

ORDINANCE #24-06

AN ORDINANCE UPDATING THE MODIFYING REGULATIONS

WHEREAS, the town of Garden City is a town duly incorporated under the general law of the State of Utah: and

WHEREAS, the Garden City Town Council is the governing body for the Town of Garden City and must administer the Garden City Municipal Code; and

WHEREAS, The Garden City Town Council is authorized to govern the health, safety and wellness of the citizens and visitors of the Town of Garden City.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF GARDEN CITY TOWN COUNCIL THAT ORDINANCE #11C-1000 – 11C-1450 AND 11C-1700 SHALL BE UPDATED AS FOLLOWS:

CHAPTER 11C-1100 RE/AG - Residential Estate/Agricultural Zone.

11C-1101 Purpose. To provide areas for large lot residential estate neighbors of a rural character together with a limited number of livestock activities in which the primary use involves raising, producing or keeping plants or animals

11C-1102 5-Acre Minimum Size.

11C-1103 Permitted Uses.

- A. Agriculture as defined herein.
- B. Dwellings for proprietors and employees of the use and animal training.
- C. Breeding or raising of fowl or other animals.
- D. Breeding of domestic animals.
- E. Nurseries and Greenhouses.
- F. Household Pets.
- G. Home Occupation.
- H. Single family dwelling.
- I. Accessory buildings and uses.
- J. Park or Playground.
- K. Landscaping and gardening.

11C-1104 Non-Permitted Uses

- A. Processing of animal or plant products
- B. Milk and feedlots
- C. Livestock Auctions

11C-1105 Conditional Uses.

- A. Church
- B. Public/Private School
- C. Public buildings
- D. Riding Stable. (Public or private with 6 or more horses)
- E. Stable, Private (provided not more than one horse per acre)
- F. Multiple Family Dwelling
- G. Public Utility
- H. Clubhouse
- I. Cemetery
- J. Stands for sale of produce grown on premises
- K. Dude Ranch and Accessory Buildings
- L. Recreational Vehicle Storage Structure
- M. Home Occupation Daycare/Preschool
- N. Golf Course
- O. Kennels
- P. Rodeo
- Q. Overflow Parking
- R. Bed & Breakfast/Inn
- S. Anything under 5 acre minimum not to go less than 1 acre.

11C-1106 Non-Listed Uses, see Ordinance #11C-1005

11C-1107 Area, Width and Setback Regulations.

<u>District</u>	<u>Minimum Setbacks (in feet)</u>		
	<u>Front</u>	<u>Side</u>	<u>Rear</u>
RE/AG-1	30	100 & 12	30
Lots 7500 sq. ft. or less*	25	8 & 10	25

*Lots of 7500 sq. ft. or less cannot be split

11C-1108 Height Regulations. No building shall exceed 35 feet in height.

11C-1109 Modifying Regulations.

- A. Side setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet provided that on corner lots rearing on the side setback of another lot, the minimum rear setback for all buildings shall be 10 feet.~~ **For accessory buildings see Ordinance 11C-906.**
- C. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1110 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

CHAPTER 11C-1200 R-1 Single Family Residential Zone.

11C-1201 Purpose. To provide appropriate locations where low density residential neighborhood may be established, maintained and protected, the regulations also permit the establishment of, with proper controls, the public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the requirements of the families. The regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood.

11C-1202 Permitted Uses:

- A. Single family dwellings
- B. Household pets
- C. Accessory uses and buildings
- D. Home Occupations
- E. Landscaping and gardening

11C-1203 Conditional Uses.

- A. Art museum, public
- B. Church
- C. Library, public
- D. Parking lot for permitted use
- E. Public building
- F. Park or playground, public
- G. Public Utility
- H. Public School
- I. Bed & Breakfast/Inn
- J. Family Food Production (on lots over 15,000 only)
- K. Hobby occupations 1/3 of income
- L. Two family dwelling, provided an additional 1,000 square feet to lot size

11C-1204 Non-Listed Uses, see Ordinance ##11C-1005

11C-1205 Height Regulations. No main building shall be erected to a height greater than 35 feet or detached garage greater than 25 feet.

11C-1206 Area, Setback Regulations.

District	Area in Square Feet	Minimum Setbacks (in feet)		
		Front	Side	Rear
R-1-8	8,000	30	8 & 10	30
R-1-9	9,000	30	8 & 10	30
R-1-10	10,000	30	10 & 14	30
R-1-12	12,000	30	10 & 15	30
	Lots 7500 sq. ft. or less*	25	8 & 10	25

*Lots of 7500 sq. ft. or less cannot be split

11C-1207 Modifying Regulations.

