

PLANNING AND ZONING COMMISSION MEETING  
JANUARY 30, 1991

PRESENT

|                   |                   |
|-------------------|-------------------|
| Gary Church       | Chairman          |
| Wesley Bloomfield | Commission Member |
| Larry Taylor      | Commission Member |
| Kathy Defabio     | Commission Member |
| Pauline Warner    | Commission Member |

ABSENT

|                 |                   |
|-----------------|-------------------|
| Robert Shepherd | Commission Member |
|-----------------|-------------------|

OTHERS PRESENT

|                    |                       |
|--------------------|-----------------------|
| Virginia Taylor    | Deputy City Recorder  |
| Richard Waddingham | City Attorney         |
| Neil Forster       | Zoning Official       |
| Bryce Ashby        | Delta City Fire Chief |

Chairman Church called the meeting to order at 7:30 p.m. Virginia Taylor, Deputy City Recorder, acted as secretary. Mr. Church stated that the notice of the meeting time, place and agenda was mailed to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the Planning and Zoning Commission two days prior to the meeting.

MINUTES

The proposed minutes of a Planning Commission Meeting held August 6, 1990, were presented for consideration and approval. The Commission reviewed the minutes briefly and proposed corrections. Kathy Defabio MOVED that the minutes be approved as amended. The motion was SECONDED by Rick Moultrie. Chairman Church asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion carried with Commission Member Wesley Bloomfield abstaining from the vote.

BUSINESS

ATTORNEY RICHARD WADDINGHAM: PROPOSED MORATORIUM ON ABOVE GROUND STORAGE TANKS

Chairman Gary Church asked City Attorney Richard Waddingham to address the Commission regarding a proposed moratorium on above ground storage tanks.

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Attorney Richard Waddingham presented and reviewed in detail the following request to amend Delta City Zoning Ordinances regarding Above Ground Storage Tanks:

REQUEST TO AMEND DELTA CITY ZONING ORDINANCES  
RE: ABOVE GROUND STORAGE TANKS

ISSUE: Amending supplemental regulations of the Delta City Zoning Ordinances to regulate the location, placement and construction of above ground storage tanks.

LEGISLATIVE POLICY

The location, placement and construction of above ground storage tanks for the storage of flammable and combustible liquids or other fuels are governed by § 12-911 of the Delta City Zoning Ordinances, the Uniform Fire Code and the Uniform Building Code as adopted by Delta City.

The Delta City Zoning Ordinances allow the placement of an above ground tank for the storage of flammable and combustible liquids only in commercial business and highway commercial zones, where such zones classify service stations as a permitted use.

The placement of above ground storage tanks are also allowed in commercial development zones under the following conditions:

(1) The use thereof proves to be compatible with adjoining land uses and beneficial to the community as determined through an evaluation of the proposed use in accordance with predetermined development policies (§ 12-521, Rev. Ord. of Delta City).

(2) The use must be compatible with surrounding land uses and for which adequate public facilities exist or can be constructed (§ 12-529 B., Rev. Ord. of Delta City).

The Delta City Council has discussed the issue as to whether the Delta City Zoning Ordinances should be amended to allow the placement of above ground tanks for storage of flammable or combustible liquids and fuels, in additional zones within Delta City, and to determine what, if any, restrictions should apply to the location, construction and placement of such tanks within the Delta City limits.

The Delta City zoning official, fire chief and building inspector have made an evaluation regarding the adequacy of the current Delta City Zoning Ordinances regulating above ground tanks, as such ordinances relate to the health, safety and general welfare of the city and its residence.

The Delta City zoning official, together with the fire chief and building inspector have determined that Delta City's current zoning ordinances regulating the placement, installation

and location of tanks for storage of flammable or combustible liquids or fuels are inadequate to guard against the potential hazards such fuels may create by escaping or leaking from such storage tanks and thereby damaging property or jeopardizing existing water supplies or systems within Delta City. The Delta City zoning official has also determined that allowing such above ground tanks without regulation would seriously affect the aesthetic values in those zones in which above ground tanks are presently permitted.

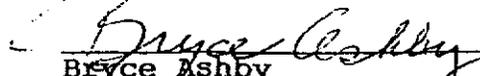
Pursuant to § 12-326 D. of the Delta City Zoning Ordinances, the undersigned, with the concurrence of the Delta City Council, respectfully request that the Delta City Planning Commission consider a proposal to amend §12-911 (Supplemental Regulations) of the Delta City Zoning Ordinances to provide for the regulation of above ground tanks for the storage of flammable or combustible fuels or liquids by prohibiting the construction, placement or installation of above ground storage tanks exceeding 500 gallons in capacity, without first obtaining a conditional use permit from the Delta City Planning and Zoning Commission for such tanks.

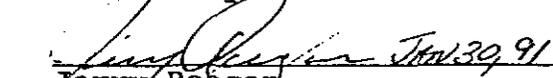
In addition to the proposed regulations set forth above, the undersigned requests that the Planning Commission review and recommend the adoption of Pamphlet 58, National Fire Protection Association, which governs the placement, installation and use of LPG tanks.

The undersigned requests that the aforementioned proposal be recommended for adoption by the Delta City Council as an amendment to the Delta City Zoning Ordinances and as an interim measure until such time as a proposed ordinance can be submitted to the Delta City Planning Commission, governing the specific restrictions and regulations of the construction, placement, installation or use, including height and set back restrictions, for above ground storage tanks in those zoned districts permitting the placement of such tanks.

Respectfully submitted,

  
Neil Forster  
Delta City Zoning Officer

  
Bryce Ashby  
Delta City Fire Chief

  
Jerry Reagan  
Delta City Building Inspector

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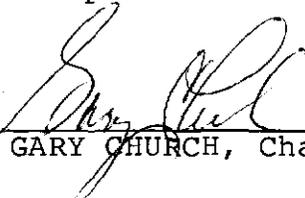
Following discussion of the aforementioned proposal, Commission Member Wesley Bloomfield MOVED that recommendation be made to the City Council to schedule a Public Hearing in order to receive public comment concerning an interim ordinance regarding the regulation of above ground storage tanks until a final ordinance can be prepared and adopted. The motion was SECONDED by Commission Member Rick Moultrie. Mr. Church asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

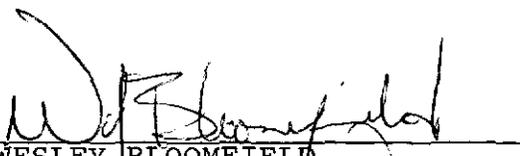
OTHER BUSINESS

Zoning Official Neil Forster explained that the Millard School District has presented a proposal for a new Delta North Elementary School to the City Council; however, the proposed location for the new school building would be situated directly above the City's main utility lines. Mr. Forster explained that the proposal was not acceptable by the City as it was presented, and the Millard School District is redrawing their plans. Mr. Forster said that this issue will probably be presented to the Planning Commission in the near future for their review and recommendation.

Commission Member Rick Moultrie recommended that a meeting be scheduled to discuss concerns of some of the White Sage Subdivision residents and issues that were discussed at the Planning Commission Meeting held August 6, 1990. A meeting was scheduled for Wednesday, February 27, 1991, at 7:30 p.m.

Chairman Church asked if there were any comments or questions or items to be discussed. There being none, Commission Member Larry Taylor MOVED to adjourn. The motion was SECONDED by Commission Member Kathy Defabio. Chairman Church asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mr. Church declared the meeting adjourned at 8:55 p.m.

  
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GARY CHURCH, Chairman

  
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WESLEY BLOOMFIELD  
Council/Commission Member

MINUTES APPROVED: P&Z 2-27-91