



21 East 100 North
Nephi, UT 84648
(435)623-0822

Nephi City Planning Commission Meeting Minutes July 8, 2026

Attendance:

Staff: Shauna Talbot, City Planner

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

City Council Representative: Jeramie Callaway

Excused: Commissioners: Fran Petersen; Alternate Lisa Brough; City Council Representative: Jeramie Callaway.

Scribe: Alexandria Painter

Public: Donald W. Ball, Danielle Pope, David Pope, Chelsey Demers, Allea Demers, Dalton Harmon, Jeremy Garlick, Dana Hoyt

1. **Welcome to the Planning Commission Meeting - Introduction of Commissioners**
 - a. Prayer: Commissioner Heather Robertson
 - b. Pledge: Commissioner Jim Nelson
 - c. Time: 7:00 PM
2. **Public Hearing - to accept public comments on a request for a home occupation permit from Chelsey Demers DBA *You Matter Therapeutic Massage* to operate a massage therapy business in a home located at 1116 N 200 E.**
 - a. **Time: 7:02 PM**

- b. **Staff Presentation**

Mrs. Shauna Talbot This is an impact business due to parking; it is required to come forward to the City Council. They have off-street parking availability and there are no concerns from the staff.

- c. **Public Hearing**

TIME: 7:05 PM

Chairman Cory Thomson read through the document for all attending.

Chelsea: I am licensed; there is only one person at a time so it would be like having a friend over. There isn't that big of an impact on parking. I have started this business to help support my children. I had a child commit suicide last year, and it was named You Matter because everyone matters.

No Further Comment was given by the public.

TIME: 7:08 PM

- d. **Commission Discussion**

Heather Robertson: Sounds great we need another masseuse in town.

e. Motion

- a. Motion: Commissioner Jim Nelson**
- b. Second: Commissioner Heather Robertson**
- c. Outcome: Unanimously approved**
- d. Time: 7:09 PM**

3. Public Hearing - to accept public comment on a zone change request by request by 148 W, MHP LLC, a UT LLC represented by Danielle Pope for property located at approximately:

140 W 100 N (Parcel #: XA00-0392-) 1.06 ACRES
148 W 100 N (Parcel #: XA00-0393-2) .28 ACRES
151 N 100 W (Parcel #: XA00-0394-21) .38 ACRES

From the: CC (Central Commercial) zone to the: CU2 (Combined Use 2) zone
For the purpose of bringing current property uses into compliance with an appropriate zone which uses are currently legal, but non-conforming, and to look to convert a current four-plex into condominiums for private unit ownership. Also, to propose on-site storage units for trailer park renters in the mobile home park.

a. Staff Presentation

Mrs. Shauna Talbot presented the current zoning in the area is inconsistent, with a mix of Central Commercial, CU-1, CU-2, and R1-8 zoning. Staff want to eliminate this "spot zoning" by eventually rezoning the entire block to CU-2. Most existing uses on the property are residential, including four-plex and trailer spaces, making the current Central Commercial zoning a poor fit. The proposed CU-2 zoning would better match the existing residential uses and make them more conforming. Property owners Danielle and Dave have been improving the property and would like to add storage units for tenants, which is not permitted under the current zoning but would be allowed in CU-2. Staff are also exploring future code changes that could allow condominium development on smaller properties, giving owners additional housing options beyond apartments. The long-term planning goal is to create a balanced mix of residential and commercial uses along Highway 132 by alternating CU-1 and CU-2 zoning, like the city's approach on Main Street, while helping to calm traffic and encourage compatible land uses. Staff Recommendation: Staff recommended approval of the rezone, finding it consistent with the City's long-term planning goals and a better fit for the property's existing and future uses.

b. Public Hearing

Time: 7:21 PM

Chairman read the rights and rules of the Public Open Meeting.
No public comments were received.

TIME CLOSED: 7:23 PM

c. Commission Discussion

Commissioner Meadow Perides: Will it be only residents who will use the storage unit? Owner, Danielle Pope, responded that it would be residents first option, and then open to the public.

Donald Ball: Inquired of the owner when exactly the trailer park opened?
Danielle Pope, owner, responded she had heard multiple things and they were not sure.

