

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
March 2, 2011**

The Millard County Planning Commission met on Wednesday March 2, 2011 at the Millard County Offices, 71 South 200 West, Delta, Utah.

PRESENT: Robin Smith Chairman
Greg Greathouse Board Member
Joyce Barney..... Board Member
Molly Stevens Board Member
David Sturlin..... Board Member
Gary Walker Board Member
Gordon Chatland Board Member

ALSO PRESENT:

Richard Waddingham County Attorney
Sheryl L Dekker Millard County Planner
Amber Nickle Secretary
Bruce Parker Consultant
Tom Heaton..... RMP
Rich Woodworth RMP

1. Welcome, Call to Order

Chairman Smith called the meeting to order at 7:02 p.m. He welcomed all present.

2. APPROVAL OF MINUTES – February 2, 2011

The proposed minutes of the regular Planning Commission meeting held February 2, 2011 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 Greg Greathouse SECONDED the motion. The voting was unanimous in the affirmative.

3. ROCKY MOUNTAIN POWER – Update on Sigurd to Red Butte Transmission Project

Tom Heaton introduced himself as a representative for Rocky Mountain Power. He presented a power point presentation wherein he showed where the Sigurd to Red Butte transmission line would be located across several states if their

desired route is approved. He noted that approximately 160 miles of transmission line would stretch between Sigurd and Red Butte and would cross into Millard County beginning at a point near Cove Fort. He said that BLM has yet to decide on its preferred route, but noted three possible routes. He outlined the reasons for the new transmission line. Mr. Heaton showed the Planning Commission pictures of what the electrical structures would look like. He explained that Rocky Mountain Power is monitored by North American Electric Reliability Council, an organization created to monitor and plan for reliable electrical power across the U.S.

Mr. Heaton stated that the National Environmental Policy Act regulates the transmission company to make sure everything is done to standard and has the least amount of impact to the environment. He stated that they are currently undergoing the environmental impact study (EIS) needed to get permission to build. The company is looking at getting an EIS completed by this summer.

Mr. Heaton discussed the permitting process for BLM. He also explained that Community Working Groups comprised of members from county and civil governments, tribal interests, major landowners, wildlife associations, and "activist groups" have been organized to provide input on the project. Four sessions would be held with these groups during the permitting process to discuss the project.

Chairman Smith asked if it was possible to stay out of Millard County completely. Mr. Heaton did not answer the question. Joyce Barney stated that the route was not in the west wide energy corridor.

Mr. Heaton stated that they are aware some areas in the county are of concern. One example was Cove Fort and they have made adjustments to the route to accommodate that area.

Gary Walker asked if the transmission line would benefit Millard County. Mr. Heaton stated that it would be possible to tap into the line at some point to get more power for the Millard County area. He stated that there are several million dollar projects coming up in the future that would provide a significant amount of voltage to commercial industries in Millard County. These projects would directly affect Millard County. However he noted that the projects are not related to the current transmission line being discussed.

Mr. Heaton showed on the map where the current route was located and where it may cross into Millard County.

Joyce Barney asked if BLM asked Rocky Mountain Power to stay out of the wilderness areas. Mr. Heaton stated that Washington County would rather they cross into BLM land then into other areas in the county.

Joyce Barney asked if RMP would pay BLM a one-time permit fee or if they would pay ongoing fees. Rich Woodworth, the other representative from RMP, stated that there would be ongoing revenues.

Bruce Parker stated that in previous discussions with Rocky Mountain Power Co. they have been trying to get the power company to build in or as close to one of the permitted corridors as possible.

Gary Walker asked if it would be in anyone's best interest to upgrade a specific route to share with other transmission companies. Mr. Heaton stated that they are the major company in the state. Mr. Heaton stated that if the line was built to go a long distance it may be possible.

4. CONSIDERATION AND POSSIBLE RECOMMENDATION on Application # Z-2011-004 for Proposed Amendments to the Millard County Development Code (a Land Use Ordinance) Establishing Provisions and Requirements for Developments Occurring on Lands Determined to be Environmentally Sensitive.

A public hearing was held on Feb. 2, 2011 regarding this matter. Bruce Parker commented on final language changes made to the Millard County Development Code.

Section 3 – Areas Subject to Sensitive Lands Overlay District

Bruce Parker stated that one mile was determined to be a good distance. Greg Greathouse stated that he feels the distance requirement should be more rather than less. Richard Waddingham agreed. So the wording was changed to "whatever is greater" instead of "whatever is less".

