



DELTA CITY PLANNING & ZONING REGULAR MEETING

Wednesday, July 13, 2022 at 7:00 PM

Delta City Municipal Complex Council Chambers*

AGENDA

CALL TO ORDER

MINUTES APPROVAL

1. Meeting Minutes Approval: 2022-06-08 Planning & Zoning Public Hearing - Zone Change
2. Meeting Minutes Approval: 2022-06-08 Planning & Zoning Public Hearing - Land Use Amendments
3. Meeting Minutes Approval: 2022-06-08 Planning & Zoning Commission Meeting

BUSINESS – Any such business as may come before the Commission.

4. Alan M. Roper; Zone Change from R-1 to R-4
Action: Discussion/Consideration for Approval

ADJOURN

NOTICE: Be aware the Planning and Zoning Commission may conduct an Electronic Meeting so that a member of the Public Body may participate, pursuant to UCA §52-4-207, (1953), as amended. Agenda items are considered flexible and may be conducted sequentially different than illustrated herein to meet the needs of the Planning and Zoning Commission. Individuals and entities that have business before the Planning and Zoning Commission should be present at meeting commencement.

THE PUBLIC IS ENCOURAGED TO PARTICIPATE IN ALL CITY MEETINGS. In accordance with the Americans with Disabilities Act (ADA), we will make reasonable accommodations for those needing assistance to participate in our meetings. Requests for assistance can be made by contacting the City at 435.864.2759 at least twenty-four hours in advance of the meeting.

CERTIFICATE OF MAILING & DELIVERY

The below signed, duly appointed and acting City Recorder for Delta City, Utah hereby certifies that a copy of the foregoing Notice and Agenda was e-mailed to the Millard County Chronicle-Progress, LLC, chronpro@millardccp.com, published on the Delta City and Utah Public Notices websites and was personally provided to each member of the Planning & Zoning Commission, this **Monday, July 11, 2022**

Sherri Westbrook, Recorder



DELTA CITY PLANNING & ZONING PUBLIC HEARING - ZONE CHANGE

Wednesday, June 08, 2022 at 6:30 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Richard Jones, Commission Chairman
Derek Curtis, Commission Member
Phil Diaz, Commission Member
Chad Droubay, Commission Member
Nick Killpack, Council Liaison

NOT PRESENT

Megan Davies, Commission Member
Kelly Carter, Commission Member
Don Smith, Commission Member

ALSO PRESENT

Betty Jo Western
Todd Anderson
Sherri Westbrook
John Niles
Bonita Rainsdon
Tonya Rainsdon
Tracie Rainsdon James
Michelle Lovejoy
Travis Stanworth
Christina Stanworth
Dent Kirkland

CALL TO ORDER

Planning and Zoning Chairman Richard Jones called the public hearing to order at 6:30 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.

BUSINESS – Any such business as may come before the Commission.

1. Spencer Pack; Zone Change Request - Parcel Number 163,601; 17.10 Acres, Serial Number D-3130-2. Legal Description: **THAT PRTN NW1/4 NW1/4 SEC 35, T16S, R6W, SLM, LYING W'LY ST RD R/W.** Proposed zone change is from Agriculture 5 (A-5) to Industrial 1 (I-1).

The Planning and Zoning Commission held a Public Hearing to discuss the zone change request of Spencer Pack from A-5 to I-1.

Bonita Rainsdon owns property by the river dip and wanted to inquire about the impact on the local

wildlife if the zoning changed to industrial. Council Member Killpack explained that the surrounding area is already zoned industrial and that a previous owner wanted to keep it zoned agriculture. Public Works Director Dent Kirkland has conversed with the current owner Spencer Pack on the phone but does not know his intentions with the land.

Bonita Rainsdon asked if she would be noticed when they know what they are building; they will not.

ADJOURN

The public hearing was adjourned at 6:45 p.m.



