



60 West Main Street  
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## City Council Agenda Information

**To:** Mayor Miller and City Council

**From:** Tony Ekins, City Planner

**Date:** January 27, 2026

**Subject:** Ordinance 26-05 – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code Sections 17.44.080 and 17.45.150 Gas Service Station Criteria to establish requirements and regulations for gas service stations, fuel dispensing, and fuel storage tanks; and amend 17.04.070 Definitions to define and include “Fuel Dispensing”, “Fuel Storage Tank”, “Fuel Storage Tank Aboveground” and “Gas Service Station.” Application #25-041.

### **Summary:**

The proposed application is initiated by Hyrum City to establish requirements for gas service station, fuel dispensing, and fuel storage tanks to create general site and building requirements, fuel dispensing requirements, fuel storage tank locations, and external-tertiary containment requirements for aboveground fuel storage tanks that are located within three-hundred-fifty (350) feet of an existing open waterbody. The ordinance has received input, review, and support from City Staff, Hyrum City Fire Department, Utah Department of Water Quality, Utah State Fire Marshal’s Office, Planning Commission, and the City Attorney.

### **Planning Commission Recommendation:**

On January 8, 2026, the Planning Commission held the required public hearing and made a motion (4-0) recommending approval to the City Council, with the following recommendations:

1. Combine Subsections E and F General Site Requirements.

### **City Council Workshop Discussion:**

On January 15, 2026, the Staff discussed the draft ordinance goals and objectives with the Mayor and City Council.

### **City Attorney Recommendation:**

On January 20, 2026, the Hyrum City Attorney reviewed the draft ordinance following the City Council Workshop Discussion and provided the following suggestions to the draft ordinance:

1. Add language to the 'storage tank' definitions along the lines "whether such tanks are affixed to the ground, moveable, or suspended above ground". Removal of the "rests directly on the ground" language from the "Fuel Storage Tank Aboveground". Here are the relevant definitions from the ordinance with suggested changes in **RED**:

Fuel Storage Tank – “Fuel Storage Tank” means a tank that has the capacity to hold 501 gallons or more and is underground or aboveground containing bulk storage of petroleum or

other regulated substances that is incidental to the use of the premises where such tank is located **whether such tanks are affixed to the ground, moveable, or suspended above ground.**

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

**City Council Meeting Details:**

- Meeting Date: February 5, 2026
- Council Role: Legislative with Roll Call Vote

**Attachments:**

1. Prepared Ordinance

ORDINANCE 26-05

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 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, to be amended by the City Council following fourteen days' notice and a public hearing; and

WHEREAS, the City Council has determined there is a need to amend Title 17 to further clarify those regulations governing zoning and other regulations controlling land use and development within Hyrum City.

NOW THEREFORE, upon recommendation of the Planning Commission and following a public hearing as required by Section 17.04.040, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE SECTIONS 17.44.080 AND 17.45.150 GAS SERVICE STATION CRITERIA TO ESTABLISH REQUIREMENTS AND REGULATIONS FOR GAS SERVICE STATIONS, FUEL DISPENSING, AND FUEL STORAGE TANKS; AND AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "FUEL DISPENSING", "FUEL STORAGE TANK", "FUEL STORAGE TANK ABOVEGROUND" AND "GAS SERVICE STATION."

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

Fuel Dispensing - "Fuel Dispensing" means activities, processes, fugitive emissions, leaks and flares associated with the transfer of fuel.

Fuel Storage Tank - "Fuel Storage Tank" means a tank that has the capacity to hold 501 gallons or more and is underground or aboveground containing bulk storage of petroleum or other

regulated substances that is incidental to the use of the premises where such tank is located whether such tanks are affixed to the ground, moveable, or suspended above ground.

Fuel Storage Tank Aboveground - "Fuel Storage Tank Aboveground" means a fuel storage tank that has the capacity to hold 501 gallons or more and is by volume less than ten percent (10%) buried in the ground, affixed to the ground, moveable, or suspended above ground.

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

2. Section 17.44.080 and 17.45.150 Gasoline Service Station Criteria of the Hyrum City Municipal Code is hereby added to read as follows:

A. Purpose.

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

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

B. Requirements and Regulations.

1. All gas service stations, fuel dispensing, and fuel storage tanks (under or above ground) shall comply with the requirements of this section and all other applicable requirements and regulations of the State of Utah and International Fire Code. In case of conflicting provision in any of the above-listed requirements and regulations, the strictest shall apply.
2. The Hyrum City Council may waive requirements and regulations in this section for government entity gas service stations, fuel dispensing, and fuel storage tanks provided government entities meet all applicable Federal and State Regulations through separate Federal and State application and approval requirements.

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

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

C. Site Plan Approval Required.

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

D. Operational Permit Required.

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

E. General Site Requirements.

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

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

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

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

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

F. Fuel Dispensing and Pump Islands.

1. Fuel dispensing and pump islands shall be located:

- a. Eighteen (18) feet or more from any roadway or property line.
- b. Twenty (20) feet or more from fixed sources of ignition.
- c. Ten (10) feet or more from buildings.

G. Canopies.

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

H. Fuel Storage Tanks.

1. Underground and aboveground fuel storage tanks shall be regulated by Utah Department of Environmental Quality.
2. Fuel storage tanks and gas vents shall be a minimum of thirty (30) feet from any adjacent property line.
3. Aboveground fuel storage tanks shall have a maximum height of twenty (20) feet from the finished grade.
4. Aboveground fuel storage tanks or aboveground fuel storage tank basins shall have a minimum clearance of twenty-five (25) feet from combustible materials, storage areas,

parking/backing areas, and all buildings on the property parcel.

5. Aboveground fuel storage tanks and piping shall provide vehicle impact protection as required by the International Fire Code.

6. Aboveground fuel storage tanks that are out of service shall be removed off the site as required by the International Fire Code.

I. External-tertiary Containment Required.

1. Aboveground fuel storage tanks, single or double walled, that is located within three-hundred-fifty (350) feet of an existing open waterbody (i.e., wetland, swamp, natural pond, river, stream, canal, ditch, etc.) the following shall be required:

a. External-tertiary containment area shall be provided to contain a capacity of at least one-hundred-ten (110%) percent of the overall volume of the largest above ground fuel storage tank; and

b. External-tertiary containment shall be constructed of cast-in-place concrete walls and concrete floor; coated or internally lined; to prevent accidental discharge of liquid from entering existing open waterbody. Masonry or cinder block shall not be used.

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

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

3. 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.

4. 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.

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

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 5<sup>th</sup> day of February, 2026.

HYRUM CITY

BY: \_\_\_\_\_  
Steve J. Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_

<b>Roll Call Vote -</b>	<b>Aye</b>	<b>Nay</b>	<b>Absent</b>
Councilmember Steve Adams	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Rebecca Foulger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Michael Nelson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Nalyn Nelson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Craig Rasmussen	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>