

The Town of Spring Lake, Utah



Municipal Code Book

Municipal Code Organization (DRAFT)

Spring Lake, Utah

Proposed Spring Lake Code Organization

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TITLE 7

PUBLIC WORKS

Chapter 7-1

General Provisions

7-1-1 Purpose

The purpose of this Title is to establish standards and procedures governing public infrastructure, public rights-of-way, roadway access, drainage facilities, utilities, public improvements, and related public works matters within the Town.

This Title is intended to promote public health, safety, and welfare; protect public infrastructure; ensure orderly development; preserve the functionality of public facilities; and provide for the efficient administration of public works activities.

7-1-2 Applicability

The provisions of this Title shall apply to public works activities, public infrastructure, public rights-of-way, roadway access, public improvements, and other matters regulated by this Title within the Town unless otherwise provided by law.

7-1-3 Relationship to Other Regulations

Compliance with this Title shall not eliminate the obligation to comply with:

- A. Applicable federal laws;
- B. Applicable state laws and regulations;
- C. Other provisions of the Spring Lake Municipal Code;
- D. Utility provider requirements;

- E. Fire Authority requirements;
 - F. Health Department requirements; and
 - G. Other applicable permits, approvals, or regulations.
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7-1-4 Compliance Required

No person shall construct, install, alter, occupy, excavate, obstruct, connect to, or otherwise affect public infrastructure, public rights-of-way, or facilities regulated by this Title except in compliance with the provisions of this Title.

7-1-5 Minimum Requirements

The standards established by this Title are minimum requirements.

Where this Title imposes a greater restriction than another applicable regulation, the provisions of this Title shall govern unless otherwise required by law.

7-1-6 Relationship to Public and Private Facilities

Nothing in this Title shall be interpreted to require the Town to accept ownership, maintenance responsibility, or operation of any private improvement, utility, roadway, drainage facility, or other infrastructure unless expressly accepted by the Town.

7-1-7 Future Standards

The Town may adopt additional standards, specifications, policies, manuals, engineering standards, construction standards, public improvement standards, roadway standards, drainage standards, utility standards, or related requirements consistent with this Title and applicable law.

7-1-8 Interpretation

The provisions of this Title shall be interpreted to promote the purposes stated herein and consistent with applicable Utah law.

Chapter 7-2

Definitions

7-2-1 Definitions

For purposes of this Title, the following words and phrases shall have the meanings set forth below.

Access Connection

Any driveway, private road, access lane, subdivision street, or other means of vehicular access connecting to a public road.

Culvert

A pipe, structure, or drainage facility designed to convey water beneath a driveway, roadway, access connection, or other improvement.

Designated Town Official

The employee, officer, contractor, consultant, or other person designated by the Town to administer provisions of this Title and perform duties assigned by the Municipal Code.

Excavation

Any digging, trenching, grading, boring, tunneling, cutting, removal, displacement, or disturbance of soil, pavement, gravel, road base, or other surface materials.

Public Road

A roadway owned, accepted, or maintained by the Town for public use.

Restoration

Repair, replacement, reconstruction, stabilization, or other work necessary to return disturbed property, pavement, drainage facilities, landscaping, or infrastructure to a condition reasonably equivalent to or better than its condition prior to commencement of work.

Right-of-Way

Land dedicated, reserved, owned, granted, or otherwise available for public roadway, transportation, utility, drainage, pedestrian, or related public purposes.

Right-of-Way Permit

Authorization issued by the Town permitting work, occupancy, excavation, installation, construction, maintenance, repair, or other activity within a Town-owned right-of-way.

Road Access Permit

Authorization issued by the Town permitting construction, modification, relocation, widening, or other alteration of a driveway, private road, access lane, subdivision street, or other access connection to a Town-owned road.

Utility

Any system, facility, line, pipe, conduit, wire, fiber, structure, or equipment used to provide water, sewer, stormwater, electricity, natural gas, telecommunications, cable, fiber optic, or similar services.

Work

Any construction, installation, excavation, repair, maintenance, alteration, removal, occupancy, or other activity regulated by this Title.

Chapter 7-3

Right-of-Way Permits

7-3-1 Purpose

The purpose of this Chapter is to protect public health, safety, and welfare; preserve the integrity of Town roads and infrastructure; ensure safe use of public rights-of-way; and establish procedures governing work within public rights-of-way.

7-3-2 Applicability

The provisions of this Chapter shall apply to any person proposing to perform work within a Town-owned right-of-way.

Activities subject to this Chapter may include, but are not limited to:

- A. Excavation;
- B. Trenching;
- C. Utility installation;

- D. Utility repair or replacement;
 - E. Road cuts;
 - F. Drainage improvements;
 - G. Culvert installation or replacement;
 - H. Sidewalk construction;
 - I. Driveway improvements within the right-of-way;
 - J. Temporary occupancy of the right-of-way; and
 - K. Other activities determined by the Town to affect public rights-of-way.
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7-3-3 Permit Required

No person shall excavate, construct, install, modify, occupy, obstruct, or otherwise perform work within a Town-owned right-of-way without first obtaining a Right-of-Way Permit unless specifically exempted by this Chapter.

7-3-4 Exempt Activities

The following activities may be exempt from permit requirements unless otherwise determined by the Town:

- A. Routine maintenance performed by the Town;
- B. Emergency work necessary to protect life, health, property, or public safety, provided the Town is notified as soon as reasonably practicable;
- C. Activities specifically exempted by the Designated Town Official.

Exemption from permit requirements shall not exempt any person from compliance with applicable laws and regulations.

7-3-5 Application Requirements

Applicants shall submit information reasonably necessary for the Town to evaluate the proposed activity, which may include:

- A. Property owner information;

- B. Contractor information;
 - C. Description of proposed work;
 - D. Location map or site plan;
 - E. Traffic control information;
 - F. Proposed construction schedule;
 - G. Restoration plan;
 - H. Proof of insurance, if required by the Town; and
 - I. Other information reasonably necessary to evaluate the application.
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7-3-6 Review Criteria

The Town may approve, approve with conditions, or deny a Right-of-Way Permit based upon consideration of:

- A. Public safety;
 - B. Traffic impacts;
 - C. Protection of Town infrastructure;
 - D. Utility conflicts;
 - E. Drainage impacts;
 - F. Roadway conditions;
 - G. Public convenience;
 - H. Compliance with applicable regulations; and
 - I. Other factors reasonably related to protection of the public right-of-way.
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7-3-7 Permit Conditions

The Town may impose reasonable conditions necessary to protect public safety and Town infrastructure, including requirements relating to:

- A. Traffic control;
- B. Construction methods;

- C. Hours of work;
 - D. Restoration of disturbed areas;
 - E. Public notification;
 - F. Inspection requirements; and
 - G. Protection of utilities and drainage facilities.
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7-3-8 Restoration

The permit holder shall restore the right-of-way to a condition reasonably equivalent to or better than its condition prior to commencement of work.

The Town may require correction of deficient restoration work.

7-3-9 Emergency Work

Emergency work may proceed without prior permit approval when necessary to address an immediate threat to life, health, property, utility service, or public safety.

The responsible party shall notify the Town as soon as reasonably practicable and shall obtain any required permits promptly thereafter.

7-3-10 Inspection

The Town may inspect work performed pursuant to a Right-of-Way Permit to ensure compliance with permit conditions and applicable standards.

7-3-11 Financial Security

Where reasonably necessary to protect public infrastructure, the Town may require a bond, deposit, letter of credit, or other financial security to guarantee restoration of the right-of-way.

7-3-12 Permit Expiration

A Right-of-Way Permit shall expire upon completion of the authorized work or upon expiration of any period specified in the permit.

The Town may grant extensions upon written request.

7-3-13 Revocation

The Town may suspend or revoke a Right-of-Way Permit for:

- A. Material misrepresentation;
- B. Violation of permit conditions;
- C. Failure to comply with applicable laws; or
- D. Conditions creating an immediate threat to public health or safety.

Prior to revocation, the Town shall provide notice and an opportunity to cure unless immediate action is necessary to protect public safety.

7-3-14 Fees

Fees may be established by resolution of the Town Council.

7-3-15 Appeals

Decisions made under this Chapter may be appealed in accordance with applicable provisions of the Municipal Code.

Chapter 7-4

Road Access Permits

7-4-1 Purpose

The purpose of this Chapter is to promote public safety, protect Town road infrastructure, preserve drainage systems, and ensure that access to property is designed and constructed in a manner that is safe and compatible with existing and planned roadways.

This Chapter is intended to provide reasonable review of driveways, private roads, access lanes, subdivision streets, and other connections to Town-owned roads.

7-4-2 Applicability

The provisions of this Chapter shall apply to:

- A. Construction of a new driveway connecting to a Town-owned road;
 - B. Construction of a new private road, access lane, or access strip connecting to a Town-owned road;
 - C. Construction of a new subdivision street connecting to a Town-owned road;
 - D. Modification, relocation, widening, or significant alteration of an existing access connection to a Town-owned road; and
 - E. Construction of any roadway, street, driveway, access lane, or similar access connection proposed to connect to a Town-owned road, regardless of whether the connecting facility is owned by a private party, another governmental entity, or another jurisdiction.
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7-4-3 Permit Required

No person shall construct, modify, relocate, widen, or otherwise alter an access connection to a Town-owned road without first obtaining a Road Access Permit from the Town.

A Road Access Permit may be reviewed in conjunction with a building permit, subdivision application, site plan application, or other land use approval.

7-4-4 Application Requirements

An applicant shall submit information sufficient for the Town to evaluate the proposed access, which may include:

- A. Property ownership information;
- B. Site plan or sketch showing the proposed access location;
- C. Proposed driveway, road, or access width;

- D. Location of existing roads, intersections, utilities, drainage facilities, and structures;
- E. Proposed culvert information, if applicable;
- F. Other information reasonably necessary to evaluate the application.

The Town may waive application requirements for minor access improvements.

7-4-5 Review Criteria

The Town may approve, approve with conditions, or deny a Road Access Permit based upon consideration of:

- A. Traffic safety;
 - B. Sight distance;
 - C. Road classification and function;
 - D. Drainage impacts;
 - E. Utility conflicts;
 - F. Emergency vehicle access;
 - G. Existing and planned road improvements;
 - H. Compatibility with applicable provisions of the Municipal Code; and
 - I. Other factors reasonably related to public health, safety, and welfare.
 - J. Potential impacts on the Town's transportation system, maintenance obligations, future roadway plans, and level of service.
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7-4-6 Drainage and Culverts

Where necessary to maintain drainage patterns, roadside ditches, or stormwater conveyance, the Town may require installation of a culvert or other drainage improvement.

The Town may specify minimum culvert size, location, materials, and installation standards.

Unless otherwise approved by the Town, the applicant shall be responsible for all costs associated with installation.

7-4-7 Construction Standards

The Town may establish engineering, construction, and access standards by resolution, policy, design manual, or other adopted standards.

Where no specific standard has been adopted, the Town may impose reasonable conditions necessary to protect public safety and road infrastructure.

7-4-8 Maintenance Responsibility

Unless expressly accepted by the Town, private driveways, private roads, access strips, and associated improvements shall remain the responsibility of the property owner.

Issuance of a Road Access Permit shall not constitute acceptance of private improvements for public ownership or maintenance.

7-4-9 Relationship to Other Approvals

Approval of a Road Access Permit shall not eliminate the requirement to obtain any other approval required by law, including:

- A. Building permits;
- B. Land use approvals;
- C. Subdivision approvals;
- D. Utility provider approvals;
- E. Fire Authority approvals; or
- F. Other permits required by applicable law.
- G. Approvals required by another governmental entity having jurisdiction over the connecting roadway or access facility.

7-4-10 Interjurisdictional Road Connections

Where a proposed roadway connection involves another governmental entity or jurisdiction, the Town may require coordination with the affected entity and may impose

reasonable conditions necessary to protect public safety, roadway operations, infrastructure capacity, and the Town's transportation plans.

Nothing in this Chapter shall be construed to authorize the Town to regulate roadway construction occurring entirely outside its jurisdiction. However, no roadway connection to a Town-owned road shall be constructed without approval as required by this Chapter.

7-4-11 Revocation

The Town may revoke a Road Access Permit if:

- A. The permit was obtained through material misrepresentation;
- B. Permit conditions are violated; or
- C. Construction substantially deviates from the approved plans.

Prior to revocation, the Town shall provide notice and an opportunity to cure unless immediate action is necessary to protect public health or safety.

7-4-12 Appeals

Decisions made under this Chapter may be appealed in accordance with applicable provisions of the Municipal Code.

TITLE 9

BUILDING REGULATIONS

Chapter 9-1

General Building Regulations

9-1-1 Purpose

The purpose of this Chapter is to establish procedures for the administration and enforcement of building regulations within the Town, promote public health, safety, and welfare, and ensure compliance with applicable construction codes and land use regulations.

9-1-2 Applicability

The provisions of this Title shall apply to all construction, alteration, repair, enlargement, relocation, demolition, occupancy, and use of buildings and structures within the Town unless otherwise exempted by law.

9-1-3 Building Permit Required

No person shall construct, enlarge, alter, repair, move, demolish, or occupy any building or structure requiring a permit under the adopted construction codes without first obtaining the required permits.

9-1-4 Exempt Work

Work exempt from permit requirements shall be as established by the adopted construction codes and applicable Utah law.

Exemption from a building permit shall not exempt any person from compliance with applicable zoning, land use, health, safety, fire, utility, or other requirements.

9-1-5 Designated Building Official

The Town may appoint, contract with, or otherwise designate a Building Official to administer and enforce the construction codes adopted by the Town.

The Building Official may be an employee, contractor, consultant, interlocal service provider, or other qualified individual authorized by the Town.

9-1-6 Third-Party Inspection Services

The Town may contract with qualified third-party providers to perform plan review, inspections, code compliance review, and related building official services.

Such providers shall act under authority granted by the Town.

9-1-7 Permit Applications

Applications for building permits shall be submitted on forms approved by the Town and shall include information reasonably necessary to determine compliance with applicable regulations.

