

PERRY CITY PLANNING COMMISSION

REGULAR MEETING AGENDA

April 2, 2026

7:00 pm regular meeting

1950 S Hwy 89 Perry, UT

The meeting will be open to the public.

“Electronic Meeting” Web/Teleconferencing will be used.

The Perry City Planning Commission will hold a meeting on the Thursday identified above, starting at approximately 7:00 PM, at 1950 S Hwy 89. Members of the public may attend the meeting in person or may view the meeting via Zoom at the following link <http://www.perrycityut.gov/whats-new.htm.htm>. **To participate in the meeting, you must attend in person.** Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration.

- 1. 7:00 p.m. – Call to Order and Opening Ceremonies**
 - A. Declare Conflicts of Interest, If any**

- 2. Work Session**
 - A. Work Session with Lync Construction to discuss development of properties in the city**

- 3. Approval of the Minutes**
 - A. February 5, 2026**

- 4. Discussion**
 - A. Development Agreement Priorities**
 - B. Conservation Subdivisions**
 - C. Future Projects**
 - D. Report on past-approved Planning Commission Agenda Items**
 - E. Report from Commissioner regarding previous Council Meetings**
 - F. Make Assignments for Representative to Attend City Council Meetings
(April 16th)**

- 5. Training**
 - A. Staff**

- 6. Review Next Agenda and Adjourn**
 - A. Items for May agenda (next meeting May 7th 2026)**
 - B. Motion to Adjourn**

Certificate of Mailing

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member and alternate member of the Planning Commission and other designated City Officials and was posted in these locations: The Perry City Offices, Centennial Park, Perry City Park; Perry City Website; and State Website; on this 19th day of March. An individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

Tyra Bischoff, Planning Secretary

Rules for Public Hearings/Comments:

- (1) Please speak only once (maximum of 3 minutes) per agenda item.
- (2) Please speak in a courteous and professional manner.
- (3) Do not speak to specific member(s) of the Planning Commission, staff, or public (please speak to the Chair or to the Commission as a group).
- (4) Please present possible solutions for all problems identified.
- (5) Action will not be taken during this meeting if the item is not specifically on the agenda.

Staff Report

April 02, 2026

Perry City Planning Commission



Development Agreement Work Session

The subject property is located at approximately 2250 S and 1250 W and is approximately 30 acres in size. The current zoning is R1A.

Lync Construction is pursuing development of the property and desires to work with Perry City on a Development Agreement. Rather than submit a proposal that does not interest the Planning Commission, they have proposed this work session to discover what the Planning Commission most desires and what the ideal development would look like on this property. They do have some ideas regarding how they would approach the property, however they want to understand your priorities and desires first.

Here are few aspects of this property to bear in mind. These items have been discussed with the developer.

- This property centers on the intersection of four districts of the density map, allowing them 44 multi-family units. I have suggested to them that the city may be reticent to add additional units to this area beyond the current allotment because of the relatively high number already allowed.
- Because of the proximity of this property to Dale Young Nature Park, Three Mile Creek Elementary, Promontory Charter School, and Perry Park, it is less likely for Perry City to support the development of a park as part of the development agreement. However, I will note that the city already owns a large storm water basin at the NE corner of the site, which may be well suited for recreational development.
- With obvious city benefits being limited and the allotment of multi-family units already being fairly high, there simply may not be as much flexibility on the part of the city to grant additional density or other developer benefits.
- A Conservation Subdivision with a fee in lieu of improved conservation area could be considered.
- The developer could consider some architectural creativity and varied lots sizes.
- Access – 2450 S is gravel and needs improved. The southern access is not in the ideal location and is too narrow. However the developer has a layout to present wherein the existing home they have purchased can be modified to allow a 50' right of way to service the property on the south.

Please be prepared to provide feedback to the developer regarding your thoughts, priorities, and creative development options. City Council has been invited to attend as well.



