

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

April 7, 2022

PRESENT: Garrett Greenhalgh, Lynette Dickey, Larry Lewis, Rachel Thompson, Bonnie Farmer, Matt Anderson, Kara Everton, Tara Hobbs, Corey Twedt, Pam June, Mayor Hair, Jennifer Cullumber, Cameron & Melissa Record

Call to Order/Roll Call:

Commissioner Dickey opened the meeting for April 7, 2022 at 8:00 p.m. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis and Matt Anderson (Alt.) were present. Commissioner Ripplinger absent and Commissioner Thompson to arrive later. Development Coordinator Kara Everton was present and took minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Greenhalgh led all present in the Pledge of Allegiance.

Approval of Agenda

The agenda for the Planning Commission Meeting was reviewed. **Commissioner Farmer moved to approve the agenda April 7, 2022.** Commissioner Dickey seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, and Matt Anderson (Alt.) voted in favor with Commissioner Ripplinger absent and Commissioner Thompson to arrive later.

Approval of the Minutes of the Previous Meeting

The Planning Commission reviewed the Planning Commission Meeting for February 17, 2022. **Commissioner Anderson moved to approve the minutes.** Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Rachel Thompson, and Matt Anderson (Alt.) voted in favor with Commissioner Ripplinger absent and Commissioner Thompson to arrive later.

5.A. Swearing in of Lynette Dickey for another term on the Planning & Zoning Commission

5.B. Open and Public Meetings Act Training

Recorder Twedt reviewed the packet that was attached in the agenda. He discussed that when we have 3 or more committee members meeting then it officially is a public meeting that is published and posted for the public to come. The meeting dates were published at the first of the year, with each meeting being published 24 hours before the meeting at the posting sites.

Rachel Thompson arrived at this point.

The agenda is important to follow. If someone else comes in, the committee can hear the item out but no official action can be taken until the following meeting. Minutes and audio recordings are taken and are posted on the public websites and our city meeting. Once the minutes are approved, they are posted within 3 days. Public meetings do not require the committee to hear the public. Public hearings are the place for this. For these meetings, the public is allotted a certain amount of time, the committee does not need to engage in conversations.

5.C. Zoning Clearance- Inground Pool, Joe & Jen Cullumber, 25 N 550 E, Millville UT 84326

This pool will be on an adjoining property to the main property. The pool will have a fence around the pool. Jen had a question regarding the fence following the setback lines on the lot. Typically, the owners must follow a 30x30 triangle on the corner lot that will need to be 4 feet high. Because the yard is lower than the sidewalk, it would be helpful to have a full height fence. State code specifies that the fence needs to be 6 foot high and does not have an opening greater than 4" wide. Even though there are two different properties then the property owner can fence as if it is one lot. Chad Kendrick is concerned that the city side of the property will get left behind, as a lot of properties are, and becomes an area that is not taken care of.

Commissioner Thompson moved to recommend the approval of the Zoning Clearance.

Commissioner Lewis seconded. Commissioners Garrett Greenhalgh, Lynette Dickey, Bonnie Farmer, Larry Lewis, Rachel Thompson, and Matt Anderson (Alt.) voted in favor with Commissioner Ripplinger absent.

**5.D. Zoning Clearance Discussion- Conversion of Shop to Apartment-
211 S 300 E, Millville UT 84326**

Commissioner Greenhalgh reiterated that this will be a zoning clearance discussion as we do not have current code that supports a separate dwelling on the lot that is not connected to the main building. Further discussion was made to specify that finished living area of any dwelling needs to be 960 SF, what the definition of dwelling means, the minimum size of dwelling, and options about connecting the two buildings with a breezeway. In this case, if the owners connected the accessory building and the main building by a breezeway, the setbacks would not be met.

The topic of a septic tank for the dwelling came up. The original septic tank does not factor in an additional bathroom. That would be determined by the health departments approval.

The owners specified that they plan to have family come and stay for half of the year and to rent it out to a college student the other times of the year. Currently there is no code that specifies the owners cannot do what they want to do, however, they cannot approve the owners to rent the property out. They are adding plumbing and electrical, so they do need a building permit, which means they need zoning clearance.

Mayor Hair and the committee agree that this situation will be coming up a lot more in the future, and that it needs to be discussed so that we move forward in the right way.

After much discussion, it was determined that the committee does not have enough information, with too many grey areas to approve this zoning clearance. Commissioner Greenhalgh suggested that the committee conducts their individual research as to our current code and comes ready to discuss at the next meeting and give the owners an answer. Recorder Twedt will also look into code that we can add as well. The commission agreed and suggested that they need a drawing to bring in with dimensions and as much detail as possible.

5.E. Other

- Bonnie Farmer suggested that we have a checklist to ensure we don't miss anything on the zoning clearances.

Some items that we will create a checklist for are the following:

- Canal Setbacks
- Plans to rent out a portion of your building
- SWIPP- Orange Paper
- Setback Form

Millville City Planning Commission Minutes, April 7, 2022, 2022, Continued

- o Country living at its finest, etc.
- Setback Form- Commissioner Greenhalgh decided to look up a property to determine how difficult it is to find the setbacks and information to fill out the form. This is currently a requirement from the county, but it is hard to fill out the form. The homeowners/builders can put whatever they want on there, or what our setback requirements are. Moving forward we will refer homeowners/builders to the County Recorder's office to get the official lot information to fill that out.

