

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
July 10, 2013**

The Millard County Planning Commission met on Wednesday July 10, 2013 at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** Gordon Chatland ..... Chairman  
Joyce Barney..... Board Member  
Molly Stevens ..... Board Member  
David Sturlin..... Board Member  
Brent Blake..... Board Member  
Gary Walker ..... Board Member  
Greg Greathouse..... Board Member

**EXCUSED:**

**ALSO PRESENT:**

Richard Waddingham ..... County Attorney  
Amber Nickle ..... Secretary  
Sheryl Dekker ..... County Planner  
Bruce Parker ..... County Consultant  
Steven Willoughby..... Applicants  
Angela Willoughby..... Applicants  
Joshua Nay ..... Citizen  
Ray Lyman ..... Lyman Feedlot  
Michael Corey ..... Corey Cattle Company LLC  
Rick Bishop ..... Applicant  
Jenilyn Bishop ..... Applicant  
Linda Pauly..... Duckworth Dairy  
Ken Visser ..... Duckworth Dairy  
Bob Viveiros ..... Viveiros Dairy  
Daron Smith ..... County Commissioner  
John Nye ..... Mt. View Dairy  
Maria Nye ..... Mt. View Dairy  
Kevin Gardner ..... Citizen  
Jared Bryan ..... Lyman Feedlot  
Dan Bryan ..... Lyman Feedlot

**1. Welcome, Call to Order**

Chairman Gordon Chatland called the meeting to order at 7:01 p.m. He welcomed all present.

## 2. **APPROVAL OF MINUTES** – June 5, 2013

The proposed minutes of the regular Planning Commission meeting held June 5, 2013 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Joyce Barney made a MOTION to approve the minutes, as corrected. Commissioner David Sturlin SECONDED the motion. The voting was unanimous in the affirmative.

3. **REVIEW and POSSIBLE APPROVAL** on application # Z-2013-014 for a proposed minor subdivision for the purpose dividing a forty-acre parcel into two parcels (one 1 acre parcel and one 39 acre parcel) located at 1350 N 500 W, Delta, Utah. Richard L Bishop (Bishop Farms) – Applicant.

Richard Bishop introduced himself. Mr. Bishop said there is a 1-acre lot that he would like to parcel out of his property to build a new house. Sheryl Dekker showed the board on the map where the house would be located. Joyce Barney asked if he had adequate water for the house. Mr. Bishop stated that he owns the house that is currently located near the lot and that he plans to use the well attached to that house. The only resident of that house right now is a 95 year-old widow.

Commissioner Joyce Barney made a motion to make a favorable recommendation to the board of county commissioners for the application. Commissioner David Sturlin SECONDED the motion. The voting was unanimous in the affirmative.

4. **REVIEW and POSSIBLE APPROVAL** on application # Z-2013-015 for a proposed minor subdivision for the purpose of dividing an eight-acre parcel into two parcels (one 1 acre parcel and one 7 acre parcel) located at 3005 W 4000 S, Oasis, Utah. Steven J. Willoughby – Applicant.

Steven Willoughby approached the podium. Molly Stevens wondered if the new property line would conflict with the setback requirements with the existing structures. Mr. Willoughby explained where the house would be located on the map. The home will be facing west towards the existing house but will be located on its own one-acre lot.

Commissioner Gary Walker made a motion to make a favorable recommendation to the board of county commissioners for application # Z-2013-015. Commissioner Brent Blake SECONDED the motion. The voting was unanimous in the affirmative.

5. **REVIEW and POSSIBLE RECOMMENDATION** after a Public Hearing which was held on June 5, 2013, on Application # Z-2013-004 on proposed amendments to the Official Millard County Zoning Map. These amendments are being proposed to provide consistency of zoning designations in the unincorporated communities of Millard County – specifically Garrison and Eskdale located in Millard County.

Gary Perea wanted to know what would be permitted in the highway commercial (HC) zone if the application was approved. Commissioner David Sturlin read a list of buildings that would be permitted including:

Bed & Breakfast  
Campground  
Car Wash  
Childcare  
Educational facility  
Hotel/Motel  
Restaurant  
Convenience Store  
Public Utility  
Retail/Grocery Store  
Mini Storage Unit facility  
Wireless telecom

There was a question whether or not the zone would permit employee housing. Bruce Parker stated that there are no apartments allowed anywhere in the county. They are only permitted within city limits. In order to build an apartment complex it would require an amendment to the zoning ordinance.

