

PERRY CITY PLANNING COMMISSION MEETING
PERRY CITY OFFICES
AUGUST 6, 2026

7:02 PM

COMMISSIONERS PRESENT: Chairman Paul White, Vice Chairman Stephan Moss,
Commissioner Marcus Wager, Commissioner Jan Kerr and
Commissioner Travis Moesser

COMMISSIONERS ABSENT: Commissioner Beth Thompson

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

OTHERS PRESENT: Toby Wright, LeNisha Wright, Rob Hinchee, Kate Hinchee,
Alex Owens, James Settlemire, Rolin Hinrichsen, Ronda
Hinrichsen, Greg Young, Mike Young, Nathan Combs and Pat
Burns

ONLINE: None

ITEM 1: CALL TO ORDER AND OPENING CEREMONIES

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

- A. Declare Conflict of Interest, if any**
None.

ITEM 2: ACTION ITEMS

- A. Public Hearing: Ordinance 26-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**

City Administrator Bob Barnhill presented the request to rezone approximately 0.25 acres of a 1.5-acre parcel from R1A to R1, which would allow the applicant to subsequently subdivide and create one new single-family lot. The proposed lot size is consistent with surrounding properties. The future land use map designates the area as residential, supporting the request.

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 existing policy discouraging R1 zoning, noting it was adopted around 2015 under a different development philosophy and may warrant future review. Mr.

Barnhill noted that a municipal code policy exists but is generally understood to target larger conservation subdivision scenarios rather than single-lot requests of this nature.

The Commission agreed that the policy's intent does not apply to this limited request and that the lot is compatible with the surrounding neighborhood character.

MOTION: Commissioner Kerr made a motion to recommend approval of Ordinance 26-J Zone Change from R1A to R1. Commissioner Moss seconded the motion.

Roll Call Vote:

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

Motion Approved. 5 Yes, 0 No

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

Mr. Barnhill presented the request to rezone an approximately 2.75-acre property currently split across three zoning districts (R1, C1, and NC2) to a unified R1A designation. The property is a long-established farmstead containing a historic home, a peach orchard, and agricultural fields. He shared that the future land use map designates the corridor as mixed use and neighborhood commercial, though justification for a recommendation either way was defensible given the property's context.

Chairman White opened the Public Hearing.

The public hearing was opened at 7:24PM.

The applicant, Robert Hinchee, stated that the R1A designation is necessary to allow prospective buyers to keep horses and other livestock, which has been an obstacle to selling the property.

Toby Wright, a neighbor to the north, spoke in support of the property remaining agricultural and rural in character. He also requested that public notices include more descriptive information about the nature of proposed changes to better inform residents.

The public hearing was closed at 7:30PM.

The Commission discussed the fact that R1A is the most restrictive zoning for agricultural animals, limiting livestock numbers based on square footage. They expressed support for preserving the agricultural character of the property and noted that R1A zoning serves that goal while limiting

potential over-intensification. The possibility of retaining the neighborhood commercial strip along Highway 89 was raised but ultimately deemed unnecessary at this stage.

MOTION: Commissioner Moss made a motion to recommend approval of Ordinance 26-K Zone Change from Mixed R1, C1 & NC2 to R1A. Commissioner Moesser seconded the motion.

Roll Call Vote:

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

Motion Approved. 5 Yes, 0 No

C. Public Hearing: Ordinance 26-N Zone Change to Add Development Overlay Zone to Existing R ½ located at approximately 3700 S Perry St, Parcel #s: 02-035-0090, 02-035-0094 & 02-035-0091; Applicant: LYNC Construction

Mr. Barnhill presented a proposed development overlay for an approximately 33-acre parcel zoned R 1/2 on the south end of Perry City, recently annexed from Willard City. The applicant, Lync Construction (represented by Alex Owens and Pat Burns), proposed a development agreement that would forgo the 8 townhome units permitted under current zoning in exchange for approval of 74 single-family lots, including a mix of standard lots, larger 1-acre lots along the western edge, and "6-pack" lots accessed by shared private driveways. The baseline zoning would yield approximately 49 units (41 single-family lots plus 8 permitted townhomes).

Chairman White opened the Public Hearing.

The public hearing was opened at 7:54PM.

Several members of the public spoke in opposition, expressing concern over density, lot sizes as small as 6,700 square feet, impacts to a nearby pond and wetlands, traffic, and the character of the surrounding agricultural area. One resident raised the issue of a legally permitted private airstrip on his property adjacent to the proposed development. Another resident questioned the sufficiency of the community benefits offered in exchange for the density increase.

