NOTICE AND AGENDA

Notice is hereby given that the Planning Commission of Millville City will hold their regularly scheduled on Thursday, **August 18, 2022** at the Millville City Offices, 510 East 300 South in Millville, Utah, which meeting shall begin promptly at **8:00 p.m**.

1. Call to Order / Roll Call
2. Opening Remarks / Pledge of Allegiance
3. Approval of agenda
4. Approval of minutes from August 4, 2022
5. Agenda Items
   A. **Public Hearing**- Millville City Annexation Policy Plan
   B. Swearing in of Larry Lewis as Planning Commissioner for another term
   C. Highlands Development Conceptual Review
   D. Zoning Clearance- Duplex- Matthew Anderson, 210 S Main St, Millville UT 84326
   E. Zoning Clearance- Accessory Building- Matthew Anderson, 210 S Main St, Millville UT 84326
   F. Other
6. City Council Report- August 11, 20221
7. Agenda items for next meeting
8. Calendaring for future Planning Commission Meeting- September 1, 2022
9. Adjournment

In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during public meetings should notify Kara Everton at (480) 528-1467 at least three days prior to the meeting.

This agenda was posted on August 15, 2022 to the City posting locations, the City Website and the Utah Public Meeting Notices Website.

Kara Everton, Secretary
Millville City Planning Commission

MILLVILLE PLANNING COMMISSION MEETING

City Hall - 510 East 300 South - Millville, Utah

August 4, 2022

PRESENT: Lynette Dickey, Bonnie Farmer, Larry Lewis, Rachel Thompson, Matt Anderson, Darcy Ripplinger, Corey Twedt, Pam June, Chad Kendrick

Call to Order/Roll Call:

Commissioner Dickey opened the meeting at 8:00 p.m. Commissioners Lynette Dickey, Bonnie Farmer, Larry Lewis, Matt Anderson (Alt.) and Darcy Ripplinger (Alt.) were present with Commissioner Garrett Greenhalgh excused and Commissioner Rachel Thompson to arrive later. Recorder Corey Twedt was present and took the minutes.

Opening Remarks/Pledge of Allegiance

Commissioner Dickey led all present in the Pledge of Allegiance.

Review and Approval of agenda

The agenda for the Planning Commission Meeting for August 4, 2022 was reviewed. **Commissioner Farmer moved to approve the agenda.** Commissioner Ripplinger seconded. Commissioners Farmer, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Greenhalgh excused and Commissioner Thompson to arrive later.

Review and Approval of the Minutes from July 21, 2022

The Planning Commission meeting minutes were reviewed. **A motion was made by Commissioner Ripplinger to approve the minutes from July 21, 2022.** Commissioner Lewis seconded. Commissioners Farmer, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh excused and Commissioner Thompson to arrive later.

PUBLIC HEARING

Commissioner Ripplinger motioned to go into the public hearing. Commissioner Lewis seconded. Commissioners Farmer, Dickey, Lewis, Anderson (Alt.) and Ripplinger (Alt.) voted in favor with Commissioner Greenhalgh excused and Commissioner Thompson to arrive later.

PUBLIC HEARING: 8:03 p.m.

PRESENT: Lynette Dickey, Bonnie Farmer, Larry Lewis, Rachel Thompson, Matt Anderson, Darcy Ripplinger, Corey Twedt, Pam June, Chad Kendrick

Recorder Twedt explained the proposed code changes. These changes to Title 17 would include the addition of a completely new chapter that focuses on Sensitive Areas. Recorder Twedt said that this was intended to protect future residents from building in potentially unsafe areas. One of the primary focuses of the changes was to add additional detail to building on slopes in Millville City.

Commissioner Rachel Thompson arrived at this time.

Recorder Twedt said that the existing Chapter 17.32 – Hillside Overlay focuses on building on slopes that range between 20% - 30%. Recorder Twedt said that in reviewing this chapter with the engineer, we think it is pretty good although there are some minor updates. Recorder Twedt said that he has noted some problems that he found in the redline version that he wanted to discuss tonight. Under definition, the slope class that falls within the Hillside Overlay (HO) requirements should be slope classes 2 to 4 and not 1 to 4. Commissioner Farmer found other areas in the proposed updates where this needed to be corrected as well.

The new chapter, Chapter 17.14 – Sensitive Areas, deals with all sorts of problematic sensitive areas. As far as slopes are concerned, this chapter designates Potentially Developable Sensitive Areas, which in Millville's context, would refer to building classes 2-4 and trigger the Hillside Overlay requirements. Any slope 30% or greater would be handled through requirements in this new chapter. It was discussed that there would need to be some clarification. The first section of this chapter says that steep (30% slope over a distance of 50') was non-developable. Later on, Section 17.14.040: Hazard Slope Area (HS), requires a conditional use permit, but allows building on a slope greater than 30% over a distance of 30'.

Recorder Twedt said that the Hazard Slope portion of the code added additional context and requirements that he thought were good, but that it needed a little clarification with the engineer to ensure that there aren't discrepancies.

Public Comment:
Commissioner Dickey opened the floor for public comments. There were no public comments made.

Commissioner Thompson motioned to close the public hearing. Commissioner Farmer seconded. Commissioners Farmer, Dickey, Lewis, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Greenhalgh excused.

Commissioner Farmer brought up the requirement for a traffic study. It was discussed that this applied to large subdivisions from which a major traffic impact would result. As stated in the existing code, it would be up to the City engineer to determine if a traffic study would be required.

Commissioner Farmer confirmed that designation of slope classes for various lots within a subdivision would be determined early in the review process and prior to P&Z handoff of the subdivision to the City Council for final approval. Commissioner Anderson clarified that the non-buildable lots would be determined and noted on the plat prior to approval of the subdivision to ensure that they aren't sold to people as buildable lots whereon building clearance would need to be denied upon a future request.

Commissioner Ripplinger noted that there was a distinction between an area within a subdivision that is non-buildable and a lot. Areas on which building is not permitted, because they are classified as sensitive areas, should not even be considered a lot.

Commissioner Anderson said that the granting of a conditional use permit required a public hearing. It was discussed that this would ensure other residents would have an opportunity to address concerns with building that could occur in a sensitive area.

Commissioner Lewis said that it bothered him that there were restrictions to building on some steep slopes. He said that a home could be engineered on a very steep slope and still be safe. Commissioner Ripplinger said that this was the purpose of the code. It would allow building on certain slopes with specific rules and regulations.

Commissioner Farmer discussed concerns of a rock landslide like one that had happened in Millville several decades ago. Recorder Twedt pointed out that this new chapter included a more in-depth geological study requirement which would cover flood history and alluvian fan flooding.

The Planning Commission said that they felt the new requirements for the sensitive areas was a good addition to the Millville City Code.

Commissioner Thompson motioned to recommend the City Council approve and adopt the updates to Title 17 with the clarification discussed. Commissioner Lewis seconded. Commissioners Farmer, Dickey, Lewis, Thompson, Anderson (Alt.) and Ripplinger (Alt.) voted in Favor with Commissioner Greenhalgh excused.

Other

Commissioner Farmer said that she thinks it would be wise for Millville City to consider restriction on the number of building lots permitted each year.

Commissioner Lewis said that he thought impact fees were too high in Millville City.

City Council Report – review minutes from the July 28, 2022 meeting

The Planning Commission briefly discussed the updates being discussed regarding parking restrictions in Millville City.

Agenda Items for Next Meeting

Recorder Twedt said that there is a request for a duplex to be considered for building clearance. There will also likely be a Conceptual review for the development on the Celco property, assuming the engineer and Development Coordinator reviews go okay between now and then.

Calendaring of future Planning Commission Meeting

The next regularly scheduled meeting will be held **Thursday, August 18, 2022** at 8:00 pm.

Adjournment

Commissioner Rachel motioned to adjourn the meeting at 8:37 p.m.

ANNEXATION POLICY PLAN UPDATE July 2022

Background

Due to cost constraints with the Millville City sewer project, there was a need to reduce costs. Millville City looked at many options for cost reductions. Because of the size of the existing annexation expansion area, Millville would have had to have paid more for larger sewer pipes for the potential of growth that may never be a part of Millville City. By reducing those pipe sizes to accommodate a reasonable amount of future growth to the south of the existing City limits, Millville City was able to save hundreds of thousands of dollars on the cost of the sewer project.

