

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
February 12, 2026

PRESENT: David Hair, Pamela June, Ryan Zollinger, Darcy Ripplinger, Jacob Ames, Chad Kendrick, Corey Twedt, Kara Everton, Jeff Gibson, Jean Culbertson, Matthew Anderson, Bonnie Farmer, Celeste Thatcher, Susan Goldsberry, Kim Ashcroft

Call to Order/Roll Call

Mayor David Hair called the City Council Meeting to order for February 12, 2026, at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Jacob Ames, Ryan Zollinger, and Darcy Ripplinger were in attendance, and Councilmember Jeremy Ward was excused.

Opening remarks/Pledge of Allegiance

Councilmember Zollinger welcomed everyone to the Council Meeting. He said that he had been down at the State Capitol today. The legislature is very busy, and a lot of things are happening down there. Councilmember Zollinger led all present in the Pledge of Allegiance. He then offered a word of prayer.

Approval of agenda

The agenda for the City Council Meeting of February 12, 2026, was reviewed.

Councilmember Ames motioned to approve the agenda for February 12, 2026.

Councilmember Zollinger seconded. Councilmembers June, Ripplinger, Ames, and Zollinger voted yes, with Councilmember Ward excused. (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 January 8, 2026.

Councilmember June motioned to approve the minutes for January 8, 2026.

Councilmember Zollinger seconded. Councilmembers June and Ripplinger pointed out a few corrections that were fixed during the meeting. Councilmembers June, Ripplinger, Ames, and Zollinger voted yes, with Councilmember Ward excused.

Public comment period

Mayor Hair opened the floor for any public comments. Celeste Thatcher had signed up and asked if the Council could discuss any details regarding the closed session that was on the agenda for reasonably imminent litigation. Mayor Hair said that it was not something that could be discussed publicly at this point.

Consideration of ordinance updating the residential zoning code and the addition of a 1-acre minimum lot size zone

Development Coordinator Everton reviewed the updates to the residential zoning code. She explained that the main difference is the addition of a 1-acre minimum lot size zone. This code change also combined all the residential codes into a single chapter instead of having a separate chapter for each density level.

With this proposed revision, the Planning Commission had updated the lot size square footage requirements in the code to the exact square footage numbers instead of rounding them down as had been done in the existing code. The frontage requirement for a duplex had also been slightly decreased.

Coordinator Everton went on to explain that they were recommending that the section with distances between buildings, corrals, and stables be updated and moved from the Residential Zoning Code to the Animal Code. She will be looking at the Animal Code in the near future with some additional changes as well to clean things up.

Coordinator Everton said that the Planning Commission was recommending not permitting private lane flag lots on cul-de-sacs, as we have an example of one that is causing some concerns for snow removal. Councilmembers Zollinger and Ames asked some questions to understand this proposed change more clearly. It was determined that some clarifying language should be added, indicating that private lanes should not be permitted off of the bulb, or curved part of the cul-de-sac, but would be permitted on the straight portion of the road leading up to the bulb.

Mayor Hair discussed some changes to the labeling on the table to add additional clarification.

Councilmember June said that she would prefer to round the lot sizes down rather than use the exact square footage numbers. This would make the lots slightly more affordable, and she feels like the rounding that has been in place for years has been fine. She said that a 14,000 square foot lot is a good size. Councilmember Zollinger said that he agreed and preferred the rounded-down square footage numbers, like they are in the existing code. He said that these numbers have worked well for the City for many years.

The Council discussed that the duplex lot size requirement in the current code is slightly smaller than what is required for R-2 "half-acre" lots.

Recorder Twedt said that this brings up a concern he has. There is a resident who is planning to build a duplex in Millville. His property is 20,909 square feet. Under the existing City Code, a duplex is permitted on a lot that is 20,000 square feet or larger. When P&Z drafted the new code, which is being considered tonight, they decided not to round the square footage down to 20,000 square feet. As proposed, the half-acre and duplex zoning would both have a square footage of exactly one-half acre, which is 21,780. P&Z didn't do this on purpose to affect this one lot, but it would affect the ability of this resident to put a duplex on that parcel. After a very lengthy and expensive annexation, Recorder

Twedt said that he is not comfortable with that. Councilmember Ames said that he would like to provide a variance for this resident to build a duplex on his parcel, being grandfathered in, since he did the annexation under the impression that he would be able to put a duplex on that property before any changes to lot size requirements were made.

Planning Commissioner Bonnie Farmer said that a banker had attended the P&Z meeting and said he preferred the exact numbers and not rounding for the square footage requirements. Councilmember Zollinger said that for years, we have rounded the numbers down and still referenced these as 1/3-acre lots and 1/2-acre lots. He said he doesn't see this being a problem.

