



PLANNING COMMISSION MEETING

Thursday, January 08, 2026 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, January 08, 2026. The proposed agenda is as follows:

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **APPROVAL OF MINUTES**
 - A. December 11, 2025
5. **AGENDA APPROVAL**
6. **PUBLIC HEARING**
 - A. To receive public comment regarding an ordinance amending title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism Operator"; Amend Section 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.
 - B. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code Sections 17.44.080 and 17.45.150 Gas Service Station Criteria to establish requirements and regulations for gas service stations, fuel dispensing, and fuel storage tanks; and amend 17.04.070 Definitions to define and include "Fuel Dispensing", "Fuel Storage Tank", "Fuel Storage Tank Aboveground" and "Gas Service Station."
 - C. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.
7. **SCHEDULED DELEGATIONS**
 - A. Brad James, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to

define and include "Agricultural Enterprise", Agritourism", "Agritourism Activity", and "Agritourism Operator"; Amend Section 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.

- B. Hyrum City, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code Sections 17.44.080 and 17.45.150 Gas Service Station Criteria to establish requirements and regulations for gas service stations, fuel dispensing, and fuel storage tanks; and amend 17.04.070 Definitions to define and include "Fuel Dispensing", "Fuel Storage Tank", "Fuel Storage Tank Aboveground" and "Gas Service Station."
- C. Hyrum city, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.

8. 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 emailed to The Herald Journal, Logan, Utah, 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 5th day of January, 2026. Shara Toone, Secretary.

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD DECEMBER 11, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Chairman Stephen Nelson

PRESENT: Chairman Stephen Nelson, Commissioners Scott Casas, and Averie Wheeler.

CALL TO ORDER: There being three present and three representing a quorum, Chairman Stephen Nelson called the meeting to order.

OTHERS PRESENT: City Planner Tony Ekins, City Engineer Matt Holmes and seven citizens. Secretary Shara Toone recorded the minutes.

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

INVOCATION: Chairman Nelson

APPROVAL OF MINUTES:

The minutes of a regular meeting held on November 13, 2025 were approved as written.

ACTION **Commissioner Wheeler made a motion to approve the minutes of November 13, 2025 as written. Commissioner Casas seconded the motion and Commissioners Casas, Nelson, Wheeler, and 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 Casas made a motion to approve the agenda for December 11, 2025, as written. Commissioner Wheeler seconded the motion and Commissioners Casas, Nelson, Wheeler, and voted aye.**

6. PUBLIC HEARINGS

- A. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code 17.04.070 Definitions to establish a maximum front yard setback for a dwelling unit and clarify innerblock development may be permitted through an approved Planned Unit Development. Application #25-043
- B. To receive public comment regarding amending the Hyrum City General Plan to include Chapter 10, Hyrum City Water Use and Preservation.

7. SCHEDULED DELEGATIONS

- A. Hyrum City, Ordinance Amendment - Seeking recommendation to the City Council of an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code 17.04.070 Definitions to establish a maximum front yard setback for a dwelling unit and clarify innerblock development may be permitted through an approved Planned Unit Development. Application#25-043
- B. Hyrum City, General Plan Amendment - Seeking recommendation to the City Council of amending the Hyrum City General Plan to include Chapter 10, Hyrum City Water Use and Preservation. #25-047
- C. Hyrum City, Ordinance Amendment - Seeking recommendation to the City Council of an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.62 Short-term Rental; and amend Use Regulations in sections 17.28.010, 17.44.020, and 17.45.020 to include Short-term Rental as a conditional use in the Residential Zones R-1 and R-2, Commercial zones C-1 and C-2. Application #25-037.
- D. Scott Johnson, Accessory Building - To seek approval for a 20'x8' (160 sq.ft.) storage pod/ container as an accessory building located at 1394 East 150 South. Application #25-048.
- E. Bryan Jorgensen, Kilgore Companies - To seek site plan approval for a previously constructed weir system and wastewater discharge located at 410 North 800 East. Application #25-026.

8. ADJOURNMENT

PUBLIC HEARINGS:

HYRUM CITY, ORDINANCE AMENDMENT- TO RECEIVE PUBLIC COMMENT REGARDING AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE 17.04.070 DEFINITIONS TO ESTABLISH A MAXIMUM FRONT YARD SETBACK FOR A DWELLING UNIT AND CLARIFY INNERBLOCK DEVELOPMENT MAY BE PERMITTED THROUGH AN APPROVED PLANNED UNIT DEVELOPMENT. APPLICATION. #25-043.

City Planner Ekins explained that the item is a clarification of the definition of inner block development. He gave background on Hyrum's original 660-foot blocks, which were designed with homes along the streets and open space in the middle for animals, gardens, and other residential uses. The city has long used this definition to preserve that original intent.

Ekins noted that development in the interior of blocks is allowed only in specific cases, such as approved planned unit developments or in the R-2A zone. The clarification addresses situations where large front and rear setbacks effectively place a home in the middle of a block, which staff believes goes against the original intent.

The updated definition states that any dwelling set back more than twice the required front yard setback is considered inner block development. This is meant to improve clarity and prevent single-family homes from being placed in the middle of blocks.

Ekins explained that homes built in the interior of blocks impact the entire block with light, noise, activity, and traffic. Staff presented this clarification to help preserve the original rural feel envisioned for these blocks.

ACTION

Commissioner Wheeler made a motion to open the public hearing at 6:39 P.M. Commissioner Casas seconded the motion and commissioners Casas, Nelson, and Wheeler voted aye.

Chairman Nelson said if there were any members of the public that would like to speak to come up and state their name and address for the record.

Steve Miller, who lives at 6263 South 600 West, spoke in support of the amendment. He said it was well studied, protects inner blocks, and helps keep development out of people's backyards. He said he believes it follows the intent

of the forefathers and strongly supports the amendment.

