# PERRY CITY COUNCIL MEETING AGENDA
## Thursday, March 12, 2026

City Council Chambers, 1950 South Highway 89 (south entrance)
**To view Zoom live meeting visit:**
http://www.perrycityut.gov/whats-new.htm.htm

**This is an "Electronic Meeting" Web/Teleconferencing may be used by officials to participate.**

Agenda items may vary depending on length of discussion, cancellation of scheduled items, or agenda alteration. Numbers and/or times are estimates of when agenda items will be discussed. Action on public hearings will always be later in the same meeting or at a subsequent meeting. Every agenda item shall be a discussion and/or action item, unless otherwise indicated.

**Approx. 7:00 PM – Regular City Council Meeting**

1. **Call to Order**

2. **Procedural Issues**
   - **A.** Conflicts of Interest Declaration(s), If Any

3. **Presentations**
   - **A.** Kiwanis Sponsorship

4. **Action Items**
   - **A.** Ordinance 25-Q Amended Zone Change Request from Agriculture to R1/3 located at approximately 1472 W Davis Drive Parcel #'s 03-157-0119,03-124-0156 & 03-157-0124 Applicant Brett Jones
   - **B.** Ordinance 26-B Omnibus Land Use Code Amendments

5. **Minutes & Council/Mayor Reports (Including Council Assignments)**
   No Council Action May be Taken if an Item is not specifically on the Agenda
   - **A.** Approval of Consent Items
     - February 19, 2026 City Council Meeting Minutes
     - February 26, 2026 City Council Meeting Minutes
   - **B.** Mayor's Report
   - **C.** Council Reports
   - **D.** Staff Comments
   - **E.** Planning Commission Report

6. **Closed Session (if needed)**
   - **A.** Discussion of the purchase, exchange, lease, or sale of real property, when public discussion would disclose the value of the property or prevent the authority from completing the transaction on the best possible terms.
   - **B.** Strategy session to discuss the character, professional competence, or physical or mental health of an individual.
   - **C.** Strategy session to discuss collective bargaining.
   - **D.** Strategy session regarding pending, or reasonably imminent litigation.
   - **E.** Strategy session to discuss the deployment of security personnel, devices, or systems.
   - **F.** Discussion of investigative proceedings regarding allegations of criminal misconduct.

7. **Action Item:**
   - **A.** Possible action to grant an exception to Perry City Policy & Procedure 12.C

8. **Approx. 8:30 PM - Adjournment**

**Certificate of Posting**

The undersigned duly appointed official hereby certifies that a copy of the foregoing agenda was sent to each member of the City Council and was posted in three locations: Perry City Hall; Centennial Park, Perry City Park; and was emailed to the Ogden Standard-Examiner, Box Elder News Journal; and posted on the State Public Meeting Notice Website on this 9th day of February, 2026. Any individual requiring auxiliary services should contact the City Offices at least 3 days in advance (435-723-6461).

_____

Shanna S. Johnson, City Recorder

**Perry City**
**ORDINANCE 26-B**

**LAND USE OMNIBUS**

**OMNIBUS LAND USE CODE AMENDMENTS**

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

**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 "preface " is hereby amended as follows.

...
The legislative history written ... may not be linked.
The Municipal Code is ... easy reference and convenience.
NOTICE: THE MUNICIPAL CODE MAY NOT REFLECT OTHER RULES PROMULGATED UNDER THE AUTHORITY OF THE CODE, INCLUDING OTHER REGULATIONS AND TECHNICAL SPECIFICATION. THE MUNICIPAL CODE MAY NOT REFLECT ALL OR THE MOST CURRENT VERSION OF LEGISLATION ADOPTED BY THE CITY COUNCIL THAT HAS YET TO BE UPDATED ONLINE. FOR MORE INFORMATION CONTACT THE CITY OFFICE AT 435-723-6461 AND/OR ~~ROBERT.BARNHILL~~RBARNHILL@~~PERRYCITY~~PERRYCITYUT.~~ORG~~GOV

SECTION 3: **Amendment.** Section "1.03.010 " is hereby amended as follows.

...
DENSITY: The number of ... area for public spaces.
DENSITY, CONTROL OF: Density ... acre; and other means.
DESIGN REVIEW: Refers to any administrative land use approval process.
DESIGN, SUBDIVISION: These include:
1. Street alignment, grades and width; and
...

SECTION 4: **Amendment.** Section "14.02.070 " is hereby amended as follows.

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Notwithstanding the specific requirements ... all applicable Law.

1. Review of Submittals. ~~The City shall follow the timeline and review requirements outlined in Utah Code Annotated 10-9a-604.2, or its successor statute.~~The City shall follow the timeline and review requirements outlined in Utah Code Annotated 10-20-806, or its successor statute.

2. Concept Review (Optional). ... application and required fee.

3. Preliminary Subdivision Application. ... shall submit the following:

...

SECTION 5: **Amendment.** Section "14.03.055 " is hereby amended as follows.

...

3. A Flag Lot ... under the same ownership.

4. The staff portion/access ... to a Public Road.

5. The minimum width of the access for a Flag Lot shall be sixteen feet (16') for one (1) Flag Lot and a minimum of 30 feet (30') (fifteen feet (15') for each Flag Lot) for two (2) Flag Lots located next to each other. The maximum width of the access shall be ~~forty~~thirty feet (~~40'~~30'), the maximum length shall be three hundred feet (300'), and the maximum grade shall be fifteen percent (15%).

