



## PLANNING COMMISSION

Thursday, May 08, 2025 at 6:30 PM  
Council Chambers, 60 West Main, Hyrum, Utah

### AGENDA

Public notice is hereby given of a Hyrum Planning Commission to be held in the Council Chambers, 60 West Main, Hyrum, Utah at 6:30 PM, May 08, 2025. The proposed agenda is as follows:

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **APPROVAL OF MINUTES**
  - [A.](#) March 13, 2025
  - [B.](#) March 27, 2025
  - [C.](#) April 10, 2025
5. **AGENDA APPROVAL**
6. **PUBLIC HEARING**
  - A. To receive public comment regarding a conditional use permit for a veterinary hospital building and site expansion located at 16 East 6200 South, consisting of approximately 1.00 acres.
  - B. To receive public comment regarding an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.
7. **SCHEDULED DELEGATIONS**
  - [A.](#) Aldon Watkins, Blacksmith Fork Vet Clinic - To request a conditional use permit for a veterinary hospital building and site expansion located at 16 East 6200 South, consisting of approximately 1.00 acres.
  - [B.](#) Aldon Watkins, Blacksmith Fork Vet Clinic - To request site plan approval for a veterinary hospital building and site expansion located at 16 East 6200 South, consisting of approximately 1.00 acres.
  - [C.](#) Hyrum City - To request an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.
8. **ADJOURNMENT**

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**Shara Toone**  
**Secretary**

Commission Members may participate in the meeting via telephonic communication. If a Commission Member does participate via telephonic communication, the Commission Member will be on speakerphone. The speakerphone will be amplified so that the other Commission Members and all other persons present in the Commission Chambers will be able to hear all discussions. In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Hyrum City Planning Commission at 435-245-6033 at least three working days before the meeting.

**CERTIFICATE OF POSTING** - The undersigned, duly appointed and acting City Secretary of Hyrum City, Utah, does hereby certify that a copy of the foregoing Notice was emailed to The Herald Journal, Logan, Utah, posted on the Utah Public Notice Website and Hyrum City's Website, provided to each member of the governing body, and posted at the City Offices, 60 West Main, Hyrum, Utah, this 6th day of May, 2025. Shara Toone, Secretary

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION  
HELD March 13, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST  
MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Stephen Nelson

**PRESENT:** Chairman Stephen Nelson, Vice Chair Angi Bair,  
Commissioners Averie Wheeler, Paul Willardson and Alternate Member  
Scott Casas.

**EXCUSED:** Brian Carver

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

**OTHERS PRESENT:** City Planner Tony Ekins, City Engineer Matt Holmes  
and 50 citizens. Secretary Shara Toone recorded the minutes.

**PLEDGE OF ALLEGIANCE:** Commissioner Scott Casas led the governing  
body and the citizens in the Pledge of Allegiance.

**INVOCATION:** Stephen Nelson

**APPROVAL OF MINUTES:**

The minutes of a regular meeting held on February 13, 2025 were  
approved as written.

**ACTION** Commissioner Angi Bair made a motion to continue the  
minutes until the next meeting. Commissioner Averie  
Wheeler seconded the motion and Commissioners Bair,  
Casas, 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 Angi Bair made a motion to approve the  
agenda for March 13, 2025, as written. Commissioner  
Scott Casas seconded the motion and Commissioners Bair,  
Casas, Nelson, Wheeler, and Willardson voted aye.

## 6. PUBLIC HEARINGS

- A. To receive public comment regarding a 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.
- B. To receive public comment concerning a request for a conditional use permit for indoor pickleball located at 220 North Center Street. The requested hours of operation are 24 hours of operation, Sunday through Saturday.

## 7. SCHEDULED DELEGATIONS

- A. Todd Horman, Country Living PUD - To request a recommendation for concept plan approval for Country Living Planned Unit Development for 19 single and twin family houses on approximately 2.8 acres located 470 West 400 North. 25-006A
- B. Heather Godfrey, Sunrise Properties - To request approval of Conditional Use Permit for The Paddle Pickleball LLC. located at 220 North Center for indoor pickleball courts in the Light Manufacturing Zone (M-1). 25-011A
- C. Kirk Wilcox (Wilcox Landscaping) - To request site plan amendment approval at 1673 Anvil Road in Blacksmith Fork Industrial Park.
- D. Colter Leishman - To request approval for a three (3) lot single-family residential Mini Subdivision located at approximately 200 North 150 East.
- E. Floyd Faucette (Miller Companies) - To request site plan approval for a building addition located at 1836 West 4600 South to expand business operations.

## 8. ADJOURNMENT

**PUBLIC HEARING:**

**THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENTS REGARDING A 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.**

Chairman Stephen Nelson read a statement, "On March 12th, 2025, Hyrum City was notified that a flyer was being circulated in regards to the March 13th, 2025 developer proposed planned unit development public hearing.



This flyer improperly bore the Hyrum City logo, but otherwise had no reference to the source or author of the leaflet. While some of the flyer information is correct, the general context of the flyer is misleading, and the inclusion of the city logo is without proper authorization.

The purpose of the March 13th, 2025 public hearing is to provide an opportunity for the public to voice any concern about the project. Our political system is not designed around public clamor, but as a representative government. The city council has been vested by the state to make decisions on land use matters. Opinions and concerns may be brought before the city council, and the council will make their decision based on the merits of the application.

The proposed planned unit development application is a legislative action that can be approved or denied by the city council depending upon whether or not they feel it is in the best interests of the community.

It would be inappropriate for the city to issue a flyer like the March 12th, 2025 pamphlet. The leaflet could improperly discourage citizen comment or imply that the council has already decided the matter.

While a flyer in favor or against a land use decision circulated by citizens is not prohibited, the implication that the flyer was issued on behalf of the city is incorrect and troubling. The city hereby disclaims the flyer as a publication by Hyrum City and encourages all citizens to use discretion when viewing the flyer. They also encourage citizens to reach out to the city or council members concerning any questions regarding this matter.

We appreciate the opportunity to serve you.

**ACTION**            **Commissioner Paul Willardson made a motion to open the public hearing at 6:36 P.M. Commissioner Angi Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

Chairman Stephen Nelson invited the public to speak. He asked them to state their name and address for the record and reminded them to be polite and to stick to the matter of facts. He also reminded them to keep it to three minutes.

David Aaron Burrus shared that he moved to the area ten years ago,

relocating from the countryside to a quiet town. He expressed concerns about the potential construction of multiple houses in a nearby corner, fearing it would significantly increase traffic and disrupt the tranquility of the community. Burris emphasized that he preferred the area to remain as it is, with regular houses, instead of being developed with large buildings or apartments. He expressed a desire for the neighborhood to stay quiet and peaceful, similar to the rest of the valley, and hoped this kind of development wouldn't come to his community.

Penny Noland expressed concern about the increasing number of young families moving into the community, leading to more children walking up and down the street. She mentioned that around ten families gather at the bus stop near where the proposed development would take place. Noland highlighted safety issues, noting that people are already running the stop sign at that intersection, creating a hazard. She also mentioned the presence of semis and work trucks, though the location is on the backside of the neighborhood. Noland shared that they chose to live 45 minutes away in a quiet area, deliberately avoiding the type of congestion that could result from the proposed development. She urged that this peaceful environment not be disrupted.

Carmen Zollinger, who lives directly across from the recently approved apartment complex, shared her concerns about the impact the development has had on her life. She noted the lack of sidewalks and mentioned that some units have up to three dogs each. Additionally, Carmen reported drug activity and frequent law enforcement presence at the apartments. She expressed frustration with the bus stop placed across from her home, which she finds disruptive, and the inconsistency of its usage. Carmen raised concerns about heavy semi-traffic causing vibrations in her home and questioned the suitability of placing apartments in a production area. She pointed out that such areas, like those in Ogden, don't have houses nearby and noted that children are at risk in busy traffic areas. Carmen recalled being told that the apartments would cater to single families with no dogs, but those promises have not been kept. She concluded by stating that these ongoing issues were making her living situation increasingly difficult.

Laura Womack expressed concerns about the proposed subdivision being built next to her driveway. She shared that when she bought her home 21 years ago, it was quiet, but soon after moving in, she noticed frequent semi-truck traffic and cars racing down the road, often ignoring the three-way stop sign. She described the area as becoming a drag strip for teenagers and Miller's employees. Laura

emphasized that she loves her home, but fears that the new development will worsen traffic, increase crime, theft, and drug issues. Additionally, since her bedroom faces the road, the noise prevents her from opening windows during the summer. Laura mentioned that while she has invested time and effort into remodeling her home, she would not stay there if the subdivision is approved, as the lot was originally quiet and private, a feature she believes will be lost.

Jessica Wilmore shared her concerns about the proposed development, noting that she chose to build her home in the area because it is a quiet neighborhood, where she grew up. She highlighted the issue of overcrowded schools, which she is familiar with from working at the elementary school. Jessica also mentioned the existing busy road with semi-truck traffic, which she is used to due to her father's work in trucking. While she doesn't mind the trucks, she expressed worries about the development's proximity to a dairy farm and businesses that involve loud activities like mechanics and truck work. She questioned whether the developers would honestly inform potential buyers about these issues. Jessica also raised concerns about the safety of young children, who tend to run into the road, especially with increased traffic. Lastly, she asked if the development would impact local businesses, which have been in the area for a long time, and she expressed a willingness to compromise, but emphasized the potential challenges that could arise from such a large development.

Kenzie, expressed concerns about the proposed development, highlighting the local wildlife, including deer, bunnies, and even foxes, which would lose their habitat if the houses were built. Additionally, Kenzie mentioned that the development would make it uncomfortable to walk to her father's workplace.

Craig Thornley, the owner of National Equipment, expressed strong opposition to the proposed development, which is adjacent to his property on 500 North. He has been in the area for nearly 30 years and voiced his concerns about the negative impact the development would have on the neighborhood. Craig described the development as benefiting only the developer, while exposing his business to significant liability, particularly given the high value of his equipment and ongoing vandalism issues. He also pointed out the lack of police presence in the area, which has led to problems in the past. Craig expressed concerns about the increased traffic. He emphasized that the roads are inadequate. There are no sidewalks, and high-density housing is not suitable for the area. Additionally, he worried about the potential impact on property

values.

Nick Presley, representing Sharp Transportation, spoke in opposition to the proposed development, noting that his company owns property directly adjacent to the site. Drawing from his experience in managing over 60 trucking facilities and working in areas where neighborhoods eventually encroached on long-established businesses, he warned that complaints about truck noise and congestion would likely arise if the development goes through. He echoed concerns about safety, particularly the risk to children playing in the street, and expressed worry that the proposed high-density housing could lead to increased crime and congestion. Overall, Nick strongly opposed the development, aligning with the concerns of other local business owners.

Alenae Mackey, who lives at 290 West 400 North, expressed her opposition to the proposed development, echoing concerns about the potential for increased congestion in the area. She mentioned feeling already too close to businesses, despite having a large parking lot between her home and Millers or JBS. Alenae noted the heavy traffic, including trucks, on the road and shared her experience of calling JBS to ask drivers to be more considerate by using their jake brakes and slowing down. She also pointed out that employees in the parking lots can be noisy at night. Alenae worried that the proposed homes would bring the development too close to these businesses, resulting in more complaints and issues.

JD Ray, representing West Palm Dairy, expressed concerns about the proposed development, emphasizing that the area is an industrial zone. He mentioned that while they strive to be good neighbors, noise, lights, and other factors can sometimes be unavoidable. JD acknowledged that the neighbors are generally understanding but noted that it becomes more difficult to maintain a peaceful environment with developments like this. He stated that the proposed development doesn't seem suitable for the area and urged that it not be placed in an industrial zone. JD emphasized the desire to keep the area quiet and safe for those who live and work there.

Rex Womack, a resident of 446 West 400 North for 23 years, voiced his concerns about the proposed development. He noted the ongoing issues with truck traffic in the area and expressed worry about the potential for increased congestion with the addition of 19 duplexes, which could mean up to 38 cars or more. Rex questioned whether the homes would be sold or rented, suggesting that owners tend to be better neighbors than renters. He also pointed out that the road west of Thornley's property is narrow and dangerous, and

he feared the increased traffic would make it even more hazardous. While he found a few homes acceptable, he felt that a large development in that area, surrounded by commercial property, didn't make sense and would create more problems. Rex acknowledged that people invest money in businesses and seek returns but suggested that sometimes those investments are mistakes.

Chris Miller, representing Miller Companies, shared his concerns about the proposed development, particularly regarding the property in question. He owns the building to the west, which is currently leased to Red Bull for the next year or two. Chris explained that across the street, his company is stacking pallets for compost and working to stay ahead of orders, especially during this busy time of year. He highlighted the significant traffic, mentioning that over 160 loads left the feedlot last week, contributing to the already busy road. Chris expressed worry about the increased liability that would come with having children and others in an environment he considers unsafe due to the heavy traffic and industrial activity.

Wayne Nielsen, a resident of 487 West 400 North, expressed his opposition to the proposed development, noting that in a two-block area from east to west, there are currently only 18 homes. He argued that adding twice that number of homes to such a small space would not work, predicting severe parking issues with cars being parked everywhere. Wayne emphasized that the neighborhood has been quiet and peaceful, with residents getting along, and he strongly opposed the development.

Matt Thornley, a resident of 390 West 400 North for 15 years and an employee at National Equipment for almost 25 years, expressed strong concerns about the proposed development. He described the current traffic in the area as already overwhelming and warned that adding 19 more houses would only worsen the situation. Matt, who has three young daughters, emphasized that the neighborhood is currently one of the best, allowing his children the freedom to play. However, he stated that if the development goes through, he would never feel comfortable letting his kids play outside again. He explained that the peaceful environment was the main reason his family chose to live in Hyrum, and he strongly opposed any changes that would disrupt that.

Erin Malan, a resident of 1050 West 370 North for four years, explained that she moved to Hyrum for its small-town, rural atmosphere, seeking open space, mountain views, and a safe environment for her children. She emphasized that if she wanted to live near apartments, she would have moved to North Logan. Erin

expressed her support for more family homes but opposed the idea of adding multi-family developments, such as apartments, to Hyrum. She argued that such developments do not align with the reasons people choose to live in Hyrum and would harm the town's character. Erin stressed the importance of preserving Hyrum as a beautiful, small-town community and warned against developers prioritizing profit over maintaining the town's appeal.

Craig Olsen, a resident of 485 West 400 North, expressed his opposition to the proposed development, particularly since it would be right across the street from his home. Born and raised in Hyrum, Craig lamented the town's growth and changes, emphasizing that many people, including himself, chose to live in Hyrum for its small-town, hometown feel. He stated that if the development goes through, he would likely leave the area. Additionally, he highlighted the narrow road between Hyrum and Nibley, which is already hazardous, and feared that added traffic from the development would worsen the situation.

Ada Sowby, a resident of 313 North 900 West, expressed concerns about the proposed development, echoing the sentiments of others in the community. She highlighted the heavy traffic on 900 West, particularly from diesel trucks, which already causes issues, including sometimes being blocked in her own driveway by semi-trucks and other vehicles. Ada acknowledged that she knew the noise and traffic were part of the area when she moved in, but emphasized that adding more vehicles with new development would only make the situation worse. She also pointed out the lack of sidewalks, making it unsafe for pedestrians.

Brian Luck, a resident of 300 North, expressed strong opposition to the proposed development, drawing from his experiences in other towns. He compared the situation to changes he witnessed in Vernal, where the introduction of a Walmart dramatically altered the town's dynamic, leading to increased traffic and congestion. Brian and his family moved to Hyrum four years ago from Harriman, where similar development led to the loss of the small-town feel, turning it into a more crowded and commercialized area. He criticized developers for prioritizing profit over the well-being of communities and expressed concern about the impact of additional housing on the town's character. With eight children, Brian emphasized that his family values the small-town atmosphere and requested that the development not move forward.

Tessa Thornley, a resident of 390 West 400 North, expressed her concerns about the proposed development. She explained that her family chose to live in the area because it was close to her

husband's shop, allowing her daughters to walk there every day. However, she stated that she would no longer allow them to walk if the new houses are built. Tessa raised concerns about safety, referencing crime in another nearby development and highlighting the lack of sidewalks, which forces her to drive her kids to school. She also questioned the area's power capacity, noting that they had to add large generators in their backyard due to insufficient power. Tessa strongly opposed the development and urged the decision-makers to consider these issues.

Ed Nash, a resident of 410 West 400 North, expressed concerns about the proposed development, which is just two doors down from his home. He explained that traffic in the area is already an issue, with vehicles racing up and down the street. Ed mentioned that the sheriff regularly issues a significant number of tickets in the area. With the addition of 19 new homes, he warned that traffic would worsen, and the risk of accidents, especially with children in the neighborhood, would increase. He urged decision-makers to take these traffic concerns into account.

City Planner Tony Ekins shared that, as part of the neighborhood noticing process, the public was given the time and meeting details to participate. Those unable to attend were encouraged to contact the planners via email or submit a letter. One letter, dated March 10th, 2025, was received and read during the public hearing. The letter, written by Craig N. Thornley, expressed strong opposition to the proposed high-density development in the area. Thornley outlined several concerns, starting with population growth, which would lead to a 114% increase in residents on 400 North. He argued that the area lacked the infrastructure to handle this growth, citing heavy truck traffic and the absence of sidewalks. He also raised security concerns, noting that he would need to build a 10-foot security fence to protect his property. Additionally, he mentioned the area's poor ground conditions, particularly a spring that runs year-round and has caused significant damage to his property. The presence of an aquifer and wetlands was also highlighted as problematic. Thornley expressed worries about safety, particularly with the lack of pedestrian infrastructure, making the area unsafe for children. Lastly, he argued that the development would negatively impact property values, citing unanimous opposition from local residents and businesses.

Colter Lishman expressed his opposition to the proposed development, stating that he grew up on the street and has personal ties to the area. He described the situation as a developer who paid too much for the land and is trying to make the project financially viable by opting for a high-density development.

Colter criticized the developer's motives and emphasized that the community doesn't want the development. He urged Hyrum City to prioritize the well-being of its citizens over the interests of the developer.

Jake Thornley, a resident of 231 West 200 North, shared that he grew up working alongside his father and brother at a shop adjacent to the land where he now lives. He expressed pride in the hard work and time invested in the property, but voiced disappointment at the prospect of the area being developed into lower-end apartments. Jake hopes that the property will not lose its value or character due to such development.

Angie Thornley expressed concern about the long-term impact of the proposed development, questioning what the area would look like in 10 years. She highlighted the potential decline of the 19 homes or apartments, contrasting it with the longevity of the established businesses in the area. Angie urged the decision-makers to consider the future, stressing that businesses, which have been in the area for many years, could easily fold and leave, and this should be weighed when making a decision.

**ACTION**                    **Commissioner Paul Willardson made a motion to close the public hearing at 7:15 P.M. Commissioner Scott Casas seconded the motion and Commissioners Bair, Casas Nelson, Wheeler, and Willardson voted aye.**

**THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT CONCERNING A REQUEST FOR A CONDITIONAL USE PERMIT FOR INDOOR PICKLEBALL LOCATED AT 220 NORTH CENTER STREET. THE REQUESTED HOURS OF OPERATION ARE 24 HOURS OF OPERATION, SUNDAY THROUGH SATURDAY.**

**ACTION**                    **Commissioner Averie Wheeler made a motion to open the public hearing at 7:16 P.M. Commissioner Scott Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**AMENDED**                This petition was submitted and signed by the neighbors.

05-08-25

To the Hyrum City Planning commission,

Pertaining to the request for a conditional use permit to operate a business with 3 pickleball courts at the property of approximately 220 N Center Street in Hyrum, we the neighboring residents request that the Planning Commission only issue the conditional use permit to The Paddle Pickleball LLC if the



following conditions are met:

1. As recommended by the City Planning Commission, we ask that no more than three pickleball courts be installed and any additional expansions require the owners of The Paddle Pickleball LLC to submit a new application for expansion to the City Planning Commission and allow local residents to make additional public comments regarding that application at a future Planning Commission meeting.
2. We ask that the pickleball business hours of operation be reduced to the hours of 7am to 10pm, Sun-Sat to preserve the quality of life for the residents neighboring the business that will be negatively impacted by the increased traffic in the area which includes vehicle engine noise and headlights which will undoubtedly shine on resident's homes.

Alicia Smith- 170 North Center Street  
 Kassandra Wines- 190 North Center Street  
 Dustin Hawkes- 166 North Center Street  
 Kala Hawkes- 166 North Center Street  
 Spencer Haun- 233 North Center Street  
 Heather Crosby- 25 West 200 North #3  
 Terri Mortensen- 25 West 200 North #2  
 Karen Gardunio- 25 West 200 North #2  
 Tyrell Fredrickson- 45 West 200 North  
 Kelsey Fredrickson- 45 West 200 North  
 Doug Kilpac 209 North Center Street  
 Sherry Baker- 44 West 200 North  
 Leilani Everhart- 183 North Center Street  
 Gary Gabler- 191 North 100 East

Dustin Hawkes said he received a letter from the City, which contained misinformation, including an incorrect address for a the pickleball location. As a result, some community members were misinformed. The speaker personally canvassed the neighborhood and gathered signatures from concerned homeowners through a petition. The letter outlines two specific requests:

1. If a permit is issued to the company, any future growth or expansion (such as adding more courts) should require the submission of a new application, allowing for public comment from neighbors.
2. The requested hours of operation for the facility should be from 7 a.m. to 10 p.m., Sunday through Saturday, to avoid disruption to the quality of life, especially at night when families are at home and trying to sleep. The speaker also mentioned concerns about the influx of traffic, vehicle noise, and headlights shining into homes.

Additionally, the speaker requested that the City change the yield signs at 200 North and Center Street to stop signs due to increased traffic and visibility issues caused by the new facility. The speaker, who has lived in Hyrum for nearly 12 years, also expressed concerns about a neighboring business not operating in compliance with its non-conforming permit, which has led to unresolved complaints. They fear that allowing too much flexibility with the new company could make it more difficult to address future issues. The speaker concluded by offering to leave the letter for further review.

Gary Gabler, a resident of 191 North 190 East, located near the proposed property, echoed many of the concerns raised by Dustin. He expressed support for holding another public hearing if the facility plans to expand, particularly if they wish to add more courts. Gabler believes that after the initial three courts are established, the community should have a chance to reassess the situation before any further expansion. Regarding the proposed hours of operation, Gabler disagreed with the need for the facility to remain open between midnight and 5 a.m., stating that nothing good happens after midnight. He emphasized the importance of being reasonable and respectful of the neighborhood, suggesting that the facility should not operate 24/7 if it intends to be part of the community. Gabler also supported the idea of moving the hydrant, as proposed, and agreed with Dustin's request for the City to change the yield signs at the nearby intersection to stop signs, citing a past accident involving a van flipping over due to the lack of a stop sign. He noted that it was only a matter of time before another accident could occur and urged the City to take action. While Gabler supported the idea of growth and acknowledged that he knew he was buying a property near developing areas, he stressed the need for reasonable discussions with the new businesses to ensure they are good neighbors. He also mentioned the planned gym, noting that the community should revisit the issue of expansion once the gym and pickleball courts are in place to ensure that all aspects of development are appropriately addressed.

