

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD APRIL 9, 2026 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Vice Chair Averie Wheeler

PRESENT: Vice Chair Averie Wheeler, Commissioners Scott Casas, Paul Willardson, Marty McBride, and Alternate Members Michael Sovine and Emily Webb.

CALL TO ORDER: There being five present and five representing a quorum, Vice Chair Wheeler called the meeting to order.

OTHERS PRESENT: City Planner Tony Ekins and seven citizens. Secretary Shara Toone recorded the minutes.

PLEDGE OF ALLEGIANCE: Commissioner Webb led the governing body and the citizens in the Pledge of Allegiance.

INVOCATION: Commissioner Sovine

APPROVAL OF MINUTES:

The minutes of a regular meeting held on March 12, 2026 were approved as written.

ACTION Commissioner Casas made a motion to approve the minutes of March 12, 2026 as written. Commissioner McBride seconded the motion and Commissioners Casas, McBride, Sovine, Willardson, and Wheeler voted aye.

AGENDA APPROVAL:

A copy of the notice and agenda for this meeting was posted on the Utah Public Notice Website and Hyrum City's website, distributed to each member of the Planning Commission, and posted at the City Offices more than forty-eight hours before meeting time.

ACTION Commissioner Casas made a motion to approve the agenda for April 9, 2026, as written. Commissioner Willardson seconded the motion and Commissioners Casas, McBride, Sovine, Wheeler, and Willardson voted aye.

6. PUBLIC HEARINGS

- A. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.04.070 Definitions to include manufacturing activities and amending Sections 17.48.020 and 17.49.020 Use Regulations in the Light Manufacturing Zone M-1 and Manufacturing Zone M-2.

7. SCHEDULED DELEGATIONS

- A. A. Hyrum City, Ordinance Amendment - An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.04.070 Definitions to include manufacturing activities and amending Sections 17.48.020 and 17.49.020 Use Regulations in the Light Manufacturing Zone M-1 and Manufacturing Zone M-2.

8. ADJOURNMENT

PUBLIC HEARINGS:

TO RECEIVE PUBLIC COMMENT REGARDING AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE, SECTION 17.04.070 DEFINITIONS TO INCLUDE MANUFACTURING ACTIVITIES AND AMENDING SECTIONS 17.48.020 AND 17.49.020 USE REGULATIONS IN THE LIGHT MANUFACTURING ZONE M-1 AND MANUFACTURING ZONE M-2.

City Planner Ekins said staff and the mayor reviewed the city's two manufacturing zones, M1 and M2, which cover light and more moderate to higher-impact industrial uses. He said the review focused on updating the ordinance definitions and listed uses. Staff added several new definitions and clarified existing ones, but no uses were removed.

He noted that the proposal would go through a public hearing and discussion before being sent as a recommendation to the City Council. The City Council can review, make changes, amend the proposal, or send it back to the Planning Commission. He added that this is a large code update and is part of a process to ensure proper review before final adoption.

ACTION

Commissioner Willardson made a motion to open the public hearing at 6:35 P.M. Commissioner Casas seconded the motion and Commissioners Casas, McBride, Sovine, Wheeler, and Willardson voted aye.

Vice Chair Wheeler invited anyone who wished to comment to come forward and speak, and asked them to state their name and address for the record.

Dustin Hawkes, who lives at 166 North Center Street shared concerns about how the proposed definitions could affect nearby residents. He said some of the definitions, especially for manufacturing, seem unclear and may be difficult to enforce because they lack measurable standards for things like noise, dust, smoke, and odor. He expressed concern that removing language about limiting these impacts in light manufacturing could make it harder for residents to address issues. He said that without clear standards, the city may struggle to support residents when problems arise, which can end up favoring businesses. He also raised concerns about unclear terms like "high impact" and "low impact," and how they are applied. Additionally, he questioned how outdoor storage is defined and regulated, especially for fabrication shops, and said the current wording may allow businesses more flexibility in ways that could negatively affect neighboring properties. He noted ongoing issues with a nearby business and asked the city to consider clearer definitions and enforcement standards.

