

City of Elwood Town Planning Commission

July 7, 2026 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, July 7, 2026.

The following members were present constituting a quorum: Britton Hayden, Erika Bywater, Isaac Walker, Quinn Hamson and Keenan Haramoto.

OTHERS PRESENT: Talsan Schulzke(Zoning Administrator) Jones & Associates, Phil Shimek(Town Council Rep), Karolina Munns(Planning Commission Secretary),Ruben VanTassell, Tim Abel, Shawn Croney, Keri VanTassell, Aven VanTassell, Jaice VanTassell, Janet Karren, Robert Karen

Welcome/Prayer/Pledge

Commission Chair Britton Hayden called the meeting to order at 7:00pm. The invocation was offered by Commissioner Hamson, followed by the Pledge of Allegiance led by Commissioner Bywater.

Minutes

The June 2, 2026 meeting minutes were presented for review. No corrections or edits were submitted by Commissioners.

Motion to approve the June 2, 2026 meeting minutes was made by Commissioner Hamson and seconded by Commissioner Walker. The motion carried unanimously.

Town Council Update

Town Councilman Phil Shimek reported on the most recent Town Council meeting. He noted that the council approved the revised FY 2025–2026 budget based on actual spending, as well as the FY 2026–2027 budget. He also reported that the mayor had requested authorization to continue discussions with the City of Tremonton regarding a potential annexation arrangement. The mayor's request, which centered on proposed annexation of several parcels near the cemetery, along Rocket Road, and near the Maverick station, failed by majority vote. The prevailing opinion among the council was that continuing those discussions could imply a willingness to cede Elwood territory, which was not considered to be in the town's interest.

Zoning Administrator Update

Zoning Administrator Talsan Schulzke provided a brief update on the ongoing rezone initiative, noting that two open houses had been held with good

attendance and productive discussion. The open houses surfaced several inconsistencies in the application of the proposed rezone map, which were compiled for review and addressed later in the meeting under the Work Meeting agenda. Zoning Administrator Schulzke also confirmed that one written objection had been submitted via the public Google Form prior to either open house, and that the objection period remains open through July 31.

Public Comment

Commission Chair Hayden opened the floor for public comment on items not on the agenda, with speakers allotted up to three minutes.

Resident Janet Karren addressed the commission regarding a concern about a neighbor's business operating in a residential zone. She stated that she and surrounding residents had heard the neighbor may be seeking a building permit for a structure approximately 200 feet by 80 feet to be placed near the property boundary. She noted a history of the neighbor characterizing what she believes to be a commercial enterprise as a hobby, and asked the commission to be aware of the situation and any forthcoming permit application. Commissioner Hayden acknowledged the comment and noted the commission would take the information and follow up.

No other public comments were received. Commission Chair Hayden closed the public comment period.

Public Hearing

New Elwood Town Ordinance Transient Tax

Motion to open the public hearing on the New Elwood Town Ordinance Transient Tax was made by Commissioner Hamson and seconded by Commissioner Haramoto. The motion carried unanimously.

Zoning Administrator Talsan Schulzke summarized the proposed ordinance, explaining that the State of Utah adopted revisions to its code earlier in the year affecting how municipalities may impose transient room taxes. The proposed ordinance would amend Elwood Town's municipal code to establish a 1 percent transient room tax applicable to hotels, motels, RV parks, bed and breakfasts, vacation rentals, Airbnb and VRBO-type accommodations, campgrounds, trailer courts, resort homes, and similar lodging accommodations serving guests for 30 days or less. Zoning Administrator Schulzke noted that the ordinance includes provisions to prevent double taxation by the city and county, and that the State Tax Commission would serve as the town's collection agent. Commission Chair Hayden noted that the ordinance was requested by Mayor Goodliffe and the Town Council, particularly in anticipation of the forthcoming town campground opening, and that it would apply equally to any existing or future short-term lodging operations in town. The language of the ordinance was adapted from existing Tremonton municipal code.

Commissioners raised questions regarding enforcement. Town Councilman Shimek noted that the approved FY 2026–2027 budget includes a line item for hiring an enforcement officer. Zoning Administrator Schulzke explained that

business licenses would serve as the primary trigger for identifying operators subject to the tax, and that platforms like Airbnb and VRBO also carry their own compliance obligations. Commission Chair Hayden directed members to Section D of page 2 of the draft ordinance, which outlines the State Tax Commission's role as collection agent. Discussion also clarified that the tax is restricted by state law to uses tied back to services provided—primarily infrastructure such as roads, water, and sewer—and is not a general revenue mechanism.

Public Comment during the Hearing:

Resident Robert Karren addressed the commission, expressing support for the concept while raising concerns about enforcement and the ability to identify operators who may not obtain a business license. He also inquired whether municipal park facilities such as Peterson Park, which charge camping fees, would be subject to the tax. Commissioners indicated that the "public accommodation" and "30 days or less" definitions in the ordinance would guide applicability, and that private family rental arrangements would not be covered. Mr. Karren also asked about the intended uses for funds collected under the tax. Commission Chair Hayden explained that state law restricts use to services related to the accommodations being taxed, such as sewer, water, and road infrastructure.

