

ORDINANCE NO. 26-01

AN ORDINANCE ESTABLISHING INTERIM LAND USE CONTROLS AND PROVIDING EITHER (1) A TEMPORARY MORATORIUM ON DEVELOPMENT, OR (2) ADOPTION BY REFERENCE OF UTAH COUNTY LAND USE AND ZONING REGULATIONS

WHEREAS, the Town of Spring Lake was recently incorporated and is in the process of establishing its municipal governance structure, land use authority, and development regulations; and

WHEREAS, the Town Council finds that interim land use controls are necessary to protect the public health, safety, and welfare while the Town develops and adopts its own General Plan, zoning ordinances, and land use procedures; and

WHEREAS, Utah law authorizes municipalities to adopt interim land use measures, including development moratoria and adoption by reference of existing land use regulations; and

WHEREAS, the Town Council desires flexibility to either temporarily pause new development activity or rely upon existing county land use regulations during this transitional period.

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

1. – Purpose and Intent

The purpose of this ordinance is to establish interim land use controls for the Town of Spring Lake while permanent municipal land use regulations are prepared and adopted. This ordinance is intended to allow the Town Council, by motion at the time of adoption, to select **either** a temporary moratorium on development **or** adoption of Utah County’s land use and zoning regulations, but **not both simultaneously**.

2. – Interim Land Use Options

At the time of adoption of this ordinance, the Town Council shall select **one** of the following options by motion and record that selection in the meeting minutes.

OPTION A. – Temporary Moratorium on Development

If the Town Council selects this option, the following provisions shall apply:

- 1. Moratorium Established.** A temporary moratorium is hereby placed on the acceptance, processing, approval, and issuance of permits, land use applications, or development approvals within the Town of Spring Lake.

2. **Scope of Moratorium.** The moratorium shall apply to, but is not limited to:
 - Building permits
 - Subdivision applications
 - Zoning approvals
 - Conditional use permits
 - Site plans and development approvals

3. **Duration.** The moratorium shall remain in effect for a period of 6 () days/months commencing on the date of adoption of this ordinance, unless repealed or modified earlier by the Town Council. The moratorium should be repealed after creation of the Town's Planning Commission and said commission's adoption of a Zoning Code for the Town.

4. **Exemptions.** The Town Council may, by motion, allow administrative exemptions for:
 - Emergency repairs necessary to protect life or property
 - Public infrastructure or utility projects
 - Other limited activities expressly approved by the Town Council

5. **Purpose of Moratorium.** The moratorium is adopted to allow the Town sufficient time to:
 - Establish administrative procedures
 - Adopt a General Plan
 - Adopt zoning and land use ordinances
 - Ensure orderly and lawful development

OPTION B. – Adoption of Utah County Land Use and Zoning Regulations

If the Town Council selects this option, the following provisions shall apply:

1. **Adoption by Reference.** The Town of Spring Lake hereby adopts by reference the **Utah County Land Use and Zoning Code**, as it exists on the date of adoption of this ordinance, to serve as the interim land use and development regulations for the Town.

2. **Administration.** Until otherwise provided by Town ordinance or interlocal agreement, the Town will administer land use and development regulations based on the **Utah County Land Use and Zoning Code**.

3. **Applicability.** All land use applications, permits, and approvals within the Town shall be reviewed and processed in accordance with the adopted Utah County regulations.

4. **Temporary Nature.** The adoption of Utah County regulations is intended to be temporary and shall remain in effect until amended, replaced, or repealed by the Town Council through adoption of Town-specific land use ordinances.

3. – Selection of Option

At the meeting at which this ordinance is adopted, the Town Council shall select either **Option A** or **Option B** by motion. The selected option shall be noted in the official minutes and shall control the Town's interim land use regulation.

4. – Severability

If any provision of this ordinance is held invalid, such invalidity shall not affect the remaining provisions.

5. – Effective Date

This ordinance shall take effect immediately upon its adoption.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this 7th of January, 2026

Signed: Wade R. Menlove
Wade Menlove, Mayor

Attest: Spencer Foster
Spencer Foster, Temporary Town Recorder

TOWN COUNCIL VOTE AS RECORDED

| Councilmembers: | Yes | No | Abstain | Excused |
|-----------------|----------|-------|---------|---------|
| Wade Menlove | <u>X</u> | _____ | _____ | _____ |
| Sharon Bascom | <u>X</u> | _____ | _____ | _____ |
| David Charles | <u>X</u> | _____ | _____ | _____ |
| Robert Judd | <u>X</u> | _____ | _____ | _____ |
| Robert Marsh | <u>X</u> | _____ | _____ | _____ |