Councilmember Ames recommended using the same rounded square footage numbers that are in the existing code and then updating the table to say approximately on the acreage. Development Coordinator Everton said that this is what was initially presented to the Planning Commission, and then it was changed in the meeting.

Councilmember Ripplinger said that personally, she would like to have the exact square footage numbers listed in the code for the different acreage sizes.

Councilmember June said that she would like to round down, as is done in the current code, to provide some flexibility with how expensive housing costs are right now. There are many houses in Millville currently built on 14,000 square foot lots that are a great size for our City.

There was some discussion on whether a duplex should have the same square footage requirement as the "half-acre" lot or if it should remain at 20,000 square feet as it is in the existing code. Councilmember Ames said that regardless of what happened with the new code being adopted, he feels that the lot annexed with the intent of building a duplex on the south side of the City on 100 East should be allowed to proceed through zoning clearance, as it met the requirements of the code at the time it was moved into Millville.

Councilmember Zollinger said that he would like to have a full Council to weigh in on this code amendment and would prefer to have more time to review. He would like to wait to adopt it at a future meeting. He said that he does like the proposed code and the discussion that has taken place tonight.

Development Coordinator Everton pointed out one additional change in the proposed code. She said that the Planning Commission had recommended changing the side setback for an accessory building. In the current code, the requirement is five feet. County Code allows for this to be decreased to three feet from the property line if there is a firewall. Mayor Hair said that he is concerned about snow coming off the roof and damaging a neighbor's fence. That is why the change was made to increase the distance from the dripline to five feet. He doesn't think three feet is enough space. Councilmember Zollinger said that he preferred keeping this at five feet as well. The closer it is to the property line, the more potential for negative impact on the neighbor.

Councilmember Zollinger motioned to push this to a future meeting when all Councilmembers could be in attendance. Councilmember June seconded. Councilmembers June, Ripplinger, Ames, and Zollinger voted yes, with Councilmember Ward excused.

Councilmember Ames thanked the Planning Commission for their time and work on the revised proposed code. He said he felt they had done a good job. (A copy of the related staff report is included as Attachment “B”.)

Impact Fee road projects

Recorder Twedt said that it would be good to begin working on some road improvements using road impact fee money. He said that one possible project that he and Public Works Director Kendrick had discussed was widening 550 East from 100 South heading south. It would be good to widen this all the way down to 300 South either now or at some point in the future.

He asked the Council if they had any projects in mind that would be a good use of these funds and how they wanted to proceed.

Councilmember Ames said that he liked the proposal for widening 550 East. He said that in looking into this, it appeared that it would likely require some right-of-way acquisition. Recorder Twedt said that they would need to look at that. It was discussed that the plan would be to widen the road only on the east side.

Councilmember Ames said that he thought it would be best to do the full two blocks of this road project, even though the cost would exceed what was available in impact fee funds. Recorder Twedt said that after some costs are available, the Council can determine if they want to use Capital Project Funds to supplement the Road Impact Fee money used for the project.

Councilmember Ames motioned to proceed with the 550 East Road widening project as indicated, with an acknowledgment that it may exceed the available impact fee funds. Councilmember Ripplinger seconded. Councilmembers June, Ripplinger, Ames, and Zollinger voted yes, with Councilmember Ward excused.

County Library discussion

Mayor Hair briefly discussed the County Library in Providence. The County is planning to stop funding this in a couple of months. Providence is considering the possibility of running this as a regional library, and they want to know if the neighboring cities are interested in paying a portion of the costs to have the library available as an option for their residents.

Councilmember Zollinger said that he is surprised at how expensive it has been inside the County budget. It was discussed that to reduce costs, there may be a consideration for the library having less staff and to have it open fewer hours.

Councilmember Zollinger said that if we are trying to keep fees and property taxes low, it is hard for him to want to pay into a library or add some of these services that only a small portion of Millville residents would use.

Councilmember Ripplinger said that she doesn't see a benefit in Millville City funding the Cache County Library. She doesn't see this as a benefit with the size of that library.

Councilmember Ames said that he is supportive of the library. Especially for young kids. He would need more information on the funding ask before he would be on board.

Councilmember June pointed out that all Millville residents pay property taxes and the majority of those property tax payments go to the public school system. She feels that some of those funds should be used to pay for the library since this library would be beneficial to the kids.

RAPZ Tax funding application discussion

Recorder Twedt said that applications for the 2026 RAPZ Grant funding are due on March 6, 2026. Based on the public hearing at the last meeting and other needs that the Council sees, he asked what they were interested in including in the application(s) this year.

Councilmember Ripplinger said that she thought it was great to have a public hearing to discuss the RAPZ application. There was some great feedback and good ideas. Councilmember June said that, based on the public hearing, it seems like upgraded playground equipment is needed in Millville.

