

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

WHEREAS, the Spring City Planning and Zoning Commission (“P&Z”) has considered needs to revise provisions in Title 10 of the Spring City Code, relating to Zoning Regulations, as it has dealt with various zoning issues over time;

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

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

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

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

SECTION 1: Amendment of Section 10-1-2 -- Purpose and Intent. Section 10-1-2 of the Spring City Municipal Code, titled “Purpose and Intent” is hereby amended to read in its entirety as follows, with new language added, and some existing language stricken, as indicated below:

10-1-2 PURPOSE AND INTENT

This title and the regulations and restrictions contained therein are adopted and enacted for the purpose of promoting the health, safety, convenience and general welfare of present and future inhabitants of the city. Regulations set forth herein shall be construed to further the purposes of this title; and:

- A. To encourage and facilitate the orderly growth and development of the city;
- B. To secure economy in city expenditures, to make adequate provisions for streets, water, parks and related public facilities and services;

- C. To increase the security and enjoyment of life and preserve and create a favorable environment for the citizens and visitors of the city;
- D. To secure public safety;
- E. To stabilize and improve property values;
- F. To enhance the ~~economic and political well-being~~ general welfare of the inhabitants of the city;
- G. To promote the development of a wholesome, serviceable and attractive city through orderly and optimal use of resources;
- H. To encourage preservation of the city's historical heritage;
- I. To conform with applicable state building regulations and to provisions of federally subsidized flood insurance as authorized by the national flood insurance act of 1968.

SECTION 2: Amendment of Definition of “Guesthouse” as found at Section 10-1-3. The definition of “Guesthouse” found at Section 10-1-3 is hereby amended to provide for separate definitions of “Guesthouse, Detached” and “Guesthouse, Internal,” with such definitions to read in their entirety as follows, with new language added, as set forth below:

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

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

SECTION 3: Adoption of Section 10-1-3.5 – Unavailability of Adequate Public Facilities. A new Section 10-1-3.5, relating to the Unavailability of Adequate Public Facilities, is hereby adopted and codified to read in its entirety as follows:

10-1-3.5 UNAVAILABILITY OF ADEQUATE PUBLIC FACILITIES

- A. In the event that the city engineer determines that adequate public facilities are not available and will not be available by the time of development approval for any land use application, so as to assure that adequate public services are available at the time of occupancy, the following alternatives may be elected, at the discretion of the city council:
1. Allowing the developer to voluntarily construct those public facilities which are necessary to service the proposed development and provide adequate facilities as determined by the city engineer, and by entering into an appropriate development agreement and/or reimbursement agreement consistent with the provisions of this code, which may include, as deemed appropriate by the city engineer, provisions for the recoupment of any expenses incurred above and beyond those reasonably necessary for or related to the need created by or the benefit conferred upon the proposed development, and the method and conditions upon which recoupment is to be obtained.
 2. Requiring the timing, sequencing and phasing of the proposed development, consistent with the availability of adequate public facilities.
 3. Denying approval and allowing the applicant to reapply when adequate public facilities are available.

SECTION 4: Amendment of Section 10-1-4 – Zoning Permit Required.
Section 10-1-4, titled “Zoning Permit Required” is hereby amended to read in its entirety as follows, with new language added, as indicated below:

10-1-4 ZONING PERMIT REQUIRED

In addition to the requirements of Section 9-1-3 of the Code relating to Building Permits, n~~No~~ person shall commence the erection, construction or building of any structure, building or edifice, nor add to, enlarge, alter, convert or extend any building or structure (minor repairs excepted, see Part D) within the city, nor shall any person demolish any historic or major structure (see SCMC 10-1-3, "Definitions") without first obtaining a zoning permit from the city, ~~thus notifying the city of their intent to do so.~~