Kathleen Voth, who lives at 25 East 100 North, shared concerns about a property that started as light manufacturing but has grown into a larger operation. She said some ordinance definitions need to be clearer to better protect residents, as businesses expand. She asked for clarification on building size limits, parking requirements, and whether there are limits on how large light manufacturing businesses can become. She also raised concerns about contractor storage yards, including how much equipment and material should be allowed near neighborhoods. She suggested limiting the number of employees, customer traffic, and overall business activity to better define what qualifies as light manufacturing. She also expressed concern about projects being approved without detailed plans and later expanding beyond what was originally proposed and asked for clearer rules and better enforcement.

Rosalie Buck who lives at 65 East 100 North, said she has seen significant changes in the area and shared concerns about how small businesses impact residential life. She pointed out that the proposed changes do not clearly address employee parking, which relates to the number of employees and increased traffic. She said additional traffic, deliveries, and parked cars can affect safety and quality of life, especially for families and children. She

expressed a desire to keep neighborhoods quiet and safe, without excessive noise or congestion. She also raised concerns about hazardous waste, noting that the ordinance does not address how it is handled or contained. She said this could pose risks to the environment and groundwater and should be included in the regulations.

Ray Lake, who lives at 210 North 100 East, said he appreciates the opportunity to give feedback on the proposed manufacturing zone changes. He said he reviewed the amendments and supports the effort but remains concerned about how the definitions could be interpreted and enforced. He explained that many residents are worried about unclear or subjective standards, especially what counts as "excessive" impact, and said that enforcement could become difficult without measurable rules. He emphasized the importance of having clear, objective, and trackable standards to protect residents over time. He suggested the city consider tightening the allowed uses in the M1 zone, increasing buffers and setbacks, and adding clearer measurable requirements for businesses when they apply for permits. He said businesses should be required to clearly state their plans upfront, similar to other permitting processes.

Vice Chair Wheeler thanked everyone for their time and said the Planning Commission appreciated the public coming to participate.

ACTION

Commissioner McBride made a motion to close the public hearing at 6:52 P.M. Commissioner Sovine seconded the motion and commissioners Casas, McBride, Sovine, Wheeler, and Willardson voted aye.

SCHEDULED DELEGATIONS:

HYRUM CITY, ORDINANCE AMENDMENT - AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE, SECTION 17.04.070 DEFINITIONS TO INCLUDE MANUFACTURING ACTIVITIES AND AMENDING SECTIONS 17.48.020 AND 17.49.020 USE REGULATIONS IN THE LIGHT MANUFACTURING ZONE M-1 AND MANUFACTURING ZONE M-2.

City Planner Ekins thanked the public for attending the meeting and sharing their input. He said the ordinances and public process are in place to help work through zoning issues and make improvements, and he appreciated people participating.

Commissioner Willardson asked how the proposed ordinance changes

would apply to an existing business in a specific neighborhood mentioned during public comment. He questioned whether that business would have to follow the new rules or if it would be grandfathered in, and how the decisions made would affect that area.

City Planner Ekins explained that the property being discussed is not located within either manufacturing zone. He said nearby properties are in manufacturing districts, but the specific site is not part of this ordinance change. He stated that the city has been researching the situation and has met with the parties involved multiple times, with another meeting planned. He said the city must follow laws, legal guidance, and previous applications. He clarified that the current discussion is focused only on updating definitions and allowed uses within manufacturing districts, not on changing rules for that specific property.

Commissioner Sovine stated that the ordinance discussion is not a specific planning decision for one project. He said it is a tool to help guide future community planning and ensure that zoning classifications clearly define what types of uses are allowed.

City Planner Ekins explained that issues like parking, setbacks, building heights, and screening are not part of the definition section being discussed but are addressed in other parts of the zoning code for each district. He said self-storage and similar uses already have separate rules in the code, including screening requirements, and that accessory buildings are allowed with size and coverage limits. He noted that updates to some of these standards are already being worked on. He also explained that conditional uses, like contractor storage yards, can have added conditions such as limits on hours, parking, and operations set by staff and the Planning Commission. He said these controls are part of other sections of the code and not missing from the system. He clarified that the current discussion is focused only on defining uses like light, general, and heavy manufacturing. He said staff developed these definitions by reviewing other communities and considering impacts, but noted that some standards, like noise, are measurable while others, like smoke and vibration, are harder to define consistently.

