

ORDINANCE 25-03

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Section 17.04.070 of the Hyrum City Municipal Code defines recreational uses but doesn't specifically define Health Club; and

WHEREAS, Section 17.48.020 of the Hyrum City Municipal Code sets forth use regulations for the Manufacturing Zone M-1 and lists permitted uses, permitted accessory uses, and conditional uses; and

WHEREAS, Hyrum City Staff and the Hyrum Planning Commission want to encourage businesses in Hyrum City's Manufacturing Zone M-1 by allowing food service (bakeries, restaurants, caterers, etc.), and service industries (laundry, carwash, barbers, clinics and doctors offices, dentist, tailors, and other comparable uses) as Permitted Uses and Health Clubs as a Conditional Use.

NOW, THEREFORE, upon recommendation of the Planning Commission and following a public hearing on February 13, 2025 as required by Section 17.08.150, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTIONS 17.04.070, AND 17.48.020 OF TITLE 17 (THE ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE TO DEFINE HEALTH CLUBS AND TO ALLOW FOOD SERVICE (BAKERIES, RESTAURANTS, CATERERS, ETC.), AND SERVICE INDUSTRIES (LAUNDRY, CARWASH, BARBERS, CLINICS AND DOCTORS OFFICES, DENTIST, TAILORS, AND OTHER COMPARABLE USES) AS PERMITTED USES AND HEALTH CLUBS AS A CONDITIONAL USE IN THE MANUFACTURING M-1 ZONE.

1. Section 17.04.070 Definitions "Health Club" of the Hyrum City Municipal Code is hereby added to read as follows:

17.04.070 Definitions.

Health Club - "Health Club" means an establishment that provides exercise facilities such as running, jogging, aerobics, weightlifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses. (Ord. 25-03)

2. Section 17.48.020 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.48.020 Use Regulations

In this zone, no land use shall be permitted except those designated below.

A. Permitted uses:

1. Auto repair
2. Kennel
3. Light Manufacturing plants (no excessive noise, dust, smoke, or odor)
4. Maintenance and repair facilities
5. Paint shops
6. Storage units, commercial warehouses
7. Storage yards (i.e. sand, gravel, lumber, etc.)
8. Office buildings
9. Public structures (i.e. courts, city hall, fire stations, public works, electrical, gas, and telephone transmission lines and stations, etc.)
10. Communication facilities (radio, television, telephone transmission, etc.)
11. Service Industries (i.e. laundry, carwash, barbers, clinics & doctors offices, dentists, tailors, and other comparable uses.)
12. Food Service (i.e. restaurants, bakery, caterers, etc.)

B. Permitted accessory uses:

1. Combustible and flammable liquids over 500 gallons

C. Conditional uses:

1. Retail sales (Ord. 08-10; 10-02)
2. Health Club (Ord. 25-03)

REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

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EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 20th day of February, 2025.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted:



MEMORANDUM

TO: Mayor Miller, City Council Members

FROM: Tony Ekins, City Planner

SUBJECT: Amend Hyrum City Code (Application 25-003A)

DATE: February 14, 2025

CITY COUNCIL AGENDA:
February 20, 2025

OVERVIEW:

The applicant desires to amend HCC 17.04.070 Definitions to define and include “Health Club” and amend HCC 17.48.020 Use Regulations to add certain Service Industries as permitted uses within the Light Manufacturing Zone M-1.

Planning Commission Recommendation:

The Planning Commission held a public meeting on February 13, 2025, and recommended the approval to the City Council (5-0 vote) subject to staff comments, stipulations, and the noted finding of facts as outlined in the Staff Evaluation. The Planning Commission included “Health Club” as a conditional use as recommended by the Staff, and added additional language in Services Industries to read:

Service Industries (i.e. laundry, carwash, barbers, clinics & doctors offices, dentists, tailors, and other comparable uses.)

Attachment:

1. Amendment
2. Staff Evaluation

AMENDMENT

ZONING DEFINITIONS

17.04.070 Definitions

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

Health Club – “Health Club” means an establishment that provides exercise facilities such as running, jogging, aerobics, weightlifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

USE REGULATIONS LIGHT MANUFACTURING ZONE M-1

17.48.020 Use Regulations

In this zone, no land use shall be permitted except those designated below.

A. Permitted uses:

1. Auto repair
2. Kennel
3. Light Manufacturing plants (no excessive noise, dust, smoke, or odor)
4. Maintenance and repair facilities
5. Paint shops
6. Storage units, commercial warehouses
7. Storage yards (i.e. sand, gravel, lumber, etc.)
8. Office buildings
9. Public structures (i.e. courts, city hall, fire stations, public works, electrical, gas, and telephone transmission lines and stations, etc.)
10. Communication facilities (radio, television, telephone transmission, etc.)
11. Service Industries (i.e. laundry, carwash, barbers, clinics & doctors offices, dentists, tailors, and other comparable uses.)
12. Food Service (i.e. restaurants, bakery, caterers, etc.)

