

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
July 6, 2011**

The Millard County Planning Commission met on Wednesday July 6, 2011 at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Robin Smith Chairman
Molly Stevens..... Board Member
David Sturlin..... Board Member
Gary Walker..... Board Member
Gordon Chatland Board Member

EXCUSED: Joyce Barney Board Member
Greg Greathouse Board Member

ALSO PRESENT:

Richard Waddingham County Attorney
Sheryl L Dekker Millard County Planner
Amber Nickle Secretary
Linda Gillmor..... MEDA
Morgan Philpot..... Regan Outdoor Advertising
Robert Thomas Citizen
Robert Rogers Citizen

1. Welcome, Call to Order

Chairman Smith called the meeting to order at 7:06 p.m.

2. APPROVAL OF MINUTES – June 1, 2011

The proposed minutes of the regular Planning Commission meeting held June 1, 2011 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Gordon Chatland made a MOTION to approve the minutes, as corrected. Commissioner Molly Stevens SECONDED the motion. The voting was unanimous in the affirmative.

3. PUBLIC HEARING for the Purpose of Receiving Public Comment on Application # Z-2011-009 for amendments to the Millard County Development Code (a Land Use Ordinance) providing for Sign Standards.

Gordon Chatland made a motion to open a public hearing. Gary Walker SECONDED the motion. Public hearing opened at 7:12pm. Chairman Smith asked for public comment. Morgan Philpot, a legal consultant for Reagan Outdoor Advertising, asked the board to consider the State laws regarding signs. He stated that the laws have certain regulations regarding sign safety and they have a right to move or alter a sign if it is not compliant. Also, sign companies have a right to move

signs at their discretion. Mr. Philpot said that the new county ordinance prohibits changing a sign without permission. He asked that the county ordinance be altered to come into compliance with state law.

Bruce Parker stated that it is not the county's intention to go against state law. He believes the ordinance was misunderstood and it just needs some added wording to express that it is in accordance with the state laws.

Gary Walker made a motion to close the public hearing. David Sturlin **SECONDED** the motion. The public hearing was closed at 7:18pm.

4. CONSIDERATION AND POSSIBLE RECOMMENDATION on Application # Z-2011-009 for amendments to the Millard County Development Code (a Land Use Ordinance) providing for Sign Standards.

Bruce Parker stated that any sign 64 square feet or smaller, can be reviewed and approved by the Planning Commission. The Board of County Commissioners will not be involved with approving signs. The county planner can approve P-1 Sign Applications. A level P-2 sign would go to the Planning Commission.

Bruce Parker recommended adding a new section to the county ordinance that states that all signs will be in accordance with Utah state laws and are subject to any state provisions.

Gordon Chatland asked about line 5 under prohibited signs: "Banners, pennants, streamers, balloons, searchlights, strobe lights, beacons, and inflatable signs, objects, and characters". Gordon Chatland stated that he does not want to restrict a company from using these types of signs. He would like to be as non-restrictive as possible.

There was discussion on what signs should be prohibited.

Chairman Smith stated that if a sign was constructed against the county ordinance and was brought in front of the Planning Commission as long as it was structurally sound it would most likely pass. Bruce Parker stated that the ordinance could always be amended or changed if needed.

Signs that are place for 12 months or less are considered temporary signs.

Molly Stevens asked about provisions on lighting. Bruce Parker stated that the ordinance allows a sign to be lit after business hours as long as it is a steady stream of light for security and advertising purposes.

Molly Stevens said that she had a problem with line item 3 under real estate signs that stated they must remain unlit. The consensus was that the words "and unlighted" on line item 3 could be stricken to allow real estate signs to be lighted in the county.

David Sturlin made a motion to send Application # Z-2011-009 with the changes discussed in the meeting to the Board of County Commissioners with a favorable recommendation. Gary Walker SECONDED the motion. Voting was unanimous in the affirmative.

5. PUBLIC HEARING for the Purpose of Receiving Public Comment on Application # Z-2011-013 for amendments to the Millard County *General Plan*, Economic Development Element.

Gordon Chatland made a motion to open a public hearing. Gary Walker SECONDED the motion. The public hearing opened at 8:52pm. Chairman Smith asked if there was anyone present with comments. Linda Gilmore of the Millard Economic Development Association (MEDA) approached the podium and stated that there had not been any changes to this section of the *General Plan* since 1998.