Sherri Westbrook, Recorder



DELTA CITY PLANNING & ZONING PUBLIC HEARING - LAND USE AMENDMENTS

Wednesday, June 08, 2022 at 6:40 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Derek Curtis, Commission Member
Nick Killpack, Council Liaison
Chad Droubay, Commission Member
Phil Diaz, Commission Member
Richard Jones, Commission Chairman
Kelly Carter, Commission Member

NOT PRESENT

Megan Davies, Commission Member
Don Smith, Commission Member

ALSO PRESENT

Spencer Pack
Charlie Edwards
John Webster
Christina Stanworth
Travis Stanworth
Betty Jo Western
Todd Anderson
Sherri Westbrook
John Niles
Michelle Lovejoy
Dent Kirkland

CALL TO ORDER

Planning and Zoning Chairman Jones called the meeting to order at 6:46 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.

BUSINESS – Any such business as may come before the Commission.

1. Consider public comment regarding proposed changes to certain land use ordinance amendments.

Council Member Killpack suggested that 25 percent of rooms in hotels and spaces in the RV Park be long-term rentals. Council Member Killpack had concerns for density and the loss of revenue for Delta City based on transient room tax for the hotels and RV parks.

Christina Stanworth had concerns that this restriction would push people out of staying in Delta and they would find somewhere else to stay.

Charlie Edwards has left 30 spots open to accommodate the public at Antelope Valley RV Park, and would like to see Delta City write this into code.

ADJOURN

The public hearing was adjourned at 7:10 p.m.



Sherri Westbrook, Recorder

Unapproved



DELTA CITY PLANNING & ZONING REGULAR MEETING

Wednesday, June 08, 2022 at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Derek Curtis, Commission Member
 Nick Killpack, Council Liaison
 Chad Droubay, Commission Member
 Phil Diaz, Commission Member
 Richard Jones, Commission Chairman
 Kelly Carter, Commission Member

NOT PRESENT

Megan Davies, Commission Member
 Don Smith, Commission Member

ALSO PRESENT

Spencer Pack
 Charlie Edwards
 John Webster
 Christina Stanworth
 Travis Stanworth
 Betty Jo Western
 Todd Anderson
 Sherri Westbrook
 John Niles
 Michelle Lovejoy
 Dent Kirkland
 Tom Tasker

CALL TO ORDER

Planning and Zoning Commission Chairman Richard Jones called the meeting to order at 7: 15 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 APPROVAL

1. Meeting Minutes Approval: 2022-05-11 Planning & Zoning Commission Meeting

Commission Member Droubay MOVED to approve the minutes of the Planning and Zoning Commission Meeting held 5/11/2022. The motion was SECONDED by Council Liason Killpack. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Droubay, Seconded by Killpack.
 Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack
 Commission Members Davies and Smith were absent

BUSINESS – Any such business as may come before the Commission.

2. Travis Stanworth; Preliminary Plat Approval for Stanworth Block 71 Minor Subdivision
 Action: Discussion/Consideration for Approval

Travis Stanworth appeared before the Planning and Zoning Commission to divide his property in half located on 100 North and 100 East. The property is curbed in the back half, but it is located in the redevelopment zone so he will not need to curb the front. He will need to install a sidewalk. Stanworth is going to do the improvements and then come back for the final plat. Public Works Director Kirkland does not have any concerns.

Commission Member Carter MOVED to approve the preliminary plat approval of the Stanworth Block 71 minor subdivision. The motion was SECONDED by Commission Member Droubay. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Carter, Seconded by Droubay.
 Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack
 Commission Members Davies and Smith were absent

3. Spencer Pack, Request for Rezone A5 to I1
 Action: Discussion/Consideration for Approval

Spencer Pack appeared before the Planning and Zoning Commission for a zone change from A5 to I1. The property is located near the airport with surrounding property being zoned industrial. Public Works Director Kirkland does not have any concerns with the zone change.

Commission Member Droubay MOVED to approve the rezone from A5 to I1. The motion was SECONDED by Council Liaison Killpack. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Droubay, Seconded by Killpack.
 Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack
 Commission Members Davies and Smith were absent

4. John Webster; Final Plat Approval for Morrison Block 29 Subdivision
 Action: Discussion/Consideration for Approval

John Webster appeared before the Planning and Zoning Commission for the final plat approval for Morrison Block 29 subdivision. The sidewalk bond has been placed. Public Works Director Kirkland does not have any concerns.

