

ORDINANCE 16-10

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 17 of the Hyrum City Municipal Code is known as the Zoning Ordinance of Hyrum City and sets forth regulations governing land use within the municipal limits; and

WHEREAS, Section 17.04.040 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, to be amended by the City Council following fourteen days' notice and a public hearing held by the Planning Commission; and

WHEREAS, the City Council has determined there is a need to amend Title 17 to restrict commercial storage units to Manufacturing Zones and to no longer allow them in Commercial Zones where the emphasis should be on retail and service businesses; and

WHEREAS, the City finds it necessary to adopt design and development standards for commercial storage units in Manufacturing Zones to ensure that this type of project does not have adverse consequences and to keep the area maintained.

NOW, THEREFORE, following a public hearing held by the Planning Commission, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING TITLE 17 (ZONING ORDINANCE) OF THE HYRUM CITY MUNICIPAL CODE BY ADDING SECTIONS 17.48.150 AND 17.49.150 PERMITTING AND REQUIRING DESIGN STANDARDS FOR SELF STORAGE UNITS IN MANUFACTURING ZONES; AND OMITTING COMMERCIAL STORAGE UNITS IN ALL COMMERCIAL ZONES SECTIONS 17.44.020 AND 17.45.020.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 17.44.020 of Title 17 of the Hyrum City Municipal Code be amended to read as follow:

17.44.020 Use regulations.

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

A. Permitted Uses:

1. Single-family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family food production (per HCC 17.85.010) and recreation animals.
2. Dwelling two family accessory apartment
3. Boarding or rooming house
4. Hotel or motel
5. Community centers
- ~~6. Storage units, commercial~~
- ~~6.7.~~ Churches and accessory buildings including rectories
- ~~7.8.~~ Nursing homes
- ~~8.9.~~ Schools (public and private)
- ~~9.10~~ Parks and playgrounds
- ~~10.11~~ Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
- ~~11.12~~ Communication facilities (radio or TV transmission, telephone transmission, etc.)
- ~~12.13~~ Office buildings
- ~~13.14~~ Retail sales (groceries, bakeries, building supplies, auto & trailer sales, hardware, clothing, etc).
- ~~14.15~~ Service industries, (laundry, carwash, barbers, auto repairs, auto body shop, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
- ~~15.16~~ Residential facilities for persons with a disability.
- ~~16.17~~ Residential facilities for the elderly.
- ~~17.18~~ Planned unit development.

B. Permitted accessory uses:

1. Accessory buildings.
2. Professional child care.
3. Swimming pools.
4. Home Occupations.
5. Combustible and flammable liquids over 500 gallons above or below ground.

- a. Combustive and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:
 - i. Must meet all of the requirements of the uniform building and fire codes.
 - ii. Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.
- 6. Truck storage.
- A. Conditional Uses:
 - 1. Taverns.
 - 2. Dancehall or night club.
 - 3. Light manufacturing.

2. Section 17.45.020 of Title 17 of the Hyrum City Municipal Code be amended to read as follow:

17.45.020 Use Regulations.

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

- A. Permitted Uses:
 - 1. Single family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family food production (Per HCC 17.85) and recreation animals.
 - 2. Dwelling two family accessory apartment
 - 3. Boarding or rooming house
 - 4. Hotel or motel
 - 5. Community centers
 - 6. Churches and accessory buildings including rectories
 - 7. Nursing homes
 - 8. Schools (public and private)
 - 9. Parks and playgrounds
 - 10. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
 - 11. Communication facilities (radio or TV transmission, telephone transmission, etc.)

