

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION MEETING
NOVEMBER 12, 2009

PRESENT

Vance Bishop	Chairman
Robert Banks	Council Representative
Micah Chase	Commission Member
R. Dale Roper	Commission Member
Linda Sorensen	Commission Member
Roger Zeeman	Commission Member

ABSENT

Dana Rempp	Commission Member
O. Dale Riding	Commission Member

ALSO PRESENT

Alan Riding	Zoning Officer
Karen Johnson	Planning & Zoning Secretary
Howard Western	City Resident
Rob Droubay	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, posted on the Utah Public Notice website, and 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 13, 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 August 13, 2009, as presented. The motion was SECONDED by Commission Member Roger Zeeman. 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 Special Planning & Zoning Commission Meeting held September 17, 2009 were presented for consideration and approval. Following review, Commission Member Micah Chase MOVED to approve the minutes of the Special Planning & Zoning Commission Meeting held

August 13, 2009, as presented. 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.

BUSINESS

ZONING OFFICER ALAN RIDING: PROPOSED LANGUAGE TO ALLOW KEEPING CHICKENS IN RESIDENTIAL ZONES

Zoning Officer Alan Riding advised Commission Members that the proposed language provided was a combination of information from ordinances being used by Provo City and Payson City. Zoning Officer Riding felt that the proposed language included all the regulations that we wanted to include in our ordinance with the exception that we may want to modify the numbers allowed on different size lots. It was also suggested that language be added to paragraph seven indicating that the chickens must be kept "for the sole purpose of producing food for family / non-commercial use." Zoning Officer Riding requested that Commission Members review the language and provide any modifications they deem necessary. Commission Members discussed the number of chickens allowed on various lot sizes.

Commission Members discussed language regarding penalties for violation of the proposed ordinance. Commission Member R. Dale Roper suggested that a first violation be addressed with a documented verbal warning and the second violation be a citation.

Zoning Officer Riding suggested that, if Commission Members are in agreement with the proposed language and the modifications suggested, we could have the City Attorney provide a draft ordinance and set a public hearing for the purpose of receiving public comment regarding the proposed ordinance.

Following discussion, Commission Member R. Dale Roper MOVED to provide the proposed ordinance language to the City Attorney to prepare a draft ordinance and to set a public hearing on Thursday, December 10, 2009 at 6:30 p.m. for the purpose of receiving public comment regarding the proposed ordinance regulating keeping chickens on residential lots. The motion was SECONDED by Commission Member Roger Zeeman. 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.

ZONING OFFICER ALAN RIDING: PROPOSED ZONING REQUIREMENTS FOR CELLULAR TELEPHONE AND OTHER TYPES OF TOWERS

Zoning Officer Riding advised Commission Members that he had provided each of them with some ordinance information for regulation of windmills used for residential power and suggested that this discussion should include both towers and windmills inasmuch as many of the regulations would

apply to both types of structures. Zoning Officer Riding suggested that we need to establish a specific zone for these structures and determine allowable size and distances from residential areas. The model ordinance provided for Commission Members requires that any tower/windmill structure be located 110% of the tower height away from any residential structure and Zoning Officer Riding felt that we should incorporate similar language in our ordinance.

Chairman Vance Bishop noted that he had contacted the Utah League of Cities and Towns and also the state planning office for information related to towers but neither had any information in their libraries. Zoning Officer Riding indicated that he had received requests from other cities and towns asking whether we had any ordinances related to windmills as a private residential power source. Other areas have had requests for this type of permit.

Zoning Officer Riding requested that Commission Members read the materials provided this evening and start discussion so we can formulate language for an ordinance that will work for us. Zoning Officer Riding indicated that we may want to discuss annexing a parcel of land north of the current city boundary to be zoned and used for tower construction. There is already a large tower on the property that is used by the Millard County Sheriff Department. Annexing the property would allow Delta City to have control over what type of use is designated for the property.

Nothing is prepared for approval at this time but we need to begin discussion and formulation of language for location of both towers and windmills. Chairman Bishop noted that we need to keep tower structures away from residential areas. Zoning Officer Riding noted that we also need to incorporate the language of a tower / windmill being located away from residential structures.

Commission Member R. Dale Roper asked Zoning Officer Riding to suggest some issues which Commission Members could be thinking about in relation to forming language for an ordinance. Zoning Office Riding suggested that Commission Members consider the amount of distance from a residential structure and the amount of property required. City Resident Rob Droubay suggested that the Planning & Zoning Commission needs to be able to see into the future to determine what is in the best interest of the city for the long term and that every decision that is made needs to be thought about in terms of what is best for the long term. Commission Member Roper advised Mr. Droubay that the issues he brought up are issues that the Planning & Zoning Commission considers with every decision that is made. Commission Member Roper stated that the best part of planning & zoning is that changes can be made and when decisions are made they are based on what Commission Members believe is best for the city. City Resident Howard Western suggested that consideration needs to be given to the type of towers to be constructed; i.e., lattice vs. mono-pole. He also disagreed with the proposed location north of the Delta City boundary, as discussed by Zoning Office Riding, as a location for construction of towers. Zoning Officer Riding advised Mr. Western that, by law, we must provide a zone for towers because we cannot zone them out of the city.

Chairman Bishop requested that Zoning Officer Riding provide information for Commission

Members to review prior to the next meeting and felt that we need to regulate communication towers and windmills as separate issues. Chairman Bishop asked Commission Members to provide Zoning Officer Riding with any ideas or suggestions they may have regarding this matter.

Following discussion, Commission Member R. Dale Roper MOVED to table further discussion of this matter until Zoning Officer Riding has information prepared for review. The motion was SECONDED by Commission Member Roger Zeeman. 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.

ZONING OFFICER ALAN RIDING: PROPOSED INCLUSION OF ZONING REQUIREMENTS FOR WINDMILLS USED FOR RESIDENTIAL POWER

See discussion of previous item, which included discussion of this matter.

Commission Member R. Dale Roper MOVED to table further discussion of this matter until Zoning Office Riding has information prepared for review. The motion was SECONDED by Commission Member Roger Zeeman. 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.

There being no further business on the agenda, Commission Member R. Dale Roper MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Micah Chase.

Chairman Bishop declared the meeting adjourned at 8:00 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Planning & Zoning Secretary

MINUTES APPROVED: P&Z 11-12-09