City Council Report- February 24, 2022, March 10, 2022, March 17, 2022 and March 24, 2022

Agenda Items for Next Meeting

- Discussion on current code in relation to an accessory building to be used as an apartment.
- Mark Bishop's lot
- Small subdividing lot
- Zoning Clearance

Future Planning Commission Meeting

The next regularly scheduled meeting will be held **Thursday, April 21, 2022** at 8:00 pm.

Adjournment

Chairman Greenhalgh moved to adjourn the meeting at 9:35 p.m

OPEN AND PUBLIC MEETINGS ACT TRAINING

July 2021

The Open and Public Meetings Act requires that members of a public body be “provided with annual training on the requirements of [the Open and Public Meetings Act]” (Section 52-4-104).

The Open and Public Meetings Act is based on the premise that the state, its agencies, and its political subdivisions exist to conduct the people's business and that a public body should deliberate and take action openly (Section 52-4-102).

Definitions (Section 52-4-103)

Meeting means a convening of a public body with a quorum present (in person or electronically) to discuss, receive public comment about, or act upon a matter over which the public body or the specified body has jurisdiction or advisory power. Includes workshops or executive sessions of a public body.

Meeting does not include a chance or social gathering.

Public Body means an administrative, advisory, executive, or legislative body of the state or its political subdivisions that:

- is created by the Utah constitution, state statute, rule, ordinance, or resolution;
- expends, disburses, or is supported in whole or in part by tax revenue; and
- is vested with the authority to make decisions regarding the public's business.

Quorum means a simple majority of membership of a public body (3 Councilmembers).

Public Notice (Section 52-4-202)

A public body is required to provide public notice at least 24 hours before each meeting. The public notice is required to:

- include the date, time, and place of the meeting;
- include an agenda that lists specific topics to be considered;
- be posted in specified places, including the Utah Public Notice Website; and
- be provided to a newspaper or local media correspondent.

A public body may discuss a topic raised by the public that is not listed on the agenda, but may not take final action on the topic.

Minutes and Recordings (Section 52-4-203)

- A public body is required to keep written minutes and a recording of all meetings. However, a recording is not required for a site visit if no vote or action is taken by the public body.
- Pending minutes must be made available to the public within 30 days after the meeting and indicate that the public body has not yet approved the minutes.
- Within three business days after approving written minutes, the approved minutes and any public materials distributed at the meeting are required to be:
 - posted on the Utah Public Notice Website; and
 - made available at the public body's primary office (or website).

Closed Meetings (Sections 52-4-204 and 52-4- 205)

A public body may only hold a closed meeting for certain reasons, including the discussion of:

- a person's character, competence, or health;
- strategy for collective bargaining;
- strategy for pending or imminent litigation;
- an acquisition or sale of real property, including water rights or shares;
- the deployment of security personnel, devices, or systems;
- the investigation of criminal conduct;

A public body may only close a meeting by a two-thirds vote with a quorum present at the open meeting. A public body that closes a meeting is required to announce the reasons for closing the meeting and enter the reasons into the minutes of the open meeting.

A public body may not close a meeting to discuss filling a midterm vacancy or temporary absence for an elected position, or to discuss a person whose name was submitted for consideration to fill a midterm vacancy or temporary absence for an elected position.

An ordinance, resolution, rule, regulation, contract, or appointment may not be approved during the closed portion of a meeting.

Emergency Meetings (Section 52-4-202) A public body may hold an emergency meeting and is not required to give 24-hour notice if unforeseen circumstances arise that require urgent consideration. However, a public body may not hold an emergency meeting unless it makes an attempt to notify all members of the public body and a majority of its members approve the meeting.

Public Meeting vs Public Hearing

A public meeting is a meeting in which the public is invited to come and watch the Council deliberate on and decide matters. There is no right for any individual member of the public to actively participate in the public meeting (although there is nothing wrong about allowing this).

In a public hearing, the public has the right to participate by giving information or testimony about the topic of the hearing. Although most things done by a City Council can be done in a public meeting, certain ordinances and activities require a public hearing and there are other times when you may want a hearing to get input from the public. During a public hearing, it is best to establish rules for how long each member of the public will be allowed to speak and enforce that time limit to ensure there isn't a sense of favoritism. Another good way to keep a public hearing on track is to keep members of the Council and City staff from responding directly to the member of the public who is speaking. After the public hearing portion of the meeting is complete, the Council can return and debate the topic in as much detail as needed after having heard the input from the public.

Disruption of Meetings (Section 52-4-301)

Individuals can be removed from a public meeting if they willfully disrupt the meeting to the extent that orderly conduct is seriously compromised.

Penalties (Sections 52-4-302 and 52-4-305)

Open Meetings

Any final action taken in a meeting that is in violation of the Open and Public Meetings Act is voidable by a court.

Closed Meetings

It is a class B misdemeanor to knowingly or intentionally violate closed meeting provisions of the Open and Public Meetings Act.