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet, provided that on corner lots rearing on the side setback of another lot, the minimum rear setback for all buildings shall be 10 feet. For accessory buildings see Ordinance 11C-906.~~
- C. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1208 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with sewer and water requirements.

11C-1209 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

CHAPTER 11C-1300 MFR Multiple Family Residence Zone.

11C-1301 Purpose. To provide appropriate locations for apartment house neighborhoods. The regulations permit a variety of multiple family dwellings and necessary public services and activities. Certain retail and service activities which are in harmony with the intent of the regulations are allowed, subject to control.

11C-1302 Permitted Uses.

- A. Dwelling, single family
- B. Dwelling, two, three, and four family, on an individual lot
- C. Household pets
- D. Accessory uses and buildings
- E. Landscaping and gardening

11C-1303 Conditional Uses.

- A. Art museum, public
- B. Boarding house
- C. Church
- D. Dwelling, group
- E. Dwelling, multiple family (greater than 4)
- F. Fraternal beneficial societies
- G. Hospital (not including animal hospital)
- H. Institution providing residence and care for children
- I. Public library
- J. Lodging and/or boarding house (15 persons or less)
- K. Parking lot for permitted or conditional uses
- L. Public buildings
- M. Public park or playground
- N. Public utilities
- O. School
- P. Wedding chapel
- Q. Home Occupation Daycare/Preschool
- R. Home Occupation

11C-1304 Non-Listed Uses, see Ordinance #11C-1005

11C-1305 Height Regulations. No building shall be erected to a height greater than 35 feet.

11C-1306 Area, Width and Setback Regulations.

	Minimum Setbacks (in feet)
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District	Area in Square Feet	Front	Side	Rear
RM-5	15,000	30	8 & 10	30
	Lots 7500 sq. ft. or less*	25	8 & 10	25

*Lots of 7500 sq. ft. or less cannot be split

11C-1307 Modifying Regulations.

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet, provided that on corner lots rearing on the side setback of another lot, the minimum rear setback for all buildings shall be 10 feet.~~ **For accessory buildings see Ordinance 11C-906.**
- C. Area. For each two-family dwelling or more, 750 square feet additional for each additional family unit in a dwelling structure. For group dwellings, 5,000 square feet for the first separate structure plus 2,000 square feet for each additional separate dwelling structure.
- D. Group Dwellings. These buildings shall be considered as one building for the purpose of front, side and rear setback requirements, the entire group as a unit requiring one front, one rear and two side setbacks as specified for single dwelling structures. Group dwellings shall be not more than two and one-half (2-1/2) stories or 35 feet in height. Each two and one-half (2-1/2) story group dwelling development shall have a minimum court of 30 feet in width and 40 feet in length in addition to its required setbacks. Each one story group dwelling development shall have a minimum court of 20 feet in width and 30 feet in length in addition to its required setbacks. In a group dwelling development, no two separate dwelling structures shall be closer to each other along the sides or ends of a court than 10 feet.
- E. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1308 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with sewer and water requirements.

11C-1309 Developers Requirements. When ingress and egress is adjacent to existing

residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

CHAPTER 11C-1400 RR Recreational Residential Zone

11C- 1401 Purpose. To provide appropriate areas for recreational residential developments and related services and activities. Certain retail and service activities which are in harmony with the intent of this chapter are allowed subject to controls and approvals.

11C-1402 Permitted Uses.

- A. Dwelling, single family
- B. Dwelling, two family
- C. Household pets
- D. Accessory uses and buildings
- E. Golf Course
- F. Park or playground
- G. Home Occupation
- H. Landscaping and gardening

11C-1403 Conditional Uses.

- A. Cluster residential dwellings on minimum sites of two (2) acres
- B. Condominium residential dwellings on minimum sites of four (4) acres
- C. Dwelling, group
- D. Dwelling, multiple family
- E. Lodge, private or public
- F. Clubhouse
- G. Riding stable, private or public
- H. Utility structures and easements
- I. Parking lot for permitted or commercial uses
- J. Café or restaurant
- K. Recreational vehicle storage structure
- L. Bed & Breakfast/Inn

11C-1404 Non-Listed Uses, see Ordinance #11C-1005

11C-1405 Height Regulations. No building shall be erected to a height greater than thirty-five (35) feet.

11C-1406 Area, Width and Setback Regulations.