ACTION **Commissioner Casas made a motion to close the public hearing at 6:45 P.M. Commissioner Wheeler seconded the motion and commissioners Casas, Nelson, and Wheeler voted aye.**

HYRUM CITY, GENERAL PLAN AMENDMENT - TO RECEIVE PUBLIC COMMENT REGARDING AMENDING THE HYRUM CITY GENERAL PLAN TO INCLUDE CHAPTER 10, HYRUM CITY WATER USE AND PRESERVATION. APPLICATION #25.

City Planner Ekins explained that the city is updating its general plan, and the State of Utah requires a water-use and preservation element to be added by January 2026. A consultant was hired to prepare this update and began work around August, including an open house.

The consultant drafted the water use and preservation element to be added as a new chapter in the current general plan. This element is being developed alongside the rest of the general plan update and may have minor changes later.

Ekins said the consultant could not attend the meeting due to a scheduling conflict with the steering committee but could give a presentation in January. He stated that staff have reviewed multiple drafts and he is confident the document is accurate and ready to be included at this time.

ACTION **Commissioner Wheeler made a motion to open the public hearing at 6:45 P.M. Commissioner Casas seconded the motion and commissioners Casas, Nelson, and Wheeler voted aye.**

Chairman Nelson invited any members of the public who wanted to speak on the water use element to come forward and comment.

ACTION **Commissioner Casas made a motion to close the public hearing at 6:45 P.M. Commissioner Wheeler seconded the motion and commissioners Casas, Nelson, and Wheeler voted aye.**

SCHEDULED DELEGATIONS:

HYRUM CITY, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL OF AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE 17.04.070 DEFINITIONS TO ESTABLISH A MAXIMUM

FRONT YARD SETBACK FOR A DWELLING UNIT AND CLARIFY INNERBLOCK DEVELOPMENT MAY BE PERMITTED THROUGH AN APPROVED PLANNED UNIT DEVELOPMENT. APPLICATION #25-043.

City Planner Ekins said that based on his experience since January, the definition amendment will help clearly communicate goals in the code. He explained that allowing a setback of up to 50 feet, instead of just 25 feet, is reasonable and helps define where the front of a home should begin for future applications.

Commissioner Wheeler said the clarification makes sense and that she supports it.

ACTION **Commissioner Wheeler made a motion to recommend approval of an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code 17.04.070 Definitions to establish a maximum front yard setback for a dwelling unit and clarify innerblock development may be permitted through an approved planned unit development. Application #25-043. Commissioner Casas seconded and commissioners Casas, Nelson, and Wheeler voted aye.**

HYRUM CITY, GENERAL PLAN - SEEKING RECOMMENDATION TO THE CITY COUNCIL OF AMENDING THE HYRUM CITY GENERAL PLAN TO INCLUDE CHAPTER 10, HYRUM CITY WATER USE AND PRESERVATION. APPLICATION #25-047.

City Planner Ekins clarified that the changes in the table of contents are only to create Chapter 10 to fit on those pages. He explained that staff reviewed drafts with the consultant, provided comments, and received responses. He also said the water department worked closely with the consultant on the sections about water demand, infrastructure, and the purpose of the chapter to make sure the information was accurate.

Chairman Nelson asked about the city's current landscaping standards for commercial, industrial, and multi-family developments.

City Planner Ekins explained that currently, multi-family Planned Unit Developments are required to have 50% open space, but there are few landscaping restrictions for site plan applications. He noted that some recent developments, like in the industrial park, have used water-wise xeriscape designs with minimal shrubs and lots of rock, which works well for those areas. He said future updates to the landscaping requirements could focus on reducing

water use, with the water use element serving as a guide.

Chairman Nelson noted that the plan lists methods for reducing water demand, including water-wise landscaping, but said updating the landscape code is not currently included as an action item.

Commissioner Casas said that by 2050, the city is projected to use only about two-thirds of its available water, showing that Hyrum City has planned well. He expressed concern that overdoing water-wise landscaping could make residential areas look barren, unlike the green streets and trees valued by the city's founders. He said a balanced approach is needed, with xeriscaping more suitable for industrial areas than for residential neighborhoods.

Commissioner Wheeler said the issue with xeriscaping is a lack of education, noting that it doesn't have to mean creating a desert and that yards can still be lush and full of plants.

Commissioner Casas agreed that current examples, like a business on 800 East, mostly use rock with little greenery, which looks like a gravel pit and requires maintenance.

Commissioner Wheeler suggested providing more resources and support through programs like the USU extension, Localscaping, and pollinator habitat initiatives, along with incentives, to help people create attractive, water-efficient landscaping.

Both agreed that education and guidance are key to improving xeriscaping in the city.

Chairman Nelson agreed with Commissioner Wheeler's concerns and suggested that the plan should include updating the city's landscape standards for commercial, industrial, and multi-family projects. He recommended limiting sod, which is often decorative but not water-efficient, and instead promoting trees, shrubs, and other landscaping that adds beauty and reduces heat islands.

Commissioner Casas noted that in new developments, many parkways are just rock, which often die, reducing landscape value.

Nelson emphasized that trees are more effective than lawns for cooling and recommended adding a future action item for the city to review and improve landscaping as part of its water preservation goals.

Commissioner Wheeler said the priority should be reducing water use while improving landscape value.

Chairman Nelson noted that outdoor landscaping affects water use more than indoor use because indoor water returns to the system, while outdoor water can be lost to evaporation and groundwater over long periods.

City Planner Ekins said he fully supports the idea and can work with the consultant to add action items, which could then be presented back to the commission or taken to the city council.

Chairman Nelson noted the plan was supposed to be approved by the end of the month.

Commissioner Wheeler said approval wouldn't happen before January, and Ekins explained there was a scheduling misunderstanding with the city council meeting but that the process is moving forward.

Chairman Nelson asked about the city's secondary water system and whether there are plans to create a tiered system like the one used for culinary water, noting that secondary water must be metered by 2030.

City Engineer Holmes said the tiered system currently only applies to culinary water, and while the state does not currently require metering of secondary water, metering is planned to ensure future developments install the necessary infrastructure.

