

DELTA CITY PLANNING & ZONING COMMISSION MEETING
SEPTEMBER 8, 2005

PRESENT

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

Chairman
Commission Member
Commission Member
Commission Member
Commission Member

ABSENT

Robert Banks
Dana Rempp

Commission Member
Commission Member

ALSO PRESENT

Alan Riding
Karen Johnson
Richard Waddingham
Justin Nielson
Gayle Bunker
Mike Bunker
Howard & Tonya Quackenbush
Dean Draper

Zoning Officer
Secretary
City Attorney
White River Academy
Mayor
City Resident
City Residents
Millard County Chronicle/Progress

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 August 11, 2005 were presented for consideration and approval. Following review, Commission Member David Styler MOVED to approve the minutes of the Planning & Zoning Commission Meeting held August 11, 2005, as presented. 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.

BUSINESS

JUSTIN NIELSON, WHITE RIVER ACADEMY: REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE A SPECIAL PURPOSE SCHOOL IN THE OLD WEST MILLARD CARE CENTER FACILITY

Mr. Nielson asked Commission Members if they had any additional questions regarding the information he had provided with regard to the number of students the school would accept and any concerns which neighbors in the vicinity may have. The adequacy of available parking spaces was discussed.

Mike Bunker expressed concern regarding the age of residents in close proximity to the facility. Mr. Nielson stated he had discussed the proposed school with the residents, answering many questions about the proposal and felt that, once questions were answered, the residents were not against the proposed school. Commission Member Roper requested that Mr. Nielson discuss the proposed school with an additional resident who had expressed concerns. Mr. Nielson will contact that resident to answer any questions she may have.

Dean Draper, Millard County Chronicle/Progress, requested that Mr. Nielson publish an article in the local newspaper providing information about the proposed school. Mr. Nielson will give Mr. Draper any information he would like in order to write an article for the local newspaper.

Tonya Quackenbush stated that she had lived in the St. George, Utah area for six years where there are several schools of this type. She felt that the schools were not a problem for the community but were, in fact, an asset. The students were in control at all times and the facilities were well managed.

Following the discussion, Commission Member R. Dale Roper MOVED to grant Justin Nielson, White River Academy, a conditional use permit to operate a special purpose school in the old West Millard Care Center facility, located between 250 and 300 West on 100 South Street, with the condition that, 1) adequate parking is provided for employees and visitors, 2) Full compliance with all federal, state and municipal requirements and regulations for the school, including life / safety code issues and licensing and, 3) The school not accept any court referrals as residents of the school. 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: DISCUSSION OF NEW LAND USE DEVELOPMENT AND MANAGEMENT ACT

City Attorney Richard Waddingham advised Commission Members that the legislature had made many changes to land use ordinances during the last legislative session. Those changes became

effective in May, 2005. However, we have not, as yet, amended our laws to incorporate those changes and work needs to begin on those amendments immediately. City Attorney Waddingham suggested several options for working through the current zoning ordinances in order to determine what changes need to be made in order to have the Delta City ordinance comply with state regulations for land use. City Attorney Waddingham reviewed several land use changes which could be incorporated into the Delta City ordinance in order to simplify zoning issues.

Following discussion of several options, Commission Members requested that Zoning Officer Riding and City Attorney Waddingham review the current Delta City ordinance and bring their suggested amendments to the Commission for review and approval, with the suggestion that, at any time they feel additional input is needed from the Planning & Zoning Commission, the Commission be approached for further guidance. Zoning Officer Riding and City Attorney Waddingham will meet to review the administration section of the zoning ordinance and attempt to have that section ready for review by Commissioners at the next meeting.

CITY ATTORNEY RICHARD WADDINGHAM: PROPOSED ORDINANCE REGARDING J.J. RIP, LLC, ANNEXATION AND PROPOSED ZONING

City Attorney Waddingham asked if Commission Members had reviewed the proposed ordinance adopting the J.J. R.I.P., LLC Annexation to determine what zone designation should be assigned to each area of the proposed annexation. Commission Members reviewed the proposed map submitted by Mr. Riding and determined that the area listed as "light industrial" should be designated I-1; the area listed as "commercial development" should be designated "H-C"; the area listed as "multi family" should be designated "R-4"; and the area listed as "single family" should be assigned "R-1-A."

Following review, Commission Member David Styler MOVED to recommend to the City Council that the J.J. R.I.P., LLC Annexation be approved, as proposed, with the zone districts as set forth in Exhibit "A" to Ordinance No. 05-224. The motion was SECONDED by Commission Member R. 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.

Howard Quackenbush requested time to update Commission Members on his proposed annexation of property located on the west side of Delta. The proposed annexation area runs from Dutson Supply, located at approximately 790 West Main Street, to Gunnison Bend Reservoir on the west and south to include the area of their proposed motel / reception center development, located at approximately 800 West Main Street and runs from approximately 200 North to approximately 500 South. Most of the business owners in the proposed area are either in favor of or indifferent to the proposed annexation. Mr. and Mrs. Quackenbush are planning to bring their complete proposal to the Planning & Zoning Commission next month.

Commission Members thanked Mr. Quackenbush for his update and look forward to discussing the

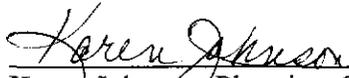
proposal at the next meeting.

Chairman Bishop asked if there were any comments, questions or other items to be discussed. There being none, Commission Member R. Dale Roper MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Liz Webb. Chairman Bishop called for a vote. The motion passed unanimously.

Chairman Bishop declared the meeting adjourned at 8:27 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 12-08-05