

PLANNING & ZONING COMMISSION  
JANUARY 7, 1998

PRESENT

Pauline Warner  
Gayle Bunker  
Garry Christensen  
Russell Jones  
Mike Rose  
Phil Sabey  
Dan Sperry

Chairman  
Commission Member  
Commission Member  
Commission Member  
Commission Member  
Commission Member  
Commission Member

ABSENT

None

ALSO PRESENT

Neil Forster  
Karen Johnson  
Todd Turner  
Curt Crosby

Zoning Office  
Secretary  
City Resident  
KNAK Radio

Chairman Pauline Warner called the meeting to order at 7:30 p.m. Chairman Warner stated that notice of the meeting time, place, and agenda was posted at the City Building, located at 76 North 200 West, and was mailed, postage prepaid, to the Millard County Chronicle/Progress and to KNAK Radio, and was delivered, by personal delivery 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 November 12, 1997 were presented for approval. The Commission reviewed the minutes briefly, after which Commission Member Gayle Bunker MOVED to approve the minutes, as presented. The motion was SECONDED by Commission Member Dan Sperry. 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.

BUSINESS

TODD TURNER: PRELIMINARY/FINAL PLAT FOR SINGLE LOT SUBDIVISION AT APPROXIMATELY 430 SOUTH 500 WEST

Todd Turner advised the Commission that he has been working on annexing and subdividing this property for several months and that the Commission had discussed the subdivision previously but it could not be approved prior to completion of the annexation. Mr. Turner asked if there were any questions regarding his request. Commission Member Gayle Bunker questioned the difference, between the annexation plat and the subdivision plat, in the length of the East boundary line. The annexation plat shows the length of the East boundary to be 239 feet and the subdivision plat shows 188 feet. Zoning Officer Neil Forster advised the Commission that he has checked the County plat, which shows the East boundary to be 188 feet, which is the distance shown on the subdivision plat. This would indicate that the annexation plat was in error, but the error would not affect the annexation because the East boundary on the annexed property lies between two parcels which had already been annexed into Delta City. The subdivision plat includes a 50 foot strip to be used for a road, if needed, in the future.

Following discussion, Commission Member Gayle Bunker MOVED to approve the Turner/Lovell Subdivision Plat, as presented, with the condition that Mr. Turner sign an Improved Lot Agreement for curb, gutter, and sidewalk improvements in the event that the City determines, at some future date, to install curb, gutter and sidewalks on 500 West. The motion was SECONDED by Commission Member Dan Sperry. 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.

CHAIRMAN PAULINE WARNER: RECONSIDER ZONE ASSIGNMENT FOR SEXUALLY ORIENTED BUSINESSES

Chairman Warner advised Commission Members that, when this issue was discussed at a previous meeting, the Commission recommended that sexually oriented businesses be required to locate in the Industrial Development zone. When City Attorney Richard Waddingham was preparing the ordinance for approval by the City Council, it was noted that the Industrial Development (I-D) Zone is strictly a development zone and does not include a list of Permitted and Conditional Uses, which makes it more difficult to apply restrictions and conditions on the businesses which locate there. City Attorney Waddingham has recommended that the sexually oriented businesses be required to locate in the Light Industrial (I-1) Zone, which includes a list of Permitted and Conditional Uses. If this were done, sexually oriented businesses could be added to the list as a Conditional Use, thus requiring that any such business would be required to come before the Planning & Zoning Commission to request approval prior to locating their business in that area and the Commission could set forth specific conditions for operation of the business.

Zoning Officer Forster advised the Commission that, in order to protect the integrity of the Industrial Development Zone, you cannot install a list of uses, and still have a "development" zone. The development zone, in itself, is open-ended and loose woven in order to allow development of

different types of industry. If you go to the Light Industrial zone, you "tighten" the requirements and make the area more restrictive as to what types of industry are allowed, and determine what conditions the business must comply with.

Chairman Warner also noted that, at present, Delta City has the Light Industrial zone classification in the Zoning Ordinance but does not have any area of the City designated as Light Industrial.

After further discussion, it was determined that the best course of action would be to change the zoning on a portion of property from Industrial Development (I-D) to Light Industrial (I-1). Commission Member Gayle Bunker noted that the only area available, in order for sexually oriented businesses to be located the minimum distances from residences, churches, schools, like businesses and businesses which sell alcohol, would be along 1000 West between 100 North and approximately 320 North.

Following lengthy discussion, regarding the amount of area to propose for a zone change, Commission Member Gayle Bunker MOVED to recommend to the City Council that a public hearing be set for the purpose of receiving public comment regarding a proposed zone change from Industrial Development (I-D) to I-1 (Light Industrial) in an area running from 1000 West Street to a point 855.6 feet East of 1000 West Street, which is the East boundary line of the Sherman L. and Merle H. Jones property, between 100 North Street and approximately 320 North, and to amend the Zoning Ordinance to provide for sexually oriented businesses to be a conditional use in the I-1 (Light Industrial) zone.

#### CHAIRMAN PAULINE WARNER: FUTURE LAND USE MAP

Chairman Pauline Warner stated that she would like to know what steps need to be taken to complete preparation of a Future Land Use map. Commission Members discussed how much area on each boundary of the City would be included in the Future Land Use map. It was determined that the Future Land Use map should include the area  $\frac{1}{4}$  mile South,  $\frac{3}{4}$  mile East,  $\frac{1}{2}$  mile North, and one mile West of all existing City boundaries.

Zoning Officer Neil Forster noted that he has not had the process of preparing a Future Land Use map explained to him and does not know the steps which need to be taken. Commission Member Gayle Bunker noted that this map should take into consideration what is anticipated for the next ten years growth and felt that many of the areas, which are now agricultural areas, will remain as they are for ten years. It was felt that the area which Millard County has designated as industrial is probably the same area which Delta City would like to designate as industrial.

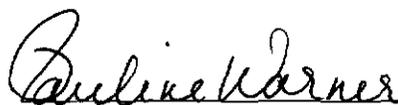
It was determined that Zoning Officer Forster and Commission Member Bunker will check the state statute to determine what the process is for preparing the Future Land Use map. In addition, Commission Members will look at the areas around the City boundaries in order to have an idea what type of future growth may happen in the various areas.

Following discussion, Commission Member Gayle Bunker MOVED to table this item until the next meeting of the Planning & Zoning Commission. 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.

Chairman Warner asked if there were any other comments or questions, or other business to be discussed. There being none, Commission Member Dan Sperry MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Garry Christensen. 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.

Chairman Warner declared the meeting adjourned the meeting at 9:00 p.m.

  
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PAULINE WARNER, Chairman

  
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Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 02-11-98