



PLANNING COMMISSION

Thursday, December 11, 2025 at 6:30 PM
Council Chambers, 60 West Main, Hyrum, Utah

AGENDA

Public notice is hereby given of a Hyrum Planning Commission to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 6:30 PM, December 11, 2025. The proposed agenda is as follows:

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. INVOCATION

4. APPROVAL OF MINUTES

A. November 13, 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 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. Application #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; 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

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.

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 8th day of December 2025. Shara Toone, Secretary

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION
HELD NOVEMBER 13, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST
MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Stephen Nelson

PRESENT: Chairman Stephen Nelson, Vice Chair Angi Bair
Commissioners Scott Casas, Averie Wheeler, Paul Willardson, and
Alternate Member Marty McBride. Commissioner Casas left at 8:23
p.m.

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

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

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

INVOCATION: Commissioner Casas

APPROVAL OF MINUTES:

The minutes of a regular meeting held on October 9, 2025 were
approved as written.

ACTION Commissioner Wheeler made a motion to approve the
minutes of October 9, 2025 as written. Commissioner
Nelson seconded the motion and Commissioners Bair,
Casas, Nelson, Wheeler, and Willardson voted aye.

The minutes of a regular meeting held on October 15, 2025 were
approved as written.

ACTION Commissioner Willardson made a motion to approve the
minutes of October 15, 2025 as written. Commissioner
Wheeler seconded the motion and Commissioners Bair,
Casas, 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 Bair made a motion to approve the agenda for October 9, 2025, as written. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

6. PUBLIC HEARINGS

- A. To receive public comment regarding 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.
- B. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.63 Home-based Microschool and Micro-education Entity; amend 17.04.070 Definitions to define and include "Home-based Microschool" and "Micro-education Entity"; and amend Use Regulations in sections 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, and 17.49.020 to include Home-based Microschool and Micro-education Entity as a permitted use in all zoning districts.

7. SCHEDULED DELEGATIONS

- A. Hyrum City - Seeking approval 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.
- B. Hyrum City - Seeking approval for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to

create Chapter 17.63 Home-based Microschool and Micro-education Entity; amend 17.04.070 Definitions to define and include "Home-based Microschool" and "Micro-education Entity"; and amend Use Regulations in sections 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, and 17.49.020 to include Home-based Microschool and Micro-education Entity as a permitted use in all zoning districts.

8. ADJOURNMENT

PUBLIC HEARINGS:

HYRUM CITY- TO RECEIVE PUBLIC COMMENT REGARDING 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.

ACTION Commissioner Bair made a motion to open the public hearing at 6:34 P.M. Commissioner Casas seconded the motion and commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

Chairman Nelson asked if there were any members of the public who would like to speak.

ACTION Commissioner Willardson made a motion to close the public hearing at 6:35 P.M. Commissioner Bair seconded the motion and commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

HYRUM CITY - TO RECEIVE PUBLIC COMMENT REGARDING AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.63 HOME-BASED MICROSCHOOL AND MICRO-EDUCATION ENTITY; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "HOME-BASED MICROSCHOOL" AND "MICRO-EDUCATION ENTITY"; AND AMEND USE REGULATIONS IN SECTIONS 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, AND 17.49.020 TO INCLUDE HOME-BASED MICROSCHOOL AND MICRO-

EDUCATION ENTITY AS A PERMITTED USE IN ALL ZONING DISTRICTS.

ACTION Commissioner Bair made a motion to open the public hearing at 6:36 P.M. Commissioner Casas seconded the motion and commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

Chairman Nelson said he didn't see any who wanted to comment, so asked for a motion to close the public hearing.

ACTION Commissioner Willardson made a motion to close the public hearing at 6:37 P.M. Commissioner Bair seconded the motion and commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

SCHEDULED DELEGATIONS:

HYRUM CITY - SEEKING APPROVAL 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.

Chairman Nelson clarified that the agenda was incorrect. Instead of seeking approval, the group would only be making recommendations to the council on both items.

City Planner Ekins explained that the zoning ordinance and city code are structured a certain way. He shared that about five months ago, the Planning, Zoning, and Building Department was asked to research short-term rentals and review ordinances to determine whether they would be a good fit for the community and its zoning rules.

He explained that a temporary six-month pause on short-term rentals had been put in place, which will expire in December. During this pause, the city could not issue any short-term rental permits, even if someone applied. Before this pause, the city didn't have an ordinance or an application process for short-term rentals at all.

After the temporary ordinance was put in place, staff researched

many short-term rental ordinances from nearby cities, including Logan and cities along the Wasatch Front. They found that most ordinances were unique to each community.

City Planner Ekins said that most cities had similar rules for short-term rentals. They usually required an application, set limits on how many people could stay there, and had parking requirements. Some cities also refused to approve short-term rentals if the owner didn't live on the property, similar to rules for bed-and-breakfasts.

City Planner Ekins explained that one city allowed a homeowner to rent out their home as a short-term rental only while they were away for a weekend, but they had to return afterward. He then said he wanted to share this background before going through the ordinance proposal draft.

City Planner Ekins said that staff and planning commissioners were present to review the proposal. He had hoped more people from the public would attend, but since they did not, he looked forward to going through the ordinance line by line with the planning commission and getting their feedback.

Staff supported licensing and regulating short-term rentals to provide housing for tourism while protecting long-term housing affordability. They also noted citizens' concerns that short-term rentals should not be in mixed-use areas next to single-family homes or within a block of schools. Short term rental was defined as any residential unit, or part of one, that is rented out for fewer than 30 consecutive days.

Chairman Nelson asked if that was the exact definition from the state.

City Planner Ekins confirmed that the definition was exact. He noted that some other cities used their own definitions, but one city recommended using the state definition. He explained that the ordinance addresses conditional uses in residential (R1, R2) and commercial (C1, C2) zones and mentioned that some cities only allow short-term rentals in residential areas, not commercial districts.

Commissioner Willardson asked why that was the case.

City Planner Ekins explained that some cities avoid allowing short-term rentals in commercial areas because absentee owners can cause problems. In residential neighborhoods, owner-occupied properties are easier to manage and less likely to create nuisances.

Commissioner Willardson said it made sense that absentee owners in commercial areas could cause problems because they aren't closely monitoring their properties.

Chairman Nelson said that areas that heavily regulate short-term rentals are often in resort communities. In commercial zones, regulations favor hotels and motels rather than small single-unit rentals, which prevents high-demand short-term rentals from spreading and affecting other commercial uses. Residential areas are more suitable for smaller short-term rentals.

Commissioner Willardson said he understood and that it made more sense now.

City Planner Ekins said the short-term rental ordinance starts in section 17.62 and uses the definition of a residential unit as any structure, or part of one, that is lived in. He felt it was appropriate to keep this definition in the code. He explained that the purpose of the chapter is to allow short-term rentals of fewer than 30 days in certain zones, using a residential unit or part of one.

Chairman Nelson asked if the ordinance would allow short-term rentals in an ADU and noted that it shouldn't matter whether the rental is in the main home or the ADU as long as it's under 30 days. He then asked if they should limit each property to only one short-term rental space when a home is split into multiple sections.

Commissioner Wheeler asked if that limitation was already included in section F3.

Chairman Nelson commented that a duplex would be considered more as a multi-family project.

Commissioner Wheeler said she assumed that rule would also apply to a duplex.

Chairman Nelson explained that in most cases it wouldn't be clear enough, because ADUs aren't usually considered multi-family units.

Commissioner Willardson asked if the concern was that someone might rent out both the ADU and the main home at the same time, creating two rentals on one property.

Chairman Nelson said yes and that limiting that situation might be

necessary.

Commissioner Casas said his understanding was that the city does not allow detached ADUs.

City Engineer Holmes said the city allows attached but not detached ADUs.

Commissioner Casas asked if there are any detached ADUs in the city.

City Engineer Holmes stated that it is not legal.

City Planner Ekins said he has some history for most of the items. He stated that a conditional use permit and a short-term rental business license are required. No short-term rental can be rented without both. The conditional use permit addresses potential impacts, and the business license handles the landlord responsibilities.

Commissioner Willardson asked how often it needs to be renewed.

City Planner Ekins said it must be renewed every year. He explained the short-term rental (STR) process and requirements. The first STR license costs \$85, then \$75 annually. An operational strategy plan is required with the conditional use permit, outlining how the STR will be managed. A plot plan and floor plan are also required, showing property lines, building locations, setbacks, entrances, parking, and room sizes. Site plan approval and zoning clearance may be needed for commercial-type changes or remodeling. He noted that only one STR is allowed per 1,000 people in the city, which currently allows 11 licenses based on the population. Some cities allow exceptions for owners who live in the home.

Commissioner Wheeler asked how many short-term rentals currently qualify.

City Planner Ekins said he only knows of one, which was reported to the city as a nuisance.

Chairman Nelson said he looked at AirDNA, which provides mapping information, and found that there are about 20.

Commissioner Casas said he found 11.

Commissioner Wheeler said that this already reaches the limit of that number, if not more.

Commissioner Willardson asked if the process would be first-come, first-served—meaning whoever gets their license first would qualify, and the others would not.

City Planner Ekins explained that the city council asked the same question a couple of months ago when he presented this draft, and the process would be first-come, first-served. He said he has been working with the city attorney on related issues. The attorney noted that the city can place reasonable regulations on STRs, such as limiting them near schools, and that existing STRs may qualify for nonconforming use protection. Ekins said he still needs to confirm whether those protections would stay in place until an STR stops operating or the owner moves.

Vice Chair Bair asked what would happen if the estimate was based on the number of housing units instead of the population.

City Planner Ekins said they could consider basing the estimate on housing units, including single-family homes with accessory dwelling units. He noted that he hasn't seen this method used much in ordinances or examples but can look into it. He added that the current number is easy to use because it's publicly available, unlike running a detailed count, which would be more work for staff.

Commissioner Casas said that the city doesn't regulate how many restaurants, stores, or other businesses are in town, and he would like the city to explain why it is necessary to regulate the number of STRs.

City Planner Ekins said STRs are regulated because of their impact on long-term housing.

City Engineer Holmes said that commercial businesses are regulated through zoning. He explained that more short-term rentals mean fewer homes available for residents, which affects the housing supply.

City Planner Ekins added that STRs also reduce long-term rental options. He added that if a family is looking for a long-term rental but a property is used as a short-term rental instead, the family loses the chance to live in the community because these rentals operate like hotels in residential neighborhoods.

Commissioner Wheeler said STRs hurt the community by reducing the number of people who can live there. She added that there should

be a balance, but regulation is necessary.

Commissioner Casas asked if there are currently any licensed STRs in the city.

City Planner Ekins said the city doesn't currently have a license available for STRs, which is why the discussion is taking place.

Commissioner Casas asked if only one person has come forward to request an STR license.

City Planner Ekins explained that there have been a few inquiries about STRs. The first was a complaint, and another complaint followed on the same property, which prompted the city to start looking into STRs. He said a man recently called because he couldn't sell his house and wanted a STR license, and Ekins invited him to the meeting. He also invited another possible STR owner who had spoken to him during a City Council presentation, but neither attended.

Commissioner Casas asked who will enforce STR regulations in the city and how enforcement will be carried out.

City Planner Ekins explained that enforcement can be handled by withdrawing the conditional use permit or revoking the business license. He said the goal isn't just to police STRs but also to address complaints and repeated calls for police service, which could lead the city to cancel the business license.

Commissioner Casas said Stephen found 20 STRs, and he found 11 online recently. He noted that STRs already exist in the city, likely more than known, and that licensing only 11 would already be exceeded.

City Planner Ekins said the city does not have to approve the other nine STRs.

Vice Chair Bair said she might support allowing more STRs. She noted that out of 20 STRs, there has only been one complaint, and that STRs can help homeowners, like the one who can't sell his house, earn income to cover mortgage payments without affecting the sale. She suggested considering allowing more since problems have been minimal.

City Planner Ekins said that licensing 11 STRs would work, but calculations for 2,000 housing units showed a potential of 22 STRs. He said that when he presented to the City Council, he shared

calculations for both 1,000 and 2,000. He added that 22 doesn't seem like a high number and compared it to Logan, where they are already over halfway to their limit.

Vice Chair Bair said the current limit is nearly maxed out even before implementation, leaving no room for growth. She proposed setting a higher limit to allow opportunities for more STRs in the future.

City Engineer Holmes said that based on a past review with Keesha, none of the existing STRs in Hyrum were properly licensed as landlords. He suggested this should be considered when setting regulations.

