

PERRY CITY PLANNING COMMISSION

REGULAR MEETING AGENDA

August 6, 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-J Zone Change from R1A to R1

(approximately ¼ acre of property) located at 1371 W 3030 S and 1405 W 3030 S Parcel #02-034-0118 Applicant: Stanford Young

B. Public Hearing: Ordinance 26-K Zone Change from mixed R1, C1, &

NC2 to R1A located at 1670 S Highway 89 Parcel #03-159-0270

Applicant: Robert Hinchee

C. Public Hearing: Ordinance 26-N Zone Change To add Development

Overlay Zone to existing R ½ located at approximately 3700 S

Perry Street Parcel #'s 02-035-0090, 02-035-0094, 02-035-0091

Applicant: Lync Construction

D. Ordinance 26-D Development Agreements

E. Ordinance 26-H Waterwise Landscaping

3. Approval of the Minutes

A. June 4, 2026

4. Discussion

A. Future Projects

B. Report on past-approved Planning Commission Agenda Items

C. Report from Commissioner regarding previous Council Meetings

D. Make Assignments for Representative to Attend City Council Meetings

(August 13th and 27th)

5. Training

A. Staff

6. Review Next Agenda and Adjourn

A. Items for September agenda (next meeting September 3rd)

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 29th day of July. 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-J Zone Change from R1A to R1 (approximately ¼ acre of property) located at 1371 W 3030 S and 1405 W 3030 S Parcel #02-034-0118 Applicant: Stanford Young, Ordinance 26-K Zone Change from mixed R1, C1 & NC2 to R1A located at 1670 S Highway 89 Parcel #03-159-0270 Applicant: Robert Hinchee and Ordinance 26-N Zone Change to add Development Overlay Zone to existing R1/2 located at approximately 3700 S Perry Street Parcel #'s 02-035-0090, 02-035-0094, 02-035-0091 Applicant: Lync Construction. 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, August 6, 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.

Application Review Status

Pre-Review	Received	Date Submitted
Community Development	Not Reviewed	05/31/2026
Final-Review	Not Reviewed	

Fees		Payments		
Zone Change	\$400.00	06/02/2026	Check #7772	\$400.00
Subtotal	\$400.00	Total Paid		\$400.00
Amount Paid	\$400.00			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

Name

Stanford A Young

Phone Number

(435) 881-9262

Email

stanford.young@usu.edu

Mailing Address

4899 S Waters Edge Way

Interest in Property

Owner

Property Address

Between 1371 W 3030 S and 1405 W 3030 S

Property Serial #

02-034-0118

Current Zoning Designation

R1A

Proposed Zoning Designation

R1

Purpose of Request

Proposed Parcel No. 2 (see map) of the E. D. Young Family Property LLC "farmyard" is fronted by a developed city street and utilities are stubbed in. It is bounded to the east and west by developed lots with houses. Two 16 foot right of ways will be retained on the west side of the proposed R1 lot in order to allow access to the remaining "farmyard. It is the intent to maintain the zoning of R1A on Parcel No. 1 for the foreseeable future.

Conformance with the Perry City General Plan

The proposed zoning change for this parcel would allow for the highest and best use next to a developed city street, while maintaining the remaining Parcel No. 1 for agricultural and farmyard use.

Additional Information

 **Image (2).jpg**

Will the zone change request be tied to a specific development plan?

No

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Electronically Signed

Stanford A Young - 05/31/2026 9:14 pm

June 22, 2026

Notice of Planning Commission Public Hearing - UPDATED

**August 6, 2026
1950 S Highway 89
Perry, Utah 84302**

Application: Zone Change Request from R1A to R1 (approximately ¼ acre of property)

Applicant: Stanford Young

Location: Between 1371 W 3030 S and 1405 W 3030 S Parcel #02-034-0118

Dear Property Owner:

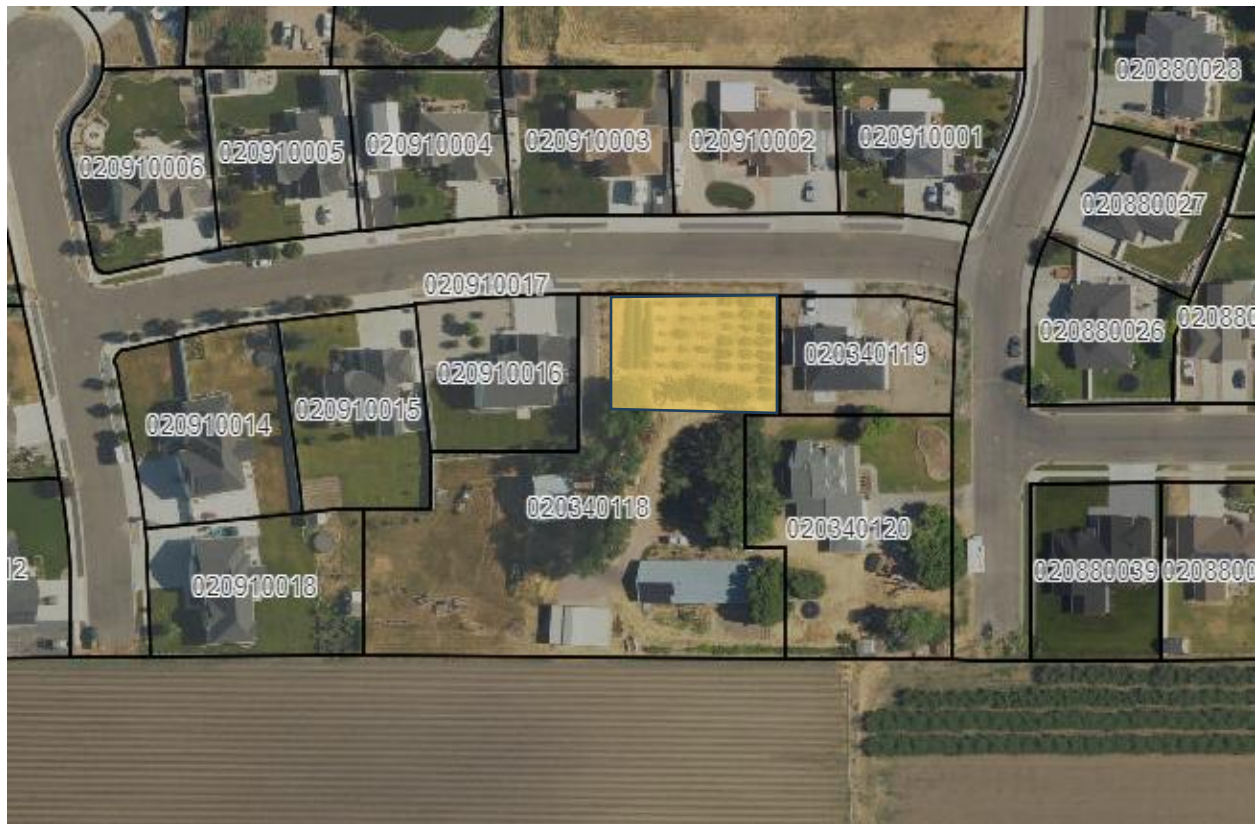
As required by ordinance, you and all other property owners within 300 feet of the above referenced location are being notified of the application referenced above. Interested persons are invited to attend the upcoming Planning Commission Meeting and provide public comment during the public hearing. All comments are welcome, and we encourage your participation.

The public hearing will be held in conjunction with the regular Perry City Planning Commission meeting, which starts at 7:00 p.m. on August 6, 2026. You can access this meeting via zoom by going to <https://perrycity.rainadmin.com/whats-new.htm.htm>, to participate in the meeting you will need to attend in person. When Planning Commission makes a recommendation to City Council regarding this application, it will be reviewed by City Council for a final decision at a future date.

Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). Feel free to contact our planning staff or office staff should you have any questions.

Sincerely,

Tyra Bischoff
Perry City Planning Secretary



Pettingill Properties LC
8735 S Hwy 89
Willard UT 84340

Herman Huntsman
1445 W 2950 S
Perry UT 84302

Hal David Allen
1435 W 2950 S
Perry UT 84302

Jason Thompson
2980 S 1355 W
Perry UT 84302

Andrew Shupe
1338 W 3050 S
Perry UT 84302

Casey Smith
3043 S 1355 W
Perry UT 84302

Geoffrey S Joosten
3027 S 1355 W
Perry UT 84302

Jerry Andersen
3013 S 1355 W
Brigham City UT 84302

Michael Fairbanks
1339 W 3050 S
Perry UT 84302

Michael Munson
1345 W 3050 S
Perry UT 84302

Troy Aaron Cook
1366 W 3030 S
Perry UT 84302

Stephen Ferderber
1382 W 3030 S
Perry UT 84302

Joseph Stephens
1394 W 3030 S
Perry UT 84302

Michael Manning
1412 W 3030 S
Perry UT 84302

Anthony Cook
1432 W 3030 S
Perry UT 84302

Travis Moesser
1444 W 3030 S
Perry UT 84302

Jared Abrams
3040 S 1450 W
Perry UT 84302

Kenneth Chugg
3056 S 1450 W
Perry UT 84302

Seth Peterson
3043 S 1355 W
Brigham City UT 84302

Trent Howells
1429 W 3030 S
Perry UT 84302

Abram Kaew Hardy
1405 W 3030 S
Perry UT 84302

Target Homes Inc
3055 S 1250 W
Perry UT 84302

ED Young Family Property LLC
3040 S 1200 W
Perry UT 84302

Michael Gregory Young
3056 S 1355 W
Perry UT 84302

Aaron Nielsen
3057 S 1450 W
Perry UT 84302

Staff Report

August 06, 2026

Perry City Planning Commission



Request for Zone Change from R1A to R1 – Stanford Young, located at approximately 1350 W 3030 S

Summary

The subject property is approximately 1.5 acres and is zoned R1A. The applicant is requesting that approximately .255 acres be changed to R1 zoning. A similar request was granted on the adjacent area to the east in 2021. Surrounding zoning includes RE1/2, AL, and R1. There is agricultural property to the south while the rest of the surrounding properties are residential.