Commissioner Meadow Perides: The entire property is owned by you, and then the homes you have sold separately? Danielle Pope, owner, responded that it was correct they do own the land, but the homes are sold separately. They had sold a few of them as they have renovated them. The lot fees are \$550.00 month and that includes sewer, water, and management of the lot. That is why we want the storage units because they need to store stuff, so there is no debris sitting around.

Commissioner Meadow Perides: Are there regulations, are they set up as HOA or Park Regulations? Danielle Pope, Owner, responded that it is Park Regulations and set up like a CCNR. They would like the sheds, and we would like to keep the neighborhood looking nice.

Commissioner Meadow Perides: I have toured them and they are so nice now.

Shauna Talbot: My favorite home in the past was a trailer. I regret that isn't more of an option now.

Commissioner Meadow Perides: If they can start there and learn home ownership, we are all for it. Danielle Pope, owner responded that it is so true and they have had basic questions about how to change furnace filters.

Commissioner Jim Nelson: I think the ability to have storage units makes sense, I do not have any objections.

Commissioner Heather Robertson: We have talked about having alternate use in this area, so it fits that plan.

Chairman Cory Thomson: That area has changed for the better.

d. Motion

- a. Motion: Commissioner Meadow Perides**
- b. Second: Commissioner Jim Nelson**
- c. Outcome: Unanimously approved**
- d. Time: 7:24 PM**

4. Public Hearing - to accept public comment on a zone change request by Elgin Bryce Gardner, represented by Dalton Harmon for property located at approximately:

The Southeast corner of the intersection of 100 W 200 N (Parcel #: XA00-0394-11) .21 acres from the: CC (Central Commercial) zone to the: CU2 (Combined Use 2) zone For the purpose of building a single-family home with a possible IADU (internal accessory dwelling unit).

a. Staff Presentation

Shauna Talbot presented this is the same area, Dalton Harmon is looking to purchase this property to do a single-family home. All single-family homes have the option to have an IADU possibility. Dalton has stated that he would like to build a single-family home, with an unfinished basement that can later be finished or converted. The staff would like

this to move forward so that it is not spot zoned, as it is not a large impact on the community. It has been vacant for a very long time.

b. Public Hearing

TIME: 7:27 PM

Chairman read the rights and rules of the public hearing.

Dalton Harmon: I would just like a house.

Donald Ball: It is a weed patch now, and it is a very popular block.

No additional comments were given.

CLOSED TIME: 7:28 PM

c. Commission Discussion

Commissioner Jim Nelson: It is straight forward to me.

Commissioner Heather Robertson: It matches the zoning that we love. Mrs. Shauna talbot responded that it is fixing and downgrading the zone. It is less intense, and more appropriate. Commissioner Heather Robertson agreed that it does.

Commissioner Jim Nelson: We have discussed it before, and no one in living memory knows why it was zoned this way, so it is straightening it out.

d. Motion

a. Motion: Chairman Cory Thomson

b. Second: Commissioner Heather Robertson

c. Outcome: Unanimously passed

d. Time: 7:30 PM

- 5. Public Hearing - to accept public comments on a zone change request by Jeremy Garlick and Malynn Greenhalgh, represented by Jeremy Garlick for property located at approximately: 180 N 200 W (Parcel #: XA00-0394-11) .70 ACRES from the:R1-8 zone To the:CU2 (Combined Use 2) zone**

For the purpose primarily of having matching zoning with property directly to the east, and in order for a possible future shop to conduct repair services (small appliance or equipment) on his vacant property to the south in an accessory building.

a. Staff Presentation

Mrs. Shauna Talbot presented those other portions of the block that have been addressed tonight, but this has come forward that if he wanted to do a repair service, he could do that. It is a single-family home, with accessory space. Nothing is changing with the use, but with the R1-8 it does not allow for a small business to come in. This is the only area on this block that is zoned CC, but if we move to CU-2 this would allow him to do that. This would be R-6 of the 10 lots on this block that would move it to a consistent zone. It does give options to the people living there to do a “neighborhood commercial options.” The Staff is recommending that this move forward.

b. Public Hearing

Time: 7:34 PM

Chairman read the rights and rules of the public hearing.

