

**MINUTES OF THE  
TOWN COUNCIL  
MEETING OF  
GARDEN CITY, UTAH**

The Garden City Town Council held their regularly scheduled meeting on Thursday, June 11, 2015 at the Garden City Lakeview Building located at 69 N. Paradise Parkway, Building C. Mayor Spuhler opened the meeting at 5:10 p.m.

Town Council Members present:

John Spuhler, Mayor  
Darin Pugmire  
Chuck Stocking  
Bruce Warner  
Bess Huefner via speaker phone

Others Present:

Kathy Hislop  
Bobbie Coray  
Nadine Sprouse  
Riley Argyle  
Bob Peterson  
Zan Murray  
Norm Mecham  
Mike Wahlberg  
Sharlene Millard  
Mark Hislop  
Ted Wilson  
Emily Schwarting  
Burt Carlisle

**ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner via speaker phone, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

**APPROVAL OF MINUTES**

Minutes of the Town Council Meeting held on May 14, 2015

Council Member Warner made the motion to approve the minutes of the regular Town Council meeting held on May 14, 2015 with the changes noted that Council Member Pugmire was not in attendance during the entire meeting. Council Member Pugmire seconded the motion. A roll call

vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Minutes of the Town Council Public Hearing held on May 21, 2015

Council Member Pugmire made the motion to approve the minutes of the Town Council public hearing held on May 21, 2015. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Minutes of the Executive Session held on May 14, 2015

Council Member Pugmire made the motion to approve the minutes of the executive session held on May 14, 2015. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Minutes of the Statement in Lieu of Minutes for the Executive Session held on May 14, 2015

Council Member Warner moved to approve the statement in lieu of minutes for the executive session held on May 14, 2015. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**BUSINESS LICENSE DISCUSSION/APPROVAL**

Airbrush Tan by Em, request to conduct an airbrush spray tanning and retail product shop at 585 N Bear Lake Blvd. Emily Schwarting

Ms. Schwarting explained that she is from Dingle Idaho. This business license request is for spray tanning; it colors the pigment in the skin. She has been doing this out of her home but would like to try it in Garden City. She will charge \$30. She will be selling skin care products to extend the life of the tan. She said that she may offer clothing at some time. The Council said it was ok to add clothing or retail products to the business license application at this time so she won't have to come back at a later time to add retail.

Ms. Schwarting does have her Utah sales tax number and she is a certified technician. She is located at the beach Waves Salon.

Council Member Pugmire asked about the parking for this building. The Council Members agreed that they felt that there was plenty of parking for that businesses located at that building.

Council Member Warner moved that the airbrush spray tanning and retail product shop by Em be approved. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Common Sense Custom Homes, request to conduct a General Contracting Company, Jared Burt Carlisle

Mr. Carlisle explained that the address on the application is for the office. The material will be kept at the job storage and he also has a storage unit that he will use. He won't keep building material at the office location.

Council Member Pugmire made the motion to accept the business license of Common Sense Custom Homes. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Southwick Black Belt Academy, LLC., request to conduct martial arts classes. Tia & Scott Southwick

This business license has been approved before, they just want to move to a new location.

Council Member Stocking made the motion to accept the business license application for Southwick Black Belt Academy, LLC. Council Member Warner seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**SHUNDAHAI TANK AGREEMENT**

The agenda item was moved up on the agenda after the business license discussion by Mayor Spuhler.

The Council Members have had a chance to look over the agreement. There are no comments or concerns with this agreement.

Council Member Warner made the motion to authorize the Mayor to sign the agreement on behalf of the Town to purchase the Shundahai tank as outlined in the purchase contract agreement. Council Member Pugmire asked if the easements are required in the agreement. Mr. Mecham said that it is in the agreement. Council Member Pugmire seconded. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

Mr. Mecham and Mayor Spuhler will sign the documents tomorrow.

**REQUIREMENT FOR SPRINKLER SYSTEMS IN LARGE BUILDINGS AND RESIDENCES**

The agenda item was moved up on the agenda by Mayor Spuhler.

Mr. Wahlberg explained the issues the Fire Department had with the fire at the Brian Burr building. He said to do a quick search of a building that size is extremely difficult. He suggested

that once we reach a specific size we should require sprinkling systems. He said that a sprinkling system would buy them time to do a better search for someone. He said that the footprint of the building also plays into the search of the building. He suggested that a structure 8,000 feet or bigger should require a sprinkler system.

Mr. Wahlberg said that a sprinkler system for 8,000 square feet will cost approximately \$8,500.

The Council discussed basing the requirement on size and occupancy load. They discussed 8,000 square footage and 50 people as a fair way to judge.

Council Member Pugmire read the remarks from Steve Hamblin.

Mr. Murray read from the building code, which indicates that anything over 3600 square feet requires a sprinkling system. Mr. Carlisle said that Utah doesn't require that at this time. Mayor Spuhler said that we need to do more research on this issue. Mr. Wahlberg said that as long as we are reasonable with this we can find a good option for safety.

Mayor Spuhler said that there is a lot of economic benefit from the short term rentals in Garden City.

Mr. Hislop suggested that the Council look at requiring an alarm system that will notify a company if there is a problem.