This new proposed Annexation Policy Plan shows a reduction in the amount of land in the annexation expansion area to the south. Millville City will be able to provide utility services to all of the property shown in the new proposed annexation policy plan.

Included Documents

- Proposed annexation boundary maps showing the entire expansion area and a closer up view of just the southern portion
- Proposed Annexation Policy Plan Write-Up including changes recommended by Planning and Zoning following the Public Meeting held review on July 7, 2022

MILLVILLE CITY
ANNEXATION POLICY PLAN

I. The Character of the Community

Mormon Pioneers originally settled the Millville area in 1860. The area spawned large successful farms and agriculture continued as the basic industry and lifestyle until recently.

The general area occupied by Millville is bordered on the west by the Blacksmith Fork River, on the southwest by Nibley City, on the north by Providence City and on the east by Providence City and the Wasatch Mountains. Within this unique and aesthetically beautiful setting exists diverse ecosystems supporting a wide range of wildlife habitat. Meanwhile, a short distance away to the east projects the Wasatch National Forest containing stands of Pine and Quaking Aspen trees. Millville is a family-oriented community known for its pastoral setting, rural atmosphere and small-town character.

Millville has experienced growth in the last decade as urban development continues to expand. The majority of residential dwellings are single-family detached units in standard subdivisions or within the current grid system.

Commercial and industrial activity in limited in Millville. Future expansion of the City may include residential, commercial, industrial and agricultural areas.

Neighborhoods within which residents feel a sense of identity with the adjacent municipality should not be excluded from the municipality or divided between municipalities.

II. The Need for Municipal Services in Developed and Undeveloped Unincorporated Areas

The areas considered for annexation are located within the areas illustrated on the included map. If annexed into Millville, municipal services would be able to be provided either by the City or by Special Service Districts. New annexations may include certain areas which are largely undeveloped, and which contain unique features and characteristics. Such areas may include open space, riparian areas, foothills, view areas and natural resource areas. Expansion of the City into these areas will allow appropriate preservation while blending in development and providing appropriate growth and management opportunities to benefit property owners and the residents of Millville City.

Millville City believes it is in the interest of its residents and will promote public health, safety and welfare to assume the responsibility for providing municipal services to the expansion area shown on the included map. The provision of municipal services to this area will assure the City

of the ability to protect the interests of its residents in maximizing the benefit of the economies of scale in the provision of municipal services and in minimizing the harmful impacts of conflicting uses of land that may be proposed or occur within the expansion area.

The expansion area is currently served by Cache County. Existing residents receive culinary water from springs and wells. Providing water, sewer and storm drainage services to the expansion area would present no serious difficulties for Millville City. The infrastructure needed to provide these utilities will be constructed when annexations or development occur.

Annexation should include areas in which services can be provided efficiently. The annexation should not create topographically isolated areas, areas for which the provision of services would be costly or difficult, or an area in which ground water runoff would create multi-jurisdictional problems.

III. Plans and Time Frame for Extension of Municipal Services

The expansion area is close to the existing community and utility infrastructure of Millville City. Major traffic facilities extend to these areas along which all services, whether on, beneath, or above ground, could be extended. Fire, law enforcement, sewer, street maintenance and similar municipal services not dependent on the extension of infrastructure could be commenced when appropriate. Extension of infrastructure would be undertaken where needed as capital improvement funds become available. Municipal services would follow development and the City's budget capability.

Areas not now considered for new infrastructure and services beyond the City's budget capability would be serviced over a period of time as development takes place.

When development proposals are submitted for specific urban developments, agreements for the provision of services and improvements are to be entered into between the City and the developer resolving issues before final approvals are given. All developments are required to provide supporting site-specific infrastructure related to that development (not system of citywide improvements that benefit the community as a whole.)

IV. How Services will be Financed

The financing of services for annexed areas will be accomplished by various means. The City will place requirements on developers in such areas to install public improvements as set forth in Millville City's annexation policy and ordinances.

V. An Estimate of a Tax Consequence to Residences Both Currently Within the Municipal Boundaries and in the Expansion Area

The areas presented herein as favorable for annexation to Millville represent a variety of terrain within potential development areas. City services will be provided to annexed areas within a reasonable time frame. Some of the land within these areas may be suitable for industrial/commercial development and could be considered for such. Millville's property tax base relies primarily upon taxing of residential property. The development of additional non-residential uses in some newly annexed areas could ultimately result in some relief for the residential properties throughout the City.

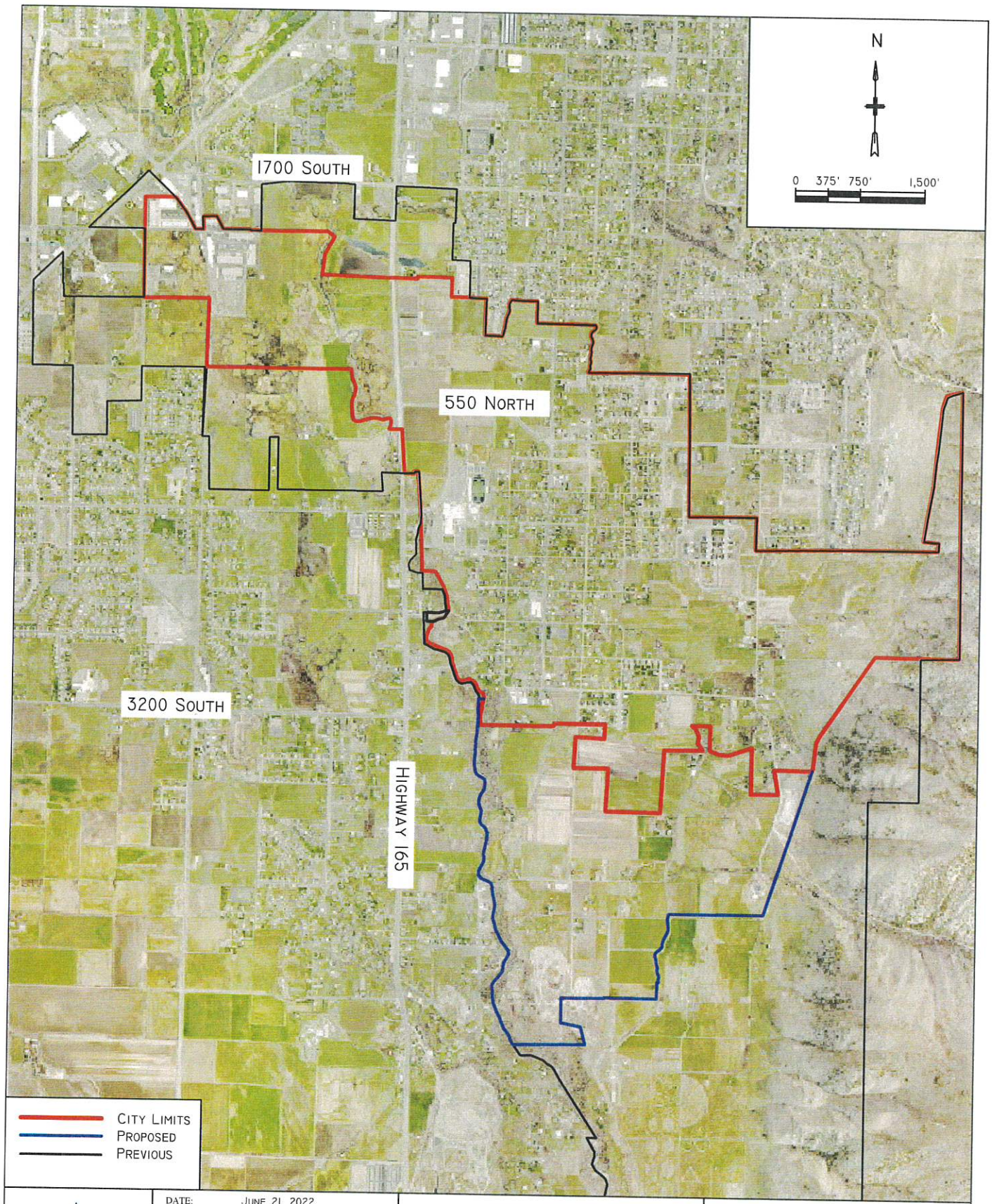
It is generally believed that annexation in the general areas shown, if monitored by the City to assure a satisfactory balance of land uses, would not alter the distribution of taxes to any great extent. It is recognized also that the potential exists for commercial development and the generation of sales tax to augment the City's revenues.