The Town may require plans, specifications, site plans, engineering information, and supporting documentation.

9-1-8 Permit Review

Prior to issuance of a building permit:

- A. The Town shall determine whether the proposed project complies with applicable land use, zoning, subdivision, and development regulations.
 - B. The Building Official shall determine whether the proposed construction complies with applicable construction codes.
 - C. A building permit shall not be issued until all required approvals have been obtained.
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9-1-9 Permit Issuance

Upon determination that all applicable requirements have been satisfied, the Designated Town Official may issue the building permit.

Issuance of a permit shall not authorize violation of any provision of the Municipal Code or applicable law.

9-1-10 Inspections

Work authorized by a permit shall be subject to inspection as required by the adopted construction codes.

Required inspections shall be completed and approved before work proceeds beyond the applicable stage of construction.

9-1-11 Certificate of Occupancy

Where required by the adopted construction codes, no building or structure shall be occupied until a Certificate of Occupancy has been issued or authorized by the Building Official.

Issuance of a Certificate of Occupancy shall not relieve any person of responsibility to comply with applicable laws and regulations.

9-1-12 Stop Work Orders

The Building Official may issue a Stop Work Order whenever work is being performed in violation of this Title, the adopted construction codes, permit conditions, or applicable law.

Work shall cease upon issuance of a Stop Work Order except as necessary to correct unsafe conditions.

9-1-13 Unsafe Structures

Structures determined to be unsafe, dangerous, or unfit for occupancy may be regulated, repaired, secured, vacated, or removed in accordance with applicable law.

9-1-14 Enforcement

Violations of this Title may be enforced through administrative, civil, criminal, injunctive, or other remedies authorized by law.

Each day a violation continues may constitute a separate violation.

9-1-15 Fees

Permit fees, inspection fees, plan review fees, reinspection fees, and related charges may be established by resolution of the Town Council.

9-1-16 Appeals

Appeals of decisions made by the Building Official under this Title shall be processed in accordance with procedures established by the Town and applicable law.

Nothing in this Section shall be interpreted to alter appeal procedures required by state law.

Chapter 9-2

Definitions

9-2-1 Definitions

For purposes of this Title, the following words and phrases shall have the meanings set forth below.

Building Official

The individual designated by the Town to administer and enforce adopted construction codes and perform duties assigned by this Title.

Certificate of Occupancy

A document issued by the Building Official authorizing occupancy or use of a building or structure in accordance with applicable codes and regulations.

Designated Town Official

The employee, officer, contractor, consultant, or other person designated by the Town to perform administrative duties assigned by the Municipal Code.

Permit

Any authorization issued by the Town allowing construction, alteration, repair, demolition, occupancy, or other activity regulated by this Title.

Stop Work Order

A written order directing that construction or other regulated activity cease until identified violations are corrected or authorization is granted to resume work.

Chapter 9-3

State Construction Codes Adopted

9-3-1 Purpose

The purpose of this Chapter is to adopt and enforce the construction codes established by the State of Utah and to provide uniform standards governing the construction, alteration, repair, occupancy, maintenance, and safety of buildings and structures within the Town.

This Chapter is intended to:

- A. Protect public health, safety, and welfare.
 - B. Promote safe construction practices.
 - C. Ensure compliance with applicable state law.
 - D. Establish consistent construction standards throughout the Town.
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9-3-2 Adoption of State Construction Codes

The Town hereby adopts, by reference, the Utah State Construction Code, including all codes, standards, appendices, amendments, and successor provisions adopted by the State of Utah and applicable within the Town.

Such codes shall be enforced as provided by Utah law and the provisions of this Title.

9-3-3 Included Codes

The codes adopted pursuant to Section 9-3-2 include, but are not limited to, the following, as amended by the State of Utah:

- A. International Building Code (IBC).
- B. International Residential Code (IRC).
- C. International Fire Code (IFC).
- D. International Mechanical Code (IMC).
- E. International Plumbing Code (IPC).
- F. National Electrical Code (NEC).

G. International Energy Conservation Code (IECC).

H. International Existing Building Code (IEBC).

I. International Fuel Gas Code (IFGC), where applicable.

J. Any additional construction, safety, accessibility, energy, or related codes adopted by the State of Utah.

9-3-4 Future Amendments

Any future amendments, revisions, replacements, or successor editions adopted by the State of Utah shall automatically become part of this Chapter upon their effective date unless otherwise provided by law.

9-3-5 Conflicts

Where a conflict exists between this Chapter and applicable state law, the provisions of state law shall control.

Where a conflict exists between adopted construction codes and other provisions of the Spring Lake Municipal Code, the more restrictive provision shall apply unless otherwise required by law.

9-3-6 Administration and Enforcement

The codes adopted by this Chapter shall be administered and enforced through the procedures established in this Title, applicable Utah law, and any agreements entered into by the Town for building inspection or code enforcement services.

9-3-7 Local Amendments

The Town may adopt local amendments to the construction codes where authorized by Utah law.

Any local amendment shall be adopted by ordinance and shall be consistent with applicable state requirements.

9-3-8 Relationship to Other Approvals

Compliance with adopted construction codes shall not eliminate the requirement to obtain:

- A. Building permits;
 - B. Land use approvals;
 - C. Subdivision approvals;
 - D. Fire Authority approvals;
 - E. Health Department approvals;
 - F. Utility provider approvals; or
 - G. Other permits or approvals required by applicable law.
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Chapter 9-4

Fees

9-4-1 Purpose

The purpose of this Chapter is to authorize the collection of fees necessary to administer and enforce this Title and to recover costs associated with permit review, inspections, plan review, code enforcement, and related services.

9-4-2 Fee Schedule

The Town Council may establish, amend, and maintain a schedule of fees by resolution.

The fee schedule may include fees for:

- A. Building permits;
- B. Plan review;
- C. Inspections;
- D. Reinspections;
- E. Certificates of Occupancy;

- F. Temporary Certificates of Occupancy;
 - G. Code compliance review;
 - H. Administrative processing;
 - I. Appeals;
 - J. Other services provided pursuant to this Title.
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9-4-3 Payment Required

Applicable fees shall be paid prior to issuance of permits, scheduling of inspections, issuance of certificates, or performance of other services unless otherwise authorized by the Town.

9-4-4 Additional Costs

The Town may require reimbursement of actual costs incurred for professional services, engineering review, plan review, inspections, legal review, or other specialized services reasonably necessary to evaluate or administer an application.

9-4-5 Refunds

Refunds may be issued in accordance with policies adopted by the Town Council.

The Town may retain amounts reasonably necessary to recover costs incurred prior to cancellation, withdrawal, or expiration of an application or permit.

TITLE 10

LAND USE AND DEVELOPMENT

Chapter 10-1

General Provisions

10-1-1 Purpose

The purpose of this Title is to implement the Spring Lake General Plan, promote the health, safety, and welfare of the community, protect property rights, preserve rural character and agricultural uses, provide for orderly growth and development, and establish standards governing land use and development within the Town.

10-1-2 Applicability

The provisions of this Title shall apply to all land, structures, uses, and development within the Town unless otherwise provided by law.

10-1-3 Relationship to the General Plan

This Title is intended to implement the goals, policies, and land use designations established in the Spring Lake General Plan.

10-1-4 Minimum Requirements

The standards established by this Title are minimum requirements.

Where this Title imposes a greater restriction than another applicable regulation, the provisions of this Title shall govern unless otherwise required by law.

10-1-5 Compliance Required

No land, structure, building, or use shall be established, constructed, altered, occupied, or maintained except in compliance with this Title.

10-1-6 Relationship to Other Regulations

Compliance with this Title does not eliminate the obligation to comply with applicable federal, state, county, special district, utility provider, fire authority, health department, building code, or other applicable requirements.

10-1-7 Conflicting Provisions

Where provisions of this Title conflict with other applicable regulations, the more restrictive provision shall apply unless otherwise required by law.

10-1-8 Interpretation

The provisions of this Title shall be interpreted to promote the purposes stated herein and consistent with applicable Utah law.

Chapter 10-2: Definitions

For purposes of this Title, the following words and phrases shall have the meanings set forth below. Words not specifically defined shall be interpreted according to their ordinary and customary meaning, unless the context clearly indicates otherwise.

Abandoned Vehicle

A vehicle that is dismantled, wrecked, discarded, or otherwise incapable of lawful operation for an extended period of time and which is not actively being repaired, restored, or utilized for a lawful purpose.

Access Lot

A lot utilizing an approved private access arrangement, private road, easement, or other legal access mechanism to obtain access to a public street.

Access Strip

The narrow portion of a flag lot used to provide legal and physical access from a public street to the principal buildable portion of the lot.

Accessory Building

A detached subordinate structure located on the same lot as a principal use or building and customarily incidental to the principal use, including garages, barns, sheds, workshops, and similar structures.

Accessory Dwelling Unit (ADU)

A subordinate dwelling unit located on the same lot as a principal single-family dwelling and meeting all requirements of applicable state law and Town ordinances.

Adaptive Reuse

The rehabilitation and reuse of an existing building for a purpose different from its original use while preserving significant historic, architectural, cultural, or community features.

Agricultural Building

A building or structure designed, constructed, or used primarily for agricultural operations, including barns, stables, livestock shelters, hay storage, equipment storage, greenhouses, riding arenas, and similar agricultural facilities.

Agricultural Operation

The cultivation of land, production of crops, raising of livestock, poultry, bees, fish or other agricultural activities customarily associated with farming and ranching operations.

Agricultural Processing

The cleaning, grading, sorting, packaging, processing, storage or preparation of agricultural products for sale, distribution, or further use.

Agricultural Residential (AR)

A zoning district intended to preserve agricultural uses, animal keeping, and low-density residential development on larger lots consistent with the Spring Lake General Plan.

Agricultural Structure

A structure used in connection with a lawful agricultural operation, including buildings, corrals, pens, fences, irrigation facilities, riding arenas, and similar improvements.

Agritourism Use

An activity conducted on a working farm, ranch, aquaculture facility, or agricultural operation that allows members of the public to participate in, observe, purchase, or experience agricultural activities, products, services, or educational opportunities.

Appeal Authority

The individual, board, hearing officer, or other body designated by the Town to hear and decide appeals of land use decisions and variance applications in accordance with applicable law.

Applicant

Any person, property owner, authorized agent, partnership, corporation, limited liability company, trust, or other entity submitting an application under this Title.

Aquaculture

The propagation, cultivation, maintenance, harvesting, or raising of fish, shellfish, aquatic plants, or other aquatic organisms for agricultural, commercial, conservation, or stocking purposes.

Attached ADU

An Accessory Dwelling Unit that is physically connected to the principal dwelling by a common wall, floor, ceiling, or other structural connection.

Beekeeping

The keeping and management of bees and beehives for pollination, honey production, or other agricultural purposes.

Buffer

An area or feature intended to separate or reduce impacts between different land uses.

Building Height

The vertical distance measured from average finished grade to the highest point of a roof or structure, excluding appurtenances specifically exempted by this Title.

Cluster Development

A form of residential development that allows dwelling units to be concentrated on a portion of a property while permanently preserving the remaining land as open space, agricultural land, or natural area.

Commercial Use

A small-scale commercial use intended primarily to serve local residents and businesses and that is compatible with the rural character of Spring Lake.

Commercial Vehicle

A vehicle, trailer, or equipment used primarily for business, commercial, agricultural, construction, service, transportation, or similar purposes.

Conditional Use Permit

A land use approval authorizing a conditional use subject to conditions reasonably necessary to mitigate anticipated detrimental effects.

Conservation Easement

A perpetual, legally enforceable restriction recorded against real property that limits future development and land use activities for the purpose of preserving open space, agricultural land, natural resources, scenic views, wildlife habitat, or other conservation values.

Conservation Entity

A governmental entity, land trust, nonprofit organization, or other qualified entity approved by the Town to hold and enforce a conservation easement.

Contractor Shop

A building or facility used for storage, maintenance, fabrication, assembly, repair, or administration of a contracting, construction, agricultural, utility, landscaping, excavation, or similar business.

Density Bonus

An increase in the number of dwelling units otherwise permitted within a Residential Cluster development in exchange for compliance with additional open space preservation requirements established by this Title.

Designated Land Use Authority

The individual or body authorized by the Town to review and act upon land use applications pursuant to this Title and applicable law.

Detached ADU

An Accessory Dwelling Unit located within a separate structure on the same lot as the principal dwelling.

Development

Any man-made change to improved or unimproved real property, including construction, reconstruction, subdivision, grading, excavation, filling, paving, or installation of structures.

Dwelling Unit

One or more rooms designed, occupied, or intended for occupancy as separate living quarters by one household, containing facilities for living, sleeping, eating, cooking, and sanitation.

Electronic Cigarette or Vape Specialty Retailer

A business primarily engaged in the sale, display, distribution, or promotion of electronic cigarettes, vaping devices, vape liquids, nicotine delivery products, vaping accessories, or similar products, and which meets any applicable definition established under Utah law.

Event Facility

A building, structure, property or venue used primarily for weddings, receptions, banquets, parties, celebrations, meetings, conferences, performances, festivals, or similar organized gatherings, whether operated for profit or not for profit.

Farm Stand

A structure or area used for the sale of agricultural products produced on-site or within the local area as an accessory use to a lawful agricultural operation.

Fire Authority

The fire department, fire district, or other entity authorized to provide fire protection services and administer applicable fire code requirements within the Town.

Flag Lot

A lot having access to a public street by means of an access strip that connects the principal buildable portion of the lot to the street.

Gross Parcel Area

The total area of a parcel prior to any land required to be dedicated for public roads, public rights-of-way, or other public purposes as part of an approved development application.

Historical Building Adaptive Reuse Project

The rehabilitation and reuse of a historically significant building, structure, or site for a purpose different from its original use while preserving important historic, architectural, cultural, or community features.

Home Occupation

A business activity conducted within a dwelling or permitted accessory building that is clearly incidental and secondary to the residential use of the property and complies with the requirements of this Title.

Internal ADU

An accessory Dwelling Unit located entirely within the principal dwelling.

