

PLANNING COMMISSION STAFF EVALUATION FIRST REVIEW

APPLICATION NO: 25-006A

APPLICANT: County Living PUD / Todd Horman **PROPERTY OWNER:** 2x Investments LLC

PROPERTY ADDRESS: 460, 472, 488 West 400 North

PARCEL NUMBER: 03-221-0003, 03-221-0002, 03-221-0001

PARCEL AREA: 0.96, 1.15, 0.75 (2.86 Acres)

ZONE: Residential Zone R-2

DATE: March 6, 2025

PLANNING COMMISSION MEETING: March 13, 2025

PLANNING COMMISSION ROLE: Recommending Body to City Council
APPLICATION TYPE: Planned Unit Development – Concept Plan

NATURE OF REQUEST:

Permitted Use: Planned Unit Development – Concept Plan

CURRENT 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

OVERVIEW:

The applicant Todd Horman is seeking concept plan approval for County Living Planned Unit Development located at approximately 470 West 400 North. The development proposes a mix of nineteen (19) single and twin-family homes on approximately 2.8 acres.

County Living PUD was originally submitted to Hyrum City and scheduled for a Public Hearing on May 9, 2024, as a proposed Planned Unit Development located at approximately 470 West 400 North to include twenty-four (24) twin-family homes on approximately 2.8 acres. The application triggered a petition for opposition of the development with one hundred (100) signatures, and the applicant determined to pull the application from the meeting after have spoken with a few of the adjacent owners with their understanding of their concerns.

As of recent, the applicant revised the previous application proposal of twenty-four (24) twinfamily homes to a mix of nineteen (19) single and twin-family homes for consideration of approval for the Country Living Planned Unit Development.

PLANNED UNIT DEVELOPMENT:

A planned unit development (PUD) allows some deviations from the Concept Plan and platting requirements of HCC Title 16. These are usually seen as smaller lot sizes and greater density in exchange for open space, attractive building designs, and other amenities such as playgrounds, swimming pools, parks and meeting facilities. No PUD shall have an area of less than two and one half (2½) acres. Maximum density allowed for multi-family developments is 10 units per acre. Assisted living facilities are not included in this maximum density limit. Consideration should be given to disperse large multi-family PUD developments throughout the city instead of concentrating them in one central area.

A PUD is a subdivision and follows the path of HCC Title 16 for all reviews and approvals. In addition to that, there are several added requirements concerning the overall look of the project, both of the buildings and the general layout of the buildings and the amenities. The Planning Commission may recommend, and the City Council may impose such conditions on a PUD as it may deem appropriate to meet the goals and objectives of this chapter and the City's General Plan.

UTILITIES: Existing Power, Sewer, Water, Irrigation.

STAFF COMMENTS:

Planning and Zoning:

- On March 4, 2025, following a staff site visit, the property owner was issued a Code Violation and corrective action notice to comply with Hyrum City Code Title 8 Health and Safey, Chapter 16 Nuisances, Section 090 Shafts and Well – Fencing Requirements. Specifically, there are open shafts on the site that are imminent risk to health, safety and welfare to the public. (see attached exhibits)
- 2. There is a spring on the property dating back to 1860. Staff observed a network of open shafts with running water, a network of underground and above ground pipes and open standing water. Staff recommends the property owner demonstrate a plan for the spring to mitigate long term corrections for the open shafts, network of underground and above ground pipes, and standing water. (see attached exhibits)
- 3. Staff received notice from the adjacent neighbor north of the project proposal. The neighbor installed a retaining wall in efforts to mitigate the impacts of the spring flooding and migrating silt and soils onto his property, however, the neighbors investments do not fully protect his property. Staff recommends the property owner voluntarily resolve the impacts of the spring against the neighbor regardless the outcome of the project proposal.
- 4. Staff recommends the property owner consult with Utah Department of Natural Resources Division of Water Rights to verify the condition of the spring and water rights ownerships are in compliance with the regulations of the agency. (see attached exhibits)
- 5. Recommend the developer demonstrates to the Planning Commission how the concept plan intends to connect the private road to the public street as these details were not invested into the concept plan design. The developer will be responsible for the design and installation of the sidewalk, landscaped park strip, curb and gutter, pavement to the appropriate half width of both 400 North and 500 West, and the transitions of the public right of way improvements to the existing right of way infrastructure conditions.
- 6. Recommend the developer consult with the Hyrum City Water Department to address the conflict of the proposed east private road access location with the underground PRV Vault and Vent that exists at that location. (see attached exhibits)

