

**MEETING OF THE  
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES  
August 7, 2013**

The Millard County Planning Commission met on Wednesday August 7, 2013 at the Millard County Offices, 71 South 200 West, Delta, Utah.

**PRESENT:** Molly Stevens ..... Board Member  
David Sturlin ..... Board Member  
Brent Blake ..... Board Member  
Gary Walker ..... Board Member  
Greg Greathouse ..... Board Member

**EXCUSED:** Joyce Barney ..... Board Member  
Gordon Chatland ..... Chairman

**ALSO PRESENT:**

Richard Waddingham ..... County Attorney  
Amber Nickle ..... Secretary  
Bruce Parker ..... County Consultant  
Daron Smith ..... County Commissioner  
Thomas Avant ..... Avant Design  
Josh Beazer ..... Avant Design  
Jessica Anderson ..... Anderson Law Center  
Laurel Eliason ..... Deseret Fairgrounds  
Robert Bunker ..... Applicant  
Tammy Bunker ..... Applicant  
Darren Smith ..... Deseret Subdivision  
Michael Corey ..... Manager Corey's Cattle  
Ginger Moody ..... Deseret Fairgrounds  
Jennifer Henke ..... Deseret Fairgrounds  
Mike Christensen ..... Applicant  
Chris Christensen ..... Applicant  
Jake Christensen ..... Applicant

**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 – July 10, 2013**

The proposed minutes of the regular Planning Commission meeting held July 10, 2013 were presented for consideration and approval. Following review and consideration of minor corrections Commissioner Greg Greathouse made a MOTION to approve the minutes, as corrected. Commissioner Molly Stevens SECONDED the motion. The voting was unanimous in the affirmative.

- 3. REVIEW and POSSIBLE RECOMMENDATION** after a Public Hearing which was held on July 10, 2013, 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.

Bruce Parker approached the podium and said he needed to make some changes to the AFO/CAFO section of Title 10 Chapter 18 (10-18-24)

In the matrix a Level 2 operation was changed from a conditional (C1) to a permitted use (P1) in the Range and Forest (RF) and Ag Industrial (AI) zones.

David Sturlin clarified that the top part of the matrix under the heading "Use" was being deleted.

Mr. Parker stated that there were conflicting provisions in the old statute relating to Level 2 AFO's. The old ordinance required a permit to be issued by the county, and then in another provision no permit was required.

Mike Corey asked if the maximum set back requirement would stay at a mile and a half for a level 4 feeding operation. He said if the setback requirements stay at a mile and half, many feedlots in the county would not be able to expand.

Greg Greathouse stated that a single-family household could waive the setback requirement. The waiver would be recorded with the deed of the house and follow the house to any future owner.

Richard Waddingham stated that the wording needs to be added to the code to specifically refer to waiving the setback requirement.

Commissioner Gary Walker made a MOTION to make a favorable recommendation to the board of county commissioners changing a level 2 operation from a conditional use to a permitted use in RF and AI zones and adding wording to the ordinance to give homeowners the right to waive the setback requirement. Commissioner Brent Blake SECONDED the motion. Voting was unanimous in the affirmative.

**4. REVIEW and POSSIBLE RECOMMENDATION** on application # Z-2013-017 for a proposed major subdivision (PUD) for the purpose of dividing an 18.9 acre parcel into 16 (sixteen) building lots and a park area located at the old Millard County Fairgrounds, approximately 3500 West 4500 South, Deseret, Utah. Deseret Heritage Association – Applicant.

Jessica Anderson introduced herself and explained a little about the application for the major subdivision in Deseret.

Laurel Eliason said there is no place for residents to come back and live in Deseret and the fairgrounds need to be cleaned up. They would like to clean up the town, sell off some lots, and build a park. They would like to fix up the old buildings and protect the heritage of the town. The water source would be provided by the Deseret Oasis water line.

Jessica Anderson stated that it would be difficult if not impossible for the Deseret Heritage Association to come up with the whole surety bond. She asked if they could use a trust deed to make up the difference.

Commissioner Greg Greathouse stated that he did not want to accept a trust deed because if the improvements were not made, the deed would not cover the costs, and the county would be left responsible.

Jessica Anderson asked how much the surety bond requirement was for. Richard Waddingham stated it would be \$200,000. Jessica Anderson asked if there was any way to reduce the amount of the bond.

Bruce Parker stated that the amount could be reduced if the subdivision was broken down into phases. Phase 1 could be half the lots and phase 2 could be the rest.

