

PLANNING & ZONING COMMISSION MEETING  
FEBRUARY 4, 2004

PRESENT

Vance Bishop	Chairman
Robert Banks	Commission Member
William Keel	Commission Member
Marjorie Riding	Commission Member
R. Dale Roper	Commission Member
David Styler	Commission Member
Joe Young	Commission Member

ABSENT

None

ALSO PRESENT

Alan Riding	Zoning Officer
Karen Johnson	Planning & Zoning Secretary
Russell Greathouse	Area Resident
James Edwards	Land Surveyor
Robert Droubay	City Resident
Kevin Ivie	City Resident
Julie Keel	City Resident
Gayle Bunker	Delta City Mayor

Chairman Bishop 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 and to each member of the Planning & Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held November 5, 2003 were presented for consideration and approval. Following review, Commission Member Joe Young MOVED to approve the minutes of the Public Hearing held November 5, 2003, as presented. Chairman Bishop 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 November 5, 2003 were presented for consideration and approval. Following review, Commission Member David Styler MOVED to approve the minutes of the Planning & Zoning Commission Meeting held November 5, 2003, as presented. The motion was SECONDED by Commission Member William Keel. Chairman Bishop 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 December 3, 2003 were presented for consideration and approval. Following review, Commission Member Joe Young MOVED to approve the minutes of the Planning & Zoning Commission Meeting held December 3, 2003, as presented. The motion was SECONDED by Commission Member Marjorie Riding. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BUSINESS

NIKKI MCDERMAID: REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE A DAY CARE AT APPROXIMATELY 310 NORTH 150 EAST

Mrs. McDermaid is currently licensed by the State of Utah and Millard County to operate a day care center at her home located in Oasis. She has requested a conditional use permit to operate the day care center at a residence located at approximately 310 North 150 East.

Following review and discussion of Mrs. McDermaid's request, Commission Member Dale Roper MOVED to approve a Conditional Use Permit for Nikki McDermaid to operate a day care center at a residence located at approximately 310 North 150 East, with the conditions that the day care center comply with all State and local rules and regulations, that a four foot fence be provided around the play area, and that the Conditional Use Permit will not transfer with ownership of the property. The motion was SECONDED by Commission Member Robert Banks. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

RUSSELL GREATHOUSE: PRELIMINARY PLAT - GREATHOUSE SUBDIVISION LOCATED AT APPROXIMATELY 800 EAST 750 NORTH

Chairman Bishop noted that this matter had come before the Planning & Zoning Commission several times. An amendment to the Subdivision Ordinance, which would allow waiver of curb, gutter and sidewalk in Rural Residential zones, was forwarded to the City Council for approval. The City Council held a public hearing but did not take action on the proposed amendment. Commission Member Robert Banks felt that the Council wanted time to study the proposed amendment prior to taking action. There was discussion regarding whether curb, gutter and sidewalk requirements should be waived on one-half acre lots or whether those improvements should be waived only on one acre lots.

Commission Members spent considerable time discussing all aspects of the proposed subdivision, the subdivision ordinance, and the general plan. Following lengthy discussion, Commission Member Joe Young MOVED to approve the Greathouse Subdivision Preliminary Plat and to recommend to the City Council that the Greathouse Subdivision Preliminary Plat be approved. The motion was SECONDED by Commission Member Dale Roper. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The

motion passed with Commission Members Banks, Riding, Roper, Styler and Young voting in favor and Commission Member Keel voting against.

