

ORDINANCE 19-04

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 the municipal limits.

NOW, THEREFORE, upon recommendation of the Planning Commission and following a public hearing as required by Section 17.08.150, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING TITLE 17 (THE ZONING ORDINANCE OF THE HYRUM CITY MUNICIPAL CODE SECTION 17.60.010 TO SET A MAXIMUM DENSITY ALLOWED FOR MULTI-FAMILY HOUSING DEVELOPMENTS TO NOT EXCEED 10 UNITS PER ACRE; SECTION 17.85.010 TO ALLOW HEN CHICKENS ON RESIDENTIAL LOTS; SECTION 17.04.070 INNERBLOCK DEVELOPMENT - INNERBLOCK DEVELOPMENT IS ONLY ALLOWED IN THE R-2A ZONE. "INNERBLOCK DEVELOPMENT" MEANS RESIDENTIAL DEVELOPMENT OF ANY DWELLING UNITS WITHIN THE INTERIOR OF EXISTING BLOCKS; TO REPEAL CHAPTER 17.61 PURCHASE AND SELLING OF LAND; TO REPEAL CHAPTER 17.24 RESIDENTIAL R-1 ZONE AND TO COMBINE THE RESIDENTIAL R-1 ZONE WITH CHAPTER 17.28 RESIDENTIAL R-2 ZONE; CLARIFICATION OF BUILDING PERMIT AND SITE PLAN APPROVAL PROCESS IN ALL APPLICABLE SECTIONS OF TITLE 17; CLARIFICATION OF LIVING SPACES AND UTILITY SERVICES FOR A TWO-FAMILY ACCESSORY APARTMENT; AMENDING PENALTY FROM CLASS B MISDEMEANORS TO INFRACTIONS WHERE APPLICABLE; AND OTHER MISCELLANEOUS CHANGES.

1. Section 17.04.070 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.04.070 Definitions

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

Accessory building - "Accessory building", in a residential zone, means subordinate building used for purposes incidental to the main structure, such as private garages, storage buildings, repair facilities, hothouses, portable shelters (carports, awning, etc.), solar units, storage pods/containers (maximum size allowed one hundred and forty (140) square feet unless otherwise approved by the Planning Commission with possible additional landscaping & construction requirements or for temporary use), located on the same lot occupied by the main building. Accessory buildings have a

height limit of twenty-five (25) feet. Building permits required as per State law. City zoning clearance required.

Administrative appeals hearing officer - "Administrative Appeals Hearing Officer" means an individual, appointed by the Mayor, with advice and consent from the City Council, to hear and make rulings on requests for variances and appeals of decisions applying Land Use Code. (HCC Title 17.16) (Ord. 08.13)

Agricultural land - "Agricultural land" means land within the City boundaries which may be used for the tilling of soil, the raising of crops, for horticulture and gardening, including the keeping or raising of domestic animals and fowl, but not including any agricultural industry or business such as fruit packing plants, fur farms or similar uses.

Alley - "Alley" means a public thoroughfare twenty-six feet or less in width.

Amendment - "Amendment" means a change to this title or Zoning Maps.

Amusement, commercial (indoor) - "Indoor commercial amusement" means an amusement enterprise offering entertainment or games of skill, not listed elsewhere, wholly enclosed in a building, including a bowling alley, billiard or pool hall, pinball parlor or similar activities.

Amusement, commercial (outdoor) - "Outdoor commercial amusement" means any amusement enterprise offering entertainment or games of skill to the general public for a fee or charge, not elsewhere listed, wherein any portion of the activity takes place in the open, including a golf driving range, amusement park, miniature golf or similar activities.

Basement - "Basement" means a story partly underground. A basement shall be considered a story, for the purposes of height measurement, if one-half of its height is above grade.

Block - "Block" means a piece of land surrounded by streets or other rights-of-way other than an alley or land which is designated as a block on any recorded subdivision plat.

Boarding or rooming house - "Boarding or rooming house" means a building, other than a hotel, with not more than five guest rooms where, for compensation, meals are provided for at least five but not more than fifteen persons. Only allowed in commercial zones.

Building - "Building" means any structure having a roof supported by columns or walls for the housing or enclosure of persons, animals or chattels.

Building height - "Building height" means the vertical distance from the grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between the ridge and the eaves of a gable, hip or gambrel roof.

Building, main - "Main building" means the principal building or one of the principal buildings upon a lot, or the building or one of the principal buildings housing the principal use of a lot.

Building, public - "Public building" means a building owned or used by a governmental agency.

Carport - "Carport" means a private garage not completely enclosed by walls or doors, which shall be subject to all the regulations prescribed for a private garage.

Cell Tower- Communication tower generally used for cellphone transmission. These large towers are only allowed in industrial, commercial, professional zoned areas and must be setback at least the distance of the height of the tower from any residential properties. Height is limited to what is actually needed by the carrier and security fencing is required around the tower.

Child care, professional - "Professional child care" means care that is monitored and controlled by the State of Utah Department of Health, and Bureau of Child Care Licensing. Utah State law requires that individuals providing professional child care to 5 or more children, unrelated to the caregiver, must have a license or certificate issued by the state. (caregivers children, nieces and nephews are related.)

City Council - "City Council" means the City Council of Hyrum City, Utah.

City Engineer/Engineer - "City Engineer" means any registered civil engineer appointed by the City Council, or any other person designated by the City Administrator, to accomplish the objectives of this title; provided, that no such person may serve the City and a sub divider simultaneously where he/she would have to check his/her own work or the work of a member of his/her firm in connection with any subdivision in the City. "Engineer" means licensed in the State of Utah for discipline and in good standing with The Division of Occupational and Professional Licensing.

Club, private - "Private club" means an organization, group or association supported by the members thereof, the sole purpose of which is to render a service customarily rendered for members and their guests, not to include any service, the chief activity of which is customarily carried on as a business, and not to include labor union organizations or similar labor or business organizations.

Commission - "Commission," unless otherwise clearly indicated, means the Hyrum City Planning Commission.

Concept plan - "Concept plan" means a conceptual drawing of the proposed development prepared in accordance with the requirements of this title, and HCC Title 16.

Conditional use - "Conditional use" means the use of land for which a conditional use permit is required pursuant to HCC 17.84.

Condominium - "Condominium" means a single dwelling unit in a multiple-unit project, together with undivided interest in common in the common areas and facilities of a property as provided by state law.

Courtyard - "Courtyard" means an open, unoccupied space other than a yard, on the same lot as a building or group of buildings, which is bounded on two or more sides by such building or buildings.

District or zone - "District or zone" means an area within the City boundaries which has been given a specific designation as shown on the zoning map.

Dwelling - "Dwelling" means any building or portion thereof, which is designed to be used for residential purposes, but not including hotels, apartment hotels, boarding houses, lodging houses, motels, apartment motels, fraternity or sorority houses, dormitories, or trailers and mobile homes.

Dwelling, fourplex - "Fourplex dwelling" means a single structure designed and constructed with four dwelling units under a single roof for occupancy by four families.

Dwelling, multi-family - "Multi-family dwelling" means any building, or portion thereof, which is designed, built, rented, leased or let to be occupied as two or more dwelling units or apartments which is occupied as a home or place of residence by two or more families living in independent dwelling units.

Dwelling, one-family attached - "One-family attached dwelling" means a dwelling joined to another dwelling at one or more sides

by a party wall or abutting separate walls, which is erected upon a separate lot of record and is designed for occupancy by one family.

Dwelling, single-family detached - "Single-family detached dwelling" means a dwelling designed and constructed for occupancy by one family and located on a lot or separate building tract, and having no physical connection to a building located on any other lot or tract.

Dwelling, triplex - "Triplex dwelling" means a single structure designed and constructed with three dwelling units under a single roof for occupancy by three families.

Dwelling, duplex - "Duplex dwelling" means a single structure designed and constructed with two dwelling units under a single roof for occupancy by two families

Dwelling, two-family, accessory apartment - "Two-family accessory apartment dwelling" means a single structure occupied by the owner of the structure, with an accessory apartment which may be rented to another family. This classification is not for duplexes or where the owner does not occupy a portion of the dwelling.

Dwelling unit - "Dwelling unit" means one or more rooms in a dwelling, apartment hotel or apartment motel, designed to be occupied by one family for living and sleeping purposes.

Family - "Family" means one or more persons related by blood, marriage or adoption, occupying a dwelling unit and/or a group of not more than four persons, who need not be related by blood or marriage, living as a single housekeeping unit. (Ord. 08-08)

Flag Lot - Flag lot means a lot behind another lot connected to a platted City street by a driveway. The only frontage that the lot possesses is the width of the driveway.

Frontage - "Frontage" means that length of a parcel or lot which lies adjacent and on one side of a street.

Garage, private - "Private garage" means an accessory building designed for the storage of not more than four automobiles used by the occupants of the building to which it is necessary, except that in the case of a multiple dwelling, the accessory building may be designed to store two times as many automobiles as there are dwelling units in the multiple dwelling. A garage shall be considered part of a dwelling if the garage and dwelling have a common roof.

Garage, public - "Public garage" means a building or portion thereof, other than a private garage, designed for servicing, repairing, equipping, hiring, selling or storing motor vehicles.

Grade - "Grade" means:

- A. For buildings adjoining one street only, the elevation of the sidewalk at the center of the building wall adjoining the street;
- B. For buildings adjoining one or more streets, the average elevation of the sidewalks at the centers of the walls adjoining the streets;
- C. For buildings having no wall adjoining a street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five feet from a street line are to be considered as adjoining a street.

Group preschool - "Group preschool" means a facility or establishment separate from a home or residence licensed by Hyrum City for the care and instruction of children by an instructor who may or may not be related to the children, and which is maintained for less than four hours per day and less than twenty hours per week, per session, for children under the age of eight years. This care may be given with or without charge.

Home preschool - "Home preschool" means a home licensed by Hyrum City for the care and instruction of children by an instructor who may or may not be related to the children. The home preschool is maintained for less than four hours per day and less than twenty hours per week, per session, for children under the age of eight years. This care may be given with or without charge.

Hotel or motel - "Hotel" or "motel" means any building which is designed to offer temporary abiding space to individuals and family. To be classified as a hotel or motel, it shall contain individual guest rooms and provide services such as linens and furnishings.

Household pets - "Household pets" means animals or fowl ordinarily permitted in the house, and kept for company or pleasure, such as dogs, cats and birds, but not including a sufficient number of dogs or cats so as to constitute a kennel as defined herein.

Innerblock development - "Innerblock development" means residential development of any dwelling units within the interior of existing blocks. Innerblock development is only permitted in the R2A zone.

Institution, religious or philanthropic - "Religious or philanthropic institution" means an institution sponsored or operated by organizations established for religious or philanthropic purposes.