Motion to close the public hearing was made by Commissioner Walker and seconded by Commissioner Hamson. The motion carried unanimously.

Work Meeting

Training by Planning Commission Chair Britton Hayden and Zoning Administrator Talsan Schulzke

Commission Chair Hayden conducted a training review for Commissioners covering the planning commission's role as an advisory body with specific areas of direct authority. Key points included:

- The commission serves as an advisory body to the Town Council for items such as ordinance recommendations, but holds direct approval authority for conditional use permits and subdivision preliminary plats under state-mandated changes adopted in 2024.
- The 2024 state code changes removed the Town Council from the subdivision approval process; the planning commission was retained voluntarily as part of the preliminary review.
- For conditional use permits, the commission may only apply conditions already enumerated in Town Code (sections 155.106 and 91.16 regarding nuisances), and may not impose conditions outside those provisions.
- The commission's procedural standard under Robert's Rules of Order requires a motion and second before discussion on each action item.
- Zoning Administrator Schulzke emphasized that the commission's role in evaluating conditional use permits is to determine what conditions, if

any, are necessary to serve the town's best interest, and that the default posture should be "how do we get to yes."

Commission Business

Action Item A: Recommend to Town Council – New Elwood Town Ordinance Transient Tax

Following the public hearing and training, the commission considered recommending the proposed transient room tax ordinance to the Town Council.

Motion to recommend to the Town Council the New Elwood Town Ordinance regarding the Transient Tax was made by Commissioner Hamson and seconded by Commissioner Walker. The motion carried unanimously.

Action Item B: Conditional Use Permit Approval – Major Home Occupation – Creamery, Ruben VanTassell

Zoning Administrator Schulzke introduced the item, explaining that applicant Ruben VanTassell had applied for a Conditional Use Permit (CUP) to operate a small-scale creamery as a major home occupation in an accessory structure on his residential property. The land use authority had reviewed the application and found the intended use fell within the major home occupation standards under Town Code. The structure's shell had been previously constructed under a building permit issued in July 2020, and Mr. VanTassell sought CUP approval before completing the interior and applying for a new building permit.

Applicant Ruben VanTassell provided extensive background. He described himself as a third-generation dairy farmer whose creamery concept has been in development since 2004. Mr. VanTassell outlined the construction history, noting delays attributable to the COVID-19 pandemic, and described the facility as a 36-by-48-foot insulated concrete form structure with heated floors, underground plumbing, a septic system, and a small refrigerated lobby for limited on-site retail sales.

Commissioner Hamson reviewed relevant provisions of the major and minor home occupation standards under Town Code, seeking clarification on several points; Outdoor use: Mr. VanTassell confirmed no outdoor yard space would be used for business operations. Odors: Mr. VanTassell explained that the enclosed nature of the facility and the strict regulatory requirements of the PMO would effectively contain any odors within the structure. Hours of operation: Mr. VanTassell confirmed he could comply with the 6:00 AM to 10:00 PM operating hours. Commission Chair Hayden noted that adherence to those hours was primarily a neighborhood concern related to traffic and noise. Employees: Mr. VanTassell confirmed this is intended as a family operation. The major home occupation standards allow up to six employees including the owner. Traffic: Mr. VanTassell indicated the operation would not exceed the code maximum of 10 customers per hour or 20 average daily trips in a 24-hour period.

Commissioner Hamson noted that the permitted home occupation categories in the code—including direct sales distribution and garden produce—encompass

aspects of the proposed use. No additional conditions beyond the existing major home occupation standards were identified or proposed by the commission.

Motion to approve the Conditional Use Permit for a major home occupation creamery as presented by applicant Ruben VanTassell was made by Commissioner Hamson and seconded by Commissioner Haramoto. The motion carried unanimously.

Zoning Administrator Schulzke noted that the appropriate CUP documentation would be prepared. The approval carries no conditions beyond adherence to the existing major home occupation standards already established in the Town Code.

Action Item C: Riverbend Subdivision Phase 2 Preliminary Approval, Blake Taylor, presenter

Zoning Administrator Schulzke reported that the administrative land use authority had reviewed the Riverbend Subdivision Phase 2 plat and plans through two review cycles and found them sufficiently ready for commission consideration. The subdivision consists of three lots (Lots 14, 15, and 16) located south of Riverbend Road adjacent to Hanson Park. Two outstanding engineering items remained under active resolution: (1) the applicability of the geotechnical report prepared for Phase 1, and (2) the stormwater management approach for the three lots. The town engineer, Shane Taggart, had reviewed the Phase 1 geotechnical report and indicated it addresses landslide conditions along the new subdivision's frontage, but requested either a memo from the original engineering firm (CMT) confirming the report's continued validity, or additional analysis. On stormwater, Engineer Taggart expressed a preference for discharging to the existing north pond in Riverbend Phase 1 rather than creating individual lot-level detention basins, though topographic constraints make that approach difficult.

