



PLANNING COMMISSION MEETING

Thursday, March 12, 2026 at 6:30 PM
Council Chambers, 60 West Main, Hyrum, Utah

AGENDA

Public notice is hereby given of a Hyrum Planning Commission Meeting to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 6:30 PM, March 12, 2026. The proposed agenda is as follows:

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **APPROVAL OF MINUTES**
 - A. [February 12, 2026](#)
5. **AGENDA APPROVAL**
6. **PUBLIC HEARING**
 - A. [To receive public comment regarding a request from Sergio Bustillos to rezone property from Residential Agriculture Zone RA to Light Manufacturing Zone M-1 located at approximately 230 North 100 East.](#)
7. **SCHEDULED DELEGATIONS**
 - A. [Rezone RA to M-1, Sergio Bustillos](#) – To request recommendation from the Planning Commission to the City Council to rezone property from Residential Agriculture Zone RA to Light Manufacturing Zone M-1 located at 230 North 100 East.
 - B. [Bryan Jorgensen, Kilgore Companies](#) - To seek recommendation from the Planning Commission to the City Council for site plan approval for a previously constructed weir system and wastewater discharge located at 410 North 800 East.
8. **ADJOURNMENT**

Shara Toone
Secretary

Commission Members may participate in the meeting via telephonic communication. If a Commission Member does participate via telephonic communication, the Commission Member will be on speakerphone. The speakerphone will be amplified so that the other Commission Members and all other persons present in the Commission Chambers will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City Planning Commission at 435-245-6033 at least three working days before the meeting.

CERTIFICATE OF POSTING - The undersigned, duly appointed and acting City Secretary of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was 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, 60 West Main, Hyrum, Utah, this 10th day of March, 2026. Shara Toone, Secretary.

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD FEBRUARY 12, 2026 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Chairman Stephen Nelson

PRESENT: Chairman Stephen Nelson, Commissioner Scott Casas, Averie Wheeler, Paul Willardson, and Marty McBride.

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 and 14 citizens. Secretary Shara Toone recorded the minutes.

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

INVOCATION: Commissioner McBride

APPROVAL OF MINUTES:

The minutes of a regular meeting held on January 8, 2026 were approved as written.

ACTION **Commissioner Casas made a motion to approve the minutes of January 8, 2026 as written. Commissioner McBride seconded the motion and Commissioners Casas, McBride, 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 February 12, 2026, as written. Commissioner Wheeler seconded the motion and Commissioners Casas,**

McBride, Nelson, 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 17.44.020 Use Regulations in the commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.

7. SCHEDULED DELEGATIONS

- A. Hyrum City, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the commercial Zone C-2 to remove certain permitted and conditional uses.
- B. Brad James, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.
- C. Jeff Hinds, Enbridge Gas District Regulator Station and High-Pressure Gas Feeder Line - Seeking Site Plan approval for upgrades to the District Regulator Station located at 388 West 300 North, and high-pressure gas feeder line from the District Regulation Station to 4650 South 1200 West.

8. ADJOURNMENT

PUBLIC HEARINGS:

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE, SECTION 17.44.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-1 AND SECTION 17.45.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-2 TO REMOVE CERTAIN PERMITTED AND CONDITIONAL USES.

City Planner Ekins said the application was first reviewed in January and properly noticed, but no public comments were received. The city then reopened it and notified owners of vacant properties to make sure more people knew about it. The application itself didn't change.

The proposal is part of the city's general plan update and focuses on rules for two commercial zones in Hyrum: C-1 on the east side and C-2 downtown. In C-1, the city wants to remove residential uses like single-family homes and boarding houses to keep the area commercial.

Gas station rules were recently updated, and repair businesses must be properly screened. Light manufacturing was removed from commercial zones since it has its own designated zones.

In the C-2 downtown zone, similar rules apply. PUDs were replaced with mixed-use developments allowing residential units above commercial space. Some conditional uses, like taverns, nightclubs, and light manufacturing, were proposed to be removed.

ACTION

Commissioner Wheeler made a motion to open the public hearing at 6:42 P.M. Commissioner Willardson seconded the motion and Commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

Chairman Nelson invited members of the public to speak on the item and asked anyone who wished to comment to come to the podium and state their name and address, for the record.

Darin Christensen, a new resident of Hyrum, stated that he owns an empty lot at 365 West Main, which is zoned C-2. He explained that after moving to the area, plans for the property became complicated due to zoning and Department of Transportation issues. His main concern is gaining a clearer definition of what qualifies as light manufacturing and understanding the long-term vision and heritage the city. He thanked city officials for their service and for the opportunity to participate in the community.

Dan Solomon, who lives at 153 West Main, said he supports the proposed changes. He noted that he did not see short-term rentals listed in the new permitted uses and asked for an update on where the short-term rental definition in the city code currently stands. Chad Welch, who owns property at 1575 East Highway 101, said he

has operated a sawmill on the site for about 40 years. He asked what would happen to his sawmill if the property were rezoned and he chose not to sell. Specifically, he wanted to know whether he would be required to remove the sawmill or if it could continue operating until he was finished with it. He noted that the light manufacturing use has existed there for a long time.

Chairman Nelson said the commission would try to answer Chad's question during their discussion. He then asked if anyone else wished to speak.

ACTION

Commissioner Willardson made a motion to close the public hearing at 6:47 P.M. Commissioner Casas seconded the motion and commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

SCHEDULED DELEGATIONS:

HYRUM CITY, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL FOR AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE, SECTION 17.44.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-1 AND SECTION 17.45.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-2 TO REMOVE CERTAIN PERMITTED AND CONDITIONAL USES.

City Planner Ekins responded to questions from the public hearing. He confirmed that Darin's property is subject to UDOT regulations, and a nearby pallet manufacturing site creates safety concerns because there is flammable material near a gas station. To prevent future conflicts, the city is proposing to remove light manufacturing as a permitted use in these commercial zones.

Chairman Nelson stated that existing businesses can keep operating as legal nonconforming uses as long as they stay in operation.

City Planner Ekins said that once approved, all properties can continue operating as legal nonconforming uses.

Chairman Nelson explained that a use would be lost if it was abandoned for 12 months. If the property is sold, the new owner can continue the existing use as long as it isn't expanded.

City Planner Ekins said that short-term rentals were approved at the last city council meeting after a thorough review. The notes from the meeting will be added to the ordinance and signed by the

mayor when he returns. He also explained that Chad's sawmill property could become a legal nonconforming use for the resident, allowing current activities to continue. If the sawmill hasn't operated in the last 13 months, it would not automatically continue, but the property owner could request a change or rezone for light manufacturing.

Commissioner Casas said he didn't understand the gravel pit situation.

