

**ORDINANCE # 15-37**

AN ORDINANCE UPDATING THE COMMERCIAL ZONE

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-1500 be changed as follows:

**CHAPTER 11C-1500 C Commercial Zone**

*Draft*

Area		Minimum Setbacks (in feet)		
District	Area in Square Feet	Front (Side facing road)	Side	Rear
C1	Minimum of 6000 ft.	20 Feet	Ten (10) Feet	Ten (10) Feet
C2	Minimum of 6000 ft.	20 Feet	Ten (10) Feet	Ten (10) Feet
C3	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

11C-1501 Purpose. 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, and pool halls.
4. Hotels and Motels
5. Restaurants and Fast Food Establishments
6. Department Stores

Owners of commercial property may choose to have a single family residence 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

11C-1503 C2 Zone.

A. Permitted Uses.

1. Commercial parking lots
2. Carpenter shops, electrical, plumbing, heating and air conditioning shops, printing and publishing or lithographic shops, provided all uses shall be within an enclosed building
3. Commercial landscaping buildings
4. Storage sheds
5. Construction/labor/service showrooms, provided all uses shall be within an enclosed building
6. Lumber yard, provided all uses shall be within an enclosed building
7. Small scale manufacturing, provided all uses shall be within an enclosed building.

Owners of commercial property may choose to have a single family residence 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. Sexually Oriented Business~~
3. Farmer's & Artisan's Market
4. RV Park

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 uses for the C2 Commercial Zone may be applied to C3 Commercial Zone.
  - 3. Owners of C3 Zone properties may choose to use them as 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 provide a fence between the two properties for privacy.
    - b. When C3 Zone property is used for establishment of a residence next to an established business, the homeowner will be required to provide a fence between the two properties for privacy.
  
- B. Conditional Uses.
  - 1. Farmer's & Artisan's Market
  - 2. RV Park

11C-1505 Height Regulations. No building shall be erected to a height greater than thirty-five (35) feet.

11C-1506 Area, Width, and Setback Regulations. See above table.

11C-1507 Landscaping and Front Elevations. 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-1508 Architectural Standards. To ensure that Garden City continues to be aesthetically pleasing, all business buildings will be required to meet certain architectural standards. All business buildings shall have an outer appearance that is consistent with surrounding structures. All business buildings shall have 3 exterior walls (one of which must face the street) that are made of wood, glass, stone, brick, or stucco. Other materials may be approved through a Conditional Use, through a presentation with the Planning & Zoning Commission and approval by the Town Council. All materials are to have an earth tone color in nature and appearance. Architecture elevations must be reviewed and approved by the Planning Commission.

APPROVED:

ATTEST:

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John Spuhler, Mayor

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Kathy Hislop, Town Clerk

Voting:

	<u>Aye</u>	<u>Nay</u>
Argyle	—	—
Pugmire	—	—
Stocking	—	—
Warner	—	—
Spuhler	—	—

ORDINANCE #15-38

AN ORDINANCE UPDATING THE RESIDENTIAL ESTATES/  
AGRICULTURAL ZONE

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 changed as follows:

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

11C-1106 Area, Width and Setback Regulations.

<b><u>Minimum Setbacks (in feet)</u></b>			
<b><u>District</u></b>	<b><u>Front</u></b>	<b><u>Side</u></b>	<b><u>Rear</u></b>
<b>RE/AG-1</b>	<b>30</b>	<b>100 &amp; 12</b>	<b>30</b>

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.

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 #15-39

AN ORDINANCE UPDATING THE RV 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 Town Council of the Town of Garden City, Rich County, State of Utah, that Ordinance #11A-200-121 be changed as follows:

CHAPTER 11A-200, Definitions

~~121. Recreational Vehicle A vehicle with motive power or wheels and licensed for road use, designed to be used for temporary or seasonal human habitation, not to exceed 120 days in a calendar year.~~

121. **Recreational Vehicle.** An RV is a vehicle designed as temporary living quarters for recreational, camping, travel or season use. RV's may be motorized (motor homes, caravan and camper van) or towable (travel trailers, folding camping trailers, 5<sup>th</sup> wheel camper trailers, boats with sleeping cabins and truck campers). Off-road vehicles are not included in the RV definition.

APPROVED, by the Garden City Town Council, Garden City, Rich County, State of Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

ATTEST:

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

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

Voting:

	<u>Aye</u>	<u>Nay</u>
Argyle	—	—
Pugmire	—	—
Stocking	—	—
Warner	—	—
Spuhler, Mayor	—	—

**ORDINANCE #15-40**

AN ORDINANCE UPDATING RECREATION VEHICLES

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-800 be changed as follows:

**CHAPTER 11C-800 Recreation Vehicles**

11C-801 Definitions: Definitions can be found in section 11A-200

11C- 802 Overnight Camp Grounds. Overnight camp ground developments shall comply with the following requirements.

