



Chair: Les Whitney

Commission:

Luke Ambrose

Lynae Malchus

Nick Schofield

Chancey Carter

Garland Walker

Michelle Craw

Planning and Zoning Meeting Agenda

September 18, 2024

7:00 PM

Milford City Office 26 South 100 West

PUBLIC NOTICE is hereby given that the Milford City Planning and Zoning Commission will hold a Work Meeting at 6 PM and a Regular Meeting at 7:00 PM at the Milford City Administrative Office, 26 South 100 West, Milford, Utah on Wednesday, September 18, 2024.

I. CALL TO ORDER and ROLL CALL

II. Work Meeting 6:00-7:00

- a. Subdivision Ordinance Review

Regular Meeting:

III. APPROVAL OF MINUTES

- a. July 10, 2024 Public Hearing and Regular Meeting

IV. VISITORS

- a. Matt Loo- Recreational Vehicle Park Discussion
- b. Basilio Gaspar-Update on Business Operating Agreement

V. DISUSSIONS/ORDINANCES/NEW BUSINESS

- a. Recreational Vehicle Park Amendments

VI. COMMISSION REPORTS AND COMMENTS

VII. ADJOURNMENT

I, Lisa Thompson, hereby certify that the above notice was posted to the state public notice website and the following locations:

1. Milford City Office-26 South 100 West
2. Milford Post Office-458 South Main
3. Milford City Library-401 South 100 West

Lisa Thompson

In compliance with the Americans with Disabilities Act, the City of Milford will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Requests for assistance can be made by contacting the City Recorder at 435.387.2711 at least 24 hours in advance of the meeting to be held.

**MINUTES OF MILFORD CITY
PLANNING AND ZONING COMMISSION PUBLIC HEARING
26 South 100 West, MILFORD, UTAH
MONDAY, JULY 15, 2024 7:00 PM**

The Milford City Planning and Zoning Commission Public Hearing was called to order by Chairman Les Whitney at 7:00 p.m.

Present: Chairman Les Whitney; Commissioner(s), Chancey Carter, Lynae Malchus, Michelle Crow and Zoning Administrator Lisa Thompson

Absent: Nick Scofield, Garland Walker, Luke Ambrose

Visitors: None

The purpose of this public hearing is to hear public comment relating to the following ordinances: 09-2024 Short-Term Rentals and Amendments to Landscaping Ordinance 11-2024.

NO PUBLIC COMMENT

ADJOURNMENT

As there was no further business, the meeting was adjourned.

APPROVED by PLANNING & ZONING this ____ day of September 2024.

Lisa Thompson

LISA THOMPSON, Planning Administrator

**MINUTES OF MILFORD CITY
PLANNING AND ZONING COMMISSION MEETING
26 South 100 West, MILFORD, UTAH
MONDAY, JULY 15, 2024 7:00 PM**

The Milford City Planning and Zoning Commission meeting was called to order by Chairman Les Whitney at 7:04 p.m.

Present: Chairman Les Whitney; Commissioner(s), Chancey Carter, Lynae Malchus, Nick Schofield (phone), Michelle Craw and Zoning Administrator Lisa Thompson

Absent: Luke Ambrose, Garland Walker

Visitors: None

Consent Issues

MOTION: Commissioner Chancey Carter made a motion to approve the minutes from June 12, 2024 Work Meeting and Regular Meeting. Commissioner Lynae Malchus seconded the motion, all were in favor. The motion passed unanimously.

DISCUSSIONS/ORDINANCES/NEW BUSINESS

Zoning Administrator Lisa Thompson explained that she made the changes that were requested by the commission from last meeting for the signage that the address shall not be larger than 12"x12".

Zoning Administrator explained to the commission that the state sent out letters to all municipalities asking them to add some items to their landscaping ordinance for water efficiency. By doing so it will allow homeowners to be eligible for a rebate through the state. This isn't anything that will be done through the city, the state just requires certain regulations to be in your ordinance. The regulations are as follows:

- No lawn in parking strips or areas less than 8' in width;
- Residential lawn areas shall not exceed 50% of the total landscaped area for front and side yards. Lawn limitations do not apply to small residential lots with less than 250 square feet of landscaped area;
- In new commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area outside of active recreation areas.

