

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION MEETING
JUNE 2, 2004

PRESENT

Vance Bishop	Chairman
Robert Banks	Commission Member
William Keel	Commission Member
Joe Young	Commission Member

ABSENT

Marjorie Riding	Commission Member
R. Dale Roper	Commission Member
David Styler	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Karen Johnson	Planning & Zoning Commission Secretary
Gayle Bunker	Delta City Mayor
Stephen Bowes	City Resident
Steve Wilstead	City Resident
DeNean Wilstead	City Resident
John Riding	Property Owner
Susan Jean Riding	Property Owner
Gregory Schafer	City Recorder
Bruce Curtis	Delta City Council Member

Chairman Bishop called the meeting to order at 7:17 p.m., when the third member of the Planning & Zoning Commission arrived, providing the quorum necessary for convening a meeting. He stated that notice of the meeting time, place and agenda had been posted at the City Building, and 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 Planning & Zoning Commission Meeting held May 5, 2004 were presented for consideration and approval. Following review, Commission Member Joe Young MOVED to approve the minutes of the Planning & Zoning Commission Meeting held May 5, 2004, 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.

BUSINESS

Chairman Bishop noted that Mr. & Mrs. Steve Wilstead had met with the Planning & Zoning Commission at the May 5, 2004 meeting to request a conditional use permit which would allow them to keep up to three horses on their property located at approximately 212 South Manzanita Avenue. The matter was tabled at the last meeting to allow Chairman Bishop to discuss the request with City Attorney Richard Waddingham. Chairman Bishop stated that, even though the matter had been overlooked in preparation of the agenda for this meeting, inasmuch as he had instructed Mr. and Mrs. Wilstead that a decision on their request would be made at this meeting, Commissioners would make a decision on their request for a conditional use permit at this time, prior to conducting the business set forth on the agenda.

Chairman Bishop noted that, inasmuch as the Wilsteads' property is located in a Residential Development zone, the zoning ordinance is not specific as to what uses of the property are allowed. Chairman Bishop discussed this situation with City Attorney Waddingham who stated that single family dwellings, duplexes and twin homes are the only uses allowed in the Residential Development zone district. In addition, the zoning ordinance states in Section 12-505.C. "Any use not listed as a permitted use or not approved as a conditional use shall not be permitted, unless such use qualifies as a prior non-conforming use under Chapter 12-800. . . ." It is Chairman Bishop's opinion that permitting horses on the property does not comply as a prior non-conforming use. City Attorney Waddingham also stated that any property located in a Residential Development zone requires a specific zone designation prior to approval of uses other than single family homes, twin homes and duplexes.

Following review of Mr. and Mrs. Wilstead's request and discussion of the information obtained from City Attorney Waddingham, Commission Member Joe Young MOVED to deny the request of Steve and DeNean Wilstead for a Conditional Use Permit to allow keeping of up to three horses on their property located at approximately 212 South Manzanita Avenue due to the fact that the request involves issues which cannot be addressed by the Planning & Zoning Commission. 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.

Commission Member William Keel MOVED to recommend that the Conditional Use Permit fee paid by Mr. & Mrs. Wilstead be refunded to them. The motion was SECONDED by Commission Member Joe Young. 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 advised Mr. & Mrs. Wilstead that a possible option available to them would be to petition for a change of the zoning designation on their property to a zone which would allow keeping of animals.

STEPHEN BOWES: REQUEST FOR ZONE CHANGE FROM INDUSTRIAL DEVELOPMENT (I-D) TO R-2 (SINGLE & TWO FAMILY RESIDENTIAL) OR R-4 (MULTIPLE FAMILY RESIDENTIAL) ON PROPERTY LOCATED AT APPROXIMATELY 295 NORTH 500 WEST

Mr. Bowes told Commissioners that, under Industrial Development zoning, he is unable to make any changes to his property. Zoning Officer Alan Riding advised Commissioners that Mr. Bowes home is the only residence located in that Industrial Development zone, with all other uses in the area being industrial or commercial. Several years ago, most of the residential property in that particular zone were changed to R-4 (Multiple Family Residential), which is the zone designation across the street from Mr. Bowes property. Zoning Officer Riding suggested that the zone designation on Mr. Bowes property, as well as the balance of the property fronting 500 West Street, be changed to R-4 (Multiple Family Residential), which will be the same as the residential properties located across the street from Mr. Bowes' property.

Following review of Mr. Bowes' request, Commission Member Robert Banks MOVED to recommend to the City Council that a public hearing be held for the purpose of receiving public comment regarding a proposed zone change from Industrial Development to R-4 (Multiple Family Residential) on property located at approximately 295 North 500 West. 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.

JOHN RIDING: PROPOSED ANNEXATION / INDUSTRIAL PARK DEVELOPMENT

Mr. Riding distributed copies of a hand drawn map showing the property he is interested in annexing into Delta City and developing into an industrial park area. He has done this type of development in Utah County, but is unaware of what the market for industrial space might be in this area. Mr. Riding felt that it would be important to have property available if someone were looking for a five acre parcel for industrial or manufacturing use. He also felt that it would be important to construct a road for access to interior portions of the property. Mr. Riding plans to provide multiple use property with various size lots available. Mr. Riding asked for input from the Planning & Zoning Commission regarding his proposed plan.

Commission Members felt that the first step in providing the area for industrial use would be annexing the property into Delta City and suggested that the area adjacent to Highway 6 be zoned for commercial use, with the balance of the property being zoned for industrial use.

Mr. Riding will contact an engineer to draw the annexation plat and will present his annexation petition and plat for approval at a future meeting.

CHAIRMAN VANCE BISHOP: PROPOSED AMENDMENT OF PLANNING & ZONING COMMISSION MEETING SCHEDULE

Chairman Bishop advised Commissioners that Mayor Bunker had requested that the Planning & Zoning Commission discuss the possibility of changing their meeting schedule due to the fact that it now conflicts with the Millard County Planning & Zoning Commission meeting.

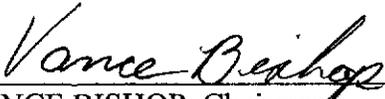
Following discussion of possible meeting schedules, Commission Member Joe Young MOVED to schedule the second Thursday of each month at 7:00 p.m. for the Delta City Planning & Zoning Commission Meeting. The motion was SECONDED by Commission Member Robert Banks. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CHAIRMAN VANCE BISHOP: ELECTION OF VICE-CHAIRMAN OF PLANNING & ZONING COMMISSION

Chairman Bishop requested that Commission Members elect a Vice Chairman of the Planning & Zoning Commission. Commission Member William Keel MOVED to appoint David Styler as Vice Chairman of the Planning & Zoning Commission. The motion was SECONDED by Commission Member Joe Young. 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 stated that he will discuss the results of this election with Commission Member Styler prior to taking further action to appoint him as Vice Chairman.

Chairman Bishop asked if there were any comments, questions or other matters to be discussed. There being none, Commission Member Joe Young MOVED to adjourn the meeting. 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.

Chairman Bishop declared the meeting adjourned at 8:42 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 07-08-04