Kala Hawkes, a resident of 166 North Center Street, expressed concerns similar to those raised by others, particularly regarding the increased traffic in the area. She highlighted an incident from the previous week where two motorcyclists nearly ran a yield sign, which caused her to worry about safety at the intersection. She echoed concerns about the proposed 24-hour operation of the facility, fearing it would exacerbate the traffic issues already caused by nearby businesses, like JBS. Hawkes also shared concerns about the potential lack of regulation, drawing attention to issues

with a nearby business that hasn't adhered to its permit requirements. She expressed worry that if permits are issued without proper oversight, the situation could worsen, and the community would have to deal with the negative consequences.

Chad Wright, a resident of Wellsville and the Director of Newly City Recreation, shared his perspective on the pickleball facility proposal. He noted that the city is in the process of hiring a recreation coordinator and that could help address these types of issues. As a recreation professional, Wright highlighted that pickleball is one of the fastest-growing sports in the U.S. and serves a wide demographic, including youth, middle-aged individuals, and seniors. While pickleball was originally associated with seniors, its appeal now spans various age groups. Wright also pointed out that pickleball is typically known for its fun and friendly atmosphere, and he didn't expect any disruptive behavior at the facility. In terms of accessibility, Wright expressed his support for indoor pickleball as a way to meet the community's recreational needs. He also addressed parking concerns, noting that pickleball courts typically accommodate four players per court, which wouldn't cause significant strain on street parking. However, he acknowledged that tournaments could require special consideration for parking and traffic.

Brad Lee, a resident of Hyrum, attended the meeting to answer questions about the proposed gym, as the Godfreys are currently in New Zealand. He addressed a few concerns raised by others. Regarding the yield signs, Lee explained that he could not address that issue. On the matter of the gym being open 24 hours, Lee mentioned that peak gym times are typically between 5 a.m. and 8:30 a.m. and 5 p.m. to 9 p.m., but the gym's goal is to accommodate people working different shifts, including those who work late and sleep during the day, by offering more flexible hours. In terms of parking, Lee noted that there are 121 parking spots already marked off for the facility. Additionally, there are almost 5 acres of land next to the gym that could be used for additional parking if necessary, ensuring that parking would not spill onto the streets or affect nearby homes. Lee believed that he had answered all the questions directed to him.

**ACTION**

**Commissioner Angi Bair made a motion to close the public hearing at 7:28 P.M. Commissioner Averie Wheeler seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**SCHEDULED DELEGATIONS:**

**TODD HORMAN, COUNTRY LIVING PUD - TO REQUEST A RECOMMENDATION FOR CONCEPT PLAN APPROVAL FOR COUNTRY LIVING PLANNED UNIT DEVELOPMENT FOR 19 SINGLE AND TWIN FAMILY HOUSES ON APPROXIMATELY 2.8 ACRES LOCATED AT 470 WEST 400 NORTH.**

City Planner Ekins provided an update on the proposed "Country Living" Planned Unit Development. He explained that the development was initially proposed with 24 twin-family homes on 2.8 acres, but after receiving a petition opposing the project, the applicant revised the proposal to 19 single and twin-family homes. Ekins also discussed the zoning of the property, which is in an R2 mixed-density residential zone and eligible for planned unit developments if appropriately located. Ekins mentioned his site visit on March 4, 2025, where he discovered unsecured open wells on the property, which triggered a code enforcement action. He noted that the wells must be corrected and protected to comply with Hyrum City Code, with a deadline set for the following week. Ekins also reported finding a dog skeleton inside one of the wells, emphasizing the urgency of addressing the safety concerns. Further concerns included standing surface water on the property, the presence of a pressure reducer valve vault for Hyrum City's infrastructure, and water rights associated with a spring on the property. Ekins stated that an engineer would need to investigate the water issues, including the underground water flows and the impact of the wells. Ekins also observed semi-truck traffic during his visit and noted that a concrete block wall, built by a neighboring property owner, had been used as a barrier to manage water runoff. He mentioned that any future development would require an evaluation of this wall. Additionally, he discussed a power line running through the property, which had previously been proposed to be moved underground in an earlier plan, and further investigation would be needed to determine any city easements related to the power line.

Commissioner Casas asked if the wall is on the property line.

City Planner Ekins shared that all staff evaluations and comments were available online for public review.

Commissioner Nelson raised a question regarding the letter issued by the city, which stated that the decision on the project was a legislative decision. He pointed out that the code designates a Planned Unit Development (PUD) as a permitted use, and asked for clarification on the discrepancy. He noted that understanding this distinction could significantly impact how the item is discussed.

City Engineer Holmes explained that a Planned Unit Development (PUD) involves exceptions to certain zoning or development requirements, which distinguishes it from typical residential subdivisions. He clarified that if a PUD was not listed as a permitted use in the zoning code, it would not be allowed in the area. Holmes further explained that while a single-family subdivision would need to meet all standard requirements and would be decided administratively, a PUD allows for some flexibility in exchange for features that enhance the development, such as open green space or community amenities. In this case, the PUD includes private roads that will not be maintained by the city, as they do not meet the city's standard of a 60-foot right-of-way with curb and gutter. Holmes emphasized that PUDs are essentially exceptions to the city's existing codes, typically allowing for higher density or other special considerations.

Commissioner Angi Bair explained that their role is to evaluate whether a proposal meets the city's requirements for a Planned Unit Development (PUD) and then make recommendations to the City Council, who has the final decision on approval.

City Engineer Holmes explained that the PUD process consists of three phases. The first phase is the concept phase, where developers present a general idea to determine if the city is open to considering it in that area. The second phase is the preliminary plat, where more details are provided, including plans for utilities and other features. The final phase is the final plat, where the city makes its final approval. He also noted that because a PUD is a legislative action, the City council can decide at any point that the proposal is not a good fit.

Chairman Nelson stated that the committee can make recommendations based on whether a proposal aligns with the general plan. He explained that even if a plan meets the criteria for a PUD, if it doesn't align with the goals of the general plan, they could recommend denial. Similarly, if the proposal meets the goals of the general plan, they could recommend approval.

City Engineer Holmes explained that the committee can recommend approval, approval with conditions, or denial of a proposal. However, the city council, as the elected legislative body of Hyrum, has the final decision-making authority. They can either uphold the committee's recommendation or reject it, as long as they believe it is in the best interest of Hyrum.

Todd Horman began by expressing agreement with 90% of what had been discussed during the public hearing. He shared that he is a

lifelong resident of Cache Valley, a small business owner, and has been self-employed for most of his adult life. He expressed concerns about sustaining positive growth as the community grows, particularly regarding homeownership, which is becoming increasingly difficult due to rising housing costs. He emphasized that the goal is to build homes that are affordable and of good quality, with single-family lots that homeowners own and maintain. He explained that Planned Unit Developments (PUDs) often feature smaller lot sizes and greater density in exchange for open space, attractive building designs, and amenities like playgrounds. He highlighted the importance of good-quality homes, with features such as larger garages to accommodate cars and provide storage. The homes will be fully landscaped with zero-scaping in the front yards and the backyard areas will be grassed and fully fenced for privacy and security. He stressed that there will be no HOA for maintenance, with each homeowner responsible for their lot. He also noted that the homes will be built with high-quality materials, including solid wood cabinets, granite countertops, and quality flooring. Additionally, he mentioned the possibility of twin homes, where two homes share a wall but are still considered single-family homes, to maximize space. He stated that he wants to build homes that he would personally live in and that provide long-term value to the community. He agreed with the concerns and assured that, according to the code, the necessary infrastructure, such as sidewalks, curb, and gutter, would be installed. The street will also be widened to 50 feet to accommodate parking. Regarding the layout, he explained that both houses will face the private road, with the backyards facing the sidewalk and fenced off. This arrangement aims to keep children and others from going out onto 400 North, as the private road would have slower and less traffic. He also discussed a water right tied to the property, which is shared with an adjacent piece. According to the title company, their portion of the water right is approximately one-third of the total. He emphasized that the water right would need to be separated due to its age. Ultimately, he expressed a desire to be a good neighbor, improve the community, and promote responsible growth.

Commissioner Casas asked for clarification regarding the maintenance of the private road and the common area at the west end of the complex, noting that if there is no HOA, it would be unclear who is responsible for their upkeep.

Todd Horman apologized and clarified that there would be no HOA for yard maintenance, but there would be an HOA for the maintenance of the road or common areas. He explained that the west end of the property is challenging, but they have a plan in place. Regarding

the spring, it's not a flood zone, wetland, or floodplain, just a spring. Their proposal is to create an open space with the spring, potentially turning it into a pond, similar to Spring Hall, where the water would be captured, funneled into a detention pond, and then directed into the stormwater system as per code. The area would also feature a playground, pavilion, and a sidewalk for public access. He emphasized their openness to feedback and suggestions, stating that they aim to be good neighbors.

Commissioner Willardson asked if the playground and open area would be maintained by the HOA and if it would be exclusively for the people living in the PUD or open to all of Hyrum City residents.

Todd Horman explained that the space would realistically be open to everyone, with no regulation or restrictions imposed on its use. The park will be designed to be low-maintenance, with landscaping, a playground, a pavilion, and seating areas.

Commissioner Casas said he loves the concept of the twin homes versus apartments. He said twin homes is a good idea, but he's not sure that is the right location for them. While praising the builder for his concepts and focus on long-term ownership, particularly emphasizing the importance of garages, he stressed the need for the community to find a way to localize the development. There are several concerns regarding the property. The water issue remains unresolved, despite the mention of a retention pond, and it's unclear how the water management will be handled. Additionally, the properties to the north are situated 10 to 20 feet lower, while the hillside to the east rises in elevation. There are also concerns about maintaining the spring, particularly as it seems there may be springs located at the northeast end of the property. Many trees along the ridge are dying, including some large 60 to 80-foot trees, although it's uncertain whether these trees are on the development's property or the hillside. A particular worry is that if the development proceeds, the trees on the northeast corner will pose a safety hazard and will likely need to be removed.

Todd Horman acknowledged the concerns and is willing to address them. He recognized that the spring has deteriorated over time and is committed to resolving the issue. His plan is to locate the source, collect the water, and properly divert it to prevent any future problems.

Commissioner Casas said the concern is about where the water will exit the property and which neighboring property it will flow onto.

Commissioner Wheeler said they need to see that addressed.

Commissioner Casas raised the concern about where the water can go, noting that the property is situated higher than all the surrounding properties, which are all downhill.

Todd Horman explained that part of the engineering process will involve creating detention ponds to collect rainwater. He suggested that the ponds could serve as a solution for collecting both the spring water and rainwater, ensuring they meet all necessary criteria. The purpose of the detention ponds is to manage the water levels, allowing water to flow into the stormwater system at a controlled rate once it reaches a certain level, preventing overflow. All of this will be calculated and engineered to meet the required standards.

Commissioner Casas mentioned that Hyrum City has another development with similar issues that has been ongoing for a while. He noted that he has been observing it for the past couple of years, and in that development, the detention pond is situated above the surrounding houses. It was pointed out that the proposed detention ponds would be situated above the surrounding businesses, which raises concerns about having water positioned higher than neighboring properties. The concern is that water may seep out of the pond and potentially flood the neighboring businesses.

Todd Horman explained that in every subdivision he has worked on, a detention pond has been required, and each pond has a specified saturation rate. He emphasized that the water would be collected in the pond until it reaches a certain saturation point, and the pond would be designed with the appropriate depth to ensure proper containment and water diversion. He agreed with the concerns raised and assured that the goal is to solve the problem without creating additional issues.

Commissioner Wheeler expressed concern about the corner lots, five and thirteen, noting that they have very little frontage and almost directly face another house. She felt it seemed like the space was filled out of necessity, which could lead to potential conflicts with neighbors. However, he considered the bigger issue to be lots one and two, which are west-facing. It was noted that lots one and two are not integrated into the neighborhood design and are instead surrounded by industry on three sides. The speaker shared their personal experience of living in a similar situation, describing it as uncomfortable and isolating, particularly given the proximity to an industrial zone.



Todd Horman acknowledged the concern and explained that all the houses will have fully fenced backyards, which would help create a cohesive space. He clarified that the fences would provide privacy, so the homes wouldn't feel disconnected, even though they might face industry. He also mentioned that the park and playground area would serve as a gathering space. Regarding access, he noted that the decision to use the west side of 400 North was made with safety in mind, particularly to avoid areas with water issues.

Commissioner Wheeler expressed that the two lots on the west side seem to have been forced into the industrial zone, noting that the area is already tucked into a corner of the residential zone, making the placement of those lots feel out of place.

Vice Chair Bair agreed with some of the previous comments and suggested that it might be better to designate the entire corner as open space. This would create a better buffer between the industrial and residential areas. She pointed out that the two lots in question seem out of place, as their neighbors are industrial properties, while other areas have more separation with residential lots across the street and industrial lots in the back. She felt that the lots appeared disconnected from the overall project and believed that more open space could also help address the water issues.

Todd Horman said they are open to whatever makes the most sense for everybody.

Vice Chair Bair raised a question about whether the ratio of open space had been calculated, as the city had asked for this information. She noted that the city's estimate was a 75-25 split, but the concept plan didn't specify the amount of open space. She suggested that designating more open space, such as in the corner area, could help meet the required ratio. Bair also inquired whether there would be a sidewalk or other connection to integrate the area with the rest of the development, especially since sidewalks are planned for the interior, and asked if there would be any sidewalks along 400 North.

Todd Horman explained that the issue had been addressed by his engineer, noting that they initially hadn't included the connection due to the significant space between the road and the curb. However, they realized that they would need to connect the infrastructure, and as a result, they would be responsible for the curb, gutter, sidewalk, and roadway to connect to the existing road, at least up to the halfway point.

Commissioner Casas inquired whether the sidewalk would connect to the existing sidewalk in front of the property to the east. He also asked if the alignment would be straight or if there would be a noticeable jog in the sidewalk.

City Engineer Holmes stated that they would be able to better assess the alignment once everything is in place. He confirmed that the curb, gutter, and sidewalk are required by code.

Vice Chair Bair raised a concern about the lack of street parking or guest parking, given the size of the street. She suggested that eliminating two units could create space for additional parking in the open area. She emphasized the potential need for guest parking, noting that events like birthday parties could fill up the available space. If guest parking isn't addressed, it could push parking onto 400 North, which is a concern for many citizens.

Todd Horman clarified that none of the garages or driveways connect to 400 North, so if people park along the curb, the widened road would still provide enough space. He also addressed concerns about snow storage, proposing that the open space near the playground could be used for additional parking and could also serve as snow storage if needed.

Commissioner Casas pointed out that if the open space were used for snow storage, it would require different equipment for snow removal, such as front-end loaders instead of plows.

City Planner Tony Ekins mentioned that state code prohibits pushing snow across the roadway, so that approach would not be feasible. It was pointed out that removing the playground area to create parking without replacing the playground in some way would violate the conditional use requirements.

Commissioner Casas shared his concern about the city's previous apartment complexes, where parking has often spilled onto the roads due to insufficient spaces. He expressed his hope that, as part of the planning commission, they could avoid such issues in the future, acknowledging that many households now have more than two cars. He praised several aspects of the concept plan, including the absence of driveways on 400 North and the twin home design, which he considered a great idea. However, he also noted that while the plan has many positive points, he wasn't sure if it was the best fit for the specific plot, and there were still several concerns that were difficult to address.

Todd Horman agreed with the concern about parking and explained that the design includes two-car garages for each unit, with driveways providing space for an additional two cars. He also noted that the 50-foot private road would allow for further parking space.

City Planner Tony Ekins clarified that while the development includes a 50-foot road section, the fire department's second comment states that there is no parking on that road.

Chairman Nelson confirmed that the code for multifamily developments requires 2.5 parking spaces per unit and that tandem parking is allowed if it is attached to the unit. He noted that, based on this, the development would meet the parking standards, as each unit would have a two-car garage and a two-car driveway.

City Engineer Holmes said that is correct if the driveway is long enough to actually fit a car in there.

Chairman Nelson noted that the current garage setback is 20 feet, and given that a standard parking space is typically 9 feet by 18 or 9 feet by 20 feet, he believed the setback would likely meet the parking space requirements.

City Planner Ekins confirmed that the development meets the parking standard. He said he was not aware of a specific guest parking standard. He raised a concern about potential parking issues, such as during events like birthday parties, and the risk it poses if emergency vehicles need to access the road. He noted that while signs could be posted to address parking, enforcement would be challenging since the road is private.

Chairman Nelson asked the city engineer about the minimum required asphalt width for a residential street.

City Engineer Holmes stated that, according to state code, the required measurement has been reduced to 32 feet.

Chairman Nelson stated that 32 feet is the maximum width allowed by state code for a local residential road. He also noted that there is no smaller cross-section, such as 26 feet, and that 32 feet is the basic standard.

Commissioner Wheeler noted that the current road has a 32-foot width, and she believes it is asphalt.

Chairman Nelson clarified that the asphalt section is 27 feet wide,

which is five feet wider than the fire code requirement.

Todd Horman explained that in the bottom corner, the design proposes a flat curb rather than an actual curb, allowing for parking over it.

Vice Chair Bair emphasized that if the fire department is stating there should be no parking on the street, then something in the plan would need to change.

City Planner Ekins explained that if vehicles park over the curb, they would be obstructing the curb, gutter, interior sidewalk, and the park strip within the development.

Vice Chair Bair raised a concern about the visibility triangle at the corner of lot one, asking for thoughts on that issue.

City Planner Ekins said it's a code disqualifier. It would not get approved the way that it is now.

Todd Horman asked if they could angle the fence there.

Commissioner Wheeler stated that the house is in the sight triangle.

Todd Horman clarified that the building footprint shown was for reference only and that they would ensure it meets the necessary code requirements. He emphasized that the concept plan was intended to evaluate whether the Planned Unit Development (PUD) would make sense with the right elements in place.

Vice Chair Bair raised concerns about the potential impact of adding 40 more cars to local traffic. She asked if there were any traffic studies or concrete data available to assess how this would affect the area, or if the concerns were based on speculation. She inquired about how the traffic impact could be addressed without such data.

City Engineer Holmes stated that there are no traffic studies available at the moment, but the developers can provide those studies to help demonstrate the potential impact of the development.

Chairman Nelson mentioned that a traffic study would likely show that the road has the capacity to handle the development. He noted that while the road may need some improvements at intersections, it likely has enough capacity to manage the increased traffic.

Commissioner Wheeler expressed that there were already significant safety concerns about the road, even without the new development. She suggested that this issue might need to be recommended to the council for further consideration.

Vice Chair Bair agreed, noting that there is already significant semi-truck and other traffic in the area. She suggested that a traffic study could be valuable to better understand the situation, referencing the past decision to move the truck route to a different road in order to help divert traffic.

City Engineer Holmes explained that improving the road long-term is complicated because it is split between city and county ownership. He noted that aligning the two jurisdictions' standards and getting the county's approval for road construction is challenging. He suggested that annexing the land into the city would make the process easier, as it would create a single jurisdiction for road maintenance.

Commissioner Casas suggested that improving 700 North to accommodate semi-truck traffic could help divert such traffic away from the development.

City Engineer Holmes agreed that improving 700 North would help alleviate some of the truck traffic. He mentioned that the city and county have been discussing other potential truck routes with local stakeholders, but noted that this is a long-term project. For now, the current route remains in use.

Commissioner Casas stated that 400 North is currently the best access road to several businesses in the area. He mentioned that other roads to the north are dirt roads, which are not ideal for some people.

Vice Chair Bair addressed the concerns raised by some businesses, noting that while something might be legal and meet requirements, people are likely to file complaints once they experience the issues firsthand. She acknowledged that the area is very close to an industrial zone, even though it's technically a residential zone, and expressed concern that future buyers might complain about issues.

Chairman Nelson asked if there was any additional discussion on the item after hearing the presentation from staff, the applicant, and the comments.

Commissioner Willardson expressed his opinion, stating that while various aspects, such as snow removal, traffic, and drainage, could likely be addressed, he felt the proposed PUD concept did not fit the area.

Commissioner Casas shared that he had spent about five hours in the community, visiting the property, sitting on the street, walking the sidewalks, and knocking on doors. After his visit, he expressed that, based on his observations, the proposed project did not seem to fit the neighborhood. While he appreciated the concept presented by Mr. Horman and believed it was a great project, he cited concerns about the nearby industrial area, water issues, and safety for young families. He felt the concept would be better suited elsewhere in the city, but not on that specific piece of land.

Chairman Nelson expressed agreement with Commissioner Willardson's point and highlighted that the decision was a legislative matter, allowing them broad discretion. He then discussed his review of the general plan, noting that the north side of Hyrum is primarily designated for industry and agriculture. He referred to the plan's recommendation to promote clean, light manufacturing and preserve agricultural greenbelt areas. Nelson pointed out that while the general plan supports a variety of housing in many areas, this specific location, being historically industrial and agricultural, raised concerns about approving increased density near heavy industrial zones. He emphasized the importance of maintaining a separation between residential areas and industrial zones due to the nuisances industrial sites can create. Despite appreciating aspects of the site plan, Nelson expressed concern about adding more housing or units beyond the existing zoning in this area.

Vice Chair Bair acknowledged the point being made and expressed concern about the current zoning, which is R1 and R2. She pointed out that, under the current zoning, the property could accommodate 12 houses on 9,900 square foot lots without needing a PUD.

City Engineer Holmes clarified that it wouldn't quite be 12 houses, as the minimum frontage required is 82.5 feet, and the minimum lot size is 9,900 square feet. Essentially, the minimum lot size would be 82.5 feet by 120 feet.

Vice Chair Bair asked for clarification on the required frontage, noting that, based on the 9,900 square foot lot size, 12 houses could potentially be built, but she was unsure about the frontage requirement as she didn't have that information.

City Engineer Holmes clarified that they could have seven lots.

Vice Chair Bair expressed that her main concern is with the corner lot, suggesting it should serve as a buffer between the residential areas on the east and south sides. While she believes the area could accommodate residential development, she recommended that the corner lot be either changed to industrial zoning or something else to create a buffer between the commercial and industrial zones, given its current residential zoning.

Chairman Nelson stated that he could support a concept plan that includes different housing options in the area, as he acknowledged the developers' right to build a certain number of homes. He expressed openness to housing types that would use the natural topography to buffer between the industrial and residential areas. He shared his primary concern about increasing the number of units near an industrial park, noting that studies have shown potential health risks for those living close to industrial areas.

