

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
July 9, 2026**

The Millard County Planning Commission met on Thursday July 9, 2026, at 6:30pm at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Erin Sorenson Planning Commission Chairman
John Nye..... Planning Commission Vice Chairman
Phil Diaz.....Planning Commissioner
Wayne JacksonPlanning Commissioner
Ron LarsenPlanning Commissioner
Pat Manis.....Planning Commissioner
Shane Church.....Planning Commissioner
DeMar IversonPlanning Commissioner

EXCUSED: Mallori Wood Secretary

ALSO PRESENT:

Adam Richins..... Millard County Planner
Denton PetersonMillard County Deputy Attorney
David Steed Director Of Mining KC Harvey
James ValkerARES
Roy Duer.....ARES
Tyler Rhwrs..... Provo
Rune Larsen KC Harver/ARES
Aldair MoranARES/Provo Mining
Ashley Moran.....ARES/Provo Mining
Lance Murdoch Provo Mining
Josh Appleby Provo Mining
KC Bogue Delta City Mayor
Russell Adlers Provo Mining
Capri Oroso Provo Mining
Joshua Mendez Provo Mining
Ashlynd Hunt Provo Mining
George J Schafer..... Provo Mining
Ahtziri Pelayo..... Provo Mining
Darren Smith..... Delta UT Resident
Russ Day Millard County Resident

Edria Day	Millard County Resident
Kevin Morris	Millard County Resident
Levi Fox	Provo Mining
Arianna Appleby	Provo Mining
Sandee Cropper	Oak City Resident
Cindy Butler	Leamington Resident
Stacey Lake	Delta Resident
Landon Kesler	Holden Resident
Whitt Sorenson	Delta Resident
Lane Livingston	Creekstone
Steve Styler	Styler Daniels, PC
Chet Simper P.E.	DPE
Buford Ray Conley	Creekstone
Jason May	Styler Daniels
Chase Sheffield	Creekstone
Vicki Lyman	Millard County
Matt Ward	Millard County Chronicle Progress
Kyle Ashby	Millard County Resident
Chris Hansen	Property Owner (affected)
Benito Blizondo	Provo Mining
Larry L Dutson	Dutson Supply CO
Brian Huber	Delta City Councilman
Howard Quackenbush	Delta Resident
Blake Campbell	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 Erin Sorenson called the meeting to order at 6:30 pm. She welcomed everyone present.

PLEDGE OF ALLEGIANCE- Commissioner John Nye led the Pledge of Allegiance

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

3. PUBLIC HEARING for a Zone Change—Application #Z-2026-033 requesting a zone change from Agriculture 20 (AG-20) to Agriculture (AG) of approximately 80.00 acres of

property located at approximately 250 N 7000 W, Hinckley. Eric & Bethany McGalliard, Applicants

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

Chet Simper with Distant Peak Engineering approached the commission on behalf of the McGalliard family. They would like to rezone approximately 80 acres to Ag. The property is surrounded by property that is already zoned Ag.

Commissioner Pat Manis made a MOTION to close the public hearing. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

4. REVIEW and POSSIBLE RECOMMENDATION— Application #Z-2026-033 requesting a zone change from Agriculture 20 (AG-20) to Agriculture (AG) of approximately 80.00 acres of property located at approximately 250 N 7000 W, Hinckley.

Commissioner John Nye asked why the zone change would need to be done if they can already split property. Chet Simper stated that if they were to keep it the way that it is, they couldn't split into less than 20-acre parcels and they would like to have 10-acre parcels.

Commissioner Pat Manis made a MOTION to send a favorable recommendation of application #Z-2026-033 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.

