

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
February 1, 2023**

The Millard County Planning Commission met on Wednesday February 1, 2023, at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Joyce Barney Planning Commission Vice Chairman
John Nye.....Planning Commissioner
Erin SorensonPlanning Commissioner
Phil Morrison.....Planning Commissioner

EXCUSED: David Sturlin Planning Commission Chairman
DeMar IversonPlanning Commissioner
Peter GreathousePlanning Commissioner
Mallori Wood..... Secretary

ALSO PRESENT:

Adam Richins..... Millard County Planner
Denton Peterson Deputy County Attorney
John CoveyApplicant
Christine CoveyApplicant
Kwincy Tolley..... Millard County Resident
Jace MorganApplicant
Scott Anderson Millard County Resident
David JohnsonApplicant
Matt Ward Millard County Chronicle Progress

PURSUANT TO AN AGENDA WHICH HERETOFORE HAD BEEN PROVIDED to each member of the Planning Commission, posted at the Millard County Offices in Delta, the Public Safety Building in Fillmore, and the Main Street Courthouse in Fillmore, posted on the Utah Public Notice Website and the Millard County Website, and provided to the Millard County Chronicle Progress, a newspaper of general circulation within Millard County, Utah as required by law, the following proceedings were had:

1. WELCOME, CALL TO ORDER – Vice Chairman Joyce Barney called the meeting to order at 6:32 pm. She welcomed all present.

2. PUBLIC INPUT -There wasn't any public input.

3. PUBLIC HEARING—C-1 Conditional Use Permit Application #Z-2023-004 for a Guest Ranch at approximately 6800 W 6500 S Delta. Christine Covey, Applicant

Commissioner John Nye made a MOTION to open the public hearing. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

Christine Covey approached the commission and gave a description of her application.

Commissioner John Nye made a MOTION to close the public hearing. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

4. REVIEW and POSSIBLE APPROVAL—C-1 Conditional Use Permit Application #Z-2023-004 for a Guest Ranch at approximately 6800 W 6500 S Delta.

There was discussion about what kind of ag activity would be happening on the ranch.

There was discussion about the proposed recreational facilities in the application.

There was discussion about the utilities available. The applicant stated the area is off grid.

Commissioner Joyce Barney asked for clarification of the location.

There was discussion about access roads.

Commissioner Joyce Barney went over the proposed reasonable conditions with the applicant.

There was discussion about the size of the cabins.

The applicant asked about whether or not she needs to have someone come pick up the waste or if she can dispose of it herself. The commission stated she can dispose of it but cannot bury or burn the waste herself.

There was discussion about when there is a large group of people, does the sheriff's department have access to patrol the area. The applicant stated that she would like to put another entrance in so that they could drive right through.

Commissioner Erin Sorenson made a MOTION to approve application Z-2023-004 with the proposed reasonable conditions A-G and adding H-K. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

PROPOSED REASONABLE CONDITIONS The application as submitted complies with the requirements of this title, all other applicable ordinances and resolutions, and the

building codes as adopted, and should be considered for approval with reasonable conditions to address the health, safety, and welfare of surrounding property owners and should be consistent with conditions which could foreseeably exist. Proposed Reasonable Conditions for Guest Ranch:

- A. Not more than eight (8) total guest cabin sites be developed.
- B. Provide at least one (1) off-street parking space for each sleeping unit.
- C. Setbacks and proposed structures shall be substantially as described in the submitted site plan.
- D. Onsite waste containers be provided for solid waste. All waste be disposed of in permitted landfill.
- E. Fire prevention measures be implemented, and campfires be limited to approved firepits.
- F. Owner shall be responsible for all site security.
- G. Permit shall be subject to review at any time to ensure the operation is in compliance with all conditions and requirements of approval.
- H. No more than one (1) access road.
- I. Outside lighting will be utilized but downward directed.
- J. Dust Mitigation
- K. The Sheriff Depart MUST have access.

5. REVIEW and POSSIBLE RECOMMENDATION—Application #Z-2023-005 for a Plat Subdivision located at approximately 1805 East Main Street Delta. Jace Morgan Applicant.

Jace Morgan approached the commission and gave a description of his application.

There was discussion about required size of the lots.

There was discussion about access roads from lot to lot.

Jace stated he is planning to drill a well to provide water.

Vice Chairman Joyce Barney went over the Recommendations with the applicant.

Commissioner John Nye made a MOTION to give a favorable recommendation to the BOCC based on its conformance to the General Plan. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

1. Approve the Plat Subdivision as proposed.
2. Basis for Recommendation or Approval of the Subdivision: (Title 11-Subdivision Regulations)

11-1-4: DEFINITIONS

SUBDIVISION:

A. Any land that is divided, resubdivided or proposed to be divided into two (2) or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale,

lease or development, either on the installment plan or upon any and all other plans, terms and conditions.