Irrigation Facility

A canal, ditch, lateral, pipeline, headgate, culvert, diversion structure, or similar facility used for the delivery, conveyance, storage, or management of irrigation water.

Light Industrial Use

A manufacturing, fabrication, assembly, processing, warehousing, contractor, or similar business use that produces minimal noise, vibration, dust, odor, glare, traffic, or other impacts and is compatible with surrounding properties when conducted in accordance with Town regulations.

Livestock

Cattle, horses, sheep, goats, llamas, alpacas, and other animals customarily raised for agricultural purposes.

Lot

A parcel of land legally created and recognized under applicable state law and local ordinance.

Mixed-Use Development

A development containing a combination of residential and nonresidential uses on the same property or within the same building.

Net Lot Area

The area of a lot remaining after the deduction of public rights-of-way and other land dedicated to public ownership.

Nonconforming Lot

A lot that was lawfully created but does not comply with one or more current requirements of this Title.

Nonconforming Structure

A structure that was lawfully established but does not comply with one or more current dimensional or development requirements of this Title.

Nonconforming Use

A use of land or a structure that was lawfully established but does not conform to current zoning regulations applicable to the property

Open Space

Land permanently preserved from future residential, commercial, or industrial development through conservation easements, deed restrictions, ownership arrangements, or other mechanisms approved by the Town, and which may continue to be utilized for agricultural, conservation, habitat, scenic, recreational, or similar preservation purposes.

Open Space Management Plan

A document approved by the Town describing the ownership, management, maintenance, permitted uses, and stewardship responsibilities associated with preserved open space.

Open Space Parcel

A separately identified tract of land designated for permanent preservation as part of a Residential Cluster development.

Outdoor Storage

The placement or storage of equipment, materials, inventory, supplies, vehicles, trailers, machinery, or similar items outside of an enclosed building.

Outdoor Storage Area

An area used for the outdoor storage of equipment, materials, inventory, vehicles, trailers, machinery, supplies, or similar items associated with a lawful use.

Owner

Any person or entity holding legal or equitable title to real property.

Personal Service Business

A business providing services directly to individuals, including barber shops, beauty salons, wellness services, tailoring, repair services, personal care services, and similar uses.

Planning Commission

The Planning Commission of the Town of Spring Lake established pursuant to Utah law.

Poultry

Domestic birds commonly raised for agricultural purposes, including chickens, ducks, geese, turkeys, and similar fowl.

Principal Use

The primary use or activity occurring on a property.

Private Road

A privately owned and maintained road, driveway, lane, or access way that provides access to one or more lots and that has not been dedicated to or accepted by a governmental entity for public maintenance.

Public Right-of-Way

Land dedicated or otherwise conveyed for public transportation, access, utility, drainage, or related public purposes and accepted by the Town or other governmental entity.

Public Road

A road or street dedicated to and accepted by a governmental entity for public use and maintenance.

Qualified Conservation Entity

A conservation entity approved by the Town and authorized under applicable law to accept, hold, monitor, and enforce conservation easements.

Residential Cluster (RC)

A zoning district and development pattern intended to preserve agricultural land, open space, rural character, and natural resources by allowing residential development to be clustered on a portion of a property while permanently preserving the remainder.

Rural Character

The combination of open space, agricultural land, animal keeping, scenic views, low-density development, dark skies, quiet surroundings, and other characteristics that distinguish Spring Lake from more urbanized communities.

Rural Home Occupation

A business activity conducted on a property containing a residential or agricultural use that may involve limited outdoor storage, equipment, commercial vehicles, employees, or other activities that exceed the standards applicable to a Home Occupation but remain compatible with the rural character of the Town.

Screening

A method used to reduce visual, noise, lighting, or other impacts between land uses, including landscaping, fencing, berms, walls, buildings, or similar features.

Sensitive Land Use

A school, public park, church, house of worship, public building, event facility, residential zoning district, or other use designated by the Town as requiring separation from certain land uses due to public welfare, compatibility, or community character considerations.

Sexually Oriented Business

A business that, as a principal business purpose, offers adult-oriented entertainment, materials, products, services, performances, exhibitions, or activities characterized by an emphasis on specified sexual activities or specified anatomical areas, as such terms may be defined by applicable state law.

Shared Access Drive

A private driveway, access easement, or similar access facility serving more than one lot or parcel.

Short-Term Rental

The rental, lease, or occupancy of a dwelling unit, room, ADU, or other residential accommodation for a period of less than thirty (30) consecutive days.

Site Plan

A drawing and supporting materials depicting the location and design of proposed development improvements on a property, including structures, access, parking, utilities, drainage, open space, and other site features.

Specialty Retail Store

A retail establishment primarily engaged in the sale of specialized products, locally produced goods, artisan products, hobby-related merchandise, or similar specialty items.

Structure

Anything constructed or erected requiring permanent or temporary location on or in the ground, including buildings, walls, fences, towers, signs, and similar improvements.

Tobacco Specialty Business

A business primarily engaged in the sale, display, distribution, or promotion of tobacco products, nicotine products, cigars, cigarettes, smokeless tobacco, electronic cigarette products, vaping products, or related accessories, and which meets any applicable definition under Utah law.

Town

The Town of Spring Lake, Utah.

Use

The purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

Warehousing

The storage and distribution of goods, products, materials, equipment, or inventory within an enclosed building or approved storage facility.

Zoning District

A geographic area established by the Town within which specific land use regulations and development standards apply.

Chapter 10-3

Land Use Administration, Appeals, and Variances

10-3-1 Purpose

The purpose of this Chapter is to establish procedures for the administration and implementation of this Title.

These procedures are intended to:

- A. Promote consistent application of land use regulations.
- B. Provide fair and efficient review processes.

- C. Protect property rights.
 - D. Ensure public participation where appropriate.
 - E. Implement the Spring Lake General Plan.
 - F. Comply with applicable Utah law.
-

10-3-2 Applicability

All land use applications submitted under this Title shall be reviewed in accordance with the provisions of this Chapter.

10-3-3 Review Authorities

A. Designated Land Use Authority

The Town may designate an official, employee, contractor, committee, Planning Commission, Town Council, or other entity authorized by law to review and act upon land use applications.

B. Planning Commission

The Planning Commission shall perform duties assigned by this Title, the General Plan, Utah law, or the Town Council.

C. Town Council

The Town Council shall perform duties assigned by this Title and applicable law.

D. Board of Adjustment

The Board of Adjustment shall perform duties required by Utah law.

10-3-4 Application Requirements

Applications shall be submitted on forms approved by the Town and shall include information reasonably necessary for review.

The Town may require:

- A. Site plans.
- B. Surveys.

- C. Legal descriptions.
 - D. Utility information.
 - E. Drainage information.
 - F. Open space documentation.
 - G. Other materials reasonably necessary to evaluate compliance with this Title.
-

10-3-5 Administrative Applications

Applications designated for administrative review may be approved, approved with conditions, or denied by the designated land use authority.

Administrative approvals shall be based upon compliance with applicable standards contained in this Title.

10-3-6 Conditional Use Permits

A. Purpose

Conditional Use Permits provide a process for reviewing uses that are generally determined to be appropriate in the designated location with the imposition of specific conditions of approval to mitigate reasonably anticipated detrimental effects of the proposed use.

B. Approval

A Conditional Use Permit shall be approved if reasonable conditions can be imposed to mitigate reasonably anticipated detrimental effects.

C. Conditions

Conditions may address:

1. Access.
2. Traffic.
3. Parking.
4. Lighting.
5. Noise.

6. Screening.
7. Hours of operation.
8. Public safety.
9. Other impacts reasonably related to the proposed use.

Conditions shall be based upon identifiable impacts reasonably anticipated from the proposed use.

D. Ongoing Compliance

Conditional Use Permits shall remain subject to compliance with all conditions of approval.

10-3-7 Site Plan Review

The Town may require site plan review for commercial, industrial, conditional use, or other developments identified by this Title.

Site plan review may consider:

- A. Building placement.
- B. Access.
- C. Parking.
- D. Lighting.
- E. Drainage.
- F. Screening.
- G. Utilities.
- H. Similar site development issues.

Site plan review shall be limited to compliance with standards expressly established by this Title.

10-3-8 Subdivision Applications

Subdivision applications shall be reviewed in accordance with Chapter 10-17 and applicable Utah law.

10-3-9 Zone Map Amendments

Applications to amend the official zoning map shall require:

- A. Planning Commission review and recommendation.
- B. Public hearing as required by law.
- C. Town Council approval.

In considering a proposed zoning map amendment, the Town shall evaluate:

1. Consistency with the General Plan;
 2. Consistency with the Future Land Use Map;
 3. The suitability of the proposed zoning designation for the property;
 4. The effect of the proposed amendment upon surrounding properties and the community as a whole; and
 5. Whether changed conditions, new information, or other circumstances support the proposed amendment.
-

10-3-10 Text Amendments

Applications to amend this Title shall require:

- A. Planning Commission review and recommendation.
 - B. Public hearing as required by law.
 - C. Town Council approval.
-

10-3-11 General Plan Amendments

Applications to amend the General Plan or Future Land Use Map shall require:

- A. Planning Commission review and recommendation.
- B. Public hearing as required by law.
- C. Town Council approval.

Because the General Plan establishes the Town's long-term vision for growth and development, amendments should be considered carefully.

The Town shall consider:

1. Consistency with the overall vision, goals, and policies of the General Plan;
2. Public input received regarding the proposed amendment;
3. Whether changed conditions or new information support the amendment;
4. The long-term effect of the amendment upon the community; and
5. Whether the amendment advances the public interest.

The Town should not approve a General Plan amendment solely to accommodate an individual development proposal unless the Town finds that the amendment is otherwise consistent with the long-term vision, goals, and policies of the General Plan.

10-3-12 Appeals

A. Right to Appeal

Any person adversely affected by an administrative land use decision may appeal the decision in accordance with applicable Utah law and the provisions of this Chapter.

B. Appeal Authority

Appeals shall be heard and decided by the Town's designated Appeal Authority, as established by the Town.

No person who participated in the decision being appealed may participate in the appeal decision.

C. Filing Deadline

An appeal shall be filed within the time period established by applicable Utah law or Town ordinance.

D. Record on Appeal

Appeals shall be conducted on the record created before the Land Use Authority unless otherwise required by law.

E. Burden of Proof

The appellant shall bear the burden of demonstrating that the decision being appealed was made in error.

F. Stay of Proceedings

The filing of an appeal may stay further proceedings as provided by applicable Utah law.

G. Final Administrative Decision

A decision of the Appeal Authority shall constitute the Town's final administrative land use decision unless otherwise provided by law.

10-3-13 Variances

A. Authority

The Appeal Authority shall hear and decide applications for variances in accordance with Utah law.

B. No Use Variances

The Appeal Authority shall not grant a variance that authorizes a land use not otherwise permitted within the applicable zoning district.

C. Statutory Criteria

Applicants shall demonstrate compliance with all variance criteria established by Utah law.

D. Conditions

Reasonable conditions may be imposed to mitigate impacts and ensure consistency with the purposes of this Title.

10-3-14 Vested Rights

A. Vesting

A land use application shall vest upon submission of a complete land use application in accordance with Utah law.

B. Applicable Regulations

A complete application shall be reviewed under the land use regulations in effect on the date the application is determined to be complete, except as otherwise provided by law.

C. Completeness Review

The Town may establish administrative procedures for determining whether a land use application is complete. An application shall not be considered vested until all information reasonably required by the Town has been submitted.

10-3-15 Nonconforming Lots, Structures, and Uses

Nonconforming lots, structures, and uses shall be governed by Chapter 10-15 of this Title.

10-3-16 Expiration of Approvals

The Town may establish expiration periods for permits, approvals, and land use authorizations.

Approvals that expire may require reapplication unless extended by the Town.

10-3-17 Enforcement

Violations of this Title may be enforced through administrative, civil, criminal, injunctive, or other remedies authorized by law.

Each day a violation continues may constitute a separate violation.

10-3-18 Fees

The Town may establish application fees, review fees, inspection fees, appeal fees, and related charges by resolution or ordinance.

10-3-19 Interpretation

Questions regarding interpretation of this Title shall be determined by the designated Land Use Authority, subject to applicable appeal procedures.

10-3-20 Unlisted Uses

A. Purpose

Because new land uses and business activities may emerge that are not expressly listed within this Title, the Town may determine whether an unlisted use is substantially similar to a listed use.

B. Determination

The Designated Land Use Authority shall determine whether an unlisted use is substantially similar to a listed permitted use, conditional use, or prohibited use.

C. Factors

In making such determination, the Town may consider:

1. The nature of the proposed activity;
2. Operational characteristics;
3. Traffic generation;
4. Noise, lighting, dust, odor, or other impacts;
5. Building and site requirements;
6. Compatibility with surrounding land uses; and
7. Consistency with the purpose of the applicable zoning district.

D. Appeal

A determination regarding an unlisted use may be appealed pursuant to Section 10-3-12.

10-3-21 Relationship to State Law

This Title shall be interpreted and administered consistent with applicable Utah law.

If a conflict exists between this Title and applicable state law, state law shall control.

Chapter 10-4

Agricultural Residential (AR) District

10-4-1 Purpose

The Agricultural Residential (AR) District is intended to preserve and promote the agricultural, rural, and open-space character of Spring Lake while allowing low-density residential development on large lots.

The district is intended to:

- A. Protect agricultural uses and operations.
 - B. Preserve opportunities for the keeping of livestock, poultry, and other animals customarily associated with rural living.
 - C. Maintain open space, scenic views, and the rural character of the Town.
 - D. Accommodate low-density residential development consistent with the Spring Lake General Plan.
 - E. Provide a traditional rural development option for property owners who do not wish to utilize the Residential Cluster (RC) development option.
-

10-4-2 Applicability

The Agricultural Residential District may be applied to properties designated or rezoned to AR on the official zoning map.

