

PLANNING & ZONING COMMISSION
APRIL 2, 2003

PRESENT

Brent Berkley	Chairman
Vance Bishop	Commission Member
Robert Droubay	Commission Member
William Keel	Commission Member

ABSENT

Joyce Moody	Commission Member
David Styler	Commission Member
Joe Young	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Karen Johnson	Secretary
Gayle Bunker	Mayor
Mike Kaczorowski	Utah Department of Transportation
Ree Schena	Utah Department of Transportation
Maria Nye	Delta Community Church
Charlotte Morrison	Delta Community Church
John Otto	Delta Community Church
James Todd	Millard County Chronicle/Progress

Chairman Berkley called the meeting to order at 7:04 p.m. He stated that notice of the meeting time, place and agenda had been posted at the City Building, 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. Karen Johnson acted as secretary.

MINUTES

The proposed minutes of a Planning & Zoning Commission Meeting held March 5, 2003 were presented for consideration and review. Following review, Commission Member Robert Droubay MOVED to approve the minutes of the Planning & Zoning Commission Meeting held March 5, 2003, as presented. The motion was SECONDED by Commission Member Vance Bishop. Chairman Berkley asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BUSINESS

MARIA NYE, DELTA COMMUNITY CHURCH: AVAILABLE OPTIONS FOR MODIFICATION OF CHURCH FACILITIES LOCATED AT APPROXIMATELY 107 SOUTH 200 WEST

Mrs. Nye, a member of the building committee for the Delta Community Presbyterian Church introduced Charlotte Morrison and John Otto, other committee members who were attending the meeting. Mrs. Nye distributed copies of information regarding the current church facility and noted that the existing building is not in compliance with current building codes and is not handicap accessible. The building is over 100 years old and church members are attempting to determine what options are available to them for either modifying the current structure, including handicap access and improvements which would comply with current building codes, constructing an addition to the existing building, razing the existing building and constructing a new building on the property, or selling the existing church property and constructing a new facility on property located at approximately 100 West and 400 South. The property located at approximately 100 West and 400 South is currently outside the Delta City limits; the church would like to annex that property into Delta City if the option chosen is to build a new facility at that location. The congregation has formed a building committee, which is attempting to gather information on which options would be most feasible.

Mrs. Nye discussed the four options which have been reviewed by the congregation. It was noted that the proposal to construct a 30' x 48' addition on the existing building would result in the east side of the building extending to the property line. However, inasmuch as the current building is designated by the Delta City Zoning Ordinance as a nonconforming structure, and the ordinance prohibits enlargement or expansion of nonconforming structures, this option would not be feasible. In addition, adding on to the current structure or constructing a new building on the same property would require compliance with existing zoning requirements, including the requirements that church facilities be constructed at least forty feet from all property lines.

The Commission advised Mrs. Nye the best options presented would appear to be making improvements with the existing building, including installation of handicap accessible facilities or construction of a new building on property located approximately 100 West 400 South.

CHAIRMAN BRENT BERKLEY: PROPOSED WAIVER OF CONDITIONAL USE PERMIT FEES FOR FAMILY EQUIPMENT RENTAL & SUPPLY, DROUBAY CHEVROLET AND SAHARA MOTORS

Chairman Berkley noted that this matter had been briefly discussed at the previous meeting, however, there was no action taken inasmuch as the matter was not on the agenda. It was proposed that these existing businesses be asked to apply for a conditional use permit in order to have those permits on file but, inasmuch as the businesses had been in operation for a number of years, that the

conditional use permit fee be waived.

Commission Member Robert Droubay stated, for the record that, as one of the business owners involved, he had a conflict of interest in this matter. Commission Member William Keel stated that he is also one of the business owners involved and has a conflict of interest. Commission Members felt that the interests of the community would be best served if action on this matter were delayed until additional members of the Planning & Zoning Commission were in attendance. Commission Member William Keel MOVED to table discussion of this matter until the next meeting of the Planning & Zoning Commission. The motion was SECONDED by Commission Member Robert Droubay. Chairman Berkley asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ROBERT DROUBAY, DROUBAY CHEVROLET: REQUEST FOR CONDITIONAL USE PERMIT FOR AUTOMOBILE DEALERSHIP LOCATED AT APPROXIMATELY 348 WEST MAIN STREET

Chairman Berkley stated that Droubay Chevrolet had been in business for a number of years but there was not a conditional use permit on file for the business, as required by the current zoning ordinance. Droubay Chevrolet was asked to apply for a conditional use permit for the dealership and has complied with the request.

Following discussion of possible conditions which should be attached to the permit, Commission Member William Keel MOVED to approve a Conditional Use Permit for Droubay Chevrolet, applicable to both automobile sales lots; i.e. approximately 348 West Main Street and 285 West Main Street, with the following conditions: 1) No display of vehicles on the street, 2) No impeding of pedestrian traffic on the sidewalks or any other rights of way, 3) Compliance with all federal, state and local laws and ordinances, and 4) The conditional use permit must be reviewed by the Planning & Zoning Commission upon transfer of ownership. The motion was SECONDED by Commission Member Vance Bishop. Chairman Berkley asked if there were any comments or questions regarding the motion. Commission Member Robert Droubay stated that he would abstain from the vote because of his conflict of interest. Chairman Berkley stated that he would step from the chair for the purpose of voting on the motion. Chairman Berkley called for a vote on the motion. The motion passed with Chairman Berkley, Commission Members Vance Bishop and William Keel voting in favor and Commission Member Robert Droubay abstaining from the vote. Chairman Berkley then resumed the chair.

