

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION
HELD MAY 8, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN,
HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Stephen Nelson

PRESENT: Chairman Stephen Nelson, Vice Chair Angi Bair,
Commissioners Scott Casas, Averie Wheeler, and Paul Willardson.

EXCUSED:

CALL TO ORDER: There being five present and five representing a
quorum, Chairman Stephen Nelson called the meeting to order.

OTHERS PRESENT: City Planner Tony Ekins, City Engineer Matt Holmes
and four citizens. Secretary Shara Toone recorded the minutes.

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

INVOCATION: Commissioner Casas

APPROVAL OF MINUTES:

The minutes of a regular meeting held on March 13, 2025 were
approved as written.

ACTION

Commissioner Willardson made a motion to approve the
amended minutes of March 13, 2025 as written.
Commissioner Wheeler seconded the motion and
Commissioners Bair, Casas, Nelson Wheeler, and
Willardson voted aye.

The minutes of a regular meeting held on March 27, 2025 were
approved as written.

ACTION

Commissioner Casas made a motion to approve the minutes
of March 27, 2025 as written. Commissioner Willardson
seconded the motion and Commissioners Bair, Casas,
Nelson, Wheeler, and Willardson voted aye.

The minutes of a regular meeting held on April 10, 2025 were
approved as written.

ACTION **Commissioner Wheeler made a motion to approve the minutes of April 10, 2025 as written. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson 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 Willardson made a motion to approve the agenda for May 8, 2025, as written. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

6. PUBLIC HEARINGS

- A. To receive public comment regarding a conditional use permit for a veterinary hospital building and site expansion located at 16 East 6200 South, consisting of approximately 1.00 acres.
- B. To receive public comment regarding an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.

7. SCHEDULED DELEGATIONS

- A. Aldon Watkins, Blacksmith Fork Vet Clinic - To request a conditional use permit for a veterinary hospital building and site expansion located at 16 East 6200 South, consisting of approximately 1.00 acres
- B. Aldon Watkins, Blacksmith Fork Vet Clinic - To request site plan approval for a veterinary hospital building and site expansion located at 16 East 6200 South,

consisting of approximately 1.00 acres.

- C. Hyrum City - To request an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.

8. ADJOURNMENT

PUBLIC HEARING:

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING A CONDITIONAL USE PERMIT FOR A VETERINARY HOSPITAL BUILDING AND SITE PLAN EXPANSION LOCATED AT 16 EAST 6200 SOUTH, CONSISTING OF APPROXIMATELY 1.00 ACRES.

ACTION Commissioner Bair made a motion to open the public hearing at 6:34 P.M. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

Preston Schwab, who lives at 673 South 770 East, expressed concern about the vet clinic expansion. He said his house is just on the other side of the clinic and worries it will bring more traffic. He also mentioned that the clinic already keeps its lights on all night, which shines into neighbors' windows and is annoying. He noted that many neighbors on that street are not happy about the clinic expanding, as it already causes a lot of traffic and light disturbance.

ACTION Commissioner Wheeler made a motion to close the public hearing at 6:35 P.M. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson Wheeler, and Willardson voted aye.

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING AN AMENDMENT TO HYRUM CITY CODE TITLE 17 ZONING, CHAPTER 70 FENCE REGULATIONS TO ESTABLISH FENCE AND WALL TYPES AND HEIGHT STANDARDS.

ACTION Commissioner Bair made a motion to open the public hearing at 6:36 P.M. Commissioner Willardson seconded the motion and Commissioners Bair, Casas, Wheeler, Nelson, and Willardson voted aye.

ACTION

Commissioner Willardson made a motion to close the public hearing at 6:37 P.M. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

SCHEDULED DELEGATIONS:

ALDON WATKINS, BLACKSMITH FORK VET CLINIC - TO REQUEST A CONDITIONAL USE PERMIT FOR A VETERINARY HOSPITAL BUILDING AND SITE EXPANSION LOCATED AT 16 EAST 6200 SOUTH, CONSISTING OF APPROXIMATELY 1.00 ACRES.