RECOMMENDATION

A. Recommend the zone change from Agriculture 20 (Ag-20) to Agriculture (Ag) be approved only if it can be determined that activities permitted under the Table of Uses in the Agriculture (Ag) zoning district 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—Text Amendment Application #Z-2026-040 proposing to amend Millard County Code Title 10 Chapter 25 (The Table of Uses and Use Definitions) to add Recreational Vehicle Park as a defined use permitted as a C-1 Conditional Use within the Range & Forest (RF) and the Highway Commercial (HC) Zoning Districts. Blake Campbell, Applicant

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

Planner Adam Richins stated that he spoke with the applicant earlier in the week and provided them with an updated agenda. They are driving from Cove Fort so they could be late.

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

Commissioner Wayne Jackson made a MOTION to reopen the public hearing now that the applicant has arrived. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

Blake Campbell approached the commission and gave a description of his application. Him and a friend would like to develop their land into an RV park.

KC Bogue approached the commission and asked for clarification of the areas that would be affected if this was approved.

Commissioner Pat Manis made a MOTION to Close the Public Hearing. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

6. REVIEW and POSSIBLE RECOMMENDATION— Text Amendment Application #Z-2026-040 proposing to amend Millard County Code Title 10 Chapter 25 (The Table of Uses and Use Definitions) to add Recreational Vehicle Park as a defined use permitted as a C-1 Conditional Use within the Range & Forest (RF) and the Highway Commercial (HC) Zoning Districts.

Commissioner Wayne Jackson asked for a copy of the proposed Text Amendment.

Deputy County Attorney Denton Peterson stated that right now there isn't allowable use for an RV park in the County. They typically encourage that type of growth where it's already allowed, like Delta City where they have the infrastructure created. The applicant would like to amend the existing text amendment to allow RV Parks in the County.

There was discussion about the different things that could happen if this application was approved.

The applicant contacted Planner Adam Richins to let the commission know they are on their way. Commissioner Erin Sorenson said they will move on to the next agenda items and come back to this one once the applicant arrives.

Commissioner Shane Church stated that he doesn't disagree with this as a possible use in the future after the county adopts more infrastructure but believes that the infrastructure requirements need to be met first.

Commissioner Erin Sorenson asked why the applicant is requesting a text amendment rather than amending the campground definition. The applicant stated they have considered that as an option and could still go forward with that. The campground currently has a 14-day stay limit and that is limited for longer-term guests.

Commissioner Ron Larsen stated that he is concerned about the county being able to enforce the rules and having the resources to take care of the area.

Commissioner Shane Church stated that he thinks this is a great idea but doesn't believe that the commission has enough information to go forward.

Commissioner Shane Church made a MOTION to move this application to a work meeting to have discussion about the possibility of bringing this into the county code. Commissioner John Nye SECONDED the motion. Voting was unanimous in the affirmative.

7. PUBLIC HEARING—Text Amendment Application #Z-2026-042 proposing to amend Millard County Code Title 10 Chapter 25 The Table of Uses and Use Definitions for Solar Energy System (major) and Wind Energy System (major) and amending the

Millard County Zoning Map to create a new overlay zone for Large-Scale Energy Projects.

Commissioner Phil Diaz made a MOTION to open the public hearing. Commissioner DeMar Iverson SECONDED the motion. Voting was unanimous in the affirmative.

Commissioner Pat Manis made a MOTION to close the public hearing. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

8. REVIEW and POSSIBLE RECOMMENDATION— Text Amendment Application #Z-2026-042 proposing to amend Millard County Code Title 10 Chapter 25 The Table of Uses and Use Definitions for Solar Energy System (major) and Wind Energy System (major) and amending the Millard County Zoning Map to create a new overlay zone for Large-Scale Energy Projects.

Commissioner Erin Sorenson stated that this would amend the Table of uses to remove major solar energy and wind energy systems from any zone. If an applicant wanted to develop a major solar or a major wind project, they would have to come before the commission and ask for an amendment to the overlay. Essentially. It's not a permitted use in any of the zones without falling inside of that overlay.