No public comment was given

TIME CLOSED: 7:35 PM

c. Commission Discussion

Chairman Cory Thomson: The person who ran this when I began it had to go 10 minutes that we wait after the public hearing began, even if no one made a comment. Mrs. Shauna Talbot responded that cruel and unusual punishment should be ruled.

Commissioner Meadow Perides: It is a great location, right off the freeway, and it will be the best match for the zoning.

Chairman Cory Thomson: Asked about the houses down the block what they were zoned. Mrs. Shauna Talbot responded that they are CU-1, and others are CC.

d. Motion

- a. Motion: Commissioner Jim Nelson**
- b. Seconded: Commissioner Meadow Perides**
- c. Outcome: Unanimously Passed**
- d. Time: 7:37 PM**

6. Public Hearing - to accept public comments on changes to Section 11.6.12(5)(h)(1) Site Plan Standards to establish maximum noise levels in industrial and commercial zones, (this applies to data centers within the new ID4 zone and can be also applied in all industrial or commercial zones).

a. Staff Presentation

Mrs. Shauna Talbot presented to the commission the latest revisions to a proposed commercial and industrial noise ordinance, incorporating feedback from previous Planning Commission discussions and industry stakeholders.

The ordinance will regulate noise using both A-weighted (general environmental noise) and C-weighted (low-frequency noise) decibel measurements to better address traditional noise as well as low-frequency humming from industrial facilities.

Staff explained the difference between the two measurement scales and shared field-testing results from local businesses and industrial sites, demonstrating the need to measure both. The staff intends to do this by strengthening the requirements by:

- Multiple measurements at different times of day.
- Unannounced inspections.
- At least five two-minute samples collected over one-hour periods.
- Measurements from at least two compass directions when multiple nearby industries could contribute to the noise.

- Use of recognized ISO 1996 sound measurement standards.
- Staff confirmed that an appeal process already exists under state law and the City's administrative land use procedures, including the option for an independent reviewer or expert panel.
- New developments with the potential to generate significant noise will be required to submit a professional sound study during the site plan process. If projected noise exceeds allowable limits, developers must incorporate mitigation measures such as berms, walls, or other sound barriers.
- The ordinance establishes clear definitions for noise-related terms and confirms that compliance will be measured at the property boundary, rather than the nearest residence, to provide a consistent enforcement standard.
- Additional penalties are included for particularly annoying noises such as humming, whining, buzzing, screeching, repetitive impacts, or cyclical sounds, by adding a 5-decibel penalty to measured noise levels.
 - Maximum allowable sound levels are:
 - Daytime (6:00 a.m.–10:00 p.m.): 75 dBA / 85 dBC
 - Nighttime (10:00 p.m.–6:00 a.m.): 65 dBA / 75 dBC

Staff anticipate using temporary certificates of occupancy for new industrial developments until post-construction noise testing confirms compliance with the ordinance. Adopt the updated noise ordinance as revised, providing objective standards for measuring and regulating commercial and industrial noise while ensuring a fair process for enforcement and appeals.

b. Public Hearing

TIME: 8:41 PM

Chairman read the rights and rules of a public hearing

No comment was given

TIME CLOSED: 8:42 PM

c. Commission Discussion

Commissioner Heather Robertson: What happens if you can't get it down in that month of testing. Mrs. Shauna Talbot stated that we would begin mitigation like a berm, or sound panels for example. That is why getting the final building permit will be contingent upon it, and staff feel that there are always mitigation measures that can be carried out.

Commissioner Heather Robertson: Is this something we do always or is this a noise complaint. Mrs. Shauna Talbot, periodically there may be checks but due to staff shortage unless a complaint comes in then it will be made on a need basis after final permit is issued.

Commissioner Heather Robertson: You are not requiring this on a consistent basis? Mrs. Shauna Talbot responded that staff does not want to add cost if it

isn't going to be beneficial for anyone. Commissioner Robertson then inquired why in the code it states "may" instead of "shall?" Mrs. Shauna Talbot answered that it would require a few compliance officers, and right now there is only one part-time employee.

Donald Ball: We are counting on neighbors to tell us and right now it is the sewer ponds and the airport complain? Mrs. Shauna Talbot responded that is correct, we don't look for the problem, the problem will come to us. Nephi City has the authority to waive the requirements and restrictions of the noise regulation on basis of undue hardship, proof of adequate mitigation, temporary events.