10-4-3 Permitted Uses

The following uses shall be permitted within the AR District:

- A. Single-family detached dwellings.
 - B. Agricultural operations.
 - C. Crop production.
 - D. Livestock raising and animal husbandry.
 - E. Barns, stables, corrals, and agricultural buildings.
 - F. Accessory buildings and structures.
 - G. Home occupations, subject to the requirements of this Title.
 - H. Accessory dwelling units where authorized by state law and Town ordinance.
 - I. Public utilities and utility facilities.
 - J. Uses customarily incidental to the foregoing.
-

10-4-4 Conditional Uses

The following uses may be permitted subject to approval of a Conditional Use Permit:

- A. Bed and breakfast establishments.
 - B. Agritourism uses.
 - C. Commercial equestrian facilities.
 - D. Other uses determined by the Planning Commission to be similar in character and impact to the uses listed above.
-

10-4-5 Density and Lot Requirements

A. Maximum Density

The maximum residential density permitted within the AR District shall be one (1) dwelling unit per five (5) acres of Gross Parcel Area.

B. Minimum Lot Size

Lots created within the AR District shall contain not less than five (5) acres of Gross Parcel Area.

For purposes of determining compliance with this requirement, required public road dedications and public rights-of-way shall be included within the Gross Parcel Area calculation.

C. Lot Width

Each lot shall have a minimum width of two hundred (200) feet at the front building setback line.

D. Lot Frontage

Each lot shall have legal frontage on a public street or approved private road.

10-4-6 Dimensional Standards

Unless otherwise approved by the Town:

- A. Minimum Front Yard Setback: 30 feet
- B. Minimum Side Yard Setback: 20 feet

C. Minimum Rear Yard Setback: 30 feet

D. Maximum Building Height: 40 feet

E. Accessory structures shall comply with supplemental development standards established elsewhere in this Title.

10-4-7 Agricultural Activities

Agricultural uses are an intended and protected use within the AR District.

Persons residing within the AR District shall recognize that normal agricultural activities may create dust, odors, noise, lighting, machinery operation, animal-related impacts, and other conditions commonly associated with agricultural operations.

Nothing in this Chapter shall be interpreted to prohibit agricultural activities otherwise permitted by law.

10-4-8 Animal Keeping

The keeping of livestock, poultry, and other agricultural animals shall be permitted within the AR District subject to the requirements of Chapter 10-8 (Agricultural Uses).

10-4-9 Subdivision of Property

Land within the AR District may be subdivided provided that all resulting lots comply with the density and dimensional requirements of this Chapter and all applicable subdivision regulations.

No subdivision approval shall authorize a density greater than one dwelling unit per five acres.

10-4-10 Additional Regulations

Development within the AR District shall comply with all applicable provisions of this Title, including:

A. Agricultural Use Standards.

B. Home Occupation Standards.

- C. Accessory Building Standards.
 - D. Subdivision Regulations.
 - E. Supplemental Development Standards.
 - F. Building Regulations.
-

Chapter 10-5

Residential Cluster (RC) District

10-5-1 Purpose

The Residential Cluster (RC) District is intended to preserve Spring Lake's rural character, agricultural heritage, open space, scenic views, natural resources, and agricultural opportunities while accommodating low-density residential development.

The RC District is the Town's primary residential development district and is intended to implement the goals and policies of the Spring Lake General Plan.

The purposes of the RC District are to:

- A. Preserve substantial areas of open land.
 - B. Protect agricultural uses and opportunities.
 - C. Maintain scenic views and rural character.
 - D. Protect environmentally sensitive areas and natural resources.
 - E. Encourage efficient land use patterns.
 - F. Reduce fragmentation of agricultural lands.
 - G. Provide flexibility in residential design while maintaining low overall density.
 - H. Permanently preserve open space through conservation easements and other approved preservation mechanisms.
-

10-5-2 Applicability

The Residential Cluster District may be applied to properties designated RC on the official zoning map.

Development within the RC District shall comply with the requirements of this Chapter and all other applicable provisions of this Title.

10-5-3 Permitted Uses

The following uses shall be permitted:

- A. Single-family detached dwellings.
 - B. Agricultural operations.
 - C. Crop production.
 - D. Livestock raising and animal husbandry.
 - E. Barns, stables, corrals, and agricultural structures.
 - F. Accessory buildings and structures.
 - G. Home occupations.
 - H. Accessory dwelling units where authorized by state law and Town ordinance.
 - I. Open space and conservation areas.
 - J. Uses customarily incidental to the foregoing.
-

10-5-4 Conditional Uses

The following uses may be permitted through approval of a Conditional Use Permit:

- A. Bed and breakfast establishments.
 - B. Agritourism uses.
 - C. Commercial equestrian facilities.
 - D. Other uses determined by the Planning Commission to be substantially similar in character and impact.
-

10-5-5 Maximum Density

A. Base Density

The maximum residential density permitted within the RC District shall be one (1) dwelling unit per 2.5 acres of Gross Parcel Area.

B. Density Bonus

Where a development complies with all requirements for a Residential Cluster Development and permanently preserves required open space, the maximum density may be increased to one (1) dwelling unit per 2.25 acres of Gross Parcel Area.

C. Density Calculations

The maximum number of dwelling units shall be determined by dividing the Gross Parcel Area of the property by the applicable density standard.

Fractions shall be rounded down to the nearest whole number.

10-5-6 Cluster Development Option

Property owners may choose either:

A. Traditional Development

Lots shall be created in compliance with the density limitations of this Chapter.

or

B. Residential Cluster Development

Dwelling units may be clustered upon a portion of the property provided that all requirements of this Chapter are satisfied and required open space is permanently preserved.

Nothing in this Chapter shall require a property owner to utilize the Residential Cluster Development option.

10-5-7 Cluster Lot Standards

For developments utilizing the Residential Cluster Development option:

A. Minimum Lot Size: 1 Acre

B. Minimum Lot Width: 150 feet

C. Front Setback: 30 feet

D. Side Setback: 20 feet

E. Rear Setback: 30 feet

F. Maximum Building Height: 40 feet

G. Accessory structures shall comply with supplemental development standards established elsewhere in this Title.

10-5-8 Open Space Requirement

A. Minimum Open Space

A Residential Cluster Development shall permanently preserve all land not utilized for:

1. Residential lots;
2. Roads;
3. Utility corridors; and
4. Other approved development improvements.

B. Purpose

Open space shall be preserved for agricultural uses, open space preservation, wildlife habitat, scenic preservation, natural resource protection, recreation, or other purposes approved by the Town.

C. Development Restrictions

Open space shall not be further subdivided or developed except as expressly authorized by this Title.

10-5-9 Permanent Preservation

A. Conservation Easement Required

All required open space shall be protected by a perpetual conservation easement approved by the Town.

B. Qualified Conservation Entity

The easement holder shall be a Qualified Conservation Entity approved by the Town.

C. Town Enforcement Rights

The Town shall be named as a third-party beneficiary of the conservation easement and shall possess independent authority to enforce the terms of the easement.

D. Recording

The conservation easement shall be recorded against the property prior to final approval of any cluster development.

10-5-10 Agricultural Use of Open Space

Agricultural activities may continue within preserved open space areas provided that such activities are consistent with the conservation easement and any approved management plans.

The Town encourages continued agricultural use of preserved lands where practical and compatible with preservation objectives.

10-5-11 Open Space Ownership

Open space may be owned by:

- A. The original property owner;
- B. A homeowners association;
- C. A conservation entity;
- D. Multiple property owners through a legally approved ownership arrangement; or
- E. Another entity approved by the Town.

Ownership arrangements shall ensure the long-term preservation and maintenance of the open space.

10-5-12 Additional Regulations

Development within the RC District shall comply with all applicable provisions of this Title, including:

- A. Agricultural Use Standards.

- B. Conservation Easement Standards.
 - C. Open Space Standards.
 - D. Home Occupation Standards.
 - E. Accessory Building Standards.
 - F. Subdivision Regulations.
 - G. Supplemental Development Standards.
 - H. Building Regulations.
-

Chapter 10-6

Commercial District

10-6-1 Purpose

The Commercial District is intended to accommodate small-scale commercial uses that serve the needs of Spring Lake residents and surrounding rural areas while preserving the Town's rural character, agricultural heritage, and residential environment.

The Commercial District is not intended to create a regional commercial center or encourage large-scale commercial development.

The purposes of the Commercial District are to:

- A. Provide opportunities for locally serving businesses and services.
 - B. Support limited commercial activity compatible with surrounding residential and agricultural uses.
 - C. Reduce the need for residents to travel outside the community for certain goods and services.
 - D. Preserve the rural character and visual quality of the Town.
 - E. Minimize conflicts between commercial and non-commercial land uses.
 - F. Implement the goals and policies of the Spring Lake General Plan.
-

10-6-2 Applicability

The Commercial District may be applied to properties designated Commercial on the official zoning map.

Development within the Commercial District shall comply with the provisions of this Chapter and all other applicable provisions of this Title.

10-6-3 Permitted Uses

The following uses may be permitted within the Commercial District:

- A. Professional offices.
 - B. Administrative offices.
 - C. Medical and dental offices.
 - D. Financial and insurance services.
 - E. Real estate offices.
 - F. Personal service businesses.
 - G. Small retail establishments.
 - H. Specialty retail stores.
 - I. Farm and agricultural support businesses.
 - J. Small restaurants, cafés, bakeries, and similar food service establishments.
 - K. Artisan, craft, and locally produced goods businesses.
 - L. Government and public service offices.
 - M. Similar low-impact commercial uses determined by the Town to be consistent with the purpose of the district.
-

10-6-4 Conditional Uses

The following uses may be permitted subject to approval of a Conditional Use Permit:

- A. Convenience stores.
- B. Child care facilities.

- C. Veterinary clinics.
- D. Event Facilities.
- E. Historical building adaptive reuse projects.
- F. Mixed-use developments.
- G. Similar uses determined by the Town to be compatible with the purpose of the district.

In reviewing historical building adaptive reuse projects, the Town may consider the value of preserving historically significant structures and community landmarks.

10-6-5 Prohibited Uses

The following uses are prohibited within the Commercial District:

- A. Heavy industrial uses.
- B. Manufacturing uses not otherwise permitted by this Title.
- C. Large-scale warehousing and distribution facilities.
- D. Salvage yards.
- E. Junk yards.
- F. Asphalt plants.
- G. Mining and extraction operations.
- H. Truck terminals.
- I. Outdoor commercial storage as a principal use.
- J. Uses that generate substantial noise, vibration, dust, odors, glare, traffic, or similar impacts inconsistent with surrounding residential and agricultural uses.
- K. Sexually oriented businesses.
- L. Tobacco specialty businesses.
- M. Electronic cigarette, vape, or nicotine specialty retailers.
- N. Similar uses designated by the town as requiring industrial zoning due to their potential incompatibility with surrounding residential, agricultural, civic, educational, or commercial uses.

10-6-6 Dimensional Standards

Unless otherwise approved by the Town:

- A. Minimum Lot Size: 1 acre
 - B. Minimum Lot Width: 150 feet
 - C. Minimum Front Setback: 30 feet
 - D. Minimum Side Setback: 20 feet
 - E. Minimum Rear Setback: 30 feet
 - F. Side Setback Adjacent to Residential Use: 25 feet
 - G. Rear Setback Adjacent to Residential Use: 35 feet
 - H. Maximum Building Height: 40 feet
-

10-6-7 Site Design

Commercial development shall be designed and operated in a manner compatible with surrounding land uses.

Consideration may be given to:

- A. Building placement.
 - B. Parking location.
 - C. Access management.
 - D. Lighting.
 - E. Signage.
 - F. Landscaping.
 - G. Screening.
 - H. Architectural design.
-

10-6-8 Parking

Parking shall be provided in an amount reasonably necessary to accommodate the proposed use.

The Town may consider:

- A. Size of the business;
- B. Number of employees;
- C. Anticipated customer traffic;
- D. Shared parking opportunities; and
- E. Similar factors.

The Town is not required to establish fixed minimum parking ratios.

10-6-9 Outdoor Storage

Outdoor storage shall be limited and shall not be permitted as the principal use of a property.

Where permitted, outdoor storage shall comply with Chapter 10-16 and any applicable conditions of approval.

10-6-10 Lighting

Lighting shall comply with Chapter 10-16 and shall be designed to minimize impacts on neighboring properties and preserve the rural nighttime character of the Town.

10-6-11 Screening and Buffers

Screening and buffering may be required where commercial uses are adjacent to residential, agricultural, or open space uses.

The Town may approve a variety of screening methods consistent with Chapter 10-16.

10-6-12 Access

Commercial uses shall provide safe and adequate access.

The Town may require access improvements reasonably necessary to address traffic safety concerns.

10-6-13 Signs

Signs shall comply with any sign regulations adopted by the Town.

Until sign regulations are adopted, signs shall remain modest in size and compatible with the rural character of the community.

10-6-14 Compliance with Other Regulations

Development within the Commercial District shall comply with:

- A. Supplemental Development Standards.
 - B. Building Regulations.
 - C. Parking standards.
 - D. Access standards.
 - E. Other applicable provisions of this Code.
-

Chapter 10-7

Light Industrial (LI) District

10-7-1 Purpose

The Light Industrial (LI) District is intended to provide opportunities for low-impact industrial, manufacturing, fabrication, processing, warehousing, contractor, and employment-generating uses that are compatible with the rural character of Spring Lake.

The district is intended to accommodate businesses that provide employment opportunities and services while minimizing conflicts with surrounding residential, agricultural, and open space uses.

The purposes of the LI District are to:

- A. Support local employment opportunities.
 - B. Provide locations for low-impact industrial and service businesses.
 - C. Accommodate fabrication, processing, storage, and contractor-related activities.
 - D. Support agricultural and rural businesses.
 - E. Protect surrounding properties from unreasonable impacts.
 - F. Implement the goals and policies of the Spring Lake General Plan.
-

10-7-2 Applicability

The LI District may be applied to properties designated Light Industrial on the official zoning map.

Development within the LI District shall comply with the provisions of this Chapter and all other applicable provisions of this Title.