6. No Structure or ... Engineer and Fire Marshall.

7. All property boundaries ... for purposes of setbacks.

...

SECTION 6: **Amendment.** Section "14.09.010 " is hereby amended as follows.

1. Vacating, altering, or amending a Final Plat shall be done in accordance with Utah Code Annotated 10-~~9a~~20-~~608~~811, or its successor statute. This includes changing a Subdivision boundary, dedicated right of way, the number or layout of Lots, easements, the Subdivision name, and any other aspect of a recorded Final Plat. If an amendment proposes significant changes to the existing Subdivision, then the Community Development Director may require the changes to be made through the vacation of the existing Final Plat and/or approval of the changes being done through the process required for new Subdivisions; this should be done to ensure that significant changes receive proper review and adequate fees are obtained to cover costs to the City.

2. The Land Use ... the Final Plat Application.

~~3. Lot line adjustments do not require an amended plat. the Land Use Authority for a Lot line Adjustment shall be the Community Development Director or designee.~~3. Boundary Adjustments (Lot line adjustments and parcel boundary adjustments) shall follow the approval procedure found in 10-20-906 of Utah Code or its successor statute. Perry City shall require a plat amendment for any adjustment that affects a plat. Changes to the plat must comply with the Subdivision requirements of the PMC including the necessity for Infrastructure and Improvements, easements, and rights of way. The Land Use Authority for a Boundary Adjustment shall be the Community Development Director or designee.

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4. Combining Parcels not ... approval of the City.

...

SECTION 7: **Amendment.** Section "14.09.020 " is hereby amended as follows.

1. Vacations shall be done in accordance with Utah Code Annotated 10-~~9a~~20-~~609.5~~813 or its successor statute.

2. The Land Use ... shall be City Council.

3. Making adjustments or ... not constitute a vacation.

...

SECTION 8: **Repeal.** Section "14.09.030 " is hereby repealed.

~~Prior to executing a Parcel Boundary Adjustment not in a recorded subdivision the property owner shall notify the City and provide the dimensions and setbacks of the proposed parcel boundaries.~~
~~HISTORY~~
~~Adopted by Ord. 20-G Subdivisions on 4/23/2020~~

SECTION 9: **Amendment.** Chapter "14.09 Vacating Or Altering A Subdivision Final Plat, Vacating A Street, Right Of Way, Or Easement, And Boundary Adjustments" is hereby amended as follows.

Chapter 14.09 has been renamed from "Vacating Or Altering A Subdivision Final Plat, Vacating A Street, Right Of Way, Or Easement, And Parcel Adjustments" to "Vacating Or Altering A Subdivision Final Plat, Vacating A Street, Right Of Way, Or Easement, And Boundary Adjustments".

SECTION 10: **Amendment.** Section "14.10.010 " is hereby amended as follows.

Utah Code 10-~~9a-605 (2) exempts agricultural lands from plat requirements under the certain conditions therein.~~ 20-808 exempts agricultural lands from plat requirements under the certain conditions therein.
HISTORY
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SECTION 11: **Amendment.** Section "15.01.010 " is hereby amended as follows.

The following outline applies ... regulations of the city:

1. Short title. This ... as the legislative body.

2. Contents. Included in the “Land Use Ordinance” are Zoning, Subdivisions, Conservation Subdivisions, Landscaping, Area Requirements, Signs, Fences, Home Occupations, Parking, Design Review, Land Use, Conditional Uses, Excavation, Reclamation, Nonconforming Uses and

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Noncomplying Structures, Planning Commission Rules, Land Use Authorities and Appeal Authorities, Zoning Administration, Land Use Definitions, and other written land use provisions, maps, and information pertinent to and for clarification of the above, and as per Utah Code Annotated 10-~~9a-103(16), which states: "a planning, zoning, development, or subdivision ordinance of the municipality, but does not include the general plan~~20.~~"~~

HISTORY

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SECTION 12: **Amendment.** Section "15.05.010 " is hereby amended as follows.

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Adopted by Ord. 15-C on 3/17/2015

~~15.05.010.3 Intent With Regards To Administrative Land Use Powers~~

~~All primary administrative land use powers of the City Council shall be retained; namely, final approval of design review/site plan processes, subdivision plats (new, amended, and vacated), dedicating and vacating streets, and similar actions. The secondary administrative land use powers of the City Council shall be delegated to the City Staff (with final review by or appeals to the Appeal Authorities), such as escrow releases and Certificates of Existence for Nonconforming Uses and Non-complying Structures.~~

HISTORY

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SECTION 13: **Amendment.** Section "15.06.010 " is hereby amended as follows.

...

v. Utility Meters and ... ADU as unit B.

vi. Building Code Compliance ... Building, and Health Codes.

vii. ~~Size: The total area of a Garden Cottage shall be no more than 40% of the square footage of the primary dwelling.~~Size: The total area of a Garden Cottage shall be no more than two thousand (2,000) square feet.

viii. Height: All ADUs ... limitations for accessory buildings.

ix. Setbacks: Garden Cottages ... requirements as accessory buildings.

...

SECTION 14: **Amendment.** Section "15.07.060 " is hereby amended as follows.