Vice Chair Bair suggested that placing homes on the eastern half of the property, while leaving the corner lot as a buffer, would benefit the area more than converting it entirely to industrial or manufacturing use. She argued that switching the entire area to industrial would negatively impact the surrounding residential areas, particularly on the other two sides, and that maintaining a buffer would be more beneficial.

**ACTION**

**Commissioner Paul Willardson made a motion to recommend denial of concept plan approval for Country Living Planned Unit Development for 19 single and twin family houses on approximately 2.8 acres located at 470 West 400 North. Commissioner Scott Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**HEATHER GODFREY, SUNRISE PROPERTIES - TO REQUEST APPROVAL OF A CONDITIONAL USE PERMIT FOR THE PADDLE PICKLEBALL LLC. LOCATED AT 220 NORTH CENTER FOR INDOOR PICKLEBALL COURTS IN THE LIGHT MANUFACTURING ZONE (M-1).**

City Planner Ekins provided an overview of The Paddle Pickleball LLC, located at 220 North Center Street. He described it as a new light industrial building with ample interior space and parking. The applicant is seeking a conditional use permit to operate indoor pickleball in Suites 1 and 2, initially with three courts and the

potential for two more. The site has 120 parking spaces, with additional space available for expansion if needed. The applicant plans to operate 24 hours a day, seven days a week. Ekins mentioned that staff had reviewed the application, and while many departments had no comments due to the existing structure, the planning and zoning staff did have a few points. One was for the applicant to contact the fire department regarding fire hydrant concerns, as there was no fire hydrant shown on the original plan. Additionally, staff recommended that the planning commission discuss the proposed 24-hour operation, considering the impact on nearby residential properties. They also advised that the conditional use permit initially approve only the three courts, with any expansion requiring a future permit. While parking calculations were difficult without exact square footage, staff felt the 120 parking spaces would be adequate. They noted uncertainty about potential tournament events and parking overflow, though the applicant had additional space available for expansion. Ekins also acknowledged a request from residents to change yield signs to stop signs, but noted that the streets department, which controls such changes, was not present at the meeting, and he could not speak for them.

Commissioner Willardson asked what is required to change a yield sign to a stop sign, questioning whether it is solely the decision of the streets department or if the City Council must approve such a change.

City Engineer Holmes responded that changes to yield signs are typically handled by the streets department, but they will discuss it, and if necessary, they can make the decision to proceed.

Chairman Nelson asked if a study is required to change a yield sign to a stop sign.

City Engineer Holmes noted that the department doesn't seem to have a formal warrant process like other agencies. Instead, they evaluate situations on a case-by-case basis as needs arise.

Commissioner Willardson remarked that, based on the public comment received that evening, the issue at hand needs to be addressed, regardless of whether it moves forward.

Commissioner Casas asked if the planning commission can recommend that to the staff.

City Engineer Holmes said Hyrum City will take care of that.

City Planner Ekins explained that the applicant is currently in



the building permit process, with the fire department working with them on the required fire sprinkling for the use. Ekins also noted that the applicant will need a business sign permit if they receive approval for their conditional use permit. Additionally, Ekins requested that the hours of operation be discussed by the staff.

Chairman Nelson said there was an issue brought up with the notifications.

City Planner Ekins explained that the issue occurred because he had written two letters at the same time, and it was an oversight on his part. One of the letters included the address for a different development, with the correct address for the pickleball notice below it. Ekins mentioned he removed the map and made corrections, but may have ended up giving Shara the wrong letter.

Chairman Nelson explained that, according to his understanding of the code, a public hearing is not required for a conditional use permit, and it is typically held as a courtesy. He added that if this were a zoning change with an incorrect notice, he would be more concerned and would consider re-noticing. However, since this was a courtesy public hearing, they are not under the same legal obligations, though he acknowledged that he isn't the city attorney.

City Engineer Holmes said that's how he would understand it.

Commissioner Casas noted that they didn't see any provisions in the city code regarding the regulation of business hours and asked for clarification on how that is handled.

City Planner Ekins shared that he looked for regulations on business hours but couldn't find anything. He reviewed the noise and nuisance ordinances, which state that quiet time is from 10 p.m. to 7 a.m.

City Engineer Holmes explained that the noise ordinance primarily regulates what types of noises can be emitted from a property during specific hours.

Chairman Nelson explained that, as a conditional use permit, they have the right to the use as long as they can apply mitigations that meet their standards. He noted that the city code includes hours of operation as a consideration for conditional use permits, and suggested they should review factors such as the noise ordinance and other potential health and safety issues.

Commissioner Casas inquired whether the property would operate 24 hours a day and if staff would be present on-site around the clock.

Brad Lee explained that the gym plans to use door locks that require a passcode for entry, meaning only those with a passcode would be able to access the facility 24 hours a day, eliminating the need for staff to be on-site at all times.

Commissioner Willardson asked if the passcode would be provided to members, with the assumption that paying a membership fee would grant access to the passcode.

City Planner Ekins asked if a member with a passcode would be able to bring a large group of people, such as 50 friends, who do not have access to the pickleball facility, to use the passcode and enter the gym.

Brad Lee explained that the company he's working with, called Kizzy, uses a system where the passcode is sent directly to a member's phone, and only that phone can access it. If a member tries to let others in by holding the door open, the system detects the additional people and charges the member for each one, which discourages people from using the passcode to host parties.

Commissioner Willardson pointed out that they are not certain about the specific system being used.

Brad Lee explained that while he is unsure of the exact system being used, most facilities he has worked with, including those using Kizzy, aim to limit access to paying members. These facilities also have cameras to monitor who enters and to track if anyone allows others to enter, so they can address the issue if necessary. Just north of the location, some of those businesses already operate 24 hours a day, so the 24-hour operations are already happening nearby.

Commissioner Wheeler asked if that is similar usage.

Brad Lee clarified that the other building is more of an industrial-type facility.

Vice Chair Bair noted that there are several 24-hour businesses in the area, including West Point Dairy and JBS. While understanding the residents' concerns about the impact, Bair pointed out that only a small number of people, around 12, would likely be present between midnight and 7 a.m., and there wouldn't be tournaments during those hours. She emphasized that the area already

experiences traffic from shift changes at nearby 24-hour plants.

Brad Lee explained that most people prefer to exercise either before work or after getting off work, as they typically don't want to do so during family time or while they're sleeping.

Vice Chair Bair mentioned that 24-hour gyms are becoming increasingly popular, as they allow people to exercise whenever they want. With only three courts available, Bair suggested that some people may prefer later times to ensure they can access a court.

Commissioner Casas expressed concerns about the impact of nighttime traffic in the neighborhood. He shared that, as a resident who works late, he drives through the area at 1:00 AM and finds it quiet with no traffic. He emphasized that current residents are also worried about the potential for increased traffic at night. Casas suggested enforcing a quiet period, potentially from 10:00 p.m. to 5:00 a.m., while being open to activity starting at 7:00 a.m. He stressed the importance of maintaining the neighborhood's calm atmosphere, noting that there is no industrial activity or significant traffic during the night. He strongly prefers keeping the street quiet during late hours.

Commissioner Willardson believes that the proposed 10:00 p.m. to 7:00 a.m. timeframe might be too restrictive. He suggested that a cutoff time of midnight would be reasonable, acknowledging that people may want to workout or play pickleball as early as 5:00 a.m. He emphasized that midnight seems like a logical cutoff.

Commissioner Casas agreed with those times.

Chairman Nelson said he was thinking those exact same hours.

Commissioner Willardson acknowledged that other places allow 24-hour activity, but he felt it was different because those areas primarily involve businesses, whereas this situation involves a recreational activity. While he noted that there may not be a significant difference, he expressed that it felt different to him.

Commissioner Casas pointed out that while several gyms are open 24 hours a day, they are typically located in strip mall areas, far from residential neighborhoods. In contrast, this particular building is situated in a neighborhood with residential houses, requiring people to drive through these areas to access the facility. He expressed concern that this would impact the neighbors

with car lights and increased traffic. He suggested establishing a set time for the conditional use permit, with the possibility of reconsidering it in the future if the operation proves successful. He expressed openness to change, but recommended initially limiting the hours instead of allowing 24-hour access. Casas proposed monitoring the situation to assess community feedback and how the business operates. He emphasized that the goal is for the business to succeed, noting that it is a valuable addition to the community and a good use of the property.

Chairman Nelson emphasized the importance of considering the potential for a similar facility in the area, even though no application is currently before them. He pointed out the need to apply consistent standards to any future facilities in the area.

Chairman Nelson noted that it seems there have been a few reviews conducted so far.

City Planner Ekins confirmed that the fire department is working on the permit in collaboration with the county.

Chairman Nelson asked if, upon approval, it would be necessary for the facility to obtain a building permit.

City Engineer Holmes explained that a building permit would be required for the internal improvements, as the bays in the facility are not fully built out and must be completed according to the building permit.

City Planner Ekins explained that the staff is working to bring everyone up to speed on the current situation. He mentioned that while he has heard discussions about the time conditions, he has not yet received an answer from the street department. Ekins assured that staff is committed to contacting the roads department to address the concerns. However, he clarified that no one has the authority to make changes at this time with the current application, and he was unsure how to make that a condition.

Chairman Nelson raised a concern about fire issues, specifically asking if an additional fire hydrant needs to be added as part of the facility, referencing a comment from the water department regarding the need for an eight-inch line.

City Planner Ekins explained that after receiving a comment from the fire department, he spoke with the water department. They clarified that an additional fire hydrant and fire line were supposed to be included when the second building was constructed,

but the fire department did not follow up on this issue. Ekins noted that the fire line and hydrant are not included in the construction drawings they have on file. He pointed out conflicting discussions about whether the fire hydrant is required, but it is not present in the official construction documents.

Chairman Nelson stated that the fire marshal has not yet determined that an additional fire hydrant is needed.

Scott Casas expressed confusion, asking whether the street has an eight-inch water main line as required, or if it might have a smaller four-inch or six-inch line instead.

City Planner Ekins stated that he does not have an answer regarding the water lines, as the water department has that information. He mentioned that while he had seen plans indicating an eight-inch water main going to the fire hydrant, he understands that this size is required.

Commissioner Casas asked if there are adequate water lines to the present building now.

City Planner Ekins confirmed that there is no issue with installing the water line and fire hydrant, but the question remains of when it is triggered to be done.

Commissioner Casas expressed concern about approving the conditional use permit without ensuring that everything is in place, specifically mentioning the fire department and water lines, which, as far as he knew, were already in place for the current building.

Commissioner Casas clarified that if the conditional use permit is approved and the pickleball courts are constructed, the public would not be put in any danger.

City Planner Ekins explained that the county has already approved the building, and once the building permit is issued, the county's building officials will provide an occupancy permit for the use of the building. He added that the building plans were approved by the county.

Vice Chair Bair sought clarification, noting that the floor plan shows three courts, while the overview mentions the possibility of expanding with two additional courts. She asked whether the expansion would occur in the same building or if it would involve a new building.

City Planner Ekins clarified that the expansion would occur within the same building. He explained that if the additional two courts are added, they would need to apply for a second permit or the current permit could be amended to accommodate the expansion from two to three courts.

Vice Chair Bair asked for clarification on the reasoning behind limiting the number of courts to three instead of allowing up to five.

City Planner Ekins explained that the city can continue monitoring the parking situation as the development grows. Each time a new tenant arrives, they make their best effort to calculate the required parking for the new use. If a tenant's use takes up the remaining parking, and the additional courts don't qualify for parking, there needs to be a system in place to ensure that the expansion is either permitted or that parking is adjusted accordingly to accommodate it.

Commissioner Willardson asked about the situation if someone enters the building at 11:59 p.m., questioning whether they would be allowed to play until 2 a.m. or 3 a.m. He asked how to balance the timing and whether the 12 a.m. to 5 a.m. period is meant to be a quiet gap with no one using the space during that time.

Vice Chair Bair said key cards would be disabled between 12:00 a.m. to 5:00 a.m., meaning anyone entering before that time, like at 11:50 p.m., could stay and play. She feels it would be too restrictive to prevent anyone from being in the building at 11:59. Bair concludes that the 12:00 a.m. to 5:00 a.m. period should indicate the space is closed, but acknowledges that they can't lock the door to keep people inside.

Brad Lee stated that no additional cards would be able to enter.

**ACTION**

**Commissioner Scott Casas made a motion to approve a conditional use permit for the Paddle Pickleball LLC. Located at 220 North Center for three indoor pickleball courts in the light manufacturing zone (M-1), with the limitation that the hours of operation are 5:00 a.m. to 12:00 a.m. Sunday through Saturday. Commissioner Angi Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**KIRK WILCOX - TO REQUEST SITE PLAN AMENDMENT APPROVAL AT 1673 ANVIL**

**ROAD IN BLACKSMITH FORK INDUSTRIAL PARK.**

City Planner Ekins explained that this item is a continuation from the previous month's meeting, as the applicant was out of state at the time. The application was carried as far as possible, including an overview and staff comments. The request for continuation was made during discussions about public right-of-way improvements and the berm around the building. Ekins offered to cover additional material if needed and mentioned that the applicant is present and ready to continue from where they left off.

Kirk Wilcox explained that about a year or two ago, he presented a concept plan to the council for creating a berm around his property, which he planned to heavily plant with trees and shrubs to improve the area's aesthetics. The council granted him permission to proceed and waived the requirement for plastic inserts in the fencing. Wilcox, who has nearly 50 years of experience in the planting and landscaping business, emphasized that he always aims to do things properly. He mentioned that he was unaware of the 10-foot utility easement along the property and accidentally piled dirt onto this area when building the berm. The utility department has since raised concerns about the excess dirt in that section. Wilcox is now seeking help to modify the berm, adjusting the dirt within the 10-foot easement and creating a gradual slope for planting trees and shrubs, as the soil in the area is mostly rock and cobble. He also asked whether planting is allowed in that zone and if there are any restrictions.

Commissioner Wheeler said he should be able to plant in there.

Kirk Wilcox explained that he recognizes the need for utilities to be accessible, and he acknowledges that if excavation is required, it will affect the area. He mentioned that he proposes using buffalo grass and a planting plan covered with a weed barrier to prevent weeds while allowing water to percolate. Gravel or mulch would be placed on top to minimize maintenance issues, and the area would be irrigated using a drip system. He noted that this approach is common in the industrial park, as gravel or rock mulch is preferred over bark, which doesn't withstand the wind. He said he planned to install asphalt this year, but the need for a workshop and storage space led to the addition of a pole barn. He mentioned that the building design aligns with the existing structures in the area. Regarding security, there are two gates: a utility gate on the west side and an electronic keycard-operated gate on the east side. He agrees to install a lockbox on the gate for emergency access by the fire department. He also explained that his sewer and water lines are properly installed, with a

backflow preventer in place for protection. The irrigation system is set up to water the trees and berm area and is also protected.

Vice Chair Bair raised concerns about the original site plan, noting that the public right-of-way landscaping is incomplete, the driveway accesses aren't paved, the interior asphalt hasn't been done, and the berm needs to be moved. She asked for a plan to address these changes or corrections.

Kirk Wilcox explained that he plans to complete the project by this fall, but is currently waiting for a building permit, which is causing delays. He said that Roper Buildings is handling the construction and has started the application process, but they need approval from the city and county before proceeding. Once the snow stops, he plans to regrade and move the material. He also noted that Johnson's company, which is contracted to install the asphalt, will do so once the regarding is complete.

Vice Chair Bair asked if the building permit can be withheld if the required improvements aren't made.

City Engineer Holmes explained that a \$2,000 deposit is required with the building permit for construction and landscaping. The city holds this deposit until all the required work is completed, allowing them to enforce the completion of the improvements.

Chairman Nelson said that once the building permit is issued, the city cannot withhold occupancy for issues outside of the traditional building requirements. If the building is deemed safe to inhabit, the county, which handles building inspections, will issue the occupancy permit regardless of the landscaping status. He said that state code prevents withholding a building permit due to landscaping issues. However, the city still holds the deposit even after occupancy is granted, until the landscaping is completed.

Vice Chair Bair asked how the city plans to enforce the requirement for paving the accesses to the road, aside from the landscaping issue.

City Engineer Holmes explained that during the review before occupancy is granted, the city checks to ensure that driveways are in place, similar to how they review residential properties. He said that the driveways must meet the city's code requirements before occupancy can be issued.

City Planner Ekins mentioned that the fire department will be



involved in the inspection for occupancy. He noted that the International Fire Code could prevent occupancy if the necessary requirements are not met.

Vice Chair Bair observed that the power company might be responsible for removing the berm from the electrical facility, which could potentially delay occupancy due to electrical concerns.

Chairman Nelson referenced state code 10-9a-802 for the record, explaining that, except as outlined in subsections three and four, municipalities may enforce their ordinances by withholding a building permit. He clarified that subsection three states a municipality cannot deny a building permit or certificate of occupancy based on the incomplete landscaping, unless it pertains to public landscaping improvements defined in section 10-9a-604.5. Additionally, the municipality cannot withhold a building permit due to an incomplete portion of a sidewalk within the public right-of-way, as long as a bond has been posted to ensure completion of the sidewalk for single-family, two-family, or townhome residences.

City Planner Ekins suggested that the expansion of the site could potentially be denied until the public right-of-way landscaping is completed, as outlined in section one.

City Engineer Holmes clarified that this would be considered public landscaping, unlike in a PUD where the landscaping around the lots is private.

Chairman Nelson explained that the same section of the code also states that a municipality cannot deny a building permit or certificate of occupancy if the applicant has not completed an infrastructure improvement that is not essential for meeting the requirements of the building or fire code. This applies as long as the municipality has accepted an improvement completion assurance, such as a bond, for public landscaping or other infrastructure improvements.

City Engineer Holmes noted that this typically applies more to subdivisions, where bonds are used for unbuilt infrastructure. He said that further research would be needed to determine if this applies to individual site plans. However, he acknowledged that they could explore whether a bond is required if the applicant wants to obtain occupancy before completing the necessary requirements.

Chairman Nelson expressed that his biggest concern isn't necessarily the landscape improvements, but rather the removal of the berm from the public utilities.

City Engineer Holmes identified two main issues with the berm: first, if access to the conduits is needed for repairs, the extra dirt would need to be moved; and second, the weeds on the berm can become overgrown, leading to visibility issues. He mentioned that some neighbors had complained about difficulty seeing around the corner due to the tall weeds.

Commissioner Casas expressed appreciation for the concept of the berm, mentioning that he had visited the site, but questioned how it would be maintained with vegetation.

Kirk Wilcox explained that the berm will be covered with weed cloth and gravel. He said if someone could come to inspect the area, he would move the dirt and adjust it based on their feedback. He mentioned that he relies on his own judgment but is open to working with others to ensure the project meets the necessary requirements.

City Planner Ekins suggested that they could arrange for the power department to inspect the area again, and for the water department to do the same while the power department is present.

Kirk Wilcox asked about the requirements for the fire department access, specifically whether it needs to be paved.

City Planner Ekins explained that the type of construction would be determined when the building permit is submitted. He mentioned that fire trucks would need 26 feet of access on the northeast and south sides of the new building. He noted that the fire department would require a key box at the gate for access, so they don't have to cut the lock in an emergency.

Kirk Wilcox clarified that the fire department would use the gate code to open the gate in an emergency.

City Planner Ekins explained that water flow requirements would also be addressed through the building permit. Specifically, they need 750 gallons per minute at the hydrant for two hours. If the flow is less than that, the building will need to be sprinklered. The fire department, in collaboration with the county, will review this as part of the building permit process.

**ACTION****Commissioner Scott Casas made a motion to recommend site**

**plan amendment approval at 1673 Anvil Road in Blacksmith Fork Industrial Park. Commissioner Averie Wheeler seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**COLTER LEISHMAN - TO REQUEST APPROVAL FOR A THREE (3) LOT SINGLE FAMILY RESIDENTIAL MINI SUBDIVISION LOCATED AT APPROXIMATELY 200 NORTH 150 EAST.**

City Planner Ekins explained that the application had been in progress since November, with the applicants working through land use authorities. He mentioned that the City Council had granted final approval for the plat. Since joining the staff, Ekins had seen the applicant work through two rezonings and the plat process. The application was submitted to the staff, who brought it to the recommending body for the zoning administrator's review. Ekins noted that the staff fully supports the application, having reviewed it and provided evaluation comments. He invited the Colter to speak further if desired.

Colter Leishman said he didn't have any comments.

Commissioner Casas made a comment regarding the lack of a street light at the corner of Second North and Second East, where three buildings are planned to be constructed. He acknowledged that it wasn't Mr. Leishman's responsibility but raised the concern of how to get a street light installed at that corner.

Colter Leishman explained that the power lines will be placed underground, with the road being bored to accommodate this. He mentioned that the street light poles would be positioned along the area, and the street light itself would need to be located on the other side, in alignment with the setup.

Commissioner Casas suggested that instead of placing a new street light on a pedestal, it would be preferable to install it on the existing utility pole, as there is already power on that corner. He mentioned that the only requirement would be for the lighting department to agree to install the street lamp on the wooden pole.

City Engineer Holmes agreed that they could bring the street light installation up with the power department. He suggested that, when the power is brought across the street, they could also explore the possibility of adding the streetlight to the existing utility pole at the same time.

Chairman Nelson confirmed that the current standard is to install a street lamp on every corner in new subdivisions.

City Engineer Holmes explained that many subdivisions have different requirements, as they don't always have to meet the same standards as major subdivisions. He noted that, unless the Planning Commission deems it necessary, things like curbs, gutters, and sidewalks are typically not required. However, utilities must still be extended to the lots in most cases.

**ACTION**

**Commissioner Willardson made a motion recommend approval to the Zoning Administrator for a three (3) lot single-family residential mini-subdivision located at approximately 200 North 150 East with the condition that the red lines as noted by staff including the staff report are addressed. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**FLOYD FAUCETTE (MILLER COMPANIES) - TO REQUEST SITE PLAN APPROVAL FOR A BUILDING ADDITION LOCATED AT 1836 WEST 4600 SOUTH TO EXPAND BUSINESS OPERATIONS.**

City Planner Ekins shared that they received an application from Floyd Faucette from Miller Companies LLC, who plans to construct a building addition measuring 113'6"x 26'x 17' tall for production equipment and additional indoor storage. He explained that the addition would use existing stormwater management systems and would not affect parking requirements or cause other site changes. Ekins referenced a map showing the expansion area marked by a yellow line and noted that the applicant provided site information, including distances and details about the building addition. He also mentioned that City Engineer Holmes had made some comments on the project and asked if Holmes wanted to address any of them.

City Engineer Holmes explained that part of the issue is the current use of the area, where materials, such as pallets, have been stored in the public right-of-way. These pallets appear to be encroaching on the designated parking area. The main concern is ensuring that materials are kept out of areas where they shouldn't be.

City Planner Ekins mentioned that there are codes in place regarding the required distance from power poles.