MOTION: Commissioner Lynae Malchus made a motion to recommend ordinance 09-2024 Short-Term Rentals and 11-2024 Landscaping to the City Council for approval. Commissioner Michelle Craw seconded the motion, all were in favor. The motion passed unanimously.

COMMISSION REPORTS AND COMMENTS

- Les Whitney- None
- Nick Schofield- None
- Michelle Crow- None
- Garland Walker- Absent
- Chancey Carter-None
- Luke Ambrose-Absent
- Lynae Malchus- None
- Lisa Thompson-None

ADJOURNMENT

As there was no further business, the meeting was adjourned at 7:10 pm

APPROVED by PLANNING & ZONING this _____ day of September 2024.

Lisa Thompson

LISA THOMPSON, Planning Administrator



Planning and Zoning Agenda Request Form

*****This form must be submitted by 4 pm the Wednesday prior to the Meeting*****

REQUESTOR'S NAME: Matt Loo-Owner's Representative (Laura Bradshaw)

ADDRESS: 377 Del Mar Drive

CITY: St. George **STATE:** Utah **ZIP:** 84790

PHONE: 435-703-0016 **CELL PHONE:** 435-703-0016

E-MAIL ADDRESS: matt@ascendut.com

Date Requesting to Attend: Sept. 18th, 2024

(Meetings are held on the 2nd Wednesday of each Month)

TOPIC TO BE ADDRESSED: To consider including "Tiny Cabins" within the traditional RV Park zone or use. (See attached conceptual exhibit)

