

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
June 5, 2024**

The Millard County Planning Commission met on Wednesday June 5, 2024, at 6:30pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** Joyce Barney ..... Planning Commission Chairman  
Erin Sorenson ..... Planning Commissioner Vice Chairman  
Phil Morrison ..... Planning Commissioner  
DeMar Iverson ..... Planning Commissioner  
John Nye ..... Planning Commissioner

**EXCUSED:** Pat Manis ..... Planning Commissioner  
Mallori Wood ..... Secretary

**ALSO PRESENT:**

Adam Richins ..... Millard County Planner  
Denton Peterson ..... Deputy County Attorney  
Bill Wright ..... Millard County Commissioner  
Kevin Harris ..... Millard County Tourism Board  
Landon Kesler ..... Applicant  
Curtis Peterson ..... Applicant

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** Commissioner Joyce Barney called the meeting to order at 6:30 pm. She welcomed all present.

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

**3. REVIEW and POSSIBLE APPROVAL**— Application #Z-2024-024 for an accessory dwelling unit at approximately 9431 N. 400 W. Holden. Landon & Tawnya Kesler, Applicants.

Landon Kesler approached the commission and gave a description of his application. He would like to build an accessory dwelling next to the one that I'm currently in. So that his family can move into this one and use the one they currently live in for future family members and other guests.

There was discussion about the utilities in the area.

There was discussion about the existing buildings on the property.

Commissioner DeMar Iverson made a MOTION to approve application #Z-2024-024 based on its conformance with the Millard County General Plan and meets the findings in County Code 10.8.3. Commissioner Erin Sorenson SECONDED the motion. Voting was unanimous in the affirmative.

## **RECOMMENDATION**

1. Approve the C-1 Conditional Use Permit Application permitting the construction of an accessory dwelling unit.

2. Basis for Recommendation or Approval of the C-1 Conditional Use Permit:

10-8-3: Procedures and Review Standards for Conditional C-1 Use, Conditional C-1 Sign, and Conditional C-2 Use Applications

a) The proposed use is a conditional use within the zoning district as identified in section 10-25-1 Appendix A, table of uses.

b) The proposed use complies with all requirements of the zoning district, including all minimum area, setbacks, height, and all other requirements as applicable.

c) The proposed use will be conducted in compliance with the requirements of this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.

d) The property on which the use is proposed is of adequate size to permit the conduct of the use or sign in a manner that will not be detrimental to adjoining and surrounding properties.

- e) The proposed use with all site plan and building requirements, as provided and required by this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.
- f) The proposed use complies with all applicable dedication requirements of the county and provides the necessary infrastructure, as required.
- g) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the county as a whole.

**4. REVIEW and POSSIBLE APPROVAL**— Application #Z-2024-025 for Storage, ministorage at approximately 1211 East Main Street Delta. Kristopher Peterson, Applicant.

Curtis Peterson approached the commission and gave a description of the application.

Curtis and his brother, Kristopher purchased land located next to existing storage units in Delta. The property is it's 22.7 acres. Their plan is to build 10 units that are 12 by 36. They've spoken with UDOT about the road access and have their approval as well as water and power.

There was discussion about fencing.

There was discussion about putting up signs and/or billboards in the area.

Commissioner Erin Sorenson made a MOTION to approve application #Z-2024-025 with recommendations 1 through 3 with modifications to #3 removing the word public and having a single entrance from each road, based on its conformance with the Millard County General Plan and meets the findings in County Code 10.8.3. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

## **RECOMMENDATION**

1. Approve the C-1 Conditional Use Permit application with reasonable conditions.
2. Basis for Recommendation or Approval of the C-1 Conditional Use Permit:
  - a) The proposed use is a conditional use within the zoning district as identified in section 10-25-1 Appendix A, table of uses.

