Planning & Zoning Commission

REGULAR MEETING

Thursday, December 12, 2013
Delta City Building Council Chambers
76 North 200 West
Delta, Utah

PRESENT

Chairwoman Linda Sorensen
Member Linda Beard
Member Rand Crafts
Member Roger Zeeman
Member Alan Johnson
Member Wes Duncan
Member Dick Jones

ABSENT

Member Tom Stephensen

ALSO PRESENT

City Attorney Todd Anderson
Deputy Recorder Barbara Clark
Public Works Assistant Ken Clark
City Resident Steven Pratt
City Residents Bill and Shauna Nelson
White River Academy Manager Justin Nielson

Chairwoman Linda Sorensen called the meeting to order at 7:00 p.m. She stated that notice of the time, place and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice website, the Delta City website, and had been provided to the Millard County Chronicle-Progress and to each member of the Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of Planning & Zoning Commission Meeting held November 14, 2013 and the Public Hearing held November 14, 2013 were presented for consideration and approval. Following the discussion, Commission Member Dick Jones MOTIONED to adopt the minutes of the Planning and Zoning Commission dated November 14, 2013. Commission Member Wes Duncan SECONDED the motion. The motion passed with Commission Members Linda Beard,

Alan Johnson, and Wes Duncan, Roger Zeeman, Rand Crafts, and Richard Jones voting in favor, and Commission Member Tom Stephenson being absent.

Business

Conditional Use Permit for Manager Justin Nielson, representing new owner, Sovereign Asset Management, for White River Academy

A copy of the agenda was mailed to Mr. Justin Nielson, manager of White River Academy and applicant of a new conditional use permit. Mr. Nielson presented his request for a conditional use permit after a change in ownership. Mr. Nielson stated that Sovereign Asset Management, new owner is proposing some updating of the building but plans on operating as usual. There was a discussion by Mr. Nielson and the Board regarding court referrals to White River Academy. There was also a discussion regarding beginning a substance abuse program for young adults and other potential programs that might benefit the community. Mr. Nielson pointed out that there was adequate parking for the building. Mr. Nielson mentioned the possibility of having both genders housed in the future, but on different wings of the building. Commission Member Rand Crafts made a MOTION to approve the conditional use permit for White River Academy with recommended changes that will reclassify the White River Academy from a Special Purpose School to a Mental Health Facility as outlined in the use table in Section 12-10-12 under Public / Quasi- Public Zoning. All other items of the conditional use permit will remain as previously issued. The motion was SECONDED by Wes Duncan. The motion passed with Commission Members Linda Beard, Alan Johnson, and Wes Duncan, Roger Zeeman, Rand Crafts, and Richard Jones voting in favor, and Commission Member Tom Stephenson being absent.

Preliminary Approval for Pratt Estates, Owner Steven Pratt

Steven Pratt provided copies of the plats to the Commission Members. Mr. Pratt also stated for the record that he is a member of the Delta City Council. The property in question is on 220 North in Pendray Plaza. Mr. Pratt is seeking approval for the last four lots, Phase two. Mr. Pratt indicated that improvements to the lots of water and sewer, power and gas have already been done. The only improvements needed are curb, gutter and asphalt. Commission Member Rand Crafts made a MOTION to approve the preliminary plat "Phase Two" of Steven Pratt's **Pratt Estates** as presented. The motion was SECONDED by Alan Johnson. The motion passed with Commission Members Linda Beard, Alan Johnson, and Wes Duncan, Roger Zeeman, Rand Crafts, and Richard Jones voting in favor, and Commission Member Tom Stephenson being absent.

Preliminary Plat Approval for Sub-Division for Bill Nielson

Bill Nelson is seeking approval for his preliminary plat map for a sub-division of .5 acres each. It was brought to the Commission's attention that the ground in question is presently zoned as A-1, which requires a minimum of 1 acre lots. Public Works Assistant Ken Clark pointed out that the property would need to be rezoned to "RB1NM", which would require a Public Hearing. The Commission advised that Mr. Nelson would need a new preliminary plat and that Mr. Nelson should bear in mind that an access road would be necessary. Mr. Nelson stated that he did indeed want to schedule a public meeting to rezone the property to "RB1NM." Rand Crafts made a MOTION to table preliminary plat approval and set a public hearing for public comment to rezone the parcel in question with the address of SW1/4SE1/4 Sec. 6, T17S, R6W, SLM on January 9th, 2014 at 6:30 p.m. Roger Zeeman SECONDED the motion. The motion passed with Commission Members Linda Beard, Alan Johnson, and Wes Duncan, Roger Zeeman, Rand Crafts, and Richard Jones voting in favor, and Commission Member Tom Stephenson being absent.

Sub-Division Discussion

Public Works Assistant Director Ken Clark and City Attorney Todd Anderson discussed with the Commission the desire to update and amend Planning and Zoning Ordinances, even if it entailed doing so a little at a time at each meeting. There was a discussion on a change in ordinance so that an owner might be able to split a lot in no more than two or three without having to come before the Commission. Attorney Anderson recommended being very selective on such changes so that easements and accesses and other zoning issues may remain within code. Attorney Anderson stated that he would like some direction in writing such an ordinance, and he would then determine the language needed to protect the City's interest and meet the needs of the Commission. There was a discussion on modifications in property ownership that might slip by the City, and the regulating and enforcement of such changes.

OTHER BUSINESS

There were no other matters of business to discuss.

Commission Member Alan Johnson made a MOTION to adjourn the meeting. Commission Member Linda Beard SECONDED the motion. Chairwoman Sorensen asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Linda Beard, Alan Johnson, and Wes Duncan, Roger Zeeman, Rand Crafts, and Richard Jones voting in favor, and Commission Member Tom Stephenson being absent.

Chairwoman Linda Sorensen declared the meeting adjourned at 8:50 p.m.

Barbara Clark

Minutes Approved: 01-09-2014

Barbara Clark, Deputy Recorder