City Planner Ekins explained that the gravel extraction pits behind Chevron are moving east. If the subdivision proceeds, the applicant plans to rezone the portion he is buying, which includes the sawmill, to residential.

Chairman Nelson said he prefers that light manufacturing not be allowed in the commercial zone because it could impact neighbors and that it would be better to rezone the property specifically for light manufacturing if needed.

ACTION

Commissioner Casas made a motion to recommend approval for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses. Commissioner McBride seconded and commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

BRAD JAMES, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL FOR AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.64 AGRITOURISM; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "AGRICULTURAL ENTERPRISE", "AGRITOURISM", "AGRITOURISM ACTIVITY", AND "AGRITOURISM OPERATOR"; AMEND SECTION 17.22.030.C USE REGULATIONS TO INCLUDE "AGRITOURISM" AS A CONDITIONAL USE IN THE OPEN SPACE ZONE OS; AND AMEND SECTION 17.38.010.C CONDITIOANL USES TO INCLUDE AGRITOURISM AS A CONDITIONAL USE IN THE RESIDENTIAL AGRICULTURAL ZONE RA.

City Planner Ekins said a Hyrum property owner started the application for agritourism on land partly in the city and partly in the county. The county allows agritourism to help preserve farms and give owners more options. The city has been helping the applicant move the process along.

Since the last meeting, staff added definitions for artisan goods, entertainment, and recreational uses, clarified the purpose, and said agritourism needs a conditional use permit and business license. They cleaned up language, updated plot and floor plan rules, and clarified setbacks to focus on nearby homes instead of property lines. Allowed activities include farm tours, weddings, markets, corn mazes, rides, and other approved uses. Bigger events are only allowed on five-acre lots, and some setbacks can be reduced depending on the activity.

They updated "mass gatherings" to mean 1,000 guests or more and added that more than three violations in a year could cancel the permit and license. Parking rules were clarified, and any structures must have a 20-foot-wide access for fire safety.

Commissioner Willardson asked how often someone would need to apply for a conditional use permit and how long it would last.

City Planner Ekins explained that a conditional use permit is approved once and runs with the land. It is not something a person has to reapply for every year. The Planning Commission approves the permit, and it remains valid as long as the agritourism operation continues. However, a business license must be renewed each year.

The Planning Commission discussed whether the permit could lapse if the activity paused for a year, such as if a corn maze did not operate one season.

City Planner Ekins said the permit would still remain in place.

Chairman Nelson noted that under Hyrum City Code 17.84.100, conditional use permits must be reviewed every two years for compliance. They can be revoked if the operator fails to follow the original approval requirements. He explained that as long as the operation remains compliant, the permit would stay active.

Commissioner Willardson said he wants to make sure the process is not too burdensome for property owners but also gives the city authority to address problems.

City Planner Ekins responded that the city has tools to address issues. The annual business license renewal process allows staff to confirm the conditional use permit is in good standing, and complaints from neighbors can also trigger a review if needed.

Commissioner Casas said the listed events, such as weddings, sleigh rides, and family reunions, sounded wonderful. He wondered how temporary RVs or family campers would fit into the plan, such as if one was brought in to use as a temporary office or for another purpose. He asked whether there would be any issues with that and how it would work.

City Planner Ekins said that the site plan and plot plan approval, along with the conditional use permit, will show all new and existing buildings and the parts of the property they will use for the operation.

Commissioner Casas asked if someone attending a family reunion could park a camper on the property, or if that would be prohibited under the ordinance.

City Planner Ekins said it would likely be prohibited because section G1 does not allow overnight accommodations as part of agritourism activities.

Commissioner Casas explained he was thinking about family members traveling from far away and wondered if there could be an exception.

Commissioner Willardson said G1 seems to cover that situation and would prevent it from turning into an RV gathering.

City Planner Ekins added that the city does have a separate application process that allows a temporary RV or camper stay on a property, but that would be outside of the agritourism permit. He said long-term use, such as turning the property into a hotel site, would not be allowed.

Commissioner Sovine noted that at the state park, RVs can use day-use areas but must leave by 10 p.m. unless they have a camping permit.

Chairman Nelson asked where the ordinance states which zones agritourism is allowed in.

City Planner Ekins explained that it is allowed in the Residential Agricultural (RA) zone. He added that the relevant sections are 17.22.030 and 17.38.010, which also include the open space zone that is used for agricultural purposes.

ACTION

Commissioner Willardson made a motion to recommend

approval for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism Operator"; amend Sections 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA. Commissioner McBride seconded and commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

JEFF HINDS, ENBRIDGE GAS DISTRICT REGULATOR STATION AND HIGH-PRESSURE GAS FEEDER LINE - SEEKING SITE PLAN APPROVAL FOR UPGRADES TO THE DISTRICT REGULATOR STATION LOCATED AT 388 WEST 300 NORTH, AND HIGH-PRESSURE GAS FEEDER LINE FROM THE DISTRICT REGULATION STATION TO 4650 SOUTH 1200 WEST.

City Planner Ekins said the project is large and starts at the regulator station located at 388 West 300 North. He said the city's site plan review only applies to what's in the Hyrum city limits. He also noted that the current site has a few compliance issues from when it was first built. A fire hydrant is set too low to the ground, landscaping did not survive, and there may be a noise decibel concern. The applicants are working on these issues, including conducting sound studies.

Ekins said staff met with the applicants and reviewed the project. He explained that the existing site must meet city code requirements before the expansion can move forward. The city also needs a proper insurance certificate from the applicants. Staff provided comments on technical items, including identifying sewer and water laterals and adding top elevations. Two main technical issues were noted. First, restoration work can continue as long as any sewer or water laterals damaged during excavation are repaired. Second, infrastructure in the public right-of-way needs adjustment.

Andrew Asplund, an engineer and project manager, explained that the project is to connect a new renewable natural gas (RNG) facility at the JBS site to their existing high-pressure pipeline system. They are building an interconnect at their existing facility, built in 2024, to bring in the new pipeline. The RNG is blended with regular gas before being delivered to customers. A new valve set is needed to blend the two pipelines.

He explained that the valve set will be in the street right-of-way, which is common. This location was chosen to reduce space impacts.

To address noise concerns, temporary noise reduction walls have been installed, and noise should decrease when the project is complete. They also plan to raise a fire hydrant and upgrade landscaping to meet code. The vault will be designed to blend in, so it is not noticeable from the road.

Regarding sewer concerns, he said it is not common to expose sewer or water lines during trenching unless required. If anything is damaged, it will be repaired. They could check sewer levels if required by the city, but doing all of them would be excessive.

Commissioner McBride asked how long the construction would take.

Asplund explained that the project has two parts: roadway construction and station construction. He said that from the first cut of asphalt to the final paving, the work would likely take about three months, but groundwater could slow the project down.

