

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION HELD JANUARY 8, 2026 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST MAIN, HYRUM, UTAH.

CONVENED: 6:30 P.M.

CONDUCTING: Chairman Stephen Nelson

PRESENT: Chairman Stephen Nelson, Vice Chair Angi Bair, Commissioner Paul Willardson, and Alternate Member Marty McBride.

EXCUSED: Commissioners Averie Wheeler and Scott Casas

CALL TO ORDER: There being four present and four representing a quorum, Chairman Stephen Nelson called the meeting to order.

OTHERS PRESENT: City Planner Tony Ekins, City Engineer Matt Holmes and five citizens. Secretary Bethany Sproul recorded the minutes.

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

INVOCATION: Commissioner Paul Willardson

APPROVAL OF MINUTES:

The minutes of a regular meeting held on December 11, 2025 were approved as written.

ACTION Commissioner Willardson made a motion to approve the minutes of December 11, 2025 as written. Commissioner Bair seconded the motion and Commissioners Bair, McBride, Nelson, 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 Bair made a motion to approve the agenda for January 8, 2026, as written. Commissioner McBride seconded the motion and Commissioners Bair, McBride,

Nelson, and Willardson voted aye.

6. PUBLIC HEARINGS

- A. To receive public comment regarding an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism Operator"; Amend Section 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.
- B. To receive public comment regarding 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."
- C. To receive public comment regarding 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.

7. SCHEDULED DELEGATIONS

- A. Brad James, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism Operator"; Amend Section 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA.
- B. Hyrum City, Ordinance Amendment - Seeking recommendation

to the City Council for 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."

- C. Hyrum City, Ordinance Amendment - Seeking recommendation to the City Council for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses.

8. ADJOURNMENT

PUBLIC HEARINGS:

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.64 AGRITOURISM; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "AGRICULTURAL ENTERPRISE", "AGRITOURISM", "AGRITOURISM ACTIVITY", AND "AGRITOURISM OPERATOR"; AMEND SECTION 17.22.030.C USE REGULATIONS TO INCLUDE "AGRITOURISM" AS A CONDITIONAL USE IN THE OPEN SPACE ZONE OS; AND AMEND SECTION 17.38.010.C CONDITIONAL USES TO INCLUDE AGRITOURISM AS A CONDITIONAL USE IN THE RESIDENTIAL AGRICULTURAL ZONE RA.

City Planner Tony Ekins said that this code would allow more opportunities for accessory uses on agricultural land. This would allow property owners to have an additional income instead of selling their property to be developed. Agritourism is defined as a combination of agricultural production and tourism to attract participants to the agricultural enterprise for entertainment, recreational, or educational purposes. Agricultural enterprise is defined as a ranch, farm or any other type of agriculture operation. Agritourism activity is defined as an activity at an agricultural enterprise that engages in entertainment, recreation, or educational purposes.

ACTION

Commissioner Willardson made a motion to open the public hearing at 6:37 P.M. Commissioner Bair seconded the motion and Commissioners Bair, McBride, Nelson, and Willardson voted aye.

Chairman Nelson asked if there were any members of the public who would like to speak to come up to the podium and state their name and address for the record.

ACTION Commissioner Bair made a motion to close the public hearing at 6:37 P.M. Commissioner McBride seconded the motion and commissioners Bair, McBride, Nelson, and Willardson voted aye.

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING 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."

City Planner Ekins said that this code had been initiated by city staff. A gas station in Hyrum had a spill that required a very extensive clean-up. Staff met with agencies with the State of Utah who advised the city to adopt a gas service station ordinance. This code will provide more regulations so another spill will be less likely to occur in the future.

ACTION Commissioner Bair made a motion to open the public hearing at 6:40 P.M. Commissioner Willardson seconded the motion and Commissioners Bair, McBride, Nelson, and Willardson voted aye.

Chairman Nelson asked if there were any members of the public who would like to speak to come up to the podium and state their name and address for the record.

ACTION Commissioner Willardson made a motion to close the public hearing at 6:41 P.M. Commissioner Bair seconded the motion and commissioners Bair, McBride, Nelson, and Willardson voted aye.

THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING 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.

City Planner Ekins said that this amendment is in preparation for the update of the general plan. City staff went through the permitted and conditional uses for commercial zones C-1 and C-2 and recommended amendments and the removal of some of the types of uses.