10-7-3 Permitted Uses

The following uses may be permitted within the LI District:

- A. Manufacturing, assembly, and fabrication of products conducted within enclosed buildings.
- B. Contractor shops and contractor offices.
- C. Warehousing and storage facilities.
- D. Agricultural support businesses.
- E. Equipment repair facilities.
- F. Machine shops.
- G. Woodworking shops.
- H. Research and development facilities.
- I. Printing and publishing operations.
- J. Wholesale businesses.
- K. Distribution facilities.

L. Government service and maintenance facilities.

M. Similar low-impact industrial uses determined by the Town to be consistent with the purpose of the district.

10-7-4 Conditional Uses

The following uses may be permitted subject to approval of a Conditional Use Permit:

A. Outdoor storage areas.

B. Large equipment yards.

C. Truck fleet facilities.

D. Agricultural processing facilities.

E. Recycling facilities.

F. Community utility facilities.

G. Tobacco specialty businesses.

H. Electronic cigarette, vape, or nicotine specialty retailers.

I. Sexually oriented businesses.

J. Similar uses not specifically addressed in this Title and determined by the Town to require additional review due to potential impacts on surrounding properties or community facilities.

10-7-5 Prohibited Uses

The following uses are prohibited within the LI District:

A. Heavy industrial uses.

B. Mining and extraction operations.

C. Asphalt plants.

D. Concrete batch plants.

E. Salvage yards.

F. Junk yards.

G. Hazardous waste facilities.

H. Smelting operations.

I. Petroleum refining.

J. Landfills.

K. Uses producing substantial noise, vibration, smoke, dust, odors, glare, or other impacts inconsistent with the purpose of the district.

10-7-6 Dimensional Standards

Unless otherwise approved by the Town:

A. Minimum Lot Size: 2 acres

B. Minimum Lot Width: 150 feet

C. Minimum Front Setback: 40 feet

D. Minimum Side Setback: 20 feet

E. Minimum Rear Setback: 30 feet

F. Side Setback Adjacent to Residential Use: 50 feet

G. Rear Setback Adjacent to Residential Use: 50 feet

H. Maximum Building Height: 50 feet

10-7-7 Site Design

Development shall be designed and operated in a manner that minimizes impacts on neighboring properties.

Consideration may be given to:

A. Building placement.

B. Access.

C. Screening.

D. Landscaping.

E. Lighting.

F. Outdoor storage.

G. Traffic circulation.

H. Noise mitigation.

10-7-8 Outdoor Storage

Outdoor storage may be permitted where:

A. The storage is accessory to a lawful principal use.

B. The storage area is reasonably screened from adjacent residential properties and public roads where practical.

C. The storage does not create a nuisance condition.

D. The storage complies with applicable conditions of approval.

Outdoor storage shall not be the principal use of a property unless expressly approved by the Town.

10-7-9 Screening and Buffers

Screening and buffering shall be provided where industrial uses adjoin residential, agricultural, or open space uses.

The Town may approve fencing, landscaping, berms, buildings, or similar methods of screening.

10-7-10 Lighting

Lighting shall comply with Chapter 10-15 and shall be designed to minimize impacts on neighboring properties.

10-7-11 Noise, Dust, and Vibration

Operations within the LI District shall be conducted in a manner that does not create unreasonable impacts on neighboring properties relating to noise, dust, vibration, odors, smoke, glare, or similar conditions.

10-7-12 Access

Industrial uses shall provide safe and adequate access.

The Town may require access improvements reasonably necessary to address traffic and safety concerns.

10-7-13 Parking

Parking shall be provided in an amount reasonably necessary to accommodate the proposed use.

The Town may consider the nature of the business, number of employees, anticipated visitors, and operational needs.

10-7-14 Compliance with Other Regulations

Development within the LI District shall comply with:

- A. Supplemental Development Standards.
 - B. Building Regulations.
 - C. Fire code requirements.
 - D. Environmental regulations.
 - E. Other applicable provisions of this Code.
-

10-7-15 Separation Requirements

Certain conditional uses, including sexually oriented businesses, tobacco specialty businesses, electronic cigarette retailers, and similar uses designated by the Town, shall maintain minimum separation distances from sensitive land uses.

Sensitive land uses may include:

- A. Schools.
- B. Public parks.
- C. Churches and houses of worship.

- D. Public buildings.
- E. Event facilities.
- F. Residential zoning districts.
- G. Other similar uses identified by the town.

The Town Council may establish specific separation distances by resolution or ordinance.

Chapter 10-8

Agricultural Uses

10-8-1 Purpose

The purpose of this Chapter is to preserve and promote agriculture as an important component of the Town's history, economy, rural character, and community identity.

Agriculture, including crop production, livestock husbandry, aquaculture, and related agricultural activities, is recognized as an important component of the Town's history, economy, rural character, and community identity. Agriculture is a protected and encouraged use of land within Spring Lake. The provisions of this Chapter are intended to support agricultural activities while protecting public health, safety, and welfare and promoting compatibility among neighboring land uses.

10-8-2 Applicability

This Chapter shall apply to agricultural uses and activities conducted within the Town.

Nothing in this Chapter shall be interpreted to prohibit agricultural activities otherwise protected under applicable federal, state, or local law.

10-8-3 Agricultural Uses Permitted

The following agricultural uses shall be permitted in zoning districts where agricultural uses are authorized:

- A. Crop production.

- B. Pasture and grazing.
 - C. Orchards and vineyards.
 - D. Livestock raising.
 - E. Poultry keeping.
 - F. Beekeeping.
 - G. Aquaculture and fish farming.
 - H. Hay production.
 - I. Greenhouses.
 - J. Agricultural irrigation facilities.
 - K. Barns, stables, corrals, riding arenas, and agricultural structures.
 - L. Farm equipment storage.
 - M. Agricultural processing incidental to an agricultural operation.
 - N. Other agricultural activities customarily associated with farming and ranching.
-

10-8-4 Right-to-Farm Acknowledgment

The Town recognizes that agricultural operations may generate noise, dust, odors, smoke, lighting, machinery operation, animal sounds, and other impacts commonly associated with agricultural activities.

Persons residing within agricultural areas should expect such activities to occur.

Agricultural activities conducted in compliance with applicable law shall not be considered a nuisance solely because they produce impacts commonly associated with normal agricultural operations.

10-8-5 Livestock and Animal Keeping

Livestock and animal keeping shall be permitted in zoning districts where agricultural uses are authorized.

Permitted animals may include:

- A. Horses.

- B. Cattle.
- C. Sheep.
- D. Goats.
- E. Llamas.
- F. Alpacas.
- G. Poultry.
- H. Rabbits.
- I. Bees.
- J. Other animals customarily associated with agricultural operations.

The Town may establish additional standards where necessary to protect public health and safety.

10-8-6 Agricultural Buildings and Structures

Agricultural buildings and structures shall be permitted in conjunction with lawful agricultural uses.

Examples include:

- A. Barns.
- B. Stables.
- C. Riding arenas.
- D. Hay sheds.
- E. Equipment storage buildings.
- F. Livestock shelters.
- G. Greenhouses.
- H. Similar agricultural structures.

Agricultural structures shall comply with applicable zoning, building, and fire safety requirements.

10-8-7 Farm Stands

Farm stands offering agricultural products produced on-site or within the local area shall be permitted as an accessory use to an agricultural operation.

The Town may adopt additional standards governing signage, parking, and traffic impacts.

10-8-8 Agritourism Uses

Agritourism activities may be permitted subject to approval of a Conditional Use Permit.

Examples may include:

- A. Seasonal agricultural events.
- B. Educational farm activities.
- C. U-pick operations.
- D. Farm tours.
- E. Similar activities associated with agricultural operations.

The Town may impose reasonable conditions to address traffic, parking, safety, and neighborhood compatibility.

Conditional Use Permit applications shall be reviewed and decided by the Planning Commission unless otherwise designated by ordinance.

10-8-9 Irrigation Facilities

Existing irrigation facilities, canals, ditches, laterals, pipelines, and related agricultural infrastructure are recognized as important components of the Town's agricultural heritage and economy.

Development shall avoid unreasonable interference with existing irrigation facilities.

The Town may require easements or other measures necessary to preserve irrigation infrastructure.

10-8-10 Fencing

Agricultural fencing shall be permitted in conjunction with agricultural uses.

Fencing shall comply with any applicable safety requirements and shall not unreasonably interfere with public rights-of-way or utility facilities.

10-8-11 Waste Management

Agricultural operations shall manage manure, waste materials, and similar byproducts in a manner that does not create unreasonable threats to public health or environmental resources.

Nothing in this Section shall be interpreted to prohibit normal agricultural practices.

10-8-12 Animal Welfare

Animals shall be maintained in a manner consistent with applicable state laws governing animal welfare and humane treatment.

10-8-13 Accessory Agricultural Uses

The following accessory agricultural uses may be permitted in conjunction with an agricultural operation:

- A. Equipment repair and maintenance.
 - B. Storage of agricultural supplies.
 - C. Agricultural employee facilities.
 - D. Agricultural education activities.
 - E. Other uses customarily incidental to agriculture.
-

10-8-14 Compliance with Other Regulations

Agricultural uses shall comply with all applicable federal, state, county, and local regulations.

Nothing in this Chapter shall be interpreted to exempt any person from compliance with applicable laws.

10-8-15 Relationship to Other Chapters

Agricultural uses shall remain subject to applicable provisions of:

- A. Agricultural Residential (AR) District regulations.
 - B. Residential Cluster (RC) District regulations.
 - C. Open Space Preservation Standards.
 - D. Conservation Easement Standards.
 - E. Building Regulations.
 - F. Other applicable provisions of this Code.
-

Chapter 10-9

Flag Lots and Access Lots

10-9-1 Purpose

The purpose of this Chapter is to establish standards for flag lots and access lots that:

- A. Provide reasonable development opportunities for parcels with limited frontage or unusual configurations.
 - B. Accommodate historical agricultural parcel patterns.
 - C. Preserve property rights while ensuring adequate access.
 - D. Promote public health, safety, and welfare.
 - E. Ensure that development occurs in an orderly manner consistent with the Spring Lake General Plan.
-

10-9-2 Applicability

The provisions of this Chapter shall apply to all proposed flag lots and access lots within the Town.

Nothing in this Chapter shall exempt a property owner from compliance with any other applicable provision of this Title.

10-9-3 General Policy

Flag lots are not intended to be the preferred method of subdivision design.

However, flag lots may be approved where:

- A. Strict frontage requirements would prevent reasonable use of a parcel;
 - B. Existing parcel configurations create practical development constraints;
 - C. The proposed configuration is consistent with the General Plan and applicable zoning district requirements; and
 - D. Adequate access, utilities, and emergency services can be provided.
-

10-9-4 Permitted Districts

Flag lots may be permitted within:

- A. Agricultural Residential (AR) District.
- B. Residential Cluster (RC) District.

The Town may authorize flag lots in other districts where appropriate and consistent with this Title.

10-9-5 Minimum Access Strip Width

A. Minimum Width

The access strip shall have a minimum width of twenty (20) feet.

B. Utility Accommodation

The access strip shall be sufficient to accommodate:

1. Vehicular access;
2. Emergency access;
3. Utility installation and maintenance; and

4. Drainage improvements where necessary.
-

10-9-6 Access Requirements

A. Legal Access

All flag lots shall have permanent legal access to a public street.

B. Physical Access

The access strip shall provide practical year-round access.

C. Emergency Access

The Town may require improvements reasonably necessary to provide emergency vehicle access.

D. Shared Access

The Town may permit shared driveways or shared access arrangements where appropriate.

10-9-7 Utility Requirements

The applicant shall demonstrate that utility services can be reasonably provided to the proposed lot.

Utility easements may be required within the access strip.

10-9-8 Density and Lot Requirements

Approval of a flag lot shall not:

- A. Increase allowable density;
- B. Reduce minimum lot size requirements;
- C. Waive applicable zoning standards; or
- D. Create additional development rights.

All flag lots shall comply with the applicable requirements of the underlying zoning district.

10-9-9 Design Standards

A. Avoidance of Fragmentation

Flag lots shall be configured to minimize unnecessary fragmentation of agricultural land and open space.

B. Compatibility

Flag lot design shall be compatible with surrounding development patterns where practical.

C. Future Development

The Town may consider the effect of the proposed lot configuration on future development opportunities and access needs.

D. Natural Features

Where practical, lot configurations should avoid unnecessary impacts to significant natural features, waterways, irrigation facilities, and agricultural improvements.

10-9-10 Number of Lots Served

A single access strip shall generally serve only one flag lot.

The Town may approve alternative arrangements where adequate access, maintenance, utility service, and emergency access are demonstrated.

10-9-11 Private Roads

Where a flag lot or access lot utilizes a private road:

A. The road shall be established through a recorded easement or other approved legal instrument.

B. Maintenance responsibilities shall be documented.

C. The Town shall not be responsible for maintenance unless expressly accepted by the Town.

D. The Town may require documentation demonstrating adequate long-term maintenance arrangements.

10-9-12 Conditions of Approval

The Town may impose reasonable conditions necessary to ensure:

- A. Safe access;
 - B. Utility service;
 - C. Emergency response capability;
 - D. Compliance with applicable zoning requirements; and
 - E. Consistency with the General Plan.
-

10-9-13 Modifications

The Planning Commission may recommend, and the Town Council may approve, reasonable modifications to the standards of this Chapter where:

- A. Unique site conditions make strict application impractical;
- B. The purposes of this Chapter are satisfied;
- C. Public health and safety are protected;
- D. Adequate access, utility service, and emergency response capability are maintained; and
- E. The modification remains consistent with the General Plan.

Nothing in this Section shall authorize a variance from the requirements of this Title. Requests for variances shall be processed in accordance with Section 10-3-13 and applicable Utah law.

10-9-14 Relationship to Other Regulations

Flag lots and access lots shall comply with all applicable provisions of this Title, including zoning district requirements, subdivision regulations, access standards, and utility requirements.

Chapter 10-10

Conservation Easement Standards

10-10-1 Purpose

The purpose of this Chapter is to establish standards for the permanent preservation of open space, agricultural land, natural resources, scenic views, and other conservation values within the Town of Spring Lake.

