



DELTA CITY PLANNING & ZONING COMMISSION MEETING

Wednesday, May 14, 2025 at 7:00 PM

Delta City Municipal Complex Council Chambers*

MINUTES

PRESENT

Chairman Chad Droubay
Council Liaison Kelly Carter (arrived 7:14)
Commission Member Dillon Pace
Commission Member Tamara Stewart
Commission Member Chris Christensen

ABSENT

Commission Member Derek Curtis
Commission Member Don Smith
Commission Member Lindsey Dutson

ALSO PRESENT

| | | |
|---------------|----|------------------|
| Brent Tolbert | 19 | Lisa Myers |
| Danny Dutson | 20 | Jessica Anderson |
| Ron Larsen | 21 | Sherri Westbrook |
| DeAnne Larsen | 22 | John Niles |

CALL TO ORDER

Planning and Zoning Chairman Droubay called the meeting to order at 7:06 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 one day before the meeting.

MINUTES APPROVAL

1. Meeting Minutes Approval: Planning & Zoning Commission Meeting 2025-03-12

Commission Member Christensen MOVED to approve the minutes of the Planning and Zoning Commission Meeting held on 3/12/2025. The motion was SECONDED by Commission Member Stewart. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Christensen, Seconded by Stewart.

Voting Yea: Droubay, Pace, Stewart, Christensen

Absent: Commission Members Curtis, Smith, and Dutson; Council Liaison Carter

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

2. Lisa Myers; Myers Park Subdivision Preliminary Plan Renewal
Action: Discussion/Consideration for approval

Lisa Myers stated that the Preliminary Plan for the Myers Park Subdivision expires next month and she is requesting an extension for both lots for one more year. Commission Member Stewart asked if there had been any changes. Myers stated no, everything is exactly the same.

Commission Member Stewart MOVED to approve the renewal of Myers Park Subdivision Preliminary Plan. The motion was SECONDED by Commission Member Christensen. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Stewart, Seconded by Christensen.

Voting Yea: Droubay, Pace, Stewart, Christensen

Absent: Commission Members Curtis, Smith, and Dutson; Council Liaison Carter

3. Dutson Supply: Height Restriction - approval per code
Action: Discussion/Consideration for approval

Danny Dutson addressed the Commission and stated that as of May 1st, he, Brent Tolbert, and a couple other partners had taken over management of Dutson Supply. They are looking to construct a new batch plant west of Dutson Supply's current yard. Dutson said he spoke to Travis Stanworth, Fire Chief, about sidewalk above 35 ft and he approved that. Application has not been submitted yet, due to the sidewalk requirements and curious about getting a possible variance due to zoning. Brent Tolbert said that the requirements state a need for sidewalks and curb with gutter. Dutson asked whether 1000 West is a county road or a city road. Tolbert said it is a city road. Commission Chairman Droubay asked if anything was being subdivided. Tolbert responded no. Attorney Anderson stated that sidewalks come into play with new construction. Tolbert explained that a batch plant is a piece of equipment, not construction of a building. There are no offices in it; it is a piece of equipment used to batch concrete. Attorney Anderson stated that sidewalks apply for new construction of a primary structure. Commission Chairman Droubay said that they are having a couple of discussions: 1) height of the batch plant, and 2) sidewalks. Dutson stated that the height would be approximately 80 ft.

Commission Chairman Droubay said that Council Liaison Carter wanted to discuss possible changes to sidewalk code in an industrial zone later in the meeting, so this discussion could be put to the side for a little later. Commission Chairman Droubay stated that everything should stick to code and not doing things haphazard.

*Council Liaison Carter arrived at 7:13 p.m.

Commission Chairman Droubay asked to focus on the height restriction; code states that in industrial zone, height restriction is 35 ft unless otherwise approved by Planning & Zoning Commission. Tolbert clarified that this is just a large steel silo; there will not be electrical or any other utilities that high, it is just a massive bin that stands up 80 ft. Dutson said that Larry Dutson currently owns 40 acres and that he will keep 20 acres and the plant will own to the ditch. He also stated that the batch plant will be back away from the road. Council Liaison Carter apologized for being late and said he could share the report from Fire Chief, Travis Stanworth. He stated that originally the reason for the 35 ft height restriction was concern that because the Fire Department doesn't have ladder trucks there wouldn't be a way to put out a structure fire above that height; Carter also said that Chief Stanworth was going to be at this meeting, but had another meeting he needed to attend and asked Carter to share that he had no issues with the height of this specific structure. Commission Member Christensen asked about electricity and wiring. Dutson stated that you do have to have water, electricity, and utilities for mixing concrete. Tolbert said nothing would be at the top of the silo. Commission Member Stewart questioned asked about fire suppression and if there is a fire hazard. She also asked about the nearest residential structures. Council Liaison Carter said that would be Antelope Valley RV Park. Attorney Anderson added that towers must be under 100 ft per code.

