

# ORDINANCE No. 23-22

## ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
CHAD ARGYLE <i>Councilmember</i>	X			
STACY BECK <i>Councilmember</i>	X			
BRANDON B. GORDON <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>	X			
KEVIN OYLER <i>Councilmember</i>	X			

I MOVE this ordinance be adopted: Councilmember Marshall

I SECOND the foregoing motion: Councilmember Oyler

## ORDINANCE No. 23-22

### AN ORDINANCE AMENDING SECTION 15.3.16.120 I-1 LIGHT INDUSTRIAL ZONES OF THE SPANISH FORK MUNICIPAL CODE PERTAINING TO ADDING CHILD CARE CENTERS AS A PERMITTED USE

WHEREAS Spanish Fork City has enacted a land use ordinance as Title 15 of the Spanish Fork Municipal Code ("Code") to regulate the development of land within the City, establish zoning to protect property values, and establish administrative rules concerning land use;

WHEREAS amendments to the land use ordinance and other sections of the Code need to be made from time to time in order to remain compliant with state and federal law, become more efficient, and to keep standards in line with best construction and safety practices;

WHEREAS a public hearing was held before the Planning Commission on May 4, 2022, whereat public comment was received; and

WHEREAS a public hearing was held before the Spanish Fork City Council on May 17, 2022, whereat additional public comment was received;

NOW THEREFORE, be it enacted and ordained by the Spanish Fork City Council as follows:


**Section 1. Amendment of Code.** The Spanish Fork Municipal Code is hereby amended as set forth in Exhibit A, attached hereto and incorporated herein. Only the sections of the Code set forth in the Exhibit A shall be amended. All other sections of the Code remain unchanged.

**Section 2. Effective Date.** This ordinance shall be effective twenty days after passage and publication.

PASSED AND ORDERED PUBLISHED BY THE CITY COUNCIL OF SPANISH FORK,  
UTAH: May 17, 2022.

  
MIKE MENDENHALL, Mayor

Attest:

  
TARA SILVER, City Recorder



## CHILD CARE CENTERS

**15.3.16.120 I-1 Light Industrial**

This district is intended to provide for employment related uses including light manufacturing, assembling, warehousing, and wholesale activities. Associated office and support commercial uses are allowed. Uses that emit significant amount of air, water, or noise pollution will not be allowed. Residential uses are not allowed.

## A. Permitted Uses:

1. Agriculture, including the Production of Food and Fiber Crops, Tree Farms, Grazing, and Animal Husbandry of Livestock, not including Feedlots.
2. Automotive Repair.
3. Automotive Service, Paint and Body Work, other consumer goods repair.
4. Caretaker's Residence.
5. Car Wash (self or full service).
6. *Child Care Centers*
7. Contractor Warehouse and Storage Yards.
8. Financial Institutions.
9. Funeral Homes.
10. Indoor Manufacturing, Assembly and Storage of finished products.
11. Instructional Studios.
12. Lube Centers.
13. Lumber and Building Material Yards.
14. Municipal Facilities required for local service.
15. New and Used Automobile, Motorcycle, Boat, Truck, Recreational Vehicle Sales and Rental Facilities, and Repair Services associated with such facilities.
16. Office Supply, Copying, Printing businesses.
17. Offices.
18. Outdoor display areas.
19. Research, Development, and Testing services.
20. Restaurants.
21. Retail businesses.
22. Telecommunication Towers not taller than 60 feet.
23. Tire Care Centers.
24. Trade or Business schools.
25. Trucking and Warehousing.

26. Veterinary Offices for large animals and/or outside boarding of animals.
27. Wholesale Trade Businesses except explosives or automobile wrecking or salvage yards.

B. Uses Subject to Conditions:

1. Outdoor storage areas (see §15.3.24.090(I)).
2. Seasonal Sales and Special Events (as described in §15.3.24.050 et seq.).
3. Sexually Oriented businesses as defined in Chapter 5.28 of the Spanish Fork Municipal Code.

C. Uses Subject to Conditional Use Permit (see §15.3.08.060):

1. Commercial Kennels, Animal Shelters, and Veterinary Hospitals with outdoor boarding or exercise facilities.
2. Drive-in Theaters.
3. Jails, for County and/or City.
4. Meat Processing Facilities
5. Outdoor Commercial Recreation Facilities.
6. Publicly owned and operated compost facilities.
7. Publicly owned and operated recycling centers.
8. Rehabilitation Treatment Facilities.
9. Residential Treatment Centers (not owner occupied).
10. Shelter Care Facilities.
11. Telecommunication Towers taller than 60 feet.

D. Accessory Buildings and Uses (see §15.3.24.090).

E. Development Standards (see Table 2).

F. Site Plan/Design Review (see §15.4.08.010 et seq.).

G. Landscaping, Buffering, Walls (see §15.4.16.130).

H. Signs (see §5.36.010 et seq.).

I. Parking (see §15.4.16.120).

### **15.3.24.080 Sexually Oriented Businesses**

Sexually oriented businesses are permitted only in the I-1 Light Industrial Zone north of 1600 North and west of Interstate 15, with the following restrictions:

1. They may not be located within 200 feet of Main Street or any other road that provides a major entry or gateway into the City.
2. They may not be located within 1000 feet of an establishment that is licensed to sell alcoholic beverages for consumption on the premises (measured from property line to property line).
3. They may not be located within 1000 feet of a church, school, library, park, or residence (measured from property line to property line).

4. They may not be located within 1000 feet of another sexually oriented business (measured from property line to property line).
5. Their hours of operation are limited to 8:00 a.m. until 1:00 a.m. the following morning, provided that they may not operate on Sundays.

For purposes of this section, "park" means public land within the City which has been designated for park or recreational activities, including but not limited to, a *Child Care Center*, park, playground, nature trail, swimming pool, reservoir, athletic field, basketball or tennis court, open space, wilderness areas, or similar public land and related facilities such as parking lots, playgrounds, and ball fields, which are under the control, operation, or management of the City or other governmental authorities.