

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
JUNE 9, 2026**

Members Present:

Raulon Van Tassell, Chairman
Micah Capener, Commission Member—via Zoom
Karen Ellsworth, Commission Member—via Zoom
Ben Greener, Commission Member
Andrea Miller, Commission Member
Jeremy Lance, City Planner
ChrisDean Epling, Zoning Administrator
Tiffany Lannefeld, Deputy Recorder

Chairman Van Tassell called the Planning Commission Meeting to order at 5:30 p.m. The meeting was held June 9, 2026, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Van Tassell, Commission Members Capener, Ellsworth, Greener, Miller, Planner Lance, Administrator Epling, and Deputy Recorder Lannefeld were in attendance.

1. Call to Order

2. Approval of agenda:

Motion by Commission Member Greener to approve the June 9, 2026 agenda. Motion seconded by Commission Member Miller. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – yes, Commission Member Greener – yes, Commission Member Miller – yes. Motion approved.

3. Declaration of Conflict of Interest: None.

4. Public Meeting and Public Hearings - Presentations by Jeremy Lance, Planner II

A. Buchanan Estates Rezone: Parcel 05-173-0044

i. Staff Presentation and Commission Discussion: Initial review of the request to amend the split-zone boundary to extend to the RM-16 designation to the northern boundary

Planner Lance said the applicant is Tyler Farr. The current zoning is a split zone designation between a smaller pocket of RM-16 in the southwest corner of the lot and R1-10 on the remainder. The 2023 Integrated Land Use has this as single-family residential with low to medium density. The total acreage is 36.29. The request tonight is to amend the existing split zone designation, by extending the northern boundary of the existing approximately 3.57 acres of the property northward to the northern property boundary. At our meeting a month ago, we got

a good sense of what the applicant was hoping for following rezone procedure for submittal. They intent to go back to the drawing board, so tabling this would be good. If we are changing any part of the request, then we would have to re-notice and have the neighbors have a complete understanding of what is coming before the Planning Commission. That would be the reasoning that staff would recommend tabling. It will be brought back at a later meeting in a different form. Mr. Farr said the development we are proposing is not as cut and dry. We are trying to do a diverse community that will hit different markets and needs so we are working with staff to find the right zoning. I would recommend to table it also so when we do present it, it is correct the first time.

ii. Public Hearing

Chairman Van Tassell called a Public Hearing to order at 5:46 p.m. to discuss this rezone. There were four people in attendance.

Brent Olson said I want to see a concept. I live in a place that used to be called Fairview subdivision, but now it is Buchanan Estates. As a resident, I was never notified of a name change. I just want to see a concept because we want to see what is coming into our neighborhood. I am here to get information and find out what is coming down the road. If it is 1,500 apartments, no. I will fight it and I know most of the residents there will. The combination of something sounds good and we are open to it.

Chairman Van Tassell closed the Public Hearing at 5:48 p.m.

iii. Consideration and Decision: Board deliberation, motion and vote

Planner Lance said the process for a legislative action is that we look at the character of the rezone request. Does it fit? Do we want to put industrial in a place where it does not fit? Do we want to consider the general plan at this point? Those are the questions that come up now, but then the next stage would be concept. We can look at how many townhomes could fit. Is it too many? Is it tacky? Does it fit with what was rezoned? Those questions come later.

Motion by Commission Member Miller to table this item. Motion seconded by Commission Member Greener. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – yes, Commission Member Greener – yes, Commission Member Miller – yes. Motion approved.

B. Tremonton City Rezone: Parcel 05-171-0038 – 400 N. 2000W.

i. Staff Presentation and Commission Discussion: Request to rezone from Manufacturing-Distribution/Business Park (MD-B) to Highway Commercial (CH)

Planner Lance said I am bringing this on behalf of the Tremonton City Corporation for property located at 400 North 2000 West. The current zoning is manufacturing distribution (MD/B), including the business park. From the 2023 Integrated Land Use Plan, this is industrial/manufacturing. The request tonight is to rezone approximately 19.12 acres of property from the MD/B zone to the highway commercial (CH) zone. This is the City hoping to accomplish a sale. It was agreed upon previously that the buyer wishes to do retail, which MD/B does not allow, but CH does. The City is doing a rezone prior to the sale. Through the process for a disposition of real property, it was determined by the DRC that this property met the standards of insignificant real property.

ii. Public Hearing

Chairman Van Tassell called a Public Hearing to order at 5:58 p.m. to discuss this rezone. There were three people in attendance.