This Chapter is intended to implement the goals and policies of the Spring Lake General Plan and to ensure that open space preserved through Residential Cluster developments remains permanently protected for future generations.

10-10-2 Applicability

The provisions of this Chapter shall apply to all conservation easements required by this Title, including conservation easements associated with Residential Cluster developments and any other development approval requiring permanent preservation of land.

10-10-3 Conservation Easement Required

Where permanent preservation of land is required by this Title, such preservation shall be accomplished through a perpetual conservation easement approved by the Town and recorded against the affected property.

No final plat, site plan, or development approval requiring permanent preservation shall be granted until all required conservation easements have been approved and recorded. Nothing in this section authorizes a variance from the requirements of this Title.

10-10-4 Qualified Conservation Entity

A. Easement Holder

All required conservation easements shall be granted to and held by a Qualified Conservation Entity approved by the Town.

B. Approval

The Town shall determine whether a proposed conservation entity possesses the legal authority, organizational capacity, financial stability, and long-term commitment necessary to monitor and enforce the conservation easement.

C. Alternative Holders

Governmental entities, land trusts, nonprofit conservation organizations, and other qualified entities may serve as conservation easement holders if approved by the Town.

10-10-5 Town Enforcement Rights

A. Third-Party Beneficiary

The Town of Spring Lake shall be named as a third-party beneficiary of every conservation easement required by this Chapter.

B. Independent Enforcement Authority

The Town shall possess independent authority to monitor, enforce, and seek compliance with the terms of the conservation easement.

C. Additional Remedies

The Town's enforcement rights shall be in addition to and not in place of the enforcement rights of the conservation easement holder.

10-10-6 Permanence

A. Perpetual Restriction

Conservation easements required by this Chapter shall be perpetual in duration.

B. Future Development

Land subject to a required conservation easement shall not be subdivided, developed, or otherwise used in a manner inconsistent with the purposes of the easement.

C. No Automatic Release

Conservation easements shall not terminate upon transfer of ownership, annexation, rezoning, changes in land use regulations, or other changes in governmental policy.

10-10-7 Permitted Uses

Permitted uses within conservation easement areas shall be limited to those expressly authorized by the conservation easement and approved by the Town.

Permitted uses may include:

- A. Agricultural operations.
 - B. Grazing.
 - C. Crop production.
 - D. Habitat management.
 - E. Wildlife conservation.
 - F. Trails and passive recreation.
 - G. Fencing.
 - H. Irrigation facilities.
 - I. Utility facilities approved by the Town.
 - J. Other uses consistent with the conservation purposes of the easement.
-

10-10-8 Prohibited Uses

Unless expressly authorized by the conservation easement and approved by the Town, the following uses shall be prohibited:

- A. Residential development.
 - B. Commercial development.
 - C. Industrial development.
 - D. Subdivision of the protected land.
 - E. Surface mining or extraction activities.
 - F. Disposal of waste materials.
 - G. Activities that substantially impair the conservation values intended to be protected.
-

10-10-9 Easement Documentation

The applicant shall provide the Town with:

- A. A copy of the proposed conservation easement.
 - B. Legal descriptions of all protected lands.
 - C. Ownership information.
 - D. Documentation identifying the proposed conservation easement holder.
 - E. Any management plans required by the Town or conservation entity.
-

10-10-10 Amendment of Easements

A. General Rule

Conservation easements required by this Chapter are intended to be permanent and shall not be amended except under extraordinary circumstances.

B. Approval Required

Any amendment shall require:

1. Approval of the conservation easement holder;
2. Approval of the Town Council after recommendation from the Planning Commission;
3. A finding that the amendment is consistent with the original conservation purposes; and
4. Compliance with all applicable state and federal laws.

C. No Net Loss

No amendment shall result in a net loss of protected land, conservation value, or preservation objectives unless specifically authorized by law.

10-10-11 Monitoring and Enforcement

A. Monitoring

The conservation easement holder shall be responsible for periodic monitoring of the protected property.

B. Town Access

The Town may request documentation demonstrating compliance with easement requirements.

C. Violations

Violations of a conservation easement required by this Chapter shall constitute a violation of this Title and may be enforced by the Town in addition to any remedies available to the conservation easement holder. Nothing herein shall be construed to require the Town to take enforcement action.

D. Remedies

Available remedies may include injunctions, restoration requirements, civil enforcement actions, and any other remedies authorized by law.

10-10-12 Relationship to Other Regulations

Compliance with this Chapter shall not relieve any person from compliance with any other applicable federal, state, county, or Town regulations.

Chapter 10-11

Open Space Preservation Standards

10-11-1 Purpose

The purpose of this Chapter is to establish standards for the preservation, ownership, use, management, and maintenance of open space required by this Title.

Open space preserved under this Title is intended to:

- A. Preserve rural character.
- B. Protect agricultural land and agricultural opportunities.
- C. Maintain scenic views and open landscapes.
- D. Protect natural resources and environmentally sensitive areas.
- E. Support wildlife habitat and ecological functions.
- F. Implement the goals and policies of the Spring Lake General Plan.

G. Ensure that permanently protected lands remain meaningful community assets.

10-11-2 Applicability

The provisions of this Chapter shall apply to all open space areas required under the Residential Cluster District and any other development approval requiring permanent preservation of land.

10-11-3 Open Space Design Objectives

Open space shall be designed and configured to maximize preservation value and long-term usability.

To the extent practical, preserved open space should:

- A. Consist of large, contiguous areas.
 - B. Preserve agricultural operations.
 - C. Protect natural features.
 - D. Preserve scenic views and visual openness.
 - E. Avoid unnecessary fragmentation.
 - F. Connect with adjacent preserved lands where feasible.
 - G. Maintain existing agricultural field patterns where practical.
-

10-11-4 Minimum Preservation Standards

A. Permanently Preserved

All required open space shall be permanently protected in accordance with Chapter 10-10.

B. No Future Development Rights

Required open space shall not be considered a reserve area for future residential, commercial, or industrial development, or for regional transportation infrastructure or other regional infrastructure.

C. Development Restrictions

Except as expressly authorized by this Title, protected open space shall not be subdivided or developed.

D. Public Road Dedications

Land dedicated to the Town for public roads or public rights-of-way as part of an approved Residential Cluster development may be included within Gross Parcel Area calculations for density purposes but shall not be considered preserved open space for purposes of this Chapter.

10-11-5 Permitted Uses

Subject to any applicable conservation easement, the following uses may be permitted within preserved open space:

- A. Crop production.
- B. Grazing and animal husbandry.
- C. Orchards and agricultural uses.
- D. Wildlife habitat management.
- E. Conservation activities.
- F. Irrigation facilities.
- G. Agricultural roads and farm access.
- H. Trails and passive recreation.
- I. Fencing.
- J. Utility facilities approved by the Town.
- K. Other uses determined by the Town to be consistent with the preservation purposes of the open space.

10-11-6 Prohibited Uses

Unless specifically authorized by this Title and any applicable conservation easement, the following uses shall be prohibited:

- A. Residential development.

- B. Commercial development.
 - C. Industrial development.
 - D. Storage of junk, debris, or abandoned materials.
 - E. Surface mining and extraction activities.
 - F. Disposal of waste materials.
 - G. Activities that materially impair the conservation or preservation purposes of the open space.
-

10-11-7 Ownership of Open Space

Open space may be owned by:

- A. The original property owner.
- B. One or more property owners.
- C. A homeowners association.
- D. A conservation entity.
- E. A nonprofit organization.
- F. Another ownership arrangement approved by the Town.

Ownership arrangements shall ensure the long-term preservation and maintenance of the protected land.

10-11-8 Agricultural Use of Open Space

The Town encourages continued agricultural use of preserved open space where practical and compatible with the conservation purposes of the property.

Agricultural activities conducted within preserved open space shall not be considered inconsistent with preservation objectives solely because they involve ongoing farming, grazing, irrigation, fencing, or related agricultural practices.

10-11-9 Maintenance Responsibilities

- A. Responsible Party

The owner or owners of the preserved open space shall be responsible for maintenance unless otherwise provided through an approved ownership arrangement.

B. Maintenance Standards

Protected open space shall be maintained in a manner that:

1. Preserves conservation values;
2. Prevents nuisance conditions;
3. Protects public health and safety; and
4. Complies with applicable conservation easement requirements.

C. No Town Obligation

Approval of an open space preservation plan shall not obligate the Town to maintain or manage preserved land.

10-11-10 Open Space Management Plans

The Town may require submission of an Open Space Management Plan for developments involving preserved open space.

The management plan may address:

- A. Agricultural operations.
- B. Irrigation systems.
- C. Maintenance responsibilities.
- D. Access provisions.
- E. Habitat management.
- F. Conservation easement compliance.
- G. Other matters reasonably related to long-term stewardship.

10-11-11 Public Access

Open space preserved under this Title shall not be required to provide public access unless:

- A. Specifically offered by the property owner; or
- B. Required as part of an approved development agreement.

The preservation of open space does not create a public right of access.

10-11-12 Relationship to Conservation Easements

All open space preserved pursuant to this Chapter shall remain subject to any applicable conservation easement requirements established under Chapter 10-10.

In the event of a conflict between this Chapter and a conservation easement approved by the Town, the more restrictive provision shall control.

Chapter 10-12

Home Occupations

10-12-1 Purpose

The purpose of this Chapter is to allow residents to engage in business activities within their homes and on their properties while preserving the residential, agricultural, and rural character of Spring Lake.

Home occupations are recognized as an important component of rural communities and may provide opportunities for entrepreneurship, remote work, agricultural support services, and small business development.

The standards of this Chapter are intended to ensure that business activities remain compatible with surrounding properties and do not create unreasonable impacts on neighboring residents.

10-12-2 Applicability

The provisions of this Chapter shall apply to all home occupations conducted within the Town.

Home occupations shall be classified as either:

- A. Home Occupations; or

B. Rural Home Occupations.

10-12-3 Home Occupations Permitted

The following Home Occupations shall be permitted by right where conducted in compliance with this Chapter:

- A. Professional offices.
 - B. Accounting, bookkeeping, and tax preparation services.
 - C. Consulting services.
 - D. Remote employment.
 - E. Online retail and e-commerce businesses.
 - F. Graphic design, drafting, engineering, and similar professional services.
 - G. Educational tutoring and instruction.
 - H. Artistic and craft activities.
 - I. Similar low-impact business activities.
-

10-12-4 Home Occupation Standards

A Home Occupation shall:

- A. Be clearly incidental and subordinate to the residential use of the property.
 - B. Be conducted primarily within a dwelling or accessory building.
 - C. Not generate excessive traffic, noise, vibration, dust, glare, smoke, odors, or other impacts inconsistent with surrounding residential uses.
 - D. Not involve outdoor storage of materials, equipment, inventory, or commercial vehicles except as otherwise permitted by this Title.
 - E. Not alter the residential appearance of the property.
 - F. Comply with all applicable federal, state, and local regulations.
-

10-12-5 Rural Home Occupations

Certain business activities that are compatible with Spring Lake's rural character but exceed the standards applicable to Home Occupations may be permitted as Rural Home Occupations.

Examples may include:

- A. Contractor offices.
 - B. Agricultural support businesses.
 - C. Small equipment repair operations.
 - D. Small woodworking shops.
 - E. Trades and service businesses.
 - F. Similar low-impact rural businesses.
-

10-12-6 Rural Home Occupation Permit Required

Rural Home Occupations shall require approval of a Rural Home Occupation Permit.

The permit may be approved administratively or through another review process established by the Town.

Conditions may be imposed as reasonably necessary to ensure compatibility with surrounding properties.

10-12-7 Rural Home Occupation Standards

A Rural Home Occupation shall:

- A. Remain secondary to the residential or agricultural use of the property.
 - B. Be conducted in a manner compatible with surrounding land uses.
 - C. Maintain the rural character of the property.
 - D. Not create unreasonable impacts relating to traffic, noise, dust, glare, odors, or similar conditions.
 - E. Comply with any conditions imposed as part of the permit approval.
-

10-12-8 Outdoor Storage

Outdoor storage associated with a Rural Home Occupation may be permitted where:

- A. The storage area is reasonably screened from adjacent properties and public roads where practical;
 - B. The storage does not create a nuisance condition;
 - C. The storage remains subordinate to the principal use of the property; and
 - D. The storage complies with any permit conditions imposed by the Town.
-

10-12-9 Commercial Vehicles and Equipment

Commercial vehicles, trailers, agricultural equipment, and business-related equipment may be kept on-site in connection with a lawful Rural Home Occupation, provided such equipment does not create unreasonable impacts on neighboring properties.

The Town may establish conditions relating to location, screening, and operation.

10-12-10 Employees

Home Occupations may be conducted by residents of the property.

Rural Home Occupations may be permitted to employ non-resident employees subject to limitations established as part of the permit approval.

10-12-11 Customer and Client Visits

Customer and client visits may be permitted where such visits do not create unreasonable traffic, parking, or safety concerns.

The Town may impose reasonable limitations as part of a Rural Home Occupation Permit.

10-12-12 Signage

Signage associated with a Home Occupation or Rural Home Occupation shall comply with applicable sign regulations adopted by the Town.

Until sign regulations are adopted, signage shall remain modest in size and compatible with the character of the surrounding area.

10-12-13 Revocation

A Home Occupation or Rural Home Occupation that violates the provisions of this Chapter or any conditions of approval may be subject to enforcement action, including revocation of permits where applicable.

10-12-14 Compliance with Other Regulations

Home Occupations and Rural Home Occupations shall comply with all applicable federal, state, county, and local regulations.

10-12-15 Prohibited Uses

The following uses shall not be permitted as Home Occupations or Rural Home Occupations:

- A. Sexually oriented businesses.
 - B. Tobacco specialty businesses.
 - C. Electronic cigarette, vape, or nicotine specialty retailers.
 - D. Businesses involving activities prohibited by federal, state, or local law.
 - E. Other uses determined by the Town Council to be inconsistent with the purpose of this Chapter.
-

Chapter 10-13

Accessory Buildings and Structures

10-13-1 Purpose

The purpose of this Chapter is to establish standards for accessory buildings and structures that support residential, agricultural, and other lawful uses while preserving the rural character of Spring Lake.

