



Proposition Information Pamphlet for Ordinance 2026-03

TO BE CIRCULATED WITH REFERENDUM PETITION SIGNATURE SHEETS

For the referendum that has been filed against the City of Spring City **Ordinance 2026-03** entitled AMENDMENTS TO TITLE 10: ZONING REGULATIONS, passed by the City of Spring City City Council on March 5, 2026 to be referred to the voters for their approval or rejection at the Municipal General Election date to be held on November 2, 2027.

This pamphlet includes the following:

1. A copy of the referendum application (pg.2)
2. A copy of Ordinance 2026-03 (pg. 10)
3. An argument submitted by the sponsors (pg. 24)
4. An argument submitted by the city (pg. 25)
5. A copy of the Fiscal and Legal Impact Statement provided by the City of Spring City Budget Officer and Attorney (pg. 27)

REFERENDUM APPLICATION

March 9, 2026

Spring City Corporation
ATTN: Spring City Recorder
45 South 100 E
Spring City, Utah 84662

Spring City Recorder:

Please find attached a referendum application and signature pages of applicants pursuant to Utah Code 20A-7-602.

The herein application submitted by applicant's requests that a referendum process be initiated to challenge the requirement that the minimum buildable lot size in Spring City is 1.06-acre, as implemented in ordinance 2026-03 passed by Spring City Council on March 5, 2026, to be the subject of the referendum.

We are specifically asking that the land use law of 1.06-acre minimum buildable lot size be referable, through a successful referendum petition, and added to the ballot for registered voters of Spring City at the next municipal general election.

Respectfully,
Herein listed Applicants

A handwritten signature in black ink, appearing to read "Randy Utah". The signature is written in a cursive style with a large initial 'R' and a long, sweeping tail.

APPLICATION FOR LOCAL REFERENDUM

(UCA §20a-7-602) (Application must be signed by at least five (5) sponsors who are registered to vote in Utah)

Subject: 1.06 acre as the minimum buildable lot size in Spring City

Sponsor Name	Physical Residence Address (will be confirmed with your voting registration)	Email	City & County	Registered to Vote in Utah
*Randy Strate	480 S 200 W Spring City, Ut 84662	horseshoeirrigation.com	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>
*Craig Clark	325 S 300 E Spring City, Ut 84662	willys@cut.net	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>
*Danial G Rasmussen	220 S 700 E Spring City, Ut 84662	rasrocks@gmail.com	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>
Cynthia Degrey	89 W 200 S Spring City, Ut 84662	caallred@hotmail.com	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>
Neil Sorensen	88 E 200 N Spring City, Ut 84662	sorensenfarm@gmail.com	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>
Matthew Shawn Lindow	250 S 700 E Spring City, Ut 84662	mslindow@gmail.com	Spring City Sanpete County	Yes <input checked="" type="checkbox"/>


Person(s) gathering signature for the referendum petition will be paid for gathering signatures: Yes No

The copy of Spring City Ordinance 2026-03 to be challenged by the referendum is included (UCA §20A-7-602(e)).

After the petition [application] has been filed and before signatures are gathered, the sponsors shall sign a form indicating whether the sponsors will gather signatures manually or electronically (UCA §20a-21-201(2)(a)).

OFFICE USE ONLY

Recorder File Number: _____

Received by:  _____

Received Date: March 9, 2026

*** Communication for processes that follow the initial application are conducted with the first three listed sponsors. Notarized sponsor signatures are provided on additional pages.**

Assigned Proposition # _____

Each Sponsor will be required to complete the signature sheet below.

I, Randy Strate, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

Sponsor signature Randy Strate

STATE OF UTAH)

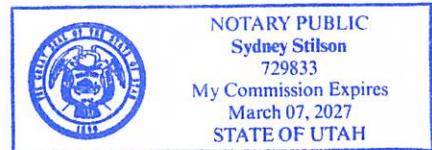
:ss.

COUNTY OF SANPETE)

On this 6 day of March, in the year 2020, before me,
Sydney Stilson a notary public, personally appeared
Randy Strate, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.

Sydney Stilson
Notary Signature

NOTARY PUBLIC SEAL



OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

Each Sponsor will be required to complete the signature sheet below.

I, Craig Clark, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

Sponsor signature *Craig Clark*

STATE OF UTAH)

:SS.

COUNTY OF SANPETE)

On this 5th day of March, in the year 2026, before me, Ruth Ann McCain a notary public, personally appeared Craig Clark, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.

