

NOTICE AND AGENDA

Notice is hereby given that the Millville City Council will hold its regularly scheduled Council Meeting on Thursday, February 12, 2026, at the Millville City Office, 510 East 300 South in Millville, Utah, at 7:00 p.m.

1. Call to Order / Roll Call – Mayor Hair
2. Opening Remarks / Pledge of Allegiance – Councilmember Zollinger
3. Approval of agenda
4. Approval of minutes of the last City Council Meeting – January 8, 2026
5. Agenda Items—
 - A. Public comment period (2 min/person)
 - B. Consideration of ordinance updating residential zoning code and the addition of a 1-acre minimum lot size zone – Development Coordinator Everton
 - C. Impact fee road projects – Recorder Twedt
 - D. County library – Mayor Hair
 - E. RAPZ Tax funding application discussion – Recorder Twedt
 - F. Discussion on process for appointment of new planning commissioners – Mayor Hair
 - G. City Reports: Roads, Parks, Water – Public Works Director Kendrick
 - H. Councilmember reports and other items for future agendas
 - I. Closed Session to discuss reasonably imminent litigation
6. Adjournment.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Corey Twedt at (435) 881-2669 at least three days prior to the meeting.

This agenda was posted on February 9, 2026, to the City posting locations, the City Website, and the Utah Public Meeting Notices Website.



Corey Twedt, Recorder

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
January 8, 2026

PRESENT: David Hair, Pamela June, Ryan Zollinger, Jeremy Ward, Darcy Ripplinger, Jacob Ames, Chad Kendrick, Corey Twedt, Megan Dyer, Kara Everton, Sheryl Hair, Luann Pehrson, Doug Pehrson, Lynette Dickey, Joe McCormick, Tanya McCormick, Bonnie Farmer, Kim Ashcroft, Brady Ripplinger, Derek Ripplinger, Coby Price, Brian Harding, Garrett Greenhalgh, Susan Goldberg, Angie Nelson, Julie Clark, Roxie Hancey, Kora Hancey, Camille David, Jacob Ripplinger

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for January 8, 2026, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Jeremy Ward, Ryan Zollinger, Darcy Ripplinger, and Jacob Ames were in attendance.

Opening remarks/Pledge of Allegiance

Councilmember June welcomed everyone to the Council Meeting and led all present in the Pledge of Allegiance. She then offered a word of prayer.

Oath of Office for Elected Officials

Recorder Twedt gave the Oath of Office to Mayor David Hair and Councilmembers Darcy Ripplinger and Jacob Ames.

Approval of agenda

The agenda for the City Council Meeting of January 8, 2026, was reviewed.

Councilmember Zollinger motioned to approve the agenda for January 8, 2026.

Councilmember June seconded. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes. (A copy of the agenda is included as Attachment “A”.)

Approval of minutes of the previous meeting

The Council reviewed the minutes of the City Council Meeting on December 11, 2025.

Councilmember June motioned to approve the minutes for December 11, 2025.

Councilmember Ames seconded. Mayor Hair pointed out a correction on the last page. This was fixed during the meeting. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes.

Public comment period

Mayor Hair opened the floor for public comments. No one signed up for the public comment portion of the meeting.

Review of applicants and selection of a new member for the Planning Commission

Mayor Hair said that the City had received 4 applications for the open Planning Commissioner position. Applications were submitted by Brian Harding, Coby Price, Kim Ashcroft, and Joe McCormick.

Recorder Twedt clarified with the candidates that the open position was to complete the remainder of the term that was held by Darcy Ripplinger. This term will end at the end of 2026. There will be another two positions for the Planning Commission that will be posted in the next couple of months, so there will be other opportunities soon.

Councilmember Ames said that he would like to hear from the candidates.

Kim Ashcroft said that he ran for Mayor in the last election, and he still wants to serve the community. He sees the Planning Commission as a good opportunity to do so. He said that he thinks his background in construction and having worked in Public Works at Logan City would make him an asset to the Planning Commission.

Councilmember Ripplinger asked about Kim's thoughts on high-density housing and commercial development. Kim said that the City needs to bring in commercial development, and it needs to be in the right area. He is totally against high-density housing. Councilmember Ripplinger asked if he had any real estate or development interests. Kim said that he did not.

Kim said that he didn't like the City Code as it relates to duplexes. The Council clarified some things about duplexes in the City Code and the required distance between any two duplexes. Kim said he was okay with that, and he hadn't understood that restriction.

Councilmember Zollinger asked what Kim considered high-density for homes. Kim said that he doesn't like it when a City brings in big general contractors, like Visionary or Kartchner, who build similar cookie-cutter homes. Sometimes, people like these, because they are considered low-income starter homes. He doesn't want Millville to be a place where families move in, live here for a couple of years, and then move out. He said that we want people to come to Millville with the intent of staying here and making Millville a great town and becoming part of the community. Kim said he wants to bring in developers who have the buyers deciding what they want for their own floor plans.

Brian Harding said that he wants to commit himself to serving and to help Millville make the right decisions now and for the future. There was a large turnout for the last big zone change request. He doesn't want to just jump in for one specific topic; he wants to get involved and help develop planning for the future. He said that he has some limited experience in construction, but he has more experience in contracts. As the City deals with

more complex issues and pressure from larger developers, he feels he can add a lot of knowledge and research to find solutions that will benefit Millville. He would like to work to stimulate economic development and recreation opportunities in Millville.

Councilmember Zollinger asked if Brian thought that it was the responsibility of Planning and Zoning to seek out development. Brian said that he would like the City to keep as many options available for development, and part of that would fall on Planning and Zoning.

Councilmember Ripplinger asked if Brian had any real estate or development interests. Brian said that he didn't in Cache Valley. Councilmember Ripplinger asked what *Country Living at Its Finest* meant to Brian. Brian said that he and his wife have lived in Millville on and off since 2008. They want to stay here forever. He believes that the City motto means protecting open spaces and views, having access to the canyons, some open fields and pastures, but it is also living around a group of like-minded people with the same values.

Joe McCormick said that he applied to make sure someone did. He said he felt the other applicants were better qualified, but he was happy to help out if it was needed.

Councilmember Ripplinger asked about his opinion on high-density. Joe said that for Millville, he is opposed to high-density housing. He moved here from Washington State, where they lived in tract housing. He didn't like that and didn't think any of the Millville residents would like that here.

Coby Price said that he and his family have been in Millville for about five years. He is an attorney, and he has some experience with public land use issues. He loves the City and wants to keep Millville level-headed. He wants to be proactive in planning for the City and prepare for what is coming.

Councilmember Ripplinger asked what some of the proactive things were that he would like to do. Coby said that it starts with the General Plan and with the zoning throughout the City. He wants to focus on these things and look at the future annexation plan as well as existing undeveloped areas to determine what zoning would be best in those areas. He would also like to focus on traffic flow and the right locations for commercial development.

Concerning high-density housing, Coby said that he was not a fan. We just need to create a plan for what we want in the future so that we aren't being reactive. Councilmember Ripplinger asked if he had any real estate or development interests. Coby said that he didn't.

Mayor Hair thanked the candidates for applying and for their willingness to serve the community. He reminded them that other opportunities to apply to be on the Planning Commission would be available in the next couple of months.

Councilmember Zollinger pointed out that Councilmember June was the councilmember assigned to Planning and Zoning and asked what she thought regarding the applicants. Councilmember June said that she thought all the candidates would do a good job. She said that she was leaning towards Coby Price.

