



60 West Main Street  
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## City Council Agenda Information

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**To:** Mayor Miller and City Council

**From:** Tony Ekins, City Planner

**Date:** February 13, 2026

**Subject:** Ordinance 26-10 – An ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-1 and Section 17.45.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.

### **Summary:**

The proposed application is initiated by Hyrum City to consider removing single-family dwellings, single-family dwellings with two family accessory apartments, boarding and rooming houses, planned unit developments, and light manufacturing out of the Commercial Zone C-1 district; and remove planned unit developments, taverns, night club, and light manufacturing out of the Commercial Zone C-2 district. Staff recommends that commercial zoning districts throughout the City limits permit uses that are more aligned with commercial while the residential zoning districts contain single-family and planned unit residential developments, as well as light manufacturing districts accommodate light manufacturing uses. In addition, staff also recommends that certain repair services in the commercial district be conducted within an enclosed building and outdoor storage be screened behind an opaque barrier in efforts to minimize impacts within the commercial zoning districts

### **Planning Commission Recommendation:**

On January 8, 2026, the Planning Commission held the required public hearing and discussed the draft amendment. The Planning Commission made a vote (4-0) to recommend the draft amendment to the City Council. Following January 8, 2026, public hearing, staff determined to close the application and reopen due to no public attendance. Staff noticed the application again and sent letter notices to all vacant properties in the zoning districts advising property owners of the proposed amendment and opportunity to provide comment. On February 12, 2026, the Planning Commission held another public meeting. **The following public questions/comments were addressed: (1) What the City would like to see in the future on property located at 365 West Main Street. (2) What would be the options for reopening a sawmill located at 1575 East Highway 101 (3) The zoning districts did not mention references to Short-Term Rentals.** The Planning Commission made a vote (5-0) to recommend approval of the draft amendment to the City Council.

### **City Council Meeting Details:**

- Meeting Date: February 19, 2026
- Council Role: Legislative with Roll Call Vote

### **Attachments:**

1. Prepared ordinance 26-10

ORDINANCE 26-10

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, SECTION 17.44.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-1 AND SECTION 17.45.020 USE REGULATIONS IN THE COMMERCIAL ZONE C-2 TO REMOVE CERTAIN PERMITTED AND CONDITIONAL USES.

1. Section 17.44.020 Use Regulations (Commercial Zone C-1, East Hyrum) of the Hyrum City Municipal Code is hereby added to read as follows:

17.44.020 Use Regulations

In this zone, no land use shall be permitted except those designated below. No uses will be permitted that will result in a public nuisance because of odor, noise or visual offense, such as junkyards, animal shelters, garbage disposal, heavy manufacturing, stables and the killing and dressing of poultry and animals.

A. Permitted Uses:

- ~~1. Single-family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family food production (per HCC 17.85.010) and recreation animals.~~
- ~~2. Dwelling two family accessory apartment~~
- ~~3. Boarding or rooming house~~
- ~~4.1. Hotel or motel~~
- ~~5.2. Community centers~~
- ~~6.3. Churches and accessory buildings including rectories~~
- ~~7.4. Nursing homes~~
- ~~8.5. Schools (public and private)~~
- ~~9.6. Parks and playgrounds~~
- ~~10.7. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).~~
- ~~11.8. Communication facilities (radio or TV transmission, telephone transmission, etc.)~~
- ~~12.9. Office buildings~~
- ~~13.10. Retail sales (groceries, bakeries, building supplies, auto & trailer sales, hardware, clothing, etc).~~
11. Service industries, (laundry, gasoline service station, carwash, barbers, auto repairs, auto body shop, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
12. Auto repairs or autobody shop. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- 14.13. Appliance repair or equipment repair. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- ~~15.14. Residential facilities for persons with a disability.~~
- ~~16.15. Residential facilities for the elderly.~~
- ~~17. Planned unit development.~~

B. Permitted Accessory Uses:

1. Accessory buildings.
2. Professional child care.
3. Swimming pools.

4. Home Occupations.

5. Combustible and flammable liquids over 500 gallons above or below ground.

a. Combustive and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:

(1) Must meet all of the requirements of the uniform building and fire codes.

(2) Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.

6. Truck storage.

C. Conditional Uses:

1. Taverns.

2. Dancehall or night club.

3. ~~Light manufacturing.~~

2. Section 17.45.020 Use Regulations (Commercial Zone C-2, West and Downtown Hyrum) of the Hyrum City Municipal Code is hereby added to read as follows:

17.45.020 Use Regulations

In this zone, no land use shall be permitted except those designated below. No uses will be permitted that will result in a public nuisance because of odor, noise or visual offense, such as junkyards, animal shelters, garbage disposal, heavy manufacturing, stables and the killing and dressing of poultry and animals. In the commercial zone C-2, the following land uses shall be permitted:

A. Permitted Uses:

1. Single family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family food production (Per HCC 17.85) and recreation animals.

2. Dwelling two family accessory apartment

3. Boarding or rooming house

4. Hotel or motel

5. Community centers

6. Churches and accessory buildings including rectories

7. Nursing homes
8. Schools (public and private)
9. Parks and playgrounds
10. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
11. Communication facilities (radio or TV transmission, telephone transmission, etc.)
12. Office buildings
13. Retail sales (groceries, bakeries, lumberyards, auto & trailer sales, hardware, clothing, etc).
14. Service industries, (laundry, gasoline service station, carwash, barbers, ~~auto repairs,~~ restaurants, clinics & doctors offices, tailors, ~~appliance repair, equipment repair,~~ etc.).
15. Auto repairs. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be enclosed by a six-foot tall opaque fence.
- ~~14-16.~~ Appliance repair or equipment repair. Incidental service and repair shall be conducted within an enclosed building. Incidental outdoor storage shall be conducted within an enclosed building.
- ~~15-17.~~ Residential facilities for persons with a disability.
- ~~16-18.~~ Residential facilities for the elderly.
- ~~17-19.~~ Planned unit developmentMixed-Use Commercial And Residential Sites.

B. Permitted accessory uses:

1. Accessory buildings.
2. Professional child care.
3. Swimming pools.
4. Home Occupations.
5. Combustible and flammable liquids over 500 gallons above or below ground.
  - a. Combustive and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:
    - (1) Must meet all of the requirements of the uniform building and fire codes.

(2) Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.

C. Conditional Uses:

- ~~1. Taverns.~~
- ~~2.1. Dancehall or night club.~~
- ~~3. Light manufacturing.~~

5. 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.

6. 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.

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

8. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 19<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"/>