

City of Elwood Town
Planning Commission

April 28, 2026 work meeting minutes

The Board of the Planning Commission of Elwood Town met at the Elwood Town Hall, 5235 West 8800 North, Elwood, Utah, at 7:00 PM on Tuesday, April 28, 2026.

Planning Commission members were present, constituting a quorum: Britton Hayden, Quinn Hamson, Isaac Walker, and Keenan Haramoto.

Town Council members present: Scott Goodliffe(Town Mayor), Mark Lay, Brian Davis, Phil Shimek, and Curtis Crouch.

OTHERS PRESENT: Chris Crockett(Town Attorney), Gina Marble(Town Clerk), Karolina Munns(Planning Commission Secretary), Talsan Schulzke(Zoning Administrator) Jones & Associates, Zack Pali.

Welcome

Chair Hayden called the meeting to order at 7:00 PM and confirmed a quorum was present. The meeting was convened as a work meeting with Elwood Town Council members participating jointly.

Public Comment

Zack Pali, current resident, commented regarding opposition to a data center.

Commission Business

No commission business items were presented.

Executive Work Meeting

Discussion Item A: Training with Attorney, Christopher Crockett, Elwood Attorney, Rezoning Elwood with Elwood Town Councilmen

Town Attorney Christopher Crockett provided an overview of the legal framework governing the citywide rezone process. He distinguished between administrative land use actions — which offer limited discretion and require approval if an application complies with existing code — and legislative actions such as zoning map amendments, which afford the Planning Commission and Town Council significant discretion. He emphasized that legislative decisions

will be upheld if they are reasonably debatable as advancing the purposes of land use regulation and do not violate applicable law.

Attorney Crockett outlined the statutory rezone process: the Town Council must formally refer the matter to the Planning Commission; required notices — including mailed notice to affected property owners — must be issued; written public comment must be accepted; and at minimum one public hearing at the Planning Commission must be held. The Town Council retains discretion to add open houses or additional public hearings beyond the statutory minimum.

Key legal points addressed included:

- Existing legal nonconforming uses are protected by law (Utah Code 10-21-003 and Elwood Town Code 155.08). A change of zone does not extinguish a lawfully established existing use, though owners cannot expand, alter, or abandon that use without implications.
- Vested rights arise only upon submission of a complete land use application. No constitutional right attaches to a speculative or future intended use.
- The Town Council, without referral to the Planning Commission, may adopt a temporary land use regulation (moratorium) lasting up to 180 days to pause new applications while the rezone is finalized. Attorney Crockett noted the moratorium can be tailored in scope and ended early if no longer needed.
- The Commission and Council were advised to ground their decisions in evidence and the adopted General Plan, and to resist pressure to deviate without sound rationale. Attorney Crockett noted that the two-year-old General Plan, developed with extensive public involvement, provides strong support for the rezoning effort.
- Regarding illegal existing uses, Attorney Crockett advised that enforcement should be treated as a separate process from the rezone, cautioning against selective enforcement, which could create legal liability.

Discussion Item B: Review Updated Zoning Map

The Commission and Council reviewed the third iteration of the proposed citywide zoning map, prepared by the town's zoning administrator, Talsan Schulzke. The following determinations and corrections were made:

MPC (Master Planned Community) Zone: The MPC zone, previously repealed as an available option for future development, was confirmed to be preserved as a special overlay zone for Sunset Vista Subdivision (Phases 2 through 4), where it was lawfully established. The language in the draft ordinance was corrected to reference phases 2 through 4 rather than phase 2 alone, consistent with the approved multi-phase subdivision plan and existing infrastructure. It was noted that the MPC application process — though still appearing on the town website — has been repealed, and the website should be updated accordingly.

Zone Renaming — Aggregate Density Zones: The former RD-1 and RD-2 zone designations were renamed for clarity. The Commission adopted the following naming structure: Single Family Residential Half-Acre (R-1-20), Single Family Residential Full-Acre (R-1-40), Residential Half-Acre Aggregate Density(AD-20), and Residential Full-Acre Aggregate Density(AD-40). The existing Clearview Subdivision zoning was confirmed to be relabeled as AD-20. These renaming decisions were supported by the Commission.