Councilmember Ames said that he also thought all of the applicants were great and that he thought Coby would be a good addition to the Planning Commission.

Councilmember Zollinger said that he was grateful that the four candidates expressed interest and are willing to serve on the Planning Commission. He said he felt all of them would be great in this position, which makes the decision hard. He is glad that there be future opportunities for service on the Planning Commission. Councilmember Zollinger said that, knowing some of the things that are coming to Millville regarding land use, he believes that having a commissioner with a legal background would be helpful. He said that he agreed that Coby would be a good fit.

Councilmember Ripplinger said that she disagrees with this opinion. The City already has legal counsel, and she thinks that an economic driver like Brian Harding would be a better fit.

Councilmember Ripplinger also said that she thinks there are enough people from the north side of Millville serving in the City. Councilmember Ward asked how many of the Planning Commissioners live on the north side of the City. Councilmember Ripplinger said that there weren't any. Councilmember June said that Millville isn't that big, and she doesn't feel like it needs to be split up to have different areas of representation. Councilmember Ripplinger said that from her perspective as a Planning Commissioner, this has been a source of contention between the City Council and the Planning Commission in the past. She noted that her vote would be for Brian Hair and recognized that he lives on the north side of the City. Councilmember Ripplinger said that it is time to pursue getting commercial development near the high school.

Councilmember Ames asked Recorder Twedt if recruiting businesses to develop in the commercial development zone was part of the role of a Planning Commissioner, as he felt this was likely outside the purview of that position. Recorder Twedt said that he agreed. He said that there are developers who purchased property for commercial development in Millville who are actively looking for businesses interested in being in Millville City. If Brian Harding or anyone else has ways to help with that, this would be great, but it isn't really a part of the focus of the Planning Commission. Brian said he is willing to help with what he can, whether or not he is on the Planning Commission.

Councilmember Ripplinger motioned to appoint Brian Harding to the Planning Commission. The motion died for lack of a second.

Councilmember Ward motioned to appoint Coby Price to the Planning Commission. Councilmember June seconded. Councilmembers Ward, June, Ames, and Zollinger voted yes. Councilmember Ripplinger voted no.

Councilmember June thanked all the applicants and asked them to please apply for the upcoming openings to serve on the Planning Commission.

PUBLIC HEARING

Councilmember Ward motioned to go into the public hearing. Councilmember Ames seconded. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes.

PUBLIC HEARING: 7:30 p.m.

PRESENT: David Hair, Pamela June, Ryan Zollinger, Jeremy Ward, Darcy Ripplinger, Jacob Ames, Chad Kendrick, Corey Twedt, Megan Dyer, Kara Everton, Sheryl Hair, Luann Pehrson, Doug Pehrson, Lynette Dickey, Joe McCormick, Tanya McCormick, Bonnie Farmer, Kim Ashcroft, Coby Price, Brian Harding, Garrett Greenhalgh, Susan Goldberg, Angie Nelson, Julie Clark, Roxie Hancey, Kora Hancey, Camille David, Jacob Ripplinger

Mayor Hair said that the RAPZ Grant application deadline is coming up. The City needs to determine if they want to apply for RAPZ Grant money. The purpose of the public hearing is to receive public input on what they think would be good for our City parks.

Public Comment:

Roxie Hancey and Julie Clark said that they had requested and received input from a group of young women ages 13 and 14 on what they would like to add to the Millville City parks. They are interested in a zip line at the playground, a rock climbing or bouldering wall, or a sand volleyball court. Several young men, between the ages of 15 and 17, had requested a full-size indoor basketball court with lights. They also said there was interest in a paved pump bike track like Logan City has installed at Bridger Park. They also suggested an outdoor exercise course that could be placed in one location or spread around the walking path at the South Park. A baby swing or adaptive swing for residents confined to a wheelchair would also be a good addition to the Millville parks. It was discussed that RAPZ money generally can't be used for trails, although there are other trail funding sources. This group of young men and women said they would be interested in a trail, off the road, connecting Maverik to the mouth of Millville Canyon.

Brian Harding said that his son and his son's friends live for baseball. He suggested improved baseball fields, batting cages, or frisbee golf.

Garrett Greenhalgh said that the Millville City pickleball courts get a lot of use. It is often hard to use them as we are competing with residents from other cities. He said that

Providence City has signs indicating that residents of Providence have the right to kick someone off the field if they are not residents of Providence. He suggested Millville do something like that with the pickleball courts to ensure Millville residents get an opportunity to play before residents from other cities. Recorder Twedt said that with the funding used to pay for those courts, it might be difficult, but it is something the City could look into. It was discussed that there is currently a time limitation when other people are waiting. Some parks put up boards where you can hang your paddle and then rotate new people onto the courts after every game. Garrett said that Millville has the best pickleball courts in Cache Valley, and putting them in one park is much better than spreading courts out throughout the city, as some of the neighboring cities have done.

Julie Clark said that her kids would like a rope-climbing tower, as North Logan has installed at the Green Canyon playground. She said that this helps kids take on risk and safely challenge themselves.

Councilmember June said that she still would like to see the addition of an outdoor futsal/basketball court at Glenridge Park.

Mayor Hair thanked everyone for coming to the meeting and for their comments and recommendations.

Councilmember Zollinger motioned to close the public hearing. Councilmember June seconded. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes. (The related staff report is included with the minutes as Attachment “B”.)

City email addresses

Recorder Twedt said that during 2025, the City had created a new .gov URL, as required by State Code. After that was completed, Google email accounts were set up for the staff who are required to use email all the time. Now that the election is through and now that we have a Google business account set up for the City, the Council has the option of getting a City-specific Gmail account for all City-related business. We just need to know if you want that or if you want to continue using your personal accounts.

Councilmember Ames briefly discussed the cost to the City for the email accounts. Recorder Twedt said that it was \$6 per month per user, which wouldn't be a huge burden on the budget.

Councilmember Ward motioned to create City Council .gov emails. Councilmember Zollinger seconded. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes. (The related staff report is included with the minutes as Attachment “C”.)

Review of Utility Adjustments for the Second Quarter of Fiscal Year 2026

Treasurer Megan Dyer reviewed the utility adjustments for the last quarter. There were no concerns from the City Council with the adjustments that had been made.

Review of Budget Progress through the Second Quarter of Fiscal Year 2026

Recorder Twedt reviewed the budget through the end of December 2025. He discussed a few items that should be adjusted at the next budget revision, based on when expenses and revenue took place versus expectations at the beginning of the fiscal year.

Councilmember Ripplinger asked about the \$129,000 shown currently on the budget as a transfer from the General Fund to the Capital Projects Fund. She asked if that was earmarked for anything. Recorder Twedt said that it was not. There is a governmental accounting requirement to move a certain percentage of unallocated funds from the General Fund to the Capital Projects Fund, so this was budgeted to be in compliance with State requirements. It is not currently earmarked for a certain expenditure.

Councilmember Ripplinger asked if the Sewer Fund and Water Fund needed to be separate because of their large expenditures. Recorder Twedt said that this had been discussed with the auditors. They are not required to be separated.

Recorder Twedt said that he feels like the City is doing well financially and that he didn't have any major budgetary concerns. (A copy of the budget review is included with the minutes as Attachment "D".)

