

**TREMONTON CITY CORPORATION
PLANNING COMMISSION
AUGUST 11, 2026**

Members Present:

Raulon Van Tassell, Chairman
Micah Capener, Commission Member
Karen Ellsworth, Commission Member—excused
Ben Greener, Commission Member
Andrea Miller, Commission Member
Jack Stickney, Commission Member (filling in for Ellsworth)
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 August 11, 2026, in the City Council Meeting Room at 102 South Tremont Street, Tremonton, Utah. Chairman Van Tassell, Commission Members Capener, Greener, Miller, Stickney, Planner Lance, Administrator Epling, and Deputy Recorder Lannefeld were in attendance. Also in attendance was City Councilmember Kristie Bowcutt. Commission Member Ellsworth was excused.

1. Approval of agenda:

Motion by Commission Member Greener to approve the August 11, 2026 agenda. Motion seconded by Commission Member Miller. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – absent, Commission Member Greener – yes, Commission Member Miller – yes, Commission Member Stickney – yes. Motion approved.

2. Declaration of Conflict of Interest: None.

3. Approval of minutes— July 14, 2026

Motion by Commission Member Miller to approve the July 14, 2026 minutes. Motion seconded by Commission Member Greener. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – absent, Commission Member Greener – yes, Commission Member Miller – yes, Commission Member Stickney – yes. Motion approved.

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

- a. **Livestock and Chickens Code Text Amendment:** A request to amend chapters 1.07.025 - Large Livestock, 1.07.030 - Keeping Chickens for the Purpose of Family Food Production, and 1.07.035 - Keeping Animals for Box Elder County

4-H And FFA of the Tremonton City Code to simplify the standards for keeping animals within the Tremonton City limits.

i. Staff Presentation and Commission Discussion

Planner Lance said this is the livestock and chicken code text amendment. There are three sections regarding animal and livestock. This chapter is the keeping of chickens for the purpose of family food production. Next is keeping animals for 4-H and FFA. Staff is looking to simplify the standards for keeping animals within City limits. There are permitting requirements for each one of these sub chapters. Staff would look to remove the requirement for permitting and keep the standards. We would allow the land use right to persist and property rights to prevail so people can keep animals within City limits. If issues arise, there are code enforcement measures in place to deal with disputes between neighbors or complaints. We are just looking to get rid of the requirement for a land use application. It is strange to regulate that. The code regulates setbacks of structures devoted to animals. We would rather not waste time regulating that. Things would be addresses on a complaint-based system. We also would like to amend the numbers of species, but this was admitted into the staff report mistakenly. We had intended to bring forth only language that struck permitting requirements. We had discussed internally whether we should amend these numbers or not. So, in your discussion we want your feedback if these numbers should be amended. Administrator Epling said the purpose of tonight is just to strike the permitting language and for everything else we want to receive feedback on if you want to change any of that. Planner Lance reviewed the chart. This is the number of livestock per acre for RR-1 and R1-20. It proposes increasing the number in the non-irrigated section from one pig, goat and llama allowed since they are social animals. Furthermore, geese, pigeons, peacocks, guinea hens and rabbits are limited to five for both the non-irrigated and irrigated section. Next is keeping chickens. We strike out the zoning here and talk about single-family instead. The next section discusses roosters, which are prohibited in all zones except the RR-1 and R1-20. This section is about keeping animals for the County fair. This is the only reference to small animals in these subchapters. We are looking to keep it consistent and talk about large livestock, like as defined in the prior subchapter. It is striking any reference to applicants in that section and subsection C is revoking permit. We are looking to strike that as well.

Commission Member Capener said originally, this was submitted to be in all single-family zones. Chickens have always been there. This was done for the 4-H and FFA programs so anyone in the City could have animals. The reason for the permits was because the vision was you had to prove it was going to be for about three months and just for the fair. They had to have a permit and meet all the rules. I guess the City Council changed it to just the RR-1 and R-120 zones, which is why this extra fluff is there. It was already allowed in the RR-1 and R-

120 zones generally. I am not sure why it got morphed into something it was not intended to be. Administrator Epling said staff is wanting to figure out how to regulate this and make it applicable because we are not getting permits and it is not being used. If there is a permit issue, then help us know how to execute it in a more efficient way. Planner Lance said a permit would ask for species and quantity, along with a couple of other things, but this is a land use permit, which requires a site plan. He then reviewed the standards for those enclosures. The site plan is the customary way to review that and is the common practice for land use permits. I would hope the permit would take the form of the animal control dog license or something like that instead of the land use standards. Commission Member Miller said would you be opposed to just removing the permit altogether for 4-H. Commission Member Capener said where it is only for RR-1 and R1-20 zones, there are very few acres that even apply so this is a moot point. This entire code could be erased because the whole purpose was to allow all citizens to have animals for the fair and for a short time. We are an agricultural community, yet we do not allow agriculture on any lots in the City, generally. Planner Lance said we are not looking to fix any existential issues with this code, just looking for the primary requirements. If you would like to play with the numbers there is a suggestion from us having discussed it internally. We are curious if those numbers should change or if we should just remove the permitting requirements.

