

ORDINANCE 15-01

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, including the establishment of zones, the boundaries of which are shown on the Zoning Map of Hyrum City; and

WHEREAS, Section 17.08.150 allows Title 17 of the Hyrum City Municipal Code, the Zoning Ordinance, including the Zoning Map, to be amended by the City Council following ten days' notice and a public hearing held by the Hyrum City Planning Commission; and

WHEREAS, JBS Swift USA, LLC. is requesting a rezone of its property adjacent to its current facilities; and

WHEREAS, JBS Swift USA, LLC.'s main plant is currently in the Manufacturing Medium to Heavy M-2 Zone and the adjacent property is zoned Residential R-2; and

WHEREAS, JBS Swift USA, LLC.'s property currently zoned Residential R-2 is needed in order for JBS Swift to remodel and expand its business; and

WHEREAS, the City Council, upon the recommendation of the Planning Commission, has determined there is a need to revise the Zoning Map of Hyrum City, Utah.

NOW, THEREFORE, following a public hearing by the Planning Commission on January 8, 2015 as required by Section 17.08.150, the Hyrum City Council hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING THE ZONING MAP OF HYRUM CITY, UTAH BY REZONING PROPERTY FROM RESIDENTIAL R-2 to MANUFACTURING MEDIUM TO HEAVY M-2 (JBS SWIFT PROPERTY APPROXIMATELY 200 WEST TO 80 WEST BETWEEN 320 NORTH AND 370 NORTH - SOUTH OF JBS SWIFT PLANT; AND PROPERTY AT APPROXIMATELY 400 NORTH BETWEEN 230 WEST AND 280 WEST - NORTHWEST OF THE JBS SWIFT PLANT).

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

1. ZONING CHANGE. The following described real property located in Hyrum City, Cache County, Utah which is currently zoned Residential R-2, is hereby rezoned to Manufacturing M-2:

Partial Rezone of Parcels #03-061-0040,-0043 and -0026

Beginning North 01°04'00" West along the East line of 200 West Street, 32.50 feet of the intersection of the East Right of way line of 200 West Street and the Westerly projection of the North line of Lot 4, Block 16, Plat "C", Hyrum City Survey;

and running thence North 01°04'00" West along the East right of way of 200 West Street, 104.46 feet;

thence South 88°15'31" East, 159.87 feet;

thence North 04°02'35" East, 61.63 feet;

thence South 87°13'57" East, 64.41 feet;

thence North 03°11'28" East, 94.88 feet;

thence North 87°38'35" West, 86.04 feet;

thence South 86°20'44" West, 150.74 feet to the East right of way line of said 200 West Street;

thence North 01°04'00" West along the East right of way of 200 West Street, 53.01 feet to a point on the line of the existing Hyrum City Zone for Manufacturing - Medium to Heavy;

thence along the existing line of the Hyrum City Zone for Manufacturing - Medium to Heavy in the following 5 courses;

1. South 84°50'40" East, 269.39 feet (S 82°32'26 E, 270.70' by record) along the boundary line agreement recorded in book 679, page 434 in the office of the Cache County Recorder;

2. North 88°58'46" East, 384.93 feet;

3. South 61°32'18" East, 436.50 feet;

4. North 84°24'09" East, 41.21 feet;

5. South 03°07'30" West, 113.26 feet to a point Northerly, 30.00 feet of the North line of Lot 4, Block 16, Plat "C", Hyrum City Survey;

thence North 88°07'42" West along a line parallel with and Northerly 30.00' feet of the North line of Lot 4, Block 16, Plat "C", Hyrum City Survey, 1066.74 feet to the beginning.

2. ZONING MAP AMENDMENT. The Zoning Map of Hyrum City is hereby amended to reflect the changes authorized herein.

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

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

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

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

6. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 15<sup>th</sup> day of January, 2015.

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 21<sup>st</sup> day of September, 2006, 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 27<sup>th</sup> day of September, 2006 in Hyrum City, did post the attached Ordinance in a likely manner in each of three public places as follows:

Hyrum Civic Center	83 W. Main	Hyrum, Utah
Ridley's Market	780 E. Main	Hyrum, Utah
Wells Fargo Bank	10 W. Main	Hyrum, Utah

In witness whereof, I have hereto set my hand this 27<sup>th</sup> day of September, 2006.

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Stephanie Fricke  
City Recorder

(SEAL)

Ordinance 06-09

An ordinance amending the zoning map of Hyrum City, Utah (B. Nielsen Property).