

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
March 05, 2025**

The Millard County Planning Commission met on Wednesday March 05, 2025, at 6:30pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Erin Sorenson Planning Commission Chairman
John Nye..... Planning Vice Chairman
Phil Morrison..... Planning Commissioner
Pat Manis..... Planning Commissioner
Shane Church..... Planning Commissioner
Wayne Jackson Planning Commissioner

EXCUSED: DeMar Iverson Planning Commissioner
Phil Diaz..... Planning Commissioner

ALSO PRESENT:

Adam Richins..... Millard County Planner
Mallori Wood..... Secretary
Denton Peterson..... Deputy County Attorney
Matt Ward Millard County Chronicle Progress
Andy Bray Applicant
Daren Woodard Applicant
Paul Conrad..... FERVO Energy
Brandon Law..... FERVO Energy

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 Planning Chairman Erin Sorenson called the meeting to order at 6:31 pm. She welcomed all present.

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

3. REVIEW and POSSIBLE APPROVAL—Application # Z-2025-010 for a Private, Non-Commercial Campground located approximately 6 miles South of Scipio. Daren Woodard, Applicant.

Applicant Daren Woodard approached the commission and gave a description of his application. He would like to add the camp sites for family members to have a place to stay when they come visit.

Commissioner Erin Sorenson went over the recommendations with the applicant.

Millard County Planner Adam Richins clarified condition F with the commission.

Commissioner Pat Manis made a MOTION to approve application #Z-2025-010 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner John Nye 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 Private, Non-Commercial Campground:

- A. Not more than twenty-four (24) total RV spaces be developed.
- B. Use of the campground be limited to private, non-commercial use.
- C. Dumping of RV waste be at approved offsite location or in a permitted septic system.
- D. Setbacks and proposed structures shall be substantially as described in the submitted site plan.
- E. Onsite waste containers be provided for solid waste. All waste be disposed of in permitted landfill.
- F. Fire prevention measures be implemented, and campfires be limited to approved firepits.

G. Owner shall be responsible for all site security.

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

4. REVIEW and POSSIBLE APPROVAL—Application # Z-2025-017 for a P-2 Permitted Use Permit for Geothermal Exploration (Special Use), Sevier Desert Resources, LLC, Applicant.

Paul Conrad with FERVO Energy approached the commission on behalf of the applicant and went over the application. They would like to drill some wells to see how hot the wells are to determine whether bringing in a Geothermal Plant would work in the area.

Millard County Planner Adam Richins gave a description of Geothermal areas in the county.

Commissioner Erin Sorenson went over the proposed recommendations with the applicant.

There was discussion about whether grazing can continue in the area during the drilling and if they were to put in a plant. Paul Conrad stated the grazing would be interrupted but they are willing to do what is necessary to continue grazing as much as possible

There was discussion about the observation pads vs the exploration pads. If the observation pads are not able to be used, they would remove the pads and reseed the land with what is required.

Commissioner John Nye made a MOTION to approve application #Z-2025-017 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

The permitted use application as submitted complies with the requirements of this title, all other applicable ordinances and resolutions, and local codes as adopted, and should be considered for approval with proposed requirements.

PROPOSED REVISIONS/ REQUIREMENTS FOR APPROVAL:

A. Site plan, construction, and operation shall be consistent with the submitted application.

B. Access to the property shall limited to the existing roadway for ingress and egress.

C. No on-street parking shall be permitted.

D. Signage shall comply with Millard County sign regulations.

E. 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. PUBLIC HEARING for a Zone Change—Application #Z-2025-003 requesting a zone change from Agriculture (Ag) to Light Industrial (LI) of 15.0 acres of property located at approximately 2300 W 500 N Fillmore. Andy Bray, Applicant.

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

Commissioner Erin Sorenson stated that the public hearing should be after application Z-2025-004.

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

Commissioner Pat Manis made a MOTION to reopen the public hearing. Commissioner Wayne Jackson SECONDED the motion. Voting was unanimous in the affirmative.

Andy Bray approached the commission and gave a description of the application.