- A. ~~The city zoning administrator shall review applications for zoning permits. Review may be conducted concurrent with the review of building permit applications by the County. Review by the City shall assure that the proposed use is consistent with the zoning of the property and the placement of structures and improvements are consistent with the ordinances of the city. Application fees shall be paid before a zoning permit is issued and shall be in an amount set by the city council. Rules and regulations for zoning permit approval shall be set forth by policy or resolution for the approval of a zoning permit to expedite the request for the building or changes to the property so as not to deter or limit the citizen or person requesting the approval of a zoning permit. If there is no policy or resolution in place the zoning permit must be approved by the planning and zoning commission, the zoning administrator, and city council. Payment in advance for permit and inspection fees established by resolution of the city council must be made before a zoning permit can be purchased from the city office.~~
- B. In the case of a zoning permit within the historic district, the permit must also be reviewed by the historic preservation subcommittee so they can give advice and counsel upon matters concerning historic style and preservation as well as available historic grants (see SCMC 10-6, article H). Note: Although some changes may not require a zoning permit, when the property falls within the historic district it would be a good idea for owner to consult with the historic preservation subcommittee as a matter of course so that the subcommittee can advise on matters of historic preservation.
- C. Payment in advance for permit and inspection fees established by the city council must be made before a building permit can be ~~purchased~~ issued from the county building inspector's office.
- D. Provisions of this section shall not ordinarily apply to nominal changes or minor repairs necessary for normal maintenance of the property such as roof or siding repairs, replacing of windows, minor interior changes, painting, minor landscape changes, etc. Renovation and remodeling work requiring Planning and Zoning Commission review includes electrical, mechanical plumbing and framing work. (Note: Although some changes may not require a zoning permit, when property falls within the historic district the owner may want to consult with the historic preservation subcommittee concerning matters of historic style and preservation.) Should there be issues or questions, the zoning administrator shall determine whether or not a project is to be regarded as nominal or normal maintenance. If it is determined that the project is normal maintenance, no

zoning permit will be required. For accessory structures under two hundred (200) square feet without services, a zoning permit is required but the fee is waived. The permit is required to ensure that such structures comply with existing setback ordinances as described in SCMC 10-6A-6.

- E. All issued permits shall expire if construction is not commenced within ninety (90) days and are invalid one (1) year after the date of issuance.
- F. A buffer zone exists around the perimeter of Spring City. This Buffer Zone extends one-half (1/2) mile from the municipal boundary. Zoning permit applications in the Buffer Zone must be reviewed by the Spring City Planning and Zoning Commission and submitted for review and approval by Sanpete County. A Spring City Buffer Zone permit application ~~will require the same~~ ~~includes the same required~~ information as found in the Spring City Zoning Permit Application. Applications including requests for connections to Spring City utilities, including culinary water, sewer and/or power will be reviewed by either or both of the City and the City's consulting engineers. All direct and indirect costs to review and provide services shall be borne by the applicant. Buffer zone properties recorded by the Sanpete County, Utah Recorder's Office on or before January 1, 2018 and 1.0 acres or larger are not required to have a minimum of 200 feet of frontage along a public street or road. All other provisions of the SCMC apply.

SECTION 5: Amendment of Section 10-1-7 -- "Site Plan Required". Section 10-1-7, titled "Site Plan Required" is hereby amended to read in its entirety as follows, with new language added, as indicated below:

10-1-7 SITE PLAN REQUIRED

A detailed site plan, drawn to scale, and a copy of any plat map relating to the application, shall be filed with the zoning administrator, as part of any application for a zoning permit. The site plan shall show, where pertinent:

- A. Scale and north arrow.
- B. Lot lines and dimensions.
- C. Adjacent streets, roads, rights of way and easements.
- D. Location of existing structures on subject property and adjoining properties, drawn to approximate scale, including utility poles and fences.
- E. Location of proposed construction and improvement, including landscape elements, with setback dimensions from the property lines on all sides.
- F. Motor vehicle access, including parking stalls and sidewalk location.

- G. Necessary explanatory notes.
- H. Name, address and telephone number of builder and owner.
- I. A set of drawings blueprints is required for structures over two hundred one (201) square feet. Proposed construction which includes a basement, root cellar or similar below-grade construction is required to excavate to the full design depth. Basement walls shall extend no greater than 1-foot (12 inches) above the original grade at the highest point next to the foundation location. All below grade excavation shall be inspected by the City before the footing formwork is placed. A proposed construction plan which includes a connection to the City sewer system must be reviewed by a City utility services employee to verify the applicant's sewer plumbing design and the elevation of projected connection at the City sewer system connection. This design review must be completed and reviewed by the Zoning Administrator before a zoning permit will be issued.
- J. In situations where the boundaries of a lot are not clearly delineated, the zoning administrator may require that the site plan include a survey or other proof of property lines.

