

SPRING CITY SUMMARY OF PROPOSED MUNICIPAL CODE CHANGES

March, 2023

Modifications have been proposed to Titles 3, 9, 10 and 11 of the Spring City, Utah Municipal Code, and drafts of the proposed modifications can be found on the Spring City Website. A public hearing regarding the proposed changes is scheduled to be held on April 6, 2023. The changes have been proposed and reviewed by Todd Godfrey, an attorney who works with the Utah League of Cities and Towns, and has been engaged to assist Spring City in a review of Code changes.

Many of the proposed modifications reflect wording changes suggested by our legal counsel to clarify processes, correct errors or remove ambiguities. Some of the more specific or substantive changes are summarized below.

One of the motivations for the changes is to make sure the role of our Planning and Zoning Commission (“P&Z”) is consistent with that contemplated by the Utah Code.

Residents are invited to review the proposed modifications, and the following summary is qualified by reference to the actual amendments.

Title 3: Business and License Regulations

P&Z will continue reviewing the land use aspect of business licenses, to make sure the uses meet the applicable zoning code provisions. That means they will confirm that the intended use is allowed in the zone in which the business is located, and that the location and dimensions of involved structures are appropriate under the zoning regulations, and that the use has sufficient parking and that the utility connections are as contemplated by the City’s ordinances. For home based businesses, the State law now provides that the City can require a permit, but can’t charge a fee for the permit unless the impacts of the business exceed the impacts of the use of the property as a home. We expect that P&Z review of home based business licenses will be less than it has been.

With respect to home business licenses, neighbor responses will still be invited, with respect to licenses as to which the City may charge a fee, but references to neighbor ability to approve or reject a license application are being removed. The right to charge a fee for home-based business licenses will now be limited, to be consistent with new State law, as referenced above.

The home business application process is being modified to establish whether the business impacts would exceed the impacts of the residential use of the property. If the business will not create additional impacts, with the result that the City is not able to charge a fee, then the licensing process will be simplified, and the resident input step will not be required.

Title 9: Building Regulations

Language has been added to help residents understand what projects do not require building permits. Also the penalty for violations has been specified – at \$200.

Title 10: Zoning Regulations

This title is being amended to address new State requirements with respect to internal guesthouses, and to coordinate with requirements regarding detached guesthouses.

The new Code language clarifies that a resident may have either an internal guesthouse or a detached guesthouse on a lot, but may not have or rent both. The right to establish internal guesthouses was provided for in recent State legislation, but such guesthouses will be subject to existing requirements regarding construction and inspection.

At the recommendation of our legal counsel, a provision was added to address situations where adequate public facilities are not in place to support specific development projects, so that actions can be taken to assure that adequate public facilities will be available at the time of occupancy.

The responsibility for granting zoning permits is being shifted from P&Z to the City's Zoning Administrator. P&Z will still address land use issues relating to permits that are identified by the Zoning Administrator, such as set-backs and building heights. P&Z will also continue to handle land use applications, such as those involving zoning changes, subdivisions, conditional uses and site plans for commercial uses. We understand that additional changes to the Utah Code impacting this area of municipal action are being considered by the Utah legislature, so more changes may be coming to this part of our Municipal Code.

Language is being added to address application requirements where the project is located in the buffer zone and is requesting utility connections from Spring City.

Site plan requirements are being modified to clarify what is or may be required, including a survey or other proof of property lines where they are not otherwise readily determinable.

Terminology relating to accessory structures is being modified to provide additional clarity.

Language is also being added with respect to Conditional Uses, to establish and clarify restrictions on storage and placement of recreational vehicles on City lots. Permit requirements for RV storage/location have been added, including short and longer term storage/placement. Penalties for non-compliance with the permit requirements are being added.

Title 10, as revised, will limit RV occupancy to 12 months when building a house and to no more than 30 days for use as short term accommodations for guests, family reunions, holiday visitors and similar uses.

Legal lots of 0.45 acres or less (“Small Lots”) are allowed some relief on setback requirements for accessory buildings. Some of those lower setback requirements will increase, based on the height of the proposed accessory structure.

The description of the light commercial zone is being clarified on the recommendation of our legal counsel.

Upon the recommendation of our legal counsel, the requirement that lot splits receive the written approval of a majority of the adjacent residential property owners has been eliminated.

Language is being added to the Location Requirements applicable to the light commercial zone, to clarify setback requirements for primary and accessory structures.

Definitions are being added for internal and exterior guesthouses, as well as language regarding conditions applicable to their construction, use and rental.

Title 11: Subdivision Regulations

The description of the “Buffer Zone” is being amended to cover how its usage by the County has changed.

The definition of a “Subdivision” is also being amended to address full-sized lots that have been previously combined and divided.

The provisions regarding process and approval of subdivisions are being updated to address shifting boundary line situations, and to permit the consolidation of any one or more of the required steps to achieve a subdivision.

The requirement for a public hearing on subdivisions is being adjusted to make it optional.