Ruth Ann McCain
Notary Signature



NOTARY PUBLIC SEAL

OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

Each Sponsor will be required to complete the signature sheet below.

I, Daniel G. Rasmussen, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

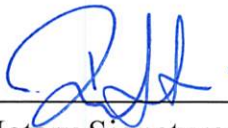
Sponsor signature 

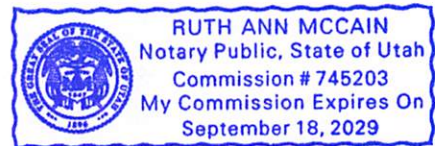
STATE OF UTAH)

:SS.

COUNTY OF SANPETE)

On this 5th day of March, in the year 2026, before me, Ruth Ann McCain a notary public, personally appeared Daniel G. Rasmussen, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.


Notary Signature



NOTARY PUBLIC SEAL

OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

Assigned Proposition # _____

Each Sponsor will be required to complete the signature sheet below.

I, Cynthia DeGrey, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

Sponsor signature Cynthia DeGrey

STATE OF UTAH)

:ss.

COUNTY OF SANPETE)

On this 5th day of March, in the year 2026, before me, Ruth Ann McCain a notary public, personally appeared Cynthia DeGrey, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.

Ruth Ann McCain

Notary Signature



NOTARY PUBLIC SEAL

OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

Each Sponsor will be required to complete the signature sheet below.

I, Neil Sorenson, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

Sponsor signature Neil Sorenson

STATE OF UTAH)

:ss.

COUNTY OF SANPETE)

On this 5 day of February, in the year 2026, before me,
Cortney D. Hirschi a notary public, personally appeared
Neil Sorenson, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.

Cortney D. Hirschi
Notary Signature



NOTARY PUBLIC SEAL

OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

Assigned Proposition # _____

Each Sponsor will be required to complete the signature sheet below.

I, Matthew Shawn Lindow, am a registered voter in the state of Utah and the information listed on the submitted application is true and correct.

Sponsor signature M. Shawn Lindow

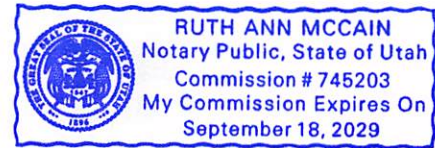
STATE OF UTAH)

:ss.

COUNTY OF SANPETE)

On this 9 day of March, in the year 2026, before me, Ruth Ann McCain a notary public, personally appeared Matthew Shawn Lindow, provided on the basis of satisfactory evidence to be the person (s) whose name is subscribed to this instrument, and acknowledge (he/she/they) executed the same. Witness my hand and official seal.

[Signature]
Notary Signature



NOTARY PUBLIC SEAL

OFFICE USE ONLY

Recorder File Number:

Received By:

Received Date:

**SPRING CITY
ORDINANCE 2026-03**

AMENDMENTS TO TITLE 10: ZONING REGULATIONS

WHEREAS, Spring City Council has chosen to make amendments to Title 10 to restore the 1.06 acre minimum lot size throughout the city and make certain other changes; and

WHEREAS, A Public Hearing was held on the evening of February 24, 2026 followed by a meeting of the City Council on March 5, 2026 at which the amendments were considered for adoption; and

WHEREAS, following the Public Hearing and at a subsequent meeting of the City Council, the City Council adopted a resolution to approve the originally proposed ordinance [as modified by amendments approved by the City Council] as set forth below;

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

SECTION 1: **AMENDMENT** “10-1-3 DEFINITIONS” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-1-3 DEFINITIONS

Unless otherwise specifically stated within the text of this title, the following definitions shall be those referred to herein and shall be considered a part of this title:

ACCESSORY STRUCTURE: A detached subordinate building clearly incidental to and located upon the same lot occupied by the main building. Unless an accessory structure meets applicable "conditional use" requirements, it cannot be a dwelling. Accessory structures most commonly include, but are not limited to, detached garages, storage sheds, storage containers, carports, greenhouses, gazebos, pavilions, barns, coops, and the like. No accessory building or group of buildings in any residential zone shall cover more than twenty five percent (25%) of the remaining yard after reducing the available yard size for the applicable setbacks. Accessory structures must comply with existing setback ordinances and zoning permit requirements.

APARTMENT: Any single-family dwelling or any apartment style single-family residence separate from or attached to a commercial building which is used as rental property.