SECTION 6: Amendment of Section 10-6A-2 – Permitted Uses. Section 10-6A-2 of the Spring City Municipal Code, titled “Permitted Uses” is hereby amended to read in its entirety as follows, with new language added, and some existing language stricken, as indicated below:

10-6A-2 PERMITTED USES

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

A normal number of household pets, and such large animals as are permitted by Chapter 5-2 of this municipal code.

Barns Agricultural accessory structures including barns, stables, corrals, pens, coops, and other structures for the care and keeping of domestic livestock. ~~Provided;~~ provided, that accessory ~~building~~ structures such as hog barns and pens, chicken coops, cow and horse sheds (not including corrals) and other like buildings for the close confinement housing of livestock shall not be located closer than approximately fifty feet (50') to an existing residential dwelling on an adjacent lot nor approximately thirty feet (30') to such residential dwelling on the same lot and shall not be a nuisance to any neighbor.

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

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

Gardens, orchards and field crops.

Minor public facilities, parks, and playgrounds.

One-family individual dwellings of conventional construction, manufactured housing, not mobile homes (see definition of "mobile home" in SCMC 10-6 article B, "R-3, Mobile Home Park Residential Zone" and SCMC 10-1-3, "Definitions"), and restoration of old homes is encouraged.

Temporary signs, a maximum of two (2) in number, not exceeding six (6) square feet advertising the sale of the premises or other temporary event. Such signs shall be located on private property.

The raising, care, and keeping of animals and fowl in an amount not exceeding a reasonable and traditional number.

SECTION 7: Amendment of Section 10-6A-3 Conditional Uses. That portion of Section 10-6A-3, titled "Conditional Uses", that relates to Recreational vehicles, is hereby amended to read in its entirety as set forth below, with revisions noted:

“Recreational vehicles. Recreational vehicles (RVs), including camp trailers, motor homes, pickup campers, boats and/or their trailers, four-wheelers and/or their trailers, snowmobiles and/or their trailers, motorcycles and/or their trailers, flatbed trailers, and the like (see SCMC 10-1-3, “Definitions”), may be stored in this zone only in accordance with the following, and may not be stored or used as living quarters within the city limits, except as provided below:

- A. Notwithstanding any provisions contained herein, camper type RVs on private property only (not public rights of way) may, but only upon obtaining a zoning permit, be used: (i) short term (for periods no longer than thirty (30) days) as guest accommodations for family reunions, holiday visitors and similar uses; and (ii) for periods no longer than one (1) year as temporary accommodations of the owner and family while a permanent private residence is being constructed on the private property on which the RVs are being utilized. A failure to obtain a zoning permit for a permitted use as described in this subsection will result in the same fines as penalties as applicable to other failures to obtain required zoning permits.
- B. RVs may be stored, displayed, sold, and serviced, but not used for living quarters in a sales lot in accordance with existing commercial conditions (see SCMC 10-6 Article D, “Light Commercial Zone”).
- C. RVs may be stored and used in licensed recreational vehicle park zones (see SCMC 10-6 article G, “VP-1 Recreational Vehicle Park Zone”).
- D. RVs may be stored in approved and licensed mobile home parks provided that they are in an area separate from that used as mobile home residences and upon review and approval of the planning and zoning commission.

The City may provide notice of non-compliance for any RVs used other than as permitted, as provided above, and may disconnect any utilities connected to any non-complying RVs, and/or citations may be issued. Violation of this Section is a Class B Misdemeanor.”

SECTION 8: Amendment of Section 10-6A-6 – Location Requirements. Section 10-6A-6, titled “Location Requirements”, is hereby amended to read in its entirety as set forth below, with new language added, as indicated.