Commissioner Casas asked staff how new developments are connecting to the secondary water system, noting that some homes have it while about 500 do not. He asked whether this is due to availability or developer choice and whether it could be mandated.

City Engineer Holmes explained that connecting to secondary water is not currently required by code but is recommended because it preserves culinary water and lowers costs for homeowners. He said it could be mandated by updating the code, though there may be technical challenges.

City Engineer Holmes added that the city is reviewing water rights and usage limits with legal counsel to determine what is possible.

Chairman Nelson shared that his property borders a canal and settling ponds but does not have secondary water.

Commissioner Casas noted that many homeowners are unaware if they have secondary water and added that secondary water must be included in the original infrastructure since it's difficult to

add later without major construction.

City Planner Ekins agreed that providing secondary water from the start seems reasonable.

Commissioner Wheeler said she likes the priorities that have been established.

Chairman Nelson suggested adding an action item under Water Goal 1. for the city to review and update landscaping standards, especially for commercial, industrial, institutional, and multi-family developments, to better support water-wise landscaping. He said the goal should be to reduce water use while still maintaining beauty, trees, shade, and the character of the city, rather than eliminating landscaping or allowing areas to be fully gravel.

Commissioner Casas agreed and said he wants to avoid new developments that use only gravel with few or no plants.

Commissioner Wheeler and staff discussed ensuring water-wise landscaping still includes adequate plantings and suggested using resources such as planting templates, ground covers, native plants, and guidance from water districts and USU.

The commissioners generally agreed that improved landscaping standards should balance efficiency, aesthetics, and environmental benefits.

Commissioner Casas said he supports approving the item as written so it can move forward but wants the planning commission and staff to develop better landscaping requirements in the future.

Commissioner Wheeler agreed, noting that the document already outlines priorities and encourages the changes discussed.

Chairman Nelson said he supports approval but wants a clear action item included that commits the city to addressing landscaping through an ordinance.

The commissioners discussed making improved landscaping standards a future planning commission goal.

City Planner Ekins said those recommendations could be included when the item goes to the city council and noted the element will be reviewed again within the year.

Commissioner Casas concluded that while the document is not exactly

what he wants, deadlines require moving forward now, with the expectation that improvements can be made later.

ACTION

Commissioner Casas made a motion to recommend approval of amending the Hyrum City General Plan to include Chapter 10, Hyrum City Water and Preservation. Application 325-047. Commissioner Wheeler seconded and commissioners Casas, Nelson, and Wheeler voted aye.

HYRUM CITY, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL OF AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.62 SHORT-TERM RENTAL; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "SHORT-TERM RENTAL"; AND AMEND USE REGULATIONS IN SECTIONS 17.28.010, 17.44.020, AND 17.45.020 TO INCLUDE SHORT-TERM RENTAL AS A CONDITIONAL USE IN THE RESIDENTIAL ZONES R-1 AND R-2, COMMERCIAL ZONES C-1 AND C-2. APPLICATION #25-037.

City Planner Ekins explained that a public hearing on the ordinance was opened in November and continued so revisions could be made. He said the ordinance draft was reviewed line by line, notes were taken, and meeting minutes were used to prepare updated amendments to present to the Planning Commission and City Council.

He highlighted key changes in the draft, including a required section added at the top and a clarification added by the City Attorney defining short-term rentals as stays of fewer than 30 days. He also explained revisions requiring an operational strategy plan for short-term rentals, detailing parking, maintenance, garbage, emergency plans, and contact information. For owners who do not live in the city, an additional requirement for a local property manager and contact information was added.

Chairman Nelson suggested revising the wording in the ordinance to make it clearer that the operational strategy plan requirements apply to all short-term rental owners, regardless of whether they live in the city. He recommended removing language that limits the requirements to city residents and instead clearly stating that out-of-city owners must also provide a local property manager and contact information.

City Planner Ekins discussed how the language could be clarified to avoid confusion and agreed with the intent.

Chairman Nelson said the changes would make the section cleaner

and easier to understand.

They also discussed the purpose of the operational strategy plan, including showing guests where to park, outlining emergency exits, and explaining trash collection.

Ekins explained that the plan is meant to help guests follow rules and ensure properties are safe and well maintained, rather than regulating how owners manage their finances.

Chairman Nelson discussed the need for an emergency exit plan to be posted inside the short-term rental and questioned whether that requirement was clearly stated.

Commissioner Casas agreed and said the plan should be posted in a visible place, similar to hotel room exit maps.

City Planner Ekins said the listed items could be posted in the rental.

Chairman Nelson then discussed whether the property owner's or property manager's contact information should be posted, noting some owners may have a local manager.

City Engineer Holmes suggested using the term "direct responsible charge."

Commissioner Wheeler noted that many short-term rentals provide this information in a binder with house rules, which he felt was an appropriate place since guests are expected to review it.

City Planner Ekins explained that short-term rentals would be limited to one per 500 people based on Hyrum City's population as estimated by the Utah State Tax Commission. Using an example population of 10,849, this would allow 22 STR permits. He said the reference to the U.S. Census Bureau was removed after staff met with other departments and agreed to use the Utah State Tax Commission data to keep population estimates consistent across the city.

Chairman Nelson stated that the state has also moved away from using census data and is no longer relying on the Census Bureau.

City Planner Ekins explained that the population data is updated annually and that several ordinance changes were made. One section was struck and clarified regarding where STRs are not allowed near single-family residences, with the remaining language renumbered.

He also noted that STRs are not allowed in attached accessory buildings or temporary structures such as tents, yurts, RVs, or campers. In the standards section, wording was changed from "will" to "shall" for clarity based on the city attorney's review, and STRs were limited to a maximum of two dogs on the property.

Chairman Nelson suggested that the sentence should simply state that STRs are limited to two dogs on the premises and that the rest of the sentence was unnecessary.

City Planner Ekins reviewed parking requirements, stating that parking stalls must be 9 by 20 feet and made of a hard surface, as previously agreed. He also discussed fire safety inspections, explaining that sprinkler requirements depend on fire code standards such as building type, size, occupancy, and use. He said STRs in multifamily buildings without required sprinklers would not be approved, and that language was added to note sprinklers may be required based on applicable fire code mandates.