Floyd Faucette explained that there has been some storage in the right-of-way, but they have been careful to keep materials away

from the road and the normal travel path. He acknowledged that some pallets are currently in the right-of-way, but assures that there is no obstruction near the power poles and that they are committed to complying with access requirements for the power pole. He said that the photo showing the pallets is outdated, and there is now more space available for storage, with plans to move materials around. He mentioned that the site plan shows areas designated for paved storage, but some pallets are currently in this area, which can be relocated to make room for parking. He asked whether the road on the north side is under county or city jurisdiction, which could impact their current parking area.

City Engineer Holmes explained that the road on the north side is under county jurisdiction, but according to the city's code, all businesses are required to provide off-street parking.

Floyd Faucette explained that they can provide off-street parking as required, but some pallets are currently in the designated area, which needs to be moved out of the water storage way. He acknowledged the need to relocate the pallets to ensure proper drainage and to comply with the requirements.

Commissioner Willardson pointed out the requirement that materials must stay away from the waterway.

Floyd Faucette explained that he applied for site approval before proceeding with engineered drawings for the proposed metal prefab building. He didn't want to invest in the engineered drawings if the concept was not acceptable. He said that the manufacturer will provide the engineered drawings if the concept is approved. He asked for clarification on the building permit process.

City Planner Ekins explained that the applicant would first need to get site plan approval from the city council. Once that approval is granted, the applicant should notify their engineer to create the engineering drawings and then submit them with the building permit. The zoning review approval will be completed with the current application.

City Engineer Holmes clarified that once the council approves the site plan, the applicant can apply for the building permit. The city will complete the zoning clearance, and the engineering drawings should be submitted to the county, not the city council.

Floyd Faucette stated that he can make the down payment on the building, and the engineering drawings will be provided along with that.

Commissioner Casas expressed interest in Miller Companies' footprint in the city, mentioning that he toured the property and is aware of the company's growth. He asked if the current space will be sufficient for the company's future needs.

Floyd Faucette explained that Miller LLC owns 50 acres of land. They also own additional surrounding land as a buffer for potential expansion. Faucette shared that the company recently installed a second automated line to accommodate growth, as they had reached capacity in production and sales. The new automated line is being integrated with the manual line and mixer, and the expansion will provide covered storage space for dyed mulch, which needs to be kept from freezing. This addition will help avoid the need to transport the material to another facility for storage.

Commissioner Casas expressed admiration for the company, stating that it is impressive what they have been able to accomplish.

Floyd Faucette commended the Miller family, noting that Junior Miller didn't start the business out of necessity but to provide jobs for people, including himself and his colleagues. He highlighted the fair treatment employees receive and the company's positive work environment, which has led to employee longevity and the growth of a younger generation to take over. He explained that the current expansion will ensure the company's ability to compete in the marketplace for years to come, contributing to long-term stability.

Commissioner Wheeler asked about the waterway, noting that it is being diverted from its current path. She wants to ensure that proper grading has been planned to redirect the water so that it doesn't pool in the corner.

Floyd Faucette explained that the current waterway is a sloped drainage system that leads into a cement waterway, which is a slightly sloped ditch designed to handle large flows of water. This system directs the water to a culvert, ensuring that all water is contained on the site and doesn't impact the Spring Creek drainage. He added that the water flow will be redirected an additional 26 feet, with a narrow 10-foot cement waterway running off the building, moving the water across and down the site.

Commissioner Wheeler noted that she was unclear about the direction of the water flow.

Floyd Faucette explained that the water flow is naturally sloped,

and while it could be stopped, it currently runs over asphalt. As part of the new building construction, a concrete footer will be installed, and a cement waterway will be created to manage the water effectively.

**ACTION**            Commissioner Angi Bair made a motion to recommend site plan approval for a building addition located at 1836 West 4600 South to expand business operations. Commissioner Paul Willardson seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ADJOURNMENT:**

**ACTION**            There being no further business before the Planning Commission, the meeting adjourned at 9:55 p.m.

\_\_\_\_\_  
Stephen Nelson  
Chairman

ATTEST:

\_\_\_\_\_  
Shara Toone  
Secretary

Approved: April 10, 2025  
              As Written

MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION  
HELD MARCH 27, 2025 AT THE HYRUM CITY COUNCIL CHAMBERS, 60 WEST  
MAIN, HYRUM, UTAH.

**CONVENED:** 6:30 P.M.

**CONDUCTING:** Stephen Nelson

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

**EXCUSED:** Vice Chair Angi Bair, Commissioner Brian Carver

**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 26 citizens. Secretary Shara Toone recorded the minutes.

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

**INVOCATION:** Commissioner Willardson

**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 Willardson made a motion to approve the  
agenda for March 27, 2025, as written. Commissioner  
Casas seconded the motion and Commissioners Casas,  
Nelson, Wheeler, and Willardson voted aye.**

5. SCHEDULED DELEGATIONS

A. Jesse Elsmore, Jardine Builders, LLC - To request site  
plan approval for two (2) two-story mixed-use buildings  
located at 139 West Main Street & 127 West Main Street,  
consisting of 0.96 acres.

6. ADJOURNMENT



**SCHEDULED DELEGATIONS:****JESSE ELSMORE, JARDINE BUILDERS, LLC - TO REQUEST SITE PLAN APPROVAL FOR TWO (2) TWO-STORY MIXED-USE BUILDINGS LOCATED AT 139 WEST MAIN STREET & 127 WEST MAIN STREET, CONSISTING OF 0.96 ACRES.**

City Planner Ekins said that the meeting is a continuation of one held on February 13, 2025. The applicant, Jardine Builders, has submitted a petition to the city for a permitted mixed-use commercial project within the (C-2) commercial zone. The (C-2) downtown mixed-use zone is designated to preserve the mixed-use nature and feel of downtown Hyrum providing for office, commercial, and residential uses, with a mixed-use setting. A primary goal of the (C-2) downtown mixed-use zone is to establish visually appealing streetscapes that include landscaping to buffer sidewalks from major roadways, as well as features such as recreational amenities and social gathering spaces to support a walkable community. This comes from the adopted code that guides the vision for development within the (C-2) district. The applicant would like to develop the 0.96 acres with two, two story, mixed-use buildings facing the streetscape on Main Street. The main floor level of each building will be divided into two north and south commercial units for a combined of four ground level commercial-use units. The applicant shared a list of possible uses, which is included in a public packet, with their project details. These uses include things like open market and conference space, a community kitchen, classrooms for homeschool and training, farmers or craft markets, and space for non-profit groups. Each building will also have six short-term hotel-style units on the upper floor, with single or double beds. The units will be reached by stairs inside the buildings and will have secure entry doors at the main level. The February 13, 2025 meeting was a planning commission meeting where the applicant discussed the staff's first review comments. The commission recommended that the applicant make updates and come back, and they agreed to hold a special meeting for that purpose—which is why this meeting is being held now. Staff received updated documents from the applicant, which are included in the packet shown on screen. Compared to the first review, the new staff comments were minimal and all were addressed. One main issue was about sewer lines: city code requires a separate sewer line for each building with residential units. This wasn't clearly shown at first, and there was some confusion about the definitions of "dwelling" and "dwelling unit." The sewer department clarified the requirement during the second review, and planning staff agreed with that correction based on the code.

Chairman Nelson asked if the requirement means that each building needs its own sewer line, or if each individual room needs one.

City Planner Ekins said each building needs its own lateral line and then it can break out and service each building.

Chairman Nelson clarified that only one sewer line is needed for each building.

City Planner Ekins confirmed that each building needs its own sewer line, so instead of the one shown on the plans, the code requires two. He noted because the applicant made the requested updates, staff recommended the planning commission forward the project to the city council for further discussion. He pointed out that there were people in the audience and the commission could open the meeting for public comment if they wanted. He also notified them that a phone call opposing the project was received by the mayor from a citizen named Terry Johnson. He explained that the original planning commission meeting took place on February 13, 2025, and tonight's meeting on March 27, 2025, is a continuation of that discussion. The next city council meeting is scheduled for May 1, 2025, after two cancellations—one for spring break and another for a conference. If the planning commission recommends moving the project forward, it will be added to the May 1, 2025 city council agenda. The applicant can respond to any remaining staff comments by April 17, 2025 and staff will complete a third review before the city council meeting. The final decision will be made by the city council.

Chairman Nelson asked for confirmation that this is an administrative decision and that the development is allowed by right.

City Planner Ekins said this is a permitted use and the decision is administrative.

Commissioner Casas asked about the retention area on the east side of the parking lot, specifically what the surface is made of—whether it's turf or gravel.

City Engineer Holmes mentioned that he didn't see details about the surface of the retention area, and there were also no calculations provided on how the volume was determined. He noted that these are things the engineering team is still waiting on.

City Planner Ekins added that the applicant did submit the stormwater calculations and drainage report, but they were

received too late to be included in the packet for this meeting. However, staff does have them on file.

Commissioner Casas asked how the retention pond is coded, specifically what kind of surface it has—whether it's grass, gravel, or something else.

City Planner Ekins said the applicant can answer that question. He noted that the city engineer, Matt, reviewed the engineering details and shared his findings.

Jesse Elsmore from Jardine Builders thanked the commission for holding the special meeting. He explained that due to the narrow and long shape of the stormwater detention area within the 15-foot green space easement, they plan to line it with a rock or gravel surface. He also mentioned that they will add protection between the pond and the parking area—ideally using decorative boulders if space allows, or another type of barrier if needed. He also gave an update on changes made since the last meeting. One major concern was parking, so he removed the previously shown future use area at the back (south end) of the lot and replaced it with additional parking. The project now includes 54 parking stalls, including ADA stalls, one of which will be van accessible. A breakdown of square footage and expected use was included in their updated response to help show how they meet the parking requirements.

Chairman Nelson mentioned that once there are more than 50 parking spaces, three ADA stalls are required, so the applicant may need to add one more.

City Engineer Holmes said he believed that one ADA stall is required up to 50 spaces, and two are required up to 100 spaces, but he said he would double-check to be sure.

Chairman Nelson said he thought that once there are more than 50 parking spaces, three ADA stalls are required. He added that it shouldn't be a major change but is something that should be confirmed.

Jesse Jardine said it would be easy to add a third ADA stall if needed. He said a lot of time has been spent on designing the stormwater retention ponds, which included a full geotechnical study and PERC tests. In addition, the utility designs have been worked on, and they have no problem adding two separate sewer laterals as required. It was explained that there was a mistake in the water line drawing—it showed a two-inch line going to a four-inch line and then to the hydrant, but that was just an error. The

correct plan is for an eight-inch line from the main connection to the hydrant, with a lateral coming off of it. Also, the building footprint has been increased slightly. The original size was 40x60 feet, but it's now 40x70 feet. This change was made to fit two separate stairway exits inside the building instead of on the outside.

Annette Francis said that she originally bought the land with the intention of building senior housing, but the zoning didn't allow it in the way she had planned. So, the current project is the best option they could develop while following Hyrum City's rules and zoning for that area. She also shared a positive conversation with a long-time Hyrum resident, whose family helped settle the town. He was excited about the project and even offered to donate an elevator to one of the buildings. As someone who uses a wheelchair, he supported the idea because it's hard to find short-term, ADA-accessible housing. Annette said she's excited that the elevator would make it possible for seniors to access the upper floor.

Jesse Elsmore shared a few project updates. One of the buildings will include an elevator. He also discussed the location of the dumpster enclosure, which had been debated in a previous meeting. They decided to place it at the back of the property, near the west edge. It won't be visible from the street because it will be behind the west building. This location works well for garbage truck access and is convenient for tenants. Fencing was another topic. They extended a six-foot-tall cedar fence around the entire property. In the southeast corner, where a neighbor's existing fence line crosses onto the property, they plan to jog around it for now and make adjustments if needed. He also mentioned that more detail was added to the street area in response to comments. This includes existing trees, signage, a sidewalk, and crosswalk signs. They are also considering ideas for a project sign at the street and are open to showing those concepts if requested.

Commissioner Willardson asked what type of material would be between the two buildings.

Jesse Elsmore said the area between the two buildings will have a hard surface, either pavement or concrete.

Commissioner Willardson asked for clarification about the shared access off of Main Street between the two properties. He wanted to know how it will work and what has been done about it since it was last discussed.

Jesse Elsmore explained that, following UDOT's requirement, they

created a 50-foot continuous shared access approach with the neighboring property. A fence will wrap around the 15-foot green space to help separate the two driveways. He mentioned they could also add signage to clearly mark that 1860 is to the left and the private drive is to the right to avoid confusion.

Chairman Nelson asked if there are any problems with site triangles with the fence being there.

City Engineer Holmes said it'll have to be below a certain height so that people can see down the sidewalk and out in the road.

Jesse Elmore said they could slope the fence down to four feet or whatever height is needed.

There was back and forth dialogue between Annette Francis and a citizen in the audience regarding property lines.

City Planner Ekins asked that the applicants finish presenting and not let the discussion turn into back-and-forth dialogue between the audience and the podium.

Commissioner Willardson clarified that the plan includes a 50-foot approach because that's what was required by UDOT. Part of that 50-foot approach would be a sloped down fence that someone could potentially drive into.

Jesse Elmore said adding striping could help make things clearer, though it might be affected by winter weather. He also said that striping and signage on the fence would help guide drivers.

Commissioner Willardson asked if they left it there because they were required to.

Jesse Elmore said that was correct.

Chairman Nelson asked if the access to the property meets our standards, as presented.

City Engineer Holmes said the situation isn't fully resolved. The city has requirements for distance from the property line, but the UDOT section, especially where it crosses the gutter, doesn't meet those standards. He added that it's difficult for the city to make UDOT follow city requirements.

Commissioner Willardson clarified that UDOT governs on their right of way.

Chairman Nelson asked if UDOT is open to another access point along the property front.

City Engineer Holmes said that if someone wants a different access point, they would need to apply for a variance with UDOT and get it approved.

Annette Francis said they tried to get approval for access in the middle of the property, but UDOT did not allow it.

She explained that Hyrum City's 50-year plan shows the entire block as commercial, and UDOT used that plan to make its decision. UDOT wouldn't allow the access to be placed within a certain distance of other streets. She also mentioned hiring a consultant and paying \$2,000 to avoid putting the access where it is now, but it couldn't be changed.

Commissioner Wheeler said that there is a note about the HVAC system for the west building.

Jesse Elmore said that was a drafting error. The HVAC system will be in an enclosure with full screening and some sound barriers, and it will be placed on the east side of the building, similar to the one that's shown on the backside of the west building.

Commissioner Willardson suggested discussing the streetscape features while the applicant was still present.

Annette Francis said they will follow the code.

Jesse Elmore said there was a comment about a tree that may need to be checked for health and possibly replaced. He said they've noted that on the plans and can add any other needed features as well.

Commissioner Willardson asked if they have a particular choice.

City Engineer Holmes said there is an existing list of approved medium and large trees that's been in place for a long time. They've been waiting for the tree board to update the list, but that hasn't happened yet. The current list can be provided if needed.

Jesse Elmore said one challenge they need to watch for is the crosswalk sign, specifically the flashing school zone sign that's already there.

City Engineer Holmes said UDOT will be replacing the current signs with full cross arms that hang over the street.

City Planner Ekins said that before the project is recommended to the City Council, the streetscape detail should be included. Since it's a required part of the code and is currently missing, he recommended that the motion include a request for the applicant to have that detail ready for the City Council presentation.

Chairman Nelson said that while there may be a dispute between neighboring property owners, it's not the Planning Commission's role to get involved in those issues. If there are any facts or concerns related to the proposal violating an agreement, neighbors should bring that to city staff and provide a record for the City Council. He said the commission's focus is on reviewing details related to code and ordinance, and any public comments should be submitted to staff. The Planning Commission is only a recommending body, and the City Council will make the final decision.

Commissioner Willardson said he was still unsure about the access width. He asked if 25 feet is wide enough for two cars to pass one another and whether that's acceptable for a development like this.

Commissioner Casas said he felt okay with the 25-foot width. He mentioned that many places are narrower and still work fine. He recently measured a public area for another project and saw that two cars or even small trucks could go in and out comfortably with 25 feet of space.

Chairman Nelson said that fire code requires a minimum of 20 feet for access, but if the width is only 20 feet, no parking or loading is allowed along the sides. Parking is only allowed when the access is at least 26 feet wide. Since the current plan is under 26 feet, he suggested adding a recommendation to post "No Parking" signs along the access ways.

Commissioner Willardson agreed and said it would be a good idea to not allow parking along the interior corridor.

City Engineer Holmes explained that 26 feet is the minimum required for aerial fire truck access. Normally, 20 feet is enough for a fire access road, unless it's next to a hydrant—then it must also be 26 feet. He said fire code requires 26 feet if an aerial truck is involved. Two 12-foot lanes are usually enough for vehicles to pass each other. Since it will be a fire lane, there should be no parking at any time. If needed, signs can be added. He said the

plan meets the minimum requirements of the fire code.

Commissioner Willardson said it's important to remember that their role is to review whether the project meets code requirements, and he felt that this one does.

Commissioner Wheeler said she agrees with the suggested changes and emphasized the importance of including the streetscape. She said that if those things are followed, there's no reason to deny the plan.

**ACTION**

Commissioner Casas made a motion to recommend site plan approval for two (2) two-story mixed-use buildings located at 139 West Main Street & 127 West Main Street, consisting of 0.96 acres, with these conditions: 1. Two sewer laterals 2. City Council get details of streetscape 3. Address all of staff comments that the City Council get. Commissioner Wheeler seconded the motion and Commissioners Bair, Carver, Nelson, Wheeler, and Willardson voted aye.

**ADJOURNMENT:**

**ACTION**

There being no further business before the Planning Commission, the meeting adjourned at 7:16 p.m.

\_\_\_\_\_  
Stephen Nelson  
Chairman

ATTEST:

\_\_\_\_\_  
Shara Toone  
Secretary

Approved: \_\_\_\_\_  
As Written



MINUTES OF A REGULAR MEETING OF THE HYRUM CITY PLANNING COMMISSION  
HELD APRIL 10, 2025 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,  
Commissioners Scott Casas, Averie Wheeler, and Paul Willardson.

**EXCUSED:**

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

**OTHERS PRESENT:** City Planner Tony Ekins, City Engineer Matt Holmes  
and 11 citizens. Secretary Shara Toone recorded the minutes.

**PLEDGE OF ALLEGIANCE:** Commissioner 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 February 13, 2025 were  
approved as written.

**ACTION**

Commissioner Casas made a motion to approve the  
minutes of February 13, 2025 as written. Commissioner  
Bair seconded the motion and Commissioners Bair, Casas,  
Nelson, Wheeler, and Willardson voted aye.

The minutes of a regular meeting held on March 13, 2025 were  
approved as written.

**ACTION**

Commissioner Casas made a motion to approve the minutes  
of March 13, 2025 as written. Commissioner Bair seconded  
the motion and Commissioners Bair, Casas, 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 Bair made a motion to approve the agenda for April 10, 2025, as written. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

## 6. PUBLIC HEARINGS

- A. To receive public comment regarding a Conditional Use Permit for TimberHaus Designs located at 19 North 100 West for an artisan wood shop in the Commercial Zone (C-2).
- B. To receive public comment regarding a Conditional Use Permit for the Hit It Hard Gym, located at 220 North Center, for an indoor gym in the Light Manufacturing Zone (M-1) Application 25-012A.
- C. To receive public comment regarding an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.
- D. To receive public comment regarding proposed changes are to Section 7 of the Construction Standards - Hyrum City General Requirements and Specifications for Electrical Installations. This update will add information regarding the requirements for interconnection of solar production and the City's system.

## 7. SCHEDULED DELEGATIONS

- A. Cal Larson, TimberHaus Designs - To request approval of Conditional Use Permit for TimberHaus Designs located at 19 North 100 West for an artisan wood shop in the commercial Zone (C-2).
- B. Brad Lee, Hit It Hard Gym - To request approval of a Conditional Use Permit for the Hit It Hard Gym located at 220 North Center for an indoor gym in the Light Manufacturing Zone (M-1).

## 8. OTHER BUSINESS

- A. Discussion of an amendment to Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.
- B. Discussion of an update to Section 7 of the Construction Standards - Hyrum City General Requirements and Specifications for Electrical Installations. This update will add information regarding the requirements for interconnection of solar production and the City's system.
- C. Discussion of a set of design standards and specifications for all public landscaping to be used in all city-owned parks and facilities. These drawings are to bring consistency and quality to all installation jobs within any land that is to be built by developers to be turned over to the city as well as all city-initiated improvements. This is not intended to be used on privately maintained irrigation systems.

## 9. ADJOURNMENT

**PUBLIC HEARING:**

**THE PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT REGARDING A CONDITIONAL USE PERMIT FOR TIMBERHAUS DESIGNS LOCATED AT 19 NORTH 100 WEST FOR AN ARTISAN WOOD SHOP IN THE COMMERCIAL ZONE (C-2).**

City Planner Ekins explained that an application has been prepared and reviewed by staff. The property is in the C2 zone, and there was a business operating there without a land use application or business license. The city has been working with the owner to bring the business into compliance, which is the purpose of the current application.

**ACTION**

Commissioner Willardson made a motion to open the public hearing at 6:34 P.M. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ACTION** Commissioner Willardson made a motion to close the public hearing at 6:34 P.M. Commissioner Bair seconded the motion and Commissioners Bair, Casas Nelson, Wheeler, and Willardson voted aye.

The PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT IN REGARDS TO A CONDITIONAL USE PERMIT FOR THE HIT IT HARD GYM, LOCATED AT 220 NORTH CENTER, FOR AN INDOOR GYM IN THE LIGHT MANUFACTURING ZONE (M-1) .

City Planner Ekins said the application is similar to the Pickleball conditional use permit that the city received earlier in the year, requesting health club uses in a light manufacturing zone. The code change approval allowed a conditional use permit to be issued for the Pickleball facility. The gym is located in the same building, but in a different unit, and is now applying for a conditional use permit too.

**ACTION** Commissioner Bair made a motion to open the public hearing at 6:35 P.M. Commissioner Willardson seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ACTION** Commissioner Willardson made a motion to close the public hearing at 6:36 P.M. Commissioner Wheeler seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

The PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT IN REGARDS TO AN AMENDMENT TO HYRUM CITY CODE TITLE 17 ZONING, CHAPTER 70 FENCE REGULATIONS TO ESTABLISH FENCE AND WALL TYPES AND HEIGHT STANDARDS.

City Planner Ekins explained that the city received a citizen complaint about a retaining wall built without a permit. A fence is planned on top of it, raising concerns about height and safety. Current code allows fences up to seven feet without a permit, but doesn't regulate fences on retaining walls. The city is now updating the code to align with building safety standards and

clarify requirements, including what materials qualify as proper fencing.

Commissioner Casas asked for clarification on page 14 section A, number 2 of the proposed ordinance. The section states that any fence over three feet tall would need a building permit or a fence permit.

