

PLANNING AND ZONING COMMISSION MEETING  
JULY 26, 1995

PRESENT

Pauline Warner	Chairperson
Gayle Bunker	Commission Member
Kathy Walker	Commission Member
Phil Sabey	Commission Member
Sharlynn Goold	Commission Member
Rick Moultrie	Commission Member

ABSENT

Russell Jones	Commission Member
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OTHERS PRESENT

Virginia Taylor	Deputy City Recorder
Neil Forster	Zoning Officer
Sherry McEntire	City Resident
Boy Scout Group	
Ron & Pat Thomas	City Residents
Debbie Moultrie	City Resident
Ken Lebbon	City Resident
Leo Davis	City Resident
Richard Jones	City Resident

Chairman Warner called the meeting to order at 7:30 p.m. Virginia Taylor, Deputy City Recorder, acted as secretary. Mrs. Warner stated that the notice of the meeting time, place and agenda was mailed to the Millard County Chronicle/Progress, to the local radio stations, 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 June 22, 1995 were presented for consideration and approval. The Commission reviewed the minutes briefly after which Kathy Walker MOVED that the minutes be approved as presented. The motion was SECONDED by Phil Sabey. Mrs. Warner asked if there were any comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

BUSINESS

RON & PAT THOMAS, HORSES UNLIMITED: REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW FOR BUSINESS EXPANSION AT 25 NORTH THOMAS ROAD

Mrs. Warner welcomed Ron & Pat Thomas and asked them to present their request for a Conditional Use Permit.

Mrs. Pat Thomas addressed the Planning Commission and talked about the background of their business and explained their plans to expand their business.

Mrs. Thomas said that they have become the headquarters for Pat Parelli, Natural Horsemanship Training. The following are their existing business uses: Horse Boarding, Horse Training, Equine Broker, Consultant, Hay Broker, Clinics and Operations Manager. Mrs. Thomas said that their business has increased from one part time employee to nine employees.

Mrs. Thomas then presented the following expansion needs:

Add one office building to house Parelli Natural Horse-Man-Ship Operations

Add one additional private dwelling to free existing home for use as "Training Center"

Move one old building to use for retail sales of equipment

If able to negotiate lease/purchase with property owner to the north we will be able to use additional property to house us and Student/Trainer as well as move our "private" stock and breeding operation to that facility. It will also allow us the additional arena/corral for lessons and training use. We would then not have to build one private dwelling.

Zoning Officer Neil Forster explained that Mr. & Mrs. Thomas own approximately four acres of property that is located north east of Main Street along Thomas Road. They have had a business at that location for the past fifteen years buying, selling and training horses. When they first started their business they were located in Millard County. Later they were annexed into Delta City and their business was "grandfathered" in and they were allowed to continue their business. However, at the time of annexation their business did not comply with Delta City's Zoning Ordinance and it then became an existing nonconformity.

Mr. Forster explained that the Zoning Ordinance does not allow for nonconforming uses of structures or land to be extended or enlarged upon in any way. Therefore, in order to expand their business, Mr. & Mrs. Thomas have applied for a Conditional Use Permit.

Mr. Forster explained that he completed a Development Permit Review for Mr. & Mrs. Thomas; however, the review was completed based on some assumptions and did not address the expansion of buildings.

Following lengthy discussion, Commission Member Gayle Bunker MOVED to allow the expansion of buildings but disallow any additional stalls, horses or boarding facilities beyond the current use, which is approximately 30 stalls, 16 permanent and 14 temporary stalls. Mr. Bunker further MOVED to impose the following conditions on Mr. & Mrs. Thomas' property:

- A. The space required around buildings and structures shall be kept free from refuse and debris.
- B. All areas in which animals are kept shall be completely surrounded by an adequate fence or other barrier sufficient to prevent the escape of any such animals.
- C. Peripheral fences may be erected on the property line.
- D. All barns, corrals, pens, coops or other areas in which animals are kept shall be kept in such conditions that no noxious odor is generated therefrom; that no such area becomes the breeding ground for insects or other pests; and that all other refuse shall be contained so as not to pollute any water or stream or constitute a public or private nuisance.

The motion was SECONDED by Commission Member Kathy Walker. Mrs. Warner asked if there were any comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

KEN LEBBON: REQUEST FOR A ZONE CHANGE ON PROPERTY LOCATED AT 300 NORTH 350 EAST TO ALLOW FOR CONSTRUCTION OF MULTI-FAMILY RENTAL UNITS

Chairman Warner welcomed Ken Lebbon and asked him to present a zone change request on property located at 300 North 350 East.

Mr. Lebbon explained that he is requesting a zone change on property located at 300 North 350 East from Public-Quasi Public (PQP) to Residential (R-4). Mr. Lebbon said that he is interested in developing the property and constructing fourplexes or some type of a golden age retirement/living center.

Several Pendray Estates Subdivision residents were in attendance to oppose an R-4 zone. They said that their main concern is the increased traffic in the area of their subdivision. Those in attendance recommended a buffer zone with an R2 zone.

Commission Member Rick Moultrie referred to Delta City's General Plan wherein it states the following:

"No medium density development in undeveloped areas should be approved immediately adjacent to already developed single family homes. There should be a "buffer" area between the proposed medium density residential area and existing single family or low density development. When low density development fills in the buffer area, it is done with the knowledge that it will be adjacent to medium density housing and proper steps can be taken to create fences or landscaping screens between the projects. Buyers will purchase lots knowing that there is medium density residential development next to them and the problems created when medium density developments are placed adjacent to single family low density developments can be largely eliminated."

Some discussion was held regarding plans for the existing church located on the property.

Further discussion was held, and it was unclear as to what Mr. Lebbon's plans were for the property. Mr. Lebbon said that it was his intent in coming before the Planning Commission to hear their concerns regarding the property, to learn what would and would not be allowed and to hear what the city residents would support.

Following brief discussion, Commission Member Gayle Bunker MOVED to table discussion of this item until the next Regular Planning Commission Meeting in order to allow more time for research and review. The motion was SECONDED by Commission Member Phil Sabey. Mrs. Warner asked if there were any comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

#### OTHER BUSINESS

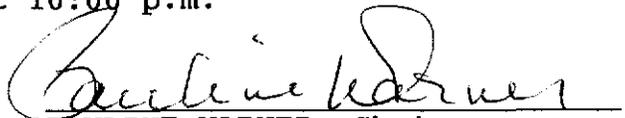
Discussion was held regarding proposed annexation of approximately a 1.5 mile buffer zone surrounding Delta City.

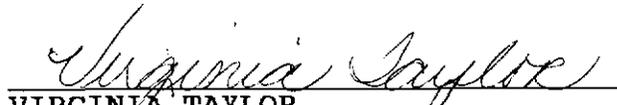
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The need to define what is allowed specifically in R-2 and R-3 zones was discussed.

Chairman Warner asked if there were any comments or questions or items to be discussed. There being none, Commission Member Kathy Walker MOVED to adjourn. The motion was SECONDED by Commission Member Sharlynn Goold. Mrs. Warner asked if there were any comments or questions regarding the motion. There being none, she

called for a vote. The motion passed unanimously. Mrs. Warner declared the meeting adjourned at 10:00 p.m.

  
PAULINE WARNER, Chairperson

  
VIRGINIA TAYLOR  
Deputy City Recorder

MINUTES APPROVED: P&Z 8-17-95