Council Liaison Killpack MOVED to approve the final plat for the Morrison Block 29 subdivision. The motion was SECONDED by Commission Member Droubay. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Killpack, Seconded by Droubay.
 Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack
 Commission Members Davies and Smith were absent

5. Tom Tasker; Preliminary Plat Approval for Tasker Block 99 Minor Subdivision
 Action: Discussion/Consideration for Approval

Tom Tasker appeared before the Planning and Zoning Commission for the preliminary plat approval for the Tasker block 99 minor subdivision. Tasker will be required to install or bond for the sidewalk and 8 inch water main.

Commission Member Carter MOVED to approve the preliminary plat for the Tasker block 99 minor subdivision. 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.

Motion made by Carter, Seconded by Diaz.

Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack

Commission Members Davies and Smith were absent

6. Attorney Todd Anderson; Ordinance 22-295

Action: Discussion/Consideration for Approval

City Attorney Anderson presented ordinance 22-295 to the Planning and Zoning Commission. The ordinance addresses House Bill 82 in regards to accessory dwelling units and storage containers. Some modifications to RV Parks were added allowing the manager to reside there and 10 percent of the park to be fixed units. Permits for business usage of storage containers will be no cost and allow for 30 days use.

Commission Member Droubay MOVED to positively recommend Ordinance 22-295 to the Delta City Council. 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.

Motion made by Droubay, Seconded by Carter.

Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack

Commission Members Davies and Smith were absent

7. Attorney Todd Anderson; Ordinance 22-296

Action: Discussion/Consideration for Approval

City Attorney Anderson presented ordinance 22-296 to the Planning and Zoning Commission. The ordinance addresses the transient room tax, which can only be charged for the first 30 days. Charlie Edwards of Antelope RV Park says they have no problem paying the tax but the state does not allow it, and moving spaces every 30 days in an RV is not feasible. Commission Member Carter does not like the 30 day limit and would rather have people stay in Delta and spend money on commerce. Commission Member Droubay would like to scratch this ordinance. Charlie Edward would like the option to fill those spots in the winter 100 percent.

Commission Member Curtis MOVED to negatively recommend Ordinance 22-296 to the Delta City Council. 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.

Motion made by Curtis, Seconded by Carter.

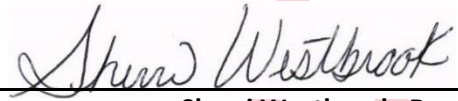
Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack

Commission Members Davies and Smith were absent

ADJOURN

Commission Member Carter MOVED to adjourn the Planning and Zoning Commission Meeting. The motion was SECONDED by Council Liaison Killpack. Chairman Jones asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

123 Motion made by Carter, Seconded by Killpack.
124 Voting Yea: Carter, Curtis, Diaz, Droubay, Killpack
125 Commission Members Davies and Smith were absent
126 The meeting was adjourned at 8:41 p.m.
127
128



Sherri Westbrook, Recorder



Delta City
76 N 200 W
Delta, UT 84624
435-864-2759, 435-864-4313fax

Item 4.

Application to Appear

APPLICANT INFORMATION

Applicant Name R.N.A. LLC
Contact Name Alan M Roper
Contact Number 435 253 0610
Contact Email roperhome@yahoo.com
Mailing Address 95 NORTH MAIN
City, State, Zip Farmore UT 84631

APPEARANCE INFORMATION

Request to appear before:
☐ City Council ☒ Planning & Zoning ☐ Other: _____
Date you wish to appear: July 13 2022
Subject Summary: Zone Change

Subject Detail:

Be as specific as possible, with as much detail as possible. Include any documents, maps, etc.

Zone Change To R-4 on 10.134 Acre
See Addendum 1
Addendum 2 Proposed use of land

Action Requested: _____

Applicant Signature Alan M Roper Date 6-8-22

This application and all applicable documents must be received (8) eight days prior to the scheduled meeting that you wish to attend.