Commissioner Wheeler said the revisions covered everything that had been discussed.

Commissioner Casas said he thought the revisions were good.

Chairman Nelson discussed revising language in the STR standards, suggesting that "allow emergency egress" be changed to "provide emergency egress" and that the requirement reference applicable building or fire codes, for clarity. He also revisited earlier discussion about requiring certain items to be posted conspicuously within the residence.

Commissioner Casas supported adding posting requirements.

The group discussed whether contact information should be posted for someone in direct responsible charge of the property, rather than relying on booking agencies, to ensure quick response in emergencies.

ACTION

Commissioner Nelson made a motion to recommend approval of an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code as presented with the following changes: 1. Section 17.62 D1, The owner or operator of a STR that resides in the city limits shall submit with the conditional use permit an operational strategy plan that outlines the operation and property management of the STR that includes the following 2. Section 17.62 D2

"In addition the owner or operator of a STR that does not live within the city limits shall provide ~~in addition to the required operation strategy plan a property manager and property manager contact list.~~" 3. Include language that says the property owner must post items A-E and the contact information for the Primary Responsible Party (for emergencies) in the STR. 4. The STR shall be limited to two (2) dogs on the premises. ~~the number of allowed pets at any one residence.~~ Application #25-037. Casas seconded and commissioners Casas, Nelson, and Wheeler voted aye.

SCOTT JOHNSON, ACCESSORY BUILDING - TO SEEK APPROVAL FOR A 20'X8' (160 SQ.FT.) STORAGE POD/CONTAINER AS AN ACCESSORY BUILDING LOCATED AT 1394 EAST 150 SOUTH. APPLICATION #25-048.

City Planner Ekins explained that the city allows detached accessory structures on residential properties for storage or yard items, sometimes requiring Planning Commission approval. He said that under the current ordinance, a storage pod or container over 140 square feet requires design review and approval by the Planning Commission. He presented an application from Scott Johnson, who lives at 1394 East 150 South in Hyrum, to install a 160-square-foot storage pod in a conforming location in his rear yard. Ekins noted that the site plan and photos were included in the application and that Scott Johnson was present to speak.

Chairman Nelson invited Scott Johnson to present his project. Johnson explained that he and his wife have lived in their home for over a decade and had been planning to add a shed in their backyard. They chose a new, prefabricated storage container that matches their house and is visually appealing. They prepared the site by adding gravel as a foundation. Johnson said he only realized he needed Planning Commission approval after ordering the container because it exceeded the 140-square-foot limit for a detached accessory structure.

Commissioner Wheeler asked about trees on Johnson's property.

Scott Johnson explained that when they bought the spec home in 2015, most surrounding lots were empty. Their property has two or three trees in the park strip and four trees they planted in the backyard.

Commissioner Wheeler commented that more trees would make the storage container less noticeable.

Scott Johnson replied that he has more trees than most of his neighbors.

Chairman Nelson asked about the fence on the property.

Commissioner Casas said there is a six-foot vinyl fence on three sides.

Chairman Nelson asked the height of the container, and Scott Johnson said it is eight and a half feet.

Commissioner Wheeler commented that the height is not too high.

Scott Johnson said the photo shows the container's perspective well, noting its size is similar to a typical shed.

Commissioner Casas said he visited the property and observed that neighbors have larger structures, like campers, without permits, and the container is well-placed in the backyard.

Scott Johnson added that his closest neighbor, five feet away, was informed and had no concerns.

Commissioner Casas said, after seeing the property and fencing, he personally saw no issues.

Commissioner Wheeler said she was okay with the storage container, noting it is not as obtrusive as it could be.

Scott Johnson said he is invested in making it look good. He explained that they previously rented a storage unit in the industrial park and wanted their own space to store items for their family instead of paying \$100 a month.

Chairman Nelson expressed concerns about the ordinance's size restrictions for storage containers.

Commissioner Wheeler agreed and suggested the rules might need to be revised rather than specifying a size that isn't standard.

Scott Johnson explained that standard containers are usually 20 or 40 feet long, with smaller sizes being rare or modified.

Commissioner Casas noted that smaller containers are hard to find, and Wheeler agreed that the ordinance should be reviewed.

Chairman Nelson noted that as they review the ordinance in the future, they might consider loosening the standards, but he was concerned about leaving decisions too open-ended without clear guidelines to avoid arbitrary decisions.

City Planner Ekins acknowledged the concern and said it wasn't on the agenda for detailed discussion but agreed they would review these issues together as they arise in the coming years.

ACTION **Commissioner Casas made a motion to approve a 20'x8' (160 sq.ft.) storage pod/container as an accessory building located at 1394 East 150 South. Application 325-048. Commissioner Wheeler seconded and commissioners Casas, Nelson, and Wheeler voted aye.**

BRYAN JORGENSEN, KILGORE COMPANIES - TO SEEK SITE PLAN APPROVAL FOR A PREVIOUSLY CONSTRUCTED WEIR SYSTEM AND WASTEWATER DISCHARGE LOCATED AT 410 NORTH 800 EAST. APPLICATION #25-026.

City Planner Ekins explained that the applicant was not present and provided background on the application, noting it has been on the agenda three times. He said a wastewater discharge weir system was installed next to a concrete plant, but the exact installation date is unknown. City staff had been called to inspect the system and informed the property owner that a building permit, site plan approval, and discharge information were required. The applicant submitted an application but missed a scheduled meeting and then lost communication with staff. Ekins said staff needs to consult with Administration to determine the next steps.

Commissioner Casas explained that he visited Kilgore Industries and spoke with Shane, the architect and developer of their weir system. He observed that the system is completely self-contained and does not discharge into the city sewer. Wastewater from truck washouts goes into holding ponds where sediment settles, and filtered water is reused in the concrete process. Casas said the system prevents minerals and additives from entering the groundwater and was built to meet EPA requirements, not city requirements.