1 PERRY CITY PLANNING COMMISSION MEETING
2 PERRY CITY OFFICES
3 February 5, 2026

7:02 PM

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7 COMMISSIONERS PRESENT: Chairman Paul White, Vice Chairman Stephen Moss,
8 Commissioner Beth Thompson, Commissioner Marcus Wager
9 Commissioner Blake Broadhead and Commissioner Travis
10 Moesser (alternate)

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12 COMMISSIONERS ABSENT: Commissioner Ryan Vaughn and Commissioner Jan Kerr

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

17
18 OTHERS PRESENT: None

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20 ONLINE: None

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23 **ITEM 1: CALL TO ORDER AND OPENING CEREMONIES**

24 Chairman White called the meeting to order at 7:02 PM.

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26 **A. Declare Conflict of Interest, if any**

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28 None.

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31 **ITEM 2: ACTION ITEMS**

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33 **A. Public Hearing: Ordinance 26-B Omnibus Land Use Code Amendments**

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36 City Administrator Bob Barnhill presented the proposed code amendments to the Commission,
37 explaining that the changes fell into several categories: required updates per state statute changes,
38 updating references to reorganized state code sections, general cleanup items he had tracked over
39 time, and suggested changes for discussion.

40
41 Mr. Barnhill walked through the amendments section by section, including:

- 42
43 1. Parcel boundary adjustments: Updated terminology to match state code's new "boundary
44 adjustments" language and added requirements for plat amendments.
45 2. Definition of "design review": Added clarity that this refers to any administrative land use
46 approval process, eliminating ambiguity in the code.
47 3. Flag lots: Proposed changing the maximum width of the access portion of a flag lot from 40
48 feet to 20 feet, to better reflect the original intent of flag lots opening up space in back areas
49 rather than becoming a workaround for lots with insufficient frontage.

- 50 4. Neighborhood Commercial Zone: Proposed removing contradictory and outdated
51 provisions specific to this zone that were confusing and sometimes conflicted with current
52 practices.
53 5. ADUs: Discussed potentially setting a maximum square footage cap (suggested 2,000 sq ft)
54 for accessory dwelling units rather than only limiting them to 40% of the primary dwelling
55 size.
56 6. Garage setbacks: Clarified that the 25-foot setback applies to all garages (attached or
57 detached) and is measured to the garage doors.
58 7. Multifamily setbacks: Added clarity about setbacks for interior streets and private roads in
59 developments.
60 8. Tree definitions: Added specific size requirements (15 feet tall, 10 feet wide at maturity) to
61 define what constitutes a "tree" for landscaping requirements, with allowances for
62 columnar varieties.
63 9. Parking stall dimensions: Updated to comply with state law which now limits cities to
64 requiring no more than 20 feet in length (down from 22 feet).
65 10. Streetlights: Simplified the process for reviewing streetlight plans as part of the regular
66 review process.
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68 Chairman White opened the Public Hearing.
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70 **The public hearing was opened at 7:31PM.**
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72 No public comments were made.
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74 **The public hearing was closed at 7:32PM.**
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77 The Commission discussed the potential impact of the flag lot changes, concerned that reducing the
78 maximum width might be too restrictive. After discussion, the Commission agreed that 30 feet
79 rather than the proposed 20 feet would be a better maximum width. A formatting error on the
80 subscript on a garage setback was also noted.
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82 **MOTION:** Commissioner Wager made a motion to recommend approval of Ordinance 26-B
83 Omnibus Land Use Code Amendments with the changes noted above. Commissioner Moss
84 seconded the motion.
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87 **Roll Call Vote:**

88 Commissioner Broadhead, Yes
89 Commissioner Thompson, Yes
90 Commissioner Wager, Yes
91 Commissioner Moesser, Yes
92 Commissioner Moss, Yes
93 Commissioner White, Yes
94 Commissioner Vaughn, Absent
95 Commissioner Kerr, Absent
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98 **Motion Approved. 6 Yes, 0 No**
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ITEM 3: APPROVAL OF THE MINUTES

A. January 15, 2026, Regular Planning Meeting

MOTION: Commissioner Moesser made a motion to approve the minutes for the January 15, 2026, Planning Commission meeting. Commissioner Thompson seconded the motion.

