



PLANNING COMMISSION MEETING

Thursday, September 12, 2024 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, September 12, 2024. The proposed agenda is as follows:

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **APPROVAL OF MINUTES**
 - A. 08/08/2024
5. **AGENDA APPROVAL**
6. **PUBLIC HEARING**
 - A. To receive public comment pertaining to the proposed changes to reduce the length of time a dumpster can be stored within the public right of way, and require a detailed written explanation of the reason it should be allowed to be placed in the right of way.
 - B. To receive public comment on adding a new section to the zoning ordinance providing rules for the placement, construction, height, and locations of fences. This change to the ordinance will also require a zoning clearance to place or reconstruct a fence.
7. **SCHEDULED DELEGATIONS**
 - A. William Hadfield - To request approval of a setback exception for a pole barn accessory structure to be placed in front of the main dwelling.
 - B. Miguel A Barragan - To request approval of a setback exception for a covered entryway placed in front of the main dwelling at 187 West 100 North.
8. **OTHER BUSINESS**
 - A. To discuss and recommend changes to reduce the length of time a dumpster can be stored within the public right of way, and require a detailed written explanation of the reason it should be allowed to be placed in the right of way.

- B. 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.

9. 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 9th day of September, 2024. Shara Toone, Secretary

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD AUGUST 8, 2024 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Vice Chairman Angi Bair

PRESENT: Vice Chairman Angi Bair, Commissioners Blake Foster, Stephen Nelson, Paul Willardson, and Alternate Member Averie Wheeler.

EXCUSED: Chairman Brian Carver

CALL TO ORDER: There being five present and five representing a quorum, Vice Chairman Angi Bair called the meeting to order.

OTHERS PRESENT: Zoning Administrator Matt Holmes and 20 citizens. Secretary Shara Toone recorded the minutes.

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

INVOCATION: Paul Willardson

APPROVAL OF MINUTES:

The minutes of a regular meeting held on June 13, 2024 were approved as written.

ACTION

Averie Wheeler made a motion to approve the minutes of June 13, 2024 as written. Commissioner Blake Foster seconded the motion and Commissioners Bair, 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 Stephen Nelson made a motion to approve the agenda for August 8, 2024 as written. Commissioner Paul

Willardson seconded the motion and Commissioners Bair, Nelson, Wheeler, and Willardson voted aye.

6. SCHEDULED DELEGATIONS

- A. Luis Ayala-Trujillo- Seeking a setback exception for an accessory structure behind the main dwelling.
- B. William Hadfield- Seeking a setback exception for a pole barn accessory structure to be placed in front of the main dwelling.
- C. Shania Laird- Seeking approval for two shipping containers that exceed the typical 140 square feet maximum.

SCHEDULED DELEGATIONS:

LUIS AYALA-TRUJILLO- SEEKING A SETBACK EXCEPTION FOR AN ACCESSORY STRUCTURE BEHIND THE MAIN DWELLING.

Luis Ayala said they have a roof that they built recently. He said they would like to repurpose it to be a dining room, since their house lacks one. He said no excavation is needed, and they won't need to touch any utilities.

Averie Wheeler asked if they are enclosing the existing patio, and if the problem is the setback.

Zoning Administrator Matt Holmes said there are a couple of issues. He said the structure is too close to the house. He said they were asking to enclose it to have an outdoor dining area and to cut down on wind. He added the issues are it's too close to the house, but it can't be added to the house, because that puts the house beyond the 30' setback.

Commissioner Stephen Nelson asked if it is attached to the house.

Zoning Administrator Matt Holmes said it's not attached, but it is really close to the house.

Commissioner Paul Willardson asked if there is a door between the two structures.

Zoning Administrator Matt Holmes said there is an outside glass

door that leads down to the patio. He said currently, it is a patio with a roof over it.

Commissioner Stephen Nelson said the fire code requires structures to be 10' apart, unless there is special insulation and firewalls that are put in place. He asked if that is part of the proposal.

Luis Ayala said he didn't know about that. He said they will do whatever is required.

Commissioner Blake Foster asked how long the patio has been there.

Luis Ayala said four years.

Vice Chairman Angi Bair asked if they want to fully enclose it or just enclose two or three sides.

Luis Ayala said it will be fully enclosed.

Commissioner Stephen Nelson asked if it will be fully enclosed, but not attached to the home.

Commissioner Averie Wheeler said it is an accessory building, but it doesn't meet those standards.

Luis Ayala asked what is needed.

Commissioner Stephen Nelson asked if they plan to run electricity to it.

Luis Ayala said they are planning to run electricity to it and they want to know what they need to do to make it work.