10-6A-6 LOCATION REQUIREMENTS

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

- A. Residential dwellings on corner lots shall have a minimum setback of thirty feet (30') from both property lines along public streets.
- B. Residential dwellings shall have side yards of at least ten feet (10') from property lines not adjacent to public streets.
- C. Residential dwellings and accessory structures that measure greater than two hundred (200) square feet shall have a minimum rear yard of thirty feet (30'). (Note: A deck may extend 12 feet into the rear setback.)
- D. No accessory structure may be closer than thirty feet (30') of both property lines along public streets for corner lots and no shall (i) not cover more than thirty percent (30%) of the rear yard, and (ii) not contain more than one (1) story unless a conditional use permit is obtained authorizing more than one (1) story; provided that, in the case of a Small Lot, no accessory structure may be closer than twenty feet (20') of both property lines along public streets for corner lots. No and no structure, landscaping, or other obstruction shall obscure the view of automobile drivers on corner lots. It is preferred that accessory structures shall be in the rear yard, but they shall not be closer to the property line than the dwelling. Exceptions may be made for decorative structures such as gazebos or pergolas.
- E. Accessory structures shall have a setback from all residential dwellings of twelve feet (12'), ten feet (10') from side-yard property lines and thirty feet (30') from property line corners of lots facing a public street; provided that, in the case of a Small Lot, accessory structures shall have a setback from all residential dwellings of nine feet (9'), five feet (5') from side-yard property lines and twenty feet (20') from property lines on corners ~~of~~ lots facing a public street.
- F. There shall be ten feet (10') setbacks from irrigation lines and spouts; provided that, in the case of a Small Lot, irrigation lines and spouts setbacks shall be at least five feet (5').
- G. Accessory structures that measure two hundred ~~one~~ (201200) square feet and under will require a zoning permit with but no fee to ensure proper setbacks.

Any structures more than two hundred ~~one~~ (~~201~~200) square feet and over will need to obtain a zoning permit.

SECTION 9: Amendments to Section 10-6A-7 – Height Requirements. Section 10-6A-7 of the Spring City Municipal Code, titled “Height Requirements: is hereby amended to read in its entirety as follows, with new language added, and some existing language stricken, as indicated below:

10-6A-7 HEIGHT REQUIREMENTS

No residential dwelling or accessory structure may be more than forty five feet (45') high or much larger in size than other similar structures within the surrounding neighborhood (Ord. 2005-06, 9-8-2005); provided that, in the case of a Small Lot, accessory structures taller than twelve feet (12') must be set back from property lines at least one foot (1') more than would otherwise be the case, for every two and one-half feet (2.5') above twelve feet (12') in height, up to a maximum height of twenty-five feet (25'), subject to exceptions which may be granted under a conditional use permit.

SECTION 10: Amendment of Section 10-6A-9 – Utility Requirements. Section 10-6A-9, titled “Utility Requirements” is hereby amended to read in its entirety as follows, with language deleted and added as indicated below:

10-6A-9 UTILITY REQUIREMENTS

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

SECTION 11: Amendment of Section 10-6D-1 – Purpose and Intent. Section 10-6D-1, titled “Purpose and Intent” of Article D LC-1 Light Commercial Zone, is hereby amended to read in its entirety as follows, with new language added, as indicated:

10-6D-1 PURPOSE AND INTENT

The LC-1 zone in Spring City is hereafter designated as the light commercial zone. This zone is a mixed-use residential and light commercial zone. Any commercial business in this zone shall not create offsite impacts that exceed the offsite impacts of residential uses which are customary in this zone. The objective in establishing the LC-1 zone is to provide a choice of locations near the city center where light commercial businesses may prosper. A commercial business license is required to operate a business within this zone. This zone is calculated to rebuild the economic core of the community and is characterized by a mixture of commercial uses such as small retail stores, restaurants, craft stores, offices, and service oriented business providing products and services to the residents of the city and the traveling public. This zone is not intended nor shall it be a heavy commercial zone with large nationally franchised retail superstores and no provision is made to have such a zone within the city as it is the majority opinion of the citizens that large commercial endeavors are not in keeping with the personality of the small, low density, rural community they wish to promote. Neither is this zone intended to be for large manufacturing or industrial uses, construction company yards, or storage units or business establishments that require exterior storage of goods. All commercial and retail activities, therefore, shall be small in scope and appearance. This zone shall be characterized by clean, well kept shops providing products and services for the community. It shall also be characterized by aesthetically pleasing landscaped walkways, historical lighting, small inviting areas with park benches where shoppers may gather to relax, a minimal amount of visible electric and phone lines or poles, and advertising signs. Although the retail aspects of permitted businesses are basic in this zone, some light manufacturing may be an integral part of such business and may therefore, upon condition, be permitted in this zone. For that part of this zone that falls within the historic district (see SCMC 2-1 and SCMC 10-6 article H, "HD Historic District"), every attempt should be made to follow the historic guidelines. Before obtaining a building permit, all owners/developers within the historic district are required to meet with the historic preservation subcommittee for advice on all matters pertaining to historical preservation, historic building styles, and possible historic grants (see SCMC 10-6D-12, "Historic District"). Although some of this LC-1 zone may fall outside of the historic district, in regards to new construction or renovation, it is the policy of Spring City to encourage good style and design compatible in motif and materials with the historic architectural theme of the city.

