



Chair: Les Whitney

Commission:

Luke Ambrose

Chancey Carter

Lynae Malchus

Garland Walker

Nick Schofield

Wayne Lounsbury

Planning and Zoning Meeting Agenda
November 12, 2025
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 Regular Meeting at 7:00 PM at the Milford City Administrative Office, 26 South 100 West, Milford, Utah on Wednesday, November 12, 2025.

- I. CALL TO ORDER and ROLL CALL**
- II. APPROVAL OF MINUTES**
 - a. September 10, 2025 Regular Meeting
- III. DISCUSSIONS/ORDINANCES/NEW BUSINESS**
 - a. Site Plan Review-Dave and Angie Myers 825 S 100 W
 - b. Discuss Alley Vacate Ordinance
- IV. COMMISSION REPORTS AND COMMENTS**
- V. 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 MEETING
26 South 100 West, MILFORD, UTAH
WEDNESDAY, SEPTEMBER 10, 2025 7:00 PM**

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

Present: Chairman Les Whitney; Commissioner(s) Wayne Lounsbury, Nick Schofield, Luke Ambrose, Chancey Carter and, Zoning Administrator Lisa Thompson

Absent: Garland Walker, Lynae Malchus

Visitors: Scott Symond, Terry Wiseman

Consent Issues

MOTION: Commissioner Chancey Carter made a motion to approve the minutes of July 9, 2025 Regular Meeting. Commissioner Wayne Lounsbury seconded the motion; all were in favor. The motion passed unanimously.

New Business

Business Inquiry in Main Street Commercial District-Scott Symond

Scott Symond explained to the commission that he is planning on putting a salon next to the spa, I am going to move the ladies that do hair into the old theatre. He plans to open up a variety store where the prior dollar store was located and open a veterinary office behind the pizza shop. The first thing we will be doing is getting the salon going because the money has been spent on equipment.

Chairman Les Whitney asked Scott if he was here tonight to discuss what he just explained. Scott explained no, he just wanted to give an update. The reason why he is attending tonight is if it is okay to put a veterinary office in this location.

Scott explained that he will be using his dad's old clinic that is currently behind the pizza place. It is all set up, he doesn't have to change anything other than there used to be a restroom in there that will need to be put back into service. He is planning to have 2 exam rooms, a reception area, a restroom and a lab for minor procedures.

Chairman Les Whitney asked how many days per week this office would be operating. Scott responded that the vet is talking like he will be onsite one day per week and then have some assistants to come in 2 days per week. Scott mentioned he was just made aware that he will be required to pave the parking lot. Zoning Administrator Lisa explained that the parking lot will be discussed at another meeting depending on what takes place and what decisions are made at tonight's meeting.

Lisa explained to the commission that tonight we are only here to determine if the planning commission feels like the use of a veterinary office is in harmony with other permitted uses that are allowed in this district.

Commissioner Wayne Lounsbury asked if they would be boarding animals. Scott explained that there will not be kennels to board animals. If the procedure is severe the animals will have to go to Delta.

Scott explained to the commission that this clinic will be mostly shots and emergencies. There will be in and out services provided.

Commissioner Chancey Carter asked if there will be kennels outside or will it only be parking and everything else will be inside. Scott answered no, there will not be anything located outside.

Scott explained that he has a lot of work to do due to the floods that took part of his building down. He will have to tear some stuff out.

Chairman Les Whitney asked him if he had an anticipated date for opening. Scott is thinking he will be able to open in six months.

Zoning Administrator Lisa asked if the health department would have any concerns with allowing a veterinary office next door to a food establishment. Scott doesn't feel like there would be concerns but he will check on it.

Zoning Administrator Lisa mentioned that Smithfield is strict with their bio security, so would there be any concerns with that? Lisa asked if this is the same vet that is employed by Smithfield. Scott explained that he is the same vet that works for Smithfield. Commissioner Chancey Carter asked Scott if he has had any conversations with anyone from Smithfield? Scott replied that he has not.

Commissioner Wayne Lounsbury asked Scott if he had got the proposed alterations permitted? Scott explained that there are no alterations that need permits. I have spoken with the inspector, he knows what I am doing, he has been in that building, tell them that when you are ready for it I will go in and make sure it is kosher.

Commissioner Wayne Lounsbury asked Scott about permitting for fire safety, drug storage, hazard and risks. Wayne asked if his tenant will have all the permitting for these types of things. Scott confirmed yes, he will, he will know what to do because he has practiced for 20 years. Wayne explained that to alleviate questions for Scott knowing that this process is going to be taken care of and we can see physical evidence he should be having communication with the building officials.