B. Permitted accessory uses:

1. Combustible and flammable liquids over 500 gallons

C. Conditional uses:

1. Retail sales (Ord. 08-10; 10-02)
2. Health Club

HISTORY

Amended by Ord. 16-06 on 8/18/2016



PLANNING COMMISSION STAFF EVALUATION

APPLICATION NO: 25-003A
APPLICANT: Sunray Properties LLC
PROPERTY OWNER: NA
PROPERTY ADDRESS: 220 North Center Street
PARCEL NUMBER: NA
PARCEL AREA: NA
ZONE: NA
DATE: February 6, 2025

PLANNING COMMISSION MEETING: February 13, 2025
PLANNING COMMISSION ROLE: Recommending Body to City Council
APPLICATION TYPE: Amend Hyrum City Code – Legislative

NATURE OF REQUEST:

Amend Hyrum City Code Title 17 Zoning to define “Health Club” and include a “Health Club” and other Service Industries in the Light Manufacturing Zone M-1.

OVERVIEW:

The applicant, Sunray Properties, located at 220 North Center Street, owns a 5.25-acre parcel with a 39,200 sq. ft. building and would like to accommodate a pickleball tenant, however, in their zoning district, Light Manufacturing Zone M-1, that use is not specifically considered a permitted, permitted accessory, or conditional use. The purpose of the M-1 zone is to provide an area where light manufacturing can reside in close proximity to residences without being detrimental to the quality of life of the residents. The manufacturing facilities should emit a minimum of noise, dust, smoke or odor. Design and landscaping standards may be imposed on businesses proposed for this zone. It is the applicants request to petition and amend HCC 17.04.070 Definitions to define and include “Health Club” and amend HCC 17.48.020 Use Regulations to add certain Service Industries as permitted uses within the Light Manufacturing Zone M-1. The applicants proposed text is as follows:

HEALTH CLUB. An establishment that provides exercise facilities such as running, jogging, aerobics, weightlifting, court sports and swimming, as well as locker rooms, showers, massage rooms, saunas and related accessory uses.

Service Industries (laundry, carwash, barbers, auto body shop, health club, restaurants, clinics & doctors offices, dentists, tailors, appliance repair, equipment repair, etc)

STAFF COMMENTS:

1. Staff supports the proposed amendment to define and include Health Club in HCC 17.04.070 Definitions.
2. Staff recommends the proposed Service Industries be revised as follows:

Service Industries (laundry, carwash, barbers, ~~auto-body-shop~~, ~~health-club~~, ~~restaurants~~, ~~clinics & doctors offices~~, ~~dentists~~, ~~tailors~~, ~~appliance-repair~~, ~~equipment-repair~~, etc)

- a. Staff recommends a Health Club be a Conditional Use in the M-1 Zone to allow the City to mitigate any unforeseen outdoor use impacts against adjacent uses and zones.
 - b. Staff recommends excluding auto body shop. Auto repair and Paint shops are already a permitted use in the M-1 Zone.
 - c. Staff recommends excluding equipment repair. Maintenance and repair facilities are already a permitted use in the M-1 Zone.
 - d. Staff recommends excluding restaurants as a Service Industry, and include Food Services (i.e. restaurants, bakery, caterers, etc.) as a permitted use.
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PLANNING COMMISSION RESPONSIBILITY:

1. The Planning Commission is the recommending body for this application.
2. The Planning Commission holds the required public hearing.
3. The Planning Commission considers the proposed amendment.
4. The Planning Commission recommends approval, approval with modification, disapproval, or request additional information to make a recommendation to the City Council.

STAFF RECOMMENDATION:

1. The Planning Commission hold a public hearing, have a thorough discussion on the draft language, and continue the meeting then if needed continue to another meeting to finalize details.

STIPULATIONS:

1. Following Planning Commission Recommendation to the City Council, a Final Legal Review of the recommended amendment will be completed by the City Attorney.

FINDINGS OF FACT:

1. The Public Hearing was noticed by the Utah Code and City Code.
2. The Legislative Body may not make any amendment authorized by this section (Utah Code, Section 10-9a-503(2)) unless the legislative body first submits the amendment to the planning commission for the planning commission's recommendation.

ATTACHMENTS:

1. Draft Amendment 17.04.070 Definitions and 17.48.020 Use Regulations.

DRAFT AMENDMENT

ZONING DEFINITIONS

17.04.070 Definitions

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