ACTION Commissioner McBride made a motion to open the public hearing at 6:43 P.M. Commissioner Bair seconded the motion and commissioners Bair, McBride Nelson, and Willardson voted aye.

Chairman Nelson asked if there were any members of the public who would like to speak to come up to the podium and state their name and address for the record.

ACTION Commissioner Willardson made a motion to close the public hearing at 6:44 P.M. Commissioner McBride seconded the motion and Commissioners Bair, McBride Nelson, and Willardson voted aye.

SCHEDULED DELEGATIONS:

BRAD JAMES, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL FOR AN ORDINANCE AMENDING TITLE 17 ZONING OF THE HYRUM CITY MUNICIPAL CODE TO CREATE CHAPTER 17.64 AGRITOURISM; AMEND 17.04.070 DEFINITIONS TO DEFINE AND INCLUDE "AGRICULTURAL ENTERPRISE", "AGRITOURISM", "AGRITOURISM ACTIVITY", AND "AGRITOURISM OPERATOR"; AMEND SECTION 17.22.030.C USE REGULATIONS TO INCLUDE "AGRITOURISM" AS A CONDITIONAL USE IN THE OPEN SPACE ZONE OS; AND AMEND SECTION 17.38.010.C CONDITIONAL USES TO INCLUDE AGRITOURISM AS A CONDITIONAL USE IN THE RESIDENTIAL AGRICULTURAL ZONE RA.

City Planner Ekins said that the purpose of this amendment is to allow for more types of conditional uses in RA zones. This will help agricultural enterprises to remain agricultural land and receive additional income from agritourism activities. The agritourism operator will be required to obtain a conditional use permit and business license. Another requirement is that the agritourism operator must have owned the agricultural enterprise for two years.

Commissioner Bair asked what the purpose of the restriction of owning the property for two years was.

City Planner Ekins said that requirement was guidance from other codes regarding agritourism. In hindsight, if any property that had an active agritourism activity gets sold to a new owner who wanted to continue that activity, they would not qualify. He said that this rule could be taken out. Ekins asked if the commission had any comments regarding the code on gross acreage.

Commissioner Willardson asked why the percentage of use for agritourism could not be over 50% of the acreage.

City Planner Ekins said that agriculture is still a benefit to the owner and community. If the activity takes up the entire plot of land, it will become a constant business that would end up better somewhere else.

Commissioner Bair said that if the property is zoned agriculture, the property owner should still be able to apply for agritourism, regardless of if they had maintained it for the past two years.

Chairman Nelson said that a lot of farm parcels have homes and yards on them, which are not typically associated with agricultural use. There also may be parts of the property that may not be as productive for agriculture use and would be better to be used for agritourism.

City Planner Ekins explained that, based on Chairman Nelson's comments, any land zoned RA should be allowed to be used for agritourism, no matter how productive the land has been in the past.

Commissioner Willardson asked how the city would know if the property has been used productively or not.

City Planner Ekins said that all of Section B could potentially be taken out. He said that the applicant will have to get a conditional use permit and a business license before agritourism activities can start. Ekins said that parts of Section E could be removed as well.

Chairman Nelson said that he does not mind if the history of agricultural use is given with the application, however, evidence is unnecessary.

Commissioner Bair said she was not sure if the history of the land use was relevant.

City Planner Ekins said that other requirements for the application would be a description of the anticipated changes to the agricultural enterprise's general function and a description of how the agritourism activities will remain incidental and accessory to the agricultural enterprise.

Commissioner Willardson asked how a corn maze would remain incidental to the agricultural function.

City Planner Ekins said that a corn maze is incidental to a corn farm. It stays in line with the original use.

Chairman Nelson clarified that incidental uses support the primary use.

City Planner Ekins said that a description of both agricultural related and non-agricultural related types of facilities and equipment that will be used for agritourism activities. A description of anticipated traffic circulation will also be required. The applicant must also provide a parking plan that accommodates their employees and customers.

Commissioner Willardson asked if the parking and traffic details were part of the business license process.

City Planner Ekins answered that it is part of the conditional use review.

Commissioner Willardson asked if it was redundant to have similar requirements in different sections.

Chairman Nelson said he reads it as it is part of the conditional use permit.

Commissioner Bair said that it is ok to be a bit redundant as sometimes some details get missed in different sections.

City Planner Ekins said that another requirement would be a description of hours of operation. This gives staff an idea of anticipated number of visitors and the hours of operation. The noise ordinance needs to be considered when deciding the hours of operations.