City Planner Ekins said that the city will require a fence permit for any fence over three feet and up to seven feet tall, with only a zoning review needed. Fences three feet and under generally don't need a permit, as they don't block views at driveways or intersections, but the city may still meet with residents to review placement.

Commissioner Casas asked if the rule applies to all fences, not just those on retaining walls. He clarified that a citizen can put up a three-foot fence without a permit, whether it's on flat land or not.

City Planner Ekins explained that both "fence" and "retaining wall" are defined in the code. According to the International Code Council, a retaining wall is any wall over four feet tall from the bottom of the footing to the top. He said there are separate requirements for fences and for retaining walls.

Commissioner Casas asked if there is a safety requirement, like a guardrail or fence, when a retaining wall is built on a property line. He was concerned about the danger of a drop-off between properties and whether something must be installed to protect people from falling.

City Planner Ekins said the building code requires a guard when there's a 30-inch drop in public areas, like porches or patios, to prevent falls. He said it's less clear if the same rule applies to private areas between homes and that it's generally up to the homeowner to add protection in those cases. The code mainly focuses on public spaces.

**ACTION**

**Commissioner Bair made a motion to open the public hearing at 6:48 P.M. Commissioner Wheeler seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**ACTION**

**Commissioner Bair made a motion to close the public**

hearing at 6:48 P.M. Commissioner Wheeler seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**The PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT IN REGARDS TO PROPOSED CHANGES TO SECTION 7 OF THE CONSTRUCTION STANDARDS - HYRUM CITY GENERAL REQUIREMENTS AND SPECIFICATIONS FOR ELECTRICAL INSTALLATIONS. THIS UPDATE WILL ADD INFORMATION REGARDING THE REQUIREMENTS FOR INTERCONNECTION OF SOLAR PRODUCTION AND THE CITY'S SYSTEM.**

Braxton Wood, a meter technician for the power department, explained the proposed updates to the city's solar ordinance. The goal is to reduce confusion, streamline permitting and installation, and improve safety for workers and homeowners. Key changes include removing outdated references, clarifying energy flow and interconnection points, and updating meter information. The city also plans to require NAPSEP certification for solar contractors to ensure proper installations and avoid issues. Additional updates include safety measures, clear installation steps, and support for battery storage systems.

Commissioner Casas said he was familiar with net meters but had never heard of a bi-directional meter before and that it was new to him.

Braxton Wood explained that a net meter measures power both ways using one reading that can go up or down. In contrast, Hyrum City uses a bi-directional meter because of their feed-in tariff system, which sells power to homeowners at about \$0.12-\$0.13 per kW and buys it back at \$0.04. The bi-directional meter provides separate readings for power used and power sent back to the grid.

**ACTION** Commissioner Willardson made a motion to open the public hearing at 6:55 P.M. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ACTION** Commissioner Willardson made a motion to close the public hearing at 6:56 P.M. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**The PURPOSE OF THIS HEARING IS TO RECEIVE PUBLIC COMMENT IN REGARDS TO STANDARDS AND SPECIFICATIONS FOR ALL PUBLIC LANDSCAPING TO BE USED IN ALL CITY-OWNED PARKS AND FACILITIES.**

City Engineer Holmes explained that while the city has good standards for utilities like water, power, and sewer, it lacks standards for parks. This has caused issues during recent park construction projects, leading to costly repairs the city had to cover. To fix this, the city hired a landscape architect to create park standards, with input from parks staff, to ensure consistency, easier maintenance, and proper budgeting in future projects.

**ACTION** Commissioner Wheeler made a motion to open the public hearing at 6:58 P.M. Commissioner Casas seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ACTION** Commissioner Willardson made a motion to close the public hearing at 6:58 P.M. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

***SCHEDULED DELEGATIONS:***

**CAL LARSON, TIMERHAUS DESIGNS - TO REQUEST APPROVAL OF A CONDITIONAL USE PERMIT FOR TIMBERHAUS DESIGNS LOCATED AT 19 NORTH 100 WEST FOR AN ARTISAN WOOD SHOP IN THE COMMERCIAL ZONE (C-2).**

City Planner Ekins said staff supports the application. Since the business is in a commercial zone, the city is asking for basic compliance: a business license, one parking space per employee, and well-maintained landscaping without weeds.

Commissioner Casas mentioned that in the last meeting, the commission approved new construction in the C2 zone with specific requirements for fencing, parking, and landscaping. He said it's good to see an old building being used but wanted clarification on the city's fencing requirements for properties in the C2 zone.

City Planner Ekins explained that the property in question is an existing building with no new site plan or improvements. Unlike the new development discussed earlier, this project doesn't

trigger the same fencing requirements.

Commissioner Casas noted there is a fence on the west side separating the properties, but he questioned whether a fence should also be added on the south side of the property.

City Planner Ekins explained that since this is not a new development or a change in use, most zoning requirements don't apply. The property has long been used for light manufacturing, and the current use—building items like gazebos—fits that category. If the use changed to something different, like a bakery, more code requirements would be triggered.

Commissioner Willardson asked if the parking will remain where the three vehicles are currently parked.

Cal Larson said that is correct.

Commissioner Willardson asked if there were any issues with getting a business license.

Cal Larson answered that there weren't.

Commissioner Wheeler said the fire department recommends an inspection to ensure compliance and mentioned the need for a dust collection system.

City Planner Ekins said the fire department will determine any requirements during their inspection, which is part of the business license process. He explained that the fire department follows international fire codes and is responsible for enforcing them.

Chairman Nelson asked if a yearly inspection with the fire marshal is required.

Commissioner Willardson said that is part of the business license.

**ACTION**

Commissioner Willardson made a motion to approve a conditional use permit for TimberHaus Designs, located at 19 North 100 West, for an artisan wood shop in the commercial zone (C-2), with the condition that the applicant obtain a business license and maintain the parking and landscaping as shown. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.



**BRAD LEE, HIT IT HARD GYM - TO REQUEST APPROVAL OF A CONDITIONAL USE PERMIT FOR THE HIT IT HARD GYM LOCATED AT 220 NORTH CENTER STREET FOR AN INDOOR GYM IN THE LIGHT MANUFACTURING ZONE (M-1).**

City Planner Ekins said the applicant will be using suite number 11, likely on the south side of the building. There are 122 parking spaces on site, and while a full parking calculation hasn't been completed yet, he is confident there is enough parking for the current uses. He explained that the building also has a cabinetry business, and full parking data is still being gathered. A recent conditional use permit for the Pickleball facility in the same building included approved hours of operation from 5 a.m. to 12 a.m., which staff supports. Any interior tenant improvements will need a building permit from Cache County. A previous sign permit for Pickleball was revised from a box-lit sign to a wall-mounted sign with overhead lighting to meet code and avoid affecting nearby homes. Staff recommends similar signage for future tenants. The fire department will also inspect the space, and additional fire sprinklers may be required depending on any interior construction. Staff supports the application, as the use has already been approved by the Planning Commission and City Council.

Commissioner Casas said that, as he understands it, Hit at Hard is a tenant in the building that was completed last year. He noted that the property owner still hasn't finished the required landscaping and asked when it would be completed, recognizing that it's not the tenant's responsibility.

City Planner Ekins said he was not aware of that issue, as it happened before his time with the city.

City Engineer Holmes explained that while the city may not separate commercial and residential landscaping rules, landscaping is typically required to be completed within 18 months of occupancy. A deposit is held until the work is done, providing an incentive for the owner to complete it.

Commissioner Casas expressed concern that while new businesses are moving into the facility, the outside of the building is still unfinished and looks bad. He said it's an eyesore for the community and neighbors and believes the landscaping should be completed this season, even though he has no way to enforce it.

City Planner Ekins said the city will follow up with the property owner about the unfinished landscaping. He wasn't previously aware of the issue but plans to contact her the next day to find out the

status and set a deadline for completion.

Commissioner Willardson said the application mentioned operating 24 hours but noted it would be closed on Sundays. He asked if the applicant was okay with changing the hours to 5 a.m. to 12 a.m. instead.

Brad Lee said he's okay with those changes. After the situation with the Pickleball facility, he called Tonya and suggested they amend the hours to start at 5 a.m. instead.

#### **ACTION**

Commissioner Casas made a motion to approve a conditional use permit for the Hit It Hard Gym located at 220 North Center Street for an indoor gym in the light manufacturing zone (M-1), with the contingency that the hours are 5 a.m. to 12 a.m. Monday-Saturday. Commissioner Willardson seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

#### **OTHER BUSINESS:**

#### **HYRUM CITY- DISCUSSION AND RECOMMENDATION OF AN AMENDMENT TO HYRUM CITY CODE TITLE 17 ZONING, CHAPTER 70 FENCE REGULATIONS TO ESTABLISH FENCE AND WALL TYPES AND HEIGHT STANDARDS.**

City Planner Ekins pointed at the visual presentation to describe the changes he proposed to the code.

Chairman Nelson clarified that the dashed lines show the four-foot maximum height in the front yard area, and everything within the black lines is seven feet high.

City Planner Ekins explained that the second part of the code shows a full strikethrough of the old text, and he used that text to help shape the new middle section of the code. This section outlines when a fence permit is required, differences for interior and corner lots, and requirements to protect public utilities and irrigation access. The updated language mostly comes from the existing code, just reworded for clarity.

He also said there's now an exemption section, allowing the zoning administrator to approve fences outside the normal rules in certain situations—like for safety during construction, around unsafe properties, or to secure public utilities such as substations or water tanks. City Council can also approve taller fences through

site plan approvals for places like schools, jails, or sports courts.

He added that the goal is to make the process smooth for both applicants and staff. In his 11 weeks working at the Hyrum City, fence permits have been common, and so far, no one has requested a fence over six feet tall.

Commissioner Casas asked what the cost of a fence permit is.

City Planner Ekins said there is no cost for the fence permit. She explained that the permit helps protect areas where private and public property meet, like driveways and street corners. Fences four feet and taller are regulated because they can impact these areas, but fences under three feet are exempt since they don't affect those spaces.

Chairman Nelson said he recommends keeping the fence permit free. He noted that adding a fee might lead more people to avoid getting the permit.

Commissioner Willardson asked for a practical example, wondering if someone would need a fence permit for putting up a dog kennel in their backyard if it's over three feet tall.

City Planner Ekins responded that a permit is only needed for fences at the property lines, not for something like a dog kennel inside the yard.

Commissioner Willardson commented that the graphic makes it look like some fences connect to the house. He suggested adding wording to make it clear that the rules apply to fences on property lines.

City Engineer Holmes said the rules don't only apply to property lines because people aren't allowed to enclose gas or electric meters, which are still attached to the house. He wasn't sure if that wording was included in the code.

Commissioner Willardson brought up examples like chicken coops and garden fences, saying people often build fences over three feet tall to keep animals out, but these aren't usually on property lines. He said he doesn't think a permit should be needed for something like a garden fence inside a yard. However, he could understand needing one if the fence is near a property line or in the front yard. He asked if the code includes language that makes this distinction.

City Planner Ekins said he didn't see that either, referring to

the issue of dog kennels or similar structures on the interior of properties.

Chairman Nelson said a fence permit would still be needed for fences used as barriers in the backyard, especially to prevent people from blocking meters. However, he agreed that a small garden fence or dog kennel wouldn't need a permit.

City Planner Ekins explained that the fence definition includes any barrier or obstruction meant to block passage or views, made from materials like wood, wire, iron, vinyl, shrubs, or concrete. He added that this definition supports a 7-foot height limit for fences in the side and rear yards. He also said if someone asked for a permit for a dog kennel, he would tell them they don't need one.

Commissioner Willardson said he just wanted to make sure everything was clear, both for enforcement and for understanding the intent.

City Planner Ekins said he was leaning towards defining fences as a boundary but agreed it would be good to review the language. He mentioned he would look for wording that could help clarify the issue, noting he had written many fence codes but never considered dog kennels.

Chairman Nelson asked about protections for preventing people from building retaining walls within public utility easements or over public utilities. He explained that in some subdivisions, public utility easements are along the front, and while Hyrum doesn't have many hills, some houses are built on higher ground with retaining walls in the front yard. He noted that this could cause issues with future access to utilities.

Commissioner Willardson said he thought an easement meant you couldn't build anything permanent within it.

Commissioner Casas shared that at his own house, staff told him he needed a retaining wall on public property. He said it wasn't a permanent wall—just a less solid structure—but he wasn't sure how that was addressed in the rules.

Chairman Nelson said he would generally expect the easement to prevent that type of structure, but he raised a concern about whether something under four feet could still cause problems.

City Planner Ekins said he hasn't seen any rules in the city code that stop people from building sheds over public utility easements

in backyards. He explained that some cities have strict rules against building on easements and allow people to apply for an easement vacation if the area no longer has utilities. For fences, he said if someone wants to build near the property line and there's a utility in the easement, they can't dig there and will have to move the fence back.

City Engineer Holmes said that when people ask if they can build in an easement, he tells them no permanent structures are allowed because they can't interfere with utilities. He said he approaches it from the utility side, even if it's not clearly stated in the code.

Chairman Nelson said he believes the easement itself means no permanent structures are allowed, which is the purpose of having the easement. He added that in his experience, people sometimes build large retaining walls in utility easements, and it later causes problems.

Commissioner Casas asked if Bluestake is required when installing fences, specifically for digging the post holes.

City Engineer Holmes said Bluestake doesn't cover irrigation pipes because the irrigation company isn't registered with Bluestake. He mentioned that there have been issues with people running augers through irrigation lines, which is part of the reason for wanting to create a fence ordinance that requires it.

Chairman Nelson asked if the fence ordinance had been adopted last year.

City Engineer Holmes confirmed that it was adopted last year.

Commissioner Willardson suggested tabling the discussion until the next meeting to include the necessary language, but he asked for others' opinions on the matter.

Commissioner Casas said he would motion to table the discussion, as long as it doesn't cause any issues for staff.

City Planner Ekins said that the Public Utility and Irrigation Act doesn't cause any issues, but he noted that a qualifying retaining wall requiring a building permit shouldn't be placed in certain areas. He mentioned that there could be future concerns if people feel that they're being restricted from using their property when placing a fence or retaining wall further back. He suggested that legal counsel could help address whether this would be considered

a taking of property.

Chairman Nelson said his initial reaction is that the easement is already established, and reasonable steps can be taken to protect it. He also raised a concern about retaining walls, noting that sometimes retaining walls are needed for public infrastructure, like roadways with utilities. He didn't want the code to prevent that but wanted to make sure it stops people from building large retaining walls over utilities. He suggested there may be a way to word the code to exempt public retaining walls supporting infrastructure.

City Planner Ekins explained that there is no exemption for retaining walls in the code. The code requires a building permit for any retaining wall over four feet tall, measured from the bottom of the footing to the top of the wall. This interpretation came from Cache County's building department and is considered correct. In such cases, the wall would simply need a permit. Ekins also expressed concern about including retaining walls in utility easements, as it could raise legal issues about property use. Some cities allow temporary, movable structures like sheds in easements, as long as they can be relocated if access is needed. A growing trend is to place all utilities in the front yard within a 15-foot easement from the back of the sidewalk. This avoids running utilities in backyards or along property sides. Since there's already a 25-foot front setback, this strategy helps avoid problems, such as on corner lots where fences sometimes have to be moved due to utility placement.

#### **ACTION**

**Commissioner Willardson made a motion to continue discussion of an amendment to Hyrum City code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards until next month. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

#### **HYRUM CITY- DISCUSSION AND RECOMMENDATION OF AN UPDATE TO SECTION 7 OF THE CONSTRUCTION STANDARDS - HYRUM CITY GENERAL REQUIREMENTS AND SPECIFICATIONS FOR ELECTRICAL INSTALLATIONS. THIS UPDATE WILL ADD INFORMATION REGARDING THE REQUIREMENTS FOR INTERCONNECTION OF SOLAR PRODUCTION AND THE CITY'S SYSTEM.**

Blake Ballard (Operations Manager) said the power department's goal is to clean things up and make the process easier and more streamlined for everyone. They want people to get what they need or want, and they aim to make it work for everyone involved.

Commissioner Willardson asked if there have been cases where someone tried to hook up solar incorrectly and ended up causing a power outage.

Blake Ballard said he had personally been called to a couple of those incidents. He said some people haven't done the cleanest work on solar installations, and the goal isn't to be critical, but to set a standard that protects everyone, especially homeowners who often don't know the technical requirements. Having a city ordinance helps enforce that standard and gives something to point to when work doesn't meet it. He added that while homeowners want to generate their own energy, their lack of knowledge can sometimes lead to problems—especially when companies go out of business before finishing the job.

Commissioner Casas asked how many homes in town might have solar or some other form of energy generation.

Blake Ballard said he didn't know the exact number of homes with solar or other energy systems, but there are several. He said government subsidies helped make it more affordable for people. Some homeowners were told they would have power during outages, but many systems weren't designed for that. He explained that, as Braxton mentioned, systems need to shut off power in certain situations to protect electrical workers and others, like in the case of a car accident.

Commissioner Wheeler said it's especially important now with more electric vehicles, as people will be charging them at home and need to have the proper capacity.

Commissioner Casas asked if Blake knew how Hyrum City's net metering system works compared to Rocky Mountain Power's.

Blake Ballard explained that Rocky Mountain Power originally used a one-to-one net metering system, meaning customers would get equal credit for the power they generated. Before he started in 2019, Hyrum City created its own system based on what wouldn't hurt the city financially, since the city needs revenue to maintain and improve infrastructure. He said Rocky Mountain Power also changed its policy and no longer offers a one-to-one rate, except for customers who were grandfathered in. He's not sure of their current rate, but it's lower now. Because of these changes, many people are starting to use batteries in their homes to store energy for themselves, which allows for a true one-to-one use since it doesn't rely on the grid. Ballard added that storing electrical energy is

difficult and the grid works in real time, making it hard to manage when solar production suddenly drops, like when a cloud covers the sun. Utilities and power plants have to use special equipment with spinning parts to help keep the system stable during those drops.

Commissioner Casas asked how the city's natural gas plant supports or fits in with the city's energy demands.

Blake Ballard said the natural gas plant serves two main purposes. One is to help the city keep utility costs down. He explained that sometimes power prices spike due to outside factors the city can't control. The plant gives them a way to manage those costs. He compared it to a farmer growing his own hay to feed his cows instead of buying expensive hay. Most of the time, the plant is used to help control costs so the city can provide reliable and affordable service to residents.

Chairman Nelson asked if we are a member of UAMPS.

Blake Ballard said the city is part of UAMPS, a group that allows them to buy and sell power from various sources like Hunter Power Plant and IPP. He said they're a small player, but by joining with others, they have more buying power.

Commissioner Casas asked if the ordinance they want to pass is unique to Hyrum or similar to those used by other UAMPS members. He also asked whether the ordinance was created entirely by the city or if they used information from other sources.

Blake Ballard said that He and his team have worked hard to streamline processes, remove outdated elements, and keep up with changing NEC codes to stay current. He noted that the standards were reviewed by a professional electrical engineer who writes standards for Lehi and other cities. In his opinion, the standards would integrate well with Rocky Mountain Power, even if they operate differently, and there's nothing in them that would cause a conflict.

Commissioner Casas asked if the code is unique to Hyrum or if other cities are part of UAMPS have similar codes.

Commissioner Willardson said that every public utility has some kind of standard so they're prepared with the right equipment when something breaks.

Commissioner Casas said he didn't know whether the code was created using only the city's own knowledge or if outside sources were



used.

Commissioner Willardson said it sounds like they hired an electrical engineer with experience who knows what they are doing.

Blake Ballard said the engineer works with many cities and used to work for Rocky Mountain Power. He's now retired and runs his own business, helping with their capital projects. Ballard said the engineer is well-rounded and understands different perspectives.

Commissioner Casas said he relies on the expertise of others because he doesn't have the knowledge to judge whether the code is good. He asked many questions about how it was created to ensure they're doing the right thing for the citizens without being too restrictive, so alternative energy can still come to the town.

Blake Ballard said he doesn't want the code to be so restrictive that it stops alternative energy. He doesn't think it will stop, but he believes the cost of energy, like in places with higher kilowatt-hour prices, could be a bigger factor in limiting it.

#### **ACTION**

**Commissioner Casas made a motion to recommend approval of an update to Section 7 of the Construction Standards - Hyrum City General Requirements and Specifications for Electrical Installations. Hyrum City code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards. Commissioner Bair seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.**

**HYRUM CITY- DISCUSSION AND RECOMMENDATION OF A SET OF DESIGN STANDARDS AND SPECIFICATIONS FOR ALL PUBLIC LANDSCAPING TO BE USED IN ALL CITY-OWNED PARKS AND FACILITIES. THESE DRAWINGS ARE TO BRING CONSISTENCY AND QUALITY TO ALL INSTALLATION JOBS WITHIN ANY LAND THAT IS TO BE BUILT BY DEVELOPERS TO BE TURNED OVER TO THE CITY AS WELL AS ALL CITY-INITIATED IMPROVEMENTS. THIS IS NOT INTENDED TO BE USED ON PRIVATELY MAINTAINED IRRIGATION SYSTEMS.**

Commissioner Wheeler said she's not a fan of weed barrier and doesn't like it being a requirement. As a horticulturist and landscape architect student, she feels the benefits don't outweigh the problems it causes.

Commissioner Willardson asked for Ned's opinion on weed barrier.

Ned Fredrickson, the Parks Superintendent, said that even with weed barrier, you still get some weeds. But if it's installed properly, it lasts a while, and places without it tend to have far more weeds. He added that irrigation can still bring in weed seeds.

Commissioner Wheeler said her concern with weed barrier is about maintenance, soil health, and plant health. She explained that it reduces water and nutrients reaching the roots and increases heat retention, which can cause several problems.

Ned Fredrickson said he sees both pros and cons to using weed barrier. Personally, he's noticed a lot more weeds in areas without it and feels like it may be needed.

Commissioner Wheeler asked if they use any kind of pre-emergence.

Ned Fredrickson said he uses sprays and fertilizer, though he's not sure which ones are the best. In his opinion, park strips without weed barrier are a nightmare compared to those that have it.

Commissioner Willardson asked if he would prefer using weed barrier.

Ned Fredrickson said he does prefer using weed barrier, but only if it's installed correctly. If it's done wrong and things are piled on top, it just attracts weeds and doesn't work well.

Commissioner Casas said weed barrier doesn't last long—only a few years—but he's glad to see clear standards being developed. As the city grows and adds more parks, he knows poor installations can create major problems and extra work. He fully supports the detailed standards presented and is glad outside help was used. He noted a few minor issues but said that if most of the standards are followed, it will make a big difference.

Commissioner Willardson said that once a standard is printed, it can quickly become outdated since standards are always changing. Still, he thinks this is a big step forward.