...

Adopted by Ord. 15-C on 3/17/2015

~~15.07.060.2 Types Of Neighborhood Commercial Zones~~

~~The following are the various types of neighborhood commercial zones under Perry City Municipal Code:~~

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~~NC 2-~~

~~1. Permitted and/or Conditional Uses: Provides for the sale and supply of daily living needs of the people in the neighborhood as well as major segments of the community, professional offices, recreation centers, government offices, civic centers and churches. Mixed-use residential developments (buildings containing both a residence and a business) shall be the only residential uses allowed in the Neighborhood Commercial Zones and are allowed in the NC 2 Zone.~~

~~2. There shall be at least as much commercial space as is being used for residential living area in each building of a mixed-use residential development. Permitted uses in the NC 2 Zone are less intrusive to adjoining residential development than those in the NC 3 Zone. Consult the Land Use Chart, PMC 15.07.100, for permitted uses allowed by Design Review and conditional uses allowed with the meeting of specific conditions.~~

~~3. Zone Area: The NC 2 Zone shall include the area from the Brigham City Boundary to 3000 South Street on both sides of Highway 89 for 300 feet measured from the Highway 89 Right of Way line. The City Center shall be located at approximately 2500 South Street.~~

~~NC 3-~~

~~4. Permitted and /or Conditional Uses: Provides for the sale and supply of a complete range of retail and wholesale goods and personal services for the entire community as well as centers for recreational entertainment and cultural activities for the region. Consult the Land Use Chart (PMC 15.07.100), for permitted uses allowed by Design Review and Conditional Uses allowed with the meeting of specific conditions.~~

~~5. Zone Area: The NC 3 Zone shall include the area from 3000 South Street to the Willard boundary on both sides of Highway 89 for 300 feet measured from the Highway 89 Right of Way line. The area is relatively undeveloped at this time and the requirement for frontage road access to development will be enforced in this zone.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

~~15.07.060.3 Approval Process~~

~~The following criteria are required for approval:~~

~~1. All permitted and/or conditional uses shall be listed and regulated according to the Land Use Chart, PMC 15.07.100. Permitted uses shall be listed on the Land Use Chart as "Allowed by Design Review" and designated "P*". Conditional uses shall be listed on the Land Use Chart and designated "C. Conditional uses shall be regulated according to the Conditional Use Ordinance PMC 15.29. The Planning Commission and City Council may be petitioned to have uses not specifically listed, added to the Land Use Chart, PMC 15.07.100.~~

~~2. The Planning Commission shall review all proposed commercial development in all Neighborhood Commercial Zones as part of the Business License and Building Permit approval processes by following the Design Review process.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

~~15.07.060.4 Area Requirements~~

~~The following area requirements apply:~~

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~~1. No minimum or maximum lot area is required.~~

~~2. All setbacks and building placements shall be approved according to the Design Review process (PMC 15.17) or conditions of the Conditional Use Ordinance (PMC 15.29).~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

~~15.07.060.5 Site Development Standards~~

~~The following site development standards apply:~~

~~1. Unless otherwise set forth by ordinance, the site development standards in all Neighborhood Commercial Zones shall be the same as the "C" Commercial Zone. Provisions of the Perry City Ordinances for Landscaping, Signs, Fencing, Building Permits, Lighting, Conditional Uses, Land Use Chart, Area Requirements, and other relevant requirements shall regulate each individual commercial property development or improvement.~~

~~2. Written approval by the Utah Department of Transportation (UDOT) shall be required prior to a recommendation by the Planning Commission for the final approval of the development plan. Frontage roads for access shall be required where possible for any new development.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

~~15.07.060.6 Protection Of Adjoining Residential Properties~~

~~Where Neighborhood Commercial development adjoins any lot in any residential zone, there shall be provided and maintained along such property line an ornamental masonry wall or equivalent of not less than six (6) feet in height. However, such wall shall be three feet in height along the property line which bounds the front yard of adjoining residential lots. Such wall shall be maintained with a minimum six (6) foot wide planting strip and landscaping with trees and grass or shrubs along the commercial property inside the wall.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

15.07.060.7 General Regulations

The following are general regulations:

~~1. A Neighborhood Commercial Zone (NC) development may be established only upon land held in single ownership or under unified control or where the Planning Commission determines that commercial development on separate adjoining properties should be coordinated to form a physically unified commercial facility which will be compatible with the surrounding land uses.~~1. A Neighborhood Commercial Zone (NC) development shall not be established upon a tract of land which contains an existing non-conforming use unless the development planned for the tract includes the elimination of the non-conforming use or its integration into the planned development.

~~2. At the time a Design Review Application is approved and prior to the building permits being issued, deed restrictions on the property or properties covered by the development shall be filed by the applicant or owners of subject property with the County Recorder and shall provide that development take place on such property or properties in accordance with the final site plan approved by the Perry City Council and on file with the City Recorder.~~2. Outdoor lighting shall be directed downward and shielded at the light source

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~~3. A Neighborhood Commercial Zone (NC) development shall not be established upon a tract of land which contains an existing non-conforming use unless the development planned for the tract includes the elimination of the non-conforming use or its integration into the planned development.~~

~~4. The Neighborhood Commercial Zone developments shall have an acceptable relationship to and further the purposes of the General Plan as determined by the Perry City Planning Commission. Refer to the Perry City General Plan for specific information.~~to minimize the illumination of adjacent property.