Chairman Nelson said that he is concerned regarding conditional

use permits. According to state code, the Planning Commission can put conditions based on standards to mitigate the impact. He was concerned that there are no standards. If a wedding or dance venue opens, they may need a longer timeframe for hours of operation, which may negatively impact the surrounding community. The way it is currently written is very open ended. They should be careful as it could be an issue if it is not implemented well.

Commissioner Bair said that it would be very subjective to different types of businesses. It should be done on a case-by-case basis. She said that the Planning Commission should have the authority to recommend the hours.

City Engineer Holmes said that there are quiet hours. There are standards that designate times the decibel levels need to be under a certain amount.

City Planner Ekins said that since it is part of the list, it will be one of the items that will be discussed when an applicant comes in for a conditional use permit. He said that he had spoken with Keesha Rinderknecht about times of operation and how they are established. She said that different businesses have customers with different needs at different times of the day. The conditional use permit allows conditions to be specific to one site.

City Planner Ekins said that plot plans must include property lines, locations of all structures, setbacks, designated off street parking, and floor plan drawings. Any buildings that are planned to be used or built are required to provide floor plans. If a structure is built, then sections F-3 and F-4 will also be applicable.

Chairman Nelson asked if a site plan is typically done with conditional use permits.

City Planner Ekins answered yes.

City Planner Ekins read out the classification of a small agricultural enterprise. He said that based on earlier conversation; this definition will need to be adjusted.

Commissioner Willardson asked if the Planning Commission was ok with the 25% rule on acreage.

City Planner Ekins said that restriction was put in place to make sure the entire property did not get overtaken by agritourism. The rest should remain purely agricultural.

Commissioner Bair said that it depends on the lot size. If a lot is only 1 acre, half of it being a building is very significant. However, on a 5-acre lot, the 2.5 acres is a lot less impactful.

Chairman Nelson said that with the current recommended setbacks, it will be very difficult to make a 1-acre plot work. There should be regulations to make sure agricultural production is still occurring instead of becoming a commercial business. The highest percentage of property to be used for agritourism should be 50%. He agreed with Commissioner Bair's comment that 1 acre lots with that recommendation would be a bit overwhelming compared to 5 acre lots.

Commissioner Bair said that if the setbacks are sufficient at minimizing impact for small lots, then 50% restriction on 5 acre lots would work.

City Planner Ekins asked if small agricultural enterprises should be 2.5-5 acres.

Commissioner Willardson agreed that 1 acre lots would be too small.

City Planner Ekins said that one use that was discussed was where a customer would come to the property to pick some produce. The staff had decided it was best not to be involved in those operations. The city does not have to regulate them.

Chairman Nelson clarified that this would only regulate agritourism activities, where people are invited to participate either observe or interact with the agriculture. He asked if the applicant had a significant amount of acreage and if this change would impact their proposal.

City Planner Ekins answered that they do have enough property that this would not affect their proposal.

Chairman Nelson said that a light agritourism, like a pick your own produce farm, with a 200 feet setback would make for a very small impact. For a wedding venue, however, the setback would make more sense in controlling the impact.

City Planner Ekins said that the "you-pick" was left out of the use table. He wondered if seasonal activities, like a pumpkin walk should not be part of the use table as well.

Chairman Nelson said that "you-pick" could fall under the seasonal

activity title as well.

City Engineer Holmes asked how, in a "you-pick" situation, agricultural production could be separated from agritourism, since visitors would walk throughout the property to pick the produce.

City Planner Ekins said that was why the "you pick" was left out. He suggested that the percentages could be replaced with setbacks.

Chairman Nelson said there are some accessory uses that will take more than 50% of the property that would not have much of an impact. A wedding venue, however, would have more of an impact. Little Bear Bottoms provides agritourism activities but also has a spook alley. There are a lot of different activities but not all of them would be able to meet the given terms. They could have very strict rules that would prevent the "bad things"; however, it may also prevent the "good things" as well. It would be better to have rules that keep things balanced.

City Planner Ekins went through the Agritourism Activity Use Table. He said that some of these activities' impacts would be mitigated by setbacks, but others may not need setbacks at all.

Chairman Nelson said that entertainment activities would need setbacks the most. Parking areas would also need setbacks.

Commissioner Willardson agreed that entertainment activities should have setbacks, as well as seasonal activities. Farm tour activities should not have setbacks.

