

PLANNING & ZONING COMMISSION MEETING
OCTOBER 2, 2002

PRESENT

Phil Sabey	Chairman
Brent Berkley	Commission Member
Joyce Moody	Commission Member
Dan Sperry	Commission Member

ABSENT

Robert Droubay	Commission Member
Joe Young	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Karen Johnson	Planning & Zoning Commission Secretary
Grant Nielson	City Resident
Rendon Hughes	City Resident

Chairman Sabey called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place, and agenda had been provided to the Millard County Chronicle/Progress, to KNAK Radio, 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 September 4, 2002 were presented for consideration and approval. Following review, Commission Member Brent Berkley MOVED to approve the minutes of the Planning & Zoning Commission meeting held September 4, 2002, as presented. The motion was SECONDED by Commission Member Dan Sperry. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Planning & Zoning Commission meeting held September 19, 2002 were presented for consideration and approval. Following review, Commission Member Joyce Moody MOVED to approve the minutes of the Planning & Zoning Commission meeting held September 19, 2002, as presented. The motion was SECONDED by Commission Member Dan Sperry. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BUSINESS

GRANT NIELSON: LOT 4, PLAT "L" AND LOTS 5 & 6, PLAT "N", PENDRAY ESTATES SUBDIVISION FINAL PLAT

Chairman Sabey noted that Mr. Nielson is requesting approval for amending Plats "L" and "N", Pendray Estates Subdivision in order to enlarge three lots by incorporating a portion of an unimproved lot, located between Plats "L" and "N", into each of the three existing lots. Inasmuch as the Delta City Subdivision Ordinance does not address the subject of amending a plat, the City Attorney has advised that it is necessary to comply with provisions outlined in the State Code for amending a plat. At this time, Mr. Nielson has obtained signatures of all property owners in the two plats, with the exception of Robert Pendray, who has received a Registered letter but has not responded.

Following discussion, Commission Member Brent Berkley MOVED to recommend to the City Council that the Amended Final Plat for Lot 4, Plat "L", Pendray Estates Subdivision, be approved. The motion was SECONDED by Commission Member Dan Sperry. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Following further discussion, Commission Member Brent Berkley MOVED to tentatively approve and recommend to the City Council that the Final Amended Plat for Lots 5 & 6, Plat "N", Pendray Estates Subdivision be approved, with the condition that the final signature of Robert Pendray be obtained and if, however, that signature is not obtained, that the City Council set a public hearing at the earliest possible date for the purpose of receiving public comment regarding the proposed amended Plat "N", Pendray Estates Subdivision. The motion was SECONDED by Commission Member Joyce Moody. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

GRANT NIELSON: PENDRAY ESTATES SUBDIVISION PLAT "P", PRELIMINARY AND FINAL PLAT

Plat "P" covers a new section of Pendray Estates Subdivision which has not previously been platted and improved. Mr. Nielson would like to complete this section of the subdivision at this time. Chairman Sabey noted that development of this plat is covered by the Short Plat Subdivision section of the Delta City Subdivision Ordinance.

Following review and discussion, Commission Member Brent Berkley MOVED to approve Pendray Estates Subdivision Plat "P" Preliminary and Final Plat, as presented, and to recommend to the City Council that Pendray Estates Subdivision Plat "P" Preliminary and Final Plat be approved and to waive the requirements that the applicant send notice to other property owners and that a public hearing be held. The motion was SECONDED by Commission Member Dan Sperry. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none he

called for a vote. The motion passed unanimously.

CHAIRMAN PHIL SABEY: ANNEXATION POLICY

Chairman Sabey advised Commissioners that the State has made several changes in annexation procedures during the last several years. At one point, it was determined that a Master Annexation Policy Declaration was not needed in order to approve annexation. However, the most recent changes require that the Master Annexation Policy Declaration again be a part of annexation approval and that the new Annexation Policy, along with all forms used for annexation, be in place by January 1, 2003. City Attorney Richard Waddingham provided copies of forms previously used by Delta City and has requested review by the Planning & Zoning Commission to make recommendations as to what forms should be used, as well as what requirements should be set forth for annexation into Delta City. In addition, City Attorney Waddingham provided copies of current annexation provisions as set forth in the Utah Municipal Code for review by Commission Members.

Commission Members felt that Delta City should follow guidelines set forth in the Utah Municipal Code rather than attempting to be more restrictive. Following discussion, Commission Member Dan Sperry MOVED to recommend to the City Council that guidelines set forth in the Utah Municipal Code be followed in writing the annexation policy plan required to be in place by January 1, 2003. The motion was SECONDED by Commission Member Joyce Moody. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CHAIRMAN PHIL SABEY: AMENDMENT TO SUBDIVISION ORDINANCE

Chairman Sabey noted that the current Delta City Subdivision Ordinance does not provide for amending or vacating an existing subdivision plat. Chairman Sabey questioned whether there is a need to amend the Subdivision Ordinance to provide guidelines for vacating or amending a plat.

Following discussion, Commission Member Brent Berkley MOVED to recommend to the City Council that the rules and regulations pertaining to vacating or changing an existing plat as currently contained in §§ 10-0-808, 10-9-809 & 10-9-810, Utah Code Annotated (1953), as amended, be adopted and incorporated as a part of the Delta City Subdivision Ordinance in order to address vacating, changing, or amending an existing subdivision plat. The motion was SECONDED by Commission Member Dan Sperry. Chairman Phil Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

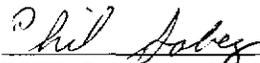
Commission Member Joyce Moody MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Dan Sperry. Chairman Sabey asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed

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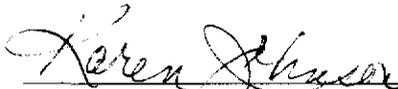
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unanimously.

Chairman Sabey declared the meeting adjourned at 7:50 p.m.



PHIL SABEY, Chairman



Karen Johnson, P&Z Secretary

MINUTES APPROVED: P&Z 11-06-02