Junk - "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, waste, including junked, dismantled or wrecked automobiles or parts thereof, iron, steel, and other old or scrap material.

Junkyard - "Junkyard" means any place, establishment or business used for storing, keeping, buying or selling junk, or for the operation of any automobile graveyard. The term includes garbage and sanitary landfills.

Kennel - "Kennel" means the facilities for keeping of three or more dogs at least six months old. Requires a kennel license, and is permitted only in specified zones.

Land use ordinance or code - "Land use ordinance or code" a term used by state and other municipalities referring to subdivision and zoning ordinance.

Lighting-Exterior - "Exterior lighting means temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outdoors. New construction requires dark sky fixtures. Residential lighting shall be mounted at a height equal to or less than the sum of $H = (D/3) + 3$, where D is the distance in feet to the nearest property boundary, but shall not be higher than fifteen feet (15') from the ground level to the top of the luminaire, whichever is less. Example:

Mounting Pole Height:	Distance to Property Line:
15 feet	36 feet ($36/3 = 12 + 3 = 15$)

Light manufacturing - "Light manufacturing" means manufacturing processes which do not emit detectable dust, odor, smoke, gas, fumes, or vibrations beyond the property lines of the lot or tract upon which the use is located, which do not generate noises above a level of 70 decibels measured at the property line, and do not permit direct light to fall on neighboring residential property.

Lot - "Lot" means a parcel of land occupied or to be occupied by a main building, or group of buildings (main and accessory), together with such yards and open spaces, lot width and lot area as are required by this title, and having frontage upon a street. Except for group dwellings, not more than one dwelling unit shall occupy a lot.

Lot, corner - "Corner lot" means a lot abutting on two intersecting or intercepting streets, where the interior angle of interception does not exceed one hundred thirty-five degrees.

Lot, interior - "Interior lot" means a lot other than a corner lot.

Lot line adjustment - "Lot line adjustment" A lot line adjustment means a realignment of the property line between two lots. It may result in some property being taken from one lot and given to the adjoining lot, or it may result in the property line being moved in such a way as there is an exchange of equal amounts of property between the two lots. This is not a subdivision as no new lot is formed by a lot line adjustment. Care must be taken in lot line adjustments to ensure that neither lot becomes restricted or non-conforming as a result of the adjustment.

Manufactured housing - "Manufactured housing" means a vehicular-portable-structure built on a chassis and designed to be used on a permanent foundation.

Mobile home - "Mobile home" means a portable vehicular structure built on a chassis and designed to be used without a permanent foundation as a dwelling unit when connected to utilities.

Natural waterways - "Natural waterways" means those areas varying in width along streams, creeks, springs, gulleys or washes which are natural drainage channels, as determined by the City Engineer, in which areas buildings shall not be constructed, or in which special drainage facilities shall be provided.

Nexus - "Nexus" means a connection.

Exaction - "Exaction" means an exchange of approximate equal need or value.

Noncomplying Structure, Nonconforming Use - "Noncomplying Structure" means a structure that: (a) legally existed before its current land use designation; and (b) because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land. "Nonconforming use" means a use of land that: (a) legally existed before its current land use designation; (b) has been maintained continuously since the time the land use ordinance governing the land changed; and (c) because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Nursing home - "Nursing home" means an institution where those persons suffering from illness, injury, deformity, deficiency or age are given care or treatment on a prolonged or permanent basis, and which is licensed by the state of Utah.

Official map - "Official map" means any map adopted by Hyrum City under the provisions of the Utah State Code.

Open Space - "Open Space" means any area of land or water that (1) is not a part of a residential lot, (2) is devoted to environmental preservation, agricultural production, or outdoor recreation and (3) generally lacks buildings or other structures except for structures that are subordinate to and customarily incidental to the use of the open space.

Planned Unit Development (PUD) - "Planned Unit Development" means a development, which permits the clustering of housing units and other creative site development. The council may waive the setback, and individual lot size requirement in favor of "common" open spaces which are part of the development. While more flexible in many respects, PUD's rely strongly on design to convince City officials of their merit.

Planning Commission - "Planning Commission" means the Hyrum City Planning Commission unless another commission is specifically named.

Parcel - "Parcel" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person and bearing one county tax number.

Parking lot - "Parking lot" means an open area, other than a street, used for the temporary parking of more than four motor vehicles and available for public use.

Parking space - "Parking space" means space within a building, lot or parking lot for the parking or storage of one automobile or vehicle.

Plot plan - "Plot plan" means a to scale drawing showing lot size and location, outline of building(s) to be constructed, location of water and gas lines, electrical and telephone services, setbacks, side yards and rear yards, location of sewer lines, clearance of buildings from those on adjoining lots and other buildings on same lot.

Private school - "Private school" means an institution operated by private individuals and established for educational purposes.

Public school - "Public school" means a school operated under the sponsorship of a school district and established under the laws of the state of Utah.

Recreational Facilities - "Recreational Facilities" means facilities designed for recreational uses such as parks, playgrounds, athletic fields, pathways for pedestrians/bicyclists, and other similar uses. Recreational facilities shall not include primary buildings, but may include accessory buildings that are subordinate to and customarily incidental to the primary recreational use (such as maintenance and equipment storage buildings).

Restricted lot - "Restricted lot" means a parcel of land severed or placed in separate ownership after January 28, 1976, and which does not meet all area, width, yard and other requirements of this title for a lot; or a parcel of land which does meet all the requirements of this title for a lot, but the creation of which has caused any adjacent lot from which it was severed to be insufficient in area, width, setback, yard or coverage requirements.

Roomer - "Roomer" means one who occupies a hired room in another's house.

Secondary residential structure - "Secondary residential structure" means a subordinate dwelling unit (detached), other than a mobile home.

Setback - "Setback" means the distance from the property line to the measurement point on a structure. Front yard, side yard and rear yard setbacks are common in most zones. May be described as side yards or rear yard depth.

Sign - "Sign" means any device used for visual communication to the general public and displayed out-of-doors, including signs painted on exterior walls, and interior illuminated signs to be viewed from out-of-doors, but not including any flag, badge or ensign of any government agency. Signs included are those for advertising, business, identification, nameplates, public information and property.

Sign, temporary - "Temporary sign" means any sign, banner, pennant or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a short period of time only.

Site plan - "Site plan" means a to-scale drawing of a proposed development showing location of buildings, traffic ingress, egress and circulation within the site, parking, display of signs, landscaping, walls and fences and other features.

Storage of autos - "Storage of autos" means a tract of land devoted to storing operative and/or inoperative automobiles and/or other vehicles that is enclosed by a wall of at least eight feet in height, and which accommodates, on a continuing basis, the storage of such automobiles and/or vehicles. Storage of operative automobiles/RV's, in good repair, may be allowed within a six foot enclosure, wall, or fence, as determined by the Planning Commission. In no instance shall wrecking and/or salvage operations be affiliated with the use of the land.

Story - "Story" means the space within a building included between the surface of any floor and the surface of the ceiling next above.

Story, half - "Half-story" means a story with at least two of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds of the area of the floor area immediately below it.

Street - "Street" means a public thoroughfare which affords the principal means of access to abutting property, and is more than twenty-six feet wide.

Structure - "Structure" means any building constructed or erected which is located on the ground or is attached to something which is located on the ground.

Structural alterations - "Structural alterations" means any change in supporting members of a building, such as bearing walls, columns, beams or girders.

Subdivision

A. "Subdivision" means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

B. Subdivision includes:

1. The division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; and

2. Divisions of land for all residential and non-residential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

Tavern - "Tavern" means any enterprise which has as its principal business the selling of alcoholic beverages for consumption on the premises.

Trade or commercial school - "Trade or commercial school" means a school, operated for profit, teaching vocational skills.

Trailer park or mobile home - "Trailer park or mobile home" means any area or tract of land designed to accommodate two or more trailers, mobile homes, or campers.

Trailers, single or double wide - "Single or double wide trailers" means vehicles with or without motive power or wheels designed to be used for human habitation, including mobile homes or campers.

Use, accessory - "Accessory use" means a subordinate use customarily incidental to and located on the same lot by a main use.

Veterinary or animal hospital - "Veterinary or animal hospital" means a building and enclosures where both large and small animals are kept and/or treated by a licensed veterinarian.

Width of lot - "Width of lot" means the distance between the side lot lines at the specified setback from the front property line for cul-de-sacs, and at both the setback line and street side frontage on all other lots.

Wrecking or salvage yard for autos or parts - "Wrecking or salvage yard for autos or parts" means a tract of land devoted to wrecking, dismantling or salvage operations where automobiles, other vehicles and/or machinery are subject to being dismantled, compacted or similarly processed. All such operations, inclusive of storage of vehicles, shall be completely enclosed by a wall at least eight feet in height, except for a maximum of two gates or more than twenty feet wide.

Yard - "Yard" means a space on a lot, other than a courtyard, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

Yard, front - "Front yard" means the space on the same lot as a building, between the front line of the building, exclusive of steps and the front property line, extending across the full width of the lot.

Yard, rear - "Rear yard" means the space on the same lot as a building, between the rear line of the building (exclusive of steps and chimneys) and the rear property line of the lot, extending across the full width of the lot.

Yard, side - "Side yard" means the space on the same lot as a building, between the side line of the building (exclusive of steps, chimneys or open stairways) and the side property line extended from the front yard line to the rear yard line. (Ord. 09-09, 14-12)

2. Section 17.08.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.040 Building Approval Process - Duplex, Triplex, And Fourplex/All Multi-Family

The following steps are required after site plan approval, as a minimum, to obtain a building permit for a duplex/triplex/fourplex, etc.:

- A. Requestor to submit to the City clerk:
 - 1. A filled out application form.
 - 2. Two complete sets of building plans.
 - 3. Two copies of the plot plan.
 - 4. A legal description of the property.
 - 5. Eight copies of a site plan.
 - 6. Proof of ownership of land or authority to act for owner.
- B. Requestor to pay all fees as they are required.
- C. City staff will review plot plan and building plans. May require changes to meet ordinances and/or building codes.
- D. Cache County Inspector will issue building permit when zoning clearance, plot plan, site plan, and building plans are approved.
- E. Cache County/Hyrum City will periodically inspect construction to ensure that all ordinances, codes, and conditions are being met.

