ORDINANCE NO. 23-27-24-07 AN ORDINANCE UPDATING THE BUILDING PERMIT ORDINANCE

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 regulate building and construction in the Town of Garden City; and

WHEREAS, the Garden City Town Council shall manage and the process of permitting building and oversee the construction and related work performed within the Town of Garden City.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN OF GARDEN CITY TOWN COUNCIL THAT ORDINANCE #11H-101 SHALL BE UPDATED AS FOLLOWS:

CHAPTER 11H-101 Building Permit Required. The construction alteration, repair, removal or occupancy of any structure or any part thereof, as provided or as restricted in this ordinance, shall not be commenced, or proceeded with except after the issuance of a written permit for the same by the building inspector. Nonstructural repair and maintenance of a structure will not require a permit.

- A. Before any work is initiated, a building permit must be obtained through the Garden City Building Department. Building permits issued by the Town of Garden City are valid for (18) months from application date.
 - 1. Building permit placards must be posted near the construction area, on the owner's property, and visible from the nearest road.
 - 2. Fines for not posting a building permit placard will be set by resolution.
- B. Building Permits may be extended prior to their expiration date with approval of the building official and payment of a renewal fee. C. Expired building permits may be reinstated by applying with the Town of Garden City and paying a fee. Fee will be set by resolution Building permits that have not expired may be extended for six (6) months by applying for an extension (refer to International Building Code 105.5) with the Town of Garden City and paying a fee. Fee will be set by resolution.
 - 1. A permit that has expired for 30 days or less may still be renewed along with a citation set forth by the Garden City Infraction Schedule.

- 2. A building permit deposit that is refunded during the 30-day grace period will be reduced by 25%.
- 3. If a permit expires beyond the 30-day grace period, the permit will be null and void, and the permit deposit will be forfeited. A new permit must be applied for that will require payment of deposit, building permit fees, inspection and review fees, and other related charges to issuing a new permit.
- 4. Citations may be issued based on the Garden City Infraction Schedule for building with an expired permit, or without an active building permit.
- 5. Building Permit deposits will only be refunded on valid building permits, or those that fall within the 30-day grace period. (See B.1)
- 6. Building Permit deposits will not be refunded if a permit has, at any time, expired 30 days or more, prior to receiving a Certificate of Occupancy.
- 7. Refunds will not be issued if there are Garden City Code violations relating to the permitted address before a Certificate of Occupancy is issued.
- C. The building inspection schedule must be followed and approved by the Garden City Building Inspector. Working beyond the inspected/approved scope of work will lead to fines set forth by the Garden City Infraction Schedule including the possible loss of the building permit deposit.
- **D. E.** Exterior construction requiring a Building Permit will also require construction fencing, minimum of 3 feet high, around the property to contain construction and other materials on the construction site. (Reference Garden City Code 9-400)
- E. Any person, firm, or corporation violating any of the provisions of this Code shall be deemed in violation and shall may be reported to the State Inspector. D. Building without an active permit will be subject to Town of Garden City Administrative Code and Town of Garden City Administrative Code Infraction Fine Schedule. See Garden City Code 8-400 Building Regulations.
- F. The Town Council of Garden City shall adopt the current Building Codes adopted by the State of Utah.

G. Any amendments to the above codes adopted by the Utah State Division of Occupational and Professional Licensing in accordance with Utah Code 58-56-4 are also adopted for the Town of Garden City.

APPROVAL:			Attest:
			Cathi Laomus
Michael Leonhardt, N	Mayor		OF GARAGIE Rasmussen, Town Clerk
			or GARAGIE Rasmussen, Town Clerk
			(SEAL 2)
Voting	Aye	Nay	JAN. 2, 193A
Argyle	\checkmark		04N. 2, 19 ³⁴
Hansen Menlove	<u> </u>		UTAH
Parry	7		
Leonhardt, Mayor	Ĭ		

STATE OF UTAH)
)§
County of Rich)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-07 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Town Clerk

SEAL

VAN. 2, 1934

UTAH

AN ORDINANCE UPDATING REQUIREMENTS FOR A PUD/PRUD

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; and

NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE #11C-1953 AND #11C-1954, BE UPDATED AS FOLLOWS:

CHAPTER 11C-1950 Planned Unit Development/Planned Residential Unit Development

11C-1951 Purpose. To encourage and enable mixed use and residential developments as described in section 11F-101 A and B.

