

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD November 14, 2024 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

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

**CONDUCTING:** Brian Carver

**PRESENT:** Chairman Brian Carver, Vice Chair Angi Bair, Commissioners Stephen Nelson, and Alternate Member Scott Casas.

**EXCUSED:** Paul Willardson and Averie Wheeler

**CALL TO ORDER:** There being four present and four representing a quorum, Chairman Brian Carver called the meeting to order.

**OTHERS PRESENT:** Zoning Administrator Matt Holmes and two 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:** Chairman Brian Carver

**APPROVAL OF MINUTES:**

The minutes of a regular meeting held on September 12, 2024 were approved as written.

**ACTION**

Commissioner Stephen Nelson made a motion to approve the minutes of September 12, 2024, as written. Commissioner Angi Bair seconded the motion and Commissioners Bair Carver, Casas, and Nelson 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 Angi Bair made a motion to approve the agenda for November 14, 2024, as written. Commissioner Stephen Nelson seconded the motion and Commissioners

**Bair, Carver, Casas, and Nelson voted aye.**

6. OTHER BUSINESS

- A. To discuss and make a recommendation to add a new section to the zoning ordinance providing rules for the placement, construction, height, and location of fences. This change to the ordinance will also require a zoning clearance to place or reconstruct a fence.

7. ADJOURNMENT

***OTHER BUSINESS:***

**DISCUSSION AND RECOMMENDATION TO THE CITY COUNCIL TO ADD A NEW SECTION TO THE ZONING ORDINANCE PROVIDING RULES FOR THE PLACEMENT, CONSTRUCTION, HEIGHT, AND LOCATION OF FENCES. THIS CHANGE TO THE ORDINANCE WILL ALSO REQUIRE A ZONING CLEARANCE TO PLACE OR RECONSTRUCT A FENCE.**

Chairman Brian Carver said staff has provided them with a copy of the code regarding fences (17.70.010) and that they have talked about it a little in September. Some changes have been added to definitions about transparency.

Commissioner Stephen Nelson said he likes the changes made to the definitions and appreciates the addition to (17.70.020) (D1).

Zoning Administrator Matt Holmes said part of the concern was with the way that it was written. It restricted any fence that was along the street from being over 4' tall. They feel it's appropriate for some homes, where it doesn't interfere with the sight triangle, to be able to have a fence at full height.

Commissioner Stephen Nelson clarified that this would be corner lots. He asked if they want to better define when the fence can be over 4'.

Zoning Administrator Matt Holmes said as long as it's not in the 40' triangle they could further define it as the front plane of the home or 40', whichever is greater. He added they also need to consider keeping gas and electric meters

accessible.

Commissioner Stephen Nelson said a lot of neighborhoods have homes that are back-to-back and there are two adjacent fences with a little carve-out for utility boxes. He asked if this would apply to those utility boxes as well.

Zoning Administrator Matt Holmes said that ordinance is already in our construction standards. There is supposed to be a 3' clear space around the power boxes. He added that the Planning Commission needs to make a recommendation on what opacity would be appropriate for fences.

Commissioner Stephen Nelson said if they want a transparent fence, the maximum opacity should be 25%. When fences are viewed at any kind of angle; they get less and less transparent. He asked where the sight triangle is being measured from.

Zoning Administrator Matt Holmes said it is being measured from the property line, as written in other portions of the zoning requirements.

Commissioner Stephen Nelson asked if they are creating a sight triangle around someone's driveway.

Zoning Administrator Matt Holmes said the measurement of 40' is at the road, and anything along the driveway should have a smaller area to make sure there's visibility to see the sidewalk.

Commissioner Scott Casas said he agrees that 25% opacity is probably the best option for safety. If they allow higher than 25%, they risk people not seeing children walking or running.

Vice Chair Angi Bair asked if they are just talking about fences in the line of sight or every fence.

Commissioner Stephen Nelson said anywhere the code requires fences to be transparent, they would need to meet the 25% standard.

Commissioner Scott Casas asked if that includes a fence for the backyard or side yard.

Vice Chair Angi Bair said if the point is to have

transparency, 50% is not very transparent.

Commissioner Stephen Nelson asked what the side yard set back is.

Zoning Administrator Matt Holmes said on an interior lot, it's 8' on one side, and 10' on the other. On a corner lot, it's 25' from any street frontage and 8' on the other side.

Commissioner Stephen Nelson said 17.70.020(D) says "no fence shall be erected in any front yard setback area to a height in excess of four (4) feet and shall be of transparent construction within fifteen (15) / twenty (20) feet of a driveway". That could impact vinyl side fences that drop down to 4' and would affect some driveways. Fifteen feet would have less of an impact, but twenty feet would likely impact most driveways.

Chairman Brian Carver asked if there is a good objective metric they can use to defend 15'-20' from a driveway. The length of an average car is 12'-15'.

Zoning Administrator Matt Holmes said most cars are 17'-20' in length.

Commissioner Stephen Nelson said he has seen other jurisdictions do an intersection clear sight triangle, but on a smaller scale. A fence closer to a driveway, but further from the intersection, could be solid, but when it gets close, it would need to be dropped. Everything in that area would be transparent.

Chairman Brian Carver said he would prefer the front yard transparency space to be 20'.

Commissioner Stephen Nelson said he agrees with 20', because the biggest safety risk is kids being backed over.

Commissioner Scott Casas shared his concern with the growing number of properties with smaller footprints. He questioned how the proposed code will affect smaller properties.

Vice Chair Angi Bair said she likes the idea of 20' for safety reasons, but 15' for property useability. There is the potential of lots getting smaller.

Commissioner Scott Casas said he thinks they should keep it

at 20', and if it needs to be addressed in the future, they can address it again.

Chairman Brian Carver said he likes the 25% opacity with 20' driveways.

Chairman Brian Carver asked if they are comfortable with work zones around utility meters.

Zoning Administrator Matt Holmes said he added a portion to section 17.70.020 B2. It says if irrigation and water meters are not in the park strip, it's required to have a 3'X6' work zone adjacent to the meter barrel that is parallel to the sidewalk.

Vice Chair Angi Bair asked if they want to do 15' or 20' for section 17.70.030(3).

Commissioner Stephen Nelson asked if there are gate requirements.

Zoning Administrator Matt Holmes said a gate needs to be at least 4' wide, and if it's along a trail or sidewalk, it must open inward. All gates that adjoin public property or public easements shall open inward toward the property owner's yard.

**ACTION**

Commissioner Scott Casas made a motion to make a recommendation to the City Council to approve fencing regulation 17.70 with the following changes. 1. Transparent fences shall have a maximum opacity of twenty-five 25% opacity. 2.No fence shall be erected in any front yard setback area to a height in excess of 4' and shall be of transparent construction within 20' of a driveway. 3.The sight triangle for driveways and fences along city trails may be reduced to a distance of 20' back from the intersection of driveway and sidewalk, or driveway and property line where no sidewalk exists. 4.The recommendations made by staff in 17.70.020(A), as presented. Commissioner Stephen Nelson seconded the motion and Commissioners Bair, Carver, Casas, and Nelson voted aye.

**ADJOURNMENT:****ACTION**

There being no further business before the Planning

**Commission, the meeting adjourned at 6:54 p.m.**

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Brian Carver  
Chairman

ATTEST:

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Shara Toone  
Secretary

Approved: December 12, 2024  
As Written