~~5. Outdoor lighting shall be directed downward and shielded at the light source to minimize the illumination of adjacent property.~~ Parking lots shall only be illuminated during the hours of operation. All lighting must meet UDOT requirements and specifications for use along Highway 89.

~~6~~3. Hours of operation and delivery times allowed shall be determined by the Design Review process or Conditional Use Ordinance (PMC 15.29) regulations with consideration for surrounding, existing uses.

HISTORY

Adopted by Ord. 15-C on 3/17/2015

~~15.07.060.8 Building Permit Issuance~~

~~The following are procedures for the issuance of building permits:~~

~~1. After proceeding through the Design Review or Conditional Use permit process and having met all requirements for recommended approval by the Planning Commission and final site plan approval by the City Council, the applicant or owner may apply for a building permit(s) and follow the regular procedure for the approval of the permit.~~

~~2. The final site plan shall be of a sufficient detail according to the Design Review Ordinance. No changes shall be made to the final site plan during the course of construction pursuant thereto without first obtaining prior approval of the Planning Commission and Building Inspector. Only changes which may be subsequently approved shall be added thereto.~~

~~3. Use and building permits shall be issued only for those uses and buildings indicated on the approved final development and /or site plan.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

~~15.07.060.9 Time Limitations~~

~~The following time limitations apply:~~

~~1. A building permit shall be secured and construction begun in accordance with the approved final development plan within eighteen (18) months from the final approval date or other period of time as determined by the City Council.~~

~~2. In the event that construction is not started within the specified time limits, the Planning Commission shall review the development plan and the progress which has taken place. If deemed necessary, a recommendation to revoke the plan approval may be issued to the City Council.~~

~~3. All construction authorized in the approved final development plan shall be completed within eighteen (18) months of the date construction commenced. A plan for the stage development which will require more than the time limits contained herein may be approved by the City Council after recommendation by the Planning Commission.~~

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~~4. In the event that construction is not completed within the time limits specified, the Planning Commission shall review the development which has taken place and if necessary, make a recommendation to the City Council as to the status of the development and actions necessary to ensure the completion of the development in a timely manner or removal of any structures or development that has taken place and revocation of the approval for such development.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

SECTION 15: **Amendment.** Section "15.07.100 " is hereby amended as follows.

...

The following abbreviations shall apply:

1. P Permitted Use
2. P* Permitted ~~by~~with ~~Design~~additional ~~Review~~specific ~~and Approval~~requirements.
3. C Conditional Use ... Conditional Use Permit~
4. ~Use not permitted

...

1. Sale of firearms ... ordinance has been adopted.
2. Minimum of fifty ... within designated storage units.
3. ~~In the NC2 and NC3 zones, only Single Family Dwellings existing as of December 11, 2008 will be permitted for Boarding, Bed and Breakfast as a Conditional Use. In the MU-C, MU-0, MU-R zones, this type of use will be permitted by Design Review.~~

~~4. For the CI Commercial Zone and the Mixed Use Zones, Professional Office Space may only occupy a maximum of 25 percent of the total floor space of any development.~~

~~5.~~ Please see PMC 15.31.020 for regulations pertaining to uses in the Aggregate Extraction Zone (AE).

HISTORY

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SECTION 16: **Amendment.** Section "15.07.110 " is hereby amended as follows.

15.07.110.1 Lot Requirements

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| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| Row | | Minimum Lot Width 2 | 200' | 150' | 120' | 80' | 60' | 80' | 80' | 80' | Design Review | Design Review |
| Design Review | | | | | | | | | | | |
| Row | PRIMARY BUILDING | Minimum Front Setback | 30' | 30' | 30' | 20' | 20' | 20' | 20' | 20' | 20' | 20' |
| Design Review | | | | | | | | | | | |
| Row | | Minimum Front Setback for ~~an~~**a** ~~Attached Garage~~**Garage5** | 25' | 25' | 25' | 25' | 25' | 25' | 25' | 25' | N/A | 25' |
| Design Review | | | | | | | | | | | |
| Row | | Minimum Rear Setback | 10' | 10' | 10' | 10' | 10' | 10' | 10' | 10' | Design Review | Design Review |
| 8' | | | | | | | | | | | | |

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| Row | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | Minimum Side Setback | 8' | 8' | 8' | 8' | 8' | 8' | 8' | 8' | Design Review | Design Review |
| 8' | | | | | | | | | | | |

...

2. The lot width ... maintained throughout the lot.

3. A 30' site ... clear views for traffic.

4. For Multi-family Dwelling Units the setback requirements ~~apply to boundaries of the development and~~ are not applied between connected dwelling units. Side setbacks to private streets, parking areas, and access drives shall be eight (8) feet. The lot area requirements do not apply to units owned separately (townhomes, condos).

5. Garage setbacks are applicable to the garage doors. Corner lots where the garage access is on the side of the lot shall have a minimum setback of twenty five (25) feet on the street side to the garage.

6. 'Double-wide' manufactured homes ... sq ft or greater.

7. Subject to design ... that are at least:

...

b. 25 feet, plus ... feet above grade; and

c. Any measurement is ... to the residential property.

