

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
May 3, 2023**

The Millard County Planning Commission met on Wednesday May 3, 2023 at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** David Sturlin ..... Planning Commission Chairman  
John Nye.....Planning Commissioner  
Erin Sorenson .....Planning Commissioner  
Phil Morrison .....Planning Commissioner  
DeMar Iverson .....Planning Commissioner  
Peter Greathouse .....Planning Commissioner

**EXCUSED:** Joyce Barney ..... Planning Commission Vice Chairman

**ALSO PRESENT:**

Adam Richins..... Millard County Planner  
Denton Peterson..... Deputy County Attorney  
Mallori Wood ..... Secretary  
Trevor Johnson.....Millard County Commissioner  
Lianna Manibog .....WKW LLC  
Susan Williamson ..... Rural Power & Light  
Mark Anderson .....WKW LLC  
John Niles ..... Delta City Mayor  
Shane Church.....Applicant  
Brady Nielson ..... Millard County Resident  
Marci Nielson ..... Millard County Resident  
Kim Kearsley..... Millard County Resident  
Scott Brinkman ..... Millard County Resident  
Carol Brinkman ..... Millard County Resident  
Jackie Nielson..... Millard County Resident  
Lauri Mathews ..... Millard County Resident  
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** – Chairman David Sturlin called the meeting to order at 6:34 PM. He welcomed all present.

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

**3. PUBLIC HEARING**—Zoning Ordinance Map Amendment Application Z-2023-020 to change the zoning of property located approximately 2500 E Main Street Delta from Highway Commercial (HC) / Agriculture 20 (Ag-20) to Light Industrial (LI). Shane Church, Applicant

Commissioner Erin Sorenson made a MOTION to open the Public Hearing. Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative.

Applicant Shane Church approached the commission and gave a description of the application.

Roger Bliss approached the commission. He is concerned about the dust that is already a problem in that area.

Commissioner Peter Greathouse made a MOTION to close the Public Hearing. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

**4. REVIEW and POSSIBLE RECOMMENDATION** – Zoning Ordinance Map Amendment Application Z-2023-020 to change the zoning of property located approximately 2500 E Main Street Delta from Highway Commercial (HC) / Agriculture 20 (Ag-20) to Light Industrial (LI).

Commissioner David Sturlin asked for better clarification of the location.

There was discussion about how to fix the dust problem.

There was discussion about whose responsibility it would be to upgrade the road in the area.

Commissioner David Sturlin went over the recommendations.

There was discussion about the process after the zone change. The applicant stated he would like to possibly subdivide the area he doesn't use for his business. Planner Adam Richins explained what the process would be when the time comes.

Commissioner DeMar Iverson made a MOTION for a favorable recommendation to the BOCC for application # Z-2023-020 based on its conformance with the General Plan. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

## **RECOMMENDATION**

A. Recommend the zone change from Highway Commercial (HC) /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)

**5. PUBLIC HEARING**—C-1 Conditional Use Permit Application #Z-2023-022 for Temporary Construction Housing at approximately 2000 N Highway 6 Delta. WKW LLC, Owner/Applicant

Commissioner DeMar Iverson made a MOTION to open the Public Hearing. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

Mark Anderson approached the commission and gave a description of the application.

Jackie Nielson approached the commission. She stated she is concerned about safety in the area. The traffic in that area is already dangerous. There isn't a turning lane.

Brady Nielson approached the commission. He is also concerned about safety in the area. The road is dangerous, especially at night. When the wind blows the dust makes it hard to see where to turn. He feels that adding another turn before theirs would be detrimental to the area.

Kim Kearsley approached the commission. He stated he has reached out to UDOT and also the Delta City Counsel but doesn't know where any of that stands. He is concerned about what will happen to the area when the construction housing is no longer needed.

Commissioner DeMar Iverson made a MOTION to close the Public Hearing. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

**6. REVIEW and POSSIBLE RECOMMENDATION—** C-1 Conditional Use Permit Application #Z-2023-022 for Temporary Construction Housing at approximately 2000 N Highway 6 Delta.

Planner Adam Richins stated that the ordinance that was passed for temporary construction housing was determined to be a Conditional Use Permit and allowed on a temporary basis. There are provisions in the ordinance that make sure that it is temporary.

Vice Chairman Joyce Barney was unable to attend the meeting. Planner Adam Richins spoke with her prior to the meeting and was able to give statements by her. She doesn't believe that the applicant has submitted a complete application and like this application tabled to the next meeting.

Commissioner Erin Sorenson brought up concerns about traffic in the area.

Mark Anderson stated that he has worked with UDOT in past projects and knows what will need to be done.

There was discussion about the trailers coming and going from the RV park. The applicant stated that these will be workers that will be in the area for a time and the trailers would not be coming and going frequently. Perhaps in the future it would become a permanent RV park. Commissioner Erin Sorenson clarified with the applicant

that the Temporary Housing Ordinance is in fact temporary and that once the construction phase is complete the intention is that the RV park be removed.