3. Section 17.08.060 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.060 Building Approval Process - Nursing Homes, Shopping Centers, Industrial Buildings, Hospitals, Commercial Buildings

The following steps are required after site plan approval, as a minimum, to obtain a building permit for nursing homes, shopping centers, industrial buildings, hospitals, commercial buildings:

- A. Requestor submits to the City clerk:
 1. A filled out application form.
 2. Two complete set of building plans.
 3. Two copies of the plot plans.
 4. A legal description of the property.
 5. Two copies of the approved site plan.
 6. two copies of the county plat map showing the proposed locations and surrounding property.
 7. Proof of ownership of land or authority to act for owner.
- B. Requestor to pay all fees as they are imposed.
- C. City Engineer or City Staff will review Site Plan, Plot Plan and building plans. May require changes to meet ordinances and /or building codes.
- D. The Cache County Building Inspector will issue the building permit when the zoning clearance, plot plan, site plan, and building plans are approved.
- E. The City Engineer, City Staff, and Cache County Inspectors will inspect during construction to ensure that all codes, ordinances, and conditions are met. (Ord 09-04)

4. Section 17.08.100 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.100 Site Plan Approval Required.

- A. Site plan approval shall be required for any non-residential use and multi-family dwellings (excluding accessory apartments). Site plan approval is primarily a function of the Planning Commission which has wide latitude in specifying conditions and requirements for approval. Final approval must be obtained from the City Council which may approve, disapprove, approve with additional conditions and requirements, or require the requestor to return to the Planning Commission for significant revisions.
- B. Site plan approval may be waived in cases where an existing site is reoccupied within a one-year time frame after a previous tenant or owner vacates the premise and where a similar business or one with a lesser impact is to be conducted, and no/minimal exterior changes are planned for the site. Site plan approval may be waived when an existing business has an expansion of less than twenty-five (25) percent and not more the one thousand (1000) square feet, and it is determined that no major impact will be created that would adversely impact the City or the surrounding area. The City Council has designated the City Administrator, Recorder and Zoning Administrator to grant those waivers. If all three of these designated employees agree to the waiver, the wavier

may be granted. In the event one of the three designees is unavailable to participate in the waiver (i.e. out-of-town, illness, conflict-of-interest, etc.) the City Treasurer will act as an alternate.

- C. The site plan shall contain the following information:
1. The location of main and accessory buildings on the site and in relation to one another.
 2. The traffic circulation features within the site.
 3. The height and bulk of buildings.
 4. The provisions of off-street parking space.
 5. The provisions for driveways for ingress and egress.
 6. The provision of other space on the site.
 7. The display of signs thereon.
 8. The property owner's name and address.
 9. The provisions required by Fire Officials review.
 10. The provisions for snow removal on the site.
- D. A site plan may include landscaping, fences, and walls designed to further the purposes of the regulations for commercial and industrial zones and such features shall be provided and maintained as condition of the establishment and maintenance of any use to which they are appurtenant. Any outside storage, now or in the future, will require privacy fencing approved by the City Staff. Fencing may also be required to control litter & garbage from leaving the site.
- E. In approving site plans, the Planning Commission may act on a site plan submitted to it or may act on its own initiative in proposing and approving a site plan, including any conditions or requirements designated or specified on or in connection therewith.
- F. In considering any site plan hereunder, the Planning Commission shall endeavor to assure safety and convenience of traffic movement both within the area covered in relation to access streets, harmonious and beneficial relation among the buildings and uses in the area covered and satisfactory and harmonious relations between such area and contiguous land buildings and adjacent neighborhoods.
- G. Upon receiving site plan approval from the Planning Commission, the applicant shall submit the approved site plan to the City Council for its approval. Submittal shall be made at least two weeks before its regularly scheduled meeting.
- H. The applicant shall appeal any decision of the City Council regarding site plans to the Administrative Appeals Authority. Appeals shall be filed, in writing with the City Recorder, within ten (10) calendar days of the final decision by the City Council as per provisions of HCC 17.16.
- I. Upon site plan approval, construction drawings will be required for any public works construction or improvement for approval by the City Engineer.

J. Approval of the site plan shall be effective for one (1) year from the date of final approval by the City Council. If construction has not begun during that period, or an extended by the City Council, the site plan approval is void and applicant shall be required to submit a new site plan for review and approval subject to the then existing provisions of this code. (Ord. 08-13; 09-04; 09-09)

5. Section 17.08.110 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.110 Flood Hazard Areas.

A. The City shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) shall:

1. Be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure,
2. Use construction materials and utility equipment that are resistant to flood damage, and
3. Use construction methods and practices that will minimize flood damage; and
4. Meet FEMA requirements.
5. Meet requirements of Title 15.56.

B. The City Engineer shall review subdivision proposals and other proposed new developments to assure that:

1. All such proposals are consistent with the need to minimize flood damage,
2. All public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage, and
3. Adequate drainage is provided so as to reduce exposure to flood hazards; and

C. The City Engineer shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

6. Section 17.08.120 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.120 Building Permits - Compliance With Provisions Required

From the time of the effective date of this title, the City shall not grant a permit for the construction or alteration of any building or structure, or the moving of a building or structure onto a lot, if such building or structure would be in violation of any of the provisions of this title nor shall any City officer grant any permit or license for the use of any building or land if such use would be in violation of this title. Building permit may be withdrawn if mis-information was provided to acquire permit.

7. Section 17.08.150 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.150 Amendments

The ordinance codified in this title, including zoning maps, may be amended from time to time by the City Council after ten days' notice and public hearing. A public hearing must be held by the Planning Commission. All proposed amendments shall first be recommended by the Planning Commission or shall be submitted to the Planning Commission for its recommendation which shall be returned to the City Council for its consideration within thirty days. Submissions to each of these agencies shall be made a minimum of three weeks prior to the next regularly scheduled meetings. Failure of the Planning Commission to submit its recommendation within the prescribed time shall be deemed approval by such commission of the proposed change or amendment. The City Council may overrule the Planning Commission's recommendations by a majority vote of its members. Zoning changes initiated by residents in the area proposed for rezoning must be supported by a petition signed by seventy-five percent of the property owners in the area proposed for change. Said petition shall include information as to why the resident(s) want(s) to change the zoning ordinance or the zoning map and clearly identify the differences between the current code or zone and the proposed code or zone, especially the differences between permitted uses, permitted accessory uses, and conditional uses. Residents applying for a rezone shall first pay a nonrefundable filing fee to Hyrum City. Rezoning applications are discretionary legislative decisions. (Ord. 08-07, 14-12)

8. Section 17.08.180 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.08.180 Violation - Penalty

Any person, firm or corporation whether as principal, agent, employee or otherwise, violating or causing the violation of the provisions of this title shall be guilty of an infraction. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during which any violation of this title is committed, continued or permitted by such person, firm or corporation. Any such violation shall be punishable by a fine of not more than one thousand four hundred and seventy-five dollars, except that in all cases where a corporation would be punishable as for an infraction, and there is no other punishment prescribed by ordinance, such corporation is punishable by a fine not exceeding one thousand four hundred and seventy-five dollars.

9. Chapter 17.24 of the Hyrum City Municipal Code is hereby repealed as follows:

10. Chapter 17.28 of the Hyrum City Municipal Code is hereby named as follows:

A. 17.28 Residential Zones R-1 & R-2

11. Section 17.28.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.040 Yard Regulations

- B. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- C. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- D. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- E. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above

- if the front of the garage is not behind a line established by the back wall of the house.
- F. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- G. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- H. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- I. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- J. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc.).
 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- K. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- L. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the

structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see figure HCC 17.28.030). (Ord 14.01, 14-09, 15-04)

12. Section 17.28.060 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.060 Manufactured Housing

Manufactured housing will be permitted in zones R-1 & R-2, subject to the provisions of HCC 17.76 and all other applicable ordinances and regulations of Hyrum City.

13. Section 17.28.075 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.075 Dwelling Two-Family Accessory Apartment

Two-family accessory apartments are permitted in this zone provided the following conditions are met:

- A. The dwelling must be owner occupied.
- B. A total of four (4) off-street, hard-surface parking spaces will be provided.
- C. Both living spaces will have exterior access to an open yard.
- D. Bedroom windows will allow emergency egress.
- E. All bedroom areas will be equipped with smoke detectors.
- F. Both living spaces must be part of main dwelling structure (Not as part of a detached garage or separate building) and conform to all building, fire, and zoning codes and standards for a single-family dwelling.
- G. The accessory apartment shall be designed so appearance remains that of a single-family residence.
- H. Accessory apartment must be a minimum of three hundred (300) square feet.
- I. A landlord license is required.

A notarized letter is required stating that the owner will continue to occupy this residence and that all the conditions for an accessory apartment have and will continue to be met. Utility account will be under the property owners name. Typically, a single electric meter and single culinary water meter will provide services to the dwelling. Two monthly service charges will be billed for sewer and culinary water. (Ord. 09-04)

14. Section 17.28.090 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.090 Building Prohibited

No required yard or other open space around an existing building, or which is hereafter provided around any building, shall be considered as providing a yard or open space for any other building, nor shall any yard or open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected.

15. Section 17.28.110 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.110 Separately-Owned Lots - Reduced Yards

On any lot under separate ownership from adjacent lots and of record as of January 28, 1976, and such lot having narrower width than required for the zone in which it is located, the widths of the side yards may be reduced as follows:

A. The widths may be reduced by the same percentage that the width of the lot bears to the width required by this Land Use Code; however, in the case of interior lots, the smaller side yard width shall not be less than five (5) feet and larger side yard width shall not be less than eight (8) feet. In the case of corner lots, the side yard adjacent to the street shall not be less than twenty (20) feet and the opposite side yard shall not be less than five (5) feet. On any lot under separate ownership from adjacent lots and with a house built before June 1, 1980, the widths of the side yards may be reduced as follows:

1. On interior lots the small side yard width shall not be less than five (5) feet and the larger side yard width shall not be less than eight (8) feet. In the case of corner lots the side yard adjacent to the street shall not be less than twenty (20) feet and the opposite side yard shall not be less than five (5) feet. Reduction to the side yard requirement on corner yards will not be allowed within the triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection the street lines. (Ord. 11-06)

16. Section 17.28.120 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.120 Yards To Be Unobstructed - Exceptions

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sill, belt course, cornices, roof overhang, chimneys, flues and other ornamental features which

project into a yard not more than four (4) feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard not more than five (5) feet. One side yard shall remain unencumbered for a minimum of ten (10) feet to allow vehicular access to the back yard.

17. Section 17.28.140 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.140 Area Of Accessory Buildings

No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

18. Section 17.28.190 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.190 Driveways

A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter and sidewalk are installed.

B. No driveway shall be emplaced closer than thirty (30) feet from an intersection (Measured from the edge of the roadway nearest the intersection to the edge of the public roadway. This would be the gutter area where curb and gutter exist).

19. Section 17.28.225 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.225 Off-Street Parking Required

There shall be provided at the time of erection of any building or at the time any main building is enlarged or increased in capacity, minimum off-street hard surface parking space with adequate provisions of ingress and egress by standard-sized automobiles as hereinafter provided.