City Planner Ekins said he can invite them to come in and explain their system, so they can get the matter resolved.

Commissioner Casas said he is comfortable with approving it as is.

Commissioner Wheeler said she doesn't like that they haven't been

communicating.

Chairman Nelson said it seems like the city has a lot of required information that has not been provided. He said he doesn't doubt that it meets requirements, but they need to see that information to approve it. He added it's already designed and built according to some standard, Kilgore just needs to show staff and planning commission that standard.

City Planner Ekins said he cannot support approval because Hyrum City ordinance requires proper verification. The weir system has not been confirmed to meet building code standards, including concrete strength and rebar reinforcement required by the International Code Council. City code also requires a site plan for structures over 1,000 square feet.

City Engineer Holmes added that the applicant plans to add another structure, which together would exceed 1,000 square feet, making a site plan and Planning Commission review necessary.

Commissioner Wheeler expressed concern about the applicant's lack of communication and questioned their good faith, and Ekins confirmed he had not received any responses.

Commissioner Casas noted that the applicant is using the weir system regardless of approval.

City Engineer Holmes said the system was installed in violation of state and city law and could have been approved beforehand.

Chairman Nelson said he is willing to work with the applicant to help them get approval.

City Planner Ekins explained that he told the applicant the process is straightforward: submit an application, work with staff, present it to the Planning Commission, and then get the City Council's approval to obtain the permits.

Commissioner Casas said he learned they only use culinary water for cement production. He asked if they could use secondary water, but the company said contaminants could affect the concrete.

City Planner Ekins noted it's better since the water doesn't leave the site.

Commissioner Casas noted that there doesn't seem to be a backflow system, since the area is a concrete drainage pit.

Commissioner Wheeler explained that backflow refers to water coming into the site.

City Engineer Holmes said the water needs proper backflow protection.

Commissioner Casas clarified that the water comes from the trucks but agreed that adding water to the trucks would require a backflow preventer.

City Engineer Holmes said he remembered the pits from a previous visit and recalled the processing machine used to adjust the alkalinity. He was unsure whether a hose bib was present at the time.

Commissioner Casas said he did not see a hose bib but observed a truck washout using water contained in the truck, with runoff flowing into the system. He said the applicant may only need to show that truck water is used, filled from an approved source with proper backflow protection, and that there is no contamination risk.

Commissioner Wheeler said the commission does not have enough information.

Chairman Nelson asked whether the item should be tabled or denied.

City Planner Ekins explained that either option was available: tabling would allow the application to continue if the applicant responds, while denial would close the application and require starting over.

ACTION

Commissioner Casas made a motion to table a site plan for a previously constructed weir system and wastewater discharge located at 410 North 800 East. Application #25-026. Commissioner Wheeler seconded and commissioners Casas, Nelson, and Wheeler, voted aye.

ADJOURNMENT:

PLANNING COMMISSION

DECEMBER 11, 2025

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ACTION

There being no further business before the Planning Commission, the meeting adjourned at 8:03 p.m.

Stephen Nelson
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written



60 West Main Street
Hyrum, Utah 84319
Ph. (435) 245-6033
www.hyrumcity.gov

Staff Evaluation

First Review

Application: Brad James, Ordinance Amendment – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include “Agricultural Enterprise”, “Agritourism”, “Agritourism Activity”, and “Agritourism Operator”; Amend Section 17.22.030.C Use Regulations to include “Agritourism” as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.

Application Number: **25-044**

Preparation Date: January 2, 2025

Applicant Name: Brad James

Planning Commission: **January 8, 2026**

Commission Role: Recommending Body to City Council

Application Type: Amendment

Application Overview: Hyrum City was approached by a citizen who desires to conduct agritourism on their property parcel in the Residential Agricultural Zone. Agritourism is currently a use or activity permitted in Cache County on property parcels that provide on-site recreation, retail purchase, education, or participation of the general public provided the activities be located on a legal parcel that is primarily used for agricultural production.

Staff Comments:

1. Staff supports the amendment as proposed.

Planning Commission Responsibility:

1. A public hearing must be held by the Planning Commission.

Staff Recommendation:

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.

Stipulations:

1. All proposed amendments shall first be recommended by the Planning Commission to the City Council for City Council consideration.

Findings of Fact:

1. The public hearing was noticed in accordance with Utah Code 10-9a-205.

Attachments:

- A. “Exhibit A” – Draft Amendment

Draft Amendment

17.04.070 Definitions

Agricultural Enterprise – “Agricultural Enterprise” means a farm, ranch, or other agricultural operation.

Agritourism – “Agritourism” means the combination of agricultural production with tourism to attract participants from the general public to an agricultural enterprise for the entertainment, recreation, or education of participants.

Agritourism Activity – “Agritourism Activity” means an activity at an agricultural enterprise that a participant engages in or observes for entertainment, recreation, or education.

Agritourism Operator – “Agritourism Operator” means a person who provides an agritourism activity at an agricultural enterprise.

17.22.030 Use Regulations

B. Conditional Uses:

7. Agritourism

17.38.010 Use Regulations

C. Conditional Uses:

6. Agritourism

17.64 Agritourism.

A. Purpose and Intent.

1. The purpose of this chapter is to support the agricultural heritage and rural open space in Hyrum City by providing agricultural enterprises who are committed to maintaining agricultural property the ability to generate additional income from agritourism activities.
2. The intent of this chapter to create uses that are accessory and incidentally related to an onsite agricultural enterprise that allow visitors coming to the site for entertainment, recreational, educational, or similar agriculture-oriented attractions.

B. Qualifications.

1. The agritourism operator seeking agritourism and agritourism activities shall demonstrate at the time of conditional use and business license application, as well as throughout the duration of the agritourism use, all of the following:
 - a. Demonstrate the agricultural operator has owned the agritourism enterprise for the last two (2) years; and
 - b. Demonstrate the agricultural enterprise's gross acreage has been actively devoted to an agricultural use for the last two (2) years and has been routinely maintained in an agriculturally productive manner, including barns and similar buildings or structures intended to serve the agricultural enterprise.