There was some discussion about where sensitive lands are located in the County.

There was some discussion on the definition of sensitive lands.

Consensus from the board was to strike Section 3 in its entirety.

The location of all areas subject to provisions of the Utah Wildland Urban Interface Code was added to the language in this section of the code.

There was discussion about maximum road grade and whether it should read 10% or 8% in Section 9, subsection #2. The board decided to change it to 8%.

Chairman Smith commented that we could add verbiage about slope and grade to the general plan for housing districts. Greg Greathouse stated that doing that could cause some problems.

5. REVIEW AND WORK SESSION on Proposed Amendments to the Millard County Zoning Ordinance, A Land Use Ordinance Of Millard County (February 2011 Review Draft) and Land Use Application Review Charts (Flow Charts) – 1st Draft, Illustrating the Steps Required for Processing Permitted (P-1 and P-2) Uses and Conditional (C) Uses.

Bruce Parker outlined the process for applications that come to the county planning office.

There was discussion on fees that would be incurred by the applicant during the proposed process.

The proposed process is to give the planner a clear and established process to refer to when discussing the application with the applicant. The process would relieve the burden from the county planner and planning commission.

Gordon Chatland asked if there will be a checklist to follow. Bruce Parker said there is already a checklist but the process would be more clearly defined.

Gary Walker asked if once an application was completed would it need to be put on the next agenda. Bruce Parker stated no, the application then goes onto the next step in the process.

Molly Stevens asked when a check is written whether it needs to go right to the bank. Sheryl Dekker stated that once a check is received there is a three day window to deposit it.

There was discussion on establishing a review fee and not accepting an application fee until the application is complete.

The new outlined process would allow, under certain circumstances, the county planner to sign and accept an application without going to the Planning Commission.

Bruce Parker is also including a clause that allows the Planning Commission to make a final decision on certain applications without having to recommend it to the Board of County Commissioners.

Sheryl Dekker stated that the County Commissioners always ask if the application received a favorable recommendation from the Planning Commission.

Bruce Parker outlined the proposed process for a conditional use permit.

Greg Greathouse stated that he likes the public hearing process but that maybe it should be limited to comments on the conditions.

The application process has three levels P1, P2 and P3. P1 applications would not need to go before the planning commission. These would include single-family dwellings, met towers, etc. P2 applications would not need to go beyond the Planning Commission and P3, which includes major utilities, would require a recommendation by the Planning Commission and a final decision by the Board of County Commissioners.

Chairman Smith stated that he would not feel comfortable making a decision without a public hearing on some applications for conditional use permits.

There was a discussion about a permitted use permit.

Bruce Parker showed the board the matrix for the planning process for all zones.

There was discussion about what types of signs are allowed in the county. Bruce Parker stated that sign measurements need to be defined in the General Plan.

Chairman Smith stated that they do not want any billboards in Millard County. He stated that they were previously told according to State law that they had to allow billboards in certain areas. The board was advised by the previous County Attorney that they could not outlaw billboards. Consensus was that future billboards could be disallowed.

Greg Greathouse stated that he does not like acronyms because the public cannot understand what they are referring to.

Bruce Parker stated that in the process, if an applicant disagrees with the County Planner's decision in a P1 application, the applicant could appeal to the Planning Commission. Applicants would have 10 days to file an appeal according to state law.

Richard Waddingham stated that a moratorium will be on the agenda next meeting to prohibit billboard signs. Bruce Parker stated that he feels more signs need to be included in the moratorium. Richard Waddingham stated that there are other signs included in the moratorium.

Joyce Barney asked if in the new process there will be a fine if an applicant does not comply. Richard Waddingham stated that criminal charges could be filed.

Bruce Parker stated that all major utility corridors would need to be located in the west wide energy corridor or an amendment to the General Plan would need to be made.

Chairman Smith commented that there should be a limit on the width of a transmission line corridor. Bruce Parker stated that the current corridor is one mile wide.

6. OTHER BUSINESS

7. Possible Closed Meeting Pursuant to Utah Code Annotated Section 52-4-4&5

There was none.

8. Adjourn

Greg Greathouse made a MOTION to adjourn. Gordon Chatland SECONDED the motion. The voting was unanimous in the affirmative. Meeting adjourned at 9:23p.m.

Robin Smith, Chairman
Millard County Planning Commission