Utilities and a public street are existing adjacent to this property. Sidewalk and utility laterals will need to be constructed as part of the subdivision process.

Conformance to General Plan and City Code

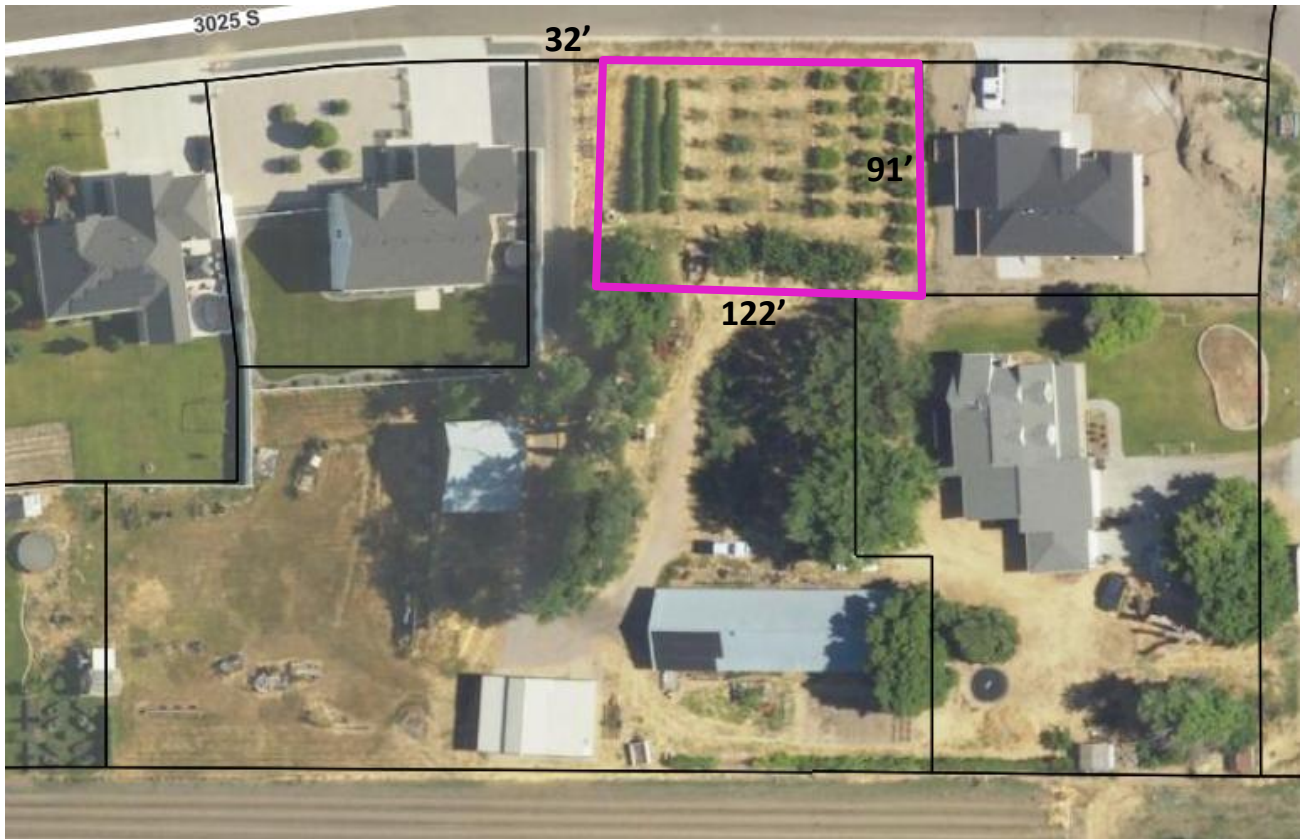
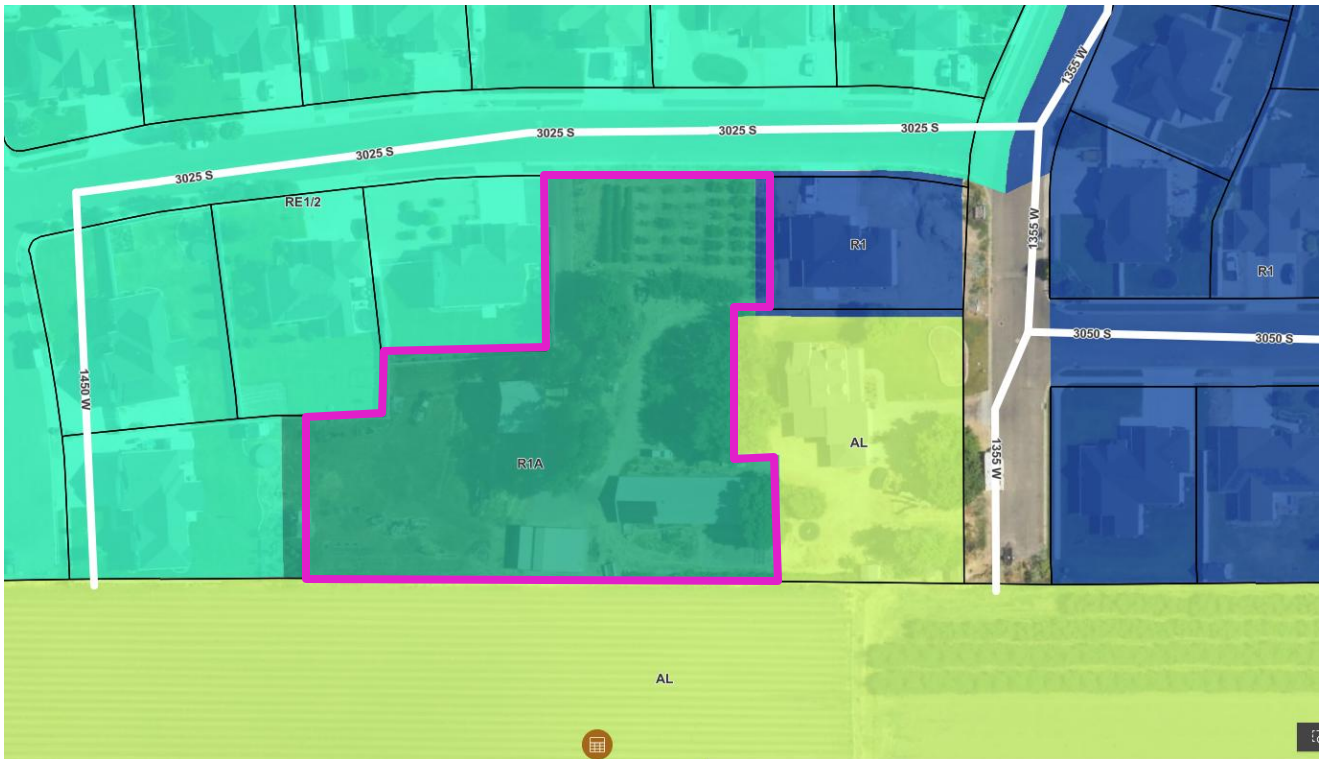
The future land use map shows this area to be residential. This zone change would be in alignment with adjacent residential development.

Our municipal code includes a general policy to not approve the R1 zoning district (15.07.080.2). The Commission should consider if the intent of this policy regarding open space and conservation subdivisions is at odds with this request. Due to the small area being considered for the R1 zone, the Commission may determine that a recommendation of approval is appropriate for this property.

Approval of the request would allow for one single-family lot to be created.

Considerations and Recommendations

As a legislative item Planning Commission may take any information or opinion into consideration. City Council will be the final land use authority.



Application Review Status

Pre-Review	Received	Date Submitted
Community Development	Not Reviewed	06/02/2026
Final-Review	Not Reviewed	

Fees		Payments		
Zone Change	\$400.00	06/03/2026	Online	\$400.00
Subtotal	\$400.00	Total Paid		\$412.00
Processing Fee	\$12.00			
Total	\$412.00			
Amount Paid	\$412.00			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

Name

Robert E Hinchee

Phone Number

(850) 984-4460

Email

rob@hinchee.org

Mailing Address

1670 S Highway 89

Interest in Property

Owner

Property Address

1670 South Highway 89

Property Serial #

03-159-0270

Current Zoning Designation

mixed, C-1 and others, map is confusing

Proposed Zoning Designation

R1A

Purpose of Request

To allow continued agricultural use and horses. This has been agricultural land for over 100 years, currently is a mix of peach orchard and row crops. Also has our house.

Conformance with the Perry City General Plan

This would support the General Plan's Perfecting Perry Small Town Feel objective, specifically by helping preserve "The agricultural heritage" and "fruit stands along the fruit highway" Note that peaches from the orchard are and have long been sold to local fruit stands. This change is consistent with the Plan's stated objective: "At the heart of Perry's look and feel are the agricultural uses throughout the City. Along US 89, the famous Fruit Way, there are several orchards and fruit stands. The majority of the west side of Perry is green space with operational farms. These uses contribute to the character of Perry and to the local economy. Land development near agricultural areas should seek to minimize conflict through site design, sustainable farming practices, and education. Perry City should maintain friendly policies toward agricultural uses. "

Will the zone change request be tied to a specific development plan?