Commissioner Casas said his concern about enforcement is who on the city staff would have time to handle it.

City Engineer Holmes said he doesn't have extra time, but enforcing the zoning ordinance is part of his job.

Commissioner Casas asked if enforcement would not fall under code enforcement.

City Engineer Holmes said that code enforcement is used for certain actions, but overall, it falls under his responsibility.

City Planner Ekins said the city currently receives a small amount of transient room tax, but it doesn't indicate how many STRs there are.

Commissioner Casas said he understood the transient room tax to be 1% of the gross, based on his research.

City Planner Ekins said the city attorney advised that the STR ordinance should require the imposition of a transient room tax, as codified in the Hyrum City Municipal Code. He added that language for this has been included in the draft presented at the meeting.

Chairman Nelson said he believes the state already requires STRs to pay the transient room tax, and that platforms like Airbnb pay it to the state, which then distributes it to the city.

City Planner Ekins said the city receives the transient room tax once a month, usually around \$100-\$200. He explained that STRs are only allowed in single-family homes or in mixed-use commercial-residential developments with a qualifying residential unit,

typically on the upper floor. He added that no more than one STR is allowed in a multifamily structure, preventing an entire building, like a four-plex, from being used as a mini-motel.

Commissioner Wheeler asked if this regulation would also exclude motels.

City Planner Ekins said motels would not qualify as STRs under the regulation.

Chairman Nelson asked if STRs and motels are defined separately.

City Planner Ekins said they are. He added that no STR is allowed within a mixed commercial-residential development if it is next to a single-family home. This is based on a citizen comment about protecting residences from the impact of transient housing and related safety concerns, including the fact that STRs typically do not perform background checks on guests.

Commissioner McBride asked if the previous point was related to schools.

Commissioner Wheeler said that is a separate issue.

City Planner Ekins said the next item involves a distance requirement.

Chairman Nelson asked why STRs are allowed in regular residential neighborhoods but not in mixed-use commercial-residential developments.

City Planner Ekins said this point reflects a citizen's comment, which he included in the draft to allow discussion.

Commissioner Willardson said STRs are not allowed in commercial areas because they aren't monitored as closely. He explained that keeping them in residential areas allows better oversight, which was his understanding of the rule.

Chairman Nelson said the code proposes allowing STRs in C1 and C2 zones, meaning a neighbor in a commercial zone could have an STR, but a residential property owner could not.

City Planner Ekins explained that STRs in the C1 zone are allowed because single-family homes are permitted there, but they cannot operate in a purely commercial setting. The C2 zone is the only zone that mixes commercial and residential uses. He noted that

some cities don't allow STRs in commercial areas, which is why the discussion is taking place.

Commissioner Wheeler said that in Hyrum City, most commercial areas are directly next to residential areas, which limits mixed-use opportunities, even though mixed-use could be beneficial long-term.

City Planner Ekins said that STRs in C1 are considered part of a residential unit, not a commercial component. He explained that the city could choose to allow STRs only in residential zones and could also require them to be owner-occupied. He said they are reviewing these options.

Vice Chair Bair said mixed-use commercial-residential areas may have less impact on neighborhoods. They might not be as heavily monitored, but they don't have evening hours.

Commissioner Casas said mixed-use areas usually have better parking.

Vice Chair Bair said commercial areas almost seem like a better or suitable fit for STRs.

Chairman Nelson said the discussion was getting derailed and asked if they should finish reviewing the items or start the discussion.

City Planner Ekins said he would quickly review the items. He explained that STRs must be 660 feet from a property line of a public or private school and be owner-operated, which is intended to protect students.

Commissioner Willardson noted that STRs do not require background checks.

City Planner Ekins said the distance requirement could even be 1,000 feet, noting that the current code uses 660 feet in a few other cases.

Commissioner Willardson said 660 feet is roughly the length of a city block.

City Planner Ekins said STRs are not permitted in detached accessory dwellings or buildings. He explained that this prevents homeowners from converting garages or other structures without proper occupancy qualifications.

City Planner Ekins explained that STR occupancy is limited to one person per 200 square feet of open floor space, following the international fire code for residential buildings. For example, a 2,400-square-foot home could have up to 12 occupants. He noted this standard aligns with residential occupancy codes rather than hotel categories.

Chairman Nelson asked whether a building used for transient occupancy must have a sprinkler system once it holds more than ten people.

City Planner Ekins said he would check with the fire department about that requirement.

Chairman Nelson said his first reaction to the number 12 was concern, and he suggested possibly limiting it to 10 because anything higher might require the building to have a sprinkler system.

City Planner Ekins asked for clarification, wondering if the suggestion meant limiting occupancy to 10 people in one residential structure.

Chairman Nelson said that for transient use, he believed the limit should be 10 people because anything above that would require the building to have a sprinkler system. He explained that purely residential use could allow up to 12, but transient use triggers stricter rules.

City Planner Ekins asked if the rule about sprinklers applies in a hotel.

Chairman Nelson said it might be something to check with the fire department and that he is fine either way.

City Planner Ekins said STRs should follow the Hyrum City zoning, business license, conditional use, and nuisance ordinances. He highlighted that STRs must comply with rules on garbage, noise, exterior lighting, smoke detectors, and pet limits. Signs are limited to three square feet, and off-street parking must be provided for guests, with standard-sized stalls and no parking on public streets. Parking for trailers, boats, or ATVs must stay on the property. He noted that these standards are in place to protect neighbors and ensure compliance with city codes, and verification can be done through plot plan submissions.

Vice Chair Bair asked if gravel and road base cannot be used for

STR parking.

City Planner Ekins explained that gravel and road base are allowed in residential zones, but commercial areas require hard surfaces like asphalt for fire safety. He said that a fire safety inspection is required after conditional use permit approval. Ekins expressed confidence in the ordinance and in the planning commission and staff, saying that together they can create a solid STR regulation.

Vice Chair Bair said gravel or road base should be allowed for parking in mostly residential areas because fire access is usually from the street. She suggested that homeowners should have the option to use gravel since it is less costly than asphalt or concrete.

Commissioner Casas suggested that the planning commission go through the ordinance line by line from the beginning to have a clear process for making changes and avoid confusion.

City Engineer Holmes said he had a few suggestions before the discussion. He recommended clarifying the wording in section 17.62b where it says "STR options for fewer" by adding "periods of fewer than" to make the text easier to read.

City Planner Ekins said the city attorney made a comment that were "options intended for fewer than 30 days".

City Engineer Holmes suggested clarifying that STRs are not permitted in detached accessory buildings, tents, yurts, or recreational vehicles to ensure occupancy stays within the home. He also recommended that sleeping rooms have at least five windows for egress to comply with fire code.

Commissioner Casas said STRs must comply with fire code and meet size requirements.

City Engineer Holmes said accessory dwellings must have windows for egress, ensuring two exit points per sleeping room, and each sleeping room must have its own smoke detector. He also clarified parking requirements, noting that a single-family home typically needs two spaces, with additional spaces required for every two extra sleeping rooms.

Chairman Nelson said that clarification on the matter should come from the city.

City Engineer Holmes added a rule prohibiting overnight on-street

parking, allowing only brief stops, such as picking up children.

Commissioner McBride asked if there is a minimum number of days required for an STR rental, in addition to the 30-day maximum.

City Engineer Holmes said that STRs could be rented for just one night if desired.

Commissioner McBride asked if a one-night rental would need STR approval, and it was clarified that renting as a business would require approval, but hosting family would not.

City Engineer Holmes said there is nothing in the code for rentals under 30 days, so no changes are needed. He also added that STR owners must provide renters with the rules on use, occupancy limits, and parking before their stay.

Commissioner Wheeler said she would like to add definitions for detached and attached accessory buildings.

Chairman Nelson asked if the city code already defines detached and attached accessory building units.

Commissioner Wheeler suggested adding a reference to make the definitions clearer.

City Engineer Holmes said that by being included in the same title, the definitions already apply to everything within that title.

Commissioner Casas said they are starting at the top and working their way down, beginning with reviewing the definitions.

Commissioner Wheeler suggested adding definitions, including one for ADU, and asked to check the existing definitions.

Chairman Nelson said the ADU definition is not in this section and noted that section 17.04.070 only includes accessory buildings.

City Planner Ekins said ADUs are defined at the beginning of the zoning ordinances.

Chairman Nelson said the ADU is defined under "dwelling, two-family accessory apartment" in the zoning code.

City Planner Ekins asked if they were adding another definition and confirmed that they are just starting from the top.

Commissioner Wheeler said some terms are not defined near where they are used and suggested making the definitions easier to find.

Chairman Nelson asked if there were any other comments on definitions and then moved on to discuss use regulations, noting that STRs are currently proposed as conditional uses in C1, C2, R1, and R2 zones.

Commissioner Casas said he likes allowing STRs in the C2 zone and supports having that option.

City Planner Ekins said STRs are allowed in a mixed-use development above a commercial component.

Chairman Nelson said he has no issues with that.

Commissioner Casas said mixed-use areas have benefits like more parking and being less intrusive, but he noted that such areas may not currently exist in the city.

Commissioner Wheeler said the closest example of a mixed-use area in the city is Annette Francis' development.

Commissioner Casas said mixed-use areas don't exist yet, but he supports including C2 zoning for possible future use.

City Planner Ekins said citizens have expressed concerns about STRs in C2 zones if there is a residential use, and that this issue will need to be revisited later.

Commissioner Casas said there are many factors, like proximity to a private school, that could disqualify an STR in a C2 zone.

Commissioner Wheeler said there are already several limits in place.

Commissioner Casas asked if an STR application within 600 feet of a preschool would be disqualified.

City Planner Ekins explained that the rule applies to any public or private school.

Chairman Nelson said the next topic was the new section 17.62 on short-term rentals.

City Planner Ekins asked what the group wanted to do about the R-1, R-2, and C-1 zones.

Chairman Nelson said he had no issues. He then asked if "residential unit" needed to be defined or if it was already listed in the definitions.

City Planner Ekins explained that "residential unit" comes from the definitions in section 17.04.070. He said there is a correction there and noted that "dwelling units" are listed, so he added "residential unit" to this section because it was discussed later in the document.

Chairman Nelson read the section about requiring a conditional use and a business license and asked if anyone had concerns. He then moved on to the operational strategy plan requirement and asked if there were any questions or comments.

City Engineer Holmes said it would be helpful to clearly define what the city wants to see in the strategy, such as whether it should include grounds maintenance or other specific items, so the applicants know what to provide.

Chairman Nelson said he didn't mind requiring the information, but questioned whether the city has any standards to decide if a submitted plan is acceptable. He noted that without standards, they might have to approve something they don't like. He asked whether they should create additional standards for what the plan must include.

City Planner Ekins said they could create standards and add them to D1.

Chairman Nelson said that if a property owner is not local, it's common to require local management, usually someone within about a 30-minute drive, so they can respond to issues on site when needed.

Commissioner Casas and Vice Chair Bair agreed that someone should be able to respond to issues within 30 minutes.

Chairman Nelson said he wasn't sure if any property managers are located within the city. He asked if there were any other changes to the section, noting his main concern was local management, and then asked if there were questions about requiring a plot plan and floor plan.

Vice Chair Bair asked why a floor plan drawn to scale with labeled rooms was required.

City Planner Ekins said the floor plan lets them show whether it's the full residential structure or just a unit, and it allows calculations to verify occupancy and parking requirements.

Chairman Nelson said that under E3, site plan approval is listed as optional, but he thinks it should be required since applicants already come in for a conditional use permit, which reviews parking and the site plan. He also noted that site plans go to the council.

City Planner Ekins said site plan approval would be required if the property is a commercial or mixed-use type.

Chairman Nelson clarified that for commercial development, if only a site plan approval is needed, it goes to the council. For a conditional use permit, the Planning Commission would check the site plan. If a separate site plan isn't required, the city council would be the approval authority, and it wouldn't go to Planning Commission.

City Planner Ekins said it's worth considering. For small projects, like an 80-square-foot shed, citizens currently pay \$240 for site plan approval. He suggested reducing the cost or handling it over the counter. As far as the plot plan goes, it would be part of the conditional use permit to encourage compliance.

Chairman Nelson said he feels good about that and asked if there were any other questions on the section. He then suggested moving on to Locations, noting that the topic of a thousand people seemed to raise a lot of questions earlier.

Commissioner Casas said he would like to reduce the number to 500 people, which would allow 22 in the city instead of 11.

Vice Chair Bair said she would prefer 30, noting that there are already about 20 in the city.

