



## Planning & Zoning Commission

### Regular Meeting

Thursday, July 12, 2018

Delta City Municipal Complex Council Chambers

76 North 200 West

Delta, Utah 84624-9440

#### PRESENT

Linda Beard, Vice-Chairwoman

Phil Diaz, Commission Member

Wes Duncan, Commission Member

Alan Johnson, Commission Member

Roger Zeeman, Commission Member

Betty Jo Western, Council Representative

#### ABSENT

Richard Jones, Commission Member

Linda Sorensen, Chairwoman

#### ADDITIONALLY PRESENT

Lora Fitch, Deputy Recorder

Dent Kirkland, Code Enforcement Officer

Todd Anderson, City Attorney

Scott Johnson, Delta Citizen

JD Beardall, Delta Citizen

Rob Droubay, Delta Citizen

Mitch Myers, Delta Citizen

Mel Dutson, Delta Citizen

Sue Peterson, Delta Citizen

Vice-Chairwoman Beard called the meeting to order at 7:00 p.m. She stated that notice of the time, place and the agenda of the meeting had been posted at the City Municipal Complex, on the Utah Public Notice website, on 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 minutes of the Planning & Zoning Commission Public Hearing held April 12, 2018, were presented for approval. Commission Member Johnson MOVED to adopt the minutes of the Planning & Zoning Public Hearing held April 12, 2018 as presented. The motion was SECONDED by Commission Member Duncan. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

The minutes of the Planning & Zoning Commission Meeting held April 12, 2018, were presented for approval. Council Member Duncan noted that the attendance needed to be fixed. Commission Member Johnson MOVED to adopt the minutes of the Planning & Zoning Meeting

held April 12, 2018 with the attendance fixed. The motion was SECONDED by Commission Member Duncan. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

## **BUSINESS**

### **Conditional Use Permit to Operate a Business at 200 S 500 W**

JD Beardall came before the Commission to request a conditional use permit to operate a jewelry manufacturing business at 200 S 500 W. Mr. Beardall informed the Commission that there would only be a couple employees. Code Enforcement Officer Kirkland stated that the only concerns he has are traffic, if there is any, and outside storage. Mr. Beardall informed him that there would be minimal traffic and nothing would be stored outside. Council Liaison Western asked if the business would meet the criteria to get a conditional use permit. The Commission agreed that it did meet the criteria. It was noted that the building has utilities available and is on a septic tank. It was discussed that the occupancy and fire code would be dealt with when a business license is applied for. Commission Member Johnson MOVED to approve the conditional use permit to operate a business at 200 S 500 W. The motion was SECONDED by Commission Member Duncan. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

### **Amend Dutson Subdivision Phase 2**

Scott Johnson came before the Commission to ask if he could amend the Dutson Subdivision Phase 2 to split the lot that he has into two lots. City Attorney Anderson stated that at the time that the subdivision was made, sidewalk was not required until occupancy and so they were thinking that they wouldn't require it on these two lots until occupancy. City Attorney Anderson informed the Commission that an amendment to a plat would require either a public hearing or all the property owners in the plat sign off on it. Mr. Johnson pointed out that the preliminary plat had been for two lots and the final had been for one. Commission Member Johnson MOVED to approve the amendment to Dutson Subdivision Phase 2 dividing the lot into two lots on the condition that the new owners put in sidewalk in line with what was agreed to with Dutson Subdivision. The motion was SECONDED by Commission Member Zeeman. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

### **Preliminary Plat Approval for Notch Peak Subdivision Phase III**

Rob Droubay came before the Commission to get the preliminary plat reapproved for Notch Peak Subdivision Phase III since it had expired since the last approval. Rob Droubay informed the Commission that there is curb in the whole subdivision, asphalt would be put in soon and water and sewer has been run to all the lots. There was a discussion about water pressure in the area

and it was Code Enforcement Officer Kirkland informed the Commission that the water pressure was better than state code. Commission Member Zeeman MOVED to approve the preliminary plat for Notch Peak Subdivision Phase III. The motion was SECONDED by Commission Member Duncan. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

Final Plat Approval for Notch Peak Subdivision Phase III Lots 1 & 2

Rob Droubay came before the Commission to get the approval for Notch Peak Subdivision Phase III lots 1 & 2. Rob Droubay informed the Commission that there had been some issues with naming the lots, but it had been figured out and that this final would be Phase III Plat A. Mr. Droubay stated that his intent is to run sidewalk from Frank Lathrop's house down to the two lots. City Attorney Anderson stated that the sidewalk is a good compromise and that the final plat should be conditional upon Mr. Droubay getting a bond in place before it goes to City Council. Commission Member Zeeman MOVED to approve the final plat for Notch Peak Subdivision Phase III Plat A Lots 1 & 2 with the conditions that bond be in place and half of the sidewalk be in place. The motion was SECONDED by Commission Member Diaz. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

Request for Ordinance Amendment to Allow for Off-Premises Signage in an A-5 Zone

Public Works Director Kirkland explained Mitch Myers had had someone who was wanting to put up a sign on his property which is in A-5 zone. Public Works Director Kirkland then realized that off premises signage is not allowed in an A-5 zone and Mr. Myers options are to either see if he can get an ordinance amendment or a zone change. Mr. Myers clarified that the property in question is right next to the airport. There was a discussion about if they want to allow billboards in an A-5 zone and if so, how big. The Commission asked Mr. Myers if he would like to change zoning or if he would like to amend the Ordinance. Mr. Myers stated that he didn't have a preference, he wanted to know what the Commission recommended. The Commission recommended rezoning and possibly setting up a new zone. Mr. Myers reviewed the history of the property. Mr. Myers asked about some of his other property and, as it is in a different zone, he was told that he can have signs on that property, but within certain regulations. Mr. Myers stated that he would tell the people that are interested in putting billboards on his property that they would have to wait. Vice-Chairwoman Beard asked if a public hearing would need to be set. City Attorney Anderson stated that he doesn't know what they would be setting it for. Commission Member Johnson stated that more information is needed. Commission Member Zeeman MOVED to TABLE the request for ordinance amendment to allow for off-premises signage in an A-5 zone. The motion was SECONDED by Commission Member Duncan. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan,

Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

With no other questions or comments, Commission Member Duncan made a MOTION to adjourn the meeting. Commission Member Zeeman SECONDED the motion. Vice-Chairwoman Beard asked if there were any questions or comments regarding the motion. There being none, she called for a vote. The motion passed with Commission Members Diaz, Duncan, Johnson, Zeeman and Council Representative Western in favor and Commission Member Jones absent.

The meeting adjourned at 8:04 p.m.



---

LORA A. FITCH  
DEPUTY RECORDER

MINUTES APPROVED: 12/13/2018