Open and Public Meeting Training

Recorder Twedt reminded the Council that yearly training on public meetings is required. He displayed a brief training video prepared by the Utah State Auditor's Office.

Councilmember Zollinger mentioned the 67% City Council vote requirement to enter a closed session. Recorder Twedt said that this hadn't been clear to him in the past. You need more than a simple majority to enter a closed meeting. You need 2/3 approval.

Councilmember Assignment for 2026

Mayor Hair reviewed the Councilmember Assignments for 2026. Councilmember Ripplinger asked who made the list. Mayor Hair said that he was responsible for the councilmember assignments. Councilmember Ripplinger said that she would have preferred to be the councilmember over the Planning Commission or the Youth Council, but she will be willing to do the City Celebration for one year. Mayor Hair said that these assignments generally go for two years, as there is a learning curve to most of these assignments. He said that it could be discussed after this year. (A copy of the Councilmember Assignments List is included with the minutes as Attachment "E".)

City Reports

Director of Public Works Chad Kendrick said that they have finally been able to use some salt, since it has finally snowed a little bit. He said that he appreciates Mayor Hair's help in

clearing some of the sidewalks in town. He discussed the concern with the goats that were discussed at the last City Council meeting. City staff have been there to try and help work things out, and the issue has been resolved.

Director Kendrick said that with all of this rain, they are having some dips in the recently paved sewer trenches, and they are trying to stay on top of those issues. Councilmember Zollinger said that the dip on North Main has gotten worse. Director Kendrick said that he was aware of it and was working on getting it filled with some asphalt.

Director Kendrick reported that with this mild winter, the parks have been getting a lot of use.

Approximately 30 homes have now connected to the sewer system. The lift station continues to work well. Public Works is staying busy, keeping up with the lateral connections. The majority of residents who had septic tank issues are now connected to the sewer system. Councilmember Ames asked if there had been a spike in flow at the sewer lift station with all the rain over the past couple of weeks. Director Kendrick said that there had been a small increase in flow, but that it hadn't been too bad.

Councilmember Ripplinger thanked Director Kendrick and Andy Eames for plowing the snow off the walking path at the South Park.

Councilmember Reports and Items for Future Agendas

Councilmember Ripplinger said that a resident had brought to her attention that a garage had been built on the property line at the Moore's old house. Director Kendrick said that he would take a look at it.

Councilmember Ripplinger discussed the need for training for the Planning Commission. Development Coordinator Everton said that if there is a need for additional training, she can find some opportunities.

Councilmember Ames said that, along those lines, it might be good to have combined work sessions with the Planning Commission and the City Council on a regular basis, maybe once per year, to ensure everyone is on the same page and working towards the same goals.

Councilmember Ripplinger asked if anything needed to be done to lift the moratorium on large subdivisions put in place by the Bear River Health Department. Recorder Twedt said that the moratorium was in place until the sewer system was in place. The moratorium is no longer an issue.

Councilmember Ward said that the Millville City Youth Council is looking for a City service project idea. Mayor Hair said that there may be some opportunities to help residents with clean up on their yards after they install their sewer laterals. Director

Kendrick said that he would be able to find some service project options. Especially in the spring.

Councilmember Ames asked about the timeline for hearing back from UDOT on possible grant funding for the TPA Grant to help pay for work on a new General Plan. Recorder Twedt said that he would figure out how the schedule and email the City Council.

Councilmember Zollinger said that the new Cache County School District boundaries have been finalized for next year. Millville Elementary will have a reduction in students that will result in a little less impact on Millville City.

Recorder Twedt said that the Council should begin to think about possible road projects for this year. He said he would like this to be on the agenda for the next meeting for the Council to discuss options. Recorder Twedt said that he and Director Kendrick had been talking about the possible benefits of widening a section of the 550 East Road between approximately 100 South and 200 South.

Recorder Twedt reminded the Council that he needed their yearly conflict-of-interest forms completed and returned.

Director Kendrick said that excavation quotes for sewer laterals have varied by many thousands of dollars depending on the selected contractor. He asked the Council to remind residents to get more than one quote as they talk with the public.

Councilmember Ward discussed a home on the north side of the City that recently put in asphalt in the grassy swell park strip in the City right-of-way in front of their home. It was discussed that this would be problematic with stormwater runoff if it was done on many homes in Millville. Councilmember Ward suggested a note could be placed in the newsletter notifying residents not to do this.

Adjournment

Councilmember Ward motioned to adjourn the meeting. Councilmember Zollinger seconded. Councilmembers Ward, June, Ripplinger, Ames, and Zollinger voted yes. The meeting adjourned at 8:32 p.m.



AGENDA REPORT: RESIDENTIAL ZONING CODE UPDATES

February 12, 2026

Background

At the City Council meeting on November 13, 2025, the Council reviewed and accepted a request from the Planning Commission for the Planning Commission to begin work on the addition of a new residential zone with a minimum density of 1 acre.

During the process of creating a new residential zone, Development Coordinator Everton has combined the residential zones into a single chapter to simplify things, and the Planning Commission has recommended some other small updates and improvements to the code.

On February 5, 2026, the Planning Commission held a public hearing to get input on the draft of the proposed changes to the residential zoning code. Following that hearing and some additional discussion, the Planning Commission has recommended that the City Council approve the code updates.

Included Documents

- Ordinance 2026-1, including the proposed new *Chapter 17.20 – Single-Family and Two Family Residential*, which will replace *Chapter 17.20A – Single-Family and Two Family Residential (R-1)*, *Chapter 17.20B – Single-Family and Two Family Residential (R-2)*, *Chapter 17.20C – Single-Family and Two Family Residential (R-3)*. All included are the proposed updates to *Chapter 17.12 – Establishment of Zones*

Note: When making major updates to a section of code, the “redline” updates can get a little confusing. Also included with this packet for reference is the existing (old) version of City Code *Chapter 17.20A – Single Family and Two Family Residential (R-1)*.

**MILLVILLE CITY
ORDINANCE 2026-1**

RESIDENTIAL ZONING CODE UPDATES

WHEREAS, Chapters 17.20A, 17.20B, 17.20C, and 17.12 of the Millville City Code cover requirements for single-family and two-family residential zoning; and

WHEREAS, the Millville City Planning Commission has requested and received approval from the City Council to create a new residential zone with a minimum density of 1-acre lots; and

WHEREAS, the Millville City Planning Commission desires to combine and clean up the code for residential zoning and make other small updates and improvements; and

WHEREAS, the Millville City Planning Commission has discussed the proposed updates and held a public hearing on February 5, 2026; and

WHEREAS, on February 5, 2026, the Millville City Planning Commission recommended that the City Council adopt the proposed code changes;

NOW, THEREFORE, the Millville City Council hereby adopts, passes, and publishes the modifications shown on the included attachment for City Code Chapter 17.20 – Single Family and Two Family Residential, replacing Chapter 17.20A – Single-Family and Two Family Residential (R-1), Chapter 17.20B – Single-Family and Two Family Residential (R-2), and Chapter 17.20C – Single-Family and Two Family Residential (R-3) and updates shown on the included attachment for City Code Chapter 17.12 – Establishment of Zones.

This ordinance shall become effective immediately upon publication or posting as set forth by State Law.

ADOPTED AND PASSED, by the MILLVILLE CITY COUNCIL this 12th day of February 2026.