ASSISTED LIVING: Assisted living dwellings are for persons in need of partial or constant medical or physical care. Types of dwellings where such help is available are multiple-unit

nursing home, senior citizen, and/or multiple-unit assisted living dwellings.

BED AND BREAKFAST: A bed and breakfast (B&B) establishment is any single residence dwelling equipped with and providing short term sleeping and meal accommodations for tourists or like traveling persons. For conditions and specifications of a B&B see SCMC 10-6A-3.

BUFFER ZONE: See SCMC Section 10-1-4 Paragraph 6.

BUSINESS: Any and all activities engaged in for the purpose of gain or economic profit. This definition shall include, but is not limited to, the sale of tangible personal property at retail or wholesale, the manufacturing of goods or property and the rendering of personal services for others for a consideration by persons engaged in any profession, trade, craft, business, occupation or other calling. The acts of employees rendering service to employers shall not be included in the term business, unless otherwise specifically provided.

CONDOMINIUM: The individual ownership of a single unit in a multi-unit project, together with an undivided interest in common in the common areas and facilities of the property.

DEVELOPER: Any person or entity who applies for any land use approval under this Title, or engages in “development activity” as defined in U.C.A. 10-9a-103 (2021), as may be amended from time to time.

COMMERCIAL BUSINESS: Any business enterprise conducted within any commercial zone. Commercial businesses are only allowed in LC-1 light commercial zone, LI-1 light industrial zone, and RVP-1 recreational vehicle park zone (consult zoning regulations in this title for activities allowable in any particular zone). With the exception of a B&B (see SCMC 10-6A-3) and home businesses (see SCMC 3-1-13, "Home Businesses" for activities allowable in residential zones), no business enterprises shall be allowed in any residential zone.

DOMESTIC EMPLOYEE: A person who provides household services to an individual or family. Examples include, but are not limited to, caretakers, house sitters, maids, housekeepers, nurses, gardeners, nannies and the like.

EMPLOYEE: Any persons employed by the operator, owner or manager of a place of business in any capacity and also any salesperson, agent or independent contractor engaged in the operation of the place of business in any capacity. The husband, wife, son, daughter, father and/or mother of the operator, owner or manager of a place of business shall not be classified as an employee in the event that said relative is working at the place of business.

GENERAL PLAN: The general plan recommended by the planning and zoning commission and adopted by the city council (after appropriate public hearings) outlining the direction the physical as well as the philosophical development of Spring City should attempt to follow. The general plan required under U.C.A. 10-9a-401 is known as the Spring City Master Plan.

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, shall not exceed a total maximum floor area of all habitable stories of 1000 square feet, with no single floor having more than six hundred and fifty (650) habitable 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.

HISTORIC DISTRICT: An area located on the Main Street extending halfway through each block east to west and from 5th Street North to 5th Street South. This district is not a usage zone but an "overlay" of whatever usage zone may fall within.

HISTORIC STRUCTURE: Any structure 50 years or older or any structure having a historical significance such as monuments, bridges, cemeteries, etc.

HOME BUSINESS: Any business enterprise conducted within a dwelling or adjacent structures located on the same premises and carried on by persons residing in the dwelling unit. Excepting farming or other agricultural business enterprises, owners of all business enterprises in residential zones must obtain a home business license and comply with the conditions of this title and SCMC 3-1 prior to operating any such business. Such a business use shall be clearly incidental and secondary to the dwelling use and shall not change the character of such dwelling or the residential neighborhood (see SCMC 3-1-13, "Home Businesses" for activities allowable in residential zones).

HOME FOR DELINQUENT TEENAGERS: Any detention resident dwelling where two (2) or more delinquent teenagers are placed as wards of the state or by order of the court system. Said detention home, center, or dwelling shall not be allowed in any zone in Spring City.

MAJOR STRUCTURE: A dwelling (home), large barn, commercial building, public building or like structure.

MANUFACTURED OR MODULAR HOME: A manufactured or modular unit home, unlike mobile homes, does not have permanently attached axles for wheels and are designed for permanent foundations. Only those manufactured after June 1976, meet the HUD standards and must have a certificate of the same to be allowed in this city or county (see county codes). They have a minimum size requirement, are required to be placed on a normal size building lot, they have a normal pitched roof, with a permanent foundation, permanent utility hookups, and meet minimum health, fire, and safety codes.