Commissioner Wayne Jackson made a MOTION to send a favorable recommendation for application Z-2026-042 to the BOCC based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

9. PUBLIC HEARING—C-2 Conditional Use Permit Application #Z-2026-043 for a Solar Energy System (major) approximately 6 miles southeast of Delta. Creekstone Energy LLC, Applicant

Steve Styler with Creekstone Energy approached the commission and gave a description of the application.

Stacey Lake approached the Commission and asked if the property that was agreed to be split during the Planning and Zoning meeting and then approved during the County Commission meeting was split. Planner Adam Richins stated that during the County Commission meeting they rezoned the west of the highway to range and forest as agreed during the Planning and Zoning meeting.

Planner Adam Richins explained what a development agreement is.

Commissioner Erin Sorenson stated that each person that approaches the Commission will have 5 minutes to ask their questions.

Stacey Lake asked how many panels will be installed and how they will be kept clean. Ray Conley stated that there are multiple ways to clean them, one being water, or they could use robotic wipers. The power plant will produce 4000-acre feet of water. Creekstone is currently working with the University of Utah to develop new technology to capture the exhaust coming out and condense the water. It wouldn't be potable water so they would recycle it and use it again on site.

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

10. REVIEW and POSSIBLE RECOMMENDATION— C-2 Conditional Use Permit Application #Z-2026-043 for a Solar Energy System (major).

Commissioner Phil Diaz stated that he and Commissioner Ron Larsen went to the site earlier in the day and are wondering where the setbacks are. Steve Styler stated that the setbacks they have found in other areas are between 25-50. Commissioner Phil Diaz stated that he is concerned about being far enough from the highway to not cause a dust problem.

Steve Styler went over the different options to mitigate dust control.

Planner Adam Richins discussed setbacks and the rights of ways.

The commission went over setbacks and what they think would be best for the area.

Commissioner Ron Larsen let the audience know that he is working with Creekstone on this project as an Engineer and will not be a voting member on this application.

Landon Kesler approached the commission. He is a resident of Holden and maintains solar sites in the area. He presented the commission with as built maps for the sites that they maintain and let everyone know how they have dealt with all the issues they've come across in the building process of the project sites.

Planner Adam Richins stated that the intent behind a Conditional Use Permit is not to eliminate the impacts, but to find something that appropriately mitigates it. It may not be perfect but something reasonable is done to address it. They're addressing safety to an extent.

Chet Simper approached the commission and asked if SITLA has any requirements that the county knows about that will have to be met during construction and reclamation of the project.

Larry Dutson approached the commission and stated that any company will do what needs to be done to limit liability.

Commissioner Shane Church made a MOTION to send a favorable recommendation of application Z-2026-043 to the BOCC based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3 and adding conditions; 20 Dust Mitigation and 21 and a setback distance of 100 feet from the right of way to the first vertical structure of the project. Commissioner Wayne Jackson SECONDED the motion. Commissioners John Nye and DeMar Iverson would like the setback to be 200 feet. First motion carries.

RECOMMENDATION

1. Approve the C-2 Conditional Use Permit with reasonable conditions.

2. Basis for Issuance of a Conditional Use Permit:

- a) The proposed use is a Conditional Use within the Zoning District as identified in Appendix A, Table of Uses.
- b) The proposed use is allowed within the Zoning District as identified in Chapter 8.
- c) The proposed use complies with all requirements of the Zoning District, including all minimum area, setbacks, height, and all other requirements as applicable.
- d) The proposed use will be conducted in compliance with the requirements of this Ordinance, all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- e) The property on which the use is proposed is of adequate size to permit the conduct of the use in a manner that will not be detrimental to adjoining and surrounding properties.
- f) The proposed use complies with all site plan and building requirements, as provided and required by this Ordinance all other applicable Land Use Ordinances, and all applicable Federal, State, or Local requirements and regulations.
- g) The proposed use complies with all applicable dedication requirements of the County and provides the necessary infrastructure, as required.
- h) 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. (Ord. 12-12-04, 12-4-2012)

3. Approve the Permit with the following reasonable conditions:

1. The Facility. The applicant shall provide an accurate map of the Facility depicting the surveyed site boundary and legal description

2. Limited Approval. Conditional Use Permit #Z-2026-043 shall apply only to the property identified by the detailed legal description. Photovoltaic panels shall be permitted only on that portion of the project area which is south/west of Highway 50.