SECTION 12: Amendment of Section 10-6D-4 – Lot and Dwelling Size Requirements. Section 10-6D-4 of Article D LC-1 Light Commercial Zone, titled “Lot and Dwelling Size Requirements,” is hereby amended to read in its entirety as follows, with new language added at item D, as indicated below:

Section 10-6D-4

- A. All single-family residential properties within this zone shall meet the same requirements as the R-1 zone, including the lot size, setbacks and dwelling size requirements, unless such properties have already been divided smaller as of the date hereof.
- B. Lots in this zone may be divided and sold separately for commercial use only. The owner/developer shall provide for utility access to adjacent lots and meet any other development provisions and specifications required by code and reviewing agencies such as the Planning and Zoning Commission and the City Council. ~~Lot splits shall be subject to the approval, in writing, of the majority of the adjacent residential property owners.~~ Commercial lots in this zone shall generally be restricted to a minimum of approximately thirty-five feet (35’) and a maximum of approximately two hundred fifteen feet (215’). All commercial enterprises shall be restricted to a minimum lot area one thousand two hundred (1200) square feet and a maximum of 1.06 acres.
- C. The main building size shall not be less than three hundred (300) square feet. The maximum building size shall not be limited except as may be dictated by off street parking requirements, proper site utilization, historic preservation and harmony with surrounding residences.
- D. Guesthouses shall be allowed in this zone and shall conform to the conditions set forth in this title. There shall be no more than one (1) Guesthouse per buildable lot, and shall be allowed only on properties approved for residential use. A Guesthouse, Detached and a Guesthouse, Internal shall not both be permitted on a single lot.

SECTION 13: Amendment of Section 10-6D-6 – Location Requirements. Section 10-6D-6 of Article D LC-1 Light Commercial Zone, titled “Location Requirements,” is hereby amended to read in its entirety as follows, with new language added, as indicated below:

10-6D-6 LOCATION REQUIREMENTS

So as not to encroach upon the neighboring residential zones, all business establishments within this zone shall have their front, access, and/or main entrance oriented so as to face (as far as is possible) the Main Street or city center (Center and Main) and not the adjacent or bordering residential zones. All business structures shall have an approximate three foot (3') setback from the sidewalk. This will allow for porches, steps and railings, landscaping planters, awnings, canopies, and overhangs which may extend over the sidewalk. All such overhangs must be nine feet (9') off the ground. Supports for such porches, steps and railings, planters, and overhangs may have zero setback from the sidewalk but must not present a hazard to foot traffic. A feasible well considered proposal for all such items must be submitted to the planning and zoning commission for review and approval. Rear and side setbacks from property lines shall comply with those specified in the R-1 Residential zone. Plan applications not complying with the R-1 zone side and rear setbacks may be reviewed and approved by the planning and zoning commission based upon need for vehicle accesses, utilities accesses, or other such justified requirements. All businesses must be ADA compliant and shall comply with State safety requirements.

SECTION 14: Amendment of Section 10-6D-7 – Accessory Structures. Section 10-6D-7 of Article D LC-1 Light Commercial Zone, titled “Accessory Structures,” is hereby amended to read in its entirety as set forth below, with new language added, and existing language deleted, as indicated:

10-6D-7 ACCESSORY STRUCTURES

Plans for and placement of accessory structures shall be submitted to the planning and zoning commission city for review and approval as per the conditions and specifications of this title. Setbacks between adjacent buildings and structures, front, rear and side setbacks shall comply with those requirements in the R-1 Residential zone, unless the structures are commercial. Applications for commercial use accessory structures not in compliance with the R01 zone setback requirements may be approved by the planning and zoning commission upon finding that:

- A. The location of the proposed accessory structure is not detrimental to the adjacent properties; and
- B. The location of the proposed accessory structure is reasonably necessary to support the viability of the commercial use.