Commissioner Casas asked about possible start and end dates.

Asplund said the timing depends on when they are allowed to begin work.

Commissioner Casas said he had several additional questions and wanted clarification on the purpose of the project.

Asplund explained that JBS is working with another company called Green Gas to build an upgrading facility. He said JBS already produces biogas, but it is not pipeline quality. Green Gas will upgrade the biogas to pipeline quality, and it will then be injected into the gas system.

Commissioner Casas asked if residents along the project path had been notified.

Asplund said they had not been notified yet, but plans are in place to do so when construction begins. He said they also discussed placing a message board near the regulator station to provide updates and a schedule.

Commissioner Casas expressed concern about the 15 to 20 residential driveways that could be impacted and suggested sending letters to

each home to notify them in advance.

Asplund said that they use door hangers to notify residents. He explained that their contractor, Flair, handled the station construction last year and does a good job communicating with homeowners. He said the contractor works to ensure residents always have driveway access and coordinates schedules with homeowners if temporary access issues arise.

Commissioner Casas asked if they had worked with the county and if the county had approved its portion of the project.

Asplund responded that he has been involved in the process and noted that this was his third council meeting regarding the project.

Commissioner Casas asked who in the city would oversee the project.

City Planner Ekins said city staff and departments would monitor the work as they see it happening and respond to any concerns. If inspections are needed, the city would either hire an outside engineer or use a city engineer.

Commissioner Casas asked if there would be one single point of contact within the city.

Ekins said there would be, likely himself or the city engineer, and that he would coordinate calls as needed.

Commissioner Willardson noted that this project is different because it involves a third-party utility, and the city will not be approving the gas line itself.

Commissioner Casas also asked whether the city had considered coordinating other infrastructure projects in the same area, such as sewer or water lines, to "piggyback" during the same timeline.

Ekins said no such discussions came up during staff review. He explained that staff thoroughly reviewed the drawings and focused on existing utilities shown, and no additional city projects in that area were identified.

Commissioner Wheeler asked about overhead power lines, noting they are common in the area.

City Planner Ekins explained that the comment was added to ensure the contractor is aware of the overhead lines. He said there is

only one spot on the plans where underground power crosses the road, and it is already marked on the drawings.

Asplund added that, by their standards, the contractor must provide notification and signage for overhead power and use spotters when moving equipment.

Commissioner Casas noted that 200 West is a city-owned road used by 50 to 100 semi-trucks daily and that the section from 300 North to the county is in poor condition.

Asplund clarified that the project would only repair areas damaged by construction and that the whole street would not be resurfaced.

Commissioner Casas asked if the city had any plans to repave or refurbish the road, noting existing potholes and the road's age.

City Planner Ekins said he could pass the comment on to city staff but was not aware of any immediate plans for street resurfacing.

Commissioner Casas asked if access had been granted by Union Pacific Railroad.

Asplund confirmed that they have an agreement with Union Pacific Railroad.

Chairman Nelson asked if traffic on 200 West would be shut down or detoured during the project, since the plan appeared to place the pipeline down the center of the road.

Asplund said there were no plans for a full shutdown or detour. He explained that the work would likely use a flagging operation, with half of the road closed and traffic reduced to a single lane moving north and south. He said they were working with JBS to notify drivers and post information about alternate routes.

Commissioner Casas said he was concerned about whether the message boards would be placed before 900 West, which is an alternate route. He explained that many cattle trucks travel at night along 300 North and down to 200 West, and if they are notified too late it could cause problems.

Asplund responded that they would be willing to place the message boards wherever the city believes it would work best.

Commissioner Casas added that 900 West could serve as an alternate route near the butter plant and said he was concerned about out-

of-state semi-truck drivers and potential impacts on JBS production.

Chairman Nelson asked City Planner Ekins if the conditions listed for the project, including noise levels, a fire hydrant, and landscaping, were expected to be fixed before the project begins.

City Planner Ekins explained that when a site is not in compliance, it typically needs to be brought into compliance before it can expand, according to the zoning ordinance. Because of that, the issues would normally need to be corrected before the site plan receives approval from the city council. He also mentioned that there is another meeting where the project will be reviewed.

Chairman Nelson said he was concerned about requiring landscaping installation at this time of year because of winter conditions.

Asplund responded that the previous landscaping had been installed in December and had died.

City Planner Ekins said the city could create an abatement agreement that would set deadlines for correcting the issues as the project moves forward, although the code normally requires the problems to be fixed first.

Chairman Nelson noted that the city code does not include adjustments for landscaping installation based on weather conditions.

Commissioner Casas asked if there was water available at the substation and if the landscaping had access to water.

Andrew Asplund explained that because landscaping was required, they installed a water service and water meter, and there is irrigation at the property for the landscaping.

Commissioner Willardson said he would abstain from the vote because his engineering company helped with the site plan for Green Gas USA, and he wanted to avoid any conflict of interest. He added that he thinks the project is a great deal and praised Enbridge as a company.

ACTION

Commissioner Wheeler made a motion to recommend approval for a site plan for upgrades to the District Regulator Station located at 388 West 300 North, and high-pressure gas feeder line from the District Regulation Station to 4650 South 1200 West, conditioned

upon staff comments and their response. Commissioner Casas seconded and commissioners Casas, McBride, Nelson, and Wheeler voted aye.

OTHER BUSINESS:

ANNUAL PLANNING COMMISSION REVIEW

Election of Planning Commission Chairman and Vice Chairman.

ACTION Commissioner Casas made a motion to appoint Commissioner Nelson as Planning Commission Chairman for 2026. Commissioner McBride seconded the motion and Commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

ACTION Commissioner Willardson made a motion to appoint Commissioner Wheeler as Planning Commission Vice Chair for 2026. Commissioner Casas seconded the motion and Commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

Review appointment terms of Planning commission Members.

City Planner Tony Ekins advised of the appointment terms for each member.

Set meeting schedule for the year.

The Planning Commission agreed to keep the regular Planning Commission Meetings on the second Thursday of each month at 6:30 p.m.

ACTION Commissioner Willardson made a motion to approve the meeting schedule for the 2026 year. Commissioner Casas seconded the motion and Commissioners Casas, McBride, Nelson, Wheeler, and Willardson voted aye.

Review past years work - conducted by Chairman.

Chairman Stephen Nelson conducted the review on agenda items approved in 2025. She also gave updates on the progress on previously approved subdivisions.

Review plans for the coming year.

Tony Ekins said the city staff and mayor have been reviewing the city code and zoning ordinance to clarify unclear sections and make improvements. Some updates are driven by state legislation, such as the micro-school ordinance, while others address short-term rentals or potential new uses in zoning districts proposed by citizens.