Accessory buildings and structures are recognized as an important component of rural living and agricultural operations and are generally encouraged when designed and located in a manner compatible with surrounding properties.

10-13-2 Applicability

The provisions of this Chapter shall apply to all accessory buildings and structures unless otherwise specifically provided by this Title.

10-13-3 Permitted Accessory Buildings and Structures

Accessory buildings and structures may include:

- A. Detached garages.
 - B. Shops and workshops.
 - C. Barns.
 - D. Stables.
 - E. Equipment storage buildings.
 - F. Hay sheds.
 - G. Livestock shelters.
 - H. Greenhouses.
 - I. Riding arenas.
 - J. RV and boat storage buildings.
 - K. Storage sheds.
 - L. Similar structures customarily incidental to a lawful principal use.
-

10-13-4 Relationship to Principal Use

Except as otherwise authorized by this Title:

- A. An accessory building or structure shall be subordinate to the principal use of the property.

- B. An accessory building or structure shall not be used as an independent dwelling unit.
 - C. No accessory building shall be occupied as a residence except as specifically authorized under Chapter 10-14 (Accessory Dwelling Units).
-

10-13-5 Construction Prior to Principal Structure

A. Agricultural Buildings

Agricultural buildings and structures may be constructed prior to construction of a principal dwelling where associated with a bona fide agricultural use.

B. Other Accessory Structures

The Town may permit construction of other accessory structures prior to a principal dwelling where appropriate and consistent with the purposes of this Title.

10-13-6 Number of Accessory Structures

A property may contain multiple accessory buildings and structures provided:

- A. The structures remain subordinate to the principal use.
 - B. Applicable setback requirements are satisfied.
 - C. The structures do not create unreasonable impacts on neighboring properties.
 - D. The structures comply with applicable building and fire codes.
-

10-13-7 Setbacks

Unless otherwise provided by the underlying zoning district or approved through a development application:

- A. Accessory structures shall comply with the setback requirements applicable to the zoning district in which they are located.
 - B. Agricultural structures may be subject to alternative setback requirements established elsewhere in this Title.
-

10-13-8 Height Limits

A. Residential Accessory Structures

The maximum height of residential accessory structures shall be thirty-five (35) feet.

B. Agricultural Structures

Barns, riding arenas, agricultural storage buildings, and similar agricultural structures may have a maximum height of fifty (50) feet.

C. Exceptions

The Town may approve additional height where reasonably necessary for agricultural operations and where surrounding properties will not be adversely impacted.

10-13-9 Building Size

No maximum floor area shall apply to accessory buildings and structures, provided:

- A. The structure remains subordinate to the principal use of the property.
 - B. The structure complies with applicable setback requirements.
 - C. The structure complies with applicable building and fire codes.
 - D. The structure does not create unreasonable impacts on neighboring properties.
-

10-13-10 Utilities

Accessory structures may contain utilities, including electrical, water, and plumbing systems, subject to applicable building code requirements.

The presence of utilities shall not convert an accessory structure into a dwelling unit.

10-13-11 Agricultural Structures

Agricultural structures used in connection with lawful agricultural operations shall be permitted in districts where agricultural uses are authorized.

The Town recognizes that agricultural structures may differ in design, size, and function from residential accessory structures.

10-13-12 Commercial and Industrial Accessory Structures

Accessory structures associated with commercial or industrial uses shall be permitted where accessory to a lawful principal use and consistent with applicable zoning district requirements.

10-13-13 Maintenance

Accessory structures shall be maintained in a safe and structurally sound condition.

Structures that become unsafe, abandoned, or hazardous may be subject to enforcement action pursuant to applicable provisions of this Code.

10-13-14 Compliance with Other Regulations

Accessory structures shall comply with:

- A. Applicable zoning district requirements.
 - B. Building regulations.
 - C. Fire code requirements.
 - D. Agricultural use standards.
 - E. Other applicable provisions of this Code.
-

Chapter 10-14

Accessory Dwelling Units (ADUs)

10-14-1 Purpose

The purpose of this Chapter is to establish standards for Accessory Dwelling Units (ADUs) that:

- A. Provide additional housing opportunities within the Town.
- B. Support multigenerational families.
- C. Accommodate aging parents, adult children, caregivers, and similar family needs.
- D. Preserve the rural and residential character of Spring Lake.

- E. Ensure compatibility with surrounding properties.
 - F. Comply with applicable state law.
-

10-14-2 Applicability

Accessory Dwelling Units may be permitted in zoning districts where residential dwellings are authorized, subject to the requirements of this Chapter and applicable state law.

10-14-3 Types of ADUs

Accessory Dwelling Units may include:

A. Internal ADU

An ADU located entirely within a principal dwelling.

B. Attached ADU

An ADU physically connected to the principal dwelling.

C. Detached ADU

An ADU located within a separate accessory structure on the same lot as the principal dwelling.

10-14-4 General Requirements

An ADU shall:

- A. Be subordinate to the principal dwelling.
 - B. Be located on the same lot as the principal dwelling.
 - C. Contain independent living facilities.
 - D. Comply with applicable building, fire, health, and safety requirements.
 - E. Remain accessory to the principal residential use of the property.
-

10-14-5 Permitted Districts

ADUs may be permitted within:

- A. Agricultural Residential (AR) District.
 - B. Residential Cluster (RC) District.
 - C. Other residential districts that may be established by the Town.
-

10-14-6 Detached ADUs

Detached ADUs may be permitted within a lawful accessory structure or within a structure specifically constructed for use as an ADU.

Detached ADUs shall:

- A. Remain subordinate to the principal dwelling.
 - B. Comply with applicable setback requirements.
 - C. Comply with applicable building code requirements.
 - D. Not create an additional lot or subdivision.
-

10-14-7 Utilities

ADUs may utilize shared or separate utility connections as permitted by applicable regulations and utility providers.

Nothing in this Chapter shall require the Town to provide utility services.

10-14-8 Parking

The Town may require reasonable parking accommodations where necessary to address safety or access concerns.

Parking requirements shall be administered in a manner consistent with applicable state law.

10-14-9 Ownership

An ADU shall not create a separate ownership interest from the principal dwelling unless expressly authorized by applicable law.

10-14-10 Rental and Occupancy

ADUs may be occupied by family members, caregivers, tenants, or other lawful occupants.

The Town may establish reasonable occupancy standards consistent with applicable state law.

10-14-11 Short-Term Rentals

An ADU shall not be used as a short-term rental unless otherwise authorized by the Town and permitted under applicable law.

10-14-12 Building Permit Required

Construction, conversion, or establishment of an ADU shall require all permits required by applicable law.

10-14-13 Compliance with State Law

If any provision of this Chapter conflicts with applicable state law governing ADUs, the provisions of state law shall control.

The Town intends that this Chapter be interpreted and administered consistent with applicable state law.

10-14-14 Compliance with Other Regulations

ADUs shall comply with:

- A. Applicable zoning district requirements.
- B. Building regulations.
- C. Fire code requirements.
- D. Health and safety regulations.
- E. Other applicable provisions of this Code.

Chapter 10-15

Nonconforming Lots, Structures, and Uses

10-15-1 Purpose

The purpose of this Chapter is to establish standards for the continuation, maintenance, repair, reconstruction, enlargement, and regulation of legally established lots, structures, and uses that do not conform to subsequently adopted land use regulations.

It is the intent of this Chapter to:

- A. Protect vested property rights;
- B. Provide reasonable flexibility for property owners;
- C. Promote orderly implementation of this Title;
- D. Comply with applicable Utah law; and
- E. Reduce uncertainty regarding nonconforming situations.

10-15-2 Applicability

This Chapter applies to any lot, structure, or use that was lawfully established but does not conform to one or more requirements of this Title due to the adoption or amendment of land use regulations.

10-15-3 Nonconforming Lots

A. Continuation

A lawfully created lot that does not comply with current lot area, width, frontage, access, or dimensional requirements may continue to be used.

B. Development

A lawful nonconforming lot may be developed with uses otherwise permitted within the applicable zoning district, provided applicable health, safety, building, septic, access, and utility requirements can be satisfied.

C. No Further Reduction

A nonconforming lot shall not be reduced in size or dimension in a manner that increases the degree of nonconformity.

10-15-4 Nonconforming Structures

A. Continuation

A lawful structure that does not comply with current setback, height, lot coverage, location, or other dimensional requirements may continue to exist.

B. Maintenance and Repair

Routine maintenance, repair, remodeling, replacement of building components, and improvements that do not increase the degree of nonconformity shall be permitted.

C. Expansion

Expansion of a nonconforming structure may be permitted provided the expansion does not increase the existing nonconformity or create a new nonconformity.

D. Compliance

Any portion of a structure being expanded shall comply with applicable provisions of this Title unless otherwise authorized by law.

10-15-5 Nonconforming Uses

A. Continuation

A lawful use that does not conform to current zoning regulations may continue.

B. Ordinary Maintenance

Ordinary maintenance, repair, and replacement of equipment associated with a lawful nonconforming use shall be permitted.

C. Enlargement

A nonconforming use shall not be enlarged, expanded, intensified, or extended onto additional property unless authorized by applicable law.

D. Change of Use

A nonconforming use that is replaced by a conforming use shall not thereafter revert to the prior nonconforming use.

10-15-6 Reconstruction Following Damage or Destruction

A. General Rule

A lawful nonconforming structure or use damaged or destroyed by fire, flood, wind, earthquake, accident, or similar event may be repaired, restored, or reconstructed in accordance with applicable Utah law.

B. Building Codes

Any reconstruction shall comply with applicable building, fire, health, and safety regulations.

10-15-7 Abandonment or Discontinuance

A. Intent

A nonconforming use may lose its protected status if abandoned or discontinued.

B. Determination

The Town may consider evidence including:

1. Intent to abandon;
2. Removal of equipment or facilities;
3. Discontinuance of operations;
4. Utility disconnections;
5. Vacancy;
6. Other relevant evidence.

C. Effect

A nonconforming use determined to have been abandoned shall not be reestablished except in compliance with current regulations.

10-15-8 Public Health and Safety

Nothing in this Chapter shall prevent the Town from enforcing:

- A. Building codes;
 - B. Fire codes;
 - C. Health regulations;
 - D. Nuisance regulations;
 - E. Public safety requirements; or
 - F. Other lawful regulations adopted for the protection of public health, safety, and welfare.
-

10-15-9 Burden of Proof

The property owner shall bear the burden of demonstrating that a claimed nonconforming lot, structure, or use was lawfully established.

Evidence may include permits, approvals, tax records, utility records, aerial photography, deeds, plats, business records, or other reliable documentation.

10-15-10 Interpretation

Questions regarding the interpretation or application of this Chapter shall be determined by the Land Use Authority, subject to applicable appeal procedures.

Chapter 10-16

Supplemental Development Standards

10-16-1 Purpose

The purpose of this Chapter is to establish development standards that apply across multiple zoning districts and land uses within the Town.

These standards are intended to:

- A. Protect public health, safety, and welfare.

- B. Promote compatibility among neighboring properties.
 - C. Preserve the rural character of Spring Lake.
 - D. Implement the goals and policies of the Spring Lake General Plan.
 - E. Provide flexibility while preventing unreasonable impacts.
-

10-16-2 Applicability

The standards of this Chapter shall apply where specifically referenced by this Title or where otherwise applicable.

10-16-3 Fencing

A. Agricultural Fencing

Agricultural fencing shall be permitted in conjunction with agricultural uses.

B. Residential Fencing

Residential fencing shall be permitted as an accessory structure.

C. Safety

Fencing shall not create hazards to public roads, intersections, utilities, or drainage facilities.

D. Irrigation Facilities

Fencing shall not unreasonably interfere with existing irrigation infrastructure.

10-16-4 Outdoor Lighting

A. Purpose

Outdoor lighting should provide safety and security while minimizing unnecessary glare and preserving the rural nighttime character of the Town.

B. Shielding

Where practical, outdoor lighting should be directed downward and away from neighboring properties.

C. Glare

Lighting shall not create unreasonable glare onto adjacent properties or public roads.

D. Agricultural Operations

Agricultural lighting reasonably associated with lawful agricultural activities shall be permitted.

10-16-5 Outdoor Storage and Property Maintenance

A. General Standard

Properties shall be maintained in a manner that does not create unreasonable threats to public health or safety.

B. Allowed Rural Storage

Nothing in this Chapter shall prohibit the outdoor storage of agricultural equipment, agricultural supplies, trailers, irrigation materials, firewood, construction materials associated with active projects, or similar items customarily associated with rural residential and agricultural uses.

C. Nuisance Conditions

The long-term accumulation of abandoned materials, refuse, discarded equipment, junk, abandoned vehicles or similar materials may constitute a violation of this Chapter.

D. Agricultural Activities

Normal agricultural operations shall not be considered a nuisance solely because they involve agricultural equipment, supplies, materials, livestock facilities, or similar agricultural uses.

10-16-6 Inoperable Vehicles

A. General Standard

The long-term accumulation of abandoned, dismantled, wrecked, or discarded vehicles may be prohibited where such vehicles create a nuisance condition, health hazard, safety hazard, or visual blight.

B. Exemptions

This Section shall not prohibit:

1. Agricultural vehicles and equipment;
 2. Vehicles associated with lawful agricultural operations;
 3. Vehicles associated with lawful commercial or industrial uses;
 4. Restoration projects actively being repaired or restored; or
 5. Similar lawful activities approved by the Town.
-

10-16-7 Parking

A. General Requirement

Development shall provide adequate parking for anticipated uses.

B. Rural Character

Parking requirements shall be administered in a manner that recognizes the rural character of the Town.

C. Agricultural Uses

Agricultural uses shall not be required to provide formal paved parking areas unless specifically required by the Town due to unique circumstances.

10-16-8 Screening and Buffers

A. Purpose

Screening and buffering may be required where necessary to reduce conflicts between differing land uses.