3. Permitting Requirements. All conditions and requirements of approval of all governmental permits, licenses, and/or orders required for the operation of the Facility, including, but not limited to, the plans and protocols referenced are hereby established as conditions of approval of Conditional Use Permit #Z-2026-043 and are incorporated herein by this reference as conditions of approval. Future modifications to these plans and protocols will be done in consultation with the County.

4. Notices and Reporting. Applicant shall provide a copy of all reports, materials, and other correspondence concerning the construction and operation of the Facility to the BOCC, County Attorney, and County Planner at the time such reports, materials, and other correspondence are provided to the governmental agencies regulating the Facility.

5. Public Safety and Emergency Response. Prior to construction and on an annual basis thereafter, Applicant shall consult with the County to establish and update detailed public safety, fire, and emergency medical response protocols for the Facility which shall be subject to approval by the County and such approval shall not be unreasonably withheld.

6. Road Maintenance Agreement. Prior to construction, a Road Maintenance Agreement be established between the County & the Applicant that addresses issues of possible County road deterioration as a result of construction equipment used during construction. Such Agreement shall be reviewed and revised, as necessary, by the County Attorney and approved by the BOCC. This Agreement shall include provisions for adequate road maintenance and repair bonding for any road deterioration caused by construction, acceptable to the County Attorney, and all other performance guarantees and guarantee periods, as determined necessary by the County Attorney, and approved by the BOCC.

7. Site Security Plan. Applicant develop a Site Security Plan and an Emergency Planning and Response Plan in consultation with the Millard County Sheriff's Office. This Plan shall address Facility security measures and County public safety communication protocols. This Plan shall be discussed with representatives of the County and the County shall have the ability to comment on the provisions of the Plan. A copy of the Plan as approved by the applicable regulatory authority shall be provided to the Millard County Planner's office.

8. Fire Prevention Program. Applicant develop a Fire Prevention Program in consultation with the appropriate Federal, State and Local agencies. This Plan shall outline fire prevention practices and fire related emergency management protocols. This Plan shall be discussed with representatives of the County and the County shall have the ability to comment on the provisions of the Plan. A copy of the Plan as approved by the applicable regulatory authority shall be provided to the Millard County Planner's office.

9. Facility Reclamation. Applicant's post bonds to ensure full reclamation of the property, including removal of surface improvements, re-contouring, and revegetation.

10. Warning Signage. All necessary Facility warning signage of a size, design and locations as required for the construction and operation of the Facility by all applicable laws, ordinances, and regulations shall be provided.

11. Insurance. Applicant shall provide a list of all Applicant insurance coverage to the BOCC and Millard County Attorney, with such insurance coverage required to remain in place and valid until the Facility is abandoned. Applicant shall provide updated lists from time to time as needed to reflect changes in Applicant insurance coverage(s).

12. The County Planner and Applicant, communicating and coordinating together, shall have the obligation and responsibility to ensure that all conditions of Conditional Use Permit Z-2026-043 are met and complied with.

13. Necessary Conditional Use Permit Modifications. The BOCC reserves the right to initiate necessary modifications, amendments, and additions to this Conditional Use Permit #Z-2026-043 upon a finding that such modifications, amendments, and additions are necessary to protect the public health, welfare and/or safety of the County. All such modifications, amendments, and additions shall comply with the procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.