Layne Wilding said as part of the Tremonton West NPI, I sent out a survey and got five responses. We asked, are you in favor of Tremonton rezoning the property for retail and 60% said yes while 40% were undecided. The main reason is because people do not know what this is about. Here are the comments. I agree Tremonton really needs to have more retail business to support projected growth. That is going to be a strong case for this. Second, I would like to know more for the plans on the property. Would the developers be slapping up more townhomes that would eventually turn into the slums or would they be developing something more productive and beneficial for our community. It would be nice to get a copy of the staff report sent to the NPI so when we are asked to look at and review things, we know more.

Amanda Jones said I am in the west neighborhood NPI and am fully supportive of this. I am glad it is being put by the freeway. I appreciate that it is going along with the General Land Use Plan and I am all for it. Thanks for going along with the Land Use Plan.

Chairman Van Tassell closed the Public Hearing at 6:03 p.m.

iii. Consideration and Decision: Commission deliberation, motion and vote

The Commission discussed the land and retention pond in the area. Planner Lance said we are rezoning the entirety of the subject property, but as was discussed, the highway commercial zoning is present to the west and south nearby. Those details are in the staff report. The suggested findings from staff are, first, that the proposed amendment is consistent with existing commercial land use patterns in the area. Two, the highway commercial zoning is adjacent to CH zoning across the street and to the south. Three, the property has appropriate access due to its

location adjacent to Interstate I-15 and North 2000 West. Four, the property is suitable for CH zoning due to minimal physical constraints and no identified environmental limitations. All we know is that the buyer wants to do retail, which is not allowed in MD/B, but is allowed in CH. We are doing something cleaner. The City is putting forth an application on their own volition. Once it is rezoned, the sale will be accomplished and avoid any contract zoning, which is illegal.

Motion by Commission Member Miller to move forward a positive recommendation to the City Council. Motion seconded by Commission Member Greener. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – yes, Commission Member Greener – yes, Commission Member Miller – yes. Motion approved.

C. Repeal of Lot Splits

i. Staff Presentation and Commission Discussion: Request to Repeal Chapter 2.07 – Lot Splits in its entirety

Planner Lance said we are looking to repeal this chapter in its entirety. Essentially the ordinance is you have a parcel, which is not a lot in a subdivision, and you are using the framework from the subdivision chapter to create smaller parcels. The inherent issue with that is that any division of parcels to create smaller ones is illegal. The only way to take a parcel and create smaller divisions is to use the subdivision process. We are using a process to divide lots, but the result is smaller parcels. Subdivision is the way to divide parcels further, so staff recommends a repeal of this chapter to avoid any division of parcels into smaller ones. The recommended and State appointed method of subdivisions, as it is outlined in our code, can move forward. Whenever we get a request to split parcels, staff's recommendation would be to follow that. This is just an older system in our code that does not quite fit. The language of Chapter 207 says, if there is any ambiguity in this section, refer to the subdivision section. What we are talking about is dividing property under very specific statutes that our code is not equipped to talk about. You can pull right out of State statute to accomplish that with the key caveat that it is not creating development potential like the subdivision ordinance would do.

ii. Public Hearing

Chairman Van Tassell called a Public Hearing to order at 6:14 p.m. to discuss this repeal. There were three people in attendance.

Mr. Wilding said again I am representing the Tremonton West NPI. We sent a survey out and five people responded. One person said yes, one said no and three people did not know. Most of us do not have a clue what this is about. It would be helpful for the NPI to have a copy of staff reports to review.

Chairman Van Tassell closed the public hearing at 6:16 p.m.

iii. Consideration and Decision: Commission deliberation, motion and vote

Motion by Commission Member Miller to recommend to the City Council that they repeal the chapter discussed above. Motion seconded by Commission Member Greener. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – yes, Commission Member Greener – yes, Commission Member Miller – yes. Motion approved.