Commissioner Stephen Nelson said the standard from 17.28.40 for yard regulations under subsection F reads, "All other accessory buildings (i.e. sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data." He said the Planning Commission needs to consider whether or not they have a design sufficiently presented to them to meet the standard of code, and if there's

constructional design, landscaping, proximity to neighboring dwellings, or other pertinent data that should affect their recommendation. He said he's not concerned with the impact on neighbors, but he is concerned with fire code, building code and drainage problems. He said he would like to see how the wires are going to be brought to this structure and how they plan to ensure the firewalls are sufficient to meet the standard.

Commissioner Paul Willardson said as it stands right now, it's not meeting code. He said they are taking something already out of code and asking to make an exception. He said he doesn't think they should continue breaking code.

Commissioner Averie Wheeler asked if Luis would consider a second space for the dining room, instead of trying to make this space work. She said if he put it off to the side and attached it, he would have more control and meet codes.

Luis Ayala said they are not looking to do that. He said if it's not possible to take the existing space and turn it into a dining room, then they want to keep it as is.

Commissioner Averie Wheeler said she's not sure how they can do it and meet code.

Vice Chairman Angi Bair said if they do address the fire code, etc. it wouldn't adversely affect the neighbors, but they don't have a plan to show how they would finish it.

Commissioner Stephen Nelson said there isn't sufficient design data for him to consider if they will be able to meet fire building code.

Commissioner Averie Wheeler said if they could see blueprints on what they are planning to build, with wiring and insulation plans, they could look at it and give them an exception for that 10' space.

Luis Ayala asked if it would be easier if they attached it.

The Planning Commission answered that it would be worse.

Commissioner Stephen Nelson said before he wouldn't be able to say yes until he could ensure that the design and standards would be able to fit with fire code.

Vice Chairman Angi Bair asked how close to the house it would

be.

Luis Ayala asked if 10' is the requirement.

Commissioner Averie Wheeler said 10' from the back of the house to the front of an accessory building is the minimum requirement. She said they want to see plans with electrical and fire hazard plans.

Vice Chairman Angi Bair said they would also like to see how close to the house the accessory building is.

Commissioner Stephen Nelson said they need more details. He asked how tall the structure is.

Zoning Administrator Matt Holmes said it is 12-13'.

Commissioner Averie Wheeler asked if they could look into making up some blueprints with more details.

Luis Ayala said he is not interested in doing that right now.

ACTION

Commissioner Paul Willardson made a motion to deny a setback exception for an accessory structure behind the main dwelling, based on the lack of design plans. Commissioner Stephen Nelson seconded the motion and Commissioners Bair, Nelson, Wheeler, and Willardson voted aye.

WILLIAM HADFIELD- SEEKING A SETBACK EXCEPTION FOR A POLE BARN ACCESSORY STRUCTURE TO BE PLACED IN FRONT OF THE MAIN DWELLING.

ACTION

Commissioner Stephen Nelson made a motion to postpone the approval of a setback exception for a pole barn accessory structure to be placed in front of the main dwelling. Commissioner Blake Foster seconded the motion and Commissioners Bair, Nelson, Wheeler, and Willardson voted aye.

SHANIA LAIRD- SEEKING APPROVAL FOR TWO SHIPPING CONTAINERS THAT EXCEED THE TYPICAL 140 SQUARE FEET MAXIMUM.

Ray Collatz said they've filled in the irrigation ditch and put piping in. He added it's now covered with gravel. He said there are two shipping containers on the property that they use for storage. He said they would like to attach a cover and use it for covered parking.

Commissioner Paul Willardson asked where the canal runs.

Ray Collatz said the canal is gone, it is piped. He added it runs through the other property.

Commissioner Paul Willardson asked if they still have an easement to maintain a pipeline.

Ray Collatz answered yes.

Commissioner Paul Willardson asked if the pipeline runs underneath his shed.

Ray Collatz said it does not. He added the nice thing about the structure is that it is not permanent, it weighs enough that it will hold up against weather, and it is brand new. He said he paid to have 4-5' feet of material brought in, packed and leveled.

Commissioner Stephen Nelson asked if they have a timeframe or if they plan on keeping them there permanently.

Ray Collatz said it all depends. He said he doesn't know if this is going to be their permanent home.

Shania Laird said they plan to be here another year and a half.

Ray Collatz said the nice thing about the containers is they can be hauled off at any time. The structure he wants to buy is easy to put up and take down. He said the shipping units are completely sealed, and they are brand new, so they aren't an eyesore.

Commissioner Blake Foster asked what the other structure is.

Ray Collatz said it is a Quonset.

Shania Laird said it's not tall enough to park in.

Commissioner Stephen Nelson asked if there is a wire fence along the back.

Ray Collatz said he tore everything out and put up two 10' farm gates.

Commissioner Blake Foster asked if the gates are between the storage containers.

Ray Collatz said there is a sewer line that runs through the property. He said they made it so that it is easily accessible.

Shania Laird said the gates are not touching the storage containers.

Ray Collatz said he set them back at the property line, and the gates are about 5' from the rear property line.

Commissioner Blake Foster asked if there is a wind rating on the cover.