No

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Electronically Signed

Robert E Hinchee - 06/02/2026 3:17 pm

June 16, 2026

Notice of Planning Commission Public Hearing

August 6, 2026

1950 S Highway 89

Perry, Utah 84302

Application: Zone Change Request from mixed R1, C1 & NC2 to R1A

Applicant: Robert Hinchee

Location: 1670 South Highway 89 Parcel #03-159-0270

Dear Property Owner:

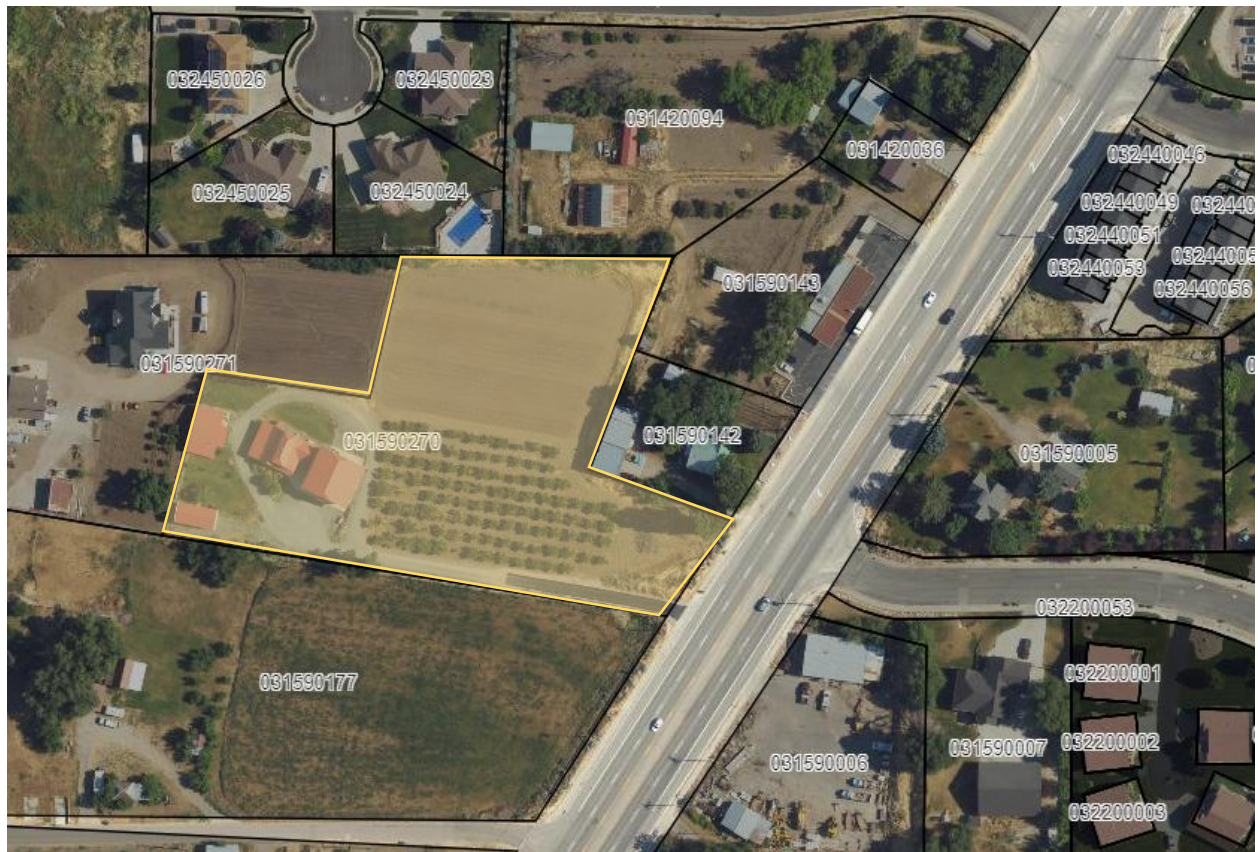
As required by ordinance, you and all other property owners within 300 feet of the above referenced location are being notified of the application referenced above. Interested persons are invited to attend the upcoming Planning Commission Meeting and provide public comment during the public hearing. All comments are welcome, and we encourage your participation.

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Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461). Feel free to contact our planning staff or office staff should you have any questions.

Sincerely,

Tyra Bischoff
Perry City Planning Secretary



Ray Wagstaff
1610 S Hwy 89
Perry UT 84302

Vintage Farms LLC
320 W 2000 S
Perry UT 84302

Puerto Vallarta 1 LLC
PO Box 17290
Salt Lake City UT 84117

Walker Properties LC
415 W 1700 S
Perry UT 84302

Mark Wright
1139 E 700 N
Rupert ID 83350

Ruby Ward
1810 S Hwy 89
Perry UT 84302

Dale Dorius
PO Box 895
Brigham City UT 84302

Romero Construction Inc.
PO Box 94
Willard UT 84340

Kenneth Wilks
175 W Hill Haven Dr.
Perry UT 84302

Steven Kimber
1695 S Hwy 89
Perry UT 84302

Kent Seeley
1640 S 350 W
Perry UT 84302

Randy Wagstaff
1650 S Hwy 89
Perry UT 84302

Brandon Butler
1537 S 250 W
Perry UT 84302

Heath Earley
1540 S 250 W
Perry UT 84302

Clair Canfield
276 W 1550 S
Perry UT 84302

Michael Winchester
292 W 1550 S
Perry UT 84302

Ty Brown
314 W 1550 S
Perry UT 84302

Boyd Giles
1571 S 300 W
Perry UT 84302

Toby Wright
1591 S 300 W
Perry UT 84302

Alvin Andrew Ulsh
1588 S 300 W
Perry UT 84302

James Crapse
1568 S 300 W
Brigham City UT 84302

Parkridge Inc
2925 S Hwy 89
Perry UT 84302

Robert Hinchee
1670 S Hwy 89
Perry UT 84302

Dennis Hirschi
610 W Liberty Circle
Perry UT 84302

Staff Report

August 06, 2026

Perry City Planning Commission



Request for Zone Change from R1, C1, and NC2 to R1A – Robert Hinchee, located at 1670 S Hwy 89

Summary

The subject property is approximately 2.75 acres and is with R1, C1, and NC2 zoning. There is an existing home on the property along with a small orchard and field. The surrounding properties are residential, commercial, and agricultural.

The applicant has verbally indicated that they have struggled to sell the property because potential buyers want to keep some livestock on the undeveloped acreage. Additional comments were provided by the applicant and are included in this packet with the application information.

It is possible to consider some split zoning in this scenario where only the vacant field is changed to agricultural. Spot zoning a small area should be carefully scrutinized, but can be done and has been applied in a few instances.

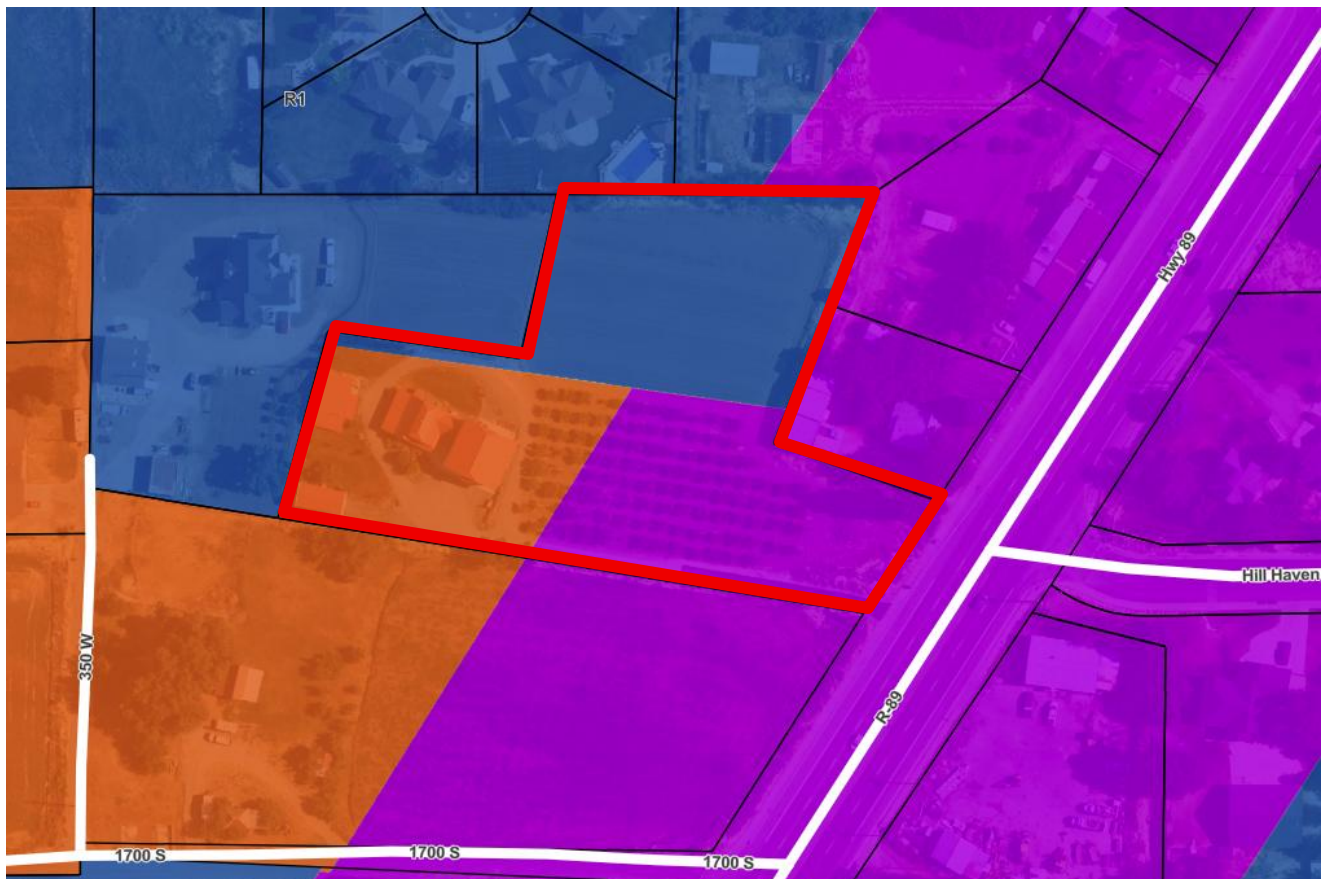
Conformance to General Plan and City Code

The future land use map shows this area to be split between commercial and mixed use. The mixed use designation should take into consideration the context of the property and the best long-term use of the property.

Considerations and Recommendations

Planning Commission could likely justify a decision either way on this application. Agricultural zoning may not align with the long-term outlook of the property, however it may be fitting for the short-term situation of the property.