Councilmember Ames discussed upgrades to Glenridge Park to make it more usable. The consensus from the City Council was that improvements needed to be made to that park, but based on potential usage and the size of Glenridge Park, the number one priority application should be focused on the South Park.

After the Council discussion, it was determined that the City should submit two RAPZ Tax applications this year. The priority one project would be an upgrade to the playground equipment at the South Park, and the priority two project would be to fix up Glenridge Park and try to make it work for multiple sports.

Recorder Twedt asked if the Council wanted to do the applications or had anyone else that they wanted to prepare the applications, or if they wanted him to do them. They asked Recorder Twedt to complete and submit the applications.

Discussion on the process for the appointment of new planning commissioners

Mayor Hair said that he thinks the Planning Commissioner appointment process used in the last meeting caught some of the applicants off guard and maybe made them a little uncomfortable. He recommended that the Council review the submitted applications before the meeting and then come to the meeting prepared to briefly discuss them and make a decision instead of asking the applicants questions during the meeting.

Councilmember June recommended adding questions to the online application form so that the Council would have more information in making the decision.

Councilmember Zollinger pointed out that in the past, the Councilmember over Planning and Zoning had made a selection for a Planning Commissioner opening and then presented it to the rest of the Council for a vote. They could go back to that method.

Councilmember Ripplinger said that she would rather the full Council discuss and select the appointment during a City Council meeting.

The Council discussed some questions to be added to the Planning Commissioner application form. They also said they would still like to have each applicant speak for two minutes to introduce themselves during the City Council meeting.

The consensus was that the Council would select the new Planning Commissioners during a City Council meeting after having reviewed the expanded applications and hearing the introduction from the candidates.

Recorder Twedt said that he and Coordinator Everton would update the online application and post notice for two new planning commissioners to be selected at the April City Council meeting, when Councilmember June would be able to attend.

City Reports

Director of Public Works Chad Kendrick reported that roughly 100 homes have connected or are in the process of connecting to the sewer collection system. Everything seems to be working really well.

Director Kendrick said that Public Works is working on updating many of the old and faded street signs throughout the City.

The parks have been used nearly every day this winter, with how mild the weather has been.

Mayor Hair said that he really appreciates how hard Chad and Andy work and how reactive they are. When he hears about an issue with the roads, they usually have repairs made the next day.

Councilmember Reports and Items for Future Agendas

(A copy of the Councilmember Assignments List is included with the minutes as Attachment “D”.)

Councilmember Ripplinger reported that she and Recorder Twedt are working on completing the Cooperative Wildfire Agreement. The agreement requirements are reduced this year as there is no longer a financial obligation from the City, but we are still pursuing mitigation efforts. She discussed the following mitigation efforts that are currently being considered or pursued:

- Installation of a fence around the City-owned property east of Canyon Road so that animals can be held there to graze and reduce fuel for potential fires.
- Work with the Division of Wildlife Resources (DWR) to install a gate in the deer fence for fire truck access to water from the City well in case it is needed for fire suppression on the hillside.
- Work with Rocky Mountain Power to figure out a plan for debris removal and vegetation management around their property.

Councilmember Ripplinger asked the other Councilmembers to let her know if they had other ideas for wildfire mitigation.

Councilmember June asked about a complaint regarding a person allegedly living in a camp trailer at approximately 400 North and Main. Recorder Twedt said that this had been a phone call complaint to the Mayor and not a formal complaint filed with the City complaint form. He had reached out to the property owner, who lives in Paradise. They have responded and said that they will make sure nobody is living in the trailer. No further action will be taken unless the problem continues and the neighbor files an official complaint.

Recorder Twedt reported that the sewer low-income lateral grant program is working well. About 20 of the grant recipients have already connected their homes to the sewer system. He said that he thinks the grant program is making a big difference for these Millville residents.

Development Coordinator Everton said that the City has received a new rezone request for the same 35-acre parcel in the South Fields. The new request has a mix of 1/3-acre lots and 1/2-acre lots. The public hearing in Planning and Zoning will be held at their first meeting in March at the Ridgeline High School auditorium, and then the City Council will consider acceptance or denial of the rezone request in their regular meeting held on March 12th.

Adjournment

Councilmember Zollinger motioned to enter a closed session to discuss reasonably imminent litigation, after which both the public meeting and the executive session will adjourn. Councilmember Ripplinger seconded. Councilmembers June, Ripplinger, Ames, and Zollinger voted yes, with Councilmember Ward excused. The meeting adjourned at 8:50 p.m.

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



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

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~~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' | | <i>See lot size</i> |
| 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 |
|-------------------------------|---|---|---|---|---|--|---|

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> | <i>Not Buildable</i> | <i>Not Buildable</i> | <i>Not Buildable</i> | <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:~~

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

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

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

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~~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