		Minimum Setbacks (in feet)		
District	Area in Square Feet	Front	Side	Rear
RR	12,000	30	8 & 10	30
	Lots 7500 sq. ft. or less*	25	8 & 10	25

*Lots of 7500 sq. ft. or less cannot be split.

11C-1407 Modifying Regulations.

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet, provided that on corner lots rearing on the side setback of another lot, the minimum rear setback for all buildings shall be 10 feet.~~ **For accessory buildings see Ordinance 11C-906.**
- C. Area. For each two-family dwelling or more, 750 square feet additional for each additional family unit in a dwelling structure. For group dwellings, 5,000 square feet for the first separate structure plus 2,000 square feet for each additional separate dwelling structure.
- D. Group Dwellings. These buildings shall be considered as one building for the purpose of front, side and rear setback requirements, the entire group as a unit requiring one front, one rear and two side setbacks as specified for single dwelling structures. Group dwellings shall be not more than 35 feet in height. Each dwelling development shall have a minimum court of 30 feet in width and 40 feet in length in addition to its required setbacks. Each one story group dwelling development shall have a minimum court of 20 feet in width and 30 feet in length in addition to its required setbacks. In a group dwelling development, no two separate dwelling structures shall be closer to each other along the sides or ends of a court than 10 feet.
- E. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1408 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions

shall comply with sewer and water requirements.

11C-1409 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

CHAPTER 11C-1450 HE Hillside Estates

11C – 1451 Purpose: To provide appropriate locations above the Garden City canal, where low density residential neighborhoods may be established and maintained to protect the natural beauty and wildlife. Encourage parks and playgrounds, which serve the requirements of the families. The regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood.

11C – 1452 Permitted Uses:

- A. Single family dwellings, ¾ acre lots minimum using the Standard Development Option as provided for in Paragraph 11C-1455 or through the Density-Based Alternative Development Option as provided for in Paragraph 11C-1456.
- B. Household Pets
- C. Accessory uses and buildings
- D. Landscaping and Gardening

11C – 1453 Conditional Uses:

- A. Agriculture Tourism
- B. Clubhouse
- C. Golf Course
- D. Parking lot for permitted use
- E. Park or Playground, Public
- F. Home Occupation. Which does not have more than two customers coming and going from the residence at the same time. No parking of construction equipment or storage of material.
- G. Cluster Development
- H. Bed & Breakfast/Inn

11C-1454 Non-Listed Uses, see Ordinance #11C-1005

11C – 1455 Height Regulations. No main building shall be erected to a height greater than 35 feet and no accessory building shall be erected to a height greater than 35 feet.

11C – 1456 Area, Width and Setback Regulations – Standard Development Option

Table 1 –

		Minimum Setbacks (in feet)		
District	Area in Square Feet	Front	Side	Rear
HE	32,670 (3/4 acres)	30	15 & 15	30

11C – 1457 Area, Width and Setback Regulations – Density-Based Alternative Development Option

Property in the Hillside Estates (HE) zone/district may also be subdivided using the following density-based method. Subdivisions may be divided such that the resulting density for the subdivision is in accordance with the density ratio in Table 2. Subdivisions based on density determinants are designed to help protect the city’s basic zoning density and also provide some flexibility for lot sizes within a zone.

- A. Minimum Lot Size. A subdivision divided by using this density-based method may be divided such that all of the lots are at least the minimal size according to the Table 2. Lot may be larger than these minimal lot sizes but may not be smaller.
- B. Maximum Number of Lots in the Subdivision. Regardless of the size of the lots in the subdivision, the development may not have more lots than is allowed by computing the total area of the subdivision, less the Non-Buildable Area in the subdivision and multiplying that by the ratio in Table 2. The total number of lots allowed within a development shall be based on the following table which recognizes that approximately 10% of the land in a subdivision is used for roads and other improvements. The base acreage for density determination is the total acres in the parcel less any “Non-Buildable Areas” as defined in 11A-200. “Number of lots” is synonymous with “number of dwelling units”.

Table 2 –

District	Allowed Density in Lots per Acre	Minimum Lot Size in Sq. Ft. per lot	Minimum Setbacks		
			Front	Side	Rear
HE	1.20	20,000	30	15 & 15	30

- C. Rounding. If the number of lots computed results in a fraction of a lot, the number of allowed lots is rounded (up or down) to the nearest whole number of lots. Results ending in exactly 0.5 may be rounded up.

- D. Building Lot Requirements. Development under the provisions of this Density-Based Method shall be subject to all other applicable ordinances and regulations which govern development activities within the city.