20. Section 17.28.240 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.240 Off-Street Parking- Specific Requirements

The following schedule shall apply:

- A. House or accessory apartment: two (2) spaces for each unit except as provided in subsection E of this section;
- B. Boardinghouses: two (2) spaces per three (3) individuals, plus one additional space for each additional individual exceeding three (3)
- C. Storage units: one (1) space for each five thousand (5,000) square feet of floor area;
- D. Churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- E. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3).
- F. Multi-family housing developments: minimum of two and one-half (2 ½) spaces for each unit.

21. Section 17.28.250 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.250 Off-Street Parking - Special Regulations

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- B. Parking for a single family dwelling shall be provided only in a private garage, or in an area properly located for a future garage.
- C. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer inspector. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;
 - 3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by City Engineer;
 - 4. Parking stalls are to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc., are not considered hard surfaces. Access to stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet.

Platted major subdivisions will require hard surface driveways to the paved street.

- D. Location of Parking Space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred (300) feet there-from.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit.

22. Section 17.30.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.040 Yard Regulations

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning

- Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see HCC figure 17.30.030). (Ord.14-04, 14-09, 15-04)

23. Section 17.30.070 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.070 Duplexes, Triplexes,—And Fourplexes/All Multi-Family Housing

Multi-family housing, unless approved as a PUD, will be limited to four (4) family units per City block (the full area of the block not linear). This can consist of two (2) duplexes or one (1) triplex or one (1) fourplex. The following criteria must be met for all multi-family housing of new construction, and conversion of existing structures into multi-family housing: (The City Council, with Planning Commission recommendation, may make adjustments to these requirements, as they deem appropriate, for senior housing developments)

- A. Front setback shall be a minimum of thirty (30) feet and shall be landscaped.
- B. Side yards must have landscaped strips a minimum of ten (10) feet in width.
- C. The front of the multi-family housing units shall face the street unless otherwise approved by the Planning Commission.
- D. Multi-family housing developments may not be located closer than 660 feet, as measured from the midpoint of the platted front property line to the midpoint of the platted front property line to any other duplex, triplex, or fourplex. Measurements are made from City plats following front property lines and include distances to cross streets at right angles as required.
- E. In considering a recommendation to the City Council for approval for multi-family housing, the Planning Commission will also act as an Architectural Review Committee, and will evaluate the Site Plan for meeting the following standards:
 1. Buildings.
 - a. A building's modulation, articulation, details, and materials shall be arranged to give the building the appearance of a large single-family detached home.
 - b. Multi-family residential buildings require the exterior building walls to be composed of the required brick or stone, equal to a minimum of one (1) times the square feet of the exterior building perimeter.
 - c. Buildings shall be attractive and durable. To ensure this, buildings shall be constructed of high-quality materials and require minimal maintenance. Exterior materials allowed for use on visual (from street) elevations of the building are: stone, cast stone, brick, synthetic stone, stucco, water-managed EIFS, cement board, and wood. Use of other materials is subject to approval by the Planning Commission.
 - d. Walls of buildings are to have relief features with a variety of different wall planes and roof planes, which may include pop-outs, recesses, columns,

variation in materials, etc. Relief is to be seen at a minimum of every twenty five feet (25') of wall length.

- e. All exterior building material colors shall be earth tones.
- f. Buildings shall have consistent detailing on all four elevations; a building shall have building details and proportions to ensure a "four-sided" architectural quality for the building with emphasis on the street visual sides.
- g. Building design shall respect the context of adjacent residential neighborhoods, including the height, scale, form, and character of surrounding development.
- h. Residential buildings shall limit the use of long, monotonous facades. The maximum length of multi-family buildings shall be 200 (two hundred) feet.
- i. Roofs shall have a minimum 6" fascia, minimum 6/12 pitch on over 80% of roofs, no pitch flatter than 4½ /12.
- j. Building roofs shall be attractive and durable. To ensure this, roofs shall be constructed of high-quality materials and require minimal maintenance. Pitched roofs shall be finished with wood shingles, slate, clay tiles, concrete tiles, standing-seam metal, or composition shingles. Use of other materials is subject to approval by the Planning Commission.
- k. Roofs shall be simple hip, shed, or gable configurations. Roofline offsets shall be provided to lend architectural interest and variety to the building and to relieve the effect of a single, long roof. The use of alternating dormers, stepped roofs, gables, or other roof elements can be used to add visual relief and articulation to the overall building form.
- l. Distinctive architectural features that positively enhance the structures, such as porches, patios, balcony, wrought iron railings, porticos, quoins, eaves, overhangs, canopies, etc. shall be included in the building design.
- m. Mechanical equipment on rooftops to be architecturally screened from view.
- n. Any portion of a building closer than 50 feet from a common property line that abuts a property developed as a single family home shall be no higher than twelve (12) feet above the highest point of the closest existing residential structure.

2. Parking.

- a. A minimum 2.5 parking spaces per unit.
- b. Garages have 4 walls, roof, doorway at least 9 feet in width, and door that is lockable, and minimum interior dimension of 22 feet x 12 feet.
- c. Parking structures shall be made of similar materials and design as buildings.
- d. Parking lot to be asphalt or cement, to have poured concrete bumpers and curbs.
- e. Driveways and uncovered parking areas shall be paved and striped.
- f. Parking lot shall be located at rear of dwelling units. The Planning Commission may approve garages with front entrances for multi-family buildings.
- g. No tandem parking permitted unless both spaces reserved for the same dwelling unit.
- h. No recreational vehicle parking permitted on site whether inside or outside of a garage.
- i. No surface parking permitted within required setback or buffer, except access driveways.
- j. Bicycle parking racks to park bikes in the amount of minimum two (2) spaces per unit.

3. Landscaping.

- a. A landscape plan is required to be approved with the project site plan.
- b. A minimum of 50% of the lot must be open and landscaped.
- c. A minimum of 10% of the lot shall be provided as a children's playground, such as, a sandbox, open grass area, etc.
- d. All areas in the front, side, and rear yards that are not developed shall be landscaped, unless a unique natural vegetation or wetlands area is included, subject to approval.
- e. A minimum landscaped street buffer area shall be provided at a width of 30 feet.
- f. Landscaped street buffer area may not include paved surfaces, except for sidewalks, driveways, or trails.
- g. A minimum of 1 tree shall be planted per 1,000 square feet of required landscaped areas. At least 30% shall be evergreens.
- h. Landscaping shall include a mix of deciduous and evergreen trees, ground cover, and shrubs.
- i. Minimum plant sizes shall be as follows:
 1. Deciduous trees, 2 inch caliper
 2. Evergreen trees, 7 feet in height
 3. Shrubs, 5 gallon container
 4. Grass or ground cover, 10 foot square area

5. Existing trees, native vegetation and rare plants shall be retained wherever possible.
 - j. Maximum height of berms, fences, signs or ground cover within a clear vision sight triangle is 3 feet.
 - k. Maintenance and replacement of required landscaping and screening shall be the responsibility of the property owner.
4. Other Features.
- a. Dumpsters shall be located behind a sight obscuring enclosure, built of materials complimenting the architectural style of the buildings.
 - b. When practical, a minimum 5 foot landscaping area will be required around dumpster enclosures.
 - c. A solid, sight obscuring fence or wall with a minimum height of six (6) feet shall be installed on all sides of the parking lot facing neighboring properties.
 - d. The City may require the inclusion of a wall, fence or screen to mitigate noise or unsightly uses.
 - e. Visual area (usually front yard) perimeter fencing shall match the building design, i.e., masonry columns or piers with same brick or stone as the buildings.
 - f. Walls or fences with lengths greater than 100 feet shall be interrupted with offsets, landscaping or accents.
 - g. Any areas which are to be screened shall be done with a solid, sight-obscuring fence or wall, and landscaping to soften fence appearance.
 - h. Utilities shall be located underground and above ground boxes screened.
 - i. Exterior lighting fixtures that match the architectural design theme shall be included for street, walkways, parking areas, entrances and building exteriors. Exterior up lighting is encouraged to accent the structures and provide additional safety. Exterior lighting shall be dark-sky sensitive.
 - j. Any developments with more than 12 dwelling units, such as PUD's, shall include playground equipment and may require other recreational amenities for residents, which may include swimming pools, spas, sports courts, barbecue grills and picnic facilities, etc. (Adjustments to these requirements may be made to fit the needs of retirement communities, etc.)
 - k. Any project signage shall be built of materials complimenting the architectural style of the

buildings. (Must comply with existing sign ordinance requirements found in HCC 17.72).

1. Curb, gutter, planting strip, and sidewalk shall be installed along public roadways where adjacent to existing curb, gutter, and sidewalks. (Ord. 13-04)

24. Section 17.30.075 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.075 Dwelling Two-Family Accessory Apartment

Two-family accessory apartments are permitted in this zone provided the following conditions are met:

- A. The dwelling must be owner occupied.
- B. A total of four (4) off-street, hard-surface parking spaces will be provided.
- C. Both living spaces will have exterior access to an open yard.
- D. Bedroom windows will allow emergency egress.
- E. All bedroom areas will be equipped with smoke detectors.
- F. Both living spaces must be part of the main dwelling structure (Not as part of a detached garage or separate building) and conform to all building, fire, and zoning codes and standards of a single-family dwelling.
- G. The accessory apartment shall be designed so appearance remains that of a single-family residence.
- H. Accessory apartment must be a minimum of three hundred (300) square feet.
- I. A landlord license is required.

A notarized letter is required stating that the owner will continue to occupy this residence and that all the conditions for an accessory apartment have and will continue to be met. Utility account will be under the property owners name. Typically, a single electric meter and single culinary water meter will provide services to the dwelling. Two monthly service charges will be billed for sewer and culinary water. (Ord. 09-04)

25. Section 17.30.110 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.110 Separately-Owned Lots - Reduced Yards

On any lot under separate ownership from adjacent lots and of record as of January 28, 1976, and such lot having a narrower width than required for the zone in which it is located, the widths of the side yards may be reduced as follows:

- A. The widths may be reduced by the same percentage that the width of the lot bears to the width required by this Land Use Code; however, in the case of interior lots, the smaller side yard width shall not be less than five (5) feet and the larger side yard width shall not be less than eight (8) feet. In the case of corner lots, the side yard adjacent to the street shall not be less than twenty (20) feet and the opposite side yard shall not be less than five (5) feet.

On any lot under separate ownership from adjacent lots and with a house built before June 1, 1980, the widths of the side yards may be reduced as follows:

- A. On interior lots the smaller side yard width shall not be less than five (5) feet and the larger side width shall not be less than eight (8) feet. In the case of corner lots the side yard adjacent to the street shall not be less than twenty (20) feet and the opposite side yard shall not be less than five (5) feet. Reduction to the side yard requirement on corner yards will not be allowed within the triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines.