- A. No occupied Recreational Vehicle or Tent shall be allowed except:
1. In designated campgrounds;
  2. Subject to provisions of Section 11C-802-B.
  3. All overnight campgrounds shall have a current business license with the Town of Garden City. The fee for said license shall be adopted by resolution. This license shall be subject to revocation by the Town Board for such case as nuisance or violation of this ordinance.
- B. ~~Storage and Use of Recreational Vehicle.~~
- ~~1. It shall be unlawful to store on any vacant lot any Recreational Vehicle.~~
  - ~~2. It is unlawful to occupy a Recreational Vehicle on any lot except:~~
    - ~~a. During active construction of a home or cabin and then only for a period not to exceed 18 months, (The occupant must apply for and receive a temporary permit stating the expiration date of the temporary occupancy permit. Such permit shall not be issued until after a building permit for the building has been obtained.)~~
    - ~~b. Occupation of one recreational vehicle by a guest of a property owner on his homesite shall be permitted for no more than 10 consecutive days. At the end of 10 days the recreational vehicle must be moved offsite for a period of 2 weeks (14 days) before returning to the site.~~

- ~~e. In addition to the recreational vehicle mentioned in (11C-802-B-2-b) above, additional recreational vehicles may be located on a lot on a temporary basis when the owner of the property has first obtained from the city, a permit covering the specific time period during which such recreational vehicle may be so located.~~
- ~~d. Such permits shall specify the days covered and the number of recreational vehicles permitted. Such permits shall not be issued for the same lot for more than 15 days and for not more than 10 consecutive days in any 90-day period. At the end of 10 days the recreational vehicle must be moved offsite for a period of 2 weeks (14 days) before returning to the site.~~
- ~~e. For the purposes of (11C-802-B-2-d) above, a group of contiguous lots under the same ownership shall be considered to be one lot.~~
- ~~f. All lots for which permits are issued shall have water and sewer hookups available, and when tents or non-self-contained recreational vehicles are to be occupied, restroom facilities meeting requirements of the health authority having jurisdiction shall be provided, on the same lot.~~
- ~~g. Recreational Vehicles placed on a lot as allowed by paragraph (11C-802-B-2-c) above shall be placed at least 10' from any property line and at least 6' from other recreational vehicles or structures. There shall not be placed on any lot more than 1 recreational vehicle per 1500 square feet of open lot area not occupied by structures. No permanent pads are allowed.~~
- ~~h. Penalties. Any person, firm or corporation whether as principal, agent, employee or otherwise violating or causing or permitting the violation of the provisions of this ordinance shall be deemed guilty and fined according to resolution. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such hereunder.~~

11C-803 Storage and Uses of Recreational Vehicles. It shall be unlawful to store on any lot any Recreational Vehicle.

11C-804 Recreational Vehicles and Camping on Vacant Lots.

- A. It is unlawful camp on any vacant lot.
- B. It is unlawful to occupy a Recreational Vehicle on any lot except during active construction of a home or cabin and then only for a period not to exceed 18 months, (The occupant must apply for and receive a temporary permit stating the expiration date of the temporary occupancy permit. Such permit shall not be issued until after a building permit for the building has been obtained).

11C-805 Recreational Vehicles and Camping on Lots with Homes or Cabins.

- A. Occupation of ONE recreational vehicle by a guest of a property owner on his homesite shall be permitted for no more than 10 consecutive days. At the end of 10 days the recreational vehicle must be moved offsite for a period of 2 weeks (14 days) before returning to the site.
- B. In addition to the recreational vehicle mentioned in (11C-805-A) above, additional recreational vehicles may be located on a lot on a temporary basis when the owner of the property has first obtained from the city, a permit covering the specific time period during which such recreational vehicle may be so located.
- C. Such permits shall specify the days covered and the number of recreational vehicles permitted. Such permits shall not be issued for the same lot for more than 15 days and for not more than 10 consecutive days in any 90-day period. At the end of 10 days the recreational vehicle must be moved offsite for a period of 2 weeks (14 days) before returning to the site.
- D. For the purposes of (11C-805-C) above, a group of contiguous lots under the same ownership shall be considered to be one lot.
- E. **All lots for which permits are issued shall have** ~~water and sewer hookups available, and when tents or non-self contained recreational vehicles are to be occupied, restroom facilities meeting requirements of the health authority having jurisdiction shall be provided, on the same lot,~~ restroom facilities available for all recreational vehicles and tents.
- F. Recreational Vehicles placed on a lot as allowed by paragraph (11C-805-D) above shall be placed at least 10' from any property line and at least 6' from other recreational vehicles or structures. There shall not be placed on any lot more than 1 (one) recreational vehicle per 1500 square feet of open lot area not occupied by structures. No permanent pads are allowed.

11C-805 Violations – A violation of this Ordinance, or any provision thereof, shall be punishable by a civil penalty established by resolution.

APPROVED, by the Garden City Town Council, Garden City, Rich County, State of Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

ATTEST:

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

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

Voting:

	<u>Aye</u>	<u>Nay</u>
Argyle	—	—
Pugmire	—	—
Stocking	—	—
Warner	—	—
Spuhler, Mayor	—	—