

MINUTES OF A SPECIAL MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD DECEMBER 28, 2023 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

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

**CONDUCTING:** Chairman Paul Willardson

**PRESENT:** Chairman Paul Willardson, Vice Chairman Blake Foster, Commissioners Brian Carver, and Terry Mann.

**EXCUSED:** Commissioner Angi Bair

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

**OTHERS PRESENT:** Zoning Administrator Matt Holmes and twenty citizens. Secretary Shara Toone recorded the minutes.

**PLEDGE OF ALLEGIANCE:** Vice Chairman Blake Foster led the governing body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Commissioner Terry Mann

**AGENDA APPROVAL:**

A copy of the notice and agenda for this meeting was EMAILED to The Herald Journal, posted on the Utah Public Notice Website and Hyrum City's website, distributed to each member of the Planning Commission, and posted at the City Offices more than forty-eight hours before meeting time.

**ACTION**

**Commissioner Brian Carver made a motion to approve the agenda for December 28, 2023 as written. Commissioner Blake Foster seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.**

6. PUBLIC HEARING

A. To receive public comment regarding Community Development Block Grant - Hyrum City is eligible to apply to the Utah Department of Workforce Services for funding under the Community Development Block Grant (CDBG) Small Cities Program, a federally funded program administered by the State of Utah, Housing and Community Development Division (HCD). Hyrum City is eligible to apply for CDBG funding provided Hyrum City meets the applicable program

requirements. The purpose of the public hearing is to provide citizens with pertinent information about the Community Development Block Grant Program and to allow for discussion of possible applications. This public hearing will cover eligible activities, program requirements, and expected funding allocations in the region. The CDBG Program can fund a broad range of activities, including, but not limited to: construction of public works and facilities, e.g., water and sewer lines, fire stations, acquisition of real property, and provision of public services such as food banks or homeless shelters. In the event that Hyrum City chooses to apply for CDBG funding, a second public hearing will be held at a later time to discuss the project.

- B. The purpose of this hearing is to receive public comments regarding amendments to Title 16 (The Subdivision Ordinance) of the Hyrum City Municipal Code to amend the subdivision approval process by: No longer requiring a concept plan to be submitted; Removal of City Council approval for Preliminary and Final Plats; Removal of Planning Commission approval for Finals Plats; and Sets time limits for the review process. These amendments are mandated by Utah State Code.
- C. The purpose of this hearing is to receive public comment regarding a request to rezone Parcel 01-007-0011 at approximately 350 East 300 North from Residential Agricultural R-A Zone to Light Industrial M-1 Zone.

7. SCHEDULED DELEGATIONS

- A. Curtis Knight - To request approval for a rezone of nine acres from residential agricultural to light industrial, located at approximately 350 East 300 North.

8. OTHER BUSINESS

- A. Matthew Holmes - Consideration and recommendation of an amendment to the Hyrum City Code regarding state-mandated changes to the Subdivision Ordinance pertaining to administrative approvals of single-family, two-family, and townhome developments.

9. ADJOURNMENT

**PUBLIC HEARING:**

**TO RECEIVE PUBLIC COMMENT REGARDING COMMUNITY DEVELOPMENT BLOCK**

GRANT - HYRUM CITY IS ELIGIBLE TO APPLY TO THE UTAH DEPARTMENT OF WORKFORCE SERVICES FOR FUNDING UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES PROGRAM, A FEDERALLY FUNDED PROGRAM ADMINISTERED BY THE STATE OF UTAH, HOUSING AND COMMUNITY DEVELOPMENT DIVISION(HCD). HYRUM CITY IS ELIGIBLE TO APPLY FOR CDBG FUNDING PROVIDED HYRUM CITY MEETS THE APPLICABLE PROGRAM REQUIREMENTS. THE PURPOSE OF THE PUBLIC HEARING IS TO PROVIDE CITIZENS WITH PERTINENT INFORMATION ABOUT THE COMMUNITY DEVELOPEMT BLOCK GRANT PROGRAM AND TO ALLOW FOR DISCUSSION OF POSSIBLE APPLICATIONS. THIS PUBLIC HEARING WILL COVER ELIGIBLE ACTIVITIES, PROGRAM REQUIREMENTS, AND EXPECTED FUNDING ALLOCATIONS IN THE REGION. THE CDBG PROGRAM CAN FUND A BROAD RANGE OF ACTIVITIES, INCLUDING, BUT NOT LIMITED TO: CONSTRUCTION OF PUBLIC WORKS FACILITIES, E.G., WATER AND SEWER LINES, FIRE STATIONS, ACQUISTION OF REAL PROPERTY, AND PROVISION OF PUBLIC SERVICES SUCH AS FOOD BANKS OR HOMELESS SHELTERS. IN THE EVENT THAT HYRUM CITY CHOOSES TO APPLY FOR CDBG FUNDING, A SECOND PUBLIC HEARING WILL BE HELD AT A LATER TIME TO DISCUSS THE PROJECT.

