

DELTA CITY PLANNING & ZONING COMMISSION MEETING
OCTOBER 14, 2004

PRESENT

Vance Bishop	Chairman
William Keel	Commission Member
R. Dale Roper	Commission Member
David Styler	Commission Member
Liz Webb	Commission Member

ABSENT

Robert Banks	Commission Member
Dana Rempp	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Richard Waddingham	City Attorney

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 Planning & Zoning Commission Meeting held September 9, 2004 were presented for consideration and approval. Commission Member David Styler noted two places on page 3 which need to be corrected to read "Vice Chairman Styler" rather than "Chairman Bishop." Following review, Commission Member David Styler MOVED to approve the minutes of the Planning & Zoning Commission Meeting held September 9, 2004, as corrected. 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.

BUSINESS

CHAIRMAN VANCE BISHOP: PROPOSED ANNEXATION POLICY

Chairman Bishop noted that this portion of the agenda is a public meeting to allow comment from affected entities regarding the proposed Delta City Annexation Policy. Notice of the meeting was provided to the Millard County Weed Board District, Millard County Mosquito Abatement District,

Drainage District #4, Millard County Cemetery District, Millard County Fire District, Water Conservation District, Millard County School Board, Millard County Boundary Commission, and Millard County Commission. Chairman Bishop noted that there were no individuals from any of those entities in attendance. Chairman Bishop declared the public meeting closed.

CHAIRMAN VANCE BISHOP: PROPOSED ANNEXATION POLICY

Chairman Bishop advised Commissioners that the next step in adopting the annexation policy is to set a public hearing for the purpose of receiving public comment regarding the proposed annexation policy. Commission Member David Styler MOVED to set a public hearing on Wednesday, November 10, 2004 at 7:00 p.m., for the purpose of receiving public comment regarding the proposed Delta City Annexation Policy. The motion was SECONDED by Commission Member Liz Webb. 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.

LEE ROBISON, NORTHERN UTAH PARTNERS, LLC: CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A RETAIL STORE ON PROPERTY LOCATED AT APPROXIMATELY 39 WEST MAIN STREET

Mr. Robison distributed plans for construction of a retail store on property located at approximately 39 West Main Street. Mr. Robison explained that Northern Utah Partners would like to construct a Family Dollar retail store, which will be a metal structure with a cinder block front. The property purchase is currently under contract, with final purchase being contingent upon being able to obtain a building permit. In discussing the building permit process with Zoning Officer Alan Riding, he was told that a conditional use permit must be obtained prior to issuance of a building permit.

Following discussion, Commission Member Dale Roper MOVED to approve a Conditional Use Permit for Northern Utah Partners, LLC to construct a retail store on property located at approximately 39 West Main Street, with the condition that the building is constructed in accordance with all building codes and zoning ordinances. The motion was SECONDED by Commission Member Liz Webb. 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.

KEAN MAXFIELD: PROPOSED SINGLE LOT SUBDIVISION LOCATED AT APPROXIMATELY 311 SOUTH 200 WEST

Zoning Officer Alan Riding advised Commissioners that Mr. & Mrs. Maxfield had sold their home and moved from the area. They would, however, like to retain ownership of a portion of the property. Commission Members asked Zoning Officer Riding if he had any concerns regarding approval of the single lot subdivision. Zoning Officer Riding indicated that the proposed single lot subdivision meets all requirements and he had no other concerns.

Following review, Commission Member Dale Roper MOVED to recommend that the proposed

Maxfield Single Lot Subdivision be forwarded to the City Council for review and, further, to recommend that the City Council approve the proposed subdivision. 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.

LOUISE ALLEN: REQUEST FOR CONDITIONAL USE PERMIT TO ALLOW A CHURCH GROUP TO HOLD SERVICES ON PROPERTY LOCATED AT APPROXIMATELY 269 WEST MAIN STREET

Sherida Parkinson, daughter of Louise Allen, introduced Reverend Elias Miranda who would like to hold church services in the building located at 269 West Main Street. Reverend Miranda's church currently has a membership of ten individuals. Reverend Miranda requested approval to hold church services for his Spanish speaking members in the building owned by Mrs. Allen.

Zoning Officer Riding noted that the Central Business Zone, where the building is located, does not specifically allow for churches, but allows other uses which the Planning & Zoning Commission determines to be in harmony with the zone. Zoning Officer Riding recommended that Commissioners word a Conditional Use Permit to protect the integrity of the zone, with regard to providing adequate off-street parking for church members. City Attorney Waddingham reviewed state law regarding proximity of churches to businesses holding beer licenses and suggested that Commissioners could grant the conditional use permit at this time, with the permit becoming effective on Monday, October 25, 2004 at 5:00 p.m., contingent upon City Attorney Waddingham's research.

Following discussion, Commission Member Dale Roper MOVED to grant a Conditional Use Permit to Louise Allen to allow Reverend Elias Miranda to hold church services in a building located at approximately 269 West Main Street, with the following conditions: 1) the Conditional Use Permit will become effective on Monday, October 25, 2004 at 5:00 p.m., unless City Attorney Richard Waddingham finds a reason which would require denial of the Conditional Use Permit, and 2) the attendance at church meetings will not exceed the parking which is currently available, as outlined in Delta City Zoning Ordinance Parking Regulations. 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.

CITY ATTORNEY RICHARD WADDINGHAM: PROPOSED AMENDMENT TO DELTA CITY ZONING ORDINANCE APPENDIX 4, MOBILE HOME ZONE, TO ALLOW MODULAR, MANUFACTURED AND STICK BUILT HOMES IN MOBILE HOME PARKS, AS A CONDITIONAL USE

City Attorney Waddingham prepared an amendment to the Delta City Zoning Ordinance Appendix 4, Mobile Home Zone, for the purpose of allowing modular, manufactured and stick built homes in a mobile home zone known as "Day Estates." Prior to the area being annexed into Delta City, there

Chairman Bishop asked if there were any comments, questions or other items to be discussed. There being none, Commission Member Liz Webb MOVED to adjourn the meeting. 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 Bishop declared the meeting adjourned at 8:34 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 11-10-04