SIGNATURE OF PERSON MAKING REQUEST

08.30.2024

DATE

ALL REQUIRED APPLICATIONS AND FEES MUST BE PAID PRIOR TO PLANNING AND ZONING MEETING

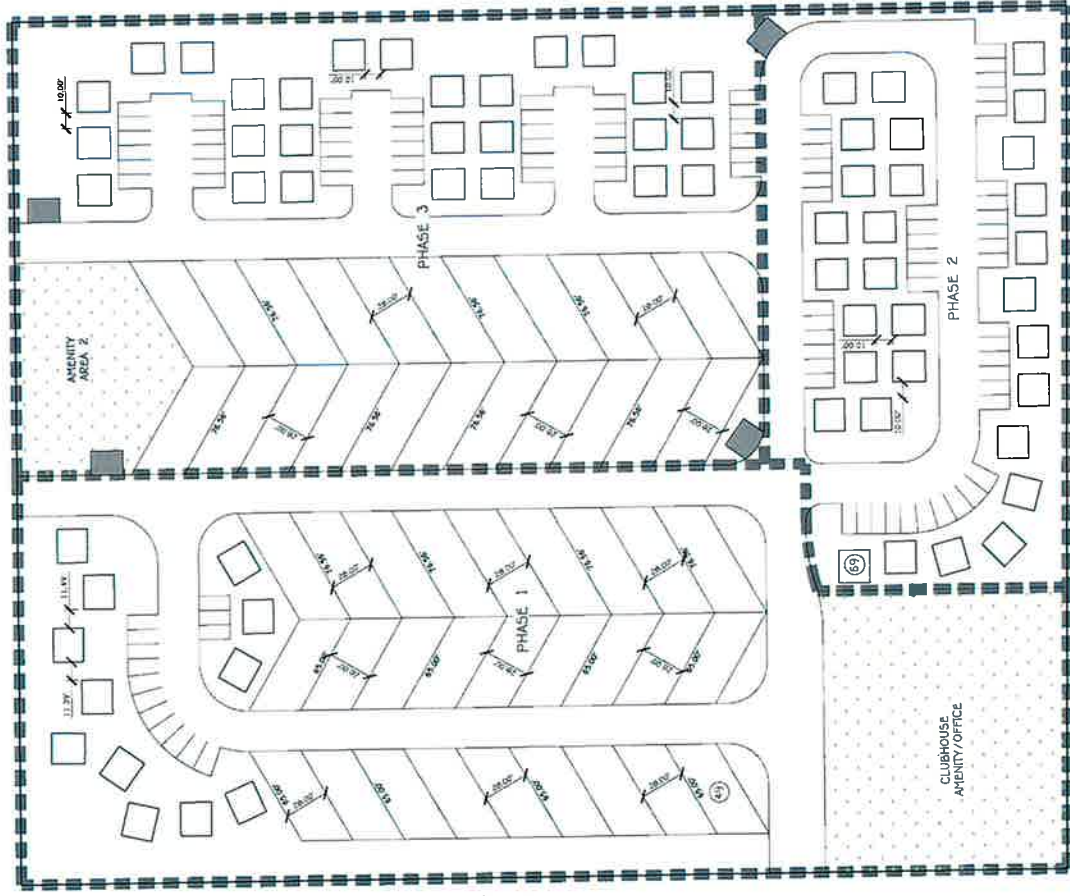
OFFICE USE ONLY

Date Rec'd: _____ **Info Complete (circle one):** YES NO

Approved for Agenda (circle one): YES NO

MILFORD VALLEY MEMORIAL HOSPITAL

Hwy
257



Mineral Mountains RV Resort

Milford, UT

TRUE VALUE HARDWARE



BUSINESS OPERATING AGREEMENT-EXTENSION

Applicant: Basilio Gaspar

Business Type: Mechanic Garage

Property Owner: Basilio Gaspar

Property Description: 80 West 600 North

Zoning District: Highway Commercial (HC)

Purpose: An agreement allows the applicant to have a one (1) year extension on completing the following conditions. The one (1) year extension will begin on the first day the business is in operation.

Conditions

- A. Concrete/Asphalt driveway in front of the shop.
- B. Install fence along the property line abutting the Horn Silver Subdivision.
- C. Extend the width of the road with asphalt the length of the property along 600 North so it abuts the sidewalk, curb, and gutter.
- D. Install sidewalk, curb, and gutter along the Highway.
- A. Install concrete or asphalt at the entrance of the parking lot.
- B. Install asphalt for the parking lot on the East and West sides of the building.

THIS AGREEMENT is between the City of Milford Planning and Zoning Commission and Basilio Gaspar. This agreement will be reviewed by the Planning and Zoning Commission during their June 2024 Meeting. Upon review, all required improvements must be completed for the business to remain in operation. Extensions may be granted upon request and approval from the Planning and Zoning Commission.

Approved this 14 day of June, 2023.



Les Whitney, Chairman
Milford City Planning and Zoning Commission

Attest:



Monica Seifers
Milford City Recorder



Applicant (Signature)



Applicant (Printed Name)



BUSINESS OPERATING AGREEMENT

Applicant: Basilio Gaspar

Business Type: Mechanic Garage

Property Owner: Basilio Gaspar

Property Description: 80 West 600 North

Zoning District: Highway Commercial (HC)

Purpose: An agreement which allows the applicant to start operating business prior to installing all required improvements.

Conditions

1. The following items must be completed prior to opening establishment:
 - A. Sidewalk, curb and gutter along 600 North.
 - B. Concrete driveway in front of shop.
 - C. Install fence along property line abutting the Horn Silver Subdivision.
 - D. Gravel for parking lot.
 - E. Extend the width of the road with asphalt the length of the property along 600 North so it abuts sidewalk, curb and gutter.
2. The following items must be installed within one (1) year of the date of this agreement:
 - A. Install sidewalk, curb and gutter along the Highway.
 - B. Install concrete or asphalt at the entrance of parking lot.
 - C. Install asphalt for parking lot on East and West side of building.