B. Applicability

Screening and buffering requirements may be applied to:

1. Commercial uses;
2. Light Industrial uses;
3. Outdoor storage areas;
4. Similar uses that may create impacts on neighboring properties.

C. Flexibility

The Town may approve a variety of screening methods, including landscaping, fencing, berms, buildings, or other measures.

10-16-9 Mechanical Equipment

Mechanical equipment shall be located and maintained in a manner that minimizes unreasonable noise and visual impacts on neighboring properties.

10-16-10 Drainage

Development shall not create unreasonable drainage impacts upon neighboring properties, public roads, irrigation facilities, or public infrastructure.

The Town may require information reasonably necessary to evaluate drainage impacts.

10-16-11 Irrigation Facilities

Existing irrigation canals, ditches, laterals, pipelines, and related facilities are recognized as important community assets.

Development shall avoid unreasonable interference with existing irrigation infrastructure.

The Town may require easements or other measures necessary to preserve irrigation facilities.

10-16-12 Enforcement

Violations of this Chapter may be enforced pursuant to applicable provisions of the Spring Lake Municipal Code.

The Town may seek compliance through administrative, civil, or other remedies authorized by law.

10-16-13 Fire Protection

A. Compliance Required

All development shall comply with applicable fire protection requirements established by the adopted Fire Code and the Town's designated Fire Authority.

B. Coordination

Applicants for subdivisions, commercial development, industrial development, and other projects requiring land use approval shall coordinate with the applicable Fire Authority regarding fire access, emergency response, fire flow, hydrants, water supply, and other fire protection requirements.

C. Water Service Areas

Where a public or community water system is available and capable of providing adequate fire flow, fire hydrants may be required in locations and at spacing determined by the applicable Fire Authority.

D. Areas Without Water Service

Where a public or community water system is not available, the applicable Fire Authority may approve or require alternative fire protection measures consistent with applicable codes and standards.

E. No Guaranteed Water Service

Nothing in this Title shall be interpreted to require extension of a public or community water system where such service is not otherwise available.

10-16-14 Relationship to Other Regulations

Compliance with this Chapter shall not relieve any person from compliance with any other applicable federal, state, county, or local regulation.

Chapter 10-17

Subdivision Regulations

10-17-1 Purpose

The purpose of this Chapter is to establish procedures and standards for the division of land within the Town of Spring Lake.

This Chapter is intended to:

- A. Promote orderly development.
 - B. Protect public health, safety, and welfare.
 - C. Implement the Spring Lake General Plan.
 - D. Ensure adequate access to lots and development sites.
 - E. Preserve rural character and agricultural opportunities.
 - F. Support open space preservation.
 - G. Coordinate development with available infrastructure and public services.
-

10-17-2 Applicability

No person shall subdivide land within the Town except in compliance with this Chapter and all other applicable provisions of the Spring Lake Municipal Code.

10-17-3 Types of Subdivisions

For purposes of this Chapter, subdivisions shall be classified as:

A. Minor Subdivision

A subdivision creating four (4) or fewer lots.

B. Major Subdivision

A subdivision creating five (5) or more lots.

C. Residential Cluster Subdivision

Any subdivision utilizing the Residential Cluster (RC) District development option.

10-17-4 General Compliance

All subdivisions shall comply with:

- A. Applicable zoning district requirements.
- B. Dimensional standards.

- C. Access requirements.
 - D. Open space preservation requirements.
 - E. Conservation easement requirements.
 - F. Applicable state law.
-

10-17-5 Pre-Application Meeting

Prior to submission of a major subdivision or Residential Cluster subdivision application, the applicant may request a pre-application meeting with Town staff or the Town's designated representative.

The purpose of the meeting shall be to identify potential issues and review applicable requirements.

10-17-6 Application Requirements

Applications shall include:

- A. Completed application forms.
 - B. Applicable fees.
 - C. Legal descriptions.
 - D. Ownership information.
 - E. Proposed plat.
 - F. Utility information.
 - G. Access information.
 - H. Open space documentation where applicable.
 - I. Other information reasonably necessary for review.
-

10-17-7 Review Authority

Minor Subdivisions

Minor subdivisions may be reviewed and approved administratively if all requirements are satisfied.

Major Subdivisions

Major subdivisions shall require Planning Commission review.

Residential Cluster Subdivisions

Residential Cluster subdivisions shall require Planning Commission review.

10-17-8 Access Requirements

A. General Requirement

All lots shall have legal and practical access.

B. Public Roads

Access shall generally be provided from public roads.

C. Private Roads

Private roads may be permitted where approved by the Town and where adequate maintenance and access provisions are established.

D. Emergency Access

All development shall provide access adequate for emergency services.

10-17-9 Flag Lots and Access Lots

Flag lots may be approved where necessary to provide reasonable development opportunities for parcels with limited frontage, unusual configurations, or historical agricultural parcel patterns.

Flag lots shall comply with Chapter 10-9 and all applicable zoning district standards.

The Town may impose conditions reasonably necessary to ensure safe access, utility service, and compatibility with surrounding development.

10-17-10 Residential Cluster Subdivisions

Residential Cluster subdivisions shall comply with:

- A. Chapter 10-5 Residential Cluster District.
 - B. Chapter 10-10 Conservation Easement Standards.
 - C. Chapter 10-11 Open Space Preservation Standards.
 - D. Any approved open space management plan.
-

10-17-11 Open Space Requirements

Where open space is required:

- A. Open space shall be identified on subdivision plats.
 - B. Ownership shall be clearly established.
 - C. Conservation easements shall be recorded prior to final approval.
 - D. Maintenance responsibilities shall be documented.
-

10-17-12 Utilities

Subdivision applications shall identify proposed utility services.

The Town may require reasonable utility improvements necessary to serve the development.

Nothing in this Chapter shall require the Town to provide utility services.

10-17-13 Road Standards

Roads shall be designed to provide safe and practical access.

The Town may adopt separate engineering standards establishing specific design requirements for public and private roads.

Until such standards are adopted, roads shall be reviewed for adequacy based upon the anticipated use, traffic generation, emergency access needs, and applicable professional engineering recommendations.

10-17-14 Drainage

Development shall be designed to avoid creating unreasonable drainage impacts on neighboring properties, roads, or public facilities.

The Town may require drainage information reasonably necessary to evaluate potential impacts.

10-17-15 Conditions of Approval

The Town may impose reasonable conditions necessary to ensure compliance with:

- A. This Chapter.
 - B. The General Plan.
 - C. Applicable zoning regulations.
 - D. Public health and safety requirements.
-

10-17-16 Recording

No subdivision approval shall be effective until the final plat is recorded in accordance with applicable state law.

10-17-17 Expiration

Subdivision approvals shall expire if final recording has not occurred within the time period established by Town approval, unless an extension is granted.

10-17-18 Appeals

Appeals of subdivision decisions shall be governed by the procedures established elsewhere in this Title.

10-17-19 Relationship to State Law

This Chapter shall be interpreted and applied consistent with applicable provisions of Utah law governing subdivision regulation.

10-17-20 Preliminary Subdivision Application Review

A. Review Authority. The Planning Commission shall, in accordance with this section, review a preliminary subdivision application submitted by the applicant.

B. Application Materials. A preliminary subdivision application shall include:

1. the applicant's affidavit of its controlling ownership interest in the property to be subdivided;
2. an electronic copy of all plans in PDF format;
3. a plat complaint with City Ordinance requirements;
4. payment of all application fees; and
5. subdivision improvement plans.

C. Public Meeting Allowed. The Planning Commission will review the application in a public meeting.

D. Timing. No later than thirty (30) business days after the applicant submits a complete preliminary subdivision application, the Planning Commission shall approve or deny the application or impose additional requirements consistent with the Town's ordinances. This deadline may be extended for good cause or to comply with the timing provisions of this Ordinance. If the Planning Commission fails to respond by the deadline, the application is automatically denied.

E. Additional Requirements. The Planning Commission may impose additional requirements or require application modifications is necessary to comply with the requirements of this Title.

F. Scope of Review; Approval. The Planning Commission shall approve a preliminary subdivision application in writing on the plat if:

1. the application and all associated materials comply with this Title and all applicable Town, State, and federal laws;
2. the plat has been approved by the culinary water authority and sanitary sewer authority serving the property to be subdivided;
3. any additional requirements or required modifications imposed have been addressed by the applicant and confirmed by the Planning Commission; and
4. when required by the Planning Commission:

- a. the plat has been approved by the local health department, fire authority, and/or public safety provider; and
- b. the applicant has provided the Planning Commission with a tax clearance document for the platted property.

10-17-21 Final Subdivision Application Review

A. Review Authority. The Town's development staff shall, in accordance with this section, review a final subdivision application submitted by the applicant following approval of a preliminary subdivision application.

B. Application Materials. A final subdivision application shall include an approved preliminary subdivision application and all associated materials, including a plat compliant with this Title and any required subdivision improvement plans.

C. Timing. No later than forty (40) business days after the applicant submits a complete final subdivision application, the Town shall approve or deny the application per Subsection (D). This deadline may be extended for good cause or to comply with the timing provisions of this Ordinance. If the Town fails to respond by the deadline, the application is automatically denied.

D. Scope of Review; Approval. The Town shall approve a final subdivision application in writing on the plat if:

1. the prerequisite preliminary subdivision application has been approved by the Planning Commission in accordance with this Ordinance and other applicable laws;
2. the final subdivision application and all associated materials comply with this Title and all applicable Town, State, and federal laws;
3. any additional requirements or required modifications imposed this Title have been addressed by the applicant and confirmed by the Town; and
4. when required by the Town, the applicant has provided the Town with a tax clearance document for the platted property.

10-17-22 Post-Approval Provisions

A. Recordation; Voidability.

1. If the Town approves a final subdivision application, the applicant shall record the plat with the county recorder in accordance with State law, including Utah Code §§ [10-20-803](#) and [10-20-804](#) (as amended), and Subsection C. Otherwise, the plat is void.

2. If the applicant fails to properly record the plat within ten (10) days after approval, the plat is voidable by the Town.
3. A transfer of land pursuant to a void plat is voidable by the Town.

B. Emergency Service Database. Within 30 days after approving a final subdivision application, the Town shall—for inclusion in the unified statewide 911 emergency service database described in [Utah Code § 63H-7a-304](#)—submit to the Utah Geospatial Resource Center an electronic copy of the approved final plat or preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.

C. Development, Recording Conditions – Public Improvements.

1. **Installation; Completion Assurances.** Before recording or developing a subdivided plat, the applicant must install any public landscaping improvements or infrastructure improvements required by the Town or provide the Town with a completion assurance agreement and bond approval by Town, in the form of a cash deposit, an escrow deposit or a letter of credit.
2. **Inspection; Acceptance.** The Town shall inspect and approve or deny required improvements in accordance with inspection standards developed by the Town.
3. **Completed Improvements.** Upon completion of a required improvement, the Town must return to the applicant the assurance posted for the improvement, including any earned interest. The Town may not withhold a completed improvement's assurance for the applicant's failure to complete a separate improvement.
4. **Building Permits.** Subject to [Utah Code § 10-20-1001](#) (as amended), the Town shall issue or deny a building permit based on whether the applicant has installed the required improvements but may not require the submission of a private landscaping plan as part of an application for a building permit.

D. Public Dedication. Per [Utah Code § 10-20-810](#) (as amended), a plat signed, dedicated, and acknowledged by each owner of record, and approved according to the procedures specified in this Ordinance, operates, when recorded, as a dedication of all public streets and other public places, and vests the fee of those parcels of land in the Town for the public for the uses named or intended in the plat. This dedication does not impose liability upon the Town for public streets and other public places that are dedicated in this manner but are unimproved unless adequate financial assurance has been provided in accordance with this section and the Town has accepted the dedication.

E. Amendment; Vacation. Subject to the requirements of this subsection, the applicant may request amendment of an approved subdivision—including its vacation—by filing with the Town a subdivision amendment petition.

1. **Petition Requirements.** A subdivision amendment petition must:
 - a. be in writing;
 - b. provide an amended plat prepared in accordance with [Utah Code § 10-20-811\(5\)](#) (as amended) that depicts the portion of the subdivision to be amended;
 - c. include a plat name distinguishing the amended plat from the original plat;
 - d. describe with reasonable specificity the differences between the amended plat and the original plat;
 - e. include references to the original plat; and
 - f. provide the name, address, and written consent of each owner of the land affected by the petition.
2. **Notice.** Upon receiving a subdivision amendment petition, the Town shall provide all property service providers and recorded owners of the affected land with notice of the petition and at least 10 days to submit written objections.
3. **Objections; Public Hearing.** If written objections are submitted per Subsection (E)(2) and the exceptions of [Utah Code § 10-20-811\(2\)](#) (as amended) do not apply, the Planning Commission shall hold a public hearing to review the petition within 45 days after the petition is filed but not before the submission deadline has expired.
4. **Scope of Review; Approval.** The Planning Commission may approve a subdivision amendment petition for good cause if no public street or municipal utility easement is consequently vacated or otherwise amended. If approved, the Town shall sign the amended plat.
5. **Recordation.** If the Planning Commission approves a subdivision amendment petition and signs the amended plat, the applicant shall file the amended plat with the county recorder. The amended plat must be signed, acknowledged, and dedicated by each recorded owner before recordation.
6. **Minor Amendments.** Per [Utah Code § 57-3-106\(9\)](#) (as amended), notwithstanding the requirements of this section, minor typographical or clerical errors in a recorded plat may be corrected via affidavit or another appropriate instrument filed with the county recorder.

7. **Legislative Vacation.** Per [Utah Code § 10-20-812\(3\)\(a\)](#), the Town Council may vacate a subdivision or portion of such by filing with the county record an ordinance describing the vacated subdivision or portion thereof.
8. **Public Streets; Municipal Utility Easements.** Petitions to amend a public street or municipal utility easements are subject to [Utah Code § 10-20-813](#) (as amended). This includes preserving any utility easements held by culinary water authorities or sanitary sewer authorities serving the subdivision.

F. The provisions of this section do not supersede a valid development agreement, an adopted phasing plan, or the State construction code.