Commissioner Casas said he sees a problem with enforcement and doesn't want staff to spend a lot of time on it, as there are many other tasks to handle. He expressed uncertainty about how it would be enforced.

Chairman Nelson said enforcement is tricky with short-term rentals because state law prevents the city from simply using online listings to identify properties for action.

City Engineer Holmes said they can't use online listings to enforce

rules, though technically they can use them to locate properties, just not as the official basis for action. He said that based on training, online listings can be used as additional evidence but not as the initial way to identify properties. He noted he might be wrong.

Commissioner Willardson said he likes keeping the limit at a thousand, noting that many current situations wouldn't be legal under the ordinance anyway.

City Engineer Holmes said another reason they aren't legal is that they haven't obtained a landlord license, which they could have, just like for long-term rentals.

Vice Chair Bair said that stricter limits may lead to more illegal use, while more open rules might encourage people to apply legally instead of risking doing it illegally.

Commissioner Casas said he wants to avoid the activity going underground. He acknowledged it takes time and effort, but making it too difficult would keep it hidden, as it is now.

Commissioner Willardson asked what would happen to people who can't sell their house.

Commissioner Wheeler said it may not be directly related, but there is definitely some influence.

City Engineer Holmes said that running the business comes with risks. Owners need to study the market and plan for downturns, like fewer people using short-term rentals, or they won't be able to manage their business.

Commissioner Willardson said he is concerned about people who can't find houses because too many are being used as short-term rentals.

Chairman Nelson said he has mixed feelings about allowing short-term rentals in ADUs. They are usually an affordable housing option, but allowing rentals also benefits the current property owner.

City Planner Ekins said an ADU owner could cancel their ADU license and apply for a short-term rental license.

Chairman Nelson said about half of ADUs are usually rented to friends or family. While some owners might choose short-term rentals for more income, others will avoid it because of the

private nature of ADUs.

City Planner Ekins said owners could use an internal ADU as a disguise to operate short-term rentals on weekends.

Commissioner Wheeler said that while it may not help in this case, she would like to see more support for housing and long-term rentals in the future, as it could reduce some housing problems. She prefers support over restrictions.

Chairman Nelson summarized state code 10-8-85.4, explaining that cities cannot ban or punish someone just for listing a short-term rental online. However, a listing can be used as evidence if there's additional information showing a violation of city rules. He noted recent clarifications to the law and then asked where the group wants to set the limit, since there is some division on the thousand-person threshold.

Commissioner Wheeler said she would like to lower the limit to 500, allowing up to 20 or 22 short-term rentals.

Commissioner McBride agreed. He said that currently there's a lot of short-term rentals operating underground and we shouldn't penalize them.

Chairman Nelson said he is curious whether some existing short-term rentals might be legal non-conforming uses if the city isn't directly regulating them. He wants the city attorney's opinion, noting that many current rentals, possibly 11 to 25, could already legally continue. He added that setting a limit of one per thousand could allow additional rentals and mentioned there is interesting case law on the issue.

Commissioner Casas said the number of short-term rentals will likely decrease once all requirements are enforced, as some will be disqualified for reasons like being too close to a preschool. He added that he prefers them to be regulated rather than unregulated.

Chairman Nelson said that for legal non-conforming short-term rentals, the city could create a phase-in standard, giving existing rentals time to comply with new rules, depending on the attorney's guidance.

City Planner Ekins said that case law has shown some challenges with this. He explained that legal non-conforming uses, sometimes called "grandfathered," are the technical term for existing uses

allowed to continue.

City Engineer Holmes explained that some short-term rentals are legal non-conforming, meaning they were legal when established but wouldn't be allowed under current rules. Others are non-legal non-conforming, meaning they broke the law and cannot continue.

Chairman Nelson said he is concerned about the number of units and doesn't want to open it up too much. He suggested spacing requirements between units, like 660 to 1,000 feet, to limit multiple rentals on the same block, which would reduce the impact even if the total number isn't very high.

City Planner Ekins said that owner-occupied short-term rentals don't need to follow the 750-foot spacing rule, but non-owner-occupied rentals must be at least 750 feet apart.

Chairman Nelson said he feels more comfortable with short-term rentals in ADUs because they are usually better managed by the owner, less impactful, and smaller. However, for standalone units in single-family zones, he thinks additional spacing would be beneficial.

City Planner Ekins said that when internal ADUs became available, many owners used them. In cities that restrict rentals to owner-occupied units, they have seen fewer complaints and nuisances and calls for service are lower.

Chairman Nelson said that for the first line item, three members support a limit of 500.

Commissioner Willardson said he wants to keep the limit at 1,000.

Chairman Nelson said that the majority favors lowering the limit to 500.

City Planner Ekins said existing rentals may qualify for non-conforming use protection if they were compliant before the new regulations, determined on a case-by-case basis. Rentals that were not compliant, especially those with very high occupancy, would likely not be allowed to continue.

Chairman Nelson said the commission's current recommendation is to lower the limit to 500. He noted no major issues with items two or three but suggested adding a rule that limits short-term rentals to one unit per property in residential zones.

City Planner Ekins asked whether they were discussing item two or three.

Chairman Nelson said that for item three, no more than one short-term rental is allowed per multi-family residential structure or property in residential zones.

Commissioner Willardson said maybe that should go under item number four, for residential zones.

Chairman Nelson said that if an ADU or part of a home is used as a short-term rental, only one rental is allowed per property, and the other part of the home must be owner-occupied to prevent having both long-term and short-term renters on the same property.

City Planner Ekins said that if someone has a licensed ADU, they cannot apply for a short-term rental license until they discontinue the ADU license, otherwise it would create an illegal duplex situation.

Chairman Nelson said it could just be defined that in residential zones, only one short-term rental is allowed per property. If an ADU is rented, the other part of the home must be owner-occupied, similar to the requirement for long-term rentals.

City Planner Ekins said that would make the short-term rental owner-occupied, meaning no one else could have one.

Chairman Nelson said the owner-occupancy requirement applies only if an ADU or part of a home is rented. Renting the whole home is fine, but if only a portion is rented, the other portion must be owner-occupied.

City Planner Ekins clarified that if a residential unit is split on a property, the non-rented portion must be owner-occupied.

Chairman Nelson said that consistent with the current ADU ordinance, if a section of a home is rented, the other section must be owner-occupied, and this should also apply to short-term rentals. He suggested adding it as a new line in the section and then asked if there were questions on item four.

Commissioner Casas said he thinks that item should be voided.

Chairman Nelson agreed and asked if there were any other comments. Then he moved on to item number five.

City Planner Ekins said that item four should just be removed.

Commissioner Wheeler said it doesn't align with the purpose of mixed-use commercial space.

Vice Chair Bair said it's not consistent with the rest of the ordinance.

Chairman Nelson called it a strange exemption, and Commissioner Wheeler agreed.

Chairman Nelson introduced item six.

City Planner Ekins suggested adding tents, yurts, RVs, and trailers.

Chairman Nelson asked if there were any questions about occupancy.

City Engineer Holmes said they should check whether sprinklers are required for transient rentals with more than 10 people.

Chairman Nelson noted that in resort communities, the fire marshal interpreted it that way.

City Planner Ekins added that microschools with 16 people don't mention sprinklers, but he will review it.

Chairman Nelson explained that in commercial uses, the fire code requires sprinklers if there is over 10 overnight occupancy.

Commissioner Wheeler said she's stayed in rentals with more than 10 people without seeing sprinklers.

Chairman Nelson said that newer rentals, especially in resort areas, usually follow the rule. He then moved the discussion to standards and asked if there were any questions.

Vice Chair Bair said the pet allowance in item six wasn't clear and suggested specifying the number.

City Planner Ekins confirmed there's a set number for residential properties.

Commissioner Wheeler said two dogs are allowed, and Commissioner McBride suggested referencing the ordinance.

Vice Chair Bair agreed, noting it should clearly state two dogs or cats.

City Planner Ekins added that referencing the ordinance helps ensure updates aren't missed.

Chairman Nelson suggested adding standards for short-term rentals, including an extra garbage can, smoke detectors in each room, and a fire exit map in each room like in hotels.

Commissioner Wheeler agreed that there should be at least one garbage can per residence.

City Planner Ekins said these additions greatly improve safety for occupants.

Chairman Nelson moved the discussion to parking.

Commissioner Wheeler asked about parking surface requirements.

Commissioner Casas said gravel is fine if it's not turf.

Vice Chair Bair suggested gravel or road base.

Chairman Nelson and Commissioner Willardson agreed that gravel or road base is acceptable. They decided to recommend allowing gravel and road base and then discussed questions about overnight on-street parking.

Chairman Willardson asked why short-term rentals can't park on the street.

City Planner Ekins explained that if an STR operates year-round and cannot accommodate all guest parking on-site, on-street parking would cause enforcement issues during winter restrictions.

All of the commissioners agreed that STRs should provide parking for guests.

Chairman Nelson noted that visitors often bring trailers or equipment, which could become a nuisance if parked on streets.

City Planner Ekins added that parking complaints already impact neighborhoods.

The Planning Commission discussed limits on on-street parking, but it was noted that residential properties already have off-street parking requirements, including for ADUs, which typically provide enough spaces. The commission agreed that no overnight on-street

parking should be allowed for STRs, though daytime parking by residents is acceptable.

Chairman Nelson concluded that prohibiting on-street parking for STR guests is cleaner from a code perspective. The discussion then moved to fire safety inspections.

Chairman Nelson said short-term rentals should be inspected annually.

City Planner Ekins explained that business licenses already allow for inspections, typically every one or two years, through the fire department.

Chairman Nelson emphasized the importance of annual inspections to ensure safe sleeping arrangements.

City Planner Ekins added that floor plan reviews can verify egress, and fire inspections will confirm compliance. They also discussed including a reminder about the transient room tax requirement, with Nelson noting it shouldn't conflict with state rules.

City Planner Ekins confirmed that the proposed code aligns with recent state updates.

Chairman Nelson introduced a notification section that Holmes would like to add.

City Engineer Holmes said owners should inform renters of the rules.

Chairman Nelson added that rules, maximum occupancy, and fire escape information should be posted inside the rental.

City Planner Ekins said this can be included in the required operational strategy plan.

Chairman Nelson outlined three options: continue the discussion to the next meeting for staff to make changes, attempt approval with the changes, or recommend denying the ordinance.

City Planner Ekins noted that City Council could review or send it back with different ideas.

Vice Chair Bair recommended reviewing it again to ensure everyone's understanding aligns.

Commissioner Wheeler supported a continuation for review.

Chairman Nelson agreed, and Ekins said he could present it to City Council at the second meeting in December.

ACTION

Commissioner Wheeler made a motion to continue discussion 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 at the next meeting. Commissioner Casas seconded the motion and commissioners Casas, Nelson Wheeler, and Willardson voted aye.

HYRUM CITY - SEEKING APPROVAL FOR AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.63 HOME-BASED MICROSCHOOL AND MICRO-EDUCATION ENTITY; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "HOME-BASED MICROSCHOOL" AND "MICRO-EDUCATION ENTITY"; AND AMEND USE REGULATIONS IN SECTIONS 17.22.030, 17.28.010, 17.30.010, 17.32.010, 17.36.010, 17.38.010, 17.44.020, 17.45.020, 17.48.020, AND 17.49.020 TO INCLUDE HOME-BASED MICROSCHOOL AND MICRO-EDUCATION ENTITY AS A PERMITTED USE IN ALL ZONING DISTRICTS.

City Planner Ekins explained that the Planning, Zoning, and Building Department created the ordinance based on Utah code for microschools and home-based education entities. The code allows local governments to add rules on business licenses, parking, traffic, hours of operation, and zoning. The ordinance was designed not to conflict with Utah Code 10-9a-305 and has been reviewed by the city attorney, who provided comments for discussion.

City Engineer Holmes noted that Utah recently changed the numbers, so it's no longer 10.

City Planner Ekins explained that the definitions for home-based micro schools and micro education entities come directly from state code. Home-based micro schools provide K-12 education to 16 or fewer students. He emphasized referencing the state code because it changes often and noted that while no microschools have been established yet, there have been several discussions with people interested in starting them.

Chairman Nelson noted a previous application for a micro school.

Vice Chair Bair asked about preschools since the ordinance excludes daycare but defines K-12.

City Engineer Holmes explained that preschools are regulated separately by the state and the city cannot control zoning for them. They agreed to clarify that home-based micro schools do not include daycare or preschool, and Chairman Nelson emphasized following the state's definition to meet legal requirements.