8. Setbacks shall be measured to the foundation of the structure and will not be measured to eaves or roof overhangs. Attached porches, decks, landings, and other similar features shall comply with the setbacks requirements of this section unless they meet the definition and requirements for Allowable Features found in Utah Code 10-~~9a~~20-~~538~~623 or its successor statute.

9. Height shall be ... the lowest adjacent grade.

a. NC2 and NC3 ... road in Highway 89.

b. Multi-family Dwellings not ... (30) feet in height.

10. Bona fide agricultural ... (50) feet in height.

11. Any setback without a specified distance and subject to Design Review shall be determined by the applicable Land Use Authority. Residential development in these areas shall typically apply the setbacks of the R1 zoning district.

HISTORY

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SECTION 17: **Amendment.** Section "15.18.060 " is hereby amended as follows.

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Plant Material Requirements:

1. Three (3) Trees per 1000 Square Feet of required Landscape Area. Deciduous trees shall be

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two inch (2") caliper minimum size (multi-stem trees to be 20 gal. minimum size), conifers shall be six foot (6') minimum height.

a. For the purposes of this requirement a tree shall be defined as a woody perennial plant with a mature height of at least fifteen (15) feet and a mature width of at least ten (10) feet unless the tree is a columnar variety of a minimum mature height of twenty five (25) feet.

2. Six (6) Shrubs ... 2 gal. minimum size.

a. For the purposes of this requirement a shrub shall be defined as a woody or herbaceous perennial plant.

General Landscape Requirements:

...

SECTION 18: **Amendment.** Section "15.19.050 " is hereby amended as follows.

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The intent and purpose ... this Chapter is to:

1. ~~Insure~~Ensure functional, visually pleasing, and safe parking areas.
2. Regulate parking of ... vehicles in residential areas.
3. Regulate parking of ... vehicles used as dwellings.

...

3. Approval of any ... of the approved concept.
4. All proposed hard ... storm water impact fees.
5. ~~Design Review~~ Site Plan requirements shall be followed regarding graphic standards for review and will include detailed drawings of construction techniques, specifications, and grading and drainage patterns.
6. No required parking ... for any other building.

...

a. The layout shall ... two (2) stalls deep.

b. The garage door ... of sixteen (16) feet.

2. The dimensions inside the garage for each stall shall be at least ten (10) feet wide and twenty ~~two~~ (~~22~~20) feet long as measured to the inside of the finished interior walls.

HISTORY

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SECTION 19: **Amendment.** Section "15.21.020 " is hereby amended as follows.

15.21.020.1 City Engineer To ... Reject Proposed Installation Plan

The Perry City Engineer has the authority to accept or reject the proposed streetlight installation plan submitted ~~by sub-contractors. Sub-contractors must have an approved streetlight plan before beginning work in a proposed subdivision.~~as part of a Design Review process.

HISTORY

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Adopted by Ord. 15-C on 3/17/2015

~~15.21.020.3 Installation Of Decorative Lighting By Design Review~~

~~Installation of decorative lighting may be approved by design review of the Planning Commission.~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

15.21.020.4 Compliance With Public Works Standards Required

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SECTION 20: **Amendment.** Section "15.33.030 " is hereby amended as follows.

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Adopted by Ord. 15-C on 3/17/2015

~~15.33.030.4 Design Review And/Or Conditional Use~~

~~Home Occupations may require a Design Review and/or an approval of a Conditional Use Permit by the appropriate land use authority (see PMC 15.33.010.3 and PMC 15.05.040(4)(a), Item (59)(b).~~

~~HISTORY~~

~~Adopted by Ord. 15-C on 3/17/2015~~

15.33.030.6 Inspections

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SECTION 21: **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 22: **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**

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**PASSED AND ADOPTED** by Perry City Council this _____.

_____
KEVIN JEPPSEN, Mayor
Perry City

Attest:

_____
SHANNA JOHNSON, City Recorder
Perry City

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| 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 TOWN HALL

PERRY CITY OFFICES

February 19, 2026 6:59 PM

| | |
|---|---|
| OFFICIALS PRESENT: | Mayor Kevin Jeppsen, Council Member Dave Walker, Council Member Toby Wright, Council Member Blake Ostler, Council Member Ashley Young, and Council Member Nathan Tueller |
| OFFICIALS ABSENT: | None |
| CITY STAFF PRESENT: | City Recorder/Finance Director Shanna Johnson, City Administrator Bob Barnhill, Chief Scott Hancey, Public Works Director Zach Allen, Sergeant Dave Freeze and Deputy Recorder Misty Moesser |
| OTHERS PRESENT: | Stephanie Quintero, Jim Morris, Jill Jeppsen, Kim Barnard, Tom Murdock, Heidi Murdock, Aaron Nielsen, Brandon Doyle, Rachel Buechele, Koryann Freeze, Danny Driggs, Anna Ostler, Abbi Ostler and Mandi Shupe |
| ON-LINE: | None |

**ITEM 1: CALL TO ORDER**

Mayor Kevin Jeppsen called the meeting to order and welcomed those in attendance. He noted that the town hall was convened specifically to gather public input on the proposed unification of the Perry City Police Department with the Tremonton and Garland Police Departments. He clarified that all discussion should remain focused on that topic, and that a presentation from Chief Hancey would precede public comment. He also indicated that both police chiefs and council members would be available to respond to questions.

