

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD DECEMBER 12, 2024 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Brian Carver

PRESENT: Chairman Brian Carver, Commissioners Stephen Nelson, Averie Wheeler, Paul Willardson and Alternate Member Scott Casas.

EXCUSED: Vice Chair Angi Bair

CALL TO ORDER: There being five present and five representing a quorum, Chairman Brian Carver called the meeting to order.

OTHERS PRESENT: Zoning Administrator Matt Holmes and four citizens. Secretary Shara Toone recorded the minutes.

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

INVOCATION: Paul Willardson

APPROVAL OF MINUTES:

The minutes of a regular meeting held on September 12, 2024 were approved as written.

ACTION

Commissioner Scott Casas made a motion to approve the minutes of November 14, 2024, as written. Commissioner Stephen Nelson seconded the motion and Commissioners Carver, 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 Paul Willardson made a motion to approve the agenda for December 12, 2024, as written. Commissioner Stephen Nelson seconded the motion and

Commissioners Carver, Nelson, Wheeler, and Willardson voted aye.

6. PUBLIC HEARING

A. To receive public comment concerning a request by Colter and Shantel Leishman to rezone property at approximately 165 East 200 North approximately 2.55 acres TIN# 01-005-0009, from R-A (Residential Agricultural) to a mixture of M-1 (Light Manufacturing) and R-2 (Single Family Residential).

7. SCHEDULED DELEGATIONS

A. Colter and Shantel Leishman - To petition Hyrum City to rezone property at approximately 165 East 200 North approximately 2.55 acres TIN# 01-005-0009, from R-A (Residential Agricultural) to a mixture of M-1 (Light Manufacturing) and R-2 (Single Family Residential).

B. Christopher Nielsen - Seeking approval for a mini-subdivision located at 605 East 200 South (Parcels 01-024-0040, 01-024-0057, and 01-024-0064). The current parcels contain approximately 2.12 acres. Two homes exist on the current parcels.

PUBLIC HEARING:

TO RECEIVE PUBLIC COMMENT CONCERNING A REQUEST BY COLTER AND SHANTEL LEISHMAN TO REZONE PROPERTY AT APPROXIMATELY 165 EAST 200 NORTH APPROXIMATELY 2.55 ACRES TIN# 01-005-009, FROM R-A (RESIDENTIAL AGRICULTURAL) TO A MIXTURE OF M-1 (LIGHT MANUFACTURING) AND R-2 (SINGLE FAMILY RESIDENTIAL).

ACTION Commissioner Stephen Nelson made a motion to open the Public Hearing at 6:33 p.m. Commissioner Paul Willardson seconded the motion and Commissioners Carver, Nelson, Wheeler, and Willardson voted aye.

ACTION Commissioner Paul Willardson made a motion to close the Public Hearing at 6:34 p.m. Commissioner Stephen Nelson seconded the motion and Commissioners Carver, Nelson, Wheeler, and Willardson voted aye.

SCHEDULED DELEGATIONS:**COLTER AND SHANTEL LEISHMAN - TO PETITION HYRUM CITY TO REZONE PROPERTY AT APPROXIMATELY 165 EAST 200 NORTH APPROXIMATELY 2.55 ACRES TIN# 01-005-0009, FROM R-A (RESIDENTIAL AGRICULTURAL) TO A MIXTURE OF M-1 (LIGHT MANUFACTURING) AND R-2 (SINGLE FAMILY RESIDENTIAL).**

Colter Leishman said the whole piece of property is 2.55 acres and is in the agriculture/residential zone. They are going to do a boundary line adjustment with the possibility of three residential lots. He said there's M-1 zoning on both sides, so it wouldn't be out of place.

Commissioner Stephen Nelson asked why there is a horseshoe cutout for the property lines.

Colter Leishman said he did that to allow for residential there. If he lived across the street, he would want residential houses there.

Commissioner Scott Casas asked why he doesn't just take the residential section to the corner.

Colter Leishman said 200 East might be used more in the future so the corner has value to be commercial.

Chairman Brian Carver asked if there are already existing buildings on the lefthand side.

Colter Leishman said there are a couple of existing buildings and remnants of old buildings. He added that the canal runs through the property.

Commissioner Scott Casas asked if the canal marks the property line.

Colter Leishman said the property line is 4-6' west of the canal.

Commissioner Scott Casas asked if there are plans to pipe the canal.

Colter Leishman said he piped about 30', but he doesn't plan to pipe more. The flood plain isn't very big in that section. The surveyor said the flood plain doesn't extend that far

into the parcel.