Council Member Stocking said that he felt 7,000-8,000 may be a fair threshold for a sprinkler system. He said that he feels that short term rentals shouldn't be singled out, it should be fair to everyone. If it is going to be required it should be required of everyone and not just short term rental. He said that from a safety perspective he feels that there are good things with the suggestion but at some point it is cost prohibited. Mayor Spuhler agreed that it needs to be across the board at a specific size. Mayor Spuhler said that it should be for a new construction and we should grandfathered the current short term rentals in.

Council Member Warner said that he feels it is different if you are renting out a house to others than if you are bringing in your own family.

Council Member Warner recommended that we have the engineer and the fire chief look into the requirements for this new ordinance and come to us with a recommendation. He said that between them we would get good standards and the reason we would be considering this is for public safety issues and to prevent a tragedy from happening.

Mayor Spuhler said that there are other economic reasons to look at this because if a house catches on fire and they burn the hillside it is an economic driver, but at a certain threshold we need to look at public safety. We are looking into the future and we want to make this a premier destination.

The Council discussed this agenda item at length.

The Council asked Mr. Wahlberg and Mr. Murray to work on a suggestion for the Council to look at next month.

Mr. Ted Wilson said that a sprinkler system for 1200 square feet would have cost him \$40,000 to retro fit an existing apartment, plus a 4" line and a connection with the water department. Mr. Wahlberg said that a new home may be a lot less.

### **SHORT TERM RENTAL LICENSE DISCUSSION/APPROVAL**

952 N Yacht Dr., Adam & Heather Norris, Bear Lake Lodging

Council Member Warner made the motion to approve the short term rental license at 952 N. Yacht Dr. for Adam & Heather Norris, they are working with Bear Lake Lodging. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

**COVENANT TO RUN WITH THE LAND DISCUSSION/APPROVAL**, request to encumber parcel numbers 41-28-45-024 and 41-28-45-025, property owners are Gary Larsen

Council Member Stocking made the motion to accept the covenant to encumber the land, request to encumber parcel numbers 41-28-45-024 and 41-28-45-025 for property owner Gary Larsen. Council Member Huefner seconded. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

### **PUBLIC COMMENTS**

Mayor Spuhler opened up the meeting for public comments. There were no public comments.

### **DISCUSSION/APPROVAL REGARDING THE WATER METER REQUIREMENT FOR ZIPS**

Mayor Spuhler said that he talked to Mr. Steve Schenk and Council Member Warner regarding this request. He said that he explained to them that we have to treat everyone the same, and treat everyone fairly.

Mr. Huskinson said that he looked at the water impact fee which gives exceptions for the impact fee. He asked if this would be treated the same if he built it at the same time as the initial building or as an addition to the current building.

Mayor Spuhler said that he sent Mr. Huskinson to discuss this with the city engineer.

Mr. Huskinson said that when he did the original plan that was presented to the Council it included extra bathrooms in the back of the property. They want to do 2 or 3 extra bathrooms in the cisco building. The new building has been approved by the Planning Commission. The reason that he is here tonight is that he was told that he needs to put in a meter because of a new

structure. Mayor Spuhler said that when it is 2 separate building, our ordinance is very clear, each building requires a connection. He suggested that Mr. Huskinson tie the two structures together or go to the variance board to ask for a variance. He said that they could even do a bulk meter.

Mayor Spuhler said that the ordinance is built for everything across the board not for each individual situation. The Council discussed this situation extensively.

The Council suggested that Mr. Huskinson either go to the variance board or build a roof to connect the 2 buildings. Mayor Spuhler said that a pergola would be considered a roof to connect the 2 buildings, but it has to be a permanent structure that would connect the 2 buildings. Mayor Spuhler said that he could also leave it as a dry building. Mr. Huskinson will decide what he wants to do and get back with the Council.

## **PUBLIC HEARING**

Mayor Spuhler opened the public hearing at 7:20 p.m.

## **ROLL CALL**

Mayor Spuhler asked for a roll call of Council Members present: Mayor Spuhler, Council Member Huefner via speaker phone, Council Member Pugmire, Council Member Stocking, and Council Member Warner.

## **ORDINANCE DISCUSSION**

Ordinance #15-22, an ordinance updating the exemptions of height limitations

Mayor Spuhler read the ordinance to the audience. The Council discussed this ordinance and felt that there were items that didn't fit, they were from an old ordinance. They discussed sending it back to the Planning Commission to discuss further changes to the ordinance. The Council liked the changes that the Planning Commission already made to the ordinance but felt that there were more changes needed.

Ordinance #15-25, an ordinance updating beach use within the Garden City General Permit Area

Mr. Peterson said that he has a question regarding the enforcement of this ordinance because people leave paddle board and kayaks, etc. on the beach at night. He said those items could be used to save their spot. He asked if the goal is to keep out the riff raff and everything or just the canopies? He asked what he should do for enforcement. Mayor Spuhler said that he should use his common sense. Mayor Spuhler said that the law reads that nothing should be left on the beach overnight.

Council Member Pugmire made the motion to close the public hearing at 7:30 p.m. Council Member Stocking seconded the motion. A roll call vote was taken: Council Member Huefner, for; Council Member Pugmire, for; Council Member Stocking, for; Council Member Warner, for; Mayor Spuhler, for. Motion carried.