Commission Member Stickney said I think it is a good idea not to have roosters. Commission Member Greener agreed, saying even the larger residential zones are still next door to people. Roosters are annoying and loud. Garland has banned roosters in all their zones. I think roosters should not be allowed. The Commission also questioned if the City has enough staff in code enforcement to manage complaints as they arise. Commission Member Stickney said it sounds like it would be better with code enforcement rather than the land use because of the complexity of a land use application. Commission Member Capener said but if we are talking about changing it to be allowed in the other zones then that is a different problem. We need to have some of these checks and balances and the permits helps. I think we make them do the site plan to make sure they can even fit. However, if we are just talking about leaving the animals in the R1-20 and the RR-1, it is irrelevant because they were generally already allowed there. The Commission also discussed education and how they would handle the removal of dead animals and making sure things do not become a health concern. Commission Member Capener said the whole purpose of why we did this originally was we did not want animals everywhere in the City, except for temporarily for the fair, which is why we put the permits in. Planner Lance said we should only keep the permit if we are going to propose that smaller lots could have these limited number of animals. If we not, then we would pull it all.

After more discussion, Commission Member Miller said we agree with the amendment A, except for in 025, the request to keep additional animals, that

sentence we want to keep, instead of getting rid of it. The rest of it, we are all okay with. Commission Member Capener said and banning the roosters in all zones. Also, I would not want a pig near me in any of the zones, unless it is a 4-H project and there for a few months. Is there language about smells or nuisances that we can revoke their ability to have them if there is problems. What is the complaint based off of? Can it be that somebody is just upset? My experience has not been anything related to the animals, it is related to personal disputes. Planner Lance said we have noise ordinance that talk about certain decibel levels. I do not know what smell levels would look like. Commission Member Capener said based on this paragraph do we feel enforcement has enough to make sure there is sufficient grounds to say, you have to clean this up or remove the animal? As long as that is inferred or required, then it does not matter if they are allowed in the R1-20 or the RR-1 zones. I do not want pigs in the other zones.

Commission Member Capener made a motion to close the staff presentation and open the public hearing at 6:10 p.m. There were three people in attendance.

ii. Public Hearing

Layne Wilding said as long as we are revising this, maybe we should consider a few other things. I appreciated the concern about roosters, but what about male peacocks? They make as much noise as a rooster, probably more. Are there other animals we ought to consider for noise restrictions? Why are the livestock limits being increased? I think you addressed that. I would recommend that we put that in the staff report when we take it to City Council. Next, can I have more than 12 hens if I am raising them for meat and not egg layers? Are we going to just be restricted to egg layers or can I do more than 12 if they are not layers? Part of this ordinance requires a dead bird to be removed from City limits within 10 hours of death. Who is tracking that and where do I take a dead bird? I would think I could throw it in the trash, but that is still within City limits. If we are going to be prejudiced to birds, why are we not doing the same thing for other animals? Should this be a 24-hour rule instead? Next, what about the 4-H requirement in the show animals not being permitted to stay year-round? I know a lot of people who raise chickens who stick around more than a year. So, on 4-H animals, are we going to require them to get rid of their chickens if they bring them to the fair? The ordinance says I have to get rid of them if they are considered 4-H. I think we ought to rethink that. Also, what is the difference between a small and big fowl? Do we need to define that better? As long as you are making changes to the ordinance, we ought to take a look at some of these other items.

Commission Member Miller made a motion to close the Public Hearing at 6:15 p.m. and open it up for consideration.

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

The Commission agreed 12 chickens would be sufficient for laying eggs or meat production, but could be 15 to 25 based on their irrigation situation. The dead bird language would be changed to dead animals being removed from the property in a timely manner and could be disposed in the garbage or buried on the property. They were also okay with people keeping their fowls or rabbits, or any animal that would be taken care of after the fair as long as they are within the allowed limits of the animals. Commission Member Capener said it only matters if we are going to allow it in the smaller zones. If not, it is irrelevant because the bigger zones allow animals year-round. Planner Lance said this says the number of 4-H and FFA livestock will be permitted based on the parcel size of the applicant. Parcel owners are not permitted to simultaneously have multiple varieties of show livestock. We propose bumping up the numbers so different family members can each have an animal of their choice. We would consider striking that. The Commission agreed they would like to allow that.

