

ORDINANCE NO. 2024-06-30

AN ORDINANCE AMENDING SECTION 17.7.801 OF THE AMERICAN FORK MUNICIPAL CODE, HISTORIC BUILDING CONSERVATION PROJECTS, AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, the City is authorized to enact ordinances as are necessary and proper to promote the health, safety, morals, convenience, order, prosperity, and general welfare of American Fork;

WHEREAS, the City desires to modify regulations related to historic building conservation within the municipality; and

WHEREAS, the adoption of this ordinance will promote the public health, safety and welfare of the City.

NOW THEREFORE, be it ordained by the City Council of American Fork, Utah, that:

**PART I
TEXT OF ORDINANCE**

SECTION 1. Section 17.7.801(C)(4) of the Municipal Code of American Fork City, is hereby amended to read as follows:

C. Permitted uses.

1. Any use within the zone district in which the project is located, subject to the limitations thereto hereinafter set forth.
2. Offices of professional persons.
3. Art galleries - structures used for the display and incidental sale of paintings and similar art objects.
4. Reception centers - structures for the conducting of wedding receptions and similar gatherings. Catering/food service is permitted in up to 25% of the total area of the building classified as a reception center use.
5. Restaurants - not including drive-in service.
6. The enlargement or modification of residential structures for the purpose of:
 - a. Increasing the number of dwelling units within the structure; or
 - b. Converting the structure to short-term sleeping accommodations for the public (bed and breakfast establishment).
7. Craft shops, provided that the character of the activity will be conducted in a manner consistent with the objectives underlying zone.
8. Mixed use structures - a structure containing one or more dwelling units and one or more of the other uses authorized under this section.
9. The incidental sale of gifts, confectionery, books, souvenirs and similar items as part of a use permitted under this section.

10. Pre-schools and child care nurseries, subject to the following:
 - a. The applicant shall provide evidence of approval of the facility for the intended purpose by the state or that the facility would meet the state guidelines for physical facilities for the number of occupants proposed, where state approval is not required. The city may also require inspection and approval of local fire and health authorities.
 - b. The proposed facility shall include an outdoor play area which conforms to state guidelines for such a facility.
 - c. The maximum number of students shall be one for each thirty-five square feet of floor space devoted to preschool and child-care purposes.
 - d. There shall be adequate access and off-street parking.
 - e. The facility shall be registered with the business license division of the city and an annual business license secured.\
 - f. Signs shall be limited to one facility identification sign. When located in a residential zone the sign shall not exceed twenty-four square feet in area.
 - g. The structure shall contain adequate rest room and kitchen facilities.
 - h. The application shall contain a site plan, prepared in substantial compliance with the provisions of Section 17.6.101. The plan shall show both the entire property and a floor plan of the structure and shall identify those portions proposed to be used for child-care purposes.
11. Other uses and structures determined by the planning commission to be similar in character to those identified in this section, subject to such conditions as may be attached to ensure that the conduct of the use will be in harmony with the intent of the historic building conservation projects and the underlying zone district.

PART II

CONFLICTING ORDINANCES, SEVERABILITY, AND ADOPTION

SECTION 1. Conflicting Provisions. Whenever the provisions of this Ordinance conflict with the provisions of any other ordinance, resolution or part thereof, the more stringent shall prevail.

SECTION 2. Provisions Severable. This Ordinance and the various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid it is hereby declared that the remainder of the ordinance shall not be affected thereby.

SECTION 3. Effective Date. This Ordinance shall take effect upon its passage and publication as required by law.

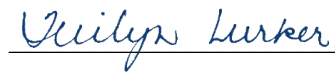
**PASSED AND ADOPTED BY THE CITY COUNCIL OF AMERICAN FORK CITY,
STATE OF UTAH, ON THIS THE 11TH DAY OF JUNE, 2024.**

AMERICAN FORK CITY



BRADLEY J. FROST, MAYOR

ATTEST:



CITY RECORDER

