SPRING CITY, UTAH
ORDINANCE 2023-__
AMENDMENTS TO TITLE 10: ZONING REGULATIONS

WHEREAS, the Spring City Planning and Zoning Commission ("P&Z") has considered needs to revise provisions in Title 10 of the Spring City Code, relating to Zoning Regulations, in order to allow for the development of multi-family residences in specified locations and in accordance with specified requirements;

WHEREAS, P&Z has proposed various modifications of Title 10, Zoning Regulations, has presented and reviewed such modifications in a public meeting and proposed that they be presented in a public hearing and then considered for adoption by the Spring City Council;

WHEREAS, Notice of a Public Hearing regarding the proposed amendments has been published as required by applicable law;

WHEREAS, the Public Hearing was held on the evening of _____, _____ ___, 2023, followed by a meeting of the City Council, at which the amendments were considered for adoption; and

WHEREAS, following the Public Hearing the City Council adopted a resolution to approve the amendments as set forth below;

NOW THEREFORE, be it ordained by the City Council of Spring City, Utah, as follows:

SECTION 1: **Amendment of Section 10-1-3 – Definitions**. Section 10-1-3 of the Spring City Municipal Code, titled "Definitions" is hereby amended to delete the definition of "Apartment" and to read in its entirety as follows, with existing language to be stricken as indicated below:

10-1-3 DEFINITIONS

Unless otherwise specifically stated within the text of this title, the following definitions shall be those referred to herein and shall be considered a part of this title:

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ACCESSORY STRUCTURE: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Unless an accessory structure meets applicable "conditional use" requirements, it cannot be a dwelling. Accessory structures most commonly include, but are not limited to, detached garages, storage sheds, storage containers, carports, greenhouses, gazebos, pavilions, barns, coops, and the like. No accessory building or group of buildings in any residential zone shall cover more than twenty five percent (25%) of the remaining yard after reducing the available yard size for the applicable setbacks. Accessory structures must comply with existing setback ordinances and zoning permit requirements.

~~APARTMENT: Any single family dwelling or any apartment style single-family residence separate from or attached to a commercial building which is used as rental property. For conditions and specifications of an apartment see SCMC 10-6D-3.~~

ASSISTED LIVING: Assisted living dwellings are for persons in need of partial or constant medical or physical care. Types of dwellings where such help is available are multiple-unit nursing home, senior citizen, and/or multiple- unit assisted living dwellings.

BED AND BREAKFAST: A bed and breakfast (B&B) establishment is any single residence dwelling equipped with and providing short term sleeping and meal accommodations for tourists or like traveling persons. For conditions and specifications of a B&B see SCMC 10-6A-3.

BUFFER ZONE: See SCMC Section 10-1-4 Paragraph 6.

BUSINESS: Any and all activities engaged in for the purpose of gain or economic profit. This definition shall include, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling. The acts of employees rendering service to employers shall not be included in the term business, unless otherwise specifically provided.

COMMERCIAL BUSINESS: Any business enterprise conducted within any commercial zone. Commercial businesses are only allowed in LC-1 light commercial zone, LI-1 light industrial zone, and RVP-1 recreational vehicle

park zone (consult zoning regulations in this title for activities allowable in any particular zone). With the exception of a B&B (see SCMC 10-6A-3) and home businesses (see SCMC 3-1-13, "Home Businesses" for activities allowable in residential zones), no business enterprises shall be allowed in any residential zone.

DOMESTIC EMPLOYEE: A person who provides household services to an individual or family. Examples include, but are not limited to, caretakers, house sitters, maids, housekeepers, nurses, gardeners, nannies and the like.

EMPLOYEE: Any persons employed by the operator, owner or manager of a place of business in any capacity and also any salesperson, agent or independent contractor engaged in the operation of the place of business in any capacity. The husband, wife, son, daughter, father and/or mother of the operator, owner or manager of a place of business shall not be classified as an employee in the event that said relative is working at the place of business.

GENERAL PLAN: The general plan recommended by the planning and zoning commission and adopted by the city council (after appropriate public hearings) outlining the direction the physical as well as the philosophical development of Spring City should attempt to follow. The general plan required under U.C.A. 10-9a-401 is known as the Spring City Master Plan.

GUESTHOUSE, DETACHED: Any single-family apartment style dwelling detached and separate from but found on the same lot as an existing residence. Such guesthouses are allowable in residential zones and, if new construction, are limited to six hundred twenty five (625) square feet. If there are conversions of existing structures, this size limitation may be waived. They may be constructed with bathroom and kitchen facilities but shall not be used as rental apartments, except as otherwise specifically allowed in the SCMC. There shall be no more than one (1) guesthouse (whether a Guesthouse, Internal or a Guesthouse, detached) per buildable lot in any zone.

GUESTHOUSE, INTERNAL: Any single-family apartment style habitable building added to or created within a primary single-family dwelling and contained on one lot. A Guesthouse, Internal may be used as a rental apartment, subject to the provisions of this Title.

HISTORIC DISTRICT: An area located on the Main Street extending halfway through each block east to west and from 5th Street North to 5th Street South.

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This district is not a usage zone but an "overlay" of whatever usage zone may fall within.

HISTORIC STRUCTURE: Any structure 50 years or older or any structure having a historical significance such as monuments, bridges, cemeteries, etc.