- 7. Recommend the concept provides internal common area connectivity for all residents of the PUD to the open space amenities.
- 8. Recommend the concept demonstrate snow removal storage as the proposed driveway accesses on the private road appear to impact all potential areas of snow storage.
- 9. Recommend the developer address any potential inequities for association fees as the private roadway maintenance and utility infrastructure fees do not benefit Lots 1 and 2 of the PUD.
- 10. The private roadway is providing the minimum asphalt for the fire truck and does not allow on-street parking. Recommend the developer evaluate anticipated guest parking counts and determine if the private driveways will be sufficient or if guest parking should be provided. Any overflow/guest parking that is not accommodated within the PUD will be displaced to the public street where winter parking restrictions apply.
- 11. Recommend Lots 1 and Lot 2 be regulated to the lot area, frontage, and yard regulations for a detached single-family dwelling in the Residential Zone R-2 in efforts to minimize the impacts of obstructing the site triangle and backing of motor vehicles at the intersection of 450 North and 500 West.
- 12. The applicant did not provide an overall site area breakdown for percentage of hardscape and landscape. Staff was able to calculate the approximated percentage of 75% private area to 25% open space (not excluding detention area).

Engineering:

1. See notes on the pdf copy of the site plan.

Fire Department:

- 1. A fire hydrant will be required at the east entrance of the private road.
- 2. The minimum width of the asphalt private road for the fire truck is 26 feet (27 feet provided). An asphalt width for on-street parking on the private roadway must be 42 feet wide if parking is allowed on the private roadway.

Parks Department:

1. No comments or concerns.

Power Department:

- 1. All new services, feeders, and equipment needs to meet Hyrum City Electrical Standards and meet NEC requirements.
- 2. Must maintain right-of-way access to existing overhead lines and structures.
- 3. Provide future conduits to be stubbed to property edges.
- 4. Work with Power and Light department to address any needs or concerns.

Road / Stormwater Department:

- 1. Staff would like to see drawings of asphalt tie into the roadway along with curb and gutter tie in on apron frontage.
- 2. Staff has concerns inside of the PUD for snow storage.
- 3. Staff has concerns with parking on the roadway.
- 4. Staff would like to see the storm water pond design and overflow options for emergencies.

Sewer Department:

- 1. There is nothing in place to hold subdivisions accountable to clean sewer mains for private roads/rows, nor a way to track it currently.
- 2. There is potential for overflow if the lines are not cleaned.
- 3. Does not recommend private roads unless an easement is added for Hyrum City to clean the lines.
- 4. Need to comply to construction standards

Water / Irrigation Department

- 1. Staff would like to see an overall concept with utilities through the planned unit development and in the public roadway.
- 2. Staff is concerned with the east entrance having curb and gutter covering the PRV Vault.

PLANNING COMMISSION RESPONSIBILITY:

- 1. The Planning Commission shall act as an Architectural Review Committee and will evaluate the Site Plan and drawings for:
 - A. A good mix of building materials, colors and architectural features to create an attractive, well-planned development;
 - B. Sufficient public open spaces and amenities that will provides a safe, comfortable and pleasant environment;
 - C. Appropriate building types in terms of density, site relationship and spacing.
 - D. Well-planned site signage;
 - E. Well-planned exterior lighting;
 - F. Preservation of natural features including trees, drainage areas, and views.
 - G. Good vehicular and pedestrian movement;
 - H. Integrated parking;
 - I. Landscaping plan showing existing and proposed, grass, shrubbery, trees and other planting and features for the entire site;
 - J. Placement of fencing/walls and solid waste enclosures.
 - K. PUD's with multi-family units to follow Multi-family Housing Design Standards requirements of HCC 17.30.070.
- 2. The Planning Commission may recommend approval, approval with conditions or denial of the Concept Plan.
- 3. The Planning Commission is a recommending body to the City Council and should be specific in their motion to the City Council.

STAFF RECOMMENDATION:

1. Staff recommends the Planning Commission should have a thorough discussion of the concept plan, staff comments, and specifying conditions and requirements for approval.