**ACTION**

Commissioner Terry Mann made a motion to open the public hearing at 6:35 p.m. Commissioner Brian Carver seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

Commissioner Brian Carver said the intent of the Community Development Block Grant is to address the needs of those with low-median income. Hyrum has used the grant in the past.

Chairman Paul Willardson asked if there are any cities close to Hyrum that are using the grant.

Commissioner Brian Carver said funds can be used for municipal water, water tanks, senior centers, meals on wheels vehicles, etc. Cornish used the grant to reconstruct a well head. The grant can also be used for public or capital infrastructure. 51% of people who will benefit need to meet low-moderate income.

Mike Stauffer asked if the grant requires a local match.

Commissioner Brian Carver said it does not require a local match, but it makes the product more competitive.

Mike Stauffer asked if an annex at the Elite Hall for disabled citizens would be eligible.

Commissioner Brian Carver said yes that is eligible. It

wouldn't be as highly competitive as other projects.

Michael Nelson asked what the funding level is.

Commissioner Brian Carver said the minimum is \$35,000. There will be approximately \$900,000 available. It would need to be a highly competitive project.

Michael Nelson asked what the requirements are.

Commissioner Brian Carver recommended following up with Zoning Administrator Matt Holmes on the requirements.

Michael Nelson asked Commissioner Brian Carver if he had any ideas.

Commissioner Brian Carver said an environmental impact study would need to be done and comply with the Davis-Bacon wage laws to verify with contractors that correct wages are being paid. It not technically complicated, but administratively, it's a lot of work.

Michael Nelson asked if the grant is done through BRAG.

Commissioner Brian Carver said no it is not.

Michael Nelson asked if the use benefits the entire city, if the whole city needs to be low income.

Commissioner Brian Carver said 51% of Hyrum City would need to be low-moderate income through a conducted survey. Hyrum City, as a whole, is very unlikely to qualify.

Michael Nelson asked if it would be best to target a certain neighborhood.

Commissioner Brian Carver said yes. They could survey a targeted neighborhood. Rules for the program assume that seniors, as well as children and young adults fleeing domestic violence, would automatically qualify.

Michael Nelson said it would be hard to target funds for the Elite Hall.

Commissioner Brian Carver said that is correct, where the facility benefits all of Hyrum City.

Scott Casas said he is not in favor of the grant without more details.

Commissioner Brian Carver said Hyrum City is not making an application yet. If there is not an eligible project, there wouldn't be an application.

**ACTION** Commissioner Blake Foster made a motion to close the public hearing at 6:55 p.m. Commissioner Terry Mann seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

**THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENTS REGARDING AMENDMENTS TO TITLE 16 (THE SUBDIVISION ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO AMEND THE SUBDIVISION APPROVAL PROCESS BY: NO LONGER REQUIRING A CONCEPT PLAN TO BE SUBMITTED; REMOVAL OF CITY COUNCIL APPROVAL FOR PRELIMINARY AND FINAL PLATS; REMOVAL OF PLANNING COMMISSION APPROVAL FOR FINAL PLATS; AND SET TIME LIMITS FOR THE REVIEW PROCESS. THESE AMENDMENTS ARE MANDATED BY UTAH STATE CODE.**

**ACTION** Commissioner Brian Carver made a motion to open the public hearing at 6:56 p.m. Commissioner Blake Foster seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

Zoning Administrator Matt Holmes said this does not include PUD's, industrial and commercial subdivisions. Concept plans are no longer required, and the City Council and Planning Commission do not need to approve the final plat. The Planning Commission can only see the preliminary plat.

Michael Nelson said Hyrum City needs to plan the subdivision ordinance very well and make sure nothing is missed.

Chairman Paul Willardson asked if there is a time frame with this ordinance.

Zoning Administrator Matt Holmes said the date is February 1, 2024. This ordinance will not give developers free reign as they still have to meet city requirements. The City Council would not be able to deny a subdivision. Matt asked if the Planning Commission has recommendations on forming a group.