HOME BUSINESS: Any business enterprise conducted within a dwelling or adjacent structures located on the same premises and carried on by persons residing in the dwelling unit. Excepting farming or other agricultural business enterprises, owners of all business enterprises in residential zones must obtain a home business license and comply with the conditions of this title and SCMC 3-1 prior to operating any such business. Such a business use shall be clearly incidental and secondary to the dwelling use and shall not change the character of such dwelling or the residential neighborhood (see SCMC 3-1-13, "Home Businesses" for activities allowable in residential zones).

HOME FOR DELINQUENT TEENAGERS: Any detention resident dwelling where two (2) or more delinquent teenagers are placed as wards of the state or by order of the court system. Said detention home, center, or dwelling shall not be allowed in any zone in Spring City.

MAJOR STRUCTURE: A dwelling (home), large barn, commercial building, public building or like structure.

MANUFACTURED OR MODULAR HOME: A manufactured or modular unit home, unlike mobile homes, does not have permanently attached axles for wheels and are designed for permanent foundations. Only those manufactured after June 1976, meet the HUD standards and must have a certificate of the same to be allowed in this city or county (see county codes). They have a minimum size requirement, are required to be placed on a normal size building lot, they have a normal pitched roof, with a permanent foundation, permanent utility hookups, and meet minimum health, fire, and safety codes.

MOBILE HOME: A transportable factory built housing unit. It generally has a flat roof, attached axles for wheels, nonpermanent hookups for utilities, is not designed for a permanent foundation, and is small in size (under 900 square feet). Mobile homes are only allowed in the Mobile Home Zone R3. Those built prior to June 1976, do not meet HUD certified manufacturing standards and are not allowed in this county (see county codes).

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MODERATE INCOME HOUSING: Refers to residential dwellings for rent that moderate income families can afford to rent. The state of Utah requires cities to make a percentage of such housing available to residents.

NONCONFORMING USES: Occupancy or use of any building, structure, or land within the city prohibited by provisions of this title, but which lawfully existed prior to the effective date hereof. This includes residential, commercial, industrial, and public structures occupied or vacant at the time of adoption of these provisions.

PLACE OF BUSINESS: Each separate location maintained or operated by any business licensee within the city from which business activity is conducted or transacted.

RV PARK: This is an area established for temporary (a maximum of 30 consecutive days within any 90 day period) parking of recreational vehicles (RVs) which for this zone only (recreational vehicle park zone) are defined as camper type trailers, motor homes, truck borne campers, or the like.

RECREATIONAL VEHICLES (RVs): Camp trailers, motor homes, pickup campers, boats and/or their trailers, four-wheelers and/or their trailers, snowmobiles and/or their trailers, motorcycles and/or their trailers, flatbed trailers, converted pickup bed trailers, camp wagons, buggies, carts, and all similar type vehicles.

SPRING CITY RESIDENT: A resident of Spring City is anyone who owns or rents a home in Spring City and resides full time.

SUBDIVISION: Any plot or parcel of land which is divided into two (2) or more plots or parcels of land having no less than 1.06 acres per parcel. Lots containing less than 1.06 acres, unless grandfathered, are unbuildable.

TEMPORARY USE PERMIT: A permit required to engage in any temporary business enterprise or other activity using public rights of way or conditional use of public or private property in any zone such as: motion picture production permits, carnivals, circuses, fireworks displays or stands, Christmas tree lots, promotional displays, political rallies or campaign headquarters, large (over 400 people) public gatherings, temporary sales (excepting yard sales) vending on the street, sidewalk or any public right of way (excepting lemonade stands or the like, run by children under 17 years of age), and the like. (See also

SCMC 10-8-2, "Temporary Uses".) Such a permit shall, among other information and conditions, specify the time limit and place to be used. Such a temporary use permit shall be required for residents of Spring City as well as any out of town business enterprises or activities.

VISIBILITY BARRIER: Any fence, or building, or any structure (of normal materials), or trees and bushes or like shrubbery constructed or arranged for the purpose of hiding from public view any unsightly materials, supplies, equipment, vehicles, etc. Said visibility barriers must comply with the height and setback requirements.

ZONING MAP: The official map prepared, approved, and presented by the planning and zoning commission and signed and adopted by the city council (after appropriate public hearings) which map shall be posted in the city hall for public view as well as (a second copy) kept safe from tampering. Thereon shall be exhibited public roadways and facilities, each zone with boundaries and titles, as well as other pertinent information.

ZONING PLAN: The adopted zoning ordinance including the zoning map. (Ord. 2005-01, 9-8-2005; amd. Ord. 2014-01, 5-15-2014)

SECTION 2: Amendment of Section 10-5-2 – Conformance to General Plan. Section 10-5-2 of the Spring City Municipal Code, titled "Conformance to General Plan" is hereby amended to change the title of the Section and to read in its entirety as follows, with existing language stricken as indicated below:

10-5-2 CONFORMANCE TO ~~GENERAL PLAN~~THIS TITLE

All streets, parks, public buildings, public utility lines, or other public ways, whether publicly or privately owned, shall be constructed in conformance with this title ~~and the general plan~~. The acceptance, widening, removal, extension, relocation, narrowing, vacating, abandonment, change of use, acquisition of land, or sale or lease of any street or any other public way, property or structure, shall be subject to the provisions of this title as well as review and approval by the Planning and Zoning Commission and City Council.

