



Nephi City Planning Commission Meeting Minutes February 11, 2026

Attendance:

Staff: Shauna Talbot, City Planner; Alexandra Painter, Scribe

Commissioners: Chairman Cory Thomson, Commissioners: Heather Robertson, Jim Nelson.

City Council Representative: Jeramie Callaway

Excused: Commissioner Fran Petersen, Meadow Perides

Scribe: Alexandra Painter

Public: Donald W. Ball, Addie Brost, Kolten Brost, Joran Carter, Amber Painter, Steve Jones, Annette Sevy, Megan Smith, Kurt Lainhart.

1. Welcome to the Planning Commission Meeting - Introduction of Commissioners

a. Prayer: Commissioner Heather Robertson

b. Pledge: Commissioner Jim Nelson

2. Public Hearing - accept public comment on a zone change request for property owned by Kolton Brost, located at approximately:

595 E 100 S (Parcel #: XA00-0861-11) with .25 acres

35 S 600 E (Parcel #: XA00-0861-12) with .25 acres

45 S 600 E (Parcel #: XA00-0866-121) with .56 acres

Rezone request from: R1-¼ (Residential, Single Family, ¼ [.25] acre lots size) zone

Rezone request to: R1-8 (Residential, Single Family, 8,000 sq ft [.18] acre lot size) zone

a. Staff Presentation

Mrs. Shauna Talbot presented the owner, Kolton Brost, approached the city regarding the R-1 zoning that they are in. This area is designated as Residential, single family. Minimum frontage that is required for this zone is 80 feet. They are asking for a split of the current property, with some configuring. The residential owners are currently living in Parcel piece #1, with the hope of building on Parcel #2, and then eventually they would like to build on Parcel #3 for a future forever home. The owners are requesting that the city entertain a rezoning area, with a minimum lot size requirement, due to the unique lot. If it was zoned to the R-1/8, which is residential, single family, 8000 sq.ft.

The staff has evaluated the information, and the recommendation, and at this time staff is asking that the request be denied. The reason according to the zoning map R1-1/4 zone, is that there be no spot zoning in the city as a whole. The zoning is in place for a reason, the reason is to have configuration and continuation of properties. It is not feasible or recommended to rezone the area. Having a unique lot does not merit a rezone. The applicant can essentially have what they want currently with the zoning in place.

Commissioner Questions during the Presentation:

Commissioner Heather Robertson asked Mrs. Shauna Talbot if there was a work up of what they are thinking? Mrs. Talbot responded that no there is currently not, and explained the frontage for the requested zone, and the current.

Commissioner Heather Robertson asked what the current footage was, Mrs. Shauna Talbot responded that it is currently 72 ft. and in order to make it to the 80 ft additional footage could be pulled from one of the other parcels.

Commissioner Jim Nelson asked about the peninsula on the back of the map, is there a minimum width currently? Mrs. Shauna Talbot responded that there is no minimum width unless you have a building.

Commissioner Heather Robertson asked about renting and an access gate. Mrs. Shauna Talbot responded that “yes”. If they do put a fence in if the other property is using it, and they own both there is not an issue. However, acquiescence will come into play. By placing a fence, it can be there so many years that then ownership transfers. Acquiescence is now 10 years.

b. Public Hearing

TIME: 7:14 p.m.

Chairman Thomson welcomes and opens the Public Hearing and reads the Rules of Order for Nephi City Public Hearings.

Steve Jones (700 East and Center) all addresses in this area are odd numbered on the north south facing streets are on the east side. There appears to be plenty of property for three lots. It would appear the boundaries could be moved because the owner owns all of the lot area. I am asking the planning commission to not spot zone. It is a historic part of the city and has always been quarter lots.

Commissioner Heather Robertson asked Mrs. Shauna Talbot if the upper corner lot was owned by someone else, Mrs. Talbot responded that it was owned by another individual.

Kolton Brost, the petitioner, asked Mrs. Shauna Talbot if they had been approved to build? Mrs. Shauna Talbot stated that yes, with the slight change for frontage. Kolton then asked about the accessory building setbacks, and Mrs. Shauna Talbot stated that if the shed was removed the city believes they can work it out.

CLOSED: 7:22 p.m.

c. Commission Discussion

Commissioner Heather Robertson is committed to not spot zoning. However, stated that she sees no harm in this area. But her commitment remains that spot zoning should not be done. I see no harm in this area, but it is only a block east of the area. I think I want it to be stated in the record that I find this ridiculous. Mrs. Shauna Talbot stated that they can approach other landowners for a little bit of property to sell, and square up the properties. Or they could only have two lots.

