

PERRY CITY PLANNING COMMISSION

REGULAR MEETING AGENDA - Amended

June 4, 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. Action Items**
 - A. Public Hearing: Ordinance 26-D Development Agreements**
 - B. Public Hearing: Ordinance 26-H Waterwise Landscaping**
 - C. Development Agreement Policy**

- 3. Approval of the Minutes**
 - A. May 7, 2026**
 - B. May 21, 2026 Work Session**

- 4. Discussion**
 - A. Future Projects**
 - B. Conservation Subdivisions**
 - C. Field Trip**
 - 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
(June 11th and 25th)**

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

- 6. Review Next Agenda and Adjourn**
 - A. Items for July agenda (next meeting July-TBD)**
 - 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 21st day of May. 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.

NOTICE OF PERRY PLANNING COMMISSION PUBLIC HEARING

Notice is hereby given that the Perry Planning Commission will hold, in the City Council Chambers at 1950 S Hwy 89 in Perry, a public hearing to receive public comment regarding Ordinance 26-D regarding development agreements and Ordinance 26-H regarding waterwise landscaping. Members of the public may view the meeting via Zoom using a link at <https://www.perrycityut.gov/whats-new.htm.htm>. To participate in the meeting, you must attend in person. The public hearing will be held in conjunction with the Perry City Planning Commission Meeting, which starts at 7:00 p.m. on Thursday, June 4, 2026. All interested persons shall be given the opportunity to be heard. Written concerns are welcome. Any Individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). By: Tyra Bischoff, Planning Secretary.

1 PERRY CITY PLANNING COMMISSION MEETING
2 PERRY CITY OFFICES
3 May 7, 2026

7:00 PM

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COMMISSIONERS PRESENT: Chairman Paul White, Vice Chairman Stephen Moss,
Commissioner Beth Thompson, Commissioner Marcus Wager
and Commissioner Travis Moesser (alternate)

COMMISSIONERS ABSENT: Commissioner Blake Broadhead, Commissioner Jan Kerr and
Commissioner Ryan Vaughn

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

OTHERS PRESENT: Blake Ostler, Michele Bowden and Bill Bowden

ONLINE: None

ITEM 1: CALL TO ORDER AND OPENING CEREMONIES

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

A. Declare Conflict of Interest, if any

None.

ITEM 2: ACTION ITEMS

A. Public Hearing: Ordinance 26-E Code Amendment Regarding Beehives

City Administrator Bob Barnhill provided background on the proposed ordinance, which arose from two separate incidents in a residential neighborhood in which an agitated backyard beehive caused bees to swarm and sting multiple residents on consecutive weekends. Mr. Barnhill noted that beehives are currently permitted in residential zones as part of the "urban livestock" use category, with a required setback of only 10 feet. He explained that a straightforward approach of restricting beehives exclusively to agricultural zones would inadvertently affect properties such as the Eskelson Orchard, which operates 15 beehives on residentially-zoned land under a legally nonconforming agricultural use. The proposed Ordinance 26-E sought to permit beehives only on properties used solely for agricultural purposes and measuring one acre or larger, with an increased setback of 50 feet. Existing beehives would be grandfathered.

Chairman White opened the Public Hearing.

The public hearing was opened at 7:09PM.

Blake Ostler, a Perry City resident and neighbor to the site of the incidents, addressed the Commission. He recounted that he was stung once, his elderly father was stung three times, and his wife—who is allergic to bees—was stung twice. He described a particularly alarming moment

51 during the second weekend when a family with a two-year-old child was swarmed upon arriving
52 home. He noted that a police officer was dispatched to advise residents to remain indoors, and that
53 neighbors living two or more houses away were also stung, including pedestrians passing through
54 the neighborhood from other areas. Mr. Ostler expressed the view that no fence height or setback
55 would have prevented the incidents, and that beehive keeping was more appropriately suited to
56 agricultural settings.

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58 The Commission acknowledged a written letter submitted by the owner of the Eskelson Orchard,
59 who raised concerns about how any proposed restrictions might affect his established agricultural
60 beekeeping operation.

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62 **The public hearing was closed at 7:13PM.**

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64 The Commission engaged in substantive discussion regarding whether the incidents warranted a
65 code amendment.

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67 Commissioner Moss noted that the incidents appeared to be an isolated occurrence and observed
68 that he had neighbors who had kept bees for years without any known problems. He acknowledged,
69 however, that a full swarm event is categorically different from an incidental bee sting.

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71 Commissioner Moesser raised two central questions: first, whether this was properly a government
72 problem to solve, and second, whether the proposed language would actually address the source of
73 the issue.

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75 Attorney Chris Crockett raised the option of reclassifying beehives as a conditional use rather than
76 a permitted use, which would allow the Commission to evaluate applications on a case-by-case
77 basis and impose conditions to mitigate detrimental effects. However, Mr. Barnhill noted that Perry
78 City currently has no conditional uses in its code, and the practical difficulty of identifying
79 enforceable conditions for beehives—given the unpredictable nature of bee behavior—was noted
80 by several commissioners.