Commissioner David Sturlin gave a map of the Eskdale Community to the county planner, Sheryl Dekker, with two changes.

The first change he pointed out was a section on the map that they would like to zone HC where there are commercial buildings and other possible development that would require the HC zone.

Second, Commissioner David Sturlin pointed out the Eskdale cemetery on the map to the board and asked to have it included in the Ag 20 zone because it is not permitted in the Ag Industrial.

Commissioner Joyce Barney made a motion to make a favorable recommendation to the board of county commissioners for application # # Z-2013-004 with the proposed changes:

1. Highway commercial section
2. Eskdale cemetery to be included in Ag 20 zone

Commissioner Gary Walker **SECONDED** the motion. The voting was unanimous in the affirmative.

6. **PUBLIC HEARING** for the purpose of receiving public comment on proposed amendments to the Millard County Code – Title 10, Zoning Regulations. These amendments are being proposed to provide for Animal Confinement Regulations which includes Animal Feeding Operations (AFO's) and Concentrated Animal Feeding Operations (CAFO's). Millard County – Applicant. Application # Z-2013-016.

Commissioner David Sturlin made a motion to open a public hearing. Commissioner Gary Walker **SECONDED** the motion. The voting was unanimous in the affirmative. The public hearing opened at 8:43pm.

Bruce Parker referred to Chapter 14 of the previous zoning ordinance that was adopted in 2005. The Chapter was dropped inadvertently in the new 2013 ordinance. The public hearing is being held to reinstate the Animal Confinement Regulations (Chapter 14) exactly as written in 2005.

Mike Corey approached the podium and handed out some written thoughts to the board. Chairman Gordon Chatland stated that nothing that is in existence right now would be forced to come into compliance with the new or existing code. It applies to all future expansion or new facilities. They have concerns about the distance, the setbacks, and the power lines.

Maria Nye stated that she helped write the 2005 AFO/CAFO ordinance. She said that everything in Chapter 14 about animal confinement regulations is there for a reason.

Commissioner David Sturlin made a motion to close the public hearing. Commissioner Gary Walker **SECONDED** the motion. The voting was unanimous in the affirmative.

7. **REVIEW and POSSIBLE RECOMMENDATION** on proposed amendments to the Millard County Code – Title 10, Zoning Regulations. These amendments are being proposed to provide for Animal Confinement Regulations which includes Animal Feeding Operations (AFO's) and Concentrated Animal Feeding Operations (CAFO's). Millard County – Applicant. Application # Z-2013-016.

Commissioner David Sturlin made a motion to table the item to have time to review the information provided by Mike Corey. Bruce Parker stated that he would put the chapter in the new format. Chairman Chatland addressed the

meeting and stated that the public hearing was closed. He said Sheryl Dekker would hear any and all concerns regarding Application # Z-2013-016 in written format until July 19<sup>th</sup>.

## **8. OTHER BUSINESS**

Bruce Parker handed out a new map to the board with a proposed route presented by the Transwest Express Transmission Project. The map included other alternative routes that Transwest would prefer over the major utilities corridor. He said that Adam Britt and Sheryl went out to investigate the proposed route and everything seemed okay until they reached the sand dunes, the bottom South East corner of Little Sahara.

Commissioner Greg Greathouse made a suggestion that the project go West instead of South off of Highway 6. Bruce Parker stated that the BLM would not allow them to do that because of a current environmental assessment. Millard County made an agreement with Juab County that they preferred that the alignment follow the UNEV utilities line, rather than the agency preferred alignment through Leamington pass.

There was some discussion about where the transmission line should go, how they could avoid running into through the little Sahara area, and where the best route would be for Millard County residents. There is a 90 day window that started on July 10<sup>th</sup> for public comment about the proposed transmission line.

Chairman Gordon Chatland asked to be excused for the next meeting.

Joyce Barney asked if Millard County could charge big companies a fine for not adhering to conditions in a CUP (conditional use permit). Consensus was that they could.

## **9. POSSIBLE CLOSED MEETING Pursuant To Utah Code Annotated Section 52-4-4&5**

There was none.

## **10. ADJOURNMENT**

Gary Walker made a MOTION to adjourn. Joyce Barney SECONDED the motion. The voting was unanimous in the affirmative. The meeting adjourned at 8:38p.m.

---

Gordon Chatland Chairman  
Millard County Planning Commission