MILLVILLE CITY

David Hair, Mayor

ATTEST:

Corey Twedt, City Recorder

COUNCILMEMBER	YES	NO	ABSENT	ABSTAIN
Jeremy Ward				
Jacob Ames				
Darcy Ripplinger				
Pamela June				
Ryan Zollinger				

POSTED: _____

MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.20A - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL
(R-1)

[17.20A.010: PURPOSE; DEFINITION](#)

[17.20A.020: PERMITTED USES](#)

[17.20A.030: CONDITIONAL USES](#)

[17.20A.040: REGULATIONS AND REQUIREMENTS](#)

~~[17.20A.050: ACCESSORY BUILDINGS](#)~~

[17.20A.0650: LOTS LOCATED ON PRIVATE LANES](#)

17.20A.010: PURPOSE; DEFINITION

- A. Purpose: The purpose of the ~~R-1~~ residential zone is to provide appropriate locations where residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment of, with proper controls, the public and semipublic uses which serve the requirements of families such as churches, schools, libraries, parks, and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a single- and two-family neighborhood.

- B. Definition: "Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of unrelated adult persons, but not exceeding two (2) and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. (Ord. 2000-01: Ord. 99-02-18-01 § 2)

17.20A.020: PERMITTED USES

Accessory buildings.

Agriculture.

Apartment in owner occupied, single-family dwelling.

Barbershop.

Beauty shop.

Bed and breakfast.

Childcare and/or education.

Craft store.

Duplex.

Household pets.

Municipal facilities.

Personal services.

Pools.

Public utilities.

Single-family dwelling.

Uses not listed as permitted or conditional are not permitted without approval from the city council. (Ord. 2018-6, 2018: Ord. 2009-4, 2009: Ord. 2004-4, 2004: Ord. 2003-5 §§ 1, 2, 2003: Ord. 2000-9 § 1)

17.20A.030: CONDITIONAL USES

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private. (Ord. 2013-2, 2013: Ord. 2009-4, 2009: Ord. 99-02-18-01 § 2)

17.20A.040: REGULATIONS AND REQUIREMENTS

¶

~~A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.~~

¶

- ~~1. Lot corners will be marked with five eighths inch ($\frac{5}{8}$ ") rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.~~

A. Space Requirement Chart

	R-14	R-21	R-43	R-87	Duplex ^{4,8}	Accessory Building	External Accessory Dwelling Unit
Minimum Lot Size	1/3 acre	1/2 acre	1 acre	2 acres	1/2 acre		
Lot Area¹ (calculated in square feet)	14,520	21,780	43,560	87,120	21,780		
Lot Frontage	108'	108'	108'	132'	108'		See lot size
Front Setback	30'	30'	30'	30'	30'	30'	30'
Side setback, street	20'	20'	20'	20'	20'	20'	20'
Side setback, interior	15'	15'	15'	15'	15'	5' ⁷	15'
Rear setback, corner lot	20'	20'	20'	20'	20'	5' ⁷	20'
Rear setback, interior	30'	30'	30'	30'	30'	5' ⁷	30'
Maximum Height²	35'	35'	35'	35'	35'	35'	35'
Minimum Building Size³ (calculated in square feet)	960 SF	960 SF	960 SF	960 SF	960 SF	200 ⁵	up to 1200 SF ⁶
Minimum Width Building	20'	20'	20'	20'	20'		

Parking Spots Required	2	2	2	2	4		2
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1. *Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. See table below for additional Slope Class minimum lot sizes.*
2. *Measured from the main entrance threshold to the highest point of the building roof.*
3. *Not more than one main building may be placed upon one lot or parcel of land. Living area shall be calculated excluding basement, open porches, and garages. Buildings must be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.*
4. *Not more than one duplex may be placed upon one lot or parcel of land. Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.*
5. *No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute.*
6. *The total area of an Exterior Accessory Dwelling Unit shall be less than fifty percent (50%) of the total square footage of the primary residence, but not more than 1,200 square feet.*
7. *Unless accompanied by a firewall as per fire code. 3' minimum.*
8. *Duplexes need to be determined at the time of Zoning Clearance. A home cannot be converted into a duplex.*

B. Slope Class Minimum Lot Size Requirements

	R-14	R-21	R-43	R-87	DUPLEX
Class 1 0-20% slope	14,520	21,780	43,560	87,120	21,780
Class 2 20-23% slope	21,780	21,780	43,560	87,120	26,000
Class 3 23-27% slope	26,000	26,000	43,560	87,120	32,000
Class 4 27-30% slope	32,000	32,000	43,560	87,120	38,000
Class 5 30%+ slope	<i>Not Buildable</i>				

1. *In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.*
2. *Hillside Overlay applications have more studies/requirements and can be found in Chapter 17.26.040*

- C. Lot corners will be marked with five-eighths inch ($\frac{5}{8}$ " rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.

~~D. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.~~

D. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.

E. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.

F. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.

G. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:

1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;
2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;
3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);
4. A minimum foundation exposure of six inches (6") above finished grade;
5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;
6. Driveway grades should be maintained between 0.5 percent (0.5%) and five percent (5%) when possible;
7. Entry walks shall not exceed 5 percent (5%);

8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation;

9. Minimum depth of any sewer line shall be five feet (5').

H. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.

I. Orientation: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2026-1, 2026: Ord. 2025-7, 2025: Ord. 2018-8, 2018: 2018-6, 2018: Ord. 2012-2, 2012: Ord. 2008-3, 2008: Ord. 2004-6, 2004: Ord. 2004-4, 2004: Ord. 2004-2, 2004: Ord. 2003-2, 2003: Ord. 2002-6 § 1, 2002: Ord. 2002-5 § 1, 2002: Ord. 2002-2 § 3, 2002: Ord. 2000-16 §§ 1, 2: Ord. 2000-9 § 1: Ord. 99-02-18-01 § 2)

¶
¶

~~B. Minimum Conditions: Minimum conditions for a single family dwelling shall include, but not be limited to:~~

¶

~~1. Lot area: Minimum fourteen thousand (14,000) square feet for slope class 1 lots (see definitions in this title).¶~~

¶

~~Minimum twenty thousand (20,000) square feet for slope class 2 lots.¶~~

¶

~~Minimum twenty six thousand (26,000) square feet for slope class 3 lots.¶~~

¶

~~Minimum thirty two thousand (32,000) square feet for slope class 4 lots.¶~~

¶

~~2. Lot frontage: Minimum one hundred eight feet (108') of clear ownership of the lot the dwelling is built on.~~

¶

~~3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.~~

¶

~~C. Front Yard Setback: Minimum thirty feet (30') from the lot line.~~

~~D. Side Yard Setback:~~

~~1. Interior lots:~~

~~a. Minimum fifteen feet (15') from the side property line.~~

~~b. Accessory buildings: Minimum five feet (5') from the property line.~~

~~2. Corner lots:~~

~~a. Minimum fifteen feet (15') from the property line common to an interior lot.~~

~~b. Minimum twenty feet (20') from the property line adjacent to the street.~~

~~c. Accessory buildings: Minimum five feet (5') from the property line common to an interior lot, with a minimum twenty feet (20') from the property line adjacent to the street.~~

~~E. Rear Yard Setback:~~

~~1. Interior lots:~~

~~a. Minimum thirty feet (30') from the rear property line.~~

~~b. Accessory buildings: Minimum five feet (5') from the rear property line.~~

~~2. Corner lots:~~

~~a. Minimum twenty feet (20') from the rear property line.~~

~~b. Accessory buildings: Minimum five feet (5') from the rear property line.~~

~~F. Building Height:~~

~~1. Maximum thirty five feet (35').~~

~~2. Height shall be measured from the highest point of the building roof to the main entrance threshold.~~

