



## ORDINANCE NUMBER 19-280

**AN ORDINANCE AMENDING TITLE 9, PLANNING AND ZONING, OF THE DELTA CITY CODE TO ADDRESS ADDITIONAL HARDSURFACING REQUIREMENTS; MAKE REGULATIONS FOR ZONES "I-D" AND "I" TO BE IDENTICAL; AND, REVISE SIDEWALK REQUIREMENTS IN INDUSTRIAL ZONES.**

The City Council of the City of Delta, Utah, referred to herein as the "City Council," recites the following as the basis for enacting this Ordinance.

**Whereas**, the "Municipal Land Use, Development, and Management Act," Utah Code Ann. § 10-91-101 *et seq.*, as amended (the "Act"), provides that each municipality of the State of Utah may enact a land use ordinance and a zoning map establishing regulations for land use and development within the municipality;

**Whereas**, Pursuant to the Act, the municipality's planning commission shall prepare and recommend to the municipality's legislative body, following a public hearing, proposed land use ordinances and zoning maps, or amendment thereto, that represent the planning commission's recommendations for land use regulations within the municipality;

**Whereas**, the Delta City Planning Commission has caused to be drafted the attached land use ordinance and has recommended to the City Council that it be adopted by Delta City;

**Whereas**, the Delta City Planning Commission on March 13, 2019 conducted a public hearing required and in the fashion prescribed by Utah Code Ann. § 10-9a-205 regarding that proposed land use ordinance; and,

**Whereas**, Delta City currently has a land use ordinance codified as Title 9 of the Delta City Code;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Delta, Utah:

Section 1. Adoption of Revisions to Title 9. Title 9 of the Delta City Code, as amended, is adopted and amended to read as reflected as follows:

1. 9-18A-8(A)(5) shall be amended to read as follows:

Additional Pavement: To provide for secure traction and to prevent breaking the edge of paved roads, any area of a parcel that abuts a paved or hard surfaced City Street or public right-of-way that will provide for ingress or egress, to the private property shall be paved with asphalt, brick or concrete surfacing at least 20 feet back from the existing road surface that abuts the public right-of-way with ingress and egress being a minimum width of 24 feet.

2. 9-18A-8(B)(5) shall be amended to read as follows:

Additional Pavement: To provide for secure traction and to prevent breaking the edge of paved roads, any area of a parcel that abuts a paved or hard surfaced City Street or public right-of-way that will provide for ingress or egress, to the private property shall be paved with asphalt, brick or concrete surfacing at least 20 feet back from the existing road surface that abuts the public right-of-way with ingress and egress being a minimum width of 24 feet.

3. The language at the end of the “Minimum Lot and Development Standards” in 9-10A-3 shall be amended to read as follows:

Except for warehouse storage units – commercial only, or, any other form of storage unit, sidewalk required along all properties abutting streets. Required only on new construction of a primary structure.

4. 9-108-1 shall be amended to read as follows:

**PURPOSE:** The Industrial Development Zone is intended to provide for and encourage development of industrial, manufacturing and similar facilities which can be developed and utilized in such a manner as to not exceed permissible performance criteria designed to limit the adverse impact of such facilities on surrounding land uses and to which adequate public facilities exist to support such use and development. A development permit shall be obtained for all new development or changes in land use within the Industrial Development Zone. In the event that a proposed development of I-D does not include an application for rezone, or other process that would change the applicable zoning regulations of I-D property, the Use Table and Minimum Lot and Development Standards from I-1 shall be applied to all I-D development.

Section 2. Effective Date. This ordinance shall become effective upon publication.

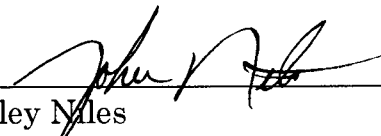
Section 3. Captions. Captions herein are for convenience only, and neither limit nor amplify the provisions of this Ordinance.

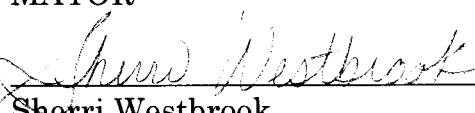
Section 4. Repeal of Conflicting Ordinances. To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this ordinance, they are hereby amended to be in accordance with the provisions hereof.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 20th day of March, 2019 by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	<u>X</u>	_____	_____	_____
Brett C. Bunker	<u>X</u>	_____	_____	_____
Kiley J. Chase	<u>X</u>	_____	_____	_____
Nicholas W. Killpack	<u>X</u>	_____	_____	_____
Betty Jo Western	<u>X</u>	_____	_____	_____



  
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 John Wesley Niles  
 MAYOR

  
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 Sherri Westbrook  
 CITY RECORDER