Commissioner Heather Roberston: asked who would that be? Mrs. Shauna Talbot responded this it could be the DRC; it would be whoever the city council designated. Seeking additional information, Commissioner Robertson then asked "What happens if there is a person who is bipartisan to the company or person, or it is someone's family member? Mrs. Shauna Talbot responded that it would go above that first level of person to a higher committee or a third party. It could be at the direction of the city council.

Commissioner Heather Robertson: Inquired of Mrs. Talbot, what happens if it goes to the third party, who pays for that? Does the complainer? The violator? The city? Shauna responded it would depend on what the situation was.

Commissioner Heather Robertson: So what about businesses that are in town? Does this affect all commercial industrial. Shauna, will this apply to all businesses? Commissioner Perides also expressed she would like to know this as well.

Commissioner Meadow Perides: What about businesses that are already here, and have been here for a long time? We don't want to cause an issue with them. Mrs. Shauna Talbot said that there is the waiver option with options. It would still be the person that is designated for this to make the decision, most likely the DRC or administrative land use authority. These are the typical environmental standards that even OSHA would expect. It does not exceed the federal regulations.

Commissioner Meadow Perides: Asked what had already been tested, and what about the businesses that are already in place? Mrs. Shauna Talbot responded that they had tested a few areas, and everything was within range. However, OSHA requires that it be on side and they require that for health and welfare.

Chairman Cory Thomson: This is an ordinance, right? I don't think it is too restrictive, if there is a problem then something should have already been done right?

Commissioner Meadow Perides: Why would we need an ordinance if OSHA already has a level and requirements. Mrs. Shauna Talbot stated they have the indoors covered, but we want to protect other parties outside of the building. At property line you meet the sound requirement to prevent hearing loss, or annoyance.

Commissioner Heather Robertson: Don't we have a nuisance ordinance? Mrs. Shauna Talbot responded that we do, but we are talking about placing it more specifically to address what the actual standard is.

Commissioner Heather Robertson: The reason we have taken four months to do this noise ordinance is? Mrs. Shauna Talbot responded that due to getting it right, and to ensure that anyone coming in is complying. We are trying to do the means and methods, or if there is a disturbance or not.

Commissioner Heather Robertson: Did we apply the lighting ordinance to everyone as well? Mrs. Shuana Talbot responded we did not do that for that ordinance. We were on the fence; we did not want to cause drama for those who could not meet the requirements.

Commissioner Meadow Perides: Do you have your testing areas? I guess I am curious on what is passing and what is not? Mrs. Shauna Talbot responded they had gathered information from Mona, Nephi and Eagle Mountain Data Center. Requirements were that it was only commercial or industrial. They went point by point locations that they tested.

Chairman Cory Thomson: What was one of the higher ones that you did? Mrs. Shauna Talbot responded that Gordon Young Well was one of the higher ones. Commissioner Meadow Perides responded that was one of her concerns.

Commissioner Heather Robertson: My biggest concern is applying to all the businesses and making sure everyone is compliant. I think we are covering our bases, and the concern with the data center. Mrs. Shauna Talbot responded it is what we love about Nephi, but we have the philosophy about what is the worst that can happen, and can we live with it? There needs to be a good balance between rights, between parties and there is the option to appeal.

Commissioner Meadow Perides: How will this affect the Flying J during the winter months when there are 80 trucks on idle? Mrs. Shauna Talbot responded that if there was a complainant, then they would need to come into compliance, and be mitigated. They may need to have rules, if it is causing drama, hearing loss, that it needs to be addressed. There are processes, there is voluntary correction, then advances to a ticket.

Commissioner Jim Nelson: This is different from the noise ordinance per say? Mrs. Shauna Talbot responded yes, but this is how this would be handled. We would identify, then see if they are not in compliance, how we enforce it, so there is a whole process we go through. We are working with people to health, welfare, and wellness.