RUSSELL GREATHOUSE, SAHARA MOTORS: REQUEST FOR CONDITIONAL USE PERMIT FOR AUTOMOBILE DEALERSHIP LOCATED AT APPROXIMATELY 597 NORTH HIGHWAY 6

Chairman Berkley stated that this request for conditional use permit was the same type of request as Droubay Chevrolet; i.e, they have been in business for a number of years but there was no

conditional use permit on file and Sahara Motors had also been asked to apply for a conditional use permit and they have complied with the request.

Commission Members agreed that the same conditions should apply to this conditional use permit as to the one previously considered. Commission Member Vance Bishop MOVED to approve a Conditional Use Permit for Sahara Motors, located at approximately 597 North Highway 6, with the following conditions: 1) No display of automobiles on the street, 2) No impeding of pedestrian traffic on sidewalks or any other rights of way, 3) Compliance with all federal, state and local laws and ordinances, and 4) The conditional use permit must be reviewed by the Planning & Zoning Commission upon transfer of ownership. The motion was SECONDED by Commission Member Robert Droubay. Chairman Berkley asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MIKE "KAZ" KACZOROWSKI, UTAH DEPARTMENT OF TRANSPORTATION: 2030 LONG RANGE TRANSPORTATION PLAN PRESENTATION

Mr. Kaczorowski, of the Utah Department of Transportation Planning Department, discussed the process that UDOT is using to determine what the transportation needs for the state will be during the next twenty years. The purpose of the presentation is to solicit comments from various communities throughout the state as to what their particular transportation needs may be in the next few years. Mr. Kaczorowski's presentation demonstrated the transportation planning process, including criteria used to prioritize proposed projects. The highest priority is given to safety, followed by bridges & pavement condition. The last priority is given to congestion.

Mr. Kaczorowski was asked if extension of public transportation into the rural areas is a part of the long range plan. Mr. Kaczorowski stated that public transportation in the rural areas has been a concern in many of the rural areas which he has visited with this presentation. Mr. Kaczorowski explained that there are grants and funding sources for dealing with public transportation. There was discussion regarding the length of time required to obtain grants, pedestrian problems on Main Street, pedestrian/bicycle loops, and sidewalk / shoulder improvements.

Mr. Kaczorowski told those in attendance that all comments received will be taken back to those who are studying the issue. Comments can be made during this presentation, can be mailed in and can be turned in by e-mail.

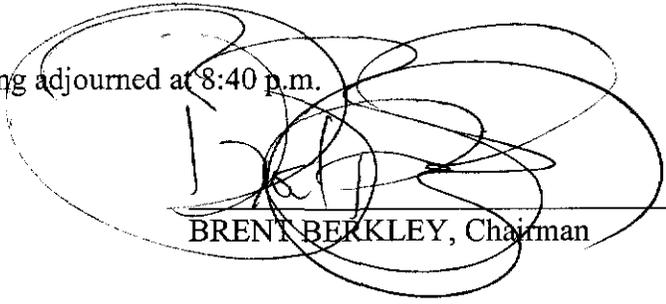
Commission Members thanked Mr. Kaczorowski for his presentation and the information provided.

Chairman Berkley asked if there were any other comments or questions. Mayor Gayle Bunker requested time to address the Commission on the matter of used automobiles being parked and advertised for sale on the Lake Philgas property located between 350 East and 400 East on Main Street. Mayor Bunker felt that, even though Lake Philgas is not selling the vehicles and is not collecting a fee from the vehicle owners, a conditional use permit should be required for that

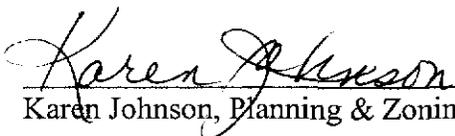
property, just as it is required for the licensed automobile dealers. Commission Members expressed concern regarding the used automobiles being parked in other areas around town if Lake Philgas were to discontinue allowing them to be parked on their property. Mayor Bunker advised the Commission that some cities restrict any vehicles being displayed on property that is owned by another person. Commission Members felt that an ordinance prohibiting displaying vehicles on property belonging to another person may be the best way to control the problem. Mayor Bunker felt that the City Council would request a recommendation from the Planning & Zoning Commission prior to making a decision on this matter. Chairman Berkley requested that this matter be placed on the agenda for the next Planning & Zoning meeting.

Commission Member Robert Droubay MOVED to adjourn the meeting. The motion was SECONDED by Commission Member William Keel. Chairman Berkley asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Chairman Berkley declared the meeting adjourned at 8:40 p.m.



BRENT BERKLEY, Chairman



Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P & Z 05-07-03