SECTION 3: Amendment of Section 10-5-5 – Establishment of Zones and Map. Section 10-5-5 of the Spring City Municipal Code, titled "Establishment of Zones and Map" is hereby amended to read in its entirety as

follows, with new language added and existing language stricken as indicated below:

10-5-5 ESTABLISHMENT OF ZONES AND MAP

A. Planning And Zoning Commission: The planning and zoning commission may recommend to the city council the division of the territory, over which said city council has jurisdiction, into zones of a number, shape, and area that it considers appropriate to carry out the purposes of this title.

1. Within those zones the planning and zoning commission may recommend the regulation, restriction, the erection, demolition, construction, reconstruction, alteration, repair, or use of buildings and structures, and the use of land.
2. The planning and zoning commission shall ensure that the regulations are uniform for each class or kind of building throughout each zone, but the regulations in one zone may differ from those in other zones.
3. The planning and zoning commission shall also interpret, for purposes of clarification, the meaning and intent of the particular use of the various zones.

B. Zones: In order to accomplish the purposes of this title, the city is hereby divided into zones in accordance with this title and the general plan, as herein set forth:

1. R-1 single-family residential agricultural zone;
2. R-3 mobile home park residential zone;
3. R-4 multiple residential assisted living zone;
~~3.~~4. R-MF multi-family residential zone.
~~4.~~5. LC-1 light commercial zone;
~~5.~~6. LI-1 light industrial zone;
~~6.~~7. PF-1 public facilities zone;
~~7.~~8. RVP-1 recreational vehicle park zone; and
~~8.~~9. HD historic district (this is not a zone; see SCMC 2-1 and SCMC 10-6, article H).

C. Considerations: In the preparation of this title, due and careful consideration was given, among other things, to the suitability of land for

particular uses, to existing and probable future conditions within the city, and to the character of each of the several zones with an emphasis on conservation of the value of buildings and lands, meeting the needs of the citizens, complying with the majority of citizen desires as expressed in past surveys, and encouraging the most appropriate use of lands to protect the health, safety, and general welfare of the citizens throughout the city.

D. Map:

1. The location and boundaries of each of the zones as contained herein are shown on the zoning map entitled "Zoning Map of Spring City, Utah", and all boundaries, titles, notations and other data shown thereon are hereby adopted as part of this title.

2. Where uncertainty exists as to the boundaries of zones as shown on city maps, the following shall apply:

a. Boundaries as approximately following the centerlines of streets, highways, or alleys shall be construed as moving with the centerline.

b. Boundaries indicated as approximately following the right of way lines of streets, highways, or alleys shall be construed to follow such right of way lines, and in the event of a change in the right of way lines, shall be construed as moving with the right of way line.

c. Boundaries indicated as approximately following the centerlines of streams, rivers, canals or other bodies of water, or flood control channels, shall be construed to follow such centerlines and in the event of the change of the centerline, it shall be construed as moving with the centerline.

d. Boundaries indicated as approximately following platted or lot lines shall be construed to follow such lot lines.

e. In case of any further uncertainty existing, the board of adjustment shall determine the location of such boundaries.

f. Boundaries of each of said zones are hereby established as described herein and shown on the zoning map, as amended from time to time, to conform to the actions of the city council, which map is on file in the city office, and all boundaries shown thereon are made by this reference as much a part of this title as though fully described and detailed herein.

g. Fence lines are not true and correct property lines.

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h. Surveys are required if property boundaries are questionable.

E. Zoning Changes: Proposals for zoning changes must be presented by owners/developers to the planning and zoning commission for review and approval. Should the planning and zoning commission approve the change they will make such recommendations, in writing, to the city council who will then schedule a public hearing. After consideration of all recommendations, the city council will vote to adopt or reject the change. Should the planning and zoning commission disapprove the proposal, such disapproval with recommendations shall be passed on, in writing, to the city council. In such case the applicant may appeal to the board of adjustment whose approval or disapproval of recommendations shall be expressed, in writing, to the city council who, after a public hearing (if one has not been held on this issue) and consideration of all recommendations, will vote to adopt or reject the change.

F. Official Authority: Within the scope of authority given them by the city council, the planning and zoning commission shall be the official coalition authorized to clarify and interpret any provision related to this chapter. It shall consider violations thereof, issues of complaint, or other issues related to the planning and zoning of Spring City and shall make recommendations to the city council for settlement of any and all planning and zoning issues.

G. Appeals: Should any Spring City resident feel they have been unfairly affected by any decision of the planning and zoning commission or the city council, they may appeal to the board of adjustment. (Ord. 2005-05, 9-8-2005)

SECTION 4: Amendment of Section 10-6A-1 – Purpose and Intent. Section 10-6A-1 of the Spring City Municipal Code, titled "Purpose and Intent" is hereby amended to read in its entirety as follows, with new language added and existing language stricken as indicated below:

10-6A-1 PURPOSE AND INTENT

The R-1 zone in Spring City is hereafter designated single-family residential-agricultural zone. The objective in establishing the R-1 zone is to provide a location within the city for a residential and agricultural environment where the residents may engage in significant agricultural pursuits, including the keeping of a reasonable and traditional number of animals. A minimum of vehicular traffic and quiet residential conditions favorable to family living and the rearing of children shall prevail. This zone is characterized by low density,

commingling of one-family detached dwellings on individual lots, agricultural activities, parks, playgrounds, schools, and churches. This zone is also characterized by attractive landscaped lots and open spaces with lawns, shrubs, crops, and gardens. Although not mandatory, the restoration of old homestead style homes and lots in accordance with the old Mormon village pattern, as set down when the city was first established, shall be encouraged. This zone may also, on conditions, allow guesthouses (see SCMC 10-1-3, "Definitions") and bed and breakfasts (see conditions below) but no apartments shall be allowed in this zone. ~~Notice: In keeping with the general plan to maintain a low density rural atmosphere within Spring City, duplex and multiple apartments (excepting assisted living R-4) housing is not allowed in this or any other zone in Spring City. (Ord. 2005-06, 9-8-2005)~~