Ray Collatz said he doesn't have that information with him, but he did his research, and it meets the wind rating and snow load for the area. He said each container weighs 9,000 lbs. and the way the cover mounts to the container is very solid.

Commissioner Averie Wheeler said the things they need to consider are the size and the impact on the neighbors and she doesn't see any concerns.

Commissioner Blake Foster asked what the maximum size allowed by Hyrum City is.

Commissioner Averie Wheeler answered 140' and these are 320'.

Vice Chairman Angi Bair asked the size of the total lot.

Shania Laird said the lot is just under 0.5 acres, with what they own now. She added it will be just over 1 acre with the land they are trying to acquire.

ACTION

Commissioner Averie Wheeler made a motion to approve the exception to two shipping containers that exceed the typical 140 square feet maximum, with no conditions. Commissioner Blake Foster seconded the motion and Commissioners Bair, Nelson, Wheeler, and Willardson voted aye.

OTHER BUSINESS:

ANNETTE FRANCIS- TO DISCUSS THE CONCEPT OF A SITE PLAN AS WELL AS CITY CODE REGARDING SENIOR HOUSING DEVELOPMENTS. AS A DISCUSSION, THERE MAY BE RECOMMENDATIONS BUT NO DECISION.

Craig Rasmussen said there is a second plan with some changes and improvements that he doesn't think the Planning Commission has seen. He said after submitting the first plan to Hyrum City staff, Annette met with UDOT and there were other things that the state wanted to see. He explained he got involved when Annette went to the City Council asking about what the City Council thought about some of the things she was proposing for a downtown commercial area. He said Hyrum City ordinances need to be reviewed because they are outdated and flawed. He went on to say that it's been a while since Hyrum City has had the opportunity to build a downtown commercial development, and the City Council is excited about the proposal. He said it will probably be a long time before they have more downtown commercial development, so they need to take advantage of this opportunity and do it right, so they can have a little pocket of commercial area downtown. He said he is encouraging them to focus on what they can do to proceed in a way that everyone comes away a winner. He said Hyrum City ordinances are not perfect and need to be looked at. He said there is a big need for senior housing, something people can live in short term without needing to purchase. He said he would like to see that incorporated in Annette's plan.

Annette Francis said she is going to turn the time over to Kyle. She said Kyle is someone that she has hired to help her through the process.

Kyle Barney said he is a Hyrum resident, and this is a unique opportunity. He said they have been working with Matt facilitating and implementing the feedback that he has given

them. He said they are trying to put together a project that aligns with the unique historical character of Hyrum. He said this is a commercial project, and they would like it to be treated as such. He said the residential part of it is incidental and there has been some back and forth with Matt on multifamily and what not.

Commissioner Stephen Nelson asked if he could explain what that means.

Kyle Barney said it is a mixed-use development, and it is under C2 zoning. He said it is primarily commercial and there are several buildings in the plan. He said because of present mixed-use requirements in C2 zoning, there are a few properties with residential apartments on the top floor, but this is primarily a commercial development, so there is a number of various office buildings.

Nik Kohler said there are two two-story buildings in the very back that has the mixed-use residential units on top. He added that everything on the main level is commercial. He said it's not fully maxed out, but they did try and get the developer and the city as much usable and rentable square footage.

Kyle Barney said the C2 zone does not allow residential units on the main floor, and that was the problem with the original senior housing proposal. He said if the code changes, they are open to including that in the site plan.

Craig Rasmussen said senior housing facilities are a permitted use in this zone, but to meet the conditions a checklist must be completed to get a conditional use permit for something that is a permitted use in that zone. He said that does not make any sense. He said he sent Matt some redlines on what he thinks is a good start on what can be done to adjust that section of the ordinance.

Kyle Barney asked Nik to go from building to building and give a general overview.

Nik Kohler said the way they have labeled it is buildings 1-9 are commercial. Some of the buildings have more than one suite, and there are a total of six buildings. He said after the UDOT meeting, they decided to move the access to the center of the lot, so they are asking for a variance, and they would move commercial building one back as close to the sidewalk and the street as Hyrum City would allow. He said

there is a drive-through center lane down the center easement and that gives access to buildings 2,3,4,5, and 6 for that main floor level. On the opposite side of parking buildings 7,8, and 9, provide access to overflow parking, where they maxed it out. He said they are showing a total of 59 parking stalls if required, and they provided extra floor plans to spell out what they are thinking for the upper floor suites. They made sure to accommodate parking spots for tenants.

Kyle Barney said this isn't a formal site plan submission. They are looking for a general sense of approval that the Planning Commission is on board with the idea. He said they want to know any real concerns that the Planning Commission may have, and things that they might want to see on the site plan.

Commissioner Stephen Nelson asked how they plan on policing the housing to ensure that it is senior housing.

Kyle Barney said the senior housing is not currently in the plan. He said if the code is updated on before the official site plan is submitted then they will move forward with that.