As a legislative item Planning Commission may take any information or opinion into consideration. City Council will be the final land use authority.



Application Review Status

Pre-Review	Received	Date Submitted
Community Development	Not Reviewed	07/06/2026
Final-Review	Not Reviewed	

Fees		Payments		
Zone Change	\$400.00	07/07/2026	Online	\$400.00
Subtotal	\$400.00	Total Paid		\$412.00
Processing Fee	\$12.00			
Total	\$412.00			
Amount Paid	\$412.00			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

Name

Lync Construction

Phone Number

(385) 626-4984

Email

alex@lynccconstruction.com

Mailing Address

1946 W 5600 S, Roy, Utah, 84067

Interest in Property

Owner

Property Address

3700 S PERRY ST PERRY UT 84302

Property Serial #

020350090, 020350094, 020350091

Current Zoning Designation

R1A

Proposed Zoning Designation

DOZ

Purpose of Request

The purpose of this request is to apply the Development Overlay zone, with an accompanying development agreement, to approximately 33 acres of R-1/2 zoned property adjacent to the Olsen Orchards development. The applicant proposes a 74-lot single-family subdivision in place of the multifamily component (8 townhome units) permitted under current zoning. The proposed plan provides a mix of lot sizes, including several lots over one acre, consistent with feedback received from the City. The development agreement will establish the approved concept plan, lot count, lot mix, and required improvements, giving the City certainty as to exactly what will be built.

Conformance with the Perry City General Plan

This request covers approximately 33 acres adjacent to the Olsen Orchards development, currently zoned R-1/2. The request is to apply the Development Overlay zone with an accompanying development agreement. The current zoning permits a multifamily component of 8 townhome units. Rather than building attached product, we are proposing to develop the property entirely as single-family homes — 74 total lots — trading the townhome units for a modest number of additional single-family lots. 1. It delivers the housing type Perry residents asked for. During the General Plan outreach process, the top land-use finding from the 2018 open house was that "¼ acre single family homes are needed in Perry," and the majority of survey respondents disagreed that Perry should provide more diversity of housing types such as townhomes and condos. This request responds directly to that preference: it removes the attached-unit component and replaces it with the single-family product the community said it wants. 2. It provides genuine lot-size diversity, including estate-sized lots. The proposed plan is not a uniform grid. It mixes conventional single-family lots with several lots exceeding one acre. This range of lot sizes serves households at different stages — from young families to buyers seeking larger properties consistent with Perry's rural character — and creates a transition in scale within the neighborhood rather than a single repeated lot type. 3. It is consistent with the Housing Element's direction on where attached housing belongs. The General Plan states that future residential development should be in keeping with existing homes, and that alternative housing types such as attached units should be located near existing or planned regional transportation amenities to minimize increased traffic on neighborhood streets. This parcel is an interior residential location, not a regional transportation corridor. Single-family homes are the more appropriate product here under the Plan's own criteria. 4. The Development Overlay with a development agreement gives the City certainty. Rather than a straight rezone, this request follows the same structure the City recently applied to the adjacent Olsen Orchards property (Ordinance 24-

l): the overlay district paired with a development agreement that locks in the approved concept plan, lot count, lot mix, and improvements. The City is not approving abstract density — it is approving a specific plan, with the larger lots and single-family commitment made binding through the agreement. 5. It represents thoughtful growth where infrastructure already exists. A core General Plan goal is to "encourage thoughtful growth patterns and developments," with growth focused where resources and infrastructure allow. This parcel is contiguous to Olsen Orchards, where roads, sewer, and water infrastructure are being constructed now. Developing here uses that infrastructure efficiently rather than leapfrogging into unserved areas, and the developer will pay for the extension of sewer, water, and road infrastructure, including all applicable impact fees. 6. It preserves Perry's small-town character while meeting documented housing need. The Plan's leading goal is to enhance Perry's agricultural and small-town community feel. Detached single-family homes — including the estate lots — continue the established neighborhood pattern, avoid the massing and traffic intensity of attached product, and contribute 74 family-oriented homes toward Perry's projected long-term housing need.

Additional Information

 2026.06.01 Connectivity Plan.pdf

 2026.03.30 Concept Plan.pdf

Will the zone change request be tied to a specific development plan?

Yes

Signature

I agree that the facts stated in this application are true, and upon changes I will provide notification as needed.

Electronically Signed

Alexander Owens - 07/06/2026 3:45 pm

Messages

07/07/2026 15:05 pm - Robert Barnhill

Updated address and SN as per phone conversation

July 15, 2026

Notice of Planning Commission Public Hearing

August 6, 2026

1950 S Highway 89

Perry, Utah 84302

Application: Zone Change Request to add Development Overlay Zone to the existing R1/2

Applicant: Lync Construction

Location: Approximately 3700 S 1200 W Parcel's # 02-035-0090, 02-035-0091, 02-035-0094

Dear Property Owner:

As required by ordinance, you and all other property owners within 300 feet of the above referenced location are being notified of the application referenced above. Interested persons are invited to attend the upcoming Planning Commission Meeting and provide public comment during the public hearing. All comments are welcome, and we encourage your participation.

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Sincerely,

Tyra Bischoff
Perry City Planning Secretary



2020 LLC
6000 S Fashion Blvd Suite 102
Murray UT 84107

Chad Braegger
PO Box 97
Willard UT 8440

Roline Hinrichsen
3580 S 1200 W
Perry UT 84302

James Settlemyre
3630 S 1200 W
Perry UT 84302

Utah Transit Authority
Attn: Property Management
669 W 200 S
Salt Lake City UT 84101

Kiersten Nelson
1185 W 3600 S
Perry UT 84302

Jerry Jensen
1155 W 3600 S
Brigham City UT 84302

Laci Tagge Lee
4179 S 2000 E
Salt Lake City UT 84124

Karrol Jean Valcarce
1905 S Hwy 89
Perry UT 84302

Staff Report

August 06, 2026

Perry City Planning Commission



Request for the Development Overlay Zone with a Development Agreement – Lync Construction, located at approximately 3700 S 1200 W

Summary

The subject property is approximately 33 acres and is zoned R 1/2. (The actual acreage and layout of the property boundaries are anticipated to change as part of a land swap with a neighboring property owner). The property is directly west of the approved Olsen Orchards Subdivision and is currently under agricultural use. The current zoning allows for 1 acre lots and eight multi-family units. The applicant is proposing to forego the eight allowed multi-family units and convert them to single family lots.

The submitted concept includes 74 residential lots. Seven of these lots would be over one acre in size. The remaining 67 lots would range in size from 6,700 sf to about 14,000 sf. Many of the smaller lots are proposed to be accessed by small shared private driveways. (These driveways would reduce the usable area of these small lots.)

The developer has already installed sewer and water utilities to benefit this property. Stub roads are provided to the north and south. There are two access points on 1200 W, which do not align with the road alignment from Olsen Orchards. This misalignment on 1200 W is concerning. Staff recommends consolidating the two access roads into one road that aligns with Olsen Orchards. Unfortunately, this significantly limits the potential of this development as two accesses are needed in order to exceed 30 lots. Another option is to adjust the road network in Olsen Orchards before it is recorded so that it can align with these newly proposed roads. The city engineer recommends adjusting the stub road in Olsen Orchards to begin curving south to align with the proposed layout in this development.

The developer has suggested that the pond area could be deeded to the city.

Conformance to Draft Policies and Procedures

When viewed alongside nearby development this proposed concept does provide some housing variety. The one acre lots are larger than other developed lots in the area. The elimination of the townhomes helps the area to be less overloaded with that housing type considering that Olsen Orchard includes 75 units. Olsen Orchards does have many single family lots similar in size to this concept, however the concept does include a unique layout with lots on small private drives.

The applicant verbally indicated that their intent is to keep the number of lots/units roughly equal to what is allowed with the base zoning. The idea is that this approach would not necessitate additional community benefits, but only open the door for a creative design approach. It does not appear that this goal is being met.

A preliminary plan (without townhomes) was submitted following ½ acre zoning requirements. Unfortunately the boundaries and details of the baseline and proposed plans do not fully align and are insufficient for a true comparison.

If the overall direction and layout of the development holds appeal to the city we should consider what

adjustments should be made or what community benefits could be requested.

- Trails around the pond (some wetland challenges) and a connection to the Historic Orchard Pathway.
- Additional improvements to the Olsen Orchards Park
- Street trees along 1200 W
- Preservation of orchards elsewhere in the city.

The developer may prefer to reduce the number of lots rather than make significant additional improvements.

Preliminary Review (City Council Representative, Planning Commission Representative, Engineer, Staff)

Notes from the preliminary review in accordance with the draft ordinance change regarding development agreements.

1. After studying the traffic implications, our engineer strongly recommends adjusting the Olsen Orchards road to curve south rather than north. Having this access further from the 3600 S intersection is critical.
2. Provide an updated layout for the existing ½ acre zoning that matches development boundaries, includes storm water pond, etc. so the city has a more accurate plan to compare against.
3. The layout following the existing ½ acre zoning is not viewed unfavorably. With that being said, we believe the proposed plan still has enough merit to explore further.
4. Community benefits that may be appropriate to counterbalance the increased density:
 - a. Character - Identify ways to help this development have its own unique character. This could include:
 - i. Enhanced streetscapes and corner treatments
 - ii. Street trees
 - iii. Unique lighting
 - iv. Distinct variety in architectural styles among the homes
 - v. Homes close to the street, lesser setbacks, front porches, picket fences, etc.
 - b. Enhancement of pond - trails, dock, etc.
 - c. Connection to Historic Orchard Pathway
 - d. Craft a view from 1200 W that is appealing
 - e. Provide images of what the shared driveway areas would look like and consider language that can ensure these will be implemented well.
 - f. Preservation of orchards elsewhere in the city.
5. It appears that 15-20 additional residential lots are being proposed beyond what the current zoning would allow. Considering the type of community benefits that may be included in this agreement, the proposed increase in density is not viewed favorably. Density between the current zoning and the proposed plan would be viewed favorably.