SECTION 15: Amendment of Section 10-D-8 – Height of Buildings. Section 10-6D-8 of Article D LC-1 Light Industrial Zone, titled “Height of Buildings,” is hereby amended to read in its entirety as set forth below, with new language added, as indicated:

10-6D-8 HEIGHT OF BUILDINGS

The height of buildings in this zone shall be limited to two (2) normal, approximately twelve feet (12'), stories and a usable attic. No structure shall be over forty five feet (45') high.

SECTION 16: Amendment of Section 10-6D-9 – Utilities and Facilities Requirements. Section 10-6D-9 of Article D LC-1 Light Commercial Zone, titled “Utilities and Facilities Requirements,” is hereby amended to read in its entirety as follows, with new language added, as indicated.

10-6D-9 UTILITIES AND FACILITIES REQUIREMENTS

Some types of commercial enterprises such as restaurants, theaters, and some stores may be required to provide toilet facilities for their customers. All commercial establishments shall have such facilities for their employees. All buildings shall meet current building codes of the state and county for fire protection, electrical, plumbing, and heating upon building, restoration, and/or renovation. All buildings in this zone must be connected to the city sewer. All other utilities, including garbage disposal, shall be provided for by the owner/developer in accordance with the specifications in SCMC 11-3-1.

SECTION 17: Adoption of Section 10-7-5 – Internal Guesthouses. A new Section 10-7-5, relating to Internal Guesthouses, is hereby adopted and codified to read in its entirety as follows:

Section 10-7-5 INTERNAL GUESTHOUSES

- A. Definitions. The term “Guesthouse, Internal”, or “Internal Guesthouse” shall have the meaning set forth in Section 10-1-3 of this Code.
- B. Primary Dwelling Requirement. No Internal Guesthouse in a single family residential or mixed use zoning district shall be permitted or constructed except as an accessory dwelling to a habitable primary dwelling.
- C. Owner occupancy requirements. Either the primary dwelling or the Internal Guesthouse must be occupied by the primary dwelling owner.

D. Permitted Use.

- a. Internal Guesthouses shall be a permitted use in all single-family residential zoning districts.
- b. Internal Guesthouses shall be prohibited in the multi-family zoning districts.
- c. All Internal Guesthouses shall be subject to the regulations of this Chapter and Title.

E. Number of Internal Guesthouses per Lot. No residential lot shall have more than one Internal Guesthouse.

F. Site Plan. An Internal Guesthouse building permit application shall include a scaled site plan. The site plan must indicate the locations and dimensions of property lines and existing and proposed buildings, building entrances, building additions, setbacks, parking spaces, driveways, utility meters, and utility laterals and conduits. The site plan need not be engineered.

G. Parking. An Internal Guesthouse shall provide one additional on-side parking stall.

H. Building Permits – Building Codes – Foundations.

- a. The installation and/or construction of an Internal Guesthouse shall require the application for and issuance of a building permit. An Internal Guesthouse building permit shall clearly identify that it is for an Internal Guesthouse.
- b. Unless otherwise required by applicable building and fire codes, an Internal Guesthouse shall not be required to construct one-hour fire rated separations between the area of the primary dwelling used by the primary dwelling occupants and the Internal Guesthouse portion of the building dwelling.
- c. Internal Guesthouses must comply with all uniform building codes applicable to dwellings.
- d. Internal Guesthouses must be constructed on site-built permanent foundations, which may include slabs-on-grade.

I. Business License. The owner of an Internal Guesthouse shall be required to obtain a city business license to rent the Internal Guesthouse.

Effective Date: This ordinance shall be in full force and effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

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

Attest:

Mayor Chris Anderson
Spring City, Utah

RuthAnn McCain, Spring City Recorder

Results of Roll Call Vote:

AYE NAY ABSENT ABSTAIN

Craig Clark
Courtney Syme
Paul Penrod
Nancy Allred
Tim Clark

RECORDED this ____ day of _____, 2023

PUBLISHED OR POSTED this ____ day of _____, 2023

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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

1)

2)

3)

on the above referenced dates.

Ruth Ann McCain, Recorder, Spring City, Utah