

AN ORDINANCE AMENDING TITLE 12 OF THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION) AS AMENDED, ("DELTA CITY ORDINANCES") PERTAINING TO INSTALLATION OF SOLAR ENERGY SYSTEMS WITHIN THE CITY.

The City Council of the City of Delta, Utah (referred to herein as the "City Council"), recites the following as the basis for enacting this Ordinance:

A. The "Municipal Land Use, Development, and Management Act", Utah Code Ann. § 10-91-101 et seq., as amended (the "Act"), provides that each municipality of the State of Utah may enact a land use ordinance and a zoning map establishing regulations for land use and development within the municipality;

B. Pursuant to the Act, the municipality's planning commission shall prepare and recommend to the municipality's legislative body, following a public hearing, proposed land use ordinances and zoning maps, or amendment thereto, that represent the planning commission's recommendations for land use regulations within the municipality;

C. The Delta City Planning Commission has caused to be drafted the attached amendments to Title 12 of the Revised Ordinances of the Delta City (1981 Edition), and has recommended to the City Council that the amendments be adopted by Delta City.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

Section 1. Adoption of Amended Definitions as Set Out in Title 12-2. Title 12-2 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit A, which is attached to and incorporated in this ordinance.

Section 2. Adoption of Amended Conditional Use Standards of Review as Set Out in Title 12-9. Conditional Use Standards of Review as set out in Title 12-9 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit B, which is attached to and incorporated in this ordinance.

Section 3. Adoption of Agricultural 1 (A-1) Use Table as set out in Title 12-10-1. The Use Table for Agricultural 1 (A-1) Zone as set out in Title 12-10-1 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit C, which is attached to and incorporated in this ordinance.

Section 4. Adoption of Agricultural 5 (A-5) Use Table as set out in Title 12-10-3. The Use Table for Agricultural 5 (A-5) Zone as set out in Title 12-10-3 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit D, which is attached to and incorporated in this ordinance.

Section 5. Adoption of Commercial Business (C-B) Use Table as set out in Title 12-10-5. The Use Table for Commercial Business (C-B) as set out in Title 12-10-5 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit E, which is attached to and incorporated in this ordinance.

Section 6. Adoption of Highway Commercial (H-C) Use Table as set out in Title 12-10-7. The Use Table for Highway Commercial (H-C) as set out in Title 12-10-7 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit F, which is attached to and incorporated in this ordinance.

Section 7. Adoption of Industrial (I-1) Use Table as set out in Title 12-10-8. The Use Table for Industrial (I-1) as set out in Title 12-10-8 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit G, which is attached to and incorporated in this ordinance.

Section 8. Adoption of Mobile Home (M-H) Use Table as set out in Title 12-10-10. The Use Table for Mobile Home (M-H) as set out in Title 12-10-10 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit H, which is attached to and incorporated in this ordinance.

Section 9. Adoption of Public/Quasi-Public (P/QP) Use Table as set out in Title 12-10-12. The Use Table for Public/Quasi-Public (P/QP) as set out in Title 12-10-12 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit I, which is attached to and incorporated in this ordinance.

Section 10. Adoption of Single Family Residential Low Density (R-1-A) Use Table as set out in Title 12-10-13. The Use Table for Single Family Residential Low Density (R-1-A) Use Table as set out in Title 12-10-13 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit J, which is attached to and incorporated in this ordinance.

Section 11. Adoption of Single Family Residential Medium Density (R-1-B) Use Table as set out in Title 12-10-15. The Use Table for Single Family Residential Medium Density (R-1-A) Use Table as set out in Title 12-10-15 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit K, which is attached to and incorporated in this ordinance.

Section 12. Adoption of Single & Two-Family Residential (R-2) Use Table as set out in Title 12-10-16. The Use Table for Single & Two-Family Residential (R-2) Use Table as set out in Title 12-10-16 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit L, which is attached to and incorporated in this ordinance.

Section 13. Adoption of Single & Multi-Family Residential (R-4) Use Table as set out in Title 12-10-18. The Use Table for Single & Multi-Family Residential (R-4) Use Table as set out in Title 12-10-18 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit M, which is attached to and incorporated in this ordinance.

Section 14. Adoption of Rural Residential (R-R) Use Table as set out in Title 12-10-21. The Use Table for Rural Residential (R-R) Use Table as set out in Title 12-10-21 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit N, which is attached to and incorporated in this ordinance.

Section 15. Adoption of Rural Residential 2, No. Mfg. Homes (R-R-2-NM) Use Table as set out in Title 12-10-23. The Use Table for Rural Residential 2, No. Mfg. Homes (R-R-2-NM) Use Table as set out in Title 12-10-23 of the Revised Ordinances of Delta City (1981 edition) as amended, is hereby adopted and amended as shown in Exhibit O, which is attached to and incorporated in this ordinance.

Section 16. Effective Date. This ordinance shall become effective upon publication.

Section 17. Publication. This ordinance, or a summary thereof, is ordered published in the Millard County Chronicle Progress, a newspaper having general circulation within the city of Delta, Utah.

Section 18. Severability. In the event that any provision of this ordinance less than the entire ordinance is held invalid by a court of competent jurisdiction, this ordinance shall be deemed severable and such finding of invalidity shall not affect the remaining portions of this ordinance.

Section 19. Repeal of Conflicting Ordinances. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this ordinance, it is hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 2nd day of February, 2017, by the following Vote:

Aye Nay Abstain Absent

Robert	W.	Banks
Kiley	J.	Chase
J.	Travis	Keel
John	W.	Niles
Betty Jo Western		

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GAYLE K. BUNKER  
MAYOR

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GREGORY JAY SCHAFER, MMC  
CITY RECORDER