MILLVILLE CITY

ZONING CLEARANCE FOR BUILDING PERMIT

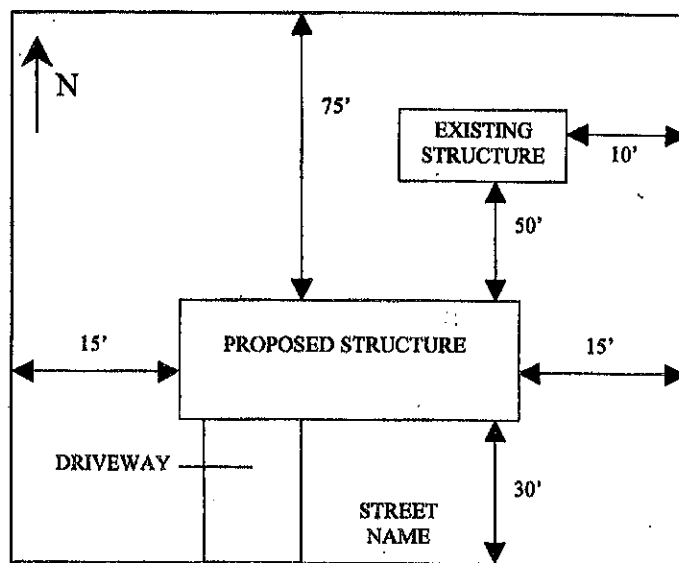
THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

APPLICATION INFORMATION

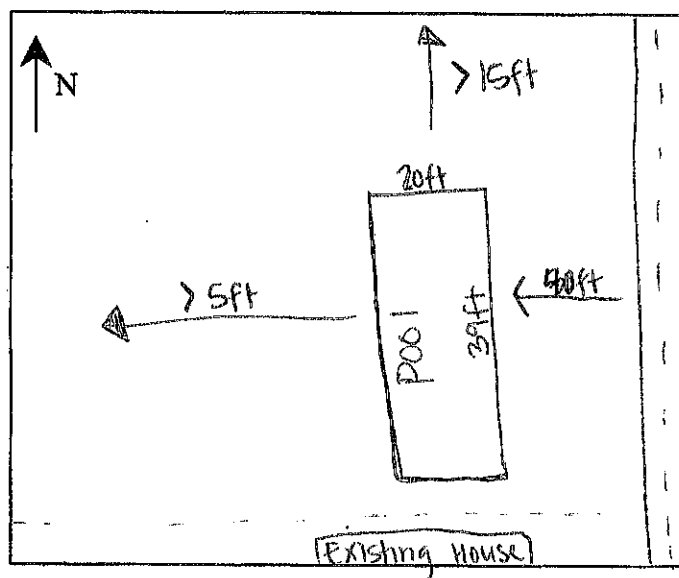
1. Joe & Jen Cullumber
APPLICANT'S NAME
2. PO Box 8015
MAILING ADDRESS
- Millville VT 84320
CITY STATE ZIP CODE
3. 435-881-3213 4. _____
HOME TELEPHONE BUSINESS TELEPHONE
5. _____
OWNER'S NAME (if different from applicant)
6. Inground Pool
TYPE OF STRUCTURE
7. 780 sq. ft 8. _____
SQUARE FOOTAGE ZONE
9. _____
SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 194 - 0060
TAX IDENTIFICATION NUMBER
11. 25 N. 550 E
ADDRESS OF CONSTRUCTION
12. 0.38 13. _____
LOT SIZE LOT ELEVATION
14. SEWER ☐ SEPTIC TANK ☐ N/A ☒
(choose one)
15. CITY WATER ☐ PRIVATE WELL ☐ N/A ☒
(choose one)
16. ELECTRICITY ☒ GAS ☒ OTHER UTILITY ☐
(specify in remarks)
17. _____
REMARKS

SAMPLE PLOT PLAN

(numbers do not represent required setbacks)



PLOT PLAN



APPROVED - PLANNING AND ZONING

DATE

FEES PAID - TREASURER

DATE

This property is being approved for building permit issuance as indicated above. Any change in the type or placement of the structure is not allowed. This clearance is not a waiver of compliance with either the zoning ordinance or the building codes. Millville City Form 101 - 15 Nov. 2003 (previous edition is obsolete)



Post Office Box 308

Millville, Utah 84326

Zoning Clearance for Building Permit # _____

**Accessory Building (R-1, R-2, R-3)
Zoning Clearance Requirements Checklist
over 500 sqft.**

Please initial each item and then sign the last page:

1. ☒ You have been informed of the application process and understand the steps you are required to take.
2. ☒ One (1) complete, full size set of building plans are required by the City.
3. ☒ 9 copies plus original of the completed zoning clearance for building permit form, Form # 101 – 15 Nov 2003
4. ☒ 9 copies of the floor plan (11" x 17")
5. ☒ 1 copy of the plat in which the lot is located (11" x 17")

Corner Lot Setbacks:

6. ()
 - A. Front Setback: The structure is required to be set back 30 feet from the front property line.
 - B. Rear Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.
 - C. Side Setback: Drip line on lot on the side abutting an interior lot and 20 feet from the side property line abutting a public street.

Interior Lot Setbacks

7. ☒
 - A. Front Setback: The structure is required to be set back 30 feet from the front property line.
 - B. Rear Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.

C. Side Setback: If the side of the accessory building facing the property line is a firewall, then the building can be on the drip line. If there is no firewall, then the building can be no closer than five (5) feet to the property line.

8. (X) Height: The height of the structure shall be no more than 35 feet.
9. (X) Retaining walls for cuts and fills over four (4) feet in height or (6) six feet for the combined height of cut and fill cross section will be designed by a certified engineer and approved by the City Council upon the affirmative recommendation of the City Engineer.
10. (X) Permits expire 12 months from the date of issuance, or after 180 days if construction has not begun.
11. (X) FEES: \$500.00 Refundable upon inspection of city infrastructure surrounding accessory building after project and landscaping is completed.