Exact analysis of the tax consequences of any annexation will not be possible until a specific petition is presented to the City, which describes the land and proposed land uses.

VI. The Interest of All Affected Entities

Prior to the approval of any property for annexation, petitioners may be required by the City to provide recommendations from neighboring local governmental jurisdictions regarding the proposal and potential impact of annexation on the general County economic needs, goals or objectives. Applicants for annexation may also have to identify any special districts or county departments that are currently providing services to the property. If the proposed area is receiving services that are to be assumed by Millville City, a statement should be included indicating that steps can be taken to assure an effective transition in the delivery of services. A timetable for extending services should be included if the City is unable to provide services immediately. If the proposal includes a specific urban development, an agreement for the provision of services and improvements should be concluded between the City and the applicant.

All affected entities as defined by Utah State Code may review the proposed annexation policy plan or amendments thereto and may submit oral or written comments and recommendations to the Planning Commission as invited to do so by notice posted and mailed pursuant to State Law. The City shall address any comment made by affected entities at or within 10 days after the public meeting that is held by the Planning Commission to receive said input from affected entities as stated in the law.



FRANSON CIVIL ENGINEERS

DATE: June 21, 2022

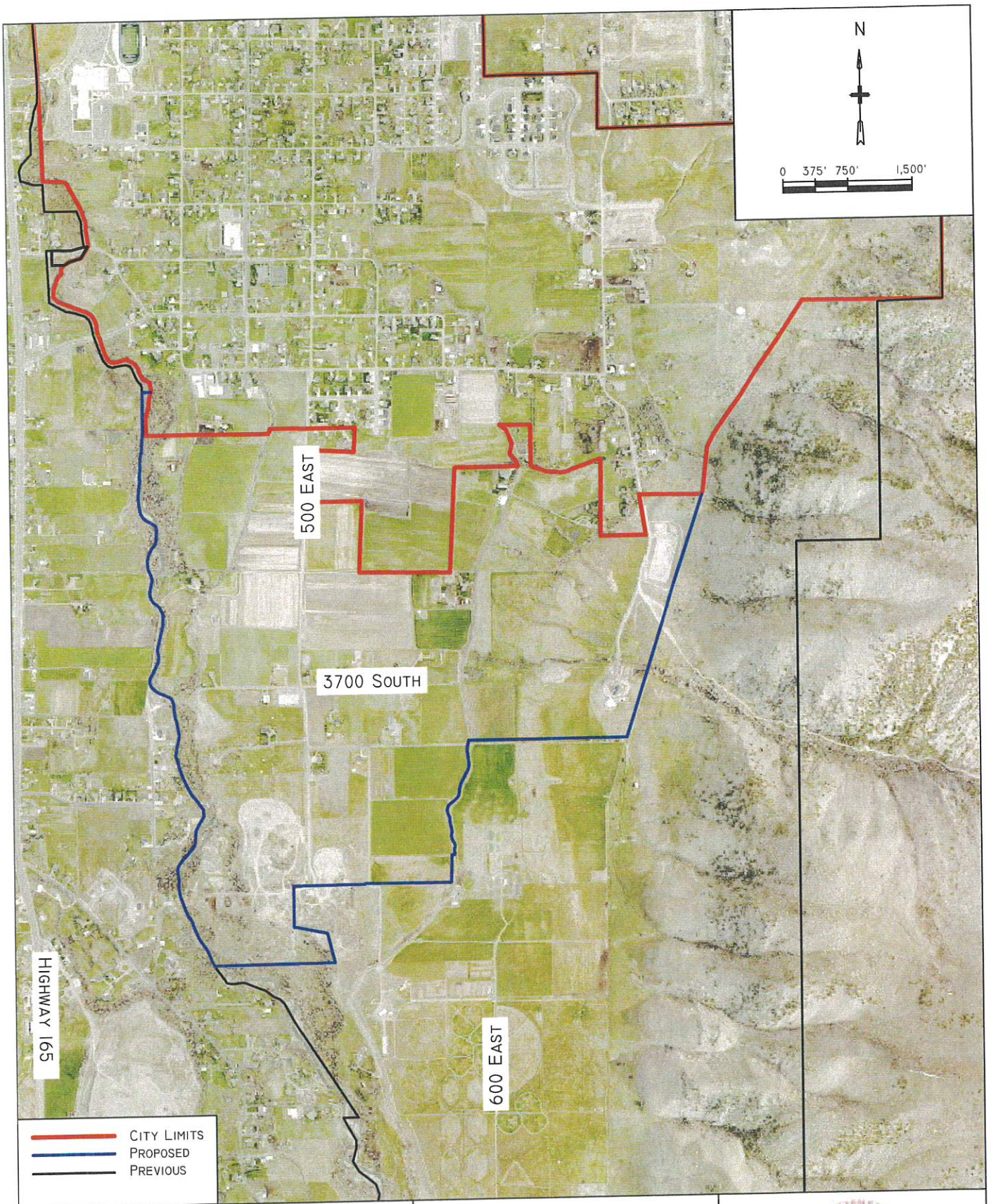
SCALE:

Annexation Boundary.dwg
O:\20041 MILLVILLE General Engineering\Annexation

Millville City

Future Annexation Boundary

MILLVILLE



FRANSON CIVIL ENGINEERS

DATE: JUNE 22, 2022

SCALE:

Annexation Boundary.dwg

O:\20041 MILLVILLE General Engineering\Annexation

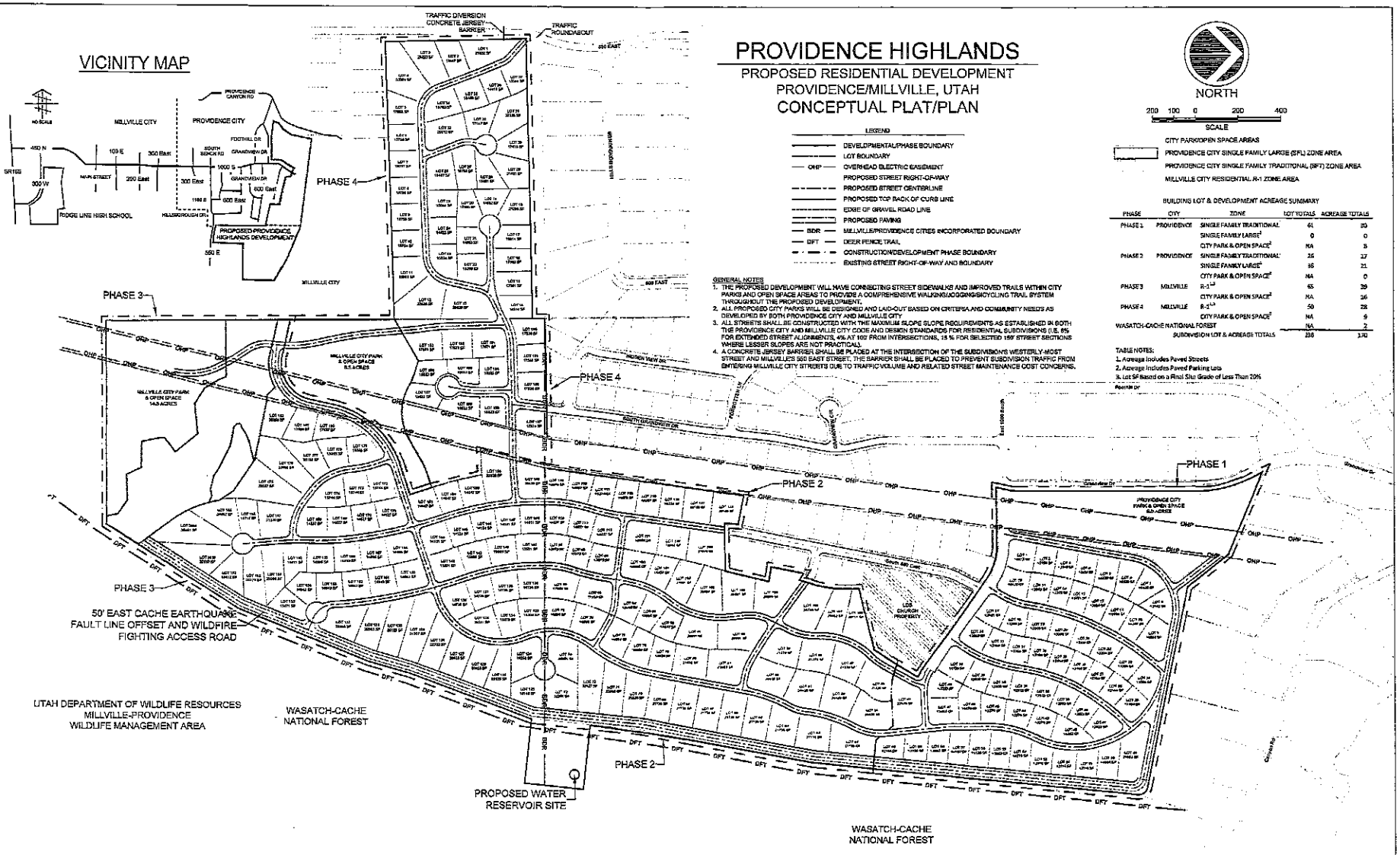
MILLVILLE CITY

FUTURE ANNEXATION BOUNDARY

MILLVILLE

PROVIDENCE HIGHLANDS

PROPOSED RESIDENTIAL DEVELOPMENT
PROVIDENCE/MILLVILLE, UTAH
CONCEPTUAL PLAT/PLAN



NORTH

200 100 0 200 400

SCALE

LEGEND

- DEVELOPMENTAL/PHASE BOUNDARY
- LOT BOUNDARY
- OHP — OVERHEAD ELECTRIC EASEMENT
- PROPOSED STREET RIGHT-OF-WAY
- PROPOSED STREET CENTERLINE
- PROPOSED TOP BACK OF CURB LINE
- EDGE OF GRAVEL ROAD LINE
- PROPOSED PAVING
- BDR — MILLVILLE/PROVIDENCE CITIES INCORPORATED BOUNDARY
- DFT — DEER FENCE TRAIL
- CONSTRUCTION/DEVELOPMENT PHASE BOUNDARY
- EXISTING STREET RIGHT-OF-WAY AND BOUNDARY

CITY PARK/OPEN SPACE AREAS

PROVIDENCE CITY SINGLE FAMILY LARGE (SFL) ZONE AREA

PROVIDENCE CITY SINGLE FAMILY TRADITIONAL (SFT) ZONE AREA

MILLVILLE CITY RESIDENTIAL R-1 ZONE AREA

GENERAL NOTES

1. THE PROPOSED DEVELOPMENT WILL HAVE CONNECTING STREET SIDEWALKS AND IMPROVED TRAILS WITHIN CITY PARKS AND OPEN SPACE AREAS TO PROVIDE A COMPREHENSIVE WALKING/JOGGING/BICYCLING TRAIL SYSTEM THROUGHOUT THE PROPOSED DEVELOPMENT.
2. ALL PROPOSED CITY PARKS WILL BE DESIGNED AND LAID-OUT BASED ON CRITERIA AND COMMUNITY NEEDS AS DEVELOPED BY BOTH PROVIDENCE CITY AND MILLVILLE CITY.
3. ALL STREETS SHALL BE CONSTRUCTED WITH THE MAXIMUM SLOPE SLOPE REQUIREMENTS AS ESTABLISHED IN BOTH THE PROVIDENCE CITY AND MILLVILLE CITY CODE AND DESIGN STANDARDS FOR RESIDENTIAL SUBDIVISIONS (I.E. 6% FOR EXTENDED STREET ALIGNMENTS, 4% AT 100' FROM INTERSECTIONS, 15 % FOR SELECTED 150' STREET SECTIONS WHERE LESSER SLOPES ARE NOT PRACTICAL).
4. A CONCRETE JERSEY BARRIER SHALL BE PLACED AT THE INTERSECTION OF THE SUBDIVISIONS WESTERLY MOST STREET AND MILLVILLES 550 EAST STREET. THE BARRIER SHALL BE PLACED TO PREVENT SUBDIVISION TRAFFIC FROM ENTERING MILLVILLE CITY STREETS DUE TO TRAFFIC VOLUME AND RELATED STREET MAINTENANCE COST CONCERNS.

BUILDING LOT & DEVELOPMENT ACREAGE SUMMARY

PHASE	CITY	ZONE	LOT TOTALS	ACREAGE TOTALS
PHASE 1	PROVIDENCE	SINGLE FAMILY TRADITIONAL	61	20
		SINGLE FAMILY LARGE[1]	0	0
		CITY PARK & OPEN SPACE[2]	NA	8
PHASE 2	PROVIDENCE	SINGLE FAMILY TRADITIONAL[1]	26	17
		SINGLE FAMILY LARGE[1]	95	21
		CITY PARK & OPEN SPACE[2]	NA	0
PHASE 3	MILLVILLE	R-1[3,4]	65	39
		CITY PARK & OPEN SPACE[2]	NA	16
PHASE 4	MILLVILLE	R-1[3,4]	50	28
		CITY PARK & OPEN SPACE[2]	NA	6
WASATCH-CACHE NATIONAL FOREST			NA	2
SUBDIVISION LOT & ACREAGE TOTALS			298	170

TABLE NOTES:

1. Acreage Includes Paved Streets
2. Acreage Includes Paved Parking Lots
3. Lot SF Based on a Final Site Grade of Less Than 20%

FOR REVIEW AND APPROVAL ONLY
PROVIDENCE AND MILLVILLE CITIES, UTAH

NOT FOR CONSTRUCTION OR ANY OTHER NON-CONSTRUCTION USE OR PURPOSE WITHOUT THE EXPRESSED WRITTEN CONSENT OF TERREX ENGINEERING & CONSTRUCTION, LLC. UNAUTHORIZED USE OF THIS PROFESSIONAL DOCUMENT SHALL BE SUBJECT TO LITIGATION IN ACCORDANCE WITH UTAH CODE FOR PROFESSIONAL CONDUCT

REVIEW ONLY
NOT FOR CONSTRUCTION

DATE	SURVEY / SUBMITTAL

Terrex Engineering & Construction, LLC
Land Development - Public Works - Water & Wastewater Utilities
P.O. Box 13069 Ogden, UT 84412 (801) 458-9647

DATE	REVIEWED	SUBMITTAL
05/09/2022	EH Christensen, SE, PE	INITIAL CITY REVIEW PLAT FOR PRELIMINARY PLAT APPROVAL
05/20/2022	EH Christensen, SE, PE	REVISED CONCEPTUAL PLAT/PLAN
05/20/2022	EH Christensen, SE, PE	REVISED CONCEPTUAL PLAT/PLAN

SUBMITTED FOR REVIEW AND APPROVAL
MILLVILLE & PROVIDENCE CITIES, UTAH

DEVELOPMENTAL PROPERTY WITHIN THE SE1/4 SECTION 14, T11N-R1E & NE1/4 SECTION 23 T11N-R1E & SECTION 24 T11N-R1E, SLBM; CACHE COUNTY RECORDER'S NOs 02-116-0004, 02-035-0027, & 03-035-0008

CONCEPTUAL PLAT/PLAN
PROPOSED PROVIDENCE HIGHLANDS
RESIDENTIAL SUBDIVISION

SHEET **CP-01**

00959

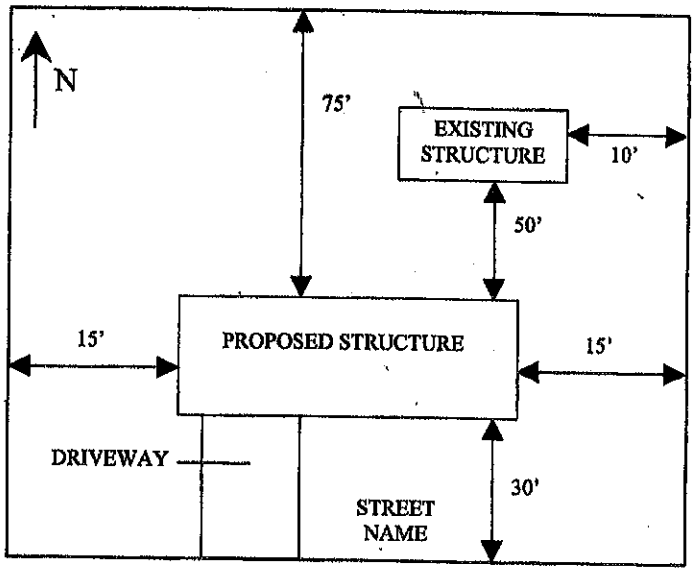
MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT

THIS FORM EXPIRES 60 DAYS FROM DATE OF APPROVAL

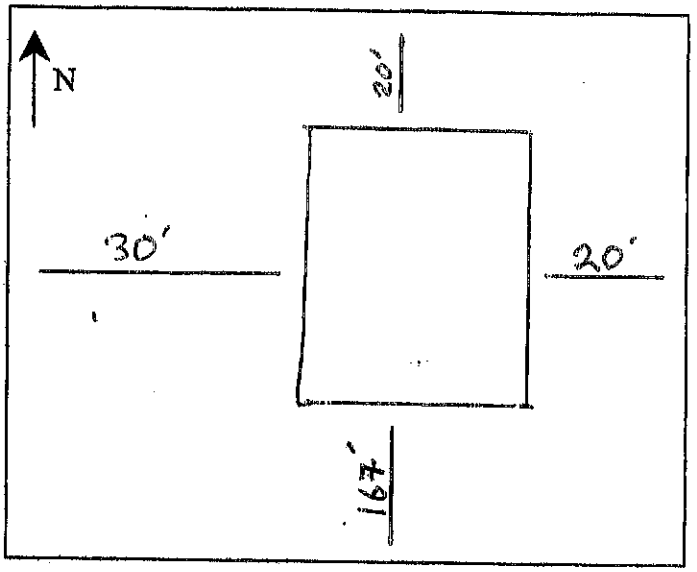
APPLICATION INFORMATION

1. Matthew Anderson — APPLICANT'S NAME
2. Pobox 174 — MAILING ADDRESS
   Millville — CITY; UT — STATE; 84326 — ZIP CODE
3. 435-994-4011 — HOME TELEPHONE
4. _____ — BUSINESS TELEPHONE
5. _____ — OWNER'S NAME (if different from applicant)
6. Duplex — TYPE OF STRUCTURE
7. 3295 — SQUARE FOOTAGE
8. R1 — ZONE
9. 03-035-0052 — SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 035 - 0052 — TAX IDENTIFICATION NUMBER
11. 210 So. Main — ADDRESS OF CONSTRUCTION
12. 1504 — LOT SIZE
13. _____ — LOT ELEVATION
14. SEWER ☐ (choose one) SEPTIC TANK ☑ N/A ☐
15. CITY WATER ☑ (choose one) PRIVATE WELL ☐ N/A ☐
16. ELECTRICITY ☑ GAS ☑ OTHER UTILITY ☐ (specify in remarks)
17. REMARKS

SAMPLE PLOT PLAN
(numbers do not represent required setbacks)



PLOT PLAN

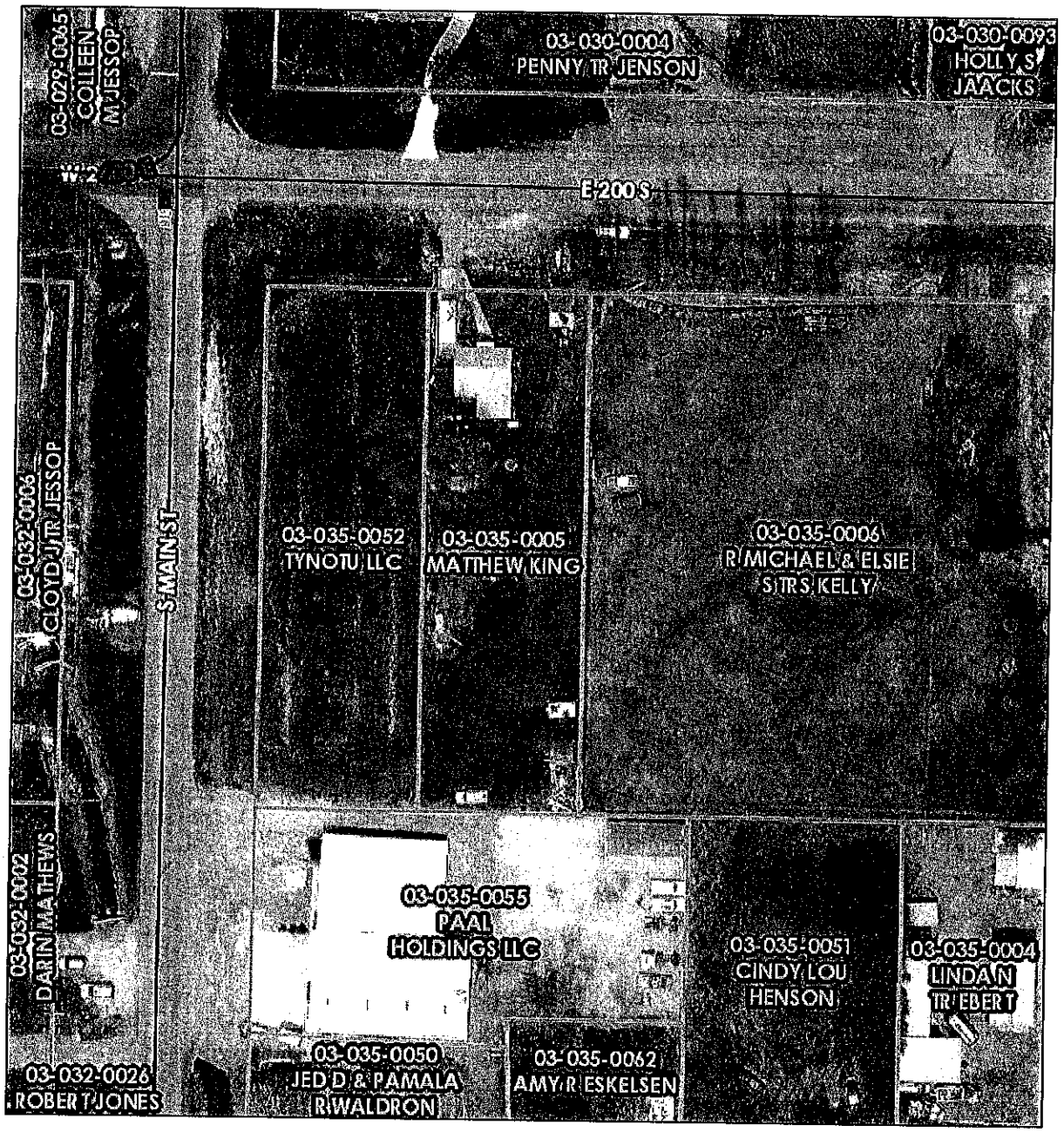


APPROVED – PLANNING AND ZONING _____ DATE _____

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)

Parcel Map



7/5/2022, 10:08:32 PM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Class B Surface Type