Mike Stauffer asked why there is a discussion if this is being mandated by the state. It adds another level of bureaucracy.

Commissioner Brian Carver said he would recommend the public to reach out to the local legislature on the issue.

**ACTION** Commissioner Brian Carver made a motion to close the public hearing at 7:05 p.m. Commissioner Terry Mann seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

**THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING A REQUEST TO REZONE PARCEL 01-007-0011 AT APPROXIMATELY 350 EAST 300 NORTH FROM RESIDENTIAL AGRICULTURAL R-A ZONE TO LIGHT INDUSTRIAL M-1 ZONE.**

**ACTION** Commissioner Terry Mann made a motion to open the public hearing at 7:06 p.m. Commissioner Blake Foster seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

Zoning Administrator Matt Holmes mentioned comments from the previous meeting that the irrigation stays as is.

Scott Casas said he is not in favor of a zone change as the property is surrounded by agriculture. He said there is not anything that is light industrial on that street. There are currently storage units by his property, which he does not like.

Curtis Knight said the property is not good agricultural or residential land. It is best for storage units. He wants to work with the city to put what the city wants on the property. Curtis wants the property to look good, the only con would be if they were to sell the property the new owner may not upkeep it. It is not a good area for residential with lots of traffic. Hyrum City's general plan shows heavy industrial across the street to the north so this would create a good buffer zone with light to heavy industrial. A good thing about storage units, is a heavy property tax, which help schools.

Commissioner Blake Foster asked how long the Knights have owned the property.

Curtis Knight said maybe two years.

**ACTION** Commissioner Blake Foster made a motion to close the public hearing at 7:20 p.m. Commissioner Terry Mann seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

**SCHEDULED DELEGATIONS:****CURTIS KNIGHT - TO REQUEST APPROVAL FOR A REZONE OF NINE ACRES FROM RESIDENTIAL AGRICULTURAL TO LIGHT INDUSTRIAL, LOCATED AT APPROXIMATELY 350 EAST 300 NORTH.**

Chairman Paul Willardson asked if there were any questions from the Planning Commission.

Curtis Knight said it is in the spot where Hyrum City's General Plan says it wants light industrial.

Chairman Paul Willardson said his concern is the property being isolated by agricultural land and it creating an island. The general plan is out of date and Paul would be nervous to pass this being close to updating the general plan.

Curtis Knight said they would like to stop urban sprawl. The state wants to be more condensed. There is a need for storage units and they would do it in phases. It would make a great buffer zone.

Karther Knight said they take very good care of their current storage units.

Chairman Paul Willardson said he isn't against the idea of storage units rather the rezone. Recommendations can be given to the City Council.

Commissioner Brian Carver said he would rather see the property as light industrial if it is going to be rezoned. Light industrial is more compatible with the other growing industrial activities to the Northwest. The land is already very fragmented, and it is hard to run equipment on that land. Brian asked if the community's view of the plans for this area have changed.

Curtis Knight said he won't be offended just give him some ideas of what he can do with his land.

**ACTION**

**Commissioner Brian Carver made a motion to make a favorable recommendation to the City Council approval for a rezone of nine acres from residential agricultural to light industrial, located at approximately 350 East 300 North. Commissioner Blake Foster seconded the motion and Commissioners Carver and Foster voted aye. Commissioners Mann and Willardson voted nay.**

***OTHER BUSINESS:*****MATTHEW HOLMES - CONSIDERATION AND RECOMMENDATION OF AN AMENDMENT TO THE HYRUM CITY CODE REGARDING STATE-MANDATED CHANGES TO THE SUBDIVISION ORDINANCE PERTAINING TO ADMINISTRATIVE APPROVALS OF SINGLE-FAMILY, TWO-FAMILY, AND TOWNHOME DEVELOPMENTS.**

Zoning Administrator Matt Holmes said they were continuing from where he left off last meeting and the Planning Commission would be making a recommendation to the City Council to adopt the changes and conditions. Matt read the changes proposed in the Zoning Ordinance. He discussed the developer's responsibility to design and construct any transition to existing infrastructure adjacent to their development necessary to provide continuous service and connections.

Chairman Paul Willardson said he likes that idea.

Zoning Administrator Matt Holmes said he thinks maybe if a developer dedicates extra land to lower impact fees. Matt thinks that it should go to the Planning Commission for the preliminary plat. A recommendation and condition can be made that the dedication must be worked out with City Council before it goes to final plat.