City Planner Ekins explained that the application under review is for the Blacksmith Fork Veterinary Clinic, owned by Alden Watkins. The clinic is in a residential agricultural (RA) zone, where a veterinary hospital is allowed as a conditional use. Alden has been operating there for some time and is now looking to expand to better serve his current clients. There are two applications involved: one for site plan approval and one for the expansion of the existing conditional use permit. Since the clinic is expanding, the conditional use permit must also be updated. Ekins noted that conditional use permits can be reviewed every couple of years, though no complaints have been received about the clinic to date. In addition to the two main applications, there's also a lot line adjustment (application 25018A) being reviewed by staff. This adjustment involves changing property lines between parcels Alden owns, but no new lots will be created. Ekins mentioned that this is a unique situation, with two linked applications that need to be considered together before making any decisions. He then asked Matt Holmes for his input.

City Engineer Holmes recommended reviewing the conditional use permit by focusing on how the proposed use would affect the land and surrounding area. He said that site-specific details should be handled through the site plan after the use is approved or amended. He explained that if there are concerns with the use, reasonable steps can be taken to reduce the impact and help it fit better in the area. Holmes also noted that, based on state guidance, conditional use permits are generally expected to be approved if any concerns can be addressed through mitigation. Only if a concern cannot be reasonably addressed should the permit be denied.

Aldon Watkins explained that his clinic has outgrown its current space and needs to expand. He responded to concerns about traffic by saying that future development in the area will likely cause more traffic than his business ever will. He acknowledged the issue of bright lights and said one of the lights will be moved further north. He also mentioned that the clinic was once burglarized on a night when a light was out, so he believes lighting is important for security. However, he said he's willing to talk to an electrician about adjusting the angle of the lights if they are bothering neighbors.

Commissioner Willardson asked if anything in the site plan would affect the conditional use permit application, since they hadn't discussed the site plan in detail yet.

City Planner Ekins said he was not aware of anything in the site plan that would affect the conditional use permit application.

Chairman Nelson asked if the city has dark sky lighting standards and then confirmed that it does. He pointed out that the zoning regulations require lights to be arranged so they reflect away from nearby residential areas. He suggested keeping that in mind during the discussion.

Commissioner Bair asked if the lighting issue would be more relevant to the site plan approval than the conditional use permit.

Vice Chair Bair asked whether the lighting issue should be addressed during the conditional use permit discussion or as part of the site plan review.

Commissioner Willardson said the planning commission's job is to decide if a conditional use is okay as long as it doesn't harm the health, safety, or welfare of people nearby or damage nearby property. He said they should consider whether the use would bother the city.

Vice Chair Bair said to a point, but running a veterinary clinic doesn't necessarily apply in the same way.

Chairman Nelson said that, according to state law, they can add conditions to the property to reduce any harmful effects, as long as those conditions follow their standards. If the harmful effects can be reduced, they can't deny the

conditional use permit. He asked if there was any further discussion on the permit.

Commissioner Casas said he was glad the construction would be on the north side instead of the south or west. He asked if the site plan includes anything about lighting.

Chairman Nelson asked if a lighting plan was included with the site plan and noted that it was not.

City Engineer Holmes said lighting is a site plan issue, not a use issue, because lighting is the same no matter the type of business. He said the actual use in question is the veterinary clinic.

Commissioner Wheeler asked if the clinic mainly serves large animals or small animals.

Aldon Watkins said they are a mixed animal practice, mostly working with small animals but still doing some large animal and agricultural work. He said there are currently four vets, with two more joining in the summer, though not all are full time. He is the one who does most of the large animal work.

Commissioner Wheeler asked if the large animal work is done on their property.

Aldon Watkins said that occasionally large animal work is done on their property, but usually it happens on dairies and other places. He added that they have facilities on site for surgeries or small groups of large animals.

Commissioner Willardson asked Tony to confirm that, to his knowledge, there have been no past violations of the current conditional use permit.

City Planner Ekins said that no past violations of the conditional use permit have come up. He explained that the expansion requires a new conditional use and site plan approval, which goes to the city council. The staff wanted to combine the applications, but needed to separate them for this public hearing. One condition is that the permit is final only after city council approves the site plan. Lighting can also be added as a condition before moving the approval to city council.

Commissioner Willardson said that if something goes wrong,

the facility is still operating under its current conditional use permit, and the new changes will not affect that. He asked for confirmation.

City Planner Ekins said yes, they are permitted and operating as they are.

Commissioner Willardson added they are legally allowed and doing what they are supposed to do.

City Planner Ekins agreed, saying exactly.

Commissioner Casas asked if they could approve the conditional use permit before approving the building plans.