SECTION 5: Amendment of Chapter 10-6 – Zones and Districts. Chapter 10-6 of the Spring City Municipal Code, titled "Zones and Districts" is hereby amended to add a new Article D and to change the designation of the following Articles, as indicated below:

ARTICLE A R-1 SINGLE-FAMILY RESIDENTIAL-AGRICULTURAL ZONE
ARTICLE B R-3 MOBILE HOME PARK RESIDENTIAL ZONE
ARTICLE C R-4 MULTIPLE RESIDENTIAL ASSISTED LIVING ZONE
ARTICLE D R-MF MULTI-FAMILY RESIDENTIAL ZONE
ARTICLE ~~D~~ E LC-1 LIGHT COMMERCIAL ZONE
ARTICLE ~~E~~ F LI-1 LIGHT INDUSTRIAL ZONE
ARTICLE ~~F~~ G PF-1 PUBLIC FACILITIES ZONE
ARTICLE ~~G~~ H RVP-1 RECREATIONAL VEHICLE PARK ZONE
ARTICLE ~~H~~ I HD HISTORIC DISTRICT

SECTION 6: Amendment of Sections of Chapter 10-6 – Zones and Districts. All of the Articles and Sections of Chapter 10-6 of the Spring City Municipal Code that include references to Article numbers that are being changed as referenced above are hereby amended to change the Article numbers to be consistent with the Article numbers referenced in Section 5 above.

SECTION 7: Adoption of New Article D Relating to R-MF Multifamily Residential Zone. A new Article D is hereby added to Chapter 10-6 of the Spring City Municipal Code, to be titled and to read as indicated below:

ARTICLE D R-MF MULTI-FAMILY RESIDENTIAL ZONE

10-6D-1 PURPOSE AND INTENT
10-6D-2 PERMITTED USES
10-6D-3 CONDITIONAL USES
10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS
10-6D-5 ACCESS REQUIREMENTS
10-6D-6 LOCATION REQUIREMENTS
10-6D-7 HEIGHT REQUIREMENTS
10-6D-8 DRAINAGE REQUIREMENTS
10-6D-9 UTILITY REQUIREMENTS
10-6D-10 MAIN STREET HISTORIC DISTRICT
10-6D-11 PROJECT AMENETIES

10-6D-1 PURPOSE AND INTENT

The R-MF zone in Spring City is hereafter designated multi-family residential zone. The objective in establishing the R-MF zone is to provide a location within the city for a variety of multi-family dwelling housing types, including duplexes, triplexes, townhomes, and apartment buildings. This zone is characterized by medium density attached dwellings, and includes such uses as parks, playgrounds, schools, and churches. This zone includes other uses that are typically found in a multi-family residential neighborhood for the purpose of serving the neighborhood. This zone is also characterized by attractive landscaped lots and open spaces with lawns, shrubs, crops, and gardens. This zone may also, on conditions, allow guesthouses (see SCMC 10-1-3, "Definitions") and bed and breakfasts (see conditions below).

10-6D-2 PERMITTED USES

The following buildings, structures, and uses of land shall be permitted upon compliance with the standards and requirements as set forth in this title as well as the accepted building codes:

Attached single-family or multi-family dwellings of conventional construction, including duplexes, triplexes, townhomes, or apartment buildings, one structure per lot, up to 12 units per 1.06 acre lot. For lots larger or smaller than 1.06 acres, the maximum number of units shall be adjusted in proportion to the size of the lot. For example, a lot that is 2.12 acres will be entitled to 24 units. A grandfathered lot that is .503 acres will be entitled to 6 units. A lot that is 1.05 acres will be entitled to 11 units. In no event shall one lot contain more than 30 units. Units may be rented or occupied by the owner of the Property.

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Condominiums, co-ops, time shares, or other fractional ownership other than ownership of the entire property is prohibited.

A normal number of household pets. Large animals are

prohibited.

Customary residential accessory structures including uses or buildings of a nature customarily incidental and subordinate to, the principal use or building. For the purposes of this ordinance, accessory structures include both permanent and temporary structures such as garages, carports, sheds, studios, home offices, shipping containers, etc. regardless of whether said structures are unenclosed or enclosed.

Fences and walls between neighboring properties shall not be more than eight feet (8') in height and shall not be constructed of abnormal or obnoxious materials. No fence, wall, shrub, or hedge shall be of a height or placement so as to obstruct traffic visibility at any intersection. Subject to the city's nuisance regulations, visibility barriers (fences, walls, shrubs, trees, etc.) may be required in some cases to hide unsightly equipment, materials, or other stuffs found on properties in this zone. Subject to the requirements of SCMC 11-3-4 Part D hazardous structures or areas may be required to be fenced.

Gardens, orchards and field crops.

Minor public facilities, parks, and playgrounds.