MOBILE HOME: A transportable factory built housing unit. It generally has a flat roof, attached axles for wheels, nonpermanent hookups for utilities, is not designed for a permanent foundation, and is small in size (under 900 square feet). Mobile homes are only allowed in the

Mobile Home Zone R3. Those built prior to June 1976, do not meet HUD certified manufacturing standards and are not allowed in this county (see county codes).

MODERATE INCOME HOUSING: Refers to residential dwellings for rent that moderate income families can afford to rent. The state of Utah requires cities to make a percentage of such housing available to residents.

NONCONFORMING USES: Occupancy or use of any building, structure, or land within the city prohibited by provisions of this title, but which lawfully existed prior to the effective date hereof. This includes residential, commercial, industrial, and public structures occupied or vacant at the time of adoption of these provisions.

PLACE OF BUSINESS: Each separate location maintained or operated by any business licensee within the city from which business activity is conducted or transacted.

~~PROTECTED HISTORIC ZONE: That area within the city limits that is located within an area description as follows:~~

- ~~A. Starting at the corner of 600 North and 400 East, thence South along 400 East to the corner of 400 East and 500 South, thence West along 500 South to Main Street, thence North along Main Street to 400 South, thence West on 400 South to 150 West, thence North along 150 West to 400 North, thence East along 400 North to 50 West, thence North along 50 West to 600 North, thence East along 600 North to point of beginning.~~
- ~~B. No new R-3 or R-MF Zones are allowed in the Protected Historic Zone. The minimal buildable lot size will be 1.06 acres in this zone unless previously split and grandfathered.~~

RV PARK: This is an area established for temporary (a maximum of 30 consecutive days within any 90 day period) parking of recreational vehicles (RVs) which for this zone only (recreational vehicle park zone) are defined as camper type trailers, motor homes, truck borne campers, or the like.

RECREATIONAL VEHICLES (RVs): 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, converted pickup bed trailers, camp wagons, buggies, carts, and all similar type vehicles.

SPRING CITY RESIDENT: A resident of Spring City is anyone who owns or rents a home in Spring City and resides full time.

SUBDIVISION: Any plot or parcel of land which is divided into two (2) or more plots or parcels of land having no less than 1.06 acres per parcel. ~~in the case of land within the Protected Historic Zone and no less than 0.5 acres per parcel in the case of land outside the Protected Historic Zone~~ Lots containing less than the required minimum acreage, unless grandfathered, are unbuildable.

TEMPORARY USE PERMIT: A permit required to engage in any temporary business enterprise or other activity using public rights of way or conditional use of public or private property in any zone such as: motion picture production permits, carnivals, circuses, fireworks displays or stands, Christmas tree lots, promotional displays, political rallies or campaign headquarters, large (over 400 people) public gatherings, temporary sales (excepting yard sales) vending on the street, sidewalk or any public right of way (excepting lemonade stands or the like, run by children under 17 years of age), and the like. (See also SCMC 10-8-2, "Temporary Uses".) Such a permit shall, among other information and conditions, specify the time limit and place to be used. Such a temporary use permit shall be required for residents of Spring City as well as any out of town business enterprises or activities.

VISIBILITY BARRIER: Any fence, or building, or any structure (of normal materials), or trees and bushes or like shrubbery constructed or arranged for the purpose of hiding from public view any unsightly materials, supplies, equipment, vehicles, etc. Said visibility barriers must comply with the height and setback requirements.

ZONING MAP: The official map prepared, approved, and presented by the planning and zoning commission and signed and adopted by the city council (after appropriate public hearings) which map shall be posted in the city hall for public view as well as (a second copy) kept safe from tampering. Thereon shall be exhibited public roadways and facilities, each zone with boundaries and titles, as well as other pertinent information.

ZONING PLAN: The adopted zoning ordinance including the zoning map. (Ord. 2005-01, 9-8-2005; amd. Ord. 2014-01, 5-15-2014)

SECTION 2: AMENDMENT “10-6A-3 CONDITIONAL USES” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6A-3 CONDITIONAL USES

The following buildings, structures, and uses of land shall be permitted upon the conditions set forth in this title and after review and approval has been given by the designated reviewing agencies. The planning and zoning commission shall review all conditional use proposals and shall approve, disapprove, or approve with conditions. Owner may appeal to the board of adjustment should he/she feel the planning and zoning commission was unfair. The following conditional uses shall not alter the residential character of the surrounding neighborhood or zone.