Commission Member Christensen MOVED to approve the code for Dutson Supply for height restriction. 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 Christensen, Seconded by Pace.

Voting Yea: Droubay, Carter, Pace, Stewart, Christensen

Absent: Commission Members Curtis, Smith, and Dutson

Commission Chairman Droubay requested moving Item #6 up in the Agenda while Dutson and Tolbert were in attendance.

6. Council Liaison Kelly Carter; Change to current code for Industrial Zone
Action: Discussion/Consideration for approval

Council Liaison Carter made the recommendation to take out requirements for sidewalks within industrial zones. Commission Member Stewart asked if there would still be curb and gutter required and Council Liaison Carter responded with yes that this is needed for proper draining, etc. Commission Member Christensen asked what the vision was for the requirement of sidewalks in the industrial zone. Commission Chairman Droubay stated that the reason for sidewalks was for beautification of the area and safety for children to walk.

Commission Chairman Droubay asked about fencing in an industrial zone. Attorney Anderson said that she was looking up the code. Chairman Droubay stated that sidewalk requirement was removed, but fencing had been required on storage units. Dutson Supply's current rock yard is not fenced. Attorney Anderson stated that nothing is in Delta City code in regards to fencing requirements. Council Liaison Carter read from another city's code about fencing. Full wall required when backed to a residential zone. Chairman Droubay stated that in this situation, it would be backed to county from the industrial zone. He then asked the Commission about removing sidewalk requirement from an industrial zone. Commission Member Christensen asked about intermingling zones. Council Liaison stated that there is only one industrial zone in Delta City. Commission Member Pace asked about the area along the railroad tracks. Council Liaison Carter stated that he stood corrected in that all along the railroad tracks is also an industrial zone and there is also a segment on the far east side of the city. Commission Member Pace asked about putting a stipulation in that if it butts up against a residential zone, and Liaison Carter added to also include if it meets up to a current sidewalk. Commission Member Stewart asked about a situation in the future if a current industrial property was to be repurposed as residential. Liaison Carter stated that everything would be redone as a residential zone; he stated that he understands that the point is to look at future growth, but the spot for Dutson's is not in jeopardy of being residential in the next 20+ years. Dutson stated that as long as the property is owned by Dutson's it will stay as industrial use. Commission Member Christensen asked if the original intent was to beautify and economic development, then we are going to run into this issue a lot; if an exception is made now with curb, gutter, and sidewalk we will run into the same request for exceptions again and again and again. Commission Member Stewart explained that the code would be changed so that would not be an issue. Liaison Carter explained that curb and gutter would have to remain; Commission Member Stewart added that this is necessary for drainage, as well. Commission Member Christensen would like to look more closely at fencing and adding that to City Code. Commission Chairman Droubay stated that he agreed that for the Industrial Zone only, removing the sidewalk requirement other than when it butts up to a Residential Zone, and with requirement of fencing. New construction would trigger fencing requirement, if added to code.

Commission Member Christensen would like to look more at fencing before making a decision on

changing current code. Commission Member Stewart would like to pull Provo City and other communities to look at their stipulations, rather than just dealing with sidewalk right now and fencing later, just do it all at once.

Council Liaison Carter would like to start with something as things never get done if they are just tabled. He asked about a set of objectives for what to have done by next meeting. Would like to move ahead and start with sidewalks. Commercial Zone, yes people are in and out and sidewalks make sense; Industrial Zone, do we want sidewalks and people walking around rock crushing, junk yards, heavy equipment coming in and out, etc. Open to fencing for safety.

Mayor Niles made a comment from the audience. Offices in industrial zone if people are going to be coming in and out. Council Liaison Carter stated that all businesses require hard surfaces parking.

Commission Chairman Droubay asked Dutson and Tolbert about the timeline on the batch plant. Dutson said as soon as possible; Tolbert said it was two weeks ago. Dutson asked about fencing all 40 acres. Tolbert explained that a batch plant is a piece of equipment; they are meant to be put up and taken down. Commission Member stated that a batch plant was put up out to IPP, used, and taken down and moved. Commission Chairman Droubay stated that a triggering event is not happening; no subdivision and no new construction of primary structure. So, only thing to prevent moving forward would be height restriction and that has already been approved. Commission Chairman Droubay asked for moving it to next month's agenda to use the 30 days to think it over, study code, and make an informed decision and to also consider if fencing should be required in that Industrial Zone.