Commissioner Casas asked if the city has equipment to measure sound levels.

City Planner Ekins said the city does have a device and it has been used before for code enforcement.

Commissioner Sovine asked about the allowed decibel limits.

City Planner Ekins said the limit in the area is around 70 to 75 decibels and that this standard comes from the city's existing code, not from new changes. He explained that referencing the existing code helps avoid repeating information and supports enforcement.

Commissioner Casas noted that light manufacturing M-1 allows about 70 decibels with some limits on hours, while M-2 allows up to 80 decibels and can operate 24 hours a day.

Commissioner Sovine added that M-2 zones are intended to be located farther from residential areas.

City Planner Ekins explained that M2 zoning includes larger industrial uses, such as areas like JBS. He said that after the Planning Commission makes a recommendation, the ordinance will be reviewed by the City Attorney to ensure the language is enforceable and consistent with city code. He noted that this is just the first step in a longer process that could take two to three years, starting with defining uses and categories before moving into other parts of the code. He said all public comments will be considered and reviewed throughout the process.

Dustin Hawkes asked a clarifying question about how the ordinance changes would affect an existing business. He referenced past statements from the former City Engineer and Mayor, who had pointed to the light manufacturing code in relation to a non-conforming use permit. He asked whether that guidance was still accurate and whether the light manufacturing section of the code should continue to be used to evaluate that property's non-conforming use status.

Ekins said he was not involved when earlier decisions about the property were made and had not reviewed all past applications, so he could not confirm what information was previously given. He stated the property is currently zoned residential agriculture. He explained that if a conditional use permit was issued in the past, it would have been under older standards, and the city is now working to address and clarify the situation through its current processes. He said the issue is not part of the manufacturing zoning changes being discussed, though the city is aware of concerns with the property and is working toward a resolution. He added that the current ordinance updates are part of a broader effort to improve zoning definitions and prevent similar issues in the future.

Vice Chair Wheeler said the city is working through the issue and trying to address the concerns.

Ekins added that legal counsel is involved in the process and that the matter will be handled through the proper legal and procedural channels rather than discussed in detail publicly. He said the city is following established pathways to resolve the issue correctly.

Commissioner Willardson asked if they were making a recommendation to the City Council.

Ekins explained that after the recommendation, the proposal will go to the City Attorney for review. It will then return to staff with comments, and those comments, along with the recommendation and meeting minutes, will be sent to the City Council. He added that it may be sent back for further revisions.

Commissioner Sovine asked if there is a building size limit in the M-1 zone.

Ekins said he was not aware of a specific building size limit and explained that size is determined through the site plan process. He said factors like setbacks, parking, landscaping, and storage requirements all work together to regulate building size.

Commissioner Sovine asked if building permits also address light pollution and hours of operation.

Ekins confirmed that they do, explaining that lighting is reviewed as part of the site plan process rather than through a separate ordinance.

Vice Chair Wheeler added that it is not part of the zoning definition.

Ekins said the M1 and M2 zones meet current definitions and uses but noted that the code will need a significant rewrite in the future.

Sovine asked specifically about light pollution and whether there are set illumination limits.

Ekins said applicants must show that their lighting is dark-sky compliant and provide lighting details during site plan and building permit review.

Commissioner Willardson shared that a recent project at a veterinary clinic included a review of lighting concerns, and the city ensured it met compliance.

Commissioner Casas said that some businesses in the city, like a newer grocery store, appear to use dark sky lighting that is easier on the eyes, while others have more obtrusive lighting. He said he has become more supportive of dark sky standards and asked how they apply to older businesses.

City Planner Ekins explained that existing businesses are not required to update their lighting unless they go through a site plan approval as part of a project. Routine maintenance would not trigger the requirement, but a new or updated site plan would require them to meet current standards.

Casas asked if that meant only the new lighting would need to be updated.