STIPULATIONS:

- 1. The property owner will compel compliance with HCC 8.16.090.
- 2. The Concept plan shall not constitute a development permit.
- 3. The Concept plan is an informal discussion document designed to allow the identification of City policies, development issues, application procedures, development standards, requirements of this Code and other items that may be considered in the review and approval processes of the City once a formal development application is received.
- 4. The Preliminary Plat drawings may refine and/or alter the Concept Plan based on changed circumstances, hearing input, compliance with City, State or other codes, infrastructure requirements, technical data, and interactions with adjacent properties and roads. Substantial deviations from the approved Concept Plan may require a new Concept review by the Staff, Planning Commission and Council.
- 5. The City Council, following review of the Concept Plan and the Planning Commission's recommendations may approve, amend and approve, approve with conditions, remand the application back to the Planning Commission for further discussion, or deny approval of the Concept Plan.

FINDINGS OF FACT:

- 1. The property is located in the Residential Zone R-2.
- 2. A Planned Unit Development is a Permitted Use in the Residential Zone R-2.

ATTACHMENTS:

- 1. Exhibit of open shafts.
- 2. Exhibit of the underground and above ground piping network and standing water.
- 3. Exhibit of the Water Right Details for the spring on the site.
- 4. Cache County Parcel and Zoning Viewer Vicinity Map
- 5. Cache County Parcel and Zoning Viewer Zoning Map
- 6. Cache County Parcel and Zoning Viewer Aerial Image
- 7. Country Living PUD Concept Plan and Details
- 8. Country Living PUD Concept Building Elevations
- 9. Country Living PUD Concept Floor Plans

Open Shafts















Water Right Details for 25-524

Utah Division of Water Rights 3/5/2025 12:48 PM

(WARNING: Water Rights makes NO claims as to the accuracy of this data.)

Water Right: 25-524 Application/Claim: Certificate:

Owners:

Name: Dewey H. Nielsen Address: Hyrum UT 84319

Interest: 100%

Remarks:

General:

Type of Right: Diligence Claim Source of Info.: Proposed Determination Status:

Quantity of Water: 0.223 CFS

Source: Nielsen Spring

County: Cache

Common Description: Hyrum

Proposed Det. Book: 25-8C Map: 5c LB Pub. Date: 06/01/1955

Land Owned by Appl.: County Tax Id#:

Dates:

Filing:

Filed:

Priority: / /1860 Decree/Class:

Advertising:

Publication Began: Publication End: Newspaper:
Protest End Date: Protested: Not Protested Hearing Held:

Approval:

State Eng. Action: Action Date: Recon. Req. Date: Recon. Req Type:

Certification:

Proof Due Date: Extension Filed Date: Election or Proof: Election/Proof Date:

Cert./WUC Date: 11/20/1951 Lapsed, Etc. Date: Lap. Ltr. Date:

Wells:

Prov. Well Date: Most Recent Well Renovate/Replace Date:

Points of Diversion:

Points of Diversion - Surface:

Stream Alteration Required:

(1) N 1072 ft. W 1855 ft. from S4 corner, Sec 32 T 11N R 1E SLBM

Diverting Works: Source: Nielsen Spring

Elevation: UTM: 427661.587, 4610662.708 (NAD83)

Water Uses:

Water Uses - Group Number: 21006

Water Use Types:

Irrigation-Beneficial Use Amount: 0.76 acres Group Total: 0.76 Period of Use: 04/01 to 09/30

Water Right Details for 25-524
Utah Division of Water Rights
3/5/2025 12:48 PM
Page 1 of 2

Stock Water-Beneficial Use Amount: 45 ELUs Group Total: 45									Pe	riod	of U	se: 0	1/01	to 12/31			
Domestic-Beneficial Use Amount: 1 EDUs Group Total: 1								Pe	riod	of U	se: 0	1/01	to 12/31				
Other: For cooling system & cleaning of the killing plant of Tri-Miller									Pe	riod	of U	se: 0	1/01	to 12/31			
Acre Feet Contributed by this Right for this Use: Unevaluated																	
Other: Used for the cooling of 100 gallons of milk per day. Period of Use: 01/01 to										to 12/31							
Acre Feet Contributed by this Right for this Use: Unevaluated																	
Place of Use (which includes all or part of the following legal subdivisions):																	
	North West North East South West South East										Section						
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	Totals
Sec 32 T 11N R 1E SLBM											0.76						0.76
	Group Acreage Total:									0.76							