C. Conditional Use Permit Required.

1. No entity shall be occupied without first obtaining a conditional or permitted use permit.

D. Business License Required.

1. No entity shall be occupied without first obtaining a business license. The provisions set forth in the code shall be controlling all matters relating to the requirements and issuance and renewal of a business license.

E. Supplemental Conditional Use Permit Application Narrative.

1. In addition to the conditional use permit application requirements listed in this Title, all agritourism applications shall be accompanied by a detailed narrative describing

the agricultural enterprise and the overall vision for the proposed agritourism activities and shall also include the following:

- a. History of the agricultural enterprise with evidence that demonstrates the agritourism activities meets the minimum qualifications.
- b. Description of the anticipated changes to the agricultural enterprise, its general function and maintenance.
- c. Description of the agritourism activities and how the agritourism is incidental and accessory to the agricultural enterprise, and a plan for how the agritourism operator will ensure the agritourism activities remains incidental and accessory in perpetuity.
- d. Description of the intended customer or clientele base that is expected to participate in the agritourism activities.
- e. Description of agriculturally related and non-agriculturally related types of facilities and equipment to be used for agritourism activities.
- f. Description of anticipated traffic, vehicle circulations, and parking plan that accommodates the parking needs for both employees and customer or clientele base.
- g. Description of hours of operation and anticipated number of visitors.

F. Plans Required.

1. A plot plan that includes property lines, location of all building structures including setbacks from property lines, entrances, and designated off-street parking.
2. A floor plan drawn to scale with labels on rooms indicating the proposed uses and include the square feet clear floor space area of each room.
3. Site plan approval may be required as regulated by this Title.
4. Zoning clearance may be required as regulated by this Title.

G. Agricultural Enterprise Qualifications and Classification.

1. The following establishes the qualifications and classification for agricultural enterprises based on acreage:
 - a. Small Agricultural Enterprise. Includes an agricultural enterprise located on a legal parcel that is agriculturally productive consisting of a lot size of one (1) to five (5) acres. Agritourism activities shall clearly be incidental and accessory to the agricultural enterprise and agritourism shall not occupy an area that is larger than twenty percent (25%) of the agricultural enterprise gross acreage of agricultural production.
 - b. Large Agricultural Enterprise. Includes an agricultural enterprise located on a legal parcel that is agriculturally productive consisting of a lot size greater than five (5) acres or larger in size; or contiguous legal parcels that accumulate more than five (5) acres in size. Agritourism activities shall clearly be incidental and accessory to the agricultural enterprise and agritourism shall not occupy an area that is larger than fifty percent (50%) of the agricultural enterprise gross acreage of agricultural production.

H. Agritourism Activity Use Table.

1. The following agritourism activities are determined desirable in conjunction with a primary agricultural enterprise. The uses may be subject to other requirements in this Title. "C" denotes allowed conditional use agritourism activities in agricultural enterprise classifications.

<u>AGRITOURISM ACTIVITY USE TABLE 17.64.H.1</u>				
<u>Agritourism Activity Uses</u>	<u>Small Agricultural Enterprise</u>	<u>Large Agricultural Enterprise</u>	<u>Agritourism Activity Side and Rear Yard Setback Standards</u>	
	<u>From Agricultural Enterprise Exterior Boundary</u>	<u>From Any Dwelling on an Adjacent Lot</u>		
<u>Farm Tour (agricultural demonstrations, education, crop exploration, animal encounters, tractor, sleigh, wagon rides)</u>	<u>C</u>	<u>C</u>	<u>100 Feet</u>	<u>*200 Feet</u>
<u>Entertainment (barn dance, family events, family reunions, weddings, wedding receptions)</u>	<u>C</u>	<u>C</u>	<u>100 Feet</u>	<u>*200 Feet</u>
<u>Seasonal Amusement (corn maze, hay stack slide or climbing area, pumpkin walks)</u>	<u>C</u>	<u>C</u>	<u>100 Feet</u>	<u>*200 Feet</u>
<u>Any Other Approved Agritourism Use</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>* The outdoor agritourism activity setback distances in this table shall be reduced by up to one-half when a continuous six-foot tall opaque fence or six-foot tall opaque landscaping is installed that screens the potential visual and audible impacts to neighboring properties.</u>				

I. Agritourism Activity Uses that shall not be considered as an approved agritourism use:

1. Overnight Accommodations (lodging house, recreational vehicles, camping, etc.).
2. Mass Gatherings (festivals, concerts, etc.).

J. Standards.

1. Proximity of agritourism to adjacent properties, existing buildings, and uses shall be considered in approving the site plan.
2. Front-yard setbacks for agritourism activities, buildings, and parking shall be thirty (30) feet.
3. Agritourism structures and parking shall not be located within the minimum front yard setback.
4. New construction shall comply with the requirements of the City Code for accessory buildings.

5. The use is subject to Hyrum City zoning ordinance, business license ordinance, and conditional use permits ordinance.
6. The use is subject to Hyrum City nuisance ordinances regarding garbage collection and disposal, weed control, noise disturbance, and offenses against public peace, morals, and welfare.
7. The agritourism site exterior lighting shall prevent glare onto adjacent properties and shall be dark-sky sensitive.

K. Parking Requirements.

1. Parking shall be a minimum of fifteen (15) feet from a property line of any dwelling on an adjacent lot.
2. Parking stalls are to be nine (9) feet by twenty (20) feet and be contained on agritourism site.
3. Any lights used to illuminate parking shall be arranged to reflect the light away from any dwelling on an adjacent lot.
4. All required parking must provide adequate provision of ingress and egress by standard-sized automobiles.
5. If a building structure, existing or new is included in the agritourism, an all-weather driveway surface from the public right of way to the building structure shall be required for fire and life safety emergency access on and off the site.
6. No on-street parking or parking within the public right of way is permitted for vehicles associated with the guest use.