11C-1952 5-Acre Minimum Size

11C-1953 Requirements for a Planned Unit Development or Planned Residential Unit Development. The following list of requirements for a Planned Unit Development or Planned Residential Unit Development (PUD/PRUD) are negotiable during the PUD/PRUD approval process and must be approved on the final plat by the Planning Commission and Town Council at the time of preliminary and final plat approval:

- A. Building Setbacks and yard requirements;
 - 1. Minimum setbacks are determined by the Fire Code requirements.
- B. Parking requirements;
 - 1. Parking dimensions are stipulated by ordinance.
- C. Internal traffic circulation;
- D. Screening or fencing;
- E. Landscaped areas;
- F. Signs and lighting;
- G. Commercial area;
- H. Open spaces;
 - 1. Passive open spaces
 - 2. Active Open Spaces;
 - a. Parks with playgrounds

- b. Swimming pools
- c. Tennis courts
- d. Open fields (grass maintained)
- e. Trails
- f. Other areas as recommended by developer.

11C-1954 Height. The Height of a building or structure within a PUD/PRUD cannot exceed 35' and cannot be negotiated. See Ordinance #11A-200, definitions, height subsection b.

11C-1955 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:		ATTEST:
Mike Leonhardt, Ma	yor	OF GARding Rasmussen, Town Clerk
Voting: Argyle Hansen Parry Menlove Leonhardt, Mayor	Aye Nye	SEAL VAN. 2, 1934 UTAH

STATE OF UTAH)
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County of Rich)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-08 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Cothi Kaomussen Town Clerk

4N. 2, 1934

AN ORDINANCE UPDATING THE HEIGHT DEFINITION

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; and

NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE #11A-200, DEFINITION, HEIGHT, BE UPDATED AS FOLLOWS:

Height The vertical distance of a building measured from the elevation of the lowest floor to the highest point of the building, including any structures, equipment, or appurtenance located above the roof level. Exceptions for copula's not to exceed 20 square feet, chimneys and church spires shall be determined by a Garden City Building Official. In the event that a structure may surpass the height limitations as set forth in the Municipal Code due to topography then a contractor may determine height as set forth in 11A-200-62-a.

- a. Before any soil is excavated or disturbed. The structure location is to be staked out and elevations determined. This is the responsibility of the Contractor and homeowner with the Building Inspector present. With the building inspector present, the average of those elevations shall then be transferred to a corner lot grade stake for final height reference. If this means of determining height is used, the contractor Garden City Building Official may determine height off the average elevation to the highest point of the structure excluding chimneys and cupulas. If the said corner lot grade stake is disturbed any time throughout the building process, then the height of the structure shall be measured from the lowest point of the structure. be determined by the Garden City Building Official, as set forth in 11A-200-62.
- b. The maximum height of a building or structure within a PUD/PRUD cannot exceed 35', unless circumstances support the approval by the Planning Commission and Town Council at time of preliminary and final plat approval.

APPROVED:

ATTEST:

Mike Leonhardt, Mayor

OF GARDINE Rasmussen, Town Clerk
SEAL

4N. 2, 1934

STATE OF UTAH)
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County of Rich)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-09 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Town Clerk

SEAL

117011

AN ORDINANCE UPDATING CONDITIONAL USES IN COMMERCIAL ZONES

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; and

NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE #11C-1500 - #11C-1504, BE UPDATED AS FOLLOWS:

CHAPTER 11C-1500 C Commercial Zone

Area Minimum Setbacks (in feet)			feet)	
	Area in	Front		
District	Square Feet	(Side facing road)	Side	Rear
C1	Minimum of	20 Feet	Ten (10) Feet	Ten (10) Feet
	6000 ft.			
C2	Minimum of 6000 ft.	20 Feet	Ten (10) Feet	Ten (10) Feet
СЗ	Minimum of 6000 ft.	20 Feet (unless being used for residential purpose; if being used for a residential purpose, it must meet appropriate setbacks for a single family residential zone-R1)	Ten (10) Feet	Ten (10) Feet
C4	Minimum of 6000 ft.	20 Feet	Ten (10) Feet	Ten (10) Feet

^{*}Lots under 7500 sq. ft. cannot be split*

<u>11C-1501 Purpose</u>. To provide areas for community retail and service activities in locations convenient to serve the residents and is compatible to the tourism industry and to protect surrounding residential property.

11C-1502 C1 Zone.

A. Permitted Uses.

- 1. Stores, shops, and offices supplying commodities or performing services such as banks, business offices, and other financial institutions, hair salons, barbers, medical and dental offices, art galleries and similar enterprises provided that all uses can be conducted within the buildings.
- 2. Accessory buildings and uses customarily incidental to the above that are not required to be in another zone.
- 3. Bowling alley, dance hall, roller-skating rink, theatres, arcades, pool halls and miniature golf course.
- 4. Hotels and Motels
- 5. Restaurants and Fast Food Establishments
- 6. Department Stores
- 7. A single-family residence and/or employee housing as long as construction is integrated into the commercial structure and is 50% or less of the total square footage and must be located either above or behind the commercial space.