14. Amendments. All changes and modifications to this Amended and Restated Conditional Use Permit and not determined to be a minor facility plan modification that can be approved by the County Planner shall be considered by the Planning Commission and BOCC as an amendment to the CUP and shall be required to comply with all procedures of the County, in effect and as applicable, for the application and consideration of a Conditional Use Permit Amendment Application.

15. Permits Runs with Land. In accordance with state law, this Amended and Restated Conditional Use Permit shall run with the land, and the obligations and benefits of the CUP shall, respectively, be binding on and inure to the benefit of all successors and assigns of Applicant in the ownership or development of any portion of the Project.

16. Incorporation by Reference. All information, permits, licenses, attachments, and all other information referenced herein are hereby incorporated into this Conditional Use Permit by reference.

17. Inconsistencies and Ambiguities. Any inconsistencies or ambiguities in the materials and information provided to the County by Applicant and any ambiguities or inconsistencies in the Conditional Use Permit shall be interpreted and applied in favor of the County.

18. Recordation. Upon the approval and execution of Conditional Use Permit Z-2026-043, this Permit shall be recorded in the Office of the Millard County Recorder, with all Attachments being on file in the Office of the County Clerk and Office of the County Planner, with copies of the recorded document provided to the BOCC, County Attorney, County Planner, and Applicant.

19. Conditional Use Permit Review and Expiration. The approval of this Conditional Use Permit #Z-2026-043 shall be reviewed on or before December 31, 2029 at which time, if a completed Building Permit Application with the applicable fees has not been submitted and approved and a valid Building Permit issued for any above ground structures that require a permit under the applicable provisions of the International Building Code, the BOCC may extend the Conditional Use Permit approval, but in no case later than to December 31, 2030, upon a recommendation to do so from the County Planner and County Attorney, and with a finding by the BOCC of extenuating circumstances beyond the control of Applicant. If construction at the Site is not commenced by December 31, 2030, Conditional Use Permit #Z-2026-043 shall expire and be void.

20. Dust Mitigation Plan. Prior to commencing operations, Developer shall submit a dust mitigation plan to the Office of the County Planner for review and to be kept on file. The dust mitigation plan shall include, at a minimum: water or other approved dust suppressant application on haul roads, stockpiles, and active work areas as needed; track-out control at the pit entrance/exit; speed limits on unpaved haul routes on-site; and procedures for responding to high-wind conditions. Developer shall implement the dust mitigation plan for the duration of operations and shall update the plan as needed to maintain compliance with applicable air quality requirements and to mitigate dust impacts to surrounding properties and roadways.

21. Visual Impact and Structure Setbacks. The solar energy facility shall be designed to minimize visual impacts to adjacent public highways and neighboring properties. A minimum setback of **(100/200) feet** shall be maintained between all solar arrays and the property line of any parcel adjoining a public highway. Within these setback areas, the Applicant shall implement visual mitigation measures, which may include increased setbacks, berms, native vegetation, fencing, terrain modification, or other techniques approved by the County. A Visual Impact Mitigation Plan prepared by a qualified professional shall be submitted for review and approval prior to issuance of a building permit. The approved mitigation shall be installed prior to commercial operation and shall be maintained for the life of the project.

11. PUBLIC HEARING-C-2 Conditional Use Permit Amendment Application #Z-2025-066 for Industrial/ Manufacturing Activity (General) at approximately 1365 N HWY 6, Delta - ARES Strategic Mining Inc., Owner; Provo Mining & Construction Inc., Applicant

Commissioner Pat Manis left the meeting; Commissioner Ron Larsen was appointed.

Commissioner Phil Diaz made a MOTION to open the public hearing. Commissioner Wayne Jackson SECONDED the motion.

Roy Duer approached the commission and gave a description of the application. They have been working with the Department of Water Quality to finalize the construction plan and specification for the pond.

Dr Ruben Lassen with KC Harvey approached the commission, he is the senior hydrogeologist over seeing the monitoring program for the wells that have been drilled. All the samples came back as poor water quality.