26. Section 17.30.120 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.120 Yards To Be Unobstructed - Exceptions

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sill, belt course, cornices, roof overhang, chimneys, flues and other ornamental features which project into a yard not more than four (4) feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard not more than five (5) feet. One side yard shall remain unencumbered for a minimum of ten (10) feet to allow vehicular access to the back yard.

27. Section 17.30.140 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.140 Area Of Accessory Buildings

No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

28. Section 17.30.190 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.190 Driveways

- A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter and sidewalk are installed.
- B. No driveway shall be emplaced closer than thirty (30) feet from an intersection (Measured from the edge of the roadway nearest the intersection to the edge of the public roadway. This would be the gutter area where curb and gutter exist).

29. Section 17.30.225 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.225 Off-Street Parking Required

There shall be provided at the time of erection of any building or at the time any main building is enlarged or increased in capacity, minimum off-street hard surface parking space with adequate provisions of ingress and egress by standard-sized automobiles as hereinafter provided.

30. Section 17.30.240 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.240 Off-Street Parking - Specific Requirements

The following schedule shall apply:

- A. House or accessory apartment: two (2) spaces for each unit except as provided in subsection E of this section;
- B. Boardinghouses: two (2) spaces per three (3) individuals, plus one additional space for each additional individual exceeding three (3),
- C. Storage units: one (1) space for each five thousand (5,000) square feet of floor area;
- D. Churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- E. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3)
- F. Multi-family housing developments: minimum of two and one-half (2 ½) spaces for each unit.

31. Section 17.30.250 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.30.250 Off-Street Parking - Special Regulations

- F. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- G. Parking for a single family dwelling shall be provided only in a private garage, or in an area properly located for a future garage.
- H. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer inspector. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;
 - 3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by City Engineer;
 - 4. Parking stalls are to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc., are not considered hard surfaces. Access to stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet. Platted major subdivisions will require hard surface driveways to the paved street.
- I. Location of Parking Space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred (300) feet there-from.
- J. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit.

32. Section 17.32.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.040 Yard And Height Regulations

- A. Side yards shall have a minimum of twelve (12) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than

twenty (20) feet. On corner lots, the side yard width which faces the street shall not be less than thirty feet (30) for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') setback shall be allowed on the long axis of the property, irrespective of which street the house faces.

- B. The minimum setback for main building front walls shall not be less than thirty feet (30) from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than thirty (30) feet. In this case the setback shall be the average the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the thirty (30) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
 - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 - 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-eight (28) foot minimum.
 - 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the

following

exceptions:

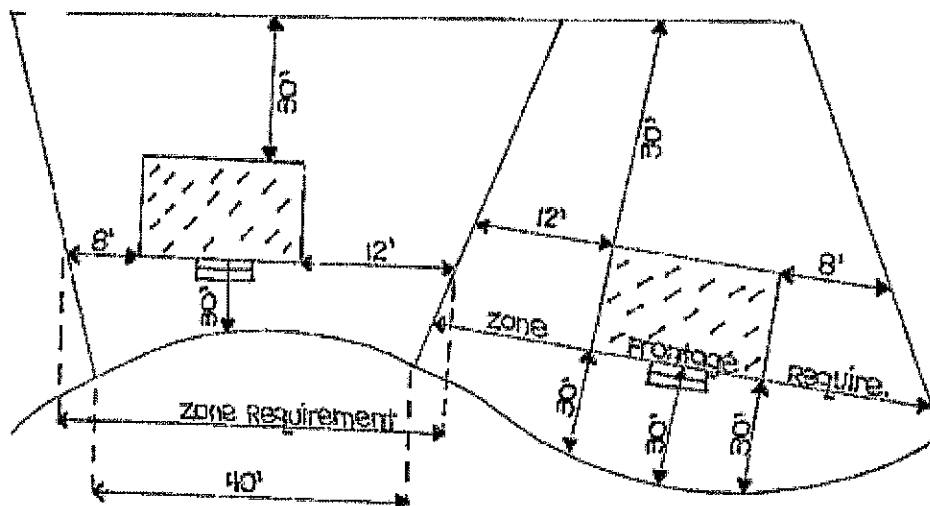
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three (3) feet out from the side wall and a twelve (12) foot setback is required on that side. The adjusted setback of ten (10) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties.
- L. No building shall be erected to a height greater than two and one-half (2½) stories or thirty-five (35) feet except as otherwise provided. No dwelling structure shall be entered to a height of less than ten (10) feet.

Minimum Residential Setbacks

Corner Lot House

Non Corner Lot House Facing short or long side of yard.

The 8' and 12' side setbacks can be on either side.



33. Section 17.32.100 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.100 Driveways

- A. No ~~Portland-cement~~ concrete driveways will be permitted beyond private property lines except in areas where curb, gutter, and sidewalk are installed.
- B. No driveway shall be emplaced closer than thirty feet from an intersection (measured from the edge of the driveway nearest the intersection to the edge of the public right of way. This would be the gutter area where curb and gutter exist).
- C. 30. Section 17.30.240 of the Hyrum City Municipal Code is hereby amended to read as follows:

34. Section 17.32.110 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.110 Off-Street Parking Required

There shall be provided at the time of erection of any building or at the time any main building is enlarged or increased in capacity, minimum off-street hard surface parking space with adequate provisions of ingress and egress by standard-sized automobiles as hereinafter provided.

35. Section 17.30.130 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.130 Off-Street Parking - Specific Requirements

- A. House: two (2) spaces;
- B. Churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- C. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3).

36. Section 17.32.140 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.140 Off Street Parking - Special Regulations

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum

of the specific parking space requirements for each class of use included in the building or development.

- B. Parking for a single family dwelling shall be provided only in a private garage, or in an area properly located for a future garage.
- C. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;
 - 3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by the City Engineer.
 - 4. Parking stalls to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc. are not considered hard surfaces. Access to the stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five feet (25) feet. Platted major subdivisions will require hard surface driveways to the paved street.

37. Section 17.32.210 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.32.210 Area Of Accessory Buildings

No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

38. Section 17.36.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.36.040 Yard And Height Regulations

- A. Side yards shall have a minimum of twelve (12) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than twenty (20) feet. On corner lots, the side yard width which faces the street shall not be less than thirty feet (30) for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') setback shall be allowed on the long

axis of the property, irrespective of which street the house faces.

- B. The minimum setback for main building front walls shall not be less than thirty feet (30) from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than thirty (30) feet. In this case the setback shall be the average the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the thirty (30) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
 - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 - 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-eight (28) foot minimum.
 - 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
 - 1. If any portion of the structure (except the roof), extends closer to the property line than the side wall,

it will become the measurement point (e.g. bay windows, foundations, etc).

2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three (3) feet out from the side wall and a twelve (12) foot setback is required on that side. The adjusted setback of ten (10) feet would be measured from the property line to the edge of the roof).

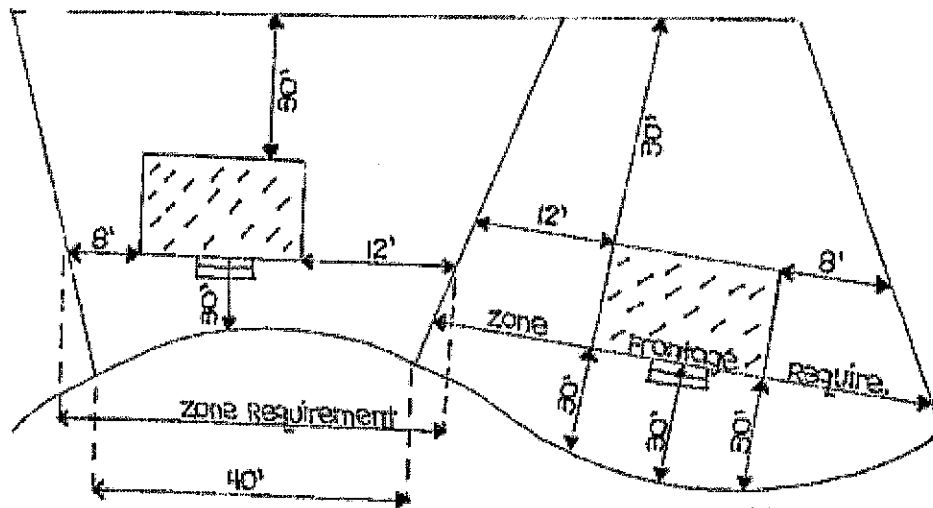
J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:

1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.

K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties.

L. No building shall be erected to a height greater than two and one-half (2 ½) stories or thirty-five (35) feet except as otherwise provided. No dwelling structure shall be erected to a height of less than ten (10) feet.

M. Minimum Residential Setbacks Corner Lot House Non Corner Lot House Facing short or long side of yard. The 8' and 12' side setbacks can be on either side.



39. Section 17.36.100 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.36.100 Driveways

- A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter, and sidewalk are installed.
- B. No driveway shall be emplaced closer than thirty feet from an intersection (measured from the edge of the driveway nearest the intersection to the edge of the public right of way. This would be the gutter area where curb and gutter exist).

40. Section 17.36.130 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.36.130 Off-Street Parking - Specific Requirements

- A. House: two (2) spaces;
- B. Churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- C. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3)

41. Section 17.36.140 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.36.140 Off Street Parking - Special Regulations

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- B. Parking for a single family dwelling shall be provided only in a private garage, or in an area properly located for a future garage.
- C. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;
 - 3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by the City Engineer.
 - 4. Parking stalls to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc. are not considered hard surfaces. Access to the stall (the driveway) shall also

be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet. Platted major subdivisions will require hard surface driveways to the paved street.

D. Location of parking space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred (300) feet.

E. Parking requirements for private schools will be determined during the review of approval for a conditional use permit.

42. Section 17.36.210 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.36.210 Area Of Accessory Buildings

F. No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

43. Section 17.38.040 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.040 Yard Regulations

A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.

B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.

C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.

D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above

- if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
 - F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
 - G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
 - H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
 - 1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 - 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
 - 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
 - I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
 - 1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
 - 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
 - J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
 - 1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
 - K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the

structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see HCC figure 17.38.030). (Ord. 14-04, 15-04)

44. Section 17.38.075 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.075 Dwelling Two-Family Accessory Apartment

Two-family accessory apartments are permitted in this zone provided the following conditions are met:

- A. The dwelling must be owner occupied.
- B. A total of four (4) off-street, hard-surface parking spaces will be provided.
- C. Both living spaces will have exterior access to an open yard.
- D. Bedroom windows will allow emergency egress.
- E. All bedroom areas will be equipped with smoke detectors.
- F. Both living spaces must be part of the main dwelling structure (Not as part of a detached garage or separate building) and conform to all building, fire, and zoning codes and standards of a single-family dwelling.
- G. The accessory apartment shall be designed so appearance remains that of a single-family residence.
- H. Accessory apartment must be a minimum of three hundred (300) square feet.
- I. A landlord license is required.