Annette Francis said there are deed restrictions made in other cities. She said she has looked at applying for grants, but she wants to avoid grants so that everyone is eligible, not just a certain few. The biggest goal is for senior housing to be on a deed restriction (55 and older) unless Hyrum City changes the deed. She said according to her research, deed restrictions protect senior housing.

Commissioner Stephen Nelson said if she does move forward with the senior housing it wouldn't be ADA accessible.

Annette Francis said there is no senior housing because Hyrum City has made it impossible for seniors to live in Hyrum.

Kyle Barney said the mixed-use restrictions in C2 specify that residential can only be on the second floor or higher, so that's why there isn't senior housing on the first floor.

Annette Francis said code also states that it would need to be owner occupied. She said she bought the property because it allowed senior housing. She engineered the plans and to have it owner occupied, with her mom living there, but her mom's health changed in the time of the process. She said that's why a rental needs to be an option for seniors to

come and go as their health permits.

Annalise Netzley said she has lived in Hyrum since she was four years old. She is 31, and she has been trying to find affordable housing to be able to live alone. She said a few months ago, she had to move back in with her parents. She said it would be very beneficial to find a place that is affordable.

Vice Chairman Angi Bair said she is confused. She clarified that the plan is six commercial buildings. Two of those buildings will have apartments upstairs with commercial space on the bottom, and that is permitted use in C2. She said that is not an issue. She asked if they are asking them to consider revising the code so that the two apartment buildings can switch to senior housing and have main floor living.

Kyle Barney and Annette Francis answered no.

Vice Chairman Angi Bair said that is where she is confused.

Commissioner Stephen Nelson said he would echo that. He said he is unsure what they are asking for. He said they are asking them to review the code, but also review the development that is permitted.

Craig Rasmussen said he thinks they would like at least one more building. He said from what he understands they want to add a fourplex, single story house that has four units in it.

Annette Francis said she did a presentation 2.5 years ago to try and recognize senior independent living. She said she bought this property and was going to build a unit on each side. When she first proposed it to Matt, he said that if she pulled it as a residential permit she could rent it to unrelated persons. She said she spent money on engineering and when she came in to get the permit, he said it has four kitchens so it would be considered a multifamily unit. This was why she let go of the idea of senior housing. She said the reason that they are back here is the neighbors found out that she wasn't allowed to do that, and they wished she could. They went to a City Council meeting to speak up to get her back on the agenda and for the zone to get looked at again. She said she is running out of time for this change unless they really want it. She said she needs to start developing and get some money back. She said if Hyrum

City wants to do what she originally wanted to do, then she is happy to work with them, but she needs Hyrum City's help and they need to work together. She said she brought in a lot of people that care about this project. She added that there are a lot of people hurting financially, especially seniors.

Commissioner Paul Willardson asked them to show him how that would fit into this plan. He asked if it would be on the East side.

Annette Francis said if Hyrum City would allow the different mixed-use, she would keep it commercial and include senior housing, with the commercial part serving the seniors.

Kyle Barney said that's where they need the change because right now, they can't have residential there.

Annette Francis said it has to be rentals. That's the only way she can afford the project. She said Matt said it would have to be owner occupied, but there isn't a senior in the world that would live this way if they could afford a \$600,000.00 build. They would not live with three other seniors, and most likely they wouldn't be interested in being a landlord at that age. She said this project would allow seniors a time of rest for a few years while they live by their kids.

Dan Solomon said he hasn't seen the most recent plan as it has changed many times. He said Annette has tried hard to make this work. She asks the neighbors what they care about. He said he would love this kind of development right next door to them, and it is something that Hyrum City needs. He said that every plan that he has seen has been architecturally appropriate to city ideas and plans.

Travis Allred said this is something that can be done as is. He said the point, as with every development, is to look at what is the best for Hyrum. He said they need to ask if they can use this as a catalyst for some changes that need to take place. He said there are loopholes and things that can be done to make this work, but if you are really going to look at the code and make the appropriate changes, now is the time. He added that this can be used as a catalyst for the future. He said Annette has bigger plans for the city of Hyrum to clean up buildings and help foster people that live here and want their parents close by. He said he thinks there are additional things that can be done for the benefit

of everybody. He said it benefits the developer, but also the community.

Annette Francis said she is here because she can't afford a site plan if there is a risk of it getting denied.

Vice Chairman Angi Bair asked what she is planning on doing.

Annette Francis said she would start with the commercial building with housing above.

Vice Chairman Angi Bair said that is a permitted use. She asked what Annette is wanting to do that is not permitted use.

Annette Francis answered the only thing that is not permitted is she is not allowed to put senior housing in this.

Travis Allred said conditional use takes too long.

Vice Chairman Angi Bair said they have discussed senior housing in all of Annette's projects. She said they are aware that that is a concern. She said they have made several notes and have had meetings about senior housing, but changing code is a huge process.