B. Conditional Uses.

- 1. Automobile Dealers
- 2. Gas Stations with Convenience Stores
- 3. Farmer's and Artisan's Market
- 4. RV Park
- 5. Stand Alone Accessory Building (Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 6. Storage Structure (Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 7. Bed & Breakfast/Inn
- 8. Boarding House
- 9. Lodging House
- 10. Construction/labor/service showrooms, provided all uses shall be within an enclosed building.

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

11C-1503 C2 Zone.

A. Permitted Uses.

- 1. Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, provided all uses shall be within an enclosed building
- 2. Commercial landscaping buildings
- 3. Storage sheds (Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 4. Construction/labor/service showrooms, provided all uses shall be within an enclosed building
- 5. Small scale manufacturing provided, all uses shall be within an enclosed building.
- 6. Lumber yard, provided all uses shall be within an enclosed building.
- 8. A single-family residence and/or employee housing as long as construction is integrated into the commercial structure and is 50% or less of the total square footage and must be located either above or behind the commercial space.

B. Conditional Uses.

- 1. Automobile service stations for garages for repair of vehicles
- 2. Farmer's & Artisan's Market
- 3. RV Park
- 4. Stand Alone Accessory Building(Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 5. Storage Structure (Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 6. Commercial parking lots

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

11C-1504 C3 Zone.

A. Permitted Uses.

- 1. All uses for C1 Commercial Zone may be applied to C3 Commercial Zone.
- 2. None of the permitted uses for the C2 Commercial Zone may be applied to C3 Commercial Zone.
- 3. Owners of C3 Zone properties may choose to use them for either single-family residence or multiple family residences as long as construction complies with the setbacks and guidelines of the respective type of residency.
 - a. When C3 Zone property is used for the establishment of a business next to a residence, the business owner will be required to install a privacy fence up to 8 feet between the two properties.
 - b. When C3 Zone property is used for establishment of a residence next to an established business, the homeowner will be required to install a privacy fence, up to eight feet (8'), between the two properties.

B. Conditional Uses.

- 1. Farmer's & Artisan's Market
- RV Park

- 3. Church
- 4. Storage Sheds (Can be no closer than 300' to Hwy 89, SR30 or 300 West)
- 5. Stand Alone Accessory Building (Can be no closer than 300' to Hwy 89, SR30 or 300 West)
- 6. Storage Structure (Can be no closer than 300' to Hwy 89, SR 30 or 300 West)
- 7. Commercial Parking Lots
- 8. Bed & Breakfast/Inn
- 9. Boarding House
- 10. Lodging House
- C. Non-Listed Uses see Ordinance #11C-1005.

11C - 1505 C4 Zone.

A. Permitted Uses.

- Stores, shops, and offices supplying commodities or performing
 Services such as banks, business offices, and other financial
 Institutions, hair salons, barbers, medical and dental offices, art galleries
 And similar enterprises provided that all uses can be conducted within the buildings.
- 2. Accessory buildings and uses customarily incidental to the above that are not required to be in another zone.
- 3. Bowling alley, dance hall, roller-skating rink, theatres, arcades, and pool halls.
- 4. Hotels and Motels
- 5. Restaurants and Fast Food Establishments
- 6. Department Stores
- 7. a. When C3 Zone property is used for the establishment of a business next to a residence, the business owner will be required to install a privacy fence up to 8 feet between the two properties.

b. When C3 Zone property is used for establishment of a residence next to an established business, the homeowner will be required to install a privacy fence, up to eight feet (8'), between the two properties.

Owners of C4 Zone properties may choose to use them for either single family residence or multiple family residences as long as construction complies with the setbacks and guidelines of the respective type of residency.

- B. Conditional Uses.
 - 1. Automobile Dealers
 - 2. Gas Stations with Convenience Stores
 - 3. Farmer's and Artisan's Market
 - 4. RV Park
 - 5. Sexually Oriented Business
 - Kennels
 - 7. Stand Alone Accessory Building (Can be no closer than 300' to Hwy 89, SR30 or 300 West)
 - 8. Storage Structure (Can be no closer than 300' to Hwy 89, SR30 or 300 West)
- C. Non-Listed Uses see Ordinance #11C-1005.

<u>11C-1506 Height Regulations.</u> No building shall be erected to a height greater than thirty-five (35) feet.

11C-1507 Area, Width, and Setback Regulations. See above table.

<u>11C-1508 Landscaping and Front Elevations.</u> For the beautification of Garden City, it is required that a landscaping plan, for the entire 10-foot front setback in C2 and 20-foot setback in C1 and C3 zone, be submitted and approved by the Planning Commission along with the front elevations of all buildings.