Commissioner Stephen Nelson said he is concerned that they would be creating residential zoning, with industrial zoning on three sides of it. The residential zone would be right up against the industrial zone. Looking at the general plan map, the area is in the North Side, which is designated as industry and agricultural, but he's concerned about creating a pocket of M-1 in a residential area.

Colter Leishman said he is not planning to sell the lots. If he lived across the street, he would rather have residential homes there than a commercial business there.

Commissioner Scott Casas asked him if he would be willing to put in a landscape buffer. He is concerned with the buffer once they zone it.

Colter Leishman asked if he is thinking of a buffer along the back.

Commissioner Scott Casas said either the back or to the west side. Hyrum City won't have control over it in the future and a future steward may not be as good as him.

Colter Leishman said they have ordered trees to plant along the canal. He said he can plant anything, but there's quite a bit of elevation change.

Commissioner Scott Casas said planting something along the creek as a buffer would mitigate some of the concerns.

Commissioner Brian Carver said he likes what Scott is saying, but that's a few steps ahead.

Commissioner Scott Casas said he understands that, but it affects his decision today.

Commissioner Averie Wheeler asked if there is a reason he doesn't want residential zoning to front the entire 200 North edge. That would give a better distinct line between residential and industrial zones.

Commissioner Scott Casas said he doesn't know if that can be done because of the flood plain.

Commissioner Averie Wheeler said being able to build on it is

not the same as it being zoned that way.

Colter Leishman said when you get into flood plain areas, it turns into a burden.

Commissioner Averie Wheeler asked if he would actually be doing industrial work on the little section on the west.

Colter Leishman said he has thought of putting a storage building there. He added that there were two parcel numbers and they switched things around to make it work with the canal. He said there is a pretty steep drop off.

Commissioner Stephen Nelson asked if zoning has to follow parcel boundaries.

Zoning Administrator Matt Holmes said he doesn't know if Hyrum City has any restrictions on that. There are some parcels that have split areas.

Commissioner Averie Wheeler asked if the residential section takes up as much of what's reasonably developed as a residential space or is there more that could be shifted over.

Chairman Brian Carver said he has 247 feet of frontage, which would be approximately three lots.

Commissioner Averie Wheeler asked if he has taken up as much as he believes is developable, of that land, for residential.

Chairman Brian Carver said he's not sure there's a lot that someone could do with 98' of industrial use.

Commissioner Stephen Nelson said he thinks it's probably most likely to serve as an access point.

Commissioner Averie Wheeler asked if it's too big to serve as an access point.

Zoning Administrator Matt Holmes said it comes down to who owns it and how much money they want to invest in it. They could pipe that whole thing and backfill to have a lot more area.

Colter Leishman said there could be four residential lots there.

Commissioner Paul Willardson asked if that would be for residential building.

Colter Leishman said there's room there for another one. He said they have three parcel numbers. They are only going to add one more parcel number, if they split the three lots as a mini subdivision.

Zoning Administrator Matt Holmes said residential lots are not allowed in M-1 zones, so it would have to remain as an R-A or become an R-2 to be used as an actual building lot.

Commissioner Paul Willardson asked if the rezone were to go through, would the Leishmans or the future owners need to come back to rezone it to R-2 to subdivide it.

Commissioner Averie Wheeler asked if there are any environmental concerns with the canal being in an industrial zone.

Zoning Administrator Matt Holmes said as long as the development is done properly, they can mitigate any concerns.

Chairman Brian Carver said the horseshoe shape of the M-1 makes more sense now. He likes reserving the eastside corner for commercial use.

Commissioner Scott Casas asked if there are any plans for that road to be wider.

Commissioner Paul Willardson said he doesn't know if that will be a four-lane road, but wouldn't doubt if it will expand a little bit.

Zoning Administrator Matt Holmes said there's a 99' right of way there. It could eventually be something like main street.

Commissioner Scott Casas asked if Colter has been maintaining the right of way. He added that it looks great.

Commissioner Paul Willardson said it would be a lot easier to make the decision if they knew he was going to be there forever.

Commissioner Stephen Nelson said he wouldn't have as much problem if the whole thing was industrial. He doesn't like having residential homes surrounded by industrial.

Commissioner Paul Willardson said there are houses already there on the south and the west side.

Chairman Brian Carver said Matt brought up, in the staff report, that the R-A zone is intended as a buffer between industrial and residential zones, for the current city General Plan. The rezone would remove that buffer, but he's not sure if maintaining that buffer serve the community the way they think it does. It's not a very big piece of agriculture and not very helpful to the owner to require them to keep it agricultural.