Commissioner Wheeler said that from her experience, trees are often planted incorrectly. She looked through the standards and at first didn't see anything specific about how high the soil should be, but then found a note saying the soil should not be too deep. She suggested adding more specific details about proper planting depth. Commissioner Wheeler said she noticed near the new park and elementary school that grass removed for new tree installation was

piled against the tree trunks, which she found concerning.

Ned Fredrickson said the area in question is managed by a private developer and an HOA, not the city. He agreed that piling material against the tree trunk will kill the tree.

**ACTION**

Commissioner Bair made a motion to recommend approval of a set of design standards and specifications for all public landscaping to be used in all city-owned parks and facilities, with the addition of the specified weed barrier standard. Commissioner Willardson seconded the motion and Commissioners Bair, Casas, Nelson, Wheeler, and Willardson voted aye.

**ADJOURNMENT:****ACTION**

There being no further business before the Planning Commission, the meeting adjourned at 8:02 p.m.

\_\_\_\_\_  
Stephen Nelson  
Chairman

ATTEST:

\_\_\_\_\_  
Shara Toone  
Secretary

Approved: \_\_\_\_\_  
As Written



## PLANNING COMMISSION STAFF EVALUATION – FIRST REVIEW

**APPLICATION NO:** 25-020A

**APPLICANT:** Blacksmith Fork Vet Clinic – Aldon and Michele Watkins

**PROPERTY OWNER:** Watkins Blacksmith Fork LLC

**PROPERTY ADDRESS:** 16 East 6200 South

**PARCEL NUMBER:** 01-073-0015

**PARCEL AREA:** 1.00 Acres

**CURRENT ZONE:** Residential Agricultural Zone RA

**DATE:** May 5, 2025

<b>PLANNING COMMISSION MEETING:</b>	May 8, 2025
<b>PLANNING COMMISSION ROLE:</b>	Land Use Authority
<b>APPLICATION TYPE:</b>	Conditional Use Permit

**NATURE OF REQUEST:**

Conditional Use: Veterinary Hospital

**CURRENT ZONING DISTRICT:** The RA Zone is an agricultural zone allowing single family dwellings. The minimum lot size is 12,000 square feet. (Veterinary Hospital is a Conditional Use in this zone)

**OVERVIEW:**

The applicant desires to expand on the existing building and site of the veterinary clinic to accommodate business operations. The building will expand approximately 55'-0" to the North, with an additional 28'-0" of covered area, with an overall length of 83'-0". The expansion includes new asphalt, parking, and a retention basin. In addition to the building and site improvements, the applicant will be adjusting the existing property lines of the parcel to accommodate the expansion through a separate application 25-018A; and site plan approval through a separate application 25-019A.

**STAFF COMMENTS:**

**Planning and Zoning:**

1. Supports this Conditional Use Permit Application.
2. Recommends the Planning Commission include in their motion the applicant receive Site Plan Approval for the attachments herein from City Council through a separate application 25-019A prior to the issuance of the Conditional Use Permit.

**Engineering:**

1. See Application 25-019A

**Fire Department:**

1. See Application 25-019A

**Parks Department:**

1. See Application 25-019A

**Power Department:**

1. See Application 25-019A

**Sewer Department:**

1. See Application 25-019A

**Water/Road/Irrigation Department:**

1. See Application 25-019A

**PLANNING COMMISSION RESPONSIBILITY:**

1. The Planning Commission shall consider the following: A. That the use will not be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. B. That the proposed use will comply with the regulations of Conditional Uses as may be applicable. C. That the proposed use is in harmony with the intent of the zone in which it is located. D. That the infrastructure will support the new facility. E. In setting conditions, the Planning Commission shall show relationship to the broad area of concern to which each condition applies. These areas include Traffic; Noise; Odor; Pollution; Hours of operation; Design criteria; Lighting; Visual blight; and Safety conditions not related to one of these broad areas that may not be imposed.
2. The Planning Commission may approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.
3. The Planning Commission may deny a Conditional Use if the reasonably anticipated detrimental effects of a proposed Conditional Use cannot be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

**STAFF RECOMMENDATION:**

1. Staff recommends the Planning Commission make a motion specifying conditions and requirements, and staff comments to the City Council.
2. Staff include in their motion the applicant receive Site Plan Approval for the attachments herein from the City Council through a separate application 25-019A prior to the issuance of the Conditional Use Permit.

**STIPULATIONS:**

1. The applicant will comply with the staff comments, and any additional specifying conditions and requirements by the Planning Commission.
2. The applicant will receive Site Plan Approval from the attachments herein from City Council through a separate application 25-019A prior to the issuance of the Conditional Use Permit.

**FINDINGS OF FACT:**

1. The property is located in the Residential Agricultural Zone RA.
2. Veterinary Hospital is a Conditional Use in Residential Agricultural Zone RA.



## PLANNING COMMISSION

### STAFF EVALUATION – FIRST REVIEW

**APPLICATION NO:** 25-019A

**APPLICANT:** Blacksmith Fork Vet Clinic – Aldon and Michele Watkins

**PROPERTY OWNER:** Watkins Blacksmith Fork LLC

**PROPERTY ADDRESS:** 16 East 6200 South

**PARCEL NUMBER:** 01-073-0015

**PARCEL AREA:** 1.00 Acres

**CURRENT ZONE:** Residential Agricultural Zone RA

**DATE:** May 5, 2025

**PLANNING COMMISSION MEETING:** May 8, 2025

**PLANNING COMMISSION ROLE:** Recommending Body to City Council

**APPLICATION TYPE:** Site Plan Approval

#### **NATURE OF REQUEST:**

Conditional Use: Veterinary Hospital

**CURRENT ZONING DISTRICT:** The Residential Agricultural Zone RA is an agricultural zone allowing single family dwellings. The minimum lot size is 12,000 square feet. (Veterinary Hospital is a Conditional Use in this zone)

#### **OVERVIEW:**

The applicant desires to expand on the existing building and site of the veterinary clinic to accommodate business operations. The building will expand approximately 55'-0" to the North, with an additional 28'-0" of covered area, with an overall length of 83'-0". The expansion includes new asphalt, parking, and a retention basin. In addition to the building and site improvements, the applicant will be adjusting the existing property lines of the parcel to accommodate the expansion through a separate application 25-018A; and the Conditional Use permit will be expanded and updated through a separate application 25-020A.

**UTILITIES:** Existing Power, Sewer, Water, Irrigation.

#### **STAFF COMMENTS:**

##### **Planning and Zoning:**

1. Require thirty-nine feet (39') dedication from the center of 700 South (6200 South "County Designation") for a future seventy-eight feet (78') wide minor arterial to accommodate future use. When the intersection of 700 South and 800 East is improved, the westerly driveway access may be required to be removed.
2. Requests ten feet (10') public utility easements on the west and south property lines to accommodate existing and future underground utilities.
3. Illustrate the project site boundaries "meets and bounds" on the site plan sheet C-002 to demonstrate property line clarity with locations of requested public utility easements.

4. Parking quantities for a Veterinary Hospital in this zone are not identified and cannot be verified. The applicant is providing a total of eighteen (18) solid surface parking stalls to accommodate the business operations.

**Engineering:**

1. See comments on attached site plans.

**Fire Department:**

1. On the southwest of the existing building where no parking stalls are proposed (but shows vehicles in the aerial photo) needs to provide a Fire Lane No Parking Sign to secure fire and emergency vehicle access to the rear of the building.

**Parks Department:**

1. Supports Application.

**Power Department:**

1. Supports Application.

**Sewer Department:**

1. Sewer cleanout in parking lot will need to be DOT rated with an inverted lid.
2. Sewer system can only accept human waste, and animal waste must be properly disposed in landfill.

**Water/Road/Irrigation Department:**

1. This application is being supported by staff.

**PLANNING COMMISSION RESPONSIBILITY:**

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

**STAFF RECOMMENDATION:**

1. Staff recommends the Planning Commission make a motion specifying conditions and requirements, and staff comments to the City Council.
2. Supports the building and site expansion as proposed to accommodate business operations.

**STIPULATIONS:**

1. The City Council may approve, disapprove, approve with additional conditions and requirements, or require the requestor to return to the Planning Commission with revisions; or require the applicant to return revisions to the City Council.

**FINDINGS OF FACT:**

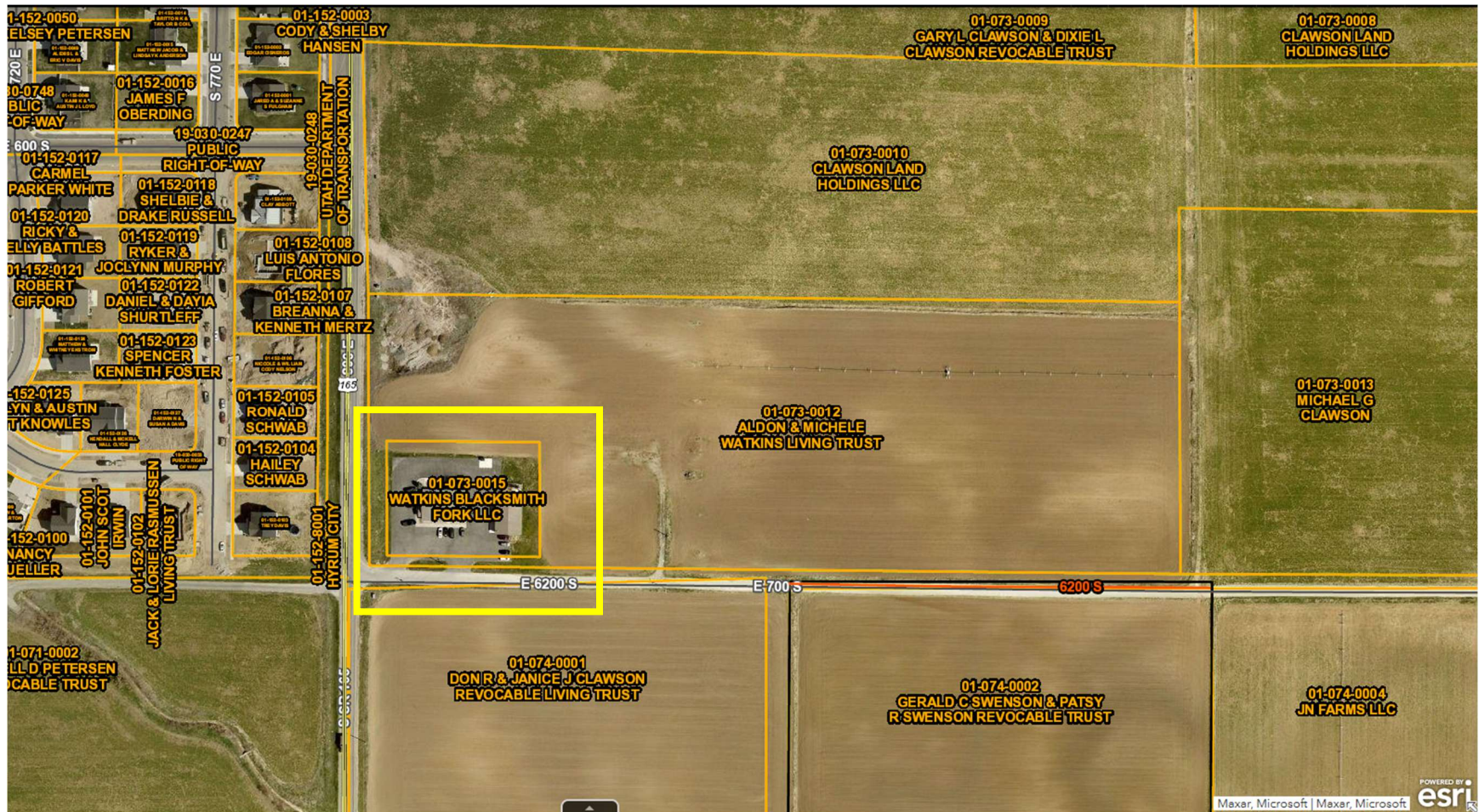
1. The property is located in the Residential Agricultural Zone RA.
2. Veterinary Hospital is a Conditional Use in Residential Agricultural Zone RA.

**ATTACHMENTS:**

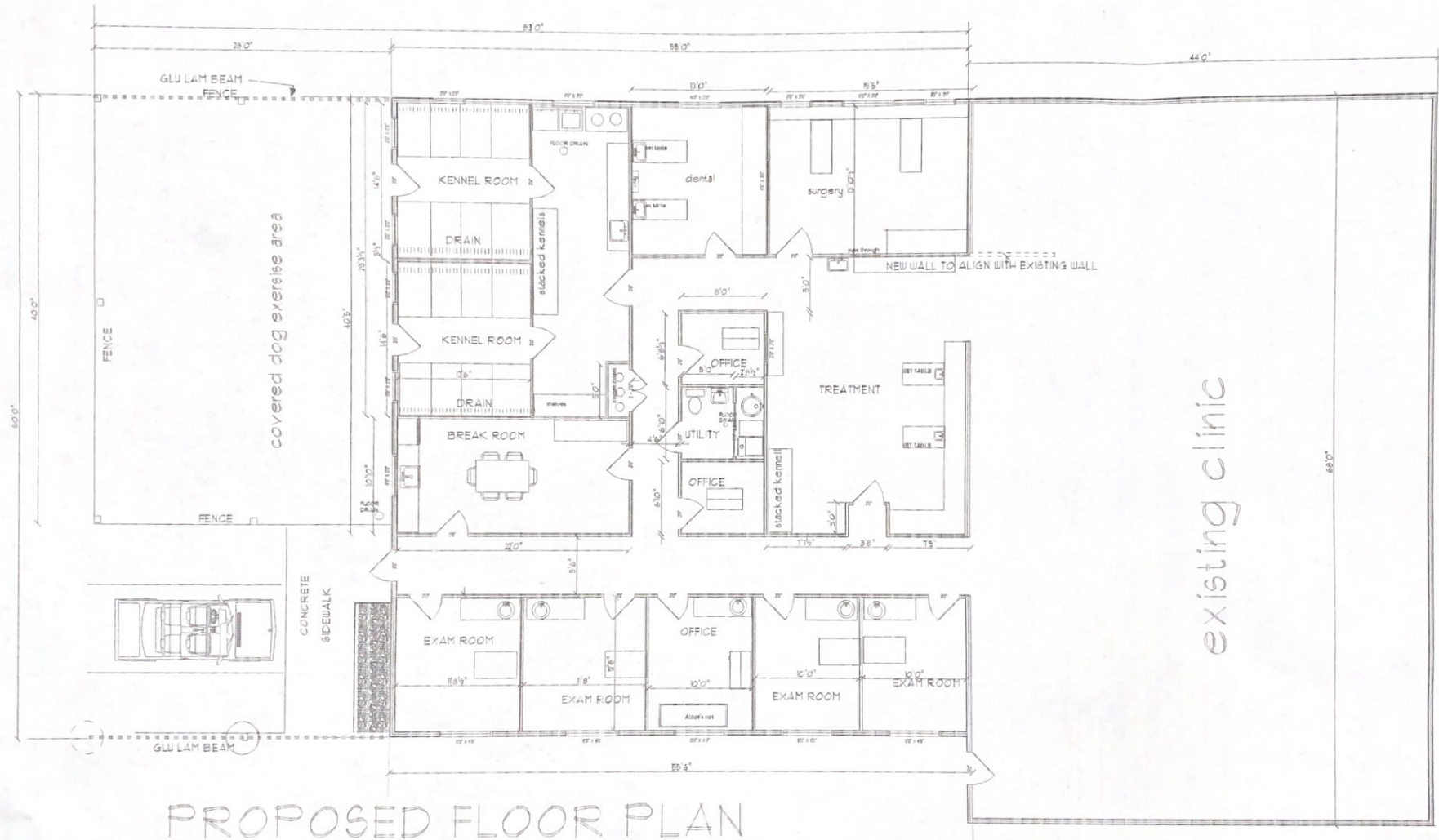
1. Aerial Image
2. Main Floor Plan and Building Elevations
3. Site Plan
4. Lot Line Adjustment (Reference, See application 25-0018A)



# Cache County Parcel and Zoning Viewer – Aerial Image



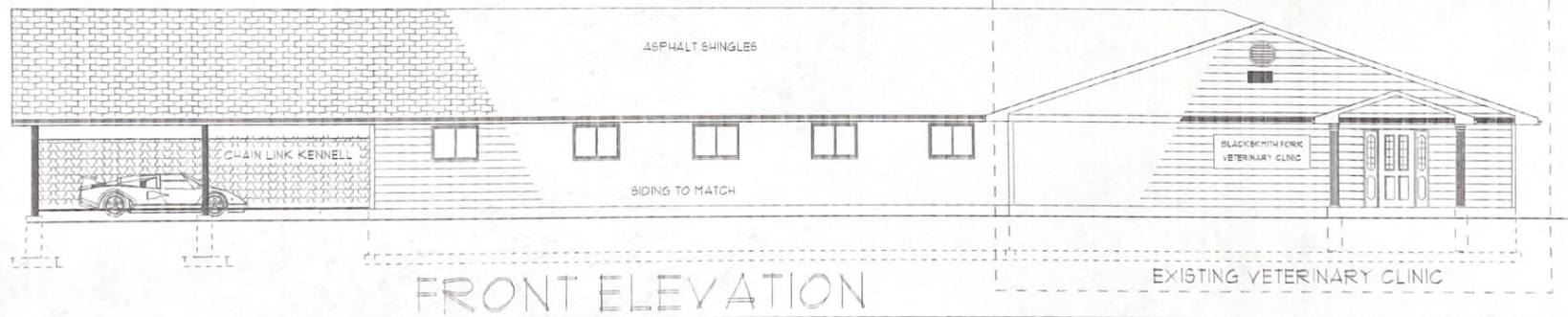
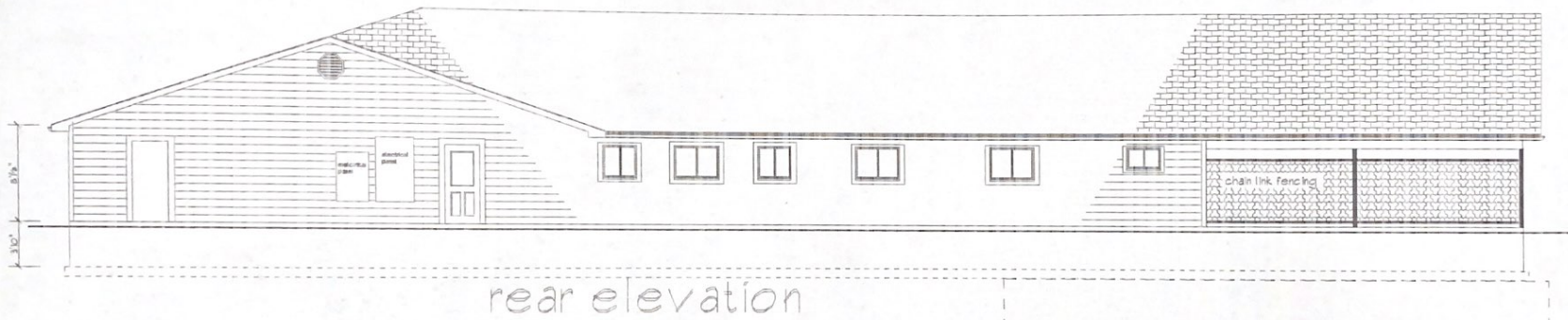
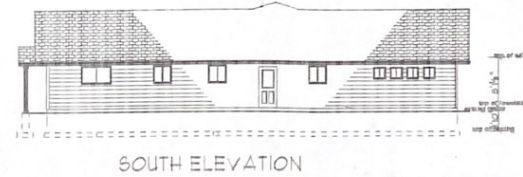
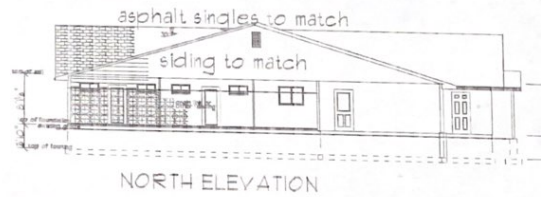




Blacksmith Fork Veterinary Clinic  
Addition

*dm design*  
60 West Canyon Road  
Avon, Utah 84328

3



BLACKSMITH FORK VETERINARY CLINIC  
ADDITION

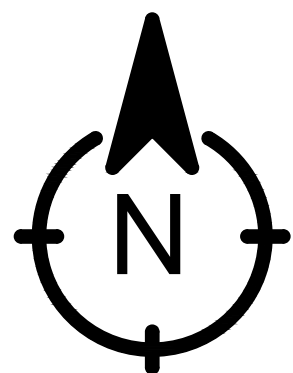
*dm design*  
60 West Canyon Road  
Arvon Utah 84328