# Garden City Business License Application

PO Box 207 • 69 N. Paradise Parkway • Garden City, Utah 84028  
www.gardencityut.us • 435-946-2901 • 435-946-8852 Fax

<b>Business Status:</b> (check all that apply) <input type="checkbox"/> New Business <input type="checkbox"/> Additional Location # _____ <input type="checkbox"/> Name Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Location Change <input type="checkbox"/> Transient Vendor <input type="checkbox"/> Concessionaire Vendor	<b>License Fee:</b> Business License Fee _____ Transient License Fee _____ Concessionaire Fee _____ Additional Location _____ Other _____ Beach Vendor License also requires a BCI background check
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**Official Use Only:**

<b>Planning Commission:</b>	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____
<b>Town Council:</b>	<input type="checkbox"/> Approved	<input type="checkbox"/> Not Approved	Date: _____
<b>Inspections: Building Insp.:</b>	<input type="checkbox"/> Initial Date: _____	<input type="checkbox"/> Final Date: _____	
<b>Fire Inspection:</b>	<input type="checkbox"/> Initial Date: _____	<input type="checkbox"/> Final Date: _____	

**Comments:** \_\_\_\_\_

**Zone:**  Commercial 1 2 3  Residential  Beach Devel.  Other \_\_\_\_\_

**Business Name:** Lighthouse Resort LLC DBA Sunrise Resort at Harbor Village  
**If name change, previous name:** Sunrise Resort LLC  
**Location Address:** 865 N. Harbor Village East Drive  
**City, State & Zip:** Garden City, UT. 84028  
**Business Phone:** 435-799-4645  
**Cell Phone:** 11  
**Mailing Address:** P.O. Box 1193  
**City, State & Zip:** Farminston, Ut. 84025  
**E-mail Address:** lca-lake.sunrise@gmail.com  
**Owners Name:** Mark Smeat  
**Owners Location:** 1521 N. Compton Rd  
**City, State & Zip:** Farminston, UT. 84025  
**Phone:** 801-971-4003  
**Cell Phone:** \_\_\_\_\_

**Kind of Business**

<input type="checkbox"/> Retail	<input checked="" type="checkbox"/> Lodging	<input type="checkbox"/> Restaurant
<input type="checkbox"/> Professional	<input type="checkbox"/> Contractor	<input type="checkbox"/> Other

**Briefly Describe Your Business:** 19 bedroom Reunion, Corporate, event lodge.  
**Utah State Sales Tax Number:** 15584932  
**Ut State Professional License No.** 9432973-0160  
**Will you be installing a sign?:** No

This is an application for a business license; the actual license will be issued only when All inspections/Approvals are complete. Issuance of this business license shall in no way relieve the applicant of his/her responsibility of complying with applicable zoning, health, building, or fire regulations.

I, We, Mark Smeat hereby agree to conduct said business strictly in accordance with the Laws and Ordinances covering such business. I understand that I shall not begin nor cause to begin business at this location without first obtaining a business license and will not continue business without maintaining a valid license. In doing so, I will be subject to a penalty as stipulated by the Garden City Infraction Fee Schedule. Business License Fees are non-refundable.

**Owners Signature:** Mark Smeat **Date:** 6-16-15  
**Please print your name:** Mark Smeat

Planning Commission Meeting  
7-1-15

#15-22

Commission Member DeGroot made the motion that says that we approve #11C-910, with the changes of taking out “ventilating fans” and adding heating, venting, and air conditioning “ and taking out “skylights, towers, smoke stacks and theater lofts” and otherwise approved as written. Commission Member House seconded the motion. All in favor and the motion carried.

#15-23

Commission Member DeGroot moved as written with the distinction that 1 acre would be the smallest use and anything less than 5 would be the Conditional Use Permit and we took out the one on District. Commission Member Gifford seconded the motion. All in favor and the motion carried.

#15-24

Commission Member Gifford made the motion that we approve Ordinance #15-24 as written with the exception of leaving Nonconforming Signs as “A” and “No Signs advertising Short Term Rentals as “M”. Commission Member DeGroot seconded the motion. All in favor and the motion carried.

FYI

Conditional Use Permit - Temporary Sign for Conestoga Ranch at 595 N. Bear Lake Blvd.

Commission Member Gifford made the motion that we approve the sign with the stipulation that it's taken down October 15<sup>th</sup>. This will be erected on the corner of 300 W. and Bear Lake Blvd. on said property for Conestoga Ranch. Commission Member DeGroot seconded the motion. All in favor and the motion carried.

ORDINANCE #15-22

AN ORDINANCE UPDATING THE EXEMPTIONS OF  
HEIGHT LIMITATIONS

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 Town Council, of the Town of Garden City, Rich County, State of Utah, that Ordinance #11C-910 be established as follows:

Chapter 11C-910

*Draft*

11C-910 Exceptions to Height Limitations. Penthouse or roof structures for the housing of elevators, stairways, tanks, ~~ventilating fans~~ HVAC (heating, ventilation and air conditioning) or similar equipment required to operate and maintain the building, and parapet walls, ~~skylights, towers, steeples,~~ flagpoles, chimneys, ~~smoke stacks,~~ water tanks, weather vanes, wireless or television masts, ~~theater lofts,~~ silos or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space. All other architectural decorative features on top of building are not exempt.