They are also focused on the general plan and annexation discussions with Nibley City. The mayor is addressing concerns about odors from agricultural businesses in the northwest part of the city, working with local industries to find solutions.

The staff continues to manage subdivisions and developers, approving new single-family dwelling plans regularly. They are reviewing engineering and inspection processes to improve efficiency and are currently outsourcing building permits to Cache County. The city is implementing a new permitting software, CitizenServe, starting with planning and zoning applications and later expanding to business licensing and other services.

Overall, the planning and zoning department has focused on making processes clearer, more efficient, and productive.

ADJOURNMENT:

ACTION **There being no further business before the Planning Commission, the meeting adjourned at 8:41 p.m.**

Stephen Nelson
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written



60 West Main Street
Hyrum, Utah 84319
Ph. (435) 245-6033
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Staff Evaluation First Review

Application: Rezone RA to M-1, Sergio Bustillos – Seeking Planning Commission recommendation to the City Council to rezone from Residential Agriculture Zone RA to Light Manufacturing Zone M-1 located at 230 North 100 East.

Application Number: 26-003
Preparation Date: February 27, 2026
Applicant Name: Sergio Bustillos
Property Owner: Sergio Bustillos Portillo
Property Address: 230 North 100 East
Parcel Number: 01-162-0001
Parcel Area: 0.54 Acres

Planning Commission: March 12, 2026
Application Type: Amendment - Rezone
Nature of request: Recommendation to City Council

Application Overview: Hyrum City received a rezone application from Sergio Bustillos, the owner of 230 North 100 East. Currently, the property is zoned Residential Agriculture Zone RA which is an agricultural zone allowing single family dwellings with a minimum lot size of 12,000 square feet. The petition is to rezone from RA to Light Manufacturing M-1, which is a zone where light manufacturing can reside in close proximity to residences without being detrimental to the quality of life of the residents. The property does not include a residential home but is a residential lot of the Kim Nielsen “Mini” Subdivision that was recorded on October 14, 2021.

ADJACENT ZONING DESIGNATIONS OF THE SUBJECT PROPERTY	
North	Light Manufacturing Zone M-1
East	Light Manufacturing Zone M-1
South	Residential Agriculture RA (existing residence)
West	Light Manufacturing Zone M-1

The goal of the rezone from Residential Agriculture RA to Light Manufacturing M-1 is to provide the property owner an opportunity to use the property as a storage yard for a concrete business which is permitted use in the M-1 zone. There is an existing Quonset hut metal building located in the southwest portion of the property that will be part of the concrete storage yard business. If the rezone is approved, the change of zoning and use will require the applicant to submit a Site Plan Approval application that will be required to comply with the Light Manufacturing Zone M-1 standards which include but not limited to use, area, frontage, yard and height regulations, lighting, off-street parking and parking lot regulations, etc. which will require Planning Commission recommendations of approval to the City Councils consideration for approval.

Staff Comments:

Planning and Zoning:

1. In 2024, Stockyard Subdivision applied for a three (3) lot “Mini” Subdivision and rezone from Residential Agriculture TA to a mixture of Light Manufacturing and Single-Family Residential R-2 that is located east of the applicant’s property.

ZONE MAP PRIOR TO STOCKYARD "MINI" SUBDIVISION

**Planning Commission Responsibility:**

1. A public hearing must be held by the Planning Commission.

Staff Recommendation:

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.

Stipulations:

1. All proposed amendments shall first be recommended by the Planning Commission for its recommendation to the City Council for its consideration.

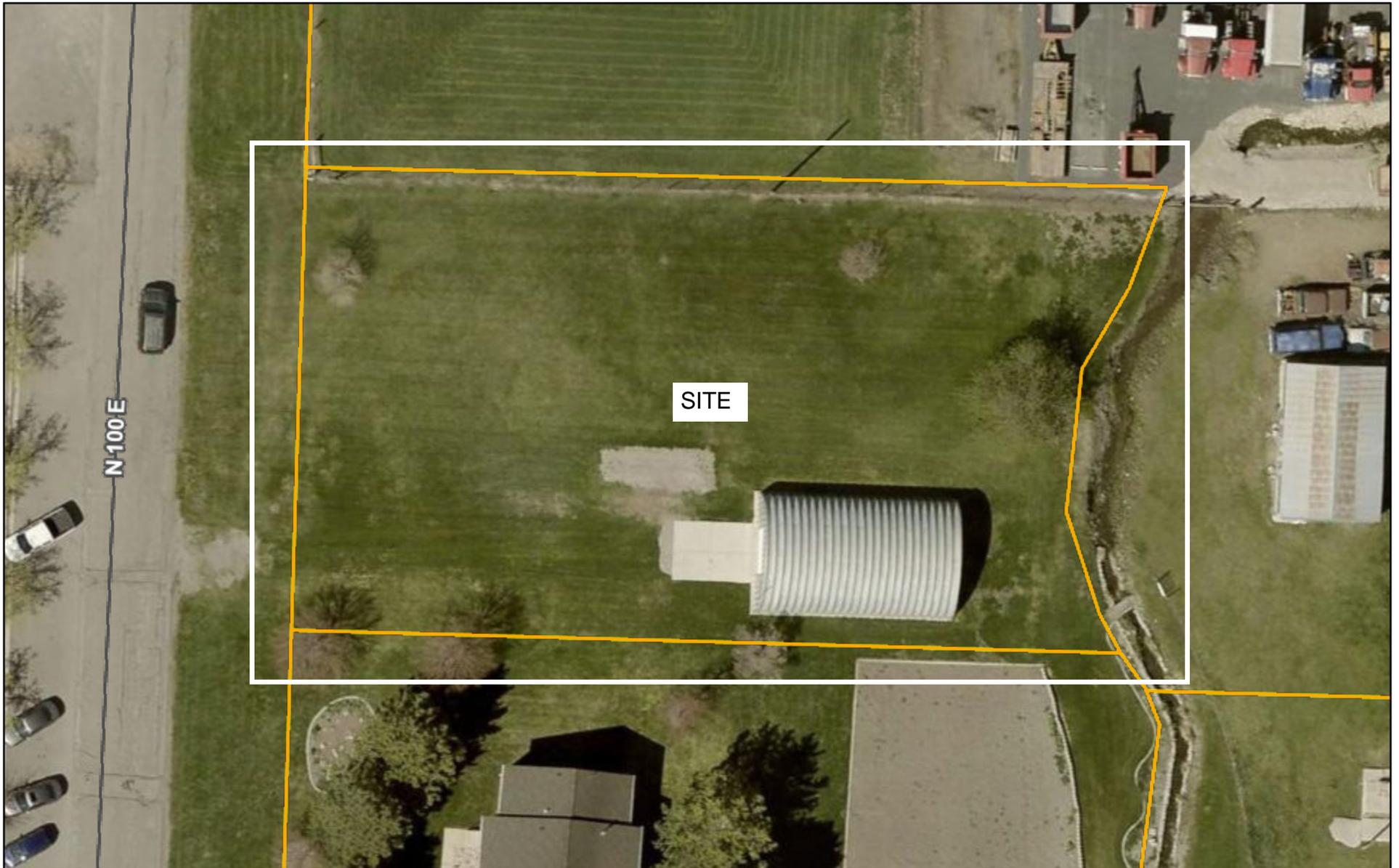
Findings of Fact:

1. The public hearing was noticed in accordance with Utah Code.
2. Public hearing mailing notices were mailed to all properties within three hundred (300) of the subject property.