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82 The Commission ultimately concluded that the proposed ordinance did not clearly solve the
83 problem it was intended to address, that the incidents appeared to be an outlier, and that the
84 matter was more appropriately a private rather than governmental remedy.

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86 **MOTION:** Commissioner Wager made a motion to recommend denial of Ordinance 26-E
87 Code Amendment Regarding Beehives. Commissioner Moesser seconded the motion.

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90 **Roll Call Vote:**

- 91 Commissioner Thompson, Yes
- 92 Commissioner Wager, Yes
- 93 Commissioner Moesser, Yes
- 94 Commissioner Moss, Yes
- 95 Commissioner White, Yes
- 96 Commissioner Vaughn, Absent
- 97 Commissioner Kerr, Absent
- 98 Commissioner Broadhead, Absent

102 **Motion Approved. 5 Yes, 0 No**

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104 **B. Public Hearing: Ordinance 26-F Zone Change Request from NC2 to R1 Located at 2180**
105 **S Highway 89; Parcel #03-158-0172 Applicant: William Bowden**

106 Mr. Barnhill presented the zone change application submitted by William Bowden for a property
107 located on Highway 89, kitty-corner from the Maverik station at the entrance to the Davis Creek
108 subdivision. He explained that the property is approximately one and a half acres in a horseshoe
109 shape and is currently zoned Neighborhood Commercial 2 (NC2), with a small residential sliver at
110 the rear already zoned R1. The property is currently vacant, with immediately adjacent properties
111 being residential in character.

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113 The applicants requested that the rear (western) portion of the property be rezoned to R1 to allow
114 construction of a home, while the two small front parcels along the highway frontage would remain
115 NC2, consistent with the city's general plan preference for commercial uses along the highway
116 corridor. The applicants were unable to attend, but had communicated that they would accept R
117 1/3 or R 1/2 zoning if R1 was not approved, as long as they could build a home. Mr. Barnhill noted
118 precedent for similar partial zone changes on neighboring properties and across the highway. The
119 property is accessed via 2200 South rather than directly from Highway 89.

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121 **The public hearing was opened at 7:40PM.**

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123 No public comments were made.

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125 **The public hearing was closed at 7:41PM.**

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127 The Commission held a discussion.

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129 Commissioner Moesser noted that the property slopes downward from the highway, making a
130 commercial development in the rear portion impractical without significant regrading and
131 demolition of the existing home.

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133 Commissioner Thompson expressed appreciation that access to the residential portion would not
134 be from the highway.

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136 The Commission found the request straightforward and consistent with surrounding zoning and
137 recent precedent in the area.

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139 **MOTION:** Commissioner Wager made a motion to recommend approval of Ordinance 26-F
140 Zone Change Request NC2 to R1 located at 2180 S Highway 89 Parcel #03-158-0172
141 Applicant: William Bowden. Commissioner Moss seconded the motion.

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143 **Roll Call Vote:**

144 Commissioner Thompson, Yes
145 Commissioner Wager, Yes
146 Commissioner Moesser, Yes
147 Commissioner Moss, Yes
148 Commissioner White, Yes
149 Commissioner Vaughn, Absent

150 Commissioner Kerr, Absent
151 Commissioner Broadhead, Absent

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Motion Approved. 5 Yes, 0 No

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ITEM 3: APPROVAL OF THE MINUTES

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A. April 2, 2026, Regular Planning Meeting

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MOTION: Commissioner Wager made a motion to approve the minutes for the April 2, 2026, Planning Commission meeting. Commissioner Moesser seconded the motion.

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Roll Call Vote:

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Commissioner Thompson, Yes

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Commissioner Wager, Yes

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Commissioner Moesser, Yes

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Commissioner Moss, Yes

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Commissioner White, Yes

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Commissioner Vaughn, Absent

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Commissioner Kerr, Absent

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Commissioner Broadhead, Absent

Motion Approved. 5 Yes, 0 No

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ITEM 4: DISCUSSION

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A. Development Agreement Priorities

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Mr. Barnhill provided an overview of the draft Development Agreement Policies and Priorities document, which has been under development over several meetings. The intent of the document is to provide developers with clear guidance on what the City values before a formal application is submitted, reducing uncertainty and negotiation at the public hearing stage. Topics addressed in the draft include parks and trails, open space preservation, architectural standards, commercial development incentives, and density considerations.

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A key new element presented was a proposed ordinance amendment establishing a formal pre-application "informal review" process. Under this process, prior to placement on a planning commission agenda, a development agreement proposal would be submitted to a small group consisting of a designated planning commissioner, a designated city council member, the city administrator, and the city engineer. The group would provide written feedback to the applicant and assess the proposal against the adopted policies. Applicants would also be required to submit a conceptual development plan reflecting what would be permitted under existing zoning as a baseline for comparison.