~~G. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at~~

~~least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.~~

~~H. Building Size: The finished living area of any dwelling shall be a minimum of nine hundred sixty (960) square feet for a single story dwelling. Living area shall be calculated excluding basement, open porches, and garages.~~

~~I. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.~~

~~J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:~~

~~1. Lot Area: Minimum twenty thousand (20,000) square feet for slope class 1 lots (see definitions in this title).~~

~~Minimum twenty six thousand (26,000) square feet for slope class 2 lots.~~

~~Minimum thirty two thousand (32,000) square feet for slope class 3 lots.~~

~~Minimum thirty eight thousand (38,000) square feet for slope class 4 lots.~~

~~2. Lot Frontage: One hundred twenty four foot (124') minimum.~~

~~3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.~~

~~4. Exterior Elevations: Exterior elevations shall resemble a single family dwelling.~~

~~5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.~~

~~6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.~~

~~7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.~~

~~8. Repealed.~~

~~9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot~~

~~has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.~~

~~K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.~~

~~L. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.~~

~~M. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.~~

~~N. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:~~

- ~~1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;~~
- ~~2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;~~
- ~~3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);~~
- ~~4. A minimum foundation exposure of six inches (6") above finished grade;~~
- ~~5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;~~
- ~~6. Driveway grades should be maintained between 0.5 percent and five percent (5%) when possible;~~
- ~~7. Entry walks shall not exceed 5.0 percent;~~

~~8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation.¶¶~~

~~9. Minimum depth of any sewer line shall be five feet (5').¶¶~~

~~O. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.¶¶~~

~~P. ORIENTATION: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2025-7, 2025: Ord. 2018-8, 2018: 2018-6, 2018: Ord. 2012-2, 2012: Ord. 2008-3, 2008: Ord. 2004-6, 2004: Ord. 2004-4, 2004: Ord. 2004-2, 2004: Ord. 2003-2, 2003: Ord. 2002-6 § 1, 2002: Ord. 2002-5 § 1, 2002: Ord. 2002-2 § 3, 2002: Ord. 2000-16 §§ 1, 2: Ord. 2000-9 § 1: Ord. 99-02-18-01 § 2)¶¶~~

~~17.20A.050: ACCESSORY BUILDINGS~~¶¶

~~No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute.¶¶~~

~~A. All accessory building structures shall be located behind the front yard setback.¶¶~~

~~B. Setback: There is a minimum setback of five feet (5') from all property lines, except for those that are on a corner lot and must have a minimum twenty feet (20') setback from the line abutting a street. (Ord. 2025-7, 2025: Ord. 2018-6, 2018: Ord. 99-02-18-01 § 2)¶¶~~

~~17.20A.0650: LOTS LOCATED ON PRIVATE LANES~~

A. Public Street Systems Encouraged: Public street systems shall be encouraged for access to all residential dwelling sites. However, the City recognizes that there are cases where it is impossible or impractical to develop a lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, the Planning Commission may allow for a building lot using frontage from a private lane,

with the exception of cul-de-sacs. Private Lanes shall not be permitted in lots located in a cul-de-sac.:

- B. Subdivisions on private lanes may be developed when the following conditions have been met:
1. Development on a private lane would not impede the extension of any adjacent public right-of-way either now or in the foreseeable future; and
 2. The development does not impede the necessary access from adjoining properties as required by the master transportation plan.
 3. Rights-of-way shall be of sufficient design to service the projected use of property and adjoining properties that may have access across such rights-of-way. All new private lanes shall be fully improved with a hard-packed maintainable surface with a minimum of twenty feet (20') of surface width. Curb and gutter or other appropriate storm drainage methods may be required.
 4. Improvements shall include a strategically located turnaround to accommodate emergency vehicles. The turnaround configuration may be in any form compliant with the appropriate fire codes, as determined by the fire marshal or designee. Additional clearance may be required to accommodate emergency vehicle access.
 5. Private lanes shall satisfy the frontage requirements for no more than one lot.
 6. All necessary public utility easements shall be dedicated on all lots, including full access where required by city officials and workers. Public services, such as garbage collection, will be at the dedicated street only.
 7. Minimum yard setback requirements as defined for public streets shall apply to all buildings and uses adjoining private rights-of-way, with setbacks measured from edge of required private lane width or from the width of the future city road in that location.
 8. No portion of the private lane may be counted towards required driveway dimensions on individual lots.
 9. No portion of the private lane may be counted towards the minimum required building lot size.

10. Private lane area shall not be included in the calculation of buildable area for an individual lot, including determination of allowed square footage for primary and accessory structures.
11. A driveway approach with a minimum of twenty feet (20') by twenty feet (20') of three inches (3") minimum thickness of permanent asphalt from the public street to the lane is required.
12. All lots shall be provided with standard utility connections, furnished by the property owner, including approved fire protection infrastructure. All utilities underneath a private right-of-way shall be deemed private utilities for ownership and maintenance purposes.
13. Private lanes shall be named and identified by means of a suitable permanent street marker according to Millville City standards, to be installed prior to issuance of building permits.
14. All required infrastructure, including road improvements and stormwater controls shall be installed prior to occupancy being granted on a building lot.
15. Each access easement right-of-way shall be recorded with the County Recorder. Such easement shall include all parties with interest in the parcel(s) containing the access easement right-of-way as grantors and all parties retaining access from the access easement right-of-way as grantees. The easement shall extend and connect to Millville City's public street infrastructure to provide clear access from all building lots or parcels to a public right-of-way.
16. There shall be a written and recorded road maintenance agreement that assigns maintenance responsibility for the private lane to the properties the private lane traverses and serves. The City shall have the right to compel enforcement of the road maintenance agreement between the property owners. Should the City be unable to compel enforcement of the agreement, the City may, at its sole discretion, maintain the private lane and assess the property owners the costs associated with such maintenance.
17. Change of Private Right-Of-Way to Public Ownership: Private lanes shall be clearly annotated on the subdivision plat as a private lane. A note shall be placed on all subdivision plats that contain a private lane that states the following: "The road annotated on this plat as "private lane" was allowed alternative construction standards from adopted public or private streets standards. Millville City shall not take control of said lane unless it is first deemed by the City Council that there is a compelling public interest, the street is brought to public standards and all landowners accessing the street have consented to the dedication."

C. The creation of a private lane is a subdivision of property and follows the same requirements outlined in Chapter 16.16: Subdivision Application Requirements. The Application Review Procedure can be found in Chapter 16.20. A public hearing is required before Final Plat approval. (Ord. 2026-1, 2026: Ord. 2025-7, 2025: Ord. 2023-6: 2023)

**MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.12 - ESTABLISHMENT OF ZONES**

[17.12.010: ESTABLISHMENT OF ZONES](#)

[17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES](#)

[17.12.030: ANNEXED AREAS](#)

[17.12.040: ZONES ESTABLISHED](#)

[17.12.050: PURPOSE OF ZONING DISTRICTS](#)

[17.12.060: APPLICATION OF DISTRICT REGULATIONS](#)

[17.12.070: OFFICIAL ZONING MAP](#)

17.12.010: ESTABLISHMENT OF ZONES

The city is divided into zones as shown on the map entitled zoning/city of Millville, which map and boundaries, notations, references, and other information shown thereon shall be as much a part of this title as if the information and matters set forth by the map were all fully described herein. (Ord. 99-02-18-01 § 2)

17.12.020: DETERMINATION OF ZONING DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various zones, the following rules shall apply:

- A. Where the indicated boundaries on the zoning map are approximately street, public rights of way, or alleyways, the centerline of the street, public right of way, or alley shall be construed to be the zone district boundaries unless otherwise indicated.
- B. Where the indicated boundaries are approximately lot lines, the lot lines shall be construed to be the zoning district boundaries unless otherwise indicated.

- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- D. Boundaries indicated as approximately following centerlines of streams or canals shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to or extensions of features indicated above shall be so construed. Distances not specifically indicated on the official zoning district map shall be determined by the scale of the map.
- F. Where a district boundary line divides a lot which was in single ownership at the time of passage of this title, the planning commission shall recommend to the city council, as a special exception, the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning district map, or in other circumstances not covered in the aforementioned rules, the planning commission shall recommend to the city council the district boundaries.
- H. Where land has not been subdivided into lots and/or blocks, the zoning district boundaries shall be determined by use of the scale measurement shown on the map unless otherwise indicated.
- I. Where uncertainty continues to exist, the planning commission shall recommend its interpretation of the map to the city council. If the council upholds interpretation, then that interpretation may be appealed to the appeal authority. (Ord. 2025-5, 2025: Ord. 2018-9, 2018: 2007-8, 2007: Ord. 99-02-18-01 § 2)

17.12.030: ANNEXED AREAS

At the time of the annexation of new territory to the city, the City Council, with a recommendation from the Planning Commission, shall classify such territory for zoning. The City shall consider the following when determining zoning for the annexed territory.

- A. The General Plan, including the future land use map and Millville City Master Plans,
- B. Surrounding land use,
- C. The request of the applicant, and

D. Any applicable State law or regulations (Ord. 2023-8, 2023: Ord. 99-02-18-01 § 2)

17.12.040: ZONES ESTABLISHED

For the purpose of this title, the following zones are created and the land within the corporate limits of the city is divided into zoning districts. The boundaries for the zoning districts are shown on the official zoning map of the city. The classification of zoning districts is as follows:

A	Agricultural zone (minimum 5 acres)
R-14	Single- and two-family residential zone (minimum 14,520,000 square foot lot size)
R-21	Single- and two-family residential zone (minimum 21,780,500,000 square foot lot size)
R-43	Single- and two-family residential zone (minimum 43,560 87,000 square foot lot size)
R-87	Single- and two-family residential zone (minimum 87,120 square foot lot size)
CG	Commercial general zone
OS	Open space zone
TC	Commercial town center
HO	Hillside development overlay zone

(Ord. 2026-1, 2026: Ord. 2020-1, 2020: Ord. 2018-6, 2018: Ord. 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.050: PURPOSE OF ZONING DISTRICTS

In addition to the general purposes of this title identified in chapter 17.04 of this title, the various zoning districts each serve a more specific individual purpose, as described below.

- A. The A (agricultural) zoning district is proposed to provide areas for agricultural and related uses, along with very low density residential uses. This designation shall be applied to land with appropriate topographical conditions where the intrusion of urban uses would be inappropriate or untimely, due to lack or need of urban services and facilities.

- B. The R (residential) zoning districts are created to provide for the diverse needs and desires of the people of the city. These districts shall also allow for other compatible uses which may complement the primarily residential functions of the districts, under certain conditions. Basic urban services and utilities would be available in these zones:
 - 1. The R-14 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family ~~detached~~ dwellings with a minimum lot size of 14,520,000 square feet.

 - 2. The R-21 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family ~~detached~~ dwellings with a minimum lot size of 21,780,000 square feet.

 - 3. The R-433 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family ~~detached~~ dwellings with a minimum lot size of 43,560,87,000 square feet.

 - 4. The R-87 (single-family and two-family residential) zone is intended to provide areas for single-family and two-family dwellings with a minimum lot size of 87,120 square feet.

- C. The CG (commercial general) district is intended to provide various commercial uses.

- D. The OS (open space) zone is intended to provide for open space land within the city and to provide for the accommodation of natural features or hazards.

- E. The TC (commercial town center) district is intended to provide a “downtown” feel and provide residents a place to shop, eat and do business.

- F. The HO (hillside development overlay) zone is established to protect and preserve the hillside areas of the city. The goal is to minimize adverse effects of development within these areas. (Ord. 2026-1, 2026: Ord. 2020-1, 2020: Ord. 2018-6, 2018: 2012-4, 2012: Ord. 2000-16 § 1: Ord. 99-02-18-01 § 2)

17.12.060: APPLICATION OF DISTRICT REGULATIONS

- A. No building or part thereof or other structure shall be erected, altered, added to, or enlarged, nor shall any land, building, structure, or premises be used, designated, or intended to be used for any purpose or in any manner other than is included among the uses hereinafter listed as permitted in the district in which such building, land, or premises are located.
- B. No building or structure or part thereof shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located, unless building height exception is expressly allowed.
- C. No building, structure, or part thereof shall be erected, nor shall any existing building be altered, enlarged, rebuilt, or moved into any district, nor shall any open space be encroached upon or reduced in any manner, except in conformity to the yard, building site area, and building location regulations hereinafter designated for the land use and the district in which such building or open space is located.
- D. No yard or other open space provided about any building for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for any other building, and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site. (Ord. 99-02-18-01 § 2)

17.12.070: OFFICIAL ZONING MAP

- A. The boundaries of the districts established in section 17.12.040 of this chapter are established as shown on the official zoning map, which together with all explanatory matter thereon is adopted by reference and declared to be part of this title.
- B. The official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal for the city under the following words:

This is to certify that this map is the official zoning map for the City of Millville, Utah, referred to in Section 17.12.070, Millville City Ordinances,

together with the date of the adoption of this title.

- C. No changes of any nature shall be made on the official zoning map except in conformity with the procedures set forth in this title. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title and punishable as provided under chapter 17.84 of this title.
- D. Regardless of the existence of purported copies of the official zoning map, which may from time to time be made or published, the official zoning district map, which shall be located in the planning commission hearing room, shall be the final authority as to the current status of zoning districts.
- E. In the event that the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor of the city, attested by the city recorder, and shall bear the seal of the city of Millville, Utah, under the following words:

This is to certify that this official zoning map supersedes and replaces the official zoning map dated adopted (date of adoption of map being replaced) as part of Ordinance No. of the City of Millville, Utah, dated .

Unless the prior official zoning map has been lost or has been totally destroyed, the prior map or any significant remaining parts thereof shall be preserved together with all available records pertaining to its adoption or amendment. (Ord. 99-02-18-01 § 2)

**MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.20A - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL
(R-1)**

[17.20A.010: PURPOSE; DEFINITION](#)

[17.20A.020: PERMITTED USES](#)

[17.20A.030: CONDITIONAL USES](#)

[17.20A.040: REGULATIONS AND REQUIREMENTS](#)

[17.20A.050: ACCESSORY BUILDINGS](#)

[17.20A.060: LOTS LOCATED ON PRIVATE LANES](#)

17.20A.010: PURPOSE; DEFINITION

- A. Purpose: The purpose of the R-1 zone is to provide appropriate locations where residential neighborhoods may be established, maintained, and protected. The regulations also permit the establishment of, with proper controls, the public and semipublic uses which serve the requirements of families such as churches, schools, libraries, parks, and playgrounds. The regulations are intended to prohibit those uses that would be harmful to a single- and two-family neighborhood.