Council Liaison Carter MOVED to table sidewalk agenda item with further research for removing sidewalk and adding fencing in Industrial Zone. The motion was SECONDED by Commission Member Christensen. Chairman Droubay asked if there were any questions or comments regarding the motion. There being none, he called for a vote.

Motion made to table by Carter, Seconded by Christensen.
Voting Yea: Droubay, Carter, Pace, Stewart, Christensen
Absent: Commission Members Curtis, Smith, and Dutson

Tolbert asked if Dutson's Supply would need a building permit. Council Liaison Carter and Commission Member Pace stated yes, a permit would be needed for electricity and water.

Commission Chairman Droubay requested moving Item #7 up in the Agenda.

7. Council Liaison Kelly Carter; Light Industrial zone creation
Action: Discussion/Consideration for approval

Council Liaison Carter has been working on creating a Light Industrial Zone. He shared Ephraim City's Industrial Zone with commission members as an example of what other communities are doing. Commission Chairman Droubay agreed that with the possibilities of annexation and as city grows it will need areas such as this. Commission Member Christensen pointed out that there are definitions for Industrial light and Industrial Medium in Delta City Title 9 Chapter 2 from 2019. Council Liaison Carter stated that those are no longer active. Attorney Anderson stated that online does not have anything on this. Mayor Niles commented from audience that when Municode was adopted, everything was revamped and written new. Commission discussed how Lyman Row residential is an unicorn (outlier). Commission Member Christensen stated that first step would be to identify that a Light Industrial Zone

would be put in as code and the next step would be to identify an area where to put it into use. Commission Chairman Droubay stated that all along the railroad would be good for light industrial; he said Recorder Sherri Westbrook has a good point if we have something in place and its available in case someone wants to annex it or rezone.

Commission Member Christensen MOVED to create a Light Industrial Zone. The motion was SECONDED by Commission Member Stewart. Commission Chairman Droubay stated that before voting, language would need to be created. Attorney Anderson stated that it could be moved forward and then language would follow; would create a Light Industrial Zone subject to further restrictions. Commission Chairman Droubay asked if there were any further questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Christensen, Seconded by Stewart.
Voting Yea: Droubay, Carter, Pace, Stewart, Christensen
Absent: Commission Members Curtis, Smith, and Dutson

4. Chairman Chad Droubay; Commission Member Derek Curtis term renewal
Action: Discussion/Consideration for approval

Commission would like to have Commission Member Derek Curtis in attendance to discuss and consider his term renewal for approval. Commission Member Christensen suggested tabling this until next meeting.

Council Liaison Carter MOVED to table this agenda item until next meeting when Derek Curtis could be in attendance. The motion was SECONDED by Commission Member Christensen. Commission Chairman Droubay asked if there were any further questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Carter, Seconded by Christensen.
Voting Yea: Droubay, Carter, Pace, Stewart, Christensen
Absent: Commission Members Curtis, Smith, and Dutson

5. Chairman Chad Droubay: Suggestion of Alternate Commission Member, Darlene Webb
Action: Discussion/Consideration for approval

Commission Chairman Droubay stated that Mayor Niles had called him with a suggestion of an Alternate Commission Member, Darlene Webb. She is willing to serve as an alternate for the Planning & Zoning Commission. Mayor Niles said that she would love to help on Planning and Zoning Commission if needed. Commission Chairman Droubay asked if there were any concerns; none were spoken.

Commission Member Christensen MOVED to accept Darlene Webb as an Alternate Commission Member. The motion was SECONDED by Commission Member Stewart. Commission Chairman Droubay asked if there were any further questions or comments regarding the motion. There being none, he called for a vote.

Motion made by Christensen, Seconded by Stewart.
Voting Yea: Droubay, Carter, Pace, Stewart, Christensen
Absent: Commission Members Curtis, Smith, and Dutson

ADJOURN

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

227 Motion made by Curtis, Seconded by Stewart.
228 Voting Yea: Droubay, Carter, Stewart, Curtis
229 Absent: Commission Members Curtis, Smith, and Dutson

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231 The meeting was adjourned at 8:06 p.m.

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Sherri Westbrook, Recorder