- b) The proposed use complies with all requirements of the zoning district, including all minimum area, setbacks, height, and all other requirements as applicable.
- c) The proposed use will be conducted in compliance with the requirements of this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.
- d) The property on which the use is proposed is of adequate size to permit the conduct of the use or sign in a manner that will not be detrimental to adjoining and surrounding properties.
- e) The proposed use with all site plan and building requirements, as provided and required by this title, all other applicable land use ordinances, and all applicable federal, state, or local requirements and regulations.
- f) The proposed use complies with all applicable dedication requirements of the county and provides the necessary infrastructure, as required.
- g) Such use will not, under the conditions required, be detrimental to the health, general welfare and safety of persons or injurious to property or improvements of the immediate area or the county as a whole.

(10-8-3: Procedures and Review Standards for Conditional C-1 Use, Conditional C-1 Sign, and Conditional C-2 Use Applications)

3. Proposed Reasonable conditions required for approval:

A. Site Development Standards for Primary Buildings and Structures shall be substantially as described in the submitted site plan, as follows:

Minimum lot size (Existing) 22.7 Acres

Minimum lot width (Existing) (Existing)

Minimum front yard (South Side) 25 Feet

Minimum side yard (East) 25 Feet

Minimum rear yard (North Side) 25 Feet

Maximum building height 30 Feet

Minimum Off Street Parking Standard

(# of parking spaces) None

- B. Access to the property shall be limited to a single entrance from each road
- C. No on-street parking shall be permitted.
- D. Fencing shall be in accordance with the submitted application.
- E. Freestanding signage shall be limited to (140) square feet and (25) feet maximum height and shall be generally consistent with the submitted application. Copy shall be limited to 'On Premise' advertising. All signage shall comply with Millard County sign regulations.
- F. Permit shall be subject to review at any time to ensure the operation is in compliance with all conditions and requirements of approval. Additionally, this permit may be reviewed at any time in the event of complaint or request from any surrounding property owner.

**5. REVIEW and POSSIBLE APPROVAL**— Application #Z-2024-026 for Temporary Construction Housing at approximately 1211 East Main Street Delta. Kristopher Peterson, Applicant.

Curtis Peterson approached the commission and gave a description of the application.

The property already had septic tanks and 2 water wells.

Stephenson Drilling inspected the wells and replaced the motors. The applicant has purchased 40-acre feet of water.

Commissioner Joyce Barney went over the staff findings with the applicant.

Commissioner DeMar Iverson made a MOTION to approve application #Z-2024-026 based on its conformance with the Millard County General Plan and meets the findings in County Code 10.8.3. Commissioner Erin Sorenson 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 eight (8) total RV spaces be developed.
- B. Setbacks and proposed improvements shall be substantially as described in the submitted site plan.
- C. Onsite waste containers shall 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.

**6. OTHER BUSINESS** Vice Chairman Joyce Barney stated that the Planning Commission Chairman, David Sturlin has resigned his position due to medical reasons and thanked him for his time with Millard County Planning and Zoning.

Commissioner DeMar Iverson nominated current Vice Chairman Joyce Barney as Chairman and Commissioner Erin Sorenson as Vice Chairman. Voting was unanimous in the affirmative.

Vice Chairman Erin Sorenson stated that the temporary housing ordinance will need to be closed by the county commissioners. During a visit to IPSC a couple weeks ago, she noticed that there are quite a few open RV spaces and would like to send a motion to the BOCC asking them to cease accepting applications for the Temporary Housing Ordinance.

Deputy County Attorney Denton Peterson stated that there will need to be a public hearing and that this would need to be added to the next agenda.

There was discussion about the subdivision ordinance changes.

Joyce Barney presented the commission for approval an amended plat map of Sunset View Estates plat H phase 3, Sunset View Estates plat H phase 5 (2 new lots) and Suset View Estates plat H phase 6 (2 new lots).

Commissioner John Nye made a MOTION to approve the amendments as presented. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

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

**8. APPROVAL OF MINUTES –**

The proposed minutes of the Planning Commission Meeting held May 1, 2024 were presented for consideration and approval. Following review and minor corrections, Commissioner Phil Morrison made a MOTION to approve the minutes from May 1, 2024. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

**9. ADJOURNMENT –** Commissioner DeMar Iverson made a MOTION to adjourn at 8:00 pm. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

---

Dated this \_\_\_ day of \_\_\_\_\_ 2024  
Joyce Barney, Chairman  
Millard County Planning Commission