City Planner Ekins said yes, as long as it is subject to the approval of the building plans.

Chairman Nelson said that staff is recommending approval of the conditional use permit, but only if the applicant gets final site plan approval from the city council. He asked to be corrected if he was wrong.

Commissioner Casas said he was ready to make a motion.

Commissioner Wheeler asked if the kennel space and outdoor dog exercise area shown on the site plan would be used overnight, and if there were any concerns about noise or sound mitigation, or if the dogs would just be inside.

Aldon Watkins explained that the outdoor run is just a place for dogs to go to the bathroom since many small dogs won't do so in their kennels. He mentioned an incident where an employee was bitten while walking a dog, which is why they decided to keep the animals on the property. The outdoor run is under a roof and will only be used during the day. At night, the dogs will be kept indoors. He added that while they are not a boarding facility, a few animals may stay overnight, and the current kennel has soundproofing to reduce noise. Nothing will be left outside overnight.

ACTION

Commissioner Casas made a motion to approve a conditional use permit for a veterinary hospital building and site expansion located at 16 East 6200 South contingent upon site plan approval from City Council. Commissioner Wheeler seconded the motion and

Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

ALDON WATKINS, BLACKSMITH FORK VET CLINIC - TO REQUEST SITE PLAN APPROVAL FOR A VETERINARY HOSPITAL BUILDING AND SITE EXPANSION LOCATED AT 16 EAST 6200 SOUTH, CONSISTING OF APPROXIMATELY 1.00 ACRES.

City Planner Ekins explained that the building will expand 55 feet north with a 28-foot covered area, making the total length 83 feet. The expansion includes new asphalt parking, a retention basin, and adjustments to existing property lines, requiring an updated conditional use permit. The site plan shows a floor plan expansion with a new business operation area, a covered kennel space, and three covered parking spots. The front-facing elevation will be oriented west toward 800 East, also known as the State Road. The fire department plans to use one of the access points on the west side, preferably the farthest west, as a fire lane.

Chairman Nelson asked if parallel parking is acceptable, as the note mentioned it.

City Planner Ekins stated that they need 31 feet, though 26 feet was also mentioned.

Chairman Nelson asked if 26 feet is what they want.

City Planner Ekins explained that the code allows for 26 feet. While parallel parking wasn't specifically mentioned, it seems previous instances may have caused enough concern to justify placing no parking signs.

Commissioner Casas asked if the pavement could be extended west to preserve parking.

City Planner Ekins said that there is no specific formula in this zone to determine the required parking, so it's unclear if they need three stalls or just one or two parallel parking spots.

Commissioner Casas observed that there are usually not many vehicles present.

City Planner Ekins suggested having Alton address the issue when he speaks and noted plans to check with the fire

department about allowing parallel parking. He mentioned the new retention pond to the north and the asphalt expansion, which already seems to extend that far. City Engineer Matt Holmes reviewed future development to the east and how it would reshape access for residents. There are also requested easements, including a 10-foot easement for power and sewer on the west property line and another 10-foot easement on the south property line for future intersection improvements.

Commissioner Casas asked about the possibility of a future right turn lane.

City Engineer Holmes explained that the plan for Auburn Hills secured 34 feet on the west side, but the nearby irrigation pond needs consideration as the road expands. If the 34 to 39 feet on the north side remains, adjustments may be made on the south as development progresses to widen the area. He explained that they are trying to match the other side of the street and will address additional adjustments on the south side later. If they secure 39 feet, it would allow for a 78-foot right-of-way, providing space for turn pockets, a center lane, a left turn lane, and two lanes for eastbound traffic. The plan is still in rough stages but should work.

Chairman Nelson asked if there are concerns about infrastructure being placed in areas designated for future roadways that could cause issues later.

City Engineer Holmes stated that there is little existing infrastructure in the area, aside from a power line that once served a manufactured home that is no longer there. Future developments will require water, sewer, and other utilities, so road improvements are not planned yet to avoid unnecessary digging later.

Commissioner Casas asked if the clinic is connected to the city sewer.

Aldon Watkins confirmed that the clinic is now on city water and sewer.

City Engineer Holmes said there's power, sewer, water, irrigation there.

Aldon Watkins explained that a three-foot pipe under 6200 South carries irrigation water from the high line to the local irrigation system. He confirmed that they are on the city

sewer and water.