Attachments:

1. Aerial View
2. Vicinity Map
3. Current Zoning Map
4. Kim Nielsen "Mini" Subdivision Plat

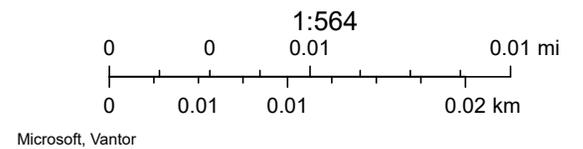
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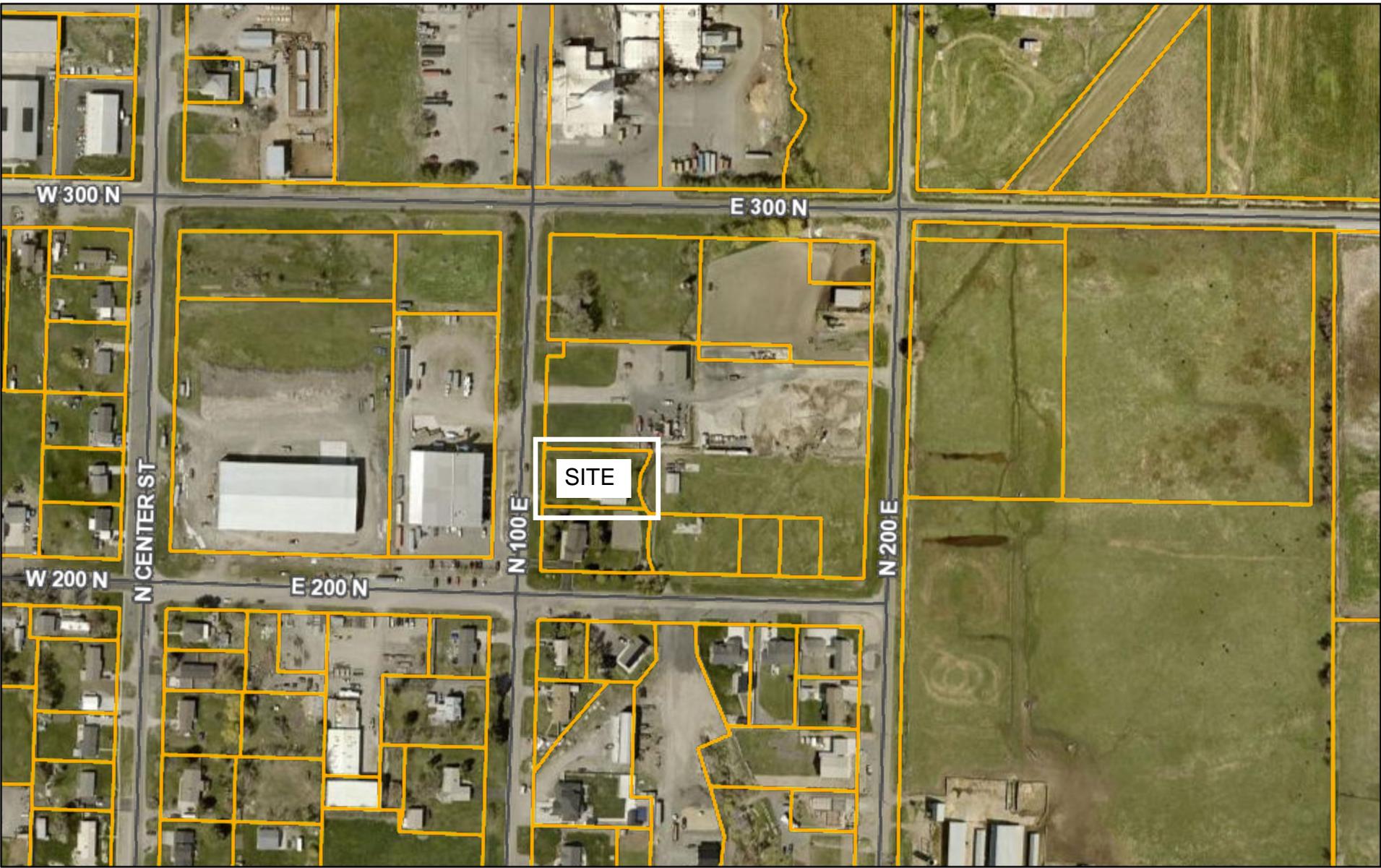
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-  County Centerline
-  County Centerline with Labels