Bruce Parker said that the Planned Unit Development (PUD) provisions appeared to have been repealed with the enactment of the new ordinance. Clustering requires having PUD provisions in place. Smaller lot sizes are allowed with the clustering provisions.

Jessica Anderson asked the board to allow the bond be a combination of a deed of trust and surety bond. Greg Greathouse stated that he was uncomfortable giving preliminary approval for the subdivision with a combination of an uncertain amount. Ms. Anderson asked for the ability to be put on the agenda for the next meeting when they could come back with exact figures of how much of a surety bond they could come up with. Commissioner David Sturlin stated that they would need to discuss that with the county planner.

Commissioner Molly Stevens asked if they would be looking at getting a loan to make the improvements. Ms. Anderson said they are not looking at that option at the current time but may look into that possibility in the future.

Before they can get the final plat approval they need to have a surety.

Commissioner Molly Stevens asked if Deseret/Oasis has enough water to add the subdivision. Mrs. Eliason stated that they have looked into it and there is enough water.

Mrs. Eliason stated that the park would tell the story of the areas history and heritage. They do not need a big park just something small.

Bruce Parker stated that one of the conditions would be compliance with all the ordinance requirements.

Commissioner Greg Greathouse made a motion to approve the preliminary plat with the compliance of all ordinance requirements. Gary Walker **SECONDED** the motion. Voting was unanimous in the affirmative.

5. **REVIEW and POSSIBLE RECOMMENDATION** on Application # Z-2013-018 on proposed minor subdivision for the purpose of dividing a 78.875 acre parcel into two parcels (one 77.875 acres and one 1 acre parcel) located at 884 North 3000 West, Delta. Michael D. Christensen and Christine C. Christensen, Trustees – Owners; Jake Christensen – applicant.

Jake Christensen approached the podium. He stated that he is seeking approval to parcel out a one-acre lot from an existing 78.875 acres to build a house. Gary Walker made a motion to make a favorable recommendation to the board of county commissioners on application # Z-2013-018. Commissioner Molly Stevens **SECONDED** the motion. Voting was unanimous in the affirmative.

6. **REVIEW and POSSIBLE RECOMMENDATION** on Application # Z-2013-022 on proposed minor subdivision for the purpose of dividing a 23.80 acre parcel into two parcels (one 22.7 acres and one 1.10 acre parcel) located at approximately 590 North 500 West, Delta. Gary L. and Mirian Bunker, Trustees – Owner; Robert and Tammy Bunker – applicants.

Bob Bunker approached the bench and said he would like to parcel off 1.10 acres from an existing 22.7 acres to build a house. He said they are planning to hook into the Delta city water.

Commissioner Greg Greathouse asked if Delta city was aware they are planning to tap onto their water system. Mr. Bunker confirmed that they are aware.

Commissioner Greg Greathouse made a motion to make a favorable recommendation to the board of county commissioners provided that a letter is provided from Delta City stating they are going to provide water. Commissioner Brent Blake SECONDED the motion. Voting was unanimous in the affirmative.

## **7. PLANNING AND ZONING ADMINISTRATOR'S REPORT**

- a. Richard Bishop (Bishop Farms) Minor Subdivision
- b. Steven J. Willoughby Minor Subdivision
- c. Garrison/Eskdale Zoning Map Amendments

Report was given.

## **8. OTHER BUSINESS**

Commissioner Daron Smith asked if the board would like to meet with the county commissioners to discuss the roles of the boards. There was some discussion about when would be a good time to meet. Commissioner Smith stated he would get with the county planner to set up a time to meet.

There was some discussion about when to hold the next planning meeting because many board members will be gone September 4<sup>th</sup>. Consensus was that August 28<sup>th</sup> would be the best time to meet again.

Molly Stevens asked if there was any way to add the water right requirement to the application so there is no question that the applicant has appropriate water for the appointed use. Mr. Parker said that it could be added to the checklist on the application. He said he would bring verbiage for the application to the next meeting.

Gary Walker stated the application number should be added to the top of the actual application to coincide with the agenda. Mr. Parker said that was a good idea.

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

There was none.

## **10. ADJOURNMENT**

Brent Blake made a MOTION to adjourn. Gary Walker SECONDED the motion. The voting was unanimous in the affirmative. The meeting adjourned at 8:11p.m.

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Gordon Chatland Chairman  
Millard County Planning Commission