



DELTA CITY PLANNING & ZONING COMMISSION MEETING

Wednesday, November 12, 2025 at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Chairman Chad Droubay
Commission Member Derek Curtis
Commission Member Don Smith
Commission Member Dillon Pace
Commission Member Tamara Stewart
Commission Member Darlene Webb
Council Liaison Kelly Carter

ALSO PRESENT

Sherri Westbrook
Angie Dewsnup
Justin Ashby
Jessica Anderson
John Niles
KC Bogue

ABSENT

Commission Member Chris Christensen

CALL TO ORDER

Planning and Zoning Chairman Droubay called the meeting to order at 7:09 p.m. He stated that notice of the time, place, and 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 each member of the Commission at least 24 hours before the meeting.

MINUTES APPROVAL

1. Meeting Minutes Approval: Planning & Zoning Commission Meeting 2025-10-08

Council Liaison Carter MOVED to approve the minutes of the Planning and Zoning Commission Regular Meeting held on 10/08/2025. The motion was SECONDED by Commission Member Pace. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Council Liaison Carter; seconded by Commission Member Pace.

Voting Yea: Chairman Droubay, Council Liaison Carter, Commission Members Smith, Pace, Stewart, and Webb

Commission Member Christensen was absent.

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

2. Tamara Stewart: Creation of Pioneering Agreement
Action: Discussion only

Commission Member Stewart presented the Commission with information about past meetings where the Planning & Zoning Commission had discussed creating a pioneering agreement. She explained that pioneering is when someone develops in an undeveloped area and pays for all road paving or improvements, then when someone else comes and future development occurs, some of that cost is recuperated and paid back to original developer.

Council Liaison Carter shared that this is like what utility companies do. He agreed with Stewart that the Commission should be proactive in creating this so that it is in place, when needed. John Niles suggested connecting with Rocky Mountain Power to see how they have done this.

Commission Chairman Droubay asked Commission Member Stewart to work on a plan and put something together to go over with the rest of the Commission. Stewart and City Attorney Anderson will work on language and will share during an agenda item at December Planning & Zoning Meeting.

3. Tamara Stewart: Review of advisory opinions from Property Rights Ombudsman
Action: Discussion only

Commission Member Stewart shared with the Commission that she was at a meeting in Richfield and spoke with a Property Rights Ombudsman about some specific examples where Delta City has had someone pay for a full length of road when developing a specific area. The Ombudsman's opinion was that a municipality cannot force someone to do this. Attorney Anderson explained that while Ombudsmen can be used to give advisory opinions, nothing is legally binding.

Attorney Anderson shared that one circumstance was Delta City was asking developer to make a road that is larger than what was needed by impact of that specific development. The Ombudsman's advisory opinion was that this cannot be required.

Anderson stated that there were two points that must be met. The first is that the requirement the City gives has to solve or remedy the situation. Which in the specific case mentioned, it does. The second is whether the cost is proportional to the impact that is being created. Courts state that cost must be provided using actual numbers. The Ombudsman's Opinion 268 stated that nobody puts in that effort of finding actual numbers; therefore, if half-road improvements are required, the City does not need the data to back this up. However, if more than that is required, the burden is on the City to prove the numbers. Commission Chairman Droubay stated concerns with having a half-road completed and then the other half sitting incomplete for decades. Attorney Anderson stated that there is an entire Obudsmen committee that's advisory opinion states that the City cannot require more than half, unless the actual numbers are provided and impact is shown.

Citizen Ron Larsen, with Jones & DeMille Engineering, shared with the Commission information about a Public Infrastructure District (PID) and that it can use bonds to cover costs and pay back over 20 to 30 years. Chairman Droubay agreed that PIDs are a new idea and really gaining traction. In Larsen's opinion, property owners could really benefit from these; stating that Hwy 6 would be a very beneficial place for developers to utilize a PID. Chairman Droubay asked about Delta City's responsibility with a PID. Larsen stated that no financial responsibility is required from City. Attorney Anderson added that the municipality would have to give approval prior to designating a Public Infrastructure District.

Stewart asked Attorney Anderson if it could be a requirement of completing the entire width of the road, but just half the length; Anderson stated that it is half the road to center line. Commission Member Smith added that he would leave everything as is until it needs to change. Anderson restated that if the city does so, the Ombudsman's opinion is that Delta City would have to provide actual cost numbers.

Commission Member Webb inquired about half-streets unfinished being a big frustration to other homeowners; Commission Members Stewart and Smith both agreed, also stating that there are real safety issues associated with having a half-road unfinished.

Council Liaison Carter presented Commission with scenario of one home being developed and developer is required to pay half of the street so Delta City pays to have the other half complete, who does the city recoup that money when other homes or development comes in? Attorney Anderson stated that this can be done through impact fees; Carter agreed, but stated that up front money from the city could be a challenge.

Chairman Droubay stated concerns that with larger cities and demographics there are developments happening consistently and so both halves of the roads are being completed quickly; whereas in rural communities the second half of the road can remain undeveloped for many years.

Commission Member Curtis added that this is something that has the capacity to already be an issue right now; there are some home developers that are questioning the requirement of being responsible to complete the entire street instead of just a half-street. Attorney Anderson shared that the Ombudsman is willing to set up a training to go over exactions and any discussions or questions that the Commission has. Chairman Droubay asked Attorney Anderson to arrange to bring in an Ombudsman committee to share advice, education, and opinion.

4. Chad Droubay: Antelope Valley Request to increase permanent units
Action: Discussion only

Commission Chairman Droubay shared with the Commission that both he and Council Liaison Carter received a call from a partial owner of Antelope Valley RV Park, Paul Gradeff. Currently, there is an agreement with Delta City that Antelope Valley may have permanent units making up to 10% of total lots on their property. Antelope Valley is now requesting that this be revisited and would like to see it raised to up to 30% permanent units. Droubay stated that he understands there is a large concern with Transient Taxes and also had a discussion with Gradeff pertaining to the aesthetics of it all.

Chairman Droubay shared some specific numbers that Gradeff sent over to him. Currently, Antelope Valley generates roughly \$4,000-\$5,000 per year transient tax. However, one cottage generates about \$2,000 per year in transient tax, as Gradeff says Antelope Valley can charge higher cost per night and still require rechecking-in every 30 days. Droubay's concern is if/when the RV park is sold and it could become basically a mobile home park. Commission Member Smith shared that Delta City is currently sitting in the same position as several years ago when Delta City agreed to the 10% due to influx of people coming into Delta City; there is going to be a very large influx again coming into Delta very soon.

Chairman Droubay received a consensus from the Commission Members that if Antelope Valley wants to have discussions in moving forward with an increase of permanent units, a representative will need to appear before the Commission.

ADJOURN

Commission Member Pace MOVED to adjourn the meeting. Commission Member Curtis SECONDED the motion. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Commission Member Pace; seconded by Commission Member Curtis.

Voting Yea: Chairman Droubay, Council Liaison Carter, Commission Members Smith, Pace, Stewart, and Webb

Commission Member Christensen was absent.

The meeting was adjourned at 8:01 p.m.




Sherri Westbrook, Recorder