Comparison of Single-Family lots sizes in Olsen Orchards to Proposed development

Olsen Orchards Single Family Lots

6 – 8,000 sf	45
8 – 10,000 sf	28
10 – 12,000 sf	21
12,000 + sf	37

Proposed Development

6 – 8,000 sf	33
8 – 10,000 sf	10
10 – 12,000 sf	13
12,000 + sf	18

Applicant Narrative

Purpose of Request

The purpose of this request is to apply the Development Overlay zone, with an accompanying development agreement, to approximately 33 acres of R-1/2 zoned property adjacent to the Olsen Orchards development. The applicant proposes a 74-lot single-family subdivision in place of the multifamily component (8 townhome units) permitted under current zoning. The proposed plan provides a mix of lot sizes, including several lots over one acre, consistent with feedback received from the City. The development agreement will establish the approved concept plan, lot count, lot mix, and required improvements, giving the City certainty as to exactly what will be built.

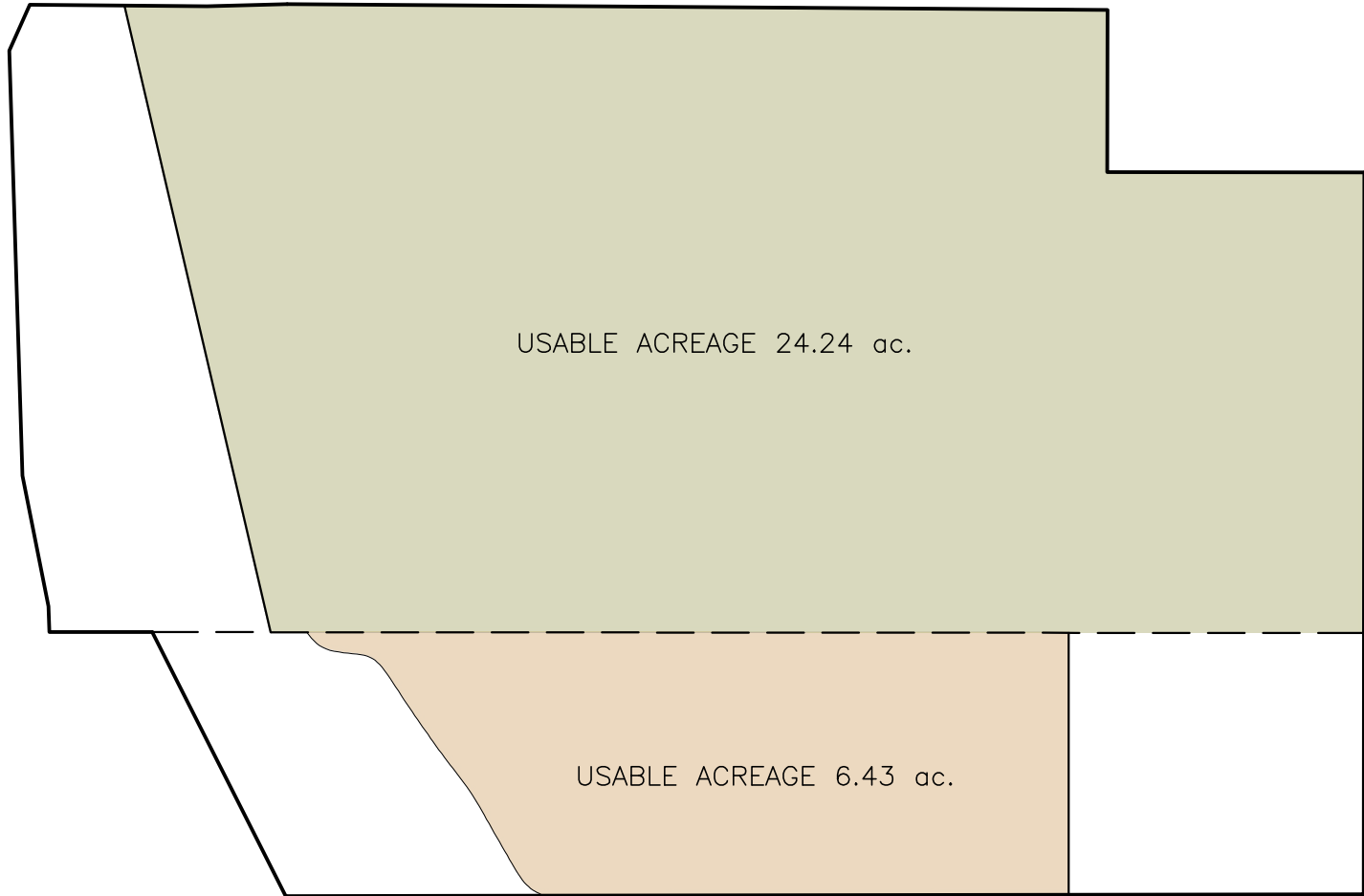
Conformance with the Perry City General Plan

This request covers approximately 33 acres adjacent to the Olsen Orchards development, currently zoned R-1/2. The request is to apply the Development Overlay zone with an accompanying development agreement. The current zoning permits a multifamily component of 8 townhome units. Rather than building attached product, we are proposing to develop the property entirely as single-family homes — 74 total lots — trading the townhome units for a modest number of additional single-family lots. 1. It delivers the housing type Perry residents asked for. During the General Plan outreach process, the top land-use finding from the 2018 open house was that "¼ acre single family homes are needed in Perry," and the majority of survey respondents disagreed that Perry should provide more diversity of housing types such as townhomes and condos. This request responds directly to that preference: it removes the attached-unit component and replaces it with the single-family product the community said it wants. 2. It provides genuine lot-size diversity, including estate-sized lots. The proposed plan is not a uniform grid. It mixes conventional single-family lots with several lots exceeding one acre. This range of lot sizes serves households at different stages — from young families to buyers seeking larger properties consistent with Perry's rural character — and creates a transition in scale within the neighborhood rather than a single repeated lot type. 3. It is consistent with the Housing Element's direction on where attached housing belongs. The General Plan states that future residential development should be in keeping with existing homes, and that alternative housing types such as attached units should be located near existing or planned regional transportation amenities to minimize increased traffic on neighborhood streets. This parcel is an interior residential location, not a regional transportation corridor. Single-family homes are the more appropriate product here under the Plan's own criteria. 4. The Development Overlay with a development agreement gives the City certainty. Rather than a straight rezone, this request follows the same structure the City recently applied to the adjacent Olsen Orchards property (Ordinance 24-I): the overlay district paired with a development agreement that locks in the approved concept plan, lot count, lot mix, and improvements. The City is not approving abstract density — it is approving a specific plan, with the larger lots and single-family commitment made binding

through the agreement. 5. It represents thoughtful growth where infrastructure already exists. A core General Plan goal is to "encourage thoughtful growth patterns and developments," with growth focused where resources and infrastructure allow. This parcel is contiguous to Olsen Orchards, where roads, sewer, and water infrastructure are being constructed now. Developing here uses that infrastructure efficiently rather than leapfrogging into unserved areas, and the developer will pay for the extension of sewer, water, and road infrastructure, including all applicable impact fees. 6. It preserves Perry's small-town character while meeting documented housing need. The Plan's leading goal is to enhance Perry's agricultural and small-town community feel. Detached single-family homes — including the estate lots — continue the established neighborhood pattern, avoid the massing and traffic intensity of attached product, and contribute 74 family-oriented homes toward Perry's projected long-term housing need.

Considerations and Recommendations

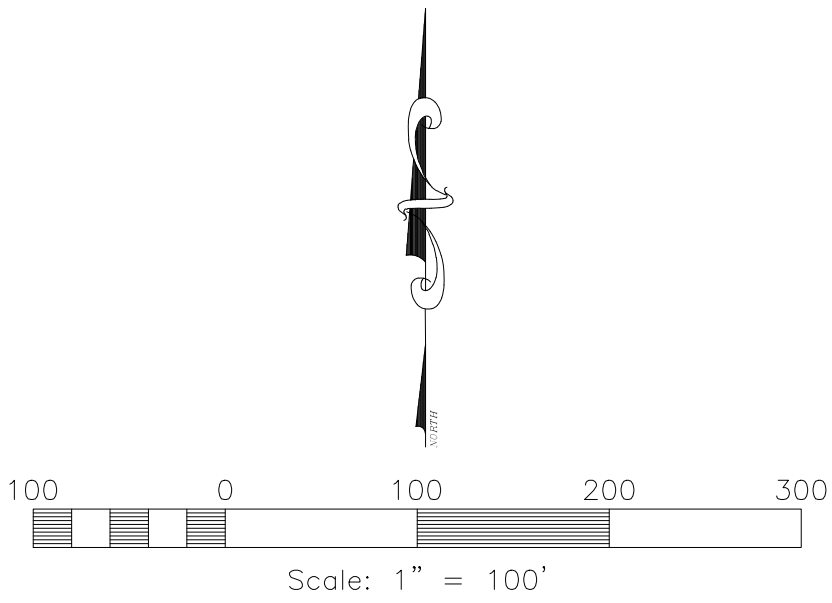
As a legislative item Planning Commission may take any information or opinion into consideration. City Council will be the final land use authority.



Usable Acreage Map

Olsen Orchards - Phase 4 & 5

Willard City, Box Elder County, Utah



= POTENTIAL WETLANDS

Reeve & Associates, Inc.