D. Repeal of PUD Overlay:

i. Staff Presentation and Commission Discussion: Request to Repeal Chapter 1.33 in its entirety

Planner Lance said this is a request to repeal Chapter 1.33, planned unit development, PUD in its entirety. This comes in response to directive from the City Council to bring this repeal forward. Administrator Epling and I have only been here a few months, and we have already seen frustration from applicants and how the ordinance is laid out and how our predecessors and us currently are expected to bring a PUD forward, have it go through the review process and similarly come to the Planning Commission. The system built into the PUD ordinance is inherently confusing. It is an unfortunate blend of administrative and legislative processes in one application. Where that becomes problematic is that the DRC is the body granting bonus density. The reason that is problematic is because granting any density or changing any entitlements can only be done by the legislative process. We just heard two rezone items tonight where they were looking to change their entitlements. Those applicants have followed the rezone application and are coming before the Planning Commission for a recommendation and City Council approval. The PUD ordinance purports that an applicant can go to an administrative body, the DRC, to gain bonus density, which is problematic. Staff has been directed by the Council after having been reviewed by the City attorney, who is wanting to get ahead of any potential litigation. So instead of a comprehensive rewrite of this ordinance we would recommend a repeal of this entire chapter. Administrator Epling said one of the other confusing things is even though it gives the DRC the ability to grant the bonus density, it still clearly has to go through the legislative process to apply for the PUD overlay. There is a lot of cost involvements, and this is one thing I found very frustrating on the City and developer side because they are trying to appease an administrative duty with the DRC to get their bonus density set, which requires a lot more engineering plans and things being brought forth even though they have not got the overlay. I do believe it was a step in the right direction in standardizing overlays. We are wanting to make an even better product, something that is more defensible, but also separates legislative and

administrative to save the City and developer time and money and so residents know where things are going. We will be able to be more efficient as a staff if we are able to tackle those three things before we move into any administrative decisions and where the code blends the administrative and legislative, it is trying to run too many things at the same time.

Commission Member Miller said if we eliminate the PUD what happens for the next person that applies? Administrator Epling said we just fall back on our base zoning. We are currently working on bringing something back. Commission Member Miller said the problem before was that we had too many overlay zones that it became almost, like we were choosing who could have a higher density. It was not as consistent, so if we are going to fall back on this, should we not set some boundaries? Administrator Epling said the boundaries would be the current zoning and we would not be instituting overlays. An applicant can present us with something. As the legislative branch, you can decision to accept an overlay or not, but we would not have it in our zoning type. The mandate we got from the Council was to repeal and replace. We are still working on the replacing part. There will be a time where we just rely on strict zoning. Commission Member Miller said why take this away just to fall back on something that is not realistic. Administrator Epling said we are repealing it because of the inherent flaws of the code.

ii. Public Hearing

Chairman Van Tassell called a Public Hearing to order at 6:29 p.m. to discuss this repeal. There were three people in attendance.

Jack Stickney said I know there is a lot of interest in town to eliminate the PUDs because of the flexibility it gives to developers beyond the zoning that is already in place. It was mentioned that the developers that currently have things in the pipeline will not be affected, but there are developers who have put stuff into the pipeline that had the PUD be tabled and not approved. I am curious of what status that puts them in. Not that I want to help them, but I understand the general public does not want a PUD. They do not like PUDs because of that flexibility. Yet, I think we have a responsibility to the developers that have been through this process to see that they have an opportunity to move forward or start over.

Mr. Wilding said this is the third survey item—the deletion of the PUD. Of the five people, who responded there was one undecided vote, while the other four said to repeal it. We support this and believe it would be in our best interest as residents. Here are the comments. One, I am of the opinion that Tremonton should only be allowing developers to build to the zoning of the Master Plan. I am interested to see what Tremonton has planned for the future process for developers to follow. I would hope residents get to have input into the future

process. The second comment is, I think a repeal would give more time for thoughtful consideration of how this might affect our infrastructure and other factors. My personal opinion, I think this is a good thing based off of what I have learned over the last six months as I have been involved with Tremonton and learning about the process. There seems to be a lot of concern that the developers believe they can have an open book basically to put in whatever density they want relative to wherever they want to build as long as they meet the PUD code. There has been a lot of heated discussion and debate relative to the Overlook and Valley Vista subdivisions and also the one to the south. There have been a lot of concerns about density and growth. Concern about having the ability to have such high density without really having an opportunity to discuss it and to follow what we believe would be the General Plan. My opinion is I believe that repealing this is a good step and allows us to say this is the current density. If they want to do something different, they have to go through the zoning process and bring it through as a zone changed.

