



Planning & Zoning Commission

Regular Meeting

Thursday, March 13, 2014

Delta City Building Council Chambers

76 North 200 West

Delta, Utah

PRESENT

Member Alan Johnson

Member Roger Zeeman

Member Richard Jones

Member Linda Beard

Member Linda Sorensen

Member Wes Duncan

City Representative Kiley Chase

Member Rand Crafts

ABSENT

City Code Enforcement Officer Alan Riding

ALSO PRESENT

City Attorney Todd Anderson

Deputy Recorder Barbara Clark

City Code Enforcement Officer Dent Kirkland

Bill Nelson

Craig Johnson

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 Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of Planning & Zoning Commission Meeting held January 09, 2014 were presented for consideration and approval. Commission Member Wes Duncan made a MOTION to adopt the minutes of January 09, 2014, and Commission Member Roger Zeeman SECONDED the motion. The motion passed with Commission Members Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor. The proposed minutes of the Public Planning and Zoning meeting held January 09, 2014 were presented for

consideration and approval. After a discussion, Commission Member Wes Duncan made a MOTION to adopt the minutes of January 09, 2014 as corrected, and Commission Member Roger Zeeman SECONDED the motion. The motion passed with Commission Members Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

BUSINESS

Proposed Sub Division Preliminary Plat of Property on 350 East between 450 North and 750 North Owned by Bill Nelson

Mr. Bill Nelson offered a preliminary plat of recently rezoned property for a sub division for the Commission's approval. It was brought to the Commission's attention by Attorney Todd Anderson and City Code Enforcement Officer Dent Kirkland that Mr. Nelson had not paid the associated Planning and Zoning fees regarding the rezone or for the sub division or special Public Meeting as per Delta City Ordinance. Mr. Nelson was advised by Attorney Anderson that once the fees were paid, he might continue with approval for the preliminary plat, but that Mr. Nelson still needed required improvements before proceeding with the final plat. There was a discussion by the Commission regarding recommended improvements. Mr. Nelson did pay his various zoning fees in order to be in compliance. The Commission clarified to Mr. Nelson that the Preliminary Plat is good for only one year according to the Delta City **Subdivision Ordinance; 3.4.5**. Commission Member Rand Crafts made a MOTION to approve Bill Nelson's Preliminary Plat as presented and recommend it to the City Council for final approval. Commission Member Alan Johnson SECONDED the motion. Chairwoman Linda 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 Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

Proposed Rezoning to "Industrial" of Elwin Johnson Property Presently Zoned as "R4"

Craig Johnson brought before the Commission for approval the proposal to rezone his property presently zoned as "R4" to Industrial. Mr. Johnson filled out an application and paid appropriate fees. There was a discussion by the Commission regarding the proposed rezone. City Attorney Anderson stated that a public meeting regarding the rezone would need to be held, and a legal description provided by Mr. Johnson. Commission Member Rand Crafts made a MOTION to schedule a Public Meeting for the purpose of public comment on the rezoning of Craig Johnson's property, presently zoned as "R4" to be zoned as "Industrial" on May 8, 2014 at 6:45 p.m., and then to be scheduled at the regular meeting agenda for discussion following the public meeting. Commission Member Alan Johnson SECONDED the motion. Commission Chairwoman Linda 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

Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

Discussion regarding Preliminary and Final Plat Check Fees

City Attorney Todd Anderson brought before the Commission a recommendation to raise zoning and sub division fees as they are antiquated and have not changed since 1981. Attorney Anderson explained that the costs that occur in rezoning and development are out of balance with the current fee schedule. Publishing notice expenses, as well as legal expenses were used as examples of costs procured in the process. The Commission asked if these costs could be tracked in order to get a better idea of their numbers. The examples provided to the Commission in their packets were simply suggestions, but a recommended increase was advised in order to recoup City expenses. Commission Member Roger Zeeman made a MOTION to bring back to the Commission realistic costs that the City acquires regarding the rezoning and sub division expenditures that accumulate during the process including legal rates and notices and publishing expenses; so that the proposal to raise fees in connection to these may be determined. Commission Member Rand Crafts SECONDED the motion. Commission Chairwoman Linda 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 Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

Tobacco Specialty Shops/Zoning

City Attorney Todd Anderson provided to each Commission Member documentation providing Definitions and Conditional Use Standards of Review, as well as Zone District recommendations. The Commission briefly discussed the information provided and determined that the zoning of Tobacco Specialty Shops would presently be tabled and brought back at a later date. Commission Member Rand Crafts made a MOTION to table discussion/approval of Tobacco Specialty Shops until further evaluation and amendment of the language can be reviewed. Commission Member Linda Beard SECONDED the motion. Commission Chairwoman Linda 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 Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

OTHER BUSINESS

Commission Chairwoman asked Dent Kirkland, replacing Ken Clark as Assistant Code Enforcement Officer to introduce himself to the Commission. Mr. Kirkland offered an

introduction and stated that he was becoming familiarized to the Planning & Zoning portion of his advancement. The Commission welcomed him onto their board.

With no other comments or questions, Commission Member Rand Crafts made a MOTION to adjourn the meeting. Commission Member Wes Duncan SECONDED the motion. Commission Chairwoman Linda 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 Rand Crafts, Wes Duncan, Dick Jones, Roger Zeeman, Alan Johnson and Linda Beard voting in favor.

Commission Chairwoman Linda Sorensen declared the meeting adjourned at 8:37 p.m.

Minutes Approved: 05-08-2014

Barbara Clark, Deputy Recorder