5160 SOUTH 1500 WEST RIVERDALE, UTAH 84405

TEL: (801) 621-1100 FAX: (801) 621-2666 WWW.REEVE-ASSOC.COM

LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS

TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DATE	DESCRIPTION
	12/18/2024	30' EASEMENT ADDED
	7/8/2025	6 PLOTS ADDED
	3/23/2026	ROADS/PHASES

Olsen Orchards - Phase 4 & 5

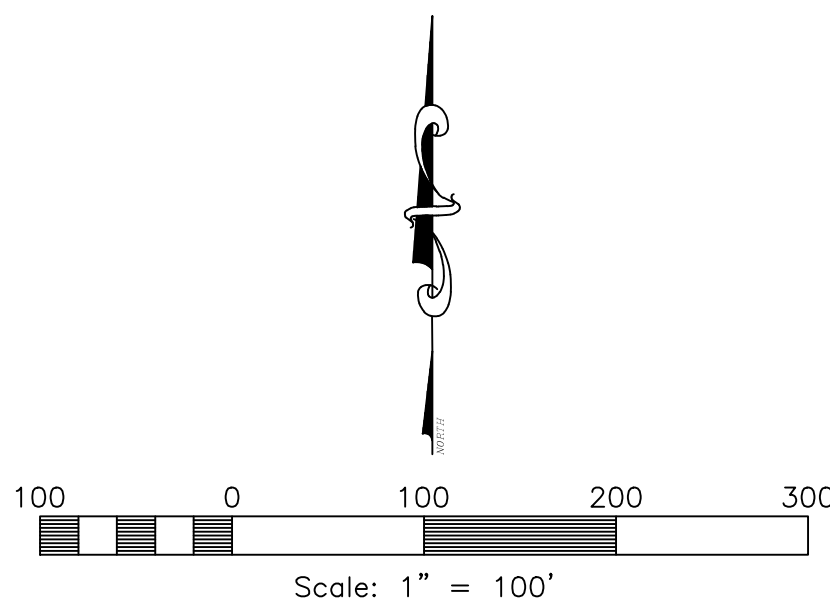
PART OF THE SE 1/4 OF SECTION 10 T.8N., R.2W., S.L.B. & M., U.S. SURVEY

WILLARD, BOX ELDER COUNTY, UTAH

Concept Plan

Project Info.
Engineer: N. Reeve
Planner: C. Cave
Designer: S. Simrayh
Date: 03-30-2026
Name: OLSEN ORCHARDS
PHASE 4 & 5
Number: 6298-18

Sheet	1
1	Sheets



Willard, Box Elder County, Utah

Project Info.	
Engineer:	N. Reeve
Planner:	C. Cave
Designer:	E. Roche
Date:	9-20-22
Name:	FITZGERALD POND SUBDIVISION
Number:	6298-18

Sheet	1
1	Sheets

PART OF THE SE 1/4 OF SECTION 10 T.8N., R.2W., S.1B & M., U.S. SURVEY
WILLARD, BOX ELDER COUNTY, UTAH

Concept Plan

REVISIONS	
DATE	DESCRIPTION



Reeve & Associates, Inc.



Olsen Orchards - Phase 1 - 5

Willard City, Box Elder County, Utah

Reeve & Associates, Inc.
5160 SOUTH 1500 WEST, RIVERDALE, UTAH 84405
TEL: (801) 621-1100 FAX: (801) 621-2666 www.reeve.co

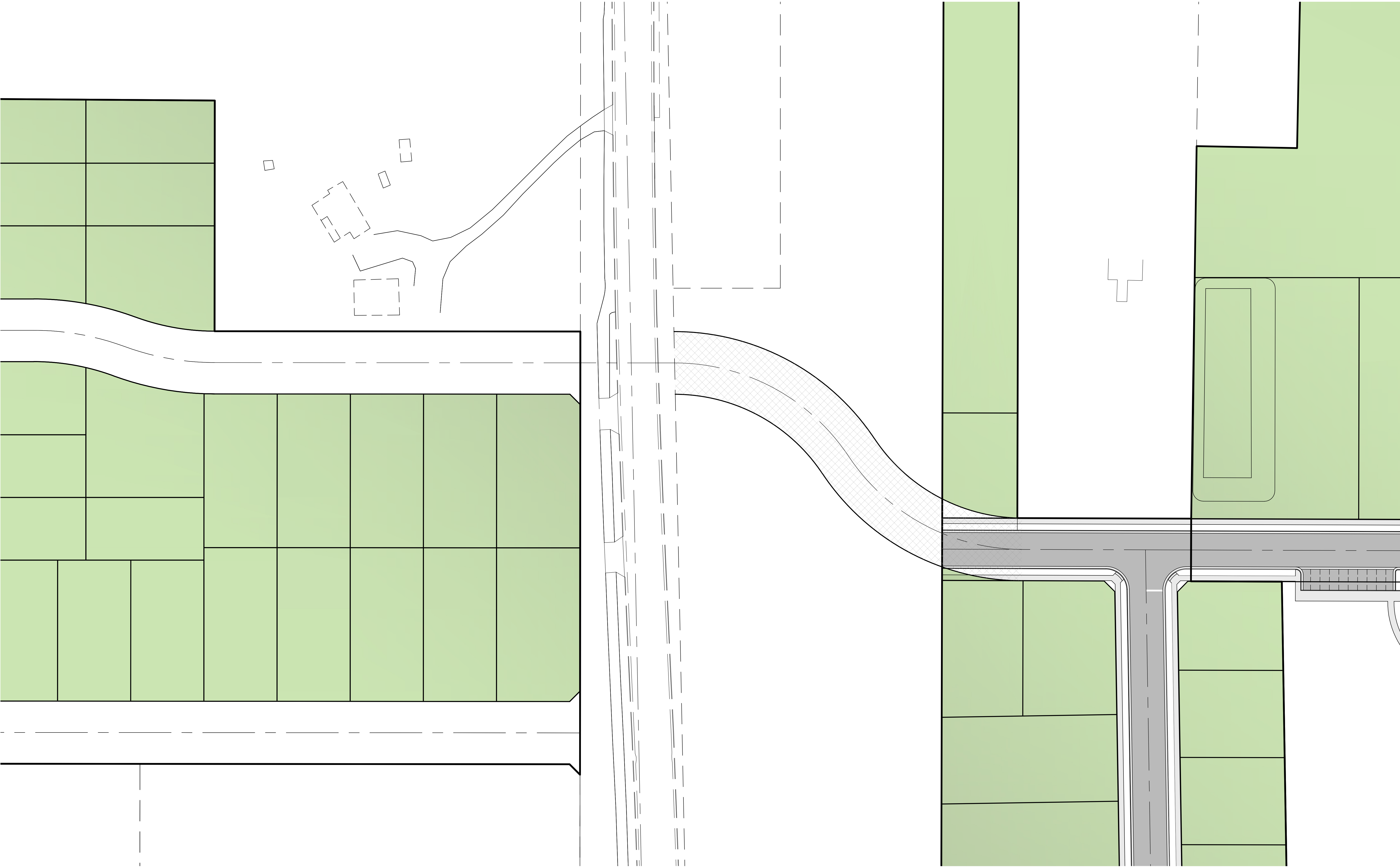
IRA
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS	DESCRIPTION
DATE	

Olsen Orchards - Phase 1 - 5
PART OF THE SE 1/4 OF SECTION 10 T.8N, R.6W, S.LB & M., U.S. SURVEY
WILLARD CITY, BOX ELDER COUNTY, UTAH

Connectivity Plan

Project Info.
Engineer: J. NATE REEVE, P.E.
Planner: C. CAVE
Designer: S. SIMRAYH
Date: 5-20-2026
Name: OLSEN ORCHARDS CONNECTIVITY PLAN
Number: 6298-18



Perry City
ORDINANCE 26-D

DEVELOPMENT AGREEMENTS

26-D DEVELOPMENT AGREEMENT AMENDMENTS

WHEREAS, Utah Code Annotated 10-20 authorizes Perry City to enact and amend ordinances establishing land use and subdivision regulations; and,

WHEREAS, Development agreements, when carefully crafted and negotiated, can provide additional community benefits and further the goals and priorities of the City;

WHEREAS, adopted policies can guide legislative decisions to be more consistent;

NOW THEREFORE, be it ordained by the City Council of Perry City, UT as follows:

SECTION 1: **Repealer.** If any provisions of the municipal code previously adopted are inconsistent herewith they are hereby repealed.

SECTION 2: **Amendment.** Section "15.02.040" is hereby amended as follows.

1. After receiving a recommendation from Planning Commission, the City Council, as the legislative body, shall consider a development agreement at a regular council meeting in conjunction with a zoning request for the Development Overlay zone (DO). The proposed agreement shall be submitted with the application for the DO zone and be subject to the public hearing and review process required for the zoning request. The zoning request for the DO zone with a development agreement may be processed prior to other associated land use applications, any time prior to the Design and Engineering application for subdivisions, or in conjunction with a site plan application.

a. Prior to being placed on the Planning Commission agenda, a development agreement proposal shall be submitted by the applicant for an informal review to be performed by the following city representatives:

- i. A designated planning commissioner
- ii. A designated city council member
- iii. The Community Development Director
- iv. The city engineer

The applicant shall submit their proposal for development agreement along with a statement describing how their proposal meets the city's code requirements and the adopted "Development Agreement Policy and Priorities." The applicant shall provide a conceptual development plan that follows current zoning standards for a comparison review. The city reviewers shall provide their written feedback to the applicant and to the Planning Commission.

2. After consideration of ... the agreement as approved.
3. Within fourteen (14) ... document of the city.

...

e. The general plan ... adopted plans and policies.

f. The extent of ... return to the city.

g. Conformance with the adopted "Development Agreement Policy and Priorities."

HISTORY

...

SECTION 3: **Enactment.** Chapter "15.37 Land Use Policies" is hereby enacted as follows.

SECTION 4: **Amendment.** Section "15.37.010 Land Use Policies" is hereby amended as follows.

The following provisions are adopted as non-binding policies and guidelines for decision making. These provisions should be referenced as appropriate by City Council, Planning Commission, applicants, and staff to guide decision making and legislative proposals.

Development Agreement Policy and Priorities

Section 15.02.010 of the Perry Municipal Code 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 a 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.

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.”

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

1. Parks and Trails – Park proposals 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.

a. New Parks (see Parks Map for priority locations)

b. Improvements to existing parks

c. Trails throughout developments

d. Unique outdoor features and amenities that do not exist elsewhere in the city.

2. Open space preservation

a. 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.

b. 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.

c. 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.