 Cache Parcels

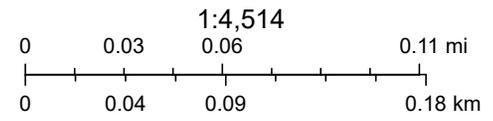


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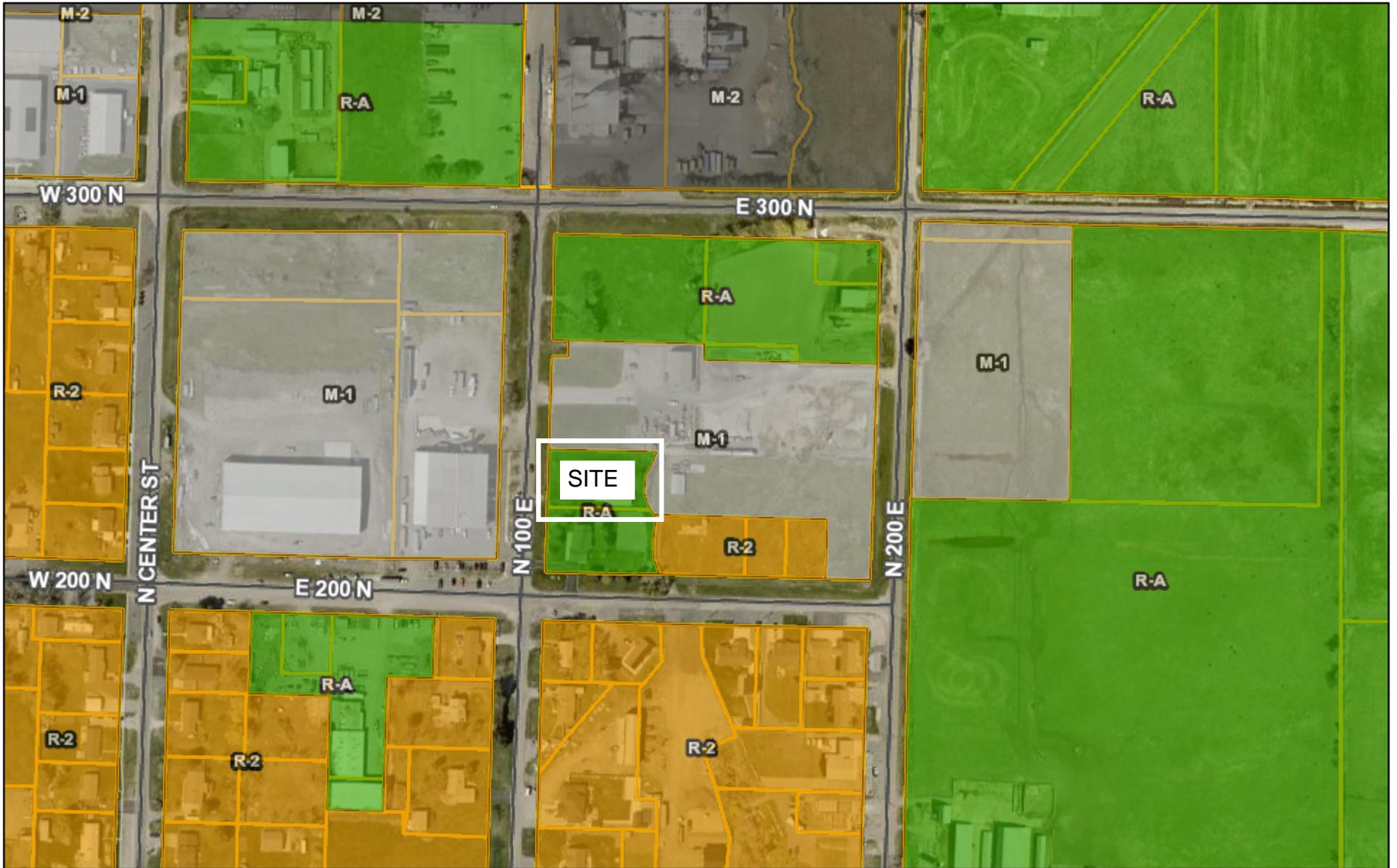
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-  County Centerline
-  Cache Parcels
-  County Centerline with Labels



Vantor

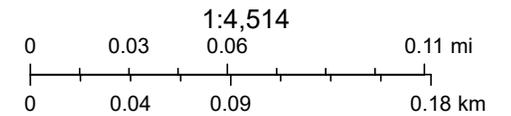
Map



2/26/2026, 2:30:31 PM

Hyrum Zoning

- | | | |
|-------------------------------------|------------------------------|-------------------------------|
| MANUFACTURING - LIGHT M-1 | RESIDENTIAL MULTI FAMILY R-2 | RESERVOIR |
| MANUFACTURING - MEDIUM TO HEAVY M-2 | RESIDENTIAL R-3 | County Centerline |
| OPEN SPACE AND PARKS OS | RESIDENTIAL 1 ACRE LOTS R-5 | County Centerline with Labels |
| RESIDENTIAL SINGLE FAMILY R-1 | RESIDENTIAL AGRICULTURE R-A | Cache Parcels |



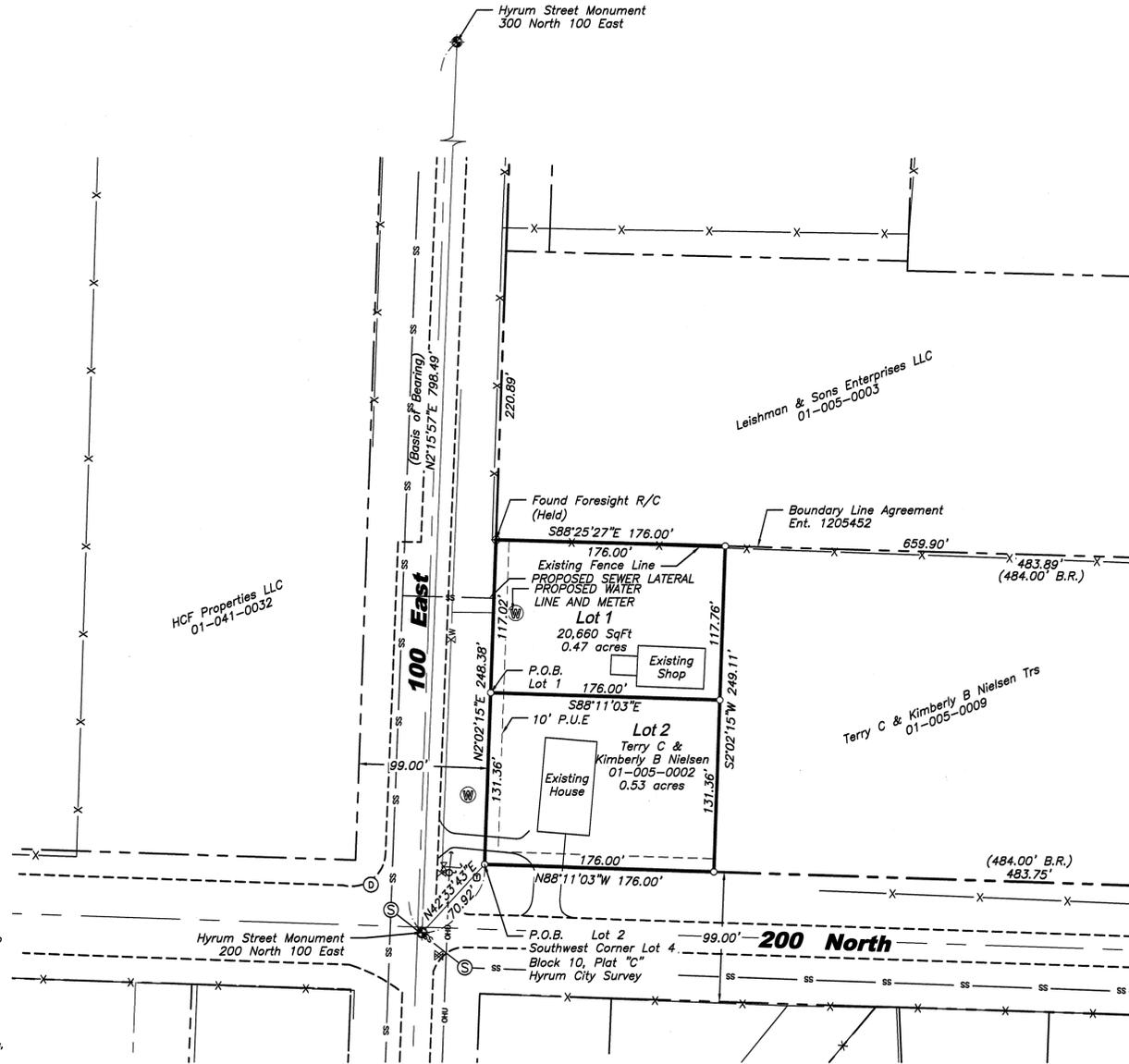
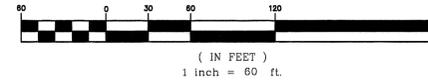
Cache County, Vantor