Place of Use Stock:																
	١	lorth	Wes	t	1	North	Eas	t	S	outh	Wes	st	9	South	ı Eas	t
	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE	NW	NE	SW	SE
Sec 32 T 11N R 1E SLBM											Χ					

Use Totals:		
Irrig	ation sole-supply total: 0.76 acres	for a group total of: 0.76 acres
Stock V	Vater sole-supply total: 45 ELUs	for a group total of: 45 ELUs
Dom	estic sole-supply total: 1 EDUs	for a group total of: 1 EDUs
	Other sole-supply total: Unevaluated a	cft

Cache County Parcel and Zoning Viewer – Vicinity Map

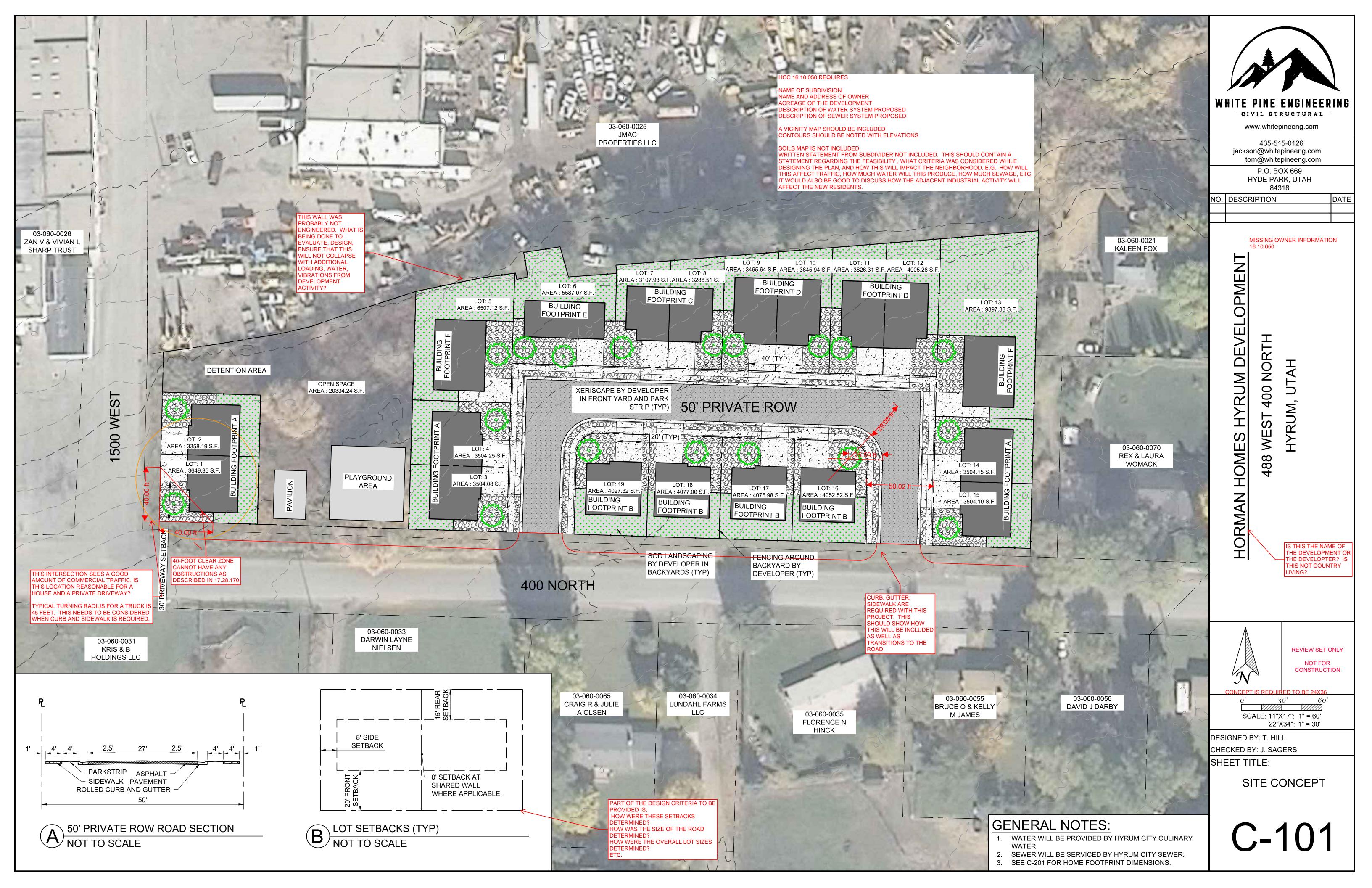


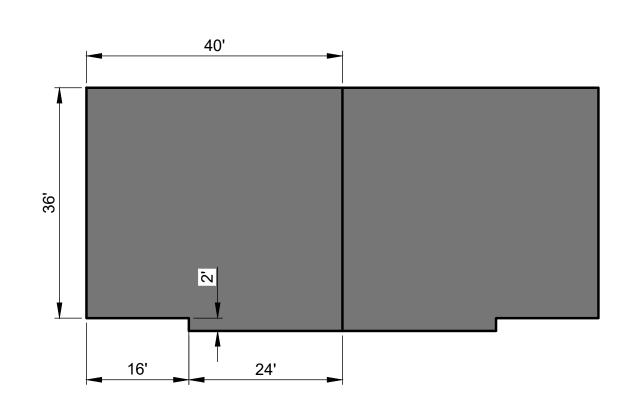