City Engineer Holmes shared additional comments, mentioning the need to determine how floor drains will connect to the sewer. He recommended proper disposal of animal waste and an oil grit separator to keep the system clean. Cleanouts in the parking lot should have hard surface lids to prevent damage. He requested more information on drainage calculations and basin sizing. For fire lanes, clarification from the fire department is needed, and signage should be placed to prevent parking in designated areas. He also emphasized securing the road right-of-way for the future while considering the site plan to formalize road and utility placements.

Commissioner Wheeler asked if there are any concerns about the site plan crossing the boundary between two lots, one owned by a Living Trust and the other by an LLC.

City Engineer Holmes stated that a lot line adjustment is being processed to modify the boundaries, which are indicated on the site plan by a dashed phantom line. The alteration drawing on the next sheet provides further details, though the text is small. He noted that some lines on the site plan specifically mark the new boundary near the retention basin. Final review is still needed.

Chairman Nelson asked if they directly approve those.

City Engineer Holmes stated that the zoning administrator handles that process, and he is assisting Tony with the review.

Chairman Nelson noted that the lot line adjustment is part of the site plan and suggested it could be a condition, requiring it to be recorded beforehand.

Commissioner Wheeler asked if the trust property is leased for agricultural use.

Aldon Watkins stated that the property is currently being farmed.

City Engineer Holmes suggested addressing lighting now to avoid overlooking it later. He recommended upgrading the west side to dark sky compliance to reduce impact on neighbors, though he was unsure about the east side.

Commissioner Casas noted that he frequently drives past the area at night and has not noticed any glaring lights or anything unusual compared to other residential homes. He mentioned that future development will bring more lighting to the area.

Chairman Nelson, who lives in the area, stated that while the current lighting is not a major issue, upgrading to dark sky lighting would be beneficial. He noted that it would meet current standards and city code, which requires lighting to avoid shining into residential areas. He supported making the upgrade as part of the building improvements, emphasizing that it would be a simple change with a positive impact on neighbors.

Vice Chair Bair suggested that all lighting should be dark sky compliant rather than just the west side. She noted that future development could create issues if the east side is not upgraded as well.

Chairman Nelson agreed that the new section should fully meet code and be dark sky compliant. He was open to discussing whether all light fixtures should be upgraded or just those causing direct impact.

City Engineer Holmes explained that all new construction must meet the lighting standards. He suggested setting a time frame for upgrading existing lighting to spread out costs. The west side and new areas could be changed immediately, but if they choose, the full upgrade could be done now instead of waiting.

Vice Chair Bair asked if there is lighting on the east side.

Aldon Watkins noted that there is one light on the east side near the barn and a couple lights on the south side visible from the highway. He mentioned that Corey Nelson has not raised concerns and is a good neighbor. Watkins expressed willingness to comply with lighting standards and asked for clear guidelines so an electrician can make the necessary changes. He emphasized not wanting to be a nuisance to neighbors, acknowledged past security concerns due to a break-in, and apologized if any current lighting is causing issues. He confirmed that lighting adjustments will be made during reconstruction.

Chairman Nelson asked if we have a standard that we can give Aldon.

City Planner Ekins said that a memo is prepared for the City Council when site plan recommendations move forward from the Planning Commission. The memo includes the meeting date, vote details, and a bullet-point list of discussed conditions. He also noted that Aldon will receive the code reference and that strategies for implementation can be discussed.

City Engineer Holmes clarified that there is no specific lighting standard, only a requirement for dark sky compliance.

Chairman Nelson explained that most new outdoor lighting is labeled as dark sky compliant, typically directed downward with the light bulb enclosed in the fixture. He noted that it usually meets specific lumen and color temperature standards.

Commissioner Wheeler asked if there are any landscaping requirements on the site plan.

City Engineer Holmes noted that the existing grass meets the minimum requirements. While adding trees would be beneficial, there may not be a specific requirement for a certain number of them.

Commissioner Willardson asked about plans for landscaping the detention pond.

Aldon Watkins said there weren't any specific plans yet, but the wife was gathering various green plants.

Commissioner Willardson advised against leaving the area as bare dirt, as it could erode over time. He suggested options such as adding rock, gravel, or vegetation to stabilize the soil.

Aldon Watkins asked if irrigation would be needed for grass.

City Engineer Holmes stated that irrigation would be needed to keep the grass green.