Robin Smith asked who made the proposed changes to the economic development section of the *General Plan*. Linda Gillmor said at the beginning of the process, the Six County Association of Governments (SCAOG) was asked to conduct Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis. There were surveys conducted for the business recruitment section; all available lending institutions were invited to send in a list of finance opportunities; and education specialists in the county and the region were invited to present their available programs for the education section. The MEDA committee and other local businesses were recruited to discuss various sections during the process. Business expansion and retention is the main focus of economic development and was reflected in the updated as well as the older section of the *General Plan*. During the information collection process, research was found that verified that dollar for dollar in rural Utah the best way to help the local economy is by helping new and existing businesses.

After Linda Gillmor's presentation, Chairman Smith asked if there were any public commentary. There was none.

Gary Walker made a motion to close the public hearing. David Sturlin SECONDED the motion. Voting was unanimous in the affirmative. The public hearing was closed at 8:55pm.

6. CONSIDERATION AND POSSIBLE RECOMMENDATION on Application # Z-2011-013 for amendments to the *Millard County General Plan*, Economic Development Element.

Linda Gillmor discussed what was done to make changes to the economic development section in the *General Plan* and what changes were made.

Gary Walker asked Linda Gillmor to clarify the changes to implementation strategies.

Linda Gillmor explained the business recruitment section that was added to the *General Plan*.

She also noted the changes to the agricultural section.

Linda Gillmor discussed changes to the education section: the additions and exclusions. She pointed out all the information added to the capital access section which discusses all funding sources in the county for local businesses. There were considerable changes to the Economic Development element of the *General Plan*.

Chairman Smith asked for more comments and questions. There were none.

David Sturlin made a motion to forward a favorable recommendation of the changes to the Economic Development element of the *General Plan* to the Board of Millard County Commissioners. Molly Stevens SECONDED the motion. The voting was unanimous in the affirmative.

7. OTHER BUSINESS

Robert Rogers approached the podium to explain his situation his application for a non plat subdivision which was tabled on the June 1 agenda. He was not present at the June meeting when his application was brought before the Planning Commission. County Planner Sheryl Dekker stated that she had sent Mr. Rogers a letter explaining the concerns the Planning Commission had with his application. Because he had not responded to the letter she did not put his application on the July agenda for a second review.

Mr. Rogers stated that his recently widowed sister-in-law needs a place to live. Mr. Rogers does not want her to live in his home but would like to make a residence on his property for her to live in. He stated that there was an issue with the well and sharing water. He said that there was a problem with deeding the water to himself for another house on his property. He understood that the easement previously requested in his application was also not legal. He stated that he believed that there was enough water for two residences.

Gary Walker stated that Mr. Rogers is trying to make a permanent change for a temporary situation. The fact remains that Mr. Rogers will not be around forever and when he dies the buildings will still be there.

Gordon Chatland asked if there is something the Planning Commission can do on a temporary basis.

Mr. Rogers asked if there is anything that can be done with the current situation.

Molly Stevens asked what the current problems are with the application. Mrs. Dekker stated that there needs to be one acre-foot of water per household. Mr. Rogers stated that there were more than 2 acre-feet of water. However, after calculating Mr. Rogers' water right, it appears that there is 1.958 acre-feet which was .04 under the requirement.

Molly Stevens asked what needed to be done to make it legal.

Robin Smith stated that there is no legal access to the land behind the current residence. The minimum frontage road access requires 150 ft.

Gary Walker suggested that a separate room or wing be attached to the current residence to meet with legal parameters instead of building a separate structure on the same land.

Gordon Chatland suggested that Mr. Rogers talk with the building inspector to see what his options are to build onto the current residence.

Robin Smith stated that as the application stands right now it will not pass because it does not meet the requirements for one acre feet of water for each dwelling, and because the property would not front the existing county road if it is divided.

Chairman Smith asked that the application be put on the August agenda for a decision on the application for a non plat subdivision.

8. Possible Closed Meeting Pursuant to Utah Code Annotated Section 52-4-4&5

There was none.

9. Adjourn

Gordon Chatland made a MOTION to adjourn. Molly Stevens SECONDED the motion. The voting was unanimous in the affirmative. The meeting adjourned at 8:44p.m.

Robin Smith, Chairman
Millard County Planning Commission