B. "Subdivision" includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat or other recorded instrument.

C. "Subdivision" does not include:

1. A bona fide division or partition of agricultural land for agricultural purposes;
2. A recorded agreement between owners of adjoining properties adjusting their mutual boundary if:
 - a. No new lot is created; and
 - b. The adjustment does not result in a violation of applicable zoning ordinances;
3. A recorded document, executed by the owner of record, revising the legal description of more than one contiguous parcel of property into one legal description encompassing all such parcels of property; or
4. A bona fide division or partition of land in a county other than a first class county for the purpose of siting, on one or more of the resulting separate parcels:

- a. An unmanned facility appurtenant to a pipeline owned or operated by a gas corporation, interstate pipeline company, or intrastate pipeline company; or
 - b. An unmanned telecommunications, microwave, fiber optic, electrical, or other utility service regeneration, transformation, retransmission, or amplification facility.
- D. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a "subdivision", under subsection A of this definition as to the unsubdivided parcel of property or subject the unsubdivided parcel to the county's subdivision ordinance.

6. PUBLIC HEARING—Zoning Ordinance Map Amendment Application Z-2023-003 to change the zoning of property located approximately 1000 S 2500 E Delta from Agriculture 20 (Ag-20) to Light Industrial (LI). Bioreality Group LLC, Applicant

Commissioner Erin Sorenson made a MOTION to open the public hearing. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

Scott Anderson approached the commission and read from the Millard County General Plan.

Scott stated that he was told the applicant will get their water from Delta City or drill a well. He feels that if the applicant drills a well it will negatively impact the surrounding property owners.

Applicant David Johnson approached the commission and gave a description of his application.

David stated that the company who wants to come in to this area is a very professional company and feels that this area would be appropriate.

Abraham spoke to the commission via telephone and explained what his company does.

Commissioner Erin Sorenson made a MOTION to close the public hearing. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

7. REVIEW and POSSIBLE RECOMMENDATION – Zoning Ordinance Map Amendment Application Z-2023-003 to change the zoning of property located approximately 1000 S 2500 E Delta from Agriculture 20 (Ag-20) to Light Industrial (LI).

There was discussion about the anticipated water usage. Ibrahim stated that the water usage would be minimal because the water will be recycled.

There was discussion about whether the maps that were provided with the application were the most recent.

There was discussion about what other kinds of projects could come to the area if the zone change is permitted.

There was discussion about when the Millard County General Plan was implemented.

Planner Adam stated that the County has talked with Delta City and there is no indication at this point that Delta City has any plans to annex this area in the future.

Commissioner Erin Sorenson made a MOTION to make a favorable recommendation to the BOCC for application number Z-2023-003. Based off conformance to the general plan and because of the direction we're seeing that area go. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

A. Recommend the zone change from Agriculture 20 (Ag-20) to Light Industrial be approved only if it can be determined that industrial-type operations permitted under the Table of Uses are an appropriate land use for the proposed location.

B. In considering a land use ordinance amendment application, the Planning Commission in formulating a recommendation, and the Board of County Commissioners (BOCC) in deciding a land use ordinance amendment application shall consider the following factors, among others:

1. Consistency of the proposed amendment with the county General Plan.
2. The effect of the proposed amendment on the well-being of the county.
3. The effect of the proposed amendment on the public health, welfare, and safety.
4. The effect of the proposed amendment on the interests of the county, and its residents.
5. The ability of the county, and other service providers, as applicable, to provide all infrastructure, facilities, and services required by the uses and activities allowed by the proposed amendment.
6. Compatibility of the proposed uses and activities with nearby and adjoining properties.
7. The suitability of the properties for the uses and activities proposed.

8. The effect of the proposed amendment on the existing goals, objectives, and policies of the General Plan, and listing any revisions to the county's Land Use Ordinances, and any other ordinances and resolutions required to implement the amendment. (Ord. 12-12-04, 12-4-2012)

8. DISCUSSION—Temporary Construction Housing Draft Language

The commission discussed a list of items that have been brought up in past discussion.

9. OTHER BUSINESS Commissioner John Nye asked if there was a possibility for the Planning and Zoning Commission to get a copy of the minutes or an update on the items that have been sent with favorable recommendations to the BOCC.

10. POSSIBLE CLOSED MEETING Pursuant to Utah Code Annotated Section 52-4-204 & 205

11. APPROVAL OF MINUTES –Planning Commission Meeting January 18, 2023. Commissioner John Nye made a MOTION to move this item to the March 01, 2023 meeting. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

12. ADJOURNMENT

Commissioner John Nye made a MOTION to adjourn the meeting at 8:34 pm. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

Dated this ___ day of _____ 2023
Joyce Barney, Vice Chairman
Millard County Planning Commission