Temporary signs, a maximum of two (2) in number, not

exceeding six (6) square feet advertising the sale of the

premises or other temporary event. Such signs shall be

located on private property.

10-6D-3 CONDITIONAL USES

The following buildings, structures, and uses of land shall be permitted upon the conditions set forth in this title and after review and approval has been

given by the designated reviewing authority. The planning and zoning commission shall review all conditional use proposals and shall approve, disapprove, or approve with conditions, in accordance with Utah State law. Owner may appeal to the board of adjustment should he/she feel the planning and zoning commission was incorrect.

"Bed and breakfast establishments," defined as a single residence dwelling equipped with and providing short term sleeping and meal accommodations for tourists or like traveling persons, shall be allowed in accordance with the following conditions:

A. Excepting the food preparation, the limitation of area of primary residence, and other structures allowed for use of business provisions, the B&B shall comply with all required conditions for a home business use (see SCMC 3-1-13).

B. No B&B shall have more than ten (10) rooms available for such short term accommodations.

C. B&B establishments shall comply with all state and local food handling requirements as well as any ordinance governing hotels.

D. The Transient Room occupancy tax shall apply.

E. A home business license and state tax ID are required.

Short term rentals

Churches. Upon feasibility and impact

studies as well as review and approval

of the planning and zoning

commission, churches may be allowed

in this zone. Construction.

Unconventional construction.

A. Construction, design, and materials shall not be obnoxious, repugnant, or completely out of harmony with the surrounding residential structures.

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B. Must be in compliance with all building codes.

Home business. Home businesses in accordance with SCMC 3-1-13, "Home Businesses".

Public school. Upon conditions, public and private school buildings and grounds, not necessarily to include storage yards.

10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS

A. Lot: The minimum lot area for a multi-family dwelling shall be 1.06 acres or approximately forty six thousand one hundred and sixty (46,160) square feet in area, unless otherwise grandfathered or split in previous years where a lot size was smaller than the 1.06 acre requirement was allowed.

B. Dwelling: All residential dwelling units shall be constructed in compliance with the International Building Code as herein provided. (Ord. 2014-01, 5-15-2014)

10-6D-5 ACCESS REQUIREMENTS

All residential dwelling units shall have access from an established public roadway as specified in SCMC 11-3-6. (Ord. 2005-06, 9-8-2005)

10-6D-6 LOCATION REQUIREMENTS

Each residential lot shall abut a public street for a minimum of two hundred feet (200 feet) of frontage, except in the case of lots previously subdivided which are smaller than or equal to 1.06 acres or lots that have been previously split and are grandfathered. Residential lots that have been previously legally subdivided and are grandfathered, which are smaller than or equal to 0.45 acres are referred to herein as "Small Lots." All residential dwelling units must meet the following current permitted requirements:

A. Residential dwelling units on corner lots shall have a minimum setback of thirty feet (30') from both property lines along public streets.

B. Residential dwelling units shall have side yards of at least ten feet (10') from property lines not adjacent to public streets.

C. Residential dwelling units and accessory structures that measure greater

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than two hundred (200) square feet shall have a minimum rear yard of thirty feet (30').

D. No accessory structure may be closer than thirty feet (30') of both property lines along public streets for corner lots and shall (i) not cover more than thirty percent (30%) of the rear yard, and (ii) not contain more than one (1) story unless a conditional use permit is obtained authorizing more than one (1) story; provided that, in the case of a Small Lot, no accessory structure may be closer than twenty feet (20') of both property lines along public streets for corner lots. No structure, landscaping, or other obstruction shall obscure the view of automobile drivers on corner lots. It is preferred that accessory structures shall be in the rear yard, but they shall not be closer to the property line than the dwelling. Exceptions may be made for decorative structures such as gazebos or pergolas.

E. Accessory structures shall have a setback from all residential dwellings of twelve feet (12'), ten feet (10') from side-yard property lines and thirty feet (30') from property line corners of lots facing a public street; provided that, in the case of a Small Lot, accessory structures shall have a setback from all residential dwellings of nine feet (9'), five feet (5') from side-yard property lines and twenty feet (20') from property lines on corner lots facing a public street.

F. There shall be ten feet (10') setbacks from irrigation lines and spouts; provided that, in the case of a Small Lot, irrigation lines and spouts setbacks shall be at least five feet (5').

G. Accessory structures that measure two hundred (200) square feet and under will require a zoning permit with no fee to ensure proper setbacks. Any structures more than two hundred (200) square feet will need to obtain a zoning permit. (Ord. 2014-01, 5-15-2014)

10-6D-7 HEIGHT REQUIREMENTS

No structure may be more than forty five feet (45') high. (Ord. 2005-06, 9-8-2005)

10-6D-8 DRAINAGE REQUIREMENTS

All water generated on the premises must be disposed of on the premises or by natural drainage and all dwellings shall have a two percent (2%) grade drainage for a radius of twenty five feet (25') from each structure and shall be designed to eliminate any flooding or pollution of adjacent properties. (Ord. 2005-06, 9-

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10-6D-9 UTILITY REQUIREMENTS

All residential dwelling units whose closest property line is within three hundred feet (300') of the end of a city sewer system main line pipe, must hook up with said city sewer. Those over three hundred feet (300') from the city sewer system must have a septic system permit issued through the Central Utah Public Health Department. These and other utilities shall be provided for by owner/developer in accordance with the specifications in SCMC 11-3-1. All occupied residential dwelling units are required, at residents' expense, to have garbage collection services.