Chairman Les Whitney confirmed with Scott that he will only be doing minimal repairs. He asked if he will be doing any electrical upgrades. Scott explained he will be bringing in an electrician to change out the plugs. As for plumbing, I will be doing a bathroom and sink for where they have the lab.

Zoning Administration Lisa explained that the alterations that you are talking about such as adding a restroom will require a building permit. Scott said he ok.

Zoning Administrator explained that tonight's meeting is to just obtain approval for the use. All the other permitting that will be required will come after approval of the use. When you apply for your business license at that point the fire chief and building inspector will come in and do inspections. We will also ensure that all required permitting is in hand for the use intended.

Zoning Administrator explained that this is the Main Street Commercial District and we need to protect the character of this district so animals being boarded is something that you wouldn't want.

Zoning Administrator asked if the commission had any other questions or concerns.

Commissioner Nick Schofield felt like all their questions had been handled.

Zoning Administrator suggested that moving forward that you go into an operating agreement by allowing the use with certain terms attached to it. We will need some further information about the waste and sanitation procedures. Scott explained that he plans to get with Guy Dansie at the Milford Hospital and see what their procedures are. Zoning Admin added that addressing it to be small clinic services only with no overnight stays-anything

that the commission feels is necessary to protect the main street commercial district can be added.

Zoning Administrator explained to Scott that the commission is approving the use, but it will require him to come back for a site plan review and that's when the parking, signage, landscaping and all required elements that are in the code will be addressed. Once the site plan is reviewed and approved, then you can move forward with obtaining your building permit and business license application.

Scott expressed that he wants to do this right and he understands the steps that need to be taken.

Zoning Administrator explained that once the commission determines their conditions, I will take it and put it together. It will require signatures from Les Whitney and Scott Symond.

MOTION: *Commissioner Chancey Carter made a motion to find the proposed veterinary clinic at 42 East 400 South, submitted by Scott Symond, is in harmony with permitted uses in the Main Street Commercial District, and therefore approve the use subject to: Execution of a Business Operating Agreement with the following terms: Clinic services only (no boarding or overnight stays), address waste and sanitation procedures, no outdoor kennels, a site plan review and approval by the planning commission and issuance of a Milford City business license. Commissioner Nick Schofield seconded the motion, and all were in favor. Motion passed unanimously.*

COMMISSION REPORTS AND COMMENTS

- Les Whitney- None
- Luke Ambrose-None
- Nick Schofield- None
- Garland Walker- Absent
- Lynae Malchus- Absent
- Chancey Carter-None
- Wayne Lounsbury-None
- Lisa Thompson-We are getting close to having a draft general plan. We also received a very nice donation from Fervo to go towards updating our zoning ordinances. We will be hiring a planner, and I will be working side by side with them and everything will be brought to the planning commission for review.

ADJOURNMENT

As there was no further business, the meeting was adjourned at 7:25 pm

APPROVED by **PLANNING & ZONING** this ____ day of November 2025.

Lisa Thompson

LISA THOMPSON, Planning Administrator



City of Milford
 P.O. Box 69
 Milford, Utah 84751
 435 387-2711
 Fax: 435 387-2748

SITE PLAN/DESIGN REVIEW APPLICATION

For Office Use Only

Fee: \$100.00 Receipt #: 1.000113711 Date Received: 11.6.2025 Hearing Date: 11.12.25

Date Approved: _____ Approved By: _____

Date: 9/2/2025

Applicant Name: Fizz & Freeze Dave and Angie Myers

Mailing Address: PO Box 987 City: Milford State: UT Zip: 84751

Physical Address: 473 W. 500 S City: Milford State: UT Zip: 84751

Phone # (435) 691-2917 Cell # (435) 691-3816 Fax # () _____

Email: fizz.freeze.soda@gmail.com

Property Owner(s):

Name(s): David and Angela Myers

Mailing Address: PO Box 987 City: Milford State: UT Zip: 84751

Physical Address: 473 W. 500 S City: Milford State: UT Zip: 84751

Phone # ^{Dave} (435) 691-3816 Cell # ^{Angie} (435) 691-2917 Fax # () _____

Email: dmbuckeye fan2013@gmail.com

Property Information:

Location/Address: 825 S. 100 W. Parcel #: _____

Zoning District: MSC RM6 MR6S HSC MR15

(Circle One)

Purpose Plan of Site Use: Soda Shop

PROPERTY OWNER AFFIDAVIT

STATE OF Utah §
COUNTY OF Beaver

I (we), Angela Myers David Myers, being duly sworn, depose and say that I (we) am (are) the owners(s) of the property identified in the attached application and that the statements herein contained and the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge. I also acknowledge that I (we) have received written instruction regarding the process for which I (we) am (are) applying and the Milford City Staff have indicated they are available to assist me in making this application.