Commissioners Paul Willardson and Blake Foster said that they liked that idea.

Michael Nelson said asked if it is a possibility to use a member from the City Council as a deputy. They wouldn't vote, but they would be involved.

Chairman Paul Willardson said it was discussed to use the same representative from multiple organizations. He asked who would put the group together.

Zoning Administrator Matt Holmes said deciding who makes up the land use authority committee, would need to be written into the development code.

Zoning Administrator Matt Holmes continued to read the proposed changes to the Zoning Ordinance. He discussed the extension of public works facilities should be made to the edges of the development in order to provide connections for future development.

Chairman Paul Willardson asked if this includes water and sewer lines.

Commissioner Terry Mann said that she thinks that's a good idea.

Zoning Administrator Matt Holmes resumed reading the changes proposed in the Zoning Ordinance. He discussed that blocks should not exceed 800 feet in length and some homes would not be able to have direct access to arterial streets.

Chairman Paul Willardson asked if in that case they would just require the back of house against the road.

The Planning Commission agreed with 800 feet.

Zoning Administrator Matt Holmes said street improvements need to be made. 110% allows a 10% contingency - a warranty the city holds to show things aren't falling apart. It makes sure that the developers' responsibility is clear. If violations are made the penalty needs to be consistent with state code. How do the lots sell at developed lot rates even though they may not have utilities. How does the city address mini sub phase. Show which utilities are not there.

Chairman Paul Willardson said that he is in agreement with the 10%.

Zoning Administrator Matt Holmes said that he wants to make sure that it is clear that it is the developer's responsibility to provide an emergency outlet system.

Chairman Paul Willardson and Commissioner Terry Mann think that's a good idea.

Zoning Administrator Matt Holmes said if violations are made the penalty needs to be consistent with state code. He discussed how to handle people selling lots that do not have utilities run to them. He asked if the trigger should be that they must show which utilities are not there and they have to show where they are going to be.

Chairman Paul Willardson and Commissioner Terry Mann said that's fair.

Zoning Administrator Matt Holmes asked how they should handle curb and gutter. He asked if they should require it within a

certain distance and if they should require people to put curb and gutter on their property if there's curb and gutter within 300 feet.

Chairman Paul Willardson asked if they would end up with islands. He said he doesn't like the gaps, but he sees the wisdom in having them put in most of the curb and gutter and the city just having to fill the gaps.

Commissioner Brian Carver said having sidewalk here, no sidewalk there, creates inconsistency. If there's a standard they can stick to that.

Chairman Paul Willardson asked how do you get it to all match. He asked if they could require it if they are adjacent to.

Commissioner Brian Carver said he agrees with a trigger where if the property adjacent or within 100 feet has sidewalk, they are required to develop it.

Zoning Administrator Matt Holmes said that is something that they can leave to the Planning Commission at the time.

Chairman Paul Willardson said he is partial to leave it as it is.

The Planning Commission agreed.

Chairman Paul Willardson asked if the areas will end up with islands. He hates to see gaps, but sees the wisdom to leave it to the discretion of the Planning Commission.

Zoning Administrator Matt Holmes referred back to utilities and proposed changing the wording to the location of all utilities in relation to individual lots and the necessity to provide utilities to each lot.

The Planning Commission said yes to this.

Zoning Administrator Matt Holmes discussed a list of signature blocks.

Chairman Paul Willardson asked if there are items they want or need signed before it comes to them.

The Planning Commission agreed to put a period after "the appropriate person" and strike out prior to Planning

Commission submittal.

Zoning Administrator Matt Holmes finished reading through the changes proposed in the Zoning Ordinance.

**ACTION** Commissioner Brian Carver made a motion to recommend approval of an amendment to the Hyrum City code regarding state-mandated changes to the subdivision ordinance pertaining to administrative approvals of single-family, two-family, and townhome developments as Zoning Administrator Matt Holmes has presented and was discussed. Commissioner Terry Mann seconded the motion and Commissioners Carver, Foster, Mann, and Willardson voted aye.

**ADJOURNMENT:**

**ACTION** There being no further business before the Planning Commission, the meeting adjourned at 8:10 p.m.

\_\_\_\_\_  
Paul Willardson  
Chairman

ATTEST:

\_\_\_\_\_  
Shara Toone  
Secretary

Approved: \_\_\_\_\_  
As Written