10-6D-10 MAIN STREET HISTORIC DISTRICT

Should any property in this zone fall within the main street historic district, before obtaining a building permit, owners/developers are required to meet with the historic preservation subcommittee with their plans to discuss the same and to obtain advice and information relative to historic guidelines that may relate to their project as well as possible historic grants. It is advisable that owners/developers meet with this subcommittee as early as possible in the initial planning stages of their project as any desired changes to save money, obtain grants, enhance historic preservation, or improve historically compatible styles may be more difficult in latter stages. Since this subcommittee is advisory only, they have no authority to approve or disapprove owners'/developers' plans but owners/developers must obtain a certificate of review slip from them to proceed through the permit to build process

10-6D-11 PROJECT AMENITIES

Each development approved in the R-MF Zone shall include appropriate amenities for the residents of the project and be properly maintained. As a general rule, active recreation areas will include amenities such as sport courts, shuffleboard, pickle ball courts, bocce ball, horseshoe pits, swimming pools, splash pads, playgrounds, clubhouses etc., and passive recreation (lawn) areas. The amount of amenities required shall be adequate for the proposed number of units in the development.

Projects with Less Than Thirty (10) Units Shall Furnish picnic areas with tables and barbecue areas, and a recreation area with amenities appropriate for the

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targeted population.
Projects with eleven (11) To Thirty (30) Units Shall Furnish one (1) picnic area with tables and barbecue area with shade structure, a sport court with at least five hundred (500) square feet, or equivalent amenity, and one (1) recreation area with amenities appropriate for the targeted population.

SECTION 8: Amendment of Section 10-7 – Regulations Applicable to All or Several Zones. Chapter 10-7 of the Spring City Municipal Code, titled "Regulations Applicable to All or Several Zones" is hereby amended to delete the existing Section 10-7-1 relating to Row or Apartment Houses, and to renumber the remaining Sections of that Chapter as indicated below, with all references to Section numbers within such Chapter to be modified accordingly;

Chapter 10-7 REGULATIONS APPLICABLE TO ALL OR SEVERAL ZONES

~~10-7-1 ROW OR APARTMENT HOUSES~~
~~10-7-2~~10-7-1 DUPLEX HOUSES
~~10-7-3~~10-7-2 MOBILE HOMES
~~10-7-4~~10-7-3 TRAFFIC VISIBILITY
~~10-7-5~~10-7-4 INTERNAL GUESTHOUSES

~~**10-7-1 ROW OR APARTMENT HOUSES**~~

~~According to Utah code, since Spring City is a small town, it is able to combine its demographics with other surrounding towns in regards to state requirements for low income housing. Accordingly, because of the great number of apartments available in these other towns (including the city of Ephraim) and pursuant to Spring City's general plan, specifically its desire to maintain low population density, no row or apartment houses shall be allowable within the city. Such dwellings may not be erected, sold, leased, or rented as individual units or apartment residences. (Ord. 2005-17, 9-8-2005)~~

~~**10-7-2 DUPLEX HOUSES**~~

~~In accordance with the above rationale, duplex houses shall not be allowed in Spring City. Accordingly, excepting the light commercial zone LC-1 (see SCMC 10-6, article D), no apartment shall be allowable in any zone in Spring City. Short term guesthouses may be allowed in some zones (see individual zones under SCMC 10-6, "Zones And Districts"). For definitions of apartment and guesthouses, see SCMC 10-1-3, "Definitions". (Ord. 2005-17, 9-8-2005)~~

DRAFT

Effective Date: This ordinance shall be in full force and effect immediately upon the required approval and posting or publication according to law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SPRING CITY, UTAH, _____, 2023.

Attest:

_____

_____

Mayor Chris Anderson
Spring City, Utah

RuthAnn McCain, Spring City Recorder

Results of Roll Call Vote:

	AYE	NAY	ABSENT	ABSTAIN
Craig Clark				
Courtney Syme				
Paul Penrod				
Nancy Allred				
Tim Clark				

RECORDED this day of , 2023
PUBLISHED OR POSTED this day of , 2023

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with requirements of the Spring City Municipal Code and applicable laws of the State of Utah, the undersigned Recorder of Spring City, Utah hereby certifies that the foregoing ordinance was duly passed and published or posted at:

1)
2)
3)

on the above referenced dates.

_____

Ruth Ann McCain, Recorder, Spring City, Utah

DRAFT

SAVAGE ASSOCIATES
ENGINEERING

PROFESSIONAL SERVICES AGREEMENT

Date: 3/25/2022.
P.M.: Jacob Savage
Job No.: .

Savage Associates Engineering, or CONSULTANT, is hereby authorized by **CLIENT**., or OWNER, a Corporation organized and existing under the laws of the State of Utah, to perform the services set forth below, subject to the terms and conditions set forth below and on the following pages.