3. 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.

a. 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.

b. Projects should avoid repetition and monotony.

c. 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.

d. ‘Mansion Style Homes’ in lieu of traditional townhomes. Townhomes should limit repetition and long unbroken planes, even on rear and sides of buildings.

e. Variety in lot and home sizes.

f. Improved streetscapes.

g. Outdoor amenities and features that create a sense of place – corner treatments, pedestrian crossings, unique lighting and signage, landscaping, art, etc.

4. Character - Architectural, site improvements, and landscaping should work together to development a unique and memorable character for developments.

5. 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.

6. 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.

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.

Multi-family Dwelling and Apartment Density Map Policy.

The intent of the Multi-family Dwelling and Apartment Density Map (Map) is to limit and scatter Multi-family Dwelling and Apartment units (Units) throughout the City. In addition, city codes relating to these developments focus on architectural and site design standards with the intent of ensuring these developments are positive assets for our community. The Map, coupled with design standards, will ensure development occurs in a way that integrates all housing types into diverse and cohesive communities.

Limit

Based on conversations with various developers and direct observation and experience, it is assumed that without limitations more Units would be developed than what the city currently deems as acceptable and desirable. The policy to place limits on the quantity of units is based in large degree on the city's General Plan and associated public input. Such Units should be an integrated component of the city's housing without dominating any particular community within the city.

It is the policy of Perry City to maintain our relevant codes and maps in such a way as to limit these Units to be a minority component of our housing profile primarily in terms of acreage, but also in terms of Unit quantity in comparison to single family or commercial development in an area. When considering changes to the Map, Planning Commission and City Council may consider future single family and commercial developments as well as existing.

Scatter

Scattering units throughout the city is an important partner to limiting the total number of Units. The Map forces units to be scattered throughout the City. Additionally units should be scattered within each district on the Map. On both a macro and micro scale there should not be clear areas where high density housing is prevalent or not prevalent. All areas of the City should have some degree of housing diversity. Beyond the Map, which addresses Multi-family Dwellings and Apartments, commercial development, and size and type of single family housing can also be considered when measuring diversity in an area.

General Plan

The Perry City General Plan includes some relevant guidance as follows:

1. Perry desires to preserve a physical charm that reflects its small-town characteristics. Perry has the desire to weave place making improvements throughout..... enhancing the sense of place.

2. GOAL: Encourage thoughtful growth patterns and developments.

3. Residential: Refers to all zones primarily for residential use. This may include lots from 8,000 to 20,000 square feet, as well as an intermixing of alternative housing types, such as townhomes, senior housing, and mansion-style apartments.

4. Neighborhood Commercial: Commercial uses that are fitting with and supportive of surrounding residential uses along US 89 are permitted within Neighborhood Commercial zones. Multi-family residential uses should be selectively allowed in these areas and should be scattered throughout these areas rather than massed in specific areas.

5. Housing – Objective B: Allow for alternative housing choices, such as townhomes and senior centers, to be integrated into single family neighborhoods.

6. Housing – Objective C, Strategy 2: Increasing housing options where appropriate; adopt attached-

unit residential design standards that ensure quality development, and minimizes impact on surrounding neighborhoods through appropriate setbacks, heights, and landscaping. Multifamily housing built in Perry should be developed to compliment surrounding neighborhoods and not overwhelm them in building size and height. For this reason, Townhomes and Mansion style condos are fitting home styles in Perry.

7. Housing – Objective C, Strategy 5: Ensure that any increased residential density is met with public parks and green space for new and existing residents, and neighborhood beautification.

Map Amendments

There will always be pressure to increase the allotted numbers on the Map. In some cases a change to the Map will be appropriate and desirable. In some cases a development plan may be presented along with a Map change request showing what the developer is willing to implement above and beyond our standards in order to ensure the development is desirable for the City. In this case, the development plan should be codified with a development agreement to ensure the plan is fully implemented in conjunction with the requested Map amendment. The following specific considerations will guide the Planning Commission and City Council when deciding what requests warrant a change to the Map.

1. Compliance with the general policies and principles outlined in this document will greatly favor a Map change request.

2. Small increases to the current numbers (10% or less) will be more likely to be approved with minimal scrutiny. The greater the change requested the higher level of scrutiny and commitment and improvement on a development plan should be expected. Increases to the same district on the Map within the last five years should be considered.

3. Development plans providing integration of Units with single family and/or commercial development will be favored. This element should apply to the specific development being considered as well as surrounding existing development. Development plans that break up Units with single family lots will be favored over plans that continue to lump Units together.

4. Development plans providing significant architectural elements that go above and beyond Perry City standards and contribute to a development being more pleasing and desirable for the community are another factor in favor of granting a Map change request.

5. Development plans providing significant open space enhancements that go above and beyond Perry City standards and contribute to a development being more pleasing and desirable for the community are another factor in favor of granting a Map change request. Such improvements could include landscaping features, water features, site amenities (benches, lighting, art), playgrounds, trails, and buffers.

6. As time passes and developments are implemented and evaluated over years it may be appropriate to reconsider the base allotment of Units on the Map simply due to changing circumstances and perspectives. In this case the entire Map should be reevaluated and amended in a consistent and city wide manner.

7. It is possible that there may be considerations and special circumstances not anticipated by this policy. In the case that such circumstances affect the decision of the Planning Commission or City Council when making amendments to the Map, it is recommended that the motion clearly describes said special considerations. This will help to provide consistency and clarity in making future decisions.

Ultimately City Council retains the right to control the items on their agenda as well as to deny or approve any Map change request for any reason.

SECTION 5: Severability. If any section, subsection, sentence, clause, or phrase of this amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 6: Effective Date. This ordinance being necessary for the peace, health, and safety of Perry City, shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

****Signatures On Next Page****

PASSED AND ADOPTED by Perry City Council this _____.

KEVIN JEPPSEN, Mayor
Perry City

Attest:

SHANNA JOHNSON, City Recorder
Perry City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Nathan Tueller	_____	_____	_____	_____
Toby Wright	_____	_____	_____	_____
Blake Ostler	_____	_____	_____	_____
Ashley Young	_____	_____	_____	_____
Dave Walker	_____	_____	_____	_____

RECORDED this _____.
PUBLISHED OR POSTED this _____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

- 1. City Hall
- 2. Perry City Website
- 3. Utah Public Notice Website

on the above referenced dates.

SHANNA JOHNSON, City Recorder
Perry City

Perry City
ORDINANCE 26-H

LANDSCAPE REGULATIONS

AMENDING LANDSCAPE REGULATIONS FOR NEW DEVELOPMENT

WHEREAS, The Utah Division of Water Resources has implemented a landscape rebate program;
and,

WHEREAS, Said program requires certain landscape requirements to be adopted in code by
participating municipalities; and,

WHEREAS, The secondary water allotment for new developments has been reduced significantly;

NOW THEREFORE, be it ordained by the City Council of Perry City, UT as follows:

SECTION 1: **Repealer.** If any provisions of the municipal code previously adopted are
inconsistent herewith they are hereby repealed.

SECTION 2: **Amendment.** Section "15.18.050" is hereby amended as follows.

...

2. SITE STANDARDS

a. Street trees are ... of twenty (20) feet.

b. In no case shall lawn account for more than ~~seventy~~twenty (~~70~~20) percent of landscaped
areas, except for areas specifically designated for active recreation. Lawn areas should be implemented
for a specific use whenever possible (i.e. recreational areas, storm water ponds). No more than fifty (50)
percent of front and side yards in residential developments, including single family development, may be
lawn. Landscape areas less than eight (8) feet in width shall not be landscaped with lawn, including for
single family residential development. Large landscape areas without vegetation (rock or mulch only) are
not permitted.

c. No area of ... to avoid development requirements.

d. The developer (including ... plan for highway 89.

...

SECTION 3: **Severability.** If any section, subsection, sentence, clause, or phrase of this
amendment is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall
be severed and such declaration shall not affect the validity of the remainder of this amendment.

SECTION 4: **Effective Date.** This ordinance being necessary for the peace, health, and safety of Perry City, shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the more remote from the date of passage thereof.

****Signatures On Next Page****

DRAFT

PASSED AND ADOPTED by Perry City Council this _____.

KEVIN JEPPSEN, Mayor
Perry City

Attest:

SHANNA JOHNSON, City Recorder
Perry City

City Council Vote as Recorded:	AYE	NAY	ABSTAIN	ABSENT
Nathan Tueller	_____	_____	_____	_____
Toby Wright	_____	_____	_____	_____
Blake Ostler	_____	_____	_____	_____
Ashley Young	_____	_____	_____	_____
Dave Walker	_____	_____	_____	_____

RECORDED this _____.
PUBLISHED OR POSTED this _____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certifies that the foregoing Amendment was duly passed and published or posted at:

- 1. City Hall
- 2. Perry City Website
- 3. Utah Public Notice Website

on the above referenced dates.

SHANNA JOHNSON, City Recorder
Perry City

PERRY CITY PLANNING COMMISSION MEETING
PERRY CITY OFFICES
JUNE 4, 2026

7:02 PM

COMMISSIONERS PRESENT: Chairman Paul White, Commissioner Beth Thompson,
Commissioner Jan Kerr and Commissioner Travis Moesser

COMMISSIONERS ABSENT: Vice Chairman Stephen Moss and Commissioner Marcus
Wager

CITY STAFF PRESENT: City Administrator Bob Barnhill and Planning Secretary Tyra
Bischoff

OTHERS PRESENT: None

ONLINE: None

ITEM 1: CALL TO ORDER AND OPENING CEREMONIES

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

A. Declare Conflict of Interest, if any
None.

ITEM 2: ACTION ITEMS

A. Public Hearing: Ordinance 26-D Development Agreements

City Administrator Bob Barnhill presented Ordinance 26-D, which updates the city's code section (See 15.02.040) governing development agreements, including requirements and the approval process.