Planner Adam Richins stated that approximately 1/3 of workers have arrived in the area with the other 2/3 coming in the next couple of months.

There was discussion about mitigating the noise from the generators. Susan Williamson stated that these aren't big generators, they're 1200 watt and she would be willing to give the decibels.

There was discussion about lighting in the area to make it easier to see where the roads are.

Commissioner Peter Greathouse made a MOTION to postpone this application to the next meeting due to the information and concerns brought up. He would like more time to go over the application and evaluate the information. Commissioner Phil Morrison SECONDED the motion.

Planner Adam Richins asked what specific information would need to be brought forward to the next meeting if the application is postponed.

Commissioner John Nye stated that he is appreciative of the fact that the applicant is being transparent with their long-term plan.

Denton Peterson stated that the Temporary Housing Ordinance did not specify a certain type of power to be used.

There was discussion about how long the batteries will last once they are charged.

Commissioner Phil Morrison stated that his biggest concern is the safety of highway access. He also stated that he thinks that the project is great and believes that this area needs it. The safety of the community is a big deal and needs to be addressed before it is approved.

Commissioner DeMar Iverson agreed to have the application postponed, Commissioners David Sturlin, Erin Sorenson and John Nye opposed. Motion failed.

Susan Willimason approached the commission and stated that she has already spoken to UDOT about the area.

Commissioner DeMar Iverson was excused at 7:40 pm.

Commissioner Peter Greathouse stated that he would like more information on the water in the area.

Susan Williamson stated that each site will have their own water tank that can be removed if necessary.

Planner Adam Richins stated that the Health Department has certain regulations for drinking water and septic systems.

Jackie Nielson approached the commission. She is worried about the noise from the generators. She is also concerned about the lack of water in the area.

Kim Kearsley approached the commission. He asked if the traffic from the golf course itself is being factored in.

Commissioner David Sturlin stated that this is something that should be approved with reasonable conditions. He read through the current conditions and discussed adding more.

Commissioner David Sturlin made a MOTION to approve application with the updated proposed reasonable conditions A-F and G-J added by the commission. Commissioner Erin Sorenson SECONDED the motion. Commissioner Peter Greathouse and Commissioner Phil Morrison opposed. It is stated in the Millard County Code that a motion will pass with a minimum majority vote of 4, because there was only 5 of the 7 commissioners present and only 3 agreed, motion failed.

Lianna Mannibog asked the commission what they would accept from UDOT.

Scott Brinkman approached the commission and asked what type of units would be in the park if this becomes long term.

Commissioner Peter Greathouse made a MOTION to postpone the application to the next meeting. Commissioner Phil Morrison SECONDED the motion. Commissioner John Nye opposed. Motion passed.

**7. PUBLIC HEARING—C-1 Conditional Use Permit Application #Z-2023-021 for Temporary Construction Housing at approximately 3450 S 4100 W Delta. Jason & Sam Edwards Owners/Applicants.**

Commissioner Peter Greathouse made a MOTION to open the Public Hearing. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

Applicant Jason Edwards approached the commission and gave a description of the application.

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

**8. REVIEW and POSSIBLE RECOMMENDATION—** C-1 Conditional Use Permit Application #Z2023-021 for Temporary Construction Housing at approximately 3450 S 4100 W Delta.

There was discussion about water available in the area.

There was discussion about the power.

There was discussion about existing structures in the area.

There was discussion about drainage in the area.

Commissioner David Sturlin made a MOTION to approve application Z-2023-21 with the reasonable conditions A-F adding G-H and based on its conformance with the General Plan. Commissioner Peter Greathouse SECONDED the motion. Voting was unanimous in the affirmative.

**RECOMMENDATION**

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 the Temporary Construction Housing:

A. Not more than eighteen (18) total RV spaces be developed.

B. Setbacks and proposed improvements be substantially as described in the submitted site plan.

C. Onsite waste containers be provided for solid waste. All waste be disposed of in permitted landfill.

D. Fire prevention measures be implemented, any campfires be limited to approved firepits.

E. Owners shall be responsible for all site security.

F. Permit shall be subject to review at any time to ensure the operation is in compliance with all conditions and requirements of approval.

G. Only clear required areas.

H. Private roads must be maintained and passable.

**9. OTHER BUSINESS** - Planner Adam Richins stated there are companies coming to the area that are willing to complete traffic studies.

There was discussion about amending the current Temporary Housing Ordinance and adding a requirement about certain power sources.

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

**11. APPROVAL OF MINUTES** – The proposed minutes of the Planning Commission Meeting held on March 29th, 2023 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner John Nye made a MOTION to approve the minutes from March 29th, 2023. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

## **12. ADJOURNMENT**

Commissioner Peter Greathouse made a MOTION to adjourn at 9:04 Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative

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Dated this \_\_\_ day of \_\_\_\_\_ 2023  
David Sturlin, Chairman  
Millard County Planning Commission