Jennifer Cullumber
printed name

Jennifer Cullumber
signature

2/21/22
date

03-194-0086

JOE & JENNIFER

CULLUM

100+ft

20 x 30 PAVILION
+ concrete

18 * 40 ft pool

40ft

100+ft

20ft

Property Boundary Previously Adjusted

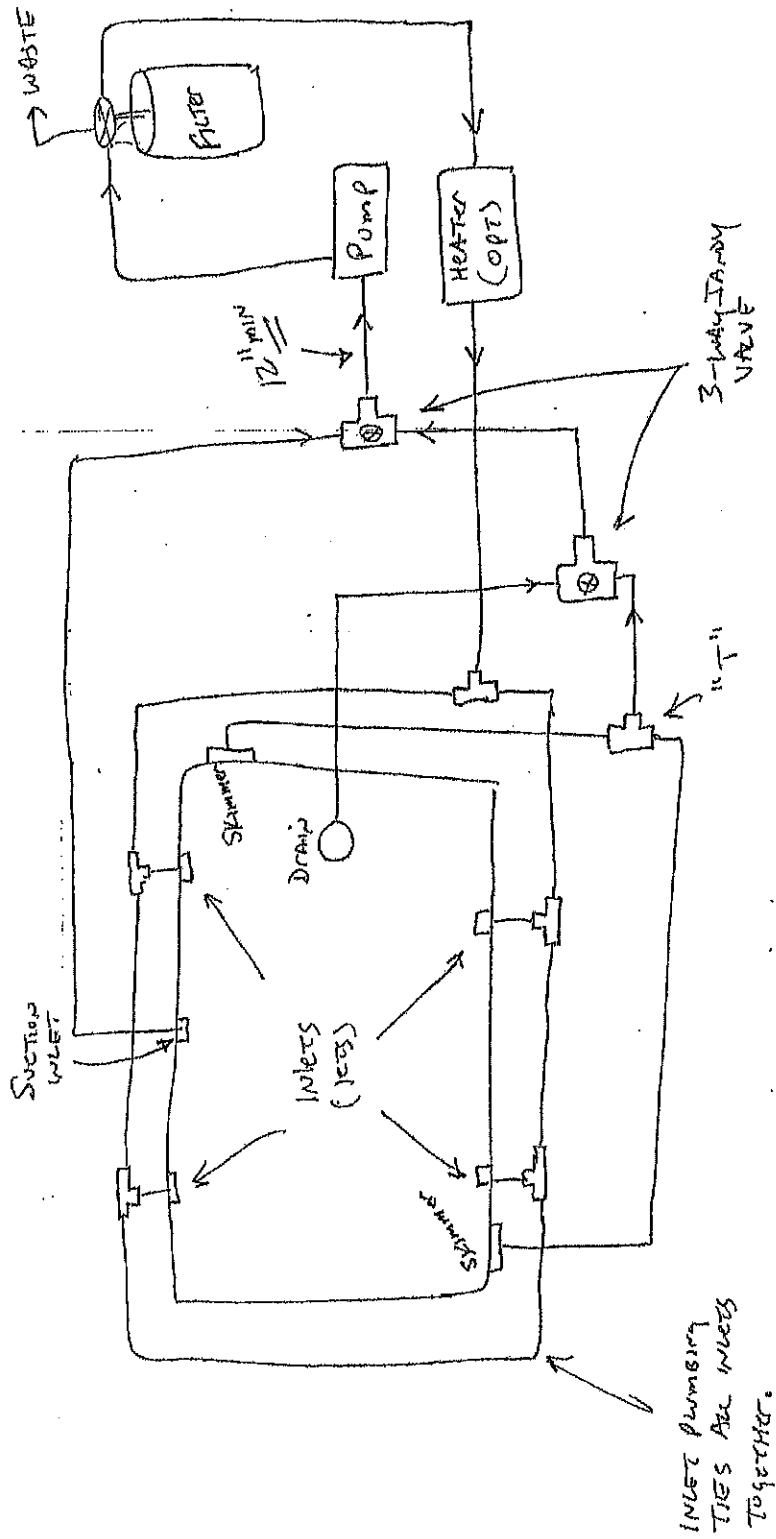