11C-1458 Modifying Regulations

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet provided that on corner lots rearing on the side setback of another lot, the minimum rear setback for all building shall be ten (10) feet.~~ **For accessory buildings see Ordinance 11C-906.**
- C. No Stand-Alone Building or Garage is allowed in any Residential Zone.

Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with the sewer and water requirements.

Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

CHAPTER 11C-1700 BD Beach Development Zone.

11C-1701 Purpose. To provide areas along the shoreline of Bear Lake for public and private water-oriented recreational and residential activities.

11C-1702 Permitted Uses.

- A. Single family dwellings
B. Accessory buildings conducive to single-family dwellings.
C. Landscaping and gardening

11C-1703 Conditional Uses.

- A. Note: No structures except those related to marinas will be allowed within thirty (30) feet of the 5,923.65 feet – Rocky Mountain Power datum contour level surrounding Bear Lake which contour represents the high water level of the lake.
- B. Dwelling, two family
C. Dwelling, group

- D. Dwelling, multiple family
- E. Cluster residential dwellings
- F. Lodge, private or public
- G. Clubhouse private or public
- H. Marinas
- I. Home Occupation Daycare/Preschool
- J. Accessory buildings and uses

11C-1704 Non-Listed Uses see Ordinance #11C-1005

11C-1705 Height Regulations. No building shall be erected to a height greater than 35 feet.

11C-1706 Area, Width and Setback Regulations.

		Minimum Setbacks (in feet)		
District	Area in Square Feet	Front	Side	Rear
BD	7,500	30	8 & 10	30
	7500 sq. ft. or less*	25	8 & 10	25

*Lots 7500 sq. ft. or less cannot be split

11C-1707 Modifying Regulations.

- A. Side Setbacks. All structures shall have a minimum side setback of 20 feet on the street side of a corner lot. **For accessory buildings on non-corner lots, see Ordinance 11C-906.**
- B. Rear Setbacks. ~~Private garages and accessory buildings located at least 10 feet behind the main building may have a rear setback of ten (10) feet, provided that on corner lots rearing on the side setbacks of another lot, the minimum rear setback for all buildings shall be 10 feet.~~ **For accessory buildings see Ordinance 11C-906.**
- C. No Stand-Alone Building or Garage is allowed in any Residential Zone.

11C-1708 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with sewer and water restrictions.

11C-1709 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

11C-1802 Permitted Uses.

A.

11C-1803 Conditional Uses.

- A. Any manufacturing, processing, assembling, research, wholesale or storage use.
- B. Accessory buildings and uses customarily incidental to the above uses.
- C. Landscaping and gardening.
- D. Restaurants and service stations.
- E. Manufacture of any of the following products from raw materials; acids, asphalt, carbide, caustic soda, carbon or bone black, cellulose, charcoal, chlorine, fertilizer, hydrogen, industrial alcohol, nitrates of an explosive nature, plastics portland cement, potash, synthetic resins and fibers.
- F. Any of the following processes: distillation of wood or bones; nitrating of cotton or other materials; reduction, refining, smelting and alloying of metals or metal ores; refining of petroleum and petroleum products; slaughtering and packing of animals larger than poultry or rabbits; tanning of raw, green or salted hides or skins.
- G. Storage of fireworks or explosives except where incidental to a permitted use; manufacture of fireworks or explosives not permitted.
- H. Automobile salvage and wrecking operations, and industrial metal, rag, glass or paper salvage operations provided that all operations are conducted within a solid view obscuring wall or fence not less than 8 feet in height.

11C-1804 Non-Listed Uses see Ordinance #11C-1005

11C-1805 Height Regulations. No buildings shall exceed 35 feet.

11C-1806 Area, Width and Setback Regulations. Ten (10) Feet except that for any parcel in the M-1 zone having a lot line in common with a lot in an adjoining zone or lying across the street or alley from such adjoining zone, the front, side and rear setbacks as prescribed for the most restrictive adjoining zone shall be maintained in the M-1 zone.

- A. Lots 7500 sq. ft. or less cannot be split.

11C-1807 Developers Requirements. When ingress and egress is adjacent to existing residential homes, developers are required to pave a minimum of 100 feet past the existing residence rear property line.

APPROVED AND ADOPTED this 8th day of February 2024.

APPROVED:

ATTEST:

Mike Leonhardt, Mayor

Cathie Rasmussen, Town Clerk

Voting:

	Aye	Nye
Argyle	___	___
Hansen	___	___
Menlove	___	___
Parry	___	___
Leonhardt, Mayor	___	___