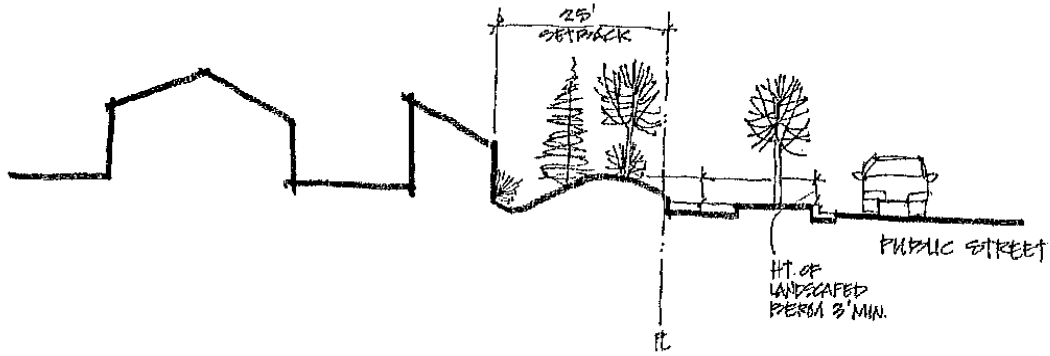
12. Office buildings
 13. Retail sales (groceries, bakeries, lumberyards, auto & trailer sales, hardware, clothing, etc).
 14. Service industries, (laundry, carwash, barbers, auto repairs, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
 15. Residential facilities for persons with a disability.
 16. Residential facilities for the elderly.
 17. Planned unit development.
 18. ~~Storage Units — Commercial.~~
- B. Permitted accessory uses:
1. Accessory buildings.
 2. Professional child care.
 3. Swimming pools.
 4. Home Occupations.
 5. Combustible and flammable liquids over 500 gallons above or below ground.
 - a. Combustive and flammable liquids stored in containers in excess of 500 gallons are permitted in this zone provided the following conditions are met:
 - i. Must meet all of the requirements of the uniform building and fire codes.
 - ii. Must be emplaced in such a location as to allow loading and unloading operations to be away from public sidewalks and roadways.
- C. Conditional Uses:
1. Taverns.
 2. Dancehall or night club.
 3. Light manufacturing.

3. Section 17.48.150 of Title 17 of the Hyrum City Municipal Code be added to read as follows:

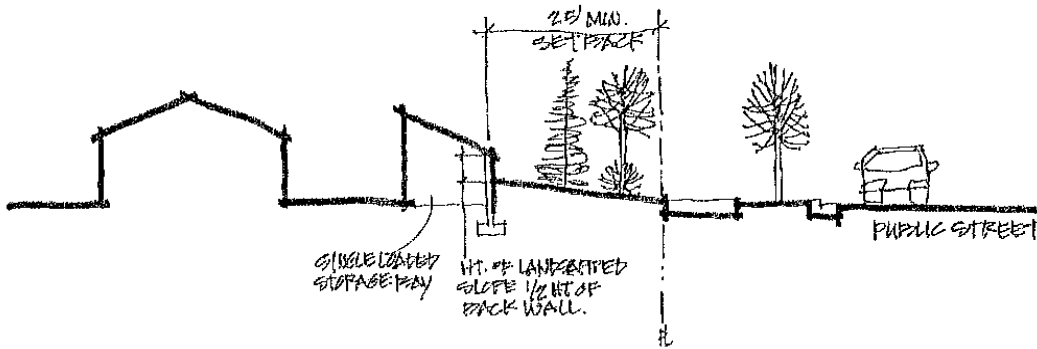
17.48.150 Self Storage.

- A. Purpose - The additional requirements for self storage uses are intended to ensure that this type of project is developed to reduce adverse consequences on surrounding properties and requires that the long term appearance of storage units is maintained.
- B. Standards - The following additional development standards are required for self storage developments:
 1. Storage of any kind is prohibited in required setbacks.