Specific Parcel Corrections:

- A residential property in the south end of town (approximately 4.23 acres) previously shown as agricultural was corrected to R-1-40 residential, as it fell just below the five-acre agricultural minimum.
- A commercially used property on State Road 13 (identified as Matt Price's repair business) was confirmed as legal nonconforming C-2, as it includes both a residence and active commercial operations.
- A greenhouse/nursery property (Roche property) was confirmed to consist of two separate parcels: the front parcel designated residential and the western parcel designated agricultural, consistent with the recorded plat notation of "agricultural use only."
- The JC's property was confirmed to remain C-1, reflecting its primary use as a restaurant, with the associated parking area treated as part of the same parcel.
- An onion shed parcel of approximately 3.2 acres — below the five-acre agricultural minimum — was confirmed to remain designated agricultural as a nonconforming use, consistent with its established and legally permitted agricultural operation, which includes seasonal retail sales under a business license.
- A split-zoned parcel near 4400 West and 10000 North was corrected so the entire parcel adjacent to the road is designated residential, eliminating the zone split.
- The Powerline Road corridor was discussed; it was agreed to leave it designated commercial as no better classification was identified.
- Several undeveloped residential lots that have been farmed but where no land use applications have been submitted were discussed. The Commission's working position is to classify these as agricultural, consistent with current use, with the understanding that property owners wishing to develop residentially would submit a rezone application (subject to a fee) when ready to proceed.

General Plan as Basis: Attorney Crockett and Zoning Administrator Schulzke both emphasized that the proposed zoning map is grounded in the town's General Plan, which was adopted approximately two and a half years ago through an extensive public participation process. The rezoning effort implements what residents already requested through that process.

Website Housekeeping: Talsan Schulzke raised a concern that the town website lists older maps as "related documents" to the General Plan, potentially causing confusion. It was agreed to add a header labeling those as "Historical Documents" to distinguish them from the current General Plan. The Town Clerk indicated she would address this immediately.

Noticing and Mailing: Talsan Schulzke confirmed that a list of all property owner mailing addresses would be prepared from county GIS data to facilitate required public notices by the Town Clerk. Also a Q&A document addressing anticipated public questions, and outreach materials was discussed as being prepared and distributed together with noticing.

Timeline Discussion: Commission Chair Hayden proposed an aggressive but achievable schedule: Talsan Schulzke estimated that ordinance language and map revisions would be complete within approximately two weeks (by approximately May 12). An open house was proposed for late May or early June, followed by a public hearing in June (targeting the week of June 15 or June 22). A recommendation to the Town Council could potentially follow in July. The Commission agreed to aim for this schedule and to confirm details at the following week's meeting.

Discussion Item C: Review/Discuss City Code Update Drafts to Support Citywide Rezone in Elwood Town Ordinance

The Commission reviewed the draft code language prepared to support the citywide rezone, including provisions for the MPC overlay, aggregate density zones, floodplain overlay, and zone renaming. The floodplain overlay was confirmed to be a federally defined designation (FEMA/PA) that the town incorporates by reference and cannot modify. It was agreed that this item would be incorporated into the single combined public hearing process rather than noticed separately.

Attorney Crockett noted that Elwood currently lacks a codified rezone procedure ordinance — only a rezone application form exists. Action: Attorney Crockett agreed to provide a draft rezone procedure ordinance for adoption, modeled on similar ordinances he has prepared for other municipalities.

Discussion Item D: Review Transient Tax Language Added to Elwood Town Ordinance

The Commission briefly reviewed proposed transient room tax (TRT) language, described as a simplified adaptation of the Tremonton ordinance. The commission discussed, there is no immediate urgency. It was agreed to defer noticing and formal action on this item to the following month. Attorney Crockett noted that TRT revenues may be directed to the general fund and/or specific eligible uses depending on the applicable rate tier, and offered to clarify the statutory restrictions.

Adjourn Meeting

There being no further business, the meeting was adjourned at about 9:10 PM.