03-194-0085

JOSEPH & JENNIFER

CULLUMBER

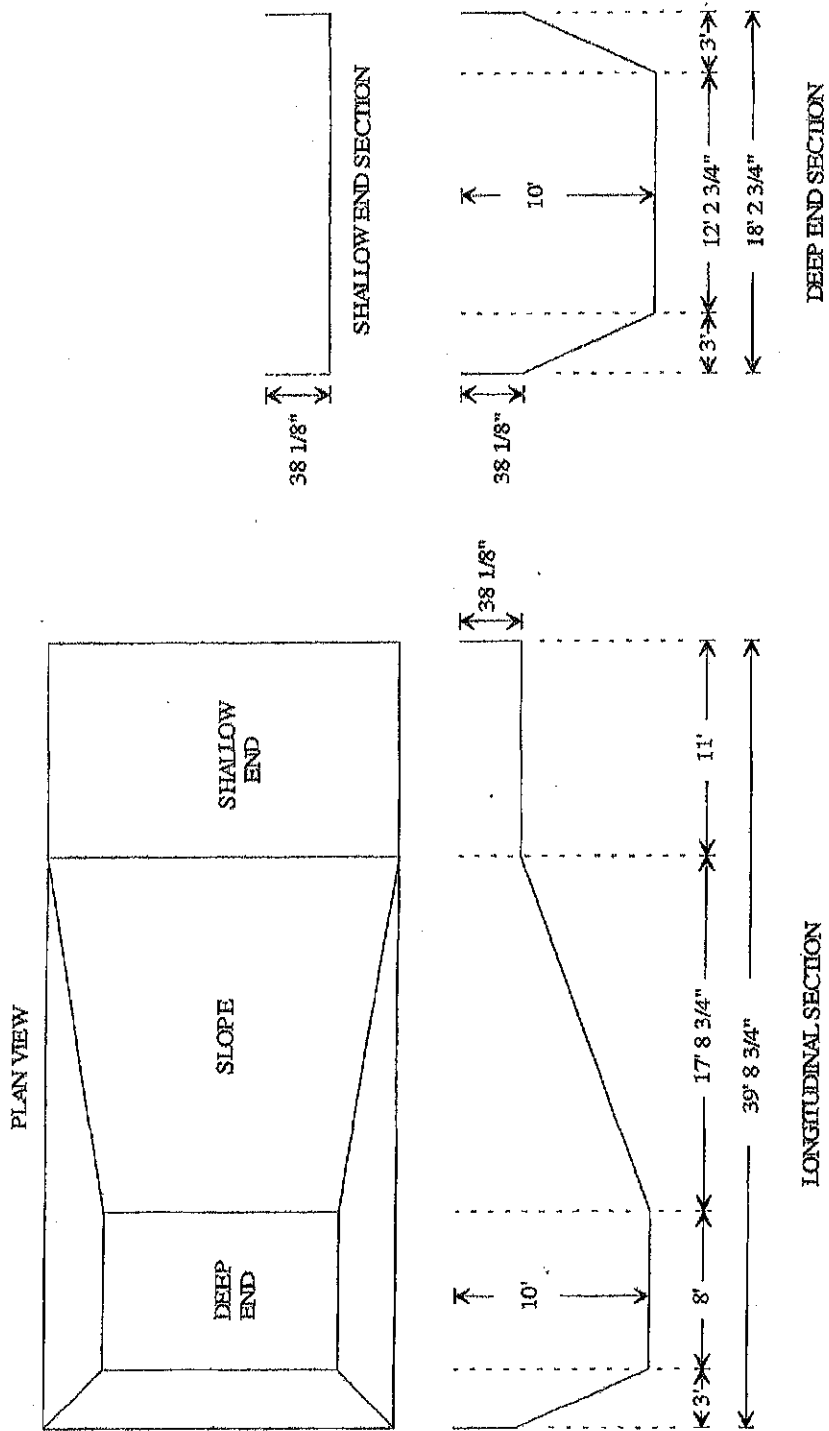
03-194-0085

Pool Plan Plumbing w/ Suction Line (NOT TO SCALE)



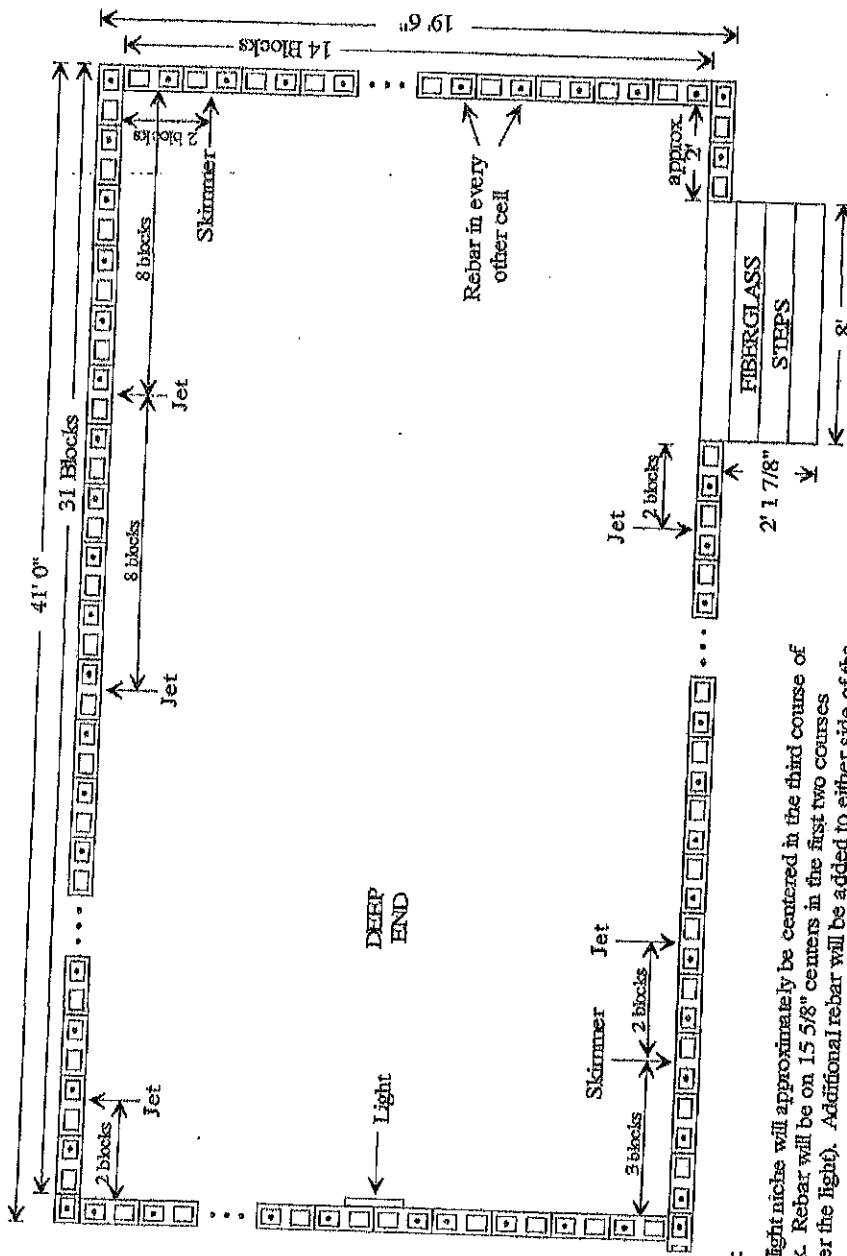
See 8-26-04

11



INSIDE POOL DIMENSIONS

Figure 4



NOTES:

1. The light niche will approximately be centered in the third course of block. Rebar will be on 15 5/8" centers in the first two courses (under the light). Additional rebar will be added to either side of the light.
2. Two skimmers will be positioned approximately as shown. The skimmers approximately occupy the space of 1 block. In those spaces, the vertical rebar will only come up to the fourth course of block. In addition, the rebar for the bond beam will also be absent in these spaces.
3. Jets are to be installed in second course from top in positions shown.

POOL DETAIL

Figure 3

5 COURSE RETAINING WALL SECTION

NOTES:

1. Blocks are standard 8" X 8" X 16". Bottom and top courses are bond beam blocks. The blocks are stacked in a common bond wall configuration. No mortar is used at block joints.
2. All rebar are #4, grade 40 (min yield stress $f_y=40\text{ksi}$).
3. Footing concrete minimum compressive strength $f_c=3000\text{psi}$, $3/4"$ aggregate.
4. All cells with reinforcement shall be grouted solidly. All other cells, except maybe those with plumbing or the light niche, shall also be grouted solidly.
5. Block cells shall be filled with a grout mix having a minimum compressive strength $f_c=2000\text{psi}$ using pea gravel aggregate.
6. The footing shall be cast against undisturbed soil materials or soils compacted to 95% of maximum density. Loose material shall be removed prior to placing concrete.
7. Concrete cover for reinforcing shall be 3" from bottom and sides and 2" from top of footing.
8. Reinforcing laps shall be a minimum of 18".
9. All horizontal reinforcing in footings and walls shall be continuous around corners or have corner bars (of the same size) which lap a minimum of 18".
10. Bends are standard 90-degree and standard 180-degree hook bends.
11. Vertical rebar shall be accurately located and secured in place so that it remains in place during the concrete placing operation.