- ASPHALT
- GRAVEL
- DIRT

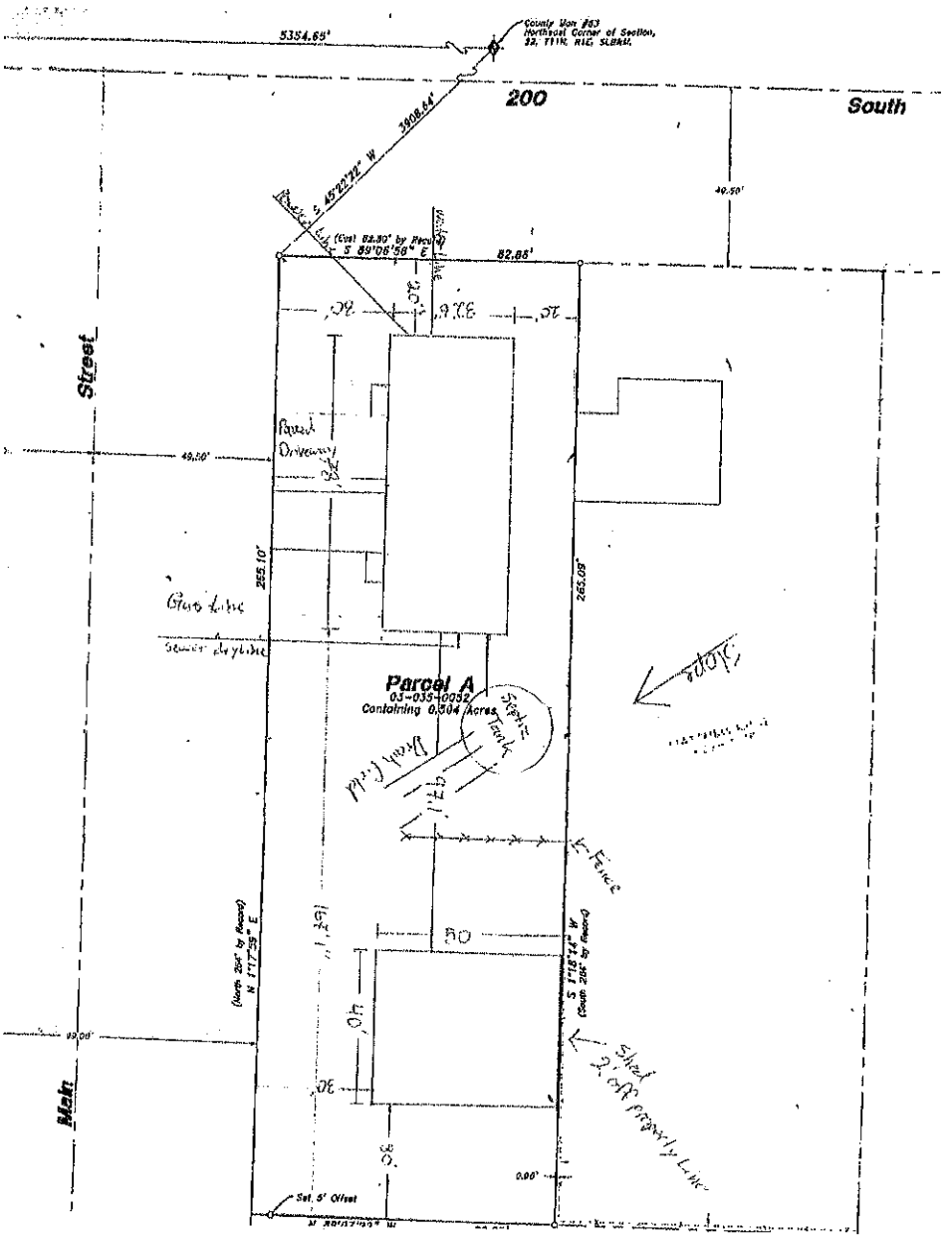
Municipal Boundaries

County Boundary

Cache Parcels

Maxar, Microsoft

Authorized Use: Cache County Development Services Office
Authorized Use: GIS Division/ Development Services


5354.68'
County Mon #63
Northeast Corner of Section,
32, T11N, R1E, SLB&M.
200
South
3808.44
S 45°22'22" W
Record
S 89°06'58" E
82.88'
40.50'
Street
Parcel
Driveway
49.00'
255.10'
265.08'
Gas Line
Sewer Laydine
Parcel A
03-035-0052
Containing 0.504 Acres
Septic Tank
Leach Field
42.1'
Fence
50
165.1'
40'
30'
99.00'
Main
(Meas. 254' by Record)
N 1°17'39" E
S 1°18'14" W
(Meas. 266' by Record)
Shed
2' off Property Line
0.00'
Set, 5' Offset

01000

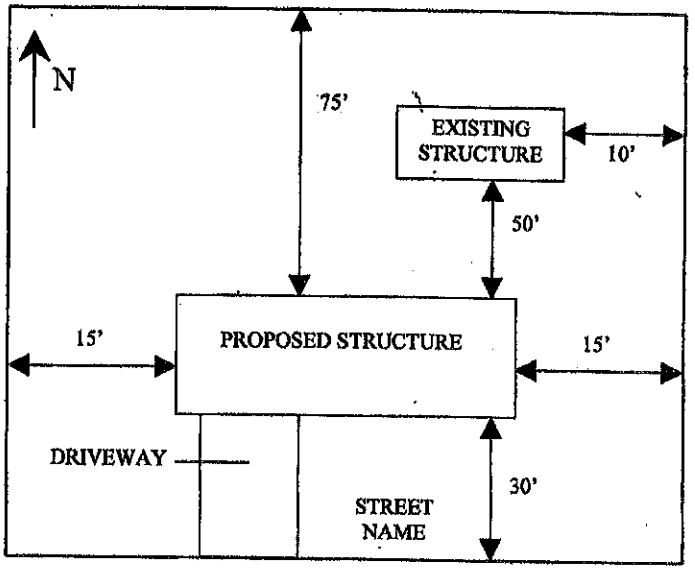
MILLVILLE CITY
ZONING CLEARANCE FOR BUILDING PERMIT

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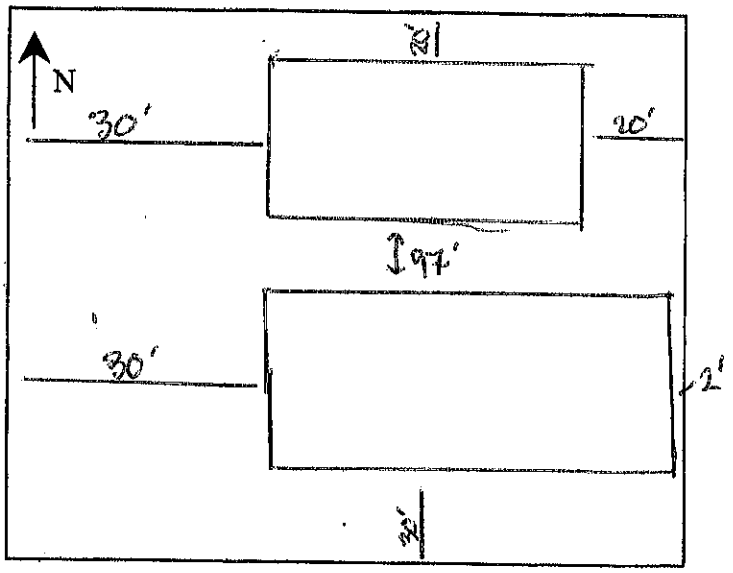
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4. — BUSINESS TELEPHONE
5. — OWNER'S NAME (if different from applicant)
6. Steel building — TYPE OF STRUCTURE
7. 2000 — SQUARE FOOTAGE
8. R1 — ZONE
9. — SUBDIVISION NAME AND LOT NUMBER (if applicable)
10. 03 - 035 - 0052 — TAX IDENTIFICATION NUMBER
11. 2403 o. Main — ADDRESS OF CONSTRUCTION
12. 1504 — LOT SIZE
13. — LOT ELEVATION
14. SEWER ☐ (choose one) SEPTIC TANK ☐ N/A ☒
15. CITY WATER ☐ (choose one) PRIVATE WELL ☐ N/A ☒
16. ELECTRICITY ☐ GAS ☐ OTHER UTILITY ☐ (specify in remarks)
17. Slab on grade — REMARKS
    No Utilitys dust storage.

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)

MILLVILLE CITY COUNCIL MEETING
City Hall – 510 East 300 South – Millville, Utah
August 11, 2022

PRESENT: David Hair, Daniel Grange, Michael Callahan, Pamela June, Ryan Zollinger, Chad Kendrick, Corey Twedt, Fred Philpot, Harry Meadows

Call to Order/Roll Call
Mayor David Hair called the City Council Meeting to order for August 11, 2022 at 7:00 p.m. The roll call indicated Mayor David Hair and Councilmembers Pamela June, Ryan Zollinger and Daniel Grange were in attendance with Councilmember Michael Callahan to arrive shortly and Councilmember Clay Wilker absent. Also, Recorder Corey Twedt were present.