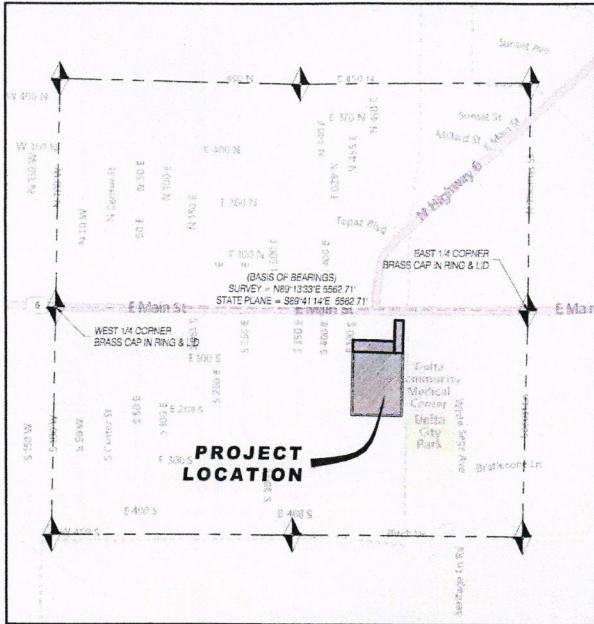
Received by: UA
Notes: To Sherri

For City Use

Date: _____
Fees: _____
Paid Stamp: _____

87:01 6 JUN 2202

B22-609-97



SECTION BREAKDOWN

SEC. 7, T17S, R6W, SLB&M
DELTA CITY, MILLARD COUNTY, UTAH
SCALE: 1" = 1,000'

LEGEND

- — — — — EXISTING FENCE
- — — — — BOUNDARY LINE
- — — — — DEED LINE
- — — — — SECTION LINE
- — — — — 1/4 SECTION LINE
- SET BOUNDARY CORNER
- FOUND BOUNDARY CORNER
- ▲ FOUND SECTION CORNER

0 50' 100' 200'
1" = 100'

NARRATIVE:

THIS SURVEY WAS DONE AT THE REQUEST OF ALAN ROPER TO STAKE THE BOUNDARIES OF PARCEL D-775-44, LOCATED IN DELTA, MILLARD COUNTY, UTAH, AND TO DESCRIBE AND STAKE A PORTION OF SAID PARCEL TO BE DIVIDED OFF FROM IT. BOUNDARY EVIDENCE WAS FOUND AS SHOWN HEREON. RECORD DISTANCES WERE HELD WHERE NO IMPROVEMENTS EXIST. 5/8" REBAR WITH PLASTIC CAPS STAMPED 'PLS 4854821' WERE SET AT EACH CORNER, OR THE CORNER WAS FOUND, AS SHOWN.

BASIS OF BEARINGS:

THE BASIS OF BEARINGS USED FOR THIS SURVEY IS N89° 13'33"E BETWEEN THE WEST QUARTER CORNER AND EAST QUARTER CORNER OF SECTION 7, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN, AS SHOWN HEREON. THIS BEARING HAS BEEN ROTATED FROM STATE PLANE BEARINGS TO MATCH THE CARDINAL DIRECTION OF EAST - WEST ALONG THE NORTH LINE OF BLOCKS 45 AND 46, AS SHOWN ON PLAT A, DELTA TOWNSITE SURVEY.

RECORD DESCRIPTION:

PARCEL D-775-44, QUIT CLAIM DEED, ENTRY # 216029, BOOK 708, PAGE 492, RECORDED 09/22/2021.

A PARCEL OF LAND, BEING PART OF AN ENTIRE TRACT OF LAND, SITUATED IN PLAT 'A', DELTA TOWNSITE, IN SECTION 7, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE MERIDIAN, THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF BLOCK 46 OF SAID PLAT 'A'; THENCE EAST 494.0 FEET; THENCE NORTH 247.50 FEET TO THE NORTH LINE OF BLOCK 45; SAID PLAT 'A'; THENCE EAST 100 FEET TO THE NORTHEAST CORNER OF SAID BLOCK 45; THENCE SOUTH 1125.0 FEET ALONG THE EAST LINE OF BLOCK 45 AND 44 OF SAID PLAT 'A'; AND SAID EAST LINE EXTENDED; THENCE WEST 594.0 FEET ALONG A LINE PARALLEL TO THE SOUTH LINE OF BLOCKS 44 AND 43 OF SAID PLAT 'A'; THENCE NORTH 877.5 FEET ALONG THE WEST LINE AND WEST LINE OF EXTENDED OF LOTS 1 AND 4 OF SAID BLOCK 43 AND LOT 1 OF SAID BLOCK 46 TO THE POINT OF BEGINNING.

