

**MEETING OF THE
MILLARD COUNTY PLANNING COMMISSION**

**MEETING MINUTES
June 1, 2011**

The Millard County Planning Commission met on Wednesday June 1, 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

EXCUSED: Richard Waddingham.....County Attorney

ALSO PRESENT:

Daron Smith Millard County Commissioner
Sheryl L Dekker Millard County Planner
Amber Nickle Secretary
Jonna True World Minerals Manager
Shane Beckstrand Harborlite Plant Manager
Linda Gillmor Millard County Economic Development

1. Welcome, Call to Order

Chairman Smith called the meeting to order at 7:01 p.m.

2. APPROVAL OF MINUTES – March 2, 2011

The proposed minutes of the regular Planning Commission meeting held March 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 Gordon Chatland SECONDED the motion. The voting was unanimous in the affirmative.

3. Review and Possible Recommendation of Non Plat Subdivision Application #Z-2011-011 submitted by Robert Rogers for Property Located at 6055 North 3000 West, Delta.

Applicant was not present. Greg Greathouse stated that if you deed yourself an easement it has no affect. He can deed it to another individual that would make it available in the future. Sheryl Dekker stated that he would not want to deed it

to his sister in law and have it be subject to liens in the future because of her poor health situation. Gary Walker wanted to clarify what the applicant is trying to do.

Sheryl Dekker stated that she showed the application to Richard Waddingham and he said it was okay with him since the law states that the land must be on a county road or have an easement.

Gary Walker asked about the width of the road. There was some discussion on how wide the road needs to be. Robin Smith stated that there is not enough of an easement to be approved.

Robin Smith stated that if the home is going to be for a person with poor health, when that person passes on, the applicant will want to sell one of the houses and the water is going to be an issue. There are foreseen problems with the application as it currently stands.

Gordon Chatland made a motion that the item be tabled until next meeting.

Joyce Barney SECONDED the motion. Voting was unanimous in the affirmative.

4. Review and Possible Approval of Conditional Use Permit Application #Z-2011-012 Submitted by Harborlite-World Minerals for mining of Perlite Ore on Property located 26 miles NNE of Milford, then 6 Miles E on the Kanosh Road.

The Board discussed the location of the mine. Robin Smith stated that property is south of the Kanosh road about 6 miles east. Greg Greathouse asked if they are requiring a requisition bond. Applicant, Jonna True, stated that they currently have one through SITLA.

Gary Walker asked how far it is from first Wind. Mrs. True said it was about 28 miles away. Sheryl Dekker asked if they had been mining there previously. Mrs. True stated they had. Sheryl Dekker stated that they have been there for a while and have mined in the past. Sheryl Dekker stated it was not known they were there. Mrs. True said that they have mined there in the past but it is currently shut down. The Board asked what the ore is used for. Mrs. True said they mine ore that is used for potting soil and other uses.

A crusher would be used to mine the Ore and then it would be hauled out. In 2005 the road was widened to accommodate the trucks used to haul the ore out. The mine uses Mag chloride to keep the dust under control. They are not interested in mining year round; only three or four months out of the year. The mine is MSHA certified and they follow all state and federal regulations.

Joyce Barney asked about the trash and waste. Mrs. True stated that all trash is hauled out including waste from portable potties. Joyce Barney asked if their employees are contracted or hired full-time. Mrs. True stated they are contracted.

Gary Walker made a motion to approve the application on the condition that they will follow all regulations of MSHA, and other regulatory bodies.

10-7-6: BASIS FOR ISSUANCE OF CONDITIONAL USE PERMIT:

- A. The proposed use at the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the county.
- B. Such use will not, under the circumstances and conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements of the immediate area or the county as a whole.
- C. The proposed use will comply with the regulations and conditions specified in this chapter for such use.
- D. The proposed use conforms to the goals, policies and governing principles of the county general plan.
- E. That, for uses designated as accessory uses, the use will support and further the principal use of the property. (Ord. 08-04-01B, 4-1-2008)

Greg Greathouse asked if they would include a condition that they show evidence of compliance with federal and state regulations, and that they show proof of a valid water source.