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

Approval of Agenda
The agenda for the City Council Meeting of August 11, 2022 was reviewed.
Councilmember Zollinger moved to approve the agenda for August 11, 2022.
Councilmember June seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmember Callahan to arrive shortly and Councilmember Wilker absent. (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 for July 28, 2022.
Councilmember Grange moved to approve the minutes for July 28, 2022.
Councilmember Zollinger seconded. Councilmembers June, Grange and Zollinger voted yes with Councilmember Callahan to arrive shortly and Councilmember Wilker absent.

Councilmember Callahan arrived at this time.

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

Mayor Hair spoke on behalf of Gary Stauffer who was not at the meeting. Gary has requested to begin the process of approval of a subdivision with four lots now so that after

the sewer lines are available, they can begin building homes. If they have to wait until the sewer is complete before they can begin the process of approval of a subdivision, it will delay things much more.

Recorder Twedt said that he thought this would be fine as long as it was clear that no building clearance would be scheduled prior to completion of the sewer system. Recorder Twedt said that a few years ago, he had heard requests from a home builder that wanted to build a home and have everything near completion and then they would wait until sewer was ready before they completed the home, connected the sewer and moved in. Recorder Twedt said that the City should not be making any promises on the date for completion of the sewer and getting hopes up from home builders. We have a schedule now from the construction company saying that the system will be complete by the end of 2025. Recorder Twedt said that he was fine sharing this current schedule and expected dates, but not making any promises on a for sure completion date.

The Council agreed that they were okay with the subdivision approval process starting now on the Stauffer subdivision as long as they were clear that no building clearance for a home would happen prior to availability of the sewer system at that location.

Report on P & Z Meeting held August 4, 2022

Councilmember June reviewed with the Council the Planning Commission's draft minutes for the meeting held August 4, 2022.

Consideration to appoint Larry Lewis for another term as Planning Commissioner

Councilmember June said that Larry Lewis has said that he is willing to serve another term on the Planning Commission. **Councilmember June motioned to appoint Larry Lewis to another term on the Planning Commission.** Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent.

Recorder Twedt said that he would attend an upcoming Planning and Zoning meeting to swear in Commissioner Lewis for another term.

It was not yet time to begin the public hearing. **Councilmember Zollinger made a motion to advance to item "K" on the agenda.** Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent.

City Reports

Director of Public Works Chad Kendrick reported that they were well into the process of replacing the parking lot outside the City Office and at the South Park. He said that when they began removing the old asphalt, they found what was underneath to be in pretty good

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condition. With the budget that had been allotted, they were now able to complete the entire parking lot instead of leaving a small portion that they would have to fix in the near future. He said that they also poured a little bit of new curb to get the right flow angle for the stormwater.

Director Kendrick said that they had coordinated with Brian Harding and Kyle Hancey to remove the hydrant in from the Harding home as had been discussed in a previous meeting.

Director Kendrick thanked the Council for allowing the hiring of Andy Eames in the Public Works Department. He said that Andy has been a great addition to the City and is very good at his job.

Councilmember Callahan motioned to return to item "D" on the agenda. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent.

PUBLIC HEARING

Councilmember Grange motioned to go into the public hearing. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent.

PUBLIC HEARING: 7:15 p.m.
Commenced at 7:20 p.m.

PRESENT: David Hair, Daniel Grange, Michael Callahan, Pamela June, Ryan Zollinger, Chad Kendrick, Corey Twedt, Fred Philpot, Harry Meadows

Mayor Hair turned the time over to Fred Philpot from Lewis Young Robertson & Burningham (LYRB) who performed the Impact Fee Analysis (IFA) for the new Millville sewer impact fee.

Fred explained that because of Millville's size, we are not required to do an Impact Fee Facilities Plan (IFFA), but that the document prepared by LYRB does cover everything required with an IFFA. Fred said that one of the unique things with Millville for the sewer project is all of the different funding sources that need to be included in the IFA.

An Impact Fee Analysis just takes all of the information and the equations determine the recommended impact fee amount. Fred gave a brief summary on the IFA and how the numbers were determined. From the IFA, we can see that $1,287,838 is the total amount

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that should be applied to new growth in the City. With everything calculated, this makes the recommended sewer impact fee for each new ERU to be $8,761.

Councilmember Callahan asked how this number compared to sewer impact fees in other cities. Fred said that the Millville proposed number was on the higher end. Many cities have sewer impact fees under $5,000, but those systems were built a long time ago. Fred said that it is not uncommon for smaller communities to have higher impact fees as a result of when the services were put in and how much the infrastructure costs versus the number of people paying into the system. Millville is building an entirely new sewer system from scratch. This impact fee could have been much higher with a less-favorable funding package for the sewer system.

Mayor Hair then opened up the meeting for public comments.

Public Comment:
Harry Meadows asked for confirmation that this fee would not be charged to existing residents within Millville City. Recorder Twedt said that it would only apply to new homes being built within the City that would be bringing an additional impact.

There were no additional public comments.

Councilmember Callahan moved to close the public hearing. Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent.

Councilmember Zollinger said that once again, the engineering estimate had been extremely low. The estimate for the impact fee had been $5,000. Councilmember Zollinger said that he understood the need for the impact fee. He asked Fred for clarification on why the IFA looked at the pressure main and collection system separately. Fred said that there were two different capacities. The collection system would take the City all the way to build out and the pressure main would not. Therefore, the IFA needs to calculate those numbers differently.

Councilmember Callahan asked how often impact fee numbers should be reviewed and potentially updated. Fred said that with a new system like this and unknown future growth numbers, it should be looked at every year or so to see if changes need to be made. He said that impact fees often go up over time with a new system like this.

Councilmember Grange asked about what the money would be used for. Fred said that it would be used by the City to pay off the debt incurred from installing the sewer system.

Recorder Twedt recommended that the Council round the number to $8,760 instead of $8,761 if they were going to adopt the recommended impact fee amount from the Impact Fee Analysis.

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Councilmember Zollinger asked about the map showing the service area. It was clarified that the IFA would include growth outside of the area on the map if more property is annexed into the City in the future. The capacity numbers used for the analysis include property within the Millville annexation area, but since impact fees are only charged when development happens within the City, the map in the IFA only shows the current City boundary.

Consideration of an ordinance adopting the Millville City Sanitary Sewer Impact Fee
Councilmember Zollinger reviewed the draft ordinance to adopt the sewer impact fee.

Councilmember Callahan said that he would not recommend accepting anything lower than the recommended amount from the Impact Fee Analysis.

Recorder Twedt said that concerns have been discussed in P&Z about the number of building permits issued per year. Higher impact fees may help limit uncontrolled growth in Millville.

Councilmember Zollinger said that he is worried at how high the impact fees are. It may become impossible to build a home in Millville unless you are extremely wealthy. Councilmember Zollinger said that on the other hand, we have a very expensive sewer system that we are installing and that paying off the debt will be somewhat dependent on new growth.

Recorder Twedt said that the debt payoff numbers are set based on a certain amount of growth and a lower estimated impact fee. A higher fee, as proposed by the IFA, would require less growth than initially estimated.

Mayor Hair said that his desire is that the City reduce rates over time as we pay down debt.

Councilmember Callahan moved to approve Ordinance 2022-3 setting the sewer impact fee at $8,760. Councilmember June seconded. Councilmembers Callahan, June and Grange voted yes, Councilmember Zollinger voted no with Councilmember Wilker absent. (The approved ordinance is included with the minutes as Attachment "B".)

Consideration of an ordinance updating Millville City Code Title 17 - Zoning
Recorder Twedt reviewed with the Council the ordinance to adopt changes to Title 17. He said that the changes include some minor modifications to Chapter 17.32 and a completely new chapter of code that focuses on development in "sensitive areas". The purposes of these updates are to protect future and existing resident from development in potentially unsafe areas. Recorder Twedt said that another goal with these changes is to add additional detail to building on slopes in Millville City.

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Recorder Twedt said that there are a couple of updates in addition to what was provided in the packet that he would like to recommend after having received additional input from Planning Commissioner Chairman Greenhalgh and the City Engineer, Lance Houser.

The first of these changes is under 17.32 under application requirements and clarifies that slopes are going to be reviewed both before and after grading. The other change was a requirement for site plans of a hazard slope area to meet all of the requirements listed in the Hillside Overlay Chapter of the code.

