

**SPANISH FORK CITY
ORDINANCE ORD 18-19**

**AMENDING THE USES SUBJECT TO CONDITIONS IN THE HEAVY INDUSTRIAL I-3
AND AGRICULTURAL A-E ZONES**

WHEREAS, the State of Utah has adopted legislation allowing cannabis production establishments; and

WHEREAS, Utah Code §4-41a-406 requires municipalities to allow for cannabis production establishments in at least one industrial zone and at least one agricultural zone if the municipality has industrial or agricultural zones; and

WHEREAS, Spanish Fork has both industrial zones and agricultural zones and is, therefore, required to allow cannabis production establishments in at least one industrial zone and one agricultural zone; and

WHEREAS, "cannabis production establishment," as defined in the Utah Code includes a cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory;

WHEREAS, the Planning Commission reviewed the issue and held a public hearing on Wednesday the 7th day of August, 2019 where public comment was received; and

WHEREAS, a public hearing was held before the Spanish Fork City Council on Tuesday the 20th day of August, 2019 where public comment was received;

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

SECTION 1: **AMENDMENT** "15.3.16.140 I-3 Heavy Industrial" of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.140 I-3 Heavy Industrial

This district is intended to provide for employment related uses including heavy manufacturing, assembling, warehousing, and wholesale activities. Residential uses are not allowed.

A. Permitted Uses:

1. Contractor Warehouse and Storage Yards.
2. Impound Yard.
3. Lumber and Building Material Yards.

4. Manufacture of Concrete Products.
5. Manufacturing and Assembly of finished products.
6. Municipal Facilities required for local service.
7. Offices Incidental to an industrial use.
8. Outdoor Storage area.
9. Research, Development, and Testing services.
10. Trucking and Warehousing.
11. Wholesale Trade businesses except explosives or automobile wrecking or salvage yards.

B. Uses Subject to Conditions:

1. Large Wind Energy Systems ([see SFMC §15.3.24.090\(H\)](#)).
2. Rock Crushers with Surface Mining Overlay approval ([see SFMC §15.4.20.040](#)).
3. [A cannabis processing facility \(see SFMC](#)
- 4.

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

1. Self-storage Warehouses and/or Recreational Vehicle Storage.
2. Telecommunication Towers taller than 60 feet.
3. Transfer Facilities.

(Ord. No. 07-06, Repealed 07/18/2006) (Ord. No. 02-10, Enacted 02/16/2010)

SECTION 2: AMENDMENT “15.3.16.010 Agricultural And Rural Residential Districts” of the Spanish Fork Municipal Code is hereby *amended* as follows:

A M E N D M E N T

15.3.16.010 Agricultural And Rural Residential Districts

A-E. Exclusive Agriculture. The purpose of this district is to promote agricultural production on lands with high quality soil types. The lands will usually not be suited for other urban uses because of location within a floodplain, or distance to other urban services. [All agricultural uses are allowed in this zone. A cannabis cultivation facility is permitted with conditions \(see SFMC §5.48.030\(A\) and \(B\)\).](#) **R-R. Rural Residential.** This district is similar in character with the A-E District, but parcel sizes are generally somewhat smaller and the soil types may be lower quality. Many of these areas within the Growth Management boundary will likely be rezoned and developed with higher density uses as utilities are extended and adequate streets are developed and/or widened. Other lands outside the Growth Management Boundary may eventually be converted to urban uses when a need is shown to expand that boundary.

A. Permitted Uses:

1. Agriculture, including the production of food and fiber crops, and tree farms, grazing and animal husbandry of livestock.
2. Commercial horse riding, training, and boarding stables. (A-E District only).

3. Living quarters for agricultural employees employed on the premises. (A-E District only).
 4. Wholesale plant nurseries.
 5. One (1) single residence dwelling per lot.
 6. Veterinary offices including outdoor boarding of animals if animals are kept at least 200 feet from any neighboring house.
 7. Churches.
 8. Veterinary offices for large animals and/or outside boarding of any animals.
 9. Municipal facilities required for local service.
- B. Uses Subject to Conditions:
1. Home Occupations (as described in §5.40.010 et seq.).
 2. Manufactured Home (as described in §15.3.24.040 et seq.).
 3. Residential facility for persons with a disability (As described in §15.3.24.010(A) et seq.).
 4. Residential facility for elderly persons (As described in §15.3.24.010(B) et seq.).
 5. Seasonal fruit, vegetable, and hay retail sales in structures of less than 500 square feet when at least some of the products being sold are raised on the premises. Subject to having access, parking, and any utility needs approved by the DRC.
- C. Uses Subject to Conditional Use Permit (see §15.3.08.060):
1. Wireless communication facilities on existing structures, with the intent to make them “stealth” facilities, which are not noticeable to a degree greater than the structure to which it is attached; or new stealth facilities which are camouflaged into its surroundings.
- D. Accessory Buildings and Uses (see §15.3.24.090).
- E. Development Standards (see Table 1).
- F. Site Plan/Design Review (see §15.4.08.010 et seq.): Design review is required for uses subject to Conditional Use Permit.
- G. Landscaping, Buffering, Walls (see §15.4.16.130): Landscaping, buffering, and/or walls may be required for uses subject to a Conditional Use Permit.
- H. Signs (see §5.36.010 et seq.).
- I. Parking (see §15.4.16.120).

(Ord. No. 12-09, Amended 08/04/2009) (Ord. No. 04-14, Amended 04/01/2014) (Ord. No. 21-18, Amended 12/11/2018)

SECTION 3: **EFFECTIVE DATE** This Ordinance shall be in full force and effective twenty days after passage and publication.

PASSED AND ADOPTED BY THE SPANISH FORK CITY COUNCIL SEPTEMBER 02, 2019.

	AYE	NAY	ABSENT	ABSTAIN
Council member Chad Argyle	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Stacy Beck	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Brandon Gordon	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Mike Mendenhall	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Council member Keir Scoubes	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



STEVE LEIFSON, MAYOR, Spanish Fork City



KENT R. CLARK, CITY RECORDER
Spanish Fork City