The applicant's engineer, who appeared on behalf of applicant Blake Taylor, explained that the three lots are downhill from the Phase 1 retention pond, making gravity discharge to that pond infeasible. The proposed alternative involves a detention pond on Lot 16 to capture roadway and lot runoff, with swales along the property lines of Lots 14 and 15 to manage on-site drainage independently. He acknowledged that the applicant likely intends to sell the entitled lots rather than build on them, creating some complexity in determining long-term stormwater maintenance responsibility.

Commissioners raised concerns about flooding and groundwater, noting a history of basement flooding in nearby subdivisions attributable to rising groundwater rather than surface runoff. The applicant's engineer acknowledged the concern and noted that Tremonton has adopted a practice of placing notes on plats advising against basements in areas with shallow groundwater. Zoning Administrator Schulzke noted that the current plat includes a note requiring the lowest habitable floor elevation to be no less than level with the center of the adjacent road pavement, unless a geotechnical report indicates otherwise.

Commissioner Hamson indicated that while approving the preliminary plat, the commission expected the engineer's outstanding comments—particularly on the geotechnical report—to be satisfactorily resolved during final plat review.

Motion to approve the Riverbend Subdivision Phase 2 preliminary plat, with the condition that the applicant satisfy the requirements of the town engineer regarding stormwater and the geotechnical report, was made by Commissioner Hamson and seconded by Commissioner Walker. The motion carried 3 ayes and 1 nay. Motion Passed.

The dissenting Commissioner Bywater expressed continued hesitation regarding stormwater and flooding protections for future homeowners.

Action Item D: Ralph Abel Subdivision Preliminary Approval, Tim Abel, presenter

Zoning Administrator Schulzke reported that the administrative land use authority had reviewed the Ralph Abel Subdivision through two review cycles. The subdivision is a single-lot subdivision separating a 1.43-acre residential parcel containing an existing home from the surrounding farm property. The majority of review comments were clerical in nature and did not preclude preliminary approval. The one substantive item was a required adjustment to the proposed lot line to bring the existing structure into conformance with the 20-foot side yard setback. Zoning Administrator Schulzke confirmed that the adjacent land is owned by the same family, making the lot line adjustment feasible.

Applicant representative Tim Abel appeared on behalf of the applicant. He explained that the family had relocated his parents to the farm property approximately 15 to 16 years ago, and following their passing, he wished to purchase the home separately from the remaining farm acreage, which would be held in an LLC among family members. Mr. Abel confirmed to adjust the lot line to meet the setback requirement and would verify that the adjustment was reflected in the submitted documents. He also noted that a ditch on the property is partially piped and would not be moved at this time, with the expectation of full piping if additional lots are subdivided from the property.

Commissioner Hamson raised questions regarding fire hydrant proximity requirements and sewer connection obligations. Public Works Supervisor Steve Woerner confirmed that the adjacent ditch is a private ditch not associated with any water conveyance company, and therefore does not trigger piping requirements under the town's ordinance. Administrator Schulzke noted that town sewer infrastructure does not extend to the property, and that the existing residence is on a private septic system. Town Public Works representative Steve Woerner, as a member of the administrative land use authority, had reviewed the application without additional infrastructure concerns.

Motion to approve the Ralph Abel Subdivision preliminary plat, with the condition that the applicant meet all comments identified in the Zoning Administrator's review memo and satisfy applicable engineering standards, was made by Commissioner Hamson and seconded by Commissioner Walker. The motion carried unanimously.

Work Meeting

Discussion Item A: Revise the proposed amended zoning map based on inconsistencies pointed out at the open houses

Commission Chair Hayden introduced the discussion, explaining that the open houses had surfaced inconsistencies in the proposed amended zoning map. The commission confirmed that no re-noticing is legally required to make corrections at this stage, as the public hearing has not yet been held. The commission agreed to notify affected property owners of any changes as a courtesy, even though not legally required to do so.

Zoning Administrator Schulzke led the commission through 26 individual parcel cases. The commissioners discussed each parcel.

Discussion Item B: Discuss rubric for considering Rezone Written Objections/Public Hearing Verbal Objections

This discussion item was not reached due to time constraints. Commission Chair Hayden proposed scheduling a work meeting at the August public hearing to address the rubric at that time, with the understanding that the scope of the rubric may depend on the volume of objections received. The commission concurred with this approach.

Discussion Item C: Final discussion of Section 150 ordinances stating timely completion of developments, Commission Hamson

This discussion item was not reached due to time constraints and was not addressed at this meeting.

Adjourn Meeting

Motion to adjourn was made by Commissioner Hamson and seconded by Commissioner Walker. The motion carried unanimously.

The meeting was adjourned at 9:42pm.