Chairman Van Tassell closed the public hearing at 6:16 p.m.

iii. Consideration and Decision: Commission deliberation, motion and vote.

Administrator Epling said the question was brought up as to whether it would affect developers. This is not going to affect any developers who have put forth an application on their entire project. Even if they are going from a rezone to a PUD overlay, they will still be able to do that. This only would affect brand new applications after the repeal is accomplished. Planner Lance said furthermore, the projects that were referenced are actually perfect case studies as to the pitfalls of the current ordinance. They were preliminary plat applications that came before you. The reason that is problematic is they had submitted preliminary plat applications and were debating with staff the amount of lots they could have. That was before the bonus density was granted. The preliminary plat does vest the configuration and so you have this cart before the horse. You do not have an overlay or development agreement and yet we are vesting how many lots they could have based on whether they may or may not get bonus density. That is the inherent issue of the PUD. The journey is quite cumbersome. Repealing this code would remove any sort of confusing framework that staff is trying to follow. We would go back to the base zoning, which is clean. We are working on a new tool that brings, one legislative step where you define entitlements and get bonus density. We hope the power to negotiate improvements like parks, open space and parking, are discussed in one step that can then, in a subsequent administrative step, be platted. That is the goal of staff with a future ordinance.

Commission Member Greener said this gives citizens an opportunity to be a participant when we change zoning. They get a voice. Commission Member Miller said I agree that the PUD is not the end all solution, but I think it saves us

until we can have standards put in place. I say we keep it in and set a deadline to have a new code in place and then repeal the PUD. That puts pressure on our staff to create a code that is strict enough and clear enough for citizens to read and understand to then move forward. Otherwise, we are just going to repeal it and then it never happens. Planner Lance said it is a top priority for staff. The City Council wants a better code instituted. It just takes time to draft a whole new PUD type or new zoning. We would not want to bring anything shoddy—we want to do a good job. We will compare with other jurisdictions that implement PUD or other types and find a good system that works for Tremonton addressing the heart of your question. Administrator Epling said I have probably already spent 20 hours reading different codes to find something that is going to be good for Tremonton and for future development. It is the staff's highest priority. I have been getting input from developers and different people. We are not presenting to just repeal this and maybe we will come up with a plan. There has been a significant amount of effort put into trying to figure out a replacement. Planner Lance said of the applicants that went to the last Planning Commission meeting and were tabled, every single one of them have submitted a legislative application to pursue a PUD overlay. Nobody gets flushed out just because of a recommendation tonight.

When asked how this came about, Planner Lance said in a City Council Work Session in May we discussed several ordinances, and the PUD was the one we devoted the most time to. We gave a brief presentation and are currently drafting that. The first step is the repeal. Let us get rid of the wide-open access and close that hole first and then bring forth the more effective tool forward. Commission Member Capener said the attorney signed off on this a couple months ago. What legal ramifications are different now with the PUD the way it is versus the overlay process we had before? Administrator Epling said the approval process references code that is purely administrative in nature. It references administrative, but then they kind of contradict each other. The application process on how they actually apply for the PUD overlay is a legislative. So, you have the approval process and application process that do not really mesh together. Commission Member Miller said can we just adjust that part until we have something new? Administrator Epling said that was the original intent, to adjust, but after working with the attorney, he determined we should go this route. The original intent was to change and make those align, but when we revisited other zoning types, the attorney was very supportive of us introducing a new zoning type. It would simplify a lot of different processes and rezoning because they would actually just rezone to a new rezoning type, which is different than an overlay. After digging into it and drafting a few copies, we realized this is not what we want. The PUD was a good idea to standardize stuff but let us get something that is even better. Commission Member Miller said I would like to have the new plan before we repeal this. Commission Member Capener said you cannot give them additional density above the original zone without legislative approval. Everything requires

legislative approval anyway whether it is an overlay or PUD. The reason we did this was we wanted to get parks and trails, and open space and preserve things because the City cannot afford to put them in. We should just make a modification and change the wording. Commission Member Miller said I do not think we can eliminate the PUD until we have something else in place. Otherwise, we are not going to have any negotiation. It is just going to create bad blood with developers or anyone wanting to come to Tremonton. Commission Member Greener said I disagree. I think any developer that wants to come and do something will work with the City. They will find a way to build what they want in Tremonton. I want to support the citizens and everyone I have talked to that mentioned this stuff does not want PUDs in our town. They want something different. We can still have smaller homes and lots to satisfy those needs, but those two proposals up on the hill stirred up a hornet's nest. I am not saying they are not good for everywhere, but it has got to be better controlled and the public has got to be better represented. This system right now does not do that.