Administrator Epling said the question is do you want to keep the permitting process with this or have it as a code enforcement option? The standards are the same whether we keep the permitting option for 4-H and then strike it in the other part of the code. Commission Member Miller said the code enforcement is the one to permit that for 4-H and the rest of it we get rid of the permits. Commission Member Capener said if we remove the permit and just make them have to apply with 4-H or FFA, I still like not having them permitted year-round because it is a lot harder to take care of those animals in the winter. I do not think we want them there for breeding purposes. Administrator Epling said because show animals will not be permitted to stay year-round. The following animals are permitted to stay for their respective show seasons on residential lots. It can still be implied that they keep the chickens, even if they enter them into the fair, as long as they are under the minimum amount. They just cannot have excess amounts.

Motion by Commission Member Miller to recommend approval to the City Council of the livestock and chicken code text amendment, amending chapters 1.07.025, large livestock, 1.07.030, keeping chickens for the purpose of family food production, and 1.07.035, keeping animals for the Box Elder County fair, 4-H and FFA. To eliminate permitting requirements for keeping the livestock and chickens within the residential areas, Tremonton City limits based on the findings listed in the memorandum with the corrections that we listed of keeping the 0.025 requests to keep additional animals may be considered upon application. Also in 0.030, removing roosters, prohibiting them in all zones. We will also remove that parcel owners are not permitted to simultaneously have multiple varieties of show livestock. Motion seconded by Commission Member Capener. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – absent, Commission Member Greener – yes, Commission Member Miller – yes,

Commission Member Stickney – yes. Motion approved.

- b. **Mixed-Use Zone Code Text Amendment:** A request to amend chapter 1.09.010 – Use Requirements of the Tremonton City Code to clarify the standards for mixed-use development within the Tremonton City limits.

- i. Staff Presentation and Commission Discussion

Planner Lance said you have 1.07 regulating residential zoning types, 1.08 regulates commercial types, and 1.09 is meant to regulate mixed-use developments. The problem is there is not a standard to hold anyone to either. When they rezone to the mixed-use zone, there is nothing saying they cannot go all residential or all commercial, which seemingly defeats the purpose of a mixed-use. We are looking at instituting a minimum commercial requirement. We have chosen 35%, holding someone in that zone to provide a true mixed-use.

Commission Member Stickney said where did you come up with the 35%? I am trying to envision what that might be like. If they had the ground floor all commercial and then residential above would that meet that requirement? Planner Lance said in our City, it would likely be a standalone business. This does not regulate it the other way. Currently they could go all residential or all commercial. Commission Member Capener said why would we want 35% commercial out there? We want that downtown. This is right around Ashville and he has planned multi-family there. I think this is just somebody trying to jab at multi-family and making that harder. Administrator Epling said this is from staff looking at the code for mixed-use. It is not looking at what is currently out there, just trying to define the code. They should use the appropriate zoning. This is why we are considering changing our code to match the zoning maps. Chairman Van Tassell said we do need to identify and define what mixed-use is. Commission Member Capener said I guarantee you, none of the property owners know this is happening since it is a text amendment. We are not taking their input. We should reach out to everyone who is in the mixed-use zone and say, we want it to be a true mixed-use. If you do not want to do commercial then let us rezone you and clean that up before we just throw this on them. Commission Member Stickney said I like the idea that we have something in place for the future, but I can see the encumbrance there of what we already have, how that could change. Administrator Epling said they could contact those property owners and even hold a workshop or NPI meeting to obtain feedback, but from a staff's point of view, we need to have better guidelines on what a true mixed-use code is. That is where this is coming from. We are happy to take it back to the table and inform the landowners. If we can get input on how to update it, we would love that, we just need a better process moving forward on what the mixed-use code is really for. Commission Member Miller said we need to reach out to those people and say, what is your plan for this? This is what our future plan looks like and what we want to rezone

it as. What are your thoughts? Administrator Epling said the only proposal is that we would put some type of requirement for a commercial element. Planner Lance said they will have a menu of options to choose from. Commission Member Capener said if you force the percentage, then we are saying you have to use one of these in that zone, which they may not want. Commission Member Greener said if something does not match what the developer wants to do is that not the first thing they do anyway, is ask for a rezone? Commission Member Capener said we ought to see what they have to say.