This Ordinance approved on \_\_\_\_\_, 2015

APPROVED:

ATTEST:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

	<u>Aye</u>	<u>Nay</u>
Huefner	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

ORDINANCE #15-23

AN ORDINANCE COMBINING RESIDENTIAL ESTATE  
AND AGRICULTURAL 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 Town Council, of the Town of Garden City, Rich County, State of Utah, that Ordinance #11C-1100 be established as follows:

Recreational 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. Stables
- E. Riding Stables
- F. Breeding of domestic animals.
- G. Nurseries and Greenhouses.
- H. Household Pets.
- I. Home Occupation.
- J. Single family dwelling.
- K. Accessory buildings and uses.
- L. Park or Playground.
- M. Landscaping and gardening.

11C-1104 Exceptions include.

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

11C-1105 Conditional Uses.

- A. Church
- B. Public 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. Two-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. **Sexually Oriented Business**
- Q. **Rodeo**
- R. **Anything under 5 acre minimum not to go less than 1 acre.**

11C-1106 Area, Width and Setback Regulations.

		<u>Minimum Setbacks (in feet)</u>		
<u>District</u>	<u>Area in Sq. Ft.</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
RE/AG-1	1-acre	30	100 & 12	30

11C-1106 Height Regulations. No building shall exceed 35 feet in height.

11C-1107 Modifying Regulations.

- A. Side setbacks. Main buildings other than dwellings shall have a minimum side set-back of 20 feet and the total of the two side setbacks shall be 40 feet. Private garages and other accessory buildings located at least 10 feet behind the main building may have a side setback of one foot, except the street side setback of a corner lot shall be a minimum of 20 feet for main and accessory buildings.
- 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.
- C. ~~Distance between Buildings. No building, structure, or enclosure housing animal or fowl shall be constructed closer to a dwelling on the same or adjacent lot less than 100 feet.~~

~~11C-11XX Area, Width and Setback Regulations. Ten(10) feet except that for any parcel in the Recreational Estate/Agricultural 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 Recreational Estate/Agricultural Zone.~~

~~11C-1108 Occupancy. Year-round housing shall be allowed within this zone. Subdivisions shall comply with sewer and water requirements.~~

11C-1109 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.

This Ordinance approved on \_\_\_\_\_, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

	<u>Aye</u>	<u>Nay</u>
Huefner	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

ORDINANCE #15-24

AN ORDINANCE STATING SHORT TERM RENTALS CANNOT ADVERTISE ON PROPERTY

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

WHEREAS, the Town of Garden City must have ordinances that are fair and equitable to every property owner and developer who wishes to develop in the Garden City Town limits; and

WHEREAS, the Garden City Planning Commission and Town Council realize the importance of having homes in all commercial areas; and

NOW THEREFORE, be it ordained by the Town Council, of the Town of Garden City, Rich County, State of Utah, that Ordinance #11C-602 be added as follows:

11C-602 – General Sign Regulations

M. No signs advertising Short Term Rentals are allowed on the rental property. Names of homes are allowed, (but can be no larger than 2' x 2').

Draft

This Ordinance approved on \_\_\_\_\_, 2015

APPROVED:

ATTEST:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

	<u>Aye</u>	<u>Nay</u>
Huefner	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

**ORDINANCE #15-26**

**AN ORDINANCE UPDATING THE PARKING AND LOADING REQUIREMENTS IN THE TOWN OF GARDEN CITY**

WHEREAS, the Town of Garden City is a Town duly incorporated under the general laws of the State of Utah; and

WHEREAS, the Garden City Town Council has determined that it is necessary to update the current parking and loading ordinance as necessary for the health, safety and welfare of the citizens; and

WHEREAS, parking and loading requirements need to conform with the area of Garden City and the surrounding environment; and

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garden City, Rich County, State of Utah, that **Ordinance, Chapter 11C-300, Parking and Loading Space** be updated as follows:

**CHAPTER 11C-300 Parking and Loading Space**

11C-301 Purpose The purpose of these off street parking requirements is to reduce congestion and traffic hazards in the Town by incorporating adequate, attractively designed off street parking for various land uses. Parking areas shall be designed in such a manner that they will result in maximum efficiency, protection of public safety, provided for the special needs of the handicapped, and where appropriate, insulate surrounding land uses from adverse impacts created by such parking.

11C-302 Off-Street Parking Required

- A. At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off-street parking spaces for automobiles in accordance with the following requirements. A detailed site plan showing the required off street parking spaces shall be presented to the Planning Commission for approval. All off street parking shall comply with all of the standards prescribed in this chapter, and shall be permanently maintained in good condition for the duration of the use or uses served by the facility.
- B. Parking shall be located on the same lot or and abutting lot to the requested use. In not case shall required parking be located across a public street without written approval of the Planning Commission and only when the parking area is within 100 feet.
- C. Uses not listed shall be based on the most similar use in the table as determined by the Planning Commission.
- D. Any use of property which, in the effective date of this ordinance, is nonconforming only with the regulations relating to off-street parking may continue in the same manner, provided that parking facilities shall not be further reduced.