Commissioner Willardson suggested using low-maintenance grass options like buffalo grass, which requires less mowing and watering, or planting alfalfa. He noted that Kentucky bluegrass is not the only option and emphasized the need for vegetation or rock to prevent erosion.

Commissioner Wheeler noted that mowing steep inclines would be a challenge if grass is used.

Aldon Watkins acknowledged that grass would require additional watering and noted that while it looks better, the need for irrigation should be considered.

Commissioner Wheeler recommended using rock along with water-tolerant plants, such as those found near riverbanks.

ACTION

Commissioner Casas made a motion to recommend approval for a site plan for a veterinary hospital building and site expansion located at 16 East 6200 South with the following conditions: 1. Existing light fixtures will be replaced with dark sky compliant fixtures and will be completed when the construction of the new facility is completed. 2. The site plan will be updated subject to the conditions and red lines from staff. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Wheeler, Nelson, and Willardson voted aye.

HYRUM CITY - TO REQUEST AN AMENDMENT TO HYRUM CITY CODE TITLE 17 ZONING, CHAPTER 70 FENCE REGULATIONS TO ESTABLISH FENCE AND WALL TYPES AND HEIGHT STANDARDS.

City Planner Ekins explained that after the previous meeting, staff reviewed considerations from the Planning Commission and examined additional code examples, leading to amendments in the original proposal. A reopened public hearing was scheduled to clarify and present these changes. The amendments addressed accessory fences within lots, retaining walls on public utility easements, fencing between incompatible zones, and fence height on retaining walls. One revision specified that fences used for purposes such as keeping animals or gardens, within the maximum height limits for interior and corner lots, are exempt from requiring a permit. Another change stated that retaining walls cannot be placed on public utility easements unless the city engineer determines they will not cause unreasonable interference and provides written approval. The amendment also ensures that retaining walls in city-owned public utility areas do not hinder city progress while considering subdivisions with platted utility easements. The city engineer will review and decide on such cases.

Chairman Nelson stated that he liked the addition and felt it reflected the previous discussion.

City Planner Ekins introduced a new section on fencing between incompatible uses and zones. The code requires a six-foot opaque fence along property lines between single-family and multifamily uses, as well as between residential and commercial or manufacturing uses. An exemption applies to new single-family lots that are not part of a subdivision or planned unit development—existing incompatible uses are not required to install fencing in those cases. Ekins clarified that if a vacant lot is developed for single-family housing, the existing surrounding uses are not responsible for installing a fence.

Commissioner Casas said he was in favor of putting that exemption in. He said he sees that throughout the city. Lots are being filled in and not everybody wants to put up a fence.

City Planner Ekins clarified that the updated code ensures that existing incompatible uses do not bear the financial burden when a different use develops a vacant lot. Regarding fencing changes, the measurement method has been revised. When a fence is installed on a retaining wall or where land elevation differs on either side, the fence height will now be measured from a midpoint between the top of the retaining wall and the lower side or from the average elevation between both sides. The minimum fence height on a retaining wall was adjusted from 42 inches to 4 feet to align with industry standards. Ekins pointed out updates in the attachments, noting that the seven-foot height is now measured from the middle of the wall. If the wall length varies and the ground level slopes, the horizontal reference line will begin at the middle of the wall. The intent is to improve screening while making the regulations less restrictive than the initial proposal.

Commissioner Casas asked whether a retaining wall must have a fence or if a railing would be an acceptable alternative.

City Planner Ekins stated that a railing can be used instead of a fence if it meets the permitted fence types. However, attaching any structure to the wall requires a building permit to ensure safety. The engineer and plan reviewers will need to verify that the addition does not affect the wall's ability to retain properly.

Commissioner Casas asked for clarification on page 87, noting that several lines were crossed out and questioning whether

nearly a page and a half was being removed.

City Planner Ekins confirmed that the crossed-out text represents the original code being replaced.

City Engineer Holmes explained that the deleted portion was originally written last year. Tony reorganized the content to improve readability, moving sections around rather than removing them entirely.

City Planner Ekins explained that the process for obtaining a fence permit is structured like a checklist. When a citizen or business owner applies, he can guide them through step one in the code to determine whether a permit is needed.

Chairman Nelson sought clarification on the fencing requirement for incompatible uses. He asked whether a fence must be installed whenever a property is developed or its use is intensified, if it borders a different zone or use.