Roy Duer stated that they have tested the soil and the water, it is not potable. In the event of a catastrophic event, the pond is made so that there are no leaks. If there are leaks it would take around 30 years for the water to reach the city wells and cause contamination.

Josh Alfield approached the commission. He stated that in a nutshell, this plant is like a washing machine. Its sole purpose is to rinse the fine dirt and other particles that could interfere with the product. All the waste will be taken back to the mine site and used as backfill.

Vicki Lyman approached the commission and stated that she remembers when this company came before the commission a few years ago and got a permit to crush the material. She is wondering how they are capturing the dust.

Roy Duer stated that they don't create much dust because they use water to ensure there won't be any. There is more dust created through excavation than when the material goes through the crusher.

Vicki Lyman asked if they would be using hydrofluoric acid. Roy Duer stated that there is a misconception that they will use it when they are refining the fluorspar to 97% purity. That fluorspar can then be taken somewhere else to be processed and create hydrofluoric acid. It won't be done at this site.

George Schafer approached the commission. He works on the site, he said the dust will be minimum because when the product gets to the plant the first thing that happens is it gets wet. The dust will be minimum.

Lance Murdoch approached the commission. He is the superintendent at the site and said there have been some bad rumors going around about the project. Even if the product does leak from the triple lines pond, it could take 50 years to reach the drinking

water. He believes this project is good for the area and thinks it will be here for a long time.

Brian Huber with Delta City approached the commission. He is wondering who the city will reach out to if they have concerns or have heard rumors that need to be addressed.

Levi Fox approached the commission he works for Provo Mining. He stated that most of the dust will come from the dirt on the ground. They have had days where they've shut down the plant because of the wind blowing dust from other areas. When that happened, they brought in water trucks to try and keep the dust down.

David Steed with KC Harvey approached the commission. He has been working on this project for a few months now and wanted to clarify that there is a fairly rigorous and regulatory process involved with review, assessment and the planning of the path forward.

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

12. REVIEW and POSSIBLE RECOMMENDATION – C-2 Conditional Use Permit Amendment Application #Z-2025-066 for Industrial/ Manufacturing Activity (General) at approximately 1365 N HWY 6, Delta - ARES Strategic Mining Inc., Owner; Provo Mining & Construction Inc., Applicant

Commissioner Shane Church recused himself from this vote because he is currently contracted with this company.

Commissioner Erin Sorenson stated her concerns with the project.

Roy Duer stated that all the information has been given to the Department of Water Quality and the state and they were given the permit for the construction. There have been engineers that have looked over the project already, but the county is more than welcome to do it as well.

Roy Duer- If there is a leak in the system. The whole system has valves everywhere. So, we shut down the system, and we close it this way. We control whatever happens. And if it is in the pond, the cell that is ruptured will be pumped to the others.

Commissioner Erin Sorenson - I personally appreciate the information tonight. I would just like somebody more knowledgeable than myself to vet it on behalf of us as a board so that we can make a recommendation based on findings that I feel comfortable with just vetting.

Commissioner Ron Larsen- I'm an engineer by profession. I'd love to learn more about the process, but I am still concerned about the city's perspective to make sure that it's done correctly. He would like to see a peer review before a motion is made.

Roy Duer stated that he agrees that a peer review should be done to show the county that what they are doing is not toxic or dangerous in any way.

Commissioner John Nye made a MOTION to continue this application until the applicant provides the independent reviews, engineered pond plans and lake protection monitoring details and written confirmation of the state's permit pathway and any required approval. Commissioner Ron Larsen SECONDED the motion. Voting was unanimous in the affirmative.

13. PUBLIC HEARING—C-1 Conditional Use Permit Application #Z-2026-045 for Open/Outdoor Storage located approximately 6 miles north of the Millard/Beaver line & 1.5 miles east of Highway 257. Sheryl Kunishige, Applicant

Commissioner Ron Larsen made a MOTION to open the public hearing. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

Planner Adam Richins gave a description of the application.