Commissioner Meadow Perides: I agree 100%, but I do feel that we need to go test certain spots. They are: Doyles Diesel, Flying J, Mountain Equipment, The Fairgrounds, Mays Automotive. I would like to see what they are registering at. I see there is a need, however, I do not want to cause an issue with existing businesses. There is a difference between inside and outside of a building. I do not want to cause violations that are already established.

Commissioner Heather Robertson: Is there are timeframe for the things that are not in compliance, and what is the guideline? Mrs. Shauna Talbot responded that the Nephi City Nuisance Code gives you an idea.

Commissioner Meadow Perides: Years and years ago I was a water master for the Nephi Irrigation Company, there was a person that made a complaint about the well making a huge noise and it was keeping her up. There was a requirement for the water irrigation company to put up a concrete barrier, and a building over that well, and it cost \$100K for that project. I do not want to cause a huge problem for established companies, that costs a fortune to solve an issue. Mrs. Shauna Talbot responded that the nuisance is all that is in place with no parameters, this ordinance is setting the minimums for what can cause hearing loss, and we are trying to get that need filled.

Chairman Cory Thomson: This is just for industrial and commercial, is there anything for the residential? Mrs. Shauna Talbot responded that the noise ordinance is directed city-wide, but this is specifically for industrial and commercial. This is the parameter; we have tried to find what is fair for both parties.

Commissioner Jim Nelson: If the Agpark comes, say there is equipment that is making noise but it's part of the structure, but then there are semi's making a hell of a racket, but they are owned and operated by someone else, that's the nuisance ordinance and not the noise ordinance? Mrs. Shauna Talbot responded that would be nuisance ordinance, due to it being personal property and not real property. There are some exemptions. There is on street parking and off-street parking. The exemption area for this is located in (H) of the ordinance.

Meadow Perides: What about a house or business being built? Can that be tested? Mrs. Shauna Talbot responded that would be under the noise ordinance in place under the nuisance code, it also has time restrictions and is for a limited time. There are the IRC and IBC Code, it applies to family and multi-family. Once you move into commercial and industrial it is more rigid. This is a similar situation, you have the code for the residences and then there is the business, industrial. Basically we are adopting a "speed limit" for this.

Commissioner Jim Nelson: Make a motion that you don't have to read the rules if there's nobody. Chairman Thomson responded, well it is 8:41 pm and we are about to open the public hearing. If there are any comments, Donald you got three minutes. Mr. Donald Ball questioned if the comments must be lucid.

Chairman Cory Thomson: With no further comments, there is one thing I wanted to bring up. There was a special on KSL News that covered data centers in Loudoun County, Virginia. The residents there are complaining about the noise. You have natural gas turbines that are going 24 hours a day because they aren't hooked to the grid yet. I think it is good that we will have it in place, but there are some things that will go on 24 hours a day. Commissioner Heather Robertson stated they wouldn't get their final occupancy. Mrs. Shauna Talbot stated there is a bullet list with the data center, there is an annexation agreement that will be robust and a development agreement that will also be robust. Chairman Thomson wanted to know what time and for how long generators will be allowed? In

addition to knowing what the parameters would be. Mrs. Shauna Talbot stated that it is for that reason she likes where the proposed location is for the data center, and for that reason it is away from residential.

Donald Ball: We just talked about wells and the pump issue. Commissioner Meadow Perides stated that people need to have due diligence and know what you are getting into.

Chairman Cory Thomson: But in this instance, it met the ordinance, but it was a constant that annoyed the neighbors. Mrs. Shauna Talbot stated If we don't have the speed limit, then we can't discuss. The acoustic penalty will be added.

Commissioner Heather Robertson: I think the part of this being done, there is potential to be annoying. But what about the south end of town, we don't have any businesses that have noise right? Mrs. Shauna Talbot responded, "not that we know of. Commissioner Robertson responded that this is where zoning becomes important, we must be thoughtful about it.

Commissioner Meadow Perides: OSHA has standard and they are ridged. They will require all those things. I am not ready to pass this. Are we creating more regulations than we need? Mrs. Shauna Talbot stated that we want to own our enforcement, I don't want anyone else who has a say. This is us staking our parameters. Commissioner Perides responded that she understood, but she would just like to see businesses already established not to have an issue. Mrs. Talbot also gave an example of the parking ordinance; there was a line in the agreement that an engineer could come in and prove the parking wasn't necessary. The appeal process does this for us, we only read tags when it is a problem, there is a problem with health, safety, and welfare.