DATED this 6th day of November, 2025.

Angela Myers
Property Owner Signature
David Myers
Property Owner Signature

Subscribed and sworn/affirmed to before me this 6th day of November, 2025.

Monica D Seifers
Notary Public



My Commission Expires: 01/13/2029

AGENT AUTHORIZATION AFFIDAVIT

STATE OF _____ §
COUNTY OF _____

I (we), _____, the owner(s) of the real property described in the attached application, do authorize as my (our) agent(s), _____, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the City considering this application and to act in all respect as our agent in matters pertaining to the attached application.

DATED this _____ day of _____, 20____.

Property Owner Signature

Property Owner Signature

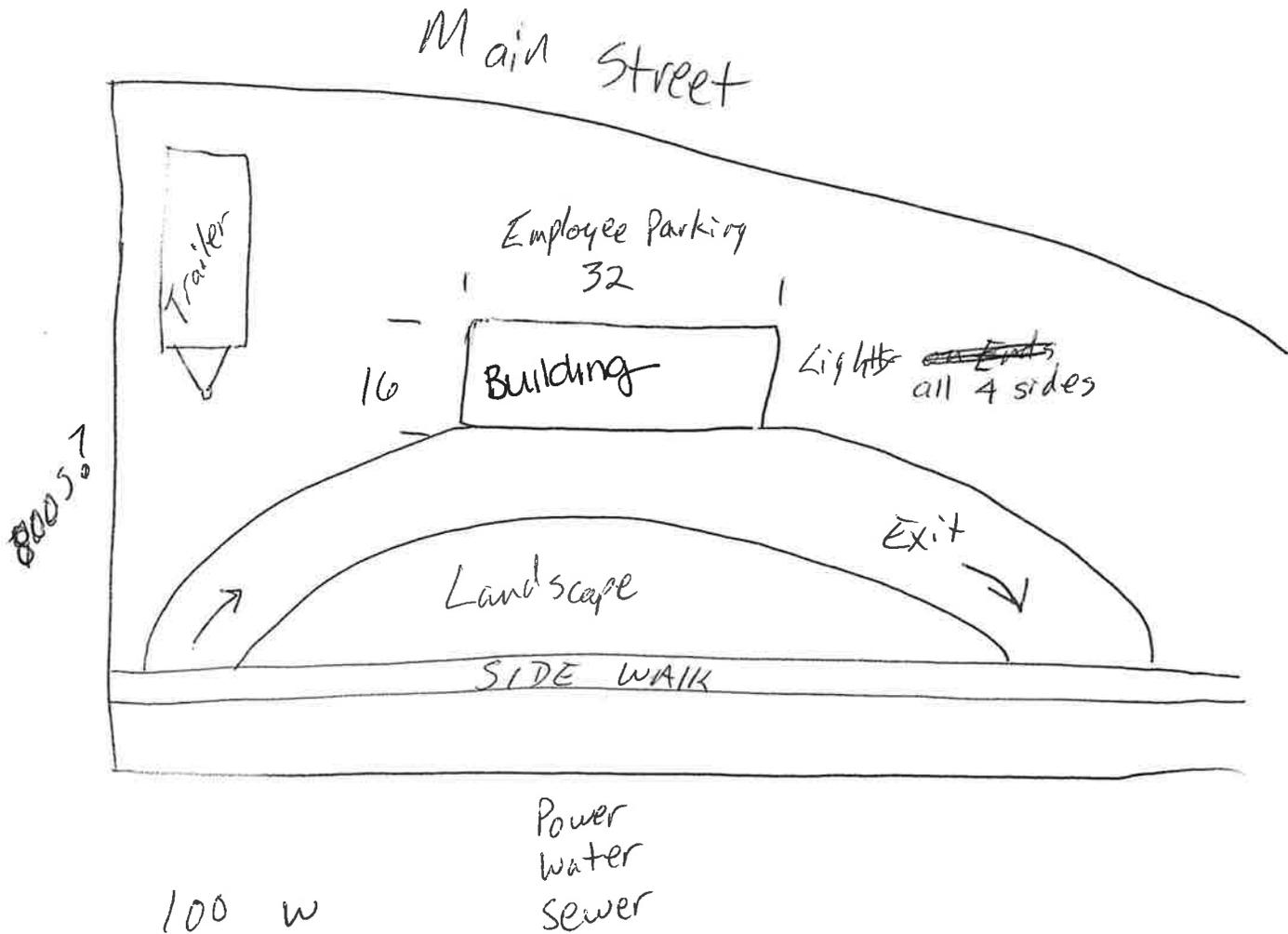
Subscribed and sworn/affirmed to before me this _____ day of _____, 20____.