L. Fire Safety Inspection Required.

1. The business license application shall be referred for approval to the Hyrum City Fire Department for investigation and inspection as to whether or not all ordinances and codes pertaining to fire and safety compel compliance prior to the issuance of a business license.



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Staff Evaluation

First Review

Application: Hyrum City, Ordinance Amendment – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code Sections 17.44.080 and 17.45.150 Gas Service Station Criteria to establish requirements and regulations for gas service stations, fuel dispensing, and fuel storage tanks; and amend 17.04.070 Definitions to define and include “Fuel Dispensing”, “Fuel Storage Tank”, “Fuel Storage Tank Aboveground” and “Gas Service Station.”

Application Number: **25-041**

Preparation Date: January 2, 2026

Applicant Name: Hyrum City

Planning Commission: **January 8, 2026**

Commission Role: Recommending Body to City Council

Application Type: Amendment

Application Overview: The proposed application is initiated by Hyrum City to establish requirements for gas service station, fuel dispensing, and fuel storage tanks to create general site and building requirements, fuel dispensing requirements, fuel storage tank locations, and external-tertiary containment requirements for aboveground fuel storage tanks that are located within three-hundred-fifty (350) feet of an existing open waterbody.

Staff Comments:

1. Staff supports the amendment as proposed.

Planning Commission Responsibility:

1. A public hearing must be held by the Planning Commission.

Staff Recommendation:

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.

Stipulations:

1. All proposed amendments shall first be recommended by the Planning Commission for its recommendation to the City Council for its consideration.

Findings of Fact:

1. The public hearing was noticed in accordance with Utah Code.

Attachments:

1. Draft Amendment

Draft Amendment

17.04.070 Definitions

Fuel Dispensing – “Fuel Dispensing” means activities, processes, fugitive emissions, leaks and flares associated with the transfer of fuel.

Fuel Storage Tank – “Fuel Storage Tank” means a tank that has the capacity to hold 501 gallons or more and is underground or aboveground containing bulk storage of petroleum or other regulated substances that is incidental to the use of the premises where such tank is located.

Fuel Storage Tank Aboveground – “Fuel Storage Tank Aboveground” means a fuel storage tank that has the capacity to hold 501 gallons or more and is by volume less than ten percent (10%) buried in the ground or rests directly on the ground.

Gas Service Station – “Gas Service Station” means any premises used for the dispensing, sale or offer for sale automobile and other vehicle fuels and oils.

17.44.080 AND 17.45.150 Gasoline Service Station Criteria

A. ~~Gasoline pumps shall be set back not less than eighteen (18) feet from any roadway or property line, as approved through the site plan approval process. Purpose.~~

1. ~~The purpose of this section is to establish requirements for gas service stations, fuel dispensing, and fuel storage tank sites.~~

B. ~~Canopies over service stations may not extend beyond the property line on frontage adjoining streets or to within fifteen (15) feet of a neighboring residential lot. On corner lots they must be emplaced with the lower edge a minimum of twelve (12) feet above ground level so as to not impede vision of traffic on intersecting streets. Requirements and Regulations.~~

1. ~~All gas service stations, fuel dispensing, and fuel storage tanks (under or above ground) shall comply with the requirements of this section and all other applicable requirements and regulations of the State of Utah and International Fire Code. In case of conflicting provision in any of the above-listed requirements and regulations, the strictest shall apply.~~

2. ~~The Hyrum City Council may waive requirements and regulations in this section for government entity gas service stations, fuel dispensing, and fuel storage tanks provided government entities meet all applicable Federal and State Regulations through separate Federal and State application and approval requirements.~~

3. ~~Fuel storage tanks used for agricultural operations as defined by Utah Administrative Rulemaking Act are exempt from requirements and regulations of this section.~~

C. Site Plan Approval Required.

1. Site plan approval shall be required prior to the installation of any gas station, fuel dispensing, and fuel storage tanks.

D. Operational Permit Required.

1. Operational permit approval shall be required prior to the operations of dispensing and storing motor fuels.

E. General Site Requirements.

1. All portions of fuel delivery and vehicles being fueled shall be located on the premises of the gas service station, fuel dispensing, and fuel storage tanks.

2. Driveways shall be designed and located to ensure safe and efficient movement of traffic and pedestrians on and off the site and be located as far from the nearest intersection as possible to avoid traffic conflicts at intersections.

3. Stacking lanes, fuel dispensing devices, and pump islands shall provide adequate on-site maneuvering and circulation areas and be arranged to avoid conflicts with site access points, parking, loading spaces, and impeding traffic on abutting streets.

F. General Site Requirements.

1. Primary and secondary buildings shall meet the minimum setback requirements for the zoning district in which it is located.

2. A car wash structure, drying of vehicles, and vacuum accessories shall meet the minimum setback requirements for the zoning district in which it is located and shall not be located abutting a residential use lot line.

G. Fuel Dispensing and Pump Islands.

1. Fuel dispensing and pump islands shall be located:
 - a. Eighteen (18) feet or more from any roadway or property line.
 - b. Twenty (20) feet or more from fixed sources of ignition.
 - c. Ten (10) feet or more from buildings.

H. Canopies.

1. Canopies may not extend beyond the property line or frontage adjoining streets or within fifteen (15) feet of a neighboring residential lot line.
2. Canopies may not extend upon or above a public utility easement or within ten (10) feet of each side of a public utility to maintain an overall twenty (20) feet clearance.
3. Canopies and signage shall not impede vision of traffic on intersecting streets.
4. Canopy signage shall comply with the sign ordinance and canopy signs shall be included in the overall maximum allowable sign area.
5. Canopy lighting fixtures shall be recessed within the canopy soffit and directed downward toward the ground.
6. Canopy facia illumination shall be designed to prevent glare onto adjacent properties and be sky sensitive.