THIS AGREEMENT is between the City of Milford Planning and Zoning Commission and Basilio Gaspar. This agreement will be reviewed by the Planning and Zoning Commission during their May 2023 Meeting. Upon review all required improvements must be completed for business to remain in operation. Extensions may be granted upon request and approval from the Planning and Zoning Commission.

Approved this 20th day of May, 2022.



Les Whitney, Chairman
Milford City Planning and Zoning Commission

Basilio Gaspar

Applicant (Signature)

Basilio Gaspar

Applicant (Printed Name)

Attest:



Monica Seifers
Milford City Recorder

13.28 Recreational Vehicle Parks

13.28.010 Intent And Purpose

13.28.020 Definitions

13.28.030 Location And Use

13.28.040 Development Requirements

13.28.050 Application Procedures

13.28.060 Enforcement

HISTORY

Amended by Ord. [01-2024](#) on 1/16/2024

13.28.010 Intent And Purpose

The purpose of this chapter is to permit the development of facilities for recreational vehicles in appropriate districts and to require that recreational vehicle accommodations will be of such character as to promote the objectives and purposes of this title, to protect the character of the districts contiguous to those in which recreational vehicle parks are located, and to protect other use values contiguous to or near recreational park uses.

HISTORY

Amended by Ord. [01-2024](#) on 1/16/2024

13.28.020 Definitions

1. Recreational Vehicle (RV) means a vehicle, such as a travel trailer, tent, camp car, or other vehicle with or without motive power, designed and/or constructed to travel on public thoroughfare in accordance with the provisions of the Utah Vehicle Code, and designed for use and human habitation for a temporary and recreational nature.
2. Service Building means a building or room that houses toilets, lavatories, and bathing facilities for the use of park occupants.

HISTORY

Adopted by Ord. [01-2024](#) on 1/16/2024

13.28.030 Location And Use

1. No recreational vehicle defined in this chapter shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed recreational vehicle parks.
2. Recreational Vehicle Parks are considered a Short-Term Rental and shall not allow stays longer than 30 consecutive days.
 1. All requirements in Title 13.48 shall be followed.
3. Recreational Vehicle Park shall be considered as a conditional use **permitted** in the following districts:
 1. Main Street Commercial (MSC)

2. Highway Commercial (HC)
3. MR-30
4. Recreational Vehicle Parks shall be generally located:
 1. In close proximity to a major traffic highway;
 2. Near adequate shopping facilities.

HISTORY

Adopted by Ord. [01-2024](#) on 1/16/2024

13.28.040 Development Requirements

1. Park Area Requirements: A minimum of six (6) spaces.
 1. A minimum of half the proposed spots must be completed and ready for occupancy before the first occupancy is permitted.
 2. Street Standards: All streets located within the park shall conform to the following:
 1. All roads shall be improved with gravel and kept weed free. Developers can choose if they want to install a hard surface road with concrete or asphalt.
 2. Street widths shall be a minimum of twenty feet.
 3. All streets within the park shall be fully maintained by the owner including but not limited to snow removal, maintenance, etc.
 3. Sidewalk, Curb, and Gutter: Sidewalk, curb, and gutter shall be installed around the parks perimeter where it abuts city streets.
 4. Lighting: Adequate lighting shall be installed to illuminate streets and walkways for safe movement of pedestrians and vehicles. All lighting within the park shall be downward lighting and limited to the park area.
 5. Utility Requirements: All spots in the RV park shall be serviced by water, sewer, and power.
 1. Designated Tent Sites are exempt from water, sewer, and power hookups.
 6. Service Building: A service building is required if the park is designed with dedicated tent sites.
 7. Setbacks:
 1. Side Setback: Ten feet minimum from adjacent property, unless adjacent to public street then twenty feet.
 2. Front Setback: Twenty feet from public street.
 3. Rear Setback: Ten feet property, unless adjacent to public street then twenty feet
- Space Area Requirements: Spaces are not required to be a hard surface but should be gravel type material and kept weed free.