Annette Francis said she has a solution. She could start with the commercial part of the project. She said she needs to start bringing in money to pay bills.

Commissioner Averie Wheeler asked if Annette would do it in phases, so she can get revenue until Hyrum City can make the changes happen to make it ideal.

Annette Francis said if Hyrum City is opposed or feels this is not doable they need to let her know so she can market and advertise in a way that investors want her project. She said if what she is proposing isn't the most profitable to her, but she lives here and wants something that benefits the community.

Courtney Larsen said he and Annette were discussing concepts that wouldn't be overly expensive in the modern economy. He said they talked about a coffee shop or a little burger shop. He said they are building a commissary kitchen, and they can make all the food from scratch there. It keeps the big trucks from coming in and keeps most of the trash offsite. He said

it's a cool neighborhood, and mixed-use areas are always beneficial. He said it could be a hangout spot, and that is something the town needs.

Annette Francis introduced Kaylene Ames. She said Kaylene Ames is on the Wellsville City Council, but she invited her because she spends a lot of time in St. George and has watched their development.

Kaylene Ames said she travels back and forth from St. George and Wellsville. She has a couple of businesses in St. George and the development that Annette is proposing is like one in Santa Clara. She said hundreds of people spend thousands of dollars in that quaint area that looks just like this one. She said the property that she owns is in downtown St. George and it has a commercial salon downstairs with apartments above. She said there isn't enough senior housing.

Travis Allred said they just got the mixed-use code changed in both Logan and North Logan City. He said there are bases on how to adopt and do these things quickly that have been successful that are closer than St. George. He said there is one by Beehive Grill and another one in North Logan on Wolf Pack way. He said this concept is rapidly being adopted by cities in our valley, and he thinks Hyrum City can accommodate that use. He said he thinks those spaces will get used.

Annette Francis introduced Michael Fortune, who started Boxable. She said he is on the Planning Commission for Providence City. She said that as Hyrum City looks at changing code, they should look at consulting with Michael, who has ways of building things cheaper.

Michael Fortune said he met Annette two years ago. He said she wants to improve the community. She has put an emphasis on senior housing. Annette talked to them about new options and things that could be done. He said seniors are being forced out because of fixed incomes and landlords that take advantage of the increase. He said he focuses on veterans and aging veterans. In the last couple of months, they have had seven or eight that have been forced out of their homes. He said this is a great project that will highlight and enhance the city of Hyrum, while helping seniors and the community. He said the code is always changing.

Kyle Barney said they are here to get a vote of confidence and feel out the Planning Commission to see if this is the

kind of project that they are willing to work with them on.

Commissioner Averie Wheeler said they have her confidence. She said Hyrum is continually growing, and Hyrum City zoning needs the vision that they are trying to push. She said the code needs updating. She said she is in support of resetting the precedent.

Commissioner Stephen Nelson said his general opinion after reading through C2 zoning is that Hyrum City should open the door for more housing options within that zone. He said having a mixed use and only allowing for single family or duplexes is not real mixed use. He said he thinks reviewing the code and allowing a project like this to move forward would be appropriate and smart. He said these types of developments are in need, and there are a lot of positives with them. He said Annette could phase the project so she can start with some of the beginning projects that are more commercial oriented and give the Planning Commission time to make updates to the code and to make recommendations to the council. He said he thinks they'd be in support of that. He said they can't make any guarantees, but it's worth the debate.

Commissioner Paul Willardson asked what the time frame is.

Annette Francis said she needed to start building three months ago. She can build on the 1/3-acre lot for a while to get funding. She said she became a realtor because she wanted to provide senior housing. She needs it by the end of the year. If she can get the site plan submitted, she can start building and get the infrastructure in before winter and then start getting financed for the next phase. She said she wants to name the development Sunstone Village in honor of Hyrum Young.

Craig Rasmussen said Annette would like two senior fourplex buildings. He said she would like to keep one of the mature trees and reconfigure one of the buildings. He said this can easily be done in different phases. He said changes to the code needs to be looked at for many areas of Hyrum City. He doesn't think they can wait for the general plan update for addressing this senior housing ordinance. He thinks that Hyrum City needs to get rid of permitted use for senior housing because he doesn't think it would trigger multiple family housing. He said there is a separate section for senior housing and that's where it needs to stay. He would like to see the Planning Commission move forward with adjusting the

senior housing part of our ordinance, so that Annette can have assurance that she can move forward with this phase.

Commissioner Stephen Nelson asked if there is a reason the other commercial building is up along the frontage.

Annette Francis said they are supposed to be 30' back and that's a variance they might need on the first one. She said there is a tree there that she loves, and she wants to keep it. She said she wasn't sure how many buildings she could get.

Zoning Administrator Matt Holmes said if this is within a specific section of the C2 code, which he thinks it is, there isn't a setback.