**ITEM 2: PRESENTATION**

A. **Possible Pilot Program to Explore Police Unification with Tremonton City**

Perry City Police Chief Scott Hancey delivered a presentation on the proposed unification, framing the discussion around two core problems: rapidly growing demand on public safety services and rapidly increasing costs. He noted that a single officer costs the city approximately $130,000 per year at minimum, covering wages, insurance, vehicles, and fuel.

Chief Hancey presented a five-year case count trend showing a steady increase in total calls and crime in Perry. He emphasized that Perry's officers handle a significantly higher caseload per patrol officer than the county average, largely due to the department's commitment to proactive policing. He also presented growth data showing 179 homes currently approved for construction and an additional 401 units pending approval — totaling approximately 580 new rooftops representing roughly a 23% increase over the city's current estimated 1,800 rooftops.

Chief Hancey outlined the proposed solution: an interlocal agreement (ILA) entering a pilot period of slightly over one year with Tremonton and Garland. He explained that during this period, a range of

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metrics would be measured, including officer availability, detective caseload, case clearance rates, sick leave, injuries, turnover rates, and response times. Results would be reported to the respective city councils on a monthly or quarterly basis. He stressed that the agreement is structured so that any city can withdraw if the pilot is not working.

On staffing, Chief Hancey presented a minimum staffing comparison showing that Perry currently maintains one officer per shift, while Tremonton maintains three. Under the proposed unification, Perry would have two officers assigned per shift and Tremonton would have four — effectively doubling Perry's on-duty coverage. He clarified emphatically that assigned officers would remain in their respective cities and would not routinely travel between Perry and Tremonton; mutual aid movement would only occur in extraordinary circumstances, as it already does under existing informal arrangements.

Three options were presented for the council's consideration:

**Option 1 — Unification:** Enter the interlocal agreement at an estimated additional cost of approximately $98,000 per year to align Perry City officer pay with Tremonton's pay scale. Chief Hancey noted this was the most cost-effective path forward, providing expanded resources, access to specialty units (SWAT, canine, school resource officer expertise, expanded investigations), improved officer retention through career advancement opportunities, and doubled patrol coverage.

**Option 2 — Hire Additional Officers Independently:** Hire two or more officers and set a staffing goal independently. Chief Hancey cautioned this would be an escalating year-over-year cost burden, and that two officers alone would be insufficient to address the city's growing needs.

**Option 3 — Do Nothing:** Maintain the status quo. Chief Hancey warned this would negatively affect officer resilience, morale, and retention, and would ultimately compromise the department's ability to remain proactive rather than purely reactive.

Tremonton/Garland Police Chief Dustin Cordova was also present and indicated he would respond to questions as they arose. Mayor Jeppsen added context, noting that the proposal emerged organically from an existing positive working relationship between the two departments rather than from a top-down mandate, which he believed gave it the best chance for success.

**ITEM 3: PUBLIC COMMENTS REGARDING PILOT PROGRAM TO EXPLORE POLICE UNIFICATION WITH TREMONTON CITY**

Mayor Jeppsen opened the floor for public comment.

**Jim Morris** expressed support of the unification and strong support for the Perry City Police Department and emphasized the importance of maintaining Perry’s community-oriented policing presence, particularly at local schools.

**Heidi Murdock** raised financial concerns regarding the cost comparison between options and questioned how combining two departments would immediately improve staffing. She expressed concerns about the cost, coverage, and whether Brigham City would enter into the unification at a later date.

**Danny Driggs** supported increasing officer pay and asked about the possibility of contracting with the county sheriff; it was noted that this option had previously been explored through Garland City and found to be more costly.

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**Stephanie Quintero** expressed concern about potential cultural shifts and the difficulty of reversing consolidation after a trial period. Officials reiterated that the one-year pilot allows the city to evaluate outcomes before making a permanent decision. She expressed concern about Perry receiving the same service level as Tremonton and about Perry losing resources.

**Aaron Neilsen** questioned the need for a formal agreement rather than continuing mutual aid and suggested simply raising wages. He shared experiences with mutual aid concerning responses to his business. The chiefs explained that guaranteed staffing and career development opportunities that would be available with an ILA would support both officer safety and retention.

**Kim Barnard** voiced concerns about the proposed change in leadership structure and officer familiarity with Perry. She also shared concern with the new officers finding addresses in Perry. The chiefs explained that local representation would remain in leadership and that officers would be assigned by jurisdiction.

**Brandon Doyle** asked clarifying questions regarding workload data, pilot metrics, and risk exposure. He shared concerns with resource allocation. The chiefs confirmed that response times and other performance data would be tracked and reported throughout the pilot.

**Council Member Young** asked about investigative resources and school resource officer access and later expressed appreciation for the evident community pride in the Perry Police Department.

**Tom Murdock** questioned whether geographic distance between cities would limit effectiveness and asked about SWAT structure. The chiefs emphasized guaranteed two-officer coverage in Perry and noted regional resource discussions are ongoing.

Council members reiterated that no decision has been made and that public input will factor into the Council's final determination.

Mayor Jeppsen thanked everyone for coming to the meeting and his appreciation to those that shared their questions and concerns.

**ITEM 4: ADJOURNMENT**

**MOTION**: Council Member Tueller made a motion to adjourn the meeting.

**Motion Approved. All Council Members were in favor.**

The meeting adjourned at 8:52 PM.