Bed and breakfasts. Bed and breakfast (B&B) establishments shall be allowed in this zone. A "bed and breakfast establishment" for purposes of this title shall be defined as a single

residence dwelling equipped with and providing short term sleeping and meal accommodations for tourists or like traveling persons. Bed and breakfast establishments shall be allowed in accordance with the following conditions:

- A. Excepting the food preparation, the limitation of area of primary residence, and other structures allowed for use of business provisions, the B&B shall comply with all required conditions for a home business use (see SCMC 3-1-13).
- B. No B&B shall have more than ten (10) rooms available for such short term accommodations.
- C. B&B establishments shall comply with all state and local food handling requirements as well as any ordinance governing hotels.
- D. The Transient Room occupancy tax shall apply.
- E. A home business license and state tax ID are required.

Short term rentals

Churches. Upon feasibility and impact studies as well as review and approval of the planning and zoning commission, churches may be allowed in this zone.

Construction. unconventional construction.

- A. Construction, design, and materials shall not be obnoxious, repugnant, or completely out of harmony with the surrounding residential structures.
- B. Must be in compliance with all building codes.

Guesthouses. For purposes of this title, a "guesthouse" shall be defined as any single-family apartment style dwelling separate from but found on the same lot as an existing residence. Such guesthouses are allowable in residential zones and, if new construction, shall not exceed a total maximum floor area of all habitable stories of one thousand (1000) square feet, with no single floor having more than six hundred and fifty (650) habitable square feet. If they are conversions of existing structures, they shall not exceed a total maximum floor area of all habitable stories of one thousand (1000) square feet They may be constructed with bathroom and kitchen facilities but shall not be used as rental apartments. Such guesthouses are allowed in accordance with the following requirements:

- A. This conditional use is not intended to circumvent the single-family dwelling or lot size requirements as put forth in this title nor is it intended to authorize duplex housing. It is intended to allow use of existing accessory structures such as log cabins and bungalow structures, new log cabins and bungalow structures as accommodations for nonpaying guests or domestic employees (see definition in SCMC 10-1-3).
- B. Such guesthouse may not be sold separate from the main dwelling or commercial property.
- C. Only one guesthouse shall be allowed per residential lot or commercial building.
- D. New construction guesthouses shall be detached (excepting breezeways) from the main residence or commercial building, and shall not exceed a total maximum floor area of all habitable stories of one thousand (1000) square feet, with no single floor

having more than six hundred and fifty (650) habitable square feet. Structures existing at the date of this title may be converted to guesthouses but shall not exceed a total maximum floor area of all habitable stories of one thousand (1000) square feet.

- E. Owners of guesthouses shall provide adequate off street parking for guests. Exceptions may be made if this requirement would change the historic character of the property.
- F. Guesthouses shall be designed and constructed with materials that are comparable to and compatible with the primary residence and other residences in the vicinity.
- G. There shall be no separate utility service to the guesthouse.
- H. The driveway serving the primary dwelling shall also serve the guesthouse.

Home business. Home businesses in accordance with SCMC 3-1-13, "Home Businesses".

Note: Although agriculture (farming) is a business that technically may be considered a home business, it does not require a home business license.

Public school. Upon conditions, public and private school buildings and grounds, not necessarily to include storage yards.

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 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:
 - 1. Short term (for periods no longer than thirty (30) days) as guest accommodations for family reunions, holiday visitors, and other similar uses; and
 - 2. 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, "LC-1 Light Commercial Zone").
- C. RVs may be stored and used in licensed recreational vehicle park zones (see SCMC 10-6 article G, "RVP-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

Storage containers. A zoning permit is required for storage containers but may be combined with a zoning permit or an accessory structure permit may be obtained, if within the allowable two hundred (200) square feet requirement for accessory structures. A maximum of two (2) storage containers are not exceeding forty-five (45) feet in length allowed on 1.06 acre or larger city lots or properties and will not exceed twenty-five percent (25%) of the property after property size available is adjusted to comply with setback and accessory building separation requirements. Lots smaller than 1.06 acres shall have no more than one (1) storage container per lot. Storage containers are not allowed in the Main Street Historic District unless it is for construction purposes. Said temporary storage containers shall have time limit of six (6) months maximum from the date of zoning permit approval. All storage containers are to be compliant with the building construction standards.

Towers. Telecommunication or cellular towers or any other like towers shall not be permitted in this or any other zone in the city if it is determined by the reviewing agencies that such tower will change the character or detract from the aesthetic appearance of the zone or any neighboring zone.

