

MINUTES OF A CITY COUNCIL SPECIAL MEETING HELD MAY 21, 2026 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Mayor Steve Miller

**ROLL CALL:** Councilmembers Rebecca Foulger, Michael Nelson, NaLyn Nelson, Craig L. Rasmussen, and Mont Wright.

**CALL TO ORDER:** There being five members present and five members representing a quorum, Mayor Miller called the meeting to order.

**OTHERS PRESENT:** City Administrator Daniel Ferris, City Planner Tony Ekins, and City Treasurer Todd Perkins. City Recorder Stephanie Fricke recorded the minutes.

**WELCOME:** Mayor Miller welcomed everyone in attendance and invited audience participation.

**INVOCATION:** Mayor Miller

**AGENDA ADOPTION:** A copy of the notice and agenda for this meeting was emailed to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices more than forty-eight hours before meeting time.

**ACTION** Councilmember Wright made a motion to approve the agenda for May 21, 2026 as published. Councilmember NaLyn Nelson seconded the motion and Councilmembers Foulger, Michael Nelson, NaLyn Nelson, Rasmussen, and Wright voted aye. The motion passed.

- 5. **AGENDA ITEMS:**
  - A. Discussion on accessory buildings.
  - B. 2026-2027 Budget Workshop.

6. **ADJOURNMENT**

**AGENDA ITEMS:**

**DISCUSSION ON ACCESSORY BUILDINGS.**

City Planner Tony Ekins City Planner Tony Ekins informed the City Council of new State legislation effective October 1, 2026,

relating to detached accessory dwelling units (ADUs) under Utah Code Section 10-21-304 Detached accessory dwelling units. (1) (a) A specified municipality shall adopt a land use regulation that permits a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, if the single-family dwelling is a permitted use on the lot or parcel. (b) This section does not prohibit a municipality from adopting a land use regulation that permits a detached accessory dwelling unit on a lot or parcel that is smaller than 11,000 square feet. (2) A land use regulation described in Subsection (1) shall: (a) require that a detached accessory dwelling unit comply with all applicable building, health, and fire codes; and (b) include a process for the owner of a legally constructed accessory structure to convert the accessory structure to a detached accessory dwelling unit subject to applicable: (i) dwelling and accessory structure setback requirements; and (ii) building, health, and fire codes. (3) A land use regulation described in Subsection (1) may not: (a) require a conditional use permit for a detached accessory dwelling unit if the proposed detached accessory dwelling unit is located in a primarily residential zone; (b) require more than two on-site parking spaces assigned to a detached accessory dwelling unit that is 650 square feet or larger; (c) require more than one on-site parking space assigned to a detached accessory dwelling unit that is smaller than 650 square feet; or (d) include design standards for a detached accessory dwelling unit that conflict with Section 10-20-618. (4) A land use regulation described in Subsection (1) may: (a) require a detached accessory dwelling unit to: (i) conform to applicable land use regulations that regulate structure size, dimension, height, and maximum lot coverage; (ii) conform to setback requirements, that may take into account proximity to property lines and other structures, easements, window orientation, massing, or other elements; and (iii) be designed consistent with the design of the single-family dwelling; (b) prohibit a detached accessory dwelling unit from being: (i) larger in size than the single-family dwelling located on the same lot or parcel; (ii) located within a public utility easement or other recorded easement; (iii) located in a front-yard area of a lot or parcel; or (iv) rented for less than 90 consecutive days; (c) require that the owner of a lot or parcel where a detached accessory dwelling unit is located reside in the detached single-family dwelling or detached accessory dwelling unit located on the lot or parcel; (d) require that when a detached garage is converted to a detached accessory dwelling unit, any parking spaces required for the single-family dwelling that were located within the

detached garage are replaced on-site; (e) prohibit more than one accessory dwelling unit on a lot or parcel; and (f) prohibit a detached accessory dwelling unit if: (i) the detached accessory dwelling unit will not have adequate access to a required utility service that is a project improvement, including sanitary sewer, culinary water, electrical, or storm water; or (ii) a utility service that is a system improvement, including sanitary sewer, culinary water, electrical, or storm water, to which the detached accessory dwelling unit is required to connect does not have sufficient capacity to support the addition of the detached accessory dwelling unit to the utility service system improvements. (5) This section does not supersede: (a) a land use regulation that regulates a detached accessory building that is not a detached accessory dwelling unit; (b) prohibitions or restrictions on detached accessory dwelling units in a development agreement signed by a municipality on or before May 6, 2026; or (c) a land use regulation or administrative action that: (i) is not prohibited by law; and (ii) relates to a detached accessory dwelling unit.

City Planner Tony Ekins explained that the new law requires specified municipalities to adopt land use regulations permitting a detached accessory dwelling unit on any lot or parcel that is 11,000 square feet or larger and contains a single-family dwelling, provided the single-family dwelling is a permitted use on the property. He noted that municipalities are not prohibited from allowing detached accessory dwelling units on smaller lots at their discretion.

City Planner Tony Ekins stated that the legislation requires that any applicable land use regulation must ensure compliance with all building, health, and fire codes. He further explained that the law requires municipalities to establish a process allowing property owners to convert legally constructed accessory structures into detached accessory dwelling units, subject to applicable setback requirements and all applicable building, health, and fire code standards.

City Planner Tony Ekins advised that the new statute limits certain regulatory authority by prohibiting municipalities from requiring a conditional use permit for detached accessory dwelling units located within primarily residential zones. He further noted that the law restricts parking requirements, allowing no more than two on-site parking spaces for detached accessory dwelling units 650

square feet or larger, and no more than one on-site parking space for units smaller than 650 square feet.

City Planner Tony Ekins also stated that the legislation prohibits municipalities from imposing design standards that conflict with State law and allows municipalities to regulate size, height, setbacks, and maximum lot coverage consistent with existing zoning regulations. He noted that municipalities may also require compatibility with the primary dwelling's design and may prohibit accessory dwelling units from exceeding the size of the primary residence, being located within easements, being placed in front-yard areas, or being used for short-term rentals of less than 90 consecutive days.

City Planner Tony Ekins further explained that municipalities may require owner-occupancy of either the primary dwelling or the accessory dwelling unit and may require replacement of parking spaces when garages are converted. He noted that municipalities may limit properties to one accessory dwelling unit per lot and may prohibit units where utility infrastructure is insufficient or lacks capacity to support additional service demand.

City Planner Tony Ekins stated that the legislation does not override existing regulations for detached accessory structures that are not used as dwelling units and does not supersede development agreements executed prior to May 6, 2026.

City Planner Tony Ekins concluded by stating that City staff will be reviewing the new statutory requirements and will bring forward recommended amendments to City ordinances to ensure compliance prior to the effective date.

**2026-2027 BUDGET WORKSHOP.**

Due to time constraints this item was not discussed.

***ADJOURNMENT:***

**ACTION**

**There being no further business before the City Council,  
the Council Meeting adjourned at 6:25 p.m.**

ATTEST:

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Steve J. Miller  
Mayor

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Stephanie Fricke  
City Recorder

Approved: June 4, 2026  
As Written