I. Fuel Storage Tanks.

1. Underground and aboveground fuel storage tanks shall be regulated by Utah Department of Environmental Quality.
2. Fuel storage tanks and gas vents shall be a minimum of thirty (30) feet from any adjacent property line.
3. Aboveground fuel storage tanks shall have a maximum height of twenty (20) feet from the finished grade.
4. Aboveground fuel storage tanks or aboveground fuel storage tank basins shall have a minimum clearance of twenty-five (25) feet from combustible materials, storage areas, parking/backing areas, and all buildings on the property parcel.
5. Aboveground fuel storage tanks and piping shall provide vehicle impact protection as required by the International Fire Code.
6. Aboveground fuel storage tanks that are out of service shall be removed off the site as required by the International Fire Code.

J. External-tertiary Containment Required.

1. Aboveground fuel storage tanks, single or double walled, that is located within three-hundred-fifty (350) feet of an existing open waterbody (i.e., wetland, swamp, natural pond, river, stream, canal, ditch, etc.) the following shall be required:
 - a. External-tertiary containment area shall be provided to contain a capacity of at least one-hundred-ten (110%) percent of the overall volume of the largest above ground fuel storage tank; and
 - b. External-tertiary containment shall be constructed of cast-in-place concrete walls and concrete floor; coated or internally lined; to prevent accidental discharge of liquid from entering existing open waterbody. Masonry or cinder block shall not be used.

K. Nonconforming Gas Service Stations, Fuel Dispensing, and Fuel Storage Tanks.

1. An existing gas service station, fuel dispensing, fuel storage tank, and associated equipment may replace tanks and associated equipment in substantially the same location without having to comply with this section except for external-tertiary containment requirements for existing and new aboveground fuel storage tanks.



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Staff Evaluation

First Review

Application: Hyrum City, Ordinance Amendment – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.

Application Number: **25-046**

Preparation Date: January 2, 2026

Applicant Name: Hyrum City

Planning Commission: **January 8, 2026**

Commission Role: Recommending Body to City Council

Application Type: Amendment

Application Overview: The proposed application is initiated by Hyrum City to

Staff Comments:

1. Staff supports the amendment as proposed.

Planning Commission Responsibility:

1. A public hearing must be held by the Planning Commission.

Staff Recommendation:

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.

Stipulations:

1. All proposed amendments shall first be recommended by the Planning Commission for its recommendation to the City Council for its consideration.
2. Staff will submit the proposed amendments to the City Attorney for review and comment prior to submission to the City Council.

Findings of Fact:

1. The public hearing was noticed in accordance with Utah Code.

Draft Amendment Commercial Zone C-1

17.44.020 Use Regulations

In this zone, no land use shall be permitted except those designated below. No uses will be permitted that will result in a public nuisance because of odor, noise or visual offense, such as junkyards, animal shelters, garbage disposal, heavy manufacturing, stables and the killing and dressing of poultry and animals.

A. Permitted Uses:

1. ~~Single family dwellings with driveways, garages, off street parking, fences and landscaping, utility lines, gardens, family food production (per HCC 17.85.010) and recreation animals.~~
2. ~~Dwelling two family accessory apartment~~
3. ~~Boarding or rooming house~~
- 4.1. Hotel or motel
- 5.2. Community centers
- 6.3. Churches and accessory buildings including rectories
- 7.4. Nursing homes
- 8.5. Schools (public and private)
- 9.6. Parks and playgrounds
- 10.7. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
- 11.8. Communication facilities (radio or TV transmission, telephone transmission, etc.)
- 12.9. Office buildings
- 13.10. Retail sales (groceries, bakeries, building supplies, auto & trailer sales, hardware, clothing, etc.).
11. Service industries, (laundry, gasoline service station, carwash, barbers, auto repairs, auto body shop, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
12. Auto repairs or autobody shop. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- 14.13. Appliance repair or equipment repair. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- 15.14. Residential facilities for persons with a disability.
- 16.15. Residential facilities for the elderly.
17. ~~Planned unit development.~~

B. Permitted Accessory Uses:

1. Accessory buildings.
2. Professional child care.
3. Swimming pools.
4. Home Occupations.
5. ~~Combustible and flammable liquids over 500 gallons above or below ground.~~
 - a. ~~Combustible and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:~~
 - (1) ~~Must meet all of the requirements of the uniform building and fire codes.~~
 - (2) ~~Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.~~
6. ~~Truck storage.~~

C. Conditional Uses:

1. Taverns.
2. Dancehall or night club.
3. ~~Light manufacturing.~~

Draft Amendment Commercial Zone C-2

17.45.020 Use Regulations

In this zone, no land use shall be permitted except those designated below. No uses will be permitted that will result in a public nuisance because of odor, noise or visual offense, such as junkyards, animal shelters, garbage disposal, heavy manufacturing, stables and the killing and dressing of poultry and animals. In the commercial zone C-2, the following land uses shall be permitted:

A. Permitted Uses:

1. Single family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family food production (Per HCC 17.85) and recreation animals.
2. Dwelling two family accessory apartment
3. Boarding or rooming house
4. Hotel or motel
5. Community centers
6. Churches and accessory buildings including rectories
7. Nursing homes
8. Schools (public and private)
9. Parks and playgrounds
10. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
11. Communication facilities (radio or TV transmission, telephone transmission, etc.)
12. Office buildings
13. Retail sales (groceries, bakeries, lumberyards, auto & trailer sales, hardware, clothing, etc).
14. Service industries, (laundry, gasoline service station, carwash, barbers, auto repairs, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
15. Auto repairs. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- 14.16. Appliance repair or equipment repair. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be conducted within an enclosed building.
- 15.17. Residential facilities for persons with a disability.
- 16.18. Residential facilities for the elderly.
- 17.19. Planned unit developmentMixed-Use Commercial and Residential Site.

B. Permitted accessory uses:

1. Accessory buildings.
2. Professional child care.
3. Swimming pools.
4. Home Occupations.
5. ~~Combustible and flammable liquids over 500 gallons above or below ground.~~
 - a. ~~Combustible and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:~~
 - (1) ~~Must meet all of the requirements of the uniform building and fire codes.~~
 - (2) ~~Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.~~

C. Conditional Uses:

1. Taverns.
- 2.1. Dancehall or night club.
- 3.2. Light manufacturing.