

PLANNING AND ZONING COMMISSION MEETING  
MAY 22, 1996

PRESENT

Pauline Warner	Chairperson
Gayle Bunker	Commission Member
Kathy Walker	Commission Member
Rick Moultrie	Commission Member
Russell Jones	Commission Member

ABSENT

Phil Sabey	Commission Member
Sharlynn Goold	Commission Member

OTHERS PRESENT

Neil Forster	Zoning Officer
Karen Johnson	City Employee
Jerry & Anna Bennett	City Residents
Nola Bunker	City Resident
William & Jeanine Abbott	City Residents
Dee Church	City Resident
Howard Church	City Resident
Bernard & Bonnie Owens	City Residents
Shawn Maxfield	City Resident

Chairperson Warner called the meeting to order at 7:30 p.m. Karen Johnson, City Employee, 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 May 8, 1996, were presented for consideration and approval. The Commission reviewed the minutes briefly after which Gayle Bunker MOVED that the minutes be approved as presented. The motion was SECONDED by 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.

Mrs. Warner stated that Phil Sabey had called and asked to be excused because his father has passed away.

BUSINESS

CHAIRPERSON PAULINE WARNER: CONSIDERATION OF ZONE CHANGE FROM INDUSTRIAL DEVELOPMENT (ID) TO R4

Chairman Warner asked if there was any additional discussion on the matter. Commission Member Bunker requested to see a map of the proposed zone change area. Brief discussion was held regarding the properties to be included in the proposed zone change area.

Following discussion, Commission Member Gayle Bunker MOVED that the Planning Commission recommend to the City Council that a Public Hearing be scheduled for the purpose of receiving public comment regarding changing the proposed area from Industrial Development zone to R4 zone. 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.

CHAIRPERSON PAULINE WARNER: DISCUSSION OF NORTH DELTA ANNEXATION AND CONSIDERATION OF THE POLICY DECLARATION STATEMENT

Commission Member Gayle Bunker stated that, for the record, he has a conflict of interest on this matter, inasmuch as he is a signer of the Petition for Annexation.

A brief discussion was held regarding roads and zoning. It was determined that the subdivision ordinance covers construction of the roads, curb and gutter. The annexed property will be zoned at the time it is annexed. The property cannot be annexed without zoning being assigned. Commission Members reviewed a map of the proposed annexation area and the proposed zoning for the area.

Following discussion, Commission Member Russell Jones MOVED that the Planning Commission recommend to the City Council that the North Delta Annexation be approved and that a Public Hearing be scheduled for the purpose of receiving public comment regarding the North Delta Annexation. The motion was SECONDED by Commission Member Rick Moultrie. Mrs. Warner asked if there were any comments or questions

regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Russell Jones	Yes
Gayle Bunker	Abstain
Rick Moultrie	Yes
Pauline Warner	Yes
Kathy Walker	Yes

COMMISSION MEMBER GAYLE BUNKER: CHANGE TO THE RURAL RESIDENTIAL ZONE

Chairman Warner stated that this item concerns changing the Rural Residential Zone so that having animals is not a conditional use, it is a permitted use. There was some discussion on the matter at the last meeting. The section of the Zoning Ordinance pertaining to animals is Section A2-4. Commission members reviewed the ordinance provisions in detail. It was suggested that portions of this section be revised to allow animals as a permitted use rather than a conditional use. It was determined that paragraph 2.1 should be eliminated and add a paragraph 1.5 which would read

"The keeping of animals and fowl for personal use or family food production (note for commercial use), subject to those qualifying regulations and special conditions set forth under paragraphs A2-4, A2-5, and 5.2 below."

This change would require eliminating paragraph 5.2 and designating paragraph 5.2.1 as paragraph 5.2. Zoning Officer Neil Forster stated that he would work on the wording and prepare proposed changes to be presented at the next Planning Commission meeting.

Following discussion, Commission Member Gayle Bunker made a MOTION that Neil Forster and Karen Johnson rewrite the paragraphs and changes to the zoning ordinance discussed to be presented at the next Planning Commission meeting for consideration of change. The motion was SECONDED by Commission Member Russell Jones. 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

Chairman Warner stated that in the near future the Planning Commission needs to discuss the future land use map. At this point, most properties on the present land use map have been annexed to the city. The purpose of the land use map is to keep ahead of the annexations and plan what will be done with the buffer area around the city. Mr. Forster will research and report back to the Planning Commission what needs to be done to create a new land use map.

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Commission Member Gayle Bunker reported that another annexation (West end of Delta) will probably be coming up in the near future. This property would involved the area just East of Dick's Tires, to S & S Distributing. The applications are in process, but not signed yet. Commission members reviewed a map of the proposed area.

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Brief discussion was held regarding continuing meeting in the City Council Room. All Commission Members agreed that the Planning Commission should continue meeting in the Council Room in order to have room for citizens to attend meetings.

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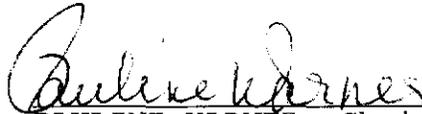
Commission Member Gayle Bunker mentioned that he, Mayor Dafoe and City Attorney Richard Waddingham had a discussion recently which brought out that the State statute requires that before urban development can be approved within one-half mile of city boundaries, the developer must attempt to be annexed to the city prior to county approval. The statute states that if annexation is not approved within one year, the county can give approval for the development. There is a requirement that the cost of the development be a minimum of \$750,000 to qualify under this statute. In addition, the statute also describes urban development as any housing development of fifteen houses or more within one-half mile of a city.

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The next meeting was scheduled for Wednesday, June 12, 1996  
at 7:30 p.m.

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Chairman Warner asked if there were any comments or questions or items to be discussed. There being none, Commission Member Gayle Bunker MOVED to adjourn. 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. Mrs. Warner declared the meeting adjourned at 8:30 p.m.

  
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PAULINE WARNER, Chairperson

  
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KAREN JOHNSON, P&Z Secretary

MINUTES APPROVED: P&Z 06-12-96