A notarized letter is required stating that the owner will continue to occupy this residence and that all the conditions for an accessory apartment have and will continue to be met. Utility account will be under the property owners name. Typically, a single electric meter and single culinary water meter will provide services to the dwelling. Two monthly service charges will be billed for sewer and culinary water. (Ord. 09-04)

45. Section 17.38.120 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.120 Yards To Be Unobstructed

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sill, belt course, cornices, roof overhang, chimneys, flues and other ornamental features which project into a yard not more than four feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard not more than five (5)

feet. One side yard shall remain unencumbered for a minimum of ten (10) feet to allow vehicular access to the back yard.

46. Section 17.38.140 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.140 Area Of Accessory Buildings

No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

47. Section 17.38.190 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.190 Driveways

- A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter and sidewalk are installed.
- B. No driveway shall be emplaced closer than thirty (30) feet from an intersection. (Measured from the edge of the roadway nearest the intersection to the edge of the public roadway. This would be the gutter area where curb and gutter exist.)

48. Section 17.38.240 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.240 Off-Street Parking - Specific Requirements

The following schedule shall apply:

- A. House: two (2) spaces for each unit except as provided in subsection C of this section;
- B. Churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- C. Dwelling unit occupied by four (4) or more individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3).

49. Section 17.33.250 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.38.250 Off-Street Parking - Special Regulations

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- B. Parking for a single family dwelling shall be provided only in a private garage, or in an area properly located for a future garage.
- C. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the building inspector. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;
 - 3. All parking spaces must be usable and accessible by adequate roadway parking configuration to be approved by building inspector;
 - 4. Parking stall to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc., are not considered hard surfaces. Access to stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet.
- D. Location of Parking Space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred (300) feet therefrom.

Parking requirements for private schools will be determined during the review of approval for a conditional use permit.

50. Section 17.44.050 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.050 Yard Regulations - Commercial Use

- A. In commercial areas the building shall have a setback of thirty (30) feet from the front property line (and side property line facing street if on a corner) unless otherwise specified in the site plan review and approval process.
- B. Front yard must have a landscaped area a minimum of ten (10) feet in width adjacent to the sidewalk area.
- C. A light-proof fence, shrubs or wall a minimum of six feet tall is required on side(s) of parking lot facing residential neighbor.

- D. Curbs and gutter (2 feet wide), a planting strip (~~10~~ eight (8) feet wide) and a sidewalk (4 five (5) feet wide) will be provided by the commercial user along public roadway(s).
- E. Well planned.

51. Section 17.44.100 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.100 Off-Street Parking - Specific Requirements

The following schedule shall apply:

- A. House or accessory apartment: two (2) spaces for each unit except as provided in subsection M of this section;
- B. Boardinghouses: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3);
- C. Clinics or doctor's office: fifteen (15) spaces per clinic, plus three (3) additional spaces for each doctor or dentist over three (3);
- D. Hotel or motel: one (1) space for each unit, room or guest accommodation;
- E. Restaurant or cafeteria: one (1) space for each four (4) fixed seats and one (1) space for each forty (40) square feet of floor area for moveable seats under maxi-mum seating arrangements;
- F. Storage or warehouse: one (1) space for each five thousand (5,000) square feet of floor area;
- G. Manufacturing, processing or repair: one (1) space for each employee working on the highest employment shift; the City Council may adjust this requirement if sufficient justification is provided.
- H. Office, general: one (1) space for each employee working on the highest employment shift; the City Council may adjust this requirement if sufficient justification is provided.
- I. Commercial, recreation and amusement (other than listed): one (1) space for every two hundred and fifty (250) square feet in use where business is transacted (does not include storage areas, restrooms, office areas, etc.);
- J. Retail or personal service: one (1) space for each two hundred and fifty (250) square feet in use where business is transacted (does not include storage areas, restrooms, office areas, etc.);
- K. Mortuaries: thirty (30) spaces for each chapel or area in which services are to be held;
- L. Theaters, meeting rooms, churches and places of public assembly: one (1) space for each five (5) fixed seats and one (1) space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;

- M. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3).

52. Section 17.44.110 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.110 Off-Street Parking - Special Requirements

- A. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- B. Residential parking shall be provided only in a private garage, or in an area properly located for a future garage.
- C. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer. Approval will be based on:

- 1. Adequate number of spaces;
- 2. Relation of parking to use;
- 3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by City Engineer;

- 1. Parking stall to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc., are not considered hard surfaces. Access to stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet. Platted major subdivisions will require hard surface driveways to the paved street.

4.

- D. Location of Parking Space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred feet there from.

53. Section 17.44.160 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.160 Yard Regulations - Residential Use

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard twenty-five (25) foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than twenty-five (25) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
 1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.

3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
 1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
 1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.
- K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see HCC figure 17.44.150). (Ord. 14-04, 14-09; 15-04)

54. Section 17.44.180 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.183 Dwelling Two-Family Accessory Apartment

Two-family accessory apartments are permitted in this zone providing the following conditions are met:

- A. The dwelling must be owner occupied.
- B. A total of four (4) off-street, hard-surface parking spaces will be provided.
- C. Both living spaces will have exterior access to an open yard.
- D. Bedroom windows will allow emergency egress.
- E. All bedroom areas will be equipped with smoke detectors.
- F. Both living spaces must be part of main dwelling structure (Not part of a detached garage or separate building) and conform to all building, fire, and zoning codes and standards of a single-family dwelling.
- G. The accessory apartment shall be designed so appearance remains that of a single-family residence.

H. Accessory apartment must be a minimum of three hundred (300) square feet.

I. A landlord license is required.

A notarized letter is required stating that the owner will continue to occupy this residence and that all the conditions for an accessory apartment have and will continue to be met. Utility account will be under the property owners name. Typically, a single electric and a single culinary water meter will provide service to the dwelling. Two monthly service charges will be billed for sewer and culinary water. (Ord. 09-04)

55. Section 17.44.200 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.200 Yards To Be Unobstructed - Exceptions - Residential Use

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sill, belt course, cornices, roof overhang, chimneys, flues and other ornamental features which project into a yard not more than four (4) feet, and open or lattice-enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard not more than five feet. One side yard shall remain unencumbered for a minimum of ten (10) feet to allow vehicular access to the back yard.

56. Section 17.44.220 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.220 Area Of Accessory Buildings - Residential Use

No accessory building nor group of accessory buildings in any residential zone shall cover more than ~~twenty-five (25%)~~ fifty (50) percent of the rear yard.

57. Section 17.44.270 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.44.270 Driveways

A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter and sidewalk are installed.

B. No driveway shall be emplaced closer than thirty feet from an intersection. (Measured from the edge of the roadway nearest the intersection to the edge of the public right of way. This would be the gutter area where curb and gutter exist.)

58. Section 17.45.050 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.050 Yard Regulations - Commercial Use

- A. No yards are required for commercial development in the "downtown" area of Main Street, which is defined to mean one (1) block east and four (4) blocks west of Center Street, north and south sides of the street, unless it is erected upon a lot adjacent to a residential dwelling. A landscaped side yard not less than fifteen (15) feet wide shall be provided adjacent to the dwelling.
- B. In commercial areas other than in "A" (above) the building shall have a setback of thirty (30) feet from the front property line (and side property line facing street if on a corner) unless otherwise specified in the site plan review and approval process.
- C. Front yard must have a landscaped area a minimum of ten (10) feet in width adjacent to the sidewalk area.
- D. A light-proof fence, shrubs or wall a minimum of six feet tall is required on side(s) of parking lot facing residential neighbor.
- E. Curbs and gutter (2 feet wide), a planting strip eight (8) feet wide) and a sidewalk (5 feet wide) will be provided by the commercial user along public roadway(s).

59. Section 17.45.200 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.200 Off-Street Parking - Specific Requirements

The following schedule shall apply:

- A. House or accessory apartment: two (2) spaces for each unit except as provided in subsection M of this section;
- B. Boardinghouses: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3)
- C. Clinics or doctor's office: fifteen (15) spaces per clinic, plus three (3) additional spaces for each doctor or dentist over three (3); parking requirements shall be determined during the site plan approval process.
- D. Hotel or motel: one (1) space for each unit, room or guest accommodation;
- E. Restaurant or cafeteria: one (1) space for each four (4) fixed seats and one (1) space for each forty (40) square feet of floor area for moveable seats under maxi-mum seating arrangements;

- F. Storage or warehouse: one (1) space for each five thousand (5,000) square feet of floor area;
- G. Manufacturing, processing or repair: one (1) space for each employee working on the highest employment shift; the City Council may adjust this requirement if sufficient justification is provided.
- H. Office, general: one (1) space for each employee working on the highest employment shift; the City Council may adjust this requirement if sufficient justification is provided.
- I. Commercial, recreation and amusement (other than listed): one (1) space for every two hundred and fifty (250) square feet in use where business is transacted (does not include storage areas, restrooms, office areas, etc.);
- J. Retail or personal service: one (1) space for each two hundred and fifty (250) square feet in use where business is transacted (does not include storage areas, restrooms, office areas, etc.);
- K. Mortuaries: thirty (30) spaces for each chapel or area in which services are to be held;
- L. Theaters, meeting rooms, churches and places of public assembly: one (1) space for each five (5) fixed seats and one space for fifty (50) square feet of floor area for moveable seats under maximum seating arrangement;
- M. Dwelling unit occupied by up to four (4) individuals unrelated by blood, marriage or adoption: two (2) spaces per three (3) individuals, plus one (1) additional space for each additional individual exceeding three (3).

60. Section 17.45.210 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.210 Off-Street Parking - Special Requirements

- G. In computing the parking requirements for any building or development, the total parking requirements shall be the sum of the specific parking space requirements for each class of use included in the building or development.
- H. Residential parking shall be provided only in a private garage, or in an area properly located for a future garage.
- I. Prior to issuance of any building permit, a plan which clearly and accurately designates parking spaces, access aisles, driveways and the relationship to the use to be served by the off-street parking shall be provided to the City Engineer. Approval will be based on:
 - 1. Adequate number of spaces;
 - 2. Relation of parking to use;

3. All parking spaces must be usable and accessible by adequate roadway-parking configuration to be approved by City Engineer;
 4. Parking stall to be nine (9) feet by twenty (20) feet and of a hard surface such as asphalt, cement or brick. Gravel, road base, etc., are not considered hard surfaces. Access to stall (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) feet. Platted major subdivisions will require hard surface driveways to the paved street.
- J. Location of Parking Space. Parking space, as required herein, shall be on the same lot with the main building, or in the case of nonresidential buildings, may be located not further than three hundred (300) feet therefrom.
- K. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit.
- L. All parking areas shall be located behind the main building, which shall front on the street. An exception to this rule shall apply to gasoline service stations.