11C-1509 Architectural Standards. To ensure that Garden City continues to be aesthetically pleasing, all commercial buildings and any structure along Paradise Parkway within the commercial zones will be required to meet certain architectural standards. All commercial buildings and any structure along

Paradise Parkway within the commercial zones, shall have an outer appearance that is consistent with surrounding structures. All commercial buildings and any structure along Paradise Parkway shall have 3 exterior walls (one of which must face the street) that are made of wood, glass, stone, brick, or stucco. To maintain a consistent aesthetically pleasing look in the town, the street facing exterior wall shall have a minimum of 25% stone or brick. Other materials for exterior walls or 25% decorative exterior may be approved by the Planning Commission. All materials are to have an earth tone color in nature and appearance, per palette as set by resolution. Architecture elevations must be reviewed and approved by the Planning Commission.

APPROVED:		ATTEST:
MATur		Cothei Joinnuser
Mike Leonhardt, Mayor	Nye OF G	Cathie Rasmussen, Town Clerk
Voting: Aye Argyle Hansen Parry Menlove Leonhardt, Mayor	/ — SE	2, 19 ³⁴

STATE OF UTAH)
)§
County of Rich)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-10 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Town Clerk

4N. 2, 1934

UTAH

AN ORDINANCE ADDING STORAGE SHED TO DEFINITIONS

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; and

NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE #11A-200, DEFINITIONS, BE UPDATED TO ADD STORAGE SHED TO DEFINITIONS:

Storage Shed any accessory structure, either freestanding or attached to another structure, that is not classified for human habitation or occupancy and is intended as per its original design and construction to be primarily used to store personal property.

ATTECT.

APPROVED AND ADOPTED this 21st day of March 2024.

APPROVED:		ATTEST.
Mike Leonhardt, May	/or	OF GARD, When Lawmussen, Town Clerk
Voting: Argyle Hansen Parry Menlove Leonhardt, Mayor	Aye Nye	SEAL VAN. 2, 193A UTAH

STATE OF UTAH)
)§
County of Rich)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-11 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Town Clerk

SEAL

AN. 2, 1934

UTAH_

AN ORDINANCE UPDATING PUD/PRUD DEVELOPMENT PLAN REQUIREMENTS

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; and

NOW, THEREFORE, BE IT ORDAINED BY THE GARDEN CITY PLANNING COMMISSION AND TOWN COUNCIL THAT ORDINANCE #11F-102, BE UPDATED AS FOLLOWS:

11F- 102 PUD/PRUD Development Plan Requirements. Any developer wishing to develop a planned unit development over a series of years shall comply with the additional requirements and regulations set forth in this section. Each phase of such development shall contain all the necessary elements and improvements to exist independently from proposed future phases in a stable manner and shall comply with all applicable zoning regulations

A. Requirements

- 1. Clearly define the area(s) which will be included in each phase.
- 2. The aggregate area of all buildings proposed shall not exceed thirty percent (30%) of the entire lot area of the development.
- 3. Any use listed as a permitted or conditional use in the Garden City land use ordinances may be approved in any Planned Unit Development Zone if such use by location, characteristic or design is deemed compatible with the character of the area in which the development is proposed and is consistent with the policies and goals set forth in the Town's General Plan.
- 4. The concessions and retail services shall be located and designed to be consistent with the character of the development, having the same outside appearance as the other structures in the development.
- 5. Around the boundaries of the development, building height, architecture and coverage shall be arranged to enhance the viability and attractiveness

of adjacent land uses. For height requirements refer to ordinance 11A-200, definition, height subsection b. The height requirements shall not exceed 35' except in the Beach Development Zone where the height shall not exceed 25'. The yard and height requirements of the adjacent zone shall be required on the immediate periphery, and throughout the entire development.

- 6. Commercial uses shall be restricted to those structures approved for commercial use in the development plan.
- 7. All setback, yard, and area requirements shall be determined by the Planning Commission.
- 8. Where a PUD or PRUD adjoins any lot in any zone, there may be required along such property lines a fence and/or planting strip as determined by the Planning Commission.
- 9. If developer is phasing within the development, (Look at definition 11A-200 Stand Along (Phasing), each phase shall stand alone.

APPROVED:	ATTEST:
MAL	Cathie Roomusse
Mike Leonhardt, Mayor	Cathie Rasmussen, Town Clerk
Voting: Aye Nye Argyle	SEAL WAN 2 1934 UTAH

STATE OF UTAH)
County of Rich)§)

I, Cathie Rasmussen, the duly appointed Clerk/Recorder of the Town of Garden City, Utah, do hereby certify that the attached and foregoing is a true and correct copy of Ordinance #24-12 passed by the Town Council of Garden City, on the 21st day of March 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 21st day of March 2024.

Town Clerk

VAN. 2, 193A