

PLANNING & ZONING COMMISSION
May 14, 1997

PRESENT

Pauline Warner	Chairman
Gayle Bunker	Commission Member
Garry Christensen	Commission Member
Russell Jones	Commission Member
Phil Sabey	Commission Member
Dan Sperry	Commission Member

ABSENT

Kathy Walker	Commission Member
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ALSO PRESENT

Neil Forster	Zoning Officer
Karen Johnson	Secretary
Thomas Chandler	City Resident
Don Dafoe	Mayor

Chairman Warner called the meeting to order at 7:30 p.m. Mrs. Warner stated that notice of the meeting time, place, and agenda was mailed to the Millard County Chronicle/Progress, to KNAK Radio station, and to each member of the Planning & Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Commission meeting held April 9, 1997 were presented for approval. The Commission reviewed the minutes briefly, after which Commission Member Gayle Bunker MOVED to approve the minutes of the April 9, 1997 meeting as presented. 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.

BUSINESS

Mrs. Warner stated that we have two new members of the Planning & Zoning Commission, which we would like to recognize and welcome at this time, Garry Christensen and Dan Sperry.

THOMAS E. CHANDLER, D.M.D.: REQUEST FOR ZONE CHANGE FROM R-1-B TO R-4 ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF 200 NORTH AND 350 EAST.

Dr. Chandler advised the Commission that he has an option to purchase property from Russell Greathouse on the Northeast corner of 200 North and 350 East, where he proposes to construct a new dental office. Chairman Warner asked Dr. Chandler if the proposed property was located along the south border of the block, along 200 North. Dr. Chandler advised the Commission that the property he has selected would run 180 feet North on 350 East and 110 feet East on 200 North. There were questions regarding the amount of property which would remain between the dental office and the property where the wedding chapel is now located.

There was lengthy discussion regarding property values in the area, existing zoning on adjacent property, and water and sewer accessibility. Commission Member Phil Sabey stated that this property was recently re-zoned to R-1-B in order to limit development in the area to single family residences, in order to be compatible with existing development. The property to the North of this property was re-zoned to R-4 in order to facilitate use of the existing structure, a church, as a wedding chapel/reception center and thus avoid having the church fall into disrepair and become an eyesore. Mr. Sabey felt that rezoning this parcel to R-4 would open up the remaining property in the block to R-4, which would allow multiple family residences and would cause much opposition from area residents.

Dr. Chandler stated that his first choice would be R-4 zoning but, if some other zoning would be more acceptable to the Commission, he would accept that. Dr. Chandler felt that a dental office would not be a high impact business. Council Member Gayle Bunker indicated that he would be more in favor of rezoning the property just to the south of the church property. Dr. Chandler responded that he would have no problem with changing to the north end of the property, i.e., on 350 East, and felt that he could work a deal with Russell Greathouse to purchase property just south of the church property rather than on 200 North. Commission Members agreed that, if the property were contiguous with existing R-4 zoning, they would be more favorable to a zone change. In addition, the Commission would like to know the intention of Mr. and Mrs. Greathouse regarding subdividing the remaining property before approving a zone change on a portion of the property.

It was determined that Dr. Chandler will meet with Russell Greathouse to attempt purchase of property just south of the church property. In addition, he will approach Mr. Greathouse for a plan for the remaining property. Zoning Officer Neil Forster advised the Commission that there is sewer available on the property that they are looking at but there is no water line. Building on that property would require a water line extension. Commission Members agreed that they would like to work with Dr. Chandler and Mr. Greathouse to utilize the property. Dr. Chandler will return to the Planning & Zoning Commission next month with additional information.

COMMISSION MEMBER GAYLE BUNKER: REQUEST FROM CITY COUNCIL TO ASSIGN ZONING FOR SEXUALLY-ORIENTED BUSINESSES.

Commission Member Gayle Bunker told Commission Members that this item has been referred to the Commission by the City Council. The City Council is requesting that the Commission review this item to determine zoning for these businesses so that the City Council can adopt an ordinance regulating sexually-oriented businesses. Commission Members had a number of questions, many of a legal nature. Mayor Dafoe explained that the City people who regulate business licenses attended a business license seminar and were advised that there seems to be a trend of this type of businesses moving into rural Utah. It was recommended at that meeting that all rural cities and towns have their ordinances regulating sexually-oriented businesses in place before any attempt is made to obtain a business license for such businesses. The draft ordinance, which has been distributed to Commission Members for their review, is Delta City's attempt to have regulations in place before a problem arises.

Commission Member Gayle Bunker MOVED to table discussion of this item until the next Planning & Zoning Commission meeting and request that City Attorney Richard Waddingham attend the meeting for the purpose of answering questions regarding the proposed ordinance. 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.

CHAIRMAN PAULINE WARNER: FUTURE LAND USE MAP.

For the benefit of the new members of the Planning & Zoning Commission, Chairman Warner explained the use and purpose of the Future Land Use Map. Mrs. Warner explained that the map is a definition of the proposed future zones in certain areas adjacent to the existing Delta City boundaries. In addition, the existing Future Land Use Map is no longer effective inasmuch as the City boundaries have extended to the perimeter of the existing map. Zoning Officer Forster further explained that the Future Land Use Map is a futuristic line of thinking, beyond our existing boundaries, out into a given area. The area to be considered is presently in the county and the Future Land Use Map is this Commission's look at how they envision that area being zoned and how it will be used at some time in the future. For annexation, state statutes require that there be a Future Land Use Map in place which encompasses the area to be annexed so, at this point, Delta City is unable to annex any further to the East and very little to the South, North, or West.

It is proposed that a Future Land Use Map be developed to encompass one-half mile to the North, East, and West of Delta City, and one-quarter mile to the South. Zoning Officer Forster will attempt to have the County give us a map showing their zones within these boundaries.

Following lengthy discussion, Commission Member Gayle Bunker MOVED to table this item until the next Planning & Zoning Commission meeting and discuss the matter further at that time. 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

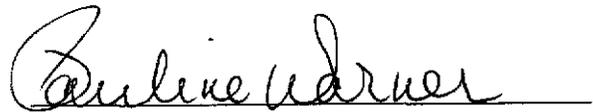
Commission Member Phil Sabey mentioned to the Commission that, when the Conditional Use Permit was granted to Great Basin Feed & Supply, it was subject to not having any outside storage of commodities or goods. At this time, they are storing some items outside, as well as selling plants outside. Commission Member Sabey believes that we should amend the Conditional Use Permit to allow for the outside storage and plant sales, as long as it is well maintained and looks good, as it is now. Commission Members determined that this item should be put on the agenda for the next Planning & Zoning Commission meeting.

Chairman Warner noted that, with the expiration of Rick Moultrie's term of office, the Commission needs to elect a new Vice-Chairman. The Commission reviewed Section 12-324 of the Zoning Ordinance which states that the Commission can "select a Vice-Chairman" to act in the absence of the Chairman. Commission Member Gayle Bunker MOVED to appoint Russell Jones as Vice-Chairman. The motion was SECONDED by Council Member Dan Sperry. 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.

Mayor Dafoe advised the Commission that he had just returned from a meeting of the Six County Association and reported that, at that meeting, they had approved hiring a planner, which would be available to all cities in the Six County area for the purpose of assisting in planning decisions.

Chairman Warner asked if there were any comments, questions, or other items to be discussed. There being none, Commission Member Phil Sabey MOVED to adjourn the meeting. 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.

Chairman Warner declared the meeting adjourned at 9:15 p.m.


PAULINE WARNER, Chairman


Karen Johnson, Secretary

MINUTES APPROVED: P&Z 06-11-97