61. Section 17.45.260 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.260 Yard Regulations - Residential Use

- A. Side yards shall have a minimum of ten (10) feet on one side which has no encroachment (to provide vehicular access to back yard) and eight (8) feet on the other. The total width of the two required side yards shall not be less than eighteen (18) feet. On corner lots, the side yard width which faces the street shall not be less than twenty-five (25) feet for main and accessory buildings. Also, on corner lots the back yard thirty-foot (30') foot setback shall be allowed on the long axis of the property, irrespective of which street the house faces.
- B. The minimum setback for main building front walls shall not be less than twenty-five (25) feet from the property line. An exception is allowed if the other houses on the block, on the same side of the street, are setback less than twenty-five (25) feet. In this case the setback shall be the average of the existing buildings, but in no case shall setback be less than fifteen (15) feet.
- C. Attached garages are considered a part of the main building for purposes of establishing front, side and rear setbacks.
- D. Detached garages may be emplaced at the twenty-five (25) foot front setback line but the combination of house and garage

- must still meet the side yard setback stipulated in "A" above if the front of the garage is not behind a line established by the back wall of the house.
- E. Detached garages emplaced elsewhere on the lot shall have minimum side and rear setbacks of one (1) foot from the roof edge.
- F. All other accessory buildings (ie sheds, barns, etc.) shall be emplaced at least ten (10) feet to the rear of the main building and have minimum side and rear lot line setbacks of one (1) foot from the roof edge. Persons wishing to deviate from this standard may seek exception by presenting a design for review to the Planning Commission. The Planning Commission will consider structure design, landscaping, proximity to neighboring dwellings, and other pertinent data.
- G. The minimum rear yard depth from any main building shall not be less than thirty (30) feet.
- H. Front setback will be measured from the property line to the nearest point on the front wall of the structure with the following exceptions:
1. When a porch extends toward the street having a roof supported by columns. The measurement will be made to the closest column.
 2. When a structure has an extended roof overhang or porch roof in excess of two feet, the setback will be measured to the front edge of the roofline and will be reduced to a twenty-three (23) foot minimum.
 3. Where both extended roof overhang and support columns exist, the measurement will be made to whichever point (overhang or columns) that yields the greater setback.
- I. Side setback will be measured from the side property line to the nearest point on the side wall of the structure with the following exceptions:
1. If any portion of the structure (except the roof), extends closer to the property line than the side wall, it will become the measurement point (e.g. bay windows, foundations, etc).
 2. When the side roof overhang extends more than two (2) feet beyond the wall. Side setback will be measured from the property line to the roof edge. The required minimum will be reduced by two (2) feet. (Example, a roof overhang extends three feet out from the side wall and a ten (10) foot setback is required on that side. The adjusted setback of eight (8) feet would be measured from the property line to the edge of the roof).
- J. Rear setback will be measured from the rear property line to the rear wall of the structure with the following exceptions:
1. If a covered patio is attached to the house, the rear wall of the patio will become the measurement point.

K. Roofs and side lots must be designed as to ensure that snow and water runoff falls within the property on which the structure is located. Side lots must be configured so as to minimize roof runoff flowing to neighboring properties (see HCC figure 17.45.260). (Ord. 14-04, 14-09, 15-04)

62. Section 17.45.290 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.290 Dwelling Two-Family Accessory Apartment

Two-family accessory apartments are permitted in this zone providing the following conditions are met:

- A. The dwelling must be owner occupied.
- B. A total of four (4) off-street, hard-surface parking spaces will be provided.
- C. Both living spaces will have exterior access to an open yard.
- D. Bedroom windows will allow emergency egress.
- E. All bedroom areas will be equipped with smoke detectors.
- F. Both living spaces must be part of main dwelling structure (Not as part of a detached garage or separate building) and conform to all building, fire and zoning code standards of a single-family dwelling.
- G. The accessory apartment shall be designed so appearance remains that of a single-family residence.
- H. Accessory apartment must be a minimum of three hundred (300) square feet.
- I. A landlord license is required.

A notarized letter is required stating that the owner will continue to occupy this residence and that all the conditions for an accessory apartment have and will continue to be met. Utility account will be under the property owners name. Typically, a single electric and a single culinary water meter will provide service to the dwelling. Two monthly service charges will be billed for sewer and culinary water. (Ord. 09-04)

63. Section 17.45.340 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.340 Yards To Be Unobstructed - Exceptions -Residential Use

Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sill, belt course, cornices, roof overhang, chimneys, flues and other ornamental features which project into a yard not more than four (4) feet, and open or

lattice-enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard not more than five (5) feet. One side yard shall remain unencumbered for a minimum of ten (10) feet to allow vehicular access to the back yard.

64. Section 17.45.360 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.45.360 Area Of Accessory Buildings - Residential Use

No accessory building nor group of accessory buildings in any residential zone shall cover more than fifty (50) percent of the rear yard.

65. Section 17.45.210 of the Hyrum City Municipal Code is hereby amended to read as follows:

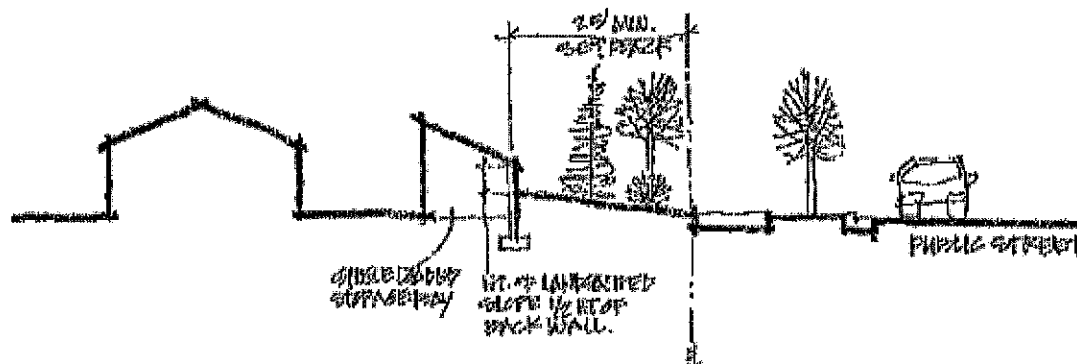
17.45.410 Driveways

- A. No concrete driveways will be permitted beyond private property lines except in areas where curb, gutter and sidewalk are installed.
- B. No driveway shall be emplaced closer than thirty (30) feet from an intersection. (Measured from the edge of the roadway nearest the intersection to the edge of the public roadway. This would be the gutter area where curb and gutter exist.)

66. Section 17.48.150 of the Hyrum City Municipal Code is hereby amended 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 a more visually screened area of the facility, possibly 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. Roof cover may be waved by the Planning Commission when they deem appropriate. (Custom covers required, etc.,



STORAGE BAY STANDARD
OPTION B

Adopted by Ord. 16-10 on 12/1/2016

67. Section 17.49.010 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.49.010 Purpose

The purpose of this zone is to provide an area where medium to heavy manufacturing can occur. It allows higher levels of noise, dust, smoke and odor than is permitted in the M-1 Zone. Restrictions may be applied on proposed businesses whose levels of noise, dust, smoke or odor may be considered excessive by the planning commission. Design and landscaping requirements may also be imposed on businesses proposed for this zone.

68. Section 17.49.020 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.49.020 Use Regulations

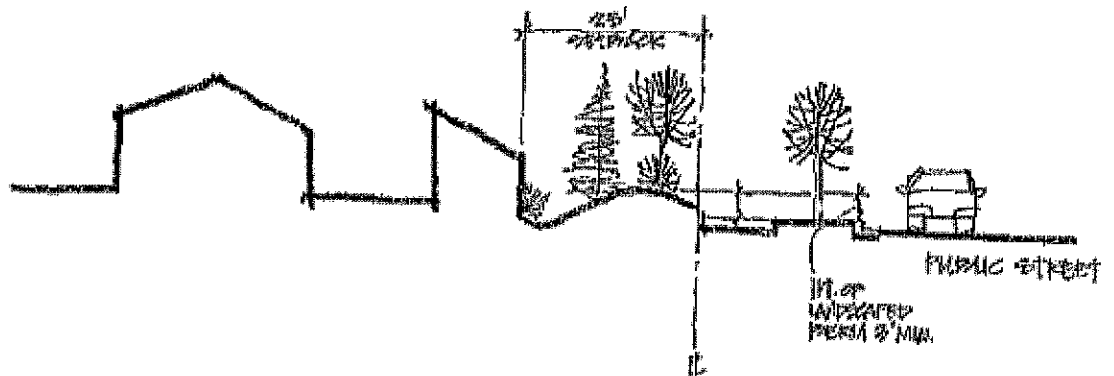
In this zone, no land use shall be permitted except those designated below.

A. Permitted uses:

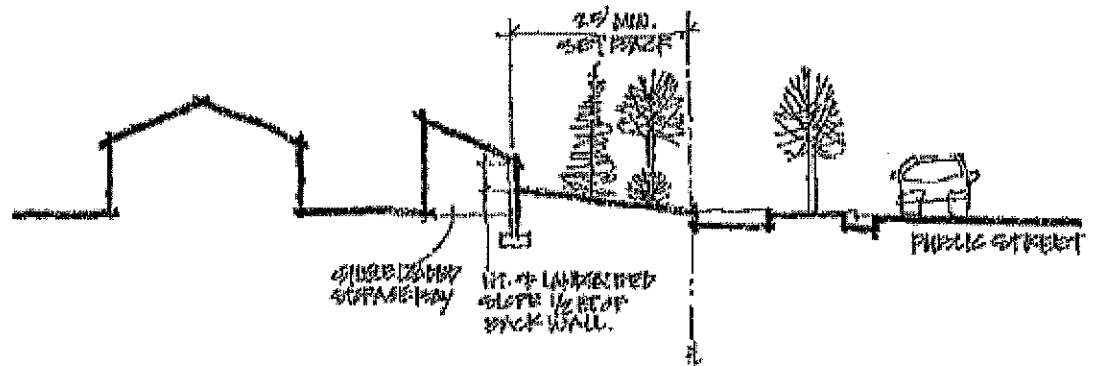
1. Auto repair
2. Kennel
3. Manufacturing plants (no excessive noise, dust, smoke, or odor)
4. Maintenance and repair facilities
5. Paint shops
6. Storage units, commercial warehouses

similar type visually detrimental coverings will be allowed.