City Planner Ekins said that if that was the case, 1-acre properties could potentially be allowed to do agritourism activities.

Commissioner Bair asked if seasonal amusement needed setbacks.

Commissioner Willardson said that he would like the setbacks for noise or other types of disturbances.

Chairman Nelson asked if the restrictions of how much property can be used for agritourism should be based upon use. If there is going to be a farm tour, it does not make sense if the tour is limited to 25% of the farm. However, entertainment uses should have a restriction on how much the property gets used for it.

City Planner Ekins said that the table can be reformatted. He suggested columns for small and large agricultural enterprises

that break down the coverage into a table with the different uses. The column that says "From Agricultural Enterprise Exterior Boundary" could be replaced with activity coverage. The setbacks regarding if there is a dwelling on an adjacent lot would stay.

The Planning Commission agreed with those changes.

City Planner Ekins said that Small Agricultural Enterprise would range from 1-5 acres while a Large Agricultural Enterprise would be greater than 5 acres. He said that coverages and setbacks can be based on the type of use.

Commissioner Bair suggested that Ekins should come back to the Planning Commission with all the changes.

City Planner Ekins asked the commission if they liked the idea of setbacks getting reduced up to one-half of their measurement if either 6-foot opaque fencing or landscaping is put in that screens any potential impacts to the neighboring properties.

Chairman Nelson said he supported the reduction of setbacks if a barrier is provided.

City Planner Ekins read through Section I which states the unapproved uses for Agritourism to be overnight accommodations and mass gatherings.

Commissioner Bair asked for a clearer definition of a mass gathering. She said if the venue gets used for a family reunion, who ends up hiring a band, that could be considered as a concert. The mass gathering should be based on the number of participants, rather than activities. A festival or concert can be scaled down to 20 people.

City Planner Ekins said that according to the health department, a mass gathering would be considered as an event with at least 1,000 people.

Chairman Nelson said that he would like there to be a setback for parking lots from residential property.

City Planner Ekins said that parking requirements were listed in Section K.

Chairman Nelson asked if 15 feet would be sufficient for all events.

City Planner Ekins said that 15 feet was the setback for the commercial district from residential lots, which constantly has traffic.

City Planner Ekins read through section J, which states the standards for setbacks and other ordinances that agritourism is subject to. Something he wanted to highlight in this section was that no residential homes would be allowed for new construction, only accessory buildings. Ekins recommended that J-7, regarding lighting, should be crossed out. It was brought up at a City Council meeting, but the code only applies to the commercial zones.

City Planner Ekins moved onto Section K, which states the parking requirements. The parking lot must be at least 15 feet away from the property line of an adjacent lot with a dwelling. He suggested that the distance should just be 15 feet, regardless of whether there is or is not a dwelling on the adjacent lot.

Commissioner Bair agreed with that change. That way there would not be any issues of accidentally parking on someone else's property.

City Planner Ekins said that the parking stalls should be 9x20 feet and be completely contained on the agritourism site. Any lighting for the parking lot should be reflected in a way so it does not impact nearby dwellings.

Commissioner Bair asked why Section J-3 was not included in the parking section.

City Planner Ekins said that J-3 can be moved into the parking section.

City Engineer Holmes recommended the addition of a 20-foot minimum drive aisle for emergency vehicles.

Chairman Nelson said that 24 feet is more typical.

City Engineer Holmes said it could be 24 feet. Twenty feet is the minimum for a fire lane. It does not fit an engine but is sufficient for an ambulance.

Chairman Nelson said that he was ok with the 20-foot minimum. He asked if the city has general parking standards.

City Engineer Holmes said that there are standards, but he was not positive on what they were.

City Planner Ekins said that all required parking must provide adequate ingress and egress for standard-sized vehicles. If there is a building that is used for agritourism, then an all-weather driveway surface from the public right-of-way to the structure must be provided for emergency services access. He said that the aisle width would be discussed at a staff review for any applications. A minimum can be included, but the fire department will change it during their review to fit their needs. Ekins said that not all agritourism activities will be all year round. The fire department said they would accept agricultural land. The parking lot is not required to be asphalt and striped.

Chairman Nelson asked why Ekins was planning to remove the lighting standards stated in Section J-7.

City Planner Ekins said that the code text had come from the short-term rentals code. In a City Council meeting, a comment was made that this type of lighting requirement would apply to commercial districts, whereas short-term rentals are in single family residential zones. It brought into question if the city should be regulating lighting coming from residential homes.