A FINAL PLAT FOR:
Kim Nielsen "Mini" Subdivision
 A PART OF THE NORTHWEST QUARTER OF SECTION 4, T10N, R1E, S.L.B.&M.
 ALSO A PART OF BLOCK 10, PLAT "C" HYRUM CITY SURVEY
 HYRUM, CACHE COUNTY, UTAH



September 27, 2021

GRAPHIC SCALE



LEGEND:

- PROPERTY LINE
- - - ADJACENT PROPERTY
- - - PUBLIC UTILITY EASEMENT
- - - FENCE LINE
- - - CENTERLINE
- - - EDGE OF PAVEMENT
- - - EDGE OF CONCRETE
- - - WATER LINE
- - - SEWER LINE
- - - OVERHEAD UTILITY
- ⊕ COMMUNICATIONS PEDESTAL
- ⊕ UTILITY POLE
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ SEWER MANHOLE
- ⊕ STORMDRAIN MANHOLE
- ⊕ FOUND REBAR
- ⊕ STREET MONUMENT
- ⊕ SET 3/4" REBAR W/CAP

Survey Narrative

The purpose of this survey was to create a two lot subdivision on parcel 01-005-0002. The survey was ordered by Kim Nielsen. The control used to establish the property corners was the survey monumentation found within this and the surrounding blocks. The basis of bearings for this survey was the line between the Hyrum City street monuments found at the intersections of 100 East Street and 200 North Streets and 100 East 300 North Streets and was assumed to bear North 02°15'57" East.

Record Owners: Terry and Kimberly Nielsen
 210 North 100 East
 Hyrum, UT. 84319

SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: KIM NIELSEN "MINI" SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

Boundary Descriptions

SUBDIVISION
 A PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN ALSO PART OF LOT 2, BLOCK 10, PLAT "C" HYRUM CITY SURVEY MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, SAID POINT BEING LOCATED NORTH 42°33'43" EAST, A DISTANCE OF 70.92 FEET FROM THE HYRUM STREET MONUMENT IN THE INTERSECTION OF 200 NORTH AND 100 EAST BEARS NORTH 02°15'57" EAST, A DISTANCE OF 798.49 FEET; RUNNING THENCE NORTH 02°02'15" EAST, ALONG THE EAST RIGHT-OF-WAY OF 100 EAST A DISTANCE OF 248.38 FEET; THENCE SOUTH 88°25'27" EAST, A DISTANCE OF 176.00 FEET; THENCE SOUTH 02°02'15" WEST, A DISTANCE OF 249.11 FEET TO THE NORTH RIGHT-OF-WAY OF 200 NORTH; THENCE NORTH 88°11'03" WEST, ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 176.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1.005 ACRES AND 2 LOTS

LOT 1
 A PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN ALSO PART OF LOT 2, BLOCK 10, PLAT "C" HYRUM CITY SURVEY MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SAID LOT 2, POINT BEING LOCATED NORTH 42°33'43" EAST, A DISTANCE OF 70.92 FEET AND NORTH 02°02'15" EAST, A DISTANCE OF 131.36 FEET FROM THE HYRUM STREET MONUMENT IN THE INTERSECTION OF 200 NORTH AND 100 EAST FROM WHICH THE MONUMENT IN THE INTERSECTION OF 300 NORTH AND 100 EAST BEARS NORTH 02°15'57" EAST, A DISTANCE OF 798.49 FEET; RUNNING THENCE NORTH 02°02'15" EAST, ALONG SAID WEST LINE A DISTANCE OF 117.02 FEET; THENCE SOUTH 88°25'27" EAST, A DISTANCE OF 176.00 FEET; THENCE SOUTH 02°02'15" WEST, A DISTANCE OF 117.76 FEET; THENCE NORTH 88°11'03" WEST, A DISTANCE OF 176.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.47 ACRES.

LOT 2
 A PART OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 10 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE AND MERIDIAN ALSO PART OF LOT 2, BLOCK 10, PLAT "C" HYRUM CITY SURVEY MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 2, SAID POINT BEING LOCATED NORTH 42°33'43" EAST, A DISTANCE OF 70.92 FEET FROM THE HYRUM STREET MONUMENT IN THE INTERSECTION OF 200 NORTH AND 100 EAST FROM WHICH THE MONUMENT IN THE INTERSECTION OF 300 NORTH AND 100 EAST BEARS NORTH 02°15'57" EAST, A DISTANCE OF 798.49 FEET; RUNNING THENCE NORTH 02°02'15" EAST, ALONG THE EAST RIGHT-OF-WAY OF 100 EAST A DISTANCE OF 131.36 FEET; THENCE SOUTH 88°11'03" EAST, A DISTANCE OF 176.00 FEET; THENCE SOUTH 02°02'15" WEST, A DISTANCE OF 131.36 FEET TO THE NORTH RIGHT-OF-WAY OF 200 NORTH; THENCE NORTH 88°11'03" WEST, ALONG SAID NORTH RIGHT-OF-WAY A DISTANCE OF 176.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.53 ACRES.