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The Commission discussed the inherent subjectivity involved in setting priorities, particularly regarding architecture, open space, and trail maintenance. Commissioners expressed concern that architectural standards are difficult to codify in a way that reflects a shared vision, and that open space amenities traded through development agreements carry long-term city maintenance obligations that must be weighed carefully. The question of whether trail and park improvements

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201 should be city-owned and maintained, HOA-maintained, or subject to a special assessment district
202 was raised. Commissioners agreed that the informal review process was a positive step toward
203 reducing ad hoc negotiations during public hearings.

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205 The Commission directed staff to redistribute both the draft Development Agreement Policies and
206 the proposed ordinance amendment for individual review, with the intent to bring both forward as
207 action items at a future meeting. Commissioners were asked to pay particular attention to the use of
208 "shall" versus "should" language in the ordinance, given the potential for binding requirements to
209 create unintended consequences.

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B. Conservation Subdivisions

212 Mr. Barnhill introduced the topic of conservation subdivisions and the associated "fee in lieu of
213 open space" provisions currently in the city code. He shared recent cost-estimating work to
214 provide context for the Commission. A cost estimate for improvements to Dale Young Nature
215 Park was approximately \$1,000,000. The most recent conservation subdivision fee in lieu
216 payment received by the city was \$200,000, and a pending payment is \$250,000. Mr. Barnhill
217 noted that \$250,000 applied at a standard rate of \$1.50–\$2.00 per square foot would cover only
218 turf and irrigation at the park, well short of the full improvement cost. A cost estimate for
219 improvements to Centennial Park, including parking, landscaping, and stormwater work, was
220 approximately \$300,000.

221 The Commission agreed that the current fee structure appears to undervalue the open space being
222 foregone and that there may be merit in exploring a per-square-foot fee codified in the ordinance,
223 with an annual inflation adjustment, as a more transparent and consistent mechanism. No formal
224 action was taken. The Commission agreed to table the conservation subdivision discussion and
225 focus near-term attention on completing the Development Agreement Priorities ordinance, with
226 the intention of returning to conservation subdivisions as a subsequent agenda item.

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C. Future Projects

228 Mr. Barnhill noted that a development application submitted following a prior work session had
229 not yet included required plans, and that he had requested supplementary materials from the
230 applicant. He proposed organizing a field trip for planning commissioners to tour the various
231 townhome developments in Perry City, and potentially in neighboring communities, to evaluate
232 design, density, open space, and maintenance outcomes in the context of the Commission's
233 ongoing work on development standards. The Commission expressed interest, and it was agreed
234 that staff would send a message to all commissioners to identify a suitable date, with a third
235 Thursday (non-meeting night) proposed as a likely option.

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D. Report on past-approved Planning Commission Items

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238 No significant items to report beyond the conservation subdivision previously forwarded to City
239 Council, which had already been discussed.

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E. Report from Commissioners regarding previous Council Meetings

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None.

245 **F. Make assignments for representative(s) to attend City Council (April 16th)**

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- May 14th- Commissioner Moesser
- May 28th- Commissioner White

250 **ITEM 5: TRAINING**

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252 **A. Staff**

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254 City Attorney Chris Crockett presented a training item on reasonable accommodation requests
255 under the Federal Fair Housing Act.

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

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259 **A. Items for June agenda (next meeting June 4, 2026)**

260 The Commission noted that the Development Agreement Priorities ordinance and policies would be
261 brought back as action items at the next meeting. The conservation subdivision fee discussion was
262 noted for a future agenda.

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264 **B. Motion to Adjourn**

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266 **Motion:** Commissioner Wager made a motion to adjourn the meeting. Commissioner
267 Thompson seconded.

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269 **All In Favor**

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271 **The meeting was adjourned at 8:42PM.**

1 PERRY CITY PLANNING COMMISSION WORK SESSION
2 PERRY CITY OFFICES
3 May 21, 2026

6:38 PM

7 COMMISSIONERS PRESENT: Commissioner Beth Thompson and Commissioner Travis
8 Moesser

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10 COMMISSIONERS ABSENT: Chairman Paul White, Vice Chairman Stephen Moss,
11 Commissioner Jan Kerr and Commissioner Marcus Wager

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13 CITY STAFF PRESENT: City Administrator Bob Barnhill, Planning Secretary Tyra
14 Bischoff and Deputy Recorder Misty Moesser

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16 OTHERS PRESENT: Kevin Pebley and Rachelle Pebley

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18 ONLINE: N/A

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21 **ITEM 1: WORK SESSION**

22 Commissioners toured several townhouse developments throughout the city, including projects
23 built both before and after current development requirements were adopted. The group reviewed
24 a variety of design and development features, including landscaping, building architecture, height,
25 density, and overall site layout, using the visits as an opportunity to compare outcomes and
26 evaluate what has worked well in existing projects.

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28 The tour helped inform broader discussion regarding future development agreement priorities
29 and potential updates to city code. By reviewing developments completed under different
30 standards, commissioners were able to consider how current requirements are shaping project
31 quality and identify opportunities for refinement. The goal of the work session is to take insights
32 from the work session to help guide future conversations about expectations for townhouse and
33 other residential developments moving forward.

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35 **The meeting was adjourned at 8:23PM.**