Chairman Nelson said he would prefer for the light requirement to remain in the code for agritourism. Depending on the event, lots of lights could be involved. Agritourism has the potential to have more impact than lights from a house.

City Engineer Holmes said that lights may have an impact on animals in the agricultural zone. There should be some sort of light regulations to mitigate impact on the neighbors' animals and other profits.

Commissioner Bair suggested that the light requirement could just be applied if there was a neighboring property with a house on it.

Commissioner Willardson asked if the lighting requirement could be part of the review of the conditional use permit.

Chairman Nelson said that it could be, however, he thought that if the regulation was a part of the code, their review would be stronger. It also would help from appearing to be arbitrary towards different applications.

Chairman Nelson invited Brad James to the stand.

Brad James asked the reasoning for the parking lot to be 15 feet

from any property line. He said that the area where they are planning to put the parking lot is completely fenced. The property next to him is open space.

Commissioner Bair said that they could go back to the original rule of a 15-foot setback for parking if there is a dwelling on the neighboring property.

Chairman Nelson said there are other impacts from cars, specifically at night with headlights, or general noise. He asked the commission if they had other thoughts.

Commissioner Willardson said he was not too concerned with the parking for agritourism.

Commissioner Bair said that a fence gives a clear, defined boundary.

City Engineer Holmes said that another factor to put into consideration is with how close a dwelling is to the property line. In an agricultural area, a home may be farther out than the typical 8 feet for a residential area.

Chairman Nelson said that he would still like some parking regulations. His suggestion was that the standard setback is 15 feet, however if there is fencing put in place and the adjacent properties' is 30-50 feet away, the setback can be reduced to 5 feet.

City Planner Ekins said that most agricultural fences are made of barbed wire and wooden posts, which may not do much against anticipated impacts.

Chairman Nelson said that if the fence is only barbed wire, then the setback would remain 15 feet. To get the reduced setback they would have to provide some sort of shielding.

Commissioner Bair asked whether that requirement was necessary if the neighboring property was just an empty field, or if there was a dwelling located far from the property line.

The commission discussed whether the parking regulations should remain as written or if there should be conditions that, if met, would reduce the setback. The conditions they were considering were a fence on the boundary line, and the distance of the dwelling from the boundary line, if there even is one.

Nikki Yeager said that they currently have a barbed wire fence between the properties. The closest dwelling is about 1 acre away from the property line and is on a hill. She said that any light or water run off pollution will not affect the house as it would go into a hill. Regardless of how far back the parking lot is from the property line, it will not affect the neighbor's house. She asked that the code is written in a way that will allow for the property's conditions to be considered.

Commissioner Willardson said he sees how these types of rules are important in commercial district, but does not think they are as needed in agritourism. Willardson suggested that the 15-foot setback should be struck out of the code.

Commissioner Bair agreed. Rules can be imposed on a case-by-case basis, as each property is different. Since the parking plan is still required, it will be reviewed under each application.

Commissioner Willardson asked Brad James what they are planning to do.

Brad James said that the property he has is just a bit too small to get much profit from cows or farming, but he still wants to continue to farm. He wants others to benefit from it as well. They are planning for a wedding and family reunion venue. He would eventually like to add in an educational component; however, his property is not ready for that.

ACTION

Commissioner Bair made a motion to table an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code to create Chapter 17.64 Agritourism; amend 17.04.070 Definitions to define and include "Agricultural Enterprise", "Agritourism", "Agritourism Activity", and "Agritourism Operator"; Amend Section 17.22.030.C Use Regulations to include "Agritourism" as a Conditional Use in the Open Space Zone OS; and amend Section 17.38.010.C Conditional Uses to include Agritourism as a Conditional Use in the Residential Agricultural Zone RA for revisions to be made as discussed. Commissioner McBride seconded and commissioners Bair, McBride, Nelson, and Willardson voted aye.

HYRUM CITY, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL FOR 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."

City Planner Ekins said that this type of code was recommended to the city by some environmental agencies. This draft has been submitted to many agencies for feedback. When it was sent to the State Fire Marshall, it was given back with great support. The key component that is not common with other city codes is the requirement of a tertiary extra containment for vertical tanks. This provides added protection in case of a spill. However, the tertiary extra containment will not be required if there is a body of water over 350 feet away. Regardless of where the body of water is, the dual wall is still required.