1. Trailer Spaces must be a minimum of 1,000 sq ft.
2. Tent Spaces must be a minimum of 500 sq ft.
4. Space Width Requirements: Minimum of Twenty Feet.
5. Parking Requirements: Parking shall be provided for one additional automobile for each RV Space.
6. Trash Receptacles: Each site shall have a garbage receptacle that is secured. A dumpster shall be onsite and shall be screened off.

HISTORY

Adopted by Ord. [01-2024](#) on 1/16/2024

13.28.050 Application Procedures

7. An overall site plan for the development of a recreational vehicle park shall be submitted to the planning commission for review. The plan shall show the following:
 1. The topography of the site;
 2. Proposed layout of the entire park showing streets, spots, service building, dumpster area, etc.
 3. Generalized landscaping and utility plan, including the location of water, sewer, power, and fire hydrant.
 4. Any other data the planning commission may require.
8. A copy of the Recreational Vehicle Park rules including but not limited to the number of nights allowed, animals, etc.
9. An application recommended for approval by the planning commission shall be submitted to the Milford City Council for final approval.
 1. As a condition of approval, the developer shall agree to pay all fees applicable for development such as, but not limited to; impact fees, water connection fees etc.
 1. Impact fees will be classified as business/commercial. The usage tier will be determined as follows:
 1. 6-8 Recreational Spots=11,000 to 22,000 Gallons Per Month
 2. 9+ Recreational Spots=22,000 Gallons Per Month

HISTORY

Adopted by Ord. [01-2024](#) on 1/16/2024

13.28.060 Enforcement

Any person whether owner, lessee, principal agent, employee or otherwise, who violates any of the provisions of this ordinance, or permits any such violation, or fails to comply with any of the requirements hereof, or who establishes or uses any park in violation of any detailed plan submitted and approved under the provisions of this ordinance shall be guilty of a Class B Misdemeanor and, upon conviction thereof, shall be subject to punishment as provided by law.

HISTORY

Adopted by Ord. [01-2024](#) on 1/16/2024

13.48 Short-Term Rentals

13.48.010 Purpose And Intent

13.48.020 Definition

13.48.030 Location And Limitations

13.48.040 Requirements

13.48.050 Enforcement

HISTORY

Adopted by Ord. [09-2024](#) on 7/23/2024

13.48.010 Purpose And Intent

The purpose of this zoning code is to regulate and manage short-term rentals within the City of Milford to protect the character and well-being of residential neighborhoods, ensure public safety, and maintain the quality of life for residents.

HISTORY

Adopted by Ord. [09-2024](#) on 7/23/2024

13.48.020 Definition

1. Short-Term Rental (STR): A residential dwelling unit or Recreational Vehicle Park that is rented, leased, or otherwise provided for lodging purposes of a period of less than 30 consecutive days. Short-Term Rentals are not permitted in an Accessory Dwelling Unit.
2. Milford City Resident: A resident is a person who has a fixed primary residence within Milford City boundaries and has lived in the city for at least one hundred eighty (180) days. The address of a primary residence must be documented by producing the following documents:
 1. Current Drivers License with Milford Address

HISTORY

Adopted by Ord. [09-2024](#) on 7/23/2024

13.48.030 Location And Limitations

1. Residents of Milford City may not fully or partially own more than two (2) STR's.
2. Non-Residents may not fully or partially own more than one (1) STR.
3. The number of Short-Term Rentals are allowed in the following subdivisions: (If the number of STR's are at capacity the applicant will be put on a waiting list)
 1. Apartments and Recreational Vehicle Parks will count as one (1) STR.
 2. The Main Street Commercial District will not have a limit on STR's and will not count against the number allowed in the subdivision in which they are located in.

3. Recreational Vehicle Parks will not count against the number allowed in the subdivision in which they are located in.

Subdivision	STR's Allowed	Subdivision	STR's Allowed
Horn Silver	2	Horn Silver Unit 1	1
Mountain View Estates	2	Milford Heights	8
Granite View Estates	8	Iron Wood 1 & 2	2
North Milford Mannor	1	Sunnyside	1
Lewis Addition	8	Sunnyside Unit 1	2
Plat B Milford Townsite	5	Silver Sage	1
North Milford Latey & Williams	5	Main Street Commercial District	No Limit

4.