Commissioner Paul Willardson asked what the minimum lot size for an R-A zone is.

Zoning Administrator Matt Holmes said R-A is a 12,000 square foot minimum. There's a 1,100 square foot difference. It's same frontage, just a larger lot.

Commissioner Stephen Nelson asked if they could get rid of the horseshoe or deny the R-2 and grant the M-1, creating larger lots and better spacing adjacent to the industrial area.

Colter Leishman said it would go from 122 to 148.

Commissioner Paul Willardson said he doesn't think it would make that big of a difference.

Chairman Brian Carver said he doesn't think maintaining that buffer matters anymore. The M-1 to the north is becoming prevalent. He loves the large open undeveloped land of Hyrum, but it doesn't always serve the best use for neighborhoods like it used to.

Colter Leishman said if it gets purchased as agricultural, it will stay that way.

Chairman Brian Carver said he has come to a comfortable level with the project as proposed.

Commissioner Paul Willardson said it's a hard decision because it's not a definite yes or no. He said for what's proposed and the purpose, he is in favor.

Commissioner Scott Casas said Colter has invested a lot of

time and money. It's his property and he respects his property rights. He has taken care of his property he knows he will continue to take care of it while it is in his stewardship.

Chairman Brian Carver said it's undeveloped. If it changes ownership, the new owner can do their research and decide if it works for them.

Commissioner Averie Wheeler asked if they were ready to make a motion.

ACTION

Commissioner Averie Wheeler made a motion to recommend to the City Council approval for a rezone of property at approximately 165 East 200 North approximately 2.55 acres TIN# 01-005-0009, from R-A (Residential Agricultural) to a mixture of M-1 (Light Manufacturing) and R-2 (Single Family Residential). Commissioner Paul Willardson seconded the motion and Commissioners Carver, Wheeler, and Willardson voted aye. Commissioner Stephen Nelson voted nay.

CHRISTOPHER NIELSEN - SEEKING APPROVAL FOR A MINI-SUBDIVISION LOCATED AT 605 EAST 200 SOUTH (PARCELS 01-024-0040, 01-024-0057, AND 01-024-0064). THE CURRENT PARCELS CONTAIN APPROXIMATELY 2.12 ACRES. TWO HOMES EXIST ON THE CURRENT PARCELS.

Christopher Nielsen said his mom (Pauline Nielsen) wants to build a home on lot three.

Pauline Nielsen said she wants to build where it's smaller.

Commissioner Stephen Nelson said there's an illegal subdivision. Hyrum City can't issue a building permit for lot three, so they are trying to formalize the existing parcels.

Commissioner Paul Willardson asked if Pauline lives there right now.

Pauline Nielsen answered that she does and it's too big for her to take care of. They didn't know it was illegal.

Zoning Administrator Matt Holmes said lot three was deeded and the property line was adjusted

instead of subdivided. There's nothing additional except the sewer needs to be extended.

Commissioner Stephen Nelson asked if they need to do any road way dedication or improvements.

Zoning Administrator Matt Holmes said it is all 90' right of ways through there so they don't need anything additional in that area. There is an easement that comes with it along the front for utilities when it develops further. The sewer does need to be extended and power will need to be brought down to the house when it is done.

Commissioner Paul Willardson asked if they are required to pay for the sewer extension.

Zoning Administrator Matt Holmes said yes and the hope is that they share that cost with the neighbors.

Zoning Administrator Matt Holmes said this is the preliminary plat approval and then he will review it upstairs and get the final approval. That was part of the change to the subdivision ordinance. The City Council approved for him to approve the final, in house.

Commissioner Paul Willardson said it seems to make sense.

Zoning Administrator Matt Holmes said there's just a few things to clean up, on the plat. Then they will get started on final approval, recording it, and getting the engineering done for the sewer line.

ACTION

Commissioner Paul Willardson made a motion to accept the mini subdivision located at 605 East 200 South (Parcels 001-024-0040, 01-024-0057, and 01-024-0064) with the changes as suggested by staff. Commissioner Stephen Nelson seconded the motion and Commissioners Carver, Nelson, Wheeler, and Willardson voted aye.

ADJOURNMENT:**ACTION**

There being no further business before the Planning Commission, the meeting adjourned at 7:14 p.m.

Brian Carver
Chairman

ATTEST:

Shara Toone
Secretary

Approved: _____
As Written