- E. Lighting used to illuminate any off street parking area shall be arranged to reflect the light away from adjacent properties and street traffic and shall comply with the dark sky ordinance.
- F. All areas designated for off street parking shall not be used for outdoor storage of materials or equipment.
- G. Parking Setbacks. The Planning Commission will determine at design review the appropriate parking setback. The placing of building and parking elements on a site shall be evaluated by the Planning Commission on the basis of the following factors:
  - 1. Relationship to other buildings both horizontally and vertically.
  - 2. Natural land features, such as slopes or trees.
  - 3. Physical features and controlled ingress and egress.
  - 4. Visibility from vehicular approaches and distant highways.
  - 5. Type of use and structure.
  - 6. Building height.
- H. Parking lots/areas in C1 and C3 zones shall include twenty (20) feet of bermed or swale landscaping between the property line and parking area.
- I. Connection of interior Parking Lots. Private parking lots, within any development, shall be required to provide interior access to adjacent parking lots and interior private roadways. When new developments are being constructed adjacent to existing business, the project shall be required to join existing drives and parking lots at property lines. When new developments are proposed adjacent to undeveloped land or underdeveloped business, the new development shall be required to construct connections, which will allow joining of future roads or parking lots. All access between interior lots and roads shall be open to the public for customer parking and access.

11C-303 Handicap Parking. Handicap parking shall meet the requirements of the most recent amendment of the Americans with Disabilities Act (ADA).

11C-304 Parking Space Size. The dimensions of each off-street parking space shall be at least nine (9) feet by twenty (20) feet for diagonal or ninety-degree spaces; or nine (9) feet by twenty-two (22) feet for parallel spaces.

Type of Space	Minimum Width	Minimum Length
Diagonal	9 feet	20 feet
90° Angle	9 feet	20 feet
Parallel	9 feet	22 feet

11C-305 Computation Of Off Street Parking Spaces The table on the following pages contains the minimum parking requirements for specific uses. To clarify the computation of off street parking spaces, the following standards shall apply:

- A. If a fractional number is obtained one parking space shall be required for that fraction.
- B. If more than one use is located on a site, the number of off street parking to be provided shall be equal to the sum of the requirements of each use.

<b><i>Residential Land Use</i></b>	Required Parking Spaces	Employee Parking
Duplexes, multi-family dwellings, condominiums, townhouses	Studio 1 space 2 to 3 bedrooms 2 spaces 4 or more bedrooms 3 spaces Guest parking: 1 space for each 3 units	
Second residential unit	1 space in addition to that required for the primary dwelling	
Senior housing	.5 space for each unit plus 1 guest space for each 10 units	1
Single-Family dwellings	2 spaces per unit	
<b><i>Non residential land use</i></b>		
Amusement park/entertainment facilities	Determined by conditional use	
Art galleries, artisan/ craft shop,	1 space per 500 sq. ft	1
Auto and vehicle maintenance and repair	4 spaces for each service bay	1
Auto/vehicle sales and/or parts store	1 space per 400 sq. ft	1
Banks and financial services	1 space per 300 sq. ft	2
ATM's	1 space for each exterior ATM	
Bed & Breakfast (Inns)	1 space per guest unit	1
Building material stores	1 space per 500 sq. ft	1
Child day care centers	1 space for each 10 children that the facility is licensed to accommodate	2
Community/Convention Centers, lodges and meeting halls	1 space per 100 sq. ft.	2
Grocery Store	1 space per 250 sq. ft.	2
Hotels	1 space for each guest room; plus retail, restaurant, and conference uses calculated at 50% of the requirements of this table. .2 oversize space per guest room	2
Laundromats	1 space for each 5 washing machines	
Libraries and museums	1 space per 300 sq. ft	1
Medical Clinics, offices, labs, pharmacies, and other outpatient facilities	1 space per 500 sq. ft	3
Night clubs and bars	1 space per 100 sq. ft	3
Offices	1 space per 500 sq. ft	1
Outdoor commercial recreation	Spectator seats: 1 space for each 4 seats Sports courts: 2 spaces per court plus 1 space per 500 sq. ft. of area other than courts	1
Personal services:	1 space per 500 sq. ft.	1

Barbers/beauty, etc.		
Plant nurseries and garden supply stores	1 space per 500 sq. ft of indoor use area; 1 space per 2,000 sq. ft. of outdoor use area	1
Public safety facilities	1 space per 500 sq. ft	1
Religious facilities, churches, places of worship	1 space per every 4 seats to maximum seating capacity	
Restaurants (indoor and outdoor dining)	1 space per 180 sq. ft	2 spaces for every 1,000 sq. ft.
Retail Stores	1 space per 500 sq. ft.	1
Schools – public and private		
Grade 9 and lower	1 space per classroom	2 per classroom
Grade 10 – 12	5 spaces per classroom	1 per classroom
Service station/Convenience Store	1 space per pump island, does not include parking at the pump	1
Short Term Rental	See ordinance 8-601-G and 8-607-B	
Studios – art, dance, music, photograph, etc.	1 space per 180 sq. ft.	1
Theaters	1 space per 100 sq. ft.	1
Transient Business	1 space per 150 sq. ft of commercial area	2
Utility facilities	1 space per 1,000 sq. ft	1
Veterinarians, animal hospitals, kennels, boarding, pet shops	1 space per 500 sq. ft	1
Warehousing, wholesaling and distribution		1 space per employee
Wholesale design showrooms	1 space per 1,000 sq. ft	1

ADOPTED: This ordinance is approved and shall take effect this 9<sup>th</sup> day of July, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

Aye    Nay

Huefner	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___



Kathy Hislop &lt;kathyh@gardencityut.us&gt;

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**Parking Ordinance Suggestions**

1 message

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**Zan Murray** <ZPM@jub.com>

Mon, Jun 29, 2015 at 6:21 PM

To: "Kathy Hislop (kathyh@gardencityut.us)" &lt;kathyh@gardencityut.us&gt;

Kathy and Bob, I have the following suggestions to the draft parking ordinance. See what you think.

