

PERRY CITY PLANNING COMMISSION MEETING
PERRY CITY OFFICES
June 5, 2025

7:00 PM

COMMISSIONERS PRESENT: Chairman Ryan Vaughn, Commissioner Blake Broadhead,
Commissioner Marcus Wager, and Vice-Chairman Paul White

COMMISSIONERS ABSENT: Commissioner Beth Thompson, Commissioner Jan and
Commissioner Stephen Moss

CITY STAFF PRESENT: City Administrator Bob Barnhill, Planning Secretary Tyra
Bischoff, Deputy Recorder Misty Moesser, and Attorney Chris
Crockett

OTHERS PRESENT: Chris Harrild and Andy McCrany

ONLINE: Jeremy Whittaker and Marc Fletcher

ITEM 1: CALL TO ORDER AND OPENING CEREMONIES

Chairman Ryan Vaughn called the meeting to order at 7:00 PM.

A. Declare Conflict of Interest, if any
None.

ITEM 2: ACTION ITEMS

**A. Preliminary Subdivision Amendment for Perry Springs located at 2250 S 1200 W
Parcel #03-157-0142; Applicant: Christopher Herrild**

City Administrator Bob Barnhill provided background information on the Perry Springs preliminary subdivision amendment. He explained that the property is located at the corner of 2250 South (Davis Street) and 1200 West (Perry Street), just north of Dale Young Park. He noted that the applicant was seeking an amendment to a previously approved conservation subdivision plan.

Mr. Barnhill displayed the previously approved plan, which included roads coming in from the south, lots along 2250, and pockets of wetlands and open space. He then showed the updated plan, which had significantly reduced single-family lots and a larger contiguous portion of open space. The updated plan now includes 27 single-family lots and 12 townhome units, compared to 53 single-family lots in the previous plan. Mr. Barnhill noted that about 15 acres would be set aside as conservation or constrained and sensitive land.

He highlighted several points for the commission to consider:

1. The location of the stub road, which was previously required by the commission.
2. The proposal to remove Russian olive trees and plant water-tolerant tree species.
3. The potential use of the property as pasture moving forward.
4. The need for more details on the number and size of trees to be planted.

5. The requirement for 6-foot privacy fencing where new homes abut agriculture.
6. Clarification on who will own the conservation property.
7. The need to understand water rights for the pasture.

Chris Harrild, representing Neighborhood Nonprofit Housing Corp., addressed the Commission's questions. He explained that they were flexible on the stub road location but preferred it on the west side. Regarding trees, Mr. Harrild stated that they would plant a minimum of one-to-one replacement with at least 1.5-inch caliper trees. He also mentioned that some water rights would likely remain with the property for pasture use.

The Commission discussed the location of the stub road, with most members preferring it to be moved further east. They also discussed the ownership of the conservation land, with the consensus being that the city should own it.

MOTION: Commissioner Wager made a motion to approve the Preliminary Subdivision Amendment for Perry Springs with the following stipulations:

- The stub road moved to the East with the City Engineer's approval
- Invasive weeds to be removed
- Tree replacement with a 1:1 ration and at least 1.5 inch caliper tree size
- Water rights to be distributed between future homes with Pine View and the rest left to the pasture
- The City owning the property with a perpetual easement for conservation
- Previously approved items including landscaping stay in place
- Review by the City Engineer regarding the storm water and other items noted on the Engineer's Review
- A 6 foot fence erected between the residential and agricultural areas

Commissioner Broadhead seconded the motion.

Roll Call Vote:

Commissioner Vaughn, Yes
Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

B. Public Hearing: Ordinance 25-F Zone Change Request from NC2 to R1 located at approximately 405 W 1850 S Parcel #03-157-0115; Applicant: Irv Maddox

Mr. Barnhill presented the zone change request for the Maddox property, which sought to change from Neighborhood Commercial 2 (NC2) to R1. The property is located just north of the current meeting location and includes a restaurant and four residential buildings behind it.

Mr. Barnhill explained that the applicant's purpose was to get the homes on the Maddox property to be corrected with their own lot, potentially to subdivide and sell as standard residential single-family homes. However, Mr. Barnhill noted that he had requested additional information from the applicant about exact dimensions and locations but had not received a response.

The public hearing was opened at 7:51 PM.

There were no public comments.

The public hearing was closed at 7:53 PM.

MOTION: Commissioner Broadhead made a motion to table Ordinance 25-F until adequate information is provided. Commissioner White seconded the motion.

Roll Call Vote:

Commissioner Vaughn, Yes
Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

C. Public Hearing: Ordinance 25-I Zone Change Request from IC to IC & Industrial Mixed Use located at 910 W 1600 N & 950 W 1600 N Parcel #s 03-236-0026 & 03-236-0027; Applicant Jeremy Whittaker

Mr. Barnhill presented the zone change request for two properties at Pointe Perry, near the freeway interchange. The properties, totaling approximately 4.5 acres, are currently zoned IC (Interstate Commercial) and the applicant is requesting to change about 2.5 acres to a Manufacturing and Industrial zoning district.

Mr. Barnhill explained that a similar request had been approved in the past with conditions, but the timeline stipulations were not met. A subsequent request in October 2022 was denied. He noted that the City Council has consistently tried to preserve the area for retail development.

The Public Hearing was opened at 8:00 PM.

Andy McCrany expressed confusion about the zoning request, specifically the use of two zoning designations on a single property, which he found unclear and difficult to interpret. He emphasized that he was not opposed to the proposal but was seeking clarification due to his nearby investment. Andy asked for details on what uses are permitted under the proposed manufacturing zone, including whether large buildings or storage units would be allowed. He also inquired whether a similar zoning change could be requested for his own property.

The Public Hearing was closed at 8:05 PM.