- B. Definition: "Family" means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants. A number of unrelated adult persons, but not exceeding two (2) and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. (Ord. 2000-01: Ord. 99-02-18-01 § 2)

17.20A.020: PERMITTED USES

Accessory buildings.

Agriculture.

Apartment in owner occupied, single-family dwelling.

Barbershop.

Beauty shop.

Bed and breakfast.

Childcare and/or education.

Craft store.

Duplex.

Household pets.

Municipal facilities.

Personal services.

Pools.

Public utilities.

Single-family dwelling.

Uses not listed as permitted or conditional are not permitted without approval from the city council. (Ord. 2018-6, 2018: Ord. 2009-4, 2009: Ord. 2004-4, 2004: Ord. 2003-5 §§ 1, 2, 2003: Ord. 2000-9 § 1)

17.20A.030: CONDITIONAL USES

The following may be permitted conditional uses after application and approval as specified in section 17.64.070 of this title:

Education services both public and private. (Ord. 2013-2, 2013: Ord. 2009-4, 2009: Ord. 99-02-18-01 § 2)

17.20A.040: REGULATIONS AND REQUIREMENTS

- A. One Main Building: Not more than one main building may be placed upon one lot or parcel of land.
1. Lot corners will be marked with five-eighths inch ($\frac{5}{8}$ ") rebar (#5 rebar) that is eighteen inches (18") to twenty four inches (24") long, capped with the surveyor's red cap containing the surveyor's name or license number driven down to ground level.
- B. Minimum Conditions: Minimum conditions for a single-family dwelling shall include, but not be limited to:
1. Lot area: Minimum fourteen thousand (14,000) square feet for slope class 1 lots (see definitions in this title).

Minimum twenty thousand (20,000) square feet for slope class 2 lots.

Minimum twenty six thousand (26,000) square feet for slope class 3 lots.

Minimum thirty two thousand (32,000) square feet for slope class 4 lots.
 2. Lot frontage: Minimum one hundred eight feet (108') of clear ownership of the lot the dwelling is built on.
 3. Lot slope requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area, when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.
- C. Front Yard Setback: Minimum thirty feet (30') from the lot line.
- D. Side Yard Setback:
1. Interior lots:

- a. Minimum fifteen feet (15') from the side property line.
- b. Accessory buildings: Minimum five feet (5') from the property line.

2. Corner lots:

- a. Minimum fifteen feet (15') from the property line common to an interior lot.
- b. Minimum twenty feet (20') from the property line adjacent to the street.
- c. Accessory buildings: Minimum five feet (5') from the property line common to an interior lot, with a minimum twenty feet (20') from the property line adjacent to the street.

E. Rear Yard Setback:

1. Interior lots:

- a. Minimum thirty feet (30') from the rear property line.
- b. Accessory buildings: Minimum five feet (5') from the rear property line.

2. Corner lots:

- a. Minimum twenty feet (20') from the rear property line.
- b. Accessory buildings: Minimum five feet (5') from the rear property line.

F. Building Height:

- 1. Maximum thirty five feet (35').
- 2. Height shall be measured from the highest point of the building roof to the main entrance threshold.

G. Distance Between Buildings: Corrals, barns, stables, coops, kennels and other buildings used for the accommodation of animals (except for household pets) must be located at least seventy five feet (75') from owner's existing structure and at least fifty feet (50') from a property line.

- H. Building Size: The finished living area of any dwelling shall be a minimum of nine hundred sixty (960) square feet for a single-story dwelling. Living area shall be calculated excluding basement, open porches, and garages.
- I. Space Compliance: No space needed to meet the width, yard, area, coverage, parking, or other requirements for minimum lot size or setback may be sold or leased apart from such lot or building unless other space so complying is provided.
- J. Minimum Conditions: Minimum conditions for a duplex shall include, but not be limited to:
1. Lot Area: Minimum twenty thousand (20,000) square feet for slope class 1 lots (see definitions in this title).

Minimum twenty six thousand (26,000) square feet for slope class 2 lots.

Minimum thirty two thousand (32,000) square feet for slope class 3 lots.

Minimum thirty eight thousand (38,000) square feet for slope class 4 lots.
 2. Lot Frontage: One hundred twenty four foot (124') minimum.
 3. Minimum Parking: Parking spaces for a minimum of four (4) cars shall be provided.
 4. Exterior Elevations: Exterior elevations shall resemble a single-family dwelling.
 5. Living Area: Each living unit shall have at least nine hundred sixty (960) square feet of living area exclusive of porches, garages, and carports.
 6. More Than One Prohibited: Not more than one duplex may be placed upon one lot or parcel of land.
 7. Minimum Distance: Lots with duplexes shall be a minimum distance of three hundred fifty feet (350'), in any direction, from any other lot with a duplex.
 8. Repealed.
 9. Lot Slope Requirement: All building lots shall be slope class 1, unless a hillside development permit has been issued. In a hillside development area when a lot has a mix slope of slope classes 1 through 4, and the lot has seventy five percent (75%) or more of the lower slope area, the minimum lot area for the lower slope shall be allowed.

- K. Minimum Dimension: All dwellings for human occupancy shall have a minimum dimension of twenty feet (20') (measured wide or deep), be attached to a permanent concrete foundation, and meet minimum uniform building code requirements.
- L. Trash Prohibited Outside Containers: No trash, rubbish, weeds, debris, waste products or other combustible material shall be allowed to remain on any lot outside of approved containers in any residential zone. No junk, abandoned automobiles, automobile parts, or restoration projects shall be stored or allowed to remain on any lot in any residential zone unless such objects are out of visible sight of the public.
- M. Odorous Uses Prohibited: A use shall not be permitted which creates objectionable odor in such quantity as to be readily detectable at the boundaries of the site.
- N. Lot Grading Standards: For residential developments, a plan shall be prepared in a manner that will allow the following conditions to be met prior to, or as part of, actual building construction. If necessary, individual lot grading plans will be required prior to issuance of building permits:
1. A minimum fall of six inches (6") in the first ten feet (10') away from any building is required;
 2. A maximum gradient of twenty one percent (21%) within four feet (4') of the foundation;
 3. Usable minimum yard area of three hundred (300) square feet with a maximum slope of five percent (5%);
 4. A minimum foundation exposure of six inches (6") above finished grade;
 5. Slopes of three to one (3:1) and steeper must be sodded and will be accepted only when the developer and engineer can show this to be the most feasible approach;
 6. Driveway grades should be maintained between 0.5 percent and five percent (5%) when possible;
 7. Entry walks shall not exceed 5.0 percent;
 8. Lots should be graded so that a minimum slope of two percent (2%) can be maintained between the sewer flow line in the street and the finished grade of the lowest floor elevation;
 9. Minimum depth of any sewer line shall be five feet (5').

- O. Legal Nonconforming Status: Vacant lots which do not meet the current frontage requirement, but can provide division and deed history showing they met historic requirements, may be granted "legal nonconforming" status and receive building permits. Such documentation is to be provided to the development coordinator who shall provide documentation to the planning and zoning commission, mayor and/or city council if needed.