Windmills. Wind powered electric generators and pumps (windmills) shall not change the residential character of the neighborhood nor shall they detract from the aesthetic appearance of the neighborhood. (Ord. 2014-01, 5-15-2014)

SECTION 3: AMENDMENT “10-6A-4 LOT AND DWELLING SIZE REQUIREMENTS” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6A-4 LOT AND DWELLING SIZE REQUIREMENTS

- A. Lot: The minimum lot area for a one-family dwelling shall be 1.06 acres or approximately forty six thousand one hundred and sixty (46,160) square feet in area ~~if located within the Protected Historic Zone; and 0.5 acres or approximately twenty one thousand seven hundred and eighty (21,780) square feet in area if located outside of the Protected Historic Zone,~~ unless otherwise grandfathered or split ~~in previous years~~ when a lot size smaller than the 1.06 acre requirement was allowed, to a lot size then permitted. ~~Any lot splits to less than 1.06 acres must connect to the Spring City culinary and wastewater systems; if unable or unwilling to connect then the minimum lot size will be 1.06 acres allowed.~~
- B. Dwelling: A residential dwelling shall be constructed in compliance with the International Building Code as herein provided. (Ord. 2014-01, 5-15-2014)

SECTION 4: AMENDMENT “10-6A-6 LOCATION REQUIREMENTS”
of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6A-6 LOCATION REQUIREMENTS

Each residential lot shall abut a public street for a minimum of two hundred feet (200 feet) of frontage ~~for 1.06-acre lots and a minimum of one hundred feet (100 feet) for .5-acre lots, or proportional in frontage to above~~, 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 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 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 corner 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 (200) square feet and under will require a zoning permit with no fee to ensure proper setbacks. Any structures more

than two hundred (200) square feet will need to obtain a zoning permit. (Ord. 2014-01, 5-15-2014)

SECTION 5: AMENDMENT “10-6D-2 PERMITTED USES” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6D-2 PERMITTED USES

Any land use not listed in this ordinance as a permitted use or conditional use shall be considered prohibited. 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:

Single-family or two-family dwellings of conventional construction, including duplexes, or townhomes, up to ~~four~~two (2) structures per 1.06-acre lot, and up to four (4) units per 1.06 acre lot are permitted. For lots larger or smaller than 1.06 acres, the maximum number of units shall be adjusted in proportion to the size of the lot. For example, a lot that is 2.12 acres will qualify for up to eight (8) units and a grandfathered lot ~~of 0.5 acres will justify for up to 2 units~~that is less than 1.06 acres will qualify for a proportional number of units. In no event shall one lot contain more than eight (8) units. Units may be rented or occupied by the owner of the Property. Co-ops, time shares, or other fractional ownership other than ownership of the entire property is prohibited.

A unit is considered to be dwelling units; thus a duplex is considered two units.

No multi-family dwelling will be permitted in the main street historical district as defined in SCMC 2-1-1

To limit the number of multi-family dwellings within Spring City no more than ~~43~~3% of Multi-Family to Single Family homes will be permitted, i.e. if there are four hundred (400) single family homes then only a maximum of ~~16~~twelve (12) multi-family homes is permitted within Spring City Municipal boundaries. Dwellings within a R-3 or R-MF Zone will not be counted as single family homes for this calculation.

A normal number of household pets are permitted. Large animals are prohibited.

Customary residential accessory structures including uses or buildings of a nature customarily incidental and subordinate to, the principal use or building are permitted. 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. Shipping containers and outdoor storage are prohibited.

Fences and walls between neighboring properties shall not be more than eight feet (8') in height and shall ~~not be~~ ~~not~~ constructed of abnormal or obnoxious materials. 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 clutter 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 are permitted.

Minor public facilities, parks, and playgrounds are permitted.

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 are permitted. Such signs shall be located on private property only.

SECTION 6: AMENDMENT “10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6D-4 LOT AND DWELLING SIZE REQUIREMENTS

A. Lot: The minimum lot area for a multi-family ~~dwelling outside of the Protected Historic Zone shall be 0.5 acres or approximately twenty one thousand seven hundred and eighty (21,780) square feet in area, in each case~~ shall be 1.06 acres or approximately forty six thousand one hundred and sixty (46,160) square feet in area, unless otherwise grandfathered or split ~~in previous years where~~ when a lot size ~~was then~~ smaller than the 1.06 acre requirement was allowed. ~~Any lot splits to less than 1.06 acres must connect to the Spring City culinary and wastewater systems, if unable or unwilling to connect then the minimum lot size will be 1.06 acres.~~ Multi-family dwellings are not allowed in the ~~Protected Historic Zone~~ main street historical district as defined in SCMC 2-1-1.

