



DELTA PLANNING & ZONING

REGULAR MEETING

Wednesday, May 13, 2020
RJ Law Community Center
75 West Main Street
Delta, Utah 84624-9440

PRESENT

Richard Jones, Chairman
Kelly Carter, Commission Member
Megan Davies, Commission Member
Sarah Kimball, Commission Member

Phil Diaz, Commission Member
Chad Droubay, Commission Member
Betty Jo Western, Council Representative

ABSENT

Roger Zeeman, Commission Member

OTHERS PRESENT

Sherri Westbrook, City Recorder
Todd F. Anderson, City Attorney
Michelle Lovejoy, Librarian
John Niles, Mayor
Alan Roper
David Rowlette

Donna Rowlette
Adam Richins
Sarah Richins
Mason Richins, Intern
Howard Quackenbush III
Dent Kirkland, Public Works Director

Planning and Zoning Chairman Jones called the meeting to order at 7:01 p.m. He 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 and Zoning Public Hearing held November 20, 2019 were presented to the Commission for approval. Commission Member Droubay MOVED to accept the minutes of the Planning & Zoning Meeting held November 20, 2019. The motion was SECONDED by Commission Member Diaz. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Droubay, Carter, Diaz, Kimball, Davies and Western in favor. Commission Member Zeeman was absent.

The minutes of the Regular Planning and Zoning Meeting held November 20, 2019 were presented to the Commission for approval. Commission Member Diaz MOVED to accept the minutes of the Planning & Zoning Meeting held November 20, 2019. The motion was SECONDED by Council Representative Betty Jo Western. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Droubay, Carter, Diaz, Kimball, Davies and Western in favor. Commission Member Zeeman was absent.

The minutes of the Planning and Zoning Meeting held March 11, 2020 were presented to the Commission for approval. Commission Member Droubay MOVED to accept the minutes of the Planning & Zoning Meeting held March 11, 2020 with the proper changes made pertaining to those present. The motion was SECONDED by Commission Member Carter. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Droubay, Carter, Diaz, Kimball, Davies and Western in favor. Commission Member Zeeman was absent.

Proposed Zoning Change

Zone Change for Parcel #67984, D-4175-1, more specifically described as east of Roper Lumber Company 750 W Main Delta

See Public Hearing Minutes for May 13, 2020.

After some discussion between the city attorney and the Commission Members regarding the process of a property rezone, it was decided to allow the change in zoning. Commission Member Carter MOVED to accept the zone change pending the lot line adjustment. The motion was SECONDED by Commission Member Kimball. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Droubay, Carter, Diaz, Kimball, Davies and Western in favor. Commission Member Zeeman was absent.

Howard Quackenbush III

Howard Quackenbush III thanked the Commission for allowing him to speak. Quackenbush explained that he was planning on selling his house and building a new home. Quackenbush is planning on making a garage with a two room apartment to live in while constructing his new home. Quackenbush stated that after that use it would turn into a guest home for family members. There was some concern over whether this could allow for multi-family housing on a single family property. There was also a concern about enforcing the property from becoming a rental property. It was suggested that if there was a problem the neighbors would assist the City with the policing of the property. City Attorney Anderson said that he would pull some of St. George and Sandy City rules regarding this and see how they would fit for Delta City. Attorney Anderson will draw up a draft, and a meeting was scheduled for the 27th of May to discuss the topic further.

Dent R. Kirkland; Residence within Commercial Zone

Public Works Director Kirkland explained that a person could not have a residential building in a commercial zone, but it has been brought to his attention that the existing homes in commercial zones had not been properly addressed. Kirkland said that he didn't think it was fair to the homeowners to live in a home for 50 years and then not be able to sell it as a home. He suggested that no new homes should be made in those zones, but that existing homes be grandfathered in. Kirkland also suggested that once a home was turned into a business in a commercial zone, it should not be able to be changed back into a residential building. City Attorney Anderson stated that he would start working on a draft.

Dent R. Kirkland; Approval of draft regarding second principal structure on lot

Public Works Director Kirkland stated that he had missed the previous meeting, but had received several phone calls regarding putting multiple structures on a single lot. Kirkland had concerns about the structures being sold to separate owners. There was discussion about whether each structure was in need of its own lot. City Attorney Anderson said that the main intent was to have each structure on a separate lot. There was also a concern regarding the proper utilities if the property was split between two separate owners. City Attorney Anderson stated that this issue would most likely require a code rewrite. It was decided to further discuss this topic during the public hearing meeting in June.

Dent R. Kirkland; Required Improvement to Income Producing Properties

Public Works Director Kirkland believed that there was some discussion in the previous meeting about the improvements on income properties being required. City Attorney Anderson explained what was previously discussed regarding the topic. There was a concern that these rules would drive away future businesses because of the expenses. Public Works Director Kirkland said that the biggest problem he had was the drainage issue. It was explained that the businesses were responsible for connecting their drainage to Delta City. There was a discussion about the event of a business connecting to the city drainage system at their expense, and in other businesses being able to use the existing drainage infrastructure in the future, and if there would be any reimbursement of the original business. After further discussion, it was decided that a special meeting would be held on the 27th of May to discuss this issue.

With no other questions or comments, Commission Member Carter MOVED to adjourn the meeting. Commission Member Western SECONDED the motion. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote. The motion passed with Commission Members Droubay, Carter, Diaz, Kimball, Davies and Western all in favor. Commission Member Zeeman was absent.

The meeting was adjourned at 8:59 p.m.



SHERRI WESTBROOK
CITY RECORDER

MINUTES APPROVED: 6/10/20