The motion was SECONDED by David Sturlin. Voting was unanimous in the affirmative.

5. REVIEW of the REVISED MILLARD COUNTY SIGN ORDINANCE – DEVELOPMENT CODE, SPECIFICALLY the ZONING PROVISIONS - Bruce Parker

Bruce Parker stated that there is a current “temporary zoning restriction” on signs that went into effect on March 23rd and will last 6 months. Bruce Parker stated that some of the recent legislative changes have an affect on counties.

Bruce Parker pointed out the sign exemptions that are currently in place in the county that do not require a permit.

Gary Walker asked if he owned a billboard sign and he changed the message every 12 months if it would be considered a temporary sign. Bruce Parker said no it would be considered a permanent sign.

Bruce Parker asked for input on table 1 “Allowed Signs”. Joyce Barney asked about the Welcome to Delta sign that is located in Millard County.

Bruce suggested building in an exemption that people could apply for that would allow some flexibility. There was some discussion about exempting people from allowable signage requirements and the problems that could arise from allowing exemptions.

Gary Walker asked what the commissioners thought about the Delta signs that are on county property. He asked if they asked for permission or if they just did it. The consensus was they just put them up without permission.

Bruce Parker pointed out Table 2 “Maximum Allowed Size of Free Standing – Pylon Signs”.

There was discussion about the minimum and maximum heights of the signs. Bruce Parker stated that there are regulations in place for a minimum limit of 10-13 ft. and 25 ft maximum height.

Gordon Chatland asked why there are so many restrictions on signs right now. There was discussion on the reason for sign restrictions.

Gary Walker stated that he would like to lessen the sign height limit below 10ft. There was discussion on how low a sign could be to remain safe for drivers. Joyce Barney stated that each sign could be viewed separately to see if it caused a driving hazard and be handled on a case-by-case basis.

There was discussion on the existing signs in the county. Gary Walker stated that he would like to be as lenient as possible, with some reasonable restrictions for safety reasons to accommodate the residents and companies in the county.

Gary Walker asked if a column could be added to Table 2 on page 13 that outlined the minimum height for each line, “Maximum (Square Feet) Sign Area”.

If a freestanding sign is less than 40 sq ft it does not need a permit.

Bruce Parker pointed out Table 3 “Maximum Allowed Size of Wall Signs”. Greg Greathouse asked if the table has to be so restrictive. There was a general consensus from the board that they want to be less restrictive on signage in the county.

There was discussion about restricting sign lighting for driver’s safety.

Gary Walker asked if a business was going to come into the county whether the planning commission could restrict its sign at the time of considering the conditional use permit.

Bruce Parker said yes.

Bruce Parker went over the process for the different levels of applications and the application process. He highlighted the difference between P1, P2, and C.

Bruce Parker suggested that public hearings for conditional use permits be done away with to cut down on unnecessary work on the county planner. Gary Walker asked if a public hearing could still be in place for a large-scale permit. Bruce Parker said yes.

There was discussion on how to distinguish which applicants need to have a public hearing and which ones do not. Joyce Barney stated that having a public hearing protects the county. Also it gives people a chance to bring more information to the planning commission that may not otherwise be known without public comment.

Bruce Parker stated that if needed, applications can be broken down into four categories P1, P2, C1 and C2.

P1 and P2 can be permitted by Planning Director, C1 is heard by the planning commission, and C2 goes onto the board of county commission.

Robin Smith asked if there were some criteria that could be set up and put on the County website that people could be referred to where they could see if they met the guidelines and what category they fell into for the application process. Bruce Parker said that is the goal.

6. OTHER BUSINESS

7. POSSIBLE CLOSED MEETING PURSUANT TO UTAH CODE ANNOTATED SECTION 52-4-4&5

8. Adjourn

David Sturlin made a MOTION to adjourn. Gordon Chatland SECONDED the motion. The voting was unanimous in the affirmative.

Robin Smith, Chairman
Millard County Planning Commission