City Planner Ekins explained that the ordinance sets additional requirements for home-based micro schools and micro education entities beyond Utah code. It covers business licenses, parking, traffic, hours of operation, and zoning. No micro school or entity can operate without a business license, which includes all applicable provisions. They must meet building and fire safety codes and obtain a fire inspection. If they prepare or serve food, the health department requirements are included in the business license. Off-street parking requirements are specified for each zoning district in Hyrum City Code to guide applicants.

Chairman Nelson suggested rephrasing the ordinance to say that home-based micro schools or micro education entities must comply with parking standards in their zoning district.

City Engineer Holmes noted that some zones, like R1 or R2, only require two spaces, which may not be enough.

Chairman Nelson proposed adding "and other parking requirements listed in this chapter" for clarity, and Holmes agreed it would ensure consistency.

Chairman Nelson said he was unsure about keeping a reference to other standards without clearly stating that micro schools must follow the parking rules in their zoning district. He felt that unless the ordinance directly says they must comply with those parking standards, the first section may not be useful.

City Planner Ekins said he supported the idea that home-based micro schools "shall comply" with parking rules. He explained that applicants should be required to submit a parking plan showing how they will meet both the city's parking requirements and provide enough on-site parking for employees and customers, including on adjacent parcels they own. He noted that other cities, like Millville, allow this. He also shared feedback from the city

attorney, who said Hyrum City should consider creating a clear parking standard for schools in the future. Ekins added that micro schools should also provide a traffic plan and follow hours of operation set in city code, which currently allows activities between 7 a.m. and 10 p.m. in residential zones, though this could be changed later if needed. He said the proposed regulations match what other Utah cities have adopted and do not conflict with state law.

Chairman Nelson said his only concern was the reference number and in C1 needed an action word.

City Engineer Holmes suggested adding a section stating that the traffic plan must address how attendance and activities will affect the surrounding community without obstructing traffic or conflicting with the zoning. He also proposed adding language under the hours-of-operation section to clarify that it applies to all activities of a home-based micro school. He explained that the traffic plan needs to address how the micro school will affect the neighborhood, making sure drop-off traffic doesn't create long lines that block the street or keep people from getting to work or school.

Chairman Nelson asked if there were any objections to adding Holmes comments.

Commissioner Willardson asked where a micro education entity could be located.

City Planner Ekins explained they could use old churches, food banks, or commercial spaces that can be split.

City Engineer Holmes added that building code requirements apply once occupancy reaches a commercial level.

City Planner Ekins noted that Utah code sets occupancy classes and some cities incorporate that language into their ordinances.

Chairman Nelson said the commission's options were to recommend approval with changes, approve as is, continue the discussion, or recommend denial.

ACTION

Commissioner Wheeler made a motion to recommend approval of an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to comply with state code with the addition of D2 "the traffic plan shall address impacts

of attendance and activities on the surrounding community without obstructing traffic in a manner not consistent with the zone in which it exists, the addition of E1, "The hours of operation for all activities of a homebased microschool or micro education entity shall be between the hours of 7:00am and 10:00pm", and make an edit to C1 to require compliance with our parking standards. Commissioner Bair seconded the motion. Commissioner Nelson made a motion to amend the motion and amend C1 to require compliance with our parking standards. Commissioner Bair seconded and commissioners Nelson, Wheeler, and Willardson voted aye.

ADJOURNMENT:

ACTION

There being no further business before the Planning Commission, the meeting adjourned at 8:45 p.m.

Stephen Nelson
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written



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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 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 Number: 25-043
Preparation Date: November 26, 2025
Applicant Name: Hyrum City

Planning Commission: December 11, 2025
Commission Role: Recommending Body to City Council
Application Type: Amendment

Application Overview: The proposed application is initiated by Hyrum City to establish a maximum front yard setback to clarify the definition of Innerblock development.

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 10-9a-205.

Draft Amendment

17.04.070 Definitions

Innerblock development - "Innerblock development" means residential development of any dwelling units within the interior of existing blocks. Innerblock development is only permitted in the R2A zone or approved as a Planned Unit Development. For the purpose of this definition, any dwelling unit setback back further than two times (2x) the regulated zoning front yard setback is considered innerblock development.



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Staff Evaluation

First Review

Application: Hyrum City, General Plan Amendment – Amend the Hyrum City General Plan to include a new Chapter 10: Water Use and Preservation Element; and amend Table of Contents to include new Chapter 10: Water Use and Preservation Element.

Application Number: **25-047**

Preparation Date: December 3, 2025

Applicant Name: Hyrum City

Planning Commission: **December 11, 2025**

Commission Role: Recommending Body to City Council

Application Type: General Plan Amendment

Application Overview: Hyrum City is requesting the Water and Use Preservation Element of the General Plan be adopted by the City Council to guide future decisions on how Water is used, preserved, and future land use is coordinated. The Water Use and Preservation Element at this time will be an element of the current General Plan and is also part of the current General Plan Update and may require minimal revisions while the City moves forward to the completion of the overall General Plan Update.

Staff Comments:

1. Staff recommend the Planning Commission recommend approval of the Water Use and Preservation Element of the General Plan.

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. Chapter 10: Water Use and Preservation Element
- B. Table of Contents

Hyrum City General Plan

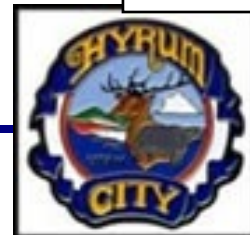


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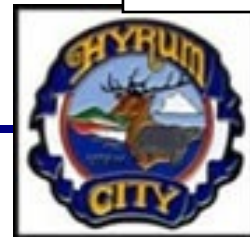
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Hyrum City General Plan



CHAPTER 10: Water Use and Preservation Element

10.1. INTRODUCTION

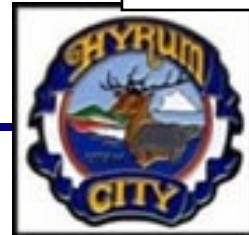
Utah is among the fastest growing and driest states in the nation. By 2065 the population is expected to double, increasing demand for and stretching finite water resources even further. Utah is the second driest state in the nation and has seen historic drought levels in recent years. Water conservation is an issue that touches everyone. Ensuring we continue to have enough water for the future is a major concern of state and local leaders, water providers, and the public. The use and preservation of water resources have emerged as a major concern on the state level, as indicated by S.B. 110: Water as Part of the General Plan, a law that was adopted in 2022 and which requires municipalities and counties to amend their general plan to consider how land use impacts water use.

As a community with moderate room to grow over the next 25 years, water use challenges in Hyrum are a function of continued population growth while satisfying the anticipated demands, maintaining and improving the current distribution system, and achieving the city's water conservation goals. This section describes the water system and provides a snapshot of current and future water use in Hyrum. It also outlines existing and proposed water planning goals and strategies and recommends additional goals and policies that will reduce water demands as part of current and future developments.

In 1998, the Utah Legislature passed the Water Conservation Act, which was amended again in 2022, requiring water agencies with more than 500 drinking water connections to submit water conservation plans to the Utah Division of Water Resources and update the plans every five years. The purpose of a water conservation plan is to provide information regarding existing and proposed water conservation measures that will help conserve water in the state so that adequate supplies of water are available for future needs. Water conservation plans include water use reduction goals as well as implementation strategies. The current *Hyrum Water Conservation Plan* was updated and adopted in 2022 and outlines the goals below.

- Reduce residential water use in gallons per capita per day (GPCD)
- Increase repair and maintenance to improve system operation

Hyrum City General Plan



CHAPTER 10: Water Use and Preservation Element

- Increase education for residential and industrial users in implementing conservation practices
- Encourage adoption of water efficient landscaping

10.2. WATER PROFILE

Hyrum City acquires its water from three (3) wells and four (4) springs. It maintains 11,527 acre-feet of culinary water rights, 3,301 shares of irrigation, and three (3) culinary water storage tanks totaling 5 million gallons. This water demand and capacity is obtained from the 2008 Potable and Secondary Water Systems 50-Year Demand Projections provided by Aqua Engineering.

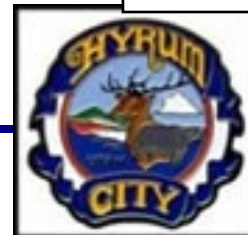
In addition to these sources, water rights, and storage tanks, the City has a culinary distribution system with line sizes ranging from 3-inches to 18-inches. The City also has a dedicated irrigation system with line sizes ranging from 4-inches to 27-inches and approximately 100 acre-feet of irrigation storage. Culinary water is stored in three tanks near the mouth of Blacksmith Fork Canyon, with one tank capable of storing 1 million gallons, and two tanks each with a capacity of 2 million gallons. Irrigation water is stored in a system of reservoirs in the southeast quadrant of the City that hold up to 100 acre-feet. The Wastewater Treatment Facility clarifiers provide an additional 0.7 acre-feet of storage.

The Utah Division of Water Resources uses one method to calculate all water delivered to all customers in Utah. It is calculated by dividing total culinary water use by the total population and expressed in gallons per capita per day (GPCD).

$$\text{GPCD} = \frac{\text{Water Use}}{\text{Population}} / 365$$

In 2021, Hyrum averaged approximately 235 GPCD in water use, compared to 293 GPCD statewide, and 184 GPCD nationally. Hyrum's per capita water consumption has typically been higher than State and national averages due to the high use of industrial and commercial customers. It also includes some residential landscape irrigation since 574 homes in Hyrum are not connected to the

Hyrum City General Plan



CHAPTER 10: Water Use and Preservation Element

secondary irrigation system. While the city encourages new development to connect to the secondary irrigation system, connection has not been consistently required. This has created concerns regarding water delivery and satisfactory pressure levels in several residential neighborhoods as outdoor irrigation use conflicts with indoor use.

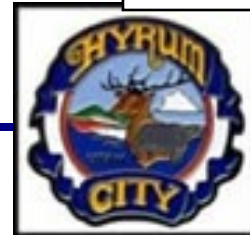
Hyrum City currently has an exemption from State requirements to meter all secondary water use by 2030 due to the system running primarily off of stream flow. While the system does have storage water shares, the storage is placed in the system between the stream flow and users and thus acts only as a subsidy to the irrigation supply when stream flows are low.

10.3. REGIONAL COLLABORATION

Local water suppliers have the best information regarding their own systems, challenges, and opportunities. Since water exists and flows freely across political boundaries, coordinated planning efforts between local, regional, and state entities are also important. Hyrum City can work with other suppliers and other entities to establish policies and partnerships that allow for a comprehensive regional approach to water-supply management that will promote water-use efficiency programs, ensure that plans provide for adequate water supplies and maximize water conservation and reuse, and communicate with the public the importance of water conservation as it relates to quality of life.

The *Utah Regional Municipal and Industrial (M&I) Water Conservation Goals Report* presents a suite of regional goals and practices for residential, commercial, institutional, and industrial water use. The purpose of the report is not to provide a detailed water conservation plan for all regions in the state, but to guide the state's water industry in planning future infrastructure, policies, and programs consistent with Utah's semi-arid climate and growing demand for water. As cited in the Hyrum Water Conservation Plan, the Regional Conservation Goals propose that the Bear River Region, of which Hyrum is a part, consider a goal of decreasing water use by 18% of the 2015 use baseline by 2030 and a 24% reduction of the 2015 baseline by 2040. Local water suppliers, local communities such as Hyrum, and

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businesses are encouraged to adopt this target as they implement water conservation efforts and pursue regional water goals.

For the purpose of measuring progress in implementing water efficiency policies, the State of Utah requires Hyrum City's GPCD reported for 2015 as the benchmark for improvements. In 2020, the State Division of Water Resources (DWRe) published Municipal and Industrial Water Use Data for 2015*, however this number is not representative of the city's actual water use due to city water policies at the time which reported all water produced by the city's sources before releasing excess water back into the Blacksmith Fork River. This inflated the amount of metered water, as well as the amount of wasted water in records prior to 2020. Hyrum City reported a total use of 5,797 acre-feet for 2015. With an estimated population of 8,070, this equaled a GPCD of 641. The majority of this water was discharged back into the Blacksmith Fork River after having been metered and reported as used. Additionally, the majority of Hyrum City's culinary water is consumed by industrial uses. In 2016, the JBS USA meat processing complex, a major user of Hyrum City's culinary water, completed a major expansion and modernization of its facilities, resulting in considerable water savings. In addition to these changes in industrial consumption, the city also modified their water metering policy to record only water entered into the culinary delivery system as used. By 2020, reported GPCD had dropped to 245. City conservation and education efforts over the past five years have further reduced GPCD to 244 in 2024.