Ekins confirmed that it would. He also mentioned that there are legal considerations, such as constitutional takings, when applying new regulations to existing properties.

Vice Chair Wheeler said she did not have any specific concerns or areas needing clarification, but invited others to speak up if they wanted to review anything further.

Commissioner Casas pointed out a minor issue in the definitions section regarding farm animals, noting that pigs are not allowed in the city and questioned why they were included.

City Planner Ekins responded that pigs may have been included because they were allowed in the past. He recommended removing the reference and said that if someone wanted to pursue that type of use in the future, they could request an update through the Planning Commission and City Council.

Casas asked if the term "high impact extraction", in the definition of a contractor storage yard, is clearly defined in city code.

Ekins explained that it refers to activities like sand and gravel operations, which are considered high impact extraction, and said the term is part of new language being added.

Casas expressed concern that the term is not clearly defined and could be interpreted in different ways. He said this could lead to confusion or legal issues and suggested the city should have a

more specific and measurable definition.

Other commissioners discussed the concern, noting that "high impact" is not tied to clear measurements like volume or area, which makes it harder to apply consistently.

Casas gave examples of different operations and said the code does not clearly distinguish what qualifies as high impact extraction, which is why he believes the definition needs to be clearer.

City Planner Ekins said that "high impact" had already been removed from the definitions because storage and extraction are different uses.

Commissioner Sovine said removing the term might not be the best approach and suggested it would be better to define it clearly. He explained that clear definitions would help both the commission during site plan reviews and people looking to buy land to understand what uses are allowed.

Vice Chair Wheeler asked if environmental impact reviews or ratings could help define what "high impact extraction" means.

City Planner Ekins responded that all projects have some environmental impact, and those are reviewed through agencies like the EPA during the site plan process.

Wheeler then asked if "high impact extraction" could be tied to those environmental reports.

Ekins said it would more likely relate to factors like heavy traffic and how much material is being extracted.

Commissioner Casas asked why the definition of "light manufacturing" was removed.

Ekins explained it was replaced with a broader "manufacturing" definition that includes all categories together. He added that future code updates will organize uses and definitions into a single table for clarity.

Casas also asked for clear definitions of "low," "medium," and "high impact" within manufacturing so they can be enforced.

Ekins said those terms could all be included and defined.

Commissioner Casas asked why the list defining what counts as a

public structure was removed from the light manufacturing section.

Ekins explained that those items were moved to the main definition of "public structure" at the top of the page. He said the city is working on updating zoning ordinances, which will take time and may create some challenges, such as businesses becoming non-conforming or certain land uses no longer being allowed. He added that applicants can request code changes if needed, and those decisions would be made by the Planning Commission and City Council. He said future updates will continue to organize definitions and uses into a single table for clarity. He also noted that upcoming work will include rules for accessory buildings, as the city must respond to state requirements on detached accessory dwelling units, which could significantly impact population growth.

Commissioner Sovine asked what the definition of a sexually oriented business is.

Ekins said he had not looked it up and was unsure if it was already defined in the ordinance.

Commissioner Webb explained it generally refers to adult shops and similar businesses.

Commissioner Sovine noted that this type of business is only allowed as a conditional use.

City Planner Ekins confirmed it is limited to one zone.

Commissioner Casas asked which zone.

Ekins clarified that it is allowed in the M2 zone.

Commissioner Sovine asked if residential housing is allowed in M1 and M2 zones since it does not appear in the list of permitted uses.

Ekins explained that residential uses are not currently included, but someone could petition to add them. He said these zones are intended for manufacturing, with uses defined based on light or heavier manufacturing activities.

Sovine said the definitions help clarify what M1 and M2 zones are. He expressed a preference that residential uses not be allowed in manufacturing zones to avoid future conflicts.

Ekins explained that in a previous case, a contractor storage yard application was approved after three nearby residential lots were subdivided, which met city requirements at the time.

Commissioner Casas asked how something like that could be changed.

Ekins said zoning is controlled by the zoning map, and changes can be made if someone submits a petition. He explained that this is a legislative decision handled by the City Council.

Casas asked if anyone could request a change.