The Council briefly discussed that they felt these changes would add some clarity to development on slopes and they thought they were good additions to the code.

Councilmember June moved to approve Ordinance 2022-5 with the updates discussed tonight. Councilmember Callahan seconded. Councilmember Zollinger asked if these updates would apply to all existing buildable lots. Recorder Twedt said that they would. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent. (The approved ordinance is included with the minutes as Attachment "C".)

Consideration of resolution adopting the Millville City FY2022 Fraud Risk Assessment

Mayor Hair reviewed with the Council the resolution to approve the Millville City Fiscal Year 2022 Fraud Risk Assessment. Recorder Twedt said that the Council had received their forms for conflict-of-interest disclosures that he needed returned to him soon. Recorder Twedt said that the score on the assessment was the same as it was last year.

Councilmember Zollinger moved to approve Resolution 2022-17. Councilmember Grange seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent. (The approved resolution is included with the minutes as Attachment "D".)

Consideration of resolution updating the Millville City water rates to list the lot standby fee

Recorder Twedt reviewed with the Council the resolution to approve the updates to the water rate resolution to properly list the standby fee. The wording was reviewed and the Council said that they agreed with the plan to charge the fee once a year in January.

Mayor Hair pointed out that the table showing the water rates by meter size should be updated to show all existing meter sizes and not just those that the City installs now. The Council agreed that the list should show all meter sizes including those already installed throughout the City and those that may be installed going forward.

Councilmember Zollinger moved to approve Resolution 2022-16. Councilmember Callahan seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with

Councilmember Wilker absent. (The approved resolution is included with the minutes as Attachment "E".)

Consideration of an ordinance updating Millville City Code Chapter 10.08 - Parking
Mayor Hair reviewed with the Council the ordinance to adopt the updates to Chapter 10.08 regarding parking restrictions. He said that he would like to make an addition to allow only parallel parking on Main Street. There was some discussion and it was discussed that the parallel parking requirement should be for all City streets and not just Main Street. The code was adjusted accordingly.

Councilmember Callahan said that he has had three calls from residents about the parking code. The first did not want anybody parking anything in the City right-of-way and commented about how ugly it was looking around town. The second call was from someone who said they wanted to park on the street and did not want to have to get a permit to do so. The third was saying that parking was a major issue in Millville and that the Council needed to do something to get it under control.

The Council asked that a restriction for parking fifty feet from the edge of an intersection on the City right-of-way be added. Something similar had been in the old City code. The Council reviewed the language to make it a little clearer. This became 10.08.020.A.7 in the new code.

Harry Meadows said that he doesn't think any parking should be permitted at any time on the City right-of-way. Councilmember Zollinger said that he disagrees and thinks that this would be a bad idea to not even allow parking for a small amount of time. Recorder Twedt said that there had been several comments in the feedback received about allowing parking for some amount of time to prepare for a camping trip or if you have family or friends visiting.

The possibility of adding a permit was discussed. Councilmember Callahan said that the benefit in a permit is that it would allow for adjustments for different scenarios. Councilmember Zollinger said that a permit may work for a portion of the year. He was worried about the other issues that come with allowing parking in the City right-of-way. Like dealing with utility line repairs. Mayor Hair said that he was concerned about dealing with permitting with our current number of employees.

Councilmember Grange said that he had received several calls from residents that don't want any parking in the City right-of-way, but were scared to come to the hearing to voice their opinion.

Councilmember Zollinger said that he would like to make a permit system work, but that he doesn't think there is a good way to do it. He said that he knew the current and new code was a hardship for the residents that are using the City right-of-way as a parking lot, but that this is not what the right-of-way is intended for.

Councilmember Grange said that with the hearings, the Council has primarily heard from a vocal minority. Of those that have been issued a notice of violation, the great majority have just moved their items and we never heard from them at all.

Councilmember Zollinger said that in this situation, one size does fit all. The City can just continue to not allow parking in the right-of-way. The residents that are parking their items on property that is not theirs will have to make other arrangements.

Councilmember Grange said that he had received a question about loading a camper in the right-of-way prior to a camping trip. Recorder Twedt said that the new code would allow for parking in the right-of-way for 24 hours. If by chance the City does an inspection during that 24 hours that a resident is preparing for a camping trip, the notice of violation they get will just say that they have to have the vehicle moved within 10 to 14 days. As long as their vehicle isn't there for the long-term, they can just throw away the notice and they won't get a citation.

Mayor Hair pointed out that the issue is that residents are wanting a long-term parking solution for their vehicles. Councilmember Zollinger said that the problem is that the City has allowed the parking in the right-of-way for so long that it has become a larger problem now. Councilmember Callahan said that he has been on the Millville City Council for eight years and parking in the right-of-way has been discussed as an issue for every one of those years.

Councilmember Callahan said that he agreed with the rest of the comments from the Council about not creating a permit process.

Councilmember Callahan moved to approve Ordinance 2022-4. Councilmember June seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent. (The approved ordinance is included with the minutes as Attachment "F".)

Recorder Twedt said that there are a small group of residents that had requested administrative hearings after receiving notices of violation. At those hearings, the Council had decided to issue extensions in requiring these residents move their items from the City right-of-way. Recorder Twedt suggested the City send them a letter with the updated code and a timeline for getting items moved. He asked the Council what they wanted to do. The consensus of the Council was to send a letter and give the residents ten additional days to move their items from the City right-of-way to avoid getting a parking citation with a fee.

Posting Box Locations

Recorder Twedt said that Millville had four posting boxes throughout the City. They are located outside the City Office door, at the Post Office, at the North Park and at the South Park near the south bathrooms. Recorder Twedt said that the noticing and posting requirements have changed dramatically over the years as technology has evolved and the internet has been established. Many more changes happened over the past couple of years

as requirements for posting in newspapers has dramatically changed. Recorder Twedt said that he felt Millville City was always more transparent than required by State Code. For example, our agenda packets for our meetings are far more detailed than many of the cities in Cache Valley. Although they post the agendas, many of them do not publish all of the detail to the public.

There are now only a few things for which posting in various physical locations throughout the City is required by State Law. This is because the State now has a public notice posting site where everything must be posted. People can go to that site and even subscribe to receive notices by email from the entities they select.

Recorder Twedt said that the posting board at the North Park is breaking and falling apart. He said that he would like to remove that posting board entirely. That would leave three other posting boards in high-traffic areas for when posting in physical locations is required. Recorder Twedt said that he planned to continue to post things on the City website and at the posting boxes located outside the City Office and the Post Office, even when the law does not require it.

The consensus of the City Council was that this would be okay and that they did not have concerns with the removal of the posting box at the North Park.

Councilmember Reports and Items for Future Agendas
(A copy of the Councilmember Assignments List is included with the minutes as Attachment "G".)

Recorder Twedt said that Tammy Peterson has been serving as a crossing guard at the elementary school since that position has existed. He said that Tammy has done a really great job. Tammy is planning on this upcoming school year being her last to serve in this position. Recorder Twedt said that they would post the job notice for a replacement when it got a little closer, but he wanted the Council to keep this in mind.

Recorder Twedt reminded the Council of the scheduled work session at 6 p.m., prior to the next City Council meeting on August 25th, to discuss short-term rentals, apartments and accessory dwellings.

Mayor Hair said that Treasurer Hobbs has been at the hospital and sick and that is why she wasn't here today.

Mayor Hair said that the conglomerate of Mayors that were working on finding a new garbage contractor are meeting every two weeks with email updates and assignments in between. He said that the cities were putting together information that was requested by the contractors. Mayor Hair said that Smithfield, Richmond and Lewiston have decided to

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look for a garbage contractor on their own and have pulled out of the larger group that consists of all of the other cities in Cache Valley aside from Logan.

Recorder Twedt reported that the RFP period had closed for the engineering work on the COG project. Bids had been received from Forsgren Engineering and Horrocks Engineering. Both firms are well qualified to do this type of design project. The selection committee had selected Horrocks Engineering because of their quote for their engineering costs which were significantly lower.

Adjournment

Councilmember Callahan moved to adjourn the meeting. Councilmember Zollinger seconded. Councilmembers Callahan, June, Grange and Zollinger voted yes with Councilmember Wilker absent. The meeting adjourned at 9:18 p.m.

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