



## **Planning & Zoning Commission**

### **Regular Meeting**

Thursday, January 12, 2017

Delta City Building Council Chambers

76 North 200 West

Delta, Utah

#### **PRESENT**

Linda Beard, Member

Rand Crafts, Member

Wes Duncan, Member

John Niles, Council Representative

#### **ABSENT**

Alan Johnson, Member

Richard Jones, Member

Linda Sorensen, Chairwoman

Roger Zeeman, Member

#### **ALSO PRESENT**

Dent Kirkland, Code Enforcement Officer

Travis Stanworth, Asst. Code Enforcement  
Officer

Lora Fitch, Deputy Recorder

Todd Anderson, City Attorney

Rob Droubay, Property Owner

Mitch Myers, Delta Citizen

Kirt Myers, Delta Citizen

Acting Chairwoman Beard called the meeting to order at 7:09 p.m. She stated that notice of the time, place and the agenda of the meeting had been posted at the City Building, on the Utah Public Notice website, the Delta City website, and had been provided to the Millard County Chronicle-Progress and to each member of the Commission at least two days prior to the meeting.

#### **MINUTES**

The proposed minutes of a Planning & Zoning Meeting held December 8, 2016 were presented for consideration and approval. Commission Member Duncan made a MOTION to accept the Planning and Zoning Meeting Minutes of December 8, 2016 as presented. Commission Member Crafts SECONDED the motion. The motion passed with Acting Chairwoman Beard, Members Crafts, Duncan, and City Representative Niles in favor and Members Johnson, Jones, and Zeeman absent.

#### **BUSINESS**

The Proposed Zone Change Rural Residential Development Located at Approximately Between 400 East Street and 1000 East Street and Between 800 North Street and 1500 North Street from

Rural Residential No Manufactured Homes (RRNM) to Rural Residential 2 No Manufactured Homes (RR2NM) for the purpose of developing this property for rural residential living.

Mr. Droubay went before the Commission to explain the lot size and why he wanted to change the zone. Mr. Droubay informed the commission that the reason that he wanted the land to the north of Notch Peak Subdivision Phase 4 included in the zone change was that he didn't want there to be confusion on one street which side needed curb and gutter and which needed barrow pits. Commission Member Crafts made a MOTION to approve the request of Rob Droubay to Change the zone of the area described in his previous submittals from RRNM to RR2NM as described in the proposed ordinance 17-274. City Representative Niles SECONDED the motion. The motion passed with Acting Chairwoman Beard, Members Crafts, Duncan, and City Representative Niles in favor and Members Johnson, Jones, and Zeeman absent.

Commission Member Duncan pointed out a typo that would need to be fixed on page 8 at a later meeting regarding the width of an alleyway. City Attorney Anderson stated that it would be fixed at a later date.

Ordinance Regulating the Development of Solar Energy

City Attorney Anderson went before the Commission to review the proposed solar ordinance and stated that in summary his understanding of the regulation is that solar is allowed if it is not for primarily commercial purposes, it is intended to go on existing structures or on a structure, not independent ground-mounted or pole-mounted, with the exception if the structure cannot structurally hold the solar panels. In that case, they can go to ground or pole-mounted, they can't be over eight feet tall, and cannot exceed the square footage of the roof that it couldn't fit on. Commission Member Crafts made a MOTION to approve the language of the solar ordinance as written with the exception of the alphabetical ordering for the definition of solar be amended to the correct order. Member Duncan SECONDED the motion. The motion passed with Acting Chairwoman Beard, Members Crafts, Duncan, and City Representative Niles in favor and Members Johnson, Jones, and Zeeman absent.

Further Action for Delta Fit

Code Enforcement Officer reminded the Commission that the conditional use permit that they had granted for Delta Fit had been for nine months and that would be expiring soon. Code Enforcement Officer Kirkland informed the Commission that over the last few weeks, the Sherriff's Office contact the City about neighbors with complaints. The neighbors were complaining that there had been noise and vibrations disturbing them. Code Enforcement Officer asked if the Commission would like to hold another Public Hearing, or grant a conditional use, or if they would like to pursue another course of action. There was a discussion about whether the vibrations would be considered a noise ordinance violation. The Commission agreed that a new public hearing be held. Commission Member Crafts made a MOTION to hold a public hearing on February 9 at 6:30 p.m. and that the City make mail contact with the residents on the street. Member Duncan SECONDED the motion. The motion passed with Acting Chairwoman Beard,

Members Crafts, Duncan, and City Representative Niles in favor and Members Johnson, Jones, and Zeeman absent.

Other Business

Mitch Myers voiced his dissatisfaction with the last meeting that he had attended and the results of his plat approval. There was a discussion about how many votes need to be in favor of something in order for it to pass and that Mr. Myer's last proposal would have required for the majority to vote against it for it not to pass. There was a discussion about the meeting and how the Commission had required that a road be put in to meet ordinance requirements. There was a discussion about how a variance would not have been applicable.

With no other questions or comments, Commission Member Duncan made a MOTION to adjourn the meeting. City Representative Niles SECONDED the motion. The motion passed with Acting Chairwoman Beard, Members Crafts, Duncan, and City Representative Niles in favor and Members Johnson, Jones, and Zeeman absent

The meeting adjourned at 7:40 p.m.

Minutes Approved

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Lora Fitch, Deputy Recorder