B. Dwelling: All residential dwelling units shall be constructed in compliance with the International Building Code as herein provided.

SECTION 7: AMENDMENT “10-6D-6 LOCATION REQUIREMENTS” of the Spring City Municipal Code is hereby *amended* as follows:

AMENDMENT

10-6D-6 LOCATION REQUIREMENTS

Each residential lot shall abut a public street for a minimum of two hundred feet (200 feet) ~~of frontage for 1.06-acre lots and a minimum of one hundred feet (100 feet) for .5-acre lots,~~ except in the case of lots ~~previously subdivided which are smaller than or equal to 1.06 acres~~ or lots smaller than 1.06 acres that have been previously split and are grandfathered, in which case the minimum frontage requirement will be proportionately less. 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 dwelling units must meet the following current permitted requirements:

A. Residential dwelling units on corner lots shall have a minimum setback of thirty feet (30') from both property lines along public streets.

B. Residential dwelling units shall have side yards of at least ten feet (10') from property lines not adjacent to public streets.

C. Residential dwelling units and accessory structures that measure greater than two hundred (200) square feet shall have a minimum rear yard of twenty feet (20').

D. No accessory structure may be closer than thirty feet (30') of both property lines along public streets for corner lots and 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 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'), ten feet (10') from side-yard property lines and twenty feet (20') from property lines on corner 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 ten feet (10'). Accessory structures that measure two hundred (200) square feet and under will require a zoning permit with no fee to ensure proper setbacks. Any structures more than two hundred (200) square feet will need to obtain a zoning permit.

SECTION 8: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 9: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 10: EFFECTIVE DATE This Ordinance shall be in full force and effect from March 9, 2026 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE SPRING CITY COUNCIL MARCH 09, 2026.

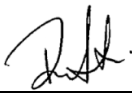
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Chris Anderson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Marty McCain	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Councilmember Michael Broadbent	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Courtney Syme	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Councilmember Laurel Workman	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Paul Penrod, Mayor, Spring City



Ruth Ann McCain, City Recorder,
Spring City



March 24, 2026

Spring City Corporation
ATTN: Spring City Recorder
45 South 100 E
Spring City, Utah 84662

Spring City Recorder:

Pursuant to Utah Code 20A-7-401.5 (1)(a)(i)(A), as Sponsors we are submitting this argument in favor of the proposed referendum application submitted challenging the Spring City Ordinance 2026-03 that changed Spring City minimum buildable lot size to 1.06 acre.

We feel the following points address and support the need for this issue to be put before the registered voters of Spring City:

- During a special city council meeting held on October 22, 2025, which followed over a year of research, presentations, publishing data/facts related to the minimum buildable lot size for Spring City the then seated city council unanimously voted in favor of ½ acre as the minimum buildable lot size through ordinance 2025-05 enactment.
- During the 2025 process of city council doing their due diligence in the decision-making process of passing ordinance 2025-05 there were significant efforts made to address Utah LUDMA law requirements as outlined in Utah Code Title 10-20-101, with emphasis put on addressing paragraphs;
 - (1)(i) to provide fundamental fairness in land use regulation, and;
 - (1)(j) to facilitate orderly growth, allow growth in a variety of housing types, and contribute toward housing affordability
- The newly elected city council that took office in January 2026 immediately initiated and passed Ordinance 2026-03 that removed all the provisions of ordinance 2025-05. The new City Council (nor the Planning and Zoning Commission) provided any due diligence documents to the public with respect to how changing to 1.06 acre as the minimum buildable lot size addressed the fundamental purposes and requirement of Utah LUDMA laws.
- As sponsors of the proposed referendum, we feel that the registered voters of Spring City will likely vote in favor or having the option of ½ acre as the minimum, as forcing 1.06 as the minimum is too restrictive and unduly alienates property rights with unreasonable large lot size being forced on everyone, and is just that “an unreasonable land use ordinance.”
- Prior to 1994 the minimum buildable lot size was ½ acre and it served Spring City well for its first 100+ years as it provided property owners the option to various size buildable lots.
- The availability of smaller lot sizes prior to 1994 provided Spring City with an almost 50/50 mix of 1.06 lots and smaller lots and makes Spring City what it is today. This conclusion was supported by data compiled during the adoption of Ordinance 2025-05.
- A false narrative being pushed in Spring City that 1.06-acre lot size is needed and must be the standard minimum in order to maintain the Character/feel and open space in Spring City. Data does not substantiate this narrative, nor do the referendum sponsors feel the data supports the larger lots to be forced on everyone that wishes to build in Spring City.