Jeff C. Nielsen
 SIGNATURE
 5152661
 JEFF C. NIELSEN
 LAND SURVEYOR
 STATE OF UTAH
 9/27/21
 DATE

FORESIGHT
 LAND SURVEYING

2005 North 600 West, Logan, Utah
 435-753-1910
 Project No. 21-167
 Prepared by JH, 9/27/21

ACKNOWLEDGMENT

STATE OF UTAH) SS.
 COUNTY OF CACHE)
 THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC THIS 27th DAY OF September, 2021, BY Kimberly & Terry Nielsen, WHO PROVED ON BASIS OF SATISFACTORY EVIDENCE TO BE Spouses OF Terry C. & Kimberly B. Nielsen Trs AND IS SAID PERSON WHOSE NAME IS SUBSCRIBED TO THIS INSTRUMENT AND THAT SAID DOCUMENT WAS SIGNED BY HIM/HER IN BEHALF OF SAID Trs BY AUTHORITY OF ITS BYLAWS. WITNESS MY HAND AND OFFICIAL SEAL. UTAH
Duke Adams 714 293 9/28/2021
 NOTARY PUBLIC COMMISSION NUMBER EXPIRES

COUNTY RECORDER'S NO. 1300932

STATE OF UTAH, COUNTY OF Cache, RECORDED AND FILED AT THE REQUEST OF: Kim Nielsen
 DATE: 10/1/21 TIME: 3:57 P.M. FEE: 159.00
 ABSTRACTED
 INDEX 2021-3537
 FILED IN: FILE OF PLATS Out Chris CDEPURY
 COUNTY RECORDER

- GENERAL NOTES:**
- Agricultural Uses: Current and future property owners must be aware that they will be subject to the sights, sounds and smells associated with agricultural activities which are permitted uses in the Agricultural Zone and Forest Recreation Zone.
 - Pursuant to Utah Code Ann. 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.
 - Dominion Energy approves this plat solely for the purpose of confirming that the plat contains public utility easements. Dominion Energy may require other easements in order to serve this development. This approval does not constitute abrogation or waiver of any other existing rights, obligations or liabilities provided by law or equity. This approval does not constitute acceptance, approval or acknowledgment of any terms contained in the plat, including those set in the owner's dedication and the notes and does not constitute a guarantee of particular terms of natural gas service. For further information please contact Dominion Energy's right-of-way department at 1-800-366-8532.
 - Setback lines are for primary buildings only.

- Front: 30.00'
- Rear: 30.00'
- Side: 12.00' & 8.00'
- Side along Roadway: 30.00'

ADDRESS TABLE	
LOT 1	230 NORTH 100 EAST
LOT 2	210 NORTH 100 EAST

NOTE:
 BUILDING SETBACKS WILL BE THOSE REQUIRED FOR THE ZONE AT THE TIME THE BUILDING PERMIT IS APPLIED FOR.

CITY ENGINEER'S CERTIFICATE
 I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.
10-4-2021 DATE
A.H. SAGE CITY ENGINEER

UTILITY COMPANY APPROVALS
 THE UTILITY EASEMENTS SHOWN ON THIS PLAT ARE APPROVED
Mark D. ... 9-28-21
 HYRUM CITY CULINARY WATER AUTHORITY POWER DATE
Kevin ... 9-29-21
 HYRUM CITY SANITARY SEWER AUTHORITY DATE
Pat ... 10-4-21
 HYRUM CITY POWER CULINARY WATER AUTHORITY DATE
 COMCAST DATE
 QUESTAR GAS DATE
 QWEST DATE

OWNERS DEDICATION
 THE UNDERSIGNED, BEING ALL OWNERS OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND TO BE SUBDIVIDED AND KNOWN AS: KIM NIELSEN "MINI" SUBDIVISION AND DO HEREBY DEDICATE THE STREETS AND PUBLIC AREAS SHOWN ON THIS PLAT FOR THE PERPETUAL USE OF THE PUBLIC AND DO HEREBY VEST THE FEE TITLE OF SUCH DEDICATED PARCELS IN AND TO HYRUM CITY, CACHE COUNTY, UTAH.
Mr. & Mrs. Nielsen, HAVE EXECUTED THIS PLAT AND DEDICATION THE 27 DAY OF September, 2021.
Kimberly B. Nielsen KIMBERLY B. NIELSEN
Terry C. Nielsen TERRY C. NIELSEN

CITY COUNCIL APPROVAL AND ACCEPTANCE
 PRESENTED TO THE HYRUM CITY COUNCIL THIS 12th DAY OF August, A.D. 2021, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.
Stephanie Miller MAYOR
Stephanie Grace ATTEST

PLANNING COMMISSION APPROVAL
 APPROVED THIS _____ DAY OF _____ A.D. 20____ BY THE HYRUM CITY PLANNING AND ZONING COMMISSION.
 BY: _____ CHAIRPERSON

CITY ATTORNEY APPROVAL
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND CITY ORDINANCE THIS _____ DAY OF _____, 2021.
 DATE _____ HYRUM CITY ATTORNEY



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

Staff Evaluation

First Review

Application: Bryan Jorgensen, Kilgore Companies – To seek recommendation from the Planning Commission to the City Council for site plan approval for a previously constructed weir system and wastewater discharge located at 410 North 800 East.

Application Number: 25-026
Preparation Date: March 3, 2026
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: March 12, 2026
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



Prepared by: Bryan Jorgensen
Title: Environmental Director
b.jorgensen@kilgorecompanies.com
O: 801-50-0132
M: 801-397-4471

THE FLOW ARROWS FOR TRAFFIC DO NOT LINE UP WITH ACTUAL PATHS. (TYP.) THIS DOES NOT MATCH FLOW PATTERN ON SHEET 4.



- 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

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



Prepared by: Bryan Jorgensen
Title: Environmental Director
bjorgensen@kilgorecompanies.com
250-0132
597-4471

- 1 Ready Mix Concrete Batch Plant
- 2 Cement Silo & Fly Ash Guppy Storage
- 3 Process Wastewater Lined Containment Area Built Needing Approval ★
- 4 Mixer Truck Wash Down Area
- 5 FORTTRANS Water Treatment Station
- 6 Mixer Chute Rinse Off Area
- 7 Sanitary Sewer Discharge Point
- 8 Berm Separating Shop Area
- 9 Employee Parking

- Access / Haul Road
- Facility Entrance / Exit
- Process Water Flow
- Storm Water Flow Direction
- Large Earthen Berm / Separator from Operations
- Dust Collector and CO2 Emission Reducer System
- Spill pallet & fluid drums & Admixture containment storage area
- Spill Kit & Containment Materials



THIS SHOULD SHOW UTILITIES WITH TIE-INS. SEWERS SHOULD BE SHOWN WITH CONNECTION TO MANHOLES AND SAMPLING LOCATIONS TO ENSURE CONTAMINATION DOES NOT ENTER THE SYSTEM. WHAT WATER IS BEING USED FOR THE PROCESS? IS THIS CULINARY OR WATER FROM THE TRUCKS? WHAT BACKFLOW PREVENTION IS IN PLACE? WHAT ELECTRICAL WORK HAS BEEN DONE OR MODIFIED TO RUN THIS SYSTEM? RETENTION FOR WASHOUT AREAS, PLUMBING, ELECTRICAL ALL MUST HAVE A BUILDING PERMIT.

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



Prepared by: Bryan Jorgensen
 Title: Environmental Director
 b.jorgensen@kilgorecompanies.com
 250-0132
 597-4471

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 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: _____