Commissioner Wayne Jackson made a MOTION to close the public hearing. Commissioner Shane Church SECONDED the motion. Voting was unanimous in the affirmative.

6. REVIEW and POSSIBLE RECOMMENDATION—Application #Z-2025-004 requesting a zone change from Agriculture (Ag) to Light Industrial (LI) of 15.0 acres of property located at approximately 2300 W 500 N Fillmore.

There was discussion about the fire flow requirements.

Commissioner Wayne Jackson asked if this would be considered spot zoning. Millard County Planner Adam Richins clarified the difference.

Commissioner John Nye made a MOTION to send a favorable recommendation of application #Z-2025-004 to the BOCC based on its conformance with the Millard County general plan and meets the findings in code 10.8.3 Commissioner Wayne Jackson SECONDED the motion. Voting was unanimous in the affirmative.

7. REVIEW and POSSIBLE APPROVAL—Application # Z-2025-004 for a Non-Plat Subdivision located approximately 2300 W 500 N Fillmore. Andy Bray, Applicant.

Andy Bray approached the commission and gave a description of his application.

There was discussion about the recording process with the subdivision.

Commissioner Pat Manis made a MOTION to approve application #Z-2025-004 based on its conformance with the Millard County general plan and meets the findings in code 10.8.3. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

1. Approve the Non-Plat Subdivision creating seven parcels.
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 telecommunication, 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.

11-3-1: MINI SUBDIVISIONS

A. Conditions: Any property owner or an owner's agent (hereinafter a "property owner") may submit to the county recorder's office for recording a document that subdivides property by metes and bounds into nine (9) or fewer parcels, without the necessity of recording a final plat if:

- 1. The planning commission has reviewed the document and has given the county commissioners its recommendation on the subdivision application; and
- 2. The document contains a certification of approval signed by the chairman of the county commissioners or his designee that:
 - a. The planning commission has given its recommendation to the county commissioners;
 - b. The subdivision is not traversed by the mapped lines of a proposed street as shown in the master plan and does not require the dedication of any land for streets or other public purposes;
 - c. Each parcel in the subdivision meets the minimum area, width, access, and frontage requirements of the zone in which the property is located or has been granted a variance from those requirements by the board of adjustment.

B. Use Restrictions: The uses on parcels created under this section must be either permitted or conditional uses in the zoning district in which they are located. Non-Plat subdivisions which result in the creation of three (3) or fewer lots will be presumed to be for the primary purpose of supporting agricultural uses rather than for primarily residential purposes.

C. Lot Size: The sizes of the lots created in a three (3) or fewer lot, non-plat subdivision may be smaller than the minimum lot size required in the zone in order to preserve agricultural land uses.

D. One Time Process; Information on Deed: This special provision may be utilized only once per parcel of property. Parcels of land which are subdivided under these special circumstances must be deed

restricted with a notation on the documents of conveyance that this one-time election has been exercised and that the resulting parcels may not be further subdivided without recordation of an approved subdivision plat. The deed restriction shall also contain a statement that subsequent owners of the created parcels are on notice that the parcels are in an agricultural zone, were created for the support of agricultural activities, and may be subject to the noises, odors and other conditions typical of agricultural activities. (Ord. 01-08-27A, 8-27-2001, eff. 10-8-2001)

8. DISCUSSION Review of Millard County Subdivision Ordinance (Discussion only)

Kendall Welch with Jones and DeMille Engineering went over the Millard County Ordinance with the commission.

9. OTHER BUSINESS Review of Millard County General Plan Updates (Discussion only)

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 February 05, 2025 were presented for consideration and approval. Following review and minor corrections, Commissioner John Nye made a MOTION to approve the minutes from February 5, 2025. Commissioner Phil Morrison SECONDED the motion. Voting was unanimous in the affirmative.

12. ADJOURNMENT – Commissioner Wayne Jackson made a MOTION to adjourn at 8:54 pm.

Dated this ____ day of _____ 2025
Erin Sorenson, Chairman
Millard County Planning Commission