Key provisions of the ordinance include:

- Clarification that the City Council makes final decisions on development agreements after receiving a Planning Commission recommendation.
- A requirement that prior to placement on the Planning Commission agenda, a development agreement proposal must undergo an informal review by a designated planning commissioner, a designated city council member, the city administrator, and the city engineer.
- A requirement that the applicant submit a statement describing how their proposal conforms to city code and the adopted development agreement policies and priorities.
- A requirement that the applicant provide a conceptual development plan following current zoning standards for side-by-side comparison.
- A requirement that written feedback from reviewers be provided to both the applicant and the Planning Commission.
- Addition of consistency with adopted policies and established priorities as a criterion for consideration of development agreements.

Chairman White opened the Public Hearing.

The public hearing was opened at 7:05PM.

No public comments were made.

The public hearing was closed at 7:06PM.

The Commission discussed the proposed ordinance language and sought clarification on several procedural elements, including how a planning commissioner would be designated for informal reviews. Mr. Barnhill explained that the chair would typically serve as the designee, with the option to delegate that responsibility when appropriate.

After discussion and staff input, the Commission was comfortable with the proposed language and agreed that no amendments were necessary.

MOTION: Commissioner Thompson made a motion to recommend Ordinance 26-D Development Agreements. Commissioner Kerr seconded the motion.

Roll Call Vote:

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

Motion Approved. 4 Yes, 0 No

B. Public Hearing: Ordinance 26-H Waterwise Landscaping

Note: Action Item 2C was addressed before 2B.

Mr. Barnhill presented Ordinance 26-H, which would update the city's landscaping standards to qualify Perry City for a state rebate program (administered through the "Slow the Flow" initiative) that reimburses property owners up to \$3.00 per square foot for converting existing lawn to water-wise landscaping. He noted the ordinance had previously come before the Commission approximately two years ago and was ultimately denied by City Council, with the exception of a provision prohibiting new lawn in park strips for new developments, which was adopted at that time.

The proposed ordinance would apply primarily to commercial and multifamily development and would:

- Limit turf/lawn to no more than 20% of total landscaped area (down from the current 70%), with an exception for areas designated for active recreation.
- Restrict front and side yard lawn in single-family residential developments to no more than 50% of those areas.

- Prohibit lawn in landscape strips narrower than 8 feet in width, including in single-family developments.

Mr. Barnhill also provided context on the steadily declining water allocations from Pineview Water, which supplies outdoor irrigation for most Perry City properties. He expressed concern that without updated landscaping standards, new homeowners would face frustration when allocations are exceeded, potentially leading to the misuse of culinary water for outdoor irrigation, cross-connection risks, and disrupted water planning for the city.

The public hearing was opened at 7:34PM.

No public comments were made.

The public hearing was closed at 7:34PM.

The Commission discussed the ordinance at length. Primary concerns centered on the significant reduction from 70% to 20% turf allowance, which several commissioners viewed as a large and potentially onerous jump. Mr. Barnhill offered reassurance that in practice, most recently approved multifamily developments appeared to be close to or already near the 20% threshold, and that the active recreation exception would provide meaningful flexibility — particularly for detention pond areas. Commissioner Moesser noted that several cities in northern Utah, including Tremonton and Farmington, had already adopted compatible ordinances. Commissioner Kerr raised the practical challenges of weed control in rock/xeriscape areas.

The Commission expressed a desire to table the item in order to gather more information, including an assessment by Mr. Barnhill of what percentage of lawn has been approved in recent multifamily developments and whether those projects would be materially affected by the 20% threshold. The Commission also noted the single-family provisions should be reorganized out of the site plan section and into the landscaping requirements section of the code for clarity.

The item was tabled to a future meeting for further review and discussion.

C. Development Agreement Policy

Mr. Barnhill presented the Development Agreement Policies and Priorities document, which outlines the city's priorities and expectations in negotiating development agreements. He noted the document had been refined over several prior meetings and would be formally adopted by City Council as a resolution.

The commission discussed the following:

Proportionality of Benefits: The Chair raised a question regarding the provision stating that competing benefits should be "proportional and roughly equivalent in value," noting the difficulty of assigning objective monetary value to quality-of-life considerations such as preserved orchards versus increased density. The Commission agreed that keeping the language subjective was preferable, as it preserves flexibility for future commissions and councils, and that the voluntary nature of development agreements provides adequate legal protection against claims of inequity.

Limiting and Scattering of High-Density Housing: The Chair expressed concern that a key reference to the city's multifamily policy regarding limiting and scattering of high-density housing was buried within a paragraph and insufficiently prominent. The Chair suggested it should be elevated in the document so that reviewers and applicants are more likely to take notice of it. Commissioner Kerr clarified the broader concept: that the general plan's density grid is intended to ensure multifamily units are distributed across the city rather than concentrated in one area. After discussion, the Commission agreed that the relevant language should be moved or restructured to stand as a more prominent, standalone reference — framed as an expectation of compliance with that policy rather than as a negotiable community benefit. Mr. Barnhill agreed to reorganize the document accordingly before it proceeds to City Council.

MOTION: Commissioner Kerr made a motion to recommend approval of the Development Agreement Policy as amended. Commissioner Moesser seconded the motion.

Roll Call Vote:

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

Motion Approved. 4 Yes, 0 No

ITEM 3: APPROVAL OF THE MINUTES

- A. May 7, 2026, Regular Planning Meeting**
- B. May 21, 2026, Work Session**

MOTION: Commissioner Moesser made a motion to approve the minutes for the May 7, 2026 Planning Commission meeting and May 21, 2026 Work Session. Commissioner Kerr seconded the motion.

Roll Call Vote:

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

Motion Approved. 4 Yes, 0 No

ITEM 4: DISCUSSION

192
193 **A. Future Projects**

194 Mr. Barnhill noted that Ordinance 26-H (waterwise landscaping) would be revisited at a future
195 meeting. The topic of conservation subdivisions was retained on the list to ensure it is not
196 overlooked for future discussion.

197 **B. Conservation Subdivisions**

198 The item was acknowledged and deferred to a future meeting.

199 **C. Field Trip**

200 Commissioners Thompson and Moesser reported on the recent field trip to review existing
201 multifamily developments within Perry City. Two members of the public also attended.

202 Key takeaways included:

- 203 • Architectural variety was identified as a significant factor in the perceived quality and
204 desirability of developments. Projects with more varied and interesting exterior design
205 appeared to be occupied more quickly than those with more uniform or plain facades.
- 206 • Highway proximity was noted as a detractor. Multifamily developments situated directly
207 along Highway 89, particularly multi-story buildings, were viewed as awkward and out
208 of place, especially where units faced the highway directly. The existing commercial
209 buffer zone along the highway was seen as well-reasoned.
- 210 • Up-close observation changed some perceptions. Viewing developments from within,
211 including interior courtyards, gave commissioners a better sense of what they did and did
212 not appreciate compared to highway-level views.
- 213 • Specific design elements such as front porches, fencing, and landscaped entries were
214 noted as meaningful contributors to livability and visual appeal.
- 215 • Material quality was discussed, with one commissioner noting that a brick veneer finish
216 on one development was visually inferior to real brick, suggesting the need to be more
217 specific in design standards.

218 Mr. Barnhill proposed two follow-up initiatives: first, inviting an architect to a future work
219 session to help the Commission better articulate architectural preferences and translate them into
220 code language; and second, asking all commissioners to photograph interesting multifamily
221 developments they encounter in other communities, with images to be shared via a shared
222 Google Drive folder for collective review at a future meeting.

223
224 **D. Report on past-approved Planning Commission Items**

225 Mr. Barnhill reported that the zone change application (Ordinance 26-F) had been approved by
226 City Council without controversy.

227 Regarding the previously discussed beekeeping matter (Ordinance 26-E), it was reported that a
228 review of state statute revealed that Utah law now substantially preempts local regulation of
229 beekeeping, meaning the city's prior ordinance may have been in conflict with state law. The city

attorney recommended that the city simply defer to state statute rather than maintain local regulations. Commissioner Moesser noted that while mandatory registration is not required, voluntary registration with the state does offer benefits including training and hive inspections, which could help prevent aggressive colony behavior.

E. Report from Commissioners regarding previous Council Meetings

Commissioner Moesser reported attending the May 14th City Council meeting. No items directly pertinent to planning commission business were addressed, though a potential property tax rate adjustment was discussed. The Commission noted awareness of the beekeeping outcome from the subsequent council meeting.

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

It was agreed that commissioners would be contacted via email or text to identify who could attend the June 11th meeting.

- June 11th- TBD
- May 25th- Commissioner White

ITEM 5: TRAINING

A. Staff

Mr. Barnhill provided an informal educational overview of how property tax functions in Utah municipalities, noting key distinctions from sales tax. He explained that the state issues a certified tax rate each year calculated to collect the same total dollar amount as the prior year, meaning that as property values rise, the rate automatically declines. As a result, property tax revenue does not inherently scale with inflation or increased property values the way sales tax does. Growth through new development does generate additional revenue, but without periodic rate adjustments, cities can fall behind operationally over time. Mr. Barnhill noted that Perry City has adjusted its certified rate three times in eight years.

He also briefly highlighted the upcoming ribbon-cutting event for the Historic Orchard Pathway on June 13th at 8:30 AM, meeting at the Public Works building, followed at 10:00 AM by a ribbon-cutting at the Mountain View Bike Park (Kiwanis Gravity Bike Park). All commissioners were invited to attend.

ITEM 6: REVIEW NEXT ADGENDA AND ADJOURN

A. Items for July agenda (next meeting TBD)

Mr. Barnhill noted that two zone change applications had been submitted and that applicants had been advised a July meeting might not be held. The Commission discussed the possibility of scheduling a meeting on July 16th if the agenda becomes sufficiently full, but agreed that absent additional items, the July meeting would be cancelled and matters would be carried to the August 6th meeting. Mr. Barnhill agreed to notify the Commission if additional items warranted scheduling a July session.

278 **B. Motion to Adjourn**

279

280 **MOTION:** Commissioner Thompson made a motion to adjourn the meeting. Commissioner
281 Moesser seconded.

282

283 **All In Favor**

284

285 **The meeting was adjourned at 8:48PM.**

DRAFT