2. All outside storage shall be located at the rear of the property, and have a roof cover, completely screened from public view by a solid screen fence, building, or other manner as approved by the Planning Commission.
3. Storage units adjacent to any public roadway shall be single loaded with the back of the units facing the street and doorways of the units facing inward toward other storage units.
4. Front yard setbacks shall be landscaped and screened with a combination of deciduous and coniferous trees and shrubs to cause at least a 50% screen within 5 years. Trees must be planted at 2 ½" caliper while shrubs must be planted with at least 5 gallon nursery stock.
5. All side yard and rear yard setbacks shall be landscaped and screened with a combination of deciduous and coniferous trees and shrubs to cause at least a 25% screen within 5 years. Trees must be planted at 1 ½" caliper while shrubs must be planted with at least 1 gallon nursery stock.
6. All setbacks are required to be irrigated by an automatic sprinkler irrigation system.
7. The developer shall landscape and grade the street facing frontage using one of the following options:



STORAGE BAY STANDARD
OPTION A



STORAGE BAY STANDARD
OPTION B

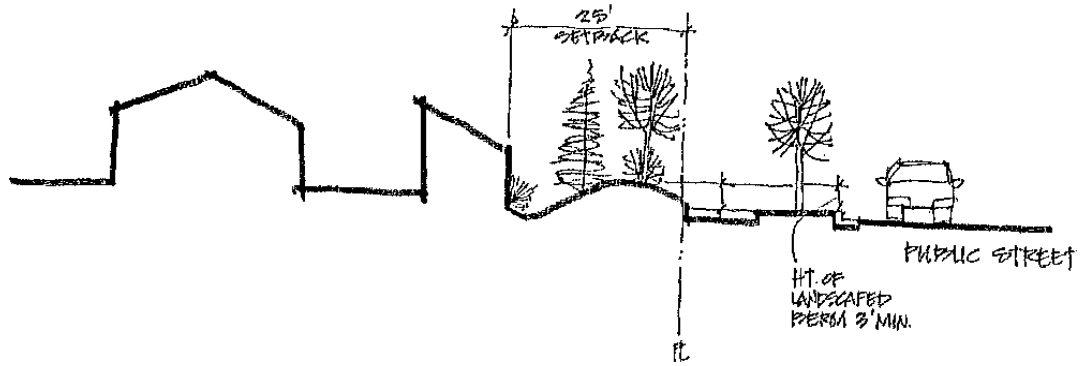
4. Section 17.48.150 of Title 17 of the Hyrum City Municipal Code be added to read as follows:

17.48.150 Self Storage.

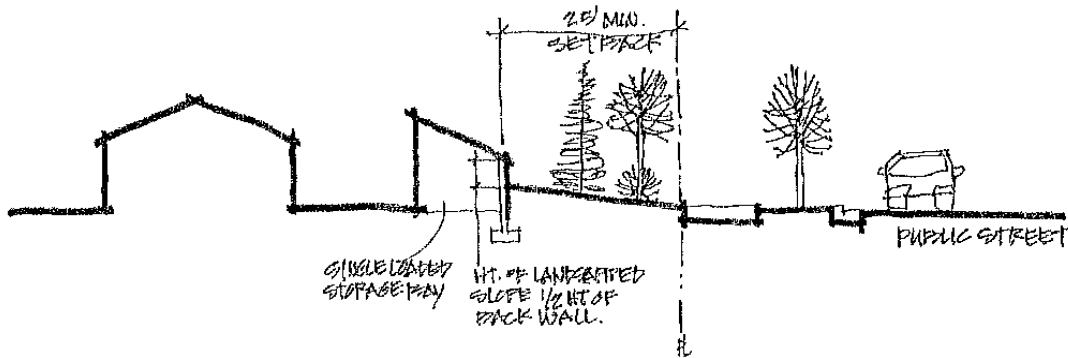
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STORAGE BAY STANDARD
OPTION A



STORAGE BAY STANDARD
OPTION B

5. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This

repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

6. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply.5 The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

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

8. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 1st day of December, 2016.

HYRUM CITY

BY: _____
Stephanie Miller
Mayor

ATTEST:

Stephanie Fricke
City Recorder