_____ _____

Kevin Jeppsen, Mayor Shanna Johnson, City Recorder

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Misty Moesser, Deputy Recorder

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PERRY CITY COUNCIL MEETING
PERRY CITY OFFICES
February 26, 2026 7:01 PM

| | |
|---|---|
| OFFICIALS PRESENT: | Mayor Kevin Jeppsen, Council Member Dave Walker, Council Member Toby Wright, Council Member Blake Ostler, Council Member Ashley Young, and Council Member Nathan Tueller |
| OFFICIALS ABSENT: | None |
| CITY STAFF PRESENT: | City Recorder/Finance Director Shanna Johnson, City Administrator Bob Barnhill, Chief Scott Hancey, Public Works Director Zach Allen, Sergeant Mark Jordan, Public Works Employee Taylor Clark, City Attorney Bill Morris and Deputy Recorder Misty Moesser |
| OTHERS PRESENT: | Jacob Andrew, Travis Moesser, Brett Jones, Jason Garn and Evelynn Garn |
| ON-LINE: | None |

**ITEM 1: CALL TO ORDER**

Mayor Jeppsen welcomed everyone and called the City Council meeting to order.

**ITEM 2: PROCEDURAL ISSUES**

**A. Conflict of Interest Declaration**

None

**B. Appointments**

a. **Flood Control Appointments- Chairman & Vice Chairman**

City Recorder Shanna Johnson provided information about the flood control board appointments. She indicated that Kevin Pebley would be serving as chairman, with Mike Harper as vice chairman. Ms. Johnson explained that all appointees had previously served on the board and were simply changing positions. Bryce Thurgood, the former chairman, had moved, creating the need for Kevin Pebley to move into the chairman role. She noted that Mike Harper had been an active board member and would serve well in the vice chairman position.

Council Member Wright, who also serves on the flood control board, expressed confidence in the appointments, stating they would represent the City and County well. He noted that there were good projects ongoing with the board.

**MOTION**: Council Member Wright made a motion to appoint Kevin Peeley as Chairman and Michael Harper as Vice Chairman of the Box Elder and Perry City Flood Control Board. Council Member Tueller seconded the motion.

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**ROLL CALL:** Council Member Walker, Yes
Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Young, Yes
Council Member Ostler, Yes

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

**ITEM 3: PRESENTATIONS**

**A. Flood Control Board Report**

Matt Robertson from Jones and Associates presented a comprehensive report on the Perry City/Box Elder County Flood Control District activities. Mr. Robertson explained that he had been working with the flood district for approximately 9-10 years and provided historical context about the district's formation following the 1984 flooding.

Mr. Robertson detailed the district's responsibilities for managing flood control on main tributaries including Perry Canyon, Evans Canyon, and Mathias Canyon. He explained that the district coordinates closely with the City and public works on yearly maintenance projects to clean debris basins and drainages.

The presentation covered recent major projects, including the expansion of the Evans Canyon debris basin completed in 2023 at a cost of $50,000, which increased capacity by 2.5 times. A significant new debris basin was constructed in Mathias Canyon, completed in November 2024 for approximately $500,000. This project addressed a critical concern about debris flow protection for homes built in the area since the 1990s.

Mr. Robertson provided historical photographs showing flood damage from 1984 and infrastructure improvements made over the years, including the piping of 3 Mile Creek in 1985-86 with 60-inch diameter pipe to prevent future flooding issues.

Council Member Walker inquired about maintenance responsibilities for drainage diversions near 2400 South, particularly regarding clearance of culverts under the canal. Mr. Robertson acknowledged this hadn't been on their maintenance radar but agreed to bring it to the board's attention for future consideration.

Council Member Tueller asked about the drainage path from Mathias Canyon, and Mr. Robertson explained the dual routing system that allows water to either go to Evans Canyon or west toward existing storm drainage systems.

**B. Annual Trainings**

**a. Open Meetings Act**
**b. Ethics and Rules of Procedure**
**c. Work Conduct**

City Attorney Bill Morris provided annual training on the Open Meetings Act, ethics, rules of procedure, and workplace conduct. He reviewed the purpose and key provisions of the Open Meetings Act, including definitions of a meeting and quorum, public notice requirements, minutes and recording standards, criteria for closed meetings, and enforcement provisions, emphasizing that no final action may be taken in a closed session.

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He also briefly reviewed ethics standards, including the longstanding $50 gift limit.

The workplace conduct portion addressed protected classes under federal and state law, relevant legislation such as Title VII and the ADA, types of sexual harassment, workplace violence awareness, complaint procedures, and reporting expectations.

**ITEM 4: ACTION ITEMS**

**A. Ordinance 25-Q Amended Zone Change Request from Agricultural to R 1/3 located at approximately 1472 W Davis Drive, Parcel #s 03-157-0119, 03-124-0156 & 03-157-0124; Applicant: Brett Jones**

City Planner Bob Barnhill presented the zone change request for three properties totaling about 28 acres, seeking to change from agricultural zoning to R1/3 (one-third acre residential). He explained this was a simplified version of a previous application that had included a development agreement.

Mr. Barnhill detailed the current zoning context, showing agricultural zoning in the area with residential development to the south. He noted that utilities are available along 2250 South, but access limitations would restrict development to 30 total residential units under current fire code requirements.