5

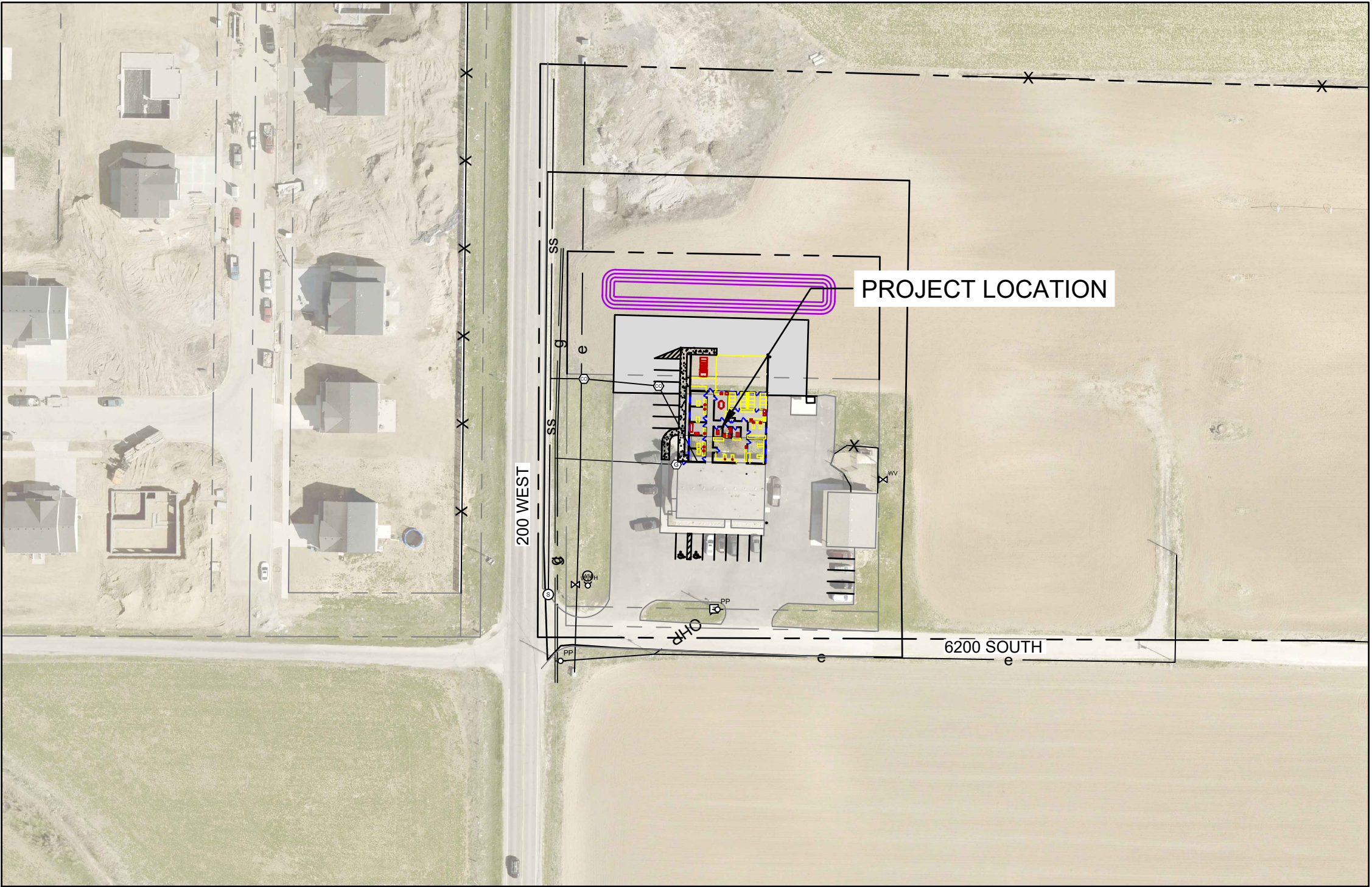
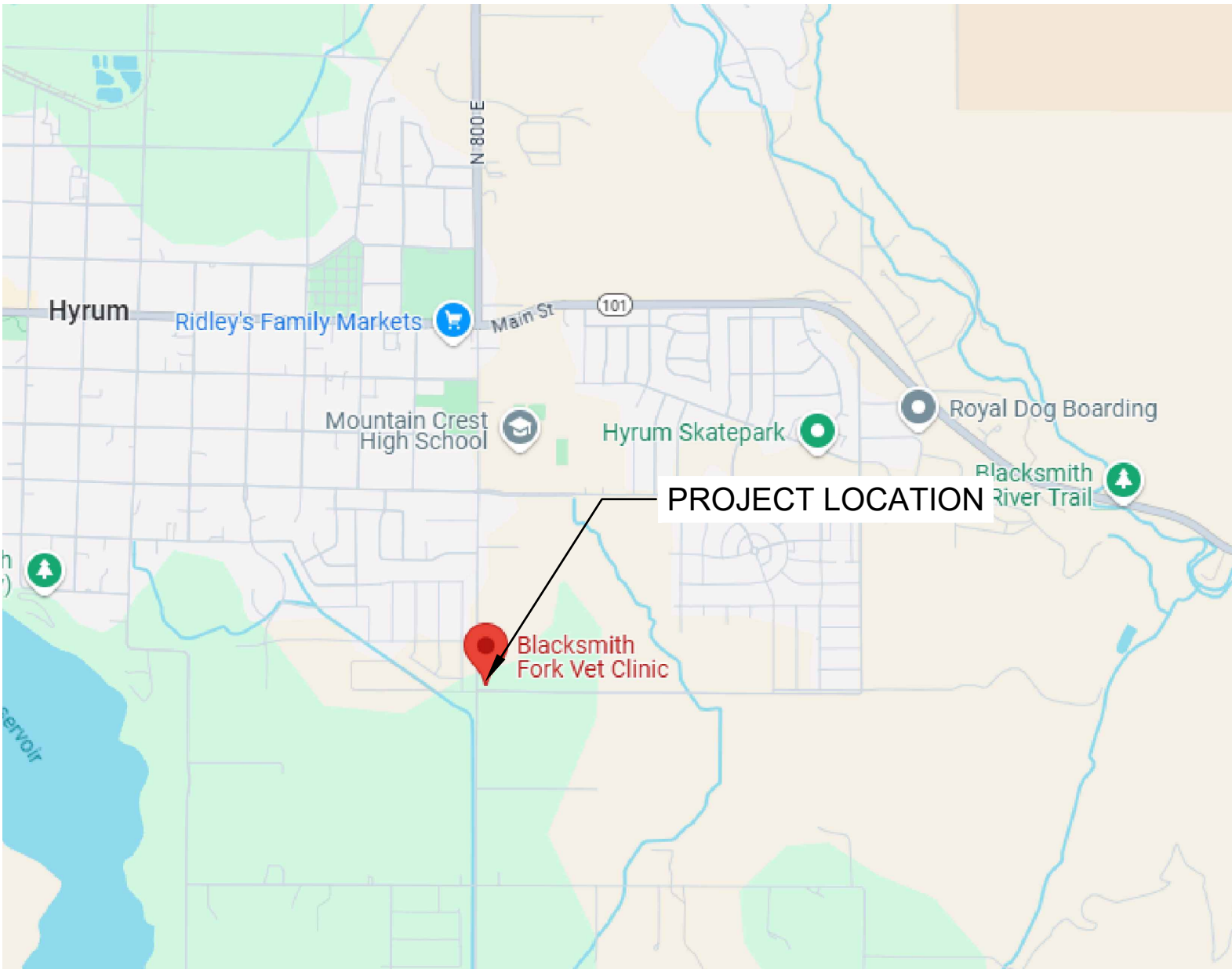


# BLACKSMITH FORK VET CLINIC PROPOSED SITE IMPROVEMENTS

16 EAST 6200 SOUTH  
HYRUM, UTAH 84319  
4/14/2025



VICINITY MAP  
N.T.S.



PROJECT CONTACT INFORMATION

DEVELOPER: ALDON WATKINS  
PHONE: (435) 760-3737  
EMAIL: ALDONWATKINS@GMAIL.COM

CIVIL ENGINEER: TYSON GLOVER, PE  
MOUNTAIN ROOTS ENGINEERING, LLC  
PHONE: (435) 237-2030  
EMAIL: TGLOVER@MOUNTAINROOTSENGINEERING.COM

SURVEYOR: KEVIN BALLS, PLS  
ALPENSGLOW  
PHONE: (435) 512-4559  
EMAIL: ALPENGLOW-ES.COM

STANDARDS & SPECIFICATIONS:

1. HYRUM CITY CITY PUBLIC WORKS - CONSTRUCTION STANDARDS & SPECIFICATIONS  
[https://www.hyrumcity.gov/sites/default/files/fileattachments/planning\\_zoning\\_amp\\_building/page/2253/construction-standards\\_2022\\_current.pdf](https://www.hyrumcity.gov/sites/default/files/fileattachments/planning_zoning_amp_building/page/2253/construction-standards_2022_current.pdf)



ABBREVIATIONS:

APPROX	APPROXIMATE	SWPPP	STORM WATER POLLUTION PREVENTION PLAN
ASTM	AMERICAN SOCIETY FOR TESTING & MATERIALS	TBC	TOP BACK OF CURB
ANSI	AMERICAN NATIONAL STANDARDS INSTITUTE	TOW	TOP OF WALL
APWA	AMERICAN PUBLIC WORKS ASSOCIATION	INV	INVERT ELEVATION
AWWA	AMERICAN WATER WORKS ASSOCIATION	UDOT	UTAH DEPARTMENT OF TRANSPORTATION
BLDG	BUILDING		
CL	CENTERLINE		
CMP	CORRUGATED METAL PIPE		
CO	CLEAN OUT		
DI	DUCTILE IRON		
EA	EDGE OF ASPHALT		
EG	EXISTING GRADE		
EX	EXISTING		
FFE	FINISH FLOOR ELEVATION		
FG	FINISH GRADE		
FH	FIRE HYDRANT		
FL	FLOWLINE		
HDPE	HIGH DENSITY POLYETHYLENE PIPE		
LF	LINEAR FOOT		
LG	LIP OF GUTTER		
MAX	MAXIMUM		
ME	MATCH EXISTING GRADE		
NTS	NOT TO SCALE		
N/A	NOT APPLICABLE		
PR	PROPOSED		
PSI	POUNDS PER SQUARE INCH		
PUE	PUBLIC UTILITY EASEMENT		
PVC	POLYVINYL CHLORIDE PIPE		
RCP	REINFORCED CONCRETE PIPE		
ROW	RIGHT OF WAY		

PRELIMINARY  
NOT FOR  
CONSTRUCTION

0 1 2  
DO NOT USE THIS DRAWING FOR  
SCALING PURPOSES IF THE ABOVE  
SCALE DOES NOT MEASURE 1 INCH  
IN LENGTH.

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BLACKSMITH FORK VET CLINIC  
COVER SHEET  
16 EAST 6200 SOUTH  
HYRUM, UT 84319

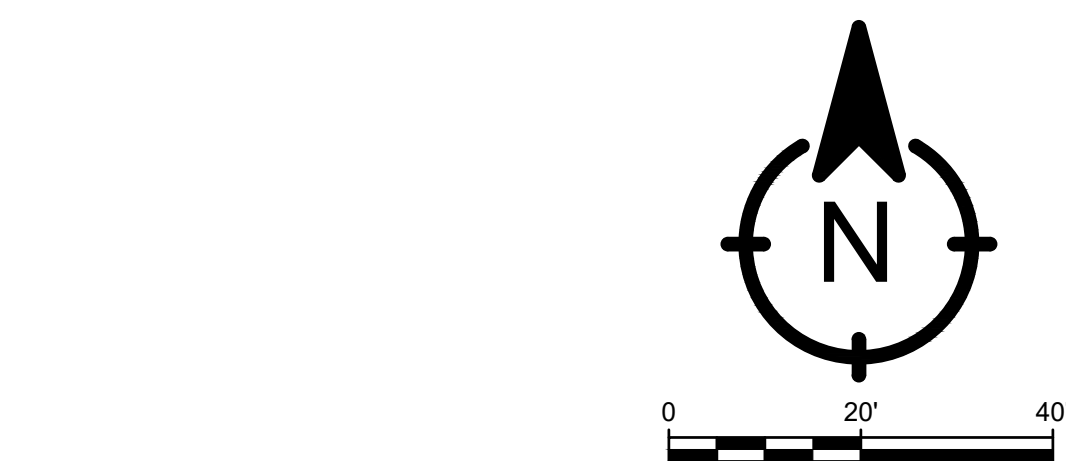
SHEET NO:

C-001

1 OF 2







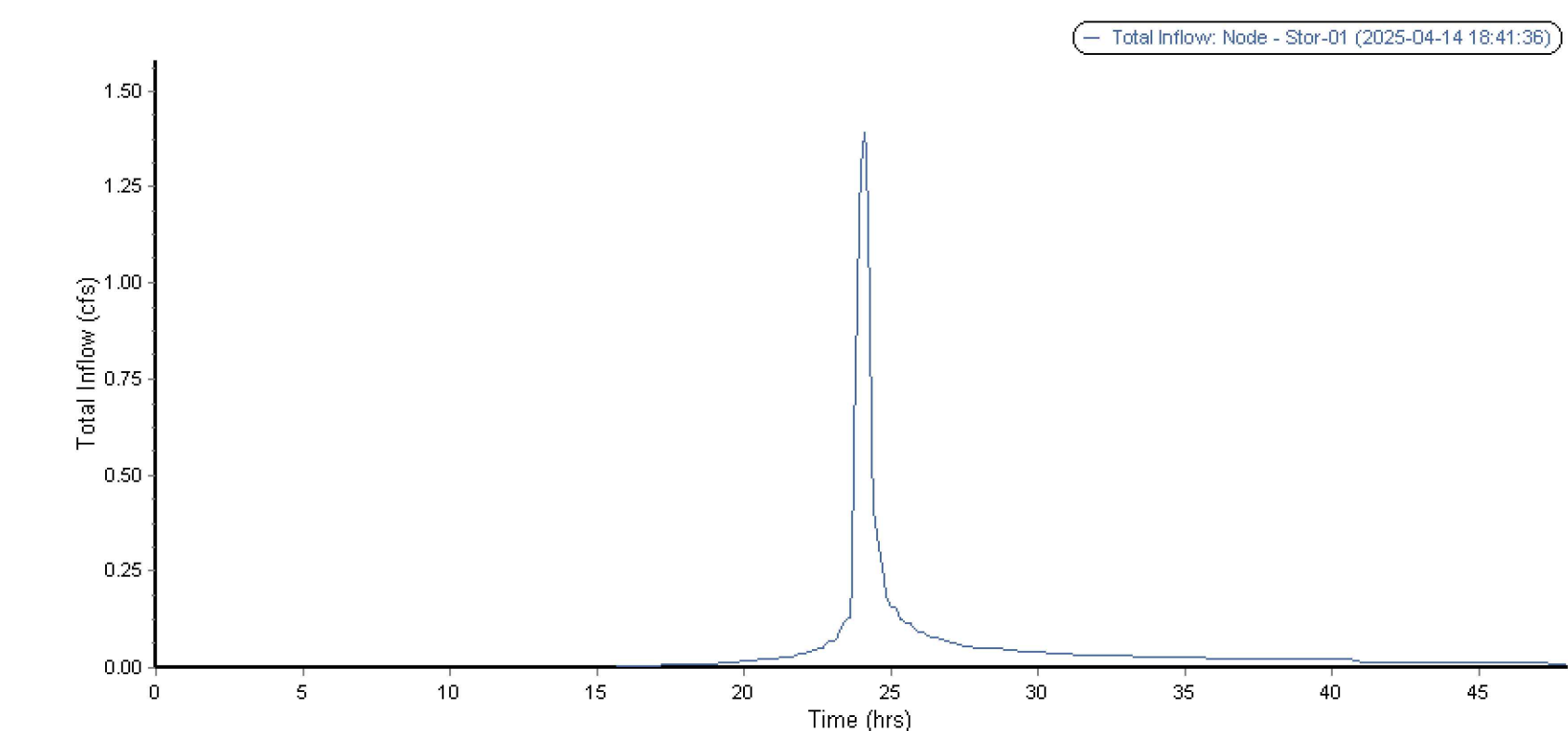
STORMWATER PLAN:

1. STORMWATER HAS BEEN DESIGNED TO THE 100-YEAR 48-HR STORM USING SCS-TR55 DESIGN STANDARDS FOR CACHE COUNTY. STORMWATER WILL BE RETAINED IN A STORMWATER RETENTION BASIN ON THE NORTH END OF THE SITE.
2. RETENTION REQUIRED= 6,593 CF

UTILITY PLAN:  
3. THE NEW BUILDING WILL UTILIZE THE EXISTING SEWER AND WATER LATERALS. SEE ARCHITECTURAL PLANS FOR DETAILS.

PARKING PLAN:

4. REGULAR 9X20 STALLS PROVIDED= 15
5. ADA STALLS PROVIDED = 2
6. COVERED PARKING = 1



Total Inflow Summary Table		
Time period	Element ID	Stor-01
From: 04/14/2025, 12:00:00 AM	Maximum Total Inflow (cfs)	1.39
To: 04/16/2025, 12:00:00 AM	Minimum Total Inflow (cfs)	0.00
	Event Mean Total Inflow (cfs)	0.04
Thresholds:	Duration of Exceedances (hrs)	N/A
Exceedance: 0	Duration of Deficits (hrs)	N/A
Deficit: 0	Number of Exceedances	N/A
	Number of Deficits	N/A
Detention storage	Volume of Exceedance (ft³)	N/A
	Volume of Deficit (ft³)	N/A
Max flow: 0	Total Inflow Volume (ft³)	6592.3
	Detention Storage (ft³)	N/A

WHAT INPUTS DID YOU USE FOR THE CALCULATIONS?  
WHAT IS AND WHERE DID YOU GET YOUR INTENSITY?  
WHY DID YOU USE THE 48 HOUR EVENT? TYPICAL FOR  
CACHE VALLEY IS 24 HOUR.

THIS IS AN ENGINEERING DESIGN AND SHOULD HAVE THE ENGINEER'S STAMP/LICENSE INFORMATION, (MARKED AS PRELIMINARY).

Subbasins

General  
 Subbasin ID:

Connectivity  
 Rain gage:    
 Outlet node:    
 Peak rate factor:

Description:

Physical Properties   SCS TR-55 IOC   Curve Number

Composite curve number

	Area (ac)	Area (%)	Curve Number	Soil Group	Description
1	0.44000	50.57	98	C	Paved parking & roofs
2	0.43000	49.43	74	C	> 75% grass cover, Good
3					
4					
5					
6					

Total area: 0.870   ac   Total area: 100.00   %   Weighted CN: 86.14



**Know what's below.**  
**Call 811 before you dig.**

[illegible]

SEA

**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



DO NOT USE THIS DRAWING FOR  
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SCALE DOES NOT MEASURE 1 INCH  
IN LENGTH.

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**BLACKSMITH FORK VET CLINIC**  
**CIVIL SITE IMPROVEMENTS**  
16 EAST 6200 SOUTH  
HYRUM, UT 84319

SHEET NO:

C-002

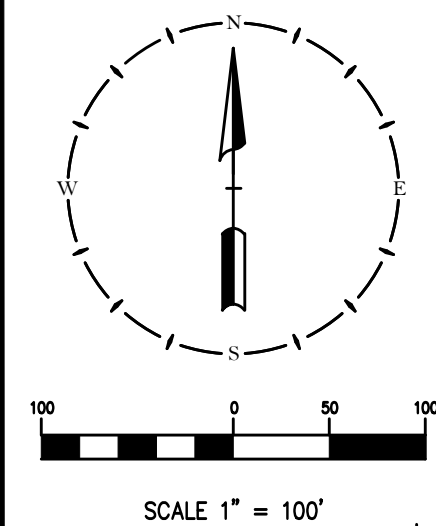
2 OF 2



## ADJUSTED PARCELS LEGAL DESCRIPTIONS

PARCEL NO. 01-073-0012  
XXXX

PARCEL NO. 01-073-0015  
XXXX



SCALE 1" = 100'

4  
3  
9  
10

NORTHWEST CORNER  
SECTION 10,  
T10N, R1E, SLB&M  
FOUND RR SPIKE  
SEE CC COR ID# 62



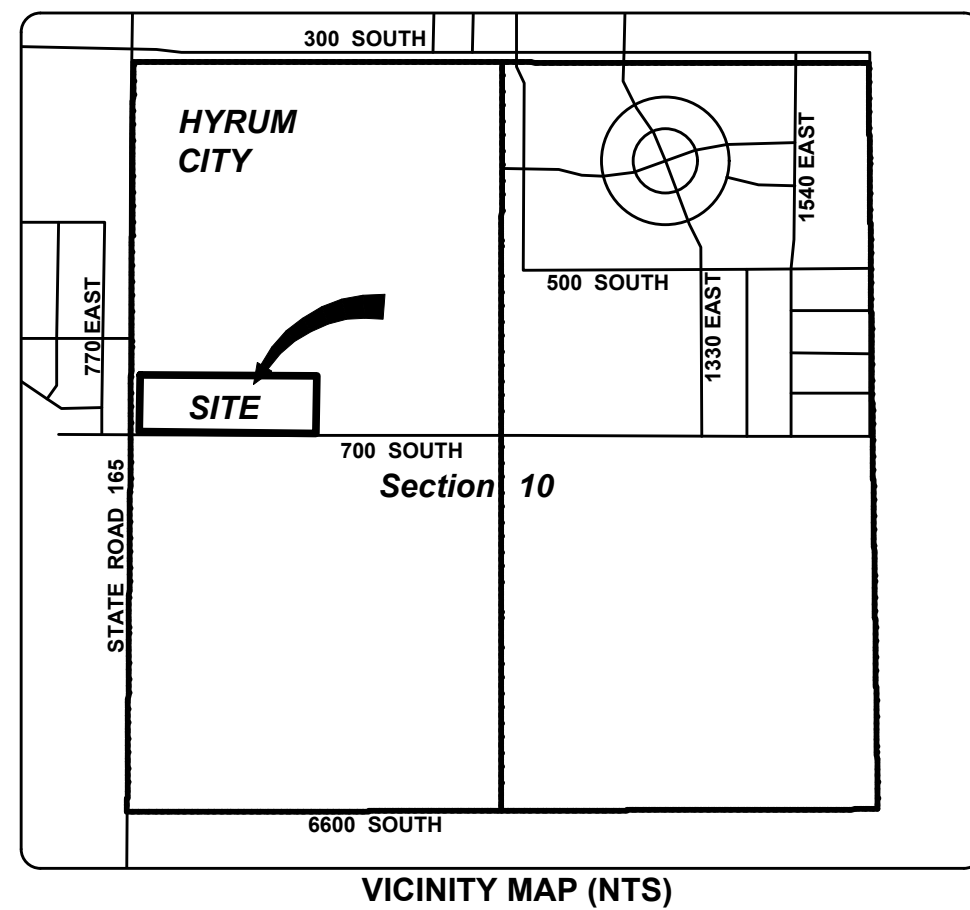
## LEGEND

- ① SET REBAR & CAP STAMPED "ALPENGLOW PLS 11207308" PROPERTY BOUNDARY
- ② FOUND REBAR & CAP (SEE MAP FOR DETAILS) ADJOINING PROPERTY LINES
- ③ FOUND SECTION CORNER (SEE MAP FOR DETAILS) SECTION LINES
- ④ RIGHT-OF-WAY LINES
- ASPHALT ROADWAY

LYON FOUND ALLIANCE ENGINEERING REBAR & CAP

(M) MEASURED BEARING & DISTANCE

(R) RECORD BEARING & DISTANCE



VICINITY MAP (NTS)

## RECORD OF SURVEY

PREPARED FOR:

ALDON WATKINS

LOCATION: HYRUM, UTAH

LOCATED IN THE NW 1/4 OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 1 EAST,  
SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, UTAH.

## LEGAL DESCRIPTIONS

WARRANTY DEED ENTRY NO. 1345391

BEGINNING 10 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN THENCE EAST 1310 FEET (TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER SAID SECTION), THENCE NORTH 429 FEET, THENCE WEST 1310 FEET, THENCE SOUTH 429 FEET TO THE POINT OF BEGINNING.

LESS A PARCEL BEGINNING AT A POINT 31.8 FEET EAST AND 24.1 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 10 (EAST 10 FEET MORE OR LESS BY RECORD) RUNNING THENCE SOUTH 89°14'17" EAST 242 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF 6200 SOUTH STREET; THENCE NORTH 180.00 FEET; THENCE NORTH 89°14'17" WEST 242.00 FEET TO THE EAST RIGHT-OF-WAY OF STATE HIGHWAY 165; THENCE FOLLOWING SAID RIGHT-OF-WAY LINE SOUTH 180.00 FEET TO THE POINT OF BEGINNING.