Commissioner Stephen Nelson said his preference would be the commercial massing be along the frontage. He thinks that the ordinance states that the parking needs to be located behind.

Craig Rasmussen said that is for multifamily housing. This isn't multifamily housing.

Commissioner Stephen Nelson asked if that's for the C2 zone.

Zoning Administrator Matt Holmes said it's designed so that you don't have parking out by the frontage, you have the businesses out front.

Craig Rasmussen said with the overflow parking in the back, there is plenty of parking. The residents can use the parking further back.

Commissioner Stephen Nelson said he thinks having the businesses up front is more presentable and a better use for this type of development for downtown.

Annette Francis asked Dan how he feels about that.

Dan Solomon said it impacts him because if it is massed in the front, there might be a lot of traffic in front of his house.

Commissioner Paul Willardson asked if this is a design meeting or a planning meeting. He said they are asking for a change of code in three months from a Planning Commission that is made up of volunteers. He said they could make a

recommendation that the City Council could reject.

Craig Rasmussen said the City Council sent him here tonight. They are on board with renovating the senior housing.

Commissioner Paul Willardson asked why they are just finding this out now.

Craig Rasmussen said he has been trying to push it for a long time.

Commissioner Paul Willardson asked if it is Craig or City Council pushing for it.

Craig Rasmussen said it was the City Council.

Annette Francis said the mayor is pushing for this to happen as well.

Craig Rasmussen said if parking is an issue, they designed it this way because of UDOT. He said if Dan is worried about parking in front of his house, tell UDOT this may never develop commercially, but we need an access here.

Annette Francis said she has contacted Planning Commission in the past and has been trying to get the code changed. She wants to work with everyone and make it work.

ADJOURNMENT:

ACTION **There being no further business before the Planning Commission, the meeting adjourned at 8:04 p.m.**

Brian Carver
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written

15.08.095 Construction Deposits - Lot Identification

- A. 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 for new residential or new commercial construction and residential and commercial remodel. The Hyrum City Council sets the Construction Deposit fee by resolution and such deposit will be refunded in whole or in part following final inspection and completion of landscaping requirements as required in the landscaping ordinance. All or part of the deposit may be forfeited to repair damage to city infrastructure occurring during construction in addition to failure to supply waste containment and/or occupation of building prior to receiving certificate of occupancy.
- B. 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 Contractor Deposit. All subdivision improvements must be completed, or approval given by the City Engineer, before occupancy permits will be issued for any dwellings.
- C. A garbage dumpster is required at each construction site. Violation of this requirement will result in the forfeiture of all or a portion of the Contractors Deposit.
1. The dumpster shall be stored on private property.
 2. This dumpster shall not be stored on an accepted city street or within the right of way of an accepted street without a permit issued by the City Engineer or their designee. The permit shall be for a period not to exceed seven (7) ~~XX~~ days, with one extension of no more than seven (7) days. The permit shall be accompanied by an exhibit detailing the placement of the dumpster and a detailed written explanation of why it cannot be placed on the owner's property.
 - a. Accepted city street means a road that has been built and dedicated for public travel and has completed the necessary warranty period.
 3. If placed in any road whether accepted or not, the dumpster shall:
 - a. Possess reflective decals and/or be marked with traffic delineators sufficient to not constitute a driving hazard appropriate to the driving conditions.
 - b. Not obstruct traffic or be placed in the traveled way.
 - c. Never restrict the travel of emergency vehicles.
 - d. Be subject to winter parking restrictions.

- D. The street address and lot number must be prominently posted on construction site. Construction may not begin and utility services will not be provided until address is posted. (Ord. 08-06; Ord. 05-16)

DRAFT

17.70 Fence Regulations

17.70.010 Definitions

The following terms used in this title shall have the respective meanings hereinafter set forth.

Fence - A tangible barrier or obstruction, with the purpose, intent, or effect of obstructing passage or view across an area constructed of materials that includes but is not limited to; wooden posts, wire, iron, aluminum, vinyl, shrubs, bushes, hedges, walls, chain-link, rails, and any other material used as a boundary, means of protection, privacy screening, enclosure, or confinement.

Opacity – The measure of which an object restricts clear vision or passage of light.

Opaque Fence - Any fence, including any gates, that obstructs light or direct vision through a significant portion of the fence including posts. Examples include vinyl, wood, slats, concrete, brick, and blocks. Multiple fences, including plantings, that in a combined effect obstruct light or vision may be considered an opaque fence.

Public Trail - A corridor of property designated by the City for the purposes of non-motorized transportation, such as hiking, walking, jogging, running, horseback riding, cycling, or other similar uses, including any future trails identified in an official document of the City.

Transparent/Open Fences - A fence, including any gates, that permits direct vision through any one section/panel fence including post. Examples include chain link, hog wire, metal rod, and some post and rail fences. Transparent fences shall have a maximum opacity of **twenty-five (25) / fifty (50)** percent.