MOTION: Commissioner Wager made a motion to recommend denial of Ordinance 25-I. Commissioner White seconded the motion.

Roll Call Vote: Commissioner Vaughn, Yes
Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

D. Public Hearing: Ordinance 25-E Special Residential Facilities

Mr. Barnhill presented the proposed Ordinance 24-E for special residential facilities, explaining that it addresses facilities for people with some measure of protections by the federal government, including the elderly, those with disabilities, and youth. He noted that cities must be careful in how they handle these facilities due to federal protections.

He explained that the ordinance proposes a 4,500 square foot limit on these facilities to ensure they fit in with the rest of the community. It also includes provisions for parking and licensing requirements.

The Public Hearing was opened at 8:13 PM.

No comments were made.

The Public Hearing was closed at 8:14 PM.

The Commission held a discussion on the ordinance and whether the square footage was ideal or if it should be lower.

MOTION: Commissioner Broadhead made a motion to recommend approval of Ordinance 25-E with changing the maximum square footage to 3,500. Commissioner White seconded the motion.

Roll Call Vote: Commissioner Vaughn, Yes
Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

195
196 **E. Public Hearing: Ordinance 25-G Accessory Buildings**
197

198 Mr. Barnhill presented the proposed changes to the ordinance on accessory buildings. The
199 main change was to separate the height limitations for primary dwellings and accessory
200 buildings, with accessory buildings limited to 25 feet in most zones.
201

202 The Commission discussed the need for different height limits in agricultural zones and how
203 to address purely agricultural buildings.
204

205 The public hearing was opened at 8:29 PM.
206

207 No public comments were made.
208

209 The Public Hearing was closed at 8:29 PM.
210
211

212 **MOTION:** Commissioner Wager made a motion to recommend approval of
213 Ordinance 25-G with the addition that purely agricultural building be allowed to be
214 a maximum of 50 ft. Commissioner Broadbeck seconded the motion.
215

216 **Roll Call Vote:** Commissioner Vaughn, Yes
217 Commissioner White, Yes
218 Commissioner Wager, Yes
219 Commissioner Broadhead, Yes
220 Commissioner Kerr, Absent
221 Commissioner Moss, Absent
222 Commissioner Thompson, Absent
223

224 **Motion Approved. 4 Yes, 0 No**
225
226

227 **F. Public Hearing: Ordinance 25-H Multi-Family Housing Regulations**
228

229 Mr. Barnhill presented the proposed changes to the multi-family housing regulations. The
230 main change was to clarify the definition of landscape area to include irrigated areas
231 installed with sod, trees, shrubs, perennials, and annuals.
232

233 The commission discussed the inclusion of artificial turf as an acceptable landscape option.
234

235 The public hearing was opened at 8:36 PM.
236

237 No public comments were made.
238

239 The Public Hearing was closed at 8:36 PM.
240

241 **MOTION:** Commissioner White made a motion to recommend approval of
242 Ordinance 25-H with the addition of allowing synthetic turf. Commissioner Wager
243 seconded the motion.
244

245 **Roll Call Vote:** Commissioner Vaughn, Yes

Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

ITEM 3: APPROVAL OF THE MINUTES

A. May 1, 2025, Regular Planning Meeting

MOTION: Commissioner Broadhead made a motion to approve the minutes for the May 1, 2025, Planning Commission Meeting. Commissioner White seconded the motion.

Roll Call Vote:

Commissioner Vaughn, Yes
Commissioner White, Yes
Commissioner Wager, Yes
Commissioner Broadhead, Yes
Commissioner Kerr, Absent
Commissioner Moss, Absent
Commissioner Thompson, Absent

Motion Approved. 4 Yes, 0 No

ITEM 4: DISCUSSION

A. Future Projects

There were no future projects to discuss.

B. Report on past-approved Planning Commission Items

Mr. Barnhill reported on the Olsen Orchards Development Overlay that had been sent back by the City Council. He explained that the developers had presented a revised plan to the City Council, showing nearly 3 acres of orchard along the highway. The City Council had mixed opinions but asked the developers to refine the concept and bring it back to the Planning Commission.

C. Report from Commissioners regarding previous Council Meetings

Commissioner White reported on his attendance at a recent City Council meeting where development agreements were discussed. He noted that some council members expressed concern about development agreements becoming the "new normal" and suggested sticking more closely to the existing code.

D. Make assignments for representative(s) to attend City Council (June 12th and 26th)

The commission made the following assignments for upcoming city council meetings:

- June 12, 2025: Commissioner Broadhead
- June 26, 2025: Commissioner White

ITEM 5: TRAINING

A. Staff

Attorney Chris Crockett provided training on due process in land use planning. He explained the difference between constitutional and statutory due process rights and how they apply to land use applications. Key points included:

1. The importance of providing notice to applicants and, in some cases, neighboring property owners.
2. Allowing applicants the opportunity to be heard and present evidence.
3. The need for planning commissioners to divest themselves of bias or preconceived notions when reviewing applications.
4. The requirement to approve administrative applications that meet all code requirements.
5. The importance of disclosing conflicts of interest and ex parte communications.

The Commission discussed potential topics for future training sessions, with development agreements being identified as a priority. Mr. Crockett offered to provide more in-depth training on development agreements at the August meeting, possibly including guest speakers to discuss real-world examples from Weber County.

ITEM 6: REVIEW NEXT ADGENDA AND ADJOURN

A. Items for August agenda (next meeting August 7, 2025)

Mr. Barnhill noted that the tabled Maddox zone change request and the Olsen Orchards development agreement would likely be on the agenda for the August 7th meeting.

B. Motion to Adjourn

Motion: Commissioner Wager made a motion to adjourn the meeting.

All In Favor

The meeting was adjourned at 9:10 PM.