RUSSELL GREATHOUSE: FINAL PLAT - GREATHOUSE SUBDIVISION PHASE ONE LOCATED AT APPROXIMATELY 800 EAST 750 NORTH

Commission Members reviewed the proposed final plat for Greathouse Subdivision Phase One. Following review and discussion, Commission Member Dale Roper MOVED to approve the Final Plat for Greathouse Subdivision Phase One and to recommend to the City Council that the Greathouse Subdivision Phase One Final Plat be approved. The motion was SECONDED by Commission Member Marjorie Riding. Chairman Bishop asked if there were any comments or questions regarding the motion. Chairman Bishop stated that he and Mayor Bunker had discussed the possibility of requiring a fence around the storm drainage area shown on the plat. Commission Member William Keel asked why curb and gutter is not being required in the proposed streets forming cul-de-sacs. He called attention to Section 7.4 of the Delta City Subdivision Ordinance which allows the City Council, after recommendation of the Planning Commission, to waive sidewalks, but does not include a waiver of curb and gutter requirements. Commission Member Young felt that requiring curb and gutter on the cul-de-sac streets would create a greater problem for owners of lower lots in the event of major rainfall. Chairman Bishop questioned whether action should be taken on this matter prior to the subdivision fees being paid. Commission Member Young stated that, the Planning & Zoning Commission has required numerous changes in this proposed plan which would have caused problems in knowing what the fees should be and, had Mr. Greathouse paid prior to this time, the amount of fees due could have changed several times. Zoning Officer Riding questioned whether fees should be paid when a concept plan is reviewed or when a preliminary plat is approved. He also noted that, signatures would not be placed on the final mylar plat until all fees have been paid. Commission Member Roper amended his MOTION to approve the Final Plat for Greathouse Subdivision Phase One, subject to subdivision fees being paid. Commission Member Riding SECONDED the amended motion. Following further discussion regarding conditions under which waiver of curb and gutter can be granted, Chairman Bishop called for a vote. The motion passed with Commission Members Banks, Riding, Roper, Styler and Young voting in favor and Commission Member Keel voting against.

ROBERT DROUBAY: PRELIMINARY PLAT - NOTCH PEAK VIEW SUBDIVISION LOCATED AT APPROXIMATELY 900 NORTH 350 EAST

Mr. Droubay presented his plan for Notch Peak View Subdivision for review by the Planning Commission. Mr. Droubay requested input from the Commission regarding his proposed plan and any changes which they felt should be made. The subdivision includes ten one-half acre lots and five one acre lots, with curb, gutter and sidewalk and City water and sewer services. Inlet boxes and a sump for handling storm water are planned, rather than running it into the city system. Mr. Droubay plans to have protective covenants regarding home size, construction, etc.

Following review, Commission Member David Styler MOVED to approve the Preliminary Plat for

Notch Peak View Subdivision subject to provision of final plans for handling storm water and to also recommend to the City Council that the Preliminary Plat for Notch Peak Subdivision be approved, subject to the same provisions. The motion was SECONDED by Commission Member Dale Roper. Chairman Bishop 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: FINAL PLAT - NOTCH PEAK VIEW SUBDIVISION PHASE ONE LOCATED AT APPROXIMATELY 900 NORTH 350 EAST

Chairman Bishop recommended that Commission Members spend some time reviewing the final plat for Notch Peak Subdivision Phase One prior to taking action to approve or deny the plat. Commission Member Dale Roper MOVED to table discussion of this matter until the next Planning & Zoning Meeting in order to allow time for Commission Members to review the plat. The motion was SECONDED by Commission Member David Styler. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

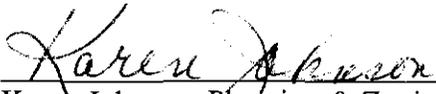
CHAIRMAN VANCE BISHOP: GENERAL PLAT UPDATE

Chairman Bishop noted that the Commission had previously discussed a future land use plan and had requested a map showing county zoning of areas adjacent to Delta City boundaries. That map was included in the packets delivered to each Commission Member prior to the meeting. Commission Members reviewed the map and determined that they need to coordinate the Delta City General Plan update and future land use map with members of Millard County Planning & Zoning. Mayor Bunker will contact Millard County to determine if a work session can be arranged for the purpose of discussing future land use. If a work session cannot be arranged, the possibility of changing the day of the Delta City Planning & Zoning meeting will be discussed.

Chairman Bishop asked if there were any other comments or questions. There being none, Commission Member Joe Young MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Dale Roper. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Chairman Bishop declared the meeting adjourned at 8:50 p.m.

  
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VANCE BISHOP, Chairman

  
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Karen Johnson, Planning & Zoning Secretary