Ekins confirmed that applicants have the right to submit requests to change zoning or the general plan. He added that proposals go through a process where staff review the site plan, then it moves to the Planning Commission and finally to the City Council for approval.

Casas said he expects more conflicts as the city grows.

Ekins agreed and explained that when businesses are approved, they are expected to follow city ordinances. If they do not, the city uses a process of education, enforcement, and legal action, which can take time and is already happening in some cases.

Commissioner Sovine said he wanted to discuss conditional use permits and suggested a rule where a permit could expire if the area is not rezoned within a certain time unless it is renewed.

Ekins responded that conditional uses must fit within zoning rules, and that zoning maps and ordinances are regularly updated. He explained that laws and zoning can change over time, and enforcement applies based on current rules.

Sovine replied that a sunset provision could require uses to be re-approved in order to continue operating.

Commissioner Casas supported Michael's idea. He gave an example of home-based businesses, like a small barbershop that grows over time into a larger operation with employees and street parking. He said a business can eventually outgrow a residential neighborhood and no longer fit the area.

Sovine suggested a "sunset" rule where conditional use permits would need to be re-approved after a set time, such as five years.

City Planner Ekins questioned the idea, asking why a permit would

be granted if it later required the business to re-comply with zoning rules.

Sovine responded that surrounding neighborhoods can change over time, and businesses should understand they may need to rezone to remain in compliance.

Ekins raised a concern about whether that approach could be considered a constitutional "taking" of property rights.

Sovine said the idea should be written into law as a formal "sunset" provision. He explained that some laws and tax policies already work this way, where they expire and must be renewed. He said a sunset rule would require conditional use permits to be reviewed again after a set time, giving the city and community more control and requiring businesses to reapply or adjust if needed.

Ekins responded that he understood the idea but emphasized it would need to be legal.

Commissioner Casas said he supported the concept, noting concerns that some permitted uses can outgrow their original intent.

Commissioner Willardson said it appeared that a business started with a conditional use in an agricultural zone and is now doing manufacturing-type activities.

City Planner Ekins confirmed the situation but said the discussion should stay focused on the current delegation because legal counsel is involved with that situation.

Commissioner Casas said he still supports the general idea being discussed.

Vice Chair Wheeler suggested looking for legal precedents to see if similar approaches have been used before.

Casas asked if the item could be tabled for another meeting to allow more time for review.

City Planner Ekins asked if the item was meant to be discussed.

Casas said he would like it discussed at a future meeting and supported the general concept.

Vice Chair Wheeler said the idea was interesting but needed more

research before it could be formally added to an agenda.

City Planner Ekins said the commission should focus on items already listed on the agenda.

Commissioner Sovine said the discussion relates to zoning and how zoning definitions work.

Vice Chair Wheeler said the conversation could not continue further at that time.

City Planner Ekins said he was unsure how the item could be tabled.

Vice Chair Wheeler explained it was not on the agenda and therefore could not be tabled, only discussed informally.

Ekins said that conditional use permits are part of the city code and already include many tools to address issues, but the process is complex and takes time to resolve.

Commissioner Webb asked a question about permitted uses in manufacturing zones, specifically noting that some service industries like laundries and barber shops had been removed. She also asked about "micro schools" and whether they could fall under service industries if located in a manufacturing zones.

City Planner Ekins said that it could be possible, but the city does not currently have code language in place to clearly include micro schools as an allowed use. He added that there are two categories of these schools, and the issue is still being worked on with other communities and state guidance before finalizing an ordinance.

ACTION

Commissioner Sovine made a motion to recommend an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.04.070 Definitions to include manufacturing activities and amending Sections 17.48.020 and 17.49.020 Use Regulations in the Light Manufacturing Zone M-1 and Manufacturing Zone M-2 with the condition to define "low, medium, and high impact" and to include the summary of the discussion and public hearing. Commissioner Casas seconded and commissioners Casas, McBride, Sovine, Wheeler, and Willardson voted aye.

ADJOURNMENT:

ACTION

There being no further business before the Planning Commission, the meeting adjourned at 8:02 p.m.

Stephen Nelson
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written