Commission Member Capener made a motion to recommend denial of the repeal to the City Council with the findings that they can just fix the code already in place. Commission Member Miller seconded the motion. Commission Members Greener and Ellsworth, along with Chairman Van Tassell voted no. The motion died.

Motion by Commission Member Greener to recommend the repeal to the City Council. Motion seconded by Commission Member Ellsworth. Roll Call Vote: Chairman Van Tassell – yes, Commission Member Capener – no, Commission Member Ellsworth – yes, Commission Member Greener – yes, Commission Member Miller – no. Motion approved. Motion approved by a 3-2 vote.

5. Public Comments:

Mr. Wilding said I understand the concerns relative to the PUDs and appreciate the discussion. I understand there are some issues that need to be worked on. I would suggest giving the City a deadline for getting something new in place. Chairman Van Tassell said I think our staff is on it and they have a sense of the urgency.

Anna Jones said I do live in a townhome. There has been a lot of growth in areas that were not part of the master plan, and I believe that is where the concern is, is that stuff is getting put in areas that were not meant to be that dense. Residents have been talking about the master plan that needs to be stuck to so we are growing responsibly. Development should not be going into the outskirts where it was not planned for, but within the City. Townhomes should be built within a good area to where it is more within the community, not the outskirts. I do agree on setting a deadline to get something else in place so we have that safety net and can responsibly grow in the right places.

6. Business/Staff Questions

Planner Lance read a personal devices memorandum. We are sharing this as a friendly reminder of what Utah law already asks of us when we serve on a public body. Nothing is new or aimed at any one person. We just want to all be on the same page. When we are sitting on the dais, our phones, tablets and laptops are fine for looking at the agenda packet, City code, a map or a fact that helps us do the work. What they cannot be used for is anything that moves the meeting off the record. Under Utah's open and public meetings act, all the liberation among members of a public body has to happen out loud in the open for both the public and recording. That means during a meeting we do not text message or email another member of the same body about anything on the agenda or anything that could come before us. Use group chats, zoom chats or any side channel among members. Communicate with outside parties, applicants, developers, family with an interest, anyone about how we are going to vote or what is being said. Under Utah's governmental records access and management act, anything we text on any device, City issued or personal about City business is public record. That includes text to staff, notes typed on a phone and messages we might later delete. Deletions do not erase the record and can make things worse. What we can do is look up packet materials, code, maps or facts relevant to what is being discussed. We are asking that we hold ourselves and others to the standard the law already sets. If a question comes up about whether something is okay, ask our City attorney.

Chairman Van Tassell said is there any effort to educate the public on the function of what PUDs are and what we are trying to do with them because I think there is a disconnect between the functional purpose and the public perception. Before the PUD everything was piece by piece. We would negotiate specific overlays and that is going back to what you are seeing now in development. We are back to where we were. I understand the concerns of citizens, but I wonder how much is able to be communicated. Administrator Epling said during the first three months of the NPI meetings we discussed the PUD to teach citizens what it was and how it was implemented. Those discussions went very well. People were not for or against it, it was just an educational focus group. There has not been a huge education to the public on the repeal process, except for the noticing. We have discussed getting information out when there is a legislative item coming up. That is when the public really needs to know. We are going to start having the NPI help us notice those things.

7. Adjournment

Motion by Commission Member Miller to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 7:12 p.m.

The undersigned duly acting and appointed Recorder for Tremonton City Corporation hereby certifies that the foregoing is a true and correct copy of the minutes of the Planning Commission

held on the above referenced date. Minutes were prepared by Jessica Tanner.

Dated this ____ day of _____, 2026.

Cynthia Nelson, CITY RECORDER

***Utah Code** 52-4-202, (6) allows for a topic to be raised by the public and discussed by the public body even though it was not included in the agenda or advance public notice given; however, no final action will be taken.