3. All roadways and interior alleyways in the storage facility will be hard surfaced. (Concrete or asphalt)
4. 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.
5. 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 2½" caliper while shrubs must be planted with at least 5 gallon nursery stock.
6. 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 1½" caliper while shrubs must be planted with at least 1 gallon nursery stock.
7. All setbacks are required to be irrigated by an automatic sprinkler irrigation system.
8. The developer shall landscape and grade the street facing frontage using one of the following options or other approved screening as approved by the City:



STORAGE YARD STANDARD
OPTION A



STORAGE BAY STANDARD
OPTION B

Adopted by Ord. 16-10 on 12/1/2016

70. Section 17.60.010 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.60.010 Purpose

A planned unit development (PUD) allows some deviations from the Concept Plan and platting requirements of HCC Title 16. These are usually seen as smaller lot sizes and greater density in exchange for open space, attractive building designs, and other amenities such as playgrounds, swimming pools, parks and meeting facilities. No PUD shall have an area of less than two and one half (2½) acres. Maximum density allowed for multi-family developments is 10 units per acre. Assisted living facilities are not included in this maximum density limit. Consideration should be given to disperse large multi-family PUD developments throughout the city instead of concentrating them in one central area.

A PUD is a subdivision and follows the path of HCC Title 16 for all reviews and approvals. In addition to that, there are several added requirements concerning the overall look of the project, both of the buildings and the general layout of the buildings and the amenities. The Planning Commission may recommend, and the City Council may impose, such conditions on a PUD as it may deem appropriate to meet the goals and objectives of this chapter and the City's General Plan. (Ord. 08-13)

71. Chapter 17.61 of the Hyrum City Municipal Code is hereby repealed as follows:

72. Section 17.76.020 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.76.020 Site Development Standards

Each manufactured home shall be installed, with or without basement, on a site-built permanent foundation system that meets or exceeds applicable requirements of the building codes as detailed in "Guidelines for Manufactured Housing Installations." Permanent masonry perimeter enclosures shall be required for manufactured home installation and shall conform to the building code as specified for foundation walls.

- A. Exterior siding and trim materials shall consist of durable, weather-resilient materials approved for dwelling construction in the building codes such as masonry, stucco, woods, composition, glass or vinyl and steel or aluminum residential sidings. In no case may corrugated metal, fiberglass, plastics, or typical trailer coach or recreational vehicle-type coverings be used.
- B. Removal of towing hitches and running gear, which includes tongues, axles, brakes, wheels, lights and other parts of chassis that operate only during transport, is required.
- C. Permanent connection of all services to local utilities (local authority approval required) is required. This shall include two outdoor faucets not contained within the manufactured home.
- D. Two hard surface off-street parking stalls shall be provided per lot. Parking shall conform to all property line setbacks and other City regulations.
- E. Any and all appendages or accessory uses such as steps and stoops, carports or garages, storage units, antennas, satellite dishes, patios and awnings or additions and alterations shall be addressed by existing applicable codes. Main entry steps, stoops and porches shall be concrete or masonry and shall have required hand-rails, if appropriate.
- F. Only manufactured homes as provided in Section 10-9a-514 and as defined in Section 15A-1-302 (6) Utah Code Annotated, 1953, and as these sections may be amended, shall be permitted on residential lots within the City.
- G. Does not violate any deed restrictions or covenants on the property where the home will be located.
- H. Meet single-family dwelling land use codes for zone where manufactured home will be located.

73. Section 17.84.010 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.84.010 When Required

A conditional use permit shall be obtained for all uses listed as such under each land use zone regulations. No building permit or license shall be issued for a conditional use until the conditional use is approved by the Hyrum City Planning Commission.

74. Section 17.85.010 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.85.010 Family Food Production And Recreation Animals

"Family food production" means the keeping of animals and fowl for family food production and recreation.

- A. Where permitted under the provisions of this title, animals and fowl are to be fed and corralled at least forty-five feet (45') from the owner's dwelling and ninety feet (90') from any neighbor's dwellings as measured from the closest point of the corral or enclosure to the closest point of the dwelling.
1. These restrictions only apply to the permanent corral, stable, shed, barn or other protected or restricted/area wherein the animal is fed and housed and not to the temporary grazing of livestock in pastures that are separate from a residential lot.
 2. For purposes of grazing down a pasture, animals may be brought in for a period not to exceed sixty (60) days per year per piece of property, and the number of animals permitted to graze may be up to twice the number allowed on a permanent basis. Grazing includes only the vegetation native to the pasture and does not permit the supplemental feeding of hay or grain.
 3. The owner or handler of livestock or other animals shall construct adequate fencing and shall maintain such fencing to prevent the escape of livestock or other animals from the owner's or handler's premises.
- B. The number of animals or fowl permitted for the first twenty-two thousand (22,000) square feet of lot area shall be one (1) animal unit. Animals units are determined by the schedule set out in HCC Exhibit 17.85.020. (Ord. 98-07; Ord. 95-07) One (1) additional animal unit will be permitted for each additional ten thousand (10,000) square feet of lot area.
- C. The raising of fur-bearing animals, except rabbits, will not be permitted within the City limits.
- D. Pigs will not be permitted within the City limits.
- E. Dairies, feedlots or other nonconforming livestock operations may continue under the provisions of HCC 17.04.030(C).

F. Lots in major platted subdivisions are not eligible for animal rights allowed in this chapter unless approved by the City Council and indicated on the plat and in the Covenants, Conditions, and Restrictions.

G. Beekeeping shall be permitted with the following restrictions:

1. Three (3) hives permitted for the first minimum of twenty-two thousand (22,000) square feet of lot area. One (1) additional hive per additional minimum of ten thousand (10,000) square feet of lot area. No more than six (6) hives allowed in a city block (the full area of the block not linear).
2. Hives must be kept a minimum distance of forty-five (45) feet from the owner's dwelling, ninety (90) feet from any neighbor's dwelling, and forty-five (45) feet from any property line as measured from the closet part of the hive to the closest point of the dwelling or property line.
3. Major platted subdivisions are not eligible for the keeping of beehives.

H. All persons having custody of animals shall exercise proper care and control of his/her animal(s) in order to prevent them from becoming a public nuisance. Nuisances abated as per HCC 8.16). An animal shall be deemed to be a public nuisance if the animal:

1. Causes damage to the property of anyone other than its owner.
2. Causes unreasonable odors.
3. Causes unsanitary conditions.
4. Makes disturbing noises in an excessive, continuous or untimely manner.
5. Repeatedly molests or intimidates neighbors, pedestrians, or passersby by lunging at fences, chasing, or acting aggressively towards such person or persons unless provoked by such person or persons. (Ord. 12-05)

I. A limited number of hen chickens (no roosters) are also allowed on single-family residential lots (multi-family housing not eligible) under 22,000 square feet, based on the size of the lot, if not restricted by CC&R's or plat restriction, as follows:

Under 22,000 square feet- Up to 8 chickens

Under 12,000 square feet- Up to 6 chickens

Under 8,000 square feet- Up to 4 chickens

(Lots 22,000 square feet and over would be allowed the number of hens as per animal table)

Chickens shall be confined within a secure outdoor enclosed area which shall include a covered, ventilated, and predator resistant chicken coop.

1. The coop shall have a minimum floor area of at least two (2) square feet per chicken.
2. If chickens are not allowed to roam within an enclosed area outside the coop, the coop shall have a minimum floor area of six (6) square feet per chicken.
3. The coop shall be located in a rear yard at least twenty-five (25) feet from any dwelling located on an adjacent lot and that there be at least a three (3) foot setback between the property line and the coop.
4. The coop and enclosed area will be maintained in a neat and sanitary condition.
5. No chicken shall be permitted to roam outside the enclosed area or outside the coop if there is no enclosed area.
6. Chicken feed shall be stored and dispensed in rodentproof and predator proof containers.

75. Section 17.28.005 of the Hyrum City Municipal Code is hereby amended to read as follows:

17.28.005 Purpose

The R-1/ R-2 Zone is a mixed density residential zone. Its minimum lot size is 9,900 square feet for a single-family dwelling. This zone is eligible for appropriately located Planned Unit Developments (PUDs).

75. 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.

76. 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.

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

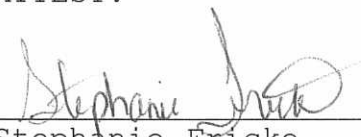
ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 7th day of March, 2019.

HYRUM CITY

BY:


Stephanie Miller
Mayor

ATTEST:


Stephanie Fricke
City Recorder

Posted: March 8, 2019

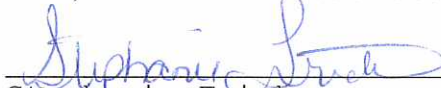
CERTIFICATE OF POSTING

STATE OF UTAH)
 : ss
COUNTY OF CACHE)

I, Stephanie Fricke, duly appointed and acting City Recorder for Hyrum City, Cache County, State of Utah, do hereby certify that a copy of the foregoing is a true, complete, and correct copy of an Ordinance adopted and passed by the City Council of Hyrum City, Utah, at a regular meeting thereof, held the 7th day of March, 2019, which appears of record in the City Recorder's office. A quorum was present and acting throughout said meeting and this Ordinance is in full force and effect in the form so adopted and has not been subsequently modified, amended or rescinded. I further certify that I, on the 8th day of March, 2019 in Hyrum City, did post the attached Ordinance in a likely manner in each of three public places as follows:

Hyrum Civic Center	60 W. Main	Hyrum, Utah
Ridley's Grocery Store	780 E. Main	Hyrum, Utah
Hyrum Library	50 W. Main	Hyrum, Utah

In witness whereof, I have hereto set my hand this 8th day of March, 2019.



Stephanie Fricke
City Recorder

(SEAL) Ordinance 19-04

An ordinance amending Title 17 (the zoning ordinance of the Hyrum City Municipal Code section 17.60.010 to set a maximum a density allowed for multi-family housing developments to not exceed 10 units per acre; section 17.85.010 to allow hen chickens on residential lots; section 17.04.070 innerblock development - innerblock development is only allowed on the R-2A zone. "Innerblock development" means residential development of any dwelling units within the interior of existing

blocks; to repeal chapter 17.61 purchase and selling of land; to repeal chapter 17.24 residential R-1 zone and to combine the residential R-1 zone with Chapter 17.28 residential R-2 zone; clarification of building permit and site plan approval process in all applicable sections of title 17; clarification of living spaces and utility services for a two-family accessory apartment; amending penalty from Class B Misdemeanor to infractions where applicable; and other miscellaneous changes.