



60 West Main Street  
Hyrum, Utah 84319  
Ph. (435) 245-6033  
www.hyumcity.gov

## Staff Evaluation

### First Review

**Application:** Bryan Jorgensen, Kilgore Companies – To seek site plan approval for a previously constructed weir system and wastewater discharge located at 410 North 800 East.

**Application Number:** 25-026  
**Preparation Date:** October 3, 2025  
**Applicant name:** Bryan Jorgensen, Environmental Director – West Region  
**Property Owner:** LeGrand Johnson Construction Company  
**Property Address:** 410 North 800 East  
**Parcel Number:** 01-003-0081  
**Parcel Area:** 3.00 Acres

**Planning Commission:** October 9, 2025 Regular Meeting  
**Commission role:** Recommend Approval to City Council  
**Application type:** Site Plan Approval  
**Nature of request:** Conditional Use – Sand, gravel, asphalt operations

**Zoning District:** Manufacturing Zone M-2. The purpose of this zone is to provide an area where medium to heavy manufacturing can occur. It allows higher levels of noise, dust, smoke and odor than is permitted in the M-1 Zone. Restrictions may be applied on proposed businesses whose levels of noise, dust, smoke or odor may be considered excessive by the planning commission. Design and landscaping requirements may also be imposed on businesses proposed for this zone.

**Application Overview:** Kilgore Companies constructed a 2,185 square feet concrete weir system without the understanding the Hyrum City Code required Site Plan Approval. The applicant has advised the weir system was erected as per guidelines from the State of Utah. It was constructed of concrete and was designed to allow sediments to fall out of the water. Once the water has been treated for sediments, the water can either be reused or discharged into the sanitary sewer system.

---

### Staff Comments:

Planning and Zoning:

1. Following Site Plan approval, the applicant is required by HCC 15.08.010 to submit a Hyrum City Building Permit Zoning Clearance Application through a separate application and obtain the required building permit by Cache County Development Services Building Department for the non-permitted construction of the weir system.

Engineering:

1. Sheet 3: The flow arrows for traffic do not line up with actual paths and they do not match the traffic flow patterns on sheet 4.
2. Sheet 4:
  - a. This should show utilities with tie-ins.
  - b. Sewer should be shown with connection to manholes and sampling locations to ensure contamination does not enter the system.
  - c. What water is being used for the process?
  - d. Is this culinary or water from the trucks?
  - e. What backflow prevention is in place?
  - f. What electrical work has been done or modified to run this system?
  - g. Where is the retention for washout areas?
  - h. Plumbing and electrical all must have a building permit.

Sewer Department:

1. Matt Holmes and I visited with Kilgore in February of 2024. The wastewater treatment system was already constructed, without a building permit and a Wastewater Discharge Permit Application (WDPA) had not been submitted or approved. Matt and I explained that they needed to go through the proper process, and they were not allowed to discharge process wastewater to the City. The WDPA permit was submitted to Jennifer Robinson, Utah Division of Water Quality on July 7, 2025. The Utah Division of Water Quality is the authority over Hyrum pretreatment. The attached wastewater permit is not for the council or mayor's approval. Approval of the building DOES NOT grant Kilgore/Legrand the permission to discharge to the City. In fact, the system they built may or may not be what the state will require. I have been assured by Bryan Jorgensen that there have been zero discharges to the City's sewer system.

---

**Planning Commission Responsibility:**

1. The Planning Commission shall consider the following:
  - a. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
  - b. That the proposed use will comply with the regulations of Conditional Uses as may be applicable.
  - c. That the proposed use is in harmony with the intent of the zone in which it is located.
  - d. That the infrastructure will support the new facility.
  - e. In setting conditions, the Planning Commission shall show relationship to the broad area of concern to which each condition applies. These areas include Traffic; Noise; Odor; Pollution; Hours of operation; Design criteria; Lighting; Visual blight; and Safety conditions not related to one of these broad areas that may not be imposed.
2. The Planning Commission may approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards; or The Planning Commission may deny a Conditional Use if the reasonably anticipated detrimental effects of a proposed Conditional Use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

**Staff Recommendation:**

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.
2. The Planning Commission include in their motion to require the applicant to respond to all engineering comments prior to the issuance of the Site Plan Approval to the City Council.

