ORDINANCE NO. 26-03

AN ORDINANCE AMENDING ORDINANCE NO. 26-01 ESTABLISHING INTERIM LAND USE CONTROLS TO PROVIDE LIMITED EXEMPTIONS TO THE MORATORIUM FOR CERTAIN IMPROVEMENTS TO LEGALLY EXISTING STRUCTURES

WHEREAS, the Town Council of the Town of Spring Lake previously adopted Ordinance No. 26-01 establishing interim land use controls, including a temporary moratorium on certain development activities; and

WHEREAS, the Town Council finds that limited exemptions are appropriate to allow routine maintenance, safety improvements, and minor renovations to legally existing structures during the moratorium period; and

WHEREAS, the Town Council desires to clarify that such exemptions shall not allow expansion, intensification of use, or new developments inconsistent with the purpose of the moratorium;

NOW THEREFORE, the Town Council of the Town of Spring Lake, Utah hereby ordains as follows:

1. – Amendment to Moratorium Ordinance

Ordinance No. 26-01 is hereby amended to add the following section:

2. – Exemptions for Legally Existing Structures

Notwithstanding any other provision of this Ordinance, the moratorium shall not apply to, and the Town shall accept, process, and issue permits for, the following activities on legally existing structures (structures lawfully constructed or established prior to the effective date of Ordinance No. 26-01):

A. – Permitted Activities

a) Ordinary repairs and maintenance, including but not limited to roofing, siding, painting, foundation, repairs, and window or door replacement;
b) Interior renovations and upgrades, including but not limited to kitchen or bathroom remodels, flooring, electrical, plumbing, HVAC, insulation, or energy-efficiency improvements;
c) Exterior upgrades that do not increase the building footprint, gross floor area, height, or overall volume of the structure;
d) Accessibility, health, or safety improvements required or encouraged by state or federal law, including but not limited to ADA-related modifications, smoke detectors, or egress improvements; and

e) Minor exterior alterations such as decks, patios, or porches that do not exceed two hundred (200) square feet and do not change the use or intensity of the property.

B. – Conditions for Exemption

The above activities shall qualify for exemption only if all the following conditions are met:

1) The work does not increase the footprint, gross floor area, height, or density or intensity of use of the structure or lot;
2) There is no change of use that would require zoning approval or conditional use approval;
3) The improvements fully comply with the Utah State Construction Code (as adopted and amended by the State of Utah) and all applicable health, fire, building, and environmental regulations;
4) A building permit is obtained where required by law; and
5) The Town's Building Official, or designee, determines in writing that the proposed work qualifies as a renovation or upgrade rather than new construction, expansion, or intensification of use.

2. – No Expansion of Rights

Nothing in this amendment shall be interpreted to allow subdivision, new principal structures, additions that increase building area, or any development otherwise prohibited by the moratorium.

3. – Severability

If any provision of this ordinance is held invalid, the remainder shall not be affected.

5. – Effective Date

This ordinance shall take effect immediately upon adoption and shall remain in effect for the duration of the interim land use controls established by Ordinance No. 26-01.

ADOPTED AND PASSED by the Town Council of the Town of Spring Lake, Utah, this 1 of April, 2026

Signed: Wade R Menlove

Wade Menlove, Mayor

Attest: Brenda Warner

[redacted] Town Recorder
Brenda Warner

TOWN COUNCIL VOTE AS RECORDED

Councilmembers:	Yes	No	Abstain	Excused
Wade Menlove	X			
Sharon Bascom	X			
David Charles	X			
Robert Judd	X			
Robert Marsh	X			