to be re-zoned to one-hundredth of an acre.
7. Photographs.
Photographs of existing site conditions, indicating building(s) and use(s).
8. Letter(s) from municipality regarding annexation position, if property is within the Tier II, if applicable. (See Ordinance No. 205, Exhibit A.)

9. Letter(s) of feasibility from Iron County Water Conservancy District or applicable water provider. (See Ordinance No. 205, Exhibit A.)
10. Letter(s) of feasibility from sewer provider, if applicable. (See Ordinance No. 205, Exhibit A.)
11. Map showing layout of adjoining property owners in relationship to the subject property.
12. Names and mailing addresses of surrounding property owners.
13. A \$250.00 non-refundable Filing Fee paid at the time of submitting the application. Advertising costs will be billed at a later date.
14. Provide 16 copies of all supporting documentation, segregated into individual packets.
15. Address in writing all the criteria in the "Evaluation Considerations for Re-Zoning Property" and "Re-Zone Application - Submittal Requirements" attached hereto.

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Applicant Certification

State of \_\_\_\_\_ :  
 County of \_\_\_\_\_ :

I certify under penalty of perjury that this application and all information submitted as part of this application are true, complete and accurate to the best of my knowledge. I also acknowledge that I have reviewed the Iron County Code and understand the items contained in this application are minimum requirements only and other items may be required which are unique to individual projects, locations, and/or uses of the request. I agree to comply with all applicable county ordinances in effect at this time. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Iron County may rescind any approval, or take any other legal or appropriate action. I understand that all fees and interest paid on my behalf are forfeited. I agree to allow the County Staff, Planning Commission, Board of County Commissioners, County Attorney, or Sheriff's Department to enter the subject property for any necessary inspection thereof.

\_\_\_\_\_  
 Signature Date

On this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me to be the signer of the foregoing document and that he/she acknowledged that he/she signed it.

\_\_\_\_\_  
 Notary Public  
 My Commission Expires: \_\_\_\_\_



## **Iron County Policy**

### **Evaluation Considerations for Re-Zoning Property**

#### **Policy:**

Before a property in the unincorporated county (Tier II, III, IV) is re-zoned, the County Commission, after receiving a recommendation from the Planning Commission, may give consideration to the following:

- (1) That the application for re-zone contain **submittal requirements** described below;
- (2) That the proposed property is **consistent with the General Plan** (Ord. 205);
  - a. The property consists of at least 40 contiguous acres, or
  - b. adjacent to other existing property of the same zone being requested, and
  - c. within the proper Tier to allow density/use requested;
- (3) That there is (will be) **centralized water and sewer services** available to serve the requirements of the proposed development;
- (4) That there is (will be) **fire flow, storage** and other facilities relating to fire safety as may be required by generally applicable standards of the County;
- (5) That the applicant has considered **on and off-site drainage ways and facilities** to adequately discharge surface run-off generated or increased by the project;
- (6) That there is an **adequate transportation system**, including efficient vehicular circulation to, from and within the development, and that the needs for pedestrian and bicycle trails and ways within the development have been considered;
- (7) That the proposed development is reasonably likely to provide to Iron County and its residents benefits that significantly outweigh those that would otherwise be derived if development occurred under the provisions of the existing zone district, considering (without limitation) an **analysis of the costs and benefits** of the proposed development that are likely to be incurred or received by governmental agencies;
- (8) That the proposed development (considering such mitigating conditions as may be imposed) will **not have a material adverse impact** on other property in the immediate vicinity of the development;
- (9) That approving a zone change will not adversely affect the **general public health, safety, and welfare**;
- (10) That adequate consideration and preparation has been given to other necessary **utility connections / corridors** such as power, gas, communications, etc.;
- (11) That provisions have been explored for the possibility and proximity of **commercial/service (office or retail) centers**;

- (12) That if the request is for R1/2, the proposed re-zone is described in a conceptual **master development plan (multi-phased projects)** showing:
- a. General configuration of the project,
  - b. General location of development areas,
  - c. Types of uses contemplated within each development area,
  - d. Major community roads (on and off site),
  - e. Recreational and open space amenities/areas reasonably anticipated to meet the needs of the residents,
  - f. Any public facilities and other features of the project; and,

(13) **Any other issue or consideration** that may be applicable in assisting the County in determining if this application 'could promote the general welfare' of the County, given the legislative nature of this decision.

**Note:** Zone changes are legislative land use decisions made by the County Legislative Body (County Commission) with broad governmental discretion and must advance some legitimate public interest. The standard of review to grant or deny a zone change can be described as 'reasonably debatable' and in addition to items 1-13 listed above, public concern/input can be seen as an acceptable factor in considering public interest. This list of evaluation criteria shall not be deemed as a checklist with any regulatory implications or to qualify any particular application or property to be granted a zone change.

**Policy recommended** on the 7<sup>th</sup> day of June, 2007 by the Iron County Planning Commission

**Policy established** this 28th day of January, 2008 by the Board of Iron County Commissioners

BOARD OF COUNTY COMMISSIONERS  
IRON COUNTY, UTAH

By: \_\_\_\_\_  
Lois L. Bulloch, Chair

**ATTEST:**

\_\_\_\_\_  
David I. Yardley,  
County Clerk

**VOTING:**

Alma L. Adams \_\_\_\_\_  
Lois L. Bulloch \_\_\_\_\_  
Wayne A. Smith \_\_\_\_\_

## Re-zone Application - Submittal Requirements

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- 4. Affidavit of Legal Interest (attached). Form must be completed by the legal owner of record.
- 5. Current Vicinity Map.  
(8½" x 11") at 1" = 300' scale, showing location of the property. Map must be dated. Map must contain the following information.
  - A. Current zoning of the property
  - B. Cross-hatched area showing the subject property
  - C. Street names
  - D. Address grid
  - E. Names of surrounding subdivisions and prominent land features
  - F. The subject property area shall be located as close to the center of the map as possible
- 6. Land Description and copy of property deed.  
Attach a description of the actual property which you wish to have rezoned on a separate page. All land descriptions must be certified by a land surveyor registered to the State of Utah.
  - A. All property descriptions shall be labeled as "Exhibit A."
  - B. The property description shall have a narrative paragraph, which names the section, township, range and meridian in which the property is located. The narrative shall also contain a rough description of the property. For example, "An area of land located in the southwest quarter of the northwest quarter of section \_\_\_\_\_, more particularly described as follows: ..."
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Photographs of existing site conditions, indicating building(s) and use(s).
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- 9. Letter(s) of feasibility from Iron County Water Conservancy District or applicable water provider (see Ord. 205, Exhibit A).
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