SURVEY PARCEL 1 DESCRIPTION:

A PARCEL OF LAND, SITUATED IN PLAT 'A', DELTA TOWNSITE, IN SECTION 7, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE MERIDIAN, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, BLOCK 46, PLAT 'A', DELTA TOWNSITE SURVEY; THENCE EAST 494.00 FEET; THENCE SOUTH 134.00 FEET; THENCE WEST 494.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE ALONG THE WEST LINE OF SAID LOT 1, NORTH 134.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.520 ACRES, MORE OR LESS.

SURVEY PARCEL 2 DESCRIPTION:

A PARCEL OF LAND, SITUATED IN PLAT 'A', DELTA TOWNSITE, IN SECTION 7, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE MERIDIAN, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 3, BLOCK 45, PLAT 'A', DELTA TOWNSITE SURVEY; THENCE SOUTH 381.50 FEET ALONG THE EAST LINE OF BLOCK 45 OF SAID PLAT 'A'; THENCE WEST 100.00 FEET; THENCE NORTH 381.50 FEET TO THE NORTH LINE OF BLOCK 45; SAID PLAT 'A'; THENCE EAST 100.00 FEET ALONG THE NORTH LINE OF BLOCK 45, SAID PLAT 'A' TO THE POINT OF BEGINNING.

CONTAINING 0.876 ACRES, MORE OR LESS.

REMAINDER SURVEYED PARCEL DESCRIPTION:

A PARCEL OF LAND, SITUATED IN PLAT 'A', DELTA TOWNSITE SURVEY, IN SECTION 7, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE MERIDIAN, SAID PARCEL BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LOT 1, BLOCK 46, PLAT 'A', DELTA TOWNSITE SURVEY SOUTH 134.00 FEET FROM THE NORTHWEST CORNER OF SAID LOT 1; THENCE EAST 594.00 FEET TO THE EAST LINE OF BLOCK 45, SAID PLAT 'A'; THENCE SOUTH 743.50 FEET ALONG THE EAST LINE OF BLOCK 45 AND 44 OF SAID PLAT 'A'; AND SAID EAST LINE EXTENDED; THENCE WEST 594.00 FEET ALONG A LINE PARALLEL TO THE SOUTH LINE OF BLOCKS 44 AND 43 OF SAID PLAT 'A'; THENCE NORTH 743.50 FEET ALONG THE WEST LINE AND WEST LINE OF EXTENDED OF LOTS 1 AND 4 OF SAID BLOCK 43 AND LOT 1 OF SAID BLOCK 46 TO THE POINT OF BEGINNING.

CONTAINING 10.139 ACRES, MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I, TRAVIS L. HANSEN, A PROFESSIONAL LAND SURVEYOR HOLDING CERTIFICATE NUMBER 4854821, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON WAS PREPARED FROM A FIELD SURVEY MADE UNDER MY DIRECTION AND THAT THE DIMENSIONS OF THE ABOVE-DESCRIBED PARCEL OF LAND ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Travis L. Hansen
PROFESSIONAL LAND SURVEYOR
No. 4854821
TRAVIS L. HANSEN
STATE OF UTAH

TRAVIS L. HANSEN, PLS - 4854821

FEB. 25, 2022

DATE

RECORD OF SURVEY FOR ALAN ROPER

SECTION 7, T17S, R6W, SLB&M
DELTA, MILLARD COUNTY, UTAH

DRAWN BY:	TLH	SCALE:	1" = 100'	PROJECT #:	22-001
CHECKED BY:	EEH	DATE:	FEB. 25, 2022	DRAWING:	21-001_ROMER

LEGACY
ENGINEERING AND SURVEYING, LLC
PO BOX 374
ANNABELLA, UTAH 84711
TEL: (801) 420-2150

SECTION 7, T17S, R6W, SLB&M
DELTA, MILLARD COUNTY, UTAH
2022