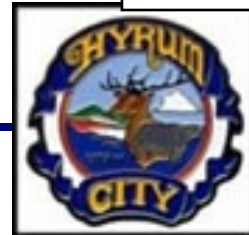
(Water Use reported in Acre Feet Annually)

Year	Population	Residential	Commercial	Industrial	Institutional	Total	GPCD
*2015	8,070	739	-	4,939	117	5,797	641
2020	9,446	860	36	1,515	185	2,595	245
2021	9,999	903	37	1,539	153	2,640	235
2022	10,597	862	47	1,606	142	2,686	226
2023	10,792	890	63	1,606	124	2,713	224
2024	10,891	1,138	75	1,628	136	2,979	244.2

Source: Utah Water Use Data Report Form for Hyrum City, 2020-2024.

Utilizing current conservation efforts, the city is on track to reduce GPCD to below 200 by 2030.

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1. Effect of permitted development or patterns of development on water demand and water infrastructure

Population growth through 2050 will come with an increased demand for water. The average Utah household uses approximately 0.8 acre-feet of water per year. An acre-foot of water is approximately 325,852 gallons, or the amount of water needed to cover one acre of ground in one foot of water.

Year	Population	Households	Acre Feet of Water
2024	10,849	3,592	3,857
2050	24,428	8,143	7,494

Projection of 3.3% Growth Rate

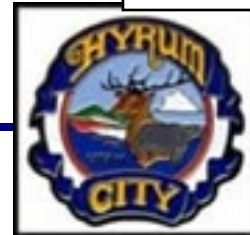
Assuming an average annual increase of 3.3% in population between 2024 and 2050, future demand including residential and industrial use could be as high as 7,494 acre-feet- an increase of up to 94% over current use if no additional conservation measures are implemented.

The City provided 3,857 acre-feet of potable water in 2022, a year of considerable drought. The city has rights to up to 11,527 acre-feet available. Some additional water rights may be acquired through annexation and development of agricultural land. However, new major water source acquisitions are unlikely in future. The best alternative to meeting future demand will be through conservation of existing resources.

The City also requires additional storage and distribution capacity, both for culinary and secondary, as development continues to accommodate population growth. The city is currently investigating options for an additional storage tank for culinary water.

Reclaimed water from the wastewater treatment facility has extended the supply of available secondary irrigation water by approximately 4,300 acre feet per year with 3,400 acre-feet of storage, but without additional storage and distribution capacity in the southeast quadrant of the community from the canal-served portion of the system, Hyrum will struggle to adequately deliver irrigation water to residents in the near future.

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Rapid development over the last 10 years has placed stress on the existing water systems. Growth has not outpaced the availability of water, but has strained the capacity of the delivery system, particularly on the eastern and western edges of the community.

AGRICULTURAL USE

Agricultural land in and around Hyrum has been declining steadily in recent years due to development pressure, rising operational costs, infrastructure constraints, and strain from drought conditions. This trend is expected to continue, reducing overall agricultural water demand while shifting pressures onto municipal and secondary water systems as former farmland is converted to M&I uses. As agricultural land within the City's annexation declaration area is incorporated, the accompanying water rights are often transferred to Hyrum as part of development agreements. This has allowed the City's water supply to increase modestly over the years.

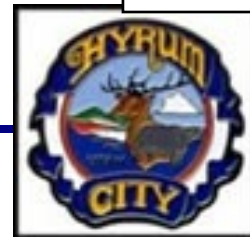
RESIDENTIAL USE

Residential use accounts for the majority of the city's water demand, with consumption varying widely across housing types and densities. Single-family homes use the most water, while townhomes and multi-family units typically consume less. Lot size, development density, landscaping irrigation, and indoor appliance efficiency all influence the rate of consumption. The city's un-metered and unlimited use of secondary irrigation water is the largest and most discretionary component, representing 50-70% of total household consumption. Encouraging connection to the secondary system, and reducing irrigated landscape requirements are two of the most effective and cost-efficient strategies for lowering municipal water demand.

INDUSTRIAL USE

Industrial water uses place significant demand on Hyrum City's water supply. The prominent food manufacturing facilities in and near the City consume nearly 1.5 million gallons of water daily, or 60% of the total current water use. While the sale of this water is a source of income to the community, as well as a driver of other local economic activity, it still provides opportunities for system efficiency and

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conservation. Encouraging the adoption of new technologies and processes that reduce water use extends the city's water supply and reduces costs for industrial operators. Locating new industrial development near major transportation corridors and existing utilities supports efficient water delivery and management. As with commercial areas, conservation strategies such as drought-tolerant landscaping, on-site stormwater reuse, and smart irrigation can reduce overall demand while enabling sustainable industrial growth and compatibility with surrounding land uses.

COMMERCIAL USE

Commercial water demand in Hyrum varies depending on development type and scale. Neighborhood and community centers generally use moderate amounts for landscaping, building operations, and maintenance, while regional commercial areas tend to require more due to larger building footprints, extensive landscaping, and higher customer or employee activity. Mixed-use developments that combine commercial and residential functions can help concentrate water demand, improve infrastructure efficiency, and create more vibrant, walkable neighborhoods. Thoughtful site planning—such as locating commercial uses near major roadways and existing infrastructure—can further reduce water and energy demand while preserving Hyrum's small-town character. Incorporating water-wise landscaping, stormwater capture, and smart irrigation technologies support both efficient and visually appealing commercial development.

INSTITUTIONAL USE

Institutional water use in Hyrum, including schools, parks, and government buildings, accounts for a small portion of overall municipal demand but remains an important focus for conservation. Much of this use occurs outdoors on school grounds, ball fields, and public parks, providing opportunities to showcase water-efficient practices. By implementing water-wise landscaping, native plantings, and efficient irrigation technologies such as smart controllers, pressure regulators, and automatic shut-off systems, the City can reduce water demand, lower maintenance costs, and enhance the long-term sustainability and resilience of its properties while serving as an example for the broader community.

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PUBLIC PERSPECTIVE

As part of Hyrum's efforts to integrate water and land use planning, the city gathered residents' views on water use, conservation, and local development that can guide strategies for reducing water demand in both existing and future development. An online survey was distributed through the community between July and August of 2025 and a public open house was held in August of 2025 as part of the city's General Plan update public involvement.

Key takeaways from the public:

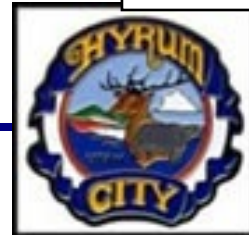
- There are concerns about system capacity to adequately serve existing development while also serving new growth.
- The community in general is concerned about the availability of water. There is interest in more collective conservation methods. Regardless of how much surplus water the city has, sustainability and stewardship are keys to the future.
- There is some interest in incentives to upgrade appliances or replace less efficient plumbing fixtures.

2. Methods of reducing water demand and per capita water use for existing development

The Hyrum Water Conservation Plan outlines several Best Management Practices to educate residents and municipal water consumers and encourage the reduction of per capita water consumption. These practices include:

- Use of water-wise landscaping, efficient home appliances, etc.
- Provide educational materials from USU Extension
- A community demonstration garden on public property that showcases low-water landscaping plants and materials (Heritage Trail and in city ROW)
- Progressively scale rate pricing based on quantity used
 - Regularly update this scale
- Manage water shortages, such as during emergency events
- Disallow lawn on parking strips or areas less than eight feet in width in new development

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- No more than 50% of front and side yard landscaped area in new residential development is lawn
 - Unless small residential lots with less than 250 sq ft of landscaped area'
- New commercial, industrial, institutional, and multi-family development common area landscapes shall not have more than 20% lawn, outside of active recreation areas
- Seek out and address leaks, theft, or inaccurate meters
- Coordinate with secondary water providers to accurately measure use and bill appropriately for irrigation, especially residential and commercial landscaping
 - Encourage limited outdoor watering during periods of drought

3. Methods of reducing water demand and per capita water use for future development

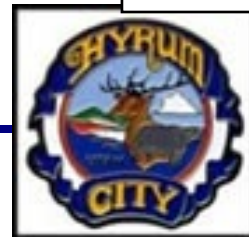
To reduce per capita water use in future development Hyrum recommends the following policies:

- Progressively scale rate pricing based on quantity used
 - Regularly update this scale
- Expedite plan reviews for projects that use water conservation measures and require buildings to improve water efficiency as a condition of renovation, additions
- Promote use of captured rainwater, graywater, or recycled water as preferred source of non-potable water needs
- Smaller lot sizes use less water for landscape irrigation, multi-family housing uses even less water per capita
- Require water-wise landscaping design in new developments
- Transfer water rights - new residential and commercial development must offset anticipated water to be used through conservation, or transfer enough water rights to serve the entire development at build-out

4. Modifications that can be made to a local government's operation to reduce and eliminate wasteful water practices

Hyrum also recognizes the role that the municipality plays in ensuring that public uses of water are efficient and is always

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considering new practices to reduce and eliminate inefficient water use:

- Include water-wise building retrofit ideas for public facilities into General Plan
- Develop and implement water-wise landscaping guide for public facilities
- Meter and bill city authorized municipal use by department
- Meter and bill for authorized contractor use

10.4. WATER GOALS AND ACTIONS

Water Goal 1

Keep Hyrum a water-wise community for generations to come by reducing water demand per capita consumption for existing development.

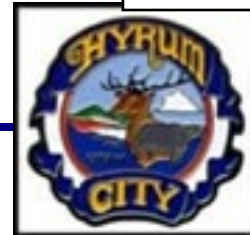
Objectives:

- Provide outreach and education to residents about water conservation, such as encouraging the installation of water efficient fixtures and appliances.
- Review landscaping and zoning standards to ensure they do not create barriers for residents seeking to implement water-wise landscaping improvements.
- Create a landscape guide and practical tools to help residents and commercial property owners install or update water-efficient landscaping.
- Develop water distribution system leak repair plan.
- Continue to implement and annually update a tiered fee structure for metered water to incentivize efficient use and conservation of culinary water.

Water Goal 2

Promote water-wise development that reduces water demand per capita for sustainable growth.

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Objectives:

- Review existing and proposed land use patterns and encourage development that reduces water demand through the General Plan, zoning, and other planning tools.
- Identify regulatory barriers that may discourage developers from adopting water-efficient landscaping practices and provide incentives to encourage sustainable landscaping and irrigation strategies.
- Prioritize water-efficient landscaping and irrigation at the design stage to avoid costly retrofits.

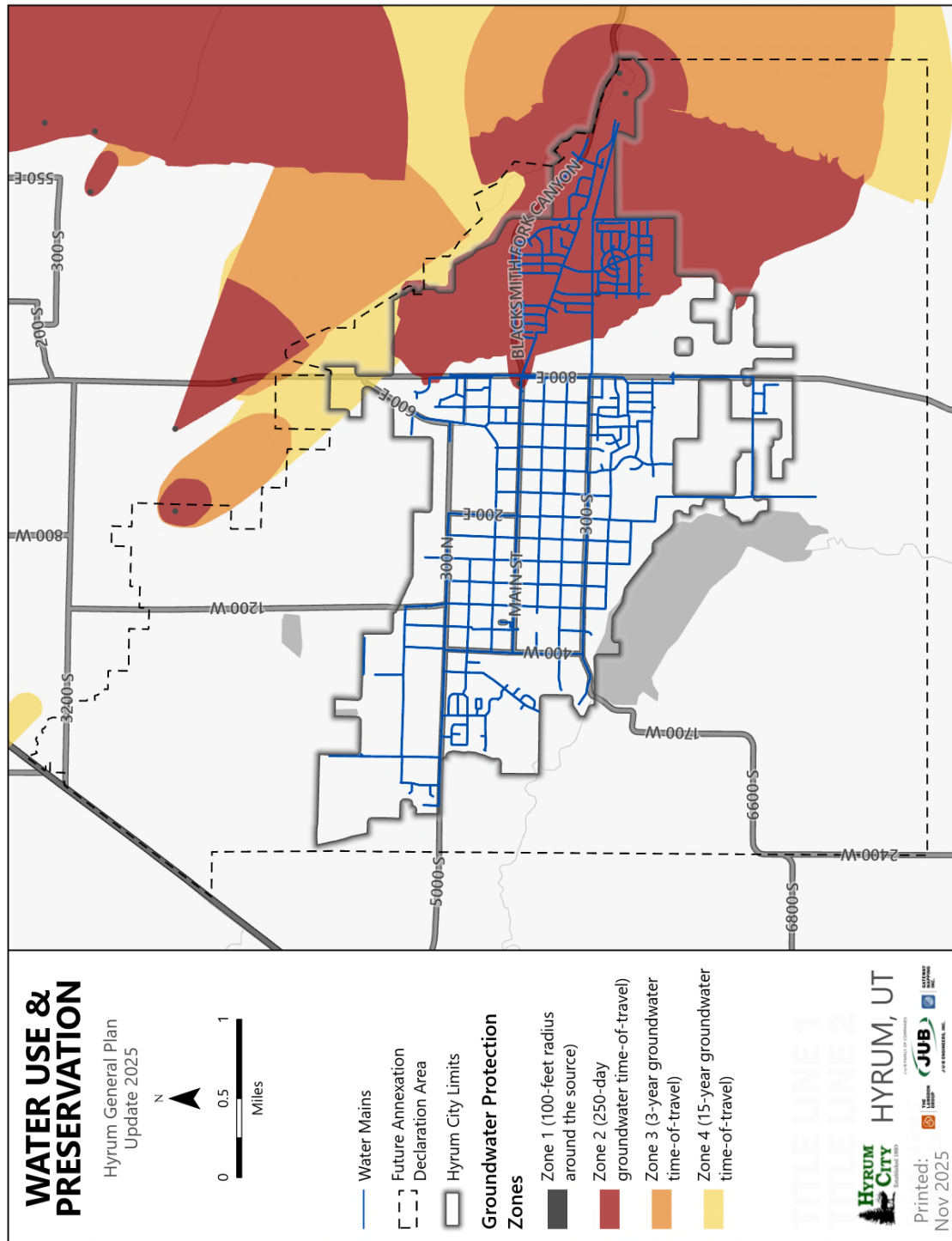
Actions:

- In coordination with the State Department of Environmental Quality, maintain groundwater recharge zones and well and spring source protection zones to restrict development that might encroach on community water sources and negatively impact water quality.
- Connect residents with USU Extension information on landscaping and infrastructure efficiency.
- Develop an annual community water usage report to educate residents on community water needs and availability.
- Evaluate municipal facilities and operations to identify wasteful water practices that may be reduced or eliminated.
- Develop landscaping options within a public street that do not require the use of lawn or turf in park strips/street medians.
- Regularly consult with the Utah Division of Water Resources for information and technical resources regarding regional water conservation goals, including how the implementation of the City's land use element and the water use and preservation element may affect the Great Salt Lake and overall Bear River Watershed health.

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60 West Main Street
Hyrum, Utah 84319
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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 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 Number: 25-037
Preparation Date: December 8, 2025
Applicant Name: Hyrum City

Planning Commission: December 11, 2025 – Continuation Item
Commission Role: Recommending Body to City Council
Application Type: Amendment

Application Overview: The proposed application is initiated by Hyrum City to create a Short-Term Rental ordinance that aims to regulate residential rental structures and units for fewer than thirty (30) consecutive days in duration.

Staff Comments:

1. Supports the need to license and regulate short-term rental options as proposed in efforts to provide housing options for tourism while preventing short-term rentals from impacting housing affordability and long-term rental housing options.
2. The city received input from concerned citizens that request STRs not be located in developments specifically planned as a mixed-use commercial residential sites that are adjacent to a single-family residential use request any STR be located a block away from any private or public school.

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 10-9a-205.

Attachments:

1. "Exhibit A" – Draft Amendments
2. "Exhibit B" – Short-Term Rental Business License Application

Draft Amendments

17.04.070 Definitions

Short-Term Rental (STR) - "Short-Term Rental" means "Short-term rental" means a residential unit or any portion of a residential unit that the owner of record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

17.28.010 Use Regulations

C. Conditional uses:

3. Short-Term Rental.

17.44.020 Use Regulations

C. Conditional uses:

4. Short-Term Rental.

17.45.020 Use Regulations

C. Conditional uses:

4. Short-Term Rental.

17.62 Short-Term Rental

A. Definitions. For the purpose of this section, the following definitions shall apply:

1. Residential Unit – "Residential Unit" means a residential structure or any portion of a residential structure that is occupied as a residence.

B. Purpose and Intent.

1. The purpose and intent of this chapter is to provide short-term rental (STR) options ~~intended~~ for fewer than thirty (30) consecutive days in certain zoning districts in a residential unit or any portion of a residential unit.

C. Conditional Use Permit and Short-Term Rental Business License Required.

1. No residential unit shall be occupied or rented as an STR without first obtaining a Hyrum City conditional use permit and short-term rental business license.

D. Operational Strategy Plan Required.

1. 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~~:

- a. On-site parking plan with parking designations.
- b. Routine outdoor property maintenance.
- c. Temporary garbage and refuse storage and collections.
- d. Emergency existing plan.
- e. Emergency contact lists.
- f. Property owner contact list.

1.2. 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.

E. Plot Plan and Floor Plan 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.

F. Locations.

1. No more than one (1) STR shall be permitted per ~~one-thousand-500 (10500)~~ people of the Hyrum City total population as estimated by the current ~~U.S. Census Bureau~~ Utah State Tax Commission Population (i.e., 10849 population / 500 people = 22 STR permits).

2. The STR shall only be permitted in a single-family and multi-family residential structure; or within a permitted development specifically planned as a mixed-use commercial residential site with a qualifying residential unit.
3. No more than one (1) STR shall be permitted in a multi-family residential structure. (i.e., if the multi-family residential structure is a fourplex only one (1) unit may be permitted as a STR).
- ~~4. No STR shall be permitted within a development specifically planned as a mixed-use commercial residential site when adjacent to a single-family residential use.~~
- ~~5.4. No STR shall be permitted within six-hundred-sixty (660) feet of a property line that is owned or operated by a private or public school.~~
- ~~6.5. No STR shall be permitted within a detached accessory building, tents, yurts, recreational vehicles, campers, or any other similar structure that cannot be permitted for permanent residential use.~~

G. Occupancy.

1. The STR maximum occupancy shall be no more than one (1) occupant per two hundred (200) square feet of open-floor space area of the residential structure or portion of residential structure that is occupied as a STR. (i.e., if the open-floor space area is 2,400 square feet, the maximum occupancy shall be no more than twelve (12) occupants).

H. Standards.

1. The STR is subject to Hyrum City zoning ordinance, business license ordinance, and conditional use permits ordinance.
2. The STR is subject to Hyrum City nuisance ordinances regarding garbage collection and disposal, weed control, noise disturbance, and offenses against public peace, morals, and welfare.
3. The STR exterior lighting shall prevent glare onto adjacent properties and shall be dark-sky sensitive.
4. The STR sleeping rooms ~~will~~shall allow emergency egress.
5. The STR sleeping rooms ~~will~~shall be equipped with smoke detectors.
6. The STR ~~is~~shall be limited to two (2) dogs on the premises the number of allowed pets at any one residence.
7. The STR signage is limited to one (1) non-internally illuminated sign, no larger than three (3) square feet, and shall only be mounted to the wall of the building.

I. Parking Requirements.

1. A total of one (1) additional off-street parking space will be provided per two (2) rooms.
2. Parking stalls are to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement ~~or, brick, gravel or road base. Gravel, road base, etc., are not considered hard surfaces.~~
3. All required STR parking must provide adequate provision of ingress and egress by standard-sized automobiles.
4. All required STR off-street parking and the parking of trailers, boats, ATVs, or similar vehicles associated with the guest use shall be contained on the lot or parcel of the licensed STR.
5. No on-street parking or parking within the public right of way is permitted for vehicles associated with the guest use.

J. Fire Safety Inspection Required.

1. The STR 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 STR-Short-term Rental bBBusiness license.

4.2. Automatic sprinklers may be required based on International Fire Code mandates for building occupancy, size, occupant load, and hazardous materials stored.



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www.hyrumcity.gov

Staff Evaluation

First Review

Application: 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 Number: 25-048
Preparation Date: December 1, 2025
Applicant name: Scott Johnson
Property Owner: Scott A & Lindsay M Johnson Family Trust
Property Address: 1394 East 150 South
Parcel Number: 01-135-0119
Parcel Area: 0.31 Acres

Planning Commission: December 11, 2025
Commission role: Zoning Clearance Approval
Application type: Planning Commission Design Review
Nature of request: Storage pods/containers

Zoning District: Residential Zone R-2. The R-1/ R-2 Zone is a mixed density residential zone. Its minimum lot size is 9,900 square feet for a single-family dwelling. This zone is eligible for appropriately located Planned Unit Developments (PUDs).

Application Overview: The applicant desires to include a 20'x8' (160 sq. ft.) storage pod/container as an accessory building. City Code requires approval by the Planning Commission for any storage pods/container greater than 140 sq. ft.

Staff Comments:

Planning and Zoning:

1. The storage pod will not be located upon public utility easements.
2. Current accessory building definition: "Accessory building", in a residential zone, means subordinate building used for purposes incidental to the main structure, such as private garages, storage buildings, repair facilities, hothouses, portable shelters (carports, awning, etc.), solar units, storage pods/containers (maximum size allowed one hundred and forty (140) square feet unless otherwise approved by the Planning Commission with possible additional landscaping & construction requirements or for temporary use), located on the same lot occupied by the main building. Accessory buildings have a height limit of twenty-five (25) feet. Building permits required as per State law. City zoning clearance required.
3. If storage pods/containers are manufactured by a standard size 20'x8', staff recommends the Planning Commission discuss amending the accessory building definition to a maximum 160 sq. ft. rather than 140 square feet and establish a maximum height to avoid stacking storage pods/containers to 25' high.

Planning Commission Responsibility:

1. The Planning Commission shall consider the following:
 - a. The planning commission may deny the storage pod/container as the container proposed exceeds the maximum size allowed.
 - b. The planning commission may approve the storage pod/container and may also require possible additional landscaping.

Staff Recommendation:

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

Stipulations:

1. The Planning Commission may deny or approve the application.

Findings of Fact:

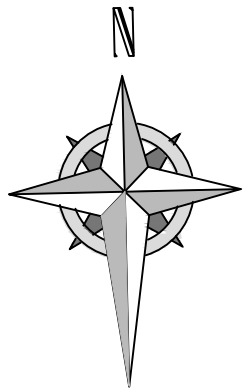
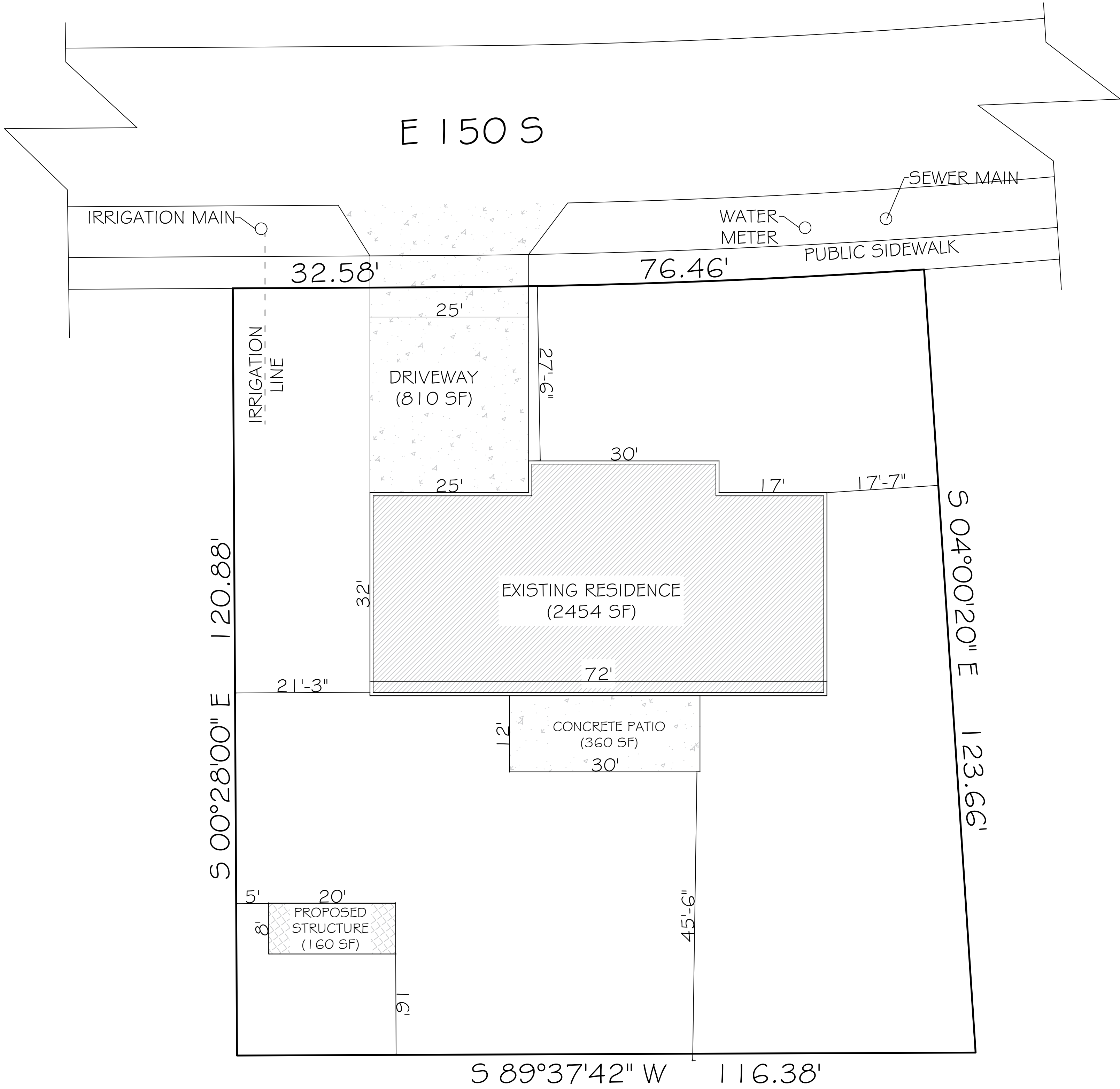
1. The current zoning ordinance does not allow storage pods/containers greater than 140 sq. ft. as accessory buildings.

