



## Planning & Zoning Commission

### Regular Meeting

Wednesday January 9, 2019

Delta City Municipal Complex Council Chambers

76 North 200 West

Delta, Utah 84624-9440

#### PRESENT

Linda Sorensen, Chairwoman

Linda Beard, Vice-Chairwoman

Wes Duncan, Commission Member

Richard Jones, Commission Member

Roger Zeeman, Commission Member

Betty Jo Western, Council Representative

#### ABSENT

Alan Johnson, Commission Member

Phil Diaz, Commission Member

#### ADDITIONALLY PRESENT

Lora Fitch, Deputy Recorder

Dent Kirkland, Code Enforcement Officer

Travis Stanworth, Asst. Code Enforcement Officer

Todd Anderson, City Attorney

Justin Heideman, Representative of Topaz Townhomes Association

Bill Morgan, Topaz Townhomes Association

Ann Morgan, Topaz Townhomes Association

Chairwoman Sorensen called the meeting to order at 7:11 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 Meeting held December 13, 2018, were presented for approval. Commission Member Jones noted a name on line 60 that needed to be fixed. Commission Member Beard MOVED to adopt the minutes of the Planning & Zoning Meeting held December 13, 2018 with the correction. The motion was SECONDED by Council Liaison Western. Chairwoman Sorensen 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 Beard, Duncan, Jones, Zeeman and Council Representative Western in favor and Commission Members Diaz and Johnson absent.

## **BUSINESS**

### Vacating Phases 1-4 of Topaz Townhomes

Justin Heideman came before the Commission to represent Topaz Townhomes Association to ask that phases 1-4 of Topaz Townhomes be vacated. There were errors in the original plat that had to be fixed. The property had been surveyed to outline where things actually are, and the map was changed to match the survey. Commission Member Jones asked if there was anything controversial in what is being proposed. City Attorney Anderson informed the Commission that there is not and then reviewed the map and explained that it is getting the map to match what is already there. Mr. Heideman explained to the Commission that there would be a condominium association and there is no plan to build any more. Commission Member Jones MOVED to vacate phases 1-4 of Topaz Townhomes based on the plat as delivered. The motion was SECONDED by Commission Member Zeeman. Chairwoman Sorensen 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 Beard, Duncan, Jones, Zeeman and Council Representative Western in favor and Commission Members Diaz and Johnson absent.

### Preliminary Plat of Topaz Townhomes Plat A

Commission Member Beard MOVED to approve the preliminary plat of Topaz Townhomes Plat A. The motion was SECONDED by Commission Member Jones. Chairwoman Sorensen 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 Beard, Duncan, Jones, Zeeman and Council Representative Western in favor and Commission Members Diaz and Johnson absent.

### Final Plat of Topaz Townhomes Plat A

Commission Member Beard MOVED to approve the final plat of Topaz Townhomes Plat A. The motion was SECONDED by Council Liaison Western. Chairwoman Sorensen 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 Beard, Duncan, Jones, Zeeman and Council Representative Western in favor and Commission Members Diaz and Johnson absent.

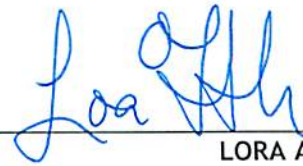
### Amending the Land Use Ordinance

Code Enforcement Officer Kirkland reminded the Commission that one of the driving forces behind the amendment was Logan Cleaver getting some approval from the City Council on cutting back on the sidewalk requirements in an industrial zone. Commission Members discussed the possibility of eliminating the sidewalk requirements in industrial zones, but some did not want it removed for some of the allowed uses in an industrial zone. Code Enforcement Officer Kirkland explained that the Commission would need to review the use tables in the ordinance since one of the proposed changes in the ordinance would change the tables all hold the same information. There was discussion about modifying allowed uses or even requiring sidewalk for some uses. City Attorney Anderson informed the Commission that State statute requires the presumption that something is allowed unless it is specifically designated as not. It was noted that making the two industrial zones have the same information was one of the proposed

changes, since they are the same thing, but changing the ordinance to make them have the same uses was easier than rezoning. There was a discussion about conditional use permits and removing some of them. The Commission agreed to go through a couple of the use tables at each meeting until they are all done.

With no other questions or comments, Commission Member Zeeman made a MOTION to adjourn the meeting. Commission Member Beard SECONDED the motion. Chairwoman Sorensen 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 Beard, Duncan, Jones, Zeeman and Council Representative Western in favor and Commission Members Diaz and Johnson absent.

The meeting adjourned at 8:05 p.m.



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LORA A. FITCH  
DEPUTY RECORDER

MINUTES APPROVED: 02/13/2019