**Stipulations:**

1. The City Council may approve, disapprove, approve with additional conditions and requirements, or require the requestor to return to the Planning Commission with revisions; or require the applicant to return revisions to the City Council.

**Findings of Fact:**

1. Sand, gravel, and asphalt operations are a conditional use in the Manufacturing Zone M-2.
2. Noticing was provided to all contiguous properties and those properties across the street from the subject property's frontage, or frontages as required by HCC 17.84 Conditional Use Permits.

---

**Attachments:**

1. Applicant Submitted Illustrations of the constructed weir system with Engineer Comments.
2. Copy of Required Hyrum City Zoning Clearance Application.









Shop

Asphalt Plant

Aggregate Processing Area

Property Boundary  
Concrete Weir Addition For  
Approval  
Existing Concrete Batch Plant

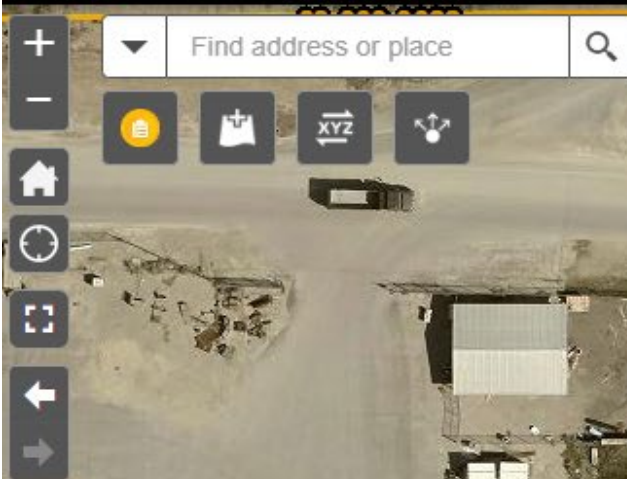
Property is Roughly 190  
Acres

Kilgore Companies, LLC dba Kilgore Contracting  
Corp. Address: 7057 W 2100 S, Salt Lake City, UT 84128  
Location: Hyrum Shop  
Address: 410 N 800 E, Hyrum, UT 84319