The staff report highlighted code section 15-7-80.2, which encourages conservation of open space and limits the highest density residential zone for map amendments to RE-1/2 or R-1/2, unless the City Council approves an exception at its sole discretion. He shared that Planning Commission had recommended approval with a 5-1 vote, implementing this exception language.

Council Member Blake Ostler questioned what justification planning commission found for granting the exception. Planning Commissioner Travis Moesser explained that the developer stated there was no market for larger lots and that smaller lots were needed for affordability, which seemed reasonable to the commission.

Council Member Walker noted his previous support for the conservation subdivision approach that had been proposed earlier, which included trails, parks, and other amenities that would benefit the City. He expressed concern about losing those benefits with a straight zone change.

Council Member Tueller supported the fee-in-lieu approach given the proximity to Dale Young Park, but preferred ensuring density didn't go below current policy standards to maintain compatibility with neighboring properties.

Developer Brett Jones explained his pivot from the conservation subdivision approach due to access limitations and uncertainty about community support for that approach. He indicated willingness to pursue conservation subdivision with fee-in-lieu if that was the Council's preference but expressed concern about additional fees making the project economically unfeasible.

After extensive discussion about various approaches including development agreements, conservation subdivisions, and fee-in-lieu arrangements, the Council reached consensus on pursuing a conservation subdivision approach with R1/2 base zoning allowing quarter-acre lots with fee-in-lieu payments similar to the West Meadows development.

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The application was tabled to allow the developer to work with staff on a revised proposal incorporating the council's direction for a conservation subdivision approach with appropriate fee-in-lieu provisions.

### B. Resolution 2026-04 Interlocal for United Policing Services Between Tremonton City and Perry City

Mayor Jeppsen explained that questions and comments from the recent town hall meeting and website submissions were being compiled and reviewed. Since Tremonton City had not yet taken action on this item, he proposed tabling the resolution to allow time to address the issues raised by residents.

The resolution was tabled until the next meeting to allow for review of public input and coordination with Tremonton City's action on the matter.

### C. Resolution 2026-06 Amending Perry City Policies Regarding Retirement Savings Plans and Approving a Utah Retirement Systems Service Agreement

Ms. Johnson explained that URS was introducing two new Roth savings plans (Roth 401k and Roth 457) that would allow employees to contribute post-tax dollars that would grow tax-free for retirement withdrawals. The city already offered traditional 401k and 457 plans but not the Roth versions.

Ms. Johnson clarified that this would provide additional employee benefits without new costs to the City. The existing 2% employer match on 4% employee contributions would continue, with employer contributions going to traditional accounts while employee Roth contributions would be post-tax.

Council Member Ostler asked about the difference between 401k and 457 plans, with Ms. Johnson explaining that 457 plans offer more withdrawal flexibility. He also confirmed that the employer match percentages would remain the same regardless of which plan employees chose.

**MOTION**: Council Member Wright made a motion to approve Resolution 2026-06 with the correction of the date from 2019 to 2026. Council Member Walker seconded the motion.

**ROLL CALL:** Council Member Walker, Yes
Council Member Wright, Yes
Council Member Tueller, Yes
Council Member Young, Yes
Council Member Ostler, Yes

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

## ITEM 5: MINUTES & COUNCIL/MAYOR REPORTS (INCLUDING COUNCIL ASSIGNMENTS)

### A. Approval of Consent Items

- February 7, 2026 City Council Retreat Meeting Minutes
- February 12, 2026

**MOTION**: Council Member Wright made a motion to approve the consent items. Council Member Tueller seconded.

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**All Council Members were in favor.**

**Motion Approved.**

### B. Mayor's Report

Mayor Jeppsen noted that Perry City had been featured frequently in the Box Elder News Journal recently, with generally positive coverage. He mentioned being slightly misquoted regarding the city's position on the fire contract with Brigham City, but indicated it was minor.

### C. Council Reports

Council Member Walker reported positive progress on bike park sponsorships, with good response from local businesses and organizations. He expected to provide budget figures to the City Recorder within a couple of weeks.

Council Member Wright commented on the flood control presentation, noting it provided valuable historical context. He mentioned there were additional projects being considered for the next year or two and confirmed that the drainage issues raised by Council Member Walker would be addressed by the flood district.

### D. Staff Comments

None

### E. Planning Commission Report

Planning Commissioner Travis Moesser reported on the February 5th meeting discussion of Ordinance 26-B, an omnibus amendment to land use code that was primarily administrative in nature to align with current state code updates. The Commission reviewed changes to flag lot requirements, tree definitions, streetlight and parking requirements, and ADU maximum square footage caps.

He shared that the Commission also received open meetings training from legal counsel and discussed development agreement priorities for fee-in-lieu funds, including cemetery land or funding, strategic park improvements, open space preservation, and trail improvements.

Commissioner Moesser noted their next meeting had been canceled and the Commission would convene again in April.

## ITEM 6: CLOSED SESSION

Not needed

## ITEM 8: ADJOURNMENT

**MOTION**: Council Member Walker made a motion to adjourn the meeting.

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**Motion Approved. All Council Members were in favor.**

The meeting adjourned at 8:59PM.

Kevin Jeppsen, Mayor

Shanna Johnson, City Recorder

Misty Moesser, Deputy Recorder

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