Thanks,

11C-302.

Paragraph B – Second Sentence – In no case shall...

Paragraph E – Comment – We have just constructed several parking areas in the community that violate this statement. Has it been a problem? If so how can we make it better?

Paragraph H – Add 11C-303.E.3 from the existing ordinance. May want to consider Paragraphs 1 and 2 in this section too. The problem with Paragraph 1 is that the Planning Commission will design the parking are for the developer. It would be better to apply some basic principles like in paragraph 2. Perhaps we should consider parking design standards on collector and arterial streets. i.e. SR-30, SR-89, 300 West. Moving parking to the back of the buildings can create a nice street corridor. Norm was planning to do this on the Water's Edge for the most part.

Paragraph I – Add 11C-305 from the existing ordinance.

11C-303.

Table

Grocery Store – No requirement listed. See suggestion from table below.

Hotels – Add 0.2 oversize spaces per guest room (oversize counts as one space)

Condominiums / Short Term Rentals – 1 space per bedroom; 0.2 oversize spaces per bedroom (oversize counts as one space)

Religious facilities – 1 space per every 4 seats to maximum seating capacity.

Service Station – Comment – sometimes there are four filling stations at an island. Seems like you should have one space per filling station (one pump machine has one filling station on each side). Should they have one stall per filling station?

Theatre – See Suggestion from table below.

11C-304 Parking Design Guidelines – Parking design guidelines shall be followed unless approved by the City Engineer.

- A. Standard Size – 9' x 20', Parallel Parking 9' x 24'
- B. Oversize Size – 9' x 40', Parallel Parking 9' x 46'
- C. Maximum Slope Perpendicular to Parking Stall – 5%
- D. Minimum isle width from edge of painted stall.
  - a. 90 Degree – 24 Feet
  - b. 60 Degree – 20 Feet
  - c. 45 Degree – 14 Feet
  - d. 30 Degree – 12 Feet

11C-305 Handicap Parking – Handicap parking shall meet the requirements of the most recent amendment of the Americans with Disabilities Act (ADA).

Another unique idea might be a parking impact fee. New businesses sometimes have a hard time finding locations parking. An impact fee could be used to further develop parking areas in the future.

I hope some of these ideas help.

Zan

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Here are some other standards I found online. They may be of help. I think parking at retail locations is insufficient right now.



ORDINANCE #15-27

AN ORDINANCE ESTABLISHING LIFE SAFETY REQUIREMENTS FOR  
SENSORS/DETECTORS AND FIRE SPRINKLER SYSTEMS.

WHEREAS, the Town of Garden City is a Town duly incorporated under the general laws of the State of Utah; and

WHEREAS, the Garden City Town Council has determined that it is necessary to establish life safety requirements for specific uses and/or size of structure for the health, safety and welfare of those who are in the structure; and

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Garden City, Rich County, State of Utah, that Ordinance, Chapter 9-600, Life Safety be updated as follows:

Chapter 9-600 – Life Safety

9-601 Definition. For the purpose of this ordinance, the following words and phrases shall have the meaning ascribed to them in this section.

- A. Short Term Rental (STR) – See 8-601.E
- B. Total Living Space – Habitable space in a structure including all floors and habitable attic spaces as defined in the latest adopted edition of the IBC or IRC.

9-602 Purpose: Hazards such as fire and carbon monoxide can cause harm, serious injury or even death to occupants. The purpose of these requirements is to prevent these hazards from occurring to residents, visitors or emergency response teams who occupy or enter structures in the Town.

9-603 Summary: In order to prevent injury or death from fire or carbon monoxide, sensors and in some cases alarm systems are required for protection of occupants. For certain structures, a fire sprinkler system is required to protect the occupants, emergency response teams and adjacent structures from damage.

9-604 Reference Codes: All codes referenced in this Chapter pertain to the latest adopted edition by the City. If a code has not been adopted by the City, then State adopted codes apply. If State codes are not adopted, then Federal codes apply.

9-605 Sensors / Detectors:

- A. Carbon Monoxide (CO) Detectors: UL Listed Carbon monoxide detectors are required to be installed per NFPA 720 and per State Code in all structures when a building permit is issued and in all STR as part of the application for license for a STR.

- B. Smoke Detectors: UL Listed Smoke detectors are required to be installed per NFPA 72 and per State Code in all structures when a building permit is issued and in all STR as part of the application for license for a STR.

9-606 Monitored System (MS): A monitored system is required for all STR's. The MAS must be operational 24 hours a day while the STR is in use. Smoke detection and CO detection are required at a minimum to be monitored by the MAS. The MAS must be able to contact the STR Owner or manager and the 911 system for emergency response teams of the Town. The MAS must be UL Listed Central Station. A copy of the MAS contract including dates of service must be included with the application for license for an STR.