Commissioner Nelson stated that even if they did rezone it no one would even notice, but the fact remains that the ends can be achieved without the rezone. The precedent is the thing; we do not spot zone.

Chairman Cory Thomson in twenty or thirty years in the property when someone else comes in and wants it and wants to change it then there is nothing we can do about it. I am opposed to it, but I don't like telling anyone what they can do on their property.

Mrs. Shauna Talbot brought up Howard Chuntz property, because you don't like restricting people's rights. But this is a historical part of the city, but this is only one property. I don't think it is a good idea.

d. Motion

- a. Motion: Commissioner Jim Nelson accepted the recommendation of denial to Nephi City Council.**
- b. Second: Chairman Cory Thomson seconded the motion.**
- c. Outcome: Unanimously denied.**

Role Call:

Commissioner Heather Robertson: Yes to deny

Chairman Cory Thomson: Yes to deny

Commissioner Jim Nelson: Yes to deny

- d. Time: 7:31 p.m.**

3. Discussion of update to Title 10 ID-4 Zone (Data Centers), and 11.6.12(5)(h)(1) Site Plan Review to increase the maximum noise allowed in a data center zone.

a. Staff Presentation

Mrs. Shauna Talbot stated that there may be a potential annexation, potential data center and AgroPark. The ID-4 Zone now exists, and parameters, but now the noise ordinance needs to be addressed. This is a work meeting and not a public hearing on this matter.

Nephi City wants to make sure the noise level is adjusted to accommodate, and ordinances are finalized. To give a general idea 70-80 dBA is what a vacuum cleaner or loud restaurant is at. 90 – 100 dBA would be a power tool or a tractor. A data center will be running 24/7, 365 days a year. It would fall into the category if you lived next to it, it would fall into the maximum. That is why they are located where

they are. dBA is different than decibels, it is a standard frequency what our brain cannot filter out.

In other locales, the nearest occupied building on a neighboring property is where measurements are being taken, Nephi City would like to be more restrictive in saying that the noise should not be going past their property line. Similar in format to what Eagle Mountain has. Eagle Mountain's Noise Disturbance states: a suspected noise disturbance at least 25 feet from the source of the device upon public property or within the public right of way, or 25 feet from a property line. Now, these buildings are going to be set back 50 feet, but some of the accessory devices that maybe are like a generator or so forth, will have different setbacks. They'll be closer to 26 feet. We don't want to measure on a neighboring property; the noise should not go past their land. The buildings will be set back 50 feet; however, their generators will be set back to 26 feet.

There are some exclusions, like temporary time periods. Location is key they are building away from residential and closer to commercial. We need to consider what will be built near it. Here are some of the recommendations:

Device that will be used, averaging of multiple measurements, location in which it can be measured. The proposal here is that we model this after Eagle Mountain, however that it be specific to this area and zoning area and/or industrial area.

b. Commission Questions

Commissioner Heather Robertson asked about noise ordinances and the generators that don't run all the time. Are you making them fire them up to make sure they meet the Noise Ordinance? Mrs. Shauna Talbot stated that there are exclusions for temporary things.

Commissioner Heather Robertson asked if there was a noise ordinance on anything else? So, can businesses be as loud as they want? Mrs. Shauna Talbot responded that there was not currently a specific zone or, but there is general noise ordinance which is a little bit nebulous. It is harder to enforce, because there is not a level.

Commissioner Heather Robertson inquired if noise ordinances can be put on other noise ordinances in industrial zones? Mrs. Shauna Talbot stated yes, but there would probably be some grand-fathering in the businesses that are currently there.

Commissioner Jim Nelson inquired how long the data center had been there? Because some of the older ones are quite loud and people can hardly stand to live there. Mrs. Shauna Talbot stated that they had been there between five and seven years. And then listed why she thinks they will be a good neighbor.

Chairman Cory Thomson stated that they want to get it right, because we will all have to live with it. Mrs. Shauna Talbot stated that it would be coming either way, there will be benefits, and there will be some trade-off with good and bad.

4. Approval of Minutes – Minutes for 1/14/26

- a. Motion: Chairman Thomson moves that the minutes be adopted.**
- b. Second: Commissioner Jim Nelson seconded the motion.**
- c. Outcome: Unanimously approved.**
- d. Time: 7:48**

5. Adjourn

- a. Motion: Chairman Cory Thomson motions that the meeting adjourn.**
- b. Seconded: Commissioner Heather Robertson seconded the motion.**
- c. Outcome: Unanimously approved.**
- d. Time: 7:49 p.m.**