

CITY OF DELTA, UTAH
PLANNING & ZONING COMMISSION MEETING
DECEMBER 8, 2011

PRESENT

Vance Bishop	Chairman
Linda Beard	Commission Member
Rand Crafts	Commission Member
Steven Pratt	Commission Member
Linda Sorensen	Commission Member
Tom Stephenson	City Council Representative
Roger Zeeman	Commission Member

ABSENT

Alan Johnson	Commission Member
--------------	-------------------

ALSO PRESENT

Alan Riding	Zoning Officer
Todd Anderson	City Attorney
Karen Johnson	Planning & Zoning Secretary
James Dix	Reptile Rescue Service
Wendy Hansen	Utah Dept. of Transportation
Dian McGuire	Utah Dept. of Transportation
Tom Rucker	City Resident
Mitch Myers	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 and on the Utah Public Notice web site, 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 September 8, 2011 were presented for consideration and approval. Following review, Commission Member Steven Pratt MOVED to approve the minutes of the Planning & Zoning Commission Meeting held September 8, 2011, as presented. The motion was SECONDED by Commission Member Tom Stephenson.

Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Steven Pratt, Linda Sorensen, Tom Stephenson and Roger Zeeman voting in favor and Commission Member Alan Johnson being absent.

BUSINESS

JAMES S. DIX, REPTILE RESCUE SERVICE: REQUEST FOR CONDITIONAL USE PERMIT TO OPERATE REPTILE RESCUE SERVICE ON PROPERTY LOCATED AT APPROXIMATELY 696 NORTH HIGHWAY 6

Chairman Bishop asked Zoning Officer Alan Riding for his comments regarding this request for Conditional Use Permit. Zoning Officer Riding stated that Delta City does not have a zone designated for this specific use but felt that the operation would fit in the Highway Commercial zone. Mr. Dix will have animals on display and for educational purposes.

Mr. Dix stated that he provides service to remove animals that are a prohibited, protected or endangered species, reptiles, or are injured, and they rehabilitate injured animals. Mr. Dix has been in business for fourteen years in the Salt Lake area with no incidents and no escapes. Mr. Dix also does training for police, fire, and animal control officers in dealing with wild and dangerous animals. He provides a training in snake safety, handling and identification to teach people the difference between venomous and non-venomous harmless snakes. Mr. Dix is licensed by the Department of Wildlife Resources and the Department of Agriculture to handle and keep venomous snakes.

The reason he is looking for a new location for his business is that Utah Department of Transportation is constructing a new highway through his current property. UDOT has been attempting to find a suitable location for the business but they are running out of time; the highway project needs to move forward. Commission Member Rand Crafts asked Mr. Dix if his business is operated on donations or if he has another source of income. Mr. Dix stated that he is a plumber and operates Reptile Rescue Service as a community service. He has volunteers who help with the business. Commission Member Crafts asked if all animals will be housed inside the building. Mr. Dix said that all of the animals will be housed inside except for a few which like to come outside in the summer, such as large turtles and a monitor lizard. He also has some coyotes, racoons, two foxes and two skunks. All animals are kept on concrete pads with padlocked chain link kennels. Commission Member Linda Sorensen asked what would be the largest reptiles he would be housing. Mr. Dix stated that the largest reptiles would be exotics such as 12-15 foot pythons. They are housed in secure four by eight cages with locks. Commission Member Crafts asked if Mr. Dix's employment would take him out of the local area. Mr. Dix said that there would always be someone in attendance at the site, even when he needs to leave for work. Council Member Linda Beard asked why Mr. Dix is interested in transferring his business to the Delta area. Mr. Dix said that he has been coming to Delta for approximately nine years and has enjoyed the peace and quiet and the people have been friendly.

Mr. Dix and UDOT have been attempting to find a place to relocate his business for nearly a year. He was supposed to be moved by March, 2011 but they have been unable to find a location that will fit his needs, as far as size, and has some outside yard space.

He currently houses approximately 500 animals but some are housed several to a single container. For instance, he has a tank that is approximately four feet long holding over 200 small frogs, so it is not like 500 cats and dogs. Commission Member Crafts asked if it would be possible for Mr. Dix to provide a bond to cover any costs that the City may incur if something happened to him and the City was required to take control of the animals. Mr. Dix explained that __ (inaudible) __.