Commissioner Heather Robertson: We are happy with the business we have in place, we don't complain. We don't want to cause undue harm to them. If a new business comes in, then they know they can't make a lot of noise.

Chairman Cory Thomson: I have experienced this when I worked out of state, and there was a swan man who plugged his truck in, and it ran all night, and it was loud. Mrs. Shauna Talbot responded that there is a faction that will complain, we are escalating the rules and parameters in place already to prevent damage to another. We have rights to do what you want on your property but there are rules.

Chairman Cory Thomson: Mayber there is a place that is taking advantage of the parameters. Mrs. Shauna Talbot stated that there are engineers and staff, you need parameters for business in industrial. They want it in black and white. If it is loosey and goosey ordinance, it is hard for them to prep the site and know what needs to be done and the expectations. I try to do all the bad news for new businesses.

Commissioner Meadow Perides: I understand but there needs to be more due diligence. Mrs. Shauna Talbot asked if she would be more comfortable with it only being the new industrial, and not the existing. Commissioner Perides responded that yes, yes, she would.

Mr. Dan White: What I was thinking is we don't want to hurt businesses around. What if we did it only for certain businesses, and not strict coding. Mrs. Shauna Talbot, we could do that and code it and list what areas are exempt and not exempt.

Commissioner Meadow Perides: I get the health thing we need to do something, but we need to do some due diligence before we do a blanket. Mrs. Shauna Talbot responded that she understands, and we can say what zones this applies to. The city council has the final say.

Commissioner Heather Robertson: We are only comfortable to the ID-4 zone. Chairman Thomson pointed out that there is nothing assigned to that zone currently.

Chairman Cory Thomson: I think this is a good code to cover industrial, and there is someone that is feeling that pain now and not complaining. Commissioner Robertson stated that her belief is that most businesses are compliant. And if you aren't compliant, and it is causing hearing loss, and you have been here a million years maybe you should resolve it.

Jim Nelson: The only noisy thing I can think of is the hospital generators when they are firing up, but that is temporary.

Chairman Cory Thomson: Addressing the commission asked where do we want to go with the ordinance? Commissioner Jim Nelson would like to restrict it by zone, study the zones are, and apply where necessary. Commissioner Heather Robertson would like to see it only in the ID-4 zone and can be applied to industrial and commercial zones.

Chairman Cory Thomson addressing Mrs. Shauna Talbot asked what specifically the zones are that it includes currently as it is written: CU-1, CU-2, Highway Commercial-1, Highway Commercial-2, Central Commercial, ID-1,2,3,4. She then listed businesses that fall under some of the categories.

Commissioner Meadow Perides: I would like to see it on ID-4 now and do more due diligence for the industrial and commercial areas that are listed.

Chairman Cory Thomson said that ID-4 has nothing in it now. Commissioner Heather Robertson pointed out but it is setting out the parameters now before they get here. Chairman Thomson responded so we are okay with someone bringing in a big commercial park before it is set.

Commissioner Heather Robertson: We are going to differ in our preferences, so I think we just need to take a vote and move it forward to the City Council.

Chairman Cory Thomson agreed.

d. Motion

- a. Motion: Commissioner Heather Robertson**
- b. Seconded: Chairman Cory Thomson seconded**
- c. Outcome: NONUNANIMOUS**

Chairman Cory Thomson: Aye
Commissioner Jim Nelson: Aye
Commissioner Heather Robertson: Aye
Commissioner Meadow Perides: Nay

d. Time: 9:14 PM

7. Approval of Minutes

a. Motion: Approve 04-08-26 and 05-13-26 minutes

a. Motion: Chairman Cory Thomson motioned with the corrections listed in item (i)

i. Correction on minutes 04-08-26: “not unique to me” To “Not unique to Nephi”

b. Second: Commissioner Jim Nelson

c. Outcome: Unanimously approved

d. Time: 9:15 PM

8. Adjourn

a. Motion

a. Motion: Chairman Cory Thomson

b. Second: Commissioner Heather Robertson

c. Outcome: Unanimously Passed

d. Time: 9:15 PM