

ORDINANCE 10-02

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, the City Council has determined there is a need to amend Title 17 in order to allow public structures and communication facilities as a permitted use in Chapters 17.48 Light Manufacturing M-1, 17.49 Manufacturing M-2, and 17.50 Professional/Technology Park P-T.

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 CHAPTERS 17.48, 17.49, AND 17.50 TO ADD PUBLIC STRUCTURES AND COMMUNICATION FACILITIES AS A PERMITTED OR CONDITIONAL USE.

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

1. Section 17.48.020 of Title 17 of the Hyrum City Municipal Code be amended to read as follow:

17.48.020 Use Regulations.

In this zone, no land use shall be permitted except those designated below.

A. Permitted uses:

1. Auto repair
2. Kennel
3. Light Manufacturing plants (no excessive noise, dust, smoke, or odor)
4. Maintenance and repair facilities
5. Paint shops
6. Storage units, commercial warehouses
7. Storage yards (i.e. sand, gravel, lumber, etc.)
8. Office buildings

- 9. Public structures (i.e. courts, city hall, fire stations, public works, electrical, gas, and telephone transmission lines and stations, etc.)
- 10. Communication facilities (radio, television, telephone transmission, etc.)
- B. Permitted accessory uses:
 - 1. Combustible and flammable liquids over 500 gallons
- C. Conditional uses:
 - 1. Retail sales

2. Section 17.48.100 of Title 17 of the Hyrum City Municipal Code is hereby added to read as follow:

17.48.100 Public Structures.

Public structures such as electrical, gas, telephone transmission and fire stations are permitted. In this zone provide the following condition is met:

- A. Landscaping provided in front yard area where reasonable.

3. Section 17.49.020 of Title 17 of the Hyrum City Municipal Code be amended to read as follow:

17.49.020 Use Regulations.

In this zone, no land use shall be permitted except those designated below.

- A. Permitted uses:
 - 1. Auto repair
 - 2. Kennel
 - 3. Manufacturing plants (no excessive noise, dust, smoke, or odor)
 - 4. Maintenance and repair facilities
 - 5. Paint shops
 - 6. Storage units, commercial warehouses
 - 7. Storage yards (i.e. sand, gravel, lumber, etc.)
 - 8. Public structures (i.e. courts, city hall, fire stations, public works, electrical, gas, and telephone transmission lines and stations, etc.)
 - 9. Communication facilities (radio, television, telephone transmission, etc.)
- B. Permitted accessory uses:
 - 1. Combustible and flammable liquids over 500 gallons
- C. Conditional uses:
 - 1. Retail sales

4. Section 17.49.100 of Title 17 of the Hyrum City Municipal Code is hereby added to read as follow:

17.49.100 Public Structures.

Public structures such as electrical, gas, telephone transmission and fire stations are permitted. In this zone provide the following condition is met:

A. Landscaping provided in front yard area where reasonable.

5. Section 17.50.020 of Title 17 of the Hyrum City Municipal Code be amended to read as follow:

17.50.020 Use regulations.

In this zone, no land use shall be permitted except those designated below.

A. Permitted uses:

1. Professional offices.
2. Research and technology development facilities.
3. Light manufacturing plants (no excessive noise, dust, smoke or odor).
4. Accessory buildings.

B. Conditional uses:

1. Maintenance and repair facilities.
2. Storage units, commercial warehouses.
3. Public structures (i.e. courts, city hall, fire stations, public works, electrical, gas, and telephone transmission lines and stations, etc.
4. Communication facilities (radio, television, telephone transmission, etc.)

6. Section 17.50.095 of Title 17 of the Hyrum City Municipal Code is hereby added to read as follow:

17.50.095 Public Structures.

Public structures such as electrical, gas, telephone transmission and fire stations are permitted. In this zone provide the following condition is met:

A. Landscaping provided in front yard area where reasonable.

7. 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.

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

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

10. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 6th day of May, 2010.

HYRUM CITY

BY: _____
W. Dean Howard
Mayor

ATTEST:

Stephanie Fricke
City Recorder

Posted: _____