Respectfully,
Randy Strate, Craig Clark, Daniel G. Rasmussen

Argument Opposing the Referendum on Ordinance 2026-03

Voters in Spring City should reject the proposed referendum on Ordinance 2026-03 because it undermines established law, disregards the clearly expressed will of the community, and conflicts with the City's long-term planning framework.

First, Utah referendum law is intended to provide a check on legislative actions—not to relitigate policy decisions that voters have already decisively settled. Spring City residents have spoken clearly. In 2005, 70% of voters supported maintaining the 1.06-acre minimum lot size. This preference was reaffirmed in the 2024 General Plan survey, where 76% again supported that standard. This sustained and overwhelming consensus should not be overturned through a narrow referendum effort.

Second, the referendum conflicts with Spring City's General Plan, the legally recognized blueprint for growth. The Plan reflects careful study, public input, and statutory requirements. Ordinance 2026-03 aligns with it by reinforcing low-density development and protecting the rural character residents have consistently prioritized. Reversing this direction would create inconsistency between adopted policy and land use regulations, exposing the City to legal and planning instability.

Supporters of Ordinance 2025-05 frame higher-density development as a matter of "property rights." However, property rights have always operated within reasonable land use regulations that protect the broader community. Zoning standards, including minimum lot sizes, apply equally to all property owners and balance individual use with impacts on neighbors, infrastructure, water, and community character. No property owner has an inherent right to maximize density regardless of adopted plans. Ordinance 2026-03 does not take away property rights—it preserves long-standing, voter-supported standards that ensure fairness and predictability.

Spring City's National Historic District designation also supports long-term planning goals such as heritage tourism and preservation funding. Maintaining compatible development patterns advances these objectives, while higher-density subdivisions may not.

If the referendum is certified, Ordinance 2026-03 will be suspended pending the election, and the City will revert to Ordinance 2025-05. During that time, higher-density projects could be approved, creating permanent changes before voters decide the issue.

Third, recent election results further confirm the public's position. In 2025, Spring City had the highest voter turnout in the county, and every candidate supporting higher-density development was defeated, reflecting a clear democratic mandate.

Finally, the motivations behind the referendum raise concerns. Two sponsors are recent losing candidates with higher-density projects under consideration, suggesting this effort advances private interests rather than the public good.

In sum, this referendum is unnecessary, inconsistent with established planning policy, and contrary to the clearly demonstrated preferences of Spring City residents. Voters should reject it and uphold Ordinance 2026-03.



March 26, 2026

Fiscal and Legal Impact Statement

Ordinance 2026-03

On March 5, 2026, the Spring City Council passed Ordinance No. 2026-03 (the "Ordinance"), which changed the minimum buildable lot size to 1.06 acres. The Ordinance is now the subject of a referendum petition. Utah Code §20A-7-602.5 requires the City's budget officer and legal counsel to prepare an estimate of the fiscal and legal impact or repealing the Ordinance.

FISCAL IMPACT OF REPEALING THE ORDINANCE:

If the Ordinance is repealed, and the minimum buildable lot size of 1.06 acres contemplated by the Ordinance, the total estimated fiscal impact would be as follows:

The Spring City Recorder/Budget Officer estimates that repealing the Ordinance, this referendum proposes to repeal, would have no significant fiscal impact and would not result in either an increase or decrease in taxes or debt.

LEGAL IMPACTS:


It is not anticipated that repealing the Ordinance will have any significant effect on vested property rights.

It is anticipated that repealing the Ordinance would have an effect on the minimum buildable lot size from the 1.06 acres as contemplated by Ordinance back to the ordinance 2025-05 which required the minimum buildable lot size to be 0.5 acres per parcel.

It is not anticipated that the City would incur any legal liabilities by repealing the Ordinance.

CONCISE EXPLANATION:


After review and discussion the budget officer and legal counsel for Spring City have found that there would not be any significant fiscal impact and would not result in any increase or decrease in taxes or debt the city may incur. Furthermore, it is not anticipated that there should be any significant legal effects with or without the repeal.



Ruth Ann McCain
City Recorder/Budget Officer



Date



J. Wesley Mangum
City Attorney



Date