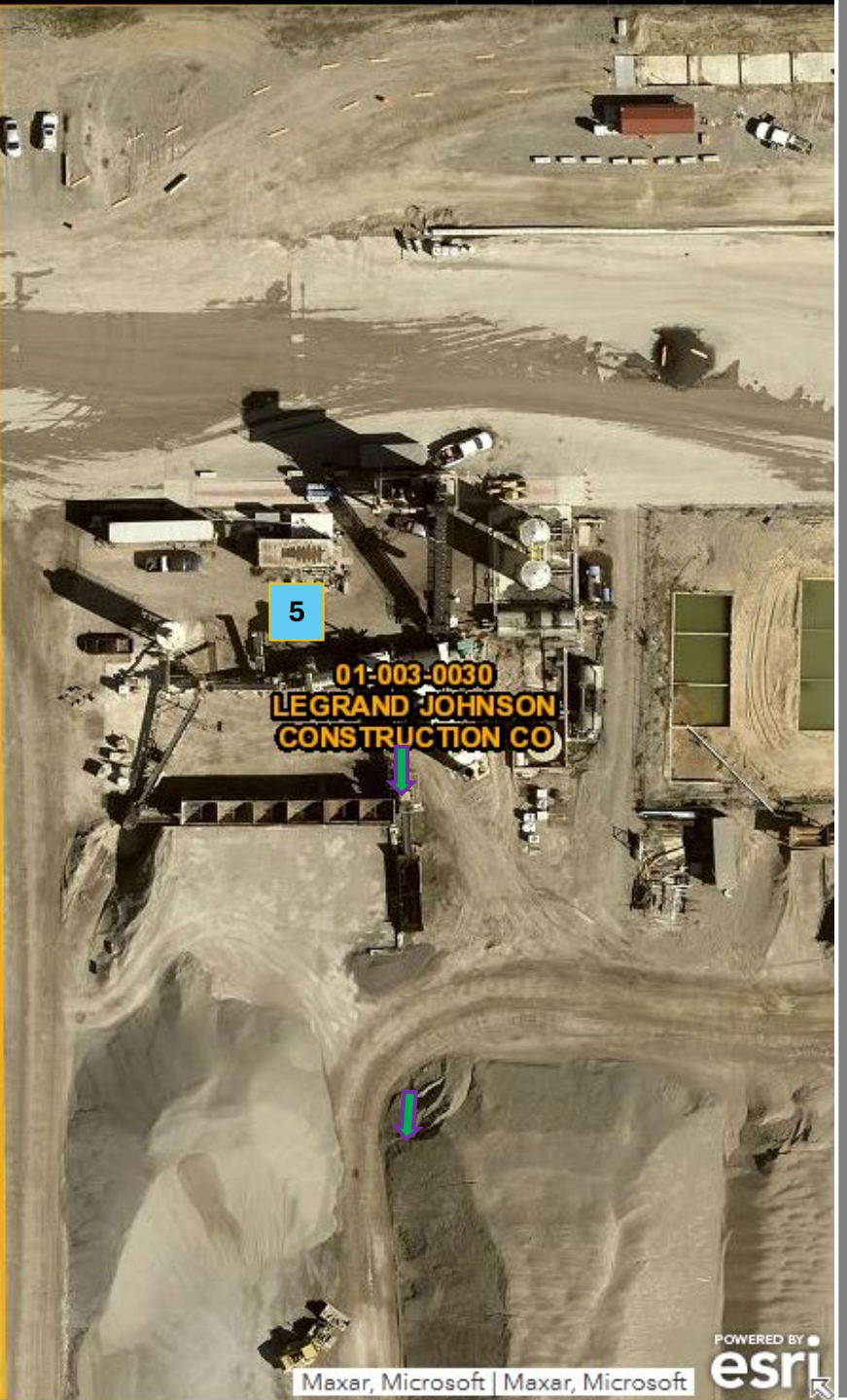
