

ORDINANCE 12-04

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 city limits; and

WHEREAS, the City Council has determined there is a need to amend Title 17 in order to more fully comply with state law and to further clarify those regulations governing zoning and other regulations controlling land use and development within Hyrum City.

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 THE HYRUM CITY MUNICIPAL CODE SECTION 17.44.020 OF CHAPTER 17.44 THE COMMERCIAL C-1 ZONE TO ELIMINATE EXAMPLES OF CONDITIONAL USES, SUCH AS, WELDING, MACHINE SHOPS, WAREHOUSES, AUTO BODY SHOP, TIRE SHOP, ETC. SINCE THESE USES ARE A PERMITTED USE; AND SECTION 17.45.020 OF CHAPTER 17.45 THE COMMERCIAL C-2 ZONE TO INCLUDE LIGHT MANUFACTURING AS A CONDITIONAL USE.

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

1. Section 17.44.020 of Chapter 17.44 of Title 17 of the Hyrum City Municipal Code is amended to read as follows:

17.44.020 Use regulations.

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

A. Permitted Uses:

1. Single-family dwellings with driveways, garages, off-street parking, fences and landscaping, utility lines, gardens, family

food production (per 17.85.010) and recreation animals.

2. Dwelling two family accessory apartment
 3. Duplex, triplex or fourplex
 4. Boarding or rooming house
 5. Hotel or motel
 6. Community centers
 7. Storage units, commercial
 8. Churches and accessory buildings including rectories
 9. Nursing homes
 10. Schools (public and private)
 11. Parks and playgrounds
 12. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).
 13. Communication facilities (radio or TV transmission, telephone transmission, etc.)
 14. Office buildings
 15. Retail sales (groceries, bakeries, building supplies, auto & trailer sales, hardware, clothing, etc).
 16. Service industries, (laundry, carwash, barbers, auto repairs, auto body shop, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
 17. Residential facilities for persons with a disability.
 18. Residential facilities for the elderly.
 19. 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.

C. Conditional Uses:

1. Taverns.

2. Dancehall or night club.

3. Light manufacturing (~~welding, machine shops, commercial warehouses, auto body shop, tire shop, etc.~~).

2. Section 17.45.020 of Chapter 17.45 of Title 17 of the Hyrum City Municipal Code is amended to read as follows:

17.45.020 Use regulations.

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

A. Permitted Uses:

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

2. Dwelling two family accessory apartment

3. Duplex, triplex or fourplex

4. Multiple residential units above commercial

5. Boarding or rooming house

6. Hotel or motel

7. Community centers

8. Churches and accessory buildings including rectories

9. Nursing homes

10. Schools (public and private)

11. Parks and playgrounds

12. Public structures (i.e. courts, City hall, fire stations, public works, electrical, gas, and telephone transmission stations, etc.).

13. Communication facilities (radio or TV transmission, telephone transmission, etc.)

14. Office buildings

15. Retail sales (groceries, bakeries, lumberyards, auto & trailer sales, hardware, clothing, etc).
 16. Service industries, (laundry, carwash, barbers, auto repairs, restaurants, clinics & doctors offices, tailors, appliance repair, equipment repair, etc.).
 17. Residential facilities for persons with a disability.
 18. Residential facilities for the elderly.
 19. 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.
- C. Conditional Uses:
1. Taverns.
 2. Dancehall or night club.
 3. Light Manufacturing

3. 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.

4. 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, the zoning map, or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

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

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 19th day of July, 2012.

HYRUM CITY

BY: _____
W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____