Cache County Parcel and Zoning Viewer – Hyrum City Zoning Map

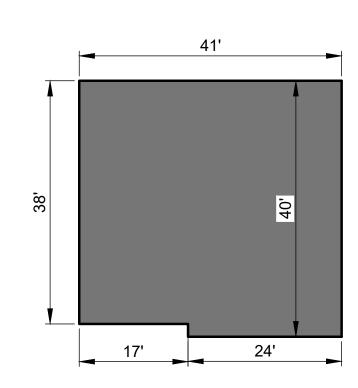


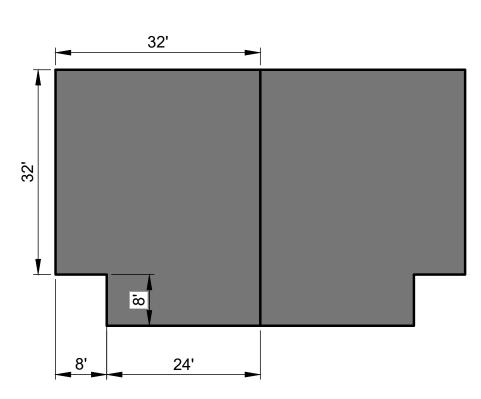
Cache County Parcel and Zoning Viewer – Aerial Image





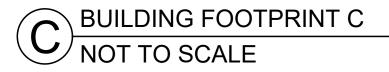


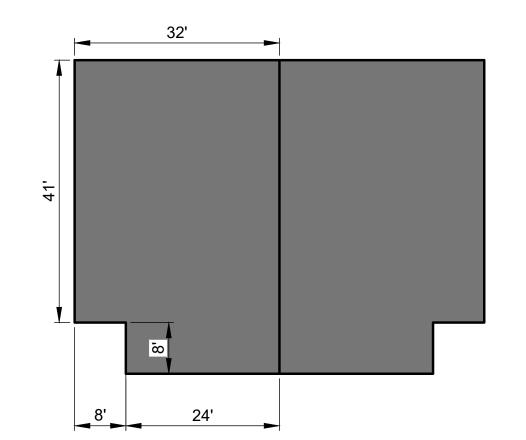




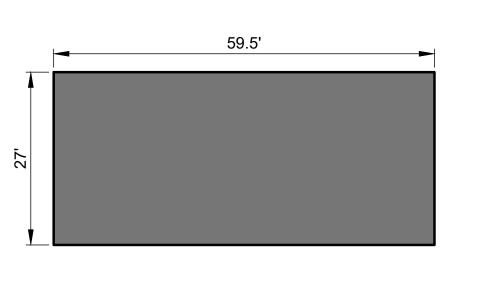




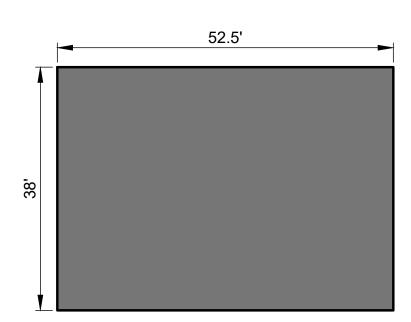




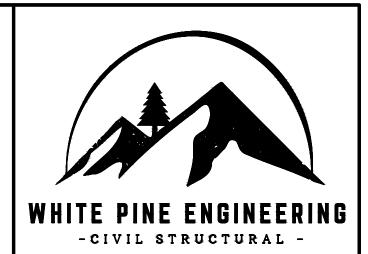




E BUILDING FOOTPRINT E NOT TO SCALE



F BUILDING FOOTPRINT F
NOT TO SCALE



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P.O. BOX 669 HYDE PARK, UTAH 84318