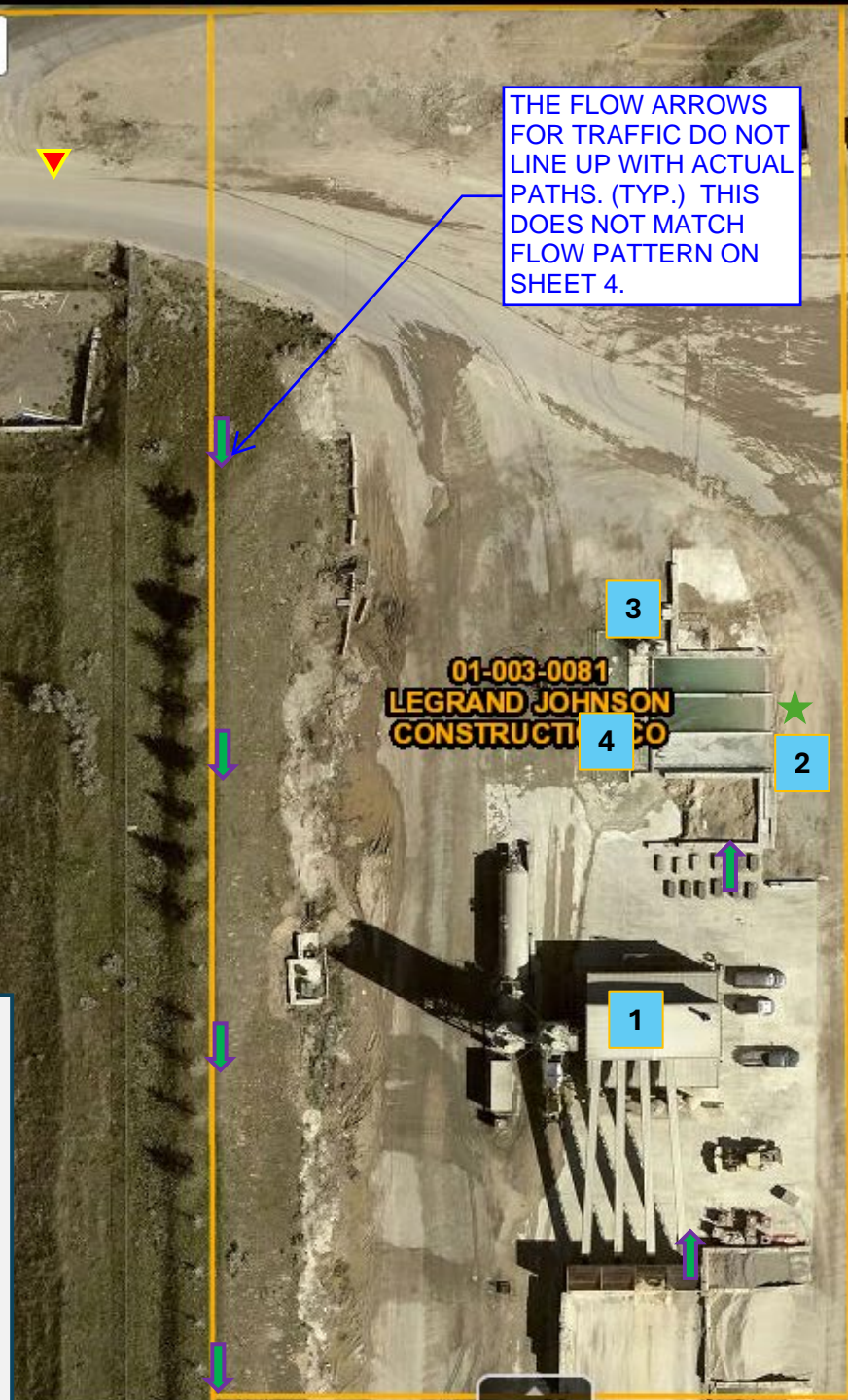
**KILGORE**  
C O M P A N I E S