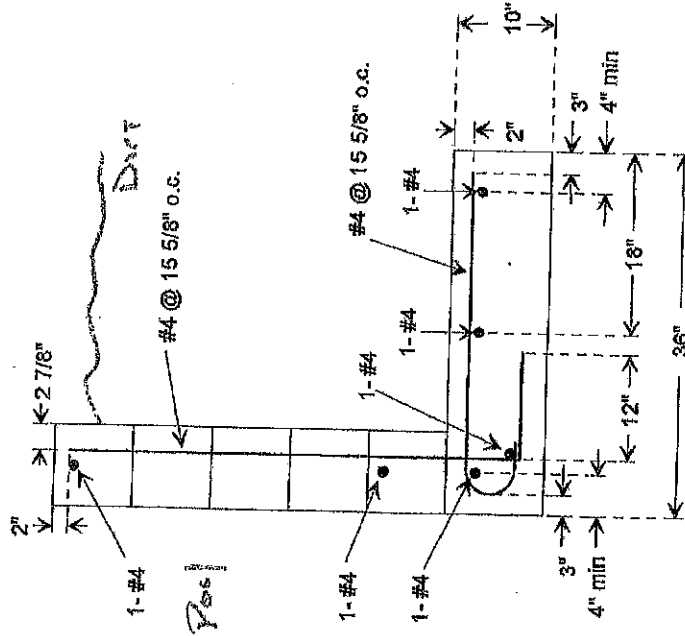


FIGURE 1

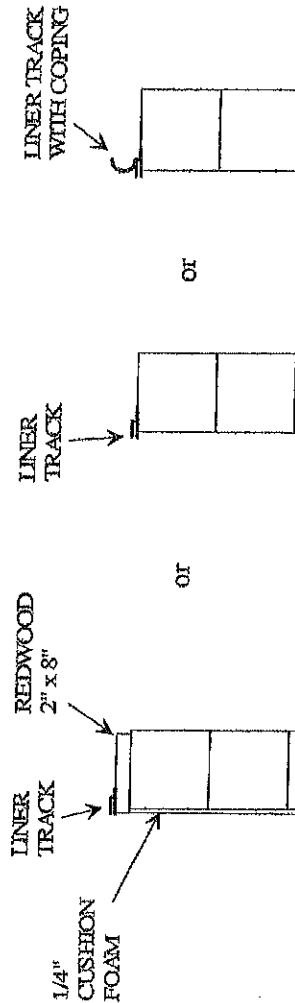


Figure A



Figure B

or

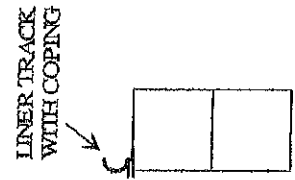


Figure C

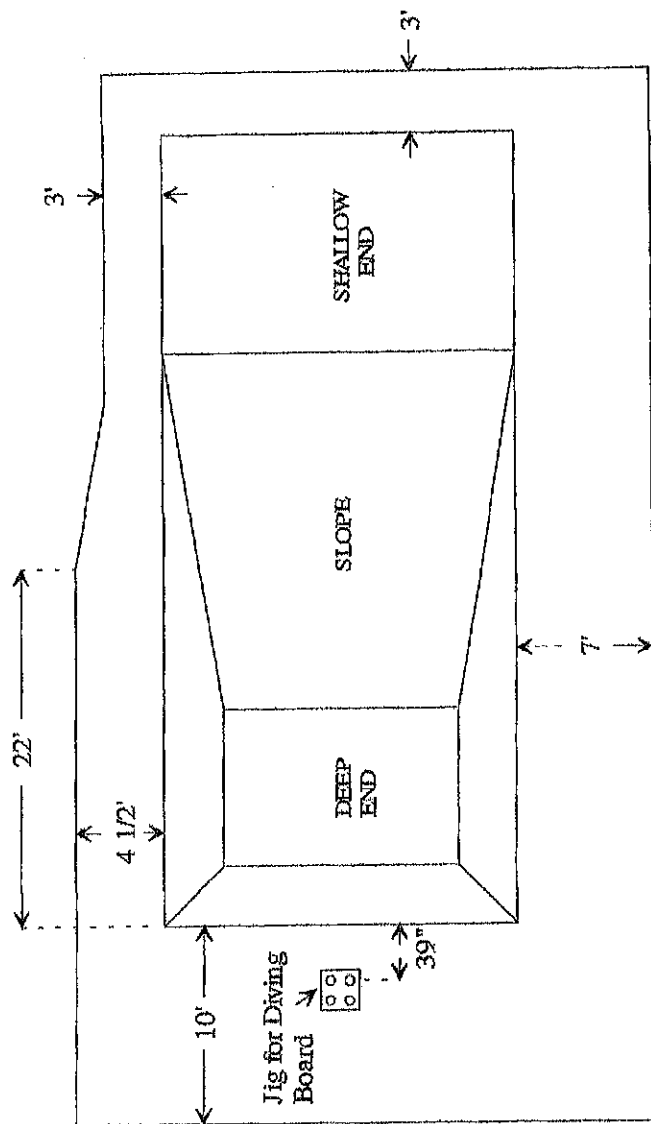
NOTES:

1. There are several options for mounting the track to the top of the wall. A cap-board by be added to the top of the block as shown in Figure A. The track would then be mounted to the capboard. Figure B shows that the track can be mounted directly on top of the block. Figure C shows a track with coping to be mounted on the top of the block. This configuration is for pouring a concrete deck directly on top of the wall. In the other configurations, a trim board would set on top of the block, notched to accomodate the track. The decking would then meet with the trim board.
2. The 1/4" cushion foam is attached to the wall to provide a smooth surface for the liner.
3. The pool bottom will be graded and finished with 1 1/2" of either a perlite/concrete mixture or mason sand.