NO. DESCRIPTION DATE

N HOMES HYRUM DEVELOPMENT
488 WEST 400 NORTH
HYRUM, UTAH

REVIEW SET ONLY

NOT FOR

CONSTRUCTION

DESIGNED BY: T. HILL CHECKED BY: J. SAGERS

SHEET TITLE:

HORMAI

DETAILS

C-201

COUNTRY LIVING PUD CONCEPT BUILDING ELEVATIONS









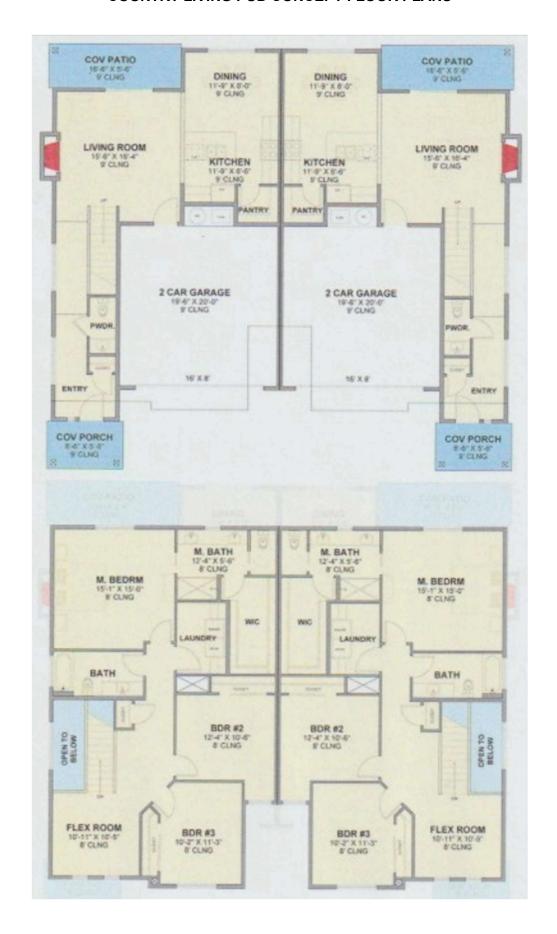
COUNTRY LIVING PUD CONCEPT BUILDING ELEVATIONS

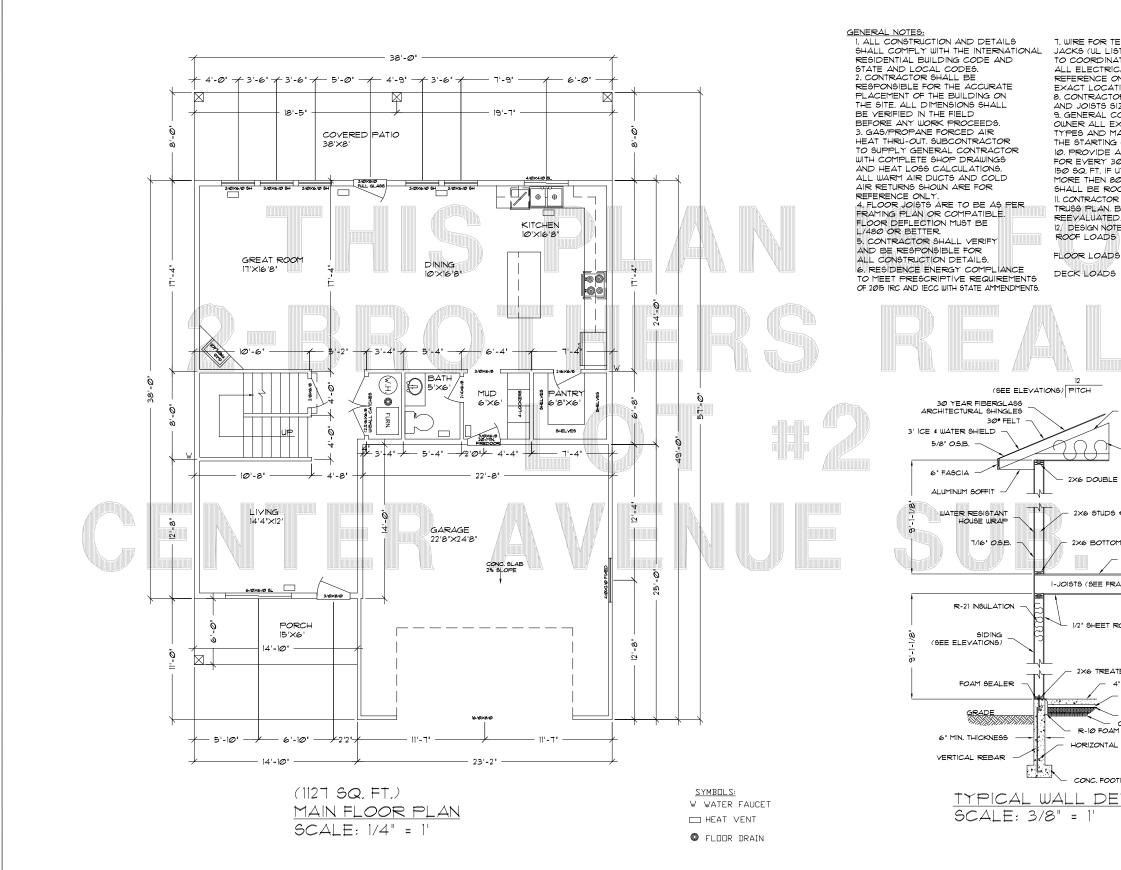






COUNTRY LIVING PUD CONCEPT FLOOR PLANS





1. WIRE FOR TELEPHONE AND TELEVISION JACKS (UL LISTED) GENERAL CONTRACTOR TO COORDINATE LOCATIONS WITH OWNER.
ALL ELECTRICAL PARTS SHOWN ARE FOR
REFERENCE ONLY. CHECK WITH OWNER FOR EXACT LOCATION. 8. CONTRACTOR SHALL VERIFY ALL BEAM AND JOISTS SIZES AND SPACING.