WARRANTY DEED ENTRY NO. 1345392

A PARCEL OF LAND LOCATED IN SECTION 10, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, BEING FURTHER DESCRIBED AS: BEGINNING AT A POINT 31.8 FEET EAST AND 24.1 FEET NORTH OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 10 (EAST 10' + OR - BY RECORD) RUNNING THENCE SOUTH 89°14'17" EAST 242.00 FEET ALONG THE NORTH RIGHT OF WAY LINE OF 6200 SOUTH STREET; THENCE NORTH 180.00 FEET; THENCE NORTH 89°14'17" WEST 242.00 FEET TO THE EAST RIGHT OF WAY OF STATE HIGHWAY 165; THENCE FOLLOWING SAID RIGHT OF WAY LINE SOUTH 180.00 FEET TO THE POINT OF BEGINNING.

## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISH AS N00°33'22"E 2650.32 FEET MEASURED BETWEEN THE WEST QUARTER CORNER AND NORTHWEST CORNER OF SECTION 10, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, IN CONFORMANCE WITH UTAH STATE PLANE NORTH ZONE BEARINGS (NAD83). DEEDS AND/OR PLATS OF RECORD HAVE BEEN ROTATED TO MATCH THE BASIS OF BEARINGS OR TO OTHER SECTION/MONUMENT LINES RELATIVE TO SAID BASIS OF BEARINGS.

## SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH THE PHYSICAL LOCATION OF AND BOUNDARIES FOR THE PARCEL REFERENCED IN WARRANTY DEEDS ENTRY NOS. 1345391 AND 1345392. TO DETERMINE THE PROPERTY BOUNDARIES, EXISTING SECTION CORNER MONUMENTS, FENCE LINES, AND SURROUNDING RECORDS OF SURVEYS WERE CAREFULLY ANALYZED. THE SPECIFIC BOUNDARY CONCLUSIONS ARE AS FOLLOWS:

- NORTH AND EAST BOUNDARIES: THESE BOUNDARIES ARE DEFINED BY LONG-STANDING FENCE LINES THAT HAVE SEEMINGLY SERVED AS THE COMMON BOUNDARY FOR ADJOINING PROPERTIES. TO ADDRESS POTENTIAL DISCREPANCIES IN RECORD TITLE, IT MAY BE BENEFICIAL TO FORMALIZE BOUNDARY ESTABLISHMENT AGREEMENTS, AS UNWRITTEN RIGHTS TO THESE FENCE LINES MIGHT ALREADY EXIST.

SOUTH BOUNDARY:

THIS BOUNDARY ALIGNS WITH THE SECTION LINE AS IT IS CURRENTLY MONUMENTED.

WEST BOUNDARY:

THE WEST BOUNDARY WAS DETERMINED TO BE A 33-FOOT OFFSET FROM THE CURRENTLY MONUMENTED SECTION LINE. THIS OFFSET ALIGNS WITH THE RIGHT-OF-WAY DESIGNATED FOR THE "JARED CLAWSON MINI SUBDIVISION." HOWEVER, NO FORMAL RIGHT-OF-WAY DOCUMENTATION COULD BE IDENTIFIED IN THE TITLE RECORDS OR UDOT PROJECT MAPS. ADDITIONALLY, THE RIGHT-OF-WAY FENCING SHOWN ON UDOT PROJECT F.A.S.P. NO 8-A IS NO LONGER PRESENT.

BOUNDARY MARKINGS:

ALL BOUNDARY CORNERS WILL BE MARKED WITH #5 REBARS AND CAPS (ALPENGLOW PLS 11207308), AS INDICATED IN THIS DOCUMENT.

## SURVEYOR'S CERTIFICATE

"I, KEVIN M. BALLS, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NO. 11207308-2201 IN ACCORDANCE WITH TITLE 58, CHAPTER 22 OF UTAH STATE CODE. I FURTHER CERTIFY BY AUTHORITY OF THE OWNER(S) THAT I HAVE MADE A SURVEY AND/OR SUPERVISED THE SURVEY OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT IT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PLAT DOES NOT REPRESENT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LANDS SHOWN HEREON."

KEVIN M. BALLS  
PROFESSIONAL LAND SURVEYOR  
LICENSE NO. 11207308-2201

## GENERAL NOTES

1. THIS SURVEY IS NOT A CERTIFICATION OF TITLE OR PROOF OF OWNERSHIP. THIS SURVEY IS A REPRESENTATION OF OPINION BASED ON FACTS AND EVIDENCE. IF NEW EVIDENCE IS DISCOVERED THE SURVEYOR RESERVES THE RIGHT TO MODIFY OPINION PER NEW EVIDENCE.
2. THIS PLAT, ITS CREATION THEREOF, AND ACCOMPANYING FILES, IS THE PROPERTY OF ALPENGLOW ENGINEERS & SURVEYORS. IT IS FOR THE EXCLUSIVE USE OF THE CLIENT REFERENCED ON THE SURVEY. IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECT SUPERVISION OF THE PROFESSIONAL LAND SURVEYOR TO MODIFY OR ALTER ANY ITEM ON THIS DOCUMENT.
3. IF THE CREATION OF A NEW LEGAL DESCRIPTION IS PROVIDED HEREON, AS DIRECTED BY THE CLIENT, NECESSARY TO RESOLVE BOUNDARY LINE CONFLICTS, OR TO CHANGE OR CREATE PARCELS, IT SHOULD BE UNDERSTOOD THAT SAID LEGAL DESCRIPTIONS ARE NOT A MEANS OF CONVEYANCE AND DOES NOT REPLACE EXISTING LEGAL DESCRIPTIONS WITHOUT PERFORMING THE APPROPRIATE LEGAL MEANS TO DO SO.
4. THIS PLAT DOES NOT PURPORT TO SHOW EASEMENTS, ZONING, SETBACK LINES, ENCUMBRANCES, RESTRICTIVE COVENANTS, OR OTHER USE RESTRICTIONS WHICH MAY OR MAY NOT AFFECT THE SUBJECT PROPERTY UNLESS OTHERWISE STATED. UTILITIES HAVE BEEN SHOWN HEREON BASED ON OBSERVED EVIDENCE. ANY INDICATION OF UNDERGROUND UTILITIES THAT MAY BE SHOWN ON THIS PLAT ARE BASED ON OBSERVABLE SURFACE EVIDENCE ONLY BY EXCAVATION CAN THE EXACT LOCATION OF UNDERGROUND UTILITIES BE DETERMINED. CONTRACTORS OR OTHERS THAT PERFORM SITE WORK ARE ADVISED TO VERIFY THE LOCATION OF EXISTING UTILITIES PRIOR TO EXCAVATION OR CONSTRUCTION BY CONTACTING CORRESPONDING UTILITY COMPANIES.



ALPENGLOW  
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SURVEYORS, LLC

Serving Northern Utah and Surrounding areas.  
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REVISIONS	NO.	DATE:	DESCRIPTION:
PROJECT #:		25-014	SCALE: 1" = 100'
DRAWN BY:		KMB	DATE: 04-15-2025
SHEET 1 OF 1			



## PLANNING COMMISSION STAFF EVALUATION – SECOND REVIEW

**APPLICATION NO:** 25-015A

**APPLICANT:** Hyrum City

**PROPERTY OWNER:** NA

**PROPERTY ADDRESS:** NA

**PARCEL NUMBER:** NA

**PARCEL AREA:** NA

**ZONE:** NA

**DATE:** May 5, 2025

**PLANNING COMMISSION MEETING:** May 8, 2025

**PLANNING COMMISSION ROLE:** Recommending Body to City Council

**APPLICATION TYPE:** Amend Hyrum City Code – Legislative

### NATURE OF REQUEST:

Petition to amend Hyrum City Code Title 17 Zoning, Chapter 70 Fence Regulations to establish fence and wall types and height standards.

### OVERVIEW:

Staff received input from a Hyrum City citizen who expressed concern with retaining walls and the unregulated fence heights in the fence ordinance, specifically in residential neighborhoods. Staff has reviewed and considered the citizens input, and staff responded by amending and including language in the fence ordinance that will better serve fencing in residential neighborhoods.

### STAFF COMMENTS:

#### Planning and Zoning:

1. Provided the following clarifications and additions to the April 10, 2025 PC Draft:
  - a. Addressed accessory fences to the interior of the lot.
  - b. Addressed retaining walls placed upon public utility easements.
  - c. Included fencing between incompatible Uses and Zones.
  - d. Revised fence height on top of retaining walls.

### STAFF EVALUATION FIRST REVIEW – Planning Commission: April 10, 2025

#### Planning and Zoning:

1. *Support the amendment for fences and retaining walls may be installed or allowed as limited or exempted for fence and wall types and height standards.*
2. *International Residential Code R105.2, Permits shall not be required for retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.*
3. *Corner and Interior Lot Limits*

#### Cache County Building Department:

1. *Permits shall not be required for retaining walls retaining less than 4 feet (1219mm) of unbalanced fill, unless supporting a surcharge or requiring design per Section R404.4.*

**Engineering:**

1. No comments.

**Fire Department:**

1. No comments.

**Parks:**

1. Supports 7' height regulation.

**Power Department:**

1. Include an exemption for public infrastructure protection and security fences.

**Water & Roads:**

1. Include an exemption for public infrastructure protection and security fences.

**Water Reclamation:**

1. No comments.

**PLANNING COMMISSION RESPONSIBILITY:**

1. The Planning Commission hold the required public hearing.
2. The Planning Commission have a thorough discussion on the draft language, and recommends approval, approval with modification, disapproval, or request additional information to make a recommendation to the City Council.

**STAFF RECOMMENDATIONS:**

1. Support the proposed amendment.
2. If needed, the Planning Commission continue to another meeting to finalize details.

**STIPULATIONS:**

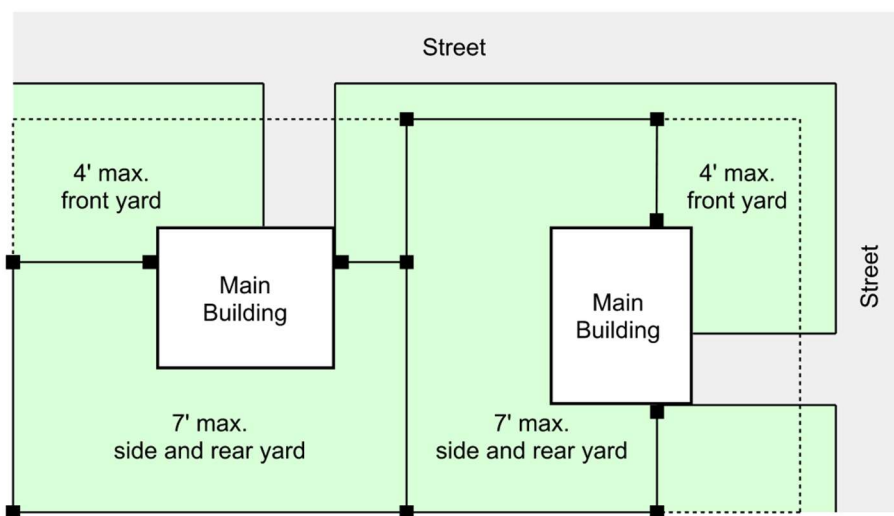
1. This amendment is initiated by a Hyrum City Citizen and submitted by Hyrum City.

**FINDINGS OF FACT:**

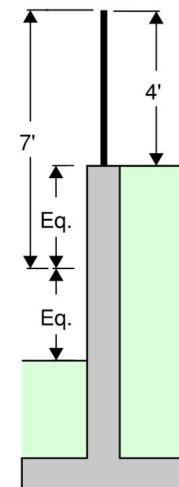
1. The Public Hearing was noticed per Utah Code and City Code.
2. A legislative body may not make any amendment authorized by this section unless the legislative body first submits the amendment to the planning commission for the planning commission's recommendation.

**ATTACHMENTS:**

1. Draft Amendment.
2. Informative exhibit for interior and corner lot fence heights and retaining wall:



Interior and Corner Lots



Retaining Wall

### 17.70.010 Definitions

The following terms used in this title shall have the respective meanings hereinafter set forth.

**Fence** - A tangible barrier or obstruction, with the purpose, intent, or effect of obstructing passage or view across an area constructed of materials that includes but is not limited to; wooden posts, wire, iron, aluminum, vinyl, shrubs, bushes, hedges, walls, concrete wall without surcharge, chain-link, rails, and any other material used as a boundary, means of protection, privacy screening, enclosure, or confinement.

**Opacity** - The measure of which an object restricts clear vision or passage of light.

**Opaque Fence** - Any fence, including any gates, that obstructs light or direct vision through a significant portion of the fence including posts. Examples include vinyl, wood, slats, concrete, brick, and blocks. Multiple fences, including plantings, that in a combined effect obstruct light or vision may be considered an opaque fence.

**Public Trail** - A corridor of property designated by the City for the purposes of non-motorized transportation, such as hiking, walking, jogging, running, horseback riding, cycling, or other similar uses, including any future trails identified in an official document of the City.

**Retaining Wall** - Any manmade structure built out of rock, block, wood, or other similar material to hold back soil or earth allowing for different levels of ground to be created or maintained.

**Transparent/Open Fences** - A fence, including any gates, that permits direct vision through any one section/panel fence including post. Examples include chain link, hog wire, metal rod, and some post and rail fences. Transparent fences shall have a maximum opacity of twenty-five (25) percent.

### HISTORY

Approved by Ord. 24-12 on 11/21/2024

### 17.70.020 General Requirements

Fences and Retaining Walls may be installed or allowed as limited or exempted herein:

#### A. Fence and Retaining Wall Permit and Building Permit Required:

1. The Zoning Administrator or designee shall have the authority to review a fence and retaining wall permit application and grant zoning clearances for all fences and retaining walls.
2. Any fence over three feet (3') in height from the top of the land shall require a fence and retaining wall permit, if over seven feet (7') in height shall require an accompanying building permit and shall be properly engineered with the design plans and a site plan with slope/grades defined and stamped by a certified engineer.
3. Any retaining wall over three feet (3') in height from the top of the land shall require a fence and retaining wall permit, if over four feet (4') in height as measured from the bottom of the footing to the top of the wall or supporting a surcharge shall require an accompanying building permit and shall be



properly engineered with the design plans and a site plan with slope/grades defined and stamped by a certified engineer.

4. Any fence installed on top of a retaining wall shall require a fence and retaining wall permit and shall require an accompanying building permit and shall be properly engineered with the plans stamped by a certified engineer.
5. A fence and retaining wall permit shall be valid for one (1) year from the day it is issued.
6. The applicant may appeal a denied fence permit as defined in HCC 17.16 Appeals.
7. Any new fence or the reconstruction of an existing fence is subject to the requirements of this Chapter.
8. Any fence that is an accessory to the interior of the lot, including but not limited to raising and keeping of animals or garden fences that do not exceed the maximum fence heights in this section for interior and corner lots are exempt from obtaining a fence permit.

B. Fences on Interior Lots:

1. In the required front yard setback, fences shall be limited to four feet (4') in height. A property owner may install a fence limited to seven feet (7') in height in the required front yard abutting a common property line that is the back yard of an adjoining property.
2. In the required side and rear yard setback, and that portion between the front plane of the main building and the front yard setback, fences shall be limited to seven feet (7') in height.

C. Fences on Corner Lots:

1. In the required front yard setback, fences shall be limited to four feet (4') in height. A property owner may install a fence limited to seven feet (7') in height in the required front yard setback abutting a common property line that is the back yard of an adjoining property.
2. In the required side and rear yard setbacks, and that portion between the front plan of the main building and the front yard setback, fences shall be limited to seven feet (7') in height. The street facing side and rear yards which back onto front yards of adjoining lots, fences shall be limited to seven feet (7') in height.

D. Public Utility and Irrigation Access and Protections:

1. All public utility meters and structures shall be accessible from the public right of way.
2. Water meters and irrigation shutoff valves require a minimum of three feet (3') by six feet (6') unobstructed maintenance area.
3. Power pedestals and transformers require a minimum of three feet (3') unobstructed maintenance zone.
4. Any fence or retaining wall along any irrigation ditch, canal, weir, headgate, or other irrigation structure shall be approved by the water master of the respective irrigation company.

5. Retaining walls shall not be placed upon a public utility easement unless the City Engineer determines the retaining wall will not unreasonably interfere with the public utility easement and approve the retaining wall in writing.

**E. Fencing Between Incompatible Uses and Zones:**

1. Whenever a lot is developed or change of use is applied that is abutting a use or zone that is different than a use located on an abutting lot or parcel, the development shall include the installation of a fence along the property lines between the different uses at permitted fencing locations as follows:

- a. Fencing between single-family and multi-family uses, a minimum of a six-foot-high (6') opaque fence shall be installed along the property lines at permitted fencing locations.
- b. Fencing between residential and commercial or manufacturing uses, a minimum of a six-foot-high (6') opaque fence shall be installed along the property lines at permitted fencing locations.

2. Exemptions:

- a. Any new single-family lot that is not part of a subdivision or planned unit development that is to be located against an existing incompatible use, the existing incompatible use is exempt of the requirements to install a fence along the property lines between the different uses.

**F. Fences and Retaining Walls are further limited as follows:**

1. Fences shall be installed one foot (1') behind the sidewalk or the anticipated location of a sidewalk when a sidewalk is not present.
2. Fences shall be contained within a property boundary.
3. Fence height shall be measured from the lowest surface of the land.
4. Fences installed adjacent to a street shall have the finished side facing the street.
5. Fences shall be constructed according to local building codes and consist of durable industry standard materials include cedar, douglas fir, redwood, or pressure-treated wood products; Vinyl (Polyvinyl chloride); natural boulder, rock or stone; cast in place or precast concrete; wrought iron, welded wire mesh or galvanized chain link.
6. Fences that shall not be permitted include stacked refuse or discarded debris, manufactured wood pallets, chipboard, particle board, or plywood.
7. Where a fence is installed on top of a retaining wall or where, for other reasons, there is a difference in the elevation of the surface of land on either side of the fence, height of the fence shall be measured from a point half way between the top of the retaining wall and the land on the lower side or from the average elevation of the surface of land on either side of the fence, but nothing herein contained shall be construed to restrict the fence on top of retaining wall to be less than four feet (4') in height measured from the top of the land on the side of the retaining wall having the highest ground elevation.

8. Gates in rear or side yards shall be subject to driveway distance requirements in respect to distances from property lines and road intersections.
9. Gates that adjoin the public right of way or public utility easements shall open inwards towards the private property.
10. Gates in rear yards shall provide a minimum width of four feet (4') wide for emergency access.

G. Exemptions:

1. Fences may be approved by the Zoning Administrator or designee for the following conditions:
  - a. Protect, secure or screen site construction with an active demolition permit, building permit, special event permit or other similar type of permit.
  - b. Protect, secure or screen an attractive nuisance or unsafe property.
  - c. Protect, secure or screen a public utility or facility (i.e. electrical substations, park facilities, public works facilities, solid waste facilities, water tanks, water treatment plants, etc.).
2. The City Council may grant an exception through a conditional or permitted site plan approval surrounding commercial or manufacturing uses, schools, swimming pools, basketball and tennis courts, or where the normal use or level of protection requires a greater fence height and fence type for safety or other reasons.

~~A.—A zoning clearance is required to build a fence:~~

- ~~1.—The Zoning Administrator, or their designee, shall have the authority to review applications and grant permits for fences:~~
- ~~2.—A fence permit shall be valid for one (1) year from the day it is issued:~~
- ~~3.—The applicant may appeal a denied permit as defined in HCC 17.16 Appeals:~~
- ~~4.—Any new fence or the reconstruction of an existing fence is subject to the requirements of this Section:~~

~~B.—All utility meters must be readily accessible in an unfenced area of the front or side yard including the following restrictions:~~

- ~~1.—Utilities not owned by the City are subject to this requirement:~~
- ~~2.—Water or irrigation meters not located within the park strip. Water and irrigation meters are required to have a three (3) foot wide by six (6) foot long work zone adjacent to the meter barrel that is parallel to the sidewalk:~~
- ~~3.—Temporary meters for construction or short-term purposes:~~
- ~~4.—Gates do not qualify for an accessible, unfenced area:~~

~~C.—Fence heights are subject to building code requirements of the current building code accepted by State Code:~~

D.—Front Yards: No fence shall be erected in any front yard setback area to a height in excess of four feet (4') and shall be of transparent construction within twenty (20) feet of a driveway;

1.—Lots fronting on two city streets shall meet the front yard requirements along both frontages. Fences along a street frontage that is not the front of the house may be taller than four (4) feet where it does not conflict with sight restrictions listed in the Hyrum City Code.

2.—Where a lot has no vehicular access adjacent to a street as restricted by plat or deed, the City may deem this as a rear yard. Fences along a frontage that is not restricted may still be subject to the front yard requirements.

3.—Where vertical utility features such as pedestals and transformers are installed, the fence is not allowed to be constructed within three (3) feet of the base of the feature.

E.—Rear and side yards: No fence shall be erected or maintained in any side or rear yard to a height in excess of seven feet (7') without a building permit and shall be subject to the limitations identified herein for fences bordering Public Trails, corner lots, and adjacent to streets.

F.—Under no circumstances shall a fence, structure, or landscaping element interfere with property address identification. Landscaping elements exclude varieties of trees approved by the Zoning Administrator. Any conflicts between this Chapter and other portions or provisions of the HCC shall be governed by the more restrictive or limiting provision.

G.—The height of the fence shall be measured from the lowest adjacent ground.

Example: a fence on top of a retaining wall.

H.—Fencing types and materials may be combined so long as they do not exceed four feet (4') in height or exceed the transparency requirements.

I.—Fences installed adjacent to a street shall have the finished side facing the street. All gates that adjoin public property or public easements shall open inward toward the property owner's yard.

J.—Fences shall not be built within one foot (1) of a sidewalk or the anticipated location of a future sidewalk.

K.—All rear yards shall provide gate access for emergency purposes, which access shall be at least four feet wide.

L.—Gates in rear or side yards shall be subject to driveway distance requirements in respect to distances from property lines and road intersections.

## HISTORY

Approved by Ord. [24-12](#) on 11/21/2024

**17.70.030 Corner Lots And Clear View Triangles**

A clear view triangle at all intersections shall be kept clear of obstructions significantly limiting the sight of drivers. This triangle shall be measured having two legs of forty feet and the area contained between them, measured from the intersection of the right-of-way lines or the projection of the right of way lines as determined by the City Engineer.

- A. Fences or other objects in excess of four feet (4') shall not be placed on any corner lot within a clear view triangle.
- B. Landscaping including berms, plantings and trees, except trees pruned appropriately to permit automobile drivers an unobstructed view are also restricted in this area. The lowest
- C. limb or foliage shall not obstruct view under eight (8) feet as measured from the adjacent ground or the roadway, whichever is higher in elevation.
- D. For driveways and fences along city trails, this triangle may be reduced to a distance of twenty (20) feet back from the intersection of driveway and sidewalk, or driveway and property line where no sidewalk exists.

**HISTORY**

Approved by Ord. [24-12](#) on 11/21/2024