

ORDINANCE 23-11

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

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

WHEREAS, Hyrum City allows as maximum width for residential driveway accesses of 25 feet in width; and

WHEREAS, the City has determined 25 feet is not wide enough to accommodate modern parking expectations.

NOW, THEREFORE, upon recommendation of the Planning Commission and following a public hearing held October 12, 2023 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 SECTIONS 17.28.250, 17.30.250, 17.32.140, 17.36.140, 17.38.250, 17.44.110, AND 17.45.210 AMENDING THE MAXIMUM WIDTH FOR RESIDENTIAL DRIVEWAY ACCESSES FROM 25' TO 35' AND OTHER MISCELLANEOUS HOUSEKEEPING ITEMS.

1. 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~ the stalls (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019
2. Section 17.30.250 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~ the stalls (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019
3. Section 17.32.140 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~ the stalls (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019
4. Section 17.36.140 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~~ 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 concrete or brick. Gravel, road base, etc.,

are not considered hard surfaces. Access to ~~stall~~
the stalls (the driveway) shall also be, at
minimum, sixteen (16) feet wide and will require
hard surface where curb and gutter exist.
Residential driveway accesses (curb cuts) shall be
limited to a maximum width of twenty-five (25)
thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019

5. Section 17.38.250 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~
the stalls (the driveway) shall also be, at
minimum, sixteen (16) feet wide and will require

hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019

6. Section 17.44.110 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~ the stalls (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25)

thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019

7. Section 17.45.210 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~~ 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 concrete or brick. Gravel, road base, etc., are not considered hard surfaces. Access to ~~stall~~ the stalls (the driveway) shall also be, at minimum, sixteen (16) feet wide and will require hard surface where curb and gutter exist. Residential driveway accesses (curb cuts) shall be limited to a maximum width of twenty-five (25) thirty-five (35) 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 therefrom.
- E. Parking requirements for nursing homes and private schools will be determined during the review of approval for a conditional use permit. Amended by Ord. 19-04 on 3/7/2019

8. 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.

9. 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 December, 2023.

HYRUM CITY

BY:


Stephanie Miller
Mayor

ATTEST:



Stephanie Fricke
City Recorder

Posted:

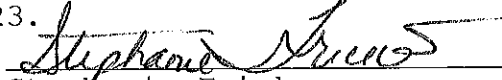
CERTIFICATE OF POSTING

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 December 2023, 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 December, 2023 in Hyrum City, did post the attached Ordinance in a likely manner in each of three public places as follows:

Hyrum City Office	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 December, 2023.



Stephanie Fricke
City Recorder

(SEAL)

Ordinance 23-11
An ordinance amending Title 17 (The Zoning Ordinance) of the Hyrum City Municipal Code sections 17.28.250, 17.30.250, 17.32.140, 17.36.140, 17.38.250, 17.44.110, & 17.45.210 amending the maximum width for residential driveway accesses from 25' to 35' and other miscellaneous housekeeping items.