POOL BOTTOM

FINISHING DETAIL

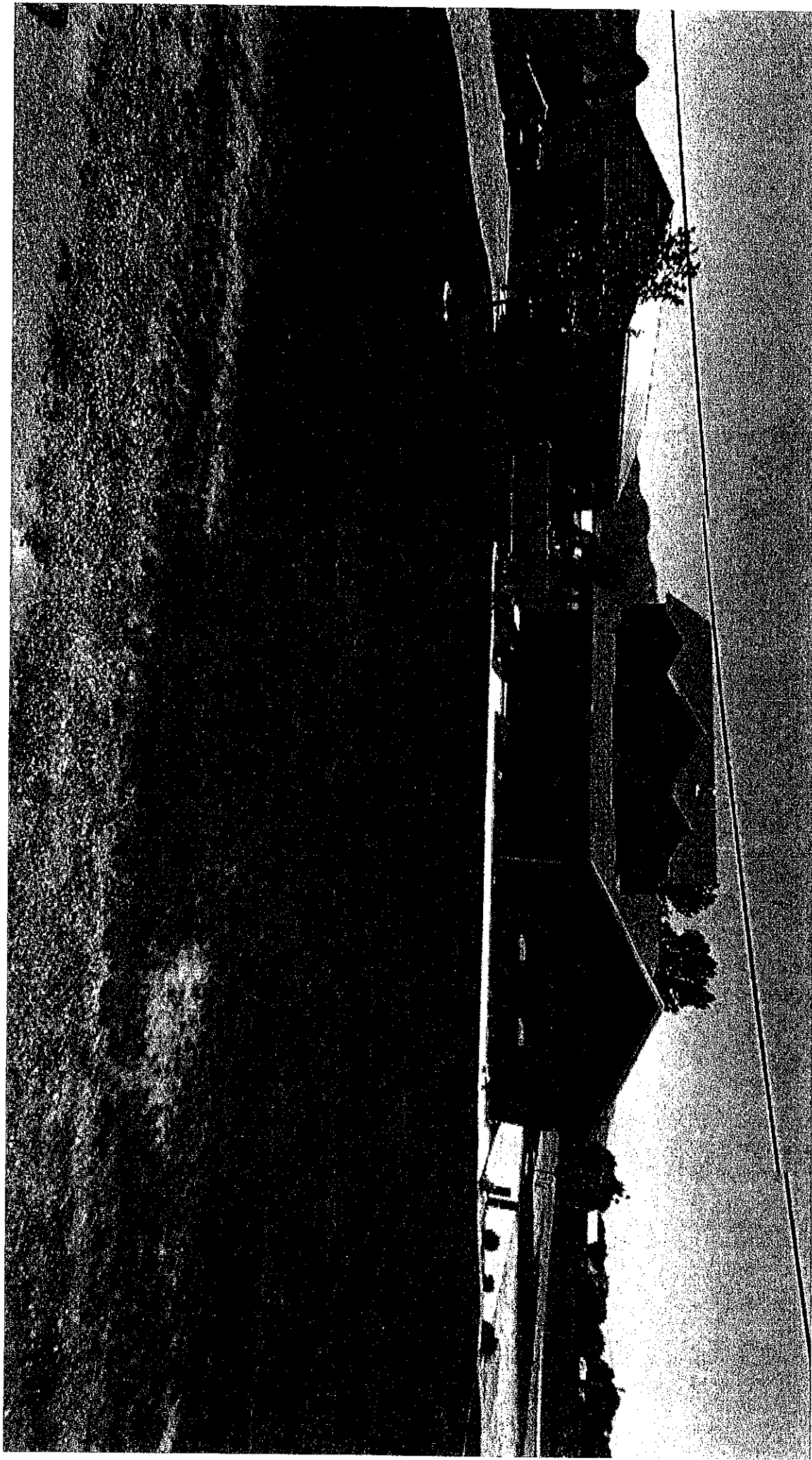
Figure 5

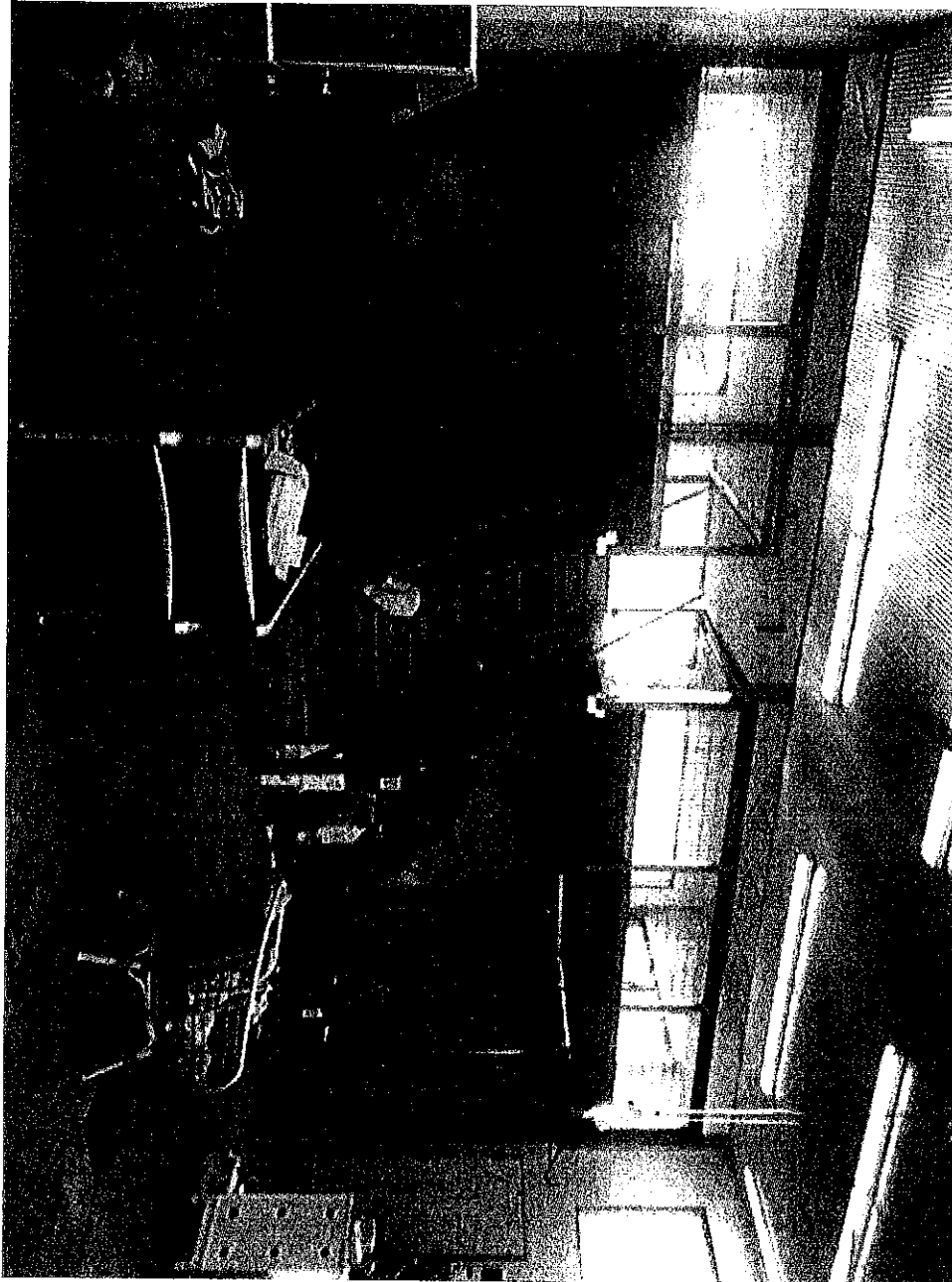


Note: Mesh and plastic to be placed on top of pool wall structure, approx 2' around edge of pool prior to pouring concrete. This is to keep the deck from bonding to the pool block wall.

CONCRETE DECK PLAN

Figure 6







03-035-0067
C A / O VIAREDEL V