A. Owner Information:	**Spring City**
Company:	**N/A**
Name:	**Spring City Town Council**
Address:	**45 South 100 East**
City/ State/ Zip:	**Spring City, UT 84662**
Phone:	**435-462-2244**
E-Mail Address:	**treasurer@springcityutah.org**
B. Project Description:	**Right-of-Way Survey for Spring City**
Project Name:	**Spring City Right-of-Way**
Location:	**Spring City, Utah**
Description of Engineer's Services:	

Scope of Work:

1. Right-of-way on 700 East Street. This will include: addressing irregular wedge lots along 700 E.; parcels that appear to not have ownership assigned; issues identifying existing property boundaries; and establishing a plan for a full 82' city-owned Right-of-Way. This will include the following items:
    a. Complete a full boundary survey of all blocks along 700 East Street. This will include an official survey filed at the Sanpete County Recorder's office of the entire 700 East Street with the adjacent roads, parcels, and blocks shown.
    b. A title company will also be contracted by consultant for an in-depth title abstract and research of the roads and parcels in the vicinity.
    c. Consultant will provide right-of-way and/or parcel descriptions for title company use in preparing vesting documents.
    d. Title acquisition to new right-of-way and/or parcels of land will not be completed by consultant but will need to be contracted by client with a third party. Consultant will provide parcel information and survey data for a Title Company or Land Attorney to use in the acquisition of title.
    e. Two meetings with attendance by a Professional Land Surveyor at landowner meetings or town council meetings.

2. Survey and identify issues with the Alger subdivision. Create an action plan to fix road Right-of-Ways, existing parcel boundaries, and the alignment of the subdivision roads to platted Spring City roads. This will include the following items:
    a. Complete a full boundary survey of the blocks adjacent to the Alger subdivision as well as retract and do an amended plat for the Alger Subdivision. This will include an official an Amended Alger Subdivision plat filed at the Sanpete County Recorder's office of the entire Alger Subdivision with the adjacent roads, parcels, and blocks shown.
    b. A title company will also be contracted by consultant for an in-depth title abstract and research of the roads and parcels in the vicinity.
    c. Consultant will provide right-of-way and/or parcel descriptions for title company use in preparing vesting documents.
    d. Title acquisition to new right-of-way and/or parcels of land will not be completed by consultant but will need to be contracted by client with a third party. Consultant will provide parcel information and survey data for a Title Company or Land Attorney to use in the acquisition of title.
    e. Two meetings with attendance by a Professional Land Surveyor at landowner meetings or town council meetings.
3. Survey and identify the area where 500 South Street and 600 South Street would run from 200 West Street to 700 East Street. It appears there is no deeded right-of-way for the roads in question from 200 West Street to 200 East Street. If evidence supporting such is found during the title abstract, it will be shown on the official survey. This will include the following items:
    a. Complete a full boundary survey of the blocks and parcels adjacent to 500 South and 600 South. This will include an official survey filed at the Sanpete County Recorder's office of the theoretical right-of-way with the adjacent roads, parcels and blocks shown. This would tie-to and be an extension of item 2 above.
    b. A title company will also be contracted by consultant for an in-depth title abstract and research of the roads and parcels in the vicinity.
    c. Consultant will provide right-of-way and/or parcel descriptions for title company use in preparing vesting documents.
    d. Title acquisition to new right-of-way and/or parcels of land will not be completed by consultant but will need to be contracted by client with a third party. Consultant will provide parcel information and survey data for a Title Company or Land Attorney to use in the acquisition of title.
    e. Two meetings with attendance by a Professional Land Surveyor at landowner meetings or town council meetings.

4. Identify supporting evidence as to an annexation action to include the portion on the West boundary that was not included circa 1941.
    a. A title company will be contracted by consultant for an in-depth title abstract and research of the town boundary and parcels in the vicinity. This title search and abstract will be needed to clear up answers as to the acquisition and annexation of the said portion.
    b. Two meetings with attendance by a Professional Land Surveyor at landowner meetings or town council meetings.
5. Right-of-way on 950 North Street (County road address is 15000 North). This will include: addressing irregular shaped lots along 950 North from 300 East Street to 700 East Street; parcels that appear to not have ownership assigned; issues identifying existing property boundaries. This will include the following items:
    a. Complete a full boundary survey of blocks along 950 North Street from 300 East Street to 700 East Street. This will include an official survey filed at the Sanpete County Recorder's office of 950 North Street with the adjacent roads, parcels, and blocks shown.
    b. A title company will also be contracted by consultant for an in-depth title abstract and research of the roads and parcels in the vicinity.
    c. Consultant will provide right-of-way and/or parcel descriptions for title company use in preparing vesting documents.
    d. Title acquisition to new right-of-way and/or parcels of land will not be completed by consultant but will need to be contracted by client with a third party. Consultant will provide parcel information and survey data for a Title Company or Land Attorney to use in the acquisition of title.
    e. Two meetings with attendance by a Professional Land Surveyor at landowner meetings or town council meetings.

Compensation:

Savage Associates Engineering proposes to complete the work outlined in the Scope of Services for a **Total Amount of $86,850.00**, as summarized below. Lump Sum items will be billed per detail below.

These fees will include meeting attendance by consultant as mentioned previously. Additional meeting attendance beyond what is included in this bid will be billed at an hourly rate.

The work on this project will commence within 4 weeks of notice to proceed. The completion date will be determined between the Consultant and Client at a later time.

An initial payment of 25% of the estimated cost will be required before work will commence on the project. When initial payment is received the project will be placed on the schedule. This fee schedule is valid for 12 months. A revised quote can be completed at any time after 12 months, if requested.