HISTORY

Adopted by Ord. [09-2024](#) on 7/23/2024

13.48.040 Requirements

- Conditional Use Permit:** All proposed STR's require a Conditional Use Permit. A business license application will not be accepted prior to a CUP being approved and issued. A CUP is reviewed by the Planning Commission where they will review the proposal for compliance with zoning requirements, evaluate restrictions, and consider site-specific requirements such as parking.
- Short-Term Rental Business License:** A business license is required for each property operating a STR. A CUP must be issued before applying for a business license.
 - Renewals:** STR Business License will expire on December 31st of each year. Failure to renew within the specified time frame shown on the renewal will result in forfeiture of the license and CUP. Evidence of remittance of transient room tax is required to be provided to Milford City with license renewals.
 - Licenses are non-transferable. In the event of a sale of a licensed STR, the new owner shall be required to obtain a CUP and Business License.
- Inspections:** An inspection of the property must be performed by the Building Inspector and Fire Chief as a part of the business license process.

1. Additional inspections may be performed if deemed necessary by Milford City, the Building Inspector, and/or the Fire Chief with a 24-hour notice to the owner and/or property manager.
 2. The Fire Chief and Building Inspector will determine the maximum number of occupants that can occupy the dwelling.
4. **Taxes:** The owner of the STR is required to collect and remit all Transient Room Taxes and other local taxes required by law.
5. **Parking:** A minimum of two (2) on-site parking stalls shall be provided. No on-street parking is permitted.
6. **Maintenance Standards:** Each dwelling shall:
 1. Be properly maintained and in good repair.
 2. Grounds and landscaping shall be properly maintained and kept weed-free.
7. **Renters:** The principal renter of the STR shall be of legal age of 18 years old.
8. **Signage:**
 1. A plaque no larger than 12"x 12" indicating the home is a STR with the address is required to be placed on the door or near the door of each STR.
 2. Signs on the property advertising the home as a STR are prohibited.
9. **Pets:** Owners or keepers of any dogs at STR properties are not allowed more than 2 dogs. Dogs shall not be allowed to run at large.
10. **Noise, Nuisance, or Trespass:** The owner of any dwelling licensed as a STR shall be responsible for ensuring that guests or occupants of the rental do not:
 1. Create noise that by reason, nature, intensity, or duration are out of character with noises customarily heard in the surrounding neighborhood.
 2. Disturb the peace of the surrounding neighborhood.
 3. Interfere with the privacy of surrounding neighbors or trespass onto neighboring properties.
 4. Engage in any disorderly conduct.
11. **Complaints:**
 1. The 1st complaint received by Milford City will result in a letter being sent to the property owner and/or manager.

2. The 2nd complaint shall result in another letter being sent to the property owner and a review of the CUP at the following Planning and Zoning Meeting in which the CUP will be at risk of being revoked.
3. A 3rd complaint will result in the CUP and Business License being revoked.

12. **Required Posting:** The following information must be available in a folder or binder located in the STR for all occupants.

1. A copy of the STR Business License.
2. Name, address, and phone number of the owner and/or property manager.
3. The location of all fire extinguishers and emergency exits.
4. A list of all STR rules.
5. Contact number for the law enforcement.
6. The maximum occupancy of the dwelling.
7. Trash pick-up and regulations pertaining to leaving or storing trash.
8. A map indicating property boundaries and parking spaces.

HISTORY

Adopted by Ord. [09-2024](#) on 7/23/2024

13.48.050 Enforcement

1. Owners found in violation of Milford City Ordinances and/or operating a STR without the proper permitting and licenses will be cited with a class B misdemeanor by the Beaver County Sherriff's Department and be fined the following:
 1. The owner will be fined \$1,000 plus a 90% surcharge equaling \$1,900 per offense.