9-607 Fire Sprinkler Systems: Fire sprinkler systems per NFPA 13R are required in all structures of Group R per the International Building Code (IBC) over 6500 square foot of total habitable space including unfinished spaces.

- A. An Automatic Fire Sprinkler System is required to be installed in an existing home when:
  1. An addition of greater than 50% of the final total habitable space is constructed and the finished total habitable space will exceed 6500 square feet.
  2. A remodel of greater than 50% of the total habitable space is completed and the finished total habitable space exceeds 6500 square feet.

9-608 Inspection

- A. Prior to occupancy the Building Official must inspect the detectors for functionality.
- B. Prior to license as an STR the Code Enforcement Officer must inspect the detectors and MAS for functionality.

ADOPTED: This ordinance is approved and shall take effect this 9<sup>th</sup> day of July, 2015.

APPROVED:

ATTEST:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

	Aye	Nay
Huefner	___	___
Pugmire	___	___
Stocking	___	___
Warner	___	___
Spuhler, Mayor	___	___

## Resolution #15-05

### A RESOLUTION TO UPDATE THE ADMINISTRATIVE CODE INFRACTION FINE SCHEDULE TO INCLUDE A FINE FOR VIOLATIONS TO QUIET HOURS AND NOISE

WHEREAS, the Town of Garden City is a Town duly incorporated under the general laws of the State of Utah; and

WHEREAS, The Garden City Town Council has determined that there is a need to enforce the requirements as set by the Garden City Municipal Code and establish an Administrative Code Infraction Fine for such violations; and

WHEREAS, The Garden City Town Council has established a fine schedule for remedies of Garden City Municipal Code infractions.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Garden City, Rich County, State of Utah that a fine be established as follows:

Violations to the Garden City Municipal Code will be cited as allowed in "Exhibit A", The Town of Garden city Administrative Code Infraction Fine Schedule, which is attached.

APPROVAL: This Resolution will become effective immediately upon approval of the Garden City Town Council.

Dated this 9<sup>th</sup> day of July, 2015.

APPROVED:

Attest:

\_\_\_\_\_  
John Spuhler, Mayor

\_\_\_\_\_  
Kathy Hislop, Town Clerk

Voting:

	Aye	Nye
Huefner	___	___
Stocking	___	___
Pugmire	___	___
Warner	___	___
Spuhler, Mayor	___	___

## “Exhibit A”

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### The Town of Garden City Administrative Code Infraction Fine Schedule

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INFRACTION:	FINE:	PER:
<b>Licensing and Permitting:</b>		
Removing posted red tag before issues are resolved	750	Day
Installing a sign in violation of Municipal Code	200	Infraction
Installing a sign before procuring sign permit	200	Infraction
Operating a business without Garden City License	750	Day
Operation of a transient or Beach Business without a GC License	500	Day
Construction without a building permit	500	Infraction/Day
<b>Short Term Rental:</b>		
Operation of a short term rental without Garden City License	750	Day
Occupancy beyond the specified allowed	50	Per person
Parking off premise or in excess of allowed	150	Per vehicle
Unauthorized commercial activities	750	Day
<b>Water System:</b>		
Turning on/off water meters	200	Infraction
Burying water meter	200	Infraction
Tampering with water meters	250	Infraction
Failing to pay standby fee	240	Per yr delinquent
<b>Beach Use (within the Garden City General Permit Area):</b>		
Camping on the beach	100	Infraction
Leaving Canopies, Trailers, etc. on the beach	50	Infraction
Parking outside the designated area	100	<i>Infraction</i>
Parking closer than 100 feet the water's edge	50	Infraction
Trespassing on Garden City General Permit area without a Valid pass	80	Infraction
Not being Quagga Mussel certified	50	Infraction
<b>Parking:</b>		
Standard parking infraction	80	Infraction
Parking in a Handicap parking spot	120	Infraction
Parking on the bike path	80	Infraction
Parking on town roads Nov 1 – May 1 (snow plowing)	80	Infraction
Parking in a Fire Lane	80	Infraction
<b>Land Use:</b>		
No correct county address posted on property	100	Infraction
Littering	80	Infraction
Camping without a required permit (per RV as defined)	100	Infraction
Installing lighting in violation of dark sky ordinance	100	Infraction
Violation of ordinance #9-500, abatement of Garbage and other Deleterious Material	200	Infraction/Per day

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**Animal Control: (infraction is per animal)**

Not curbing your animal/pet	25	Infraction
Animal/pet must be on a leash when on any Town owned property	25	Infraction
Animal/pet must be on a leash on any beach within the Garden City General Permit area.	25	Infraction
Household pets not contained within property area	25	Infraction

**Town Property:**

Operating any type of motorized vehicle on the bike path	200	Infraction
No overnight parking or camping on town owned property	100	Infraction
Plowing snow onto town roads	100	Infraction
Encroaching onto town streets without a permit	100	Infraction
Cutting a town street without permit	750	Infraction
Destruction of Town property	500	Infraction
Prohibited Use/Activities	120	Infraction
Encroachment Violation	100	Infraction