Notary Public

My Commission Expires: _____

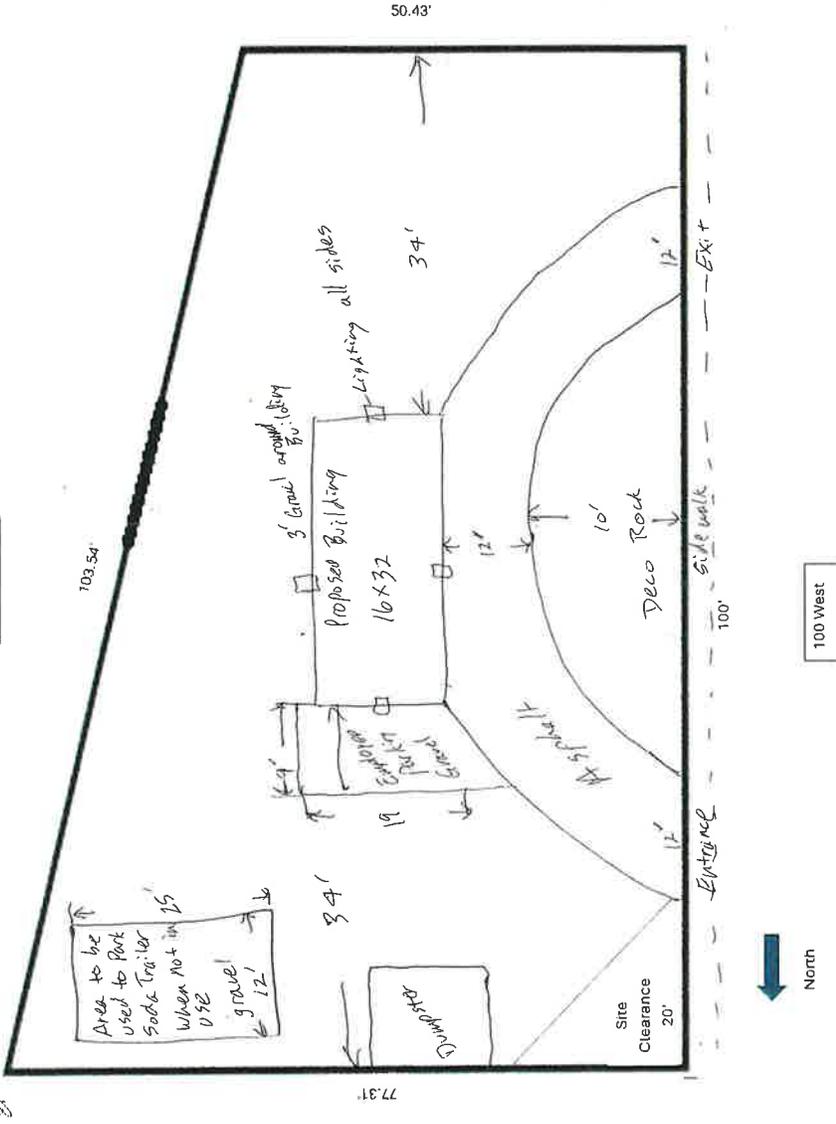
APPLICATION REQUIREMENTS

- Application Filing Fee of \$100.00
- Completed Application Form
- Notarized Affidavit
- Draw a Site Plan providing the following information:
 - The layout of proposed uses:
 - Setbacks
 - Existing and proposed buildings.
 - Sidewalks
 - Proposed access to the property and traffic circulation patterns;
 - Number of parking spaces
 - Location of proposed lighting
 - Location of all existing and proposed utility (water, sewer, power)
 - Location of proposed landscaping



PROPERTY SITE PLAN - MILFORD CITY (825 S 100 W)

Main Street



VICINITY MAP



NEEDED INFORMATION

- Number of parking spots showing dimensions (parking spots must be a minimum of 9' X 19')
- Vehicular Patterns (employee parking)
- Dimensions of drive through-12' width recommended
- Type of landscaping (deco rock, etc)
- Setbacks
 - 10' min front setback
- Image of proposed building
 - Will there be pedestrian traffic to building? NO
- Lighting Location
- Sidewalk
- Dumpster Location
- Signage on Building



MAIN ST

100 W

800 S

5-11-16

50.43'

103.54'

77.31'

100'

1

2

**CITY OF MILFORD
ORDINANCE 07-2025**

ALLEY VACATE

WHEREAS, Milford City was established with alleyways designed to provide access for public utilities and infrastructure and at one time for garbage pickup; and

WHEREAS, these alleyways have historically serviced an essential role in maintaining and extending utility services throughout the community; and

WHEREAS, it is intent of Milford City to ensure continued access to all existing and future utility lines located within alleyways.