17.70.020 General Requirements

- A. A zoning clearance is required to build a fence.
1. The Zoning Administrator shall have the authority to review applications and grant permits for fences.
 2. A fence permit shall be valid for one (1) year from the day it is issued.
 3. The applicant may appeal a denied permit with Appeal Authority within (10) calendar days after approval or denial of a permit as defined in HCC 17.16 Appeals.
 4. Any new fence or the reconstruction of an existing fence is subject to the requirements of this Section.

- B. All utility meters must be readily accessible in an unfenced area of the front or side yard including the following restrictions:
1. Utilities not owned by the City are subject to this requirement.
 2. Water or irrigation meters not located within the park strip.
 3. Temporary meters for construction or short-term purposes.
 4. Gates do not qualify for an accessible, unfenced area.
- C. Fence heights are subject to building code requirements of the current building code accepted by State Code.
- D. Front Yards: No fence shall be erected in any front yard setback area to a height in excess of four feet (4') and shall be of transparent construction within **fifteen (15) / twenty (20)** feet of a driveway;
1. Lots fronting on two city streets shall meet the front yard requirements along both frontages.
 2. Where a lot has no vehicular access adjacent to a street as restricted by plat or deed, the City may deem this as a rear yard. Fences along a frontage that is not restricted may still be subject to the front yard requirements.
 3. Where vertical utility features such as pedestals and transformers are installed, the fence is not allowed to be constructed within three (3) feet of the base of the feature.
- E. Rear and side yards: No fence shall be erected or maintained in any side or rear yard to a height in excess of seven feet (7') without a building permit and shall be subject to the limitations identified herein for fences bordering Public Trails, corner lots, and adjacent to streets.
- F. Under no circumstances shall a fence, structure, or landscaping element interfere with property address identification. Landscaping elements exclude varieties of trees approved by the Zoning Administrator. Any conflicts between this Chapter and other portions or provisions of the HCC shall be governed by the more restrictive or limiting provision.
- G. The height of the fence shall be measured from the lowest adjacent ground. Example: a fence on top of a retaining wall.
- H. Fencing types and materials may be combined so long as non-permitted elements do not exceed four feet (4') in height.

- I. Fences installed adjacent to a street shall have the finished side facing the street. All gates that adjoin public property or public easements shall open inward toward the property owner's yard.
- J. Fences shall not be built within one foot (1) of a sidewalk or the anticipated location of a future sidewalk.
- K. All rear yards shall provide gate access for emergency purposes, which access shall be at least four feet wide.
- L. J. Gates in rear or side yards shall be subject to driveway distance requirements in respect to distances from property lines and road intersections.

17.70.030 Corner Lots and clear view triangles

A clear view triangle at all intersections shall be kept clear of obstructions significantly limiting the sight of drivers. This triangle shall be measured having two legs of forty feet and the area contained between them, measured from the intersection of the right-of-way lines or the projection of the right of way lines as determined by the City Engineer.

1. Fences or other objects in excess of four feet (4') shall not be placed on any corner lot within a clear view triangle.
2. Landscaping including berms, plantings and trees, except trees pruned appropriately to permit automobile drivers an unobstructed view are also restricted in this area. The lowest limb or foliage shall not obstruct view under eight (8) feet as measured from the adjacent ground or the roadway, whichever is higher in elevation.
3. For driveways and fences along city trails, this triangle may be reduced to a distance of **fifteen (15) / twenty (20)** feet back from the intersection of driveway and sidewalk, or driveway and property line where no sidewalk exists.

Insert diagram here: Diagram pending

HADFIELD SETBACK EXCEPTION
535 EAST 300 NORTH
PLANNING COMMISSION MEETING
September 12, 2024

Summary: William Hadfield would like to discuss a setback exception for a pole barn accessory structure to be placed in front of the main dwelling.