Roll Call Vote:

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

Motion Approved. 6 Yes, 0 No

ITEM 4: DISCUSSION

A. Development Agreement Priorities

The Commission continued their previous meeting's discussion about establishing priorities for development agreements. Key discussion points included:

1. Cemetery: Discussed using development agreements to acquire land for a cemetery, which Bob Barnhill confirmed was possible. He noted previous city surveys showed about two-thirds of respondents supported a cemetery.
2. Parks: Discussed being more strategic about park requests, suggesting:
 - Focusing on improvements to existing parks rather than creating new ones
 - Identifying specific areas that lack parks where new ones might be appropriate
 - Creating a list of specific improvements with cost estimates that developers could choose from
1. Open space preservation: Discussed the mechanisms for preserving orchards and other open spaces, including conservation easements and developer contributions to funds that could leverage state grants.
2. Process improvements: Discussed implementing a concept approval phase for development agreements and requiring developers to show side-by-side comparisons of what would be built under regular code versus with a development agreement.
3. Trail improvements: Discussed adding amenities along the path being developed, such as benches, lighting, and landscaping.

148 Mr. Barnhill agreed to draft a policy document incorporating these priorities for review at a
149 future meeting. He suggested the policy could include geographic maps showing priority
150 areas for parks, open space preservation, and other community needs. He also proposed
151 creating an informal development review group to meet with developers earlier in the
152 process before formal applications.

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154 **B. Future Projects**

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156 Mr. Barnhill suggested the Commission consider a future project to completely review and
157 potentially overhaul the city's zoning regulations.

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159 **C. Report on past-approved Planning Commission Items**

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161 None.

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163 **D. Report from Commissioners regarding previous Council Meetings**

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165 None.

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167 **E. Make assignments for representative(s) to attend City Council (February 12th and
168 26th)**

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170 The commission made the following assignment for the upcoming city council meeting:

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174 **ITEM 5: TRAINING**

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176 **A. Staff**

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178 City Attorney Chris Crockett provided training on the Open and Public Meetings Act.

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180 **ITEM 6: REVIEW NEXT ADGENDA AND ADJOURN**

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182 **A. Items for February agenda (next meeting February 5, 2026)**

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184 No specific agenda items were identified other than continuing the development agreement
185 priorities discussion.

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187 **B. Motion to Adjourn**

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189 **Motion:** Commissioner Wager made a motion to adjourn the meeting. Commissioner
190 Thompson seconded.

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192 **All In Favor**

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194 **The meeting was adjourned at 8:59PM.**

Development Agreement Policy and Priorities

[Date]

Section of 15.02.010 states:

The purpose of development agreements is to allow exceptions or changes to the current code for a specific development, respond to unique aspects of a property or development, further city priorities, bind the Subdivider to agreed upon Improvements and Infrastructure and other development parameters, and above all, create better developments than what could be had without a development agreement. A development agreement may only be approved, if in the opinion of the City Council, such agreement is found:

- *To recognize the intended character of the subject property by tailoring development standards and requirements that provide more desirable land use planning and regulatory standards than would be possible under the city's existing ordinances: and*
- *To advance the policies and adopted plans of the City.*
- *In reviewing a proposed development agreement the City Council may consider, but shall not be limited to considering, the following:*
 - *Public impacts and benefits.*
 - *Adequacy in the provision of all necessary public Improvements and Infrastructure.*
 - *Appropriateness and adequacy of environmental protection measures.*
 - *Protection and enhancements of the public health, welfare, and safety, beyond what is provided by the existing land use ordinances.*
 - *The general plan and other adopted plans and policies.*
 - *The extent of code changes, exceptions or advantages (such as density bonuses) granted to the developer and the counter balancing amenities or other benefits provided in return to the city.*
 - *Conformance with the adopted "Development Agreement Policy and Priorities."*

Development agreements are discretionary legislative actions and shall not be granted as a matter of right. The burden shall be on the applicant to demonstrate that the proposed agreement provides clear, measurable, and substantial public benefits beyond those required under existing City ordinances. To further the intent and efficacy of development

agreements as well as to focus and streamline the negotiation of development agreements, the following policies and priorities are formally adopted by Perry City.

It is anticipated that most development agreements will be proposed by a developer in order to obtain a development benefit. It is the policy of Perry City that such developer benefits be counterbalanced with relatively equal community and city benefits. As much as possible competing benefits should be proportional and roughly equivalent in value. The benefits desired by the city will be different for each development based on context, type of developer benefits being considered, and the need for such city benefits for that particular area of the city. Community benefits must exceed baseline requirements already imposed by City code, subdivision regulations, or other applicable ordinances. Improvements required as standard conditions of approval shall not be considered qualifying community benefits. Where possible, counterbalancing developer and community benefits should have a common nexus. Certain divergences from City code may not have clear nexus to community benefits and are less likely to be approved; additionally divergences from codes strictly related to emergency and safety standards are less likely to be approved.

