

PLANNING & ZONING COMMISSION  
AUGUST 14, 1996

PRESENT

Pauline Warner  
Gayle Bunker  
Russell Jones  
Phil Sabey  
Kathy Walker

Chairperson  
Commission Member  
Commission Member  
Commission Member  
Commission Member

ABSENT

Sharlyn Goold  
Rick Moultrie

Commission Member  
Commission Member

OTHERS PRESENT

Neil Forster  
Alan Riding

Zoning Officer  
Commander, West Millard Sheriff's Posse

Chairman Warner called the meeting to order at 7:50 p.m. 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 station, and to each member of the Planning & Zoning Commission two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Meeting held July 10, 1996 were presented for approval. The Commission reviewed the minutes briefly, after which Commission Member Gayle Bunker MOVED that the minutes be approved as presented. 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.

BUSINESS

COMMISSION MEMBER GAYLE BUNKER: APPLICATION FOR CONDITIONAL USE PERMIT (ANTENNA & CONTROL BUILDING FOR COMNET CELLULAR.

Commission Member Gayle Bunker stated that his request and the request of Alan Riding, Commander of the West Millard Sheriff's Posse are the same request, except for the property involved. Mr. Bunker explained that there will be only one antenna and control building, but Comnet is looking at different possible sites. The antenna will be 50-60' high, with a small 10'x12' building for equipment. This antenna will allow Comnet to provide cellular service to the

Delta area. Both sites are located in zones requiring a conditional use permit for the antenna. The Bunker property is zoned R-1-B and the Posse property is zoned RR

Zoning Officer Neil Forster explained that Comnet is looking at locating the antenna on the Bunker property or the Posse property or, possibly a couple of other locations in the area which do not require a conditional use permit. The Bunkers and the Posse are requesting approval of a Conditional Use Permit so that if either site is chosen by Comnet, the property owners will already have their conditional use permit and be ready to go. In essence, this conditional use permit discussion applies to both the Bunker request and the Posse request. Comnet plans to lease the property where they locate their antenna. Commission Member Phil Sabey questioned whether, if both conditional use permits are approved, another company could come in at a later date and request use of another property for an antenna. Zoning Officer Forster affirmed that this could happen, and probably would, due to competition between cellular telephone servers. Question was raised regarding the length of time the conditional use permit would be in effect. Zoning Officer Forster stated that a time limitation could be affixed as a condition of issuing the permit. A one year limitation was discussed, along with the option to renew for an additional year.

Commission Member Gayle Bunker declared, for the record, that he has a conflict of interest in this conditional use, inasmuch as he one of the persons requesting the conditional use permit.

After lengthy discussion, Commission Member Phil Sabey MOVED to approve the application for conditional use permit by Gayle Bunker to allow construction and installation of a communications antenna and building on property located at approximately 100 East 800 North in the present zoning of R-1, with the provision that the permit will be for a period of two years, for issuance of a building permit and installation of the site. The motion was SECONDED by Commission Member Russell Jones. Chairman Warner asked if there were any comments or questions regarding the motion. There being none, she called for a vote. The voting was four in favor of the motion, including Chairman Warner, with Commission Member Gayle Bunker abstaining.

ALAN RIDING, COMMANDER, WEST MILLARD SHERIFF'S POSSE: APPLICATION FOR CONDITIONAL USE PERMIT (ANTENNA AND CONTROL BUILDING FOR COMNET CELLULAR).

The discussion of the previous agenda item included discussion of this item. Following the approval of the previous agenda item, Commission Member Phil Sabey MOVED to approve the application for conditional use permit by Millard County Sheriff's Posse for construction of communications site on their property located at approximately 825 North 350 East, with the provision that completion of the site be made within two years. The motion was SECONDED by Commission Member Russell Jones. Chairman 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: FUTURE LAND USE MAP.

Chairman Warner stated that this item is to discuss the tour of the Delta City boundaries on July 10, 1996. The Commission discussed including ½ mile North of the existing City boundary, ¼ mile South of the existing boundary, East ½ mile of the existing boundary, and West ½ mile of the existing boundary on the future land use map. Most of the growth has been to the East and West of town, rather than to the North or South. The Commission determined that the industrial area should be to the West, along the highway. Questions were raised as to whether there are any guidelines or suggestions for developing a Future Land Use Map. Zoning Officer Forster advised that the state zoning law should be checked to see what requirements are set out as state law. Another suggested source would be Utah Local Governments Trust which deals with matters pertaining to municipal governments. Zoning Officer Forster check the state zoning law and with Utah Local Governments Trust before the next meeting and the Commission Members will look at the map to determine what use they would like to see of areas bordering Delta City. The matter will be put on the agenda for the next meeting, to be held September 11, 1996.

OTHER BUSINESS

Commission Member Gayle Bunker reported that the City Council had requested that the change to the proposed language change in the zoning ordinance pertaining to the Rural Residential zone also include a requirement that, in the event the number or type of animals change after the permit is issued, an amended plan must be filed with the Zoning Officer.

Chairperson Warner asked if there were any other comments, questions, or items to be discussed. There being none, Commission Member Russ Jones MOVED to adjourn the meeting. 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 8:37 p.m.

  
PAULINE WARNER, Chairperson

  
Karen Johnson, P&Z Secretary

MINUTES APPROVED: P&Z 10-24-96