**Police and Public Offenses**

Nuisance/Disturbing the peace	100	Infraction
Urinating/Defecating in public	50	Infraction
Discharging of firearms within the Garden City Town limits	1500	Infraction
Discharging of illegal fireworks	250	Infraction
Violation to fire or firework restrictions	500	Infraction
Reckless Endangerment or Wanton Disregard	250	Infraction
Offenses Against Public Health, Safety, Welfare and Morals	100	Infraction

**Miscellaneous:**

Violation of quiet hour noise		
• First violation within a 12 month period	150	Day
• Second violation of the same provision within a 12 month period	300	Day
• Each additional violation of the same provision within a 12 month period	500	Day
Violation of quiet hour noise for construction sites:		
• First violation within a 12 month period	500	Day
• Second violation of the same provision within a 12 month period	1000	Day
• Each additional violation of the same provision within a 12 month period	5000	Day
Not collecting or paying sales and resort tax	750	Infraction
Violation of the Garden City Standards Manual Requirements	200	Infraction/Per Day
Leaving Trash Receptacle on roadside longer than 24 hours	25	Per Day
Seasonal Motorized Traffic violation	100	Infraction

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Welcome to

*Garden City*

Utah

*Where Families Play*

CERTIFICATION OF DELINQUENCY OF ASSESSMENTS AND CHARGES

The undersigned hereby certifies that the assessments and charges attached hereto as Exhibit "A" and incorporated herein by this reference are true and accurate statements of outstanding balances for service fees and charges of the Buttercup Special Improvement District assessed against the respective parties and properties therein referenced. These delinquent fees and charges shall upon this certification become a lien on the premises to which such improvement has been provided, all in accordance with the provisions of 17A-2-1321 of the Utah Code Annotated, 1953 as amended.

By virtue of this certification with the Treasurer, Auditor, and other applicable officers of Rich County are hereby directed to record such deficiencies as liens and on the tax rolls of Rich County, and to collect the same in the same manner as general county taxes.

Dated this 9<sup>th</sup> day of July, 2015.

APPROVED:

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John Spuhler, Mayor

Attest:

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Kathy Hislop, Town Clerk

June 22, 2015

Garden City, UT 84028

Dear Garden City Council Members,

Once again we want to thank you for your support and generosity to the Garden City Quilters. In the past, it has been a very important thing in our keeping the quilters going as there is no way we could collect enough money to purchase enough batting to make the quilts we tie and quilt each year..

The quilts we have taken back to the Salt Lake Humanitarian group have gone to several different disasters this year. Salt lake told us they have not been able to keep up, there has been so many. They welcome all we can get them We do keep enough to take care of any disasters here in Garden City. Part of the 2,000 quilts that were sent to Iraq were taken from this year's quilts as well. To let us know how much they need and appreciate our quilt they donate all the fabric and yarn we need.

As always we try to sell some hand quilted and some tied quilts to pay for batts but have not sold enough to buy the batts we need. We really need a little more money this year because the batts have gone up quite a bit. Last year you gave us \$500.00 but if you could see your way to get us \$600.00 this year it would help us extremely. We ran out of money this month so any help you can give us will be greatly appreciated. We do always appreciate all your help!

Thanks again for your help,

The Garden City Quilters

## 2015 Building Permits

REPORT FOR TOWN COUNCIL 07/09/2015 GEO. PEART

GCB 15-02-03-001	BRIAN BURR	21 E 2263 SO.	RES
GCB-15-02-12-002	JOHN CRANDALL	1032 S BL BLVD	RES
GCB-15-02-23-003	WYNDHAMN VACAT	849 N HARBOR VILAGE	COM
GCB-15-03-11-005	JOHN WHITE	40 N CHRISTA CR	RES
GCB-15-03-20-006	LYN ARVER	94 E 200 N	RES
GCB-15-03-20-007	BOB BUCKLEY	1097 SO. MOUNTAIN MD.	RES
GCB15-03-20-008	GARY JONES	2176 S BL BLVD #190-191	RES
GCB-15-03-23-009	ELKE BROWN	235 N BL BLVD	COM
GCB-15-04-03-010	STEVE KNAP	948 SNOW MEADOW DR	RES
GCB-15-04-03-011	CONESTOGA RANCH	400 N 300 W	COM
GCB-15-04-03-012	CONESTOGA RANCH	400N 300 W	COM
GCB-15-04-13-013	ANDREA DAVIS	2049 S BL BLVD	COM
GCB-15-04-24-014	KEN HULL	609 S STUMP HOLLOW RD	RES
GCB-15-05-05-015	RICHARD LINDBERG	1020 SO BL BLVD	RES
GCB-15-05-19-016	EDDIE HUNSAKER	270 W CEDAR LN.	RES
GCB15-05-19-017	STEVE WOLFLEY	1940 SO. BL BLVD	RES
GCB-15-05-19-018	MARK HISLOP	836 S EUTAW RD	RES
GCB15--05-20-019	ZIPS	30 W 75 N	COM
GCB-15-06-01-020	VINCE RHOTON	690 S EUTAW RD	RES
GCB-15-06-05-021	BYRON CONRAD	1006 S SNOW MEADOWS DR	RES
GCB 15-06-16-022	GARY LARSEN	800 S BL BLVD	RES
GCB 15-06-17-023	LEN ARAVE	98 W 200 N	RES
GCB 15-07-08-024	JUSTIN HEIDER	957 SO. BALSMORHIZA RD	RES