

CITY OF DELTA, UTAH  
PLANNING & ZONING COMMISSION MEETING  
AUGUST 13, 2009

PRESENT

Vance Bishop	Chairman
Robert Banks	City Council Representative
O. Dale Riding	Commission Member
R. Dale Roper	Commission Member
Roger Zeeman	Commission Member

ABSENT

Micah Chase	Commission Member
Dana Rempp	Commission Member
Liz Webb	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Ken Clark	Assistant Zoning Officer
Karen Johnson	Planning & Zoning Secretary
Phil Lambertson	City Resident

Chairman Bishop called the meeting to order at 7:00 p.m. He stated that notice of the time, place and agenda of the meeting had been posted at the City Building, published on the Utah Public Notice Website, provided to the Millard County Chronicle/Progress, and provided to each member of the Planning & Zoning Commission at least two days prior to the meeting.

MINUTES

The proposed minutes of a Planning & Zoning Meeting held July 9, 2009 were presented for consideration and approval. Following review, Commission Member R. Dale Roper MOVED to approve the minutes of the Planning & Zoning Commission Meeting held July 9, 2009, as presented. The motion was SECONDED by Commission Member O. Dale 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

CHAIRMAN VANCE BISHOP: REVIEW OF ORDINANCES FROM VARIOUS UTAH CITIES AND TOWNS REGARDING THE KEEPING OF CHICKENS IN RESIDENTIAL ZONES

Chairman Bishop advised Commission Members that he had provided a summary of the ordinances

from a number of cities and towns of various sizes which include information regarding keeping fowl and rabbits in residential zones. Commission Members reviewed the information and asked for input from Zoning Officer Alan Riding inasmuch as he would be handling enforcement of any ordinance adopted by Delta City. Zoning Officer Riding responded that a decision needs to be made as to whether fowl and rabbits would be allowed in all residential zones or if they would be allowed only in some residential zones. Zoning Officer Riding suggested that the size of coops/pens and distance from dwellings should be considered, as well as the number of fowl or rabbits to be allowed. The ordinance could be enforced using nuisance ordinance procedures, but we may also need to include the Health Department to address health issues. Zoning Officer Riding felt that keeping chickens is not a major problem unless complaints are received. If complaints are received, an investigation will be done and citations can be issued under the nuisance ordinance and a fine can be assessed.

Commission Member R. Dale Roper felt that, since the Public Works Department is going to be responsible for enforcing any ordinance we have for keeping fowl/rabbits, we should require registration and issue a permit. Commission Member Roper suggested that those who are responsible for enforcement should be included in drafting a proposal for consideration of the Planning & Zoning Commission. Commission Member Roper volunteered to meet with Public Works representatives to draft a proposal for consideration by the Planning & Zoning Commission. Chairman Bishop and Commission Member Roger Zeeman volunteered to assist with drafting a proposal. Phil Lambertson was also invited to participate in drafting a proposal.

Zoning Officer Riding asked Commission Members what portions of other ordinances they would like included in our draft ordinance. Commission Member Roger Zeeman liked the point system used in the South Jordan ordinance which limits numbers according to lot size. Commission Member Roper felt there were some good parts in most of the sample ordinances. Chairman Bishop liked the provisions in the Provo and Salt Lake City ordinances regarding upkeep of habitat. Council Representative Robert Banks suggested that we follow ordinances from cities approximately the same size as Delta.

Commission Member R. Dale Roper MOVED to form a subcommittee, consisting of Commission Members R. Dale Roper and Roger Zeeman, Public Works Director Alan Riding, Assistant Public Works Director Ken Clark and Phil Lambertson, to study the issue of keeping chickens in residential zones and to draft a proposal of restrictions to be included in an ordinance. The motion was SECONDED by Commission Member O. Dale 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.

#### CHAIRMAN VANCE BISHOP: REVIEW OF PROPOSED NEW DELTA CITY ZONING ORDINANCE

Chairman Bishop asked if Commission Members had looked through the proposed new ordinance and asked for comments regarding the proposed ordinance. Commission Member Roper referred to

the Use Table in each zone district description and suggested that we may need to revise the portion which states that "unless proposed uses are determined by the Land Use Authority to be in harmony with the intent and purpose of this zone." Commission Member Roper felt that, if proposed uses are not specifically designated for the zone, the proposed use should be brought before the Planning & Zoning Commission for discussion and a decision as to whether the use should be allowed in the zone.

Commission Member Robert Banks suggested that we specify which zones would allow group homes.

Chairman Bishop suggested that a change be made on page 37 under the heading "Public Hearings" where it refers to section 9-3-9 it should be changed to section 9-3-8. Page 48 outlines the organization of the Planning & Zoning Commission and Chairman Bishop asked if the section should include language as to whether or not the City Council Representative and/or the Chairman can vote. Chairman Bishop also suggested that on page 63, we insert the new regulations regarding fowl/rabbits when it has been adopted. Also, on page 75 Chairman Bishop noted that pre-schools are under "Administrative Conditional Use" and other schools are under "Conditional Use"; should pre-schools be included in the same category as other schools or should there be a set number of students which change the category? Chairman Bishop also felt that "public utility stations" listed on page 75 should be moved into the category of "Administrative Conditional Use."

Chairman Bishop suggested that the section entitled "Antennas" include "Towers" and that specific zones be designated for use by antennas and towers. Zoning Officer Riding felt that we should include height and lot size restrictions be used in determining the distance that structures must be located from nearby residences.

Chairman Bishop requested that we also include language in the new ordinance pertaining to notification of adjacent property owners of applications for conditional use permits.

Secretary Karen Johnson advised Commission Members she was told that we could not get a trainer to come to Delta to train only our Planning & Zoning Commission. Training could be arranged for somewhere in Millard County sometime later in the year but we cannot get training in the next couple of months. It was suggested that we send a copy of our proposed ordinance to Meg Ryan, who provided the training held in Delta in May. She would review the ordinance and provide feedback.

Commission R. Dale Roper MOVED to provide a copy of our proposed zoning ordinance to Meg Ryan for review and feedback. The motion was SECONDED by Commission Member O. Dale 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.

Chairman Bishop asked if there were any comments, question, 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 O. Dale Riding. Chairman Bishop asked for a vote. The motion passed unanimously.

Chairman Bishop declared the meeting adjourned at 7:50 p.m.

  
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VANCE BISHOP, Chairman

  
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Karen Johnson, Secretary

MINUTES APPROVED: P&Z 11-12-09