Desirable city benefits include, but are not limited to the following:

- **Parks and Trails** – Park proposal should be detailed, comprehensive, and fully realized. Conceptual park placeholders or undefined future amenities shall not be credited as community benefits unless accompanied by detailed plans, cost estimates, construction timelines, and identified maintenance responsibilities. Generalized and ambiguous park and open space plans are not acceptable. The quality of specific outdoor elements is critical.
 - New Parks (see Parks Map for priority locations)
 - Improvements to existing parks
 - Trails throughout developments
 - Improved streetscapes
 - Unique outdoor features and amenities that do not exist elsewhere in the city.
- **Open space preservation**
 - Orchards are the highest priority for open space preservation. Orchards will be more highly valued if they are visible to the public and large enough to be functional.
 - Cash contributions to a restricted city account for the purchase of orchards can be considered. Cash contributions shall be placed in a restricted

account and may be subject to independent valuation review to ensure proportionality with the requested development benefit.

- If preservation is proposed as a community benefit, the land must be generally developable to qualify as a creditable offset. Land that is constrained, unbuildable, or otherwise unsuitable for development shall not be assigned equivalent community benefit value.
- **Improved Architecture** - Architectural enhancements proposed as community benefits must be clearly documented in the development agreement through binding elevation exhibits, material specifications, details, descriptions, and enforceable design standards. Architectural representations presented during negotiation shall be incorporated by reference into the agreement and shall be enforceable through the building permit process.
 - Variety in architectural styles, façade articulation, alternating rooflines, covered entries and porches, cornice and trim details, reduced visual bulk, reduced prominence of garage doors along the street, changes in plane, material, colors, and form. Variety can be proposed within a coordinated color and style selection.
 - Projects should avoid repetition and monotony.
 - Quality materials that can be shown to be clearly above and beyond standard construction practices. Extensive brick and stone materials, including on the sides and rear of buildings are valued.
 - ‘Mansion Style Homes’ in lieu of traditional townhomes. Townhomes should limit repetition and long unbroken planes, even on rear and sides of buildings.
 - Variety in lot and home sizes.
 - Improved streetscapes.
 - Outdoor amenities and features that create a sense of place – corner treatments, pedestrian crossings, unique lighting and signage, landscaping, art, etc.
- **Commercial development** – Residential density bonuses are more likely to be approved in conjunction with significant commercial development. It is important to note that Perry City expects commercial developments in commercial zones and along major traffic corridors. Residential density bonuses are more likely to be approved when commercial development exceeds current zoning expectations, recruits a highly valued tenant or business type, and/or is guaranteed to be constructed prior to, or concurrently with, residential units.
- **Deeding of property** to the city for public purposes, i.e. cemetery, fire station, etc.

The city may consider other creative and meaningful proposals, however developers should expect appropriate scrutiny and vetting of proposals. Developers should articulate the benefits and reasons for all deviations from code. While additional residential density can provide affordable housing to Perry City, this will be unequivocally deemed a developer benefit.

Not all community benefits are considered equal; duly the developer benefits will be balanced to be commensurate with the community benefits. If a particular development does not have the opportunity to provide a large park, preservation of open space, or commercial development it may simply not be eligible for a significant developer benefit. Properties that by chance cover multiple districts on the city's 'Density Map' may be less likely to receive additional bonus density because the area already has many units allocated to it. Development agreements will encourage housing variety and consider the principles of limiting and scattering higher density housing as described in the adopted "Multi-family Dwelling and Apartment Density Map Policy."

Ultimately, development agreements should foster the best types of developments that would not be likely, or prohibited, from moving forward under existing codes. If development according to the prescribed parameters of city code is deemed more desirable than the proposed development agreement, then the city should deny such a development agreement and encourage development by code. If a proposed development agreement is found to provide an opportunity for improvement over standard development by code, the city should pursue such an outcome.