The public hearing was closed at 8:08PM.

The Commission acknowledged the applicant's effort to respond to prior workshop feedback but expressed that the proposed density remained too high relative to baseline zoning and the surrounding context. Members noted that significant density had already been accommodated in the adjacent Olsen Orchards phases 1–3 and that additional density in this area was not viewed as a community need at this time. While some members expressed interest in the 6-pack lot concept

as a potential alternative to townhomes, the Commission agreed that the current proposal lacked sufficient community benefits and was too dense to support as submitted.

The item was tabled to allow the applicant to submit a revised proposal.

D. Ordinance 26-D Development Agreements

Mr. Barnhill presented revisions to Ordinance 26-D. At the direction of the City Attorney, the previously adopted development agreement policies and priorities document, along with the multifamily density map policy adopted by prior resolution, will be incorporated directly into the City Code rather than maintained as separate resolutions. No substantive policy changes were made. He explained that the revisions simply move the existing policies into the City Code to provide greater permanence and accessibility. The preliminary review process for development agreements, which was previously recommended to the City Council, is also included.

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

Roll Call Vote:

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

Motion Approved. 5 Yes, 0 No

E. Ordinance 26-H Waterwise Landscaping

Mr. Barnhill presented Ordinance 26-H, which would update landscaping standards to align with a state water conservation program. Key changes include reducing the maximum lawn allowance for commercial and multifamily developments from 70 percent to 20 percent (with an exception for active recreation areas) and establishing a new 50 percent front and side yard lawn limitation for single-family homes, with no lawn permitted in strips less than 8 feet wide. Adoption of these standards would qualify Perry City for a state incentive program offering residents reimbursements for lawn removal and water-conserving landscaping improvements. Mr. Barnhill reviewed multiple existing development landscape plans and found that most would require only minor adjustments or none at all.

The Commission discussed concerns about the intrusiveness of regulating single-family yards, the adequacy of Pineview Water's existing conservation measures, and questions about language placement within the municipal code. Mr. Barnhill noted that City Council had previously declined to adopt similar changes due to hesitation about regulating private residential yards.

MOTION: Commissioner Moesser made a motion to recommend approval of Ordinance 26-H Waterwise Landscaping. Commissioner Kerr seconded the motion.

Roll Call Vote:

Commissioner Moesser, Yes
Commissioner White, No
Commissioner Kerr, Yes
Commissioner Moss, Yes
Commissioner Wager, Yes
Commissioner Thompson, ABSENT

Motion Approved. 4 Yes, 1 No

ITEM 3: APPROVAL OF THE MINUTES

A. June 4, 2026, Regular Planning Meeting

MOTION: Commissioner Wager made a motion to approve the minutes for the June 4, 2026 Planning Commission meeting.

Roll Call Vote:

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

Motion Approved. 5 Yes, 0 No

ITEM 4: DISCUSSION

A. Future Projects

The Commission identified two items for future discussion: (1) reviewing and possibly revising the municipal code policy that discourages R1 zoning, including requirements such as the neighbor petition; and (2) discussing whether standard zoning designations should allow for a greater variety of lot sizes, which could reduce the need for development agreements.

B. Report on past-approved Planning Commission Items

Mr. Barnhill noted that public concern has been expressed regarding tree removal on Hargis Hill in connection with the Olsen Orchards development. He shared that replacement plantings are required per the applicable conditions.

C. Report from Commissioners regarding previous Council Meetings

Mr. Barnhill reported on the most recent City Council meeting, noting that the Council did not adjust the certified tax rate and held a public hearing on the vacation of Hargis Hill Road. No items previously forwarded by the Planning Commission had yet been acted upon by the City Council.

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

- August 13th- Commissioner Moesser
- August 27th- Commissioner White

ITEM 5: TRAINING

A. Staff

None

ITEM 6: REVIEW NEXT ADGENDA AND ADJOURN

A. Items for September agenda (September 3rd)

Anticipated September agenda items include the tabled Ordinance 26-N (Lync Construction development overlay, revised) and potentially a new development agreement application for the Nelson property near Promontory School.

B. Motion to Adjourn

MOTION: Commissioner Kerr made a motion to adjourn the meeting.

All In Favor

The meeting was adjourned at 9:29PM.