City Planner Ekins explained that when a multifamily development is placed next to single-family residences, a fence is required due to the increased density. He clarified that incompatible uses can exist within the same zone if they are permitted or conditional. The terms "compatible use" and "compatible zone" were used to differentiate situations where fencing is necessary. In cases where single-family homes border a new multifamily development, the responsibility to install the fence falls on the new multifamily project. He asked if the wording could be adjusted for better clarity.

Chairman Nelson stated that he understands but is still considering whether he agrees with it.

Commissioner Casas expressed confusion about the meaning of "incompatible" in the discussion.

City Engineer Holmes suggested that a definition for "incompatible use" might be needed, as most people may not immediately understand its meaning.

Chairman Nelson noted that the concept of incompatibility is subjective. He personally sees townhomes next to single-family homes or light commercial properties next to residential areas as compatible, though he believes most Hyrum residents may disagree. He also pointed out that fencing between uses might not always be ideal, particularly in

master-planned communities or mixed-use developments, where commercial and residential areas are integrated.

Commissioner Casas agreed that fencing can sometimes be more harmful than helpful. He noted that while it is beneficial in certain cases, such as for daycares, in mixed-use developments a more open space concept may be preferable.

Chairman Nelson stated that he believes the code is generally a good idea 95% of the time but is concerned about the remaining 5% that presents challenges.

City Planner Ekins shared similar concerns and considered scenarios where a legal non-conforming commercial use has existed for decades. He pointed out that if a new fourplex is developed in the same conforming zone, the two uses may still be considered incompatible. This distinction was used to add more clarity to the definition of incompatible use.

Commissioner Casas confirmed that the responsibility for installing the fence would fall on the four-plex developer, not the existing property owner.

Vice Chair Bair agreed with that aspect, noting that the responsibility falls on the new property owner or developer.

Chairman Nelson reiterated that the requirement is well-intentioned and beneficial in most cases. However, he expressed concern that in developments like the potential Kartchner project, master-planned communities, or mixed-use areas, it may be preferable to integrate different uses more seamlessly rather than strictly separating them.

City Planner Ekins stated that a Planned Unit Development (PUD) has the flexibility to deviate from standard requirements.

Chairman Nelson acknowledged that master-planned communities have the flexibility to deviate from standard requirements.

Chairman Nelson suggested that within a master-planned development, all uses could be considered compatible, as they function as part of a single development. He noted that this interpretation could mean fencing requirements might not apply internally within the development, particularly for mixed-use parcels.

City Planner Ekins questioned whether a master plan could potentially include an exemption for this requirement.

Chairman Nelson stated that master-planned developments and mixed-use developments likely have an exemption for internal fencing requirements.

Vice Chair Bair questioned whether the exemption would still apply even if the development was not part of a subdivision or a Planned Unit Development.

Chairman Nelson stated that the exemption appears to apply only to lots that are not part of a subdivision or a Planned Unit Development (PUD). He suggested that within a PUD or mixed-use development, fencing regulations between different uses should not be required internally, as this would address his concern.

Commissioner Willardson asked whether the issue could be clarified and resolved during the Planned Unit Development (PUD) process.

Chairman Nelson acknowledged that it would be possible to address the issue during the Planned Unit Development (PUD) process.

City Engineer Holmes emphasized the importance of having written guidelines in place to facilitate progress.

Vice Chair Bair suggested adding clarification to the definition of "incompatible use," possibly incorporating factors like changes in density.

City Engineer Holmes pointed out that the code remains ambiguous due to the lack of a clear definition for "incompatible use." He emphasized that without a precise statement outlining what qualifies as incompatible, interpretation would be challenging.

Vice Chair Bair explained that while single-family and multi-family properties share a residential use, differences in density can create incompatibility. She acknowledged that some cases will be clear, such as developments adjacent to existing businesses like Miller's, where fencing would be necessary. However, she noted that other situations may be more ambiguous and require careful interpretation.

ACTION

Commissioner Willardson made a motion to recommend approval for an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards with these conditions to E2: 1. Identify what the incompatible use is. 2. Form an exemption for Planned Unit Developments and mixed-use within that specific development. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

ADJOURNMENT:**ACTION**

There being no further business before the Planning Commission, the meeting adjourned at 7:45 p.m.

Stephen Nelson
Chairman

ATTEST:

Shara Toone
Secretary

Approved: June 12, 2025
As Written