Attachments:

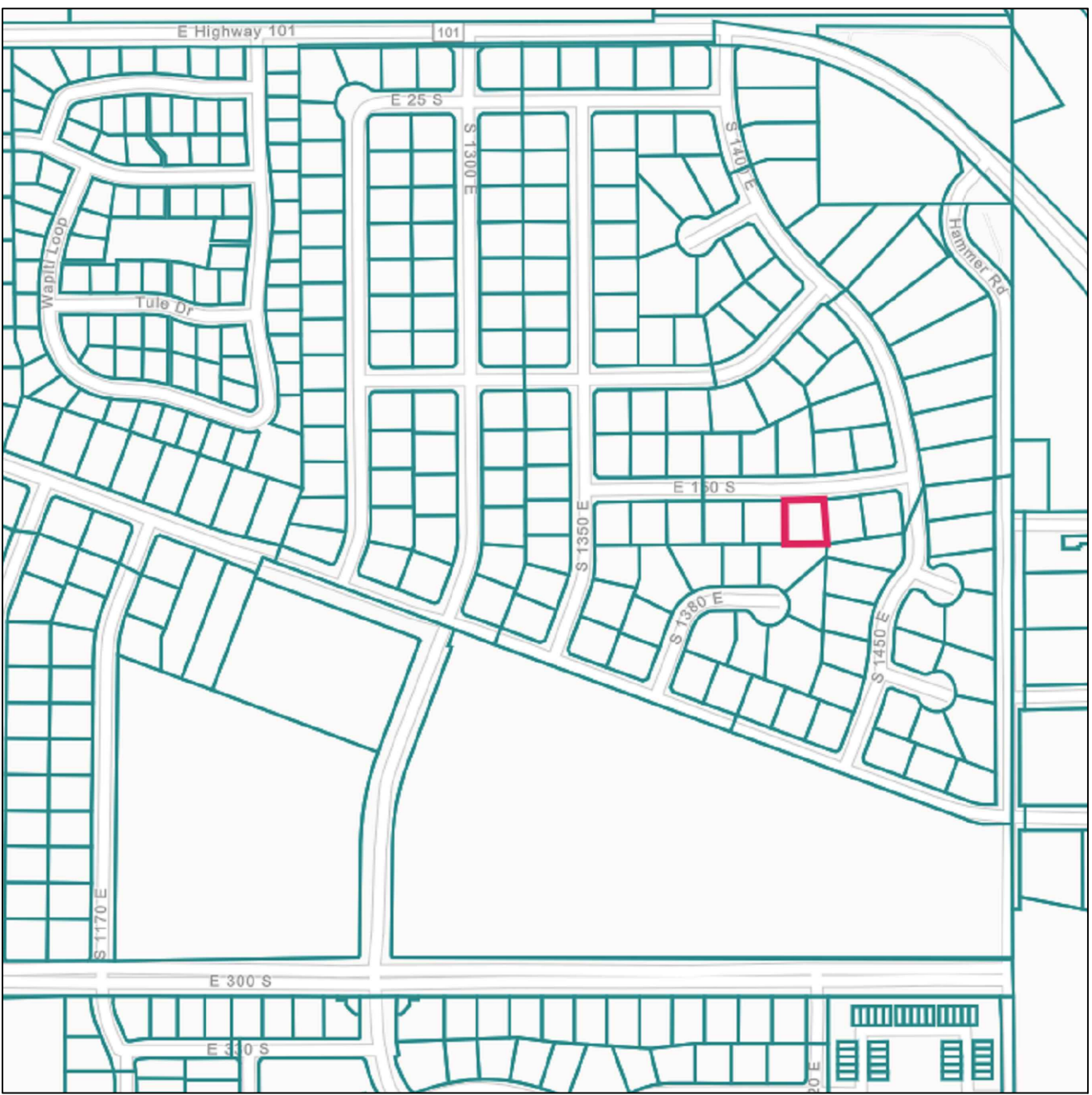
1. Plot Plan
2. Elevation of the storage pod/container

SITE PLAN

LOCATION: 1394 E 150 S, HYRUM, UT 84319, USA
PARCEL ID: 01-135-0119 / ZONING CODE: R-2 (Residential Family)
LEGAL DESCR.,: LOT 119 WASATCH VIEW PHASE 5 AMENDED CONT 0.31 AC



VICINITY MAP



NOTES

SITE PLAN OF THE PROPERTY UNDER REVIEW
SHOWING THE PROPOSED STRUCTURE
DEVELOPMENT.

LOT SIZE

0.314 Ac
=
13,686 SF

SHEET TITLE

SITE PLAN

LOT OWNER:

SCOTT A & LINDSAY M
JOHNSON FAMILY TRUST

DEEN'S CONSULTS

Architects , Planners & Project Managers

ISMILAOTU@GMAIL.COM

ARCHITECT Deen's consult
DRAWN Deen's consult
CHECKED BY Deen's consult

SCALE: 1"=10' DATE 11-27-2025

SHEET NO.

001



GMT Date/time: 2025-11-21 16:13:33Z
GPS: 41.79377°N 111.83383°W Δ4 m
Bearing: 231 deg(T)
Comment:

Taken by: Scott A. Johnson



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

Staff Evaluation

First Review

Application: 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 Number: 25-026
Preparation Date: December 1, 2025
Applicant name: Bryan Jorgensen, Environmental Director – West Region
Property Owner: LeGrand Johnson Construction Company
Property Address: 410 North 800 East
Parcel Number: 01-003-0081
Parcel Area: 3.00 Acres

Planning Commission: December 11, 2025
Commission role: Recommend Approval to City Council
Application type: Site Plan Approval
Nature of request: Conditional Use – Sand, gravel, asphalt operations

Zoning District: Manufacturing Zone M-2. The purpose of this zone is to provide an area where medium to heavy manufacturing can occur. It allows higher levels of noise, dust, smoke and odor than is permitted in the M-1 Zone. Restrictions may be applied on proposed businesses whose levels of noise, dust, smoke or odor may be considered excessive by the planning commission. Design and landscaping requirements may also be imposed on businesses proposed for this zone.

Application Overview: Kilgore Companies constructed a 2,185 square feet concrete weir system without the understanding the Hyrum City Code required Site Plan Approval. The applicant has advised the weir system was erected as per guidelines from the State of Utah. It was constructed of concrete and was designed to allow sediments to fall out of the water. Once the water has been treated for sediments, the water can either be reused or discharged into the sanitary sewer system.

Staff Comments:

Planning and Zoning:

- Following Site Plan approval, the applicant is required by HCC 15.08.010 to submit a Hyrum City Building Permit Zoning Clearance Application through a separate application and obtain the required building permit by Cache County Development Services Building Department for the non-permitted construction of the weir system.

Engineering:

- Sheet 3: The flow arrows for traffic do not line up with actual paths and they do not match the traffic flow patterns on sheet 4.
- Sheet 4:
 - This should show utilities with tie-ins.
 - Sewer should be shown with connection to manholes and sampling locations to ensure contamination does not enter the system.
 - What water is being used for the process?
 - Is this culinary or water from the trucks?
 - What backflow prevention is in place?
 - What electrical work has been done or modified to run this system?
 - Where is the retention for washout areas?
 - Plumbing and electrical all must have a building permit.

Sewer Department:

1. Matt Holmes and I visited with Kilgore in February of 2024. The wastewater treatment system was already constructed, without a building permit and a Wastewater Discharge Permit Application (WDPA) had not been submitted or approved. Matt and I explained that they needed to go through the proper process, and they were not allowed to discharge process wastewater to the City. The WDPA permit was submitted to Jennifer Robinson, Utah Division of Water Quality on July 7, 2025. The Utah Division of Water Quality is the authority over Hyrum pretreatment. The attached wastewater permit is not for the council or mayor's approval. Approval of the building DOES NOT grant Kilgore/Legrand the permission to discharge to the City. In fact, the system they built may or may not be what the state will require. I have been assured by Bryan Jorgensen that there have been zero discharges to the City's sewer system.

Planning Commission Responsibility:

1. The Planning Commission shall consider the following:
 - a. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
 - b. That the proposed use will comply with the regulations of Conditional Uses as may be applicable.
 - c. That the proposed use is in harmony with the intent of the zone in which it is located.
 - d. That the infrastructure will support the new facility.
 - e. In setting conditions, the Planning Commission shall show relationship to the broad area of concern to which each condition applies. These areas include Traffic; Noise; Odor; Pollution; Hours of operation; Design criteria; Lighting; Visual blight; and Safety conditions not related to one of these broad areas that may not be imposed.
2. The Planning Commission may approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards; or The Planning Commission may deny a Conditional Use if the reasonably anticipated detrimental effects of a proposed Conditional Use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

Staff Recommendation:

1. The Planning Commission should have a thorough discussion of the application, staff evaluation, and specifying conditions and requirements.
2. The Planning Commission include in their motion to require the applicant to respond to all engineering comments prior to the issuance of the Site Plan Approval to the City Council.

Stipulations:

1. The City Council may approve, disapprove, approve with additional conditions and requirements, or require the requestor to return to the Planning Commission with revisions; or require the applicant to return revisions to the City Council.

Findings of Fact:

1. Sand, gravel, and asphalt operations are a conditional use in the Manufacturing Zone M-2.
2. Noticing was provided to all contiguous properties and those properties across the street from the subject property's frontage, or frontages as required by HCC 17.84 Conditional Use Permits.

Attachments:

1. Applicant Submitted Illustrations of the constructed weir system with Engineer Comments.
2. Copy of Required Hyrum City Zoning Clearance Application.

Shop

Asphalt Plant

Aggregate Processing Area

Concrete Weir Addition For Approval

Existing Concrete Batch Plant

Property is Roughly 190 Acres

Kilgore Companies, LLC dba Kilgore Contracting
Corp. Address: 7057 W 2100 S, Salt Lake City, UT 84128
Location: Hyrum Shop
Address: 410 N 800 E, Hyrum, UT 84319

KILGORE
COMPANIES

Prepared by: Bryan Jorgensen
Title: Environmental Director
b jorgensen@kilgorecompanies.com
O 50-0132
M 97-4471



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COMPANIES

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50-0132
397-4471

+

-

Find address or place

Q

XYZ



- 1

Ready Mix Concrete Batch Plant
- 2

Process Wastewater Lined Containment Area Built Needing Approval★
- 3

FORTTRANS Water Treatment Station
- 4

Sanitary Sewer Discharge Point
- 5

HMA Plant
- ▼

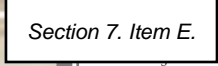
Facility Entrance / Exit

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Prepared by: Bryan Jorgensen
Title: Environmental Director
b.jorgensen@kilgorecompanies.com
250-0132
597-4471

- THIS SHOULD SHOW UTILITIES WITH TIE-INS. SEWERS SHOULD BE SHOWN WITH CONNECTION TO MANHOLES AND SAMPLING LOCATIONS TO ENSURE CONTAMINATION DOES NOT ENTER THE SYSTEM. WHAT WATER IS BEING USED FOR THE PROCESS? IS THIS CULINARY OR WATER FROM THE TRUCKS? WHAT BACKFLOW PREVENTION IS IN PLACE? WHAT ELECTRICAL WORK HAS BEEN DONE OR MODIFIED TO RUN THIS SYSTEM? RETENTION FOR WASHOUT AREAS, PLUMBING, ELECTRICAL ALL MUST HAVE A BUILDING PERMIT.