Prepared by: Bryan Jorgensen  
Title: Environmental Director  
bryan.jorgensen@kilgorecompanies.com  
O: (801) 250-0132  
M: (801) 597-4471





- 1 Ready Mix Concrete Batch Plant
- 2 Process Wastewater Lined Containment Area Built Needing Approval★
- 3 FORTTRANS Water Treatment Station
- 4 Sanitary Sewer Discharge Point
- 5 HMA Plant
- ▼ Facility Entrance / Exit









60 West Main Street  
Hyrum, Utah 84319  
Ph. (435) 245-6033  
www.hyumcity.gov

## Zoning Clearance Permit

Name of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Type of structure to be built: \_\_\_\_\_

Overall Square Feet: \_\_\_\_\_ Overall Height: \_\_\_\_\_

Building Lot Address: \_\_\_\_\_

Subdivision Name (if applicable): \_\_\_\_\_

Phase: \_\_\_\_\_ Lot Number: \_\_\_\_\_ Tax ID/Parcel Number: \_\_\_\_\_

Utilities: Sewer, Water, Irrigation, Power, main lines, laterals, meters and cleanouts are required on the Plot Plan.

**Sewer:** ☐ New ☐ Other: \_\_\_\_\_

**Water:** ☐ New ☐ Other: \_\_\_\_\_

**Irrigation:** ☐ New ☐ Other: \_\_\_\_\_

**Power:** ☐ New \_\_\_\_\_ AMPS. ☐ Other: \_\_\_\_\_

Zoning Clearance Application and Permit refunded to: ☐ Applicant ☐ Contractor

**Certification:** I certify under penalty of perjury that this application and all information submitted as a part of this application is true, complete and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Hyrum City may rescind any approval or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Hyrum City Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant shall continue onto Page 2 of this form to complete, sign, date, and submit the following required checklist to Hyrum City for a complete application. Incomplete applications will be returned to the applicant for completeness.

The Cache County Development Services Building Department reviews plans, issues permits and performs building inspections for Hyrum City. **It is the responsibility of the applicant to submit a Hyrum City Zoning Clearance Permit if required to the Building Department** located at 179 North Main St., Suite 305, Logan, UT 84321. The Building department can be reached by telephone at (435) 755-1650 or by email at: cachecountyplanreview@gmail.com

**Cache County Building Permit Required:** ☐ Required ☐ Not Required

**Hyrum City Zoning Clearance Permit Approval:** ☐ Approved ☐ Not Approved

Zoning Department: \_\_\_\_\_ Date: \_\_\_\_\_

Sewer Department: \_\_\_\_\_ Date: \_\_\_\_\_

Water Department: \_\_\_\_\_ Date: \_\_\_\_\_

Power Department: \_\_\_\_\_ Date: \_\_\_\_\_

The Applicant must review, check, sign, date and submit the information below to initiate the application review process. Any checklist items not marked may require a written explanation as for why the item is not applicable.

**Hyrum City Code and Construction Standards:** The following information contained herein is not inclusive. For complete details and specifications, please refer to Hyrum City Code (HCC) and Hyrum City Construction Standards available online at: [www.hyrumcity.gov](http://www.hyrumcity.gov) and the following references:

- HCC Title 13 Public Services
- HCC Title 17 Zoning
- Hyrum City Construction Standards Manual

**Plot Plan Format:** The Plot Plan must meet all of the requirements of Hyrum City Code 17.08.090 for the plan drawing and the specific requirements in Title 17 for the planned structures, egress, parking, etc. for the zone in which the permit is sought. Plot Plan requirements applies to all individuals and developers for each and every lot, and the must be signed by the person responsible for proper installation.

**THE PLOT PLAN SHALL CONTAIN THE FOLLOWING INFORMATION:**

- ☐ The plot plan must be neatly drawing to a scale no less than one-sixteenth of an inch per foot with eligible text not less than 10-point font. Ineligible plot plans will be rejected and returned.
- ☐ The name and address of the property owner.
- ☐ Lot size and location, including street address where possible.
- ☐ Clearance of buildings from those on adjoining lot, and other buildings on the same lot.
- ☐ Outline for existing and proposed building to be constructed, showing location of all utilities (**Sewer, Water and Irrigation, and Power are required on the Plot Plan**), side yards, and rear yards.
  - ☐ **Sewer:** (Section 5 of Hyrum City Construction Standards)
    - ☐ Downspout connections, foundation and basement drains, sumps and storm drain connections shall be prohibited from discharging into the sanitary sewer system.
    - ☐ Sewer lines including laterals shall be designed for at least 10 feet horizontal separation, measured edge to edge from any water line.
    - ☐ All utilities paralleling the sanitary sewer shall be designed to have at least 5 feet horizontal separation, measured edge to edge of the utility. This includes storm sewers, secondary water lines, conduits of all types, telephone cable, underground power and other cables.
    - ☐ Laterals should not be located under driveways.
    - ☐ Cleanouts shall be installed at 50-foot intervals for 4" laterals, 75-foot intervals for 6" laterals, and at all changes in direction. In all cases, a cleanout shall be installed just outside of structure, or as close as practicable. This cleanout shall be housed in a typical irrigation valve box with a minimum size of 17"L x 12"W x 13"D
  - ☐ **Water and Irrigation:** (Section 6 of Hyrum City Construction Standards)
    - ☐ All new water services must be located at center of lot and nine feet (9') off property line. (Location to be marked by Hyrum City).
    - ☐ Irrigation laterals and meter bases must be at least three feet (3') away from culinary services and not be located in the driveway.
  - ☐ **Power:** (Section 7 of Hyrum City Construction Standards)
    - ☐ Builder must fill out a required "Load Data Sheet" and return it to Hyrum City's Power Department. The department will use the sheet to document inspections and size the service wire/conduit. The City will not perform the required trench inspections without a Load Data Sheet. The builder and Hyrum City Power will meet to determine if the service will be underground or overhead.
    - ☐ Do not begin work on the service installation before receiving the service design from Hyrum City's Power Department. Any work done that does not meet the Hyrum City Power Department design is at risk of having to be re-done at the cost of the builder/customer.
    - ☐ The building site requiring service must have its address marked and clearly visible from the street.
- ☐ Location of septic tanks and drain field or sump and location of sewer lines coming from the structure, together with a signature and approval of the State Sanitarian