ZONING: R-2 Residential

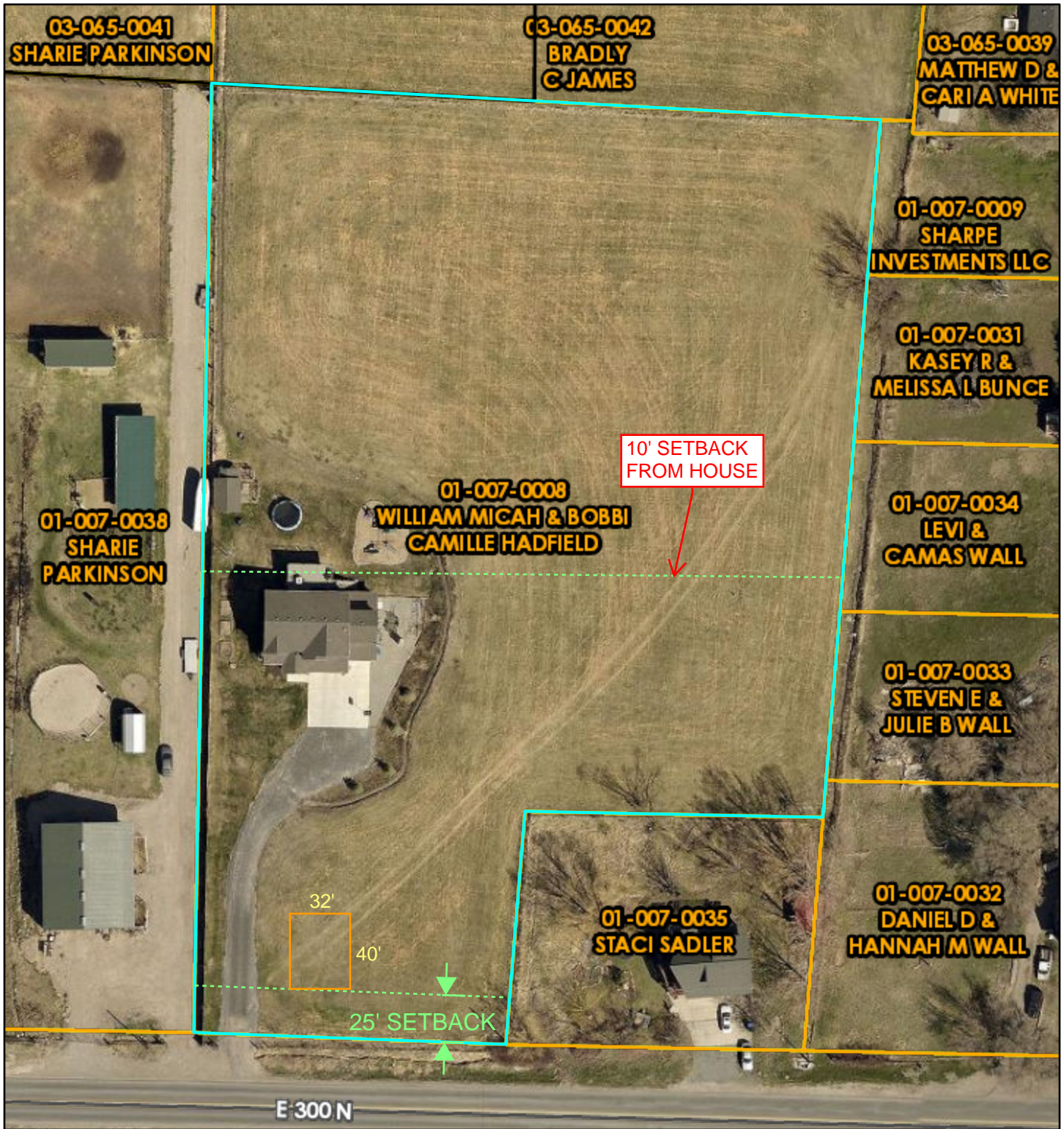
UTILITIES:

Power: N/A
Culinary: N/A
Sewer: N/A
Irrigation: N/A

PARKING & ROADS: N/A

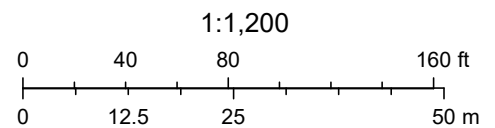
NOTES: Hyrum Code allows for a detached garage to be placed to the side of the main dwelling while all other buildings are to be placed behind the main structure. The applicant would like to build a pole barn to store farm equipment, hay, etc. This is proposed to be near the driveway for the house but behind the minimum front setback. The house has been set back in the lot.

Map



8/1/2024, 3:04:22 PM

- Municipal Boundaries
- County Centerline
- Parcel Tax ID & Owner Name Label
- Cache Parcels



Maxar, Microsoft

BARRAGAN SETBACK EXCEPTION
187 WEST 100 NORTH
PLANNING COMMISSION MEETING
SEPTEMBER 12, 2024

Summary: Miguel A. Barragan would like to discuss a setback exception for a covered entryway placed in front of the main dwelling at 187 West 100 North.

ZONING: R-2 Residential

UTILITIES:

Power:	N/A
Culinary:	N/A
Sewer:	N/A
Irrigation:	N/A

PARKING & ROADS: N/A

NOTES: The setback line from the property line for all main buildings shall not be less than twenty-five (25) feet. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.



The proposed covered entryway is a necessary feature of the property at 187w 100n. If this walkway remains uncovered it poses a serious safety concern and risk to the property owners who are senior citizens and therefore more at risk for serious health problems as a result of slips, trips, and falls- the potential ice and snow build up in this area also pose a risk to any visitors if left uncovered.



Due to its orientation and the winter climate native to this area, it is imperative that this safety concern is addressed as soon as possible to mitigate excessive snow and ice build up, as a deterrent to slips, trips, and falls that can prove hazardous to health and overall safety.