- P. ORIENTATION: Any residence constructed on any buildable parcel must be accessed from a "public street", as defined in Ordinance 17.08.020 "STREET, PUBLIC". Said residence shall have the property entrance located to face the public street to which its address was assigned. (Ord. 2025-7, 2025: Ord. 2018-8, 2018: 2018-6, 2018: Ord. 2012-2, 2012: Ord. 2008-3, 2008: Ord. 2004-6, 2004: Ord. 2004-4, 2004: Ord. 2004-2, 2004: Ord. 2003-2, 2003: Ord. 2002-6 § 1, 2002: Ord. 2002-5 § 1, 2002: Ord. 2002-2 § 3, 2002: Ord. 2000-16 §§ 1, 2: Ord. 2000-9 § 1: Ord. 99-02-18-01 § 2)

17.20A.050: ACCESSORY BUILDINGS

No building permit will be required for a structure up to and including two hundred (200) square feet, unless required by state statute.

- A. All accessory building structures shall be located behind the front yard setback.

- B. Setback: There is a minimum setback of five feet (5') from all property lines, except for those that are on a corner lot and must have a minimum twenty feet (20') setback from the line abutting a street. (Ord. 2025-7, 2025: Ord. 2018-6, 2018: Ord. 99-02-18-01 § 2)

17.20A.060: LOTS LOCATED ON PRIVATE LANES

- A. Public Street Systems Encouraged: Public street systems shall be encouraged for access to all residential dwelling sites. However, the City recognizes that there are cases where it is impossible or impractical to develop a lot according to normal subdivision standards. In situations where insufficient land access exists for a public street system, the Planning Commission may allow for a building lot using frontage from a private lane.

- B. Subdivisions on private lanes may be developed when the following conditions have been met:

1. Development on a private lane would not impede the extension of any adjacent public right-of-way either now or in the foreseeable future; and
2. The development does not impede the necessary access from adjoining properties as required by the master transportation plan.
3. Rights-of-way shall be of sufficient design to service the projected use of property and adjoining properties that may have access across such rights-of-way. All new private lanes shall be fully improved with a hard-packed maintainable surface with a minimum of twenty feet (20') of surface width. Curb and gutter or other appropriate storm drainage methods may be required.
4. Improvements shall include a strategically located turnaround to accommodate emergency vehicles. The turnaround configuration may be in any form compliant with the appropriate fire codes, as determined by the fire marshal or designee. Additional clearance may be required to accommodate emergency vehicle access.
5. Private lanes shall satisfy the frontage requirements for no more than one lot.
6. All necessary public utility easements shall be dedicated on all lots, including full access where required by city officials and workers. Public services, such as garbage collection, will be at the dedicated street only.
7. Minimum yard setback requirements as defined for public streets shall apply to all buildings and uses adjoining private rights-of-way, with setbacks measured from edge of required private lane width or from the width of the future city road in that location.
8. No portion of the private lane may be counted towards required driveway dimensions on individual lots.
9. No portion of the private lane may be counted towards the minimum required building lot size.
10. Private lane area shall not be included in the calculation of buildable area for an individual lot, including determination of allowed square footage for primary and accessory structures.
11. A driveway approach with a minimum of twenty feet (20') by twenty feet (20') of three inches (3") minimum thickness of permanent asphalt from the public street to the lane is required.

12. All lots shall be provided with standard utility connections, furnished by the property owner, including approved fire protection infrastructure. All utilities underneath a private right-of-way shall be deemed private utilities for ownership and maintenance purposes.
13. Private lanes shall be named and identified by means of a suitable permanent street marker according to Millville City standards, to be installed prior to issuance of building permits.
14. All required infrastructure, including road improvements and stormwater controls shall be installed prior to occupancy being granted on a building lot.
15. Each access easement right-of-way shall be recorded with the County Recorder. Such easement shall include all parties with interest in the parcel(s) containing the access easement right-of-way as grantors and all parties retaining access from the access easement right-of-way as grantees. The easement shall extend and connect to Millville City's public street infrastructure to provide clear access from all building lots or parcels to a public right-of-way.
16. There shall be a written and recorded road maintenance agreement that assigns maintenance responsibility for the private lane to the properties the private lane traverses and serves. The City shall have the right to compel enforcement of the road maintenance agreement between the property owners. Should the City be unable to compel enforcement of the agreement, the City may, at its sole discretion, maintain the private lane and assess the property owners the costs associated with such maintenance.
17. Change of Private Right-Of-Way to Public Ownership: Private lanes shall be clearly annotated on the subdivision plat as a private lane. A note shall be placed on all subdivision plats that contain a private lane that states the following: "The road annotated on this plat as "private lane" was allowed alternative construction standards from adopted public or private streets standards. Millville City shall not take control of said lane unless it is first deemed by the City Council that there is a compelling public interest, the street is brought to public standards and all landowners accessing the street have consented to the dedication."

- C. The creation of a private lane is a subdivision of property and follows the same requirements outlined in Chapter 16.16: Subdivision Application Requirements. The Application Review Procedure can be found in Chapter 16.20. A public hearing is required before Final Plat approval. (Ord. 2025-7, 2025: Ord. 2023-6: 2023)



AGENDA REPORT: RAPZ FUNDING

February 12, 2026

Background

In November 2002, Cache County voters approved a 1/10th of 1% sales tax, known as the RAPZ Tax. These funds can be used to support capital projects and operating expenses for publicly owned or operated recreation, parks, and zoos. They can also be used to fund operating expenses of private nonprofit cultural arts and botanical operations.

Since 1992, The Cache County Council has approved a 1% sales tax on prepared food items, known as the Restaurant Tax. These funds can be used for either capital projects or maintenance expenses by publicly owned or operated facilities for the purpose of tourism promotion, recreation, cultural arts, convention centers, and airports. Private nonprofit organizations are eligible to receive Restaurant Tax funds only for tourism promotion.

If Millville is interested in applying for RAPZ tax dollars, the application will have to be submitted by March 6, 2026. These funds have been very beneficial to Millville City in the past. Here is a history of the RAPZ funds received over the past ten years:

- 2025 – Received \$52,000; South Park Pavilion Phase 2
- 2024 – Received \$40,000; South Park West Pickleball Court Lights
- 2024 – Received \$150,000; South Park Pavilion
- 2023 – Received \$29,800; South Park Extension Phase 2
- 2023 – Received \$23,144; North Park Tennis Court Lights
- 2022 – Received \$60k; South Park Extension
- 2021 – Received \$111k; South Park Pickleball Courts Phase 2
- 2020 – Received \$50k; South Park Walkway
- 2019 – Received \$50k; South Park Pickleball Courts Phase 1
- 2018 – Received \$0; South Park Sprinkler System
- 2017 – Received \$20k; South Park Sprinkler System
- 2016 – Received \$20k; Splash Pad Restroom

The Council should consider the information received in the public hearing at the last meeting, as well as other needed park infrastructure desires, and determine what the City should apply for this year.

Councilmember Assignments 2026

Councilmember Jeremy Ward

- Car Show for City Celebration
- Youth Council

Councilmember Ryan Zollinger

- Sewer
- School District
- Parade

Councilmember Jacob Ames

- Fire/EMS/Emergency Preparedness
- Law Enforcement/Animal Control
- Resident Hardship Fund

Councilmember Pamela June

- P&Z
- Ordinance Enforcement

Councilmember Darcy Ripplinger

- City Celebration
- Trails
- Wildfire