- ☐ Location of utility meters. Gas and electric to be readily accessible in unfenced area of front or side yard, water meter to be located in parking strip (not in the driveway or sidewalk).

#### General information:

- ☐ **Accessory Buildings.** Are buildings used for purposes incidental to the main structure, such as private garages, storage buildings, repair facilities, hothouses, portable shelters (carports, awning, etc.), solar units, storage pods/containers (maximum size allowed one hundred and forty (140) square feet unless otherwise approved by the Planning Commission with possible additional landscaping & construction requirements or for temporary use), located on the same lot occupied by the main building. **Accessory buildings have a height limit of twenty-five (25) feet.**
- ☐ **UDOT Ingress/Egress Permit For State Highway.** This permit is given by UDOT. It is the applicant's responsibility to contact UDOT to receive the permit.
- ☐ **Staking The Site & Address Display.** Hyrum City requires all new construction sites to be staked showing the location of the new structure before the Building Permit Clearance Form is submitted to Hyrum City. An address sign with lot number, minimum size 18" x 24", has to be prominently displayed in the front yard of the lot.
- ☐ **Wetlands.** The U.S. Army Corps of Engineers administers permitting procedures for the development of wetlands. It is the responsibility of the property owner/developer to ensure that compliance with wetland provisions of the Federal Water Pollution Control Act (now called the Clean Water Act of CWA) and any other applicable Federal Laws are met. Hyrum City has neither the authority nor the resource to monitor the provisions of Federal Acts. The issuance of a building permit does not absolve the owner/developer of the responsibility of meeting Federal Law requirements. Documentation from the U.S. Army Corps of Engineers may be required by Hyrum City.
- ☐ **High Ground And Surface Water.** Hyrum City does not have the resources or intent to determine surface and subsurface ground characteristics that may be detrimental to a property's use as a home site or commercial building location. Examples of these characteristics are seismic activity, high water tables, surface water run-off, and underground springs. It is the sub divider's and homebuilder's responsibility to obtain sufficient Engineering of the site proposed for development to ensure that the constructed structures are not damaged by water, soil slippage or seismic activity. The building permit applicant and the contractor assume the risk for any subsequent damage to structures by these characteristics. Documentation and soil reports may be required by Hyrum City for areas with high ground and surface water.
- ☐ **Winter Water Connection.** Hyrum City does not allow water connections when frost is in the ground from December 1st to March 1st.
- ☐ **Irrigation.** Hyrum City does not allow hot taps to take place from May 1st to October 30th.
- ☐ **Roads.** Hyrum City does not allow road cuts from October 1st to March 1st.
- ☐ **Electrical Connection.** Owner or contractor to install conduit. Hyrum City will provide and pull the cable up to 100 feet for 200 amp or smaller services as part of the connection fee. The cost of extra cable over 100 feet will be added to the connection fee.
- ☐ **Liability.** Hyrum City assumes no responsibility for these or related problems.