Planner Lance said the 35% requirement could be a different number in different jurisdictions. Two property owners could take their 35% requirements and cluster them in one area and meet the requirements, especially if you have access or circulation issues. There is no way to allow for that with this code currently because the standards are light. It does not define a ton. If it truly is mixed-use, you could have a home that has a drive-thru on it. There is nothing telling them no because it is mixed-use. Commission Member Greener said I do not see the problem with this change. If the owner wants a zone change, they can request that. They are just strictly looking at the code. If it does not match our master plan, then that should be changed. Commission Member Capener said then we make all these owners pay money and play games rezoning and going through all these meetings and hurdles that are unnecessary. At the very least, we should take their input. We definitely should not do it without notifying them of what we are proposing. I would say if your property is zoned mixed-use and you are on Main Street, the 35% applies. If not, it does not apply.

Administrator Epling said we could send out a notice with these text amendments explaining what is proposed. Come and voice your opinions to the Planning Commission. We could do that as an internal policy versus making all these changes and not letting them know, which is a valid point. Would that resolve this issue? Commission Member Capener said I am not sure it resolves the issue, but at least we would have input from those who own the dirt. We should be very careful about just randomly taking people's rights away from the property that they bought for a specific reason without good communication. Administrator Epling said the purpose of the mixed-use zone is to provide areas in the City for mixed-use development with a diversity of residential, office and low-impact commercial uses. What we have identified is this code does not allow us to actually implement what the purpose is. The purpose is to provide a mixed-use area, but we cannot hold them to it because it has the ability to provide only a residential area. That is not the purpose of the mixed-use zone. Therefore, if they want only a residential area, the zoning should be changed for that. This would help us to enforce the purpose of the code. We are not taking away rights. We are trying to administer what the purpose of the code is. I have no idea what their intent for the property is, but that should not come into this discussion. We have to determine the purpose of this mixed-use code. If it does not provide a variety,

then that is not the purpose. Therefore, the property should be rezoned for what it is intended for.

Commission Member Capener made a motion to close the staff presentation and open the public hearing at 7:07 p.m. There were four people in attendance.

ii. Public Hearing

Layne Wilding said my main comment is the proposal for 35%. There has been a lot of discussion and I appreciate that. If you are going to have a minimum, you ought to have a maximum. You cannot have one without the other.

Marielle Woods said by December there needs to be a game plan on the potential data center. With gaps in coding, data or AI centers could fall under light warehouses and offices. I would also like to make sure that if it is a mixed-use, that it is not a data center or an art park with apartments up top. We do not want an AI center finding a loophole. I think it is important to the community to update current codes, which might lack specific standards on the variations between one of the data or AI centers with massive energy drives, noise emissions and assuring those are not near schools. There have been reports on how harmful it is to children so they should be at least five miles away.

Amanda Jones said I agree we need to let landowners know what is coming. We do it for residential and need to do that for commercial. I also agree with needing more details within that mixed-use zone so there is clarification to that and being able to enforce it once it is designated. We should notify and come to some sort of agreement to get direction added to that mixed-use zone so we know exactly what needs to be there and how to enforce it.

Commission Member Miller made a motion to close the public hearing at 7:11 p.m. and open for their consideration.

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

Commission Member Capener said before we recommend anything to the City Council, I want landowners to come here for a future meeting so we can gain input on how they feel about the changes. Planner Lance said I would make your recommendation and we can make efforts in between the Planning Commission and Council meetings to reach out to those owners specifically and bring your comments, plus the business owners' comments to the Council. Commission Member Miller said what if we are not ready for it to go to the Council? Planner Lance said that is not the scope of the Planning Commission. The scope of the Planning Commission is to discuss and that has happened tonight. Commission Member Miller said we should table this item until the public can be notified. I do

not feel comfortable sending this to City Council with our approval or denial without making sure citizens are notified.

Motion by Commission Member Capener to postpone/continue this discussion until after all the affected property owners have been notified and bring it back for discussion during our September 8, meeting. Motion seconded by Commission Member Stickney. Vote: Chairman Van Tassell – yes, Commission Member Capener – yes, Commission Member Ellsworth – absent, Commission Member Greener – yes, Commission Member Miller – yes, Commission Member Stickney – yes. Motion approved.

5. Public Comments

Layne Wilding said I appreciate your willingness to notify those owners of the proposed changes. That was a good choice. It is sometimes very difficult to do that and sometimes we want to push things through in spite of what is the right choice. Taking time to notify people and making them aware of what is happening will save us a lot of problems in the long run. I applaud your choice.

6. Business/Staff Questions

Chairman Van Tassell thanked City staff for all their efforts. Councilmember Bowcutt said I appreciate the staff. They work hard. Thanks for the discussion today, it was very helpful.

7. Adjournment

Motion by Commission Member Greener to adjourn the meeting. Motion seconded by consensus of the Board. The meeting adjourned at 7:25 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.