Ekins said that the ordinance's purpose is to educate and protect businesses. Existing gas stations will not be required to move their storage but to take extra precautions when there is an open water body nearby.

Commissioner Willardson asked if there is any language in the code that allows existing gas stations time to be compliant.

City Planner Ekins said that there is currently an abatement program ongoing concerning one station. The other gas station in town already has tertiary extra containment.

Chairman Nelson said that typically when a new ordinance gets passed, anything that does not comply, but was legal before the ordinance was passed, is considered as legal non-conforming. If the city wants the property owner to conform, they must provide a reasonable timeframe for the owner to reach compliance. There are some exceptions in cases of health and safety.

City Planner Ekins clarified in Section K that existing gas stations will not be forced to meet compliance with the new code unless they put in an application for expansion or change, of which they will need to meet the external-tertiary containment requirements.

Chairman Nelson recommended that they work with the state if the city does want the existing gas stations to meet the new standards.

Commissioner Willardson said that he supports this ordinance.

Commissioner Bair pointed out a couple of typos and formatting errors in Sections H-6, E, and F that should be addressed.

ACTION

Commissioner Willardson made a motion to recommend approval for 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" with the formatting changes that were discussed in the meeting. Commissioner Bair seconded and commissioners Bair, McBride, Nelson, and Willardson voted aye.

HYRUM CITY, ORDINANCE AMENDMENT - SEEKING RECOMMENDATION TO THE CITY COUNCIL FOR 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.

City Planner Ekins said the first set of recommended changes is regarding zone C-1 which is on the east side of Hyrum. Staff recommended removing these permitted uses: single family dwellings, dwelling two-family accessory apartments, boarding or rooming house, and planned unit developments. Gasoline service station was added as a permitted use. Auto repair, autobody shop, appliance repair, and equipment repair would remain a permitted use, just as their own categories with extra regulations.

Chairman Nelson said that this change would prevent any new single-family homes to be built in C-1 zones. It will keep the zones available for commercial use.

City Engineer Holmes said that if these areas are not preserved for commercial purposes, then the city will have to do a lot more work in terms of utilities and roads to provide new commercial areas.

Commissioner Bair asked if there should be a description added to residential facilities for persons with a disability or the elderly. It should be clearer, so it does not get interpreted as a house that gets built for a specific person who fits in one of those categories.

Chairman Nelson said that there is a state definition for residential facility.

City Planner Ekins said that he can look more into it to make adjustments. He moved onto Section B for Permitted Accessory Uses which removed use number five, regarding combustible and flammable liquids. He said that this use would be covered under the new Gas Service Station code. Truck storage and light manufacturing were also removed as uses in the C-1 zone.

City Planner Ekins said that in the C-2 zone, that gasoline service stations was added. Auto, appliance, and equipment repair were removed from service industries and added as their own categories with the same regulations presented in the C-1 changes. Planned Unit Development was replaced by Mixed-Use Commercial and Residential Site. In Permitted Accessory Uses, combustible and flammable liquids was removed as it is covered by gas service stations. In Conditional Uses, taverns, night clubs, and light manufacturing were removed.

Chairman Nelson said he was able to find the city's definition of residential facilities for the elderly and persons with disabilities. There are already regulations for those facilities. He asked if there are standards for Mixed-Use Commercial and Residential Site.

City Planner Ekins stated that the standards are in another section of the C-2 code.

City Engineer Holmes asked about the removal of combustible/flammable liquids of over 500 gallons. The change may make Ridley's, who has propane, legal non-conforming.

City Planner Ekins said that anyone who has over 500 gallons has to get an operational permit from the fire department and put in an application from the state. He suggested that the standard is kept for that sake. He had interpreted that section more as a gas station. It will be best if the sections stay in both C-1 and C-2 zones.

ACTION

Commissioner Bair made a motion to recommend approval for an ordinance amending Title 17 Zoning of the Hyrum City Municipal Code, Section 17.44.020 Use Regulations in the Commercial Zone C-2 to remove certain permitted and conditional uses with the changes that section B-5 are kept in both C-1 and C-2 Zones. Willardson seconded

and commissioners Bair, McBride, Nelson, and Willardson
voted aye.

ADJOURNMENT:

ACTION There being no further business before the Planning
Commission, the meeting adjourned at 8:30 p.m.

Stephen Nelson
Chairman

ATTEST:

Bethany Sproul
Secretary

Approved: _____
 As Written