9. GENERAL CONTRACTOR TO VERIFY WITH OWNER ALL EXTERIOR DOOR AND WINDOW TYPES AND MANUFACTURER PRIOR TO THE STARTING OF ANY FRAMING. 10. PROVIDE ATTIC VENTILATION 1 SQ. FT. FOR EVERY 300 SQ. FT. OR I SQ. FT FOR 150 SQ. FT. IF UTILIZING SOFFIT VENTING NOT MORE THEN 80% AND NOT LESS THAN 50% SHALL BE ROOF VENTING.

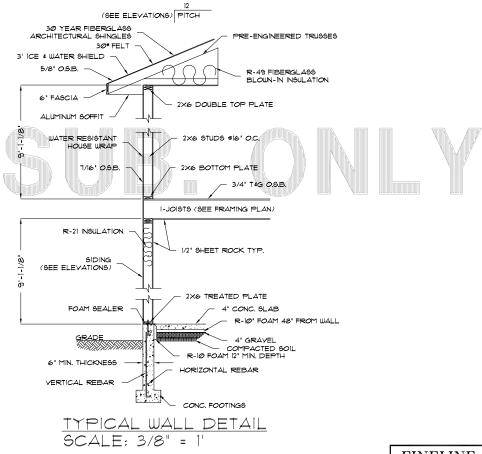
II. CONTRACTOR SHALL PROVIDE ENGINEERED TRUSS PLAN. BEAMS MAY NEED TO BE REEVALUATED.

12. DESIGN NOTE:

ROOF LOADS

DEAD - 12 PSF LIVE - 40 PSF DEAD - 15 PSF LIVE - 40 PSF FLOOR LOADS

DEAD - 15 PSF



FINELINE DESIGN & DRAFTING

| TITLE: MAIN FLOOR PLAN | DRWG SIZE: D | DATE: 1/23/25 | DRAWN BY: D. CROSSLEY (435)755-6647 | DRWG #:3 OF 6 | COPYRIGHT © 2023