Fee:

1.	**700 East Right-of-Way**	**Lump Sum**	**$34,300.00**
2.	**Alger Subdivision Amendment**	**Lump Sum**	**$11,500.00**
3.	**500 S. & 600 S. R.O.W.**	**Lump Sum**	**$23,500.00**
4.	**West Boundary Annexation**	**Lump Sum**	**$8,600.00**
5.	**950 North Right-of-Way**	**Lump Sum**	**$8,950.00**
		TOTAL	**$86,850.00**
		Initial Payment	**$21,712.50**
		Final Payment	**$65,137.50**

SIGNATURES:

Having read, understood, and agreed to the foregoing, CONSULTANT and OWNER by and through their authorized representatives, have subscribed their names hereon effective the ____day of _____, 2022.

SAVAGE ASSOCIATES ENGINEERING

_____.

Title _____.

Date _____.

CLIENT

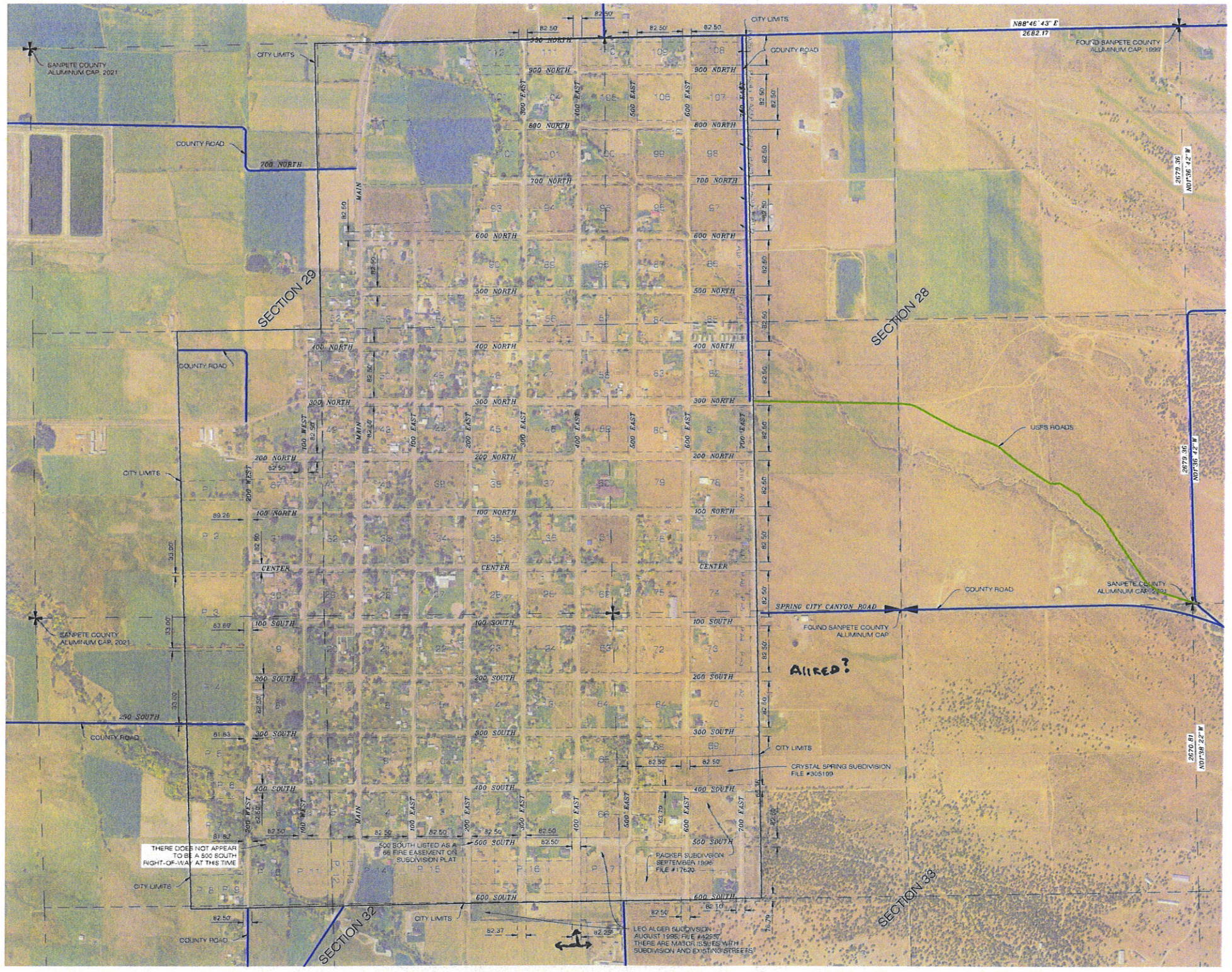
_____.

Title _____.

Date: _____.

Spring City Right-of-Way Exhibit for Sunrise Engineering

Located in Sections 28, 29, 32, and 33,Township 15 South,
Range 4 East, Salt Lake Base and Meridian, Sanpete County, Utah
2022



GRAPHIC SCALE

500 0 250 500 1000 2000

(IN FEET)
1 inch = 500 ft

1925 South Industrial Park Rd.
Richfield, Ut 84701
Office: 435-896-8635
Fax: 435-896-0220
SAVAGE ASSOCIATES ENGINEERING

Spring City Exhibit for

Sunrise Engineering

	DWG NAME	SCALE	DATE	PROJECT NUMBER	SHEET NUMBER
	2107-018S	1" = 500'	1/17/2021	2107-018S	1 of 1
DESIGN BY: N/A	SURVEY BY: N/A	CHECKED BY: T.K.S.	DRAWN BY: R.R.M.		