NOW THEREFORE, be it ordained by the Council of the City of Milford, in the State of Utah, as follows:

SECTION 1: **ADOPTION** “13.49 Alley Vacate Process” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49 Alley Vacate Process(*Added*)

SECTION 2: **ADOPTION** “13.49.010 Purpose” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.010 Purpose(*Added*)

The purpose of this chapter is to provide an orderly process for the vacation of any alleyway located within Milford City, consistent with the procedures and standards set forth in Utah State Code, as amended. The intent of these provisions is to ensure that any proposed vacation serves the public interest, maintains adequate access for property owners and emergency services, and protects all existing public and private utilities.

SECTION 3: **ADOPTION** “13.49.020 Applicability” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.020 Applicability(*Added*)

This chapter shall apply to the vacation of any alley in Milford City, whether or not such right-of-way has been improved or maintained by the city.

SECTION 4: **ADOPTION** “13.49.025 Prohibition” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.025 Prohibition(*Added*)

No alleyway shall be considered for vacation where:

1. Utility lines exist within the alleyway;
2. The alleyway provides current or potential future access for the maintenance, repair, or installation of utility lines.

SECTION 5: **ADOPTION** “13.49.030 Initiation Of Request” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.030 Initiation Of Request(*Added*)

1. A request to vacate an alley may be initiated by:
 - a. A property owner whose property abuts the area proposed for vacation; or
 - b. The Milford City Council of Planning Commission when determined to be in the public interest.
2. The request shall be submitted in writing on the application provided by the city and shall include:
 - a. A description and map of the are proposed for vacation;
 - b. The names and mailing addresses for all abutting property owners; and
 - c. Signatures of each owner who consents to the vacation.

SECTION 6: **ADOPTION** “13.49.040 Review” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.040 Review(*Added*)

1. Upon receipt of a petition to vacate an alleyway, the city shall conduct an administrative review to ensure the following has been completed:
 - a. The petition has been properly completed;
 - b. The applicable filing fee had been paid; and
 - c. Send written notice of the petition to all utility companies located within the bounds sought to be vacated
2. Upon verification, the petition shall be forwarded to the Planning and Zoning Commission for their review.
3. The Planning Commission shall, during its review and prior to making its recommendation, consider the following:
 - a. Whether the proposed vacation is consistent with the public interest;
 - b. Whether the vacation will create landlocked property or otherwise deprive any property owner of access;
 - c. Whether the area is required for current or future public access, drainage, or development; and
 - d. Whether any utilities, easements, or other public facilities are located within the proposed area.

SECTION 7: **ADOPTION** “13.49.060 Public Hearing And Notice” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.060 Public Hearing And Notice(*Added*)

1. Prior to acting on a request for vacation, the City Council shall hold a public hearing.
2. Notice of the hearing shall be given as required by Utah Code and Milford City noticing procedures.
3. Written notice shall be mailed to all abutting property owners and affected entities not less than ten days prior to the hearing date.

SECTION 8: **ADOPTION** “13.49.070 City Council Action” of the Milford Municipal Code is hereby *added* as follows:

ADOPTION

13.49.070 City Council Action(*Added*)

1. After receiving the recommendation of the Planning Commission and considering public comment, the City Council may:
 - a. Approve the vacation by ordinance;
 - b. Approve the vacation with conditions; or
 - c. Deny the request.
2. An approved vacation shall not take effect until the adopting ordinance is executed and deeds have been recorded with the Beaver County Recorder's Office.

SECTION 9: EFFECTIVE DATE This Ordinance shall be in full force and effect after the required approval from the Milford City Council and after notice of the ordinance has been published as required by law.

PASSED AND ADOPTED BY THE CITY OF MILFORD COUNCIL

	AYE	NAY	ABSENT	ABSTAIN
Russell Smith	_____	_____	_____	_____
Les Whitney	_____	_____	_____	_____
Scott Symond	_____	_____	_____	_____
Ian Spaulding	_____	_____	_____	_____
Terry Wiseman	_____	_____	_____	_____

Presiding Officer

Attest

Nolan Davis, Mayor, City of Milford

Monica D. Seifers, City Recorder,
City of Milford