#### Construction site regulations:

- ☐ **The erection (including excavation), demolition, alteration or repair of any building shall be prohibited between the hours of ten (10:00) p.m. and seven (7:00) a.m.**
- ☐ It is unlawful for any person to store or dispose of any construction materials, gravel, dirt, wasted concrete, debris, garbage, or litter of any type, chemical, fuel, and any other substance that may be unsightly or deleterious to the health, safety, and welfare of the community.
- ☐ No person shall excavate any sidewalk or make any excavation in any street, lane or alley, or remove any permanent or other material from any street or improvement thereon without first obtaining an **Excavation and Right of Way Encroachment Permit** from the City through a separate application.
- ☐ It is unlawful for any person to break, excavate, tunnel, undermine, or in any manner affect the surface or base of any street, or to place, deposit or leave upon any street any earth or any other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an **Excavation and Right of Way Encroachment Permit** from the City through a separate application.



- ☐ Excavation operations shall be conducted in such a manner that a minimum amount of interference or interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable, adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of excavator's equipment is removed from site and excavation has been backfilled and the proper temporary gravel surface is in place. From sunset to sunrise all barricades must be clearly outlined by acceptable warning lights, lanterns, flares and other devices. Police and fire departments shall be notified at least twenty-four hours in advance of any planned excavation requiring street closures or detour.

**Notice to applicants and contractors:**

Please read the following information carefully. It pertains to building inspection procedures, and the \$2,000 contractor's deposit:

- ☐ Read and understand the requirements of the building procedures, and the specific requirements in Title 17 for development in this zone and develop the property in conformance with those procedures and the requirements of Title 17.
- ☐ To ensure repair of any and all damage to city property including but not limited to damage to sidewalks, curb and gutters, roadways, utility systems, etc. Hyrum City requires a construction deposit in the amount of \$2,000 for new residential or new commercial construction, a \$1,000 deposit for residential and commercial remodel, and a \$200 deposit for accessory buildings. Said deposit will be refunded in whole or in part following final inspection. All or part of the deposit may be forfeited to repair damage to city infrastructure occurring during construction.
- ☐ Before a building is occupied a final inspection must be made and a Certificate of Occupancy given. Violation of this item will result in the forfeiture of the \$2,000 Contractors Deposit. All subdivision improvements must be completed before occupancy permits will be issued for any dwellings.
- ☐ Garbage dumpster is required at each construction site to avoid forfeiture of deposit. The dumpster shall be stored on private property and not on any city street or within the right of way of an accepted street.
- ☐ The street address and lot number must be prominently posted on construction site.
- ☐ Modification/damage or use of the temporary electrical connection for other than construction uses will result in the forfeiture of \$110 of the deposit.
- ☐ The front yard area of all residential lots must be landscaped within 18 months of issuance of Occupancy approval as per Title 17 requirements. A \$2000 deposit will be held until landscaping requirements are met.
- ☐ **HYRUM CITY FEES DO NOT INCLUDE THE BUILDING PERMIT FEES**, which must be purchased from the Cache County Building Department.
- ☐ All building inspection requests are to be scheduled through the Cache County Building Inspection Office; a 24-hour notice is required.

Name of Contractor (if applicable): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Building Lot Address: \_\_\_\_\_

Contractor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Required Checklist Acknowledgement:**

I do hereby say that I am the Applicant of this application, and I have read the Hyrum City Code and Construction Standards Information and completed the Requirement Checklist. The statements, information, exhibits and any and all submitted documents attached or submitted represent the intentions of the applicant are in all respects true and correct to the best of my knowledge and belief.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_