City Attorney Todd Anderson advised Commission Members that, as he sees it, they have three options in this request for Conditional Use: 1) deny it; 2) grant a conditional use permit without restrictions; or 3) grant a conditional use permit with restrictions. City Attorney Anderson noted that the Commission is not required to make a decision at this meeting. They could take some time to determine what conditions need to be placed on the business and they could put the responsibility on Mr. Dix to provide information as to the conditions under which he should be allowed to operate.

Following extensive discussion, Chairman Bishop asked Commission Members if they were leaning toward granting the conditional use permit if they could formulate adequate restrictions for the permit. Commission Members were agreeable to granting the conditional use permit if proper conditions could be attached to the permit.

Chairman Bishop requested that City Attorney Anderson review the parameters of Mr. Dix's state licensing and meet with the Zoning Officer and Mr. Dix to determine what conditions should be applied to the requested permit. Zoning Officer Alan Riding noted that he had no major concerns and felt that it would be a good location for the business.

Following discussion, Commission Member Rand Crafts MOVED to table further discussion of this request for a conditional use permit to operate Reptile Rescue Service at 696 North Highway 6, pending information regarding conditions required for the permit being provided for review by Commission Members, with the matter being tentatively scheduled for further consideration on Tuesday, December 20, 2011 at 7:00 p.m. The motion was SECONDED by Commission Member Linda Beard. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Steven Pratt, Linda Sorensen, Tom Stephenson and Roger Zeeman voting in favor and Commission Member Alan Johnson being absent.

MITCH MYERS: REQUEST FOR CONDITIONAL USE PERMIT TO CONSTRUCT A RECREATIONAL VEHICLE PARK ON PROPERTY LOCATED AT APPROXIMATELY 950 EAST MAIN STREET

Zoning Officer Alan Riding advised Commission Members that Mr. Myers had been talking about

constructing this recreational vehicle park for some time. The property is located in the Highway Commercial zone, which allows recreational vehicle parks as a conditional use. Zoning Officer Riding felt that locating a recreational vehicle park in that location, near the ball parks, fair building, and outdoor arena, is an excellent location. When events are held at any of those venues, many recreational vehicles are parked in the parking lots for the entire weekend. Zoning Officer Riding recommended approval of the conditional use for construction of the recreational vehicle park, with the condition that Mr. Myers meet requirements for recreational vehicle parks contained in the proposed zoning ordinance we are planning to adopt in early 2012.

Tom Rucker asked Mr. Myers how much space there will be between the recreational vehicle park and his adjacent property. Mr. Myers answered that there will be approximately 400 feet between the Rucker property and the proposed recreational vehicle property.

Commission Members agreed there is a need for an additional recreational vehicle park in the area and this should be a good location.

Following discussion, Commission Member Steven Pratt MOVED to grant a conditional use permit to Mitch Myers for construction of a recreational vehicle park on property located at approximately 950 East Main Street with the condition that the park comply with requirements for development of a Recreational Vehicle Park section of the proposed Delta City Zoning Ordinance, that street approaches to Manzanita Avenue be paved with asphalt, to meet the Delta City engineer's specifications, and that expansion of the recreational vehicle park from the initial thirty-six (36) trailer spaces requires application for an additional conditional use permit. The motion was SECONDED by Tom Stephenson. Chairman Bishop asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Steven Pratt, Linda Sorensen, Tom Stephenson and Roger Zeeman voting in favor and Commission Member Alan Johnson being absent.

There being no additional business on the agenda, Commission Member Tom Stephenson MOVED to adjourn the meeting. The motion was SECONDED by Commission Member Roger Zeeman. Chairman Bishop asked for a vote. The motion passed with Commission Members Linda Beard, Rand Crafts, Steven Pratt, Linda Sorensen, Tom Stephenson and Roger Zeeman voting in favor and Commission Member Alan Johnson being absent.

Chairman Bishop declared the meeting adjourned at 9:00 p.m.



VANCE BISHOP, Chairman



Karen Johnson, Secretary