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KILGORE
COMPANIES

61



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

Zoning Clearance Permit

Name of Applicant: _____ Date: _____

Mailing Address: _____

Telephone: _____ Email: _____

Type of structure to be built: _____

Overall Square Feet: _____ Overall Height: _____

Building Lot Address: _____

Subdivision Name (if applicable): _____

Phase: _____ Lot Number: _____ Tax ID/Parcel Number: _____

Utilities: Sewer, Water, Irrigation, Power, main lines, laterals, meters and cleanouts are required on the Plot Plan.

Sewer: ☐ New ☐ Other: _____

Water: ☐ New ☐ Other: _____

Irrigation: ☐ New ☐ Other: _____

Power: ☐ New _____ AMPS. ☐ Other: _____

Zoning Clearance Application and Permit refunded to: ☐ Applicant ☐ Contractor

Certification: I certify under penalty of perjury that this application and all information submitted as a part of this application is true, complete and accurate to the best of my knowledge. Should any of the information or representations submitted in connection with this application be incorrect or untrue, I understand that Hyrum City may rescind any approval or take any other legal or appropriate action. I also acknowledge that I have reviewed the applicable sections of the Hyrum City Development Code and that items and checklists contained in this application are basic and minimum requirements only and that other requirements may be imposed that are unique to individual projects or uses. I also agree to allow the Staff, Planning Commission, or City Council or appointed agent(s) of the City to enter the subject property to make any necessary inspections thereof.

Applicant Signature: _____ Date: _____

Applicant shall continue onto Page 2 of this form to complete, sign, date, and submit the following required checklist to Hyrum City for a complete application. Incomplete applications will be returned to the applicant for completeness.

The Cache County Development Services Building Department reviews plans, issues permits and performs building inspections for Hyrum City. **It is the responsibility of the applicant to submit a Hyrum City Zoning Clearance Permit if required to the Building Department** located at 179 North Main St., Suite 305, Logan, UT 84321. The Building department can be reached by telephone at (435) 755-1650 or by email at: cachecountyplanreview@gmail.com

Cache County Building Permit Required: ☐ Required ☐ Not Required

Hyrum City Zoning Clearance Permit Approval: ☐ Approved ☐ Not Approved

Zoning Department: _____ Date: _____

Sewer Department: _____ Date: _____

Water Department: _____ Date: _____

Power Department: _____ Date: _____

The Applicant must review, check, sign, date and submit the information below to initiate the application review process. Any checklist items not marked may require a written explanation as for why the item is not applicable.

Hyrum City Code and Construction Standards: The following information contained herein is not inclusive. For complete details and specifications, please refer to Hyrum City Code (HCC) and Hyrum City Construction Standards available online at: www.hyrumcity.gov and the following references:

- HCC Title 13 Public Services
- HCC Title 17 Zoning
- Hyrum City Construction Standards Manual

Plot Plan Format: The Plot Plan must meet all of the requirements of Hyrum City Code 17.08.090 for the plan drawing and the specific requirements in Title 17 for the planned structures, egress, parking, etc. for the zone in which the permit is sought. Plot Plan requirements applies to all individuals and developers for each and every lot, and the must be signed by the person responsible for proper installation.

THE PLOT PLAN SHALL CONTAIN THE FOLLOWING INFORMATION:

- ☐ The plot plan must be neatly drawing to a scale no less than one-sixteenth of an inch per foot with eligible text not less than 10-point font. Ineligible plot plans will be rejected and returned.
- ☐ The name and address of the property owner.
- ☐ Lot size and location, including street address where possible.
- ☐ Clearance of buildings from those on adjoining lot, and other buildings on the same lot.
- ☐ Outline for existing and proposed building to be constructed, showing location of all utilities (**Sewer, Water and Irrigation, and Power are required on the Plot Plan**), side yards, and rear yards.
 - ☐ **Sewer:** (Section 5 of Hyrum City Construction Standards)
 - ☐ Downspout connections, foundation and basement drains, sumps and storm drain connections shall be prohibited from discharging into the sanitary sewer system.
 - ☐ Sewer lines including laterals shall be designed for at least 10 feet horizontal separation, measured edge to edge from any water line.
 - ☐ All utilities paralleling the sanitary sewer shall be designed to have at least 5 feet horizontal separation, measured edge to edge of the utility. This includes storm sewers, secondary water lines, conduits of all types, telephone cable, underground power and other cables.
 - ☐ Laterals should not be located under driveways.
 - ☐ Cleanouts shall be installed at 50-foot intervals for 4" laterals, 75-foot intervals for 6" laterals, and at all changes in direction. In all cases, a cleanout shall be installed just outside of structure, or as close as practicable. This cleanout shall be housed in a typical irrigation valve box with a minimum size of 17"L x 12"W x 13"D
 - ☐ **Water and Irrigation:** (Section 6 of Hyrum City Construction Standards)
 - ☐ All new water services must be located at center of lot and nine feet (9') off property line. (Location to be marked by Hyrum City).
 - ☐ Irrigation laterals and meter bases must be at least three feet (3') away from culinary services and not be located in the driveway.
 - ☐ **Power:** (Section 7 of Hyrum City Construction Standards)
 - ☐ Builder must fill out a required "Load Data Sheet" and return it to Hyrum City's Power Department. The department will use the sheet to document inspections and size the service wire/conduit. The City will not perform the required trench inspections without a Load Data Sheet. The builder and Hyrum City Power will meet to determine if the service will be underground or overhead.
 - ☐ Do not begin work on the service installation before receiving the service design from Hyrum City's Power Department. Any work done that does not meet the Hyrum City Power Department design is at risk of having to be re-done at the cost of the builder/customer.
 - ☐ The building site requiring service must have its address marked and clearly visible from the street.
- ☐ Location of septic tanks and drain field or sump and location of sewer lines coming from the structure, together with a signature and approval of the State Sanitarian

- ☐ Location of utility meters. Gas and electric to be readily accessible in unfenced area of front or side yard, water meter to be located in parking strip (not in the driveway or sidewalk).

General information:

- ☐ **Accessory Buildings.** Are buildings used for purposes incidental to the main structure, such as private garages, storage buildings, repair facilities, hothouses, portable shelters (carports, awning, etc.), solar units, storage pods/containers (maximum size allowed one hundred and forty (140) square feet unless otherwise approved by the Planning Commission with possible additional landscaping & construction requirements or for temporary use), located on the same lot occupied by the main building. **Accessory buildings have a height limit of twenty-five (25) feet.**
- ☐ **UDOT Ingress/Egress Permit For State Highway.** This permit is given by UDOT. It is the applicant's responsibility to contact UDOT to receive the permit.
- ☐ **Staking The Site & Address Display.** Hyrum City requires all new construction sites to be staked showing the location of the new structure before the Building Permit Clearance Form is submitted to Hyrum City. An address sign with lot number, minimum size 18" x 24", has to be prominently displayed in the front yard of the lot.
- ☐ **Wetlands.** The U.S. Army Corps of Engineers administers permitting procedures for the development of wetlands. It is the responsibility of the property owner/developer to ensure that compliance with wetland provisions of the Federal Water Pollution Control Act (now called the Clean Water Act of CWA) and any other applicable Federal Laws are met. Hyrum City has neither the authority nor the resource to monitor the provisions of Federal Acts. The issuance of a building permit does not absolve the owner/developer of the responsibility of meeting Federal Law requirements. Documentation from the U.S. Army Corps of Engineers may be required by Hyrum City.
- ☐ **High Ground And Surface Water.** Hyrum City does not have the resources or intent to determine surface and subsurface ground characteristics that may be detrimental to a property's use as a home site or commercial building location. Examples of these characteristics are seismic activity, high water tables, surface water run-off, and underground springs. It is the sub divider's and homebuilder's responsibility to obtain sufficient Engineering of the site proposed for development to ensure that the constructed structures are not damaged by water, soil slippage or seismic activity. The building permit applicant and the contractor assume the risk for any subsequent damage to structures by these characteristics. Documentation and soil reports may be required by Hyrum City for areas with high ground and surface water.
- ☐ **Winter Water Connection.** Hyrum City does not allow water connections when frost is in the ground from December 1st to March 1st.
- ☐ **Irrigation.** Hyrum City does not allow hot taps to take place from May 1st to October 30th.
- ☐ **Roads.** Hyrum City does not allow road cuts from October 1st to March 1st.
- ☐ **Electrical Connection.** Owner or contractor to install conduit. Hyrum City will provide and pull the cable up to 100 feet for 200 amp or smaller services as part of the connection fee. The cost of extra cable over 100 feet will be added to the connection fee.
- ☐ **Liability.** Hyrum City assumes no responsibility for these or related problems.

Construction site regulations:

- ☐ **The erection (including excavation), demolition, alteration or repair of any building shall be prohibited between the hours of ten (10:00) p.m. and seven (7:00) a.m.**
- ☐ It is unlawful for any person to store or dispose of any construction materials, gravel, dirt, wasted concrete, debris, garbage, or litter of any type, chemical, fuel, and any other substance that may be unsightly or deleterious to the health, safety, and welfare of the community.
- ☐ No person shall excavate any sidewalk or make any excavation in any street, lane or alley, or remove any permanent or other material from any street or improvement thereon without first obtaining an **Excavation and Right of Way Encroachment Permit** from the City through a separate application.
- ☐ It is unlawful for any person to break, excavate, tunnel, undermine, or in any manner affect the surface or base of any street, or to place, deposit or leave upon any street any earth or any other excavated material obstructing or tending to interfere with the free use of the street, unless such person shall first have obtained an **Excavation and Right of Way Encroachment Permit** from the City through a separate application.

- ☐ Excavation operations shall be conducted in such a manner that a minimum amount of interference or interruption of street traffic will result. Inconvenience to residents and businesses fronting on public streets shall be minimized. Suitable, adequate and sufficient barricades shall be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of excavator's equipment is removed from site and excavation has been backfilled and the proper temporary gravel surface is in place. From sunset to sunrise all barricades must be clearly outlined by acceptable warning lights, lanterns, flares and other devices. Police and fire departments shall be notified at least twenty-four hours in advance of any planned excavation requiring street closures or detour.

Notice to applicants and contractors:

Please read the following information carefully. It pertains to building inspection procedures, and the \$2,000 contractor's deposit:

- ☐ Read and understand the requirements of the building procedures, and the specific requirements in Title 17 for development in this zone and develop the property in conformance with those procedures and the requirements of Title 17.
- ☐ 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 in the amount of \$2,000 for new residential or new commercial construction, a \$1,000 deposit for residential and commercial remodel, and a \$200 deposit for accessory buildings. Said deposit will be refunded in whole or in part following final inspection. All or part of the deposit may be forfeited to repair damage to city infrastructure occurring during construction.
- ☐ 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 \$2,000 Contractors Deposit. All subdivision improvements must be completed before occupancy permits will be issued for any dwellings.
- ☐ Garbage dumpster is required at each construction site to avoid forfeiture of deposit. The dumpster shall be stored on private property and not on any city street or within the right of way of an accepted street.
- ☐ The street address and lot number must be prominently posted on construction site.
- ☐ Modification/damage or use of the temporary electrical connection for other than construction uses will result in the forfeiture of \$110 of the deposit.
- ☐ The front yard area of all residential lots must be landscaped within 18 months of issuance of Occupancy approval as per Title 17 requirements. A \$2000 deposit will be held until landscaping requirements are met.
- ☐ **HYRUM CITY FEES DO NOT INCLUDE THE BUILDING PERMIT FEES**, which must be purchased from the Cache County Building Department.
- ☐ All building inspection requests are to be scheduled through the Cache County Building Inspection Office; a 24-hour notice is required.

Name of Contractor (if applicable): _____

Mailing Address: _____

Telephone: _____ Email: _____

Building Lot Address: _____

Contractor Signature: _____ Date: _____

Required Checklist Acknowledgement:

I do hereby say that I am the Applicant of this application, and I have read the Hyrum City Code and Construction Standards Information and completed the Requirement Checklist. The statements, information, exhibits and any and all submitted documents attached or submitted represent the intentions of the applicant are in all respects true and correct to the best of my knowledge and belief.

Signature: _____ Date: _____