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

14. REVIEW and POSSIBLE APPROVAL – C-1 Conditional Use Permit Application #Z-2026-045 for Open/Outdoor Storage located approximately 6 miles north of the Millard/Beaver line & 1.5 miles east of Highway 257.

Commissioners Phil Diaz and Wayne Jackson stated they don't see any issues with the application.

Commissioner Wayne Jackson made a MOTION to approve application #Z-2026-045 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner Ron Larsen SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

The conditional use 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 establishment of reasonable conditions.

Reasonable conditions may be imposed to address the health, safety, and welfare of surrounding property owners and should be consistent with conditions which could foreseeably be imposed as the activity levels increase.

PROPOSED REASONABLE CONDITIONS FOR APPROVAL FOR ACTIVITIES ON PARCEL 8742:

- A. Storage (open/outdoor) shall be restricted to the area shown on the submitted site plan.
- B. Onsite roads be improved and maintained sufficient for emergency vehicle access.
- C. Setbacks shall be substantially as described in the submitted site plan and consistent with Appendices B & C in Chapter 25 of the Millard County zoning ordinance.
- D. No offsite parking shall be permitted.
- E. Onsite waste containers be provided for solid waste. All waste be disposed of in permitted landfill.
- F. Signage shall comply with Millard County sign regulations.
- G. Site area lighting shall be downward directed.
- H. Owner shall be responsible for all site security.
- I. 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.

15. PUBLIC HEARING—C-1 Conditional Use Permit Application #Z-2026-046 for Wireless telecommunications site/facility located approximately 25 miles west of Delta adjacent to Old Highway 6. Intermountain Power Project Operating Agent (IPP Operating Agent), Applicant

Planner Adam Richins gave a description of the application.

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

16. REVIEW and POSSIBLE APPROVAL – C-1 Conditional Use Permit Application #Z-2026-046 for Wireless telecommunications site/facility located approximately 25 miles west of Delta adjacent to Old Highway 6.

There was discussion about the height of the tower and the reasonable conditions.

Commissioner John Nye made a MOTION to approve application #Z-2026-046 based on its conformance with the Millard County General Plan and meets the findings in code 10.8.3. Commissioner Shane Church SECONDED the motion. Voting was unanimous in the affirmative.

RECOMMENDATION

1. Approve the Conditional Use Permit for a Wireless Telecommunications Site/Facility and accessory utility infrastructure as described.

2. Basis for Issuance of a Conditional Use Permit:

- a) The proposed use is a conditional use within the zoning district as identified in section 10-25-1 of this title, 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. (Ord. 12-12-04, 12-4-2012)

3. Approve the Permit with the following reasonable conditions:

- a) The proposed site remain fully enclosed by fencing not less than 6' in height.
- b) Applicant shall be responsible for site security and maintenance.
- c) Required permits shall be obtained prior to construction and operation
- d) Federal and state approvals shall be obtained prior to operation.
- e) Disturbed areas shall be stabilized to minimize erosion and dust.

17. DISCUSSION ONLY— Uses in the Heavy Industrial Zoning District

18. OTHER BUSINESS- Discussion of a work meeting being held the week of July 27th.

19. APPROVAL OF MINUTES – The proposed minutes of the Planning Commission Meeting held May 7, 2026, were presented for consideration and approval. Following review and minor corrections, Commissioner Wayne Jackson made a MOTION to approve the minutes from May 7, 2026, as is. Commissioner Ron Larsen SECONDED the motion. Voting was unanimous in the affirmative.

20. ADJOURNMENT- Commissioner Wayne Jackson made a MOTION to adjourn at 9:48 pm. Commissioner Phil Diaz SECONDED the motion. Voting was unanimous in the affirmative.

Dated this ____ day of _____ 2026
John Nye, Planning Commission Vice Chairman
Millard County Planning Commission